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PROCEEDINGS AND DEBATES OF THE 84th CONGRESS, SECOND SESSION

SENATE

TUESDAY, JULY 17, 1956

(Legislative day of Monday, July 16, 1956)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Father of mankind, to whom all souls are dear, and whose tender mercies are over all Thy works, as we bow at this morning altar of Thy grace, our grateful hearts are singing, "This is the day the Lord hath made; therefore we will rejoice and be glad in it." Pausing at this wayside shrine of quietness, as we turn from a world so full of tumult and passion, with its waiting and wearying tasks, we pray for guidance and for strength. Save us, we beseech Thee, from pride and prejudice in dealing with public problems. Grant us that inner candor which is the high courage of the soul. Help us to find in each problem and perplexity but the prelude to those larger understandings which even in a desert of denials and betrayals of truth and freedom shall be as trees planted for the healing of the nations. In the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Monday, July 16, 1956, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 1637. An act to extend the time limit within which awards of certain military and naval decorations may be made;

S. 3498. An act to extend authority of the American Battle Monuments Commission to all areas in which the Armed Forces of the United States have conducted operations since April 6, 1917, and for other purposes; and

S. 3705. An act to require periodic survey by the Chairman of the Federal Maritime Board of national shipbuilding capability.

The message also announced that the House had passed the following bills of the Senate, severally with amendments, in which it requested the concurrence of the Senate:

S. 218. An act for the relief of the town of Clayton, N. Mex.;

S. 985. An act to establish an Alaska International Rail and Highway Commission;

S. 1135. An act to amend the act entitled "An act to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes";

S. 1456. An act to amend sections 212, 219 (a), 221 (a), and 410 (a) of the Communications Act of 1934, as amended;

S. 1833. An act to amend the Merchant Marine Act of 1936, as amended; and

S. 1915. An act to provide for further effectuating the act of May 15, 1862, through the exchange of employees of the United States Department of Agriculture and employees of State political subdivisions or educational institutions.

The message further also announced that the House has passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 138. An act to make the retirement benefits of the Army and Air Force Vitalization and Retirement Equalization Act of 1948 available to certain persons who rendered active Federal service during the Korean conflict;

H. R. 609. An act to amend the Federal Import Milk Act, approved February 15, 1927 (44 Stat. 1101, 21 U. S. C. A., 141–149);

H. R. 2035. An act to authorize the crediting of certain service for purposes of pay and retirement;

H. R. 4127. An act to exempt courses leading to standard college degrees offered by nonprofit educational institutions of higher learning from the provisions of section 227 of the Veterans' Readjustment Assistance Act of 1952 prohibiting the enrollment of eligible veterans under that act when such courses have been in operation for less than 2 years;

H. R. 6681. An act to amend sections 323, 331, 334, 335, 336, 337, 363, and 376 of, and to add a new section to, the Bankruptcy Act approved July 1, 1898, and acts amendatory thereof and supplemental thereto;

H. R. 6779. An act to authorize and direct the Secretary of the Interior to convey certain property of the United States located in Juneau, Alaska, known as the Juneau Subport of Embarkation, to the Territory of Alaska;

H. R. 6805. An act to prohibit in any lawsuit or action for damages the use and admission as evidence of investigations by the military departments of aircraft accidents conducted in the interest of air safety;

H. R. 7893. An act to amend section 73 (1) of the Hawaiian Organic Act;

H. R. 8157. An act to provide for the burial in the Memorial Ampitheater of the National Cemetery at Arlington, Va., of the remains of an unknown American who lost his life while serving overseas in the Armed Forces of the United States during the Korean conflict;

H. R. 8265. An act relating to the use of storage space in the Buford Reservoir for the purpose of providing Gwinnett County, Ga., a regulated water supply;

H. R. 8474. An act to quiet title and possession with respect to certain real property in the State of Alabama;

H. R. 8617. An act to validate certain payments made to members and former members of the naval service;

H. R. 8898. An act to provide an additional authorization of appropriations for the purchase by the Secretary of Agriculture under the act of May 11, 1938, of lands within the boundaries of the Cache National Forest in the State of Utah;

H. R. 8937. An act to amend the law so as to provide that the terms of office of district judges in Alaska and Hawaii shall be 8 years;

H. R. 8940. An act relating to the use of storage space in the Hulah Reservoir to provide water for the city of Bartlesville, Okla.;

H. R. 9348. An act to amend the act entitled "An act incorporating the Archeological Institute of America" to increase the value of real and personal property that such institute may hold;

H. R. 9547. An act to amend sections 401 and 701 (e) of the Federal Food, Drug, and Cosmetic Act so as to simplify the procedures governing the prescribing of regulations under certain provisions of such act, and for other purposes;

H. R. 9918. An act to authorize the Secretary of the Interior to negotiate and execute a contract with the Riverside Irrigation District, Ltd., of Idaho, relating to the rehabilitation of the district's works, and other matters;

H. R. 10383. An act to provide for the conveyance of certain real property of the United States to the city of Vero Beach, Fla.;

H. R. 10423. An act to provide for the conveyance of 18.18 acres of land within the Garza-Little Elm project to the city of Lewisville, Tex., for sewage disposal purposes;

H. R. 11024. An act to amend the act entitled "An act relating to the compensation of commissioners for the Territory of Alaska," approved March 15, 1948 (62 Stat. 80), as amended by the act of July 12, 1952 (66 Stat. 592, 48 U. S. C. 116a);

H. R. 11122. An act to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes;

H. R. 11254. An act to amend section 104, title 4, United States Code;

H. R. 11449. An act to amend section 69 of the Hawaiian Organic Act;

H. R. 11653. An act to increase the fees of witnesses in the United States courts and before United States commissioners, and for other purposes;

H. R. 11696. An act to authorize the conveyance of homestead allotments to Indians, Aleuts, or Eskimos in Alaska;

H. R. 11702. An act to provide for the sale of lands in reservoir areas under the jurisdiction of the Department of the Army for cottage site development and use;

H. R. 11907. An act to amend title 28, United States Code, with respect to fees of United States marshals;

H. J. Res. 413. Joint resolution to provide for the conveyance of federally owned lands which are situated within the right-of-way for the proposed navigable barge canal across Florida, to the Ship Canal Authority of the State of Florida, in order to consolidate ownership thereof;

H. J. Res. 546. Joint resolution to amend the act of August 20, 1954, establishing a commission for the celebration of the 200th anniversary of the birth of Alexander Hamilton;

H. J. Res. 604. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the United States World Trade Fair to be held in New York City, N. Y., from April 14 to 27, 1957, and in the Oklahoma semi-centennial celebration to be held in various communities in the State of Oklahoma from January 1 to December 31, 1957;

H. J. Res. 613. Joint resolution to authorize the vessel operations revolving fund of the Department of Commerce to be used for expenses in connection with the chartering of merchant ships under jurisdiction of the Secretary of Commerce; and

H. J. Res. 664. Joint resolution to amend the joint resolution providing for membership and participation by the United States in the American International Institute for the Protection of Childhood and authorizing an appropriation therefor.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED OR PLACED ON THE CALENDAR

The following bills and joint resolutions were severally read twice by their titles and referred, or placed on the calendar, as indicated:

H. R. 138. An act to make the retirement benefits of the Army and Air Force Vitalization and Retirement Equalization Act of 1948 available to certain persons who rendered active Federal service during the Korean conflict;

H. R. 2035. An act to authorize the crediting of certain service for purposes of pay and retirement; and

H. R. 8157. An act to provide for the burial in the Memorial Amphitheater of the National Cemetery at Arlington, Va., of the remains of an unknown American who lost his life while serving overseas in the Armed Forces of the United States during the Korean conflict; to the Committee on Armed Services.

H. R. 609. An act to amend the Federal Import Milk Act, approved February 15, 1927 (44 Stat. 1101, 21 U. S. C. A. 141–149); to the Committee on Agriculture and Forestry.

H. R. 4127. An act to exempt courses leading to standard college degrees offered by nonprofit educational institutions of higher learning from the provisions of section 227 of the Veterans' Readjustment Assistance Act of 1952 prohibiting the enrollment of eligible veterans under the act when such courses have been in operation for less than 2 years; and

H. R. 9547. An act to amend section 401 and 701 (e) of the Federal Food, Drug, and Cosmetic Act so as to simplify the procedures governing the prescribing of regulations under certain provisions of such act, and for other purposes; to the Committee on Labor and Public Welfare.

H. R. 6681. An act to amend sections 323, 331, 334, 335, 336, 337, 363, and 376 of, and to add a new section to, the Bankruptcy Act approved July 1, 1898, and acts amendatory thereof and supplemental thereto;

H. R. 6805. An act to prohibit in any lawsuit or action for damages the use and admission as evidence of investigations by the military departments of aircraft accidents conducted in the interest of air safety;

H. R. 8617. An act to validate certain payments made to members and former members of the naval service;

H. R. 8937. An act to amend the law so as to provide that the terms of office of district judges in Alaska and Hawaii shall be 8 years;

H. R. 9348. An act to amend the act entitled "An act incorporating the Archeological Institute of America" to increase the value of real and personal property that such Institute may hold;

H. R. 11653. An act to increase the fees of witnesses in the United States courts and before United States commissioners, and for other purposes;

H. R. 11907. An act to amend title 28, United States Code, with respect to fees of United States marshals; and

H. J. Res. 546. Joint resolution to amend the act of August 20, 1954, establishing a commission for the celebration of the 200th anniversary of the birth of Alexander Hamilton; to the Committee on the Judiciary.

H. R. 6779. An act to authorize and direct the Secretary of the Interior to convey certain property of the United States located in Juneau, Alaska, known as the Juneau Subport of Embarkation, to the Territory of Alaska;

H. R. 7893. An act to amend section 73 (i) of the Hawaiian Organic Act;

H. R. 8474. An act to quiet title and possession with respect to certain real property in the State of Alabama;

H.R. 9918. An act to authorize the Secretary of the Interior to negotiate and execute a contract with the Riverside Irrigation District, Ltd., of Idaho, relating to the rehabilitation of the district's works, and other matters;

H. R. 11024. An act to amend the act entitled "An act relating to the compensation of commissioners for the Territory of Alaska," approved March 15, 1948 (62 Stat. 80) as amended by the act of July 12, 1952 (66 Stat. 592, 48 U. S. C. 116a);

H. R. 11254. An act to amend section 104, title 4, United States Code;

H. R. 11449. An act to amend section 69 of the Hawaiian Organic Act; and

H. R. 11696. An act to authorize the conveyance of homestead allotments to Indians, Aleuts or Eskimos in Alaska; to the Committee on Interior and Insular Affairs.

H. R. 8265. An act relating to the use of storage space in the Buford Reservoir for the purpose of providing Gwinnett County, Ga., a regulated water supply;

H. R. 8940. An act relating to the use of storage space in the Hulah Reservoir to provide water for the city of Bartlesville, Okla.;

H. R. 10423. An act to provide for the conveyance of 18.18 acres of land within the Garza-Little Elm project to the city of Lewisville, Tex., for sewage disposal purposes;

H. R. 11702. An act to provide for the sale of lands in reservoir areas under the jurisdiction of the Department of the Army for cottage site development and use; and

H. J. Res. 413. Joint resolution to provide for the conveyance of federally owned lands which are situated within the right-of-way for the proposed navigable barge canal across Florida, to the Ship Canal Authority of the State of Florida, in order to consolidate ownership thereof; to the Committee on Public Works.

H. R. 10383. An act to provide for the conveyance of certain real property of the United States to the city of Vero Beach, Fla.; to the Committee on Government Operations.

H. R. 11122. An act to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes; and

H. J. Res. 613. Joint resolution to authorize the vessel operations revolving fund of the Department of Commerce to be used for expenses in connection with the chartering of merchant ships under jurisdiction of the Secretary of Commerce; to the Committee on Interstate and Foreign Commerce.

H. R. 8898. An act to provide an additional authorization of appropriations for the purchase by the Secretary of Agriculture under the act of May 11, 1938, of lands within the boundaries of the Cache National Forest in the State of Utah; and

H. J. Res. 604. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the United States World Trade Fair to be held in New York City, N. Y., from April 14 to 27, 1957, and in the Oklahoma semi-centennial celebration to be held in various communities in the State of Oklahoma from January 1 to December 31, 1957; placed on the calendar.

H. J. Res. 664. Joint resolution to amend the joint resolution providing for membership and participation by the United States in the American International Institute for the Protection of Childhood and authorizing an appropriation therefor; to the Committee on Foreign Relations.

ENROLLED BILLS SIGNED

The PRESIDENT pro tempore announced that on today, July 17, 1956, he signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

S. 1622. An act to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, South Dakota, of the Missouri River Basin project, and for other purposes;

S. 3982. An act to provide for the maintenance of production of tungsten, asbestos, fluorspar, and columbium-tantalum in the United States, its Territories, and possessions, and for other purposes;

H. R. 2854. An act to amend title 18 of the United States Code, so as to increase the penalties, applicable to seditious conspiracy, advocating overthrow of Government, and conspiracy to advocate overthrow of Government;

H. R. 5838. An act to provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge Aerial Gunnery Range;

H. R. 6501. An act to amend the act of July 17, 1914, to permit the disposal of certain reserve mineral deposits under the mining laws of the United States;

H. R. 8817. An act to provide for the conveyance of certain property of the United States to the city of Corbin, Ky.;

H. R. 9333. An act to amend the Commodity Exchange Act to provide for hedging anticipated requirements of processors and manufacturers;

H. R. 11402. An act to extend the existing application of the Temporary Promotion Act of 1941, as amended, to the Coast Guard, and for other purposes;

H. R. 11683. An act to authorize permanent appointments in the Armed Forces of the United States, and for other purposes;

H. R. 11873. An act to amend the Watershed Protection and Flood Prevention Act so as to eliminate delay in the start of projects; and

H. R. 11195. An act to provide that the 1955 formula for taxing income of life insurance companies shall also apply to taxable years beginning in 1956.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business, and take up the nomination on the Executive Calender.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. GEORGE, from the Committee on Foreign Relations:

Henry Cabot Lodge, Jr., of Massachusetts; William F. Knowland, of California; Hubert H. Humphrey, of Minneapolis; Paul G. Hoffman, of California; and Ellsworth Bunker, of Vermont; to be representatives to the 11th session of the General Assembly of the United Nations; and

James J. Wadsworth, of New York; Richard Lee Jones, of Illinois; Frank C. Nash, of the District of Columbia; Edward S. Greenbaum, of New Jersey; and Mrs. Oswald B. Lord, of New York; to be alternate representatives to the 11th session of the General Assembly of the United Nations.

By Mr. JENNER, from the Committee on the Judiciary:

Noble J. Johnson, of Indiana, to be chief judge of the United States Court of Customs and Patent Appeals, vice Finis J. Garrett, resigned.

By Mr. O'MAHONEY, from the Committee on the Judiciary:

Giles S. Rich, of New York, to be associate judge of the United States Court of Customs and Patent Appeals, vice Noble J. Johnson, elevated.

The PRESIDENT pro tempore. If there be no further reports of committees, the nomination on the Executive Calendar will be stated.

CALIFORNIA DEBRIS COMMISSION

The Chief Clerk read the nomination of Col. Albert E. McCollam, Corps of Engineers, to be a member of the California Debris Commission.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be immediately notified of the confirmation of this nomination.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be the usual morning hour for the presentation of petitions and memorials, the introduction of bills, and the transaction of other routine business, subject to the usual 2-minute limitation on statements.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED SUPPLEMENTAL APPROPRIATIONS, DEPARTMENT OF COMMERCE (S. DOC. NO. 142)

A communication from the President of the United States, transmitting proposed supplemental appropriations for the Department of Commerce, in the amount of $68,043,000, for the fiscal year 1957 (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

PLANS FOR WORKS OF IMPROVEMENT ON WATERSHED PROTECTION AND FLOOD PREVENTION

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on watershed protection and flood control in the States of Maryland and New Jersey (with accompanying papers); to the Committee on Agriculture and Forestry.

REPORTS ON OVEROBLIGATIONS OF APPROPRIATIONS

A letter from the Secretary of Defense, transmitting, pursuant to law, reports on overobligations of appropriations within the Department of Defense (with accompanying papers); to the Committee on Appropriations.

LOAN OF TWO DESTROYERS TO GOVERNMENT OF COLOMBIA

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to authorize the loan of two destroyers to the Government of Colombia (with an accompanying paper); to the Committee on Armed Services.

REPORT OF CONTRACTS NEGOTIATED FOR WELFARE OF INDIANS

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a summary of contracts entered into for the welfare of Indians in certain States, for the fiscal year 1955 (wih accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT ON BACKLOG OF PENDING APPLICATIONS AND HEARING CASES, FEDERAL COMMUNICATIONS COMMISSION

A letter from the Chairman, Federal Communications Commission, transmitting, pursuant to law, a report on backlog of pending applications and hearing cases in that Commission, as of May 31, 1956 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

AMENDMENT OF GENERAL BRIDGE ACT OF 1946

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend section 502 of the General Bridge Act of 1946 and for other purposes (with accompanying papers); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

Resolutions of the House of Representatives of the Commonwealth of Massachusetts; to the Committee on Post Office and Civil Service:

"Resolutions memorializing the Congress of the United States to authorize and direct the issuance of a commemorative postage stamp depicting the Adams National Historic Site

"*Resolved*, That the House of Representatives of Massachusetts hereby urges the Congress of the United States to authorize and direct the Postmaster General of the United States to issue a special commemorative postage stamp depicting the Adams National Historic Site in honor of John Adams and his son, John Quincy Adams, former presidents of the United States from Massachusetts; and be it further

"*Resolved*, That the house of representatives urges upon the Congress the importance of keeping alive the memory of two such distinguished citizens from Massachusetts who fought so courageously for the freedom and rights enjoyed by our citizens; and be it further

"*Resolved*, That copies of these resolutions be sent forthwith by the secretary of the Commonwealth to the President of the United States, to the Postmaster General, to the Presiding Officer of each branch of Congress, and to each of the Members thereof from this Commonwealth."

A letter, in the nature of a petition, from a member of the 13th Infantry Regiment, Colorado Springs, Colo., relating to compulsory church attendance (with an accompanying paper); to the Committee on Armed Services.

The petition of Mrs. Arthur W. Anderson, of Oakland, Calif., relating to compensation for disabled veterans; to the Committee on Finance.

A telegram in the nature of a memorial from Mrs. H. D. McCullough, of Wilmington, Calif., remonstrating against the confirmation of the nominations of Paul G. Hoffman to be a representative to the 11th session of the General Assembly of the United Nations; to the Committee on Foreign Relations.

A telegram from the Senate Interim Committee on Public Lands, of the Senate of the State of California, embodying a resolution adopted by that committee, favoring the enactment of the bill (S. 4183) to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes; to the Committee on Government Operations.

A resolution adopted by the southern California chapter of the American Institute of Architects, Los Angeles, Calif., protesting against any alteration of the Capitol Building, in the District of Columbia; to the Committee on Public Works.

INCREASED POSTAL RATES—LETTERS, TELEGRAMS, AND STATEMENT

Mr. WILEY. Mr. President, I have already protested on the floor of the Senate against the arbitrary increase in mail rates as proposed under H. R. 11380, now pending before the Senate Post Office Committee.

I should like, at the present time, to reiterate my position, and to point out one particular group, among others, which would be extremely hard hit in the event the present bill were to be enacted.

I refer to the gift cheese shippers of Wisconsin. This wonderful group of small-business men represent small enterprise at its best. They are men who have built up, from the humblest beginnings, a wholesome, flourishing industry. It supplies modest-priced, attractive parcels to millions of Americans at birthdays, at holidays, at anniversaries, and at other festive occasions. The parcels contain delicious, vitamin-rich, tasteful Wisconsin cheese—the most superb cheese produced by this or any other nation.

Let me point out that these small-business men, the gift cheese shippers of Wisconsin, are not in a position to hire huge Madison Avenue firms to advertise their products. They must, instead, rely upon themselves and upon that typical medium of the small-business man—direct mail, a medium which constitutes an indispensable tool for the free-enterprise system.

I have pledged to the gift cheese shippers my continued support, and I renew that pledge. They, in turn, through the able executive secretary of the association, Mr. Anthony E. Madler, have expressed their appreciation and their urgent recommendation for continued support.

I send to the desk the text of Mr. Madler's letter, along with his appended statement.

As an indication, moreover, that the gift cheese shippers are hardly alone in their problem, in relation to this unfortunate bill, I append the text of a telegram from a trade press publisher in my State, Mr. Harvey Apple, pointing out the problem that he faces.

Mr. President, I point out that in my State there are many small magazine publishers who will be severely hurt by the proposed 120 percent rate increase in second-class rates over a 5-year period. Wisconsin is a center of publishing and of the graphic arts. We have many periodicals with modest-size circulations which would be extremely hard pressed, if the House bill were to go through in its present form.

Finally, Mr. President, I include the text of a letter and appended testimony from Mr. S. T. Barkman, of Berlin, Wis., legislative committee chairman of the National Association of Advertising Publishers, who points out the harmful impact of the bill on that popular medium, small-scale shopping guides.

I ask unanimous consent that the text of these items, each illustrating a type of harmful impact, be printed in the RECORD, and be thereafter appropriately referred to the Senate Post Office Committee.

There being no objection, the letters, telegram, and statement were referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

WISCONSIN GIFT CHEESE
SHIPPERS ASSOCIATION,
Madison, Wis., July 16, 1956.

The Honorable Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: Perhaps too often businessmen back home expect their representatives in Washington "to carry the ball" for them without providing some assistance in doing the job. From our previous correspondence and other information I know of your continued firm stand in favor of small-business men. To us, of course, your activities on behalf of small business have been very evident in the matter of post-office legislation and our members are most grateful to you.

Enclosed herewith is a statement which I have prepared on behalf of the members of this association. I hope it will be helpful to you in your continued fight against the proposed third-class mail-rate increase which, if passed, would be ruinous.

I will be most happy to notify our members and their suppliers of your stanch stand in their favor.

Very truly yours,
ANTHONY E. MADLER,
Executive Secretary.

MAIL RATES AND THE DAIRY INDUSTRY

The Wisconsin Gift Cheese Shippers Association may be but a small segment of our national dairy economy. It has, however, played an important role in improving the welfare of the entire dairy industry. The members, all small-business men engaged in the selling of cheese by mail, have led the way in helping the dairy industry to lift itself up by its own bootstraps.

In the closing years of the depression a few enterprising tradesmen began selling cheese by mail and a new industry was born. Originally, only a holiday venture, it soon became a year-round activity to so sell the wonderful cheese produced in America's dairyland. And soon the idea was copied by the trade people of other States. Now millions of pounds of cheese, attractively packaged, are distributed annually as holiday gifts and as tokens of appreciation or of good will; a new market for dairy products which is expanding each year.

This business has been built and is being maintained through mail solicitation. There is no other way of doing the job. Our members are constantly seeking new customers for cheese by mailing thousands of attractively printed, and expensive brochures extolling the merits of dairy products. No other segment of the dairy industry has done so much to help to promote the sale of foods made from milk. Our members resent calling this effective and desirable advertising and sales promotion as junk mail.

With the Government still buying cheese to stabilize the market it would seem foolhardy to destroy the business of those who are constantly striving to create and build new markets for this product. And yet, that is exactly what the proposed mail rate increase would do; it would seriously cut into the already too small profits of our members and undoubtedly put some of them out of the business.

It is surely unnecessary for me to repeat that the postal service is, in large measure, a public service to be paid for like other governmental service, and that third-class mail (really an auxilliary deferred service of the post office) is "as of now" paying its own way because of all of the prehandling services performed by the mailers. I know that all of the arguments, pro and con, are familiar to you. I only wanted you to know that the continued welfare of the gift-cheese shippers and, though perhaps remotely, the prosperity of the dairy industry of the Nation are being threatened by the proposed mail-rate increase.

MILWAUKEE, WIS., *July 16, 1956.*

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

Congress recognizes inability of small country newspapers to pay same second-class rates as large metropolitan papers. Same economic factors apply to trade papers none of which have a hundred thousand circulation. If increased postal rates are voted smaller increase should apply to smaller magazines.

HARRY APPLE,
Trade Press Publishing Co.

BERLIN SHOPPING NEWS,
Berlin, Wis., July 16, 1956.

Senator ALEXANDER WILEY,
United States Senate,
Washington, D. C.:

DEAR SENATOR WILEY: I trust that you plan to oppose H. R. 11380, the bill to raise postal rates, which was passed by the House this month.

This 33⅓ percent raise on the minimum per piece for bulk third-class mailings will unfairly penalize small periodicals like ours, and all small-business men who use circulars to promote hometown trade and commerce.

I inclose a copy of my testimony before the House Committee on Post Office and Civil Service. After reading it, I hope you can agree with our position.

Sincerely,

S. T. BARKMAN.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE, HOUSE OF REPRESENTATIVES—TESTIMONY BY S. T. BARKMAN, BERLIN, WIS., LEGISLATIVE COMMITTEE CHAIRMAN, NATIONAL ASSOCIATION OF ADVERTISING PUBLISHERS, REQUESTING 1 CENT PER PIECE FOR LOCAL SHOPPING GUIDE

Mr. Chairman, I represent members of the National Association of Advertising Publishers, the trade organization of free circulation weekly shopping guides published in more than 500 small cities. Over 100 publishers are members, but 400 others are without any other representation in our industry.

Our periodicals are mailed under third class bulk rates and since July 1, 1952, pay 1½ cents minimum per piece or 14 cents per pound. Previously our rate was 1 cent minimum or 12 cents per pound. Since most of our papers pay the minimum per piece rate we were actually raised 50 percent 4 years ago.

We believe that our small shopping news papers should be separated from the balance of third class matter and that the rate for these weekly community papers should be low in keeping with the actual low cost of handling them. Just a little thought is all that is needed to understand that our papers are handled at very little expense to the Post Office Department. They are mailed principally to homes within the city of publication and to the rural routes and villages nearby. The copies delivered by city letter carriers are addressed to street numbers in the exact order these letter carriers walk their routes, and no facing or sorting is necessary. On rural routes and at village post offices they are not addressed to individuals but to box holders and the carriers or postmasters put one in each patron's mailbox. This easy distribution and delivery makes our papers the most profitable item handled by our post offices.

It is easy to see that a piece of third class matter mailed in New York City and addressed to an individual in my hometown of Berlin, Wis., would require considerably more expense in handling than a piece mailed in Berlin, Wis., for local delivery. Yet, under present rates both pieces pay the same postage.

In covering our home cities, nearby villages and rural routes the vast majority of our papers do not go through terminal distribution centers but are delivered to nearby post offices by star-route trucks which operate on a fixed-fee contract.

Our papers should be accorded at least the same rate under third class that is paid by religious, educational, scientific, philanthropic, agricultural, labor, veterans, or

fraternal organizations not organized for profit. These now mail at 1 cent minimum per piece.

Since the post office department recommends for first class that the local rate be 1 cent less than the nonlocal rate, we feel that third class periodicals are entitled to the same reduction, particularly since our publishers must perform many of the most expensive manual operations which the Post Office Department does for first class patrons. This includes the operations required of all third class bulk mailers: (1) Printing the postal indicia on each piece, thereby eliminating cancellation. (2) Facing. (3) Tying in bundles. (4) Mailing at the central post office, etc.

We contend that if first class local letters can be handled profitably at 1 cent less than nonlocal letters as the department proposes, then the same logic applies to third class, particularly a regular publication. We might point out that mailers under second class are accorded free postage in the county of publication and the lowest zone rate in the vicinity of publication. Also mailers under fourth class pay a lower rate for local delivery than for distant zones.

The average circulation of our member papers is about 4,000 copies. Almost all of us mail 1 edition each week. Each publisher therefore pays approximately $60 per week or $3,120 per year for delivery of the publication. The proposed increase to 2 cents per piece minimum for all third class matter if applied to our papers would increase our postage by 33⅓ percent to $80 weekly or $4,160 annually on the average. This would approximately double our postal charges from the rate prevailing before July 1, 1952. We feel sure you will agree such an increase is unwarranted and unreasonable.

Many of our big brothers, the larger shopping newspapers, are delivered by carrier organizations in the cities at a cost of less than 1 cent per copy, and we feel sure that a 2 cent minimum per piece will force almost all of our members into carrier delivery systems, thereby depriving our local post offices of their most profitable customers. Once the carrier organizations are established their services are available to other third class mailers who likewise are lost to the post office. Surely, if independent carriers can deliver shopping guides at less than 1 cent per piece, the post office carriers who must cover the routes daily can profitably deliver local third class at 1 cent per piece.

Our papers are used almost exclusively by small hometown businesses and professional firms to stimulate trade and commerce in our communities. Our papers are popular advertising mediums because of their low rates and uniform coverage of local trading areas. Our industry and the thousands of small businesses using our papers will appreciate your consideration of my testimony.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 1669. A bill for the relief of Dr. Milan Gavrilovic (Rept. No. 2593);

S. 3597. A bill for the relief of Duk Chang Cho (Rept. No. 2594);

S. 3736. A bill for the relief of Joan F. Roby (Rept. No. 2595);

S. 3737. A bill for the relief of Lina Gertrude Mattingly and her minor children, Ellen Anna, Vincent, and Deannia Maria (Rept. No. 2596);

S. 3751. A bill for the relief of Berta Cabrera Vigil Frohlich (Rept. No. 2597);

H. R. 256. A bill to amend the Bankruptcy Act with respect to the priority of debts owed by a bankrupt to workmen, servants, clerks, and certain salesmen (Rept. No. 2602);

H. R. 1639. A bill for the relief of Laura Olivera Miranda (Rept. No. 2603);

H. R. 4152. A bill for the relief of Maria Pintos and her daughter, Eugenia Pintos (Rept. No. 2604);

H. R. 9038. A bill to amend title 28 of the United States Code to provide that the Commonwealth of Puerto Rico shall be treated as a State for purposes of district court jurisdiction based on diversity of citizenship (Rept. No. 2605);

H. R. 10088. A bill for the relief of Rupert Waltl (Rept. No. 2606); and

H. J. Res. 650. Joint resolution for the relief of certain aliens (Rept. No. 2589).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 3459. A bill for the relief of Mary Barme and her two minor children, Steran Barme and Dinah Barme (Rept. No. 2598);

S. 3533. A bill for the relief of Mr. and Mrs. David Liu (Rept. No. 2599); and

H. R. 10984. A bill for the relief of Nikolai E. Khokhlov (Rept. No. 2607).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 2129. A bill for the relief of Patrick K. Y. Yip and his wife, Loretta Y. F. Hsu Yip (Rept. No. 2600);

S. 2823. A bill for the relief of William C. Brady (Rept. No. 2601);

H. J. Res. 615. Joint resolution for the relief of certain aliens (Rept. No. 2590);

H. J. Res. 649. Joint resolution for the relief of certain aliens (Rept. No. 2591); and

H. J. Res. 651. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens (Rept. No. 2592).

By Mr. JENNER, from the Committee on the Judiciary, with amendments:

H. R. 9810. A bill to provide for the conveyance of certain land of the United States to the State of Indiana (Rept. No. 2588).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 3728. A bill to provide for the construction by the Secretary of the Interior of the San Angelo Federal reclamation project, Texas, and for other purposes (Rept. No. 2608).

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, with an amendment:

S. 3725. A bill to provide for increases in the annuities of annuitants under the Civil Service Retirement Act of May 29, 1930, as amended (Rept. No. 2610).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, without amendment:

H. R. 9742. A bill to provide for the protection of the Okefenokee National Wildlife Refuge, Georgia, against damage from fire and drought (Rept. No. 2609).

By Mr. GEORGE, from the Committee on Foreign Relations, without amendment:

S. 3858. A bill to amend the act of June 28, 1935, authorizing participation by the United States in the Interparliamentary Union (Rept. No. 2615);

S. J. Res. 183. Joint resolution authorizing an appropriation to enable the United States to extend an invitation to the World Health Organization to hold the 11th World Health Assembly in the United States in 1958 (Rept. No. 2613);

S. J. Res. 194. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the United States World Trade Fair to be held in New York City, N. Y., from April 14 to April 27, 1957, and in the Oklahoma Semicentennial Celebration to be held in various communities in the State of Oklahoma from January 1 to December 31, 1957 (Rept. No. 2611); and

S. J. Res. 195. Joint resolution to amend the joint resolution providing for membership and participation by the United States in the American International Institute for the Protection of Childhood and authorizing an appropriation therefor (Rept. No. 2612).

By Mr. GEORGE, from the Committee on Foreign Relations, with amendments:

S. J. Res. 145. Joint resolution granting the consent of Congress to the State of New York to negotiate and enter into an agreement or compact with the Dominion of Canada for the establishment of the Niagara Frontier Port Authority with power to take over, maintain, and operate the present highway bridge over the Niagara River between the city of Buffalo, N. Y., and the city of Fort Erie, Ontario, Canada (Rept. No. 2616); and

S. J. Res. 186. Joint resolution authorizing an appropriation for expenses of the Pan American games to be held in Cleveland, Ohio, in 1959 (Rept. No. 2614).

CONTROL AND DISTRIBUTION OF WATER (S. REPT. NO. 2587)

Mr. BARRETT. Mr. President, from the Committee on Interior and Insular Affairs, I report favorably, with amendments, the bill (S. 863) to govern the control, appropriation, use and distribution of water, and I submit a report thereon, together with the individual views of the Senator from Oregon [Mr. NEUBERGER]. I ask unanimous consent that the report and individual views be printed.

The PRESIDENT pro tempore. The report will be received and printed, as requested by the Senator from Wyoming; and the bill will be placed on the calendar.

INCREASE IN EXPENDITURES FOR COMMITTEE ON FOREIGN RELATIONS

Mr. GEORGE, from the Committee on Foreign Relations, reported an original resolution (S. Res. 315), which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Foreign Relations is authorized to expend from the contingent fund of the Senate, during the 84th Congress, for the purposes specified in section 134 (a) of the Legislative Reorganization Act of 1946, $10,000 in addition to the amount authorized in such section.

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MORSE:

S. 4225. A bill directing the Secretary of Agriculture to convey certain land to the State of Oregon, or its successors in interest; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. BENDER:

S. 4226. A bill for the relief of Mrs. Chan Ngun Oy; to the Committee on the Judiciary.

By Mr. LEHMAN:

S. 4227. A bill to cancel certain bonds posted pursuant to the Immigration Act of 1924, as amended; to the Committee on the Judiciary.

By Mr. HRUSKA:

S. 4228. A bill to provide for a President's Advisory Commission on Presidential Office Space; to the Committee on Public Works.

By Mr. O'MAHONEY:

S. 4229. A bill for the relief of Alec Ernest Sales; to the Committee on the Judiciary.

By Mrs. SMITH of Maine (by request):

S. 4230. A bill for the relief of Marion L. Barstow; to the Committee on the Judiciary.

By Mr. HILL (for himself, Mr. SMITH of New Jersey, Mr. PURTELL, and Mr. MURRAY):

S. 4231. A bill to amend sections 401 and 701 (e) of the Federal Food, Drug, and Cosmetic Act so as to simplify the procedures governing the prescribing of regulations under certain provisions of such act, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. DOUGLAS:

S. 4232. A bill for the relief of Peter Menzer;

S. 4233. A bill for the relief of Joan Yungen Chao;

S. 4234. A bill for the relief of Joseph Neuschl; and

S. 4235. A bill for the relief of Theresia Koenig; to the Committee on the Judiciary.

By Mr. JOHNSTON of South Carolina:

S. 4236. A bill to preserve rates of compensation of wage board employees whose positions are reduced in grade; to the Committee on Post Office and Civil Service.

By Mr. MAGNUSON:

S. J. Res. 197. Joint resolution authorizing the President to proclaim the period from October 22, 1956, to October 27, 1956, as National Transportation Week; to the Committee on the Judiciary.

(See the remarks of Mr. MAGNUSON when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTIONS

The following resolutions were submitted, or reported, and referred as indicated:

By Mr. CLEMENTS (for himself and Mr. HUMPHREYS of Kentucky):

S. Res. 314. Resolution favoring an investigation and report on alleged inequities in the policy of the United States with reference to imports of distilled spirits; to the Committee on Finance.

(See resolution printed in full when submitted by Mr. CLEMENTS, which appears under a separate heading.)

By Mr. GEORGE:

S. Res. 315. Resolution providing for increased expenditures by the Committee on Foreign Relations; to the Committee on Rules and Administration.

(See resolution printed in full when reported by Mr. GEORGE, from the Committee on Foreign Relations, which appears under the heading "Reports of Committees.")

INVESTIGATION OF IMPORTS OF DISTILLED SPIRITS

Mr. CLEMENTS (for himself and Mr. HUMPHREYS of Kentucky) submitted the following resolution (S. Res. 314) favoring an investigation and report to the Senate on alleged inequities in the policy of the United States with reference to imports of distilled spirits, which was referred to the Committee on Finance:

Whereas it has been the commercial policy of the United States, ever since the repeal of national prohibition on December 5, 1933, to permit the importation and distribution in this country of distilled spirits of all countries of the world, freely and without restriction except for the payment of import duties; and

Whereas over the period of the last 20 years, and under the provisions of the Reciprocal Trade Agreement Acts, the import duties on distilled spirits have been steadily reduced to a point where the tariff on such products is comparatively negligible in amount; and

Whereas the Department of State press release dated June 6, 1956, announced a further reduction in the tariff on Scotch whiskey as a concession to the United Kingdom; and

Whereas one of the principal beneficiaries of these commercial favors has been the distilling industry of Great Britain; and

Whereas the quantity of distilled spirits imported from Great Britain has more than doubled since 1942; and

Whereas during the same period there has been a decrease in total consumption of domestic distilled spirits; and

Whereas the result of the United States commercial policy toward distilled spirits imports has had the effect of turning over to foreign manufacturers a considerable portion of our domestic markets for these products; and

Whereas most of the foreign markets of the world and especially Great Britain have been closed to distilled spirits of American production because of trade barriers in the form of prohibitive tariffs and import quotas; and

Whereas a conspicuous example of such trade barriers is the British Token Import Plan, under the provisions of which the entire importation of American whiskies into the United Kingdom is limited to approximately $1,900 worth per year; and

Whereas by contrast the United Kingdom exported to the United States last year Scotch whisky valued at more than $68 million and this amount is on the increase; and

Whereas British nationals traveling in this country are able to purchase at will, in the United States, products of their country, but American tourists in the British Isles are unable to buy American whiskies because of the existing trade barriers previously referred to: Now, therefore be it

Resolved, That it is the sense of the Senate that this unfair and inequitable trade situation should be brought to the attention of the United States Committee for Reciprocity Information and the United States Tariff Commission with the request that efforts be made to correct the conditions hereinabove described, and that a report on the matter be rendered to the Senate during the first regular session of the 85th Congress.

CONVEYANCE OF CERTAIN LAND TO THE STATE OF OREGON

Mr. MORSE. Mr. President, I introduce, for appropriate reference, a bill directing the Secretary of Agriculture to convey certain land to the State of Oregon, or its successors in interest. I ask unanimous consent that I may speak on the bill in excess of the 2 minutes allowed under the order which has been entered.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the Senator from Oregon may proceed.

The bill (S. 4225) directing the Secretary of Agriculture to convey certain land to the State of Oregon, or its successors in interest, introduced by Mr. MORSE, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. MORSE. Mr. President, there has been brought to my attention an alleged inequity with respect to the Federal Government's claim of ownership of 560 acres of land located within the boundaries of the Siskiyou National Forest, Curry County, Oreg. The acreage in question is located in section 36, township 32 south, range 10 west, Willamette meridian, Oregon. As the facts have been related to me by very responsible attorneys and businessmen of Oregon, it appears that the United States asserts title to this land in spite of the fact that it was conveyed to private persons by the State of Oregon as section 36 school lands almost a half a century ago. Since that time, the tract has been conveyed a number of times, the latest transfer having been recorded in 1951.

In the act of Congress admitting Oregon to the Union, the United States offered to the people of Oregon, sections 16 and 36 in every township of public lands in the State of Oregon for the use of schools—11 Statute 383, 1859. Oregon accepted that offer—Oregon Laws, 1st extra session, 1859.

The lands comprising these sections had to be identified, of course. The identification of any such section was deemed to have been made upon the acceptance of the section survey by the Surveyor General. In case of section 36, T. 32 S., R. 10 W., W. M., the survey was accepted in February, 1906.

Previously, on April 29, 1903, the Commissioner of the General Land Office in Washington, D. C., notified the registrar and receiver at Roseburg, Oreg., that the lands embraced in the above-described section 36 should be withdrawn from settlement and entry of any kind, but on October 6, 1906, the Siskiyou Forest Reserve was created by a proclamation of the President which specifically excluded from the reserve that same section 36. This is of special significance because it demonstrates how examiners of title could reasonably arrive at the conclusion that a presidential proclamation terminated the withdrawal order of April 1903.

It is also of importance, Mr. President, to observe that 80 acres within section 36, township 32 south, range 10 west, west meridian, previously had been settled by the Billings family. Under the land laws then applicable, the State of Oregon took section 36 school lands subject to the rights of entrymen such as the Billings. The State of Oregon was entitled to lieu lands of equivalent size and value in such cases. Pursuant to this legal right, the State of Oregon, on March 30, 1909 selected 80 acres in section 4, township 23 south, range 12 west, west meridian to replace the 80 acres previously settled by the Billings family. Had the United States not recognized Oregon's right to the balance of section 36 now under consideration, it is difficult to understand why the United States gave 80 acres to Oregon within the boundaries of another section to replace the shortage of lands in this particular section 36.

The next event of importance in this history of land transfer took place on February 13, 1912 when the State sold the balance of section 36—560 acres—to one Hugh Johnson. The record discloses not one iota of evidence that the United States protested this transfer at that time or within a reasonable time thereafter.

There are many other factors which would lead purchasers to believe that the 560-acre tract was free of any interest or claim of interest in the Federal Gov-

ernment. Thus, the land was assessed for taxes as soon as a deed was issued by the State of Oregon to Hugh Johnson in 1912. In fact, taxes became delinquent and Curry County took the land for unpaid taxes in 1930. In 1949 Curry County conveyed the land to private purchasers. All of these transactions of record occurred without protest on the part of the United States.

When the question of possible claims of the United States was raised in 1947, the acting manager of the district land office, Roseburg, Oreg., advised interested parties that section 36, township 32 south, range 10 west, west meridian "appears to have vested in the State upon the acceptance of the plat of survey on February 6, 1906." This constituted further affirmation, by a Federal official, of the generally prevailing view that the United States had long ago divested itself of its interest in the 560 acres lying within this section 36.

Relying upon a record which gave strong indication of clear title, free of claims of the United States, a very responsible title-insurance company doing business in the State of Oregon, issued a policy of title insurance in connection with a conveyance of the 560 acres, which took place in 1951.

The first notice of the Federal Government's claim to this land came on July 26, 1951, when the Regional Office of the Forest Service advised that the 560 acres in section 36 is part of the Siskiyou National Forest. The July 26 statement of the Forest Service was based upon a letter of July 2, addressed to the Chief of the Forest Service, by the Acting Chief of the Branch of Land Use and Disposal, Division of Adjudication, of the Department of the Interior.

Mr. President, I ask unanimous consent that the July 2 letter be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES,
DEPARTMENT OF THE INTERIOR,
BUREAU OF LAND MANAGEMENT,
Washington, D. C., July 2, 1951.

Mr. LYLE F. WATTS,
Chief, Forest Service,
Washington, D. C.

MY DEAR MR. WATTS: Reference is made to your letter of April 30, 1951, requesting the status of the N½, N½S½, SW¼SW¼, SE¼SE¼ sec. 36, T. 32 S., R. 10 W., W. M., Oregon.

The above-described lands were identified by survey, as shown by the township plat accepted February 5, 1906. On April 29, 1903, the lands were withdrawn for the proposed Rogue River Forest and subsequently placed in the Siskiyou National Forest by Executive order of June 30, 1908. As the lands were withdrawn at the time of survey and still are, title to the same has never vested in the State under the school land grant made by the act of February 14, 1859 (11 Stat. 383).

On September 1, 1950, the State of Oregon filed an indemnity school land selection application, 01776, assigning as base in support of the selection the above-described tracts. The application is pending awaiting receipt of a field report in the matter.

Sincerely yours,
S. C. NICHOLS,
Acting Chief, Branch of Land Use and Disposal, Division of Adjudication
(For the Director).

Mr. MORSE. Mr. President, thereafter, on October 26, 1951, W. O. Hancock, Chief of the Branch of Land Use and Disposal, Division of Adjudication, Bureau of Land Management, wrote the manager of the Land Office, Portland, Oreg., concerning sections 16 and 36, T. 32 S. R. 10 W., W. M. He said:

The whole township was temporarily withdrawn for the proposed Rogue River Forest Reserve on April 29, 1903. The plat of survey was accepted in February 1906. By order of October 6, 1906, the Siskiyou Forest Reserve was established. This order included section 16, the title to which did not vest in the State, but specifically excepted section 36, the title to which then vested in the State of Oregon.

On March 1, 1907, the entire township was included in the Siskiyou National Forest. Subsequently the State took indemnity for the SE¼SW¼ and SW¼SE¼ sec. 36 and these tracts were thereafter patented to Adeline Billings under the act of June 11, 1906. The remainder of sec. 36 has been tendered by the State as base in school indemnity selection, Oregon 01776. The State has also tendered all of sec. 16 as base in school indemnity selection Oregon 01714.

Mr. President, as a result of the foregoing transactions, and particularly because of the 11th-hour assertion of title by the United States, purchasers of the 560-acre tract, as well as the title insurance company, have been placed in a position whereby they are likely to suffer substantial losses. They will incur thousands of dollars in damages unless the United States takes action to correct what appears to be a great injustice to parties who have recently transacted with respect to this land.

Conceivably, this case could be litigated if the grantees were to enter the land and commit acts of trespass. However, litigation of this type would be long drawn out and very costly, not only to the parties, but to the Federal Government. In view of the strong prima facie case and the equities which have been brought to my attention, it would seem only fair that Congress should investigate the facts through committees of the Senate and House. This would enable the United States to take corrective action to insure against the imposition of similar hardships on land purchasers in the future. At the same time the Government and the parties would not be forced into the expenditure of thousands of dollars in costs.

Mr. President, I am familiar with the facts in this case only as they have been presented to me by trustworthy citizens of the State of Oregon, but I have checked into the matter sufficiently to convince me that there are strong equities in favor of the parties who have dealt with this land. These equities appear to be traceable directly to the failure of the United States to take reasonable precautionary measures against occurrences such as the one under discussion.

I believe that the parties and the Federal Government are entitled to be heard by the Congress at the earliest possible moment so that the issues in dispute may be resolved. For the foregoing reasons, at this time I have introduced a bill to authorize the conveyance of certain lands by the United States to the State of Oregon and its successors in interest, or to any successor in interest claiming under conveyance hitherto given by the State.

NATIONAL TRANSPORTATION WEEK

Mr. MAGNUSON. Mr. President, I introduce a joint resolution which I ask to have appropriately referred; and I ask unanimous consent to have printed in the body of the RECORD an explanation of the joint resolution, the purpose of which is self-evident. The joint resolution relates to National Transportation Week.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the explanation will be printed in the RECORD.

The joint resolution (S. J. Res. 197) authorizing the President to proclaim the period from October 22, 1956 to October 27, 1956, as National Transportation Week, introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on the Judiciary.

The explanation presented by Mr. MAGNUSON is as follows:

STATEMENT BY SENATOR MAGNUSON

I have been requested to introduce the joint resolution, which I have sent to the desk, by the Associated Traffic Clubs of America, a national organization of 205 traffic clubs throughout the United States and Canada with 45,000 members engaged in all forms of transportation.

The purpose of the resolution is self-evident and the national observance of Transportation Week is designed to band together the various transportation industries and to build a better and more effective relationship between the transportation companies and the general public. It will also give our people a more comprehensive knowledge and understanding of an important segment of our national economy which has played a vital role in the growth of this Nation and is today the second largest industry.

MUTUAL SECURITY APPROPRIATION BILL, 1957—AMENDMENT

Mr. O'MAHONEY (for himself and Mr. MCCLELLAN) submitted an amendment, intended to be proposed by them, jointly, to the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes, which was ordered to lie on the table and to be printed.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, July 17, 1956, he presented to the President of the United States the following enrolled bills:

S. 1622. An act to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, South Dakota, of the Missouri River Basin project, and for other purposes; and

S. 3982. An act to provide for the maintenance of production of tungsten, asbestos, fluorspar, and columbium-tantalum in the United States, its Territories, and possessions, and for other purposes.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printd in the RECORD, as follows:

By Mr. WILEY:

Excerpts from the address delivered by him before the Order of Ahepa district meeting, at Racine, Wis., on July 15, 1956.

NOTICE OF CONSIDERATION OF CERTAIN NOMINATIONS BY THE COMMITTEE ON FOREIGN RELATIONS

The PRESIDENT pro tempore. As a Senator, and as chairman of the Committee on Foreign Relations, the Chair desires to announce that the Senate received today a list of 158 nominations of persons for appointment as Foreign Service officers of various classes, and consular and/or diplomatic designations for career, staff and reserve officers.

Notice is given that these nominations will be considered by the Committee on Foreign Relations at the expiration of 6 days.

The list appears elsewhere in the Senate proceedings of today.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I should like to announce the possibility of moving to consider the following bills during this week:

Calendar No. 2298, Senate bill 1333, the Hells Canyon Dam bill;

Calendar No. 2619, H. R. 12130, the Mutual Security Appropriation bill;

Calendar No. 2322, Senate bill 4112, the atomic energy indemnity bill;

Calendar No. 2567, Senate bill 3822, to amend the Atomic Energy Community Act of 1955;

Calendar No. 2569, Senate bill 4203, to amend the Atomic Energy Act of 1954;

Calendar No. 2568, Senate bill 2643, amending the Public Utility Holding Company Act to exempt research companies in the field of nuclear energy production.

Also, Mr. President, the executive pay bill, if it is reported from the committee, as I expect it to be today or tomorrow; together with numerous conference reports which may be agreed upon. I expect the Senate to have night sessions every night this week with the exception of Thursday. I expect the Senate to be in session on Saturday.

It is hoped we may be able to conclude the business of this session some time next week.

SAFETY OF PROJECTED ATOMIC REACTOR AT MONROE, MICH.

Mr. McNAMARA. Mr. President, late yesterday I received a telegram from the Honorable G. Mennen Williams, Governor of the State of Michigan.

The telegram was a copy of one addressed to Adm. Lewis E. Strauss, chairman of the Atomic Energy Commission. It calls attention to what seems to be a serious breach of courtesy on the part of the AEC.

Governor Williams notes that a report by the Federal Advisory Committee on Atomic Energy casts doubt on the safety of a projected atomic reactor to be located at Monroe, Mich. This report presumably has been available for about 2 weeks.

Yet, until he was advised of the report over the weekend by the distinguished junior Senator from New Mexico [Mr. ANDERSON], the Governor had had no official information on a subject which is of the utmost importance to my State.

I hardly think something of this nature comes under the label of "secret" that is too frequently used by so many Government agencies.

I ask unanimous consent that Governor Williams' telegram be printed in the RECORD at the conclusion of my remarks.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

LANSING, MICH., *July 16, 1956.*

Hon. PATRICK V. MCNAMARA,
United States Senator,
Senate Office Building:

Following telegram today sent to Adm. Lewis E. Straus, chairman, Atomic Energy Commission:

Senator ANDERSON of New Mexico has advised me that a report has been made by the Federal Advisory Committee on Atomic Reactor Safeguards casting doubt upon the safety of the projected reactor at Monroe, Mich. It is distressing that no information regarding such a report has been given to the Governor of Michigan who has a constitutional responsibility for the public health and safety. It seems to me to be entirely contrary to the public interest that we should have to rely on the alertness of the congressional Committee on Atomic Energy for such information when such information should be passed on to us as a matter of course by your agency. It is my understanding that your Commission's report on reactor safeguards has been available for at least 2 weeks, yet we in Michigan, who are vitally interested in such matters, have not been granted the courtesy of being sent that report. I hereby request immediately that report and any information available on the safety factors involved in the Monroe reactor, and I would also like from your agency an opinion whether you regard the engineering plans for the Monroe reactor as safe or unsafe. The people of Michigan, the industrial interests who are building this reactor, and the Government of Michigan are entitled to this information.

G. MENNEN WILLIAMS,
Governor of Michigan.

CONTROL OF NARCOTICS IN THE DISTRICT OF COLUMBIA—CONFERENCE REPORT

Mr. MORSE. Mr. President, I ask consideration of a privileged matter, which I have cleared with the leadership, and I call this to the attention of the acting minority leader, the Senator from Maine [Mr. PAYNE], and the majority leader.

Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11320) to effect the control of narcotics, barbiturates, and dangerous drugs in the District of Columbia, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDENT pro tempore. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings, p. 13116.)

The PRESIDENT pro tempore. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MORSE. Mr. President, I ask unanimous consent that there may be printed in the RECORD at this point a statement of the managers on the part of the House.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11320) to effect the control of narcotics, barbiturates, and dangerous drugs in the District of Columbia, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment changes the short title. The House recedes.

Amendment No. 2: This amendment is clerical. The House recedes.

Amendment No. 3: The House bill provides that in some cases certain provisions of the bill will not apply to certain drugs if they contain other drugs which cause them to be essentially harmless. The Senate amendment clarifies this provision by inserting "drug or" before "drugs." The House recedes.

Amendment No. 4: This amendment is clerical. The House recedes.

Amendment No. 5: The Senate amendment strikes the parenthetic phrase "including barbiturates or amphetamines" which appears after "dangerous drugs." The House recedes.

Amendment No. 6: The House bill provides that prescriptions, orders, and records, required by section 206 and stocks of dangerous drugs shall be opened for inspection to certain District of Columbia officers. The Senate amendment includes certain Federal officers among those to whom such items shall be open to inspection. The Senate recedes.

Amendment No. 7: The House bill provides that certain drugs, and records relating to drugs, be open for inspection to District of Columbia officers whose duty it is to enforce the laws of the District of Columbia or of the United States relating to dangerous drugs. The Senate amendment would restrict the inspection of such subject matter to District of Columbia officers whose duty it is to enforce the laws of the District of Columbia and the laws of the United States applicable within the District of Columbia relating to dangerous drugs. The Senate recedes.

Amendment No. 8: This amendment is clerical. The House recedes.

Amendment No. 9: This amendment is clerical. The House recedes.

Amendment No. 10: The House bill amends section 341 of the Public Health Service Act to provide that certain data shall be furnished the Commissioners of the District of Columbia with respect to persons voluntarily submitting themselves for treatment pursuant to the provisions of such act and who at the time of their admittance to a Public Health Service hospital were residents of the District of Columbia. The Senate amend-

ment would limit the furnishing of such data to the Commissioners of the District of Columbia as to those persons who voluntarily submitted themselves for treatment pursuant to the provisions of section 341 of such act and who at the time of their admittance to a Public Health Service hospital were residents of the District of Columbia. The House recedes.

Amendment No. 11: The House bill provides certain restrictions on admission of addicts to Public Health Service hospitals under section 345 (a) of the Public Health Service Act. The Senate amendment would further restrict admission of addicts to Public Health Service hospitals under section 345 (a) of such act by providing that no addict shall be admitted who was not committed prior to July 1, 1958. The House recedes with a clerical amendment.

Amendment No. 12: This amendment is clerical. The House recedes.

Mr. MORSE. Mr. President, I move that the Senate agree to the conference report.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

IMMIGRATION LEGISLATION

Mr. LEHMAN. Mr. President, I indicated last week, in a statement I made on the floor of the Senate, that I intend to propose S. 1206, an omnibus immigration bill, as an amendment in the nature of a substitute for H. R. 6888, the pending sheepherders bill, if and when H. R. 6888 is called up for debate in the Senate. I propose to do this because we are running out of time in this session, and there is every likelihood that the sheepherders bill will be the only piece of immigration legislation upon which the Senate may have a chance to vote.

It is, therefore, encouraging to me, in my efforts to obtain some kind of substantial improvement in our immigration laws, to receive a telegram from the great State of Utah. Two organizations in Salt Lake City ask me, "Could you use H. R. 6888 to gain consideration of S. 1206?"

I ask unanimous consent that there be printed at this point in the RECORD as a part of my remarks the text of the telegram referred to, received from the chairmen of the Greek Association and the Italian Association, respectively, of Salt Lake City, Utah.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SALT LAKE CITY, UTAH, *July 7, 1956.*

Hon. HERBERT H. LEHMAN,
Senate Office Building,
Washington, D. C.:

June 20 you state, "But we never get an opportunity to vote on basic legislation to revise our quota system so that these special sheepherder bills will not be necessary. Some of the very sponsors of these sheepherder bills are the most vociferous in defending the national origins quota system." Could you use H. R. 6888 to gain consideration of S. 1206? RECORD July 2, page 11515 has resolution from Bangor, Maine. We add our voice with some 7,000 members to this resolution with one exception, we prefer S. 1206.

ALKE T. DIAMANT,
Chairman, Greek Association.
FORTUNATO ANSELMO,
Chairman, Italian Association.

THE ECONOMIC EFFECTS OF 30 YEARS OF IMMIGRATION RESTRICTIONS

Mr. LEHMAN. Mr. President, in recent years there has been a great deal of talk about the subject of immigration, and mostly about whether we should revise the McCarran-Walter Act. I, of course, have contributed my portion to the discussion, by advocating very consistently and very fervently the overhauling of the McCarran-Walter Act. I believe most of those who have expressed themselves on this subject have expressed themselves similarly.

Most of the expressions, however, have been expressions of view and attitude. Very little factual material, and not very much truly original thinking, has been devoted to this subject.

In the course of the brief hearings that were held last year before the Senate Judiciary Committee, under the chairmanship of the late, beloved Harley Kilgore, there was one piece of testimony which was outstanding for its departure from the conventional patterns of thought, and which contributed some truly arresting statistical material. I refer to the testimony of Dr. Louis H. Bean, who is one of the most renowned statistical analysts in our country—a man who is principally famous for his ability at forecasting elections, but whose actual fame rests on a much broader and more solid foundation of scholarship. Dr. Bean served for 30 years in the Federal Government as an economist and economic analyst. He appeared before the Senate Judiciary Committee last fall, and gave testimony that should be studied by all of us who are interested in the subject of immigration.

Dr. Bean asserts that our Nation has suffered a considerable—even an astounding—economic loss as a result of the severe restrictions which apply to immigration into this country. He cites immigration as one of the major contributing factors to our dynamic economic expansion. It is a fascinating thesis, indeed. Unfortunately, neither that testimony nor any of the other testimony given in the course of those hearings has been printed.

Recently, Dr. Bean's views, as presented to the Judiciary Committee, were printed in a scholarly publication called Georgia Business, issued by the Bureau of Business Research of the College of Business Administration, of the University of Georgia. The article is entitled: "The Economic Effects of 30 Years of Immigration Restrictions."

I ask unanimous consent that Dr. Bean's very thoughtful and thought-provoking views, as published in the publication referred to, be printed in the body of the RECORD, as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE ECONOMIC EFFECTS OF 30 YEARS OF IMMIGRATION RESTRICTIONS

(By Louis H. Bean)

May I state at the outset that in appearing before this committee, I do not represent any particular group or interest. As an observer and analyst of economic trends I have been impressed by the fact that a most dramatic, most abrupt alteration occurred in our national immigration trend about 30 years ago. For over 200 years immigration had been a rising economic factor which contributed powerfully to the growth, wealth, culture, and strength of this Nation. But 30 years ago we drastically altered this trend by legislation to the level of a mere trickle. It is my impression that very few people realize what has happened to the immigration trend and what the economic cost has been. So much attention has been paid to the many particular and often small immigration problems that we have lost sight of the fact that our annual immigration is now down to about 200,000 per year, compared with the more appropriate number of a million to a million and a half.

I wish, therefore, to call to the attention of this committee the extent to which the growth of this country, in resources, income, and wealth, has been retarded by the immigration restrictions in effect over the past 30 years. I wish to show you the extent to which our population, our labor force, our gross national production, our factory payrolls, our farm income, our business enterprises, and Federal, State, and local government revenues are being held down today by the cumulative effect of the drop in annual immigration to a sixth or seventh of the more appropriate number in view of our economic growth and our present and potential economic magnitude.

One of the major concerns of the early 1920's, that the rising trend of immigration would jeopardize labor standards and wage levels, in the face of continued advances in industrial technology, has been largely taken care of. Wage and labor standards are protected by more effective labor organizations and by more enlightened management and by the modern social-security legislation. Stability in jobs and wage earnings is now a much greater certainty in view of the responsibility this Nation has placed in government to use all powers of government to promote conditions favoring maximum production, employment, and consumer purchasing power.

Here are some of the indications of the price we are paying, of the losses we are incurring today for having abruptly dropped the level of immigration after the middle 1920's. We would today have an additional population of 17 to 18 million persons, or an addition of 11 percent. If we had that additional population, it would mean about 7 million more workers in the labor force and, therefore, under present prosperity conditions, about 7 million more jobs. With that additional number in the labor force and with that many more jobs we would be producing about $44 billion more of goods and services.

The national income would be about $35 billion greater. There would be $15 billion more in wages and salaries and $3 billion more in farm cash income.

We would have about 500,000 more firms in various businesses, some big, but mostly little, engaged in manufacturing, construction, wholesale and retail trade, in services and finance.

Practically every region and every State shares in these lost economic opportunities. New England would today enjoy a national market for its new as well as for its struggling long-established industries about 11 percent greater than it is. The South would have an even greater outlet for the products it seeks to market in the Northern and Western States, where the bulk of the additional population would be located. The Midwestern States, with larger populations fed by more immigrants than in recent years, would be sharing more fully in the economic growth of the country than it is doing now.

These are only some of the costs we are paying. There are many others. For example, one effect of the legal restrictions of the 1920's and of the great economic depression of the 1930's was a smaller total labor force with which to wage World War II. Had our total population not been held down, we would have had more manpower, our enemies less, with which to wage World War II, and, to the extent that this would have shortened the duration of the war, it would have cut down the number of casualties, kept the money cost of the war down, and left us with a smaller national debt.

TABLE 1.—*United States immigration from all countries, year ending June 30, 1820–1950* [1]

1820	8,385
1821	9,127
1822	6,811
1823	6,354
1824	7,912
1825	10,199
1826	10,837
1827	18,875
1828	27,382
1829	22,520
1830	23,322
1831	22,633
1832	60,482
1833	58,640
1834	65,365
1835	45,374
1836	76,242
1837	79,340
1838	38,914
1839	68,069
1840	84,066
1841	80,289
1842	104,565
1843	52,496
1844	78,615
1845	114,371
1846	154,416
1847	234,968
1848	226,527
1849	297,024
1850	369,980
1851	379,466
1852	371,603
1853	368,645
1854	427,833
1855	200,877
1856	200,436
1857	251,306
1858	123,126
1859	121,282
1860	153,640
1861	91,918
1862	91,985
1863	176,282
1864	193,418
1865	248,120
1866	318,568
1867	315,722
1868	138,840
1869	352,768
1870	387,203
1871	321,350
1872	404,806
1873	459,803
1874	313,339
1875	227,498
1876	169,986
1877	141,857
1878	138,469
1879	177,826
1880	457,257
1881	669,431
1882	788,992
1883	603,322
1884	518,592
1885	395,346
1886	334,203
1887	490,109
1888	546,889
1889	444,427
1890	455,302
1891	560,319
1892	579,663
1893	439,730
1894	285,631
1895	258,536
1896	343,267
1897	230,832
1898	229,299
1899	311,715
1900	448,572
1901	487,918
1902	648,743
1903	857,046
1904	812,870
1905	1,026,490
1906	1,100,735
1907	1,285,349
1908	782,870
1909	751,786
1910	1,041,570
1911	878,587
1912	838,172
1913	1,197,892
1914	1,218,480
1915	326,700
1916	298,826
1917	295,403
1918	110,618
1919	141,132
1920	430,001
1921	805,228
1922	309,556
1923	522,919
1924	706,896
1925	294,314
1926	304,488
1927	335,175
1928	307,255
1929	279,678
1930	241,700
1931	97,139
1932	35,676
1933	23,068
1934	29,470
1935	23,946
1936	36,329
1937	50,244
1938	67,895
1939	82,998
1940	70,756
1941	51,776
1942	28,781
1943	23,725
1944	28,551
1945	38,119
1946	107,721
1947	147,292
1948	170,570
1949	188,317
1950	249,187

[1] 1832, 15 months; 1843, 9 months; 1850, 15 months; 1868, 6 months.

Source: U. S. Department of Commerce, Bureau of the Census, Historical Statistics of the United States, 1790–1945; Statistical Abstract of the United States, 1946–50.

Many other conclusions similar to these emerge from the analysis I now wish to present.

I would call your attention first to the long-time annual record of immigration into the United States covering the past 135 years. (See table 1.) The record shows the well-known waves of immigration of the 1840's and of the 1860's and 1870's, of the 1880's and 1890's. It shows the wave during the first decade of the century and the second wave checked abruptly by World War I. These waves of immigration are associated with and helped produce the major waves of prosperity that have raised our economic level to successively new heights. Every wave of immigrants brought not only brawn, but brains and geniuses for every field of endeavor.

Note the recovery in immigration which began in the early 1920's following World War I and the extent to which the restrictions imposed after 1924 and the depression of the 1930's completely altered the long-time upward trend. On the average the number of immigrants coming to our shores each year amounted to about 1 percent of our total population. This number, more or less, depending on the level of economic activity, we absorbed in our economic stride. In line with the normal course we should now be absorbing approximately a million and a half persons per year. Instead, total immigration, which had been close to zero during most of the 1930's and 1940's, rose to only 250,000 by 1950 or only about a sixth of what might be considered as normal. For the past 5 years the annual average was about 210,000.

The effect of this abrupt check to a long-time trend in a basic factor of our economic growth is clearly seen in the census records of our total population, particularly in the relation between the foreign-born and the native population.

Our phenomenal economic growth up to World War I was marked by a very stable relation of foreign-born to native population, so stable that it may reasonably be used as a basis for estimating the extent of population loss due to the distortion in that balance which immigration restrictions have brought about. (See table 2.)

TABLE 2.—*Total population native and foreign-born, and probable totals without immigration restrictions*

[Number in thousands]

Year	Total population	Foreign-born	Native	Foreign-born as percent of total	Total as percent of native	Estimated total [1]
1870	38,558	5,567	32,991	14.4	117	-------
1880	50,156	6,680	43,476	13.3	115	-------
1890	62,622	9,250	53,372	14.8	117	-------
1900	75,995	10,341	65,654	13.6	116	-------
1910	91,972	13,516	78,456	14.7	117	-------
1920	105,711	13,920	91,791	13.2	115	109,936
1930	122,775	14,204	108,571	11.6	113	131,225
1940	131,669	11,595	120,074	8.8	110	144,344
1950	150,697	[2] 10,338	140,359	6.9	107	167,597
1955	166,000	9,000	157,000	-------	-------	183,700

[1] 1950 total based on 1910 ratio of total to foreign-born for individual States (see table 4) and 1920, 1930, and 1940 prorated.

[2] 10,162 foreign-born white plus 176,000 other foreign-born in 1940.

Between 1870 and 1910 our total population rose from 38.5 million to 92 million. In that entire 40-year period, the foreign born increased in proportion and constituted about 14 percent of the total, the range being from 13.3 to 14.8 percent. Since then the cumulative effect of World War I, the restrictions adopted in 1924, the depression of the 1930's and World War II, has reduced the proportion to only 6.9 percent in 1950 and to less than that today. If in 1950 we had had as many foreign born as the long-time balance between the foreign-born and native population calls for, our total population would have numbered over 167 million instead of somewhat under 151 million. Today the total would be nearly 184 million or an additional 18 million. We would today be 11 percent stronger in manpower, in economic activity, and in international security.

The regional distribution of this loss in population is concentrated chiefly in the Northeast. (See table 3.) The industrial area containing the New England, the Middle Atlantic, and the East North Central States would in 1950 have had 11 million more persons. The industrial-agricultural area containing the Pacific and Mountain States would have had 3 million more people. The agricultural west north central region would have had nearly 2 million more people. Relatively little, probably not more than 700,000, of this 17 million loss in population shows up in the region embracing the South Atlantic, East South Central, and West South Central States.

TABLE 3.—*Native and foreign-born population by regions and probable totals for 1920 to 1950 without immigration restrictions*

NORTHEAST, MIDDLE ATLANTIC, AND EAST NORTH CENTRAL REGIONS

[In thousands]

	Total	Foreign-born	Native	Total, without restriction [1]
1880	25,286	4,721	20,565	----------
1890	30,376	6,381	23,994	----------
1900	36,348	7,359	28,988	----------
1910	43,289	9,708	33,581	43,289
1920	49,897	10,006	39,891	52,709
1930	57,580	10,374	47,207	63,204
1940	60,095	8,592	51,504	68,531
1950	65,941	7,343	58,597	77,188

SOUTH ATLANTIC, EAST SOUTH CENTRAL, AND WEST SOUTH CENTRAL REGIONS

1880	10,555	442	10,114	----------
1890	13,193	521	12,673	----------
1900	16,522	563	15,959	----------
1910	20,547	726	19,821	20,547
1920	24,132	847	23,285	24,316
1930	28,372	801	27,571	28,740
1940	31,659	626	31,033	32,210
1950	36,849	808	36,042	37,588

PACIFIC AND MOUNTAIN REGIONS

1880	1,612	397	1,215	----------
1890	2,872	673	2,200	----------
1900	3,873	761	3,113	----------
1910	6,544	1,298	5,246	6,544
1920	8,567	1,487	7,709	9,335
1930	11,421	1,727	9,694	12,957
1940	13,350	1,424	11,926	15,654
1950	18,574	1,498	17,076	21,648

[1] 1950 total based on 1910 ratio of total to foreign-born for individual States (see table 4) and 1920, 1930, and 1940 prorated. White population only.

TABLE 3.—*Native and foreign-born population by regions and probable totals for 1920 to 1950 without immigration restrictions*—Continued

WEST NORTH CENTRAL REGION

[In thousands]

	Total	Foreign-born	Native	Total, without restriction
1880	5,949	999	4,950	----------
1890	8,660	1,547	7,113	----------
1900	10,066	1,531	8,534	----------
1910	11,352	1,613	9,738	11,352
1920	12,225	1,372	10,854	12,670
1930	12,913	1,082	11,832	13,803
1940	13,112	778	12,334	14,447
1950	13,576	563	13,014	15,357

Fourteen individual States contain 83 percent of the total potential population that we have lost through the legal and economic restrictions of the past 30 years—Pennsylvania, New York, California, Illinois, Massachusetts, Michigan, New Jersey, Minnesota, Wisconsin, Ohio, Connecticut, Washington, Iowa, and Texas. These are the States in which the 1950 population would be at least a quarter of a million greater. They range from a quarter of a million in Texas and Iowa to about 2.5 million in Pennsylvania and New York:

1950 population loss

[In thousands]

State:	
Pennsylvania	2,611
New York	2,469
California	1,687
Illinois	1,243
Massachusetts	1,087
Michigan	841
New Jersey	797
Minnesota	774
Wisconsin	684
Ohio	584
Connecticut	400
Washington	398
Iowa	272
Texas	246
Total, 14 States	14,093
All other States	2,804
United States total	16,897

1950 population loss—Continued

What this population loss is costing us in potential production and national income is quite obvious. By the end of 1955 our national production, valued at about $400 billion, would have been greater by 11 percent or $44 billion. As a nation of consumers, we would have $33 billion a year more personal income and would probably be buying about $29 billion more of goods and services. Wage and salary earners, because there would be more of them, would be receiving $24 billion more in their pay envelopes, and farmers would be getting $3.5 billion more from the sale of farm products to the larger number of employed workers and other consumers.

The losses in the income of individuals are concentrated in the Northeast and the Far West. If we take the 1950 population shortages due to restricted immigration and the 1954 per capita incomes State by State, we find a total loss in income of nearly $33 billion. The New England States are suffering a loss of about $3.7 billion; the North Atlantic States, $11.8 billion; the East North Central States, $6.9 billion; and the Mountain and Pacific States, $6.1 billion. The Southern States account for only $1.2 billion of the $33 billion total. (See table 4.)

TABLE 4.—*Loss in population and income by States in 1951 due to immigration restrictions*

[Population in thousands]

State	Population 1950 [1]		Population loss	Per capita income	Loss in income
	Actual	Estimated			
Maine	911	983	72	$1,492	$107,424
New Hampshire	532	612	80	1,605	128,400
Vermont	377	406	29	1,408	40,832
Massachusetts	4,611	5,698	1,087	1,922	2,089,214
Rhode Island	770	988	218	1,823	397,414
Connecticut	1,952	2,361	409	2,361	965,649
Total Northeast	9,153	11,048	1,895	----------	3,728,933
New York	13,872	16,341	2,469	2,163	5,340,447
New Jersey	4,511	5,308	797	2,219	1,768,543
Pennsylvania	9,854	12,465	2,611	1,785	4,660,635
Total North Atlantic	28,237	34,114	5,877	----------	11,769,625
Ohio	7,428	8,012	584	1,983	1,158,072
Indiana	3,758	3,892	134	1,834	245,756
Illinois	8,046	9,289	1,243	2,155	2,678,665
Michigan	5,918	6,759	841	2,017	1,696,297
Wisconsin	3,392	4,076	684	1,706	1,166,904
Total East North Central	28,542	32,028	3,486	----------	6,945,694
Minnesota	2,954	3,728	774	1,644	1,272,456
Iowa	2,600	2,872	272	1,667	453,424
Missouri	3,656	3,845	189	1,747	330,183
North Dakota	608	770	162	1,186	192,132
South Dakota	628	727	99	1,332	131,868
Nebraska	1,301	1,462	161	1,635	263,235
Kansas	1,829	1,953	124	1,689	209,436
Total West North Central	13,576	15,357	1,781	----------	2,852,734
Delaware	274	290	16	2,372	37,952
Maryland	1,955	2,099	144	1,940	279,360
Virginia	2,582	2,595	13	1,480	19,240
District of Columbia	518	533	15	2,220	33,300
West Virginia	1,890	1,960	70	1,232	86,240
North Carolina	2,983	2,979	----------	1,190	----------
South Carolina	1,293	1,297	4	$1,063	$4,252
Georgia	2,380	2,390	10	1,237	12,370
Florida	2,166	2,211	45	1,610	72,450
Total South Atlantic	16,041	16,354	317	----------	545,164
Kentucky	2,742	2,780	38	1,216	46,208
Tennessee	2,760	2,775	15	1,212	18,180
Alabama	2,079	2,097	18	1,091	19,638
Mississippi	1,188	1,194	6	873	5,238
Total East South Central	8,769	8,846	77	----------	89,264
Arkansas	1,481	1,494	13	979	12,727
Louisiana	1,796	1,870	74	1,302	96,348
Oklahoma	2,032	2,070	38	1,466	55,708
Texas	6,726	6,972	246	1,574	387,204
Total West South Central	12,035	12,406	371	----------	551,987
Montana	572	709	137	1,729	236,873
Idaho	581	643	62	1,433	88,846
Wyoming	284	335	51	1,779	90,729
Colorado	1,297	1,476	179	1,686	301,794
New Mexico	630	673	43	1,387	59,641
Arizona	654	838	184	1,582	291,088
Utah	677	782	105	1,483	155,715
Nevada	150	184	34	2,414	82,076
Total Mountain	4,845	5,640	795	----------	1,306,762
Washington	2,316	2,714	398	1,949	775,702
Oregon	1,497	1,712	215	1,757	377,755
California	9,915	11,582	1,687	2,162	3,647,294
Total Pacific	13,728	16,008	2,300	----------	4,800,751
United States total	----------	----------	16,899	----------	32,590,914

[1] Estimates of population without restrictions based on 1910 proportion of foreign-born to native white population.

Examining the population and income losses for individual States, we find the greatest losses, of course, in New York, Pennsylvania, California, Illinois, and Massachusetts. In these States, the income losses range from $5.3 billion for New York to $2.1 billion for Massachusetts. In 6 other States, Connecticut, New Jersey, Ohio, Michigan, Wisconsin, and Minnesota, the income losses range between one and two billion dollars.

Losses in income in 1954 due to immigration restrictions

[In billions of dollars]

Ohio	1.2
Connecticut	1.0
Washington	.8
Iowa	.5
Rhode Island	.4
Texas	.4
Oregon	.4
Colorado	.3
Missouri	.3
New York	5.3
Pennsylvania	4.7
California	3.6
Illinois	2.7
Massachusetts	2.1
New Jersey	1.8
Michigan	1.7
Minnesota	1.3
Wisconsin	1.2
Total 18 States above	29.7
All other States	2.9
United States total	32.6

The failure to maintain our population growth at the potential level has also had the effect of holding down opportunities for private enterprise. Ever since we became a predominantly industrial nation, particularly since 1900, the number of business firms in operation has increased slightly faster than our total population. For every 1,000 persons in the population of 1890, our economy provided opportunities for 24.6 active business firms. By 1929 we needed 25.5 business firms per 1,000 of population, and by 1949, the number had risen to 26.6. If our population had been permitted to attain its potential of 184 million in 1955, we would in that year have had another 400,000 to 500,000 firms, big and little, in addition to the 4 million in operation. This would probably have included about 33,000 more manufacturing establishments, 40,000 construction firms, 23,000 more firms engaged in wholesale trade, 180,000 more firms engaged in retail trade, nearly 40,000 more firms in finance, insurance, and real-estate operations, and about 95,000 additional service industries.

In the larger national economy that I estimate we would have today, had we maintained the immigration policies of the decades prior to 1920, Government revenues also would be greater than they are now. Combined Federal, State, and local government revenues might have been about $8 billion greater; expenditures on the other hand might not have increased that much if, for example, we assume that a larger manpower would have shortened World War II and left us with a smaller national debt and other internal and external expenditures attributed to the duration of the war.

These are merely some of the obvious ways of demonstrating the economic significance of our failure to attain our population potential. Many more illustrations could be developed, but I assume they are not needed, for the conclusion is obvious. We should recognize that our immigration quotas have been cut far too low, that the fears of the 1920's and 1930's do not pertain to the entirely different conditions of the decades ahead. For a country blessed with our abundance of physical resources and enterprise opportunities, we need to restore an annual flow of immigration closer to the historical norm that helped bring about our national growth to wealth and power.

FARM INCOME MOVING UPWARD

Mr. AIKEN. Mr. President, the Department of Agriculture has just released its latest issue of the Farm Income Situation, to which I want to call special attention. This report is most gratifying, since it shows a marked reversal in the long downward trend of farm income. It also shows some easing of the cost-price squeeze which our farmers have had to endure while the cost of things they bought went up and the prices of the goods they sold declined This easing of the price-cost squeeze is now providing the basis for a healthier condition in our agricultural economy.

The Department of Agriculture's report shows that during the last 6 months there has been significant improvement in farm prices and farm income.

The average of all prices received by farmers rose 11 percent between mid-December 1955 and mid-June 1956. Price gains, in many instances very substantial, have taken place for hogs, corn, soybeans, potatoes, dairy products, and beef cattle. The parity ratio in mid-June was 86 compared with 80 in December and 85 in June 1955. This was the first month since 1951 that the parity ratio was higher than in the same month a year earlier.

As shown by the Department's report, the improvement in prices so far this year together with a record volume of marketings for this period increased the seasonally adjusted rate of cash receipts to farmers about 3 percent from the second half of 1955 to the first half of 1956. Despite a slight increase in farm production expenses, the seasonally adjusted rate of farm operators' realized net income rose 5 percent from the rate of the second half of 1955.

In terms of dollars farmers realized, net income in the first half of 1956 was at an annual rate of approximately $11.6. This was nearly the same as in the first half of 1955, but a half billion dollars higher than the rate during the last half of 1955.

Realized gross farm income on a seasonally adjusted annual rate basis was about $800 million higher in the first half of 1956 compared with the second half of 1955. This was offset only in part by a rise in farm production expenses and resulted in the half billion dollar gain in the 1956 annual rate of farmers' realized net income. The improvement shown in farm income during the last 6 months holds much promise for further substantial gains in the well-being of our farmers in the months ahead.

D. HAROLD McGRATH

Mr. JACKSON. Mr. President, D. Harold McGrath, Superintendent of the Senate Radio-Television Gallery, since its opening on February 15, 1940, is retiring at the end of the present Congress. Previous to being appointed to his present position Mr. McGrath was secretary to Senator Lewis B. Schwellenbach, of Washington State, from December 1935 to February 1940, and will have had 21 years in the Senate.

When Mr. McGrath took his present position, there were 26 accredited members of the radio gallery. During the 17 years of Mr. McGrath's service, radio and television news has expanded so that at present there are nearly 200 accredited members. Quarters at the time of McGrath's appointment were in a small 14 by 12-foot office just off the gallery floor. Today, room G-25 has within its confines a large television studio and four radio studios where every day during the session the hot news stories of the day are put on film or recorded for radio.

Mr. McGrath plans to return to his home town in Walla Walla, Wash., at the end of his service.

We shall miss his conscientious service to the working men and women associated with the Senate radio-television gallery and to the Members of this body, whom he has served so long and so well.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, an article on the radio-TV galleries, written by Mr. D. Harold McGrath, and published in the Roll Call for June 28, 1956.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WAR SPURRED MATURITY OF RADIO-TV GALLERIES

(By D. Harold McGrath)

(For the past 16 years McGrath has been Superintendent of the Senate Radio-Television Gallery. He is retiring at the end of this year.)

With just a flip of the dial these days, you can get a complete, on-the-spot account of important news developments over your radio or television set.

Yet not so many years ago, airwave news reporting was little more than an occasional short bulletin, usually read from the pages of latest edition of a newspaper. Those were the days when you were likely to hear over your radio something like this: "Flash! War looms in Europe. For further details see your local newspaper."

And it was, indeed, the war that struck Europe on September 1, 1939, that eventually brought radio news reporting into its own, in competition with newspaper reporting, as an accepted news medium.

RADIO RECOGNIZED

On April 20, 1939, radio news reporting was officially recognized on Capitol Hill. That was the day the House of Representatives approved a resolution, introduced by Representative JOHN DEMPSEY, of New Mexico, authorizing Speaker Bankhead to give radio correspondents all the privileges previously granted only to reporters in the daily Press Gallery.

Five days later the Senate passed a similar resolution sponsored by Democratic Senator Gillette, of Iowa, and Republican Senator Barbour, of New Jersey.

As a result, the Radio Correspondents Association of Washington was established, with Fulton Lewis, Jr., of the Mutual network, as the first president. He formed an executive committee with CBS commentator Albert L. Warner, William R. McAndrew, chief of the NBC news bureau in Washington, and Fred W. Morrison, reporter for the now defunct Transradio Press Service.

These men formulated rules and regulations governing the newly created Radio Gallery.

An area between the 2 front elevators on the gallery floor of the House side was boxed off for working space, and 5 seats in the visitors' gallery in the House Chamber were set aside for use of the radio newsmen.

"BAUKHAGE TALKING"

Robert M. Menaugh was sworn in as Superintendent of the House Gallery on May 20, 1939. He still holds the job. On that same day, H. R. Baukhage—"Baukhage Talking"—of NBC, gave the first live radio news show from the Capitol.

All of this was a real milestone. Prior to adoption of the Dempsey resolution, radio news reporting on Capitol Hill was something of a bootleg operation, since radio men were not permitted to take notes in House and Senate galleries, and they had no telephones, typewriters, or desks for their own use.

They covered Congress by buttonholing Members in the corridors and getting condensations of speeches given on the House or Senate floors.

Although things moved more slowly on the Senate side, eventually an area 12 by 14 feet was boarded off next to the Senate Press Gallery for working quarters, and seats were reserved in the Ladies' Gallery overlooking the Senate Chamber for radio reporters' note taking.

In the meantime, Americans were becoming dependent on spot news of the war in Europe broadcast over the radio by a Kaltenborn or Edward Murrow or Eric Sevareid.

When President Roosevelt called Congress into session on September 21, 1939, radio news coverage from Capitol Hill picked up pace.

Transradio Press Service, a wire service for radio stations, sent Fred Morrison to the House side and Macon Reed to the Senate side as full-time Hill reporters. They were the only radio reporters around all the time, although Lewis, Baukhage, Warner, Kaltenborn, Lowell Thomas, and other voices came up to the Hill from time to time. Most of their news was provided by the wire services.

UPHILL BATTLE

Radio reporters still were fighting an uphill battle. Congressmen didn't send their news releases to the radio gallery, as they did to the press gallery. Radio had to fight the newspapermen for seats to cover committee meetings. The press gallery had rejected applications from radiomen for membership in their association, and a large segment of the press resented radio's rise as a news medium.

Idaho's famous Senator William Borah died on January 19, 1940, and funeral services for him were held from the Senate Chamber. Baukhage scored a first by describing the event for NBC from the new Radio Gallery on the Senate side. On February 15, 1940, this writer became Superintendent of the Senate Gallery.

Originally, there were 26 members of the Radio Correspondents Association. Television then was only experimental, and film stories on the Hill were obtained only occasionally by theater newsreels.

As the war spread in Europe, radio reporting became more important, and membership in the association grew.

GALLERIES EXPAND

"One is struck by the speed of radio news and the frequency of it," the late columnist Mark Sullivan wrote during this period. In describing his reaction to the outbreak of war in Europe, Sullivan wrote: "One felt the spirit of urgency, the incitement to emotion, that accompanies the impact of excitable news upon the ear."

After the war, the cramped radio galleries in Senate and House were expanded; in the Senate wing, soundproof booths were installed for on-the-spot broadcasting. The wire recorder—forerunner of the indispensable tape recorder in use today—became a working tool of the radio reporter. Senator O'MAHONEY, of Wyoming was interviewed by this means by an ABC staffer for the first interview in the enlarged Senate gallery. The first live radio show was broadcast from the gallery the day after the death of President Roosevelt. The networks broadcast live shows on V–E Day; by this time, the accredited membership of the Radio Correspondents Association numbered 100.

On November 8, 1945, President Truman kept a previous promise to this writer, and dedicated the enlarged Senate gallery at a ceremony attended by more than one-third of the Senate and practically the entire membership of the association.

TV COMES OF AGE

Television news began to emerge, and TV cameramen were admitted to membership in the Radio-TV Correspondents Association.

Television news forums took their place alongside radio news forums as acknowledged ways of reporting the Washington story. Senators and Representatives found it convenient to participate in interviews in the galleries just one floor above the House and Senate Chambers. Newspaper reporters, too, gladly participate in these forums. Few, if any, any longer question the validity of radio or TV news reporting.

Today, with nearly 200 members in the association, the newspaper fraternity regularly makes use of news stories developed on radio and television programs. It's safe to say that radio and television news reporting is here to stay.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Washington yield to me?

Mr. JACKSON. I yield.

Mr. JOHNSON of Texas. Mr. President, I appreciate the fine tribute the distinguished and able junior Senator from Washington [Mr. JACKSON] has paid to my friend, D. Harold McGrath.

The splendid work done by the large staff that serves the Senate is little known to the public, but is known very well to Senators themselves. I believe all of my colleagues will agree with me that we would not function nearly so well were it not for the fine corps of trained men who are around us.

D. Harold McGrath, superintendent of the Senate Radio-Television Gallery, is a career man who has been serving us for 21 years. I believe he is known affectionately by every member of this body.

The position which he has held is a responsible one, and he has discharged his responsibilities with tact and with ability. He has served as liaison between the Senate and the large body of distinguished radio and television correspondents who cover Capitol Hill activities.

During difficult and trying days, he has kept intact his poise, his judgment, and his equanimity. He has worked round the clock, in order to improve the facilities through which the American people obtain the knowledge about this body to which they are entitled.

When he assumed his present position—after he had served as secretary to the late Senator Schwellenbach—there were only 26 accredited members of the Radio Gallery. They were housed in a little cubby hole just off the gallery floor.

Now there are nearly 200 accredited members, and the facilities are among the best in Washington.

Harold McGrath is returning to his home in Walla Walla, for a well-deserved rest. The good wishes of the whole Senate go with him. He has served the Senate loyally and faithfully, and can look back upon a job well done.

Mr. President, I personally appreciate the fine tribute paid to Mr. McGrath by the distinguished junior Senator from Washington, and the opportunity he has given me to say these things about an employee of the Senate.

Mr. BARRETT. Mr. President, will the Senator from Washington yield to me?

Mr. JACKSON. I yield.

Mr. BARRETT. I wish to join the distinguished Senator from Washington [Mr. JACKSON] and the distinguished majority leader, the senior Senator from Texas [Mr. JOHNSON], in extending felicitations to D. Harold McGrath, on the occasion of his retirement from the service of the United States Senate.

I became acquainted with Mr. McGrath a number of years ago when I served in the House of Representatives; and I learned then that he was born in Cheyenne, in my State—in short, that he is a native son of Wyoming.

I know full well of the long and faithful service of Mr. McGrath to the Senate in the capacity of superintendent of the Radio-Television Gallery. I wish for him a long and happy retirement.

ORDER FOR RECESS TO 9:30 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that at the conclusion of its business today the Senate stand in recess until 9:30 a. m. tomorrow.

The PRESIDENT pro tempore. Without objection, it so ordered.

CONFERENCE REPORT ON THE DISTRICT OF COLUMBIA TRANSIT BILL

Mr. MORSE. Mr. President, with the indulgence of the Senator from Arizona [Mr. GOLDWATER], who is waiting to speak, I wish to take a few minutes to make a brief comment about the Senator from Michigan [Mr. MCNAMARA]. I do so with great pleasure while the junior Senator from Michigan [Mr. MCNAMARA] is in the chair, a parliamentary posture which places him in a position where he cannot even reply to me.

Mr. President, I am sure the Senator from Maine [Mr. PAYNE], the acting majority leader, will be very much interested in the announcement I shall make at this time.

I wish to pay a very much deserved compliment to the junior Senator from Michigan [Mr. MCNAMARA] for the grand job he has done as chairman of the District of Columbia conference committtee. I have been in the Senate, now, for almost 12 years. I wish to say that among all the conference committtees between the Senate and the House of Representatives on which I have served, the most efficient and effective job I have ever witnessed on such a committee has just been done by the Senator from Michigan [Mr. MCNAMARA] in the conference committee between the Senate and the House of Representatives on the Washington, D. C., transit problem.

I do not have to tell the Senate that, figuratively speaking, that problem has

been a legislative headache, now, for many, many months. When we went into the conference, there was doubt on the part of some as to whether the Congress could even reach an agreement because of the wide divergence between the bill passed by the two Houses of the Congress.

I am pleased to announce that a few minutes ago the House and the Senate conferees agreed unanimously on a conference report which we think offers the best workable solution to this very difficult transit problem that could be worked out by reasonable men in view of the many major differences between the Senate and the House bills. It could not have been done without the leadership of the Senator from Michigan.

Not only his great intellectual ability, but his keen sense of humor, his understanding of men, and his great mediation powers in bringing conflicting views to a common ground were manifested time and time again during the long hours in recent days that we spent together in the conference. When the conference broke up, new—and I think lasting—friendships were formed between the Senate conferees and the House conferees. The chairman of the House conferees, Congressman HARRIS from Arkansas, was a wonderful help to all of us in the conference negotiations. Time and time again he helped compromise conflicting points of view. He was an able teammate of our distinguished chairman.

Frequently in the rush of work in the Senate we fail to take the time to make a matter of record our great appreciation for work of statesmanship performed. I wish to say out of the sincerity of my heart that I think every Member of the Senate is greatly indebted to the Senator from Michigan for the fine leadership which he afforded to the Senate conferees in arriving at an agreement on the conference report.

We do not claim that the conference report is a perfect instrument. Conferees, in the face of the many complex problems involved in settling the transit problem, cannot come forth with a perfect instrument. However, we have given to the District Commissioners what, in my opinion, is a long overdue discretion in handling a municipal problem. We have recognized, as we ought to recognize in respect to a great many other District of Columbia affairs, that, after all, the ultimate responsibility should be vested in the District of Columbia officials.

We have come forward with an instrument which does not extend a franchise to the Capital Transit Co., which was one of the positions which the Senate conferees were insistent upon from the beginning. We have not come forward with an instrument granting any congressional permit on a monthly basis to the Capital Transit Co. But we have come forward with an instrument which gives to the District of Columbia Commissioners contractual authority. We have granted to the District Commissioners authority to enter into contracts for the operation of a transportation system if the so-called Chalk-Fox contract does not materialize in a final sale of the Capital Transit Co. to the Chalk-Fox group.

I am sure Senators will be delighted to know that we are reasonably confident, as conferees, that, come August 15, the Chalk-Fox contract with the Capital Transit Co. will be consummated and the transit system in this District will go into the hands of a private operator. As conferees we were in agreement from the beginning that we wanted private ownership of the transportation system. We believe a private operation under the terms of the contract and franchise we have approved will give to the transit riders of the District the kind of efficient and effective service to which they are entitled.

I close this statement of commendation with an expression of thanks to the Senator from Michigan for the fine service he has rendered to the people of the District of Columbia as well as the Congress of the United States.

I also want to thank the staffs of the two committees for the very fine work they did for us both in research on the legal problems involved and on preparation of the conference reports and in performing the many administrative details which are essential to a successful conference.

Also I want to thank the District Commissioners for their patience, their many courtesies and their very effective work in helping to bring about such a successful termination of this legislative problem. Their record of achievement in this matter is the best evidence that can be offered in support of the position of those of us who urge that full home rule should be granted to the District of Columbia. In my opinion, the District Commissioners have demonstrated once again that the interests of the District of Columbia would be better served if responsibilities of District of Columbia problems were transferred from the Congress to the District officials.

I note the presence in the Chamber of my colleague, the Senator from Nevada [Mr. BIBLE]. My intuition tells me that he wishes to second the expressions of gratitude which I have just made.

Mr. BIBLE. Mr. President, I wish to take this opportunity to echo the sentiments of the distinguished Senator from Oregon in respect to the Senator from Michigan. I think the distinguished Presiding Officer has done an outstanding job on a very difficult conference.

I likewise feel that a similar tribute should be paid to Chairman HARRIS, on the House side, and his conferees, who worked diligently on this very difficult problem.

I say "amen" to the sentiments expressed by the Senator from Oregon.

Mr. MORSE. Mr. President, as I have already indicated I share the views of the Senator from Nevada with regard to the fine work which the head of the House conferees, Representative HARRIS, performed throughout the conference negotiations.

Mr. JOHNSON of Texas. Mr. President, it is very pleasing to me to know that the conferees have reached an agreement. I appreciate very much the very dedicated, high quality of service which the distinguished Senator from Oregon has rendered to the citizens of the District of Columbia. I do not know of any man who has been more faithful or more consecrated in his service to his own State than the Senator from Oregon has been with respect to the people of the District of Columbia.

I am very happy that the conferees have reached an agreement. The distinguished Senator from Michigan [Mr. MCNAMARA], who had so much to do with bringing about a solution of this very perplexing and troublesome problem, is entitled to the commendation of the entire Senate, and of all the people of the District. Since coming to this body the Senator from Michigan has been one of the most reasonable men in it. He is always fair. He is always just. He is always courteous. He is a man of strong convictions, and he expresses his convictions when he needs to do so. However, he always allows the other fellow the same right which he reserves for himself. I know of no man who has been more diligent, more dedicated, or who has rendered to the entire Senate a more unselfish, high quality of service than the Senator from Michigan.

I am very pleased that the Senator from Oregon took occasion to call the attention of the Senate, the people of the District, and the people of the country, to the fact that sometimes perplexing, difficult, and often unsolved problems can actually be solved by men of good will who meet across the table.

I served for a long time in the other body with the distinguished Representative from Arkansas [Mr. HARRIS]. I congratulate all the conferees for having reached a decision. I am very proud of the work done by the Senator from Michigan, the Senator from Oregon, the Senator from Nevada, and other Senators who contributed so unselfishly of their time in order that the people of the District of Columbia might have the high quality of service which they deserve.

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). The Chair cannot allow this opportunity to pass without saying that he appreciates very much the generous remarks of the majority leader and his colleagues among the Senate conferees. The contributions made by the other members of the conference committee were of equal importance to the contribution of the Senator from Michigan, if not of greater importance.

The Chair thanks his colleagues for their very kind remarks.

Mr. JOHNSON of Texas. Mr. President, if I were the franchise holder and operating the transit system in the city of Washington, I think I would name the first bus the "McNamara-Harris Special." [Laughter.]

SOCIAL SECURITY AMENDMENTS OF 1956

Mr. JOHNSON of Texas. Mr. President, I ask that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 7225) to amend

title II of the Social Security Act to provide disability insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes.

Mr. GEORGE. Mr. President, I call up my amendment submitted on July 9, 1956, and identified as "7-9-56-A." Inadvertently the name of the distinguished junior Senator from New York [Mr. LEHMAN] was not included as one of the cosponsors of the amendment, when it was printed. I ask that his name be added as one of the cosponsors of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I should like to have the attention of the Senator from Texas [Mr. JOHNSON], the Senator from Georgia [Mr. GEORGE], and the Senator from Virginia [Mr. BYRD]; I desire to call their attention to an amendment which I think can be adopted in 30 seconds, and thus save time for all concerned.

There is at the desk a very brief amendment which I submitted last night; it would add, on page 34, in lines 3 and 7, the name "Oregon", in addition to the names "North Carolina, South Carolina, or South Dakota."

The Senator from Virginia has expressed willingness to accept this amendment and take it to conference, because by means of the amendment we are attempting to permit policemen and firemen to come in on a voluntary basis if they so desire.

Therefore, Mr. President, I suggest that my amendment be adopted at this time; that can be done at once, if we wish, and thus expedite action on the bill.

Mr. BYRD. Mr. President, I was authorized by the Finance Committee to accept such an amendment, if offered by Senators for their respective States. So I have no objection.

Mr. JOHNSON of Texas. Mr. President, I would be very glad to have the amendment acted on at this time.

The PRESIDING OFFICER. The amendment of the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. On page 34, in line 3, immediately after "North Carolina", it is proposed to insert "Oregon."

On page 34, in line 7, immediately after "North Carolina", it is proposed to insert "Oregon."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon.

The amendment was agreed to.

Mr. MORSE. Mr. President, I thank the Senators very much indeed.

Mr. JOHNSON of Texas. Mr. President, I should like to announce that we do not expect any action to be taken on the George amendment for, I would say, a minimum of 1 hour, at least. Some speeches on other subjects have been scheduled. We are hopeful that at the conclusion of the speeches, we may be able to arrange a unanimous-consent agreement.

I should like to ask the Senator from Georgia [Mr. GEORGE] and the Senator from Virginia [Mr. BYRD]—so that I may explore the possibilities of arranging for a unanimous-consent agreement—about their views on that matter. Some speeches on extraneous subjects are to be made; but when we begin discussion of the George amendment, I am hopeful that we can agree to a limitation of time; so that we can notify all our colleagues to be present, to hear the debate, and then have a vote taken.

I suggest to the minority leader that perhaps we could arrange a time limitation of 30 minutes to each side, or a total of 1 hour, on the amendments. If that suggestion is satisfactory to the Senator from Georgia and the Senator from Virginia, I shall pursue it further. I am sure some Senators will wish to have some modification of that proposal made, but I did not wish to begin on that basis unless it was satisfactory to the Senator from Georgia and the Senator from Virginia. I understand that it will be satisfactory.

Mr. BYRD. I think it will be satisfactory, but I believe some allowance of time should be made on the bill.

Mr. JOHNSON of Texas. If we could obtain an agreement which would include an allowance of time for debate on the bill itself, that would be fine. I am not sure whether at this stage we can obtain an agreement to cover more than one amendment at a time.

I wonder how the Senator from Georgia feels about the agreement I have suggested.

Mr. GEORGE. I should like to take a full hour on my amendment; and other Senators wish to speak on it, too, I am sure. The Senator from New York [Mr. LEHMAN], the Senator from Illinois [Mr. DOUGLAS], the Senator from Louisiana [Mr. LONG], the Senator from Oregon [Mr. MORSE], and 3 or 4 of the other proponents of the amendment wish to speak on it.

I am agreeable to any arrangement, in order to accommodate myself to the expedition of the business of the Senate. But it will take a little time to debate the amendment. I think perhaps the more debate we can have on the amendment, the more time we shall save later on.

Mr. JOHNSON of Texas. I wonder whether it would be agreeable to arrange for 3 hours, or an hour and one-half to each side.

Mr. GEORGE. That would be satisfactory.

Mr. BYRD. That would be satisfactory.

Mr. JOHNSON of Texas. Very well.

HELLS CANYON DAM

Mr. WATKINS. Mr. President, the Senate is about to debate an issue of extreme national importance, the proposal in S. 1333 to upset the thoroughly-considered action of the Federal Power Commission in approving a three-dam project to develop the power resources of the Hells Canyon reach of the Snake River.

Inasmuch as many of my colleagues may be depending on a report issued by the Senate Interior Committee as a source of information on this legislation, I wish to point out one serious deficiency in this report and provide some supplementary information which should be considered and, which, in view of other one-sided information in the report, should have been made a part of Senate Report No. 2275.

Appendix D of the report makes this sweeping statement on page 37:

> The high Hells Canyon project proposed to be authorized by S. 1333 is so far superior in every respect to the private three-dam development proposed by the Idaho Power Co., that there is agreement on this point by disinterested experts. Even the Federal Power Commission, which approved the license for the three private dams—one of which may never be built under the terms of the license—recognized that the high Hells Canyon Dam would produce more power, more flood control, navigation, recreation, and potential irrigation benefits than could be credited to the private proposal. To justify its approval of the license, it was forced to rely on nonfundamental aspects of the controversy.

This is a pretty serious charge for a Senate committee to level against an expert, bipartisan, independent agency of the Congress itself. However, I will not bother to go into this at this time, because I think the reasons justifying the FPC decision are all in the record, and, after a serious review of this record, I am convinced that it speaks for itself.

After this blast at the integrity of the Commission, however, the committee report in appendix E—page 40—refers to the strange twisting of words involved in the statutory finding by the examiner and the Commission itself that the three-dam plan was best adapted to a comprehensive plan as required by section 10 (a) of the Federal Power Act.

This second blast was followed by publication of appendix F, headed "Excerpted Findings of the Federal Power Commission Examiner."

One would think that after such a strong indictment of a congressional factfinding body, that the committee majority would excerpt from the Commission's decision and findings significant items that would bear out the truth of the committee majority's allegations, without misrepresenting the Commission's findings. However, it is significant that the excerpts provided for the enlightenment of the Congress are essentially one-sided excerpts from a staff examiner's decision and not from the Commission's decision itself.

To give my colleagues an idea of how one sided these excerpts were, I hereby wish to complete the record and provide, for the benefit of those who are seeking to get at the facts on this matter, the portions of the FPC examiner's findings which were ignored in the excerpts provided in the report on S. 1333 by the Senate Interior Committee majority.

In the first place, the committee majority ignored entirely the first 56 findings of the examiner relating to the three-dam project. To complete the record, for the benefit of Senators studying the measure, I request unanimous

consent to have these findings reproduced at the conclusion of these remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. WATKINS. Mr. President, furthermore, the committee majority reproduced only 57 out of 127 findings of the examiner pertaining to the high-dam proposal. Many of the 70 findings ignored by this republication in the report on S. 1333, significantly, were favorable to the three-dam proposal. In order that this part of the record may be complete, I hereby request unanimous consent to reproduce at the conclusion of my remarks all the findings of the FPC examiner in respect to the high-dam proposal which were not included in the findings excerpted for the committee majority's report.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. WATKINS. Mr. President, without taking the time of the Senate to review all these findings, I would like to cite just five of those which the majority report chose to ignore, a handful which amply demonstrates that the hand-picked excerpts of the committee majority, and its tables which profess to present FPC facts, are not only incomplete but misleading, as well.

93. Because suitable alternatives may be found, the applicant's three-dam plan is reconcilable with the flood control objectives of the main control plan and the comprehensive plan.

150. The benefit-to-cost ratio of the high-dam project would be about 1.83 to 1.

151. The benefits-to-cost ratio of the three-dam plan under theoretical Federal construction would be about 2.5 to 1.0. See findings 145 and 146.

169. Applicant's three-dam plan would not impair the comprehensive plan for the Columbia Basin and would not result in permanent or temporary loss of any water resources.

170. Applicant's three-dam plan would not render infeasible any water resource developments by the United States which have been authorized by Congress.

Now let me explain that while these facts help complete the picture on what the FPC examiner concluded on this proposal, it does not, by any means complete the picture of the thorough study and quasi-legislative, quasi-judicial review given to these competing proposals by the Federal Power Commission itself.

After the presiding examiner had made his decision in favor of the private development, the Commission reviewed his findings and other material, including a report by staff counsel on exceptions taken to certain findings and conclusions of fact and law contained in the decision of the examiner. These exceptions were filed June 29, 1955, and were available to the Senate Interior Committee for study before its report was issued.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. WATKINS. Mr. President, this brief, presented by the FPC as respondent in an appeal to the United States circuit court of appeals to review the Commission's action in licensing the three-dam Hells Canyon project, summarizes the case justifying the FPC action. I am presenting this brief for information only, and not with any intention of influencing the still-pending case in one way or the other. Congressional interest in this case is amply justified, however, because of the fact that passage of S. 1333 will take the matter entirely out of the hands of the court and nullify any decision that might be made in favor of the respondent Federal Power Commission.

EXHIBIT 1

(Excerpts from decision of the FPC presiding examiner upon the application of Idaho Power Co. for a license under the Federal Power Act, issued May 6, 1955)

FINDINGS AND CONCLUSIONS

The findings proposed by the parties and by the staff in this matter, while of inestimable value to the examiner in the preparation of this report, were not deemed to be usable in the same form as submitted, even though the report is in substantial agreement with many of them. For this reason, few if any of the findings proposed have been adopted in haec verba.

Findings of fact and conclusions of law relative to the proposal of the applicant, as expressed in its filed applications, in addition to or supplemental to those heretofore expressed, are as follows:

THE THREE-DAM PLAN

(1) The applications in this matter relate to a three-dam plan for development of the middle reach of the main stem of the Snake River. The applicant has no intention or plan to develop the middle reach of the Snake River in any way other than that described in its applications on file with the Commission and open to public inspection, so the Commission's determination primarily must be made upon the applications as filed and as supported in the public hearing in this matter.

(2) The three projects as proposed by the applicant would utilize the head and the streamflow satisfactorily.

(3) The three projects as proposed by the applicant would occupy lands of the United States.

(4) The Snake River from its junction with the Columbia up to at least the mouth of Henry's Fork (mile 837.4) is a navigable water of the United States.

(5) The three projects proposed by the applicant would be located in and along a navigable water of the United States.

(6) The Brownlee project, at mile 284.6, the uppermost of the three projects and the only one having storage of any consequence, would affect the interests of interstate or foreign commerce by affecting the downstream navigable capacity of the Snake River.

(7) Section 23 (b) of the Federal Power Act prohibits the construction of any water-power project in the Middle Snake by any person, State, or municipality without a license granted pursuant to the Federal Power Act.

(8) The plans submitted with the applications for the three dams would provide for the construction of safe and adequate structures.

(9) The Brownlee project would provide important flood control storage and could be so operated to provide appreciable navigation benefits. The other two projects, being run-of-river plants, would provide no flood control or navigation benefits.

(10) Applicant has proposed to provide recreational facilities at each of the three proposed projects, and the recreational benefits so conferred would be important to the public.

(11) The cost of construction of the three projects as developed by the record of the public hearing in this matter, including interest during construction and an allowance of $5 million for fish protective devices, is $191,328,000. (Exhibit 359.)

(12) The cost of the construction of the Brownlee project alone, with interest during construction and an allowance of $5 million for fish protective devices, is $95,433,000. (Exhibit 359.)

(13) The planned initial installed generating capacity of each of the three projects and their turbine capacity is as follows:

	Generating capacity	Turbine capacity
	Horsepower	*Horsepower*
Brownlee project	483,300	556,000
Oxbow project	202,500	232,000
Hells Canyon	364,750	420,000

(14) The initial powerplant capacities as proposed by the applicant for the three projects is as follows:

	Installed capacity	Maximum peaking capacity
	Kilowatts	*Kilowatts*
Brownlee	360,400	414,400
Oxbow	151,000	173,600
Hells Canyon	272,000	312,800

(15) The at-site energy that would be credited to the Brownlee, Oxbow, and Hells Canyon projects operated in coordination with the existing sources of supply in the area (as proposed by the applicant) would be about 505,000 kilowatts of primary energy plus 52,000 average kilowatts of secondary energy.

(16) The at-site energy that would be credited to the Brownlee project operated in coordination with the Northwest power pool would be about 221,000 average kilowatts of primary energy plus 9,000 average kilowatts of secondary energy.

(17) The peak load requirements of the Idaho Power Co. system have been increasing at an average annual rate of about 24,600 kilowatts during the 10-year period 1943 through 1952.

(18) If the entire output of the three projects were usable on the Idaho Power Co. system as soon as this power could be made available, the annual cost of such hydroelectric power would be lower than the annual cost of obtaining equivalent power from the output of a modern steam-electric plant.

(19) The future peak load of the applicant's system has been forecast as increasing at an average annual rate of about 30,350 kilowatts.

(20) The total installed generating capacity of 783,400 kilowatts that would be provided by the three projects under consideration could not be fully utilized in the applicant's own system until at least the year 1975.

(21) That part of the capacity and energy which would not be absorbed by the applicant's system when available, would have to be sold to other utility systems (within transmission distance) in the region in order to make the projects financially feasible.

(22) The part of the capacity and energy not usable on the applicant's system would have to be sold to other utility systems at rates which would produce revenues which would be equal to the annual cost of this power including transmission cost.

(23) The record in this matter contains no information of any consequence which would lead a reasonable person to believe that there are any utility systems in the Northwest within transmission distance of the Idaho Power Co. system which would be willing to contract for the excess capacity available at rates which would produce revenues equal to or in excess of the cost of the production of such power.

(24) Since the financial feasibility of any project depends entirely upon the marketability of the output of such project, reliable evidence that a market for the output actu-

ally exists or can be found must be presented before a license is issued or a project commenced.

(25) Under the conservative estimates of the cost of the three projects applied for as estimated and analyzed by the technical Staff of the Commission, the at-market cost of the power to be produced by the three projects would be about 6.69 mills per kilowatt hour.

(26) While the 6.69 mills per kilowatt hour cost is substantially below the 8.71 mills per kilowatt hour cost of privately-developed steam-electric power, this 6.69 mill cost is above the value of power in the Northwest which value represents a market value that it is expected may be reached sometime in the future.

(27) The prospects, as reflected in this record, for the sale in the Northwest of the large amounts of excess power that would be available from the three projects at rates which would equal the cost of the power are so feeble as to be worthy of no consideration.

(28) The estimated annual at-market cost of the power output of the three projects, including the annual cost of fish protective facilities, is $27,921,000.

(29) The annual revenues which may be expected from the sale of the power output of the three projects will vary from year to year, but may not be expected to equal the annual cost of the projects until such time as the entire output is marketable in the Idaho Power service area.

(30) An abstract valuation of the output of the three projects which has no relationship to actual expected revenue must be disregarded in the determination of whether or not the projects will be economically feasible for private construction.

(31) At the present time and until the year 1975, the economical feasibility of the three project development is extremely doubtful.

(32) The Brownlee project output is largely usable by the applicant on its own system within a foreseeable time, and the Brownlee project would be economically feasible since the annual cost of the Brownlee project would be lower than the annual cost of obtaining equivalent power from a modern steam-electric plant. There are no other undeveloped hydroelectric sites available to the Idaho Power Co., except possibly the partially-developed Oxbow project and the low Hells Canyon project which would produce power at a lower unit cost than the Brownlee project.

(33) While either the Oxbow or low Hells Canyon projects would probably produce power at a lower unit cost than the Brownlee project, neither should be developed prior to Brownlee because neither would provide flood control or navigation benefits and therefore would not, as initial developments, be best adapted to a comprehensive plan for the beneficial public uses set forth in section 10 (a) of the act.

(34) The unit cost of the output of the Brownlee project is about 7.6 mills per kilowatt-hour as compared to a unit cost of 6.69 mills for the output of the 3 projects if the 3 projects were all built within the same construction period.

(35) Since the Brownlee project would block the movement of undetermined numbers of anadromous food and game fish, no license should be issued for this project which does not require such protective facilities as may be required pursuant to the provisions of section 18 of the Federal Power Act.

(36) Since the Brownlee project would be expected to affect to some extent the habitat of the wildlife of the area, no license should be issued for such project which does not require that the applicant take such steps as may be practical to alleviate the adverse effects, if any, upon the regional wildlife brought about by the construction and operation of the project.

(37) Such archeological investigations as may be necessary to preserve and protect these values should be required as a prerequisite to construction of the Brownlee project.

(38) The operation of the Brownlee project should be coordinated with the Northwest power pool, but since Idaho Power Co. is now a participating member of the pool and its existing system is now operated in coordination with the pool, it would seem unnecessary to include in the license any provision which would appear to require such coordination, without specifying any detail as to how such requirement could be met.

(39) The applicant is a corporation organized under the laws of the State of Maine, qualified to and is doing business in and under the laws of the States of Idaho, Oregon, and Nevada, and has submitted satisfactory evidence of compliance with all applicable State laws insofar as necessary to effect the purposes of a license for the Brownlee project.

(40) Under section 27 of the Federal Power Act, the act and license authority derived by virtue of its provisions cannot affect or in any way interfere with the laws of the respective States relating to the control, appropriation, use or distribution of water used in irrigation or any vested right acquired therein. Any provision of the license to be issued in this matter which would seek to prohibit the licensee from interfering with future depletions of the Snake River or with future upstream diversion would relate to subject matter which is not within the scope of the Commission's authority as set forth in the Federal Power Act.

(41) No conflicting application for the Brownlee site is before the Commission. Public notice has been given as required by the act.

(42) The Brownlee project will not use any Government navigation dam, nor will the issuance of a license therefor as hereinafter provided affect the development of any water resources for public purposes which should be undertaken by the United States.

(43) The issuance of a license for the Brownlee project as hereinafter provided will not interfere or be inconsistent with the purposes for which any public lands have been withdrawn.

(44) The record in this matter demonstrates that the proposed Brownlee project is best adapted to a comprehensive plan for improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, for the improvement and utilization of waterpower development and for other beneficial public uses including recreational purposes.

(45) The record in this matter demonstrates that the proposed Oxbow and Hells Canyon projects as proposed by the applicant for construction within a fixed period in the future are not best adapted to a comprehensive plan for the improvement and utilization of waterpower development inasmuch as there is no foreseeable market for the power from these projects at a rate at which it would have to be sold.

(46) The three proposed projects, while planned as a single development, need not be authorized at one time by a single license. Under section 13 that part of the ultimate development for which there is a market may be developed, and the remainder postponed until a market is available to justify the balance of the development.

(47) Section 13 of the act contemplates that construction of a project shall commence within 2 years from the date of a license, and that this period may not, for any reason, be extended for more than an additional 2-year period.

(48) To call completely separable power developments units of a single project in order that a license may be issued for all of the projects at once and the construction period of 1 of such separate power projects could actually begin at some time after the 4-year period specified in the statute would be a violation of section 13 of the Federal Power Act.

(49) Section 13 of the Federal Power Act contemplates that no licensee would be permitted to hold water resources without development of an extended period, so that other citizens would have no opportunity to develop such potential power sites on streams over which Congress has jurisdiction.

(50) The installed capacity of the Brownlee project hereinafter authorized for the purpose of computing the capacity component of the administrative annual charge is 556,000 horsepower.

(51) The amount of annual charges to be paid under the license for the purpose of reimbursing the United States for the costs of administration of part I of the act is reasonable as fixed and specified in the accompanying order.

(52) In accordance with section 10 (d) of the act, the rate of return upon the net investment in the proposed project, and the proportion of surplus earnings to be paid into and held in amortization reserves are reasonable as specified in the accompanying order.

(53) The applicant should file revised exhibits F, K, and L as provided in the accompanying order.

(54) The amount of annual charges for the use, occupancy, and enjoyment of lands of the United States to be occupied by the proposed project, including transmission line right-of-way, shall be hereafter fixed and specified by the Commission.

(55) The following described exhibit J drawings and exhibit M, filed as parts of the application for license for project No. 2133, conform to the Commission's rules and regulations and should be approved as part of the license for the Brownlee project.

Exhibit J: (FPC No. 2133–1) Brownlee H. E. Development, general map.

Exhibit M: General description and specifications of equipment for project No. 2133 (one exhibit).

(56) Determination of the question of what transmission lines and appurtenant facilities shall be included in the license as a part of the project must be deferred until further information becomes available as to the way in which this project will be connected to the applicant's system and the northwest system. When this information becomes available, it should be furnished to the Commission by the licensee, and a preliminary staff determination made which, if not acceptable to the licensee, should be made the subject of determination by the Commission after notice and opportunity for hearing.

EXHIBIT 2

(Excerpts from decision of the FPC presiding examiner upon the application of Idaho Power Co. for a license under the Federal Power Act, issued May 6, 1955)

FINDINGS AND CONCLUSIONS

(57) A plan of development, designated as the two-dam plan, has never been proposed to be undertaken by applicant or by any other private or public body, and there is insufficient evidence in the record to warrant its consideration either for private construction or for construction by the United States.

(58) The high-dam project heretofore recommended by the Department of the Interior and supported by the Department of the Army, is urged by some of the interveners for Federal construction, financing, and operation; the three-dam plan is proposed by the applicant for private construction, financing, and operation.

(59) The three-dam plan has never been proposed by any Federal agency for Federal development nor has any nongovernmental

agency proposed the development of the high-dam project.

* * * * *

(83) Present marketing policies in the Northwest, including as they do preference provisions for public bodies and cooperatives, render publicly developed power a somewhat less dependable source of long-term supply from the standpoint of the private power companies in the region, as compared to a supply from generation facilities installed and owned by such companies.

(84) Applicant's three-dam plan would materially alleviate the power shortage in the area served by the applicant and, to the extent that it would strengthen the east group of the Northwest power pool, would be of material benefit to the region.

(85) Applicant has investigated alternative sources of supply of power to supply normal growth needs of its service area and has satisfied itself that projects in the three-dam scheme would supply needed power at a lower annual cost than any alternative source available at the present time. An applicant is under no burden to prove that other sites could be developed so as to supply power at a lower annual cost than the site covered by its application, so long as the site it proposes to develop will produce power at an annual cost lower than its worth.

(86) The high-dam project has widespread public support, particularly in the Pacific Northwest. However, an appreciable segment of the public in the Northwest and throughout the United States is opposed to Government participation in any activities which investor-owned corporations are willing and able to carry on under governmental regulation which will protect the public interest adequately.

(87) Various Members of Congress have demonstrated and continue to demonstrate interest in Federal development of the high-dam project; however, despite the introduction in a number of sessions of the Congress of legislation which would authorize the construction of the high-dam project, Congress has not, as yet, seen fit to authorize such construction.

* * * * *

(89) The applicant's 3-dam plan would provide 1 million acre-feet of usable storage capacity and such storage capacity would contribute substantially to the objectives of the main control plan.

(90) The Corps of Engineers currently estimate the value of storage in the Middle Snake River to be in the order of $1 per acre-foot of effective storage. Hence, effective storage of the high-dam project would have a value of $2,300,000, as compared with $1 million for the 3-dam plan.

(91) The annual flood-control benefits which could be conferred by either the three-dam plan or the high-dam-project plan are so small in relation to the power benefits of either plan as to be virtually insignificant from a dollar standpoint.

(92) Selection of the 3-dam plan instead of the 1-dam plan would provide less flood-control storage in the Middle Snake River. The Corps of Engineers, charged with respensibility for flood-control planning in the Northwest has not recommended that the 3-dam plan be rejected for this reason but has shown that the difference in flood-control storage between the two plans may be achieved successfully in other parts of the basin and that part of the main-control plan heretofore assigned to the high-dam project thereby achieved.

(93) Because suitable alternatives may be found, the applicant's 3-dam plan is reconcilable with the flood-control objectives of the main-control plan and the comprehensive plan.

* * * * *

(101) The Corps of Engineers have assigned no navigation benefits to the Brownlee pool of the three-dam plan.

(102) The dollar benefits to be derived from navigation on either the high-dam pool or the Brownlee pool are so small in relation to the other benefits of either plan as to be without any practical significance.

(103) The three-dam plan would provide releases for barge navigation between Lewiston and Lime Point, and thus is fully in harmony with the navigation objectives of the main-control plan and the comprehensive plan. There has never been any assurance given that the high-dam project would be operated as to confer the same benefits, and there is some evidence to the effect that navigation releases would be almost completely subordinated to power operations of the high dam.

(104) Neither the high-dam project nor the applicant's three-dam plan would physically supply water for irrigation.

(105) Federal development of the high-dam project could provide power revenues to help finance proposed irrigation works in the Snake subbasin, but Federal development of any project could similarly provide revenues which could be used in whatever fashion Congress would direct by statute.

(106) Applicant's three-dam plan would provide no direct financial assistance to irrigation development. However, by providing a new source of power for irrigation pumping, the three-dam plan could be regarded as providing important assistance to irrigation development.

(107) Under Federal reclamation laws, Congress has, at times, applied power revenues from Federal projects to help finance irrigation development in the same drainage area.

(108) Bills to authorize Federal construction of the high-dam project have invariably proposed use of power revenues to help finance irrigation of the Payette unit of the Mountian Home division.

(109) The high-dam project is the only project of the main-control plan that lies in the Middle Snake drainage area, and, in the view of some of its proponents, is the only likely source of power revenues for irrigation development in the area.

* * * * *

(112) The Idaho Power Co. estimates it would spend approximately $100,000 in a recreational improvement program in connection with its three-dam plan, an amount which is intended to provide facilities for visitors comparable to such facilities at other of its powerplants and in the industry generally.

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(114) Federal recreational developments and the recreational facilities at privately financed power installations may not be compared rationally, since the theories applicable to governmental development and to private development of such facilities have little in common. For this reason, any dollar comparison between the two proposals respecting either costs or benefits would be meaningless.

(115) Only preliminary studies of the effects on fish and wildlife of any of the proposals for development of the Middle Snake have been made.

* * * * *

(118) The Corps of Army Engineers, the Bureau of Reclamation and Bonneville Power Administration have customarily used an incremental method of appraising the prime power contribution of projects proposed for addition to the Federal Northwest power system. Variations of this method have been used in appraising the prime power contribution of the high-dam project.

(119) The incremental method as used by Federal planning agencies appears to be a suitable method of appraisal of projects to be added to a Federal system over a period of years.

(120) The "averaging method" or the "modified incremental method" is not generally used for planning purposes. This method, like most other methods of evaluation, is subject to the difficulties inherent in forecasting system conditions over a 50-year period. This method, however, has some usefulness in appraising the contributions of proposed projects.

* * * * *

(123) The Commission staff brief summarizes all the evidence of record as to the potential prime power creditable to the high-dam project and the three-dam plan. It does not, however, contain a recommendation as to which estimate is most acceptable for each plan.

* * * * *

(125) The Bonneville Power Administration has credited the high-dam project with the full downstream power output attributable to its storage releases. The Corps of Engineers, in House Document 531, credited one-half of the benefit attributable to the storage releases from the high-dam project to the authorized lower Snake River plants and one-half to the high-dam project.

(126) Since one of the primary purposes of water storage in the Hells Canyon reach of the Snake River basin is to improve the ability of downstream plants to generate power, it would be unrealistic not to credit the upstream storage project with improved generation at downstream plants, and there is no proposal in the Commission staff's brief to disregard such downstream benefits.

(127) The Commission staff's brief (table 3) shows an economic comparison of the alternative plans of development for the Hells Canyon reach of the Snake River based on the assumptions that 60 percent of downstream firm energy would be credited to such projects and that all the cost of supporting secondary energy would be assigned to the Hells Canyon reach projects. It also shows (tables 4 and 5) a similar comparison based on allocating the cost of secondary energy to at-site projects in accordance to the amount of downstream firm energy assigned to projects in the Hells Canyon reach of Snake River. There is, however, no proposal in the staff briefs which adopts or accepts either of these analyses.

(128) If secondary energy is available in the Federal Northwest system less than 80 percent of the time, and is not salable, such surplus secondary energy as is used during refilling seasons to firm up the prime power output of Federal storage projects should not be charged against the prime output of such projects.

(129) The secondary energy needed for the firming-up of the high-dam project output is not available 80 percent of the time, so no charge against the high-dam project should be made for the use of such secondary power.

(130) The staff of the Commission has taken no position in its brief on the question of whether or not it is proper to debit the prime power output of the high-dam project by the amount of surplus secondary energy required to support its firm output.

(131) Bonneville Power Administration customarily uses salable firm power as the measure of the at-market system power contribution of the high-dam project and of other projects in the main-control plan.

(132) In these proceedings the staff of the Commission has made no recommendation as to whether it is proper to measure the at-market contribution of the high-dam project in terms of prime power or in terms of dependable capacity plus a firm energy component, taking into account the matter of secondary energy.

(133) The Corps of Engineers, the Bonneville Power Administration, and the Federal Power Commission, have evaluated the power output of the high-dam project and other main-control projects by comparing the cost

thereof with the composite cost of alternative sources of supply and the amount that heavy industry could afford to pay for power. This is a theoretical value and is not an indication of the rates at which Federal power would be sold.

(134) In these proceedings the staff of the Commission proposes that the high-dam project output be evaluated by comparing the cost thereof with a value table presented by Witness Wing which conforms to the value described in (133) above.

(135) Some of the expert witnesses believed that the present regional hydro system will change over to a steam-hydro system at some point during the 50-year payout period of the high-dam project. This conclusion was based upon the assumption that regional requirements will grow steadily and the further prediction that all of the available low cost hydro sites will have been utilized before the end of the high-dam project payout period. It would be presumptuous to attempt to refine such predictions to the point of fixing dates for such events and to conjure up the economic effect upon constructed projects in the Northwest system, and none of the expert witnesses attempted to do so.

(136) The high-dam project is feasible from an engineering standpoint.

(137) The standards of design and construction for the high-dam project would be essentially the same regardless of whether it was designed and constructed by engineers employed by a Government agency or engineers employed by a nongovernmental agency. A tendency toward inflexibility of Government planning to be revised to meet actual construction conditions encountered during the building of Government projects has been observed, and this is due to the fact that within the Federal planning staffs a more elaborate system of checks and balances is employed. This inflexibility tends to increase the capital costs of Federal developments.

(138) The transmission facilities proposed for the high-dam project appear to be adequate for a fully integrated operation with the Federal Northwest system including flows of power to and from the project area.

(139) The transmission facilities proposed for the three-dam plan are not designed for a fully integrated operation with the Federal Northwest power system and there has never been any proposal or suggestion that the applicant would engage in such an integrated operation.

(140) In its applications, Idaho Power Co. has proposed interconnections with the Federal Northwest power system for the purpose of coordinating its operation of the three projects with the Northwest power pool. Such interconnection and coordination would be expected to be beneficial to the applicant and to the pool, and all of the power output analyses used in this proceeding have been based upon such coordinated operation.

(141) The capital cost estimated by the Bureau of Reclamation for the high-dam project (exclusive of fish facilities) is $383,570,000, based on January 1952 prices. Since this estimate approximates the estimate furnished to the Congress by the Bureau in connection with proposed legislation, there is no basis for assuming that it was either on the high side or on the low side.

(142) The cost of transmission facilities is estimated by the Bonneville Power Administration for the high-dam project in the amount of $76.9 million and there is no scientific basis in the record for any assumption as to accuracy or lack of accuracy.

(143) The total capital cost (exclusive of fish facilities) estimated by the Bureau and the Bonneville Power Administration for the high-dam project is $460.47 million. There is no comparable figure in this record for the three-dam plan.

(144) The record affords no reasonable basis for consideration of the high-dam project as a privately financed and constructed project or the three-dam plan as proposed by the applicant as a federally financed and constructed project.

(145) A comparison of the two plans on the basis of Federal financing of each serves no useful purpose except for the determination of whether the three dams are superior to the high dam and whether they should be recommended for Federal development under section 7 (b) of the Federal Power Act.

(146) No useful purpose would be achieved by comparison of the capital cost estimates of the federally designed high-dam project proposed for Federal construction and the capital cost estimates of the three-dam plan under private construction.

(147) The annual cost at-market for the power output of the high-dam project would be $28,567,000.

(148) For the high-dam project the unit cost per kilowatt of salable firm power would be approximately $23.80 (see findings (121) and (147)), and according to the record, this cost would not result in affecting the current Bonneville rate of $17.50, since all revenues and costs of the project would be pooled with the revenues and costs of the existing Bonneville Power Administration system.

(149) Comparing the unit cost of federally produced power marketed on the Federal system with privately produced power intended primarily for marketing in a service area served by a private utility would produce misleading and deceptive results which would be of no value in objectively appraising the merits of the two proposals.

(150) The benefit-to-cost ratio of the high-dam project would be about 1.83 to 1.0.

(151) The benefit-to-cost ratio of the three-dam plan under theoretical Federal construction would be about 2.5 to 1.0 (see findings (145) and (146)).

(152) Results of a comparison of the high-dam project and the three-dam plan on the basis of the cost of the increment added by the former as compared to the latter is deceptive and misleading unless both plans are considered with the same elements of annual cost and on the basis of the same power values. Even when such factors are utilized the result is of questionable value inasmuch as it contemplates the possibility of a choice between the two plans by the same construction agency and there has been no suggestion in this record that such a choice has ever been given any serious consideration.

* * * * *

(156) The financial and economic feasibility of applicant's three-dam plan is contingent upon revenues from its power output.

* * * * *

(165) Because of completely different factors requiring different measurement, it is not possible to say that the three-dam plan is inferior to or superior to the high-dam project or vice versa from an economic feasibility standpoint.

(166) Development of the middle stretch of the Snake River either by the United States itself or by a licensee of the United States under the terms and conditions of a limited license, would—

(a) Provide comprehensive multipurpose development and utilization of the water resources of the Middle Snake and advance the comprehensive plan for the Columbia River Basin;

(b) Foster development of other resources in the Columbia River Basin including water resources the development of which by the United States itself has been authorized by Congress;

(c) Contribute substantially to the economic growth of the region;

(d) Add importantly to the strength of the national economy and security.

* * * * *

(168) The three-dam plan of the applicant would not serve the public purposes and promote the public interest in the same way as the high-dam project might under governmental auspices, but this is not to say that the applicant's plan would not serve public purposes and promote the public interest.

(169) Applicant's three dam plan would not impair the comprehensive plan for the Columbia Basin and would not result in permanent or temporary loss of any water resources.

(170) Applicant's three-dam plan would not render infeasible any water resource developments by the United States which have been authorized by Congress.

* * * * *

(173) The applications for license in this matter, as amended, are presumed to comply with the Commission's rules and regulations since they provide sufficient data for such understanding of the proposed projects as is necessary to apprise the parties to the proceedings of the plans and intentions of the applicant. Certain drawings and revisions of drawings customarily are supplied by a licensee after a license is issued.

(174) Whatever deficiencies of the applications might be alleged have been cured by testimony of the applicant's witnesses which testimony was fully subjected to cross-examination by all participating parties to the matter and by the staff.

(175) Applicant has sustained its burden of proof with respect to the initial project of its three project development plan for the Middle Snake, and with respect to the overall desirability of its plan of ultimate development when a market for all of the power appears more certain.

* * * * *

(178) Prompt development of water resources is one of the basic purposes of the Federal Power Act, and development by an otherwise qualified applicant may be delayed only when it is determined that substantial benefits would accrue to the Nation by reason of development by the United States rather than a licensee, and that if such recommendation were made to the Congress there is reasonable likelihood that such recommendation would be favorably received, and acted upon, within a foreseeable time.

* * * * *

(181) Complete lack of development of water resources may be, in some instances, more detrimental to the public interest than underdevelopment. This is so especially when a qualified applicant for a license would be required to construct higher cost steam-electric stations to serve the requirements of its service area in lieu of the undeveloped hydroelectric sites which would produce power at a lower cost than could a steam-electric station.

(182) The facts in this record and the legislative history of the proposals for the high-dam project (which is officially noticed) require the conclusion that a recommendation to the Congress under section 7 (b) in this case would be a completely useless act.

(183) The proposal for a high-dam project in the Middle Snake River has been before the Congress in a number of past sessions, and full reports have been submitted which contain all of the pertinent engineering facts relative to such proposal. No essentially new facts with respect to the high-dam project have been adduced in this record which should be submitted to the Congress in the event a recommendation were made under section 7 (b).

(184) Section 7 (b) was designed to provide a means of submitting information to the Congress that it would not otherwise have access to. Since the Congress has had access to all of the pertinent facts relative to the high-dam proposal for a number of years and has held hearings on the various bills, it is evident that section 7 (b) is not applicable

to the facts and circumstances involved herein.

EXHIBIT 3

UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT—NATIONAL HELLS CANYON ASSOCIATION, INC., LEWIS COUNTY PUBLIC UTILITY DISTRICT, ET AL., AND NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION, PETITIONERS *v.* FEDERAL POWER COMMISSION, RESPONDENT, IDAHO POWER COMPANY, INTERVENER—ON CONSOLIDATED PETITIONS TO REVIEW ORDERS OF THE FEDERAL POWER COMMISSION—BRIEF FOR THE RESPONDENT, FEDERAL POWER COMMISSION

COUNTERSTATEMENT OF THE CASE

This is a consolidated proceeding under section 313 (b) of the Federal Power Act (Act)[1] to review (1) Opinion No. 283 and an order of the Federal Power Commission (Commission) issued August 4, 1955 (T. 23549–91–M[2]) and (2) an order of the Commission approving revised exhibits, issued November 3, 1955 (T. 23651–52).

The first order issued a license under the act to Idaho Power Co. (company, applicant or licensee) authorizing the construction, operation and maintenance of three proposed hydroelectric developments[3] in the so-called Hells Canyon reach of the Snake River, Idaho and Oreg., designated by the Commission as project No. 1971 and commonly known as the Brownlee, Oxbow and Hells Canyon developments.[4] The second order approved exhibit L drawings filed as required by article 29 of the license. The drawings show the general plans of the project structures.[5]

The jurisdictional bases upon which the Commission issued its orders were (1) that the proposed Brownlee, Oxbow and Hells Canyon developments would be located in navigable waters of the United States, (2) that those developments would otherwise affect the interests of interstate or foreign commerce by affecting the downstream navigable capacity of the river, and (3) that the developments would occupy lands of the United States (T. 23577–78[6]).

The authority of the Commission to entertain the company's application for licenses for the three developments has not been questioned by petitioners.

As noted by the Commission in its opinion (T. 23554) counsel for petitioners take the position that the Commission has no choice but to recommend the high Hells Canyon Dam to Congress for Federal development (T. 19339). Of course, if such a recommendation were made, the Commission would have to deny the license for the company's proposed developments.[7] Thus, the refusal of the Commission to recommend to Congress that the high Hells Canyon Dam be constructed by the United States is the principal basis of the present controversy between the petitioners and the Commission (Pet. Br. 4, 6–7, 27–41).

As a means of easy identification the three-dam project authorized by the license is referred to as the three-dam plan, and the high Hells Canyon project which petitioners would have the United States construct is referred to as the one-dam plan. These two alternative plans of development when referred to collectively are designated as "Hells Canyon reach projects."

As an aid to the Court we have inserted as appendix A hereto a map showing the geographic location of existing and authorized or proposed projects in the Columbia River Basin in the United States. Appendix B hereto is a profile map of the Columbia River from its mouth to the mouth of the Snake River and the latter river to Weiser, Idaho, upon which are shown the dams on those sections of the rivers now in operation, under construction, or authorized for construction. In addition the map shows the high Hells Canyon Dam and the low Hells Canyon, Oxbow, and Brownlee dams involved in this proceeding.

Alternative plans of development

This proceeding concerns, among other things, the development of the Hells Canyon reach of Snake River, which extends approximately 100 miles downstream from Weiser, Idaho, in a manner that will be best adapted to a comprehensive plan for improving or developing a waterway or waterways for the use or benefits of interstate or foreign commerce, for the improvement and utilization of water-power development, and for other beneficial public uses, including recreational purposes.

The useful power head in this reach of the river is 602 feet and it may be developed in several ways. However, only two plans were given serious consideration in this proceeding. They are a three-dam plan consisting of the low Hells Canyon, Oxbow, and Brownlee units and the one-dam plan consisting of the high Hells Canyon development.

The high Hells Canyon project would be located 247.3 miles above the mouth of the Snake River and would have a concrete arch dam providing a usable storage of 3,880,000 acre-feet, 800,000 kilowatts of generating capacity with provision for a ninth 100,000 kilowatt generating unit. The operating head would range from a maximum of 602 feet to a minimum of 313 feet (T. 20198).

Each of the developments in the 3-dam plan would have rockfill dams (T. 23553, 23578–79, 23651–52) with Brownlee located at river mile 284.6, Oxbow at mile 273.2, and low Hells Canyon at mile 247.5 (T. 20788). The Brownlee unit would develop a head of 277 feet, have initially 360,400 kilowatts of installed generating capacity with provision for 180,200 additional kilowatts, and usable storage of 1 million acre-feet with a maximum drawdown of 101 feet. Oxbow unit would develop a head of 117 feet, have initially 151,000 kilowatts of generating capacity with provision for 75,500 kilowatts additional capacity, and provide a usable pondage of 6,200 acre-feet. Low Hells Canyon unit would develop a head of 208 feet, have 272,000 kilowatts of generating capacity with provision for 136,000 kilowatts of additional capacity, and provide a usable pondage of 11,200 acre-feet. The 3-dam plan would thus develop the full head of 602 feet and provide 783,400 kilowatts of initial capacity with provision for an ultimate capacity of 1,175,100 kilowatts (T. 19477, 19482, 19506, 19529, 20688, 20692, 20694, 20788).

Characteristics of Snake River as related to Hells Canyon reach

The Snake River in the Hells Canyon reach runs through a deep gorge where the fall is substantial, making it suitable for power development. The total average annual flow or run-off of the river in this reach is about 12,500,000 acre-feet. The flows of the river are fairly uniform and the annual run-off in the Hells Canyon section does not vary widely from year to year. Above Weiser, Idaho, there is extensive irrigation and a substantial amount of reservoir capacity is in operation to provide water for such use. In addition there are several reservoirs in the upper area which provide flood control. The total usable storage capacity of the existing upstream reservoirs is about 8,500,000 acre-feet.

Additional lands are being brought under irrigation and increasing consumptive use of water will have the effect of reducing somewhat the future flow of the Snake River and will alter in some degree the monthly distribution of run-off (T. 2580–81, 19601, 19796–99, 19936–44, 20144–85, 20242–84, 20293, 20352, 20542, 21033).

Comprehensive plan of development

A comprehensive plan of development for the Columbia River and tributaries was prepared in 1948 by the Corps of Engineers, and printed as House Document No. 531, 81st Congress, 2d session.[8] This report contains the results of an extensive basinwide study showing various possibilities for efficient utilization of the water and related land resources for navigation, flood control, irrigation, power, and other purposes, and recommends authorization for construction by the United States of a so-called "main control plan" involving several major multiple purpose projects on the main stem of the Columbia, and on certain tributaries, including the Hells Canyon reach of Snake River. By letter dated June 21, 1949 (H. D. 531, pp XXIX–XXXIII) the Commission commented on the Chief of Engineers' report.

Certain changes in the 1948 comprehensive plan have already been made and other changes are now being made. The Libby project has been enlarged to provide more storage and the John Day flood control storage is now under restudy (T. 20542).[9] The Commission has authorized construction of the Priest Rapids development (Project No. 2114) as a two-dam project rather than as a high single-dam project and has authorized construction of the single-dam Noxon Rapids project (No. 2075) in lieu of a smaller dam at the Noxon Rapids and Trout Creek sites,

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[1] 49 Stat. 860, 16 U. S. C. section 791 (a) et seq. Pamphlet copies of the act are being lodged with the clerk for convenience of the court.

[2] References designated "T" are to pages of the certified transcript of record and "app." refers to appendices to this brief.

[3] The term "development" as used herein means the project works contemplated at a particular site.

[4] A timely application for rehearing and a motion for stay filed by petitioners were denied by Commission order issued September 2, 1955 (T. 23636).

[5] Although counsel for petitioners had actual notice (app. E–2) of the filing of the exhibits for Commission approval, none of them filed a petition to intervene in the proceeding. However, the Commission entertained a petition filed by them to set aside the order approving the exhibits (T. 23653) and denied that petition by order issued January 4, 1956 (T. 23665).

[6] The Commission's authority to issue licenses is contained in section 4 (e) of the act and section 23 prohibits construction, operation and maintenance of developments involved here without a license.

[7] Such action is covered by section 7 (b) of the act which provides:

"Whenever, in the judgment of the Commission, the development of any water resources for public purposes should be undertaken by the United States itself, the Commission shall not approve any application for any project affecting such development, but shall cause to be made such examinations, surveys, reports, plans, and estimates of the cost of the proposed development as it may find necessary, and shall submit its findings to Congress with such recommendations as it may find appropriate concerning such development."

[8] This report, hereinafter referred to as the 1948 plan or 1948 report, appears in volumes 93 through 100 in the certified transcript of the record. A related report on the Columbia River basin has been prepared by the United States Department of the Interior and printed as House Document No. 473, 81st Congress, 2d session. That report appears in volumes 91 and 92 of the certified transcript of record. Neither report has been approved by Congress.

[9] The restudy of H. Doc. No. 531 with respect to the flood control features of the John Day project was undertaken pursuant to a resolution of the Committee on Public Works of the United States Senate adopted April 22, 1953 (T. 20547).

respectively, as contemplated in the 1948 plan. Other changes in the comprehensive plan are in prospect (T. 20891–97).[10]

The main control plan for the Columbia River

The main control plan as set forth in House Document No. 531 would provide 26,990,000 acre-feet of storage capacity for flood control. This main control plan as of 1948 included 14 projects among which were Glacier View and Hells Canyon, and about 26 percent of the storage in such plan is now complete or under construction. Under a selected method of operation of the reservoir storage the flow at The Dalles on the lower Columbia River would be held to a maximum of 800,000 cubic feet per second should the maximum flood of record, the 1894 flood, reoccur, and several upstream areas would receive protection from projects included for that purpose. However, the flood control objective of the plan can be accomplished by a number of different combinations of projects distributed in the major streams in the Columbia River basin (T. 13482–84, 13487–92, 20542). Under plans developed since the 1948 report Libby storage would be increased from 4,250,000 acre-feet specified in the 1948 report to 5,010,000 acre-feet. The two-dam development of the Priest Rapids site will provide 500,000 acre-feet of flood control storage in lieu of 2,100,000 acre-feet contemplated for that site in the main control plan and, because of recent local problems, there is very little prospect that the John Day project will supply more than 500,000 acre-feet of the 2 million acre-feet of flood control storage authorized by Congress. Glacier View project has little prospect of being constructed. Nevertheless sites are available where adequate flood control could be provided although its relative cost is not shown. (T. 13441–42, 13446, 13448–51, 13459, 13482, 13496–503, 13506–11, 13514–16, 13530–41, 20542.)

Flood control, navigation, and recreation under the alternative plans

The storage that would be provided by the one-dam plan would provide the 2,300,000 acre-feet of flood control storage in the Snake River basin downstream from Weiser, Idaho, contemplated in the main control plan (T. 13482–84, 20542). The 1 million acre-feet of flood control storage that would be made available under the three-dam plan would not provide all the volume originally contemplated in the main control plan but the deficiency could be obtained from projects in the Snake River basin not included in that plan such as Bruces Eddy and Penny Cliffs on the Clearwater River (3,700,000 acre-feet of flood control capacity) and Pleasant Valley on the Snake River below Hells Canyon site (500,000 acre-feet of flood control capacity) (T. 13446–47, 13455–57, 13459–60, 13487–91, 13494, 13496–500, 13502–03, 20542–65, 20891–97).

The improvements to navigation attributable to the one-dam plan relate to estimated savings due to traffic on the reservoir pool, reduced dredging on Snake River above Lewiston and reduced dredging on Columbia River below Bonneville. Those attributed to the three-dam plan are based on estimated savings due to traffic on the pools, and improved navigation in the open river channel between Lewiston and the mouth of Salmon River (T. 13474–76, 20542, 20909).

The recreational attraction of the Hells Canyon reach of Snake River would be nationally important regardless of the plan of development, provided good access roads and recreational facilities are constructed to accommodate the public. The high dam would attract more visitors because of its larger size and would have some advantage for some types of boating, whereas the three-dam plan would have advantages for most types of boating, for swimming and waterside developments as well as for hunting and fishing. Under plans proposed by the National Park Service and at a cost of construction of about $1 million the Federal Government could provide about the same recreational facilities under either plan of development (T. 10229–38, 10245–49, 13338–39, 12351–52, 12365–66, 12379–82, 12384–87, 12395–97, 12347, 12440–44, 12443). The recreational facilities that would be provided by Idaho Power Company would cost about $95,000 and its program is different from that indicated by the National Park Service (T. 5374–83, 5409–15B, 5448–53, 5513–15). However, article 38 of the license order requires the company to make $60,000 available to the Park Service for the preparation of a recreation master plan.

Under either plan of development, there would be interference with anadromous fish and a program for transplanting fish to other locations and for hatchery propagation would be provided at an estimated capital cost of about $5 million exclusive of a low barrier dam which may be needed under either plan as part of the fish program (T. 12416–19, 12432–33, 19408). The license contains conditions to insure an adequate fishery conservation program (T. 25587).

Power outputs attributed to alternative hydroelectric projects

The amounts of power output attributed to the one-dam and three-dam developments that would be located in the Hells Canyon reach of Snake River are expressed in terms of (1) nominal prime power which is a representation of average continuous power in a critical stream flow period of specified duration (T. 19601, 20089, 20144, 20297–98, 20336–37, 20340, 20796, 20879); (2) dependable capacity[11] plus adverse year energy and median year energy (T. 19808, 19811, 19813, 19820); (3) dependable capacity plus firm energy (T. 20806); and (4) dependable capacity plus average energy available during the storage drawdown season of August to April (T. 20889–90). In those cases where there is more than one estimate for a particular method of expressing power output, there are almost as many different power output estimates as there are estimators because of the different methods and assumptions used.

Estimated power outputs attributable to proposed projects in the Hells Canyon reach consist of the estimated at-site production plus estimated increases in production at downstream plants resulting from use of water stored at Hells Canyon reach projects.

The estimated nominal prime power outputs attributed to the high Hells Canyon project of the one-dam plan for critical periods of 23, 31 and 34 months are 901,000,[12] 911,000[13] and 961,000[14] average kilowatts, respectively, the average of the three being 924,000 kilowatts (T. 11437–38, 19632–33, 20170–72, 20297, 20336–37, 20340, 20802). The estimated nominal prime power outputs attributed to the Brownlee, Oxbow and low Hells Canyon units of the three-dam plan for critical periods of 23, 31 and 32 months are 668,000,[12] 655,000[13] and 702,000[14] average kilowatts, respectively, the average of the three being 675,000 kilowatts (T. 19683–84, 20172, 20298, 20803).

For projects in the Hells Canyon reach, the dependable capacity of the high Hells Canyon project is estimated at 800,000 kilowatts at site and 720,000 kilowatts at load centers for a critical period of 23 months, and for the three-dam project the estimates are 783,000 kilowatts at site and 705,000 kilowatts at load centers for a critical period of 23 months (T. 20808). These amounts do not include the gain in dependable capacity at downstream plants from use of stored water from Hells Canyon reach projects. The gain in system dependable capacity due to use of nominal prime power on the system load is given in appendix C, table 6. Messrs. Riter and Tonetti[15] credited the Hells Canyon reach projects with the gain in dependable capacity at downstream plants (T. 18540, 18630–38, 20301, 20881, 20889). On the other hand, Messrs. Hogg[16] and Meadowcroft did not (T. 19811, 20808).

The average annual energy attributable to the one-dam plan is 747,000 average kilowatts and for the three-dam plan, 605,000 average kilowatts (T. 16304–05, 20802–03).

Estimated values of flood control, navigation, power, and other benefits

The Commission found that it would be reasonable to assume a critical period[17] of from 23 to 34 months to reflect a 50-year average for computing the power output for each plan of development (T. 23565). This is the range of the critical periods which would be in effect during the so-called level B stage of development, at which time the 4 projects on the lower Columbia River and the 4 lower Snake River projects[18] would have been completed and placed in operation. Consequently, the project benefits or values stated herein and the data in appendixes C and D hereto are confined primarily to the level B stage of development and the resulting 23- to 34-month critical period.

The estimates of annual dollar values of the several multipurpose benefits that would be provided by the 1-dam and 3-dam plans of development of Hells Canyon reach of Snake River are as of the July 1, 1953, price levels, unless otherwise indicated.

The estimated annual value of flood control benefits for the 1-dam plan is $2,600,000 for level B stage of development of the Columbia River; and for the 3-dam plan, is $1,400,000 for the same level B. All such values are based on January 1951 price levels (T. 20815).

The estimated annual value of navigation benefits for the 1-dam plan is from $189,000 to $250,000 for level B, and the corresponding value for the 3-dam plan is about $100,000 for level B (T. 20816, 20563–20565).

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[10] The report published in H. Doc. No. 531, and other reports are now being reviewed by the Board of Engineers for Rivers and Harbors with a view to determining the advisability of modifying the report, particularly with regard to flood control, navigation, hydroelectric potentialities as part of a combined hydrothermal system, and, consideration of all related water uses. The review was undertaken pursuant to a resolution of the Committee on Public Works of the United States Senate adopted July 28, 1955.

[11] The amount of power capacity that can be relied upon during the annual peak load season.

[12] Estimate by A. J. Meadowcroft, staff of FPC, San Francisco, Calif.

[13] Estimate of John R. Riter, staff of Bureau of Reclamation, Denver, Colo.

[14] Estimate by H. M. McIntyre, staff of Bonneville Power Administration, Portland, Oreg., and John S. Cotton.

[15] F. C. Tonetti, witness for Idaho Power Co.

[16] R. A. Hogg, Idaho Power Co.

[17] A critical period is that historical part of time, within the longer period being considered, during which the largest volume of stored water would have been needed, when most efficiently used in combination with the historical or recomputed annual stream flow to maintain a stipulated continuous or average release of water, or a stipulated output of prime power, at a specified power site or combination of power sites. (H. Doc. 531, p. 4134.) In a system critical period, the total usable storage from all reservoirs in the system is released to produce maximum system prime power. This would be equally true for a critical period of any length.

[18] These eight projects are: Bonneville, The Dalles, John Day, McNary, Ice Harbor, Lower Monumental, Little Goose, and Lower Granite. Bonneville and McNary are in operation and The Dallas is under construction. The other five projects are authorized for construction by the United States (see appendixes A and B).

The annual value of the recreational benefits for the 1-dam plan based on a capital cost of $1 million is estimated at $357,000 (T. 20470). For the estimated expenditure of $95,000 by Idaho Power Co., there is no estimate of the annual value of the recreational benefits.

Since the fish losses would be about the same under either plan of development they would be offsetting in any comparison of the plans.

The estimated unit value of power at market or at load centers in the Pacific Northwest is $16.50 per kilowatt-year of dependable capacity plus 3.64 mills per kilowatt-hour of energy for level B. The unit at-market power value can be converted to a unit value at-site of the hydroelectric projects by taking into account the item of transmission costs and losses. The record shows that 0.9 kilowatt at-market corresponds to 1.0 kilowatt at-site and 0.93 kilowatt-hour at market corresponds to 1.0 kilowatt-hour at-site (T. 20806–08, 20819–21). Taking these factors into account and using $6.50 per kilowatt as the unit annual cost for transmission, the at-site unit power value is $8.35 per kilowatt-year of dependable capacity plus 3.39 mills per kilowatt-hour of energy for level B. This unit power value when properly applied to estimated amounts of power output, supra (p. 8), gives the estimated annual dollar value thereof.

Based on private financing and construction the estimated unit at-market value of power in the service area of Idaho Power Co. is $24.40 per kilowatt-year of dependable capacity plus 4.5 mills per kilowatt-hour of energy (T. 20832).

The record provides no means of arriving at any dollar amounts for indirect benefits which could be attributed to the one-dam or the three-dam plans of development.

Comparability of estimates of construction costs

The capital cost of a project as presented in the record is the sum of the estimated construction cost and interest during construction. Construction cost is equal to the total of direct costs, provision for contingencies, indirect costs and overhead costs, and general expenses. The record shows in sufficient detail the material and labor costs making up the direct costs and they can be analyzed fairly readily. As to the other cost estimates whose sum is equal to the difference between construction costs and direct costs, there is much less detail and a considerable variation as to their content and magnitude. It is this total difference that has significance in comparative economic determinations.

There are two estimates of construction cost of the high Hells Canyon concrete dam project in the record, one being by Mr. Cotton[19] (T. 79643) and the other jointly by Messers. Hoisington[20] and Koessner[21] (T. 20186, 20197, 20234–35). However, only the estimate by Messrs. Hoisington and Koessner is sufficiently detailed and described to permit a cost analysis thereof (App. D. Tab. 1).

There are several estimates of the construction cost for three-dam development of Hells Canyon reach of Snake River, namely, by Messrs. Cotton, Woodhead,[22] Williams,[23] Froggatt,[24] and Hoisington and Koessner (T. 19671–72, 19686–87, 19486–501, 19512–28, 19533–49, 19552–87, 20701–04, 20708–11, 20714–21, 20725–27, 20729–37, 20741–44, 20747–50, 20187–94, 20197, 20237–38, 20328). The estimates of Mr. Cotton include impervious core-type rock-fill dams for the Oxbow and low Hells Canyon developments and a concrete dam at Brownlee, but they are not in sufficient detail for the purpose of making a comparative analysis. The estimates of Mr. Williams are practically the same as those of Mr. Woodhead whose estimates provide for developments having rock-fill dams at each site with a concrete membrane on the upstream face, but he did estimate separately the costs of rock-fill dams with impervious clay cores for the Brownlee, Oxbow, and low Hells Canyon sites (T. 19913–16, 19918–20, 19922–24). The estimates of Mr. Froggatt are for developments having rock-fill dams with a concrete membrane on the upstream face; but he also made estimates for the costs of those developments having rock-fill dams with impervious clay cores at each of the three sites (T. 20705–07, 20712–13, 20722–24, 20728, 20738–40, 20745–46). The estimates of construction costs prepared by Messrs. Hoisington and Koessner provide for developments having concrete dams; but Mr. Hoisington prepared separate cost estimates for rock-fill dams of the earth-fill type for the Brownlee and Oxbow sites (T. 20420–26).

Only Messrs. Cotton, and Hoisington and Koessner submitted estimates of the construction cost of developments in both the 1-dam and 3-dam plans. Those of Mr. Cotton are not in sufficient detail for analysis and comparison with the types of designs proposed by Idaho Power Co. The estimates of Mr. Hoisington for the three-dam plan are not for the type of design and structures proposed by Idaho Power Co. His designs are for concrete dams, or in the alternative, rock-fill-type dams with a large earth-fill core as distinguished from rock-fill dams having a narrow impervious clay core or a concrete membrane on the upstream face as used in alternative designs presented by Messrs. Froggatt and Woodhead (T. 19480, 19507, 19530, 19912, 19917, 19921, 20427–28).

The estimates of direct costs made by Mr. Froggatt for the three-dam development correspond more nearly to those for the high Hells Canyon Dam made by Messrs. Hoisington and Koessner than do those of Mr. Woodhead. In any event, some adjustments are necessary to make the direct costs of the three-dam plan of Messrs. Froggatt and Woodhead more nearly comparable to those for the one-dam plan of Messrs. Hoisington and Koessner as to items included. Analysis of the cost estimates shows that there is a substantial difference in spreads between direct costs[25] and construction costs.[26] For the combined estimate of Messrs. Hoisington and Koessner the construction cost for the high Hells Canyon project is 147.15 percent of the direct cost, whereas for the 3-dam project the construction cost is 128.4 percent of the direct cost in the case of Mr. Froggatt and 114.2 percent in the case of Mr. Woodhead (app. D, tab. 1).

Effect of adjustments of cost estimates for use in comparative economic studies

In order that a valid comparison may be made of the relative economics of alternative mutually exclusive plans of development of the Hells Canyon reach of Snake River, it is essential that the cost data be on the same bases for all of such plans. The record shows that the estimates in the record for the construction costs for the 1-dam high Hells Canyon project were not made in a manner similar in all respects to the estimates for construction costs for the 3-dam project of the type proposed by Idaho Power Co. If no adjustments are made in the construction-cost data to take the differences into account the high Hells Canyon project would be penalized in comparative economic studies of the two alternative plans. Comparisons of the economics of the power features of the two plans using unadjusted cost data show that the power increment of the 1-dam plan over the 3-dam plan would have benefit-cost ratios ranging from 0.31 to 0.66 (T. 20825, 20886, 20889–90) whereas comparisons using the adjusted costs relied upon by the Commission show the average of 4 benefit-cost ratios of the power increment of the 1-dam plan over the 3-dam plan to be 1.068, infra (p. 18). The adjusted costs relied upon by the Commission show the economics of the power features of the high Hells Canyon project to be more favorable than would have been the case had the Commission relied upon unadjusted costs for comparative economic studies assuming Federal financing of the alternative plans of development.

Evaluation of power attributable to Hells Canyon reach projects

Several methods of evaluation are in evidence for evaluating the electric power attributable to the projects in the 1-dam and 3-dam alternative plans of development of Hells Canyon reach of Snake River.

Messrs. Robins,[27] de Luccia,[28] Riter, Ostrander,[29] Cotton, and Tonetti evaluated such power in terms of nominal prime power, which in effect credits the Hells Canyon reach projects with the gain in system capacity at generating plants in Hells Canyon reach and downstream therefrom and at the same time charges such Hells Canyon reach projects with the cost of generating units at the downstream plants that would be utilized to generate the nominal prime power credited to the Hells Canyon reach projects (T. 2996–3001, 3290–91, 3300–01, 4369–74, 4403, 7859–60, 19696, 20176, 20184–85, 20467, 20472–74, 20879, 20881).

Mr. Hogg estimated the unit costs of prime energy for the Hells Canyon reach projects (T. 19813, 19820).

Mr. Wing[30] evaluated the power from the projects in the alternative plans of development in terms of dependable capacity plus firm energy (T. 20808, 20824).

Messrs. Robins, de Luccia, Tonetti, Hogg, and Wing in their evaluation studies used estimates of construction costs for the 1-dam-plan project prepared by United States Bureau of Reclamation estimators (Messrs. Hoisington and Koessner), and for the 3-dam project used estimates prepared by Mr. Woodhead or Mr. Froggatt, apparently on the assumption that the estimates were comparable (app. D, tab 1–3).

Evaluations in accordance with the methods indicated by the aforenamed witnesses, but adjusted for comparability and to eliminate inconsistencies are presented as appendix C, tables 1 through 7, to this brief.

Evaluation of power increment of 1-dam plan over 3-dam plan

The Commission found that a critical stream flow period of 23 to 34 months is representative of the 50-year average critical period for the Hells Canyon reach projects, and gives its reasons for that finding (T. 23565). The critical period is one of the principal factors used in estimating power output of a particular project, and the several estimates of power outputs attributable to each plan are given at pages 8–10. The

[19] John S. Cotton, a consulting engineer, retained for this proceeding by the Secretary of the Interior.

[20] C. I. Hoisington, a member of the Bureau of Reclamation staff, Denver, Colo.

[21] E. Koessner, a member of the Bureau of Reclamation staff, Boise, Idaho.

[22] Edwin A. Woodhead, Idaho Power Co.

[23] Bernard Williams, Morrison-Knudson Co., Boise, Idaho.

[24] Wilfrid A. Froggatt, a member of FPC staff, San Francisco, Calif.

[25] Direct costs consist of the cost of materials and labor.

[26] Construction costs consist of direct costs plus allowances for contingencies, plus indirect costs, plus overheads.

[27] Gen. T. M. Robins, witness for Idaho Power Co.

[28] E. R. de Luccia, witness for Idaho Power Co.

[29] E. D. Ostrander, staff of Bonneville Power Administration, Portland, Oreg.

[30] Lesher S. Wing, Regional Engineer, FPC Office, San Francisco, Calif.

amount by which an estimated output of the 1-dam plan exceeds an estimated output of the 3-dam plan constitutes a power increment which may be evaluated.

Messrs. McIntyre and Cotton, Meadowcroft, and Riter presented estimates of the prime power output of the 1-dam plan and of the 3-dam plan, each of the 3 pairs of estimates being for different critical periods ranging from 23 to 34 months, supra (p. 9). The prime power increments of the 1-dam plan over the 3-dam plan, based on the prime power estimates of these witnesses, are 259,000, 233,000, and 256,000 kilowatts, respectively, the average of the 3 being 249,000 kilowatts (app. C, table 1). The average of 6 separate estimated at-site unit costs of these 3 prime power increments utilizing both the 28 and 47 percent spreads between direct costs and construction cost is computed to be $29.94 per year (app. C, table 1); and if no correction is made for such spreads, the average of the 3 estimated unit costs of these prime power increments is $38.96 per kilowatt-year (app. C, table 7). The arithmetic average of these 2 figures is $34.45 per kilowatt-year.

The at-site unit value of the power increment is obtained from the at-market value in the record of $16.50 per kilowatt-year plus 3.64 mills per kilowatt-hour (T. 20819). The record shows that 0.9 kilowatt at-market corresponds to 1 kilowatt at-site and 0.93 kilowatt-hour of energy at-market corresponds to 1 kilowatt-hour at-site (T. 20821). The at-site unit capacity value is obtained by multiplying $16.50 by 0.90 and subtracting $6.50 for transmission costs, giving $8.35 per kilowatt-year as the at-site unit capacity value. The at-site unit energy value is obtained by multiplying 3.64 mills by 0.93 to obtain 3.39 (3.385) mills per kilowatt-hour.

However, the value of prime power when sold at 70 percent load factor referred to points of generation,[31] is equal to $8.35 divided by 0.70, or $11.93 per kilowatt-year, to which is added the energy component of $29.65 obtained by multiplying 3.385 mills per kilowatt-hour by 8,760 hours per year. The total value of the capacity and energy components is $41.58. Under the prime power method of evaluation[32] the benefit-cost ratio of the prime power increment of the 1-dam plan over the 3-dam plan is 1.207 ($41.58 divided by $34.45).

Under the prime energy method of evaluation similar to that used by Mr. Hogg, the average of 2 unit at-site costs of prime energy is $20.81 per average kilowatt available during 23 months of the 30-month critical period of September 1, 1929, to February 29, 1932 (T. 20803–05; app. C, table 2). The at-site unit value of this energy is $29.65, supra, multiplied by the ratio of 23 to 30, or $22.73 per average kilowatt. Under this method of evaluation the benefit-cost ratio of the prime energy increment is 1.092 ($22.73 divided by $20.81).

Under the dependable capacity-firm energy method of evaluation used by Mr. Wing, the average of the 4 at-market dollar costs of the power increment of the 1-dam plan over the 3-dam plan is $5,284,000 and the at-market dollar value of such power is $5,221,000 (app. C, tables 3–5). Under this method of evaluation the benefit-cost ratio of the power increment is 0.988 ($5,221,000 divided by $5,284,000).

Under the allocated dependable capacity-average annual energy method of evaluation similar to that used by Mr. Tonetti, the average of the 6 at-site dollar costs of the power increment of the 1-dam plan over the 3-dam plan is $5,236,000 and the average of 3 at-site values of such power is $5,169,000 (App. C, Tab 6). Under this method of evaluation the benefit-cost ratio of the power increment is 0.987 ($5,169,000 divided by $5,236,000).

The average of the foregoing benefit-cost ratios of 1.207, 1.092, 0.988, and 0.987 is 1.068.

The foregoing evaluations were considered by the Commission (T. 23567–69) as a basis for its finding that "the additional amount of power that could be produced by the high Hells Canyon project would have a benefit-cost ratio of about 1 to 1" (T. 23582), or stated another way, the cost of the additional power that could be produced by the 1-dam plan is about equal to its value.

Benefit-cost ratio of power output attributed to the alternative plans under various methods of evaluation

The benefit-cost ratios which follow are based on the four methods of evaluation which are presented in appendix C to this brief.

The average of 6-unit costs of nominal prime power referred to points of generation and attributed to the 1-dam project is $19.66 per kilowatt-year, taking into account differences or spreads between construction costs and direct costs of 28 and 47 percent (App. C, Tab 1). If such spreads are not taken into account the average of 3-unit costs of nominal prime power referred to points of generation is $21.48 per kilowatt-year (App. C, Tab 7). The average of these 2 figures is $20.57 per kilowatt-year. The value of nominal prime power is $41.58 per kilowatt-year when sold at 70 percent load factor referred to points of generation,[33] supra (p. 17). The benefit-cost ratio of the nominal prime power attributed to the 1-dam project is 2.02 ($41.58 divided by $20.57).

The average of 6-unit costs or nominal prime power referred to points of generation attributed to the 3-dam project is $15.88 per kilowatt-year taking into account spreads of 28 and 47 percent (app. C, tab. 1). If such spreads are not taken into account the average of 3-unit costs of nominal prime power referred to points of generation is $15.04 (app. C, tab. 7). The average of these 2 figures is $15.46 per kilowatt-year. The benefit-cost ratio of the nominal prime power attributed to the 3-dam project is 2.69 ($41.58 divided by $15.46).

The average of 2-unit costs of prime energy at points of generation would be $16.70 per average kilowatt for the 1-dam project and $15.27 per average kilowatt for the 3-dam project (app. C, tab. 2). The value of prime energy is $22.73, supra (p. 17). The benefit-cost ratio of prime energy attributed to the 1-dam project is 1.36 ($22.73 divided by $16.70), and 1.49 ($22.73 divided by $15.27) for the 3-dam project.

The average of 4 unit at-market costs per average kilowatt of firm output credited to: (1) the 1-dam project is $28.80, and (2) the 3-dam project is $27.39 (app. C, tabs. 3–5). The unit value of such output is $48.36 per average kilowatt for the 1-dam project ($34,870,000 divided by 721,000 av. kw.), and $52.48 per average kilowatt for the 3-dam project ($29,649,000 divided by 565,000 av. kw.) (app. C, tabs. 3–5). The benefit-cost ratio of such firm output is 1.68 for the 1-dam project ($48.36 divided by $28.80) and 1.92 for the 3-dam project ($52.48 divided by $27.39).

The average of six annual dollar power costs referred to points of generation of the allocated dependable capacity plus average annual energy attributed to: (1) the 1-dam plan project is $15,485,000 and (2) the 3-dam plan project is $10,249,000 (app. C, tab. 6). The corresponding power values based on averaging 3 dollar amounts for each, are $29,745,000 and $24,576,000, respectively (app. C, tab. 6). The benefit-cost ratio of such allocated power is 1.92 ($29,745,000 divided by $15,485,000) for the 1-dam project, and 2.40 ($24,576,000 divided by $10,249,000) for the 3-dam project.

The average of the benefit-cost ratios of the power outputs of the alternative projects is 1.75 for the 1-dam project and 2.13 for the 3-dam project.

Power market for power from Hells Canyon reach projects

There is a substantial market in the area that could be served by projects that could be developed in the Hells Canyon reach of Snake River (T. 20371–73, 20399–406). One of the areas which would be served with Hells Canyon reach power is that of Idaho Power Co. (T. 4576–77, 8640–41, 20827–28). Other potential market areas include the areas served by neighboring electric systems which are members of the Northwest Power Pool (T. 3176, 4561–62, 8602–03, 8640–41, 8667–73). The extent to which such power could be marketed outside the service area of a developer would depend in part on the price which would have to be paid for such power (T. 8603–04, 18702–03, 18713, 18740, 18742–43).

SUMMARY OF ARGUMENT

I

The provisions of section 7 (b) of the Federal Power Act clearly do not preclude the issuance of a license when, in the judgment of the Commission, the development of the water resources involved should not be undertaken by the United States itself. In exercising its judgment under section 7 (b) the Commission acted in accordance with the general purposes of the act as reflected in the legislative history and as administered since its enactment in 1920. Moreover, it has never been the practice of Congress to rely on section 7 (b) in authorizing Federal construction.

The cost to the United States of developing these resources and other factors considered by the Commission in the exercise of its judgment that the United States should not develop the Hells Canyon reach of the Snake River were proper factors to be considered in the exercise of the Commission's judgment under section 7 (b). The merits with respect to the conflicting engineering and economic issues involved in the controversy here as to whether the Hells Canyon reach of the Snake River should be developed by Federal or non-Federal entities are questions which the Commission is required to determine and are not within the province of the court, so long as it cannot be said, as it cannot, that the judgment which the Commission exercised has no rational basis in the evidence.

II

Before the Commission may issue a license it must find under section 10 (a) of the act that the proposed project "shall be such as in the judgment of the Commission will be best adapted to a comprehensive plan for improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, for the improvement and utilization of water-power development, and for other beneficial public uses, including recreational purposes;". Section 10 (a) leaves it to the Commission's judgment as to whether a proposed project meets the "best plan" test of that section, if the exercise of the Commission's judgment has a rational basis in the evidence. The record shows there is substantial evidence and that there is a rational basis in the evidence supporting the Commission's judgment that the three-dam project proposed by the applicant will be best adapted to a comprehensive plan for the improvement and development of the water resources involved.

The Commission in exercising its judgment under section 10 (a) is not bound to accept a plan of development prepared by any Federal agency particularly where, as here, that plan has not been approved by

[31] The load factor of the Federal system—Pacific Northwest (T. 20818, 20821).

[32] This method was used by Messrs. Robins, de Luccia, Riter, Ostander, and Tonetti.

[33] See note 31, supra.

Congress. The comprehensive plan and the main control plan prepared in 1948 by the Chief of Engineers are being restudied and reviewed at the direction of Congress and are of necessity flexible plans which are modified from time to time to meet changing conditions.

Bills have been pending in Congress since 1950 for Federal development of the Hells Canyon reach of the Snake River (Pet. Br. 2), and at least since 1952 Congress has been aware of proposals by the Idaho Power Co. to develop the water resources involved pursuant to a licenses under the Federal Power Act.

In its economic comparisons of the power features of the two alternative plans the Commission found it essential to assume the same basis of financing for both plans with the result that the cost of money and allowances for taxes under each plan were placed on the same basis for comparative purposes. In addition, the Commission found the proposed three-dam plan economically feasible based on private financing as proposed by applicant. The Commission found that the three-dam project was best adapted to the development of the Columbia River Basin for the public purposes of flood control, navigation, recreation, and power. In connection therewith it concluded that additional storage for flood control which might be provided by a high Hells Canyon dam could be provided at other sites in the Columbia River Basin where the need for flood control storage is greater.

Navigation and recreational benefits would be provided to about the same extent under either plan, and any difference in such benefits as between the two alternative plans could have only a minor effect in determining whether a license should be issued or denied for development of the Hells Canyon reach of the Snake River.

The Commission found that the three-dam project would provide power more economically and that the power increment of the 1-dam plan over the 3-dam plan can be developed at about the same cost from other sources in the basin by a combination of hydroelectric and thermal-electric plants.

III

The provisions of section 4 (e) of the act authorize the Commission to issue a license for the "project works" involved in the applicant's three-dam plan. Section 14 of the act authorizes the Commission to schedule construction of such project works so as to provide a reasonable program of construction to meet the increasing power demands of consumers in applicant's service area in the reasonably forseeable future.

The Commission found that the total dependable capacity that would be provided by the proposed 3-dam project would be fully utilized in the applicant's own system by about the year 1975. In addition, the estimated power requirements of the area served by the Pacific Northwest Power Pool (of which applicant is a member) will exceed the supply by about 1962. Consequently, as found by the Commission, it is possible that the power output from the last of the 3 dams may be in demand prior to 1975 to supply loads of other electric systems in neighboring areas, provided satisfactory arrangements for the sale of such power can be made.

The time required to obtain a license from the Commission and to construct project works to supply the power demands in the area served by the applicant requires advance planning. Such advance planning is encouraged by the provisions of section 13 and other provisions of the act, and for some 35 years it has been so interpreted by the Commission.

IV

The revised exhibits approved by the Commission's order issued November 3, 1955, were filed pursuant to a condition of the Commission's order of August 4, 1955, issuing the license.

Petitioners were given notice of the filing of the revised exhibits and no hearing thereon was requested. The subject matter covered by the revised exhibits was fully explored in the original hearing on the applications for license and no further hearing was required.

The revised exhibits provided for clay cores in lieu of a concrete face on the two upstream rock-fill dams to make them more economical for construction and maintenance. The Oxbow Dam was moved approximately 2,000 feet downstream to provide a more suitable axis for this dam in accordance with common engineering practice. Other minor detail changes in the 2 upstream dams are shown in the revised exhibits, but the capacity and functions of the dams have not been changed.

The Commission is authorized by section 10 (a) of the act to require the filing of revised exhibits showing these changes in the project works.

V

The Commission has made all basic findings essential to a complete understanding of its decision. It is not necessary that the Commission affirmatively make findings on all subsidiary issues.

The Commission's findings are fully supported by the evidence and it is not required to annotate each finding with the evidence supporting it. The order does not become suspect because it is challenged. Petitioners do not show facts supporting their numerous conclusions that the Commission's action is arbitrary.

The questions with respect to which the Commission was in disagreement with the Examiner are adequately discussed in the Commission's opinion. The Commission has considered all of the questions raised by petitioners in their exceptions to the Examiner's decision and in their application for rehearing.

VI

The petitioners' contention that they have been denied constitutional due process is completely baseless as is shown by the history of the proceeding, and petitioners have not shown wherein any of their rights have not been protected.

Petitioners' complaint that the Commission's opinion and findings do not meet due process requirements—in that the Commission failed to set forth its determination of certain defined factual issues—stems from a lack of understanding of the principles set forth by the Commission. The Commission made clear its factual basis on which it proceeded.

The adjusted analyses of evidence of record as set forth in the staff brief and utilized by the Commission were proper for the purpose of aiding the deciding tribunal in making its decision. These adjusted analyses were merely analyses of the evidence of record plus appropriate adjustments to place construction costs and resulting annual costs on a reasonably comparable basis for the purpose of ascertaining the comparative economics of the power features of the two alternative plans.

The results of such adjustments is to place the high Hells Canyon project in a more favorable position in the economic evaluation of the alternative plans, and consequently, petitioners are not prejudiced by the adjusted analyses in any event.

VII

Action on petitioners' motion to dismiss was deferred by Commission order issued January 6, 1955, pending consideration of the proceeding on the merits.

By its August 4, 1955, order, the Commission, upon consideration on the merits, issued a license for applicant's proposed three-dam project. Consequently the motion to dismiss was appropriately denied.

ARGUMENT

I. The Commission properly interpreted and applied section 7 (b) of the act

Petitioners say in many ways at many points in their brief, that the Commission has improperly interpreted and applied section 7 (b) of the act, but their section 7 (b) argument adds up to one result, namely that this court should substitute petitioners' "judgment" for that of the Commission as to whether the Hells Canyon reach of the Snake River should be developed by the United States itself or by the applicant, Idaho Power Co., under a license issued pursuant to the Federal Power Act.[34]

The language of section 7 (b) plainly says that "whenever, in the judgment of the Commission" the development should be undertaken by the United States itself, the application for license shall not be approved. It is equally clear that when it is not the judgment of the Commission that Federal development should be undertaken, the Commission is under no duty pursuant to section 7 (b) to refuse a license.

In exercising its judgment that the Hells Canyon reach of the Snake River should not be developed by the United States itself, the Commission acted in accord with the general purpose of the act, as amended, and as it has been administered since its enactment in 1920.[35] The act is the result of "a vigorous determination of Congress to make progress with the development of long idle waterpower resources of the Nation." It was distinctly an effort to provide Federal control over and give Federal encouragement to waterpower development by public or private agencies under conditions which would give the necessary security to the capital invested and at the same time protect and preserve every legitimate public interest. *First Iowa Coop.* v. *Federal Power Commission* (328 U. S. 152, 171, 180); and *Grand River Dam Authority* v. *Grand Hydro* (335 U. S. 359, 372).

Petitioners say (Pet. Br. 35) that section 7 (b) accords first priority to development by the Federal Government, and among applicants for licenses section 7 (a) accords States and municipalities a preference over all private developers. With respect to section 7 (a), it is enough to say that no State or municipal applicant was before the Commission. Of course, the Federal Government has first priority of development without section 7 (b), and as shown in note 35, supra, Congress has never acted upon a recommendation for Federal development under section 7 (b).

Congress has not been reluctant to withdraw water power sites from the Commission's licensing authority when it has seen fit to do so, as it did in the 1928 Boulder Canyon Project Act (45 Stat. 1057, 1062) and in the case of Potomac River Basin (45 Stat. 1012). Another similar ban removed power sites in national parks and national monuments from the Commissioner's licensing authority by an amendment to the act (41 Stat.

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[34] See note 7, supra.

[35] The one instance in which the Commission has referred a matter to Congress under section 7 (b) for Federal construction is mentioned by petitioners (Pet. Br. 36). It involved an application for license by the Power Authority of the State of New York for power development of that part of the International Rapids section of the St. Lawrence River within the State of New York. However, the St. Lawrence project was not authorized for Federal construction and on July 15, 1953, the Commission issued a license. The order issuing license for the St. Lawrence project was reviewed by this court in *Lake Ontario Land Develop., etc.* v. *Federal Power Commission* (212 F. 2d 227).

1353). Many other project sites have been removed from the Commission's licensing power by acts of Congress authorizing their development by the United States. This has been done by special acts such as the Tennessee Valley Authority Act (16 U. S. C. 831), the Bonneville Act (16 U. S. C. 832), the Fort Peck Act (16 U. S. C. 833), and by the several omnibus River and Harbor Acts and Flood Control Acts. See *Savannah River Electric Co.* v. *Federal Power Commission* (164 F. 2d 408).

Petitioners' main contention (Pet. Br. 39–41) is that the Commission is precluded by section 7 (b) from issuing a license to the applicant in this proceeding. A similar contention was made in *Chapman* v. *Federal Power Commission* (345 U. S. 153, 156), involving an application for license for development of the Roanoke Rapids section of the Roanoke River. In the Chapman case, the Supreme Court (pp. 173–174) said: "Whatever the merits of the controversy as to which agency—the Government or a private party—should construct this project, that question is not within our province."

Petitioners contend (Pet. Br. 27–41) that the cost to the United States and other factors considered by the Commission in the exercise of its judgment under section 7 (b) are not proper factors to be considered under that section; that the Commission did not give adequate consideration to those factors urged by petitioners; and that the judgment exercised by the Commission is arbitrary and contrary to the intent and purpose of the act.

Apparently, petitioners fail to realize that the Commission is entitled to and must consider the views of all of the parties to the proceeding—not merely the views of these petitioners. For example, the State of Washington, which also was an intervenor in this proceeding, took the position (T. 23507) that: "a high-head storage dam in Hells Canyon would constitute flagrant dissipation of Federal moneys that could be more wisely invested in projects known to have far greater flood control and hydroelectric power potential." The State of Washington further contended that "if unreal values are credited to upstream storage" as proposed in the high Hells Canyon project, "the cost of power in the Pacific Northwest would be increased anywhere from $15 to $30 million annually, and except for a few years under the operating conditions of an all-hydro system the power benefits would be nil." (T. 23507–10).

The Commission devoted a substantial portion of its opinion (T. 23556–70) to a discussion of the relative merits of the two alternative plans of development and gave therein the factors, considerations and reasons why, "it is our judgment that the United States itself should not undertake the development of the water resources of the Hells Canyon reach of the Snake River for public purposes." But whatever the merits are as between the high-dam plan and the plan consisting of three dams for the development of Hells Canyon section of the Snake River, it is apparent that an exercise of judgment by the Commission was required. Since, as the Supreme Court has said in the Chapman case, the merits of this question are not within the province of the Court, further discussion of the Commission's action under section 7 (b) is unnecessary.

II. The Commission properly interpreted and applied section 10 (a) of the act

Before the Commission may issue a license under section 4 (e) of the Power Act, it must find, under section 10 (a) that the proposed project "shall be such as in the judgment of the Commisison will be best adapated to a comprehensive plan for improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, for the improvement and utilization of waterpower development, and for other beneficial public uses, including recreational purposes;" Obviously, this directive places responsibility upon the Commission to decide whether a proposed project meets the best-plan test of section 10 (a), if the exercise of the Commission's judgment has a rational basis in the evidence. As the United States Supreme Court said in the somewhat similar case affirming an order of the Commission issuing a license for the Roanoke Rapids project over the objections of the Secretary of the Interior who was urging Federal development, *Chapman* v. *Federal Power Commission*, supra, at page 171:

"Subordinate arguments are made bearing partly on the power of the Commission to issue any license for private development and partly on the Commission's exercise of its power in granting this license. The arguments involve technical engineering and economic details which it would serve no useful purpose to canvass here. Once recognizing, as we do, that the Commission was not deprived of its power to entertain this application for a license, we cannot say, within the limited scope of review open to us, that the Commission's findings were not warranted. Judgment upon these conflicting engineering and economic issues is precisely that which the Commission exists to determine, so long as it cannot be said, as it cannot, that the judgment which it exercised has no basis in the evidence and so was devoid of reason."

Also, a court may not substitute its judgment for that of the Commission. As was said by the Supreme Court in *National Labor Relations Board* v. *Link Belt Company* (311 U. S. 584, 597):

"Congress entrusted the Board, not the Courts, with the power to draw inferences from facts. *National Labor Relations Board* v. *Pennsylvania Greyhound Lines* (303 U. S. 261, 271); *National Labor Relations Board* v. *Falk Corp.* (308 U. S. 453, 461). The Board, like other expert agencies dealing with specialized fields (see *Rochester Telephone Corp.* v. *United States* (307 U. S. 125, 146); *Sweyne & Hoyt* v. *United States* (300 U. S. 297, 304)), has the function of appraising conflicting and circumstantial evidence, and the weight and credibility of testimony."

The Supreme Court also properly defined the permissible scope of review under the Federal Power Act in *Federal Power Commission* v. *Idaho Power Company* (344 U. S. 17, 21) stating:

"The Court, it is true, has power "to affirm, modify, or set aside" the order of the Commission "in whole or in part." Section 313 (b). But that authority is not power to exercise an essentially administrative function. See *Ford Motor Co.* v. *Labor Board* (305 U. S. 364, 373–374); *Siegel Co.* v. *Federal Trade Commission* (327 U. S. 608). The nature of the determination is emphasized by section 10 (a) which specifies that the project adopted "shall be such as in the judgment of the Commission will be best adapted to a comprehensive plan * * * for the improvement and utilization of waterpower development, and for other beneficial public uses." Whether that objective may be achieved if the contested conditions are stricken from the order is an administrative, not a judicial decision."

The Ninth Circuit Court of Appeals in *Montana Power Company* v. *Federal Power Commisison* (112 F. 2d 371 (C. A. 9)), similarly defined the scope of review under the act when it said (p. 374):

"The Commission is required to exercise its judgment, as provided in section 10 (a) of the act. The license to be issued is subject to the condition that 'the project adopted * * * shall be such as in the judgment of the Commission will be best adapted to a comprehensive plan * * * for the improvement and utilization of waterpower development * * *.' The act leaves to the discretion of the Commission what project shall 'be best adapted to a comprehensive plan' for such improvement and utilization.

"'The judical function is exhausted when there is found to be a rational basis for the conclusions approved by the administrative body.' *Rochester Tel. Corp* v. *United States* (307 U. S. 125, 146, 59 S. Ct. 754, 765, 83 L. Ed. 1147) and cases there cited."

A court must examine the record and consider it as a whole when reviewing a Commission order. As was said by the Court of Appeals for the Seventh Circuit in *Namekagon Hydro Co.* v. *Federal Power Commission* (216 F. 2d 509, 511):

"Section 313 (b) of the Federal Power Act provides that the findings of the Commission, as to the facts, shall be conclusive if supported by substantial evidence. Furthermore, before the Commission may issue a license under section 4 (e) of the act it must find under section 10 (a) of the act that the proposed project in the judgment of the Commission will be best adapted to a comprehensive plan, etc. Obviously, Congress left it to the judgment of the Commission as to whether a proposed project meets the best plan test of section 10 (a). Our inquiry is, Does the judgment of the Commission as exercised have a rational basis in the evidence? *Montana Power Company* v. *Federal Power Commission* (9 Cir., 112 F. 2d 371). In order to determine whether the findings of the Commission are supported by substantial evidence, we shall examine the record and consider same as a whole. *Universal Camera Corp.* v. *National Labor Relations Board* (340 U. S. 474, 71 S. Ct., 456, 95 L. Ed. 456)."

The statement of the principal facts of record, supra (pp. 3–20), shows there is substantial evidence and that there is a rational basis in the evidence of record supporting the Commission's judgment that the three-dam project will be best adapted to a comprehensive plan for the improvement and development of the water resources involved. However, petitioners contend otherwise, and, consequently we will now discuss some of the major factors considered by the Commission in exercising its judgment.

Petitioners' contention that the Commission's action under section 10 (a) was improper is based upon the erroneous premise that there is an inflexible "Federal comprehensive plan and main-control plan which the Commission is bound to accept as the proper and lawful plan. In support of that proposition petitioners rely upon a quotation (Pet. Br. 18) from the Chapman case, supra. But petitioners fail to advise the court that Congress has not approved any comprehensive plan for the Columbia River Basin as it had for the Roanoke River Basin involved in the Chapman case.[25]

As pointed out previously, Congress has on at least two occasions directed a restudy and review of the 1948 comprehensive plan contained in the House Document 531 and we have also shown, supra (pp. 5–8) that this plan, of necessity, is flexible in order to meet changing conditions. The Commission properly stated its statutory responsibility with respect to the plan of development proposed in House Document No. 531 when it said in its opinion (T. 23570):

"Congress has nowhere intimated that the adoption of plans by any Federal department shall automatically preclude development of those water resources by any non-Federal entity, if in the judgment of the Commission a license may be properly issued."

Moreover, Congress has been fully aware of the progress of this proceeding on application of Idaho Power Co. for authority to

[25] Even where general plans have been approved by Congress and particular projects have been authorized for Federal construction, substantial changes have been made in the physical features of those projects with the result that the projects as constructed differ from those originally approved in a general plan.

develop the Hells Canyon reach of the Snake River (1952 hearings before the Subcommittee on Irrigation and Reclamation of the House Committee on Interior and Insular Affairs, 82d Cong., 2d sess., on H. R. 5743, pp. 8, 118, 628). This proceeding has been discussed in subsequent congressional committee hearings, including those on pending bills to authorize Federal construction of the high Hells Canyon Dam (S. 1333, H. R. 4719, 4730, 4739, and 4740, 84th Cong.).

Petitioners appear to believe that assuming the same basis of financing in comparing the economics of the power features of two mutually exclusive plans of development is an extraordinary assumption (Pet. Br. 22). On the contrary, the comparison of alternative plans on the same basis of financing is a common practice. This comparison was followed in the 1948 Army Report in House Document No. 531 as is shown in table V–4 comparing the alternate headwater plan and the main-stream plan for the Middle Fork Willamette River and in table V–6 comparing the three-dam plan with the Nimrod plan for the McKenzie River (H. Doc. No. 531, vol. V, pp. 2150 and 2154).[37] The assumption of similar basis of financing was followed in the Columbia River 308 Report (H. Doc. No. 103, 73d Cong.) transmitted to Congress on March 29, 1932. At pages 62 to 64 the economics of a proposed project as the Grand Coulee site were compared with the economics of a proposed project at the Dalles site. A table is presented there showing two comparisons of investment and operating results for projects at the respective sites. One comparison is based on 4-percent money corresponding to public construction and the other comparison of the two projects is based on 6-percent money corresponding to construction by a large corporation (p. 62).

The Commission found it essential to compare the economics of the power features of the two plans on the same assumed basis of financing (T. 23564). Petitioners contend such comparison "can produce only * * * arbitrary distortion" but cite no authority for that contention except findings or conclusions of the presiding examiner.

In addition to comparing the economics of the power features of the two plans on the assumption of Federal financing, the Commission also determined the economics of the three-dam plan on the basis of private financing and its degree of economic feasibility under private financing was found (T. 23574). In its comparative evaluation of the overall benefits of the two plans the Commission compared the one-dam plan as it might be constructed by the United States with the private three-dam project. This is amply demonstrated by the Commission's conclusion that the public purposes such as flood control, navigation, and recreation could be effectuated to about the same extent under either plan of development (T. 23563), and by its subsequent statement that under existing law these public purposes [including power] will be realized without expense to the United States to the extent that the projects are constructed by a non-Federal entity (T. 23569).

At the present time reservoirs located in the Snake River Basin upstream from the Hells Canyon reach have a total usable storage capacity of about 8,500,000 acre-feet. Of this total, at least 2,200,000 acre-feet is primarily usable for flood control.[38] The remaining storage, although operated primarily for irrigation, provides substantial control of floods. As a result of such upstream storage the Snake River is already one of the best controlled rivers in the Columbia Basin. The Commission concluded (T. 23561) that with existing upstream storage, the 1 million acre-feet of usable flood control storage at Brownlee would be adequate to control the Snake River run-off for the second greatest flood of record, that of 1948.

The Commission recognized that the three-dam plan proposed by the company would provide 1 million acre-feet of flood control storage whereas the Army's 1948 main control plan contemplated the use of 2,300,000 acre-feet of storage in the high Hells Canyon Reservoir should the maximum flood of record reoccur. However, it is apparent from the record that other sites are available in the Snake Basin to provide the 1,300,000 acre-feet that would be needed if the three-dam plan should be constructed in lieu of the high dam. The principal projects considered as being better suited to supply the additional 1,300,000 acre-feet were the proposed Bruces Eddy and Penny Cliffs projects on the Clearwater River and the Pleasant Valley project on the Snake River immediately downstream from Hells Canyon site. None of these projects was included in the 1948 main control plan.

The proposed Bruces Eddy and Penny Cliffs projects have been found to be economically feasible for power production and flood control by the Army engineers (T. 13503)[39] and those two proposed projects would provide 3,700,000 acre-feet of usable flood control storage on the Clearwater River, a downstream tributary of the Snake River. Storage on the Clearwater River would be very desirable because that river is one of the worst flood producers in the entire Columbia River Basin. These two reservoirs alone would provide more usable flood control storage than was contemplated by the 1948 main control plan at Hells Canyon. An additional 500,000 acre-feet of usable flood control storage could be provided at Pleasant Valley for which a license has been requested.

As noted elsewhere, supra (p. 27), the State of Washington took the position (and presented evidence in support thereof) that the Federal money that would be required to build the high Hells Canyon project could be more wisely invested in other projects known to have greater flood-control potential.

As previously shown herein, supra (p. 11) the dollar value of the navigation benefits under either plan are very small when compared with the total dollar value of all benefits to be provided under either plan (about 0.6 percent) and it is clear that neither plan will conflict with the Army's major objective of providing a navigation route from the mouth of the Columbia to Lewiston, Idaho, by means of locks and dams on the Columbia and at the four Lower Snake River sites. Brownlee Reservoir, by the release of 5,000 cubic feet per second during low-flow periods would provide better navigation conditions in the Snake River above Lewiston, Idaho, than would the 2,000 cubic foot per second release contemplated under the one-dam plan, but the dollar value of navigation benefits under either plan in that stretch of the stream are negligible (T. 13464, 20557).

The Commission gave full consideration to the recreational aspects of the two alternative plans and found that the one-dam plan would have some recreational advantages in some respects and the three-dam plan would be favorable in other respects (T. 23563). With the exception of the added attraction to tourists provided by the high dam because of its size, either plan will provide about the same recreational opportunities—if the same money were spent on each for that purpose. The Commission order requires the company to provide the National Park Service with funds up to $60,000 to prepare a recreational master plan. If such a plan shows justification for further recreational development in the area, the expenditure of $1,000,000 as contemplated under the one-dam could provide about the same recreational facilities for the three-dam project as for the high-dam project.

As shown, supra (p. 19), the average of the benefit-cost ratios of the power outputs of the alternative projects is 1.75 for the one-dam project and 2.13 for the three-dam project, which means that the power output attributable to the three-dam project is more economical than that attributable to the one-dam project, assuming the same basis of financing. Also, as shown above, the three-dam plan is economically feasible based on private financing.

The prime power increment attributable to the 1-dam plan over the 3-dam plan would not be "more than 400,000 kilowatts" as contended by petitioners (Pet. Br. 16). On the contrary, it was demonstrated, supra (pp. 9, 16) that over a 50-year period the prime power increment would be only 249,000 kilowatts. Further, the estimated cost of producing that increment of power is about the same as the estimated cost of producing equivalent power elsewhere in the basin by hydroelectric projects and thermal-electric plants.

Consequently, in view of all the factors considered by the Commission, there is no basis for petitioners' contention (Pet. Br. 6, 13–21) that the Commission has permitted underdevelopment of the Hells Canyon reach of the Snake River.

III. The Commission properly interpreted and applied section 13 of the act

It is contended by petitioners (Pet. Br. 43) that—

"In view of the Commission's own finding that there may be no market for the output from the third of the three dams and its acknowledgement that in fact it may never be built at all, we submit the Commission's device for justifying its decision under section 13 is a transparent subterfuge and a direct violation of the plain language and intent of the section."

Elsewhere, at various points in their brief, it appears that by the above reference to "the third of the three dams," petitioners have reference to the downstream low Hells Canyon Dam authorized by the Commission's order issued August 4, 1955.

The Commission did not find that there may be no market for the output of the three dams, including the low Hells Canyon Dam. On the contrary, the Commission (T. 23583), found:

"(32) The total dependable capacity of 767,000 kilowatts that would be provided at the Brownlee, Oxbow, and low Hells Canyon developements would be fully utilized in the applicant's own system by about the year 1975 and in the Northwest area about as soon as it could be developed if indicated arrangements with other systems can be firmed up."

The evidence in support of this finding is uncontradicted on the record.

In 1952 the annual peak load of the Idaho Power Co. system was 319,000 kilowatts. During the period 1952 through 1975 the average annual peak load growth is estimated to be 30,350 kilowatts, or a total load growth of 698,000 kilowatts during that period. Thus, it is estimated that by 1975 the annual peak load will be 1,017,000 kilowatts (T. 20826–29).

The dependable capacity of existing power supply which will be available to the company in the future is 360,000 kilowatts (T.

[37] The same practice was followed in the 1947 report in H. Doc. No. 442, 80th Cong., on Grand River and tributaries (Okla., Kans., Mo., and Ark.) in comparing a plan of improvement including Strawn Reservoir with a plan of improvement with Iola substituted for Strawn. Other instances could be cited.

[38] Palisades and Boise Valley projects. (See appendixes A and B.)

[39] The Chief of Engineers' report covering those two projects, dated April 25, 1955, is contained in S. Doc. No. 51, 84th Cong., 1st sess.

19791).[40] The three-dam project, if constructed as authorized by the Commission, will add a total of 767,000 kilowatts of dependable capacity, thus giving the company a total dependable supply of 1,127,000 kilowatts (T. 20826–29, 20832).

When required system reserve capacity is taken into account (T. 7267–68) it is apparent that the company's system would utilize the output of the three proposed developments in the Hells Canyon reach of the Snake River by the year 1975 (T. 20827), unless it can obtain the necessary power from other sources. Applicant has contracted for summer energy from the system of Utah Power & Light Co., for the years 1955 through 1958. This power is available to the applicant for the reason that Utah Power and Light Co. advanced its own steam-electric capacity construction schedule by 2 years in order to supply power to applicant during the interim period required for the construction of 1 or more of the 3 developments involved in this proceeding (T. 1489–90).

With respect to the possibility of selling power developed by the low Hells Canyon development prior to 1975 to other systems in the Pacific Northwest, the record shows that estimated power requirements of the area served by the Pacific Northwest power pool will exceed the supply by about 1962 (T. 20417, 20418, 21954–66). Applicant's system is interconnected with this pool.

The Commission found (T. 23572):

"As a practical matter Brownlee and Oxbow are definitely needed within the near future to supply applicant's own needs, and if a sufficient load does not develop to justify construction of low Hells Canyon within the time limits imposed in the license, the Commission may either extend the time for construction or terminate the license for that project whichever is in the public interest at the time the matter is under consideration."

Petitioners characterize this statement as an "acknowledgement" by the Commission that the low Hells Canyon development "may never be built at all" (Pet. Br. 43). Manifestly the Commisison is here making no such acknowledgement although it is referring to the authority set forth in section 13 of the act to extend the time limits for construction of project works.[41] Everything said there is within the provisions of section 13. It may happen that none of these project works will be built within the time limits imposed in the license. If not, then the time may be extended or the license therefor may be terminated as provided by section 13.

As noted by the petitioners (Pet. Br. 43) this case was before the presiding examiner almost 3 years, and it has been about a year since the examiner rendered his decision. Some delay is inevitable and it is apparent, therefore, that it is necessary to plan a reasonable time in advance in order that the applicant and, more important, the power consumers may be assured of having generating capacity available to meet increasing power demands. This is the type of advance planning contemplated by section 13 of the act. Accordingly, the scheduled construction of the low Hells Canyon development is consistent with the provisions of section 13.

Finally, petitioners state (Pet. Br. 43) that the device of placing applicant's three developments under a single license is a transparent subterfuge and a direct violation of the plain language and intent of section 13. If this is a device it has been employed for many years and is entirely within the discretion of the Commission. Some of the licenses thus issued over the years are mentioned in the staff's exceptions to the examiner's decision (T. 23380). There are many outstanding licenses authorizing more than one dam and associated power facilities as project works of a project. Such scheduling of project works under a single license provides a reasonable program of construction under section 13 without requiring commencement of construction of all project works within a 4-year period.

Petioner's argument (Pet. Br. 41–43) that the Commission attempted to circumvent section 13 by employing the device of placing applicant's three proposed projects under a single license, apparently is based on the assumptions that each of the three developments[42] constitute a project, and that the Commission is authorized to license projects, a concept of limitation followed by the examiner (T. 23161, 23163, 23169) but not previously or in this case by the Commission. Moreover the petitioners and the examiner overlooked the fact that section 13 is cast in terms of project works.

The Commission's licensing authority is set forth in section 4 (e) of the act. The pertinent parts of section 4 (e) provide:

"The Commission is hereby authorized and empowered * * *

"(e) To issue licenses * * * to any corporation organized under the laws of the United States or any State thereof, * * * for the purpose of constructing, operating, and maintaining dams, water conduits, reservoirs, power houses, transmission lines, or other project works necessary or convenient for the development and improvement of navigation and for the development, transmission, and utilization of power across, along, from or in any of the streams or other bodies of water over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States, or upon any part of the public lands and reservations of the United States."

The language of section 4 (e) and section 13 is plain. If there could be any doubt as to the authority of the Commission to license "project works" and not projects as such, that doubt has been removed by this Court. *Lake Ontario Land Develop, etc.* v. *Federal Power Commission* (212 F. 2d 227, 232).

In some cases the time required for construction makes it impossible to commence all of the project works within a 4-year period. One such license is Project No. 2000 in the International Rapids section of the St. Lawrence River, which was reviewed by this Court, although no question with respect to section 13 was raised in that case. *Lake Ontario Land Develop, etc.* v. *F. P. C.*, supra. Moreover, if section 13 were to be construed as requiring that construction of all project works be commenced within an initial 4-year period, as contended by petitioners, it would not be possible to amend a license pursuant to section 6 of the act to include additional project works 5 years after the license was issued. Petitioners' interpretation of section 13 would nullify the provisions of section 6 and would also be contrary to the practice of the Commission established over a period of more than 35 years. See, *Montana Power Co.* v. *Federal Power Commission* (112 F. 2d 371).

When, as here, there is a basis for concluding that an applicant is willing to develop a power site or sites consistent with the requirements of section 10 (a), within a reasonable time to supply its growing market requirements, such development is encouraged by the provisions of section 13 and the other provisions of the act. See *First Iowa Coop.* v. *Federal Power Commission* (328 U. S. 152, 171, 180); *Grand River Dam Authority* v. *Grand Hydro* (335 U. S. 359, 372); FPC 4th Annual Report, pages 3 and 4 (1924); and *In the Matter of Empire District Electric Company* (1 FPC 15, 19), and the same case (1 FPC 212, 215–216).

IV. The revised exhibits were approved in accord with provisions of the act

Petitioners state (Pet. Br. 53, 67, 68) that they were not given notice of the filing of the revised exhibits approved by the Commission's order issued November 3, 1955, or opportunity for hearing with respect thereto. The record shows, however, that extensive evidence was presented with respect to the subject matter of the revised exhibits. The Commission's order, issued August 4, 1955, shows that they were required by article 29 thereof.

By its order issued August 4, 1955, the Commission authorized, among other things, the construction of three rock-fill dams of specified heights to be operated for certain defined purposes. In article 29 of the order the Commission required that the licensee submit revised exhibit L drawings. The original drawings provided for a concrete membrane on the upstream face of each of the proposed dams. The evidence of record (see pp. 12–14, supra, for record references) shows that the substitution of a clay core for the concrete face on these rock-fill dams would make them more economical for construction and maintenance. The revised exhibits approved by the Commission's order issued November 3, 1955, provide for clay cores in the two upper dams authorized by the Commission. Revised exhibits have not yet been filed with respect to the downstream dam.

By letter dated September 2, 1955, to the Commission, counsel for petitioners, referring to the fact that article 29 requires the licensee to file revised exhibits, requested that petitioners be advised when they were filed with the Commission. In reply thereto, by letter dated September 15, 1955, the Secretary of the Commission advised counsel for petitioners that the revised exhibits had

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[40] The company's generating facilities had a capability of 374,000 kilowatts as of 1952 (T. 19468). However, the difference in capacity is not dependable.

[41] Section 13 provides:

"That the licensee shall commence the construction of the project works within the time fixed in the license, which shall not be more than 2 years from the date thereof, shall thereafter in good faith and with due diligence prosecute such construction, and shall within the time fixed in the license complete and put into operation such part of the ultimate development as the Commission shall deem necessary to supply the reasonable needs of the then available market, and shall from time to time thereafter construct such portion of the balance of such development as the Commission may direct, so as to supply adequately the reasonable market demands until such development shall have been completed. The periods for the commencement of construction may be extended once but not longer than 2 additional years and the period for the completion of construction carried on in good faith and with reasonable diligence may be extended by the Commission when not incompatible with the public interests. In case the licensee shall not commence actual construction of the project works, or of any specified part thereof, within the time prescribed in the license or as extended by the Commission, then, after due notice given, the license shall, as to such project works or part thereof, be terminated upon written order of the Commission. In case the construction of the project works, or of any specified part thereof, have been begun but not completed within the time prescribed in the license, or as extended by the Commission, then the Attorney General, upon the request of the Commission, shall institute proceedings in equity in the district court of the United States for the district in which any part of the project is situated for the revocation of said license, the sale of the works constructed, and such other equitable relief as the case may demand, as provided for in section 26 hereof."

[42] See note 3, supra.

been filed on September 12, 1955. The revised exhibits had been available in the files of the Commission and open for public inspection and copying since that time. Copies of these letters are attached as appendix E-1 and E-2 to this brief.

There was other correspondence between counsel for petitioners and the Commission's Secretary (T. 23659–61) with respect to the revised exhibits approved by the Commission's order issued November 3, 1955. However, there has been no request by petitioners for a hearing on the revised exhibits. Obviously, the letter from the Secretary (App. E–2) gave petitioners notice of the filing of the revised exhibits in sufficient time to file a petition to intervene and request a hearing. The fact is, however, that the matter covered by the revised exhibits was one of the subjects explored during the hearing on the applications for license, and no further hearing with respect thereto was necessary.

Petitioners also contend that the location of the Oxbow project was changed in the revised exhibits (Pet. Br. 67). The location of the powerhouse and tunnel thereto were not changed. The location of the Oxbow Dam was moved a short distance (2,000 feet) downstream to provide a more suitable axis for the dam. This is not an unusual engineering practice. For example, the Iroquois Dam, on the St. Lawrence River, recently reviewed by this Court (*Lake Ontario Land Develop., etc.* v. *Federal Power Commission* (212 F. 2d 227)) was moved the same distance downstream (2,000 feet) after the license was issued on July 15, 1953. The engineering features of the St. Lawrence project, including the Iroquois Dam, had been studied for several years and resulted in a 39-volume (1942) "Final Report" by the Army Corps of Engineers. The St. Lawrence project (Project No. 2000) is predicated on this detailed report of the Army Corps of Engineers.

The revised exhibits for the two upstream dams (Brownlee and Oxbow) provide several other modifications in details of some features such as the spillways and intake works, but the capacity and function of each of these features were not changed. The basic design and functions served by the dams remain unchanged (T. 23638–48).

The authority of the Commission to require these changes is set forth in section 10 (a) of the act. This authority, of course, includes an obligation which the Commission must assume with respect to the safety and adequacy of these structures. This matter involving "engineering and economic issues is precisely that which the Commission exists to determine, * * *" *Chapman* v. *Federal Power Commission, supra* (p. 171).

V. The Commission's findings are adequate and fully supported by the evidence

The petitioners argue that the Commission's action under sections 7 (b), 10 (a) and 13 of the act are inadequate and unsupported by the evidence. In addition, they argue that under the Administrative Procedure Act (5 U. S. C. 1001, et seq.) the Commission is required to deal specifically with every question raised by petitioners and with every finding in the initial decision of the presiding examiner.

The hearing commenced on July 14, 1952, and, after several recesses, concluded on July 9, 1954, with some 158 actual hearing days. Respondent's statement of the principal facts, supra (pp. 3–20) shows that the record contains substantial evidence on all of the issues. However, at no place in their brief do petitioners set forth or make reference to facts supporting their numerous conclusions that the Commission's action is "arbitrary." Anyone seeking to upset a Commission order, in which the Commission exercises its informed judgment under statutory authority, has the burden of showing that the order is invalid, and the Commission's order does not become suspect because it is challenged. *Federal Power Commission* v. *Hope Natural Gas Company* (320 U. S. 591, 602).

The basic findings essential to the validity of an administrative order "will vary with the statutory authority invoked and the context of the situation presented," *Alabama G. S. R. Co.* v. *United States* (340 U. S. 216, 228). Consequently the challenged order should be examined in the light of the statute and situation presented. In this connection it should be noted that section 6 of the act requires that "Each such license shall be conditioned upon acceptance by the licensee of all the terms and conditions of [Part I of] this act and such further conditions, if any, as the Commission shall prescribe in conformity with this act, which said terms and conditions and the acceptance thereof shall be expressed in said license." This has been done (T. 23586—91A–M) and petitioners do not contend otherwise.

The reasons for the Commission's action are disclosed in its opinion and findings (T. 23553–86). The Commission has made all basic findings essential to a complete understanding of its decision. That the Commission was not oblivious to petitioners' contentions is evident from its opinion (T. 23554, 23557–58, 23564, 23575–76). Moreover, the Commission's order issued September 29, 1955, denying petitioners' application for rehearing and motion for stay, shows that all questions raised by petitioners were considered by the Commission (T. 23636). The Commission is not required to annotate each finding with the evidence supporting it, nor must it affirmatively make findings on subsidiary issues. *United States* v. *Pierce Auto Lines* (327 U. S. 515, 529, 532); *Alabama G. S. R. Co.* v. *United States, supra.* To the extent the Administrative Procedure Act may be applicable it does not require more. *Capital Transit Co.* v. *United States* (97 F. Supp. 614, 621); *Coyle Lines* v. *United States* (115 F. Supp. 272, 275–276); *Luckenbach S. S. Co.* v. *United States* (122 F. Supp. 824, 828).

The Commission's action under sections 7 (b), 10 (a) and 13 is discussed, supra (pp. 25–41). In addition, the statement, supra (pp. 3–20) of the principal facts of record shows that the Commission's findings are supported by substantial evidence, excepting those matters referred to by petitioners (Pet. Br. 64), which are standard requirements under sections 4 (e), 10 (d) and 10 (e) of the act. There is, however, a letter dated July 3, 1953, from the Department of Agriculture with respect to the section 4 (e) matter (T. 19406–07). These are statutory terms and conditions prescribed by Congress for the issuance of licenses. *United States* v. *Appalachian Power Company* (311 U. S. 377, 427). Petitioners have not shown that they are prejudiced thereby. The mere fact that the Commission may have looked beyond the record with respect to these findings does not invalidate its action. *United States* v. *Pierce Auto Lines, supra* (p. 530). See also, *Alabama G. S. R. Co.* v. *United States, supra* (p. 228).

In an attempt to show that the Commission findings are not supported by substantial evidence, petitioners say that the Commission compared the high dam "as federally designed for Federal construction" with "a fictional Federal 3-dam plan, as privately designed" (Pet. Br. 58). This is a mere play on words. Petitioners' real complaint is that the Commission refused to adopt for comparative purposes, designs for three concrete dams, together with the cost estimates therefor, as submitted by witnesses from the Bureau in lieu of the designs for rock-fill dams proposed by the Company and their lower cost estimates. Petitioners' position is that the comparison is invalid unless the dams at the three sites to be developed by the company are designed "to conform with Federal design and construction standards" (Pet. Br. 59), but petitioners fail to point out any evidence to indicate that there are any "Federal design and construction standards" which are uniformly accepted by Federal agencies. All that the record shows in this respect is that the Bureau witnesses designed the concrete dams in accordance with their understanding of Bureau of Reclamation standards, and even those standards are being revised continually (T. 13319, 13328, 13338, 13371).

Petitioners say that the company designs could not be accepted by the Bureau witnesses but Mr. Luis Puls, Head of the Concrete Dam Section of the Bureau of Reclamation, the engineer responsible for the design of the concrete dams in the Bureau's alternative plans, testified that he had not studied the company's designs for its three dams and he further testified that he had no opinion with respect to their design (T. 10391–10392). Mr. Fred Walker, Head of the Earth Dam Section of the Bureau, testified that the type of structure best suited to any given site is a matter of economics (T. 13371). There is no evidence which suggests that applicant's three rock-fill dams will not adequately perform the same functions as the dams designed by the Bureau. Petitioners fail to cite any authority requiring the Commission to approve only those dams which "conform with Federal design and construction standards" (whatever they may be) or any reason why the Commission should not approve the more economical rock-fill dams.

Finally, petitioners rely heavily on the fact that the Commission did not deal specifically with every finding of the presiding examiner in his initial decision (Pet. Br. 43–52). The most that petitioners are entitled to is a statement from the Commission on the material issues. This they received, and the Commission's order is not invalid because the Commission did not refer to the examiner in passing on such issues.

The examiner refused petitioners' request that the matter of development of the Hells Canyon reach of the Snake River be referred to Congress under section 7 (b). He concluded that the applicant's proposed Brownlee project is best adapted to a comprehensive plan for improving or developing that section of the river (T. 23169) and thereby rejected petitioners' contentions under section 10 (a) of the act. His reasons for rejecting the applications for license for the proposed Oxbow and low Hells Canyon projects was that the record does not show a market for more power than Brownlee could develop within the reasonably foreseeable future (T. 23169). He concluded, therefore, that section 13 of the act precluded the authorization of Oxbow and low Hells Canyon projects at that time. The Commission held to the contrary and gave its reasons therefore (T. 23572–73).

The other basic question on which the Commission disagreed with the examiner was whether, for comparative purposes, the economics of the power features of the high dam plan and those of the three-dam plan should be tested on the same basis of financing. The examiner concluded that such comparison was impossible (T. 23179–81). The Commission concluded that such comparison was not only possible but that it was proper in determining whether the power features of the 1-dam plan have an economic advantage over the 3-dam plan proposed by this applicant (T. 23567–69).

It goes without saying that the Commission was not required to discuss those matters wherein it was not in disagreement with the examiner, except to the extent that such discussion was otherwise material and necessary for a clear understanding of its decision. The line of cases cited by petitioners, with reference to the examiner's findings, relate principally to the credibility of witnesses. There is no such question in this proceeding.

It is difficult to see how the Commission could have "ignored" the Examiner's findings as contended by petitioners (Pet. Br. 44) in view of the fact that the Commission heard oral argument (T. 19259–19383) on exceptions to the examiner's decision including the exceptions thereto filed by petitioners (T. 23415–23501).

VI. There has been no lack of due process

Petitioners contend that they have been denied Constitutional due process (Pet. Br. 52–54, 57, 60, 63, 66, 68). The history of the proceedings before the Commission shows that any such argument is completely baseless.

Petitioners' contentions are fully answered in *National Labor Relations Board* v. *Mackay Co.* (304 U. S. 333), wherein the Supreme Court held (p. 351) that: "The fifth amendment guarantees no particular form of procedure; it protects substantial rights." Petitioners have not shown wherein any of their rights have not been protected. The underlying tenor of the cases cited by petitioners is pointedly expressed by the Supreme Court in *Wong Yang Sung* v. *McGrath* (339 U. S. 33, 50), wherein that Court said: "When the Constitution requires a hearing it requires a fair one * * *." It would be difficult to find a case in which a party has received more consideration than the petitioners have received in this proceeding.

Petitioners apparently lack an understanding of the principles set forth in the Commission opinion and findings when they complain (Pet. Br. 54–55) that the Commission failed to set forth its determination of certain defined factual issues such as the amount of power output attributable to each plan, capital and annual costs, unit costs of power output, unit values of power output, and benefit-cost ratios, expressed in numerical terms. Such alleged failure, say petitioners, violates Constitutional due process, section 1.30 (g) of the Commission's Rules (18 CFR 1.30 (g)) and section 8 (b) of the Administrative Procedure Act.[43] Section 1.30 (g) adds nothing to the requirements of section 8 (b) of the Administrative Procedure Act. We have shown throughout this brief that the Commission has made clear the factual bases on which it has proceeded and that its conclusions have a rational basis in those facts. Section 8 (b) of the Administrative Procedure Act does not require detailed findings on subsidiary issues. *Capital Transit Co.* v. *United States, supra; Coyle Lines* v. *United States, supra;* and *Luckenbach S. S. Co.* v. *United States, supra.*

The two principal factors entering into the estimates of power output attributable to either plan are the length of the critical period used and the method of computing the power output, such as (1) the nominal prime power method, (2) the prime energy method, (3) the dependable capacity-firm energy method, and (4) the allocated dependable capacity-average energy method. There were at least 5 witnesses who made estimates of power output and all 4 of these methods were used. These methods and the estimates of output under each method are set forth supra (pp. 8–9, 15).

There can be no doubt as to the critical periods used by the Commission. Although the record contains estimates of power output based on critical periods ranging from 7 months to 42 months the Commission said that the evidence shows that it would be reasonable to assume a critical period of from 23 to 34 months to reflect a 50-year average for computing the prime power output for each plan of development (T. 23565). In addition, the Commission said that the power costs and power values attributable to each plan and used for comparative purposes vary depending upon the assumptions made and method of evaluation used by the several witnesses who made economic studies. As stated in its opinion (T. 23568) the Commission considered the several methods and the comparative economic studies as presented in the record and as analyzed in the several briefs filed by the parties and based its conclusions as to the economics of the two plans upon the whole record. In utilizing such a method the Commission was exercising the discretion granted it to draw inferences or to reach conclusions on broad issues without specifically adopting any particular method or relying upon any particular witnesses.

The basic capital cost for the high Hells Canyon dam considered by the Commission was that presented in substantial detail by Messrs. Hoisington and Koessner of the Bureau. This is obvious from the Commission's opinion when it stated that the only estimate of the construction cost of the high Hells Canyon project available in the record was presented through witnesses from the Bureau (T. 23566). The Commission made it clear in its opinion that it had "accepted the staff's estimate of the capital cost of the proposed [three-dam] project." (T. 23574).

The Commission explained in detail the usual method of deriving annual costs, power costs and power values (T. 23567). The at-market unit value of power ($16.50 per kilowatt-year plus 3.64 mills per kilowatt-hour—see supra, p. 16) was the basic value of record used for the purpose of evaluating the power to be produced under assumed Federal financing. Petitioners do not question the validity of that unit value in their brief. The unit value is based on power from a combination of hydroelectric and thermal-electric sources (T. 16373–77).

The adjusted analyses of evidence of record as set forth in the staff brief which were utilized by the Commission did not constitute lack of due process as contended by the petitioners (Pet. Br. 63). The basic purpose of briefs is to assist the deciding tribunal in making its decision.

As explained in appendix D to this brief the purpose of the adjusted analyses referred to by petitioners were to place on a reasonably comparable basis the construction costs, including direct costs of the high Hells Canyon project and the three-dam project. This was done by utilizing the evidence of record which showed the content, types of items included, method of estimating, and the various contingency allowances, indirect costs and overheads used by each estimator.

The adjusted analyses considered by the Commission were merely analyses of evidence of record plus appropriate adjustments placing the construction costs and the resulting annual costs on a reasonably comparable basis for the purpose of ascertaining the comparative economics of the power features of the high Hells Canyon project and the three-dam project proposed by applicant. These adjusted analyses resulted in a more favorable evaluation of the high Hells Canyon project than did all of the studies or analyses made by all witnesses, except Mr. Riter. As is shown herein, supra (pp. 14, 18), the benefit-cost ratio of the power increment of the one-dam plan over the three-dam plan based on Messrs. Hoisington and Koessner's unadjusted cost estimates for the former and Mr. Froggatt's unadjusted costs for the latter would not exceed 0.66 whereas the average benefit-cost ratio is 1.068 under the several analyses using adjusted costs. It is obvious that petitioners were not prejudiced by such utilization of the record data.

In utilizing the adjusted analyses the Commission did not go outside the record, since all data utilized are from the record. However, assuming, arguendo, that the Commission did look beyond the record, its order is not invalid since petitioners were not substantially prejudiced thereby. *United States* v. *Pierce Auto Lines, supra* (p. 530). On the contrary petitioners were benefited since the economics of the high Hells Canyon project were improved by the adjusted analyses utilized by the Commission.

It is believed, that the discussion herein covers all of petitioners' contentions excepting two in the last paragraph of their brief (Pet. Br. 68). The first of these characterizes as "amendments" the revised exhibits filed September 12, 1955, pursuant to the requirements of article 29 of the license. It appears (Pet. Br. 67) that by the word "amendments," petitioners consider the revised exhibits to me "amended pleadings." Normally, pleadings are not amended after a final and reviewable order has been issued. In any event, respondent does not consider revised exhibits, filed pursuant to a condition in an order issuing a license, as being amended pleadings.

The other additional matter in the last paragraph of petitioners' brief, is the statement that: "When petitioners requested that they be accorded the first element of due process in the form of copies of the belated amendments, they were told in effect that such amendments were none of their business." In support of that statement petitioners refer to a similar self-serving statement (T. 23661–62) made by them in a petition which they filed with the Commission on December 5, 1955. The petition filed with the Commission contains no support for the above statement.

There is no basis for petitioners' statement quoted above, which at best implies that the revised exhibits were not available to them. The revised exhibits have been available for inspection and copying by the public since they were filed with the Commission on September 12, 1955 (18 CFR 1.36 (c)). Moreover, contrary to petitioners' further assertion (Pet. Br. 68), they were given notice of the filing of the revised exhibits as is shown by Appendix E–2 to this brief.

VII. Petitioners' motion was properly denied

On December 23, 1954, petitioners, as interveners below, filed a motion to dismiss the applications, as amended by the Idaho Power Co. At the time of the filing of the motion the hearing had concluded and the parties had filed briefs with the Commission. By its order issued January 6, 1955, the Commission deferred action on the motion pending consideration of the proceeding on the merits.

By its opinion and order issued August 4, 1955, the Commission issued a license authorizing the applicant to construct, maintain, and operate project works constituting the proposed three-dam plan. It follows, therefore, that the Commission action denying the motion to dismiss (T. 23575) was appropriate.

Petitioners contend (Pet. Br. 65) that "the denial of the motion was patent and arbitrary error." There is, of course, no merit to that contention. The mere issuance of the license was, in effect, a denial of the motion to dismiss and the only action the Commission could have taken was to deny the motion, as it did.

CONCLUSION

We respectfully submit that for the above reasons the Commission's orders should be affirmed.

Respectfully submitted.

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JOHN C. MASON,
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JOSEPH B. HOBBS,
Attorney,
Counsel for Respondent, Federal Power Commission.

APRIL 1956.

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[43] Section 1.30 (g) provides:

"All decisions shall include a statement of (1) findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and (2) the appropriate rule, order, sanction, relief, or denial thereof. There shall be stated all facts officially noticed pursuant to sec. 1.26, relied upon in the decision."

STATE-FEDERAL COOPERATION—THE KEY TO EFFICIENT HIGHWAY CONSTRUCTION

Mr. KUCHEL. Mr. President, I ask unanimous consent that I may speak for not more than 8 minutes.

The PRESIDING OFFICER. Without objection, the Senator from California may proceed.

Mr. KUCHEL. Mr. President, all of us who have been privileged to serve in the Congress this year, the Members of both Chambers and of both political parties, are justifiably proud of the highway legislation we enacted during this session, which President Eisenhower promptly approved.

A year ago I took the time of this body to voice a feeling of deep regret that the then pending highway bill had been caught in a snarl of selfish interests, conflicting philosophies, and parliamentary difficulties. Today I am both pleased and proud that I can point to the act which over the next 13 years will bolster the defense, strengthen the economic foundation, and meet the social needs of our Nation by bringing into being an interstate network of traffic arteries imaginatively designed and constructed to handle the tremendous volume of vehicles that are so vital to this country's prosperity, happiness, and security.

In expressing this satisfaction with one of the major accomplishments of the present session, I do not maintain that we found an ideal solution to our problem. There are unfortunately some deficiencies and defects in the program, but in the main, the Highway Act of 1956 is a material accomplishment.

As this Congress approaches final adjournment, I wish to stress once more the importance of full and earnest cooperation between the agencies of government—Federal, State, county, and local—which will be the key to successful attainment of the goal of an up-to-date adequate system of highways.

I believe I voice the feeling of all of my colleagues in this body that we want this program to be carried forward aggressively and speedily. I know that we in this Senate expect to vote the requisite funds in succeeding years, and I feel that we have a right to expect the administrative agencies to discharge their responsibilities without discrimination, without selfishness, without pettiness.

In this vein, Mr. President, I admonish both the States and the Federal authorities to work boldly, to consult and to deliberate amicably, to plan and to act in a truly partnership manner.

Our long record of constructive achievement with the Federal-aid highway system over the past decades was possible because each level of government respected the other's rights and obligations. In carrying out this new program, the most ambitious construction task ever conceived by any nation, let them beware and resist temptations to interfere in each other's affairs, let them constantly keep in the forefront of their minds the determination of the Congress that this tremendous expenditure shall be for the progress and the welfare of the whole American people.

In writing the Highway Act of 1954, this Congress authorized the largest peacetime public works program in our history, and we know that if properly carried out during the next 15 years, it will bring to the American people vast social and economic benefits for many generations to come. Urban areas, now strangled by traffic jams, will be served by free-flowing expressways. Farm-to-market roads will be improved. The ghastly toll of death and injury should be checked.

We know, too, that the rapid modernization of our inadequate roads and streets, especially those major arteries which connect centers of population and industry, is vital to future national security.

This great program was authorized by the Congress on a nonpartisan basis. That is the way it should be. That is the way the Federal-aid highway program always has been handled in this country, both in the enactment of public law and in its administration. And it has been conspicuously successful.

Beginning 40 years ago, and continuing without interruption to this very day, the Congress has insisted upon basic principles of Federal highway aid which safeguard its nonpartisan character, and which make the States full partners with the Federal Government in carrying out the program. The technical decisions on location, design, and construction of Federal-aid highways always have been entrusted, free from interference, to qualified technical agencies.

The 1956 Federal-Aid Highway Act was passed in the spirit of that tradition. It carries with it the unqualified intent of the Congress that the vast public works program we have authorized, will be administered on a nonpartisan and uniform basis, in genuine cooperation with the States. In the future, as in the past, the States will continue under this law to plan, design, and construct the roads.

Mr. President, nothing less than this will be tolerated. In today's motorized America, streets and highways serve all of the people, day and night. Their safety and efficiency are vital to the general welfare. We cannot permit waste of any kind, nor danger of waste, in the expenditure of the many billions of dollars which will be jointly invested by the Federal and State governments.

Most certainly the citizens of my own State of California will insist upon such a policy. California has supported consistently from the outset the concept of developing a national system of interstate highways. This has been true in spite of the fact that California contributes far more to the Federal Government in highway user revenues than the State receives back in Federal aid.

In accepting this condition, which is inherent in the Federal-aid highway program, California insists upon two things: First, that the facilities thus constructed be free roads, not subject to additional tolls; and second, that the funds contributed for highways be expended efficiently for that purpose, in accordance with national transportation needs, and uniformly among the States on an absolutely nonpartisan basis. This is not an unreasonable position for the people of California to take and I feel sure it is a position in which the people of our Nation concur.

I speak of these things today because it seems most timely to do so as plans are being made to gear up the administrative machinery to do the job.

We all recognize that the administrative problems posed by the expanded program are numerous and complex; the shortage of technical and engineering personnel, for example, and the difficulty of quick agreement upon sound procedures and standards.

With respect to standards, the 1956 act provides that geometric standards for the National System of Interstate and Defense Highways shall be adopted by the Secretary of Commerce in cooperation with the State highway departments.

In that section, as in so many others, the key word is cooperation.

I am glad to note that the highway officials of all States, and representatives of the Bureau of Public Roads, already have met to work out these standards. The results of their consultations will be far-reaching, since standards adequate to meet the anticipated traffic requirements of 1975 are essential on this system, in order to preserve the huge investment, and also to insure maximum safety for the driving public.

Other important measures necessary to administration of the program likewise should be undertaken in consultation with the States and in complete conformance with the sound principles established by the Congress in the first Federal-Aid Highway Act, and reaffirmed this year. Undoubtedly it will be necessary, for instance, to upgrade the Bureau of Public Roads, so as to equip it to deal efficiently with the expanded program. Other administrative changes may be in order.

As these things are done, the Congress must remain vigilant in its concern for this program. Mr. President, this important task must be carried out fully within the framework of the nonpartisan, Federal-State partnership which has made our highway program in the past an outstanding example of American democracy in action.

ADDRESS BY MRS. GENEVIEVE CLARK THOMSON, OF GAYLORD, VA.

Mr. BYRD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a very excellent address made by Mrs. Genevieve Clark Thomson, of Gaylord, Va.

Mrs. Thomson is the daughter of the late Speaker of the House of Representatives, Champ Clark, one of the greatest of Americans.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

I am going to talk about constitutional government in the United States and its alarming decline since 1932 with particular attention to States rights.

Since culture has been wisely defined as the essence of things we have known and

forgotten I shall largely be refreshing your memories about things you already know.

Britain's great Prime Minister Gladstone called our Contitution "the most wonderful work ever struck off at a given time by the brain and purpose of man."

It was indeed the first testament in world history dedicated to the premise that men are capable of governing themselves. It contained two novel features in government which were:

(1) A system of checks and balances as delicate as the mechanism of the finest watch between the three coordinate branches of the Federal Government on the one hand and between the Federal and State Governments on the other.

(2) Placing the source of ultimate power in its citizens.

Thus every American citizen is in reality a trustee for our great heritage which has provided greater freedom, well-being and security than any government in history.

This unique charter was not handed down complete on tablets of stone as the Ten Commandments were from Mt. Sinai.

It resulted from the long labors of wise and devoted men. Both in conception and execution Virginia bore a great share. Indeed it may be said that without Virginia there might well have been no constitution.

The 55 men who met in Philadelphia in May 1787 to draw up a constitution represented 12 of the 13 States. Rhode Island was not represented.

George Washington, attending at considerable personal sacrifice, was unanimously chosen president. And it is both quaint and touching that in accepting he apologized for his inexperience in such matters and hoped that he wouldn't make too many mistakes.

After 4 months of labor the convention presented the Constitution for adoption by the States. It was as we know it today but without amendments and it was signed by only 39 of the 55 delegates.

Virginia's delegates were John Blair, James McClurg, James Madison, George Mason, Edmund Randolph, George Wythe, George Washington.

Of these, only three signed the finished document though based on the Virginia plan, presented by Edmund Randolph but believed to have been largely Madison's work.

The fight for ratification began. And it was a fight. The small States ratified quickly but in the larger ones adoption barely squeaked through; Massachusetts by 19 votes, Virginia by 10, and New York by 3.

In Virginia, George Mason, Patrick Henry, and Richard Henry Lee opposed because the document contained no bill of rights. The fight was hard and close. The Winchester Advertiser carried on a great campaign for ratification while scrupulously giving the opposition arguments.

And it was the valley delegation voting solidly for ratification that won the victory in the Virginia convention.

We can take pride in the part played by valley men in that crucial time. And surely we of today have enough gumption to hold what their stouthearted courage and commonsense secured for us.

When the news of ratification reached Winchester there was a tremendous outburst of enthusiasm with a bonfire on Federal Hill followed by a mammoth banquet.

Virginians may be proud also that the first 10 amendments, known as the bill of rights, was largely the work of Virginians. Ideas furnished by Mason and Jefferson and pressed in the Senate by Richard Henry Lee went into effect in November 1791.

The bill of rights guarantees against undue and illegal encroachment by government upon the individual and has been called "one of the noblest and most massive achievements of the American democracy."

The doctrine of States rights is based on the 10th amendment, the supposed work of Richard Henry Lee. It reads—

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States are reserved to the States respectively, or to the people."

This is perfectly clear. The powers not enumerated as belonging to the Federal Government were retained by the States.

Yet today, as William Henry Chamberlain observes in the Wall Street Journal in an article entitled "The Shrinking States," and I quote, "The Supreme Court in some of its most recent rulings is standing the 10th amendment on its head."

There are two widely circulated fallacies regarding States rights which I should like to lay at rest.

(1) That it is a sectional doctrine held exclusively by the Southern States. This is not true. The principal of dual sovereignty was accepted by all the States and has nowhere been more vigorously asserted than by Pennsylvania and New England.

The Republican platform of 1860 on which Lincoln was elected President contained this plank:

"The maintenance inviolate of the rights of the States, especially the right of each State to order and control its own domestic institutions, according to its own judgment exclusively is essential to that balance of power on which the perfection and endurance of our political fabric depends."

I have never heard States rights better defined.

The second fallacy is that the Civil War ended the principle of States rights. It did nothing of the sort. It decided one thing, and one only, namely, the indissolubility of the Union.

For 144 years the United States functioned under its system of checks and balances between the 3 branches of the Federal Government and between the Federal and State governments.

But since 1932 we, the trustees, have suffered much violence to be done to constitutional government in the United States.

It is ironical that this violence, this usurpation of power by the Federal Government has been accomplished largely under administrations of the Democratic Party whose founder, Thomas Jefferson, both feared and fought a too strong central government.

Depression, wars, hot and cold, years of government by crisis were the circumstances in which these changes were wrought in our governmental fabric. By some they are termed extenuating. But to me no circumstance is extenuating which breaches constitutional government in this Nation.

All three branches of the Federal Government have had a hand in this usurpation. But as a child of the legislative branch, I think Congress least guilty possibly because it is closer to the people and must answer to them most frequently.

The most grievous offender today is the Supreme Court, which by a series of rulings of strained legality and bewildering contradictions, has aroused all of the States and most of the Territories, some by one ruling, some by another, and by its encroachments on the legislative branch it has so irritated the lawmakers that there are now pending in Congress 70 bills designed to curb the Court.

This is no new story. It is a new chapter in an old one. The South has been irked by the segregation decision. But tragic as is the dilemma posed for both white and Negro citizens by this ruling the emotion engendered has obscured the transcendent issue, namely, shall the Supreme Court be allowed to dominate the Nation, the Constitution to the contrary notwithstanding?

Concerning this Jefferson said "To consider the Judges as the ultimate arbiters of all constitutional questions would place us under the despotism of an oligarchy."

Let us look briefly at the history of this august tribunal. First let me say that every American should, and I think does, have as great respect for the Supreme Court as an institution as they have for the office of President and the institution of our national legislature. But there is nothing sacrosanct about either the Court or its occupants.

In the beginning the Supreme Court was small potatoes. As Dr. Bates, one of its most interesting biographers observes "it was by no means the favorite child of the Constitution." If the order in which they were placed and the space given each is an indication of their relative importance to the Founding Fathers, article I, creating the legislative branch contains 303 lines; article 2, dealing with the executive, 127 lines; article 3, dealing with the judiciary, 51 lines.

Moreover, these 51 lines were pretty sketchy and with scant direction authorize Congress to set up a judicial system. The present eminent position of the Supreme Court results from a century and a half of struggle with the other two branches of the Federal Government and with the States.

What most people forget is that regarding the Federal judiciary system Congress is like the Lord. What it has given it can take away. Having, as directed by the Constitution, set up a judiciary system it can alter it in any particular or completely reorganize it so long as it conforms to the meager specifications set forth by the Constitution. Even these could be changed by constitutional amendment.

First organized February 1, 1790, in the old Royal Exchange in New York, only 3 of the 5 judges troubled to appear. Not one case came before them in 2 years. John Jay of New York, the first Chief Justice, refused to continue for reasons which today must cause a smile. In effect, he said that the Court lacked public confidence and respect and he saw no hope of building it into real importance.

Evidently Jay's estimate of the Court's importance was shared by the planners of Washington. For when the Government moved to its new seat in 1800 there was the White House for the President, the Capitol for the Congress, but no provision whatsoever for housing the Supreme Court.

By courtesy of the Senate it was permitted to use one of its vacant committee rooms. In this unimpressive chamber, 30 by 24 feet, was sworn in its fourth Chief Justice, the man who breathed the breath of life into the Supreme Court, John Marshall.

Appointed Chief Justice while Secretary of State he actually, for a short time, filled both offices simultaneously—the only such occurrence in our history.

But for all practical purposes his long and distinguished occupancy of the Chief Justiceship began with the Presidency of Thomas Jefferson.

These two remarkable men, giants by any historical standard, were both Virginians. They were also cousins. But they detested each other both personnally and politically.

Marshall was a thoroughgoing nationalist while Jefferson was the great apostle of local self-government of which States rights is the chief cornerstone.

With Jefferson as President and Marshall as Chief Justice there began a struggle between the Court and the other two coordinate branches which has continued intermittently to this day. The battle between the Jefferson administration and the Marshall court was memorable.

During this tussle Congress actually suspended the operation of the Court for 14 months. But during that period also John Marshall made an otherwise insignificant case (*Marbury v. Madison*) the most important decision in the Court's history by claiming the Court's right to pass on the constitutionality of acts of Congress.

The Constitution gives the Court no such power. It does not even specify that its members must be lawyers. And some of them have been pretty poor ones.

Congress itself had, in the Judiciary Act of 1789, given the Court the power of Judicial Review as Dr. Bates says "as a birthday gift," thus making ours the only Government in the world, democratic or otherwise, in which the judicial has a veto over the legislative branch.

Just why Congress gave the Court this veto power thereby creating as some constitutional authorities say "a negative third chamber" is a puzzle. It is even more puzzling why in its many and sometimes bitter engagements with the Court it has not rescinded it.

The reason may be that after Marshall claimed judicial review the Court made no use of the power for 50 years.

I wish that time permitted me to give a blow-by-blow account of the running fight between the Supreme Court and the other two coordinate branches and between the Court and the States. It is a fascinating story.

Suffice it to say that the Court's two strongest Presidential opponents were Thomas Jefferson and Andrew Jackson. Jackson in his ringing message vetoing the bank bill completely flouted Marshall's famous decision in *McCulloch* v. *Maryland* and declared that the President and Congress sworn on their own oaths had the authority to determine the constitutionality of a law.

This is significant because Jackson's veto message became an outstanding issue in the presidential campaign of 1832. Thus was the question taken directly to the people, the source of ultimate power. Their answer, too, thunders down the corridors of history in Jackson's triumphant reelection.

Among the States there have been some hardy fighters also, the doughtiest Georgia which Marshall's admiring biographer Beveridge admits was completely victorious in its long drawn out and bitter altercation with the Court. Either jointly or severally most of the States have at one time or another entered the fray, action depending a good deal on which State is gored.

No criticism has been more caustic than that of Virginia through its Chief Justice Spencer Roane supported by ex-presidents Jefferson and Madison. Indeed not long before his death Jefferson proposed that the tenure of Supreme Court Justices be (by constitutional amendment) limited to 6 years without reappointment except by agreement of both Houses of Congress. In fact all the measures now advocated for curbing the Court have been advanced before and some have actually passed one or the other House of Congress.

Perhaps the most enlightening remark ever made about the Court was that of the humorous character Mr. Dooley. "The Supreme Court follows the election returns," another way of saying that the Court is not oblivious to public opinion.

Nor has the Court always been wrong. On balance it has been a great bulwark safeguarding our free institutions. And when it has gone off on these extra judicial tangents its own dissenting members have been among its severest critics.

It was not wrong in its titanic duel with the President in 1937. Mr. Roosevelt, irked by the Court's invalidation of some of his pet New Deal projects, such as the unlamented NRA, proposed his famous or infamous Court packing plan. Although dressed up in pretty words and supported by specious reasoning, its real intent was to permit Mr. Roosevelt to dominate the Court by the appointment of additional justices.

An uproar arose first in Congress and then in the country. There was a long and bitter fight. But when the dust settled it was found that despite Mr. Roosevelt's great popularity, then at its height, Congress, backed by the people, had laid his Court packing plan by the heels.

The Court has now entered a new phase. It not only interprets laws; it makes them. In doing both it uses as a yardstick in many instances not the Constitution, but the social philosophy of the judges. This is a practice against whose danger and impropriety the Court was repeatedly warned by one of the greatest judges who ever sat on the bench, Justice Holmes.

Briefly here is some of its recent handiwork.

The segregation decision concerning which Harbison and Kelly in their authoritative work the American Constitution say, and I quote, "Chief Justice Warren's opinion was remarkable for its avoidance of both legal and historical complexities." A nice way of saying that both law and history were ignored. Again Harbison and Kelly say, "In a very real sense Warren's opinion amounted to a piece of judicial legislation." Actually it was a piece of social legislation based on sociology—not law.

The Chief Justice in support of this remarkable opinion said, "See Myrdal." Like former Supreme Court Justice Byrnes who, writing in U. S. News & World Report made the most cogent and forceful argument that has been made for curbing the Court, I have seen Myrdal. And who is Myrdal? He is a Swedish professor of sociology who on page 13 of his book writes that the Constitution of the United States is "impractical and unsuited to modern conditions" and its adoption was "nearly a plot against the common people."

As a simple citizen I marvel that such a character should be cited as an authority in an opinion by the Chief Justice of the United States. Possibly Mr. Warren didn't himself see Myrdal in full.

The natural-gas decision was clearly an invasion of the rights of the States involved as was the ruling that a State does not control waterways flowing exclusively within its borders. In the Lochnower case New York was told that it could not dismiss a Brooklyn professor who took the fifth amendment before a Senate committee.

Then there is Steve Nelson, a dangerous Communist agitator long wanted by Federal authorities. He was apprehended by Pennsylvania and there tried under the Pennsylvania sedition law. His case finally reached the Supreme Court where the attorney general of Pennsylvania supported by 27 other State attorneys general and the Department of Justice argued Pennsylvania's case.

However the majority opinion held that in the Smith antisedition law the intent of Congress was to make sedition exclusively a Federal matter, thereby voiding antisedition laws in 42 States and 2 Territories; in other words it ruled that a State is powerless to put down sedition within its own boundaries.

This despite the fact that Congressman SMITH of Virginia, author of the act, disavowed any such intention, and the further fact that the act itself was incorporated in a section of the United States Code which states that nothing contained therein precludes State action.

This decision from which three justices strongly dissented aroused both Congress and the States. Congressman SMITH has a bill pending which says specifically that nothing in the national sedition act precludes action in the same field by the States. Senator BYRD and 11 other Senators are sponsoring a bill which states that unless it specifically say so no congressional act shall be construed by the Court as precluding action by the States. Congress must be astonished at times to learn from the Court what its intent really was.

The Association of Attorneys General is up in arms and the attorneys general of Massachusetts and New Hampshire have appeared before a Senate committee to protest against—of all things—the invasion of States rights.

By its decision that the national Railroad Labor Act overrode State right-to-work laws in the case of railroad employees it sent a chill over a number of States which have right-to-work laws. Virginia has such a law—I believe the first in the country. It holds that a person does not have to belong to a union to hold a job.

These and other decisions have fallen heavily on the States.

But in one of its latest and most extraordinary decisions the Court turned its attention to the President and Congress. It ruled that under the National Security Act of 1950 the President's Executive orders authorizing the dismissal of Government employees on grounds of disloyalty are invalid except for persons in sensitive positions. Nor did the Court define "sensitive position."

In dissenting, three judges said that the majority opinion, and I quote, "had stricken down the most effective weapon against subversive activity available to the Government."

Congress will surely deal with this one before it adjourns.

There is more, much more, but time moves on.

I would like to leave two thoughts with you.

First, that in a nutshell States rights means a belief that Winchester citizens are more competent to choose their city government than to have it governed by a bureau in Washington; that Frederick County can attend to its affairs better and that State affairs can be better handled at Richmond by Virginia, as a sovereign State, than as a political subdivision of some Federal bureau.

The second thought that I would leave with you is that our Nation is no stronger than its citizens. American citizenship carries with it obligations as well as blessings.

In accepting our blessings let us each be mindful of his own personal obligation in order that we may pass on unimpaired to Americans who follow us the legacy of freedom which we inherited from those who have gone before.

THE VICE PRESIDENT'S TRIP AROUND THE WORLD

Mr. GOLDWATER. Mr. President, the Vice President and his charming wife have just returned from a trip around the world. Even though it was a hurried journey, Mr. NIXON's warmhearted diplomacy has again paid off for the United States. His contributions to the office of Vice President are being recognized by the press of the Nation in increasing quantity. So that my colleagues may share the opinions of the various editors and writers, I ask unanimous consent that several excerpts and editorials be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Vice President NIXON is the best ambassador we've sent to foreign lands in this generation. His sole mission is to make friends and explain the American viewpoint. His July 4 speech on the 10th anniversary of the Philippines' independence was a masterpiece. (John O'Donnell, New York Daily News, July 6.)

Mr. NIXON is young, but his behavior has been mature. President Eisenhower gave him larger responsibilities than had ever been placed in the past on the Vice President, and he discharged them faithfully and well. (Chicago Tribune, July 6.)

Vice President NIXON likes to travel and has done a fine job representing the United States abroad. (Columnist Drew Pearson, July 5.)

During his 3½ years as Vice President, Mr. NIXON has been called upon to handle a

great variety of important assignments. * * * The Vice President's successful execution of these assignments has made a major contribution to the success of the Eisenhower administration. (San Diego Union, June 24.)

[From the New York News of July 6, 1956]

NIXON TO THE NEUTRALS—VICE PRESIDENT SPEAKS AT MANILA

Vice President RICHARD M. NIXON's July 4 speech in Manila, we think, contained a string of the right remarks made in the right place at the right time.

It was a friendly but firm warning to nations which fancy themselves as neutrals in the cold war, and think they can outsmart Communists.

The really cruel colonialist power, said NIXON, is Soviet Russia, which "has enslaved over a dozen nations" and "not only captured their bodies but tried to dominate their minds and kill their souls."

The United States, the Vice President pointed out, respects every nation's right to choose its own kind of government and its own friends. But it has no use for people who say they see no moral difference between communism and communism's enemies. Communism is completely immoral, and Communists become "cold and calculating masters" the moment they latch onto a country.

Consequently, a small or weak nation that tries to go it alone is in peril of winding up as a captive of the Kremlin.

All of which we hope was read and pondered all over that part of the world, from Indonesia and Cambodia around to India and Egypt. Leaders of those nations would be smart to take these tips from NIXON very seriously.

[From the New York Journal-American of July 10, 1956]

SEATING RED CHINA IN U. N.: NIXON PULLS NO PUNCHES

(By George Rothwell Brown)

WASHINGTON.—Vice President RICHARD NIXON has again confounded his bitter critics in the opposition, and his lukewarm friends within his own party, by scoring another series of diplomatic successes on his latest dramatic flight around the world.

By far his most notable achievement on this trip, and one with direct political effect upon the 1956 presidential campaign, scotches on the eve of the elections the persistent rumors that have been in circulation for months past, that in the Eisenhower second term Red China would be admitted to membership in the United Nations.

This is chiefly serving blunt notice on the British Government that the United States, so long as President Eisenhower is at the head of it, will not betray Nationalist China, by imitating the British example in giving recognition to the Peiping government.

Thus the statement the Vice President made after a long discussion in Taipei with Chiang Kai-shek clarifies the Chinese situation and foreshadows the adoption of a plank in the San Francisco platform pledging the Republican Party to resist the seating of Communist China in the U. N.

This should end, once for all, the insidious plot that has been long in the works, to throw Nationalist China out of the Security Council of the U. N., as soon as the American elections of 1956 were out of the way.

That Mr. NIXON spoke while in Formosa with the full knowledge and approval of the President is obvious.

His forthright statement means that the administration will not adopt the Dean Acheson policy enunciated by him when he permitted it to become known that the United States would not use its veto power in the Security Council, where Nationalist China also has that power.

It also means that this Government will not be a party to the pro-Communist scheme of transferring the question of the admission of Red China, as a substitute for Nationalist China, to the U. N. General Assembly, where that plan might be accomplished by a majority vote of the 60 member nations, under certain tricky interpretations of article 18, of the U. N. Charter.

The probability of the Republican National Convention at San Francisco backing up Vice President NIXON's assurance that President Eisenhower is still firmly opposed to the recognition of Red China, and to giving it a seat in the U. N., poses a problem for the earlier Democratic National Convention platform builders at Chicago.

By adopting a strong anti-Red China plank the Democratic Party could eliminate this question as an issue in this year's presidential campaign.

[From the San Diego Union of July 11, 1956]

VOICE OF REALITY

In the forceful voice of Vice President NIXON America is saying some things that need to be said to the people of Asia. He has warned Asia's neutrals that to walk with communism is to walk in the lockstep of slaves.

Mr. NIXON told the independent Asian nations that the colonialism they have discarded can be replaced by Communist colonialism which will "dominate their minds and kill their souls." Bluntly and realistically he warned that any country accepting Communist economic aid risks becoming a Red satellite economically, politically, and militarily.

Anti-Communist riots in Poznan, Poland, and the squabbling by the Kremlin leaders over the downgrading of Stalin have lulled the West into thinking it had won a victory over communism. It has not. The Reds have taken advantage of the diversion n Europe to intensify their imperialistic march in the Orient.

Independent Asia, with the exception of the Philippines, Thailand, and Free Vietnam, has gone to sleep. It slumbers on while Communists make gains in Laos and Cambodia. It sleeps while Red Vietnam organizes to enslave Free Vietnam and all of Indochina. Unless the voices of reality intrude, the sleepers will be lost to the free world.

Mr. NIXON, with President Eisenhower's backing, has been such a voice of reality.

[From the New York News of July 10, 1956]

GOOD WORK, MR. VEEP

Vice President RICHARD M. NIXON has done some excellent work, we think, on his whirlwind Far East trip.

On Formosa, Mr. NIXON handed Generalissimo Chiang Kai-shek a personal letter from President Eisenhower, assuring Chiang that this Government has no intention of selling him down the river to the Chinese Reds, or anybody else.

As a good will ambassador and distributor of anti-Moscow warnings where they are most needed, NIXON looks awfully good to us. Nor is that the only way in which NIXON looks good to us.

CONTRIBUTIONS TO NATIONAL HELLS CANYON ASSOCIATION—CORRECTION OF THE RECORD

Mr. GOLDWATER. Mr. President, on Friday, July 6, I placed in the RECORD a table which appears on pages 11928 and 11929, in which the Tennessee Valley Authority is shown as having contributed $1,000 to the National Hells Canyon Association.

On Monday, July 9, the distinguished junior Senator from Tennessee [Mr. GORE] called my attention to what he convinced me was an error. Accordingly, I wrote to the head of the Tennessee Valley Authority and received from him a letter together with copies of correspondence he had had with the source of this information in Oregon.

I therefore ask unanimous consent that these communications be printed at this point in my remarks; and also I ask unanimous consent that the permanent RECORD be corrected so as not to show the Tennessee Valley Authority as having contributed $1,000, but rather the Tennessee Valley Power Association, which is a completely different and unrelated organization.

The PRESIDING OFFICER. Without objection, the material will be printed in the RECORD; and without objection the RECORD will be corrected as requested.

The correspondence referred to is as follows:

TENNESSEE VALLEY AUTHORITY,
Knoxville, Tenn., July 11, 1956.

The Honorable BARRY M. GOLDWATER,
The United States Senate,
Washington, D. C.

DEAR SENATOR GOLDWATER: I had just written a letter to you on the subject of your statement in the CONGRESSIONAL RECORD, July 6, 1956, pages 11928 and 11929, regarding contributions to the National Hells Canyon Association when your letter of July 9 came to my desk.

I am glad to advise you that TVA has made no contribution of $1,000 or any other amount to the National Hells Canyon Association. The question of such a contribution was raised during a House subcommittee hearing on March 1, 1956, on the second supplemental appropriation bill, 1956, and we were asked by the House subcommittee to check into the matter. We did so and, as we later advised the subcommittee, found that TVA had been erroneously included in a list of contributors to the association circulated originally by the Oregon State Federation of Labor.

I am enclosing copy of a letter to the Honorable CLARENCE CANNON on this subject, dated March 7, 1956, also copies of telegrams indicating the source of the error. I need hardly tell you that there is no relationship between the Tennessee Valley Power Association, which is a private organization, and the Tennessee Valley Authority, a Government agency. It is easy to see, too, how the misunderstanding arose.

Thank you very much for your further inquiry into this matter.

Sincerely yours,

HERBERT D. VOGEL,
Chairman of the Board.

TENNESSEE VALLEY AUTHORITY,
Knoxville, Tenn., March 7, 1956.

The Honorable CLARENCE CANNON,
Chairman, Committee on Appropriations, House of Representatives,
Washington, D. C.

DEAR MR. CANNON: In the hearing on March 1, 1956, on the TVA supplemental appropriation for 1956, we were requested to check into a letter circulated by the Oregon State Federation of Labor which listed TVA as having made a $1,000 contribution to a fund to promote public power in the Northwest. We were further requested to report our findings to the committee.

We have searched our records back to 1952 and I am pleased to report that no such contribution has been made by this agency. We have also communicated with the Oregon State Federation of Labor and have been informed by that organization that the listing of TVA as a contributor was in error.

Very truly yours,

HERBERT D. VOGEL,
Chairman of the Board.

PORTLAND, OREG., *March 6, 1956.*

AUBREY J. WAGNER,
General Manager, Tennessee Valley Authority, Knoxville, Tenn.:

TVA did not contribute to National Hells Canyon Association. Tennessee Valley Power Association, through J. Wiley Bowers, did, however. We circulated list of contributors obtained but now notice error was made in compiling. Exceedingly regret this error.

J. T. MARR,
Executive Secretary, Oregon State Federation of Labor.

KNOXVILLE, TENN., *March 6, 1956.*

OREGON STATE FEDERATION OF LABOR,
Portland, Oreg.:

A letter by the Oregon State Federation of Labor dated August 24, 1955, has been quoted as listing the Tennessee Valley Authority as having contributed $1,000 to a fund to promote public power in the Northwest. This is clearly in error. Since if true this statement would involve misuse of TVA funds would appreciate wire correcting this error.

AUBREY J. WAGNER,
General Manager.

PROPOSED HELLS CANYON DAM

Mr. GOLDWATER. Mr. President, I rise in opposition to S. 1333, a bill which will be under consideration later this week. I apologize for making this speech today. I would rather have made it during the debate on the bill, but because of the limitation of the time for debate, I shall be unable to do so.

Had this proposed legislation been allowed to proceed through the ordinary and customary legislative channels, it would never have been on this calendar. The full committee that was asked to pass final judgment on the bill last year, after reviewing all of the testimony and argument pro and con, voted against reporting it to the Senate. This year, however, the Democratic National Chairman, Mr. Paul Butler, declared in a letter to the leaders of both Houses that this was a "must" piece of legislation in order to enhance the chances of reelection of one of our colleagues. I may be naive in my inexperience in this body, but I do not believe it has ever come to my attention before that a chairman of one of the two major political parties exerted such power over the leadership in the Congress that they are willing to go around the customary procedures in order to satisfy Mr. Butler's desires. Certainly the Constitution does not prescribe that this power should exist, and I do not believe the people of the United States are particularly pleased with the idea that such control is in effect.

The committee of Congress which was charged with the responsibility of listening to the testimony and passing on the merits or demerits of it refused to report the bill. The fact that the committee membership was changed is not of extreme importance and is not deserving of mention at this time, for the change was probably a natural one, occasioned by the untimely death of two of our beloved colleagues. But to barter one piece of legislation against another, with the suggestion that one, a highly desirable and long-needed act, might not be favorably looked upon if this particular bill, S. 1333, were not reported, is a maneuver that smacks of 6-gun technique and is not, in my opinion, in conformity with the best standards of the Senate. Our distinguished majority leader has termed it legislation from the heart. I agree with the heart part of it. It would put a knife right through the heart of our private enterprise system. I am amazed that this body of lawmakers should even entertain proposed legislation having the far-reaching implications of the bill before us. Frankly, I am somewhat astounded when I look over some of the names of the distinguished Senators who sponsored it.

We are considering a development which private industry is not only willing and able to build, but is actually well in the process of building, and we are standing on the floor of the Senate debating whether we should take it away from private enterprise and build a monument to Federal fiscal folly. It is a development which the Federal Power Commission, a nonpartisan Federal agency, well staffed with career technicians, after 12 months of public hearings and 20,000 pages of testimony, unanimously decided should be built by the Idaho Power Co.

The Federal Power Commission was brought into being by Congress to make just such determinations. Not only that, but the act plainly states in section 28 of part I that a license granted by the Commission cannot be altered, amended, or revoked after it has once been issued without the mutual consent of the parties thereto.

The utilities rely on these licenses in planning their future requirements and financing such undertakings. Now we are debating whether we should pass legislation which will tell the utilities that a Federal license is not worth the paper it is written on. This is something in which all of us should be interested. If a Federal license authorizing a power development is no good, what value has any Federal license? What value have radio, television, oil leases, and any other free enterprise undertakings which are under Federal regulation? Passage of this proposed legislation would mean the beginning of the downfall of all Federal regulation.

Of course, it will not happen, at least not during this session of Congress, but I should like to suggest that there come before the Senate a bill to authorize the nationalization of all the electric power industry of the United States. Then we could have a yea-and-nay vote and see who stands for what. There is not a Member of the Senate who does not profess to stand for free enterprise, but there are entirely too many Members of the Senate who cast votes at every opportunity for proposed legislation which, if enacted into law, would gradually destroy free enterprise. Many Members of this body, Mr. President, have voted in favor of every public power bill which has come before the Senate, and sponsored or supported many other bills which have never gotten past a committee assignment. Many of those Members are sponsors of the bill now before the Senate. Let me tell my friends who continually support Federal power legislation that they can destroy our free enterprise system bit by bit just as surely as they can in one overall action. The only difference is the timing. The bit-by-bit method is just as sure, but it takes a little longer.

In the early thirties only seven-tenths of 1 percent of the electric power in the United States was produced by the Federal Government. In 1953, 12.4 percent of it was produced by the Government. Presently authorized developments would increase the Federal power production by an additional 24,557,000 kilowatts, or 20 percent of the present total capacity. During this period, 190 electric companies have been taken over in whole or in part by some form of Government ownership. This is all a direct result of the Federal Government's activities in the field of electric power. In other words, for the past several years we have been chiseling away at our private-enterprise system bit by bit under the guise of flood control, navigation, and so forth. Now the public-power advocates are getting bolder. They want the Federal Government to spend tax funds to build an all-out hydroelectric power project—one that could not by the farthest stretch of the imagination be justified under flood control, navigation, or irrigation; a project already authorized by a Government agency for private development; a development well under construction by that private company; a project that could not get the authorization of the Congress during the heyday of the New Deal-Fair Deal.

What kind of politics are we playing, Mr. President? I do not have to think back very far to remember when a great deal of to-do was made over a $2,500 campaign contribution—in fact, so much to-do that this body created a special committee of four distinguished Senators to make an investigation of the affair. But we have quit playing with marbles now. We are playing with hundreds of millions of dollars which are squeezed out of the taxpayers—my constituents and yours. Bringing this bill up for consideration is politics in its rawest form, and nothing else. I am a Republican, but I would condemn my own party for such tactics just as I am now condemning some members of the other party. When we sink to such a low in this country that we have to resort to squandering tax funds to try to win elections, we are in a sad plight.

The taxpayers rely upon us, the elected representatives, to protect their interests, and it is certainly not to their interest to spend tax dollars to buy elections. We are not going to betray that solemn trust, Mr. President. Thank God, there are enough statesmen on both sides of the aisle to stop this scandalous waste of public money.

I have in my hand, Mr. President, a tabulation showing what this boondoggle would cost each State. I also

hold in my hand a copy of the bill we are considering, with a list of its sponsors. Some of the names on this list are a mystery to me.

Any Senator has a perfect right to, and should, sponsor and support any proposed legislation which he believes to be to the national interest. But what national interest is involved in subsidizing the electric bills of some power consumers in Idaho?

I notice that the distinguished senior Senator from Illinois [Mr. DOUGLAS], a noted economist, is one of the sponsors. It is hard to reconcile his position on this bill with the fact that time and again on this very floor I have heard him offer amendments to cut appropriations for projects which had some merit. I am sure the Senator was sincere in his efforts to save the taxpayers' money on these other appropriations, so why does he now propose spending more than $38½ million of Illinois money to subsidize some power bills for people in the Pacific Northwest? Illinois people get their power from private industry; they are not asking anyone else to help pay their power bills. Are the people of Illinois that interested in electing or defeating some candidates for public office?

Another sponsor of the bill is the distinguished junior Senator from Michigan [Mr. MCNAMARA], who is now occupying the chair. The people of Michigan finance their own utilities through private industry, and their power bills include 25 percent for taxes. But their junior Senator is willing to tax his constituents to the tune of almost $29 million to furnish some tax-free power to people in the Far West.

I am not surprised to note that the distinguished and generous junior Senator from New York [Mr. LEHMAN] is a sponsor. He has been supporting legislation for years to give his taxpayers' money to other sections of the country to build their TVA's, Bonnevilles, and so forth; so another 76 million New York State dollars for Idaho does not mean much to the wealthy State he, in part, represents. It is a heavily industrialized State, so I am sure it can afford to spend its tax dollars to subsidize power in other areas so as to strengthen the position of the poorer areas in competing for some of New York's industries.

Both of the distinguished Senators from Oklahoma favor the pending proposed legislation, but it will only cost that wealthy oil State $5 million, and I am sure that is peanuts to them; but $5 million of tax funds still is not hay in Arizona.

In going over the list of sponsors, Mr. President, I do not think I should leave out the distinguished senior Senator from West Virginia [Mr. NEELY]. The economy of his State depends largely upon the coal industry, and that industry is sick. We hear a great deal of talk about limiting oil imports because of the effect of foreign oil upon our American coal industry. I might suggest to my friend from West Virginia that cheap oil is necessary if private industry is forced to compete with tax free subsidized Federal power.

Here is West Virginia sitting on top of the finest coal fields in the world. It should have an advantage over almost any State in producing cheap power. It should be in a very good competitive position for industries. But is it using that competitive advantage to increase its industrial strength? No, Mr. President; its senior distinguished representative in this body supports subsidized Federal hydroelectric power so that industries which might otherwise settle in this State are attracted to the cheap Federal power areas.

I might suggest to my friends who are supporting a Federal development at Hells Canyon that the tax dollars they are so willing to send from their States to help pay the electric power bills for some Idaho folks would build a lot of roads, schools, hospitals, and other needed additions in their own States.

In most of the States represented by sponsors of this proposed legislation the people finance their own power requirements through private industry, and pay their fair share of taxes in their power bills. But that does not satisfy some of my colleagues from other States, they want a benevolent Federal Government to use their constituents' taxes to do a job in Idaho which the Idaho people are willing to do for themselves.

I want to make it crystal clear, Mr. President, that no Member of the Senate is a stronger advocate of irrigation, reclamation, flood control, and other beneficial conservation uses of land and water resources than the junior Senator from Arizona, and the record will bear out that statement. If irrigation is needed for the economic growth of any area, I will support it. If flood control is needed, I will support that, too, although I believe that those benefited should bear a part of the cost. If hydroelectric power can be developed economically and sold to help defray the costs of irrigation and flood control, I will support that. And if there was—but there is not—an area in the United States that needed electric power, and private industry was unable or unwilling to supply it, I would favor the Federal Government going to the assistance of that area.

But in the legislation pending before the Senate, Mr. President, we have no irrigation, we have no navigation benefits, and we do not have enough additional flood-control benefits even to discuss. We have an all-out Federal hydroelectric power project—nothing more, nothing less. The Idaho people do not need the taxpayers from other States to help them build their power requirements or help pay their power bills. They are taking care of their own requirements and building these dams now with private enterprise dollars, not tax funds; yet here we are talking about stopping them and letting Uncle Sam do it for them.

Mr. President, in all my experience I have never encountered so many misstatements of fact as have been made, and so much misleading propaganda as has been put out on the Hells Canyon Dam issue. But we are going to clear up this fog of propaganda and look at the facts.

The most misleading statement we hear—and I am being very kind when I call it only misleading—is the comparison of the amount of power between the two methods of development. In speeches and in print, some of the most vociferous proponents of a Federal development charge that Idaho Power Co. is developing only one-half of the power potential of this site. They conclude, therefore, that the Government is giving away half of the power potential of the best remaining power site in the country.

When they get down to quoting figures to try to prove this erroneous claim, they go back to the hearings held before the Federal Power Commission and drag out some figures which purport to show that the Federal high dam would produce 924,000 kilowatts and the three company dams would produce only 505,000 kilowatts. That is just about like saying that John Jones' orchard produces 20 tons of grapefruit per acre a year because it produced that much one year when weather conditions were perfect, and that Bill Williams' orchard produces only 10 tons per acre a year because that is what it produced the year of the big freeze.

This comparison appeared in a statement, obviously prepared by Government dam advocates, which the senior Senator from Washington [Mr. MAGNUSON] had printed in the CONGRESSIONAL RECORD, volume 101, part 6, page 7523. The same comparison appears in another statement, the authorship of which was not disclosed, inserted in the CONGRESSIONAL RECORD by the senior Senator from Oregon, on June 13, 1956, at page 10211.

As the installed capacity of the Federal dam is to be only 800,000 kilowatts, any statement that its power output would be 924,000 kilowatts obviously bears looking into.

Both figures—924,000 kilowatts for the single dam, and 505,000 kilowatts for the 3 dams—are referred to in the tentative decision of the Federal Power Commission hearing examiner. The examiner, however, made no such comparison. He made it very clear that these two figures represent two entirely different things, which are in no way comparable. The 924,000-kilowatt figure for the high dam represents not only the power output at the single dam itself, but also power assumed to be produced at downstream plants, and "allocated" to the Federal Hells Canyon as a result of the release of its water held in storage. In the second place, the 924,000-kilowatt figure for the single dam is based on so-called nominal prime power, which assumes conditions of most favorable river flow. This power is not firm, Mr. President; it is not dependable. It is power that might be there in some years, and will not be there in other years.

To make matters worse, the estimated, assumed downstream power generation, credited back to the single dam, came from 8 so-called downstream plants—5 of which are not even in existence. Construction of only 1 of these plants—Ice Harbor—has barely begun. The other 4—John Day, on the Columbia; and Little Goose, lower Granite, and lower Monumental, on the lower Snake—have not been started; no appropriations have been made for their construction; and some of them may never be built.

The construction cost of these dams has been officially estimated at over half a billion dollars. So there go a lot more tax dollars, Mr. President, if any of those kilowatts are ever to be realized.

On the other hand, the 505,000-kilowatt figure used for the 3 dams—as the examiner's opinion and exhibits before the FPC make clear—is at-site production only, with no consideration given to downstream power generation from storage releases, and is based upon assumed conditions of critical streamflow in a low-water year. These Federal power advocates cannot live on facts, Mr. President; they have to pick out a figure here and a figure there. It makes no difference that the figures relate to two different things, just so long as they can be quoted to serve their purpose.

During all of the period since 1949, when bills to authorize the Government dam have been before Congress every year—and have consistently failed of passage—so many estimates have been made of its power capacity, that a review of such estimates is enlightening. It seems that the power capacity at Hells Canyon is however many kilowatts it takes to justify the Federal development.

When the Hells Canyon dam was still part of the Army's program, the Corps of Engineers' power estimate for the Government dam is contained in the 308 Review Report on the Columbia River, volume VIII, page 4066. In that official document, 602,000 kilowatts was estimated as the capacity of the Hells Canyon plant at site. The reports also gave it credit for 199,000 additional kilowatts at downstream plants—the same 8 plants referred to above, 5 or which are not built. That made a total of 801,000 kilowatts, both at site and downstream.

But—and this is important, Mr. President—included in this figure was the power from a second smaller dam at Hells Canyon, just downstream from the high dam—a reregulating dam to level out the water surges in the river that would be caused by the operation of Hells Canyon.

That additional reregulating dam and the powerplant, which the Army said was necessary, were estimated to cost approximately $50 million at that time. Of course, they would cost considerably more now. Somehow, the need for the cost of a reregulating dam have been lost in the shuffle, since the Bureau of Reclamation took over Hells Canyon from the Corps of Engineers. This is just another of the cost items that does not show up in a project proposal until after the Congress has been sucked into an authorization. But, Mr. President, you can bet your last bottom dollar that this oversight would be discovered once the main dam was under construction.

The 801,000 kilowatts of prime power which the Army engineers attributed to Hells Canyon, including downstream power at other plants, also included 100,000 kilowatts from the regulating dam, which the Bureau has managed to drop out of the picture. Actually, therefore, the estimate for the Hells Canyon dam alone was only 701,000 kilowatts, based upon the Army engineers' studies as contained in the 308 report.

The Bureau of Reclamation, in its own report on the Hells Canyon Dam—House Document No. 473, 81st Congress, 2d session, volume 2, page 196—estimated only 854,000 kilowatts for the single dam including downstream production. But that was not enough to sell the idea to Congress, Mr. President; so in a supplemental typewritten report, approved by the Secretary of the Interior on May 11, 1951, they increased the high dam's output to 1,430,500 kilowatts. That report is the one now referred to in section 1 of S. 1333 and its identical companion bills in the House.

The report itself admits that all the power that the Hells Canyon plant could produce would be only 638,000 kilowatts—less than half the total amount of prime power which the report claims. All the rest of it was to come from these 8 downstream plants, of which, let me repeat, 5 are not built, and based upon a so-called incremental nominal prime power theory, which, as hereinafter mentioned, Federal Power Commission engineers have denounced as improper for comparative purposes.

Even the Federal dam enthusiasts could not support such a ridiculous figure, Mr. President; but the report is still referred to in the present bills. On March 31, 1950, in the House Hearings on H. R. 5743—identical in purpose with the present bills—a Bonneville Power Administration witness came down into the stratosphere with another estimate of 1,124,000 kilowatts—again claiming only 638,000 kilowatts for the Hells Canyon Dam itself, and relying on the assumed eight downstream plants for the remaining 436,000 kilowatts of incremental nominal prime power.

Incidentally, the same witness, the power manager for the Bonneville Power Administration, also made it clear that in a low-water year such as 1936–37, his 688,000 kilowatts of nominal prime power was an average for 9 months of the year only; and that during the 3 months of the year required to refill the reservoir, the actual power production from the high Government dam would have to be cut down to only 66,000 kilowatts. In other words, when a low-water year came along—which is not too infrequent—you and I could run our refrigerator and turn on our lights for 9 months, and then could use them for less than 10 percent of the time for the remaining 3 months. What kind of power is that, Mr. President? It is not firm and it is not prime. The very best we can call it is interruptible.

In the New York Times, on August 19, 1955, a letter to the editor was printed, written by the junior Senator from Oregon. The Senator defined prime power as "power available almost 365 days a year." An output of only 66,000 kilowatts—from an 800,000-kilowatt powerplant—during 3 entire months of a low-water year presents an interesting comparison with the astronomical figures of prime power available almost 365 days a year, which the advocates of the Federal dam have put forth in so many varying amounts. This well illustrates the fallacy of the incremental nominal prime power method of approach, upon which the Government dam advocates pin all their assumed power output figures for the single dam, but not for the three dams. The Federal Power Commission's regional engineer in charge of its San Francisco office, testified at the FPC hearing that "You can't use the incremental approach correctly" to evaluate or compare mutually exclusive projects—that is, projects in the same reach of the river, where only one can be built.

I should like to hear some of these Federal power advocates explain some of this nominal prime power, or the "almost 365 days a year power" of the Senator from Oregon, or "now you have it and now you don't power" whichever one chooses to call it, to some chicken hatchery people with incubators full of eggs, or dairy farmers with a herd of bawling cows on their hands and no one at the dairy who knows how to hand-milk, or to some irrigators whose crops are burning up because there is no power with which to pump water. The public power zealots would get a free lesson in what constitutes firm power, and probably would pick up, in the bargain, a few choice words for their vocabulary.

The FPC engineering staff made a 44,000 man-hour study of the entire Hells Canyon problem, which was presented to the Commission by three FPC engineers, with numerous supporting exhibits. These men are career men, Mr. President. They are expert technicians—not political engineers. The testimony of these men was that the actual dependable power capacity from the Hells Canyon dam, would be only 785,000 kilowatts, and that the average output from the high dam would be only 634,000 kilowatts. Remember there is quite a bit of difference between average and dependable. Why have these figures been so studiously ignored in the statements which the proponents of the Government dam have been supplying to Congress and its committees? Why were the Power Commission staff engineers, career men who are experts in this field, not called by the subcommittees in the House and Senate hearings a year ago, and only Bonneville and Bureau of Reclamation witnesses called instead? The Federal Power Commission heard all the witnesses—those from BPA and the Bureau of Reclamation, as well as their own FPC engineers. The answer, of course, is that proponents of the high dam are obviously trying to present only one side of the case, and to obscure the actual facts.

Mr. President, there is only one agency of the Government that is in a position to give a fair and impartial judgment of all these questions. That agency is the Federal Power Commission. It is the bipartisan agency created and delegated by the Congress, in the Federal Power Act, to decide these complex questions. Every one of its five members was confirmed by the Senate. It has no ax to grind. As it stated in its license decision, its sole duty under the Federal Power Act was that of "determining what is the best plan of development."

The FPC heard all the evidence, on all sides, in a hearing that lasted over a year, and the record of which includes almost 20,000 pages of testimony as well as some 450 technical exhibits. It heard the

Bureau witnesses, the Bonneville witnesses, the Army witnesses—experts of every kind, including three of its own staff engineers.

It concluded that the three-dam plan covered by its license to Idaho Power Co., was "best adapted to a comprehensive plan of development" of the river; and that "The United States itself should not undertake the development of the water resources of the Hells Canyon reach of the Snake River for public purposes."

The FPC found that the dependable capacity of the three-dam licensed project will be 767,000 kilowatts. This figure compares with 785,000 kilowatts for the proposed Government dam, a difference of only 18,000 kilowatts, or about 2.3 percent. Thus, although the Government dam would cost approximately a quarter of a billion dollars more than the FPC-licensed project, it would provide only 18,000 kilowatts more, measured in terms of actual dependable capacity. This represents a cost of about $14,000 per kilowatt for the additional dependable capacity—about 100 times what it would cost per kilowatt to build steam capacity to offset it.

In summarizing its findings, the FPC stated that on an equal basis of comparison, "the power features of the one-dam plan have no clear economic advantage over those of the three-dam plan." The Commission further found that "the ratio of power benefits to power costs of the three-dam plan is greater than that for the one-dam plan."

The comparison of 924,000 kilowatts for the Government dam, as against 505,000 kilowatts for the FPC-licensed three-dam project, has been used time and time again by those who are attempting to obtain authorization of the Federal project. Such a pretended comparison is not only misleading as to power output, but is also further misleading because of the effect that these figures have upon the purported comparison of power costs—another fallacy which advocates of the Government dam have given wide publicity and distribution.

The farfetched comparison, appearing in the table on page 10211 of the CONGRESSIONAL RECORD for June 13, 1956, is the statement that the cost of power from the Government Hells Canyon Dam would be only 2.7 mills per kilowatt-hour, while that from the FPC-licensed 3-dam project would cost 6.69 mills per kilowatt-hour.

Mr. President, I am rather apologetic about taking up the Senate's time on this subject. It is so ridiculous on the face of it. Here is a project built by an electric company that is going to cost $133 million as compared with a Federal project that is going to cost about 3 times as much. They both produce about the same amount of power. But we are told that the power produced by the power company will cost 2½ times as much as that produced by the Government. It is time for a real investigation if the Government is subsidizing Federal power to that extent, unless some one is naive enough to believe that the Government is several times as efficient as private industry.

In order to recognize the absolute and utter misinformation in the statement that power from the Government dam would cost 2.7 mills, one has only to look at the paragraph numbered 3, following the tabulation. In one breath, it says that the power will be generated at 2.7 mills; and in the next, that it will be available to serve loads at "slightly over 2 mills per kilowatt-hour." All in one and the same sentence, Mr. President. And then another paragraph goes on to tell how there will be available power revenues to subsidize irrigation.

So we produce power at a cost of 2.7 mills, sell it for slightly over 2 mills, pay off the power investment in 50 years, and still make enormous power profits to subsidize irrigation. Are these people trying to make us believe that the Government can sell at a loss and still make a profit?

Mr. President, how far can we go with this big-lie technique?

At the Senate subcommittee hearings on S. 1333, at page 271 of the printed record, a statement was made to the subcommittee by the distinguished senior Senator from Oregon [Mr. MORSE]. Governors Smylie and Langlie, of Idaho and Washington, had presented some figures against the Federal dam which the Senator did not like. The Senator from Oregon said:

> Let me state to the people of State, your Senator is going to continue to stand on the figures of the Army engineers and the figures of the Reclamation Bureau engineers.

Very well. Mr. President, what did the Bureau of Reclamation say as to the cost of power from the Hells Canyon powerplant?

According to the Bureau of Reclamation report, the cost of firm power from the Government Hells Canyon Dam would be 4.4 mills per kilowatt-hour—House Document No. 473, USBR report, volume 2, pages 189, 202. That is what the Bureau of Reclamation engineers, to whom the distinguished Senator referred, said in their official report that Hells Canyon power would cost in order to pay out the project—not slightly over 2 mills, nor even 2.7 mills, as this pretended comparison would lead one to believe, but 4.4 mills per kilowatt-hour.

Where, then, did the 2.7-mill figure, which appears in the tabulation—CONGRESSIONAL RECORD, June 13, 1956, page 10211—come from? It came from a statement in the FPC examiner's preliminary opinion that firm power from the Government dam would cost approximately $23.80 per kilowatt-year, as compared with the present Bonneville rate of $17.50 per kilowatt-year. Dividing $23.80 by 8,760,—the number of hours in a year—we arrive at 2.72 mills. However, to get this figure of $23.80 per kilowatt-year the examiner had to use the 924,000 kilowatt nominal prime power output for the Government dam, that is, at-site production plus assumed production at 8 downstream plants, 5 of which are not built, in a high water year; and it is furthermore based on 100 percent load factor, which assumes that a power customer uses his peak power requirements continuously, 24 hours a day around the clock, for 365 days a year. We do not have that kind of customers, Mr. President, and the Snake River does not flow that kind of water. Actual power use, except for a few selected industries, is an approximately 60 to 70 percent load factor, which makes the cost of power correspondingly higher.

Turning now to the other side of the comparison, it is said that 6.69 mills is the cost of power from the FPC-licensed 3-dam project. This figure also comes from the examiner's tentative opinion; and, as he clearly pointed out, it was based upon 505,000 kilowatt of at-site generation only. The use of these incomparable power output figures in itself makes the pretended comparison of power costs invalid and worthless.

But, Mr. President, that is not all. For his estimate of construction cost of the 3-dam licensed project, upon which the 6.69-mill power cost is based, the examiner chose a figure of $191,328,000. Both the company and the contractor, which is now constructing two of the power plants, at Brownlee and Oxbow, estimated the cost of the three-dam project at $133 million. In using the highest figure available for the cost of the three dams, the examiner said that it "would provide the greatest margin for error"—certainly a novel basis for factfinding.

For his annual operating costs for the three-dam project, the examiner adopted an even greater differential, for what he called a margin of safety. His estimate of annual operation and maintenance costs for the three-dam project was admittedly "higher by far than Idaho Power Co.'s." Actually, they exceeded those of the power company, based on its operating experience, as well as estimates submitted by Major General Robins, formerly of the Corps of Engineers, as the examiner said, "by about 370 percent."

For his costs of transmission of the power from the three dams to market areas, the figure used by the examiner resulted in a cost of 1.8 mills per kilowatt-hour for transmission alone. This is approximately double the costs estimated by Idaho Power Co., and approximately 50 percent higher than average transmission costs anywhere in the Northwest.

Obviously, Mr. President, if construction cost estimates are arbitrarily increased by 44 percent, if operating costs estimates are quadrupled, and the estimated cost of transmission is doubled any power can be priced out of the picture. This type of estimating the company's plan is highly satisfactory to the Federal power advocates, but when they start estimating costs for the Federal project they take off in the opposite direction and the taxpayer usually gets hooked for a lot more than he originally contemplated.

It thus appears that the purported comparison of 2.7 mills, as against 6.69 mills, was based entirely upon choosing the most favorable figures which could be found anywhere in the record for the Government dam, as against the worst possible figures available for the three-dam project.

According to the examiner's computations in the examiner's opinion, it appears that the estimated cost of power from the three dams would run from a minimum of 2.72 mills to as high as 4.82 mills per kilowatt-hour, depending upon

which estimates were chosen for annual fixed charges and operating costs. As pointed out, the examiner selected the highest possible figures for the three-dam project, in order to "provide the greatest margin for error."

The examiner also pointed out that the FPC staff "assigns a cost of 6.69 mills per kilowatt-hour to the output of the three-dam plan." An examination of the record, however, shows that this figure was based upon 66.2 percent load factor.

To summarize this pretended comparison of 2.7 mills for the Government dam, as against 6.69 mills for the Idaho Power dams, we have the following:

For the Government dam: At-site plus assumed downstream production, in a high-water year, and assuming 100 percent load factor use by customers.

For the 3-dam project: At-site production only, in a critical water year, and the FPC staff made it clear that their 6.69-mill cost was based upon use of power at only 66.2 percent load factor.

The FPC staff estimate of the cost of power from the three dams at 6.69 mills, at 66.2 percent load factor, is equivalent to only 4.43 mills at 100 percent load factor—almost identical with the 4.4-mill cost of power from the single dam, as referred to in the Bureau of Reclamation report. In other words, the estimated cost of power from the two plans of development will be almost identical, even accepting the fact that estimates for the Federal dam are put forth in their best light and those of the company dams in their worst.

But, and listen to this, Mr. President, the Idaho Power Co's present rates in its 1955 reports on file with the FPC show that its sales of power to other utilities and large industrial users average from 2.5 mills to 4.8 mills per kilowatt-hour, depending upon size of load and amount of use. Officials of the company testified that the 3-dam project can be built for less per kilowatt of installed capacity than the cost of many of the powerplants now on its system; that power from the three plants would be salable at from 4 to 5 mills, and that it could be sold under the company's existing rate structure, the actual rate depending upon size of load and load factor.

Furthermore, it should not be overlooked that included in these rates is a substantial tax load which the licensed project will have to pay, and which the Federal dam will avoid. The FPC reports show that in 1955 the utility company paid over $6,790,000 in taxes—about 31 percent of its total gross revenue.

The proponents of the Federal dam have mixed feelings about the examiner and his decisions. They blow hot and cold on him. They quickly adopt some of his computations, like those referred to above—but only those which suit their purposes. The others, they blithely ignore. To his proposed decision, they objected violently. Here are some of the things they said about him when their lawyers filed their exceptions to his opinion: They called his findings irresponsible guesswork. They said his conclusions were based on dubious assumptions and tea-leaf prognosis. They even said that his analysis of the law was a diametric perversion. But they hang onto his power output and power cost computations—even with the examiner's clear explanation of them—like a drowning man clutches at a straw.

Mr. President, another subject which has been quite controversial is the question of cost of constructing the two plans. The tabulation on page 10211 of the CONGRESSIONAL RECORD of June 13, 1956, shows the cost of the Federal dam, without transmission lines, as $308,473,000. This is compared with $175,766,000 as cost of the three-dam plan. The figures for the compaany's 3 dams is the one used by FPC in its licensing order, which the Commission pointed out was 28 percent higher than the estimates of the power company and the contractor that is now building 2 of the dams.

I wish to point out, Mr. President, that the contractor who prepared the estimate and is now building the dams is one of the largest in the world and has probably built more dams than any other contracting company. The company's and the contractor's estimate for the three dams is $133 million, and I am reliably informed that construction is proceeding well within cost estimates.

Whence came the $308,473,000 figure for the high dam?

Not from anything in the FPC record. There, the sworn testimony of Government engineers was that the Hells Canyon Dam would cost $356,810,000 based on January 1952 prices; and that, at present-day price levels, it would cost $399 million.

In the tabulation, immediately following the $308,743,000 figure for the Hells Canyon dam, there appears a quotation picked at random from the examiner's decision. The apparent implication, of course, is that this cost figure came from the examiner's findings. This is another example of the misleading use of figures which the proponents of the high dam have foisted upon Members of Congress, to have printed in the CONGRESSIONAL RECORD and then used for publicity purposes.

Neither the examiner, or the Commission, made any such finding, or referred to any such figure; nor is there anything in the entire FPC record that even approaches any such figure. What did the examiner find?

The examiner found that—

> The capital cost estimated by the Bureau of Reclamation for the high dam project (exclusive of fish facilities) is $383,570,000, based on January 1952 prices.

This, of course, is one of the examiner's findings which the proponents of the Government dam so studiously overlook and so blithely ignore.

Mr. President, so many estimates of the cost of the Hells Canyon dam have been given to the Congress, that a brief review of this question will be enlightening.

When the Hells Canyon dam was being considered by the Corps of Engineers, as officially reported on in the 308 report—House Document 531, 81st Congress, 2d session—the cost estimate made by the Army engineers appears in volume I of the report, at page 216, and again, in detail, in volume IV, page 1489. Including interest during construction, and a downstream reregulating dam which the Corps of Engineers determined was necessary to level out the water surges from the Hells Canyon powerplant, the cost of the Hells Canyon project was estimated—at 1948 prices—at $372,863,000.

Later, the Hells Canyon dam was transferred to the jurisdiction of the Bureau of Reclamation, and in their exhaustive and detailed report—House Document 473, 81st Congress 2d session—in volume II, pages 181 and 182, their cost estimate of the dam was $433,660,000, including transmission, and that estimate was also based on construction cost levels which existed in 1948.

Later, in May 1951, the Bureau of Reclamation estimated the cost of the powerplant alone, without transmission lines, at what the Commissioner of Reclamation reported to be 1951 price levels, at $356,810,000.

At the FPC hearings on the proposed three-dam project, the Bureau of Reclamation sent their chief estimator from their main office in Denver to testify. His testimony was given under oath. He said his estimates were based on construction costs as of January 1952. He further testified that the records of the Bureau indicated that a 4 percent increase in the estimate would be necessary to bring it up to then current levels. That appears in the FPC transcript of the hearings, volume 77, pages 9786 and 9787.

The chief estimator from the Bureau of Reclamation then testified that the cost of the Hells Canyon dam was officially estimated at $356,810,000, based on 1952 prices. The basis for all items comprising the estimate were given in great detail. But the above did not include any allowance for interest during construction, which would be at least another 26 to 27 million dollars—see 1955 Senate hearings on S. 1333, pages 451 and 452. In the power cost studies made by the FPC's engineering staff, the Bureau's estimated figure of $356,810,000 was used, interest during construction was added, and it was adjusted to current prices by adding the 4 percent which the Bureau admitted was a proper allowance for rise in cost levels, bringing the cost of the high dam, exclusive of fish facilities, to $399 million.

But, Mr. President, according to the table in the CONGRESSIONAL RECORD—June 13, 1956, page 10211, we find that the Hells Canyon dam will now cost only $308,473,000. And again, this purported estimate does not include interest during construction.

The genesis of this estimate is in the testimony of this same Bureau of Reclamation engineer, given when he appeared at the Senate subcommittee hearings on S. 1333—pages 428 and 478—on May 2, 1955, a year ago. In the morning of that day, this witness appeared and claimed that construction cost levels were lower than in 1952, and he reduced his cost estimate from $356,810,000 to $353,740,000, based on April 1955 prices.

The tabulation appears in the printed hearing record at page 428. The witness made it clear that this figure did not

include any allowance for transmission lines and, again, it included nothing for interest during construction. That was during the morning session of the subcommittee hearing.

In the afternoon, following the luncheon recess, this same witness came back to the witness stand. He then stated that he had prepared "a revised cost estimate based on experience gained at Hungry Horse." As a result of this experience at Hungry Horse, this witness then said that he thought that Hells Canyon could be built for $308,473,000, "roughly, $308,500,000."

It would, indeed, be interesting to know what happened to the witness during the lunch hour. Who talked to him? Who called him back to testify again? When was this new estimate prepared? Obviously, Mr. President, this new figure was not an estimate at all, as all the witness did—hearing record, page 478—was to reduce some of the items of cost by percentage figures.

What was the experience at Hungry Horse that brought about the witness' sudden change of mind during the noon recess at the hearing, to the extent of $45 million? If a comparison of the original estimates for Hungry Horse, made to obtain project authorization, with actual completed project costs means anything at all, the estimate for Hells Canyon should have been increased substantially, instead of being reduced to the tune of $45 million.

The Analysis of Cost Increases of Reclamation Projects, published by the Bureau of Reclamation under date of May 5, 1953, tells the story.

Hungry Horse was originally authorized in 1944, on the basis of a cost estimate prepared by the Bureau of Reclamation, in the amount of $48 million. Although the project was authorized in 1944, necessary appropriations were not obtained and work was not started until 1947. By this time, the Bureau of Reclamation had changed the plans, increased the height of the dam by 20 feet—after Congressional authorization had been safely obtained—and their estimate of the project costs had nearly doubled—from the $48,319,000 to $93,500,000.

Later, as the Bureau of Reclamation report shows, and in spite of the fact that several structural and engineering modifications of the dam were made, which actually decreased the construction cost by over $5,400,000, the project cost estimate, by 1954, had again increased by another $10 million, to $102,900,000. So if we are going along with the Bureau estimator, based on Hungry Horse experience, maybe we should double his estimate instead of reducing it.

That is the basis for the $308,473,000 figure which appears in the table, which the senior Senator from Oregon [Mr. MORSE] caused to be printed in the CONGRESSIONAL RECORD for June 13, 1956, at page 10211.

The Senator from Oregon should check his figures. He, too, had appeared as a witness before the Senate subcommittee, at its 1955 hearings on S. 1333—page 453. There the Senator himself stated that according to the latest figures the Hells Canyon dam and powerplant will cost $356,810,000; transmission lines, $144,274,000; additional turbines and generators at downstream dams, $53,707,000, for a total of $559,791,000, in round numbers.

I am sure, Mr. President, able lawyer that he is, the Senator is not a construction estimator so he must have obtained these figures from reliable sources and, in fact, they are subject to verification in numerous official studies and reports made by responsible officials of the Bureau of Reclamation.

Again, it must not be overlooked—see hearing report, pages 451 and 452—that the above figures which the Senator gave to the subcommittee do not include interest during construction, estimated at between $26 million and $27 million. So, according to the Senator's own figures, and they are the official figures of the Bureau of Reclamation, the total cost of the Hells Canyon Dam—including transmission lines, and the "additional turbines and generators" that would have to be installed at downstream dams in order to obtain the 924,000 kilowatts of power output referred to in the tabulation—would not be $559,791,000 as he stated, but—using the lowest figure for interest during construction, hearing report, page 451—would be $586,321,000.

But, Mr. President, the Hells Canyon powerplant and transmission facilities are not all that S. 1333 and companion House bills would authorize. Also included are 2 additional powerplants on Scriver Creek, estimated to cost another $52,134,000. In the controversy over Hells Canyon, this part of the bill has been completely overlooked. And when you add the reregulating dam below Hells Canyon, which the Army engineers said was necessary and which I am sure the Bureau of Reclamation would find necessary, after the project was started, of course, you add another $50 million.

When we talk about authorizing S. 1333, Mr. President, we are not talking about $308 million—we are talking about over twice that much—almost $700 million.

Mr. President, my colleagues who are really interested in reclamation and irrigation had better look this one over for a long time before authorizing a power project that will eventually require $700 million of Federal funds. This one will separate the true friends of reclamation from advocates of all-out Federal power. Over a period of the past 10 years the Bureau of Reclamation has received in appropriations for construction purposes about $1,950,000,000, an average of $195 million a year. If we authorize the Hells Canyon development, and I must assume that those in favor of authorization are in favor of appropriating the money to build it, it will mean that approximately $87 million a year will come out of the Bureau construction funds for this power project. We need not delude ourselves. The Bureau of Reclamation will only get so much money each year for construction purposes and every cent of that money used for a strictly power project is just that much less money for irrigation.

Irrespective of his ideology on the private enterprise versus Government socialism of the electric industry, I fail to see how any true friend of reclamation can support diverting funds from the limited appropriations granted reclamation to build Federal power projects unless his belief in this socialistic endeavor is so fanatical that he is willing to make any sacrifice to further its cause.

Mr. President, erroneous statements of power costs, construction costs and available capacity are not the only misstatements of fact the proponents of a Federal development at Hells Canyon have used in an attempt to mislead the people on this subject. We continually hear the charge that the Idaho Power Co. is a foreign corporation. I thought I had put the quietus on that sort of humbuggery when I inserted in the CONGRESSIONAL RECORD of June 22—pages 10804 and 10805—an exchange of correspondence between Mr. T. E. Roach, president of the Idaho Power Co., and the senior Senator from Tennessee [Mr. KEFAUVER], in which Mr. Roach completely refuted any such charge. But the Federal' power advocates continue the charge in their speeches and their publications.

Mr. President, we in public life should be very careful of our public utterances. We are privileged to represent the people in a very distinguished position. The dignity of the position demands such respect that people are likely to accept what we tell them as fact, unless they have had the opportunity to study the subject and know otherwise. So we owe the public a solemn duty to be sure of our facts when making public statements. It is embarrassing to go back to our public and tell them something we had stated as fact we later found was not true. Too many are prone to let the first statement ride without correction, hoping that it will not come back to haunt them and that is particularly true if the erroneous statement was effective in helping their side of an issue.

I do not know where this charge of foreign corporation leveled at the Idaho Power Co. got started, but I do know that the charge originated in order to prejudice the people against the company. Of course, the word "foreign" could leave several implications. Some might think that some foreign government owned this company, and I am sure that impression would be all right with the originators of the charge, for that would certainly increase the prejudice. On the other hand, some may think of that sinister group located in an area bounded on the south by Philadelphia, on the north by Hartford, on the east by the Atlantic Ocean, and on the west by some line not many miles inland, as foreign. But the Idaho Power Co. was incorporated in Maine. Possibly there are some who still think of that State as foreign although they would not turn down her delegates' votes when seeking high office at the national convention of their party.

I am sure, however, that if pinned down, the originators of the charge "foreign" would say they meant that the local people served by the company did not own it lock, stock, and barrel. Well, I wonder if there is any utility operation,

whether it be public or private, where the local people served put up all of the money to finance it. When municipalities, public utility districts, and State authorities issue revenue bonds to finance their utilities, they sell the bonds to investment houses, most of them located in the area I bounded a few minutes ago. Private companies finance their expansion by issuing stocks and bonds and by distributing them to the public through investment houses.

I am certain that the people of Idaho have invested many times the interest in the Idaho Power Co. that the 1.17 percent interest the people of Tennessee have invested in the Tennessee Valley Authority represents.

And if Congress is ever so foolish as to permit the TVA to issue revenue bonds, I feel sure the bonds will be sold to the general public through the channels of investment houses. I would also wager that when the bonds were distributed, the ownership in Tennessee would not exceed the present 1.17 percent. I am sure also that if someone called the Tennessee Valley Authority a foreign corporation, the senior Senator from Tennessee [Mr. KEFAUVER] would be the first one on his feet protesting in righteous indignation, despite the fact that the people of Tennessee had only put up 1.17 percent of the investment.

Every director and every officer of the Idaho Power Co. lives in the area served by the company. The company was incorporated in Maine in 1916 for good and sufficient reason, as explained in Mr. Roach's letter, but the company has to conform to the corporation requirements of every State in which it operates.

Mr. PAYNE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. PAYNE. Those good and sufficient reasons are undertaken by a good many other corporations, too, because of the very favorable climate in Maine for the organization of corporations.

So far as Maine being in a foreign country is concerned, it is true that in 1936 there were some persons in the United States who thought Maine and Vermont were in foreign countries and outside the borders of the United States. But since that time, I am happy to say, the other 46 States generally have seen the wisdom of joining us, so that we are all one country at the present time.

Mr. GOLDWATER. I am grateful to the distinguished Senator from Maine for explaining to our colleagues in the Senate what I mean by a proper climate for corporation formation. I happen to know something about the desirable climate of Maine for that purpose, because in connection with the incorporation of my own firm we looked into Maine very thoroughly. However, we went to another State for reasons which were good and sufficient unto us.

Mr. President, the company has wisely refrained from the foolish expenditure of $300,000 to change the place of incorporation, which would serve no useful purpose, never dreaming that anyone would direct prejudicial charges at it for not having done so.

Mr. President, while talking about misleading statements and erroneous information, I also invite your attention to the charge of little dams. Every statement I have heard and every article I have read in opposition to the company's development has referred to the three little dams. The junior Senator from Oregon [Mr. NEUBERGER] referred to them as "pygmy" dams. What impression does the expression "pygmy" leave with you? If I referred to dams as "pygmy dams," I would be thinking in terms of somebody's stock water tank. I feel certain the junior Senator from Oregon would not be too disappointed if the people got the same idea from his description of the three company dams.

What will be the size of the three company dams, Mr. President? The Brownlee Dam, 1 of the 3, will be among the 15 largest in the United States—and there are a great many dams in this country. It will be 395 feet high. What is pygmy about that? The Oxbow Dam will be 205 feet high, and the Hells Canyon 320 feet high. What is pygmy about those dams, Mr. President? Those are big dams—all three of them. So why should the public-power advocates continually refer to them as three small dams, and why should a United States Senator continue to call them pygmy dams?

Another thing on which proponents of a Government Hells Canyon Dam are trying to mislead us, Mr. President, is flood control. One would think that if the Government did not build the dam, the whole lower valley of the Columbia River would be flooded out. Well, only recently there was a flood out there—the third largest on record. The Army engineers and the United States Geological Survey made their computations. One can read all about this in the Oregon Journal of June 19, 1956.

The record shows that, if high Hells Canyon Dam had been in existence, the flood crest at Vancouver would have been reduced by eight-tenths of a foot. It also shows that the Brownlee Dam, one of the company dams, would have reduced the crest by six-tenths of a foot—only two-tenths of a foot less than the high Hells Canyon. Mr. President, that is less than 2½ inches. Have we become so free with the taxpayers' money that we are willing to spend a quarter of a billion dollars more than the company is spending for less than a 2½-inch reduction in a flood crest? How wild eyed can we get?

I commend the Oregon Journal article to you Senators. It goes on to say that if Pleasant Valley Dam on the Snake River, for which the Pacific Northwest Power Co. is now seeking a license, is built, it, together with the Idaho Power Co. dams, would give control equal to that of a high Hells Canyon dam.

When we consider navigation, the company plan is superior to the Government plan. The Army engineers say that navigation requires a minimum release of 5,000 second-feet. The company plan contemplates exactly that, while the release from the Government dam would vary down to less than 2,000 second-feet.

The company plan is far superior for fish, wildlife, and recreation. Two of its lakes will be at a constant elevation, while the elevation of the third lake formed by the largest of the dams will fluctuate within reasonable limits. The elevation of the water in the lake to be formed by the high Federal dam would fluctuate as much as 289 feet. Anyone who has had experience with lakes subject to large drawdowns knows that such lakes are very unsatisfactory for fish propagation and recreation facilities. Recreation facilities at water's edge at one time may be miles from water at another time, with nothing but mud flats in between.

Another old, wornout charge which we continually hear from the Federal Hells Canyon people is the cry of "giveaway". What is being given away, Mr. President? The company is not being given any water. As a matter of fact if some of the water the company is depending upon is used for irrigation upstream at a later date, the company will simply be out of luck. It is not being given any concrete or any equipment. No, Mr. President, the company is not being given anything. It is simply permitted to spend money, money invested in the company by American citizens who have confidence in its management to build facilities to supply American people with a very necessary service. The company pays taxes to the local, State, and Federal governments at the rate of 31 cents on every dollar it collects for this service and the investors pay taxes on the dividends and interest they collect from the company for money they have invested to finance these facilities. The company also provides for public benefit flood control, navigation, and recreation without cost to the Federal treasury.

Mr. President, the people who finance the company facilities do so willingly. But what do the Federal High Hells Canyon people want? They want to take our taxes, yours and mine, from citizens all over the country, although they may be unwilling, and invest this conscripted money in an undertaking that will and should be constructed by local people through private enterprise. And that is not all: The power from this Federal facility would be tax-free. Although built with the confiscated taxes of all the people, this proprietary business venture would pay no taxes. It would dodge paying its fair share of the very taxes that would be used in part to build it. And that is still not all; the power produced at this Federal business undertaking would be reserved for distribution by public agencies that also dodge taxes.

No, Mr. President, we who favor private financing and construction of the Hells Canyon reach of the Snake River are not favoring a giveaway of anything that belongs to the people. We are opposing a takeaway of something which belongs to all of the people, namely their money, taken away from them by taxation.

It is extremely hard for me, Mr. President, to follow the philosophy of these Federal power proponents, the reason being that it is inconsistent and simply does not make good sense.

They claim that private industry is not doing the job; that it is necessary for the Federal Government to step into the business of producing electric power. And that applies whether it is hydro or atomic energy. They are always vision-

ing power shortages. And yet every time private industry starts an undertaking, these same Federal power advocates leave no stone unturned to oppose private industry. We have it now on the Hells Canyon issue. They fought that before the Federal Power Commission, are fighting it in the courts, and are now fighting it before the Congress. The Pelton development is the same story. It was fought before the FPC, then in the courts, and now before the Congress. John Day, Trinity, Pleasant Valley, Mountain Sheep, and others are all objected to by this same group of individuals and organizations.

They say, "The Government has got to do it because private enterprise cannot or will not, but if private enterprise tries we will fight it every step of the way—through the Commissions, through the courts, and through the Congress." Mr. President, what kind of reasoning do you call that? Do you have any question as to why I have a difficult time trying to understand it?

They claim that natural resources belong to all of the people, so only the Government should develop them. Of course, now they are talking mostly of water, and in particular hydroelectric power. But I am sure that once they put their water philosophy across, the next step will be toward coal, oil, gas, land, and other resources. But aside from that, they claim that when these resources are developed, the electric power should be made available to a selected few of the citizens—only 20 percent of the total—who are supplied power by some form of Government operations.

Mr. President, what kind of philosophy is that? The resource belongs to all the people, so it should be financed by tax money from all of the people, but the benefits should go tax free to a privileged minority of the people. Mr. President, are you now beginning to get the idea of why I have such a hard time understanding such illogical arguments?

Another thing these Federal power advocates argue, Mr. President, is that electric power is such an essential commodity to our way of life that it should be made available to all our people in ample quantities at a cheap price. I agree that electric power is an essential commodity, but I also know that it is cheap now—the cheapest element in our family and industrial budget. I know, too, that it is not Federal competition that has made it cheap. It is cheap because of technological advancements made by private industry over the years.

But how sincere are these people, Mr. President? They say an abundance of power is needed; yet they do everything within their power to stop development of additional power, even in areas threatened with a power shortage. That is what they are trying to do at Hells Canyon now, and in other places in the Pacific Northwest. They would rather see a power shortage than have private industry develop the supply.

And what about the cheap part? The only place they want to see cheap power is where it is subsidized with tax funds; otherwise why do they contest private industry's attempts to develop a source of cheap power for their customers?

Moreover, Mr. President, when the Federal power advocates talk about making cheap power available, one would think they were talking about making it available to the little fellow—the homeowner. But, Mr. President, as soon as the power is available they start talking about getting industries into the area. Of course, it does not matter that the industries would come from other areas or would otherwise locate in other areas where electric power is supplied by privately financed electric companies. No; it is perfectly proper with them to use tax-free subsidized Federal power as the bait to entice industries to locate in the Federal power area. They do not recognize the fact that it is the industries which use the power that get out of paying the taxes on it—industries which compete with other industries, some with their power bill subsidized by the Federal Government as against others which pay their full share of taxes on the electric power they use. What kind of Americanism is that, Mr. President? Is it any wonder that I have a hard time finding any logic in their arguments?

There is still another contention, Mr. President, and that is we have to have Federal power in order to furnish competition with power companies and hold rates down—a yardstick, so to speak. But what kind of a yardstick do these people want to use? Is the measurement by the same standards? Oh, no, Mr. President, I find that the Federal power advocates have two standards of measurement—a 36-inch yardstick for the power companies, and a 20-inch stick for the Government power. We were not taught to measure in that fashion by our forefathers who established our form of government. In their philosophy a yardstick was a full 36 inches, and all citizens were measured by the same standards.

For the past several years we seem to have accepted the two units of measurement concept. As taxes on the power companies have increased and subsidies to Federal power operations have increased, the yardstick applied to Government power has become shorter. If we continue this trend, it will be only a matter of time until electric utilities in this country will be in Government ownership and operation. That is nationalization of a basic industry, Mr. President. After taking the step with one industry, it will be only a matter of time until we nationalize other basic industries. Passage of S. 1333 would be a big step in that direction. If we are ready to stop private development at Hells Canyon and launch the Federal Government into an all-out proprietary business undertaking, I can see no end in sight.

Mr. President, I have put in a great deal of study on this Hells Canyon question. I have read most of the statements and claims of the proponents of the bill, and I have studied the hearings held before the Federal Power Commission. In this speech I have cited misstatements of fact, misleading representations, and pure distortions of the truth. I have yet to see or hear one statement—I repeat, one statement—by the proponents of this proposed legislation purporting to be fact that will withstand the light of impartial analysis. I have reviewed some of the arguments advanced in favor of Federal power and shown them to be illogical, discriminatory, and entirely foreign to the basic concept of our free-enterprise system. I hope and pray, Mr. President, that this, the greatest deliberative body on earth, will rise above partisan politics and bury once and for all this un-American attack on our free-enterprise system.

Actions speak louder than words, Mr. President. By the yea-and-nay vote on this bill, we shall know those who truly believe in our present system and those who would launch the Federal Government into foreign ideologies which have proved the downfall of every government that has tried them.

THE FARM PROBLEM IS MORE THAN ECONOMICS—HUMAN BEINGS ARE DEEPLY INVOLVED

Mr. JOHNSON of Texas. Mr. President, the total cash income of Texas farmers so far this year has plunged 13 percent below the total for the same period of 1955.

The farmers in my State not only are plagued by the agricultural policies of an administration that has shown remarkably little understanding of the true nature of the farm problem. They also are harassed by a drought that in some sections has been going on without much respite for 7 or 8 years.

Many of the letters I receive from Texas reveal with painful sharpness the effect this two-edged situation is having on farmers as individual human beings.

Such a letter came to me a few days ago from a farmer living in the Texas Panhandle.

It is a letter that tells of honest toil in the face of such difficulties as most of us here have never had to face.

It tells of debts that cannot be paid and that, remaining unpaid, are a source of constant worry to a man who has always tried hard to stand on his own two feet.

It tells of farmers having to leave their farms to seek day labor jobs.

Mr. President, this Texas farmer appealed directly to me, as his Senator, for help.

I do not know—

The farmer wrote me—

just what you and others who represent our State can do for the farmers and others who depend on the farm for their living, but please, Mr. JOHNSON, will you help? If you know of any way to help us who want to stay on the farm, will you do what you can?

Mr. President, to that farmer and to all other farmers throughout the land who are beset by conditions they cannot control, who find times hard when most of the Nation is prosperous, I solemnly pledge that I will do what I can.

We cannot make the rains come—but we can plan carefully and act forcefully to conserve the rainfall when it does come.

We can continue to search conscientiously for national farm policies that will be designed not to serve any partisan

political purpose but simply to keep the farmer profitably occupied on his land.

We can resolve earnestly that we will not be guilty of forgetting that the farm problem is not abstract in nature but is, on the contrary, a question that directly and vitally affects the lives of human beings.

My farmer friend who wrote me recently made that point very clear:

DEAR MR. JOHNSON: I am writing you hoping you will find time to read this message in your busy life as you go about the duties of your office, as our Senator from Texas. Would like here to say we appreciate your efforts in behalf of our State of Texas.

I am a farmer living in —— County. Have been farming in this county for 31 years, am just past 50 years of age. We have been experiencing a drought in this part of the State beginning in 1951, and it has been severe with the exception of last year, 1955.

In the southeast section of this county and in the adjoining county, there are no, or very little, cotton crops, this due to lack of moisture to plant. I have between 90 and 100 acres rented—not planted to cotton.

We are facing a problem. No one knows just what the outcome will be or how long the drought will continue on. The banks and local lending companies have just about quit loaning money to farm with. The Government has been loaning money through FHA. These loans have not been paid back in full during the drought and short crops.

Everyone (or at least most everyone) who owe debts made during this time by unpaid loans would be not only willing, but glad to pay them if they could.

Some have quit farming and their equipment has been sold at auction or to others. In most cases the price received for it did not pay the indebtedness against it.

Mr. JOHNSON, I am sure you know about the drought here in this part of Texas and other parts of the Southwest. You have a right to ask, "What can I do that's right and honorable to help the situation?"

I do not know just what you and others who represent our State can do for the farmers and others who depend on the farm for their living (farm labor I mean), but please, Mr. JOHNSON, will you help? If you know of any way to help us who want to stay on the farm, will you do what you can?

If one quits the farm and turns to public work to make his living, it would be hard to make his way and pay his back debts, too. And again most farmers would be over the age (40 years) they usually hire.

We cannot borrow our way out of debt and due to no or very little crops we are unable to pay our way.

We are in need of some help from some source other than local banks and other lending companies or from any source we cannot pay back.

We are in need of a way to earn our daily needs and pay back, a little at a time, the debts made over the period of dry years.

If we could have a job at a reasonable wage per day we could pay in the form of takeout of our check, a percent of the earned wages to be applied upon our debts.

This agreement being signed in the application for a job.

If we could get a work program, say drought emergency relief work in use at this time, it not only would help our road system, but would relieve, to a great extent, a very serious condition, financially, for many folks in this drought area. We (or most farmers) could stay on the farm, and would have a better chance to pay back debts.

Most farmers could work (at least part time) at a job and work out their crops. There are many others, too, would be helped.

Please, Mr. JOHNSON, not only for my benefit but for many more people here in the Southwest as well. Will you help us with this problem of staying on the farm and paying our way by earning our daily needs by the labor we can do?

SOCIAL SECURITY AMENDMENTS OF 1957

The Senate resumed the consideration of the bill (H. R. 7225) to amend title II of the Social Security Act to provide disability insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes.

Mr. JACKSON. Mr. President, I am delighted to add my support to the social security amendments of 1956.

This proposed legislation, as passed by the House and approved by the Senate Finance Committee, extends coverage to some 200,000 self-employed persons, including lawyers, dentists, veterinarians, and other members of the medical profession except physicians and osteopaths. It makes coverage available to more farmers. It extends coverage past age 18 to permanently and totally disabled children of a retired or deceased worker if the disability occurred before age 18. It brings certain State employees, including many in my own State of Washington, under social security. It sets up advisory councils on social-security financing to review the status of the trust fund and to recommend any necessary or desirable adjustments.

This is all good legislation.

I am deeply distressed, however, that two key amendments passed by the House are not included in the proposed legislation now before us. I refer, of course, to the amendments to make payments to totally disabled workers at age 50, and to lower the retirement age to 62 for working women, wives, and dependent mothers.

I am truly sorry that the majority of the Senate Finance Committee acceded to the wishes of the present administration in deleting these amendments from the social-security legislation passed last year by the House.

It is my fervent hope and firm purpose today that this body will restore these vital provisions, and thus more adequately meet the needs of our people.

Mr. President, the Senate must restore these two amendments to assure the continued vitality and growth of the social-security program.

As we well know, under existing law, a totally and permanently disabled person receives no social security benefits until age 65, even though he has lost his earning power completely. It should be clear to all of us that no matter at what age a person becames totally and permanently disabled, he needs social-security payments worse than a person who retires at 65 in good health.

The worker who is disabled early in life usually has accumulated less savings than has an older person. He has more dependents to care for than has an older worker whose family has grown up and left home. The chances are he has a good-sized mortgage on his home, while the older retired worker may well own his home.

Yes, it is a far greater hardship to be totally and permanently disabled early in life—and thus be retired involuntarily—than to be retired at 65 in good health.

Retirement after one's working years can be planned for. Disability strikes without warning. In terms of individual and social and economic loss, there is no condition more costly than prolonged illness and disability.

Reducing the age for disability payments to 50 is only a compromise. But it is a step in the right direction.

Mr. President, it is pointed out that more than 400,000 totally and permanently disabled workers are receiving public assistance today. It is almost impossible for anyone disabled not to become dependent on somebody. Disability means exhausting all of one's material resources to pay doctor and hospital bills and to support one's family. It means, ultimately, relying on relatives, or friends, or public welfare. And as for those who are on public assistance, Mr. President, the persuasive minority views clearly show how pitifully inadequate is the assistance available to the totally and permanently disabled under 65.

Mr. President, it has been said that it is not feasible to determine who is disabled. These charges are groundless and ignore existing fact. Three out of every four States have signed agreements with the Federal Government to determine disability under the social-security amendments adopted in 1954, to free the social-security status of disabled workers.

The question is not whether disability can be determined. It is whether we shall permit disabled workers to become destitute before they receive earned benefits.

I wish to emphasize the words, "earned benefits," for this is no giveaway. There are safeguards in the disability provision passed by the House. This proposed legislation carries a very conservative definition of disability. It discourages malingering. It encourages rehabilitation. It entitles payments only to those who have made substantial contributions to the social security system, those who have demonstrated a capacity and a will to work, and who at the time of their disablement have had recent work.

Mr. President, a matter of self-respect and self-reliance is involved here. As my distinguished colleagues, the senior Senators from Georgia and Illinois and the junior Senator from Louisiana, have observed in their most praiseworthy minority statement:

> Under a sound social-insurance program, Americans should be protected against the fundamental hazards which would otherwise destroy their earning power and reduce them to beggary. Granted that some form of income is necessary to provide for those who are unable to provide for themselves, it is far preferable that these persons should remain proud, self-sufficient Americans rather than become hat-in-hand pleaders for public charity.

It also has been suggested that payment of disability benefits at age 50

might discourage rehabilitation. But I submit that such benefits are so small that it would be unprofitable for a person not to work if he were capable of doing so. The absolute maximum benefits under this provision are $108.50 per month; and this, I emphasize, is the maximum.

There is nothing about disability payments at age 50 that is incompatible with rehabilitation. The disability feature calls for rehabilitation wherever possible, and denies payments to disabled workers who refuse rehabilitation. I am satisfied that our disabled workers regard rehabilitation as their best hope for the future. After all, who wants to remain disabled and inactive? I say it is an affront to every disabled worker in America to even suggest that any one of them would not strive for rehabilitation, rather than accept public assistance or accept even their earned benefits under the disability-payments provision we are now considering.

Mr. President, I have said that the present administration opposes this liberalization of the social-security program. I cannot fathom the reasons for the administration's attitude and behavior with respect to this truly humane proposal.

I am sure that Secretary Folsom's opposition does not reflect the thinking of many of the people at the working level in his Department, the men and women with years of experience in this field.

I should like to call attention to the testimony of a man who is out from under the wraps of the present administration. I refer to the Honorable John W. Tramburg, who, as an Eisenhower appointee, served as Commissioner of Social Security during 1953 and 1954. Mr. Tramburg currently is commissioner of New Jersey's Department of Institutions and Agencies, and is president of the American Public Welfare Association. The latter organization, as Senators know, includes in its membership State and local welfare administrators, board members, and welfare workers from every level of government.

Mr. Tramburg, speaking for himself as this administration's former Commissioner of Social Security, and for the American Public Welfare Association, enthusiastically testified in support of lowering to 50 the age for disability payments. He described this as "a desirable and necessary addition to the program and administratively feasible." Mr. Tramburg's testimony, given on February 28 of this year, is contained on pages 847–869 of part three of the printed hearings on H. R. 7225, before the Senate Finance Committee. It is excellent testimony. I commend it to my distinguished colleagues.

Mr. President, it has been said that the proposal to pay disability benefits at age 50 should be delayed for further study. Such a statement is, pure and simple, a rear-guard action against social progress.

Of course, not all the possible problems and ramifications of such a program are known now, any more than all the problems which have developed since passage of the original Social Security Act could be foreseen 20 years ago. If this sort of thinking were followed to its logical conclusion, we would today have no social-security program at all.

We cannot be so timid, so unimaginative, and so unresponsive to the needs of our disabled workers as to postpone this legislation because of the tired excuse that additional study is necessary.

Mr. President, I wish now to turn to the second major proposal which we must restore to H. R. 7225 if we are not to leave the social-security amendments of 1956 needlessly imperfect. I refer, of course, to the provision to lower to 62 the retirement age for working women, wives, and dependent mothers.

The proposed legislation reported to us does lower from 65 to 62 the age at which surviving widows may first become eligible for their social-security benefits. This is a wise and proper provision, and I compliment the Senate Finance Committee for including it.

I am disappointed, however, that the committee saw fit to depart from a well-established principle of the old-age and survivors insurance program, by excluding these other groups of women from the same privilege. It is inequitable, on the face of it, to reduce the eligibility age for one category of women—widows—without reducing it for women workers and wives and dependent mothers.

Few women who lose their jobs, or otherwise are unemployed between the ages of 62 and 65, find it easy to obtain new employment. Evidence shows that even where older women are able to work, they find it more difficult to get and hold jobs than do older men. Women in the age group 55 to 64 go out of the labor force at a rate 2½ times faster than do men in the same age group. Women often are forced into retirement much earlier than men, and therefore need the benefits earlier. These are hard facts of life which lowering the retirement age to 62 for all women can help mitigate.

One principle of social security, and of commonsense, Mr. President, is that a retired married couple should not have to get along on the same amount of money as a retired single person. But under existing law, a retired worker receives only his own benefit until his wife reaches age 65. Then the family benefit is increased 50 percent. Traditionally, wives are younger than their husbands. This means many retired couples are required to live on a single payment for a number of years until the wife becomes 65.

Those opposed to lowering to 62 the retirement age for women have argued that it will encourage women to retire at an earlier age, or perhaps will encourage married men to retire at a younger age than they otherwise would. This is a false argument. The 65-year-old retirement age for social-security benefits has not made 65 an automatic or compulsory retirement age. In fact, some private industries recently have initiated programs to encourage workers to continue beyond the retirement age. There are 3 million persons over 65 in our work force. Reducing the retirement age for women workers, wives, and dependent mothers will no more make 62 an automatic or compulsory retirement age than 65 is now.

These are only weak and timid excuses for not lowering to 62 the retirement age for women workers, wives, and dependent mothers. There is both fact and commonsense in favor of doing so.

Mr. President, there is yet another phase of the proposed legislation before us which troubles me. This is the necessity for adoption of the amendment offered by my distinguished colleague, the senior Senator from Washington [Mr. MAGNUSON], to increase the public assistance benefits to four categories of citizens—the aged, the blind, the disabled, and children.

The amendment of the Senator from Louisiana [Mr. LONG] to increase the benefits for the first three of these categories—the aged, the blind, and the disabled—was agreed to last night. I am sure that the Senator from Louisiana will concur with my colleague [Mr. MAGNUSON] and me that the adoption of the amendment to increase benefits in aid of dependent children is equally necessary.

There are nearly three million persons in the first three groups, together with 1,600,000 children and 600,000 so-called caretakes in the fourth category.

There has been no increase in Federal contribution to these groups under public assistance since 1952. They are due, in fact overdue for an increase.

Mr. President, my colleagues will have much to add to what I have said. In brief summary, I would point out only this:

The history of the social-security program now spans 20 years. Many persons thought it was radical in its beginning. But even its worst opponents have come to admit that in 20 years, social security has given our Nation both social progress and economic stability.

During this 20 years the program has not remained static. It has grown soundly and cautiously, on a self-supporting basis, without radical innovation, through a long series of amendments.

The amendments that I feel should be adopted now are in keeping with this solid, steady growth. They are the next logical step—not a radical step, but a sound step, based on the accumulated experience of 20 years of living with social security.

Mr. McNAMARA. Mr. President, H. R. 7225 to amend our Social Security Act as it was passed by the House of Representatives is a sound program. My only major objection to that bill is that it does not go far enough. However, it is certainly the minimum program of improvement that Congress can adopt to assist our citizens.

I think it is tragic that the bill, as it reached the floor of the Senate, was emasculated beyond all reason. We might as well have received a blank sheet of paper from the committee since all of the really major improvements, approved in the well-considered judgment of the House, were shamelessly ripped out. I do not know whether the term is proper in regard to legislation, but this bill was murdered in committee.

What had we left after the committee finished with the bill? Its report shows that a few—a very few—provisions were retained. These include extension of

social-security coverage to a few groups, continuation of disabled children's payments, and certain other technical amendments. The committee made a token step in the right direction, but then it stopped far short of our vitally necessary goals.

It completely rejected lowering the eligibility age for wives and working women, other than widows, to 62. The spurious argument used is that employers might terminate employment of women workers earlier—or reduce the hiring age for women. This is ridiculous. The very fact that too many employers already refuse to hire persons of advanced age is one of the major reasons for lowering the eligibility age for women.

As for another argument that wives can live on their husbands' benefits until they reach 65, I suggest to those who recommend this that they try living on such benefits. Then they will see how easy it is.

Mr. President, even 62 is not low enough. In the last session of Congress, I sponsored a bill to lower the eligibility age to 60. I still think that is where the level should be.

The committee also refused to endorse another vital improvement in the House bill—disability benefits for persons permanently and totally disabled at age 50.

The report states that on the basis of a "preponderance of evidence" this feature is not desirable. In my book, this "preponderance of evidence" came from the American Medical Association and like outfits, who throw up the smear of "socialized medicine" to cripple beneficial health programs for our people. They say that it would be administratively impossible to determine such disability and that it would be an open invitation to the malingerers to grab a Government handout.

I reject this, Mr. President, and I reject the smear it places on the great majority of our citizens. This great majority is made up of honest, decent people—and not of goldbrickers.

Vast experience has shown that disability programs can be properly administered. Under current Government insurance programs alone, about a half million persons are today receiving cash benefits for long-term disability. These are in addition to those receiving benefits under private insurance programs.

Arthur Altmeyer, when he was Commissioner of Social Security, told the Senate Finance Committee back in 1950 that a permanent and total disability benefit insurance program was entirely feasible. Nothing has happened since to change this sound opinion.

The report states that rehabilitation—not cash benefits—is the answer. It points to advances in rehabilitation programs. I suggest that we are advancing in the wrong direction. There are some 2 million people in our country who need rehabilitation. About 250,000 are added to this total yearly. In 1956, the most optimistic estimate of gainfully rehabilitated persons is 70,000. This is a striking advance.

Even if rehabilitation could be significantly improved, what about those for whom there is no hope of rehabilitation? Are they supposed to beg on the street corners until they are 65?

As a final slap at our intelligence, the committee majority took it upon itself—in the name of the workingman—to say that increasing social-security taxes to pay for these benefits is unwise.

None of us likes higher taxes, Mr. President. But the number of people in Michigan who have contacted me—and that number is well up in the thousands—makes it abundantly clear that the people are willing. They are willing to accept this small increase to make these worthwhile benefits possible.

I do not need to remind my colleagues that it was not many years ago that the whole concept of social security was being branded as socialism or worse. There are those with the 19th century outlook who still feel that way, but their number is happily dwindling.

In conclusion, I commend my colleagues, the distinguished senior Senator from Georgia [Mr. GEORGE], the distinguished senior Senator from Illinois [Mr. DOUGLAS], and the distinguished junior Senator from Louisiana [Mr. LONG] for their minority report.

If we are truly representing the people of this country—and not the American Medical Association and the private insurance companies—we will adopt the program as contained in the House bill as the absolute minimum.

Mr. President, I say let us vote for the people.

Mr. MURRAY. Mr. President, on June 4 my colleague, Mr. MANSFIELD, the Senator from Oklahoma [Mr. KERR] and I introduced a bill (S. 3891) to amend the Social Security Act to give our older farmers relief from a very unjust situation. My explanation of the bill appears on pages 9386 and 9387 of the CONGRESSIONAL RECORD for June 4. Let me summarize the purpose of the bill in a few brief paragraphs.

Self-employed farmers were brought under OASI by the Social Security Act of 1954. Farmers who are 65 years or older this year and have paid social-security tax on a minimum of 6 quarters of self-employment income in 1955 and 1956 are eligible for benefits.

However, farm income in the 1955 and 1956 period, on which farmers must base their OASI benefit claims, has been seriously reduced by the sliding scale, widespread droughts, grasshoppers, floods and other disasters. It is unfair to base the old-age and survivors benefit payments on such abnormally low incomes.

My bill would permit farmers to go back as far as 1950 income in establishing their base, permitting them to eliminate 4 or 5 low income years just as other citizens do.

Let me read one of the many letters I have received from farmers, to illustrate the disastrous effect of present law on farmers' retirement income:

WESTPORT, S. D., *March 9, 1956.*

Senator JAMES E. MURRAY.

DEAR SIR: I read an article in the Farmers Union Herald in regards to you proposing an amendment for us farmers of 65 years to have the 2 best years going back to 1949. I sincerely believe they should pass a law to that effect.

I have only 1955 and 1956 to draw from. 1955 was an exceedingly dry year for us and 1956 does not look much better.

I have been a hard working farmer all my life, and the way it looks to me, I will only get about $30 per month, which surely is not much social security.

Yours truly,

CHARLES STODDARD.

Despite the injustice to farmers in the present law, and the corrections proposed in the bill offered by Senator MANSFIELD, Senator KERR, and myself, I regret to report that the Bureau of the Budget submitted an unfavorable report on the bill.

In making adverse report on S. 3981 the Budget Bureau confesses that farmers are confronted with an inequitable situation.

There is no doubt—

The Bureau writes—

that the earnings of self-employed farmers are subject to variations by reason of adverse weather, overproduction, or other factors beyond the control of the individual and, so far as older farmers are concerned, these adverse factors may result in low average earnings for purposes of computing social-insurance benefits.

But, typical of this administration, the Bureau then declares that the administrative problem involved in avoiding inequitable treatment of these elder farm citizens is the top consideration; that we should let the inequities go rather than undertake the job of avoiding them.

The proposal * * * would involve administrative problems for the old-age and survivors insurance program that could prove very difficult—

Mr. Robert E. Merriam wrote us.

That is just too bad.

For my part, I should like to put into the pending act a requirement that the inequities which will be suffered by farmers as a result of low farm incomes in the last 2 years shall be corrected, and let Mr. Merriam and the administration undertake a little work. I wish there were time to make them give us alternatives to my proposals for establishing a fair income base.

I would much prefer to see some midnight oil burned in some of the offices downtown than to see one old farm couple in poverty.

But since the administration disapproves of my formula, and offers no alternative at this late hour in the session, then I see no alternative but to bring this matter before the next Congress, when there is time to debate it.

I serve notice that I shall reintroduce this bill next January, when elder farmers are discovering how badly they have fared under the existing manner of determining their benefits on 1955–56 farm income, and press for prompt action on it.

Mr. President, I ask unanimous consent to have printed, at this point, other letters I have received from farmers who believe the law should be changed along the lines I have suggested.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MONROE, UTAH, *February 28, 1956.*

Senators MURRAY and MANSFIELD.

DEAR SIRS: I see by the Washington News Letter dated February 24, 1956, you are sponsoring an amendment in the Social Security Act because of the law now in force. By having a lean year, old-age people with 2 or 3 years left to farm would surely curtail their benefits. I note Senator MURRAY pointing out one case of a Montana farmer.

I will give you a case. I am 74 years young, last September, my first year of social security. My earnings in 1955 were $3,309.03. My operation this 1956 calendar year by the looks of our cattle feeding will lose us more than our earnings were in 1955, so our report for 1956 will show a loss.

I talked to our social security office yesterday. He said there was talk in Washington now to revise the law but would have to wait and see what change, if any, would be made.

There may be many more in the same condition, even with smaller or larger earnings than mine.

I would like to learn what comes of the revision, if any, so I will know what I can figure out on my future.

Thanking you in advance, to let me hear from you.

Yours truly,

P. E. MILLARDSON.

WESTPORT, S. DAK., *February 28, 1956.*

Senator JAMES E. MURRAY,
United States Senate,
Washington, D. C.

DEAR SENATOR MURRAY: We wish to express our approval of your efforts in behalf of farmers whose base of acquiring social security benefits is limited to 1955 and 1956 incomes.

As these 2 years are apt to represent the lowest of the past several years the income from them does not fairly show income over the years. Also those 2 years are naturally late in life of the farmer and thus represent lower income.

We shall watch the progress of your and Senator MANSFIELD's efforts in this direction.

Sincerely yours,

Mr. and Mrs. ARTHUR P. CALLAGHAN.

SCOBEY, MONT., *June 6, 1956.*

Hon. JAMES E. MURRAY,
Senator From Montana.

DEAR SIR: Have been wanting to write and ask you a few questions regarding old-age assistance to farmers.

To give an example, I will use our own case. Although, no doubt, there are numbers in the same position as we are.

We homesteaded here on our place in 1916 and have been here ever since. I am 70 and my wife is 66.

Last year we had a fair crop and paid in $126 for social security.

Now to fully qualify, do we have to have a net income of $4,300 again this year?

Now here is the sticker. We have had less than 3 inches of moisture in Daniels County, including the snow, since the third week in July 1955.

So now our pastures are about as poor as they ever were, and hay prospects worse, beside what will happen to our crops?

Looks like it might be another 1937, which was a total failure.

So you can see where that puts us old people. We may be cut down to a 50-percent old-age assistance through no fault of our own.

Would it not be possible for us to use 1 or more years in the past as a basis and pay withholding on it?

Or do we have to continue to farm until we can qualify?

Thanks for your information on the above.

Some believe we would only have to have a net in 1956 of $2,150. Due to the fact that we really could qualify in 18 months.

So we really will appreciate it so much for all the information you can give us regarding our problem. I am sure you understand as well or better than most, due to your many years of work and effort for the farmers, not only in Montana, but the Nation as a whole.

Once again thanks.

Respectfully yours,

OSWALD E. AND ALICE N. SUSAG.

P. S.—Several farmers I understand who are on a cash basis are already expecting to start receiving checks July 1, 1956, by selling crops they already had in granaries from preceding years.

We are on the accrual basis so we have to depend solely on what we earn this year. Thanks.

MOORE, MONT., *March 14, 1956.*

DEAR SENATOR MURRAY: I have just read, in the Montana Stockman, that you and Senator MANSFIELD have proposed a change in the Social Security Act.

I am 34 this spring so it wouldn't benefit me.

There are, however, lots of people like my parents who at 65 have spent a lifetime of farming in the good years and the bad. As they have raised seven children and had lots of sickness, they haven't been able to save enough for retiring, so they keep working. Farming hasn't been as profitable in the last few years so I think the proposed revision would give all the older folks a fair break.

I hope it is adopted.

Thank you.

MRS. JAMES JANICEK,
Moore (Mont.) Farmer.

VENANGO, NEBR., *March 28, 1956.*

Mr. JAMES E. MURRAY,
Montana Senator,
Washington, D. C.

HONORABLE SENATOR: Saw an article in the farm paper relative to an old-age and survivors insurance bill to be sponsored by you. I think you have a good idea and the bill should find favor.

In the semiarid district, such as western Nebraska, eastern Colorado, northern Kansas, and a few others, haven't had a crop for several years, either due to drought, hail, or erosion, and have had no income and paid only the minimum premium of some $24 and about the same this year—which will give them a pension of about $41 if the past 2 years are going to be used as basis for establishing their assistance.

That is about equal to or worse than Nebraska's old-age assistance.

Wish you luck.

Yours truly,

A. J. KARBAKER.

KINDRED, N. DAK., *April 10, 1956.*

Senator JAMES E. MURRAY,
Washington, D. C.

DEAR SIR: Have read in the papers that you are going to sponsor a bill to increase the old-age and survivors insurance benefits of farm people.

Wish you could do something for us old retired farmers who have sold their farms.

I, for example, homesteaded in 1905, sold my farm in 1946. I farmed for 41 years.

Am sure there are many old retired farmers in our position.

We would gladly pay $5 per year for the years we farmed or any other way, so we could get social security.

Yours truly,

ANTON SALLE.

LEWISTOWN, MONT., *February 27, 1956.*

Mr. JAMES MURRAY,
Senator From Montana,
Washington, D. C.

DEAR SIR: This is a personal letter about social security. I am now at the age to establish my claim as a "self-employed farmer."

I recently read that there was an amendment pending to allow this class of worker to select the two best years since 1949, on which to establish the base for payments. As you know, 1955 was a bad year for farmers.

Do you think this amendment to the law will be brought up and passed? If one collected the smaller amount now, could the larger amount be collected later, if the amendment is passed and becomes law? Or would the smaller payments be for life?

As I understand it, other groups of workers have been able to select the two best years since 1949 as the base for social-security payments.

I have carried on the ranches since the death of my husband, Isaac B. Clary, in 1946. He knew you. I wonder if you remember him.

Very sincerely yours,

MRS. I. B. CLARY.

SONNETTE, MONT., *March 30, 1956.*

Hon. JAMES E. MURRAY,
United States Senate,
Washington, D. C.

SIR: I note in the current Montana Stockman-Farmer that you have proposed some changes in the Social Security Act.

This is just and reasonable and very commendable as I see it.

I note that farmers and stockmen with gross income of $1,800 or less have the option of reporting a net income of $900, if the actual net is $400 or more.

Since this is an insurance program, why limit an optional payment to $900? Why not $1,200 or $2,400 or $4,200?

As I understand it this program is supposed to be self-sustaining. Why then limit optional payments to such a low figure that the benefits received would be so small as to be of little help to anyone?

I believe you are working in the right direction.

Yours truly,

STEPHEN B. SMITH.

LEWISTOWN, MONT., *February 29, 1956.*

Senators MANSFIELD and MURRAY, *of Montana, Washington, D. C.*

GENTLEMEN: Today I read in the Montana Farmer-Stockman of your effort to change social-security laws to benefit the farmers soon to retire. I attempted to point out the hardships incurred to those compelled by reason of age and health to retire under present conditions; especially hard on small stockmen.

I received this reply from the Secretary of Agriculture and decided it was a brush-off.

I am glad to find we have a champion in you and urge you to work for its passage.

I am enclosing a copy of the letter I sent. I would rewrite it more legibly but for the disability to my right arm. It would not be any financial burden to speak of and it would perhaps allow us a measure of peace and dignity in our old age. As dry-land homesteaders we have survived hails, droughts, depressions, but old age and sickness are something else again.

Thanking you for your efforts, I am,

Yours truly,

Mrs. H. W. DEFFINBAUGH.

Please excuse my not writing you individually.

BUFFALO, N. DAK., *February 27, 1956.*

Senator MURRAY: I am very much interested in the amendments being drafted by you

and Senator MANSFIELD to let farmers use any 2 years back to 1949 in establishing an income base for retirement benefits under the social security.

To many small farmers like myself who have farmed for 34 years or more—who are past 65 years of age, and because of health cannot continue any longer, this would mean a lot.

If forced to use both years of 1955 and 1956 as a base, and in case of drought or other crop failure—through no fault of his own, the small farmers' retirement benefits would be pitifully small.

Should there be too much opposition to using the two best years as a base, I suggest using one of the years of 1955 or 1956 and one other year (both farmers' choice) back to 1949 as a base.

In this way he would not be penalized if one of the last two years should be a complete failure.

Respectfully,

MYRON SWENSEN.

BELGRADE, MONT., *March 3, 1956.*

Hon. JAMES E. MURRAY,
Washington, D. C.

DEAR SENATOR MURRAY: I noted in the Farmers Union Herald that you and Senator MANSFIELD are proposing to amend the social-security law for farmers. I think your proposal is sound and I heartily approve it. I would like to state my own case and how the present law affects me.

I am now 70 years old and have two farms. One I operate with one of my sons as a partnership—the other one is operated by another son on a crop-share basis. Under the present law I was not allowed to count the income from the second mentioned farm for social-security purposes, although all the expenses I had, such as taxes, water assessments, interest on the mortgage, depreciation on equipment, and insurance on buildings were deducted. We operate this place on a 50–50 basis, as to division of crops; we share the most of the seed and fertilizer, so for practical purposes, it is no different from the partnership.

I believe this law is unjust and as a consequence I have not paid a single dollar toward social security and I have only 1955 and 1956 to accomplish therefore.

Under your plan it would probably help more people for I too, in years past, have paid considerable sums in income tax. However, for the last few years the income has dropped considerably for one thing on account of my inability to work (I am crippled up now) and due to the drop in livestock prices and lower income from crops.

I read an article not long ago that the House passed an amendment last year to have income from rented land included, but the bill had never reached the Senate. The way the bill was passed it would be retroactive to January 1, 1955.

I think here is a good example that you are on the right track and you certainly have my support.

Respectfully yours,

GEORGE VAN HOORN.

ALICE, S. DAK., *February 28, 1956.*

Senator MURRAY:

The effort of you and Senator MANSFIELD in behalf of the low-income farmer is much appreciated by those past the retiring age.

Given the privilege of choosing the two best years of income on which to base his social-security benefits would indeed be an advantage.

If forced to use 1955 and 1956 as a base, his benefits may not be enough to allow him to retire in case of a crop failure in either year.

Even one former high-income year of the farmer's choice—plus the best one of 1955 or 1956—would be a big help.

Wishing you success in your efforts.

Respectfully,

O. M. MATZKE.

UNANIMOUS-CONSENT AGREEMENT

Mr. WELKER obtained the floor.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Idaho yield for a moment?

Mr. WELKER. I am happy to yield.

Mr. JOHNSON of Texas. My interruption is disconcerting and unusual; and except for the courtesy and the friendship which the Senator from Idaho has always accorded to me and the minority leader, I would not have made the request.

I should like to inquire of the Senator if he would be agreeable to yielding to me for the purpose of suggesting the absence of a quorum, which could be done very quickly, and of proposing a unanimous consent agreement which has been agreed upon by the distinguished minority leader, who must return to a meeting of the minority policy committee. The proposed unanimous-consent agreement would not take effect until 1:30 or until after the conclusion of the Senator's speech.

Mr. WELKER. I think the distinguished majority leader knows that no greater thrill could come to the Senator from Idaho than to do an act of kindness and courtesy to the Senator from Texas. I am glad to yield for that purpose.

Mr. JOHNSON of Texas. I appreciate what the Senator has said.

Mr. President, I ask unanimous consent that the Senator from Idaho may yield for this purpose, with the understanding that the unanimous consent agreement will not take effect until 1:30 p. m. or until after the conclusion of the Senator's speech. In other words, it would not take effect in any event before 1:30; and if the Senator from Idaho had not concluded his speech by 1:30, then the proposed agreement would take effect at the conclusion of his speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I send to the desk a proposed unanimous-consent and ask that it be stated.

The PRESIDING OFFICER. The proposed unanimous-consent agreement will be stated.

The Chief Clerk read as follows:

Ordered, That (1) on the pending amendment to H. R. 7225, the social security amendments of 1956, proposed by Mr. GEORGE (for himself, Mr. LONG, Mr. DOUGLAS, and Mr. HENNINGS), effective at 1:30 p. m. today, or at the conclusion of the speech of Mr. WELKER, whichever comes later, debate shall be limited to 3 hours, and (2) on an amendment (7–12–56–A), by Mr. KERR (for himself and Mr. MONRONEY), when proposed, debate shall be limited to 1 hour. Upon any other amendment, motion (except a motion to lay on the table), or appeal, debate shall be limited to 1 hour. The time on any amendment, motion, or appeal shall be equally divided and controlled by the mover thereof and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill, debate shall be limited to 3 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement? The Chair hears none, and the agreement is entered.

Mr. JOHNSON of Texas. I thank my distinguished friend from Idaho for his usual courtesy.

Mr. WELKER. I thank the Senator from Texas.

HELLS CANYON DAM

Mr. WELKER. Mr. President, as the junior Senator from Idaho, I am debating an issue that will not only cast the die for the future of my home State—the State of Idaho, of which I am very proud—but also for the future of the American free enterprise system for the whole Nation. I refer to S. 1333—a bill to authorize a Federal power dam at Hells Canyon on the Snake River.

Of late I have heard so much propaganda about Hells Canyon on this floor that I should like to make some remarks about it myself, and since I want the debate to be orderly and concise, I will not yield for interruptions or any purpose during this presentation.

I shall limit my remarks to facts, upon which I have worked and studied for months, even though I know that on that score, and for that reason, I shall be criticized by the National Hells Canyon Association and their various representatives. These people want a half-billion dollar Government dam authorized at Hells Canyon, regardless of facts, and regardless of costs to the American taxpayer.

First of all, I should like to tell the Senate about Snake River. It is the life stream—the very life blood—of the State of Idaho. Without that river, the great southern Idaho plains would be an empty desert. With it, there are some 2 million fertile acres under cultivation today, and in the short span of another generation—if somebody downstream does not take all the water for a power dam—there will be a million acres more.

If I may indulge in a little geography, the Snake River rises in Jackson Lake, in northwestern Wyoming near Yellowstone Park. It flows for some 500 miles in a great curve across southern Idaho. And as it goes along it picks up about 95 percent of all the water that ever gets

into Hells Canyon. Practically all of that water comes from the river and its tributaries in southern Idaho.

Its average annual runoff is about 12,500,000 acre-feet of water as it enters the Hells Canyon reach, just below where I was born and raised, near Weiser, Idaho. That 12,500,000 acre-feet is the flow for the entire year. Some years there is more; in many years there is less. Upstream storage reservoirs on the river above Hells Canyon—all of them built since the record flood of 1894, already have a storage capacity of 8,800,000 acre-feet, or more than two-thirds of the total annual runoff in an average year, and almost as much as the total flow of the whole river in low water years.

The Snake River today, with its existing storage dams and reservoirs, is the best controlled stream in the whole Columbia River Basin.

Last Thursday, in my discussion with the junior Senator from Oregon [Mr. NEUBERGER] mention was made of Brig. Gen. L. H. Foote, North Pacific Division Engineer, in connection with the high water which occurred a few weeks ago on the lower Columbia River. This was the subject of a feature article in the Portland Oregonian, on Sunday, June 17, 1956. What did General Foote say?

General Foote said that, as between the effect of the high Hells Canyon Dam and the Brownlee Dam, the difference in the peak reduction of the waters in the Columbia River at The Dalles this year would have been about two-tenths of a foot, or 2½ inches. And he further said that with the proposed Pleasant Valley Dam below Brownlee, with only 500,000 acre-feet of additional storage, "the two projects would have had essentially the same effect as the single high Hells Canyon." And, Mr. President, the flood control storage at Brownlee and Pleasant Valley, built with private capital, will not cost a single dollar of taxpayers' funds.

General Foote denied the claims of the high dam advocates that the Hells Canyon Dam would have reduced the flood crest by more than a foot. He also pointed out that the Army engineers' main control plan included only 2,600,000 acre-feet of storage—not 3,800,000 acre-feet—on the Snake River to control such a flood as occurred in 1894, which was probably the most devastating flood of all times in that area. It occurred long before any of the storage reservoirs on the Snake River had been built.

Year after year, thousands of dollars of flood damage occurs in southern Idaho and western Wyoming—and the half-billion dollar Government dam at Hells Canyon would not save a dime of it. Flood control, like charity, should begin at home, where it is needed—and that is all up and down the Snake River and its tributaries.

Every year farms are marooned, fields washed out, cattle drowned, roads and bridges destroyed. Such incidents are common news—bad news in southern Idaho and western Wyoming every year. That is where we need storage for flood control on the Snake River—not at Hells Canyon, 3 or 4 hundred miles downstream, after the upstream flood damage has been done.

The junior Senator from Oregon [Mr. NEUBERGER] in his remarks on Thursday quoted from the 1908 Inland Waterways Commission report to President Theodore Roosevelt, that "Every stream should be used to its utmost." In that we can agree. In that the water users of southern Idaho most wholeheartedly agree.

Mr. David W. Dick, secretary of the Water Users Protective Union of Idaho Falls, testified at the subcommittee hearing on S. 1333, out in Boise on April 4, 1955. His organization, like thousands of other water users in southern Idaho, opposes the Government dam.

Mr. LONG. Mr. President, will the Senator from Idaho yield?

Mr. WELKER. I have stated that I wished to keep my speech in context, without interruption. But I shall be happy to yield to the Senator from Louisiana.

Mr. LONG. Is there a conflict between the interests of the water users and the downstream users of power in this case?

Mr. WELKER. Is there a conflict of interest?

Mr. LONG. Yes. Is there a conflict of interest in that regard?

Mr. WELKER. Yes—emphatically yes.

Mr. LONG. As I understand, there are many farmers in the Senator's State who desire to retain the water in place as long as they can use it on their farms.

Mr. WELKER. That is true. If a Government dam is built, it might very well dry up their farms, as I intend to show in the course of my speech.

The Water Users Protective Union alone comprises 52 canal companies that irrigate half a million acres of land in eastern Idaho.

Those people know what they are talking about. They have their homes, and they live there on the land. They store water for irrigation. They need more storage, both for irrigation and for local flood control. And they see the destruction that the upper Snake River floods cause each year. Mr. Dick and many other irrigators there gave the committee some good, sound advice. He said:

> It seems to the people of the upper Snake River Valley that it is not reasonable to anticipate the Federal Government's financing concurrently within Idaho both a big dam at Hells Canyon site and the much needed upstream developments.
>
> The upstream developments that we are interested in are far less costly than the estimated $485 million Hells Canyon Dam. They will provide for storage of the water where it originates. Water does not wear out. It can be used over and over again from the mountain reservoirs to the sea. We agree with Col. F. S. Tandy, former regional head of the Army engineers office at Walla Walla, who said shortly after his retirement a year ago: Why should Idaho water be permitted to rip and tear its way several hundred miles across the State for storage at Hells Canyon.

The junior Senator from Oklahoma [Mr. MONRONEY], whose senior Senator [Mr. KERR] is cosponsor of S. 1333, apparently recognizes these facts. On February 14, 1952, he introduced a bill in the Senate creating a Presidential commission to study the possibilities for getting more of this very kind of upstream storage, instead of only big-dam storage far below the areas where the waters originate and local flood damage occurs. He said:

> We have talked for years about the need for more attention being paid to upstream flood-control methods. The program has been virtually at a standstill so far as action by Congress is concerned. The Army engineers, who have ably presented their program for large dams, have been heard at every session of Congress. It is time the farmers, the residents on smaller streams, have their chance to present their evidence and data to show that our flood-control problems cannot be solved by trying to make every watershed fit just the one shoe—the main-stem dam route.

Fellow Senators, you will find these remarks of the junior Senator from Oklahoma in the CONGRESSIONAL RECORD, volume 98, part 1, page 975. Floods have ripped and ruined our lands and property ever since that time.

Upstream from Hells Canyon on the Snake River there are many good reservoir sites located where storage is badly needed, both for irrigation and local flood control.

Mr. LONG. Mr. President, will the Senator from Idaho yield further?

Mr. WELKER. I yield.

Mr. LONG. I must say the Senator has a very logical argument. There is a similar situation in the area which I have the honor, in part, to represent. A dam is needed at Mellwood, Ark., but the Senator from Oklahoma has insisted that instead of 1 huge dam for flood-control benefits there should be 6 upstream dams as well as a downstream dam, which would then be smaller than the 1 called for by the original plan. Under those circumstances six areas would be benefited. We can appreciate the fact that the people of Oklahoma and of northern Arkansas also need to have some water for their industrial and commercial uses.

Mr. WELKER. And they also need protection from ripping floods flowing across their land every year.

Mr. LONG. That is correct.

Mr. WELKER. I commend the Senator from Louisiana for his profound remarks.

In fact, Mr. President, there are some 7 million acre-feet of storage sites available in that area, many of them in places where the need for storage is critical.

The people of Idaho are practical-minded about spending money, whether it is the Government's money or their own. In fact, they know, as all of us know, that the taxpayers' money is their money. They want to see it spent where it is needed and will do the most good. And they know, as I know, that flood control on the lower Columbia will be just as well served by storage on the upper Snake as at Hells Canyon.

In fact, only on the upper Snake can such storage have multiple-purpose use. There, it will serve flood control needs locally, and on the lower Columbia as well. There, and only there, will it provide storage of flood waters which would otherwise run to waste, and hold them back and later release them, not only for irrigation—but for added power generation at a dozen powerplants, both

public and private, located all along the river and its tributaries, all across southern Idaho. The high Government dam at Hells Canyon would accomplish none of these benefits.

As Colonel Tandy, of the Corps of Engineers, said:

> What is needed is to store the waters from the melting snowpacks as far upstream as practical, and to utilize such stored waters as they flow from the higher elevations to the lower elevations, and as a result of the regulated flows to increase the irrigation and power developments downstream.

The Army engineers are the agency charged with flood-control responsibility. They, as well as the Federal Power Commission, have approved the plans for the three-dam development which has been licensed by the Federal Power Commission. As the Commission pointed out, the Brownlee Dam—with 1 million acre-feet of storage provided without cost to the United States—is fully consistent with the Army's flood-control program. Alone, it is sufficient to control the entire flow of the Snake River for the 1948 flood, the second greatest flood of record, which caused so much damage at Vanport, Oreg., on the lower Columbia River. The Army engineers testified to that, and the Federal Power Commission found it to be the fact.

Let us consider for a moment the so-called pygmy dams, as my colleagues from Oregon call them. Even the smallest one will be higher than Niagara Falls. Brownlee, the largest, will be one of the 15 largest dams in the United States—107 feet higher than the dome of this famous Capitol Building from which I am speaking.

Mr. President, look at this mighty structure today, when you leave the building. Add 107 feet to the top of the dome. Imagine such a massive pile in that mighty chasm—396 feet high, 1,320 feet long across the top—stretching from wall to wall across the canyon. Then remember that it will be built not with Government dollars which the taxpayers have been forced to contribute, but will be constructed, if you please, with investment dollars from the thrift and savings of the citizens of the United States. Pygmy dams? If this propaganda were not so false, it would be a comedy indeed.

Now let us consider power production. The public-power advocates say the 3 dams will generate 505,000 kilowatts. But the Commission found it to be 767,000 kilowatts.

Nine hundred and twenty-four thousand kilowatts for the high dam, the Hells Canyon advocates say. But the Commission staff engineers found only 785,000 kilowatts of dependable capacity, and only about 688,000 kilowatts of average generation. The subcommittee's report somehow forgot to mention that.

As for navigation, why does not the report tell us that the power-production figures claimed for the high dam depend upon shutting down the reservoir to a minimum release of only 1,500 to 2,000 cubic feet of water per second in low-water years, in order that the big pond can be filled. The Army says that 5,000 cubic feet per second must be the minimum to maintain downstream navigation between Limepoint and Lewiston. At the FPC hearing, an Army witness testified that the larger water releases from the 3 dams would provide a gain of 2½ times more than the smaller releases from the big dam for downstream navigation. The report does not mention this fact either, or that such a shutdown would not only affect navigation. The shutdown would also reduce the power output of this half-billion-dollar powerplant to a mere 66,000 kilowatts for 3 entire months of a low-water year, so that the big Federal reservoir could be refilled. And filled with water—in a low-water year, mind you, Mr. President—that should have been stored upstream, to fill the reservoirs there, for irrigation in the hot, dry summer months to come.

I do not intend to sell the people and the water users of southern Idaho down the Snake River for that kind of power dam and that kind of reservoir, built with a half billion dollars of taxpayers' money, when American industry can do a better job and can pay to the State and Federal Governments $10 million annually in taxes, besides, for the privilege of doing it.

The public power advocates talk about a million kilowatts of "prime power." What is "prime power," anyway? The junior Senator from Oregon knows what it is. He defined it in a "letter to the editor," which he wrote to the New York Times on August 19, 1955. "Prime power," he says, is "power available almost 365 days a year." That, Mr. President, is what prime power really is—power which is continuously available and dependable all the time. Only 66,000 kilowatts, during 3 whole months out of the year, Mr. President, is a far cry from the astronomical "prime power" figures we find in the committee report.

Oh, but, they say, we will get the other million-odd kilowatts from some of the other Government plants, on some other river that will probably have more water than is needed at the same time, when big Hells Canyon—that cost only half a billion dollars—has to be shut down so that its reservoir can be refilled.

What other plants? Why, the five that are not yet built, of course, down on the lower Snake and the Columbia. They will cost only another billion dollars, so we will build them, too, at taxpayers' expense, and then we will have all the power we claim for Hells Canyon; and, of course, then it will be all prime power. How gullible do the Hells Canyon Association people think the Members of Congress can be?

They know that even now there is a power shortage. And it is getting rapidly worse. We cannot take power away from one powerplant and give it to Hells Canyon, even on paper, when there is not enough to go around as it is.

The trouble is, this 3,880,000 acre-foot reservoir is too big as well as too expensive. As one witness told the Federal Power Commission, it would be slow to fill, and slow to refill when it was used. That is why the big dam would have to be shut down, and the powerplant shut down, and navigation needs subordinated to power—just as irrigation needs would also have to be subordinated to power—in order to fill the reservoir.

Let us look at the irrigation aspect for a moment. Of course, there is no question about one thing—the Government dam would not irrigate a single acre of land. There is no doubt about that. Even the Hells Canyon Association people admit that. It is a matter of record.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. WELKER. I am not going to yield any more, as I said at the start, because I have only a half hour, because of the limitation of time. We shall have plenty of time to discuss the matter, an opportunity which I anxiously await.

Mr. NEUBERGER. I call the Senator's attention——

Mr. WELKER. Mr. President, I will not yield. I ask for the regular order. I have stated I will not yield. I shall be glad to yield to the Senator all this week, when we get into a discussion of the bill.

Mr. NEUBERGER. Very well.

Mr. WELKER. The high dam would not be a reclamation project; it would be a power project, pure and simple.

Of course, the distinguished ex-Secretary of the Interior Mr. Oscar Chapman, when he was testifying on a similar bill before a House Committee on March 26, 1952, seemed to be in a cloud about that. He did not even know where the Mountain Home tract was. He said he thought it was above the dam, but he was not sure. And when former Representative Poulson, now the great mayor of Los Angeles, Calif., and formerly from Baker, Oreg., asked him how water from the dam, could be used on the Mountain Home tract in back of the dam, Mr. Secretary Chapman said: "I have got an engineer here who can tell you how to do it."

That is something that my western irrigator friends will want to see. As Representative Poulson pointed out, it was the top man of the Bureau of Reclamation who was talking "———" the Secretary of the Interior, who was, and still is, quarterbacking the Hells Canyon play, the same gentleman, Mr. President, who approved the report on May 11, 1951, referred to in section 1 of S. 1333, on the basis of which this bill would authorize the expenditure of more than half a billion dollars of Government funds.

On the question of irrigation and water supply, Mr. President, the advocates of the Hells Canyon dam like to quote one of the findings of the Federal Power Commission hearing examiner. That is so because he said, at one time, that a dependable water supply for the high dam could "reasonably be expected" during its pay-out period. That sounds fine. There are only two qualifications. What about after the pay-out period? What about irrigation in the Snake River Valley then? One thing is sure. There will not be any additional irrigation in the Snake River Valley after the pay-out period. Those who live there can plan now to stop their future growth at that time, and maybe sooner, because the high dam will have preempted every bit of water in the river, in order that enough water to run it may "reasonably be expected"—that is, provided they cut down the water releases for 3 months of

the year so that downstream navigation can be tied up while they try to refill the reservoir.

No wonder the Idaho irrigators do not want the big dam. No wonder they would rather have the Federal Power Commission dams, so that a dependable supply of water for their irrigation can reasonably be expected.

The fact of the matter is that the Federal dam advocates, and the majority report, do not quote all of the examiner's statements. Here is what the examiner said, on page 13 of his opinion—the part that the committee report so conveniently left out. He said:

> While there was some expert testimony • • • which would cast doubt upon the dependability of water supply for the larger high dam throughout its economic life, there was no evidence of any lack of water forecast, or diminution of flow contemplated, that would affect the economic feasibility of the Idaho Power Co. proposal.

That is what he actually said, and that is what the evidence showed. That is why thousands of upstream water users, and scores of their irrigation districts and farmer organizations, are on record against the Government dam.

What was this evidence?

First of all, as I said a few moments ago, the official records show that the total average annual flow of the Snake River, as it comes into the Hells Canyon Reservoir area, is only about 12,500,000 acre-feet of water. That is the record, based on present-day conditions, and taken from the last biennial report of the Idaho Department of Reclamation.

There are 2 things about that 12,500,000 acre-feet I wish to point out. First of all, as I have said, the figure is for an average year. In many years, the flow is much less. That fact appears in the table on page 36 of the majority report—a table of river runoff going clear back to 1911, long before the major irrigation development in Idaho had taken place. The second column, giving the figures for the last 20 years, from 1933 to 1954, shows that there were 11 years out of 20 when the total flow of the river was less than 12,500,000 acre-feet.

But the second thing, the joker in the deck, is that this 12,500,000 acre-feet is the total annual flow, for the entire year, not just for the 3-month period in midsummer, from May to July, when the reservoir has to be filled.

The obvious purpose of the table in the majority report is, of course, to lead one to believe that because the Hells Canyon Reservoir needs only 3,880,000 acre-feet, there is plenty of water in the river to fill it.

Let us do a little plain, simple arithmetic. Upstream storage reservoirs on Snake River—all of them above Hells Canyon—already have a capacity of 8,800,000 acre-feet of storage. Let us add Hells Canyon to that; 8,800,000 plus 3,880,000 acre-feet makes 12,680,000 acre-feet—more than the total flow of the river during an entire average year.

What is the result? It appears in both the Senate hearing record—page 448—and in the House hearing record—page 28. But not in the report of the committee. The hearing record shows—and the evidence before the Federal Power Commission showed—that even with only the present-day upstream acreage that is under irrigation, there are only—and mark this well—there are only 5 years out of 20 when the total flow of the river equals 12,680,000 acre-feet. That was the evidence at the hearings, both in the House committee and in the Senate committee.

Upstream irrigation on the Snake River is expanding at the rate of about 25 to 30 thousand acres a year. Each new acre brought under cultivation takes 2 acre-feet of water out of the river, and so further depletes for all time, the downstream flow at Hells Canyon. With the future irrigation development that is expected by 1984, there will be only 2 years out of 20 when the total river flow will amount to 12,680,000 acre-feet.

The water available for storage at Hells Canyon does not justify a reservoir even approaching a capacity of 3,880,000 acre-feet. I repeat that the figures that I have just given are for the streamflow for the entire year. Only about 3 months of this flow would be available for storage during the reservoir-refill period. Federal Power Commission testimony showed—and it was not disputed—that by 1965, the earliest the Hells Canyon Dam could be completed, there will only be 3 years out of 10 when even 2 million acre-feet—let alone 3,880,000—will be available during the 3 months needed to refill the reservoir.

Why spend one-half billion dollars of the taxpayers' funds to build a reservoir so big that it cannot be filled? Why spend one-half billion dollars of Government money for a dam that would be a threat to State water rights and existing irrigation. As to future irrigation, the Government Hells Canyon dam would be a road-block to further reclamation development.

Do you believe, for a minute, Mr. President, that section 2 of the bill would give protection to the water users upstream, or that any language which could be put into a bill would protect upstream water rights?

My distinguished colleague the Senator from Utah [Mr. WATKINS], an able and experienced attorney in the field of water law, says "no." My associate from Idaho, Representative BUDGE, also an able and experienced lawyer on water rights, says "no." My own humble opinion as a lawyer, also experienced in water-rights law, is the same.

But you do not have to take our word for it, Mr. President. On page 27 of the majority report, it is admitted. After all, the law is the law, and one cannot get around it. Congress cannot, in any bill, alienate the powers of the Federal Government under the Constitution. Even if it could, what Congress can pass, Congress can amend or repeal. Yes, Mr. President, what the Congress can give, it can take away. The majority report admits it, in the statement—

> Only a constitutional amendment can control the actions of future Congresses.

I ask my colleagues to take another look at the majority report, on page 27.

So, Mr. President, in addition to the legal opinion of the American Law Division of the Library of Congress, in addition to a long line of decisions of the United States Supreme Court, going back to United States against Rio Grande Irrigation Co., in the territorial days of New Mexico, and in addition to the recent testimony of the Department of Justice before a Committee of the House of Representatives, we now have the same conclusion from the majority of the committee on S. 1333.

They concur, as well they must. Hear what the representative of the Department of Justice said as recently as February 22, 1956—incidentally, a day dedicated to freedom from governmental domination and control, if you please—when he testified before the House Interior and Insular Affairs Committee. The bill there under consideration was a bipartisan bill, drawn up in the hope and with the very purpose of protecting State water laws and water rights. The witness was asked specifically about the Hells Canyon bill. He then and there testified that if the government Hells Canyon bill is passed, and if any conflict should ever arise between the operation of the Government Hells Canyon Dam and the water laws of the State, the waters of the Snake River would be under the control of the Federal Government. I say, "Goodbye, Mr. Water User; you had better pack up and leave your farms that you and your forefathers have labored so hard and long to make the finest in America."

I am glad that the water users of Idaho have stood firm in their opposition to this bill—as they have consistently opposed similar bills which have failed of passage for six continuous years in the Congress of the United States. My irrigator friends out there in Idaho were right. Their opposition and their fear for their water rights have been vindicated, as I have always told them they would be.

Mr. President, a few weeks ago, I was in Idaho. I decided to see for myself what progress had been made by the private power company out there, during the eleven months since the Federal Power Commission issued the license for this project—during the eleven months that the proponents of S. 1333 were not able even to get the bill out on the floor. We would not be discussing it here today, had it not been for the use of shot-gun tactics, that many of my good friends—Senators on both sides of the aisle—have condemned to me as shocking in the worst degree.

What did I find? I found the Brownlee construction well underway, and preliminary work at Oxbow already begun. I found nearly a thousand men at work. I found a monthly payroll of $400,000—nearly half a million dollars a month. I found over 6 million dollars' worth of construction work completed. And I found that over half a million new kilowatts of power, from Brownlee and Oxbow, will be ready and "on the lines" in 1958.

Mr. President, the Federal Power Act was passed by Congress, after ten years of careful study. We of the Congress are

not experts—and we cannot hope to be—competent to analyze the complex problem of integrated river development. Congress set up the Federal Power Commission for this very purpose—an independent bi-partisan agency, with a technical staff with years of experience in all these matters. Only one of the members of the United States Senate is an Engineer; he is the great Senator from Nevada [Mr. MALONE]. Ask him where he stands. He is 100 percent against the Federal dam.

For 35 years, the Federal Power Commission has done its job, and done it well. Private-power development has expanded, under all the public safeguards that the Federal Power Act provides. Public-power development has expanded, too. Nobody will deny that. Over the past 10 years, $150 million a year have been appropriated for public-power developments in the Northwest alone.

In this case, the Commission's hearing lasted over a year. The Commission received 18,000 pages of testimony and over 400 exhibits. It heard experts from every interested branch of Government, as well as from the private-power company, and also from those who opposed the three-dam program and wanted the Government to spend its money to build the Hells Canyon Dam instead.

When I was inquiring of the junior Senator from Oregon [Mr. NEUBERGER], on last Friday, July 13, 1956, during his remarks on the floor of the Senate, the Senator from Oregon stated that he had more confidence in the FPC hearing examiner than in the Federal Power Commission itself—the bipartisan, five-man, quasi-judicial body that Congress created to determine and decide these matters on the facts. He also said he had more confidence in the Army engineers than he had in the Federal Power Commission, because, as he said—

> The Commission had before it only the proposed three dams of the Idaho Power Co., because the intervention of the Government in behalf of the high dam had been withdrawn by the then Secretary of the Interior, Mr. McKay.

Does the junior Senator from Oregon, and the author and cosponsor of S. 1333, not know that representatives of the Bureau of Reclamation, who have long sponsored the Government dam—the same top men of the Bureau who testified as witnesses at the Senate committee hearings—were brought to the Federal Power Commission hearing by the Government to testify, at Government expense, and they did testify, together with witnesses from the Bonneville Power Administration, the Bureau of Land Management, the National Park Service, and the United States Fish and Wildlife Service? Does the Senator not know that the Department of Interior made all of its studies, its reports on Hells Canyon, available to the Federal Power Commission for its deliberations?

Has the junior Senator from Oregon so soon forgotten that his colleague, the senior Senator from Oregon [Mr. MORSE], the author of this bill, only a short time ago was opposing the passage of the natural gas bill on the ground that the regulation of rates for the supply of natural gas should not be taken away from the Federal Power Commission, because it was the guardian of the welfare of the public? This will be found in the CONGRESSIONAL RECORD, dated so recently as January 30, 1956, on page 1336. Does the ability and the integrity of the Federal Power Commission go up and down like a thermometer, with the Senators from Oregon, depending upon whether the Senators' fancies are suited by the Commission's decision in any given case?

Does the junior Senator not know that the Army engineers, as well as the Federal Power Commission, have approved the plans for the dams the Idaho Power Co. is now building?

Mr. President, the case against S. 1333 has been decided by the quasi-judicial body that Congress created to decide such matters on the facts. I am opposed to Congress retrying the case and reversing the Commission without hearing the evidence.

But most of all, I am opposed to the authorization of an expenditure, as S. 1333 would do, of somewhere between one-half and one full billion dollars of the taxpayers' funds, on a power dam which the Federal Power Commission has condemned as not best adapted to a comprehensive plan of river development, and of which the Federal Power Commission found and held:

> It is our judgment that the United States itself should not undertake the development of the water resources of the Hells Canyon reach of the Snake River.

Mr. President, I am sincere in this matter, I am not going to be a party at presiding at the liquidation of the water rights of my farm people of Idaho. If they go down as a result of this bill, so will our small business people. So will the State of Idaho.

How could I, honored to represent the great sovereign State of Idaho, go home and look my people in the eye should I hesitate to do my utmost for them and the Nation. How could I, as a Senator of Idaho, go home and say, "Let us forget about private enterprise, that made our country the greatest on earth. Let us let the taxpayer, already near the end of his rope, pick up another terrific burden." Oh, no, never, as long as I am a United States Senator.

I have been abused, threatened, and maligned by only a small few of the population of the Northwest, because of my position against the Federal dam. Their political threats hold no fear for me. Let them come to Idaho. I am seeking reelection. So come on over. Let us try the case before the jury of those who should hear all the facts, not merely the propaganda. I am confident that my able colleagues will see through the smoke. They will see the light. They will vote an American vote for America, and defeat S. 1333.

ABOLITION OF VERENDRYE NATIONAL MONUMENT, N. DAK.

The PRESIDING OFFICER laid before the Senate a message from the House of Representaties announcing its disagreement to the amendments of the Senate to the bill (H. R. 1774) to abolish the Verendrye National Monument, and to provide for its continued public use by the State of North Dakota for a State historic site, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MURRAY. Mr. President, I move that the Senate insist upon its amendments and agree to the request of the House for a conference and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BIBLE, Mr. LAIRD, Mr. SCOTT, Mr. MALONE, and Mr. BARRETT conferees on the part of the Senate.

Mr. GOLDWATER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed, without amendment, the following bills of the Senate:

S. 277. An act for the relief of Jean Pfeifer;

S. 1627. An act for the relief of Alexander Orlov and his wife, Maria Orlov;

S. 1708. An act for the relief of Mr. and Mrs. Ernest M. Kersh;

S. 1893. An act for the relief of Harold D. Robison;

S. 2846. An act for the relief of Don-chean Chu;

S. 3150. An act for the relief of Sgt. and Mrs. Herbert G. Herman;

S. 3473. An act for the relief of Kurt Johan Paro; and

S. 3579. An act for the relief of Elizabeth M. A. de Ceuvas Faure.

The message also announced that the House insisted upon its amendment to the bill (S. 3386) to amend the joint resolution entitled "Joint resolution to establish a commission for the celebration of the 100th anniversary of the birth of Theodore Roosevelt," approved July 28, 1955, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FRAZIER, Mr. TUCK, and Mr. HILLINGS were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11320) to effect the control of narcotics, barbiturates, and dangerous drugs in the District of Columbia, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 10010) for the relief of Roy Click.

The message further announced that the House had passed a bill (H. R. 12270)

to authorize certain construction at military installations, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H. R. 12270) to authorize certain construction at military installations, and for other purposes, was read twice by its title and referred to the Committee on Armed Services.

NEUTRALISM

Mr. HUMPHREY of Minnesota. Mr. President, last Friday I addressed the Senate on the conflicting attitudes of President Eisenhower, Vice President NIXON, and Secretary of State Dulles on the subject of neutralism. Two newspaper articles and an editorial have since come to my attention which elaborate the point I was making.

The editorial, from the Minneapolis Star for Friday, July 13, is entitled "Let's Have 'the Line.'" This editorial concludes:

No one can be happy with this seemingly uncertain official policy toward neutrals. Once and for all, let Mr. Eisenhower himself clearly restate the United States attitude toward neutrals—we'd like to see the restatement in terms of NIXON'S Easton (Lafayette College) speech—and then let all administration spokesmen follow that line plainly and unmistakably, with no personal crochets or off-the-cuff deviations.

I ask unanimous consent that the whole text of the editorial be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LET'S HAVE "THE LINE"

The American ship of state has been yawing badly these past few weeks with regard to official policy toward neutrals and neutralism. Each of the top three spokesmen on the subject—President Eisenhower, Vice President NIXON, and Secretary of State Dulles—has zigged and zagged enough to confuse interested onlookers here and abroad.

The President precipitated the administration's inner debate June 7 with a press conference comment expressing a considerably softer and friendlier attitude toward neutrals that had been previously assumed to be United States policy.

Next morning, June 8, however, a White House clarification was issued, apparently to reassure some allies that they were better off lining up with us than being neutral.

That evening, Vice President NIXON, in a commencement address at Lafayette College, Easton, Pa., made a masterful statement enlarging on the President's remarks of the day before. Unfortunately, NIXON'S speech was lost sight of in the flood of news unleashed by the President's illness.

Next day, June 9, Dulles went in the opposite direction with his Ames, Iowa, speech denouncing as immoral neutrals who try not to be concerned about the fate of other nations. At that time, most people thought he meant most neutrals.

Since then NIXON went abroad, and in the Philippines and Pakistan he seemed to take a bleaker view of neutrals than he had at Easton—more of a Dulles than an Eisenhower line.

And now Dulles, by defining membership in the U. N. as evidence of concern for others, has himself come to the point of admitting that "there are very few, if any" immoral neutrals in the world.

No one can be happy with this seemingly uncertain official policy toward neutrals. Once and for all, let Mr. Eisenhower himself clearly restate the United States attitude toward neutrals—we'd like to see the restatement in terms of NIXON'S Easton speech—and then let all administration spokesmen follow that line plainly and unmistakably, with no personal crochets or off-the-cuff deviations.

Mr. HUMPHREY of Minnesota. Mr. President, the first article is one by Neal Stanford which appeared in the Christian Science Monitor on July 14, 1956, entitled "Loosening Ties With India." Mr. Stanford describes the effect of our official conflict of views on neutralism, our withdrawal of Ambassador John Sherman Cooper, and the postponement of Prime Minister Nehru's visit to the United States as factors which "tend basically to threaten the postwar ties between Washington and this new democracy of Asia."

The article concludes: "There is no doubt a real awareness in both Washington and New Delhi of the dangerous deterioration of American-Indian relations in recent weeks. But for the moment there is little being done to reverse the trend and recapture that common friendliness and esprit that have and should characterize United States-Indian relationships. Perhaps only the President can accomplish this undeniably important assignment."

I ask unanimous consent that the full text of this article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LOOSENING TIES WITH INDIA

(By Neal Stanford)

As a result of recent events, United States relations with India are reaching a new low. Each incident in itself would not have brought this result; collectively, it seems obvious they are endangering American ties and relationships with the largest non-Communist country in Asia. Unless this trend is reversed, the United States stands to lose the friendship of a powerful global force—even if not an avowed ally.

These recent events include: the White House decision to pull Ambassador John Sherman Cooper out of New Delhi (where he was doing yeoman work to bridge the gap between American views and Indian reactions to Sovietism) and have him run for the Senate seat left vacant by the death of Senator Barkley. The decision to defer the scheduled talks between President Eisenhower and Prime Minister Nehru to some unnamed date. The differences and public disputes that have characterized Secretary Dulles', Vice President Nixon's, and Premier Nehru's comments on neutralism and foreign aid.

The United States has had its differences with India before, and some have been more spectacular, though isolated, than any in the current series of events. It is the accumulation of incidents, their aggravations of already strained relations, that explains the greater danger of today. It is not that there is no reasonable explanation for each incident in this series of accumulating frictions; it is rather that in sum they tend basically to threaten the postwar ties between Washington and this new democracy of Asia.

Take for example, the Cooper affair, which leaves Washington without a mission chief in that highly critical region of the world. John Sherman Cooper was undeniably doing a remarkably good job in one of the most delicate diplomatic posts anywhere. Personally, he did not want to leave, as he felt there was still much to do to complete his assignment. He was also persona grata with Premier Nehru, and thus able to play lightning rod to many of the verbal blasts from American officials that might otherwise have struck the Indian Premier.

The national high command of the Republican Party, however, decided that Mr. Cooper was more valuable to the administration in the Senate than in New Delhi; and as a result of a direct telephone call from the President to Ambassador Cooper, the United States is temporarily unrepresented in India by a top official. This is not a fatal situation, and it has happened before; but to the sensitive Indians there may well be a feeling that Washington has downgraded New Delhi's importance diplomatically; that politics overshadows diplomacy in Washington.

Who will replace Mr. Cooper in New Delhi is currently unknown; but whoever it is has the unenviable job of filling Mr. Cooper's shoes. There is some talk that Mrs. Clare Boothe Luce, currently American Ambassador to Rome, would not only like the assignment but is being favorably considered. However, even Mrs. Luce, with all her charm, energy, and experience, would find the role of Ambassador to New Delhi a monumental challenge.

The decision to call off the visit of Prime Minister Nehru to Washington to confer with President Eisenhower was part of the general effort to curtail the President's activities. However, the fact that the President still intends to attend the Panama meeting of American Presidents later in the month is already causing some critical comment in India—which suggests that the White House should waste no time in rescheduling talks with Mr. Nehru at the earliest possible moment. Here again the new Indian nation is sensitive, even possibly oversensitive, to United States diplomatic attitudes toward its leader and itself.

As for Vice President NIXON'S recent tour of certain Asian capitals, it was perhaps understandable that he should skip India because of the open conflict of views between Mr. NIXON and Premier Nehru over neutralism and foreign aid; but whether it was a wise diplomatic omission is another thing. At any rate there are some elements of official and public opinion in both countries that feel the issues in dispute can better be debated impersonally and privately.

When Mr. Dulles suggests that Mr. Nehru's concept of neutrality is "immoral," and Mr. Nehru indicates that Mr. NIXON'S views on neutralism and aid are "undemocratic," the time has come, it would seem, to substitute official silence for public censure on these provocative issues.

There is no doubt a real awareness in both Washington and New Delhi of the dangerous deterioration of American-Indian relations in recent weeks. But for the moment there is little being done to reverse the trend and recapture that common friendliness and esprit that have and should characterize United States-Indian relationships. Perhaps only the President can accomplish this undeniably important assignment.

Mr. HUMPHREY of Minnesota. Mr. President, the second article is one appearing in this morning's Washington Post and Times Herald by Mr. Walter Lippmann entitled "That Black Cat." I ask unanimous consent that it, too, be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THAT BLACK CAT

(By Walter Lippmann)

Mr. Dulles on neutralism has been behaving for all the world like the man who went into a dark room looking for a black cat that

wasn't there. The black cat that Mr. Dulles has been looking for is a universal all-purpose definition of neutrality which will announce the exact temperature of our official moral disapproval. He seems to feel that it is somehow the business of the United States, and of himself as Secretary of State to pronounce a wholesale blanket verdict on all countries which do not belong to NATO, SEATO, or METO, on countries as diverse as India and Ireland, as Sweden and Egypt, as Switzerland and Yugoslavia. Because this cannot be done, he has within the past month or so found it necessary to contradict the President, to contradict the Vice President who had contradicted the President, and to contradict himself.

Such a thing ought not to happen in a well-conducted government. For it betrays a confusion of mind which is more damaging than the attack of our adversaries. On June 9, at Ames, Iowa, Mr. Dulles declared that, except under very exceptional circumstances, the principle of neutrality is obsolete, shortsighted, and immoral. This blanket verdict that they are all immoral irritated the nonjoiners who are a multitude in south Asia, the Middle East, and Europe. The trouble was compounded by Vice President NIXON'S howler in attacking Indian policy when he was in Pakistan. So Mr. Dulles had to go back into the dark room looking for his black cat. Last Wednesday at his press conference he emerged with a new version of the Dulles doctrine. As of July 11 countries belonging to the UN (which includes all countries, excepting only Switzerland, that are able to get themselves admitted) are no longer immoral neutrals, and Switzerland is not an immoral neutral because it has been neutral for so long a time.

This reduces to absurdity the attempt to generalize about the morality of neutrals. For having started with a blanket disapproval, Mr. Dulles has ended with another generalization which leaves him with no neutrals to disapprove of. The official doctrine at the moment is that neutrality is immoral but that there are no neutrals who are immoral.

Now that we have arrived at this thundering anticlimax, the question is how did we become entangled in so stultifying and damaging an argument? This is the morning after, and we must try to remember what touched off last night's talking match.

At the moment of it there is a truly perplexing and difficult situation. The basic assumption of the cold war, that the world is divided into two camps, has been overtaken by the course of events, and a great change has come upon the world situation. Among the developments which have caused this change the most influential have been the attainment of nuclear parity by the Soviet Union, the success of the forced industrialization of the Soviet Union followed by the reaction against Stalinism, the consolidation of the Red regime in China. These developments in their combined effect have worked for neutralism, have worked against the idea that nations which have no nuclear weapons can find security by joining one or the other of the two military coalitions.

In the face of this new situation there have arisen in Washington two schools of thought. The one, represented by Senator KNOWLAND, would like to refuse American aid to any country which does not join one of our military alliances. The other, which has had encouragement from the President himself, would recognize that the weak and underdeveloped countries may have good reason for not joining military alliances, and would nevertheless give them economic aid.

Neither school of thought has as yet produced a policy which can be applied indiscriminately to all the neutrals. No one will ever produce such a policy. In the reality of things the question of how to treat Tito's Yugoslavia is distinct and specifically different from the question of how to treat Nasser's Egypt. In the Asian subcontinent we have a vital interest in being friends both in India and with Pakistan. But it is impossible to formulate a generalized policy which is equally good for both.

The root of the trouble about defining neutrals has been the practice, unfortunately rather common in our inexperienced diplomacy, of trying to deal with specific and diverse and hard problems by sweeping them under the rug of a moral generalization. This is a political vice which can be, and frequently has been, ruinous to an effective and realistic and genuinely moral policy. It is the business of the statesmen to work out an Egyptian policy, and a Yugoslav policy, and an Indian policy, and a Swedish policy, and an Irish policy, and to refrain from upsetting the applecart by pronouncing moral judgment on "neutrals" as such and in the abstract.

There are people who, when they hear an official use of the word "moral," feel that morality is being promoted and defended. It may not be so. Nobody thinks it to be moral and high-minded for a man to issue blanket moral judgment on his fellow man. He is likely to get himself thoroughly distrusted and disliked. For each of us expects to be treated as an individual person, not as part of a generalized lump.

So it is among nations. They are proud, as we are proud, and they resent, as we would resent, being put publicly on trial to be judged for their moral character. They resent it all the more when the judgment is generalized and when they are treated as faceless objects, having no distinct individuality of their own.

SOCIAL SECURITY AMENDMENTS OF 1956

The Senate resumed the consideration of the bill (H. R. 7225) to amend title II of the Social Security Act to provide disability insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. As I understand, the Senate is now operating under the unanimous-consent agreement. Is that correct?

The PRESIDING OFFICER. The Senator is correct. The unanimous-consent agreement limiting debate on the social security bill is now in effect.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. As I understand, each side is in control of 1½ hours on the bill. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. JOHNSON of Texas. The majority leader controls half the time, and the minority leader controls the other half. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. JOHNSON of Texas. Mr. President, I yield to my friend, the distinguished and able senior Senator from Virginia, the chairman of the Committee on Finance [Mr. BYRD] 10 minutes on the bill. I should like to say for the RECORD that in my absence from the Chamber, the time for debate on the bill will be controlled by the senior Senator from Virginia. I should like to designate him, with the consent of the Senate, to control my time in my absence and in the absence of the acting majority leader.

The PRESIDING OFFICER. Without objection it is so ordered. The Senator from Virginia is recognized for 10 minutes.

Mr. BYRD. Mr. President, I think the Senate Finance Committee has done a remarkably fine job with this bill, H. R. 7225, amending social security and public assistance programs to extend coverage of the old-age and survivors insurance system, liberalize protection for older widows, and increase benefits for afflicted dependent children, without increasing taxes.

The committee bill eliminates provisions in the House bill requiring increased social-security taxes on all 70 million participants in the contributory insurance system. This tax increase would have taken $1.7 billion annually, more than $5 billion in 3 years, from employees' pay and employers' pockets.

The social-security tax rate would have been increased to 2½ percent on employees and employers, and to 3¾ percent on self-employed participants in the social security beginning in January 1957. In 18 years the House bill tax rates would increase to 4½ percent on employee and employer, and to 6¾ percent on self-employed.

The Finance Committee amendments can be accomplished without any of these tax increases, and no tax is increased in the bill.

I am pleased that the Honorable Marion B. Folsom, Secretary of the Department of Health, Education, and Welfare and an outstanding expert on social security has said:

> The social security bill (H. R. 7225) as reported by the Senate Finance Committee is greatly improved over the bill passed by the House last summer. In my opinion the bill is now essentially sound and reflects careful and deliberate study, including extensive hearings, on the part of the committee. (Press release, June 1, 1956, Department of Health, Education, and Welfare.)

Senators will recall that in 1950 the Congress made broad extensions in the coverage of the old-age and survivors insurance program, raised its benefit levels and afforded coverage to most self-employed Americans, outside the professions and the farm industry. Again in 1954, the benefits were increased and millions of additional people covered, so that 9 out of every 10 American workers are now within the scope of the system, and 9 out of 10 of the Nation's mothers and children have rights to survivor payments in case of death of the head of the family.

From the beginning of the system the Congress has consistently adhered to certain basic principles. Chief among these principles are: First, the conviction that the contributory aspect must be retained—that the worker, the em-

ployer, and the self-employed should share the cost of the program. Second, that, in general, the benefits should bear a relation to the individual's earnings. Third, that payments be provided without a means test. The bill now under consideration does not modify any of these basic principles.

SUMMARY OF THE PROVISIONS RELATING TO OLD-AGE AND SURVIVORS INSURANCE

Mr. President, there are many provisions in the pending bill, but each Member of the Senate has been furnished a copy of the committee report and a document showing major changes in present law made by the bill, I shall summarize the principal provisions.

In brief, they would amend the old-age and survivors insurance system to—

First. Extend coverage;

Second. Provide increased protection for older widows by making benefits available to them at age 62;

Third. Provide increased protection for afflicted dependent children by extending their benefit eligibility beyond age 18;

Fourth. Prohibit payments to aliens residing outside of the United States unless the alien is a citizen of a country that makes payments to American citizens outside the foreign country;

Fifth. Establish an advisory council to review the status of the old-age and survivors insurance trust fund before each scheduled increase in social-security tax rates; and

Sixth. Increase interest income accruing to that fund.

I shall discuss the provisions briefly in that order.

First. Extension of coverage: Coverage would be extended to new groups, primarily the profesisonal self-employed, and modifications made in coverage requirements for farmers and farm workers to take into account practical problems that have arisen since they were brought into the program by the 1954 amendments. Changes would be made in the provisions relating to insured status and benefit computation so as to give equitable treatment to the newly covered groups. The specific coverage changes are:

(a) Self-employed lawyers, dentists, chiropractors, veterinarians, naturopaths, and optometrists would be afforded coverage.

(b) Farm owners and tenants. Many farm owners and tenants whose income is now excluded from coverage as rental income would be afforded coverage by a provision making certain types of income trade or business income for old-age and survivors insurance purposes. This change pertains to the owners or tenant of land who, under an arrangement whereby another person produces commodities on the land, participates materially in the production. Such a situation often prevails where the farm is operated under some share arrangement.

(c) Self-employed farmers. Coverage would be made available to a large number of low-income farmers by a provision permitting those whose net earnings in a year do not exceed $1,200 to report, at their option, their gross income for old-age and survivors insurance credit.

(d) Paid farm workers. The test of coverage for farm workers would be whether the worker either is paid $200 or more in a year by an employer for agricultural labor or works for an employer on 30 or more days during a year for cash wages and is paid on a time basis. This change, from the present test of $100 cash pay received in a year from an employer, would ease difficulties encountered by farmers in keeping records and making reports for temporary, short-term workers. The bill makes it clear that crew leaders instead of the farm-operators may be designated as employers for social-security purposes.

Second. Increased protection for older widows: Widow's benefits would be first payable at age 62 rather than at age 65 as under present law. This does not affect the existing provision under which benefits are payable to a widowed mother at any age if she has young children in her care.

Third. Increased protection for afflicted children: Benefits would be payable to the child, of any age, of a worker who becomes entitled to retirement benefits or dies, if at that time the child is totally unable to support himself because of a mental or physical impairment that began before he attained age 18. The benefits would be paid as long as the total impairment continues. In addition, the mother of such a child would be eligible for benefits while he is in her care for this reason.

Fourth. Suspension of benefit payments to aliens outside the United States: Benefits would not be paid to aliens who are outside the United States for a period of more than 3 months unless the alien is a citizen of a country that would pay benefits under its system to United States citizens outside the foreign country. Benefits would be paid aliens outside of the United States if the alien is a citizen of a country having a social insurance or pension system that provides reciprocal protection to United States citizens.

Fifth. Establishment of an Advisory Council on Social Security Financing: A council consisting of the Commissioner for Social Security plus 12 members appointed by the Secretary of the Department of Health, Education, and Welfare, and representing employers, employees, the self-employed, and the public, would be established to review and make a report and recommendations on the status of the old-age and survivors insurance trust fund in advance of each scheduled increase in the social-security tax rates.

Sixth. Increase in interest income to the trust fund: The interest rate on certain obligations of the United States, held by the old-age and survivors insurance trust fund, would be made equal to the average rate of interest borne by all marketable interest-bearing obligations of the United States not due or callable until after the expiration of 5 years from the date of original issue. This amendment would recognize the essentially long-term nature of the trust fund commitments and give that fund the higher interest rates borne by longer-term Treasury obligations.

I hope this brief statement serves to emphasize the provisions which constitute the more important aspects of the bill. A number of miscellaneous and technical provisions relating to the old-age and survivors insurance program are described in the committee report.

DISABILITY BENEFITS AND LOWER RETIREMENT AGE FOR WOMEN

Before reaching the public assistance provisions of the bill, I shall discuss two provisions relating to old-age and survivors insurance that were included in the House bill but deleted by the Committee on Finance. They are disability benefits to disabled workers and payment of benefits to all insured women at age 62.

The first provision would have established a program for cash disability benefits payable at age 50 or after. I wish to make it clear that the committee decided against recommending this disability program, because of doubt that such a system of benefits would accomplish the objective of those who advocate the proposal.

The PRESIDING OFFICER. The time of the Senator from Virginia has expired.

Mr. BYRD. Mr. President, I yield myself 5 additional minutes.

Pronounced differences of opinion were found among experts. Many of them believe that a system of cash disability benefits would operate to discourage efforts toward rehabilitation, at a time when important progress is being made in that field under the expanded Federal-State program of vocational rehabilitation. The handicapped person who, through rehabilitation, is enabled to resume his productive, self-sustaining place in the community, has received a benefit far more desirable and more satisfying than eligibility for a series of Government checks. It is important to keep that fact clearly in mind.

In addition to the Federal-State program for rehabilitation, there are Federal-State programs of financial assistance to the blind, to the needy disabled, and to dependent children, designed to meet the basic needs of disabled persons who lack means of support.

The question of adding a cash disability payment to the list of benefits now provided under the old-age and survivors insurance system is complicated also by difficulty in estimating costs. Experience under the so-called disability freeze provision, which was added to the old-age and survivors insurance program by the amendments of 1954, is too brief to provide a firm basis for estimating the cost of cash disability payments.

The Chief Actuary of the Social Security Administration, in presenting his estimates to the committee, acknowledged that they were subject to a broader variation than are estimates for other types of benefits—types for which eligibility can be determined from fact. The estimates are based on high-employment assumptions. Decrease in employment would mean still higher costs, but by even the low-cost figures a system of cash

disability benefits would result in a significant acceleration of expenditures from the trust fund.

In summary, the Committee on Finance concluded from extensive hearings and study that the apparent disadvantages and uncertainties of the proposed system of cash disability payments are far too great to warrant its recommendation to the Senate and to the people, who would bear its costs.

The other provision to which I referred a moment ago related to lowering the eligibility age for all women from age 65 to age 62. The bill reported by the Committee on Finance would make that change for widows only. Women whose lifelong occupation has been that of homemaker and who are widowed rather late in life commonly have a very reduced chance of employment, both because of age and because of lack of outside work experience. The same is only slightly less true of older widows who worked outside the home when younger but have been out of the labor market for many years.

For these reasons, the bill now before the Senate would make benefits available to widows at age 62, despite the fact that the Finance Committee regards the general question of reduction in the retirement eligibility age with misgivings for reasons in addition to the heavy cost that would be involved.

Mr. GORE. Mr. President, will the Senator from Virginia yield?

Mr. BYRD. I yield.

Mr. GORE. Does the Senator have statistics which would indicate what percentage of women employed are now widows?

Mr. BYRD. I am sorry, but I do not have those figures.

Mr. President, the trends of our times are to longer—not shorter—useful and productive lives, and to greater—not less—use of the valuable knowledges and skills of our older citizens.

The PRESIDING OFFICER. The time of the Senator from Virginia has again expired.

Mr. BYRD. Mr. President, I yield myself 5 additional minutes.

Any general reduction in the eligibility age for benefits would risk a trend toward the fixing of earlier retirement ages by employers—a trend which would be detrimental to the best interests of both the workers and the overall economy. I would emphasize also that much more is involved in this question than merely the economic aspects. The mental and physical effects, for example, of "shelving," if you will, people scarcely out of their late middle age, by present standards, deserves careful consideration.

A reduction in age for all insured women would be deviating from the pattern being adopted by American industry. The retirement age for women has been increased in recent years from 60 to 65 years by numerous firms, including Eastman Kodak, Phillips Petroleum, Quaker Oats, Socony Vacuum, and General Electric, as well as many other companies. Moreover, other countries are increasing, not decreasing, the age of retirement for women.

The two provisions which I have just discussed—one for a cash disability benefit system and the other for lowering the eligibility age for women generally—would have necessitated an immediate, unscheduled increase in the social security tax rates.

Since the pending bill does not include these provisions of the bill passed by the House, except to the extent of the age 62 provision for widows and payments to children disabled before attaining age 18, the Finance Committee was able to eliminate also the amendment relating to the tax increase, amounting to approximately $1,800,000 a year.

Under the committee bill, taxpayers now paying into the system will pay $1.7 billion less in each of the next 3 years than would have been the case if these two provisions in the House bill had been adopted. It should be remembered that such a tax increase would have been added in all future years under the provisions of the House bill.

PUBLIC ASSISTANCE

Although the pending bill is concerned in large measure with the old-age and survivors insurance program, the Committee on Finance has given careful study to the subject of State-Federal public assistance. The four programs of old-age assistance, aid to dependent children, aid to the blind, and aid to the permanently and totally disabled, are providing aid to approximately 5 million individuals.

The Senate, of course, is aware of the adoption last night of the so-called Long amendment relating to public assistance.

What I shall say with respect to public assistance is in terms of provisions in the bill as reported by the Senate Finance Committee.

The committee bill would increase Federal funds over current expenditures by $88 million a year. In addition, by extending the expiration date of the present formulas, governing the Federal share of assistance payments, $210 million a year will continue to be provided to the States, instead of having this amount of Federal funds cut off on October 1, 1956, as is provided in existing law. The House bill made no change in public-assistance programs.

The commitee provisions in the bill that would modify the public-assistance programs were designed to:

First. Assist States to provide medical care for State-Federal public-assistance recipients;

Second. Extend operation of the formulas for Federal sharing in the costs of the public-assistance programs;

Third. Encourage States to place greater emphasis on helping to strengthen family life and helping needy families and individuals to attain economic and personal independence;

Fourth. Make Federal grants for research projects and grants for training of public welfare personnel; and

Fifth. Broaden the aid to dependent children program so as to make eligible small additional groups.

I shall outline briefly the purpose of each of these public-assistance changes.

First. Matching of medical-care expenditures: Federal participation in public-assistance expenditures under the committee bill is limited by maximums on the amount of monthly payments to or on behalf of an individual. These maximums, as the bill was reported by the Committee on Finance, are $55 for aged, blind, and disabled recipients and lesser amounts for aid to dependent children. Since medical expenses for an individual may be high in 1 month (sometimes running to several hundred dollars) and small or nonexistent in other months, and since many of the individuals with the largest medical needs also have maintenance needs of $55 or more, there is frequently little or no Federal participation in payments made by States for medical care. This has limited the amounts of medical care that many States have been able to make available to recipients, and has precluded some of the States from assuming substantial responsibility for the costs of medical care for needy people.

The PRESIDING OFFICER. The additional 5 minutes of the Senator from Virginia have expired.

Mr. BYRD. Mr. President, I yield myself 5 more minutes.

The bill as reported by the committee would provide Federal matching of expenditures for payments to suppliers of medical care separate from money payments to assistance recipients, and would use an average basis for determining Federal participation in payment to suppliers of medical care. Large expenditures of this kind made by a State on behalf of some recipients could be averaged with small expenditures or no expenditures for other recipients. The Federal Government would participate in one-half of the cost up to an average expenditure of $8 a month per adult receiving aid and $4 a month per child.

Second. Matching formulas: The formulas for Federal matching of public assistance payments are scheduled to revert to the pre-1952 levels on October 1, 1956. Until old-age and survivors insurance benefits are more generally received under the extensions of coverage made by the 1950 and 1954 amendments, the number of aged persons receiving assistance payments will remain high, particularly in rural States. Decreases in payments to recipients of old-age assistance, aid to the blind, aid to dependent children, and aid to the permanently and totally disabled would be likely in a substantial number of States if the Federal share of assistance payments is reduced. The bill would extend the present formulas, established by the McFarland amendment, to June 30, 1959. This will permit time in which to study and determine what should be the appropriate share of public assistance costs that should be borne by the Federal Government on a long-range basis.

Third. Self-support and self-care: The bill, as reported by the committee, would amend the titles of the act relating to programs for the disabled, blind, and dependent children to make it clear that services should be provided to assist recipients to attain, when possible, self-support and self-care.

Services that assist families and individuals to attain the maximum economic and personal independence of which they

are capable provide a more satisfactory way of living for the recipients affected. To the extent that they can remove or ameliorate the causes of dependency they will decrease the time that assistance is needed.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. GORE. I have listened with great interest to the able address by the distinguished Senator from Virginia. I wish to congratulate him and his committee particularly upon the added emphasis which he and the committee have given to the welfare features of the program. I have felt that that particular group of our society has been most unfairly treated.

For instance, the Federal subsidy to the retirement of former civil-service employees amounts to far more per capita than does the Federal contribution to the needy aged persons. In a comparison of the benefits to be received under the welfare features of the social-security program with any other system of retirement benefits under retirement systems of the Government, does not the Senator from Virginia find that the social-security welfare program offers benefits smaller than any other program?

Mr. BYRD. The Senator is probably correct, especially with respect to needy aged persons.

I thank the Senator from Tennessee.

Fourth. Federal grants for research and training: Under the committee bill, grants would be made to the States and public and other nonprofit organizations for paying part of the cost of research projects in such areas as the prevention of dependency. Five million dollars would be authorized to be appropriated for this purpose for the fiscal year ending June 30, 1957. An authorization for a like amount would be made for the purpose of allotting sums to the States to assist in the training of public-welfare personnel for the year ending June 30, 1958.

Fifth. Broadening the aid-to-dependent-children program: Two committee amendments were made to the aid-to-dependent-children title, neither of which affects large numbers of children, but both of which makes some additional children eligible for aid. The first would permit Federal participation in assistance to children who are deprived of parental support or care for the reasons now listed in the law and who are living in the homes of close relatives, thereby extending the degree of relationship slightly beyond the present law. The second would eliminate the requirement that for a child between the ages of 16 and 18 to receive aid he be in regular attendance at school. This would permit the Federal sharing in assistance to such children unable to attend school because of illness or handicap, or because school facilities are not available.

Mr. President, the Finance Committee has endeavored to report a bill which will strengthen the old-age and survivors insurance and public assistance programs to the greatest degree possible. We have also been concerned with the added costs to the taxpayers of the Nation.

It has not been an easy task. We held extensive hearings so that all points of view could be adequately represented. We have given long and careful consideration to the difficult decisions which had to be made. At this time I wish to pay my respects to the members of the committee for the hours of time and the great concern they have shown in our considerations of all of the complex problems which social security legislation requires.

As a result, I am convinced that we have a sound bill. I believe the Members of the Senate will agree that we are presenting a bill which, in the words of the Secretary of Health, Education, and Welfare "is now essentially sound and reflects careful and deliberate study."

Mr. BENNETT. Mr. President, will the Senator from Virginia yield me 15 minutes?

Mr. BYRD. I can yield time only on the bill.

The PRESIDING OFFICER. The minority leader controls the time in opposition to the George amendment.

Mr. KNOWLAND. Mr. President, I yield to the Senator from Utah 15 minutes in opposition to the George amendment.

Mr. BENNETT. Mr. President, in 1950 the Senate rejected a proposal to extend the contributory social-security system to include the payment of benefits to the disabled. Instead, we have chosen to add to Federal grants for State public assistance so as to include permanent and total disability. The reasons for refusing to make this break in the fundamental concept of social security insurance could be echoed in this Chamber today with all the validity and force with which they were presented in 1950. Indeed, the Senators who made these compelling arguments are still Members of this body. So, in large measure, we are going over familiar ground, in considering the adoption of this amendment to the Social Security Act.

The question of disability was considered again in 1952 and 1954 by the Finance Committee, and in 1954 the disability freeze provision was enacted to protect the old-age and survivors insurance benefit rights of disabled workers. Thus, we in the committee, as well as all the Members of the Senate, have demonstrated our concern for the disabled by the enacting of provisions for their immediate assistance and for protecting their share in old-age and survivors insurance benefits.

I can tell you that no social hazard more appeals to my sympathies than that which arises from disability. When any member of a family is permanently and totally disabled, whether parent or child, the social and economic consequences are serious and heartrending. I know the committee members shared my concern when it was decided not to add the provision to the bill, and it was only after careful weighing of the evidence, and the thoughtful consideration of the best interests of the disabled individual and the Nation as a whole, that we arrived at our decision.

Over 70 million Americans have a direct financial interest in the social security program, and I think it behooves us to consider the effect of this amendment on them. In a particular sense we are acting in a fiduciary capacity with respect to this program, even more than our normal responsibility of accountability.

I have received hundreds of letters from people who thought they had something to gain from the passage of this proposed legislation, and they were perfectly justified in telling me of their need and their desire. I have heard from very few people who did not have this axe to grind. I think those who have not written have a right to know that this is going to be a tremendously costly program. While is is extremely difficult to estimate the cost of a program like this, since it could fluctuate greatly between periods of high and low job opportunity, a modest estimate places the cost at abcut $200 million the first year, rising to about $900 million by 1980. Private insurance companies have attempted to provide disability insurance, and their experience points to the use of extreme caution. Few major companies sell such policies today, and those who do, do so only under very restrictive conditions as to eligibility and benefits. These restrictions are not possible under the proposed program. Some private businesses have been able to administer modest disability programs, but for the most part they have the benefit of long employment records, as well as complete medical histories on their employees.

The supporters of this amendment tell us that by setting up a separate trust fund they are not going to jeopardize the actuarial balance of the program of social security. I think it is rather obvious that once this amendment is enacted, there is small chance that the program would be discontinued because of lack of funds. The pressure to provide the necessary funds, either through direct Government grant or through increased taxes on the social security taxpayers, would demand the employment of one of these alternatives.

It is estimated that about 250,000 persons would receive disability benefits the first year under the provisions of this amendment. When it is considered that more than 70 million persons are now contributing to the social security fund, this estimate means that only a little more than one-third of 1 percent of the persons contributing to social security would benefit from the provision. I asked the chairman of the Utah State Public Welfare Commission to make a survey of the effect of this amendment on the blind and disabled of my State. He reported that 1,829 cases in Utah, involving the payment of aid to the disabled, only 22.7 percent of them had a work history sufficient to qualify them for coverage under OASI. He also said that, in his opinion, not all of the 22.7 percent could qualify under the disability tests.

The average payments under the State assistance programs to these disabled persons in Utah during November of last year was $67.89. This compares most favorably with the estimated amount of from $70 to $80 they would receive under the amendment.

There is in this planning a "kicker" which is not immediately evident to those who anticipate receiving these disability payments.

If they are now receiving benefits from the State, the benefits have been given to them after a determination of the amount of their need; and if they have any private income, the amount of that income is taken into consideration and deducted from the amount which might have been paid to them if they had no income.

If the amendment is adopted, the money paid under the social security program to those who are disabled will be taken into consideration by the State authorities as private income, and the money they are receiving now from the State under the present assistance program will, in large measure, be reduced by that amount.

In effect, then, so far as concerns persons now receiving disability assistance under the State welfare programs, we are simply transferring the costs of those benefits from the general treasury under our grant system to the 70 million social security taxpayers. We are still left with the remaining 77.3 percent in Utah, and an equally great proportion throughout the country who are equally disabled, whose need is equally great, but who cannot qualify to receive social security benefits under this program. I think if a person were charged with the responsibility of selling this coverage to the individual now paying into OASI, he would have a great deal of difficulty convincing them of either the need or the workability of the program, since the proposal would transfer the cost from the general taxpayer to the OASI participant.

Another major difficulty in administering a disability cash benefits program under old-age and survivors insurance is that of making accurate determinations of disability. Where benefits are payable as a matter of right, strong pressures inevitably arise to liberalize the conditions under which individuals are placed on the benefit rolls and are permitted to stay on the rolls. Many medical experts have testified as to the very grave problems incident to making determinations in an area involving so much subjectivity as disability. They believe strongly that it would put too much of a burden on the physician to ask him to make disability determinations, when, as a result of his decision, a person might receive or fail to receive a substantial income for the rest of his life.

That there is real difficulty in making determinations of disability is attested to by the tremendous backlog of 200,000 disability freeze applications now pending under the existing Social Security Act. Of much more significance than the backlog of disability waiver claims is the observation made by the chairman of the OASI medical advisory committee, which is quoted on page 65 of the House report. He emphasizes that the claims which have been processed should properly be reprocessed if disability benefits are to be paid, stating that:

> Standards * * * for total disability have been necessarily liberal in view of the tremendous backlog and the necessity of some nonprofessional administration of the regulations—

He is referring to the present freeze provision—

> Should the payments be made immediately available another stricter interpretation of what is meant by totally disabled would have to be recommended by the committee.

As I sat through the long sessions of the hearings in committee, I became aware of another disturbing aspect of this problem. Although I knew we had made tremendous strides in the rehabilitation of our disabled, I had always assumed that disability was a somewhat continuing bar to active employment. In reviewing that testimony, I find that the experts who testified felt that more than 90 percent of the disabled could be restored to gainful employment. I recall especially a witness, Henry Viscardi, himself seriously disabled, who stated that there are no nonrehabilitatable people—that everyone could be trained to earn a livelihood and live with his disability. And the interesting experience of his experiment in this field gives considerable weight to his words.

Mr. LONG. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. LONG. Does the Senator realize that the largest single cause of disability in men is hardening of the arteries and heart disease, as a combination? Does the Senator really think persons who are suffering from hardening of the arteries and heart disease are going to be rehabilitated?

Mr. BENNETT. The Senator from Utah has had experience with one as close as his own brother, who, after three coronary attacks, is still carrying on his managerial responsibilities with Giant Food Stores. It is such a condition, as in the case of the President of the United States, that, with probably some special treatment, one can make a readjustment to the pattern of life.

Mr. LONG. Will the Senator yield further?

Mr. BENNETT. I am speaking on limited time. May I complete my statement first?

Mr. LONG. Will the Senator yield for 30 seconds?

Mr. BENNETT. Very well.

Mr. LONG. Does not the Senator realize that there is a difference between a man who has had successive heart attacks and who is serving in an executive position or as President of the United States, who does paperwork, and a man who has not had that kind of training and who has to do manual labor in the hot sun? Does not the Senator realize that there is a difference between being President or executive of any kind, for whom other persons can carry papers and do the necessary paperwork, and a man who has to do physical work in the hot sun?

Mr. BENNETT. Perhaps the Senator from Louisiana remembers the testimony of Mr. Viscardi. I do not know whether the Senator was present or not. It was brought out that a man who has been disabled does not necessarily have to return to the same work he was doing at the time he was disabled. There are other kinds of work for which he can be trained.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. BENNETT. I hope the Senator will not ask me to yield further. I have cut my time pretty closely. There are other Senators who have time available.

The PRESIDING OFFICER (Mr. PURTELL in the chair). The Senator from Utah has 2 minutes remaining.

Mr. BENNETT. Mr. President, in view of the interruptions which have occurred, I ask the acting minority leader whether he will yield 2 additional minutes to me.

Mr. MARTIN of Pennsylvania. Mr. President, I yield 2 additional minutes to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah is recognized for 2 additional minutes.

Mr. BENNETT. Mr. President, implicit in the testimony from those people who have made rehabilitation their life work, was the further thought that one of the greatest of all drives was the desire to return to active employment, and to reap the material benefits of that employ. There seems a real danger that some among the disabled would hesitate to move from the security of assured benefits—however small—to the uncertainty of competitive labor markets. Pehaps in our zeal to help we would throw out, not a life preserver, but a semifloatable millstone that they could not let go of, and which would position them permanently among the disabled. In my own State, in 1954, there were 277 rehabilitations of the disabled to successful employment. Considering the size of my State's population, that is ample evidence of the success of its program. There is also ample evidence that this amendment could do irreparable damage to the rehabilitation program. Provisions are—and should be—made for taking care of our disabled during the period of their rehabilitation; but I have considerable doubt—which doubt is shared by many of the spokesmen for these groups of disabled—that it is wise to make the continuing nature of the disability a prerequisite to securing the cash benefits obtainable through this amendment.

As my colleagues know, I am a candidate for reelection to this body. Despite my past support of the social security program, I am being accused by those who covet my seat of being against social security and the comman man. On the contrary, I believe every man is, most of all, an individual. I believe that his wants and needs and circumstances deserve the attention of those of us who represent him in these halls. I do not need to remind this body, however, that we represent not only the disabled, but also all other persons of this country; not only the one-third of 1 percent who, as disabled, may qualify for this cash benefit at some time, but also the more than 70 million who will bear the cost without benefit to themselves.

Already the cost of participating in social security is greater than the income taxes paid by many of our citizens. By 1975, this tax will be more than

doubled. By that date, if the provisions of H. R. 7225 are enacted, the combined employee-employer tax will be approximately 9 percent of salary, and the self-employed will be paying about 6¾ percent of salary. I know my friends who support this measure will point to the fact that in it they have not increased the tax as much as was estimated to be necessary by our colleagues in the House. But I also know that this program must be paid for; that once we embark on it, there will be no turning back, regardless of whether it is supported by a separate trust fund. I think we all realize that, and that we also realize that the actuarial integrity of the social-security system is only slightly cauterized from harm by this device.

Mr. President, I believe in social security. I also believe we should help our disabled. But I do not believe this program is either in accord with the fundamental principles of social security or that it will solve the problems of all our disabled. When a survey of my own State tells me that this amendment would help less than 1 out of 4 of the disabled of my State—and I think the percentage helped for the country as a whole is lower—I am more convinced than ever that this amendment is not the solution. I favor the continuing expansion of the assistance program we began in 1950, which is enjoying tremendous success. Since we must maintain this program for the more than 75 percent who cannot qualify under this amendment, why should not all the disabled be given equal treatment and opportunity? So long as we speak for the common man and his ills, let us speak for all.

I do not think this amendment does either equity or justice.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator from Utah yield to me?

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). Does the Senator from Utah yield to the Senator from Pennsylvania?

Mr. BENNETT. I am very glad to yield.

Mr. MARTIN of Pennsylvania. In the very close study the Senator from Utah has made of the Nation's social-security system—and from the investigation I have made, I know that the Senator from Utah has given it very close study and consideration—does not he think it is the obligation of the Congress to keep the social-security funds as nearly sound actuarially as it is possible to make them?

Mr. BENNETT. We now have $21 billion in the fund to back up our responsibilities under the retirement system for the aged. We are now embarking on a completely new program, as to which private actuaries have had to acknowledge that they cannot successfully predict the ultimate cost. I think we may be doing things which will constitute grave risks to the current stability of our social-security program.

As I said earlier in my remarks, even though this money will go into a special trust fund, all of us know that when the trust fund is exhausted, we must either increase the tax or make further appropriations.

Mr. MARTIN of Pennsylvania. Do we not owe a duty to the 70 million men and women who make payments to the social security fund to keep the fund as sound and as unimpaired as it is possible for the Congress to do, by means of judicious action?

Mr. BENNETT. I certainly believe that the 70 million people who are paying, and have been paying, into the social-security fund should realize the risk involved if this added burden is imposed on the system. I tried to make it perfectly clear that I am concerned about the burden which will be placed upon these 70 million persons, in order that one-third of one percent of them may receive funds under the social-security system, to replace the funds which already are available to them under the public-welfare system.

Mr. MARTIN of Pennsylvania. Does not the Senator from Utah, as a result of his extensive study of questions of this kind, believe that social-security matters should be handled by means of one fund, and that the humanitarian work of our country should be handled through another fund, namely, the general fund?

Mr. BENNETT. I have always thought that, having embarked upon a plan of public assistance, which includes a variety of programs, among them help for the disabled, this particular program should continue to be handled in that way. In fact, we are not going to replace it by means of the new program; as a matter of fact, we are going to divide it. I prefer to have the present system go forward.

Mr. MARTIN of Pennsylvania. I congratulate the able Senator from Utah on his very sound remarks, and I hope every Member of the Senate will read them carefully in the CONGRESSIONAL RECORD.

Mr. LEHMAN. Mr. President, will the Senator from Utah yield to me?

Mr. BENNETT. Yes; if I have time in which to do so.

The PRESIDING OFFICER. The time yielded to the Senator from Utah has expired.

The question is on agreeing to the amendment of the Senator from Georgia [Mr. GEORGE].

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does either side yield time for that purpose?

Mr. MARTIN of Pennsylvania. Mr. President, I ask unanimous consent that the time required for a quorum call be not charged to either side.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Pennsylvania? The Chair hears none, and it is so ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MARTIN of Pennsylvania. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Mr. LONG. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue the call of the roll.

The legislative clerk resumed and concluded the call of the roll, and the following Senators answered to their names:

Aiken	Goldwater	McCarthy
Allott	Gore	McClellan
Anderson	Green	McNamara
Barrett	Hayden	Millikin
Beall	Hennings	Monroney
Bender	Hickenlooper	Morse
Bennett	Hill	Mundt
Bible	Holland	Murray
Bricker	Hruska	Neely
Bridges	Humphrey, Minn.	Neuberger
Bush	Humphreys, Ky.	O'Mahoney
Butler	Ives	Pastore
Byrd	Jackson	Payne
Capehart	Jenner	Purtell
Carlson	Johnson, Tex.	Robertson
Case, N. J.	Johnston, S. C.	Russell
Case, S. Dak.	Kefauver	Saltonstall
Chavez	Kennedy	Schoeppel
Clements	Kerr	Scott
Cotton	Knowland	Smathers
Curtis	Kuchel	Smith, Maine
Dirksen	Laird	Smith, N. J.
Douglas	Langer	Sparkman
Duff	Lehman	Stennis
Dworshak	Long	Symington
Eastland	Magnuson	Thye
Ellender	Malone	Watkins
Ervin	Mansfield	Welker
Flanders	Martin, Iowa	Wiley
Frear	Martin, Pa.	Williams
Fulbright	Monroney	Wofford
George	Morse	Young

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL] is absent on official business.

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The PRESIDING OFFICER. A quorum is present.

Mr. GEORGE. Mr. President, I ask Senators to give me their attention, because I want to speak very earnestly gainst the committee amendment to strike out section 103 of the bill, although my amendment, of course, will be offered to the substitute which has been approved, as I understand, subject to such objections as any Senator may wish to raise. Section 103 of the bill provides for the payment of benefits to persons aged 50 and over who have been permanently and totally disabled.

Mr. President, I feel strongly that we have arrived at the time when we should improve our social-security program by providing for the payment of insurance benefits to the men and women of our country who are unfortunate enough to become permanently and totally disabled.

INSURANCE VERSUS ASSISTANCE APPROACH

The hearings which the Finance Committee conducted in 1950, 1954, and this year have amply demonstrated that it is imperative to liberalize the social-security program to help disabled persons. The burden of disability is a crushing load on many families. Not only does the disabled person have the worry, the discouragement, and the frustration due to the loss of his health, but he has the heavy weight of increased medical and hospital bills, nursing services and drugs, the loss of his regular income, and the continued financial responsibility for the support of his wife and the education and care of his children.

Every Senator knows individual cases where prolonged sickness and disability have reduced a proud and self-supporting person to a helpless, dependent individual who must look to his wife, or to his children or relatives, or to private or public charity to support him. The children may have to drop out of school to help maintain the family. The wife may have to work long hours at low-paying odd jobs to earn enough to keep the family together.

Such situations are most unfortunate. Every time we cut short the education of a promising young boy or girl we are not only making it difficult for him or for her to have a successful career, but we are losing for our Nation productive or inventive skills which may have been developed through proper schooling. Every time we force a mother into the labor market against her will we are disrupting family life and sowing the seeds of further hardship, even delinquency, and sometimes despair.

Today in the United States, more than 400,000 permanently and totally disabled persons are receiving public relief. Think of that. I ask Senators to stop and reflect for a moment what it would mean if someone they knew, some one they held dear to them, some friend of theirs, had to apply for public relief because he or she was permanently and totally disabled.

I wonder how many of us realize that the number of disabled on public relief is increasing every month. I realize that our society cannot be organized in such a way as to prevent all disability or insure everyone against it. We must have a system of public assistance for disabled persons who are in need. I am proud to have been a member of the Conference Committee in 1950 which authorized Federal grants to the States for aid to the needy disabled. This was a forward step at the time, and has yielded as much in experience. It was a wise step, and many of the fears about the administration of such a proposal have proved to be utterly groundless.

But in my opinion, we cannot be content with the assistance program as one of our major approaches to meeting the economic needs of our disabled group.

I find it singularly distressing and very strange in the year 1956 to hear the arguments of those who say we can rely upon public assistance to meet the needs of those who are disabled. We have not followed this principle with respect to the aged, widowed mothers, and dependent children, or the unemployed; and we have not followed it as to ourselves as Members of Congress. As a progressive and enlightened Nation we have adopted the policy that assistance is a second line of defense, and that we want to rely on the tried and tested method of contributory social insurance to meet the major economic hazards of our industrial society. I believe we should, we can, and we must now apply the contributory social insurance principle to the risk of permanent total disability.

MAJOR PROVISIONS OF DISABILITY PROPOSAL

Before discussing in more detail my reasons for wholeheartedly supporting the disability proposal, I desire to outline the major provisions of the proposal. It is far different from what some have imagined it to be. The disability provisions have been carefully drawn. They are the result of many years of consideration by those who have studied the problem. The provisions safeguard the financial soundness of the program and they assure that it can be administered economically, efficiently, and wisely.

My distinguished friend from Utah [Mr. BENNETT] deplores the fact that we may be undermining the social security reserve fund. Let me tell the Senate how it will be undermined. If the Senate rejects this proposal—and it is the last proposal which will be made to couple a tax with total, permanent disability—payments for disabled persons will be made from the social-security reserve fund, which now totals approximately $22 billion.

Hereafter, every proposal to take care of those who are permanently, totally disabled will be referred to the social-security fund. Make no mistake about that. Even with the type of proposal which is now made, the House may insist, as it has in its own bill, on retaining but one social-security fund in the entire program. Hereafter, that will undoubtedly be true. It is not a thing we are going to avoid. Whether or not we do it this year, we shall certainly do it in the next Congress. Make no mistake about that. We are going to give to the totally and permanently disabled whatever benefits they have earned as workers. We may not do it today, but we shall do it a bit later.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Georgia yield?

Mr. GEORGE. I yield.

Mr. JOHNSON of Texas. Has not the Congress already given it to all Members of the Congress who have become permanently and totally disabled?

Mr. GEORGE. That is correct.

Mr. JOHNSON of Texas. Has not the Congress already given it to all Federal employees?

Mr. GEORGE. Certainly.

Mr. JOHNSON of Texas. Has not the Congress already given it to all members of the armed services?

Mr. GEORGE. Certainly.

Mr. JOHNSON of Texas. Then, why should the Congress give it to a Member of Congress or to a uniformed man in the armed services or to a Federal employee, and refuse to give it to a truck driver or a man who operates a dairy truck?

Mr. GEORGE. There is no good reason. But I am emphasizing the point, Mr. President, that here we are not proposing to give anything to anyone, but only to permit the worker himself—not his widow or his dependents—who, not as a volunteer, but under a law which we passed, has paid into the social-security fund a percentage of that which he has earned since we put him under the system and made him contribute to it, to have only what his wage pattern has earned for him. And yet, because a doctor has written to us, we are hesitant about letting him have what he has earned.

Mr. President, I desire to point out the conditions under which payments will be made.

To be eligible for disability benefits an individual must comply with all of the eight following requirements:

First, he must have worked and contributed to the social-security program for a substantial period of time. In order for an individual to be insured for disability benefits he must meet not merely 1 test of attachment to the labor market, not merely 2 tests, but 3 separate, distinct requirements. An individual must have had 6 quarters coverage, that is 1½ years, in the 13-quarter period ending with the quarter of his disablement and 20 quarters of coverage, that is 5 years, in the 40-quarter period ending with the quarter of his disablement. He must also be fully insured, which means that an individual who becomes disabled in the future may need as much as 10 years of coverage and contributions under the social-security system. These eligibility conditions are adequate assurance that casual and intermittent workers will not be eligible for benefits. Only persons who have demonstrated that they can hold a job for a substantial period of time can gain insurance rights for disability. There is adequate protection in this way to the system. As I said, there are three separate eligibilty tests—all of which must be met. This is a carefully designed program. I ask Senators to remember this because these provisions have been intentionally drawn with the idea in mind of preserving the sound insurance basis of the present program.

A second requirement which the individual must meet is that he must be so disabled that he is "unable to engage in any substantial gainful activity." I ask Senators to note this requirement very carefully. It means that if the disabled individual can engage in any substantial gainful activities he is not eligible for disability insurance benefits. This is a very conservative requirement. It is the requirement recommended by the experts who were members of the Advisory Council on Social Security to the Finance Committee in 1948.

A third requirement is that the disability must be "a medically determinable physical or mental impairment which can be expected to result in death or be of long-continued and indefinite duration."

Yet, Mr. President, many American doctors are afraid that they cannot determine when a man or a woman is disabled, when the plain requirement is that the disability must be a medically determined physical or mental impairment. Doctors have less confidence in themselves than I have, Mr. President. I think more of the medical profession in this country than to believe that they cannot determine when a man or a woman worker has a permanent and total disability. That fact must be medically determined for, if not medically determined, the worker cannot receive any benefit.

Under this requirement the applicant for benefits must present sound and convincing medical evidence that he has a

medically determinable impairment. The evidence must include medical reports giving the history of his condition, the diagnosis, and the clinical findings which must indicate not only the nature of the impairment but also its severity. Pertinent nonmedical information must be secured from the applicant, and from other sources, such as the employer, in connection with the employment record of the individual.

Mr. GORE. Mr. President, will the Senator from Georgia yield?

Mr. GEORGE. I yield to the Senator from Tennessee.

Mr. GORE. Is it not true that a medical determination of disability must now be made with respect to the disability and thereby qualify a disabled Member of Congress, for instance, for benefits? Is it not true that many hundreds of thousands of private insurance policies provide for retirement upon a medical determination of disability; and is it not true that such a medical determination must be made in the case of hundreds of thousands of veterans? In fact, is not such medical determination of disability about which the Senator has so ably spoken a part of many and varied types of retirement and disability systems, both private and public?

Mr. GEORGE. The Senator is entirely correct. He might have included all the workers on the public carriers. Before a railroad worker can retire for total and permanent disability he must have a medical determination of his disability. For those who have such disability, the program is working satisfactorily.

It is only the timorous or those who do not want to pay benefits to the persons who have earned them under a compulsory insurance system, not a voluntary system, who seem to have some doubt about it.

But we shall do it. We are certain to do it. Let me repeat: This is about the last chance we shall ever have offered to us to have coupled to permanent and total disability payments a tax to support such a system. It will be paid out of the general reserves. Senators who are concerned about such a proposal should take note of what I am now saying.

Mr. GORE. Mr. President, will the Senator further yield?

Mr. GEORGE. I am glad to yield.

Mr. GORE. In discussing the problem, both with my constituents and with my colleagues, I have frequently heard expressions of apprehension that this would open the way for free riders or free loaders to attach themselves to the program. I was impressed by what the Senator said earlier when he outlined the qualifications for entitlement to this benefit. It seemed to me that he spelled out and described, not an itinerant worker, not a spasmodic job holder, but a man or a woman who had demonstrated, by his or her longevity of service, a reliable and sustained employment in industrial life.

Mr. GEORGE. Beyond all doubt, that is one of the essential requirements to entitle one to benefits.

Mr. LONG. Mr. President, will the Senator yield?

Mr. GEORGE. I shall be glad to yield, although I have not much time.

Mr. LONG. The Senator was meeting the argument that the medical profession could not determine disability. I invite the Senator's attention to the statistics on the actual cases of disability. I have before me the Federal Government statistics on the disability freeze. These are the principal causes of disability:

The first in rank is arteriosclerosis. In laymen's terms, that means a thickening of the walls of the arteries and is a disease which occurs mostly in those who are well along in years. That single disabler accounts for 15.8 percent of the cases of disability.

The second disabler is vascular lesions of the central nervous system such as paralysis or cerebral thrombosis. It accounts for 14.2 percent of the cases of disability. These two diseases are the largest disablers. Any doctor can tell whether a person has them.

The next disabler is pulmonary tuberculosis, which, again, is a disease that is determinable medically. It accounts for 10 percent of the cases of disability.

Then comes hypertension, or high blood pressure—again, a disease which is completely medically determinable.

The next disease is the only one as to which the medical profession might possibly have some difficulty in determining disability—rheumatoid arthritis, which accounts for only 3.5 percent of the cases of disability under the freeze provision.

The other major disabling diseases, such as Parkinson's disease, multiple sclerosis, diabetes, and cancer, are very easily determinable by the medical profession. They account for only 3.5 percent of the cases of disability; and all the medical witnesses, so far as I could determine, stated that there is no great difficulty in determining whether a person having any of those diseases is actually disabled.

Mr. GEORGE. I think the Senator is entirely correct. As I have said, the medical profession is underestimating its capacity. I think they need not express such a lack of confidence in themselves.

Mr. President, the guides for evaluating disability were developed in consultation with State agencies and with the advice and assistance of an outstanding medical advisory committee. The doctors on this committee were all members of the American Medical Association, I think I can fairly state that these standards are reasonable, practical, and represent the best medical thinking in the United States on the subject. Disability determinations are being made every day under this definition and these standards for the disability "freeze" provisions enacted by the Congress in 1954 as part of the social security amendments.

A fourth requirement which every disabled person must meet is that each disabled person must have been disabled for a 6 months waiting period. He will not get benefits the next day after he has become permanently and totally disabled; he must wait 6 months. Certainly, if there is any purely temporary condition, which merely makes work difficult for him, it will show up within the period of 6 months.

Throughout this 6-month period the individual must have been disabled. During this period no benefits are paid under the provision. The requirement of a waiting period clears up the great preponderance of temporary ailments. It reduces the cost of the program and gives the administrative agency ample time to process the claim carefully and make all the necessary medical determinations.

The fifth requirement is that an individual must be age 50 or over in order to receive benefits. Over one-third of all disabled persons are under the age of 50 and would not immediately be benefited by the proposal. Personally, I am of the opinion that the age 50 requirement is arbitrary and unrealistic. I believe that there is just as much justification for the payment of benefits to the disabled person at age 48 or 49 as to the disabled person at age 50 or 51.

But I have deferred not only to the wishes of many of my colleagues, but also to the wishes of the House committee in writing into the bill the age 50.

As a matter of fact the younger person may have heavier financial and family responsibilities, less savings and resources, than a man of 50 or 60 who becomes disabled. From a social point of view I believe it would be more desirable to strike the age 50 requirement from the proposal. I submitted such an amendment and still believe it is the sounder policy. But I am willing to go along with the more conservative, the more restricted policy embodied in the House-passed bill because our colleagues in the Ways and Means Committee in the House have felt we should be careful and conservative in starting this program.

A sixth requirement in the proposal is that an individual is not to be considered disabled unless he furnishes such proof of the existence of the disability as the administrative agency may require.

Can we make it any tighter? Is it just or fair to say to a totally and permanently disabled person, who during all his young years paid his own money into a system into which he did not voluntarily go, "You must wait until you are 65 in order to receive any benefits. It makes no difference how much you may suffer or how much your family may suffer, you must wait until you are 65"?

In other words, the disabled individual must prove his case. The social-insurance program is also protected by the fact that the bill specifies that if the Secretary of Health, Education, and Welfare believes, on the basis of information obtained by or submitted to him, that an individual ceased to be disabled, the Secretary may suspend the payment of benefits until his disability is determined. These provisions give the Secretary ample power to administer the program on a careful, practical, and economical basis.

A seventh requirement in the proposal is that disabled individuals are referred

to the State agency administering vocational rehabilitation. Moreover, an individual must accept rehabilitation services available to him under a State plan approved under the Vocational Rehabilitation Act unless he has good cause for refusal.

This proposal is not designed to take away the disability benefits from or to interfere with the efforts to reclaim the crippled, the maimed, and the halt. We merely say, "You must go to your State and take whatever treatment is necessary, plus whatever the Federal Government contributes, to make you well and whole again. If you do not do so, your disability benefits will be taken away from you."

Could the requirement be made any stronger, Mr. President.

In addition, the bill specifically states that after entering upon a program of rehabilitation, for a period of 1 year a disabled person shall not be regarded as being able to engage in substantial gainful employment solely on the basis of services rendered in connection with an approved rehabilitation program. These requirements in the bill encourage rehabilitation. They indicate that every reasonable effort is to be made to rehabilitate the disabled individual. Only when rehabilitation is not feasible, or is not available, or where the age of disablement of the individual does not respond to rehabilitation will the individual continue to draw his benefits.

An eighth requirement is that benefits are reduced under the plan by any amount an individual receives as a disability benefit from any other Federal law or any State workmen's compensation law. There is ample protection, therefore, against duplicate public payments of funds.

SEPARATE DISABILITY FUND

Mr. President, another feature of our proposal is that the funds for disability payments are earmarked in a wholly separate fund. It takes a lot of language in the amendment to do that, but it is technical language. It is necessary to provide another social security system and a collection system, through the Commissioner of Internal Revenue, to bring that about, but that is done. The moneys for disabled persons will not be commingled in any way with the funds for old-age insurance or for widows and orphans. The contribution income and the disbursements for disability payments will be kept completely distinct and separate. In this way the cost of disability benefits always will be definitely known and the costs always will be shown separately.

The fund will be much easier policed. This is a precautionary provision. It may or may not be entirely useless, but it is put in the amendment to meet the conscientious objection which many honorable men have—to wit, that nothing should be given to the disabled man except what he has earned. Nevertheless, he did not go into the system voluntarily. He was covered under it by the strong arm of the Federal Government. And now a separate tax is to be levied to build up a fund which can be easily policed, which can never encroach upon the fund for widows, and for those who reach age 65, and for children and other beneficiaries—a charge of one quarter of 1 percent on the payroll, to be paid by the worker and one-quarter of 1 percent to be paid by the employer.

Many years hence it may be thought that this was a perfectly useless provision, but it will produce more money than permanently disabled persons will get immediately. It will more than pay for all the permanently total disabled cases which will be certified or can be certified, and it will build up a fund for this special purpose.

I was content to go along with the provision, not because I believed it to be entirely justified or fair, but because it would enable those who have some doubt about the payment of disability insurance to say that the fund was adequately and properly policed and safeguarded and that it did not cut into the benefits of any other class of beneficiaries under our social-security system.

Thus, the argument which was made against the original proposal as considered by the Finance Committee, namely, that the cost of the proposal could not be determined, has been met by our amendments. The cost may not be easily ascertained, because we cannot determine how many permanently disabled cases exist at the moment, but assuredly, with one-third or more of them being under 50 years of age, no burden will be imposed which the one-quarter of 1 percent payroll tax cannot bear.

The argument was made against the original proposal that the program might cost more than was originally estimated, and thus might divert some of the funds from old-age or survivors insurance. That argument has also been met by this proposal to create a separate fund and make a separate levy for the support of such fund.

FEASIBILITY

Mr. President, there is no question about the feasibility of this program. Under the Railroad Retirement Act, any employee of the public carriers, when he becomes totally and permanently disabled—a fact which a doctor must determine, and which the agency has a right to review and to verify—can receive whatever benefits he has earned. Under our own Federal Retirement Act, when a Federal employee becomes totally and permanently disabled—a fact which a doctor must determine, and which can be verified, and which the agency has a perfect right to examine into with the utmost care—he can retire. Even Members of the Congress who become totally and permanently disabled can retire at age 50, or under 50. Yet, although the great bulk of our people are not employed in air-cooled offices or in conditions under which we work, we hesitate to say to them that when they become totally and permanently disabled and reach the age of 50, if they can meet all the requirements I have enumerated, they can receive—What? Only the insurance which the payments made by the workers in days when they were well would entitle them to receive—not 1 penny more. The wife of such a worker cannot draw any amount on account of his disability, nor can a worker's little children draw any money on account of his disability. Yet the American Congress hesitates to let such a worker have what he has earned—provided that he can meet all the severe tests, and provided he has reached the age of 50.

Now, Mr. President, I know that is not right. I remember when I first came to the Senate an old man in my home county told me, "George, you may not be able to know whether a thing is wise, or you may not be able to know whether a question meets all the tests of constitutionality on occasions, but there is one thing you can always know: You can know whether in your conscience you are right." That is the only safeguard any man in public life can have. If he has no qualifications in addition to that, he should be thankful to the Almighty. So long as he can determine what is right in his own conscience, he can follow his conscience. I know that when, by law, we compel a young man of 20 years of age to pay a tax until, at 45 or 50 years of age, he has worked a long lifetime and has earned some benefits, it is right to say to him, "You can have what you have earned, when you reach 50; and you will not have to drag out a miserable life after your disablement, until you reach age 65, if a kind providence permits you to live that long." I am sure of that.

Again, Mr. President, let me caution those who are apprehensive regarding what may happen because, on occasion, someone may impose upon some doctor and upon the administrative agency, and thus may obtain a small amount of money to which he is not entitled. At most, however, he could not obtain very much; under the House version of the bill, he could not obtain more than approximately $170 a month under any circumstances or any conditions; and on the average he could obtain only $70 or $75 or possibly $80 a month. That would be all that such a person could obtain for permanent and total disability.

Mr. LANGER. Mr. President, will the Senator from Georgia yield for a question?

Mr. GEORGE. Mr. President, I understand that other Senators wish to speak on this amendment. Let me inquire how much time I have consumed?

The PRESIDING OFFICER (Mr. LAIRD in the chair). The Senator from Georgia has used 42 minutes.

Mr. LANGER. Mr. President, will the Senator from Georgia yield for a question?

Mr. GEORGE. I am glad to yield.

Mr. LANGER. I have received some letters from doctors—but let me say that I do not agree with them—who say that if this measure is enacted, it will open the way to socialized medicine. I should like to have the opinion of the Senator from Georgia on that point—although I state frankly that I do not agree at all with that opinion on the part of those doctors.

Mr. GEORGE. No; it cannot open the way to socialized medicine. We already have placed in the law the so-called freeze provision, which simply freezes the disabled person into the system, from

the time when his disability occurs, so far as the payment of any future taxes is concerned. The doctors now have to determine that; and they can determine it now just as well as they can determine whether a person is permanently and totally disabled.

Let me say that so long as we retain our present freeze system and our free economy, socialized medicine can be brought into this country only by the doctors themselves. Someone should have the courage to say to them that if they continue to make such trifling objections, they may invite something bad for them—although I hope it will not come, and I do not think it will come, even under those circumstances. But the doctors alone can bring on socialized medicine in the United States.

Mr. LANGER. I thank the Senator from Georgia.

Mr. GORE. Mr. President, will the Senator from Georgia yield?

Mr. GEORGE. I yield for a question.

Mr. GORE. I hope the Senator from Georgia will permit me to make a brief comment.

Mr. GEORGE. Yes. How much time does the Senator from Tennessee wish to have?

Mr. GORE. Perhaps half a minute.

Mr. GEORGE. Very well; I yield to the Senator from Tennessee.

Mr. GORE. I wish to say that I have been disturbed and moved by the eloquent address by the distinguished senior Senator from Georgia. He has presented a powerful appeal.

Is not the proposal he advocates in the very highest sense and meaning of the term, security in the highly interdependent society that is the United States of America?

Mr. GEORGE. Beyond all doubt, I think it is.

Mr. JOHNSTON of South Carolina. Mr. President——

Mr. GEORGE. I am very glad to yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President, I wish to speak in my own right.

Mr. GEORGE. Very well; how much time does the Senator from South Carolina wish to have?

Mr. JOHNSTON of South Carolina. Approximately 10 minutes.

Mr. GEORGE. Very well; I yield 10 minutes to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 10 minutes.

Mr. JOHNSTON of South Carolina. Mr. President, first of all, I should like to say that I have enjoyed very much indeed the remarks of the distinguished senior Senator from Georgia [Mr. GEORGE].

As I listened to him, naturally I could picture in my own State many, many persons who have worked in the mills from the time they were 15 years of age until they were 50 or 52, 53, 54, or 55. Now they are disabled, unable to work at all. They have been paying into the fund ever since the Social Security Act came into existence. But because they have not yet attained age 65, they cannot now participate in the social security funds.

I am glad the Senator from Georgia has seen fit in his amendment to care for any matter which might involve the fund which already is in existence. I think his amendment should be adopted.

Mr. President, today 53,400,000 citizens of the United States are participating in the great social-security system of this Nation. This system sometimes is referred to as the old-age and survivors insurance program, and is actively participated in by 85 percent of the civilian employees of America.

This system of "retirement," as I like to think of it, was created by a democratic Congress under a great democratic President, Franklin D. Roosevelt, in 1937. This was nearly 20 years ago; and today millions of Americans who started working under this system are now in their 50's, and are looking forward to a well-earned retirement.

They, together with other participants in the program, have paid $38,600,000,000 into the system in the form of payments. To this amount has been added $3,700,000,000 in interest derived from investments in bonds, aggregating a total of $42,300,000,000 invested and earned through the past 20 years for the social-security system.

Of this amount, $19,700,000,000 have been expended to retire and benefit those in the system who reached retirement age or who were beneficiaries of retirees. Another $9 billion of this amount has been consumed in 20 years of administration of the program. This means that today there is a balance of approximately $21,700,000,000 in the system.

To date, millions of persons have been retired under the social security system. Millions of others have benefited through payments to widows and orphaned children. This year, for example, 8,149,733 people are drawing retirement benefits under the system. Over 68,000 of these are in South Carolina. Let us remember that the retirement of these persons opens up job vacancies to young people, and thereby aids in preventing unemployment. Every time an aged person retires, he vacates a job which must be filled. Furthermore, when people retire under the system, they have income and purchasing power which help maintain our national production, and prevent further unemployment.

Total unemployment in March was estimated to be 2,834,000 individuals. If 8,149,733 people had not retired this year, unemployment would be at least 10,983,733. We must bear in mind also that these people who went into retirement made it possible for other people to obtain jobs. So we can see immediately what this system does for the economy of our Nation.

I recall well the cries of "paternalism" and the other unfavorable comments that echoed in these halls when the social-security bill was under debate. Some charged that it would break the country. Others said it would not work. Still others charged it was the beginning of a system that would end with everyone on the Federal retirement payroll, and end in complete socialism.

Throughout the years attempts to discredit the system have been made time and time again by the old enemies of social security. Only in recent years some have loosely charged fraud and claimed the people would never reap any benefits from the system. The retired millions of today, however, refute these charges. Through it all, for 20 years the system has progressed. Increasingly with each Congress more and more seek and receive coverage under the system. Each year reserves, investments, and earnings of the system increase. Each year millions retire and receive the system's benefits. Never has the system once cost the Federal Government a red penny. The system has been self-sustaining.

Mr. President, I repeat, never has the social security system cost the taxpayers a single cent. Every cost of the system, from administration to retirement, is paid for out of contributions by participants. Millions have participated in social security; millions have retired with social security; millions have benefited from social security, and millions more will continue to do so of their own volition and at their own expense.

As I mentioned, there are millions of people today who have participated in this great system for nearly 20 years. These people are, for the main part, looking forward to their retirement. On the surface this looks fine. In the early days of the retirement system we were all satisfied with the first great accomplishment, which included the establishment of 65 as an age for retirement. All the problems of the system could not be foreseen.

One of these more important unforeseen problems has been accelerated in recent years. That problem concerns people who for years and years have participated in the social security system, who are almost within reach of retirement, but who cannot retire because they are not yet 65 and yet cannot work any longer because they are disabled or too old to work.

Think how many people lose their jobs at 50, 55, at 60, and on up to 64. Then when they try to get a job with some corporation, and reply to the question, "How old are you?" they are left without jobs.

We do not all grow old at the same age. Various conditions, diseases, and other factors determine when each of us grows old in the sense of being too old to work and old enough to retire.

In my State of South Carolina there are thousands of people who are in this situation—that is—the condition of being past 60 and in need of retirement but unable to do so because of the law requiring them to be 65 years old. Each year the pressing problem of these elderly people becomes more and more apparent. Consider the plight of old folks who have worked all their lives and who now, after years of self-sufficiency and fruitful living, must turn to the welfare agencies for help when they have actively participated in the social security system for years and could retire on their own earned savings. The law should be changed to meet the needs of these people.

I believe I can best explain the plight of these people who really need this retirement by giving Senators the benefit of what they write to me. Example, one elderly lady wrote me:

DEAR SENATOR JOHNSTON: I am writing this letter at the request of many friends and others whom I know of, not excepting my husband and me.

Would there be anything you could do to give textile workers social security benefits at an earlier age than 65? We think a man at least at the age of 62 should be entitled to this benefit and any woman 60 years of age. After being laid off our jobs and younger people hired, we don't have anything to live off until we are 65 years of age. So that is our great problem. What can you do? This is desperate. Thank you.

Another constituent says:

DEAR SENATOR: I am writing you in regards to the social security age limit. Do you think it will be reduced this year? I sure hope it will as my wife and myself are both unable to work and are both past 62 years of age. Of course, I am still trying to work against the doctor's orders, but there is no other way for us to live. I sure hope it will be cut down for the disabled, if not for all at 62 years. Would like to hear from you in regards to this. Thank you very much.

Among the hundreds of letters received on the subject, is one from an elderly textile worker who writes:

DEAR OLIN D.: I am asking you to do all in your power for the passage of H. R. 7225. As you know many people who work in textile mills today may never reach the age of 65. I am looking forward to you doing your very best on this as I am sure you have all working people who are sick and disabled in mind. The passage of the H. R. 7225 will help many people in my community, so don't let them down.

Still another writes:

Senator JOHNSTON: I am a widow lady in my early 60's. My husband died in February of this year. I was laid off from my work in September of last year, So I do not have any income at all. I am writing you in regards to social security. Please do all you can to have something done to lower retirement age. I for one think women like myself should have a part of their money and also their husband's so that they might have an income to live as other people live. If not, why do we have social security? Best regards to you and the best of luck.

Another says:

Dear OLIN: I am just one of the vast multitudes of textile workers. I have a job on the third shift from (10 p. m. until 6 a. m.) I am much too old to get another job if I quit this one. Now my doctor tells me that my health is in danger under certain conditions. Too much exposure from dampness and cool draft where I work. Still I have to try to hang on as long as I can. I have five more years before I can retire, and no income in the world to live on if I do not work. I am hearing about this bill H. R. 7225 that is to come before the Senate, and beg you to please do everything you can to secure prompt and favorable action by the Senate.

One constituent wrote:

Dear SENATOR JOHNSTON: I am writing you in the interest of having the social security law changed or amended so that persons 50 years of age will be eligible to receive social security benefits.

I am 62 years of age and am disabled and I know of some 7 or 8 more people within this same age year who are disabled and who cannot receive these benefits.

I am writing to you to request that you do everything you can to have this law amended whereby I and the others I know who are disabled can receive these benefits. If the age was lowered to 60 years to be eligible we would come under the law and could be able to draw these benefits which would greatly help us to exist.

And so on the letters go. They represent pathetic cases of people who genuinely need help. They are Americans who have spent their lives working and producing for the betterment of this great Nation. Throughout the past 20 years their hopes for existence in old age have hung upon this great social-security system of ours.

I would not like to think that but for a vote in the Senate enabling these people to retire that they will be forced to work on in detriment to their health and perhaps die never realizing a dime's worth of their life savings in the social-security system.

I would not like to think that but for this same vote perhaps thousands will be forced onto the welfare rolls when they could be retired by the system to which they have been contributing for nearly 20 years. These proud people do not want welfare. They want their earned retirement.

Estimates indicate that only approximately 100,000 persons who are participating in the social-security system and who are over 60 and under 65 who are disabled beyond the ability to work without impairing their lives. To bring this number of people into the system a few years earlier than their scheduled time would involve no exorbitant expense. Imagine what little expenses would be involved in letting 100,000 people out of 53,400,000 participants retire from 1 to 4 years earlier. Estimates indicate that if we pass such an amendment, by 1965, there will be only 450,000 such people eligible to retire early.

We cannot justify turning away these aged people from the opportunity of utilizing their own savings when at the same time we have given away more than $114 billion during the past 30 years to foreign governments for the relief of foreign peoples.

This measure would not require anyone to retire. It would simply enable those who are disabled and need to retire—say, at 50, 55, 60, 63, or 64 years of age—to do so instead of waiting until they are 65. Remember this change would not cost the Federal Government one red penny.

We are proposing only enabling sick and aged people to enjoy their earned income while they can—before it is too late to do so. Hard as it may seem, these people who are not yet 65 and are too sick or "old" to work any more will probably not live much past 65 years, and will more than likely die before they can realize benefits from even a part of what they put into the system.

The PRESIDING OFFICER. The time of the Senator from South Carolina has expired.

Mr. JOHNSTON of South Carolina. Mr. President, may I have 1 additional minute?

Mr. GORE. Mr. President, I yield 1 additional minute to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President, we should honor and take care of our aged people—the senior citizens of this great Nation. Whether the disabled old people come from behind the looms of cotton mills or from behind the counters of city stores—no matter where they are from in this land—they are our elders and they deserve our respect and the right to use, in their last days, the funds they have contributed to the social security system.

Social security for these people will be a hollow phrase unless we vote to enable them to receive their benefits today, while they are living.

Mr. GORE. Mr. President, I yield 8 minutes to the senior Senator from Missouri [Mr. HENNINGS].

Mr. HENNINGS. Mr. President, first I wish to express my deep appreciation to the distinguished senior statesman from Georgia [Mr. GEORGE] for allowing me to become one of the cosponsors with him of this amendment.

His plea was not only moving and eloquent, but came from the depths of his heart, and was marked by the characteristic sincerity for which he has always been known in this body, and which has made him one of the most outstanding Senators ever to grace this body.

Mr. President, one of the greatest satisfactions of my life is the fact that I, as a Member of the House of Representatives, a good many years ago, was able to vote and speak for a social security program which took the beginning steps in easing the burdens of old age and removing the fear of joblessness. Consequently, as one of those who has consistently been in favor of social security since it was first enacted in 1935, I should like to make my position clear on some of the current proposals.

I have followed the committee reports carefully and have given close attention to the testimony adduced in the extensive hearings which were held before the Finance Committee. I find, as a consequence, that I am in disagreement with a number of recommendations contained in the committee report. I should like to observe that curiously enough, the committee findings indicate that the committee is satisfied with the current status of the social-security law. I think, at least, this involves a mistaken apprehension.

As we know, the committee, following the urging of the Eisenhower administration, stripped the bill of a number of its most desirable features. Furthermore, the present Secretary of Health, Education, and Welfare, when he acted as spokesman for the United States Chamber of Commerce concerning the security program, was far more liberal in his position than he is now when he appears before Congress as the administrator of the Eisenhower humanitarian program. In 1949 as a member of the Advisory Council of the Social Security Administration, Mr. Folsom's name was among those signing a unanimous recommendation that the retirement age for women should be reduced

not merely to 62 but to 60. In 1944, as a member of the chamber of commerce, he supported the proposal to pay cash benefits to the permanently disabled. Today, he issues a statement saying that he is in favor of the bill which has been reported from the Finance Committee with both of these provisions eliminated.

However, I continue deeply to believe that we have an obligation to enact a law which will provide decent maintenance for the sick, the aged, and the dependent, and it is our duty to do everything in our power to see that these provisions are carried out. After 20 years of practical application, the principle of social security has emerged as a noncontroversial issue; but there are those of us, as has been said before, who remember when it was a highly controversial issue in 1935. However, there can be no question that our social-security program allows considerable room for improvement if it is to insure a minimum living standard necessary for health, decency, and self-respect.

There are now more than 133,000 recipients of benefits under social-welfare legislation within the State of Missouri alone. Think what would have been the extent of their suffering had not the Congress far-sightedly acted in behalf of their welfare in years gone by. However, the time has long since come for a thorough overhauling, reexamination, and improvement of the law as it now stands.

The very fact that so many previous Congresses have devoted so much time and study to devising ways to improve the Social Security Act is proof of the continuous effort which has been made to better it. I think we could well eliminate the biennial examination of this act by putting into it once and for all the measures which have so long been urged. The American citizen has a right to expect a law with broad enough coverage to provide adequate protection. He has a right to expect a law which is not riddled with inconsistencies, a law which is made in his behalf, and which reflects his own interests and desires.

I feel sure that a primary consideration in expanding the coverage of the law should be the inclusion of disability benefits in one form or another, and lowering the retirement age for women. As well as being needed, these are altogether in line with the general purpose of the Federal program.

There is no longer any question of the authority of Congress to legislate benefits. This authority was recognized by the Supreme Court shortly after the enactment of the bill in the Helvering against Davis decision which pointed out that:

> Needs that were narrow or parochial a century ago may be interwoven in our day with the well-being of the Nation. * * * Only a power that is national can serve the interests of all * * * the problem is plainly national in area and dimensions.

Mr. GORE. Mr. President, will the Senator from Missouri yield?

Mr. HENNINGS. I am glad to yield.

Mr. GORE. Where is the social justice, where is the security, where is the fairness, and where is the equity in withholding from an employee, a citizen, the benefits which he himself has earned as a result of his contributions after his employment has been terminated by total disability?

Mr. HENNINGS. My distinguished friend in his rhetorical question has supplied the answer. Of course there is not any. I thank him for his contribution.

The PRESIDING OFFICER. The eight minutes yielded to the Senator from Missouri have expired.

Mr. HENNINGS. May I have 4 additional minutes; or 3 minutes?

Mr. GORE. I yield 2 additional minutes to the Senator from Missouri.

Mr. HENNINGS. As far back as 1945, the Social Security Board advocated adding disability benefits as a part of a comprehensive program. The annual report of that year stated:

> The United States is practically alone among the major countries of the world in having an old age insurance system that is not linked up with any provision for retirement because of disability. The impact of prolonged disability on family security may be even greater than that of old age.

The succeeding recommendations in 1945, 1949 and 1952 again urged the necessity of the disability provision. The pending proposal, which the senior Senator from Georgia has submitted for himself, the Senator from Louisiana [Mr. LONG], the Senator from Illinois [Mr. DOUGLAS], and me, proposes to set aside a separate trust fund for disability, and consequently does not go so far as to include it within the social-security framework. I believe this to be an extremely workable compromise—one which will eliminate any fear that the old-age and survivors insurance fund will be endangered, although I for one never shared this concern.

Now, I desire to say that in my judgment, the pending disability provision is actually a conservative measure, because of the number of safeguards attached to it to protect both the doctors in determining true disability and the integrity of those who are genuinely disabled and who are in such desperate need of help. There is also a most praiseworthy emphasis on rehabilitation.

I wish to observe, in passing that a number of groups have expressed concern that this provision will lead to socialized medicine. Unequivocally, I believe that the disability provision will in no way bring about this state of affairs. I have frequently stated my opposition to this concept, and if I thought the bill would be a start toward creating a socialized state I would not be so sympathetic to it as I am now.

Secondly, I should like to point out in answer to Secretary Folsom, who did not like the untruncated version of the social-security bill, that a disability program would not be unduly difficult to administer. As far back as 1938 the then Chairman of the Social Security Board, Arthur Altmeyer, stated that it would be feasible to administer such a program. Later, an Eisenhower appointee, the Commissioner of the Social Security Bureau, Mr. John W. Tramburg, spoke in support of H. R. 7225 before the Finance Committee.

The PRESIDING OFFICER. The Senator's 2 additional minutes have expired.

Mr. GORE. Mr. President, I yield 2 additional minutes to the Senator from Missouri.

Mr. HENNINGS. I thank the Senator for his generosity.

Mr. President, one would think, from Mr. Folsom's alarm, that this provision was a large-scale undertaking in a new and untried field. Nothing could be further from the case. We need only to look at the well-known fact that our Government is already operating a number of disability programs. We need only to think of such broad groups as veterans, railroad, and civil-service employees to realize how deeply we are already involved in disability programs and how effectively such programs can be operated.

I also want to speak briefly in favor of lowering the age for women receiving benefits. My reasons would be similar to those contained in the House Ways and Means Committee's report. Among other points, they mention that as it now stands benefits are frequently denied until the wage earner reaches age 70, due to the fact that women are generally a few years younger than their husbands. Consequently, the wage earner usually delays retirement until the wife has reached age 65 in order to receive benefits.

Other very telling arguments which are available in previous social-security administration reports and the most recent House report fully indicates that this provision will meet both a social need as well as one of equity and justice.

I might remark that the people themselves seem predominately in favor of H. R. 7225. I also might mention in passing that more than 1,200 residents of Kansas City alone have taken the time and interest to sign a petition favoring this bill in order that I might learn their sentiments. I think this is a pretty good yardstick of how close this bill is to the hearts and interests of the people.

I should also like to plead for making this a well-rounded, effective bill—one which will do what it professes to do. One which will not play favorites with any special groups over another; one which will show a reasoned approach to solving one of our greatest national problems—the welfare and support of all our citizens who need additional care and protection.

Let us not leave entire titles of the act unconsidered, such as may be the case about title V. Think, for instance, of making adequate provisions for the whole field of child welfare, instead of only assisting the aid-to-dependent-children program. However commendable and worthy and necessary this program may be, let us all devote our thoughts and attention to bettering the program and let the resulting bill reflect this thinking.

Mr. President, I should like to say a few words in behalf of the amendment of the Senator from Washington [Mr. MAGNUSON], which will provide increased funds for the aid-to-dependent-children program. All this proposal does is to

bring these needy persons more in line with the increases which have already been voted for the aged, the blind, and the disabled. I wholeheartedly voted for this provision, but I also want to see the children provided for.

I should like to point out that the average payment received by the parents caring for underprivileged children is only about $24.50 a person and the aged, the blind, and the disabled are already receiving, on the average, as much as $54.37, $60.45, and $56.88, respectively, and are going to receive more under the amendment which has already been adopted.

As we know, when there is such a wide discrepancy in available funds, the State welfare programs become exceedingly difficult. if not impossible to administer, because, of course, there is always a very real atmosphere of unfairness surrounding the whole program. Then, too, children need food, shelter, and clothing just as much if not more than anyone else, and any mother can vouch for how much and how fast the available money is exhausted. Child care is costly, and needy parents are at the present time getting a truly pitiful allowance.

I should also like to point out that some money is already available for foster homes, but this money is going directly to the dependent mothers to allow them to keep the child with them in their own homes. This, in turn, will decrease the already heavy burden on foster programs, and in many cases will allow the child a much greater chance for a normal life.

We have been somewhat successful throughout the years in our attempts to provide more adequately for the Nation's old people, and I am very happy to say that I have had a part in this undertaking. However, the children have been shortchanged. They are not able to cast a vote, and as a consequence, have been consistently neglected. I propose that because they are children—one of our Nation's most priceless possessions—let us give them the same life-giving boost that we have already given to the aged, the dependent, and the blind.

Mr. GORE. Mr. President, I yield 8 minutes to the junior Senator from New York.

Mr. LEHMAN. Mr. President, I wish to congratulate the Senator from Georgia [Mr. GEORGE] for his fine speech with reference to the proposal to broaden the Social Security Act so as to provide benefits for the worker who becomes totally and permanently disabled at the age of 50. I could speak at great length concerning the amendment which the Senator from Georgia has offered, together with his colleagues, and I am very proud, indeed, to be a cosponsor of the amendment. However, Mr. President, I do not intend to do so. I do not feel that it is necessary to go into all the arguments in favor of a program of disability benefits at this time, particularly not after the masterly presentation made by the senior Senator from Georgia.

Mr. President, disability benefits for the totally and permanently disabled worker are not a new concept. The only thing new about the disability proposal offered by the Senator from Georgia [Mr. GEORGE], along with the Senator from Illinois [Mr. DOUGLAS] the Senator from Louisiana [Mr. LONG] and the Senator from Missouri [Mr. HENNINGS]. A proposal of which I am pleased to be a cosponsor—is the provision calling for the establishment of a special disability fund separate and apart from the old-age and survivors insurance fund. The fund would be made up of contributions amounting to one-quarter of 1 percent from the employee and a like amount from the employer in the case of the employed individual and three-eighths of a percent in the case of the self-employed and would be used to pay benefits to persons who become totally and permanently disabled at the age of 50.

This special fund will make it possible to keep a separate record of our experience with a disability program of this type. It will prove to one and all that a program of benefits to the totally and permanently disabled can be operated at reasonable cost. A cost well within the means of those participating in it.

But, as I have already said, the basic concept of disability benefits is not new. It is one that has been studied and discussed time and time again over the years. It is a concept that has been approved on a number of occasions. It has been recommended by several of the advisory councils on social security. It has been approved by the House of Representatives on two occasions in recent years—the latest being just last summer by an overwhelming vote of 372 to 31. It has been included in the several comprehensive social-security bills that I have introduced since becoming a Member of the United States Senate.

Programs of disability benefits have been made a part of several programs already established by the Federal Government, namely, the disability benefits under the civil service and railroad retirement acts and the disability benefits programs now being administered by the Veterans' Administration. And, finally, Members of the Congress themselves are protected by an effective program if they become disabled. How can we justify denying simple justice to the workers of this country?

No, the payment of disability benefits does not represent a new concept. It is even a part of the Social Security Act which we are now preparing to amend. We already have two disability programs operating under the Social Security Act. The first—the program of aid to the totally and permanently disabled—was established in 1950. The only difference between that program and the program which we are now considering is that that program uses a means test as one of the requirements for benefits. The second program already in existence under the Social Security Act is the disability freeze program that was established in 1954. The only difference between that program and the proposal which we are now discussing is that under the disability freeze, benefits are frozen at the level at which they stood at the time the individual became disabled. However, under present law benefits are not payable until the individual reaches the age of 65. The disability program which we are now seeking to establish would make benefits payable at the age of 50.

My own opinion is that there should be no age restriction. The problems of disability and the difficulties they present to the worker and his family are no respecters of age. It should make no difference whether the individual has reached the age of 50 or not. But I am willing to accept the GEORGE proposal in its present form.

I am willing to accept it because it means that, at long last, the principle of disability benefits for the permanently and totally disabled worker will be written into law. We will start to fill the one large remaining gap in our program of social insurance. By adopting this proposal, we will show that we have begun to recognize our obligation and responsibility to the totally and permanently disabled worker.

I am not going to take time to discuss all the arguments—arguments which I consider specious and without foundation—that are being made against the adoption of a program of disability benefits. We have all heard them. I do, however, want to discuss just one point that is constantly being raised by the opponents of disability benefits. This is the argument that the problems of the totally and permanently disabled worker can be solved by rehabilitation. That is a tragically specious argument.

I wholeheartedly agree with the advocates of rehabilitation that the problems of many people can be solved in this way. But we all know that our present rehabilitation program is woefully inadequate. The number of physically handicapped is increasing at a rate far greater than the rate at which we are returning our handicapped to society as useful, productive citizens.

Mr. President, there are today in this country—and I know what I am speaking about, because I have been on the Labor and Public Welfare Committee for 7 years—more than 2 million persons who are physically handicapped, and the number in increasing at the rate of 250,000 a year. Against that, all we are doing is rehabilitating between 50,000 and 60,000.

To talk about a rehabilitation program as a solution to this problem is mere nonsense.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. GORE. Mr. President, I yield 2 additional minutes to the Senator from New York.

Mr. LEHMAN. Mr. President, the lack of adequate facilities and trained personnel coupled with the limits to what rehabilitation techniques can accomplish means that we cannot possibly hope to solve the problem of the totally disabled worker in this way. Rehabilitation can do much of course, and I have been fighting to extend its scope, but it is not the answer to even a small part of the problem.

We need a much more extensive program of rehabilitation—we must expand our facilities—we must increase our appropriations for training personnel and developing new techniques. But we can-

not now, and certainly not in the foreseeable future, rely solely on rehabilitation. We need rehabilitation along with a program of benefits to the totally and permanently disabled worker such as is proposed in the amendment now being debated. But it cannot be a substitute for it.

By approving this amendment we can begin to see to it that our thousands of disabled workers do not have to depend on charity and public handouts for the rest of their lives. We can see to it that they have a source of income as a matter of right, and that they receive something which they have earned.

Let us keep faith with these people. Let us adopt this amendment.

Mr. COTTON. Mr. President, I yield 20 minutes to the Senator from Virginia.

Mr. BYRD. Mr. President, the Finance Committee is aware that a prolonged and severe disability is a matter of serious concern to the worker and his family. But testimony before the committee shows, there are great differences of opinion as to what should be done.

It was on the basis of the best evidence, the committee decided payment of disability benefits is unwise at this time. Such a program would have two immediate and very harmful effects: It would endanger the rehabilitation program, and it would burden workers, employers, and self-employed individuals with a tax that is unpredictable as to amount in future years.

As the years go by, it is most likely that safeguards in the pending amendment will be eliminated. It is certain that any disability provision will be greatly liberalized in the future, either by changing the age limit or increasing benefits to dependents, or adopting a program for partial disability.

The making of cash disability payments under the social-security program was given the most comprehensive consideration by the Senate Finance Committee. The hearings lasted for months. The disability provision in the House bill was stricken out by a vote of 11 to 4 by the Finance Committee.

This is not the first time the Committee on Finance has voted against establishing a program for payment of benefits to the disabled. In 1950, under the chairmanship of the Senator from Georgia [Mr. GEORGE], the committee struck the provisions for disability payments from the bill as passed by the House.

When a disability amendment was offered on the floor of the Senate in 1950, the distinguished Senator from Georgia, for whom I have the greatest admiration and affection, successfully opposed the amendment. I quote from his statement in the CONGRESSIONAL RECORD, volume 96, part 7, pages 8903–8904:

> Mr. President, the Senate Finance Committee opposes this amendment. First, the matter will be in conference anyway. It can be considered fully in conference, and there is little practical advantage in tying the hands of the Senate conferees on all the important provisions in this bill and leaving us at the mercy of the House conferees, although presumably they will have good provisions which they will wish us to take. Yet we are representing this body when it is in conference.
>
> In the second place, this is a very sharply disputed question. It is one on which the Finance Committee took a great deal of testimony. It has been in sharp conflict all the time among the experts who are familiar with this problem.
>
> In the third place, it adds from one-half to three-fourths of a percent to the deductions from the entire payrolls of the country. In other words, it greatly increases the total burden on our economy and brings us back again to the point which I have tried to stress over and over and over, that we have brought forth a bill which is a good bill, which has merit in it; we have given all that our economy can really with assurance shoulder. Yet here are these efforts, by way of amendments which are offered and insisted upon, that would add and add and add to the total cost of this bill.
>
> Mr. President, the insurance companies themselves tried this question of disability insurance. They have practically abandoned it. Why? Because there is no way to insure against disability without opening up the whole system to all sorts of questions. It is possible to insure against premature death, it is possible to insure against arrival at a time when people ought to retire. But when we insure against disability and put the Federal Government into that field, then it is opening up an avenue for the expenditure of vast sums of money, which will certainly embarrass us, particularly when we are here offering the most ambitious social-security program which has ever been offered to the country.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. AIKEN. Under the provisions of the amendment, would any of the 10 million persons who were added 2 years ago, I believe, and who have become disabled in the meantime be eligible to receive disability benefits?

Mr. BYRD. They would be eligible after 5 years of disability.

Mr. AIKEN. But if they had become permanently disabled in the meantime, they could not acquire the 5 years necessary.

Mr. BYRD. That is correct.

Mr. AIKEN. That is because the provision has been in effect only 2 years.

Mr. BYRD. If they became disabled now, they would not be eligible for disability payments.

Mr. AIKEN. Suppose a widow, aged 55, became permanently disabled, but had not herself acquired credit for 20 quarters. If her husband before his death had acquired that credit, would she now be eligible for the benefits under the amendment?

Mr. BYRD. No, she would not.

Mr. AIKEN. In other words, the persons I have had in mind, who I thought would be benefited by the amendment, apparently are excluded from its benefits. No farmer, no self-employed person, no domestic employee would become eligible until he had achieved 20 quarters.

Mr. BYRD. That is correct.

Mr. AIKEN. It seems to me that if we intend to provide coverage for total disability, we should really provide it, and not exempt from the privileges a great number of persons who may need this kind of protection the most.

Mr. BYRD. The Senator is correct. The act requires 5 years of coverage; and the farmers, as Senators know, were not covered until 2 years ago.

Mr. AIKEN. A farmer who has become disabled in the past 2 years cannot possibly qualify for benefits. If he were permanently and totally disabled he never could qualify for benefits.

Mr. BYRD. That is correct.

Mr. AIKEN. I have in mind one such person, a very good friend of mine, who has become permanently disabled. He could not qualify under the amendment.

Mr. BYRD. The Senator is correct.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. WILLIAMS. In line with what the Senator from Vermont has said, I think it might be well to point out that based upon a survey conducted by the committee, in some States less than one-third of those who are today permanently disabled would receive any benefits under the George amendment. Two-thirds would be entirely eliminated. If any of the farmers who were covered 2 years ago became disabled today, they would not come under the amendment. If they became disabled 2 years from now, they would not come under it. If they have less than 20 quarters of payments to their credit, they would not come under the amendment. Many farmers who have become disabled since they were covered by the act could not qualify for benefits.

I am afraid that the provisions of the amendment have been badly misunderstood, and I am one who has misunderstood them.

Mr. BYRD. The Senator is correct.

Mr. AIKEN. If the amendment will exclude the larger percentage of the persons who need the benefits the most, we had better wait until we can do a better job than apparently will be done by the amendment.

Mr. BYRD. The Senator is correct in his interpretation of the amendment.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. CARLSON. My vote on the amendment in the committee was largely influenced by the fact that, in addition to the groups which have just been mentioned, there are millions of persons who were included in the act in 1954 who would never be eligible for coverage.

That is especially true of farmers, who must pay for a period of 3 additional years before they would become eligible for payments.

With the increased charges on the basis of their self-employment payments, I could not see my way clear to support the amendment. It was for that reason that I voted against it.

Mr. BYRD. The Senator from Kansas is one of the most active members of the Committee on Finance. I feel certain he will agree with me that every detail of this proposal was carefully considered before the Committee on Finance deleted the House provision by a majority of more than 2 to 1.

Mr. President, I continue to quote from the statement made by the Senator from Georgia [Mr. GEORGE] on June 20, 1950, with respect to the position he then took

in opposition to a disability amendment which was then proposed:

Mr. President, there are 35 million people now under social security, and we are multiplying the advantages of the present system by practically 100 percent, for the past and for the future. We are bringing in 10 million more people. There are 1,600,000 persons under the Railroad Retirement Act. There are about 1,200,000 under the Federal Employees Retirement Act. There are from 2,400,000 to 2,600,000 under the State and municipal system. So that when this bill passes we shall have given a maximum insurance against the real, absolute certainties against which it is possible to take appropriate safeguards, namely, arrival at retirement age, or premature death, to more than 51 million people in the United States.

We want the system to carry itself. We want a system which will be sound. We do not want the Senate to vote it down and change it to the extent that the economy cannot support it. The only way we can support a social-security system is to have an economy that will do it. It will become as worthless as a scrap of paper if we break down the economy. We cannot take from $10 billion to $12 billion a year from our economy without passing it immediately back into the economy, without hurt. Therefore, I hope that this amendment, as amended, will be rejected.

I have quoted my distinguished colleague from Georgia, for whom I have the greatest personal affection and the deepest possible admiration, because I think the arguments he made in 1950 against the disability amendment, which was then before the Senate, are the most powerful and persuasive arguments I have heard made by anyone in connection with this proposal.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. AIKEN. Under the provisions of the amendment, am I right in assuming that an industrial worker who has acquired 20 quarters' credit will be the principal beneficiary—at least for some years, probably the next 3, 4, or 5 years?

Mr. BYRD. The Senator is correct. A farmer would have to have 5 years' coverage. He has had only 2 years' coverage, so if a farmer should become totally disabled today or tomorrow, as I understand, he would not come under the provision.

Mr. AIKEN. I want all the people covered.

Mr. BYRD. Neither would dentists and neither would certain others recently covered. This bill adds additional people to those under social-security coverage. They would have to receive 5 years' coverage before they could receive any benefits of the amendment.

Mr. AIKEN. I have in mind a certain farmer who has about 2 years' credit and has become totally disabled. I know all of us will have particular cases in mind when we vote on the amendment. I find that he will not be covered by the provisions of the amendment, and he will not be able to work 3 more years.

Mr. GEORGE. His son and his neighbor may become qualified, however, if they are farmers. Of course, we cannot take care of everybody.

Mr. AIKEN. I should like to see legislation that covers all workers.

Mr. BYRD. Mr. President, we must recognize that cash disability payments to those covered by social security would establish an entirely new concept, never contemplated when the program was inaugurated. It may well involve the question of the physical fitness of 70 million persons who are currently under social security, and this number will increase as the years go on. The pending amendment for cash payments to the totally disabled of 50 years of age and over is merely the entering wedge.

The distinguished Senator from Georgia, himself, has indicated the probability of rapid expansion of this program. He has said there should be no age limitation, and he has offered this amendment to the pending bill after the Finance Committee failed to adopt his previous proposal to pay disability benefits without regard to age.

Various representatives of trade unions testified before the committee that they regarded the pending amendment as only the instrument for establishment of the principle of disability payments under social security. If this amendment is adopted, it is certain that in the immediate future the effort will be made to enlarge the scope. It is not difficult to anticipate the contention that younger persons with their young children are more entitled to disability payments than are the older group.

I emphasize that, once this principle of disability payments under social security is established, it is likely, and I think probable, that the program will be broadened to partial disability. Broadening the scope would be according to the pattern already established in other social-insurance and pension programs.

I am thoroughly sympathetic with those who are totally disabled, but I submit that relating the program proposed in this amendment to the system in which 70 million citizens are investing against their old age is an improper approach.

The private insurance companies have had unfavorable experience with total-disability insurance, resulting in millions of dollars of loss. A public disability-insurance program, such as this, is likely to have the same experience in the event of a recession. Under such circumstances, the tax proposed under this amendment may have to be increased substantially at a time when individual taxpayers would be least able to pay additional taxes.

It has been impossible to date to safeguard a Federal system of disability benefits against abuse. This is primarily because of the difficulty in defining total disability. A person may be disabled physically, but at the same time capable of making economic and social contributions. He may be disabled in a manner preventing one type of work, but not another. He may be disabled as a farmer, but not disabled as a watchman. He may be a malingerer exploiting the program, purely and simply. What would be the status of a married woman who is able to establish disability for outside employment, but who is perfectly capable of housework at home?

There is competent testimony and historical experience to demonstrate that disability rises and falls with prosperity and recession. Determination of disability is difficult enough in times of high employment conditions.

There appeared before the Finance Committee a number of the most eminent doctors and surgeons in the United States. I wish to read from the testimony of a few of them. One of the very eminent witnesses was Dr. Frank H. Krusen, of the American Congress of Physical Medicine and Rehabilitation who testified before the Finance Committee—pages 380–382. He said:

The pattern of determination of total disability, according to the "disability freeze provision" of the social-security laws * * * will be wholly inadequate for determining the real need for permanent financial assistance * * *. The standards and procedures, which are now beginning to be developed for the limited purpose of freeze determinations, will obviously be unsatisfactory for cash benefits. Whereas they may conceivably become suitable for a program which involves only limited incentives for malingering, they would seem to be wholly inadequate for a program in which we are trying truly to rehabilitate the disabled and to determine accurately whether a person is really going to be able to support himself permanently.

Under the pending amendment, it is contemplated that the first determination would be made by a physician selected by the applicant.

Who would make the determination as to who is totally disabled, and who would police the program against malingerers? The program would be characterized by inconsistency resulting from medical examinations by family physicians, by State agencies varying from State to State, and by conclusions reached in Washington.

On this point I quote directly from the testimony of Dr. F. J. L. Blasingame, representing the American Medical Association—pages 827 and 829 of the hearings:

The medical profession is concerned that they may be placed in the role of a policeman * * * the vast majority of the medical profession feel that the determination of disability is hazardous and difficult * * * (applicants) who have medically determinable physical or mental impairments * * * whose pathological conditions should not normally be expected to remove them from employment * * * include the individual who, faced with the prospect of receiving a benefit based upon their disability, will develop neurotic condition which is just as disabling as though a pathological condition would be demonstrated.

At the hearings before the Finance Committee, many very eminent physicians and surgeons testified. This testimony is condensed in a letter received from the president of the American Medical Association, which I shall read in part:

Under the definition in H. R. 7225, which relates disability to employability, the program of cash disability benefits would be virtually impossible to administer. The problem of determining whether and to what extent a person is disabled involves not only physical ailments and handicaps, but also mental and emotional factors, including such intangibles as character, will power, and personal motivation. Many people with severe handicaps, including paraplegics, multiple amputees, and the blind, are making their way as self-sufficient individuals. On

the other hand, many persons with far less serious impairments but without the will to work, would welcome early pensions at the expense of the taxpayers.

I ask unanimous consent that the entire letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN MEDICAL ASSOCIATION,
Chicago, Ill., May 25, 1956.

Hon. HARRY FLOOD BYRD,
Senate Office Building,
Washington, D. C.

DEAR SENATOR BYRD: Today the Senate Finance Committee favorably reported H. R. 7225, the social-security amendments of 1955, after deleting the section providing for payment of cash disability benefits at age 50. I should like to invite your personal attention to this legislation, which involves the most critical medical issue to come before the Congress in the past 5 years.

The committee deleted the disability section after 2 months of careful hearings in which it listened to over 100 witnesses, including a large number of responsible, well-qualified persons who testified against this dangerous change in the Social Security Act. Despite this fact, efforts may be made on the floor of the Senate to restore that section to the bill. I strongly urge you to resist such efforts by supporting the position of your Committee on Finance.

The following major points were repeatedly emphasized during the committee hearings:

1. Under the definition in H. R. 7225, which relates disability to employability, the program of cash disability benefits would be virtually impossible to administer. The problem of determining whether and to what extent a person is disabled involves not only physical ailments and handicaps, but also mental and emotional factors, including such intangibles as character, will power, and personal motivation. Many people with severe handicaps, including paraplegics, multiple amputees, and the blind, are making their way as a self-sufficient individuals. On the other hand, many persons with far less serious impairments, but without the will to work, would welcome early pensions at the expense of the taxpayers.

2. The positive, constructive approach to disability is rehabilitation, not cash benefits. Rehabilitation seeks to marshal and utilize remaining abilities so that the individual may again become a useful, productive member of society. Anything less than rehabilitation falls short of sound humanitarian and economic goals. What the disabled person wants and needs is not a pension or pity, but the incentive and dignity of a productive life. A dole for the disabled, with its adverse psychological effect on patients and its administrative difficulties, would limit and retard rehabilitation programs.

3. The proposal for cash disability benefits ignores the fact that the Nation already is making significant progress in meeting the problems of disability and rehabilitation through existing programs. Among these are Federal-State aid to the needy disabled under the 1950 amendments to the Social Security Act, the 1954 expansion of the Vocational Rehabilitation Act, various State and local activities, including workmen's-compensation programs, Veterans' Administration rehabilitation services and private insurance plans. The sound, practical approach, in our opinion, is to study, improve, and coordinate those existing mechanisms, rather than to embark on a new and dangerously unpredictable venture.

4. If a cash disability benefit becomes a statutory right, without regard to financial need, the pressure for further expansions and liberalizations will be irresistible. Many supporters of H. R. 7225 have clearly indicated that their ultimate goal is cash disability benefits at any age. Once the principle of disability benefits is established under old-age and survivors insurance provisions of the Social Security Act, the gates will be open for a flood of welfare proposals which will change the philosophy of the act and skyrocket the cost of the entire system.

5. In the absence of reliable factual and actuarial information on the problems of disability and rehabilitation, the potential cost of the program is impossible to estimate. Under the most favorable economic and administrative conditions, the cost would be high and it would increase tremendously in the years ahead, especially if the age 50 limitation were lowered and eliminated. There is, however, a limit to the tax increases that should be imposed on the people to finance a social-security program. We cannot provide every conceivable benefit, or cover every possible need, without imposing a future tax burden that might endanger public support for the entire social-security system.

6. With the social-security program now 20 years old, there is great need for a thorough, objective, impartial study of all aspects of our social-security problems, so that the Members of the Congress and the American people may have a solid foundation on which to base constructive action. A clear national decision soon must be made on whether the OASI program should remain as a basic protection for retirement and survivorship, or should be allowed to develop into a comprehensive welfare program covering all possible hazards of life.

Speaking for the vast majority of physicians in the United States, I again urge you to resist any and all efforts to restore the cash disability benefits to H. R. 7225. I further pledge the utmost cooperation of the American Medical Association in all attempts to study and solve the problems of disability and rehabilitation.

Respectfully,

ELMER HESS, M. D.,
President, American Medical Association.

Mr. BYRD. Perhaps the most unkind thing this amendment would do to disabled citizens would be to discourage their rehabilitation. Some of the finest work in all human history is being done at this time by nearly 100 well-established, recognized private and public agencies.

The committee was especially impressed with the testimony of one man, himself severely disabled. This remarkable man, Henry Viscardi, is president of an equally remarkable concern, Abilities, Inc., of Long Island, N. Y., which was established and is manned by men and women who would be considered permanently and totally disabled under the proposed amendment.

Mr. Viscardi's own description of his disability suggests the quality of the man and of his mother as well. He hold the committee:

I was born a crippled child, horribly deformed, with no lower limbs, and I spent the first 7 years of my life, consecutive years, in one hospital.

And when I was a child, I remember asking my mother, "Why me?" And she told me that when it was time for another crippled boy to be born into the world, the Lord and his counselors held a meeting to decide where he should be sent, and the Lord said, "I think that the Viscardis would be a good family for a crippled boy.

Mr. Viscardi appeared before the committee to express his apprehensions about a program providing benefits for severely disabled people, because, as he said, "I have spent my life close to this problem of disability, and I have great faith in solutions which can be obtained in a competitive, free enterprise spirit in our country."

Mr. Viscardi's firm, Abilities, Inc., was organized by a group of handicapped people three and a half years ago, on the principle that they would accept no charity. They borrowed $8,000 from local citizens at interest, paid prevailing wages, and decided to compete in the open market for contracts in the electronics field. In their first year of business, this little company grew to 59 employees, paid back the $8,000 which had been borrowed, and netted profits in excess of $52,000. The next year, the company grossed in excess of $400,000 in sales, and in the third year, its gross sales were in excess of $600,000 and its force had grown to 169 employees. Included among these people working there—all severely disabled—is every known static and progressive illness. At least 20 percent of them would qualify for retirement as well as disability benefits in social security. Some are as old as 82.

In its first 3 years of operation, these disabled people in the Viscardi firm have produced goods valued at $1,248,700. They paid in social-security taxes to the Government $22,650; $68,200 in withholding taxes; $4,830 in disability payments to the State, and $16,800 in State unemployment taxes. During this same period, it would have cost the community and local government $415,850 to have supported these people on the relief rolls. Not only have these handicapped people saved the $415,850 of support in relief but they have poured back new wealth to the community of $2,067,790 in 3 years of productive, competitive operation.

The PRESIDING OFFICER (Mr. HUMPHREYS of Kentucky in the chair). The time yielded to the Senator from Virginia has expired.

Mr. CURTIS. Mr. President, I shall yield to the Senator from Virginia whatever additional time he may desire.

Mr. BYRD. I should like to have 20 minutes more.

Mr. CURTIS. I yield an additional 20 minutes to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized for an additional 20 minutes.

Mr. BYRD. Mr. President, I ask the Members of the Senate to listen carefully to the recommendations of this disabled man with respect to the amendment now under consideration. He said to the committee:

I come to indicate my apprehension that we may stigmatize the disabled by this legislation; we may condone the ignorance and the misunderstanding which exists; and we might then deprive millions of our citizens of the right to know a productive life and have them resigned to subsidy, which is not their heritage as Americans. * * * That, gentlemen, is how I feel about our country, about the communities of America, about American labor, and American commerce and industry. If this, the greatest industrial Nation in the world, is increasing its population of disabled and overaged people because of its progress, then no better laboratory could have been provided to give us a

pattern for the utilization—the utilization, of our priceless human resources, our disabled and overaged people."

The Finance Committee was impressed with the fact that a growing number of authorities in the field of workmen's compensation are aware that a system of cash payments places emphasis on continuing disability, rather than on rehabilitation and return to work. This view is well expressed in the Task Force Report on the Handicapped, of the Office of Defense Mobilization, in 1952, which concluded—page 384 of hearings—as follows:

The most important single point to be remembered in considering plans for the handicapped today, is the fact that we now are in the position to do more to overcome the handicapping effects of disability than at any time in our history * * * the term "totally disabled" is a term we are today beginning to feel applies to very few people * * * even for persons in the older age groups, self-sufficiency and independence through rehabilitation are incomparably more important than cash payment. Any benefit which diminishes the incentive toward rehabilitation and self-support is socially undesirable.

Dr. J. Duffy Hancock, who served as chairman of the Medical Advisory Committee, of the Department of Health, Education, and Welfare, concerned with the administrative aspect of the "disability freeze," said "legislation at this time to begin pension payments before the age of 65 is most untimely. There is a backlog of several hundred thousand cases which much be processed" under the disability freeze. He said further that if pensions are made available immediately, they would serve as an inducement to deter the applicants from becoming rehabilitated.

It should be clear, Mr. President, that this is not a choice between providing disability benefits or doing nothing for the disabled. This year 60,000 individuals are being rehabilitated under the Federal-State rehabilitation programs. In most States, provisions have already been made, through the aid to the disabled and aid to the blind programs, to meet the basic needs of those who, because of extended and serious disability, cannot support themselves. Also, disabled parents with children under 18 are eligible for payments under the aid-to-dependent-children programs.

I want to cite a few instances to indicate what is happening in the States in rehabilitating disabled individuals.

Georgia has long ranked among the leaders of the Nation in the actual number of disabled people restored to paying jobs through vocational rehabilitation. In the 1955 fiscal year—the first year of the expanded national rehabilitation programs—Georgia led the Nation for the second consecutive year, with 4,552 successful rehabilitations. The State program has placed considerable emphasis on rehabilitating the blind and on finding light employment for persons discharged from the State tuberculosis hospital.

Virginia had the first publicly operated rehabilitation center in the country—the State rehabilitation agency, in Fisherville. There one sees people in wheelchairs or on crutches and braces, learning one of some fifty trades.

A group of 70 seriously disabled persons at Fisherville earned $3,037 more than the total cost of their rehabilitation in their first 10 weeks of work. It is estimated that the group will have returned in taxes to the State and Federal governments within less than a year a sum equal to the cost of the services they received at the Virginia rehabilitation center. Forty of these people are amputees. The others have severe disabilities of the arms, legs, or back.

The breaking of ground for Pennsylvania's rehabilitation center at Johnstown in February 1956, promises an important new addition to the Nation's rehabilitation facilities. When completed, this State center will be the most modern and comprehensive of this type in the country. The 350-bed center will fill a need in Pennsylvania which has had to send many of its injured miners, farm workers, and industrial workers to other points in the country to get the rehabilitation they needed.

The State Division of Vocational Rehabilitation for the State of Delaware has reported that:

Of the 456 disabled persons rehabilitated this year, 83 percent were unemployed at the time of referral. The average wage before rehabilitation was $5.79 per week; the average wage after rehabilitation increased to $42.02 per week. In 1 year only, without considering wage increases, the earnings of the rehabilitated persons would amount to $996,488.

Charles H. Smith, representing the legislative committee on the Conference of State Social Security Administrators, appeared before the committee to oppose the enactment of a disability benefits program at this time. Other members of the committee who were present for the testimony were: Steven E. Schanes, of New Jersey; W. Frank DeLamarr, of Georgia; Donald M. O'Hara, of Michigan; Tatum W. Gressette, of South Carolina; Max M. Manchester, of Oregon; and W. T. Blair, the chairman, of Tennessee. Mr. Smith said:

It is our belief that the 1954 benefit amendments are too new to have provided sufficient experience on which to add new amendments.

H. R. 7225 contemplates a change in the original philosophy of social security by reducing the retirement age of women and providing disability benefits. If the basic philosophy of social security, which provides a floor benefit, is to be changed, a complete study and investigation should take place, following which amendments, changing that entire philosophy, should be enacted, rather than the piecemeal program now offered in H. R. 7225.

Another State official, Wayne B. Warrington, commissioner of the Arizona State Department of Public Welfare, warned the committee of the dangers inherent in a disability benefits program. Mr. Warrington said:

In my opinion, the disability income provisions of H. R. 7225 would contribute to the destruction of our cornerstone—self-sufficiency. Like every individual in the future of universal coverage, John Q. Citizen together with his employer has over a period of time paid 9 percent of his income to the Federal Government as an insurance premium. He believes at age 50 that he has a physical impairment which will be long-continued and of indefinite duration and which will not allow him to engage in any substantial gainful activity. In his opinion, the Federal Government has a great deal of money and part of it came from his pocket to pay for his disability income.

The agency to which he applies is subjected to the usually normal pressures of local economic conditions and is authorizing the expenditure of money which cannot be directly traced to local taxpayers. The agency, although supervised by the Federal Government, has difficulty in insuring that its decision is the same as one made in a neighboring State for another individual with the same impairment. * * *

Rare is the individual that applies for a cash disability payment who does not believe he can meet the requirements to receive it. Experience of insurance companies and public agencies has established that a number of self-encouraged and/or nonexistent disability cases can be anticipated and can substantially affect costs.

Mr. President, the American people are generously supporting organizations concerned with prevention and treatment of the handicapped. Although no complete figures are available as to the total amounts so expended, funds raised for the disabled and for rehabilitation by just 13 of such agencies in 1953, suggests the magnitude to which private philanthropy is contributing for services and research on behalf of disabled men and women and children in this country:

American Foundation for the Blind	$420,065
National Council To Combat Blindness	74,104
National Society for the Prevention of Blindness	216,122
American Hearing Society	80,960
American Heart Association	8,550,197
Arthritis and Rheumatism	1,478,953
Muscular Dystrophy Association	3,914,442
National Association for Mental Health	586,631
National Foundation for Infantile Paralysis	51,487,288
National Multiple Sclerosis (national headquarters only)	447,852
National Tuberculosis Association	23,889,044
United Cerebral Palsy	6,423,000
National Society for Crippled Children and Adults (1954-55)	12,149,757
Total	109,718,415

In addition to the various programs for rehabilition of the disabled, the Congress previously has given protection to disabled participants in the old-age insurance program, through the disability freeze. The committee bill provides payments to disabled children after they attain age 18.

If present methods are inadequate for rehabilitation of the disabled or for care of those unable to provide for themselves, we should look to some other source.

As I have said, when we inaugurated the social-security program in 1935, it was not contemplated that health and physical fitness would be a factor in cash payments. It was a gigantic program to guarantee retirement benefits at the age of 65 for all who were insured under the system, regardless of health or need. It was a great, humanitarian concept in the interest of the aged, financed by joint contributions from the employee and the

employer; and this system now includes over 95 percent of the gainfully employed. In 1950 the program was extended to the self-employed for the first time.

To indicate its growth, in 1937, the first year when social-security taxes were collected, the number covered was 33 million. The number now covered is 70 million. It will continue to grow. Through April 1956 more than $40.5 billion in old-age insurance taxes had been collected. These taxes are now levied at the rate of 4 percent on gross wages, up to $4,200, divided equally between employee and employer. A tax on gross wages is a very severe tax, Mr. President, because it is not subject to any deductions. Self-employed persons are now paying at the rate of 3 percent.

Mr. President, this is a high tax, especially when it is assessed on gross income. Yet, the pending amendment would add an additional one-half of 1 percent, as only a beginning; it should be remembered that the amendment is only the entering wedge. The reduction in the age for disability will not stop at 50 years; there will be further reductions and further changes. The Senator from Georgia himself has proposed that the disability benefits be paid without regard to age. Later, disability benefits will perhaps be paid for only partial disability. When we begin to deal with the health of 70 million persons, we open up so vast a field that no one can tell where it will end.

The present law provides for further increases in the social security tax rates, as follows:

Years	Employer	Employee	Self-employed
	Percent	*Percent*	*Percent*
Through 1959	2	2	3
1960–64	2½	2½	3¾
1965–69	3	3	4½
1970–74	3½	3½	5¼
1975 and after	4	4	6

The Senate Finance Committee deleted from the House bill an additional 1 percent tax on payrolls to finance the reducing of the age limit of women to 62 and payments for disability at the age of 50. This tax would have imposed an annual new burden on employees and employers and the self-employed of $1,700,000,000 a year.

The pending amendment, introduced by the Senator from Georgia, imposes a new tax on one-half of 1 percent on payrolls and three-eighths of 1 percent on self-employed income. This amendment would cost $850 million annually.

Let me say a word about the self-employed. They pay as employer, and as employee. Under the existing schedule the tax will be 6 percent in 1975 on his earnings. That is a very severe tax, much more so than the income tax, because there is no deduction.

A tax on gross earnings without any deduction can impose a most destructive burden. The self-employed would especially feel this burden.

The George amendment provides a new departure in financing the program by establishing a second trust fund. The separate tax and separate trust fund that would be established under the amendment offered by the Senior Senator from Georgia is as objectionable as the provision for disability benefits which was deleted from the House bill by the Committee on Finance.

What does it do? How does it protect anyone? The one-half of 1 percent tax is placed in a special fund, with all the complications which would result. If that special fund is exhausted, another tax must be levied on 70 million people in order to pay benefits to an estimated initial 250,000 who are disabled. There is no protection there. When once we make what is in effect a contract with a citizen under social security, it must be carried out, whether or not there is money in the social security fund. It has the effect of a legal contract.

The citizen has made contributions to the fund each year, and the law provides certain benefits at a certain time. I am unable to see any protection whatever. All I can see is further confusion resulting from one trust fund within another trust fund. If the special trust fund is exhausted, the money must be raised by taxing all those covered by social security.

Establishing a separate trust fund for disability benefit payments does not make it any easier to determine what future costs might be entailed. The one-half of 1 percent additional tax on payrolls and three-eighths of 1 percent on self-employed earnings as proposed in the amendment would impose $850 million in new taxes next year, and may have to be substantially higher in later years to finance disability payments.

The pending amendment establishes a satellite trust fund and a satellite tax in the name of social security. It proposes to tax 70 million wage earners, their employers, and self-employed persons to the extent of $850 million annually and segregates these funds exclusively for the benefit of totally disabled people, estimated for next year to number 340,000. If the funds become insufficient in future years, the tax must be increased. The alternative would be to appropriate money from the general fund of the Federal Treasury.

During my 24 years in the Senate I have seen many an aid program start at the size of a mouse and rapidly grow to the proportions of an elephant. Other Senators have seen the same thing.

I confidently predict that once social-security payments are made for disability the area of coverage will be promptly extended at a cost that can readily imperil the fund because there is a limit to the taxation that can be imposed on gross income.

A special trust fund is mere window dressing. It is a "heads you win, tails I lose" proposition. Until the program reaches full stride, it is possible that income will exceed outgo. This temporary balance on hand will be seized as justification for liberalizing the program by eliminating any age requirement, providing additional dependents' benefits, and perhaps providing for partial disability. On the other hand, if costs are higher than the separate tax, then either the rate will have to be increased, or a subsidy from the General Treasury will be demanded.

From a practical political standpoint, the benefits could never be reduced, restricted, or eliminated even though the worst fears of those opposed to disability benefits were realized. In other words, once the benefits were paid, the alleged control features of the pending amendment would actually have no effect on costs or in the prevention of abuses under the program.

I have the great honor to be chairman of the Committee on Finance. I have served on that committee with three of the greatest Senators who have ever sat in this Chamber. The first was Senator Pat Harrison. The second is the Senator from Colorado [Mr. MILLIKIN]. The third is the Senator from Georgia [Mr. GEORGE]. I am very proud of the fact that every single bill which comes before the Finance Committee, whether it be a major bill or a minor bill, has the fullest consideration which it is possible to give.

I say to the Senate, as the present chairman of the Finance Committee, that no proposed legislation before the committee in my 24 years' experience in the Senate has received fuller or fairer consideration than that with respect to disability. I think that fact should have some influence with the Senate. The vote to strike out the House provision relating to disability was 11 to 4. Nearly three times as many members of the committee voted to strike out the House provision as voted to sustain it.

On the basis of the preponderance of the evidence submitted at the public hearings and in the absence of sufficient experience with the disability freeze, the committee, by an 11-to-4 vote, concluded that a provision for cash disability payments to insured workers would not be desirable. This conclusion is sound, in my opinion.

I hope the Senate will sustain the Finance Committee's position and reject the pending amendment.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. DIRKSEN. I listened with a great deal of interest to the distinguished Senator from Georgia [Mr. GEORGE] as he made the case in behalf of the pending amendment. I believe he said in the course of his observations that at present about 400,000 totally and permanently disabled persons were receiving benefits of some kind or another, from some source. My question is, How many of them are over the age of 50?

Mr. BYRD. It is estimated that there are now 250,000 disabled over the age of 50.

Mr. DIRKSEN. Under this proposal, those under age 50 would not receive benefits, as I understand.

Mr. BYRD. Not until they reach 50.

Mr. DIRKSEN. If something happened to a person who was covered at age 21, and had the benefits of coverage under the program, and if he were permanently and totally disabled at age 30, even under this amendment he would have a 20-year wait before he would be eligible for benefits. Is that correct?

Mr. BYRD. That is correct.

Mr. DIRKSEN. The Senator from Georgia made some point of the fact that there would be disruption of families, hardships to children, and that sort of thing, if the breadwinner of the family were totally and permanently disabled. Logically, it seems to me, a man raises a family long before he reaches the age of 50. If he needs help, he needs it long before he reaches age 50. So if we follow the theory to its logical conclusion, the age limit should be stricken out altogether, and we ought to start from the day the person is covered.

Mr. BYRD. I agree with the Senator.

Mr. DIRKSEN. Was that subject considered in the hearings?

Mr. BYRD. That subject was considered in the hearings, to the extent that all of us realized that if we voted for a 50-year age limit, it could quickly be changed to a provision without an age limit.

Mr. DIRKSEN. It is not logical to give the benefits to a man 50 years old, without dependents, and deny them to a man 30 or 35 years of age, with dependent children, which a man of 50 would not ordinarily have.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. GEORGE. Originally, in the committee I offered an amendment to give the benefits to everyone who was totally and permanently disabled, regardless of age, if his wage credit had earned him any benefit payments. I still think the idea is sound.

But let me remind the Senator that it is a much longer time for a permanently and totally disabled man to live until he is 65 before he can obtain his benefits than it is to wait until he reaches age 50. That difference is at least some help.

Mr. DIRKSEN. My difficulty is that if we were disposed to do something in this field, this kind of approach actually does not meet the problem in the years when a man is raising a family. Furthermore, if I correctly examined the synopses of what happens under the various programs, such as the Tennessee Valley Authority, the police and firemen's fund in the District of Columbia, the civil-service retirement fund, and so forth, there is no waiting period. The benefits start when the disability occurs. So this is a departure from nearly every other program we have.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. JOHNSON of Texas. That certainly is true in the case of congressional retirement.

Mr. BYRD. That is correct.

Mr. JOHNSON of Texas. A Senator may be 31 years of age when he becomes disabled. We have already voted that he may retire and collect the benefits to which he would be entitled if he were 60, even though he may be only 31.

Mr. DIRKSEN. If the Senator from Virginia will yield, I should like to say it seems to me quite conclusive that this approach is an inconclusive approach to the matter.

The PRESIDING OFFICER. The time of the Senator from Virginia has expired.

Mr. KNOWLAND. I yield 5 additional minutes to the Senator from Virginia.

Mr. BYRD. The Senator from Illinois has brought up a very important point. It shows that the estimates of the cost are utterly unreliable. Even the proponent of the amendment has indicated a desire to eliminate the age limit entirely, which would very considerably increase the cost and would make the one-half of 1 percent contribution insufficient.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. GEORGE. I am sure the Senator does not mean to misstate my position. I said I had originally offered an amendment in committee. I thought it was sound, and I still think it is sound. However, I am content to take the 50-year limit, because it gives us a choice in conference between a system that will pay its own way and one that will not.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield.

Mr. BYRD. I yield.

Mr. JOHNSON of Texas. I am sure the Senator from Georgia would be willing, if the Senator from Illinois and the Senator from Virginia would go along with him, to remove the 50-year limitation. We must take one step at a time, in an attempt to appeal to some Senators who do not wish to take any step at all.

The 50-year age limitation has been arrived at because it is much less than the 65-year limitation.

Mr. DIRKSEN. That suggests the real difficulty. What would be the cost if we were to remove the age limit?

Mr. BYRD. Certainly, it would be necessary to increase the tax.

Mr. DIRKSEN. To reduce this subject to its irreducible minimum, it would mean putting a compulsory tax on 70 million people in order to pay health benefits to some. In my judgment, such an approach would put us well along on the road of compulsory health insurance.

If the Senator from Georgia was correct this afternoon, when he said that the revenues will exceed the demand in the initial years, then of course it will be very easy to strike "permanent" and make it "temporary," and to strike "total" and make it "partial." Then the hospital benefits would be built up, and we would be well along the road of compulsory health insurance. This looks like a good way to do it. It seems to me, in view of the fact that the whole matter is so inconclusive today, the Senate would be warranted in sending the proposal back to committee for some honest-to-goodness study.

I have been groping along, and I feel very uncertain about it. I stayed in the Chamber and listened very patiently to the Senator from Georgia and to the Senator from Virginia. I am very much unsatisfied in my own mind about putting on all workers the kind of tax proposed to pay health benefits to some workers through a compulsory tax. If I am wrong, I should like to be corrected.

Mr. JOHNSON of Texas. I have not misunderstood the Senator's position. I believe I understand his position. I heard the Senator's question and his observation. I have concluded that he is not only against disability payments at age 50, but is against them at any age.

Mr. DIRKSEN. I am ready to improve the program, but I can see where we are going. We would add a good deal to the tax. The Senator from Texas is not restricted in his right as a Member of the Senate to offer an amendment to start the program at any age or regardless of any age whatever.

Mr. JOHNSON of Texas. The Senator from Texas is satisfied with the pending amendment, and intends to support it.

Mr. BYRD. There would have to be another amendment offered to increase the tax, because no one has contended that one-half of 1 percent would pay the cost, if no age limit were provided.

Let me say one word further to the Senator from Illinois in response to his question. The original social-security theory was that of saving. In other words, we compelled people to save for their old age. Under the proposed amendment, to which I am very strongly opposed, that theory would not be followed.

Under the amendment the savings would be taken from 70 million and would be used to pay benefits to a special group. That would be a great mistake. Why not have four or five groups? Under the amendment, the great mass of people would have to pay taxes for benefits to the 250,000 or so disabled persons. That burden would be borne by the entire 70 million in the way of enforced savings in order to pay disability payments. I think it is an entirely new departure.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. GORE. The very system under which Senators and Representatives retire contains that identical principle. Today many Senators are beyond the age of retirement. Yet, disability may come to a very young Senator, who would be eligible. Therefore, all the Senators have to pay a tax, so to speak, to provide benefits for the one Senator who may incur permanent and total disability.

Mr. BYRD. Yes; but merely because we have given ourselves such a pension does not make it right.

Mr. DIRKSEN. The other point is that if we wish to have the system do any good, we should apply it in the formative years, when a man is raising a family. If he must wait until he is 50 years of age before he gets any benefits, he may be starving in that time, if there are no other benefits he can draw on.

Mr. GORE. If the Senator from Illinois objects to a provision which would require a disabled man to wait until he is 50 years of age before he can draw benefits, why does the Senator believe that it is better to make him wait until he is 65?

Mr. DIRKSEN. Why make him wait until he is 50? His family is grown by the time he is 50. Therefore, the family argument does not hold water.

Mr. GEORGE. May I inquire of the Chair how much time remains for debate on the amendment?

The PRESIDING OFFICER. The Senator from Georgia has 12 minutes remaining.

Mr. GEORGE. I do not wish to use any time at present.

The PRESIDING OFFICER. The opponents have 26 minutes remaining.

Mr. KNOWLAND. Mr. President, I yield 20 minutes to the Senator from Nebraska [Mr. CURTIS].

Mr. CURTIS. Mr. President, I wish to speak in opposition to the amendment offered by the distinguished Senator from Georgia [Mr. GEORGE]. This amendment provides for the payment of cash disability benefits under the Social Security Act.

Whatever differences there are in the language of the George amendment and the disability provisions of the House version of H. R. 7225, are of very little, if any, consequence. The point is that they are basically the same. Both proposals would put the United States Government into the business of paying cash benefits for physical disability of our citizens. It is a broad, important, and far-reaching step in the field of social legislation.

It may be argued that this is a modest program for the payment of disability benefits. In fact, the report of the House Committee on Ways and Means recites that the committee has designed a conservative program of disability benefits. Let no one be deceived by that approach. It is but the beginning. Do we have any reason to believe that once such a program is undertaken that it will not be enlarged, expanded, and the benefits increased at frequent intervals just as has been the case with the other titles of the Social Security Act.

Old-age and survivors insurance benefits under the present laws, to wit, title II of the Social Security Act, are determined on an objective basis involving clearly provable facts. These are simple facts. They involve primarily a determination of the number of quarters of OASI coverage and a determination of the birth date of the individual. The determination of physical disability is far different. As the committee report states, it is subjective in nature. In many instances physical disability does not necessarily produce economic disability, although this might be the tendency if monthly cash benefits are available. Lack of subjectivity in determining disability makes it both easier for the beneficiary to maintain and harbor than for the administrator to deny the presence of qualifying disability.

Not only is it extremely difficult, and sometimes impossible, to determine the degree of disability, but under this proposal State agencies would make the initial determination of disability and would have no financial interest in the result. The benefits would be paid by the Federal Government from funds obtained by the Federal Government's power to tax.

It is not unreasonable to anticipate widespread abuses if this program is enacted. If a State is in a position to be relieved of a relief load of possibly an entire family by making a determination of physical disability of the head of that family, is that not an incentive for them to make such a finding if they can do it?

I do not believe that a majority of the taxpayers of the United States want the Congress to enact legislation that will pay benefits to people if the States are going to determine who is eligible for benefits but the Federal Government alone has to pay the bill.

Mr. President, I do not believe that there are any reliable cost estimates available for such a program. Admittedly the estimates on which the House bill is based assume continuous high employment and strict administration. Even so, there is a considerable range of variation possible. These cost estimates are also based on the assumption that this program, once enacted, will not at frequent intervals be enlarged and expanded and the benefits made more generous.

Mr. President, is there anyone here so lacking in knowledge of our political system that they believe that this proposal, if enacted now, will not be added to at frequent intervals throughout the years to come. This proposal is for the payment of cash benefits for permanent total disability, but I predict that it will be followed by a proposal to pay cash benefits in cases of temporary total disability. The next step may be the payment of cash benefits in cases of permanent partial disability, and even in cases of temporary partial disability. We can just as well expect that this program will be expanded to include payments for general sickness of both short and long duration. If these steps, or part of them, are taken, then the argument will be raised that proper medical care will reduce the benefit costs and, therefore, the Government ought to provide that care. In other words, the proposal of the Senator from Georgia is a proposal that could well lead to more Government medicine.

We must be mindful of the fact that if the proposal of the Senator from Georgia is enacted it would be applied to millions of our citizens residing in our States and Territories, not only in times of full employment but in times of unemployment, and that State agencies who bear no part of the cost make the initial determination as to who is eligible for benefits.

We are all aware that the problems of the totally and permanently disabled are serious, particularly among those who are without resources to care for themselves. Our disagreement is over how these problems should be met. I believe that a careful analysis of the proposal before us will show that it is not a sound way to deal with those problems. The proposal before us is one that will invite abuses and will result in ultimate excessive costs.

We already have the experience in paying disability benefits under the Railroad Retirement Act and the Civil Service Retirement Act.

Under the railroad retirement law, benefits are paid to the disabled. The figures as to the number of employees receiving disability benefits may throw some light on what we should expect the load would be were cash disability benefits to be added to our social security program. The latest figures that I have are for the calendar year 1954. The figures for that year indicate that 26 percent of the total retirements under the railroad retirement system were for physical disability. It might also be stated this way. The retirements because of physical disability under the railroad retirement system in 1954 represent 36 percent of the retirements due to age.

It is my belief that the cost estimates concerning this proposal are entirely unrealistic. Accurate and reliable estimates cannot be made. I believe that it is reasonable to assume, however, that the proponents of this measure are relying on an estimate of the number of possible beneficiaries and the total dollar costs that is far too low.

Now let us consider the experience of the civil service retirement system in dealing with disability payments. The figures for the fiscal year 1955 are available. Under that system 28 percent of the total retirements were for disability. Putting it another way, the retirements because of disability in the civil service retirement system in fiscal 1955 represent 40 percent of the number retiring because of age. The civil service system deals with a selective group. Generally speaking, this group has job security. There has been no noticeable unemployment or layoffs, yet the number who are seeking and receiving disability benefits is surprisingly high.

Mr. President, we are not dealing with legislation of 1 year's duration. We are not voting for a program that will run for 5 years or any other stated period of time. We are not voting benefits for a group that will not be with us after a life span, such as the veterans of a particular war. When veterans' benefits are enacted they remain a continuous obligation upon the Government as long as those veterans are with us. It is not so with the social security system. That system has been set up to run in perpetuity. If we are honest we have got to take into account the costs of the program, not only 10 years or 25 years or 50 years from now, but 100 years from now. Although the social security system contains no guaranties of future payments of benefits and it definitely is not an insurance system, the benefits offered and the benefits that our people are led to believe that they will receive either will have to be paid in good faith or repudiated. We cannot escape from assuming responsibility for the future costs of the programs that we initiate.

When we consider that in the last year 40 percent as many people were retiring because of disability in our civil-service system as were retiring because of age, we must challenge the estimate that if this disability program is enacted that 25 years from now there will only be 1 million workers receiving disability benefits. I believe that the estimate of a million beneficiaries is far too speculative to be given any credence at all. We must also keep in mind that succeeding Congresses will expand this program and increase its benefits at frequent intervals, and it may happen sometimes just before election.

Mr. President, I think that sometimes those of us who occupy elective public offices err in what we think the people

back home want. The great majority of people are not demanding more and more from their Government. Were we able to get the facts concerning the mathematics of this proposal across, I doubt that it would have very widespread support. This proposal of the distinguished Senator from Georgia will place an immediate tax burden of $800 million on the American people. That is but the beginning. Most citizens are aware that if this program is inaugurated there will be some persons who will go from doctor to doctor until they can secure the necessary medical evidence supporting their claim. The people back home know that. I do not believe that the majority of the rank and file of the people have asked Congress to set such a program in motion, a program whose obligations will run in perpetuity.

The PRESIDING OFFICER. The 20 minutes allotted to the Senator from Nebraska have expired.

Mr. KNOWLAND. Mr. President, I yield 3 additional minutes to the Senator from Nebraska.

The PRESIDING OFFICER. Six minutes remain for the opponents of the amendment; 12 minutes remain for the proponents.

Mr. CURTIS. Mr. President, certainly a program to pay cash disability benefits should never be enacted hurriedly and without ample study. What are the facts in this case? The Committee on Ways and Means of the House of Representatives held no hearings at all on these disability features. The Committee on Finance of the Senate did hold hearings and recommended against such a program. The Department of Health, Education, and Welfare has studied the proposal and recommended against it.

This disability program if enacted will have a great many inequities in its application. It will not provide benefits for all the disabled. It will not provide benefits for all the disabled over 50 even though they are or have been the heads of families and producers. It will not provide disability benefits for the millions of our retired aged who are not at present drawing OASI benefits. A very important fact to note is that the amendment discriminates against farmers. No disability benefits will be paid to farmers prior to 1959 because a farmer will not have had 5 years of coverage under OASI. At the present time someone who is permanently and totally disabled can have a disability freeze, so that the lapse of quarters will not work against him. In other words, an individual who worked in employment covered by OASI from 1937 to 1941 and became disabled in 1942 could apply the freeze back to that time. Such an individual would be eligible for disability benefits if this proposal becomes law, even though he has paid no taxes toward disability benefits and but a very few dollars toward his retirement benefits.

The case of the farmers is far different. Farmers were not covered under OASI until 1955. Farmers between the ages of 46 and 65 years cannot receive disability benefits if they become disabled between now and 1959, because there is no way in which they could have had 5 years coverage. Farmers have come into the OASI program when the tax was higher, and they are required to pay 1½ times the employees' tax. If this proposal is enacted they will have to pay their share of the added disability tax, but the program will not pay benefits to farmers prior to 1959.

Mr. President, even though there are those here who believe that disability programs should be added to the existing social security program, they should hesitate in enacting such a far-reaching permanent measure on the floor of the Senate, and should proceed only after further study on a program that has been worked out by a committee which has held careful and exhaustive hearings.

Mr. President, I yield back the remainder of my time.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. How much time remains in opposition to the amendment?

The PRESIDING OFFICER. The opposition has 3 minutes remaining; the proponents have 12 minutes remaining.

Mr. KNOWLAND. I should like the proponents to use some time. The opponents have reached the point where they have very little time left. I think the discussion of the amendment should be alternated.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, the time for the quorum call to be charged to neither side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GEORGE. Mr. President, I yield 3 minutes to the Senator from Tennessee [Mr. GORE].

Mr. GORE. Mr. President, the Senate has under consideration amendments to the Social Security Act. What is security? What is social security? How is it to be applied in our complex industrial, interdependent society? Security against want from permanent and total disability is the very essence of a sound social security.

In every retirement system of the Government—civil service, congressional, railroad retirement—there are disability provisions. In hundreds of thousands—yes, I dare say millions—of private insurance policies and programs, there are disability provisions. In each of those instances the test is determined by medical examination.

Disability under the veterans program is determined by medical examination.

The amendment of the senior Senator from Georgia would apply that selfsame test to the provisions of the social security program—not to give to members of the social security system benefits to which they are not entitled, but to provide that if they are permanently and totally disabled at the age of 50 or thereafter, they shall be eligible to receive that portion—that amount—of benefit to which their contributions and the contributions of their employers over the years have entitled them. This, it seems to me, is security, social security, modest though it be.

There are two objections raised. One is that it is dangerous to provide benefits contingent on a medically determined permanent and total disability. I have not heard that objection raised to any other retirement system in the Government. It seems to be an accepted practice, as I have said in other programs private and public.

Why is it, Mr. President, that the benefits of disability programs are enjoyed by employees of the Government—by Members of Congress themselves—and yet be denied the men and women who work in private employment and who, under the amendment, together with their employers, contribute to the fund to the end of actuarial soundness? I do not believe it is a sufficient answer to question the efficacy of medical determination. Another objection is based on the fear of free riders, gold-brick perpetrators. The distinguished senior Senator from Georgia [Mr. GEORGE] outlined the requirements, which clearly demonstrate that the benefits are not intended to be available to that character of employee or worker. In order to become eligible a worker must be employed during a given number of quarters, and must pay contributions for a sufficient period of time to establish unquestionably a record of substantial employment. It has been argued that the amendment does not provide sufficient security against total disability. I agree. But how can we refuse to do this much?

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. LONG. Mr. President, will the Senator from Georgia yield me 2 minutes?

Mr. GEORGE. I shall be happy to yield 2 minutes to the Senator from Louisiana.

Mr. LONG. I am happy to support the amendment. It seems to me that disability insurapce for our workers is long overdue.

As a matter of fact, this proposal has been studied by the Federal Government for 19 years; and every time it has been studied, it has been recommended. Furthermore, 37 foreign countries already insure their workers against disability, just as is proposed to be done by means of the pending amendment.

The Federal Government presently is administering disability benefits to 420,000 persons—war veterans, retired railroad personnel, Federal civil service personnel, and others.

Every State welfare director in the entire United States favors this amendment. Those persons have had some experience with this type of program.

The amendment would have the effect of saying that in the event that a man is

disabled after reaching age 50, he would be able as a matter of right to receive social security benefits for which he has contributed taxes over the years, instead of having to become a hat-in-hand pleader for public assistance.

Mr. President, the requirements set forth in the amendment are very tightly drawn, as has been discussed by the distinguished senior Senator from Georgia.

The only ones who oppose the amendment are the doctors and the private insurance companies, although in previous years the doctors have recommended that a provision similar to this one be made, in order to take care of the disabled.

Mr. President, we have long since had sufficient experience to prove that what the amendment proposes can be done, and that it is practical. The amendment means that the average person would pay approximately 87 cents a month and the employer would pay the same amount. As a result of those payments, the employee would be entitled to draw $108 a month, in the event that he became disabled after he reached age 50. This is good, sound insurance that every working man should have.

The PRESIDING OFFICER. The time yielded to the Senator from Louisiana has expired.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that at this time there may be a quorum call, and that the time required for it shall not be charged to either side.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I now suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, how much time remains available to those who oppose adoption of the George amendment?

The PRESIDING OFFICER. Three minutes remain available to those in opposition to the amendment; 7 minutes remain available to the proponents of the amendment.

Mr. KNOWLAND. Mr. President, I yield the 3 minutes remaining to those who oppose the amendment to the distinguished senior Senator from Pennsylvania [Mr. MARTIN]; and I also yield to him 2 minutes on the bill—making a total of 5 minutes.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 5 minutes.

Mr. MARTIN of Pennsylvania. Mr. President, it seems to me that this amendment and this bill have been very carefully debated.

I have been very much impressed with the manner in which the chairman of the Finance Committee, the distinguished senior Senator from Virginia [Mr. BYRD], has presented the bill, and also the manner in which he has presented his opposition to the George amendment.

It has also been most interesting to hear the presentation by the distinguished senior Senator from Georgia, who has given so much thought to this very important subject.

Mr. President, I have prepared a statement on this question. In order to save the time of the Senate, I ask unanimous consent that the statement be printed at this point in the body of the RECORD, as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MARTIN OF PENNSYLVANIA

The able and distinguished chairman of the Senate Finance Committee has explained very forcefully the committee's reasons for recommending major changes in the social security bill which the House passed last year. I am glad of an opportunity to emphasize to the Senate the thoroughness of investigation and analysis which brought about the committee recommendations. Neither time nor effort was spared in trying to determine the best course of action—in the face of the many issues involved.

In my judgment, the bill now before the Senate is a great improvement over the House measure. It provides practical improvements to the social-security structure without adding to the tax load of employees, employers, and the self-employed.

I believe there is a limit to the additional tax burden that can be imposed upon the worker, his employer, or the self-employed to pay for a program of social insurance. The House bill would make necessary the payment of about $1.7 billion in additional social-security taxes in the first year of operation.

This tax increase, contained in the House bill, was made necessary to institute a system of "cash disability benefits," and to lower the retirement for women generally—to age 62.

Because of the number of amendments which have been offered to the Senate bill bearing upon these two issues, I should like to address my remarks in that direction.

CASH DISABILITY BENEFITS

Aside from the cost factor, there are other compelling reasons for deciding against the inclusion of cash disability payments within the old-age and survivors insurance structure.

The more striking objections are these:

According to the medical profession, it would be most difficult to determine whether or not an applicant for disability payments is totally disabled—or if such disability were actually the cause for unemployment.

It would work in opposition to the desirable effects already being attained through rehabilitation programs—which are viewed as the most promising approach to disability problems.

The payment of cash benefits would often weaken the individual's spirit of self-reliance and deter rehabilitation.

Cash disability benefits could endanger doctor-patient relationships and develop into a racket of shopping around for a doctor who would approve the disability application.

There are already established income-maintenance programs for the disabled.

Assistance grants to the needy disabled were added to the Social Security Act in 1950. Since then, 42 States have begun operations under this program, and about 244,000 needy disabled persons are now receiving monthly assistance payments, which total about $165 million annually.

Many other disabled persons or their children—over half a million—are receiving payments under other federally aided programs of aid to the blind and aid to dependent children.

In deciding against including provisions for cash benefits for disabled workers, the committee has very properly been influenced by the views of members of the medical profession and others who have had wide experience in the fields of disability and rehabilitation. I am convinced that it would be neither wise nor prudent to subject the old-age and survivors insurance system to the risks and uncertainties of such a program—even though every precaution were taken to guard against obvious dangers of administration.

GEORGE AMENDMENT ON CASH DISABILITY BENEFITS

This revised or "compromise" amendment does nothing to meet the basic objections to the original disability provisions in the House bill which were deleted by the Senate Finance Committee. On the contrary the George amendment adds new objections.

1. The separate fund idea

The amendment provides for a separate disability insurance trust fund to try to meet the objection that the launching of a disability benefit program might deplete the old-age and survivors insurance trust fund and wreck the OASI program. The separate fund does not really help to meet this objection, however.

Under the George amendment present social-securtiy taxes would be increased one-half of 1 percent (about $850 million additional taxes for the first full year of operations) and an amount equal to the additional revenues would be diverted into the separate fund. (The George amendment does not provide for a separate disability tax.) If this amount turns out to be too small, all that is needed is an amendment diverting a higher percentage of the social-security tax revenues to the disability insurance trust fund. Thus, essentially the same threat to the stability of the old-age and survivors insurance system exists under the George amendment as under the original House bill.

2. No hearings on separate fund

The House Ways and Means Committee held no hearings on H. R. 7225. The Senate Finance Committee deliberations were all on the House version of H. R. 7225. The George amendment adds a wholly new concept—that of additional Federal trust funds for new purposes. There have been no hearings on the implications of this departure.

3. The separate fund as a basis for other health benefits

The social-security tax is a compulsory tax and almost universal in scope. So far, social security has remained a retirement and death-benefit system. However, through the mechanism of the social-security tax many new kinds of benefits could be financed. It is now proposed to use this tax as the financing for a separate fund which pays benefits based on health criteria. Because the revenues come from the same social-security tax, the public is not made aware that a compulsory tax is being imposed for a health-benefit system.

Once a separate fund has been established with the "Disability Insurance" label, it will be argued that temporary disability insurance benefits, hospitalization benefits, and other health benefits are not significant new departures. A full-scale compulsory health insurance program is the possible result after a few years' time.

Thus, disability benefits—particularly with the new feature of the separate health benefit fund—are the beginning of an almost inevitable chain of events. And yet, under the scheme of the George amendment, this is done merely by increasing the familiar

social security tax. The real issue is not presented clearly and openly to the American people—namely, whether we wish to start down the Government health insurance road by the imposition of new compulsory taxes.

4. Surplus funds in early years

Underscoring the threat of added health benefits under a compulsory tax system is the fact that the additional one-half of 1 percent tax of the George amendment would raise more revenues in the early years of the disability system than would be paid out in benefits. The pressure for utilizing these surplus funds for new health benefits would be great—even though over the long run the disability system might already be actuarially unsound.

5. Unfairness to farmers and other newly covered groups

Eligibility for the proposed disability benefits depends on having been covered by social security for at least 5 years. This minimum period of coverage is essential—and, indeed, should be 10 years—in order to provide some checks against abuse. But self-employed farmers and millions of others were first covered in 1955, and many others will be first covered in 1957 under H. R. 7225.

Farmers and others among the nearly 10 million persons first covered in 1955 would not become eligible for disability benefits under any circumstances until at least 1960. And yet, they would commence immediately to pay the additional tax.

It is grossly unfair to farmers and other newly covered groups to add this increased tax burden which benefits them nothing for many years. The only fair approach is to wait until universal coverage has been in effect for at least 5 years before considering new taxes and benefits of this nature.

6. Impact of new taxes

The proposed increase in social security taxes under the George amendment would amount to $850 million in the first year of full operations. This is obviously a tremendous new burden on all taxpayers, particularly those such as farmers who have just started to pay social-security taxes for the first time.

7. The fundamental objections to disability benefits

The basic objections to a cash disability benefit system are in no way diminished under the George amendment. These are:

(a) Difficulties of determining disability:

(1) Medical experts testified before the committee that they foresee grave problems in evaluating physical and mental conditions for purposes of disability benefits.

(2) Authorities have emphasized the subjective nature of disability as contrasted with the objective nature of attainment of a specified age and death, the only risks now covered by old-age and survivors insurance.

(b) Uncertainties as to cost:

(1) Difficulty in determining eligibility and other factors make the costs of a disability benefit program much harder to estimate than costs for retirement or death benefits.

(2) The old-age and survivors insurance system is functioning smoothly and is on a sound financial basis; it should not be exposed to the uncertainties that might be involved in sharing the social-security tax revenues with a system of cash disability benefits.

(c) Possible adverse effect of cash benefits on rehabilitation:

(1) The vocational rehabilitation program is just beginning to realize its potential under the impetus of the 1954 amendments, which greatly expanded the program.

(2) Many experts believe it would be a mistake to introduce a system of cash disability benefits because the payment of such benefits would discourage rehabilitation.

(d) Recent progress in meeting problem of disability:

(1) Federal-State assistance programs provide for meeting basic needs of those who cannot support themselves because of extended and serious disability.

(2) More disabled persons are being rehabilitated under the Federal-State vocational rehabilitation program.

(3) Old-age and survivors insurance benefit rights are protected under the disability "freeze" provisions enacted in 1954.

(e) Need for more experience under the disability freeze:

(1) The disability "freeze" provisions, which protect old-age and survivors insurance benefit rights during a period of prolonged, serious disability, are just getting into operation. More experience is needed with this program particularly in making determinations of disability in cases of recent onset before undertaking a broader program of cash disability benefits.

(2) Public and private disability programs already in effect are not comparable with a universal Federal disability program. Existing programs are limited to selected groups, working for one employer or class of employers, and work experience and the nature of the disability are far more easily determined.

(f) Possibilities of abuse in the case of older women:

(1) Because the eligibility for social-security coverage depends on a very small amount of work (for example, as little as $4 a week of wages from one employer), the disability program would be particularly susceptible to great abuse by domestic help and older women who work on a very spotty and part-time basis.

(2) Also, a woman could work in her early years, get married, return to part-time employment just before reaching 50, and then claim disability benefits.

8. State determinations of disability

Under the George amendment, as in the original House bill, State agencies would make the determinations of disability. Even though reviewable by the Federal Government, these determinations would not be uniform and would undoubtedly tend to be liberal since the States would have no financial stake in the determinations and could save substantial assistance costs by transferring disabled persons from assistance rolls to OASI rolls.

9. Lack of agreement on disability benefits

In the past, major changes in OASI have been made only after substantial agreement was reached. There is wide disagreement and sharp controversy over the desirability of embarking on a program of cash disability benefits. A new program of this magnitude and importance should not be adopted until major differences are resolved.

Mr. MARTIN of Pennsylvania. Mr. President, I am opposed to the so-called George amendment. In the Finance Committee we did not have an opportunity to give proper consideration to it. Under the direction of the senior Senator from Virginia [Mr. BYRD] the Finance Committee of the Senate gave very careful consideration to the bill and to all the amendments which had then been submitted. But this particular amendment did not receive any consideration.

I am opposed to the George amendment because of the additional cost it would impose. No one knows how much the amendment would eventually cost. It simply constitutes an entering wedge, and probably will be added to by one Congress after another.

Mr. President, to my mind, social security is an investment for the 70 million persons in the United States who now are covered; it is a system of forced saving for them. It should be kept as nearly perfect, actuarily, as it is possible to make a fund of that kind. The cost of anything we do in a humanitarian way should be met by means of a direct appropriation of Federal funds. For instance, that is what we provided for, last night, by means of the so-called Long amendment. Similarly, the cost of the George amendment should come out of the general fund.

Another point which has been raised in connection with this matter should receive the very careful attention of the Senate. It will be recalled that 2 years ago we added a great number of persons to the social-security system. At that time we included the farmers of the United States, as self-employed. However, that group will not qualify under the George amendment until after 5 years have passed. Actually, many of the members of that group will never be able to qualify, because if they become disabled or handicapped before the expiration of the 5 years, they will not qualify. Mr. President, to my mind that provision would be most unfair to that group of persons. Many of the farmers did not wish to come under the social-security system. However, in view of the fact that large numbers of them did wish to come under it, 2 years ago the Congress voted that they should be a part of the system.

Mr. President, in the committee we received a great deal of testimony from the medical profession, whose representatives testified as to the difficulty of determining who was really disabled and who would be able to come under the system. That is a feature of the amendment which I believe should receive very careful consideration by the Senate before the amendment is voted on.

I shall conclude my remarks by saying that we must keep all these funds intact. They must be kept sound. We must remember that there is a limit to what the United States can do. From a material standpoint, the United States is the most powerful nation in the world; but there is a limit to what governments can do, just as there is a limit to what individuals can do.

So, Mr. President, I sincerely trust that this amendment will be rejected.

The PRESIDING OFFICER. All time for the opponents of the amendment has been exhausted.

The proponents of the amendment of the Senator from Georgia have 7 minutes remaining.

Mr. GEORGE. Mr. President, I do not wish to take very much time. I desire to refer to one or two matters.

Let me say that I have met with strange arguments before, but some of the strangest ones have been submitted today. Some Senators do not like this amendment because it does not do enough; it does not cover all disabled persons. Certainly not, Mr. President; the amendment covers only those who have earned, by their own work and by their contributions to the system, the minimum benefits; that is all.

Mr. President, in 1948, the Finance Committee set up a commission to study

this entire problem. Let me read from its conclusion. The commission was composed of very able men from all over the country. Among them was the present Secretary, Mr. Folsom. I am not critical of Mr. Folsom. He is a very good man. The commission said this:

> We believe that there is enough administrative ability in our Government organization to provide effective machinery for meeting this pressing social need.

The commission was discussing this very question of payment of benefits because of permanent and total disability.

Dr. Arthur J. Altmeyer was the first Social Security Administrator. I served on the Finance Committee and served on the conference committee which established the agency in 1935. It became effective January 1, 1937, but the act was actually enacted in 1935. Dr. Altmeyer was the first Administrator, and he remained in that post until the present administration came into power. Dr. Altmeyer has repeatedly asserted, and in a long letter to me has stated, that the proposed program is administratively possible, and he has commended it in very high terms.

Dr. John W. Tramburg, who was the first Commissioner of Social Security, appointed in 1953 by this administration, has wholeheartedly endorsed the proposal. Dr. Tramburg was responsible for initiating the administration of the disability freeze program in 1954, and he is convinced that the social security administration can efficiently handle the program, based upon its successful handling of the disability freeze.

The testimony of State public welfare administrators indicated that they believed the disability insurance program was sound and feasible. Without exception they endorsed the principle of giving benefits when the beneficiary becomes totally and permanently disabled.

Something has been said about many of the doctors and other organizations. In 1944 the United States Chamber of Commerce endorsed disability insurance benefits beginning at the age of 55. Mr. Folsom, the Secretary of Health, Education, and Welfare, was chairman of the chamber's committee. He supported the principle of disability insurance at that time. This recommendation was endorsed by 67 percent of the chamber's members.

In 1945 various private insurance companies endorsed the chamber's proposal.

In 1948 the Advisory Council on Social Security, whose conclusion I have read to the Senate, which Council was appointed by the distinguished senior Senator from Colorado [Mr. MILLIKIN], voted 15 to 2 in favor of disability insurance benefits, without any age restrictions. In 1950 and 1954 the Congress adopted every major recommendation of this Council, with the single exception of payment of total and permanent disability benefits.

The PRESIDING OFFICER. The time of the Senator from Georgia has expired.

Mr. GEORGE. Will the Senator from Texas yield me 2 or 3 minutes?

Mr. JOHNSON of Texas. Mr. President, I yield 3 minutes on the bill to the Senator from Georgia.

Mr. GEORGE. I have recently received a letter from eight outstanding citizens advocating disability insurance: They are:

Dr. Sarah Gibson Blanding, president of Vassar College;

Joseph W. Fichter, past master of the Ohio Grange;

Miss Elizabeth Magee, general secretary of the National Consumers League;

Mrs. Agnes Meyer of the Washington Post;

Dr. Ellen Potter, M. D., of New Jersey;

Miss Ollie A. Randall, vice chairman of the National Committee on Aging, National Social Welfare Assembly;

Dr. Edward S. Rogers, M. D., at School of Public Health, University of California; and

Mrs. Theodore O. Wedel, president, United Church Women.

In addition, all the great labor organizations have endorsed it. Moreover, I believe the people of the country who have given any thought to this subject endorse the proposal.

It is entirely immaterial that one cannot draw benefits until he has earned them and has reached the age of 50. I have deferred to a principle which I would rather not accept, but it is much better to get the benefits at 50 than it is to wait until 65, by which time most of the totally and permanently disabled persons will have passed away.

I regret to disagree with my distinguished friend the Senator from Virginia [Mr. BYRD], for whom I have such great admiration, and to disagree with many other members of the Finance Committee with whom I have served for a long time.

However, Mr. President, I undertake to say that this is the most important question I have ever presented to the American people. Senators may do as they please now. Within the next Congress they will accept this principle.

I now read a report from the Bureau itself:

> Under the congressional retirement system, the disability benefits are the same as the old-age retirement benefits.
>
> A Senator entering Congress in 1955 and becoming disabled after 10 years would get an annuity of $5,625.

Senators voted for that provision, but now they haggle and hesitate when they are asked to do something for the poor people of this country who earn their living by the sweat of their brows. Regardless of promises or obligations, I do not believe that the Senate will so far desert the working people of the United States.

Mr. KNOWLAND. Mr. President, I yield myself 2 minutes to clarify a statement made earlier in the day in the remarks of the distinguished Senator from Missouri [Mr. HENNINGS].

Mr. President, there seems to have been some misunderstanding in this discussion about the position of the Secretary of Health, Education, and Welfare, Mr. Marion B. Folsom, on the question of cash disability benefits under the social-security program. It has been suggested that Mr. Folsom supported cash disability payments until he became an official of the Eisenhower administration.

I should like to say that Mr. Folsom's support of a sound and effective social-security system cannot be questioned by anyone. He was one of the original pioneers in founding this system more than 20 years ago. He has participated in and supported every major expansion and improvement in social security ever since then.

The last time Mr. Folsom served on an advisory committee on social security to the Senate Finance Committee was in 1948–49. And as a member of that committee, Mr. Folsom joined in minority views which subsequently were adopted, in effect, by the Congress at that time. Mr. Folsom pointed then to the inherent dangers and uncertainties involved in a cash disability program under OASI and he recommended instead that the Congress should expand and improve the vocational rehabilitation program for restoring disabled workers to productive employment. He also recommended a program of public assistance benefits for the needy disabled. Both of these recommendations have been approved by Congress and these programs are now working very well.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. GEORGE], for himself and other Senators.

Mr. JOHNSON of Texas and Mr. KNOWLAND requested the yeas and nays.

The yeas and nays were ordered.

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a list of opponents of disability payments in general.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

OPPOSE DISABILITY BENEFITS IN GENERAL

Department of Health, Education, and Welfare (Hon. Marion B. Folsom), page 1225.

Accident and Health Underwriters of Milwaukee, Wis. (Tomm Callahan), page 490.

Adams, Dr. Wright, University of Chicago, page 824.

American Academy for the Study of Alcoholism (Dr. Marvin A. Block), page 399.

American Academy of General Practice (Drs. Mac F. Cahal and Cyrus W. Anderson), page 355.

American Congress of Physical Medicine and Rehabilitation (Dr. Frank H. Krusen), page 378.

American Life Convention and Life Insurance Association of America (John Miller, Edmund Fitzgerald, and Daniel J. Reidy), page 445.

American Medical Association (Drs. P. J. L. Blasingame and David B. Allman), page 826.

Association of American Physicians and Surgeons (Dr. James L. Doenges), page 599.

Armstrong Cork Co. (C. J. Backstrand), page 709.

Arizona State Department of Public Welfare (Wayne S. Warrington), page 882.

Beverly Hills (Calif.) Chamber of Commerce and Civic Association, page 704.

Buffalo (N. Y.) Chamber of Commerce (Charles C. Fichtner), page 709.

Bureau of Accident and Health Underwriters, Health and Accident Underwriter's Conference (John W. Joanis), page 470.

Chamber of Commerce of the United States (A. D. Marshall), page 644.

Chicago Accident and Health Association, page 491.

Commerce and Industry Association of New York, Inc. (Dr. William Zucker), page 748.

Colorado Farm Bureau (Arthur L. Anderson), page 191.

Council of State Chambers of Commerce (Gordon C. Nichols), page 694.

Florida Medical Association (Dr. H. Philip Hampton), page 801.

Gilmour, Monroe T., M. D. (the Gilmour-Hodges Clinic, Charlotte, N. C.), page 418.

Harris County (Tex.) Medical Society (Dr. Denton Kerry), page 811.

Illinois Manufacturer's Association, page 253.

Illinois State Chamber of Commerce, page 245.

Insurance Economics Society of America (Edward H. O. Connor), page 480.

Kansas State Association of Life Underwriters (Grant Hoener), page 194.

Kansas State Chamber of Commerce (C. C. Kilker), page 193.

Kansas State Medical Society (Dr. Conrad M. Barnes), page 807.

Kentucky State Medical Society (Dr. Leon Higdon), page 723.

Kirchmaier, Dr. Carl T. (Life and Casualty Insurance Company of Tennessee), page 486.

Linton, M. Albert (Provident Mutual Life Insurance Co.), page 730.

Los Angeles Chamber of Commerce, page 707.

Louisiana State Medical Society (Drs. Philip M. Jones and Cuthbert J. Brown), page 796.

Medical Association of Georgia (Dr. J. E. Chambers), page 364.

Medical Society of the County of New York (Dr. Gerald P. Dorman), page 815.

Medical Society of Delaware (Dr. Lewis B. Flinn), page 785.

Medical Society of North Carolina (Dr. J. P. Rousseau), page 416.

Minnesota State Medical Society (Dr. Philip S. Hench), page 342.

Missouri State Chamber of Commerce, page 703.

Myers, Dr. Richard T. (Bowman Gray School of Medicine, Wake Forest College, Winston-Salem, N. C.), page 419.

National Association of Life Underwriters (Albert C. Adams), page 474.

National Association of Manufacturers (William G. Caples), page 674.

National Committee on Alcoholism (Dr. Marvin A. Block), page 399.

National Medical Veterans Society (Dr. Robert S. Green), page 360.

Nevada State Medical Society (Dr. Fred Anderson), page 366.

New Hampshire State Association of Life Underwriters (Ralph Tanguay), page 488.

Nevada Industrial Commission (John F. Cory), page 371.

North Dakota State Medical Association (Dr. D. J. Halliday), page 425.

Oklahoma State Medical Association (Drs. R. Q. Goodwin and Malcolm E. Phelps), page 766.

Santa Barbara County Medical Society, page 839.

State Medical Society of Wisconsin (resolution), page 761.

Snohomish (Wash.) County Medical Society (Dr. George H. Drumheller), page 812.

Texas Medical Association (Drs. Milford O. Rouse, Mal Rumph, and seven other members of the association), page 405.

Texas Farm Bureau (J. Walter Hammond), page 553.

Tri-Professions Committee for the Study of Social Security, Santa Barbara, Calif., 13 signatures, page 838.

Utah State Medical Association (Dr. R. O. Porter), page 740.

Vermont State Medical Society (Dr. W. D. Lindsay), p. 388.

Whatcom (Wash.) Medical Society and 12 individual doctors, page 814.

Winston-Salem (N. C.) Chamber of Commerce (G. L. Irvin, Jr.), page 709.

Women's Auxiliary to the Rhode Island Medical Society, page 423.

Individual letters from 205 doctors, pages 1055–1132.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. All time for debate has expired. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. GEORGE] on behalf of himself and other Senators. On this question the yeas and nays have been ordered, and the Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KUCHEL (when his name was called). On this vote I have a pair with the junior Senator from Texas [Mr. DANIEL]. If he were present and voting he would vote "nay." If I were permitted to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL] is absent on official business.

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission, and, if present and voting, would vote "yea."

The Senator from Ohio [Mr. BENDER] is detained on official business.

The result was announced—yeas 47, nays 45, as follows:

YEAS—47

Anderson	Jackson	Neely
Bible	Johnson, Tex.	Neuberger
Chavez	Johnston, S. C.	O'Mahoney
Clements	Kefauver	Pastore
Douglas	Kennedy	Payne
Ellender	Kerr	Purtell
Ervin	Laird	Russell
Fulbright	Langer	Scott
George	Lehman	Sparkman
Gore	Long	Symington
Green	Magnuson	Wiley
Hayden	Malone	Wofford
Hennings	Mansfield	Young
Hill	McClellan	
Humphrey, Minn.	McNamara	
Humphreys, Ky.	Monroney	
	Morse	
	Murray	

NAYS—45

Aiken	Curtis	Martin, Pa.
Allott	Dirksen	McCarthy
Barrett	Duff	Millikin
Beall	Dworshak	Mundt
Bennett	Eastland	Robertson
Bricker	Flanders	Saltonstall
Bridges	Frear	Schoeppel
Bush	Goldwater	Smathers
Butler	Hickenlooper	Smith, Maine
Byrd	Holland	Smith, N. J.
Capehart	Hruska	Stennis
Carlson	Ives	Thye
Case, N. J.	Jenner	Watkins
Case, S. Dak.	Knowland	Welker
Cotton	Martin, Iowa	Williams

NOT VOTING—4

Bender	Kuchel	Potter
Daniel		

So the amendment offered by Mr. GEORGE, for himself and other Senators, was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. PASTORE. Mr. President, I move that the motion of the Senator from Texas be laid on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Rhode Island to lay on the table the motion of the Senator from Texas.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays on the motion to lay on the table.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is on the motion of the Senator from Rhode Island to lay on the table the motion of the Senator from Texas. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL (when his name was called). I have a pair with the junior Senator from Texas [Mr. DANIEL]. If he were present, he would vote "nay." If I were permitted to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL] is absent on official business.

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission, and, if present and voting, would vote "yea."

The Senator from Ohio [Mr. BENDER] is detained on official business.

The result was announced—yeas 49, nays 43, as follows:

YEAS—49

Anderson	Humphrey, Minn.	McClellan
Bible	Humphreys, Ky.	McNamara
Chavez		Monroney
Clements		Morse
Douglas	Jackson	Murray
Eastland	Johnson, Tex.	Neely
Ellender	Johnston, S. C.	Neuberger
Ervin	Kefauver	O'Mahoney
Frear	Kennedy	Pastore
Fulbright	Kerr	Russell
George	Laird	Scott
Gore	Langer	Smathers
Green	Lehman	Sparkman
Hayden	Long	Stennis
Hennings	Magnuson	Symington
Hill	Malone	Wiley
Holland	Mansfield	Wofford

NAYS—43

Aiken	Curtis	Mundt
Allott	Dirksen	Payne
Barrett	Duff	Purtell
Beall	Dworshak	Robertson
Bennett	Flanders	Saltonstall
Bricker	Goldwater	Schoeppel
Bridges	Hickenlooper	Smith, Maine
Bush	Hruska	Smith, N. J.
Butler	Ives	Thye
Byrd	Jenner	Watkins
Capehart	Knowland	Welker
Carlson	Martin, Iowa	Williams
Case, N. J.	Martin, Pa.	Young
Case, S. Dak.	McCarthy	
Cotton	Millikin	

NOT VOTING—4

Bender	Kuchel	Potter
Daniel		

So the motion to lay on the table was agreed to.

Mr. KERR obtained the floor.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Oklahoma yield briefly to me, that I may make an announcement?

Mr. KERR. I yield for that purpose.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I wish to announce for the information of the Senate that it is planned to run late into the evening, perhaps until as late as 11 or 12 o'clock. In 1 hour there will be a yea-and-nay vote on the amendment the Senator from Oklahoma [Mr. KERR] is about to offer. Perhaps a few extra minutes will be yielded on the bill, but in approximately 1 hour there will be a yea-and-nay vote on the Kerr amendment.

There are some 30 other amendments, but 9 or 10 of them are duplicates. We are very hopeful that progress can be made toward reducing the number of amendments. If Senators will cooperate by eliminating duplicate amendments and by restraining their conversation, it may be that the bill can be passed tonight. I certainly hope so. If not, the Senate will convene tomorrow morning at 9:30, under the order previously entered, and will sit until late tomorrow night in an attempt to finish the bill.

The social-security bill will be followed by the Hells Canyon bill. After that, the customs simplification bill will be called up. Then, as soon as the Committee on Finance has acted on it, the bill to extend the Renegotiation Act will be called up.

As soon as the Committee on Post Office and Civil Service has reported the executive pay bill, that bill will be considered.

Mr. KERR. Mr. President, at the request of the Senator from Washington [Mr. MAGNUSON], the Senator from Alabama [Mr. HILL], and the Senator from Florida [Mr. SMATHERS], I yield in order that several privileged matters may be disposed of.

FISHERIES DIVISION IN DEPARTMENT OF THE INTERIOR

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 3275) to establish a sound and comprehensive national policy with respect to fisheries; to strengthen the fisheries segment of the national economy; to establish within the Department of the Interior a Fisheries Division; to create and prescribe the functions of the United States Fisheries Commission; and for other purposes, which were to strike out all after the enacting clause and insert:

That this act may be cited as the "Fisheries and Wildlife Act of 1956."

DECLARATION OF POLICY

SEC. 2. The Congress hereby declares that the fish, shellfish, and wildlife resources make a material contribution to the national economy and to the food supply, health, recreation, and well-being. They are a living, renewable form of national wealth, capable of being maintained and greatly increased with proper management, but equally capable of destruction if neglected or unwisely exploited. They afford outdoor recreation throughout the Nation and provide employment, directly or indirectly, to a substantial number of citizens. The fishing industries strengthen the defense of the United States through the provision of a trained seafaring citizenry and action-ready fleets of seaworthy vessels. The training and sport afforded by fish and wildlife resources strengthen the national defense by contributing to the general health and physical fitness of millions of citizens.

Properly developed, the fish and wildlife resources are capable of steadily increasing these valuable contributions to the life of the Nation.

The Congress further declares that the fishing industry, in its several branches, can prosper and thus fulfill its proper function in national life only if certain fundamental needs are satisfied by means which are the recognized and constitutional functions of governments. Among these needs are:

(1) Freedom of enterprise—freedom to develop new areas, new methods, new products, new markets in accordance with sound economic principles, and freedom from detailed administrative and legal restrictions which ignore economic needs;

(2) Protection of opportunity—maintenance of an economic atmosphere in which domestic production and processing can prosper; protection from subsidized competing products; protection of opportunity to fish on the high seas in accordance with international law;

(3) Assistance—assistance of Government provided for industry generally, such as is involved in promoting good industrial relations, fair trade standards, harmonious labor relations, better health standards and sanitation; and assistance of Government for the fishing industry, specifically including—

(a) services to provide current information on production and trade, market promotion and development, and an extension service,

(b) research services for economic and technologic development and resource conservation, and

(c) resource management to assure the maximum sustainable production for the fisheries.

The Congress further declares that the provisions of this act are necessary in order to accomplish the objective of proper resource development, and that this act shall be administered with due regard to the inherent right of every citizen and resident of the United States to engage in fishing for his own pleasure, enjoyment, and betterment, and with the intent of stimulating the development of a strong, prosperous, and thriving fishery and fish processing industry and of maintaining and increasing the public opportunities for recreational utilization of the fish and wildlife resources.

REORGANIZATION WITHIN THE DEPARTMENT OF THE INTERIOR

SEC. 3. (a) There is hereby created and established within the Department of the Interior the office of Assistant Secretary for Fisheries and Wildlife, and the office of Commissioner of Fish and Wildlife. There is further hereby created and established the United States Fish and Wildlife Service, consisting of two divisions thereof to be known as the Bureau of Commercial Fisheries and the Bureau of Wildlife, respectively. The administrative functions of the United States Fish and Wildlife Service shall be administered under the direction and supervision of the Assistant Secretary for Fisheries and Wildlife by the Commissioner of Fish and Wildlife. There shall be a Director for each of said Bureaus.

(b) All functions, powers, duties, and authority of the Fish and Wildlife Service of the Department of the Interior as are determined by the Secretary to relate primarily to fish, fisheries, whales, and related matters, together with those funds, liabilities, commitments, authorizations, allocations, personnel, and records of the Fish and Wildlife Service which the Secretary of the Interior shall determine to be primarily related to and necessary for the exercise of such functions, powers, duties, and authority, are hereby transferred to the Bureau of Commercial Fisheries of the United States Fish and Wildlife Service created and established by this section.

(c) All functions, powers, duties, and authority of the Fish and Wildlife Service of the Department of the Interior as are determined by the Secretary to relate primarily to migratory birds, game management, and wildlife refuges, their acquisition, management and development, game fish, sea mammals (except whales), and related matters, together with those funds, liabilities, commitments, authorizations, allocations, personnel and records of the Fish and Wildlife Service which the Secretary of the Interior shall determine to be primarily related to and necessary for the exercise of such functions, powers, duties and authority, are hereby transferred to the Bureau of Wildlife of the United States Fish and Wildlife Service, created and established by this section.

(d) In the administration and performance of related functions pertaining both to fisheries and wildlife, and for such other functions as he deems appropriate, the Secretary may establish a Division of Technical Services and require a single operating branch or unit to perform the services relating both to fisheries and wildlife. The Secretary may also establish a single division, branch or unit to perform such administrative services as information, budgeting, personnel management, finance, and procurement for the entire United States Fish and Wildlife Service.

(e) The Secretary is authorized under rules and regulations and under terms and conditions prescribed by him, to make loans for financing and refinancing of operations, maintenance, replacement, repair, and equipment of fishing gear and vessels, and for research into the basic problems of fisheries.

(f) Any loans made under the provisions of this section shall be subject to the following restrictions:

(1) Bear an interest rate of not less than 3 percent per annum;

(2) Mature in not more than 10 years;

(3) No financial assistance shall be extended pursuant to this section unless reasonable financial assistance applied for is not otherwise available on reasonable terms.

(g) There is hereby created a fisheries loan fund, which shall be used by the Secretary as a revolving fund to make loans for financing and refinancing under this section. Any funds received by the Secretary on or before June 30, 1965, in payment of principal or interest on any loans so made, shall be deposited in the fund and be available for making additional loans under this section. Any funds so received after June 30, 1965, and any balance remaining in the fund at the close of June 30, 1965 (at which time the fund shall cease to exist), shall be covered into the Treasury as miscellaneous receipts. There are hereby authorized to be appropriated to the fund the sum of $10 million to provide initial capital.

(h) The Secretary shall, with respect to the financial operations arising by reason of this section—

(1) prepare annually and submit a business-type budget as provided for wholly owned Government corporations by the Government Corporation Act;

(2) maintain an integral set of accounts, which shall be audited annually by the General Accounting Office in accordance with principles and procedures applicable to commercial corporate transactions, as provided by section 105 of the Government Corporation Control Act;

(3) determine the character and necessity of expenditures under this section and the

manner in which such expenditures are incurred, allowed, and paid, subject to the provisions of law specifically applicable to wholly owned Government corporations.

(i) The Secretary, subject to the specific limitations in this section, may consent to the modification, with respect to the rate of interest, time of payment of any installment of principal, or security, of any loan contract to which he is a party.

SEC. 4. (a) In addition to the functions, powers, duties, and authority transferred to the Bureau of Commercial Fisheries and the Bureau of Wildlife under section 3 the Secretary shall exercise through the Assistant Secretary for Fisheries and Wildlife all functions, powers, duties, and authority conferred upon him under the provisions of this act.

(b) The Secretary shall conduct continuing investigations, prepare and disseminate information, and make periodical reports to the public, to the President, and to the Congress with respect to the following matters:

(1) The production and flow to market of fish and fishery products domestically produced, and also those produced by foreign producers which affect the domestic fisheries;

(2) The availability and abundance and the biological requirements of the fish and wildlife resources;

(3) The competitive economic position of the various fish and fishery products with respect to each other, to competitive foreign-produced commodities, and to other competitive commodities; and

(4) The collection and dissemination of statistics on food and recreational fisheries;

(5) Collection and dissemination of statistics on the nature and availability of wildlife, progress in acquisition of additional refuges and measures being taken to foster a coordinated program to encourage and develop wildlife values;

(6) The improvement of production and marketing practices in regard to commercial species and the conduct of educational and extension services relative to commercial and sport fishing, and wildlife matters;

(7) Any other matters which in the judgment of the Secretary are of public interest in connection with any phases of fisheries and wildlife operations.

SEC. 5. (a) There are hereby transferred to the Secretary all administrative functions of the Secretary of Agriculture, the Secretary of Commerce, and the head of any other department or agency as are determined by the Director of the Bureau of the Budget to relate primarily to the development, advancement, management, conservation, and protection of fisheries and wildlife; but nothing in this section shall be construed to modify the authority of the Department of State or the Secretary of State to negotiate or enter into any international agreements, or conventions with respect to the development, management, or protection of any fisheries and wildlife resources or with respect to international commissions operating under conventions to which the United States is a party.

(b) There are hereby transferred to the Department of the Interior so much of the personnel, property, facilities, records, and unexpended balances of appropriations, allocations, and other funds (available or to be made available) as the Director of the Bureau of the Budget determines to be necessary in connection with the exercise of the functions transferred to the Secretary by subsection (a) of this section.

(c) The Secretary may request and secure the advice or assistance of any department or agency of the Government in carrying out the provisions of this act, and any such department or agency which furnishes advice or assistance to the Secretary may expend its own funds for such purposes, with or without reimbursement from the Secretary as may be agreed upon between the Secretary and the department or agency.

SEC. 6. It shall be the responsibility of the Assistant Secretary of Fisheries and Wildlife to formulate all policies necessary in the administration by the Department of the Interior, of the laws relating to fisheries and wildlife. The Assisant Secretary shall also—

(1) develop and recommend measures which are appropriate to assure the maximum sustainable production of fish and fishery products and to prevent unnecessary and excessive fluctuations in such production;

(2) study the economic conditions of the industry, and whenever he determines that any segment of the domestic fisheries has been seriously disturbed either by wide fluctuation in the abundance of the resource supporting it, or by unstable market or fishing conditions, he shall make such recommendations to the President and the Congress through the Secretary as he deems appropriate to aid in stabilizing the domestic fisheries;

(3) develop and recommend to the Secretary special promotional and informational activities with a view to stimulating the consumption of fishery products whenever he determines that there is a prospective or actual surplus of such products;

(4) take such steps as may be required for the development, advancement, management, conservation, and protection of the fisheries resources; and

(5) take such steps as may be required for the development, management, advancement, conservation, and protection of wildlife resources through research, acquisition of refuge lands, development of existing facilities, and other means.

SEC. 7. (a) The Secretary shall cooperate to the fullest practicable extent with the Secretary of State in providing representation at all meetings and conferences relating to fisheries and wildlife in which representatives of the United States and foreign countries participate.

(b) The Secretary of State and all other officials having responsibilities in the fields of technical and economic aid to foreign nations shall consult with the Secretary in all cases in which the interests of fisheries are involved with a view to assuring that such interests are adequately represented at all times.

(c) Notwithstanding any other provision of law, the Secretary shall be represented in all international negotiations conducted by the United States pursuant to section 350 of the Tariff Act of 1930, as amended, in any case in which fishery products are directly affected by such negotiations.

(d) The Secretary shall consult periodically with the various governmental, private, nonprofit, and other organizations and agencies which have to do with any phase of fisheries and wildlife with respect to any problems that may arise in connection with such fisheries and wildlife.

SEC. 8. (a) The Assistant Secretary shall make an annual report to the Congress with respect to activities of the United States Fish and Wildlife Service under this act, and shall make such recommendations for additional legislation as he deems necessary.

(b) The Assistant Secretary is authorized to make a report to the President and the Congress through the Secretary concerning the following matters with respect to any fishery product which is imported into the United States, upon a request from any segment of the domestic industry producing a like or directly competitive product:

(1) Whether there has been a downward trend in the production, employment in the production, or prices, or a decline in the sales, of the like or directly competitive product by the domestic industry; and

(2) Whether there has been an increase in the imports of the fishery product into the United States, either actual or relative to the production of the like or directly competitive product produced by the domestic industry.

THE RIGHTS OF STATES

SEC. 9. Nothing in this act shall be construed (1) to interfere in any manner with the rights of any State under the Submerged Lands Act (Public Law 31, 83d Cong.), or otherwise provided by law, or to supersede any regulatory authority over fisheries exercised by the States either individually or under interstate compacts; or (2) to interfere in any manner with the authority exercised by any international commission established under any treaty or convention to which the United States is a party.

AUTHORIZATION FOR APPROPRIATION

SEC. 10. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

SEC. 11. (a) The authorization for the transfer of certain funds from the Secretary of Agriculture to the Secretary of the Interior and their maintenance in a separate fund as contained in section 2 (a) of the act of August 11, 1939, as amended July 1, 1954 (68 Stat. 376), shall be continued for the year ending June 30, 1957, and each year thereafter, and such transferred funds shall be available for all the purposes of this act.

(b) Subsection (e) of section 2 of the aforesaid act of August 11, 1939, as amended, is hereby amended to read as follows:

"(e) The separate fund created for the use of the Secretary of the Interior under section 2 (a) of this act and the annual accruals thereto shall be available for each year hereafter until expended by the Secretary."

And to amend the title so as to read: "An act to establish a sound and comprehensive national policy with respect to fisheries and wildlife; to strengthen the fisheries and wildlife segments of the national economy; to create and establish within the Department of the Interior the Office of Assistant Secretary for Fisheries and Wildlife, a United States Fish and Wildlife Service; and for other purposes."

Mr. MAGNUSON. Mr. President, I move that the Senate disagree to the amendments of the House, request a conference thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. MAGNUSON, Mr. SMATHERS, Mr. BIBLE, Mr. DUFF, and Mr. PAYNE conferees on the part of the Senate.

RESEARCH FACILITIES FOR CERTAIN CRIPPLING AND KILLING DISEASES

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 849) to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystrophy, and for other purposes, which were to strike out all after the enacting clause and insert:

That this act may be cited as the "Health Research Facilities Act of 1956."

SEC. 2. The Public Health Service Act (42 U. S. C., ch. 6A) is amended by adding at the end thereof the following new title:

"TITLE VII—HEALTH RESEARCH FACILITIES

"Declaration of policy

"SEC. 701. (a) The Congress hereby finds and declares that (1) the Nation's economy, welfare, and security are adversely affected by many crippling and killing diseases the prevention and control of which require a substantial increase, in all areas of the Nation, of research activities in the sciences related to health, and (2) funds for the construction of new and improved non-Federal facilities to house such activities are inadequate.

"(b) It is therefore the purpose of this title to assist in the construction of facilities for the conduct of research in the sciences related to health by providing grants-in-aid on a matching basis to public and nonprofit institutions for such purpose.

"Definitions

"SEC. 702. As used in this title—

"(1) the term 'Council' means the National Advisory Council on Health Research Facilities established by section 703;

"(2) the terms 'construction' and 'cost of construction' include (A) the construction of new buildings and the expansion, remodeling and alteration of existing buildings, including architects' fees, but not including the cost of acquisition of land or off-site improvements, and (B) equipping new buildings and existing buildings, whether or not expanded, remodeled, or altered;

"(3) the term 'nonprofit institution' means an institution owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and

"(4) the term 'sciences related to health' includes medicine, osteopathy, dentistry, and public health, and fundamental and applied sciences when related thereto.

"National Advisory Council on Health Research Facilities

"SEC. 703. (a) There is hereby established in the Public Health Service a National Advisory Council on Health Research Facilities, consisting of the Surgeon General of the Public Health Service, who shall be Chairman, and an official of the National Science Foundation designated by the National Science Board, who shall be ex officio members, and 12 members appointed by the Secretary without regard to the civil-service laws. Four of the appointed members shall be selected from the general public and eight shall be selected from among leading medical, dental, or scientific authorities who are skilled in the sciences related to health. In selecting persons for appointment to the Council, consideration shall be given to such factors, among others, as (1) experience in the planning, constructing, financing, and administration of institutions engaged in the conduct of research in the sciences related to health, and (2) familiarity with the need for research facilities in all areas of the Nation.

"(b) The Council shall—

"(1) advise and assist the Surgeon General in the preparation of general regulations and with respect to policy matters arising in the administration of this title; and

"(2) consider all applications for grants under this title and make to the Surgeon General such recommendations as it deems advisable with respect to (A) the approval of such applications, and (B) the amount which should be granted to each applicant whose application, in its opinion, should be approved.

"(c) The Surgeon General is authorized to use the services of any member or members of the Council, and where appropriate, any members or members of the Federal Hospital Council, the National Advisory Health Council or the other national advisory councils referred to in section 217 of this act, in connection with matters related to the administration of this title, for such periods, in addition to conference periods, as he may determine. The Surgeon General shall, in addition, make appropriate provision for consultation between and coordination of the work of the Council, the Federal Hospital Council, the National Advisory Health Council and such other national advisory councils, with respect to matters bearing on the purposes and administration of this title.

"(d) Appointed members of the Council, while attending conferences or meetings of the Council or while otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary but not exceeding $50 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U. S. C. 73b–2) for persons in the Government service employed intermittently.

"Authorization of appropriations

"SEC. 704. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1958, and for each of the 2 succeding fiscal years, not to exceed $30 million, for making grants-in-aid for the construction of facilities for research in the sciences related to health; and any sums appropriated pursuant to this section shall remain available until expended.

"Approval of applications

"SEC. 705. (a) Applications for grants under this title shall be made not later than June 30, 1959.

"(b) To be eligible to apply for a grant under this title, the applicant must be a public or nonprofit institution, determined by the Surgeon General, after consultation with the Council, to be competent to engage in the type of research for which the facility is to be constructed.

"(c) A grant under this title may be made only if the application therefor is recommended for approval by the Council and is approved by the Surgeon General upon his determination that—

"(1) the applicant meets the eligibility conditions set forth in subsection (b);

"(2) the application contains or is supported by reasonable assurances that (A) for not less than 10 years after completion of construction, the facility will be used for the purposes of research in the sciences related to health for which it is to be constructed, (B) subject to subsection (d), sufficient funds will be available to meet the non-Federal share of the cost of constructing the facility, and (C) sufficient funds will be available, when construction is completed, for effective use of the facility for the research for which it is being constructed; and

"(3) the proposed construction will expand the applicant's capacity for research in the sciences related to health, or is necessary to improve or maintain the quality of the applicant's research in the sciences related to health.

"(d) Within such aggregate monetary limit as the Surgeon General may prescribe, after consultation with the Council, applications which (solely by reason of the inability of the applicants to give the assurance required by clause (B) of subsection (c) (2)) fail to meet the requirements for approval set forth in subsection (c) may be approved upon condition that the applicant give the assurance required by such clause (B) within a reasonable time and upon such other reasonable terms and conditions as he may determine after consultation with the Council.

"(e) In acting upon applications for grants, the Council and the Surgeon General shall take into consideration the relative effectiveness of the proposed facilities in expanding capacity for research in the sciences related to health, in improving the quality of such research, and in promoting an equitable geographical distribution of such research (giving due consideration to population, available scientific research workers, and available research resources in various areas of the Nation).

"Amount of grant; payments

"SEC. 706. (a) The amount of any grant made under this title shall be that recommended by the Council or such lesser amount as the Surgeon General determines to be appropriate; except that in no event may such amount exceed 50 percent of the necessary cost of the construction of such facility, as determined by him, or in the case of a multipurpose facility, 50 percent of that part of the necessary cost of construction which the Surgeon General determines to be proportionate to the contemplated use of the facility for research in the sciences related to health.

"(b) Upon approval of any application for a grant under this title, the Surgeon General shall reserve, from any appropriation available therefor, the amount of such grant as determined under subsection (a), and shall pay such amount, in advance or by way of reimbursement, and in such installments consistent with construction progress, as he may determine. Such payments shall be made through the disbursement facilities of the Department of the Treasury. The Surgeon General's reservation of any amount under this section may be amended by him, either upon approval of an amendment of the application or upon revision of the estimated cost of construction of the facility.

"(c) In determining the amount of any grant under this title, there shall be excluded from the cost of construction an amount equal to the sum of (1) the amount of any other Federal grant which the applicant has obtained, or is assured of obtaining, with respect to the construction which is to be financed in part by grants authorized under this title, and (2) the amount of any non-Federal funds required to be expended as a condition of such other Federal grant.

"Recapture of payments

"SEC. 707. If, within 10 years after completion of any construction for which funds have been paid under this title—

"(a) the applicant or other owner of the facility shall cease to be a public or nonprofit institution, or

"(b) the facility shall cease to be used for the research purposes for which it was constructed, unless the Surgeon General determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation to do so,

the United States shall be entitled to recover from the applicant or other owner of the facility the amount bearing the same ratio to the then value (as determind by agreement of the parties or by action brought in the United States district court for the district in which such facility is situated) of the facility, as the amount of the Federal participation bore to the cost of construction of such facility.

"Noninterference with administration of institutions

"SEC. 708. Except as otherwise specifically provided in this title, nothing contained in this title shall be construed as authorizing any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over, or impose any requirement or condition with respect to, the research conducted by, and the personnel or administration of, any institution.

"Regulations

"SEC. 709. (a) Within 6 months after the enactment of this title, the Surgeon General, after consultation with the Council and

with the approval of the Secretary, shall prescribe general regulations covering the eligibility of institutions, and the terms and conditions for approving applications.

"(b) The Surgeon General is authorized to make, with the approval of the Secretary, such administrative and other regulations as he finds necessary to carry out the provisions of this title.

"Reports

"SEC. 710. On or before January 15, 1958, and annually thereafter, the Surgeon General, in consultation with the Council, shall prepare an annual report and submit it to the President for transmission to the Congress, summarizing the activities under this title and making such recommendations as he may deem appropriate. The report to be submitted on or before January 15, 1959, shall include an appraisal of the current program under this title in the light of its adequacy to meet the long-term needs for funds for the construction of non-Federal facilities for research in the sciences related to health. Such reports and appraisals shall include minority views and recommendations, if any, of members of the Council."

SEC. 3. (a) Section 1 of the Public Health Service Act is amended to read as follows:

"Short title

"SECTION 1. Titles I to VII, inclusive, of this act may be cited as the 'Public Health Service Act.'"

(b) The act of July 1, 1944 (58 Stat. 682), as amended, is further amended by renumbering title VII (as in effect prior to the enactment of this act) as title VIII, and by renumbering sections 701 through 714 (as in effect prior to the enactment of this act), and references thereto, as sections 801 through 814, respectively.

And to amend the title so as to read: "An act to amend the Public Health Service Act, so as to provide for grants-in-aid to non-Federal public and nonprofit institutions for the constructing and equipping of facilities for research in the sciences related to health."

Mr. HILL. Mr. President, I have conferred with the distinguished senior Senator from New Jersey [Mr. SMITH], the ranking minority member of the Committee on Labor and Public Welfare. He and I are in accord that the bill should go to conference. I therefore move that the Senate disagree to the amendments of the House, request a conference thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. HILL, Mr. MURRAY, Mr. LEHMAN, Mr. SMITH of New Jersey, and Mr. PURTELL conferees on the part of the Senate.

AMENDMENT OF LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT, RELATING TO INCREASED BENEFITS FOR DISABLING INJURIES

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2280) to amend the Longshoremen's and Harbor Workers' Compensation Act, as amended, to provide increased benefits in case of disabling injuries, and for other purposes, which was to strike out all after the enacting clause and insert:

That section 6 of the Longshoremen's and Harbor Workers' Compensation Act, as amended (33 U. S. C., sec. 906), is amended to read as follows:

"SEC. 6. (a) No compensation shall be allowed for the first 3 days of the disability, except the benefits provided for in section 7: *Provided, however,* That in case the injury results in disability of more than 28 days the compensation shall be allowed from the date of the disability.

"(b) Compensation for disability shall not exceed $54 per week and compensation for total disability shall not be less than $18 per week: *Provided, however,* That if the employee's average weekly wages, as computed under section 10, are less than $18 per week he shall receive as compensation for total disability his average weekly wages."

SEC. 2. Subparagraphs (1) through (12) of section 8 (c) of the said act are hereby amended to read as follows:

"(1) Arm lost, 312 weeks' compensation.
"(2) Leg lost, 288 weeks' compensation.
"(3) Hand lost, 244 weeks' compensation.
"(4) Foot lost, 205 weeks' compensation.
"(5) Eye lost, 160 weeks' compensation.
"(6) Thumb lost, 75 weeks' compensation.
"(7) First finger lost, 46 weeks' compensation.
"(8) Great toe lost, 38 weeks' compensation.
"(9) Second finger lost, 30 weeks' compensation.
"(10) Third finger lost, 25 weeks' compensation.
"(11) Toe other than great toe lost, 16 weeks' compensation.
"(12) Fourth finger lost, 15 weeks' compensation."

SEC. 3. Section 8 (g) of the said act is amended by striking out "$10" and inserting in lieu thereof "$25."

SEC. 4. Section 9 (e) of the said act is hereby amended to read as follows:

"(e) In computing death benefits the average weekly wages of the deceased shall be considered to have been not more than $31 nor less than $27 but the total weekly compensation shall not exceed the weekly wages of the deceased."

SEC. 5. Section 14 (m) of the said act is hereby amended to read as follows:

"(m) The total money allowance payable to an employee as compensation for an injury under this act shall in no event exceed in the aggregate the sum of $17,280: *Provided,* That this limitation shall not apply to cases of permanent total disability or death: *And provided further,* That in applying this limitation there shall not be taken into account any amount payable under section 8 (g) for maintenance during rehabilitation or any amount of additional compensation required to be paid under section 14 for delay or default in the payment of compensation or any amount accruing as interest upon defaulted compensation collectible under section 18."

SEC. 6. Section 18 of the said act is amended by inserting "(a)" after "SEC. 18." at the beginning of the section and by adding a new subsection (b) to read as follows:

"(b) In cases where judgment cannot be satisfied by reason of the employer's insolvency or other circumstances precluding payment, the Secretary of Labor may, in his discretion and to the extent he shall determine advisable after consideration of current commitments payable from the special fund established in section 44, make payment from such fund upon any award made under this act, and in addition, provide any necessary medical, surgical, and other treatment required by section 7 of the act in any case of disability where there has been a default in furnishing medical treatment by reason of the insolvency of the employer. Such an employer shall be liable for payment into such fund of the amounts paid therefrom by the Secretary of Labor under this subsection; and for the purpose of enforcing this liability, the Secretary of Labor for the benefit of the fund shall be subrogated to all the rights of the person receiving such payment or benefits, including the right of lien and priority provided for by section 17 of this act, as against the employer and may by a proceeding in the name of the Secretary of Labor under section 18 or under subsection (c) of section 21 of this act, or both, seek to recover the amount of the default or so much thereof as in the judgment of the Secretary is possible, or the Secretary may settle and compromise any such claim."

SEC. 7. (a) Section 39 (c) of the said act is amended by striking out "education" at the end of the first sentence and inserting in lieu thereof "rehabilitation."

(b) Section 39 (c) of such act is further amended by striking out the last sentence and inserting in lieu thereof the following two sentences: "Where necessary rehabilitation services are not available otherwise, the Secretary of Labor may, in his discretion, use the fund provided for in section 44 in such amounts as may be necessary to procure such services, including necessary prosthetic appliances or other apparatus. This fund shall also be available in such amounts as may be authorized in annual appropriations for the Department of Labor for the costs of administering this subsection."

SEC. 8. (a) Section 44 (a) of the said act is amended by striking out "of this act" at the end of the first sentence and inserting in lieu thereof a comma and the following: "of subsection (b) of section 18, and of subsection (c) of section 39 of this act."

(b) The second sentence of paragraph (1) of section 44 (c) of such act is amended to read as follows: "The proceeds of this fund shall be available for payments under subsections (f) and (g) of section 8, under subsection (b) of section 18, and under subsection (c) of section 39: *Provided,* That payments authorized by subsection (f) shall have priority over other payments authorized from the fund: *Provided further,* That at the close of each fiscal year the Secretary of Labor shall submit to the Congress a complete audit of the fund."

SEC. 9. The amendments made by the first section and sections 2, 4, and 5 of this act shall be applicable only with respect to injuries and death occurring on or after the date of enactment of this act notwithstanding the provisions of the act of December 2, 1942, as amended (42 U. S. C. sec. 1701 and following).

Mr. HILL. Mr. President, I have conferred with the distinguished senior Senator from New Jersey [Mr. SMITH], the ranking minority member of the Committee on Labor and Public Welfare. He and I are in accord that the Senate should agree to the amendment. I therefore move that the Senate concur in the House amendment.

The motion was agreed to.

INCREASED AMOUNT FOR FACILITIES FOR NATIONAL INSTITUTE OF DENTAL RESEARCH

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 3246) to increase the amount authorized for the erection and equipment of suitable and adequate buildings and facilities for the use of the National Institute of Dental Research, which was in line 6, strike out "$5,000,000" and insert "$4,000,000."

Mr. HILL. Mr. President, I have conferred with the distinguished senior Senator from New Jersey [Mr. SMITH], the ranking minority member of the Committee on Labor and Public Welfare. He and I are in full accord that the Senate should concur in the amendment of

the House. I therefore move that the Senate concur in the House amendment.

The motion was agreed to.

EXEMPTION OF CERTAIN ADDITIONAL FOREIGN TRAVEL FROM TAX ON TRANSPORTATION OF PERSONS—CONFERENCE REPORT

Mr. SMATHERS. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5265) to exempt certain additional foreign travel from the tax on the transportation of persons. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

(For conference report and statement, see House proceedings of today.)

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. SMATHERS. Mr. President, I ask unanimous consent that a statement I have prepared concerning the conference report on H. R. 5265 be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SMATHERS

The committee of conference on H. R. 5265, a bill to exempt certain foreign travel from tax on transportation of persons, have unanimously agreed on a substitute for both the House and Senate bills. This bill will make three major changes in present law.

First, under present law, transportation to the Caribbean area, Central America, and Canada is completely taxable if payment is made in the United States. Under the conference bill, transportation to these areas will generally only be taxed on the portion to the last port or station in the United States. For example, a passenger going from Washington to Mexico City by way of Miami would not be taxed on the portion paid for the transportation between Miami and Mexico City. Under present law, he would be taxed on the full amount. This is basically the way these trips were treated under the House bill. However, trips to the portions of Canada and Mexico that are within 225 miles of the United States will continue to be fully taxed. This limitation is necessary to avoid administrative difficulty and discrimination among competing carriers.

Second, on transportation from one point in the United States to another point in the United States the full amount is taxable under present law unless some part of the transportation is outside the northern portion of the Western Hemisphere. This discrimination is particularly acute in the case of transportation to Alaska and Hawaii, since the carrier must, in those cases, go far outside the United States. Under the conference bill, transportation from one point in the United States to another point in the United States will not be taxed on the portion outside the United States if a direct line from the point where the route of the transportation leaves the United States to the point where the route of the transportation enters the United States passes through a point more than 225 miles outside the United States. The exemption under this provision will not extend to the portion of the transportation between the boundary of the continental United States and a stop in the 225-mile zone or to the portion between two stops and the 225-mile zone.

Thus, the rule in the conference bill will apply uniformly to all transportation that meets the requirements specified in the bill. The benefit of the provision is not limited to trips to Alaska and Hawaii but can also extend to other transportation.

Thirdly, in the case of transportation that ends outside the northern portion of the Western Hemisphere the portion of the trip to the last port or station in Canada, Mexico, or the United States is generally taxed under present law. Under the conference bill, the tax on these trips is limited to the portion from the last station in the United States. Thus, a passenger going to South America by way of Mexico City will no longer be taxed on the portion of his trip between the last stop in the United States and Mexico City.

In addition to these major changes, there are a number of provisions that will simplify the administration of the transportation tax. These provisions were contained in the Senate bill and are continued in the conference bill.

This legislation is an effective goodwill gesture toward the friendly nations in Central America and the Caribbean area. While the bill will result in a revenue loss of only about $17 million a year, it should do much to encourage Americans to visit this rapidly growing and developing area.

If this bill is enacted this month, it will become effective on October 1, so that the tourists this fall and winter will receive the benefits of this relief.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

THE ASWAN DAM—LETTER FROM THE SECRETARY OF STATE

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter dated July 17, addressed to the chairman of the Appropriations Committee, by the Secretary of State, the Honorable John Foster Dulles. The letter deals with certain language regarding the Aswan Dam, which appears in the report of the Appropriations Committee on the mutual aid bill. I make this request with the permission of the chairman of the Appropriations Committee, the senior Senator from Arizona [Mr. HAYDEN], to whom the letter was addressed.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 17, 1956.

The Honorable CARL HAYDEN,
Chairman, Senate Appropriations Committee, United States Senate.

DEAR MR. CHAIRMAN: As you know the Senate Appropriations Committee has included in its report the following language:

"The committee directs that none of the funds provided in this act shall be used for assistance in connection with the construction of the Aswan Dam, nor shall any of the funds heretofore provided under the Mutual Security Act as amended be used on this dam without prior approval of the Committee on Appropriations."

I am concerned by statements which I have seen in the press as to the reported background of this statement and as to the commitments which I am said to have made to the committee on this subject. I would like to be certain that before the bill is acted on in the Senate there is no misunderstanding as to what assurance I actually gave.

You will recall that this matter was discussed at some length during my appearance before the committee on June 19 and I was asked to give an assurance that the committee would have an opportunity to consider the matter further before the United States Government made any commitment of funds to this project. I replied that I could not give such an assurance at that time because the United States is not alone in this project, the United Kingdom and the International Bank also being interested in it. I added that I would consult on this matter and see what I could properly do having regard to the fact that the United States has these partners in the project.

On June 26, I sent you a letter assuring "that none of the funds which may be appropriated for fiscal year 1957 will be committed to finance the Aswan Dam without specific prior consultation with the committee." A copy of this letter is enclosed.

I think I should make clear that the executive department of the Government would not feel bound by the language in the Senate Appropriations Committee report.

I should appreciate your taking whatever action is appropriate to make certain there is no misunderstanding on this matter.

Sincerely yours,

JOHN FOSTER DULLES.

JUNE 26, 1956.

The Honorable CARL HAYDEN,
Chairman, Senate Appropriations Committee, United States Senate.

MY DEAR SENATOR HAYDEN: In the course of the hearings before the Senate Appropriations Committee on June 19, 1956, members of the committee expressed the wish that no commitments be undertaken to finance the Aswan Dam in Egypt with funds which may be appropriated for the mutual security program for fiscal year 1957 without prior consultation with the committee. In view of the specific interest of the committee and the complexity of factors involved, I assure you that none of the funds which may be appropriated for fiscal year 1957 will be committed to finance the Aswan Dam without specific prior consultation with the committee.

Sincerely yours,

JOHN FOSTER DULLES.

SOCIAL SECURITY AMENDMENTS OF 1956

The Senate resumed the consideration of the bill (H. R. 7225) to amend title II of the Social Security Act to provide disability insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes.

The VICE PRESIDENT. The Senator from Oklahoma [Mr. KERR] has the floor.

Mr. McCARTHY. Mr. President, will the Senator from Oklahoma yield?

Mr. KERR. I yield.

Mr. McCARTHY. I ask unanimous consent that the 3 minutes which I shall take be not charged to the time of the Senator from Oklahoma. I have two amendments which I propose to offer. I shall not ask for the yeas and nays on them. I intend to speak on the amendments for less than 3 minutes.

Mr. KERR. Do I understand correctly that the Senator from Wisconsin is asking for 3 minutes, which will not be taken from my time, with the understanding that I do not lose the floor?

The VICE PRESIDENT. The Senator from Oklahoma has correctly stated the request.

Mr. KERR. If that is the form of the request, and it is agreed to, I yield.

The VICE PRESIDENT. The Senator from Wisconsin is recognized under the conditions stated.

Mr. McCARTHY. If I may have the attention of the Senator from Oklahoma, I should also like to have the amendments immediately voted on. I do not ask for the yeas and nays, but only a voice vote. I assume there will not be any argument over the amendments. If the discussion takes more than 3 minutes, I shall certainly withdraw my request.

Mr. President, I send to the desk two amendments, which I ask unanimous consent to have considered en bloc, and ask that they be immediately voted on.

The VICE PRESIDENT. Is there objection to the consideration of the amendments en bloc? The Chair hears none, and it is so ordered. Without objection, the amendments will be printed in the RECORD without reading.

The amendments offered by Mr. McCARTHY are as follows:

On page 17, beginning with line 13, strike out all over to and including line 4 on page 18, and insert in lieu thereof the following:

"RETIREMENT AGE

"SEC. 102. (a) Section 216 (a) of the Social Security Act is amended to read as follows:

"'RETIREMENT AGE

"'(a) the term "retirement age" means—

"'(1) in the case of a man, age 62, or

"'(2) in the case of a woman, age 60.'

"(b) (1) Except as provided in paragraphs (2) and (4), the amendment made by subsection (a) shall apply only in the case of monthly benefits under title II of the Social Security Act for months after August 1956 and in the case of lump-sum death payments under section 202 (i) of such Act with respect to deaths after August 1956.

"(2) In the case of any individual whose entitlement to wife's or mother's insurance benefits under section 202 of the Social Security Act (as in effect prior to the enactment of this Act) ended with a month before September 1956, the amendment made by subsection (a) shall apply, for purposes of subsection (b) or (e) of such section 202, only in the case of monthly benefits under such subsection for months after August 1956 and then only if an application is filed by such individual after August 1956.

"(3) For purposes of section 215 (b) (3) (B) of the Social Security Act (but subject to paragraph (1) of this subsection)—

"(A) a woman who attained age 60 prior to August 1956 and who was not eligible for old-age insurance benefits under section 202 of such Act (as in effect prior to the enactment of this Act) for any month prior to August 1956 shall be deemed to have attained age 60 in 1956 or, if earlier, the year in which she died; and a man who attained age 62 prior to August 1956 and who was not eligible for old-age insurance benefits under section 202 of such Act (as in effect prior to the enactment of this Act) for any month prior to August 1956 shall be deemed to have attained age 62 in 1956 or, if earlier, the year in which he died;

"(B) an individual shall not, by reason of the amendment made by subsection (a), be deemed to be a fully insured individual before September 1956 or the month in which he died, whichever month is the earlier; and

"(C) the amendment made by subsection (a) shall not be applicable in the case of any individual who was eligible for old-age insurance benefits under such section 202 for any month prior to September 1956.

An individual shall, for purposes of this paragraph, be deemed eligible for old-age insurance benefits under section 202 of such act for any month if he was or would have been, upon filing application therefor in such month, entitled to such benefits for such month.

"(4) For purposes of section 209 (i) of such act, the amendment made by subsection (a) shall apply only with respect to remuneration paid after August 1956."

On page 57, beginning with line 23, strike out all down to and including line 2 on page 58 and insert in lieu thereof the following:

"(b) Section 5 (f) (2) of the Railroad Retirement Act of 1937, as amended, is amended by striking out 'age 65' each place it appears and inserting in lieu thereof 'retirement age (as defined in section 216 (a) of the Social Security Act)'."

On page 68, between lines 9 and 10, insert the following:

"STANDBY PAY

"(k) Section 3121 (a) (9) of the Internal Revenue Code of 1954 is amended to read as follows:

"'(9) any payment (other than vacation or sick pay) made to an employee after the month in which—

"'(A) in the case of a man, he attains the age of 62, or

"'(B) in the case of a woman, she attains the age of 60,

if such employee did not work for the employer in the period for which such payment is made; or'."

On page 68, line 11, strike out "(k)" and insert in lieu thereof "(l)".

On page 69, line 2, after the period, insert the following: "The amendment made by subsection (k) shall apply with respect to remuneration paid after August 1956."

Amend the title so as to read: "An act to amend title II of the Social Security Act to provide disability insurance benefits for certain disabled individuals who have attained age 50, to reduce retirement age in the case of men to age 62 and in the case of women to age 60, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes."

On page 58, between lines 2 and 3, insert the following new section:

"SEC. 121. (a) (1) Paragraphs (1) and (2) of subsection (e) of section 203 of the Social Security Act are amended by striking out '$1,200' wherever it appears therein and inserting in lieu thereof '$1,800', and (2) such paragraph (1) and paragraph (1) of subsection (g) of such section are amended by striking out '$100' wherever it appears therein and inserting in lieu thereof '$150.'

"(b) The amendments made by subsection (a) shall be effective, in the case of any individual, with respect to taxable years of such individual ending after 1956."

Mr. McCARTHY. Mr. President, I believe that the retirement age provisions of the present Social Security Act are not realistically geared to the ability of older men and women to earn an adequate living. Some men and some women are, of course, able to keep their jobs, work full time, and keep in good health up until the age of 65. But many others are not—and this is especially true in the case of women. My own study of the matter indicates that a large number of older people either are not able to work full time until the age of 65, or that they do so to the detriment of their health.

I am, therefore, offering an amendment that will lower the age at which old people will be entitled to receive the first payments on their old-age insurance. My amendment provides that the retirement age for men shall be 62, and for women, 60. I believe it is obvious that the physical capacity of older women is generally less than that of men; therefore, women should be allowed to receive earlier retirement benefits. If the amendment is adopted, I think that many of the older people of our country will better be able to enjoy their waning years without constant and critical worries about how to pay for the necessities of life.

To this same end, I am offering another amendment, which would increase the amount of money an older person is able to earn, and at the same time be eligible for retirement benefits under the Social Security Act. The evidence is that the provisions of the present law, restricting outside earning to $100 a month, present a severe hardship to many older people. My amendment would permit persons receiving retirement benefits to earn $150 a month, or $1,800 a year, in outside employment, rather than $100 a month, as now provided.

I am not asking for the yeas and nays on the amendments, but I should like to have a vote on the two amendments at the same time. I ask unanimous consent to have that done, and I thank the Senator from Oklahoma for yielding to me.

The VICE PRESIDENT. Is there objection to the unanimous-consent request that the vote shall be considered as applying to both amendments? The Chair hears none, and it is so ordered.

The question is on agreeing en bloc to the amendments offered by the Senator from Wisconsin [Mr. McCARTHY].

The amendments were rejected.

Mr. KERR. Mr. President, I call up my amendment designated "7–12–56—A" and ask that it be printed without reading.

The VICE PRESIDENT. Without objection, the amendment of the Senator from Oklahoma will be printed without reading.

Mr. KERR's amendment is as follows:

On page 17, beginning with line 13, to strike out all down to and including line 4 on page 18 and insert in lieu thereof the following:

"RETIREMENT AGE FOR WOMEN

"SEC. 102. (a) Section 216 (a) of the Social Security Act is amended to read as follows:

"'*Retirement Age*

"'(a) The term "retirement age" means—

"'(1) in the case of a man, age sixty-five, or

"'(2) in the case of a woman, age sixty-two.'

"(b) (1) The amendment made by subsection (a) shall apply in the case of benefits under subsection (e) of section 202 of the Social Security Act for months after August 1956, but only, except in the case of an individual who was entitled to wife's or mother's insurance benefits under such section 202 for August 1956, or any month thereafter, on the basis of applications filed after the date of enactment of this act. The

amendment made by subsection (a) shall apply in the case of benefits under subsection (h) of such section 202 for months after August 1956 on the basis of applications filed after the date of enactment of this act.

"(2) Except as provided in paragraphs (1) and (4), the amendment made by subsection (a) shall apply in the case of lump-sum death payments under section 202 (i) of the Social Security Act with respect to deaths after December 1956, and in the case of monthly benefits under title II of such act for months after December 1956 on the basis of applications filed after the date of enactment of this act. In the case of any woman who attains the age of 62 prior to January 1957, such an application filed after the date of enactment of this act and prior to January 1957 shall, for purposes of section 202 (j) (2) of the Social Security Act, be deemed to have been filed in January 1957.

"(3) For purposes of section 215 (b) (3) (B) of the Social Security Act (but subject to paragraphs (1) and (2) of this subsection)—

"(A) a woman who attains the age of 62 prior to 1957 and who was not eligible for old-age insurance benefits under section 202 of such act (as in effect prior to the enactment of this act) for any month prior to 1957 shall be deemed to have attained the age of 62 in 1957 or, if earlier, the year in which she died;

"(B) a woman shall not, by reason of the amendment made by subsection (a), be deemed to be a fully insured individual before January 1957 or the month in which she died, whichever month is the earlier; and

"(C) the amendment made by subsection (a) shall not be applicable in the case of any woman who was eligible for old-age insurance benefits under such section 202 for any month prior to 1957.

A woman shall, for purposes of this paragraph, be deemed eligible for old-age insurance benefits under section 202 of such act for any month if she was or would have been, upon filing application therefor in such month, entitled to such benefits for such month.

"(4) For purposes of section 209 (l) of such act, the amendment made by subsection (a) shall apply only with respect to remuneration paid after December 1956.

"(c) Section 202 of the Social Security Act is amended by adding after subsection (p) (added by section 118 of this act) the following new subsections:

"'*Adjustment of Old-Age and Wife's Insurance Benefit Amounts in Accordance With Age of Female Beneficiary*

"'(q) (1) The old-age insurance benefit of any woman for any month prior to the month in which she attains the age of 65 shall be reduced by—

"'(A) Five-ninths of 1 percent, multiplied by

"'(B) the number equal to the number of months in the period beginning with the first day of the first month for which she is entitled to an old-age insurance benefit and ending with the last day of the month before the month in which she would attain the age of 65.

"'(2) The wife's insurance benefit of any woman for any month after the month preceding the month in which she attains the age of 62 and prior to the month in which she attains the age of 65 shall be reduced by—

"'(A) twenty-five thirty-sixths of 1 percent multiplied by

"'(B) the number equal to the number of months in the period beginning with the first day of the first month for which she is entitled to such wife's insurance benefit and ending with the last day of the month before the month in which she would attain the age of 65, except that in no event shall such period start earlier than the first day of the month in which she attains the age of 62.

The preceding provisions of this paragraph shall not apply to any month in which such wife has in her care (individually or jointly with the individual on whose wages and self-employment income such wife's insurance benefit is based) a child entitled to child's insurance benefits on the basis of such wages and self-employment income. With respect to any month in the period specified in clause (B) of the first sentence of this paragraph in which such wife does not have such a child in her care (individually or jointly with such individual), she shall be deemed to have such a child in her care (individually or jointly with such individual) for purposes of the preceding sentence, unless she files with the Secretary, in accordance with regulations prescribed by him, a certificate in which she elects to receive wife's insurance benefits reduced as provided in this subsection. Such certificate shall be effective for the month in which it is filed, the period of one or more consecutive months, up to a maximum of 12, immediately preceding such month which are designated by her (not including as part of such period any month in which she had such a child in her care (individually or jointly with such individual)), and months thereafter in which she did not have such a child in her care (individually or jointly with such individual). If such a certificate is filed, the period referred to in clause (B) of the first sentence of this paragraph shall commence with the first day of the first month in which she does not have such a child in her care (individually or jointly with such individual) and for which such certificate is effective.

"'(3) In the case of any woman who is entitled to an old-age insurance benefit to which paragraph (1) is applicable, or a wife's insurance benefit to which paragraph (2) is applicable, and who thereafter (in a later month), but before the month in which she attains the age of 65, becomes entitled to the other of such benefits, the amount of such benefit, to which she later becomes entitled, for any month before the month in which she attains the age of 65 shall, in lieu of the reduction provided in the preceding paragraphs, be reduced by—

"'(A) Five-ninths of 1 percent if it is an old-age insurance benefit, or twenty-five thirty-sixths of 1 percent if it is a wife's insurance benefit, multiplied by

"'(B) the number equal to the number of months derived as follows:

"'(i) divide such benefit to which she became entitled earlier by such other benefit (both benefits to be computed prior to any reduction under this subsection or subsection (k) (3));

"'(ii) multiply the quotient (reduced to one if it is greater than one) so obtained by the number of months (I) for which she was entitled to the benefit to which she became entitled earlier, (II) which occurred prior to the first month for which she was entitled to such other benefit, and (III) for which such benefit to which she became entitled earlier was reduced under paragraph (1) or (2) but was not subject to deductions under paragraph (1) or (2) of section 203 (b) or under subsection (c) of section 203;

"'(iii) if the product so obtained is not a whole number of months, decrease it to the next lower number of months;

"'(iv) add to such product (so decreased) the number of months specified in clause (B) of paragraph (1), if such benefit to which she became entitled later is an old-age insurance benefit, or clause (B) of paragraph (2), if it is a wife's insurance benefit.

"'(4) In the case of any woman who is entitled to an old-age insurance benefit or a wife's insurance benefit for the month in which she attains the age of 65 or any month thereafter, such benefit for such month shall, if she was also entitled to such benefit for any one or more months prior to the month in which she attained the age of 65 and such benefit for any such prior month was reduced under paragraph (1), (2), or (3), be reduced as provided in such paragraph, except that there shall be subtracted, from the number specified in clause (B) of such paragraph—

"'(A) the number of months for which such benefit was reduced under such paragraph but for which such benefit was subject to deductions under paragraph (1) or (2) of section 203 (b) or under section 203 (c), and

"'(B) the number of months, occurring after the first month for which such benefit was reduced under such paragraph, in which, if she was entitled to wife's insurance benefits, she had in her care (individually or jointly with the individual on whose wages and self-employment income such benefit is based) a child of such individual entitled to child's insurance benefits;

but such subtraction shall be made only if the total of such months for which her wife's and old-age insurance benefits were so subject to deductions plus such months for which, in the case of a wife's insurance benefits, she had such a child in her care (individually or jointly with such individual), is not less than three.

"'(5) In the case of any woman who becomes entitled to an old-age insurance benefit or a wife's insurance benefit to which paragraph (1) or (2) is applicable and who becomes entitled, in or after the month in which she attains the age of 65, to the other of such benefits, the amount of such benefit to which she later becomes entitled shall be reduced by—

"'(A) five-ninths of 1 percent if it is an old-age insurance benefit, or twenty-five thirty-sixths of 1 percent if it is a wife's insurance benefit, multiplied by

"'(B) the number equal to the number of months derived as follows:

"'(i) divide such benefit to which she became entitled earlier by such other benefit (both benefits to be computed prior to any reduction under this subsection or subsection (k) (3));

"'(ii) multiply the quotient (reduced to one if it is greater than one) so obtained by the number of months (I) for which she was entitled to the benefit to which she became entitled earlier, (II) which occurred prior to the month in which she attained the age of 65, and (III) for which such benefit to which she became entitled earlier was reduced under paragraph (1) or (2) but was not subject to deductions under paragraph (1) or (2) of section 203 (b) or under subsection (c) of section 203;

"'(iii) if the product so obtained is not a whole number of months, decrease it to the next lower number of months.

"'(6) The preceding paragraphs shall be applied to old-age insurance benefits and wife's insurance benefits after reduction under section 203 (a) and application of section 215 (g). The amount of any benefit which, after reduction under any of the preceding paragraphs, is not a multiple of $0.10 shall be raised to the next higher multiple of $0.10.

"'*Presumed filing of application by woman eligible for old-age and wife's insurance benefits*

"'(r) Any woman who becomes entitled to an old-age insurance benefit for any month prior to the month in which she attains the age of 65 and who is eligible for a wife's insurance benefit for the same month shall be deemed to have filed an application in such month for wife's insurance benefits. Any woman who becomes entitled to a wife's insurance benefit for any month prior to the month in which she attains the age of 65

and who is eligible for an old-age insurance benefit for the same month shall be deemed, unless she has in such month a child in her care (individually or jointly with the individual on whose wages and self-employment income her wife's insurance benefits are based) a child entitled to child's insurance benefits on the basis of such wages and self-employment income, to have filed an application in such month for old-age insurance benefits. For purposes of this subsection an individual shall be deemed eligible for a benefit for a month if, upon filing application therefor in such month, she would have been entitled to such benefit for such month.

"'*Female disability insurance beneficiary*

"'(s) (1) If any woman becomes entitled to a widow's insurance benefit or parent's insurance benefit for a month before the month in which she attains the age of 65, or becomes entitled to an old-age insurance benefit or wife's insurance benefit for a month before the month in which she attains the age of 65 which is reduced under the provisions of subsection (q), such individual may not thereafter become entitled to disability insurance benefits under this title.

"'(2) If a woman would, but for the provisions of subsection (k) (2) (B), be entitled for any month to a disability insurance benefit and to a wife's insurance benefit, subsection (q) shall be applicable to such wife's insurance benefit for such month only to the extent it exceeds such disability insurance benefit for such month.

"'(3) The entitlement of any woman to disability insurance benefits shall terminate with the month before the month in which she becomes entitled to old-age insurance benefits.'

"(d) (1) The last sentence of subsection (a) of section 202 of such act is amended by striking out 'Such' and inserting in lieu thereof 'Except as provided in subsection (q), such'.

"(2) Clause (D) of subsection (b) (1) of such section is amended to read as follows:

"'(D) is not entitled to old-age insurance benefits, or is entitled to old-age insurance benefits based on a primary insurance amount which is less than one-half of an old-age insurance benefit of her husband,'.

"(3) So much of such subsection as follows clause (D) is amended by striking out 'or she becomes entitled to an old-age insurance benefit equal to or exceeding one-half of an old-age insurance benefit of her husband' and inserting in lieu thereof 'or she becomes entitled to an old-age insurance benefit based on a primary insurance amount which is equal to or exceeds one-half of an old-age insurance benefit of her husband'.

"(4) Subsection (b) (2) of such section is amended by striking out 'Such' and inserting in lieu thereof 'Except as provided in subsection (q), such'.

"(5) Paragraph (1) (E) of subsection (c) of section 202 of such act is amended by striking out 'an old-age insurance benefit of his wife' and inserting in lieu thereof 'the primary insurance amount of his wife'.

"(6) So much of paragraph (1) of such subsection as follows clause (E) is amended by striking out 'an old-age insurance benefit of his wife' and inserting in lieu thereof 'the primary insurance amount of his wife'.

"(7) Paragraph (2) of such subsection and the first sentence of subsection (d) (2) of such section are each amended by striking out 'old-age insurance benefit' and inserting in lieu thereof 'primary insurance amount'.

"(8) Subsection (j) of such section is amended by adding at the end thereof the following new paragraph:

"'(3) Notwithstanding the provisions of paragraph (1), a woman may, at her option, waive entitlement to old-age insurance benefits or wife's insurance benefits for any one or more consecutive months which occur

"'(A) after the month before the month in which she attains the age of 62,

"'(B) prior to the month in which she attains the age of 65, and

"'(C) prior to the month in which she files application for such benefits;

and, in such case, she shall not be considered as entitled to such benefits for any such month or months before she filed such application. A woman shall be deemed to have waived such entitlement for any such month for which such benefit would, under the second sentence of paragraph (1), be reduced to zero.'

"(9) Subsection (k) (3) of such section is amended to read as follows:

"'(3) If an individual is entitled to an old-age insurance benefit for any month and to any other monthly insurance benefit for such month, such other insurance benefit for such month, after any reduction under subsection (q) and any reduction under section 203 (a), shall be reduced, but not below zero, by an amount equal to such old-age insurance benefit (after reduction under such subsection (q)).'

"(10) Subsection (m) of such section is amended by inserting 'and subsection (q)' after 'subsection (k) (3)' each time it appears therein.

"(11) Section 203 (b) (3) of such act is amended to read as follows:

"'(3) in which such individual, if a wife under age 65 entitled to a wife's insurance benefit, did not have in her care (individually or jointly with her husband) a child of her husband entitled to a child's insurance benefit and such wife's insurance benefit for such month was not reduced under the provisions of section 202 (q); or'.

"(12) The second and fourth sentences of section 216 (i) (2) of such act is amended by striking out 'retirement age' and inserting in lieu thereof 'the age of sixty-five'."

On page 57, beginning with line 23, strike out all down to and including line 2 on page 58 and insert in lieu thereof the following:

"(b) Section 5 (f) (2) of the Railroad Retirement Act of 1937, as amended, is amended—

"(1) by striking out 'age 65' each place it appears and inserting in lieu thereof 'retirement age (as defined in section 216 (a) of the Social Security Act)'; and

"(2) by striking out 'section 202' each place it appears and inserting in lieu thereof 'title II'."

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the Kerr amendment.

The yeas and nays were ordered.

Mr. KERR. Mr. President, this amendment was offered by me for myself and my colleague the junior Senator from Oklahoma [Mr. MONRONEY], and I now ask that the name of the distinguished senior Senator from South Carolina [Mr. JOHNSTON] be shown as a joint author of the amendment.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. KERR. Mr. President, the amendment allows full benefits for widows at age 62, as does the bill reported by the Committee on Finance, but in addition it also provides full benefits at 62 for the dependent mothers of workers who have died. It also extends to working women and wives the privilege of electing early retirement at or after age 62 with proportionately reduced benefits—a principle used in the Civil Service Retirement System, the Railroad Retirement System, and in many private pension plans to add flexibility to their retirement programs without excessively increasing the cost to the contributor.

Thus the proposal would extend the right of retirement to 600,000 women workers and wives, and dependent mothers, in addition to the 200,000 widows who would become eligible for benefits under the bill as reported by the committee.

I believe that our amendment provides a logical compromise between the bill as reported by the Committee on Finance and the bill as passed by the House.

An important consideration, in connection with our amendment, is the fact that the choice of the date of retirement is voluntary in our social security system. No woman will, of course, be required to retire at age 62. The choice will be hers. If she does not elect to take a slightly lower benefit to qualify before age 65, and instead decides to wait until she is 65 years of age to apply, she will still be entitled to her full benefit.

Specifically, our amendment will make the following changes in the existing social-security law as it applies to women.

Widows will be entitled to full benefits at age 62, as in the commitee's bill.

Surviving dependent mothers would also be entitled to full benefits at age 62—a privilege denied them in the bill as reported by the committee. Surely it is just as hard for the older mothers who have been dependent upon the deceased wage earner for their needs to support themselves at age 62 as it is for widows, since they also have usually been homemakers during their married life.

A woman worker who chooses to retire at age 62 can draw annual benefits equal to 80 percent of the amount she would have received if she had waited until age 65. She would also receive a proportionate increase—five-ninths of 1 percent—for each month she delays retirement after age 62; that is, if she retired at age 63, she would receive an amount equal to 80 percent, plus one-third of the remaining 20 percent. If she retired at age 64, she would receive 80 percent of what she would have received at age of 65, plus two-thirds of the difference.

If the wife of a retired worker, which retired worker chooses to retire at age 65 or after, and whose wife, not 65, but 62 years of age or over, chooses also to receive benefits by reason of being the wife of a retired worker, makes that choice at age 62, she would receive 75 percent of her wife's full benefit, again, however, with the related increase between 75 percent and 100 percent of the full benefit available to her should she refuse to retire at any age between 62 and 65, the benefit being computed on the basis of the increase being paid monthly. If she made her choice at 63, she would receive 75 percent, plus one-third of the remaining 25 percent, and so forth.

The choice of a reduced benefit by a woman worker will make no reduction in the benefits for her dependents, or, if she dies, in the benefits payable to her survivors. Thus, no reduction will be made in the benefits provided for the surviving children—including afflicted children—of a woman worker who dies after having chosen a reduced benefit. And no reduction will be made in the

benefit provided for her dependent husband at age 65 or her eligible children.

Mr. President, in this regard it is very important to note that if a married women whose husband was living should, by reason of making her choice earlier, choose to accept less than 100 percent of the amount available to her at age 65, in the event of the death of her husband, she would be entitled to her full survivor's benefit.

Mr. LONG. Mr. President, will the Senator from Oklahoma yield?

Mr. KERR. I yield.

Mr. LONG. If I correctly understand the amendment, it would be helpful to a great number of workers' wives and single working women. It would help a great number of families in cases where the husband is working, but feels that he must retire. However, the amendment—if I correctly understand it—would not increase the cost of the program.

Mr. KERR. The Senator from Louisiana is correct. I believe that the actuarial authorities of the Department of Health, Education, and Welfare have estimated that, on the basis of the employment as of last year, the amendment would add approximately $30,000,000 a year to the cost of the fund; but they have advised me that at the increased rate of employment now in effect, the amendment would constitute no liability whatever against the fund.

Mr. LONG. I thank the Senator from Oklahoma.

Mr. KERR. Mr. President, in view of these considerations, I believe that the Members of the Senate will agree that the liberalization proposed by means of the amendment can be made in line with sound financing principles, to preserve the integrity of the old-age and survivors insurance trust fund, while at the same time making social-security benefits available to hundreds of thousands of women who would choose to receive them at an earlier retirement age.

Mr. President, I ask unanimous consent that the distinguished junior Senator from Florida [Mr. SMATHERS] be shown as a joint sponsor of the amendment.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KERR. Mr. President, how much time remains available to me?

The VICE PRESIDENT. The Senator from Oklahoma has 22 minutes remaining.

Mr. KERR. Mr. President, I reserve that time.

Mr. ALLOTT. Mr. President, I yield 10 minutes to the Senator from Iowa [Mr. MARTIN].

The VICE PRESIDENT. The Senator from Iowa is recognized for 10 minutes.

Mr. MARTIN of Iowa. Mr. President, today we are considering proposed legislation which may have more complex effects upon the future of the United States than we now contemplate. I refer to the amendment to H. R. 7225 which would provide for the payment of monthly benefits in reduced amounts to women workers and wives electing to receive them between the ages of 62 and 65. This amendment would write into law an unwarranted discrimination against women, and would adversely affect the 19 million women in the labor force in this country.

We men often speak of the inconsistency of women, but at times we may find women who show a shining example of consistency. I refer to the action taken at their recent national convention, in Miami Beach, Fla., by the National Federation of Business and Professional Women's Clubs.

More than 3,000 delegates, representing a membership of over 170,000 business and professional women, and coming from all 48 States, the District of Columbia, Hawaii, and Alaska, voted to support uniform retirement age under the Social Security Act. This organization is also one of the strongest advocates of the equal rights amendment, Senate Joint Resolution 39, which 32 of my distinguished colleagues have joined me in cosponsoring.

The National Federation of Business and Professional Women's Clubs recognizes that one cannot speak for equal rights out of one side of his mouth, and for lowering the retirement age for women only out of the other. In their statement to the Senate Finance Committee, in opposition to the proposed provision for lower retirement age for women, the business and professional women say this:

> A difference in the age of eligibility for retirement for men and women negates the principle of equality for women, both in law and in custom. Such a difference would hold women back perhaps for years, until the legislation establishing it was revoked, from obtaining either equal rights or equal pay. It would wipe out many of the gains which employed women have been able to win, through the years, in recognition of the common justice of having their abilities and their performances in their jobs or their careers judged on their merits.
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> There are about 19 million women in the labor force in this country. A difference in retirement age for men and women would discriminate against these 19 million producers. If women may be expected to retire at an earlier age than men, they will be at a disadvantage in seeking employment or promotion; for, of course, industry seeks stability in its employees, and must foresee that it will be repaid for any investment in training and experience which goes into the development of its personnel. Thus we see that lowering of the retirement age would unfavorably affect employment of women at every stage, whether you consider the employment of a young girl on her first job, a mature woman entering the business world for the first time (perhaps a widow), or the employed woman who, for one reason or another, seeks a change in employment. The proposed difference in retirement age would operate against employed women, especially in their later years, when their skills and experience would be discounted in favor of men, who could be expected to stay longer at their posts, and when promotions which might have been earned by women will be denied them, because of the likelihood that their services may be terminated earlier by retirement than the services of a man would be.
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> Why do women work? One might as well ask why men work; for the answer is basically the same. Women work, as men do, because of economic necessity. They work to support themselves; to support others (their dependents, either of an older or younger generation); to maintain homes; to maintain standards of living; to provide for their old age. These, to a large extent, are the major economic reasons which place women in jobs. Women must continue as economic producers if our living standards are to be maintained, if the Government is to have a sufficient amount of taxes to carry the Nation's business, and if the millions of children and old people dependent upon women as wage earners are to be cared for privately in their own homes.
>
> We oppose lowering of the retirement age for women because it would be a drawback, especially detrimental to women in times of unemployment; or when women are under consideration with men for promotion in their jobs, or appointment or election to positions of high responsibility. It is well known that a discrimination or difference which is first imposed on a "voluntary" basis quickly becomes, in custom and in fact, an arbitrary and binding straitjacket, so that we might look forward to the increasing acceptance of the "voluntary age" as the age for retirement for women.
>
> We see no advantage which employed women can gain from any retirement-age difference based on sex, but only great and accumulative disadvantage. We are opposed to a difference in the retirement age for men and women.

As we are well aware, this is an election year. No doubt some of us have felt that this proposed amendment might have considerable appeal for the voters of both parties. We sometimes, however, fail to credit our constituents with the astute evaluation of the actions of this great deliberative body which they actually merit.

I wonder if many of the voters of both parties will not recall with considerable disillusionment that in 1952 the Democratic platform pledged:

> We recommend and endorse for submission to Congress a constitutional amendment providing equal rights for women.

The Republican platform also stated:

> We recommend to Congress the submission of a constitutional amendment providing equal rights for men and women.

Remember, there are more than 2 million more women voters than men. Are these women, denied their constitutional equality, likely to be fooled by a sop of lowered retirement age, which in the end would further discriminate against their employment opportunities?

The records of the Bureau of Old Age and Survivors Insurance show that under the present 65-year retirement age as of last January, the average age at which women retire is 68. The statistics also show 200,000 women over 65 still preferring to remain in employment, as against 476,000 who have applied for their pension checks prior to age 70. Do Senators honestly believe that these women will welcome an even earlier retirement age and at a reduced rate of benefit in most cases?

I submit that every known fact—economic, sociological, biological, psychological and simple justice—argues against lowering the retirement age for women. To review very briefly—a lowered retirement age for women would have an adverse effect:

Economically—because it would make employment harder to secure for older women—who most frequently are forced to become self-supporting and it would be contrary to the established trend in all public and private pension plans of

adhering to an uniform retirement age for both men and women:

Sociologically—it would set back women's fight to secure equality under the law and set a precedent for other discriminatory legislation; it would also force more women to become dependent on relatives or on public or private relief.

Biologically—it is a proven fact that women have a longer life expectancy than men and therefore need the financial security of longer years of productivity and employment.

Psychologically—when women's years as homemakers and mothers have passed they need the additional interest of belonging in the world of business activity and of contributing as economic producers; a discrimination against women under the Social Security Act would place upon them the stigma of being second-class citizens whose skills and experience were considered of less value than those of men.

Simple justice—should we take upon ourselves the role of deciding that at a certain age one group of citizens should be treated differently than another; women are citizens and taxpayers—let us consider whether we have the right to relegate them, as a class, into earlier retirement than men, and, at that, at a reduced rate of benefit.

Mr. President, I urge that the proposed amendment to H. R. 7225 be defeated because the amendment would adversely affect the economy of the Nation and establish a precedent for discrimination against women. I urge that the Senate pass H. R. 7225 as reported by the Committee on Finance.

INTERNATIONAL AGREEMENT FOR COOPERATION WITH GREAT BRITAIN ON NUCLEAR ENERGY PROJECTS

Mr. KNOWLAND. Mr. President, I yield 10 minutes to the Senator from New Mexico [Mr. ANDERSON].

Mr. ANDERSON. I appreciate that. I did not wish to be compelled to offer a pro forma amendment in order to obtain the floor.

Mr. President, sections 123 and 144a of the Atomic Energy Act of 1954 authorize the Atomic Energy Commission to enter into international agreements for cooperation for various purposes, and state that such agreements must be authorized by the President, and that they shall not become effective until they have been presented to the Joint Committee on Atomic Energy and have been before that committee for 30 days while Congress is in session.

The purpose of the latter provision was to permit this specialized committee of the Congress to review these agreements and to comment or raise objections to the executive branch, and to the Congress and the people before they became the law of the land.

In accordance with this purpose and policy, I wish to point out to the Congress and the people an amendment to a current agreement which could have a far-reaching effect for good or evil in the military and security situation of the United States of America.

The amendment I refer to is the amendment to the agreement of Cooperation with the United Kingdom.

Mr. GORE. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. GORE. Is the amendment to which the Senator is referring an amendment to the agreement with Great Britain, which went into effect yesterday?

Mr. ANDERSON. The Senator is correct.

Mr. GORE. Will the Senator repeat the statement he just made?

Mr. ANDERSON. I merely said that the amendment to which I am referring is the amendment to the agreement of cooperation with the United Kingdom. The amendment is printed, along with supporting correspondence, at pages 11427, 11428, and 11429 of the CONGRESSIONAL RECORD of June 29, 1956. This amendment provides that the United States will turn over to the British all of our secret designs and blue prints on the *Nautilus* and other submarine reactor technology, and also all of our highly classified data on our aircraft nuclear propulsion project known as the ANP project.

Mr. GORE. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. GORE. I understood the Senator to make some reference to the importance of this subject in connection with national defense.

Mr. ANDERSON. I do think it is important, and I intend to comment upon it. However, I wished to wait until after the agreement became effective, because I did not wish it to appear that I was trying to upset the agreement which had been entered into between this country and Great Britain. Therefore, the comments I wished to make were at the end of the 30-day period.

This proposed agreement was first made known to the Joint Committee on Atomic Energy at a meeting on this subject on June 7, 1956. At that meeting one of the committee members raised a serious question as to the legality of the agreement in the light of the provisions and intent of the Atomic Energy Act of 1954. Some of the committee members felt that section 144a was intended to be used by the Commission only for the transfer of information relating to peaceful rather than military uses of atomic energy.

Mr. GORE. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. GORE. Is it not a fact that the agreement had already been executed before the joint committee was advised of it?

Mr. ANDERSON. Yes; it was. I intend to refer to that point. It had been executed.

So far as I am concerned I am willing to concede that in view of the opinion of the Attorney General, upon whose opinion the Commission had a right to rely, the Commission had the right to take the action in question. However, he warned them to counsel with the Joint Committee on Atomic Energy. I point out that the Attorney General had warned the Atomic Energy Commission that there was some question about this agreement. He made the following suggestion, which is found on pages 6 and 7 of the Attorney General's opinion of January 26, 1956, on the British agreement:

> Finally, assuming the sufficiency of the indicated certification and its finding that the prohibitory elements are not here applicable, the act requires that very agreement for cooperation to be entered into meet the requirement of section 123. That section necessitates submission to the Joint Committee on Atomic Energy, among other requisites, and a prescribed waiting period. In view of the sensitive subject matter here involved and its apparent importance, I believe that, in this instance, the matter should be discussed with the Joint Committee before the agreements are entered into. This presumably would be undertaken on an informal basis in the interest of ascertaining, preliminarily, the views of the Committee and at the same time, permitting the Committee to become aware of proposed developments in the field of international cooperation which may have significant effects upon the atomic energy program.

Mr. MONRONEY. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I yield.

Mr. MONRONEY. I am very much interested in what the Chairman of the Joint Committee on Atomic Energy is saying. Do I correctly interpret what he says to mean that under these agreements we would reveal the full secrets and the know-how of the powerplant and other details of the *Nautilus* atomic-powered submarine?

Mr. ANDERSON. Yes. There was no concealment in that respect. The amendment was printed in the CONGRESSIONAL RECORD. It is specifically pointed out that the agreement includes all the material facts with reference to the *Nautilus*, and everything we hereafter develop in connection with the nuclear-propelled airplane. It is because of the importance of that subject that I think a brief discussion of the question might be advisable, in order that in the future we might be advised as to what is going on.

Mr. MONRONEY. Is it true that the Joint Committee on Atomic Energy, established by Congress under the Atomic Energy Act, has not been given the full details?

Mr. ANDERSON. We were given the details, yes; but we were given them after the agreement had been negotiated.

Mr. MONRONEY. In other words, it had become a fait accompli, virtually?

Mr. ANDERSON. Yes, but not precisely. If we had objected, our objection, of course, would have looked as though we were trying to upset an agreement with the British; and I was not trying to do that.

On the same day as our meeting with the Commission on this subject, the proposed amendment was forwarded by the AEC Chairman to the President, with the recommendation that he approve it, as shown by the letter dated June 7 printed in the CONGRESSIONAL RECORD. The situation was delayed, however, by the President's unfortunate illness, but the record indicates that on June 13, just 4 days after his operation, the President signed a letter stating that he had "examined the proposed amendment to the

agreement" and that he had made the determination (which is required by law) that the proposed amendment "will not constitute an unreasonable risk to the common defense and security of the United States."

The record shows that on that same day, June 13, the amendment was executed by a representative of the State Department, AEC Chairman Strauss, and British Ambassador Makins. On June 15, Mr. Strauss forwarded it to the joint committee. The joint committee raised a number of questions in connection with the British agreement and other agreements, and a meeting of the Subcommittee on Agreements for Cooperation was arranged for July 9, 1956, to consider them.

In addition to the legal questions raised by the committee, serious questions have also recently been raised as to the security provisions of this proposed agreement by a member of the Atomic Energy Commission itself.

There is also a question in the minds of some of the committee members as to the proposed extent of transfer of materials under this agreement. There is one exchange of materials which has already been set forth and agreed to. On this exchange the committee is fully informed now and the President has made his determination. However, the agreement is worded so that the other exchanges can be made later on without getting the Presidential determination and without having the agreement lie before the committee for 30 days.

The Joint Committee on Atomic Energy met on Monday, July 9, on these questions and they have not been resolved. On the initiative of Senator PASTORE, chairman of our Subcommittee on Agreements for Cooperation, some informal arrangements have been made by the Commission and the Joint Committee on Atomic Energy whereby it is hoped the problems can be explored and resolved before any actual exchange of information is undertaken.

As chairman of the Joint Committee on Atomic energy, I am calling these matters to your attention as a matter of duty. I want to make clear that I am in favor of helping our British allies in every way possible. But in helping the British, we should be ever vigilant to protect real security. By "real security" I mean really protecting military blueprints and not paper protection of ideas and other things not protectable.

Mr. GORE. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. GORE. I should like specifically and emphatically to join with the able Senator in expressing the hope that before vital details of the *Nautilus* submarine are revealed, proper and adequate safeguards to protect the security and the welfare and the defense of the United States and of the free world are put into effect.

Mr. ANDERSON. I join with the Senator from Tennessee in that regard. That is one reason why I bring this matter up at this time.

The PRESIDING OFFICER. The time of the Senator from New Mexico has expired.

Mr. KERR. Mr. President, I yield 5 minutes to the Senator from New Mexico.

Mr. ANDERSON. While I dislike speaking out on this question, I need only recall some of the events of 8 years ago, or even 4 or 5 years ago. Only a few years ago there were even objections raised to the transfer of very small amounts of radioisotopes to our friendly allies. Yet this year the AEC says it has allocated 20,000 kilograms of U–235 abroad for foreign use.

And now we are transferring our secrets on the *Nautilus*, and, more important, on our aircraft nuclear propulsion program. This again, I submit is going to be done despite grave legal and policy questions by members of both parties in the Joint Committee on Atomic Energy. This is certain to suggest that we ought to explore the legislative authority already granted and the possibility of new legislative provisions which might be more protective.

For example, the former chairman of the Joint Committee on Atomic Energy, the gentleman from New York [Mr. COLE], who was coauthor of the Atomic Energy Act of 1954 and who worked with unusual diligence to bring about an excellent piece of legislation, has introduced into the House of Representatives H. R. 12234 which would amend the Atomic Energy Act of 1954 with respect to the transfer of restricted data for military purposes. The standing of Mr. COLE in the House of Representatives and in the entire Congress, plus his excellent reputation for thoughtful consideration to all atomic energy problems, indicates that his bill is not to be regarded lightly even though it comes late in the session.

I regret that this matter could not have been brought up before the end of the 30-day period during which the agreement was lying before the Congress. Here again, however, we find ourselves in a difficult situation. It is unfortunate that the Joint Committee was given notice of this proposed action on the very day that the agreement was forwarded to the President. As long ago as January 26 the Attorney General had suggested to the Department of Defense and to the Atomic Energy Commission that these matters be fully discussed with the Joint Committee before the agreements were entered into. If that procedure had been followed I would not be in the position that I am today. Much as many of us would like to explore the problem on the floor, we had no desire to interfere with the agreement during the final stage of the negotiations.

Therefore, I bring this matter to the attention of the Congress because I want to see our cooperation with the British and our allies encouraged and strengthened. But I believe this should be done legally and in such a manner as to protect real security.

Bearing in mind the sensitiveness of the classified information to be shared I would strongly admonish the AEC—in fact, I would caution the Commission—that before any classified information is given even under this consummated bilateral agreement, the security procedures and standards of the Government receiving information are fully and completely adequate and comparable to our own.

Moreover, while I am satisfied to live with the legality of this bilateral, I strongly feel that if it is to become a pattern and a policy of the Government of the United States to share certain atomic secrets dealing with military applications, then the provisions of the Atomic Energy Act of 1954 under which it is to be done should be thoroughly reviewed.

I should like to add that the able Senator from Georgia, the chairman of the Committee on Armed Services [Mr. RUSSELL], voted against the Atomic Energy Act of 1954 because of the very language in the act under which these transfers are being made. He pointed out then that we might be called upon to make these transfers, which have been the subject of a good deal of discussion, and may be the subject of serious consideration as we go along.

SOCIAL SECURITY AMENDMENTS OF 1956

The Senate resumed the consideration of the bill (H. R. 7225) to amend title II of the Social Security Act to provide disability insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. KERR], for himself and other Senators.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from Nebraska.

Mr. CURTIS. Mr. President, there are two reasons why the retirement age should not be lowered for any individuals.

In the first place, the life span is lengthening. Individuals are not only living longer, but their health is better because of the great advance made in medicine and in medical research. An individual's active and productive years have been greatly lengthened and that will be the trend in the future. To enact a law to hasten the day when individuals are labeled as retired runs contrary not only to the lengthening of the life span and the productive years, but it may invite undesirable employment trends.

In the second place, the reduction of the retirement age will add greatly to the costs of the program. The immediate cost is important, but it is far less than the long range and ultimate cost.

At the turn of the century, we only had a little over 3 million people in this country who were over 65 years of age. In 1940, we had 9 million. Today, we have over 14 million. By 1960, there will be 15.7 million. By 1970, the estimate is almost 19 million and by 1980 it is estimated that there will be 22.7 million people in the United States over 65. In the year 2000, the estimate of the

number of people that we will have that are over 65 will be 26.5 million.

In considering the future social security costs, we must keep in mind that the program was designed to run in perpetuity. We cannot avoid the consideration of the long-range costs. We not only will have more people over 65, but those people will be drawing benefits over a longer period of time. At the present time, the life expectancy of a man aged 65 is about 13.1 years and for women it is about 15.7.

If we lower the retirement age for any group by 3 years, we very materially add to the future costs of the program.

By and large, the benefits that are paid under OASI are paid by the young and middle-aged producers. At the present time, and for many years to come, the beneficiaries pay only a small part of their own retirement.

To illustrate the point that OASI benefits are paid by the current producers instead of the beneficiaries themselves, let us look at the average case today. The average benefit paid at present to an aged couple is about $110. Assuming that the man was aged 69 and the wife was aged 67—which are reasonable figures based on previous exeprience as to average retirement ages—the total benefits that will be payable to this couple, including widow's benefits, will average about $16,800—note that this represents the gross payments without any discounting for interest. The smallest amount of tax that an individual could pay to receive this benefit was about $65, not including a like amount payable by his employer. The greatest amount that an individual could have paid to receive this benefit was about $450, not including a like amount payable by his employer.

Mr. President, I have some figures showing the extent to which beneficiaries will pay for their own retirements in the future. In this bill before us, OASI is being extended to new groups. Among those new groups are the lawyers. Let us consider how the social security law will work out for them.

If OASI were to be extended to lawyers, based on existing law, a young lawyer now 25 years of age, earning $4,200 a year, would pay $8,550 in taxes in the next 40 years, and if he retires at the age of 65, according to present law, the benefits to be received would have a total expected value including the wife's benefit of $28,460. A lawyer now 40 years of age would pay in the next 25 years $4,725 in taxes, if he was 55 years of age at the present he would in the next 10 years pay $1,418 in taxes, a 62-year-old lawyer would only pay in $378 in taxes in the next 2 years, and a 65-year-old lawyer would have to pay in a total of $252 over a period of 2 years. The total expected value of the benefits in each case, including the wife's benefits, would be the same; to wit $28,460. These figures are arrived at by using averages and are based on the United States white male and female life tables for 1949 and 1951 and, of course, are based on existing law which is always subject to change.

They can qualify for benefits if their self-employed income would be as much as $400 a year. In other words, were we to extend social security as of now to lawyers, a lawyer who is 65 or nearly so could, by earning $400 annually for a period of 2 years, qualify for benefits. In that case, he would pay a total tax of $24. He would then be eligible for the minimum benefits of $30 a month, with half that amount for his wife if she were 65. Based on averages, the combined benefits for the beneficiary and his wife would have a total expected value of $8,400.

If we consider the present OASI trust fund and the obligations that are accruing against it, we can get a picture of the very heavy burden of the future costs of social security, even though benefits are never again raised. At the end of 1955, the trust fund amounted to 21.7 billion. It is estimated that the cost of paying out the benefits to the 7.9 million beneficiaries now on the roll amounts to $48 billion. However, during the period that this trust fund would be paid out, we would have an interest accrual of almost $4 billion.

In other words, if we were to close the books on January 1, last, and apply the existing trust fund and its accruing interest to the payment of the future benefits to those beneficiaries already on the roll, we would be short $23 billion. With such an application of the trust fund, there is no money in it to pay the benefits to individuals eligible to retire but have not done so, nor any money in it to pay the individuals who might become 65 today or tomorrow or next month and, of course, there is nothing saved up in the trust fund to pay the benefits of the current workers.

Mr. President, about 5 million of our aged are not now drawing OASI benefits. The time will soon come when practically all of our aged will draw benefits. The total number of aged people during the lifetime of our children will double. These future costs will be heavy. We should not add to it by lowering the retirement age for any group.

AMERICANS FROM TWO LOST PLANES HELD BY SOVIET

Mr. KNOWLAND. Mr. President, I yield myself 2 minutes on another matter.

Mr. President, this morning in the New York Times and other newspapers there appeared a story under the heading "United States Says Soviet Holds Americans of Two Lost Planes."

I ask unanimous consent that the entire article be printed in the RECORD at this point as part of my remarks, together with the text of the United States note to the Soviet Union, which appears on page 4.

There being no objection, the article and note were ordered to be printed in the RECORD, as follows:

UNITED STATES SAYS SOVIET HOLDS AMERICANS OF TWO LOST PLANES—ASSERTS FREED PRISONERS SAW AT LEAST 10 WHILE SERVING IN CAMPS IN SIBERIA—ASKS KREMLIN FOR DATA—NAVY CRAFT DOWNED IN BALTIC IN 1950 AND B–29 LOST IN KOREAN WAR INVOLVED

Moscow, July 16.—The United States declared today that the Soviet Union was holding at least 10 officers and enlisted men from 2 missing United States planes.

One of the planes was a Navy Privateer that came down in the Baltic Sea April 18, 1952. The other was an Air Force B–29 reported missing during the Korean war and believed to have come down either in the Sea of Japan or over the Kamchatka area of the Soviet Union.

[Poland has protested against alleged United States flights over her territory, charging some planes were high-altitude jets mentioned in a Soviet note of protest July 10.]

In a note sent to the Foreign Office by the United States Embassy, the United States said it was compelled to believe information about United States military personnel described as being detained in various Soviet camps.

The United States said it had obtained information about the detained airmen from persons of various nationalities freed from Soviet Government imprisonment during the last several years.

AIRMAN REPORTED SEEN

The note also reminded the Soviet Government that under international law and practice "the Soviet Government is obliged to inform the United States Government first of any American nationals whom the Soviet Government holds in custody or to permit such nationals to communicate with the proper United States authorities."

The note declared an injured naval airman was seen at Camp 20, allegedly near Taishet, in East Siberia, and at Collective Farm No. 25, near Taishet, in 1950 and 1953.

Eight other Americans believed to be members of the Privateer crew were said to be in the area of Vorkuta, the note continued. One of the men was said to have reported he was sent to Vorkuta in September 1955, under a 25-year sentence for espionage.

Another United States officer was said to have been seen in October 1953, in a Soviet hospital north of Magadan, at a place called Narionburg, near the crossing of the Kolyma River between Elgen and Debin, the note continued.

The officer, believed to be a member of the crew of the missing B–29, was reported to have said he had been convicted wrongfully under item 6 of article 58 of the Soviet penal code.

"While the foregoing specific cases involve the crew members of two aircraft, it may well be that the Soviet Government has in its custody members of the crews of other United States aircraft, particularly crew members of aircraft engaged on behalf of the United Nations Command side of the military action in Korea since 1950," the United States note declared.

WASHINGTON, July 16.—Lincoln White, State Department press officer, said that this was the first time that the United States had inquired in Moscow about the particular prisoners mentioned in today's note.

In reply to more general inquiries in the past, Soviet authorities always have said that they had no information, he added. They have maintained either that they knew of no survivors of the United States planes that crashed within their territory or that United States planes that flew over the Soviet Union were last seen disappearing at sea.

"The note delivered in Moscow today was based on information given by German, Austrian, and Japanese prisoners of war released in recent years," Mr. White added. "Some United States citizens who had been held prisoner in the Soviet Union, including John Noble, of Detroit, Mich., who was released about a year ago, have reported hearing about other United States prisoners," Mr. White declared.

TEXT OF UNITED STATES NOTE ON MISSING AIRMEN

WASHINGTON, July 16.—Following is the text of a United States note to Moscow about United States airmen said to be prisoners in the Soviet Union:

"The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Union of Soviet Socialist Republics and has the honor to refer to the question of the detention of United States military personnel in the Soviet Union.

"The United States Government has for some time received, from persons of various nationalities freed from Soviet Government imprisonment during the last several years, reports that they have conversed with, seen or heard reports concerning United States military aviation personnel, belonging either to the United States Air Force or to the United States Navy air arm, in actual detention in the Soviet Union.

"The United States Government has sought in all such cases to obtain, if possible, precise identification of American nationals detained by the Soviet Government, although it notes that by international law and international practice the Soviet Government is obliged to inform the United States Government first of any American nationals whom the Soviet Government holds in custody or to permit such nationals to communicate with the proper United States authorities.

"The reports concerning such personnel have now become so persistent and detailed, and so credible that, although the United States Government is not able to identify by name these American nationals now detained by the Soviet Government, it requests the Soviet Government to inform the United States Government in detail concerning each American military person who has been detained in the Soviet Union at any time since January 1, 1949, of whom the United States Government has not heretofore been informed by the Soviet Government, giving in each case the name of the person and the circumstances underlying his detention."

SPECIFIC CASES ARE NAMED

"Specifically, the United States Government is informed and is compelled to believe that the Soviet Government has had and continues to have under detention the following:

"1. One or more members of the crew of a United States Navy Privateer-type aircraft which came down in the Baltic Sea area on April 8, 1950. The United States Government has since that time received reports that various members of the crew of this United States aircraft were, and are, detained in Soviet detention places in the Far Eastern area of the Soviet Union.

"In particular, it is informed, and believes, that in 1950 and in October 1953, at least one American military aviation person believed to be a member of the crew of this United States Navy Privateer, was held at Camp No. 20 allegedly near Taishet, and Collective Farm No. 25, approximately 54 kilometers [about 34 miles] from Taishet, said to be under sentence for alleged espionage. This American national was described as having suffered burns on the face and legs in the crash of his aircraft and using crutches or a cane.

"Reports have been received from former prisoners of the Soviet Government at Vorkuta that in September 1950, as many as eight American nationals, believed to be members of the crew of the United States Navy Privateer to which reference is made, had been seen in the area of Vorkuta and specifically, that one person who was interned at Vorkuta in September 1950, stated that he was serving a 25-year espionage sentence and had been a member of a downed United States aircraft.

"For the information of the Soviet Government, the crew of the United States Navy Privateer when it departed for its flight over the high seas of the Baltic consisted of the following United States Navy personnel, all nationals of the United States:

"Fette, John H., lieutenant, serial number 320676, United States Naval Reserve.

"Seeschaf, Howard W., lieutenant, serial number 264095, United States Navy.

"Reynolds, Robert D., lieutenant, junior grade, serial number 368573, United States Navy.

"Burgess, Tommy L., ensign, serial number 506762, United States Navy.

"Danens, Jr., Joe H., AD1, serial number 3685438, United States Navy.

"Thomas, Jack W., AD1, serial number 2242750, United States Navy.

"Beckman, Frank L., AT1, serial number 2799076, United States Navy.

"Purcil, Edward J., CT3, serial number 2540438, United States Navy.

"Rinniar, Jr., Joseph N., AT3, serial number 2542600, United States Navy.

"Bourassa, Joseph Jay, AL3, serial number 9539864, United States Navy."

MISSING B–29 MENTIONED

"2. One or more members of the crew of a United States Air Force B–29 which came down on June 13, 1952, either over the Sea of Japan or near the Kamchatka area of the Soviet Union. An officer, believed by the United States Government to have been a member of this crew, was observed in October 1953 in a Soviet hospital north of Magadan near the crossing of the Kolyma River between Elgen and Debin at a place called Narionburg. This officer stated that he had been convicted, wrongfully, under item 6 of article 58 of the Soviet Penal Code.

"For the information of the Soviet Government, the United States Air Force personnel on board the B–29 which has been missing since June 13, 1952, were as follows:

"Busch, Samuel N., major, AO733811.

"Scully, James A., first lieutenant, AO693414.

"Service, Samuel D., first lieutenant, AO752509.

"McDonnell, Robert J., first lieutenant, AO2222264.

"Homer, William B., master sergeant, AF7025704.

"Moore, David L., master sergeant, AF15229915.

"Blizzard, William A., staff sergeant, AF19244175.

"Monserrat, Miguel W., staff sergeant, AF13164064.

"Berg, Eddie R., staff sergeant, AF17281746.

"Bonura, Leon P., staff sergeant, AF18359162.

"Becker, Roscoe G., staff sergeant, AG19391813.

"3. While the foregoing specific cases involve the crew members of two aircraft, it may well be that the Soviet Government has in its custody members of other United States aircraft, particularly crew members of aircraft engaged on behalf of the United Nations Command side of the military action in Korea since 1950.

"The United States Government desires that the Soviet Government make its inquiry on the foregoing subject as thoroughly as possible, but that it keep this Embassy informed of progress as soon as possible.

Mr. KNOWLAND. Mr. President, today I communicated with both the Defense Department and the State Department relative to this matter. I was also in touch with the distinguished chairman of the Foreign Relations Committee [Mr. GEORGE] and the chairman of the Armed Services Committee [Mr. RUSSELL]. The senior Senator from Georgia has called a meeting of the Foreign Relations Committee for tomorrow morning at 10 o'clock and has requested representatives of the State Department to appear to give full information to the committee. The members of the Armed Services Committee have been extended an invitation to attend the meeting of the Foreign Relations Committee tomorrow morning.

Mr. President, I think this is a shocking incident which should arouse the righteous indignation of the American people. If the facts are correct I do not believe any Americans in or out of Congress, in or out of Government, or among the 165 million of our people can take lightly the fact that men wearing the uniform of this country are being illegally held, if the facts as stated in the newspaper article are correct. If we have not become apathetic all over this country, in labor organizations, in veterans' organizations, in civic clubs, and among people generally, there should be resolutions of indignation, and steps should forthwith be taken to see to it that these men, if they are being held as indicated, are promptly freed. I think we owe no less than that to any man wearing the uniform of the American Army, Navy, or Air Force, who may be held under such circumstances.

Mr. SMITH of New Jersey. Mr. President, will the Senator from California yield for a question?

Mr. KNOWLAND. I yield.

Mr. SMITH of New Jersey. Is the Senator aware of the fact that we have been endeavoring to obtain the release of the men who have been held in Communist China?

Mr. KNOWLAND. That is correct. They are also cntitled to vigorous activity on the part of the United States, since the Chinese Communists are holding them in direct violation of their solemn pledge of last November.

Mr. SMITH of New Jersey. That is correct. I wish to identify myself with the remarks of the Senator from California, and I shall be happy to be present at the meeting of the committee tomorrow morning.

SOCIAL SECURITY AMENDMENTS OF 1956

The Senate resumed the consideration of the bill (H. R. 7225) to amend title II of the Social Security Act to provide disability insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes.

The PRESIDING OFFICER (Mr. PAYNE in the chair). The question is on the amendment offered by the Senator from Oklahoma [Mr. KERR] for himself and other Senators.

Mr. KERR. Mr. President, I yield 2 minutes to the distinguished Senator from Oregon [Mr. NEUBERGER].

Mr. NEUBERGER. Mr. President, my principal interest in the social-security bill, before the Senate today, is to bring

about a reduction in the eligibility age for women. It is to this phase of social security that I shall address myself.

The present eligibility age is 65 for everybody. As passed by the House, H. R. 7225 lowered the age for women to 62. The provision was, unfortunately, eliminated from the bill as reported by a majority of the Senate Finance Committee, except insofar as it applies only to widows.

The distinguished Senator from Oklahoma [Mr. KERR] has now presented a compromise, which will permit women to retire at the age of 62, but on a sliding scale of benefits geared to the span of years between 62 and 65. I intend to support that compromise, because it is definitely a step in the right direction—toward a lower eligibility age for women citizens.

On January 18, 1955, I introduced for myself and 10 other Senators S. 521, a bill to lower the retirement age for all women to 60. This, incidentally, was the first major legislation I ever offered as a Member of the Senate. That bill (S. 521) still represents my goal and my belief. It was the first Senate bill presented in the 84th Congress to lower the social-security retirement age for women. I pride myself on believing that it has helped to bring about just such a forward-looking compromise as Senator KERR's amendment for gradual retirement at the age of 62.

Occasionally, Mr. President, we must progress slowly and carefully, in order to move in the right direction at all.

However, Mr. President, careful study over the years has convinced me that a social-security eligibility age for women of 60 can be eminently justified. It must come soon. I hope to explain to the Senate at this time my reasons for this conclusion.

PROGRESS NEEDED IN SOCIAL SECURITY

Before dealing specifically with the reasons for singling out this particular improvement in our social-security laws, I would like to discuss some of the major developments in recent years which make a major step forward in social security so necessary now.

All of us realize, Mr. President, that we in the United States have tremendous blessings to be grateful for. The shortened workday and workweek, amazing medical advances, and the general rise in income and productivity have brought about a vast improvement in our standards of living. In the last half century, we have added about 20 more years to our life expectancies.

A major consequence of these factors has been the significant increase in our aged population relative to the total population. For example, in 1900 only 1 person in 25 was 65 years old or more; in 1950, 1 person in 12 had reached 65. Today we count over 14½ million of these older persons among our citizens.

But while older people have become a larger and larger proportion of our population, their income position in our economy has lagged behind that of the rest of the population, which has materially improved.

There are a number of reasons why this is so. People over 65 years old can expect to live many more years. In practically all cases, these years will be years of leisure and retirement. By this age, the older person must rely on his life's savings and whatever pension benefits he has earned over the years of his employment. Although wage levels have risen greatly, few persons in their fifties or sixties can find jobs available. Moreover, for some older persons such full-time work as can be found may cause personal hardship.

In other words, in recent years, the average per capita income in this country has gone up substantially—but that of retired people living on fixed incomes and on limited savings has lagged behind that of working people.

As a result, older people today constitute a greater part of our low-income group than ever before in history. These facts have been illustrated in an informative study made last October by the Joint Committee on the Economic Report Regarding Characteristics of the Low-Income Population of the United States.

For instance, according to this report, by 1954 there were estimated to be more than 2,460,000 families headed by persons 65 years old or over, earning incomes under $2,000. Over a period of 6 years, the proportion of these families had risen from one-fourth to nearly one-third of all families in that low-income group. In marked contrast, less than one-tenth of the families with incomes of $3,000 or more were headed by elderly persons during this time. Likewise, the figures show a proportional increase of elderly single individuals, from one-third to one-half of all persons in the low-income group receiving $1,000 or less annually.

COST OF LIVING HAS RISEN MORE FOR OLDER PEOPLE

One of the obvious problems of retired people who cannot benefit from wage increases is that they must still meet the rising costs of living. The Bureau of Labor Statistics estimates that, since 1947, there has been a rise in the general cost of living of about 12 percent. This is a serious matter for the low-income group, three-fourths of which was reported to have less than $500 worth of savings. Cost-of-living is a particularly serious matter for elderly people because the cost of medical care has risen over 30 percent since the end of the Second World War. Elderly people necessarily require more medical attention than those of younger years.

The significant fact, however, is not that retired people in general have less money now than they had before—they may actually have a little more. It is that standards of living have risen tremendously. The expectations of people who live in America have become greater—and this is one test of the success of the celebrated American way of life. People are used to better things. So the important fact is not just whether retired people have a larger income today than they did 5 years ago or 10 years ago, but also how it compares with income before retirement. A married couple or a single individual retiring today are often faced with a real and painful reduction in living standards.

Mr. President, is this necessary? I believe that the economy of this Nation is strong enough, and that it is expanding fast enough, with rapid strides toward greater productivity per man-hour of work, to allocate an adequate sector of the gross national product to maintaining the standards of living of retired people.

In the most general terms, this must continue to be the philosophy of efforts which our society must make in many different ways and through different channels. It is the premise behind private industry pension programs, Government employee retirement programs, State old-age assistance, as well as aid to dependent children and to schools and every other program which, in some way, places the economic burdens of a longer youth and a longer period of retirement on the productive years in between.

Chief among such programs is the social-security program, with which we are concerned today.

LOWER RETIREMENT AGE FOR WOMEN PRIMARY SOCIAL-SECURITY IMPROVEMENT

I shall now explain one improvement which for a number of years has seemed to me of particular usefulness and importance.

In the case of widows, the committee, in recommending a reduction of the eligibility age to 62, states:

> Many women widowed in their fifties or early sixties have never worked or have not had recent work experience and find it difficult to secure jobs. Many are left with no financial resources and face the alternatives of being dependent on their children (who are themselves attempting to make ends meet while raising their own families), or of seeking assistance from public or private welfare agencies.

But it is not only the widow who faces an uphill struggle in the search for employment in later years, as one might gather from the report of the Senate Finance Committee. Unmarried women who have held jobs for substantial periods of time find employers' policies an almost insurmountable obstacle when seeking new work. In testimony to this fact, the minority of the Finance Committee states:

> Any woman who loses her job between the ages of 62 and 65 cannot easily get other employment. The fact is that the overwhelming majority of women at the ages of 60 to 65 are not gainfully employed. When this age group is compared to the age group 55 to 64, we find that women go out of the labor force about 2½ times faster than men.

Social-security benefits from the age of 60 would provide some aid to those widows and unmarried women for whom, even in a time of high employment, there are no jobs today. A retired woman on a very modest budget is estimated today to require over $1,500 annually. Lowering the age for these groups would make possible the immediate opportunity for 1,330,000 additional women to begin receiving the full benefits for which they have been contributing over the years.

In the case of workingwomen, whatever their married status, the argument against lowering the age of social-secu-

rity eligibility is made that it will force earlier retirement. It is suggested that it runs counter to the whole tendency of people to live and work longer years. It is said that this will cause a reduction in the number of older women already employed, at a time when we must exert every effort to permit them to work as long as they desire.

Mr. President, I consider this a very shallow charge. It is not in accord with the trends, as I understand them. In the first place, a reduction in the eligibility age for women does not in and of itself cause people to stop working, if they do not wish to stop. On the contrary, experience demonstrates over and over again that most people in this country would rather work, as long as they are healthy and able, than live on greatly reduced incomes.

If women are laid off work on account of a lowered social-security eligibility age, it can only be because of the policies adopted by employers. I do not see that the reduction of the eligibility age has any necessary connection with such a policy. I believe that it is commendable when employers set up their own employee pension plans, permitting later retirement at progressively higher benefits. Such plans should be encouraged. But they ought not to interfere with the demonstrated needs of the many people who cannot hold jobs in later years. I wish to emphasize, Mr. President, that to retire under social-security provisions would be voluntary on the part of women aged 60 and over. The initiative would lie with the employee.

WIVES SHOULD BE FREE TO RETIRE ALONG WITH THEIR HUSBANDS

Besides widows and workingwomen, there is one other large and important group of women that deserves special attention. I refer to the wives of men 65 years of age or more.

Without full benefits, wives of retired men, like other women, must often face the serious choice of trying to find employment or accepting the painful task of reducing the family's standard of living. With a total income, for instance, of $100 a month in benefits, a 65-year-old husband with no additional income cannot hope to retire and provide a decent living for himself and his wife, who is not 65 herself. This is illustrated, for example, by an excellent study published by the Welfare and Health Council of New York City, which shows that a modest budget for an elderly retired couple with few medical or special expenses calls for approximately $2,137 annually.

The estimated cost of providing benefits to women 60 years of age and over is substantial. Nearly 670,000 qualifying wives, with the others—a total of 2 million additional—would become eligible. Of course, it is difficult to predict how many of these would feel it necessary to retire on social-security benefits at this earlier age. I am told by the Social Security Administration that the tax contribution of both employees and employers to this program, over and above what it now presently calls for under the law, will amount to one-half percent of payroll each, or a total additional amount of 1 percent of payroll. I am prepared to advocate this increase, and I think the public would support it. Our largest national labor organizations have declared that their millions of members would be ready and willing to assume their share of the increased payroll taxes necessary to cover this change.

MUCH SUPPORT FOR LOWER SOCIAL-SECURITY AGE FOR WOMEN

Apart from the consideration of costs, this plan has been actively supported by organizations and individuals for almost two decades. Dr. Arthur J. Altmeyer, who as a member of the first Social Security Board, Chairman from 1937 to 1946, and Commissioner of Social Security until April 1953, is an undisputed authority on this subject, has been a strong advocate of this measure. He recommended the lowering of the eligibility age for women to 60 before the Senate Committee on Finance on January 17, 1950, and the House Committee on Ways and Means in 1949.

Nor was this a new idea at that time. Every year from 1942 to 1946 this was repeated in the annual reports of the Social Security Board, as it was in those of the Social Security Administration in 1948, 1950, and 1952. Many able witnesses presented testimony before the Senate Committee on Finance during the lengthy hearings on H. R. 7225 this year, and among those who testified, a number expressed preference for a more realistic voluntary retirement age of 60 for women. I am convinced, and the mail I have received for a long time has borne me out in this, that an amendment to reduce the qualifying age for women would be overwhelmingly approved by the people.

In conclusion, Mr. President, I would like to point out one consideration which applies not only to the eligibility age for women, but to our attitude toward maintaining progress in our social-security laws in general.

Everyone in the world recognizes the United States as by far the richest nation in history. We pride ourselves on the fact that our economy, our social structure, our form of government have made a steadily increasing standard of living the main characteristic of American civilization.

We are indeed able now to raise our sights to the goal of a comfortable period of retirement and old age for all of our citizens—freed from poverty, from the pain of many diseases, lightened by the conveniences of modern housing, and brightened by the prospect of an increased span of leisure years. Our thinking on social security must face up to the needs of these longer years of retirement without drastic impairment of the standard of living to which Americans have now become accustomed during their working years.

SOCIAL PROGRESS IMPORTANT TO LEADERSHIP IN FREE WORLD

And it must also face up to the fact that our claim to international leadership rests on the success with which we can make our acknowledged riches work for all of our citizens. Other peoples constantly watch the success of our country in this respect. As the leading exponent of free and democratic methods of government, we are continuously compared with our Communist competitors.

It would be wrong of us to remain satisfied with our present advances in social security and social services. As a matter of fact, in some of these areas we have actually fallen behind several progressive measures of other democratic nations, such as the Scandinavian lands.

I want to suggest to the Senate that there is no reason why the people of this rich Nation should not be able to have the assurance of adequate security in old age and retirement. I am convinced that it is not unreasonable, nor is it premature, to call for this expansion in the social-security law. If adopted, this amendment will be regarded in a future era as a logical step, taken in good time, to recognize the changing character of our economy and our population's needs.

Mr. KERR. Mr. President, I yield 2 minutes to the distinguished Senator from New York [Mr. LEHMAN].

Mr. LEHMAN. Mr. President, we are now considering the proposal to extend benefits under the Social Security Act to women at the age of 62. I do not intend to discuss this proposal in all its technical aspects. I do, however, want to talk about the basic issues involved in the question of lowering the retirement age for women from 65, where it now stands, to 62.

I have long supported the principle of a lower retirement age for women. As a matter of fact, I have on various occasions proposed that the retirement age for women be lowered to 60. I think, however, that the basic issues are the same whichever figure we choose. Although I would prefer to see us adopt an amendment lowering the age to 60 for women, I am willing to accept the proposal making it 62.

We all know that life expectancy is increasing. The average person is living longer and working longer. Many individuals are able to work well past the age of 60 or 65, or even 70. Some of the individuals in this group are women. This is a fine thing and we can all be proud of the progress that has been made along these lines.

But I am not concerned here with averages. I am not concerned with those who have benefited from these advances and improvements. I am concerned about those who have not derived any benefit from them. I am concerned about the woman who finds herself a widow in her early sixties and is unable to find a job after years away from the labor market while she was raising a family. I am concerned about the woman who has been working all her life and suddenly loses her job after she has passed the age of 60. I am concerned about the problem this woman has in finding a new job in the face of the reluctance of so many employers to hire an older woman. I am concerned about the man who has reached the age of 65 and has qualified for social-security benefits, but cannot retire because his wife is only 60 or 62 and without the supplemental wife's benefits their income would be too small for them to make ends meet no matter how carefully and frugally they lived. I am concerned about the

widow who has been receiving benefits as the mother of children under 18. I am concerned about the problem she has between the time the children reach the age of 18 when children's benefits cease and the time she reaches the age of 65 and once again qualifies for benefits.

These are the people I am concerned about—the woman who does not have resources of one kind or another on which to fall back—insurance, savings, investments, aid from their children or other relatives. I am concerned about the woman who has nowhere to turn—no one to go to for help.

We cannot let these women depend on private charity, on relief and public handouts. We must do all we can to encourage these people to keep working as long as possible. We must do everything possible to make these people self-sufficient.

But, at the same time, we must give them a sense of security that comes with the knowledge that they will be able to maintain their independence in their advanced years.

Lowering the retirement age for women, under social security, to 62 will not solve the problem of all these women. It is not by any manner or means the complete answer. But it will certainly go a long way towards finding the answer. We cannot fail the thousands and thousands of people in this Nation who are looking to us to approve this proposal. Let us act now. Let us approve this amendment.

Mr. KERR. Mr. President, I yield 2 minutes to the senior Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President, I favor the amendment offered by the senior Senator from Oklahoma because I have an amendment which is somewhat similar to it, and which reduces the age of retirement for women to 62.

I first thought the age for retirement of women should be reduced to 60; but in order to insure the passage of some legislation of this kind, I advocate the adoption of the amendment of the Senator from Oklahoma, which would reduce the retirement age for women to 62.

I have found, from my examination of the matter, that not only do many widows need to retire at the age of 62, but also a great many women are married to men who are considerably older than they are. On the average, I think it will be found that the husbands are 3 or 4 years older than the wives; in some cases, the husbands are as much as 6 or 7 years older. So it is that a married woman at the age of 62 may have a husband who is practically no help to her from a financial standpoint. Instead of being 62, the husband may be 66, 68, or 70 years of age. So if we take into consideration the fact that a woman's husband is many years older than she is, and is no help to her from a financial standpoint, that woman is being penalized.

For the reasons I have stated, I think the amendment should be agreed to.

Mr. KERR. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Oklahoma has 10 minutes remaining; the Senator from California has 2 minutes remaining.

Mr. KNOWLAND. Mr. President, I am glad to yield back the remainder of my time, if the Senator from Oklahoma is prepared to yield back the time remaining to him.

Mr. KERR. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement by the junior Senator from Florida [Mr. SMATHERS], who is one of the joint authors of the amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SMATHERS

I congratulate the very able and distinguished Senator from Oklahoma, Senator KERR, for his effective presentation of this important matter. As he knows, I intend to support and vote for his amendment for I not only agree with his position but would go even a little further for the following reasons:

I am in entire agreement with the committee's decision that surviving widows deserve the right to benefits at an earlier age for it recognized the economic plight of many women widowed when they are a few years under their 65th birthday. This action would award benefits to widows at age 62, on the ground that the problem of maintaining themselves during a waiting period until they become 65 is especially acute. However, I am convinced that the plight of many older women workers, or elderly couples, and of dependent mothers who find themselves in the same circumstances is equally urgent.

It is only fair and equitable therefore that the eligibility age be lowered for all women under the social-security system from 65 to 62 years of age. This would mean that about 800,000 women would receive benefits immediately, and during the first year another 400,000 working women would be eligible to draw benefits when they or their husbands retire.

In his testimony before the Finance Committee, the Secretary of the Department of Health, Education, and Welfare was opposed to this change because, he said, a lower retirement age would be a "disservice to many thousands of older women by reducing their opportunities for satisfying employment."

On the surface, this would seem to be a noble sentiment. But I wonder how many of the women in this country who have passed their 62d birthday have the opportunity of "satisfying employment," and how many would be able to take such jobs even if they were to become available. I wonder if it would be good policy for the Members of the Senate to take the position that we should not pay benefits to the mothers and grandmothers of this country at age 62 because we might keep them from getting a job.

I cannot agree with the Secretary on this point. For I believe such a position overlooks the fact that the 62d birthday is an unhappy milestone for far too many American women because they are told that they are not old enough to be entitled to retirement benefits under social security and too old for job opportunities. Let us remember that the older women who would become eligible for benefits under the pending amendment are, today, the special victims of a period of unprecedented prosperity and a revolution in industrial production which has increased the costs of living while shortening the average work life. As the standard of living goes up—and as prices and wages increase—they are caught in a cross-current. Any savings which they may have accumulated for their old age dwindle rapidly. High living costs work a special hardship on people in this age group, many of whom had worked hard during their earlier years to build up what seemed like an adequate income at the time. Now, at a time when the buying power of that income is sharply reduced, the cost of medical care is usually increased because of the frailties of advancing years.

Most American women, we know, have spent the better part of their lives raising a family. We recognized the social importance of this fact in our social-security system back in 1939 when the wife of a retired worker was made eligible for her own benefit at age 65 even though she had never worked herself. At the same time, and for the same reason, the widow of a worker who dies was made eligible for a monthly benefit in her own right, on the death of her husband. The wisdom of that decision has been demonstrated in millions of homes throughout the country where social-security benefits are now being paid as a matter of right to wives, widows, and dependent mothers of the family breadwinner. Such a policy in our social-security system conforms with the situation in which most women in America find themselves in their later years.

The pending amendment will broaden that policy to provide benefits for the wife of a retired worker when she reaches age 62 instead of requiring her to wait until she is 65. In so doing, we would extend the purpose of social security that a married couple should not have to get along on the same amount that is required by a single person by paying the full family benefit 3 years earlier.

We know that wives are generally a few years younger than their husbands. According to the most recent estimates, only 19.6 percent of wives are 65 or over when their husband reaches his 65th birthday. By reducing the eligibility age for wives, we will thus be helping to relieve hardship in the homes of thousands of elderly couples now living on a sharply reduced income because the husband has been forced to retire at a time when his wife is not yet old enough to qualify for her benefit.

These, then, are some of the very urgent reasons why I believe we must provide benefits at age 62 for the wives of workers who have retired, and for their dependent mothers, as well as for widows.

I am just as convinced that we must, at the same time, lower the eligibility age for working women in the same way. For, as the minority report on the bill now before us pointed out, any woman who loses her job between the ages of 62 and 65 cannot easily get other employment. These limitations on job opportunities for older women arise not only because of lack of opportunity to work, but also because of physical limitations. In her testimony before the Committee on Finance, Miss May Bagwell, representing the American Nurses Association, well described the very real problems faced by most older working women in this respect. She said:

"Older women—widows and dependent mothers of deceased beneficiaries—find it practically impossible to enter employment if they have not been very recently employed. Especially is this true of professional nursing, where rapid changes in practice require the nurse to constantly refresh her knowledge, and where the work is often physically taxing.

"In addition, many employed nurses at age 62 and after find it difficult to perform the strenuous tasks required in hospital nursing today on a full-time basis. If they could receive social-security benefits they would be able to continue working part-time and thus prevent a drastic reduction in their standard of living and at the same time help to meet the demand for professional nursing service. * * *

"The American Nurses' Association urges this committee to act favorably upon the

proposed lowering of the age at which women may become eligible to claim benefits under the social-security system."

I am convinced that Miss Bagwell expresses the view of the majority of the women of this country. She speaks from intimate experience with the situation in which the older professional nurse finds herself. But the same considerations apply, even more forcibly, in the case of those older women who find jobs after they have raised a family. In view of their inexperience, such jobs as they are able to get are usually in the lowest wage scales. Most of them, I am sure, could hardly be described as "satisfying."

Many of them are part-time jobs. And, as Miss Bagwell points out, lowering the eligibility age for women to 62 would not mean that we would be requiring a woman in these circumstances to give up such a low-pay or part-time job to qualify for social-security benefits unless she chooses to do so. For, under our social-security system, she would be entitled to benefits in addition to her small earnings if those earnings do not exceed $1,200 a year. Thus the relatively small number of women in this age group who are now working would be able to supplement their social-security benefit with moderate wages and so prevent a drastic reduction in their standard of living.

Some 650,000 women workers now between 62 and 65 years of age would be eligible for benefits immediately if this amendment is adopted. I believe it should be adopted to make these benefits available to them.

We must recognize the unusual demands upon the strength of an older working woman which results from the dual responsibility of a job and a home.

We must recognize that in many retirement systems women are required to retire at an earlier age than are men, and that the waiting period of such women is, therefore, much longer than it is for men.

We must recognize that any woman who loses her job between the ages of 62 and 65 cannot easily find other work. Recent studies by the Department of Labor show that age limits are applied more often on jobs for women than on jobs for men. The want-ad section of most newspapers also demonstrates this fact of our times.

In lowering the eligibility age for all women from age 65 to 62 we would be accepting a principle which has been carefully studied and advocated by leaders in the field of social security for many years. It was recommended by the Social Security Administration in each of its annual reports beginning in 1942, and in the years that followed until 1952. It is recommended by Dr. Arthur J. Altmeyer who was a member of the first Social Security Board and its Chairman from 1937 to 1946, as well as while he was Commissioner of Social Security from 1946 until April of 1953.

The advisory council on social security to the Senate Committee on Finances of 1949 included a recommendation in its report that the qualifying age for women should be lowered to age 60 to accomplish the broad purposes of the social security system. For, as this report pointed out in describing these broad purposes:

"The very success of the economy in making progress while creating opportunities, also increases risks. Hence, the more progressive the economy, the greater is the need for protection against economic hazards. This protection should be made available on terms which reinforce the interest of the individual in helping himself. A properly designed social-security system will reinforce the drive of the individual toward greater production and greater efficiency, and will make for an environment conducive to the maximum of economic progress."

Their recommendation calling for a lower eligibility age for women was made only after months of deliberation by the members of this advisory council. It is significant to note that the council's recommendation for a lower eligibility age for all women is the one major recommendation made by this body which has not yet been incorporated into our social-security system. The rest have all been written into the law, sometimes in a modified form, in the major improvements which have been made in the social-security plan beginning with the 1950 amendments.

Now we have the opportunity to incorporate also this very important liberalization into our social-security law. The level premium cost of adding benefits for working women, wives, and dependent mothers, would be only 0.36 percent of payroll over the costs accepted in the committee's bill. In terms of what this investment will mean to the security and well-being of thousands of American women, now and in the future, I am sure that the small added costs are a moderate price to pay. The working women of this country are entitled to the same right of earlier retirement that has been provided for them in most private pension plans and in other governmental plans.

I urge the Members of the Senate to join with the Members of the House of Representatives in endorsing this improvement in our social-security law so that we can make this long-delayed improvement in our social-security system at this time. I sincerely hope that this body will unanimously adopt the amendment proposed by the very able and distinguished Senator from Oklahoma.

Mr. KERR. Mr. President, I yield back the remainder of my time.

Mr. KNOWLAND. Mr. President, I yield back the remainder of my time; and I suggest the absence of a quorum.

The PRESIDING OFFICER. All time having been yielded back, and the absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. KERR]. The yeas and nays having been ordered, and all time having been yielded back, the clerk will call the role.

The Chief Clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL] is absent on official business.

I further announce that, if present and voting, the Senator from Texas [Mr. DANIEL] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The Senator from Colorado [Mr. MILLIKIN] is necessarily absent.

On this vote, the Senator from Colorado [Mr. MILLIKIN] is paired with the Senator from Michigan [Mr. POTTER]. If present and voting, the Senator from Colorado would vote "nay" and the Senator from Michigan would vote "yea."

The result was announced—yeas 86, nays 7, as follows:

YEAS—86

Aiken	Beall	Bridges
Allott	Bender	Bush
Anderson	Bible	Butler
Barrett	Bricker	Capehart
Carlson	Humphrey, Minn.	Murray
Case, N. J.	Humphreys, Ky.	Neely
Case, S. Dak.	Ives	Neuberger
Chavez	Jackson	O'Mahoney
Clements	Jenner	Pastore
Cotton	Johnson, Tex.	Payne
Dirksen	Johnston, S.C.	Purtell
Douglas	Kefauver	Russell
Duff	Kennedy	Saltonstall
Dworshak	Kerr	Schoeppel
Eastland	Knowland	Scott
Ellender	Kuchel	Smathers
Ervin	Laird	Smith, Maine
Flanders	Langer	Smith, N. J.
Frear	Lehman	Sparkman
Fulbright	Long	Stennis
George	Magnuson	Symington
Goldwater	Mansfield	Thye
Gore	McCarthy	Watkins
Green	McClellan	Welker
Hayden	McNamara	Wiley
Hennings	Monroney	Williams
Hickenlooper	Morse	Wofford
Hill	Mundt	Young
Holland		
Hruska		

NAYS—7

Bennett	Malone	Robertson
Byrd	Martin, Iowa	
Curtis	Martin, Pa.	

NOT VOTING—3

Daniel	Millikin	Potter

So the amendment offered by Mr. KERR, for himself and other Senators, was agreed to.

Mr. JOHNSON of Texas. Mr President, I ask unanimous consent that I may yield to some of my colleagues for the purpose of making insertions in the RECORD and other routine business, without the time being charged to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT OF CODE RELATING TO PAYMENT OF ANNUITIES TO WIDOWS AND DEPENDENT CHILDREN OF JUDGES

The PRESIDING OFFICER (Mr. PAYNE in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 11124) to amend title 28, United States Code, to provide for the payment of annuities to widows and dependent children of judges, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSON of Texas. Mr. President, on July 13, 1956, H. R. 11124, to amend title 28, United States Code, to provide for the payment of annuities to widows and dependent children of judges, passed the Senate with an amendment. On July 16, 1956, the House disagreed to the Senate amendment and requested a conference.

I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. EASTLAND, Mr. JOHNSTON of South Carolina, Mr. O'MAHONEY, Mr. WATKINS, and Mr. WELKER conferees on the part of the Senate.

HELLS CANYON VOTE WILL DECIDE FUTURE OF OUR NATURAL RESOURCE POLICY

Mr. NEUBERGER. Mr. President, the Senate of the United States stands today on the threshhold of one of the most significant legislative battles of modern times. This is the Hells Canyon fight. For millions of years, the forces set in motion by the Almighty have been carving through the granite and lava rock at Hells Canyon, the deepest abyss in the surface of North America. Through this chasm surges a turbulent river, the Snake. It is capable of producing vast quantities of hydroelectric power—a resource which endures as long as snow melts in the mountains and water flows downhill.

The outcome of the Hells Canyon question will decide five major issues, and it will decide them for a long time. It will not be geological time, as we reckon the age of the marvelous gorge. But it could well be for the duration of the lives of all the men and women who will participate in the controversy.

These are the issues:

First, will the waterpower sites on America's greatest rivers belong to all the people or to private monopoly?

Second, will these sites be developed to the full or merely to a segment of their capacity?

Third, if wasteful use wins out, what will become of such other multipurpose benefits as irrigation, flood control, and navigation?

Fourth, will the scenic grandeur of this Nation's most majestic upland wilderness be sacrificed to alternative projects which have been proposed as substitutes for Hells Canyon?

Fifth, can captious and frivolous objections, fostered by special interests, induce the elected representatives of the American people to surrender a natural resource of priceless value?

Furthermore, Mr. President, what are we to say of national policies which might result in the skim milk of power sites being saved for public development, while the whipped cream of these sites goes to private utilities?

For all these basic reasons, Mr. President, the fight over the fate of Hells Canyon, that 6,000-foot abyss of sublime proportions on the Idaho-Oregon border, will rank in legislative history with those over Muscle Shoals and over the founding of the United States forest reserves.

BILL TO ENCOURAGE SHARE OWNERSHIP BY AMERICAN YOUNGSTERS

Mr. WILEY. Mr. President, I have long been interested in the broadest possible degree of ownership by our American people in America's free-enterprise system, particularly in ownership of securities soundly purchased and soundly financed.

I regard it as a particularly valuable educational service to acquaint America's younger generation with the value of owning its own share in the American system of private initiative.

That is why on March 22 I spoke in the Senate—as shown in the daily CONGRESSIONAL RECORD for that date, beginning on page A2575—on behalf of the enactment by additional States of the Union of model legislation to facilitate stock gifts to minor children.

Such legislation has now been enacted in 13 States during last year and this year alone. I am pleased to say that my own forward-moving State is among their number.

I was happy recently to hear from Mr. G. Keith Funston, able president of the New York Stock Exchange, who wrote on behalf of enactment by the Congress of the model statute, so as to apply it to stock gifts here in the District of Columbia. Mr. Funston himself has done a most admirable job of helping to educate our people on the value of stock ownership, so he was in a most appropriate position to recommend the advancement of this cause.

I am most pleased that the House of Representatives passed the model bill, H. R. 11090, on July 9. I am glad that the distinguished chairman of the Senate District Committee (Mr. NEELY) is a cosponsor of a companion bill, S. 3886, now pending before his own committee. Our colleague from West Virginia had introduced the bill at the sound suggestion of the District of Columbia Bar Association.

In his thoughtful message, Mr. Funston had written to me—

> Knowing of your specific interest in this legislation, I thought that I would take the liberty of informing you of these developments.

I indeed welcome his report. So it is my earnest hope that our colleagues on the Senate District Committee will now find it possible before the end of this session to report the bill favorably, so that the District can become the 14th area to enact the model statute.

It seems to me that in order to keep America moving ahead, in order to keep expanding our great private system, we must encourage more and more Americans to invest their savings wisely. Thereby, we shall help develop new tools, new technology, new plants, new jobs, and new markets for our growing population and our growing Nation.

I send to the desk the text of the testimony by Mr. John R. Haire, secretary of the New York Stock Exchange, before the Subcommittee of the House District Committee which considered H. R. 11090. I believe his presentation is a most illuminating and concise statement on the value of this model statute. I commend it not only to the attention of my colleagues on the District Committee, but also to the attention of the other 35 States of the Union which have not as yet enacted the model statute.

May sound stock ownership flourish. May we see more and more Americans—young and old, men and women, working and retired—own equity in the United States system.

I ask unanimous consent that the text of Mr. Haire's statement be printed at this point in the body of the CONGRESSIONAL RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF JOHN R. HAIRE, SECRETARY OF THE NEW YORK STOCK EXCHANGE, BEFORE THE PUBLIC UTILITIES, INSURANCE, AND BANKING SUBCOMMITTEE OF THE DISTRICT OF COLUMBIA COMMITTEE OF THE HOUSE OF REPRESENTATIVES CONCERNING H. R. 11090, JUNE 26, 1956

My name is John R. Haire. I live in Scarsdale, N. Y. I am the secretary of the New York Stock Exchange. I am here today to testify in favor of H. R. 11090, which would make it easier for residents of the District of Columbia to make gifts of stock to minor children.

H. R. 11090 is based on a model bill developed by the New York Stock Exchange to facilitate stock gifts to minor children. Legislation based on the exchange's model bill has been enacted in 13 States in the 1955 and 1956 State legislative sessions. Those 13 States are: California, Colorado, Connecticut, Georgia, Michigan, New Jersey, New York, North Carolina, Ohio, Rhode Island, South Carolina, Virginia, Wisconsin.

A similar bill has also been passed by the Louisiana Legislature and now is before the Governor of that State for signature.

H. R. 11090, designed to benefit the residents of the District, has been endorsed by the District of Columbia Bar Association and introduced at the association's request.

PROBLEM TO BE SOLVED

Before I discuss the mechanics of the bill, I would like to outline briefly the problem that this legislation is designed to solve.

In jurisdictions where this legislation has not been enacted, common stock or other securities can be legally given to a minor child in 1 or 2 principal ways. An outright gift of securities can be made to a child and the securities registered in his name. This method can create considerable problems because a subsequent sale of the stock for the child would require appointment by a court of a legal guardian for the child. It has been our experience that most parents are completely unaware that one of them must be court-appointed as guardian of the property of their own child merely to sell securities which the parents themselves have given to the child. Guardianship can be extremely cumbersome, restrictive, and expensive when small gifts of stock to a child are concerned. As a result, this method of giving stock to children has not been practical for small gifts.

The second method of giving securities to children now available to parents is the creation of a trust. Here again the expense and inconvenience of a trust have deterred parents who desired to make modest gifts of stock to their children.

The treatment of stock gifts to children has contrasted sharply with the freedom and flexibility offered to parents who desire to make gifts to their children of either United States Government bonds or savings accounts. In these two areas little or no expense or redtape inhibits the parent from making gifts. In both cases, it has been made extremely simple for the parent or giver to act on the child's behalf in dealing with the bond or savings account which has been given to the child.

In recent years the New York Stock Exchange has received increasing numbers of letters from parents asking why, in this greatest capitalistic country in the world, it is so difficult for them to make a small gift of stock to their own child. These parents believe, as we do, that ownership of common stock would provide their children with a practical home study course in our free enterprise system. By explaining to a child what his stock certificate represents a parent

can give a first-hand lesson in just how our economic system works. A child, by spending or saving his dividend check, can come to understand how our American profit system works. A close self-identification with our system would provide each of our children with the best possible understanding of what makes our economy tick.

Keith Funston, president of the New York Stock Exchange, has said this about the problem:

"By the time today's children are the leaders of tomorrow, I believe that this country will have a true democratic capitalism in which our productive facilities will be owned by millions more Americans. Essential to the strength of such a corporate democracy will be the education of today's youth to the workings of our economic system.

"And yet today our children are denied the greatest single teaching tool that we have—ownership. The denial of the convenient right of direct ownership of stock is largely responsible for the fact that only 2 children out of every thousand—two-tenths of 1 percent of our boys and girls—are shareowners. It is sad but true that, unless changes are made in our laws, almost every one of our children will reach maturity with no real comprehension of what it means to be a shareowner."

PROVISIONS OF THE BILL

Faced with this problem, we at the exchange set out to devise a way which would make it as simple to give stock to children as it is to give them Government bonds or a savings account. We believe that the bill which is receiving your consideration today provides that simple method.

In discussing the bill I would like to stress first that it applies only to one thing—gifts of securities to a minor child. It does not affect in any way the legal safeguards which have always protected a child's property received by inheritance or in any other manner. This bill merely provides a simple way for a parent or other adult to make a gift of stock to a child and reserve a power to manage the securities given until the child reaches 21. Actually, the bill does not permit a giver to do anything he could not do under the law at present by the creation of a trust for the child. It just simplifies things and therefore will encourage small stock gifts which are not now being made because of the expense and redtape involved.

This bill would make it possible to make an outright gift of stock to a child by the simple act of having the securities registered in the name of an adult as custodian for the child—the custodian being a close relative of the child or the giver himself. The actual registration required would be "John Jones, as custodian, for Mary Jones, a minor, under the laws of the District of Columbia." By having stock registered in that way, a giver would achieve two things. He would make an outright gift of stock to Mary Jones and would appoint her father, John, as a custodian with the power to manage the investment for Mary until she reaches 21. All of the rights, powers, and duties of the custodian are spelled out in the statute. Relatives of the child who are permitted to be custodians are parents, grandparents, adult brothers and sisters, uncles and aunts.

In the case of bearer securities a simple "deed of gift" must be filled out and the securities must be delivered to the custodian. For bearer securities the giver cannot serve as a custodian.

The gift to the child is complete and irrevocable. The child actually owns the securities, but the custodian has the right to manage the investment of this property until the child is 21.

The custodian can collect the income from the securities for the child. He can spend any part of the income or principal for the benefit of the child. Any property remaining when the child reaches 21 must be turned over to him.

The custodian may retain any securities originally delivered to him. He may sell any securities he holds at any time, but any reinvestment must be in such securities as would be purchased by a "prudent man of discretion and intelligence" seeking a reasonable income and capital preservation. Aside from investing in securities the custodian may hold the child's property in a savings account.

No transfer agent, broker or other third party dealing with the adult custodian is under a duty to question what the custodian does with the child's property. Brokers and others can treat the adult custodian as they would any other fiduciary. The child, on reaching 21, would have no right to challenge the activities of brokers or others who had dealt in good faith with the custodian.

The custodian must keep the child's property separate, in such a way as to clearly identify it as the child's.

The giver or a member of the child's family who is acting as custodian may be reimbursed for expenses but otherwise shall receive no compensation.

Being uncompensated he is liable to the child only for losses occurring through bad faith, intentional wrongdoing, or failure to invest in accordance with the provisions as to investment which I have already mentioned.

A custodian may resign by selecting an adult relative of the child as custodian and delivering to him the property held as custodian.

If a custodian dies or becomes incompetent before the child is 21 and if the child has a guardian, the guardian would become the new custodian. If there is no guardian, a member of the child's family designated by the will or by the legal representative of the last acting custodian would become custodian. If all else fails, the United States District Court for the District of Columbia (holding a probate court) can appoint the successor custodian.

When the child reaches 21 and the property is turned over to him no accounting is required. The child, within 1 year after reaching majority, can, however, require a formal court accounting if he has doubt as to the custodian's conduct.

Of course, this bill would not prevent making gifts in trust to a child nor would it eliminate in any way any existing methods of making gifts of securities to children.

I believe that I have covered the more important provisions of this bill. The bill would provide a simple and practical way to make small gifts of stock to children. From the point of view of public policy, it does not reduce in any way the protection afforded children. It applies only to gifts of securities to be made in the future. All it does is make it easier for a giver to obtain the flexibility which he can now obtain only by a complex legal document. It enables all parents to make gifts of securities, no matter how small, with the same ease that they can now give a Government bond or savings account. And we at the New York Stock Exchange believe that such gifts can make an important contribution to the goal of broader share ownership in America by helping to educate our younger generation to the workings of our great free-enterprise system.

PARTICIPATION IN POLITICS BY FORD MOTOR CO. EMPLOYEES

Mr. NEUBERGER. Mr. President, I ask unanimous consent to include in the body of the CONGRESSIONAL RECORD a most illuminating and enlightening letter from Henry Ford II, president of the Ford Motor Co., to his employees. In this letter Mr. Ford urges all employees of his vast company to take a direct interest in politics—to join the party of their choice and to support it with their efforts and such funds as they can reasonably spare.

Henry Ford II emphasizes that it is the duty as well as the privilege of all Americans to participate in politics. He has phrased in one way what was said, in a slightly different way, in 1920 to a group of college students by another person, the late Elihu Root, Secretary of State under President Theodore Roosevelt. Mr. Root, also a Senator from New York, told a group of college students:

Politics is the practical exercise of self-government, and somebody must attend to it if we are to have self-government. The principal ground of reproach against any American citizen should be that he is not a politician.

I commend Henry Ford II for being sufficiently interested in free government himself to recommend that his employees likewise do something about it. I wish bther captains of industry would follow Mr. Ford's example in this respect. Freedom does not just happen, Mr. President. Free people must help to create a government which will protect freedom and merit freedom. I ask unanimous consent that the letter by Henry Ford II, to his employees, as printed on the editorial page of the Washington Post and Times Herald for July 17, 1956, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POLITICAL ROLE URGED FOR FORD WORKERS

Acceptance of more individual responsibility by Americans for participation in and financial support of political campaigns has frequently been suggested as one means of broadening the base of campaigns and minimizing dependence on large contributions. We reprint below a significant letter bearing on this important subject, sent by Henry Ford II, president of the Ford Motor Co., to all employees of the company:

"This is an important year for all Americans. In November, we will have the privilege of determining the political, social, and economic course of our Nation for the next 4 years.

"The right to choose a President and to decide which party shall be entrusted with administering our Government at a most critical time in world history imposes a grave responsibility on every citizen. It is our duty to know the issues involved. It is our obligation to take an active, perceptive interest in the candidates and to make a critical appraisal of the policies they advocate.

"But merely informing ourselves, so that we may vote intelligently, should not end our obligation as citizens. The stake we have in self-government is too great for any of us to assume the role of passive bystander. If we believe in a party and its nominee, then we should support that party and that man to the limit of our ability.

"The Republican and Democratic Parties alike need help in presenting their views to the public at large. They must have willing and interested workers who can devote time and effort to the job of encouraging millions of Americans to exercise their voting franchise. Both parties must raise

money to cover the high costs of campaigning on radio, television, and in various forms of advertising.

"I urge all employees of Ford Motor Co. to serve themselves and their Nation in the next few months by devoting at least a portion of their available time to the interests of the party of their choice. I also urge you to contribute money to your party in whatever amount your means will permit. The actual size of your contribution is far less important than your willingness to make known where you stand, politically, on important questions of our times.

"The two great parties in our political system are the bulwarks of 'one Nation, indivisible, with liberty and justice for all.' They deserve support from all of us—each according to his ability to contribute that support and each in accordance with whatever his political convictions may be."

IMPROVEMENT IN GOVERNMENTAL BUDGETING AND BUDGETING ACCOUNTING METHODS AND PROCEDURES

The PRESIDING OFFICER (Mr. PAYNE in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 3897) to improve governmental budgeting and accounting methods and procedures, and for other purposes, which was, to strike out all after the enacting clause and insert:

AMENDMENTS TO THE BUDGET AND ACCOUNTING ACT, 1921

SECTION 1. (a) Section 201 of the Budget and Accounting Act, 1921, as amended (31 U. S. C. 11), is further amended by adding after subparagraph (a) a new subparagraph "(b) to the extent deemed desirable and practicable by the President, and at such times and in such manner as he may determine, information on program costs and accomplishments"; by changing subparagraphs (b) through (j) to subparagraphs (c) through (k), respectively.

(b) Section 216 of such act, as amended (31 U. S. C. 24), is further amended by inserting "(a)" after the words "SEC. 216." and by adding the following new subsections:

"(b) The requests of the departments and establishments for appropriations shall, to the extent deemed desirable and practicable by the President, and in such manner and at such times as he may determine, be developed from cost-based budgets.

"(c) For purposes of administration and operation, including administrative subdivisions of funds, such cost-based budgets shall be used by departments and establishments concerned and their subordinate units."

AMENDMENTS TO THE BUDGET AND ACCOUNTING PROCEDURES ACT OF 1950

SEC. 2. (a) The Budget and Accounting Procedures Act of 1950 is amended by inserting after section 105 thereof the following new section:

"ACCOUNTING AND BUDGET CLASSIFICATION

"SEC. 106. The head of each executive agency shall, in consultation with the Director of the Bureau of the Budget, take whatever action may be necessary to achieve, insofar as is possible, (1) consistency on accounting and budget classifications, (2) synchronization between accounting and budget classifications and organizational structure, and (3) support of the budget justifications by information on performance and program costs."

(b) Section 113 of such act (31 U. S. C. 66a) is amended by adding at the end thereof the following new subsection:

"(c) As soon as practicable after the date of enactment of this subsection, the head of each executive agency concerned shall, in accordance with principles and standards prescribed by the Comptroller General, cause the accounts of such agency to be maintaind on an accrual basis to show the resources, liabilities, and costs of operations of such agency with a view to facilitating the preparation of such cost-based budgets as may be developed pursuant to section 216 of the Budget and Accounting Act, 1921, as amended. The accounting system required by this subsection shall include adequate monetary property accounting records as an integral part of the system."

(c) Section 118 of such act is amended by inserting "113 (c)" after the words "section 111."

SIMPLIFICATION OF SYSTEM FOR SUBDIVIDING FUNDS

SEC. 3. Section 3679 (g), Revised Statutes, as amended (31 U. S. C. 665 (g)), is further amended by adding at the need thereof the following sentence: "In order to achieve simplification of the administrative subdivision of appropriations or funds, each agency shall work toward the objective of financing each operating unit through minimum administrative subdivisions consistent with operational requirements for each appropriation or fund affecting such unit."

Mr. KENNEDY. Mr. President, I move that the Senate disagree with the amendment of the House of Representatives, request a conference thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. KENNEDY, Mr. HUMPHREY of Minnesota, Mr. WOFFORD, Mr. SYMINGTON, Mrs. SMITH of Maine, Mr. COTTON, and Mr. MARTIN of Iowa conferees on the part of the Senate.

THE PRAVDA ATTACKS ON SECRETARY OF STATE DULLES

Mr. KNOWLAND. Mr. President, I wish to call to the attention of the Senate an article which appeared in Pravda on July 15, 1956.

After describing Mr. Dulles as "the chief enemy of communism in the world," Pravda effectively concedes that his policies are having an effect behind the Iron Curtain.

Speaking of the people in captive lands, Pravda states:

One should not forget that in certain places there still are opportunist elements on whom the enemies of the working people are undoubtedly banking. One should also remember that among the insufficiently politically mature and exceedingly credulous people there might be those who fall for the noisy words about national communism and for the contention that international connections of Communist Parties have allegedly become superfluous, and so on.

Pravda further complains that:

The United States statesmen who pretend to the leadership of the entire capitalist world have seized on the past mistakes and shortcomings in connection with Stalin's cult in the U. S. S. R.

So badly has the Secretary worried the Communist bosses that not only this voluminous article, but a lengthy editorial, as well, seek to reassure and realine the badly upset and divided Communist Parties in various parts of the world.

It is apparent that Secretary Dulles was correct in saying that Moscow's controls of these parties has been badly shaken. The very violence of Pravda's attacks on Mr. Dulles shows how severely the Communist's structure has been shaken by the disclosure to the world of Mr. Khrushchev's speech to the 20th Congress of the Communist Party.

I ask unanimous consent that the Pravda article be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INTERNATIONAL FORCES OF PEACE, DEMOCRACY, AND SOCIALISM ARE GROWING AND STRENGTHENING

In the history of the postwar period, which has been rich in events, the 20th CPSU Congress occupies a particularly important place. At this Congress, the party which leads 200 million Soviet people to communism mapped out a comprehensive program of action which caused a tremendous upsurge of creative forces of the Soviet people and which has fundamentally changed the international situation.

Since the 20th CPSU Congress, as a result of the lofty labor of the Soviet people inspired by the ideas of communism, new considerable successes have been attained in the U. S. S. R. in all spheres of political, economic, and cultural life.

Our international affairs are also successfully developing. On the initiative and with the active participation of the Soviet Union, a lessening of tension in relations between states has been achieved. Positive results have been achieved in the settlement of a number of outstanding international problems. The positions of peace-loving forces have been considerably consolidated. Real prerequisites have been created for insuring a stable peace.

The 20th CPSU Congress not only declared that the forces of peace are now sufficiently strong to prevent war, but also mapped out a constructive program of achieving the great and lofty aim of strengthening peace. The implementation of this program gives mankind the possibility of avoiding another, still more destructive war.

The fundamental theoretical concepts advanced by the congress, namely, the concepts on the peaceful coexistence of states with different social-political systems, on the possibility of preventing wars in the present epoch, and on the variety of forms of transition of countries to socialism, are contributing to the strengthening of the unity of action of all progressive forces and to a further consolidation of the positions of the world system of socialism.

Broad people's masses, not only in Socialist, but also in capitalist countries, have welcomed the program of peace and international cooperation proclaimed by the 20th CPSU Congress and have supported it. They received this program as their own and started struggling for its implementation. The tremendous and still increasing effect of the decisions of the 20th CPSU Congress on the state of world affairs causes alarm and rancor in the camp of the foes of the working class.

Endeavoring to weaken, at least to some extent, the beneficial effect of these decisions on the international situation, they have concentrated all their efforts on the attempt to denigrate the program of peace and cooperation offered to peoples by the 20th CPSU Congress. However, the more stubbornly they have engaged in this ungrateful business, the clearer the real antipopular designs of the imperialist forces has become.

The United States statesmen who pretend to the leadership of the entire capitalist world have seized on the past mistakes and shortcomings in connection with Stalin's cult in the U. S. S. R., which were condemned by the 20th CPSU Congress and have been

rectified already by the CPSU central committee.

The United States State Department, having abandoned diplomacy, has become the headquarters of a propaganda campaign launched by it around the personality cult. The aim of this campaign is to cast a shadow on the great ideas of Marxism-Leninism, to undermine the confidence of the working people in the first Socialist state in the world, the Soviet Union, and to introduce dissension and confusion within the ranks of the world's Communist and workers movement.

The facts show that in this case we are dealing not with a conventional propaganda campaign, of which during the years of the cold war the United States State Department organized quite a few. It is an extensively elaborated new political plan on which the United States reactionary circles are staking much.

Being aware of the fact that under the present circumstances the idea of the restoration of capitalism can hardly find supporters in the countries of people's democracy, the henchman of American monopolies have chosen a craftier method. Making use of their agents and relying on the support of the remnants of the routed exploiters' classes hostile to communism, and endeavoring to enmesh certain honest but politically insufficiently mature men, they are trying to rouse chauvinist sentiments, undermine relations between Socialist states, and to sow animosity among them. Acting in this way, the imperialists hope to weaken the Socialist states in order to embark upon extensive undermining activities against the people's regime and the Socialist system.

Similar tactics are being suggested by the ideologists of imperialism also for use against the Communist Parties in capitalist countries. They are trying to undermine the international ties of the world's workers' movement. It is the same Dulles, this sworn enemy of communism, who is ready to swear that he is not against Communist Parties as such, but merely against the fact that they are "too closely" connected with the Communist Party of the Soviet Union.

Apparently, Dulles and his kind are incapable of understanding that sham "concern" over the "independence" of the countries of people's democracy and of the Communist Parties can only put the supporters of peace, democracy, and socialism on guard against the enemies' designs. Yet, we would commit a grave error if we were to underestimate the new maneuver of the enemy.

One should not forget that in certain places there still are opportunist elements on whom the enemies of the working people are undoubtedly banking. One should also remember that among the insufficiently politically mature and exceedingly credulous people there might be those who would fall for the noisy words about "national communism" and for the contention that international connections of Communist Parties have allegedly become "superfluous," and so on.

The World Socialist system is a stable and indestructible commonwealth of many countries. The countries which at present form the World Socialist system have finished with capitalism as a result of a prolonged and difficult liberation struggle by the working class and peasantry against the oppressors. The Communist and workers' parties have led and are leading the peoples of these countries along the correct road of Socialist and national liberation, being inspired by the ideas of Leninism, the eternally alive and developing teaching which is transforming the world.

Prior to the second world war such countries as Poland, Rumania, Hungary, Bulgaria, and Albania had small industries and backward agriculture. In these countries there prevailed fascism and semi-Fascist regimes which brutally opressed the working people. Foreign monopolies bossed their national economies. The building of socialism enabled these countries, as well as other countries of people's democracy, to do away for ever with the economic backwardness of the past, to create heavy industry, and to improve the national culture.

It is noteworthy that the countries of eastern Europe, backward in the past, are, by following the road of socialism, coming close to the economically developed west European States as regards volume of production in the most important branches of heavy industry.

THE REAL MEANING OF AIRPOWER: ADDRESS BY ARTHUR GODFREY

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a very brilliant and persuasive speech entitled "The Real Meaning of Airpower," delivered by Arthur Godfrey at the 14th Air Force Association meeting in Milwaukee, Wis., on July 14.

Arthur Godfrey, aside from his obvious talents as an entertainer and a salesman, is also one of the best informed men, either in or out of Government, on the matter of this Nation's airpower. He is a pilot himself and, as such, has become intimately acquainted with all the top fliers in this Nation. As a result thereof, he has made a detailed study of our problem of airpower, particularly in relation to that of the Soviet Union.

I shall not here attempt to redeliver Mr. Godfrey's speech; but I suggest that every Senator read it, because he will profit thereby.

Mr. Godfrey was kind enough in his speech to mention the splendid work being done by the chairman of the Armed Services Committee, the Senator from Georgia, DICK RUSSELL, as well as the splendid work being done by two other Members of the Senate, the able junior Senator from Missouri, Mr. SYMINGTON, who heads the present Airpower Investigation Subcommittee; and our very competent and distinguished majority leader, LYNDON JOHNSON. He gives to them, in many ways, the recognition which is their due—that of calling to the attention of the Nation the fact that the United States is losing the superiority which she once had in the air over the forces of the Soviet Union. Mr. Godfrey, by such speeches as this, and by others that he will continue to make, is rendering a great service to his country; and I am sure that, after reading his speech, every Senator will agree with this conclusion.

There being no objection, the address was ordered to be printed in the Record, as follows:

THE REAL MEANING OF AIRPOWER

(Address by Arthur Godfrey before the 14th Air Force Association, Milwaukee, Wis., July 14, 1956)

It is a great honor to be permitted to address this company tonight. The 14th Air Force in World War II wrote some of the most inspiring pages in our history and I am proud beyond words to have been invited to this reunion. I would be prouder still had I been one of you; to have had the privilege of serving under that great airman, Claire Chennault. He is one of the really great soldiers of our time, and one of the pioneering, courageous few whose vision and whose conviction helped bring military aviation to its present state of maturity.

Regretfully, I cannot share in your memories of the war. I never flew the Hump or tangled with a Zero. I never even saw the rice paddies of China. Kunming, Hengyang, Liuchow, Sian, Chengtu—are to me only strange and exotic place names which I know to have been the lairs of the Flying Tigers.

And as for the delights of Shanghai—and its Bubbling Well Road, the Palace and Park Hotels, the Bund and Hongkew across the bridge—well, all I know is that from what I have heard, I should have been there.

Nineteen years ago this month—July 1937. The Japs had just attacked the Marco Polo Bridge near Peking. General Chennault offered his services to Chiang Kai-shek. They were promptly and gratefully accepted. In all probability, you little realized it then—but you gentlemen actually changed the entire course of history.

No poor words of mine could ever aptly describe the blazing bravery with which you fought in the skies above that storied land. You flew high across the old Jade Road that threads its way through Yunnan, from Peking to the fabulous jade mines of Mogaung in northern Burma. Your fighters shadowed the plains where Kubla Khan's mounted Mongol archers had battled the armored elephants of ancient Burmese kings.

Talk about guts. Talk about tradition. Talk about dedication. Few, if any, spare parts; lacking ammunition, fuel and food; thus was written the glorious saga of the American Voluntary Group, China Air Task Force, 14th Air Force, the Double Seven, Flying Tigers all.

But I doubt that you are the kind of men who want to listen to a speech about how good you were in time of battle—no, not even when the facts warrant just such a tribute. And especially I think, you don't want that kind of talk from a gent, like me, who has never enjoyed the peculiar tonic effects of jingbow juice. So let me get on with what I came here to say.

Despite the fact that I have been pretty active in this crusade for American air power for the last 6 years, some of you may still be wondering how and/or why I got into the act. I am an alleged radio and television entertainer—and have been for 27 years. I have on many an occasion demonstrated my ability to tell a joke as poorly, to play the ukulele as noisily, and to sing as badly as anyone in the business.

By dint of those debatable accomplishments, I have managed to emerge from complete and abject insolvency to become one of those unfathomable miracles who continue to amaze and frustrate the self-styled critics of my profession. In fact, I never cease to amaze myself. For my good fortune, I am extremely grateful and for years I have been consumed with an impelling desire to really serve my country in return.

My distinguished old friend, Charles Erwin Wilson, then president of General Motors, in a speech some years ago quoted Cardinal Mooney as follows: "freedom is the condition under which a person is not restrained in the exercise of any right or the fulfillment of any responsibility. The right of the individual to be free, as recognized in our Constitution and Bill of Rights is contingent upon the individual's willingness to accept certain responsibilities as a member of our free society."

If you hold your breath for a full minute, you'll find yourself in agony * * * and, gasping, you'll gratefully swallow great gulps of precious air immediately afterward. Freedom is like that; too much of the time, you're not conscious of it—until you lose it. But with freedom comes responsibility.

This country—your country—my country—our country gave me my freedom and my opportunity. I worked hard and took

advantage of my opportunities, sure; but I could have worked twice as hard under some other system and received nothing but lashes, starvation and serfdom for my pains. Because I am an American, I have achieved a small measure of success, despite the fact that I started from the very depths of destitution. I'm not bragging—what I'm trying to establish is simply the reason for my intense interest in our subject tonight. I am humbly grateful to the land of my birth (which means the people in it), for my freedom and for my opportunities. These blessings are mine and all of America's because of men like yourselves—a great many of whom are with us tonight only in spirit.

Now, except that I study as many of the national issues as my faculties and time will permit, I have never had much to do with politics. While I thank our wise old forefathers for our great two-party system, I belong to neither one. I have always and will always vote for the man I think best qualified for the office. As a matter of fact, if it weren't for the terrible menace behind that Iron Curtain, nobody'd ever hear a word out of me except in the cause of fun and happiness. I am by nature a happy-go-lucky kind of gent who would like nothing better than to retire from the arena next week or the week after and hunt and fish the rest of my life.

My trouble, gentlemen, is that 36 years ago I had a couple of rides in a Navy F–5–L flying boat at the Naval Air Station, Hampton Roads, Va., when I was a boot in the Navy. I had but a half dozen or so other flights in various types of aircraft during the next 9 years, because I went to sea in destroyers where aircraft were unheard of and when I was ashore, I rarely had enough money to buy a half-hour of dual instruction.

But in 1929, I began my study of aviation in earnest and since that time, I have averaged something better than 200 hours a year of flying time. As busy as I've been in the last 3 or 4 years, I've managed to average 150 hours a year—which is a lot of time, I think you'll grant, for an amateur. I have flown almost every kind of reciprocating engine airplane and a few of our modern jets.

In 1950, after years of being turned down by military aviation doctors because of my hip, I finally won my Navy wings at Pensacola and subsequently qualified as a carrier pilot, as a jet pilot, as a helicopter pilot, and got my green instrument ticket in Corpus Christi. I have flown B–29's, B–50's, B–47's, and B–36's, too. Someday, I hope to get a ride in a B–52—the monarch of them all.

Prior to the time I went to Pensacola in 1950 (having been denied military aviation), flying was simply pleasure and convenience to me. From the days in 1929 and 1930 when I had become acquainted with the special joys of gliding—quiet as a wheeling hawk across the sky, through the OX–5 Travelairs and the J–6–7 Challengers, the old Fleet trainers and the C–3 Aeroncas and the little Taylor Cubs, I had a wonderful time, in the true sense of the word. Happy, carefree days they were and we logged hundreds of flying hours.

In the early days, then, I talked to people only about the joys of aviation—the astringent cleanliness that pervades your mind and body when you get into the air. But in addition to flying those little planes myself, I had become practically a commuter between Washington and New York, flying in the early Tri-Motored Stinsons, Curtis Condors, and the first Douglas DC–2's and DC–3's.

I began to learn about commercial aviation—including the fact that, even with DC–3's, the airlines made very little money in those days. Eastern Airlines was the first to operate in the black without subsidy years before any other. Too many of the airline flights carried but a single passenger—me. I got thus to know a good many of the pilots personally (great guys, all of them). And, one way or another, I garnered many priceless pilot-hours of instruction in twin-engined equipment and, after the war, four-engined transports.

Little by little, I got an insight into the tremendous ground organization that is required to keep those planes in the air. More and more I realized how necessary to the welfare of our Nation is a healthy, growing air-transport network.

About 1950, however, as my naval aviation education progressed, I became very conscious of the term "airpower." I discovered that, if you ask military men to define airpower, you invariably get as many answers as there are branches of all the military services. For example, to a Navy man, airpower means carriers and task forces. To an Army man, airpower probably means tactical support for ground forces. It even means several different things, for heaven's sake, within the Air Force. Find me the man who doesn't think his outfit won the war even if he never flew anything but C–45's and C–47's. There are some who think airpower means guided missiles. We all wish that were true. Nobody—but nobody—relishes the thought of strapping a bomber to his rugged thighs and delivering this nuclear stuff personally. It would be great to be able to sit in a dugout someplace and push a button.

As a matter of fact, a group of SAC men has been working like fiends on this intercontinental ballistic missile and guided-missile program for years and it gives me great comfort to know that, when the first one is ready, it'll be in the hands of the people who know how to use it. But you and I know and anyone who stops to think knows that nothing will take the place of the manned bomber for a long, long time.

Now, if one divorces himself from all service connections and takes an objective look at the situation as it exists today, I don't see for the life of me how certain horrible but indisputable facts can be avoided. Let me list those facts for you just to refresh your minds, although I'm sure you gentlemen know them better than I do:

1. No one will deny that the destruction of Nazi industrial and other strategic targets by air bombardment was the primary cause of the collapse of Hitler's dreams. Mind you, this is not to belittle the invasions nor the sea and air battles nor the glorious deeds of the paratroopers and all the rest of them. The point is that after cities and industries and sources of supply were laid waste by aerial bombardment, last-ditch, desperate, violent ground battles were bloody but comparatively short-lived.

2. Nor will anyone deny that similar destruction of the Japanese strategic empire brought Japan to her knees. Our Navy destroyed their navy and supply lines and our bombers destroyed their cities whereupon they quit even though they still had hundreds of thousands of fresh troops ready to fight.

3. That aerial bombardment lasted 4 to 5 years during which time, despite all the opposition that our enemies could throw at us at the height of their power, we lost only 2 percent of our bombers by enemy action. We had other operational losses, aborts and malfunctions but the enemy was able to shoot down only 2 percent of our bombers.

4. No American bombing mission, once launched, was ever stopped by enemy action short of its target.

5. It is only reasonable to assume, therefore, that any first-class bombing mission, ally or enemy, would have the same degree of success.

6. The only reason our American mainland cities weren't bombed, then, during World War II is the simple fact that no enemy had a bombing force capable of reaching us. In other words, looking back we can thank God for two things upon which I'm afraid we can no longer depend * * * our brave allies who fought on in the face of overwhelming odds to give us time to build the planes with which to retaliate—and for the broad Atlantic and Pacific which protected our shores.

7. Now, those are facts that no reasonably well-informed man will contradict and mark you, gentlemen, all of this was accomplished with slow, medium altitude, reciprocating engine planes, using high-explosive bombs whose bang was measured in mere thousands of pounds or a few tons. Then to bring the war in the Pacific to a crashing close, two atomic bombs were dropped on 2 Japanese cities. The destructive power of these monsters was measured in kilotons. Now they have given way to nuclear weapons whose destructive power is measured in megatons. Which brings us to another fact:

It is now possible with one mission of modern airplanes to drop more destructive power on a series of targets in one afternoon than was dropped on all of Germany and all of Japan during the entire span of World War II, including the two atomic bombs.

Not only that, but it is now possible for 1 plane to drop 1 bomb and obliterate 1 entire city. Unfortunately, that means American cities as well as Russian cities.

Let's go back a minute: A while ago, when listing the facts about World War II, I stated that we lost only 2 percent of our bombers by enemy action and also that no American bombing mission was ever stopped short of its target by enemy action. Okay.

The gentlemen who are in the bombing business in our Air Force today are of the opinion that those figures haven't changed very much, despite all the defensive devices that have been dreamed up. They still think (and they're the only ones who know) that it is impossible to stop a first-class bombing mission once it is launched. They're not telling anybody how they figure they can get through all the fighters and ack-ack and rockets and missiles and radar that can be used in defense because their tactics are much more highly classified than the planes and the bomb-loads themselves. But they say they can do it—and I believe them. They also say, and in this they are strongly supported by our own defense command people, that neither could we stop any first-class enemy bombing mission that might be sent this way.

So you see, if the time ever comes that those characters over there in Russia should decide they can absorb any blows we could strike in retaliation and launch a sneak attack on us, we could not stop them.

We could shoot down a few of them, sure: but that wouldn't help us much because, remember: nowadays it takes only 1 plane with 1 bomb to destroy 1 city. We've got to stop all of them and it can't be done.

Our allies can't help us very much, either, any more, nor do either of the oceans offer any protection.

So these are the facts: plain, simple, and horrible. It would be impossible for us here in America to stop an enemy bombing mission any time in the foreseeable future.

World war III, then, is unthinkable, isn't it? We must not even dream of permitting it to materialize because if we do, no matter who wins, we've had it.

Just let me ask you to stop here a minute and picture if you can what would happen if only six Russian bombers, say, got through our defense some night—each one carrying an H-bomb. New York, Chicago, Detroit, Pittsburgh, Washington, and Seattle. One bomb per city. Those six cities are gone. Three or four or five million people are dead. We've got no government seat (and probably no government)—no power to produce—the great American know-how is all shot.

No, we don't want any part of world war III, even though we know we'd eventually win it.

How do we avoid it, then? Well, there are 2 ways, but 1 of them is more unthinkable than the war itself. The other, and the only way, is to continue to maintain our relative superiority in the air.

That is what has kept us out of trouble up to now. We have the capability of destroying the entire Russian establishment if they should attack us today. They know that and that is why they haven't moved.

This was true 6 years ago when I first became aware of it and it is true today. With this one difference: 6 years ago—nay, 3 years ago, we could have flattened Russia if we had wanted to with very little, if any, damage to ourselves.

Today we could still knock them out but not without taking a severe pounding here at home. As General Twining has so often said, "the gap is closing." By 1958 they, the Russians, will have the superior intercontinental bombing force unless we get busy immediately.

Now, what I have just told you tonight is almost exactly word for word the story I first presented on the subject in a speech before the Executive Club of Chicago in 1952 and on November 19, 1953, at the Dallas Air Power Symposium, in Texas.

I have made several other speeches since then along the same lines and last winter these ideas were expressed in my autobiography which appeared in the Saturday Evening Post.

In March of this year, I made a similar address to the sixth annual conference of the National Aviation Education Council in New York City.

The distinguished chairman of the Senate Armed Services Committee, Senator RICHARD RUSSELL, of Georgia, graciously placed that speech in the CONGRESSIONAL RECORD for March 20, seconded by the equally distinguished Senate majority leader, LYNDON JOHNSON, of Texas.

Sensing a gratifying interest, I offered printed copies of the speech to anyone who would write to a Washington post office box and ask for them. To date, we have mailed out nearly 300,000.

In February of this year, Senator RUSSELL appointed a subcommittee to investigate air power under the chairmanship of that very aggressive, air-minded gentleman from Missouri Senator STUART SYMINGTON. The Department of Defense very graciously cleared me security-wise so that I have had access to all of the testimony that has been given before Mr. SYMINGTON'S committee in both open and closed sessions.

The printed record of the open hearings, gentlemen, is, of course, available to all. I strongly urge you to read it. The story is there complete except, of course, for facts and figures, projects and plans, deleted in the interest of national security. There in the record is documented proof of the story I learned back in 1950.

I could make the same speeches today that I made in 1952 and 1953 and 1954 and 1955, the story is the same, only more so. The Russians are closing the gap.

Not only should we be proud and grateful of and for the work of that committee but we should be extremely proud as Americans, of the immediate reaction of both Houses of the Congress. Once again it has been proven and shown to the world: give the American people the facts and they will always, through their elected representatives, come up with the right answers.

I am sure you all read, a day or two ago, the report to Congress of General Twining, the Air Force Chief of Staff, on his visit to Moscow. The Russians didn't show him very much, he said, but he saw enough to be convinced that the situation is just the same as it was before he went over there, only more so. The Russians are closing the gap.

Those of us who've been conducting this crusade for airpower these many years have no way of measuring how well we're getting the story across except by the results we see. Senator SYMINGTON'S subcommittee has done a magnificent job of collecting and documenting the confirmation of our airpower philosophies.

Through the hard work of the Senator from Missouri and his colleagues, the distinguished chairman of the Armed Services Committee, DICK RUSSELL, of Georgia and the very able majority leader, Senator LYNDON JOHNSON, the truth of our air power story is now known.

Now, what we need is some action, quick action. There's no time to waste. We are already late. The Russians are closing the gap.

What precisely, do we need? Not money: our intelligent, aroused, elected representatives have appropriated plenty of money. Production facilities? Everyone knows we have the greatest production capacity in the world for anything we want to build.

All we have to do to get what we need is to order it. What we have on order isn't enough—and won't be enough. If you doubt that, I respectfully call your attention to the published reports of the hearings available to all.

No; it isn't money and it isn't production capacity. It's just dangerous dilly-dallying—that's what it is.

The Russians, unencumbered by political and democratic processes, are going right ahead with their production schedules and their geometric progression in research and development is appalling.

Nobody over here knows too much about what they're doing but our experts have seen enough to know those characters aren't playing mumbly-peg over there.

A man who knows nothing about horses, for instance, sees very little difference except color between one horse and another. He wouldn't know a spavined horse from a sound one and probably thinks the crupper is some kind of a bit.

The same thing applies, to a certain extent, to aircraft. To a nonflyer, most airplanes look alike. To an intelligent, well-informed airman, just a glance at even only the exterior of an aircraft speaks volumes. He knows what it takes in research, background, and know-how to produce that airplane. Observations of just a few airplanes in flight tell a great deal to an experienced man about what's going on behind the scenes. The testimony brought out in the hearings and the testimony of General Twining and his staff after their return from Moscow all point to the same thing: We woefully underestimated the Russian capability.

We happily enjoy today a comfortable superiority in strategic bombing potential. But we are fast losing that superiority because our national policy does not recognize the natural rate of technical progress—does not recognize the natural increase in support we have to build into a research and development program if we are going to progress at a normal rate.

What we need first of all, of course, is people. As of June 1 of this year, 91 percent of SAC personnel has under 4 years service, only 9 percent have 4 years or more of experience. That's unfair. That's asking a whole lot of a courageous few. While we blissfully go about our daily, peaceful, rather abundant lives, we are asking a few great guys, who know what the score is, to submit themselves to wartime discipline and regimentation. For this they are ill-paid, scantily housed, and generally kicked around from pillar to post.

That seems to be the story of the entire country, as a matter of fact. In almost any branch of patriotic public service you'll find a miserably paid, unthanked, dedicated few carrying the load.

We must quit this stupid, unrealistic attitude of ours toward men in uniform. Military service must be made an attractive career for our youth—for the cream of our youth. We must pay them more money, we must provide better housing, hospitalization, and decent survival benefits. In addition, we've got to show them the respect that is their due. We've got to make them proud of their uniform. We've got to stop this business of thinking that the service is a good place for a man who "can't make it" on the outside.

Next, we must have proper bases and I don't mean bases overseas. I mean right here in America. Overseas bases are fine and we're grateful for them and they are indispensable to our medium bombers. But those bases could be knocked out easily because they're well within the range of the medium bombers of the enemy.

We've got to have bases here at home for our intercontinental bombers—lots of bases—many times the number we have now. Proper dispersal is most important.

And then we've got to have the hardware—B–52's and KC–135's—jet bombers and jet tankers. We cannot efficiently refuel fast, high-altitude jet bombers with slow, low-altitude propeller-driven tankers.

Now one more very important thing—and this one may startle you. Insufficient bases, tankers, and bombers plus the lack of experienced personnel are not the only troubles plaguing the Strategic Air Command. There's something else that we have been talking about for years and about which nothing, until very recently, has been done and that is the matter of traffic control.

To the bereaved relatives of those 128 people who went to their flaming deaths in Colorado the other day, I extend my deep sympathy. And, small comfort though it be to them, I would like to suggest that those lives were not lost in vain. We who fly have been predicting just that sort of an accident for years. We knew that eventually it had to happen. It could have happened to any one of us. All of us who fly are very conscious of near misses all the time.

What that accident did, ironically enough, is to point up this air-traffic situation and create a lot of interest where nothing but apathy existed before. The Civil Aeronautics Administration is another tragic example of how we get things done in America in time of peace.

The traffic controllers and the tower operators throughout America are among the most miserably paid Government employees in the country. Unsung, unheralded, unthanked, they sit there in those towers with thousands of lives in their hands every day and millions of dollars worth of equipment—for which they get paid a pretty sad sum.

If you could stand behind one of them in a tower one day and watch him work one of his shifts, you would wonder how he kept his sanity.

Do you know how many landings and takeoffs there are in America in a day? Well, the figure is in the tens of thousands—and the fact that we've had only one major air collision is nothing but a miracle.

It used to be bad enough when everybody was flying reciprocating engines. They only went so high and if an area got jammed with traffic, all they had to do was stack them up one on top of another and mill around there for hours and bring them down one at a time.

Nowadays, however, we've got jet-propelled aircraft flying on top of other jet-propelled aircraft, flying on top of reciprocating-engine aircraft and the sky is a mess. Not only that, but, as you all know, when a jet plane arrives over his destination, he's got to land right now. He can't fool around up there in a holding pattern. He's got a fuel problem.

Therefore, the commander of a squadron of Air Force jets has to know before he takes off when and where he's coming down. Air Force planes have to fly these practice missions 24 hours a day, around the clock, under all conditions. The only way we can avoid

world war III is to maintain air superiority. The only way to maintain air superiority is to practice, practice, practice—one mission after the other—in the hope and prayer that practice missions will be all it will ever be necessary to fly.

Now, if you had any idea how many vitally important practice missions have to be abandoned, aborted, called off and canceled because of inadequate traffic control, you would be appalled. The CAA knows how to do it and, under the very able direction of Chuck Lowen, they are able and willing to do it. But like SAC itself, they must have the personnel and the materiel and they must have it quickly. You can't accomplish very much without support, no matter how dedicated you may be.

All of these things require money, surely, but let me say again: The total cost per year to keep such an outfit as I've described in top condition—thus enabling us to maintain our present superiority in long-range bombing capability—is a relatively small fraction of the present total defense budget.

And, as I've already pointed out, money, to the American people, is obviously no object when it comes to safeguarding our way of life.

The trouble seems to be the enigma I spoke of earlier tonight: The differences of opinion involved with the definition of the term "airpower." Everybody in Washington concedes that airpower will do the trick—but everybody and his brother wants to do it his way—everybody wants his outfit to be top dog. Jimmy Doolittle put it very simply one time. He said: "We need an Army and a Navy and an Air Force—but only one of each."

This strategic long-range bombing capability belongs to the Strategic Air Command. The men who've been in the business since the technique was developed in World War II: The gents who learned the tactics the hard way—by flying the missions and getting shot at.

They know how to get there, how to deliver the wad, and how to get back.

They have no quarrel with any of the other services or branches of the services. They're just a dedicated bunch of swell guys, striving manfully to do a monumental work with figurine tools.

We cannot deter aggression with blueprints, while we're waiting for our scientists to perfect the ICBM. We've got to have the deterrent force in being. We've got it now—but the best-informed experts in the country have testified under oath that our enemies are not only catching up with us but will soon pass us and we will lose our superiority within the next couple of years unless we do something about it right now.

Well, we're in a tough spot all right—there's no doubt about that. But, you know, I'm not half as scared now as I was 3 years or even 2 years ago. These dear old democratic processes of ours, ponderous, lumbering, maddeningly slow as they are, constitute the only system of government in the world worth talking about.

We move slowly through a body of elected representatives in the Houses of Congress. Each one of those gentlemen had his own little bailiwick to look after, his own problems and, in an election year, his own fences to mend. They're a pretty busy, hard-working, dedicated group and they, too, if anyone should ask you, are very much underpaid. Busy as they've been this year though, they listened to, absorbed, and understood the story laid before them by our military airmen.

Congress understands, Congress is aroused. Therefore, America is aroused. The will of the American people has been made known to the world.

We will not allow ourselves to become the weaker power. We will maintain our air superiority. Our intercontinental bombing capability will, by the people's mandate, always be second to none.

COST OF CONSTRUCTING RAILWAY-HIGHWAY GRADE ELIMINATION STRUCTURES IN THE DISTRICT OF COLUMBIA

The PRESIDING OFFICER (Mr. GORE in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 2895) to amend the acts of February 28, 1903, and March 3, 1927, relating to the payment of the cost and expense of constructing railway-highway grade elimination structures in the District of Columbia, which were on page 2, line 17, to strike out all after "project" down through and including "1944" in line 21, and on page 4, line 15, to strike out all after "project:" down through line 18.

Mr. BIBLE. Mr. President, the amendments of the House of Representatives are acceptable.

I move that the Senate concur in the amendments of the House of Representatives. This motion has the unanimous approval of the conferees.

The motion was agreed to.

DENIAL OF MAILING PRIVILEGES TO DEALER IN LEWD PICTURES

Mr. LANGER. Mr. President, I should like to insert into the RECORD at this point an article appearing in the Washington Evening Star last night, July 16, with an Associated Press byline, stating that mail privileges have been denied a big dealer in lewd pictures, namely, Irving Klaw, of New York.

This is one of the effective pieces of work that the United States Senate Juvenile Delinquency Subcommittee has done. Five or six other dealers in lewd and pornographic material who have appeared before our subcommittee hearings, have also been convicted either in a State or Federal court, or have been put out of business by an agency of the Federal or State Governments.

Mr. Klaw has been denied the use of the mails by the United States Post Office Department. He has done over $1½ million a year business in lewd pictures.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MAIL PRIVILEGES DENIED BIG DEALER IN LEWD PICTURES

The Post Office Department announced today it has denied use of the mails to Irving Klaw of New York, described by the Department as "one of the Nation's largest dealers in pornographic material."

The announcement said the objective of the ban was to prevent use of the postal system "to advertise and sell his particular brand of obscene photographs, drawings and cartoons of a peculiarly sadistic type."

Postal employees were directed to intercept mail addressed to Klaw, stamp it "unlawful mail," return it to the sender if there is a return address, and if not dispose of it as "dead matter."

The department said Klaw's sales of pornographic material are estimated to run to more than $1.5 million a year.

The department said that Klaw, in 1955, claimed protection of the fifth amendment against self-incrimination in refusing to answer questions before a Senate committee investigating juvenile delinquency, and subsequently drew a Senate contempt citation.

SIMPLIFICATION OF ACCOUNTING AND FACILITATION OF PAYMENT OF OBLIGATIONS—CONFERENCE REPORT

Mr. KENNEDY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9593) to simplify accounting, facilitate the payment of obligations, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of July 20, 1956, pages 13765–13766, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the report was considered and agreed to.

LOW RENT HOUSING PROGRAM

Mr. CAPEHART. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a letter which I have received from Albert M. Cole, Administrator of the Housing and Home Finance Agency, together with a statement I have prepared on public housing.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

HOUSING AND HOME FINANCE AGENCY,
Washington, D. C., July 16, 1956.

Hon. HOMER E. CAPEHART,
United States Senate,
Washington, D. C.

DEAR SENATOR CAPEHART: The following figures on the low-rent program are furnished at your request:

June 30, 1955: Units under annual contributions contracts, but not under construction	57,740
July 1, 1955, to June 30, 1956:	
New annual contributions contracts executed	+4,371
Contracts prior to 1949 reactivated	+670
	62,781
Units dropped in contract adjustments	−218
	62,563
Units put under construction	7,286
June 30, 1956: Units under annual contributions contracts, but not under construction	55,277

Sincerely yours,

ALBERT M. COLE,
Administrator.

STATEMENT BY SENATOR CAPEHART

I should like to set the record straight as to the rate at which the local housing authorities throughout the country are able to plan and execute low-rent projects. The facts show that the President's proposal authorizing the Public Housing Administration to make annual contributions contracts for 35,000 units for each of the next 2 years is wholly adequate. The following figures were furnished me at my request by the Housing and Home Finance Agency.

June 30, 1955: Units under annual contributions contracts, but not under construction	57,740
July 1, 1955, to June 30, 1956:	
New annual contributions contracts executed	+4,371
Contracts prior to 1949 reactivated	+670
	62,781
Units dropped in contract adjustments	−218
	62,563
Units put under construction	7,286
June 30, 1956: Units under annual contributions contracts, but not under construction	55,277

It is important to note that although a year ago there were over 50,000 units authorized to be built, construction has only been started on some 7,000 units since then. This was not due to any attempt by the Federal Government to slow down the program.

It is entirely the result of difficulties encountered at the local level.

It is obvious that any insistence on a figure above that proposed by the President, and included in the bill which I introduced, is completely unrealistic and politically inspired.

SOCIAL SECURITY AMENDMENTS OF 1956

The Senate resumed the consideration of the bill (H. R. 7225) to amend title II of the Social Security Act to provide disability insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement of my own on the pending bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MAGNUSON

Pending before the United States Senate is one of the most important measures we will be called to act upon before adjournment—the social-security bill.

I should like to urge my fellow Members on both sides of the aisle to join with me in passing legislation to lower the social-security-retirement age for women from age 65 to age 62. This provision would make it possible for all women—women workers—and wives of retired workers—and dependent mothers of workers who have died—as well as widows to be entitled to social-security benefits at age 62 instead of waiting until age 65 as is the case in existing law. According to estimates—about 800,000 women would receive benefits immediately if this bill is enacted into law—and another 400,000 women in this age group—who are working or are wives of workingmen—would become eligible to draw benefits in case they retire. In about 25 years—when a larger proportion of people will have qualified—1,800,000 more women will be receiving benefits than would be the case under existing law.

Under the bill a woman worker could become eligible for benefits at age 62—the age for men would continue to be age 65—widows and surviving dependent mothers would become eligible for benefits 3 years earlier than is the case under existing law. And the wife of a retired worker would also become eligible for a wife's benefit when he retires at age 65 if she is younger than her husband by 3 years or less. Under existing law such a retired worker receives only his own benefit until his wife reaches age 65—at which time the amount of the family benefit is increased 50 percent by the wife's benefit.

The case for including wives in their provision arises because—although the principle of social security is that a retired married couple should not have to get along on the same amount as is provided for a single person—the fact is that wives are generally a few years younger than their husbands. In such circumstances it is necessary for the retired couple to live on a single payment for a period of years until the wife can qualify until she, too, has reached her 65th birthday. Under the amendments such couples would become eligible for the full family benefits at an earlier date than under existing law—thus reducing the waiting period for family benefits.

I submit that lowering the age for women from 65 to 62 would not only bring more of the sunshine of life into the lives of these women—but would strengthen the entire economy of our Nation.

We must not be content with merely lowering the eligibility age for women to 62.

We must remember other groups badly in need of help from this Congress. My colleagues—Senator RUSSELL LONG of Louisiana and Senator WALTER GEORGE of Georgia—recognize several of these categories. I joined with them in an attempt in committee to increase—for example—the Federal portion of the matching program for old age pensions paid by the various States.

Under the old age amendment—the Federal Government would match the first $5 State contribution with $25 monthly of Federal funds instead of the $20 as provided by existing law. The Federal Government then would match on a 50–50 basis all additional State contributions up to a total of $65 instead of the $55 maximum as presently provided.

An important feature of that amendment which was considered by Senate committee was a "pass along" provision to require that States availing themselves of the new matching formula—not reduce their average contributions per person. The practical effect of this amendment would be to increase welfare payments to persons over 65 years by at least $5 per recipient and in some cases by as much as $7.50 per recipient. For example, enactment of this amendment—with the pass along provisions, of course—would affect 58,289 persons in Washington State and result in the State receiving $5,128,057 in additional Federal funds—on the basis of assistance rolls of last September.

I emphasize the "pass along" provision because unless we enact this, then many States—as did my State of Washington the last time Congress increased the Federal contribution—could pocket the additional money and maintain old age grants as they were.

In addition, I submitted to the committee an amendment increasing by the same proportion, payments under our blind totally and permanently disabled, and aid to dependent children programs.

My colleagues, Senator LONG and Senator GEORGE agreed to amendments covering blind, and totally and permanently disabled. In fact, they rewrote their amendment and included my proposals in it.

That amendment, I understand, is at the desk at this moment and the Senate shall have an opportunity to vote upon it before the social security bill comes up for final approval.

The Long amendment follows past precedents of the Congress in improving all the categories of public assistance simultaneously rather than changing the matching formula for only one of the categories.

Our Nation can surely afford to be more generous to the blind, and to the permanently and totally disabled as well as to the aged. The additional outlay of $100 million or perhaps $200 million a year would relieve much suffering, would increase markets for farm products, and would add to the well-being of communities throughout the country. The investment would be more than repaid in human welfare, a more productive population, and greater prosperity.

The resultant increase in payments would be $5 to $7.50 a month for some 105,000 blind persons and 244,000 permanently and totally disabled persons now receiving assistance.

Because programs for the blind and totally and permanently disabled are included in the Long amendment, I would now confine my remarks to the increase so vitally needed in the aid-to-dependent-children's program.

We must ever seek ways to improve and broaden this great cornerstone of our democracy, social security. One of these ways is contained in the amendment which I have at the desk, which will extend aid to dependent children to a level commensurate with other social-security beneficiaries.

Such an amendment would be, in my opinion, simple justice. Under this amendment to the aid-to-dependent-children categories, the mother or the other relative with whom the child lives would receive increased payments on the same basis as the aged. For widows with dependent children, this means an increase in the individual's monthly payment, to which the Federal Government will contribute from $30 to $65. Each child would receive an increased Federal payment ranging from $3 to $4.50 per month, or, if the State matches, up to a total of $6 more if the State makes full use of the Federal increase.

As a result of my amendment the Federal Government would offer to pay five-sixths of the first $30 a month paid on the average by a State—to the mother or other relative caring for dependent children. This would be instead of the present formula of four-fifths Federal matching up to $25. Above the initial $30 there would be offered 50–50 matching of Federal and State funds up to a maximum of $65 instead of the present $55.

For dependent children—the five-sixths matching would apply for the first $18—and the 50–50 matching would be available up to $36 a month for the first child in a family and up to $27 for each other child. A monthly increase in payments for each child of $3 to $4.50 would probably result.

These more liberal Federal matching grants would be made available to the States on the same pass-along basis proposed in the earlier amendment for the aged—in order to assure that increased payments to the recipients would result.

Any State desiring to avail itself of the liberalized matching formula would have to demonstrate that the average State contribution has not been reduced from the 1955 level. If a State does not desire to comply with this requirement, the State would be permitted to continue Federal matching as under existing law, namely on the formula established by the McFarland amendment in 1951.

Congress has never provided grant formulas as liberal for dependent children as for the other categories. My amendment would establish more equal treatment by providing the same matching formula for the mother or other relative caring for the children as is provided for the aged, the blind, or the disabled. Some 600,000 adults would have the advantage of this improvement, and over 1,500,000 children, in their care, would also benefit.

Only 26 percent of the Federal funds spent for public assistance goes to help dependent children and adults caring for them—although together they constitute 43 percent of the persons receiving public assistance.

I myself would gladly go still further in providing more generous Federal grants for assistance to dependent children. The average monthly payment they receive is far too low—only $32 per child or $24 per recipient as compared to the monthly average of $54 received by the aged and $58 by the blind. More than one million and a half children are now receiving such aid.

I estimate that my amendment would increase Federal outlays to children by $3 to $4.50 a month—or—in round figures by between $46 and $54 a year depending on the number of cases and the liberality of the States. The prospective total outlay at the higher figure by the Federal Government would be well under $100. It would be supplemented by the additional grants for mothers or other relatives caring for the children.

These expenditures would be both humane and sound.

I want to say that since I first introduced this amendment early this year—I have received many hundreds of letters from widows and parents who would be affected by this amendment. They have informed me that they have been receiving scaled-down and—in many cases—totally inadequate and unrealistic payments under the aid to dependent children program in my own and other States.

Denying these payments to widows and others with dependent children contributes to the growing juvenile delinquency problem in this country—which has been so ably and dramatically analyzed by the subcommittee headed by my esteemed colleague—the senior Senator from Tennessee. My amendment—I am advised by the Department of Health, Education and Welfare—will affect some 1,700,000 children and approximately 600,000 widows and other caretakers of young, dependent children.

I hold that it is a short-sighted policy to deny so many young children the help which may lead them toward a happier, healthier, and more useful life for themselves and their country. In many cases—cases that I know about in my own State—these children come from broken homes—homes where the father has died or has deserted his wife. Many of these mothers have not been trained at jobs or professions with which they can adequately support themselves and their children. Many of them have been tossed, so to speak, into the deep sea of life and are desperately dog-paddling to stay afloat.

This amendment, in short, would represent an important move toward meeting one of the significant deficiencies in our present social security legislation. I hope the Members of this distinguished body will join with me in seeing that common justice is done for the 1,700,000 children of our country now receiving public assistance and the 600,000 widowed and deserted mothers and caretakers of these children.

Mr. CLEMENTS. Mr. President, I understand that the Senator from Illinois [Mr. DOUGLAS] has an amendment which he desires to offer at this time.

Mr. DOUGLAS. Mr. President, I offer an amendment, which I send to the desk and ask to have read.

The PRESIDING OFFICER. The amendment offered by the Senator from Illinois will be stated.

The LEGISLATIVE CLERK. On page 90, between lines 17 and 18, it is proposed to insert the following:

PART VI—AMOUNTS DISREGARDED IN DETERMINING NEED FOR PURPOSES OF OLD-AGE ASSISTANCE

SEC. 351. (a) Section 2 (a) (7) of the Social Security Act is amended to read as follows: "(7) provide that the State agency shall, in determining need, take into consideration any other income and resources of an individual claiming old-age assistance; except that in making such determination the State agency may disregard not more than $50 per month of net earned income."

(b) The amendment made by subsection (a) of this section shall be effective on and after October 1, 1956.

The PRESIDING OFFICER. How much does the Senator yield himself?

Mr. DOUGLAS. I yield myself 10 minutes.

Mr. President, this is a very simple amendment. It would permit the recipients of old-age assistance to earn up to $50 a month without having the amount so earned subtracted from their subsistence grants. The present law provides that—

> The State agency shall, in determining need, take into account the entire income and resources of an individual.

What this means in practice is that if a recipient of old-age assistance earns anything, that amount is deducted from his grant. If he earns as much as his grant, his assistance is completely cut off. That is, if it is determined that his grant shall be $55 a month and he earns $15, this $15 is deducted from the $55, and the payment made to him is only $40. If he should earn $55 a month, the entire payment would be discontinued. The result is not only hardship to the recipients of old-age assistance because of the meager amounts they receive, but it also discourages them from earning odd bits of income.

Mr. LONG. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LONG. Will the Senator tell me the estimated cost of his proposed amendment?

Mr. DOUGLAS. The cost, as estimated by the Department of Health, Education, and Welfare, would be approximately $12 million a year. I think that is a rough figure. It is somewhat difficult to approximate the precise amount.

Mr. LONG. The Senator's amendment has a great deal of merit. In the State which I have the honor in part to represent there are a great number of people receiving welfare checks of $50 or $60 a month. Old ladies can do a little baby sitting and make a few dollars. Old men can tend a garden, or do a little work around the house and pick up perhaps $10 or $15. It seems very cruel and unfair to elderly people who can do a little work of that kind, and thereby make a few dollars, to deduct such income from their welfare payments.

Mr. DOUGLAS. I am glad the Senator from Louisiana feels that way. I expected him to take that position.

The present system of deductions discourages the recipients of old-age assistance from seeking such casual and part-time employment, because if they later lose these casual jobs, a great deal of time is required for them to get back, in old-age assistance grants, the amount which they have lost because of losing their casual employment. Several months may go by before they are restored to full payments. Or if they have lost their claim to assistance completely, it may be several months before they get back upon the rolls. The result is that the recipients of old-age assistance are very reluctant to do the casual and part-time work which is within their strength, which is badly needed by the community, and the income from which they need.

Mr. LONG. If I correctly understand the purpose of the Senator's amendment, it is to encourage needy people to help themselves so far as they can.

Mr. DOUGLAS. That is correct. I thank the Senator.

Mr. LONG. As I understand it, the estimated cost would be only $12 million annually.

Mr. DOUGLAS. That is the estimate of the Department of Health, Education, and Welfare.

The deduction provisions in the present act are hangovers from the depression days, when the community wanted to discourage as many old people as possible from working, in order to open up as many jobs as possible for younger workers. But today this is an outmoded idea. We should encourage people to contribute something to the productive life of the Nation so long as they can do so.

The average age of the recipients of old-age assistance is 76. It is clear that this group cannot go into the labor market to any large extent, but many of them, as the Senator from Louisiana has pointed out, could do the very kinds of jobs which have been increasingly difficult to fill. They could do domestic work, gardening, raking leaves, babysitting, and the like. Not only could these aged persons fill a need, but they could thereby add a little to their standard of living.

Furthermore, earning even a little would preserve the dignity of those people by enabling them to feel useful.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MORSE. As to the latter point, I should like to make a very brief comment.

I think the Senator's amendment is absolutely sound from the standpoint of the health and psychological benefits it would bring to aged people. I do not have to call the Senator's attention to the fact that each one of us knows a considerable number of old people who are receiving social-security benefits, but they are exceedingly small benefits. We are not talking about a social-security system which pays to old people a benefit which really permits them to live out their old age in decency.

Consider the social-security benefits under even the maximum payments. What actually happens in the typical American home? The old person receives those small benefits, but other members of the family, relatives, sons, and daughters, supplement the income to maintain the old folks on a decent standard of living.

I do not have to tell the Senator from Illinois the effect that such a situation creates in many an American home. It has a serious psychological and depressing effect on many of the old people of our country. To use the hypothetical figure of $55 a month, they receive an income of $55 a month, but they are still able to do some lawn or garden work, for

example, or they may even be able to do a little clean up work at a lodge—an Elks lodge or Masonic lodge, or for the Knights of Columbus, or some other institution in the town—and earn $20 or $25 or $30 a month for such little chores.

What do we do? We deduct such earnings from the paltry $55 a month, to use the Senator's hypothetical figure, which these individuals receive in social-security payments.

Mr. DOUGLAS. That is the average figure for the country as a whole.

Mr. MORSE. I say it shows a lack of social conscience on our part as Members of Congress that we have not already adopted an amendment like the Senator's amendment, which would permit these people to keep the small amount they receive over and above their social-security benefits, for the helpful psychological effect, if none other, it would have.

It would mean a great deal to them from the standpoint of health. The Senator and I, and other colleagues in the Senate know—without going into personal matters—from personal family experience the effect a psychological depression has on old people, who feel that, after all, society has turned against them. Here is a chance to build these people up psychologically at a very small cost to the people of the country as a whole.

I wish to argue for the Senator's amendment from the standpoint of social consciousness. It is easy to demonstrate that it is a sound amendment. I hope for the sake of the health and the psychological build-up of such old people that we will not be parsimonious about it and will not squeeze the dollar until the eagle itself squawks, but will let them keep the small sums they may earn, in the amounts the Senator provides in his amendment, over and beyond what they receive from social-security payments.

Mr. DOUGLAS. I thank the Senator. He has touched on a very important consideration. It is that we all want to feel useful and that we are earning our way. We do not want to feel rejected by the community. If a person cannot work or is discouraged from doing so he feels thrust out from the community around him. It is very depressing to feel that way.

The amendment would not only increase the income of the older citizens, it would also give them a greater sense of belonging to the community.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The time of the Senator from Illinois has expired.

Mr. DOUGLAS. I yield myself 5 additional minutes.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LANGER. I join with the Senator from Oregon wholeheartedly in what he has said. I have before me a letter from the North Dakota Welfare Association, signed by its executive secretary. I offer it to the Senator from Illinois, who may wish to put it in the RECORD at the appropriate time.

Mr. DOUGLAS. I thank the Senator. Several States have wanted the National Government to take some action about this matter. The legislature of California, for example, has several times passed resolutions requesting Congress to permit them to disregard some earned income. Last year Illinois enacted legislation whereby up to $50 a month of earned income would be disregarded if the Federal Government permitted it.

My amendment would protect these States and any other States which wished to do likewise. It would not require the States to do so. I want to emphasize that point. However, it would permit them to do so, if they so desired.

A few years ago Congress adopted a similar provision for recipients of aid to the blind. It is about time that we extend such a provision to the recipients of old-age assistance. I hope we will adopt the amendment and thereby make a small contribution to the dignity and well-being of our needy and aged elder citizens.

I hope the amendment will be accepted.

Mr. BYRD. Mr. President, the amendment offered by the Senator from Illinois was considered by the Committee on Finance and rejected. It would cost $12 million annually and would affect about 180,000 people. I hope the Senate will reject the amendment. It is a public assistance amendment. The bill before the Senate is a social security bill.

Mr. DOUGLAS. I should like to ask my good friend from Virginia whether it is not true that the Senate adopted an amendment proposed by the Senator from Louisiana [Mr. LONG] last evening which related to public assistance. Therefore I do not think that my amendment is any more out of order than the amendment offered by the Senator from Louisiana, and adopted by the Senate last evening. That amendment was ruled by the Chair to be germane.

Mr. BYRD. I do not say the Senator's amendment is out of order. I am saying that the committee considered the amendment and rejected it, as the Senator knows.

Mr. DOUGLAS. I appeal to the gentle nature of the Senator from Virginia, and hope that he will accept the amendment.

The PRESIDING OFFICER. Do the Senator from Virginia and the Senator from Illinois yield back the remainder of their time?

Mr. DOUGLAS. I yield 5 minutes to the Senator from Minnesota.

Mr. HUMPHREY of Minnesota. Mr. President, I wish to associate myself with the pending amendment as one of its supporters. Of all the amendments which have been proposed relating to the economic and the social well-being of people and old-age assistance, I know of none that is more important than the amendment offered by the senior Senator from Illinois [Mr. DOUGLAS].

It was my privilege to serve for almost 4 years as chairman of the Board of Public Welfare of the city of Minneapolis. We had a rather substantial number of people who were receiving some kind of welfare assistance. Hennepin County in the State of Minnesota, because of its large population, had the largest number of recipients of old-age assistance of any county in the State. Study committees were appointed to look into welfare problems, not only with respect to the economic cost of welfare, but also with respect to the social costs and lack of proper welfare standards. I should say that as a result of the studies made in our community, as well as in other States, practically in every instance recommendations were made which went toward the objective of the amendment offered by the Senator from Illinois.

First of all, in most States the old-age assistance payment is inadequate to provide a decent standard of living.

I wish to say again that a nation which is so wealthy as is our Nation, and so capable of spending as much as the United States spends for purposes of defense and for purposes of mutual security and for the purpose of subsidies to industry, and for other purposes, and aid to different groups, is certainly capable of providing a decent income for its senior citizens.

Those people, as all of us know, are in dire need, or they would not be receiving public assistance. No one likes to receive old-age assistance or any kind of welfare assistance. Community after community has screened old-age assistance recipients down to the least number in terms of need. Therefore, the few people who are receiving old-age assistance are the ones who are genuinely deserving of it, because they are the ones who have been screened very carefully as to need which the State or the locality provides in a means or needs test.

The Senator from Oregon [Mr. MORSE] emphasized a point that is very close to my heart, namely, the morale factor involved, not only the economic factor, but the morale factor. He said the elder citizens do not wish merely to sit around. Many of them want to work. Many of them cannot, because of physical limitations, take on too much work. Many of them would like to spend a few hours, possibly, in a little shop in a small suburban community. Many would like to spend a little time in the local fraternal order, in the lodge hall. Many of them might want to have jobs, for example, in their churches. Many of them might want to be available for schoolwork. But now if they take a job and receive $2 or $3, it is deducted from the paltry amount they receive an old-age assistance. It is not morally right, Mr. President. I have seen those people. I have talked to them by the hundreds, as have other Members of this body. I have been in social welfare work, and I think I have a little appreciation of the heartache and the difficult economic and social problems which they face.

I may say to the Senator from Illinois that the adoption of his amendment would be like a gift from heaven for those deserving people.

Mr. MORSE. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY of Minnesota. I yield.

Mr. MORSE. There comes to my mind a grand old woman who wants to do a little baby sitting, or an old gentleman who can be hired to sit up with a sick relative, so that other members of the family can be sure that there is someone at home to take care of the sick relatives. The old gentleman is willing for a small sum of money to perform such service during the day, so that

other members of the family may go to work.

Such are the cases we have in mind; and when we talk of the $12 million involved in this amendment in comparison with the billions of dollars we spend for other purposes—and I am not questioning their legitimacy—the sum of $12 million spent on the morale of the old people represents an objective which is not only humanitarian, but which happens to be Christian.

Mr. HUMPHREY of Minnesota. I thank the Senator from Oregon.

I shall conclude my argument by saying that we are not really spending $12 million when we are permitting these people to have that much more to spend for themselves in the stream of commerce. Under old-age insurance we permit people to earn up to $100 a month——

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. DOUGLAS. Mr. President, I yield 1 more minute to the Senator from Minnesota.

Mr. HUMPHREY of Minnesota. Mr. President, I wish to say that some of our senior citizens may have a little annuity coming in from an insurance policy. It may be a small one, but it is deducted by county welfare establishments and State welfare boards. The accounting problem sometimes is more expensive than the $12 million to which reference has been made.

There are three groups of people who have a priority call on their Government—the old people, the children, and the disabled. The rest of us should make it on our own. We should think of these three groups primarily, those who are in the twilight of their life, those who are in the dawn of their life, and those who are in the dark hours of disability. I am for legislation at any time which will provide for those who are in those three deserving groups—the dawn, the twilight, and the dark hours of their life.

Mr. CASE of South Dakota. Mr. President, will the Senator from Illinois yield a little time to me?

Mr. DOUGLAS. Mr. President, I yield 1 minute to the Senator fom South Dakota.

Mr. CASE of South Dakota. Mr. President, it occurs to me that this is an amendment which should receive general support. There is precedent for what it proposes to do. Members will recall that some years ago, during the war, we provided for labor an exemption for income up to a certain sum so that social security payments could be added to. At that time it applied to those who worked on farms, but it is a good precedent for this amendment. It was found useful at that time. It restored health to many people who felt they were being put on the shelf and were forced to be idle because the mechanics of getting back on the rolls after taking a job caused them to want to get off the rolls.

I hope the amendment will be adopted.

Mr. DOUGLAS. Mr. President, I yield two minutes to the Senator from New York [Mr. LEHMAN].

Mr. LEHMAN. Mr. President, I am very happy, indeed, to support this amendment. I think it is a humane and a just amendment. It is as little as we can do for the old people of this country.

Mr. LONG. Mr. President, will the Senator from Illinois yield a minute to me?

Mr. DOUGLAS. Mr. President, I yield 1 minute to the Senator from Louisiana.

Mr. LONG. Mr. President, I shall be very happy to vote for this amendment. In the State which I have the honor, in part, to represent there are a great many old people. The State authorities do not want to make the cruel investigations to find that an old man has made $2, or $2.25, in a little odd job. The State does not want to cut the income of such old people, but the law requires them to do so. Under this amendment, if the State wanted to permit these old people to do a little work to help themselves without being penalized for doing so, the State would have the privilege of doing it.

Mr. DOUGLAS. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the quorum call be made independently of the time granted to either side.

Mr. CLEMENTS. Mr. President, reserving the right to object, I ask for the yeas and nays on the amendment of the Senator from Illinois.

The yeas and nays were ordered.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered. Does the Senator from Illinois yield back his time?

Mr. DOUGLAS. I do.

Mr. BYRD. I yield back the remainder of my time, Mr. President.

Mr. CASE of South Dakota. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASE of South Dakota. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from South Dakota will state it.

Mr. CASE of South Dakota. As I understand, the yeas and nays have been ordered, and the vote will come upon the amendment offered by the Senator from Illinois [Mr. DOUGLAS], which would provide that the first $50 of income received by the clients of old-age assistance could be disregarded by a State in estimating the need of the client. Is my understanding correct?

The PRESIDING OFFICER. The Senator from South Dakota is correct. The vote will be on the amendment offered by the Senator from Illinois [Mr. DOUGLAS]. The Chair feels certain that the Senator's explanation will be of interest to other Senators.

Mr. LANGER. Mr. President, may I ask the Senator from Illinois a question?

The PRESIDING OFFICER. All time has been yielded back.

Mr. LANGER. I simply wanted to know whether if the legislature had not enacted appropriate legislation, the State welfare board could act nevertheless.

Mr. DOUGLAS. That is true; yes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DOUGLAS] for himself and other Senators. On this question the yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr DANIEL], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

I also announce that, if present and voting, the Senator from Texas [Mr. DANIEL] would vote "yea."

Mr. KNOWLAND. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The Senator from Colorado [Mr. MILLIKIN] is necessarily absent, and is paired with the Senator from Massachusetts [Mr. SALTONSTALL] who is detained on official business.

If present and voting, the Senator from Colorado would vote "nay," and the Senator from Massachusetts would vote "yea."

The result was announced—yeas 56, nays 34, as follows:

YEAS—56

Aiken	Hill	McCarthy
Anderson	Holland	McNamara
Barrett	Humphrey, Minn.	Monroney
Beall	Humphreys, Ky.	Morse
Bender	Ives	Murray
Bible	Jackson	Neely
Bush	Johnson, Tex.	Neuberger
Capehart	Johnston, S. C.	Pastore
Case, N. J.	Kefauver	Payne
Case, S. Dak.	Kennedy	Purtell
Chavez	Kerr	Scott
Clements	Kuchell	Smathers
Douglas	Laird	Smith, Maine
Duff	Langer	Sparkman
Ellender	Lehman	Symington
George	Long	Wiley
Gore	Magnuson	Wofford
Green	Mansfield	Young
Hayden		
Hennings		

NAYS—34

Allott	Ervin	Mundt
Bennett	Flanders	Robertson
Bricker	Frear	Russell
Bridges	Goldwater	Schoeppel
Butler	Hickenlooper	Smith, N. J.
Byrd	Hruska	Stennis
Carlson	Jenner	Thye
Cotton	Knowland	Watkins
Curtis	Malone	Welker
Dirksen	Martin, Iowa	Williams
Dworshak	Martin, Pa.	
Eastland	McClellan	

NOT VOTING—6

Daniel	Millikin	Potter
Fulbright	O'Mahoney	Saltonstall

So the amendment offered by Mr. DOUGLAS, for himself and other Senators, was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of

the two Houses on the amendments of the Senate to the bill (H. R. 5566) to terminate the existence of the Indian Claims Commission, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7089) to provide benefits for the survivors of servicemen and veterans, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

H. R. 483. An act to amend the Army-Navy-Public Health Services Medical Officer Procurement Act of 1947, as amended, so as to provide for appointment of doctors of osteopathy in the Medical Corps of the Army and Navy;

H. R. 842. An act granting increases in the annuities of certain former civilian officials and employees engaged in and about the construction of the Panama Canal, and for other purposes;

H. R. 1403. An act for the relief of Anthony J. Varca, Jr.;

H. R. 1535. An act for the relief of Cabrille Land Co., of San Diego, Calif.;

H. R. 3733. An act for the relief of Charles A. Barron;

H. R. 3987. An act for the relief of Onie Hack;

H. R. 4456. An act for the relief of Cpl. Oscar H. Mash, Jr.;

H. R. 5868. An act for the relief of the estate of Gertrude I. Keep;

H. R. 6729. An act to provide that the Secretary of the Navy shall appoint certain former members of the Navy and Marine Corps to the Fleet Reserve or Fleet Marine Corps Reserve, as may be appropriate, and thereafter transfer such members to the appropriate retired list;

H. R. 7190. An act restoring to tribal ownership certain lands upon the Colville Indian Reservation, Wash., and for other purposes;

H. R. 7611. An act to establish a date of rank for pay purposes for certain Naval Reserve officers promoted to the grades of lieutenant and lieutenant commander;

H. R. 7646. An act to authorize the Secretaries of the military departments, and the Secretary of the Treasury with respect to the Coast Guard, to incur expenses incident to the representation of their personnel before judicial tribunals and administrative agencies of any foreign nation;

H. R. 7943. An act to change the name of the Government locks at Ballard, Wash., to the Hiram M. Chittenden Locks;

H. R. 8005. An act to provide for the conveyance to the Mathew American Horse American Legion Post, No. 259, Cannon Ball, N. Dak., of certain lands upon the Standing Rock Reservation, N. Dak., for use as a site for the erection of a memorial monument in honor of members of the Armed Forces killed in battle;

H. R. 8290. On act to provide for the appointment and promotion of the director and assistant directors of the band of the United States Marine Corps, and for other purposes;

H. R. 8407. An act to require enlisted members of the Armed Forces to make up time lost during enlistment;

H. R. 9106. An act for the relief of Saul Lehman;

H. R. 9246. An act to amend the Armed Forces Leave Act of 1946 by authorizing payments to survivors of former members for unused leave credit;

H. R. 9339. An act to authorize the exchange of certain lands of the United States situated in Union County, Ga., for lands within the Chattahoochee National Forest, Ga., and for other purposes;

H. R. 9451. An act to provide that certain lands shall be held in trust for the Seminole Indians and to provide that certain lands shall be designated as a reservation for Seminole Indians;

H. R. 9500. An act to continue the effectiveness of the Missing Persons Act, as extended, until July 1, 1957;

H. R. 9892. An act to amend the provisions of the Revised Statutes, relating to physical examinations preliminary to promotion of officers of the naval service;

H. R. 10011. An act for the relief of Jess Gray;

H. R. 10199. An act for the relief of A. O. Nissen and Don Nissen;

H. R. 10368. An act to amend the Civil Service Act of January 16, 1883, so as to require that certain reports and other communications of the executive branch to Congress contain information pertaining to the number of civilian officers and employees required to carry out additional or expanded functions, and for other purposes;

H. R. 10375. An act to amend the act entitled "An act to provide recognition for meritorious service by members of the police and fire departments of the District of Columbia," approved March 4, 1929;

H. R. 10670. An act to amend the District of Columbia Unemployment Compensation Act so as to extend the coverage of such act to employees of the municipal government of the District of Columbia employed in District of Columbia institutions located in Maryland and Virginia;

H. R. 10683. An act to amend the Dependents Assistance Act of 1950, as amended, so as to provide punishment for fraudulent acceptance of benefits thereunder;

H. R. 10964. An act to provide for municipal use of storage water in Benbrook Dam, Texas;

H. R. 11010. An act creating the Muscatine Bridge Commission and authorizing said Commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill.;

H. R. 11163. An act to amend section 2 of the act of March 29, 1956 (70 Stat. 58), authorizing the conveyance to Lake County, Calif., of the lower Lake Rancheria, and for other purposes;

H. R. 11320. An act to effect the control of narcotics and dangerous drugs in the District of Columbia, and for other purposes;

H. R. 11346. An act for the relief of Camillus Bothwell Jeter;

H. R. 11375. An act to amend the Agricultural Act of 1949, to further extend the Special School Milk Program to certain institutions for the care and training of children;

H. R. 11488. An act to amend the District of Columbia Traffic Act, 1925, as amended;

H. R. 11530. An act for the relief of Master Sergeant Harold LeRoy Allen;

H. R. 11611. An act to provide for the establishment of the Pea Ridge National Military Park, in the State of Alabama;

H. R. 11766. An act to provide for the establishment of the Horseshoe Bend National Military Park, in the State of Alabama;

H. J. Res. 621. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 626. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 627. Joint resolution for the relief of certain aliens; and

H. J. Res. 638. Joint resolution to facilitate the admission into the United States of certain fiancees of United States citizens.

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Committee on Finance and the Committee on Foreign Relations may have permission to sit in the morning during the session tomorrow.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). Without objection, it is so ordered.

SOCIAL SECURITY AMENDMENTS OF 1956

The Senate resumed the consideration of the bill (H. R. 7225) to amend title II of the Social Security Act to provide disability insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes.

Mr. LEHMAN. Mr. President, I call up, on my own behalf and that of the Senator from Connecticut [Mr. BUSH], my amendment identified as "6–7–56–G."

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

Mr. LEHMAN. Mr. President, in the interest of saving time, I waive the reading of the amendment.

The PRESIDING OFFICER. The amendment will be printed in the RECORD.

The amendment offered by Mr. LEHMAN for himself and Mr. BUSH is as follows:

On page 90, between lines 17 and 18, insert the following:

"PART VI—AID TO DEPENDENT CHILDREN IN THE VIRGIN ISLANDS

"SEC. 351. (a) Clause (2) of subsection (a) of section 403 of the Social Security Act is amended by inserting immediately before the semicolon the following: ', and, in the case of the Virgin Islands, not counting so much of such expenditure for any month with respect to a relative with whom any dependent child is living as exceeds $18'.

"(b) Section 1108 of such act is amended by striking out '$160,000' and inserting in lieu thereof '$300,000'.

"(c) The amendments made by this section shall be effective with respect to the fiscal year ending June 30, 1957, and all succeeding fiscal years."

Mr. LEHMAN. Mr. President, some days ago I submitted this amendment, which relates to the public assistance title of the Social Security Act as it affects the Virgin Islands. Under the present law, there is a limit on the total amount of Federal matching that can be made available to the Virgin Islands each year. The limit is now set at $160,000. The restriction imposed on the Virgin Islands is a prohibition against the expenditure of funds under the aid-to-dependent-children program

for payments to a needy parent or other relative caring for a child. My amendment would remove the second of these restrictions completely, and it would raise the ceiling under public assistance to $300,000.

I am pleased that I have been joined in sponsoring this amendment by the distinguished Senator from Connecticut [Mr. BUSH]. I would emphasize that this proposal has the support of the administration, which recognizes that the limit of $160,000 is completely unrealistic and there is an urgent need to raise the ceiling.

I would have preferred to see the complete elimination of the present ceiling. However, realizing that some Members of the Senate might, for various reasons, be reluctant to do this at the present time, I am proposing in my amendment only to raise the maximum, by the relatively small amount of $140,000. This amount is supported by the administration, I am informed.

When considered in relation to the other aspects of the Social Security Act which are before us, this is a rather minor amendment and could easily have been overlooked by the Senate Finance Committee in its consideration of the major provisions of H. R. 7225. I do not mean this as any reflection on the committee. But, of course, this is not a minor proposal so far as the Virgin Islands are concerned.

Mr. President, I ask the distinguished senior Senator from Virginia [Mr. BYRD], the chairman of the Finance Committee, whether he will take the amendment to conference.

Mr. BYRD. Mr. President, I am informed that the amendment is not opposed by the Department of Health, Education, and Welfare. So I am willing to take the amendment to conference.

Mr. LEHMAN. I thank the Senator.

Mr. BUSH. Mr. President, I wish to say that I am very happy to have been associated with the Senator from New York in sponsoring the amendment, which, as the distinguished chairman of the committee has said, has been approved by the Department of Health, Education, and Welfare. While the amendment seems to be a minor one, I congratulate my friend, the Senator from New York, on proposing it, and I am very glad to have been permitted to join in sponsoring it.

Mr. LEHMAN. Mr. President, I ask unanimous consent to have the remainder of my statement printed at this point in the RECORD, as a part of my remarks:

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR LEHMAN

The imposition of the ceiling, as far as the Virgin Islands are concerned, represents a totally different pattern than that which is established by the Social Security Act for the States. For the States the total amount of Federal matching under the public assistance titles is determined by State expenditures and not by an arbitrarily established Federal dollar amount.

The unrealistic limit of $160,000 on payments to the Virgin Islands contributes greatly to the woefully inadequate public assistance programs in this area. For example, the average monthly—I repeat, Mr. President—monthly payment with respect to a child under the aid to depend children's program in the Virgin Islands is $11.30. Compare this with the national average monthly payment in the States under the aid to dependent children's program of $24.46 per month—more than double the amount of payments in the Virgin Islands.

As I have said, the increase amounts to $140,000. Compared to the billions of dollars that the Federal Government has been spending for one project or another, this is indeed a small sum of money.

This is an amendment which has the support of the administration. The administration recognizes, as I am sure each and every one of my colleagues in the Senate does, that there can be no justification for continuing the present ceiling. The Virgin Islands have clearly demonstrated that they can handle this program efficiently and fairly. They are actually entitled to participate in it on the same basis as the rest of the Nation. Residents of the islands—our fellow American citizens—should get the same benefits as American citizens in any of the States.

The second injustice which my amendment would correct deals with the elimination of the restriction against the use of Federal Funds to match assistance payments in the aid to dependent children's program with respect to the relative with whom the child is staying.

Here, too, this is a limitation which is not applicable to the States. To exclude from Federal matching payments to relatives, only in the case of the Virgin Island, completely subverts the original purpose of the aid to dependent children's program and also places an undue and totally unwarranted burden on the Government of the Virgin Islands which must, because of the limitation, bear the entire burden of making such payments.

When title IV of the Social Security Act was originally passed it was felt, as it is still felt, that its provisions would enable a child's mother to remain at home and give the child the care and attention it needs. How can we say that we are carrying out that purpose when in the Virgin Islands we do not permit payments with respect to the child's mother? How is she to live?

Must she leave the child to go its own way, without the needed maternal care and guidance, and work to support herself? If that be our attitude, then why the aid to dependent children's program? What becomes of our valid and entirely worthwhile objective of granting the children's mothers assistance to give their children the care needed? Why this discrimination in the Virgin Islands?

We are, in truth, perverting our purpose as far as this Territory is concerned.

Instead, we should adopt the same system in the Virgin Islands as in the States. The aid to dependent children's program is one of our first lines of defense in the prevention of neglect and delinquency of children. This objective is as important in the Virgin Islands as on the mainland of our country, in the States. From my observations during the hearings on juvenile delinquency held by the Labor's Committee Subcommittee on Juvenile Delinquency, of which I am chairman, I have come to realize that our defense against neglect and delinquency are woefully weak.

Let us strengthen them wherever we can. The elimination of this illogical limitation on the use of Federal matching funds in the aid to dependent children's programs in the Virgin Islands is one way of strengthening those defenses.

I hope that the Senate will accept and approve this amendment—an amendment that has bipartisan support and the support of the administration. Let us do at least that much to lessen the inequality of treatment in the application of the public assistance titles of the Social Security Act to the Virgin Islands.

The PRESIDING OFFICER (Mr. FREAR in the chair). Does the sponsor of the amendment yield back the remainder of his time?

Mr. LEHMAN. I do.

Mr. BYRD. I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment of the Senator from New York has been yielded back.

The question is on agreeing to the amendment offered by the Senator from New York [Mr. LEHMAN] for himself and the Senator from Connecticut [Mr. BUSH].

The amendment was agreed to.

Mr. MORSE. Mr. President, I call up my amendment which is identified as "4–19–56—A," and I offer the amendment in modified form, on behalf of my colleague [Mr. NEUBERGER] and myself.

The PRESIDING OFFICER. The amendment as modified will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add the following new section:

MISCELLANEOUS PROVISIONS

SEC. 203. (a) Section 152 of the Internal Revenue Code of 1954 (relating to definition of the term "dependent") is amended by adding at the end thereof the following new subsection:

"(e) Special support test in case of children receiving survivor benefits under public retirement systems: For purposes of subsection (a), in the case of any individual who is—

"(1) a son, stepson, daughter, or stepdaughter of the taxpayer (within the meaning of this section), and

"(2) a surviving dependent child under the social security system,

amounts received by such individual, or by any person in respect of such individual, under the social security system shall be taken into account in determining whether such individual received more than half of his support from the taxpayer only to the extent that the total of such amounts received during the calendar year exceeds $600.

(b) The amendment made by subsection (a) of this section shall apply in respect of amounts received after December 31, 1956.

Mr. MORSE. I yield myself 10 minutes, although I do not expect to use that much time.

Mr. President, in fairness to the committee, I wish to say that I submitted the amendment on April 19, and it was referred to the Finance Committee, which considered the amendment, but finally decided against it.

Although the chairman of the Finance Committee can speak for himself, I am sure I quote him accurately when I say that the amendment was rejected by the committee on the ground that, in effect, it amounted to an amendment of the Internal Revenue Code.

Mr. President, I have perfected my amendment—and, as perfected, the amendment has been read by the clerk—by striking out, in lines 5 and 6, on page 2, the words "a public retirement system," and inserting in lieu thereof the words "the social security system." I have made a similar modification on the same page, in lines 8 and 9; and later on that page I have stricken out most of lines 13,

14, and 15, which had to do with the definition of public retirement systems.

By means of the amendment, as modified, I seek to correct what I believe the Senate will agree is a gross injustice involving widows who have dependent children.

I can best illustrate the situation by referring to a hypothetical case, although such a case was first called to my attention on the part of a widow living in Portland, Oreg., and her case is typical of many across the Nation. The widow has two dependent children. She receives from them $450 a year in social security benefits. Under our present system, she must be able to show that she contributes 50 percent to the support of the children, in order to obtain the deductions which my amendment seeks to provide.

Mr. President, my amendment simply provides, in effect, that social security payments for dependent children of widowed mothers, up to the amount of $600, shall be deductible from the widows' taxes. I think the amendment is a humanitarian one.

Mr. President, I should like very much to have the Senator from Virginia take the amendment to conference, and see whether it could be perfected in any way, over and above the form in which I have submitted it.

In this case we are dealing with a difficult situation, similar to the one in Portland, Oreg., to which I have referred, in which the widow earns only a small amount of money. The widow may earn a total of $750 or $1,000—only that small an amount annually, Mr. President; and she receives annual benefits amounting to $450 for her children. But she will be taxed on those benefits unless she can show that she contributes 50 percent to the support of her children. However, that is not possible with an income of between $750 and $1,000. In this case we are dealing with families in the lower income brackets.

I have pointed out that the average income of families supported by widowed women is far below the $3,600 standard which Government statistics show is the minimum required for a decent American standard of living. The income of families supported by women averages $2,200, instead of the $3,600 required in order to maintain a decent American standard of living.

All that my amendment seeks to do is to allow this benefit to go to widows with dependent children, so they will not be required to pay taxes on the benefits amounting to $450 for their dependent children.

Mr. BYRD. Mr. President, the amendment may have merit but it is an amendment to section 152 of the Internal Revenue Code. The Finance Committee thought the amendment should be considered in relation to a tax measure.

I will say to the Senator from Oregon that the Finance Committee would be glad to consider the amendment, but I do not think it should be added to the pending social security bill.

We hope to have a meeting of the Finance Committee tomorrow or the next day, and the chairman will be glad to present this matter to the committee.

But I do not think we should adopt a policy of amending the tax code while we are dealing with a social security bill.

Mr. MORSE. Mr. President, I wish to say most respectfully to the Senator from Virginia that I have had the amendment pending before the Finance Committee since April 19. I do not care to what bill the amendment is added; I simply wish to have this benefit given to such widows. I do not think I should be put in the position of being required to say that the amendment should be attached to some other bill, when it has been before the committee since April.

Mr. BYRD. Mr. President, the Senator from Oregon submitted the amendment as an amendment to House bill 7225, the social security bill.

Mr. MORSE. But I am sure the Senator from Virginia will agree with me that it would have been the prerogative of the committee to have considered the amendment in connection with an internal revenue bill, if the committee had wished to do so.

Mr. BYRD. Certainly, Mr. President, it is not sound legislative procedure to amend the Internal Revenue Code by means of an amendment submitted to a social security bill. The amendment is not at all germane to the pending bill. If the Senator from Oregon had introduced his proposal as a separate bill the Senate Finance Committee could have considered it as such. However, he offered it as an amendment to House bill 7225.

Mr. MORSE. I may be in error, but I understand that, with the perfecting language which I have added to the amendment, it is germane.

Mr. BYRD. If the Senator will read his own amendment, it says:

Section 152 of the Internal Revenue Code of 1954 * * * is amended by adding at the end thereof the following new subsection:

Mr. MORSE. I have read it. As I understand, the fact that it refers to social security payments makes it germane to the social security bill, if I can persuade the Senate to adopt it.

Mr. BYRD. I have no desire to raise the point of germaneness, but the Senator's amendment is an amendment to the Internal Revenue Code. It is very bad policy to make amendments to the Internal Revenue Code in connection with a social security bill.

Mr. MORSE. The Senator from Virginia and I have never had any difficulty in agreeing upon procedural arrangements. Will the Senator advise me whether or not he will be willing to submit the amendment to the Senate Finance Committee at the next meeting to which he has referred?

Mr. BYRD. The chairman will be very glad to submit it to the committee at its next meeting.

Mr. MORSE. My colleague, Mr. NEUBERGER, is a cosponsor of the amendment. I am perfectly willing to rest my case with the Senator from Virginia, as I always have been.

I should like to ask my cosponsor of the amendment if he would be willing to join me in withdrawing the amendment, provided the Senator from Virginia will give consideration to the amendment in the committee in another connection?

Mr. NEUBERGER. Mr. President, being comparatively innocent when it comes to procedural matters, I defer to the judgment of my colleague and the Senator from Virginia.

Mr. MORSE. Mr. President, I yield back all my remaining time.

Mr. BYRD. Mr. President, I yield back all my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE].

Mr. MORSE. Mr. President, I withdraw the amendment.

The PRESIDING OFFICER. All time has been yielded back, and the amendment is withdrawn.

Mr. CAPEHART. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Indiana will be stated.

The LEGISLATIVE CLERK. On page 30, line 20, immediately after the word "production", it is proposed to insert "or the management of the production."

On page 61, line 22, immediately after the word "production", it is proposed to insert "or the management of the production."

Mr. CAPEHART. Mr. President, I have discussed this amendment with the senior Senator from Virginia [Mr. BYRD], and I believe he has agreed to accept it. It is purely a clarifying amendment.

Mr. BYRD. Mr. President, this is a clarifying amendment, and I shall be glad to accept it and take it to conference.

The PRESIDING OFFICER. Does the Senator from Indiana yield back his time?

Mr. CAPEHART. I yield back all my time.

The PRESIDING OFFICER. Does the chairman of the committee yield back his time?

Mr. BYRD. I yield back all my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment offered by the Senator from Indiana [Mr. CAPEHART].

The amendment was agreed to.

Mr. KEFAUVER. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Tennessee will be stated.

The LEGISLATIVE CLERK. On page 90, between lines 17 and 18, it is proposed to insert the following:

PARJ VI—PROHIBITION OF DISCRIMINATION BECAUSE OF SEX UNDER PUBLIC ASSISTANCE PROGRAMS

SEC. 351. (a) Section 2 (a) of the Social Security Act is amended (1) by striking out the word "and" at the end of clause (9) thereof, and (2) by striking out the period at the end of clause (10) thereof, and inserting in lieu thereof a semicolon and the following: "and (11) provide that there will be no discrimination based on sex in determining the needs of individuals receiving assistance under the plan."

(b) Section 402 (a) of such act is amended (1) by striking out the word "and" at the

end of clause (10) thereof, and (2) by striking out the period at the end of clause (11) thereof, and inserting in lieu thereof a semicolon and the following "and (12) provide that there will be no discrimination based on sex in determining the needs of individuals receiving assistance under the plan."

(c) Section 1002 (a) of such act is amended (1) by striking out the word "and" at the end of clause (11) thereof, and (2) by striking out the period at the end of clause (12) thereof, and inserting in lieu thereof a semicolon and the following: "and (13) provide that there will be no discrimination based on sex in determining the needs of individuals receiving assistance under the plan."

(d) Section 1402 (a) of such act is amended (1) by striking out the word "and" at the end of clause (10) thereof, and (2) by striking out the period at the end of clause (11) thereof, and inserting in lieu thereof a semicolon and the following: "and (12) provide that there will be no discrimination based on sex in determining the needs of individuals receiving assistance under the plan."

(e) The amendments made by the preceding subsections of this section shall take effect on July 1, 1957.

The PRESIDING OFFICER. Does the Senator from Tennessee yield himself time?

Mr. KEFAUVER. I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 5 minutes.

Mr. KEFAUVER. Mr. President, this amendment provides that there shall be no discrimination based upon sex in determining the needs of individuals receiving assistance under the old-age assistance program. Such a program may strike many as being strange, but if we look at the record we find that in a number of States, in calculating the budget of needs, as between individuals, there is some discrimination against women recipients. For example, in the State of Illinois, women are allowed about $4 a month less than men in calculating their needs for food.

It has never been my experience that women eat less than men, but apparently some of the boards, composed largely of men, think that women should not have as much assistance as men should have.

In any event, in connection with a budget of $20 or some such amount, such discrimination as this should not exist.

We have been talking about equal rights. An equal rights amendment will soon be proposed. I think one of the practical, realistic steps we could take toward treating women equally with men is in seeing that, under a program of this kind, they are treated on the same basis.

It should be pointed out also that in connection with food allowances women, more frequently than men, share with others the very small amount they may be allowed to have.

I think this old discrimination, which was not intended by the original sponsors of the act, but which has nevertheless developed as matter of custom in many States in calculating budgets for individuals, should be eliminated by this amendment.

Mr. BYRD. The amendment offered by the Senator from Tennessee is a public assistance amendment, and was not considered by the committee. We are dealing with a social security bill. The amendment is opposed by the Department of Health, Education, and Welfare. For the committee I shall oppose it. I may say, however, that I do not favor any discrimination because of sex. [Laughter.]

Mr. KEFAUVER. Since the chairman of the committee disagrees with the Department of Health, Education, and Welfare, I wonder whether he would not take the amendment to conference, and use his good arguments with the Department.

Mr. BYRD. It is such an unusual amendment that I will agree to accept it and take it to conference.

The PRESIDING OFFICER (Mr. FREAR in the chair). Does the Senator from Tennessee yield back the remainder of his time?

Mr. KEFAUVER. I do.

The PRESIDING OFFICER. Does the chairman of the committee yield back the remainder of his time?

Mr. BYRD. I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time for debate on the amendment has been yielded back. The question is on agreeing to the amendment of the Senator from Tennessee [Mr. KEFAUVER].

The amendment was agreed to.

Mr. THYE. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 32, line 19, it is proposed to insert "Minnesota" after "Georgia."

Mr. THYE. Mr. President, all the amendment would do would be to exempt any organization or any employee group in Minnesota which has a retirement system of its own. I have spoken to the chairman of the commitee about the amendment, and he has no objection to it. He said he has been authorized to accept the amendment. Therefore, I do not believe it is necessary to go into any further explanation of it.

Mr. BYRD. Mr. President, I will accept the amendment.

The PRESIDING OFFICER. Does the Senator from Minnesota yield back the remainder of his time?

Mr. THYE. I do.

The PRESIDING OFFICER. Does the chairman of the committee yield back the remainder of his time?

Mr. BYRD. I do.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment of the Senator from Minnesota [Mr. THYE].

The amendment was agreed to.

Mr. CURTIS. Mr. President, I call up my amendment "7-13-56-A." I ask unanimous consent that the reading of the amendment be dispensed with and that it be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment proposed by Mr. CURTIS is as follows:

On page 58, between lines 2 and 3, insert the following new section:

"DEFINITION OF CHILD

"SEC. 121. (a) The first sentence of subsection (e) of section 216 of the Social Security Act is amended to read as follows: 'The term "child" means (1) the child of an individual, and (2) in the case of a living individual, a stepchild or adopted child who has been such stepchild or adopted child for not less than 3 years immediately preceding the day on which application for child's benefits is filed, and (3) in the case of a deceased individual, (A) an adopted child, (B) a stepchild who has been such stepchild for not less an 1 year immediately preceding the day on which such individual died, or (C) a child with respect to whom an individual has stood in loco parentis for not less than 5 years immediately preceding the day on which such individual died.'

"(b) Subsection (d) of section 202 of such act is amended by adding at the end thereof the following new paragraph:

"'(6) A child shall be deemed dependent upon the individual who stands in loco parentis with respect to such child at the time specified in paragraph (1) (C) if, at such time, the child was living with and was receiving at least three-fourths of his support from such individual.'

"(c) The amendments made by subsections (a) and (b) shall apply only with respect to monthly benefits under section 202 of the Social Security Act for months beginning after the date of enactment of this act."

Mr. CURTIS. Mr. President, I yield myself 2 minutes. The amendment deals with the definition of a child. It is intended to take care of a situation in which an individual has taken a child into his home but has not completed adoption proceedings. If the person should die, the amendment provides that if he stood in loco parentis to the child for a period of 5 years and the child lived in the home during that time, and three-fourths of its support was furnished by such individual, the child shall be considered to be a child under the terms of the Social Security Act for the purpose of survivior benefits only. I am prepared to yield back the remainder of my time.

Mr. BYRD. Mr. President the amendment does not affect the Treasury in any way, and does not involve any cost. I am willing to take the amendment to conference.

The PRESIDING OFFICER. Does the Senator from Virginia yield back the remainder of his time?

Mr. BYRD. I do.

The PRESIDING OFFICER. Does the Senator from Nebraska yield back the remainder of his time?

Mr. CURTIS. I do.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. CURTIS.]

The amendment was agreed to.

Mr. KEFAUVER. Mr. President, I call up my amendment "6-13-56-J," and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 90, between lines 17 and 18, it is proposed to insert the following:

PART VI—AMENDMENT TO NEEDS TEST UNDER OLD-AGE ASSISTANCE

SEC. 351. (a) Section 2 (a) (7) of the Social Security Act is amended to read as follows: "(7) provide that the State agency shall, in determining need, take into consideration any other income and resources of an individual claiming old-age assistance; except that, in making such determination, the State agency shall disregard the ownership by such individual (alone or with his or her spouse) of a home having an assessed value, less all encumbrances of record thereof, of less than $5,000 (except to the extent that he is receiving rental therefrom)."

(b) The amendment made by subsection (a) shall take effect on July 1, 1957.

Mr. KEFAUVER. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 10 minutes.

Mr. KEFAUVER. Mr. President, I hope the chairman of the committee will agree to accept the amendment. It would permit a recipient or applicant for public assistance to own a home having an assessed value, minus all encumbrances, of less than $5,000, except to the extent that he has a rental income therefrom. The figure would be merely a floor, not a ceiling. If the State wished to allow a recipient to own a better home, that would not be prohibited.

Anyone who examines the record of the hearings when the Federal Social Security System was first inaugurated, in 1935, will find that there was a great deal of discussion of the proposal to allow a recipient to own a home valued up to $5,000. Most of the members of the committee seemed to be in favor of it, but felt it might be a burden and might be considered a limitation rather than a floor, and also might be considered as an indication to the State that a larger amount should be allowed for a home.

After 21 years of trial it has become evident that Congress must establish some uniformity in our public assistance laws. I know of no more humane place to start than by allowing applicants and recipients of public assistance to own a modest home.

In looking over the laws of the various States, I find that some States allow up to $8,000 with no liens. Such States are Arizona and Colorado. Some States, on the other hand, have no limitation whatever. Other States require liens no matter what the small value of the home may be.

Since this program is financed substantially by the Federal Government, I see no reason why an aged person in one State should be permitted to own a home valued up to any amount without affecting his right to draw old-age assistance; that in other States, such as Colorado and Washington, a person may own a home valued up to $8,000 without any lien having to be placed against it; and that in some other States, even though a home may be worth only $1,500, it is necessary to have a lien placed against it before a person can draw old-age assistance.

I ask unanimous consent to have printed at this point in the RECORD, a brief digest of the laws of the various States on this subject.

There being no objection, the digest was ordered to be printed in the RECORD, as follows:

DIGEST OF 48 STATES' REAL PROPERTY AND RECOVERY PROVISION—OLD-AGE ASSISTANCE LAWS

Alabama: Property; homestead not to exceed $5,000 assessed value. Liens, no.

Arizona: Property; residence with fair market value not over $8,000. Liens, yes.

Arkansas: Property; homestead not to exceed market value determined by agency for each locality. Liens, no.

California: Property; real property not to exceed $3,500 assessed value less all encumbrances. Liens, no.

Colorado: Property; no limit on real property used as home. Liens, no.

Connecticut: Property; no limit on real property used as home. Liens, yes.

Delaware: Property; real property used as a home of reasonable value. Liens, yes.

Florida: Property; real property used as home, not over $5,000 assessed value. Liens, no.

Georgia: Property; home of reasonable value. Liens, yes.

Idaho: Property, home or equity herein may not substantially exceed market value of modest homes in community. Liens, yes.

Illinois: Property; real property used as a home. Liens, yes.

Indiana: Property; all property considered on individual basis. Liens, yes.

Iowa: Property; real property equity not over $2,000 assessed value for individual, or $3,000 for married couple. Liens, yes.

Kansas: Property; all property considered on individual basis. Liens, yes.

Kentucky: Property; must not own real property equity with fair market value over $5,000 in counties having first-, second-, or third-class city; $4,000 in urban counties; $3,000 in rural counties having no city over fourth-class. Liens, yes.

Louisiana: Property; real property used as home considered on individual basis. Liens, no.

Maine: Property; ownership of a home does not of itself disqualify provided equity of nonrecipient spouse does not exceed $5,000. Liens, yes.

Maryland: Property; ownership of home allowed if not substantial investment. Liens, yes.

Massachusetts: Property; home allowed. Liens, yes.

Michigan: Property; may own home with market value up to $10,000. Liens, yes.

Minnesota: Property; real property not over $7,500 real value. Liens, yes.

Mississippi: Property; home limited to $2,500 real value. Liens, no.

Missouri: Property; all, real and personal, limited to $5,000 for individual or for married couple living together. Liens, no.

Montana: Property; home limited to $3,000 market value of equity. Liens, yes.

Nebraska: Property; home of moderate value exempt. Liens, yes.

Nevada: Property; real property considered on individual basis. Liens, yes.

New Hampshire: Property; real property limited to $1,500 net equity for individual or $3,000 for couple. Liens, yes.

New Jersey: Property; no value limitation on home, but liquidation may be required under certain circumstances. Liens, yes.

New Mexico: Property; home not to exceed $4,000 net equity fair value. Liens, no.

New York: Property; all resources explored and considered on individual basis. Liens, yes.

North Carolina: Property; ownership of home does not of itself disqualify. Liens, yes.

North Dakota: Property; may own home not exceeding $8,000 market value. Liens, yes.

Ohio: Property; homestead allowed regardless of value. Liens, yes.

Oklahoma: Property; home with market value not over $8,000. Liens, no.

Oregon: Property; no specific limit on home value. Liens, yes.

Pennsylvania: Property; all property considered on individual basis. Liens, yes.

Rhode Island: Property; real property or insurance considered on individual basis. Liens, yes.

South Carolina: Property; real property considered on individual basis. Liens, no.

South Dakota: Property; may own home not over $5,000 market value less encumbrances. Liens, yes.

Tennessee: Property; may own home not over $3,000 market value. Liens, no.

Texas: Property; may own resident homestead, 200 acres or less, or plot in town worth not more than $5,000 exclusive of improvements. Liens, no.

Utah: Property; ownership of home considered on individual basis. Liens, yes.

Vermont: Property; real property not over $2,000 equity for individual, $4,000 if married, plus $1,000 value for property used as home. Liens, yes.

Virginia: Property; all property considered on individual basis. Liens, yes.

Washington: Property; may own home without regard to value. Liens, yes.

West Virginia: Property; property ownership considered on individual basis. Liens, yes.

Wisconsin: Property; homestead, regardless of value, or house trailer used as home. Liens, yes.

Wyoming: Property; may own home of reasonable value. Liens, yes.

(35 States require liens; 13 States do not require liens.)

Mr. KEFAUVER. Mr. President, in the first place, the States and the Federal Government recover very little from these liens. By the time they are enforced and go through the various hands, the amount which is recovered is very meager. In the second place, if a person has a small home, and he must borrow money from a bank in order to repair the roof, for example, if there is a lien against the home, because of the requirement of complying with the law in a particular State, means he finds it very difficult to secure a loan from the bank to repair his home.

In the third place, Mr. President, it seems to me that if a person has been thrifty, if he has saved his money from year to year, and has tried to pay off a small mortgage on his home—and in most cases that is all such a person has in the world—he should not be penalized because of his thrift. Perhaps the man across the street has not been so thrifty and he has a mortgage on his home so that he can draw old-age assistance. But the man who has been thrifty and has paid off his mortgage is denied that opportunity.

Mr. President, this program is for the benefit of those who need assistance. Many people who should be assisted under the program do not ask for assistance because of the requirement that they must place a lien on their homes or be embarrassed by selling their homes.

We all know that the age-old American concept of living and of participating in Government, and of being a good citizen, is encouraged by the ownership of a small home. I do not think any law of Congress or any program of this kind should make it necessary for people to dispose of small homes of the value of $5,000, in order to participate in the program. We shall have a better nation, more stable citizens, more responsible politics and government, if we make it possible on a nationwide basis for old persons to have such modest homes. The amendment provides a floor, not a ceiling, as to what the States may do.

I sincerely hope that in the interest of treating the old people humanely, the chairman of the committee will accept this amendment and take it to conference.

Mr. BYRD. Mr. President, this is an amendment affecting the rights of States. It was not considered by the Finance Committee because it related to public assistance. It was opposed by the Department of Health, Education, and Welfare. I do not think I can take it to conference.

The PRESIDING OFFICER. Does the Senator from Tennessee yield back his time?

Mr. KEFAUVER. Mr. President, I see the Senator from North Dakota [Mr. LANGER] rising.

Mr. LANGER. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. I yield.

Mr. LANGER. The Legislature of North Dakota passed an identical act some years ago with a limitation of $4,000 instead of $5,000.

Mr. KEFAUVER. Does not the Senator feel that in allowing the recipient of old-age assistance in North Dakota to have a modest home is in the public interest, and that it should be done on a national basis?

Mr. LANGER. Certainly. The legislature of my State passed the measure unanimously. It was felt that it would help to make good citizens in the State and would make the people feel that they were a part of the government.

Mr. KEFAUVER. Home ownership is the basis of good citizenship, and it should not be negatived by placing a lien against a person's home.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. I yield.

Mr. HUMPHREY of Minnesota. I think the Senator's amendment is most worthy. There has been a long struggle in the State of Minnesota in connection with the lien law. I think that kind of legislation is utterly undesirable. It has been of continuing interest in my State and the party of which I am a member is vigorously opposed to it.

I wish to commend the Senator for proposing to do in behalf of elderly persons what I think should have been done long ago.

Mr. KEFAUVER. I thank the Senator from Minnesota.

Mr. President, if there is going to be a vote on my amendment, I should like to have a standing vote.

The PRESIDING OFFICER. Does the Senator yield back his time?

Mr. KEFAUVER. I do.

The PRESIDING OFFICER. All time has been yielded back on the amendment.

The question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. KEFAUVER].

The amendment was rejected.

Mr. HUMPHREY of Minnesota. Mr. President, I call up my amendment designated as "7-11-56—A." I understand that my colleague offered an amendment which, in part, is contained in my amendment, so I ask that the last line of my amendment be considered.

The PRESIDING OFFICER. The amendment offered by the Senator from Minnesota will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 33, line 14, to insert "Minnesota," after the word "of."

The PRESIDING OFFICER. Does the Senator yield himself some time on his amendment?

Mr. HUMPHREY of Minnesota. I yield myself a little time.

Mr. THYE. Mr. President, will my colleague yield?

Mr. HUMPHREY of Minnesota. I yield.

Mr. THYE. I understand the Senator from Virginia agreed to accept my amendment. I realize that my colleague's amendment is on page 33, line 14, of the bill.

Mr. HUMPHREY of Minnesota. That is correct. The amendment which was acted on a short time ago was on line 19. My amendment refers to the section of the bill relating to nonprofessional and school district employees, on page 33, line 14, of the bill. It is offered on request of the State government.

Mr. BYRD. Mr. President, I shall be glad to accept the amendment.

The PRESIDING OFFICER. Does the Senator from Minnesota yield back his time?

Mr. HUMPHREY of Minnesota. I do, Mr. President.

The PRESIDING OFFICER. All time has been yielded back.

The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. HUMPHREY].

The amendment was agreed to.

Mr. HUMPHREY of Minnesota. Mr. President, I ask unanimous consent that two letters which I have received be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MINNESOTA CHAPTER, INTERNATIONAL ASSOCIATION OF PERSONNEL IN EMPLOYMENT SECURITY,
Minneapolis, Minn., June 1, 1956.

Hon. HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR HUMPHREY: On behalf of the 690 employees of the Minnesota Department of Employment Security, and agreeable to the executive board of the Minnesota Chapter, IAPES, we respectfully urge your support of our interests in H. R. 7225, as to which the report of the Senate Committee on Finance is to be considered on the floor of the Senate during the week beginning June 4.

Our stand in this matter is identical to that of Employment Security Local, No. 22, AFL, whose position is outlined in a letter being sent you this date.

You are requested to ask, during the forthcoming debate, that the word "Minnesota" be added to line 18 on page 32 and to line 15 on page 33 of the committee's print No. 2. This should be made retroactive to January 1, 1955.

This will provide for increased flexibility in any final decisions that may be made by the Minnesota Legislature's Interim Commission on Retirement when it submits its report to the 1957 legislature.

Such a liberalization of our present State retirement plan has the support of DFL Gov. Orville L. Freeman and since such liberalized interest is in line with the basic retirement policy of President Eisenhower, our position is not only nonpartisan, but has the approval of all persons who believe that retirement rights for public employees should at least be comparable to those of workers in private industry.

What we are asking is the right to buy, and to pay for, the basic protection of old-age and survivors insurance such as is now enjoyed by approximately 13 million workers, employed by about 20,000 employers whose retirement plans include OASI as the basic foundation.

Respectfully yours,
JOHN G. MOBERG,
President, Minnesota Chapter, IAPES.

MISCELLANEOUS EMPLOYEES POLICY COMMITTEE,
June 1, 1956.

Hon. HUBERT H. HUMPHREY,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR HUMPHREY: We respectfully request that you favorably act on a consideration of placing the employees of the Minnesota Department of Employment Security under the provisions of the George Amendment to the Social Security Act (line 18, p. 32 and line 15, p. 33 of the Committee Print No. 2 of H. R. 7225 in the Senate of the United States).

During the 1955 session, the Minnesota Legislature passed general enabling legislation as the first step in providing OASI coverage for public employees in the State. Thus, the Board of Regents of the University, using its own funds, was able to provide OASI supplementation for members of the faculty.

However, since the legislature failed to provide funds and authority, other State employees are still without redress. Instead of enacting the program desired by the overwhelming majority of State employees, the 1955 legislature set up an interim commission and instructed it to make a thorough study of the whole subject.

The commission is digging deep into the details, especially the financing, of all the retirements plans, large and small, that the legislature has authorized through the years.

It is our hope that some solution will materialize. If so, the opportunity will be provided for Employment Security personnel to vote on whether they want OASI rights. There will then be no need to utilize the Federal legislation that we are urging you to support.

If the Minnesota Legislature again fails to take positive action then, under the provisions of the George proposal, Employment Security personnel would not continue to be the victims of the many oppressive aspects of the present inadequate retirement system.

The three outstanding problems, as we see it, are

(1) Inability of superannuated employees to retire, if they wish to, due to an inadequate retirement benefit,

(2) Inability to retain and recruit young married persons because of the lack of survivorship protection, and

(3) Inability to recruit tradesmen into State service due to the disruption of their OASI coverage.

In our department, as it is in many others, for the people immediately affected, the OASI consolidation into our retirement program takes precedence over even such a pressing problem as depressed salaries.

We, in the department, are located in all parts of the State. We look to you as one of our Representatives at the national capital to reflect our interests. In all sincerity, we hope that you give our request your kindest consideration when the matter comes up on the floor of the Senate, as scheduled for the week beginning June 4.

Sincerely yours,

LESLIE C. SMITH,
President, Employment Security Local No. 22.

Mr. HUMPHREY of Minnesota. Mr. President, I have another amendment which I send to the desk and ask to have stated and about which I have spoken to the chairman of the Finance Committee.

The PRESIDING OFFICER. The amendment will be stated.

Mr. HUMPHREY of Minnesota. Mr. President, I may say, before the amendment is stated, that there are two amendments which are technical in nature and which should be considered en bloc. This is a third one, which refers to a different page in the text of the bill, but we can discuss them en bloc. I believe the amendment will be accepted.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 11, line 17, immediately after the period, to insert the following new sentence:

Any individual who refuses to undergo surgical or medical services shall, for the purposes of the preceding sentence, be deemed to have done so with good cause.

On page 11, line 17, strike out "preceding" and insert in lieu thereof "first."

On page 76, line 16, strike out "reduce dependency and."

Mr. FLANDERS. Mr. President, I wish the clerk would always give the date and the letters of every amendment read.

The PRESIDING OFFICER. The Chair will inform the Senator from Vermont that this amendment was not printed.

Mr. HUMPHREY of Minnesota. Mr. President, the amendment is a means of clarifying what I believe to be the intent of the measure, but which I believe should be specified. Under the section relating to deductions on account of refusal to accept rehabilitation service it is provided that any individual who refuses to undergo surgery or medical service shall, for the purpose of the preceding section, be deemed to have done so with good cause. I think that is the intent of the bill, but I thought it should be specified, because there are instances where a disabled person has strong convictions about not being willing to undergo surgery or some other type of medical care, and I think such convictions should be honored.

The other amendment is to bring the bill into compliance with the text of the amendment which I offered.

Mr. BYRD. Mr. President, I have consulted with the Senator from Minnesota regarding this amendment, and I shall be glad to accept it and take it to conference.

Mr. HUMPHREY of Minnesota. Do I correctly understand that the Senator accepts my amendments en bloc?

Mr. BYRD. I accept the amendment the Senator has just explained.

Mr. HUMPHREY of Minnesota. With the technical amendment substituting the word "first" for "preceding"?

Mr. BYRD. Is the Senator speaking of the surgery?

Mr. HUMPHREY of Minnesota. That is correct.

Mr. BYRD. The other amendment has been accepted.

Mr. HUMPHREY of Minnesota. That is correct.

Mr. BYRD. There are two amendments.

Mr. HUMPHREY of Minnesota. That is correct. As I understand, the amendment is accepted by the chairman.

The PRESIDING OFFICER. Does the Senator from Minnesota yield back the remainder of his time?

Mr. HUMPHREY of Minnesota. I will in a moment. The third provision of my amendment was on page 76, line 16, to strike out "reduce dependency and."

I believe that would bring the declaration of purpose into conformity with the standards which are prescribed in the matching of assistance expenditures for medical care for old-age assistance recipients.

The PRESIDING OFFICER. The Chair was under the impression that the Senator from Minnesota had offered three amendments en bloc.

Mr. HUMPHREY of Minnesota. Yes; but it was not clear to me whether the chairman clearly understood that and had accepted that particular point.

The PRESIDING OFFICER. Does the chairman of the committee accept the amendments en bloc?

Mr. BYRD. The chairman accepts the amendments en bloc.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. HUMPHREY of Minnesota. I yield.

Mr. ALLOTT. I still do not get the full meaning of the Senator's amendments. I listened to as much as I could hear of what the Senator said, but I should like to have the Senator explain his amendments further.

Mr. HUMPHREY of Minnesota. Does the Senator from Colorado refer to the amendment regarding surgery?

Mr. ALLOTT. The amendment on line 7.

Mr. HUMPHREY of Minnesota. An individual who refuses to undergo surgery or medical service shall be deemed to have done so with good cause.

Mr. ALLOTT. I thank the Senator for his explanation.

The PRESIDING OFFICER. Does the Senator from Minnesota yield back the remainder of his time?

Mr. HUMPHREY of Minnesota. I do.

The PRESIDING OFFICER. Does the chairman of the committee yield back the remainder of his time?

Mr. BYRD. I do.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing en bloc to the amendments of the Senator from Minnesota [Mr. HUMPHREY].

The amendments were agreed to.

Mr. DOUGLAS. Mr. President, I call up my amendment designated "6–28–56–A." Since the language of the amendment is necessarily technical, I ask that the reading of it be dispensed with.

The PRESIDING OFFICER. The amendment of the Senator from Illinois will be printed in the RECORD, without reading.

Mr. DOUGLAS' amendment is as follows:

On page 78, line 1, after the word "exceeds", to insert "(A)."

On page 78, line 3, after the word "month", to insert the following: "plus (B) the amount by which (i) the total of the expenditures which could have been counted in determining the amount payable to such State for such month under paragraph (1) or paragraph (2), whichever may be applicable, if each of the individuals who received old-age assistance under the State plan for such month had received as old-age assistance in the form of money payments under the State plan for such month the maximum amount which could have been counted as an expenditure for the purposes of paragraph (1) or paragraph (2), whichever may be applicable, exceeds (ii) the total of the expenditures which are counted in computing the amount payable to such State for such month under paragraph (1) or paragraph (2), whichever may be applicable."

On page 79, line 7, after the word "month", to insert the following: "plus (C) the amount by which (i) the total of the expenditures which could have been counted in determining the amount payable to such State for such month under paragraph (1) or paragraph (2), whichever may be applicable, if each of the dependent children and each of the relatives with whom dependent children were living who received aid to dependent children under the State plan for such month had received as aid to dependent children in the form of money payments under the State plan for such month the maximum amount which could have been counted as an expenditure for the purposes of paragraph (1) or paragraph (2), whichever may be applicable, exceeds (ii) the total of the expenditures which are counted in computing the amount payable to such State for such month under paragraph (1) or paragraph (2), whichever may be applicable."

On page 80, line 2, after the word "exceeds", to insert "(A)."

On page 80, line 4, after the word "month", insert the following: "plus (B) the amount by which (i) the total of the expenditures which could have been counted in determining the amount payable to such State for such month under paragraph (1) or paragraph (2), whichever may be applicable, if each of the individuals who received aid to the blind under the State plan for such month had received as aid to the blind in the form of money payments under the State plan for such month the maximum amount which could have been counted as an expenditure for the purposes of paragraph (1) or paragraph (2), whichever may be applicable, exceeds (ii) the total of the expenditures which are counted in computing the amount payable to such State for such month under paragraph (1) or paragraph (2), whichever may be applicable."

On page 81, line 3, after the word "exceeds", to insert "(A)."

On page 81, line 6, after the word "month", insert the following: "plus (B) the amount by which (i) the total of the expenditures which could have been counted in determining the amount payable to such State for such month under paragraph (1) or paragraph (2), whichever may be applicable, if each of the individuals who received aid to the permanently and totally disabled under the State plan for such month had received as aid to the permanently and totally disabled in the form of money payments under the State plan for such month the maximum amount which could have been counted as an expenditure for the purposes of paragraph (1) or paragraph (2), whichever may be applicable, exceeds (ii) the total of the expenditures which are counted in computing the amount payable to such State for such month under paragraph (1) or paragraph (2), whichever may be applicable."

Mr. DOUGLAS. Mr. President, the objective of the amendment is very simple. It is directed to the medical payments provisions of the bill reported by the Committee on Finance.

This section of the bill provides for the matching of assistance expenditures for medical care and is intended "to promote the health of the Nation by assisting States to extend and broaden their provisions for meeting the costs of medical care for persons eligible for public assistance by providing for separate matching of assistance expenditures for medical care."

The foregoing statement of purpose makes it clear that the medical care provisions of the bill are intended to encourage the States to broaden their medical care programs for the recipients of public assistance. This is to be done by providing a program for vendor medical payments—that is, payments to the hospital, doctor, dentist, or nursing home which renders the medical service, rather than to the individuals who receive the care—with Federal matching up to an average of $8 for each adult on the public assistance rolls and $4 for each child. This objective is a good one and has my strongest support. However, the bill as now drawn has the effect of forcing some States either to curtail their existing medical care programs or drastically to change the methods of operating their assistance programs. I believe that this was not intended for it was not known at the time the Finance Committee adopted the provision that this would be the effect.

Under a provision of the act adopted in 1950, a state may use matching funds for "vendor medical payments" within the $55 limit on which the Federal Government provides part of the funds. Since this provision was adopted, a number of States have established medical payments programs for public assistance recipients which are quite extensive and in which the payments average more than $8 per month for each person. In January of 1956, the following States and Territory made medical payments averaging more than $8 per recipient in one or more of the categories for public assistance: Connecticut, Hawaii, Illinois, Indiana, Kansas, Massachusetts, Michigan, Minnesota, New Hampshire, New York, North Dakota, Rhode Island, Washington, and Wisconsin.

The bill separates medical payments from cash payment and limits Federal matching for medical payments to one-half of $8 per month for each adult and one-half of $4 per month for each child. This means that the States listed above have only two alternatives open to them under the bill as reported. They can either first continue their systems as they now operate them and lose Federal funds on one or more of their medical payments programs; or, second, they can limit their medical payments to $8 and increase their cash payments, and thus receive the maximum Federal contribution, but at the cost of impairing their existing medical program.

I may say that one reason why the medical payments are high is that they include, as I understand, the payments to nursing homes, which are having an increasing importance in the care of the aged. I submit that neither of these alternatives is desirable.

After many consultations with the Department of Health, Education, and Welfare, the Senate Legislative Counsel, and the staff of the Finance Committee, my amendment has been worked out. It would permit any State to receive Federal matching funds for medical payments up to the $8 limit, and would further permit the States to continue to switch matching funds for cash payments to operate their medical care programs if they chose to do so. In other words, it would combine existing law and the new medical care provisions of the bill.

This amendment only permits a State to receive in Federal matching funds what it could get under the present bill if it chose the second alternative, that is, holding its medical payments to $8 and increasing its cash payments so as to maximize the Federal contribution. Another way of putting it is that the amendment permits the States to operate medical payments plans as under existing law with additional Federal matching of the one-half of $8 per month for each adult recipient.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks a statement which illustrates the way in which the amendment would work for Illinois and Connecticut.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Thus, Illinois' average money payment to recipients of old-age assistance is now about $42. Its average payment for medical care is about $20, a total of $62. By assessing medical payments against the cash accounts, the State receives Federal matching funds up to the limit of $55. Under the bill as now written Illinois would get Federal matching funds up to $42, but only one-half of $8 for its medical payments. My amendment would enable it to receive the $4 and to continue assessing medical payments against cash accounts, and therefore to receive Federal matching up to the maximum provided in the law.

It would also assist States with cash payments averaging over $55 as well as high medical payments. Connecticut has average money payments of about $72 to its recipients of old-age assistance. However, because some of its money payments are less than $55, and matching is on a case basis, its average Federal contribution is about $33 rather than the $35 it would be if each money payment were $55 or higher. Under present law this difference can be used for its medical payments which average $15. My amendment would permit Connecticut to continue doing this and also to take full advantage of the new provision of the bill.

These examples are representative of the situations in the other States which are immediately affected.

Mr. DOUGLAS. Mr. President, at the suggestion of the able senior Senator from North Dakota [Mr. LANGER], I ask unanimous consent to have printed at this point in the RECORD a letter which I have received from the public welfare board of North Dakota.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

PUBLIC WELFARE BOARD
OF NORTH DAKOTA,
Bismarck, N. Dak., July 9, 1956.

Hon. PAUL H. DOUGLAS,
United States Senate,
Washington, D. C.

DEAR SENATOR DOUGLAS: I wish to present further information to you on the cost of medical care to recipients of security assistance in North Dakota to supplement the information contained in my telegram to you dated July 2.

For a number of years North Dakota has had a sales tax of 2 percent. Five-twelfths of the proceeds of this tax has been dedicated to providing the funds for the State's share of the security-assistance payments. For this reason, even though North Dakota has a low per capita income, it has been able to include complete medical care in its security-assistance plan.

The cost of medical care in North Dakota, as throughout the Nation, has been rapidly increasing. A comparison of the costs of medical care during the first and second 6 month's period in the past fiscal year, by program, illustrates the increase:

	Total	OAA	ADC	APTD	AB
July–December 1955	$1,111,001	$888,044	$84,019	$131,864	$7,074
January–June 1956	1,250,153	965,142	112,051	168,791	4,169
Total, fiscal year	2,361,154	1,853,186	196,070	300,655	11,243
Increase in 2d 6 months over 1st 6 months	139,152				

During the past fiscal year, the average payment per case for medical care was as follows:

Old-age assistance	$19.02
Aid to dependent children	10.56
Aid to the permanently and totally disabled	27.54
Aid to the blind	8.08

In the old-age assistance program, the Federal Government shared in this average payment for medical care $2.50 per case since the major portion of Federal funds was used in matching the costs of maintenance such as food, clothing, et cetera.

In the aid to the permanently and totally disabled program, the Federal Government's share was $3.

Therefore, under H. R. 7225, North Dakota would only receive $1.50 more per old-age-assistance case and $1 more per aid-to-the-

permanently-and-totally-disabled case than it is at present receiving.

Your amendment to H. R. 7225 would substantially increase the Federal Government's share of the payments for medical care and would give North Dakota and the other States who provide comprehensive medical care through their security assistance programs an opportunity to maintain and broaden their medical programs. Without your amendment, in view of the increasing costs of medical care and the small benefit that North Dakota will derive from H. R. 7225, it is highly probable that a curtailment of the medical care provided in the security assistance programs will be necessary.

We sincerely hope that favorable action is taken on your amendment to H. R. 7225.

Very sincerely yours,

CARLYLE D. ONSRUD,
Executive Director.

Mr. DOUGLAS. Mr. President, while this amendment immediately benefits the 13 States which now expend more than $8 per recipient on medical care in one or more categories for public assistance, it offers a potential benefit for every State within the near future. Medical costs are increasing steadily. Recipients of public assistance are requiring more and more medical care relative to other kinds of assistance. As States which have more modest medical care programs, and those which have none at all, move to take advantage of the provisions of this bill, they are likely to find that their average medical payments will soon exceed $8. At that time my amendment will better enable them to keep up with their needs, and will benefit all States.

I believe that it was the committee's intention to encourage all States to develop as good medical-care programs for the recipients of public assistance as they can. It seems to me that the amendment makes it easier to achieve that objective.

I hope very much that the chairman of the committee will accept the amendment.

Mr. BYRD. Mr. President, I think the amendment may be necessary to correct losses which will occur to certain States by reason of the amendment adopted by the committee, known as the Kerr amendment. The Department of Health, Education, and Welfare has taken no position on the amendment of the Senator from Illinois; but I am willing to take it to conference.

Mr. DOUGLAS. I thank the Senator from Virginia for his assurance, and I express the hope that the amendment will not only go to conference, but will come back from conference, and that it will not be strangled to death in the dark chambers of the conference tower.

The PRESIDING OFFICER. Do the Senator from Illinois and the Senator from Virginia yield back the remainder of their time?

Mr. DOUGLAS. I yield back the remainder of my time.

Mr. BYRD. I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment having been yielded back, the question is on agreeing to the amendment of the Senator from Illinois [Mr. DOUGLAS].

The amendment was agreed to.

Mr. WILLIAMS. Mr. President, on behalf of the Senator from Kansas [Mr. SCHOEPPEL] and myself, I call up the amendment at the desk designated as "6-13-56-B."

The PRESIDING OFFICER. The amendment will be read, for the information of the Senate.

Mr. WILLIAMS. Mr. President, I ask unanimous consent that the amendment be printed in the RECORD at this point, rather than have the clerk read it.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendment offered by Mr. WILLIAMS (for himself and Mr. SCHOEPPEL) is as follows:

On page 28, between lines 4 and 5, to insert the following:

"TERMINATION OF BENEFITS UPON CONVICTION OF ESPIONAGE, SABOTAGE, TREASON, SEDITION, OR SUBVERSIVE ACTIVITIES

"SEC. 110. (a) Section 202 of the Social Security Act is amended by adding at the end therof the following new subsection:

" 'Termination of benefits upon conviction of espionage, sabotage, treason, sedition, or subversive activities

" '(o) (1) If any individual is or has been convicted of an offense under chapter 37 (relating to espionage and censorship), chapter 105 (relating to sabotage), or chapter 115 (relating to treason, sedition, and subversive activities) of title 18 of the United States Code, or under section 4, 112, or 113 of the Internal Security Act of 1950, then, notwithstanding any other provision of this title, no monthly benefit under this section shall be paid to such individual for any month after the month in which the Secretary is notified by the Attorney General that such individual has been so convicted.

" '(2) As soon as practicable after the date of the enactment of this subsection, the Attorney General shall furnish the Secretary with a complete list of all individuals who have theretofore been convicted of offenses under the provisions of law enumerated in paragraph (1) of this subsection; and as soon as practicable after the conviction of any individual under any such provision after such date, the Attorney General shall notify the Secretary of such conviction.'

"(b) The amendment made by subsection (a) of this section shall not be construed to restrict or otherwise affect any of the provisions of the act entitled 'An act to prohibit payment of annuities to officers and employees of the United States convicted of certain offenses, and for other purposes,' approved September 1, 1954 (Public Law 769, 83d Cong.)."

Mr. WILLIAMS. Mr. President, the purpose of this amendment is to terminate any benefits under the social security program to persons who have been convicted of espionage, sabotage, treason, sedition, or subversive activities.

In simple language, the amendment would stop social-security benefits to anyone who had conspired to overthrow the Government of the United States.

I offered the amendment and had it in the committee, and it was discussed, but the day we were to vote on the amendment I was called out and did not have a chance to offer it, so the amendment was neither rejected nor adopted by the committee.

I am hoping the chairman of the committee will agree to take it to conference.

In support of the amendment, I know of no stronger argument for it than an article by Jack Steele, entitled "Red Inmate Gets $88.10 Monthly Security From Hand He Tried To Bite," which was published in the Washington Daily News of October 27, 1955.

I now read the article:

The Social Security Administration each month mails a check for $88.10 to a Communist inmate of the Federal penitentiary at Atlanta, Ga.

It goes to Alexander Bittelman, a high-ranking Red now serving a 3-year sentence there for conspiring to advocate overthrow of the United States Government by force and violence.

The $88.10-a-month payment is made to the 65-year-old Mr. Bittelman under the Government's old-age insurance program. He can cash the check and spend the money, and, furthermore, it isn't subject to income tax.

DOUBLE SECURITY

His monthly check is a sort of double security from the hand of the Government he tried to bite.

Even that isn't the whole story.

Mr. Bittelman gets the check even though he hasn't paid a penny of the $6,000 fine imposed when he was sentenced on February 3, 1953, for violating the Smith Act.

And the Government keeps on paying his social security even though it expects to deport him to his native Russia as soon as he finishes serving his sentence.

Government officials did a lot of stuttering today trying to explain the Bittelman case. They were partially tonguetied because the social-security laws bar disclosure of details of the cases of individual beneficiaries.

HYPOTHETICAL

This picture was pieced together from what they could and would say about a hypothetical case similar to Mr. Bittelman's.

Social-security laws and regulations do not bar payments to prisoners. Old-age insurance is based on taxes paid by both employees and employers in covered industries. The theory seems to be that it is a statutory right which is not canceled—as many others are—by conviction for a serious crime.

(The only exception, which does not apply to the Bittelman case, is that payments may not be made to a person who would thus benefit from his own crime, such as a woman who murdered her husband and thus became eligible for social security.)

There is no legal bar to payments to persons convicted under the Smith Act or other antisubversive laws. Presumably, anyone serving a sentence for treason would receive social security if eligible.

Social-security checks cannot be seized or garnisheed by the Government or any other creditor.

Both the Justice and Health, Education and Welfare Departments are investigating the Bittelman case—presumably to see if there is any way these loopholes in the law can be closed.

If not, they may ask Congress to amend the law next year.

CREDIT

Credit for bringing the Bittelman case to light goes to William H. Hardwick, warden of the Atlanta Penitentiary.

Warden Hardwick declined to talk about the case today, but it was learned that he did some vigorous eyebrow raising when Mr. Bittelman's social-security checks began to turn up at the prison several months ago.

He reported the situation to the Bureau of Prisons, which told him to continue delivering the checks until further orders and bucked the case along to the Social Security Administration.

Mr. Bittelman is one of the founders of the Communist Party in this country. He came to the United States in 1912 after having been deported to Siberia by the Czar for revolutionary activity. He attended an underground meeting in 1920 at Kingston, N. Y., at which the party was supposedly formed,

and later served as a member of the party's national committee.

Mr. Bittelman was 1 of 13 second-string Communist leaders convicted under the Smith Act in January 1953. He began serving his sentence last January 11. He once worked for a New York publishing house, but it is not known whether this is where he earned his social security.

I think that article explains the need for the amendment well enough. Certainly, no taxpayer for one moment would condone the payment of social-security benefits to any person who has been convicted of conspiring to overthrow the Government of the United States.

I am wondering if the chairman of the committee will be willing to accept the amendment.

Mr. BYRD. Mr. President, this matter was discussed by the members of the Finance Committee. I am willing to take the amendment to conference for consideration.

Mr. WILLIAMS. I yield back the remainder of my time.

Mr. BYRD. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment offered by the Senator from Delaware for himself and the Senator from Kansas [Mr. SCHOEPPEL].

The amendment was agreed to.

Mr. MAGNUSON. Mr. President, I send to the desk an amendment, identified as "3-6-56—H." I ask unanimous consent that the clerk not read it, but that the amendment be printed in the RECORD at this point.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

Mr. MAGNUSON's amendment is as follows:

At the end of the Long amendment insert the following new section:

"AMENDMENTS TO MATCHING FORMULA FOR AID TO DEPENDENT CHILDREN

"SEC. 302. (a) Section 403 (a) of the Social Security Act is amended to read as follows:

"'SEC. 403. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to dependent children, for each quarter, beginning with the quarter commencing October 1, 1956, (1) in the case of any State other than Puerto Rico and the Virgin Islands, an amount which shall be used exclusively as aid to dependent children, equal, (A) in the case of a State which is qualified therefor under subsection (c), to the sum of the following proportions of the total amounts expended during such quarter as aid to dependent children under the State plan, not counting so much of such expenditure with respect to any dependent child for any month as exceeds $33, or if there is more than one dependent child in the same home, as exceeds $33 with respect to one such dependent child and $24 with respect to each of the other dependent children, and not counting so much of such expenditure for any month with respect to a relative with whom any dependent child is living as exceeds $33.

"'(i) five-sixths of such expenditures, not counting so much of the expenditures with respect to any month as exceeds the product of $18 multiplied by the total number of dependent children with respect to whom aid to dependent children is paid for each month, and the product of $28 multiplied by the total number of individuals (other than dependent children) with respect to whom aid to dependent children is paid for such month, plus

"'(ii) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (i);

and (B) in the case of a State which is not qualified under subsection (c) to the sum of the following proportions of the total amounts expended during such quarter as aid to dependent children under the State plan, not counting so much of such expenditure with respect to any dependent child for any month as exceeds $30, or if there is more than one dependent child in the same home, as exceeds $30 with respect to one such dependent child and $21 with respect to each of the other dependent children, and not counting so much of the expenditure for any month with respect to a relative with whom any dependent child is living as exceeds $55—

"'(i) four-fifths of such expenditures, not counting so much of the expenditures with respect to any month as exceeds the product of $15 multiplied by the total number of dependent children with respect to whom aid to dependent children is paid for such month, and the product of $25 multiplied by the total number of individuals (other than dependent children) with respect to whom aid to dependent children is paid for such month, plus

"'(ii) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (i);

and (2) in the case of Puerto Rico and the Virgin Islands, an amount, which shall be used exclusively as aid to dependent children, equal to one-half of the total of the sums expended during such quarter as aid to dependent children under the State plan, not counting so much of such expenditure with respect to any dependent child for any month as exceeds $18, or if there is more than one dependent child in the same home, as exceeds $18 with respect to one such dependent child and $12 with respect to each of the other dependent children; and (3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for aid to dependent children, or both, and for no other purpose.'

"(b) Section 403 of such act is amended by adding at the end thereof the following new subsection:

"'(c) (1) A State shall be qualified to receive the amount provided by the formula contained in subsection (a) (1) (A) with respect to any quarter, beginning with the quarter commencing October 1, 1956—

"'(A) (i) if such State has filed with the Secretary of Health, Education, and Welfare, at such time (prior to the beginning of such quarter) and in such form as such Secretary shall by regulations prescribe, a certificate stating that the average monthly expenditure from State funds per recipient under the State plan for such quarter will not be less than the average monthly expenditure from State funds per recipient under such plan for the calendar year commencing January 1, 1955; and

"'(ii) if, in the case of any quarter occurring after the quarter commencing October 1, 1956, the average monthly expenditure from State funds per recipient under the State plan for the second quarter immediately preceding such quarter has not been less than the average monthly expenditure from State funds per recipient under such plan for the calendar year commencing January 1, 1955; or

"'(B) if the Secretary of Health, Education, and Welfare determines that neither the governor nor the legislature of such State has, subsequent to the date of enactment of the Social Security Amendments of 1956 and prior to such quarter, taken action which resulted in a reduction of the amount of funds available for old-age assistance under the State plan for such quarter, and the State authorities responsible for the administration of the State plan have not, subsequent to such date of enactment and prior to such quarter, adopted a change of policy toward new applicants for old-age assistance which resulted in a reduction of the average monthly expenditure from State funds per recipient under the State plan for such quarter.

"'(2) A State which has qualified under paragraph (1) of this subsection to receive the amount provided by the formula contained in subsection (a) (1) (A) for not less than four consecutive quarters shall be qualified to receive such amount for all subsequent quarters.'"

Mr. MAGNUSON. Mr. President, the amendment provides for an increase for aid to dependent children similar to the increase provided for in the amendment which was offered by the Senator from Louisiana [Mr. LONG], which the Senate adopted last night.

In the amendment adopted by the Senate, payments were increased for the aged, the blind, and the disabled, but the Senate omitted to include any increase whatsoever for dependent children.

The reason I call attention to this matter is that on each previous occasion, in 1946, 1948, and 1952, when an increase of $5 was voted for old-age assistance, the Senate also increased aid for dependent children by $3. Such an increase was omitted in the so-called Long amendment.

All I am hoping is that this amendment, or one like it, may at least go to conference and that an effort may be made to treat dependent children the same way in this bill that we have treated them on three previous occasions. I am sure the Senate would not want the bill to be passed without doing something for the 1,600,000 children who are receiving aid under the aid-to-dependent-children section.

I should also like to point out that every State in the Union has a law providing aid for dependent children. Every State is receiving Federal funds for this purpose under title 4 of the Social Security Act.

The best estimate I have received as to the cost for increasing benefits to dependent children by $3 is $73 million. I have changed my original amendment. It may be that Congress will not want to go that high. I think it is little enough. Surely, we would not want to see the bill passed, when all the other benefits have been provided, with an omission of increased benefits for dependent children.

I am hopeful that the amendment can be sent to conference and that there an effort will be made to work out a satisfactory provision so that when benefits are raised for the blind, the aged, and disabled, there will be some corresponding increase in the aid for dependent

children. As the bill now stands, such increased aid for dependent children is completely omitted.

Someone has suggested that the bill might be vetoed. If a peg were desired on which to hang a veto of a humane bill such as this, I can think of no better one than that Congress forgot to take care of 1,600,000 dependent children in the United States.

I do not want to see the bill vetoed. I want to prevent such a possibility. But, in view of the fact that the Senate increased benefits for dependent children on three previous occasions, and in view of the fact that the Long amendment, and the bill itself in some instances, increased benefits, it seems to me there should be a corresponding increase in benefits for dependent children. That is why I offer the amendment.

The distinguished chairman of the committee may think that the amendment should have been offered to the Long amendment last night, but at the time I was under the impression that aid to dependent children had been raised correspondingly. Upon examination, apparently such increase has not been provided.

I hope the amendment can be taken to conference, so that we may do something about the omission in the bill.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. DOUGLAS. Is it not true that in times past State legislatures have been much less liberal in the grants which they have made for dependent children than in those provided for old people? And that has been true of Congress as well?

I wish to ask the Senator a further question, with the understanding that it does not apply to the present Members of this body. May not this greater liberality with respect to older people than to children be due to the fact that older people can vote and children cannot?

Mr. MAGNUSON. Mr. President, in my brief statement I probably should have said that none of the persons we are trying to help are voters at all.

Mr. DOUGLAS. In a sense, they are wards of the community; and, in a sense, they deserve our care. Is not that true?

Mr. MAGNUSON. Yes. We have done this on every other occasion.

If we do not agree to such an amendment as this one, the question will not be in conference, and it will not be possible to have the conference report on the bill make any provision in behalf of dependent children.

I hope the chairman of the committee will accept the amendment. I would be willing to reduce the amount, so the amendment could be taken to conference and discussed there.

Mr. BYRD. Mr. President, the latest estimate is that the amendment will cost $256 million. When that is added to the $108 million which the amendment of the Senator from Louisiana [Mr. LONG] will cost, the total cost of the two will be $364 million.

Mr. MAGNUSON. According to the amendment, as I submitted it on March 7, the cost would be that large; but as I have modified the amendment, the cost now would be $73 million.

Mr. BYRD. It is difficult to estimate what the cost of the amendment as modified would be.

Mr. MAGNUSON. In 1942, when we provided for the $5 increase, we made the increase for children $3.

The modifications which have been made in my amendment will make it cost $73 million, as I understand.

Mr. BYRD. Where did the Senator from Washington obtain that information?

Mr. MAGNUSON. I got it from the Social Security Agency, by calling it up; and I was referring to the $3 amount. I will tell the Senator from Virginia that I got it very hastily.

Mr. BYRD. We received an estimate of $256 million as the cost of the amendment, before it was modified.

Mr. MAGNUSON. In any event, regardless of whether the cost of the amendment is $256 million or $73 million, it seems to me that we should wish to do something to aid dependent children.

Mr. JACKSON. Mr. President, will my colleague yield to me?

Mr. MAGNUSON. I yield.

Mr. JACKSON. I believe the estimate of $256 million was for the cost of the amendment as it was originally submitted.

Mr. MAGNUSON. Yes; and since then I have revised the amendment.

Mr. BYRD. But the revision has only recently been made, and no one has had a chance to consider the amendment as revised.

Mr. MAGNUSON. In my amendment, on page 2, instead of the figure "$36", in line 13, I have revised it to $33; I have made the same change in line 14; and in line 15 I have stricken out "$27" and inserted "$24"; and in line 19 I have stricken out "$65", and have inserted "$33"; and in line 25, I have stricken out "$30", and have inserted "$28." With those revisions or modifications, the cost of the amendment, if enacted, will be $73 million, generally speaking.

Mr. LONG. Mr. President, will the Senator from Washington yield to me?

Mr. MAGNUSON. I yield.

Mr. LONG. I believe I can assist the Senator from Washington somewhat in connection with his revised amendment. My recollection is—and I feel fairly sure that I am correct about this matter—that an increase of $3 for such children would cost $73 million. That is what I understand.

Mr. MAGNUSON. Yes, that is my understanding, according to the best figures available.

Mr. BYRD. Mr. President, I submit that we have no accurate estimate of the cost of the amendment, as revised. As chairman of the committee, I could not accept the amendment when the estimates of its cost vary from $73 million to $256 million.

The amendment of the Senator from Louisiana [Mr. LONG] will cost $108 million. It seems to me that this amendment should have been added to the Long amendment.

Personally I am not willing to accept the amendment, because we have no official figures regarding its cost, as it has now been revised or modified; and I do not know what its cost would be.

Mr. MAGNUSON. The amendment merely adds $3 for dependent children. Whatever the cost would be could be easily ascertained by the Congress. The amendment adds the same amount that has been added three times for dependent children. In 1946, in 1948, and in 1952, when we increased the other benefits by $5, the increase I now propose for dependent children was made.

Mr. President, I hope the amendment will be taken to conference, because I am sure the conferees will wish to take care of dependent children, if there are to be any increases.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Washington and the Senator from Virginia yield back the remainder of the time available to them?

Mr. MAGNUSON. Yes.

Mr. BYRD. Yes.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). All remaining time on the amendment of the Senator from Washington has been yielded back.

The question is on agreeing to the modified amendment of the Senator from Washington [Mr. MAGNUSON].

The amendment, as modified, was rejected.

Mr. LEHMAN. Mr. President, I call up my amendment identified as "6-7-56-H." In order to save time, I ask that the amendment be printed at this point in the RECORD, instead of being read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment submitted by Mr. LEHMAN is as follows:

On page 90, between lines 17 and 18, insert the following:

"PART VI—AID TO DEPENDENT CHILDREN IN PUERTO RICO

"SEC. 351. (a) Clause (2) of subsection (a) of section 403 of the Social Security Act is amended by inserting immediately before the semicolon the following: ', and, in the case of Puerto Rico, not counting so much of such expenditure for any month with respect to a relative with whom any dependent child is living as exceeds $18.'

"(b) Section 1108 of such act is amended by striking out '$4,250,000', and inserting in lieu thereof '$8 million.'

"(c) The amendments made by this section shall be effective with respect to the fiscal year ending June 30, 1957, and all succeeding fiscal years."

Mr. JOHNSON of Texas. Mr. President, very few amendments remain to be acted upon, and we should be able to conclude our action on the bill this evening.

We have an important conference report which we should also like to have acted on this evening. So I ask each Member of the Senate to be as cooperative as possible.

Mr. LEHMAN. Mr. President, this amendment is similar to the proposal which I discussed earlier, in connection with the Virgin Islands.

Puerto Rico is subject to the same restrictions, under the public assistance and aid-to-dependent-children programs, as are the Virgin Islands. This is to say, a ceiling is placed on the

amount of funds that are made available to this area for Federal matching under the Public Assistance program, and the same restriction is imposed on the payment of funds to a needy parent or other relative caring for a child under the aid-to-dependent-children program. These restrictions are applicable only to these two areas. As I pointed out during the discussion of my amendment relating to the Virgin Islands, no State and no other Territory operates under these limitations.

The limitation on payments under the aid-to-dependent-children program is unnecessary and unjustified. It is clearly recognized by all who have had experience with the aid-to-dependent-children program that provisions for the payment of funds to a needy parent or other relative caring for a child are absolutely essential if this program is to operate on a sound basis and if it is to accomplish its full purpose. This retriction is making it extremely difficult, if not impossible, for the Government of Puerto Rico to provide adequate services under the aid-to-dependent-children program services to our fellow American citizens.

With respect to the other part of my amendment, dealing with the ceiling which is placed on the amount of funds that can be allocated under public assistance, I would, of course, prefer to see this ceiling eliminated entirely. I realize, however, that there is overwhelming opposition to going this far at the present time. I am, therefore, proposing to lift the ceiling from its present limit of $4,250,000 to a ceiling of $8 million.

While there may have been some justification for the ceiling when the pub lic-assistance program was first made applicable to Puerto Rico in 1950, I think experience with it over the past 6 years has clearly demonstrated that the government of this area is perfectly capable of handling the public-assistance program on the same basis as the States. The Puerto Rican government has demonstrated that it is able to administer public assistance fairly and efficiently.

Although the administration supports the proposal to raise the ceiling in the case of the Virgin Islands, it is opposed to doing the same thing for Puerto Rico. To me, this attitude is without justification. It seems to me that the same principle applies in this case as in the case of the Islands.

I realize, of course, that a somewhat larger sum of money is involved in this instance than in the case of the Virgin Islands. I hope, however, that my colleagues in the Senate will agree with me that the need for this change is as important as in the case of the Virgin Islands, and that they will join with me in approving this amendment.

Mr. President, the chairman of the Finance Committee was kind enough to agree to take to conference my amendment dealing with the Virgin Islands. I think the two situations are, broadly speaking, analogous. So I hope the chairman of the committee will take this amendment to conference.

Mr. BYRD. Mr. President, let me say to the Senator from New York that the pending amendment would increase the cost by $3,750,000; and the amendment is opposed by the Department of Health, Education, and Welfare, whereas the Virgin Islands amendment was not opposed by the Department.

Mr. LEHMAN. I realize the amount involved.

Mr. BYRD. The amendment would raise the ceiling to $8 million, from the present limitation of $4,250,000. That makes an increase of $3,750,000.

Mr. LEHMAN. I realize that. I pointed that out in my statement.

Mr. BYRD. This amendment is not similar to the Virgin Islands amendment.

Mr. LEHMAN. Let me explain to the distinguished Senator that this is a matching program. The Puerto Rican Government has the right and duty to set the amount it will pay for dependent children, just as any other State has. The Federal Government, as in the case of States and other Territories, matches that contribution. However, in the case of Puerto Rico it is prevented from matching to the extent of the amount which the Puerto Rican government desires to give aid to children who are in need of aid, because of the arbitrary ceiling of $4,250,000.

All this amendment would do would be to provide for the raising of the ceiling, so that the Federal Government could match appropriations and allowances in Puerto Rico in exactly the same manner as it matches them in my own State of New York, the State of the distinguished Senator from Virginia, and in other States.

Mr. BYRD. The Department of Health, Education, and Welfare did not oppose the amendment relating to the Virgin Islands. Am I correct in that statement?

Mr. LEHMAN. That is quite true.

Mr. BYRD. I accepted that amendment. However, the Department does oppose this amendment, because it would add $3,750,000 to the cost.

Mr. LEHMAN. I realize that the Department opposes it because of the larger amount of money involved, but the principle is identical; and in my opinion the principle with respect to Puerto Rico should be exactly the same as with respect to New York, Virginia, California, Georgia, or Michigan. Puerto Rico is a part of the United States. It is not a foreign territory. All I am asking is that the distinguished Senator take this amendment to conference.

Mr. BYRD. Would the Senator agree to reduce the ceiling to the administration figure of $5,312,500?

Mr. LEHMAN. I would do that. I would not do it happily, but I know that if this amendment comes to a vote, I shall be defeated. I will agree to accept the figure stated by the Senator from Virginia.

Mr. BYRD. If the Senator from New York will modify his amendment to the amount of the administration figure of $5,312,500, the Senator from Virginia will accept it.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. LEHMAN. I yield.

Mr. JOHNSON of Texas. I gather that the Senator from Virginia does not accept the amendment happily, and the Senator from New York does not accept the proposed amount happily; but if there is a meeting of the minds, the amendment can be taken to conference.

Mr. LEHMAN. I know that the Senator from Virginia would not have suggested the change unless he intended to take it to conference in good faith, as I know he will. Therefore, I am not glad, but willing, to accept his suggestion.

Mr. BYRD. The Senator must modify his amendment.

Mr. LEHMAN. Mr. President, I wish to modify my amendment by striking out "$8,000,000" and inserting "$5,312,500."

The PRESIDING OFFICER. The Senator has a right to modify his own amendment.

Mr. LEHMAN. Mr. President, I yield back my time—not happily, but I will do it. [Laughter.]

Mr. BYRD. Mr. President, I yield back all my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the modified amendment offered by the Senator from New York [Mr. LEHMAN].

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. SMATHERS. Mr. President, on behalf of my very able and distinguished senior colleague [Mr. HOLLAND] and myself, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Florida will be stated.

The CHIEF CLERK. On page 31, line 20, after the words "State of", it is proposed to insert the name "Florida." The same amendment is proposed on page 32, line 19, after the words "State of"; on page 33, line 14, after the words "State of"; and on page 34, line 7, after the words "State of."

Mr. BYRD. Mr. President, the Senator from Virginia will accept the amendment.

Mr. KNOWLAND. Mr. President, may we have a brief explanation as to what the amendment does?

Mr. SMATHERS. Mr. President, the sole purpose of the amendment is to include the State of Florida under the special provisions of the pending bill dealing with the coverage of State and local governments who are under local retirement systems.

Under the bill as reported by the Finance Committee, amendments were adopted which would authorize States specifically named, at their option—

(a) To cover those persons now members of a State retirement system who wish to be covered, provided that new employees are covered compulsorily. Also authorizes similar treatment of political subdivision retirement systems of these States.

(b) To cover their employees who are paid wholly or partly from Federal funds under the unemployment compensation provisions of the Social Security Act—either by themselves or with other employees of the department of the State

in which they are employed—after complying with the referendum provisions.

(c) Up until July 1, 1957, to include employees of public school districts who are under teachers' retirement system, but who are not required to have teachers' or school administrators' certificates—for example, school custodians—in the State's OASI agreement without a referendum and without including the certificated employees who are under the teachers' retirement system.

(d) To make coverage available to policemen and firemen in those States, subject to the same conditions that apply to coverage of other employees who are under State and local retirement systems, except that where the policemen and firemen are in a retirement system with other classes of employees the policemen and firemen may, at the option of the State, hold a separate referendum and be covered as a separate group.

Prior to the adoption by the committee of these amendments all States were asked whether they desired coverage under any or all of them. Only those States which desired coverage were named in the amendments adopted by the committee. The chairman of the Florida Industrial Commission apparently misconstrued correspondence received by him concerning this matter, since he was under the impression that these were not optional amendments. As a result a wire was sent to the Department of Health, Education, and Welfare indicating that Florida did not desire to be specifically named. Upon further inquiry and after it was made clear to the chairman of the Florida Industrial Commission that these amendments were optional, word was received that Florida desired to be included.

The only purpose of the amendment is to include Florida in the list of States specifically named in the particular optional provisions of the pending bill, and I trust that the distinguished chairman of the Finance Committee will see fit to accept it.

The PRESIDING OFFICER. Does the Senator from Virginia accept the amendment?

Mr. BYRD. The Senator from Virginia has been authorized to accept a similar amendment.

The PRESIDING OFFICER. Do Senators yield back their time?

Mr. SMATHERS. I am happy to yield back my time.

Mr. BYRD. I yield back my time.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the amendment offered by the Senator from Florida [Mr. SMATHERS] for himself and his colleague [Mr. HOLLAND].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. LEHMAN. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment offered by the Senator from New York will be stated.

Mr. LEHMAN. Mr. President, in order to save time, I will waive the reading of the amendment and ask that it be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, the amendment will be printed in the RECORD at this point without reading.

Mr. LEHMAN's amendment was, on page 58, between lines 2 and 3, to insert the following new section:

"TIPS AS WAGES

"SEC. 121. (a) Section 209 of the Social Security Act is amended by adding at the end thereof the following new paragraph:

" 'Tips and other cash remuneration customarily received by an employee in the course of his employment from persons other than the person employing him shall, for the purposes of this title, be considered as remuneration paid to him by his employer; except that in the case of tips, only so much of the amount thereof received during any calendar quarter as the employee, before the expiration of 10 days after the close of such quarter, reports in writing to his employer as having been received by him in such quarter shall be considered as remuneration paid by his employer, and then only if the sum of the wages of the employee in the possession of the employer at the time of such report and the amount, if any, remitted by the employee with such report is not less than the tax imposed by section 3101 of the Internal Revenue Code of 1954 with respect to such wages plus the tax which would be imposed by such section with respect to the remuneration so reported. The remuneration so considered as paid by the employer shall be considered as paid by him to the employee on the date on which such report is made.'

"(b) The amendment made by subsection (a) of this section shall be applicable only with respect to remuneration paid after 1956."

On page 72, between lines 4 and 5, insert the following new section:

"TIPS AS WAGES

"SEC. 202. (a) Section 3121 (a) of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new paragraphs:

" 'Tips and other cash remuneration customarily received by an employee in the course of his employment from persons other than the person employing him shall, for the purposes of this chapter, be considered as remuneration paid to him by his employer; except that, in the case of tips, only so much of the amount thereof received during any calendar quarter as the employee, before the expiration of 10 days after the close of such quarter, reports in writing to his employer as having been received by him in such quarter shall be considered as remuneration paid by his employer, and then only if the sum of the wages of the employee in the possession of the employer at the time of such report and the amount, if any, remitted by the employee with such report is not less than the tax imposed by section 3101 with respect to such wages plus the tax which would be imposed by such section with respect to the remuneration so reported. The remuneration so considered as paid by the employer shall be considered as paid by him to the employee on the date on which such report is made.

" 'In applying the provisions of paragraph (1) of this subsection and the provisions of section 6413 (c) (1), remuneration to which the tax imposed by section 3101 would be applicable (if such remuneration constitutes wages) shall first be counted.'

"(b) The amendment made by subsection (a) of this section shall be applicable only with respect to remuneration paid after 1956."

Mr. LEHMAN. Mr. President, this amendment provides that tips and other gratuities shall be included in the wage base for social-security purposes.

Under the present terms of the Social Security Act, wages received in the form of tips and other gratuities are not counted for social-security purposes—no social-security taxes are paid on this money—the worker gains no social-security credit for the money he receives in this form.

I think this is an unreasonable distinction. I think this is particularly so because these same people must declare this portion of their wages for income tax purposes. In other words, the Internal Revenue Code includes tips in its definition of wages; yet the Social Security Act does not. An individual must pay income tax on tips—but he is not permitted to pay social-security taxes on this money or acquire social-security credit for it. I think this is illogical and inconsistent.

My amendment would extend to thousands of people in this country the same degree of social-security protection already given to the vast majority of our citizens. The effect of the present limitation is to deny to those individuals who receive a portion of their earnings in the form of tips a full measure of social-security coverage. It means that those who receive all of their wages directly from their employer are acquiring higher wage credits than those who receive part of their wages from their employer and part from customers of their employer. The people who are affected by the existing limited definition of wages for social-security purposes include those who make their living as taxicab drivers, barbers, hairdressers, waiters and waitresses, bellhops and doormen. I am sure we could all name many other groups of working people who find themselves in a similar situation.

Opposition to the change I am proposing has, in past years, come primarily from employers who argue that it would present record-keeping difficulties. They claim that it would be impossible to establish satisfactory bookkeeping procedures particularly with respect to reporting on the part of the employee. I think that my amendment has been drawn up in such a way as to answer this objection. It simply provides that the employee reports to his employer the amount of money which he has received in the form of tips during the calendar quarter. The amendment provides further that the report must be made within 10 days after the expiration of the quarter. Under my proposal, therefore, it is the employee who has the primary responsibility and obligation to see that this information is made available. I know that these workers are willing to assume this responsibility.

The main impetus for this change has come from waiters and waitresses and they have indicated widespread support for it. I am confident, however, that the other groups who are affected by it are equally in favor of my proposal.

The Senate now has an opportunity to end this unjustified discrimination. It now has an opportunity to put these people on an equal footing with the other individuals covered under the social

security system. I hope this amendment will be approved.

Mr. BYRD. Mr. President, the amendment was very carefully considered by the Committee on Finance, and it was rejected because the committee thought it was unworkable. Present law requires tips and other gratuities to be reported only if the employee accounts to his employer the actual or estimated amount of such remuneration. In other words, there is no way to compel an employee to tell an employer how much he receives in tips. The proposal was very fully discussed, but it was rejected by the Committee on Finance because the committee found it to be unworkable. I am sorry that I am unable to take the amendment to conference.

Mr. LEHMAN. I should like to point out to the distinguished chairman of the Committee on Finance and to my other colleagues that I believe the present system is unjustifiably unfair. A waiter or any other employee who receives tips is criminally liable if he does not report his tips as a part of his income. The distinguished chairman of the committee may be familiar with the fact that in my State of New York the headwaiter of one of our prominent hotels was not only indicted but convicted and sentenced to prison because he had not reported his tips as a part of his earnings.

Another waiter of another hotel is now under indictment. He has not yet been tried, but he is under indictment and will be brought to trial.

If a man is responsible to the Government for his tips as a part of his income for income tax purposes, it seems to me completely unfair that he should be deprived of using that income in computing the social security to which he is entitled.

It does not make any sense to me to say to a man, "The tips which you make cannot and will not be recognized as a part of your income by your Government for social security purposes, but the Government will send you to jail if you do not report those same tips as a part of your income and pay an income tax on them."

It just does not make sense to me. I think it is unfair and unreasonable. I am very sorry indeed that the distinguished chairman of the Committee on Finance will not take the amendment to conference.

Mr. BYRD. The present law does not require those who receive tips to report them to their employers.

Mr. LEHMAN. I believe that under my amendment it would be required.

Mr. BYRD. We considered the amendment in committee. There is no requirement in law that tips shall be reported to employers. In fact, many of the persons who receive tips do not want their employers to know how much they receive. They do not have to report such tips, unless they wish to do so. The objection made was that the employees would report the tips they wanted to report, but would not be compelled to report all the tips, and there was no penalty attached for not reporting them.

The income tax is an entirely different proposition.

Mr. LEHMAN. Why it it?

Mr. BYRD. Because the employees are responsible to the Internal Revenue Service. This is a question of reporting tips to those who employ them. The employer pays a tax on the earnings of the employees. The social-security tax is paid half by the employer, and half by the employee.

Mr. LEHMAN. The Social Security Administration is a part of our Government, and it is responsible for carrying out the law.

Mr. BYRD. Can the Senator from New York point out in what way the amendment requires an employee to report his tips to his employer?

Mr. LEHMAN. It seems to me very unfair indeed. I shall not ask for a yea-and-nay vote on the amendment, but I do wish to have a vote on it. I consider it to be entirely incongruous that a man should be deprived of social-security benefit, but at the same time be punished by his Government if he does not report his earnings to the Government and pays an income tax on them. It does not make sense to me. Regardless of whether my amendment is approved, I very much hope that the distinguished Senator from Virginia will request the Department of Health, Education, and Welfare to study this subject, and determine whether any workable plan can be developed.

Mr. BYRD. I will say to the Senator that if a workable plan can be developed, I will be very much in favor of it. I agree with what the Senator says as to the justice involved. However, no plan has been evolved by which the employee can be required to report tips to employers. Naturally if such a plan could be worked out, something could be done about it along the line suggested by the Senator from New York.

Hotel people have appeared before our committee and have testified that it was not workable. They said they could not find out how much the tips of their employees amounted to.

Mr. LEHMAN. Mr. President, may I ask the distinguished Senator from Virginia whether he will agree to request the Department of Health, Education, and Welfare to study the subject and to recommend means whereby the problem can be solved and a system of reporting worked out, so that tips may be included in the computation of social-security benefits, and, further, to report to the next session of Congress.

Mr. BYRD. I shall be glad to communicate with the Department of Health, Education, and Welfare, and ask what the department can suggest along that line.

Mr. LEHMAN. In view of the assurance of the distinguished Senator from Virginia, the Chairman of the Committee on Finance, I withdraw my amendment.

The PRESIDING OFFICER. The Senator from New York withdraws his amendment.

The bill is open to further amendment.

Mr. PAYNE. Mr. President, I call up the amendment intended to be proposed by the senior Senator from Michigan [Mr. POTTER], identified as "6-13-56—C." In view of the fact that the senior Senator from Michigan is in Europe on official business, I ask that it be called up at this time.

I ask unanimous consent that the amendment be printed in the RECORD and that the reading of it be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. POTTER's amendment is as follows:

At the end of the bill add the following new title:

"TITLE V—ESTABLISHMENT OF THE UNITED STATES COMMISSION ON THE AGING AND AGED

"Declaration of policy

"SEC. 501. The Congress recognizes that an increasingly large proportion of our population consists of persons past middle age. It is the sense of the Congress that the implications of this fact require further study and investigation from the standpoint of the national economy and the general welfare. It is hereby declared to be the policy of the Congress, in recognition of this fact, to assist in defining the problems of the aging and aged segment of the population, and in finding solutions therefor, by providing for an immediate study leading to recommendations for integrated action particularly with respect to—

"(a) employment and employability;

"(b) income maintenance;

"(c) health and physical care;

"(d) housing, living arrangements, and family relationship; and

"(e) effective use of leisure time.

"Establishment of the United States Commission on the Aging and Aged

"SEC. 502. (a) For the purpose of carrying out the policy set forth in section 501, there is hereby established a Commission to be known as the United States Commission on the Aging and Aged (hereinafter referred to as the 'Commission').

"(b) Service of an individual as a member of the Commission or employment of an individual by the Commission as an attorney or expert, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of sections 281, 283, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U. S. C. 99).

"Membership of the Commission

"SEC. 503. (a) Number and appointment: The Commission shall be composed of 10 members as follows:

"(1) Six appointed by the President of the United States, 3 from the executive branch of the Government and 3 from private life;

"(2) Two appointed by the President of the Senate from the Senate; and

"(3) Two appointed by the Speaker of the House of Representatives from the House of Representatives.

"(b) Vacancies: Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

"Organization of the Commission

"SEC. 504. The Commission shall elect a Chairman and a Vice Chairman from among its members.

"Quorum

"SEC. 505. Six members of the Commission shall constitute a quorum.

"Compensation of members of the Commission

"SEC. 506. (a) Members of Congress: Members of Congress who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress; but they

shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

"(b) Members from the executive branch: The members of the Commission who are in the executive branch of the Government shall serve without compensation in addition to that received for their services in the executive branch, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

"(c) Members from private life: The members from private life shall each receive $50 per diem when engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

"Staff of the Commission

"SEC. 507. (a) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, without regard to the provisions of the civil-service laws and the Classification Act of 1949, as amended.

"(b) The Commission may procure, without regard to the civil-service laws and the classification laws, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the act of August 2, 1946 (60 Stat. 810), but at rates not to exceed $50 per diem for individuals.

"Expenses of the Commission

"SEC. 508. There is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this title.

"Duties of the Commission

"SEC. 509. (a) Investigation: The Commission shall study, investigate, analyze, and assess existing knowledge and programs related to the problems of the aging and the aged in this country, in accordance with the policy set forth in section 501 with a view to determining what steps can be taken to provide a better integration of this group in the social and economic life of the Nation. In carrying out its functions the Commission shall solicit the cooperation and help of the various professional, business, and labor groups, as well as all other groups which are concerned with the problem, for the purpose of obtaining their views, experience, and assistance in providing direction for future planning and such legislative action as may be necessary. The Commission shall further make full use of the information, studies, and experience of the various agencies of the Government which have considered various aspects of the problem.

"(b) Report: The Commission shall submit an interim report of its activities and the results of its studies to the Congress not later than December 31, 1956, and the Commission may submit such earlier interim reports as it deems advisable. The final report of the Commission may propose such legislative and administrative actions as in its judgment are necessary to carry out its recommendations. The Commission shall submit its final report not later than May 31, 1957. The Commission shall cease to exist 30 days after the submission of its final report.

"Powers of the Commission

"SEC. 510. (a) Hearings and sessions: The Commission or, on the authorization of the Commission, any subcommittee or member thereof may, for the purpose of carrying out the provisions of this title, hold such hearings and sit and act at such times and places, administer such oaths, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee or member may deem advisable.

"(b) Obtaining official data: The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purpose of this title; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

"(c) Other data: The Commission shall cooperate with State and local bodies, and other public and private bodies, to obtain information, suggestions, estimates, and statistics for the purpose of this title."

Mr. PAYNE. Mr. President, the amendment would establish a United States Commission on the Aging and Aged. The Commission would consist of 10 members, 6 to be appointed by the President of the United States, 3 from the executive branch of the Government, and 3 from private life; 2 appointed by the President of the Senate from the Senate; and 2 appointed by the Speaker of the House of Representative from the House of Representatives.

I shall not go into detail in explanation of the provisions of the amendment, but it would provide for a study with reference to employment and employability; income maintenance; health and physical care; housing, living arrangements, and family relationship; and effective use of leisure time.

Similar studies are now being undertaken by practically every State, in an effort to explore this problem and to arrive at some answers which can be of help, not only to Congress, but also to State legislatures.

The President recently sponsored a conference on the aging, which was held in Washington. In talking with members of that group who came to Washington, I have been informed that a great deal of assistance was obtained from such studies.

The adoption of the amendment would be a step in the right direction. It is a subject that certainly needs attention.

We have done a great deal here in connection with the measure under consideration, all of which has to do with the aged people of the Nation. Certainly, if we are going to develop medical research and the opportunity for our people to enjoy longer life, we certainly owe them the responsibility of trying to see to it that the problems which confront them in their declining years are given due consideration by all public bodies.

Mr. President, I simply ask that the amendment be considered at this time.

Mr. BYRD. Mr. President, as I understand, the amendment creates a United States Commission on the aged and aging, and I can see no objection to it. I will take it to conference.

Mr. PAYNE. I thank the distinguished Senator from Virginia very much; and, Mr. President, I yield back the remainder of my time.

Mr. BYRD. Mr. President, I yield back my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maine [Mr. PAYNE] for the Senator from Michigan [Mr. POTTER].

The amendment was agreed to.

Mr. BYRD. Mr. President, I offer some purely technical amendments.

The PRESIDING OFFICER. Does the Senator desire to have them read?

Mr. BYRD. I do not think there is any need of reading them, Mr. President.

The PRESIDING OFFICER. Without objection, the amendments offered by the Senator from Virginia will be printed in the RECORD.

The amendments offered by Mr. BYRD are as follows:

On page 36, line 24, strike our "(m)" and insert in lieu thereof "(o)."

On page 47, line 1, strike out "(n)" and insert in lieu thereof "(o)."

On page 47, line 3, strike out "(o)" and insert in lieu thereof "(p)."

On page 55, line 6, strike out "(o)" and insert in lieu thereof "(p)."

On page 55, line 10, strike out "(p)" and insert in lieu thereof "(q)."

On page 63, line 17, strike out "(m)" and insert in lieu thereof "(o)."

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments offered by the Senator from Virginia.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. LEHMAN. Mr. President, for myself and on behalf of the Senator from Connecticut [Mr. BUSH], I offer the amendment which I send to the desk and ask to have stated.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the amendment be printed in the RECORD in lieu of having it read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment offered by Mr. LEHMAN for himself and Mr. BUSH is as follows:

On page 90, between lines 17 and 18, insert the following:

"PART VI—AMENDMENT RELATING TO MATERNAL AND CHILD WELFARE SERVICES

"SEC. 351. The first sentence of subsection (a) of section 521 of the Social Security Act is amended by striking out 'for each fiscal year, beginning with the fiscal year ending June 30, 1936, the sum of $10,000,000' and inserting in lieu thereof 'for each fiscal year beginning with the fiscal year ending June 30, 1957, the sum of $12,000,000'.

"Effective date

"SEC. 352. The amendment made by this part shall be effective with respect to fiscal years beginning after June 30, 1956."

Mr. LEHMAN. Mr. President, the amendment which is being offered by the distinguished Senator from Connecticut [Mr. BUSH] and myself will raise the amount authorized for the child-welfare program under title V of the social-security act from $10 million to $12 million annually. We hope that this small increase will be accepted because the program sorely needs it. This amount, $12

million, is supported and advocated by the administration for this program.

Why is this amendment needed, Mr. President? It is needed because in so many rural counties throughout the country there is not even one trained child-welfare worker to provide social work services where foster home placements and adoptions are needed. It is needed not alone to pay part of the salaries of these workers, but also to pay for the foster home care these homeless children are to receive. Now the amounts paid to foster parents, Mr. President, are small and do not cover the actual cost of the child in most cases. We are asking these foster parents to make a sacrifice—to perform an act of humanity in taking these children. Can we demand less of ourselves than to vote for part of the wherewithal by which this child welfare services program can move forward to meet only a small part of the total need?

It has been my privilege, Mr. President, to serve as chairman of the Subcommittee on Juvenile Delinquency of the Committee on Labor and Public Welfare. During the course of the hearings held by that subcommittee, it has been brought home to me most forcefully, as I know it has been to my distinguished colleagues on that subcommittee, how important an expanded child-welfare program would be in the struggle in which this Nation is today engaged to prevent and control juvenile delinquency.

My own feelings as to the importance of this program in this fight have been reinforced by the findings of the Senate Subcommittee on Juvenile Delinquency of the Committee on the Judiciary which, under the able leadership of the distinguished senior Senator from Tennessee, has been conducting a thorough and comprehensive investigation of juvenile delinquency in the United States. That subcommittee, too, has urged the strengthening and expansion of the child welfare program. It is under this program that grants are made to the welfare departments of the States to enable them to provide services in rural areas. These child welfare services are our first line of defense in the prevention of juvenile delinquency. Working with the thousands of earnest and sincere child-welfare workers from voluntary agencies, the public child welfare worker under this program may arrange for help to unmarried mothers, for investigations of proposed adoption placements, and for a myriad of other services designed to strengthen family ties.

I would emphasize at this point, Mr. President, that my proposed amendment would make no substantive changes in the existing program. I am aware, of course, that some proposals have been advanced which would enlarge the area of activity permitted for the use of these Federal funds. That is a matter for consideration at a later time. At this point I am proposing only that the demand for child-welfare services in the rural areas be more adequately met. That can be done by increasing the amount authorized to be appropriated for this program from the present $10 million annually to $12 million.

We hope each Senator will consider this a vote for the welfare and benefit of the children of our country and will vote in favor of our proposal. The Senator from Connecticut [Mr. BUSH] and I have offered our amendment in a nonpartisan spirit. We hope it will be adopted in the same spirit. This proposal, within the very narrow limits set forth, as I have said, has the support of the administration.

Mr. President, I should like to ask the distinguished Senator from Virginia whether he will take this amendment to conference.

Mr. BYRD. Mr. President, in view of the fact that it is merely an authorization, and if it is not in the budget it is understood that it will be stricken out in conference, I accept the amendment with that understanding.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York [Mr. LEHMAN] for himself and the Senator from Connecticut [Mr. BUSH].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill was read the third time.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time on the condition that the minority leader will yield back the remainder of his time.

Mr. KNOWLAND. Mr. President, I am prepared to yield back the remainder of my time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on that question.

The yeas and nays were ordered.

Mr. PAYNE subsequently said: Mr. President, I ask unanimous consent that a statement I have prepared concerning the social-security bill may be printed in the RECORD in advance of the vote on its passage.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR PAYNE

The Social Security Amendments of 1956 (H. R. 7225), as approved by the Senate Committee on Finance, is a good bill as far as it goes. The extension of coverage to most professional groups, the provisions for payments to disabled children beyond age 18, and the modifications in the basis of Federal participation in medical-care programs under public assistance are all well-considered and highly desirable changes in the existing legislation.

During the Senate's deliberations on H. R. 7225, I shall support three proposed key amendments to the bill which, if adopted, will in my opinion give us a sound, realistic, and humanitarian social-security program.

First, I shall support the proposed amendment to lower the retirement age for women from 65 to 62. At the present time, under existing law, women are eligible for retirement payments at 65, except in the case of a widow with a child in her care entitled to benefits on her husband's record. H. R. 7225 as passed by the House entitles women in every benefit category (workers, wives, widows, and dependent mothers) for payments at the age of 62. The bill, as amended by the Senate Committee on Finance, limits the reduction to 62 to widows only.

While the Finance Committee provisions making widows eligible for benefits at 62 is highly commendable, it is my firm conviction that the extension of this reduction to both working women and wives, as well as widows, is fully justified. There are several reasons for this position:

1. The majority of women between the ages of 60 and 65 are not gainfully employed. Even women who are able to work find it far more difficult than men to find employment. If a woman loses a job after 60 or 62, it is particularly difficult for her to find reemployment.

2. In the case of wives who cannot receive benefits until 65, opponents of lowering the age argue that the husband's benefit between the time he retires and the time his wife reaches 65 meets the needs of the couple. This is not very realistic in view of today's living costs. The husband receiving the maximum possible benefits receives $108.50 per month, or 30 percent of his full-time earnings, while more often the benefits run to approximately $50 or $60 or $70 a month, which is hardly adequate for the decent support of a couple. The whole theory of benefits to wives is based on the fact that the husband's benefits are inadequate for the support of a couple. Lowering to 62 the age at which wives are eligible for benefits based upon their husband's retirement benefits will go a long way toward eliminating the interval of sharply curtailed income which couples now experience in waiting for the wife to reach 65.

3. In addition to the arguments presented above, it is to my mind socially undesirable to expect women to work until they are 65 unless they wish to do so. The woman who works, plays a dual role in our society. She is at one and the same time a breadwinner and responsible for the care of the home. This double role is also a double burden. If, by lowering the retirement age to 62, we can ease this burden and enable women to enjoy a few more years of comparative ease, then by all means this Congress has an obligation to do so.

The second amendment I shall support is the George amendment relating to disability insurance benefits at age 50. The amendment would in effect make those who are totally and permanently disabled eligible for social-security benefits at the age of 50. I do not think there is anyone who would argue that this is not at least in principle a highly desirable objective. Obviously a man or woman who, because of a disability, is no longer able to support himself through gainful employment must have some means of support. The controversy concerning this amendment centers around the feasibility of such a program and the desirability of including it in the social-security program.

As to the feasibility, it is argued by opponents of the amendment that there are no adequate criteria for making determinations of disability. They argue that medical authorities cannot themselves agree on what constitutes total and permanent disability. I am not a medical expert, but the fact remains that criteria have been established for disability and are in use today. I would not pretend that these criteria are perfect, but they have proved workable both under the present social-security law, under the railroad retirement program, and under private retirement programs.

Under present social-security law, there is what is known as a disability freeze, that is, when a worker is disabled for a certain period of time, this period is included in calculating his period of contribution to re-

tirement benefits. In determining eligibility for the disability freeze, the administrators of the social-security law must obviously make disability determinations. If the George amendment is enacted, these same criteria, subject to constant review and modification as experience contributes to new understanding of disability problems, will be applied in determining who is eligible for disability payments at age 50. Without doubt, errors will be made in these determinations. Doubtless there will be those who by nature are malingerers, who will seek to take advantages of a liberalized social-security program by claiming themselves totally and permanently disabled when in fact they are not. But I do not think that we are a Nation of malingerers. I for one have enough faith in the American people to believe that those who will attempt to take unfair advantage of a broadened disability program would be an insignificant minority in comparison to the numbers who will receive deserved and needed benefits from this program. We cannot continue to punish those who are in real need of disability payments out of fear of the very few who will attempt to misuse this program.

Opponents of the amendment to provide payments for those totally and permanently disabled at 50 also argue that such a program will have an adverse effect on rehabilitation programs. The amendment contains safeguards which if properly administered will prove adequate to insure that every attempt is made by the individual disabled to seek and attempt rehabilitation. The amendment provides that deductions will be made in payments to those who refuse to accept rehabilitation without good cause. Again there will be those who may get away with something, but with proper administration, the number who will neither accept nor respond to rehabilitation can be kept to an insignificant minority.

The cost of the disability program is of course the most ticklish aspect of the proposal. It is argued that because it cannot be calculated with accuracy how many people in future years may be eligible for this program, it is impossible to forecast how much the program will cost in future years, how much may be required in additional social-security taxes, and how much may be drained off the Social Security System Trust Fund for regular OASI payments. To a degree this is a valid argument. However, very careful consideration has been given to this question of cost now and in the future. In increased taxes, the employee paying on the full $4,200 would pay an additional $10 per year and would if totally and permanently disabled at 50 receive benefits of $108.50 per month. The cost to the employee would run under one-half of 1 percent of payroll or 0.42 percent. These costs are based upon intermediate cost estimates furnished by the Chief Actuary of the Social Security Administration and are probably as accurate as can possibly be made. It should be kept in mind that in the past cost estimates have run higher than actual costs because they are calculated on the basis of present earnings, whereas the trend toward consistently higher earning levels has in fact put actual costs below preliminary estimates. But even presuming the estimates will be verified in reality, the protection to workers and their families that would result from this program will more than justify the cost.

In addition, the George disability amendment sets up a separate trust fund to receive the disability payments and to disburse the disability benefits. In this way, it will be possible to keep close account of the program's cost and to make the necessary modifications in future years either to keep it actuarily sound or to put it on a different financial basis, if necessary.

The third amendment, which I shall support and which is of particular merit, is the Long amendment which proposes an increase in public assistance payments from $55 to $65 per month and would change the formula for Federal participation in old-age assistance, aid to the blind and aid to the totally and permanently disabled. It is my privilege to be a cosponsor of this amendment. The new formula would require Federal participation on a formula of five-sixths of the first $30 and one-half of the balance up to a maximum of $65. The present formula calls for Federal participation on a basis of four-fifths of the first $25 and one-half of the balance up to $55. These increases in benefits and in the Federal share of the benefits would be applicable if the States pass on the additional funds through increases in payments to recipients.

Last January, I introduced a bill similar to the proposed Long amendment. The Payne bill would have increased payments to $75 per month. It is my feeling that this payment would be more desirable than the $65 per month, but at this time it seems unlikely that such an increase would receive congressional approval. Therefore, I will fully support the proposal to increase benefits to $65 per month as a good step in the right direction toward providing adequate benefits to those who are not under the old-age and survivors insurance program and to supplement the income of individuals receiving minimum social-security benefits.

There is a definite need both for increasing the total payments and for upgrading the Federal participation in this program. Since 1952, income levels and social-security benefits have increased significantly. However, average payments for old-age assistance, aid to the blind and to the totally and permanently disabled have remained at the low level of $54, $58, and $56, respectively, per month. It is obvious that no person can live anything approaching a decent life on $55 per month; $65 per month certainly will not put one in luxury, but this increase, along with the broadened medical assistance program, will go a long way toward providing the necessities for a tolerable and decent existence. And increasing the Federal participation will enable States with low per capita incomes to participate in increased benefits. Furthermore, the increase to $65 per month gives recognition to the wealthier States which have been able to give benefits beyond $55 per month entirely from State funds, and in effect will help reimburse them for their efforts thus far, and perhaps enable them to grant further increases beyond the level of $65 per month.

The old-age-assistance program was originally conceived to be complementary to social security, where a worker, through his years of employment, provides for his own retirement and for the welfare of his survivors after his death. Because at the outset of the social-security program, a great many people had already reached old age without benefit of a retirement-benefit program and because there were also a great many people not covered by the program at all at its inception, it was necessary to set up the supplementary program of old-age assistance to aid those who in their old age simply do not have the financial resources to provide for themselves after they are no longer employed. The number of people who are covered by the old-age and survivors insurance program is constantly increasing and the proportion of people in need of public assistance will continue to decrease as greater numbers are able through the social-security system to provide for their own old age. And this is as it should be. But until the day when the social-security program can adequately provide for autumn years of every American, we must insure that the public-assistance program is developed to the extent that it will provide for those who through no fault of their own find themselves in these later years with insufficient income to obtain the very necessities of life. It is for this reason that it is of the utmost importance that the benefits for old-age assistance be increased so that the public-assistance program will continue to fulfill its vital role in the national welfare until such time as it is no longer needed.

It is my firm conviction that the social security and public-assistance programs will be substantially improved with the passage of the amendments I have discussed above, namely, lowering the age at which women may receive benefits from 65 to 62, providing for disability payments at the age of 50, and increasing the public-assistance payments from $55 to $65 per month. We have a sound social-security program now. But it is blind to assume that it is perfect or near perfect. We now have the opportunity to broaden the program so that more Americans may benefit in more ways from social security. By enacting these changes in the present social-security law we, in the Congress, can fulfill one of the fundamental roles of government as we know it, that is to help people to help themselves, which is really the basic purpose of the social-security laws and is the immediate objective of the proposed amendments.

Mr. MARTIN of Pennsylvania. Mr. President, I ask unanimous consent to have printed in the RECORD, prior to the vote on the social-security bill, two statements I have prepared, one relative to the Long amendment, the other pertaining to the Kerr amendment.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MARTIN OF PENNSYLVANIA

LONG AMENDMENT INCREASING FEDERAL SHARE OF PUBLIC ASSISTANCE COSTS

1. Costs of the amendment to the Federal Government would be over $200 million annually for old-age assistance, aid to the blind, and aid to the permanently and totally disabled, and over $300 million if aid to dependent children were included.

2. The Federal share in the first part of assistance payments is already disproportionately high—four-fifths of the first $25. The Long amendment extends even further a dangerous trend toward high Federal financing (the assistance programs started in 1935 on a 50–50 sharing basis) by raising the Federal share to five-sixths of the first $30 of any payment. Furthermore, it would make this disproportionate sharing permanent.

3. Such a high proportion of Federal funds is inconsistent with the primary responsibility for administration of the assistance programs that rests with the States. Certain States, such as Louisiana, that have so defined need that a high proportion of their aged qualify for assistance (over 60 percent of all aged receive assistance in Louisiana) stand to receive a disproportionately high share of the additional Federal formula.

(a) Louisiana, for example, would receive an additional $38 per year for each aged person in the State. In contrast, the additional Federal funds would amount to $13 per aged person in the United States as a whole, and to $4 or less in the six States getting least.

(b) Thus the benefit per aged person in Louisiana is three times the average for all States.

4. States would generally receive the additional Federal funds without any expenditure of additional State funds. At a time when the fiscal situation of the States is generally relatively better than that of the Federal Government, this one-sided additional financing seems unwarranted.

5. Since old-age and survivors insurance is increasingly taking care of the income

maintenance needs of our aged, the number of recipients of old-age assistance is gradually declining. Large additional Federal expenditures in the face of these facts seem unnecessary and inconsistent with the intention of Congress as expressed throughout the years.

6. As more and more people become OASI beneficiaries, the greater the incentive may be to a State to supplement monthly OASI benefits, by say $30 or less, merely by putting up $5 or less of State money. Thus, the Federal Government may never see a reduction in its assistance costs unless the matching formula provides greater incentive for sound administration.

Even though States do not change their present policies, there will be a steadily increasing number of small payments as the aged population increases and the OASI program continues to grow. Instead of sharing equally in the resulting savings, most of the savings will go to the States under even the present matching formula. This result would be magnified by the Long amendment.

7. The increased Federal funds going to the States under the Long amendment would tend to prevent States from reflecting declining average assistance payments. In order to meet the conditions of the amendment, States may have to arbitrarily revise their assistance standards upward without relation to increased need. (Living costs have been relatively stable since the last increase in the Federal share of public-assistance payments.)

8. The provision intended to assure that States pass on the additional Federal funds to recipients presents several serious problems and could disrupt State fiscal arrangements.

(a) States receiving the additional funds and having an average expenditure (State and local) per recipient at about that in 1955 are subjected to a potential loss of all of the additional funds if their average drops even a few cents. This risk (limited to 4 consecutive quarters for old-age assistance) is not entirely within the control of a State.

(b) If a State has increased its payment per recipient since the beginning of 1955, it does not have to pass on all of the additional money.

(c) If the payment per recipient has declined since the beginning of 1955, a State would have to provide additional funds in order to qualify for the additional Federal funds. (This would be true even if the number of recipients had increased and the State had already increased its total expenditure.)

9. The committee bill without the Long amendment meets squarely the largest assistance need at the present time, namely, some flexibility in the $55 Federal maximum in order to meet high medical-care costs in individual cases. Thus, the medical-care amendment in the committee bill (which represents an additional Federal expenditure of nearly $100 million) is a liberal and far sounder approach to our present assistance needs than is the Long amendment.

STATEMENT BY SENATOR MARTIN OF PENNSYLVANIA

KERR AMENDMENT ON AGE OF ELIGIBILITY OF WIVES AND WORKING WOMEN

The proposed Kerr amendment would extend the idea of a lower age of eligibility for women to include wives and working women, as well as the widows. Apparently recognizing that any age reduction is inconsistent with trends of longer life, longer employment, and the greater life expectancy of women as compared with men, the amendment tries to make the proposal more acceptable by eliminating the cost factor.

This is done by providing that wives and working women, if they wish to receive benefits at age 62, 63, or 64, must take a reduction in those benefits (since the benefits will be spread over a longer life expectancy). The reduction is computed on an actuarial basis—for example, a 20-percent reduction for a working woman retiring at age 62 and a 25-percent reduction for a wife (of a retired male worker) who elects to commence her benefits at age 62.

The arguments against the Kerr amendment fall into three categories:

A. Arguments against lower age not affected by proposal for providing actuarially reduced benefits.

B. Cost—apparently but not actually met by actuarial reduction plan.

C. Arguments against concept of actuarially reduced benefits in a social insurance system.

A. Arguments against lower age not affected by proposal for providing actuarially reduced benefits

1. Adverse effect on employment of women:

(a) Employers could retire women workers earlier than under present law with the assurance that they would get a benefit. To the extent that the benefit could be said by employers to be adequate despite the actuarial reduction, this objection is still significant.

(b) Our objectives should be more jobs for older persons—not techniques for easing them out of the labor market. The Kerr amendment would retard our national efforts to encourage employment of older persons.

(c) The age at which women find it difficult to obtain work would be reduced; employers would feel less responsibility to hire a woman who was eligible for a benefit, even though a reduced one.

(d) Even with the actuarial reduction in the benefit, a reduction in the eligibility age for women runs contrary to trends in private pension plans to provide the same retirement age for men and women.

2. Many wives would still not benefit: Even if the eligibility age for wives were lowered to age 62, only a little over one-half of them would be immediately eligible for benefits when the husband retires. It is better to adhere to the age 65 eligibility rather than to try to accommodate some of the situations where the wife is younger than the retired husband. Once the age 65 line is broken, there is no logic in any specified age of eligibility.

3. Adverse effect on assets: If women were retired earlier than at present they would have a shorter period in which to build up retirement assets and a longer period over which to spread them. The fact that their benefits were lower than they would be at 65 would make this situation still more acute.

4. Pressures to lower age of eligibility for men: Once the age 65 line is broken, there will be great pressure to lower the age of eligibility for men. This would tend to undermine the entire OASI system and be inconsistent with sound, up-to-date gerontological thinking.

5. Pressure to reduce the age for old-age assistance: Since the benefits payable under the actuarial reduction plan would frequently be inadequate (and yet it would be more difficult for women in these age groups to find and keep jobs), pressure would develop for lowering the eligibility age for women under old-age assistance in order that the inadequate insurance benefits could be supplemented. A reduction in the eligibility age under the old-age assistance under such circumstances could be very costly.

B. Cost—apparently but not actually met by actuarial reduction plan

1. The actuarial reduction plan would mean no immediate increase in program costs. However, as soon as women who have elected to take an actuarially reduced benefit at an earlier age begin to reach 65 and recognize that they will continue to receive only the reduced benefit, there will be great pressures to eliminate the actuarial reduction and provide a full-rate benefit.

2. If full-rate benefits are provided, the cost would be about 0.36 percent of payroll or about $800 million a year. This would mean a very substantial increase in tax burden—and the combined tax increases for disability benefits and lower age for women would be the same as under the original House version of H. R. 7225.

(a) The original House version of H. R. 7225 called for an immediate 25 percent increase in taxes on 70 million people—about $1.7 billion.

C. Arguments against concept of actuarially reduced benefits in a social insurance system

NOTE.—These arguments are in no way intended to suggest, and they would not support, the idea that the Kerr amendment be liberalized to provide full-rate benefits. Clearly an actuarial reduction makes the lower-age provisions somewhat less objectionable than otherwise. The arguments below are intended to demonstrate that an actuarial reduction in benefits has many special difficulties, such that age reduction even under this plan is still very undesirable.

1. Inadequacy of reduced benefit: Since at present OASI benefits provide only a basic security, the reduced amounts that would be paid to women who file for benefits before age 65 may often prove to be inadequate. Once the decision was made, it would (unless the beneficiary could return to work) be irrevocable.

2. Difficulty of obtaining public understanding: Public understanding of the actuarial-reduction plan, complicated as it necessarily is, would be very difficult to obtain. Whether early filing is advantageous for the individual would be very difficult, and sometimes impossible to determine. Decisions made would often prove in time not to have been advantageous.

3. Creates administrative complexities: The plan complicates the benefit computation provisions tremendously, especially because of the need to provide for benefit recomputations (in addition to the present work and dropout recomputations) for persons who become entitled to benefits and have benefit suspensions because of reemployment. Thus the program would be even harder to understand and harder and more expensive to administer than it now is.

4. Ease of starting on unwise precedents: Because the actuarial reduction appears to remove certain initial objections, there would be greater pressure to lower the eligibility age even further than 62 and greater pressures for lowering the age for men.

Mr. JOHNSON of Texas. Mr. President, I commend my good friend, the distinguished senior Senator from Pennsylvania, for the contribution he has made during the past several months in the Committee on Finance. He is always fair, courteous, and diligent. The Senate is most fortunate to have as a representative of the minority on the committee a man having the outstanding qualities of ED MARTIN.

Mr. MARTIN of Pennsylvania. I thank the distinguished majority leader for his kindness.

The PRESIDING OFFICER. The bill having been read a third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Montana [Mr. MURRAY], and the Senator from

Wyoming [Mr. O'MAHONEY] are absent on official business.

I further announce that, if present and voting the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Montana [Mr. MURRAY], and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The Senator from Colorado [Mr. MILLIKIN] is necessarily absent.

If present and voting, the Senator from Michigan [Mr. POTTER] and the Senator from Colorado [Mr. MILLIKIN] would each vote "yea."

The result was announced—yeas 90, nays 0, as follows:

YEAS—90

Aiken	Goldwater	Martin, Pa.
Allott	Gore	McCarthy
Anderson	Green	McClellan
Barrett	Hayden	McNamara
Beall	Hennings	Monroney
Bender	Hickenlooper	Morse
Bennett	Hill	Mundt
Bible	Holland	Neely
Bricker	Hruska	Neuberger
Bridges	Humphrey, Minn.	Pastore
Bush	Humphreys, Ky.	Payne
Butler	Ives	Purtell
Byrd	Jackson	Robertson
Capehart	Jenner	Russell
Carlson	Johnson, Tex.	Saltonstall
Case, N. J.	Johnston, S. C.	Schoeppel
Case, S. Dak.	Kefauver	Scott
Clements	Kennedy	Smathers
Cotton	Kerr	Smith, Maine
Curtis	Knowland	Smith, N. J.
Dirksen	Kuchel	Sparkman
Douglas	Laird	Stennis
Duff	Langer	Symington
Dworshak	Lehman	Thye
Eastland	Long	Watkins
Ellender	Magnuson	Welker
Ervin	Malone	Wiley
Flanders	Mansfield	Williams
Frear	Martin, Iowa	Wofford
Fulbright		Young
George		

NOT VOTING—6

Chavez	Millikin	O'Mahoney
Daniel	Murray	Potter

So the bill (H. R. 7225) was passed.

The title was amended, so as to read: "An act to amend title II of the Social Security Act to reduce to age 62 the age on the basis of which benefits are payable to certain widows, to provide for child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes."

Mr. BYRD. Mr. President, I ask unanimous consent that the engrossed amendments of the Senate to the bill (H. R. 7225) be printed; and that in the engrossment of the amendments of the Senate to the bill, the Secretary of the Senate be authorized to make all necessary technical and clerical changes, including changes in section, subsection, and paragraph numbers, and letters and cross-references thereto.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. HOLLAND in the chair) appointed Mr. BYRD, Mr. GEORGE, Mr. KERR, Mr. FREAR, Mr. MILLIKIN, Mr. MARTIN of Pennsylvania, and Mr. WILLIAMS conferees on the part of the Senate.

Mr. JOHNSON of Texas. Mr. President, first I wish to commend my friend, the able and distinguished senior Senator from Virginia [Mr. BYRD]. Every citizen of this country owes a debt of deep gratitude to him. For months he has spent freely of his time in attempting to bring to the Senate the bill which has just been passed by such an overwhelming vote.

The proposed legislation reaches into every home in the land. It received the painstaking, thorough consideration of the Committee on Finance, which is composed of some of the ablest Members of the Senate. During its full consideration, the bill has had very thorough consideration, and the senior Senator from Virginia has been an able advocate of the cause in which he believed. He has expressed his convictions and has done outstanding work. The bill now goes to conference with the blessings of the entire Senate.

I know that in the days ahead the distinguished Senator from Virginia will do his best to come to an agreement with the conferees on the part of the House which will be acceptable to the membership of both Houses.

America is very fortunate to have in public life men like HARRY BYRD. I am very grateful to him for the contribution he has made to the side of the aisle which I represent.

Mr. President, I desire to make another bill the unfinished business.

The PRESIDING OFFICER. The Senator from Texas has the floor.

AMENDMENT OF CERTAIN PROVISIONS OF THE TARIFF ACT OF 1930

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2600, H. R. 6040.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 6040) to amend certain administrative provisions of the Tariff Act of 1930 and to repeal obsolete provisions of the customs laws.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Finance with amendments.

Mr. JOHNSON of Texas. Mr. President, this bill is a very urgent administration measure. It is commonly referred to as the Customs Simplification Act. The bill was reported by the Committee on Finance. No other committee in Congress handles more far-reaching legislation than does the Committee on Finance, which has had a heavy schedule at this session.

I am hopeful that by having the Senate convene tomorrow morning at 9:30, it will be possible to complete the consideration of the customs simplification bill early in the day and then to proceed to the consideration of the Hells Canyon bill.

I have assured Senators on both sides of the aisle that it is the intention of the leadership to have a vote on the Hells Canyon bill some time on Thursday. If it becomes necessary, we shall continue in session until 11 or 12 o'clock tomorrow evening. I am hopeful that it will be possible to have a vote before tomorrow evening on the customs simplification bill and then to proceed to the consideration of the Hells Canyon bill.

It is possible also that some minor bills may be sandwiched in between those two bills. I am hopeful that we may certainly have a final vote on the Hells Canyon bill on Thursday.

I want all Senators to be on notice that the customs simplification bill will be the unfinished business when the Senate convenes tomorrow morning at 9:30. There will be a brief morning hour; then it is hoped that prompt action may be taken on that bill.

BENEFITS FOR SURVIVORS OF SERVICEMEN AND VETERANS—CONFERENCE REPORT

Mr. BYRD. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7089) to provide benefits for the survivors of servicemen and veterans, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings, pp. 13186–13190.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

ANNOUNCEMENT AS TO CONFERENCE REPORTS AND MUTUAL SECURITY APPROPRIATION BILL

Mr. JOHNSON of Texas. Mr. President, I should like to give notice that from time to time conference reports will be received from the House. We expect to take prompt action. The mutual security appropriation bill may be taken up at any time. I want all Senators to be on notice of that.

I now yield to the Senator from Louisiana.

PURCHASE OF CERTAIN LAND WITHIN CACHE NATIONAL FOREST, UTAH

Mr. ELLENDER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House bill

8898, to provide an additional authorization of appropriations for the purchase by the Secretary of Agriculture under the act of May 11, 1938, of lands within the boundaries of the Cache National Forest in the State of Utah.

Mr. President, on June 18 the Senate passed an identical bill, being Senate bill 3132. The language is identical except that a provision was added by the House which would prevent the Secretary of Agriculture from granting permits for grazing on this land.

I have asked the distinguished Senator from Utah if that provision was agreeable to him, because it was his bill, as well as to his colleague, and both agreed they were willing to accept the amendment adopted by the House.

Mr. BENNETT. Mr. President, I hope the bill will be passed as it came from the House, so no formal conference will be necessary.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. JOHNSON of Texas. Is this the measure the Senator talked to the majority leader about?

Mr. ELLENDER. It is.

Mr. JOHNSON of Texas. I agree to the request made.

The PRESIDING OFFICER. The Senator from Louisiana has asked unanimous consent that the Senate proceed to the immediate consideration of a bill which will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 8898) to provide an additional authorization of appropriations for the purchase by the Secretary of Agriculture under the act of May 11, 1938, of lands within the boundaries of the Cache National Forest in the State of Utah.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H. R. 8898) was ordered to a third reading, read the third time, and passed.

USE OF HUMANE METHODS IN SLAUGHTER OF LIVESTOCK AND POULTRY—ADDITIONAL REPORT OF A COMMITTEE

Mr. HUMPHREY of Minnesota by unanimous consent, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 1636) to require the use of humane methods in the slaughter of livestock and poultry in interstate or foreign commerce, and for other purposes, reported it favorably, with amendments, and submitted a report (No. 2617) thereon.

RECESS TO 9:30 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, if there is no Senator who desires to speak, pursuant to the order previously entered, I move that the Senate stand in recess until 9:30 o'clock tomorrow morning.

The motion was agreed to; and (at 10 o'clock and 2 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow morning, Wednesday, July 18, 1956, at 9:30 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate July 17 (legislative day of July 16), 1956:

DIPLOMATIC AND FOREIGN SERVICE

The following-named persons, now Foreign Service officers of class 2 and secretaries in the diplomatic service, to be also consuls general of the United States of America:

Edward Poor Montgomery, of the District of Columbia.
Charles P. O'Donnell, of Illinois.

The following-named persons, now Foreign Service officers of class 3 and secretaries in the diplomatic service, to be also consuls general of the United States of America:

Robert C. Martindale, of California.
H. Gordon Minnigerode, of Alabama.

The following-named persons for appointment as Foreign Service officers of class 1, consuls, and secretaries in the diplomatic service of the United States of America:

W. Park Armstrong, Jr., of New Jersey.
Leland Barrows, of Kansas.

The following-named persons for appointment as Foreign Service officers of class 2, consuls, and secretaries in the diplomatic service of the United States of America:

J. Paul Barringer, of Pennsylvania.
Edward W. Doherty, of Virginia.
Max McCullough, of Texas.
Robinson McIlvaine, of Pennsylvania.
Marc J. Robinson, of Massachusetts.
William J. Sheppard, of Kansas.
Charles C. Stelle, of Maryland.
Howard Trivers, of Maryland.
Leonard Unger, of Maryland.
Leonard Weiss, of Illinois.
George F. Wilson, of California.

The following-named persons for appointment as Foreign Service officers of class 3, consuls, and secretaries in the diplomatic service of the United States of America:

Konrad Bekker, of Kentucky.
Joseph J. Chappell, of Georgia.
Edward N. Cooper, of Ohio.
James M. Flanagan, of the District of Columbia.
Paul W. Hallman, of Virginia.
Mrs. Ruth Mason Hughes, of the District of Columbia.
John W. McDonald, Jr., of Virginia.
Walter J. Mueller, of Connecticut.
Thomas E. Nelson, of Washington.
Alfred Reifman, of Maryland.
John F. Rieger, of the District of Columbia.
Warren A. Silver, of the District of Columbia.
Joseph John Sisco, of Maryland.
Roy L. Wade, of Texas.

The following-named persons for appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America:

John A. Bailey, of Virginia.
Charles K. Bevilacqua, of Pennsylvania.
George W. Caldwell, Jr., of Florida.
John D. Doerr, of Florida.
Miss Sara G. Falkener, of North Carolina.
Norman W. Getsinger, of Michigan.
Robert C. Hayes, of Maryland.
Thomas R. Hodet, of Connecticut.
Gordon D. Johnson, of California.
W. J. Lehmann, of the District of Columbia.
Miss Leocade Leighton, of Massachusetts.
Jesse D. McElroy, Jr., of Georgia.
Roland F. Moores, of Ohio.
John L. Neese, Jr., of the District of Columbia.
Hugo V. Newell, of Illinois.
Robert Person, of Virginia.
Vladimir P. Prokofieff, of Virginia.
Lewis M. Purnell, of Delaware.
Miss Helen W. Rose, of Minnesota.
Gustav A. Sallas, of the District of Columbia.
Manuel Sanchez, of Florida.
William B. Snidow, of Virginia.
W. Davidson Tenney, of Maryland.
Vernon B. Zirkle, of Virginia.

The following-named persons for appointment as Foreign Service officers of class 5, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Miss Marion E. Anderson, of Connecticut.
Miss Faith V. Andrus, of California.
Hyman Bloom, of the District of Columbia.
S. Lees Booth, of Virginia.
John A. Brogan III, of New York.
Hubert H. Buzbee, Jr., of Alabama.
Harold T. Christie, of New York.
Fred A. Durling, of New York.
Miss Jean L. Farr, of Massachusetts.
Clifford J. Glennon, of Utah.
Seymour S. Goodman, of Virginia.
Albert W. Jessee, of California.
William Kelley, of Florida.
Leslie A. Klieforth, of California.
Malcolm Lawrence, of Maryland.
Orville M. Lewis, of Virginia.
Theodore L. Lewis, of New York.
Copeland H. Marks, of Vermont.
Miss Teresa Offie, of Pennsylvania.
Miss Mary W. Oliverson, of Oklahoma.
Joseph E. O'Mahoney, of New York.
Neil L. Parks, of Maryland.
Miss Elizabeth Rice, of Florida.
Regulo Rivera, of California.
Mrs. Helen E. Sheehy, of Arkansas.
Miss Lucy A. Shults, of New York.
Miss Cora M. Smith, of Vermont.
Fred A. Somerford, of Maryland.
Marcel van Essen, of New York.
Robert D. Yoder, of Pennsylvania.

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Philip M. Allen, of New York.
William M. Beck, of Illinois.
Melville E. Blake, Jr., of California.
Harry A. Cahill, of New York.
Paul F. Canney, of Massachusetts.
Frank C. Carlucci, of Pennsylvania.
R. Dabney Chapman, of Virginia.
Robert G. Cox, of New Mexico.
Edwin G. Croswell, of Ohio.
Allen C. Davis, of Tennessee.
John C. Dorrance, of California.
Robert A. England, of Connecticut.
Maynard W. Glitman, of Illinois.
Carl J. Grip, of California.
Walter V. Hall, of Virginia.
Lambert Heyniger, of New York.
George Borman High, of Illinois.
Donald R. Jones, of Alabama.
George F. Jones, of Texas.
Miss Carol P. Kane, of Ohio.
Edward E. Keller, Jr., of California.
Thomas F. Killoran, of Massachusetts.
William E. Knepper, of Kansas.
Peter W. Lande, of Massachusetts.
Larry E. Lane, of Texas.
John K. Laumer, of Florida.
Herbert Levin, of New York.
Alan Logan, of California.
Stuart H. McIntyre, of Oregon.
Melvin M. Marcus, of Michigan.
Richard B. Moon, of Missouri.
Richard H. Morefield, of California.
Don A. Morgan, of Oregon.
Beauveau B. Nalle, of Virginia.
Charles R. O'Hara, of Maryland.
Arthur C. Plambeck, of Illinois.
David R. Raynolds, of Connecticut.

Robert F. Rogers, of California.
Bernard J. Rotklein, of Minnesota.
Jackson L. Smith, of Florida.
Thomas W. M. Smith, of Massachusetts.
Franklin E. Stevens, of California.
Edward J. Streator, Jr., of New York.
Thurston F. Teele, of Massachusetts.
George H. Thigpen, of the District of Columbia.
Francis Hugh Thomas, of Pennsylvania.
Donald R. Toussaint, of California.
Edward T. Walters, of Missouri.
Charles L. Young, of Michigan.

The following-named Foreign Service staff officers to be consuls of the United States of America:

Gilbert F. Austin, of Washington.
William K. Braun, of Ohio.
John P. Coffey, of Illinois.
Frederick N. Cromwell, of Arizona.
Edwin C. Kirkland, of Florida.
Nathan R. Meadows, of Massachusetts.
Robert L. Nichols, of Massachusetts.
Nicholas Ruggieri, of Rhode Island.
Benjamin L. Sowell, of Maryland.

Carleton B. Swift, Jr., of the District of Columbia, a Foreign Service reserve officer, to be a consul and a secretary in the diplomatic service of the United States of America.

Peter M. F. Sichel, of the District of Columbia, a Foreign Service reserve officer, to be a consul of the United States of America.

The following-named Foreign Service reserve officers to be secretaries in the diplomatic service of the United States of America:

Charles D. Hyson, of New York.
Richard G. Weitzel, of Pennsylvania.

The following-named Foreign Service reserve officers to be vice consuls of the United States of America:

Harold Lloyd Goodall, of West Virginia.
Clifford A. Rajala, of Michigan.
John R. Rogers, of Virginia.
Robert T. Shaw, of Virginia.

Carleton C. Brower, of California, to be a Foreign Service officer of class 6, a vice consul of career, and a secretary in the diplomatic service of the United States of America.

(This nomination is submitted for the purpose of correcting an error in the nomination as submitted to the Senate on June 4, 1956, and confirmed by the Senate on June 14, 1956.)

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Sheldon Applebaum, of New York.
Richard D. Christiansen, of Michigan.
Stephen H. Rogers, of New York.
William Watts, of Massachusetts.
David S. Lusby, of Arizona.
Ernest A. Nagy, of Ohio.

COMMISSION ON INCREASED INDUSTRIAL USE OF AGRICULTURAL PRODUCTS

The following-named persons to be members of the Commission on Increased Industrial Use of Agricultural Products:

George Henry Coppers, of New Jersey.
Karl Douglas Butler, of New York.
Charles R. Sayre, of Mississippi.
Frank J. Welch, of Kentucky.
J. Leroy Welsh, of Nebraska.

CONFIRMATIONS

Executive nomination confirmed by the Senate July 17 (legislative day of July 16), 1956:

CALIFORNIA DEBRIS COMMISSION

Col. Albert E. McCollam, Corps of Engineers, to be a member of the California Debris Commission, under the provisions of section 1 of an act of Congress, approved March 1, 1893 (27 Stat. 507) (33 U. S. C. 661).

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 17, 1956

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Eternal God, our Father, may the memory of Thy sustaining grace and goodness in all our yesterdays inspire us to meet the tasks and challenging responsibilities of this new day with indomitable faith and invincible courage.

We are bringing unto Thee our sins and shortcomings, our insurgent impulses and our inordinate desires, beseeching Thee that our minds and hearts may be purged and purified.

May our groping and faltering spirits daily be brought under the spell and sway of Thy divine spirit to be touched and transformed to nobler and finer issues.

Grant that we may believe that the prospects for the final triumph of truth and righteousness are as radiant and glorious as the promises of the Lord God omnipotent.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 558. An act for the relief of Irene Montoya;

S. 579. An act for the relief of Giuseppe Scalia;

S. 1407. An act for the relief of Guillermo B. Rigonan;

S. 1626. An act for the relief of Rachid Abdallah;

S. 2216. An act to amend the act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497);

S. 2419. An act for the relief of Dr. Anton M. Lodmell;

S. 2578. An act to amend the law relating to residence of assistant assessors for the District of Columbia;

S. 2815. An act for the relief of Peter V. Bosch;

S. 3064. An act for the relief of Thomas J. Smith;

S. 3068. An act for the relief of Arsene Kavoukdjian (Arsene Kavookjian);

S. 3103. An act for the relief of Eldur Eha;

S. 3127. An act for the relief of Karl Eigil Engedal Hansen and his wife, Else Viola Agnethe Hansen, and their minor child, Jessie Engedal Hansen;

S. 3133. An act to provide for the conveyance of certain real property of the United States to the city of Boise, Idaho;

S. 3155. An act for the relief of May Ping Lee;

S. 3179. An act for the relief of Redentor Ligot Romero;

S. 3183. An act for the relief of Dr. Chengen Lu;

S. 3188. An act for the relief of Stephen Kuang-Tao Hsu;

S. 3191. An act for the relief of Jose Maria Arias-Ortega;

S. 3193. An act for the relief of Natalia Kozlov Kavazov Kolubaev (Koljubajer, Kolubajev);

S. 3257. An act for the relief of Georgiana Ching Hsien (Liang) New;

S. 3258. An act for the relief of Margaret Kwei Chang (Margaret Hua-Chen Kwei);

S. 3285. An act for the relief of Giok Po Oey;

S. 3306. An act for the relief of Sergius Kusmin and his wife, Irene Kusmin;

S. 3347. An act for the relief of Mr. and Mrs. H. F. Webb;

S. 3354. An act for the relief of Jelena Simicevic;

S. 3358. An act for the relief of Hewey Malachi Mackey;

S. 3364. An act for the relief of Roberto Mario Bettinzoli;

S. 3370. An act for the relief of Paul Yen-Hsiung Feng and his wife, Mary Stella Pao-Ching Feng, and their minor child, Joseph Shao-Ying Feng;

S. 3417. An act granting the consent of Congress to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact relating to their interest in, and the apportionment of, the waters of the Little Missouri River and its tributaries as they affect such States, and for related purposes;

S. 3440. An act for the relief of Vincent Lee Lao;

S. 3465. An act relating to effective dates of increases in compensation granted to wage board employees;

S. 3487. An act for the relief of Lucy Lin and her minor child, Peter Lin;

S. 3500. An act to reduce postage rates on parcels containing only food, clothing, medicines, or drugs sent by mail for relief purposes;

S. 3521. An act for the relief of Athanasios Nicholas Prittes (also known as Thomas Prites, or Tom N. Phillips);

S. 3537. An act for the relief of Manuel Souza Novo;

S. 3557. An act for the relief of Stylianos Lecomples;

S. 3594. An act to reauthorize construction by the Secretary of the Interior of Farwell unit, Nebraska, of the Missouri River Basin project;

S. 3619. An act to amend the District of Columbia Public School Food Services Act;

S. 3657. An act for the relief of Nelson Shu-Yung Chuang;

S. 3660. An act for the relief of Panagiota Paganis;

S. 3713. An act for the relief of Elizabeth Cacavas (Elisavet Ioannou Kakava);

S. 3813. An act for the relief of Dr. James R. P. Wong;

S. 3814. An act for the relief of Guiseppina Coppola;

S. 3887. An act to amend the act entitled "An act to provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of passengers, and for other purposes," approved June 29, 1938;

S. 3889. An act to amend the act entitled "An act to grant additional powers to the Commissioners of the District of Columbia, and for other purposes," approved December 20, 1944, as amended;

S. 3968. An act to provide for the termination of Federal supervision over the property of the Peoria Tribe of Indians in the State of Oklahoma and the individual members thereof, and for other purposes;

S. 3969. An act to provide for the termination of Federal supervision over the property of the Ottawa Tribe of Indians in the State of Oklahoma and the individual members thereof, and for other purposes;

S. 3970. An act to provide for the termination of Federal supervision over the property of the Wyandotte Tribe of Oklahoma and the individual members thereof, and for other purposes;

S. 4003. An act to extend Federal recognition posthumously to Lt. Col. Lee J. Merkel, Air National Guard of the United States, as a colonel, Air National Guard, and for other purposes;

S. 4015. An act for the relief of Antonietta Aurora Mattera Berg;

S. 4058. An act to authorize the Secretary of Agriculture to extend and renew to Chicago, Milwaukee, St. Paul & Pacific Railroad Co. for the term of 10 years a lease of a tract of land in the United States Department of Agriculture Range Livestock Experiment Station, in the State of Montana, and for a right-of-way to said tract, for the removal of gravel and ballast material, executed under the authority of the act of Congress approved June 26, 1946;

S. 4060. An act to amend section 607 of the Postal Field Service Compensation Act of 1955 to include employees of the Motor Vehicle Service;

S. 4086. An act to provide that the United States hold in trust for the Indians entitled to the use thereof the lands described in the Executive order of December 16, 1882, and for adjudicating the conflicting claims thereto of the Navaho and Hopi Indians, and for other purposes;

S. 4099. An act granting the consent of Congress to the Pittsburgh Plate Glass Co. for the construction of a dam on the north branch of the Potomac River; and

S. J. Res. 187. Joint resolution to extend the operation of the Emergency Ship Repair Act of 1954.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills, joint resolutions, and a concurrent resolution of the House of the following titles:

H. R. 2603. An act to increase the area within which officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia may reside;

H. R. 4993. An act to authorize the Board of Commissioners of the District of Columbia to permit certain improvements to business property situated in the District of Columbia;

H. R. 5712. An act to provide that the United States hold in trust for the Pueblos of Zia and Jemez a part of the Ojo del Espiritu Santo grant and a small area of public domain adjacent thereto;

H. R. 5808. An act for the relief of Judith Kao;

H. R. 5853. An act to amend the act entitled "An act to regulate the practice of veterinary medicine in the District of Columbia," approved February 1, 1907;

H. R. 7723. An act to authorize the Secretary of Agriculture to convey certain lands in Phelps County, Mo., to the Chamber of Commerce of Rolla, Mo.;

H. R. 8149. An act to amend the first sentence of paragraph (a) of section 756 of title 11 of the District of Columbia Code, 1951 edition (par. (a), of sec. 5 of the act of April 1, 1942, ch. 207, 56 Stat. 193), relating to the transfer of actions from the United States District Court for the District of Columbia to the Municipal Court for the District of Columbia;

H. R. 10010. An act for the relief of Roy Click;

H. R. 10947. An act to provide particular designations for the highway bridges over the Potomac River at 14th Street in the District of Columbia;

H. J. Res. 617. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 618. Joint resolution to waive the provision of section 212 (a) (6) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 620. Joint resolution for the relief of certain aliens;

H. J. Res. 636. Joint resolution for the relief of certain aliens;

H. J. Res. 637. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 639. Joint resolution for the relief of certain aliens; and

H. Con. Res. 246. Concurrent resolution approving the granting of the status of permanent residence to certain aliens.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 5299. An act to authorize the establishment of the Virgin Islands National Park, and for other purposes.

The message also announced that the Senate insists upon its amendment to the foregoing bill, and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. BIBLE, Mr. LAIRD, Mr. KUCHEL, and Mr. GOLDWATER to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 12138. An act making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HAYDEN, Mr. RUSSELL, Mr. CHAVEZ, Mr. ELLENDER, Mr. HILL, Mr. STENNIS, Mr. BRIDGES, Mr. SALTONSTALL, Mr. YOUNG, Mr. KNOWLAND, and Mr. THYE to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11320) entitled "An act to effect the control of narcotics, barbiturates, and dangerous drugs in the District of Columbia, and for other purposes."

The message also announced that the Senate insists upon its amendments to the bill (H. R. 1774) entitled "An act to abolish the Verendrye National Monument, and to provide for its continued use by the State of North Dakota for a State historic site, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BIBLE, Mr. LAIRD, Mr. SCOTT, Mr. MALONE, and Mr. BARRETT to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 497) entitled "An act to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ANDERSON, Mr. BIBLE, and Mr. MALONE to be the conferees on the part of the Senate.

AUTHORIZING CONSTRUCTION AT MILITARY INSTALLATIONS

Mr. VINSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 11270) to authorize certain construction at military installations, and for other purposes. This action is necessary in view of the President's veto message of yesterday. I have conferred with the leadership on both sides of the aisle with reference to this and there is no objection from them.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HAYS of Ohio. Mr. Speaker, reserving the right to object, this is the bill which the President vetoed yesterday?

Mr. VINSON. The gentleman is correct. The Committee on Armed Services this morning eliminated from the bill the language which the President objected to. I may state to the House that after consultation with members of the committee and with others in the House, I hope to be able to present a bill during this session whereby the Congress may retain some voice in and supervision over the construction of Capehart houses.

Mr. HAYS of Ohio. The language which the President objected to had to do with these guided missiles; did it not?

Mr. VINSON. Yes.

Mr. HAYS of Ohio. There has been a lot of ballyhoo about that, but after tests it turned out not to be worth much.

Mr. VINSON. I will say to the gentleman that that was one of the grounds on which the President objected to the bill. It is to be hoped that the Department will reach a decision as to the best type before they spend the money.

Mr. HAYS of Ohio. Can the gentleman give us any assurance that the legislation to retain control will have any chance of being enacted into law?

Mr. VINSON. I certainly hope so because I am going to respectfully request the leadership on both sides to accord us an opportunity to have a hearing on a new bill and I hope we can work out a bill before we adjourn.

Mr. HAYS of Ohio. Mr. Speaker, I withdraw my reservation of objection.

Mr. HOFFMAN of Michigan. Reserving the right to object, Mr. Speaker, cannot the Congress by legislation on appropriation bills accomplish the same thing that it sought to do in the bill that was vetoed?

Mr. VINSON. No. What we will try to do now, instead of having the clearance procedure before the committee, which has been objected to, is to require that the departments advise the proper committees in advance so the House will have 90 days in which to take action if it so desires.

Mr. HOFFMAN of Michigan. What they object to in this legislation is that they have to come back to the House?

Mr. VINSON. That is correct.

Mr. HOFFMAN of Michigan. We accomplish the same thing if we write our

desires in the original bill or when we come to an appropriation bill.

Mr. VINSON. The President in the last appropriation bill, when it contained such language, took violent exception to it, but he did not veto the bill. He vetoed this bill because the Armed Services Committee was trying to have supervision over the expenditure of $1,300,000,000 for Capehart houses. I think we can reach the same objective in a little different manner, and if the House will bear with the Armed Services Committee I feel confident that we can still retain some surveillance over these important matters.

Mr. HOFFMAN of Michigan. The power does rest with the Congress, does it not, to tell what it will give and how the money shall be spent?

Mr. VINSON. Yes, that is right.

Mr. HOFFMAN of Michigan. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc.—

TITLE I

SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities and equipment, for the following projects:

Inside the United States

Technical Services Facilities

(Ordnance Corps)

Aberdeen Proving Ground, Md.: Training and storage facilities, $147,000.

Jet Propulsion Laboratory (California Institute of Technology), California: Research and development facility, $143,000.

Pueblo Ordnance Depot, Colo.: Maintenance facility, $2,142,000.

Seneca Ordnance Depot, N. Y.: Utilities, $88,000.

Umatilla Ordnance Depot, Oreg.: Storage facilities, $258,000.

Redstone Arsenal, Ala.: Maintenance facilities, training facilities, family housing and utilities, $6,159,000.

White Sands Proving Grounds, N. Mex.: Utilities, $693,000.

(Quartermaster Corps)

Atlanta General Depot, Ga.: Operational facilities, and maintenance facilities, $823,000.

Columbia Quartermaster Center, S. C.: Administrative facility, $98,000.

Fort Worth General Depot, Tex.: Operational facilities, maintenance facilities, land acquisition, and utilities, $1,285,000.

New Cumberland General Depot, Pa.: Maintenance facilities, $631,000.

Sharpe General Depot, Calif.: Maintenance facilities, $655,000.

(Chemical Corps)

Army Chemical Center, Md.: Troop housing, community facility, and operational facility, $889,000.

Camp Detrick, Md.: Storage facilities and utilities, $913,000.

Dugway Proving Ground, Utah: Research and development facilities and utilities, $867,000.

(Signal Corps)

Fort Huachuca, Ariz.: Troop housing, maintenance facilities, storage facilities, administrative facility, and utilities, $6,856,000.

(Corps of Engineers)

Fort Belvoir, Va.: Storage facility, training facility, operational facilities, maintenance facilities, research and development facilities, and utilities, $492,000.

(Transportation Corps)

Fort Eustis, Va.: Operational facility, maintenance facility, and utilities, $1,231,000.

(Medical Corps)

Walter Reed Army Medical Center, D. C.: Research and development facility and community facility, $4,209,000.

Field Forces Facilities

(First Army area)

Fort Devens (Camp Wellfleet), Mass.: Land acquisition, $302,000.

Fort Dix, N. J.: Training facility, $54,000.

Oswego, N. Y.: Training facilities and land acquisition, $583,000.

Fort Totten, N. Y.: Troop housing, storage facilities, and utilities, $1,212,000.

(Second Army area)

Fort Knox, Ky.: Maintenance facilities, and community facilities, $1,698,000.

Fort George G. Meade, Md.: Operational facilities, maintenance facilities, medical facility, troop housing, and utilities, $5,885,000.

South Park Military Reservation, Pa.: Administrative facility, storage facilities, and utilities, $190,000.

(Third Army area)

Fort Benning, Ga.: Administrative facilities, maintenance facilities, communications facilities, and community facilities, $422,000.

Fort Bragg, N. C.: Administrative facilities, operational facility, and utilities, $645,000.

Charlotte Armed Forces Induction Station, N. C.: Administrative facility, $302,000.

Fort McClellan, Ala.: Troop housing, training facility, and community facility, $397,000.

Fort Rucker, Ala.: Operational facilities, maintenance facilities, training facilities, storage facilities, administrative facilities, trailer site facilities, land acquisition, and utilities, $7,300,000.

(Fourth Army area)

Fort Bliss, Tex.: Training facilities, maintenance facilities, administrative facilities, troop housing, community facilities, and utilities, $5,301,000.

Fort Hood, Tex.: Community facilities, maintenance facilities, and storage facilities, $2,457,000.

Fort Sill, Okla.: Training facilities, $4,173,000.

(Fifth Army area)

Fort Carson, Colo.: Storage facilities, administrative facilities, troop housing, training facilities, and land acquisition, $3,253,000.

Fort Benjamin Harrison, Ind.: Troop housing, $140,000.

Fort Leavenworth, Kans.: Communications facilities and troop housing, $1,092,000.

Fort Riley, Kans.: Administrative facilities, community facilities, troop housing, and utilities, $1,519,000.

St. Louis Support Center, Mo.: Administrative facility, $3,346,000.

(Sixth Army area)

Fort Lewis, Wash.: Community facilities, training facilities, maintenance facilities, family housing, and utilities, $3,022,000.

Fort Ord, Calif.: Maintenance facility and community facility, $223,000.

United States Disciplinary Barracks, Calif.: Community facility, $197,000.

Yuma Test Station, Ariz.: Troop housing, research and development facility, and storage facility, $1,520,000.

(Military District of Washington)

Fort McNair, D. C.: Academic facilities, $4,111,000.

(Armed Forces special weapons project)

Various installations: Utilities, $478,000.

(Tactical site support facilities)

Various locations: Administrative facilities, maintenance facilities, storage facilities, and land acquisition, $8,506,000.

Outside the United States

(Alaskan area)

Ladd Air Force Base: Troop housing and maintenance facilities, $1,688,000.

Fort Richardson: Storage facilities, $2,333,000.

Whittier: Storage facilities and training facilities, $2,849,000.

Wildwood Station (Kenai): Storage facility, $352,000.

(Far East Command area)

Okinawa: Storage facilities, operational facilities, maintenance facilities, medical facilities, and utilities, $540,000.

Korea: Maintenance facilities, storage facilities, port facilities, community facilities, improvements to buildings and utilities, $6,000,000.

(Pacific Command area)

Alimanu Military Reservation, Hawaii: Land acquisition, $143,000.

Helemano, Hawaii: Community facility, land acquisition and utilities, $136,000.

Schofield Barracks, Hawaii: Family housing and land acquisition, $2,668,000.

(Caribbean Command area)

Panama Canal Zone: Sewage disposal system for Army, Navy, and Air Force facilities, $1,060,000.

(U. S. Army, Europe)

Various locations: Operational facilities, maintenance facilities, community facilities, storage facilities, training facilities, administrative facilities, medical facilities, troop housing, and utilities, $17,994,000.

SEC. 102. The Secretary of the Army may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment in a total amount, $200,783,000.

SEC. 103. (a) Public Law 161, 84th Congress, is amended with respect to Fort Jay, N. Y., under the heading "Continental United States" and subheading "field forces facilities (First Army area)" in section 101, by striking out "$731,000" and inserting in place thereof "$1,081,000," and in clause (1) of section 502, by striking out "$224,927,000" and "$533,904,000" and inserting in place thereof "$225,277,000" and "$534,254,000," respectively.

(b) So much of section 401 of Public Law 534, 83d Congress, as reads "Adak Station, Alaska: Operational Facilities (including troop housing), $70,000" is amended to read "Adak Station, Alaska: Operational facilities (including troop housing), $180,000" and clause (4) of section 502 thereof is amended by striking the figure "$462,600" and inserting in place thereof "$572,000."

SEC. 104. The Secretary of the Army shall make all necessary studies, by contract or otherwise, to determine an appropriate site for the relocation of the San Jacinto Ordnance Depot, Tex.; such studies to be completed by January 31, 1957. Expenditure of $25,000 out of appropriations available to the Department of the Army is authorized for such studies.

TITLE II

SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing,

converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for the following projects:

Inside the United States

Shipyard Facilities

Naval shipyard, Boston, Mass.: Replacement of pier, and plans and specifications for drydock facilities, $7,332,000.

Naval shipyard, Charleston, S. C.: Dredging equipment, $148,000.

Naval minecraft base, Charleston, S. C.: Operational facilities, personnel facilities, training facilities, maintenance facilities, storage facilities, community facilities, security facilities, and utilities, $7,902,000.

Naval shipyard, Long Beach, Calif.: Facilities for remedying effects of ground subsidence and waterfront facilities, $5,984,000.

Navy underwater sound laboratory, New London, Conn.: Research and development facilities and land acquisition, $304,000.

Harbor defense base, Norfolk, Va.: Personnel facilities, $300,000.

Naval shipyard, Norfolk, Va.: Utilities and land acquisition, $244,000.

Navy mine defense laboratory, Panama City, Fla.: Medical facilities, $84,000.

Naval shipyard, San Francisco, Calif.: Plans and specifications for drydock facilities, $1,300,000.

Naval industrial reserve shipyard, Tampa, Fla.: Land acquisition, $200,000.

Fleet Base Facilities

Naval station, Key West, Fla.: Utilities, $927,000.

Naval station, Long Beach, Calif.: Waterfront facilities, $2,256,000.

Naval station, New Orleans, La.: Utilities, $226,000.

Naval station, Newport, R. I.: Waterfront facilities, personnel facilities, community facilities, and utilities, $11,672,000.

Naval station, Norfolk, Va.: Personnel facilities, $2,844,000.

Naval station, Orange, Tex.: Flood-protection facilities, including land acquisition, $265,000.

Aviation Facilities

(Naval air training stations)

Naval auxiliary landing field, Alice-Orange Grove, Tex.: Airfield pavements, $2,242,000.

Naval auxiliary air station, Chase Field, Tex.: Personnel facilities, operational facilities, community facilities, station and aircraft maintenance facilities, and utilities, $2,247,000.

Naval air station, Glynco, Ga.: Airfield pavements, personnel facilities, aircraft maintenance facilities, training facilities, fuel pipeline and storage facilities, and land acquisition, $4,003,000.

Naval auxiliary air station, Kingsville, Tex.: Personnel facilities, training facilities, aircraft maintenance facilities, community facilities, and utilities, $2,610,000.

Naval air station, Memphis, Tenn.: Fuel storage facilities and aircraft maintenance facilities, $511,000.

Naval auxiliary air station, Meridian, Miss.: Site preparation utilities, plans and specifications for jet aircraft training facilities, and land acquisition, $8,231,000.

Naval air station, Pensacola, Fla.: Community facilities and plans and specifications for waterfront facilities, $347,000.

Naval auxiliary air station, Whiting Field, Fla.: Land acquisition, $13,000.

(Fleet support air stations)

Naval air station, Alameda, Calif.: Aircraft maintenance facilities, $2,675,000.

Naval air station, Atlantic City, N. J.: Navigational aids and land acquisition, $421,000.

Naval auxiliary air station, Brown Field, Calif.: Personnel facilities and utilities, $778,000.

Naval air station, Brunswick, Maine: Personnel facilities, airfield pavements, station maintenance facilities, community facilities, and storage facilities, $3,738,000.

Naval air station, Cecil Field, Fla.: Aircraft maintenance facilities, personnel facilities, storage facilities, operational facilities, training facilities, community facilities, and utilities, $4,052,000.

Naval air station, Chincoteague, Va.: Aircraft maintenance facilities, $170,000.

Naval auxiliary air station, Edenton, N. C.: Aircraft and station maintenance facilities, airfield pavements, fuel dispensing facilities, operational facilities, administrative facilities, personnel facilities, communications facilities, community facilities, and utilities, $13,926,000.

Naval auxiliary air station, El Centro, Calif.: Aircraft maintenance facilities, and land acquisition, including not to exceed $660,000 to be paid to Imperial County, Calif., to partially defray the county's cost in relocating the Niland-Blythe Road, $831,000.

Naval auxiliary air station, Fallon, Nev.: Training facilities, aircraft maintenance facilities, community facilities, and land acquisition, except none of the authorization for land acquisition pertaining to the Black Rock area shall apply unless the Secretary of Defense shall resurvey the entire requirement, including the possible use of other Government-controlled lands in the State of Nevada and the possibility of joint Navy-Air Force utilization of existing facilities, and the Secretary of Defense shall certify to the Armed Services Committees of the Senate and House of Representatives that the acquisition of the Black Rock extension is essential to meet the Navy's training requirements, $8,304,000.

Naval air facility, Harvey Point, N. C.: Airfield pavements, waterfront facilities, fuel storage and dispensing facilities, navigational aids, aircraft and station maintenance facilities, utilities, and land acquisition, $6 million.

Naval air station, Jacksonville, Fla.: Navigational aids, operational facilities, and land acquisition, $2,380,000.

Naval air station, Key West, Fla.: Aircraft maintenance facilities, $170,000.

Naval air station, Lemoore, Calif.: Plans and specifications for development of master jet aircraft facilities, and land acquisition, $10,089,000.

Naval air station, Miramar, Calif.: Personnel facilities, operational facilities, training facilities, ordnance facilities, land acquisition, and obstruction removal for flight clearance, $8,835,000.

Naval air station, Moffett Field, Calif.: Land acquisition, $89,000.

Naval air station, Norfolk, Va.: Aircraft maintenance facilities, $170,000.

Naval air station, North Island, San Diego, Calif.: Airfield pavements, ordnance and ammunition storage facilities, aircraft maintenance facilities, waterfront facilities, operational facilities, navigational aids, and land acquisition, $13,072,000.

Naval air station, Oceana, Va.: Aircraft maintenance facilities, personnel facilities, operational facilities, community facilities, training facilities, ordnance facilities, open storage facilities, security facilities, utilities, and relocation of Coast Guard facilities, $5,286,000.

Naval air station, Quonset Point, R. I.: Aircraft maintenance facilities, and navigational aids, $2,753,000.

Naval auxiliary air station, Sanford, Fla.: Aircraft maintenance facilities, airfield pavements, personnel facilities, and utilities, $6,926,000.

Naval air station, Whidbey Island, Wash.: Utilities, $149,000.

(Marine Corps air stations)

Marine Corps auxiliary air station, Beaufort, S. C.: Aircraft and station maintenance facilities, administrative facilities, medical facilities, personnel facilities, training facilities, operational facilities, covered and cold-storage facilities, community facilities, fuel-dispensing facilities, and utilities, $17,384,000.

Marine Corps air station, Cherry Point, N. C.: Aircraft maintenance facilities, $170,000.

Marine Corps air station, El Toro, Calif.: Aircraft maintenance facilities, administrative facilities, airfield pavements, storage facilities, ammunition storage facilities, medical facilities, training facilities, personnel facilities, operational facilities, and utilities, $6,863,000.

Marine Corps auxiliary air station, Mojave, Calif.: Aircraft maintenance facilities, airfield pavements, personnel facilities, training facilities, community facilities, fuel storage and dispensing facilities, land acquisition, and utilities, $12,556,000.

(Special purpose air stations)

Naval air development center, Johnsville, Pa.: Plans and specifications for research and development facilities, $693,000.

Naval air station, Lakehurst, N. J.: Research and development facilities and equipment maintenance facilities, $6,438,000.

Naval air station, Patuxent River, Md.: Aircraft maintenance facilities and research and development facilities, $475,000.

Naval air missile test center, Point Mugu, Calif.: Waterfront facilities, fuel-dispensing facilities, aircraft-maintenance facilities, and community facilities, $1,682,000.

Naval air turbine test station, Trenton, N. J.: Research and development facilities, $128,000.

Supply Facilities

Naval supply depot, Clearfield, Utah: Utilities, $149,000.

Naval supply depot, Newport, R. I.: Storage facilities, $390,000.

Naval supply center, Oakland, Calif.: Utilities, $50,000.

Naval supply depot, Seattle, Wash.: Replacement of seawall, $199,000.

Marine Corps Facilities

Marine Corps supply center, Albany, Ga.: Storage facilities, personnel facilities, maintenance facilities, community facilities, and utilities, $1,742,000.

Marine Corps supply center, Barstow, Calif.: Operational facilities, maintenance facilities, personnel facilities, administrative facilities, and community facilities, $3,436,000.

Marine Corps base, Camp Lejeune, N. C.: Personnel facilities, administrative facilities, training facilities, community facilities, medical facilities, storage facilities, and utilities, $5,092,000.

Marine Corps recruit depot, Parris Island, S. C.: Personnel facilities, administrative facilities, storage facilities, training facilities, community facilities, and utilities, $4,266,000.

Marine Corps base, Camp Pendleton, Calif.: Utilities, boat basin facilities, and land acquisition, $3,429,000.

Marine Corps cold weather battalion, Bridgeport, Calif.: Utilities, $294,000.

Marine Corps training center, Twentynine Palms, Calif.: Community facilities and land acquisition, $1,165,000.

Marine Corps supply forwarding annex, Portsmouth, Va.: Security facilities, $91,000.

Marine Corps schools, Quantico, Va.: Training facilities, ammunition storage and ordnance facilities, community facilities, and utilities, $2,178,000.

Marine Corps recruit depot, San Diego, Calif.: Personnel facilities and community facilities, $1,679,000.

Ordnance Facilities

Naval ammunition depot, Bangor, Wash.: Ordnance facilities, $1,100,000.

Naval ammunition depot, Charleston, S. C.: Ordnance facilities, $404,000.

Naval ordnance test station, China Lake, Calif.: Research and development facilities, aircraft maintenance facilities, airfield pavements, and fuel storage and dispensing facilities, $6,028,000.

Naval ammunition depot, Earle, N. J.: Ordnance facilities, $600,000.

Naval ammunition depot, Fallbrook, Calif.: Ammunition storage and ordnance facilities, $1,584,000.

Naval ammunition depot, Hingham, Mass.: Ammunition storage and ordnance facilities, $993,000.

Naval ammunition and net depot, Seal Beach, Calif.: Ordnance facilities, $2,176,000.

Naval mine depot, Yorktown, Va.: Ammunition storage and ordnance facilities and utilities, $3,480,000.

Service School Facilities

Naval Academy, Annapolis, Md.: Earthwork and land acquisition, $7,469,000.

Naval training center, Bainbridge, Md.: Personnel facilities, training facilities, and utilities, $6,569,000.

Naval receiving station, Brooklyn, N. Y.: Personnel facilities, $97,000.

Naval amphibious base, Coronado, Calif.: Training facilities, personnel facilities, and utilities, $5,660,000.

Fleet air defense training center, Dam Neck, Va.: Personnel facilities $237,000.

Naval training center, Great Lakes, Ill.: Personnel facilities and training facilities, $8,413,000.

Medical Facilities

Naval hospital, Great Lakes, Ill.: Medical facilities, $12,730,000.

Naval hospital, Portsmouth, N. H.: Hospital elevator, $57,000.

Communications Facilities

Naval radio station, Cheltenham, Md.: Communications facilities, personnel facilities, and utilities, $2,489,000.

Naval radio station, Maine: Utilities and land acquisition, $2,450,000.

Naval communication station, San Francisco, Calif.: Communications facilities and personnel facilities, $2,029,000.

Naval communication station, Seattle, Wash.: Communications facilities, $45,000.

Naval radio station, Winter Harbor, Maine: Communications facilities, $83,000.

Office of Naval Research Facilities

Naval research laboratory, District of Columbia: Plans and specifications for research and development facilities, $1,300,000.

Yards and Docks Facilities

Public-works center, Norfolk, Va.: Utilities and land acquisition, $443,000.

Naval construction battalion center, Port Hueneme, Calif.: Replacement of wharf, and storage facilities, $2,581,000.

Outside the United States

Shipyard Facilities

Naval ship-repair facility, Subic Bay, P. I.: Waterfront facilities, $1,637,000.

Naval base, Subic Bay, P. I.: Utilities at Olongapo, flood control and drainage facilities, and community facilities, $9,378,000.

Fleet Base Facilities

Naval station, Adak, Alaska: Operational facilities, and laundry and dry cleaning facilities, $2,351,000.

Naval station, Guantanamo Bay, Cuba: Utilities, $680,000.

Aviation Facilities

Naval air station, Atsugi, Japan: Airfield pavements, aircraft maintenance facilities, fuel storage facilities, personnel facilities, and utilities, $1,961,000.

Naval air station, Barber's Point, Oahu, T. H.: Personnel facilities and aircraft maintenance facilities, $870,000.

Naval air station, Cubi Point, Philippine Islands: Personnel facilities, $1,264,000.

Naval air station, Guantanamo Bay, Cuba: Aircraft maintenance facilities, personnel facilities, communications facilities, family housing, community facilities, and utilities, $4,572,000.

Naval air station, Iwakuni, Japan: Aircraft maintenance facilities, airfield pavements, dredging, navigational aids, and fuel storage facilities, $1,704,000.

Marine Corps air station, Kaneohe Bay, Oahu, T. H.: Aircraft maintenance facilities, airfield pavements, and operational facilities, $1,045,000.

Naval air facility, Port Lyautey, French Morocco: Aircraft maintenance facilities, and family housing, $1,401,000.

Naval station, Roosevelt Roads, Puerto Rico: Aircraft maintenance facilities, airfield pavements, fuel storage facilities, ordnance facilities, personnel facilities, medical facilities, and utilities, $4,470,000.

Naval air station, Sangley Point, Philippine Islands: Airfield pavements breakwater, and personnel facilities, $3,811,000.

Supply Facilities

Naval station, Adak, Alaska: Replacement of fuel storage facilities, $5 million.

Naval station, Argentia, Newfoundland: Fuel storage facilities, $1,599,000.

Naval supply depot, Subic Bay, Philippine Islands: Covered and cold storage facilities, administrative facilities, operational facilities, maintenance facilities, waterfront facilities, and utilities, $11,598,000.

Ordnance Facilities

Naval ammunition depot, Oahu, T. H.: Ordnance facilities, $971,000.

Naval ordnance facility, Port Lyautey, French Morocco: Ordnance facilities, $245,000.

Naval ordnance facility, Yokosuka, Japan: Ordnance facilities, $241,000.

Communications Facilities

Naval communication unit, Futema, Okinawa: Communication facilities, $75,000.

Naval communication station, Guam, Mariana Islands: Communications facilities, $222,000.

Naval communication facility, Philippine Islands: Communications facilities, and land acquisition, $4,320,000.

Yards and Docks Facilities

Fifteenth Naval District, C. Z.: Utilities, $2,210,000.

SEC. 202. The Secretary of the Navy is authorized to obtain by contract, such engineering, location, and site planning studies as may be necessary to enable him to determine the feasibility and advisability of establishing, continuing, or relocating the following facilities: Naval air station, Norfolk, Va. (bombing targets); Naval magazine, Port Chicago, Calif. Expenditures not to exceed $150,000 for such studies may be made out of the appropriation "Military construction, Navy." The Secretary of the Navy shall report to the Committees on Armed Services of the Senate and House of Representatives the conclusions of these studies together with such recommendations as he shall consider appropriate.

SEC. 203. The Secretary of the Navy may establish or develop classified naval installations and facilities by constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, equipment, and family housing in the total amount of $84,043,000.

SEC. 204. Public Law 564, 81st Congress, is amended as follows:

(a) In title II under the heading "Continental United States" change the amount for "Naval base, Newport, R. I.: Sewage facilities," from "$1,243,000" to "$1,268,000."

(b) In title IV, section 402, clause (2) change the amount for public works authorized by title II: "Inside continental United States," from "$135,719,800" to "$135,744,800."

SEC. 205. Public Law 155, 82d Congress, as amended, is amended as follows:

(a) In section 201, as amended, strike out so much thereof under the hearing "Continental United States" and subheading "Supply facilities" as reads as follows:

"Harpswell Neck Fuel Facility, Portland, Maine, area: Aviation gasoline and jet fuel bulk storage; $2,766,500"; and insert in place thereof the following:

"Harpswell Neck Fuel Facility, Portland, Maine, area: Aviation gasoline and jet fuel bulk storage and land acquisition, $2,766,500."

(b) In section 201, under the heading "Outside continental United States" and subheading "Communication facilities," strike out so much thereof as reads as follows:

"Naval communication station, Philippine Islands: Consolidated communication facilities: $2,694,500"; and insert in place thereof the following:

"Naval communication station, Philippine Islands: Consolidated communications facilities, and land acquisition, $2,694,500".

SEC. 206. Public Law 534, 83d Congress is amended as follows:

(a) In section 201, under the heading "Continental United States" and subheading "Aviation facilities," change the amount for "Naval air missile test center (San Nicolas Island), Point Mugu, Calif.," from "$1,132,000" to "$1,816,000".

(b) In section 201, under the heading "Continental United States" and subheading "Ordnance facilities," change the amount for "Naval ammunition depot, Hawthorne, Nevada" from "$308,000" to "$538,000."

(c) In section 502, clause (2), change the amount for public works authorized by title II for inside continental United States from "$102,042,000" to "$102,956,000"; and total amount from "$201,893,000" to "$202,807,000".

SEC. 207. Public Law 161, 84th Congress, is amended as follows:

(a) In section 201, under the heading "Continental United States" and subheading "Shipyard facilities," change the amount for "Naval electronics laboratory, San Dego, Calif." from "$143,000" to "$162,000."

(b) In section 201, under the heading "Continental United States" and subheading "Fleet base facilities," delete that portion which reads as follows: "Navy Department, District of Columbia: family housing, $81,000".

(c) In section 201, under the heading "Continental United States" and subheading "Aviation facilities," change the amount for "Naval auxiliary air station, El Centro, Calif." from "$366,000" to "$450,000"; strike out so much thereof as reads as follows:

"Naval air station, Norfolk, Va.: Aircraft maintenance facilities, training facilities, communication facilities, operational facilities, $4,660,000"; and insert in place thereof the following:

"Naval air station, Norfolk, Va.: Aircraft maintenance facilities, training facilities, communication facilities, operational facilities, and land acquisition, $4,660,000".

(d) In section 201 under the heading "Continental United States" and subheading "Ordnance facilities," delete that portion which reads as follows: "Naval proving ground, Dahlgren, Va.: Land acquisition $200,000".

(e) In section 201, under the heading "Outside continental United States" and subheading "Ordnance facilities," strike out so much thereof as reads as follows:

"Naval ammunition depot, Oahu, Territory of Hawaii: Testing facilities, and railroad

facilities and barricades, $1,132,000"; and insert in place thereof the following:

"Naval ammunition depot, Oahu, Territory of Hawaii: Testing facilities, railroad facilities and barricades, and land acquisition, $1,132,000".

(f) In section 502, clause (2), change the amount for public works authorized by title II for inside continental United States from "$299,690,600" to "$299,512,600"; and the total amount from "$564,224,300" to "$564,046,300"

TITLE III

SEC. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities and equipment, for the following projects:

Inside the United States

Air Defense Command

Buckingham Air Force Base, Fort Myers, Fla.: Operational and training facilities, $629,000.

Duluth Municipal Airport, Duluth, Minn.: Operational and training facilities, maintenance facilities, supply facilities, and land acquisition, $863,000.

Ent Air Force Base, Colorado Springs, Colo.: Housing and community facilities, $342,000.

Ethan Allen Air Force Base, Winooski, Vt.: Operational and training facilities, maintenance facilities, supply facilities, and land acquisition, $4,211,000.

Geiger Field, Spokane, Wash.: Operational and training facilities, maintenance facilities, and housing and community facilities, and family housing, $2,827,000.

Glasgow Air Force Base, Glasgow, Mont.: Operational and training facilities, maintenance facilities, utilities and ground improvements, land acquisition, and family housing, $2,470,000.

Grand Forks Air Force Base, Grand Forks, N. Dak.: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $18,969,000.

Grandview Air Force Base, Kansas City, Mo.: Operational and training facilities, maintenance facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $1,673,000.

Greater Pittsburgh Airport, Coraopolis, Pa.: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, and land acquisition, $1,087,000.

Hamilton Air Force Base, San Rafael, Calif.: Operational and training facilities, maintenance facilities, utilities and ground improvements, and land acquisition, $2,966,000.

K. I. Sawyer Municipal Airport, Marquette, Mich.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $5,051,000.

Manistee Air Force Base, Manistee, Mich.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilites, housing and community facilities, and utilities and ground improvements, $2,906,000.

Kinross Air Force Base, Sault Sainte Marie, Mich.: Operational and training facilities, maintenance facilities, housing and community facilities, and land acquisition, $2,156,000.

Klamath Falls Municipal Airport, Klamath Falls, Oreg.: Operational and training facilities, maintenance facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $1,130,000.

McChord Air Force Base, Tacoma, Wash.: Operational and training facilities, maintenance facilities, and land acquisition, $1,514,000.

McGhee-Tyson Airport, Knoxville, Tenn.: Operational and training facilities, maintenance facilities, administrative facilities, housing and community facilities, and land acquisition, $2,054,000.

Majors Field, Greenville, Tex.: Operational and training facilities, and land acquisition, $440,000.

Minneapolis-Saint Paul International Airport, Minneapolis, Minn.: Operational and training facilities, and maintenance facilities, $3,015,000.

Minot Air Force Base, Minot, N. Dak.: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, utilities, and ground improvements, and land acquisition, $21,215,000.

Newcastle County Airport, Wilmington, Del.: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $6,184,000.

Niagara Falls Municipal Airport, Niagara Falls, N. Y.: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, and land acquisition, $3,030,000.

Otis Air Force Base, Falmouth, Mass.: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, utilities and ground improvements, land acquisition, and family housing, $11,577,000.

Oxnard Air Force Base, Camarillo, Calif.: Operational and training facilities, maintenance facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $2,392,000.

Paine Air Force Base, Everett, Wash.: Operational and training facilities, maintenance facilities, supply facilities, and land acquisition, $4,127,000.

Greater Portland, Oreg., area: Operational and training facilities, maintenance facilities, supply facilities, utilities and ground improvements, and land acquisition, $13,508,000.

Presque Isle Air Force Base, Presque Isle, Maine: Operational and training facilities, maintenance facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $8,057,000.

Richard Bong Air Force Base, Kansasville, Wis.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, housing and community facilities, and utilities and ground improvements, $6,801,000.

Selfridge Air Force Base, Mount Clemens, Mich.: Operational and training facilities, maintenance facilities, supply facilities, and land acquisition, $2,494,000.

Sioux City Municipal Airport, Sioux City, Iowa: Operational and training facilities, maintenance facilities, housing and community facilities, and land acquisition, $2,288,000.

Stewart Air Force Base, Newburgh, N. Y.: Operational and training facilities, maintenance facilities, housing and community facilities, and land acquisition, $1,802,000.

Suffolk County Air Force Base, Westhampton Beach, N. Y.: Operational and training facilities, maintenance facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $5,441,000.

Truax Field, Madison, Wis.: Operational and training facilities, maintenance facilities, housing and community facilities, and land acquisition, $4,876,000.

Wurtsmith Air Force Base, Oscoda, Mich.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, housing and community facilities, utilities and ground improvements, land acquisition, and family housing, $3,278,000.

Youngstown Municipal Airport, Youngstown, Ohio: Operational and training facilities, maintenance facilities, utilities and ground improvements, and land acquisition, $2,255,000.

Yuma County Airport, Yuma, Ariz.: Operational and training facilities, maintenance facilities, administrative facilities, housng and communty facilities, and land acquisition, $3,545,000.

Various locations: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, housing and community facilities, utilities and ground improvements and land acquisition, $37,760,000.

Air Materiel Command

Brookley Air Force Base, Mobile, Ala.: Housing and community facilities, and land acquisition, $1,541,000.

Griffiss Air Force Base, Rome, New York: Operational and training facilities, maintenance facilities, research, development and test facilities, supply facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $17,966,000.

Hill Air Force Base, Odgen, Utah: Maintenance facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $1,339,000.

Kelly Air Force Base, San Antonio, Tex.: Operational and training facilities, maintenance facilities, and utilities and ground improvements, $1,570,000.

Marietta Air Force Station, Marietta, Pa.: Supply facilities, $52,000.

McClellan Air Force Base, Sacramento, Calif.: Administrative facilities, housing and community facilities, and land acquisition, $1,424,000.

Mukilteo Fuel Storage Station, Mukilteo, Wash.: Land acquisition, $4,000.

Norton Air Force Base, San Bernardino, Calif.: Operational and training facilities, and housing and community facilities, $1,572,000.

Olmsted Air Force Base, Middletown, Pa.: Maintenance facilities, administrative facilities, and utilities and ground improvements, $3,983,000.

Robins Air Force Base, Macon, Ga.: Operational and training facilities, housing and community facilities, and utilities and ground improvements, $5,478,000.

Searsport Fuel Storage Station, Searsport, Maine: Supply facilities, $473,000.

Tacoma Fuel Storage Station, Tacoma, Wash.: Supply facilities, $129,000.

Tinker Air Force Base, Oklahoma City, Okla.: Operational and training facilities, hospital facilities, and housing and community facilities, $5,990,000.

Wilkins Air Force Station, Shelby, Ohio: Family housing, $89,000.

Wright-Patterson Air Force Base, Dayton, Ohio: Operational and training facilities, maintenance facilities, research, development and test facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $17,138,000.

Various locations: Administrative facilities, housing and community facilities, and utilities, and ground improvements, $444,000.

Air Proving Ground Command

Eglin Air Force Base, Valparaiso, Fla.: Operational and training facilities, maintenance facilities, research, development and test facilities, hospital and medical facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $21,094,000.

Air Training Command

Amarillo Air Force Base, Amarillo, Tex.: Operational and training facilities, maintenance facilities, supply facilities, and utilities and ground improvements, $17,121,000.

Bryan Air Force Base, Bryan, Tex.: Housing and community facilities, and land acquisition, $1,288,000.

Craig Air Force Base, Selma, Ala.: Operational and training facilities, and land acquisition, $18,000.

Edward Gary Air Force Base, San Marcos, Tex.: Maintenance facilities, $783,000.

Ellington Air Force Base, Houston, Tex.: Land acquisition, $63,000.

Francis E. Warren Air Force Base, Cheyenne, Wyo.: Housing and community facilities, and utilities and ground improvements, $1,654,000.

Goodfellow Air Force Base, San Angelo, Tex.: Operational and training facilities, supply facilities, utilities and ground improvements, and land acquisition, $8,804,000.

James Connally Air Force Base, Waco, Tex.: Operational and training facilities and land acquisition, $4,687,000.

Keesler Air Force Base, Biloxi, Miss.: Land acquisition, $34,000.

Lackland Air Force Base, San Antonio, Tex.: Hospital and medical facilities, $3,440,000.

Laredo Air Force Base, Laredo, Tex.: Utilities and ground improvements, and land acquisition, $225,000.

Laredo Air Force Base, Laredo, Tex.: Utilities and ground improvements, and land acquisition, $225,000.

Laughlin Air Force Base, Del Rio, Tex.: Operational and training facilities, and housing and community facilities, $212,000.

Lowry Air Force Base, Denver, Colo.: Land acquisition, $410,000.

Luke Air Force Base, Phoenix, Ariz.: Operational and training facilities, maintenance facilities, and land acquisition, $2,902,000.

Mather Air Force Base, Sacramento, Calif.: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $21,650,000.

McConnell Air Force Base, Wichita, Kans.: Land acquisition, $396,000.

Moody Air Force Base, Valdosta, Ga.: Operational and training facilities, and maintenance facilities, $1,848,000.

Nellis Air Force Base, Las Vegas, Nev.: Operational and training facilities, and land acquisition, $3,456,000.

Parks Air Force Base, Pendleton, Calif.: Utilities and ground improvements, $111,000.

Perrin Air Force Base, Sherman, Tex.: Operational and training facilities, and land acquisition, $2,260,000.

Randolph Air Force Base, San Antonio, Tex.: Land acquisition, $133,000.

Reese Air Force Base, Lubbock, Tex.: Operational and training facilities, and land acquisition, $4,164,000.

Scott Air Force Base, Belleville, Ill.: Operational and training facilities, supply facilities, and land acquisition, $3,296,000.

Sheppard Air Force Base, Wichita Falls, Tex.: Operational and training facilities, maintenance facilities, supply facilities, hospital and medical facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $24,433,000.

Stead Air Force Base, Reno, Nev.: Supply facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $2,221,000.

Tyndall Air Force Base, Panama City, Fla.: Operational and training facilities, and maintenance facilities, $716,000.

Vance Air Force Base, Enid, Okla.: Operational and training facilities, and land acquisition, $977,000.

Webb Air Force Base, Big Spring, Tex.: Operational and training facilities, $90,000.

Williams Air Force Base, Chandler, Ariz.: Operational and training facilities, maintenance facilities, and land acquisition, $6,347,000.

Air University

Maxwell Air Force Base, Montgomery, Ala.: Operational and training facilities, and housing and community facilities, $215,000.

Continental Air Command

Beale Air Force Base, Marysville, Calif.: Operational and training facilities, supply facilities, and utilities and ground improvements, $13,395,000.

Brooks Air Force Base, San Antonio, Tex.: Operational and training facilities, and maintenance facilities, $237,000.

Dobbins Air Force Base, Marietta, Ga.: Housing and community facilities, $345,000.

Mitchel Air Force Base, Hempstead, N. Y.: Utilities and ground improvements, $205,000.

Headquarters Command

Bolling Air Force Base, Washington, D. C.: Utilities and ground improvements, $8,000.

Military Air Transport Command

Andrews Air Force Base, Camp Springs, Md.: Operational and training facilities, supply facilities, housing, and community facilities, utilities and ground improvements, and land acquisition, $7,335,000.

Charleston Air Force Base, Charleston, S. C.: Operational and training facilities, and utilities and ground improvements, $868,000.

Dover Air Force Base, Dover, Del.: Operational and training facilities, supply facilities, administrative facilities, housing and community facilities, and utilities and ground improvements, $3,195,000.

McGuire Air Force Base, Wrightstown, N. J.: Operational and training facilities, supply facilities, hospital and medical facilities, administrative facilities, and housing and community facilities, $2,169,000.

Palm Beach Air Force Base, Palm Beach, Fla.: Operational and training facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $1,545,000.

Vint Hill Farm Station, Warrenton, Va.: Operational and training facilities, $768,000.

Washington National Airport, District of Columbia: Maintenance facilities, $275,000.

Research and Development Command

Canel Air Force Plant Numbered 62, Hartford, Conn.: Research, development, and test facilities, and utilities and ground improvements, $22,445,000.

Edwards Air Force Base, Muroc, Calif.: Research development, and test facilities, and housing and community facilities, $5,488,000.

Holloman Air Force Base, Alamogordo, N. Mex.: Operational and training facilities, maintenance facilities, research, development, and test facilities, and housing and community facilities, $7,877,000.

Indian Springs Air Force Base, Indian Springs, Nev.: Housing and community facilities, and utilities and ground improvements, and family housing, $961,000.

Kirtland Air Force Base, Albuquerque, N. Mex.: Operational and training facilities, maintenance facilities, and research, development, and test facilities, $5,481,000.

Laredo Test Site, Laredo, Tex., Research, development, and test facilities, and land acquisition, $1,219,000.

Laurence G. Hanscom Field, Bedford, Mass.: Operational and training facilities, maintenance facilities, research, development and test facilities, housing and community facilities, utilities, and ground improvements, and land acquisition, $6,939,000.

National Reactor Test Station, Idaho, Falls, Idaho: Operational and training facilities, research, development and test facilities, and utilities and ground improvements, $11,415,000.

Patrick Air Force Base, Cocoa, Fla.: Operational and training facilities, research, development and test facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $15,169,000.

Sacramento Peak Observatory, Sacramento Peak, N. Mex.: Family housing, $153,000.

Strategic Air Command

Abilene Air Force Base, Abilene, Tex.: Operational and training facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $1,043,000.

Altus Air Force Base, Altus, Okla.: Housing and community facilities, and utilities and ground improvements, $1,003,000.

Barksdale Air Force Base, Shreveport, La.: Operational and training facilities, maintenance facilities, administrative facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $2,117,000.

Bergstrom Air Force Base, Austin, Tex.: Operational and training facilities, supply facilities, housing and community facilities, and land acquisitions, $15,938,000.

Biggs Air Force Base, El Paso, Tex.: Operational and training facilities, and housing and community facilities, $922,000.

Campbell Air Force Base, Hopkinsville, Ky.: Operational and training facilities, and utilities and ground improvements, $479,000.

Carswell Air Force Base, Fort Worth, Tex.: Operational and training facilities, and maintenance facilities, $2,438,000.

Castle Air Force Base, Merced, Calif.: Operational and training facilities, maintenance facilities, hospital and medical facilities, and housing and community facilities, $2,179,000.

Clinton-Sherman Air Force Base, Clinton, Okla.: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $7,004,000.

Columbus Air Force Base, Columbus, Miss.: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $14,518,000.

Davis-Monthan Air Force Base, Tucson, Ariz.: Operational and training facilities, and land acquisition, $503,000.

Dow Air Force Base, Bangor, Maine: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, and utilities and ground improvements, $7,665,000.

Dublin Air Force Base, Georgia: Operational and training facilities, maintenance facilities, utilities and ground improvements, and land acquisition, $6,478,000.

Ellsworth Air Force Base, Rapid City S. Dak.: Operational and training facilities, maintenance facilities, housing and community facilities, and land acquisition, $943,000.

Fairchild Air Force Base, Spokane, Wash.: Operational and training facilities, maintenance facilities, housing and community facilities, and utilities and ground improvements, $4,457,000.

Forbes Air Force Base, Topeka, Kans.: Operational and training facilities, and housing and community facilities, $1,271,000.

Gray Air Force Base, Killeen, Tex.: Operational and training facilities, $23,000.

Greenville Air Force Base, Greenville, Miss.: Operational and training facilities, maintenance facilities, supply facilities, and land acquisition, $2,483,000.

Hobbs Air Force Base, Hobbs, N. Mex.: Operational and training facilities, maintenance facilities, utilities and ground improvements, and land acquisitions, $6,547,000.

Homestead Air Force Base, Homestead, Fla.: Operational and training facilities, hospital and medical facilities, housing and community facilities, utilities, and ground improvements, and land acquisition, $1,694,000.

Hunter Air Force Base, Savannah, Ga.: Operational and training facilities, utilities and ground improvements, and land acquisition, $1,131,000.

Lake Charles Air Force Base, Lake Charles, La.: Operational and training facilities, housing and community facilities, and utilities and ground improvements, $1,552,000.

Lincoln Air Force Base, Lincoln, Nebr.: Operational and training facilities, maintenance facilities, housing and community facilities, and utilities and ground improvements, $4,685,000.

Little Rock Air Force Base, Little Rock, Ark.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, housing and community facilities, and land acquisition, $1,528,000.

Lockbourne Air Force Base, Columbus, Ohio: Operational and training facilities, maintenance facilities, housing and community facilities, and land acquisition, $4,952,000.

Loring Air Force Base, Limestone, Maine: Operational and training facilities, maintenance facilities, supply facilities, and housing and community facilities, $2,522,000.

MacDill Air Force Base, Tampa, Fla.: Operational and training facilities, maintenance facilities, and housing and community facilities, $3,262,000.

Malmstrom Air Force Base, Great Falls, Mont.: Operational and training facilities, maintenance facilities, and housing and community facilities, $1,286,000.

March Air Force Base, Riverside, Calif.: Operational and training facilities, maintenance facilities, housing and community facilities, and land acquisition, $1,156,000.

Mitchell Air Force Base, Mitchell, S. Dak.: Operational and training facilities, maintenance facilities, utilities and ground improvements, and land acquisition, $6,374,000.

Mountain Home Air Force Base, Mountain Home, Idaho: Operational and training facilities, maintenance facilities, housing and community facilities, and utilities and ground improvements, $2,064,000.

Offutt Air Force Base, Omaha, Nebr.: Operational and training facilities, supply facilities, housing and community facilities, utilities and ground improvements, land acquisition, and family housing, $5,697,000.

Pinecastle Air Force Base, Orlando, Fla.: Housing and community facilities, utilities and ground improvements, and land acquisition, $786,000.

Plattsburgh Air Force Base, Plattsburgh, N. Y.: Housing and community facilities, $1,491,000.

Portsmouth Air Force Base, Portsmouth, N. H.: Operational and training facilities, and housing and community facilities, $661,000.

Smoky Hill Air Force Base, Salina, Kans.: Operational and training facilities, hospital and medical facilities, administrative facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $3,882,000.

Travis Air Force Base, Fairfield, Calif.: Operational and training facilities, maintenance facilities, and utilities and ground improvements, $923,000.

Turner Air Force Base, Albany, Ga.: Operational and training facilities, housing and community facilities, and land acquisition, $781,000.

Walker Air Force Base, Roswell, N. Mex.: Operational and training facilities, supply facilities, and housing and community facilities, $2,791,000.

Westover Air Force Base, Chicopee Falls, Mass.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $9,315,000.

Whiteman Air Force Base, Knobnoster, Mo.: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $3,815,000.

Tactical Air Command

Ardmore Air Force Base, Ardmore, Okla.: Maintenance facilities, supply facilities, and land acquisition, $330,000.

Blytheville Air Force Base, Blytheville, Ark.: Operational and training facilities, and maintenance facilities, $933,000.

Bunker Hill Air Force Base, Peru, Ind.: Operational and training facilities, maintenance facilities, housing and community facilities, and removal of hazard, $2,169,000.

Clovis Air Force Base, Clovis, N. Mex.: Operational and training facilities, maintenance facilities, housing and community facilities, and relocation of structure, $4,505,000.

Donaldson Air Force Base, Greenville, S. C.: Operational and training facilities, $2,428,000.

England Air Force Base, Alexandia, La.: Operational and training facilities, maintenance facilities, administrative facilities, and housing and community facilities, $2,919,000.

Foster Air Force Base, Victoria, Tex.: Operational and training facilities, maintenance facilities, and utilities and ground improvements, $952,000.

George Air Force Base, Victorville, Calif.: Operational and training facilities, maintenance facilities, supply facilities, and housing and community facilities, $3,144,000.

Langley Air Force Base, Hampton, Va.: Operational and training facilities, and land acquisition, $2,613,000.

Larson Air Force Base, Moses Lake, Wash.: Operational and training facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $1,111,000.

Myrtle Beach Municipal Airport, Myrtle Beach, S. C.: Operational and training facilities, maintenance facilities, hospital and medical facilities, and housing and community facilities, $1,665,000.

Pope Air Force Base, Fort Bragg, N. C.: Operational and training facilities, maintenance facilities, and land acquisition, $1,106,000.

Sewart Air Force Base, Smyrna, Tenn.: Operational and training facilities, maintenance facilities, utilities and ground improvements, and land acquisition, $1,583,000.

Seymour Johnson Air Force Base, Goldsboro, N. C.: Operational and training facilities, maintenance facilities, supply facilities, hospital and medical facilities, administrative facilities, and housing and community facilities, $6,637,000.

Shaw Air Force Base, Sumter, S. C.: Operational and training facilities, maintenance facilities, and housing and community facilities, $3,805,000.

Wendover Air Force Base, Wendover, Utah: Operational and training facilities, $67,000.

Special Facilities

Various locations: Research, development and test facilities, administrative facilities, and land acquisition, $1,240,000.

Aircraft Control and Warning System

Various locations: Operational and training facilities, maintenance facilities, supply facilities, hospital and medical facilities, administrative facilities, housing and community facilities, utilities and ground improvements, land acquisition, and family housing, $80,942,000.

Outside the United States

Alaskan Air Command

Eilson Air Force Base: Operational and training facilities, maintenance facilities, and family housing, $14,984,000.

Elmendorf Air Force Base: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, and utilities and ground improvements, $5,444,000.

Galena Airfield: Operational and training facilities and supply facilities, $1,772,000.

King Salmon Airport: Operational and training facilities, $289,000.

Ladd Air Force Base: Operational and training facilities, supply facilities, and utilities and ground improvements, $7,055,000.

Various locations: Operational and training facilities, $6,628,000.

Far East Air Forces

Hickam Air Force Base, Honolulu, Hawaii: Operational and training facilities, $991,000.

Johnston Island Air Force Base, Johnston Island: Operational and training facilities, and housing and community facilities, $724,000.

Various locations: Operational and training facilities, maintenance facilities, supply facilities, hospital and medical facilities, utilities and ground improvements, land acquisition, and family housing, $25,969,000.

Military Air Transport Service

Various locations: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, and utilities and ground improvements, $55,859,000.

Northeast Air Command

Various locations: Operational and training facilities, maintenance facilities, supply facilities, hospital and medical facilities, housing and community facilities, utilities and ground improvements, and family housing, $75,650,000.

Strategic Air Command

Andersen Air Force Base, Guam: Operational and training facilities, maintenance facilities, supply facilities, housing and community facilities, utilities and ground improvements, and family housing, $23,980,000.

Harmon Air Force Base, Guam: Land acquisition, $14,000.

Northwest Air Force Base, Guam: Operational and training facilities, and maintenance facilities, $229,000.

Ramey Air Force Base, Puerto Rico: Operational and training facilities, maintenance facilities, and land acquisition, $1,213,000.

United States Air Force in Europe

Various locations: Operational and training facilities, maintenance facilities, supply facilities, hospital and medical facilities, administrative facilities, housing and community facilities, utilities and ground improvements, and erection of prefabricated structures, $114,260,000.

Aircraft Control and Warning System

Various locations: Operational and training facilities, maintenance facilities, supply facilities, hospital and medical facilities, administrative facilities, housing and community facilities, utilities and ground improvements, and land acquisition, $70 million.

SEC. 302. The Secretary of the Air Force may establish or develop: (a) classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment, in the total amount of $163 million.

(b) Air Force installations and facilities by proceeding with construction made necessary by changes in Air Force missions, new weapons developments, or improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, includ-

ing land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $50 million: *Provided*, That the Secretary of the Air Force, or his designee, shall notify the Committee on Armed Services of the Senate and House of Representatives immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this subsection, including those real estate actions pertaining thereto.

SEC. 303. Section 1 of the act of March 30, 1949 (ch. 41, 50 U. S. C. 491), is amended by the addition of the following:

"The Secretary of the Air Force is authorized to procure communication services required for the semiautomatic ground environment system. No contract for such services may be for a period of more than 10 years from the date communication services are first furnished under such contract. The aggregate contingent liability of the Government under the termination provisions of all contracts authorized hereunder may not exceed a total of $222 million and no termination payment shall be final until audited and approved by the General Accounting Office which shall have access to such carrier records and accounts as it may deem necessary for the purpose. In procuring such services, the Secretary of the Air Force shall utilize to the fullest extent practicable the facilities and capabilities of communication common carriers, including rural telephone cooperatives, within their respective service areas and for power supply, shall utilize to the fullest extent practicable, the facilities and capabilities of public utilities and rural electric cooperatives within their respective service areas. Negotiations with communication common carriers, including cooperatives, and representation in proceedings involving such carriers before Federal and State regulatory bodies where such negotiations or proceedings involve contracts authorized by this paragraph shall be in accordance with the provisions of section 201 of the act of June 30, 1949, as amended (40 U. S. C. A. sec. 481)."

SEC. 304. (a) Public Law 161, 84th Congress, is amended, under the heading "Continental United States" in section 301, as follows:

Under the subheading "Air Defense Command"—

(1) with respect to Buckingham Weapons Center, Fort Myers, Fla., strike out "$11,577,000" and insert in place thereof "$15,462,000."

(2) with respect to Duluth Municipal Airport, Duluth, Minn., strike out "$1,200,000" and insert in place thereof "$1,623,000."

(3) with respect to Grand Forks site, North Dakota, strike out "$5,822,000" and insert in place thereof "$7,709,000."

(4) with respect to Greater Milwaukee area, Wisconsin, airbase to be known as "Richard Bong Air Force Base," strike out "$16,608,000" and insert in place thereof "$23,859,000."

(5) with respect to Greater Pittsburgh Airport, Corapolis, Pa., strike out "$404,000" and insert in place thereof "$525,000."

(6) with respect to Hamilton Air Force Base, San Rafael, Calif., strike out "$1,501,000" and insert in place thereof "$2,229,000."

(7) with respect to Klamath Falls Municipal Airport, Klamath Falls, Oreg., strike out "$2,042,000" and insert in place thereof "$2,656,000."

(8) with respect to McGhee-Tyson Airport, Knoxville, Tenn., strike out "$582,000" and insert in place thereof "$817,000."

(9) with respect to Minot site, North Dakota, strike out "$5,339,000" and insert in place thereof "$6,603,000."

(10) with respect to Niagara Falls Municipal Airport, Niagara Falls, N. Y., strike out "$1,748,000" and insert in place thereof "$2,575,000."

(11) with respect to Paine Air Force Base, Everett, Wash., strike out "$1,039,000" and insert in place thereof "$1,199,000."

Under the subheading "Air Material Command"—With respect to Searsport Air Force Tank Farm, Searsport, Maine, strike out "$133,000" and insert in place thereof "$329,000."

Under the subheading "Air Training Command"—

(1) with respect to Ellington Air Force Base, Houston, Tex., strike out "$2,816,000" and insert in place thereof "$3,438,000."

(2) with respect to Greenville Air Force Base, Greenville, Miss., strike out "$349,000" and insert in place thereof "$500,000."

(3) with respect to Luke Air Force Base, Phoenix, Ariz., strike out "$1,557,000" and insert in place thereof "$1,923,000."

(4) with respect to Nellis Air Force Base, Las Vegas, Nev., strike out "$1,153,000" and insert in place thereof "$1,837,000."

(5) with respect to Perrin Air Force Base, Sherman, Tex., strike out "$956,000" and insert in place thereof "$1,210,000."

(6) with respect to Randolph Air Force Base, San Antonio, Tex., strike out "$549,000" and insert in place thereof "$730,000."

(7) with respect to Scott Air Force Base, Belleville, Ill., strike out "$1,247,000" and insert in place thereof "$1,862,000."

(8) with respect to Tyndall Air Force Base, Panama City, Fla., strike out "$478,000" and insert in place thereof "$534,000."

(9) with respect to Vance Air Force Base, Enid, Okla., strike out "$871,000" and insert in place thereof "$1,181,000."

(10) with respect to Williams Air Force Base, Chandler, Ariz., strike out "$1,045,000" insert in place thereof "$3,031,000."

(11) with respect to Francis E. Warren Air Force Base, Cheyenne, Wyo., strike out "$1,403,000" and insert in place thereof "$1,746,000."

Under the subheading "Air University" with respect to Maxwell Air Force Base, Montgomery, Ala., strike out "2,661,000" and insert in place thereof "$3,031,000."

Under the subheading "Continental Air Command"—

(1) with respect to Brooks Air Force Base, San Antonio, Tex., strike out "$590,000" and insert in place thereof "$697,000."

(2) with respect to Dobbins Air Force Base, Marietta, Ga., strike out "$758,000" and insert in place thereof "$859,000."

Under the subheading "Military Air Transport Service"—With respect to Charleston Air Force Base, Charleston, S. C., strike out "$4,032,000" and insert in place thereof "$5,306,000."

Under the subheading "Research and Development Command"—

(1) with respect to Edwards Air Force Base, Muroc, Calif., strike out "$12,429,000" and insert in place thereof "$13,299,000."

(2) with respect to Hartford Research Facility, Hartford, Conn., strike out "$22,375,000" and insert in place thereof "$25,780,000."

(3) with respect to Holloman Air Force Base, Alamogordo, N. Mex., strike out "$4,965,000" and insert in place thereof "$5,637,000."

Under the subheading "Strategic Air Command"—

(1) with respect to Abilene Air Force Base, Abilene, Tex., strike out "$4,214,000" and insert in place thereof "$4,656,000."

(2) with respect to Ellsworth Air Force Base, Rapid City, S. Dak., strike out "$12,380,000" and insert in place thereof "$15,186,000."

(3) with respect to Forbes Air Force Base, Topeka, Kans., strike out "$4,753,000" and insert in place thereof "$5,885,000."

(4) with respect to Great Falls Air Force Base, Great Falls, Mont., strike out "$5,435,000" and insert in place thereof "$6,713,000."

(5) with respect to Hunter Air Force Base, Savannah, Ga., strike out "$4,115,000" and insert in place thereof "$4,951,000."

(6) with respect to Pinecastle Air Force Base, Orlando, Fla., strike out "$4,118,000" and insert in place thereof "$5,599,000."

Under the subheading "Tactical Air Command"—With respect to Larson Air Force Base, Moses Lake, Wash., strike out "$3,574,000" and insert in place thereof "$4,724,000."

Under the subheading "Aircraft Control and Warning System"—With respect to "Various locations" strike out "$100,382,000" and insert in place thereof "$120,382,000."

(b) Public Law 161, 84th Congress, is amended under the heading "Outside Continental United States" in section 301, as follows:

(1) With respect to Kenai Airfield under the subheading "Alaskan Air Command" strike out "$356,000" and insert in place thereof "$2,247,000."

(c) Public Law 161, 84th Congress, as amended, is amended by striking out in clause (3) of section 502 the amounts "$743,989,000", "$530,563,000", and "$1,279,902,000" and inserting in place thereof "$801,256,000", "$532,454,000", and "$1,339,060,000", respectively.

(d) Public Law 534, 83d Congress, is amended, under the heading "Continental United States" in section 301, as follows: Under the subheading "Air Defense Command" with respect to Klamath Falls Airport, Klamath Falls, Oreg., strike out "$4,133,000" and insert in place thereof "$5,077,000."

(e) Public Law 534, 83d Congress, as amended, is amended by striking out in clause (3) of section 502 the amounts "$405,176,000" and "$415,005,000" and inserting in place thereof "$406,120,000" and "$415,949,000", respectively.

TITLE IV

General Provisions

SEC. 401. The Secretary of each military department may proceed to establish or develop installations and facilities under the Act without regard to sections 1136, 3648, and 3734 of the Revised Statutes, as amended. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended, and even though the land is held temporarily. The authority to provide family housing includes authority to acquire such land as the Secretary concerned determines, with the approval of the Secretary of Defense, to be necessary in connection with that housing. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 402. There are authorized to be appropriated such sums as may be necessary for the purposes of this act, but appropriations for public works projects authorized by titles I, II, and III shall not exceed—

(1) for title I: Inside the United States, $86,916,000; outside the United States, $35,763,000; section 102, $200,783,000; or a total of $323,462,000.

(2) for title II: Inside the United States, $292,572,000; outside the United States, $61,625,000; section 203, $84,043,000, or a total of $438,240,000; and

(3) for title III: Inside the United States, $759,123,000; outside the United States, $405,061,000; section 302 (a), $163,000,000; section 302 (b), $50,000,000, or a total of $1,377,184,000.

SEC. 403. Any of the amounts named in title I, II, or III of this act may, in the discretion of the Secretary concerned, be increased by 5 percent for projects inside the United States and by 10 percent for projects outside the United States. However, the

total cost of all projects in each such title may not be more than the total amount authorized to be appropriated for projects in that title.

SEC. 404. Whenever—

(1) the President determines that compliance with section 4 (c) of the Armed Services Procurement Act of 1947 (41 U. S. C. 153 (c)) for contracts made under this act for the establishment or development of military installations and facilities in foreign countries would interfere with the carrying out of this act; and

(2) the Secretary of Defense and the Comptroller General have agreed upon alternative methods for adequately auditing those contracts;

the President may exempt those contracts from the requirements of that section.

SEC. 405. Contracts made by the United States under this act shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with the Armed Services Procurement Act of 1947 (41 U. S. C. 153 et seq.).

SEC. 406. The Secretaries of the military departments may acquire land, and interests in land, not exceeding $5,000 in cost (exclusive of administrative costs and deficiency judgment awards), which the Secretary concerned determines to be urgently required in the interests of national defense. The authority under this section may not, however, be used to acquire more than one parcel of land unless the parcels are noncontiguous or, if contiguous, do not exceed $5,000 in total cost.

SEC. 407. The Secretaries of the military departments may, with the approval of the Secretary of Defense and following notification of the Armed Services Committees of the Senate and House of Representatives, acquire, construct, rehabilitate, or install permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment to restore or replace facilities damaged or destroyed.

SEC. 408. (a) Under such regulations as may be prescribed by the Secretary of Defense, the Secretaries of the military departments may expend out of appropriations available for military construction such amounts as may be required for the establishment and development of military installations and facilities by acquiring, constructing (except family quarters), converting, extending, or installing permanent or temporary public works determined to be urgently required, including site preparation, appurtenances, utilities, and equipment, for projects not otherwise authorized by law when the cost of the project is not in excess of $200,000, subject to the following limitations:

(1) No such project, the cost of which is in excess of $50,000, shall be authorized unless approved in advance by the Secretary of Defense.

(2) No such project, the cost of which is in excess of $25,000 shall be authorized unless approved in advance by the Secretary of the military department concerned.

(3) Not more than one allotment may be made for any project authorized under this section.

(4) The cost of conversion of existing structures to family quarters may not exceed $50,000 in any fiscal year at any single facility.

(b) The Secretaries of the military departments may expend out of appropriations available for maintenance and operation amounts necessary to accomplish a project which, except for the fact that its cost does not exceed $25,000, would otherwise be authorized to be accomplished under subsection (a).

(c) The Secretary of each department shall report in detail semiannually to the Armed Services Committees of the Senate and the House of Representatives with respect to the exercise of the authorities granted by this section.

(d) Section 26 of the act of August 2, 1946 (60 Stat. 853, 856; 34 U. S. C. 559), is repealed.

SEC. 409. (a) The Secretary of Defense, acting through the Secretary of a military department, may provide family housing at Fort McNair, District of Columbia, for the Chairman of the Joint Chiefs of Staff by the construction or rehabilitation of one set of family housing and, special communication facilities, without regard to the second proviso of section 3 of the act of June 12, 1948 (62 Stat. 375, 379), or section 3 of the act of June 16, 1948 (62 Stat. 459, 462).

(b) Appropriations not to exceed $180,000 ($100,000 for the family housing unit and $80,000 for special communication facilities) available to the military departments for military construction may be utilized for the purposes of this section without regard to the limitations on the cost of family housing otherwise prescribed by law.

SEC. 410. As of July 1, 1957, all authorizations for military public works to be accomplished by the Secretary of a military department in connection with the establishment or development of military installations and facilities, and all authorizations for appropriations therefor, that are contained in acts enacted before July 15, 1952, and not superseded or otherwise modified by a later authorization are repealed, except—

(1) authorizations for public works and for appropriations therefor that are set forth in those acts in the titles that contain the general provisions;

(2) the authorization for public works projects as to which appropriated funds have been obligated for construction contracts in whole or in part before July 1, 1957, and authorizations for appropriations therefor;

(3) the authorization for the rental guaranty for family housing in the amount of $100 million that is contained in section 302 of Public Law 534, 82d Congress;

(4) the authorizations for public works and the appropriation of funds that are contained in the National Defense Facilities Act of 1950, as amended (50 U. S. C. 881 et seq.); and

(5) the authorization for the development of the Line of Communications, France, in the amount of $62 million, that is contained in title I, section 102 of Public Law 534, 82d Congress.

SEC. 411. (a) The first paragraph of section 407 of the act of September 1, 1954 (68 Stat. 119), as amended, is further amended to read as follows:

"In addition to family housing and community facilities otherwise authorized to be constructed or acquired by the Department of Defense, the Secretary of Defense is authorized, subject to the approval of the Director of the Bureau of the Budget, to construct, or acquire by lease or otherwise, family housing for occupancy as public quarters, and community facilities, in foreign countries through housing and community facilities projects which utilize foreign currencies to a value not to exceed $250 million acquired pursuant to the provisions of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 454) or through other commodity transactions of the Commodity Credit Corporation."

(b) There are authorized to be appropriated to the Secretaries of the military departments such amounts other than foreign currencies as are necessary for the construction, or acquisition, by lease or otherwise, of family housing and community facilities projects in foreign countries that are authorized by section 407 of the act of September 1, 1954 (68 Stat. 1119), as amended, but the amount so appropriated for any such project may not be more than 25 percent of the total cost of that project.

SEC. 412. Section 515 of the act of July 15, 1955 (69 Stat. 324, 352), is amended to read as follows:

"SEC. 515. During the fiscal years 1956, 1957, and 1958 the Secretaries of the Army, Navy, and Air Force, respectively, are authorized to lease housing facilities at or near military tactical installations for assignment as public quarters to military personnel and their dependents, if any, without rental charge upon a determination by the Secretary of Defense or his designee that there is a lack of adequate housing facilities at or near such military tactical installations. Such housing facilities shall be leased on a family or individual unit basis and not more than 3,000 of such units may be so leased at any one time. Expenditures for the rental for such housing facilities may be made out of appropriations available for maintenance and operation but may not exceed $150 a month for any such unit."

SEC. 413. (a) The net floor limitations prescribed by section 3 of the act of June 12, 1948 (5 U. S. C. 626p) do not apply to 47 units of the housing authorized to be constructed at the United States Air Force Academy by the act of April 1, 1954 (68 Stat. 47). The net floor area limitations for those 47 units are as follows: 5,000 square feet for 1 unit for the Superintendent; 3,000 square feet for each of 2 units for deans; and 1,750 square feet for each of 44 units for department heads.

(b) The last sentence of section 9 of the Air Force Academy Act (68 Stat. 49) is amended by striking out "$1 million" and inserting in place thereof "$1,858,000."

SEC. 414. Section 3 of the National Defense Facilities Act of 1950, as amended (50 U. S. C. 882), is further amended by striking out clause (a) and inserting in place thereof the following:

"(a) acquire by purchase, lease, or transfer, construct, expand, rehabilitate, convert, and equip such facilities as he shall determine to be necessary to effectuate the purposes of this act, except that expenditures for the leasing of property for such purposes may be made from appropriations otherwise available for the payment of rentals and without regard to the monetary limitation otherwise imposed by this section;".

SEC. 415. To the extent that housing is to be constructed at a military installation under title IV of the Housing Amendments of 1955 (69 Stat. 635, 646), any outstanding authority under the act of September 1, 1954 (68 Stat. 1119), the act of July 15, 1955 (69 Stat. 324), and this act to provide housing at that installation may be exercised at other military installations of the department concerned.

SEC. 416. The Secretaries of the military departments are authorized to contract for the storage, handling, and distribution of liquid fuels for periods not exceeding 5 years, with option to renew for additional periods not exceeding 5 years, for a total not to exceed 20 years. This authority is limited to facilities which conform to the criteria prescribed by the Secretary of Defense for protection, including dispersal, and also are included in a program approved by the Secretary of Defense for the protection of petroleum facilities. Such contracts may provide that the Government at the expiration or termination thereof shall have the option to purchase the facility under contract without regard to sections 1136, 3648, and 3734 of the Revised Statutes, as amended, and prior to approval of title to the underlying land by the Attorney General: *Provided further*, That the Secretaries of the military departments shall report to the Armed Services Committees of the Senate and the House of Representatives with respect to the names of the contractors and the terms of the contracts, the reports to be furnished at times and in

such form as may be agreed upon between the Secretaries of the military departments and the Committees on Armed Services.

SEC. 417. That, notwithstanding any other law, the Secretary of a military department may lease, for terms of not more than 5 years, off-base structures including real property relating thereto, in foreign countries, needed for military purposes.

SEC. 418. In the design of family housing or any other repetitive type buildings in the continental United States authorized by this act, the military departments may, to the extent deemed practicable, use the principle of modular design in order that the facility may be built by conventional construction, on-site fabrication, or factory fabrication.

SEC. 419. The first two sentences of section 404 of the Housing Amendments of 1955 are amended to read as follows: "Whenever the Secretary of Defense or his designee deem it necessary for the purpose of this title, he may acquire by purchase, donation, condemnation, or other means of transfer, any land or (with the approval of the Federal Housing Commissioner) any housing financed with mortgages insured under the provisions of title VIII of the National Housing Act as in effect prior to the enactment of the Housing Amendments of 1955. The purchase price of any such housing shall not exceed the Federal Housing Administration Commissioner's estimate of the replacement cost of such housing and related property (not including the value of any improvements installed or constructed with appropriated funds) as of the date of final endorsement for mortgage insurance reduced by an appropriate allowance for physical depreciation, as determined by the Secretary of Defense or his designee upon the advice of the Commissioner: *Provided*, That in any case where the Secretary or his designee acquires a project held by the Commissioner, the price paid shall not exceed the face value of the debentures (plus accrued interest thereon) which the Commissioner issued in acquiring such project."

SEC. 420. None of the authority contained in titles I, II, and III of this act shall be deemed to authorize any building construction project within the continental United States at an average nationwide unit cost in excess of—

(a) $22 per square foot for cold-storage warehousing;

(b) $6 per square foot for regular warehousing;

(c) $1,850 per man for permanent barracks;

(d) $6,500 per man for bachelor officer quarters, unless the Secretary of Defense determines that, because of special circumstances, application to such project of the limitation on unit costs contained in this section is impracticable.

SEC. 421. None of the authorization contained in section 101 of this act for the construction of the 326-man barracks with mess shall be used to provide, with respect to any such barracks, for mess facilities other than a single, consolidated mess.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE LATE HONORABLE FREDERICK C. SMITH

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. BETTS].

Mr. BETTS. Mr. Speaker, it is with genuine and sincere sorrow that I have learned of the death yesterday morning of my immediate predecessor in Congress, Frederick C. Smith.

Dr. Smith represented the Eighth Ohio District for 6 consecutive terms from 1939 to 1951. Prior to that he had been Mayor of Marion, Ohio, for 4 years. By profession he was a medical doctor and the Frederick C. Smith Clinic at Marion, which bears his name, will stand as a memorial of his devotion to his profession.

As a Member of this House, Dr. Smith was respected by all who knew and worked with him. His particular interest was in the country's monetary system, to which he devoted many years of laborious study. For this reason he was a valued member of the Banking and Currency Committee.

Dr. Smith was a man of deep and intense convictions, and it naturally followed that he was a vigorous fighter for the principles in which he believed.

His friends here in Congress, I am sure, join me in expressing sadness at his passing.

Mr. McGREGOR. Mr. Speaker, will the gentleman yield?

Mr. BETTS. I yield.

Mr. McGREGOR. Mr. Speaker, the passing of former Congressman Frederick C. Smith means that death has removed one of the finest and one of the ablest men that has ever served in Congress. Few men have inspired greater respect or confidence or proved more effective in their work than our late colleague, the Honorable Dr. Frederick C. Smith.

"Doc" Smith, as he was affectionately known, was a great and good man. He was a very able doctor of medicine as well as an able and distinguished Member of this Congress. He was a man of outstanding ability, a legislator of courage. He was not only a great American but Dr. Smith was a people's Congressman.

Mrs. McGregor joins me in extending to Mrs. Smith and her two fine sons profound sympathy in their great loss and sorrow.

Mrs. FRANCES P. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. BETTS. I yield to the gentlewoman from Ohio.

Mrs. FRANCES P. BOLTON. Mr. Speaker, I wish to join the gentleman from Ohio in his remarks about Dr. Smith and say that in addition to all those qualities mentioned, he did have a sweetness and an unselfishness of disposition. He gave of his own medical knowledge to those of us who needed it with great wisdom and understanding. I have missed him since he left here and we hope that he has gone to a very just reward.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. BETTS. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. I wish to join with the gentleman from the Eighth Congressional District of Ohio [Mr. BETTS] in the tribute that is being paid to the memory of Dr. Frederick C. Smith, of Marion, who represented the Eighth District for so many years in Congress. It was my pleasure and my privilege to know Dr. Smith throughout his life. We were close personal friends; and, we came to Congress together.

The country has lost a great American. He has left behind him a brilliant record, both at home and in the Nation's Capital, in the field of government and in the field of medicine and science in which he participated so greatly.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. BETTS. I yield.

Mr. MASON. I want to pay my tribute to our former colleague, Dr. Smith. He was a man after my own heart. He had fixed convictions and stood by them. That is the kind of colleague I admire even though I sometimes differ with such. Dr. Smith was a man after my own heart. He was a great American. We will all miss him.

Mr. BETTS. Mr. Speaker, I ask unanmous consent that all Members may have 5 legislative days in which to extend their remarks on the life, character, and public service of Dr. Smith.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS. Mr. Speaker, I was shocked yesterday when I heard of the passing of my good friend, Dr. Frederick Smith, of Ohio. I was a Member of this House when he was first elected and when he retired. Every man has some distinctive traits of character and Dr. Smith was unusual in that respect for he seemed to have many very pronounced traits of character. He had a pronounced inclination to do those things that any good doctor would like to do—I mean that he had a decided inclination to set up hospitals and places where the sick people should and could be taken care of. I understand that he established a very serviceable and complete hospital in his home city and that he, with the assistance of his sons, have maintained that hospital until now—it is a great institution.

But Dr. Smith possessed some traits of character that made him a very successful Congressman. He was instinctively honest. His reactions against dishonesty in government were quick and positive. This characteristic made him a useful Congressman. He opposed vigorously what seemed to him to be wrong and he espoused forcefully those propositions that seemed fair to him and to the best interest of the country.

He had another quality that made him a very useful man. He was very industrious. He took an active interest in all matters that came before the Congress. His innate honesty guided him to favor the good and reject the unworthy.

I extend to the members of his family my most sincere sympathy. They have an honest right to be proud of his achievements.

I shall miss him because I was a good friend to him.

Mr. CLEVENGER. Mr. Speaker, it is with great sadness that I receive news of the passing of our former colleague, Frederick C. Smith, of Marion, Ohio.

Eighteen years ago we were elected from neighboring districts to the 76th Congress. My service with him is one of the pleasantest of all. His great courage, his gentleness with all his contacts with children and the physically aged and infirm, won him the affection and regard of all his patients who sought his great medical skill.

He was a great student of finance, and never did waiver he in his strong and vigorous fight against overspending and the dangers of inflation to the strength and security of his Nation.

Strong men like Dr. Smith, well informed and well grounded in finance, with the courage of a lion in maintaining the Nation's credit and financial structure are rare indeed. My condolences to his wife and fine sons go with those of my family to all of them. He was a great physician, a great Congressman, a very great gentleman—a friend we could ill afford to lose.

ONE HUNDREDTH ANNIVERSARY OF BIRTH OF THEODORE ROOSEVELT

Mr. FRAZIER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3386) to amend the joint resolution entitled "Joint resolution to establish a commission for the celebration of the one hundredth anniversary of the birth of Theodore Roosevelt," approved July 28, 1955, with House amendments thereto, insist on the amendments of the House and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. FRAZIER, TUCK, and HILLINGS.

CONTROL OF NARCOTICS, BARBITURATES, AND DANGEROUS DRUGS

Mr. ABERNETHY. Mr. Speaker, I call up the conference report on the bill (H. R. 11320), to effect the control of narcotics, barbiturates, and dangerous drugs in the District of Columbia, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2717)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11320) to effect the control of narcotics, barbiturates, and dangerous drugs in the District of Columbia, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6 and 7.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 8, 9, 10, and 12, and agree to the same.

That the title of the bill is amended to read as follows:

"An Act to effect the control of narcotics and dangerous drugs in the District of Columbia, and for other purposes."

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "committed prior to July 1, 1958; (2)"; and the Senate agree to the same.

THOS. G. ABERNETHY,
WOODROW W. JONES,
A. L. MILLER,
Managers on the Part of the House.

WAYNE MORSE,
ALAN BIBLE,
ROMAN L. HRUSKA,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11320) to effect the control of narcotics, barbiturates, and dangerous drugs in the District of Columbia, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment changes the short title. The House recedes.

Amendment No. 2: This amendment is clerical. The House recedes.

Amendment No. 3: The House bill provides that in some cases certain provisions of the bill will not apply to certain drugs if they contain other drugs which cause them to be essentially harmless. The Senate amendment clarifies this provision by inserting "drug or" before "drugs". The House recedes.

Amendment No. 4: This amendment is clerical. The House recedes.

Amendment No. 5: The Senate amendment strikes the parenthetic phrase "including barbiturates or amphetamines" which appears after "dangerous drugs". The House recedes.

Amendment No. 6: The House bill provides that prescriptions, orders, and records, required by section 206 and stocks of dangerous drugs shall be opened for inspection to certain District of Columbia officers. The Senate amendment includes certain Federal officers among those to whom such items shall be open to inspection. The Senate recedes.

Amendment No. 7: The House bill provides that certain drugs, and records relating to drugs, be open for inspection to District of Columbia officers whose duty it is to enforce the laws of the District of Columbia or of the United States relating to dangerous drugs. The Senate amendment would restrict the inspection of such subject matter to District of Columbia officers whose duty it is to enforce the laws of the District of Columbia and the laws of the United States applicable within the District of Columbia relating to dangerous drugs. The Senate recedes.

Amendment No. 8: This amendment is clerical. The House recedes.

Amendment No. 9: This amendment is clerical. The House recedes.

Amendment No. 10: The House bill amends section 341 of the Public Health Service Act to provide that certain data shall be furnished the Commissioners of the District of Columbia with respect to persons voluntarily submitting themselves for treatment pursuant to the provisions of such act and who at the time of their admittance to a Public Health Service hospital were residents of the District of Columbia. The Senate amendment would limit the furnishing of such data to the Commissioners of the District of Columbia as to those persons who voluntarily submitted themselves for treatment pursuant to the provisions of section 341 of such act and who at the time of their admittance to a Public Health Service hospital were residents of the District of Columbia. The House recedes.

Amendment No. 11: The House bill provides certain restrictions on admission of addicts to Public Health Service hospitals under section 345 (a) of the Public Health Service Act. The Senate amendment would further restrict admission of addicts to Public Health Service hospitals under section 345 (a) of such Act by providing that no addict shall be admitted who was not committed prior to July 1, 1958. The House recedes with a clerical amendment.

Amendment No. 12: This amendment is clerical. The House recedes.

THOS. G. ABERNETHY,
WOODROW W. JONES,
A. L. MILLER,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN. Mr. Speaker, may I secure information from the majority leader as to the program for tomorrow?

Mr. McCORMACK. Mr. Speaker, tomorrow being Calendar Wednesday, there will be a call of the committees. I am informed that the Committee on Agriculture, when reached, will call up the following bills for consideration:

H. R. 11708, to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase the amount authorized to be appropriated for the purposes of title I of the act, and for other purposes.

H. R. 4054, a bill to encourage the improvement and development of marketing facilities for handling perishable agricultural commodities.

H. R. 11833, a bill to amend the Soil Conservation and Domestic Allotment Act and the Agricultural Adjustment Act of 1938 to provide for a Great Plains conservation program.

H. R. 11682, to facilitate the control and eradication of certain animal diseases, to facilitate the carrying out of agricultural and related programs, to facilitate the agricultural attaché program, to facilitate the operations of the Farmers' Home Administration, the Federal Crop Insurance Corporation, and the Forest Service, and for other purposes.

H. R. 8384, to amend section 8c (2) of the Agricultural Marketing Agreement Act of 1937, as amended.

If consideration of those bills should be completed and we proceed with call of committees on Calendar Wednesday and the Committee on Armed Services is reached, which is the committee next in order, the following bills will be considered:

H. R. 7992, the point of order bill.

H. R. 5435, to amend the Federal Civil Defense Act to authorize procurement of radiological instruments, and so forth.

H. R. 9679, to authorize the Secretary of the Army to dispose of certain parcel of land at Fort Belvoir.

H. R. 8682, to provide for conveyance of certain lands to the State of Maine.

H. R. 11812, to authorize and direct transfer of certain Federal property to Government of American Samoa; and

S. 3832, to provide for the disposal of the Government-owned synthetic rubber research laboratories at Akron, Ohio.

Mr. Speaker, I am not committing the chairmen of the committees to call those bills up in the order I have stated.

Mr. MARTIN. Can the gentleman make a statement as to when we will adjourn tomorrow night?

Mr. McCORMACK. When consideration of those bills can be completed. I understand several bills of the Committee on the Armed Services are noncontroversial.

Mr. VINSON. Mr. Speaker, there are two bills I gave the numbers of yesterday which the Committee on Armed Services did not report out this morning.

Mr. McCORMACK. What are they?

Mr. VINSON. The Samoa bill and the bill with reference to land up in Maine. The committee did not act favorably on those two bills.

Mr. McCORMACK. That is H. R. 8682, I might advise the gentleman from Massachusetts. What is the other bill?

Mr. VINSON. The other is H. R. 11812 with reference to property in Samoa.

Mr. McCORMACK. That is 11812 and H. R. 8682. So you can delete those two bills from the list.

HOSPITALIZATION AND CARE OF THE MENTALLY ILL OF ALASKA

Mr. O'BRIEN of New York submitted a conference report and statement on the bill (H. R. 6376) to provide for the hospitalization and care of the mentally ill of Alaska, and for other purposes.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first bill on the Private Calendar.

MARTIN WUNDERLICH CO.

The Clerk called the bill (H. R. 3274) for the relief of the Martin Wunderlich Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Martin Wunderlich Co., a partnership, of Omaha, Nebr., the sum of $111,530.59. The payment of such sum shall be in full settlement of all claims of such company against the United States arising out of such company's contract with the Bureau of Reclamation dated March 14, 1938, for the construction of the Vallecito Dam on the Pine River, Colorado: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MISS ELISABETH VON OBERNDORFF

The Clerk called the bill (H. R. 9440) for the relief of Miss Elisabeth von Oberndorff.

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

RELIEF OF CERTAIN ALIENS

The Clerk called the resolution (H. J. Res. 660) for the relief of certain aliens.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That the Attorney General is authorized and directed to cancel any outstanding orders and warrant of deportation, warrant of arrest, and bonds which may have issued in the case of Mrs. Tsuma Ueda. From and after the date of the enactment of this act, the said Mrs. Tsuma Ueda shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

SEC. 2. For the purposes of the Immigration and Nationality Act, Edward Martin Rasmussen, Sister Bianca Capasso, Sister Caterina Giudice, Sister Giuseppa Capone, Pietro Di Filippo, Silvia Neri, Melina Rina Neri, Don-Chean Chu, Nashat Saadi Zabalaoui, Kwen Fang Sun, Chin Cho Chu Sun, and E-Chen Sun shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to each alien as provided for in this section of this act, if such alien was classifiable as a quota immigrant at the time of the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

SEC. 3. For the purposes of the Immigration and Nationality Act, Pasqualina D'Antonio, Michele D'Antonio, Mrs. Mary Javier (formerly Maria Alvarado Salas), Mrs. Margaret Geordt, Roger Eugene Caillaud, and Kerttu Poutiainen Mayblom shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of the act, upon payment of the required visa fees.

Mr. WILLIS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIS: Page 2, line 2, strike out "Don-Chean Chu."

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IN BEHALF OF CERTAIN ALIENS

The Clerk called the resolution (H. J. Res. 661) to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That, notwithstanding the provision of section 212 (a) (1) of the Immigration and Nationality Act, Miss Zmirah Mittelman may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

SEC. 2. Notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Isidoro Heredia Ruiz and Francesco Bautti may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 3. Notwithstanding the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, Mrs. Maria D. Herren, Mrs. Aurora Costa Harty, and Herta Maria Zelenak (nee Pich-Lipinski), may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 4. Notwithstanding the provisions of section 212 (a) (9) and (19) of the Immigration and Nationality Act, Eugenio Mininni and Maria Luisa Gama de Sanchez may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 5. Notwithstanding the provisions of section 212 (a) (9), (17), and (19) of the Immigration and Nationality Act, Jose Rios-Gonzales and Lucy Manus Daley may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 6. Notwithstanding the provisions of section 212 (a) (17) and (31) of the Immigration and Nationality Act, Miguel Flores Castro may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

SEC. 7. The exemptions provided for in this act shall apply only to grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

With the following committee amendments:

Page 2, lines 1 and 2, strike out the following name and word: "Isidoro Heredia Ruiz, and."

Page 2, line 2, strike out the word "visas" and substitute in lieu thereof the words "a visa."

Page 2, line 4, strike out the words "they are" and substitute in lieu thereof the words "he is."

Page 2, line 15, after the name "Eugenio Mininni", insert a comma, and strike out the word "and."

Page 2, line 15, after the name "Maria Luisa Gama de Sanchez", insert the following word and name: "and Isidoro Heredia Ruiz."

The committee amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens."

A motion to reconsider was laid on the table.

JEAN PFEIFER

The Clerk called the bill (S. 277) for the relief of Jean Pfeifer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the Social Security Act, as amended, any application which may be filed under section 202 (i) of such act by Jean Pfeifer within 6 months after the date of enactment of this act for payment of a lump-sum death payment with respect to the death of her son, John S. Inches (501–05–7167), who died on August 7, 1951, shall be acted upon as if such application had been filed, and any expenses incurred by the said Jean Pfeifer for the burial of the said John S. Inches had been paid, within 2 years after the date of death of the said John S. Inches.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HAROLD D. ROBISON

The Clerk called the bill (S. 1893) for the relief of Harold D. Robison.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harold D. Robison, of Pleasant Grove, Utah, the sum of $8,865.35. Such sum shall be in full satisfaction of his claim against the United States for additional compensation for the loss of clothing, household furnishings, and other personal property sustained by him, while serving as an employee of the State Department, as the result of the emergency evacuation of State Department personnel, due to enemy action, from Singapore, on February 12, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUGUST J. STRIGGA

The Clerk called the bill (H. R. 908) for the relief of August J. Strigga.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to August J. Strigga, of Kodiak, Alaska, the sum of $1,886.90, subject to civil-service-retirement deductions and Federal withholding tax, in full settlement of all claims against the Government of the United States as reimbursement for loss of pay at the United States Naval Station, Kodiak, Alaska, from July 3, 1952, through October 15, 1952, due to delay in adjudication of his optional retirement application: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, after the name "Alaska" strike out "the sum of $1,886.90, subject to civil-service-retirement deductions and Federal withholding tax, in full settlement of all claims against the Government of the United States as reimbursement for loss of pay at the United States Naval Station, Kodiak, Alaska, from July 3, 1952, through October 15, 1952" and insert in lieu thereof "the sum of $801.50, in full settlement of all claims against the United States, and as a gratuity for loss of annuity payments from July 1, 1952, through October 15, 1952."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNITED STATES FLARE CORP., C. D. WAILES CORPORATION & ASSOCIATES

The Clerk called the resolution (H. Res. 540) to provide for sending the bill H. R. 7740 and accompanying papers to the United States Court of Claims.

There being no objection, the Clerk read the resolution, as follows:

Resolved, That the bill (H. R. 7740) entitled "A bill for the relief of the United States Flare Corp., C. D. Wailes Corporation & Associates, together with all accompanying papers, is hereby referred to the United States Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; and said court shall proceed expeditiously with the same in accordance with the provisions of said sections and report to the House, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand, as a claim legal or equitable, against the United States, and the amount, if any, legally or equitably due from the United States to the claimant.

The resolution was agreed to.

A motion to reconsider was laid on the table.

E. B. KAISER CO.

The Clerk called the bill (H. R. 6185) for the relief of the E. B. Kaiser Co.

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

ELMER L. HENDERSON

The Clerk called the bill (H. R. 9755) for the relief of Elmer L. Henderson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elmer L. Henderson, Maplewood, Mo., the sum certified to the Secretary pursuant to section 2 of this act. The payment of such sum shall be in full settlement of all claims of Elmer L. Henderson against the United States for loss of pay during the period beginning October 14, 1955, and ending December 11, 1955, both dates inclusive.

SEC. 2. The Commandant of the United States Coast Guard shall certify to the Secretary of the Treasury the amount which would have been paid to Elmer L. Henderson for the period beginning October 14, 1955, and ending December 11, 1955, both dates inclusive, if he had been carried in an active duty pay status in his position with the United States Coast Guard.

SEC. 3. No part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 9, strike "pay during", and insert in lieu thereof the words "retirement annuity for each day included in."

Page 1, line 10, strike "October 14," and insert "September 1,".

Page 2, lines 1 to 7, strike all of the language of section 2 and insert in lieu thereof:

"SEC. 2. The Civil Service Commission shall certify to the Secretary of the Treasury the amount of retirement annuity allocable to Elmer L. Henderson for the period set forth in section 1 of this act."

Page 2, line 9, strike the words: "in excess of 10 percent thereof."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HAL A. MARCHANT

The Clerk called the bill (S. 1154) for the relief of Hal A. Marchant.

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MR. AND MRS. ERNEST M. KERSH

The Clerk called the bill (S. 1708) for the relief of Mr. and Mrs. Ernest M. Kersh.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. Ernest M. Kersh, 214 East Peace Street, Canton, Miss., the sum of $10,000, in full satisfaction of all claims against the United States for compensation for severe and permanent injuries sustained by their daughter, Lynder Nell Kersh, at birth on December 6,

1943, in the naval hospital, Pensacola, Fla.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SGT. AND MRS. HERBERT G. HERMAN

The Clerk called the bill (S. 3150) for the relief of Sgt. and Mrs. Herbert G. Herman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sgt. and Mrs. Herbert G. Herman, of Las Cruces, N. Mex., the sum of $5,361.19. Such sum shall be in full satisfaction of the claims of the said Sgt. and Mrs. Herbert G. Herman against the United States for compensation for the death of their minor child, Herbert G. Herman, Jr., who was fatally injured as the result of being struck by a United States Army vehicle on March 13, 1953, in Gradignan, France, and reimbursement for burial and other expenses incurred by the said Sergeant and Mrs. Herman as a result of such death: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KYU LEE

The Clerk called the bill (S. 1243) for the relief of Kyu Lee.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That for the purposes of the Immigration and Nationality Act, Kyu Lee shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendments:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, for the purposes of the Immigration and Nationality Act, Kyu Lee, Ileana Issarescu, Maria Ileana Habsburg-Lothringen, Alexandra Habsburg-Lothringen, Oscar Beregi, Margreth Leiss von Laimburg, Yvonne Rohran (Tung) Feng, Annie Pieg Hildebrand, Hazel Elizabeth Scott, Choh-Yi Ang, Christina Arutjuenjan, and Tscheng-Sui Feng shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to each alien as provided for in this section of this act, if such alien was classifiable as a quota immigrant at the time of the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

"SEC. 2. For the purposes of the Immigration and Nationality Act, Modesto Padilla-Ceja and his wife, Maria Toscano-Padilla, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees.

"SEC. 3. The Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bonds, which may have been issued in the case of Cleopatra Vasiliadis. From and after the date of the enactment of this act, the said Cleopatra Vasiliadis shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of certain aliens."

A motion to reconsider was laid on the table.

SALVATORE DI MORELLO

The Clerk called the bill (S. 1324) for the relief of Salvatore di Morello.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act, Salvatore di Morello may be admitted to the United States for permanent residence, if he is found to be otherwise admissible under the provisions of such act. The provisions of this act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of enactment of this act.

With the following committee amendments:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Salvatore di Morello, Evelyn Levenston Harris, Margarete Emma Lewis (nee Guschmann), Francesco Zammuto, Marianne Eder Dunbar, Maria (Schandl) Cote, and Zygmunt Sobota may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

"SEC. 2. Notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Louis Henri Stassart, Elisabeth Hollas, and Theresia Schneider may, if found to be otherwise admissible under the provisions of that act, be issued visas and admitted to the United States for permanent residence under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That suitable and proper bonds or undertakings, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

"SEC. 3. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Waltraud Grete Schramm, the fiancee of Frank H. Schopfer, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Waltraud Grete Schramm is coming to the United States with a bona fide intention of being married to the said Frank H. Schopfer and that she is otherwise admissible under the provisions of that act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Waltraud Grete Schramm, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Waltraud Grete Schramm, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Waltraud Grete Schramm as of the date of the payment by her of the required visa fee.

"SEC. 4. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Edith Johanna Augusta Kienest may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That her marriage to her United States citizen fiance, Specialist 3c. John Anderson, shall occur not later than 6 months following the date of the enactment of this act.

"SEC. 5. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Annemarie Appelt, the fiance of S. Sgt. William D. Green, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Annemarie Appelt is coming to the United States with a bona fide intention of being married to the said S. Sgt. William D. Green and that she is otherwise admissible under the provisions of that act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Annemarie Appelt, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Annemarie Appelt, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Annemarie Appelt as of the date of the payment by her of the required visa fee.

"SEC. 6. Notwithstanding the provisions of section 212 (a) (9) and (19) of the Immigration and Nationality Act, Moses Rakocinski (Rakoczynski) and Josef Kranz may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

"SEC. 7. Notwithstanding the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, Rosetta Ittner may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

"SEC. 8. Notwithstanding the provision of section 212 (a) (25) of the Immigration and

Nationality Act, Chan Lee Nui Sin may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

"SEC. 9. Notwithstanding the provisions of section 212 (a) (4) and (6) of the Immigration and Nationality Act, Josephine Langton may, if found to be otherwise admissible under the provisions of that act, be issued a visa and admitted to the United States for permanent residence under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of said act.

"SEC. 10. The exemptions provided for in this act shall apply only to grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens."

A motion to reconsider was laid on the table.

ALEXANDER ORLOV AND HIS WIFE, MARIA ORLOV

The Clerk called the bill (S. 1627) for the relief of Alexander Orlov and his wife, Maria Orlov.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Alexander Orlov and his wife, Maria Orlov, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KIYOSHI KINOSHITA

The Clerk called the bill (S. 3009) for the relief of Kiyoshi Kinoshita.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Kiyoshi Kinoshita, shall be held and considered to be the natural-born alien child of Staff Sgt. Robert A. Kremp, a citizen of the United States.

With the following committee amendments:

At the end of the bill, add two new sections to read as follows:

"SEC. 2. In the administration of section 203 (a) (1) of the Immigration and Nationality Act, Sita Koppaka Rao and her minor child, Vijayalakshmi Koppaka Rao shall be deemed to be accompanying their husband and father, respectively, Kappaka Viswesuara Rao, to the United States within the meaning of section 203 (a) (1), if visas are issued to them at any time within 6 months after the date of the enactment of this act.

"SEC. 3. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, Roberto C. Bargas and Rosenda C. Bargas, shall be held and considered to be the natural-born alien children of Sergeant Alberto Bargas, a citizen of the United States."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of certain aliens."

A motion to reconsider was laid on the table.

KURT JOHAN PARO

The Clerk called the bill (S. 3473) for the relief of Kurt Johan Paro.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Kurt Johan Paro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELIZABETH M. A. DE CUEVAS FAURE

The Clerk called the bill (S. 3579) for the relief of Elizabeth M. A. de Cuevas Faure.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provision of paragraph (1) of subsection (a) of section 352 of the Immigration and Nationality Act shall not be held to be applicable to Elizabeth M. A. de Cuevas Faure: *Provided*, That she return to the United States for permanent residence within 2 years following the effective date of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTAIN RELATIVES OF UNITED STATES CITIZENS

The Clerk called the joint resolution (H. J. Res. 662) for the relief of certain relatives of United States citizens.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That, notwithstanding the provisions of section 212 (a) (6) of the Immigration and Nationality Act, the aliens hereinafter named may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act:

Gertrud Baran, Calogero Benfari, Giuseppe V. Bonanni, Joan M. Boos, Hannelore H. G. Burke, Ursula K. Burkman, Nicola Di Palma, Serafina Garcia, Margarete L. G. B. Graebert, Jui Kung Hsieh, Michiko E. Lucas, Consuelo (Carranza) Matamoros, Maria L. C. Matusewicz, Arturo M. Ordonez, Mikiko N. Piper, Claudio Piro, Gioacchino M. Rosati, and Keiko S. Will.

With the following committee amendments:

On page 2, line 3, after the name "Gertrud Baran", insert the name "Luciana O. Barberis."

On page 2, line 5, before the name "Nicola Di Palma", insert the name "Michelina Dieni."

On page 2, line 7, strike out the initial "C", as it appears after "Maria L." and substitute in lieu thereof the initial "S."

On page 2, line 7, after the name "Matusewicz", insert the following names: "Matija M. Medic, Arusiak Minasian."

On page 2, line 9, after the name 'Rosati", insert the following names: "Michele Scolarici, Itzhak Solnik, Evelyne W. Whitney."

The committee amendments were agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN H. PARKER

The Clerk called the bill (H. R. 2952) for the relief of John H. Parker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) for the purpose of determining the seniority rights and rate of compensation of John H. Parker, substitute carrier in the Fort Smith, Ark., post office, the said John H. Parker shall be held to have been appointed to such position as of the earliest date, in 1943, on which an eligible standing lower on the same list of eligibles on which appeared the name of said John H. Parker received a probational appointment therefrom. At the time his name was reached on such eligible list, the said John H. Parker was serving in the Merchant Marine Cadet Corps, and he was erroneously informed by a responsible employee of the Civil Service Commission that he could not be appointed from such eligible list at such time because his service in such corps was considered military service.

(b) The said John H. Parker shall not be entitled to any compensation for any period prior to the date of enactment of this act by reason of the enactment of this act.

With the following committee amendment:

Page 2, following subsection (b) add an additional subsection as follows:

"(c) No regular employee in the postal field service shall be reduced to substitute status by reason of enactment of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. KATHRYN H. WALLACE

The Clerk called the bill (H. R. 4464) for the relief of Mrs. Kathryn H. Wallace.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $18,677.13 to Mrs. Kathryn H. Wallace, of Columbia, S. C., widow and sole beneficiary of the estate of the late Charles A. Wallace, in full settlement of all claims against the United States, representing a refund of income taxes collected from the late Charles A. Wallace on March 26, June 17, September 16, and December 15, 1942, and January 30, 1943, by the Bureau of Internal Revenue, all of which taxes are being wrongfully and erroneously withheld.

With the following committee amendment:

Page 1, line 13, strike the period and insert ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OTTO B. HAUFFE

The Clerk called the bill (H. R. 5586) for the relief of Otto B. Hauffe.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Otto B. Hauffe, Glen Cove, N. Y., is hereby relieved of all liability to refund to the United States the sum of $397.33. Such sum represents the amount of certain alleged salary overpayments made to him during the period beginning January 8, 1951, and ending May 9, 1954, while he was employed as an engineering aide (electronics) by the Department of the Navy, Military Sea Transportation Service. At the end of such period the General Accounting Office determined that the said Otto B. Hauffe had been paid at an incorrect salary rate, but payment at such incorrect rate was made without his knowledge and was due solely to an error by the Department of the Navy. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Otto B. Hauffe, an amount equal to the aggregate of any amounts which may have been paid by him, or withheld from or credited against sums otherwise due him, in complete or partial satisfaction of the claim of the United States for such refund.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

T. W. HOLT & CO.

The Clerk called the bill (H. R. 7162) for the relief of T. W. Holt & Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized to pay, out of any money in the Treasury not otherwise appropriated, to T. W. Holt & Co., of Jacksonville, Fla., the sum of $7,273.66. The payment of such sum shall be in full satisfaction of the claim of the said T. W. Holt & Co. against the United States for repayment of excessive customs duties erroneously collected by the Bureau of Customs on canned meat imports from Argentina, which were imported by the said T. W. Holt & Co. between January 20, 1949, and December 28, 1950, and on which the customs duties were liquidated between October 11, 1950, and December 16, 1952: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COL. ADOLPH B. MILLER

The Clerk called the bill (H. R. 8056) for the relief of Col. Adolph B. Miller.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Col. Adolph B. Miller (U. S. Marine Corps, retired), Los Angeles, Calif., the sum of $631.87. The payment of such sum shall be in full settlement of all claims of the said Adolph B. Miller against the United States for reimbursement to him of expenses incurred in the successful prosecution in the Court of Claims of his claim against the United States for wrongfully withholding a portion of his retired pay: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, lines 2 and 3, strike out "in excess of 10 percent thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRED G. NAGLE CO.

The Clerk called the bill (H. R. 9028) for the relief of Fred G. Nagle Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $6,727.50 to Fred G. Nagle Co., of Detroit, Mich., in full settlement of all claims against the United States. Such sum represents the payment of rent due from the United States Post Office Department from April 1942 to June 1944, both months inclusive, in space located at Grand Park Avenue Station, Detroit, Mich.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TOM R. HICKMAN, NANNIE CONLEY AND HUSBAND, JACK CONLEY

The Clerk called the bill (H. R. 11822) for the relief of Tom R. Hickman and Nannie Conley and husband, Jack Conley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Tom R. Hickman and Nannie Conley and husband, Jack Conley, of Bainesville, Tex., the sum of $3,500, with interest at the rate of 4 percent per annum, from May 14, 1942, to the date of payment, not as interest but as a part of just compensation, representing the amount reported by the United States Court of Claims to the Congress in response to House Resolution 491, 83d Congress, 2d session (congressional No. 3–54, decided June 5, 1956), in full settlement of their claims against the United States for gravel excavated and removed by the War Department from Camp Howze tract No. 154, Camp Howze, Tex.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, lines 8 and 9, strike out "not as interest but as a part of just compensation."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LAND CONVEYANCE, COAHOMA COUNTY, MISS.

The Clerk called the joint resolution (H. J. Res. 642) to authorize and direct the Secretary of Agriculture to quitclaim certain property in Coahoma County, Miss., to the Home Demonstration Club of Rena Lara, Miss., Inc.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the Secretary of Agriculture is authorized and directed to execute and deliver a quitclaim deed to the Home Demonstration Club of Rena Lara, Miss., Inc., its successors and assigns covering all of the right, title, and interest of the United States of America in and to that certain tract of land containing, after deduction of rights-of-ways for roads, 3.17 acres, more or less, in Coahoma County, Miss., and more particularly described in the quitclaim deed from the United States of America to certain trustees for the Coahoma County School District of Coahoma County, Miss., dated June 8, 1945, and recorded in land deed record 161, page 251, in the office of the clerk of the chancery court of Coahoma County, Miss., together with improvements thereon and appurtenances thereto.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTERLEE HUTZLER WEINHOEPPEL

The Clerk called the bill (H. R. 11821) for the relief of Esterlee Hutzler Weinhoeppel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act for the relief of Mrs. Esterlee Hutzler Weinhoeppel," approved August 24, 1954 (68 Stat. A196), is amended by striking out the following: ": *Provided further*, That failure to establish permanent residence in the United States within a period of 18 months following the enactment of this act shall result in the divestiture of United States citizenship acquired by Mrs. Esterlee Hutzler Weinhoeppel under this act."

With the followir g committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, section 40 (e) of the Nationality Act of 1940, as amended, and section 349 (a) (5) of the Immigration and Nationality Act shall not be applicable in the case of Mrs. Esterlee Hutzler Weinhoeppel."

Mr. WILLIS. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIS to the committee amendment: Page 1, line 11, after "section" strike out "40 (e)" and insert "401 (e)."

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HAMAZASP PSAKIAN, VARSENICK PSAKIAN, AND NUNE NONA PSAKIAN

The Clerk called the bill (H. R. 8971) for the relief of Hamazasp Psakian, Varsenick Psakian, and Nune Nona Psakian.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Hamazasp Psakian, Mrs. Varsenick Psakian, and Nune Nona Psakian shall be held and considered to be "escapees" for the purposes of section 4 (a) (3) of the Refugee Relief Act of 1953; and that section 20 of the Refugee Relief Act of 1953, as amended, shall be held not to be applicable in this case.

With the following committee amendment:

Page 1, line 5, strike out "section 4 (a) (3)" and substitute in lieu thereof "section 4 (a) (2)."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PATRICIA MAY STEVENS

The Clerk called the bill (H. R. 6081) for the relief of Patricia May Stevens.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Patricia May Stevens shall be deemed to have been born in Great Britain.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALIENS

The Clerk called the House joint resolution (H. J. Res. 683) for the relief of certain aliens.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Laura Ann Aylott, shall be held and considered to be the natural-born alien child of A. Bernacchia, a citizen of the United States.

SEC. 2. For the purposes of sections 101 (a) (27) and 205 of the Immigration and Nationality Act, the minor child, Teresa Benevento Nasci, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Bernardino Nasci, citizens of the United States.

SEC. 3. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Pasquale Pavone Benedetto, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Michael Benedetto, citizens of the United States.

SEC. 4. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Maria Bayeorgos, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Andy Bayeorgos, citizens of the United States.

SEC. 5. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, Spiridon Todoulos and Kallirol Todoulou, shall be held and considered to be the natural-born alien children of Sue M. Kennedy, a citizen of the United States.

SEC. 6. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Anna Chiodi, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Frank Pecoraro, citizens of the United States.

SEC. 7. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Emma Brajuha, shall be held and considered to be the natural-born alien child of Joseph and Rose Walkovich, citizens of the United States.

SEC. 8. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Lolita O. Eccles, shall be held and considered to be the natural-born alien child of Redward M. and Virginia O. Eccles, citizens of the United States.

SEC. 9. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Hiroko Higasa Goss, shall be held and considered to be the natural-born alien child of David Eugene Goss, a citizen of the United States.

SEC. 10. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Carlos Manuel DaSilva, shall be held and considered to be the natural-born alien child of Rosa Aurora De Sousa, citizen of the United States.

SEC. 11. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Andoquio B. Bunayog, shall be held and considered to be the natural-born alien child of Epefanio C. Golosino, a citizen of the United States.

SEC. 12. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Robert Thomas, shall be held and considered to be the natural-born alien child of Norman and Isabella Arthur, citizens of the United States.

SEC. 13. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Pak Un Ha, shall be held and considered to be the natural-born alien child of Master Sergeant Carrol Pender and Mrs. Pender, citizens of the United States.

SEC. 14. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Hiroko Uesugi (Susan Ann Roach), shall be held and considered to be the natural-born alien child of William D. Roach, a citizen of the United States.

SEC. 15. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, Filomena and Gabriele Scarsella, shall be held and considered to be the natural-born alien children of Biagio and Maria Scarsella, citizens of the United States.

SEC. 16. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Elizabeth Anne McLean-Martin, shall be held and considered to be the natural-born alien child of William McLean-Martin, a citizen of the United States.

SEC. 17. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Loredana Ramaioli Kaczoroski, shall be held and considered to be the natural-born alien child of Mr. and Mrs. John J. Kaczoroski, citizens of the United States.

SEC. 18. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Panorea Panos, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Charles Panos, citizens of the United States.

SEC. 19. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, Myrrine and Fitzgerald Christie, shall be held and considered to be the natural-born alien children of Joslyn Christie, a citizen of the United States.

SEC. 20. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Franca van Landingham, shall be held and considered to be the natural-born alien child of Floyd van Landingham, a citizen of the United States.

SEC. 21. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Nouran Mateosian shall be held and considered to be the natural-born alien minor child of George and Sara Mateosian, citizens of the United States.

SEC. 22. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Charles Arnaiz shall be held and considered to be the natural-born alien minor child of Delos B. Jones, a citizen of the United States.

SEC. 23. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, John T. Lipset shall be held and considered to be the minor natural-born alien child of Dr. Louis J. Lipset, a citizen of the United States.

SEC. 24. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Ljubomir Barac (also known as Ljubo Barac) shall be held and considered to be the minor alien child of Ante Barac, a citizen of the United States.

SEC. 25. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Nikola Nedeljkovic shall be held and considered to be the minor alien child of Milenko Nedeljkovic, a citizen of the United States.

SEC. 26. For the purposes of sections 101 (b) (2), 203 (a) (2), and 205 of the Immigration and Nationality Act, Mrs. Maria A. Maresch shall be held and considered to be the mother of Mrs. Hildegard A. Spillman, a citizen of the United States.

With the following committee amendment:

On page 2, line 13, after the name "Kallirol", strike out "Todoulou." and substitute in lieu thereof "Todoulos."

The committee amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IMMIGRATION AND NATIONALITY ACT

The Clerk called the House joint resolution (H. J. Res. 681) to waive the provision of section 212 (a) (6) of the Immigration and Nationality Act in behalf of certain aliens.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That, notwithstanding the provisions of section 212 (a) (6) of the Immigration and Nationality Act, the aliens hereinafter named may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: Patrick Joseph Connaughton, Olga Christine Hoelterhoff, Mrs. Relly Samuel (nee Zeichner), Mrs. Katharina Wolf, Mrs. Kalman Imredy, Friederike Schmitt, Elpidofor Sedijar, Mrs. Katharina Wieland, and Mrs. Rosanna Dall'Osteria Blakeslee.

With the following committee amendment:

On page 2, lines 4 and 5, strike out the following name: "Mrs. Relly Samuel (nee Zeichner)."

The committee amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

The Clerk called the joint resolution (H. J. Res. 682) for the relief of certain aliens.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That, for the purposes of the Immigration and Nationality Act, Zsuzsanna (Suzanne) Szekely and Pnina Shlapak shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees: *Provided*, That suitable and proper bonds or undertakings, approved by the Attorney General, be deposited as prescribed by section 213 of the said act. Upon the granting of permanent residence to each alien as provided for in this section of this act, if such alien was classifiable as a quota immigrant at the time of the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

SEC. 2. For the purposes of the Immigration and Nationality Act, Stephania Hnatiw and Maria Hnatiw shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act in the case of Maria Hnatiw.

SEC. 3. For the purposes of the Immigration and Nationality Act, Mrs. Semiramis Post (nee Hurkus), Azzan Issac Rafidi, Joseph Miller (also known as Eugene J. Miller), and Inna Kochendorfer Robinson shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees.

SEC. 4. For the purposes of the Immigration and Nationality Act, Dr. Kuo-York Chynn, James Wanleung Mann, Mrs. Diana Biren Tung Mann, Sui Shuen Tang, Una Wong Tang, James Tang, Lily Tang, Dr. Hsun-Tiao Yang, Sok Nam Ko, Pearl (Pik Chum) Ma, and Ying Lun Ma shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees.

Upon the granting of permanent residence to each alien as provided for in this section of this act, if such alien was classifiable as a quota immigrant at the time of the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

SEC. 5. For the purposes of the Immigration and Nationality Act, Paolina Toscano shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 18, 1925, upon payment of the required visa fee.

SEC. 6. The Attorney General is authorized and directed to cancel any outstanding order and warrant of deportation, warrant of arrest, and bonds, which may have issued in the case of John W. F. Petch. From and after the date of the enactment of this act, the said John W. F. Petch shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

With the following committee amendment:

On page 3, line 6, after the words "visa fees", change the period to a colon and insert the following: "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act in the case of Mrs. Diana Biren Tung Mann, and that she comply with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare may deem necessary to impose."

The committee amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALIENS

The Clerk called the joint resolution (H. J. Res. 680) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That, notwithstanding the provision of section 212 (a) (1) of the Immigration and Nationality Act, Elda Mondillo may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

SEC. 2. Notwithstanding the provision of section 212 (a) (4) of the Immigration and Nationality Act, Maria Di Benedetto and Mrs. Jerry A. Hackler may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act: *Provided*, That suitable and proper bonds or undertakings, approved by the Attorney General, be deposited as prescribed by section 213 of that act.

SEC. 3. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Brunhilde Kruschewski, the fiancée of Sgt. James E. Green, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Brunhilde Kruschewski is coming to the United States with a bona fide intention of being married to the said Sgt. James E. Green and that she is otherwise admissible under the provisions of that act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Brunhilde Kruschewski, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Brunhilde Kruschewski, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Brunhilde Kruschewski as of the date of the payment by her of the required visa fee.

SEC. 4. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Giovanni Delli Carpini, Mrs. Agnes Hassey, Mrs. Pamela Briggs, Ella Takasey, Gertrud Baxter, Maria Anna W.

Harris, Elfriede Unterholzer Sharble, Unto Aro, Mrs. Magdalena Brenner Jackson, Harold F. Cameron, Louis Hoekveld, Paul Clifford Wilkinson, Mrs. Jeannine P. Downs, Mrs. Rita Querard (nee Mayer), Michael Monak, Henry James Carne, Mrs. Erika Katharina Fasser Kresge, Mrs. Edward W. McCrary, and Hans Hirth may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 5. Notwithstanding the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, Mrs. Anneliese Martin (nee Fessimayer), Mercedes Dori Lengyel, Gertrude Leonard Maillaro, Shizuko Otsuta Lawrence, Frieda M. Mongold, Mrs. Hildegard Martin, Mrs. Patricia M. Emerson, Mrs. Pierrette Marie-Rose Valery Chiarelli, Mrs. Madeline (Alessandri) Burns, Mrs. Pauline Zweimueller Barkovich, Mrs. Theresa K. Maschl Wellersdick, Pierina Luicia Baglioni Baptist, and Atusko Suzuki Dickerson may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 6. Notwithstanding the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, Gerda Martha Negrazus, the fiancée of Sgt. Harold A. Jones, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Gerda Martha Negrazus is coming to the United States with a bona fide intention of being married to the said Sgt. Harold A. Jones and that she is otherwise admissible under the provisions of that act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Gerda Martha Nefrazus, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Gerda Martha Negrazus, hte Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Gerda Martha Negrazus as of the date of the payment by her of the required visa fee.

SEC. 7. Notwithstanding the provisions of section 212 (a) (9), (12), and (17) of the Immigration and Nationality Act, Maria Pizzarello may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

SEC. 8. Notwithstanding the provisions of section 212 (a) (9) and (17) of the Immigration and Nationality Act, Risto Saari may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

SEC. 9. Notwithstanding the provisions of section 212 (a) (9) and (19) of the Immigration and Nationality Act, Luis Nicolas Fuentes y Milanes and Mrs. Xanthi Grekas may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 10. Notwithstanding the provisions of section 212 (a) (19) of the Immigration and Nationality Act, Francisco Haro Galaviz, Heron Pueblo-Vargas, and Olga Neu Frimer may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 11. The exemptions provided for in this act shall apply only to grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That concludes the call of the bills on the Private Calendar.

ROY CLICK

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 10010) for the relief of Roy Click, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 8, strike out "sum" and insert "sums".

Page 1, line 9, strike out "Click," and insert "Click".

Page 1, line 11, strike out "him" and insert "them".

Page 2, lines 1 and 2, strike out "sum represents" and insert "sums represent".

Page 2, line 3, strike out "Click," and insert "Click".

Page 2, line 5, strike out "him" and insert "them".

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

DON-CHEAN CHU

Mr. WILLIS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2846) for the relief of Don-chean Chu.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Don-chean Chu shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMITTEE ON BANKING AND CURRENCY

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may have until midnight tonight to file a report on the bill S. 3732.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

Mr. FRAZIER. Mr. Speaker, I wish to announce that the gentleman from Pennsylvania, Mr. WALTER; the gentleman from Illinois, Mr. VELDE; the gentleman from Ohio, Mr. SCHERER, are absent on official business conducting hearings for the Committee on Un-American Activities in Philadelphia. I ask unanimous consent that leave of absence be granted to them while they are so engaged.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

CIVIL RIGHTS

Mr. FRAZIER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 627) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 627, with Mr. FORAND in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from New York [Mr. CELLER] had consumed 2 hours and 56 minutes and the gentleman from New York [Mr. KEATING] had consumed 49 minutes.

The Chair recognizes the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. McDONOUGH].

Mr. McDONOUGH. Mr. Chairman, since we have had under consideration for a number of years an amendment to the Constitution of the United States to provide equal rights for women, that is, to remove sex as a barrier to discrimination, there certainly ought to be some consideration given in the duties of the Commission as provided in this bill for a review and investigation of that situation.

The bill reads on page 21, section 103:

The Commission shall (1) investigate allegations that certain citizens of the United States are being deprived of their right to vote and of being subject to unwarranted economic pressure by reason of their color, race, religion, or national origin.

It does not include sex and I think it should.

I do not see any reason why there should not be included in those inquiries for investigation, sex as a reason for discrimination. There is voluminous evidence of record in hearings before the Committee on the Judiciary of the House, statements of record, a record over a period of years, to show that there has been discrimination because of sex.

Mr. HARRISON of Virginia. Mr. Chairman, will the gentleman yield?

Mr. McDONOUGH. I yield.

Mr. HARRISON of Virginia. What about economic discrimination against

people over 40? Is there not a great deal of that in this country?

Mr. McDONOUGH. Undoubtedly.

Mr. HARRISON of Virginia. Why should that not be investigated while we are at it?

Mr. McDONOUGH. There is certainly something to be said about that.

Mr. HARRISON of Virginia. Why should you limit economic discrimination for any one group and not make it apply to economic discrimination that exists against all groups?

Mr. McDONOUGH. I would say that the people over 40, unless they have had discrimination because of race, creed, or color prior to arriving at the age of 40 have had no discrimination as to their constitutional rights. Much more can be said about discrimination because of sex, because there is no provision in the Constitution to remove that discrimination, and it should be a justifiable reason for the Commission to investigate and report, together with the other things it is authorized to do.

Mr. HARRISON of Virginia. This bill provides protection only on the ground of race, religion, or color.

Mr. McDONOUGH. Or national origin.

Mr. HARRISON of Virginia. And, as the gentleman from Georgia [Mr. FORRESTER] pointed out yesterday, it does not extend the same constitutional guaranties to other citizens who may not be able to point it out on one of these grounds. Is that not a basic fallacy in the legislation?

Mr. McDONOUGH. As a matter of fact, I think that this question to which I am referring, that is to amend the bill to include sex, would be a reasonable amendment to be offered to the bill. I have been trying to study out whether it would be germane or not; whether a point of order could be raised against it. I doubt if it could be, because both parties have included in their platforms on many occasions a declaration that they would stand for equal rights for all citizens, regardless of sex. When we come into session in the Congress we do nothing about it.

I just wanted to bring that point to the attention of the committee. I think it is certainly one of the things the Commission ought to investigate, and under the 5-minute rule I propose to offer an amendment to include sex for further discussion of this subject.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. McDONOUGH. I yield.

Mr. SMITH of Virginia. I am glad to hear the gentleman make that statement. I had in mind a similar amendment myself. Certainly there is no question of doubt that economically women are discriminated against in salaries and wages. It seems to me if this iniquitous piece of legislation is to be adopted, we certainly ought to try to do whatever good with it that we can. I hope the gentleman's amendments will be adopted.

There are some things I wonder about. This is an important piece of legislation; the gentleman's side has about 30 Members present out of 200 and some, and I am wondering if we are not talking to an empty House. I am wondering if the leadership on the gentleman's side and perhaps the leadership on this side have reached the conclusion that they are not going to let in any amendment on this bill, good or bad. I hope that is not true, but I wonder if the gentleman knows, and I wonder if the gentleman is serious enough in his suggestion to say that if this bill is choked down the throats of the House without the proper amendments he would support the bill.

Mr. McDONOUGH. In reply to the gentleman I will inform him he will know what I will do about the bill when the roll is called.

Insofar as this equal rights for women economically is concerned, it is not entirely economic, they are often denied their civil rights. In certain States they are denied jury duty, in certain other States they are denied public service of various kinds, and I think it is an appropriate thing to consider in connection with this bill the same as with the other categories of color, race, religion, or national origin that are under investigation.

Mr. MASON. Mr. Chairman, will the gentleman yield briefly?

Mr. McDONOUGH. I yield to the gentleman from Illinois.

Mr. MASON. In certain States they are denied the right to get behind the bar and serve liquor.

Mr. McDONOUGH. Yes.

Mr. MASON. In certain States they are denied the right to engage in certain hazardous occupations. Is that denying them their civil rights?

Mr. McDONOUGH. It may be considered a denial of their civil rights insofar as the individual is concerned.

Mr. MASON. Well, there is State law to be reckoned with.

Mr. McDONOUGH. If it is permitted for men it certainly ought to be permitted for women if they want to do it.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. McDONOUGH. I yield to the gentleman from Mississippi.

Mr. COLMER. I want to compliment the gentleman for bringing up this issue. There is no question, I am sure the gentleman will agree with me, but what there is a greater demand and greater cause for such an amendment as he has indicated than there is for a lot of this stuff that is supposed to be in the bill.

Mr. McDONOUGH. I think that the question of the denial of civil rights of any citizen of either sex of the United States for any reason, legitimate reason, or any reason that he should not be denied those rights for, is subject to investigation.

Mr. COLMER. Yes, but the point I am making is that we have ample and sufficient State laws now, the Constitution, the Bill of Rights, and all of that, to protect these other people, but there is nothing to protect the women; and, therefore, I think the gentleman has got a good point.

Mr. McDONOUGH. I appreciate the gentleman's observation, and I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back 1 minute.

Mr. KEATING. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey.

Mr. WOLVERTON. Mr. Chairman and Members of the House, we are confronted with a situation in our consideration of the bill (H. R. 627), to provide further securing and protecting the civil rights of persons within the jurisdiction of the United States, that brings into the open strong emotions that have separated many of our people over a long period of years.

Consequently, in the consideration of this legislation, even though it only seeks to protect and make more secure rights heretofore established by constitutional amendment, and, in particular, the right to vote, which shall not be denied or abridged because of race, color, or creed, yet, nevertheless, we find strong emotional opposition to the enactment of the legislation.

What justification can there be for opposition to legislation, such as this bill provides, in a country such as ours? We are proud of the position we occupy among the nations of the world as the outstanding exponent of freedom and equality. On national holidays by word and deed we laud our position of preeminence because of these basic and fundamental principles. And yet, when we come to the consideration of a bill such as this that seeks to make certain and secure these very principles of which we are so proud, we divide, and, some among us by their opposition, seek to prevent the very basic principle of equality from being written into the law of our land. Again, I ask the question: What justification can there be for opposition to this legislation?

It might be well if at this point we examine the bill and see in a general way what it seeks to do and the procedure it provides:

First. It establishes a Commission on Civil Rights in the executive branch of the Government. It is to be composed of six members who shall be appointed by the President by and with the advice and consent of the Senate. Not more than three members shall at any one time be of the same political party.

Second. The Commission shall (1) investigate the allegations that certain citizens of the United States are being deprived of their right to vote or are being subjected to unwarranted economic pressures by reason of their color, race, religion, or national origin; (2) study and collect information concerning conditions that constitute a denial of equal protection of the laws under the Constitution; (3) examine the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

Third. To provide for an additional Assistant Attorney General to assist in the performance of the duties provided for in the legislation.

Fourth. To strengthen the civil-rights statutes by giving the districts courts of the United States jurisdiction in cases arising under the statute, and, giving to the Attorney General the right to institute appropriate suits to protect any and all citizens in their rights as citizens under this bill.

The bill, in addition to the above, also provides means of further securing and protecting the right to vote. This is accomplished by amending existing statutes to include the following:

No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, Presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate.

Whenever any person has engaged or is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b), the Attorney General may institute for the United States, or in the name of the United States but for the benefit of the real party in interest, a civil action or other proper proceeding for redress, or preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order.

Thus, it will be seen that the legislation now under consideration is reasonable and just. It merely insists that rights of all citizens of this Nation of ours shall be enjoyed regardless of color, race, religion, or national origin. What could be more reasonable, right and just? It breathes the very spirit of America and what it stands for. It is most regrettable that conditions exist that make it necessary to pass such a bill. The very principles of right and justice, as we know them in America, demand the enactment of this law. There is no excuse or reason that can justify failure to do so.

President Eisenhower, in his state of the Union message of January 1956, in part said, as he urged Congress to pass legislation of this character:

It is disturbing that in some localities allegations persist that Negro citizens are being deprived of their right to vote and are likewise being subjected to unwarranted economic pressures. I recommend that the substance of these charges be thoroughly examined by a bipartisan Commission created by the Congress. It is hoped that such a Commission will be established promptly so that it may arrive at findings which can receive early consideration. * * *

We must strive to have every person judged and measured by what he is, rather than by his color, race, or religion. There will soon be recommended to the Congress a program further to advance the efforts of the Government, within the area of Federal responsibility, to accomplish these objectives.

We are all aware and no one will deny that the right to vote is one of our most precious rights as free citizens. It is the cornerstone of our form of government. It is a protection for our other rights. It must be safeguarded.

The need for legislation to deal with this all important matter, as requested by President Eisenhower, is manifest. The executive branch of our Government, without the authority granted by this bill, cannot make the full and complete investigation that there should be. The study when made, and, any action taken by the Attorney General to remedy conditions where wrong is shown to exist, should be without partisanship and with no thought in mind other than to establish political equality for all our citizens whomsoever they may be, and regardless of color, race, religion, or place of origin. The principle of equality is too fundamental to the welfare of our Nation to permit anyone, or any group, locality, or State to treat it lightly.

The bill has my fullhearted support, and I trust it will have the support of Congress. We can feel assured that it will have the approval of the President. Let us each do our part to make it law.

Mr. KEATING. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. HESELTON].

Mr. HESELTON. Mr. Chairman, I, too, am supporting this legislation.

Mr. Chairman, this legislation gives to the House one of the few opportunities in its history to support on the record one of the solemn principles upon which this Nation was founded.

On July 4, 180 years ago, 55 courageous men not only defied tyranny but expressed a common conviction which has had a profound effect among free people in the world since then.

Among those men were John Hancock, Benjamin Franklin, Thomas Jefferson, John and Samuel Adams, Edward Rutledge, and Button Gwinnett. Four were from Maryland, 7 from Virginia, 3 from North Carolina, 4 from South Carolina, and 3 from Georgia.

They said:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.

A few yards from here that immortal document is enshrined. Millions have visited this city to read it. Other scores of millions, who have not seen the original, have been inspired and given hope through its words.

Uncounted thousands have died to defend the freedoms and liberties it and our Constitution guarantee. They believed it was more than mere words when these 55 said:

That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

We, their successors here, should remember that this was "a declaration by the Representatives of the United States of America in Congress assembled" and that it concluded, "and for the support of this declaration, with a firm reliance on the protection of divine providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor."

While that pledge was first being redeemed and when the flag was flown at the head of the Continental Army, George Washington said:

We take the stars from heaven, the red from our mother country, separating it by white stripes, thus showing that we have separated from her, and the white stripes shall go down to posterity representing liberty.

On November 19, 1863, Abraham Lincoln, having freed all slaves, in dedicating the cemetery at Gettysburg, restated this when he said:

Fourscore and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal.

Through the years those who have challenged this principle of fundamental human rights have failed.

Hitler is dead, Mussolini is dead, Tojo is dead, and now we know Stalin is dead.

But totalitarianism still exists in the world and Bulganin and Khrushchev preach incessantly the false charge of war mongering by the United States and the equally false propaganda of Soviet peace intentions. Yet is there a doubt as to the sincerity of the United States, in spite of our record of 180 years of fighting—in wars and during peacetime—for freedom, liberty, and the essential dignity of human beings and their inalienable rights?

If there is, we face an acid test here this week.

This bill provides a minimum of action this Congress can take in establishing in our day the truth that in the United States all men are created equal and are endowed by their Creator with those fundamental rights.

No tired and threadbare arguments can contradict that successfully. No meaningless and empty resolutions or manifestos should deter us. Nor should any stupid or bombastic denunciations by opinionated and pompous columnists and commentators, such as occurred following the recent approval of the so-called Powell amendment, affect our judgment or our votes. They may or may not have referred to American history recently. In any event, theirs is the easy and profitable assignment of pontificating glibly from their ivory towers. Ours is the clear duty of faithfully executing the offices we hold, representing the people of this country and, to the best of our abilities, of preserving, protecting and defending the Constitution of the United States.

I submit that we shall do so when we vote for this legislation by an overwhelming majority.

Mr. WILLIS. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. FRAZIER].

Mr. FRAZIER. Mr. Chairman, for the benefit of you who were not present during the very interesting debate yesterday, I want to review and point out some of the salient features of this bill.

By the enactment of this legislation, H. R. 627, you are breaking down the last vestige of the rights of the individual States.

The real issue involved is whether Federal authority should be expanded to cover matters which heretofore have been recognized as within the jurisdiction of the States.

First, the legislation is not needed. There are already on the statute books enough civil-rights legislation enacted over the years from 1865 to the present time to cover every possible emergency that might arise. I will not take the

time to enumerate them but refer you to page 19 of the report.

Second, this legislation is not only a violation of the rights of the Southern States at which it is aimed, but its enactment is a violation of the rights of each and everyone of the 48 States. It applies to the North, and the East, and the West, as well as to the South. While it may be directed at the South, it can well become a two-edged sword applying to you gentlemen from New York, Massachusetts, Ohio, and California. And the time will doubtless come when you will rue the day that you in your thoughtless moments allowed this legislation to pass.

Part 1, of the bill before us provides for the establishment of a Commission on Civil Rights, composed of six members appointed by the President. It provides for their compensation and expenses, and sets forth what the Commission is supposed to accomplish. Now, what is the duty of this Commission?

First. To investigate allegations that certain citizens are being deprived of their right to vote, and to investigate allegations concerning unwarranted economic pressures by reason of the color, race, religion, or national origin of the victim.

Second. To study and collect information concerning economic, social, and legal developments, constituting a denial of equal protection of the law under the Constitution.

Third. Appraisals of the laws and policies of the Federal Government with respect to equal protection under the Constitution.

The Commission shall report its findings to the President when it is deemed desirable, but within 2 years.

The Commission is also authorized to employ a full-time Staff Director, and such personnel as it desires.

It may hold hearings at such times and places as it sees fit. Issue subpena for witnesses which may be served by any person designated by the Commission. In case of contumacy or failure to obey a subpena, upon application of the Attorney General of the United States, any United States district court shall have jurisdiction to issue an order to require such witnesses to appear before the Commission, or subcommittee, and failure to do so may be punished by the Federal court as contempt.

Now, having set up this elaborate Commission with powers never before conferred on any Commission, and rarely on committees of this Congress, and with unlimited personnel at a tremendous cost to the taxpayers, for the purpose of conducting investigations of alleged, and in most cases, imaginary wrongs, and to make recommendations for correcting these supposed violations of civil rights, and before the Commission can make a single investigation or recommendation, this fantastic legislation proceeds in:

Part 2, to create an additional Assistant Attorney General to assist the Attorney General in the performance of his duty; to head a new division in the Department of Justice, entailing the employment of many additional lawyers at great cost to the public.

For 15 years, I served as United States attorney, and I know from experience that for years and years there has, and now exists in the Department of Justice, a Civil Rights Section, just as competent to do this work as the new division, and to which section the Attorney General has the right, and can assign, as many, or as few of his thousands of highly paid attorneys as he so desires. With this section already established, why burden the taxpayers with the creation of another division?

Part 3 of this bill brings new and novel principles, which when fully appraised, are shocking to those who believe in the rights of the majority as well as the rights of the minority. It empowers the Attorney General in the name of the United States, but, for the benefit of the party in interest, to institute civil actions, or other proceedings for redress, preventive relief, temporary injunction, restrictive orders or other orders—and to recover damages or other relief for the party in interest—and even before the State remedies have been exhausted. This destroys the principles of States rights. It means that the Attorney General may institute litigation without the knowledge, and even without the consent of the person designated as the party in interest. Even though the party in interest may feel that he has no complaint, but some pressure group can insist that he does, and are free to importune the United States to institute such proceedings.

Under the provisions of part 3 of this bill, the Attorney General may go into court and secure an injunction "whenever any persons are engaged or about to engage in any practice which would give rise to a cause of action pursuant to the first, second, or third paragraphs of this section." That is most remarkable language. When is a person about to engage in an offense?

Again in part 4, the Attorney General may go into court and institute for the United States, or in the name of the United States, but for the benefit of the real party in interest a civil suit when any person has engaged, or is about to engage in any act or practice which would deprive any other person of any right or privilege.

Now again, all you have to do to be hailed into court under this bill by the Attorney General is, "about to engage" in something and you have a civil suit slapped against you. Now, I represented the United States Government a long time, and I have never seen or heard of such an outlandish statute. I would hate to have to proceed under it. What does it mean?

It means merely that the Attorney General wants an unreasonable piece of legislation that he can hold over the heads of, and use to intimidate the American citizens of every State in the Union, in order to force them to do his bidding.

I wonder how far such legislation would get through the State legislature of any of the 48 States. You know it would never see the light of day, for not a single member would be willing to confer such power on any State law-enforcement officer. And yet, they come here and ask us to pass such legislation, conferring on the Attorney General such unheard-of powers. To make of him a real dictator. To empower him to supervise and control every national election in the United States. No good Attorney General would want, and no bad Attorney General should have such power.

You give him the power to investigate all national elections. He is empowered with the authority to investigate and supervise the primaries, not only of the Democratic Party, but also the Republican Party. This goes further than any statute ever before enacted.

Let us not forget under the Constitution the States are the sole judges of the qualifications of the voters and throughout the long history of the United States, the manner in which our elections are held has been a time-honored function of the States. The broad language of this bill would open practically the entire field of elections, including State primaries to Federal intervention. The intrusion of the Federal Government into this field has not heretofore been permitted or even considered, except in instances clearly defined by the 14th and 15th amendments. No man should be trusted with that much power.

For your own sakes, and for the sake of posterity, I trust you will have the wisdom, the strength, and the courage to defeat this legislation designed to destroy the last vestige of the individual rights of the States you represent.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield to the gentleman from Tennessee.

Mr. COOPER. Mr. Chairman, I desire to congratulate my distinguished colleague from Tennessee, a very prominent and distinguished member of the Committee on the Judiciary which has charge of the pending bill, on the splendid statement he is making and the outstanding points that he is bringing to the attention of the House. I voted against the rule for the consideration of this bill and am strongly opposed to the bill. It is my conviction, in its far-reaching consequences, that it is one of the most dangerous pieces of legislation that could be considered. I am strongly opposed to its passage, and I again congratulate my colleague on the great contribution he is making to this debate.

Mr. FRAZIER. I thank the gentleman.

Mr. ABERNETHY. Mr. Chairman, this is a very important matter and there are only about 37 Members on the floor.

I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-four Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 102]

Bailey	Burleson	Hoffman, Ill.
Barrett	Carnahan	Hope
Bass, N. H.	Coudert	Kelley, Pa.
Bass, Tenn.	Davis, Wis.	Kilburn
Belcher	Dawson, Ill.	Lane
Bell	Eberharter	LeCompte
Berry	Hale	Lovre
Blitch	Healey	McConnell
Brooks, Tex.	Hébert	McDowell

Mollohan	Passman	Thornberry
Morgan	Patman	Velde
Morrison	Priest	Wainwright
Nelson	Scherer	Walter
O'Hara, Minn.	Scudder	Wickersham
O'Neill	Thompson, La.	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H. R. 627, and finding itself without a quorum, he had directed the roll to be called when 379 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. CHATHAM].

Mr. CHATHAM. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. CHATHAM. Mr. Chairman, I come before you today with a good deal of emotion. Due to certain circumstances, this is my last day on the floor as a Member of this body.

First, Mr. Chairman, may I say that during the 8 years I have been a Member of this body I have not only made a great number of friends but if I have made an enemy I am sorry I do not know it. I have made friends that I feel will be life-long friends.

I have come to admire this group of men as I have come to know you. I return to private life, as I have done twice from the Navy, with a feeling of the greatest admiration for this body. I feel that the people of the country do not know of the hard work, of the responsibilities, of the days and nights that are spent working not only for our country but for all the people of the respective districts.

Mr. Chairman, may I make the observation that while both political parties are searching and talking about candidates, there are in this body more potential candidates to head this Government and to run the Government than at any other place I know of. If I wanted to know that the people of this country would have the utmost confidence in the nominees at the conventions this year, I would make the observation that the two men who are picked for Vice President will have more to do with the outcome of the election than any other factor.

May I say that the people of this country would rise up and shout if a man like our beloved Speaker, SAM RAYBURN, should be picked for Vice President on the Democratic ticket and a man like JOE MARTIN were picked for a similar spot on the Republican ticket. They are men of experience and ability, they are men who know this Government inside and out, they are well acquainted with the national affairs; but, principally, they are men of great experience who have been tried and have been proven true in the field of legislation. They have led this body through wars and peace and prosperity and depression. These are men in whom the country has confidence. And, there are others in this body. I cannot help but refer to another great man who is retiring from this body, DICK RICHARDS, of South Carolina. If there is a man better fitted to be Secretary of State, if there is a man in this country that could hold a candle to him, I do not know who he is. He is a great leader. I saw him here a few weeks ago when he fought the leadership on both sides and the administration and won, because he had led our committee to cut the foreign aid bill to a point that he thought was right and that the committee thought was right. Here is a fearless type, a man of great character. And, as he retires to his home in South Carolina, I think the country should know that here is a man who could hold any high office of leadership, with brains, character, and ability. And there are many others. I could go on and on and on.

But, I do want to say this: I have received the most kindly consideration from all of you. You have been courteous; you have done me favors, and I want to leave with you, as I do get a little emotional, the thought that if I can do anything in any way for anybody, I stand ready. I do not expect to go back into any very active life. I will try to keep working for my country. I am more interested in international affairs than anything else. I wish every Member of this body would go somewhere in the world every year, and our whole course of legislation would be changed. We need our allies, I think, worse than they need us. We are tending to become a little fortress America, but how can you become fortress America when you can go from Moscow to Washington faster than you can go from Washington to Baltimore in these times? We need these allies and we need them badly. We need to build up an adequate Foreign Service. We need to do everything we can to attract men to the Foreign Service, because as diplomats they are very essential. True, the Army and the Navy act as observers, but at the head we have the Secretary of State, and you know what it means to us to have a high type of man to act as consul in these small places, people who act through the State Department. The rate of attrition is great, and it is hard to get the right caliber of men, as well as in our own Defense Department. I think it is our first line of defense. I will say no more. I am happy to have served with you.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. CHATHAM. I yield to the gentleman from Kentucky.

Mr. CHELF. Mr. Chairman, I would like to say to the most distinguished gentleman, my good friend and great statesman from North Carolina, that I feel I express, and I say it also with some emotion that stems and effervesces from the bottom of my heart, the great admiration and affection that the membership of this House has for him. Not only those of us who have had the pleasure of sitting with him on this Democratic side of the aisle, but those who have enjoyed the privilege of serving with him on the Republican side as well. Your friends love you and admire you, and you have no enemies; that is for sure, and those who have had to oppose you, on legislation from time to time, honor and respect you for the man, the southern gentleman, and the able legislator that you are. One would never suspect that you were a man of great wealth, because of your great humility. Your sympathetic and kindly feeling toward all your fellow men is a real genuine source of inspiration. You are honest; you have integrity, ability, and you are one of the most courageous men that I have ever known in all my life. You have class, too. One instinctively knows at the first meeting with you that your forebears were the salt of the earth and that you therefore stem from real stock. Your splendid and selfless service to the people of your great district and to the whole United States has been truly extraordinary. It stands out like the Washington Monument. In my book you are a great American and an outstanding North Carolinian. Time and time again I have personally seen you put your country's best interest above your own personal and financial interest. It is indeed a sad day for America and this House that a man of the caliber of THURMOND CHATHAM, of North Carolina, has to say "Goodby." When I was walking in the valley of the shadow of death—when I lay at death's door from two rounds of necessary surgery back in 1954—my kind and thoughtful friend came to see me at my hospital room. I know that you will admonish me later for breaking a confidence, but I want this House to know that you, my dear friend, guaranteed my hospitalization. It was the most generous and unselfish thing that I have ever seen. If I live to be a million, I shall never forget this magnificent gesture. My colleagues, this is the type of man that we are losing. May God bless and keep you and yours always and cause His face to shine upon you with continued good health, happiness, and prosperity. Let us all stand and give him a real big hand.

Mr. CHATHAM. I appreciate the remarks of the gentleman from Kentucky.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. CHATHAM. I yield to the gentleman from North Carolina.

Mr. BONNER. It is with deep regret and the regret of the people of North Carolina as a whole that THURMOND CHATHAM will retire from this legislative body, the House of Representatives, the greatest body of its kind on earth. I want to say to the Members of the House that THURMOND CHATHAM is a distinguished North Carolinian; a manufacturer; one who has led in the welfare of the State of North Carolina and one who is recognized as one of our foremost citizens in that State. The North Carolina delegation in Congress, each and every one, love him and hold him in the highest regard as well as the people of our State and particularly the working class love this man and are loyal to him. THURMOND CHATHAM has been good to labor and others in his employment. They are loyal to him.

I admire the service you have rendered in Congress. I know the Members of this House admire your efforts in behalf of the welfare of the Nation and particularly in that field of activity which the gentleman has mentioned, our international affairs. You have given well of your time and you have contributed to the betterment of the country. You, Mr. CHATHAM, would serve well in the Foreign Service; prove an outstanding ambassador. The Nation could well use your ability and energy.

I wish you Godspeed. All of us here who remain will be delighted to have you visit among us and be with us whenever the House is in session, in the cloakrooms, or our offices. And I hope for many years that I will have the pleasure of your good friendship, which I value greatly.

Mr. CHATHAM. I thank the gentleman from North Carolina.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. CHATHAM. I yield to the distinguished gentleman from New York.

Mr. CELLER. Mr. Chairman, I wish to state that I have served with the gentleman for a good many years. I have found him a splendid Member in every conceivable respect. Recently, the gentleman from North Carolina showed a rare courage. He got hurt because he manifested that courage. Webster once said, "One man with courage is worth a majority." To him we say "hail and farewell."

Mr. CHATHAM. I thank the gentleman from New York.

Mr. MARTIN. Mr. Chairman, will the gentleman yield?

Mr. CHATHAM. I yield to my good friend the gentleman from Massachusetts.

Mr. MARTIN. Mr. Chairman, I would not want the gentleman to leave without making known an expression of the high regard and esteem in which he is held by the Republicans of the House. All of us have for him great respect and admiration. He is a Democrat, but he has been, above all else, an American. He has made a great record. He has worked diligently and efficiently to promote the interests of his State and the country. We are all sorry to see him separated from this body to which he has brought so much respect and esteem. We wish him in these years ahead the fullest measure of success. We rejoice to know that Mr. CHATHAM is not retiring from public life and that he is to continue to give his services to building a stronger and a better America.

I would like to say to Mr. CHATHAM, that he retires from Congress with the full respect and confidence of every Member of the House, whether he be a Republican or a Democrat. We were all proud to be associated with him in these eventful years and he has our every wish for the future.

Mr. CHATHAM. I thank my distinguished friend from Massachusetts, the minority leader.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. CHATHAM. I yield to my friend from North Carolina.

Mr. JONAS. Mr. Chairman, may I say at the outset that I hope what I shall have to say will not be used against the gentleman in North Carolina.

It was with sincere regret that I learned that our colleague was retiring from public life. His service to our country has been so outstanding, while in uniform during two World Wars and while serving in the House of Representatives, that his retirement to private life cannot help but be a great loss to the country. We need men in Congress of THURMOND CHATHAM'S integrity, men of his broad experience in business and in international affairs, and men who will put the welfare of the country first.

It has been a pleasure for me to serve in the House with my friend from Winston-Salem. We were not closely acquainted before I came here in 1953, but it was not long before I had formed the most profound admiration and respect for him. He has been uniformly courteous and helpful to me in my efforts to become a good Congressman. I am grateful for the opportunity to stand here today and express my appreciation to him for his many acts of kindness to me and my thanks for the record of outstanding service to our country which he leaves behind.

I would like to associate myself with the remarks made by Mr. BONNER, our colleague from North Carolina, and to join him and the others who have spoken here today in wishing for you, Thurmond, a long life of joy and happiness in whatever activity you engage.

I am sure the lovely and always gracious Pat Chatham, and that fine young son of yours, are looking forward to having you spend more time with your family than is ever possible for a Member of Congress who takes his duty seriously. My best wishes to you and yours always.

Mr. CHATHAM. I thank my friend from North Carolina.

Mrs. ST. GEORGE. Mr. Chairman, would the gentleman yield?

Mr. CHATHAM. I yield to the distinguished gentlewoman from New York.

Mrs. ST. GEORGE. Mr. Chairman, I cannot let this moment pass without saying that in all of my years, that are now quite a few, one of the high-water marks has been the friendship of THURMOND CHATHAM. Regardless of party, he has always been a patriotic American. We have all been proud to know him. We have all been proud of his friendship. We shall miss him sorely in this body. He is a great American, a great man, and to use an overworked phrase that he really deserves, a great gentleman.

Mr. CHATHAM. I thank the distinguished lady.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. CHATHAM. I yield to the gentleman from Mississippi.

Mr. COLMER. Mr. Chairman, I am sure that these kind words for our good friend from North Carolina could go on interminably here because I know that every Member of this House shares the kind things that have been said about him. Some poet somewhere said, "To know him was to love him." I say that reflects my sentiments about our friend. As I say, I know everybody here would like to join in this, but I am not going to take the time of the House to make extended remarks. I merely want to be associated with the many kind things that have been said and the deserved compliments that have been paid him. We all wish for him a very happy life in retirement, one that he so well deserves.

Mr. CHATHAM. I thank the gentleman from Mississippi.

Mr. GREEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. CHATHAM. I yield.

Mr. GREEN of Pennsylvania. The gentleman from North Carolina knows the very high personal regard I have for him. I want him to know that the Members from Pennsylvania feel that the great loss to the House will be a gain to his family, because his lovely wife, with whom I have been acquainted close to 20 or 25 years, I know will enjoy his being home. His leaving will be a great loss to this body. We wish him Godspeed and good luck.

Mr. CHATHAM. I thank the gentleman from Pennsylvania.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. KEATING. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina [Mr. CHATHAM].

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. CHATHAM. I yield to the gentleman from Pennsylvania.

Mr. FULTON. I will be short, because so many of the gentleman's friends want to take the time to pay well-deserved tributes to him. We want to say this to you, Thurmond, that we on the Committee on Foreign Affairs, and I as a Republican Member who has served with you these many years, are going to miss you greatly. We like you as a friend, we like your pleasant good humor and likewise your good judgment.

I always will remember one thing about you. When a certain hard decision came up, some of us thought it was going to be hard on you. But you came back to me and said, "No, Jim, it is not hard. It is the right thing to do."

So as you leave, we want to say to you and your good wife, Pat Thurmond, that you are always welcome, we are always glad to see you back again, and we do not want to lose your friendship.

So good luck and God bless you both.

Mr. CHATHAM. I thank the gentleman from Pennsylvania.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. CHATHAM. I yield to the gentleman from New York.

Mr. KEATING. Like the gentleman from Mississippi, I realize that everyone on this floor today would like to join in this tribute to THURMOND CHATHAM. His service in this body has been marked by a dedicated sense of public service to a marked degree. In casting his vote on the great issues we face here, our beloved colleague from North Carolina has never allowed politics or any other extraneous consideration to interfere with his decision. His State and the Nation have lost the benefit of the services of an able

legislator and true patriot by the termination of THURMOND CHATHAM'S service in this House.

But, outstanding as his service has been, it is as a friend that we will most sorely miss our colleague. It is well known that he is a generous man but probably no one in this body has any idea of the countless ways, great and small, that he has manifested his generosity. Many Members of this House know what I mean.

It is a source of delight to me, as I know it is to all of us, that THURMOND CHATHAM has indicated his intention to continue to make Washington his home, at least part of the year. He and his charming wife will be most welcome residents in the National Capital and we extend to them our very best wishes for happiness and success.

Mr. CHATHAM. I thank the gentleman from New York.

Mr. KEATING. Mr. Chairman, I ask unanimous consent that all Members may be permited to extend their remarks at this point in the RECORD with regard to our colleague from North Carolina.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TUCK. Mr. Chairman, I have enjoyed serving in the Congress with the distinguished gentleman from North Carolina, the Honorable THURMOND CHATHAM. He is thoroughly established in the confidence and esteem of his colleagues in the House of Representatives and enjoys in an unusually high degree the good wishes and respect of all who know him. I regard him as a distinguished American who has labored faithfully and diligently for the people not only in his district and State, but he has acted in such a manner in the discharge of his duties here as to promote the public welfare.

The Fifth District of Virginia, which I have the honor to represent in the Congress, lies adjacent to the District of my esteemed friend from North Carolina. The interests of his constituents and mine are frequently the same and we have naturally had a community of interests during the two terms I have served with him in the House of Representatives.

He will carry with him back to his district my good wishes as well as the hope that his future will be filled with happiness and contentment. I cherish the association we have had and, even though his services here will soon be terminated, I shall nevertheless look forward to the pleasure of seeing him frequently.

Mr. SHUFORD. Mr. Chairman, I join with the other Members of the North Carolina delegation, and, for that matter all of my colleagues here in the Congress, in expressing my sincere appreciation for the work that the Honorable THURMOND C. CHATHAM has done, not only for his constituents, but for all the people of this great country of ours. He is a great American and has exhibited that fact on every occasion.

As THURMOND CHATHAM retires to private life I extend to him every best wish, and I sincerely hope that he will continue his interest in promoting friends for our country as he has done in the past.

I have enjoyed knowing THURMOND CHATHAM. He has been a true and loyal friend of mine.

Mr. COLE of New York. Mr. Chairman, I have always felt that the real compensation for service in the Congress, outside of rendering public service to one's country, is the opportunity a Member has of becoming associated with men of great patriotism and character.

Many times, those associations ripen into firm and lasting friendships. Probably, more often, the association ripens into admiration for the superior talents of a colleague through observation rather than intimate friendship.

Such is the case with respect to THURMOND CHATHAM who came to the Congress fresh from his service with the Navy in World War II. During his period of service here, he has developed a reputation among his colleagues which is the envy of us all. Although not personally or intimately acquainted with Mr. CHATHAM, I consider him a person whose friendship I treasure highly, and certainly I hold him in the highest esteem. It is with a genuine sense of loss, both personally and to my country, that I contemplate his departure from the Halls of Congress, and join all of the Members in wishing him continued years of happiness and health.

Mr. DURHAM. Mr. Chairman, today we are losing one of the most beloved Members of this body. It has been my privilege to know THURMOND for the past 40 years or more, since he first came to Chapel Hill, N. C., as a college freshman. Over these many years I have held him in high esteem and have regarded our association as one of the most valuable friendships I have ever formed. Thurmond has given to the State of North Carolina and to this Nation a sacrificial service that has been a matter of record for years. For more than a century the Chatham family has rendered this same kind of service. This family moved into the foothills of the Blue Ridge Mountains of North Carolina and developed one of the outstanding manufacturing industries in the entire country. Chatham blankets are known around the world. Thurmond has created an enviable record as an industrialist of the highest order and as a Member of this House he has created a home in the hearts of those who have served here with him. I know we can all say sincerely that we are today losing one of the most kindly Members ever to serve in this body. His service here no doubt has called for financial sacrifice, but he preferred the sense of accomplishment to his State, his country, and the free world. I am justly proud of having served with you, Thurmond, and will miss you greatly in these halls.

Mr. JONES of North Carolina. Mr. Chairman, I join with my colleagues of the House of Representatives in paying a tribute to the distinguished gentleman from North Carolina, Hon. THURMOND CHATHAM, who is leaving the Congress at the end of this session. He has without doubt, during his service here, established himself in the confidence and esteem of all the Members of this body. I regard him as an outstanding American who has rendered magnificent service to the people of our State and the Nation.

It has been a genuine pleasure to know Mr. CHATHAM personally and to have served with him in the Congress. As he retires to private life, I extend to him my very best wishes for continued happiness and success.

Mr. DEANE. Mr. Chairman, THURMOND CHATHAM, who completes his service with this session of Congress is my friend. I shall always remember his many acts of good will—a man with a great heart—a man of courage, whom I respect. Thurmond, I could speak many words but just let me say sincerely: may God bless and keep you.

Mr. McMILLAN. Mr. Speaker, I take great pleasure in saying a few words in behalf of one of the most congenial and bighearted men who has ever served as a Member of this body.

I have heard of Congressman CHATHAM all my life and all the good things I have heard about him are certainly true. I do not know of any man who has ever served as a Member of the House during the 18 years I have been here who has made more friends than Congressman CHATHAM. History can only tell of the fine service he has rendered the people of North Carolina, the United States, and the entire world.

He has assisted a number of the Members of Congress without receiving any publicity at times when they really needed a friend. He has traveled the entire world, at his own expense, on numerous occasions in an effort to find out how our country could gain a better reputation in the eyes of the people of those countries. He has worked hard in an effort to sell the good things of our country to every nation in the world.

Congressman CHATHAM has rendered distinguished service as a member of the House Foreign Affairs Committee which has been one of the toughest assignments in the Congress during the past 15 years. This committee has not only legislated for the people of the United States but for the people of practically every other nation. I am certain that the services of Congressman CHATHAM will be greatly missed in the next session of Congress.

The people of North Carolina are to be congratulated on sending a man of Congressman CHATHAM'S character to represent them in the halls of the National Congress as he has not only gained a fine reputation for the people of North Carolina but for the people of the entire United States on his good-will tours, at his own expense, to dozens of foreign countries.

I feel that I am a better Congressman after having known a bighearted man of Mr. CHATHAM'S type and I wish for him and Mrs. Chatham and their lovely family all the happiness and good health possible during the future years.

Mr. FEIGHAN. Mr. Chairman, our friend and colleague, THURMOND CHATHAM, who has so well and ably represented the people of the Fifth District of North Carolina from the 81st Congress up to the present, will be missed by

all those who had an opportunity to work with him during these years.

The distinguished gentleman served his country with honor in World War I and World War II. His work in Congress has been characterized by that same dedication to duty and support of the highest ideals of public life.

A few years ago, I requested the distinguished gentleman from North Carolina to assist me in resolving a problem presented by one of my constituents. He readily responded to my request for help and brought a happy resolution to a very human problem involving one of my constituents. This is but one example of the public spirit of our colleague and his readiness to help any and all who sought his wise counsel. I will miss our colleague, THURMOND CHATHAM, as will every other Member of this House. We all hope he comes back to visit us frequently.

Mr. ALEXANDER. Mr. Chairman, our distinguished colleague, THURMOND CHATHAM, who has so well and ably represented the people of the Fifth District of North Carolina, from the 81st Congress to the present, will be missed by his many friends in Congress. I came to know him very well a good many years ago when we were both engaged in the work of the North Carolina Department of the American Legion. When I came to Congress he was my friend, and I have been grateful for his advice and assistance and appreciated his cooperation. THURMOND CHATHAM comes from one of the most outstanding families in North Carolina and has been a great leader in the State. He is a firm believer in the civil welfare of his hometown and community, and has generously demonstrated his interest in many ways. All of us will miss the warmth of his friendship and I join his many friends in wishing him many, many years of happiness, good health, and further success as he returns to private life.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. CHATHAM. I yield to the gentleman from Michigan.

Mr. RABAUT. May I say to the gentleman from North Carolina that when I was in the hospital no Member of this House called on me more often than he. I have never forgotten it. We have never been close together on any committee, but when he heard that I was sick he was there. I want to say publicly to him now that I appreciated it no end.

Mr. CHATHAM. I thank the gentleman from Michigan, and I thank you all.

Mr. O'HARA of Illinois. Mr. Chairman, will the gentleman yield?

Mr. CHATHAM. I yield.

Mr. O'HARA of Illinois. I am speaking at the request of the dean of the Illinois Democratic delegation, the Honorable THOMAS O'BRIEN. Our beloved dean requested me to say for him and for all the Illinois delegation that we have never met a finer gentleman than the retiring statesman from North Carolina.

Mr. CHATHAM. I thank the gentleman from Illinois.

Mr. SELDEN. Mr. Chairman, will the gentleman yield?

Mr. CHATHAM. I yield to the gentleman from Alabama.

Mr. SELDEN. I, too, have had the privilege of enjoying the friendship of THURMOND CHATHAM during my 4 years as a Member of this body. I have served with him, not only in the House, but on the Committee on Foreign Affairs, and I can also attest to the fact that he always places the welfare of his country first. He is a fine gentleman and a great American. I join with my colleagues in wishing him well in the years ahead.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KEATING. Mr. Chairman, I yield to the gentleman from North Carolina [Mr. CHATHAM] such time as may be necessary.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. CHATHAM. I yield.

Mr. COOLEY. Mr. Chairman, I had intended that some time before adjournment to pay an appropriate tribute to my beloved friend, who has just now announced that today is the last day that he will serve in the House of Representatives. I understand that he is leaving on a voyage which has been planned for some time. Before he leaves and while he is here on the floor of the House, I want to say to him that I have for many long years enjoyed his fine friendship, and I shall always cherish the memory of our associations and shall always be grateful to him for all of the courtesies he has extended to me during the time we have served here together. I am certain that my friend knows that he is held in high esteem by all of his colleagues and that all of us will miss him.

THURMOND CHATHAM is a devoted public servant, a real patriot, a fine soldier, a great statesman. He is a magnanimous and magnificent man and one who possesses all of the splendid qualifications of true statesmanship. Above all, he has the courage of his own convictions, and he has always had the welfare of the people close to his heart. When he leaves this chamber, our great State of North Carolina sustains a loss and the Nation is deprived of the services of one who has always been devoted to the institutions and traditions of our great country.

I think it was Thomas Moore who said in a little poem called Farewell:

Let fate do her worst,
There are relics of joy, bright dreams of the past,
Which she cannot destroy;
Which come in the nighttime
Of sorrow and care
And bring back the features that joy used to wear.

Long, long be my heart
With such memories filled
Like the vase in which roses
Have once been distilled.
You may break, you may shatter the vase, if you will,
But the scent of the roses will hang 'round it still.

In simple language, this means that fate cannot destroy our friendship. Though you may sail the bosoms of the seven seas and into all the airways of the world and into distant lands, our friendship, our thoughts, and our cordial good wishes will always be with you. You are not only worthy of our friendship but of the faith and the confidence of the people you have so well and ably represented. I know that all of your colleagues, and especially those from North Carolina, share the spirit expressed in these brief remarks. Our fondest hope is that you and your lovely wife, Patricia, and your fine sons will have many happy years together and that we may have the pleasure of seeing you often in the days to come.

On behalf of the members of the North Carolina delegation, I shall only say: Goodby, good luck, and God bless you.

Mr. CHATHAM. Mr. Chairman, I thank my friends on both sides of the aisle because where friendship is concerned, there is no center of the aisle. May I say in behalf of myself, my wife, and two sons and daughter-in-law, who are here today—they came up from North Carolina to Washington this morning, we all appreciate your many kindnesses. We hope when you come to North Carolina, you will come to see us because it will be a great honor for any of our friends here to visit us at any time. Thank you and God bless you all.

Mr. CELLER. Mr. Chairman, I yield such time as he may require to the gentleman from New York [Mr. ANFUSO].

Mr. ANFUSO. Mr. Chairman, I am wholeheartedly in favor of the legislation now being considered by this House, H. R. 627, to secure and protect civil rights in this country.

I believe that this is an appropriate time when the people of the United States should be on the alert to defend their civil rights and the observance of these rights through the adoption of legislation along the lines contained in this bill. To abuse our civil liberties and to permit the practice of discrimination against some of our citizens, to relegate these Americans to a state of second-class citizenship in a democracy such as ours, is proving most injurious to our way of life, to our prestige of moral leadership among the free nations, and to all that America stands for.

We have made some progress in recent years in the direction of eliminating discrimination, racialism and segregation in this country, but we still have a long road to travel before we can attain true understanding, equality of opportunity and human brotherhood. We cannot justify either in our own conscience or before the eyes of the whole world our practices of racial discrimination in the light of our moral and democratic principles handed down to us by the founders of this Nation. Discrimination undermines our way of life and destroys the economic opportunities for all.

Discrimination based upon a person's national origin, or the color of his skin, or his religious beliefs, cannot be reconciled with the American concepts of justice. If we are earnest in maintaining the freedom of a great Nation such as ours, we must make use of all the human resources of the country; but if we deny certain groups among our citizens the opportunity to develop their skills, then it not only constitutes a contradiction of our principles but we are actually hurting our country and its best interests.

There is no simple solution for wiping out prejudice. It is my view, however, that the first direct step would be to remove the legal sanctions of discrimination. As long as old racial laws remain or new legal barriers are imposed racial tensions will continue. As long as stereotyped ideas about minority groups are not modified, bigotry and intolerance will flourish.

In recent years, Communist propaganda has been exploiting every manifestation of prejudice and every infringement of civil rights in the United States in order to spread hatred against us among the peoples of Asia and Africa. They tell many untruths and half-truths about mistreatment of minorities in this country, while the true facts are distorted in such a way as to give a false impression of the extent of discrimination in this country. We are thus forced to be on the defensive and always apologetic. It hurts our prestige and our moral leadership.

About a year ago I introduced a bill which advocated the establishment of a civil rights commission to study the practices and the enforcement of civil rights, prohibition of the poll tax, protection against mob violence and lynching, equality of opportunity in employment, and so forth.

While the bill under consideration does not include these exact features, I am glad that it also advocates the establishment of a civil rights commission, it creates a Civil Rights Division in the Department of Justice, it provides for a Joint Congressional Committee on Civil Rights, it amends existing civil rights statutes, it provides additional penalties, and gives the Federal courts concurrent jurisdiction with the State courts to enforce civil actions against offenders.

Mr. Chairman, there are those who maintain that the Attorney General is being given vast powers under this legislation. I do not agree with that assumption. The Attorney General is not being given greater power under the bill than the power and authority which he already has under existing laws.

Equality of opportunity for every citizen is essential to the welfare and progress of our Nation and our civilization. This country is comprised of people who come from all races, religious beliefs, and national origins. All of them have made significant contributions toward the development of the United States as a great Nation and toward shaping its destiny. I am strongly opposed to setting up second-class citizenship for any group. For this reason I am in favor of this bill and urge its adoption.

Mr. CELLER. Mr. Chairman, I yield such time as he may require to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Chairman, it is almost inconceivable that conscientious Members of Congress would even seriously consider the measure before us, the so-called civil rights measure. The only answer that should be needed to this so-called civil rights bill is to read the bill itself. I point out only a few of the bad features. Others are equally bad.

Take subsection (b) of section 104, "Powers of the Commission," and I quote:

(b) The Commission may accept and utilize services of voluntary and uncompensated personnel and pay any such personnel actual and necessary traveling and subsistence expenses incurred while engaged in the work of the Commission (or, in lieu of subsistence, a per diem allowance at a rate not in excess of $12).

Why, Mr. Chairman, under that provision the Commission could accept the services of the entire membership of the NAACP and pay them $12 per day, in an effort to win any election.

With regard to power to issue subpenas, I quote:

Subpenas for the attendance and testimony of witnesses and/or the production of written or other matter may be issued over the signature of the Chairman of the Commission or of such subcommittee, and may be served by any person designated by such Chairman.

Under that provision the Chairman could have any troublemaker in the country dragging around our citizens, any citizen, North or South. It is to be remembered that those who would appoint fully half the members of this Commission are the ones who recommend this legislation.

As a former district attorney dealing with criminal laws, I know that all States and the Federal Government have tried, in the enactment of laws, to protect the innocent; but let us look at the provision marked "fourth" of part III of the bill, and I quote:

Fourth. Whenever any persons have engaged or are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs first, second, or third, the Attorney General may institute for the United States, or in the name of the United States but for benefit of the real party in interest, a civil action or other proper proceeding for redress, or preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

Now, Mr. Chairman, under that provision the Attorney General could move in and sue or take punitive actions against private citizens for what he, the Attorney General, thought such citizens might have thought.

The Attorney General, who recommended this legislation, could sue for a person who did not want to sue; he could complain for a private citizen who had no complaint; he could penalize other private citizens because he believed they were "about to engage in an attempt." What difference between the power which would be given here to the Executive Department and a dictatorship?

Why, Mr. Chairman, the provisions of this bill violate every principle of English and American law clear back to King John and the Magna Carta.

Shades of Hitler and Stalin. Even they went no further than would this bill, recommended here to the Congress of the United States by the President and the Attorney General, Mr. Brownell, and a majority of the Judiciary Committee.

To gain political advantage they would destroy our country; in their efforts to gain votes they would produce Federal rights, as the committee report so aptly says, and I quote:

To shirk this high responsibility and leave the production of Federal rights to State or local governments would represent, at best, an unjust imposition of Federal duties on these overworked State and local law-enforcement officials and, at worst, dereliction of sworn duty to uphold and defend the Constitution of the United States.

I point out the use of the words "production of Federal rights."

To possibly help a few, they would restrict thousands. To win elections so as to run the Government they would destroy the Government itself.

Mr. Chairman, the Supreme Court has already taken action which will lead to the destruction of the two-party system and to a stalemate situation which so frequently faces multiparty countries like France and Italy. Under this bill the Executive Department moves into the act.

Surely it convinces me that when Attorney General Brownell called on the present Chief Justice Warren, then Governor of California, before sending his name up for appointment to the Supreme Court, he not only got his assurances on the segregation cases but gave assurances that the Executive office, the power of the President, would be thrown in to support the Court's opinion.

Already Justice Warren had shown he was the man the Attorney General wanted, for Vice President RICHARD M. NIXON told the truth when in his recent speech he said Chief Justice Earl Warren was a Republican Chief Justice. He told the truth when he implied the decision was a political one. If he had said that Chief Justice Warren went on the Supreme Court for the purpose of using the power of his position as Chief Justice to carry out the platform of the Republican Party, there is much evidence to indicate he would have told the truth; and to prove my statement I quote from Chief Justice Warren himself, as presented in an interview which appears in the May 2, 1952, issue of the U. S. News & World Report. Mr. Warren at that time was Governor of California, having been elected by Democrats and Republicans. I quote:

Question. How do you stand on the Fair Employment Practice Commission. Are you in favor of it?

Answer. Yes; and I take that from our party platform of 1944. You will remember that was the platform that was put through by Senator Taft, as chairman of the platform committee, without a dissenting vote of any kind in the convention. And this is what it said:

"We pledge an immediate congressional inquiry to ascertain the extent to which mistreatment, segregation, and discrimination against Negroes who are in our Armed Forces are impairing morale and efficiency and the adoption of corrective legislation. We pledge the establishment by Federal legislation of a permanent Fair Employment Practice Commission."

And then, in the 1948 convention, they reiterated it in the platform. In that year Senator Lodge, who is the campaign manager for General Eisenhower, was the chairman of the platform committee. That platform

also went through without dissent of any kind. This is what it said:

"One of the basic principles of this Republic is the equality of all individuals in their right of life, liberty, and the pursuit of happiness. This principle is enunciated in the Declaration of Independence and embodied in the Constitution of the United States; it was vindicated on the field of battle and became the cornerstone of this Republic. This right of equal opportunity to work and to advance in life should never be limited in any individual because of race, religion, color, or country of origin. We favor the enactment and just enforcement of such Federal legislation as may be necessary to maintain this right at all times in every part of this Republic."

Gentlemen, that's a solemn mandate to anybody who claims to be a Republican officeholder. I have followed it.

Question. Governor, there have been two interpretations of the FEPC; one, the voluntary FEPC, which would be set up by Federal legislation and which would require companies to appear before it and explain their practices but without a penalty, and the other, which is called the compulsory FEPC, where there would be penalties if they discriminated in hiring people or firing people.

Answer. The platform makes no distinction, and I think the fair import of both of these planks in our platforms of 1944 and 1948 is to the effect that the intention is to rid the country of the evil that presents itself, "and that our party proposes to do it by effective means, whatever means might be necessary."

Mr. Chairman, this is it. In addition to Mr. Warren's opinion in the school cases, we now find out what else he meant by the words, "by whatever means might be necessary."

Mr. Chairman, this is a sad day in the history of this country. It is a sad day in the governmental history of English-speaking peoples, for this United States House of Representatives to even seriously consider this legislation much less pass it.

Russia need not destroy us. If this type of thing keeps up we will destroy ourselves.

Mr. KEATING. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. CURTIS].

Mr. CURTIS of Massachusetts. Mr. Chairman, I rise in support of this bill.

The main purpose of this legislation is to protect one of the most fundamental rights of American citizens, the right to vote. The Congress would, indeed, be derelict in its duty if it did not provide every protection needed to buttress and safeguard that right.

Daniel Webster in his immortal eulogy of George Washington in 1831 referred to the "edifice of constitutional American liberty" as a "more glorious edifice than Greece or Rome ever saw."

The right to vote is the keystone in the arch of that edifice. It is basic to the very existence of a government which derives its powers from the consent of the governed.

The denial of the right to vote is the way of tyranny.

There is only one cure for the evils of the imposed Soviet dictatorship—

Said Secretary Dulles—

that is government which derives its powers from the consent of the governed. This is a lesson that history teaches, that Khrushchev confirms, and which needs to be applied if we are to have a world society of peace and justice.

It is shocking that this right so fundamental to American constitutional freedom should need protection. Yet testimony before the Judiciary Committee showed that the need exists, that in some places devious methods and devices are used to prevent American citizens from voting—methods shrewdly calculated to erect barriers to the voting of colored citizens.

In his state of the Union message President Eisenhower said:

It is disturbing that in some localities allegations persist that Negro citizens are being deprived of their right to vote. * * * I recommend that the substance of these charges be thoroughly examined by a bipartisan commission created by the Congress.

So now the House has before it a bill favorably reported by the Committee on the Judiciary on which I am privileged to sit.

It is a moderate bill. It carries out the President's recommendations to create a bipartisan commission on civil rights, clothed only with powers of investigation.

It establishes a Civil Rights Division in the Department of Justice in order to have a better administrative instrument.

Finally, the laws sustaining the right to vote and punishing violations of that right are strengthened.

Existing laws which now apply only to officials who wrongfully deny voting rights are broadened to apply also to private persons.

Under existing law the right to vote is enforced mainly by criminal prosecution. That means punishment after the crime has been committed. The new legislation adds another method of enforcement. The Attorney General is authorized to seek preventive relief. He can enjoin the deprivation of voting rights when he has reason to believe, and can prove in court, that deprivation is being attempted, or that devious procedures are being used to bring about that result.

Where fundamental rights need protection, strong laws are justified. We invoke laws and procedures to protect the national security which we would not use on lesser matters. Here there is every justification for the most stringent laws to protect a basic right of American constitutional freedom. Yet the proposals before us are moderate.

I cannot agree with those who conjure up objections to these proposals, and claim that States rights are being undermined. No; without these laws, it is the fabric of American democracy which is being undermined.

The freedom of American citizens in their right to vote must be protected. This bill should pass.

Mr. KEATING. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON. Mr. Chairman, I want the RECORD to show that I am in favor of this civil rights legislation and urge its prompt passage. I believe it is a necessary step in obtaining the legal rights, and we must insure full civil rights for every one of our citizens, regardless of color, race, religion, or national origin.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. VANIK].

Mr. VANIK. Mr. Chairman, during the extensive debate which has taken place during the past 2 days on the civil rights bill, very few changes in position will result. The lines are fully drawn and all issues have been joined. The sole issue before this Congress is whether or not this Nation which has always cherished a long democratic tradition is prepared to guarantee the voting franchise of a great body of Americans who are restrained by pressures in the local communities in which they find themselves. Can this Nation prosper and grow with a continuation of the sectional conflict which has divided the Nation for over 100 years? Will our national conscience further countenance the disenfranchisement that has persisted in the Southern States? Will this Congress permit the denial of equal citizenship to continue in America?

Can America continue to develop disrespect in the world with the internal maltreatment which it permits within its own boundaries? Can the citizens of other countries whom we seek to befriend and influence believe we are sincere in our fine words and talk about liberty, equality, and freedom in view of the oppression and denial of civil rights which takes place in the several States? We claim to be the leaders of the free world. Can the uncommitted nations of the world believe what we say if we notoriously fail to internally practice what we externally preach? If we believe in equal justice and equal treatment for all people of the world, is it not time to ask ourselves whether we are giving the equal justice which we expect from others?

The bill as reported out by the Judiciary Committee and which I propose to support is the basic minimum which this Congress has an obligation to provide. This bill merely establishes Federal protection of the right to vote. The recommendations of the Judiciary Committee in this legislation are certainly only a moderate step forward. The vast areas of civil rights untouched remain the work of a future Congress.

Although we of the Northern States are not without our violations of civil rights and equality under the law, we have learned to live in harmony with our fellow man. The South has certainly made great strides, but progress has been much too slow and has not kept pace with the times. The attitude of the South has too frequently been stated as a recalcitrance to civil rights. The disenfranchised have frequently been told to go elsewhere if they felt that their civil liberties were disregarded in the South. A controlling minority seems to feel it preempts the rights of others.

There is no further time to gradually accomplish the acceptance of constitutional guaranties for civil liberties. These rights were vested with the birth of the Nation and the respect for them

is long overdue. This Nation cannot permit any section any special privilege by way of extra time in which to adjust to democracy. The law of the land has decreed liberty and equality for all men. No group of people can assume for themselves the right to withhold the law of the land from their fellow citizens.

That is the essence of this civil-rights legislation which establishes Federal machinery to guarantee the right of citizens of all States to vote in accordance with the individual conscience and without pressure, intimidation, or threats of another person or group of persons.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. DOLLINGER].

Mr. DOLLINGER. Mr. Chairman, I look forward to casting my vote in favor of the bill before us. The opportunity has been too long in coming, but I am pleased that the House is finally to have the chance to take a stand on the vital problem of civil rights.

As has been stated by many of my colleagues, this bill is far from satisfactory to us who have waged the fight for civil rights for years. However, it is the best we can get at this late date and it is the opening wedge, the step forward, which we trust will eventually lead to the ultimate goal—the end of discrimination and the beginning of true enjoyment of equality and freedom for all our citizens, regardless of color or creed.

Although President Eisenhower promised a civil-rights program at the beginning of his administration, it has taken 3½ years to get any recognition or recommendation by Attorney General Brownell. This is, therefore, not a promise kept but one evaded, for lack of action by the administration has resulted in this last minute action by the House. We know the bill faces a filibuster in the Senate and this could mean failure again in this session of Congress, as adjournment is so near. We can only hope that the Senate will recognize its great obligation to the millions who now have only second-class citizenship in our country, and pass the bill.

I have been one who has fought vigorously for civil rights ever since coming to Congress. In each Congress, beginning in 1949, I introduced bills providing for FEPC, to prohibit segregation of passengers, to prohibit a poll tax, to prohibit Federal funds to be used for housing where discrimination would be applied because of race or color, to prohibit lynching, to prohibit Federal aid to schools where discrimination exists. Many of my colleagues have also introduced similar bills. In spite of all our efforts to get action on them, nothing was done by the committees to whom the bills were referred. By comparison with the legislation we introduced and had in mind, the bill before us is weak, but it will be some gain at least and some recognition of those who need the help afforded.

The House must pass this bill. It is imperative that we do so if we are to maintain our integrity and standing as a Nation and our self-respect as Americans, for the individual citizen prefers that all Americans enjoy equal justice and treatment and that no minority be exempt from equality under our Constitution.

Mr. KEATING. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. BROWNSON].

Mr. BROWNSON. Mr. Chairman, this bill is concerned with one fundamental right—the right of every American citizen to vote.

H. R. 627, the legislation before us today, commonly referred to as the civil rights bill is moderate legislation and, as the gentleman from New York [Mr. KEATING] emphasized in debate yesterday, it is, "line by line and word for word, one of the key measures of President Eisenhower's program."

This bill will materially strengthen our body of laws to protect everyone's civil rights without resort to repression, unfairness, or vindictiveness. It creates a new commission in the executive branch, a bipartisan commission of temporary duration. This commission, composed of six members, will have no law-enforcement powers and will be in no sense a regulatory body. Its function will be to investigate trouble spots, to study the practical application of existing laws in the civil rights field and to suggest improvements. In this respect, this legislation is truly representative of the philosophy of President Eisenhower and his administration in approaching the difficult and emotional problems which exist in this field. This philosophy is truly one of moderation which recognizes that education, enlightenment, knowledge, and understanding are requisites for any real and permanent solution to the problems in the field of civil rights. In giving this new Commission the power of subpena, it is given no more authority than many recent commissions, some of which have been created by the unanimous vote of this body, such as the second Hoover Commission. Other commissions which have this authority are the Commission on Government Security and the Intergovernmental Relations Commission.

It is all right to move with deliberation, but there must not and cannot be acceptance of the philosophy that moderation equals inaction—that the gradual approach with its "Go slow" sign is the same as the red "Stop" blinker at the end of the road. The work of those who have sometimes chosen to call themselves moderates must have been slow indeed and of little consequence if the present upsurge of demand for this civil-rights bill will rip all progress to bits.

The essential provisions of part I which calls for the establishment of this Commission on Civil Rights was submitted to the Congress by the Attorney General of the United States, the Honorable Herbert Brownell, Jr., on April 9, 1956. This carried out the recommendations made by President Eisenhower in his state of the Union message of January 5, 1956. In calling for the creation of a Civil Rights Commission, President Eisenhower said:

> It is disturbing that in some localities allegations persist that Negro citizens are being deprived of their rights to vote and are likewise being subjected to unwarranted economic pressures. I recommend that the substance of these charges be thoroughly examined by a bipartisan commission created by the Congress. It is hoped that such a Commission will be established promptly so that it may arrive at findings which can receive early consideration.
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> We must strive to have every person judged and measured by what he is, rather than by his color, race, or religion. There will soon be recommended to the Congress a program further to advance the efforts of the Government, within the area of Federal responsibility, to accomplish these objectives.

Part II of the legislation with which we are concerned today provides for the creation of an additional Assistant Attorney General in the Department of Justice in charge of a newly created Civil Rights Division which will replace the present Civil Rights Section. For many years this small section within the Criminal Division of the Department of Justice has been charged with the enforcement of the law in civil-rights matters as well as certain criminal legislation. Time has shown clearly that this organization was not a fortunate one. Criminal prosecutions are not usually the best solutions for civil-rights problems. This section, located as it is within the Criminal Division has not had the stature, prestige, and authority it will be given under part II—stature, prestige, and authority which are sorely needed in coping with the difficult and explosive emotional problems which often arise from action to protect civil rights.

Part III of H. R. 627 supplements title 42, United States Code, section 1985 and section 1980 Revised Statutes. As presently written, this act provides a civil remedy in damages to the party injured as a result of conspiracies to deprive of certain civil rights. The act now has three subsections. The first subsection—title 42, United States Code, section 1985 (1)—establishes liability for damages against any person who conspires to interfere with an officer of the United States in the discharge of his duties and as a result thereof injures another or deprives another of rights or privileges of a citizen of the United States. The second subsection establishes liability for damages against any person who conspires to intimidate or injure parties, witnesses, or jurors involved in any Federal court matter or conspires to obstruct the due course of justice in any State court matter with the intent to deny to any citizen the equal protection of the laws if the result of these conspiracies is injury to another or deprivation of another's rights or privileges as a citizen of the United States. The third subsection establishes liability for damages against any person who conspires to deprive another of the equal protection of the laws or of equal privileges and immunities under the laws, or of the right to vote in elections affecting Federal offices if the result thereof is to injure another or deprive another of rights or privileges of a citizen of the United States.

This is the law as it is. These three subsections constitute the present procedure under which a private person may now bring an action for damages.

The significance of part III of H. R. 627 is in the two new subsections added to the three subsections I have just dis-

cussed. These new subsections are designated as the fourth and fifth.

The fourth subsection gives to the Attorney General the right to bring a civil action or other proper proceeding for relief to prevent or redress acts or practices which would give rise to a cause of action under the three subsections of section 1985 described above. This provision does give an additional remedy for the protection of existing rights. It does not in any way create new civil rights. The bill also expressly provides that in these cases the United States shall be liable for costs the same as a private person.

As the gentleman from New York [Mr. KEATING] said yesterday:

> The present section is an affirmation of principle only, with no sanctions attached. The amendatory language would make the prohibition against interfering in Federal elections more specific, and would create a direct right in the Attorney General to initiate a civil action or other proceeding to protect injured persons or persons threatened with injury through this violation of their rights.
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> This new language also dispenses with the necessity of proceeding through any dilatory administrative tribunals and permits the Department of Justice to act speedily in behalf of the threatened or injured person.

The new fifth subsection or paragraph provided by part III of the reported bill simply makes it clear that district courts of the United States have jurisdiction over these proceedings without a requirement that State administrative or other remedies be exhausted. The gentleman from New York [Mr. CELLER] discussed this matter in some detail yesterday giving a legal background. I was impressed by his remark:

> The statement on the part of the opponents of this bill indicates the fear that this provision flouts States rights and insults all liberty-loving American citizens. This fear is clearly misplaced as far as State judicial remedies are concerned. To the extent the bill concerns the exhaustion of State judicial remedies it is declaratory of existing law.

Part IV of H. R. 627 authorizes the Attorney General to bring a civil action to protect the right to vote by reinforcing the present provision through amendment to section 1971 to title 42 of the United States Code. This section is essentially a statutory declaration of the protection of the 15th amendment.

It has been a privilege for me to work with the bipartisan group interested in civil rights. At a time when it appeared questionable that the House Rules Committee would grant a hearing on H. R. 627, I introduced a resolution in behalf of the Republicans at the same time the gentleman from California [Mr. ROOSEVELT] introduced a resolution on behalf of the Democrats in order that it might be possible to start a discharge petition to bring the measure to the floor. I congratulate the great Committee on Rules on its action which brings this measure to the floor today without waiting for 218 signatures.

To me, this is very important legislation. It is important not only because of its impact in parts of the United States but also because of the rising tides of nationalism apparent in Africa and Asia today. Our leadership in the free world may well depend on the stewardship we exercise over the rights of our own minority.

This legislation has a place in the long history of advancement of the Negro in America. Under the permission to revise and extend my remarks I would like to include, as an integral part of this speech, an analysis I have prepared which describes the law as it has affected the American Negro since the Civil War. These additional remarks may serve to establish our action this week in its true perspective and to emphasize the long struggle for equal rights which has made our Negro friends justly suspicious of those who would cry moderation and mean stop.

It is just over 90 years ago that the 13th amendment to the Constitution was ratified. That amendment abolished slavery in the United States and from that date the progress of the Negro in the United States is to be measured. Ninety years is not a long time. There are still Negroes living who were born slaves while those with slave fathers or grandfathers are legion. The progress of the Negro people since that time has been immense but, we must not forget, the progress yet to be made toward full equality is still great.

In 1865 the vast majority of the Negroes in the United States were slaves. It is already getting hard for us to remember what that meant, but we must recall it to appreciate the progress that has been made. The slave had no rights, no liberty, no property—in fact, he was property. It was a condition that put the harshest obstacles in the way of every attempt to lead a decent life. The slave could have a family life only if he were among the fortunate few; he could gain no education except in defiance of harsh laws; the very possibility of developing the moral sense was stunted by his unnatural condition.

And what have these 90 years brought? A Negro population whose rights are technically, at least, secured by law as those of every other American citizen. The right to vote, to freedom of speech and of the press. These years have brought education and a growing prosperity to the Negro people of America. Equality has not been achieved but giant strides have been made. The rights of the Negro, both civil and political, are being every day vindicated to a greater degree and the day of full equality, though it has not yet arrived, can at least be seen coming.

The story of the progress of the Negro since his emancipation from slavery is not a simple one, nor is it one of steady progress. There have been setbacks as well as advances. Many different factors have contributed to the advance. Government and law have been two of the agencies that have guided the Negro on the path from slavery to freedom, but they have been only two among many.

I have not asked for much time today because I do not wish to slow down the progress of the debate on this important issue but even if I had taken a special order, I would not have been able to recount the whole story nor to pay all the credit due to the numerous friends and protagonists of the Negro, both white and colored, both individuals and organizations, in Government and out who have been in the forefront of the battle.

It is important that we remember, as we consider the Negro's long struggle for justice that his greatest ally has been the conscience of America—an America which has generally believed with Lincoln that our Founding Fathers meant what they said in the Declaration of Independence that we are a Nation dedicated to the proposition that "all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness."

RECONSTRUCTION

The liberation of about 4 million slaves at the end of the Civil War posed a terrible problem. The slaves were liberated but how were they to earn their living? How were they to be educated to exercise their newly won rights? In fact the very question of what rights the freedmen were going to be given was one that was in dispute in the North as well as the South.

No one can say what Lincoln's policy would have been had he been spared to preside over the era of Reconstruction. But as it was, President Johnson's policy was to grant self-government back to the Southern States almost immediately after the end of the war. The result was such as to infuriate the friends of the Negro. The new southern governments enacted so-called black codes to govern the newly freed slaves. These codes restricted the Negroes' right to the very minimum. They were denied the right to vote; their liberty to sell their labor was sharply restricted, and the white landowner was given harsh powers to enforce the performance of labor contracts by the Negroes. No provisions were made to educate the Negro for his new freedom.

The fact that the South had not learned the lesson of its defeat was clearly seen when the newly reorganized States sent their Representatives to the Congress. These included the Vice President of the Confederacy, nine high-ranking Confederate Army officers, as well as a large contingent from the Confederate Congress.

This was too much for the Republican leaders in Congress; they decided that Congress itself should supervise the policy of reconstruction to ensure that the Negro gained the liberty that had been won for him. In 1866, over President Johnson's veto, the Republican controlled Congress passed the first Federal Civil Rights Act. This act is the first clear assertion that the Negro should have full equality of rights with the white man. It is worth looking at in some detail because it shows clearly what the Congress was trying to achieve by its policy. The act declared that all persons born in the United States were citizens of the United States and that all citizens without regard to race, color, or previous condition of servitude shall have the same rights. The rights that were specifically guaranteed were to make contracts, to give evidence in courts of law, to hold property, and to the full and equal benefit of the laws. The act

made it a criminal offense for any one under color of State law to deprive any person of the rights guaranteed to him by the Congress.

Democrats raised the question of Congress' constitutional power to pass such civil-rights legislation, so Congress immediately submitted the 14th amendment for ratification by the States. That amendment, destined to become the basis for so many of the Supreme Court's recent decisions vindicating Negro rights, was passed by a Republican Congress 2 years later and no Southern State was readmitted until it ratified this amendment.

This civil-rights legislation was supplemented by the 15th amendment ratified in 1870 which guaranteed the vote to the Negro, and by further civil-rights legislation which prohibited many forms of segregation.

But the Republican leaders were not content with merely passing laws that gave the Negro equality of rights. They tried by a variety of other means to see that the Negro would really be able to exercise these rights. There were three major planks in this congressional program of reconstruction. In order for the Negro to exercise his rights properly he needed both education and protection in his new role as a free laborer. Second, the whole program would founder unless the new State governments were such as to be sympathetic to the claims of the freedmen; and third, there was need for an effective weapon to counteract the threat of terrorism by the South against the Negro. Congress sought to achieve all of these goals.

The welfare program of Congress was carried out by the Bureau of Refugees, Freedmen, and Abandoned Lands. The Freedmen's Bureau had two major tasks, first, to aid the Negro economically and, second, to encourage his education. The economic problem facing not only the Negro but the whole South after the war was acute. Four million landless Negroes became free in an economy ravaged by war and dislocated by defeat. There was a major attempt to provide the Negro with land of his own out of estates that had been confiscated, but due to the large-scale amnesties given by President Johnson this program met with very limited success. The Bureau did, however, help the Negro to resettle in new areas and most important of all, it gave him aid against exploitation by his employers. It supervised the new labor contracts and enforced compliance against both parties. Nearly a quarter of a million Negroes were aided in the drawing up of these labor contracts.

Besides helping the Negro to gain some economic self-sufficiency, the Bureau also attempted to correct some of the worst features of the Negro's condition that were a direct heritage of slavery. It established hospitals and conducted a major program to alleviate the appalling rate of sickness. Almost one half million cases of sickness were treated.

Perhaps in the long run the most important work of the Bureau was in the field of education. In most of the Southern States, it had been illegal to teach a slave to read and write. To counteract the almost universal illiteracy the Freedmen's Bureau spent over $5 million for education and at one stage had over 3,000 teachers working among the Negroes.

It is in the field of education that the most permanent results of reconstruction are to be found—not only in the work of the Freedmen's Bureau but also in the activity of the reconstructed governments. After Congress had discovered that the southern governments established after the war were unwilling to do justice to the Negro, it passed the Reconstruction Act of 1867. This act divided the South into military districts and required each State to hold a constitutional convention, elected by universal suffrage, to draw up a State constitution that would be acceptable to Congress. Further, it disfranchised many white southerners for their part in the rebellion and required acceptance of the 14th amendment by the reconstituted governments.

The Democrats of the North as well as of the South criticized the Reconstruction governments severely. They said that the newly formed State governments were dominated by ignorant Negroes who were venal, corrupt, and completely incapable of carrying out the functions of the government.

Any fair critic must acknowledge that these governments were not perfect or as good as could have been desired, but it can also not be denied that they accomplished much that was useful. Though Negroes played a large part in both the constitutional conventions and in the State legislatures, they were never in a position to dominate the governments. Many of these constitutions remained unchanged for a long time after the Reconstruction period ended, while the most important work of the period, the establishment of public education systems, has remained to the present day.

But these governments based on Negro equality met with the implacable opposition of the Southern whites. The Ku Klux Klan, the Knights of the White Camellia and other such organizations were started to attempt to subdue the Negro through the methods of terror. The reconstruction governments were only able to maintain themselves with the aid of Federal troops quartered in the States. Congress passed a special act against the klan but through the 1860's and 1870's the people of the North became weary of the effort required to support the Negro against his former masters.

The Reconstruction period in which the Federal Government actively supported the right of the former slaves was bound to come to an end. Federal intervention became ever weaker and the power of the Klan was not to be gainsaid. In 1877, President Hayes withdrew the last Federal troops from the South, and within a short period the Southern whites reestablished their control over the State government. From that date a new chapter in the welfare of the Negro opens.

But before we turn to that next period, from the end of Reconstruction to the First World War, it may be worthwhile to summarize the achievements of Reconstruction. The Reconstruction legislation, and more importantly, the constitutional amendments settled once and for all that the Negro was to be a full member of American society. Reconstruction did not make that equality effective; the 14th and 15th amendments have been violated all too often since that time and the Federal civil rights statutes were to make little practical difference in the next period. But the legal principles were established; equality had been proclaimed even though it still had to be won.

FROM RECONSTRUCTION TO THE FIRST WORLD WAR

The next era in the history of the Negro, from the end of Reconstruction to the First World War, is of a very different character. The Federal Government which had been so active in promoting the welfare of the Negro practically retired from the scene; and the State governments in the South reverted to control by southern whites hostile to him. But not all was lost. To set beside the political retreat is an advance in education and welfare that is not less significant for not being so dramatic.

Let us see what happened in this period, first politically and then in the fields of welfare. The Federal Government's withdrawal from the field as protector of the rights of the Negro involved all three branches of the Government. The Supreme Court in a number of decisions, most importantly the civil-rights cases of 1883, construed the Federal power over civil rights very narrowly. In effect, the Court said that the 14th amendment prohibited only the deprivation of civil rights by the State governments, and it restricted very narrowly the congressional power to prohibit the denial of equal rights by private organizations. The civil-rights cases were supplemented by the famous case of Plessy against Ferguson in which the Court gave its explicit approval to the doctrine of segregation. A number of other decisions of only slightly less significance laid the legal groundwork for removing the rights of the Negro from Federal protection.

The Civil Rights Act of 1875, which was held unconstitutional by the Supreme Court, was the last major congressional attempt to secure the rights of the Negro. For the next 20 years or so attempts were made to pass legislation to protect the Negro in his right to vote, and also to provide him with educational assistance, but all efforts came to naught when confronted by the vehement opposition of the South. As has already been mentioned, the protection of the Negro against violence by the executive branch of the Government was dependent on the Federal troops stationed in the South, and these were withdrawn by President Hayes in 1877. From that day the Negro had to rely on his own resources.

The story of the reimposition of white supremacy in the South varies from State to State but the general pattern was always the same. In most of the States, the Negro's votes already had been considerably reduced by the use

of terroristic means in the 1880's. Then, for a short time, the picture seemed to change. In a period of farm depression and hard times, several southern leaders tried to form a coalition between the Negroes and and the poor whites in order to secure legislation for the benefit of all small farmers and tenants. But though some success in building such a coalition was made, race prejudice was too strong, the coalition was split.

After this, in the 1890's and 1900's, all the Southern States made a determined effort to exclude the Negro from the franchise altogether. All sorts of devices were used and often embodied into the new constitutions that were written at that time. The grandfather clause was the most famous of these devices to exclude the Negro from the ballot and yet at the same time make it possible for the poor white to vote. There were, and shamefully still are, understanding clauses, poll taxes, and finally, the all-white Democrat primary which effectively excluded the Negro from any share in the government of those States in which he lived in the greatest numbers.

But the reimposition of white supremacy did not stop with the exclusion of the Negro from any say in his own government. The exclusion of the Negro from politics was followed or was simultaneous with the imposition of a rigid pattern of segregation. Segregation itself, of course, was nothing new. It had existed, South and North, well before the Civil War. But this period saw it carried into every conceivable field and taken to incredible lengths. Negroes and whites were segregated on buses (in Montgomery it was even providing that they must use separate streetcars) as well as on chain gangs. The pattern of separation was carried to the extent that Atlanta provided that Negroes and whites could not visit the zoo on the same days. And so it went on—a vigorous attempt to deny the Negro the equality guaranteed to him by the reconstruction amendments to the Constitution.

And the worsening position of the Negro was not due alone to the laws that were passed against him. The pattern of subordination was enforced by a campaign of violence that saw lynchings become an everyday occurrence. It is fortunately not necessary to describe the history of this stain on American history—but no account of the reimposition of white supremacy in the South can fail to mention it.

However, the era from Reconstruction to the World War did see some major positive achievements in the welfare of the Negro. These achievements were not due to governments or laws but to private initiative—and to a major extent to Negro initiative. The nature of this achievement can be most easily seen by considering the work of Booker T. Washington who succeeded Frederick Douglass as the outstanding leader of the Negro people. The contrast between Douglass and Washington is significant because they typify two different eras. Douglass' great work had been as an abolitionist before the Civil War, and, after the war, he continued his campaign for the political rights of the Negro. He was a militant for political rights and in full sympathy with the aims of radical reconstruction. His death in 1895 marked the close of the first fight for full equality of the Negro.

The life work of Booker T. Washington was a different one. His immediate object was not to secure the Negro's rights but rather to prepare him to exercise those rights when won. He recognized that in the South as it was at his time, equality was not to be had immediately. His ultimate object, despite some of the things he said in order to appease the white leaders, was the same as that of Douglass but his tactics were different. In his famous speech at the Atlanta Exposition of 1895, he said, "It is important and right that all the privileges of law be ours, but it is vastly more important that we be prepared for the exercise of those privileges." To that task of preparation Washington devoted himself. Many lesser men did the same. But Washington was the outstanding figure of an age in which the preparation of the Negro for full citizenship was the major goal.

Washington went to Tuskegee in 1881. He was the only teacher and there were no buildings. When he died in 1915, the institute had an endowment of $2 million and was operating on an annual budget of over $300,000. The main credit for this achievement must go to the genius of the man himself. He was not only an educator but a spokesman for his whole race and was frequently consulted by Presidents. On one occasion Theodore Roosevelt called him to the White House to discuss Negro problems and invited him to stay to lunch. This simple incident caused a furor throughout the South and it is a measure of the progress that has been made that such an invitation would be a matter of course today.

The success of Tuskegee Institute was also influenced by other factors. The generous support of Northern philanthropists played an important part not only at Tuskegee but also in the support of the numerous other Negro educational institutions that were growing in the South. The Negro education also received important support from Southern moderates who, while not willing to grant political rights, were not averse to promoting Negro welfare. The success of this era of education is strikingly shown in two simple figures. At the end of the reconstruction period 4 out of 5 Negroes were illiterate; by the First World War almost 3 out of every 4 could read and write.

"He lifted the veil of ignorance from his people, and pointed the way to progress through education and industry" is the memorial inscription to Washington at Tuskegee. It could fittingly be the inscription to the whole period, for numerous less famous men and institutions were engaged in the same endeavor.

WAR AND DEPRESSION

A new period in the history of the Negro is marked by the start of the First World War. Many significant changes can be dated from that time. Until the war, it is not too inaccurate to think of the history of the Negro as the history of the Negro in the South. There were of course Negroes in the North before the Civil War and the migration north was continuous from the end of the Civil War. But in 1910 9 out of every 10 Negroes were still living in the South; it is only in the 20th century that the migration away from the South has really changed the pattern. The size of the change is apparent when one realizes that now about 4 out of every 10 Negroes live in the North.

The First World War changed the pattern of Negro life in two major ways—ways that the Second World War was to repeat on a vastly greater scale. First, the Negro went into the Armed Forces and second he was drawn north by the demands of industry for labor. Both of these facts had a great influence on the welfare of the Negro.

The First World War was not the first time that the Negro had fought for his country. Negroes had served in the Civil War and again in the Spanish American War. But the numbers involved had been small and the major problems of trying to treat the Negro as a citizen with second-class rights but first-class duties did not become apparent until the First World War.

As soon as war was declared Negroes thronged the enlistment stations but they were only spasmodically accepted. However, with the passing of the Selective Service Act a new kind of discrimination against the Negro became apparent. A much higher percentage of Negro registrants was drafted than of white even though the health and education standards of the Negro were so much lower. There was flagrant discrimination against Negroes in the matter of deferments—discrimination so apparent that at least one whole draft board had to be dismissed because of its refusal to give deferments to qualified Negroes.

Discrimination was, however, not limited to enlistment. A long fight was needed to establish training centers for Negro officers and though the principle was won, the number of commissions granted to qualified Negroes remained very low. Discrimination was permitted, and even enforced, in most of the Army-connected welfare agencies and objection was even made to sending Negroes into southern training camps.

But despite discrimination, the Negro in the Armed Forces inevitably regarded himself as a first class citizen. No man asked to die for his country can fail to question a situation in which only his duties and not his rights are respected. The Negro veteran became the spearhead in the fight for Negro rights that accelerated after the end of the war.

The need for the Negro in war industries was another major factor in the alteration of the situation of the Negro. Immediately before the war economic conditions had been particularly hard in the South. Boll weevil and flood destruction as well as a depression that sent wages down to as little as 75 cents a day stimulated the move North. When a labor shortage developed in northern industries, recruiting agents scoured the South and a veritable exodus took place. A conservative estimate is that 500,000

Negroes moved to the North between 1915 and 1920.

This migration had an immense impact on the welfare of the Negro. Problems of resettlement, of housing, and of friction between white and Negro workers became ever more menacing and built up a situation that was to cause a new deterioration of race relations at the end of the war.

When the Negro veteran who had fought "to make the world safe for democracy" returned home, he was not willing that democracy for him should be for export only. The new Negro militancy, combined with the problems created by the large wartime migrations led to a sharp increase in racial tensions at the end of the war. The Ku Klux Klan was revived and spread out of the South into the North. There were 83 lynchings in 1919, the highest figure for 10 years. In the same year there were 25 race riots occurring in urban centers all over the country.

But though the revival of racial antagonism and its marked growth in the North were ominous signs, the situation after the war was different in one marked fact. The Negroes were fighting back and they were organizing to defend their rights. The very difference between a race riot—or a race war as it can be more accurately called—and a lynching shows the change. Organizations to defend the Negro as well as to aid in the adjustments needed in his move to the North were also growing. Both the National Association for the Advancement of Colored People and the Urban League were founded before the war but it was during and after the war that they reached their full stature.

The success of organized agitation by the Negro can be seen by the introduction of an antilynching bill in Congress in 1921. After a lengthy and stormy debate the bill was passed by the Republican controlled House of Representatives acting in cooperation with these new organizations, but a successful filibuster in the Senate prevented a vote in that body.

The decade of the 1920's was not only one of racial antagonism, it was also one of increasingly bad times. Due to his concentration in farming the Negro shared only little in the prosperity in industry. When the depression came, the Negro was the hardest hit element in the population. He was always the first to be fired and the last to be hired when any jobs were available, with the result that the extent of destitution among Negroes during the depression was far greater than among whites.

It was for this reason that the relief and rehabilitation measures of the 1930's were of particular significance to him.

Unemployment in the northern cities was approximately twice as high for Negroes as for whites; and in the country as a whole one-quarter of the Negro population was being supported on relief. When the Federal relief program was superseded by the Works Projects Administration the same situation continued.

Not that the Negro did not have legitimate grievances against the administration of many of the relief programs. There was at all times a considerable amount of discrimination against Negroes both in the granting of relief and, much more widespread, in the size of the grants that were given as well as in the wages paid under WPA. But even with this qualification, the relief measures were of incalculable significance to his welfare.

Besides these relief measures, some of the other legislation of the 1930's deserves mention due to its special impact on Negro welfare. The two most important of these, undoubtedly, were the minimum wage and hour legislation and the various farm-credit programs. The wage and hour legislation had some effect in reducing the differential between Negro and white earnings, while the farm-credit legislation, despite its somewhat biased administration, did assist in reducing the enormously high rate of Negro tenancy.

Apart from the welfare legislation of the 1930's, the period also saw some important advances in constitutional law as the Supreme Court, incidentally, still composed mostly of appointees under Republican administrations, began to extend more constitutional protection to the Negro. Perhaps the most famous of these cases was the trial of the Scottsboro boys in which the Supreme Court invalidated a conviction because of the systematic exclusion of Negroes from the jury lists. Several other convictions of Negroes were reversed because of the failure to give them a fair trial.

The Supreme Court also laid the groundwork for a major advance in Negro education by insisting that the States must provide equal facilities for both races. In 1938 it ordered the admission of a Negro graduate student to the University of Missouri because the State had not provided equal facilities for both races.

THE LAST 15 YEARS

The progress of the Negro from Reconstruction to the Second World War was slow and hard fought. Much groundwork had been laid but equality of rights and equality of opportunity were still far to seek. The years since the beginning of the war have seen an advance both in the prosperity and in the rights of the Negro that has never been equalled. So much has been crammed into these past 15 years that it is only possible to consider the highlights. Before reviewing the events of these years, it may not be out of place to suggest some of the causes that have led to this recent advance. Three major causes can, I think, be seen operating throughout this period, and all three have been of vital importance. First, ever since 1940 we have been engaged in a struggle with antidemocratic forces. For 4 years we waged a desperate war against the Nazi philosophy of racism and so, for the first time, had forced on us a full comprehension of the evil involved in judging people by race instead of as individuals. In fighting for our democratic way of life, we had to become aware of what that way of life meant; many white Americans grew ashamed of the antidemocratic practices that they had been tolerating at home.

When the war against nazism was successfully completed, the competition with world communism soon became critical. Again we have been placed on our mettle to make our actions harmonize with our professions. We have come to realize that our antidemocratic practices at home were costing us vital strength in the world.

A second major factor has been the realization that not only is the exclusion of the Negro from the full benefits of equality undemocratic—it is also inefficient. During the war we needed to mobilize our full strength, and that strength depends on the full participation of all our citizens. The denial of equality to one-tenth of our population weakened us militarily and economically. The country needs the Negro—and it needs him as a full citizen.

The third major factor in the recent gains of the Negro has been his own organization. By the use of his vote, by the use of his growing economic power, and by the full use of legal techniques to assert his rights, the Negro himself has become the most effective of the protagonists of Negro rights. The gains of the last 15 years have, more than ever before, been won by the efforts of the Negro.

The effective mobilization of the Negro in defense of his rights began even before the beginning of the war. When the defense program started in 1940 discrimination against the Negro was still practiced in all major industries. The Office of Production Management made some efforts to curb discrimination in defense plants but without any noticeable effect. Negro discontent grew, and in 1941 A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters, began to organize a march on Washington movement. That device was not new, but it was the first time it had ever been employed by the Negro. The response was overwhelming and, as a direct result, in June 1941, President Roosevelt was forced to issue the Executive order creating the Fair Employment Practices Committee. The order required that all Government agencies purchasing material from private suppliers insert a "fair employment practices" clause into the contract. This clause forbade discrimination on account of race, creed, or color.

The Committee had the power to investigate charges of discrimination and to order correction of unfair practices under threat of cancellation of the contract. No one would pretend that the Committee abolished discrimination in industry. The pattern was much too firmly fixed and the need for total production made it almost impossible to cancel a contract. However, it did have a marked effect in increasing the opportunities of the Negro for upgrading and promotion. There was also considerable success in opening more positions in the Civil Service to the Negro.

The proper utilization of the Negro in the armed services was never fully solved during the war. Approximately 1 million Negroes served in the Armed Forces during the war, but segregation continued till the very end, and discrimination was never abolished. However, the opportunities for Negroes during the

Second World War were much greater than in the First. They served as pilots, and they were admitted into the Marine Corps. The Navy opened its ranks for general duties instead of limiting Negroes to mess duties. In the Army the Negro served in every branch of the service. A great advance was the establishment of integrated officer candidate schools in every service except the Air Corps. At the very end of the war, a small beginning was made in integration when an experimental integrated unit was formed to fight in Germany.

The most resented of the practices in the Armed Forces was the discrimination in recreational and similar facilities. A considerable advance was, however, made in 1944 when the War Department ordered an end to segregation in recreational and transportation facilities on all Army stations. The order alleviated but by no means corrected the situation.

The attempt of the Negro to resist discrimination in the Armed Forces led to numerous incidents and the situation was worsened by the attitudes of some officers whose attitudes can be gaged from the fact that they often barred soldiers from reading the Negro press.

As after the First World War, the effect of the Second World War was to lead the Negro into a more militant assertion of his rights. In this last section we will review some of the major progress in civil rights and welfare that have taken place in the past decade.

The Supreme Court has taken a major part in the assertion of the Negro's right to equality before the law. The NAACP has developed an effective legal technique and has had amazing success in securing the vindication of Negro rights in many of the test cases it has taken to the Supreme Court. Three major areas of rights need to be taken into account—all of them with an important effect on the growth of Negro welfare. First, the Court has given important support to the Negro's struggle for the franchise. At the very beginning of the war, the Court struck down the white primary and, in a series of cases since that time, it has struck down the various devices by which the Southern States have sought to evade that ruling. No one needs to be told that restrictions on the franchise of the Negro still exist, but it is also important to remember the immense strides in Negro voting in the South that have been made since the war.

The second area in the Court's rulings are, of course, in education. The historic segregation decision is just 2 years old and great progress in integration has been made in the border States, and even some of the Southern States have made some moves toward integration. Also of importance was the great raising of school standards in the South before this decision due to the Court's more rigorous enforcement of the separate but equal doctrine. Negroes do not yet receive equal educational facilities but the progress in the 10 years since the war has probably been as great as in any 50-year period before that.

The third major activity of the Court contributing to the welfare of the Negro has been in the field of housing. Back in the 1920's the court struck down zoning laws that attempted to keep Negroes in limited areas, but the zoning law was succeeded by the restrictive covenant in which homeowners pledged themselves not to sell to Negroes. In 1948 the Court ruled that such a covenant was not enforcible at law. Even though refusal to sell to Negroes is still widespread, that decision has at least made it impossible to use the power of the law to prevent the Negro from moving out of the ghettos to which he is confined in so many cities.

Though Congress has not, up to the present time, been able to pass any civil rights legislation since the war, the same is not true of the States. Since 1945, 15 States have passed various kinds of fair employment practices legislation forbidding discrimination against Negroes. Besides this State legislation about 50 cities have also passed ordinances to the same effect. These laws and ordinances vary in their stringency and effectiveness but they have done a major job in opening up new employment possibilities to the Negro.

But perhaps the most impressive gains that the Negro has made since the war have come through executive action. In three major fields, Presidential action have been of vital importance to the welfare of the Negro: The Armed Forces, the civil service, and in employment with Government contractors.

Integration in the armed services began on a minute scale during the war and became a declared objective in the immediate postwar era. In the last 2 years, integration has become a reality. No segregated units are left in any branch of the service and President Eisenhower has waged an effective campaign to see that all discrimination in promotion is abolished. All facilities at service camps are now open to all regardless of race, and the success of the integrated schools run on army camps in the South is the best sign of the ease with which integration can be accomplished.

The continuation of the policy of the Fair Employment Committee to prevent discrimination in employment by Goverment contractors has had a complicated history since the end of the war. In 1946, a Democrat-controlled Congress refused to appropriate funds to continue the committee as a permanent body. This committee was succeeded by the Committee on Government Contract Compliance and in 1953 by the Committee on Government Contracts. The current committee appointed by President Eisenhower receives complaints about discrimination in hiring, firing, promotion or pay rates. The individual agencies making the contract are responsible for investigation as well as for enforcement by withdrawal of contract.

Nondiscrimination in the civil service has been the third goal of executive policy since the war. The practice of discrimination against the Negro in Federal employment is of long standing, and rigid segregation was introduced under President Wilson. Not until the beginning of the war were any important steps taken to give equal rights to the Negro in this field. The continuous and systematic attempt to carry out a nondiscrimination policy, however, began with the establishment in 1948 of a Fair Employment Board in the Civil Service Commission. This body was superseded in 1955 by President Eisenhower's Committee on Government Employment Policy. This committee was established to determine whether the various departments and agencies were carrying out the nondiscrimination policy. The Executive order that set up this committee also directed all departments to establish regulations against all forms of discrimination and to appoint employment policy officers to carry out the regulations and to report violations to the President's committee.

Examples of improvement in the law and welfare of the Negro since the end of the war could be multiplied almost indefinitely. School enrollment, life expectancy, employment in the professions—no matter what we look at, the Negro has made great progress. But the progress has been toward equality; it has a still long way to go. Let me just give you two examples. Before the war the average wage of the Negro was just over one-third of that of the white; today it is nearly two-thirds. That is a great advance, but only half the progress to full equality has been made. Almost the same conclusions are true in education. There has been a huge increase in Negro graduation from high school; but, to make the figure comparable to that of whites, the figure would have to double. Progress has been made; it must continue until the American doctrine of equality of opportunity for all has been translated into fact. Thursday, when we vote on H. R. 627, we have the opportunity to take another step forward.

Mr. CELLER. Mr. Chairman, I yield 30 minutes to the gentleman from Louisiana [Mr. WILLIS].

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield.

Mr. ASHLEY. Mr. Chairman, I ask unanimous consent to extend my remarks immediately following the remarks of the gentleman from Louisiana [Mr. WILLIS].

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield.

Mr. DINGELL. Mr. Chairman, I ask unanimous consent that I may extend my remarks immediately following the remarks of the distinguished gentleman from Ohio [Mr. ASHLEY].

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WILLIS. Mr Chairman, I have no prepared statement, and I do not intend to embark on a discussion of the so-called racial issues. I made a few notes yesterday during general debate upon which I shall comment. I intend to explain this bill to indicate to the membership exactly what its devious ramifications forebode.

In my opinion, the fundamental issue before the House is whether we should consent to intrude the authority of the Federal Government over matters which traditionally and constitutionally have

been reserved to the States and the people.

The bill before us is divided in four parts. Part I of the bill proposes to establish a Commission on Civil Rights. Part II of the bill would add an additional Assistant Attorney General who would head a new division of the Department of Justice to be known as the Division on Civil Rights.

Part III purports to further strengthen the so-called civil rights statutes.

Part IV purports further to secure and to protect the right to vote.

Now, let us take up part I of the bill, which would establish a Commission on Civil Rights.

The Commission under the specific terms of the bill would be required to do four things:

First, it would be required to investigate allegations that citizens are being deprived of their right to vote on account of race, religion, or national origin.

Second, it would be required to investigate allegations that persons are being subjected to unwarranted economic pressure. All of these allegations are not required to be in writing; much less are they required to be under oath.

Third, the Commission is required to embark upon a study and to collect information concerning economic, social, and legal developments. In what area? In the broad area of civil rights wholly unrelated to race, religion, or national origin.

The fourth part of the duty of the Commission would be to appraise all the laws and all the policies of the United States again in the broad field of civil rights; and, once more, unrelated to race, religion, or national origin.

The Commission under the bill is empowered to hire an unlimited number of paid investigators, which is bad enough; but beyond that the Commission can utilize and pay for the services of volunteer groups and organizations.

By virtue of that provision I am afraid the Commission will be plagued with professional informers who will come forth with more fiction than fact, and I do not mean to say that the groups and the organizations will come on one side of the argument; they will be plagued by people on both sides of the problem. We have experience with that ourselves. You know that whenever a television or radio organization as a matter of public service grants to one political party so many hours to discuss an issue, within 24 hours the other political party wants an equal or greater time to reply. That is why I say that by virtue of this provision regarding the employment and utilization of so-called voluntary groups and organizations they will be plagued with things that they will regret.

The Commission is required to launch an investigation upon any biased allegations unwritten and unsworn concerning not only racial, religious, and national origin matters, but also matters having to do with so-called unwarranted economic pressure, and so on.

What is unwarranted economic pressure?

What is economic, social, and legal developments?

No one knows; it is not defined in the bill. In fact, according to the general provisions of the bill, the type, the nature, the scope, the length, and the breadth of the investigations and who is to be investigated is left to the unrestricted imagination of the members of the Commission. But, mark my word, in these general areas, in the broad areas of civil rights, and particularly in the area of so-called unwarranted economic pressure being applied, there will be involved before this Commission businessmen, employers, employees, religious groups, and members of labor organizations.

Mr. Chairman, it is fundamental that Congress can only investigate matters over which it has power to legislate. We hear a great deal about equal protection of the law. Let us quote a very few simple words of the Constitution on that subject. Here they are:

> No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

So it is clear from the words of the Constitution itself and from the jurisprudence from time immemorial up to date, that the limitation or prohibition of the 14th amendment to the Constitution is aimed at State action and not upon the acts of individuals. Yet the subject matters that the Commission is supposed to investigate are attuned mostly with private individuals' actions.

Let us take, for instance, this question of unwarranted economic pressure. This precise question of economic pressure was presented to the Supreme Court of the United States in Hodges against United States. The defendants in that case were convicted of conspiring to injure, oppress, threaten, or intimidate persons in the exercise or enjoyment of rights or privileges secured by the Constitution or laws of the United States. This conviction grew out of threats and violence by the defendants to force the victims to abandon their particular jobs. The Supreme Court of the United States reversed the convictions and ordered the indictments dismissed on the ground that Congress had no constitutional authority over the protection of individual jobholders from oppression by other private persons.

Now, the Commission through the harsh power of subpena is granted the right to compel businessmen, ministers of the Gospel, members of labor unions, and any other person of the United States to leave their home and to come to Washington, there to testify and to open their books to public inspection.

You may ask, Suppose they do not want to, suppose they do not obey the order? The bill does not leave such a loophole. The bill provides that in that case failure to obey the orders of the Commission can result in a person being sent to jail by a strange Federal judge away from home without trial by jury under the process of contempt. So extraordinary is this power of subpena that we in the Rules of the House guard it very jealously. Under our own rules only three committees of the House are granted the inherent power of subpena. Those are the Committee on Appropriations, the Committee on Government Administration, and the Committee on Un-American Activities. All other committees must come before the House at the beginning of each Congress and ask the Congress for a special resolution, not mind you because we do not trust committees, but because of the fact that Congress wants to retain the power of subpena within these chambers.

Now, what is happening here? The Committee on the Judiciary has no power of subpena per se, yet a majority of the members of that committee have granted, and you are being asked today to approve, to this Commission powers greater than the Committee on the Judiciary itself possesses. It is my considered judgment that this supposed calm study to be initiated by this Commission is going to degenerate into a broadside investigation of every facet of our economy in this country. And, besides, the establishment of this Commission is contrary and inconsistent with the other provisions of the bill and, in my opinion, unless it was done just recently, as we heard yesterday, they were not included in the program of the President of the United States, because in his state of the Union message he asked for one thing and one thing only, and that was the creation or establishment of a Civil Rights Commission.

Secondly, the creation of this Commission in this bill under part I is inconsistent with parts II, III, and IV. Here under part I the Commission is directed to investigate allegations concerning matters spelled out in part I, and then parts II, III, and IV proceed on the assumption that the allegations have been proven, so then we go forward with direct legislation. Now, if it is necessary to create this Commission at all, why should we not await its report 2 years from now? If we are to legislate on these matters, why should we legislate upon matters that the Commission is directed to investigate? Why should we tie the hands of the Commission before it starts upon its duty. So, I announced before the full Committee on the Judiciary and before the Committee on Rules and I now announce that an amendment would be appropriate to strike all of parts II, III, and IV. It will be done. I do not know who will do it. If nobody else does, I will.

Now, part II would add an additional Assistant Attorney General who is to head, as I said awhile ago, a new division in the Department of Justice. Is there any necessity for that, There is no more justification, in my opinion, for the creation of a separate division in the Department of Justice to handle that than any other category of matters coming within the jurisdiction of the Department of Justice.

I will point out in a moment the very few cases of civil rights that passed beyond the investigative stage, but on the other hand, in the last fiscal year, there were 1,700 criminal prosecutions, not investigations—criminal prosecutions—in

matters under the Selective Service Act. There were 1,171 criminal prosecutions involving juvenile delinquency. There were 1,870 criminal prosecutions involving narcotics. There were 3,413 criminal prosecutions involving stolen automobiles. There were 8,500 criminal prosecutions involving frauds and thefts. How many cases come before the Department of justice and the FBI in the so-called civil rights areas? The two men who should know more than anybody else testified before the Committee on Appropriations just a few months ago during this session of Congress. They are Mr. Olney, who is head of the Criminal Division, and Mr. Hoover, who is head of the FBI. Mr. Olney testified before that committee just a few months ago that during the fiscal year 1955 there were 224 cases in the Criminal Division involving civil rights; not, please understand, only so-called racial cases, because those civil rights cases that go to those departments involve other matters, for example, somebody in a penitentiary who is involved in a fight with a guard, and so on. I do not know the percentage of the breakdown. I am trying to get that information before these debates are over, but I understand it is only a small percentage. Anyway, there were 224 cases of civil rights during the last fiscal year, and during the first 6 months of this year there were only 58 cases.

Mr. Hoover testified that during the fiscal year 1956 there were 1,275 complaints in the category of civil rights, of which 1,060 did not go beyond preliminary investigation and were thrown out without further investigation, which left—and I am quoting Mr. Hoover's testimony—115 full investigations, as he put it, resulting in what? Twenty indictments and 4 convictions. That was during the fiscal year 1955. Yet they want to create a new division in the Department of Justice just to handle these matters.

How many lawyers are there at the command of Mr. Brownell at this time? Let us take first those in the upper echelon.

Mr. FULTON. Mr. Chairman, would the gentleman yield at that point?

Mr. WILLIS. I should prefer that the gentleman would wait and make a note of what he has in mind, because I know I am running short of my time.

Mr. FULTON. I just wanted to ask a question on that very point. The gentleman was saying that there is no need for this extra division.

Mr. WILLIS. That is right.

Mr. FULTON. And an Assistant Attorney General.

Mr. WILLIS. Yes.

Mr. FULTON. Just because the cases have not yet been brought up does not mean the need does not exist. For example, I read in a pamphlet that there are in some counties——

Mr. WILLIS. I beg the gentleman's pardon. I had yielded to the gentleman for a question, but not an argument. I really do not have the time for that. I am afraid the gentleman is talking about what might come in the future, which is pure speculation.

Mr. FULTON. No; there are several counties in this country——

Mr. WILLIS. Mr. Chairman, I decline to yield further.

In the upper echelons in the Department of Justice we have, of course, 1 Attorney General, 1 Deputy Attorney General, 7 Assistant Attorneys General and 1 Solicitor General; right here in Washington, stationed in Washington at the Department of Justice you have 893 lawyers. You have 94 United States attorneys in the United States. You have 622 United States assistant attorneys. This makes a total of 1,609 attorneys to handle what? Twenty indictments and four convictions in the civil rights area. This does not include the lawyers in the FBI, which is in the Department of Justice; and most of them are lawyers. Nor does it include the lawyers in the Immigration and Nationality Service. I started to count the number of lawyers in the Departments of Defense, Agriculture, Treasury, Interior, but I became tired. But I did come to this conclusion, that we have just about as much need for the creation of this division in the Department of Justice as there is a need for more sand in a desert.

Parts III and IV purport to strengthen civil rights and to further secure the right to vote. The truth of it is that if these combined proposals are enacted into law they would constitute a flagrant violation of States rights. They would result in further concentration of powers in the Federal Government. They would result in investing in the hands of the Attorney General unprecedented powers and would result in intruding the Federal Government, as I said before, in matters which under our Constitution are expressly reserved to the States and the people.

What is behind all this? Whose bill is this? Is it a Democratic bill? It is not. Is it the Celler bill, the bill of my dear chairman of the Judiciary Committee? It is not. It has been said that it is embraced by the President, but he did not say so in the State of the Union message. So I prefer to call it the Brownell bill, because this bill was substituted for the Celler bill at the last moment before the Judiciary Committee.

Mr. Brownell appeared before an executive session of the full committee, not a subcommittee, and we questioned him. The Celler proposal involved criminal sanctions and the amendment of criminal statutes. Mr. Brownell told us in executive session that he would prefer to reach civil rights matters by civil sanctions or through the civil process, particularly by injunctions.

As a matter of fact, he was making quite an impression upon me for a while, but then he let the cat out of the bag. I will not take the trouble to read his testimony now, but you can refer to page 18 of his testimony where he said this, and his testimony was reduced to print.

He said:

I don't want to amend the criminal statutes because it is too difficult to obtain a conviction.

We asked him why. He said:

It is too difficult because the Supreme Court of the United States said that before you can convict you must prove willful intent.

So what Mr. Brownell is doing is this: He told us in effect, and that is the purport of his testimony.

I do not want criminal prosecutions because it takes too long to convict. I do not want a trial by jury because in an injunction there is no jury trial. I do not want to be bound by the normal rules of burden of proof. I do not want to have to prove guilt beyond a reasonable doubt. Nor do I want to have to prove in a criminal prosecution that there must be willful intent.

Is not that a shocking thing? It is to me, when the Attorney General wants to take these shortcuts and to avoid the constitutional process that is so near and dear to the hearts of liberty-loving American people. I am not saying that I prefer criminal prosecutions. I do not want them, either. But I am trying to say that Mr. Brownell, when he says he wants to avoid criminal prosecutions because they inflame the local people, is not entirely telling us exactly why he wants to proceed via the injunction. I will try to point out in a moment that there is quite a difference between a proceeding by injunction and a proceeding under the criminal statutes.

Parts I and III of the bill, as I said a while ago, cover the entire subject or area of civil rights. The term "civil rights" itself is not defined anywhere in this language involved here. Perhaps you would say, "Well, that is not important." I ask you here, you ask the Member seated next to you this question: "Now, what is your idea of a person's civil rights?" I think you would probably get as many answers, almost, as you have Members in this Chamber.

For instance, if a person does not want to become involved in a lawsuit against his neighbor, is that civil right? If it is, we are authorizing and directing Mr. Brownell to violate that civil right, because he is authorized to proceed in these lawsuits by one person against his neighbor not only without his consent but contrary to his wishes.

On that question, as I said a while ago, the term "civil rights" is not defined and this covers the entire field, let me read you from part III. It says:

Whenever any persons have engaged or are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs first, second, or third, the Attorney General may institute for the United States,

That is how broad it is—without any definition.

I frankly have read and reread this bill—and I know I do not purport to understand the sum total of its coverage, and I frankly hope that we will receive enlightenment on it during the general debate.

Part IV of the bill speaks of the right to vote as though the Federal Government had unlimited and exclusive jurisdiction in that area. The law is exactly the reverse because we all know that the time and place and manner of election and the qualification of persons voting are matters within the jurisdiction of the several States. That has been passed on by the Supreme Court in a case cited here—the case of Minor against Happerset where the Supreme Court held that under the Constitution

that women had no Federally protected right to vote and it required a constitutional amendment to grant that Federally given right. The President just recently proposed that persons 18 years of age should have the right to vote, but he wants to do it by a constitutional amendment. So the Federal constitutional limitation in this area means this and this only—you have to start with the premise that the States have the right in the matter of qualification of voters and so on. Once this is done, then, of course, the 14th and 15th amendments step in and prohibit discrimination. Stated differently, the States provide the rules and the 14th amendment forbids discrimination in the application of the rules. According to this bill, Congress is entering boldly in this entire area of voting and voting rights and so on.

The right of the Attorney General to intervene under this bill in matters of election is not restrained. Now what type of election is to be involved in this thing? General elections?—To be sure. And primary elections, so it states. But, that is not all. The bill does not speak only of electing candidates in the State primary, but it specifically refers to selecting a candidate in a State primary or election. Does that refer to the action of a State caucus? Does that refer to the action of a State central committee? Does that refer to the action of a State convention—in selecting a candidate to participate in a primary? I do not know. But the language is there. The bill does not talk only of electing, but it speaks of selecting a candidate for Federal office.

Mr. YATES. Mr. Chairman, will the gentleman yield for a question?

Mr. WILLIS. I yield to the gentleman for a question.

Mr. YATES. Does the gentleman not think that under the decision in the classic case that the Congress can legislate in this field?

Mr. WILLIS. Within the area of the 14th and 15th amendments, of course, it can. That is to say that once the States provide for the qualification of voters and so on, then, of course, under the constitutional amendments there shall be no discrimination in the rules. But, what this bill does is to go much further than that because under the last paragraphs in parts III and IV, the Attorney General is authorized to file suits and to ignore State law and to ignore State remedies and so on, which I will come to in a moment.

Now let us take up the power of the Attorney General to file lawsuits. As I said a while ago, the Attorney General can file a lawsuit by and for a private individual against his neighbor. He does not have to have the consent of the plaintiff. He can do it contrary to his wishes. As I said previously, is the right not to want to file suit against your neighbor a civil right? That is the way the bill reads, but the chairman of the Committee on the Judiciary and the ranking members on the Republican side admitted yesterday that, of course, not only does the bill say so, but the bill means to permit the Attorney General to file suit by and for a private individual against his wishes and without consulting him.

Much has been said about the broad provisions of the bill with regard to how the Attorney General can proceed. You have heard it before, but it bears repetition, that under this bill the Attorney General can file suit when a person is about to engage in an attempt to do something. There is one more step to it. He can proceed when a person is about to engage in an attempt to threaten. You figure that one out. When is a person about to engage in an attempt to threaten? Threaten is not direct action, and attempt is not direct action, but to engage makes it worse. Still the Attorney General under this bill may proceed when a person is about to engage in an attempt to threaten.

We are all familiar with the subsidiary crime of "attempt." In the case of robbery, robbery is holding up a person and taking his property without his consent. Then if someone attempts to rob but in the robbing is frustrated, a policeman comes on the ground before he can complete the job, of course he had committed an attempt to rob. What is the proof? The proof is the overt act. That is the essence and the gist of all evidence involving an attempt to do something. But here there is no overt act. He can proceed when a person is about to engage in an attempt to threaten. That is one of the reasons why the Attorney General does not want to have to resort to criminal proceedings in many ways. Proceedings by injunction where you do not have to furnish bond, where the United States is plantiff, where regular proof is so loose, and where there is no trial by jury, the victims of this proposal may be worse off than if we attempted to amend the criminal statutes.

Now that is not all. To me, the most vicious—and I think that is the word for it—provision of this bill is the last paragraphs of parts III and IV, because the Attorney General can proceed without regard to exhaustion of administrative or judicial remedies. But go back to the right to file suit for a moment.

Never before in the history of our Republic have we passed a law to permit the Attorney General to file purely private actions for individuals. I had a research made of that by the staff members of our committee, and I think it is an accurate statement which none of us in our period of service here—and we have some old-timers here—can recall that we have ever granted that kind of power. On the contrary, we have always gone in the other direction.

For instance, under the Fair Labor Standards Act one person may file a suit for overtime wages for himself and others similarly aggrieved as plaintiffs, but he must have the written consent of the others and they must be filed in the court; and the act, also, affirmatively prohibits the administrator from filing actions for back wages in an injunction proceeding.

Why have we done that in the past? To stop fomenting litigation, because fomenting litigation is a very reprehensible thing; lawyers can be disbarred for fomenting litigation. I am not saying that the Attorney General would foment litigation; I am telling you however, that we are giving him the power to do it by permitting him to file purely private actions in the name of the United States for the account of individuals against their neighbors when the plaintiffs in those lawsuits do not want to be involved before the Federal courts.

As I said a while ago, the last paragraphs of parts III and IV provide this:

> The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

Never before has this Congress put that kind of procedure in a statute; as a matter of fact, we are going in the other direction here. You remember just recently the Supreme Court in the Nelson case held that the State laws on sedition were to be considered as innocuous and dormant and useless, and that by the passing of an act of Congress without so expressly providing, the Federal Government's jurisdiction extended over the entire field of sedition.

When that happened the American Bar Association cried out for remedy; your local bar associations bombarded the judiciary; the attorneys general of the United States adopted a unanimous resolution to condemn that decision; Members of this Congress introduced legislation to overrule it. That legislation was reported out of the Judiciary Committee, a rule has been granted by the Rules Committee, and it will shortly appear before this body. What we are doing is to correct a decision which does the very thing that we are permitting in this bill; namely, to give power to the Federal Government to intrude in these civil-rights areas without the courtesy, without the "if-you-please," of consulting State law, State courts, and available State remedies, but on the contrary to go directly counter, at least to disregard completely, available proceedings.

Here is exactly what we are doing by virtue of the last paragraph of parts III and IV: We are permitting the Attorney General to go on and file these suits without the consent of plaintiffs in the Federal courts and without regard to the availability of the local remedy provided by local law. So I say to you that the effect of the proposal in this bill is to strike down all State law and remedy and intruding the power of the Federal Government in matters which have always been recognized to be time honored functions of the States.

There is one other point I want to make clear. Nowhere in this bill is there provided a single, solitary remedy for individuals. Everything created is a concentration of power in the Attorney General. As I said before, I prefer to regard this as Brownell's proposal, without any criticism of the gentleman. We have had experience with Mr. Brownell before. Do you remember 2 or 3 years ago we had a wiretapping bill before the Congress. The Brownell proposal was to act as prosecutor, as judge and jury, and it was proposed that the Federal courts be avoided. We passed judgment against that.

The same principle is involved here. What you are proposing to do is to flout

State courts and State remedies. I think we should give the same treatment to this bill that we did to the wiretapping bill. We did that not on account of Mr. Brownell but despite Mr. Brownell. We decided these extraordinary and unprecedented powers should not be given to any Attorney General of the United States, whatever his political persuasion might be.

In conclusion and so that my position may be understood in this sensitive area of so-called civil rights, particularly voting rights and so forth, I want to quote the last paragraph of the additional minority views, in the preparation of which I played a large part:

The right to vote is indeed one of the most important rights that any American citizen can possess, and it should be protected by all manner and means which are consistent with the fundamental principles set forth in the Constitution. No one should be denied the exercise of that right by any means of a discriminatory nature. At the same time, however the protection of that right, as well as its exercise, must be consistent with constitutional principles. Up to now the right to vote in accordance with the Constitution has been controlled by State statute. If additional powers in the field of elections and voting rights are deemed to be neecssary to be vested in the Federal Government, then Congress should attack the problem squarely, by proposing an amendment to the Constitution. This was the suggestion made by President Eisenhower when he proposed that the voting age should be fixed at 18. This legislation seeks to accomplish indirectly what is forbidden directly by the Constitution.

Moreover, the broad general language which this legislation proposes opens up to Federal intervention the entire field of Federal elections, not only general elections for Federal office but also the primaries. There is also a very definite possibility that this power may intrude itself into political party deliberations, particularly with reference to delegates to conventions involving Federal offices. The enactment of this legislation can only result in another intrusion by the Federal Government into a field which has been reserved to the States. The stability of State laws will be disrupted; the election procedures stymied.

In the light of the recent decision of the Supreme Court in the Nelson case one wonders whether or not in the near future the ruling will be made that the Federal Government has preempted the field of suffrage. Strong centralization of the Federal Government continues, and the traditional doctrine of States rights is again delivered a fatal blow.

Mr. MURRAY of Illinois. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman from Illinois.

Mr. MURRAY of Illinois. The gentleman made the statement during his very able presentation that there has been no definition of civil rights. Is it not a fact that the Supreme Court and the courts of appeals have many times defined the term "civil rights" as used in the Civil Rights Act, and has not the definition been the right to equal protection of the law?

Mr. WILLIS. Well, would the gentleman restrict civil rights to equal protection of the laws?

Mr. MURRAY of Illinois. The term "right" is something the legislature has no power to define. This bill is directed at deprivation of a person's right on account of race, creed, or national origin. No matter what the right may be, what we are talking about is the right of equal protection of the laws; is that not correct?

Mr. WILLIS. I seek information. Is that the gentleman's definition of civil rights?

Mr. MURRAY of Illinois. My definition of the civil rights we are seeking to protect in this legislation is the equal protection under the law of every person regardless of race, creed, or color; the protection of whatever rights he may have.

Mr. WILLIS. You recognize that this bill goes much farther than that.

Mr. MURRAY of Illinois. No; I do not think it does. I have one other question.

Mr. WILLIS. Wait a minute. Is unwarranted economic pressure a civil right?

Mr. MURRAY of Illinois. Unwarranted economic pressure that would prevent a person from exercising his constitutional rights on account of race, creed, or national origin I think we are trying to protect in this instance. I would also like to ask this question. I was greatly concerned, as you are, about the delegation of authority to the Attorney General to seek injunctions. But, is it not a fact that the only injunction that the Attorney General can obtain under the provisions of this legislation is an injunction to restrain somebody from violating the law, to wit, denying a person his equal protection under the law?

Mr. WILLIS. No; it goes much further than that, because it encompasses all civil rights matters which are broader than the gentleman's definition as given here. If you take in matters of elections and voting rights and civil rights, those three areas, and couple with that the fact that the Attorney General in injunctive proceedings can—not only can, but shall do this—shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law, which means State law, you are deliberately doing away with State law, the available local remedy. For instance, the Attorney General has the right to file a damage suit in addition to obtaining an injunction. Presently the Federal courts have jurisdiction in tort cases when the matter in controversy is over $3,000 and there is diversity of citizenship. But, when I file a lawsuit as a lawyer before my Federal judge in a tort case, that Federal judge has to apply State law. He has to take State law as to what constitutes tort, measure of damages, and everything else. But here the Attorney General, in the prosecution of these actions brought contrary to the wishes of the party involved, can go and seek an injunction and bring it into the Federal courts and shall do it without regard to the exhaustion of judicial and administrative procedure and remedy in the locality. Now, when you take those things and bring them together with the other ramifications in this bill, I ask the question: What are the civil rights intended to be protected under this bill? Let me suggest this to the gentleman. The Attorney General is impatient; he does not want to be bound by criminal prosecutions. He wants a shortcut. I heard it said yesterday, well, he needs that shortcut, because there is a poor man involved who has been done wrong and he cannot afford to go to the Federal courts. But suppose, instead of that, instead of a violation of civil rights, which might be a slap in the face by a police officer against somebody in some city; suppose someone commits murder. Is that not worse—or mayhem, or something else? Are you sure you know what you are asking for when you ask for shortcuts? Are you sure you are not going to impinge upon civil rights of defendants that you are going to regret in the days to come? I think the gentleman from New Jersey [Mr. TUMULTY] yesterday made a very pertinent inquiry as to what is being done here in this area of civil rights. And remember, this long bill does not provide one single, solitary additional or new remedy to a single person. Everything is concentrated into the hands of the Attorney General. Granted that those powers, under the language here, expressly conferred by the bill, are given to a politically minded Attorney General. I say he could do this—an Attorney General who is politically minded; and I do not say that the present occupant of that office is.

Suppose the Attorney General, under the provisions of this bill should go to your city or to my town and say, "Well, now, I want to make this statement. Under the broad provisions of this bill I have the right to proceed against anybody in matters of election, in matters involving race, in matters involving religion, in matters involving national origin. And I can do those things only when I feel that somebody is about to engage in an attempt to threaten someone." Do you not know that you are going to cause consternation in that town? Do you not know that you are going to create fear? I say to you that it is on that basis that the powers which this bill expressly confers on the Attorney General give to a politically minded individual the power to terrorize. Do you want that?

Mr. MURRAY of Illinois. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman.

Mr. MURRAY of Illinois. You have got to couple civil rights with discrimination to bring this bill into operation. If somebody denies my youngster the right to go to a school, I have no complaint under this or any other Federal statute. I have adequate State relief. But this statute comes into operation when public officials under color of State law deny my youngster the right to go to school on account of his race, religion, or national origin, that is the only kind of right that comes into play.

Mr. WILLIS. It seems so at first blush, but the more you read the bill, the more bugs you find in it. I found a bug in it two nights ago that I did not realize was in it. It had to do with the selection of a candidate in a primary for a Federal office. Did the gentleman know that? If that language does not mean that, why is it in there? How do you select a candidate for a State primary for Federal office? Is it not by a

party caucus? Is it not by a convention? Maybe you want it, I do not know. But I am afraid there are bugs in there, and the language is so twisted with commas that you people are going to realize after a while that you will rue the day that you ever voted for this measure.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman.

Mr. YATES. First, let me congratulate the gentleman on his splendid and scholarly delineation of his position on this bill. I think the gentleman has made a real contribution to the debate. On certain matters, of course, I do not agree with the gentleman and I should like to ask several questions to clarify certain points. First, does not the Attorney General, a politically minded Attorney General, have the right to do the very things the gentleman fears under existing law, under the conspiracy statutes that now exist?

Mr. WILLIS. No; he does not.

Mr. YATES. Can he not impanel a grand jury? Has he not the power to seek indictments?

Mr. WILLIS. Under the conspiracy statutes being amended here, the right of action is given to the individual, and that right of action is a civil action for damages. Of course, if there has been a violation of criminal statutes he can proceed, if a crime has been committed. But here for the first time—and if I am wrong, the gentleman can have it looked up by the Congressional Library tomorrow and get some authority on it—we are giving power to the Attorney General to file and prosecute purely private civil actions without so much as an if-you-please to the plaintiff or contrary to his expressed wishes. Here for the first time by an affirmative provision we are saying that the Attorney General in prosecuting or in filing and processing these civil actions shall exercise that right without regard to State law, remedy, or available relief.

Mr. YATES. The gentleman in the course of his address spoke about the indictments that had been made by the Federal Government, 20-some indictments. I assume, therefore, that the Attorney General does have such right in civil-rights cases, which would give the right to a politically minded Attorney General to do the very thing the gentleman fears.

Mr. WILLIS. If we are not giving any additional power to the Attorney General, what are we losing this time here for? Certainly the Attorney General can file criminal prosecutions. But did not the gentleman hear me when I said he said he does not want that? He said it is too slow and difficult to prove. He does not want to have to prove willful intent, guilt beyond a reasonable doubt, and the usual burden of proof. He does not want that. He wants these rights to proceed civilly in order to harass the people of the United States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CELLER. Mr. Chairman, I yield 5 additional minutes to the gentleman from Louisiana.

Mr. TUMULTY. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman from New Jersey.

Mr. TUMULTY. On page 24, in paragraph 4, it is stated that the Attorney General may start suit when any persons either have engaged or are about to engage in any acts or practices which would give rise to a cause of action. He can also start suit when anybody is about to engage in a threat.

Mr. WILLIS. In an attempt to threaten.

Mr. TUMULTY. In an attempt to threaten. Since the Attorney General must have knowledge of the person's being about to engage in an attempt to threaten, I want to know how he gets that knowledge. If you were the Attorney General, looking at me, how could you tell when I was in position to be about to engage in an attempt to threaten you? Do I look like I am doing it now?

In other words, the Attorney General would have to be gifted with mind-reading powers if he were to file suit under this section.

The reason I brought this question up is that there is no restraint on the Attorney General regardless of what this bill says, whether it be for the good cause of civil rights or not, to prevent the Attorney General from judging any capricious, any frivolous action of yours and mine, and interpreting it to his desires. Thus, for example, he might be up in the good old county of Hudson, where we still elect Democrats, and he is a Republican, and he might want to win the election. He might say to his friends, "Write me an anonymous letter that Tumulty is about to engage in a threat—he looks like he is always about to engage in doing something like that." Now, that is a month before the election. He sues me that I am about to engage in a threat to do something violative of this act. It is publicized—because there is no provision for keeping it quiet—what protection is there for my civil liberties? How am I protected? Is there anything in the statute to prevent that—even though it may seem fantastic and unlikely?

Mr. WILLIS. I have been monopolizing so much of the time, I will yield to my friend, the gentleman from Virginia to answer that.

Mr. HARRISON of Virginia. The gentleman from Pennsylvania [Mr. SCOTT] anticipated that question and in testimony before the Committee on Rules, he said: "The way you tell is by the expression on his face."

Mr. TUMULTY. Of course, if we are to judge by his expression, everybody would be threatening.

Mr. MURRAY of Illinois. Under this bill the only thing the Attorney General can enjoin my friend from doing is to enjoin him from doing something he would not be doing anyhow, and that is to violate somebody's rights on account of race, creed, or color.

Mr. WILLIS. Under the provisions of the first part of this bill, allegations can be made and will be made unwritten and unsworn. You may as well make up your mind to it that people, for instance, belonging to a labor union or an organization will allege that in that outfit or in that union or in that group, unwarranted, economic pressure is being brought against them because of their religion or because of their race or the fact that they may be foreign born. You may prepare yourselves. When this bill gives a commission the right to utilize and pay for the services of voluntary groups and organizations, as I said awhile ago, you are going to have allegations and fictional allegations, coming not only from one side of this issue but from all sides of this issue and the commission is going to be plagued with a lot of trouble that they will wish we had not given them by virtue of this language.

Mr. MURRAY of Illinois. After all these allegations, all he can enjoin anyone from doing is from violating a person's civil rights on account of race, creed, or color; isn't that the effect of it?

Mr. WILLIS. No, and I will tell you why. You can see the way the authority is set up here in parts I, II, and III, you are led to believe that, but the numbers are wrong.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. ASHLEY. Mr. Chairman, I rise to voice my support of H. R. 627, the Civil Rights Act of 1956.

Thus far during the debate, Mr. Chairman, opposition to this measure appears to be divided between those who feel that this legislation is an outright violation of States rights, and those who find criticism with various legal aspects of the bill. I would like to address myself briefly to both of these points.

It seems to me that the unchallengable purpose of the legislation being considered today is to extend the ideal of equality under the law which has always been a distinctive American goal. In its highest form, the American spirit of freedom and equality precludes special privilege, whether based on birth, or race, or religion. I am sure that my colleagues who oppose this bill do so in all sincerity, believing honestly that its provisions are in conflict with the Constitution or established principles of law. I find it difficult to believe, in light of the traditions of this Nation which are based upon individual dignity, that the purpose of this measure before us is subject to legitimate criticism.

Part I of the bill creates a six-man bipartisan Commission on civil rights in the executive branch of the Government, armed with subpena power. The purpose of this Commission is to investigate allegations that American citizens are being deprived of their right to vote or are being subjected to economic pressures by reason of color, race, religion, or national origin. The right to vote, Mr. Chairman, is established by law; equally important, the right to vote without distinction of race, color, or previous condition of servitude is set forth in title 42 of the United States Code.

Nevertheless, allegations persist that in some localities Negro citizens continue to be deprived of their right to vote and continue to be subjected to unwarranted economic pressures. Surely, these allegations are worthy of investigation by an objective factfinding body with the necessary powers to accomplish their task.

The need for a bipartisan commission to investigate deprivation of equal rights was recommended by President Truman in 1948. The need was apparent at that time, Mr. Chairman, and it remains apparent today.

Part II of the bill provides for the creation of an additional Assistant Attorney General in the Department of Justice to head up a Civil Rights Division. Those who oppose part II appear to fail to understand the continuing fundamental importance of the Bill of Rights and the subsequent amendments to our Constitution relating to civil rights. It seems strange to me, Mr. Speaker, that there should be Assistant Attorneys General in charge of a Tax Division, an Antitrust Division, a Lands Division, a Civil Division, a Criminal Division, and Internal Security Division, and an Administrative Division—but that serious objection should be raised to the creation of an Assistant Attorney General in charge of a Civil Rights Division. Surely the mounting importance of enforcement of civil rights requires the increased authority which would vest with an Assistant Attorney General in charge of the Civil Rights Division, and I think that it would be a healthy indication that the Federal Government of the United States means business in this area.

Part III of the bill seeks to strengthen the civil-rights statutes presently on the books by providing a civil remedy to citizens injured as a result of conspiracies to deprive them of certain civil rights. Our laws already establish liability against any person who conspires to deprive another of equal protection of the laws, the right to vote, and other basic rights of citizenship. Part III simply provides a new remedy to protect already established rights—it does not expand the rights themselves.

Part IV of the bill seeks to further secure and protect the right to vote. As in part III, it allows the Attorney General to institute a civil action in the name of the United States for the benefit of an individual. Specifically, this section seeks to secure the right of all citizens to vote in Federal elections without intimidation or coercion. If I have any doubts about this section, Mr. Chairman, it is that the provisions will not be sufficiently effective. Yet I support it as a necessary and positive step forward. Surely there can be no doubt that the best possible protection of our civil rights and liberties lies in the right of each citizen to take an active part in our representative form of Government. There is not a person in this body who has not read with awe and reverence the address at Gettysburg by President Lincoln. There is not one among us who does not believe that ours is a Government of the people, by the people, and for the people. Yet today, we debate whether or not the people shall be allowed Federal protection from those who would deny them their right to play an active role in our common Government.

This may not be the best legislation ever considered by this body, nor may it be completely responsive to the needs which have arisen in the area of civil liberties. I, for one, will welcome additional legislation which does a more comprehensive job. But in the meantime, I regard the Civil Rights Act of 1956 as a positive step forward, and I will vote upon it accordingly.

Mr. DINGELL. Mr. Chairman, according to opponents of this bill we are here to determine whether the rights of States or the rights of human beings are to prevail in our framing of the laws of this country, and more especially in H. R. 627, the civil-rights bill, now before us. The opponents of this bill say that the predominant consideration in this matter is that the rights of States shall not be infringed under the doctrine of reservation of powers. That doctrine is a long established principle of law, and it has valid application to many situations. But there are many others equally important giving equal dignity and effect to all these other legal principles. We must also accord their true dignity and view them in their proper perspective.

According to opponents of the bill the situation before us places in conflict the rights of men and the rights of States. According to them we are then faced with the choice of determining which shall prevail.

Now I want to preface further remarks by saying that there is no such conflict in the law when the situation is carefully considered.

Of course, to vote against this bill is to adopt this point of view, and to go further, to adopt the position that the rights of States are superior to the rights of men. In good conscience, we cannot take such a view.

But the fact is that throughout the great documents upon which we rely as the very foundation of our democracy rings the philosophy so well expressed by the great words of the Constitution that "all men are created equal."

The Constitution in those words makes no limitation or qualification on that principle. The wording is absolute. There is no equivocation that "all men are created equal" subject to the rights of some bodiless and soulless concept such as a State, or subject to restrictions imposed by such a fictional creature. The expression is complete, unequivocal, and unqualified.

That expression is not limited by color of skin, race, religious background or other artificial criteria for discrimination between citizens or classes of citizens.

Now, Mr. Chairman, we are aware of other amendments to the Constitution, which declare that:

> All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. (Art. 14, sec. 1.)

No limitation is placed in this section which could furnish the basis for any discriminatory action. Quite the contrary, this section is clearly framed to outlaw the evil of discrimination.

The provision further appears:

> The Congress shall have power to enforce, by appropriate legislation, the provisions of this article. (Art. 14, sec. 5.)

With the power to enforce such provision goes the clear duty to do so, and we in Congress cannot avail ourselves of such a poor doctrine as States rights to evade our duty.

We recently had a reaffirmation of our faith in God, as a country, in the new words of the Pledge of Allegiance—that we are "one Nation, under God, indivisible." The great documents which we hold so dear for their expression of the principles of our liberty have always recognized this dependence of our country upon the Almighty God.

The great religions of our people, Protestant, Catholic, Jewish, and other faiths, recognize the equality of all men before God. And remember when we go to judgment before the throne of the Almighty we go not as white or black, Catholic, Protestant, or Jew, but as children of God. When we assume our place in the eternal joys of heaven or in the agony of hell it will be upon individual worth and not upon the basis of the color of our skins, or our religion or national origin.

Now, what of this bill. It makes no sweeping change in our system of laws or in our society. Indeed, I am not satisfied that this bill is sufficiently broad to offer the protection that our minorities need. I had intended to offer an amendment to restore the stronger provisions of H. R. 627, which were deleted by the committee at the insistence of the administration. But at the request of other sponsors of this bill, I am withholding such amendment, since in a meeting yesterday we who are pushing this legislation decided that amendments to the bill would seriously jeopardize and impair its chances of passage.

A very sad fact is that many of the provisions of this bill could be accomplished by a simple executive order. Foremost among such provisions are those which set up the Civil Rights Division of the Department of Justice and the Civil Rights Commission, which the President not only could have, but should have, done long ago.

Now we concede the weakness of the bill. Its strongest portions have been deleted in the Judiciary Committee because of the administration's opposition. It compels us in Congress to do, at the behest of the administration several things which the administration refuses to do for itself in this great struggle for equality. This is shameful since the administration possesses full power to do these things without any action by Congress. However, if the administration shirks its duty, it is a greater reason why we in Congress must not. But this is action directed toward eradication of a great wrong. In the future we will do more, but this grave problem must be approached somewhere, and since this is the place many have agreed to, I will accept it as a starter. The very mildness of the law is an important argument for its passage. Its features are so easy as to make its effect be similar to the language of the Supreme Court in the school cases which commands an

end to segregation "with all deliberate speed."

I urge passage of the bill. If, as some say, the situation is such that the rights of minorities are not abridged or denied, then there is no need to oppose the bill, since it will not affect anyone.

If there are cases where minorities are deprived of their rights, then we in Congress may not evade our clear duty to see that all our people have full equality.

To do less is to jeopardize the rights of all. Who can foretell at this time who may suffer as a victim of discrimination at some future date? The answer is, no one. The bill protects all who are, or who may become, minorities. It must be passed.

Mr. KEATING. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. ALGER].

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. ALGER. I am glad to yield to the gentleman.

Mr. COLMER. Mr. Chairman, I wanted to say what I am about to say when the preceding speaker was in the well of the House, and I thank the gentleman for giving me the opportunity to do so now—it has been said on this floor that nothing anyone said or did could affect one single vote in the final vote on the passage of this bill. I said I did not believe that, and as I have observed the distinguished gentleman from Louisiana express the weaknesses and the viciousness and the dangers of this bill and as I have heard him sound the warning signal, I have noted the expressions of deep interest on the faces of the Members of the House. And I am quite sure that the gentleman from Louisiana has done a great service in exposing the dangers to the real civil rights of all people of this country.

In this connection may I point out that during the past several months I have had the privilege of working with this distinguished Louisianian in preparing for the fight against this iniquitous proposal.

It became my privilege to work with him, among other things, in the preparation and circulating of the statement, popularly referred to as the "Second Manifesto" and subscribed to by 83 patriotic Members of this House.

His splendid knowledge of the proposal, resulting from weeks of conscientious study, plus his fine mind, enabled him to make an outstanding contribution to the drafting of that great document. That instrument's moderate approach and its devasting exposé of the dangers to all of our citizens bears the imprint of the gentleman from Louisiana [Mr. WILLIS], an able statesman.

I believe we are making some progress in acquainting the House with what is in this bill, and I want to compliment the distinguished gentleman from Louisiana [Mr. WILLIS], in his great contribution here. I thank my friend. If I have used too much of his time, I will try to get more time for him.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. ALGER. I yield.

Mr. FORRESTER. I hope the gentleman has plenty of time. If not, I will sit down, but I would like to make this statement, that the gentleman from Louisiana [Mr. WILLIS] today has made the greatest constitutional argument on this floor that I have ever heard in my life, and the finest tribute that could be paid to him is that not one member of the Judiciary Committee of this House has questioned to any extent what he has said. He has expressed the law. Now it is simply up to this House to take the law as it is.

Mr. ALGER. Mr. Chairman, the so-called civil rights bill should be renamed the "civil rights violation" bill. Far more rights of citizens in a free country are jeopardized than those the bill seeks to protect. In fact, all civil rights of American citizens are herein threatened. This is not a racial matter as some would hold. This is simply a political bid for votes, is it not? Our God-given ability to reason intelligently to arrive at a right solution has been replaced in some instances by a gleeful, malicious, or at the least a careless attitude, respectively, by some Members of this great body. It would be careless in the extreme for Members not to study carefully the wording of this bill.

All of us to a man are for civil rights! We are also against sin! The question raised by this bill is whether in an alleged protection of civil rights we now in one swoop replace constitutional rights by a bad bill. The Commission called for in section 1 of the bill presumes almost God-like wisdom and character of the six Members. We substitute here for our traditional "government by law," a "government by men." The Commission will investigate allegations which could be irresponsibly made by nameless people. "Unwarranted economic pressures" is an undefined phrase confusing even to us who are called upon to pass this law. There is no limit to the Commission's investigations. Conceivably, all life in these United States could be expected to halt to await the pleasure of the Commission. The subpena power will place at naught the civil rights of those accused. Their own business or personal affairs would be suspended at their own expense, while they appear at the demand of the Commission. What has happened to their civil rights?

The Commission "may accept and utilize services of voluntary and uncompensated personnel," which is a loose, careless, and unthinkable personnel arrangement for matters treating of our civil liberties. Should any citizen refuse to obey a subpena of this Commission, he could, in effect, be taken to court and jailed without a jury. Is this civil liberty?

The bill authorizes the appropriation of money, "so much as may be necessary," and then permits in sections 104 and 111 the employment of additional personnel ad infinitum, an expansion of the Federal bureaucracy without limit according to the wording of this bill.

Possibly the most unbelievable and grievous violation of civil liberties in this country may be found on page 24, line 21, under section 121 wherein the Assistant Attorney General may take civil action or other proceedings against anyone "about to engage in any actions or practices" as outlined in paragraphs 1, 2, and 3 of section 1980 of the revised Statutes of the United States—title 42, United States Code, section 1985—which actions are so broad a citizen could be accused, as a mind reader might accuse, of contemplating some action punishable under this bill. In floor debate when this "about to engage in an attempt" was challenged it was further supported as punishable by a proponent because it was conspiring or "about to conspire." The "guilty till proven innocent" spirit prevails throughout the bill, completely antithetical to all our civil liberties. The only protection under section 121 of the "about to engage in any act" accusation is the infallibility of the Attorney General to know what is right and good. Here again is the government by men, not law. Many of us know, forgetting the harm by intention that this bill would permit, that "to err is human" and the frailties of human beings, the Attorney General being one, could lead to unlimited mischief and damage to civil liberties.

It was stated in debate by an estimate of one proponent that this bill covers religion but not the right-to-work laws. If it does cover religion, then one of the last holdouts to Federal control will be invaded and we will have lost also our religious freedom. As outlined on page 25, this bill proclaims that State law is not to be exhausted but bypassed. A more flagrant disregard for States rights cannot be imagined as I see it. Again on page 25 we find that the United States Federal Government, through the Attorney General, now will prosecute cases free of charge for individuals, which means we thus enable any citizen to accuse and prosecute any other citizen without cost to the accuser, yet with heavy cost both in time and money to the innocent accused. Is this preservation of civil liberties?

Now, how about our right to vote, a sacred right of American citizens, which this bill, on page 25, part IV, seeks to "provide needs of further securing and protecting the right to vote." First of all, are any of us so blind as not to see that when the respective States yield up their constitutional rights over election laws to the Federal Government they have at that moment lost freedom for the individual citizen under the constitutional checks and balances which protect them from centralized government, even dictatorship? That is exactly what this bill does, pages 25, 26, and 27, giving the power to the Attorney General in the name of the United States, a right to civil action or other proceeding against any person who "shall intimidate, threaten, coerce any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose"—"whether acting under color of law or otherwise"—what does this mean? Frankly, admittedly, no one knows what "color of law or otherwise" even means. This is the specific wording of the bill which I quote. Of course, as I have said, once you yield to the Federal Government the right to tamper with State law pertaining to voting, you have already lost your freedom, no matter

what the phrasing. This bill simply spells out more clearly in precise language how this will be done by the Federal Government. For Members of this high legislative body, representing trusting citizens back home, to permit such legislation to be given even a serious audience here would be laughable were it not so serious. I cannot conceive Members of Congress failing to see the danger of this legislation, or too busy to take the time to study this bill, or, worst of all, laughingly or tauntingly making political attacks upon each other through this medium. Our very freedom is at stake.

The reports accompanying this bill should be studied by all Members of Congress. The minority report and additional minority views, I heartily endorse, as I do the resolution joined by certain Congressmen disapproving the bill. The minority views point out graphically the many and comprehensive civil-rights laws now on the books. The hearings also establish on page 176 the thousands upon thousands of groundless civil-rights complaints investigated earlier under these comprehensive laws. The minority views also make it plain that we now place the Government in the position of telling both the defendant who is haled before the Attorney General by this bill and the plaintiff who lodges the complaint, which the Government then prosecutes, what to do. Is this fair court procedure?

As a matter of principle, it matters not that this legislation may not become law because the shortage of time or a Senate filibuster will prevent a Senate bill. It matters terribly that this House, a responsible branch of Government, not permit such legislation to pass this body in the name of politics or through ignorance of its contents. Certainly I do not oppose a Commission to study civil-rights violations, as the President requested in his state of the Union message. Presumably, such a Commission would study all violations of civil rights whether arising on labor's picket lines or from racial prejudices. These findings, whatever they would be, should then be reported to Congress for further deliberation. Then correct law could be framed if, and only if, the facts so warranted. In this light, this bill is premature.

I cannot speak for others, but I speak out boldly and with complete conviction against this "civil rights violation" bill. From these observations it should be obvious that this is not a racial matter, as some mistakenly consider it. This type of legislation could be the swansong for civil liberties of all United States citizens.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. ALGER. I yield to the gentleman from Pennsylvania.

Mr. FULTON. I want to compliment the gentleman on his statement and while I disagree with him in so many respects he has made a good presentation of his particular position. May I ask the gentleman this question: When there are certain counties in this fine United States of ours where no colored person can vote or is registered to vote, is there not something wrong, should not something be done about that, should Congress not look into that absolute denial of constitutional basic rights?

Mr. ALGER. I heartily agree with the gentleman that everyone should be able to vote, but I suggest that we do this through the Commission the President asked for. Let them bring their views back to the Congress and then we might write a bill of which we are proud.

Mr. FULTON. Of course, I disagree with the gentleman on that as now is the time to act, and to remedy this injustice.

Mr. ALGER. I think this is a premature bill. I do not approve this bill as one that will protect civil rights because it takes away more civil rights than it seeks to protect.

Mr. FULTON. I disagree with the gentleman on that, as this bill is a step toward giving the rights of American citizens to all our people.

Mr. QUIGLEY. Mr. Chairman, will the gentleman yield?

Mr. ALGER. I yield to the gentleman from Pennsylvania.

Mr. QUIGLEY. When the gentleman says "Commission which the President requested," is this not the Commission that the President requested?

Mr. ALGER. That is not my understanding. The Commission should precede the legislation and provide the information on which legislation is framed.

Mr. QUIGLEY. Mr. Brownell in presenting this bill to the committee was representing the President.

Mr. ALGER. He was not speaking for the President.

Mr. QUIGLEY. Does not Mr. Brownell represent the President?

Mr. ALGER. Generally, yes, but if Mr. Brownell does in this instance, then Mr. Brownell and I part company right there. I would like to point out, if it is not already clear, that a stand on this legislation or any legislation should not be necessarily a party-line vote but rather what his convictions are.

Mr. FOUNTAIN. Mr. Chairman, will the gentleman yield?

Mr. ALGER. I yield to the gentleman from North Carolina.

Mr. FOUNTAIN. I want to commend the gentleman from Texas for one of the finest arguments and expressions concerning the weakness of this bill that I have heard on the floor of the House. The gentleman from Louisiana referred to bugs in this bill. I have found another one which I would like to ask the gentleman about. In part III and in part V of the bill it says:

Whenever any person has engaged or is about to engage in any act, "the Attorney General may institute for the United States," and so forth. I want to ask the gentleman if that word "may" in and of itself does not enable the Attorney General of the United States to violate the civil rights of people by using a process of selectivity and determine whom he will prosecute the Government for and whom against.

Mr. ALGER. I cannot answer that as an attorney, but, as I understand the bill, that would result in great harm to civil liberties.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. ALGER. I yield to the gentleman from California.

Mr. ROOSEVELT. I think it is important that we do have in the RECORD, so that there is no question, the fact that this specific bill is not only supported by the President but—and I should bring it out later in my own time—that it is supported by Democrats who are seeking to be President. Here is a letter written on White House stationery dated May 3, 1956, which reads:

> The President has asked me to assure you, respecting your April 27 letter, that the various civil rights measures proposed by the Attorney General were specifically approved by him prior to their submission to the Congress, and it is, of course, the President's earnest desire that they be enacted into law.

I do not know how you could be more specific.

Mr. MASON. Who signed that letter?

Mr. ROOSEVELT. Bryce N. Harlow, Administrative Assistant to the President.

Mr. ALGER. The gentleman is endeavoring to present these views as he sees them. Of course, they are not in accord with my statement just rendered. And, I may point this out, to leave it to you and others to establish that this is an administration program and your belief in this bill. But, in any event, this is not the first time that I, as a Congressman, have voted my conviction, which I thought was the bounden duty of all of us, regardless of party affiliation.

Mr. KEATING. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. HAND.]

Mr. HAND. Mr. Chairman, I shall not require more than 2 minutes, because last week during the course of our discussion on the Powell amendment I took occasion to express my own convictions on the subject of civil rights, which has been very seriously in my mind for more than 20 years, and there is no point in repeating now my favorable position toward this bill.

I would like to say that I am grateful, as I think most of us should be, for the efforts of the gentleman from New York [Mr. KEATING], and the gentleman from New York [Mr. CELLER], and others who have labored so long and so effectively to bring this bill finally before us. As the gentleman from Texas said, while this bill will probably not become law this year and is a gesture, I do sincerely hope, Mr. Chairman, that that gesture indicating the view of the House of Representatives will be an important gesture and one on which we can have a moral base and a moral background for our serious consideration and effective passage of this bill at the early part of the next session. I also express the hope, if I may, that the debate which has so far been carried on so well and so reasonably and without vituperation and without unpleasantness may reveal itself again on Thursday when we again come to this bill. May we have then the same kind of debate and the same kind of proceeding unmarked by filibusters which

would be unseemly to those who maneuver it, and reflect seriously on the House of Representatives.

Mr. KEATING. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. SCOTT].

Mr. SCOTT. Mr. Chairman, let me say that I will decline to yield until I finish my statement.

This, Mr. Chairman, is a bill which will have a national effect and national implications. It is not a sectional bill. It is a bill which is equally applicable to my State and my city as to any other part of the United States. In my experience in public life I have served and I have known as a prosecutor a great many evidences where the right of sovereignty was interfered with by intimidation, by coercion, and where attempts to remedy the interference of the right of sovereignty were made by similar limitations in both State and Federal laws because of the difficulty of proving, notably in connection with the Federal law, the action of intimidation on the part of any law officer of Federal official. This bill, among other things, seeks to remedy that defect; would help to maintain our aim of clean elections in my State as well as in others, and seeks fundamentally the establishment of what I regard as perhaps the most important of all rights to the individual, the right to cast an unsullied, independent, uninfluenced ballot for the people of his choice at the polling place.

I would like to echo what the gentleman from New Jersey [Mr. HAND] has said about the character and tone of this debate. I think we are extremely fortunate that it has been carried on on a high level, that there has been a respect for the views of all parties and that there have been very few implications that any Member of Congress is engaged in demagoguery or in any other conduct which would reflect on his obligations as an elected Member of the House of Representatives.

With that kind of difference of opinion we can get along and agree and act. I think it is important that this House should act on this bill. I think it is important that regardless of what the other body may do that we go on record as favoring the free, fair and protected right of suffrage to every individual. If the other body should by any unfortunate circumstance hasten its adjournment, whether because of the pendency of this legislation or for any other reason, that is a matter beyond the control of this House. Our obligation is to do our duty as we see it. And if that leads to any form of flight from Washington for any other unit of the Federal service, that is not our responsibility.

It is my hope that the Congress, the bicameral legislature, will face up to its duty and will stay here long enough to do it.

I am 1 of the 3 authors of this bill in the House of Representatives. Along with the gentleman from New York [Mr. KEATING], I introduced H. R. 10426, H. R. 10428, H. R. 10348, H. R. 10349, which are the Attorney General's bills. Those bills represent the recommendation of the Department of Justice, the official legal arm of the Government. They represent the wishes of the President of the United States as you have heard in the reading of the letter. They are in keeping with the state of the Union message of the President in which he said—and I quote in part:

> It is disturbing that in some localities allegations persist that Negro citizens are being deprived of their right to vote and are likewise being subjected to unwarranted economic pressures. I recommend that the substance of these charges be thoroughly examined by a bipartisan Commission created by the Congress. It is hoped that such a Commission will be established promptly so that it may arrive at findings which can receive early consideration. * * *
>
> We must strive to have every person judged and measured by what he is, rather than by his color, race, or religion. There will soon be recommended to the Congress a program further to advance the efforts of the Government, within the area of Federal responsibility, to accomplish these objectives.

Addressing myself specifically to the right of franchise, I should like to point out again, although the point has been made here several times, that the present laws affecting the right of franchise were conceived in another era and under a different climate. Today every interference with this right should not necessarily be treated as a crime, yet the only method of enforcing existing laws protecting this right is through criminal proceedings.

Civil remedies have not been available to the Attorney General in this field. We think they should be. Criminal cases in a field charged with emotion are extraordinarily difficult for all concerned. Our ultimate goal is the safeguarding of the free exercise of the voting right, subject to the legitimate power of the State to prescribe necessary and fair voting qualifications. To this end, civil proceedings to forestall denials of the right may often be far more effective in the long run than harsh criminal proceedings to punish after the event.

The proposal of the Attorney General is to give greater protection to the right to vote and to provide civil rather than criminal remedies to the Department of Justice for their enforcement. This right is the cornerstone of our Government. Article I, sections 2 and 4 of the Constitution, place in the Congress the power and the duty to protect by appropriate laws elections for office under the Government of the United States. With respect to elections for State and local offices, you will recall that the fifteenth amendment to the Constitution provides that the rights of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

The 14th amendment prohibited any State from making or enforcing laws which abridged the privileges and immunities of citizens of the United States and from denying any person the equal protection of the law. The courts have held that these prohibitions operate against election laws which discriminate on account of race, color, or religion, or national origin.

The courts have also held in the case of United States against Classic and in the Kansas City vote fraud cases that primary elections where Federal candidates for office are to be elected are also covered by the Federal statutes presently on the books.

A number of serious defects have been brought to the attention of the Department of Justice as to the prevailing statutes. These statutes fail to afford to the voters full protection from the discrimination which was contemplated by the Constitution.

Section 1971 is ineffective in another respect, because it fails to lodge in the Department of Justice and the Attorney General any authority to invoke civil damages for the enforcement of voting rights. It is particularly lacking in any provision which would authorize the Attorney General to apply to the courts for preventive relief against the violation of these voting rights. This it seems to me is a major defect. No preventive measures can be brought under the criminal statutes.

The Congress should now recognize that in order properly to execute the Constitution and its amendments and in order to perfect the application of the statute, section 1971, title 42, United States Code, should be amended in several respects, notably by the addition of this section in the act which would prevent anyone, whether under color of law or not, from threatening, intimidating, or coercing an individual in exercising his right to vote in any election concerning candidates for Federal office.

Furthermore, there should be authorization to the Attorney General to bring civil proceedings on behalf of the United States or any aggrieved person for preventive or other civil relief in any case covered by the statute.

Also, there should be elimination of the express provision that all State administrative and judicial remedies must first be exhausted before resort to the Federal courts.

Criminal prosecutions for civil-rights violations when they involve individuals frequently cause emotions to be stirred up, create ill feeling in the community, and inevitably cause bad relations between the State officials on the one hand and the Federal officials responsible for the investigation and prosecution on the other hand. A great deal of this could be avoided if Congress should authorize the Attorney General to seek preventive relief from the civil courts in these civil-rights cases.

Now I wish to address myself to one other point; that is, a great deal has been said about the attempt or being about to attempt to engage. I am afraid that some of our friends have suspected that the use of this particular phraseology may appeal to the risibilities of some of the Members and that this may offer some opportunity to ridicule the bill and to detract from its attraction as desirable legislation. Actually, the bill does not say anything of the sort. We have heard a great many assertions that it does. I would like now to make the assertion that it does not, and to call attention to page 26 of the bill on line 7, section (b) does refer to the fact that no person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimi-

date, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose.

Section (c) says:

Whenever any person has engaged or is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b), the Attorney General may institute for the United States * * * certain actions.

Now all that that says, I submit to the Members of the House, is that section (c) defines the right of the Attorney General to proceed when there has been a violation of section (b), and that violation includes an attempt to do any of these things. Nowhere in this language is there any expression of being about to engage in an attempt. The actual overt act is inhibited. The attempt to engage in an overt act is inhibited here, but there is nothing of being about to attempt to engage in anything. So, I suggest that it is time to dismiss that from our consideration.

Mr. Chairman, in my own humble way, I am seeking to persuade the House that this is desirable legislation and that, in spite of, if I may use the phrase, the obfuscations hither to resorted to in the spirit of good will and good temper, nevertheless these obfuscations are simply there. They are the fog of debate and in the fog of debate, as in the fog of war, it is often difficult to tell where we are at. I submit that in this case we are proposing legislation which the President wants, the Attorney General has recommended and which the legal officer of this Government justifies and believes in and which the Committee on the Judiciary has approved of, and which should be enacted into law.

Mr. Chairman, I yield back the balance of my time.

Mr. LONG. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and four Members are present, a quorum.

Mr. WILLIS. Mr. Chairman, I yield 30 minutes to the gentleman from North Carolina [Mr. JONES].

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. JONES of North Carolina. I yield.

Mr. MASON. In your opinion could not this bill be designated as a cure that is worse than the disease?

Mr. JONES of North Carolina. I think that is well stated.

Mr. MASON. And second, which is more desirable and which should come first, the right to work or the right to vote?

Mr. JONES of North Carolina. They are both very important.

Mr. MASON. And they tell me that in part III the right to work is not covered.

Mr. JONES of North Carolina. The right to work is not covered.

Mr. Chairman, we have under discussion today H. R. 627, the so-called civil rights bill. A careful examination of this measure will disclose to any student of the law that this proposal is far-reaching in its effect, and attempts to project the Federal Government and its power and authority into fields heretofore reserved exclusively to the States. While this bill is less stringent than many of the 50 to 60 proposals introduced during this the 84th Congress, it is, nevertheless, a wide and drastic departure from our fundamental principles of government and does great violence to the doctrine of States rights. An attempt was made once before by the Congress to enter this field and claim for the Federal Government these undelegated powers. I, of course, refer to the "Reconstruction Period" which without a doubt is the darkest page in American history so far as Federal encroachment on States rights is concerned. During that period we had for the first time, and I hope for the last time, a parliamentary or congressional dictatorship.

The Congress, during this high-handed reign, enacted into law the so-called civil rights bills and Force Acts over the violent protest of President Andrew Johnson and the constitutional Democrats of the House and Senate. The radicals of the Congress with an undisputed majority in both Houses rode roughshod over the objections of the President and passed the measures over his veto. Among these proposals were the 14th and 15th amendments to the Constitution which the Congress submitted to the several States for ratification. Although these laws and the proposed amendments were intended mostly for the 11 Southern States, it was significant that these States had no representation in the Congress at the time. It is to the everlasting credit of the Democratic Party that not only did its members fight these proposals in the Congress but that not a single Democratic member of a State legislature north of the Mason-Dixon Line voted to ratify the 14th amendment. The Democrats of that day believed in States rights, and were willing to brave the political storms of their time to stand by those convictions.

Today the scene has changed. Here we have a tremendous assault being made on the same principles of States rights, and the attack is being led by members of the Democratic Party and joined by members of the Republican Party. A former Democratic President, Harry Truman, and his Attorney General, Tom Clark, made the recommendations upon which this measure is based. The Congress failed to act on the recommendations at that time, and now we have a Republican President and Attorney General proposing this measure for enactment into law. Both parties are maneuvering for political advantage. This being an election year, the pressure is great to enact this measure into law in all haste. The atmosphere is charged by radio, television, and newspapers, by the agitators—all reminiscent of the Reconstruction Period. Some wrongs have been committed; so States and millions of people must be punished to right the wrong. Yes, the whole concept of government must be changed in order to appease those who clamor for their pound of flesh. Thus, we have this measure before us today.

The proponents of H. R. 627 in arguing that its provisions are constitutional rely upon the 14th and 15th amendments to the United States Constitution. Let us examine these amendments briefly.

The 14th amendment has been a matter of controversy since its inception. Although it was primarily intended to strike at the Southern States, constitutional lawyers of the time realized that it was indeed far reaching and a decided departure from the original intent of the framers of the Constitution. By arousing the passions of the time, the radicals were able to ram it through the Congress and through the State legislatures of most of the Northern States. Let me remind the Republicans and point out to the northern Democrats that, although passions were high in 1866 when this amendment was submitted to the States for ratification, nevertheless, considerable difficulty was experienced in obtaining its approval. Sentiment in the North began to change, and by 1868 the Democrats had won control of the legislatures of several Northern States. Under Democratic control, the States of New Jersey and Ohio immediately withdrew their ratification of the amendment. The Southern States unanimously refused to ratify the amendment in 1866. However, after Congress passed the Force Acts and disfranchised all southerners who had directly or indirectly participated in the Civil War, the amendment was finally ratified by the legislatures of the Southern States. The members of these legislatures were elected under military occupation, with most southerners barred from voting and holding public office. The States of Kentucky, Delaware, and Maryland never ratified the amendment. Sentiment was changing so fast in the North that by 1876 the Democratic candidate for President received more votes than the Republican candidate but lost the election on electoral votes.

The proponents of this legislation must rest their case of constitutionality upon these pertinent parts of the 14th and 15th amendments:

Section 1 of the 14th amendment reads as follows:

All persons, born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 1 of the 15th amendment reads as follows:

The right of citizens of United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

As I have pointed out before, these amendments have been the subject of great controversy and have been difficult to interpret. However, it is clear that the prohibitions in these amendments are directed at State action and not against individual action against another individual. The Supreme Court is strikng down most of the so-called civil-rights

statutes of the Reconstruction Period stated in the case of *U. S.* v. *Cruikshank* (92 U. S. 542), that—

> The 14th amendment prohibits a State from denying to any person within its jurisdiction the equal protection of the laws; but this provision does not any more than the one which precedes it, and which we have just considered, add anything to the rights which one citizen has under the Constitution against another. The equality of the rights of citizens is a principle of republicanism. Every republican government is in duty bound to protect all its citizens in the enjoyment of this principle, if within its power. That duty was originally assumed by the States; and it still remains there.

In the case of *United States* v. *Stanley* (109 U. S. 3), the Court said further:

> The first section of the 14th amendment (which is the one relied on) after declaring who shall be citizens of the United States, and of the several States, is prohibitory in its character, and prohibitory upon the States. It is State action that is prohibited. Individual invasion of individual rights is not the subject matter of the amendment. It has a deeper and broader scope. It nullifies and makes void all State legislation, and State action of every kind, which impairs the privileges and immunities of citizens of the United States, or which injures them in life, liberty or property without due process of law, or which denies to any of them the equal protection of the laws. It not only does this, but, in order that the national will thus declared, may not be a mere brutum fulmen, the last section of the amendment invests Congress with power to enforce it by appropriate legislation. To enforce what? To enforce the prohibition. To adopt appropriate legislation to correct the effects of such prohibited State laws and State acts, and thus to render them effectually null, void, and innocuous. This is the legislative power conferred upon Congress and this is the whole of it. It does not invest Congress with power to legislate upon subjects which are within the domain of State legislation; but to provide modes of relief against State legislation, or State action, of the kind referred to. It does not authorize Congress to create a code of municipal law for the regulation of private rights; but to private modes of redress against the operation of State laws, and the action of State officers, executive or judicial, when these are subversive of the fundamental rights specified in the amendment.

Without a doubt, the provisions of H. R. 627 fall in the same category as the so-called civil rights bills of the reconstruction period. The measure under consideration attempts to regulate individual rights and thus falls within the unconstitutional pattern as did the original acts of Congress on this subject. In addition to an attempt to punish one individual for the violation of the civil rights of another, this measure would clothe the Federal Government with power to intervene in civil actions in behalf of one citizen against another. This is clearly unconstitutional and will open up avenues which if carried to their logical conclusions will result in the complete destruction of the separate States of this Union. It invades the domain of local jurisprudence and lays down rules for the conduct of individuals in society toward each other and imposes sanctions for the enforcement of those rules. If this legislation becomes the law of the land and is upheld by the Supreme Court as being constitutional, it is difficult to say where it will stop. If this measure is constitutional, then the Congress will have the right to enact a code of laws governing the conduct of individuals in society and for the enforcement and vindication of all rights of life, liberty, and property. If this measure is a valid exercise of constitutional power by the Congress, then there is no way to stop the Congress from enacting laws against assaults, murder, larceny, boundary line disputes of private property owners and on down the line. It could cover the water front all the way from murder to the theft of a chicken. Any student of government can readily see that if that comes to pass, we would have nothing more than one strong central authority in this country with everything regulated from Washington.

The Court said in the case of *United States* v. *Stanley* (109, U. S. 3), in speaking of the original civil-rights bills:

> In other words, it steps into the domain of local jurisprudence, and lays down rules for the conduct of individuals in society toward each other, and imposes sanctions for the enforcement of these rules, without referring in any manner to any supposed action of the State or its authorities.
>
> If this legislation is appropriate for enforcing the prohibitions of the amendment, it is difficult to see where it will stop. Why may not Congress with equal show of authority enact a code of laws for the enforcement and vindication of all rights of life, liberty and property?
>
> It is repugnant to the 10th amendment to the Constitution, which declares that powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

After this brief view of the constitutional law involved, let us now turn to the exact provisions of the measure under consideration, and see how it trespasses upon those constitutional provisions.

Part I of H. R. 627 provides for the establishment of a Commission on Civil Rights in the executive branch of our Government clothed with full subpena power. This Commission is empowered to investigate allegations that certain citizens of the United States are being deprived of their right to vote or are being subjected to unwarranted economic pressures by reason of their color, race, religion, or national origin, and to study and collect information concerning economic, social and legal developments constituting a denial of equal protection of the laws under the Constitution. Such a grant of authority will permit this Commission to investigate the act of one individual citizen toward another and its authority is not confined to the study of whether or not State laws have been enacted in violation of the civil rights of private citizens. This is a great invasion of the rights of the States and is not authorized under the 14th or 15th amendments to the Constitution. It is not only a broad grant of authority which the Congress has no constitutional right to grant, but it is an unprecedented grant of the subpena power to an executive agency which is not authorized, required or permitted to enforce any laws of the Congress. Under such a grant of authority, this Commission is empowered to force any State official, member of a State legislature, local government officials and any individual in the Nation to appear before it and testify. And in addition to such a grant of power, provision is made for punishment of those who fail to obey the subpena. The provision for punishment for such disobedience is in the form of contempt proceedings in a Federal district court. It also authorizes the Commission to use the services of professional agitators to harass the individual citizens of this Nation. The apparent intent of those proposing this measure is to harass the people of the Southern States, but they have been clever in contending that it does not apply to racketeering in the North. They make no contention that the Commission is to study labor racketeering which has been so prominent in the news of late and the violation of the civil rights of Victor Reisel and many others who have dared expose mob violence. They inconsistently state that these matters are for the States of New York, Michigan, and others, while an occurrence in the South is a matter for the Federal Government. The old adage, "Consistency, thou art a jewel," was never more apropos.

Part II of the bill provides for an additional Assistant Attorney General. While the measure does not say so, one can assume that the specific duties of this Assistant Attorney General and his assistants shall be to handle civil rights matters. Thus, we shall have the unusual situation of the Federal Government providing legal counsel at taxpayers expense for individuals to institute and prosecute civil actions against another individual all of which is contrary to the 14th and 15th amendments and the Supreme Court's decisions interpreting the same.

Part III of the measure sets up an unprecedented procedure in our system of jurisprudence. It adds two additional subsections to section 1980 of the Revised Statutes and empowers the Attorney General to institute for the United States or in the name of the United States but for the benefit of the real party in interest, a civil action or other proceeding in civil rights cases. The reading of this subsection reveals some amazing phraseology as follows:

> Whenever any persons have engaged or are about to engage in any acts or practices which would give rise to a cause of action * * * the Attorney General may institute these actions.

In other words, this section of the bill does not only authorize the Attorney General on behalf of the United States to intervene in matters between individuals in a State but it would also authorize him to intervene and bring an action in behalf of one party against another if the party was about to engage in any acts or practices prohibited by the statute. This language will defy any reasonable legal interpretation and will result in tremendous confusion in the courts. This provision is clearly unconstitutional since it is directed at conduct between individuals. It makes no pretense at authorizing the Attorney

General to proceed against State action but intervenes in quarrels between citizens. If this provision is constitutional, then why would it not be proper for the Attorney General to intervene in property line disputes between two private citizens or in assaults and murder cases as well as racketeering, larcency, and so forth. Let us remember the 14th amendment covers life, liberty and property.

The other subsection of this section provides that the Federal courts shall have jurisdiction over all proceedings instituted pursuant to this section and shall exercise said jurisdiction without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law. Thus we have the strange provision that the United States Government through its Attorney General will intervene in private actions between private citizens whether requested to or not and without the consent of the aggrieved party and will force the action in the Federal court even though the aggrieved party has not exhausted the administrative remedies provided by State law. This is a clear and unprecedented violation of the sovereign rights of the States of this Union. The other provision of part III of the bill permits an aggrieved person to go into Federal court to recover damages or to secure equitable or other relief under any act of Congress providing for the protection of civil rights, including the right to vote. This means that all damage suits in connection with so-called civil rights and all actions dealing with the right to vote are now transferred from the State courts to the Federal courts.

Part IV of the bill permits the Attorney General in the name of the United States, but for the benefit of the real party in interest, to institute a civil action or other proceeding when any matter arises relative to the right to vote. Again this language says:

> Whenever any person has engaged or is about to engage in any acts or practices which would deprive any other person of any rights or privileges secured by subsection a and b, which deals with the right to vote, the Attorney General may institute for the United States and in the name of the United States a civil action in Federal court.

Again the provision appears that the district court of the United States shall have jurisdiction over proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have requested or consented to such intervention and without regard to whether the administrative or other remedies have been exhausted. Thus we have a provision which will permit the complete bypassing of not only our State courts in election cases but also the county and State boards of election. This could very easily destroy the orderly process of elections and without a doubt is another flagrant attempt to invade the sovereignty of every State in this Union. Here again is an attempt, in violation of the Constitution, for the Federal Government to intervene in actions between individuals and ignores not only the court's decisions but the words of the 15th amendment itself. Again let me point out that the 15th amendment prohibits the United States or any State from denying a citizen the right to vote and does not authorize the Federal Government to intervene in actions between individuals.

Mr. Chairman, I firmly believe that every American citizen should enjoy all of his constitutional rights and privileges. I also firmly believe in our principles of government. I do not agree with the philosophy that the Federal Government is the proper party to protect all of our constitutional rights. Under our governmental system, all power stems from the people and the States are sovereign. The Federal Government has only those powers granted to it by the people and the States. All other power and authority is reserved unto the States or the people. The States are eminently qualified to protect the civil rights and all constitutional rights of its citizens. Slowly but surely, there has been a concentration of power and authority in the Federal Government, and if this measure passes, it will be another great step toward complete central government. When States rights are finally destroyed, and I pray God this shall not happen, then the citizens must come running to Washington and beg an all-powerful Federal Government for redress of their grievances. I believe that I am a stronger advocate of individual freedom than those who propose this measure.

Mr. Chairman, this measure should be defeated. It is my humble opinion that the last resort of the States is in the Congress of the United States. If the States cannot find protection of their sovereign rights here indeed they will not find it in the judicial and executive branches of our Government. We represent our States and the people here, and we should be ever zealous of those sovereign rights. The trend is against State sovereignty and if the Congres does not throw a protecting arm around them, we will live to see in our time our soveiegn States reduced to mere provinces of a strong central government. Believing as I do that H. R. 627 is an open and flagrant violation of the rights of the States and an invasion by the Federal Government in a field long considered by constitutional authorities as the exclusive domain of the States, I urge with all the force at my command that this measure be defeated.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. JONES of North Carolina. I yield to the gentleman from Mississippi.

Mr. COLMER. Apropos of the gentleman's discussion of the proposed raping of the sovereignty of the States by this proposed legislation, I call the gentleman's attention to a question I propounded to the distinguished chairman of the Judiciary Committee to show just how far this thing goes, when he appeared before my Committee on Rules seeking a rule.

Waiving the first part of the question, I propounded this question: Suppose my State legislature were to pass, and I believe it has already passed, an interposition act with respect to the Supreme Court action on school segregation, could the Attorney General do anything about that under this section?

To that the distinguished chairman of the Judiciary Committee, the gentleman from New York [Mr. CELLER], replied, "I do not think he would, but he might."

If I interpret that correctly, under this act, in the opinion of the gentleman, the great jurist that he is, if a State legislature passed an act or did anything that was construed as a violation of this act, then the Attorney General would be justified and authorized under this act to go in and punish the members of the sovereign State legislature?

Mr. JONES of North Carolina. Let me say to the gentleman that I read that statement. I am not certain that I was present and heard it at the time, but I did read that question and the answer by the gentleman from New York. Frankly, I do not know whether the Attorney General could do that or not. I want to say this, that the gentleman from New York [Mr. CELLER] is a brilliant lawyer, and so is the gentleman from New York [Mr. KEATING]. I do not know whose bill this is. Mr. CELLER's name is on it, but Mr. KEATING offered everything after the enacting clause, so I assume that the enacting clause and the name belongs to the gentleman from New York [Mr. CELLER] and the balance of the bill belongs to the gentleman from New York [Mr. KEATING]. But they cannot agree on the meaning of the words and the language of this bill so I just do not know. I honestly do not know.

Mr. WILLIAMS of Mississippi. If the gentleman will yield, down home we call this type of bill a fence corner bill.

Mr. JONES of North Carolina. I would like the gentleman from New York to answer that question because I am frank to say I do not know. I am afraid it might.

Mr. CELLER. I think I answered to the best of my ability yesterday when the question was propounded to me whether some action by the Attorney General could, under any circumstances, be directed against members of legislatures of the sovereign States. My answer was, "No." I cannot conceive of legislators being responsible in that regard. I cannot conceive of members of the legislature of a sovereign State being held responsible in an action by the Attorney General under the circumstances set forth by the gentleman from Mississippi.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. JONES of North Carolina. I yield.

Mr. COLMER. The distinguished gentleman and able lawyer from New York, the chairman of the Committee on the Judiciary, says one thing today, but he said another thing in the hearings before the Committee on Rules. He did not say then that he could not conceive of the Attorney General doing it. He said he might do it.

Mr. CELLER. No; the gentleman is putting words in my mouth. I did not say that.

Mr. COLMER. I am reading from the record. Does the gentleman want to see the record?

Mr. CELLER. I take the gentleman's word for it, but I will say this, that if members of a school board unite together, shall we say in a conspiratorial manner, to prevent somebody from going to a school on the ground of race, color, or creed, I would say under the present law, as it exists today, under the old Ku Klux Klan law of 1871, a private action can be brought for damages against that school board. I will say that is the law today. That is what I had in mind when I said under the proposed bill the Attorney General might conceivably proceed to redress the wrong done the individual.

Mr. JONES of North Carolina. Let me point out that these school board members are elected officials, in many instances.

Mr. CELLER. It matters not if they are elected.

Mr. JONES of North Carolina. That is right.

Mr. CELLER. And I make a distinction between members of the legislature and administrative officials.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. JONES of North Carolina. I yield.

Mr. COLMER. So that the record will remain where it was—I call attention to the fact that the question which I propounded to the distinguished chairman of the Committee on the Judiciary and his answer to which I referred a moment ago appears on page 53 of the civil rights hearing before the Committee on Rules of the House of Representatives, 84th Congress, second session on H. R. 627. Now the gentleman attempts to modify that here today, but even under his own statement here today, he still confirms what he said before the Committee on Rules in that the Attorney General could step in to punish an elected official. I do not think further that you can draw a distinction between one elected official who happened to be a member of the school board and a member of the legislature.

Mr. JONES of North Carolina. Let me say to the gentleman from New York that the language in this bill is broad and there is a great deal of disagreement even among the lawyers on the Committee on the Judiciary with reference to its meaning. There were no hearings held on this particular bill. This bill was offered in the full committee by the gentleman from New York [Mr. KEATING] and was then by a vote of the committee referred back to the subcommittee for further study. The subcommittee met and reported the bill back promptly to the full committee without going into this new language and finding out what it means. Many of us have studied it since that time, and we are telling you now it is broad in its scope.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. JONES of North Carolina. I yield.

Mr. FORRESTER. I have asked the gentleman to yield to me because I feel certain the gentleman knows as much about this legislation as any Member in the House of Representatives. The gentleman attended every one of the meetings of the committee. I want to ask the gentleman now if there was any serious disagreement on the part of the Attorney General, the Honorable Tom Clark, on whether or not a law could be made like this and that it could be constitutional?

Mr. JONES of North Carolina. The Attorney General, Mr. Clark, that you mentioned, in his report to the Congress in 1948 stated that there were serious doubts in his mind as to the constitutionality of such a measure. But then he went on to say that under the United Nations Charter, and so forth, he thought that the Court would declare such a bill constitutional.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. JONES of North Carolina. I yield.

Mr. FORRESTER. As a matter of fact, what the Attorney General said was that the ruling of the Supreme Court was to the effect that it was against State action, and could not be against individuals, but he thought you might get by that constitutional inhibition by dragging in the United Nations Charter.

Mr. JONES of North Carolina. That is exactly what he said.

Mr. FORRESTER. Now, has not the Supreme Court in other cases, which they have decided thereafter, based it not on the Constitution of the United States but on the United Nations Charter?

Mr. JONES of North Carolina. There are decisions to that effect.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. JONES of North Carolina. I yield.

Mr. RIVERS. If they do not base it on the United Nations agreement, all the Supreme Court has to do is to look at the 14th amendment and they will declare anything constitutional.

Mr. MATTHEWS. Mr. Chairman, will the gentleman yield?

Mr. JONES of North Carolina. I yield.

Mr. MATTHEWS. I want to congratulate the gentleman on the splendid presentation he has made, and I want to associate myself with his views. I understand the gentleman is retiring voluntarily at the close of this session. I join with your many friends in wishing you Godspeed.

Mr. JONES of North Carolina. I thank the gentleman.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. JONES of North Carolina. I yield.

Mr. KEATING. I would like to join in the tribute made by the gentleman from Florida [Mr. MATTHEWS]. The gentleman from North Carolina [Mr. JONES] has served with me on the Committee on the Judiciary. We are in rather violent disagreement on the legislation before us today, but in our deliberations on much important legislation he has made great contributions to the work of our committee. He will be sorely missed in this House. I wish him the greatest success in any endeavor which he may take up, whether political or otherwise.

Mr. JONES of North Carolina. I thank the distinguished gentleman from New York.

Mr. HARRISON of Virginia. Mr. Chairman, will the gentleman yield?

Mr. JONES of North Carolina. I yield.

Mr. HARRISON of Virginia. I think the gentleman adds honor to the great name he bears and to the great State he represents.

Mr. JONES of North Carolina. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. JONES] has expired.

Mr. KEATING. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I am very much in favor of H. R. 627, the civil rights bill. I hope very much the House will approve this measure.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. HALEY].

Mr. HALEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida.

There was no objection.

Mr. HALEY. Mr. Chairman, the civil rights legislation under consideration is a proposal that would affect the entire way of life of a large minority of the people of our great Nation. I sincerely do not believe that it will add to the strength of our Nation. Neither, do I believe that it will do anything to bring about better feelings between the races of the people of our country. In fact, in all of my life I don't think that I have seen any bill that would tend to destroy the strength of this great Nation any more than this particular one would do. The passage of this bill will not bring about the harmony between races that some people believe it will. It will merely stir up further hatred and discord. The motivating force behind this legislation is not the quest for harmony between races.

Since January of this year it has been clearly shown that politics has entered the picture of civil rights legislation. Solely for the reason of political expediency, some Members of the Congress have been attempting to destroy a peoples' way of life—a way of life that has been acceptable to the people of the southern part of our country for over a hundred years.

This bill is under consideration for the sole purpose of politics. The distinguished gentleman, who is the author of this bill, said something about the bill that bears me out. He made the general statement that this bill would help both the Democrats and the Republicans. As you well know, it is generally believed that this measure will tend to help both the Democrats and the Republicans capture the Negro vote. By allowing this bill to come before the House, we have given both parties the opportunity to "make a pitch" for that vote in the general election. Now, I ask the ladies and gentlemen of the House if this is a healthy attitude to take when Members of the House of Representatives feel called upon to act in such a manner on so vital a piece of legislation.

The fundamental issues which are inherent in this legislation are being ignored for the sake of political expediency. Basic concepts of States rights, of separation of powers, even of the responsibility of the Chief Executive have been pushed into the background. The President through the powers vested in his office could have created the Civil Rights Commission and brought this program into being without asking the Congress for legislation. Instead, it has become a political issue and now the Congress is trying to create a Civil Rights Commission and through legislative process delegate to this Commission powers which clearly violate the rights of the States. Little consideration is being given the principle of States rights which is the important aspect of this legislation.

From the looks of things we are slowly but surely coming to the stage whereby the individual States of this Nation are losing their sovereignty, a sovereignty which is granted both implicitly and expressly since the formation of this great Republic. This Government of ours is destroying itself by relegating vested authority to various bureaus and agencies. Give them an inch. They do not stop at a mile, but continue to every corner of the Nation. They are taking away the very liberties that have made this country great.

We acted on a bill not long ago involving the field of education. Where does our action on that bill put us in relation to the civil-rights bill? Will we nullify our action of a few short days ago? Part I of the civil-rights legislation would allow the Commission to investigate any allegation that an individual had been put to undue economic pressure. In the field of education, those allegations would be sounded by untold thousands of Negroes. The Supreme Court decisions would be nullified. Yes; even the Supreme Court, which has attempted to become the third body of the legislative branch of the Government, would see its own plans for order go out the window. Because, as I see it, we would give to an agency of the Government the power to nullify the State courts. This bill sounds the final death knell for States rights. It even goes beyond the violation of States rights, it even retracts the rights of the individual citizen. Yes; it would grant to this agency the right to litigate for a person without the consent of the individual. If we grant to this Federal agency the right to bypass State courts, where would we go from there? If each agency of the Federal Government had the right to bypass the local and State courts, we would destroy further the rights of the States as granted under the great freedom documents of the country.

The rights of the States must remain inviolate. The rights of the individual must remain unimpaired. If this bill were to become law by some strange quirk, this country would no longer be a free Republic. Entirely too much authority has been granted to our administrative agencies of the Government in the past. It is high time that we do something about this trend toward the bureaucratic of Government. It is time for us in Congress to put our foot down and cease this foolishness. It can be done today by an overwhelming vote to kill this bill.

Now, let me review for you what went on in the hearings before the subcommittee. I hold here in my hand a copy of the entire hearings on the many bills concerning civil rights that were held during the 84th Congress.

The first 153 pages comprise the text of the bills. Let us discard that. The next 20 pages are taken up by the author of H. R. 627. He is followed by Mr. POWELL, Mr. ROOSEVELT, and other Members of the Congress. That consumes many pages. But the main point is that none of these gentlemen say anything about a pressing need for additional civil rights legislation.

One of the gentleman from California and others consume many pages talking about the unsolved murder of a couple of members of the NAACP—which occurred in my home State of Florida. While I regret that anyone should be subjected to violent death, I must point out that every possible effort was made by local and Federal officers to solve this crime. No mention is made that it is a fact that the use of a bomb as a murder weapon is alien to the people of the South. Nor is any mention made of the efforts given to finding this murderer nor of the efforts being made to protect other citizens in our State from such death. In the same part of our State, one of our leading jurists, a man outspoken against crime, communism, and subversion, and his wife disappeared and are presumed to have been destroyed. Again local and Federal officers have not yet been able to solve this crime. Each State, unfortunately, has its unsolved murders, a record of which none of us are proud and yet one that exists.

Only two members of the administration's team testified before the committee. Mr. Albert M. Cole, Administrator, Housing and Home Finance Agency, talked about how they operate in his agency and said nothing about the need for this legislation. Then after many invitations and about a year later, the Attorney General appeared for a short time. Throughout the entire proceedings, there was no concrete testimony presented. Judge Rose, John Gunther, Maslow, and other leaders of minority groups said nothing new.

There is no evidence contained in these hearings which justifies legislation of this kind. If this, the record of these hearings, is what the proponents of the civil rights legislation must rely upon, then they have presented nothing in support of the bill.

The men who established our dual system of government entrusting local affairs to the State governments and national concerns to the Federal Government were no ivory-tower theorists. They were practical men of affairs, who knew that an all-powerful central government is a constant threat to liberty. They knew that the only effective insurance against tyranny is found in strong local governments functioning under the watchful eyes of the people from whom they derive their powers. These principles are as valid today as they were in 1787. Having taken an oath to support the Constitution, I cannot vote for a bill such as H. R. 627, which flouts these fundamental truths.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. ADDONIZIO].

Mr. ADDONIZIO. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ADDONIZIO. Mr. Chairman, as the sponsor of civil rights legislation in this and in the previous Congresses in which it has been my privilege to serve, I am gratified that, at long last action is being taken on this fundamental issue. If there is one front that calls for legislative action, it is this one. How long can we endure the continued denial of basic human rights to some of our citizens? How long can we tolerate the reign of terror which is underway in some parts of the Nation against those who dare to join in the fight for those human rights?

Let us without further delay act upon this unfinished business of civil rights begun long ago and shamefully neglected through 80 years of our history. Congress began the business of establishing a Federal program to protect the liberty, security, and citizenship privileges of all persons in this country back in 1866 when it enacted the first of the so-called Civil Rights Statutes. In the years between 1866 and 1875, Congress laid down a comprehensive program for the Federal enforcement of the civil rights guaranties of the 13th, 14th, and 15th amendments. Since 1875 these laws have withered away.

During these long years Congress has revised some of the original statutes and repealed others. The Supreme Court has invalidated still other sections. The result has been to reduce the statutes in both number and substance until the program of enforcement is only a shadow of its former self. Little is left today of that original legislation. Yet in spite of the obvious and flagrant abuse of civil rights that we see around us and read about each day in the papers, Congress has repeatedly refused to take action on proposed substitutions or additions. Eighty years, and we still have no strong Federal program to make sure that the 13th, 14th, and 15th amendments of our Constitution are obeyed. Surely it is more than time for Congress to get down to business.

H. R. 627 proposes to do just that. Its primary purpose is to give the Federal Government more opportunity to deal with violators. The bill accomplishes this end by providing for greater Federal activity in the civil, as opposed to the criminal courts. The Attorney General is given the power to bring civil suit for damages on behalf of an injured party against any person or persons who are guilty of a civil-rights violation. It also gives him authority to apply for an injunction in the courts, whenever he has evidence that an individual or a group intends to abridge the rights or immunities of another. If granted, this

order would stop a violation before it ever takes place. Furthermore, the bill expressly states that these remedies may be sought by the Attorney General in a Federal district court before all State judicial and administrative remedies have been exhausted.

To insure that the entire range of problems covered by civil-rights enforcement will receive thorough and effective attention, the bill provides for the creation of the post of Assistant Attorney General for Civil Rights in the Department of Justice. It calls also for the creation of a six-man bipartisan commission in the executive branch of the Government to study and investigate complaints of civil-rights violations and to evaluate the policies now pursued by the Federal Government. It is hoped that this Commission will not only help clarify the complex issues we face in this area, but that it will also help bring together men from all sections of the country and unite them in their efforts to solve this problem.

Mr. Chairman, H. R. 627 is a good bill as far as it goes, and I support it. But in my opinion it does not go far enough. It is laudable, but limited. Eighty years of inaction and lost time can only be redeemed by stringent measures, which provide for more vigorous criminal as well as civil enforcement. I would have preferred the provisions of my omnibus civil rights bill, H. R. 51, introduced by me into the House on January 5, 1955.

My bill would have taken a tougher and more realistic approach to the problem by extending the application not only of the civil but of the criminal provisions of the existing law. Under the present statutes conspiratorial action, the acting together of two or more people, is the only kind of action which can be punished by fine or imprisonment. The bill now before the House does nothing to alter this limitation, whereas my bill would have provided for the punishment of violators acting individually as well. It recognized the elementary truth that man alone, as well as in a pack, can commit a crime against his fellow man.

My bill also stiffened and extended those provisions of the law which make interference with the free exercise of the franchise a Federal crime. It realized that the abridgment of the right to vote can take place in any election, Federal, State or primary, and that it can take place before the attempt to vote is ever made. Its provisions, therefore, guaranteed to all citizens, otherwise eligible by law, the equal opportunity to qualify to vote and to vote in any general, special, or primary election. The bill before us leaves the criminal provisions untouched and covering only the right to vote in Federal elections.

My bill, by prohibiting segregation in interstate transportation, also finished the business begun by the Congress in 1875. I can only wish that these provisions were in the bill now before us.

My bill covered all necessary parts of a comprehensive civil rights program, including FEPC, antipoll tax, and anti-lynching provisions.

There are other measures I think should be in the present bill. I would like to see the establishment of an investigative body, a Joint Committee on Civil Rights here in the Congress, where the responsibility for remedial action lies. I would also like to see a bipartisan commission created in the executive branch to function not for 2 years only, but as a continuing body to aid in overseeing the progress of the program we are establishing.

H. R. 627 does not do the whole job for us. That can be done only by the vigilant action of every citizen in this country. But it is a good and necessary start. In spite of its limitations the bill deserves and demands enactment into law. The people are looking to their legislators for forceful, enlightened guidance as to how the business can be finished. With H. R. 627, we can supply it. I hope that my colleagues of both parties will place the issue above politics and will join in passing H. R. 627. We must not permit this unfinished business to remain in a state of tragic deadlock.

Mr. Chairman, our American democracy was founded upon the principles of freedom, equality and the affirmation of human dignity, the divine worth of the individual. Let us uphold those principles by voting this important civil-rights program and thus, as H. R. 51 expresses it, "preserve our American heritage, halt the undermining of our constitutional guaranties, and prevent serious damage to our moral, social, economic, and political life and to our international relations."

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. QUIGLEY].

Mr. QUIGLEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. QUIGLEY. Mr. Chairman, I rise in support of H. R. 627, and urge my colleagues on both sides of the aisle, from every section of the Nation, to give it their serious consideration.

It seems to me this legislation, mild and moderate as it is, represents the very least we can do to protect the fundamental principles upon which this Nation was founded.

While I am among those who believe that we require legislation which is stronger, more effective than the bill now before us, legislation which would directly face up to the violations of civil rights, instead of, as this measure proposed to do, once again waltz up to and, I am afraid, around the problem via one more commission study. I am also fully aware that whatever chance there might be of favorable action by this body would be lost if we go further than these inadequate proposals of the President.

There are, in my opinion, two very compelling reasons for legislation of this nature. One is so that we can live with ourselves. The other is so that we may live with others. The first is the moral reason. The second is the reaction from those vast areas of the world where the issue between freedom and communism is being met.

I wish that I could stand here and advocate this legislation on moral grounds alone, for it is the impact of this legislation upon our great struggle with communism which gives rise to the fiction that proposed laws to protect civil rights is aimed at one section of our land and is, therefore, cynical, political, and possibly punitive.

Let me assure my colleagues from those areas south of the Mason-Dixon line that my philosophy towards civil rights, civil liberties—call them what you will—is a positive philosophy.

I believe freedom—individual freedom—is a condition that is constantly endangered. In some cases assaults upon individual freedoms are premeditated; in many cases it is the result of carelessness; in many instances it happens because we are apt to take them for granted; in many instances simple human frailty, the things that happen because each of us is a human being, results in a whittling away of the freedoms and rights and liberties that we, as Americans, have maintained for almost two centuries are inherent.

Because of this combination of pressures, those of us in the Congress must constantly be on guard; we must, through legislation, shore up our protective devices so that we may maintain those freedoms which we feel is our due as God's children.

I approach this problem, then, with a positive viewpoint. I want to protect civil rights in Pennsylvania, and in each of the other 48 States. It would be utter folly to enact legislation to protect civil rights, say, in Mississippi, if those protections did not also apply to Pennsylvania.

Neither is this legislation intended solely to guarantee civil rights to those Americans of African ancestry. So far as I am concerned, we must protect the civil rights of every citizen, no matter the color of his skin; no matter the country of his family origin—including those Americans whose family origin was right here in North America; no matter his religion; no matter what it might be that sets him apart from the accepted norm.

Our history and our progress are interwoven around the struggle for freedom. We have our great Declaration of Independence, which is a statement of principles of and for free people.

The ink on the Constitution had barely dried before it became necessary to add 10 amendments—amendments which had to be assured before that basic law of the land was ratified—which quickly became known as the Bill of Rights.

A great and bloody battle was fought in the District I represent over the issue of freedom. Out of that battle came an eloquent and immortal declaration of our principle, when President Lincoln dedicated a cemetery at Gettysburg.

An issue was met and resolved in blood at Gettysburg four score and thirteen years ago this month. If we fail to provide ourselves with these additional, however inadequate safeguards offered by this bill, we turn our backs on the sacrifice made by so many men during those 3 days in July in 1863.

These things, Mr. Chairman, transcend State and regional boundaries. The fact that civil rights may be denied on the very edge of the Canadian border as well as south of the Mason-Dixon line is not a cause for recrimination and backbiting; rather it is a compelling reason for enacting the bill now under consideration.

It is a compelling reason for recognizing that for many and varied reasons we should join forces in defending our fundamental principles against constant erosion.

This legislation is of utmost importance in our national struggle with communism. We of the so-called free world are locked in a deadly struggle with the Communist philosophy. Each of us seeks the friendship and respect of vast areas in Asia and Africa, where live over a billion people all classified under generic term, "colored." These peoples and these areas represent undeveloped portions of the world; nurtured properly in their efforts to achieve national independence and national development, they can emerge as strong, powerful, prosperous, and peaceful areas. We hope when that day arrives that we in the United States—that the entire so-called Western World—shall have the friendship and respect of these people and their governments. It is imperative that we do, for the alternative to having them develop, with our help and guidance, is to have them develop under the influence of the Communist philosophy, and that means they shall be our enemies.

Because so many victims of the erosion of our civil rights in this country are colored people—and this is true at least in part because the Negroes are more numerous than other minority groups—more than a billion people throughout the world take a dim view, or at least a questioning view, of every proffer of friendship America makes.

We can well imagine the confidential reports that flow from Washington Embassies when our newspapers tell us that a family in Michigan has been forced from their home because it was suspected they were colored; when the newspapers tell of the Till murder in Mississippi; when these same newspapers report violation of civil rights in Pennsylvania or when the grapevine informs them of indignities inflicted upon personnel of the Indian Embassy because their diplomatic status was unknown and they were treated as if they were homegrown colored.

Let us, then, face up to our responsibilities as representatives of a great nation; as representatives of people of charity and good will—and these people are the majority; and enact this very minimum in civil rights legislation. Let us give our friends along Embassy row something real and good and clean to put into their confidential reports to the home office. Let us take full advantage of the opportunity now before us: let us tell to the world by the votes we cast that America truly stands for freedom.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Virginia [Mr. ABBITT].

Mr. ABBITT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ABBITT. Mr. Chairman, I rise in opposition to the so-called civil-rights bill. The name, of course, is a misnomer. It is anything but a civil-rights bill unless the depriving of individuals of their liberties and the States of their sovereignty is civil rights. This legislation, if passed, strikes at the very heart of the liberties and freedoms of our people as well as the sovereignty of our States.

We are fortunate indeed to have had forged out for us a great compact that we call our Constitution. Our Founding Fathers, realizing the need of the individual to be protected from a greedy government, wrapped around the individuals a great garment to protect them from the avarice of a centralized government. Our Founding Fathers too, in their wisdom, realized that in the not too distant future the centralized government would be attempting to subordinate the several States and in an endeavor to protect the sovereignty of the States provided in the Constitution specifically many safeguards, chief among them being the provision that all power not specifically given to the central Government was reserved for the States and the people themselves.

Through the years, the Federal courts have been gradually gnawing away at the rights of the people and by judicial decree taking from the States their sovereignty. There has developed recently in this country a philosophy far different from that contemplated by our Founding Fathers. We see certain of our leaders who desire that all power be concentrated and centralized in Washington. They apparently desire the Federal octopus-like Government to regulate the individuals and to make vassals of the States.

Now during this presidential election year, we see certain leaders in each of our major political parties rushing headlong in an effort to outdo each other in trying to enact this so-called civil liberties legislation. Candor compels me to point out that, in my opinion, the reason behind this legislation is political. It is an effort on the part of certain leaders to influence the vote of certain minority segments of our country in utter disregard of the welfare of the people and utter disregard of the consequence to the liberties and freedoms that were wrought out for us by the sweat, blood, and tears of the patriots who have gone on before.

We are living in this land of freedom because generations ago those people who carved out our civilization had a vision that here in this great country of ours people could live in happiness, peace and contentment. In an endeavor to place this civilization of ours on a firm basis where the dignity of man was recognized, where the Government was created as a servant of the people and not the people a servant of the Government, the several States set up a republican form of Government with guaranties of individual liberty to its people and sovereignty to the several States. Now we see the Congress of the United States attempting to strike down with one stroke of the legislative pen the theory of our very form of Government itself. This legislation strikes down the right of trial by jury. It does away with the sovereignty of our States. It takes from our individuals their rights to be tried in the local courts. It sets up a small gestapo under the direction of an assistant attorney general who will be the political hatchetman of the administration in power. It allows our people to be dragged from the four corners of our country and brought into the Capital of this centralized Government without a charge being placed against them and without knowing who made the charge.

I predict that if this legislation is passed, and God forbid such, that these very people, the would-be leaders, who are trying to ram this legislation down the throats of the South will live to see the day when the legislation will be used against the very segment of society that they pretend to help.

This is an iniquitous piece of legislation. It is one we would expect in a totalitarian government and could well be the beginning of the end of our very way of life and of democracy itself in this great country of ours.

Mr. Chairman, I call on all the members of this House who love liberty, who love this country, who cherish the freedom of the individual, who despise tyranny, who are willing to put the welfare of this country above political expediency to vote down this iniquitous legislation so that oncoming generations will not be deprived of their rights and liberties that have been handed down to us by those great patriots of old.

Mr. KEATING. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Chairman, I have listened with great respect to the two gentlemen from New York [Mr. CELLER and Mr. KEATING] discuss the legal aspects of this legislation. In answer to the various questions raised by members of the legal profession who are also Members of this House these two gentlemen made responses which satisfied me that there is nothing to fear but rather everything to hope for in the passage of this bill.

Since the Attorney General of the United States asked for legislation and since it has been approved by our President, I am satisfied further as to the measure's provisions.

Mr. Chairman, I have stated before in the well of this House and I state again that I support civil rights legislation and in particular the basic ideas incorporated in H. R. 627. Every fair-minded person knows that there is discrimination because of race, color and creed, and the time has come finally when we, as Members of Congress who want to uphold the Constitution, must see that all citizens

are given justice and the protection of the law.

Finally, let me say in conclusion that the enactment of this bill will be a strong blow in our fight against communism and in the world conflict between the two philosophies. What we do here today is being watched and will be of great effect throughout the world.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from North Carolina [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. ALEXANDER. Mr. Chairman, I rise to join those of my colleagues who stand in opposition to H. R. 627—the so-called civil rights bill.

The constitutionality of the question under debate strikes to the very heart of the premises upon which this Government was founded and I hope in the brief time allotted me to examine some of the grave dangers inherent in the bill before us. It is a measure dangerous to the concept of the sovereignty of the individual States. As such, any examination of it should be made with sound logic and a mind free from passion and prejudice. Able lawyers here have already discussed the distinguishing features of H. R. 627 and I will not burden you further with an explanation of its various sections. Sufficient is it to say that the bill represents a deliberate attempt on the part of civil rights advocates to project the Federal Government into the domain of State and municipal law under the guise of securing and protecting individual civil rights.

Mr. Chairman, the 10th amendment to the Constitution of the United States proclaims:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

In interpreting this amendment the Supreme Court of the United States said in *Gordon* v. *United States* (117 U. S. 627):

> The reservation to the States respectively can only mean the rights of sovereignty which they respectively possessed before the adoption of the Constitution of the United States and which they had not parted from by that instrument, and any legislation by Congress beyond the limits of the power delegated would be trespassing upon the rights of the States or the people and would not be the supreme law of the land but null and void.

And in *Chicago* v. *McGuire* (219 U. S. 549), the Supreme Court of the United States said:

> Among the powers of the States not surrendered—which power therefore remains with the States—is the power to so regulate the relative rights and duties of all within its jurisdiction as to guard the public morals, the public safety, and the public health, as well as to promote the public convenience and the common good.

Mr. Chairman, there can be no doubt that the object of the framers of this amendment was to recognize in clear and explicit language a resident, inherent and reserved power in the States. The recognition of these reserved rights by the delegates to the Constitutional Convention was a condition precedent to the ratification by the several States of the document framed by the convention. But Mr. Chairman, the bill we have before us violates in letter and spirit the 10th amendment of the United States Constitution. Under the provisions of this bill the historic role of the States and of their relation to the Federal Government will cease to exist and in its place will emerge a centralized police power to harass our citizens.

Mr. Chairman, H. R. 627 is more than a bill to protect civil rights. It is a bill designed to kill States rights. It is a piece of legislation, which if enacted, will further reduce the constitutional powers and prerogatives of the States.

Mr. Chairman, we can profit by the bitter lessons of the past if we will but open our eyes. Let us remember that the thirst for concentrated power is no new thing in the history of republican government. It has reared its ugly head in every age and at every step of human progress from the days of the ancient republics to the dawn of modern times. This Nation has been plagued with it and in the same field we have under discussion today, the field of civil rights. In the decades right after the War Between the States the Congress passed civil-rights statutes only to have them declared unconstitutional by the Supreme Court of the United States. In ringing decisions the Supreme Court said that Congress had invaded the constitutional domain of the States; that the 14th amendment did not confer on Congress the power to legislate a civil-rights code. The 14th amendment was a prohibition of State action, said the Court, and nothing more.

Mr. Chairman, proponents of the present bill would do well to heed our past experience with civil rights. The 14th amendment is the same today as it was in 1883 when the Court passed upon civil rights, and what was not in conformity with the Constitution then is just as unconstitutional now. The reserved rights of the people and the States are just as inviolate today as they have been in the past. Neither the Supreme Court, the Congress, nor any of the other instrumentalities of the Federal Government can take away a single reserved right of the States and the people. These rights remain with the people and their respective States until such time as they see fit through a constitutional amendment to surrender them, no creation of the Federal Government can legally and morally exercise them.

Mr. Chairman, the States of this Union have not surrendered to the Federal Government their sovereignty in the field of civil liberties. If the proponents of civil rights wish to settle the question once and for all time I urge them to bring before the Congress for submission to the States, and the people, a civil-rights amendment to the Constitution of the United States. The Supreme Court has said that what we are attempting to do here today cannot be done by virtue of the powers vested in the Federal Government by the 14th amendment. And it is clearly a violation of the 10th amendment. So why not settle the question once and for all in an amendment that will spell out a civil-rights code. What could be more honorable than to let the people of all the States pass on such an amendment? I challenge my friends supporting the present civil-rights bill to bring forth such an amendment.

Mr. Chairman, a civil-rights amendment will never be submitted for the direct action of the States of this Union. On that we can be assured for those who advocate so strongly the principle of Federal civil rights know that the people of this country would repudiate such an amendment. They would never consent to a surrender to the Federal Government of their sovereignty in so vital a field.

Mr. Chairman, we are in the midst of a constitutional crisis in this country. But at long last the States and our people are beginning to awaken to the fact that powers reserved exclusively to them are being usurped by the executive, legislative and judicial branches of the Federal Government. This usurpation of State authority is an unhealthy situation, and in any government founded on a constitutional division of powers between the States and the Federal Government, it can mean the destruction of all our liberties.

Mr. Chairman, in times of great national stress, I always turn for guidance to the wisdom of our great leaders of the past. All of us recognize and honor the words and advice left us by the Father of our Country in his immortal Farewell Address. In that address he had this to say of the usurpation of power by the Federal Government. Said General Washington:

> If, in the opinion of the people, the distribution or modification of the Constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation for though this in one instance may be the instrument of good; it is the customary weapon by which free Governments are destroyed. The precedent must always greatly over-balance in permanent evil any partial or transient benefit which the use can at any time yield.

In the light of these words of logic and wisdom penned by General Washington in 1796, can we with a clear conscience support H. R. 627?

Another of our Founding Fathers had this to say of the concentration of power in this Republic:

> It is not by the consolidation or concentration of powers, but by their distribution, that good government is effected. Were not this great country already divided into States, that division must be made that each might do for itself what concerns itself directly and what it can so much better do than a distant authority.

Mr. Chairman, those are the words of Thomas Jefferson. And again he said:

> I ask for no straining of words against the general government nor yet against the States. I believe the States can best govern over home concerns and the General Government over foreign ones. I wish, therefore, to see maintained that wholesome distribu-

tion of powers established by the Constitution for the limitation of both, and never to see all offices transferred to Washington.

On May 15, 1926, in an address at the College of William and Mary at Williamsburg, Va., Calvin Coolidge said:

While we ought to glory in the Union and remember that it is the source from which the States derive their chief title to fame, we must also recognize that the national administration is not and cannot be adjusted to the needs of local government. It is too far away to be informed of local needs, too inaccessible to be responsive to local conditions. The States should not be induced by coercion or by favor to surrender the management of their affairs.

And in a message to the 69th Congress a short time later Coolidge said:

It is too much to assume that because an abuse exists it is the business of the National Government to provide a remedy. The presumption should be that it is the business of local and State governments. Such national action results in encroaching upon the salutary independence of the States and by undertaking to supersede their natural authority fills the land with bureaus and departments which are undertaking to do what it is impossible for them to accomplish, and brings our whole system of government into disrespect and disfavor. The Nation is inclined to disregard altogether too much both the functions and duties of the States. They are much more than subdivisions of the Federal Government. They are also endowed with sovereignty in their own right.

Were Calvin Coolidge here today would there be any question as to how he would vote on H. R. 627? I do not think so. He would tell you that this matter under discussion is a question that only the States can solve under the Constitution of the United States.

Mr. Chairman, the citizens of North Carolina have always enjoyed friendly, cooperative, and peaceful relations with one another. North Carolina has been free from all forms of violence and strife and all her citizens live in the full enjoyment of their civil rights. There are no outrages being perpetrated on the civil liberties of our people. North Carolina does not need to be educated by the Federal Government on the subject of civil rights. Her citizens were conscious of and shedding their blood to defend human rights before the Constitution of the United States was even drafted.

Her sons drew up the Mecklenburg Declaration of Independence and thereby risked the wrath of Great Britain. Brave North Carolinians came down out of the Blue Ridge Mountains in the darkest hours of our struggle for independence and defeated the British at Kings Mountain. Their heroic deeds paved the way for ultimate victory and the establishment of this Republic. The defense, therefore, of human liberty, the recognition of the civil and political rights of fellow Americans, is a part of the heritage and tradition of North Carolina. We do not need a civil-rights commission, a civil-rights division in the Justice Department and an army of investigators to assist us in defending the civil liberties of our people. The rights of every North Carolinian are protected by the humane laws of our State and the conscience of our citizenship. And as such we are a prosperous and contented people.

Mr. Chairman, I feel that if H. R. 627 becomes law, the cordial relations prevailing in North Carolina between all classes of our people will be disrupted. What we have labored so long to bring about in the field of human relations will be seriously hampered. Federal interference can destroy in a year what we have accomplished in 100 years of patient understanding and mutual cooperation. H. R. 627 should be defeated. It is unconstitutional and a means whereby good will can be destroyed in the South. It has no place in a government of reserved powers and if it becomes law, the day of State sovereignty in America will be finished. And when that day comes the loss of our liberties and cherished rights of self-determination will be a reality.

Mr. CELLER. Mr. Chairman, I yield 30 minutes to the gentleman from South Carolina [Mr. ASHMORE].

Mr. ASHMORE. Mr. Chairman, I come here today to speak on this highly controversial subject. I am opposed to the legislation for various and sundry reasons, but I would like to say in the beginning that I am not opposed to it because it seems or has appeared to be a racial issue. I do not think it is a racial issue; certainly it is not such in my way of thinking, or to my mind.

I have many friends in the colored race, have always had. In my section of the country we have in some areas more colored people than white. In my particular district from 20 to 25 percent of the population are of the Negro race; so I have learned to know these people. Many of them I have learned to love, the old colored mammy upon whose knee I used to sit as a child, upon whose advice I did many things, looking to her almost like a member of the family. When I needed a spanking I got a spanking; when I needed another type of correction I received that also. Those days I will never forget.

Later on, in my work as prosecuting attorney for more than 20 years, I think I also learned to know a lot about the Negro race. I do not believe any of the hundreds I have had the displeasure to prosecute, that any one of them would attempt to say that I mistreated him or that I did not give him a fair trial, or that I was prejudiced or tried to prejudice his case before 12 jurors who were to determine his guilt or his innocence. So I say I have no ill will against any people of the black race. I respect them and I admire their great accomplishments since the War Between the States or since they were brought to this country.

There is no racial issue so far as I am concerned, so I want us to forget that particular thought.

My opposition goes much deeper and is much more basic in its meaning that what might be considered differences in race. I oppose this legislation first because it is contrary to the fundamental principles of our Republican form of Government. Many Members have already made similar statements and have just about preempted the field on some of these vital matters that are of such concern and such great importance in determining this legislation. But I want to say that never in the history of this Nation has the Federal Government had the power and authority to control primary and special elections back home in the States. That authority is given in this piece of legislation. The United States Constitution does not provide that; it provides otherwise: These matters are to be left in the hands of the various States, and I say that I think that while the States may not have done a perfect job yet they have done a good one.

Is there anyone here who would attempt to deny that we have made great progress in every field, yes, in this field of civil rights? That we have made outstanding progress since the day when the colored man was freed? All of us admit that.

I think now of what the Attorney General, Mr. Brownell, said himself when he appeared before our Judiciary Committee. At that time we had more than one bill under consideration. We questioned Mr. Brownell about the antilynching bill that one or several Members of this body had introduced, and Mr. Brownell said: "I do not think we need an antilynching bill," and he went on to give the reasons why. "Because primarily," he said, "we have not had any lynchings in this country during the past 5 or 6 years, if I remember the period of time correctly. The people are learning by experience, by education, and knowledge that lynching is never justified." In other words, he was admitting we have made so much progress in this country in these matters of civil rights that no longer should anyone set up a hue and cry for an antilynching bill. I say that here in this field, this field of voting that we are primarily considering in this bill, if you will leave it alone we will reach the same point of progress that we have reached regarding an antilynching law. Stop interfering with progress in this field. Let the people alone in whatever section they might be and you will have no reason to complain. Every State is doing its utmost to do what it knows to be the right thing.

Yet the proponents of this legislation are not satisfied. They say that the job being done is not good enough and they bring a piece of legislation in here of this type. I would refer the members of the committee to the last 2 pages of this bill. I want to analyze for a moment 1 or 2 paragraphs or phrases there.

There has been a great deal said with reference to the legality and the phraseology of this bill. Some have said that the opponents are just trying to ridicule it and laugh it out of court. I do not know that that is true but I say if it is subject to ridicule then it ought to be ridiculed. If they cannot bring one in here that is not beyond ridicule, then why not ridicule it? We have a right to show its defects and I think every Member of this House wants to know wherein the defects lie.

Let us look at section (b) on page 26, which states as follows:

No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce—

And so forth—

for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate.

When you begin to study that phraseology, where do you arrive? It appears to me that a friendly argument between 2 citizens about the virtue or merit or demerit of a candidate that they wish to support could very easily turn into an unfriendly argument, particularly if one or both of them have had a few bottles of beer. If one should get mad, if one should become riled up over what was nothing but a friendly argument in the discussion of the merits or demerits of certain candidates, he could run to the Attorney General and say: "This man tried to make me change my vote for the man I wish to support for Congress." He does not have to swear to it, as many have brought out here—just make the charge. You better be careful in running for Congress, or for any other office, under the phraseology of this bill. It is a most dangerous situation. All he has to do is allege—an allegation—then the Attorney General can issue a rule to show cause why he should not be put in jail, why he should not be prosecuted civilly. I tell you it is a most dangerous piece of legislation. Let no one in this Chamber forget, let no one fail to remember that you do not get a trial by jury in a case of this kind. Ask any lawyer in this Congress and let him tell you what this bill does. You are deprived of the right of trial by jury under an injunction proceeding that is set forth in this act. Is that what you want? Do you believe that is where we should go, the limit to which we should extend ourselves in trying to do these things here in order to bring about special legislation.

Let us look at the last section. I will skip part of what I intended to discuss. I want to discuss for a moment section (d), the last paragraph on page 27 of the bill:

The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

It does not say that the Attorney General or that the Federal Government may, if it desires, go down and do these things in the local communities. It does not say the Attorney General may or might take jurisdiction. It says the district court shall have jurisdiction, shall take the matter out of the hands of the local courts and deprive the States of their rights under the Constitution. This section of this bill, as well as others, not only takes from the States their rights to control their own election machinery, but it also deprives them of the right to enforce and administer the very election laws that were put on the statute books by their own State legislatures. Now, that is how far it goes. And, to do that it creates a body of Federal agents; some have called them snoopers; some have said that they would be no more than Gestapo agents. I do not know what you want to call them. I fear what they might turn out to be. But, I certainly say that there would be agents of the Attorney General by the hundreds going out stirring up trouble and meddling in local civil rights of the people back in the grassroots communities.

Mr. Chairman, I wonder if that is the kind of legislation that the people of this country want. I am convinced that the people of the United States do not realize what this bill contains, or they would not have any stomach for it, and when they come to realize it, you will hear more complaints than you have ever heard before about any civil-rights legislation, if it passes this Congress. Yes, these things centralize too much power in the Federal Government, and when you do that you are heading ultimately toward Federal control of all election laws. You are heading ultimately toward Federal control of all law enforcement in this land. These things, depriving the people of their rights, are the very acts that destroy local self-government. They are the very types of acts and legislation that take from the grassroots the rights of the people in local government. They destroy the freedom of the people, and when you destroy the freedom of the people you are certainly then and there destroying this Republic, this democratic form of government.

Now, I do not mean that all of these things will happen just by the signing of one name, not by the stroke of the pen, not in one step, but I say that we have already started down this road which leads to a strong centralized government. It comes step by step and gradually, and ultimately you reach a state of totalitarianism when you deprive the people of this country of these freedoms, because you cannot have totalitarianism until you first take such freedoms from the people.

Therefore, I say that all of us should think and think well, and analyze this thing before we go too far, before it becomes too late to turn back. Why do I think that we are heading in the wrong direction? There are many reasons I have given, but I want to give you one more, and that is this, simply because of the trend of the Supreme Court of the United States today in its decisions. You know what they are. You know about the case in Pennsylvania, the sedition case. You know about the case in New York, where the Supreme Court said that a college could not even discharge one of its professors, and many other similar decrees.

You know about various decrees and judgments of that Court which show what its trend and its thinking is. But you might say I am just a calamity howler, or an extremist. I do not think so, but you may think so. For that reason, let me give you what someone else says, give you the warning of a person whom I believe you would respect and who would have no reason to talk from a political viewpoint. That man is a former president of the American Bar Association. Recently News Columnist Ray Tucker devoted a column to this question about which we are talking now and he quoted this former president of the American Bar Association in this respect. This man, the former president of the bar association, "recently informed a House Appropriations subcommittee that 98 percent of the lawyers of America have no respect for the legal ability of members of the present Supreme Court."

Ninety-eight percent of the lawyers have no respect for them. Why should we put any faith in them? Why should you? Why should we not recognize the direction in which they are leading this country? Discussing that question further, Mr. Tucker says:

Basically (the reason for this criticism of the Court) it is the trend toward federalization by Chief Justice Earl Warren and his associates which inspires the current criticism. In the opinion of a growing number of critics a small majority of the jurists favor a Federal bureaucracy that will dominate both Congress and the right of States and cities to manage their own affairs.

Dominate not only the States and cities, but dominate Congress. And that is exactly what they are trying to do. And if you pass this bill, we are putting our stamp of approval on the usurpation of States' functions and powers by the United States Supreme Court. You are opening the door still wider. You are following the same policy and the same philosophy of the Supreme Court if you pass this legislation. I do not believe that you intend to do that. I am absolutely and positively convinced that the people of this country do not want you to do that. And 98 percent of the lawyers have said that they do not agree with it, according to this former president of the American Bar Association.

But you may say I am just a hardheaded rebel, I am unreasonable, I am an extremist, I am narrow-minded, I do not know what I am talking about. Perhaps some think that. I could return the dubious compliment to those on the other side and say that you, too, are prejudiced, are biased in your opinion. But I do not want to do that. That would be a useless argument. Therefore, I want to cite you what someone else has said, not a Member of Congress, but one of the greatest news editors in the United States today, the editor of U. S. News & World Report, a magazine, a publication, that all of us respect. He could not be narrow-minded, because he is too broad-minded, too wise, too great and deep a thinker and writer to be so characterized. Mr. David Lawrence wrote a column a few days after this bill was approved by the Committee on the Judiciary and I want to read to you some of the things that he said regarding this very piece of legislation, H. R. 627. The heading to his column reads: "Threat to Basic State Powers—Justice Proposals Feared as a Step Toward Complete Federal Control."

That is not my language. That is Mr. David Lawrence's language. Let us see what else he says.

Ever since the founding of the American Republic it has been the exclusive right of the States to maintain law and order, to

exercise police powers within their own borders—and the Federal Government has not interfered.

But the Department of Justice now proposes to Congress that laws be enacted giving the Federal Government the right to police Federal elections, determine who shall or shall not vote, and decide also whether citizens are—

And he quotes from the bill—

"being subjected to unwarranted economic pressures by reason of their color, race, religion or national origin."

He says:

If the Congress has a right under the Constitution to pass such laws, then the Federal Government also can ignore the State and local machinery of law enforcement and punish violence at the factory gate.

* * * * *

If the legislation now recommended by the Department of Justice to punish persons who exert "unwarranted economic pressure" is passed, it will be a short step to the broadening of the Federal power to police all labor-union activities, especially those which up to now have been considered exclusively in the domain of city police departments or the offices of sheriffs in county governments.

He goes further and states this:

It is strange that the Department of Justice doesn't show any interest in protecting the right of a man to keep his job or to get a job unless he is willing to yield to economic pressure and give up the political and economic beliefs guaranteed him by the Constitution.

I think he hits a vital point there. I cannot understand to save my life how any person would be willing to vote for this legislation and at the same time not say that we ought to have Federal legislation to control racketeering, the kind Mr. Riesel has become a martyr to try to destroy. Why should not the goons that go out on the highways and destroy a man's truck and his cargo and beat up his driver because the driver does not join some organization or because the owner does not approve, why should not they be investigated? Why should you not investigate when a man's place of business has been dynamited? Is that economic pressure to destroy a man's business simply because he does not join some organization?

Take the Kohler plant in Wisconsin, where there has been a strike for 2 years or more. During the early days of that strike—and I have nothing against labor unions of the right kind. They have a right to strike. They have the same right to organize as capital has. But there are certain things that certain members, the strong-arm men of some of those organizations, do not have the right to do. At this Kohler strike a certain man was taken out and beaten unmercifully by strong-arm men who were sent there from Chicago or other places. Later that man died. A strong-arm man stands today indicted for murder. He crossed the State line of Wisconsin and got into another State. If my memory serves me correctly, it was the State of Michigan. The gentlewoman from Michigan [Miss THOMPSON] knows about it. He stays today in the State of Michigan, and the Governor refuses to extradite him to go back to face 12 men where he is charged with murdering a man; taking his life and taking the right to work from a citizen who was trying to make a living for his family. You say you would vote for a thing of this kind but at the same time you would not vote to have that sort of racketeering investigated.

Where are we heading?

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. RIVERS. That is altogether different—that is not in the South.

Mr. ASHMORE. I submit that it would probably have been a different story if it had been in the South, but I say we ought to have the same sort of press coverage and the same sort of publicity as well as the same sort of law enforcement standards in every section of this country.

Let me get back to the last paragraph of Mr. Lawrence's column:

The proposal to regulate elections for Federal officers and let the Federal Government exercise the power to regulate the work of local election boards is not novel. It has been urged for some time as a means of protecting the rights of minorities. It has been advanced, too, in Northern States as a means of regulating employment. It means that an employer who does not hire exactly the same number of Swedes, for example, as he does Norwegians could be punished for discrimination on the basis of national origin.

I am not ridiculing it, my friends. This is Mr. David Lawrence's ridicule of the bill. It means the same principles can be extended so that if an employer who is a Protestant wants to hire only Protestants, or if a Catholic employer wants to hire only Catholics, he would be subject to penalty under Federal laws for discrimination in hiring. But here is the final paragraph of Mr. Lawrence:

The new proposal—

He is talking about H. R. 627—

The new proposal opens up a Pandora's box of troubles for the States and could mark the beginning of the end of State government in America and the building of a strong centralized Government with complete control over all matters hitherto believed to be solely in the domain of the State and the city and the county governments.

Is he a calamity howler? Is he an unreasonable extremist or is he a level-headed, wise editor whom all of us certainly look to as a great man?

I have jotted down two other main reasons why I oppose this legislation, but I do not have the time to discuss the second one and I will just read it to you.

The second reason for opposing it is this. Because legally it is simply a conglomerated mess. I think my friend, the gentleman from North Carolina [Mr. JONES] and the gentleman from Louisiana [Mr. WILLIS] surely have convinced some of you that it is a conglomerated mess from a legalistic viewpoint—and I have tried to discuss 2 or 3 phrases in it from a legal viewpoint. But let me go on to the next reason I oppose it.

My third reason is that it is a politically inspired monstrosity which in reality is nothing but a bid for the Negro vote—nothing but a bid for the Negro vote by both parties—I will be impartial—that is exactly what it is. H. R. 627, as one Member has already told you, but I would like to go back to a little of the history of it, was first introduced by our good chairman, my good friend, Mr. CELLER. The bill now bears Mr. CELLER's name, title and number. It has been changed in many respects. In fact, all after the enacting words of the original bill was stricken therefrom and there was inserted in lieu what we now have as H. R. 627. There seems to be a great deal of controversy as to whose bill it is. Both the Democrats claim it and the Republicans lay claim to it. I do not know whose it is. Mr. CELLER says it is his. I understand those on both sides of the aisle who claim to be leftwingers say that it is their idea in the beginning. I am sure that Mr. KEATING, the leader of the minority on our Committee on the Judiciary, brought the bill into the committee and moved that it be inserted in place of the contents of the then H. R. 627. So he claims it as his bill. Mr. Brownell says in substance that he was the author of it, and now we understand that President Eisenhower is also claiming it.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. ASHMORE. So, under the circumstances, it is impossible to say who fathered this language. But three on each side are claiming to have a part in it, and I say it is neither Republican nor Democratic. If it has that many fathers, it in essence must be illegitimate. Certainly it is an illogical piece of legislation. It is ill-conceived. It is ill-advised. It is ill-timed.

The NAACP has put the Negro vote on the auction block. That is exactly what has happened. I have great sympathy for the colored man himself, but I certainly do not agree with the leadership of the NAACP doing what they are doing, putting the vote of the colored man up to the highest bidder. In the olden days slaves were sold on the auction block. The Yankees sold them and the southerners bought them. I hope both sides have been forgiven. Thank God, that day is gone. But today, instead of selling slaves, we are selling votes on the auction block.

Let us see how many are on the block for sale. I am afraid that all of us have overly exalted this thing of what the NAACP says it can do regarding the colored vote. The American Heritage Association suggested that the colored vote is highly overrated by politicians. Here is what the American Heritage Association, after its investigation, said:

There are supposed to be about 15 million Negroes in the United States, with less than five million eligible to vote.

In 1952, according to these views, only 33 percent showed up at the polls.

"Such a ballot, widely scattered, can be decisive in only a limited local area," so a news columnist says. With less than 5 million eligible to vote, and less than 2 million voting, I say they could

not control the election of a dozen Congressmen in the United States.

Furthermore, when you scatter that number of votes throughout the United States, there would not be one chance in a thousand of its determining a presidential election in any year. So I say these figures having been arrived at, as the result of an impartial investigation, proves the NAACP does not have nearly as much to offer as some think. But still we make promise after promise, Democrats and Republicans alike. We act as though they could control the politics of the whole United States. Like dumbbells some of us actually believe that, according to the way we act. Really it is an exalted importance that we have given to this thing. When we bid so high for this vote, we fool ourselves.

I think, in conclusion, that we should show our courage and character, and refuse to alter our American form of government. We should refuse to destroy our way of life. We should refuse to lead this country to a totalitarian form of government to appease any minority, or all minorities—black or white, rich or poor. We should not do that to appease a majority, to say nothing of a minority. Let's defeat this unnecessary and dangerous legislation.

The CHAIRMAN. The time of the gentleman from South Carolina has again expired.

Mr. KEATING. Mr. Chairman, I yield such time as he may desire to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Chairman, if the proposed legislation is not unconstitutional, as many eminent lawyers believe it to be, it is at least objectionable as an unwarranted extension of this ever-increasing trend toward concentration of power in Washington.

Mr. KEATING. Mr. Chairman, I yield 10 minutes to the gentleman from Maryland [Mr. HYDE].

Mr. HYDE. Mr. Chairman, I take this time not for the purpose of making any speech of advocacy in this very troubled issue, but to try to clear up a few legal questions which have been asked of me as a member of this committee in the cloakroom and around the rail. I must confess that I find myself in some trouble attempting to answer them.

In part III of the bill we are seeking to amend section 1980 of the Revised Statutes, title 42, United States Code, section 1985. Under that section if two or more persons in any State or Territory conspire for the purpose of depriving another person of equal protection of the law, the person who is allegedly injured is given a right of civil action against the person who allegedly deprives him of his equal protection of the law. That is the present law, is it not, Mr. Chairman?

Mr. CELLER. That is correct. The courts further indicated that it must be done under color of authority. That would mean by some State official.

Mr. HYDE. In other words, the gentleman says that the courts have held under the present law that one citizen would not have a right of action against another citizen who is not an officer of the law.

Mr. CELLER. Of course if the citizen conspired with an officer of the law——

Mr. HYDE. But if it is just one citizen against another citizen, then under present law there would be no right of action.

Mr. CELLER. That is correct.

Mr. HYDE. Do I take it from the gentleman's statement that the bill before us for consideration would not give the Attorney General any right to get an injunction against a private citizen who is not an officer of the law or who is not conspiring with an officer of the law?

Mr. CELLER. That would be true, but I think there is one decision to which I called attention yesterday, *Collins* v. *Hardyman* (341 U. S. 651), decided in 1951, where the court held that the old statute that we are discussing that goes back to 1871, could be applied to private conspiracies of the magnitude of the post Civil War, namely, the Ku Klux Klan. I will say the decision is not very definite.

Mr. HYDE. That would be a case of attempting to deprive the duly constituted officers of the law from carrying out the law, would it not?

Mr. CELLER. I think that is correct.

Mr. HYDE. Would it be correct, then, to say that the present bill confines itself to two things, namely, the matter of the right to vote, No. 1——

Mr. CELLER. That is part IV.

Mr. HYDE. It is also in part III.

Mr. CELLER. But primarily in part IV.

Mr. HYDE. And, second, to that type of action which is commonly referred to as lynch action, that is an attempt to take somebody away from an officer of the law or to prevent the law from being properly carried out.

Mr. CELLER. That is correct.

Mr. HYDE. The gentleman says, though, that actually as a legal matter except for the circumstances of lynching or acts in the nature of lynching, that is, taking somebody away from an officer of the law, except for that it is actually legally impossible for one private individual to deprive another private individual of equal protection of the law. Is that right?

Mr. CELLER. I think the courts have so held under this old section.

Mr. HYDE. I thank the gentleman.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. After two days of debate here, the gentleman, a member of the Judiciary Committee, has raised an entirely new question, and I am sorry that the Committee on the Judiciary does not understand what this bill is all about. Now, see if I am correct, because I think it is very important and such statement should not go into the RECORD unless it is correct. I want the gentleman from Louisiana [Mr. WILLIS] to particularly get this, because I do not believe he was present when the statement was made. I understand the gentleman from Maryland queried the gentleman from New York and they agree at this late day in the consideration of this bill that the bill would not affect anything but a lynching or a question of the right to vote. It has no relation whatsoever to the particular civil-rights questions that we have been talking about for 2 days, is that right? I have been listening to the gentleman and I think he ought to correct himself.

Mr. CELLER. I will say that I think the gentleman is, shall I say, generously, mistaken. I do not know that that is my conception of the bill. It goes to civil rights in general. It covers many subjects.

Mr. HYDE. May I clear up the question raised by the gentleman from Virginia as to my understanding of the meaning of this bill as a result of my questions put to the chairman of the Committee on the Judiciary?

Mr. SMITH of Virginia. Did the chairman not agree with you that what you said was correct in your interpretation of the bill?

Mr. HYDE. That is what I understood.

Mr. SMITH of Virginia. I wonder if before we reach the end of this discussion and gentlemen have to march up and vote on this bill whether the Committee on the Judiciary is going to get together. The gentleman from Maryland is a distinguished member of that committee and he does not know what the bill means. He and the chairman of the committee cannot agree upon what the bill means. I do not know. The gentleman from New York [Mr. KEATING] who is the Republican leader on this bill has kept silent in this discussion. I wonder what he thinks? Does he agree with the gentleman from Maryland or does he agree with the gentleman from New York or does he agree with the membership of this House who has listened for 2 days to this debate that it is based entirely upon the question of civil rights and has very little to do with either voting rights or lynching?

Mr. HYDE. Let me say that the gentleman from Maryland thinks he knows what it means, but like many of us lawyers know, you can get half a dozen different opinions.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from New York.

Mr. KEATING. I assure the gentleman that there was nothing ominous about my silence. If the gentleman from Virginia has any questions to direct to me about the meaning of this bill I will be very glad to answer.

Mr. SMITH of Virginia. One question: Does the gentleman agree with the gentleman from Maryland or does he agree with his colleague from New York who helped write the bill?

Mr. KEATING. I do not know that there is any difference of viewpoint about that. I did not understand the gentleman from New York [Mr. CELLER] to have intended to give the impression that this bill is limited to lynching and voting laws. I was considering, when the gentleman from Maryland was talking, that it might be well to rise and suggest the use of some word other than "lynching." I think the gentleman used it in a rather broad sense, not intending to refer to what we normally have been talking about as lynching.

Mr. HYDE. Will the gentleman from New York answer this question: Is it possible for the gentleman to cite any instance of one private individual successfully, under the present law, suing another private individual for depriving him of the equal protection of the law?

Mr. KEATING. No, I think not. I think under existing law there must be a conspiracy shown.

Mr. HYDE. All the cases that have been decided have been cases of conspiring with officers of the law?

Mr. KEATING. Not necessarily. If two or more persons conspired for the purpose of depriving a person of the equal protection of the law, under existing law that gives a right of action to the injured party.

Mr. HYDE. Let me ask this question. Has there been a case in our courts where two or more persons, private individuals, neither one being an officer of the law, have been successfully sued for depriving another citizen of the equal protection of the laws?

Mr. KEATING. No. I think there has been no case that I know of where such a successful suit has been maintained. The decisions, at least where the question has been raised, as I understand, under existing law, have held that there must be some color or claim made for this conspiracy. But, it is not my understanding, nor do I believe it to be the understanding of the gentleman from New York [Mr. CELLER] that the present subdivisions of section 1980, 1, 2, and 3, are limited solely or, indeed, mostly to what we normally term lynching. Perhaps lynching would come under some of those sections, but it is not particularly stated.

Mr. HYDE. I used the term "lynching" but I also added with it the description or the instance of a person taking another person from the hands of a duly constituted law officer.

Mr. CELLER. Mr. Chairman, if the gentleman will yield, I think the word "lynching" is a proper word to use in this connection, but it does not have to rise to the dignity of that term to come within the law.

Mr. HYDE. Oh, I agree with that, but it will at least have to be a case of taking a citizen from the hands of duly constituted officers of the law or preventing duly constituted officers of the law from carrying out the law.

Mr. CELLER. Because the courts have held that this present statute that exists today cannot be violated unless the action is done under color of authority.

Mr. HYDE. That is right.

Mr. KEATING. But the reference that the gentleman has made about preventing or hindering constituted authorities has relation only to one part of the existing section 1980.

Mr. HYDE. Well, with reference to existing section 1980, I will read from it for the purpose of attempting to clear up just what I am attempting to get at here. First, by the way, what I said here—and I address this to the gentleman from Virginia to be my understanding of this law—is confined to two general instances, namely, depriving somebody of the right to exercise the franchise, voting, and, secondly, an instance where two or more people conspire to interfere with the enforcement of law in some way. I will put it that way. We will disregard the word "lynching." The law says this, and I will read from it. Let us read for a minute what it is we are trying to define:

> If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the law; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws—

And so forth. The person injured shall have a right of action.

Now, this bill says that the Attorney General can stand in the place of the private citizen in suing for such acts or the Attorney General can get an injunction against two or more persons conspiring to do these things. Therefore, I say in view of the fact that that is the language in the present law and this bill, that it must necessarily be confined to instances of interfering with the right of franchise and instances of interfering with the carrying on of the law by the duly constituted officers of the law.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Louisiana.

Mr. WILLIS. The gentleman read paragraph No. 3 of section 1980 of the revised statute.

Mr. HYDE. That is right.

Mr. WILLIS. That is one-third of the coverage of section 1980.

Mr. HYDE. Well, I realize that, but the other deals with the other two sections.

Mr. WILLIS. Here is what is involved in these conspiratorial acts, that no person shall do this, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws. So that is much broader than what the gentleman has said. The gentleman has read part of 1 paragraph of a 3-paragraph part of section 1980.

Mr. HYDE. The point that I am trying to make is this. Under previous decisions of the Court interpreting the law that we are now amending, you must necessarily confine it to that type of action. I defy anyone, except in that case of interfering with an officer of the law, to explain to me how one private individual can deprive another private individual of equal protection of the law. It is legally impossible. That is the point I am trying to make.

Mr. CELLER. Mr. Chairman, if the gentleman will yield to me, I want to say to the gentleman that whatever the present law is we simply say that the Attorney General shall have the right to sue on behalf of the party aggrieved.

Mr. HYDE. And to get an injunction.

Mr. CELLER. And the grievance must stem from the present statute.

Mr. HYDE. That is right.

Mr. CELLER. That is all we say in this; that is part III.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from New York.

Mr. KEATING. Another way to put it is that what we are doing here is procedural only so far as this part III is concerned, since the individual has all of the rights under the present law which we give to the Attorney General in addition under this bill.

Mr. HYDE. That is right.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield to me?

Mr. HYDE. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. We have proceeded on an entirely different theory after 2 days of debate which, by the way, is the finest debate that I have heard since I have been a Member of Congress, a very splendid and learned debate. But we have proceeded right along, for instance, on this theory. If any person thinks that somebody is about to discriminate against him or injure him economically, the Attorney General could go into court and seek an injunction to stop that, even if he just attempts to do it or if he thinks about attempting to do it. There has not been any denial of that, that that is in this bill. I asked that question yesterday.

Let me ask the gentleman this question. Let us take the school segregation matter. Suppose we get right down to brass tacks. Suppose little Rastus down in Georgia applies for admission to a white school. The school board refuses his application. He goes home and goes back to his colored school and is happier and contented and he does not want to do anything further about it. But the NAACP is not satisfied. Can they go to the Attorney General and have the Attorney General institute an injunction suit in behalf of this boy who does not want that suit brought?

Mr. HYDE. Not as I understand this bill.

Mr. SMITH of Virginia. That is the reason I ask the gentleman the question, because I think it is very important to the House to understand that the Members of the Committee on the Judiciary themselves cannot agree, because I yesterday asked the chairman of the committee the same question and he said "Yes" he could.

Mr. HYDE. Not as I understand this bill.

Mr. SMITH of Virginia. And they ought to agree before they ask us to pass this bill.

The CHAIRMAN. The time of the gentleman from Maryland has again expired.

Mr. CELLER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, it looks as if the gentleman from Virginia [Mr. SMITH] imagines he has struck a gold mine, but I am afraid it is only dross. There is no question that this is crystal clear and we have explained it dozens of times during this debate, namely: All we do is take the

present statute and say, instead of an individual bringing an action for damages, because of the deprivation of his civil rights, his constitutional rights as same are filched from him, because of race, color, or creed, the Attorney General shall bring that action. That is all we do in part III. It is just as simple as that without any of the complexities that the distinguished gentleman from Virginia tries to surround this particular part III with.

Mr. WILLIS. Mr. Chairman, will the gentleman yield to me?

Mr. CELLER. I yield to the gentleman.

Mr. WILLIS. On this very question we are talking about, particularly with reference to school-segregation cases, I had in mind the testimony of Mr. Brownell before the Committee on the Judiciary, where he gives to us illustrations for the reach of this bill, school matters, school boards, grand juries, and petit juries. He named those specifically, so we have Mr. Brownell's testimony on that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CELLER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman—

The second subsection of the old KKK statute establishes liability for damages against any person who conspires to intimidate or injure parties, witnesses, or jurors involved in any Federal court matter or conspires to obstruct the due course of justice in any State court matter with the intent to deny to any citizen the equal protection of the laws if the result of these conspiracies is injury to another or deprivation of another's rights or privileges as a citizen of the United States. The third subsection establishes liability for damages against any person who conspires to deprive another of the equal protection of the laws or equal privileges and immunities under the laws, or of the right to vote in elections affecting Federal offices if the result thereof is to injure another or deprive another of rights or privileges of a citizen of the United States.

That language I have just read is very broad. In other words, you have here legislation against any person who conspires to deprive another of the equal protection of the laws or equal privileges and immunities under the laws.

I would say that that goes pretty far, roams far, ranges far, and covers far more than mere voting. It covers schools and other matters.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Maryland.

Mr. HYDE. For the purpose of clearing the record, I am sorry I did not understand clearly the question of the gentleman from Virginia when I had the floor. I would say as far as the action of the school board is concerned, the members of the school board being officers of the law, then they would be subject to these provisions.

Mr. CELLER. I reiterate that those individuals of the school board, if they would act in the nature of a conspiracy, they would be covered by the present statute. Now with the bill before us we give the Attorney General the right to proceed on behalf of the individual aggrieved.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. SMITH of Virginia. The gentleman from New York thought I was mistaken about what he has said here. The point involved there was the question of the right of the Attorney General to proceed in court for the righting of a private wrong when the person who had suffered the wrong did not want him to do so. I am not mistaken about what was said because I said on page 12926 of the RECORD of yesterday, when I asked that question of the gentleman from New York which the gentleman from Maryland answered in the negative and the gentleman from New York answered in the affirmative:

Then the NAACP goes to the Attorney General. May the Attorney General bring a suit whether Rastus wants to or not?

Mr. CELLER. I think he could.

Mr. CELLER. I still say he can. I agree with the gentleman. What more does the gentleman want?

Mr. SMITH of Virginia. We just do not want to go out that far on the limb.

Mr. CELLER. That may be so, but let us be honest as to what the law intends. I conceive the law to be exactly that; in other words, the Attorney General can go forward if he wishes, even if the individual aggrieved does not want him to.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Maryland.

Mr. HYDE. The point I wanted to clear up, and I tried to do so in my response to the gentleman from Virginia, is that I misunderstood the exact terms of his question. Now I would say I agree with the gentleman from New York that he could proceed against the school board. The members of the school board would, I think, have the power of law and, under previous decisions of the Supreme Court, they would be covered.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Illinois.

Mr. YATES. What is so unusual about the fact that a complaining witness may not file a complaint? The Government in many places can still proceed without a prosecution or a suit in the name of the Government.

Mr. CELLER. That is right.

Mr. YATES. And the fact that a complaining witness decides that he does not want to go ahead with the case does not deprive the Government of that right.

Mr. SMITH of Virginia. In a civil case? Name some.

Mr. YATES. This is a criminal case.

Mr. SMITH of Virginia. I am not talking of criminal cases. We are talking about civil cases.

Mr. YATES. This is the application of that concept to the civil law.

Mr. SMITH of Virginia. This bill provides that the Attorney General may proceed in civil cases without the consent of the injured party.

Mr. YATES. That is true.

Mr. SMITH of Virginia. Quote to us any precedent anywhere in the lawbooks where there is authority for any such proceeding as that.

Mr. MURRAY of Illinois. In cases of minors we permit civil lawsuits all over the United States without the consent of the minor.

Mr. HERLONG. Mr. Chairman, yesterday during the debate on this bill I was astounded when I heard some of the answers that were given by the distinguished chairman of the Committee on the Judiciary in response to questions that were asked him as to what this bill would do. I want to say that I appreciate and commend the gentleman from New York for his frankness in telling the Members of this body just what the bill would do. If we pass the bill we cannot even say we were not forewarned. In other words, no one denies that this new Assistant Attorney General could send an army of volunteer expense-paid investigators throughout the country drumming up cases where the investigator claims that a so-called civil right has been violated or is about to be violated. There is a popular song going around today that says something about you cannot go to jail for what you are thinking, but under this bill it would certainly seem that you could get a money judgment against an individual for what someone else thinks he is thinking.

There was some questioning yesterday on the matter of how damages would be assessed—what would be the measure of damages in any such case brought, for example, against a member of a school board because a child had not been admitted to a school. I do not know of any basis for assessing punitive damages unless it can be shown first that there was some actual damage. If there is actual damage, what is it? How can it be determined? The gentleman from New York said this was entirely up to a jury. It is only up to a certain point. Too, there are limitations beyond which a jury cannot go or the verdict will be set aside as being excessive. What would be an excessive verdict in a case like this? Would mental anguish alone be sufficient? If that is the case, would a child who had been denied admission to an elementary school suffer as much as one who had been denied admission to a high school or college? Would a Negro whose skin is almost white suffer more mental anguish than one whose skin is darker if a so-called civil right was about to be violated? This whole thing is so ridiculous that it would be laughable if it were not so serious. I heard a conversation a short time ago where one Member of Congress said to a southern Member in discussing this bill: "You are right. You have convinced me, but what can I do about it?" I will tell you what he can do about it and what any man who does not believe in a Gestapo kind of government can do. He can vote against this bill and stand up and tell the people why he voted against the bill—because not only is it so ridiculous, it is so dangerous. His people will applaud him for it. This bill is the greatest step toward thought control

that has ever been attempted against the American people.

What are the proponents trying to do in passing this bill anyway? Are they attempting to try to better race relations? If they are, they could not be going about it in a worse way. Let us face the real facts. Barriers between races and creeds are erected by men and not by laws. These barriers can never be lowered or removed by passing laws. They can only be removed by men. The people of my State have a great pride in their independence of thought and action. I do not claim that we are unique in this position or that we have any monopoly in our desire for independence of thought and action, but I can tell you that we do possess these qualities to a very high degree and possessing them in such a measure, I know what the reaction of my people would be to coercion.

Let me leave another thought with you. These manmade barriers about which I was talking a moment ago had been gradually crumbling since the War Between the States. The passing of this bill, added to the recent Supreme Court decision, will cause barriers to spring up higher than ever. I know there are people in this Congress who are dedicated proponents of the type of legislation as evidenced in this bill. I know, too, that there are many people in the United States who would die before they would submit to what some proponents of this legislation would like to accomplish. Between these two extreme groups of proponents and opponents, there are many millions of people of good will in the United States. Some of them may be kindly disposed to the objectives which the proponents of this bill say it will accomplish. But even these people will desperately resist coercion in any form. These people have no desire to unite with either extreme. But if you force them to take sides, and this bill will do that, it is quite obvious that the side they will take is one in opposition to this bill.

The proponents of this bill may think that this is directed only at the South, but you cannot enact legislation affecting only one part of the country, and the provisions of this bill are so far reaching as to stun the imagination. The very people who propose this bill may well be creating a Frankenstein that can turn around and destroy them.

I urge you to believe me when I say that if we pass this legislation, years of patience and progress will have been wasted, and racial relations in my part of the country which until recently have been of the best, will be so greatly damaged that they will be beyond repair in our lifetime.

If we should pass this legislation I think we should give serious thought to amending the oath of office we take when we come to Congress. Instead of swearing to "uphold and defend the Constitution of the United States," we should qualify it by saying "except the 10th amendment thereto."

Mr. SELDEN. Mr. Chairman, while H. R. 627 may be cited as the Civil Rights Act of 1956, the real nature of this bill is not gained from the reading of its title. This is not a bill to safeguard civil rights. Rather it is a bill to undermine States rights by transferring new and dangerous powers to the Federal Government.

When our forefathers framed a Constitution for this country, they instituted two important safeguards for the rights of the individual. The first consisted of specific prohibitions against certain kinds of governmental action. The second was a diffusion of powers between the Federal Government and the governments of the individual States.

Mr. Chairman, guaranties against government and the checking of power by other power have been the traditional safeguards of our liberties. Yet, this so-called civil-rights bill is directly contradictory to both of these established and tested principles. This measure does not deny powers to the Federal Government—as does the Bill of Rights—but instead vests the Federal Government with new powers with which it can oppress the individual citizen. History teaches us that individual rights are protected by denying powers to government, not by increasing them.

Also, this measure strikes a major blow against the traditional power and independence of the States. Our form of government is based on a division of authority between the Federal and State Governments, each vested with powers over certain subjects, and each sovereign within its own field of competence. Yet, this bill would give to the Federal Government power to supervise the States in matters traditionally within the field of State authority.

The American Revolution was fought because the power of local authorities was invaded by the overwhelming ambitions of a distant government. All the great spokesmen of American liberty from the time of Thomas Jefferson have insisted that the Central Government be given an absolute minimum of power; that the only safe repositories of governmental power are those authorities that are closest to the people. Local autonomy is one of the traditional safeguards of liberty, and the undermining of State authority is not a matter to be taken lightly by the proponents of individual liberty.

Instead of local autonomy, the modern proponents of civil rights seek to increase the powers of the Central Government. In the name of liberty they support principles which have ever been destructive of that liberty.

The ostensible purpose of the Commission on Civil Rights, advocated in part I of H. R. 627, is to investigate the necessity of civil-rights legislation. Yet, the remainder of the bill proposes the very legislation whose need is supposed to be investigated. If an investigation is really what the proponents of this legislation desire, then why are its conclusions already prejudged?

Mr. Chairman, this procedure is certainly unusual. Has any committee of the Congress ever issued a report on a bill first and then held hearings afterward? If an investigation of alleged complaints is to be made, would it not be normal procedure to at least await the verification of those complaints before considering remedial legislation? The peculiarity of this procedure must raise doubts with any unprejudiced observer as to whether the real purposes of this investigative commission are not different from the reasons set forth in this legislation.

The power of subpena, given to this Commission on Civil Rights under part I of the bill, is a power that should be jealously guarded. Yet, when read in the general context of the bill, one can only surmise that its purpose is to enable the Commission to harass officials of the States who are not in agreement with the dubious views of constitutional authority likely to be prevalent among the members of such a commission.

Part II of the bill now under consideration provides an additional Assistant Attorney General to be in charge of a new Civil Rights Division in the Department of Justice. Judging from the caseload handled by the present Civil Rights Section of the Department of Justice, this proposal would appear to be based on the fallacy that there is, of necessity, some advantage in creating more Government jobs. The majority report makes it crystal clear, however, that part II is designed so that the Federal Government can invade all of the States and subdivisions in matters relating to integration, the field of education, and even interstate and intrastate matters, including primary elections. This would, of course, constitute a constant threat, not only to all State and local governments, but also to virtually every officer and agent of such governments.

Part III of the bill is entitled "to strengthen the civil-rights statutes, and for other purposes," while part IV is "to provide means of further securing and protecting the right to vote."

Before examining them separately, I would like first of all to draw attention to the features these two parts have in common. They both provide that the Attorney General may institute civil proceedings on behalf of the real party in interest and that the district courts shall have jurisdiction regardless of whether the aggrieved party has exhausted the State judicial or administrative remedies.

Mr. Chairman, these are radical provisions indeed. Was the great office of Attorney General of the United States created in order to provide free legal services to one party in a civil suit? Is the power of the United States to be used in order to secure for private individuals judgments for damages?

The Attorney General is already authorized to institute criminal proceedings for violations of the civil-rights acts. If crimes are committed, the guilty can be punished. But let us not use the legal officers of the United States in order to aid private parties in a civil suit. If a man is wronged, he can hire a lawyer and bring suit. Let us not create a privileged class for whom the Attorney General will act as private attorney.

These provisions give the Attorney General an almost unlimited authority to meddle in the internal affairs of the States. Combined with the exemption

from the requirement of exhausting State remedies, this bill is a lethal blow at the traditional American doctrine of States rights. What is the purpose of this exemption? Are the Federal courts starved for business? Do we not in every session get pleas for the creation of more Federal courts because they are so swamped with work?

The exhaustion of State remedies before application to the Federal courts is a tradition of our jurisprudence. It is a counterweight to that continuous expansion of the central power which is always the danger of Federal systems. Under our Constitution we have a dual system of courts. This legislation would seek to make the State courts superfluous.

These innovations in procedure are designed to enforce a Federal role in an area in which it is very doubtful that that Federal Government has any powers at all. Part III deals with the civil-rights acts that protect a citizen against deprivation of his rights by other citizens. Yet this is not a matter for the Federal Government. There is a long line of cases decided in the Supreme Court which hold that the Federal jurisdiction extends only to deprivation of rights through State action. The acts of private individuals are the concern of the criminal laws of the individual States.

The same is true of the right to vote, Mr. Chairman. The Constitution restricts the grounds for which a State may deny the right to vote. It also provides that the qualifications for voting in congressional elections shall be the same as those for voting for the most numerous branch of the State legislature. There is no other Federal right to vote. The franchise is a matter of State legislation except for the few specific prohibitions in the Constitution. The legislation now before the House is based on the unfounded premise that the franchise is a Federal matter.

Mr. Chairman, H. R. 627 is of highly dubious constitutionality. It is destructive of the true cause of civil liberties because it is in fact a bill to aggrandize the Federal Government and to undermine the authority of the States. It has been proposed without an adequate investigation and has evidently gained support as a result of its title rather than its merits. Our liberties are the fruit of our constitutional traditions. This bill is in opposition to those traditions and all true friends of liberty should vote against it.

Mr. McMILLAN. Mr. Chairman, I want to take this opportunity to express my deep appreciation to the minority members of the House Judiciary Committee who have so ably explained the provisions of the pending so-called civil-rights bill. I am certain that every Members of the House has been greatly enlightened by the explanations of this bill so ably expressed by the distinguished gentlemen, Mr. TUCK, of Virginia; Mr. DIES, of Texas; Mr. WILLIS, of Louisiana, Mr. FORRESTER, of Georgia; and Mr. ASHMORE, of South Carolina.

I do not think any Member of the House can honestly state that he or she approves of some of the provisions of this pending bill. I do not believe there has ever been an order issued by the Kremlin or any of the dictators of Russia that could compare with some of the provisions in this bill especially the provision which states that a person can be arrested for something he is about to think of doing. I do not believe the good solid colored citizens of the United States desire legislation of this nature and we all know that it is expressly directed at the Southern States.

However, if a bill of this nature should ever be enacted into law, I am certain the people of every State would feel the dictatorial powers of any scrupulous Attorney General who might be holding office under either a Democratic or Republican administration. We all fully realize that this legislation is being pushed strictly for political reasons and purposes. I really did not think that I would live to see a bill of this nature presented to the floor of the House for consideration during my lifetime and I am certain there are enough good people in this country with commonsense to prevent any proposed legislation of this type from ever becoming a law of the land. I have certainly learned a great deal by listening to the debates here on the floor of the House since the bill was called up for consideration yesterday at noon.

I have especially been amused over the fact that so many of the advocates of the bill are unable to explain the provisions of this obnoxious bill. I have listened to some of the best lawyers in Congress and the United States explain the provisions of this bill and it is more than I can understand how it was ever reported to the floor of the House for consideration.

I certainly hope that when you take a final vote on this bill we will have a sufficient number of Members who will consider the far-reaching effects of this proposed legislation and who will forget politics for a moment to kill this bill without sending it to the Senate for further consideration.

Mr. CELLER. Mr. Chairman, I yield 15 minutes to the gentleman from Illinois [Mr. BOYLE].

Mr. BOYLE. Mr. Chairman, as a member of the subcommittee of the House Committee on the Judiciary and as a member of the full committee, I take this opportunity to stand up and publicly support H. R. 627.

Although it was my intention not to talk on this very controversial piece of legislation because apart from the emotionalism and sectional feelings debate makes for considerable misunderstanding in this field. In addition, I had a more practical reason which was based upon a little chat I had with probably one of the most matter-of-fact and down-to-earth Members of this whole House; and that gentleman was none other than that great chairman of the Committee on Ways and Means, Mr. JERE COOPER, of Tennessee, who felt even before this bill was brought to the floor very few, if any, votes were going to be changed by anything that was said in connection with this piece of legislation.

Just before taking the floor, I was happy to hear the chairman of the Committee on Rules say that the debate up until this time has been brilliant and as thorough as any discussion on any bill before the House of Representatives in his memory—and his memory goes back a long way.

This entire area is one where there is considerable ignorance on the part of people, and that ignorance be it crass or gross or invincible ignorance may capture and envelop all of us. I would be the last individual to take the floor and assume that maybe I was not somewhat tarnished by some one type of ignorance while I legislate in this field. Maybe it is only crass ignorance and maybe it is the result of my background, my education, my training, or the particular place in which I was reared that might have a great deal to do with my feeling on this subject of civil rights.

Maybe it is a type of ignorance that could be expelled by mere study and research. Maybe it is gross ignorance that could be cleared away by considerably more empirical knowledge plus additional formal education than I have at the moment; or maybe it is so far beyond any of those that the ignorance is invincible in character and scope—that is, where no amount of enlightenment, whether in the natural order or supernatural order, is going to change the thinking, the deductions, the activity of the cognative faculties of people who compose this body. Be that as it may, due to the fact this bill came out of my subcommittee, and I had considerable to do with the drafting of it, the RECORD should show not only my support but also my reasons for its drafting.

With the time available I am not going to try to answer all the arguments that have been advanced against this legislation in the last 2 days, because, obviously, it would take almost the same number of days to even give partial answer to the objections that have been raised. But for the record, as I stand here today, I want you to believe anything I have said or anything I have done up to this time with this legislation has not been done with the idea of bidding for the Negro vote or attempting to deliver the Negro vote. There is scarcely a single Negro family living in my district. No one has a monopoly on human kindness. No one has a monopoly on logic. No one has a monopoly on ethical conduct. But I learned a long time ago that every right has a corresponding duty; that rights and duties are corelative; and based on that principle it is not difficult to recognize the absence of that equitable formula in certain sections and localities.

It is not difficult for me to feel that that equality is basic. It is fundamental to the very nature of people. In that bundle of rights that constitutes the nature and the quality of the human being, I feel that he has a soul. I feel that the soul is the ultimate principle of thinking and willing. I think the soul is conditioned upon matter, but it is not composed of matter. So when you get away from the formal attributes that constitute being, as such, or individuals, as such, then you do not bother to go

into the question of color, which is simply an accident. If that premise is granted, then everybody is equal. If that premise is true, there is no super race. There is no race in the history of man that has any more rights or any more obligations or any more natural endowments than any other race. Resultingly it is hard for me to understand or comprehend under a society which is admittedly dedicated to the proposition that this country of ours is a government of laws and not men, you find all men created equal but some people are more equal than others.

Off the postulates that all men are created equal, that color is a mere accident and all studies of ethics give a lie to any distinction between people by reason of race or national origin I, for the life of me, as a lawyer, as a member of the Judiciary Committee of the House of Representatives, have real trouble in finding where there should be too much opposition to this simple law which only protects that bundle of rights inherent in every man, woman, and child, and particularly to Americans.

This bill has been too long in coming; it should have been acted on a long time ago. All of the arguments that I hear about the dignity of the State are granted; I will transmit that legal proposition. But in all of the arguments that I heard about the dignity and the lofty position of the State, I find a total absence of any discussion touching on the sovereignty of all the people, their inalienable rights and their entitlements to equal justice before the law.

Every person composing a State is entitled to his rights and is entitled to justice in seeing that those rights are not abridged. Sovereignty forever must exist in the people subject only to those grants given to the States by the people. This bill seeks nothing more than to guarantee and safeguard those constitutional rights and to see that they are preserved and protected by the dignity of law. And where does law reach its nobler aspects, its finer moments, more than when it frees people maybe not from a tyrant, or maybe not from some elected official, but when it frees him from a social order which through the years has deprecated his rights as a freeman and has almost robbed him of the right to vote or participate in the conduct of his Government?

Everybody on the floor today, should be in favor of this bill. Particularly is this true of those who parade under the label of the Democratic Party. The Democratic Party is dedicated to the little people and their general welfare, and here this law, if it does anything, helps the little people. There is nothing in this bill today that is not couched or contained in the very language of the planks adopted in the Democratic platform of 1952. There are very few people sitting on my side of the aisle who quarreled with the enunciation of those principles of civil rights or questioned them when they ran as a Democrat and when they were elected as a Democrat or took their seats as heads of powerful committees as Democrats.

It would seem to me, that we in Congress should be long past the time when speeches are required to point out why there is need for a civil-rights bill. Nonetheless, with all the words that have been spoken on this subject, it remains an ugly fact of American life that outrageous discriminatory actions occur daily in this country, at the same time that we continue to preach opportunity and democracy to the rest of the world.

Where is our sense of shame?

I read in a newspaper the other morning a letter which illustrated in an ironic way the manner in which racial and religious discrimination has made us hypocrites. The letter concerned a trip made by the son of a visiting Asian dignitary to an amusement park. Apparently the policies of the park are aimed at preventing Negro attendance and an exception was made in the case of this young visitor. The exception was desirable and laudable, but it was nonetheless an exception. The news and pictures of the visit will be broadcast to the far corners of the world, and rightly so, as an example of American hospitality. But it is a hospitality we do not extend to all of our own.

I wondered as I read if there were many people who read this letter who have frequently sent their children to play at this park, unaware that there are other parents, whose children are not welcome there. I wondered what those other mothers and fathers must do when with love and desire to please their youngsters they must tell them: "No. There are certain places where you cannot play; there are certain places where you cannot sit. There are certain places where you cannot even live."

We to whom the doors of opportunity open easily tend to forget or deliberately to ignore the unpleasant fact that to other capable, desiring individuals these selfsame doors are closed. Accustomed to white faces around us, we fail to notice the absence of black ones. We cannot grasp what it would mean to have whole areas of life walled off from us because of the color of our skins.

What can one say in the face of a closed door?

How does one tell an American child that a part of his heritage is injustice? How does one equip the child of one race to live with his constant frustration, and how does one explain to the child of another race that these violations of human dignity he sees around him need not rest heavily on his conscience? There is no honest way. And this lie we live, this gap between the principles we profess and those we practice is a poison that creeps through our system and weakens us as a democracy and a world power.

And what have we in Congress done about it?

Although it is precisely our responsibility to provide legislation protecting every person in this country in the free exercise of his civil rights we have done almost nothing since 1875. Back in the days of Reconstruction we passed a series of vigorous, comprehensive statutes designed to guarantee such protection, but over the years these measures have been worn away by the Supreme Court and by our own failure to fill gaps and repair or replace discarded provisions. The bulk and heart of this, our only real attempt at civil-rights protection, have rotted away.

We began in 1866 with the roar of a lion; in this century we have sounded like a feeble house cat.

This importance must be ended. We in Congress can no longer ignore our responsibilities where the protection of civil rights is concerned. Once it could be said that only the eyes of the Nation were upon us—now they are the eyes of the whole world.

The time for speeches is long past. Now it is time for the Congress to close the gap between principle and practice, and launch a program for the enforcement of the civil-rights guaranties of the Constitution. Yes, and it is we in Congress who must provide for such a program.

There is precious little in the existing laws of the United States to support such a program. Only four sections of the criminal code deal with violations of civil rights. Two of these provide that a conspiracy to injure a citizen in the exercise of his Federal rights, and a willful action under color of law to deprive an inhabitant of his civil rights are both crimes that may be punished by fine and imprisonment. The effectiveness of the second of these provisions as a basis for criminal action against violaters has been largely weakened by a Supreme Court decision, Screwes against United States.

The third section makes it a crime to disqualify jurors on account of race or color. And the fourth, which was passed as a part of the 1939 Hatch Act, makes it a crime to intimidate any voter in a Federal election.

In addition to these few criminal laws there are certain statutes which provide for civil action in the case of violations. These sections of the civil code make it possible for a party whose civil rights have been violated to sue for damages in court. At present, the Federal Government is in no way involved in such actions. They take place only between the parties directly concerned and can be brought only by the person whose rights have been abridged.

Finally, there are laws which make it a crime to hold a person in slavery or to kidnap with the intention of holding the victim in involuntary servitude.

Former Attorney General Clark, in a statement to the House Judiciary Committee on the proposed Civil Rights Act of 1949, said of these existing laws that they "fall far short of providing adequate implementation of the amendments protecting life, liberty, and property."

The truth of his statement can readily be seen.

For instance, nowhere among the laws is there a statute which deals with actions that deny an individual the right to vote before he tries to cast his ballot. Yet it is commonplace knowledge that one effective way to prevent a man from voting is to disqualify him on the basis of trick questions, even though such questions barely mask the real purpose of racial discrimination.

Nowhere is there provision for the punishment of the person who acts alone

and not in conspiracy with others to injure a citizen in the exercise of his Federal rights.

Furthermore, the statute that makes a conspiracy against a person's civil rights a crime protects only citizens and does not extend its protection to aliens.

The civil voting law as it now reads can protect the voter from only the activities of public officials who under color of law attempt to disenfranchise him for racial reasons. It does not protect him from private persons and organizations who do the same thing.

Nowhere is provision made for the fact that those persons whose civil rights are violated are usually precisely the people who, because of poverty, threats of physical harm, or a hostile community, are least able to institute a suit for damages.

And finally, nowhere in the present law are there measures to protect people from discrimination in housing, or in employment, or in interstate transportation.

The law as it now stands is woefully inadequate.

That is why H. R. 627 is now before the House for its consideration. This bill, which has the endorsement of a majority of the House Judiciary Committee, makes an excellent beginning toward eliminating the defects in the present law and lays the groundwork for more and more effective Federal action in protecting civil rights.

The approach that underlies the bill is a sound one. At the same time that it takes certain steps to render enforcement easier and more effective, the bill provides for a thorough and impartial study of the state of civil rights in the Nation. Out of this study will grow the further steps that are to be taken.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. BOYLE. Mr. Chairman, the bill attacks the problem of violation through the civil rather than the criminal code, and aims particularly at offenses committed against the right to vote.

The legislation has four major parts. Two of these modify existing law by amending two sections of the civil code. The civil statute guaranteeing the right to vote is amended by a section which extends the coverage of its provisions to all private persons and organizations who act to abridge the voting rights of another, whether or not they are acting under color of law. The law will apply in any election which deals with candidates for Federal office, be it general, special, or primary.

Another addition authorizes the Attorney General to institute a civil action on behalf of any person or for the United States on behalf of any person whose rights under this statute have been violated. This authorization also includes the right to seek injunctive relief in the courts in order to prevent threatened violations from taking place. For example: In testimony before the committee it was brought out that Negro citizens in a certain State had been required to answer such questions as "How many bubbles in a bar of soap?" in order to qualify to vote. "What do you mean by due process?" Yet the State statutes at the time required only that applicants be able to read and write the Constitution. College graduates, teachers, and businessmen were disqualified from voting on the basis of questions as irrelevant as these. Had the Attorney General then possessed the authority to seek injunctive relief which this bill gives him, he could have asked the courts to order the registrar to stop these discriminatory practices before the elections went by and the votes were lost.

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I only have 5 minutes.

Mr. WILLIAMS of Mississippi. I just wanted to ask the gentleman what gave him the idea that such questions were being used?

Mr. BOYLE. I decline to yield.

Furthermore, the Federal Government without resort to the more lengthy and complex procedures of a criminal action. It might also avoid the ill feeling which would surely be generated if Federal officials faced State officials in a criminal proceeding.

As a final addition to the civil voting statute there is a section which states that the aggrieved parties or the United States on their behalf may bring their cases into the Federal courts before all State and administrative remedies have been exhausted.

The Attorney General of the United States, Mr. Brownell, expressed his support for these amendments in the following words:

> Criminal cases in a field charged with emotion are extraordinarily difficult for all concerned. Our ultimate goal is the safeguarding of the free exercise of the voting right, subject to the legitimate power of the State to prescribe necessary and fair voting qualifications. To this end, civil proceedings to forestall denial of the right may often be far more effective in the long run than harsh criminal proceedings to punish after the event.

The other civil statutes protecting civil rights are also amended by a provision allowing the Attorney General to bring civil action on behalf of the United States for an injured party. Whereas under the law as it now stands conspiracies to interfere with civil rights can only be challenged in a civil suit instituted by the one whose rights are violated, under the new amendment the Federal Government will be allowed to participate. Again, all State and administrative remedies need not be exhausted before recourse is had to the Federal courts. Conspiracy, however, remains a necessary condition for liability.

These changes in the civil code will render our enforcement program more effective. They will aid the Government in obtaining judgments against violators of civil rights in those areas where criminal judgments, requiring indictments by a grand jury, prove difficult to obtain because of the very discrimination this bill is fighting.

The remaining provisions of the bill deal with administrative machinery rather than law. One section establishes the post of Assistant Attorney General for Civil Rights in the Justice Department. This action would have the obvious merit of recognizing the importance of the work done in this field. In recent years civil-rights cases have been coming before the Federal courts in increasing numbers. The additional workload this presents to the Department, plus the problems raised by the Supreme Court decision on education 2 years ago, demand that those who are responsible for handling the civil-rights work of the Department have greater authority and prestige.

As the Department of Justice is now organized the Civil Rights Section is a branch of the Criminal Division. This placement was logical back in 1939 when the Section was formed, for the civil-rights activities of the Department at that time were almost completely concerned with the enforcement of criminal statutes. The picture has radically changed since that time. The noncriminal activity of the Section has increased to the point where detachment from the Criminal Division seems warranted. With the passage of this bill, that activity will increase even more. The establishment of a separate Civil Rights Division under an Assistant Attorney General which will be responsible for all criminal and civil activity in the field of civil rights seems to me to be both justifiable and wise.

The final major provision of this bill calls for the creation of a six-member bipartisan Commission to conduct a thorough study of civil rights throughout the Nation. The life of the Commission is limited to 2 years and its members are to be appointed by the President with the advice and consent of the Senate. In this 2-year period the Commission is authorized to hold public hearings, subpena witnesses and documents, and take testimony under oath. It may also request data from any executive department or agency. At the end of this time it is to submit its report of the situation along with recommendations for future action.

The Commission will study the problem from all viewpoints—legal, social, and economic. It is hoped that its work will provide a focal point for the efforts of all men who desire to achieve solutions to these problems, responsibly and with good will and mutual understanding.

These are good proposals, and H. R. 627 so far as it goes is thoroughly deserving of support and passage. Its one flaw is that it does not cover enough ground. The bill provides, to be sure, a beginning for more vigorous Federal activity in support of civil rights, but there is more—much more—that could and should be done. For this reason I supported several proposals which were originally part of H. R. 627 but which were rejected in committee. I should like to review these measures briefly for you now.

Some of the changes to the existing law which were proposed and rejected in committee would have made it easier to bring a case of criminal violation of civil rights to trial. Since it has been pointed out that one reason for relying on civil rather than criminal proceedings is the

difficulty encountered in bringing criminal cases to trial, I think that amendment of the criminal provisions would have been the more direct and effective approach to take. While measures that strengthen the civil code are both praiseworthy and important, the criminal statutes should not be skirted or forgotten. The two approaches to dealing with violations are complementary. In my opinion, civil actions should be considered supplements to continued prosecution under a strengthened criminal code.

An abridgment of civil rights is more than a crime against an individual. It is a crime against the Nation.

As the law now stands, the maximum penalty for a criminal violation remains the same whether the offense committed is of a major or minor nature. A former Attorney General has commented that in cases of death, of maiming, this punishment could never fit the crime. I am inclined to think that it never could be made to do so, but here as in other areas we should recognize the principle of degree. Therefore, I supported in committee an amendment that would have increased to 20 years and $10,000 the possible penalty for a civil-rights offense that has caused the death or maiming of the injured person.

I also supported a measure that would have made individual as well as conspiratorial action a punishable criminal offense. The bill before us does not make this change even with respect to civil statutes. I think this is unfortunate, for there is no element in man's nature which compels him to act always in groups of two or more when committing a crime against his fellow man.

With respect to the protection of the franchise the bill as originally considered in committee would have amended the criminal as well as the civil statute to include, as violations, offenses committed against the right to vote in any Federal election, general, special, or primary. It would further have made it both a criminal and civil offense to deny any citizen otherwise eligible by law an equal opportunity to qualify to vote. Again, while I am wholly in favor of the amendments to the civil code I would have preferred the two-pronged attack as more direct and more effective.

Another proposal rejected in committee would have established a Joint Congressional Committee on Civil Rights. The need for such a body seems clear. If we in Congress are going to enact any kind of program for the enforcement of civil rights, we ought to have in our midst a committee whose special charge it is to keep an eye on the program's execution. If we are to exercise properly our responsibility to legislate wisely and well, we need in this area as in others a group composed of our own membership to investigate conditions and gather the data on which the actions we take can be based. I hope that Congress will recognize this need and establish such a committee in the near future.

Finally, I myself introduced an amendment in committee, which would have outlawed segregation and discrimination in interstate transportation. All forms of discrimination are reprehensible but this form is particularly odious to Americans. We grow up to believe that we are free as individuals to move as we will in the manner that we will so long as we do not harm ourselves or the public welfare. Yet the situation still exists in our country where individuals who begin their journey in the same manner as any other travelers must submit before reaching their destination to the indignities of segregated seats and segregated facilities. This is far from the American way of life.

The argument has been raised that the Interstate Commerce Commission order of last fall directing the end to color discrimination in interstate transportation eliminated the need for legislation on the part of Congress. I certainly hope and pray that the order will be vigorously enforced and that it will be effective in ending such discrimination. But when I read in the papers that the order is being openly defied in some States and that some governors are instructing their officials to continue rigid enforcement of separate facilities on the grounds that State laws require them, I have my doubts that the Interstate Commerce Commission order alone can do the job.

At the worst such an amendment as that I have introduced would have been superfluous. At best it might have brought about the end of this indefensible practice.

To write into the law a provision abolishing segregation in interstate transportation would not be to establish a new policy. It would be simply to strengthen and clarify a policy as old as the principles declared when this country achieved its independence almost 2 centuries ago.

And that is what H. R. 627 does. Despite protestations to the effect that we are departing from time-honored practice and injecting the Federal Government into a radically new field, we are doing only what Congress started out to do over 80 years ago. We are doing what the people meant us to do then, what they want us to do now, and what we should have done long ago.

The responsibility is clearly ours. To quote again from former Attorney General Clark's statement, "the amendments declare the fundamental principles, which are effective and self-executing insofar as they apply to a particular matter, but the Congress is empowered to extend their principles to meet many situations and different circumstances which arise under the growth and advancement of our civilization."

There are many who deny that we have such a responsibility. They claim that these matters of which we speak are matters of custom and habit which cannot and should not be dealt with by law. To you who hold this view I say that when customs deny people their fundamental rights as citizens, and when they cause physical harm and inflict mental indignities on other human beings, they must be abolished.

The subcommittee which originally considered this legislation was told that it was estimated that the registration of Negro voters in one State had dropped from 20,000 in 1952 to 8,000 in the spring of 1955. In one county the number dropped from 400 to 91. Furthermore the 1952 figure of 20,000 had represented only one twenty-fifth of the Negroes of voting age.

Customs cannot be permitted to do this. It cannot be allowed to disenfranchise qualified citizens of the United States. Nor can it be allowed to kill and maim.

Lawlessness must be met with law.

The moral voice of the whole people must be raised in outrage against the offenses committed by some of its number. Fixed standards guaranteeing equal treatment of all of this country's inhabitants must be set to curb the conduct of those who refuse to grant such treatment of their own accord. And these standards must be backed with the authority of the Federal Government.

As I said to you earlier, our abuse of some of our own people injects a hypocracy and poison into our system, which inevitably affects all of us. For we are a Nation, and within the boundaries of this land we live side by side. We cannot hurt some without hurting all.

Mr. MURRAY of Illinois. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I will now yield to the gentleman from Illinois.

Mr. MURRAY of Illinois. I would like to concur in the fine statement the gentleman has made. Is it not a fact that all we are doing by this legislation is this: We are merely providing a remedy for the exercise of existent rights. We are merely authorizing an injunction to better effectuate rights Thomas Jefferson described when he stated in the Declaration of Independence, as follows: "Man is endowed by his Creator with certain unalienable rights. Among these are life, liberty, and the pursuit of happiness. To secure these rights, governments are initiated among men."

Mr. BOYLE. I would say that is a terse and succinct statement of the only legal proposition involved. The Attorney General under present law, if he wanted to avail himself of the legislation on the books and wanted to exhaust all its possibilities and handle it well, could at the present moment institute almost all of the actions spelled out in this bill before us.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I yield to the gentleman from Iowa.

Mr. GROSS. Then are you not creating new rights in the hands of the Attorney General?

Mr. BOYLE. No. We are merely providing a duty and a remedy. Through all the hearings I maintained, I may say to the gentleman from Iowa, that the Attorney General could, if he wanted to act forthrightly, take care of all the problems this bill would remedy. He may not have the right of injunctive relief, but he could surely step in and stop continued abuses of our constitutional processes.

Without reservation I urge the enactment of this legislation.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Chairman, I am unalterably opposed to the pending so-called civil-rights bill, H. R. 627. Previous speakers have denounced and exposed the measure as dangerous to the general welfare of the country. I do not believe I could improve on their remarks, but I did want to take this opportunity of placing myself squarely on record in opposition to the pending measure. I shall vote against it, and I hope ways and means may be found to defeat it.

Mr. CELLER. Mr. Chairman, I yield to the gentleman from New York [Mr. DAVIDSON] such time as he may desire.

DIGNITY, EQUALITY, AND FAIR PLAY

Mr. DAVIDSON. Mr. Chairman, for the second time in the past 2 weeks the Members of this body are in the process of debating a great domestic issue. We have for consideration at this moment, a bill, H. R. 627, the so-called civil-rights bill. The measure before us is a watered-down and diluted version of the original H. R. 627 and of my own bill, H. R. 3423, which was identical in every respect with the original H. R. 627.

The provisions of the measure now under consideration are not very complex, nor very unusual. The bill can be broken down into four major provisions: First, there is to be created a six-man bipartisan Commission on Civil Rights in the executive branch of the Government, and the Commission is to be given subpena power; second, there is to be created an additional Assistant Attorney General in charge of a Civil Rights Division in the Department of Justice; third, title 42 of the United States Code is to be amended at section 1985 so as to provide for civil remedies against conspiracies to deprive persons of their civil rights; and fourth, and finally, there is to be established a provision for a civil remedy in a suit brought by the Attorney General to protect the right to vote.

Mr. Speaker, this, it occurs to me, is the very least that could be expected of this Congress insofar as civil rights legislation is concerned. I, for one, am unable to understand how any Member of this body who believes in human dignity, in respect for the individual, and in the constitutional privileges which are accorded to every citizen, can take a position in opposition to this measure. Its purpose is to insure and to guarantee to each and every citizen of this Nation, regardless of race, creed, color, or national origin, the rights which he is entitled to enjoy under the Constitution and the laws of the United States, including the right to vote, and through the exercise of that right, to be fully and adequately represented by elected public officials. This right, in my estimation, is the most important and the most precious right which a citizen can possess, for it gives him the right to have a voice in the determination and solution of the great issues of the day. In fact, our Nation gained its own independence on the premise that the lack of representation could not be endured. The cry of "No taxation without representation" became the cornerstone of our Nation's liberty. Today, lack of representation is still a reality for large segments of our population.

There are many other phases to the civil rights problem, only some of which will be solved by the passage of this bill. The debate in which we are now engaged should have been on a plane far above the level to which it has frequently descended. I for one will continue, as I have always done in the past, to respect the point of view of an adversary, regardless of the fact that he holds a view drastically and diametrically opposed to my own. It is for that reason that I have been deeply shocked and deeply embarrassed when in the course of this debate some of my colleagues have used the word "Negro" but distorted its pronunciation so that the sound which we hear in the Chamber is "Nigger." It is for the same reason that I am equally shocked and embarrassed, and completely unimpressed when opponents of this bill attempt to discredit the loyalty and Americanism of those who have sought to support this legislation with a fervor and an ardor equal to that of the bill's opponents.

There is not one among us who does not loathe Communist tactics. It is, however, the height of demagoguery to charge those with whom you disagree with subversion, disloyality, and Communist divisiveness. This very practice is a totalitarian importation.

Mr. Chairman, I resent the attempt to impugn the sincerity and the loyalty and the Americanism of those of us who fight for civil rights, and I condemn the method employed by some of those who, by their speeches in this debate, have deliberately sought to offend a large segment of our American population.

Mr. WILLIS. Mr. Chairman, I ask unanimous consent that all Members who have made remarks on the floor during general debate be permitted to revise and extend their remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, as I have said here before today, I think in the last 2 days we have seen one of the finest debates that I have ever seen take place on the floor of this House. It has been temperate; it has been good humored, and the only thing that is lacking has been an audience on a bill that is of vital importance, not to the Democratic Party, not to the Republican Party, but to every citizen of the United States.

Now, I have been mystified by the lack of interest on the part of those who are expected to pass this bill. I have sat here this evening and listened to several of the finest constitutional arguments I have ever heard, and as I listened I looked around and I counted, and I counted usually less than 20 members of the Republican Party here, and knowing them as I know them and looking them over, I noted that some of them were men that I could count upon who, having listened to that debate, would have sufficient independence to vote against this nefarious piece of legislation that has been foisted on the country. And, I wondered what has happened that those gentlemen have lost interest in this piece of legislation. I particularly wondered, when the gentleman from California [Mr. ROOSEVELT] got up here and read into the RECORD a letter from your President saying that he favored this bill and wanted it enacted into law. Now, there has been a good deal of talk about who was entitled to the credit for this great enterprise that we are now engaged in. There is a great deal of jealousy between people about it. The Democrats claim that it is their bill; Mr. Eisenhower claims that it is his bill, and yet I am given some hope, because the Eisenhower forces have not seen fit to stay here and listen to this very illuminating debate. I am given hopes that those gentlemen who stayed here yesterday and heard the very fine debate which took place have been convinced of the fact—and it is a fact—that this bill is so badly conceived and so uncertain in its provisions and filled with such ominous opportunities for abuse that those gentlemen have been convinced that they would not be here to vote for it.

Now, let me compliment the gentlemen from New York [Mr. CELLER and Mr. KEATING], on their conduct here yesterday with respect to this bill. They stood here and permitted every Member of the House who wanted to to ask them the most searching questions as to what this bill meant. I do not say we found out what it meant, because nobody knows what it means. But, I do say that those gentlemen were fair in every answer they gave, and they tried to elucidate this thing that is not elucidatable. And, I think as the result of that debate, when Members had heard about this bill and had asked questions about it and had seen what an impossible piece of legislation this is, that they said, "Well, I will go back to my office and tend to my business and be here in time to vote against it." And I am hopeful that that is their position. And I am sure that after this election is over, if our good President is reelected, he will forgive those members of the party who found it within their conscience to vote against his bill.

As to the Democrats, I do not suppose I ought to fuss with them very much, inasmuch as I bear that label. Sometimes I do not bear it very well, but I do bear it. But I wonder if you gentlemen—and I compliment you on staying here, a good many of you have stayed here better than my Eisenhower friends on this side whose bill they are seeking to pass—but I wonder if you realize what is in this bill. I shall not undertake to go into this bill in full. In the first place, I would be speaking to empty benches on my left and ears that did not hear. But there is so much bad in this piece of legislation that we would be doing the country a terrible evil if we passed it at this time.

I had a little colloquy here just a few minutes ago with three very distinguished members of the distinguished Committee on the Judiciary; the chairman, the ranking member, and my good friend from Maryland, Mr. HYDE. And we had a good deal of trouble, at the conclusion of about 10 minutes of collo-

quy, finding out whether they understood each other, and certainly, when we got done, those of us who were trying to find out something about the bill did not understand any more than we understood when we started. We could not even find out whether they really agreed about what this bill meant or whether they disagreed about it. Sometimes they seemed to be in agreement and sometimes they seemed to be in disagreement.

Do you want to put that kind of legislation out on the American people at this time? I know it is an election year. When you go home folks will begin to ask you about some of these things and you will have to answer, and you are going to be very much embarrassed because do not think that this is a sectional bill. I have not said a word about the sectional end of it in this little talk I am giving now, because it is not a sectional bill. It affects every man, woman, and child in every one of the 48 States in the Union. But suppose when you get home, and I am now speaking to some of my good friends from up North and out West, and somebody comes up to you and asks you this: "Say, look. I have got a mortgage on a fellow's property here and he is in default and I am about to foreclose him. But he has gone and told the district attorney that I am trying to do that because he is going to vote the Democratic ticket and I am going to vote the Republican ticket." Then he is going to ask you, "Can the district attorney come in and enjoin me from foreclosing a mortgage that is overdue, on a man who owes me money, whatever my motives might be?" You are going to have to say, "Yes," if you read the debates that occurred on Monday of this week, the 16th day of July, 1956; because if you read that you will find that that is exactly what can be done to your constituent or to you.

I happen to be connected with a bank. Suppose I have a customer who has borrowed money from that bank, I have given him a line of credit and I hear him say, "Now, look. I am tired of fooling around with these Democrats and Republicans; neither one of them knows where they are going, neither one of them is any good; I am going to vote the Communist ticket," and I say to him, "Look here, Joe, you have been a good customer, but if you give expression to that kind of views about government, I do not think you are a safe risk and I am going to have to call your paper." All right. He can go right straight to the district attorney. He can have me haled into court. He can have me enjoined from calling his paper. If I disobey the injunction, the district attorney can call me before the district judge and can put me right smack in jail.

I know a lot of you do not believe that, but read the RECORD of yesterday. That is one just slight example of what can happen to you under this bill.

I asked the question yesterday, if a colored child wished to go to a certain school and he was denied that and he went to a colored school, where he would get better attention and enjoy life better among his own people, the district attorney could at the instance of the NAACP come down there and against the will of that child institute litigation to enforce his supposed right. Some of you may have just come in, some of you may not have been sufficiently interested to listen to this debate, but do you all know that if my civil rights are violated, or somebody thinks they are violated—and this is not disputed, it was admitted in the debate yesterday, the Attorney General can institute a suit in my behalf over my protest and against my will, but in my behalf, and litigate the question of whether my civil rights have been trampled upon? Is that the kind of legislation you gentlemen in an election year want to force upon the people of America? There is no doubt of it. That is what you are doing.

When are you going to stop, look, listen, think, and read this piece of legislation and maybe some of the hearings that have been had upon it? If you will do that with a studious mind and a conscientious mind to do what is best for your country, you will not vote for this bill. I do not say that is what will happen, because I think this bill is going to pass. I think it is going to pass in spite of what anybody can do here. It is extremely unfortunate. I have noted another thing I should like to comment upon before I sit down.

There must be more than two people who are earnestly and strongly for this bill and know what it is about. Yesterday, as I commented before, the two gentlemen from New York got on this floor and gave a very fine exposition of this bill, and a very shocking exposition in their candidness about it. Yet today, thinking that I would speak later in the day, I have sat around here all day long waiting for some advocate of this bill to come down here and take this floor and expound this bill and submit himself to the kind of cross-examination that these two good gentlemen from New York underwent yesterday, but not one of them has had the courage all day long to do that. One gentleman spoke on the bill, in its favor, and when he was asked to yield he declined all requests, yielded back his time, and hightailed it out the door, and we have not seen him since.

Is there anything wrong with this bill that its advocates are unwilling to come down here in the well of this House and defend it, to come down here in the well of this House and defend it thoroughly and openly, as the two gentlemen from New York did, and submit themselves to cross-examination by their colleagues, who are seeking information, who are thirsting for information, and who do not know what this bill means?

I assert that the members of the Judiciary Committee cannot agree among themselves as to what it means, as illustrated by the colloquy I had with the gentleman from New York and the gentleman from Maryland.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. FISHER].

Mr. FISHER. Mr. Chairman, in a politically charged atmosphere there has been a lot of loose talk in defense of legislation on civil rights. It occurs to me this may be a propitious time to inject more lightning and less thunder into the discussion. How about a frank and purely objective appraisal of the real reasons why this legislation is before us? Since the emotional side of the problem is largely nonexistent in the district I represent, I feel that I am in a good position to ignore political considerations in a fair and impartial appraisal of the topic. If you can take it on that basis, then I invite your attention for a few moments.

The pressures behind H. R. 627 constitute a sad commentary on modern day statesmanship and upon the operations of the 2-party system in America today.

What I have just said is true for several reasons.

First, the legislation is unnecessary and nearly everyone knows that to be the case, whether they admit it or not.

Secondly, the chances for its enactment at this session are practically nil and everyone capable of getting in out of the rain knows that to be true.

In the third place, the bill is inherently bad because it was conceived in politics, born in politics, and its life is being nurtured and sustained solely by politics.

Is it not rather amazing, when you stop to think of it, that at this time when grim peril stalks the earth and peace is uncertain, we find people—grown people—dabbling in peanut politics on an issue such as this? What a spectacle to present to the world where millions look to America for leadership and example.

Now, why do I say that the use that is being made of this legislation is a reflection upon the 2-party system? Because, Mr. Chairman, many men who are in positions of leadership in both major parties are today engaged in a marathon to see who can outdo the other in conjuring up bait that will corral the Negro vote this year. That is a fact, and everyone knows it to be a fact. Let us be perfectly truthful about it.

That, of course, adds up to a monstrous reflection upon the intelligence, if not the patriotism, of the self-respecting Negroes of this country who must feel a pang of resentment against being singled out and played off as suckers and gullibles who are willing to bite at phony bait that the professional politicians and agitators, both white and colored, dangle before them.

Mr. Chairman, I have no quarrel with those who sincerely believe that the enactment of this or any other bill would solve a problem. They are entitled to that view just as I am entitled to mine. As I see it, they are misguided individuals in this instance, but if they are sincere, no matter how unsound and unrealistic their position may be, their views are to be respected because they are sincere. But we all know that the chief support for this measure does not come from that source.

PURPOSE OF LEGISLATION: VOTE BAIT

I see no point in delving into the contents of the bill. Ordinarily we talk about the merits and the demerits of legislation that is debated here. But not so in this instance because this is

a most extraordinary situation where, believe it or not, the controlling issue has but little relationship to the contents of the bill being considered. That is because the major purpose sought to be served by pushing this legislation is not to meet a need or to improve a condition; the controlling objective, as everyone knows, is to attract Negro votes. So the contents of the bill become relevant only to the extent that we want to analyze the ingredients of the vote bait that has been prepared.

This technique is not new. It will be recalled that former President Truman made use of the old discredited postwar FEPC for the purpose of keeping the Negroes stirred up and in line at election time. Now Attorney General Brownell, with all his political ingenuity, comes up with a sort of glorified FEPC for use as Republican bait in an attempt to snare the Negro vote. And like-minded Democrats have jumped aboard the bandwagon and are making like they are in the driver's seat. This particular parade is really a dilly. But though the natural temptation is to treat this spectacle in a spirit of amusement, we must remind ourselves that the damages that would result to our Nation by the passage of this bill cannot be treated lightly.

This civil rights business has through the years degenerated into a racket in election years.

BROWNELL LETTER, COMMITTEE REPORT, BOTH PURELY POLITICAL

This being purely a political measure, let us look at the political side of it for a moment. As evidence of the political coloring look at the committee report. A report, you know, is supposed to explain a bill objectively, give its objectives, and the reasons that justify its enactment. But this report goes far beyond that, as I shall point out.

This report contains the Attorney General's letter to the Speaker—the blueprint for this bill. Well, this is election year. The Attorney General is a Republican. But the Democrats control the committee which drafted this report. Naturally Democrats who go for the Negro vote do not like for the Republicans to whip up recipes that are more alluring than what the Democrats, prompted by the same motives, are able to devise.

So, in glancing through the majority report, the Democrats appear to have reminded the readers that about everything Brownell, the Republican, had thought of had been previously thought of by former President Truman, a well-known Democrat.

Let me give just a few examples of what I mean. At page 5, for example, the report refers to Brownell's letter asking for a Commission on Civil Rights, and then adds:

> They had been previously proposed to Congress by President Truman.

On the next page after citing Republican Brownell's request for a Commission on Civil Rights, the Democrats hasten to add:

> In 1948, President Truman urged creation of a similar commission.

And further down Truman's Committee on Civil Rights is cited as having recommended what Brownell is now recommending.

Then, on page 7 Republican Brownell is quoted as favoring an additional Assistant Attorney General to set up a special additional Department just to handle civil rights cases. They already have one such department, but they want another one. This is election year, you know. But the committee—a Democratic committee—did not let the Attorney General get by with that one. No, sir; the report adds:

> Also an identical recommendation was part of the civil rights program submitted to the 80th Congress by President Truman.

And they cite the book, chapter, and verse in the CONGRESSIONAL RECORD where it can be found, just in case anyone doubts it.

Does anyone detect any political coloring in the committee report? Actually, as you and I know, the majority report is more than an explanatory document such as customarily accompanies a reported bill. It goes far beyond that. It is also a political answer to a political letter written by the Attorney General in the role of a politician.

I suppose that is enough to illustrate my point. Perhaps one other citation will be indulged, however, and I promise not to cite any more. On page 11 is found this language:

> The substance of subsection (b) was recommended to Congress by President Truman.

That language comes after citing the wording prepared for the committee bill by Republican Brownell.

EXPLOITING CIVIL RIGHTS IS PLAGUE ON BOTH HOUSES

Mr. Chairman, I mention these things just in passing. To be sure, they have no relationship to actual contents of the bill. But they do serve to confirm what I have said about this thing being conceived in politics.

I do not blame the Democrats, you understand. Democratic sponsors naturally would not want a prospective Negro voter to read that committee document and possibly get his mind distorted with the wrong idea about who is promising what, how much, and to whom.

Let us be perfectly honest and frank. The majority report is a political report, pure and simple. Just like Attorney General Brownell's letter was a political letter, pure and simple. I am telling you what you know, that this whole mess is a plague on both houses.

Can it possibly be that anyone wants to argue about the motives that prompted this legislation?

POLITICAL GENESIS

Now let us take a brief look at some of the political genesis behind this bill. Doris Fleeson, in her recent column headed: "Civil Rights Legislative Struggle," subheads it: "Issue Divides Democrats and Holds Big Vote Potential for GOP," and states:

> The struggle has formally begun over civil rights legislation. The issue most deeply steeped in politics of this presidential year. * * *
>
> GOP appetite for the battle has been whetted by their own and other polls of the Negro voters. These show that northern Negroes are breaking to the Eisenhower administration after 20 years of Democratic near-solidarity under the idols, Franklin Roosevelt and Harry S. Truman.

Another citation to clinch the Republican political interest in this legislation is found in the New York Times, June 4, this year. Under a Washington dateline, is this headline: "GOP Maps Drive for Negro Vote." Then follows:

> The Republican Party, confident of the reelection of President Eisenhower, is going after the votes of the Negroes in the large urban areas of the North in an effort to regain control of the Congress. * * *
>
> Last week, the issue was brought into the open during the Citizens for Eisenhower conference in Washington by Richard Tobin, the organization's public relations chief, who told the delegates that a 5 or 10 percent switch in the Negro votes this year would almost certainly mean the election of a Republican Congress.

Now, Mr. Chairman, does anyone want to argue about the motive behind this legislation? Can anyone be so naive as not to understand what this is all about?

The Congressional Quarterly recently took note of the battle being waged in Congress for the Negro vote, in this report:

> Negroes now hold the balance of power in enough congressional districts to assure the success of Republican efforts to capture control of the House of Representatives in November, should they vote Republican. * * *
>
> Whether or not this switch assumes tidal proportions could be determined by the outcome of congressional action on civil rights legislation. A Senate filibuster by southern Democrats could be the signal for a stampede by Negroes to the GOP banner.

Now would it not be sad if the Democratic civil-righters in the House should ram this bill through, then to have it killed by a southern filibuster in the Senate or by a Democratic-controlled Senate committee to which it would be referred? The civil-righters, suggests Congressional Quarterly, would then find themselves in the uneviable role of using their own rope to hang the Democratic Party in the coming elections.

Again, Mr. Chairman, does anyone want to argue about the motives behind this legislation?

H. R. 627 CONTAINS INGREDIENTS TO SNARE NEGRO VOTES

As to the bill itself, it invades, on a scale rarely if ever equaled before, the sanctity of constitutional rights reserved to the States.

It would create a brandnew expensive bureau, which smacks of the old discredited FEPC, at a time when we should be trying to reduce bureaus and do some economizing. And it would charge that bureau to investigate many things over which the Federal Government has no jurisdiction.

It would put the United States Government into partisan lawsuits, private in nature, with the Government taking sides for individuals and American taxpayers paying the costs of the litigation. Suits on behalf of disgruntled individuals could be filed, at the expense of the Government, against individual citizens, at the whim of an Assistant Attorney

General. And this suit could charge an alleged violation of a civil right or contend one is about to be violated. That alone should be repulsive to every right-thinking, fair-minded American who has any respect for bona fide civil rights of American citizens.

The bill would strip the States of rights and responsibilities never before challenged as being proper State functions. It, for the first time in our history, proposes to bypass State courts in the weaving of the web of concentrated power in Washington.

One of the ingredients in the recipe for this Negro vote sirup is the provision calling for an investigation of "unwarranted economic pressures by reason of their color, race, religion, or national origin."

What on earth is meant by Attorney General Brownell's "economic pressures"? That opens up a Pandora's box. And the bill would give the Commission the extraordinary power of subpena, the power to go into people's homes, poke into their private files and their business records in the search for evidence bearing on whether some disgruntled Negro complainant who was able to attract the eye of a politically conscious Assistant Attorney General, has been subjected to unwarranted economic pressures by somebody. Just imagine the delegation of any such power.

And the bill would have the Commission make use of the ADA, the NAACP and other similar groups in all such investigations. And the American taxpayers would be required to pay $12 per day for expenses of these outsiders who would not even be on the Federal payroll. Can you imagine the gall of such a proposal? Yes, this is election year.

BROWNELL OUT-PROMISES TRUMAN

By and large, the Attorney General's bill includes provisions which go beyond anything even Truman ever trumped up as Negro vote bait. The bill strikes a blow at State sovereignty. It adds to the already alarming size of big government in Washington. It would go a long way toward making satellites out of the individual States and would add to an ever-tighter grip of the Federal Government's domination of affairs and functions, private and local in character.

It would, if enacted, do violence to American traditions and ideals by sponsoring and promoting class consciousness and a special privileged class of Americans. In this desperate and ruthless appeal for bloc votes, the bill would, in effect, sell our birthright for a mess of political pottage.

"EVIL" RIGHTS INSTEAD OF "CIVIL" RIGHTS

The bill goes so far that it tends to make evil rights out of civil rights.

Mr. Chairman, I cannot believe the honorable, self-respecting Negroes of America want this sort of thing. Certainly most of those who do clamor for it have been victimized by highly paid agitators of national groups who would lose their jobs if they did not agitate for something, and by vote seekers. These people exploit the minds of good Americans by falsely misleading them to believe they are being robbed of rights to which they are entitled.

The colored people who live in my section of the country take too much pride in their race and their citizenship to degrade them by begging for special rights and privileges such as are proposed here. They do not want to be wet-nursed and pampered by the big wheels in Washington. From what I can find out, they are quite content to be just ordinary Americans.

PROFESSIONAL CIVIL-RIGHTERS PROVIDE FUEL FOR COMMUNIST PROPAGANDA

Now, what is the answer to this strange dilemma? Certainly something should be done. A clever Communist propaganda expert can take some of the speeches on civil rights made by our free-wheeling politicians and agitators and some excerpts from committee reports and perhaps from our national party platforms and prove to uninformed people abroad that our Constitution is meaningless; that the Bill of Rights is ignored in America and is a hollow mockery so far as millions of our people are concerned. From such sources they can prove that millions of Americans are accorded no rights in a court of law. These professional politicians are unwittingly playing into the hands of the Communists and are feeding them with a lot of tommyrot and false material to use against us.

LET US HAVE A MORATORIUM

But what can be done to stop this sort of thing? I suggest a moratorium, agreed to by both major parties. It would be a good thing for America if our leaders had the courage and the statesmanship to get together and drop this phony issue completely. Would it not be an act of commonsense and progress—befitting political leaders in a great Nation such as ours—if they would join hands and issue a manifesto to the effect that no longer will either pitch issues on such a low level; no longer, particularly during these critical times, will we spend so much time and energy appealing to a class solely for political purposes. Such a move would undoubtedly be welcomed by the vast majority of the American people and it would improve our prestige in the eyes of the world immeasurably.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. Mr. Chairman, I am about to engage in an attempt to discuss some phases of this legislation. Of course, in the brief time that I have, I cannot discuss the details of this legislation any more than other Members have been able to do for the past hour or so. But, I do want to say this, and I call this to the attention of the House that when it comes to the question of colored and white relationships I should be able to qualify as a real authority.

Four Members of the House of Representatives appeared before the Committee on Rules in favor of this legislation. Eight members on the Committee on Rules voted to report this legislation. The men who appeared before that committee favoring this bill were Messrs. CELLER, KEATING, SCOTT, and BOYLE. My district has more Negroes—214,000—than the combined totals—now listen to this—of the districts represented by all 4 of those gentlemen; plus the 8 members of the Committee on Rules who voted to report this bill—Messrs. ALLEN, of Illinois; BROWN, of Ohio; MADDEN, of Indiana; DELANEY, of New York; BOLLING, of Missouri; O'NEILL, of Massachusetts; ELLSWORTH, of Oregon; and LATHAM, of New York; plus the combined totals of the Negro populations of the States of Maine, New Hampshire, Vermont, North Dakota, South Dakota, Montana, Idaho, Wyoming, Utah, and Minnesota, and I still have a couple of thousand left over for good measure.

In my district, we have always had a very friendly relationship between white and colored; that is, we did until a pseudosociological United States Supreme Court decided that it was their duty to disrupt that harmonious racial relationship that prevailed in the South. I can say, categorically, with all deference to the charges that have been made against the South—and my State in particular—by previous speakers, that the white and colored people get along better in my State than they do in any State north of the Mason-Dixon line.

There has not been a race riot in Mississippi during the 37 years of my life. Can the same be said for Detroit? Can the same be said for Asbury Park, N. J.? Can the same be said for Cleveland or Chicago or Buffalo? The so-called integrated areas appear to have a monopoly on racial friction.

There is not a town in the State of Mississippi where a Negro is not welcome; in fact, there is one town in the State of Mississippi of several thousand people where a white person cannot spend the night—Mound Bayou. But all of the representatives from Michigan, for instance, who have spoken in favor of this bill have kept quiet about the fact that there is a city of 97,000 people in their State—headed by their liberal governor, Soapy Williams—who advocates this kind of stuff—where they will not permit a Negro to spend the night. I take as authority for that statement the mayor, a Mr. Hubbard, the mayor of Dearborn, Mich. If you do not believe me, write Mr. Hubbard. He will tell you that there is an unwritten law against Negroes living in his city. Are these Michigan representatives equally concerned over civil rights in Dearborn, Mich.?

Of course, as the distinguished chairman of the Committee on Education and Labor said so ably on the floor a few minutes ago, this legislation transcends temporary considerations; it strikes at the very heart of our dual sovereignty form of government.

You wonder why we in the South talk so much about States rights? It is because we are political disciples of men like Thomas Jefferson, who believed that the least government is the best government; that the true barriers to our liberty in this country are our State governments.

Mr. Chairman, in our lifetime we have seen the results of the overcentralization of government, in Germany, in Italy, in Russia. All of the initial steps toward centralization in those countries were accomplished by deceiving the people

into believing that a worthy end justified any evil means toward that end. Bills such as the one before us now are but subtle and devious vehicles by which our liberties are being sapped away.

As a southerner, but first and foremost as an American who believes in the preservation of human rights and freedom, I can not subscribe to the assault being made on our Constitution by the iniquitous and monstrous legislation now before us.

Mr. CELLER. Mr. Chairman, I yield 7 minutes to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, when I walked in the sunshine to the Capitol today I was thinking that there was some seasonal significance in the timing of this historic debate. We are in the last fortnight of July and all the signs are of a summer in its full enraptment. Yet the change came on June 21, when the days started to shorten and since then summer has been on the path of death. That is the way of life. Life is change. There is no enduring status quo. But the change from one order to another is not immediately discernible. Man is reluctant to embrace change until by nature it is forced upon him. He fears the unknown and the untried, but when it comes creeping upon him and engulfing him he finds in the climate of a new order the exhilaration of one who has climbed tediously a mountainside and having attained the peak looks out upon the vista of a new world.

I have listened to my colleagues from the Southland who have stood gallantly on the edge of a lost battlefield fighting for an order that they sense, if they do not know, is gone forever. There have been many such instances in the long history of man's climb to higher plateaus of human dignity and human contentment.

Because I am older than many of my colleagues, I can look back further. There are two ways of understanding the present as it is related to the past. One way is by reading of the experiences of the yesteryears, another way understanding through the experience of having lived in those yesteryears.

On this afternoon in late July, when, though the sun be shining, summer is already nearly a month on her path of death, may I take you back with me to the era when the 19th century was rushing onward, to be engulfed by the 20th century. Political philosophers then were saying that wherever the banana grows man is incapable of self-government. A President of the United States publicly proclaimed that he had never broken bread with a Negro. John L. Sullivan disclaimed being champion of the world because he said he would not lower the white race by entering the same ring with Peter Jackson, a Negro.

That was the era in which something transpired that left me with an ineffaceable memory. It was before the turn of the century. The memory that with me is ineffaceable is framed with the vivid background of a gorgeously beautiful sunset in the tropics. My father was talking to a great physician of South America, one of the outstanding physicians of the world at that period. This man had been eloquent in the expression of his affection for the United States. My father remarked that having such great admiration for our country he hoped that this great physician someday would visit our shores. The expression on the physician's face changed. "That I cannot trust myself to do," he said.

"I want always to go on admiring the great contribution that the United States has made to all the world and to all of mankind, but if I went to New York or Chicago and were not admitted to one of your hotels because there is Negro blood in my veins could I understand?"

Later a few years there was another experience. I was on duty with two Cuban Negro soldiers, penetrating within the Spanish lines at Santiago. We were lost in hostile territory. We had one canteen of water and that one canteen of water we passed one to the other without the thought that some of the lips that touched the canteen were white and some were black. Never after that could I understand why in my own country, and in my own Northland at the time, the dining rooms and public eating places were closed to those not of the white race.

Mr. Chairman, we have come a long, long way. The old order as far as the North is concerned is all but gone. The old order as far as the South is concerned is in the late July of a dying summer. Industry in the South is expanding. Ahead of the South lies a future of prosperity beyond the rosiest dreams of the old plantation days. The fears of the gallant little band of my colleagues making the last stand for the status quo will be proven as groundless as were the fears of countless other gallant little bands in the long history of the world making the last stand for the status quo. Again change is ushering in new orders advancing the dignity and the contentment of mankind. The bill we in the House will pass this week will mark another milestone in our country's march to meet her destiny as the servitor under God of all mankind.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield.

Mr. YATES. I want to congratulate the gentleman on his very eloquent and scholarly statement, and associate myself with his remarks.

Mr. O'HARA of Illinois. I thank the gentleman.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield.

Mr. FULTON. I congratulate the gentleman on his fine statement. That is the statement which we should operate under on this legislation.

Mr. O'HARA of Illinois. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, let me ask three questions about this bill. Let us all try to answer these questions before we vote. Who? What? Why?

Who is supposed to benefit from this bill?

What does the bill actually do?

Why do its sponsors bring it before us?

As to the first question. Who is this bill supposed to benefit? It can hardly be for the benefit of mistreated minorities who are without redress for their wrongs, real or imaginary, because on page 25 it is clearly stated that the Federal courts shall have jurisdiction "without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law." In other words even though an adequate remedy exists this bill proposes to bring every complaint into Federal court. Thomas Jefferson would hardly appreciate such an effort on the part of those who profess to believe in Jeffersonian Democracy.

If you say that the bill is intended to protect minority groups—might I suggest that for a good many hundreds of years no one has found any better legal system for protecting the rights of both minority and majority groups than the forms of English common law as guaranteed by the United States Constitution. Basic in these guarantees is the right of trial by jury. This bill substitues for the right of the acused to demand a jury, the right of the Attorney General to get a Federal court injunction, whether the party who is supposed to be about to suffer wants the injunction or not.

Clearly the bill is supposed to aid the very man who can least afford to pull down our historic and constitutional guarantees which have stood him in such good stead for so long.

Abraham Lincoln would not be likely to endorse such a program even though there are those who cry out in his name for this distinction of the Constitution which he loved.

Now let us see what does the bill actually do. Not what is it supposed to do. Not who who is it supposed to help, but what does it do? Clearly it breaks down the Bill of Rights. That Bill of Rights assures any citizen accused of wrongdoing that he may have his case tried by a jury of his peers. Here any man accused by the Attorney General is to be tried by a commission or vice versa. Even if he gets into court his rights are to be determined by a judge acting without a jury and through the issuance of a "I believe you think you may" injunction.

But before we get to any court there is the Commission. Just how does this Commission differ from the McCarthy committee of the other body? Only in that advocates of the bill feel today that they could and would control its membership. How long will its members be your men? If history teaches any one fact it is that whenever the power for arbitrary action is placed in the hands of a group of men without adequate legal checks and safeguards, that power will, sooner or later, be abused.

Can the pious complaints about the abuse of investigative power ever sound so sincere since we have witnessed the glee with which our ultra-liberal friends

have embraced the opportunity to make little dictators of their friends? Is it enough that a man wear a pink shirt, to safely entrust to him the unlimited power of subpena—of investigation and review of our laws and policies? Indeed are these self-proclaimed "liberals" so sure that the same President who so cruelly tossed Senator WILEY aside and who pushed that anathema of liberalism, Secretary McKay into another Senate race—are they so sure that they and those of their school of thought will actually control this Commission?

Perish the thought, but what if the General of the Armies should fill this Commission with his military cronies?

To say the least, the bill substitutes a government of men for a government of laws insofar as so-called civil rights are concerned. It ignores the rights of citizens in an effort to enlarge the rights of the law-enforcing agencies. That is what Hitler did when he built the Gestapo.

The bill clearly puts the rights of the majority of our people as well as of the minorities in the tender care of the Attorney General of the United States, whoever he may be. Somehow I have a feeling that the majority group still has rights, but maybe I am old fashioned.

And while I am musing on the matter of wishes of the majority let me reminisce. I recall that we adopted an amendment of the Federal Constitution known as the 18th amendment. It was put forward with every good wish and good faith. It was expected to save our country from a very real and tangible evil—and it worked in those areas where the people wanted it to work. It failed where the people did not want it. Do you recall that the very States which are now so insistent in forcing this violation of personal and legal rights into our jurisprudence were the very ones, by and large, who demanded the repeal of prohibition. The United States repealed national prohibition because the overwhelming majority of the people of New York, Massachusetts, New Jersey, and so forth, refused to try to enforce it. Now those same people who 25 years ago said that it was wrong for one section to force social customs on the people of another section against their will—now those same people seek to enforce their ideas on the majority of the people of a great many of the States. Are moral principles valid solely on the basis of whose ox is gored?

Let us then recognize this bill for what it is—a piece of raw political expediency which has been kept on the back of the stove for the first 3 years of the Eisenhower administration and which is brought to a boil only because the Grand Old Party sees in it an opportunity to induce the Negro vote to abandon its common law relationship with the big city Democratic organization and to return to the house of its fathers. At least until after November 6. Of course, if the GOP had wanted the dark beauty as a regular boarder they had the opportunity long ago, but sad though it is, the fact remains that neither party showed any enthusiasm about support until the election was well nigh upon us. The Judiciary Committee has been under its present control for 18 months.

All this leads up to the last question. Why do its sponsors bring this bill before us at this time? Obviously both Republicans and big city Democrats do so in the hope that they will be able to appear in the role of defender of oppresed minorities. But how can either group prove that its hypocrisy is greater than that of its rival. I read the bill and I note that it was introduced by the chairman of the Judiciary Committee—an estimable gentleman and my friend—but the chairman is a Democrat—a big city Democrat. Surely not only the Negroes but all minority groups—who incidentally never enjoyed such freedom and personal liberty as they enjoyed under the old constitutional government of the United States—surely, these groups are expected to fall on their face in thanks to their great Democratic deliverers. So why should the Republicans even try to compete. Surely they will be found out and repudiated as phonies.

But wait, I read the RECORD this morning and I noted with amazement that the ranking Republican on the committee, also from New York State incidentally, states categorically that this bill as now written is the President's bill—and when I note the power it gives to the President I am convinced that the ranking Republican must be correct. It is indeed the President's bill—part of the President's election bill—that is of the bill the President is handing the American people for payment. But, be that as it may, it is a Republican bill. The Republicans have said so. I accept their statement. After all they are the historic friends of special privilege for minority groups.

In the final analysis, what does either side gain. Nothing. Absolutely nothing. The people, black and white, recognize this thing for the cheap show that it is. The Democrats who participate in this succeed only in breaking their own party into factions when it needs unity. The Republicans, many of whom are blindly going along against their own best judgment are simply making doubly sure that not for another 50 years will a State from the Old South vote for the Republican nominee. And together they are substituting hate for cooperation under the Constitution.

Am I but a blind idealist when I express the hope that my colleagues on both sides of the aisle may even yet return to the Constitution and to constitutional government, with at least a modicum of willingness to let each area work out its problems? Let us quit talking so much about civil rights and recognize a few civil duties of citizens. After all no right can be any more secure than the acceptance of duties—and no rights can ever exceed the individual rights which this bill proposes to strike down.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, during the course of the debate I read into the RECORD, in order that the RECORD might be clear, a letter from the White House indicating that this legislation had the full support of the President of the United States. But I think it is important also that we recognize this is not a political measure, and therefore I took the trouble some days ago to send telegrams to the two leading candidates for the Democratic nomination for the Presidency.

At this time I would like to read one of those telegrams. It is addressed to me, and it says:

> With reference to your telegram in regard H. R. 627 I have stated my support of these proposals in the past and am glad to endorse it again.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. YATES. Not knowing that my friend, the gentleman from California, had sent a telegram to the candidate from Illinois, Mr. Stevenson, I also sent him one, and I have a telegram from him, dated July 16, 1956, which I would like to read:

> In response to your request for my views on H. R. 627, I have expressed previously my strong endorsement of the legislation incorporated in H. R. 627, much of which was advocated some years ago by a Democratic administration. Of especial importance is the protection of the right to vote, for certainly no right is more fundamental to our democracy than this one.
>
> ADLAI E. STEVENSON.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. GROSS. Who sent the telegram you just read? You did not mention the name.

Mr. ROOSEVELT. I am sorry. That was from Averell Harriman, Governor of New York.

Mr. GROSS. I thought so.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. ANDREWS. Did you send one to Senator KEFAUVER?

Mr. ROOSEVELT. Yes, I sent him one also, and have received no answer.

Mr. SMITH of Virginia. Has any one of the gentlemen to whom you sent telegrams ever read the bill?

Mr. ROOSEVELT. I will say to the gentleman from Virginia that in view of their position in public life I could not accept their sending a telegram knowing that the telegram would be used in this debate unless they had taken the trouble to become acquainted with the language of the bill. I have that much respect for these public officials.

Mr. Chairman, may I concur in what has been said here today in this debate? I think it has been a fine thing. It is good to understand the views that various Members of the House had and have in relation to what we are trying to do. I would particularly like to pay my tribute to the gentleman from Louisiana [Mr. WILLIS], because I think he undertook to do a most scholarly and most effective job in analyzing what is in this bill.

I am not a lawyer and so perhaps I should not attempt to delve into the legal aspects of the bill, but there are those of us who though we are not members of

the legal profession must nevertheless try to understand the effects and the imports of legislation upon which we are called to vote. I have therefore concluded that much of the resistance of today and yesterday under the argument of constitutionality and States rights is in reality resistance to the 14th and 15th amendments, and to Congressional and Federal Government enforcement of these amendments.

The 13th amendment, of course, abolished slavery and involuntary servitude, and I doubt whether any Member would advocate its repeal.

The 14th amendment contains three specific prohibitions:

First. No State shall abridge the privileges and the immunities of citizens of the United States.

Second. No State shall deprive any person of life, or liberty, or property without due process of law.

Third. No State shall deny to any person the equal protection of the law.

The 15th amendment assures that the right to vote shall not be denied or abridged on account of race, color, or previous condition of servitude; and each amendment specifically empowers Congress to enact enforcing legislation. What citizens of our own country or of any other country can believe that we are really a democracy or a republic is we allow these amendments to stay in the Constitution and then treat them as dead letters?

H. R. 627 seeks merely to strengthen the existing law, the enforcement functions of the Federal Government in that area and sphere of operation already delineated by Congress and the courts, and constitutional sanction. The enabling provisions of the 13th and the 14th and the 15th amendments have placed upon the Congress, upon us, an affirmative duty to legislate to uphold and defend the Constitution of the United States, and that is all that H. R. 627 is trying to do.

This legislation attempts only to provide adequate tools for the protection of the rights and the privileges guaranteed by the Constitution and the laws of the country. The constitutional objections, then, must be directed to the use of the tools suggested in this legislation in the manner provided by the bill, and it is nowhere suggested that the several statutes under consideration for amendment are unconstitutional. On the contrary, the courts have upheld them and are applying them currently.

Now I would like to address myself to parts I and II particularly of this bill. Part I, the establishment of a Commission: It is difficult if not impossible to isolate the basis of the constitutional attack upon this section of H. R. 627. The bill provides that the Commission is directed to investigate allegations that certain citizens are being deprived of the right to vote or are being subjected to unwarranted economic pressure by reason of color, or race, religious or national origin, to make studies concerning economic, social, and legal developments constituting a denial of equal protection of the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

This section of H. R. 627 would seem to be unassailable on the ground of legislative purpose and the justification slated for investigation. I think that few, if any, would deny that there is at present sufficient evidence that an investigation is indeed needed.

Section 2 of the 14th amendment provides for the reapportionment of Representatives for Congress where the right to vote for Federal elected officials has been denied. That is also in section 22 of the Revised Statutes, title 2, United States Code. The courts have declared only Congress may act to enforce this provision of the Constitution. I repeat, only the Congress can act. And it seems to me that Congress cannot intelligently discharge its obligation under the Constitution in this connection without adequate information. Certainly there can be no constitutional objection to factfinding by Congress in order to ascertain whether it should or should not act in an area where admittedly it has the sole authority to act. Congress may also ascertain whether there are denials of constitutionally protected rights, first by the States; second by officials acting under color of State authority; or third, by individuals conspiring with State officials or individuals acting under color of State authority. Clearly, it seems to me, in this area or in these areas Congress may legislate.

Congress likewise has the power to investigate or cause to be investigated unwarranted economic pressures by reason or race, color, and so forth. Even though the several amendments referred to above have been construed as limitations upon State action, rather than upon private action—as distinct from individual action because individual action may be prohibited if under color of State authority—Congress has other delegated power by which private or individual action may be inveighed against, as, for example, in the case of kidnaping and narcotics. But more germane, Congress has acted in the field of economic relations as evidenced by the whole field of Federal antitrust statutes. It is certainly a legitimate inquiry for Congress to ascertain whether these statutes are adequate or inadequate to cover unwarranted economic pressure by reason of race, color, religion or national origin.

I would like to submit if there is anything in this bill which is inherently dangerous, which is going to deprive people of their rights, or if there is some terrific danger which I have not as yet been able to be convinced of from the debate so far, I believe many of the rest of the Members of Congress as laymen are willing to accept the judgment of the gentleman from New York [Mr. CELLER] and the gentleman from New York [Mr. KEATING]. As the amendments, as they will be proposed probably on Thursday, come forward, I am sure every Member will give them the opportunity and the courtesy to look at them beforehand and if there is merit to any of these amendments, I am sure that the two gentlemen together will indicate to the House the need for them and the necessity for accepting them, and I am sure their agreement will be followed by all those who are distinctly and forthrightly in favor of this bill.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. ROOSEVELT. Mr. Chairman, I want to very briefly go on to part II because it was brought up by the gentleman from Louisiana. He spoke about the lack of need for an additional Attorney General.

PART II. ADDITIONAL ASSISTANT ATTORNEY GENERAL

Here again the real attack upon this provision is not directed at whether Congress has the power to create an additional Assistant Attorney General in the Department of Justice in charge of a new Civil Rights Division. The power is conceded and the argument shifts to the propriety. The objection stems from the fear that with adequate personnel and adequate legal machinery there will be effective enforcement in that area of Federal concern and Federal authority for action.

It is generally conceded that the ineffectiveness of the Federal Government in the enforcement of the civil-rights statutes has been due, first, to inadequate staffing of the Civil Rights Section of the Department of Justice and, secondly, to the ineffectiveness of the legal remedies available to the Government. The Civil Rights Section within the Department of Justice was not created until 1939 by order of the Attorney General. Since its inception, this Section has been ineffective because of its subordinate position in the Department and inadequate staff.

Its prosecutive record has been summarized as follows:

> The prosecutive record of the (Civil Rights) Section is very poor. It has been said that the Section receives between 8,000 and 20,000 complaints a year. In 1950, for example, it received between 12,000 and 13,000 complaints. On the other hand, however, it has been stated that on the average only 20 civil-rights cases are prosecuted a year. Some attribute the inadequate performance to the genuine difficulties under which the Section labors, and the fact that since 1944 the Section has also been charged with the responsibility for the enforcement of certain aspects of about a dozen other statutes wholly unrelated to its civil-rights endeavors. Others say it is simply a case of lax and weak administration. Whatever the reason, however, all conversant with the activities of the Section realize the need for great improvement. (James A. Washington, supra.)

Since 1947 efforts have been made to enlarge and enhance the Section so that it can be effective. This is another, and I hope successful, effort to at last accomplish this desirable end.

Mr. Chairman, I am sure those of us, who were present when Mr. Sukarno of Indonesia appeared before us, were impressed with the fact we live in a different world today. We live in a world of various groups. Some of them have not made the advance of some of the minority groups in our country who have moved forward to assume the dignity

and the responsibility of democratic government. How can we say to these people who would be our allies as freemen that we will stand behind them if we do not make the 14th and the 15th amendments of our Constitution a living and real part of our basic law. Parts III and IV of the bill will help to make it certain.

These sections are designed to provide a new remedy to secure the rights presently protected by the statute, and to expand these rights. The argument of unconstitutionality must then be directed toward the new remedy which is herein provided. The new remedy as applied to these two sections is discussed below under the following heading. See pages 8–11 of the report on H. R. 627 for constitutionality of power of Congress to act in re the right to vote, and its implications as to other aspects of civil rights.

INJUNCTIVE RELIEF BY THE ATTORNEY GENERAL

The purpose of these several provisions is to give to the Attorney General the power of civil relief including injunctive relief in order to afford a more effective legal tool for the enforcement of existing statutes. That Congress may give the power of injunctive relief to the Attorney General is not disputed. For example, the Attorney General has been given such power in the antitrust field.

Criminal proceedings in the field of civil rights have been highly ineffective. Local sentiment has made jury convictions almost impossible. It is a principle well rooted in our Anglo-American jurisprudence that threatened criminal conduct may be enjoined before it occurs because of the irreparable injury which may be occasioned if the conduct takes place. The request for equitable relief is predicated upon the notion that preventive relief, rather than punitive action, will be more effective in achieving the desired result.

Civil relief by the Government on behalf of the aggrieved individual is necessary because the several constitutional guarantees are personal to the individual and may be redressed in a civil action solely by the person or persons injured. This power in the Attorney General is not new or novel. There are many situations where the Government may best protect the interest of all by civil relief rather than by criminal action. There again, analogy is found in the antitrust statutes and in the regulatory statutes. Of course, the action of the Attorney General would only be initiated upon the complaint of an aggrieved person. The Government could not act on his behalf and for him without his consent and willingness to complain and to be vindicated.

Much opposition seems to be generating the provision dispensing with the necessity for exhausting other remedies provided by law prior to seeking relief in the Federal courts. The Supreme Court of the United States in *Lane* v. *Wilson* (307 U. S. 268, 274 (1939)) has held that there is no requirement that a party exhaust State judicial remedies before resorting to a Federal court for relief pursuant to a Federal civil rights statute. So far as State judicial remedies are concerned, the provisions in H. R. 627 under discussion are merely declaratory of existing law. It follows then if State judicial remedies need not be resorted to that exhaustion of State administrative remedies should not be necessary. Certainly there are not constitutional limitations to this result. Milton Carrow, Judicial Intervention to Restrain Pending and Threatened Administrative Action, Howard Law Review, volume 63, 1955, points out that courts do intervene before administrative action is complete. The area where the intervention is most frequent is where the complaint is that a person's constitutional rights are being violated. Here, courts are qualified to make the determination and no doubt the courts will have to eventually make the determination after the delay of the administrative machinery.

The opposition would come with better grace anyway were it not for the fact that too frequently State judicial and administrative machinery have been used for the announced purpose of thwarting successful vindication of constitutional rights. In the areas of voting, education, and so forth, the whole machinery of certain States has been convened for the announced purpose of evasion of constitutional mandates. The convening of the Gray Commission in Virginia and the passage of the Boswell amendment in Alabama are illustrations in these two fields of the States moving through its entire machinery to delay and thwart civil rights.

The provisions giving to the Attorney General the power to seek injunctive relief is necessary and proper. The Attorney General may seek preventive relief, including an application for a permanent or temporary injunction, restraining order, or other relief. This language is used by Congress to authorize general equitable relief. Injunctive relief may be denied altogether or granted to an individual or to the Government, but where it has been granted, it has been granted in this language. As to this equitable relief, a private individual has it now. The only new development proposed then, is that it be given to the Attorney General in the enforcement of those civil rights provisions which he is charged with enforcing.

A restraining order is an order granted to maintain the subject matter in status quo until the hearing of an application for a temporary injunction, and in certain circumstances, it may be issued before notice to the defendant.

A temporary restraining order, while in effect a species of injunction, is in some respects to be distinguished therefrom. It is an interlocutory order or writ issued by the court upon an application for an injunction, and is intended as a restraint on the defendant until the propriety of granting a preliminary injunction can be determined, thus going no further in its operation than to preserve the status quo until that determination. (28 Am. Jur. 203.)

Before a temporary or permanent injunction will issue, there must be a hearing. Thus, the objection to the Attorney General's obtaining relief before a hearing is directed at the "restraining order" provision. "Restraining order" could be stricken, but all unanimously advise against doing so. No abuse by the Federal courts of this power is evident. The analogy to the labor field is inappropriate because the successful attack there was against the appropriateness of injunctive relief generally in the field of labor relations. Equity will not grant this extraordinary relief—restraining order—except within a narrow field of operation. One of the prime difficulties encountered in effectuating the right to vote has been the inability to preserve the status quo before the pending action renders the relief sought moot. Again, it is hoped at last to overcome this difficulty. It is hoped that the right to vote will be an actual not merely an illusory right.

I would say to you that this debate has made as clear as it can ever be made to the courts the intent of the Congress in this bill. I believe the strength of the Constitution of the United States has been its ability to expand and to grow with the growing needs of the Nation.

Thomas Jefferson wrote a letter from Monticello to Samuel Kercheval in 1816. It was an extraordinarily long letter of some 3,000 words. He wrote it about the important issues before the new Republic and concluded with these words in the last paragraph:

I am not an advocate for frequent changes in laws and constitutions, but laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths developed, and manners and opinions change, with the change of circumstances, institutions must advance also to keep pace with the times. We might as well require a man to wear still the coat which fitted him when a boy as civilized society to remain ever under the regimen of their barbarous ancestors.

Mr. Chairman, those words are on a panel in the Jefferson Memorial, and if you climb those steps and look for it, there you will find it written for our guidance. And, I say to you that all this bill before us does is to recognize the change of manners and opinions, the change of circumstances, and that the great institution of the Congress of the United States must willingly follow in that change of time and circumstances.

Mr. KEATING. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. BARDEN].

Mr. BARDEN. Mr. Chairman, I shall not attempt to discuss the details of this legislation. I have listened with a great deal of interest to the debate. It has been very enlightening, very discouraging at times, and very disturbing when certain things in the bill were brought up. I have been here long enough to see trends and see new ideas come across and changes made in the basic fundamentals of government and the basic institutions of government. I was here when the 9 old men of the United States Supreme Court were the subject of ridicule and then an effort was made to replace the 9 old men with 9 different kind of men to do a job. Now we have some more changes, and somewhere along the line I have sufficient faith and confidence

in the United States Supreme Court as an institution to believe that we will again strike a balance some day, and that it will again be manned by able experienced judges. Its need is too great; its position is too dear to the American people to say anything about the institution, regardless of how we may feel about the flexibility of those who temporarily occupy the positions.

In listening to the debate today, and even in the last few minutes one Member referred to the States. He did not see why we should pay so much attention to "the exalted position of the States." The States should not do this and they should not do that and they should not do the other. There are people in this audience and Members of the House who think that when they are making an attack upon the States and the question of States rights that they are slapping only at one particular section of this country, the great section I happen to come from. I think it might be well for them to review the facts that we have taken, endured, and withstood more hardships than any section of the United States of America, and we can survive and live under any conditions that the rest of the United States can live under. I am not fearful of that. But when they begin to attack the basic, the fundamental institutions of our Government, I am frightened because I have not only children, I have grandchildren. And I would like to leave this country in such condition and with such institutions and such regulatory measures that they may at least to some degree understand and enjoy some of the freedoms, privileges, pleasures, and the joys that I have had the privilege of experiencing during my life.

So, when you make disparaging and slight remarks about the States, let me call to your attention a little history. A few years ago, a man on the face of this earth rose to power. He began to pass laws. I read you the title of one: "Law to combat the national crisis."

I refer to none other than Corporal Hitler. Here is one of his first acts, and in few words:

LAW FOR THE NEW STRUCTURE OF THE REICH

Article I: The State legislatures are abolished.

Article II: The rights of the states are transferred to the Reich.

The state cabinets are subordinate to the national cabinet.

Would that please some gentlemen to whom apparently States' rights are so distasteful? Now I want to read another act to you; and I say to you, whether this bill we have before us passes or not, we shall survive some way. But we get into the question of the injection of the Federal Government into a field where they control and totally replace your State courts, your State law enforcement agencies, and your local law enforcement agencies. I know that the bureaucrat detests interference from within the States. I have served here when a great many Members of the House did not like new commissions and did not like new boards and did not like new departments. But now it seems that we are about to change our minds on some of these things. And so, in order to do away with such obnoxious things as State courts and State law enforcement agencies and State law enforcement officials and peace officers and take them out of the way, they want to do something new and heretofore untried in the land. In that connection I want to read to my distinguished friend from New York another famous act of Corporal Hitler:

Law centralizing the administration of justice.

Now, mind you, we are proceeding on the theory that justice, the protection of civil rights and liberties in the States are being disregarded and rent asunder and therefore we must set up a new order. Now this act I refer to was dated January 31, 1935. Here is the act:

Since the administration of justice in the states has been placed in the hands of the National Minister of Justice, the Reich hereby takes over as possessor of full judicial power, the entire judicial system with all of its privileges, rights, and duties and with all of the officials and officers. Consequently the cabinet has decided upon the following law which is hereby proclaimed:

"I. On the 1st of April 1935, the state authorities of justice will become Reich authorities, the state officials of justice Reich officials, and the employees and workers of the state authorities will enter the service of the Reich."

Should we see fit to go a little further and adopt Hitler's law.

Then we would have no trouble with these obnoxious folks who are bold enough to say something favorable about States rights as a necessity. The States have a very proper place in the formation and setup of our Government. Hitler says, "Away with them." Remember he did this to protect the rights of the German people. But I do not have to tell you what he did when he got all this power.

I am going to say this: If I have ever seen a law offered on the floor of this House that is an affront to freedom-loving people, this is it. Vote for it if you will, I will not do it. I will not let my grandchildren or anyone that may follow me refer to me as one who disregarded so much the sacrifices that my ancestors have made to preserve this country as to vote for a bill that would leave to the whims of an Attorney General, be he Republican, Democrat, Communist, or Nazi, or whatever he may be, the right to foist upon my people the hardships permitted under this bill, the right to arrest you or prefer charges against you, make you mortgage your little, humble home, if you please, if that is all you have, to pay your lawyer and expenses to Washington in order to stay out of jail, and then when you get yourself cleared they say, "Well, it is just too bad. Now all you have to do is work yourself out and pay the mortgage off your home." At the same time the so-called aggrieved party receives all his legal service at no expense to himself but at expense of the taxpayers. This is true even though a verdict is rendered favoring the defendant. Are you not actually creating a new superclass citizen? What better instrument for torture and confusion could a lying Communist hope for?

I will not do it. The rest of you may take such course as you may feel proper. I do not question your sincerity. But I say to you, I will have no part in furthering any such legislation.

I do not believe the vote would be what it very likely will be were it not for that fact. I doubt seriously if there are five people in this House who have the slightest idea that this law will ever get by the Senate this year. I think the propaganda, the speeches, the remarks, and so forth, have done far more damage to our country and its traditions than any political benefits anticipated by those responsible for bringing this legislation to this floor.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. POWELL].

Mr. POWELL. Mr. Chairman, I rise in complete support of H. R. 627 as introduced in the House of Representatives by Representative EMANUEL CELLER and amended to include provisions of the Keating civil rights bills.

This legislation comes much too late, it is too weak for the job that should be done and carries in its language dangerous loopholes which could be used in the wrong hands to hurt those whom we are trying to help. In the language of the Washington Post editorial this morning: "More important for its symbolism than for its actual impact. It symbolizes the authority and willingness of the Federal Government to protect certain basic rights of United States citizenship." This marks the first time that a civil rights bill has been considered by this House since 1950 when my bill to establish a fair employment practices commission was brought before this body.

I repeat, this bill comes too late. For 3½ years we have been waiting for the administration to send us its civil rights bill. It is a known fact to those of us in the inside that this particular bill, in its completed form, has been in the hands of the Department of Justice for many months. Discussions concerning it took place early last year. If this bill had been sent over when it was completed we would have ample time to have discussed it, passed it, sent it to the Senate, and there the other body could have thoroughly explored this legislation and reached its own decision. As it is now, the chances are very slim—1 out of 96—that any consideration of this matter will appear on the floor of the other body during this session of Congress.

It is too weak. This is not an omnibus civil rights bill, this is a right to vote bill. There are serious omissions such as the abolition of the poll tax, the establishment of fair employment practices, and the outlawing of lynching. May I point out that the party paltforms of both the Democrats and Republicans stated specifically that they were against the poll tax and lynching. And yet, this bipartisan legislation which is being presented to us and the public, as a general civil rights bill, ignores these pledges of both parties.

It is filled with dangerous loopholes as has been charged. At the conclusion of my remarks I will yield to the distinguished chairman of the Judiciary Committee, the gentleman from New York

[Mr. CELLER] and our colleague the gentleman from New York [Mr. KEATING], to clarify the points that I will now raise, which I call loopholes.

First, on page 21, section 103, line 11, "or are being subjected to unwarranted economic pressures by reason of their color, race, religion, or national origin." Let us take the case of the Montgomery, Ala., bus boycott led by the Negro ministers of that community. Under the terms of this legislation, what would prevent members of the white group from bringing charges before the Civil Rights Commission that they are being subjected to "unwarranted economic pressures"? It is conceivable that it might be used against trade unions conducting boycotts of firms or products which they deem to be unfair to organized labor.

Second, page 24, line 21, page 26, line 19, the phrase is used "or are about to engage in any acts or practices." Is not this a form of thought control, a dangerous power to give to any Attorney General of the United States regardless of whom he may be?

Nevertheless, I will vote for this bill because I am in favor of any thread of hope which can penetrate America's dark curtain to bring democracy to people of our land who have the same lack of voting privileges as those who are behind the Iron Curtain. We cannot point our fingers in pious wrath against the lack of free elections in East Germany when there are literally millions of people in America who are not allowed to vote. County by county in many States, I could enumerate instances where not a single Negro is allowed to vote. Let us take Wilcox County in Alabama where 18,566 Negro persons reside along with 4,910 white people. Every single white person in that county is registered to vote except 179—a remarkably fine record—but not a single Negro is allowed to register in that county. In other words, 8,218 persons 21 years of age and over are suffering the same fate that the Soviet has imposed upon the formerly free peoples who are now the serfs of their satellites. I just read in the Montgomery Advertiser of July 9 an article by Jim Hall in which he reports that in Macon County, where the great Tuskegee Institute is located, there is not even a board of registrars, and there has not been one since January 16, 1956. In a desperate attempt to keep the well-educated people of Tuskegee Institute from voting, the authorities have virtually abolished the board of registrars so that not even whites can register to vote.

The fight to pass this legislation begins when the House goes in to the Committee of the Whole under the 5-minute rule. Even though I have pointed out weaknesses and loopholes I will offer no amendments, nor regardless what amendments are offered, should any rebuttal be made by any of us. All such rebuttals should be left in the capable hands of the gentlemen from New York [Mr. CELLER and Mr. KEATING]. In order not to aid any filibuster, we should keep quiet and vote down every amendment that is offered.

Rumors have reached me, and I hesitate to believe them, that a parliamentary trick is to be used while we are in the Committee of the Whole. It is alleged that efforts will be made through name-calling to so insult a Member of this body that he will ask that "the words be taken down." This automatically would throw the Committee of the Whole back into the House, where immediately a quorum call could be asked for because only 100 constitute a quorum in the Committee of the Whole, but 218 constitute a quorum in the House. I propose that regardless of what is said, we all keep our peace and let it be known now that anyone who would use such a vicious tactic stands before this House no longer deserving of the title of gentleman.

Finally, I wish to observe that the debate so far has been going very well. All things considered, it has been moderate and not intemperate. A great deal of this is due to the quiet yet effective way that our distinguished chairman, the gentleman from New York [Mr. CELLER], has been conducting the debate. I congratulate him and the gentleman from New York [Mr. KEATING] for bringing this before us, though it is too late and too weak.

May it be the first stone of a stronger foundation on which the freemen of this country can walk with dignity, equality, and self-respect before the eyes of the world. Here then, today, may we begin the realization of the beautiful patriot's dream—

> That sees beyond the years
> Thine alabaster cities gleam
> Undimm'd by human tears!
> America! America!
> God shed his grace on thee,
> And crown thy good with brotherhood
> From sea to shining sea!

I would like to ask either our chairman or the gentleman from New York [Mr. KEATING] this question. In the first place, referring to the injunction power that the Attorney General is granted under this bill, is it not the same as in the Taft-Hartley Act? What is the difference in the power given to the Attorney General here and the power given him under the Taft-Hartley Act which many of the gentlemen who are opposed to this bill voted for when the Taft-Hartley bill was before us.

Mr. KEATING. Frankly, I think the remedy sought is quite different in the two sections. I do not see any particular parallel between the Taft-Hartley Act and this.

Mr. POWELL. What I mean is this, the Attorney General cannot institute any action unless he goes to the court.

Mr. KEATING. No.

Mr. POWELL. The court has to approve or disapprove.

Mr. KEATING. Yes. The gentleman asked me the question before he took the floor, whether it was necessary for the court to pass on whether an injunction should be granted, and that is perfectly true. In other words, the Attorney General himself has no power to grant an injunction; it all must be passed upon by the court in an action.

Mr. POWELL. And the argument therefore to the effect that he has unwarranted power has no basis, for the Attorney General must go to court where his application will be acted upon.

Mr. KEATING. Unquestionably, yes.

Mr. POWELL. In the second place the phrase "or about to engage in any acts or practices." Is this a use of language completely contrary to any other statutes? Are there any other existing statutes in which this or similar phraseology is used?

Mr. KEATING. Yes, there are a number. I imagine that when we take this bill up under the 5-minute rule this question may come up. Much has been said of the use of the phrase "about to engage." It is used in the Defense Production Act in at least two places.

Mr. POWELL. And the Members of this body voted in favor of that, did they not?

Mr. KEATING. The record will show just who did. I am sure a great many from both sides did.

In the Housing and Rent Act and in the Veterans Emergency Housing Act this phraseology is used. It is necessary to provide something of that kind in order that the Attorney General may step in before the damage has been done rather than after.

Mr. POWELL. In other words we are not passing anything new when we adopt that language in this bill, nothing in the way of thought control.

Mr. KEATING. That is completely without foundation.

Mr. POWELL. Next, what about the bringing of unwarranted economic pressures, that they might be used against trade unions conducting boycotts of firms or products which they deem to be unfair to organized labor, or even might allow members of one group to bring charges against the Negro people who are conducting a boycott such as the bus boycott in Montgomery, Ala.?

Mr. KEATING. I call the attention of the gentleman first to the fact that the use of the words "unwarranted economic pressures" is in the section setting up the Commission. This Commission has no legal powers of enforcement; it is simply an investigatory body which will study and collect information on practices, policies, or laws of the Federal Government.

Specifically, the gentleman has put the question as to whether unwarranted economic pressures could be said to be exerted by Negroes in the bus situation in Montgomery, Ala. That situation would not be subject to this, in my judgment, unless the bus company was being deprived of its right to vote or was being subject to unwarranted economic pressures by reason of the color, race, religion, or national origin of the officials of the bus company.

However, I will say to the gentleman in all fairness and frankness that if Negroes were conspiring to deprive white citizens or were exerting unwarranted economic pressures by reason of color, race, religion, or national origin I would feel that they should be subject to exactly the same law.

Mr. POWELL. I agree with the gentleman in that. This is a law, therefore, not applicable only in favor of the Negro,

but a law applicable to all American citizens.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Chairman, this has been a very enlightening debate. It has been remarkably free from emotional appeals.

One of the most pernicious doctrines that has ever plagued mankind is the doctrine that the end justifies the means.

The application of that doctrine resulted in the torture and slaughter and persecution of untold millions of people since the beginning of the world. As a matter of fact, there were long periods of history when it was the fashion to openly practice this rule. Machiavelli had a great deal to say in justification of this rule. Unfortunately it has survived until the present time and we find those who for years have styled themselves as liberals, who label themselves as liberals, are here today defending the most reactionary and Fascist legislative machinery that was ever set up by the Congress of the United States.

It is almost unbelievable to me, because I was in this House for 7 years when the liberals were denouncing the Dies committee day in and day out because of the methods it was alleged to have pursued in the investigation of Communists in the United States.

The gentleman from New York [Mr. CELLER] had a great deal to say about that. I have his remarks in my pocket. I remember that the constant cry was: "It is Fascist to have an investigation unless it has fair rules of procedure."

Let us test your sincerity. May I ask the two gentlemen from New York, Will you favor amendments Thursday to incorporate in this investigation fair rules of procedure? If I offer the bills that you introduced in the House of Representatives to establish fair rules of procedure for all congressional investigations, rules that would require a committee to furnish an accused person with information, with a complaint, with all the evidence that had been adduced in support of the complaint, will you gentlemen support it? I have here all the bills introduced by you gentlemen. Some of you spent years condemning and criticizing congressional investigations of communism. You were always on the floor finding some objection, some fault, and then you introduced legislation to govern the procedure of such committees. I tried to interrupt a gentleman who was speaking this afternoon, the gentleman from Pennsylvania [Mr. SCOTT]. He was one of the gentlemen who introduced a fair rules of procedure bill.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield to the gentleman from New York.

Mr. KEATING. I am sure the gentleman was not referring to me when he said: "You were here on the floor objecting."

Mr. DIES. I did not mean the gentleman. I am talking about those who labeled themselves as liberals and who symbolize the so-called liberal movement in the United States. I am shocked that the ADA is not here opposing this measure and that the Civil Liberties Union is not here opposing it.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield to the gentleman from New York.

Mr. CELLER. I may say to the gentleman that the language used with reference to the powers of the Commission in parts I and II is language which is identical to that contained in statutes setting up various commissions. For example, the Commission on Governmental Security, the Intergovernmental Policies Committee, and the Hoover Committee.

Mr. DIES. The gentleman made his point. Let me answer that, and I want to analyze this bill. What does this Commission do? The Commission shall investigate allegations not "may." It is not discretionary. The Commission shall investigate the allegations. I will not read the allegations. You are familiar with them.

Now, what is the situation? Anyone can make allegations to this Commission, unverified, unsworn, unsupported allegations, and it becomes the obligation of this Gestapo—for that is what it is, a Gestapo—it becomes its duty to investigate that allegation, and in order to do so it can subpena your constituents from Los Angeles and San Francisco to appear in Washington, D. C., and answer these unsupported allegations. And, there is no requirement that the person who is accused or involved shall be furnished with any bill of particulars or that he shall be furnished with a transcript of any testimony. He is summoned arbitrarily and summarily and without any protection of his civil liberties to appear before a Presidential commission to testify in answer to vague rumors and unsupported charges.

Why, gentlemen of this Congress, you who have fought the battle of liberalism, as you proclaim, how can you sit here idly and swallow this, in view of your record in opposition to congressional investigations and your demand that rules of procedure be adopted? I would like to have the time, which I do not, to read some of the rules that the gentleman from New York incorporated in his bill. And, I am not condemning him. He has been extremely fair in this debate. He subjected himself to rigorous cross-examination yesterday in order that we might point up many of the fallacies and defects in this bill. But, you introduced bills to govern congressional investigations which could not be as dangerous as a Presidential commission.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield to the gentleman from Illinois.

Mr. YATES. Does not the gentleman assume that the Commission to be set up under this legislation will do the same things that certain congressional committees have done in the past?

Mr. DIES. Oh, yes, and that is the fallacy of your philosophy in application. The soundness of a bill must be tested not by what good men may do with it but what bad men can do in its administration, and the vast difference between government by laws and government by men is illustrated in your question. There are those of us who believe that we should not trust any man or any group of men with wide, unrestricted, unintelligible discretionary power.

Why, gentlemen of the House, when we give to a Presidential commission the power to interpret "unwarranted economic pressure," what does that mean? As I said yesterday, I looked in the dictionary, and I found that "unwarranted" meant "unauthorized" and that "economic" applies to a man's business or to a government's business and that "pressure" could either mean squeezing or a slight impulse. Now, here is a generality which can be interpreted in any conceivable manner, and yet you are willing in your desire and sincere desire to achieve a worthy objective, you are in your zeal willing to entrust six men who will be appointed by the President with tremendous power to ruin American citizens.

Now, let me tell you something. I had a lot to do with investigations for 7 years, but every year this Congress had to pass upon my conduct and the members of our committee, and we had to justify our conduct. Every year we had to come to you for money and we had to defend ourselves in the well of this House, and as many of you will remember, I spent many hours defending myself from the charges that were made. And, yet you are willing to part with all of that control that you have over congressional investigations and set up a commission that can bring your constituents from remote areas of the United States and require them to answer rumors and gossip without any protection whatsoever.

What has happened to the liberals? Have you disappeared, or have you embraced the doctrine that the end justifies the means? Now, let me warn you from the bottom of my heart that there is not much difference in announced and professed objectives. The Communists profess worthy objectives.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. DIES. The Communists profess objectives that are worthy. What is it that they say they want to do? They want to improve the economic condition of mankind. They want to abolish poverty.

Adolph Hitler and Mussolini in their public pronouncements professed laudable objectives. But the real difference is in the means, and therein lies the rub, whether in a democracy we are willing to be patient, whether we are willing to conform to constitutional government and to orderly procedure, or whether in our zeal to accomplish some temporary good we are willing to sacrifice principle to expediency.

So I say to you, I shall offer on the floor of the House the rules of fair procedure that both gentlemen from New York and the gentleman from Pennsylvania introduced. It is a distinguished list of Members of the House who introduced these rules, and here they are. The gentleman from New York [Mr. KEATING] had his rules; the gentleman from New York [Mr. CELLER] had his rules. I would

like to offer all of these rules as an amendment to this bill. They are rules for the protection of defendants. Under this bill the accused are not Communists, you understand. These are American people, people who live in your district. And they are charged with exerting "unwarranted economic pressure."

Would you object if I offered your rules, or the rules of the gentleman from Illinois [Mr. YATES] or of the gentlewoman from New York [Mrs. KELLY]? Here they are, quite a number of rules. And there were some 19 Senators who had rules.

And all of these rules apply to investigations.

What is the difference between a Presidential investigation and a congressional investigation, except that we can control congressional investigations?

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield to the gentleman.

Mr. YATES. If I vote for the gentleman's amendment, will he vote for the bill?

Mr. DIES. Vote for a bill that I think is unnecessary? I do not think this bill is necessary, because you have ample laws on the statute books today and no one can deny it. Why, you have more laws on this subject than on any subject in America.

This is a political measure. Let us recognize it frankly and quit kidding ourselves, and quit humbugging the people of this country. Not one of the Members here believes this bill will pass. If you do, stand up and say that you think it has the remotest possibility of enactment.

Mr. CELLER. It will pass the House.

Mr. DIES. Oh, it will pass the House, sure. But let us be frank. If there is anyone in this House who thinks so, let him stand up and say that he thinks this bill has the remotest possibility of becoming a law. It is a political bill. You say to me, "Why not pass it, and we can all go home, and those of us who have a large Negro constituency can say, 'Well, we passed a civil-rights bill but somebody, some big bugaboo would not let us put it on the statute books'."

I am not speaking from a sectional angle. There is no one in Texas who is denied the right to vote. If any of you think there is, stand up and say so. Go look at our polls on election day. Go to Texas on an election day and watch the lines of people who are standing up. You know the only people who do not vote in Texas? They are people who do not want to vote. It is not any economic pressure that keeps people from voting in my State.

The situation may be different in other sections. But, let me say to the gentleman from California [Mr. ROOSEVELT], do you know what keeps people from voting? I will tell you what it is—it is indifference. Why, 50 percent of the people of this country who are eligible to vote do not take the pains to go to the polls, even if there is no poll tax. What are you going to do with those 50 percent? Are you going to have a commission to go around and try to get them to cast their votes?

Let me ask you another thing. I want you to think about these fair rules of procedure, because I am going to offer them tomorrow. I have not decided which Member I am going to honor by offering his rules, whether I am going to honor the gentleman from New York [Mr. CELLER], the gentleman from Illinois [Mr. YATES], or the gentleman from New York [Mr. KEATING]. That is the difficulty about it. I do not know whether I will be able to sleep tonight because I do not want to show partiality, and I may have to offer all of these bills as amendments. That way we will give protection, and it will be the fulfillment of what you have been advocating for 15 years in the House of Representatives.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield to the gentleman from California.

Mr. ROOSEVELT. May I say to the gentleman I think this has been a very wonderful discussion. I would, however, like to point out to the gentleman that there is a difference between the rules which are offered for a legislative committee and the rules which are offered for a committee of the administrative branch of the Government. In the first place, these men are appointed by the President and any time they did not conform to fair play and fair rules the President undoubtedly would remove them.

Mr. DIES. That is another violent assumption. That is where my liberal friends are always running into deep water. They are willing to assume that the President will appoint six good men.

I want to tell you something. I saw a lot in this security program. I went on the NBC three times to point up the dangers of this security program. I had a lesson in Texas that I will remember as long as I live, when they had Dr. Elliott before six men of the Government agency who came from Washington to Fort Worth, and if there ever was a star-chamber proceeding that was one.

A Democrat appointed those men. I am sure there was no intention to do anything wrong, but it was wrong.

They would not even tell us who made the accusation. They said to me as the attorney for this defendant, "All we can tell you, Mr. DIES, is that Dr. Elliott has been charged with being a Communist."

I said, "Can't you give me the name of the man who charged him? Can't you give me a bill of particulars? Can't you do anything about it?"

They said, "No, we can't do it." They said, "The burden of proof is on you, Mr. DIES, to prove that he is not a Communist." I had to assume the burden of proof. You see, there was a violent assumption in the security program.

Mr. ROOSEVELT. I want to say to the gentleman that I think there is much merit in what he says. I hope that when it comes time, as it will come in the next year, to revise the rules under which many of the administrative branches of the Government operate, the gentleman will be the leader he is here.

Mr. DIES. We are going to do it Thursday to start with.

I want every Member of this House who has introduced legislation and spoken for legislation in favor of fair rules of procedure to join me in amending this bill with fair rules of procedure. I am not asking for anything unreasonable. I want the allegation to be sworn to in writing. I know how irresponsible people are.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield to the gentleman from New York.

Mr. CELLER. Did the gentleman accept our proposals for fair rules of practice on those occasions?

Mr. DIES. I want to offer them.

Mr. CELLER. I know, but the gentleman did not accept those rules of practice, so how does he expect us to accept these?

Mr. DIES. I did accept them. I introduced some of my own.

Mr. CELLER. The gentleman did not accept those we offered.

Mr. DIES. I was not behind you. I had a set of my own. Nearly everybody in the House had some.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Mr. Chairman, the compelling force which brings this legislation to the floor today is politics. Neither do facts nor conditions warrant this insiduous proposal.

It has been said that in the name of democracy, many crimes are committed. I say to you under the guise of civil rights many of you today are striking the most serious blow ever directed at the constitutional guarantees of all Americans.

The combination of the forces on both sides of the aisle will no doubt ram this legislation through the House of Representatives. You have the votes and you have the power to do it. Tomorrow may be your day of atonement.

Nowhere in America, that I know, are people denied the right to vote. I challenge you to point out to me any section in America where the civil rights of the citizens are being denied. The laws of the States and the Criminal Statutes of the United States Code give ample protection. By the proposal before us you strike at the police powers guaranteed the States and you abolish the autonomy of these 48 Commonwealths, just because this is a political year and the left-wing pressure groups find it convenient to demand their "pound of flesh" from the Constitution of the United States.

This gives more power to the central government than that to which it is entitled. You bring up today the American gestapo which you condemned under Hitler. You setup the secret police in America which has been the scourge of the world during your lifetime and mine. This is more power than a good government should want and a bad government should have.

This legislation is skillfully drawn. You attack these rights by the civil avenue. The philosophy underlying this legislation is by the injunctive process carrying with it civil penalties. You can bankrupt anyone in the United States just because somebody feels that he has the appearance of evil. This is a most

fantastic concoction that has ever been presented to a parliamentary legislative body. You abolish our judicial system as we have it.

I tremble with concern about that feature of this bill which unquestionably strikes at the very heart of our judicial system and of the Anglo-Saxon system on which our own is based. This bill tampers with, and in many cases abolishes, the right of trial by jury.

It is strange indeed that a bill which purports to be a civil rights bill would molest one of the greatest, if not the most basic element of our civil rights—the right of trial by jury.

I am quite aware that the sixth amendment of the Constitution states that "in all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district" and says nothing about juries in civil actions.

I am equally aware, Mr. Chairman that this bill would provide for civil, rather than criminal, action against those whom some Federal prosecutor may think is planning to attempt to do something which might deny a right to some one. But it is quite obvious to me, and I think it should be to any lawyer, that this is a mere subterfuge—and that what we are really asked to do is to provide for criminal prosecutions in the guise of civil actions for redress.

It is quite apparent to me, from a reading of the testimony of the Attorney General before the committee, in support of this bill, that we are asked to provide for the Federal Government to accomplish the objectives of this bill through the injunctive process than through criminal prosecution, since in criminal prosecution one must have some sort of proof of crime in order to be able to proceed, and under this bill, all that is needed is a prosecutor's opinion that someone may be contemplating an attempt to do something which may be a crime if it is done.

Mr. Chairman, we read daily of brainwashing by the Communists. We have documentsd evidence of thought control behind the Iron Curtain. However, this is the first time in any parliamentary body since the dawn of civilization that any political party has ever attempted "look control." Should this bill become law and it never will—certainly during this session of the Congress, you will destroy all the good will built up by the FBI in the separate States—good will that the Federal Bureau of Investigation now has with local and State law enforcement agents. Leftwing pressure groups would be forever sending FBI men out on some wild goose chase while the important job of apprehending those who would destroy our form of government would be left undone.

The Civil Rights Division created by this legislation would be loaded with men and women who despise my section of the country. It would not take a prophet to know who would form the policy of this look control division. Its makeup would be a crazy quilt of the most heterogenous breed of fire-eaters ever assembled under one roof. It would be indoctrinated, consecrated, and dedicated to destroy my people in mind, body, and estate. You could not smuggle a southerner into this organization unless he had the blessing of the NAACP and other enemies of my people. The agents of this motley makeup would descend on the South like vultures and locusts and devour our economic strength and denude our section of their basic rights, while other sections of America would have a field day.

Make no mistake about it, this legislation is against our people. We know it and you know it. We are disappointed in its sponsors. However, we will find a way, and you will see to that.

My land is accustomed to abuse. My people have been the whipping boys for many years. This is nothing new to us. You may read your glory in the eyes of Russia, but you are reading your death warrant in the eyes and in the hearts of my countrymen.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Alabama [Mr GRANT].

Mr. GRANT. Mr. Chairman, I stand here today with a heavy heart—heavy because you are attempting to do something that in the long run is going to carry this Nation backward. You are attempting to penalize a great section of this country. Today you may sow the wind, and tomorrow reap the whirlwind.

This is punitive legislation; make no mistake about that. You may clothe it in pious words, but actions speak louder than words. What you are doing speaks so loud that I cannot hear what you are saying.

I yield to no man in my interest in the colored race. I want to see them prosper and have the better things of life. The future progress and prosperity of the South must of necessity mean advancement for all people and all races. One race cannot prosper without the other. Wonderful progress has been made by our colored people. Nowhere else in the world can you find two races that have lived in harmony and peace as they have in the South.

Now you with your pious words are tearing down what dedicated peoples of both races have worked to build up over a period of many years. These groups have worked on an interracial basis. This legislation will be a backward step; it will do no one good and will do irreparable harm to the Negro race.

Now, for years the white and colored races of the South have been drawn together working for a common cause. By this legislation you seek to divide the ranks. So-called do-gooders and mischiefmakers have invaded the South akin to the carpetbaggers of the sixties. Places of worship in many colored churches have been turned into forums for an organization that is far removed from church activities; namely, the NAACP. This, of necessity, is causing the white people of the South to band together. They are going to fight back—make no mistake about that.

White citizens councils are springing up all over the South, and they are composed of Jews, Catholics, and Protestants alike. There would have been no need for this organization, had not outsiders moved in and organized the Negroes. It is a tragedy that such peaceful relations as heretofore existed have developed to where peoples of different races are suspicious of each other and where threats are made by members of one's own race against one who will not participate in boycotts. There has been a halt in the great progress toward racial understanding.

Oh, it is an easy thing for some members from other sections of the country to get up here and shout about civil rights. You know nothing about the problem; it is easy for you to be a great champion of civil rights when there are no Negroes in sight. They ask for bread, and you give them stones. I am interested in the economic condition of the Negro race. It is, indeed, strange that in this section represented by the chief proponents of this infamous legislation that racketeers run loose. Just a few months ago in New York a brave reporter was blinded for life just because he had the nerve to tell the truth about what was going on. What has this great Judiciary Committee done about that? Goon-squads apply their racketeering and corruption in may cases, if the reports in newspapers are to be believed, almost without being molested unless one of a rival gang is bumped off.

What about the right to work? What right does this come under? It seems that it would be the most important of all civil rights. Upon this right, the great Judiciary Committee, which is championing the right to vote, is as silent as a tomb. My colleagues, you cannot eat civil rights.

If this legislation is the answer, why set up a commission? In the same bill you enact legislation and then set up a commission to study it and make recommendations. Would not it be the proper thing to do to first set up a commission and then have it to come in with recommendations? Is it that you are afraid the Commission will make no recommendations along the line of this legislation? Frankly, I do not think that this would be the case because the Commission is given so much power that it would probably have to come up with some sort of recommendation as to legislation. It is preposterous that the Commission be given authority to—and I quote—"accept and utilize services of volunteer and uncompensated personnel." I cannot think of any legislation being more acceptable to the left wing organizations of the country than this—make no mistake about the fact that the Commission would be flooded with thousands upon thousands of volunteer personnel. It is all that they have been waiting for. They would then be able to roam the country and harass the people. You know as well as I do who this voluntary assistance will be.

Now, let us go a step further and see what this bunch of volunteer assistants are doing. Believe it or not this great Judiciary Committee has come up with legislation providing that the Attorney General may institute for the United States or in the name of the United States, but for the benefit of the real party in interest, a civil action or

other proper proceeding for redress or preventive relief including an application for a permanent or temporary injunction restraining order or other order.

Now listen at this: it further provides that in any proceeding hereafter the United States shall be liable for cost the same as a private person. This will lead to a multiplicity and complexity of suits. The Attorney General, which, of course, means one of the assistants, and there will be hundreds of them, can bring suit without consultation with the so-called aggrieved person.

With the do-gooders and leftwingers working up these cases and the Assistant Attorneys General filing them, you can rest assured that the courts will have plenty to do. However, I notice that the chairman of the Judiciary Committee states that they have legislation providing for additional district judges, which seems to be his answer to this matter. It has reached the point where that when we have a problem or an imaginary problem that we appoint a commission or create new Federal judges.

The argument has been made that this legislation is of a necessity because we must show the rest of the world what we are doing. It is even claimed that if we do not do this that the other nations of the world will not appreciate our giving them the billions and billions of dollars that we have been pouring out to them over the past decade. This is ridiculous. How did America come to be the greatest Nation in the world? We are the envy of the world. Even under the liberal immigration laws we cannot admit even a fraction of the people that want to come to our shores. America is great; it will continue to be great if the races of the South are left alone. They have been working together to achieve better living conditions for all.

If such legislation as this is to be enacted, we might as well abolish all State governments. Such legislation defeats its own purpose. It is time to stop, look, and listen lest local government perish from the face of the earth.

Mr. CELLER. I yield to the gentleman from Michigan [Mr. DIGGS] 5 minutes.

Mr. DIGGS. Mr. Chairman, I know that at this late hour and because of the very thorough discussion attendant to this legislation, there is probably little I can do which will change anyone's mind especially. But as a cosponsor of a similar proposal, permit me first of all to say I am extremely gratified that the debate up to this point on the bill H. R. 627 has not been generally characterized by inflammatory expressions or discussion entirely unrelated to its merits with the exception of those few times when some Members succumbed to the irresistible opportunity to reduce the argumentation to the usual harangue against the NAACP and the indefensible doctrines of the relationship between crime, native intelligence, and race.

The provisions of this bill have been ably discussed and described by Members of both parties, representing various parts of the country. I shall not, therefore, attempt to belabor the merits of the bill which certainly, as I or any reasonable person sees it, speak for itself. Nor will I endeavor to elaborate upon its primary significance relative to our kinship with the darker peoples in the rest of the world.

I would like just momentarily in the small amount of time allotted to me help provide more of the background against which this measure stands.

Perhaps because it is thought that a recitation of certain incidents will cause the kind of inflammatory reaction you have so studiously attempted to avoid on this floor, it has not been emphasized enough for the benefit of many of my colleagues who have not been South that the Negro there is in an inferior status; that in certain sections of that part of the country a Negro suffers grievous consequences if even in addressing a person of the majority race, he does not say "Yes, sir" and "Yes, ma'am"; that the degrading feature of separate public accommodations of all kinds is rigid, traditional and sanctioned by law; that the Negro in many instances is subjected to primitive educational and health facilities, and that the curl of hair and color of skin are the determining factors relating to their status in society.

I certainly do not deny that progress in the field of human relations has been made both in the North and the South. I cannot deny it because in addition to Federal law, civil rights statutes across this Nation, enacted by State legislatures, have acted as a deterrent at local levels in the North and South to many of the incidents which shock our moral sensibilities. I cannot deny it because I stand before you as a symbol of that progress. Most of the Members of the House probably do not know that I am a Representative of a Congressional District in Detroit, Mich., which is only 38 percent Negro. I am proud to say additionally that among the other 62 percent in my district who had the decency to evaluate me based upon merits are many southern white people in the second ward where the race riot stated in 1943.

What is the real crux of the problem before us? Is it the legal construction of this bill as the opponents would have us believe? I think not. Is it apprehension about capricious or arbitrary administration by the Attorney General? I think not. I think when you strip aside all legalisms and distractions that have been argued so admirably by opponents and proponents, you will find that the real fear lies in guaranteeing the right to vote to a person without regard to his race, creed or color. The antagonists to this bill justifiably feel that the constituents whom this bill is designed to relieve will then be able to solve their own problems on a local level by electing public officials who respect their status. Paradoxically, they do not want the exercise of this kind of "States rights." Historically Federal intervention only follows failure of State and local units to discharge their responsibilities appropriately.

I speak to you not from some ivory tower on this question; or not just as a Negro, but I speak to you as a person of southern parentage, who was partially educated in Tennessee, served in segregated Armed Forces as an enlisted man and officer during World War II—in Georgia, Florida, and Alabama, and who has traveled and spoke in every State in the South. I know personally of intimidation, coercion and illegal means being used in degrees leading all the way up to murder because a Negro attempted to register to vote in some of these States.

It has been argued that some of the Negroes refused to pay their poll taxes. We have information revealing that those who pay their poll taxes are frequently told by their employers to take a vacation from their jobs. They are also told that the vacation will end when they are no longer qualified to vote.

An example of intimidation against colored persons who are in business is the case of Mr. Richard West, who owned a filling station in Greenwood, Miss. I have seen Mr. West's poll tax receipts showing that he paid the required sum of money. He is now living in California because this year pressures of various kinds were so great on him, including threats to his life, that he left the State of Mississippi.

During 1955, two colored men—Rev. George W. Lee, of Belzoni, Miss., and Mr. Lamar Smith, of Brookhaven, Miss., were killed because they were active in register and vote campaigns. Also in 1955, Mr. Gus Courts, of Belzoni, Miss., a grocerystore operator, was shot at his place of business. He, too, was active in the register and vote campaign.

My colleague from New York and others have made reference to certain entire counties where Negroes are not permitted to register to vote even though they represent a considerable percentage of the population. I cannot take the time to enumerate all of these restricted areas, but I will present you the figures for the most offending State, Mississippi, the source of which information is the White Citizens Council itself. It will be noted that even this number has been reduced from approximately 22,104, as of November of 1954, to approximately 8,000.

The following counties have 1,000 or more Negro voters:

County:	*Total number of Negro voters*
Hinds	4,014
Washington	1,783
Harrison	1,662
Lauderdale	1,591
Warren	1,480
Coahoma	1,268
Jefferson Davis	1,221

The following counties have no Negro voters at all: Carroll, Chickasaw, Clarke, Issaquena, Jefferson, Lamar, Noxubee, Pearl River, Tallahatchie, Tate, Walthall, Wayne, George.

The following counties have less than 10 Negro voters:

County:	*Total number of Negro voters*
Amite	3
Calhoun	1
Desota	1
Panola	1
Pontotoc	4
Sharkey	1
Tunica	4
Webster	5
Yalobusha	6

The following counties have more than 10 but less than 100 Negro voters:

County:	Total number of Negro voters
Alcorn	78
Attala	34
Benton	47
Choctow	14
Clay	14
Copiah	21
Forest	16
Greene	44
Holmes	63
Itawamba	54
Jasper	14
Kemper	28
Lowndes	52
Marshall	17
Monroe	15
Montgomery	26
Neshoba	15
Newton	54
Perry	98
Prentiss	22
Rankin	30
Smith	39
Stone	34
Tishomingo	11
Union	54
Scott	50
Wilkinson	54
Winston	50

The following counties have more than 100 but less than 500 Negro voters:

County:	Total number of Negro voters
Claiborne	157
Franklin	172
Hancock	451
Lawrence	345
Leake	150
Lee	106
Leflore	398
Lincoln	460
Marion	350
Oktibbeha	132
Pike	186
Quitman	300
Simpson	115
Sunflower	114
Tippah	110
Yazoo	243

The following counties have more than 500 but less than 1,000 Negro voters:

County:	Total number of Negro voters
Adams	765
Covington	546
Jackson	658
Jones	888
Madison	549

There is another matter of paramount importance which has not been mentioned at all during this debate. In Mississippi and two other Southern States, being a registered voter is a condition precedent to service on juries. An examination of the above table graphically illustrates that favorable action on H. R. 627 would not only qualify Negroes to vote, but serve on juries to protect themselves from abuses of their constitutional rights, especially in interracial situations, where sheer prejudice negates normal rules of evidence. This was notably observed by me when I attended the infamous Till trial in September 1955. Tallahatchie County, Miss., site of the trial, although the Negro percentage of population is over 65 percent has not 1 registered Negro voter. Little wonder that certain perjured testimony at that trial, later confirmed by an article in Look magazine and never legally challenged by the defendants, resulted in their acquittal by an all-Mississippi white jury.

I find it rather strange that my distinguished colleagues from the South are emphasizing so much the political aspects of this proposal. I am not so naive that I believe some of its proponents lack such a motivation. I hope, however, that Members from below the Mason-Dixon line realize that if this is a political bill and its benefits because of their attitude do not inure to the Democratic Party, the 85th Congress will find them deprived of their cherished positions on certain committees and their respected positions of prestige and influence as chairmen of certain committees of this House. I know the Republican Party will not overlook the opportunity to capitalize on this matter among those affected and concerned by civil rights.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. ANDREWS].

Mr. ANDREWS. Mr. Chairman, I agree with those speakers who have preceded me and who have stated that this is a political bill. It is my opinion that it is the same old political football that has been tossed around here for the last 14 years since I have been in Congress. We see it every election year.

Mr. Chairman, I am opposed to the bill. I introduced a bill this year which is now with the Committee on the Judiciary which I plan to offer as an amendment to this bill Thursday. I have had no hearing on my bill H. R. 11021. It provides that a commission be established known as the Human Resettlement Commission. Many people think, as some of the speakers who preceded me here this afternoon do, that the Negroes are mistreated down South. There are isolated cases of mistreatment, just as I read in the paper there are in Washington, New York, and other sections of America.

Now, the bill that I introduced provides for the creation of a commission to be known as the Human Resettlement Commission. It provides for the appointment of three commissioners by the President, to be confirmed by the Senate. It provides that any Negro living in any State who can show to the satisfaction of that Commission that he is unhappy or dissatisfied with the local laws, customs, or traditions of that State, and further that he has a reputation for being a good worker, will be eligible for a loan from that Commission over a long period of years, at a low interest rate, so that he can move the members of his family and his household furniture to any State of his choice. Now, is there anything wrong with that?

Mr. GRANT. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Alabama.

Mr. GRANT. Do you not anticipate you will have a lot moving out from the North to the South?

Mr. ANDREWS. No, I do not; but I want to give them ways and means to move if they are unhappy where they are. Now there is ample precedent for this bill.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Louisiana.

Mr. BROOKS of Louisiana. You know a bill like that does not have a chance of passing, because it will take this question out of the political football, and you will not have a fight every year on the floor to get the votes back home.

Mr. ANDREWS. I am inclined to think that the gentleman is correct, because I have not even had a hearing in the Committee on the Judiciary. But, I am serious about this. There are some counties in the South where the colored population outnumbers the whites 5 to 1, and I sincerely believe that if you went into one of those counties, with that topheavy ratio of population, with a fine-tooth comb, you would find only 4 or 5 unhappy colored residents. And, if ways and means were provided for them to get out of that county and go to California or go to New York or Chicago, then you would serve both races; you would make both races happy. If you find a dissatisfied citizen in a county and can get him out of there, it is just like pulling an old decayed tooth out of your jaw; the patient gets better. For some of those who advocate this type of legislation, let them have it; let them go to school with your children if they want to. I have no complaint about that. But, I say it is absolutely impossible for us to integrate our schools in those counties where the ratio is 5 to 1.

Mr. Chairman, there is ample precedent for this bill H. R. 11021. During the Dust Bowl in Oklahoma several years ago the Federal Government moved literally thousands of Okies out to the west coast. Why? They were economically depressed. They were not happy with conditions that existed in Oklahoma. Following the end of World War I we had a displaced persons commission that brought into this country literally thousands of people from beyond the shores of this Nation. Why did they come? Because they were uphappy with local laws, customs, and traditions that prevailed in the countries from which they came. So I hope that the chairman of this great Committee on the Judiciary will accept my bill as an amendment to the pending bill because I think that any commission established by this Congress to look after civil rights, the welfare of any mistreated group of people in this country certainly should make it possible for those dissatisfied customers to move on out to California, or somewhere else.

Mr. FULTON. Mr. Chairman, will the gentleman yield for a question?

Mr. ANDREWS. I yield to the gentleman.

Mr. FULTON. Of course, we all realize that when there are counties where no Negro can vote, that is wrong. We can just start with that. They ought to have some privilege of voting. What would the gentleman do about it? If the gentleman does not want the Federal Government to do anything about it, why does he not have his State government do something about it?

Mr. ANDREWS. Maybe some of those people do not want to vote. I notice that in the gentleman's State, according to the 1950 census, the colored pop-

ulation in that State of Pennsylvania was 5 percent. In my State of Alabama it was 32 percent.

Mr. FULTON. I represent a city that has a very high percentage of colored people.

Mr. ANDREWS. Would the gentleman favor this bill, H. R. 11021, to get some more of those people up there?

Mr. FULTON. We very much welcome them.

Mr. ANDREWS. I thank the gentleman. I shall look to him for support of my amendment.

Mr. CELLER. Mr. Chairman, I yield such time as he may consume to the gentleman from Georgia [Mr. FLYNT].

Mr. FLYNT. Mr. Chairman, in view of the lateness of the hour, my remarks will be short.

I want to say that I am opposed to H. R. 627, the so-called and misnamed civil-rights bill, as thoroughly as it is possible to be. I could talk about my reasons for opposing it for a considerably longer period of time, but I want to give just 1 or 2 brief reasons for my opposition to it.

The first reason is that it provides for the first time, to my knowledge, in American history, legislative sanction to the denial of trial by jury, without the consent of the party to the case.

My second reason for opposing it is that it sets up a possible secret police which can be compared only to a Hitlerian Gestapo in Nazi Germany or a Communist NKVD in the Union of Socialist Soviet Republics.

My third reason is it provides for a person to be harassed, prosecuted, and persecuted because his own thoughts may disagree with those of this all-powerful Commission or with an Attorney General, whether he be a good Attorney General or a bad Attorney General.

And, lastly, I think it should be called to the attention of those who so strongly advocate the passage of this bill in the closing days of this session of Congress that, although they may view it as a bill to bring about their ideas, according to their definition of progress, it could very easily become the instrument by which a free people, a free American people, could either be destroyed or enslaved by a tyranny which we hope will never come to this land of ours.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the distinguished gentlewoman from Georgia [Mrs. BLITCH].

Mrs. BLITCH. Mr. Chairman, I think I am the first woman to take the floor on this bill, yet I know how very much this bill means to women.

I think back, Mr. Chairman, to Valley Forge, when men then suffered and died, and I think about the wives and mothers who gave up those men who died fighting for liberty for this country or nursed the survivors back to health so they might establish a constitutional government for the United States. I think back through the panorama of great wars we have had, and I know what women have suffered. I know that women appreciate liberty and after the great sacrifices they have made from generation to generation, they do not expect to see us treat it lightly in this Congress or worse still to throw it away by the passage of the vicious bill now under consideration.

We send our sons to die, we send our husbands to die, our grandfathers have died in wars, and for what purpose? The results are that in the 20th century we have the greatest country God has ever made His face to shine upon. A country that millions of people from all over the world would give anything on earth to be citizens of.

To me the extraordinary thing about this bill is the fact that it is on this floor for consideration at all.

We have beaten Hitler. We have done away with the Gestapo. We have fought, bled, and died, and almost completely bankrupted ourselves to try to get rid of Communist menace. Yet here on the floor of this House good, honest Americans—and I doubt not the patriotism of a person who is sitting here—are offering a bill that would destroy what we fought, bled, and died for through these years.

Mr. Chairman, I am not up here as a sectional opponent of this bill. If it should pass, it is not going to hurt the South. Through one slap after another by other sections of the country, we have managed to survive and to thrive and to develop into a great asset to our whole United States. We will manage to get through this. There are some who have made short trips throughout the South and who say now that nobody knows the South as they know it. Let me tell you what they have done. They have hurt the relationships that have been built by years and years of love and understanding between the white and the Negro races in the South. Where just a few short months ago, a year ago, we enjoyed companionship and understanding between our races, today we are growing apart, we are crossed. But I do speak as a representative citizen of the United States. This bill, if enacted, will be the instrument that will close the door of freedom to every minority group throughout our land, and in the United States you will see what other countries have already known: the destruction of religion, truth, and the death knell on all individual rights.

If you do not think that this bill is a Communist plan, then you are not using the brain that God gave you. Russia knows she cannot beat us by physical might so she endeavors to destroy us from within. Russia would rejoice at the passage of this bill because it would accomplish what she wants. It would divide and separate us.

Bleeding hearts, the Members from Harlem and the one from Detroit, who represent large Negro populations, represent only those Negroes who are in their districts. And I should think that if they give those Negroes the representation they deserve, they would have no time to be running around down South trying to create trouble between the two races who live on a far more friendly basis there than in the sections of the country they represent. These Congressmen do not represent the Negroes in my district. I represent the ones who live in the Eighth District of the State of Georgia, and I shall continue to represent them as fairly as a human being possibly can. There is no difference in the fairness of the way I serve my constituents, be they black or white. I would say this to you, friends, do not let this be a political issue. The gravity of the situation demands that we be too big for that. Let us, Democrats and Republicans, beat this awful bill here in the House. The patriots years ago when they wrote the Constitution had no greater opportunity than we have as patriots here in this House this week to show that we love America and that we stand up to our duties as American citizens and as representatives in the Congress of the United States of the American people. That is all I ask you to do.

Mr. JONAS. Mr. Chairman, if the proposed legislation (H. R. 627) is not actually unconstitutional as the exercise of legislative prerogatives not granted to the central Government, it is at least objectionable as an unwarranted extension of the ever-increasing concentration of power in Washington.

If H. R. 627 is enacted, we will be taking another long step down the road which can have but one end and that is the destruction of States rights and local self-government.

There is no doubt that a strong tide is running in that direction. When it has run its course, we can then all sit back and marvel at the ease with which those who planned it that way succeeded in bringing about a constitutional revolution in this country. It will then be seen that, while the people slept, forces were at work bent upon the destruction of our dual form of government which was so carefully laid in place 169 years ago.

I believe in States rights and am opposed to further aggrandizement of national power. Frequently since taking my seat in this body, curiosity has been expressed over the fact that I am a Republican from the South. There is not any mystery about this, and let me explain at some risk of offending you by a personal reference.

My people have resided in North Carolina continuously since 1750. There was not a single carpetbagger in the lot. My maternal grandfather and my paternal great-grandfather were Confederate soldiers. The latter died in a Union prison camp from wounds received on a Virginia battlefield. Both of my grandfathers were Democrats. My father became a Republican because he believed in tariff protection for domestic industry and labor against unfair competition from low-paid and low-cost manufactured products from abroad, and because he also believed in sound money and that the Federal Government should follow sound fiscal policies. I subscribe to those principles.

I have risked the irrelevance of this brief recital of personal history in order to preface what I now wish to say.

Those of us who take a strong stand for States rights—and this reference is not to the Members of this House but to a great number of people in the North, East, West, and South—must bear some of the responsibility for the tremendous concentration of power in the National

Government during the past 20 years. Unfortunately, some who profess the strongest belief in States rights have not stood foursquare against the extension of Federal power in every field. Back in the 1930's, when the present trend started, there was not the same sharp reaction as exists today. Many Members of Congress resisted that trend but, as I have said, I am not referring now to Members of Congress but to the people generally.

Consider this question of tariff protection against cheap Japanese textile imports now agitating every section of the country in which the textile industry operates. The troubles we face as a result of extremely low tariffs, which are permitting Japanese imports to enter this country in ever-increasing amounts and to such an extent that today the entire textile industry in this country is gravely alarmed, began back in 1934 when Congress surrendered its constitutional tariff-making prerogative to the Executive. By 1945 our tariffs had been reduced 50 percent and the trouble was further aggravated in 1947 when the State Department joined our country with 19 other nations in the formation of GATT, since which time repeated reductions in our tariffs have been granted through GATT although GATT has never been authorized by Congress.

Other examples might be cited but you are all aware of them and I will not encumber the RECORD.

We cannot have our cake and eat it too. Those of us who really seek to curb this growing concentration of power and more power in the hands of the Central Government must stand guard every day and night. We must be consistent if we are to be effective. We must not be for big government when we are seeking benefits and against it when something is proposed with which we disagree.

This concentration of power in the Central Government has not been brought about by the executive alone, or by the legislative branch, or by the judiciary. All three branches of our Government have participated in the development.

In the 1930's, as the Chief Executive sought more and more power in an effort to solve what was described as a "crisis greater than war," a willing Congress granted to the executive department powers which theretofore had been exercised only on the justification of war.

When the Supreme Court of that day interpreted the Constitution in a way that did not suit them, the so-called liberal faction in this country, which now points to recent Supreme Court decisions as the "law of the land" were then busily engaged in a program of derision and ridicule directed at what they referred to as the "nine old men." The ravages of time took their toll and a new Supreme Court ascended the bench and proceeded to rewrite the law of the land.

Justice Reed cited 14 instances between 1937 and 1943 in which the Supreme Court reversed former solemn decisions on constitutional questions. Former Justice Roberts complained that the Court's decisions were rapidly approaching the state of a "restricted railroad ticket—good for this day and train only."

In all of the welter of talk recently concerning the rights of individuals, very little has been said about the rights of the States. Yet the very same Constitution that guarantees individual liberty makes it clear that the Federal Government is one of limited or delegated powers, and that all powers not delegated are retained by the States or the people.

The very first section of the very first article of the Constitution defines the legislative power of the Federal Government as follows:

> Article I, section 1: All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.

The several States, whose representatives adopted the Constitution and which later ratified it, were sovereign powers long before the National Government was created. When the sovereign power of Great Britain was broken, sovereignty immediately passed to the States themselves, subject only to the ineffective ties that loosely bound them together under the Articles of Confederation.

It is pertinent to point out here that the great State of North Carolina was not in the forefront of the States that ratified the Constitution. In fact, my State did not ratify it until after the first ten amendments, popularly known as the Bill of Rights, had been submitted to the States by the first session of the first Congress, on March 4, 1789.

North Carolina was so unwilling to subscribe to the provisions of the Constitution, until it contained the guaranties of individual liberty and a clear-cut statement of the reservation of sovereign powers to the States, as contained in the first ten amendments, that our people did not participate in the election of the national hero, George Washington, to his first term as President.

Lest it be assumed by anyone who hears these remarks or reads this record that North Carolina was less interested than other States in independence or in forming a new government on this continent, I point out that it was in my State and in the congressional district I have the honor to represent here—at Charlotte, in Mecklenburg County, N. C.—that a convention of citizens assembled on May 20, 1774 and adopted a declaration of independence. This was 14 months before the historic event of July 4, 1776 in Philadelphia—and is known as the Mecklenburg Declaration of Independence.

The omission of a Bill of Rights in the Constitution, plus the fact that the people of North Carolina were then, as they are today, strong believers in States' rights and unwilling to confer unlimited power upon the central Government, were the principal arguments urged against ratification. After these objections were removed by the first 10 amendments, the North Carolina Legislature ratified the Constitution by a vote of 184 to 77.

Every high-school student can tell you that the first 10 amendments to the Constitution contain our Bill of Rights. We think of these amendments as a charter of liberty for every citizen. Each has stood the test of time through 169 years.

Among the liberties guaranteed to citizens under the Bill of Rights are freedom of worship, of speech, of the press; freedom from arrest without a warrant, from imprisonment without a trial, and from trial without a jury; and freedom from deprivation of life, liberty, or property without due process of law. There are others but those cited will do to illustrate my point.

While many people can glibly recite these guaranties of individual liberty, others seemingly have forgotten or seem willing to ignore the terms of the 10th amendment. Just to refresh your memory let me quote it right here:

> Amendment 10: The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

It is important to remember that all articles and all amendments to the Constitution are of equal importance. Some individuals seemingly are quite familiar with some of the amendments, the fifth and the 14th being examples, but appear to have no understanding of the meaning of the 10th. That is permissible of course in individuals who have a perfect right to invoke any provision of the Constitution that they choose; but it is not permissible for Congress or the courts to ignore or repudiate one amendment in the zeal to effectuate another.

Mr. Charles Warren, the eminent historian of the Supreme Court, in his authoritative study entitled "The Supreme Court in United States History," made this significant statement:

> However the Court may interpret the provisions of the Constitution, it is still the Constitution which is the law and not the decisions of the Court.

It seems to me that the 10th amendment contains a glaring deficiency. While the language is clear and specific enough, and while there is no doubt the States understood what they were attempting to do by this amendment, unfortunately no language was included in the amendment itself or elsewhere in the Constitution to effectuate or safeguard this reservation of power.

Several States have in the long course of our history sought to implement this amendment unilaterally. They did this by invoking the Doctrine of Interposition. This doctrine was first proclaimed in the names of Kentucky and Virginia in 1798. The author of the Kentucky Resolution was Thomas Jefferson who later became President of the United States.

The doctrine was again invoked in 1832 by South Carolina, and still later by Georgia in 1838. Wisconsin once invoked the doctrine against the Dred Scott decision of the Supreme Court.

Efforts to restrict the Supreme Court in its right to declare acts of Congress and acts of States unconstitutional have manifested themselves in various other ways. An example is the movement, which has flourished at times, for the recall of judicial decisions. Many proposals along this line were advanced during the 1930–40 decade.

A few years earlier considerable agitation developed for such an approach. I recall engaging in an intercollegiate debate on the subject when I was a student at the University of North Carolina in 1925.

Even earlier than that, back in 1913, Senator Bristow, of Kansas, introduced Senate Joint Resolution 8, which would have required an act of Congress held unconstitutional by the Supreme Court, to be submitted to the voters at the succeeding congressional election. That resolution provided that if the act was approved by a majority of the voters, it would become law notwithstanding the decision of the Court.

The people in the various States felt that they had reserved unto themselves all power not specifically granted the Central Government. They have seen these reserved powers whittled away over the years as the executive, legislative and judicial branches of the Government have combined to extend the power and authority of the Central Government into many fields that throughout the long course of our country's history were thought to have been reserved for State action. They feel the need of machinery for protection against what they believe to be unwarranted invasion of their reserved powers by Congress, as well as protection against decisions of the Supreme Court believed to be in derogation of the rights reserved by the States when they entered the Union.

I propose that those of us who believe that the 10th amendment meant something when it was written into the Constitution, and who still believe in the principles sought to be preserved by it, should join in close communion and seek to evolve a plan which we can propose to the country to safeguard it.

The subject is of vital importance and merits the calm and deliberate study of all of the people in this country who believe that the dual form of government established by the framers of the Constitution, and which has served our country so well, is worthy of preservation.

Powerful forces in this country oppose this concept. They believe in the further aggrandizement of national power. They believe that the Federal Government should extend its control more and more over the lives of individuals and States. We cannot win this fight by giving lip service to it as a principle. Only an organized effort, actively participated in by people of like mind in every section of the country, will have a chance of success.

Finally let me say that I believe every American citizen should enjoy all of the rights and privileges guaranteed him under the Constitution. I would never condone the act of any government—local, State, or Federal—that would deny him a single one of those rights. The right to vote is indeed one of those privileges and I believe every eligible voter should be protected in his right to cast that vote and to be protected in his right to have that vote honestly counted. This is so fundamental that I do not believe anyone would deny it. The question is whether the proposed legislation provides the proper method of going about it.

Nor do I condone the use of economic pressure to prevent voting but I submit that it is just as reprehensible to use economic pressure to control the way a person votes as to deny him the right to vote. Nothing is said in this bill or in the report of the committee about this sort of pressure.

The words "civil rights" do not scare me. But I am in favor of protecting all the civil rights of all citizens. There are other civil rights about which this bill is silent, such as the right to work and make a living, and the right to be protected in that work against racketeering and other oppressive practices. It seems strange indeed that the proponents of this legislation appear not to be interested in protecting all civil rights. I do not believe it is wise to attack the problem piecemeal. I think the bill should be recommitted to the Committee on the Judiciary for further study.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union reported that that Committee having had under consideration the bill (H. R. 627) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, had come to no resolution thereon.

EXEMPTION OF CERTAIN TRAVEL FROM TAX ON TRANSPORTATION OF PERSONS

Mr. COOPER submitted a conference report and statement on the bill (H. R. 5265) to exempt certain additional foreign travel from the tax on the transportation of persons.

AMENDING CIVIL AERONAUTICS ACT TO GRANT FREE OR REDUCED-RATE TRANSPORTATION TO MINISTERS OF RELIGION

Mr. HARRIS submitted a conference report and statement on the bill (S. 3149) to amend the Civil Aeronautics Act of 1938 in order to permit air carriers to grant free or reduced-rate transportation to ministers of religion.

MASS TRANSPORTATION IN THE DISTRICT OF COLUMBIA

Mr. HARRIS submitted a conference report and statement on the bill (S. 3073) to provide for an adequate and economically sound transportation system or systems to serve the District of Columbia and its environs, and for other purposes.

TERMINATING THE EXISTENCE OF THE INDIAN CLAIMS COMMISSION

Mr. HALEY. Mr. Speaker, I call up the conference report on the bill (H. R. 5566) to terminate the existence of the Indian Claims Commission and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2719)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5566) to terminate the existence of the Indian Claims Commission, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same.

JAMES A. HALEY,
GEO. A. SHUFORD,
ED EDMONDSON,
JACK WESTLAND,
JAMES B. UTT,
Managers on the Part of the House.

JOSEPH C. O'MAHONEY,
CLINTON P. ANDERSON,
DICK NEUBERGER,
ARTHUR V. WATKINS,
BARRY GOLDWATER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on amendments of the Senate to the bill (H. R. 5566) to terminate the existence of the Indian Claims Commission, established by the act of August 13, 1946 (60 Stat. 1049, 1055; 25 U. S. C. 70v), submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report:

There were two areas of disagreement between the respective bodies. H. R. 5566, as it passed the House, provided that the existence of the Indian Claims Commission shall be terminated at the end of 5 years from and after April 10, 1957. In passing the bill the Senate substituted 2½ years for the 5-year termination date. In conference the managers on the part of the Senate receded from their 2½-year amendment and accepted the House managers' 5-year extension date. Inasmuch as there are presently about 750 cases before the Commission and only about 100 cases have been adjudicated by the Commission during its 10-year existence, it appears at least a full 5-year extension period will be required.

The second area of disagreement concerned section 2 of the House-reported bill. The House had sought to amend the Indian Claims Commission Act to provide that attorneys appointed pursuant to the act might conduct hearings, administer oaths, examine witnesses, receive evidence, and report findings of fact and recommendations for conclusions of law in cases assigned to them. This amendment also provided that these attorneys would not, because of these duties, be subject to the Administrative Procedure Act. Following several conferences with the Department of Justice, the Senate deleted this section because of undesirable precedents its inclusion might establish. The House managers agreed to the deletion of the

section as recommended by the Senate managers.

In all other respects the conference committee agreed to and adopted language in the House-passed bill.

JAMES A. HALEY,
GEO. A. SHUFORD,
ED EDMONDSON,
JACK WESTLAND,
JAMES B. UTT,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, I was pleased to participate in the conference on H. R. 5566, extending the life of the Indian Claims Commission, and know that today's House action in approving this conference report will be glad news for thousands of American Indians.

There is still a great task to be done by the Indian Claims Commission, which can now go forward with its task with assurance of 5 additional years of congressional support.

Let us hope that the next 5 years will be productive and constructive ones in this field, and the Commission will be able to accomplish its objectives within the new time limit set by the Congress.

In that undertaking, the cooperation of the Department of Justice is essential. I earnestly hope the Attorney General will assign to these cases the lawyers needed to do the job, and the job will be done.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

SERVICEMEN'S AND VETERANS' SURVIVOR BENEFITS ACT

Mr. HARDY. Mr. Speaker, I call up the conference report on the bill (H. R. 7089) to provide benefits for the survivors of servicemen and veterans, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2718)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7089) to provide benefits for the survivors of servicemen and veterans, and for other purposes, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 16, 17, 18, 19, 22, 23, 24, 25, 26, 27, 28, 29, 36, 37, 38, 102, 110, 146, 149, 152, 157, 159, 160, 161, 162, 164, 165, 166, 167, 168, 171, 172, 173, 175, 177, 180, and 182.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 8, 9, 13, 14, 20, 21, 30, 31, 32, 33, 34, 35, 39, 40, 41, 42, 43, 44, 45, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 75, 76, 78, 79, 81, 82, 83, 84, 85, 86, 87, 88, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 103, 104, 105, 106, 107, 108, 109, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 123, 125, 126, 127, 128, 129, 131, 133, 134, 135, 136, 137, 138, 139, 141, 143, 145, 153, 154, 155, 163, 169, 170, 174, 176, 178, 179, 183, 186, 187, 189, 190, 191, 192, 193, 194, 195, and 196, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: Strike out the matter proposed to be stricken out by the Senate amendment and in lieu thereof insert "SEC. 405. Payment of benefits in certain cases of in-service or service-connected deaths."; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "406"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "407"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "408"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "409"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "410"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "411"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "412"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows:

On page 2 of the Senate engrossed amendments, in the matter following line 6, strike out "SEC. 602. Extension of insurance privileges." and in lieu thereof insert "SEC. 602. Renewal of term insurance."; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 202. (a) Dependency and indemnity compensation shall be paid under this title to a widow at a monthly rate equal to $112 plus 12 per centum of the basic pay of her deceased husband.

"(b) If there are two or more children of a deceased person who have not attained the age of eighteen, and the total of the monthly benefits to which the widow and children who have not attained the age of eighteen of such deceased person are or would, upon the filing of an application, be entitled under—

"(1) section 405 of this Act,

"(2) section 202 of the Social Security Act (after reduction under section 203 (a) of such Act but without regard to the deduction provisions of such section 203), on the basis of such deceased person's earnings, and

"(3) section 5 of the Railroad Retirement Act of 1937 (after reduction under section 4 (i) and section 5 (h) of such Act), on the basis of such deceased person's earnings,

is less than the amount described in subsection (d), then the dependency and indemnity compensation paid monthly to the widow pursuant to subsection (a) of this section shall be increased by $25 for each child who has not attained the age of eighteen in excess of one.

"(c) The total of increases under subsection (b) shall, in any case, not exceed an amount equal to—

"(1) the amount described in subsection (d), less

"(2) the total of the monthly benefits to which such widow and such children who have not attained the age of eighteen are or would, upon the filing of an application, be entitled under—

"(A) section 405 of this Act,

"(B) section 202 of the Social Security Act (after reduction under section 203 (a) of such Act but without regard to the deduction provisions of such section 203), on the basis of the deceased person's earnings, and

"(C) section 5 of the Railroad Retirement Act of 1937 (after reduction under section 4 (i) and section 5 (h) of such Act), on the basis of the deceased person's earnings.

"(d) The amount referred to in subsections (b) and (c) (1) is an amount equal to the total of the monthly benefits to which a widow and two children of a deceased person would be entitled under section 202 of the Social Security Act if the deceased person's average monthly wage had been $160 (after reduction under section 203 (a) of such Act but without regard to deduction provisions of such section 203).

"(e) The amount determined under subsection (a) shall, after increase (if any) under subsection (b), be adjusted by the Administrator to the next higher dollar. The amount referred to in paragraph (2) (A) or (B) or paragraph (2) (C) of subsection (c) shall be determined by the Secretary of Health, Education, and Welfare, or the Railroad Retirement Board, as the case may be, and shall be certified to the Administrator upon his request."

And the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: Strike out the matter proposed to be stricken out by the Senate amendment and on page

22 of the House engrossed bill, in line 6, strike out "dependent" where it appears the second time; and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "Except as provided in paragraphs (3) and (4), no"; and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: Strike out the matter proposed to be stricken out by the Senate amendment and in lieu thereof insert the following:

"(3) In the case of a child who has applied for dependency and indemnity compensation pursuant to this section, and who is or becomes a beneficiary under the Servicemen's Indemnity Act of 1951 by reason of the death giving rise to his eligibility for dependency and indemnity compensation, the Administrator shall determine and pay to such child for each month, or part thereof, payments under this title or under such Act, whichever payment he determines to be the greater amount.

"(4) Notwithstanding paragraph (2), where a child receives dependency and indemnity compensation under this title, and thereafter dies, the portion of servicemen's indemnity in which such child had an interest may be paid (subject to paragraph (3)) to another child of the person by reason of whose death such servicemen's indemnity was payable."

And the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "in the same parental line may not be paid to or on account of such child"; and the Senate agree to the same.

Amendment numbered 122: That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: Strike out the matter proposed to be stricken out by the Senate amendment and in lieu thereof insert the following:

"PAYMENT OF BENEFITS IN CERTAIN CASES OF IN-SERVICE OR SERVICE-CONNECTED DEATHS

"SEC. 405. (a) In the case of any individual—

"(1) who dies after December 1956 and is not a fully and currently insured individual (as defined in section 214 of the Social Security Act) at the time of his death; and

"(2) whose death occurs—

"(A) while on active duty, active duty for training, or inactive duty training as a member of a uniformed service; or

"(B) as the result of a disease or injury which the Administrator determines was incurred or aggravated in line of duty while on active duty or active duty for training, or an injury which the Administrator determines was incurred or aggravated in line of duty while on inactive duty training, as a member of a uniformed service after September 15, 1940, if the Administrator determines that such individual was discharged or released from the period of such active duty, active duty for training, or inactive duty training under conditions other than dishonorable; and

"(3) who leaves one or more survivors who are not entitled for any month to monthly benefits under section 202 of the Social Security Act on the basis of his wages and self-employment income but who would, upon application therefor, be entitled to such benefits if he had been both fully and currently insured at the time of his death; the Administrator shall pay for such month benefits under this section to each such survivor in an amount equal to the amount of the benefits which would have been paid for such month to such survivor under title II of the Social Security Act, if such individual had been both fully and currently insured at the time of his death and if such survivor had filed application therefor on the same date on which application for benefits under this section is filed with the Administrator.

"(b) The determination (other than a determination required by subsection (a) (2)) as to whether any survivor described in subsection (a) (3) of a deceased individual would be entitled to benefits under section 202 of the Social Security Act for any month and as to the amount of the benefits which would be paid for such month, if the deceased individual had been a fully and currently insured individual at the time of his death, shall be made by the Secretary of Health, Education, and Welfare, and shall be certified by him to the Administrator upon request of the Administrator.

"(c) Upon the basis of estimates made by the Secretary of Health, Education, and Welfare after consultation with the Administrator, the Administrator shall pay to the Secretary an amount equal to the costs which will be incurred in making determinations and certifications under subsection (b). Such payments shall be made with respect to the costs incurred during such period (but not shorter than a calendar quarter) as the Secretary and the Administrator may prescribe. The amount payable for any period shall be increased or reduced to compensate for any underpayment or overpayment, as the case may be, of the costs incurred in any preceding period.

"(d) Except with respect to determinations made under subsection (b), the Administrator shall prescribe such regulations as may be necessary to carry out the provisions of this section."

And the Senate agree to the same.

Amendment numbered 124: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "406"; and the Senate agree to the same.

Amendment numbered 130: That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "407"; and the Senate agree to the same.

Amendment numbered 132: That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "408"; and the Senate agree to the same.

Amendment numbered 140: That the House recede from its disagreement to the amendment of the Senate numbered 140, and agree to the same with an amendment as follows:

On page 15 of the Senate engrossed amendments, in line 5, strike out "408" and in lieu thereof insert "409"; and the Senate agree to the same.

Amendment numbered 142: That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "410"; and the Senate agree to the same.

Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "411"; and the Senate agree to the same.

Amendment numbered 147: That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment as follows:

On page 17 of the Senate engrossed amendments, in line 1, strike out "411" and in lieu thereof insert "412"; and the Senate agree to the same.

Amendment numbered 148: That the House recede from its disagreement to the amendment of the Senate numbered 148, and agree to the same with an amendment as follows:

Restore the matter proposed to be stricken out by the Senate amendment, omit the matter proposed to be inserted by the Senate amendment, and on page 64 of the House engrossed bill, in line 9, strike out "1956" and in lieu thereof insert "1957"; and the Senate agree to the same.

Amendment numbered 150: That the House recede from its disagreement to the amendment of the Senate numbered 150, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(b) Notwithstanding the provisions of subsection (a), no application for waiver of premiums may be made after December 31, 1956, except applications therefor filed pursuant to the first proviso of subsection (a)."

And the Senate agree to the same.

Amendment numbered 151: That the House recede from its disagreement to the amendment of the Senate numbered 151, and agree to the same with an amendment as follows:

On page 20 of the Senate engrossed amendments, in line 19, strike out "(1)" and, in lines 23, 24, and 25, strike out ", or (2) during a period of war or of any emergency involving hostilities proclaimed by the Congress or the President"; and the Senate agree to the same.

Amendment numbered 156: That the House recede from its disagreement to the amendment of the Senate numbered 156, and agree to the same with an amendment as follows:

On page 23 of the Senate engrossed amendments, in line 1, strike out "(6)" and in lieu thereof insert "(5)"; and the Senate agree to the same.

Amendment numbered 158: That the House recede from its disagreement to the amendment of the Senate numbered 158, and agree to the same with an amendment as follows:

Restore the matter proposed to be stricken out by the Senate amendment and—

(1) on page 68 of the House engrossed bill, in line 17, strike out "1956" and insert "1957";

(2) on page 68 of the House engrossed bill, in line 18, strike out "1956" and insert "1957";

(3) on page 68 of the House engrossed bill, in line 23, strike out "1955" and insert "1956";

(4) on page 69 of the House engrossed bill, in line 2, strike out "1955" and insert "1956";

(5) on page 69 of the House engrossed bill, in line 5, strike out "1956" and insert "1957";

(6) on page 69 of the House engrossed bill, in line 6, strike out "1956" and insert "1957";

(7) on page 69 of the House engrossed bill, in line 8, strike out "1956" and insert "1957";

(8) on page 69 of the House engrossed bill, in line 22, strike out "1955" and insert "1956";

(9) on page 70 of the House engrossed bill, in line 13, strike out "1956" and insert "1957";

(10) on page 71 of the House engrossed bill, in line 8, strike out "1956" and insert "1957";

(11) on page 71 of the House engrossed bill, in line 9, strike out "1956" and insert "1957";

(12) on page 71 of the House engrossed bill, in line 17, strike out "1956" and insert "1957";

(13) on page 72 of the House engrossed bill, in line 11, strike out "1956" and insert "1957"; and

(14) on page 72 of the House engrossed bill, in line 12, strike out "1956" and insert "1957".

And the Senate agree to the same.

Amendment numbered 181: That the House recede from its disagreement to the amendment of the Senate numbered 181, and agree to the same with an amendment as follows:

On page 26 of the Senate engrossed amendments, beginning with line 4, strike out all through line 10 on page 27 of the Senate engrossed amendments, and on page 27 of the Senate engrossed amendments, in line 11, strike out "(r)" and insert in lieu thereof "(u)"; and the Senate agree to the same.

Amendment numbered 184: That the House recede from its disagreement to the amendment of the Senate numbered 184, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "(8)"; and the Senate agree to the same.

Amendment numbered 185: That the House recede from its disagreement to the amendment of the Senate numbered 185, and agree to the same with an amendment, as follows:

Restore the matter proposed to be stricken out by the Senate amendment and, on page 78 of the House engrossed bill, in line 25, strike out "(10)" and in lieu thereof insert (9); and the Senate agree to the same.

Amendment numbered 188: That the House recede from its disagreement to the amendment of the Senate numbered 188, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"RENEWAL OF TERM INSURANCE

"SEC. 602. (a) Subsection (f) of section 602 of the National Service Life Insurance Act of 1940 (38 U. S. C., sec. 802) is amended by striking out 'and which is not lapsed' in the first proviso, and by adding immediately after such proviso the following: *'Provided further*, That such renewal shall be effected in cases where the policy is lapsed only in the event the lapse occurred not earlier than two months prior to expiration of the term period, and reinstatement in such cases shall be under terms and conditions prescribed by the Administrator:'.

"(b) The amendments made by subsection (a) shall be effective July 23, 1953."

And the Senate agree to the same.

PORTER HARDY, Jr.,
OLIN E. TEAGUE,
PAUL J. KILDAY,
ROBERT W. KEAN,
WILLIAM H. BATES,
Managers on the Part of the House.

HARRY F. BYRD,
WALTER F. GEORGE,
ROBT. S. KERR,
E. D. MILLIKIN,
EDWARD MARTIN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7089) to provide benefits for survivors of servicemen and veterans, and for the other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

TECHNICAL AND CLERICAL AMENDMENTS

The following Senate amendments made technical, clerical, clarifying, or conforming changes (including changes made necessary to conform to laws enacted after the bill passed the House in 1955): 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 18, 19, 20, 21, 23, 25, 26, 28, 33, 34, 35, 36, 44, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 63, 65, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 86, 87, 88, 89, 90, 93, 94, 97, 98, 99, 100, 114, 116, 120, 124, 130, 131, 132, 142, 143, 144, 147, 149, 152, 154, 156, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 175, 177, 180, 183, 184, 186, 187, 189, 190, 191, 195, and 196. With respect to these amendments (1) the House either recedes or recedes with amendments which are technical, clerical, clarifying, or conforming in nature, or (2) the Senate recedes in order to conform to other action agreed on by the committee of conference.

AMENDMENTS RELATING TO EFFECTIVE DATE

The effective date of the bill as it passed the House was January 1, 1956. The following Senate amendments either (1) establish January 1, 1957, as the effective date of the bill, or (2) make conforming changes to reflect the January 1, 1957, effective date: 1, 30, 39, 40, 41, 43, 45, 66, 67, 78, 81, 83, 84, 85, 92, 101, 115, 118, 119, 125, 126, 127, 128, 133, 134, 135, 136, 137, 138, 139, 145, 174, 176, 178, 179, 192, 193, and 194. The House recedes.

AMENDMENTS EXTENDING GRATUITOUS WAGE CREDITS

The following Senate amendments (1) extend gratuitous wage credits of $160 per month for all persons in the military service between April 1, 1956, and December 31, 1956, or (2) make conforming changes in the Social Security Act to reflect this extension of the gratuitous wage credits: 105, 106, 107, 108, 109, 111, 112, 113, and 121. The House recedes.

AMENDMENTS RELATING TO PUBLIC HEALTH SERVICE AND COAST AND GEODETIC SURVEY

The following Senate amendments eliminated commissioned officers of the Public Health Service and Coast and Geodetic Survey from the coverage of the bill under normal conditions of service: 16, 17, 22, 24, 27, 29, 37, 38, 102, 110, 146, and 182. The Senate recedes.

OTHER SUBSTANTIVE AMENDMENTS

Amendments Nos. 31 and 32: Under section 102 (6) (B) of the House bill, coverage is extended to members of Reserve components who are proceeding directly to or returning directly from active duty for training or inactive-duty training. In case any such reservist incurs a disability during such travel and dies from it within 120 days, the death gratuity provided by section 303 of the bill will be payable. The Senate amendments provide that determinations for purposes of section 303 of the bill with respect to these reservists shall be made by the Administrator of Veterans' Affairs. The House recedes.

Amendment No. 42: The House bill provided that the Secretary concerned shall certify to the Administrator of Veterans' Affairs, upon request, the rank and years of service of deceased persons with respect to whose deaths applications for benefits are filed under title II of the bill. The Senate amendment provides that the Secretary shall certify the basic pay of the deceased person, and does not preclude certification of rank and years of service. The House recedes.

Amendment No. 46: Section 202 of the House bill, in subsection (a), established the basic rate of payment of dependency and indemnity compensation to a widow, and in subsection (b) provided for a supplemental payment from the Veterans' Administration to a widow with two or more children where social security payments to her and the children are inadequate. For purposes of determining the number of children on whose account this payment would be made, the House bill provided for including children over 18 years if (1) helpless or (2) under 21 and attending school. The payment would have equaled $20 for each child in excess of 1, subject to an overall ceiling under which the supplemental payments combined with social-security payments could not exceed the amount which would have been payable under the Social Security Act if the deceased person had died fully and currently insured with an average monthly wage of $160.

The Senate amendment increased the supplemental payment to $30 for each child in excess of 1, limited the children on whose account the payment could be made to children under the age of 18, provided for taking account of Railroad Retirement Act benefits in determining the supplement payable, and provided that the ceiling on payments under the Social Security Act (or the Railroad Retirement Act) and the supplemental payments should not exceed $128.

The House recedes with an amendment. Under the conference substitute, the supplemental payment is to be $25 for each child in excess of 1. The substitute also limits the children on whose account the payment can be made to children under the age of 18, takes Railroad Retirement Act benefits into account in determining the supplement payable, and provides that the supplemental payments, when combined with payments under the Social Security Act, the Railroad Retirement Act of 1937, and section 405 of the bill, shall not exceed the amount payable under the Social Security Act to a widow and 2 children based upon an average monthly wage of $160.

Amendment No. 62: Section 205 (g) of the House bill specified the items to be excluded by the Administrator of Veterans' Affairs in determining income of a parent for purposes of establishing the dependency and indemnity compensation payable to the parent. The Senate amendment provides that disability compensation payable by the Veterans' Administration to a parent shall be excluded in determining such income. The House recedes.

Amendment No. 64: The Senate amendment provides that lump-sum death payments under title II of the Social Security Act shall not be taken into account in determining income of a parent for purposes of establishing the dependency and indemnity compensation payable to the parent. The House recedes.

Amendment No. 79: Section 206 (e) (1) of the House bill provides that persons now entitled to servicemen's indemnity may not receive servicemen's indemnity after being granted the new benefits from the Veterans' Administration. The second sentence of this section prohibits payments to any beneficiary who has assigned his interest in servicemen's indemnity after June 28, 1955. The Senate amendment prohibits such payments to any beneficiary who has assigned his interest in servicemen's indemnity after June 28, 1956, the date the bill was reported to the Senate. The House recedes.

Amendment No. 80: Section 206 (e) (3) of the House bill provided an exception to other provisions of the House bill prohibiting payment of servicemen's indemnity to beneficiaries who had been granted the new benefits. This section was intended to provide (1) that where a child is eligible for the new benefits and (but for the receipt of the new benefits) would be entitled to payments of servicemen's indemnity in amounts greater

than the new benefits, the child shall receive payments of indemnity, and (2) that one child could succeed to the indemnity rights of another child who has been granted the new benefits.

The Senate amendment deleted this paragraph. The House recedes with an amendment, which clarifies the intent of this paragraph as it was adopted by the House, and makes it clear that children shall receive payments under either program of benefits, whichever is determined by the Administrator to be more beneficial to the child for the period involved. The amendment also restores the provisions of the House bill under which a child can succeed to the rights of another child to indemnity, where the latter child has been granted the new benefits and thereafter dies.

Amendment No. 82: The House bill provided that the effective date of awards of the new benefits from the Veterans' Administration would be the same as is provided in other laws administered by the Veterans' Administration.

The Senate amendment provides that in certain cases children's benefits should be paid retroactively to the date their entitlement arose, and in all other cases should be paid effective as of the date of application. The House recedes.

Amendment No. 91: The House bill provided that the new benefits shall not be exempt from taxation, and claims of creditors, and not subject to attachment or seizure.

The Senate amendment provides that the new benefits shall not be exempt from levy under the Internal Revenue Code of 1954 for collection of unpaid taxes. The Senate amendment makes the new benefits subject to the same provisions of law as apply in the case of all other veterans' benefits. The House recedes.

Amendment No. 95: The House bill provided that certifying or disbursing officers should not be liable for erroneous payments or overpayments of the death gratuity in certain cases. The Senate amendment deletes this provision from the House bill. The House recedes.

Amendment No. 96: The House bill provided authority for the Secretary concerned to waive recovery of erroneous payments or overpayments of the death gratuity when such recovery would be against equity and good conscience.

The Senate amendment deletes this provision from the House bill. The House recedes.

Amendments Nos. 103 and 104: The House bill provided a continuation of the present provision in the Social Security Act under which applications for lump-sum death payments in cases where an individual dies overseas in the active military or naval service of the United States and is returned to the United States for interment or reinterment may be filed within 2 years after such interment or reinterment, instead of having to be filed within 2 years of the date of death.

The Senate amendment extends this provision to apply to deaths occurring after March 31, 1956, the date of expiration of the provisions of existing law on this subject. The House recedes.

Amendment No. 117: The House bill provided that in cases where the widow or child is entitled to an annuity under the Civil Service Retirement Act, such annuity is based in part on military service, and but for the receipt of such annuity, the widow (or child, as appropriate) could receive social-security benefits, the widow or child or children of the deceased person could waive their civil-service annuity and receive social-security benefits. The Senate amendment specifies the persons who may make the waiver on behalf of children, and requires that any waiver of civil-service benefits must be made by all children, and the widow (if there is one) in order for the waiver to be effective as to any of them. The House recedes.

Amendment No. 122: The House bill, in section 405, provided that every person dying after the effective date of the bill (1) in the military service, or (2) from a service-connected disability incurred or aggravated after September 15, 1940, should be deemed, for the purposes of the Social Security Act, to have died fully and currently insured. The Senate amendment deleted this provision from the bill.

The House recedes with an amendment. The conference substitute provides that where an individual dies under the circumstances listed above, and does not die both fully and currently insured for purposes of the Social Security Act, the Administrator of Veterans' Affairs shall, upon application, make monthly payments to the survivors of the deceased individual, not otherwise eligible for payments under the Social Security Act on the individual's wage record, in the same amounts as would have been payable to them under the Social Security Act if such individual had died fully and currently insured. If the individual did not die fully and currently insured, the Secretary of Health, Education, and Welfare will determine the amount of benefits which would have been payable under the Social Security Act, had he died so insured, to the survivors by whom or on whose behalf the application was filed and who are not eligible for such benefits, and will, upon request of the Administrator, certify monthly to the Administrator of Veterans' Affairs the amount so determined. The Administrator will then pay the amounts so certified to or for such survivors.

The amendment also authorizes the Administrator of Veterans' Affairs to make necessary regulations for the administration of the section, and provides for advance payments by him to the Secretary of Health, Education, and Welfare to defray costs incurred in making determinations and certifications under subsection (b) of this section.

Amendment No. 123: The House bill provided that in certain cases involving totally disabled individuals whose disability is service-connected, the requirements of the Social Security Act with respect to the number of quarters of coverage needed by such individual (but for the provisions of the House bill) to qualify for the "disability freeze" under the Social Security Act should not be applicable.

The House bill also provided that individuals dying before the effective date of the bill (1) in the military service or (2) from a service-connected disability incurred or aggravated after September 15, 1940, should be deemed, for purposes of the Social Security Act, to have died fully and currently insured.

The Senate amendment deletes these provisions from the House bill. The House recedes.

Amendment No. 129: The House bill provided for reimbursement of the old-age and survivors' insurance trust fund for its additional costs arising out of the provisions of the House bill under which individuals dying in service or from service-connected causes would be deemed to have died fully and currently insured for purposes of the Social Security Act, whether or not such individuals had sufficient quarters of coverage to be fully and currently insured, or to meet the insured status requirements for purposes of the "disability freeze" under title II of that act.

The Senate amendment deleted this provision from the House bill. In view of the action of the conference with respect to amendments Nos. 122 and 123, the provisions of the House bill relating to reimbursement of the trust fund are unnecessary. The House recedes.

Amendment No. 140: The House bill provided that military service rendered after the effective date of the bill should not be counted in the computation of survivor annuities under the Civil Service Retirement Act for months with respect to which a social security survivor benefit is payable.

The Senate amendment, which was recommended by the Civil Service Commission, includes the same provisions with respect to survivors, and adds a provision that military service rendered after the effective date of the bill shall not be creditable to any individual for purposes of retirement annuities under the Civil Service Retirement Act for any month with respect to which an old-age insurance benefit is payable under the Social Security Act. The House recedes with a clerical amendment.

Amendment No. 141: The House bill provided for certain determinations to be made by the Administrator of Veterans' Affairs under the provisions of the House bill establishing a presumed insured status under the Social Security Act for individuals dying in service or service-connected deaths. Amendments Nos. 122 and 123 delete these provisions from the House bill. In view of the action of the conference with respect to Amendments Nos. 122 and 123, this provision of the House bill is unnecessary. The House recedes.

Amendment No. 148: The House bill provides that no national service life insurance shall be granted after the effective date of the bill under section 621 of the National Service Life Insurance Act of 1940 except pursuant to applications filed before the effective date of the bill. The Senate amendment deleted these provisions of the House bill, and would have authorized the granting of such insurance under such section 621. The Senate amendment also provided for liquidation of the present revolving fund established for insurance granted under such section 621.

The House recedes with an amendment, which deletes the matter proposed to be inserted by the Senate amendment, and restores the original provisions of the House bill with a technical amendment required by the change in the effective date of the bill.

Amendment No. 150: The House bill provided that no waiver of premiums could be granted under section 622 of the National Service Life Insurance Act of 1940 after the effective date of the bill.

The Senate amendment deleted the provisions of the House bill, and inserted new language, which would have precluded the waiving of premiums under that section after December 31, 1956, except in certain cases involving members of the Armed Forces missing in action, and during periods of war or emergency involving hostilities.

The House recedes with an amendment. Under the conference substitute, no application for waiver of premiums made after the effective date of the bill shall be effective, except applications made in the case of members of the Armed Forces who are missing in action.

Amendment No. 151: The House bill provided that where individuals die on or after May 1, 1956, having in effect a policy of national service life insurance under waiver of premiums, the new Veterans' Administration benefits may not be paid to his survivors, but the old benefits should be payable.

The Senate amendment retains these provisions of the House bill, but only with respect to deaths occuring on or after May 1, 1957, and provides that these provisions of the bill should not apply in the case of deaths of persons having insurance under waiver of premiums (1) while they are missing in action, or (2) during any period of war or emergency involving hostilities.

The House recedes with an amendment. Under the conference substitute the provisions of the Senate amendment are retained

deleting, however, those provisions authorizing payment of the new benefits where an individual dies during war or emergency having insurance in force under waiver of premiums.

Amendments Nos. 153 and 155: The House bill added a new section 623 to the National Service Life Insurance Act of 1940, preserving the right of individuals in the active service on the effective date of the bill to reinstate surrendered permanent plan national service life insurance or to obtain new term insurance where national service life insurance on the term plan had expired during their active service. The proposed new section 623 also contained provisions protecting insurance rights of persons discharged from the active service before the effective date of the bill.

The Senate amendment authorizes individuals in the active service whose insurance so expired or was surrendered before January 1, 1957, to reinstate their permanent plan insurance, or be granted new term insurance, while continuing in the active service, as well as during the 120-day period thereafter. The Senate amendment would apply to persons discharged before as well as after the effective date of the bill. The amendment also provides that the excess costs arising out of insurance granted under this section should be paid from the national service life insurance appropriation, thereby reflecting changes in the law made by Public Law 194, 84th Congress, enacted after passage of the House bill. Since amendment No. 153 would protect insurance rights of persons discharged before the effective date of the bill, the provisions of the House bill with respect to these persons are unnecessary. The House recedes on both amendments.

Amendment No. 157: This amendment inserted a provision in the bill to protect insurance rights of certain commissioned officers of the Public Health Service and Coast and Geodetic Survey, which was necessary in view of the Senate amendments deleting these officers from full coverage under the bill.

In view of the conference action restoring these officers to coverage under the bill, amendment No. 157 is unnecessary. The Senate recedes.

Amendment No. 158: The House bill amended the Public Health Service Act, the act of May 22, 1917, and the Federal Employees Compensation Act, so as to provide coverage under the bill to commissioned officers of the Public Health Service and Coast and Geodetic Survey; made a technical amendment to the Federal Employees Group Life Insurance Act of 1954 made necessary by the repeal of the Servicemen's Indemnity Act of 1951; and authorized recomputation of benefits under the Social Security Act in certain cases involving commissioned officers of the Public Health Service and the Coast and Geodetic Survey, or their survivors, who might be entitled to greater benefits under the Social Security Act by reason of the provisions of the House bill.

The Senate amendment deleted these provisions from the House bill. The House recedes with an amendment, which restores to the bill the matter deleted by the Senate amendment, with amendments making the effective date of these provisions the same as the effective date of the bill.

Amendment No. 161: The House bill repealed the Servicemen's Indemnity Act of 1951. Senate amendment No. 185 struck out this provision of the House bill, but Senate amendment No. 161 would have suspended the operation of such act so that it would be applicable only in time of war or emergency involving hostilities. Senate amendment No. 161 also contained a provision under which the effective date of awards of veterans' benefits shall be the date of application for correction of a military or naval record under section 207 of the Legislative Reorganization Act of 1946, where eligibility for such benefits is restored solely by reason of such correction.

The House recedes with an amendment. Under the conference agreement the provisions of the Senate amendment making the Servicemen's Indemnity Act of 1951 applicable in time of war or emergency involving hostilities are deleted, and the provision of the Senate amendment relating to effective dates of awards are retained.

Amendment No. 185: The House bill repealed the Servicemen's Indemnity Act of 1951; the Senate amendment deleted this provision from the bill. The House recedes with an amendment. Under the conference agreement this provision of the House bill is restored with a clerical change.

Amendment No. 188: The Senate amendment added to the bill a provision under which World War II veterans could have obtained insurance under section 602 of the National Service Life Insurance Act of 1940, if application was made within 1 year after the effective date of the bill, and authorized veterans of service after April 25, 1951, to be granted insurance under section 620 or 621 of the National Service Life Insurance Act of 1940 if application was made within 1 year after the effective date of the bill.

The House recedes with an amendment. The conference substitute amends the National Service Life Insurance Act of 1940 so as to authorize certain of the persons covered by the Senate amendment to reinstate their term insurance, by removing, effective as of July 29, 1953, the existing bar to the automatic renewal of term policies of national service life insurance which lapse in the 59th or 60th month of the term.

PORTER HARDY, Jr.,
OLIN E. TEAGUE,
PAUL J. KILDAY,
ROBERT W. KEAN,
WILLIAM H. BATES,
Managers on the Part of the House.

Mr. KEAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KEAN. Mr. Speaker, with the passage of this conference report today the five members of the select committee complete one of the most arduous and involved tasks which, I am sure, any of them has ever undertaken.

Survivors benefits had been in a jumble. They had been under the jurisdiction of five different House committees. In most cases benefits were inadequate. In a very few cases through a quirk in the law they were overgenerous.

This bill, part of President Eisenhower's legislative program, simplifies and expands the present law. It will give substantial increases in benefits to 300,000 widows, 85,000 children, and 285,000 dependent parents.

No one on the rolls today will have his benefits reduced. All will have the option of receiving the old or new benefits, whichever are the greater. Widows most of whom now receive only $87 a month will have their benefits increased to $112 a month plus 12 percent of base pay.

Members of the Armed Forces have been receiving a temporary $160 gratuitous credit toward social security. Under this bill they join the social-security system on the same basis as the worker in industry. Survivors' benefits will be a combination of the social-security benefits and payments from the Veterans' Administration.

I want to address myself particularly to those provisions which have to deal with social security.

The social-security law provides that total family benefits may not exceed 80 percent of a worker's average wage. It was evident that applying this provision would result in inadequate benefits for the family of a soldier, sailor, or airman who should unfortunately die while still in the lower grades.

To take care of this the conference report provides special increases in benefits from the Veterans' Administration for children of those whose average wage was less than $160 a month, of $25 per month, per child. This was an increase of $5 over what was in the original House bill.

As you know, under the social-security law a worker is not covered for survivors' benefits until he is under the OASI system for at least 6 quarters—18 months.

The House had provided that the moment a man enters the military service he would be considered as insured for survivors' benefits. The Senate struck out this provision, fearing a precedent for other workers covered by social security. But to omit this provision would have thrown the whole bill out of kilter. Dependents of some young soldiers dying shortly after entering the service would have received lower benefits than others—often dependent to a large extent on whether they had had social-security credits before entering the service.

The conference adopted a provision which would accomplish the same purpose as was in the original House bill. We provided that a payment of the same amount as if a soldier had been fully covered by social security be paid by the Veterans' Administration but administered by social security. The Veterans' Administration could not undertake all the complicated calculations necessary under the social-security law.

The House conferees had to recede on the provision in our bill that any member of the Armed Forces who became permanently and totally disabled through a service-connected injury would be presumed to have had the 5-year coverage necessary under the Social Security Act to entitle him to the freeze on his wage record. In my opinion the House provisions were desirable, but they were not essential to the bill.

I believe that the survivors of those who died in the service may now look forward to fair treatment and to receiving their benefits promptly without the disagreeable red tape to which they were formerly subjected.

I congratulate my colleagues on the committee: our chairman, Mr. Hardy, Mr. Teague, Mr. Kilday, and Mr. Bates, and our able counsel, Steve Carnes, on a task well done.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

DEVELOPMENT AND PROPER EDUCATION OF OUR YOUNG PEOPLE

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, before the close of the 84th Congress, I wish to call attention to a national emergency as critical as any we are facing. It is one requiring searching scrutiny and action by all Americans.

I refer to the development and proper education of our young people. The teenagers, boys and girls and the infants of today will, in a short time, have the responsibility of piloting this Nation through the most perilous period in all history. It is up to their elders to properly equip them for this tremendous job.

Before I came to this Congress 16 years ago I was a high-school teacher and school principal. Since then I have kept closely abreast of developments and problems of the teaching profession. I often have been amazed—and proud—to note that we have been able to attract high-quality men and women into the teaching profession in spite of the comparatively low pay offered to them.

Knowing of the education with which a teacher must be equipped, I keenly realize that our teachers could earn much more money and attain commensurate security for later life if they entered other fields. It is evident, therefore, that American teachers have, throughout the years, been an inspired and dedicated group of people.

They are truly the unsung heroes and heroines of our American way of life.

Today, Mr. Speaker, we face a threat that requires substantial upgrading of the entire teaching profession.

We can build a million new schoolrooms in every corner of the land, but unless they are staffed by a sufficient number of capable and satisfied teachers and administrators the new schoolrooms will fall far short of their purpose or of their potential value.

There are two major factors which today make our shortage of teachers a very acute problem. First, there is the constant growth in national population. Second, the greater inducements and incentives offered to potential teachers by other professions, crafts, and businesses, make a teaching career unattractive to any but persons who will dedicate themselves unselfishly to the job of developing American youth.

We can be thankful that we have had such dedicated people throughout our national life, and we can be further thankful that many more of them enter the teaching profession every year. However, the army of American teachers is not increasing in proportion to the need.

According to findings of the Ford Foundation, elementary school enrollments in 1960 will be 28 percent above the enrollment of 1954 and by 1969 secondary school enrollments will be more than 70 percent above the 1954 level.

Furthermore, college enrollments are likely to double within 15 years and soon these institutions of higher learning will have to seriously consider taking steps to rigidly curtail entry of new students.

To maintain the present pupil-teacher ratio, American schools will have to enlarge their total teaching staff more in the next 10 years than in the previous 35. Colleges and universities will have to add more teachers in the next 15 years than in all previous history combined. There will need to be one-half million more teachers on the job in 1965 than today.

It will be impossible under the present pattern of teacher recruitment to secure anywhere near enough good teachers during these coming years. The basic reason is far simpler to state than to remedy.

Teaching demands the best educated and best quality of our young people. But so do business, government, and other important fields. The supply of such manpower is scarce and will undoubtedly fall short of demand so long as our economy continues to grow. In the bidding for an adequate share of this short supply, education finds itself at an increasing competitive disadvantage.

There is only one answer to this challenge. The teaching profession must be made attractive and lucrative and it must offer a future.

Let us consider some prevailing rates of pay for teachers as compared with pay received by some people in industry. The Ford Foundation survey shows that high school teachers in small cities of 30,000 to 100,000 population received annual salaries averaging $4,292 in 1953. Elementary teachers in the same cities averaged $3,682 while elementary teachers in small towns of 5,000 to 10,000 averaged $3,190.

Such pay for teachers is substantially below that received by industrial workers, the overall average for whom was $4,051 in 1953.

The comparison in the upper brackets of both teaching and industrial executives and subexecutives and in various professions is equally one sided.

Mr. Speaker, I am not finding fault with the pay received by other workers. I have cited these figures simply to show the lag now existing with respect to teachers. It is a grave problem and one which must have the attention of all our people, particularly local, county, and State officials who have a voice in the treatment of American school men and women.

I regard teaching as one of the most important occupations in America, as well as one of the most honorable. To continue to shortchange our teachers is to shortchange our youth and jeopardize the whole future of our country.

SANITARIUM CO., INC.

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, I have today introduced a resolution asking that the House Committee on Interior and Insular Affairs conduct a full and thorough investigation of the operations of the Sanitarium Co., Inc., operators of Morningside Hospital, in Portland, Oreg. Since 1904, this corporation has by contract with the Secretary of the Interior, provided care and treatment of mental patients who, as citizens of Alaska, are wards of the United States. They are currently performing this function, under a statute of 1909 as amended, and under a most recent contract of 1953 with the Secretary of the Interior. I should like at this time to explain the background of the resolution and my reasons for asking for the investigation.

On Tuesday of last week, July 10, the Interior and Insular Affairs Committee made public a report by the Comptroller General of the United States, containing the results of an audit of the books of Morningside Hospital conducted by the General Accounting Office during this past year.

Mr. Speaker, this audit contains a clear record of flagrant financial irregularities in the operation of this hospital, in its contractual relationship with the Department of the Interior, in its use of money paid in good faith by the United States for the care and treatment of wards of the United States.

In addition to the facts brought out in the audit, there are other cogent reasons why a comprehensive investigation is clearly needed, to determine the true facts of a situation to which the United States is a party and which arises out of statutes passed by the Congress.

Last year, in considering the Alaska mental health bill, a subcommittee of which I was a member, visited and inspected Morningside Hospital and took testimony from its owners and officials. In addition, I have over a long period of time received a number of unverified but disturbing reports about the operation of this hospital. Without passing on the merits of such reports but on the basis of an accumulation of evidence, I introduced into the Committee on Interior and Insular Affairs, in July 1955, a resolution to request an audit by the Comptroller General of the books of this institution. The report now made public is the result of that request. It amply justifies my concern at that time. I hope it is sufficient evidence, to those members of the committee who then opposed and tried to block this audit, that an audit was necessary. I hope, indeed, that on the basis of this experience, they will now join with me in urging the necessity for a broad and comprehensive investigation.

Consider the remarkable set of facts already uncovered.

First. In the nearly 50 years of this contractual relationship, there had never until now been an audit of this operation. The General Accounting Office was first delayed by the reluctance of the corporation to open its books. Then, when it finally got access to the records, it reported that its examination "was restricted by the absence" of

many relevant and important documents. Why those documents are missing is an unanswered question. In trying to ascertain just how much of his personal expenses Mr. Wayne Coe, owner of the hospital, had improperly charged to company expenses, GAO was forced for lack of concrete records, to lump $130,000 of the total in a single item. It is clear that the financial operations of this corporation need a great deal more exploration to get all the facts.

Second. There are, furthermore, substantial disparities between the unsworn testimony of the Coes, last year before our committee and the facts as shown by the audit. Yet when confronted by the audit and offered a chance to reply, Mr. Wayne Coe, in effect, conceded the accuracy of the audit therefore declined the opportunity to answer the grave inferences raised against him. In light of these remarkable circumstances, it is clearly imperative to investigate further these discrepancies.

Third. As the Comptroller General's report indicates, there are some very serious questions of income tax irregularity raised by the findings of this audit. Over a 19-year period, over a third of a million dollars of personal income appears to have been omitted from Mr. Wayne Coe's personal tax return and charged as company expense. According to the General Accounting Office, this company profited by over $800,000 from its contract with the United States from 1936 to 1954, a return on capital of an amazing 26 percent. And this does not include the comfortable salary drawn by Mr. Wayne Coe as president of the corporation, in addition to his profits as owner. Yet Mr. Coe, in a letter to the Interior Affairs Committee, in April 1955, alleged that the profits of the company constituted only "a little over 1 percent" return on capital—as contrasted with the fact of a 26-percent profit shown by GAO. Only further investigation, going beyond the scope of the GAO audit can get all the facts in this amazing picture.

Fourth. There has apparently been little adequate surveillance and control of the performance of this contract over the years, in spite of the presence of an Interior Department psychiatrist, on a permanent basis, at the hospital. Yet available facts indicate clearly that there has been a longtime serious deficiency of professional staff at the hospital. It has had, for instance, no full-time staff psychiatrist for its 300 to 400 patients. Past inspections have revealed major shortcomings in the physical plant, some of which have been corrected. In addition, there have been persistent though unverified reports of improper care and treatment of patients. The GAO report indicates definite defects in the performance of the contract, which the Department of Interior has apparently done little to correct. For instance, the GAO report states that "remains of deceased patients are not 'interred decently' as required by the contract." Why such deficiencies have been tolerated and how far they extend, while the company reaps generous profits from the United States Government, is a question that demands investigation.

For nearly 50 years, the proprietors of Morningside Hospital have been the beneficiaries of a Government contract that has, clearly, been of enormous profit to them. They have not had to compete for this contract and indeed, as the facts show, they have not even been held accountable in any effective manner. Yet their monopoly of this Government contract has been virtually the sole source of revenue for the corporation for many years. It is clear that, for whatever reason, the Department of Interior has been grossly negligent in its supervision of this contract. It has been careless with the taxpayers' money and it has been neglectful of the welfare of the people of Alaska who are committed to this institution and who are wards of the United States.

More important than the questions of money that are raised here are the questions concerning the lives and welfare of these unfortunate people. Their welfare is our responsibility. It would be tragic indeed if, through our neglect of this responsibility, innocent people have suffered and perhaps are now suffering.

There should be absolutely no partisan issue here. This situation has gone on for many years. Our investigation should be conducted soberly, carefully, and fairly, with a view only to serving the public interest. Grave questions are raised that reflect on the proprietors of this corporation and they have, in all justice, a right to have these questions resolved. This entire situation, after all, derives from an act of Congress and results from an operation of the United States Government. The only way it can be dealt with and the facts ascertained is by a comprehensive and thorough investigation by a committee of this House. I hope we can act promptly to meet this responsibility and deal with this problem.

DEVELOPMENT AND REHABILITATION OF COASTWISE TRADE

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, yesterday during the call of the Consent Calendar the bill, H. R. 11122, to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes, was approved.

While I knew that H. R. 11122 was on the Consent Calendar and while I did not have the opportunity to object to its consideration, based on a commitment I received from the gentleman from North Carolina [Mr. BONNER] on July 6 and recorded in the CONGRESSIONAL RECORD of that date, page 11945, it was my understanding the bill would not be called up on the Consent Calendar but under a rule which has been requested.

Let me read the colloquy which took place between Mr. BONNER and me as recorded on page 11945 of the CONGRESSIONAL RECORD of July 6, immediately after the Speaker had announced that the unfinished business at this time "is on suspension of the rules and passage of the bill, H. R. 11122."

My colleague from North Carolina [Mr. BONNER] said:

I ask unanimous consent to withdraw further consideration of this bill as I have requested a rule from the Rules Committee.

The Speaker then said:

Is there objection to the request of the gentleman from North Carolina?

At this point I arose and said:

Mr. Speaker, reserving the right to object, if the gentleman's request is granted, does that mean it may be called up at any time between now and the adjournment of Congress?

Mr. BONNER replied:

No; I will bring it up under a rule.

Mr. Speaker, I took my colleague of North Carolina [Mr. BONNER] at his word and I was amazed, as were many other Members of the House, when he objected to the request of the gentleman from New York [Mr. ZELENKO] on page 12916 of the CONGRESSIONAL RECORD when he requested reconsideration of H. R. 11122.

Mr. Speaker, the parliamentary situation here in the House is such that those of us who are opposed to the legislation have no alternative but to appeal to the Senate. In fact, such action has already been taken because, in our opinion, the legislation is an out and out giveaway of the taxpayers' money to a steamship company that the bill is tailored to favor.

TENTH ANNIVERSARY OF PHILIPPINE INDEPENDENCE

Mr. ALLEN of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ALLEN of California. Mr. Speaker, a few days ago a historic event took place in Manila. It was the celebration of the 10th anniversary of Philippine independence. Vice President NIXON, as special representative of President Eisenhower, made a trip to the Philippines to attend the ceremony and he did a magnificent job. Upon his arrival in Manila, after a conference with President Ramon Magsaysay, the two officials issued a joint statement announcing that the United States Government was transferring title of ownership to the Philippines over all its military bases in that country.

The joint press release making this important announcement follows:

JOINT STATEMENT ISSUED ON UNITED STATES BASES

MANILA, July 3.—Following is the text of the joint statement on United States military bases made today in Manila by Vice President RICHARD M. NIXON and President Ramon Magsaysay of the Philippines:

"Vice President NIXON has discussed with President Magsaysay the necessity of strengthing military bases in the Philippines in order to bolster common defense of the

two countries as well as that of the free world in this area.

"President Magsaysay concurred in the need for such a step for the mutual benefit of both countries.

"The President and Vice President agreed that the two governments will hold formal negotiations on military bases in the near future and that these negotiations will be conducted following these general principles:

"Firstly, existence of a system of United States bases in the Philippines has been and continues to be a matter of mutual interest and concern to the two countries for the purpose of insuring their common defense pursuant to the principles of the United Nations.

"Secondly, in consonance with this mutual interest and concern, certain land areas in the Philippines have been and are being used by the United States as bases.

"The Philippine Government will contribute for use—in accordance with the terms of the military bases agreement—anything additional which is deemed necessary by both governments for strengthening the base system.

"The United States will turn over to the Philippine Government those areas listed in the military bases agreement which the parties hereafter agree are no longer needed.

"In addition, the United States has contributed and will continue to contribute such personnel, equipment, and physical facilities as may be necessary for effective maintenance of such bases for the defense of the Philippines and the United States in this area.

"Thirdly, the United States has, since the independence of the Philippines, always acknowledged sovereignty of the Philippines over such bases and expressly reaffirms full recognition of such Philippine sovereignty over the bases.

"Further, the United States will transfer and turn over to the Philippines all titles, papers, and title claims held by the United States to all land areas used either in the past or presently as military bases, except those areas which may now or will be used by the United States for its diplomatic and consular establishment.

"Such transfer of title papers and title claims will not affect use of the bases in accordance with the terms of the military bases agreement."

The Scripps-Howard newspapers published 2 days later the following interview by Oland Russell, one of America's best reporters, with Gen. Carlos P. Romulo, Philippine Ambassador to the United States, who gave a succinct appraisal of the significance of the joint announcement:

ON GIVING UP TITLE TO PHILIPPINE MILITARY BASES—ROMULO HAILS UNITED STATES DECISION

(By Oland D. Russell)

The United States decision to give up title to American military bases in the Philippines is a highly effective blow against communism, Brig. Gen. Carlos P. Romulo, Philippine Ambassador to the United States, said today.

Agreement under which we formally recognize full Philippine sovereignty over the bases in the island republic was announced Tuesday in Manila on the occasion of Vice President RICHARD NIXON'S visit with President Ramon Magsaysay.

In a happy frame of mind, Ambassador Romulo disclosed today some details of the long and arduous negotiations between himself and the State Department on the issue which had arisen between the two countries.

EVALUATING

And, in evaluating the results, Ambassador Romulo told the Scripps-Howard newspapers:

"The gratifying conclusion of this question shows America's faith in the Filipino people and the American Government's confidence in and support of President Magsaysay.

"It reflects, moreover, America's integrity in its international relations.

"But even more importantly it is the most effective refutation of all the Communist prattle that the United States has mercenary motives or aggressive designs and wants to take advantage of its strength whenever it is in a position to do so. This will be well noted in all southeast Asia.

"Finally, it disproves the fear in some quarters that America is taking the Filipino friendship for granted. Vice President NIXON'S visit shows that America desires and is determined to continue cultivating the friendship of the Filipinos."

CONFERENCES

The Ambassador revealed that altogether 29 conferences were held here and 25 drafts of the agreement were written before it was concluded just a few days before Vice President NIXON left for the Philippines.

Admitting it was a difficult, sometimes irritable question, General Romulo continued:

"I have said time and again there is no problem confronting the Philippine and American Governments that cannot be solved satisfactorily no matter how delicate it may be. That has been our experience for over 50 years.

"When President Magsaysay insisted that I accept the ambassadorship last September he told me that the question of military bases was the most important issue to be taken up with the United States Government. He felt then that for America to insist on ownership would give the Communists a chance to misinterpret America and misrepresent American motives. He knew that properly presented to the American Government and people, it would be solved with fairness and justice."

COOPERATIVE

"I found the State Department most reasonable and cooperative. It was not an easy matter. There was a legal opinion (by United States Attorney General Herbert Brownell, Jr.) that the United States held perpetual ownership rights over the base areas and the State Department could not act immediately without proper study and consultation with all the other United States agencies concerned."

General Romulo said that in the course of the negotiations many times they could have reached agreement but for political agitation in the Philippines that disturbed American officials. "They felt it was a sort of intimidation from sources outside the Magsaysay administration, and they did not want to be intimidated on a question they knew involved the friendship of two nations," he said.

The Ambassador had a final discussion with Mr. NIXON before he left and the Vice President took the opportune moment to announce the agreement within a few hours after he reached Manila.

Mr. Speaker, the action taken by the United States in voluntarily relinquishing ownership over the Philippine bases will unquestionably go a long way to convince the peoples of Asia of America's noble purposes. Nothing that the Communists can say can refute the fact that we do not merely make promises; we act. Our pronouncements are accompanied by actions. We do not merely say to the Filipinos that we are their friends and partners; we show them our friendship with deeds and we prove that we have faith in them by giving them what they ask for. We paid cash for our military bases there. Legally we own them. But our Filipino partners say you must respect our sovereignty. We cannot give up any inch of Philippine territory. So as good partners we tell them: Alright, we respect your sovereignty, we give up our title to our bases, you own every inch of Philippine soil, we believe in you, we are the first ones to show respect for your national dignity.

This is what we did in the Philippines a few days ago. This was accomplished by our ace diplomat, RICHARD NIXON. This the Voice of America should broadcast all over Asia, to Peking, to Moscow. This is what can be done by two friends when there is equality and understanding between the two of them. This is democracy.

As General Romulo says in the above-quoted interview, the State Department has done a great job and deserves credit for its having been "most reasonable and cooperative." Vice President NIXON, Secretary of State Dulles and his right hand man on Far Eastern Affairs, Assistant Secretary Walter S. Robertson have achieved with this action a new high in their effort to win friends for the United States. It is also fortunate that we have in Washington as the Philippine Ambassador to the United States a seasoned and veteran diplomat in the person of Gen. Carlos P. Romulo, who has the esteem and regard and is highly respected not only by the State Department but by Capital Hill and the American people because of his recognized services to democracy and the free world. It was he who carried out for his Government the delicate and difficult negotiations on this important matter and much of the credit for the happy conclusion of this question should go to him for his tact, ability and statesmanship.

President Magsaysay must hail this solution with gratification because it could not have been reached if the American administration did not have the unswerving faith that it has in him as the undisputed leader of his people and as the uncompromising champion of democracy in Asia. He is giving the Filipinos a most constructive and successful administration and he can always depend on our unstinted support.

Mr. Speaker, I ask for unanimous consent of the House to also include in my remarks an editorial of the newspaper Mirror-News, published in Los Angeles, Calif., and written by its editor and publisher, Virgil Pinkley, one of America's foremost journalists, in its issue of July 7:

Dynamic statesmanship has been at work this week in the Philippines and Far Pacific.

The joint statement issued on July 4 by President Ramon Magsaysay and Vice President RICHARD NIXON pertaining to United States military bases in the Philippines is the type of diplomatic offensives we should be waging.

Despite a 99-year mutual-defense pact with the Philippines and holding deeds to these vital bases, we had claimed sovereignty to the areas, something we have not done in any other country—even defeated

World War II nations such as Japan and Germany. Our stand on this issue had been used by Recto and some other Filipino politicians to attack Magsaysay and his strongly pro-American policy. Most of the anti-Magsaysay politicians were Japanese collaborators during the war, they have leftish leanings, or they are just plain garden-variety politicians who will do almost anything for publicity and the headlines.

They had said in effect: "If your administration is so pro-American, why does Washington claim ownership and sovereignty, something which the United States would never permit on its own soil?" Magsaysay replied that the matter would be straightened out with mutual satisfaction and through normal diplomatic channels. He had, and has, unlimited faith in the United States and the fairness of the American people.

Our action in turning over title and claims to the bases is a tremendous victory for Magsaysay and the overwhelming majority of Filipinos who support him and trust us. It reflects some of the admiration for the inspiring President of the Philippines held by our top officials.

The decision shows the constructive work a trusted ambassador can accomplish for his country too. Gen. Carlos P. Romulo, Filipino Ambassador, is easily one of the world's most accomplished diplomats. His popularity and influence in Washington are exceptional. Romulo, a member of General MacArthur's wartime staff, was president of the United Nations. He is a great champion of America and a strong voice for democratic institutions and the right for all men to be truly free.

NIXON's mission to Manila has been outstandingly successful. The joint statement issued by Magsaysay and NIXON has had favorable and widespread reaction. NIXON's main July 4 speech highlighted the 10th Anniversary Independence Day celebrations in Manila. Nearly a million Filipinos turned out in the rain to hear NIXON. Senator WILLIAM KNOWLAND felt that DICK's remarks, spelling out high-level United States policy, were so significant that he had the entire text entered in the CONGRESSIONAL RECORD.

Many of the points made by NIXON should be repeated over and over as signposts to our foreign policy. Following are some of the most significant passages:

"Our help is offered always in this spirit:

"The United States wants nothing which belongs to any other people or nation in the world. We want no economic satellites, no subservient lackeys in the council of nations. The only war we want to launch is the war against poverty, disease, ignorance, and fear wherever it exists.

"Asia is everywhere on the march. The spirit of the newly independent Asian nations is the spirit of the signers of the American Declaration of Independence."

He said we have two basic policies pertaining to relations with the Philippines:

"Defense of the Philippines and respect for Philippine sovereignty."

Properly treating the Filipinos as equals and acknowledging the richness of Asian culture, NIXON declared:

"We hope that all nations of Asia will understand our attitude toward collective security. In this regard, you can play a leading role in interpreting our views and intentions to your neighbors. You have two great advantages in this regard. First, you have been our friends and partners during these years of independence. Second, your culture is a happy blend of the best of the West and East. You are familiar with the ancient culture of Europe. You know and understand our habits in the United States. Yet, at the same time, you are an Asian people, with all the gracious qualities of Asian culture.

"Like your fellow Asians, you are a spiritual people. You have a sense of beauty and a deep understanding of history. You honor family life and respect the traditions of the past. With this happy blend of great cultures, you can be a bridge between East and West. You can help remove the misunderstandings and hostility based on past errors. You can speak for us as one who knows and understands."

Outlining a policy all our diplomatic representatives should follow, the youthful Vice President said:

"We feel, as does your President, that the real way to know a people is to meet those in all walks of life, as well as their official representatives. In the cities and in the barrios (villages), in your schools, factories, and farms Mrs. Nixon and I met during our visit here 3 years ago hundreds of people."

In a salute from President Eisenhower and himself, NIXON added:

"I know I speak for the President and all Americans in paying a tribute to the splendid administration of President Magsaysay. He is known throughout the world, not only for his splendid conduct of the internal affairs of your Republic, but also for his work in drawing up the Pacific Charter. Here was a bold stroke for freedom. This was your declaration of independence, not only from the old colonialism of the last century, but also from the far worse Communist colonial imperialism of today."

VACATING SPECIAL ORDER

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to vacate the special order I have for today and to put it over until tomorrow.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

VETERANS' LEGISLATION

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the House has passed numerous veterans' bills which are over in another body. These include a small pension bill, compensation bills, a GI training bill and other bills. I hope these will be passed as soon as possible.

It is appalling to me that veterans' legislation is left until the last week of the session of the House. We appropriate millions of dollars for other persons and people, but those who saved this country, who have made it possible for us to sit here in the House today, are forgotten and neglected.

I do hope these veterans' bills will be passed as soon as possible. I shall try to have the Congress stay in session until they are passed.

PROGRAM FOR TOMORROW

Mr. COLMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. COLMER. Mr. Speaker, I understand that tomorrow is Calendar Wednesday and that a number of bills have been scheduled and that the bill H. R. 627, which has been under consideration today, will not be taken up tomorrow. I ask that question to clarify the matter, so that those interested will understand.

Mr. ALBERT. Mr. Speaker, that announcement has been previously made by the majority leader. It is my understanding that this bill that the House has been considering today will not be called up tomorrow.

The SPEAKER. That is correct.

THE DEVELOPMENT OF ATOMIC POWER

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. HOLIFIELD] is recognized for 40 minutes.

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, the question of what this country should be doing in atomic power development is one of the most momentous problems facing us today. I do not see how anyone can question the importance of American leadership in the development of atomic power reactor technology and the achievement of cheap atomic power. Our early leadership in developing the military applications of atomic energy carried with it an inescapable moral responsibility to lead the world also in developing its uses for peace. This responsibility is all the greater because we are the only country to have used atomic weapons against another people, and whatever the justification for this act, we must realize that the people of Asia and other nations will not forget this. We have shown how rapidly, starting from scratch, we can develop the technology and build the enormous industrial plant necessary for mass production of nuclear weapons. We cannot afford to be less energetic and less determined in developing economic atomic power.

I do not need to belabor this point. Both President Eisenhower and Admiral Strauss, Chairman of the Atomic Energy Commission, have declared that our leadership in atomic power development is essential, and Atomic Energy Commissioner Libby has said only recently that the loss of leadership to the Soviets would be a catastrophe. Unfortunately, for more than 3 years these gentlemen have seemed more interested in making declarations than in taking action to assure our leadership. We have had a spate of speeches, plans and proposals—and more recently, the beginning of a lavish self-seeking advertising campaign—but we are still waiting for effective action.

After extensive hearings during this session of the Congress on the status of our atomic power development program and what might be done to accelerate our

progress, the Joint Committee on Atomic Energy concluded that more effective action should and can be taken now. By a vote of 14 to 0 the joint committee recently reported out a bill authorizing and directing the Atomic Energy Commission to start promptly on the design and construction of some developmental atomic power plants in order to speed the day when we can back up our promises to bring the benefits of cheap atomic power to our great country and to the peoples of the world.

In December 1953—almost 3 years ago—the President of the United States said to the General Assembly of the United Nations that the United States pledged before the world its determination "to devote its entire heart and mind to find the way by which the miraculous inventiveness of man shall not be dedicated to his death, but consecrated to his life." I am very much afraid that we are in grave danger of falling down on this pledge. The Atomic Energy Commission has not been as diligent and as energetic in pushing ahead with the development of economic atomic power as it must be if this promise to the world is to be fulfilled.

By contrast, there has been no lack of action on military programs. Admiral Strauss is ready to push ahead under forced draft with atomic-powered naval vessels and atomic-powered military aircraft. In 1956, about 70 percent of the operating costs for AEC's reactor development program is devoted to the development of military reactors. In a recent address, the Director of AEC's reactor development program emphasized that "the over-all reactor development work of the Commission is still, and will probably continue to be, predominantly military. Approximately two-thirds of our effort is now directed toward military reactors and this ratio will probably be maintained for several years." His statement is borne out by the President's budget recommendations for 1957. Including a recent supplemental request, the President recommended only $53.2 million for research and development on civilian atomic power reactors out of a total reactor development operating budget of $285.3 million, but he proposed $174.5 million for the development of military reactors. This must look to the world as though we talk about atoms for peace but put our dollars into atoms for war.

There is no hesitation about military reactors, no complaints that manpower shortages make greater efforts impossible, no crocodile tears shed about technical problems that defy rapid solution, and no reluctance to choose reactor types to be developed and get on with the job.

The admiral's attitude is entirely different when it comes to atomic-power development. In this field he is opposed to the Federal construction of the necessary developmental plants and can think of many reasons why the Commission should not be doing more than its present modest program, to the extent of listing as major obstacles problems which he admits under questioning to be "de minimis."

Why is this? Why should the Commission be able to push ahead with the utmost vigor to develop and build military reactors but find it impossible or undesirable to conduct an equally vigorous effort in central station atomic-power development? One reason, I believe, is a desire by Admiral Strauss to avoid the production of electric energy by the AEC. It cannot be a fear of involving AEC in power-marketing problems, since Admiral Strauss was quite ready to involve the AEC in the Dixon-Yates affair, certainly the most distracting issue in the history of the Commission. I am afraid that the Commission, with the notable exception of Commissioner Thomas Murray, has been taken in by propaganda that the private utilities, and not the Government, must build these large developmental plants or else by some mysterious process the electric-power industry in this country will be socialized.

We should not let ourselves be confused by these unreasoning fears of the private utilities. I know of no plot to socialize the electric-power industry, and even if there were the construction by the Federal Government of some developmental or demonstration atomic powerplants would represent no threat to the private utilities. As a matter of fact, if they are honestly interested in cheap atomic power, the utilities should welcome such Government projects because these will speed the day when atomic power becomes practical and at the same time save the utilities and their consumers some very large sums of money.

Instead of allowing the people of this country to decide coolly and rationally whether we should assert unmistakable leadership in atomic-power development, and, if so, what more we should do to assure it, the private utilities are trying to propagandize the public into thinking that the United States is comfortably in the lead and that everything that can be done is being done.

The most recent example of this kind of thing is an advertisement sponsored by 123 so-called independent private utilities all over the United States that appeared in the newspapers on June 13.

This recent advertisement of the electric-utility industry appeared in at least 36 of the large metropolitan newspapers across the country, and, in my opinion, was a cynical effort to mislead and misinform the American public. For this collection of half-truths, the private-power consumers paid, I understand, about $100,000.

Since the private-power companies seem to have a lot of money to spend on this sort of activity, I suppose this marks the beginning of another of their organized campaigns to influence important political decisions. They are probably worried by the outcome of the recent hearings held by the Joint Committee on Atomic Energy on the bills introduced by Senator GORE and myself to direct AEC to build some demonstration atomic-power plants. These hearings produced convincing expert testimony in support of such a program, in terms of both need and feasibility.

The private utilities have been trying for years to preempt the field of atomic power and establish it as their own private preserve and the record of the hearings may have filled them with alarm. Sometimes, I regret to say, the private utilities appear less interested in how rapidly this country develops atomic power than in preventing the construction of any Federal atomic-power facility, unless, of course, the Government guarantees to hand the power over to them in toto. This advertisement is apparently their idea of the best way to counteract some of the testimony before the Joint Committee.

I ask unanimous consent that at the conclusion of my remarks the advertisement be printed in the RECORD and the list of private-power companies which sponsored and paid for it.

This advertisement led off with the banner headline "How America Will Keep Its Lead in Atomic-Electric Power," and then said "This Is the Way Nations Rate in Nuclear Reactors Built or Planned," and put in small print the qualification "All Types and for All Purposes."

The ad declares that the United States will have completed 55 reactors by the end of 1956 and is building or planning 35 more, compared with 23 built and 58 under way or planned by Great Britain, Russia, and all other countries put together. The ad goes on to say that "in the past few months, the question has been raised, 'is America behind in the development of atomic-electric power?' The full facts answer 'no.' At the present time, for instance, the Atomic Energy Commission, the electric companies and various other organizations have built, or are building or planning, more nuclear reactors than all other nations combined."

This listing of numbers of reactors, and the succeeding sentences that I have quoted call for so many corrections that it is hard to know where to start.

In the first place, we do not assess our progress in atomic power by indulging in this new kind of numbers game that the so-called independent electric companies are starting. Conceivably, we could have built, not 55, but 555 reactors by the end of 1956 but if they were all small research reactors we would not be very far along in developing efficient powerplants. Obviously, it is not how many but what kinds and sizes of reactors a country has built that is important. The private utilities were among the first to cry out that the Gore-Holifield bill is ill-advised because, they alleged, it seeks only to build numbers of additional atomic power reactors, without regard to quality of performance. Yet, these same utilities are trying to impress the public with crude and meaningless quantitative comparisons.

How many of these 55 reactors to be completed by the end of 1956 are central station power reactors? Senator GORE asked this question of Mr. Elmer L. Lindseth, representing the Edison Electric Institute, when he testified on May 24 before the joint committee. Senator GORE raised the question because Mr. Lindseth referred to and listed a total of 89 reactors built or proposed in the United States, one less than listed in the subsequent advertisement. Mr. Lindseth finally admitted that of the 55 to be finished by the end of 1956 there is not

one reactor, other than a military reactor, which will produce more than 5,000 kilowatts of electric power. The Russians have had a 5,000-kilowatt atomic powerplant operating since June 1954.

What are these 55 reactors that the private power companies list? Thirty, well over half, are research reactors, virtually all of them small, and two others are testing reactors. Thirteen are AEC production reactors at Savannah River and Hanford. Three are submarine reactors. Seven of the 55 do have a direct connection with atomic power development, but they are small experimental reactors and represent only the first step beyond laboratory research in developing the technology of large atomic power plants.

Among the reactors listed in the advertisement is the first reactor ever built, the fermi pile. In 1942 this was a monumental achievement but it is hardly relevant to the question of how well we are doing 14 years later in the fast-moving technology of atomic power development. Also included is an experimental reactor which was destroyed purposely in an experiment several years ago, another of similar type which no longer exists because it was rebuilt as another reactor experiment, also counted in the listing. Four or five others in the 55 also have been dismantled.

Lumping together such a miscellaneous collection of reactors, some of which have not been in existence for years, is grossly misleading when it is offered to the American people as proof that we are well ahead in the atomic power race.

It is not only misleading, it is cynical. The officers of the companies which sponsored this advertisement know better. Mr. Lindseth, whose company is one of the sponsors, admitted under questioning that he knew better. The private power company officials have been proud of the number of study groups set up by their firms, and I think most of them know that the number of all types and sizes of reactors built is a largely meaningless figure as far as progress in atomic power technology is concerned.

They say in the advertisement that the full facts show that the United States is ahead of all other countries in this field. If this be true, let them tell the full facts: Let them give us in detail the facts on how many large atomic power plants we have scheduled for completion in 1956. The fact is that we have none.

What are the facts as to the rate of progress in Russia and Britain? The advertisement certainly does not say. It does not mention that the British have a 2-reactor powerplant of 60,000 kilowatts scheduled to go on the line in October, and that one of the reactors is already in experimental operation. It does not refer to the 5,000 kilowatt atomic powerplant which the Russians have had in operation for 2 years. Testimony before the joint committee established that this reactor is not a showpiece but a serious development project. Through its operation, the Russians apparently have learned some things we did not know. The Russians have a movie on this reactor which they are showing at every opportunity. The title of this movie is "First in the World." Why are not the American people told this comforting fact?

I am not saying that the United States is behind these countries in atomic power development, but I do say that in these other countries able scientific teams are moving ahead with vigor and determination to solve the very difficult technical problems which have yet to be solved. They are building atomic powerplants. Five or ten years hence we can find ourselves outdistanced if we are too complacent now. Our leadership at present, if we do lead, is the fruit of programs and projects undertaken some years ago, and our status 5 years from now will be determined by what we decide to undertake today. It does us no good to massage our egos by counting up reactors—existing and nonexisting.

The advertisement is misleading also in its implications that the electric companies have had a lot to do with these 55 reactors completed as of the end of this year. Why does not the advertisement say that of this total, not one single reactor of any size has been built by a private power company—not one. Forty-six of the 55 have been paid for by the people of the United States. I suppose the utilities regard these projects as "socialistic," but they did not hesitate to include them in their numbers and try to take some credit for them.

Four others of the 55 are university-sponsored projects and 5 are industrially owned. But one scans the list in vain for even a little reactor built by "America's independent electric light and power companies." They could almost have financed a small research reactor with the money they spent for their misleading advertisement, and it is to bad that they did not. Then they could say we had built 56 reactors.

The ad also says that the United States has 35 reactors "building or planned." This is the numbers game again. There is exactly 1 large power reactor that is building and that is the 60,000-kilowatt reactor at Shippingport, Pa., which is being financed almost entirely by the AEC. What are the other projects in this list of 35? Eleven more are Government-financed reactors. Most of them are research or testing facilities but several are to be small experimental power reactors. Four others are Naval ship reactors and 5 are research or testing reactors planned by universities or private manfacturing or industrial research firms. Only 7 of the 35 are atomic power plants which are being planned by privately owned power companies. It is interesting that an equal number of plants are planned by rural electric cooperatives and local publicly owned utilities. These are planning much smaller plants than the private utilities because they are smaller systems. However, I assume the private utilities would agree that the publicly and cooperatively owned electric systems are planning an atomic powerplant building program equal to that of the giant private systems, since the number of reactors proposed is the same in each case. For some reason, the advertisement does not mention this thought.

These 14 atomic power plants proposed by the private, public and cooperative utility systems are all in the status of "planned" projects and there is no assurance that any of them will be built nor, if they are, when they will be built. These are most difficult and costly undertakings and pose many problems. The advertisement says that the 7 plants proposed by the private utilities are "on the way" but in fact this means only that there is hope of starting construction at some time in the future. Actually, construction is not underway on a single project.

This apparently is not the last time that the private utilities will undertake to educate the American people and give them what they choose to call the "full facts." The advertisement includes the generous promise that "reports of progress in atomic-electric power will be brought to you from time to time by America's independent electric light and power companies." Near the bottom of the ad the question is asked, "Where do we go from here?" This is a good question. The utilities' answer is to set up a task force to evaluate the United States program. Maybe, as Senator ANDERSON suggested in commenting on this advertisement, their task force would be good enough to come down here and bring the joint committee up to date.

Where do we go from here? I do not think that we will get ahead by setting up some more task forces and study groups. We have all of the information needed to decide whether we want to coast along with a modest research and development program financed by AEC and the planned projects of the utility industry or whether we want to launch a vigorous program with some positive goals.

In considering this question, we should be concerned with the equipment manufacturing industry, not the utility industry. The utility industry has inserted itself into this question to the extent of dominating the issue, but it really should get out of the way as far as the policy question is concerned. The key to cheap atomic power is not the utility industry, it is the equipment manufacturing industry. But this industry cannot get to work on the formidable technical problems involved until and unless somebody gives it some contracts to build atomic powerplants. These have to be full-scale plants or we will never learn how to design, build and operate plants that will produce cheap atomic power.

AEC has abdicated to the private utility industry the responsibility for deciding whether the equipment manufacturers are to get any opportunities to build plants, what types of plants will be built, and when they will be built. These first plants are very costly; their performance is uncertain, and their useful life is unknown. They entail risks and hazards of uncertain dimensions. It is totally unrealistic to expect the private utilities to be able to proceed with such undertakings with anything like the dispatch which the Government, with its larger resources, could do. And after 2 years of waiting, it is perfectly evident, despite the promises of the utilities and the protestations of the AEC, that they are not able to proceed rapidly. Fur-

thermore, in self-protection, they have had to choose conservative designs for the most part for the reactors which they propose to finance.

I do not think that large atomic power demonstration plants represent the sacred preserve of the private utility industry. This industry has done relatively little to develop the technology so far and its members have no right to claim exclusive responsibility for deciding how rapidly the American people will achieve cheap atomic power. Unlike the utilities, however, I do not believe that the construction of some AEC-financed plants would exclude the private utilities from the field. Their projects certainly should go ahead as rapidly as they can. Meanwhile, the Federal Government should launch some projects and give some firm contracts to the equipment manufacturing industry so that it can get to work. As you know, any AEC plants would be built by private industry under contracts.

My criticism of the private utilities is not that they propose to build some plants but that for their own ideological reasons they are trying to elbow the Government of the United States out of a field in which truly vital national interests are at stake. They want to remove the Government from this field, yet they are without the capability of discharging the grave responsibility which they are so insistent about assuming.

In his statement of June 18 to the Joint Committee on Atomic Energy, Commissioner Thomas Murray declared that—

> The present prospect of getting any substantial quantity of industrial atomic power in this country by 1960 is very gloomy—and getting more gloomy every day. At the root of the matter is the fact that the Government has prematurely abdicated to private industry the primary responsibility for building large power reactors. Under our present policies, with one notable exception, the Commission's activities in the field of large power reactors are confined to research and development, small scale pilot-plant construction, and limited assistance to participants under the power demonstration program.
>
> Our immediate national effort in the field of large scale power reactor construction is limited to this demonstration program as supplemented by other activities under the licensing provisions of the Atomic Energy Act. Thus our progress is in the greater part based upon decisions by either participants or licensees as to what type of reactors to construct and at what time to begin constructing them.
>
> Under these procedures four basically different large scale reactor types are being explored. Some of these reactor types have now come to be accepted as the domain of an individual company or group of companies.

After reviewing the several projects and the uncertainties and delays which attend each of them, Commissioner Murray urged that "our program should not be paced solely on estimates of what the Soviets and other nations are doing or intend to do in the power reactor field." Mr. Murray wisely observed that "right action should follow if we recognize the central fact that the development of industrial atomic power is not a matter of choice, but of necessity. Electric power is the very life blood of nations and the hope of the have-not countries. The upward trend in world population, the accelerated industrialization of under-developed areas, and the progressively growing per capita utilization of energy all imply increasing requirements for electric power. On the other hand, there is a limit on the amount of conventional fuels which will be available. Nuclear fuels will be required to meet the increasing demand."

Referring to the active development program of the United Kingdom, Commissioner Murray observed that "we should recognize of course that such a program will place the United Kingdom in an excellent position to export large power reactors." He quoted the manager of the Atomic Energy Department of General Electric Co., Ltd. As saying that—

> In Britain the emphisis is on large central stations. When the export drive gets under way it will be backed by sound practical experience in a large home market, an advantage which will not be shared by America.

In connection with this question of our competitive position in the export market, I should like to draw to your attention a New York Times news service dispatch of June 9, which reported that the chairman of Japan's Atomic Energy Commission had announced that he favored importing British rather than United States atomic powerplants because, he said, he had the impression that Britain was "well ahead of the United States" in developing the atomic generation of atomic power after discussing the subject with British and United States atomic energy representatives.

Commissioner Murray pointed out that countries short of conventional fuels, like Japan, must begin now to integrate nuclear power into their economy, and that "we should be prepared to assist them." His statement points out, however, that "if action is not forthcoming to break the monopoly now enjoyed by private industry in the large industrial reactor program, we will not be prepared."

To get an effective power reactor program started, Mr. Murray recommended most strongly that the Government undertake to construct several large power reactors, in addition to the projects contemplated by private industry, and specified the ones which in his judgment should be built. He further urged that these reactors be located at AEC production facilities and supply power for AEC consumption, "thus eliminating the issue of public versus private power."

Mr. Murray continued that—

> It is of course easy to conjure up reasons for not undertaking such a program as I propose. There is always the appealing alternative of convening committees and task forces to formulate arguments for inaction.
>
> It is a tragic mistake for this Nation to base its atomic power program primarily on our own economic interests. To do this is to fail to recognize the vast political and humanitarian implications of atomic energy throughout the world. It is to follow a course which is at variance with our own larger interests, and more importantly, with all that this Nation stands for.
>
> The fact that we are taking this course is the result of fear: Fear by private industry that Government will enter the power business as a consequence of its accelerating development through power reactor construction. Such fears are unwarranted They cannot rightly be countenanced as cause for delay.

This, I remind you, is a conservative businessman speaking. What he says in his statement, in so many words, is that we are endangering our international position, falling down on our clear moral responsibilities, aborting an effective foreign policy in atomic energy, and penalizing our reactor manufacturing industry in its contest for foreign markets, all because there are those in this administration who seem ready to make almost any sacrifice to appease the neurotic fears of the private utility industry.

In the field of atomic power, American industry could outpace the world in developing the technology of cheap, plentiful and safe atomic power. But in this field, American industry today is a giant in chains, held back and handicapped by fears—fear of our own people—a completely unfounded obsession that the electric utility industry will be nationalized if the Government finances some demonstration atomic powerplants.

It is high time that we shook off the guidance of these shortsighted fear-ridden advisers. We must bring to bear on the problems of atomic power the full strength and genius of American industry.

Are we going to make our leadership unquestionable or are we going to lag behind because the private utilities are blind?

Are we going to lag behind because the private utilities do not want the Government to take a hand and do what they promised to do 2 years ago and have not?

Are we going to let Russia outstrip us in peacetime development of atomic industry?

Are we going to let Russia use this fact as a major issue in their propaganda campaign, especially in Asia?

Are we going to let Japan tell the world that Britain and Russia are far ahead of the United States in the development of atoms for peace?

Are we going to wait forever?

Are we going to accept the thinking of the private utilities at the risk of losing our leadership to the British or the Soviets?

The answer is "No."

The United States has a moral responsibility to be foremost in the development of peacetime uses of atomic energy not only for her own people, but also for the benefit of the people of the world.

The United States should accept the responsibility for a vigorous program of international assistance in the design, construction and operation of atomic power reactors.

If the private utilities are honestly interested, as they say they are, in cheap atomic power, they should welcome Government developmental projects because these will speed the day when power becomes practical and at the same time save the utilities and their consumers some very large sums of money.

There is nothing to stop us but our own timidity.

It is vital that we abandon our present timid position and proceed immediately with the construction of some large demonstration atomic powerplants to accelerate the program in technical development. The Congress should also authorize and direct the AEC to design and construct some small developmental power reactors to prove our very advance concepts.

The Joint Committee on Atomic Energy has a proud record of advancing the technology of atomic-hydrogen weapons, the nuclear submarine and nuclear aircraft. Our committee has also encouraged the peaceful application of the atom in the field of industry, medicine, agriculture and biology.

The joint committee, realizing the necessity of maintaining our leadership, which we may be now in danger of losing to the British or the Soviets, has decided that Government technical and financial support is imperative.

The joint committee has reported identical bills, S. 4146 and H. R. 12061, to the Senate and the House of Representatives. Senate bill 4146 was passed Thursday, July 12, by a vote of 49 to 40.

H. R. 12061 will insure the launching of a vigorous program by the AEC in the design and construction of full-scale atomic power reactors.

The program which this bill would authorize would in no way interfere with the projects proposed by the private utilities nor will it raise the issue of public versus private power.

This bill would authorize and direct the AEC to proceed with the construction of some large demonstration atomic powerplants to accelerate progress in technical development, and would require that the plants be built at AEC production installations to supply power to help meet AEC's massive requirements for electric energy. It would further authorize and direct AEC to design and construct some small developmental power reactors to prove out very advanced concepts and place on the Commission the responsibility for a vigorous program of international assistance in the design, construction, and operation of atomic power reactors.

The experimental development will guarantee the rapid progress necessary in the production of kilowatts of electric energy by the fission of the atom.

The passage of this bill would go far in developing the economic aspect at home, on the one hand, and the economic, political, psychological, and prestige aspects in international affairs on the other hand.

It certainly will be a step forward in maintaining the leadership for America in the field of atomic power.

It will, we hope, make possible on an economic and competitive basis an almost unlimited new source of power for mankind's use.

LIST OF PARTICIPANTS—ELECTRIC COMPANIES ADVERTISING CAMPAIGN

Alabama Power Co., Birmingham, Ala.
Arizona Public Service Co., Phoenix, Ariz.
Arkansas Missouri Power Co., Blytheville, Ark.
Arkansas Power & Light Co., Little Rock, Ark.
Blackstone Valley Gas & Electric Co., Pawtucket, R. I.
Boston Edison Co., Boston, Mass.
Brockton Edison Co., Brockton, Mass.
Cambridge Electric Light Co., Cambridge, Mass.
Carolina Power & Light Co., Raleigh, N. C.
Central Hudson Gas & Electric Corp., Poughkeepsie, N. Y.
Central Illinois Electric & Gas Co., Rockford, Ill.
Central Illinois Light Co., Peoria, Ill.
Central Illinois Public Service Co., Springfield, Ill.
The Central Kansas Power Co., Abilene, Kans.
Central Louisiana Electric Co., Inc., Lafayette, La.
Central Power & Light Co., Corpus Christi, Tex.
Cleveland Electric Illuminating Co., Cleveland, Ohio.
The Connecticut Light & Power Co., Hartford, Conn.
The Connecticut Power Co., Hartford, Conn.
Conowingo Power Co., Elkton, Md.
Baltimore Gas & Electric Co., Baltimore, Md.
Consumers Power Co., Jackson, Mich.
Dallas Power & Light Co., Dallas, Tex.
The Dayton Power & Light Co., Dayton, Ohio.
Delaware Power & Light Co., Wilmington, Del.
The Detroit Edison Co., Detroit, Mich.
Duquesne Light Co., Pittsburgh, Pa.
Edison Sault Electric Co., Sault Ste. Marie, Mich.
El Paso Electric Co., El Paso, Tex.
Empire District Electric Co., Joplin, Mo.
Fitchburg Gas & Electric Light Co., Fitchburg, Mass.
Florida Power & Light Co., Miami, Fla.
Georgia Power Co., Atlanta, Ga.
Gulf Power Co., Pensacola, Fla.
Gulf States Utilities Co., Beaumont, Tex.
The Hartford Electric Light Co., Hartford, Conn.
Holyoke Water Power Co., Holyoke, Mass.
The Housatonic Public Service Co., Derby, Conn.
Houston Lighting & Power Co., Houston, Texas.
Idaho Power Co., Boise, Idaho.
Indianapolis Power & Light Co., Indianapolis, Ind.
Interstate Light & Power Co., Plattesville, Wis.
Interstate Power Co., Dubuque, Iowa.
Iowa Electric Light & Power Co., Cedar Rapids, Iowa.
Iowa Public Service Co., Sioux City, Iowa.
Jersey Central Power & Light Co., Asbury Park, N. J.
Kansas City Power & Light Co., Kansas City, Mo.
Kansas Gas & Electric Co., Wichita, Kans.
The Kansas Power & Light Co., Topeka, Kans.
Lake Superior District Power Co., Ashland, Wis.
Lawrence Electric Co., Lawrence, Mass.
Louisiana Power & Light Co., New Orleans, La.
The Lowell Electric Light Corp., Lowell, Mass.
Lynn Gas & Electric Co., Lynn, Mass.
Madison Gas & Electric Co., Madison, Wis.
Marietta Electric Co., Marietta, Ohio.
Metropolitan Edison Co., Reading, Pa.
Minnesota Power & Light Co., Duluth, Minn.
Mississippi Power Co., Gulfport, Miss.
Mississippi Power & Light Co., Jackson, Miss.
Mississippi Valley Public Service Co., Winona, Minn.
Missouri Edison Co., Louisiana, Mo.
Missouri Power & Light Co., Jefferson City, Mo.
Monongahela Power Co., Fairmount, W. Va.
The Montana Power Co., Butte, Mont.
Monterey Utilities Corp., Monterey, Va.
The Narragansett Electric Co., Providence, R. I.
New Jersey Power & Light Co., Dover, N. J.
New Orleans Public Service, Inc., New Orleans, La.
New York State Electric & Gas Corp., Binghamton, N. Y.
Niagara Mohawk Power Corp., Syracuse, N. Y.
Northern Pennsylvania Power Co., Towanda, Pa.
Northern States Power Company of Wisconsin, Eau Claire, Wis.
Northern States Power Company of Minnesota, Minneapolis, Minn.
Northern Virginia Power Co., Winchester, Va.
Ohio Edison Co., Akron, Ohio.
Oklahoma Gas & Electric Co., Oklahoma City, Okla.
The Orange & Rockland Electric Co., Monroe, N. Y.
Pacific Gas & Electric Co., San Francisco, Calif.
Pacific Power & Light Co., Portland, Oreg.
Pennsylvania Electric Co., Johnstown, Pa.
Pennsylvania Power Co., New Castle, Pa.
Pennsylvania Power & Light Co., Allentown, Pa.
Pennsylvania Water & Power Co., Baltimore, Md.
Philadelphia Electric Co., Philadelphia, Pa.
The Potomac Edison Co., Hagerstown, Md.
Potomac Electric Power Co., Washington, D. C.
Potomac Light & Power Co., Martinsburg, W. Va.
Public Service Company of Indiana, Inc., Indianapolis, Ind.
Puget Sound Power & Light Co., Seattle, Wash.
Rochester Gas & Electric Corp., Rochester, N. Y.
Rockland Electric Co., Closter, N. J.
Rockland Light & Power Co., Nyack, N. Y.
Round Valley Light & Power Co., Springville, Ariz.
St. Croix Falls Wisconsin Improvement Co., Minneapolis, Minn.
Savannah Electric & Power Co., Savannah, Ga.
The Scranton Electric Co., Scranton, Pa.
South Carolina Electric & Gas Co., Columbia, S. C.
South Penn Power Co., Waynesboro, Pa.
Southern Indiana Gas & Electric Co., Evansville, Ind.
Southwestern Gas & Electric Co., Shreveport, La.
Southwestern Public Service Co., Amarillo, Tex.
Suburban Electric Co., Malden, Mass.
Superior Water, Light & Power Co., Superior, Wis.
Tampa Electric Co., Tampa, Fla.
Texas Electric Service Co., Fort Worth, Tex.
Texas Power & Light Co., Dallas, Tex.
The Toledo Edison Co., Toledo, Ohio.
Union Electric Company of Missouri, St. Louis, Mo.
Union Electric Power Co., Monsanto, Ill.
The United Illuminating Co., New Haven, Conn.
Utah Power & Light Co., Salt Lake City, Utah.
Virginia Electric & Power Co., Richmond, Va.
The Washington Water Power Co., Spokane, Wash.
West Maryland Power Co., Oakland, Md.
West Penn Power Co., Pittsburgh, Pa.
West Texas Utilities Co., Abilene, Tex.
Western Massachusetts Electric Co., Greenfield, Mass.
Wisconsin Electric Power Co., Milwaukee, Wis.

Wisconsin Michigan Power Co., Appleton, Wis.
Wisconsin Power & Light Co., Madison, Wis.
Wisconsin Public Service Corp., Milwaukee, Wis.
Worcester County Electric Co., Worcester, Mass.

[From the Washington Post and Times Herald of June 13, 1956]

HOW AMERICA WILL KEEP ITS LEAD IN ATOMIC-ELECTRIC POWER

This is the way nations rate in nuclear reactors built or planned (all types and for all purposes):

United States of America:	
Completed as of 1956	55
Building or planned	35
Great Britain:	
Completed as of 1956	7
Building or planned	23
Russia:	
Completed as of 1956	6
Building or planned	11
All others:	
Completed as of 1956	10
Building or planned	14

In the past few months, the question has been raised, "Is America behind in the development of atomic-electric power?" The full facts answer "No." And America's electric light and power industry, in full cooperation with other organizations in this country engaged in atomic research and development, will do its part to make sure the answer remains "No."

At the present time, for instance, the Atomic Energy Commission, the electric companies, and various other organizations have built, or are building or planning, more nuclear reactors than all other nations combined. More in number and scope—90, representing many reactor designs. And more promising for the future—for every reactor today is largely experimental, built to provide research in and knowledge of a whole new science and a new technology.

ELECTRICITY FROM THE ATOM

Much of this research and knowledge has a direct bearing on one of the atom's greatest promises, the production of electric power. Far more experimentation will be required to prove which of the many types of reactors are most efficient, most workable, and most economical. But we are well on the way to finding out.

Foremost in this experimentation is the basic and comprehensive reactor research program led and carried on by the Atomic Energy Commission. This research puts theories to the test, discovers how to design and build various types of reactors, uncovers basic problems and possibilities, and provides the vital first tries that are necessary before larger and better reactors can be designed and built. Already, these tests are separating the most promising from the least.

THE NEXT STEP

From this basic research, some of which is also being done by America's independent electric companies, the next step is big, full-size commercial atomic-electric plants. That step is being taken, too. The electric light and power companies already have 7 of these large atomic-electric plants on the way or under study. They, too, are experimental as far as their reactors go, for they include a number of different kinds of reactors and various designs. Until they provide operating experience, no one will know which types are most useful for further development.

The problem of producing electricity from the atom was solved long ago. But so long as we have adequate supplies of coal, oil, and gas that can produce low-price electricity, it would be wasteful for America to build large numbers of atomic-electric powerplants which could produce electricity only at high cost. Our objective should be economy and efficiency in reactor design and construction, without passing up any promising designs in our search. Progress toward this objective is being made.

ELECTRIC COMPANIES BUILD

More than $300 million from individual investors is involved in the planning and construction of atomic-electric plants and related research. A total of 44 electric companies is participating in building these reactor plants. In so doing, they are drawing on their industry's 75-year experience in producing electricity from other fuels.

To speed this program still further, America's independent electric companies are forming a special task force on atomic-electric reactors.

STILL IN THE TESTING STAGE

Because the United States today has plenty of electric power and plenty of conventional fuels, the wise program is to test many reactors, types and designs and select the best. It will help assure our continuing lead in atomic development over countries which are building atomic-electric plants with today's limited knowledge because they so desperately need electricity at any price.

Information like this about our Nation's atomic-electric power program is important to you and others interested in the welfare of their country. It is important to you as a citizen and as an electric customer. Because this is so, reports of progress in atomic-electric power will be brought to you from time to time by America's independent electric light and power companies.

WHERE DO WE GO FROM HERE?

Atomic-electric power is in its infancy. So varied are its possibilities that special measures must be taken to see that none of the atom's promises will be overlooked.

To make sure of this, America's electric light and power companies are forming a technical appraisal task force to evaluate and stimulate research, development and construction that will advance the promise of economical and practical electric power. This task force will be composed of some of the Nation's leading nuclear engineers and scientists, as well as leaders in the electric industry.

The findings of this task force, as well as all other experience and knowledge of America's power companies in the field of nuclear reactors, will be shared with any group dedicated to the objective of maintaining American leadership in atomic-electric power.

HELLS CANYON DAM

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin [Mr. JOHNSON] is recognized for 5 minutes.

Mr. JOHNSON of Wisconsin. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. JOHNSON of Wisconsin. Mr. Speaker, there is considerable interest among citizens of the Ninth Wisconsin District in the building of a federally owned high dam in the Hells Canyon section of the Snake River.

As a matter of fact, thousands of farmers in the Ninth Wisconsin District have a direct and tangible stake in a federally owned high dam in Hells Canyon furnishing low cost power for future industrial development in the area.

The reason why several hundred thousand farmers in Wisconsin, Minnesota, North Dakota, South Dakota, and Montana are interested in Hells Canyon is that these farmers through their cooperative associations own mineral-bearing lands in the immediate vicinity which are important for the production of fertilizer.

The mineral-bearing land only has use and value to these farmers if it can be developed through low-cost electric power needed to operate the factories. The farmers in the Ninth District of Wisconsin know something about low-cost power for the district is well served by 10 REA cooperatives. No one is kidding the farmers in the Ninth Wisconsin District and the farmers in the other States I mentioned about the cost of electric power. They have had nearly 20 years of experience to back up their knowledge and judgment on this issue.

That explains, in brief, why farmers in the Ninth Wisconsin District and REA cooperatives are urging legislation to build the federally owned high dam in Hells Canyon instead of the low dams advocated by a private power company.

It is no secret that a powerful lobby has been working to kill the federally owned high dam in Hells Canyon. Columnist Drew Pearson in his Washington Merry-Go-Round column for today points out some of the operations of this lobby. I wish to insert in the RECORD a part of Drew Pearson's column, as follows:

In the files of the Federal Power Commission are significant facts about certain lobbyists now engaged in one of the biggest legislative battles in Washington.

The big private utilities are required to publish the amounts they pay various people, and if you take the trouble to look at the 1955 annual report of the Idaho Power Co., on file at FPC, page 56, you will find this notation: "VII. I (a) Guy Cordon, Washington, D. C., (b) retainer (c) basis of charges—time required and expenses incurred. (d) Account 796."

Guy Cordon, of course, is the amiable ex-Senator from Oregon, Republican, defeated in 1954 by Senator RICHARD NEUBERGER during a campaign in which NEUBERGER accused Cordon of being friendly to the big private utilities and against Federal development of Hells Canyon on the Snake River. Cordon denied these charges at the time.

However, if you look at account 796, page 81, of the Idaho Power Co. report, you will find listed disbursements for legal services of $31,999.95, of which $18,348.75 went to Parry, Keenan, Robertson & Daly in Twin Falls, Idaho, and the balance to ex-Senator Cordon.

Further search through Power Commission files shows that Senator Cordon also is being paid by Washington Water Power Co., another big utility which is fighting against Hells Canyon. Both Idaho Power and Washington Water Power were once part of the giant holding company, Electric Bond & Share, before FDR's Holding Company Act broke them up.

Cordon is paid a "retainer fee for 1955 of $10,000 in equal monthly installments."

Further search of the FPC records shows that Portland General Electric, which also has jointed Idaho Power in financing the campaign against public development of Hells Canyon, lists ex-Senator Cordon as getting a retainer of $10,000 per year, "commencing January 1955 as per oral agreement."

January 1955 was immediately after Cordon stepped out of the Senate. In other words, he retired on December 31, 1954, and immediately began picking up retainers from the private utilities to help them defeat public power at Hells Canyon.

WELL-GREASED LOBBY

You don't hear much about it, but one of the most potent and carefully greased lobbies in the Nation's Capital is now buttonholing Senators to defeat Hells Canyon. They are making none of the mistakes of the natural-gas lobby which stubbed its toe when it tried, in effect, to bribe Senator CASE, of South Dakota.

Guy Cordon, who as an ex-Senator, has the privilege of mingling with his former colleagues on the Senate floor, is part of this lobby. But he's only relatively a small part. Private utilities in the East, South, and Midwest have ganged up with utilities in the Northwest to stop Hells Canyon.

Nor is the issue of Federal development of Hells Canyon solely involved. The basic back-stage issue is whether the Democrats or the Republicans will control the Senate next year.

For Hells Canyon is a fighting term in the Northwest, and its defeat in July might well mean the defeat of two key Democratic Senators—MAGNUSON, of Washington, and MORSE of Oregon—in November.

The Northwest knows that Hells Canyon is the last remaining big-dam site in the United States of America. It also knows the Eisenhower administration will spend $800 million on a public power dam on the upper Colorado which private utilities don't want to build themselves because it's too expensive to be economic.

Meanwhile they see the administration giving the choicest dam site of all—Hells Canyon—to the private utilities.

In other words, the principle of private power versus public power is not involved, for Eisenhower has already gone in heavily for public power on the upper Colorado where the private utilities don't want to build, but is for private power on the Snake River where the private utilities do want to build.

PURCHASE OF PRIVATE LANDS IN THE CACHE NATIONAL FOREST, UTAH

The SPEAKER. Under previous order of the House, the gentleman from Utah [Mr. DIXON] is recognized for 30 minutes.

Mr. DIXON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. DIXON. Mr. Speaker, H. R. 8398 is an authorization of expenditures of $200,000 for the purchase of private, eroded lands in the Cache National Forest, but this authorization is on a matching basis. For the record, we must have a complete description of the transaction and to record how much Federal money has been appropriated and how much has been contributed locally. I appreciate this opportunity of supplying such information herewith.

The bill, Mr. Speaker, provides for an additional authorization to appropriate $200,000 for the purchase of private lands within the Cache National Forest in Utah to facilitate the control of soil erosion and flood damage originating upon such lands.

The portion of the Cache National Forest involved in this project includes high mountain lands in the Ogden River drainage area, and several smaller drainage areas along what is called the Wasatch Front. These mountains extend from Ogden on the south to Deweyville or Collinston on the north. They serve to separate Cache Valley, containing the communities of Logan, where the Utah State Agricultural College is located, Mendon, Wellsville, Hyrum, and Paradise, from the Salt Lake Valley lying to the west. From Ogden on the south proceeding north along United States Highway No. 91 are the following cities of North Ogden, Willard, Perry, Brigham City, Honeyville, Deweyville, and Collinston. These cities are right at the foot of these almost sheer vertical mountains, hence the term "Wasatch Front," and lie in the direct path of flash floods—originating on impaired watershed lands—which are not an uncommon occurrence during the spring and summer months.

The problem of floods and soil erosion began in this mountain area primarily during the last three decades of the 19th century. Pioneer settlers let their livestock overgraze the mountain grass and forage areas and otherwise abused these lands. The results are vividly set forth in the report entitled "Public Action To Save Vital Watersheds in Northern Utah," which was submitted to the Subcommittee on Forests of the Agriculture Committee on behalf of the Weber County Watershed Protective Corporation:

> Uncontrolled fires, many set by carelessness and uninhibited grazing reduced the cover of vegetation on these precious mountain slopes. There was little thought given, in these early days, to this fact; the same slopes produced water, the liquid gold, and made "the desert blossom as a rose." The horrible truth was not apparent. In the past, civilizations had vanished from the earth because of the very things that were happening here. It was a scant four decades from the time of the first settlement when the misuse of these mountain lands suddenly became apparent. Thundering mud-rock floods from denuded watersheds in Davis County and from Willard Basin in Box Elder County claimed several lives and millions of dollars in damages. * * *
>
> Other minor damaging floods continued to spew forth from small canyons along the Wasatch Front during the 1920's and early 1930's. Alarmed at the threat to life and property, the people in Utah's northern counties pleaded for extension of the boundaries of the Cache and Wastach National Forests and for a program to alleviate the creeping cancer of damaged mountain watersheds (pp. 1–2).

It should be noted, Mr. Speaker, that watershed conditions conducive to the occurence of mud-rock floods from summer storms are different than those conditions which create high-water floods. It is the former rather than the latter set of watershed conditions with which we are concerned here. In this respect, also, it should be noted that the mud-rock flows from steep mountainous drainage areas are far more destructive in their washes than are the high-water floods in this part of the country.

Two of these mud-rock flows in the area along the Wasatch Front, for example, hit the town of Willard destroying 40 homes and a hydroelectric powerplant. In addition, two people were killed in a brick home demolished by one of these mud-rock flows. All told, almost $500,000 in damage was done to this small municipality.

The boundaries of these two national forests were extended in 1934, 1936, and 1938. In 1938, the Congress authorized the Secretary of Agriculture to purchase lands within the boundaries of the Cache National Forest for flood prevention and soil-erosion purposes. This act also authorized appropriation of $10,000 annually from the receipts from that national forest to pay for the lands acquired. Except for the years 1940 and 1941, when $6,000 was appropriated respectively, and with the exception of the years 1944–46, and 1954, Congress, each year, has appropriated the authorized $10,000.

Of the $102,000 appropriated for this purpose, during the period 1940 up to and including the 1955 fiscal year, the Federal Government had made a net expenditure of $63,874. This includes the purchase price of the land and all other obligations under each appropriation, less $21,291 representing the decrease in forest receipt fund payments to the counties due to expenditure of $85,165, by the Federal Government for land purchases. This information is contained in a table attached to a letter to me dated June 12, 1956, from Mr. Richard E. McArdle, Chief, Forest Service, United States Department of Agriculture, signed by Mr. Edward Crafts, Assistant Chief of the Forest Service. The letter I have marked as exhibit 1 and the appropriate table giving this data as exhibit 2. I ask that they be printed in my remarks.

The need for instituting systematic water and soil-erosion control methods on these lands led to the establishment of two local nonprofit organizations, which have been the mainsprings of local efforts to place these private lands under proper protection and management. These organizations, the Weber County Watershed Protective Corporation and the Wellsville Mountain Area Project Corporation, located in Cache and Box Elder Counties, have cooperated very closely with local Forest Service officials in this undertaking. Financed by local contributions, they have acquired a considerable acreage of these private lands, much of which has been donated to the Government while some has been sold to the Government at cost or at a loss.

The combined acquisitions and donations of these two organizations, other local groups, both public and private, total 15,726 acres acquired at a total net cost to these groups of $117,314. This data, in part, is contained in another table I have marked exhibit 3, and which was sent to me by the Forest Service along with the June 12 letter I spoke of a moment ago. I ask that it be printed in my remarks. This total net local contribution figure of $117,314 is derived by adding to the $96,023 listed in exhibit 3

under the heading "Total Cost Actual and Estimated to Donor," the sum of $21,291, listed in exhibit 2, under the heading "Decrease in 25 Percent Fund Payments Due to Expenditures."

As you know, Mr. Speaker, counties wherein national forests are located receive 25 percent of the funds derived from forest receipts. Under the Special Receipts Act, however, if these funds are used to purchase private lands within the boundaries of the national forest in question, these funds do not go to the counties to be used for school and road purposes. As I have pointed out, the Federal Government has spent $85,165 in the purchase of such lands. Three northern Utah counties have in effect, therefore, donated the $21,291 listed under the heading in exhibit 2 entitled "Decrease in 25 percent Fund Payments Due to Expenditures," since 25 percent of the $85,165 listed in that exhibit as "Total obligations" incurred by the Federal Government amounts to $21,291. As noted above, the net Federal expenditure, therefore, was $63,874 through fiscal 1955.

I should like to call to the attention of the House the fact that in addition to the $117,314 net local contribution for the period represented by the fiscal years 1940 to 1955, inclusive, local groups have continued to obligate themselves for the purchase of additional private lands, some of which undoubtedly will be donated to the United States when title is finally acquired.

For example, in 1954 the Weber County Watershed Protective Corp., contracted for the purchase of 5,767 acres of land with the estate of one Wilmer J. Maw, on which $5,767 has been paid. In 1956, the same organization contracted with one Ralph W. Davis for the purchase of 2,484 acres on which $5,000 has been paid. Weber County acquired in 1956 another 2,267 acres, about one-half of which, with a value of $10,000, will probably be donated to the United States. The small town of North Ogden, Utah, is raising funds to purchase watershed lands also at a cost of $10,000. These lands may later be donated to the United States.

It is, I believe, appropriate to review the accomplishments that have been achieved to date. The Forest Service, as a result of its splended research, has already proved that through terracing, reseeding and scientific range improvement, it can and has transformed these danger spots into a condition where there is no erosion, no danger of floods, and a marked increase in the quality and quantity of the stream flow. The water now comes out through springs and streamflow in the late summer when it is needed most, rather than rushing down the steep mountain slopes as floods immediately upon the melting of the first of the snows, or following summer flash thunderstorms.

About 10 years ago, a representative of the regional forest office in Ogden, Utah, took me to Snow Basin, located 14 miles from Ogden, Utah. This basin constitutes one of the principal sources of water supply for Ogden City and Weber County. It is also the site of the Snow Basin ski lift and recreation area. He showed me first pictures of tracks in the basin before the land was taken from private ownership and then showed me the exact spots as they look now. The pictures taken in 1936 showed the basin to be practically a Dust Bowl with hundreds of cattle fighting flies and a number of dead critters decaying on the banks and in the stream. The picture showed the unraveling of the watersheds on the divides and huge deep gulches cut by the floodwaters as they rushed from the divides down into Wheeler Creek and Wheeler Canyon. What were formerly raw chasms are now healed over with a healthy growth of grass and underbrush and there have been no more floods.

I am delighted to testify to you today that the transformation made in Snow Basin since 1936 has been phenomenal. Instead of a dust bowl, we have grass above the knee made possible through the reseeding work done by the Forest Service. This important watershed now produces usable high quality water.

My Forest Service friend during the visit I made to the area 10 years ago showed me a bottle of water taken April 16, 1936, from Wheeler Creek. This water was taken immediately below Snow Basin at the point where Wheeler Creek flows into the Ogden City water main. It was so heavily laden with silt that it was unusable. Other bottles of sample water taken at the intake of the city main in April 1945 showed very little sediment, while the sample of water taken April 16, 1936, showed sediment one-fifth of the way up the glass. The improvement in water quality has been astonishing. The reseeding and reforestation work has increased the water flows in the city main almost one-third, and the flow of Wheeler Creek has now been restored to Ogden City's water supply.

I refer to this transformation which I have witnessed with my own eyes over a period of 17 years as being typical of the transformation that is taking place on the watersheds which have been, and are being purchased from private ownership. These changes are typical of the transformation that will take place on the lands which we are asking your assistance to purchase through the passage of H. R. 8898, as amended.

There is probably still in excess of 20,000 acres of impaired watershed lands above the Pineview and Hyrum Federal reclamation reservoir projects and their distribution systems along the mountain base, together with the Newton Reservoirs and distribution system, that need restoration to prevent floods, soil erosion, and reservoir and canal sedimentation. These facilities supply nearly all the water needed for culinary, irrigation, and industrial use to about 20 cities, towns, and farming areas with a combined population of about 120,000 people, together with three of the Nations largest military supply depots. In a letter dated April 24, 1956, I asked Mr. G. Stanley Brewer, president, Weber County Watershed Protective Corp., to furnish me with section, township, and range location data for the lands remaining to be purchased. This information is contained in a letter to me from Mr. Brewer dated May 11, 1956. The portion of this letter giving these locations I have abstracted from the letter and marked as exhibit 4. I ask that it be printed in the RECORD in my remarks. The map to which Mr. Brewer refers in this part of his letter showing these areas in red can be found on the last page of the report entitled "Public Action To Save Vital Watersheds in Northern Utah," to which I have referred and which I filed with the Agriculture Committee for the hearing record at the request of the Weber County Watershed Protective Corp.

As much as I admire the voluntary work of the Weber County Watershed Protective Corp., and the Wellsville Mountain Area Project Corp., and as much as I appreciate the $10,000 which the Federal Government has given us the last few years out of the proceeds of funds collected on the Cache Forest, I am here to testify today that the rate at which lands on this impaired watershed have been acquired is far too slow and that we must step out immediately to purchase all of the dangerous sections located on the high divides. It is not only the imperative thing to do, but it is also the economic thing to pass this authorization bill, H. R. 8898, immediately. As the Department of Agriculture pointed out in its report on this bill in a letter dated May 15, 1956, to Representative COOLEY, chairman of the Committee on Agriculture:

> The bill would apply to certain private lands within the Cache National Forest situated on the slopes of the Wasatch Mountains northeast of Ogden, Utah. On some such lands the vegetative cover and watershed capabilities have been and are being impaired through overgrazing, fire, and logging. Water from the mountains supports the cities and towns and agriculture in the valleys, and usable water is limited in relation to needs. Heavy rains on these mountain areas have in the past resulted in serious floods accompanied by mud-rock flows and excessive eroison of the damaged land. These floods and mud-rock flows have caused loss of life and much property damage.
>
> In the late 1930's a program of flood prevention and erosion control on these watersheds was commenced in which Federal and local governments and agencies participated * * *. However, practical limitations on appropriations under the 1938 act prevent purchase of the larger areas needed for an effective remedial program. There are about 20,000 additional acres for which immediate action is needed for flood prevention and erosion control.
>
> While the Department policy does not favor material increases in Federal land ownership, experience indicates that in this particular area public ownership is a necessary prerequisite to land restoration. Floods and mud-rock flows originating from the damaged lands within the national forest can be very destructive of life and property.

If the bill is passed and money appropriated, some $65,000 could be spent this year to acquire land now under option to the Weber County Watershed Protective Corp. and similar groups in Cache and Box Elder Counties. There remains to be paid $12,000 owed yet by the Weber County Watershed Protective Corp. on

the 2,484 acres purchased in January of this year. That corporation also has an additional 3,300 acres on the North Ogden watershed under contract at $39,966.50. Five hundred acres also can now be purchased in the Brigham City watershed area in Box Elder County. Two thousand, five hundred more acres in the Weber County, North Fork watershed area need to be brought under control and proper management. Other lands to be purchased by and large are scattered in small tracts along the "Wasatch Front."

The first reason, in my judgment, why the Federal Government should extend more substantive help at this time is to protect from possible flood damage several major Federal facilities involving large public investments. Just south of Ogden, Utah, is located the Hill Field Air Base, which employs nearly 10,000 people; a little southwest of this facility is located the Clearfield Naval Base; and northwest of Ogden is the Utah General Supply Depot. These latter facilities have respectively some 7 million and 5 million square feet of storage space. Their annual maintenance costs run into several million dollars.

A second major reason is that the one-hundred-and-twenty-odd- thousand people living below the watershed were shocked to discover when the Pine View Dam went dry this fall that Ogden City's artesian wells, which provide the major portion of the culinary water for Ogden City, Hill Air Force Base, Clearfield Naval Base, and the great Army supply depot, were covered with 6 feet of mud, whereas the last time the reservoir was drained these artesian wells which have been covered by the water of the lake projected 4 feet above the reservoir floor. They were also shocked upon investigation to find huge banks of silt and mud all along the river basin, which, with these banks, will be washed into the reservoir in succeeding years by floods.

Another thing that gives us all greater concern than we had heretofore is the fact that the Bureau of Reclamation has now commenced work on raising the Pine View Dam at a cost between six and ten million dollars. This additional cost, together with the original cost, will probably result in a total investment of $12½ million. The entire project could well be threatened if the remaining private lands on this watershed are neglected.

The third reason for immediate action lies in the favorable options which the communities through their conservancy districts have obtained from owners of private cattle and sheep ranges. These options will expire soon. If we permit them to expire, we shall have to pay a much higher price for the lands than is stipulated in the old option agreements. A case in point is illustrated by a letter to me from G. Stanley Brewer, president of the Weber County Watershed Protective Corporation who wrote, under date of January 25:

> This morning we saw the culmination of many years' efforts. Mr. Ralph Davis met with our board and the county commissioners and the purchase agreement for approximately 4,800 acres of his property was consummated. This purchase includes the vital Cutler Basin area which caused the floods that destroyed some of the summer homes in the north fork, the area which has been under discussion so much the past few years.
>
> The county purchased about 2,200 acres of the lower portion for recreational purposes and our watershed corporation bound itself with the remainder. Our purchase, approximately $17,000, was payable in its entirety within the next 3 years; so you see, we really need help.

In this respect, may I say that the price of this mountain land continues to rise each year. In 1951, the land on the North Ogden range could be purchased for $2.50 per acre. That same land in 1954 was finally purchased for $9 per acre. Land that was offered in 1950 for $7 was bought for $13 per acre in 1956.

Mr. Speaker, the Department of Agriculture in its report upon this bill stated that it—

> Would have no objection to enactment of this bill if amended to provide that funds authorized to be appropriated shall be expended only to the extent that such funds are matched by local donations of money or land of not less than equal value.

Furthermore, the report went on to say:

> We believe that the purchase of land and the cost of the watershed rehabilitation work should be shared by Federal and local governments and agencies which stand to benefit from the program. We, therefore, have no objection to the bill if amended to include this provision. This could be accomplished by the following amendment:
>
> "Page 2, line 7: Substitute a colon for the period and insert the following: *'Provided, further,* That the funds authorized to be appropriated under this act shall be available for expenditure only to the extent that such funds are matched by donations of lands of not less than equal value to the United States of America within the Cache National Forest or funds of equal amount contributed by local agencies, organizations or persons, which contributed funds are hereby authorized to be expended in payment for lands acquired under this act and to defray the cost of work to rehabilitate watersheds on national forest lands within the Cache National Forest as authorized by the Secretary of Agriculture.'"

This amendment, acceptable to the local people concerned, was adopted by the committee.

Also, since this bill involves a soil erosion control and flood prevention program, the committee further amended the bill to provide that:

> No permits shall be issued under the regulations of the Secretary of Agriculture for the grazing of domestic livestock on lands acquired under this act or on lands hereafter donated for matching purposes as hereinbefore referred to (p. 1).

This amendment is also acceptable to the local groups although they feel, as I do, that it is unnecessary and undesirable to prohibit in toto all grazing. It is not grazing but overgrazing which results in soil erosion. Anyway, it would be several years before these lands could sustain even moderate grazing.

Upon receipt of a copy of the departmental report, I immediately wrote the Department of Agriculture under date of May 2, 1956, in regard to this suggested matching fund amendment. I called to the Department's attention the fact that local groups, both public and private, had spent at least $96,000 for the acquisition of some 22,500 acres which had been donated or sold at a loss to the Federal Government. Because of this fact, it was my opinion that the total net local contribution, which since has been verified at $117,314, should be counted as matching funds in meeting the matching-fund requirement of this proposed amendment. In this letter, and in subsequent telephone conversations with Mr. Ralph Roberts, Administrative Assistant Secretary, I asked that the Department of Agriculture furnish me with "suggested amendatory language" to accomplish this objective.

Under date of May 15, 1956, Acting Secretary True D. Morse replied as follows:

> We believe that the simplest way for local contributions to be credited retroactively toward the matching requirements proposed by the Department would be the inclusion of appropriate language in the committee report on this bill. If the committee desires that past local contributions be considered in meeting the matching requirements, we believe the Department would so interpret the bill if the committee report contained such language as:
>
> "It is the intention of the committee that donations of lands or funds by local agencies, organizations, or persons since [date] be counted toward meeting the matching requirements of the bill."

I have marked this letter exhibit 5, Mr. Speaker, and I ask that it be printed in full at the conclusion of my statement.

For matching-fund purposes, however, the committee report makes it plain that although past local contributions "shall be counted as local matching funds for the purposes of the bill," they shall be only "to the extent that they have exceeded past contributions to this project by the Federal Government" (p. 2). The total of local contributions is to be determined on the basis of acquisition costs to the donors. As the committee report points out:

> Information supplied to the committee at the time of its hearing on the bill indicates that at the end of the 1955 fiscal year, local contributions toward land acquisition exceeded Federal expenditures for this purpose by some $53,500. This is based on reported local contributions of $117,314 less net Federal expenditures of $63,874 (p. 2).

In concluding, Mr. Speaker, I merely want to say, as you know, that the Subcommittee on Forests of the Agriculture Committee visited part of this Cache National Forest area last summer. The people of these three northern Utah counties did appreciate the visit Chairman GRANT, Mr. HAGEN, Mr. MATTHEWS, Mr. WATTS, and Mr. MCINTIRE made to see firsthand the progress that has been made over the past 14 years and the problems still to be solved, which passage of this bill will do.

EXHIBIT 1

UNITED STATES DEPARTMENT OF AGRICULTURE, FOREST SERVICE,
Washington, D. C.

Hon. HENRY A. DIXON,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN DIXON: In accordance with Mr. Frischknecht's request, there are attached two copies of a table prepared by our regional office at Ogden, Utah, showing acres, original appraised value, and cost to donors of lands within the Cache National Forest donated to the United States by local agencies and individuals. The first two columns of the table are from the records of the Forest Service, in the field and in this office. The information on costs to the donors of the lands involved and on losses through sales of other lands to the United States was furnished by the local agencies to our regional office.

We attach also two copies of a table showing, by years, the appropriations and expenditures thereof, pursuant to the Cache National Forest receipts act and indicated resultant decrease in 25 percent fund payments for benefit of counties. These are included to verify those informally given to Mr. Frischknecht a few days ago.

Sincerely yours,

RICHARD E. MCARDLE,
Chief.

By EDWARD C. CRAFTS.

EXHIBIT 2

Appropriations and expenditures under the special Forest Receipts Act, Cache National Forest, Utah

Fiscal year	Appropriation	Total obligations [1]	Decrease in 25 percent fund payments due to expenditures
1940	$6,000	$5,881.41	$1,470.35
1941	6,000	5,891.52	1,472.88
1942	10,000	9,904.57	2,476.14
1943			
1944			
1945			
1946			
1947	10,000	8,890.95	2,222.74
1948	10,000	9,973.36	2,493.34
1949	10,000	8,377.52	2,094.38
1950	10,000	9,995.46	2,498.87
1951	10,000	6,994.35	1,748.59
1952	10,000	8,978.55	2,244.64
1953	10,000	483.63	120.91
1954			
1955	10,000	9,793.67	2,448.42
Total	102,000	85,164.99	21,291.26
1956	10,000	[2] 9,862.00	2,465.50

[1] Includes purchase price of land and all other obligations under each appropriation.

[2] Obligated to Apr. 30, 1956.

EXHIBIT 3

Donations

Donor	Acres	Forest Service appraisal and estimated value of land, time of donation	Actual or estimated cost of land to donor	Other estimated cost	Total cost, actual and estimated, to donor
Willard City	1,807.32	$5,522	$6,300	[1] $300	$6,600
Box Elder County	980.36	2,743	12,000		12,000
Hyrum City	665.53	1,675	2,000		2,000
Cache County	279.79	922	700		700
Wellsville Mountain	4,174.75	12,693	16,520		16,520
Weber County	3,085.26	7,627	11,000		11,000
Ogden City	3,976.98	11,154	38,732	[1] 1,205	39,937
Boy Scouts	116.00	1,000	1,000		1,000
Geo. W. Swan	640.00	2,048	2,048		2,048
Ogden Chamber of Commerce, and local civic clubs bought 560 acres and sold to the United States at a loss of			680		680
Weber County Watershed Protective Corp. bought 4,742 acres and sold to the United States at a loss of			3,538		3,538
Total	15,725.99	45,384	94,518	1,505	96,023

[1] Estimated court costs in condemnation suits.

NOTE.—Acreages and values of administrative sites formerly reported as donations are not included.

EXHIBIT 4

WEBER COUNTY WATERSHED PROTECTIVE CORPORATION,
Ogden, Utah, May 11, 1956.

Congressman H. ALDOUS DIXON,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN DIXON: I appreciate your letter of April 24 in which you ask more specific information about the land we have in sight for purchase with the $200,000 carried in H. R. 8898. The map which was sent with the last material indicates these areas in red. I am locating them below more specifically by section, township, and range:

	Acres
T6N, R1E, Salt Lake Base and Meridian, secs. 6, 26, 34, and 35	1,400
T7N, R1E, sec. 32	320
T7N, R1W, secs. 13, 15, 16, and 17	1,100
T8N, R1W, secs. 3, 4, 6, 7–10, 15–19, 21, 27, 28, 32	6,660
T8N, R2W, secs. 12 and 13	960
T9N, R1W, secs. 4, 5, 7–9, 16–21, 23, 33	5,540
T10N, R1W, secs. 17, 18, 20, 29	780
T11N, R1W, secs. 3, 4, 10	1,060
T12N, R2W, secs. 26, 33–35	1,330
	19,150

We anticipate that an average of $10 per acre will be necessary to secure the land listed above. Some can be purchased for less and some will cost considerably more. These lands are presently owned by various private parties. The largest single ownership is in T8N, Ranges 1 and 2 West where about 6,000 acres is owned by Samuel J. Smith of Ogden.

The smaller ownerships may be picked up at various times with the annual $10,000. The larger blocks will require more in order to make a purchase.

I hope the above information may be of use to you in your attempt to get passage of this important piece of legislation.

Sincerely yours,

G. STANLEY BREWER,
President, Weber County Watershed Protective Association.

EXHIBIT 5

DEPARTMENT OF AGRICULTURE,
Washington, D. C., May 15, 1956.

Hon. H. A. DIXON,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN DIXON: This is in reply to your letter of May 2 concerning H. R. 8898 to authorize the appropriation of funds for the purchase of some land within the Cache National Forest in Utah.

We believe that the amendment proposed by the Department in its report of May 15, 1956, to the chairman of the Committee on Agriculture would ordinarily be interpreted as recognizing for matching purposes only donations of land or funds from local sources which occur subsequent to enactment of the bill.

In accordance with your discussion with Assistant Secretary Ralph Roberts, we believe that the simplest way for local contributions to be credited retroactively toward the matching requirements proposed by the Department would be the inclusion of appropriate language in the committee report on the bill. If the committee desires that past local contributions be considered in meeting the matching requirements, we believe the Department would so interpret the bill if the committee report contained such language as:

"It is the intention of the committee that donations of lands or funds by local agencies, organizations, or persons since ..... (date) be counted toward meeting the matching requirements of the bill."

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

ADEQUATE TRANSPORTATION FOR FARM PRODUCTS

Mr. DIXON. Mr. Speaker, I speak in support of S. 898. In essence, this bill provides that the Interstate Commerce Commission shall not regulate the duration of truck leases in these circumstances.

First. Where the truck is owned by a farmer or cooperative and is to be trip leased home in one or more of a series of movements.

Second. Where private carriers regularly are used to carry processed or manufactured perishable agricultural commodities and is to trip lease home in one or more of a series of movements.

Third. Where the truck concerned has handled agricultural commodities and is to be used next in a loaded movement in any direction or in one or more of a series of movements toward home.

Mr. Speaker, I believe this bill is absolutely essential to the efficient marketing of agricultural commodities. More efficient marketing, of course, means lower prices to consumers, higher prices to farmers, and increased demand for agricultural commodities. At this time when agriculture is beginning to recover pricewise from a low-price period of long duration, I believe it is absolutely essential not only to their welfare, but also that of the processors and consumers of agricultural commodities, that every effort be made to minimize the cost of marketing and to expedite the flow to market of agricultural commodities, especially those which we designate as perishable commodities—fruits, vegetables, dairy, and meat products.

Mr. Speaker, unless this bill is passed, it is evident to me that depending upon common carriers alone, operating over specifically designated routes, will not satisfactorily meet the transportation needs of farmers. Common carriers, as you know, do not load at the farm gate. Most of them do not have loading facilities in agricultural areas. What few there are simply are not sufficient to meet adequately the needs of farmers. I should also like to point out that farmers cannot stand the cost of having to provide transportation from their own farms to loading centers where common carrier service is available. In this respect, I should further like to point out that common carriers do not reach all agricultural markets. This would mean that costly delays are involved in rerouting over common-carrier routes to appropriate markets of agricultural commodities. Efficient and economic marketing of agricultural commodities require fast and adequate transportation to all possible markets. Producers of agricultural commodities must be able to ship to all possible markets since on different days different markets may offer the best possible prices. Adequate transportation to all possible markets is essential if market gluts are to be prevented and, also, if people living in different marketing areas are to be uniformly supplied with their needs. If farmers must ship by common carrier only, this obviously restricts their number of market outlets. It also restricts, as a result, the ability to get the best possible prices for their commodities.

In addition, Mr. Speaker, I should like to point out that exempt truck haulers give farmers personalized service which common carriers of necessity simply cannot supply. Individual truckers, for example, learn how to handle different farmers' livestock and commodities in the way they desire. Truckers also can readily adjust their operations and movements to meet farmers' needs better than can common carriers operating on a time schedule and over specified routes. Likewise, many truck haulers check alternative market prices for farmers before delivering their commodities to commissionmen or other middlemen for sale. Exempt truck haulers also will sell part of an individual farmer's produce at different markets, if he desires. This is a specialized service which common carriers are in no position to provide. Likewise, it is essential to note that during the peak marketing seasons, especially those relating to perishable commodities—fruits, vegetables and meat products—common carriers simply cannot meet farmers' demands for ready transportation.

On the other hand, the Trip Lease provision provided for in S. 898, is essential to the trucking industry which handles a large percentage of agricultural commodities. Their ability to obtain return loads is necessary to their survival. Since unless they can cut costs through this device, the rates they charge farmers for the services I have mentioned previously would have to be much higher. Because of these reasons, I earnestly beseech the House Members to pass S. 898.

WHAT DO WE KNOW OF THE SIGNERS OF THE DECLARATION OF INDEPENDENCE?

Mr. SIEMINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SIEMINSKI. Mr. Speaker, many fine things have been said of the 56 giants who signed the Declaration of Independence.

Their signature on the document meant death had we lost the war that led to the creation of the United States.

It is fitting in this month in which we rededicate our independence to ask, "What do we know of the signers of the Declaration of Independence?"

That question is answered with a brief sketch on the life of each of the signers in a booklet compiled by Mr. Harry Thomas, and published over 33 years ago in Newark, N. J., by the Prudential Insurance Company of America.

Under unanimous consent, I ask that the booklet be reproduced in the RECORD. I trust that it will be of interest to all:

THE SIGNERS OF THE DECLARATION OF INDEPENDENCE

(By Harry Thomas)

A FOREWORD

For a generation after the battle of Thermopylae the Spartan children were required to repeat daily the names of the heroic 300 who held the pass with Leonidas. The youth who was taught grew into the father who told, and so on and on down through the years. But what of us in America? How many of our early-day immortals can we mention? The 56 patriots who gave us our Charter of Freedom—a declaration that blazed the ascending trail of civilization and that opened the great human highway to intellectual improvement and moral culture—what of them? To be sure we know of Hancock, of Adams, of Jefferson, of Franklin, of Morris. Their memory is secure from the injuries of time. But what of Williams, of Guinett, of Rodney, of Gerry, of Lee, of Paine, and the rest of their associates? They also laid their all upon the altar of life, liberty, and happiness, withholding nothing. And they knew their peril. Not carelessly, but reverently, they signed, and by their action ushered in a new era for humanity. When in their dreams and ideals they recognized and established our form of government, these God-endowed, deliberate men gave to the people and to posterity a towering, permanent monument of splendid service; a shaft of wisdom upon which all nations of the earth may gaze with respect and admiration. No crash of cannon echoes through the ages to sound the valor of their act, but we do well to remember it and something of their lives. They are an eternal illustration of the truth that courage is not a monopoly of the battlefield and that every man who does his duty fearlessly, disregarding the cost, strikes his own blow for a better day. In the light of their wonderful work each and every signer of the Declaration should be better known; their endurance, enterprise and resolute faith should be briefly recorded so that Americans may reacquaint themselves with these heroes and thus awaken more of the fire of patriotism.

In preparing these sketches an effort has been made to see only the human side of the signers, to find if possible the particular sacrifice they made, and to effect an intimate, personal contact between the reader and the subject. In exhibiting, in this way, so numerous a combination of contemporary statesmen engaged in the same transaction and confined to uniformity of scenery and occasion, there may have frequently been unavoidable repetition. And of some but little has been left to us. In such instances it has been thought more prudent to offend by brevity than fatigue by monotonous enumeration. No adopted American will read of these true men and their volunteered sufferings without a richer reward of conscientious appreciation. No son of liberty shall think of these men without thanks for every drop of blood that links him to the heroic ancestry of America. Offered, therefore, as a pause in this boastful, rushing, forward-looking age, when history and tradition seem to be of small concern to us, this little booklet goes forth.

H. T.

NEWARK, N. J., 1923.

THE JOURNAL HISTORY OF THE DECLARATION OF INDEPENDENCE

1776

June 7: Richard Henry Lee, of Virginia, introduces famous resolution—"Resolved, that these united colonies are, and of right ought to be, free and independent states."

June 8: Congress resolved itself into a committee of the whole to formally consider Lee's proposal.

June 10: Benjamin Harrison, as chairman of the committee, reported that the matter be laid over for a full Congress on July 1, and that a special committee be appointed to draft a declaration dissolving allegiance with the mother country.

June 11: Congress appointed Thomas Jefferson, John Adams, Benjamin Franklin, Roger Sherman and R. R. Livingston to draft the immortal document of freedom.

June 25: Pennsylvania presented resolutions expressing a willingness to concur in independence.

June 28: New Jersey delegates reported their State had directed them to hurry with their concurrence.

July 1: Benjamin Harrison reads draft of Declaration and offers this resolution—"Resolved, that this Congress will, tomorrow, take into consideration the Declaration respecting Independence." In the debate that followed, charges of treason were shouted against William Zubly, the German member of the Georgia delegation, and he was expelled from Congress.

July 2: Formal Declaration corrected and agreed to.

July 3: Debate on revised draft.

July 4: With the exception of three members of Pennsylvania delegation the entire Congress formally ratified the immortal paper. Declaration signed by John Hancock as President of Congress.

July 19: Engrossed copy of Declaration on parchment ordered for all signatures.

August 2: Declaration signed by 50 Members of Congress. Dickinson, of Pennsylvania, refused to sign, and never did so.

August 27: Signed by George Wythe.

September 4: Signed by Richard Henry Lee, Elbridge Gerry, and Oliver Wolcott.

November 19: Signed by Matthew Thornton.

1781: Signed by Thomas McKean.

The Declaration was signed in this order: Hancock, Bartlett, Livingston, Paine, Floyd, John Adams, Lewis, Walton, Samuel Adams, Stockton, Huntington, Hopkins, Hart, Clark, Lewis, Morris, Morton, Francis Lightfoot, Lee, Penn, Sherman, Whipple, Witherspoon, Ellery, Hooper, Robert Morris, Harrison, Williams, Franklin, Paca, Hopkinson, Stone, Carroll, Jefferson, Taylor, Rutledge, Hewes, Smith, Ross, Clymer, Heyward, Gwinnett, Read, Wilson, Lynch, Chase, Braxton, Rush,

Hall, Rodney, Nelson, Middleton, Wythe, R. H. Lee, Gerry, Wolcott, Thornton, McKean.

The youngest signer was Edward Rutledge, age 27 years.

Delegates Clinton, Alsop, R. R. Livingston, Wisner, Humphreys, and Rogers never did sign the Declaration.

Although delegates Thornton, Rush, Taylor, Clymer, Smith, and Ross signed the Declaration, they were not Members of Congress when it was adopted on July 2 nor when it was ratified on July 4.

Those who voted steadfastly against the adoption of the Declaration were delegates Dickinson, Humphreys, and Willing, all of Pennsylvania.

The longevity of the signers is remarkable. Three lived to be over 90, 10 over 80, 11 over 70, 14 over 60, 11 over 50, 6 over 40, and 1 died at 30.

The signers represented many vocations. Twenty-four were lawyers, 14 were farmers, 4 were doctors, 1 was a minister, 3 prepared for the ministry, 1 was a manufacturer, and 9 were merchants.

The original signed copy of the Declaration was in the hands of the President of the United States until after the War of 1812. When Washington was invaded during that struggle and after President Madison had fled the White House, the President's wife, Dolly Madison, who had stayed behind to the last minute, saved the Declaration by carrying it away with her. Subsequently she returned it, and it was placed under the charge of the State Department. It was hermetically sealed in 1894 and is only exhibited now on very rare occasions.

THOMAS JEFFERSON (1743–1826), VIRGINIA

Thomas Jefferson chose the risk of fighting for his fellowmen. His entire life was an exemplification of service to mankind. As third President of the United States and writer of the immortal Declaration, his name shines with further brilliancy in the great galaxy of American patriots. His pre-Revolutionary fervor in the Virginia House of Burgesses stamped him as a coming man and his election to Congress forced him into a position of eminence at once. Offered the seductive emoluments of a crown, he might have passed his life in soft and uneventful paths, but he chose instead the roadway of freedom. He was chairman of the committee that was appointed to report the Declaration, and has always been credited with the authorship of that famous document. Recent historians claim, however, that Jefferson was chosen more for his beauty of penmanship, and that to Adams should go the glory for the words. Be that as it may, Jefferson's advice was listened to and went far toward starting the United States on its prosperous career. He retired early from Congress, and after serving as Governor of Virginia was Secretary of State under Washington, and succeeded Adams to the presidency. His life was of no common character. He died at Monticello on the 50th anniversary of the adoption of the Declaration at almost the same hour his great contemporary, John Adams, was dying in Massachusetts.

JOHN ADAMS (1735–1826), MASSACHUSETTS

To have signed such a document as the Declaration of Independence was of itself a rare felicity; to have been a powerful agent in producing the event which that Declaration signalized was a glory still more distinguished; to have won the commendation of a Nation through election to its presidency was an additional honor; to have brought into the world a son who later succeeded to the Chief Magistracy of the land his father had helped establish; and to have lived besides to see, at the expiration of half a century, the prosperous condition of the new Nation, seems a consummation almost beyond possibility. Yet noble old John Adams signed and gave and saw and died, and with his last breath those near his bedside heard him utter the words "Independence forever." Sturdy veteran of the Revolution, he knew his duty and he measured up to the responsibility. He risked all for freedom, and he won. Such men forever teach the grandeur of service. As a leader in the early Boston Massacre days, he wrote Patrick Henry, "I am of your mind." In Congress he was termed "the colossus of debate." His broad and courageous intellect gave to Jefferson aid in the writing of the great Declaration, and in later years he was sent to Holland to raise money for America, then to England as America's first ambassador, and then back home to be chosen Vice President under Washington. In 1796 Washington took leave of public life and the people were obliged to look for a successor in the presidency. The choice lay between Adams and Jefferson, and the former was selected, the second Chief Magistrate of the United States. He served but one term, and retired to the home of his boyhood, at Quincy, Mass., where he died on the 50th anniversary of the signing of the great charter to which he had given his name, a glorious inspiration to all mankind. Jefferson had died but a few hours before him. Each departed cheered by the benedictions of his country.

BUTTON GWINNETT (1732–77), GEORGIA

Political impatience and irritability over failure to regain the confidence of his State cost Button Gwinnett his life. His fate affords a melancholy example of the pernicious consequence of dueling and a striking illustration of the triumph of the fashion of his day over reason. The memory of Gwinnett cannot be sullied, however. He was the most steadfast of patriots and one of the most faithful and ardent supporters of independence. His fondness for popularity and an earnest desire not only to command the admiration of his fellows but to use that command in a dictatorial way involved him in a controversy with a political adversary who killed him. Gwinnett was of English birth and emigrated to South Carolina in 1770, being chosen 5 years later to represent its sister State of Georgia in Congress. At first he showed an indifferent interest in the Revolution, but once his sympathies had been aroused he took an enthusiastic part in all the proceedings of the Colonial Government. One of his Georgia colleagues was Zubly, the traitor, who temporarily exerted an influence over Gwinnett. After Zubly had been accused of betraying the secret sessions of the Congress and had been obliged to flee aboard one of the enemy's ships, Gwinnett suffered somewhat from his association. He returned to Georgia, however, and to test out his popularity ran for governor, to meet with defeat. Subsequently he organized a company of militia and insisted that a friend be placed in command of it. This request was likewise scorned, and futile efforts to force his way to the political heights from which he felt he had fallen so exasperated him that the duel resulted. But his memory, stamped as it is upon the charter of our independence, must be coeval with the duration of America. He lived in a time of public excitement, and ever braved the storm for liberty and freedom.

BENJAMIN FRANKLIN (1706–90), PENNSYLVANIA

Benjamin Franklin! His devotion to his country, his sobriety, his extraordinary perseverance and resolution, his candor, his scrupulous veracity, his fidelity to all civil and moral obligations, his wisdom as a man of science, his wit as a man of letters, his writing of an autobiography that will last forever, make, perhaps, any more particular notice of his life superfluous and impertinent. From the day he strolled up Market Street in Philadelphia with a loaf of bread under his arm his name became unseparably interwoven into the history of his native land. He began life as a soapmaker, and by rigid economy and industry made himself one of the great men of the whole world. A printer, the first publisher of the Saturday Evening Post, of Poor Richard's Almanack, the founder of the vegetarian cult, the discoverer of the use of electricity, the first to utilize that new power to fire gunpowder and give magnetism to steel as well as to use the same force with which to kill, he early informed the Adamses and the Jeffersons and the Henrys and the Washingtons that "it is right we should be free, but let us understand that it will mean our country will be ravaged and our towns laid in ashes; as for myself, my chief wealth is in little properties, and of these, indeed, they may make bonfires and reduce to dust, but the fear of losing them will never alter my resolution to resist tyranny to the last." In Congress he was selected with Adams and Jefferson to draft the Declaration, and once it had been presented and ratified he signed unafraid. Afterward, at the ripe old age of 71, he was sent to France and formed a friendship with Lafayette, to whom he gave a letter of introduction to Washington. After concluding an alliance with France he interested himself anew in colonial affairs and continued in Congress long enough to give assent and signature to the Federal Constitution. Above his grave is a small marble slab bearing the sole inscription, "Benjamin Franklin." It is enough. No monument, however great, could express the obligations of posterity.

JOHN HANCOCK (1737–93), MASSACHUSETTS

As president of the Congress and by the fervor of his inspiration, John Hancock led the way and gave immortality to his name as one of the chief patriots. "My name shall be written large enough for the king to see for all time," he said, as he boldly inscribed his signature, thus giving courage to the more tremulous as they faced the parchment. Hancock lived amidst great wealth, earning the early contempt of his heroic associate, Samuel Adams, who scorned riches and admired the poor. But when the time came for action, soon after the Boston Massacre, Adams gave his heart to Hancock and they became inseparable in their affections for each other and their country. A commission in the enemy's army was offered Hancock would he declare allegiance to the king, but he replied, "Tell your majesty I would rather be a private against tyranny than a field marshal for the king." The battle of Lexington and Concord was prefaced by a desire to capture Hancock and Adams, and immunity was later promised all Continentals if the two leaders were given up. To the glory of the Nation the proffer was spurned and the heroes went on their illustrious way, leaving to posterity the glory of sacred service and steadfast Americanism. Hancock was elected and re-elected Governor of Massachusetts until he died.

THOMAS STONE (1743–87), MARYLAND

The patriots of the Revolution, notwithstanding the greatness of their deeds, were in general men of impressing modesty. Several are distinguishable from their colleagues by little that is individual or peculiar There could scarcely be any leaders were it different. Such was Thomas Stone, a lawyer, who early espoused his country's cause, but whose retiring disposition and evident desire to keep in the background have left little biographical material to posterity. Let it be recorded, however, that he left the reputation of a disinterested patriot, a useful citizen and a worthy man.

PHILIP LIVINGSTON (1716–78), NEW YORK

As one of the founders of American independence Philip Livingston foresaw the difficulties, perplexities, and sacrifices that were to be encountered in drawing the sword and severing the empire. At no time, however,

did he hesitate to assume the highest responsibilities and put in jeopardy his life and his fortune. When it became known, through the perfidy of a traitorous member of Congress, that Livingston had been selected as an important committeeman, his family was informed of the consequences that would be its share in this act. Livingston sent for his wife and children, and for 4 years they were in exile, separated from their home and living on the bounty of sympathetic friends. After the war Livingston sold all he possessed and turned the proceeds over to his Government to help maintain the public credit. Livingston saw into the souls of men and proved peculiarly useful in the important drama that stamped his name upon the pages of American history.

GEORGE WALTON (1740–1804), GEORGIA

In his youth George Walton was apprenticed to a carpenter and for 4 year plied the hammer and the saw. His ambition led him into the study of law at nights, and before he was 30 he was considered one of the leading barristers of his State. History refers to him as a brave and able man. He is not known to have taken any particular part in the proceedings of the Congress except to be a vigorous proponent of independence. He was one of the very last to sign the Declaration, and later engaged in army service under Washington. He was twice elected Governor of Georgia and was that State's first United States Senator. His marked patriotism is a lasting monument to his worth and a rich legacy to his country.

SAMUEL ADAMS (1722–1803), MASSACHUSETTS

With the names of Washington and Jefferson and Franklin stands inseparably united that of Adams, and together they form the brightest constellation which illumines the Revolutionary sky of our country. Samuel Adams, "The Father of the Revolution," failed as a businessman but won as a patriot. He was the most remarkable of all the signers. An early writer of protests to the king, a great and fiery speaker in the debates against kingly rule, courageous and ardent, he knew how to bend the passions of others to his purpose and keep the fires of freedom brightly burning. In all those days of peril, while the hearts of others were ready to faint, Samuel Adams remained firm. Even when General Gage placed a bounty on his head, he sent this message: "Tell your king it is the advice of Samuel Adams to no longer insult the feelings of an exasperated people." In Congress he rendered most important service, engaging in the cause with all the zeal of a reformer, the confidence of an enthusiast, and the cheerfulness of a voluntary martyr. His resolute decision, his increasing watchfulness, and his heroic perseverance saved the day for his country on several occasions. Samuel Adams will always live in the hearts of Americans.

WILLIAM PACA (1740–99), MARYLAND

William Paca gave to his country the example of a superior mind devoted with pure disinterestedness to the establishment of her liberties. His State embarrassed him at the outset of his career by opposing any severance of relations with the mother country, and it was not until Carrol of Carrollton had engaged with him that they were enabled to lift this restriction. In Congress Paca served on a number of important committees and was otherwise instrumental in making himself felt in the cause to which he had given his heart. He was Chief Justice and Governor of Maryland, and left to his country the inheritance of an illustrious name.

CAESAR RODNEY (1728–84), DELAWARE

Sheridan's ride of 20 miles to save the day at Cedar Creek has its place in history, and rightly so, but what of the ride Caesar Rodney took through 80 miles of storm in the early morning of July 2, 1776, to reach Philadelphia in time to save his State from the humiliation of not approving the glorious document of freedom. Rodney took it, rising from what his physicians considered his death bed. He arrived in the halls of Congress just as the name "Delaware" was being called. "I vote 'yes,'" said Rodney, as he sank into his seat exhausted. He was a soldier in every sense, but had been obliged temporarily to quit Congress, owing to a cancerous growth that had destroyed one side of his face. The malady eventually killed him, and though he yearned to return and keep his Delaware colleagues in line, permission was refused him. Then came July 1, 1776. His conferee, McKean, had learned that the Delaware delegation was split, and he sent a secret messenger to Rodney's home with instructions to carry the message personally to the sick man. It was delivered, and Rodney, suffering from the fever of his complaint, dashed off into the mud and rain. Delaware had been saved and the Colonies declared as a unit.

EDWARD RUTLEDGE (1749–1800), SOUTH CAROLINA

The name of Rutledge may never be eclipsed in the history of South Carolina. That grand old colonial State gave to her country two immortal sons, Edward Rutledge, signer of the Declaration, and John Rutledge, active Revolutionary worker, Governor, Chief Justice of the State and a Justice of the United States Supreme Court. Brothers in the flesh, they became brothers in the common cause, companions through sacrifice and suffering, at all times devoted in their affections for themselves and their country, and dying within a short time of each other in 1800. Edward was only 25 when he was sent to the Congress and but 2 years older when he affixed his name to the document of freedom, the youngest of all the signers. Would there be likelihood today of a youth of 27 being chosen to pass judgment upon a governmental project so serious and grave in its consequences? Yet the talents of Edward Rutledge were considered so mature as to result in the added honor of his being selected with Adams and Lee to draw a preamble to the original resolution. At the siege of Charleston he was captured and imprisoned by the enemy in St. Augustine. His release was soon effected, however, and he returned to South Carolina in time to succeed his brother John as Governor. Long live the memory of Edward and John Rutledge.

SAMUEL CHASE (1741–1811), MARYLAND

Samuel Chase seems to have been one of the patriotic radicals of his day. None appears more actively engaged in his country's service and few were more distinguished. Chase was a man of vigor and individuality. He was outspoken in his criticism of those who differed with him and his frankness kept him in difficulties. He early was an illustrious lawyer and statesman and was a member of his State legislature for 20 years before entering Congress. When Maryland rebelled against approving the Lee resolution for independence, Chase served notice he would quit the commonwealth. Through his instrumentality and the assistance of Paca and Carroll, Maryland fell into line. And when the Pennsylvania Quakers of the time voiced their disapproval of war, Chase offered a resolution providing for the arrest and imprisonment of every one taking that position. After serving as Chief Justice of Maryland he was advanced to the Supreme Court of the United States. While a member he became involved in a controversy with John Randolph of Roanoke, who sought his impeachment. His age, his Revolutionary services and his pure judicial character all pleaded in his favor and he was acquitted, to finish his course in universal respect and peace.

CHARLES CARROLL OF CARROLLTON (1737–1832), MARYLAND

When it came time for Charles Carroll to sign the Declaration, John Hancock is said to have facetiously remarked, "Carroll, this shouldn't disturb you, as there are so many Carrolls you'll not be suspected." The Maryland signer poised his pen a moment, then wrote boldly "Charles Carroll of Carrollton," and as he finished he turned to Hancock and said, "Let there be no doubt; there is only one Carrollton." Brave old hero, who lived to see his country firmly established, the last survivor of all the signers. Another of the wealthy delegates, Carroll knew he was sacrificing a fortune for freedom when he inscribed his name. "There go a few millions," said a little group of patriots standing nearby as Carroll signed, and Carroll heard. "What are millions!" he exclaimed. "Neither my millions nor my writing will settle this just cause, but the bayonet will." And he returned to his State to help organize the Army. Carroll was not a Member of Congress when the Declaration was ratified. He did not take his seat until July 18, but gave immediate assent. He was the first United States Senator from Maryland. At an age of past 90 he laid the cornerstone of the first Baltimore and Ohio Railroad. His descendants and his estate still survive in Maryland.

THOMAS HEYWARD, JR. (1746–1809), SOUTH CAROLINA

Along with the mellow wisdom of Franklin, the independent eloquence of Adams, and the aspiring genius of Jefferson, we have the unselfish devotion and enlightened foresight of Thomas Heyward, Jr. His judgment was sound and his disposition ardent. He conscientiously and fearlessly embarked in the Revolution at the youthful age of 28, and was neither blind to its dangers nor indifferent to its morality. His life, his estate, and his reputation he cast upon the waters of strife, and gladness was in his young heart. He was a lawyer and judge before he went to Congress, and after the signing returned to his native State to join the Army. At the fall of Charleston he was captured and imprisoned by the enemy. It was a period that tested the best qualities of manhood, and his spirit never faltered nor his courage failed.

BENJAMIN HARRISON (1740–91), VIRGINIA

Two presidents of the United States and a signer of the Declaration of Independence would seem a reasonably fair contribution from the Harrison family to the history of their country. Yet we find that in 1640 their first ancestor settled in this country and immediately became embroiled with local crown authorities over individual rights. A band of enthusiasts joined him and a little revolution of their own was begun. They were all hanged upon the scaffold. The next Harrison descendant seemed to have inherited the independence of his grandfather, and for voicing his views against tyranny and treason was imprisoned for 6 years. Then came the first Benjamin Harrison, tall and corpulent—a big man both physically and intellectually—the friend and coworker of Jefferson, and Lee, and Henry. In 1764 he wrote the correspondence which welded the sister Colonies into a congressional unit and was chosen as a Virginia representative therein. It was he who introduced the original Lee resolution and it was he who reported the finally drafted Declaration. Never was there any doubt where Benjamin Harrison stood. He had talents to perceive the right and firmness enough to pursue it. Upon his retirement he was three times elected Governor of Virginia. His son, William Henry Harrison, was the 9th President of the United States, and his great-grandson, Benjamin Harrison, the 23d President.

ROBERT MORRIS (1734–1806), PENNSYLVANIA

To speak of the Declaration of Independence is to recall the name of Robert Morris,

the financier of the American Revolution. Washington won the war with his armies, but Morris saved the day with his money. At all times he was the sunshine behind the clouds of strife. No matter what the financial predicament, it was attended to and with satisfaction. Private interest possessed little influence over the mind of Robert Morris when it clashed with his high notions of liberty and freedom. Among the first to feel the encroachments of kingly power, he never wavered in his allegiance. He breasted every difficulty with daring and devotion, and though his life ended amidst disaster his memory cannot be lost. Born in England, he came to America early and became the head of an important banking house in Philadelphia. The account of this firm and his own personal fortune and what he could borrow from his friends were at all times at the disposal of his country. His credit never was shattered, but the end of his resources was many times reached in his desire to meet the pressing demands made upon him for funds for the Army. It is recorded that Washington made particular appeal for $50,000 a few days before the Battle of Trenton. Unable to grant the request, Morris met a Quaker acquaintance who owned much property but who was not sympathetic to the cause. Observing from his look of depression that Morris was evidently in trouble, the passer-by inquired, "What's the matter, friend Robert?" "Washington is in need of $50,000 and you must furnish it," was the response. And he added, "I am at the end. Your security shall be my note and my honor." There was a moment's pause and then the encouraging reply, "Robert, thee shall have it," and once more brightness illuminated the day. And so the multiplied services of Morris are deeply engraved upon the tablets of all our hearts. He loved his country and gave to it all he had, in service, in fortune, and in life.

FRANCIS HOPKINSON (1737–91), NEW JERSEY

The character, intellectual attainments and patriotism of Francis Hopkinson won him the confidence of his countrymen in the most trying exigencies of their affairs. He had a well-earned reputation as a moral man and gentleman long before he entered Congress, and was, also, not without some conspicuity as a writer. The meager records do not indicate that he took any prominent part in the congressional proceedings, but they are clear that his mind was well stored with the grave and important knowledge necessary to the accomplishment of the act of freedom of which his name and signature are a part. Above all else he was a patriot and gave the best there was in him to his country and its cause.

WILLIAM WHIPPLE (1730–85), NEW HAMPSHIRE

Among all the nurseries of early society that of the sailor appeared least likely to qualify an individual for the duties of statesmanship. A knowledge of navigation was all that was required in an educational way. The ocean was his home; the beauties of philosophy and the art of government were little known and deemed unnecessary of acquirement. Yet we find William Whipple the exception to the rule. Brought up a cabin boy on his father's boat, we see him with but one ambition in youth—to inscribe his name as commander of a ship's crew. Reaching this eminence, he was not satisfied. He became a patriot and later on forsook the water to be a general under Washington, and afterward varied his life by officiating as judge of the supreme court of his State. As a delegate to Congress he was one of the very first to lend aid to the movement for independence. Few men climbed the scale of society more rapidly or worthily, and the memory of none should be longer cherished than that of William Whipple.

GEORGE CLYMER (1739–1813), PENNSYLVANIA

The spirit of patriotism is never circumscribed in its operations. It honors and elevates its object no matter what his situation in society. This little booklet will show that the merchant abandoned his interests, the physician his practice, the shoemaker his last, the lawyer his profession, and the sailor his ship, so that their time and their talents might be devoted to the country's common interests. And so it was with George Clymer, who quit merchandising and joined the faithful band of heroes in Philadelphia. In his youth he ran a coffee house near where Independence Hall now stands. George Washington dropped in one day. Clymer did not know him, but showed him marked courtesy and service. A friendship developed that lasted until their death. Later Clymer acquired much wealth, which he gave freely to Washington during the worrisome financial times at Valley Forge. He died poor. The original Pennsylvania delegation to the Congress was not inclined to ratify the Declaration, and Clymer was one of those chosen to save the day. He signed the document but was not present when it was adopted. Immediately afterward his home was sacked and destroyed by an infuriated mob displeased with his action. He was also a signer of the Federal Constitution. He can truly be termed one of the fathers of this country.

JOHN PENN (1741–88), NORTH CAROLINA

John Penn affords a further illustration of the natural power of mind rising in triumph over the deficiencies of education and marching perseveringly toward honors and distinction. Penn was born poor and his education was sadly defective. Although the veil of oblivion is thrown over the particulars of his life and but little exists for the biographer, it is known he became a lawyer and soldier. He served his State faithfully in Congress, but after the war, when North Carolina refused to help maintain the Union with taxes, Penn resigned and declined to act further for his State.

JOHN MORTON (1724–77), PENNSYLVANIA

John Morton was among those primitive laborers in the vineyard of independence, the fruits of whose toil so gloriously ripened but of whom few memorials have descended to our time. No authentic portrait of him is in existence, the one shown being a copy made in later years from recollection and not from life. But little space is given to his name in history, yet the brevity of what has been written is replete with evidence of sterling patriotism and steadfast devotion. As Rodney left his sickbed to save the day for Delaware, so John Morton rode 40 miles on the night of July 3 to be on hand in the morning to break the Pennsylvania tie and vote that State for freedom and liberty. At first questioning the expediency of the Declaration, Morton was eventually won over by Franklin and Adams, and when it seemed determined that Pennsylvania might be recorded against ratification, his signature was given for approval. Long live the name of John Morton for that one act alone. Blamed by his Quaker friends at home he sent them this message: "I am proud of your criticism. It was the most glorious service I ever rendered my country." And on his deathbed his last words were: "It shall be acknowledged; it shall be acknowledged." Let it be acknowledged again here.

ROGER SHERMAN (1721–93), CONNECTICUT

Among the illustrious characters whose names are inscribed upon the brightest record that adorns the annals of our country few possessed more solid attainments than Rober Sherman. It is a remarkable fact that this man, who stood among the foremost in the ranks of patriots and statesmen and served his country in various high and honorable offices during a period of 40 years, began life as an apprentice to a shoemaker and pursued that occupation until after he was 22 years of age. Surmounting difficulties which to common minds might have been insuperable, he gradually ascended from his humble life to eminence among men. While he worked at his last he studied, and like Lincoln and Franklin succeeded by reason of industry, study, and frugality. Becoming a lawyer, his brilliancy as such soon promoted him to a State judgeship, and in 1774 he was sent to Congress. When Richard Henry Lee offered his famous resolution for independence, Sherman was named with Adams, Jefferson, Franklin, and Livingston to draft the glorious act. In the debate he displayed superior ability. Upon his retirement he became mayor of New Haven and first Senator from Connecticut. He was a member of the general convention to prepare the Federal Constitution. It need only be said that he served his country with fidelity and honor, and was a true, faithful, and firm patriot.

JOHN WITHERSPOON (1722–94), NEW JERSEY

No combination in the mind of man forms a more certain foundation for useful virtue than that of piety and patriotism. When love of country is guided by such principles, then the universe is safe. Among those who united the Gospel ministry with the labors of the patriot was John Witherspoon, no less distinguished in the church than in the record of his country. Born in Scotland, he came to the presidency of Princeton College in 1766. Casting aside his European prejudices he became an American the moment he landed on our shores, and no more enthusiastic American lived in that period. Always firm in the most gloomy aspects of public affairs, his formidable presence, his indomitable industry, and his intelligent foresight made him one of the most important advocates of freedom. A southern delegate, during the debate on the Declaration, was opposing ratification because "we are not ripe for revolution." Drawing himself up to his great height, John Witherspoon interrupted to say, "Not ripe, sir, we are not only ripe but rotting." It was Witherspoon who joined with Morris in making stable the finances of the country. His services were untiring, and his memory can perish only with the liberty of the Nation he so ardently strove to establish.

WILLIAM FLOYD (1734–1821), NEW YORK

Early in the Revolution William Floyd became conspicuous for the energy with which he championed the popular cause, and he remained a delegate in Congress for 8 years. He was a Long Island landowner and farmer, and suffered bitterly at the hands of the enemy because of his course in signing the Declaration. At one time his beautiful home was used as a cavalry barracks, his estate seized, and his family driven into captivity. For 7 years he never saw his property, and though offered its return if he would enroll against his country he became more active than ever in the pursuit of liberty and freedom for the people he loved and for the young Nation he was helping to start. The name of William Floyd will always be held in veneration so long as independence has a friend.

ROBERT TREAT PAINE (1731–1814), MASSACHUSETTS

In the character of the early Pilgrims there was much to approve and venerate. Never were men animated with a more ardent zeal for patriotic and religious freedom. Such was the attitude of Robert Treat Paine, who traced his ancestry to the Mayflower days. Boston gave him to his country. At an early age he became a lawyer. Long before he was called to act in Congress he was a firm believer in liberty and an earnest advocate of freedom. A stanch admirer of Washington, he was selected as the great general's chief cannon buyer during the entire Revolution, and was also largely instrumental in

providing the Continentals with powder and ball. It may be said of him, as of all the noble 56, that he hazarded ease, property, and life to his country's cause, and never hesitated how to act.

BENJAMIN RUSH (1745–1813), PENNSYLVANIA

To his fame as another of the noble patriots who signed the immortal document, Benjamin Rush has added the distinction of being the foremost American surgeon of his day. He was born in poverty in 1745, his father dying when he was a boy. By prudent management and painstaking study he worked his way through Princeton and later studied medicine and surgery in Edinburgh, London, and Paris. At 25 years of age he was reckoned a physician and surgeon of international reputation, and the service he rendered gratuitously in saving the lives of more than 4,000 soldiers during a yellow-fever epidemic that threatened to wipe out Washington's army couples with the glory that is his as a signer. Dr. Rush was among the younger of the signers, being 31 years old when he subscribed his name.

JOSIAH BARTLETT (1729–95), NEW HAMPSHIRE

Josiah Barlett was the second signer of the Declaration. "My name shall be signed next," he said to Hancock, the Congress President. To Bartlett goes also the distinction of having been the first to vote "Yes" when the question came up as to whether the Declaration should be approved or condemned. The scant biography we have of the New Hampshire patriot says, in referring to his vote, "He made the rafters shake with the loudness of his approval." Bartlett was a physician and achieved early local fame by curing fever cases with cider. Other doctors accused him of malpractice, "but he stuck to his dose, and his cures quickly established him as a leader in his profession." So it was written in 1808. Dr. Bartlett was celebrated as a wit and by reason of his great height. Upon his retirement he became chief justice of New Hampshire and later Governor of the same State.

STEPHEN HOPKINS (1707–83), RHODE ISLAND

Of all the signatures to the Declaration, that of Stephen Hopkins shows the most sign of tremulousness. Yet to his glory, let it be said, the hand that wrote was afflicted with palsy and not with fear. A courageous spirit was willing if the flesh was weak. Hopkins was the first Abolitionist of his country. Long before the Revolution he expressed himself vigorously against slavery and carried his protests into the Halls of Congress. The more important cause of freedom for the Nation, however, offered him scant opportunity to force the question, and it was abandoned, to be resurrected by that other great patriot, Lincoln. Hopkins was chief justice of Rhode Island and Governor of the same State before he went to Congress. He was one of the fighting Quakers of his time, and was a zealous friend of his country.

MATTHEW THORNTON (1714–1803), NEW HAMPSHIRE

Above the grave of Matthew Thornton is a simple white slab bearing the modest but noble epitaph "Matthew Thornton, an honest man." And so we have another glorious reference to one of the distinguished heroes of the days of independence. Thornton was too busy with a military life to permit of his selection as a Member of Congress prior to the adoption of the Declaration. He was sent as a delegate on November 4, 1776, and immediately acceded to the great paper and signed it. He began life as a doctor, but took up warfare as a business, serving with much distinction. Later he was appointed to the supreme court of his State. He was invariably steadfast in favor of national freedom and at all times supported with his property and his life the Declaration to which he subscribed his name. Matthew Thornton deserved to the full the tribute "An honest man."

THOMAS LYNCH, JR. (1749–79), SOUTH CAROLINA

It was a close race between Thomas Lynch, Jr., and Edward Rutledge, both of the same State, as to who should have the distinction of being the youngest signer of the everlasting Declaration, and the honor goes to Rutledge. The latter was born in November 1749, and Lynch in August of the same year. Each was 27 years of age when he affixed his name. Lynch was a lawyer, and after serving in the Army succeeded his father in Congress. He was a chronic invalid at the time, but showed his patriotism by expressing the hope he would live long enough to sign. Providence granted his request, and soon afterward Lynch and his wife started on a short voyage for his health. They were never heard of afterward and it is assumed their lives were lost at sea. His earnestness, his eloquence, and his public character have been perpetuated to posterity as a pure and instructive model of true Americanism.

LYMAN HALL (1747–90), GEORGIA

At the age of 28, Lyman Hall was elected to the Continental Congress. Prior to that time he had been zealous and influential in promoting the Revolution. He was a doctor, and history records that with his physical cures went lectures on patriotism. He was another of the giants who signed, being 6 feet 4 inches in height. Sought by the enemy under Cornwallis, he was obliged to flee with his family into Virginia, but later returned to be elected Governor of Georgia. He was a gentleman of courage and an enthusiastic champion of religion, education, and freedom.

RICHARD STOCKTON (1730–81), NEW JERSEY

"An enemy of vice and a friend of virtue" is one of the brief eulogies bestowed upon Richard Stockton by the biographer of the early days from whose writings most of the memoranda used in this little booklet have been secured. It might also be said of him that he was a generous and intrepid patriot and a Christian gentleman, who suffered much, sacrificed everything he had, and died. His high character and distinguished abilities made him one of the leading spirits in the sessions of the Continental Congress. Graduating in the first class of Princeton, Stockton became a lawyer, and in 1774 chief justice of New Jersey. Two years later he was sent to Congress, and soon after signing the Declaration was appointed on a committee to inspect the Army under Washington. While on this detail he stopped one night at his Princeton home. A messenger brought word that the enemy was approaching. Fleeing, he sought refuge at the dwelling of a friend a few miles away. There he was captured and dragged from his bed, carried away in his night clothes and thrown heartlessly into jail. His estate was plundered, his great library destroyed, and two paintings of himself and wife were ruthlessly bayoneted to show the animus of his oppressors. While imprisoned Stockton was treated with most unusual severity. Special proceedings in Congress resulted and a demand was made by Washington for Stockton's release and exchange. This was accomplished, but Stockton never recovered, his health being undermined by the hardships inflicted upon him. History may give more space to other of the Revolutionary heroes, but none deserved greater honor. Conscientious, upright, just and wise, Richard Stockton survives. His fair fame and his active and varied life have been a conspicuous mark for those who seek evidence of honored patriotism and sterling Americanism. His name will always attract the love and affection of his countrymen, and his example will ever wield over them a powerful influence.

THOMAS MC KEAN (1734–1817), DELAWARE

Representing Delaware in the Continental Congress, Thomas McKean was at the same time chief justice of Pennsylvania. He served both States and his country for the long term of 50 years and maintained the well-merited confidence of his associates. History deals peculiarly with McKean. It is said he was present, voted for and signed the immortal Declaration at the time of its passage, yet no record of this act shows on the journals of Congress, and the formal signature of McKean does not seem to have been inscribed until 1781. However there is no question as to where McKean stood. He was an advocate of "Stop talking and act," and was one of the best tried and firmest fellows of the Revolution. His State associates were Read and Rodney. With the latter seriously ill at home, Read split the State vote by at first disapproving of the Declaration. That the Colonies might be a unit, McKean brought Rodney from his sick bed and the two obliged Read to join with them. McKean was a trusted officer under Washington and after the war resided again in Pennsylvania, being Governor of that State. He was one of the most useful, able, and patriotic fathers of a mighty Republic.

LEWIS MORRIS (1726–98), NEW YORK

As Lewis Morris was about to lend his name to the document of freedom, word reached him that the enemy's army was at the gates of his Long Island home and that his property would be spared on his promise to withhold his vote for liberty. "There are plenty of homes but only one country," was Morris' reply, and he signed. Everything Morris possessed, property and fortune, was sacrificed, and his family was driven into exile. But Morris remained faithful and steadfast in his loyalty. While the Revolution was still on, he gave up his seat in Congress to his great brother, Gouverneur Morris, and became a general under Washington. He brought to his country the pride of genealogy and gave to it the glory of his fearless courage.

FRANCIS LIGHTFOOT LEE (1734–97), VIRGINIA

Francis Lightfoot Lee differed from his more strenuous brother, Richard Henry Lee. The latter was all action, fire, and resolution. The former was one of the dandies of his day, much admired for his pleasure-loving ways, and content with the easy life of a country squire. Yet he was a fighter when the occasion required, and few surpassed him in depth of thought, strength of argument, and force of conclusion. Like his cousin, "Lighthorse Harry" Lee, he was a great favorite of Washington, and continued through life a steadfast friend and supporter of the great general. His part in Congress was more toward the cause of the army than toward any written declarations of freedom. It was his proud and justifiable boast, however, that he supported and signed the act of liberty and that he considered it more a deed of wisdom than of courage. He was a generous-hearted, much-beloved soldier of fortune.

OLIVER WOLCOTT (1726–97), CONNECTICUT

Of the Revolutional actors perhaps none had a broader acquaintance nor was more universally esteemed than Oliver Wolcott. Of inflexible integrity and stern resolution, he rose to the highest of military and civil honors, and long before the act of independence had been proposed he was outspoken in his protest against royal subjugation. The Revolution was recommended, commenced, conducted, and terminated under the auspices of men who enjoyed the public confidence during every vicissitude of fortune, and Wolcott shone glorious in this heaven. Returning to Connecticut, he entered the army under Washington and moved to New York. His popularity had preceded him, and within a year after he had take up

his new residence he was chosen Governor of New York, filling that position until his death. Oliver Wolcott was another of America's tall men in a day when tall men were needed to meet conditions of stress.

CARTER BRAXTON (1736–97), VIRGINIA

Carter Braxton was the richest of all the signers, but he died in debt. Affluence came to Braxton through inheritance and he had the opportunity of rich youth to lead a life of dissipation and conviviality. But he formed a warm fondness for Patrick Henry and Jefferson, and at their suggestion entered the Virginia Assembly in 1761. The famous "Liberty or death" speech of Henry's quickened the patriotism of Braxton and he organized a local military company, determined to array himself and his little army against the enemy. The cool-headedness of Washington overcame his ardor, however, and he accepted a seat in Congress. There he was one of the most outspoken critics of kingly power. Soon after the Declaration had been approved he entered upon commercial life. His first move was to place his entire fortune in ships with which he hoped to engage in exporting and importing relations with France. History says the vessels were all captured or destroyed and Braxton found himself in poverty. His lands were seized by the sheriff, his slaves were sold, lawsuits galore were directed at him, and he became so involved in debt he died, a brokenhearted man. His life was a lesson of the uncertainty of all earthly things.

JAMES SMITH (1720–1806), PENNSYLVANIA

The plain and wholesome name of Smith also has its place in the catalog of great men who had the happiness and strength of purpose to affix their signatures to the glorious Declaration. James Smith was considered the most eccentric of all the signers. He was the wit of Congress, and carried to its serious proceedings the humor of his Irish ancestry. He was a lawyer and played an important role in the Pennsylvania conventions and conferences which prepared the way for that State's endorsement of the document of freedom. Although not chosen a delegate until after the Declaration had been passed, he signed it with fervor the day he took his seat.

ARTHUR MIDDLETON (1742–87), SOUTH CAROLINA

Impartiality may require admission that the signers of the Declaration had, in some respects, their equals. But justice compels the assertion they had no superiors in zeal and devotion. Such were Arthur Middleton and his father, Henry Middleton. The latter represented South Carolina ahead of the son and rendered excellent service in the preliminary work of organization and preparation. But important local governmental affairs obliged him to return to his native State just prior to the ratification. His son, Arthur, succeeded him, reaching Philadelphia in time to give his vote and his name to immortality. To the enemy the offense was heinous, and, in common with all the patriots, the penalty was paid. The Middleton estates, the finest in South Carolina, were utterly destroyed by Cornwallis' men, and scores of old Flemish and Italian paintings were cast into a heap and burned. Young Middleton himself, a year later, was arrested and thrown into jail. After the war he was returned to Congress. He became a writer of national fame. The wreck of property and fortune never lessened his ardor or enthusiasm.

SAMUEL HUNTINGTON (1732–96), CONNECTICUT

Samuel Huntington is another of the phalanx of patriots who rose from the humble walks of life, and by the vigor of their intellect and unwearied perseverance compensated the deficiencies of early education and enrolled themselves with honor and capacity among the champions of Colonial freedom. He began life a poor farmer's boy who worked up and on through Yale and a lawyer's office into prominence in his profession. Pious Christian, and at one time a professor of religion, he was one of the early few to sign the Declaration and upon Hancock's retirement became president of Congress for 2 years, later serving as Chief Justice of Connecticut and Governor of that State. Such, briefly, was Samuel Huntington, the friend of man and liberty.

JOHN HART (1708–80), NEW JERSEY

One of the Revolutionary patriots who voluntarily incurred the greatest degree of suffering without any possibility of individual gain was John Hart. He was a farmer, known throughout his State as "Honest John Hart." He served with distinction in the pre-Revolutionary legislatures of New Jersey, and in 1765 was one of the first to recognize the tyrannical character of the iniquitous Stamp Act. During the enemy invasion of New Jersey, Hart was besieged in his farmhouse. His wife lay dying at the time, and he refused to leave her. After her death he managed to make his escape, and for a year was hunted through the woods, where he existed as a common exile and fugitive, eluding every effort of his pursuers. An old man at the time, he never lost his spirit, and joined Washington's army as a private after the battle of Princeton.

GEORGE ROSS (1730–79), PENNSYLVANIA

When Governor Penn, of Pennsylvania, in 1775, saw how warmly the sister Colonies were facing independence, he addressed a letter to his legislature urging it to conclude that the time was not propitious to engage in strife with the mother country. The message did not appeal to George Ross, one of the lawmakers, and he couched this brief reply: "We are sincerely obliged to Your Honor for your attention to the true interests of the people over whom you preside, and would assure you that we shall always pursue such measures as shall appear necessary to secure the liberty and independence of America." Penn never forgave Ross, and for a time was instrumental in keeping him out of Congress. After the Declaration had been ratified, however, Ross was elected a delegate and signed the illustrious paper for his constituency. He was the last Pennsylvania man to sign. He was a lawyer and jurist, and well deserved the confidence that was bestowed upon him.

FRANCIS LEWIS (1713–1803), NEW YORK

In 1765 an association called the Sons of Liberty was formed, with the determination to resist force by force. One of its founders was Francis Lewis, who at that time retired from business to give his whole attention to the furtherance of this patriotic organization. A native of England, he had served with faithful loyalty in the army of his king, and in the French-Canadian war of 1753–56 had especially distinguished himself on the northern frontier. Taxation without representation aroused his ire, however, and overnight he changed from a subject of the crown to a leader in the Revolution. His firmness and integrity marked him as a fit representative in Congress. While there his Long Island home was rifled by the enemy, his books and papers were destroyed, and his family was obliged to flee. His wife was soon after captured and imprisoned in a filthy barrack for months. She refused a release contingent on her husband's quitting the Revolution, and remained a prisoner until General Washington appealed for her liberation because of her failing health. Two years later her life fell a sacrifice to this act of vandalism. It might, therefore, be said that in addition to his property Lewis lost his wife in the cause of freedom. The veteran statesman and patriot of today may well look with mingled emotions of rivalry and admiration upon the name of Francis Lewis.

GEORGE TAYLOR (1716–81), PENNSYLVANIA

George Taylor came to America almost as a slave under bond and apprenticeship to a Pennsylvania iron merchant who had paid his passage over. He landed in New York with three English pennies. In 20 years he was a partner in the business to which he had been apprenticed and afterward acquired full ownership through his marraige to the widow of his former employer. His life was rich not only in memory but in kindly service.

WILLIAM HOOPER (1742–90), NORTH CAROLINA

New England added to its army of patriots by furnishing William Hooper, although he was credited as a delegate from the South. Hooper was born in Boston, and after graduating at Harvard became a law student with that grand Revolutionary statesman, James Otis. Inspired by Otis' firm Americanism and thrilled by his eloquence, Hooper took his advice and carried the gospel of freedom into North Carolina, opening a law office in Wilmington and at once identifying himself with the politics of his new State. In 1774 he was sent to Congress, and while no particular reference can be found relative to the part he played, it is an accepted fact that he was always on the side of independence. His enthusiasm never abated and he maintained with intrepidity the ground he had assumed.

GEORGE WYTHE (1726–1806), VIRGINIA

The name of George Wythe is another of the Colonial patriots so conjoined with his associates as to admit of very little distinct or particular detail. It is known that he was born poor, that his early education was defective, but that he struggled against adversity and became a prominent lawyer of his State. Perhaps his first acquaintance with political life came through a close association with Patrick Henry and Thomas Jefferson. He was their disciple, their pupil, and joined with each in opposing strenuously the iniquitous stamp tax of pre-Revolutionary days. He sacrificed a small fortune during the war, and was hunted like a wild animal after he had given his name to the Declaration. However, he survived the efforts made to capture him, and returned to Congress in time to take a part in drafting the Federal Constitution and in signing it. No man left behind him a character more venerated than George Wythe, and no man was more devoted to liberty and the natural and equal rights of others.

RICHARD HENRY LEE (1732–1794), VIRGINIA

But few of the signers shone with greater brightness or have left a more desirable name than Richard Henry Lee. One of the famous "Lees of Virginia," his just pride of ancestry did not lessen his ardor or his patriotism. He and his four brothers were all enthusiasts in the Revolutionary struggle and each looked upon Richard Henry as the personification of wisdom and strength. While in the Virginia House of Burgesses, Lee stood with Patrick Henry in his advocacy of freedom. All of his personal fortune went into the coffers of his country, and in addition "he raised nearly one million dollars through note endorsement." In Congress his spirit was ruffled by the waste of words. "Why do we argue? Why do we delay?" he asked, and the next day he put an end to the debate by introducing the famous Lee resolution, declaring the Colonies to be "free and independent States." As the introducer, he would have been chosen to draft the Declaration, but sudden illness at home called him away. Jefferson received the honor in his stead. Lee returned to Congress in time to sign the following September. He was a fearless, fervid, eloquent patriot.

JAMES WILSON (1742–1798), PENNSYLVANIA

On the immortal second of July, 1776, the vote of Pennsylvania was recorded against the Declaration. The delegation from the Keystone State was made up of James Wilson, Benjamin Franklin, Robert Morris, Charles Humphreys, John Dickinson, Thomas Willing, and John Morton. The report was postponed until July fourth. It was a rainy day, and Morris and Dickinson were absent; some say the former, who was an enthusiast, had detained the latter, who was always timid and hesitating. Be that as it may, Wilson, Franklin, and Morton voted affirmatively and Humphreys and Willing, to their shame, in the negative. The day was saved, and Pennsylvania ratified. James Wilson was selected for this purpose. Studying law in the office of the very Dickinson with whom he was associated to his honor on the Pennsylvania delegation, Wilson early marked himself an opponent of tyranny and an advocate of liberty. His name slandered and his life threatened for the act that gave him immortality, he was honored in later life by being raised to the United States Supreme Court. He helped draft the Federal Constitution.

ELBRIDGE GERRY (1744–1814), MASSACHUSETTS

"It is the duty of every citizen, though he may have but one day to live, to devote that day to the service of his country." So spoke Elbridge Gerry as he signed the Declaration of Independence in September 1776. It was the occasion about which he spoke, but the records indicate that from his youth Gerry devoted every day to the land of his birth and love. A graduate of Harvard, he early became one of the zealous political leaders of his State. When Samuel Adams proposed a committee to enter protest against the occupancy of Boston by General Gage, Gerry was chosen as its head. When John Adams formed his celebrated committee to carry this protest further, Gerry was again picked. And when the enemy made its early morning march toward Lexington and Concord, in April, 1775, it was Gerry, hidden as he had been in a tavern on the way, who waited until the last minute before he fled to carry the tidings of the approach of war to the surrounding neighborhood. And, again, the night before the battle of Bunker Hill, Gerry occupied the same bed with General Joseph Warren. "Give them plenty of ball, doctor," he said in the morning, as Warren went off to his command and death. Gerry did not reach Congress in time to sign the Declaration with the others, but he did get there in time to be appointed with Robert Morris as a committee on finances. In 1787 he refused to vote for or sign the Federal Constitution, and tested his action later by running for Governor of his State. He was elected, and was afterward made Vice President of the United States. Gerry had a sacred regard for the firm establishment of his country and was a patriot above all else.

THOMAS NELSON, JR. (1738–89), VIRGINIA

Another of the southerners possessing great wealth was Thomas Nelson, Jr. To his honor let it be noticed that he gave his entire fortune to his country when its need became urgent, and died penniless. At one time the issuance of a $2-million loan was necessary to repel the enemy from Virginia soil. This full amount Nelson raised over night by mortgaging his estates. The next day his own home was occupied by the personal staff of Cornwallis. It was at Yorktown, and the Revolutionary forces were on the offensive. Nelson, who was Governor at the time, visited the firing line. Nothing that the entire neighborhood was being razed by the artillery, he inquired why it was the fire was not directed at his own dwelling. "We are sparing it out of respect to you, Governor," replied one of the young Lees. "Give me the cannon," retorted Nelson. "Do this," he added, and he fired a ball through the house. Subsequent shots destroyed the place and forced the enemy to flee. And so it was always with Nelson—America first.

JOSEPH HEWES (1730–79), NORTH CAROLINA

Joseph Hewes was a signer who discarded his religion to give his voice and signature to his country. Born a member of the Society of Friends, he was steadfast in his religious devotions until it became apparent to him that he must sever these or be less loyal to the cause of freedom. Urged by his church to relinquish his seat in Congress he refused, and became instead a warm and enthusiastic patriot. At first he was opposed to ratification in the form the original resolution was introduced, but after listening to a speech of Samuel Adams he is said to have "started suddenly, and lifting both hands to heaven as if in a trance, exclaimed 'It is done, and I abide'." He died at the height of his usefulness, but not before he had earned the enduring and grateful recognition of the country he served.

ABRAHAM CLARK (1726–94), NEW JERSEY

"Firm and decided as a patriot, zealous and faithful as a friend to the public, he loved his country, and adhered to her cause in the darkest hours of her struggle against oppression." Such is the inscription above the Rahway churchyard grave of Abraham Clark. It presents a concise view of the character of this New Jersey hero. Unambitious of wealth, this sterling old Revolutionary chieftain early acquired local fame as "the poor man's lawyer." It is said of him that "he persistently refused fees for his services, and when fees were offered seemed more inclined to accept produce or merchandise." Starting his political life as the sheriff of Newark, Clark soon was distinguished for official assiduity. When war began to agitate the land he had passed the meridian of life. It was, therefore, under a well settled and mature conviction of the justice of independence that he devoted his remaining years to his country's service. Two of Clark's sons were captured and locked up. They were treated with the utmost severity. Their father scrupulously refrained from interfering in their behalf, as he felt any movement for them meant a lessening of his influence for his country. Clark met the test as only a true patriot should.

WILLIAM WILLIAMS (1731–1811), CONNECTICUT

William Williams has been referred to as the tallest signer of the Declaration. His ardent patriotism and his outspoken approval of every move for liberty and justice add to his distinction in the gallery of immortals of which he was a member. First a soldier, then a lawyer, then a judge, and next a merchant, he was taken from these spheres and carried into the Congressional halls, where he at once made his presence felt. One of the Pennsylvania members who had not signed the document bragged of that fact to Williams, who sternly replied, "Then, sir, you ought to be hanged for not doing your duty." Williams did his duty at all times and against all hazards.

GEORGE READ (1733–98), DELAWARE

George Read was a fearless patriot and an able man. Almost alone he openly and vigorously opposed the adoption of the Declaration, maintaining that the time had not come for such action, and when the vote was first secretly taken his was recorded in the negative. Later he changed his mind, became one of the most strenuous advocates of independence and affixed his signature. Samuel Adams laughingly informed him he had signed with a halter about his neck, and Read, who was of serious mien, replied, "So be it; I am prepared to meet all consequences of this just act." Pleased with his course he subsequently introduced this resolution: "*Resolved*, That any one who shall wilfully break this agreement shall have his name published in the Public Newspapers as a betrayer of the civil rights of America and forever after be deemed infamous and a traitor." During the war Read's home was confiscated by the enemy, his wife taken captive and he driven from place to place for 6 years. Later he became Chief Justice of Delaware and that State's first United States Senator.

WILLIAM ELLERY (1727–1820), RHODE ISLAND

The mind of William Ellery kept pace with the world. He was a lawyer who had graduated from Harvard, and while in Congress served in a conspicuous way on many important committees. The fine bold signature he placed on the Declaration is somewhat in contrast to the handwriting of a few of his more anxious colleagues. He spoke of this great event as one "which many regarded with awe, some with uncertainty, but none with fear," and added, "I watched every one sign, as I was determined to see how they looked as they gave their names to what might be their death warrant. There was undaunted resolution in every countenance." Ellery returned to his home to find it destroyed and his personal treasures stolen. He died when 93.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCDOWELL, for an indefinite period, on account of death in family.

Mr. HALE (at the request of Mr. MCINTIRE), for an indefinite period beginning July 17, 1956, on account of illness in family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House following the legislative program and any special orders heretofore entered, was granted to:

Mr. JOHNSON of Wisconsin, today for 5 minutes, and to include certain extraneous matter.

Mr. SHEEHAN, for 5 minutes on Thursday and Friday next.

Mr. HESELTON, transferred from today to Friday.

Mr. REES of Kansas, for 5 minutes tomorrow.

Mr. DIXON, for 30 minutes today, on 2 subjects.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. SULLIVAN in two instances and to include extraneous matter.

Mr. ZELENKO.

Mr. MCGREGOR and include excerpts from various speeches he has made.

Mr. DAVIS of Georgia to revise and extend remarks he expects to make in Committee of the Whole today and to include certain newspaper articles.

Mr. DAWSON of Utah (at the request of Mr. KEATING) and to include extraneous matter.

Mr. RODINO (at the request of Mr. ALBERT) and to include extraneous matter.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 558. An act for the relief of Irene Montoya; to the Committee on the Judiciary.

S. 579. An act for the relief of Giuseppe Scalia; to the Committee on the Judiciary.

S. 1407. An act for the relief of Guillermo B. Rigonan; to the Committee on the Judiciary.

S. 1626. An act for the relief of Rachid Abdallah; to the Committee on the Judiciary.

S. 2216. An act to amend the act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497); to the Committee on Agriculture.

S. 2419. An act for the relief of Dr. Anton M. Lodmell; to the Committee on the Judiciary.

S. 2578. An act to amend the law relating to residence of assistant assessors for the District of Columbia; to the Committee on the District of Columbia.

S. 2815. An act for the relief of Peter V. Bosch; to the Committee on the Judiciary.

S. 3064. An act for the relief of Thomas J. Smith; to the Committee on the Judiciary.

S. 3068. An act for the relief of Arsene Kavoukdjian (Arsene Kavookjian); to the Committee on the Judiciary.

S. 3103. An act for the relief of Eidur Eha; to the Committee on the Judiciary.

S. 3127. An act for the relief of Karl Eigil Engedal Hansen and his wife, Else Viola Agnethe Hansen, and their minor child, Jessie Engedal Hansen; to the Committee on the Judiciary.

S. 3133. An act to provide for the conveyance of certain real property of the United States to the city of Boise, Idaho; to the Committee on Agriculture.

S. 3155. An act for the relief of May Ping Lee; to the Committee on the Judiciary.

S. 3179. An act for the relief of Redentor Ligot Romero; to the Committee on the Judiciary.

S. 3182. An act for the relief of Dr. Chengen Lu; to the Committee on the Judiciary.

S. 3186. An act for the relief of Stephen Kuang-Tao Hsu; to the Committee on the Judiciary.

S. 3191. An act for the relief of Jose Maria Arias-Ortega; to the Committee on the Judiciary.

S. 3193. An act for the relief of Natalia Kozlov Kavazov Kolubaev (Koljubajer, Kolubajev); to the Committee on the Judiciary.

S. 3257. An act for the relief of Georgiana Ching Hsien (Liang) New; to the Committee on the Judiciary.

S. 3258. An act for the relief of Margaret Kwei Chang (Margaret Hua-Chen Kwei); to the Committee on the Judiciary.

S. 3285. An act for the relief of Giok Po Oey; to the Committee on the Judiciary.

S. 3306. An act for the relief of Sergius Kusmin and his wife, Irene Kusmin; to the Committee on the Judiciary.

S. 3347. An act for the relief of Mr. and Mrs. H. F. Webb; to the Committee on the Judiciary.

S. 3354. An act for the relief of Jelena Simicevic; to the Committee on the Judiciary.

S. 3356. An act for the relief of Hewey Malachi Mackey; to the Committee on the Judiciary.

S. 3364. An act for the relief of Roberto Mario Bettinzoli; to the Committee on the Judiciary.

S. 3370. An act for the relief of Paul Yen-Hsiung Feng and his wife, Mary Stella Pao-Ching Feng, and their minor child, Joseph Shao-Ying Feng; to the Committee on the Judiciary.

S. 3417. An act granting the consent of Congress to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact relating to their interest in, and the apportionment of, the waters of the Little Missouri River and its tributaries as they affect such States, and for related purposes; to the Committee on the Interior and Insular Affairs.

S. 3440. An act for the relief of Vincent Lee Lao; to the Committee on the Judiciary.

S. 3465. An act relating to effective dates of increases in compensation granted to wage board employees; to the Committee on the Post Office and Civil Service.

S. 3487. An act for the relief of Lucy Lin and her minor child, Peter Lin; to the Committee on the Judiciary.

S. 3500. An act to reduce postage rates on parcels containing only food, clothing, medicines, or drugs sent by mail for relief purposes; to the Committee on the Post Office and Civil Service.

S. 3521. An act for the relief of Athanasios Nicholas Prittes (also known as Thomas Prites, or Tom N. Phillips); to the Committee on the Judiciary.

S. 3537. An act for the relief of Manuel Souza Novo; to the Committee on the Judiciary.

S. 3557. An act for the relief of Stylianos Lecomples; to the Committee on the Judiciary.

S. 3619. An act to amend the District of Columbia Public School Food Services Act; to the Committee on the District of Columbia.

S. 3657. An act for the relief of Nelson Shu-Yung Chuang; to the Committee on the Judiciary.

S. 3660. An act for the relief of Panagiota Paganis; to the Committee on the Judiciary.

S. 3713. An act for the relief of Elizabeth Cacavas (Elisavet Ioannou Kakava); to the Committee on the Judiciary.

S. 3813. An act for the relief of Dr. James R. P. Wong; to the Committee on the Judiciary.

S. 3814. An act for the relief of Guiseppina Coppola; to the Committee on the Judiciary.

S. 3887. An act to amend the act entitled "An act to provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of passengers, and for other purposes," approved June 29, 1938; to the Committee on the District of Columbia.

S. 3889. An act to amend the act entitled "An act to grant additional powers to the Commissioners of the District of Columbia, and for other purposes," approved December 20, 1944, as amended; to the Committee on the District of Columbia.

S. 3968. An act to provide for the termination of Federal supervision over the property of the Peoria Tribe of Indians in the State of Oklahoma and the individual members thereof, and for other purposes; to the Committee on the Interior and Insular Affairs.

S. 3969. An act to provide for the termination of Federal supervision over the property of the Ottawa Tribe of Indians in the State of Oklahoma and the individual members thereof, and for other purposes, to the Committee on Interior and Insular Affairs.

S. 3970. An act to provide for the termination of Federal supervision over the property of the Wyandotte Tribe of Oklahoma and the individual members thereof, and for other purposes, to the Committee on Interior and Insular Affairs.

S. 4003. An act to extend Federal recognition posthumously to Lt. Col. Lee J. Merkel, Air National Guard of the United States, as a colonel, Air National Guard, and for other purposes; to the Committee on Armed Services.

S. 4015. An act for the relief of Antonietta Aurora Mattera Berg; to the Committee on the Judiciary.

S. 4058. An act to authorize the Secretary of Agriculture to extend and renew to Chicago, Milwaukee, St. Paul & Pacific Railroad Co. for the term of 10 years a lease of a tract of land in the United States Department of Agriculture Range Livestock Experiment Station, in the State of Montana, and for a right-of-way to said tract, for the removal of gravel and ballast material, executed under the authority of the act of Congress approved June 26, 1946; to the Committee on Agriculture.

S. 4060. An act to amend section 607 of the Postal Field Service Compensation Act of 1955 to include employees of the motor vehicle service; to the Committee of Post Office and Civil Service.

S. 4086. An act to provide that the United States hold in trust for the Indians entitled to the use thereof the lands described in the Executive order of December 16, 1882, and for adjudicating the conflicting claims thereto of the Navaho and Hopi Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 4099. An act granting the consent of Congress to the Pittsburgh Plate Glass Co. for the construction of a dam on the North Branch of the Potomac River; to the Committee on Public Works.

S. J. Res. 187. Joint resolution to extend the operation of the Emergency Ship Repair Act of 1954; to the Committee on Merchant Marine and Fisheries.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 483. An act to amend the Army-Navy-Public Health Services Medical Officer Procurement Act of 1947, as amended, so as to provide for appointment of doctors of osteopathy in the Medical Corps of the Army and Navy;

H. R. 842. An act granting increases in the annuities of certain former civilian officials and employees engaged in and about the construction of the Panama Canal, and for other purposes;

H. R. 1403. An act for the relief of Anthony J. Varca, Jr.;

H. R. 1535. An act for the relief of Cabrillo Land Co., of San Diego, Calif.;

H. R. 3733. An act for the relief of Charles A. Barron;

H. R. 3987. An act for the relief of Onie Hack;

H. R. 4456. An act for the relief of Cpl. Oscar H. Mash, Jr.;

H. R. 5868. An act for the relief of the estate of Gertrude I. Keep;

H. R. 6729. An act to provide that the Secretary of the Navy shall appoint certain former members of the Navy and Marine Corps to the Fleet Reserve or Fleet Marine Corps Reserve, as may be appropriate, and thereafter transfer such members to the appropriate retired list;

H. R. 7190. An act restoring to tribal ownership certain lands upon the Colville Indian Reservation, Wash., and for other purposes;

H. R. 7611. An act to establish a date of rank for pay purposes for certain Naval Reserve officers promoted to the grades of lieutenant and lieutenant commander;

H. R. 7646. An act to authorize the Secretaries of the military departments, and the Secretary of the Treasury with respect to the Coast Guard, to incur expenses incident to the representation of their personnel before judicial tribunals and administrative agencies of any foreign nation;

H. R. 7943. An act to change the name of the Government locks at Ballard, Wash., to the "Hiram M. Chittenden Locks";

H. R. 8005. An act to provide for the conveyance to the Mathew American Horse American Legion Post No. 259, Cannon Ball, N. Dak., of certain lands upon the Standing Rock Reservation, N. Dak., for use as a site for the erection of a memorial monument in honor of members of the Armed Forces killed in battle;

H. R. 8290. An act to provide for the appointment and promotion of the director and assistant directors of the band of the United States Marine Corps, and for other purposes;

H. R. 8407. An act to require enlisted members of the Armed Forces to make up time lost during enlistments;

H. R. 9106. An act for the relief of Saul Lehman;

H. R. 9246. An act to amend the Armed Forces Leave Act of 1946 by authorizing payments to survivors of former members for unused leave credit;

H. R. 9339. An act to authorize the exchange of certain lands of the United States situated in Union County, Ga., for lands within the Chattahoochee National Forest, Ga., and for other purposes;

H. R. 9451. An act to provide that certain lands shall be held in trust for the Seminole Indians and to provide that certain lands shall be designated as a reservation for Seminole Indians;

H. R. 9500. An act to continue the effectiveness of the Missing Persons Act, as extended, until July 1, 1957;

H. R. 9892. An act to amend the provisions of the Revised Statutes, relating to physical examinations preliminary to promotion of officers of the naval service;

H. R. 10011. An act for the relief of Jess Gray;

H. R. 10199. An act for the relief of A. O. Nissen and Don Nissen;

H. R. 10368. An act to amend the Civil Service Act of January 16, 1883, so as to require that certain reports and other communications of the executive branch to Congress contain information pertaining to the number of civilian officers and employees required to carry out additional or expanded functions, and for other purposes;

H. R. 10375. An act to amend the act entitled "An act to provide recognition for meritorious service by members of the police and fire departments of the District of Columbia," approved March 4, 1929;

H. R. 10670. An act to amend the District of Columbia Unemployment Compensation Act so as to extend the coverage of such act to employees of the municipal government of the District of Columbia employed in District of Columbia institutions located in Maryland and Virginia;

H. R. 10683. An act to amend the Dependents Assistance Act of 1950, as amended, so as to provide punishment for fraudulent acceptance of benefits thereunder;

H. R. 10964. An act to provide for municipal use of storage water in Benbrook Dam, Tex.;

H. R. 11010. An act creating the Muscatine Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill.;

H. R. 11163. An act to amend section 2 of the act of March 29, 1956 (70 Stat. 58), authorizing the conveyance to Lake County, Calif., of the Lower Lake Rancheria, and for other purposes;

H. R. 11320. An act to effect the control of narcotics and dangerous drugs in the District of Columbia, and for other purposes;

H. R. 11346. An act for the relief of Camillus Bothwell Jeter;

H. R. 11375. An act to amend the Agricultural Act of 1949, to further extend the special school-milk program to certain institutions for the care and training of children;

H. R. 11488. An act to amend the District of Columbia Traffic Act, 1925, as amended;

H. R. 11530. An act for the relief of M. Sgt. Harold LeRoy Allen;

H. R. 11611. An act to provide for the establishment of the Pea Ridge National Military Park, in the State of Arkansas;

H. R. 11766. An act to provide for the establishment of the Horseshoe Bend National Military Park, in the State of Alabama;

H. J. Res. 621. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 626. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 627. Joint resolution for the relief of certain aliens; and

H. J. Res. 638. Joint resolution to facilitate the admission into the United States of certain fiances of United States citizens.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 2854. An act to amend title 18 of the United States Code, so as to increase the penalties, applicable to seditious conspiracy, advocating overthrow of Government, and conspiracy to advocate overthrow of Government;

H. R. 5838. An act to provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range;

H. R. 6501. An act to amend the act of July 17, 1914, to permit the disposal of certain reserve mineral deposits under the mining laws of the United States;

H. R. 8817. An act to provide for the conveyance of certain property of the United States to the city of Corbin, Ky.;

H. R. 9333. An act to amend the Commodity Exchange Act to provide for hedging anticipated requirements of processors and manufacturers;

H. R. 11402. An act to extend the existing application of the Temporary Promotion Act of 1941, as amended, to the Coast Guard, and for other purposes.

H. R. 11663. An act to authorize permanent appointments in the Armed Forces of the United States, and for other purposes;

H. R. 11873. An act to amend the Watershed Protection and Flood Prevention Act so as to eliminate delay in the start of projects; and

H. R. 11995. An act to provide that the 1955 formula for taxing income of life insurance companies shall also apply to taxable years beginning in 1956.

ADJOURNMENT

Mrs. GREEN of Oregon. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 40 minutes p. m.) the House adjourned until tomorrow, Wednesday, July 18, 1956, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

2063. Under clause 2 of rule XXIV, a letter from the Assistant Secretary of the Interior transmitting a summary of contracts made by the Bureau of Indian Affairs for the fiscal year 1955, pursuant to section 4 of the act of June 4, 1936 (49 Stat. 1458, 1459) was taken from the Speaker's table and referred to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. O'BRIEN of New York: Committee of Conference. H. R. 6376. A bill to provide for the hospitalization and care of the mentally ill of Alaska, and for other purposes (Rept. No 2735). Ordered to be printed.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 3458. An act to grant leave of absence to homestead entrymen and to permit suspension of cultivation and improvement operations on homestead and desert land entries, and for other purposes; without amendment (Rept. No. 2737). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. S. 598. An act to provide for adjustments in the lands or interests therein acquired for the Albeni Falls Reservoir project, Idaho, by the reconveyance of certain lands or interests therein to the former owners thereof; without amendment (Rept. No. 2738). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H. R. 2867. A bill to increase the monthly rates of pension payable to widows and former widows of deceased veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection; without amendment (Rept. No. 2739). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. Senate Joint Resolution 71. Joint resolution to commend the foundation known as the Memorial to the American Indian Foundation for its project to establish a permanent memorial in honor of the North American Indians; without amendment (Rept. No. 2740). Referred to the House Calendar.

Mr. VINSON: Committee on Armed Services. S. 3832. An act to provide for the disposal of the Government-owned synthetic rubber research laboratories at Akron, Ohio; without amendment (Rept. No. 2741). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. H. R. 11515. A bill to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes; with amendment (Rept. No. 2742). Referred to the Committee of the Whole House on the State of the Union.

Mr. KING of California: Committee on Ways and Means. H. R. 9875. A bill to amend the Internal Revenue Code of 1954 to provide that the tax on admissions shall apply only with respect to that portion of the amount paid for any admission which is in excess of $1; with amendment (Rept. No. 2743). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 3779. An act to amend the act of August 27, 1954 (68 Stat. 868), with respect to the Uintah and Ouray Reservation in Utah; without amendment (Rept. No. 2744). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIAMS of Mississippi: Committee on Interstate and Foreign Commerce. S. 1777. An act to amend the Interstate Commerce Act in order to authorize common carriers to carry a disabled person requiring an attendant and such attendant at the usual fare charged for one person; without amendment (Rept. No. 2745). Referred to the House Calendar.

Mr. SPENCE: Committee on Banking and Currency. S. 3732. An act to provide insurance against flood damage, and for other purposes; with amendment (Rept. No. 2746). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. S. 2572. An act to authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes; without amendment (Rept. No. 2747). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. S. 1400. An act to protect the integrity of grade certificates under the United States Grain Standards Act; without amendment (Rept. No. 2748). Referred to the House Calendar.

Mr. COOPER: Committee on conference. H. R. 5265. A bill to exempt certain additional foreign travel from the tax on the transportation of persons (Rept. No. 2479). Ordered to be printed.

Mr. HARRIS: Committee of Conference. S. 3149. An act to amend the Civil Aeronautics Act of 1938 in order to permit certain air carriers to grant free or reduced rate transportation to ministers of religion (Rept. No. 2750). Ordered to be printed.

Mr. HARRIS: Committee of Conference. S. 3073. A bill to provide for an adequate and economically sound transportation system or systems to serve the District of Columbia and its environs; to create and establish a public body corporate with powers to carry out the provisions of this act; and for other purposes (Rept. No. 2751). Ordered to be printed.

Mr. O'NEILL: Committee on Rules. House Resolution 599. Resolution for consideration of H. R. 12050, a bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; without amendment (Rept. No. 2752). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 600. Resolution for consideration of H. R. 11799, a bill to amend the Fair Labor Standards Act of 1938, as amended; without amendment (Rept. No. 2753). Referred to the House Calendar.

Mr. TRIMBLE: Committee on Rules. House Resolution 601. Resolution providing for consideration of H. R. 9743, a bill to encourage maximum development of atomic energy reactors for the generation of low-cost electric power and the production, utilization, and treatment of special nuclear and other materials, and for other purposes; without amendment (Rept. No. 2754). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 602. Resolution providing for consideration of H. R. 8002, a bill to amend subsection 406 (b) of the Civil Aeronautics Act of 1938, as amended; without amendment (Rept. No. 2755). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 603. Resolution providing for consideration of H. R. 11261, a bill to extend the Export-Import Bank Act of 1945, as amended; without amendment (Rept. No. 2756). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 604. Resolution providing for consideration of H. R. 7850, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Little Wood River reclamation project, Idaho; without amendment (Rept. No. 2757). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 605. Resolution providing for consideration of H. R. 7726, a bill to authorize construction by the Secretary of the Interior of the Crooked River Federal reclamation project, Oregon; without amendment (Rept. No. 2758). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delievered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KILDAY: Committee on Armed Services. H. R. 9679. A bill to authorize the Secretary of the Army to dispose of a certain parcel of land, a part of Fort Belvoir Accotink Dam site military reservation; with amendment (Rept. No. 2736). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. AVERY:

H. R. 12279. A bill to provide certain compensation for church and school facilities in the Tuttle Creek Reservoir, Missouri River Basin, Kans.; to the Committee on Public Works.

By Mr. COLE:

H. R. 12280. A bill to amend section 703 of the Federal Property and Administrative Services Act of 1949 to provide for additional payments in lieu of taxes, for certain periods ending after December 31, 1954, with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments; to the Committee on Government Operations.

By Mr. CUNNINGHAM:

H. R. 12281. A bill authorizing the transfer of the south half of Fort Des Moines, Iowa, to the city of Des Moines, Iowa; to the Committee on Public Works.

By Mr. GAVIN:

H. R. 12282. A bill to amend the act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," approved June 28, 1938, as amended; to the Committee on Public Works.

By Mr. ROGERS of Texas:

H. R. 12283. A bill to provide for the conveyance of certain real property of the United States located at the Veterans' Administration hospital near Amarillo, Tex., to Potter County, Tex.; to the Committee on Government Operations.

By Mr. THOMPSON of New Jersey:

H. R. 12284. A bill to provide for the appointment of an Assistant Secretary of State for International Cultural Relations; to the Committee on Foreign Affairs.

By Mr. THOMSON of Wyoming:

H. R. 12285. A bill to extend the development period on the Heart Mountain division of the Shoshone irrigation project to January 1, 1967; to the Committee on Interior and Insular Affairs.

By Mr. VINSON:

H. R. 12286. A bill to authorize the loan of two destroyers to the Government of Colombia; to the Committee on Armed Services.

H. R. 12287. A bill directing the Department of Defense to advise the Committees on Armed Services concerning certain housing proposals, and for other purposes; to the Committee on Armed Services.

By Mr. SPENCE:

H. R. 12288. A bill to amend the International Wheat Agreement Act of 1949; to the Committee on Banking and Currency.

By Mr. THOMPSON of New Jersey:

H. J. Res. 690. Joint resolution to preserve the economic basis of the Nation's Capital by establishing a basic policy and an orderly procedure for the location of new Federal buildings in the metropolitan area of the District of Columbia; to the Committee on Public Works.

H. Con. Res. 266. Concurrent resolution expressing the sense of the Congress with respect to the acceptance of certain property offered to the United States by the Honorable Joseph E. Davies; to the Committee on Foreign Affairs.

By Mrs. GREEN of Oregon:

H. Res. 598. Resolution to authorize the Committee on Interior and Insular Affairs to investigate and study the administration and operations of the Morningside Hospital, Inc., Portland, Oreg., to determine whether such hospital is adequately performing its contractual obligations to the United States; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLE:

H. R. 12289. A bill for the relief of Mrs. Haide E. Carmona de Duchoslav; to the Committee on the Judiciary.

By Mr. FINO:

H. R. 12290. A bill for the relief of Joseph Colonna; to the Committee on the Judiciary.

By Mr. KLUCZYNSKI:

H. R. 12291. A bill for the relief of Bronislawa Francus; to the Committee on the Judiciary.

By Mr. NICHOLSON:

H. R. 12292. A bill for the relief of Nino H. Treichler; to the Committee on the Judiciary.

By Mr. POWELL:

H. R. 12293. A bill for the relief of Horace Wilberforce King; to the Committee on the Judiciary.

By Mr. SHELLEY:

H. R. 12294. A bill for the relief of Manuel Martinez-Rivera; to the Committee on the Judiciary.

By Mr. SMITH of Virginia:

H. R. 12295. A bill for the relief of Mrs. Ruth Edwards Barry; to the Committee on the Judiciary.

H. R. 12296. A bill for the relief of Dolores Cocke Moyano; to the Committee on the Judiciary.

By Mr. SMITH of Wisconsin:

H. R. 12297. A bill for the relief of Abdel Hafiz Husein Farraj; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of Rule XXII:

1196. The SPEAKER presented a petition of the secretary, the American Institute of Architects, Southern California Chapter, Los Angeles, Calif. relative to opposing any changes which would alter in material or design the central portion of the United States Capitol building, and recommending that if additional space be necessary, it should be taken care of by other means, which was referred to the Committee on Public Works.

EXTENSIONS OF REMARKS

Recognizing Red China

EXTENSION OF REMARKS
OF
HON. LEONOR K. SULLIVAN
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 17, 1956

Mrs. SULLIVAN. Mr. Speaker, from time to time we have been hearing rumors to the effect that Great Britain intends to seek admission of Red China to the United Nations in place of the present Republic of China delegation, and that our own Nation, following the next election, might acquiesce in such a move.

Certainly that is not the sense of Congress or the desire of the American people. Congress itself has gone on record on this matter on numerous occasions, and our Government has also made it clear from time to time that we are not inclined to recognize the Red regime as representing the people of China.

Last night, in the Washington Evening Star, Columnist David Lawrence wrote an article on this subject entitled "Congress' Stand on Red China" which I submit for inclusion in the CONGRESSIONAL RECORD. It tells how strongly many of us feel on this subject, also quoting at some length the position of the Truman administration on this same matter.

Following the article by Mr. Lawrence, I include for printing in the RECORD my own proposed congressional resolution on this subject, House Concurrent Resolution 264, which I introduced on July 12. First, Mr. Lawrence's article follows:

[From the Washington Evening Star of July 16, 1956]

CONGRESS' STAND ON RED CHINA—PRESS LARGELY IGNORES ITS OPPOSITION TO ADMISSION OF PEIPING REGIME TO U. N.

(By David Lawrence)

When the Congress of the United States by virtually unanimous vote writes into a law as important a pronouncement as the statement that it does not favor admission of the Red China government into the United Nations, one would think this news would be widely printed in this country as well as abroad.

For some strange reason it wasn't. It's a mystery right on the doorstep of the "right to know" crusaders in the House Subcommittee on Government Operations which has lately become solicitous about the suppression—intentional or otherwise—of official news in other parts of the Government.

Here is the exact wording of section 110 in Public Law 603 as signed by the President on June 20, 1956:

"It is the sense of the Congress that the Communist China Government should not be admitted to membership in the United Nations as the representative of China."

This is an important warning to the world that both political parties in the United States have taken a firm position on the matter of refusing to seat Red China's government in the United Nations. Yet in London where the prime ministers of the British Commonwealth were meeting in the last week of June and the first week in July, the conference was reported by the United Press on July 2 as having decided that admission of Red China could be achieved after the November elections in the United States.

No such conclusion could possibly have been reached if the London newspapers had told the story of the action of the United States Congress earlier in June. Nothing is more calculated to produce friction between friendly nations than suppression of important news affecting their relations. But the British newspapers may have a good alibi—they probably didn't get the item from any of their American news services. So far as this correspondent can determine by a review of a few newspapers in this country, it wasn't printed here either.

The desires of Congress were expressed in the appropriation law for the Department of State for the fiscal year that began on July 1, 1956. Because it's in an appropriation act, this can be taken to mean that it is advice to the Department of State which has the responsibility of sending instructions to the representatives of this country at the United Nations Assembly.

Congress, therefore, has put the world on notice that while it may not direct foreign policy it does control the purse strings. It may well be that American appropriations for the United Nations would be cut off if despite American protests, the Red China government were voted into the United Nations.

Opposition to the admission of Red China to the U. N. never has been a political or partisan question in this country. Perhaps the most forceful and explicit declaration on the subject that has ever been made came from the pen of Dean Rusk, Assistant Secretary of State for Far Eastern Affairs, in a speech delivered before the China Institute banquet in New York City on May 18, 1951. Mr. Rusk was at the time a subordinate of Dean Acheson who was then Secretary of State under the Truman administration. What was said then can be said to be the American policy today under the Eisenhower-Dulles administration. Mr. Rusk said:

"We cannot provide a formula to engage the unity of effort among all Chinese who love their country. But one thing we can say—as the Chinese people move to assert their freedom and to work out their destiny in accordance with their own historical purposes, they can count upon tremendous support from free peoples in other parts of the world.

"It is not my purpose, in these few moments this evening, to go into specific elements of our own national policy in the present situation. But we can tell our friends in China that the United States will not acquiesce in the degradation which is being forced upon them.

"We do not recognize the authorities in Peiping for what they pretend to be. The Peiping regime may be a colonial Russian government—a Slavic Manchukuo on a larger scale. It is not the Government of China. It does not pass the first test. It is not Chinese. It is not entitled to speak for China in the community of nations. It is entitled only to the fruits of its own conduct—the fruits of aggression upon which it is now willfully, openly, and senselessly embarked.

"We recognize the National Government of the Republic of China, even though the territory under its control is severely restricted. We believe it more authentically represents the views of the great body of the people of China, particularly their historic demand for independence from foreign control. That government will continue to receive important aid and assistance from the United States. Under the circumstances, however, such aid in itself cannot be decisive to the future of China. The decision and the effort are for the Chinese people, pooling their efforts, wherever they are, in behalf of China.

"If the Chinese people decide for freedom, they shall find friends among all the peoples of the earth who have known and love freedom. They shall find added strength from those who refuse to believe that China is fated to become a land of tyranny and aggression and who expect China to fulfill the promise of the great past."

Nothing has been said since that expresses more eloquently or more exactly the American position, which is that admission of Red China into the U. N. means a discouragement to freedom and an encouragement to aggression and tyranny in the world.

Mr. Speaker, following Mr. Lawrence's article, I submit my resolution, House Concurrent Resolution 264, as follows:

[84th Cong. 2d Sess.]

House Concurrent Resolution 264

In the House of Representatives, July 12, 1956, Mrs. SULLIVAN submitted the following concurrent resolution; which was referred to the Committee on Foreign Affairs:

"Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the Chinese Communists are not entitled to and should not be recognized to represent China in the United Nations."

The Boys' Towns of Italy and Monsignor Carroll-Abbing

EXTENSION OF REMARKS
OF
HON. PETER W. RODINO, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 17, 1956

Mr. RODINO. Mr. Speaker, a heartbreaking and alarming aftermath of the Second World War in Europe was the sudden appearance of homeless and orphaned boys—boys who were forced to beg, steal, and "make deals" merely to keep alive. The immediate problem of getting these children off the streets was not easy. Harder still was the problem of providing them with food, clothing, and shelter.

In Italy, the first serious attempt to tackle this problem was made by Monsignor John Patrick Carroll-Abbing (an Irish priest) when in November 1945 he founded the first Boys' Town of Italy at Santa Marinella. The Boys' Town was conceived of as a practicing self-government democracy run by the children themselves. The administration of the town was and continues to be controlled by a mayor and his councilors who are elected by secret ballot. An assembly of elected members constitutes the legislature which makes rules and laws to guide the behavior of the boy citizens. A judicial committee sees to the proper application of these laws. In this manner the aim of self-government, that is, to make the boys responsible citizens and to increase their understanding of a

democratic way of life, was achieved in a remarkably short period of time.

Hard work and training in a particular art, trade or craft—woodcarving, carpentry, painting, shoemaking, and so forth—provides the boys with an opportunity to make a living. A small market system run by the boys themselves enables them to understand the exchange of money and goods. In the field of education the Italian Government and the American Relief for Italy have helped to provide elementary education by placing teachers in the schools in the Boys' Town. For the young citizens who show ability for higher study, scholarships in private schools are made available. Throughout the whole system great emphasis is placed on individual responsibility and cooperation, both of which aid a great deal toward character building and respect for one's fellow.

Today the Boys' Towns of Italy consist of nine citizens' republics with more than 2,400 youngsters. It is gratifying to see that the dedicated efforts of Monsignor Carroll-Abbing and the generous help of the American Relief for Italy have led to such excellent results. The formerly homeless street boys have found a new hope and a secure home in these Boys' Town republics. Although deprived of their own homes and parental care they respond readily to the help and guidance they are able to receive from their counselor, Monsignor Abbing, and also their fellow citizens.

H. R. 11122

EXTENSION OF REMARKS
OF
HON. HERBERT ZELENKO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 17, 1956

Mr. ZELENKO. Mr. Speaker, on July 16, there appeared on the Consent Calendar of the House, H. R. 11122, a bill dealing with the charter of tankers under certain conditions.

Had I been present when this bill was called up, I would have objected. I have vigorously opposed this bill at all times, in the Merchant Marine and Fisheries Committee and on the floor of the House.

It was my personal understanding, and that of many other Members, perhaps naively, that this measure would not be brought up at that time by its proponents.

On July 2, 1956, it first appeared on the Consent Calendar of the House. At that time, the following took place:

The Clerk called the bill (H. R. 11122) to promote the development and rehabilitation of the constwise trade, to encourage the construction of new vessels, and for other purposes.

Mr. CUNNINGHAM. Mr. Speaker, I understand that this bill is programed to be called up under suspension of the rules. Therefore, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Later, on the same day, under suspension, debate was had on the bill. At that time it was opposed not only by myself but by the gentleman from Pennsylvania [Mr. VAN ZANDT], who had demanded a second under the suspension of rules. Other Members also indicated their opposition. At the conclusion of the debate, on a division, a vote was taken. The ayes were 101 and the nayes 90. It appeared from the vote that the measure was defeated under the suspension of rules. At this point, the gentleman from North Carolina [Mr. BONNER], the proponent of the bill, objected on the ground that there was no quorum and asked unanimous consent that further proceedings on the bill be postponed until Friday, July 6. On page 11635 of the July 2 CONGRESSIONAL RECORD, his verbatim statement appears as follows:

Mr. BONNER. Mr. Speaker, as I stated before, I object to the vote on the ground that there is no quorum, but I am not going to ask for a rollcall vote now. I ask unanimous consent that further proceedings on this bill be postponed until Friday.

The SPEAKER. Is there objection?

There was no objection.

On July 6, 1956, the bill was called up again and the following took place, and I quote:

The SPEAKER. The unfinished business is on suspension of the rules and passage of the bill (H. R. 11122) to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes, which the Clerk will report by title.

The Clerk read the title of the bill.

Mr. MARTIN. Mr. Speaker, I think the Members of the House would like an explanation as to what this suspension is.

The SPEAKER. This is a bill, the consideration of which was carried over from last Monday until today.

Mr. BONNER. Mr. Speaker, I ask unanimous consent to withdraw further consideration of this bill, as I have requested a rule from the Rules Committee.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. VAN ZANDT. Mr. Speaker, reserving the right to object, if the gentleman's request is granted, does that mean it may be called up at any time between now and the adjournment of Congress?

Mr. BONNER. No. I will bring it up under a rule.

Many Members of the House, including myself, relying upon the foregoing statement of the gentleman from North Carolina [Mr. BONNER], the chairman of the Merchant Marine and Fisheries Committee, the author of the bill, assumed, and I believe correctly, that this bill would not be brought out again unless it was done so under a rule.

It appeared clear to me that the bill had been withdrawn for all purposes and consideration from the floor of the House and would not reappear unless a rule was obtained.

On July 9 and 10, the Rules Committee held protracted hearings on this bill and, as of today, no rule has as yet been obtained, and to all intents and purposes the matter is still before the Rules Committee.

Yesterday, July 16, 1956, the bill again appeared on the Consent Calendar and was passed. The House convened at 12 noon. The passage of this bill took place sometime before 12:20 p. m.

My absence from the floor at the convening of the House yesterday was due to the following facts. At 10 a. m., an open meeting of the Merchant Marine and Fisheries Committee, of which the gentleman from North Carolina [Mr. BONNER], is chairman, was held for the resumption of labor hearings held in Los Angeles and Long Beach, Calif. The witnesses appearing before the committee were Paul St. Sure, president of the Pacific Maritime Association; Harry Bridges, president, International Longshoremen and Warehousemen's Union; and Ben McDonald, local 13, ILWU, San Pedro, Calif.

I arrived at the committee room at about 10:30 a. m. In the absence of the chairman, the gentleman from North Carolina [Mr. BONNER], and in the absence of the next ranking majority member, the gentleman from Alabama [Mr. BOYKIN], the meeting was being conducted by the acting chairman, the gentleman from Maryland [Mr. GARMATZ]. The committee was in session until just before noon.

I left the committee hearing several minutes before its recess. At no time during my attendance there was the chairman of the committee, the gentleman from North Carolina [Mr. BONNER], nor the ranking majority member, the gentleman from Alabama [Mr. BOYKIN], present. Thereupon, I went to a meeting of a large group of Members to discuss the civil rights bill, which was to be brought up on the floor.

The foregoing statement of my official congressional activities yesterday morning contains the reasons for my failing to be present at the opening of the House.

Sometime between 12:15 and 12:20 p. m., I entered the House Chamber and walked over to the committee table where I sat down next to the chairman of the Merchant Marine and Fisheries Committee, the gentleman from North Carolina, who was already there. Upon inquiry, he informed me that H. R. 11122 had been passed.

Thereafter, in order to indicate my further opposition to the measure, I requested unanimous consent to return H. R. 11122 to the floor for immediate consideration. The sole objection was made by the chairman of the Merchant Marine and Fisheries Committee, the gentleman from North Carolina [Mr. BONNER], the author of the bill. The following is a verbatim extract from the House RECORD, page 11745:

Mr. ZELENKO. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Consent Calendar No. 626, the bill (H. R. 11122) to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes.

Mr. BONNER. I object, Mr. Speaker.

Several hours later, almost at the conclusion of the session, I renewed the request. Objection was then made by the gentleman from Virginia [Mr. ROBESON]. The gentleman from North Carolina [Mr. BONNER], the author of the bill, was present in the House at the time and sitting alongside the gentleman from Virginia, who made the objection.

In conclusion, I direct your attention to the title page of Cannon's Procedure in

the House of Representatives, House Document 562. On the lower portion of the page appears the following quotation:

BASSANIO. And I beseech you wrest once the law to your authority; to do a great right, do a little wrong.

PORTIA. It must not be; * * * 'twill be recorded for a precedent, and many an error by the same example will rush into the state.

Congressman Dawson Reports

EXTENSION OF REMARKS
OF

HON. WILLIAM A. DAWSON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 1956

Mr. DAWSON of Utah. Mr. Speaker, I have had many, many requests for information concerning the Central Utah project, one of the major participating projects of the upper Colorado River storage program, which was approved by this session of Congress. For that reason I am inserting in the RECORD a series of weekly newsletter outlining the details of this tremendous undertaking.

CONGRESSMAN DAWSON REPORTS

(By Representative WILLIAM A. DAWSON)

CENTRAL UTAH

Now that the fight for the upper Colorado River project is over—and won—it is possible for me to examine some of the details of the project, rather than viewing it as a whole. Most of the attention and publicity has centered around the large storage dams—Glen Canyon and Flaming Gorge. Publicity on these dams, and Echo Park, has focused attention away from some of the other important structures authorized by the legislation, including the vitally important central Utah project.

Details impress

Even the central Utah project is so complex that it is hard to comprehend its vastness without a more detailed examination. After examining these details, one begins to realize how the construction of central Utah is going to affect the State not only economically, industrially, and agriculturally, but in recreational resources as well. The addition that Glen Canyon—with its 181-mile long reservoir—will make to Utah's recreational resources is generally well-known. But we should not overlook the impact of some of the smaller structures.

Small reservoirs

Thirteen new reservoirs will be built as part of the central Utah project. All of them will be in Utah and several of them will be of a size to add greatly to the State's swimming, boating, and fishing pleasures. In addition, Strawberry Reservoir's present 283,000 acre-feet capacity will be increased 5 times by the construction of the 268-foot high, quarter-mile-long Soldier Creek Dam.

One example

Let us examine in detail one of the small reservoirs in its relationship to recreation. Starvation Reservoir will be created by a 160-foot high, one-third mile long earth filled dam 4 miles northwest of Duchesne. The reservoir will cover the present U. S. 40 highway and be slightly larger than Deer Creek. The reservoir will be about 3 miles long and a little over a mile wide. It will cover what is at present a sage and juniper bush flat.

Things to come

The construction of this minor unit of the overall project will cost $18.7 million. This expenditure, of course, is to store water for domestic, industrial and agricultural users who will pay for the cost of the project. But boating, swimming, and fishing will be additional assets readily available to the residents of all Utah. With the construction of boat docks, picnic areas, and camping facilities, Starvation Reservoir should become as popular a play area as Deer Creek is now.

Lots more

The story of Starvation Reservoir will be repeated many times as the other reservoirs in the central Utah project are constructed. There will be a new lake at Round Knoll near Wallsburg in Wasatch County. Situated in an attractive upland valley, the lake will be a haven for fishermen, boatmen, and swimmers. Each new reservoir will create another delightful place for Utahans to spend an afternoon, a weekend, or an entire vacation. These benefits are incidental to the overall purpose of the project—water for Utah's future.

CONGRESSMAN DAWSON REPORTS

(By Representative WILLIAM A. DAWSON)

BIG BORE

The attention that has been focused on the two large storage dams of the upper Colorado River project—Flaming Gorge and Glen Canyon—has somewhat obscured the fact that the central Utah project is the project that will make the changes in Utah's water picture. For it is central Utah that will bring the water over the Wasatch Mountains to thirsty farmlands and household water taps in the Bonneville Basin. One of the major features of the central Utah will be Utah's biggest bore—a 28.3 mile tunnel through the top of the Wasatch Range.

Collection system

This tunnel—plus 7.5 miles of pipe and 1 mile of siphon—will collect water high in the Uinta Mountains. This water makes up 80 percent of the present flow of Rock Creek, Hades Creek, Wolf Creek, Currant Creek, and the West Fork of the Duchesne River. Instead of flowing to waste in the Green River, these waters would be transported through the mountains to the Strawberry Reservoir which will be enlarged to five times its present capacity. The Strawberry aqueduct tunnel will carry 137,600 acre-feet of water annually—four times as much as the Duchesne tunnel—now Utah's largest underground water conduit.

Engineering feat

The tunnel will be an engineering feat of the first magnitude. It will be the single, most costly feature—$33 million—of the overall $208 million price of the entire central Utah project. Of this $33 million, $29 million will be spent for actual construction, $2.7 million for engineering, and one and three-tenths million-plus dollars for temporary construction facilities. Since the aqueduct travels through national forest lands, no expenditure is necessary for acquiring rights-of-way.

Recreation use

In reviewing the construction plan of the Strawberry aqueduct, I was concerned about its possible effect on the Uinta National Forest. I need not have been. The Forest Service welcomes the construction of the tunnel. Tunnel waste will be placed where it will not be detrimental to the beauty of the area and the debris will be screened from view to the maximum extent possible.

New roads

New roads into the high forest site of the aqueduct would increase access to this primitive area for the average visitor. Construction-camp facilities could be used by tourists and after the construction period is over they could be taken and administered by the Forest Service as campsites.

New fishing

Thus, the tunnel which gathers the water for Utah's future will, as an incidental benefit, open new areas for our citizens who want to enjoy Utah's primitive areas. Next week I will describe how other individual features of the central Utah project will add to the wealth of Utah's recreational resources.

CONGRESSMAN DAWSON REPORTS

(By Representative WILLIAM A. DAWSON)

STRAWBERRY RESERVOIR

One of the major features of the central Utah project—the project that will furnish water for Utah's future—will be the enlargement of Strawberry Reservoir. The enlarged reservoir will store water gathered high in the Uinta Mountains for later use in the water-thirsty areas in Utah and Salt Lake valleys. The water—137,600 acre-feet per year—now runs to waste in the Pacific Ocean.

Major undertaking

The present capacity of the Strawberry is 283,000 acre-feet. This will be increased to 1,370,000 acre-feet under the central Utah project, making the Strawberry Utah's largest artificial lake. Major construction at Strawberry will be the building of Soldier Creek dam—a 268-foot high, 1,370-foot long, earth-filled dam 9 miles downstream from the present Strawberry Dam. Overall cost of the unit will be $12,620,000 of which $500,000 would be spent for temporary construction headquarters.

Face changing

The proposed enlargement of Strawberry to five times its present size will make major changes in the use and appearance of the area. The new reservoir will be 7 to 8 miles wide and 8 to 9 miles long in addition to a 4-mile arm behind Soldier Spring at the new damsite. The new reservoir will inundate several miles of United States Highway 40 which now skirts the north margin of the present reservoir area.

Recreation use

Being only 70 miles from Salt Lake City, Strawberry now is a major fishing and recreation area. The proposed enlargement will only increase this incidental benefit to the State. Present fishing villages will be flooded out, but new ones will spring into being along the shores of the enlarged reservoir. In addition construction camps will be available for recreation use after the project is completed.

Park plan

The National Park Service, at the request of the Bureau of Reclamation, has already made preliminary recommendations concerning development of recreation facilities around the new reservoir. They include the development of a major tourist cabin area on Windy Ridge just west of Soldier Creek. The Park Service also points out that the reservoir will make several cabin sites available for development for summer homes. It is recommended that $275,000 be spent developing boating and fishing facilities.

Isaak Walton

Isaak Walton once said: "God doubtless could have made a better berry than the strawberry. But, doubtless, He never did." I think the time-honored spokesman for the angler would be pleased with the fishing prospects of the reservoir coincidently named after his favorite fruit. Next week I will discuss other details of the vital central Utah project authorized as a part of the upper Colorado storage project approved this session of Congress.

CONGRESSMAN DAWSON REPORTS

(By Representative WILLIAM A. DAWSON)

NEW TUNNEL

The $208 million Central Utah project—a unit of the upper Colorado River project—will make many changes in the face of Utah as it transports and stores 137,600 acre-feet of water now going to waste in the Pacific Ocean. Many new reservoirs and other structures will come into being as the project gathers water in the high Uintas, transports it over, around, and through the mountains to an enlarged Strawberry Reservoir where it will be stored for later use by farms, cities, and industries along the west side of the Wasatch Mountains.

New tunnel

In order to transport this new water through the Wasatch Divide and into the valleys below, the present 8.6-foot, horseshoe Strawberry Tunnel will be enlarged to a 9.6-foot circular structure at a cost of more than $5 million. From there, the water will pass down Diamond Fork and Spanish Fork Canyons, passing through 4 powerplants with a combined capacity of 61,000 kilowatts on the way. Money from the sale of this power—estimated at nearly $2 million per year—will help repay the cost of the project.

New aqueduct

In its journey through the powerplants and out over the benchlands south of Spanish Fork and Payson, the water will be transported through the Wasatch Aqueduct—a 20-mile stretch of canal, pipe and siphon. Two smaller storage reservoirs will be built to regulate the flow—a $4.1 million structure at Monk's Hollow, 14 miles up Spanish Fork Canyon, and a $360,000 reservoir at Goosenest, 3 miles south of Payson. From the aqueduct, the water would empty into the 17-mile long Mona-Nephi Canal and be used on lands between Santaquin and Nephi and as far west as Elberta in Utah County.

New lakeshore

Another major feature of the Central Utah project will make a notable change in the outline of Utah Lake. Construction of the $1 million Provo Bay Dike, 6.7 miles long and 20 feet high, will cut off the eastern arm of the lake making 9,340 acres of rich bottom land available for farming. In addition to conserving water, the new dike would make an excellent route for a new highway and its use as such might save a good deal of money.

Jordan River

The project includes improving the channel and increasing the capacity of the Jordan River from Utah Lake through the Jordan narrows. Additional water made available would go into the new West Valley Canal, which would run from the Utah-Salt Lake County line along the west side of the Jordan River to Magna-Garfield, a distance of 18 miles.

City water

The water supply for Salt Lake City would be increased by construction of Bates Reservoir on the Provo River above Deer Creek. This additional storage, plus water now being used in South Utah County, should be sufficient to meet all anticipated needs of Salt Lake Valley until the year 2000 according to experts. Next week, I will discuss how the Central Utah project benefits the Uinta Basin area.

CONGRESSMAN DAWSON REPORTS

(By Representative WILLIAM A. DAWSON)

UINTA BASIN

The central Utah project, which will furnish the water for Utah's future, has two major units—Bonneville Basin and Uinta Basin. The Bonneville Basin unit is a series of reservoirs, aqueducts, tunnels, and canals that will bring 137,600 acre-feet of water annually through the mountains to the communities and farms along the west slope of the Wasatch Mountains. This water currently is running to waste in the Pacific Ocean. The central Utah project also provides new storage reservoirs to expand irrigation, industrial, and domestic water supplies for cities and towns in the Uinta Basin.

New reservoirs

This week I would like to discuss the Uinta Basin phase of the central Utah. The Uinta Basin currently has a surplus of water. But due to lack of storage, most of this surplus runs to waste down the Colorado River system during the spring runoff. To store this water for later use, the central Utah project includes the construction of five new reservoirs to serve the Uinta Basin area.

Most costly

By far the largest and most costly reservoir serving the Uinta Basin will be the Starvation. Slightly larger than Deer Creek, this reservoir and dam will be located about 4 miles northwest of Duchesne, right across the present route of U. S. Highway 40. The dam will be 160 feet high and the overall cost will be $18.6 million. The reservoir will impound water in the Strawberry River and be fed additional water through a 7-mile feeder canal from the Duchesne River.

Other structures

The four other reservoirs in the Uinta Basin area are: Tyzack, on Brush Creek, 10 miles northeast of Vernal; Hanna, on Duchesne River, 29 miles northwest of Duchesne; Upalco, on Big Sand Wash, about 1 mile northwest of Upalco, Utah; and Stanaker, an offstream reservoir 3.5 miles north of Vernal, which will store water from Ashley Creek. The total cost of these four reservoirs and canals and laterals serving them will be about $22 million.

More water

The Uinta Basin portion of the central Utah project will furnish water for an additional 6,890 acres of new land and supplemental water for 34,490 acres already under irrigation. It is estimated that it will satisfy the municipal and industrial growth demands of the basin until at least the year 2000.

Recreation features

According to the National Park Service, Tyzack and Stanaker Reservoirs will be fine for swimming and boating and the Service recommends expenditure of $100,000 for development of recreation facilities. Hanna Reservoir, high in the Uintas, should be good for camping and fishing. Next week I will discuss the Emery County project, which, like the central Utah project, has been authorized by Congress as a part of the upper Colorado River storage project.

CONGRESSMAN DAWSON REPORTS

(By Representative WILLIAM A. DAWSON)

EMERY PROJECT

In addition to Flaming Gorge and Glen Canyon dams and reservoirs, and the Central Utah project, the upper Colorado River legislation also provides for the construction of another project important to Utah's economy and growth. This is the $9.8 million Emery County project which will bring additional water to farms in the vicinity of Orangeville, Castledale, Huntington, and Cleveland, Emery County.

Benefits told

The project will capture and put to use 32,400 acre-feet of water now running to waste in the Colorado River system. This water will irrigate 3,630 new acres of land and benefit an additional 20,450 acres of farmland now having inadequate water supplies. Of the total cost of the project, all but $229,000 will be repaired by water and power users.

New reservoir

Major unit of the project will be a dam and reservoir on Cottonwood Creek about 12 miles northwest of Orangeville in Joes Valley. The dam will be 185 feet high and will create a reservoir about the size of Fish Lake. Cost of the dam is estimated at $5.5 million. The project also contemplates construction of a $120,000 diversion dam 8 miles downstream from Joes Valley.

Long canal

From the diversion dam at Swasey, water would be transported 17 miles through the Cottonwood-Huntington Canal which will be built at a cost of nearly $4 million. Laterals from the terminal point near Huntington would carry the new water supply to thirsty farms in the area. The project will require the relocation of Utah Highway 10, part of which will be flooded out by Joes Valley Reservoir.

Recreation use

The National Park Service has surveyed the area and reports that the project will greatly increase its recreational value. Noting that Utahans drive many miles to fish at Fish Lake and Scofield Reservoir, the Service remarks that Joes Valley Reservoir will be similar in size and setting. The Service predicts that the area will become popular for summer homes and high altitude summer vacations.

Vast benefits

During the past few weeks, I have tried to give you some of the details of the overall $1 billion upper Colorado River project as they affect Utah. Certainly construction of this vast project—the largest single reclamation project ever approved by Congress—is going to make great changes, not only in the prospects for the future of the State and its citizens, but in the appearance of many of our recreation areas.

Excerpts From Speeches on Various Subjects

EXTENSION OF REMARKS

OF

HON. J. HARRY McGREGOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 1956

Mr. McGREGOR. Mr. Speaker, as long as it has been my honor to represent the 17th Ohio District in the House of Representatives, I have endeavored to keep the people of my district familiar with my activities and my position on various issues.

On July 2, I inserted in the RECORD excerpts of speeches that I have made on farm problems. Today, Mr. Speaker, under consent to extend my remarks in the RECORD, I include excerpts of various speeches I have made on other subjects in order that the people may be familiar with the true record and my position on national issues.

If anyone desires to find these remarks in full, they are printed in the CONGRESSIONAL RECORD on the dates indicated:

WOMEN OF 60 SHOULD RECEIVE SOCIAL SECURITY

(March 18, 1955)

Mr. Speaker, I have introduced a bill in the House of Representatives to amend the Social Security Act to lower from 65 to 60 the age at which women may become entitled to benefits thereunder.

Mr. Speaker, 221,242 American women between 46 to 64 have applied for jobs in State employment offices.

The married woman under 65 does not have enough to get along on even though her husband is receiving social-security benefits. If she becomes a widow before reaching the age of 65 she receives a lump sum of $255 from social security. She must seek employment.

Reducing the age to 60 at which women may become entitled to benefits will cost 1 percent of the payroll costs. Compared to the sum of moneys sent to help other women throughout the world, is 1 percent too much to ask?

I believe this bill to be an economic necessity as the bulk of employers close the doors to women in this age bracket. According to the questionnaire sent to the 17th Ohio District, 68 percent of my constituents favor lowering the age so that women could receive benefits at 60.

Truth About Tax Reduction

(March 18, 1955)

Mr. Speaker, some New Deal orators have been exhorting the public with the usual extravagant political claims of being the party of the little man in tax-reduction measures.

Let us look at the record. It will speak for itself and it will show that under New Deal philosophies the so-called little fellow has had to pay higher taxes. It has been the Republican Party which has cut taxes for the lower-income groups. Since the first income tax law was passed by a Democratic Congress in 1913, there have been 15 income tax increases. Democratic Congresses voted all but one of these increases.

The New Dealers put low-income people and wage earners on the tax roll. In 1932 there were 1,900,000 taxable Federal returns. In 1952 there were 46,800,000 such returns. Republicans did the cutting 7 out of the 10 times that income taxes have been reduced since 1913.

In 1954, Republicans reduced taxes by a total of $7.4 billion * * * the largest cut in any 1 year in history. The Republicans reduced taxes on electric-light bulbs, stoves, refrigerators, electric toasters, telephone and telegraph bills, pharmaceutical supplies, and many other excise taxes. This cut benefited all taxpayers.

Sixty-two cents out of each dollar in the tax reduction went to individuals with approximately 25 cents of this going to taxpayers with incomes under $5,000.

The New Dealers have been endeavoring to play politics with tax legislation, claiming that they want to decrease income tax exemptions. Again, I say, let's look at the record. The following chart shows the exemptions from 1931 to 1954:

	Republican 1925–31	Democratic 1932–39	Democratic 1940	Democratic 1941	Democratic 1942	Democratic 1944	Republican 1948
Single	$1,500	$1,000	$800	$750	$500	$500	$600
Married	3,500	2,500	1,500	1,500	1,200	1,000	1,200
Dependent	400	400	400	400	350	500	600

Farm Problems—Controls

(May 4, 1955)

Mr. Speaker, my farmers are of the definite opinion they want a minimum of Federal controls and are looking forward to the time when they can live as free citizens without Government interference.

Why not establish a program that will ultimately allow us to get rid of controls, Mr. Speaker, so that the farmers of today will be able to make an honest living and not be dictated to by some bureaucrat who, in many instances, knows nothing about farm problems.

Social Security

(August 4, 1955)

Mr. Speaker, now that the First Session of the 84th Congress has adjourned and I cannot be accused of playing politics, I want to take this opportunity to thank the Democratic Majority Leadership, as well as the Republican Minority Leadership, and the Majority Members, as well as the Minority Members, for their assistance in making it possible to give the aged people the relief I asked for when I introduced H. R. 5064 on March 18, 1955.

Especially do I appreciate the thoughtful consideration given to the subject by the members of the Ways and Means Committee. I am also grateful for the many telegrams and letters I have received from people all over the country complimenting me on the introduction of this legislation. I am certain their recommendations and suggestions to me, as well as to their Congressmen, played an important part in having the House of Representatives pass social-security legislation granting age reduction from 65 to 60 years to women who desire to receive social-security benefits.

Permit All Farmers to Vote on Wheat Referendum

(January 23, 1956)

Mr. Speaker, I think we have become a great Nation because of the many freedoms it is our privilege to enjoy. That freedom has been protected at the ballot box by an expression of the views of the majority. With this thought in mind, I have introduced a bill, H. R. 8697, to permit wheat farmers, including those who plant less than 15 acres of wheat, to vote in any wheat marketing referendum conducted by the Secretary of Agriculture.

Regardless of the "pros" and "cons" of a marketing program, the majority of the people should determine whether it should be in effect or not in effect.

Permit Farmers to Grow What They Need

(January 23, 1956)

Mr. Speaker, I have introduced a bill, H. R. 8698, which will exempt from marketing quotas farmers who raise grain entirely for their own use on their farms either as feed or seed. I feel this legislation will give freedom from a program to that group of farmers who now do not derive benefit. Certainly in this great Republic responsible farmers should have the right to grow the crops that are necessary to sustain their own farms without Federal control or interference.

Give Rural Mail Service to All

(January 26, 1956)

Mr. Speaker, I have introduced a bill, H. R. 8845, which gives authority to the Postmaster General, subject to the postal laws and regulations, the right to extend rural mail routes. This bill, if it becomes a law, would give rural mail delivery, as nearly as practicable, to the entire rural population of the United States.

After all, Mr. Speaker, we are all citizens and we are entitled to equitable service and treatment regardless of where we live.

Editorial on President Eisenhower

(January 30, 1956)

Mr. Speaker, under leave to extend my remarks I am enclosing an editorial appearing in one of the outstanding newspapers of my district, the Mount Vernon (Ohio) News. In well-chosen words, it clearly defines the position of our President and recognizes that his performance in office confirms the feeling of trust and confidence that the people of our Nation have for him. The records will show, Mr. Speaker, that President Eisenhower has dedicated himself to the preservation of peace. The people trust him, Mr. Speaker, regardless of his politics. He has given us full employment without war. He has balanced the budget without jeopardizing defense or any other segment of our economy. He has cut waste and unnecessary expenditures and has given dignity to his office.

Farmers—Social Security

(February 22, 1956)

Mr. Speaker, I am today inserting in the Congressional Record petitions signed by many of my constituents of the 17th Congressional District of Ohio. You will note, Mr. Speaker, that these citizens are asking for the repeal of that portion of Public Law 761, or any other social-security law which contains compulsion for farmers, farmer-employer, or the farm owner.

Regardless of the merits or demerits of this subject, I am one who firmly believes that all should be given an opportunity to be heard and their views brought to the attention of this Congress. I respectfully ask that the proper authorities, or committee, of this Congress give every consideration to the request contained in these petitions.

The Truth About Taxes

(May 2, 1956)

Mr. Speaker, under leave to extend my remarks, I would like to put into the Record "The Truth About Taxes." The records are available for anyone to see and the publication of these records, Mr. Speaker, certainly should stop some of the wild remarks and statements that are being made relative to the tax program which we all admit is high. The record will show that unnecessary expenditures are being cut and that for the first time in many years, we have a balanced budget. We hope, with the continuation of these efficiencies that at an early date we will again be able to cut taxes and reduce our national debt. A reduction in taxes means an increase in buying power or an increase in wages for all. I insert herewith an article entitled "The Truth About Taxes."

"THE TRUTH ABOUT TAXES

"Democrats parroting the Truman fabrication that, of the '$7 billion tax cut put across in 1953' by the Republicans, 'corporations and people with incomes over $5,000 a year got 91 percent of the cut and all the millions of taxpayers with incomes of less than $5,000 a year got only 9 percent of the cut,' should be corrected as follows:

"1. Of the total $7½ billion annual tax cut made possible by Republicans in 1954, 62 percent of the cuts went to individuals, only 38 percent to corporations.

"2. Not 9 percent, but 23 percent went to people in the under-$5,000 category.

"3. Most people got a 10–11 percent income tax cut; but for those in the highest brackets the cuts scaled downward to only 1 percent at the top.

"4. The under-$5,000 group received more than its fair share of the income tax cuts, because the people who paid 33 percent of the total income taxes collected under the

Democrats got 37 percent of the tax reductions made possible by the Republicans in 1954.

"(The above figures are official Treasury Department computations.)

"5. The real 'High Tax Party' is the Democratic Party, because 14 of the 15 income-tax increases (but only 3 of the 10 reductions) since 1913 were enacted by Democrats.

"Little fellow gets break

"6. The average $5,000 family man (with wife and two children) in 1932 paid only $12 in Federal income taxes—but he paid $266 in 1952—22 times as much. Republicans made it possible to give the $4,000 man a 10 percent income tax cut. At the same time, the millionaire was given only a 1 percent cut in the 1954 Republican tax reduction, proving that, proportionately, the little fellow received a much bigger tax break than the big fellow.

"7. The Roosevelt-Truman administrations in 20 years increased the Federal tax burden on everyone by 31 times—from $2 billion to $63 billion. Hidden taxes that were unknown in 1932 mushroomed under the Democrats to the point where by 1950 they exceeded $700 a year per family."

TARIFF PROGRAM

(June 18, 1956)

Mr. Speaker, I am today in receipt of a chart showing what our so-called reciprocal trade and low tariff program is doing to one of our great industries, who for years has given employment to many, many people. The chart that I am inserting shows a steady decrease in earnings, in total wages and total man hours worked.

Mr. Speaker, for many years I have been calling to the attention of the Congress this situation and others of similar nature as it affects industries in my district. It is disgraceful that we are asking our American labor, manufacturers, and farmers to compete with a product produced in other countries by low wage rate labor. I say it is time to stop such a procedure.

FARM-TO-MARKET ROADS

(June 26, 1956)

The bill, H. R. 10660, Federal Highway Act of 1956, retains the provision which I sponsored in 1954 that gives permission to the State highway departments and the local authorities to use Federal funds on farm-to-market roads. The specifications covering these roads can be drawn by local county engineers with the approval of the highway department and need only to meet the needs of the local communities. This means that Federal highway funds can be used on farm-to-market roads without rigid adherence to Federal specifications which often in the past, because of the exorbitant cost, has prevented the construction of needed roads in many sections of rural areas.

RELOCATION OF UTILITY FACILITIES

(June 26, 1956)

Section 113 of H. R. 10660 makes it permissible for Federal funds to be used to reimburse a State for additional relocation costs which the State had paid for under its own laws. Section 113 is the same as the bill as passed by the House. This section has been recommended and accepted by the conferees recognizing the equity of reimbursing utilities for the cost of relocating facilities when required for Federal aid highway projects.

After lengthy discussion, the conferees have endeavored that this section makes it clear that it is the intention of the Federal Government to assume its apportionate share of utility relocation costs whenever a State allows such costs. Under the existing practice, Mr. Speaker, of the Bureau of Public Roads, Federal funds may participate in utility relocation costs to the same extent as other construction costs without percentage limitations based on the State's apportionment. This legislation encourages the States to review their contemporary status and take objective action in accordance with such review. Mr. Speaker, this section will be of great assistance to small utilities, both public and private, especially including the REA, small telephone companies and small villages through which highway systems run and now have storm sewers, water sewage and lighting utilities which do not bring in the revenue necessary to relocate if compelled to do so by new highway alinement.

BUDGET AND SAVINGS—PUBLIC DEBT

(July 16, 1956)

Mr. Speaker, I am most happy to note that in the final report of the fiscal year we finally have arrived at a place where we again have a balanced budget. The records will show, Mr. Speaker, that Government spending has been cut from $10 billion to $14 billion below the level of the previous administration, despite the continued heavy demands of the cold war. The record shows that Government spending is taking only 19 percent of the national income, which is a 6 percent cut from the 25 percent share of the previous administration.

I repeat, the 1956 budget has been balanced and we will have approximately $2 billion surplus. Mr. Speaker, this is a good record but I firmly believe that with the continuation of our existing practices we will be able to again lower our national debt and give the people of our Nation another tax reduction.

COMMUNISM AND SECURITY

(July 16, 1956)

Mr. Speaker, I am pleased to note that we have new anti-Communist laws which will protect our country and our people. Among these new laws is (1) revoking citizenship of Communist conspirators convicted in the future. (2) Increase penalities for harboring Communist fugitives from justice. (3) Extend sabotage definition to include biological warfare items. (4) Require registration of Communist-action and Communist-front printing equipment. These new laws and others of similar nature will go a long ways toward stamping out communism in our country. Certainly our loyal citizens will appreciate this added protection.

DEFENSE

(July 16, 1956)

Mr. Speaker, I have made many trips to my district during the last year and I firmly believe that the people it is my honor to represent have confidence in President Eisenhower's judgment as to what constitutes adequate strength. I sincerely believe, Mr. Speaker, that the President knows more about military affairs than many of his citizens. Our ground forces, air defense squadrons, surface ships and guided missiles are completely modern and ready for immediate service at any time. I am sure that this administration's defense policy has achieved the greatest efficiency, economy, preparedness, and adaptability in peacetime history. A prosperous economy easily convertible to war has been maintained while cutting defense costs by $10 billion. Research in weapons has permitted shift from manpower to weapon power. I am sure that all will agree, regardless of politics, that this is an excellent record.

LABOR

(July 16, 1956)

Mr. Speaker, I have just received a series of various reports relative to our economy, which of course included the labor field. I am indeed happy to note that employment is highest in history. An average of 63.2 million had jobs, which smashed all previous records. This record shows, Mr. Speaker, that approximately 3 million more held peacetime jobs than were held previously, even in war. We are in a sound economy, Mr. Speaker, when it is possible for our people to have jobs without war.

Both hourly and weekly wages are at an all-time record high averaging nearly 13 percent higher in peacetime 1955 than in wartime 1952.

TAXES

(July 16, 1956)

Mr. Speaker, I am one who firmly believes that a heavy tax burden weakens the economy of our country. A tax increase means lower wages because of the decrease of our purchasing power. A tax reduction means an increase in wages because we have more money to spend. I am happy to note that this administration has given Americans the biggest tax break in history—starting in 1954. Each taxpaying family has received an average tax cut of $100 per year. Here's how this administration helped everybody:

First. Reduced personal income taxes 10 percent for most taxpayers—saving $3 billion.

Second. Cut excise taxes on handbags, cosmetics, movies, household appliances, etc.—saving $1 billion.

Third. Revised the whole tax structure, reducing taxes by giving bigger medical deductions, special aid for working mothers, retired people, parents with working dependents, partial relief against double taxation of dividends, liberalized depreciation rules, etc.—saving $1.4 billion.

Fourth. Working widow can now deduct $600 paid for care of her children under 12 years—saving $120 on $3,000 income.

Fifth. Parents can now deduct $600 for minor child as dependent even if he earns over $600—saving $120 on $3,300 income, $132 on $6,000 income.

Sixth. Retirement income of persons over 65 not drawing nontaxable social security benefits (school teachers, policemen, firemen, etc.) is now exempt up to $1,200—saving up to $240 a year.

Seventh. Excise tax cuts on luggage, jewelry, telephone bills, movies, cosmetics, etc. give Americans $1 billion more spending money a year.

BE SURE TO VOTE

Mr. Speaker, a day of decision will be election day, November 6, 1956. We have become a great Nation because our citizens are interested, and each and every one play an important part in our Government. We can continue to be a great Nation only if every qualified voter regards it as his duty to exercise his franchise and prove to the world that Americans value their right to take part directly in the election of Government officials and in the management and control of our Republic. The number of ballots cast will demonstrate to the world how much we value that privilege and will emphasize that the American form of government marches forward with determination, vigor, and strength. Everyone should carefully analyze the candidates to determine whether or not they believe in the philosophy of government that has made America a great Nation. Every candidate should make known his position on the issues confronting us, and also make known his record. My record is public and I invite your investigation. The record will

show that we are winning the greatest battle of all time in preserving our form of government, restoring real stability in our domestic and foreign affairs, and giving us all what we hope and pray for, "a lasting peace." The continuation of this program calls for outstanding leadership, honesty, integrity, careful planning and judicial administration of the law. You will be assuming your proportionate share of this responsibility when you go to the polls on Tuesday, November 6, and vote for the candidate of your choice.

Be sure and vote Tuesday, November 6.

Excerpts From Address by Hon. Alexander Wiley, of Wisconsin, Before Order of AHEPA

EXTENSION OF REMARKS

OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Tuesday, July 17, 1956

Mr. WILEY. Mr. President, last Sunday night it was my privilege to address one of the outstanding groups of my State and of the Nation. I refer to the Order of AHEPA.

It was a great joy to meet with these patriotic Americans. I am grateful to them for a wonderful evening, and, in particular, for their gracious expressions of personal commendation and support.

My subject was, of course, Greek-American relations and the need for constant improvement of them. We of the United States have always had the warmest affection for Greece, and it is my hope that by this address I may have, perhaps, contributed in some small part to further improvement in our relations.

I ask unanimous consent that excerpts from the address be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

SENATOR WILEY URGES UNITED STATES TO CONTINUE TO SEEK JUST SOLUTION ON CYPRUS; ISSUES NEW WARNING AGAINST SOVIET TRICKERY IN ITS OFFERS TO GREECE AND OTHER LANDS

(Excerpts from address by Senator WILEY at Order of AHEPA district meeting, Racine, Wis., July 15, 1956.)

I always feel very happy and honored to be the guest of your great organization, the AHEPA, and especially on the occasion of this district convention.

The American Hellenic & International Progressive Association has proved to be one of our most vital national groups. It is unique in not only serving the major interests of Greek-American relations but in promoting a more abundant life for all and the preservation of our dearly prized freedom.

It is a well-known fact that the Order of AHEPA has provided and continues to provide outstanding services to our fine citizens of Greek extraction—folks who make up the membership of the more than 350 devout Greek Orthodox communities throughout the United States.

From AHEPA's ranks has come expanded leadership, and into its ranks have come the flower of Greek-American talent.

Uppermost among them is, of course, the issue of democracy and true self-determination on embattled Cyprus. Yes, an end to the tragic bloodshed on that island, including, of course, the earliest possible return of exiled Archbishop Makarios to his people.

I feel that I speak the sentiments of all America when I say that we are deeply saddened by what has transpired on Cyprus.

TRADITION OF NONMEDDLING, BUT TRADITION OF SPEAKING OUR CONSCIENCE

Now, as you know, we Americans are not meddlers. We don't like to take any action which could be construed as interference in other people's affairs, whether in Great Britain's affairs, Greece's, Turkey's, or anybody else's affairs.

At the same time, wholly consistent with our tradition of noninterference and nonmeddling, there is another tradition.

It is the tradition that America will not be silent, America will not shirk and be motionless, when injustice is done before her eyes and the world's eyes. The conscience of America is too keen, the humanitarianism of our people too deep for us to fail to try to lend our good offices to end injustice and discord. We are glad to do so, particularly when we might be of help to solve a dispute which is not between enemies, which is not between an enemy and a friend, but rather between friend and friend, as between Great Britain and Greece today.

NO BASE CAN BE HELD AGAINST PEOPLE'S WILL

We cannot fail to note to our British friends that the whole history of the 20th century confirm this fact: No base is really much good, unless it is surrounded by native people friendly to the maintenance of that base.

No interior or port area can be successfully held or successfully used unless the local population is, by and large, agreeable. If it is not agreeable, then acts of sabotage may occur, transportation and communications may be cut and all the other tragic complex of guerrilla warfare may occur.

To us, the thought of Cypriot children—young boys and girls—fighting against British Tommies, or for that matter any other Cypriot citizen doing so, is distasteful. But it is distasteful not only to us but, we know, to the Tommies themselves and to the people of the United Kingdom, as well.

When we think of England, we think of her magnificent tradition of freedom and liberty. We recall how, in our own colonial times, the conscience of Britain spoke from within the Parliament of Britain itself in the cause of American colonists' freedom.

We have a high respect today, as well, for the British Government and for the British people.

Surely, from British statesmanship and yes, from Greek and Turkish statesmanship can come a solution to this problem—a solution compatible with the interests of the United Kingdom, of Greece, and Turkey. It must be a solution fully compatible with the crucial strategic needs of NATO, and of the Balkan Pact, as well.

Surely, we should be able to see living vitality put back into NATO and put back into the Balkan Pact, by having this dispute among friends settled.

Without meddling, therefore, without interference, we shall speak our conscience on this matter.

And tonight, I shall refer to other problems as well: To Greece's stalwart tradition against communism—including its latest crafty forms; to Greece's emigration problem and her economic problem.

I have, as you know, enjoyed talking both with the distinguished King and Queen of Greece, and I know from first-hand experience what a warm regard the Greek Government and the Greek people have for our own land.

CONTRIBUTIONS BY AMERICANS OF GREEK ANCESTRY

This genuine mutual affection is certainly understandable. And it is a real "light," worthy of being followed, as a wonderful symbol.

From the earliest days of their arrival here, Americans of Greek descent in this country rapidly became an integral part of our Nation. In war and in peace they have done much to bolster the American way of life. Over the past century, we have seen Greek immigrants emerge—basically from humblest origins, as a group of people who proved the heights to which free men and women can rise, as did your noble forebearers of the golden ages.

Today, some of our most prominent business, professional, and civic leaders in public life are of Hellenic origin. We in Wisconsin are particularly proud of our fellow-citizens of Greek ancestry and of your many fine contributions to our State and Nation.

THE LEGACY OF GREECE

Of course, the influence of ancient and modern Greece on our civilization and life, can hardly be overestimated. There is perhaps no other country that has left to future generations as many legacies as she.

Our religion, philosophy, science, literature, education, and politics—indeed, every phase of our institutional life—all have their roots in Greek culture and tradition.

Above all, as the "cradle of democracy," Greece taught her lessons of democratic government to the world. While forms and methods have changed to fit the times and needs, the basic principles of liberty, freedom, and individual dignity remain forever the core of our way of life.

No one can stand on the Acropolis, as I have, and as you no doubt have, without a feeling of awe and reverence and yes, eternal gratitude for "the glory that was Greece."

UNITED STATES TIES WITH GREECE

The bonds between the United States and Greece have been ever strong. Her people, as ours, have always remained devoted to democratic principles. And it was, of course, in this country that Greek political forms were applied to their peak and that real government of, by, and for the people reached its greatest triumph.

Because of our common heritage then, it was not unusual that, as far back as 1821—the beginning of the Greek struggle for independence—the United States became one of Greece's stanchest supporters. Daniel Webster and Henry Clay, greatest figures in the Congress, spoke eloquently on behalf of the Greek cause. President Monroe, in a message to Congress, paid special tribute to the revolutionaries.

Our own young country naturally felt warm ties of sympathy with the Greek patriots seeking freedom, just as we ourselves had achieved it a short time before—with blood and sacrifice.

GREECE'S LATEST TRAVAIL: NATURE'S RAVAGE

Unfortunately, Greece, over the centuries, has known many dreadful times. The present moment is not a happy one from several standpoints.

This week we were deeply saddened to observe how the fury of the elements had once again ravaged the land of your fathers. Earthquakes, volcanic outbreaks, and tidal waves have as we all know, rocked the Aegean Sea, causing death and destruction on a dozen of the Greek Islands.

Our sympathy goes out to the injured and homeless in these areas. But sympathy is not enough. Quick action is and was imperative to treat the injured, house and feed the homeless, and help the stricken repair the damages to home and property.

American relief experts are now surveying the disaster scene. The American Government and International Red Cross, among

other agencies, will take whatever measures may be asked for so as to help bring relief. Greece, is as you know, relying basically on itself to meet this tragedy.

But it is in tragedies of this kind that the brotherhood of man rises above all political friction. Thus, the Greek people do not stand alone in their grief.

GREECE'S SUFFERING AT THE HANDS OF THE INVADER

The Greek people have also suffered much under the iron hand of alien tyranny. Since their independence from Turkey, they have faced three particularly formidable alien assaults.

Twice their territory has been invaded in brutal, outright aggression. And more recently, we have seen Greek freedom endangered by the now hard—now soft, zig-zag tactics of Kremlin treachery.

Greece has stood up grandly to the task of meeting each of these adversities, but not without suffering a heavy toll in human lives and property.

Against the Communist onslaught in particular, we saw how bravely Greece fought to preserve her independence. We were glad to do what we could to provide this brave land (with its meager physical resources) to provide it with military and economic assistance to hurl back the Red foes—from within and from without.

OUR AID PROGRAM SAVED OUR STRATEGIC INTEREST

The world will not soon forget Greece's triumph over communism, a triumph achieved by the gallantry of her own forces in the true Evzone tradition. Nor will the world forget that it was America's enlightened program—a bipartisan program, of aid, administered by our great Gen. James Van Fleet—which enabled Greek valor to prevail.

Today, we bear occasional criticisms—unwarranted abuse—of the United States aid program from people who tend to forget the past. They tend to forget that it was the free world's own strategic interest which was saved by our enabling Greek courage to smash the Red enemy. The whole history of the crucial Mediterranean and of the Middle East would have been altered for the worst had Greece been permitted to perish under the Red attack.

The money we spent in Greece was repaid to us manyfold by the preservation of Greece's independence.

LATEST SLY SOVIET OVERTURES

Today, Greece continues her efforts against communism—from without and from within. She remembers full well the tragic plight of the some 28,000 Greek children and 3,000 Greek soldiers carried behind the Iron Curtain 9 years ago, and not heard from since.

She still finds the Communist craftily maneuvering for advantage in her political life. But increased economic and political stability within the country will serve to reduce this threat.

Of course, the Kremlin is, as usual, trying to exploit the current Cyprus dispute to Moscow's own advantage. Pravda within the past few weeks offered new technical and economic assistance to Greece, just a week after the visit of Soviet Foreign Minister Dmitri T. Shepilov. However, neither the King or Queen, nor Premier Karamanlis, nor his Government and people, are naive or unsuspecting, in the face of Soviet cunning.

Greece has firmly confirmed her steadfast stand with the West.

As one of our most resolute allies in the free world resistance to Communist aggression, Greece has rightly come to be one of the most trusted members of NATO. She has accepted the full responsibilities of her membership in the organization. This has been proved on many occasions, notably her contribution to the Korean war effort.

Greece knows well, from experience, her strategic importance in the Atlantic-Mediterranean community and she knows her vulnerable position in the gateway to the Middle East. She will not be found wanting when the free world calls upon her.

But she asks: Will the free world fail her over the all-important Cyprus issue?

It must not. Surely, the voice of reason will prevail among the three NATO allies, surely the voice of patience and understanding and reasonable compromise.

As I indicated at the outset, this is a time for statesmanship on the part of all concerned—not for blind extremism, not for unyielding harshness and inflexibility, but for the spirit which Athens itself demonstrated in the golden times—the spirt of enlightenment and belief in the supremacy of intelligence in conquering any problem.

The needs are plain: a mighty base for the free world must obviously be maintained on Cyprus, with a population around it that supports it enthusiastically.

The United Kingdom's interest, Turkey's interest in an area but 40 miles from her shores and an area with people one-fifth of Turkish origin must be carefully reconciled with Greece's natural interest—in a land and a people which is Greek in its very essence.

Self-rule for Cyprus, security for the West, assurances for Britain, Greece, and Turkey—these are not incompatible objectives.

And so, we hope and pray for a just solution and soon.

JUSTICE FOR OUR YOUNGSTERS

But justice is an ideal for which we should strive—not simply in foreign parts but in our own land as well.

I refer to justice for young and old; justice in meeting a domestic problem such as that posed by our own often wayward youngsters.

As many of you know, I am privileged to serve as ranking member of the Senate Judiciary Committee, in addition to being a member of its Juvenile Delinquency Subcommittee.

BISHOP EZEKIEL'S SPLENDID TESTIMONY

I am pleased therefore, to acknowledge the fine contribution made to our subcommittee, particularly by Bishop Ezekiel of the Greek Othodox diocese of Chicago, in his testimony before us. His comments on behalf of spiritual rededication struck a respondent chord in our hearts, and I was happy to compliment him on his presentation.

MY WORK ON BEHALF OF RELIGIOUS DESIGNATION BILL

I mentioned at the hearing incidentally, that I had been pleased to work on behalf of an important bill, since enacted.

By this legislation, Greek Americans of the Orthodox faith as well as other groups of the Eastern Orthodox faith, can designate their religious preference in the Armed Forces, a privilege previously denied members of our armed services of your faith.

This measure was long overdue. For surely, freedom of religion in every manner and form is one of our most sacred constitutional rights.

Two of our able staff experts, I might mention, on the Juvenile Delinquency Subcommittee itself are themselves of Greek Orthodox faith. And I am pleased to recognize their fine work.

It was only natural, of course, that among the outstanding civic groups invited to testify before the subcommittee was the Order of AHEPA, Supreme Gov. Louis G. Manesiotis added significantly to our understanding. He reported at our hearing in Pittsburgh on the background of AHEPA's interest:

"The Order of AHEPA at its national convention in August of 1954 held here in the city of Pittsburgh, upon learning of your program to coordinate the efforts of service groups throughout the country, unanimously approved the resolution endorsing this most worthwhile project. We again reaffirmed this resolution at our San Francisco conclave last August, and pledged all our facilities and resources in promoting this important program."

That pledge is being faithfully fulfilled.

LIBERALIZING UNITED STATES IMMIGRATION LAW

In the few minutes remaining to me, I should like to refer to the need for fulfilling a further pledge, on all our parts. It is in the field of liberalized immigration law.

Your Refugee Relief Committee is continuously working to remedy the unfair immigration quota still set on Greek aliens. As you know, the present quota set at 308 per year is grossly discriminating. This is only one two-hundredth of the quota of several other countries in Europe.

Certainly this rate is completely incompatible with the American concept of justice and fair dealing for our fellow man. And so, quick consideration in the closing days of Congress' session must be given to immigration reforms, including increasing the number of refugees coming to America from Greece, as well as abolishing the mortgaging of future quotas.

As you probably know, a measure has just recently been introduced by Senator CAPEHART, of Indiana, to provide additional visas for certain aliens of Greek ethnic origin living in Greece. S. 4088, which amends the Refugee Relief Act of 1953, is still pending before the Senate Judiciary Committee of which I am a member. Needless to say, I will urge its sympathetic review as soon as possible.

ECONOMIC JUSTICE FOR GREECE

I shall continue to urge, as well, efforts toward economic justice for Greece and other free nations.

We are naturally interested in maintaining the most fruitful trade agreements, under which Greek and American commerce may benefit. Greek prosperity in large part depends on the availability of markets for her export produce. How can a small country, drained through repeated wars (not of her choosing) and sudden catastrophes, expect to get back on her feet if she is faced with unwarranted quotas and restrictions on her exports?

This is especially serious for Greece which is so heavily dependent on a relatively few major products.

Likewise, we will give continued attention to our economic and technical assistance programs in Greece. Our interest is, of course, not only in the needed building up of the capital structure of the Greek economy—long-range engineering projects and the like, but the uplifting of the living standards of the average Greek and his family—living standards which are still unfortunately low, despite the recovery progress that has been made.

These are just a few of the questions which Congress must look into carefully. Too often, in weighing the general issues of immigration, foreign trade, and assistance we might otherwise tend to forget our debt to democratic nations of the world. And what greater debt do we owe than to the real "cradle of democracy?"

CONCLUSION

It is in this spirit that I should like to conclude my remarks.

I want you to know what a great privilege it has been to be with you tonight.

Had time permitted, I would have liked to have commented upon certain other phases of Greek-American relations which well command our interest.

I am interested, for example, in the ever-expanded program of exchange of Greek and American leaders. Why? So that we may benefit from the informative presence here of representative Greek leaders from all walks of Greek life, and so that Greece, in turn, may benefit from their having visited our shores and learned from us.

And there are other phases which I would like to have commented upon as well—phases which I have been pleased to discuss on many pleasant occasions with Greece's able Ambassador to the United States, His Excellency, George V. Melas—a most eloquent spokesman, not simply for his country, but for the free world.

With these thoughts, therefore, I conclude. But you, in turn, will not conclude your own constructive work here in Racine and throughout this district—your work on behalf of ever-improved Greek-American relations and on behalf of a brighter future for ourselves, for our children, and for those who will follow after them.

Compulsory Inspection of Poultry for Wholesomeness

EXTENSION OF REMARKS
OF
HON. LEONOR K. SULLIVAN
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 17, 1956

Mrs. SULLIVAN. Mr. Speaker, the Poultry Subcommittee of the House Committee on Agriculture today opened hearings on legislation to require Federal inspection of poultry and poultry products for wholesomeness, and it was my great privilege to appear as the first witness.

As sponsor of H. R. 11800, which would amend the 50-year-old Meat Inspection Act to provide compulsory inspection of poultry in the same manner as we require inspection of the red meats, I am anxious to see legislation on this subject enacted this year. As I told the House on June 18, at the time I introduced H. R. 11800, diseased and unwholesome poultry had been a major source of food infection and has caused a number of deaths in the poultry processing plants.

Under unanimous consent, I submit the statement which I delivered before Chairman POLK and the other members of the Poultry Subcommittee today, followed by the text of the Sullivan bill, H. R. 11800, as follows:

COMPULSORY INSPECTION OF POULTRY FOR WHOLESOMENESS

TESTIMONY BY CONGRESSWOMAN LEONOR K. SULLIVAN, OF MISSOURI, BEFORE POULTRY SUBCOMMITTEE OF HOUSE COMMITTEE ON AGRICULTURE ON H. R. 11800, BY MRS. SULLIVAN, TO REQUIRE COMPULSORY INSPECTION FOR WHOLESOMENESS OF POULTRY AND POULTRY PRODUCTS, TUESDAY, JULY 17, 1956

Chairman POLK and members of the subcommittee, I appreciate very much this opportunity to appear as your first witness on the various bills before you to require Federal inspection of poultry and poultry products for wholesomeness. It is extremely encouraging to me that you are taking up this issue with the intention of recommending legislation in this session, and I sincerely hope we can get a good bill through. I understand the Senate Committee on Agriculture intends to meet tomorrow in executive session to consider bills on this same subject, so it is conceivable we can enact legislation before adjournment. I certainly hope so.

Let me say first that I know how busy all of the members of this subcommittee are in these closing days of the session. I am similarly pressed for time, with so much to do in such a short period yet remaining of this session, and so I have no intention of taking up unnecessary time here today. I do not think I have to tell you in great detail why we must have compulsory inspection of poultry. The members of the subcommittee are as familiar with the problem as I am. What concerns us all is finding the most practical and effective solution.

RESEARCH MATERIAL APPEARED IN JUNE 18 CONGRESSIONAL RECORD

As the members of the subcommittee know, I went into great detail in the remarks I made in the House on June 18, at the time I introduced H. R. 11800, explaining why legislation was necessary, and I do not want to take time to repeat that material this afternoon. I do think it should be made part of the record of this hearing, however, and so I ask that it be included at the conclusion of my oral testimony—that is, the remarks I made in the House on June 18, along with the research material presented at that time and inserted in the CONGRESSIONAL RECORD. If it is done in that way, it will save us much time and still provide a complete record for those interested and concerned in this important issue.

What I want to do in the time here this afternoon is to explain, then, not why we must have poultry inspection—for I believe that everyone connected with the poultry industry will now acknowledge that we must have additional consumer protections or the poultry industry will suffer from serious consumer resistance—but rather, what I want to do is to discuss the various proposals for providing an inspection program and to explain why I think my bill, H. R. 11800 is the best approach.

Let me give you briefly, the high points of H. R. 11800. To put it as concisely as possible, my bill would amend the Meat Inspection Act in every relevant provision to require that poultry and poultry products be inspected in exactly the same manner in which—for 50 years—we have been inspecting the red meats.

NO LEGAL PITFALLS IN USE OF MEAT INSPECTION ACT

It does not set up any new rules, regulations, definitions, procedures, or other legal pitfalls. By "pitfalls," I mean provisions which would set off endless litigation and thus prevent prompt and effective application of the new law.

The Meat Inspection Act is exactly 50 years old. It grew out of the same circumstances a half century ago as the demand today for poultry inspection laws—that is, the practices of unscrupulous operators who defied the public good and sent diseased and unwholesome meats into the channels of commerce.

Some of the information now available on the kind of diseased and unwholesome poultry products which have been shipped in interstate commerce is so sickening and revolting I do not want to go into it here. I think you are all familiar with this problem. I know you join me in wanting to see the public protected. As members of the Agriculture Committee, you also want to make sure that the legitimate poultry raisers and processors are protected from the poison peddlers in the trade.

I have given much thought to this problem ever since officials of the Meat Cutters Union first called my attention to the health hazards many of their members were experiencing in the poultry plants. The more I went into this problem, the more it became my conviction that poultry should be inspected in exactly the same way as the red meats. The meat inspection program has been remarkably successful—one of the most successful of all Government programs—and has been a great thing both for the consumer and the livestock and packing industries.

While it is true that meat can be spoiled in transit, or in improper handling after it leaves the packinghouse, nevertheless we know that when it left the plant—with the Government stamp on it—it was pure and wholesome and not diseased and dangerous to eat.

PURPOSE IS PRIMARILY TO PROTECT CONSUMING PUBLIC

I want to see us enact a law which will give us the same assurance on poultry.

As my bill states, its purpose is "to protect the general consuming public."

I think that is first and foremost, but there are additional factors also, and they are:

"To protect the health of persons engaged in the processing and distribution of poultry and poultry products, to prevent the spread of disease through shipments in interstate and foreign commerce of unwholesome poultry and poultry products, and to promote the wider use of poultry through assurance to the consuming public of its wholesomeness and freedom from disease, thus assisting agriculture and the food marketing industries in expanding their sales and augmenting their important contributions to our economic system."

I hope the members of this subcommittee will agree with me on the objectives I have cited, and also on their relative order—that is, that the health of the public comes first. I say that because I know that some of the other bills before you, while aimed at protecting the public, of course, nevertheless seem to stem primarily from the desire to protect the industry from unscrupulous competitors. I want to do that, too; but the first thing, as I said, is to protect the public. If we can agree on that, then I believe my bill, H. R. 11800, best suits the purpose.

It provides for compulsory inspection of all poultry and poultry products in interstate commerce, and also in intrastate commerce if it burdens or affects interstate commerce. I think the industry itself is anxious to see both covered. Now as I understand it, the intrastate inspection could be carried out under working relationships between the Federal service and State or local authorities.

ANTE MORTEM INSPECTION MADE MANDATORY

My bill makes ante mortem inspection compulsory—that is, inspection before slaughter as well as after. This is the only way, according to information which I have received, that we can assure the health and wholesomeness of the poultry involved. I know that many of the industry spokemen oppose this on the grounds that it would make processing slower or more costly. But believe me, if we are going to have an inspection system, let's not have half a system. All red meat animals are inspected both before and after slaughter. Under the meat-inspection law this is discretionary with the Secretary of Agriculture, but for years it has been mandatory by regulation. My bill amends the basic law to make it mandatory for the red meats and for poultry.

Otherwise, in every particular, H. R. 11800 adopts exactly the existing provisions of the meat inspection law. For 50 years, with only occasional amendment, this law has held up remarkably well. It can apply equally well to poultry.

The Department of Agriculture has made comments on this legislation in connection with the so-called poultry industry bill which is also before you. That bill would delay enforcement of poultry inspection for 2 years, and then permit other exemptions and delays for 2 additional years. That would mean we would not have general compulsory inspection until 1960. That is too long a wait—too late. My bill would provide 6 months to bring about conformance. I do not think that is too soon.

If you will note the Department's comments on the industry bill, it has in instance

after instance suggested changes to bring the bill more generally into conformance with the Meat Inspection Act. I say, rather than set up an entirely new law and procedure for poultry, let us use the perfectly good law we now have for meat inspection, and let it be extended logically to include poultry. The Department, in effect, endorses just about all the proposals in my bill, by its criticism of the industry bill. In other words, we can solve this whole problem just by adapting the meat-inspection law to include poultry.

POULTRY INDUSTRY BILLS FAIL TO MEET NEED

The poultry industry says that poultry competes with the red meats and therefore should not be placed under the meat-inspection branch. My bill does not require that poultry inspection be in the meat-inspection branch, although I certainly think that is the logical place for it, rather than in a sales promotion branch of the Department. But I do provide the Secretary with discretion on this. However, there is no discretion to provide different standards for poultry than for the red meats. They should be treated alike. After all, beef and pork compete for business, and so does lamb. The meat inspectors are not promoting one type of meat over another; they are only seeking to make sure that the meat we serve in our homes, or which is served to us in restaurants, is wholesome and not diseased and insanitary.

My criticism of the poultry industry bill is that while it seeks to show a desire to conform to good inspection laws, it provides so many delays, so many modifications and so many relaxations and exemptions that I am afraid it would do us little good for a long time to come. For the immediate future it would merely shift to the Federal Government the cost of the voluntary program which is presently paid by industry. We should pay for the inspection service—but we should get our money's worth—and have real and effective and full inspection—in the immediate future, rather than 4 years from now.

I urge you to study my bill from this standpoint.

THE SULLIVAN BILL, H. R. 11800

And now, Mr. Speaker, I submit a copy of my bill, H. R. 11800, as introduced June 18, as follows:

[84th Cong., 2d sess.]

H. R. 11800

In the House of Representatives, June 18, 1956, Mrs. SULLIVAN introduced the following bill; which was referred to the Committee on Agriculture:

"A bill to amend the Meat Inspection Act (34 Stat. 1260, as amended) and the Tariff Act of 1930 (46 Stat. 689, sec. 306) to require compulsory inspection for wholesomeness of poultry and poultry products.

"*Be it enacted, etc.*, That the Congress of the United States finds that poultry and poultry products are being marketed through the channels of interstate and foreign commerce without adequate inspection to protect the public against poultry and poultry products which are diseased, unsound, unhealthful, unwholesome, or otherwise unfit for human food.

"To protect the general consuming public, to protect the health of persons engaged in the processing and distribution of poultry and poultry products, to prevent the spread of disease through shipments in interstate and foreign commerce of unwholesome poultry and poultry products, and to promote the wider use of poultry through assurance to the consuming public of its wholesomeness and freedom from disease, thus assisting agriculture and the food-marketing industries in expanding their sales and augmenting their important contributions to our economic system, the following amendments are made to the Meat Inspection Act (34 Stat. 1260), as amended, and the Tariff Act of 1930 (46 Stat. 689, sec. 306) giving the Secretary of Agriculture power to inspect, condemn, or regulate any shipments of poultry in interstate or foreign commerce, or any shipment thereof which directly burdens, obstructs, or affects interstate or foreign commerce in such commodity.

"SEC. 2. The first paragraph of the act of March 4, 1907 (34 Stat. 1260; 21 U. S. C. 71), authorizing inspection of cattle, sheep, swine, and goats before slaughter is amended to require such ante mortem inspection of cattle, sheep, swine, goats, and poultry, as follows:

"(a) By striking out the phrase 'meat or meat products' and inserting 'meat or poultry, and meat or poultry products';

"(b) By striking out the words 'at his discretion may' following the words 'Secretary of Agriculture' and inserting the word 'shall';

"(c) By striking out the phrase 'cattle, sheep, swine, and goats' wherever it appears, and inserting 'cattle, sheep, swine, goats, and poultry';

"(d) By adding to the phrase 'any slaughtering, packing, meat-canning, rendering, or similar establishment' the words 'or poultry-processing plant';

"(e) By striking out the phrase 'the meat and meat-food products thereof are to be used in interstate or foreign commerce' and inserting 'the meat or poultry or poultry pieces, and meat or poultry food products thereof are to be used in interstate and foreign commerce';

"(f) By adding at the end of said paragraph '*Provided*, That at his discretion the Secretary of Agriculture may also regulate any shipments of poultry or poultry products which directly burden, obstruct, or affect interstate or foreign commerce.'

"SEC. 3. The second paragraph of the act of March 4, 1907 (34 Stat. 1260; 21 U. S. C. 72), dealing with post mortem inspection of carcasses, labeling and marking, destruction of condemned carcasses, and reinspection, is amended:

"(a) By striking out the phrase 'cattle, sheep, swine, and goats', wherever it appears, and inserting 'cattle, sheep, swine, goats, and poultry';

"(b) By adding to the phrase 'any slaughtering, meat-canning, salting, packing, rendering, or similar establishment' the words 'or poultry processing plant';

"(c) By adding after the words 'and carcasses and parts thereof of all such animals', wherever they appear, the words 'or poultry';

"(d) By adding 'or poultry-processing plant' after the words 'any such establishment' and 'any establishment' in the clauses dealing with removal of inspectors from establishments failing to comply with requirements hereunder.

"SEC. 4. The third paragraph of the act of March 4, 1907 (34 Stat. 1261; 21 U. S. C. 73), dealing with the examination of carcasses brought into slaughtering or processing establishments, and of meat food products issued from and returned thereto, is amended:

"(a) By striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats, and poultry';

"(b) By striking out the phrase 'meat or meat products' and inserting 'meat or poultry, or meat or poultry products';

"(c) By adding to the phrase 'any slaughtering, meat-canning, salting, packing, rendering, or similar establishment' the words 'or poultry processing plant';

"(d) By striking out the phrase 'treated and prepared for meat food products' and inserting 'treated and prepared for meat or poultry food products.'

"SEC. 5. The fourth paragraph of the act of March 4, 1907 (34 Stat. 261; 21 U. S. C. 74), dealing with the powers of meat inspectors in approving sound, healthful, and wholesome products and in condemning and causing the destruction of unsound, unhealthful, and unwholesome products, is amended:

"(a) By striking out the phrase 'meat food products' wherever it appears and inserting 'meat or poultry food products';

"(b) By adding to the phrase 'any slaughtering, meat-canning, salting, packing, rendering, or similar establishment' the words 'or poultry processing plant';

"(c) By striking out the phrase 'meat or meat food products' and inserting 'meat or poultry, or meat or poultry food products';

"(d) By striking out the phrase 'condemned meat food products' and inserting 'condemned meat or poultry food products.'

"SEC. 6. The fifth paragraph of the act of March 4, 1907 (34 Stat. 261; 21 U. S. C. 75), dealing with labeling requirements, is amended:

"(a) By striking out the phrase 'meat or meat food products' in the four instances where it appears, and inserting 'meat or poultry, or meat or poultry food products.'

"SEC. 7. The sixth paragraph of the act of March 4, 1907 (34 Stat. 1262; 21 U. S. C. 76), governing sanitary inspection and regulation of the premises of slaughtering and packing establishments, and rejection of products of unsanitary establishments, is amended:

"(a) By adding to the phrase 'any slaughtering, meat-canning, salting, packing, rendering, or similar establishment' the words 'or poultry processing plant';

"(b) By striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats, and poultry';

"(c) By striking out the phrases 'meat and meat products' and 'meat or meat products' and inserting 'meat or poultry, or meat or poultry food products.'

"SEC. 8. The seventh paragraph of the act of March 4, 1907 (34 Stat. 1262; 21 U. S. C. 77), permitting inspections during the nighttime as well as during the daytime, when slaughtering is conducted during the nighttime, is amended: by striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats, and poultry.'

"SEC. 9. The eighth paragraph of the act of March 4, 1907 (34 Stat. 1262; 21 U. S. C. 78) dealing with transportation of carcasses, meat or meat food products not properly inspected and marked, is amended:

"(a) By striking out the phrase 'meat or meat food products' and inserting 'meat or poultry, or meat or poultry food products';

"(b) By adding at the end of said paragraph '*Provided*, That nothing in this section shall preclude the Secretary of Agriculture from regulating shipments of poultry or poultry products which directly burden, obstruct, or affect interstate or foreign commerce.'

"SEC. 10. The 17th paragraph of the act of March 4, 1907 (34 Stat. 1264; 21 U. S. C. 87) dealing with transportation or sale of meat or meat food products not complying with the inspection laws, is amended:

"(a) By striking out the phrase 'meat or meat food products' wherever it appears, and inserting 'meat or poultry, or meat or poultry food products';

"(b) By adding to the phrase 'any slaughtering, meat-canning, salting, packing, rendering, or similar establishment' the words 'or poultry processing plant.'

"SEC. 11. The 19th paragraph of the act of March 4, 1907 (34 Stat. 1264; 21 U. S. C. 89), dealing with the appointment, duties, and regulations governing inspectors, is amended:

"(a) By striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats, and poultry';

"(b) By striking out the phrases 'meats and meat food products' and 'meat and meat food products' and inserting 'meat or poultry, or meat or poultry food products';

"(c) By striking out the words 'meat food products' wherever they appear and inserting 'meat or poultry food products.'

"SEC. 12. The 21st paragraph of the act of March 4, 1907, as amended (34 Stat. 1265, as amended by 52 Stat. 1235; 21 U. S. C. 91) exempting certain farmers, retail butchers and retail dealers from the inspection provisions of the Meat Inspection Act, is further amended by adding the following subsection thereto:

"'(d) the Secretary of Agriculture is hereby authorized to establish the basis on which certain categories of poultry raisers, retail poultry butchers, and retail poultry dealers are exempted from the inspection requirements of this act: *Provided*, That these exemptions shall be based on maximum volume limitations which are fair and reasonable in relation to other exemptions in this section: *And provided further*, That such exempt poultry raisers, retail poultry butchers and retail poultry dealers shall be subject to the provisions of the second paragraph of subsection (c) above for violations of the requirements of this act.'

"SEC. 13. The authorization included in the act of June 30, 1906 (34 Stat. 679, as amended by 48 Stat. 1225; 21 U. S. C. 95) is amended:

"(a) By striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats, and poultry';

"(b) By striking out the phrase 'meat and meat food products' and inserting 'meat or poultry, and meat or poultry food products.'

"SEC. 14. The act of June 5, 1948 (62 Stat. 344; 21 U. S. C. 98) providing for payment of costs of the inspection service by the United States, is amended by striking out the phrase 'meat and meat food products' and inserting 'meat and poultry, and meat and poultry food products.'

"SEC. 15. Section 306 of the Tariff Act of 1930 (46 Stat. 689; 19 U. S. C. 1306) dealing with the importation of meat and meat products is amended:

"(a) By inserting the words 'or poultry' in subsection (b) thereof after the words 'meat' or 'meats' wherever they appear;

"(b) By striking out the phrase 'cattle, sheep, and other domestic ruminants, and swine' in subsection (c) thereof, and inserting 'cattle, sheep, and other domestic ruminants, poultry and swine'; and in the same subsection (c) thereof, inserting after the word 'meats' the words 'or poultry.'

"SEC. 16. The compulsory poultry inspection provided for by this act shall commence on the first day of the 6th month after enactment hereof."

SENATE

(Legislative day of Monday, July 16, 1956)

WEDNESDAY, JULY 18, 1956

The Senate met at 9:30 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou who art our shelter from the stormy blasts of this mortal life and our eternal home, from all the illusive shows of time and sense we turn unfilled once more to the refuge of Thy overshadowing presence. We come asking for a wisdom higher than our own. Inspire and guide with Thy counsel these Thy servants, the few among the many lifted to these high pedestals of influence and responsibility, to the end that they may be found faithful stewards of the Nation's trust. By their singleness of purpose, sincerity, and integrity may they be led to decisions that shall enlarge the borders of good will and help heal the wounds and bridge the gulfs of these embittered days. May all that is said and done in this historic Chamber of governance hasten the glad time when peace and justice and truth shall be blended into the divine harmonious pattern of Thine eternal kingdom. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, July 17, 1956, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

REPORT ON LEND-LEASE OPERATIONS—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 413)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I transmit herewith the 37th Report to Congress on Lend-Lease Operations for the calendar year 1955.

During the year under review collections and credits on lend-lease accounts amounted to approximately $47 million.

No further settlement agreements were completed during 1955 but notable progress was made toward reaching agreement with Poland for the settlement of its lend-lease indebtedness. Also, continuous efforts were made to reach agreement with Ecuador on settlement terms for certain overdue cash reimbursement postwar lend-lease obligations to the United States.

Most other countries made scheduled payments on account.

These and other matters of interest to the Congress and the public are covered more fully in the report.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *July 18, 1956.*

(Enclosure: 37th Report to Congress on Lend-Lease Operations.)

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of William E. Eaton, to be postmaster at Ivydale, W. Va., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

LEAVE OF ABSENCE

On his own request, and by unanimous consent, Mr. HOLLAND was excused from attendance on the session of the Senate tomorrow.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Committee on Interior and Insular Affairs was authorized to meet during the morning session of the Senate today.

Mr. NEELY. Mr. President, I ask unanimous consent that the Committee on the District of Columbia may meet for a few minutes tomorrow afternoon while the Senate is in session.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be the usual morning hour for the presentation of petitions and memorials, the introduction of bills, and the transaction of other routine business, subject to the usual 2-minute limitation on statements.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Three letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

ADMISSION OF DISPLACED PERSONS—WITHDRAWAL OF NAME

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Sen Sun Chu from a report transmitted to the Senate on May 6, 1956, pursuant to section 6 of the Refugee Relief Act of 1953, with a view to the adjustment of his immigration

status (with an accompanying paper); to the Committee on the Judiciary.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

PETITION

The PRESIDENT pro tempore laid before the Senate the petition of Paul L. Marshall, of New Orleans, La., praying for a redress of grievances, which was referred to the Committee on the Judiciary.

RESOLUTION OF NATIONAL COMMITTEE OF AMERICANS OF POLISH DESCENT

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the National Committee of Americans of Polish Descent, New York, N. Y., relating to conditions in Poland.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION ADOPTED BY THE NATIONAL COMMITTEE OF AMERICANS OF POLISH DESCENT

The recent tragic events in Poznan, which took the life of scores of victims, have revealed to the whole world the intolerable conditions which are prevailing in Poland.

The Communist system forcibly imposed on the homeland of our fathers is the result of the Yalta agreement, which sanctioned the division of the world and delivered Poland to Soviet Russia. The President of the United States took part in the Yalta Conference with Stalin and became a party to that agreement. This country, therefore, shares the responsibility for the present state of affairs in Poland.

If the present international situation does not permit the administration to take the initiative of fully liberating Poland, it is, nevertheless, its elementary moral duty to resort to diplomatic action whenever the Communist rulers of Poland flagrantly violate fundamental human rights, as had been recently done in the Poznan massacre of workers clamoring for a betterment of their living conditions. No government has the right to shoot its citizens when they demand bread, as did the strikers in Poznan.

We believe it to be our duty to appeal to you, Mr. Congressman, asking you to undertake an energetic action in cooperation with other Members of Congress, in order to bring about at least a diplomatic intervention of our administration with the Communist government in Warsaw, asking them for—

1. A full public explanation of the tragic events in Poznan, their origin and causes.

2. Severe punishment of those responsible for the shooting of the workers and civilian populations of Poznan.

3. The prevention of retaliatory measures, executions and other reprisals.

4. A guaranteeing to the citizens of Poland, and particularly the workers, of the right to put forward their justified political and economic demands.

5. An increase of the wages and an improvement of working and living conditions of the workers so as to bring them to a decent level, such as they enjoy in Western democracies and particularly in the United States.

6. The granting of full political rights to the people of Poland in accordance with basic democratic principles and the traditions of Poland's history and culture.

INCREASED POSTAL RATES—LETTER

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD a letter addressed to me by the American Farm Bureau Federation, Washington, D. C., signed by John C. Lynn, legislative director, relating to the deficits of the Post Office Department, and increased mail rates.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN FARM BUREAU FEDERATION,
Washington, D. C., July 16, 1956.

Hon. WILLIAM LANGER, *Member,*
Post Office and Civil Service Committee,
Senate Office Building,
Washington, D. C.

DEAR SENATOR LANGER: The American Farm Bureau Federation, representing 1,623,222 members in the 48 States and Puerto Rico, has a considerable interest in the United States Postal Service and has followed closely the action on H. R. 11380.

At the last annual convention the voting delegates of Farm Bureau adopted the following policy on postal legislation:

"The Post Office Department has made progress in its effort to reduce its operating deficit. We encourage further effort to improve efficiency and reduce operating costs.

"We will support an increase in rates for third-class mail if operating costs cannot be reduced sufficiently to eliminate the deficit in this classification."

Subsequently, at its March 28–30, 1956, meeting, the American Farm Bureau Federation board of directors gave special consideration to the postal rate increases as provided for in H. R. 9228, introduced February 9, 1956. These rate increases were approved and supported with the exception of third-class mail. In this category the board recommended that there be a 50 percent increase rather than the 29 percent as expressed by H. R. 9228 and continued in H. R. 11380. We believe that a 50 percent increase would more adequately reflect a desirable relationship between revenue and costs of this particular classification of mail, which, under the increases as proposed by the bill under consideration, will only increase the expense coverage to 73 percent of ascertained costs of the service.

In making this recommendation we are fully aware of the vital role advertising plays in the distribution of goods and services produced on our farms, in our factories and our mills. However, we see no valid argument in support of a taxpayer subsidy for distribution of advertising matter in lieu of a fair and reasonable rate for service provided by the Post Office Department.

Farm Bureau is fully aware of the value of the postal service to the rural people of this Nation and of the importance of not penalizing, through a harsh rate structure, those enterprises which mean so much to better rural and community life.

In this connection we commend the House for amending H. R. 11380 to exempt from the rate increases small newspapers of less than 5,000 circulation. Since these papers are an important information media at the local level and operate generally on a very limited financial base we believe they are entitled to the consideration offered them by this amendment.

Our chief concern is, like that expressed by many Members of the Congress, the need for balancing fiscal operations of the Post Office Department. It is alarming to note that within the past 10 years the American taxpayer has found it necessary to subsidize the Department through added debt to an amount in excess of $4 billion.

The American Farm Bureau Federation, therefore, recommends that, in the best interest of all users of our postal service, the committee take such favorable action as will make available to the Post Office Department the additional revenues provided by the rate increases as expressed in H. R. 11380, together with our recommendation that section 106, dealing with third-class rates, be amended to reflect a 50 percent rate increase in this classification rather than the 29 percent as provided in the bill being considered.

We ask that this letter be made a part of the record of testimony on this legislation.

Sincerely yours,

JOHN C. LYNN,
Legislative Director.

PARTITION OF GERMANY—RESOLUTION

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the Steuben Society of America, relating to the division of Germany.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas our Nation was founded upon principles which recognized certain basic inalienable human rights; and

Whereas these rights include the right of a people to determine their own form of government; and

Whereas the Steuben Society of America, composed of American citizens of Germanic ancestry, is pledged to zealously cherish and defend these rights which find their affirmation in the Declaration of Independence, the Constitution of the United States of America and its Bill of Rights; and

Whereas there has been imposed upon certain ethnic groups a system of government which has repressed or abrogated these rights, and our Nation has become a party to certain pacts and executive agreements; and

Whereas such pacts and agreements have been nullified due to their violation by certain participating parties, resulting in the continued division of Germany controlled by two distinct and opposing political ideologies, the East, established and maintained under an oppressive philosophy which repudiates and denies its subjects certain inalienable natural rights, and the West, dedicated to the enjoyment and furtherance of such rights; and

Whereas this has resulted in the continued physical separation of millions of people from their homes and possessions beyond the time limits set in such agreements; and

Whereas quasi-officialdom and propagandists both in Europe and at home are attempting to condition world opinion to urge upon Germany a cession of "some of its territories" and an abandonment of millions of its peoples to a tyrannous system of government as the price for unification; and

Whereas such ill-conceived actions are creating increasing disillusionment and despair among the German peoples which may decisively affect the final decision in the conflict between these opposing philosophies

and systems of government to the detriment of the entire free world; and

Whereas only a free, united, and democratic Germany can effectively fulfill its traditional role as a bulwark against Eastern ideologies and as a bridge between the peoples of the East and the West: Now, therefore, be it

Resolved, That the Steuben Society of America does hereby petition the President of the United States of America and the Congress of the United States of America to exert all of their inherent sanctions and powers, diplomatically, politically, legislatively, and economically to effect the speedy reunification of Germany, and to restore to those expelled from their homes these human rights, which no man or government has a right to bargain away; and be it further

Resolved, That an ultimately reunited German people must decide their own destiny and that only countries founded on the tenets of full and complete equality will be able to fulfill their task in the world of tomorrow; and be it further

Resolved, That we advocate the restoration of boundaries based upon political and territorial self-determination; and be it further

Resolved, That the Steuben Society of America condemns any policy of expediency designed to urge or compel any nation to accept a division or partition of its territories and the imposition of an alien form of government.

Respectfully submitted,

STEUBEN SOCIETY OF AMERICA,
ROBERT A. BAERWALDE,
National Chairman.
J. GEORGE M. STOLZ,
National Secretary.

NEW YORK, N. Y., *July 13, 1956.*

RESOLUTION OF BOARD OF HARBOR COMMISSIONERS, SUPERIOR, WIS.

Mr. WILEY. Mr. President, I was pleased to hear today from my good friend, L. R. McPherson, president of the Superior Board of Harbor Commissioners with regard to the desire of the board for an adequate survey of the facilities of that great port, so as to assure the best possible use of the port for peacetime and emergency period use.

I would like to underline emphatically the text of this resolution.

The State of Wisconsin is proud of the great port of Superior which figures so large in the economy and in the prosperity of my State.

Thanks, of course, to the St. Lawrence Seaway, the port of Superior is expected to emerge to still larger proportions in the entire Great Lakes economy.

I, for one, certainly want to make sure that the agencies of the United States Government facilitate the fullest possible use of the port by both governmental and private channels.

I am glad, of course, to advise that in May the Senate Public Works Committee adopted a resolution for a thorough survey by the Corps of Engineers of lake ports. Included, of course, in the ports of Wisconsin is Superior.

I send to the desk now the text of this parallel resolution, as forwarded to me by the Superior board and ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF SUPERIOR, WIS., REQUESTING ASSISTANCE OF THE UNITED STATES MARITIME ADMINISTRATION, THROUGH ITS DIVISION OF PORT DEVELOPMENT, FOR A SURVEY AND DETERMINATION OF THE NECESSARY HARBOR FACILITIES FOR THE EFFICIENT DEVELOPMENT OF THE PORT OF SUPERIOR FOR NATIONAL DEFENSE AND FOREIGN AND DOMESTIC WATER TRANSPORTATION

Whereas by River and Harbor Act of Congress, approved June 3, 1896, the separate harbors of Superior and Duluth were created a joint port which has developed into a port second only to the port of New York in point of tonnage shipments; and

Whereas pursuant to Wisconsin statutes the city of Superior has created the Superior Board of Harbor Commissioners, with statutory jurisdiction over all publicly owned harbor property, and its control, management, improvement, and operation; and

Whereas the port of Superior, Wis., is located at the most westerly end of Lake Superior, and nearly one-third of the distance from the Atlantic to the Pacific Oceans, and with a potential trade territory as far west as Butte, Mont., and as far south as Denver, Colo., based on a rail rate advantage; and

Whereas we believe that port facilities for our port should be projected, planned, and developed for the efficient and economical handling of foreign and domestic water traffic and for national defense in the event of war: Be it therefore

Resolved, That the United States Maritime Administration and its Division of Port Development be, and they hereby are, requested to aid and assist in determining the area attributable which can best be served by the port of Superior, and the type and location of port facilities to efficiently and economically handle the traffic, both foreign and domestic; further

Resolved, That a copy of this resolution be sent to Senators WILEY and MCCARTHY and to Congressman O'KONSKI.

Passed and adopted this 18th day of June 1956.

L. R. MCPHERSON,
President, Superior Board of Harbor Commissioners.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DWORSHAK, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 9918. A bill to authorize the Secretary of the Interior to negotiate and execute a contract with the Riverside Irrigation District, Ltd., of Idaho, relating to the rehabilitation of the district's works and other matters (Rept. No. 2618).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 8474. A bill to quiet title and possession with respect to certain real property in the State of Alabama (Rept. No. 2619).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with amendments:

S. 4012. A bill to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada acting for the State of Nevada (Rept. No. 2631).

By Mr. SCOTT, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 9591. A bill to amend the act of August 31, 1954 (68 Stat. 1037), relating to the acquisition of non-Federal land within the existing boundaries of any national park, and for other purposes (Rept. No. 2620).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, without amendment:

S. 4215. A bill to amend the act of July 15, 1954, authorizing the sale of certain vessels to Brazil (Rept. No. 2625);

H. R. 9801. A bill to authorize and direct the Panama Canal Company to construct, maintain, and operate a bridge over the Panama Canal at Balboa, C. Z. (Rept. No. 2628);

H. R. 11554. A bill to amend certain provisions of title XI of the Merchant Marine Act, 1936, as amended, to facilitate private financing of merchant vessels in the interest of national defense, and for other purposes (Rept. No. 2632); and

H. J. Res. 613. Joint resolution to authorize the vessel operations revolving fund of the Department of Commerce to be used for expenses in connection with the chartering of merchant ships under jurisdiction of the Secretary of Commerce (Rept. No. 2627).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, with an amendment:

S. 3831. A bill to provide for the establishment of a fish hatchery in the State of West Virginia (Rept. No. 2626).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, with amendments:

S. J. Res. 177. Joint resolution to authorize the Secretary of Commerce to sell certain war-built tankers (Rept. No. 2636).

By Mr. BUTLER, from the Committee on Interstate and Foreign Commerce, with an amendment:

S. 3827. A bill to authorize the construction of a shellfish research laboratory and experiment station in the Chesapeake Bay area (Rept. No. 2630).

By Mr. BYRD, from the Committee on Finance, with amendments:

H. R. 11947. A bill to extend and amend the Renegotiation Act of 1951 (Rept. No. 2624).

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, without amendment:

S. 4221. A bill to amend the International Wheat Agreement Act of 1949 (Rept. No. 2623).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. Res. 73. Resolution to refer to the Court of Claims the bill (S. 542) for the relief of the Trust Association of H. Kempner (Rept. No. 2634).

By Mr. EASTLAND, from the Committee on the Judiciary with amendments:

S. 1256. A bill to provide for the appointment of additional circuit and district judges (Rept. No. 2633).

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, with amendments:

S. 3593. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees (Rept. No. 2635).

COMPULSORY INSPECTION OF POULTRY AND POULTRY PRODUCTS (S. REPT. NO. 2622)

Mr. CLEMENTS, from the Committee on Agriculture and Forestry, reported favorably, without amendment, an original bill (S. 4243) to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products, which was read twice by its title, and placed on the calendar.

REPORT ENTITLED "DEFENSE ESSENTIALITY AND FOREIGN ECONOMIC POLICY" BY JOINT ECONOMIC COMMITTEE (S. REPT. NO. 2629)

Mr. DOUGLAS, from the Joint Economic Committee, submitted a report entitled "Defense Essentiality and Foreign Economic Policy," relating to the watch industry and precision skills, which was ordered to be printed.

INTERNATIONAL FOOD AND RAW MATERIALS RESERVE

Mr. HUMPHREY, from the Committee on Foreign Relations, reported an original resolution (S. Res. 316), which was placed on the calendar, as follows:

Resolved, That it is the sense of the Senate that the President should explore with other nations the establishment of an International Food and Raw Materials Reserve under the auspices of the United Nations and related international organizations for the purpose of acquiring and storing in appropriate countries raw or processed farm products and other raw materials, exclusive of minerals, with a view to their use in—

(1) preventing extreme price fluctuations in the international market in these commodities;

(2) preventing famine and starvation;

(3) helping absorb temporary market surpluses of farm products and other raw materials (exclusive of minerals);

(4) economic and social development programs formulated in cooperation with other appropriate international agencies.

Participation by the United States in such an International Food and Raw Materials Reserve shall be contingent upon statutory authorization or treaty approval, as may be appropriate.

REPORTS OF COMMITTEES ON PERSONNEL AND FUNDS

Pursuant to Senate Resolution 123, 80th Congress, 1st session, the following reports were received by the Secretary of the Senate:

JULY 10, 1956.

COMMITTEE ON AGRICULTURE AND FORESTRY

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Harker T. Stanton	Professional staff member (from Apr. 23).	$7,036.68
Henry J. Casso	Professional staff member (from May 1).	2,179.19
Porter M. Hedge	Professional staff member.	1,632.38
Cotys M. Mouser	Chief clerk	5,411.74
James M. Kendall	Assistant chief clerk	5,278.00
Betty M. Mason	Clerical assistant	2,644.66
Blanche M. O'Berg	do	3,329.74
Ida McCall	do	3,2,7012

Funds available for expenditure at beginning of period	$18,365.91
Additional funds authorized during period	
Total available for expenditure during period	18,365.91
Expended during period	16,771.96
Balance available for expenditure at end of period	1,593.95

ALLEN J. ELLENDER,
Chairman.

JULY 1, 1956.

COMMITTEE ON APPROPRIATIONS

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
TEMPORARY EMPLOYEES		
Paul E. Kamerick	Staff member (to Feb. 29).	$2,101.16
Gardner C. Turner	Staff member	6,704.76
Lewis C. Prell	do	5,115.61
REGULAR EMPLOYEES		
Everard H. Smith	Chief clerk	7,399.98
Thomas J. Scott	Assistant chief clerk	7,150.62
Francis S. Hewitt	Assistant clerk	6,704.76
Edmund T. King	do	6,348.06
Kenneth J. Bousquet	Professional staff member.	6,704.76
Earl W. Cooper	do	6,808.80
Herman E. Downey	do	6,704.76
Leonard E. Edwards	do	6,348.06
Joe E. Gonzales	do	6,258.90
Grace E. Johnson	do	5,363.45
William J. Kennedy, Jr.	do	6,348.06
Cecil C. McDaniel	do	6,704.76
Harold E. Merrick	do	6,704.76
Robert E. O'Hara	Professional staff member (to Feb. 9).	1,452.70
Raymond L. Schafer	Professional staff member.	6,348.06
Thomas F. Shannon	do	6,036.00
John M. Witeck	Professional staff member (from Mar. 1).	4,142.88
William W. Woodruff	Professional staff member.	6,704.76
Gloria S. Butland	Clerical assistant	2,713.14
Leon DeVille	do	2,610.42
Mary G. Gatton	do	2,713.14
Mary F. Holloway	do	2,713.14
Ruby C. Hutchinson	Assistant clerk	3,246.04
Mamie L. Mizen	do	4,596.40
Rebul H. Nichols	Clerical assistant	2,713.14
Rose M. Parker	Clerical assistant (from Apr. 16).	1,044.85
Jane Symmes	Clerical assistant (to Apr. 15).	1,462.79

Funds available for expenditure at beginning of period	$6,760.57
Additional funds authorized during period	
Total available for expenditure during period	6,760.57
Expended during period	5,215.56
Balance available for expenditure at end of period	1,545.01

CARL HAYDEN,
Chairman.

JULY 1, 1956.

COMMITTEE ON APPROPRIATIONS

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report on miscellaneous expenses during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

MISCELLANEOUS EXPENSES

Unexpended balance of amount authorized by S. Res. 129, June 26, 1947, as of Dec. 31, 1955	$24,151.49
Amount expended Jan. 1 to June 30, 1956	0
Balance unexpended as of June 30, 1956	24,151.49
Unexpended balance of amount authorized by Legislative Appropriation Act, 1956, as of Dec. 31, 1955	381,640.79
Amount expended Jan. 1 to June 30, 1956	14,026.80
Balance unexpended as of June 30, 1956	367,613.99
Unexpended balance of amount authorized by Reorganization Act and S. Res. 136, as of Dec. 31, 1955	7,989.52
Amount expended Jan. 1 to June 30, 1956	4,194.09
Balance unexpended as of June 30, 1956	3,795.43

CARL HAYDEN,
Chairman.

JULY 2, 1956.

COMMITTEE ON ARMED SERVICES

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Atkinson, Herbert S.	Assistant chief clerk	$4,400.97
Be Lieu, Kenneth E.	Professional staff member.	5,411.79
Braswell, T. Edward, Jr.	do	6,808.85
Dantzic, Maurine E.	Clerical assistant	2,636.11
Darden, William H.	Professional staff member.	6,808.85
Johnson, Edna E.	Clerical assistant	2,507.66
Schweigert, Esther N.	do	2,353.51
Welker, Mary M.	do	2,370.19
Wingate, Harry L., Jr.	Chief clerk	5,411.79

Funds available for expenditure at beginning of period	$6,760.57
Additional funds authorized during period	
Total available for expenditure during period	6,760.57
Expended during period	5,215.56
Balance available for expenditure at end of period	1,545.01

RICHARD B. RUSSELL,
Chairman.

JUNE 30, 1956.

COMMITTEE ON ARMED SERVICES

PREPAREDNESS INVESTIGATING SUBCOMMITTEE

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Anton, James	Special counsel [1]	$56.16
Barker, Sophia E.	Stenographer [2]	1,175.71
Canaday, Alyce D.	Clerical assistant	2,353.50
Clark, Joyce	Stenographer	1,942.44
Cofer, John D.	Chief counsel [3]	1,628.55
Cooper, Genevieve	Secretary	2,507.64
Engle, Wallace L.	Investigator	3,740.76
French, Stuart P.	Special counsel [4]	2,282.55
Gilless, Benjamin J.	Attorney	4,203.18
Hamilton, Fowler	General counsel [5]	3,253.09
Hiller, Vera M.	Stenographer [6]	1,649.51
Jeffries, Jo Ann V.	Clerk-typist	1,942.44
Kelly, E. Russel	Assistant chief counsel.[7]	4,695.60
Looney, Robert E.	Attorney [8]	376.14
McGillicuddy, Daniel F., Jr.	Acting chief counsel.	4,203.18
Neal, Robert M.	Attorney	3,226.98
Potts, Ramsay D., Jr.	Associate counsel [9]	3,328.75
Stroum, Edith M.	Stenographer [10]	2,213.21

[1] Services terminated Jan. 2, 1956.
[2] From Apr. 3, 1956.
[3] From Apr. 9 to May 21, 1956.
[4] From Apr. 9, 1956.
[5] General counsel of Subcommittee on the Air Force from Apr. 5, 1956.
[6] Services terminated May 15, 1956.
[7] Services terminated May 31, 1956.
[8] From June 4, 1956.
[9] Associate counsel of Subcommittee on the Air Force from Apr. 3, 1956.
[10] Services terminated June 27, 1956.

Funds available for expenditure during period Jan. 1 to Feb. 29, 1956, under S. Res. 72 and S. Res. 203	$95,000.78
Expended during period Jan. 1 to Feb. 29, 1956, under S. Res. 72 and S. Res. 203	14,206.81
Balance unexpended, Feb. 29, 1956	80,853.97
Additional funds authorized during period Mar. 1 to Jun. 31, 1957, under S. Res. 215	176,000.00
Expended during period Mar. 1 to June 30, 1956, under S. Res. 215	39,363.30
Balance available for expenditure at end of period	136,636.70

RICHARD B. RUSSELL,
Chairman.

LYNDON B. JOHNSON,
Chairman, Preparedness Investigating Subcommittee.

JULY 12, 1956.

COMMITTEE ON BANKING AND CURRENCY

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
John H. Yingling	Chief clerk	$7,400.00
Robert A. Wallace	Staff director	7,144.92
Paul Cyr	Assistant clerk	6,808.85
William F. McKenna	Counsel	6,808.85
James B. Cash, Jr.	Professional staff member.	6,808.85
Donald L. Rogers	Counsel	6,808.85
Henrietta S. Chase	Clerical assistant	3,432.52
Florence Barr	do	3,175.61
Pauline C. Beam	do	3,124.23
Caro M. Pugh	do	3,124.23

Funds available for expenditure at beginning of period	$567.22
Additional funds authorized during period	-------
Total available for expenditure during period	567.22
Expended during period	549.40
Balance available for expenditure at end of period	17.82

J. W. FULBRIGHT,
Chairman.

JULY 12, 1956.

COMMITTEE ON BANKING AND CURRENCY

SUBCOMMITTEE ON HOUSING

(Under authority of S. Res. 57, agreed to March 18, 1955)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to January 31, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Jack Carter	Staff director	$1,134.80
Milton P. Semer	Chief counsel	916.82
Clarence M. Dinkins	Assistant counsel	812.79
Olin Cayness	Staff assistant	717.14
Dudley L. O'Neal, Jr.	Attorney-investigator.	632.03
James H. Walter	Staff assistant	623.46
Clarence R. Jacobs	Accountant	554.95
Frances K. Topping	Economist	537.83
Dorothy L. McCaffrey	Clerical assistant	417.94
Mildred Mitchel	do	400.81
Dixie J. Thomas	do	383.68
Doris I. Thomas	do	383.68

Funds available for expenditure at beginning of period	$37,927.61
Additional funds authorized during period	----------
Total available for expenditure during period	37,927.61
Expended during period	10,218.65
Balance available for expenditure at end of period	27,708.96

J. W. FULBRIGHT,
Chairman.

JULY 12, 1956.

COMMITTEE ON BANKING AND CURRENCY

SUBCOMMITTEE ON HOUSING

(Under authority of S. Res. 57, agreed to March 18, 1955, and S. Res. 209, agreed to February 8, 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from February 1, 1956, to February 29, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Jack Carter	Staff director	$1,134.80
Milton P. Semer	Chief counsel	916.82
Clarence M. Dinkins	Assistant counsel	812.79
Olin Cayness	Staff assistant	717.14
Dudley L. O'Neal, Jr.	Attorney-investigator.	632.03
James H. Walter	Staff assistant (to Feb. 23).	477.79
Clarence R. Jacobs	Accountant	554.95
Frances K. Topping	Economist	537.83
Dorothy L. McCaffrey	Clerical assistant	417.94
Mildred Mitchel	do	400.81
Dixie J. Thomas	do	383.68
Doris I. Thomas	do	383.68
Dean F. Cromer	Staff assistant (from Feb. 24).	167.33

Funds available for expenditure at beginning of period	$10,380.60
Additional funds authorized during period	----------
Total available for expenditure during period	10,380.60
Expended during period	9,012.19
Balance available for expenditure at end of period	1,368.41

J. W. FULBRIGHT,
Chairman.

JULY 12, 1956.

COMMITTEE ON BANKING AND CURRENCY

SUBCOMMITTEE ON HOUSING

(Under authority of S. Res. 160, agreed to February 17, 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from March 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Jack Carter	Staff director	$4,539.20
Milton P. Semer	Chief counsel	4,524.67
Clarence M. Dinkins	Assistant counsel (from Mar. 2).	3,224.06
Dean F. Cromer	Staff assistant	2,868.56
Dudley L. O'Neal, Jr.	Attorney-investigator.	2,528.12
Clarence R. Jacobs	Accountant	2,219.80
Mildred Mitchel	Clerical assistant	1,603.24
Dixie J. Thomas	do	1,534.72
Doris I. Thomas	do	1,534.72

Funds available for expenditure at beginning of period	$91,666.67
Additional funds authorized during period	----------
Total available for expenditure during period	91,666.67
Expended during period	30,235.01
Balance available for expenditure at end of period	61,431.66

J. W. FULBRIGHT,
Chairman.

JULY 12, 1956.

COMMITTEE ON BANKING AND CURRENCY

(Under authority of S. Res. 23, agreed to February 4, 1955)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to January 31, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Matthew Hale	Counsel	$1,134.80
Arthur J. Wilson	Staff assistant	774.36

Funds available for expenditure at beginning of period	$22,307.66
Additional funds authorized during period	----------
Total available for expenditure during period	22,307.66
Expended during period	12,038.23
Balance available for expenditure at end of period	10,269.43

J. W. FULBRIGHT,
Chairman.

JULY 12, 1956.

COMMITTEE ON BANKING AND CURRENCY

(Under authority of S. Res. 23, agreed to February 4, 1955, and S. Res. 209, agreed to February 8, 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from February 1, 1956, to February 29, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Matthew Hale	Counsel	$1,134.80
Arthur J. Wilson	Staff assistant	774.36

Funds available for expenditure at beginning of period	$8,431.22
Additional funds authorized during period	----------
Total available for expenditure during period	8,431.22
Expended during period	3,997.01
Balance available for expenditure at end of period	4,434.31

J. W. FULBRIGHT,
Chairman.

JULY 12, 1956.

COMMITTEE ON BANKING AND CURRENCY

(Under authority of S. Res. 155, agreed to February 21, 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from March 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Matthew Hale	Counsel	$4,539.20
Arthur J. Wilson	Staff assistant	3,097.44
Olin Cayness	do	2,868.56
Frances K. Topping	Economist	2,151.32
Dorothy L. McCaffrey	Clerical assistant	1,671.76

Funds available for expenditure at beginning of period	$91,666.67
Additional funds authorized during period	----------
Total available for expenditure during period	91,666.67
Expended during period	24,036.23
Balance available for expenditure at end of period	67,630.44

J. W. FULBRIGHT,
Chairman.

JULY 12, 1956.

COMMITTEE ON THE DISTRICT OF COLUMBIA

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Leo A. Casey	Chief clerk	$6,808.80
William P. Gulledge	Professional staff member.	6,808.80
Murray W. Wright	do	5,188.80
Ruth W. Bryant	Clerical assistant	3,483.84
Arlene B. Williams	do	3,483.84

Funds available for expenditure at beginning of period	$6,970.71
Additional funds authorized during period	
Total available for expenditure during period	6,970.71
Expended during period	1,959.35
Balance available for expenditure at end of period	5,011.36

MATTHEW M. NEELY,
Chairman.

JULY 6, 1956.

COMMITTEE ON FINANCE

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Elisabeth B. Springer	Chief clerk	$5,723.88
Betty Mae Tapy	Clerical assistant	3,226.98
Evelyn R. Thompson	do	3,226.98
Sandra Everly	Clerical assistant (from Jan. 2).	2,033.85
Jesse R. Nichols	Document clerk	2,610.42
Serge N. Benson	Professional staff member.	6,808.80
Fedele F. Fauri	Professional staff member (from Apr. 23).	2,572.21

Funds available for expenditure at beginning of period	$4,366.61
Additional funds authorized during period	
Total available for expenditure during period	4,366.61
Expended during period	2,945.54
Balance available for expenditure at end of period	1,421.07

HARRY F BYRD,
Chairman.

JULY 12, 1956.

COMMITTEE ON FOREIGN RELATIONS

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Carl M. Marcy	Professional staff member.	$7,399.98
Pat M. Holt	do	7,150.62
Alwyn V. Freeman	do	6,808.80
Julius N. Cahn	do	6,808.80
C. C. O'Day	Chief clerk	6,808.80
George C. Denney, Jr.	Assistant chief clerk (from Feb. 27).	4,690.50
Emmett M. O'Grady	Clerical assistant	3,175.56
June C. Pitts	do	3,381.12
Mary A. Sames	do	2,970.06
Doris B. Covington	Clerical assistant (from Mar. 1, under authority of S. Res. 161, agreed to Feb. 3; Jan. 1 to Feb. 29).	2,970.06
Orrin E. Cressey	Clerical assistant (under authority of S. Res. 161, agreed to Feb. 3).	2,918.70
L. June Connell	Clerical assistant (under authority of S. Res. 161, agreed to Feb. 3; from May 28).	459.73
Total		55,542.73

Funds available for expenditure at beginning of period	$12,847.61
Additional funds authorized during period	
Total available for expenditure during period	12,847.61
Expended during period	4,654.73
Balance available for expenditure at end of period	8,192.88

WALTER F. GEORGE,
Chairman.

JULY 12, 1956.

COMMITTEE ON FOREIGN RELATIONS

SUBCOMMITTEE ON REVIEW OF THE UNITED NATIONS

(Under authority of S. Res. 36, sec. B, agreed to February 4, 1955)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Hansen, Morella R.	Clerk (to Jan. 31)	$640.50

Funds available for expenditure at beginning of period	$7,262.52
Additional funds authorized during period	
Total available for expenditure during period	7,262.52
Expended during period	4,492.31
Balance at end of period	2,770.21

WALTER F. GEORGE,
Chairman.

JULY 12, 1956.

COMMITTEE ON FOREIGN RELATIONS

SUBCOMMITTEE MAKING A FULL AND COMPLETE STUDY OF FOREIGN TECHNICAL-ASSISTANCE PROGRAMS

(Under authority of S. Res. 162, agreed to February 8, 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Hansen, Morella R.	Research assistant (from Feb. 1).	$3,202.95
Hilsman, Emily J.	Assistant clerk (to Apr. 18).	886.26
Total		4,089.21

Funds available for expenditure at beginning of period	
Additional funds authorized during period	$27,000.00
Total available for expenditure during period	27,000.00
Expended during period	4,260.51
Balance available for expenditure at end of period	22,739.49

WALTER F. GEORGE,
Chairman.

JULY 12, 1956.

COMMITTEE ON FOREIGN RELATIONS

SUBCOMMITTEE ON DISARMAMENT

(Under authority of S. Res. 185, agreed to February 8, 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Betty Lou Goetz	Research assistant	$3,124.20
Paula L. Underwood	Clerk	1,318.02
Daniel B. Jacobs	Research assistant	1,806.91
Total		6,249.13

NOTE.—The detail of certain personnel of the Library of Congress on a reimbursable basis was authorized by the Committee on Rules and Administration, for services rendered the subcommittee.

Funds available for expenditure at beginning of period	
Additional funds authorized during period by S. Res. 185	$35,000.00
Total available for expenditure during period	35,000.00
Extended during period	24,372.36
Balance available for expenditure at end of period	10,627.64

WALTER F. GEORGE,
Chairman.

JULY 11, 1956.

COMMITTEE ON GOVERNMENT OPERATIONS

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Walter L. Reynolds	Chief clerk	$6,808.80
Glenn K. Shriver	Professional staff member.	6,303.48
Eli E. Nobleman	do	6,303.48
Richard J. O'Melia	do	6,808.80
Miles Scull, Jr.	do	6,303.48

Name	Profession	Total salary received
Ann M. Grickis	Assistant chief clerk	$3,997.68
Ray Barnett	Clerical assistant	2,901.53
Vivien I. McConnell	Clerical assistant (to Apr. 16, 1956).	1,612.65
Kathryn M. Keeney (Mrs.).	Clerical assistant	2,661.78
Betty J. Fox	Clerical assistant (to June 15, 1956).	2,298.67
Esther M. Hutchinson (Mrs.).	Clerical assistant (from Apr. 26, 1956).	905.53

Funds available for expenditure at beginning of period	$7,658.09
Additional funds authorized during period	----------
Total available for expenditure during period	7,658.09
Expended during period	1,278.48
Balance available for expenditure at end of period	6,379.61

JOHN L. MCCLELLAN,
Chairman.

JULY 10, 1956.

SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS

(Under authority of S. Res. 41 and S. Res. 202, 84th Cong., 1st sess. and 2d sess.)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to February 15, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Jerome S. Alderman	Assistant counsel	$1,702.20
Edith H. Anderson	Staff editor	788.80
Maxine B. Buffalohide.	Assistant clerk	652.60
Alphonse F. Calabrese.	Investigator	1,352.94
Alice S. Dearborn	Assistant clerk	614.06
Margaret W. Duckett	...do	652.60
LaVern J. Duffy	Investigator	819.58
James N. Juliana	Chief counsel to minority.	1,702.20
Robert F. Kennedy	Chief counsel to majority.	1,702.20
Teresa C. Kraus	Assistant clerk	614.06
H. Michael Mann	Messenger	436.06
Angela M. Novello	Assistant clerk	614.06
Leo C. Nulty	Investigator	1,352.94
Donald F. O'Donnell	Assistant counsel	1,702.20
Paul J. Tierney	...do	1,352.94
Ruth Young Watt	Chief clerk	973.73

Funds available for expenditure at beginning of period	$30,208.15
Additional funds authorized during period	----------
Total available for expenditure during period	30,208.15
Expended during period	24,725.68
Balance available for expenditure at end of period	5,482.47

JOHN L. MCCLELLAN,
Chairman.

JULY 10, 1956.

SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS

(Under authority of S. Res. 41 and S. Res 209, 84th Cong., 1st and 2d sess.)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from February 16, 1956, to February 29, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Jerome S. Adlerman	Assistant counsel	$567.40
Edith H. Anderson	Staff editor	268.92
Maxine B. Buffalohide.	Assistant clerk	217.54
Alphonse F. Calabrese.	Investigator	450.98
Alice S. Dearborn	Assistant clerk	204.68
Margaret W. Duckett.	...do	217.54
LaVern J. Duffy	Investigator	273.18
James N. Juliana	Chief counsel to minority.	567.40
Robert F. Kennedy	Chief counsel to majority.	567.40
Teresa C. Kraus	Assistant clerk	204.69
H. Michael Mann	Messenger	145.02
Angela M. Novello	Assistant clerk	204.69
Leo C. Nulty	Investigator	450.98
Donald F. O'Donnell.	Assistant counsel	567.40
Paul J. Tierney	...do	450.98
Ruth Young Watt	Chief clerk	324.59

Funds available for expenditure at beginning of period	$7,957.85
Additional funds authorized during period	----------
Total available for expenditure during period	7,957.85
Expended during peiod	6,586.44
Balance available for expenditure at end of period	1,371.41

JOHN L. MCCLELLAN,
Chairman.

JULY 10, 1956.

SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS

(Under authority of S. Res. 188, agreed to February 16 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from March 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Jerome S. Adlerman	Assistant counsel	$4,539.20
Edith H. Anderson	Staff editor	2,228.39
Maxine B. Buffalohide.	Assistant clerk	1,740.28
Alphonse F. Calabrese.	Investigator	3,741.61
Alice S. Dearborn	Assistant clerk	1,637.48
Margaret W. Duckett	...do	1,774.52
LaVern J. Duffy	Investigator	2,528.12
Robert E. Dunne	Assistant counsel (from May 23).	960.14
James N. Juliana	Chief counsel to minority	4,539.20
Paul E. Kamerick	Assistant counsel (to Apr. 30).	2,185.38
Robert F. Kennedy	Chief counsel to majority.	4,621.56
Rosemary K. Kennedy.	Assistant clerk (from Mar. 5).	1,450.46
Teresa C. Kraus	Assistant clerk (to Apr. 22).	709.57
H. Michael Mann	Messenger	1,209.87
Angela M. Novello	Assistant clerk	1,637.48
Leo C. Nulty	Investigator	3,607.84
Donald F. O'Donnell.	Assistant counsel	4,539.20
Ruth S. Price	Assistant clerk (from May 2).	771.42
Paul J. Tierney	Assistant counsel	3,741.61
Ruth Young Watt	Chief clerk	2,364.20

Funds available for expenditure at beginning of period	$197,083.34
Additional funds authorized during period	----------
Total available for expenditure during period	197,083.34
Expended during period	71,910.92
Balance available for expenditure at end of period	125,172.42

JOHN L. MCCLELLAN,
Chairman.

JULY 16, 1956.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Callaghan, Richard L.	Chief clerk	$7,150.62
Coburn, William H.	Professional staff member.	7,399.98
French, Stewart	...do	6,808.80
Gamble, James H.	...do	6,605.34
Lineweaver, Goodrich W.	...do	6,808.80
McSherry, Nellie D.	Assistant chief clerk	5,545.50
Callaghan, Marcia M.	Clerical assistant	2,713.14
Davis, Dorothy A.	...do	2,713.14
Donnelley, Rosemary	...do	3,072.84
Gillette, Margaret G.	...do	2,713.14

Funds available for expenditure at beginning of period	$4,721.39
Additional funds authorized during period (S. Res. 184, Feb. 8, 1956)	10,000.00
Total available for expenditure during period	14,721.39
Expended during period	7,487.08
Balance available for expenditure at end of period	7,234.31

JAMES E. MURRAY,
Chairman.

JULY 16, 1956.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Baynton, Harold I.	Chief counsel	$6,808.84
Chamberlin, Louise I.	Clerical assistant	2,045.23
Jarrett, Edward S.	Chief clerk	7,150.62
Knudson, Lois M.	Clerical assistant	2,867.33
Rudolph, Vera B.	...do	3,449.60
Smigen, Cecelia M.	...do	3,072.84
Wissman, Bertram O.	Assistant, chief clerk	6,808.84
Zapple, Nicholas	Staff member	6,808.84

Funds available for expenditure at beginning of period	$909.27
Additional funds authorized during period	10,000.00
Total available for expenditure during period	10,909.27
Expended during period	10,399.91
Balance available for expenditure at end of period	509.36

WARREN G. MAGNUSON,
Chairman.

JULY 16, 1956.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(Under authority of S. Res. 13, agreed to February 4, 1955, continued by S. Res. 209, agreed to February 8, 1956, and S. Res. 163, agreed to February 17, 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing

the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Barton, Frank L.	Staff member	$6,808.80
Black, John W.	do	3,483.84
Bourbon, August J.	Staff member (from Feb. 1).	4,621.25
Bowers, Joan A.	Clerical assistant	2,250.72
Busby, David	Staff member	5,118.24
Buts, John R.	Clerical assistant	3,226.98
Cox, Kenneth A.	Special counsel	6,808.80
Drake, Robin	Staff member	3,483.84
Fadely, Catherine E.	Clerical assistant	2,606.02
Geissinger, Wayne T.	Assistant chief counsel.	6,808.80
Huse, Harry C.	Staff member	5,322.60
Kohler, William L.	do	4,302.84
L'Heureux, Robert D.	Staff member (until Feb. 15).	1,702.20
Luckey, Albert B., Jr.	Staff member (from Mar. 27).	2,895.98
Monk, Jane E.	Clerical assistant	2,507.64
Moore, Milo	Staff member	6,808.80
Murphy, Robert T.	Special counsel (from Mar. 7).	4,312.24
Newland, Janet Gay	Clerical assistant (Feb. 18–29).	151.42
Rogers, Kathryn B.	Clerical assistant	2,404.86
Shaffer, Martha P.	do	3,055.76
Stern, Edward A.	Staff member	4,965.90
Torre, Catherine C.	Clerical assistant (from Mar. 5).	1,682.26
Watkins, Charles D.	Staff member	3,894.90
Wood, Henry G.	Staff member (from Jan. 30).	5,711.95

Funds available for expenditure at beginning of period	$62,190.80
Additional funds authorized during period	229,166.67
Total available for expenditure during period:	
January–February	62,190.80
From Mar. 1	229,166.67
Expended during period	93,037.85
Balance available for expenditure at end of period	158,077.17

WARREN G. MAGNUSON,
Chairman.

JULY 16, 1956.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

SUBCOMMITTEE ON INVESTIGATIONS OF MINERALS, MATERIALS, FUELS, RESOURCES, AND RELATED MATTERS

(Under authority of S. Res. 183, agreed to February 20, 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Boedecker, Louis C.	Research assistant (from May 16).	$530.98
Chambers, Edward T.	Professional staff member.	5,099.64
Eaton, Eugene D.	Professional staff member (from May 1).	1,937.68
Graham, Leland O.	Professional staff member (from March 24).	3,156.60
Harrington, Joan M.	Clerical assistant	2,713.14
Hoban, Cecelia A.	do	2,661.78
Holderer, Geo. B.	Professional staff member.	6,258.90
Kuhl, Arthur M.	Professional staff member (from March 2).	2,684.45
Lahr, Mary Catherine.	Clerical assistant (from March 16).	1,552.70
Mapes, Milton C., Jr.	Professional staff member.	5,411.76
Nelson, Elmer K.	do	6,808.80
O'Connor, Adele R.	Stenographer	$2,661.78
Redwine, Robert W.	Professional staff member.	5,411.76
Stong, Benton J.	do	6,036.00
Todd, Pauline B.	Clerical assistant	2,867.28
Whitacre, Roy M.	Professional staff member (from April 16).	2,217.75
Wilson, Platt	Professional staff member.	5,367.18
Straus, Michael W.	Consultant	1,027.76

Funds available for expenditure at beginning of period (S. Res. 37)	$7,644.74
Additional funds authorized during period (S. Res. 209)	9,000.58
Total available for expenditure during period	16,645.32
Expended during period	12,011.39
Balance at end of period	4,633.93
Funds available for expenditure at beginning of period (S. Res. 39)	5,545.12
Additional funds authorized during period (S. Res. 209)	5,460.00
Total available for expenditure during period	11,005.12
Expended during period	10,758.88
Balance at end of period	246.24
Funds available for expenditure at beginning of period (S. Res. 183)	162,250.00
Additional funds authorized during period	----------
Total available for expenditure during period	162,250.00
Expended during period	49,313.95
Balance available for expenditure at end of period	112,936.05

JAMES E. MURRAY,
Chairman.

JULY 16, 1956.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(Under authority of S. Res. 35, agreed to July 25, 1955)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to January 31, 1956, together wtih the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Bourbon, August J.	Staff member	$924.25
Webster, Donald D.	do	1,134.80

Funds available for expenditure at beginning of period (Jan. 1, 1956)	$18,890.83
Additional funds authorized during period	----------
Total available expenditure during period	----------
Expended during period	2,816.71
Balance available for expenditure at end of period	16,074.12

WARREN G MAGNUSON,
Chairman.

JULY 16, 1956.

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE TO INVESTIGATE NATIONAL PENITENTIARIES

(Under authority of S. Res. 65, S. Res. 209, and S. Res. 169)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Funds available for expenditure at beginning of period	$8,476.65
Additional funds authorized during period (S. Res. 209)	36.00
Total available for expenditure during period	8,512.65
Expended during period	103.84
Balance	8,408.81
Additional funds authorized during period (S. Res. 169)	4,583.34
Expended during period	390.45
Balance available for expenditure at end of period	4,252.89

JAMES O. EASTLAND,
Chairman.

OLIN D. JOHNSTON,
Subcommittee Chairman.

JULY 6, 1956.

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE ON TRADING WITH THE ENEMY ACT

(Under authority of S. Res. 171, agreed to February 17, 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Clark, Florence B.	Stenographer	$1,432.79
Downey, Mabel A.	Clerk	2,713.14
Johnston, Sally L.	Typist (from June 1)	282.26
McElroy, Marcia L.	Stenographer (from Apr. 9).	855.20
Stevens, William A.	Clerk (to Jan. 31)	623.46
Wood, Harlan	Counsel	6,808.80

Funds available for expenditure at beginning of period	$31,939.23
Additional funds authorized during period (S. Res. 209)	4,660.89
Total available for expenditure during period	36,600.12
Expended during period	8,651.33
Balance	37,948.79
Additional funds authorized during period (S. Res. 171)	41,250.00
Expended during period	8,522.01
Balance available for expenditure at end of period	32,727.99

OLIN D. JOHNSTON,
Subcommittee Chairman.

JAMES O. EASTLAND,
Chairman.

JULY 11, 1956.

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE ON PATENTS, TRADEMARKS, AND COPYRIGHTS

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to

June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Black, Nancee W.	Secretary-typist (from Jan. 5, 1956, to Mar. 3, 1956).	$704.04
Caplan, Julian	Counsel (to Jan. 31, 1956).	766.19
Clesner, Herschel F.	Investigator	3,509.55
Friedman, Murray N.	Consultant [1] (from Jan. 27, 1956).	657.76
Haaser, Stephen G.	Chief clerk	4,032.93
Hollabaugh, Marcus A.	Counsel (from Apr. 1, 1956).	3,404.40
Hoy, Ann S.	Secretary	3,021.42
Huber, Walter B.	Investigator	4,618.74
Julian, Joseph K.	Secretary-typist (from Mar. 6, 1956).	1,372.30
Melman, Seymour	Consultant [1] (from Dec. 23, 1955).	1,027.76
Palmer, Archie M.	Consultant [1] (from Dec. 1, 1955).	1,500.55
Rideoutte, Jane E.	Secretary	3,021.42
Solo, Robert A.	Consultant [1] (from May 18, 1956).	205.55
Stedman, John C.	Consultant [1] (from Oct. 4, 1955).	3,309.51
Total		31,152.12

[1] When actually employed.

Funds available for expenditure at beginning of period under S. Res. 92, agreed to May 11, 1955	$35,690.07
Additional funds authorized during period, S. Res. 209, agreed to Feb. 8, 1956	7,400.94
Total available for expenditure during period	43,091.01
Expended during period	17,417.03
Balance at end of period	25,673.98
Funds available for expenditure at beginning of period, S. Res. 167, agreed to Feb. 21, 1956	100,833.34
Additional funds authorized during period	
Total available for expenditure during period	100,833.34
Expended during period	21,927.08
Balance available for expenditure at end of period	78,906.26

JAMES O. EASTLAND,
Chairman.
JOSEPH C. O'MAHONEY,
Subcommittee Chairman.

JULY 6, 1956.

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE ON IMMIGRATION AND NATURALIZATION

(Under authority of S. Res. 66, agreed to March 18, 1955; S. Res. 172, agreed to February 20, 1956; and S. Res. 209, agreed to February 8, 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Arens, Richard	Staff director (Apr. 16 to Apr. 30, 1956).	$567.40
Ashcraft, Ann	Clerk	2,302.08
Blair, Drury H.	Staff member	6,125.16
Buckner, Catlett L.	Staff member (from Mar. 14, 1956).	2,528.65
Burton, Robert R.	Staff member	4,965.90
Carey, A. Carl, Jr.	Investigator (to Apr. 30, 1956).	$3,310.60
DeGooyer, Franzetta R.	Clerk	2,970.06
McCloskey, Mary J.	do	2,970.06
Mesmer, Fred M.	Staff member	6,303.48
Slayman, Charles H., Jr.	Staff member (to Apr. 15, 1956).	2,841.59

Funds available for expenditure at beginning of period	$44,250.20
Additional funds authorized during period (S. Res. 209)	6,597.73
Total available for expenditure during period	50,847.93
Expended during period	11,677.29
Balance available for expenditure at end of period	39,170.64
Additional funds authorized during period (S. Res. 172)	93,500.00
Total available for expenditure during period	93,500.00
Expended during period	23,242.76
Balance available for expenditure at end of period	70,257.24

JAMES O. EASTLAND,
Chairman, Subcommittee and Full Committee.

JULY 10, 1956.

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE TO INVESTIGATE PROBLEMS CONNECTED WITH THE EMIGRATION OF REFUGEES AND ESCAPEES FROM WESTERN EUROPEAN NATIONS

(Under authority of S. Res. 64, agreed to March 18, 1955; S. Res. 209, agreed to February 8, 1956; and S. Res. 164, agreed to February 16, 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Guthridge, Eleanor C.	General counsel	$6,250.20
Beaton, Adele V.	Clerical assistant	2,610.42
Total		8,860.61

Funds available for expenditure at beginning of period	$16,564.80
Additional funds authorized during period, S. Res. 209, agreed to Feb. 8, 1956	2,033.35
Total available for expenditure during period	18,598.15
Expended during period	4,435.60
Balance available for expenditure at end of period	14,162.55
Funds available for expenditure at beginning of period	
Additional funds authorized during period, S. Res. 164, agreed to Feb. 16, 1956	30,250.00
Total available for expenditure during period	30,250.00
Expended during period	6,725.40
Balance available for expenditure at end of period	23,524.60

JAMES O. EASTLAND,
Chairman.
WILLIAM LANGER,
Subcommittee Chairman.

JULY 10, 1956.

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE ON IMPROVEMENTS IN THE FEDERAL CRIMINAL CODE

(Under authority of S. Res. 137, agreed to July 29, 1955; S. Res. 209, agreed to February 8, 1956; and S. Res. 166, agreed to February 17, 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Gasque, Cecial A.	General counsel	$6,808.80
Salisbury, Joseph F.	Assistant counsel	5,055.06
Clark, Margery	Research analyst (to May 15).	2,266.06
Brown, Janet E.	Secretary	2,437.97
Townley, Kay	do	2,360.31
Chambliss, June	Secretary (from June 4).	345.31
Gabrys, Marilyn L.	Clerk-typist (from June 13).	135.19
Easley, Rita C.	Clerk-typist (from June 26).	37.55
Costa, Joan R.	Secretary (Feb. 3-15, 1956).	122.86
Total		19,579.11

Funds available for expenditure at beginning of period (S. Res. 137 and S. Res. 209)	$27,367.27
Additional funds authorized during period (S. Res. 209, Feb. 8, 1956)	8,048.16
Total available for expenditure during period	35,415.43
Expended during period	24,544.72
Balance at end of period	10,870.71
Funds available for expenditure at beginning of period	
Additional funds authorized during period (S. Res. 166, Feb. 17, 1956)	32,083.34
Total available for expenditure during period	32,083.34
Expended during period	13,713.56
Balance available for expenditure at end of period	18,369.78

JAMES O. EASTLAND,
Chairman.
PRICE DANIEL,
Subcommittee Chairman.

JULY 10, 1956.

COMMITTEE ON THE JUDICIARY

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Joseph A. Davis	Chief clerk	$6,808.80
Francis Rosenberger	Assistant chief clerk	6,808.80
J. Carlisle Ruddy	Professional staff member.	5,857.62
Wayne H. Smithey	do	6,808.80
George S. Green	do	6,808.80
Thomas B. Collins	do	6,808.80
Robert B. Young	do	6,808.80
Robert M. Kilgore	do	5,846.23

Name	Profession	Total salary received
Mary I. Rogers	Clerical assistant	$3,278.34
Mildred E. Canon	do	3,278.34
Carrie Lee Conner	do	3,278.34
Naomi Hankins	do	3,278.34
Katharine M. Ellis	do	3,278.34
Richard F. Wambach	do	3,278.34
Costas D. Chrissos	do	3,278.34
Funds available for expenditure at beginning of period		$3,847.01
Additional funds authorized during period		
Total available for expenditure during period		3,847.01
Expended during period		2,091.15
Balance available for expenditure at end of period		1,755.86

JAMES O. EASTLAND,
Chairman.

JULY 10, 1956.

COMMITTEE ON THE JUDICIARY

ANTITRUST AND MONOPOLY SUBCOMMITTEE

(Under authority of S. Res. 170, agreed to February 21, 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Amidon, Robert H.	Attorney-investigator.	$4,302.84
Arnett, Lucy V.	Stenographer	2,708.78
Banner, Paul H.	Economist	4,548.06
Beath, Paul R.	Administrative assistant.	3,432.48
Bloch, Beate	Attorney	2,764.56
Bolton-Smith, Carlile	Attorney (from Mar. 15).	4,009.63
Burns, Joseph W.	Chief counsel and staff director (to Apr. 25).	4,350.07
Burton, Irene	Stenographer	2,708.78
Chaney, Katherine Ford [1]	Stenographer (Dec. 20-31).	46.07
Clifford, George E.	Attorney-investigator.	4,548.06
Cohen, Stanley L. [1]	Research assistant (Sept. 19-27).	95.52
Cobb, Julia S.	Stenographer	2,708.78
DeFelice, Antoinette [2]	Stenographer (from Dec. 15, 1955).	600.40
Dye, Elaine C.	Stenographer (until Feb. 29).	750.24
Friedman, Jesse J. [3]	Consultant (from Nov. 1, 1955).	9,206.04
Glasser, Robert	Attorney (from Jan. 3 to Mar. 31).	1,351.56
Green, Paul S.	Hearing editor	4,737.88
Keeffe, Arthur J. [3]	Assistant counsel (from Nov. 4, 1955, until Feb. 29 and from May 28).	3,371.09
Lang, Mildred	Stenographer (until Jan. 31).	375.12
Manfit, Evelyn	Stenographer (until Feb. 20).	750.24
McHugh, Donald P. [3]	Assistant counsel (to Apr. 25) and chief counsel and staff director (from Apr. 26).	9,090.64
Mccartney, Malcolm N.	Assistant counsel (until Mar. 31).	2,928.81
Milligan, Robert E.	Messenger	1,942.44
Mitchell, Richard H.	Investigator (from May 24).	934.88
Montier, Gladys E.	Clerk	3,455.33
Neville, Gareth M.	Assistant counsel	6,391.33
Olshine Lucille L.	Research assistant	2,747.41
Oppenehimer, Martin [4]	Research assistant (Sept. 16-Oct. 9).	286.56
Rosenman, Louis	Attorney	2,807.64
Ryan, Mary	Stenographer (until June 15).	2,585.53
Sanders, Paul H. [3]	Consultant (until Feb. 29).	103.57
Schwartz, Richard [1]	Research assistant (Oct. 1-10).	$136.45
Scott, Yvonne	Stenographer (from Feb. 16 to Apr. 30).	937.80
Seeley, Joseph A.	Assistant counsel	6,391.33
Segal, Martin [3]	Consultant (from Oct. 2, 1955, to Mar. 31).	600.45
Sides, Wade, Jr. [3]	Research assistant (until Feb. 29).	266.09
Skeen, John R. [3]	Economist (from Nov. 1, 1955).	4,195.78
Sparks, Wilbur D.	Attorney (from Feb. 16).	3,411.04
Tucker, Ernest C.	Attorney-investigator.	4,049.04
Williams, Thomas C.	Research employee	2,404.86
Zalany, Emily W.	Stenographer	2,353.48
Total		115,446.66

[1] W. a. e. employees paid in January or February 1956, for services as indicated.
[2] W. a. e. (when actually employed).
[3] W. a. e. until Mar. 19.

Funds available for expenditure at beginning of period	$52,874.80
Additional funds authorized during period (S. Res. 209, agreed to Feb. 8, 1956)	27,146.05
Total available for expenditure during period	80,020.85
Expended during period	64,889.72
Balance available for expenditure at end of period	15,131.13
Funds available for expenditure at beginning of period	
Additional funds authorized during period (S. Res. 170, agreed to Feb. 21, 1956)	207,250.00
Total available for expenditure during period	207,250.00
Expended during period	70,360.13
Balance available for expenditure at end of period	136,889.87

JAMES O. EASTLAND,
Chairman.

JOSEPH C. O'MAHONEY,
Acting Chairman of Subcommittee.

JULY 10, 1956.

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION, OPERATION, AND ENFORCEMENT OF THE INTERNAL SECURITY ACT OF 1950

(Under authority of S. Res. 58, agreed to March 18, 1955; S. Res. 209, agreed to February 8, 1956; and S. Res. 174, agreed to February 20, 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Arens, Richard	Associate counsel	$3,971.80
Arens, William H.	Investigator	4,832.16
Baker, Dorothy C.	Records manager	4,328.28
Barber, Frank D.	Clerk messenger	2,105.02
Brown, James M.	Legal assistant	4,646.16
Buckley, Wilburn	Investigator	5,527.67
Carpenter, Alva C.	Associate counsel (to Apr. 9).	3,744.84
Dua, Bernice E.	Secretary	2,507.64
Duffy, Edward R.	Investigator	5,144.22
Fox, Miriam O.	Confidential secretary.	3,483.84
Halleck, Charles W.	Research assistant to Jan. 14).	294.94
Hutto, Ralph H., Jr.	Assistant editorial director (from May 23).	1,067.18
Lowell, William E.	Editorial director	6,303.48
Malaney, Elinor L.	Confidential secretary.	3,483.48
Malaney, Ethel A.	Stenographer (from Apr. 1).	1,382.28
Mandel, Benjamin	Research director	$6,303.48
McManus, Robert C.	Investigations analyst.	6,125.16
McManus, William F.	Research assistant (from Mar. 1).	2,014.28
McShan, Antoinette M.	Research assistant	3,124.20
Merow, Joan F.	Clerk	2,199.36
Morris, Robert	Chief counsel (from Feb. 1).	5,674.00
Poe, Edgar A., Jr.	Clerk (from June 5).	310.26
Richards, Ann E.	Stenographer	2,970.06
Roberts, Marilyn H.	Clerk	2,970.06
Rusher, William A.	Administrative counsel (from March 6).	3,908.74
Schrider, F. Lois	Stenographer (from May 28).	440.89
Schroeder, Frank W.	Chief investigator	6,125.16
Sourwine, J. G.	Chief counsel (to Jan. 24), associate counsel (Jan. 25 to 31), consultant (Feb. 27 to March 5).	1,475.23
Stavropulos, Mary	Clerk	2,610.42
Tonnar, Helen H.	Secretary	2,807.64
Fluegel, Edna R. (w. a. e.).	Research analyst (from May 4).	899.91
Frank, Nelson (w. a. e.).	Consultant (from March 1).	2,962.21
McManus, Mary B. (w. a. e.).	Consultant (from May 28, plus Nov. 23 to 30, Dec. 1 to 30, paid in January).	944.95
Mitchell, Jonathan (w. a. e.).	Consultant (plus Oct. 3 to 31, Nov. 1 to 15, Jan. 6 and 7, paid in January).	2,487.97
Walter, James H. (w. a. e.).	Editorial assistant (from April 25).	706.18
Total		109,733.51

Funds available for expenditure at beginning of period	
Additional funds authorized during period by S. Res. 174, Feb. 20, 1956	$261,250.00
Total available for expenditure puring period	261,250.00
Expended during period	88,023.20
Balance available for expenditure at end of period	173,226.80
Funds available for expenditure at beginning of period (S. Res. 58, Mar. 18, 1955, and S. Res. 209, Feb. 8, 1956)	48,065.92
Additional funds authorized during period (S. Res. 209, Feb. 8, 1956)	19,726.23
Total available for expenditure during period	67,792.15
Expended during period	45,527.44
Balance at end of period	22,264.71

JAMES O. EASTLAND,
Chairman.

JULY 10, 1956.

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE TO INVESTIGATE JUVENILE DELINQUENCY IN THE UNITED STATES

(Under authority of S. Res. 62 and S. Res. 125, 84th Cong., 1st sess.; S. Res. 209 and S. Res. 173, 84th Cong., 2d sess.)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Bobo, James H.	General counsel	$5,420.94
Chumbris, Peter N.	Associate counsel	5,304.52
Erwin, John D.	Editorial director (from Apr. 4).	853.00

See footnotes at end of table.

Name	Profession	Total salary received
Gibbons, Richard M.	Clerical assistant, files.	$2,276.41
Johnson, M. Bernadine.	Assistant counsel (from Feb. 15).	3,251.03
McGill, Elizabeth T.	Secretary	2,956.51
Mayes, Martin	Consultant (from Mar. 22).	2,085.69
Miller, Ernest A.	Special counsel (from Feb. 15).	3,213.99
Perian, Carl L.	Research director	3,327.85
Pitt, G. Elaine	Secretary (from May 21).	465.90
Schonberger, Claude M.	Research assistant (from Apr. 1).	1,716.24
Smith, Marjorie H.	Secretary (from Feb. 27 to May 15).	920.16

Funds available for expenditure at beginning of period	$6,298.08
Additional funds authorized during period (S. Res. 209)	10,810.99
Total available for expenditure during period	17,109.07
Expended during period	9,958.40
Balance	7,150.67
Additional funds authorized during period (S. Res. 173)	55,000.00
Expended during period	29,355.38
Balance available for expenditure at end of period	25,644.62

JAMES O. EASTLAND,
Chairman.
ESTES KEFAUVER,
Subcommittee Chairman.

JULY 13, 1956.

COMMITTEE ON LABOR AND PUBLIC WELFARE

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Stewart E. McClure	Staff director	$6,808.80
Roy E. James	Minority staff director (to Mar. 31).	3,404.40
Crawford C. Heerlein	Clerical assistant	3,483.84
Vivien Harman	do	3,381.12
Paul Sample	Clerical assistant (to Feb. 15).	781.05
Thelma Blankenship	Clerical assistant	3,124.20
Marjorie Whittaker	do	3,072.84
Helen Papps	do	3,072.84
Alice Price	do	2,696.03
Helyn Eagle	do	2,696.03
Lucille Gould	Clerical assistant (from June 1).	443.63
John S. Forsythe	General counsel	6,808.80
William G. Reidy	Professional staff member.	6,808.80
Michael G. Bernstein	Professional staff member (to Mar 31), minority staff director (from Apr. 1).	6,808.80
Mary DiDio	Professional staff member.	3,129.45
Frank Cantwell	Professional staff member (from June 22).	340.44

Funds available for expenditure at beginning of period	$3,234.86
Additional funds authorized during period (S. Res. 193, Feb. 16, 1956)	10,000.00
Total available for expenditure during period	13,234.86
Expended during period	6,525.27
Balance available for expenditure at end of period	6,709.59

LISTER HILL,
Chairman.

JULY 6, 1956.

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS

(Under authority of S. Res. 94, agreed to May 11, 1955; and S. Res. 209, agreed to February 8, 1956; and S. Res. 165, agreed to February 21, 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Bontecou, Eleanor (w.a.e.).	Counsel	$377.55
Caldwell, James N., Jr.	Assistant counsel	3,792.18
Carp, Richard L.	Associate counsel (from May 1).	1,332.56
Casper, Montague (w. a. e.).	Consultant	246.66
Escoe, J. Delmas	Assistant counsel (from Jan. 16).	3,077.00
Farquharson, Mary U.	Research assistant (from Jan. 17 to Jan. 21).	124.97
Ginzburg, Benjamin	Research director staff director.	5,857.62
Grieg, Lydia S.	Secretary (from Jan. 6).	2,338.06
Guilfoil, Thomas J.	Consultant (from Feb. 14 to Mar. 31).	1,777.85
Herndon, Sarah A.	Typist (from Apr. 5 to May 1).	460.00
Hocker, Lon (w.a.e.)	Special hearings counsel (to Jan. 31).	429.49
Irwin, Mary A.	Legislative consultant (from April 1925).	1,465.81
Lopes, Nicholas F.	Associate counsel (from Feb. 1)	3,871.80
McNaughton, Marcia J.	Typist (from June 13).	147.86
Parks, Wallace J.	Consultant (Apr. 1 to May 7).	1,399.58
Patton, William D.	Assistant counsel	3,124.21
Raymond, Allen	Consultant (from Jan. 16).	4,592.94
Simmons, Belva T.	Secretary	2,404.86
Smith, Francis	Chief counsel (from May 2).	2,231.78
Williams, Jane E.	Secretary	1,977.33

Funds available for expenditure at beginning of period	$16,179.37
Additional funds authorized during period (S. Res. 209)	10,534.15
Total available for expenditure during period	26,713.52
Expended during period	16,993.59
Balance	9,719.93
Additional funds authorized during period (S. Res. 165)	91,666.67
Expended during period	30,261.23
Balance available for expenditure at end of period	61,405.44

JAMES O. EASTLAND,
Chairman.
THOS. C. HENNINGS, Jr.,
Subcommittee Chairman.

JULY 13, 1956.

COMMITTEE ON LABOR AND PUBLIC WELFARE

SUBCOMMITTEE ON WELFARE AND PENSION FUNDS

(Under authority of S. Res. 40, agreed to February 21, 1955, as amended)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to April 15, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Abbott, Thelma W.	Clerk-stenographer (to Feb. 15).	$562.08
Cantwell, Frank V.	Professional staff member (to Feb. 13).	1,626.54
Cerick, Ruth Aull	Secretary-editor (to Apr. 15).	1,822.45
Cotter, Paul J.	Chief counsel (to Apr. 15).	3,971.80
Dunne, Robert E.	Investigator (to Feb. 7).	1,078.96
Gilmore, Scally	Clerk-stenographer (to Feb. 7).	536.58
Imle, Albert R.	Investigator (to Jan. 22).	721.38
Irwin, Mary A.	Chief clerk (to Apr. 15).	2,212.09
Kuhl, Arthur M.	Investigator (to Feb. 7).	944.96
Lentz, Marcette A.	Clerk-stenographer (to Feb. 7).	441.52
Litwin, Genevieve	Clerk-stenographer (to Mar. 16).	1,432.78
Maska, Edwin C.	Investigator (to Feb. 7).	621.07
McTigue, James J.	Consultant (to Feb. 7).	1,399.58
Plant, Francis X.	Chief investigator (to Apr. 15).	3,971.80
Reed, Louis S.	Director of research (to Jan. 31).	1,134.80
Suss, Fredric T.	Investigator (to Jan. 31).	901.96
Turner, Blake E.	Investigator (to Apr. 15).	3,442.95
Cella, Alexander J.	Consultant (Dec. 7–29; paid February).	554.99
Hahesy, Edmund C.	do	616.66
MacIntyre, Duncan M.	Consultant (to Jan. 31).	945.55
Yoke, F. Roy, Sr.	Consultant (Dec. 9–28; paid February).	233.87

Funds available for expenditure at beginning of period	$37,399.04
Additional funds authorized during period (S. Res. 232, agreed to Mar. 19, 1956)	10,000.00
Total available for expenditure during period	47,399.04
Expended during period	41,651.18
Balance at end of period	5,747.86

LISTER HILL,
Chairman.

JULY 12, 1956.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Brawley, H. W.	Chief clerk	$7,399.98
Kerlin, J. Don	Professional staff member.	6,808.80
Johnson, Robert W.	do	7,150.62
Faucette, Andrew McC.	do	6,808.80
Finzel, Hubert H.	do	6,808.80
Bobo, Virginia	Assistant chief clerk	3,483.84
Sisk, Elizabeth B.	Assistant clerk [1]	3,072.84
Donovan, Winifred J.	Clerical assistant	2,764.56
McDonald, Innis E.	do	2,867.28
McElroy, Marty	do	2,764.56
McInroy, Joan M.	do	3,072.84

[1] Under authority of S. Res. 25, agreed to Feb. 4, 1955 and S. Res. 161, agreed to Feb. 8, 1956.

Funds available for expenditure at beginning of period	$3,364.17
Additional funds authorized during period	
Total available for expenditure during period	3,364.17
Expended during period	3,318.92
Balance available for expenditure at end of period	45.25

OLIN D. JOHNSTON,
Chairman.

JULY 12, 1956.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

SUBCOMMITTEE ON GOVERNMENT EMPLOYEES' SECURITY PROGRAM

(Under authority of S. Res. 20, agreed to February 21, 1955; S. Res. 209, agreed to February 8, 1956; and S. Res. 154, agreed to February 20, 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Allmendinger, Ina L.	Clerical assistant (from Mar. 1 to 15).	$277.47
Chadwick, Thomas W.	Investigator (to Apr. 20).	2,414.47
Cole, Raymond C., Jr.	Junior inspector (to Mar. 25).	1,815.00
French, Millard F.	Attorney-Investigator (to Feb. 29).	1,499.68
Gillette, Guy M.	Special counsel	6,424.80
Hadlick, Paul E.	Assistant attorney	5,010.48
Humphrey, David J.	Investigator	3,843.54
Johnson, Claudine B.	Clerical assistant (from Feb. 1).	1,961.25
Sargent, Polly	Clerk (to Jan. 4)	55.72
Slear, John K.	Senior inspector	2,185.14
Wilder, Roy E., Jr.	Professional staff member (to Mar. 25).	1,815.00
Edens, Henry H.	Special consultant (per diem).	246.66
Watson, James R.	Special consultant (per diem, to Mar. 31).	2,754.42

Funds available for expenditure at beginning of period (S. Res. 20 and S. Res. 200)	$49,407.86
Additional funds authorized during period	7,608.71
Total available for expenditure during period	57,016.57
Expended during period	16,020.68
Balance	40,995.89
Funds available for expenditure at beginning of period (S. Res. 154)	
Additional funds authorized during period	40,833.34
Total available for expenditure during period	40,833.34
Expended during period	17,579.96
Balance available for expenditure at end of period	23,253.38

OLIN D. JOHNSTON,
Chairman.

JULY 12, 1956.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

INVESTIGATION OF THE CIVIL SERVICE COMMISSION AND THE POST OFFICE DEPARTMENT

(Under authority of S. Res. 33, agreed to May 11, 1955; S. Res. 209, agreed to February 8, 1956; and S. Res. 153, agreed to February 20, 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Allmendinger, Ina L.	Clerical assistant (to Feb. 29).	$1,109.90
Banghart, Abigail	Clerical assistant (from Feb. 6).	1,854.46
Bryan, Louis C.	Investigator	4,049.04
Fitzgerald, Frances K.	Clerical assistant (from Mar. 5).	$2,112.71
Gooselaw, Jay E.	Clerical assistant (from Apr. 1).	1,176.75
Johnson, Claudine B.	Clerical assistant (to Jan. 31).	392.25
Miller, William W.	Investigator	4,646.16
Thornton, Peggy L.	Clerical assistant	2,327.81
Walters, William R.	Junior investigator	3,843.54
Wenner, Faye M.	Clerical assistant	2,199.36
Watson, James R.	Special consultant (per diem from Apr. 1).	1,233.33
Andersen, Albert M.	Consultant (per diem from Mar. 12).	11.37
Bostian, Carey H.	do	11.37
Fuller, Walter D.	do	7.58
Gaines, Pendleton	do	11.37
Osthagen, Clarence H.	Consultant (per diem from May 1).	7.58
Pierce, Lovick	Consultant (per diem from Mar. 12).	11.37
Robb, Eugene	do	11.37

(S. Res. 33 and S. Res. 209)

Funds available for expenditure at beginning of period	$51,929.23
Additional funds authorized during period	3,794.18
Total available for expenditure during period	55,723.41
Expended during period	7,028.82
Balance	48,694.59

(S. Res. 153)

Funds available for expenditure at beginning of period	
Additional funds authorized during period	68,750.00
Total available for expenditure during period	68,750.00
Expended during period	24,571.88
Balance available for expenditure at end of period	44,178.12

OLIN D. JOHNSTON,
Chairman.

JUNE 30, 1956.

COMMITTEE ON PUBLIC WORKS

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Theo W. Sneed	Professional staff member.	$6,303.48
John L. Mutz	do	6,303.48
Frances Ortiz	do	6,303.48
Dennis Chavez, Jr.	Professional staff member (from Feb. 20).	5,204.06
Filo M. Sedillo	Chief clerk	7,399.08
Charles N. Kapnic	Assistant chief clerk	6,303.48
Eloise Porter	Clerical assistant	3,483.84
Frances T. Clark	do	3,483.84
Thomas F. Fox	do	3,226.98
Ercilia E. Martinez	do	2,918.70

Funds available for expenditure at beginning of period	$1,395.24
Additional funds authorized during period	
Total available for expenditure during period	1,395.24
Expended during period	653.59
Balance available for expenditure at end of period	741.65

DENNIS CHAVEZ,
Chairman.

JUNE 30, 1956.

COMMITTEE ON PUBLIC WORKS

INVESTIGATIONS SUBCOMMITTEE

(Under authority of S. Res. 70, agreed to March 18, 1955; S. Res. 209, agreed to February 8, 1956; and as amended by S. Res. 159, agreed to February 17, 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Lee J. Bazan	Clerk (from June 9)	$117.58

Funds available for expenditure at beginning of period	$98,677.82
Additional funds authorized during period, S. Res. 209	746.63
Reduction in available funds by S. Res. 159, agreed to Feb. 17, 1956	(55,000.00)
Total available for expenditure during period	44,424.45
Expended during period	1,261.03
Balance at end of period	43,163.42
Funds available for expenditure at beginning of period	
Funds authorized during period by S. Res. 159	55,000.00
Total available for expenditure during period	55,000.00
Expended during period	1,495.53
Balance available for expenditure at end of period	53,504.47

DENNIS CHAVEZ,
Chairman.

JULY 10, 1956.

COMMITTEE ON RULES AND ADMINISTRATION

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Harrison, Gordon F.	Chief clerk	$7,399.98
St. Claire, Darrell	Professional staff member.	7,180.62
McCain, Robert S.	do	4,784.18
Ryan, Charles H.	Assistant chief clerk	3,483.84
Moore, Marian G.	Clerical assistant	3,483.84
Gavin, B. Floye	do	3,483.84
Mitchell, Elizabeth S.	do	3,072.84
Greene, Eleanor L.	do	2,713.14
Total		35,572.28

Funds available for expenditure at beginning of period	$9,669.06
Additional funds authorized during period	
Total available for expenditure during period	9,669.06
Expended during period	10.00
Balance available for expenditure at end of period	9,659.06

THEODORE FRANCIS GREEN,
Chairman.

JULY 10, 1956.

COMMITTEE ON RULES AND ADMINISTRATION
SUBCOMMITTEE ON PRIVILEGES AND ELECTIONS

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Mase, Sadi J	Consultant	$5,233.44
Duffy, James H	Counsel	5,099.64
Jacobsen, Sue P	Clerical assistant (to Feb. 15, 1956).	678.28
Edmonds, Sadie E	Clerical assistant (to Feb. 29, 1956) (from Jan. 15 to Apr. 15, 1956).	539.32
Caruthers, Gloria	Clerical assistant (from Apr. 16, 1956).	1,215.78
Clark, Alice	Clerical assistant	1,130.47
Total		13,696.93

Funds available for expenditure at beginning of period	$17,100.76
Additional funds authorized during period (S. Res. 176, Feb. 17, 1956)	50,000.00
Total available for expenditure during period	67,100.76
Expended during period	13,865.24
Balance available for expenditure at end of period	53,235.52

THEODORE FRANCIS GREEN,
Chairman.

JULY 10, 1956.

SELECT COMMITTEE FOR CONTRIBUTION INVESTIGATION

(Pursuant to authority of S. Res. 205, agreed to February 7, 1956, as extended by S. Res. 218 and S. Res. 227 to March 31, 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from February 6, 1956, to March 31, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Clark, Alice	Chief clerk (from Mar. 9 to Mar. 31).	$413.24
Collier, Robert A	Assistant counsel (from Feb. 14 to Mar. 31).	1,932.21
Steadman, Charles W	Counsel (from Feb. 8 to Mar. 31).	2,105.46
Whalen, Loree V	Secretary (from Feb. 14 to Mar. 31).	587.58
		5,038.50

Funds available for expenditure at beginning of period (S. Res. 205, Feb. 7, 1956)	$10,000.00
Additional funds authorized during period (S. Res. 227, Mar. 9, 1956)	10,000.00
Total available for expenditure during period	20,000.00
Expended during period	10,942.86
Balance at end of period	9,057.14

WALTER F. GEORGE,
Chairman.

JULY 15, 1956.

SENATE SPECIAL COMMITTEE TO INVESTIGATE POLITICAL ACTIVITIES, LOBBYING, AND CAMPAIGN CONTRIBUTIONS

(Established pursuant to S. Res. 219, agreed to February 22, 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from February 22, 1956, to June 30, 1956, together with the funds available to and expended by it:

Name	Profession	Total salary received
G. Robert Blackburn	Research analyst (from May 4).	$198.49
Dickinson, Arthur B	Investigator (from June 4).	682.21
Dolan, Joseph F	Assistant counsel (from Apr. 17 to June 30).	2,059.86
Fay, George Morris	Counsel (from May 1).	2,406.66
Healey, John S	Investigator (from Apr. 30).	1,788.66
Kamerick, Paul E	Chief investigator (from May 1).	2,269.60
Lockwood, John F	Investigator (from Apr. 30).	1,524.67
McConnell, Vivien L	Chief clerk (from Apr. 16).	1,408.80
McGovern, John J	Associate counsel (from Apr. 25).	2,496.56
Neuland, Joanne C	Clerical assistant (from Apr. 17).	1,136.54
Ryan, Mary	Clerical assistant (from June 16).	230.37
Scott, Yvonne	Clerical assistant (from May 1).	921.52
Shea, Mary D	Clerical assistant (from Apr. 30).	956.87
Weber, Abraham K	Assistant counsel (from Apr. 25).	2,213.19
Wilber, Georgia H	Clerical assistant (from Apr. 17).	1,052.03

Funds available for expenditure at beginning of period	$350,000.00
Additional funds authorized during period	
Total available for expenditure during period	350,000.00
Expended during period	23,535.60
Balance available for expenditure at end of period	326,464.40

JOHN L. MCCLELLAN,
Chairman.

JULY 3, 1956.

SELECT COMMITTEE ON SMALL BUSINESS

(Pursuant to S. Res. 103, agreed to June 21, 1955; S. Res. 209, agreed to February 8, 1956; and S. Res. 175, agreed to February 20, 1956)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Adams, Walter	Professional staff member (Jan. 1 to Feb. 11 and from June 20).	$1,700.95
Alford, William C	Clerk-messenger (from Feb. 10).	1,441.67
Burwell, Rose M	Clerical assistant (from June 27).	45.44
Creech, William A	Professional staff member.	4,253.82
Dye, Elaine C	Clerical assistant (from Mar. 3).	1,475.47
Flynn, John J	Professional staff member.	$4,253.82
Foulke, Roy E	do	4,253.82
Hendry, James B	Professional staff member (from June 22).	212.69
McMillan, Samuel M	Professional staff member (from Feb. 27–Apr. 3) (May 22–27 and June 4–13).	2,004.80
Mund, Vernon A	Professional staff member (Jan. 1–31).	1,000.00
Noone, Charles M	Professional staff member (from Mar. 1).	4,539.20
Ryan, Neil F	Clerical assistant (to June 20).	2,192.48
Weadock, Robert L	Professional staff member.	4,499.04
Total		31,968.60

S. Res. 103 and S. Res. 209

Funds available for expenditure at beginning of period	$26,485.26
Additional funds authorized during period authorized by S. Res. 209	7,529.41
Total available for expenditure during period	34,014.67
Expended during period	14,125.48
Balance	19,889.19

S. Res. 175, agreed to Feb. 20, 1956

Funds available for expenditure at beginning of period	
Additional funds authorized during period (S. Res. 175)	82,500.00
Total available for expenditure during period	82,500.00
Expended during period	23,081.20
Balance available for expenditure at end of period	59,418.80

JOHN SPARKMAN,
Chairman.

JULY 3, 1956.

SELECT COMMITTEE ON SMALL BUSINESS

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, 80th Congress, 1st session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees during the period from January 1, 1956, to June 30, 1956, together with the funds available to and expended by it and its subcommittees:

Name	Profession	Total salary received
Amis, William D	Professional staff member.	$5,411.76
Byrne, Elizabeth A	Clerical assistant	3,175.56
Jehle, Philip F	Assistant chief clerk	5,010.48
Lasky, Sara Betty	Clerical assistant	2,456.22
Novak, Gertrude C	do	2,4 6.22
O'Connor, Blake	Professional staff member.	5,411.76
Odom, Lewis G., Jr	do	7,150.62
Ruppert, Minna L	Chief clerk	5,188.80
Ryan, Neil F	Clerical assistant (from June 21).	130.75
Stults, Walter S	Professional staff member.	7,399.98
Tuttle, Carolyn L	Clerical assistant (to June 20).	2,209.67
Total		46,001.82

Funds available for expenditure at beginning of period	$7,707.52
Additional funds authorized during period	
Total available for expenditure during period	7,707.52
Expended during period	1,469.99
Balance available for expenditure at end of period	6,237.53

JOHN SPARKMAN,
Chairman.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports were submitted:

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

Seventy-seven postmasters.

By Mr. MURRAY, from the Committee on Interior and Insular Affairs:

Marling J. Ankeny, of Maryland, to be Director of the Bureau of Mines, vice John J. Forbes, resigned.

By Mr. ELLENDER, from the Committee on Agriculture and Forestry:

George Henry Coppers, of New Jersey; Karl Douglas Butler, of New York; Charles R. Sayre, of Mississippi; Frank J. Welch, of Kentucky; and J. Leroy Welsh, of Nebraska, to be members of the Commission on Increased Industrial Use of Agricultural Products.

By Mr. GEORGE, from the Committee on Foreign Relations, without reservation:

Executive J, 84th Congress, 2d session, a convention between the United States of America and the French Republic, signed at Washington on June 22, 1956, supplementing the conventions of July 25, 1939, and October 18, 1946, relating to the avoidance of double taxation, as modified and supplemented by the protocol of May 17, 1948 (Ex. Rept. No. 10); and

Executive K, 84th Congress, 2d session, a convention between the United States of America and the Republic of Honduras for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Washington on June 25, 1956 (Ex. Rept. No. 10).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CAPEHART:

S. 4237. A bill for the relief of Fuyuzo Yamaguchi; to the Committee on the Judiciary.

By Mr. THYE:

S. 4238. A bill to waive the $1,000 limitation of the authority of the Secretary of the Air Force and the Secretary of the Navy in the settlement of claims arising out of the crash of a United States Air Force aircraft and a United States Navy aircraft near Wold-Chamberlain Air Field, Minneapolis, Minn., on June 5, 1956 and June 9, 1956, respectively; to the Committee on the Judiciary.

(See the remarks of Mr. THYE when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY:

S. 4239. A bill for the relief of Maria Naldo; to the Committee on the Judiciary.

By Mr. HUMPHREY of Minnesota:

S. 4240. A bill to provide for the transfer of the Civil Service Commission Building in the District of Columbia to the Regents of the Smithsonian Institution for use in housing the National Collection of Fine Arts and a National Portrait Gallery, to provide for the international interchange of art and craft works, and for other purposes; to the Committee on Rules and Administration.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. LANGER:

S. 4241. A bill for the relief of Miss Aistje J. Van Dyken; to the Committee on the Judiciary.

By Mr. CASE of South Dakota:

S. 4242. A bill to apportion more equitably between the State of South Dakota and the Federal Government the cost of providing aid and assistance under titles I, IV, X, and XIV of the Social Security Act to Indians residing in such State on reservations or on allotted or trust lands; to the Committee on Finance.

By Mr. CLEMENTS:

S. 4243. A bill to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products; placed on the calendar.

(See reference to above bill which appears under the heading "Reports of Committees.")

By Mr. CURTIS (for himself and Mr. HRUSKA):

S. 4244. A bill to authorize the Secretary of the Interior to enter into and to execute an amendatory contract with the Northport Irrigation District, Nebraska; to the Committee on Interior and Insular Affairs.

RESOLUTION

The following resolution was reported and placed on the calendar:

By Mr. HUMPHREY of Minnesota:

S. Res. 316. Resolution favoring the establishment of an International Food and Raw Materials Reserve, which was placed on the calendar.

(See resolution printed in full when reported by Mr. HUMPHREY of Minnesota, from the Committee on Foreign Relations, which appears under the heading "Reports of Committees.")

WAIVER OF LIMITATION ON AUTHORITY TO SETTLE CERTAIN CLAIMS FOR DAMAGES CAUSED BY AIRCRAFT DISASTERS AT MINNEAPOLIS, MINN.

Mr. THYE. Mr. President, a House committee has today approved a bill introduced by Representative WALTER JUDD, of Minnesota, which would lift the $1,000 limitation which is now imposed upon the Navy relative to any claim settlement.

Two aircraft accidents recently occurred at the Wold-Chamberlain Airport, in Minneapolis, Minn. The first involved an Air Force plane; the second, which occurred a week later, involved a Navy plane.

The bill introduced by Representative JUDD listed only the $1,000 limitation on the Navy. Therefore, the Air Force could not make settlement of its liability growing out of the accident, in which a plane struck an automobile, killing a mother and her daughter. It is for that reason that I am introducing a bill.

I had previously introduced two bills endeavoring to provide for claims such as these. The first bill, S. 4140, related to the Navy claim, and was dated June 29, 1956. My other bill, S. 4165, introduced on July 3, related to the Air Force claim.

In view of the fact that the House committee has unanimously approved Representative JUDD's bill, and in view of the fact that the House may take action on it today, and the House bill will then come to the Senate, I am introducing, for appropriate reference, an identical companion bill to the House bill, which provides for the addition of the Air Force and lifts the limitation of $1,000 on the Air Force.

I also have an amendment I propose to submit if and when the Senate receives the House bill, so as to expedite the opportunity of the Navy to settle its claim or the Air Force to settle its claim within the course of this year, rather than to have to wait until the next session of Congress in order to effect the settlement of the claim.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 4238) to waive the $1,000 limitation on the authority of the Secretary of the Air Force and the Secretary of the Navy in the settlement of claims arising out of the crash of a United States Air Force aircraft and a United States Navy aircraft near Wold-Chamberlain Air Field, Minneapolis, Minn., on June 5, 1956, and June 9, 1956, respectively, introduced by Mr. THYE, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. THYE. Mr. President, I ask unanimous consent that a telegram I have received from the naval air station at Minneapolis be printed in the body of the RECORD as a part of my remarks, because it gives information with respect to the liability of the Navy. The Navy says that the approximate amount of the claim which will be presented to the Navy Department is $203,407.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *July 18, 1956.*

Hon. EDWARD J. THYE,
Senate Office Building,
Washington, D. C.:

Regarding the naval aircraft crash of June 9, 1956, at Minneapolis, Minn., from the investigation and conferences with claimants and their attorneys to date it is estimated the claims exceeding $1,000 that will be presented to Navy Department total approximately $203,407 are as set forth below:

Hazel Carlson, 5824 46th Avenue South, for loss of all personal property, loss of wages, cost of medical treatment, $5,200.

Harold Clark and Helen Clark, husband and wife, for loss of a son, Stephen Clark, age 6, Veterans' Administration hospital charges and funeral expenses, $11,100.

Donald P. De Wolfe and Rosemary De Wolfe, 5816 46th Avenue South, husband and wife, for loss of a daughter, complete loss of home, complete loss of personal property, medical expense and funeral expense for daughter, $30,000.

Estate of John D. Garies and Jane Garies, husband and wife, formerly of 5820 46th Avenue South, for complete loss of home, complete loss of personal property, funeral expenses for each and for their two children, $21,500.

Joel Garies, age 11, son of John D. Garies, and Jane Garies, for loss of both parents and both brothers, aged 6 and 2, $41,000.

Kenneth and Helen Greening, 5800 46th Avenue South, husband and wife, for loss of daughter, Lynn, age 6, medical expense for deceased child as well as for injured child, real property damage, funeral expenses, loss of wages (this is excluding the claim of the injured minor child, Bradley, age 9, for pain and possible permanent scarring resulting from burns which cannot be evaluated at this time), $11,600.

Vincent O. and Doris Kiefer, 5812 46th Avenue South, husband and wife, for loss of all three children, Cassandra, age 5, Jennifer, age 3, and Jeffrey, age 7, for complete loss of personal property, Veterans' Administration hospital charges for children as well as parents, loss of wages, funeral expenses, $55,000.

Deborah St. Julien, age 6, daughter of Mr. and Mrs. Francis St. Julien, 5804 46th Avenue South, for personal injuries with possible permanent scarring cannot be evaluated at this time. It appears that claim of parents for real property damage and medical expenses for daughter will not exceed, $1,000.

Mrs. Esther Uhl, 5832 46th Avenue South, owner of property at 5824 46th Avenue South, for complete loss of real property and loss of furniture and furnishings, $15,000.

James C. Wolff and Lucille M. Wolff, 5808 46th Avenue South, husband and wife, for reparable damage to home, loss of or damage to personal property, for medical and hospital expense for treatment of daughter, Mary Jane, age 2, and son, age 3, $12,007.03 (this excludes claim for injuries of minor daughter, Mary Jane, which cannot be evaluated at this time).

NAVAL AIR STATION.

MINNEAPOLIS.

NATIONAL COLLECTION OF FINE ARTS AND A NATIONAL PORTRAIT GALLERY

Mr. HUMPHREY of Minnesota. Mr. President, I am about to introduce a bill, and I ask unanimous consent that I may speak on it in excess of the 2 minutes allowed under the order which has been entered.

The PRESIDENT pro tempore. Without objection, the Senator from Minnesota may proceed.

Mr. HUMPHREY of Minnesota. Mr. President, today I am introducing, for appropriate reference, a companion bill to the bill (H. R. 12175) to provide for the transfer of the Civil Service Commission Building in the District of Columbia to the Regents of the Smithsonian Institution for use in housing the national collection of fine arts and a National Portrait Gallery, to provide for the international interchange of art and craft works, and for other purposes, introduced by Representative THOMPSON of New Jersey.

I recognize, of course, in introducing a bill at this late hour in the session it means that in all probability no action will be taken on it this year. However, I do introduce the bill today for study and consideration, and I will, of course, reintroduce it in the next session of Congress if no action is taken on it during the present session.

In large part this bill is a testimonial to his energetic and persistent efforts to remind us of the cultural and artistic values of American life. This is a contribution of the greatest importance these days when we are constantly preoccupied with questions of a military, economic, and political nature. I am proud to have sponsored in the Senate S. 3116 which provides a more stable base for the administration of the President's Emergency Fund in sponsoring cultural events abroad as well as international trade fair exhibits.

Most people desire to preserve their nation's artistic heritage, and to maintain a cultural atmosphere in which the creativity of their artists and craftsmen can continue to flourish. This bill is designed to provide adequate facilities for the maintenance, protection and exhibition of the already extensive collection of fine arts and crafts held by the Smithsonian Institution.

Mr. President, the proposed legislation would also dovetail with previous proposals for a wider cultural exchange on all levels between America and the other nations of the world. Increased understanding among people of diverse national backgrounds is of new and tremendous importance to us in the present ideological battle for men's minds. This program is something we should undertake on its own merits. But its importance to the conduct of our foreign policy is undeniably an important byproduct. It is essential that we exploit imaginative methods of bringing to hundreds of millions of people a fuller picture of our way of life, including our cultural and artistic achievements.

SUMMARY OF THE BILL

Under this bill, the present Civil Service Commission Building would be transferred to the Regents of the Smithsonian Institution to provide for the storage and exhibition of the National Collection of Fine Arts, the portraits of eminent American men and women, and the growing collection of arts and crafts. This transfer received the enthusiastic approval last month of the General Services Administration for architectural and governmental economy reasons. I ask unanimous consent to have printed at this point in my remarks a June 1 press release of the Office of Public Information and reports of the General Services Administration.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

The Government is planning to preserve the old Patent Office, one of the National Capital's finest architectural landmarks, first as an office building and later for use as a National Portrait Gallery.

The new plans were announced jointly today by Dr. David E. Finley, Chairman of the Commission of Fine Arts; Dr. Leonard Carmichael, Secretary of the Smithsonian Institution, and Franklin G. Floete, Administrator of General Services Administration.

The plans have been recommended to Congress in a formal report on a pending bill (H. R. 4841) which would authorize GSA to dispose of the building and its site for the construction of a privately owned parking building. Legislation to this end has been before both the 83d and 84th Congresses, and GSA had earlier favored its enactment as a means of providing off-street parking to alleviate a critical need for parking space.

The building, designed by Robert Mills, who also was the architect of the Treasury Building and the Washington Monument, is located on F Street between Seventh and Ninth Streets NW.

In the new report, submitted by Mr. Floete, GSA has recommended retention of the building and its eventual use by the Smithsonian Institution as a gallery of American portraiture. According to this recommendation, the historic building, now occupied by the Civil Service Commission, would continue in office use while the temporary office buildings on the Mall are being torn down.

The report was transmitted to Congressman CHARLES A. BUCKLEY, chairman of the Committee on Public Works of the House of Representatives. The committee is currently considering H. R. 4841.

The report pointed out that this building could readily be converted for use as a Portrait Gallery. The report noted that this is in accord with the views of Dr. Finley and the other members of the Commission of Fine Arts. This also meets with the enthusiastic approval of Dr. Carmichael of the Smithsonian Institution, who welcomes the use of this historic building as a National Portrait Gallery.

The GSA report continued:

"If this building is retained indefinitely as an office building, it will be necessary to expend a large sum to place it in modern condition. Moreover, at the completion of this work the building would still remain inefficient as an office building. The ceilings are high. Many of the partitions are load-bearing and are not readily removable without structural reinforcement. These factors make it difficult to provide suitable office space.

"We believe that the high ceilings which are a detriment in providing an efficient office layout would enhance this structure as a Portrait Gallery. Although it will require considerable funds to renovate the building for this use, it should be far less costly than modernizing it for continued office use.

"The old Patent Office Building, now called the Civil Service Building, is one of the architectural landmarks of the National Capital. It was planned and designed in the administration of President Andrew Jackson by the eminent Architect Robert Mills. It is looked upon by professionals as an excellent example of pure Greek architecture.

"For the reasons stated, we desire to withdraw our recommendation favoring the enactment of H. R. 4841. In lieu thereof we recommend that the Civil Service Building be continued for office use until the program for demolition of temporary buildings in the Mall area is substantially completed and that the building then be made available to the Smithsonian Institution for use as a Portrait Gallery."

The report concluded with the information that "the Bureau of the Budget has advised that there is no objection to" its submission.

"There is a great need for a National Portrait Gallery in Washington," Dr. Finley stated. "Many portraits of important historical personages are now being held by the trustees of the National Gallery of Art for permanent display in a National Portrait Gallery. The Smithsonian Institution also has a collection of nationally important portraits which cannot at the present time be adequately displayed. In addition, there are numbers of portraits of persons who should be represented in a National Portrait Gallery, now in the hands of private collectors, which might become available if a suitable building is provided.

"The usefulness of a gallery of this kind has long been demonstrated by the National Portrait Gallery in London with its famous collection of portraits of persons who have contributed to the making of British history. A gallery of this kind in Washington should have great influence in fostering patriotism and in educating the coming generation in a knowledge of American history."

Mr. HUMPHREY of Minnesota. Mr. President, the bill recognizes that this National Museum of American Arts and Crafts, which would include a National Portrait Gallery, should benefit by the Joint Resolution of May 17, 1938. This resolution authorized the Smithsonian Board of Regents to solicit and receive private donations of works of art and crafts, to purchase works of contemporary artists and craftsmen, and to place such works on exhibition in art gallaries and museums throughout the United States. Several minor amendments to this joint resolution, which authorized the construction and administration of

the Smithsonian Gallery of Art, are contained in this bill.

The bill also creates an advisory board consisting of 21 members appointed by the Regents to consult and give advice to the Regents in carrying out the provisions of this act. The members of this Board are to be chosen from among private American citizens who are recognized for their knowledge and interest in one or more of the arts and crafts, and are to serve a term of 6 years.

Mr. President, provisions of the bill call for the transfer of the present program of art exhibitions carried on by the United States Information Agency to the Smithsonian Traveling Exhibition Service with the stipulation that an attempt be made to coordinate all art exhibition activities of the various Federal agencies. The bill provides for a two-way exchange with American exhibits traveling abroad, and those of other countries coming to museums and display centers in the United States.

Section 7 of the bill provides for the annual awarding of 10 scholarships and graduate fellowships to citizens of the United States for study in American arts and crafts. The Regents are authorized to publish information relating to the arts and crafts, and to finish the compilation and publication of an Index of American Design as a record of the arts and crafts of the United States. Under the bill, the Regents are asked to stimulate research and pilot programs, and arts and crafts programs in museums and art galleries throughout the United States.

Mr. President, I introduce this bill at this time fully aware that little concrete action can be taken on it in the remaining few days of the session. I believe that the long-run implications and results of this bill will be of real benefit to all Americans in many ways. I certainly hope that thoughtful consideration and study of the provisions of this bill by all interested parties will be undertaken during coming months so that the Senate can proceed rapidly on this measure in the 85th Congress.

Mr. President, I ask unanimous consent that the draft of my bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted, etc.,

STATEMENT OF FINDINGS

SECTION 1. The Congress hereby finds and declares that—

(1) the growth and flourishing of the arts and crafts depend upon freedom, imagination, and individual initiative;

(2) the encouragement of creative activity in the performance and practice of the arts and crafts, and of a widespread participation in and appreciation of the arts and crafts, is essential to the general welfare and the national interest;

(3) the encouragement of the arts and crafts, while primarily a matter for private and local initiative, is an appropriate matter of concern to the United States Government;

(4) as work days shorten and life expectancy lengthens, the arts and crafts will play an increasingly important role in the lives of our citizens;

(5) America is proud not only of its material achievements but also of its artists and craftsmen and its cultural achievements. We know that in this country where everyone is an immigrant or the descendant of an immigrant there is no one pattern of culture. There are, rather, a number of patterns of culture and we are proud of our cultural pluralism, for it has contributed to the richness and variety of the tapestry that is America, a country of multiple cultures;

(6) in the advancement of the various activities which will make our civilization endure and flourish, the Federal Government should do more to give official recognition to the importance of the arts and crafts and other cultural activities;

(7) there is an important principle—the principle that freedom of the arts and crafts is a basic freedom, one of the pillars of liberty in our land—which we should ever keep in mind, since this is one of the areas in which we differ most markedly from the Communist countries;

(8) in order to promote the arts and crafts in the United States, the National Collection of Fine Arts should maintain a high standard among the art and craft works in its collection and should use its collection to promote the cultural life of communities in all parts of the country; in building and using its collection, the National Collection of Fine Arts should strive, through recognition of all that is essentially indigenous in the work of our artists and craftsmen, to promote understanding of American arts and crafts and to bring them into a closer relationship with the life of the community;

(9) the National Collection of Fine Arts should be given funds with which to purchase, annually, works of contemporary artists and craftsmen from which it should organize continually changing exhibitions; and it should (A) extend these resources to benefit all parts of the country, making the works of art and crafts in its possession available through traveling exhibitions, (B) plan an integrated program, educational in the broadest sense, (C) furnish schools, libraries, community groups, museums, art galleries, and art centers with a wide variety of examples of painting, sculpture, architecture and allied arts, graphic arts, the crafts, motion pictures and still photography, (D) bring out publications on these subjects, both of a popular and of a scholarly nature, and (E) publish guides, pamphlets, color reproductions, and educational hand books;

(10) the Director of the National Collection of Fine Arts should seek competent professional advice from societies of artists and craftsmen and recognized galleries and museums of arts and crafts in the formulation of its program;

(11) sufficient space is not now available to show even the present collection to advantage, and an enlargement of the facilities available for the National Collection of Fine Arts is a matter of the utmost urgency; the present collection should form the nucleous of a large and useful museum of contemporary arts and crafts (and particularly American arts and crafts), with the chief function of the National Collection of Fine Arts being the formulation and administration of a program of activities rather than the guardianship of collections, important as that may be;

(12) while the National Gallery of Art (which is almost entirely devoted to the work of great artists of other countries over many centuries) is one of the leading cultural monuments in the Western World and the Congress appropriates more than a million dollars a year to maintain it, there is no home for the still more significant century-old National Collection of Fine Arts and no discernible efforts are being made to carry out the important program to advance American art authorized by the joint resolution of May 17, 1938; and it is therefore singularly fitting to house this great collection, which is now inadequately housed in the already overcrowded natural history building, in an historic building representative of a great period in American architecture; and

(13) the exchange of exhibitions of the arts and crafts strengthens immeasurably the ties which unite us with other nations by demonstrating the cultural interests, developments, and achievements of the people of the United States and of other countries, and the contributions being made by the United States economic and social system toward a peaceful and more fruitful life for its own people and other people throughout the world; important contributions are thereby made toward the development of friendly, sympathetic, and peaceful relations between the United States and the other countries of the world.

STATEMENT OF POLICY AND PURPOSE

SEC. 2. It is therefore declared to be the policy of the Congress and the purpose of this act—

(1) to preserve and exhibit the finest examples of work in all of the arts and crafts, and to encourage the further growth and development of the arts and crafts, in all parts of the United States and its Territories and possessions including Alaska, Hawaii, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and Samoa (in this act referred to as the "United States");

(2) to provide for the exhibition of the National Collection of Fine Arts, the portraits of eminent American men and women, and the growing collection of arts and crafts, in accordance with the best practices of the world's leading museums, giving particular emphasis and attention to exhibiting the collections in settings depicting the various sections of the United States and the periods of time which they represent; and

(3) to exhibit the works of artists and craftsmen of the United States who are deserving of recognition, and to present exhibitions of the best art and craft works of the peoples of other countries on an exchange basis in order to promote understanding of common cultural experiences and encourage the appreciation and creation of arts and crafts in this country and abroad, thereby advancing international understanding and the cause of peace.

TRANSFER OF BUILDING FOR USE BY NATIONAL COLLECTION OF FINE ARTS AND PORTRAIT GALLERY

SEC. 3. (a) The Administrator of General Services shall transfer the Civil Service Commission Building (formerly known as the Patent Office Building), and the site thereof located between Seventh and Ninth Streets Northwest in the District of Columbia, to the Regents of the Smithsonian Institution (hereinafter in this act referred to as the "Regents") without reimbursement, for use as the National Museum of American Arts and Crafts (hereinafter in this act referred to as the "Museum") and as the permanent home of the National Collection of Fine Arts, including a National Portrait Gallery for the display of the portraits of eminent American men and women. The Regents shall exhibit in the Museum the works of artists and craftsmen deserving of recognition.

(b) The transfer provided for by subsection (a) shall be made at such time as the Administrator of General Services determines that the use of the building by the Federal Government for office purposes is no longer essential to the carrying out of an orderly program for the demolition of temporary buildings in the Mall area; but in any event such transfer shall be made within years after the date of the enactment of this act.

(c) The Administrator of General Services, in consultation with the Regents, is authorized to enter into such contracts and take such other action as may be necessary to carry out this section.

(d) The Director of the National Collection of Fine Arts shall also be the Director of the National Museum of American Arts and Crafts (and is hereinafter in this act referred to as the "Director").

AMENDMENTS TO JOINT RESOLUTION OF MAY 17, 1938

SEC. 4. (a) The first section of the joint resolution of May 17, 1938 (Public Resolution No. 95; 52 Stat. 399), is amended (1) by striking out "a site for", and (2) by striking out all that follows "recognition," and inserting in lieu thereof the following: "the Administrator of General Services shall transfer the Civil Service Commission Building (formerly known as the Patent Office Building), and the site thereof located between Seventh and Ninth Streets Northwest in the District of Columbia, to the Regents of the Smithsonian Institution (hereinafter in this joint resolution referred to as the "Regents").

(b) Section 2 of such joint resolution is repealed.

(c) (1) Section 3 (a) of such joint resolution is amended by striking out all that follows "to meet the cost" and inserting in lieu thereof the following: "of furnishing and equipping the building and rendering it suitable for use as the permanent home of the National Collection of Fine Arts and as a National Portrait Gallery, and to defray necessary administrative expenses and secure other needful services."

(2) Subsections (b) and (c) of section 3 of such joint resolution are amended to read as follows:

"(b) The Regents may, subject to the approval of the President, authorize the repair and renovation of the building and the installation of necessary furnishing and equipment. The Administrator of General Services, in consultation with the Regents, shall supervise the preparation of the plans and specifications, make all necessary contracts, and supervise the repair, renovation, and installation of furnishings and equipment.

"(c) The name of the building shall be the National Museum of American Arts and Crafts (hereinafter in this joint resolution referred to as the 'Museum'), and it shall be under the supervision and control of the Regents and the Secretary of the Smithsonian Institution."

(3) Section 3 of such joint resolution is further amended by adding at the end thereof the following new subsection:

"(d) There are authorized to be appropriated such sums as may be necessary, in addition to the funds received under subsection (a) of this section, to carry out the purposes of this section."

(d) (1) Section 4 of such joint resolution is amended by inserting "and crafts" after "art" each place it appears; and by striking out "artists and other personnel" in subsection (b) and inserting in lieu thereof "artists, craftsmen, and other personnel."

(2) Section 4 of such joint resolution is further amended by adding at the end thereof the following new subsections:

"(c) The Regents shall without delay proceed to exercise the authority contained in subsections (a) and (b) by soliciting and receiving private donations of works of art and crafts, by soliciting and receiving contributions of funds from private sources, by acquiring (by purchase or otherwise) and selling contemporary works of art and crafts or copies thereof, by conducting exhibitions, and by taking such other actions as may be necessary or appropriate to carry out such subsections.

"(d) The Regents shall provide for the widest possible distribution and display of the works of art and crafts acquired under this joint resolution by placing such works on exhibition in art galleries and museums throughout the United States on a loan or rental basis or under other arrangements made between the Regents and such galleries and museums."

(e) Section 5 of such joint resolution is amended to read as follows:

"SEC. 5. The Administrator of General Services and other officers and agencies of the Federal Government are authorized to donate to the Museum any works of art or crafts now or hereafter under their control."

(f) Section 6 of such joint resolution is amended by inserting "or crafts" after "art", and by striking out "Gallery" and inserting in lieu thereof "Museum."

(g) Sections 7 and 8 of such joint resolution are amended by striking out "Gallery" wherever it appears and inserting in lieu thereof "Museum."

SEC. 5. (a) There is hereby established an advisory board (hereinafter in this act referred to as the "board"), which shall advise and consult with the Regents in carrying out their functions under this act and under the joint resolution of May 17, 1938. The board shall have equal representation of artists, experts in the arts and crafts, teachers and recreation directors in the arts and crafts, architects, museum directors, and men from public life. The board shall consist of 21 members appointed by the Regents from among private citizens of the United States who are widely recognized for their knowledge of our experience in, or for their profound interest in, one or more of the arts and crafts. In making such appointments the Regents shall give due consideration to the recommendations for nomination submitted by leading national organizations in the fields represented in the National Museum of American Arts and Crafts. The term of office of each member of the board shall be 6 years; except that, of the members first appointed, 7 shall be appointed for terms of 2 years, 7 for terms of 4 years, and 7 for terms of 6 years. No member of the board shall be eligible for reappointment during the 2-year period following the expiration of his term. The board shall meet at the call of the Regents, but not less often than twice each year. The Regents shall from time to time, on the basis of the recommendations of the board, designate a member of the board to be its chairman.

(b) The twenty-one members of the board first appointed under subsection (a) shall include all of the individuals who are members of the Smithsonian Art Commission on the day preceding the date of the enactment of this act; and the functions of the board shall include (but shall not be limited to) the functions prescribed by the Regents for such Commission immediately prior to the date of this enactment of this act.

THE SMITHSONIAN TRAVELING EXHIBITION SERVICE OF THE NATIONAL COLLECTION OF FINE ARTS

SEC. 6. (a) We must make the effort to understand something of the culture of other peoples—their history, their tribulations, and the trials through which they may have passed—for unless we understand these things we will never comprehend why our motives as a Nation are so often misunderstood. While exhibitions of the arts and crafts of the United States are being sent abroad under our international cultural exchange programs, the objective of true cultural exchange cannot be achieved unless we cen receive artists and exhibitions from other countries on a reciprocal basis. The exchange of art and craft exhibitions must be considered on a higher plane than that of propaganda and information, and must, indeed, be on the same plane as such exchange-of-persons programs as those carried on under the President's Emergency Fund, those authorized by the United States Information and Educational Exchange Act of 1948 and those carried on by the International Cooperation Administration.

(b) For these reasons, the present program of art exhibitions being carried on by the United States Information Agency is transferred to the Natoinal Collection of Fine Arts of the Smithsonian Institution to be administered by the Regents and the Director of the National Collection of Fine Arts, in consultation with the United States Advisory Commission on Educational Exchange and any advisory committee on the arts which may be established to implement our national policy of promoting and strengthening international relations through cultural exchanges, as a function of the Smithsonian Traveling Exhibition Service. In carrying on such activities the National Collection of Fine Arts shall work in cooperation with other Federal departments and agencies, shall organize and send exhibitions to other countries, and shall contract with other museums and art galleries throughout the United States, and with competent organizations in the field of the arts and crafts, to assemble and send exhibitions abroad and to bring similar exhibitions from foreign countries to this country. The United States Information Agency shall, as in the past, continue to promote and publicize exhibitions of the arts and crafts of the United States abroad.

(c) The President is authorized to create such interagency committees as in his judgment may be of assistance in carrying out the purpose of this section. Such committees shall include individuals having special knowledge and experience in the field of the arts and crafts as well as individuals whose knowledge and experience in other fields will assist in carrying out the program established by this section. The provisions of section 214 of the Act of May 3, 1945 (59 Stat. 134; 31 U. S. C. 691), shall be applicable to any interagency committee created pursuant to this subsection.

SCHOLARSHIPS AND FELLOWSHIPS

SEC. 7. The Regents shall award 10 scholarships and graduate fellowships each year for work or study in American arts and crafts at accredited nonprofit United States institutions of higher education, selected in each case by the recipient of the scholarship or fellowship and approved by the Regents, for stated periods of time. Persons shall be selected for such scholarships and fellowships from among citizens of the United States, and the selection of such persons shall be made solely on the basis of ability.

PUBLICATIONS

SEC. 8. The Regents shall publish (and arrange for the publication of) information relating to the arts and crafts, and shall provide for the fullest possible dissemination thereof throughout the United States.

RESEARCH AND PILOT PROGRAMS

SEC. 9. The Regents shall conduct and make grants for the conduct of research and the establishment of pilot programs and demonstrations relating to the planning of facilities and activities in American arts and crafts throughout the United States.

ARTS AND CRAFTS PROGRAM

SEC. 10. The Regents shall have power and authority to adopt, conduct, and direct, or cause to be conducted or directed under their supervision, programs which shall include arts and crafts and such other cultural activities as are carried on by leading museums and art galleries of the United States, so that the National Museum of American Arts and Crafts will be a leading art center of maximum usefulness to the residents of the District of Columbia, the visitors to the Nation's Capital, and the people throughout the United States.

INDEX OF AMERICAN DESIGN

SEC. 11. The Regents shall take such steps as may be necessary to complete and keep

current the Index of American Design (hereinafter in this act referred to as the "Index") as an index of the arts and crafts of the United States. The Index shall be an activity of the National Collection of Fine Arts and shall be physically located in the National Museum of American Arts and Crafts. The Director of the National Collection of Fine Arts shall, under the direction of the Regents, take steps to make the Index readily available to museums and galleries, libraries, educational institutions, and other institutions, organizations, and groups throughout the United States so that it will be easily accessible and thus be of maximum value to the designer, the craftsman, the manufacturer, the educator, the student, the historian, and the general public. As a record of the arts and crafts of the United States, both folk and popular, decorative and domestic, the Index should be so maintained and administered as to become an increasingly rich reservoir which can assist in the development of taste, a genuine consciousness of our national heritage, and a sensitivity to beauty in all its varied forms, particularly in the commodities, articles, and services of everyday life.

APPROPRIATIONS

SEC. 12. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this act.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 4240) to provide for the transfer of the Civil Service Commission Building in the District of Columbia to the Regents of the Smithsonian Institution for use in housing the National Collection of Fine Arts and a National Portrait Gallery, to provide for the international interchange of art and craft works, and for other purposes, introduced by Mr. HUMPHREY of Minnesota, was received, read twice by its title, and referred to the Committee on Rules and Administration.

CONFUSION OVER INCREASED FOREIGN MILITARY AID AND DECREASED ARMED FORCES AT HOME—AMENDMENT

Mr. O'MAHONEY. Mr. President, I am about to make a statement relative to an amendment to the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes, and I ask unanimous consent that I may speak in excess of the 2 minutes allowed under the order which has been entered.

The PRESIDENT pro tempore. Without objection, the Senator from Wyoming may proceed.

Mr. O'MAHONEY. Mr. President, I desire to have printed in the RECORD this morning a copy of an amendment which the Senator from Arkansas [Mr. MCCLELLAN] and I intend to propose to the mutual security appropriation bill when it becomes the unfinished business of the Senate. The amendment is designed to make it possible for the Congress, by joint resolution, to compel the officers and administrators of foreign aid to answer the questions of Congress. Therefore, the amendment constitutes a limitation upon an appropriation bill.

I desire to say further that Admiral Radford and Secretary Dulles appeared before the Appropriations Committee, urging an increase in the appropriation for mutual security, which, of course, includes expenditures for military purposes in foreign countries. At the same time the Pentagon is locked in a dispute as to when or how to cut the military power of the United States.

The same Admiral Radford, of the Joint Chiefs of Staff, who testified before the Appropriations Committee in favor of an increase of appropriations to be used abroad, is reputed to be the author of the suggestion that American military manpower be reduced by 800,000. This is a contradictory position, in which it seems the Congress cannot allow the executive branch of the Government to plunge us into. I want every Member of the Senate to realize that this question will be at issue when the foreign aid appropriation bill comes before the Senate for consideration.

It is for that reason that I wanted the amendment published in the RECORD this morning, which I now ask unanimous consent to do.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request?

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

At the proper place insert new section as follows:

"SEC. —. Inasmuch as (1) the Constitution of the United States provides that no money shall be drawn from the Treasury but in consequence of appropriations made by law and that 'a regular statement and account of the receipts and expenditures of all public money shall be published from time to time,' and (2) section 136 of the Legislative Reorganization Act of 1946 directs each standing committee of the Senate and House of Representatives to exercise continuous watchfulness of the execution by the administrative agencies concerned of any law within the jurisdiction of such committee, and (3) certain other constitutional and statutory provisions confer functions upon the Congress relating to the expenditure of public funds, it is essential in order for the Congress to exercise its constitutional and statutory functions that it have access at all times to full and complete information concerning the expenditure of the public funds. Accordingly, all persons engaged in the expenditure of funds appropriated under this act or in the administration of the laws under which such funds are expended are required to furnish to the Committees on Appropriations of the respective Houses and to all other appropriate committees of the Congress such information as may be requested by them relating to the expenditure of such funds or to the programs or projects with respect to which such expenditures are made. In any case in which a person engaged in administering any program or project for which funds are appropriated under this act, refuses to furnish to any such committee any information requested by it concerning such program or project, and the branch of Congress appointing such committee by resolution, notifies the Comptroller General of the United States of such refusal, none of the funds appropriated by this act shall thereafter be available for obligation for such program or project unless such committee notifies the Comptroller General that the information requested has been furnished to the committee."

Mr. O'MAHONEY. In this testimony before the Senate Appropriations Committee, to be found in the hearings at page 310, the Chairman of the Joint Chiefs of Staff, Admiral Radford, declared, not only that he agreed with what Secretary Dulles had said, but that he felt:

That the psychological impact of a great reduction in our military-aid program will be so adverse around the world that it is hard to estimate at this time just how serious it will be. I would like to remind the committee of statements that I have made before. This military-aid program is designed to generate and maintain forces to add to the security of the United States. In other words, this is a self-serving program all around the world. We are not helping people just for the pleasure of helping them. We are helping them because we need their military strength just as they need ours.

How can this statement of Admiral Radford be harmonized with the reports we received from the Pentagon that he is the head and front of the movement in the Department of Defense to reduce our Armed Forces?

The New York Times of last Sunday, July 15, in a front page story, under the byline of Anthony Reviero, reported the effort of Admiral Radford "to impose a concept involving a cut in the Armed Forces of approximately 800,000 men by 1960 and withdrawal of the bulk of United States forces overseas caused the Chiefs of the Army, Navy, and Air Force to resist."

Then Mr. Reviero went on to say:

The result was that high Department of Defense officials intervened to prevent public disclosure of the dispute, if possible. The trip to Gettysburg was cancelled and action on the plan postponed until after the election.

Yesterday morning there appeared in the Washington Post and Times Herald, under a headline reading "Move to Cut Forces Gains High Support," an article written by John Scali, the first paragraph of which reads:

Several high administration leaders are reported firmly backing a hotly debated Defense Department move to reduce the size of American Armed Forces, perhaps drastically.

Today Chalmers M. Roberts, the highly respected and accurate staff reporter of the Washington Post and Times Herald, confirmed the previous reports.

It is impossible for me to understand how we can make friends with foreign nations in the terms of Admiral Radford's testimony to the Appropriations Committee, and at the same time follow a plan which he is so authoritatively reported to be backing with respect to the reduction of our own military power.

Whatever may be the case, this contradiction of increased appropriations for military aid abroad and decreased plans for military strength at home certainly must be cleared up; otherwise, Congress will be appropriating in the dark.

While the Appropriations Committee was in session, it became known that under previous appropriations we are now about to ship jet planes to Tito, while no explanation of his need for them has yet been given to Congress. Is Tito going to use these planes in defense of western civilization, or does he need them at all, now that he has visited Moscow?

COMPENSATION OF EXECUTIVE DIRECTOR OF JOINT COMMITTEE ON ATOMIC ENERGY—REREFERENCE OF JOINT RESOLUTIONS

Mr. JOHNSON of Texas. Mr. President, I have discussed this matter with the distinguished minority leader. I ask unanimous consent to have referred back to the Joint Committee on Atomic Energy Order No. 1487, Senate Joint Resolution 138, a joint resolution relating to the compensation of the Executive Director of the Joint Committee on Atomic Energy and Order No. 1502, House Joint Resolution 514, a joint resolution relating to the compensation of the Executive Director of the Joint Committee on Atomic Energy.

They are joint resolutions which have been reported, and the distinguished chairman of the committee is willing to have them referred back to the committee, and the minority leader thinks they should be referred back to the committee.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. WILEY:

Address delivered by him at Arpin Farmers Union Picnic, Sunday, July 15, 1956, and newspaper articles relating thereto.

NOTICE OF CONSIDERATION OF NOMINATION BY THE COMMITTEE ON FOREIGN RELATIONS

The PRESIDENT pro tempore. As a Senator, and as chairman of the Committee on Foreign Relations, the Chair desires to announce that the Senate received today the nomination of Walter K. Scott, of Maryland, to be Deputy Director for Management of the International Cooperation Administration, in the Department of State.

Notice is given that this nomination will be considered by the Committee on Foreign Relations at the expiration of 6 days.

JUVENILE DELINQUENCY

Mr. LANGER. Mr. President, a recent Catholic publication conducted a survey and noted that over all of the serious issues confronting the American people, the problem of juvenile delinquency ranked second to the problem of a cold war.

We have read headlines throughout the country of serious juvenile delinquency acts and juvenile crimes. However, when yesterday's headlines in the Washington Post stated "Three Boy Bank Robbers Caught", then it is time for those who are indifferent to the juvenile delinquency problem to take full notice. Since this was in the District of Columbia, over which Congres has jurisdiction, we should pay particular attention.

The Senate juvenile delinquency subcommittee has held hearings in the District of Columbia, and further hearings should be considered. From the hearings held several bills have been submitted to the Senate to correct some of the problems, however, none of those bills have yet been able to come to the Senate floor. I urge immediate action on these bills.

Also in this morning's Washington Post there is an item entitled "Five 'Goof-Ball' Addicts Held in Alexandria." I ask unanimous consent that both of these articles be printed in full in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

THREE BOY BANK ROBBERS, FOUR SHARERS IN LOOT CAUGHT AFTER SPREE

(By Ralph Reikowsky and Alfred E. Lewis)

A trio of pint-sized bandits, aged 12 and 13, who stole $700 from a crowded Washington bank yesterday was captured 5 hours later while on a frenzied spending spree.

Rounded up with the trio were 4 other boys, between 11 and 14, who shared in the loot.

The theft from the coin-counting room of the Industrial Bank of Washington at 11th and U Streets NW. was engineered by a 12-year-old boy.

He was aided by 2 boys, both 13, whom he met after he had hatched the plan.

About 1 p. m. while the bank was teeming with customers and employees, the ringleader and one of his aides walked up to bank Vice President Mervin Parker and asked to use the restroom in the basement, near the counting room.

The third lad stayed outside.

AN EMERGENCY

"I thought it might be an emergency," Parker said. "I'd seen the kids around here and figured it would be all right."

On his instructions, the janitor, A. W. Dangerfield, escorted the pair to the basement.

Minutes earlier, George Holloway, bookkeeper who was taking the place of a vacationing employee in the counting room, had left the room and locked the door, leaving about $13,000 stacked on a table.

The ringleader told police he reached through an aperture in the steel-mesh door and opened it by the inside latch. The opening is used to pass money in and out of the room to customers.

He entered the room and took a stack of bills, mostly ones, and left, spilling some money on the floor.

He and his buddy then went into the restroom where they stuffed the money inside their shirts and the tops of their canvas sneakers.

Holloway said he returned after having been told some kids were using the toilet.

He noticed the bills on the floor and went to the restroom, banged on the locked door and called, "Come on out."

"Just a minute," a voice replied.

When Holloway turned back toward the counting room, he saw out of the corner of his eye one of the boys dash up the stairs.

THEY CALMLY WALK OUT

The pair coolly walked past several tellers and clerks, through a waist-high door that separates the tellers' cages from the main lobby, and past a crowd of customers waiting to go down to the counting room.

Outside they were joined by the third principal and four other boys who were in on the theft but who took no part in the planning.

All 7 ran to a churchyard and playground in the 1800 block of 12th Street NW., where the division was made. The leader kept $400 which he hid under some rocks. He handed out the rest haphazardly to his buddies.

He said one would say he wanted $30 so I gave him $30. Each chose his own hiding place for his loot.

All but the ringleader put some of their money in the soles of their sneakers. The leader told police he didn't want them to find money on him if he got caught.

About 5 p. m., Samuel Wampler, 42, manager of the Trailways Bus Terminal, 1201 New York Avenue NW., saw the group of boys playing the pinball machines in the basement gameroom at the terminal.

"They are playing like drunken sailors," he said.

"One would stick a nickel in a machine, shoot five balls rapidly and walk to another machine without waiting to see what happened," he said.

He called police and two juvenile squad detective, Forest E. Dougherty and Robert N. Foright, arrived to question the boys.

SQUIRMING TRIPS HIM

"At first they said they got the money delivering groceries," Dougherty said. He said he found $4.50 on them but wasn't satisfied by their story.

At headquarters, one of the boys began to squirm. The detectives became suspicious and searched him. Foright said he found a stack of dollar bills in the boys' underclothes.

When forced to strip, each boy except the leader took wads of bills out of their shoes. In all, police recovered $59 from them.

Stashed in their secret caches in the churchyard was another $554. Another $20 was recovered from a 14-year-old who was arrested near his home.

The leader told police that a year ago he pulled the same stunt at the bank. On that occasion he and the 14-year-old boy stole $11.50 from the counting room, he said.

All seven boys were charged with grand larceny and were sent to the Receiving Home.

The ringleader, according to police, has a juvenile record going back to June 29, 1955, when he was arrested for housebreaking. He also was arrested for discharging an air rifle and petit larceny.

FIVE "GOOF BALL" ADDICTS HELD IN ALEXANDRIA

An Alexandria rookie policeman rounded up five suspected barbiturate addicts yesterday after working undercover for 3 months.

Those arrested were charged with dispensing dangerous drugs without a prescription.

Detective Sgt. Russell Greenwalt said investigation into the use of barbiturates or "goof balls" began last April after delegations of angry citizens protested to the city council that teenagers were being sold the drugs.

Rookie Pvt. Foley Jack Donathan, 22, was assigned to join a gang of a dozen youths suspected of peddling the drug. During the next 3 months he became a confidant of the group and joined in their activities, Greenwalt said.

He said the youths went on periodic sprees on a combination of cheap wine and barbiturates but were not selling the pills on the street as had been suspected. They obtained them only for their own use, he said.

The source of supply of the pills, mostly Nembutal tablets or "yellow jackets" has been located and eliminated, Greenwalt reported.

Arrested were Marvin Shadwick Weaver, 22, of 128 North Fayette Street; Martin Daniel Bailey, 18, of 526 East Glendale Avenue; Richard David Orr, 22, of 3620 Edison Street, and two juveniles age 16 and 17, all of Alexandria.

The adults were held under $500 bond each for a court hearing July 20. The juveniles were remanded to the custody of the juvenile court.

THE INTERNATIONAL RESCUE COMMITTEE

Mr. WILEY. Mr. President, one of the outstanding organizations in our country is the International Rescue Committee. Down through the years, it has performed magnificently in aiding the refugees from Communist tyranny.

Whether at the gates of western Berlin, or at the gates of South Vietnam, or at any other border territory fronting the Iron Curtain, the IRC has constantly given yeoman help to those who have literally taken their lives in their hands in order to flee from the merciless rule of godless communism.

It was naturally a source of the deepest gratification to me to hear recently from Mr. Leo Cherne, the distinguished, and hardworking Chairman of the IRC, with regard to the mutual efforts of his fine organization in exposing and helping to counteract the Communist redefection campaign, plus my own efforts for similar exposure and counteracting of Red treachery.

The IRC board had very graciously acted on Monday, May 28, conveying their thanks for my help in this connection.

I may say to the IRC that it is a pleasure to have worked with it in the past, and I look forward to continuing to work with it in the future.

I say, God speed to it, and may it continue to achieve great success.

I ask unanimous consent that the text of Mr. Cherne's letter be printed at this point in the body of the RECORD, and that it be preceded by a list of the distinguished officers and members of the board of directors of the Committee, including, of course, Adm. Richard E. Byrd, honorary chairman, Mr. Leo Cherne, Chairman, and former Ambassador Angier Biddle Duke, president.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

INTERNATIONAL RESCUE COMMITTEE, INC.,
New York, N. Y., May 31, 1956.

(Adm. Richard E. Byrd, honorary chairman; Leo Cherne, chairman; Joseph Buttinger, vice chairman; Hon. Angier Biddle Duke, president; Richard R. Saltzmann, vice president; Eric M. Warburg, treasurer; Mrs. Kermit Roosevelt, secretary. Board of directors: Joseph D. Ardleigh, Abram G. Becker, Paul F. Brissenden, Harry A. Bullis, Henry Seidel Canby, Gen. William J. Donovan, Christopher Emmet, H. William Fitelson, Samuel Goldwin, Sheba Strunsky Goodman, Allen Grover, William J. Van Den Heuvel, A. E. Jolis, Mrs. Randolph A. Kidder, David F. Seiferheld, David Sher, George P. Skouras, Gen. Carl Spaatz, Sterling D. Spero, Milton Starr, Mrs. A. Ronald Tree, Msgr. Bela Varga, L. Hollingsworth Wood, Adm. Ellis M. Zacharias, Charles S. Zimmerman. Overseas offices: Berlin, Bremen, Brussels, Geneva, Munich, Paris, Rio de Janeiro, Saigon, Stockholm, Vienna.)

The Honorable ALEXANDER WILEY,
United States Senate, Senate Office Building, Washington, D. C.

DEAR SENATOR WILEY: I have been instructed by unanimous vote of the Board of Directors of the International Rescue Committee, which met in regular session Monday, May 28, to write this letter to you. We wish in the most forceful means possible to express our deepest appreciation for the assistance you have given in helping counteract and defeat the redefection campaign of the Soviet Union.

You have been among the first to thoroughly understand that this highly financed, sinister Soviet program is designed to induce a number of those who have escaped from the Soviet Union to return. As you have pointed out, every instrument from coercion to blackmail is used for this purpose but the most dangerous aspect of the campaign has been the injury and fear inflicted upon those who have risked their lives to flee to the West and continue to refuse at all costs to return.

From the days of the Berlin blockade and during the subsequent visit of Berlin's Mayor Ernst Reuter to the United States, you have indeed been a strong friend of the International Rescue Committee and an important enemy of a Communist conspiracy. Your most recent actions in this direction were discussed in detail at the meeting and impelled this expression of our complete thanks, our great admiration and the sincere hope that it will be possible for you to continue to assist us in the years to come.

May I, as Chairman, add my own personal wishes for your continued good health.

Sincerely yours,

LEO CHERNE.

IMPORTATION OF FOREIGN AGRICULTURAL WORKERS INTO AREAS SUPPLIED BY MEXICAN CONTRACT LABOR

Mr. HUMPHREY of Minnesota. Mr. President, over the weekend a statement was made by the Joint United States-Mexico Trade Union Committee regarding the importation of Japanese, Chinese, Filipino, and other foreign agricultural workers into areas supplied by the Mexican contract-labor program. I ask unanimous consent that a press release issued by the committee on Sunday, July 15, be printed at this point in the RECORD and appropriately referred.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON THE IMPORTATION OF JAPANESE, CHINESE, FILIPINO, AND OTHER FOREIGN AGRICULTURAL WORKERS INTO AREAS SUPPLIED BY THE MEXICAN CONTRACT LABOR PROGRAM

The United States section of the Joint United States-Mexico Trade Union Committee is gravely concerned over persistent maneuvers by agricultural employers, particularly the big corporation farmers on the west coast, to evade the minimum protective labor provisions for both domestic and foreign labor under the Mexican contract labor program through using loopholes provided by the McCarran-Walter Immigration Act and the Refugee Relief Act to set up new, inferior programs for the importation of foreign farmworkers.

Under present circumstances, the current proposals by these employers for the establishment of new programs for the importation of agricultural labor from the Far East are clearly intended to flood the farm-labor market of the United States with foreign workers willing to work for wages and under conditions impossible for United States citizens to accept.

During World War II when 10 million Americans were under arms there was at least some justification for the importation of the 100,000 to 200,000 Mexican and British West Indies workers whose service on United States farms and railways was a valuable contribution to the winning of the war. However, from the beginning the importation of this labor was described by Congress in its authorizing legislation as a temporary program, made necessary because many United States farmworkers patriotically left their normal employment to take jobs in war industries at the urging of their Government.

Farm operators soon learned that the Mexican workers could be hired to work for less wages than previously were paid to domestic farmworkers, and that they could otherwise be exploited. Since the end of the war, the number of Mexican workers imported both legally and illegally has constantly increased, but, even so, farm employers are chafing under the inadequate protective labor provisions which governed their employment of 400,000 Mexican contract workers in 1955 and now are completing arrangements to import additional workers from Asiatic countries, under even more inferior contract terms. Already, the employment of foreign labor on corporation-type farms has reduced the ratio of wages paid farm workers to those of factory labor from a high of 48 percent in 1945 to a low of 32 percent in 1955. In addition, hundreds of thousands of Mexican workers who entered the United States both as wetbacks and contract workers are now employed in trades and industries in which United States workers are organized, and the readiness of many to accept lower wages and working conditions poses a real threat to our Nation's standards of living.

Repeated investigations have brought to light the deplorable conditions which exist for both domestic and foreign agricultural workers in factory-farm employment. If the average citizen were fully aware of these conditions, and the manner in which our own and legal and wetback foreign workers have been forced to exist, he could only hang his head in shame.

Less than a decade ago, the organized-labor movement began its efforts to bring about reforms. Due to this insistence Congress adopted minimum protective provisions for Mexican workers employed under the contract labor program. This committee, however, has in its possession a surfeit of evidence that these protective provisions have been widely violated by agricultural employers, often with the acquiescence of officials of the United States Labor Department and the State employment services in the several States. Although through organized labor's efforts some progress has been made, conditions for foreign agricultural labor under even the comparatively protective Mexican program are still intolerable. We are determined to wipe out completely the deplorable conditions and starvation wages existing on most factory farms, and we oppose most vigorously the latest efforts by agricultural employers to evade the laws of our land through setting up new unfair programs for recruitment of Japanese, Chinese, and Filipinos for work in large-scale corporation-type farms. The sole purpose of these programs is to bring in what the employers regard as an even cheaper and more docile supply of labor to pit against American and Mexican farm workers and thereby force both of the latter into an even more degraded condition.

Instead of accepting the minimum obligations toward labor which Congress clearly intended when it set up the Mexican contract labor program, these employers have seized upon a provision of the McCarran-Walter Immigration Act which permits the temporary importation of nonimmigrant agricultural and other workers for a 3-year period and have recently negotiated new programs for the importation of farm workers from the Far East, particularly the Philippines and Japan. This committee has in its possession a copy of an agreement between the Japanese Oversea Federation of Tokyo and California growers setting up one of these programs and we are informed that a representative of California employers last month

accompanied a consular representative of the Philippine Government back to the Philippines to discuss a similar program, and that this labor contractor then went on to Japan for further recruitment. Workers coming in under these new programs will have none of the legal protections accorded the Mexican contract workers, and in addition, the protections of United States farm workers against being displaced from their jobs and having their wages forced down, which were spelled out by Congress when it enacted the Mexican contract labor program, are eliminated.

The latter also is true of the conditions surrounding the present employment of several hundred Japanese who have been granted permanent visas under the Refugee Relief Act and allowed to come to work in California agriculture.

A third method which farm employers are using to evade the comparatively better working conditions of the Mexican contract labor program has had the active support of the Immigration and Naturalization Service and the State Department through the issuance last year of visas, special permits and white-card entries to Mexican workers on a wholesale scale. Visas to Mexicans, which jumped to between 55,000 and 60,000 last year, have been deliberately encouraged by farm employers as new means of legalizing wetbackism. Many such visas with the open approval of the Immigration and Naturalization Service, were given to Mexican wetbacks, despite the fact that they had illegally entered this country and were working for substandard wages. After the visas were granted, these Mexicans were then legally able to continue working under the sweatshop conditions outlawed both by Congress and the International Agreement with Mexico. Moreover, our committee has been informed by the Labor Department that many Mexican wetbacks who obtained visas in this way have since secured employment in industry.

The American labor movement has favored liberal immigration policies and recognizes the debt owed to our brothers from abroad for their services in helping our Nation meet shortages of agricultural and other labor in times of national emergency. Moreover, we favor the cultural interchange of peoples under the technical assistance and other programs, recognizing that our Nation should do all in its power to share its technological knowledge and culture with other peoples.

Because we know firsthand, however, the deplorable conditions which exist for both domestic and foreign workers in many areas of United States agriculture, we also know that we shall perform no real service to our brothers in other lands if we support and tolerate programs and policies which can only lead to their exploitation by unscrupulous farm employers.

It is our belief that Congress never intended that the Refugee Relief Act or the McCarran-Walter Immigration Act should be misused to promote exploited agricultural employment of this kind. Certainly, the subjection of foreign workers to the inhumane treatment which is the common lot of farm labor in this country can only defeat the purposes of brotherly understanding and international goodwill which were underlying motivations behind at least the first of these enactments.

Moreover, because farm labor in the United States is excluded from virtually all protective labor and social legislation, including the Wages and Hours Act, the National Labor Relations Act, State safety and workmen's compensation laws, etc., we are strongly opposed to the granting of visas or any other "special" permits for the purpose of bringing in foreign labor from any nation for unregulated agricultural employment. To submit such workers to the indignity of existing conditions in United States farm employment can only do our Nation incalculable harm in its international relations. We call upon the Immigration and Naturalization Services and the State Department to recognize this fact and to cease their encouragement of these new methods whereby unscrupulous farm employers seek to continue their past exploitation of foreign and domestic farm labor.

On the other hand, when foreign labor must be brought in to meet bona fide labor shortages, we favor the bilateral approach of an international agreement along the principles which govern the Mexican contract labor program. We urge that Congress take immediate action to establish a uniform law governing all foreign agricultural labor, regardless of its country of origin, by extending the principles of the Mexican contract labor law.

It is, however, our firm conviction that it is both unwise and unnecessary, at the present time, for our Nation to recruit foreign agricultural labor outside the Western Hemisphere, and we reiterate our belief that greater emphasis must be given to the placement and protection of United States farm workers, including Puerto Ricans, in preference to bringing in labor from other countries. A necessary first step in this direction must be the enlargement of the Labor Department's Farm Placement Service.

Moreover, if and when there is a legitimate demand for the importation of foreign agricultural workers, the committee looks with favor upon the use of more workers from the British West Indies.

At present, the BWI program operates almost entirely in areas where the Mexican contract labor program now goes totally unsupervised due to the failure of Congress to provide sufficient funds for an adequate compliance staff. In these regions, since the BWI governments supply their own compliance officers, the BWI worker clearly is better protected against exploitation than his Mexican counterpart. We, therefore, urge the use of protected BWI workers in preference to unprotected Mexican workers in the regions where the former are now used.

The possibility that the BWI program may be extended into new areas underscores the urgent need for the United States Government to place it on a bilateral basis under an international agreement. The compelling reason for this move is that, because the BWI program now operates only under regulations set forth by the BWI governments, it cannot, despite its superior compliance features, offer as much protection to domestic farm labor against displacement or lowering of wages as Congress spelled out in the law setting up the Mexican contract labor program.

We point out that the British West Indies program originally was established under just such a bilateral agreement, which was terminated by the United States. Because the British West Indies Governments have always shown a readiness to meet any stipulations deemed necessary to protect United States workers from being adversely affected, we believe that the lack of such an agreement unfairly discriminates against their interests as well as those of United States farm workers, who should have the protection and representation of their government in connection with all programs for the importation of foreign farm labor. We understand moreover, that the British West Indies Governments are willing to enter into such an International Agreement again, and we urge Congress and the United States and Labor Lepartments to act immediately to place the program on a bilateral basis.

In making these recommendations we note that Congress this year refused again to appropriate sufficient funds to provide an adequate staff of compliance officers for the Mexican Contract Labor program, leaving Mexican workers who are hired outside all but a handful of States near the border without any effective compliance supervision whatsoever despite our Government's commitments in this regard under the International Agreement with Mexico. Under such circumstances, we believe that the British West Indies workers, who are English-speaking and do not suffer the disadvantages of a different tongue in dealing with their employers, are better able to cope with any problems which may arise in connection with their employment in the areas where the Labor Department cannot give proper compliance supervision to the Mexican program.

We call to the attention of Congress, as a shocking evidence of its failure to show proper concern in this regard, the fact that the British West Indies Governments deem it necessary to furnish their own compliance officers at a ratio of one for each 650 workers, whereas the appropriations given the Labor Department leave it with but 40 compliance officers to protect the interests of 400,000 Mexican contract workers—a ratio of one to 10,000.

COMPARATIVE STATISTICS ON SENATE LEGISLATIVE ACTION FOR COMPLETE CONGRESSES

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point comparative statistics on Senate legislative action for complete Congresses from the 80th Congress through the 84th Congress.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparative statistics on Senate legislative action for complete Congresses

[Includes all of 1st sessions and through July 16 of each 2d session]

	80th Cong. (1947–48)	81st Cong. (1949–50)	82d Cong. (1951–52)	83d Cong. (1953–54)	84th Cong. (1955–56)
Days in session	245	317	287	249	214
Hours in session	1,399:06	1,928:56	1,654:36	1,477:00	1,255:55
Total measures passed	1,889	1,857	2,144	1,703	2,607
Senate bills	636	651	775	740	1,098
House bills	899	855	992	630	1,096
Senate Joint Resolutions	74	36	24	41	43
House Joint resolutions	57	53	56	32	70
Senate concurrent resolution	28	51	44	44	45
House concurrent resolutions	46	32	32	32	42
Senate resolutions	149	179	221	184	213
Confirmations	54,736	76,700	46,504	43,658	81,341

CIVIL DEFENSE

Mr. SALTONSTALL. Mr. President, I respectfully invite the attention of the Senate to a letter from the President to the Federal Civil Defense Administrator, which I am putting into the RECORD. As a member of the Senate Armed Services Committee, I participated in drafting the Federal Defense Act, and before that, while Governor of Massachusetts I was long interested in civil defense.

This statement puts stress by the President on the importance of civil defense to the Nation's survival in this atomic age. In fact, it is a Magna Carta for civil defense.

I know it will give all civil defense officials, as well as some 4 million volunteers, a needed shot in the arm before they begin Operation Alert 1956, the nationwide civil-defense exercise which starts on Friday.

The President's letter will give them just that shot in the arm.

Mr. President, I ask unanimous consent that the letter be printed in the RECORD as part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
July 17, 1956.

DEAR GOVERNOR PETERSON: On July 20, many thousands of our citizens will take part in the fourth nationwide exercise to improve our ability to survive enemy attack. I have often heard you speak in enthusiastic terms of the men and women directly concerned with these undertakings, and I have personally felt their dedication to their tasks. I hope you will convey to all civil-defense workers my personal appreciation of their efforts to strengthen our country's security.

Our unchanging national goal is a peaceful world community in which the vast human and material resources now being invested in offensive and defensive preparations can be turned to the good of mankind. But the lessons so harshly learned during the past few decades make it clear that, until a stable peace prevails in the world, we must stay strong and vigilant. Thus peace and preparedness are joined. Our civil-defense program and its activities such as Operation Alert 1956 are essential to both. An effective civil defense is an important deterrent against attack on our country and thus helps preserve peace. In the event of an attack upon us, civil defense at once becomes one of our immediate reactions imperatively required for our Nation's survival.

The advances made in your 3 years as Federal Civil Defense Administrator delineate some of the major routes we have been following in civil defense. Planning for urban evacuation is in progress. The growing stockpile of medical supplies is being relocated as required by new weapons. Survival studies of specific target areas will provide an accurate measure of the advance warning time required in each area to permit the saving of lives by evacuation. Systematized attack warning channels and procedures are better adjusting the civilian response to military alert warnings. Continental defense is being daily strengthened as the distant early warning system comes rapidly into operation.

This progress is encouraging. But as we look back upon the rapid advance in aircraft and in nuclear weapons and forward to missiles capable of being catapulted thousands of miles, it is clear that the destructive capabilities of potential enemies have been outpacing our nonmilitary defensive measures since the Federal Civil Defense Act was passed six years ago. It is equally clear that no matter how crushing a blow we can strike in retaliation for an attack upon us, to permit our great centers of population and industry to lay exposed to the weapons of modern war is to invite both an attack and national catastrophe.

Therefore, our whole civil-defense effort needs both strengthening and modernizing. This need arises not from any increase in international tensions but, rather, from the recent spectacular developments in weapons and methods of delivery.

The threat we face affords us only three basic alternatives. One extreme would be to hold our people subject to a rigid discipline, on the premise that a regimented citizenry would be better able to survive a nuclear attack. But this approach, continued, would destroy the America we are determined to preserve. The opposite extreme would be to accept the ultimate annihilation of all persons in urban target areas as unavoidable or too costly to prevent, and by this unwarranted decision remove the burdens and cares of a peacetime civil-defense program. Of course, we reject both extremes. There is another way we must follow.

We must continue to avoid Federal preemption of all civil-defense programs which are so dependent upon widespread citizen participation. But it is now evident that the exigencies of the present threat require vesting in the Federal Government a larger responsibility in our national plan of civil defense.

Instructions already given you to prepare plans for a nationwide monitoring and predicting system for radioactive fallout are in keeping with this conviction. You also have my request to give all possible priority to the many survival planning projects now under way, and as the results of these projects accumulate, I shall look to you for realistic recommendations regarding relocation, evacuation, and shelter-protection programs.

In the same vein, the heads of the various Federal departments and agencies were long ago instructed to give maximum support to the civil-defense effort. Among the results of that directive is the incorporation by the Secretary of Defense of civil-defense considerations in National Guard and other military reserve instruction. He has also ordered disaster plans to be formulated in direct concert with State and local officials, as well as the Federal Civil Defense Administration. I shall expect periodic reports from you on the progress of such Federal agency support, with such recommendations as you may deem essential to its success.

But these efforts will still not meet our needs. The Federal civil-defense law was written before the advent of the hydrogen bomb and the recent striking advances in methods of delivering modern weapons. This law must be realistically revised. Plans to meet postattack situations are, of course, essential, but the Federal Civil Defense Administration needs authority to carry out necessary preattack preparations as well. It must be enabled to assure adequate participation in the civil-defense program. It must be empowered to work out logical plans for possible target areas which overlap State and municipal boundaries. It must have an organization capable of discharging these increased responsibilities.

Moreover, the prestige and effectiveness of the Federal Civil Defense Administration must be equal to the heavy responsibility it holds. As a step in this direction, I have, for planning purposes, charged your organization, the Department of Defense and the Office of Defense Mobilization with various basic functions which it is imperative be maintained in the event of attack.

Already you have been invited to attend and participate fully in those National Security Council meetings in which matters relevant to civil defense are discussed.

From now on I request that you also participate in Cabinet meetings to help ensure that the civil defense program is fully integrated into our national planning.

In addition, for some time the President's Advisory Committee on Government Organization has been making a careful analysis of the proper future place of the Federal Civil Defense Administration within the executive branch. A subcommittee of the House Committee on Government Operations also has been thoroughly studying this and other civil defense problems. I will earnestly consider the findings of these committees and suggest appropriate legislation in my annual message to the Congress next January.

At that time I will also urge amendments to remedy the shortcomings in the existing civil defense statute.

I will appreciate having your recommendations and those of the Civil Defense Coordinating Board in respect to both of these problems as soon as the results of Operation Alert 1956 can be evaluated.

As you know, I shall participate in Operation Alert 1956 with my staff, although I shall have to leave shortly after it begins in order to visit Panama. I expect to return on the morning of July 24 and will participate in the exercise until it ends. I know the whole program will benefit from the experience gained in this exercise by ranking Government officials.

One final thought I would like to express. Should an emergency occur, our Nation's survival may be dependent upon the way each of us responds to his duty. In an area attacked, survival will initially rest mainly with the individual and the community. Therefore, to insure civil-defense readiness, the Federal Government, despite its increased civil-defense role, must remain in partnership with States, cities, and towns. Only in this way can we obtain more citizen participation, more vigorous efforts by States, local governments and metropolitan areas, and more readiness by the Congress to support necessary civil-defense measures. Civil defense can never become an effective instrument for human survival it if becomes entirely dependent upon Federal action.

I am deeply appreciative of your vigorous attempts to advance this program which has become one of the key elements in our efforts to prevent the outbreak of war. I trust that the additional powers and responsibilities outlined above will enable you to enlarge the important contribution of your organization to the safety of our country.

Sincerely,

DWIGHT D. EISENHOWER.

THE FEDERAL POWER COMMISSION AND HELLS CANYON

Mr. WATKINS. Mr. President, there has been a tremendous effort in recent months to discredit the administration of our Federal hydropower resources by the Federal Power Commission, especially in connection with the FPC's action in granting a license to a private utility for construction of dams in the Hells Canyon reach of the Snake River.

The 1956 Voting Guide of the Americans for Democratic Action inferentially labels such actions as a giveaway of major proportions.

The distinguished junior Senator from Oregon [Mr. NEUBERGER], in his individual views in the Senate report on S. 1333, is not content with a mild, but overworked expression like "giveaway." He accuses the administration of organized plunder.

Such expressions, reflecting on the integrity of a highly respected independent agency of the Congress itself, are, indeed, surprising, coming, as they do, from individuals that one would expect would be the first to uphold and defend a body like the FPC, which was developed as one of the great conservation accomplishments of the first part of this century.

Because of the weight and intensity of this attack which has been directed against the Federal Power Commission because of its decision on the Hells Canyon issue, many people undoubtedly have come to think that the FPC is a strongly partisan agency, a creature of the executive branch.

As a matter of fact, the FPC is an independent, bipartisan arm of the Congress, established through many years of effort by great conservationists dating from the days of President Theodore Roosevelt and his farsighted forest chief, Gifford Pinchot. This agency was organized to function independently of the executive branch. Its members are appointed to represent the Congress and cannot be fired by the President or otherwise intimidated by the executive branch.

The reasons for setting up this Commission are very adequately described by the former Senator Burton K. Wheeler, Democrat, of Montana, a noted constitutional authority who served as chairman of the Senate Interstate Commerce Committee in the days of the New Deal. Writing in the George Washington Law Review of December 1945, Senator Wheeler stated:

> The doctrine of the separation of powers is fundamental in American constitutional law. The legislative, executive, and judicial powers under the Constitution are separate and distinct. While the legislative branch—the Congress—can legislate on matters affecting the executive and judicial branches within the powers granted it by the Constitution, and can, within constitutional limits, delegate its legislative powers, the legislative branch must lay down the broad standards to govern the administration of the delegated power, leaving to the agency to which the legislative power is delegated the application of the legislative provisions in particular situations as they arise.
>
> So it is that, in creating the Federal Power Commission, the Congress set up an administrative agency to perform tasks which Congress, except for the practical difficulties, could have done itself.
>
> Pressed with many other duties on myriad subjects, however, the Congress would find it impossible to conduct these tasks itself. If the Congress were to attempt to deal directly with these problems, moreover, it would be unable to maintain that essential continuity and stability of the regulatory process which can only be provided by men of special training and close experience, who can give their full time and attention to such matters.
>
> By the Federal Water Power Act of 1920, as amended in 1935, Congress has delegated to the Federal Power Commission the issuance of licenses for the development and operation of hydroelectric power projects located on navigable waters of the United States or affecting the interests of interstate or foreign commerce. As the Supreme Court has pointed out in the Appalachian Electric Power Co. case, upholding the delegation by Congress to the Commission of this authority, the Commission's determination in issuing a license "is legislative in character."
>
> Thus, if such a Commission can be said to exercise, under the Federal Power Act, "any executive function—as distinguished from executive power in the constitutional sense—it does so in the discharge and effectuation of its quasi-legislative or quasi-judicial powers."

Senator Wheeler also discussed the steps taken by Congress to keep this agency free of partisan or executive branch domination:

> To insure that the Commission would be an effective arm of the Congress in the performance of its delegated powers, the Congress took certain precautions. First, it made the Commission an independent agency, not a part of any executive department. Thus Congress eliminated outside executive control. Second, to make the Commission impartial in every way, Congress provided that it should be nonpartisan in that not more than three of the Commissioners shall be appointed from the same political party. Third, to give the Commission a degree of permanence and stability, Congress provided that the Commissioners should have terms of 5 years, the terms of the Commissioners to expire in successive years.
>
> The Commission's duties are prescribed by act of Congress. It is "charged with the enforcement of no policy except the policy of the law." Its decisions are to be made according to the mandate of the statute and in the "exercise of the trained judgment of a body of experts," informed by their experience and the record made before the Commission. The Commission is given discretion within the ambit of its authority, but must observe with strict fidelity the mandates of Congress set forth in its jurisdictional statutes, as interpreted by the courts.

Mr. JOHNSON of Texas. Mr. President, the Senator from Utah has been speaking greatly in excess of 2 minutes. I have asked other Senators to wait until the morning hour is completed in order to make their speeches.

Mr. WATKINS. Mr. President, I apologize. I came into the Chamber and did not see many Senators present.

Mr. JOHNSON of Texas. Mr. President, I make the point that time should be called.

The PRESIDENT pro tempore. Yes; 2 minutes is the time limit.

Mr. WATKINS. Mr. President, I ask unanimous consent that I may finish the speech which I have prepared.

Mr. SMITH of New Jersey. Mr. President, I should like to ask the Senator from Utah how long he expects to take.

Mr. WATKINS. Four or five minutes.

Mr. JOHNSON of Texas. I would be glad if the Senator could finish in 2 or 3 minutes.

Mr. WATKINS. I said, 4 or 5 minutes; I mean, altogether.

Mr. SMITH of New Jersey. Mr. President, will the Senator from Utah yield?

Mr. WATKINS. I yield to the Senator from New Jersey.

Mr. JOHNSON of Texas. Mr. President, I do not think the Senator from Utah has the floor. I ask unanimous consent that the Senator from Utah may have an additional 5 minutes to complete his statement.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Utah may proceed.

Mr. WATKINS. Mr. President, I hope this interruption will not be taken from my 5 minutes.

Mr. President, this great independent expert agency of the Congress is the agency that is under attack by many Democrats and so-called liberals for its decision in the Hells Canyon case. This decision was made by a unanimous vote of this bipartisan Commission, after the most extensive investigation ever made of a matter coming before the Commission.

No committee of Congress can match the experience, know-how, and informational background that went into the Federal Power Commission's consideration of the two conflicting proposals to develop the Hells Canyon reach of the Snake River in the best public interest. Yet, in spite of this, we are now asked to overrule the experts, who have heard this case with extreme thoroughness, and to vote to interrupt their licensed action and start anew on a proposal that was considered and refused by our own expert agency.

In view of the extreme interest in this matter at this time, I hereby request unanimous consent to introduce at the end of my remarks, the complete text of Senator Wheeler's statement, and a statement from the same law review by Representative Clarence F. Lea, Democrat, California, one-time chairman of the House Interstate and Foreign Commerce Committee, entitled, "The Federal Power Commission as an Agency of Congress."

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibits 1 and 2.)

Mr. WATKINS. Mr. President, on the matter of whether the issuance of a power site license by the FPC is a giveaway of a Federal resource, I think that a third article in that George Washington Law Review, an issue commemorating the 25th anniversary of the FPC, presents a very good rebuttal to this baseless, election-year smear attempt. The source of this defense of the FPC is none other than Gifford Pinchot, former Governor of Pennsylvania and Forest Service Chief under President Theodore Roosevelt.

After describing "The Long Struggle for Effective Federal Water Power Legislation," Gifford Pinchot made summarizing remarks relative to national policy under the Federal Water Power Act of 1920, as amended, which finally brought about the establishment of an effective Federal Power Commission.

Mr. President, I ask unanimous consent that an excerpt from this article written by Gifford Pinchot may be printed in the RECORD at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> Before their fight was won and a Federal Power Commission was finally established, President Wilson took a hand. In 1918, a Committee on Water Power was created at the President's suggestion, and an administration bill, drafted by the Secretaries of War, Interior, and Agriculture, was introduced. Followed 2 more years of backing and filling, and of conflict between the House and Senate, until on June 10, 1920, the bill became law.
>
> With all its faults the Federal Water Power Act of 1920, marked a great advance.

It established firmly the principle of Federal regulation of waterpower projects, limited licenses to not more than 50 years, as provided for Government recapture of the power at the end of the franchise.

For the first time, the act of 1920 established a national policy in the use and development of water power on public lands and navigable streams. But it provided, unfortunately, for the administration of the act by a commission of 3 men, the Secretaries of War, Interior, and Agriculture, whose hands were already too full to give it the necessary attention.

This serious fault was corrected in 1930 by the passage of an act which provided for an independent commission of 5 full-time members authorized to employ a staff of its own.

The act of 1930 took a great step forward. But it was not enough. In 1935 Congress passed the Federal Power Act which authorized the Commission to regulate the interstate transmission and sale of electric energy. Under that act the Federal control of water power operates today.

Mr. WATKINS. Mr. President, because of the interest in this matter at this time, I ask unanimous consent to have the complete article from the December 1945 issue of the George Washington Law Review printed in the RECORD at the conclusion of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 3.)

Mr. WATKINS. Mr. President, these excerpts from historical reviews and estimates by distinguished Democratic leaders and a highly respected conservationist, illustrate the true nature of the congressional agency which made the decision that the three-dam private enterprise project at Hells Canyon was in the best interests of the public and of the comprehensive development of the water resources of the Columbia River.

In conclusion, I wish to repeat the observations on this subject made in the minority views on Hells Canyon in the Senate report on S. 1333, because I think these conclusions are very sound, especially in view of the bipartisan support provided in the FPC anniversary issue of the George Washington University School of Law. I hereby request unanimous consent to introduce into the RECORD at the conclusion of these remarks the minority views of the Senate Interior Committee Report on S. 1333, as exhibit No. 4.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 4.)

EXHIBIT 1

THE FEDERAL POWER COMMISSION AS AN AGENCY OF CONGRESS

(By Burton K. Wheeler [1])

The doctrine of the separation of powers is fundamental in American constitutional law. The legislative, executive, and judicial powers under the Constitution are separate and distinct. While the legislative branch—the Congress—can legislate on matters affecting the executive and judicial branches within the powers granted it by the Constitution, and can, within constitutional limits, delegate its legislative powers, the legislative branch must lay down the broad standards to govern the administration of the delegated power, leaving to the agency to which the legislative power is delegated the application of the legislative provisions in particular situations as they arise.[2]

So it is that, in creating the Federal Power Commission, the Congress set up an administrative agency to perform tasks which Congress, except for the practical difficulties, could have done itself. Under the commerce clause of the Constitution,[3] Congress has authority to regulate interstate and foreign commerce. This power of Congress is plenary in character and extends, for example, to control of navigable waters of the United States as to navigation, flood control, watershed development, recovery of the cost of improvements through the utilization of electric power incidentally developed, and also to the regulation of the transmission of electric energy between the States and to foreign countries and the sale of electric energy in interstate commerce. It extends as well to the interstate transportation of natural gas and the sale of natural gas in interstate commerce.[4] To what extent, however, the Congress may see fit, in any particular instance, to delegate these plenary powers to an administrative agency of its creation is, of course, a question for the Congress to decide.

Pressed with many other duties on myriad subjects, however, the Congress would find it impossible to conduct these tasks itself. If the Congress were to attempt to deal directly with these problems, moreover, it would be unable to maintain that essential continuity and stability of the regulatory process which can only be provided by men of special training and close experience, who can give their full time and attention to such matters.

By the Federal Water Power Act of 1920, as amended in 1935,[5] Congress has delegated to the Federal Power Commission the issuance of licenses for the development and operation of hydroelectric power projects located on navigable waters of the United States or affecting the interests of interstate or foreign commerce. As the Supreme Court has pointed out in the Appalachian Electric Power Co. case,[6] upholding the delegation by Congress to the Commission of this authority, the Commission's determination in issuing a license "is legislative in character."

By the Federal Power Act of 1935,[7] the Congress delegated to the Commission the regulation of interstate transmission of electric energy and the sale of electric energy in interstate commerce at wholesale, including the regulation of public utilities owning or operating facilities for such transmission or sale. In regulating the rates of such utilities for wholesale sales of electric energy in interstate commerce,[8] in approving the disposition and interconnection of their properties[9] and the issuance of their securities,[10] in regulating their accounts,[11] the Commission is acting in a quasi-legislative capacity, applying to particular situations the legislative policy as prescribed by Congress. As between the public utilities and other parties in interest, the Commission often acts in a quasi-judicial capacity, holding hearings and adjudicating rights of parties. Further, under various sections of the Federal Power Act,[12] the Commission is given purely investigative duties, in exercising which it is acting solely as an arm of Congress, in certain instances reporting to Congress and making recommendations for legislation.

Thus, if such a Commission can be said to exercise, under the Federal Power Act, "any executive function—as distinguished from executive power in the constitutional sense—it does so in the discharge and effectuation of its quasi-legislative or quasi-judicial powers." [13]

By the Natural Gas Act of 1938,[14] the Congress delegated similar powers to the Commission over the transportation of natural gas in interstate commerce, its sale at wholesale for resale in interstate commerce, and natural gas companies engaged in such transportation or sale. These powers, to a great extent, parallel those delegated to the Commission by the Federal Power Act of 1935, on which the Natural Gas Act was largely modeled, and are in the same way quasi-legislative and quasi-judicial in character.

To insure that the Commission would be an effective arm of Congress in the performance of its delegated powers, the Congress took certain precautions. First, it made the Commission an independent agency, not a part of any executive department. Thus Congress eliminated outside executive control. Second, to make the Commission impartial in every way, Congress provided that it should be nonpartisan in that not more than three of the Commissioners shall be appointed from the same political party.[15] Third, to give the Commission a degree of permanence and stability, Congress provided that the Commissioners should have terms of 5 years, the terms of the Commissioners to expire in successive years.[16]

The Commission's duties are prescribed by act of Congress. It is "charged with the enforcement of no policy except the policy of the law." [17] Its decisions are to be made according to the mandates of the statute and in the "exercise of the trained judgment of a body of experts," [18] informed by their experience and the record made before the Commission. The Commission is given discretion within the ambit of its authority, but must observe with strict fidelity the mandates of Congress set forth in its jurisdictional statutes, as interpreted by the courts.

EXHIBIT 2

THE FEDERAL POWER COMMISSION AS AN AGENCY OF CONGRESS

(By CLARENCE F. LEA [1])

How the Federal Power Commission serves as an arm of the legislative branch of the

[1] United States Senator from the State of Montana; chairman, Committee on Interstate Commerce, United States Senate.

[2] See recent opinions of the United States Supreme Court sustaining the constitutionality of the Emergency Price Control Act of 1942 in *Yakus* v. *United States* (321 U. S. 414, 64 Sup. Ct. 660, 88 L. ed. 834 (1944)), and *Bowles* v. *Willingham* (321 U. S. 503, 64 Sup. Ct. 641, 88 L. ed. 892 (1944)), for a full analysis of the principles and a review of prior decisions relating to the constitutional limits of delegation of legislative power.

[3] U. S. Constitution, art. I, sec. 8.

[4] For a discussion of the delimitation of Federal and State powers, see Benton, Jurisdiction of the Federal Power Commission and of State Agencies in the Regulation of the Electric Power and Natural Gas Industries, infra, pp. 53–80.

[5] 41 Stat. 1063 (1920), 16 U. S. C., sec. 791, et seq.

[6] *United States* v. *Appalachian Elec. Power Co.*, 311 U. S. 377, 61 Sup. Ct. 291, 85 L. ed. 243 (1940).

[7] 49 Stat. 838 (1935), 16 U. S. C., sec. 792 et seq.

[8] 49 Stat. 851 (1935), 16 U. S. C., sec. 824d.

[9] 49 Stat. 848, 849 (1935), 16 U. S. C., secs. 824a, 824b.

[10] 49 Stat. 850 (1935), 16 U. S. C., sec. 824c.

[11] 49 Stat. 854 (1935), 16 U. S. C., sec. 825.

[12] 49 Stat. 856 (1935), 16 U. S. C., secs. 825f, 825j.

[13] *Humphrey's Executor* v. *United States*, 295 U. S. 602, 626, 55 Sup. Ct. 869, 79 L. ed. 1611 (1935).

[14] 52 Stat. 821 (1938), 15 U. S. C., sec. 717 et seq.

[15] 46 Stat. 797 (1930), 16 U. S. C., sec. 792.

[16] Supra, note 14.

[17] *Humphrey's Executor* v. *United States*, supra, note 12 at 624.

[18] Ibid.

[1] Member of the House of Representatives of the United States for the First Congressional District of California; Chairman, Committee on Interstate and Foreign Commerce, United States House of Representatives.

Federal Government may be illustrated by reference to the provisions of the Natural Gas Act, enacted by the Congress in 1938.[2] Particular reference is made to this act because the writer had an active part in the considerations which led to its enactment. He is familiar with the purposes and circumstances which were in view at that time.

Congress found, and in the act of 1938 declared, that "the business of transporting and selling natural gas for ultimate distribution to the public is affected with a public interest."[3] It was decided that "Federal regulation in matters relating to the transportation of natural gas and the sale thereof in interstate and foreign commerce is necessary in the public interest."[4]

Congress could have enacted detailed legislation regarding these matters without providing for the participation of any administrative agency in such regulation, but instead it decided that a continuing program of regulation involving control of a large variety of particular matters could best be done by an independent non-partisan administrative commission. This task was entrusted, therefore, to the Federal Power Commission, to which Congress had already delegated regulation of the transmission and sale of electric energy in interstate commerce at wholesale, under the Federal Power Act of 1935.[5]

Legislative functions may be divided into two classes, (1) the enactment of a law and (2) investigation preliminary to the enactment of a law.

The enactment of a law may be complete as to all details when the legislation is passed by the legislative body, or the legislative body may merely lay down broad guiding principles in the law as enacted, charging an administrative agency, specially constituted for the purpose, with application of the law to specific situations which are presented.

The function of investigation preliminary to legislation may be performed (1) directly by legislative committees, or (2) delegated by the legislative branch to a qualified administrative agency, which is required to report its findings to the legislature, with or without recommendations for legislation.

Both forms of delegation are utilized by the Congress in the Natural Gas Act.

In the early days of regulation of public utilities, legislative bodies fixed rates by legislative enactment. Later, when the shortcomings of this method of rate regulation, and the advantages of rate regulation by an administrative commission, became apparent, rate regulation directly by statute was abandoned and authority to regulate rates was delegated to a commission. But, whether the regulation of rates is directly by statute or is delegated to a regulatory commission, it is in either case legislative in character.

In the Natural Gas Act, as in the Federal Power Act, regulation of rates is delegated by Congress to the Federal Power Commission,[6] as is also the regulation of the exportation or importation of natural gas,[7] the extension of facilities or service, and abandonment of facilities or service.[8] Congress could have enacted a law regulating each instance or class of transaction, but instead established the principles of regulation by statute and delegated to the Federal Power Commission authority to make the determinations required by the statute for application in particular cases.

Similarly, Congress has delegated to the Commission comprehensive power to prescribe and regulate the accounts of natural gas companies,[9] just as the Federal Power Act provides for similar controls over electric utilities.

The provisions of section 7 of the Natural Gas Act, as amended February 7, 1942,[10] relative to certificates of public convenience and necessity, afford an even clearer instance of delegation of legislative power. Conceivably, the Congress might itself by statute authorize the construction of natural gas pipelines and delimit the operating and service area of every natural gas company. However, by section 7 as amended, it delegated to the Commission authority to issue certificates of public convenience and necessity for the construction of pipelines, extensions and all new operations since February 7, 1942, as well as "grandfather clause" certificates for facilities and operation of natural gas companies as of that date, and authority to determine service areas. Clearly, in these matters, the Commission is acting merely as an arm of the Congress in performing duties of a detailed and specialized character which the Congress, busy with many public affairs, could not hope to cope with directly.

Of the other kind of delegation—of authority to make investigations for Congress—several excellent examples are found in the Natural Gas Act.

By section 14 (a) of the act, the Commission is given general investigatory authority to obtain "information to serve as a basis for recommending further legislation to the Congress." More specifically, by other sections, the Commission is given authority to investigate and ascertain the actual legitimate cost of the property of every natural-gas company,[11] the cost of production or transportation of natural gas by a natural gas company,[12] even in cases where the Commission has no authority to establish a rate, and comprehensive investigatory authority incidental to its other delegated powers under the act. By section 11, the Commission is made the investigative agent of Congress to assemble and keep current all pertinent information relative to interstate compacts dealing with natural gas "and to report to the Congress, from time to time, the information so obtained."

These quasi-legislative functions the Commission is to perform, not as a subordinate bureau of an executive department, but as an independent, nonpartisan agency, charged only with carrying out the functions and the policy laid down in the jurisdictional act of Congress.

It should, of course, be recognized that these regulatory agencies of Congress do not have a carte blanche delegation of legislative power. They are limited to carrying out the policies of Congress as specified in the statutes conferring their power. In very recent years there has been a marked tendency in Congress carefully to define and limit the standards of law which control its administrative agencies.

EXHIBIT 3

THE LONG STRUGGLE FOR EFFECTIVE FEDERAL WATER POWER LEGISLATION

(By Gifford Pinchot [1])

The first and simplest form of mechanical power to be harnessed by man was water power. Today, with electricity to give it reach and scope, it is one of the most essential sources of the good life among men. It is also, unless and until atomic energy shall move into first place, more dangerously subject to the evils of monopoly than any other. Here, if anywhere, public control is indispensable.

Under the powers granted or implied in the Constitution of the United States, the Federal Government has control over navigable streams and their tributaries. Yet for a hundred years after the Constitution was adopted, Congress left the regulation of water power entirely to the States.

Before the long-distance transmission of electricity had revolutionized the situation, water power was regarded almost altogether as a local question. Fall River, Lowell, Lawrence, Manchester, Niagara Falls, and other manufacturing centers owed their superiority to water power. But in all these developments, power could only be used close to the water which produced it. Steam power, which came to the front because it was not subject to this limitation, after the Civil War became the country's chief source of power and has so continued to this day.

LIMITED SCOPE AND EFFECTIVENESS OF EARLY FEDERAL WATER LEGISLATION

Federal stream legislation at its beginning had to do chiefly with preventing or removing obstructions to navigation. That was the purpose of the Rivers and Harbors Act of 1884,[2] which authorized the Secretary of War to remove unauthorized obstructions, including dams, bridges, and causeways.

The act of 1884 was followed by the Rivers and Harbors Act of September 19, 1890,[3] which forbade "the creation of any obstructions, not affirmatively authorized by law, to the navigable capacity of any waters, in respect of which the United States has jurisdiction."

In 1891 Congress granted free rights-of-way through the public lands and reservations for canals, ditches, and reservoirs.[4] In 1896 it extended these rights to "any citizen or association of citizens of the United States, for the purpose of generating, manufacturing, or distributing electric power."[5]

In 1899 Congress assumed fuller control over navigable streams and forbade the building of any bridge, dam, dike, or causeway over any navigable water of the United States "until the consent of Congress to the building of such structures shall have been obtained and until the plans for the same have been submitted to and approved by the Chief of Engineers and by the Secretary of War."[6]

THE ACT OF 1901

The effect of these acts, however, was to prevent rather than promote development. And they applied only to navigable streams. The act of 1901[7] however, empowered the Secretary of the Interior to permit rights-of-way through the public lands and Forest Reservations "for electrical plants, poles, and lines for the generation and distribution of electric power." It also empowered the Secretary to regulate the use of such rights of way and to revoke any permit when he saw fit. That was highly important, for a revocable permit meant that the title to the land remained in the Government.

Under the act of 1901 the Secretary of the Interior issued regulations which related to filing applications for permits. But the Secretary never issued any formal permits. The practice consisted merely in making an endorsement on the map of the project that was submitted.

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[2] 52 Stat. 821 (1938), 15 U. S. C., sec. 717 et seq.

[3] 52 Stat. 821 (1938), 15 U. S. C., sec. 717.

[4] Ibid.

[5] 49 Stat. 838 (1935), 16 U. S. C., sec. 792 et seq.

[6] 52 Stat. 822 (1938), 15 U. S. C., secs. 717c, 717d.

[7] 52 Stat. 822 (1938), 15 U. S. C., sec. 717b.

[8] 56 Stat. 83 (1942), 15 U. S. C. Supp. III, sec. 717f (1942).

[9] 52 Stat. 825 (1938), 15 U. S. C., sec. 717g.

[10] 56 Stat. 83 (1942), 15 U. S. C. Supp. III, sec. 717f (1942).

[11] 52 Stat. 824 (1938), 15 U. S. C., sec. 117e.

[12] 52 Stat. 823 (1938), 15 U. S. C., sec. 717d.

[1] Formerly Governor of Pennsylvania.

[2] 23 Stat. 133 (1884).

[3] 26 Stat. 426, 454 (1890).

[4] 26 Stat. 1101 (1891), 43 U. S. C., sec. 946.

[5] 29 Stat. 120 (1896), 43 U. S. C., sec. 957.

[6] 30 Stat. 1121, 1151 (1899), 33 U. S. C., secs. 401, 403.

[7] 31 Stat. 790 (1901), 16 U. S. C., sec. 79, 43 U. S. C. sec. 959.

CONGRESSIONAL GIFTS OF POWER SITES

Licenses issued by Congress under the act of 1901 gave away enormously valuable power sites without a charge and without a time limit—forever and for nothing. The first sign of change came when Theodore Roosevelt in 1903 vetoed a bill to make a present of the now famous Muscle Shoals power site to private interests [8] and thereby kept the door open for TVA, which, thanks to Senator George W. Norris, came in due time.

Until 1905, when the first steps were taken to bring about effective regulation and control by the Government of the right to erect and maintain power dams, the custom of Congress to give away these extremely valuable rights continued unbroken. Unless some other interest happened to be after the same power site, all that was necessary was to get a bill introduced in Congress and sit by and watch it pass as a matter of course.

This time-worn habit of Congress to give away the public property was, of course, wholly unnecessary and wholly without excuse. Its only possible justification, aside from the pressure of the power interests, lay in the ancient bureaucratic shibboleth, "We have always done it that way."

EVOLUTION OF EFFECTIVE NATIONAL POLICY

When responsibility for the national forests was transferred to the Department of Agriculture and the Forest Service, by the act of February 1, 1905,[9] most of the undeveloped water power of the Nation was still in the hands of the Government. Undoubtedly more than half of the grand total was in the forest reserves and the public domain.

Under the Transfer Act, as mutually interpreted by the Departments of Agriculture and Interior, all grants of rights or privileges within the forest reserves which did not affect the title to the land or cloud the fee were under the jurisdiction of Agriculture. All those which did remain under Interior. But still no charge was provided for and the men who profited by these privileges and rights-of-way were not required to pay for what they got. But that situation did not long continue.

After the Transfer Act, the Forest Service, in dealing with the vast undeveloped resources in water power which had come under its control, could have followed any one of three paths—

(1) It could continue the indefensible policy of Congress by giving away these immensely valuable powers forever and for nothing.

(2) It could follow the policy of the Interior Department, which had a limited power of control in the public interest, but made little use of it, and did not require the companies to pay for what they got.

(3) Or it could develop a water power policy of its own.

There was no question which course to adopt. We must make our own policy and above all keep the title to the power sites in the public hands. The Use of the National Forest Reserves, a manual of instructions, issued July 1, 1905, contained this definite statement of policy: "A reasonable charge may be made for any permit, right, or privilege, so long as such charge is not inconsistent with the purposes for which the reserves were created." [10]

Underlying principle and basis of reasonable charges for use of water power

The report of the Forester for the fiscal year 1905–06,[11] after noting the collection for the first time of a fee for grazing on the forest reserves, set forth as an underlying principle that a reasonable charge should be made for all permits which involved "the withdrawal of the particular resource or land from use by the people in general."

Furthermore, it definitely determined the basis upon which charges for the use of water for power should be calculated, as follows: [12]

"(1) A charge per mile for the length of the ditches, conduits, pipelines, transmission lines, etc. This applies when no greater width is allowed than that actually necessary at any one point for the enjoyment of the privilege.

"(2) A charge per acre for land actually granted for occupancy, as areas flooded by reservoirs, land for powerhouses, residences, hotels, fenced pastures, etc.

"(3) A charge for the conservation of water supply and the use of advantageous locations and other privileges. The water itself is granted by the State, not by the United States.

"Thus, in a permit for a project to develop electricity the charge would be based upon: First, the length of the conduits, transmission lines, etc.; second, the area occupied by the powerhouses, reservoirs, etc.; third, the conservation of the water supply and the advantageous location which makes it possible to obtain a fall to turn the waterwheel."

Here was the beginning of a Federal water power policy. It was deeply resented and bitterly fought by the power interests and their followers in Congress, but in all essentials it is in force today both on lands owned by the Government and on navigable streams.

Administration of charges and duration of permit

The Forest Service held that the quantity of water used was a proper measure of its conservation by the forest reserves and that the horsepower developed at the wheel, since it resulted from the water conserved and the fall furnished, was a proper measure of the entire conservation supplied by the Service to the permittee.

The Service was wise, I think, in deciding to enforce the new charge gradually, and not all at once. In the spring and summer of 1905, a few permits were issued for electric development without compensation but terminable at the discretion of the Forester. What we were after was not only a fair return in due time, but also goodwill and cooperation.

Later in 1905, the charge began. John S. Eastwood, for example, in August of that year renewed his power permit on the Sierra Reserve in California (now the Sequoia National Forest) with a new annual charge of $100. The Shasta Power Co. on the Lassen Forest, Calif., and the Nevada Power Mining & Milling Co. agreed to pay similar sums. Thus, for the first time, the principle of a charge was established in actual operation.

But the question of the duration of the permit was far less simple than the question of the charge. Before the Transfer Act the Secretary of the Interior had asked the Secretary of Agriculture "to suggest the length of time which should properly be fixed for the rights-of-way granted." A permit for a period of 99 years [13] had been issued with the consent and approval of the Service to the Edison Electric Company of Southern California in the San Bernardino, San Gabriel, and Sierra Forest Reserves.

As head of the Forest Service I had personally approved the 99 years. And I recommended to the Secretary of Agriculture that permits issued by the Service should run for an even century. In that I was thoroughly and completely wrong. The power people had convinced me too easily that they needed so much time to recover their investments. The Secretary's judgment was better than mine. He cut the time suggested in two and he was right. Fifty years was long enough, as much experience has since fully proved. Fifty years is the limit today.

NEWLY FORMULATED POLICY OF CONSERVATION: THE INLAND WATERWAYS COMMISSION

Another forward step was taken when on March 14, 1908, President Theodore Roosevelt appointed the Inland Waterways Commission.[14] In his letter to the members he said:

"Works designed to control our waterways have thus far usually been undertaken for a single purpose, such as the improvement of navigation, the development of power, the irrigation of arid lands, the protection of lowlands from floods, or to supply water for domestic and manufacturing purposes. While the rights of the people to these and similar uses of water must be respected, the time has come for merging local projects and uses of the inland waters in a comprehensive plan designed for the benefit of the entire country. Such a plan should consider and include all the uses to which streams may be put, and should bring together and coordinate the points of view of all users of waters." [15]

And, the President added, the plans of the Commission should be formulated "in the light of the widest knowledge of the country and its people, and from the most diverse points of view." [16]

It is worth noting also that the President's letter contained the first official recognition of the newly formulated policy of conservation:

"It is not possible to properly frame so large a plan as this for the control of our rivers without taking account of the orderly development of other natural resources. Therefore, I ask that the Inland Waterways Commission shall consider the relations of the streams to the use of all the great permanent natural resources and their conservation for the making and maintenance of prosperous homes." [17]

The report of the Inland Waterways Commission [18] was based on two fundamentally important principles for whose formulation Dr. W. J. McGee, the Secretary of the Commission and the scientific brains of the conservation movement in its early days, was directly responsible. These were:

First, that every river system is a unit from its source to its mouth and should be treated as such.

Second, that plans for any use of our inland waterways should "take account of the purification of the waters, the development of power, the control of floods, the reclamation of lands by irrigation and drainage, and all other uses of the waters or benefits to be derived from their control." [19]

The Tennessee Valley Authority is the direct descendant of these two principles.

PRESIDENT THEODORE ROOSEVELT'S VETOES IN SUPPORT OF CONSERVATION POLICY

The principles of Government control of power on the national forests, established by the Forest Service, were thoroughly approved by Theodore Roosevelt. On April 13, 1908, he gave public proof of his approval by vetoing a bill to turn over important power sites on the Rainy River, a boundary stream

[8] 36 Cong. Rec. 3071 (1903).

[9] 33 Stat. 628 (1905), 16 U. S. C. §§ 472, 551.

[10] U. S. Department of Agriculture, Forest Service, The Use of the National Forest Reserves (1905), p. 16.

[11] U. S. Dept. of Agriculture, Report of the Forester, 1906.

[12] Supra note 10 at 11.

[13] The permit was authorized by act of May 1, 1906 (34 Stat. 163 (1906)), which provided that the duration of time of the permit should be set by the Secretary of the Interior.

[14] S. Doc. 325, 60 Cong., 1st sess. (1908), 42 CONGRESSIONAL RECORD 6966 (1908).

[15] 42 CONGRESSIONAL RECORD 6968 (1908).

[16] Supra, note 14.

[17] Supra, note 14.

[18] S. Doc. 325, 60th Cong., 1st sess. (1908).

[19] Supra, note 17 at 25.

between the United States and Canada, without the safeguards the Service had developed.[20] In that veto he declared that a time limit should be set for the termination of the grant, that a charge should be paid to the Government for the privileges received, that power sites should not be held undeveloped for speculative or other reasons, and that already the evils of monopoly were becoming manifest.

The Rainy River veto created consternation among the waterpower grabbers, but there was nothing they could do about it. Nine months later, on January 15, 1909, just before he went out of office, in his veto of the James River bill.[21] Theodore Roosevelt reaffirmed the principles of the Rainy River veto, and announced that he would sign no power bill which did not contain a charge and a time limit.

The President asserted that "the great corporations are acting with foresight, singleness of purpose, and vigor to control the water powers of the country. They pay no attention to State boundaries, and are not interested in the constitutional law affecting navigable streams, except as it affords what has been aptly called a 'twilight zone' where they may find a convenient refuge from any regulation." And he concluded, "I esteem it my duty to use every endeavor to prevent the growing [power] monopoly, the most threatening which has ever appeared, from being fastened upon the people of this Nation."[22]

In 1910 the second general dam bill[23] limited the life of power permits to 50 years, providing for a charge, and for the recovery of the privilege by the United States. But these provisions were vague and indefinite, and made little improvement over those contained in the first general dam bill of 1906.[24]

LONG STRUGGLE IN CONGRESS BETWEEN POWER INTERESTS AND SUPPORTERS OF NATIONAL POLICY

In 1912 the power interests and their friends in Congress staged a daring raid. Without hearings and without warning, the House Committee on Interstate and Foreign Commerce reported an omnibus water power bill[25] which would have authorized 17 private power projects, without a charge and without provision for Government regulation. Large water power interests would have controlled more than half of the grants proposed. Before, however, this piracy could be put through the House, President Taft's Coosa River Veto,[26] based on the ground that no provision was made for a charge, broke it up.

For the next 8 years a bitter fight raged in Congress between the power interests, eager for plunder, and the supporters of the principles laid down by the Forest Service and by Theodore Roosevelt in his epoch-making vetoes. The Adamson bill, Ferris bill, the Shields bill, and the Myers bill, some good, some bad, were introduced, fought for, and failed of passage.[27] The most dangerous of these was the Shields bill, behind which all the power of the great special interests was concentrated. After a long and bitter conflict, in the end it also was defeated.

[20] 42 CONGRESSIONAL RECORD 4696 (1908).
[21] 43 CONGRESSIONAL RECORD 987 (1909).
[22] Supra, note 20 at 979, 980.
[23] 36 Stat. 593 (1910).
[24] 34 Stat. 386 (1906).
[25] H. Rept. 1050, 62d Cong., 2d sess. (1912).
[26] 48 CONGRESSIONAL RECORD 11796 (1912).
[27] Adamson bill, H. R. 16053, 63d Cong., 2d sess. (1914); Ferris bill, H. R. 16673, 63d Cong., 2d sess. (1914); Shields bill, S. 1419, 65th Cong., 1st sess. (1917); Myers bill, S. 2399, 65th Cong., 1st sess. (1917).

Leadership of the National Conservation Association

In this long, often confused, and always difficult contest between private greed and the public good, the National Conservation Association led the fight against the power magnates and for the people. Charles W. Eliot, president of Harvard University, was its first president and I had the honor to succeed him.

The National Conservation Association had little more than two members for each Senator and Representative in Congress. Yet because it was right and because it knew how, it was able to protect the public interest against one of the most formidable attacks ever made against it.

The men who bore the heat and burden of this crucial fight cannot all be mentioned here. But since their efforts resulted in the definite, if not permanent, defeat of the power grabbers, and in the definite and permanent establishment of the principle of Government control over water power development, both in navigable streams and on the National Forests, some of their leaders should be named. All of them were or had been members of the United States Forest Service.

First came George W. Woodruff, Federal Judge, Assistant United States Attorney General, and Attorney General of Pennsylvania; then Philip P. Wells, counsel in the Department of the Interior; Overton W. Price, Associate Forester, and O. C. Merrill, Chief Engineer, of the Forest Service; Harry Slattery, afterward Administrator of Rural Electrification Authority; and Thomas R. Shipp, Secretary of the Conservation Association. To these men and many others, and to public-spirited Members of the Senate and House, such as Congressman William Kent of California, the Nation owes a great debt.

NATIONAL POLICY UNDER FEDERAL WATER POWER ACT OF 1920 AS AMENDED

Before their fight was won and a Federal Power Commission was finally established, President Wilson took a hand. In 1918, a Committee on Water Power was created at the President's suggestion, and an administration bill, drafted by the Secretaries of War, Interior and Agriculture, was introduced. Followed 2 more years of backing and filling, and of conflict between the House and the Senate, until on June 10, 1920, the bill became law.

With all its faults the Federal Water Power Act of 1920,[28] marked a great advance. It established firmly the principle of Federal regulation of water power projects, limited licenses to not more than 50 years, and provided for Government recapture of the power at the end of the franchise.

For the first time, the act of 1920 established a national policy in the use and development of water power on public lands and navigable streams. But it provided, unfortunately, for the administration of the act by a commission of 3 men, the Secretaries of War, Interior, and Agriculture, whose hands were already too full to give it the necessary attention.

This serious fault was corrected in 1930 by the passage of an act[29] which provided for an independent Commission of five full-time members authorized to employ a staff of its own.

The act of 1930 took a great step forward. But it was not enough. In 1935 Congress passed the Federal Power Act[30] which authorized the Commission to regulate the interstate transmission and sale of electric energy. Under that act the Federal control of water power operates today.

Beginning with the first effective regulation of water power by the Forest Service in 1905, the long series of conflicts and changes had at last, 30 years later, brought about the enactment of a law, and the organization of a Federal Power Commission, competent to deal effectively with this vital question on just principles of sound public policy. To deal with it as sound public policy was understood 10 years ago. The Tennessee Valley Authority has made it clear that we have not yet reached the end of the road.

[28] 41 Stat. 1063 (1920), 16 U. S. C., sec. 791 et seq.
[29] The 1930 Reorganization Act, 46 Stat. 797 (1930), 16 U. S. C. secs. 792, 793, 797.
[30] 49 Stat. 838 (1935), 16 U. S. C., sec. 792 et seq.

EXHIBIT 4

MINORITY VIEWS ON HELLS CANYON

We recommend against enactment of S. 1333.

One of the issues posed by S. 1333 is simple, yet fundamental. It is whether there is to be any place in the development of our hydroelectric resources for assistance from non-Federal sources when that assistance can be rendered entirely consistent with development in accordance with a coordinated comprehensive plan.

S. 1333 would deny the Nation the benefit of such assistance. By so doing, S. 1333 would overturn a national water policy developed over a period of decades and embodied for a quarter of a century in the Federal Power Act. That policy encourages non-Federal participation in the development of our water resources under conditions adequately protecting the public interest when such development is best adapted to a comprehensive plan for the improvement of the water resources for beneficial public purposes.

Section 7 of the Federal Power Act provides that, as between private applicants, the Federal Power Commission shall give preference to the one which has the best plan to "develop, conserve, and utilize in the public interest the water resources of the region."

If the Commission's findings indicate that Federal development should be undertaken, the Commission is instructed by section 7 (b) not to approve a license application, but instead to submit its findings and recommendations to the Congress. Section 10 (a) requires that any license issued must be on condition that the project approved be the one "best adapted to a comprehensive plan for improving or developing a waterway * * * for * * * beneficial public purposes," and that section directs the Commission, if necessary, to require any modification of the project requisite to that end before the Commission gives its approval.

The Federal Power Act stresses repeatedly the concept that development proposals must measure up to the standard of being best adapted to a comprehensive plan for the utilization of the region's water resources. In determining whether non-Federal applicants are to be refused an opportunity to undertake a project, that concept of comprehensive development is properly the test. But if a project measures up to the test of comprehensive development, not only is there nothing in the Federal Power Act that calls for a license application to be refused in favor of Federal development but such a position is entirely contrary to the objectives of the act.

The Federal Power Act came as the culmination of decades of study and experience by trial and error which demonstrated that administrative government machinery testing all project proposals by the measuring rod of comprehensive development was essential to the optimum utilization of the Nation's water resources in the public interest.

Late in the 19th century and in the early years of the 20th century, the Congress itself undertook to examine and license by separate statutes each individual non-Federal

hydroelectric project proposal. This practice did not assure consistency with the public interest because the Congress was not equipped technically to examine proposals from the point of view of optimum development of the resources of the region involved. Furthermore, the lack of uniform standards made determination of the best multipurpose development impossible and tended toward piecemeal, limited development of the better hydroelectric sites.

These deficiencies were early recognized by Presidents Theodore Roosevelt and William Howard Taft who refused to approve individual licensing bills and who urged upon the Congress the necessity for legislation of general application that would establish standards to be met by non-Federal project proposals.

Out of this and after prolonged study by congressional committees and commissions established to develop national water policy came the Federal Water Power Act of 1920, enacted during the administration of President Woodrow Wilson.

This act, which was designed to enable and encourage participation in water-resource development by non-Federal entities, public as well as private, contains the provisions and requirements mentioned above in order to assure that, whatever the agency of development, the end served will be that of a comprehensive, coordinated water-resource program.

These provisions, after most thorough congressional review, were reenacted as a part of the Federal Power Act of 1935 during the administration of President Franklin D. Roosevelt.

The present Commission was established by the 1935 act as an independent body of 5 members, no more than 3 of which may be of the same political persuasion. The Commission is equipped with a staff of expert engineers and attorneys to study and to present to it all of the facts relevant to the applications pending before it. All parties having an interest in any proposal before the Commission are afforded the opportunity to participate fully in the proceeding. All of this is designed to assure that applications for licenses will be thoroughly and searchingly examined, with the fullest opportunity for presentation of all points of view, in order that decision may be reached whether the act's standard of comprehensive coordinated development can be met by a non-Federal development proposal.

The enactment of S. 1333 would abrogate by special legislation, in an individual case, a license which has been issued by the Federal Power Commission as a result of its consideration, after protracted proceedings in which all points of view, including the proponents of Federal development for Hells Canyon site, were fully heard. These proceedings occupied a period of more than 6 months during which a record of approximately 20,000 pages and nearly 400 documents was amassed. It was in fact, the most extensive proceeding in the Commission's entire history, occupying approximately 150 hearing days.

Upon its consideration of the record and after applying the tests specified by the Congress, the Commission found the 3-dam private development proposal to be "best adapted to a comprehensive plan" for the development of the Columbia Basin for the public purposes of flood control, navigation, recreation, and power. This finding, as provided by law, is now being reviewed by the courts.

We of the minority do not presume to decide these issues as between the Hells Canyon 1-dam plan and the 3-dam plan. The majority would have the Congress undertake this task. In so doing, the majority would commit the Congress to a task for which it has neither the time nor the technical resources. It would have the Congress return to a method of individual project review tried and found wanting 50 years ago.

Furthermore, the majority position is based upon the false premise that comprehensive development requires exclusive Federal development of our water resources—a concept never approved by the Congress. The fundamental purpose of the Federal Power Commission is "to issue licenses" for the construction of water-resource projects by non-Federal public and private agencies.

We submit that the proper way to correct inadequacies, if any there be, in the Federal Power Act is by general legislation and not by special legislation such as S. 1333.

STATE VIEWS IGNORED

Another issue of great importance is involved in the doctrine which has become almost sacred in its application—that water for consumptive purposes has a high priority over all other uses. This principle underlies the water codes of the 17 semiarid States lying west of the 98th meridian. It is fundamental to the preservation of life and to the development of those areas. Nonconsumptive uses of various kinds, important as they are, are made secondary in importance to the consumptive uses in the regions where water is necessary for existence and development.

The Flood Control Act of 1944 gave recognition to this doctrine in dealing with the subject of navigation in the States lying partly or wholly west of the 98th meridian, wherein it was declared:

"The use for navigation, in connection with the operation and maintenance of such works herein authorized for construction, of waters arising in States lying wholly or partly west of the 98th meridian, shall be only such use as does not conflict with any beneficial consumptive use, present or future, in States lying wholly or partly west of the 98th meridian, of such waters for domestic, municipal, stock water, irrigation, mining, or industrial purposes."

Section 1 of that act also requires submission of projects to State authority for comment before submission to Congress for authorization. This requirement was adopted on behalf of the Western States to assure these States a real voice in the planning and development of water-resource projects so vital to their economies. Clearly this requirement was not intended as a mere empty gesture. The spirit of this amendment quoted in part above and known as the O'Mahoney-Millikin amendment, requires not only that the affected States should be consulted but that their expressed interests be recognized and reconciled wherever possible. The Governors of Idaho, Oregon, and Washington, speaking for their States, are unalterably opposed to S. 1333. So long as this remains the position of the States most immediately affected by the project, the Congress should not arbitrarily override the pledge of cooperation with affected States implicit in the O'Mahoney-Millikin amendment. No compelling circumstances can be pointed to here which would warrant violation of this amendment. On the contrary, there is grave concern in at least four of the States of the Columbia River Basin over the possibility of an invasion of the doctrine of priority for consumptive uses of water and of the policy set forth in the O'Mahoney-Millikin amendment. In other areas reclamation projects of great importance have been delayed until an agreement between the States affected has been entered into for the protection of the rights and allocation of water among those States.

The Snake River, one of the large tributaries of the Columbia River, and where Hells Canyon is located, is the principal source of water for irrigation and other consumptive uses in the State of Idaho. This State is vitally concerned with the protection of its rights to use as much of the flow of this river as it possibly can at the present time and in the future for its full development. There is no other source of water supply for the large area in the Snake River Valley, which without water is a desert but with a plentiful water supply can reach much greater development than it has at present attained.

CONSUMPTIVE USE UNPROTECTED

A recognition for the need of an agreement between the States in the Columbia River drainage system resulted in a 1952 act of Congress, authorizing the States involved to negotiate and enter into a compact for the disposition, allocation, diversion, and apportionment of the waters of that river system. Pursuant to that authorization, the States of Idaho, Montana, Oregon, Washington, Wyoming, Utah, and Nevada appointed commissioners to represent them, and in January of 1955 those commissioners met at Portland, Oreg., and signed the compact approved December 29, 1954, at Spokane, Wash., which recognized the priority of consumptive uses, existing or future, as against nonconsumptive uses.

Under article XIV of the compact it is provided that when ratified by the legislatures of the States of Idaho, Montana, Oregon, and Washington and consented to and approved by the Congress of the United States it shall enter into force and become effective and binding. It was ratified by the 33d Legislature of Idaho in 1955. Likewise it was approved by the States of Utah and Nevada. However, to this date neither the Legislature of the State of Washington nor the State of Oregon has ratified the compact. Until an enforceable agreement is achieved by compact, recognizing the fundamental priority of consumptive use over nonconsumptive uses, Congress should not approve projects which establish nonconsumptive downstream rights which will, or might, impair present or future upstream depletions for consumptive purposes.

Section 2 of S. 1333 attempts to meet the issue just raised but in our opinion fails to give the enforceable protection to upstream users for consumptive purposes which a compact would assure and which the situation requires. The reasons for this conclusion, together with other issues, will be presented during Senate consideration of the pending bill.

HENRY C. DWORSHAK.
FRANK A. BARRETT.
EUGENE D. MILLIKIN.
ARTHUR V. WATKINS.
BARRY GOLDWATER.

AMENDMENT OF ATOMIC ENERGY COMMUNITY ACT OF 1955

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of order No. 2567, Senate bill 3822.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3822) to amend the Atomic Energy Community Act of 1955, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Joint Committee on Atomic Energy with an amendment.

Mr. JOHNSON of Texas. Mr. President, I ask the Senator from New Mexico [Mr. ANDERSON] to make a brief explanation of the bill.

Mr. ANDERSON. Mr. President, the Atomic Energy Commission has had an extra burden for many years in endeavoring to carry the community facilities at Oak Ridge and Los Alamos. They are not quite ready at Los Alamos to release all the houses there. The Oak Ridge community is ready to assume the houses and go ahead, but a great many of the houses are of a type which do not readily adapt themselves to individual housing at the present time, particularly the row houses which were constructed during the war. Authority is desired to have loans made on those properties for repairs and improvements and for dividing them up so they will not remain in the middle of the Oak Ridge community. We also wish to have the same policy followed at Richland.

The PRESIDENT pro tempore. The committee amendment will be stated.

The amendment of the Joint Committee on Atomic Energy was, on page 3, line 10, after the word "such", to strike out "property and in all cases where the Commission has acquired a note and first mortgage or other obligation or lien upon such residential property as provided in section 62 a. hereof, to make advances to provide for the necessary repairs or for the rehabilitation, modernization, rebuilding, or enlargement of such property and to take an additional lien, mortgage, or conveyance to secure the amount so advanced, or to take a new note secured by a first mortgage for the whole indebtedness" and insert "property," so as to make the bill read:

Be it enacted, etc., That the Atomic Energy Community Act of 1955 is amended in the following respects:

SECTION 1. Amend section 36 a. by striking therefrom the word "residual" in the middle thereof. Also strike therefrom the word "purchaser." at the end thereof and substitute in place thereof the following: "purchaser: *Provided*, That, with reference to commercial property, the improvement credit allowed shall be the value of the enhancement of the Government's interest in the property, as determined by the Commission on the basis of the appraisal provided for under section 32: *Provided further*, That such credit shall be reduced to the extent that lessee has been previously compensated therefor, as determined by the Commission, under the terms of the lease or otherwise."

SEC. 2. Amend section 62 to read as follows:

"SEC. 62. Commission financing:

"a. In the event that the Commission finds that financing on reasonable terms is not available from other sources, the Commission may, in order to facilitate the sale of residential property under chapter 5 of this act, accept, in partial payment of the purchase price of any house, apartment building, or dormitory notes secured by first mortgages on such terms and conditions as the Commission shall deem appropriate. In the case of houses and apartment buildings, the maturity and percentage of appraised value in connection with such notes and mortgages shall not exceed those prescribed under section 223 (a) of the National Housing Act, as amended, and the interest rate shall equal the interest rate plus the premium being charged (and any periodic service charge being authorized by the Federal Housing Commissioner for properties of similar character) under section 223 (a) of the National Housing Act, as amended, at the effective date of such notes and mortgages.

"b. In connection with the sale of residential property financed under section 63 a. of this act, the Commission is authorized to make advances for necessary repairs, or for the rehabilitation, modernization, rebuilding, or enlargement of single and duplex residential properties to priority purchasers, and to include such advances in the amount of the note secured by the mortgage on such property.

"c. In the event that the Commission finds that financing on reasonable terms is not available from other sources, the Commission may, in order to facilitate the sale of commercial property under chapter 5 of this act, accept, in partial payment of the purchase price of any commercial property, notes secured by first mortgages on such terms and conditions as the Commission shall deem appropriate.

"d. The Commission may sell any notes and mortgages acquired under subsections a. and c. hereof on terms set by the Commission."

SEC. 3. Section 116 of the Atomic Energy Community Act of 1955 is hereby amended by adding the following thereto: "Notwithstanding any other provision of law relating to the acquisition, handling, or disposal of real property by the United States, the Commission shall have power to deal with, complete, operate, rent, renovate, modernize, insure, or sell for cash or credit, in its discretion, any properties acquired pursuant to this act, and to pursue to final collection, by way of compromise or otherwise, all claims arising pursuant to this section: *Provided*, That expenses authorized by this section shall be considered nonadministrative expenses: *Provided further*, That section 3709 of the Revised Statutes shall not apply to any contract entered into pursuant to this section if the amount thereof does not exceed $1,000."

SEC. 4. Section 117 of the Atomic Energy Community Act of 1955 is hereby amended to read as follows (and the table of contents is amended appropriately):

"SEC. 117. Community operations fund:

"a. There is hereby established as of June 30, 1956, a Community Disposal Operations Fund, and the Commission (or the head of such agency as may be carrying out the sales and financing functions of the Commission pursuant to a delegation by the President under section 101 of this act) is authorized to credit said fund with all moneys hereafter obtained or now held by it and to account under said fund for all assets and liabilities held or acquired by it in connection with its sales and financing functions under this act, and to make temporary advances to such fund, from any other funds available for expenses of operations of such Commission or agency, as may be required to carry out such functions pending the realization of sufficient proceeds under the provisions of this act: *Provided*, That any such advances shall be repaid to the source appropriation or fund, to the extent of any unobligated balances available in the Community Disposal Operations Fund, prior to the close of the fiscal year during which such advances are made.

"b. The Community Disposal Operations Fund shall be available to pay for all necessary costs, expenses (including administrative expenses), losses or obligations incurred in connection with the aforesaid functions, including expenses incident to sale, or other transfer and any financing under section 62, indemnities under sections 63 through 66, and expenses authorized by section 116 of this act, and expenses in connection with the defense and payment of any claims for breaches of warranties and covenants of title of any property disposed of pursuant to this act.

"c. Any amount in said fund which is determined to be in excess of requirements for the purposes thereof shall be declared and paid as liquidating dividends to the Treasury, not less often than annually."

SEC. 5. Section 118 c. of the Atomic Energy Community Act of 1955 is repealed.

SEC. 6. Section 118 b. of the Atomic Energy Community Act of 1955 is amended by striking therefrom the figure "$2,165,000" and inserting in lieu thereof the figure "$2,215,000."

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDENT pro tempore. The bill is open to further amendment.

Mr. ANDERSON. Mr. President, I ask unanimous consent that the Joint Committee on Atomic Energy be discharged from the further consideration of House bill 11077 to amend the Atomic Energy Community Act of 1955, and for other purposes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ANDERSON. Mr. President, I now move that the Senate proceed to the consideration of House bill 11077.

The PRESIDENT pro tempore. The House bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 11077) to amend the Atomic Energy Community Act of 1955, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from New Mexico.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. ANDERSON. Mr. President, I move that all after the enacting clause of the House bill be stricken and that the Senate bill, as amended, be substituted for the language of the House bill, and that following the passage of the House bill the Senate bill be indefinitely postponed.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from New Mexico.

The motion was agreed to.

The PRESIDENT pro tempore. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 11077) was read the third time and passed.

The PRESIDENT pro tempore. Without objection, Senate bill 3822 is indefinitely postponed.

PROTECTION FROM FIRE AND DROUGHT OF THE OKEFENOKEE NATIONAL WILDLIFE REFUGE, GEORGIA

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2652, H. R. 9742.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 9742) to provide for the protection of the Okefenokee National Wildlife Refuge, Georgia, against damage from fire and drought.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Texas. There is no amendment to the bill. It appears on the calendar as having been reported without amendment.

Mr. President, may I have the question put, please?

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have a brief explanation from the report printed at this point in the RECORD.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

The purpose of this bill is to protect Okefenokee National Wildlife Refuge in Georgia from the devastating effects of fire and drought. The refuge is unique, and since its acquisition by the United States efforts have been made to preserve the wildlife, plant life, and trees in their original state. Last year, fires destroyed trees that were hundreds of years old, destroyed a large part of the wildlife and generally laid waste a considerable portion of the refuge.

Future protection of the refuge depends on an adequate supply of water for the protection of plant and animal life and protection from fire since the land is swampy. Some of the peat deposits in the refuge are more than 15 feet in depth and when not moist are tinderboxes which, if ignited, may burn for months, devastating everything in the area as well as endangering private contiguous lands containing valuable timber resources.

The serious drought which threatens the existence of the wildlife which inhabit the refuge and the prevalence of fire which such drought may augment and is further endangered by the fact that the ground water level in the Southeast United States is becoming lower each year.

The bill would provide for the construction of a continuous perimeter road around the refuge and approximately 162 miles of fire-access roads as firebreaks and sills and dikes in the waterways to maintain levels during dry periods.

The PRESIDENT pro tempore. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas subsequently said: Mr. President, I move that the Senate reconsider the vote by which H. R. 9742 was passed.

Mr. ERVIN. Mr. President, I move that the motion of the Senator from Texas be laid on the table.

The PRESIDING OFFICER (Mr. LEHMAN in the chair). The question is on agreeing to the motion of the Senator from North Carolina [Mr. ERVIN] to lay on the table the motion of the Senator from Texas [Mr. JOHNSON].

The motion to lay on the table was agreed to.

DELAYS IN INDIAN CLAIMS CASES

Mr. LANGER. Mr. President, because my eyesight is such that I cannot read, I ask unanimous consent that the clerk may read a statement which I desired to make this morning.

The PRESIDENT pro tempore. Without objection, the clerk will read as requested.

The legislative clerk read as follows:

Mr. LANGER. Mr. President, on Friday, July 13, the Senate agreed to the conference report on H. R. 5566. That report provided for the Senate to recede from its amendment providing for the termination of the Indian Claims Commission 2½ years from April 10, 1957. Even though that amendment resulted from a proposal made by me on the floor of the Senate on July 6, 1956, I agreed to the report of the conference committee. I now desire to state my reasons and to make a few comments concerning the delay in concluding Indian claims.

When H. R. 5566, providing for the extension of the Indian Claims Commission was considered by the Senate on July 6, I offered an amendment which would have extended the life of the Indian Claims Commission by only 2 years instead of the 5 years provided by the House bill and the conference report. I explained that my purpose in limiting the life of the Commission was to bring about an early conclusion and determination of Indian claims. I said then, and still feel, that we should conclude these claims before these Indians die, and before their sons and daughters, or grandchildren, die. Something must be done to speed up the disposition of these claims.

According to the Senate committee report, in almost 10 years, only about 102 of 852 claims have been disposed of by the Commission. At this rate it will take almost 70 years to conclude the claims. I hope that the pace will be speeded up substantially. I know that the Congress expects it to be. I want to briefly mention a few factors which contribute to delay and which should be corrected in order to bring the claims to an early conclusion.

The Commission organized by President Eisenhower to investigate the organization of the executive branch of the Government, headed by former President Herbert Hoover, in its report in March 1955 on legal services and procedure stated at page 184:

One of the worst examples of delay that the task force study has revealed occurs in the Indian Claims Commission, where in 5 case dockets (Nos. 327, 328, 332, 196, and 330) petitions have been pending since at least August 10, 1951, without any answer by the Government more than 3 years later.

The responsibility to answer promptly these petitions lies with the Department of Justice alone. Perhaps some of the cases cited by the Hoover Commission have been answered, but I am informed that in almost 200 cases no answers have been filed, and in some of the cited cases extensions of time to answer are still being sought and granted.

Upon the suggestion of the Attorney General and the recommendation of the Senate Appropriations Committee, the Congress recently gave the Department of Justice $300,000 extra for the purpose of handling these claims. I have written the Attorney General urging that he put it to use at once and asking him to advise me what we can expect with reference to speeding up these cases. Since the officials of the Department of Justice have been saying a great deal about speeding up the business of our Federal courts, and properly so, I hope they will do their part in speeding up the Indians' day in court.

I find it difficult to understand why the Department of Justice should not prepare for trial and conclude an Indian case as it would any other case. There is no reason why the Indians should present their cases and then wait around for the Government to analyze the Indians' evidence and then put in their case in a piecemeal manner. As a lawyer, I have always understood that fair and orderly trials required both sides to put on their evidence at about the same time, one after the other. With this in mind, I cannot help but be impressed by the complaints of my friends, the Crow Indians, as to the delay and postponement in their case in which the Department of Justice delayed a trial on the question of the value of the land involved from June 11, 1954, when the Commission held the Indians had title to the land, until May 1956, and then sought and still seeks to keep the record open to put in further evidence, precluding the preparation of findings of fact and briefs and a decision in the case.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a summary of events in the Crow case, Docket No. 54, disclosing how the Government has delayed this case.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF EVENTS IN CROW CASE, DOCKET NO. 54, DISCLOSING HOW GOVERNMENT HAS DELAYED THE CASE

June 11, 1954: Commission decided Indians had recognized title—issue of value of land as of 1868 remained to be tried.

October 19, 1954: Government motion for rehearing filed; denied by Commission on December 7, 1954.

February 4, 1955: Commission inquired of counsel for Indians if they would be ready for trial in July or August 1955. Attorneys replied in affirmative, on condition Government would also put in its case at that time.

February 18, 1955: At conference before Commission attorneys for Indians advised Government attorney and the Commission it expected both Government and Indians to put on proof at same hearing.

April 13, 1955: Attorneys for Indians wrote Assistant Attorney General requesting him to push ahead on preparation for trial and not to delay for pending legislation seeking interlocutory appeal.

April 20, 1955: Indians filed motion for Commission to fix date for valuation hearing.

Late June 1955: Government hired its valuation expert to investigate value of land and to testify in case.

August 16, 1955: Commission denied Indians' motion for fixed trial date, on assumption counsel were agreeing to satisfactory date.

August 29, 1955: Indians filed motion advising that no agreement as to trial date could be reached and requesting Commission to fix trial date prior to January 1, 1956, "at which trial both sides shall close proof on all remaining issues." Government counsel opposed on ground its schedule precluded complete preparation prior to January 1, 1956.

October 12, 1955: Commission set May 1, 1956, as date for final hearing on all issues other than offsets.

February 18, 1956: Government filed motion for relief from either the trial date in Crow case or deadline for filing findings of fact in another case on ground that counsel could not meet both.

February 14, 1956: Indians objected to extension of Crow trial.

March 15, 1956: Commission in memorandum on trial calendar scheduled Crow case for trial May 2, having granted Government counsel relief in the other conflicting case.

May 2, 1956: Indians presented case in belief that Government would be required to do the same.

May 8, 1956: Government sought to have record kept open for further evidence but was denied that delay, with leave to file formal application to reopen record within 30 days.

June 8, 1956: Government seeks 10-day extension of time within which to file to reopen the record. (This motion was filed 1 day after time had expired.)

June 12, 1956: Commission granted Government until "not later than June 18, 1956" to file formal application to reopen record.

June 18, 1956: Government asked for extension until August 1, 1956, in which to file motion to reopen record.

June 27, 1956: Indians file formal objection to further extension and request that the Commission deny Government's request that the record can be reopened.

NOTE.—Until the record is closed the Indians cannot prepare their proposed findings of fact and brief and the case is being delayed thereby.

Mr. LANGER. I must say, Mr. President, I was shocked when Martin Cross and other Indian friends told me about this case and furnished me this summary. There is no secret to what is at issue in a valuation case. I can think of no satisfactory reason for the failure of the Department of Justice to prepare and try this case promptly.

One of the factors which has delayed disposition of Indian claims cases, I am told, is the announced policy of the Department of Justice not to settle a case. If private litigants took that position, our courts would be overburdened many times more than at present. If the Department of Justice took that position in other litigation we would never hear of a consent decree in antitrust cases, settlement of a tax case, or dismissal of a criminal case, all of which are commonplace. Why should not the Attorney General analyze the Indian cases and make an effort to save the very substantial costs of trial and to reduce potential liability by fair and reasonable settlements. In almost every Federal court in the United States rules of court and procedure encourage settlement discussions and negotiations. Why should Indian claims, which consume many, many hours of trial and preparation, at great expense, be excluded from that desirable practice?

Apart from saving much money in costs of trial and preparation, early settlements would be much more valuable to the Indians, so that the living Indians who filed the claims might receive the benefit of the award, and to the United States taxpayer, who often would get a cheaper settlement. For example, I understand that in one case the Indians, who were anxious for an early settlement, pursuant to a request of the trial attorney for the Government, offered a settlement which was considered for 1½ years before it was turned down. Recently the Indians reevaluated that case and told the Government they would require more than three times as much to settle the claim. Their price went up as time went by and their case progressed.

The refusal of the Department of Justice to stipulate facts, a practice stemming from the no-settlement policy, delays cases. Stipulations are used day in and day out in the trial of cases to shortcut trials and to narrow issues. If Indian claims are to be litigated with reasonable dispatch the same practice will have to be adopted. For example, where reasonably similar land has been valued in court cases and establishes a pattern by which to arrive at the value of the land in controversy, no purpose is served by both sides spending money and time on a trial which will probably produce a result in harmony with the previously decided cases. This type of case should be explored for a stipulation of facts.

I hope that the Attorney General will use the $300,000 and other funds given him for handling Indian claims to speed up the claims and that he will give these claims close supervision so that they may be settled at an early date. I hope he will reexamine the practices I have discussed.

I know that the Indians and the Indian Claims Commission can also improve their methods of handling the cases. At least one Indian organization has given thought to this question and has obtained some concrete recommendations.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point in my remarks a memorandum prepared for the National Congress of American Indians on speeding up cases before the Indian Claims Commission, which contains suggestions for the Commission and the litigants on both sides.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM TO EXECUTIVE DIRECTOR, NATIONAL CONGRESS OF AMERICAN INDIANS

Subject: Speeding up cases before Indian Claims Commission.

You have requested some analysis of the reasons for the prodigious delays in the final settlement of claims of Indian tribes filed with the Indian Claims Commission, with particular emphasis on what might be done to speed their determination. Since the reasons for delay are comprehended in the suggestions as to how the delays might be overcome, the ways of speeding them are all we set forth. Our entire staff has had an opportunity to participate in this analysis since all to a considerable extent have had specific experience with the delays and reasons for delays, and the bulk of our claims work makes it a natural subject of our interest.

In outline form, the principal ways in which claims cases could be speeded in their determination by the Indian Claims Commission are as follows, as to:

A. DEPARTMENT OF JUSTICE

1. Indian Claims Section in the Lands Division needs staff 2 or 3 times as large as at present. Justice does not ask for increased staff apparently because of pressures of Bureau of the Budget and Cabinet against increasing expenses; and Indian Claims Section is always relegated to last place in any setup.

(a) General Accounting Office has a staff believed to be in a ratio of roughly 10 to 1 what Justice has.

2. The policy of the Department of Justice to settle no cases, even where it makes sense and is in the interest of the United States, prevents more prompt disposition of matters, since cases which ought to be settled but are not have to be tried, thus taking the place of other matters which could otherwise be heard.

3. The refusal of Department of Justice to stipulate facts which arise out of no-settlement policy prevents more prompt disposition of some cases by requiring trial of matters, such as valuations, which might go substantially to the question of liability or amount of recovery.

B. COUNSEL FOR PLAINTIFFS

1. Have not always been diligent, and should undertake more prompt preparation and compliance with Commission deadlines.

2. Could stimulate their clients to acquaint their congressional delegations with facts as to delays and urge Congress to do something about delays.

C. INDIAN CLAIMS COMMISSION

1. Should use pretrial effectively to limit issues, to dispose of proofs on matters not really in controversy, and secure admissions and stipulations of fact or law, together with agreement on trial dates, dates for exchange of documents, etc., and also pursue possibilities for settlement at various stages of case, both

(a) Immediately after answer, and

(b) From time to time throughout course of case especially prior to and after trial of each stage of case.

2. Should avoid piecemeal trial, require both sides to present case on any one phase to be heard at a single, continuous trial and refuse continuances between plaintiffs' and defendant's cases.

3. Should follow recommendations of the President's Conference on Administrative Procedure to the Agencies, including

(a) Study its own procedure to discover and eliminate delay, expense or volume of records.

(b) Require submission of all documentary evidence by both sides in advance and refuse receipt of evidence not submitted in advance.

(c) Require preparation of pertinent excerpts from documents.

(d) Provide for daily current index of record.

(e) Publish a practice manual.

(f) Conduct meetings or conferences between the Commission and the members of the agency bar.

4. Should push counsel to get cases prepared, heard, and concluded, including summoning counsel for conferences on need for extensions and require showing of what counsel have done to comply with time limits within time available.

5. Should use Federal hearing examiners appointed pursuant to section 11 of the Administrative Procedure Act to speed the determination of cases, reserving the bulk of time now spent by the Commission itself for hearing of cases.

6. Should use Commission's investigation division:

(a) To review facts and posture of case in comparison with other cases so that Commission can conduct effective pretrial.

(b) To prepare basis for suggested settlements so that Commission can take an effective part.

(c) To consider valuation problems for the sake of reaching effective stipulations.

(1) Compare Crow case, where counsel respectively could be asked whether they hoped to prove more than the 80 cents in Shoshone or less than the 50 cents in Fort Berthold-Blackfeet-Assiniboine as value of land, confining proofs within those limits and perhaps reaching stipulation.

D. CONGRESS

1. Can put pressure on Indian Claims Commission and Department of Justice.

(a) Through investigations as proposed by House Resolution 343, 84th Congress, and in connection with hearings on Indian claims matters.

(b) Through requiring an accounting of progress in developing techniques of speeding cases.

2. Could adopt a provision for interlocutory appeal to the court of claims on questions going materially to the question of liability of the United States.

3. Could demand and provide for an adequate staff at the Department of Justice to handle cases; and could probably provide, through appropriate approach, for reversal of no-settlement policy of Department of Justice.

Mr. LANGER. Mr. President, in agreeing to the conference report I did so in the hope that the claims would be speeded up and concluded promptly.

AMENDMENT OF CERTAIN PROVISIONS OF THE TARIFF ACT OF 1930

The PRESIDENT pro tempore. Is there further morning business? If not, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 6040) to amend certain administrative provisions of the Tariff Act of 1930 and to repeal obsolete provisions of the customs laws.

The PRESIDENT pro tempore. Does the Senator from Nevada desire recognition?

Mr. MALONE. Mr. President, I understand the distinguished majority leader first desires recognition.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT OF ATOMIC ENERGY ACT OF 1954

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 2569, Senate bill 4203.

The PRESIDENT pro tempore. The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (S. 4203) to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, I ask that the Senator from New Mexico make a brief explanation of the bill.

Mr. ANDERSON. Mr. President, with reference to the bill on which the distinguished majority leader asked for an explanation, I wish to say that the bill contains 14 sections, none of which is extremely important in itself, but each one of which deals with some minor problem which needs attention in the operations of the Atomic Energy Commission.

Very briefly, the bill does the following things:

First. Amends the definition of "United States" to be sure that Puerto Rico is included.

Second. Gives the Commission authority to embark upon training programs for the training of scientists and engineers who are so badly needed in the construction program.

Third. Assists in the construction of reactors at universities and hospitals; educational and training activities.

Fourth. Grants right-of-way over Atomic Energy Commission property.

Fifth. Changes the requirement with respect to oaths on Commission applications so that the oaths are mandatory for reactors and optional for other licenses.

Sixth. Adds new criminal sanctions against trespass on Commission property and photographing on Commission property.

Seventh. Makes conforming changes.

Eighth. Brings all of the land at Los Alamos under the jurisdiction of the the Atomic Energy Commission.

Ninth. Brings the land at the Weldon Springs site—formerly used by the Weldon Springs Ordnance Works—under the Atomic Energy Commission.

Tenth. Retrocedes exclusive jurisdiction of the Paducah project back to the State of Kentucky.

Eleventh. Inserts the word "use" between the words "possess" and "import," with respect to facility licenses.

Twelfth. Prohibits issuance of a facility license to an alien as well as any corporation owned by an alien.

Thirteenth. Clarifies Department of Defense clearances along the lines that the Congress has already approved.

The Atomic Energy Commission has asked for this bill. The Department of Defense and the Central Intelligence Agency have asked for one section on this bill. So far as I know, there is no objection to it. I thank the able majority leader for an opportunity to explain the bill.

The PRESIDING OFFICER (Mr. LEHMAN in the chair). The question is on the engrossment and third reading of the bill.

The bill (S. 4203) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 11 u. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"u. The term 'United States' when used in a geographical sense includes all Territories and possessions of the United States, the Canal Zone and Puerto Rico."

SEC. 2. Section 31 a. of the Atomic Energy Act of 1954, as amended, is amended by inserting after the word "development" in the first sentence thereof the words "and training."

SEC. 3. Section 31 b. and section 31 c. of the Atomic Energy Act of 1954, as amended, are amended by redesignating the sections as sections 31 c. and 31 d. respectively and by adding a new section 31 b. reading as follows:

"b. The Commission is further authorized to make grants and contributions to the cost of construction and operation of reactors and other facilities and other equipment to colleges, universities, hospitals, and eleemosynary or charitable institutions for the conduct of educational and training activities relating to the fields in subsection a."

SEC. 4. Section 161 of the Atomic Energy Act of 1954, as amended, is amended by adding at the end thereof the following new subsection:

"r. The Commission is authorized and empowered, under such terms and conditions as are deemed advisable by it, to grant easements for rights-of-way over, across, in, and upon acquired lands under its jurisdiction and control, and public lands permanently withdrawn or reserved for the use of the Commission, to any State, political subdivision thereof, or municipality, or to any individual, partnership, or corporation of any State, Territory, or possession of the United States, for (a) railroad tracks; (b) oil pipelines; (c) substations for electric power transmission lines, telephone lines, and telegraph lines, and pumping stations for gas, water, sewer, and oil pipelines; (d) canals; (e) ditches; (f) flumes; (g) tunnels; (h) dams and reservoirs in connection with fish and wildlife programs, fish hatcheries, and other fish-cultural improvements; (i) roads and streets; and (j) for any other purpose or purposes deemed advisable by the Commission: *Provided*, That such rights-of-way shall be granted only upon a finding by the Commission that the same will not be incompatible with the public interest: *Provided further*, That such rights-of-way shall not include any more land than is reasonably necessary for the purpose for which granted: *And provided further*, That all or any part of such rights-of-way may be annulled and forfeited by the Commission for failure to comply with the terms and conditions of any grant hereunder or for nonuse for a period of 2 consecutive years or abandonment of rights granted under authority hereof. Copies of all instruments granting easements over public lands pursuant to this section shall be furnished to the Secretary of the Interior."

SEC. 5. Section 182 a. of the Atomic Energy Act of 1954, as amended, is amended by striking the last sentence thereof and substituting in place thereof the following:

"All applications and statements shall be signed by the applicant or licensee. Applications for, and statements made in connection with, licenses under sections 103 and 104 shall be made under oath or affirmation. The Commission may require any other applications or statements to be made under oath or affirmation."

SEC. 6. Chapter 18 of the Atomic Energy Act of 1954, as amended, is amended by redesignating sections 229, 230, 231 as sections 231, 232, 233, respectively, making appropriate amendment to the Table of Contents and adding 2 new sections, 229 and 230, reading as follows:

"SEC. 229. Trespass upon Commission installations:

"a. The Commission is authorized to issue regulations relating to the entry upon or carrying, transporting, or otherwise introducing or causing to be introduced any dangerous weapon, explosive, or other dangerous instrument or material likely to produce substantial injury or damage to persons or property, into or upon any facility, installation, or real property subject to the jurisdiction, administration, or in the custody of the Commission. Every such regulation of the Commission shall be posted conspicuously at the location involved.

"b. Whoever shall willfully violate any regulation of the Commission issued pursuant to subsection a. shall, upon conviction

thereof, be punishable by a fine of not more than $1,000.

"c. Whoever shall willfully violate any regulation of the Commission issued pursuant to subsection a. with respect to any installation or other property which is enclosed by a fence, wall, floor, roof, or other structural barrier shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not to exceed $5,000 or to imprisonment for not more than 1 year, or both.

"SEC. 230. Photographing, etc., of Commission installations: It shall be an offense, punishable by a fine of not more than $1,000 or imprisonment for not more than 1 year, or both—

"(1) to make any photograph, sketch, picture, drawing, map, or graphical representation, while present on property subject to the jurisdiction, administration or in the custody of the Commission, of any installations or equipment designated by the President as requiring protection against the general dissemination of information relative thereto, in the interest of the common defense and security, without first obtaining the permission of the Commission, and promptly submitting the product obtained to the Commission for inspection or such other action as may be deemed necessary; or

"(2) to use or permit the use of an aircraft or any contrivance used, or designed for navigation or flight in air, for the purpose of making a photograph, sketch, picture, drawing, map, or graphical representation of any installation or equipment designated by the President as provided in the preceding paragraph, unless authorized by the Commission."

SEC. 7. Section 229 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"SEC. 231. Other laws: Sections 224 to 230 shall not exclude the applicable provisions of any other laws."

SEC. 8. All land and interests in land, owned by the United States within the boundaries of the County of Los Alamos, State of New Mexico, containing approximately 70,800 acres, are hereby transferred, without reimbursement or transfer of funds, to the Atomic Energy Commission. The Atomic Energy Commission shall exercise administrative control over all land and interests in land transferred to the Atomic Energy Commission by this act, notwithstanding the manner of their acquisition by the United States nor their status at any time prior to the effective date of this act.

SEC. 9. The Secretary of the Army is authorized to transfer to the Atomic Energy Commission, without compensation therefor, for use in connection with the Atomic Energy program, all that real property and interests therein, comprising approximately 200 acres, of the Weldon Spring Ordnance Works, Weldon Spring, Mo., as delineated on map designated exhibit A attached to "Department of the Army Permit to Use Weldon Spring Ordnance Works Military Reservation, Mo." dated January 25, 1955, on file in the Atomic Energy Commission, and all or any part of the personal property therein at the time of approval of this act: *Provided*, That when the Atomic Energy Commission, or its successor in functions, determines that the real property herein authorized for transfer is no longer required for the purposes stated, the real property, together with buildings and permanent improvements thereon at the date of such determination, shall, at the option of the Secretary of the Army, be returned to the Department of the Army without compensation therefor.

SEC. 10. There is hereby retroceded to the State of Kentucky the exclusive jurisdiction heretofore acquired from the State of Kentucky by the United States of America, over lands in McCracken County, Ky., within the present boundaries of the Paducah project of the Atomic Energy Commission. This retrocession of jurisdiction shall take effect in accordance with the law of the State of Kentucky.

SEC. 11. Section 101 of the Atomic Energy Act of 1954, as amended, is amended by inserting the word "use," between the words "possess," and "import,".

SEC. 12. Section 103 a. of the Atomic Energy Act of 1954, as amended, is amended by inserting the word "use," between the words "possess," and "import,".

SEC. 13. Section 103 d. of the Atomic Energy Act of 1954, as amended, is amended by inserting the words "an alien or any" between the words "issued to" and the words "any corporation."

SEC. 14. Section 143 of the Atomic Energy Act of 1954, as amended, is amended by inserting between the words "licensee of the Commission" and the words "to permit any employee" the words "or any other person authorized access to restricted data by the Commission under subsection 145 b.".

ORDER FOR RECESS TO 9:30 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 9:30 o'clock tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. For the information of the Senate, I should like to announce a list of additional bills which have now been cleared by the leadership on both sides of the aisle for Senate consideration. These bills may be taken up at any mutually convenient time, and accordingly I should like all Senators to be on notice.

Calendar No. 2424, Senate Resolution 236, directing an investigation by the Tariff Commission on textile imports.

Calendar No. 2625, S. 3787, relating to the management of the Red Lake Indian Forest.

Calendar No. 2626, H. R. 8750, amending the watershed protection and flood prevention act.

Calendar No. 2651, S. 3728, providing for the construction of a reclamation project in San Angelo, Tex.

Calendar No. 2654 through Calendar No. 2661, seven noncontroversial measures from the Foreign Relations Committee.

H. R. 12025, to provide for a President's advisory commission on Presidential office space, introduced in the Senate as S. 4228.

The executive pay bill, which is due to be reported shortly.

The Renegotiation Act, extension on which the Committee on Finance is now meeting.

The Rivers and Harbors bill, on which the Committee on Public Works is now holding hearings; and H. R. 12270, the military construction bill.

CUSTOMS SIMPLIFICATION ACT, 1956

The Senate resumed the consideration of the bill (H. R. 6040) to amend certain administrative provisions of the Tariff Act of 1930, and to repeal obsolete provisions of the customs laws.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. The business now pending before the Senate is Calendar No. 2600, H. R. 6040, is it not?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to revise methods of valuing, for duty purposes, foreign goods being imported into the United States; to simplify procedures in the conversion of currencies for valuation purposes; and to repeal certain obsolete provisions of the customs laws. The Custom Simplification Acts of 1953 and 1954 have brought about substantial improvement in the administration of customs laws, but neither, as finally enacted, included the proposals included in H. R. 6040.

The distinguished members of the Finance Committee, or, at least, a majority of them, feel that the passage of the measure would further simply the provisions of the customs law, although that opinion is not unanimous.

A private research firm, in making a study of customs operations, pursuant to an authorization of the Congress, recommended that the present method of valuing foreign goods for duty purposes be simplified. Specifically, it was recommended that foreign value be abolished as one of the bases for assessment of duties.

Such a provision was included in a customs simplification bill, which was considered in 1953. I am informed that the bill was considered toward the closing days of that session of Congress. Because of the lack of time for hearings and because of the controversial nature of the proposal, it was deleted as a result of the judgment of the then Finance Committee, and was not in the bill as it went to the President and as he signed it.

The definition of the terms used in the various methods of valuation are changed and clarified in the bill so as to permit the Customs Bureau to take into account normal commercial practices relating to commodities in international trade.

I am presenting, in effect, Mr. President, the report filed with the bill by the majority of the Finance Committee.

These and other changes are designed to make alternative bases of valuation, namely United States value and constructed value, more closely approximate an export value if one had existed. This is intended to remove present incentives to create artificial conditions in international trade in order to obtain the benefit of more favorable valuation standards.

The Treasury Department has stated that the above changes would reduce the number of difficult, expensive, and time-consuming investigations in foreign countries to ascertain foreign value. This saving, plus the increased certainty in valuation determinations resulting from the redefinition of terms, will assure more prompt determination of duty liability and further reduce the existing backlog of customs work.

In order to prevent any sudden material change in valuation as a result of the enactment of the bill, the committee adopted amendments providing for the tem of using the higher of the two values would be reduced by 5 percent or more in value, and preserving the present system of using the higher of the two values (foreign or export value) on all the items so listed. The list so prepared would be tentative until domestic interests had ample opportunity to suggest that additional items should be added. After an investigation of these new suggested items a final list would be prepared and published in the Federal Register. All items on the list then would continue to be valued on the basis of the present law. After a period of about 1 year, a new list would be prepared deleting any articles then found to be reduced by less than 5 percent and adding any articles which would be reduced by 5 percent or more. Similarly, third and fourth lists would be prepared after a year's experience with each preceding list. The Treasury Department estimates that the provisions of section 2 of H. R. 6040 would be used in about 90 percent of the cases at the time of the issuance of the first list and that the percentage would increase with each succeeding list. In other words, the Department's research indicates that less than 10 percent of the ad valorem items would be on the list as showing an important value reduction of 5 percent or more.

Each list, as it was made final, would be sent to the chairmen of the Ways and Means Committee of the House and the Committee on Finance of the Senate, respectively, and Congress would be kept fully informed as to current developments under the new procedure. As a result of the limitation of any reduction in value to less than 5 percent, and because some imports will increase in value and many more will not change at all, the Treasury estimates that the average reduction in value will be only a fraction of 1 percent. It would appear, therefore, that the margin of protection lost by domestic producers would be very small, especially during the life of the lists.

An amendment adopted by the committee would provide that the articles on the fourth and final list would continue to be appraised under the valuation procedures in effect before the enactment of H. R. 6040 unless and until the Congress provided otherwise.

With regard to the question of dumping and the fear that it might increase under the changes proposed by H. R. 6040, Treasury representatives advised the committee that there would likely be more effective enforcement of the antidumping law under the bill as reported than at the present time. The elimination of foreign value investigations would result in the increased availability of personnel in foreign countries to investigate dumping cases.

The Secretary of the Treasury has indicated that foreign value information would continue to be required on customs invoices made out by exporters. The Treasury would thereby continue to have available the information needed to initiate full-scale investigations whenever dumping was indicated.

The PRESIDING OFFICER. The amendments of the Committee on Finance will be stated.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc; and that the bill as thus amended be considered as original text, for the purpose of amendment—as is customarily done.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The amendments of the Committee on Finance, agreed to en bloc, are as follows:

On page 1, line 4, after the word "of", to strike out "'1955' and shall be effective on and after the 30th day following the date of its enactment" and insert "1956"; after line 5, to strike out:

"SEC. 2. (a) Section 402 of the Tariff Act of 1930, as amended (U. S. C., 1952 edition, title 19, sec. 1402), is further amended to read as follows."

And, in lieu thereof, to insert:

"SEC. 2. (a) Section 402 of the Tariff Act of 1930, as amended (U. S. C., 1952 edition, title 19, sec. 1402), is redesignated 'SEC. 402a. Value (alternative),' and such Tariff Act of 1930 is amended by inserting therein immediately before the redesignated section 402a a new section 402 to read as follows."

On page 10, after line 7, to strike out:

"(b) Paragraph 27 (c) of the Tariff Act of 1930 (U. S. C., 1952 edition, title 19, sec. 1001, par. 27 (c)), is amended by striking out 'subdivision (g) of section 402, title IV' and inserting in lieu thereof 'section 402 (e) of this act' and by striking out 'subdivision (e) of section 402, title IV' and inserting in lieu thereof 'section 402 (c) of this act'."

And, in lieu thereof, to insert:

"(b) Paragraph 27 (c) of the Tariff Act of 1930 (U. S. C., 1952 edition, title 19, sec. 1001, par. 27 (c)), is amended by striking out '(as defined in subdivision (g) of section 402, title IV),' and ', as defined in subdivision (e) of section 402, title IV'."

After line 19, to strike out:

"(c) Paragraph 28 (c) of the Tariff Act of 1930 (U. S. C., 1952 edition, title 19, sec. 1001, par. 28 (c)), is amended by striking out 'subdivision (g) of section 402, title IV' and inserting in lieu thereof 'section 402 (e) of this act' and striking out 'subdivision (e) of section 402, title IV' and inserting in lieu thereof 'section 402 (c) of this Act'."

On page 11, after line 2, to insert:

"(c) Paragraph 28 (c) of the Tariff Act of 1930 (U. S. C., 1952 edition, title 19, sec. 1001, par. 28 (c)), is amended by striking out '(as defined in subdivision (g) of section 402, title IV),' and ', as defined in subdivision (e) of section 402, title IV'."

After line 7, to strike out:

"(d) Section 336 (b) of the Tariff Act of 1930 (U. S. C., 1952 edition, title 19, sec. 1336 (b)), is amended by striking out 'section 402 (g)' and inserting in lieu thereof 'section 402 (e)'."

And, in lieu thereof, to insert:

"(d) Section 336 (b) of the Tariff Act of 1930 (U. S. C., 1952 edition, title 19, sec. 1336 (b)), is amended by striking out '(as defined in sec. 402 (g))'."

After line 22, to insert:

"(f) Redesignated section 402a of the Tariff Act of 1930 is amended by deleting the word 'merchandise' in the introductory matter of subsection (a) and substituting therefor 'articles designated by the Secretary of the Treasury as provided for in section 6 (a) of the Customs Simplification Act of 1956'."

On page 17, line 22, after the word "within", to strike out "1 year" and insert "6 months"; in the same line, after the word "the", to strike out "effective", and in the same line, after the word "date", to insert "of enactment"; and on page 18, after line 3, to insert:

"SEC. 6. (a) The Secretary of the Treasury shall determine and make public lists of the articles which shall be valued in accordance with section 402a, Tariff Act of 1930, as amended by this act, as follows:

"(1) As soon as practicable after the enactment of this act the Secretary shall make public a preliminary list of the imported articles which he shall have determined, after such investigation as he deems necessary, would have been appraised in accordance with section 402 of the Tariff Act of 1930, as amended by this act, at average values for each article which are 95 (or less) percent of the average values at which such article was actually appraised during the fiscal year 1954. If within 60 days after the publication of such preliminary list any manufacturer, producer, or wholesaler in the United States presents to the Secretary his reason for belief that any imported articles not specified in such list and like or similar to articles manufactured, produced, or sold at wholesale by him would have been appraised in accordance with such section 402 at average values which are 95 (or less) percent of the average values at which they were or would have been appraised under section 402a, Tariff Act of 1930, as amended by this act, the Secretary shall cause such investigation of the matter to be made as he deems necessary. If in the opinion of the Secretary the reason for belief is substantiated by the investigation, the articles involved shall be added to the preliminary list and such list, including any additions so made thereto, shall be published as a final list. Every article so specified in the final list which is entered, or withdrawn from warehouse, for consumption on or after the thirtieth day following the date of publication of the final list and before the thirtieth day following the publication of the succeeding final list shall be appraised in accordance with the provisions of section 402a, Tariff Act of 1930, as amended by this act.

"(2) As soon as practicable after the expiration of each of the 3 succeeding 12-month periods following the date of the publication of the final list provided for in paragraph (1), the Secretary, after such investigation as he shall deem necessary, shall publish successively second, third, and fourth preliminary lists of the articles entered for consumption or warehousing during the most recent 12-month period for which information is then reasonably available which he shall have determined were or would have been appraised in accordance with section 402 of the Tariff Act of 1930, as amended by this act, at average values for each article which are 95 (or less) percent of the average values at which such article was or would have been appraised under section 402a, Tariff Act of 1930, as amended by this act. If within 90 days after the publication of any such preliminary list any manufacturer, producer, or wholesaler in the United States makes with respect to any omission from such list a presentation such as is specified in paragraph (1), but relating to the relevant 12-month period, the Secretary shall proceed with respect thereto as specified in paragraph (1) and make public as soon as practicable a final list, including any additions made to the related preliminary list. Each article so specified in the second final list which is entered, or withdrawn from warehouse, for consumption on or after the 30th day following the publication of such second final list and before the 30th day following the publication of the third final list shall be appraised in accordance with the provisions of section 402a, Tariff Act of 1930, as amended by this act. Each article so specified in the third final list which is entered, or withdrawn

from warehouse, for consumption on or after the 30th day following the publication of such third final list and before the 30th day following the publication of the fourth final list, shall be appraised in accordance with the provisions of section 402a, Tariff Act of 1930, as amended by this act. Each article specified in the fourth final list which is entered, or withdrawn from warehouse, for consumption on or after the 30th day following the publication of such fourth final list shall be appraised, until Congress provides otherwise, in accordance with the provisions of section 402a, Tariff Act of 1930, as amended by this act.

"(b) Each final list published in accordance with the provisions of subsection (a), together with explanatory data, shall be transmitted promptly to the chairmen of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

"SEC. 7. This act shall be effective on and after the day following the date of its enactment, except that section 2 shall be effective only as to articles entered, or withdrawn from warehouse, for consumption on or after the 30th day following the publication of the final list provided for in section 6 (a) (1) of this act, and section 3 shall be effective as to entries filed on or after the 30th day following the date of enactment of this act. After publication of the fourth final list provided for in section 6 (a) (1) of this act, the Congress shall determine the future application or date of repeal of section 402a, Tariff Act of 1930, as amended by this act, and section 6 of this act."

Mr. JOHNSON of Texas. Mr. President, I wish to ask my distinguished friend, the Senator from Nevada [Mr. MALONE], who contributes a great deal to making the life of the majority leader bearable, whether he will be agreeable to having a unanimous-consent agreement regarding the further consideration of the bill entered into. Let me say that I have a pending inquiry; and this morning we have an important committee hearing, because of which the minority leader has been called from the floor, and I have been asked to attend the committee. The hearings involve some American boys; the Senator from Nevada is well aware of that matter.

So I ask him whether he would be agreeable to working out a unanimous-consent agreement regarding the further consideration of the pending bill—for instance, an agreement providing, let us say, 1 hour to each side.

Mr. MALONE. I could not agree to that at this time, because there may be other Senators who wish to enter the debate.

Mr. JOHNSON of Texas. Would the Senator from Nevada agree to 2 hours to each side?

Mr. MALONE. I think it would be unwise to agree now to a time limit.

Mr. JOHNSON of Texas. I thank my friend.

Mr. MALONE obtained the floor.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator from Nevada yield, to permit me to make a brief statement on the bill?

Mr. MALONE. I yield.

Mr. MARTIN of Pennsylvania. Mr. President, I shall be very brief.

First, let me say that I expected to have ready at this time a prepared statement on the bill. However, I do not have it as yet, because, as all Senators know, we worked late last night on the social security bill, in which I was very much interested; and I felt it was my duty to remain on the floor during the debate on that bill.

I should like to point out that the pending measure is a very important one, insofar as American industry is concerned. The Finance Committee gave the bill very careful consideration. The bill was reported by the committee, although many members of the committee who voted to report the bill were considerably worried about some features of it.

The United States is in quite a different position from that of any other nation in the world. Our high wage standard and our high living standard have been brought about because of the productivity of our people.

As you know, Mr. President, for many, many years, tariff matters have been very important in the political considerations of the people of the United States.

So I think this measure should receive very careful consideration by the Senate. Many Senators may wish to ask questions in regard to certain provisions of the bill.

Personally, I think the bill, as reported, will work out satisfactorily to the industries of the United States. But I hope every Senator will give the bill very careful consideration, because it will lower the tariff on many articles. At this time, certain American articles are being very greatly damaged by importations from countries in which the wage standard is much lower than that in the United States.

Mr. President, there is no question that free interchange of trade internationally helps to make friends throughout the world. Of course, we wish to do that. On the other hand, we must be very careful that we do not damage the position of the working people of the United States.

I appreciate very much the courtesy of the Senator from Nevada in yielding to me.

THE CONSPIRACY TO DESTROY AMERICAN WORKINGMEN AND INVESTORS—H. R. 6040 ONE MORE DROP OF WATER ON THE WHEEL—THE OBJECTIVE SINCE 1934—FREE TRADE AND FREE IMMIGRATION

Mr. MALONE. Mr. President, H. R. 6040, the so-called customs simplification bill, is just one more catch phrase title designed to mislead Congress and the American people.

It was not drafted by any Member of Congress, but by someone in the executive branch. Or more likely by the GATT organization in Geneva, the General Agreements on Tariffs and Trade. The title is tricky and misleading. House bill 6040 would not simplify customs procedures, but would complicate them.

MALONE MINORITY VIEWS SUBMITTED IN REPORT

I have submitted minority views on the bill. They are printed as a part of the Senate committee report dated July 13, 1956, which was submitted by the Senator from Virginia [Mr. BYRD]. The minority views will be found on page 26 of the report.

In my minority views I made eight points. The one basic objection to the bill, of course, is that it is centered on the one objective—one more drop of water on the wheel for the division of our markets with the cheap labor foreign nations. The continual pressure, beginning with the "mother" 1934 Trade Agreements Act; 1947, GATT; the International Trade Organization (ITO); International Office of Trade Cooperation (OTC); and the so-called customs simplification bills.

H. R. 6040 ONE MORE BILL TO DESTROY AMERICAN WORKINGMAN AND INVESTOR

What H. R. 6040 proposes is to reduce duty costs on foreign goods entering into the United States.

For 145 years, beginning with the Constitution in 1789, we built a standard of living in accordance with our resources and energy, through Congress adjusting the duties or tariffs to take the profit out of sweatshop labor at the water's edge.

In 1934 we reversed the process and invited direct competition from cheap foreign labor of the world.

The 1934 Trade Agreements Act is the "mother" act—upon which the whole free trade, "one economic world" objective is based.

Every move, every legislative foreign-trade proposal adopted by the Congress since that time has been calculated to destroy the American workingman and investor. Since 1934 American investors, employing high-wage, high-living-standard American workingmen, have been pitted against the international investor, employing low-wage, low-living-standard, sweatshop labor.

CONSTITUTIONAL TARIFF PROCESS REVERSED IN 1934

The Constitution, article I, section 8, provides that Congress adjust duties and tariffs and regulate foreign trade and national economy, taking the profit out of cheap foreign labor at the water's edge, enabling the United States to maintain its economic independence and to raise our standard of living in accordance with our resources and energy.

The process of building our standard of living in accordance with our resources and the energy we were willing to put into our work was reversed through the simple expedient of transferring to the President the constitutional responsibility of Congress to regulate foreign trade and the national economy, under article I, section 8. The 1934 Trade Agreements Act not only transferred the constitutional responsibility of Congress to the President, but included the authority for the President to transfer that constitutional responsibility to any location in the world, under the auspices of any organization he might cause to be established.

THE ORIGIN OF GATT

The President in 1947 caused to be organized the General Agreement on Tariffs and Trade, commonly known as GATT, which now has 35 members, each with one vote, including our own.

That organization is located at Geneva. It is now regulating our foreign trade and national economy through multilateral trade agreements among themselves, dividing our markets among them through the simple expedient of a progressive lowering of the

duties and tariffs, and in every way possible making our markets more available to the 34 foreign members.

EVADING THE CONSTITUTION

It has become the custom in the past 23 years to evade and avoid the Constitution of the United States. Groups meet throughout the country to determine what the Congress should do, what the country should do, and what policy it should follow in the regulation of the national economy and foreign trade.

I only ask the Members of this Senate to read the Constitution of the United States just one more time, and revert to it in the regulation of this Nation's foreign trade and the national economy.

FOREIGN NATIONS ALL SEEK OPEN DOOR TO AMERICAN MARKET

The basis of this avoidance of the Constitution of the United States in the regulation of foreign trade and our national economy was the 1934 Trade Agreements Act, followed by GATT—the General Agreement on Tariffs and Trade—spearheaded by the President in 1947.

GATT was established in Geneva, at first with 22 nations participating. It has now grown to a 35-nation organization. All are foreign nations except ourselves, each with one vote, and all of them voting on how to divide the American markets. The American markets are the objective of the low-wage nations of the world. There are no other markets in the world worth a division among these European and Asiatic nations, since they are low-wage countries and there are no profitable markets except where the low-wage labor can be utilized.

ITO SECOND STEP TOWARD INTERNATIONAL CONTROL OF AMERICA'S ECONOMY

After GATT came the International Trade Organization. Many Senators will remember the International Trade Organization or ITO, which proposed to take over and expand the GATT organization. It was set up in a many-page document which no one could understand, but a review of it reveals that under ITO America's economy and foreign trade would be completely regulated by foreign nations. Fortunately for America, the Congress showed the good sense to turn down the International Trade Organization.

Then came the proposal last year for an International Office of Trade Cooperation—OTC or IOTC as it is called—which, again, would incorporate and expand the General Agreement on Tariffs and Trade. This new organization, when and if formed would manage the affairs of GATT. In setting up the OTC, Congress would approve the GATT organization which it has never previously done.

OTC IS SIMPLY A NEW EFFORT TO REVIVE ITO

I understand that there is very little likelihood that the OTC measure will pass the House. If it does, I think I can assure the Senate that there is very little likelihood that it will come out of the Senate Finance Committee.

The proposal for a new international trade organization was followed by a system of "customs simplification" acts. This is the third one. To call this a customs simplification act is a very clever device.

BILL TO LOWER TARIFFS HAS "SUGAR-COATED" TITLE

Everyone is in favor of customs simplification. However, Mr. President, "customs simplification" in the pending bill does not mean making customs laws simple to administer. It means changing the valuation of imports in order to lower tariffs, or duties, imposts, and excises, as they are called in the Constitution. This is probably the worst of many such bills, because it would make the United States Treasury the judge in most cases, completely avoiding any check by the Congress.

Reduced duty costs will increase imports competing against American products. This has been a major objective of our foreign economic policy for 22 years. To carry out this objective, the executive branch has invented many "sugar-coated" slogans and titles to conceal the bitter realities of the legislation.

"Reciprocal Trade," "Dollar Shortage," "Trade Not Aid," "Mutual Security," "Economic Cooperation" are all sweet-sounding pitches to soften up and "wet down" Congress and the people. "Customs Simplification" is just as phony.

A "CUSTOMS COMPLICATION" BILL

Mr. FREAR. Mr. President, will the Senator yield?

Mr. MALONE. I am glad to yield.

Mr. FREAR. The Senator has referred to some sugar-coated slogans. I wonder whether the pending bill would not be better called a customs complication bill.

Mr. MALONE. I thank the Senator. I hope he will enter into the debate. He listened to the evidence and has come to some conclusions.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. MALONE. For what purpose?

Mr. ERVIN. To ask a question.

Mr. MALONE. I yield.

Mr. ERVIN. I ask the Senator from Nevada if the pending bill ought not better be designated as a bill to illustrate the simplicity of those persons who think that America ought not to be operated for the benefit of Americans.

Mr. MALONE. Mr. President, I am quite overwhelmed; I am getting support where I never expected it. I wish to say to the Senator from Michigan——

Mr. ERVIN. North Carolina.

A CONSPIRACY TO DESTROY AMERICAN WORKINGMEN

Mr. MALONE. North Carolina. That fact makes it even more important. I wish to say to my distinguished colleague from North Carolina that the bill can be called a conspiracy to destroy American investors and American workingmen. That is what it can be called. It is just one more drop of water on the wheel. I hope the distinguished Senator from North Carolina will enter into the debate on the bill and make his own views entirely clear.

MALONE TERMS BILL "THE TARIFF REDUCTION ACT OF 1956"

The text of the bill is as tricky as the Reduction Act of 1956. That is what it is. That would be an honest title.

The text of the bill is as tricky as the title. Every definition of value has been changed to the advantage of foreign producers exporting goods subject to ad valorem duties to this country.

Many of the changes are so subtle and adroit—a word here, a phrase there—that one must read every line of section 2 and analyze it with relation to the present law to understand the full purport of the proposed legislation.

The senior Senator from Nevada is aware that many of his distinguished colleagues have had no opportunity to do that in this eleventh hour crush of legislative business. The latest print of this bill and the reports of the Senate Committee on Finance have become available to us only this week.

It will be my purpose during this debate to explain the bill and each provision of it to the best of my ability, so that perfecting amendments may be offered should any of my colleagues so choose.

PASSAGE OF H. R. 6040 WOULD INCREASE FLOOD OF FOREIGN IMPORTS

Even the professed objective of this bill is tricky and misleading. It was offered to the Congress, ostensibly by the Treasury Department, as a supposed innocent measure to ease the burdens of its customs officers, which, an examination of the bill readily will show, it does not do.

Actually it is one of a long series of enactments and proposals, beginning in 1934 with the Trade Agreements Act, to flood our markets with imports from foreign nations, so that our dollars will be spread throughout the world.

The ITO proposal, the International Monetary Fund Agreement, GATT, the investment guaranty program, the pending International Organization for Trade Cooperation, a slightly revamped ITO, and foreign aid are all part of the international socialistic pattern to fatten the world at American taxpayers' expense, divide our wealth, and share our markets with the low-wage foreign countries.

They are all out of the same kettle but the recipes vary.

Some give taxpayers' money outright to foreign producers to finance foreign plants producing surpluses, which they must sell in the United States, because they lack a market where they are located.

SENATOR RECALLS HIS WARNING OF 1947

In 1948, as a freshman Senator, I sought to explain the situation when the Marshall plan was first proposed. At that time everyone said, "All that needs to be done is to increase the production of those countries; then they will recover; then they will be back on their feet."

I said at that time—and the CONGRESSIONAL RECORD will bear me out—that those countries were already overbuilt for production for their own markets. They had built that way for years. Most of them were colonial empire nations, and they had forced their colonial possessions to take their goods. They did not allow their colonial possessions to build any industries, but forced them to sell their raw materials to the mother European countries.

England followed that policy with her 13 American Colonies until 1776. That is one reason why these Colonies revolted and set up this Government, the United States. It was so we could regulate our own commerce and control and expand our own economy in independence and freedom.

But England continued the policies and practices I have described with her remaining colonies.

I can mention other such countries. They are France, the Netherlands, Belgium, and, formerly, Spain. There are others as well. They would control their island and colonial possessions and force them to sell their raw materials to them at a very low price. They would hold wages down and force their colonies to buy their manufactured products at whatever the traffic will bear, using preferential rates, so that no other nations can compete with them in such areas.

UNITED STATES CREATES OWN WORLD COMPETITION WITH TAXPAYERS' DOLLARS

Of course, the colonial system is dead. However the system was created to furnish raw materials to the onetime mother countries, which it continues to do.

Therefore, when the Marshall plan was announced, to increase the capacity of production, both of the mother countries and their colonies or ex-colonies, I said on the Senate floor that those countries must sell either to us or to our potential enemies, or to other countries where we or other nations already had the markets.

In other words, we were building our own competition. That never worried anyone, apparently. To date we have spent about $65 billion abroad.

For 9 years we have overbuilt industry throughout the world. Actually we have done so since 1934 when the Trade Agreements Act, laughingly called the Reciprocal Trade Act, was enacted. We have followed customs simplification and every other possible approach to open the markets of the United States to the overbuilt productive enterprises of European and Asiatic countries.

SENATOR OUTLINES WHOM BILL WOULD HELP

H. R. 6040 is the indirect approach. H. R. 6040 reduces tariff costs to the foreign producer by lowering the ad valorem customs valuations on goods he exports to the United States. The end result is lowered tariffs. Later in his remarks the senior Senator from Nevada will detail the ways in which this end result, under H. R. 6040, would be achieved.

Of first importance, in my opinion, in any bill, is the consideration of whom the bill will help and whom the bill will hurt. We are sent here to legislate in the interests of the Nation and its people; in the interests of Americans, not foreigners.

Whom will H. R. 6040 help?

First, it will help foreign producers and cartels exporting goods subject to ad valorem duties to the United States.

Second, it will help those large and wealthy American business, manufacturing, and industrial interests which have established branches and factories in foreign countries behind the low wage curtain, and who export their foreign products subject to ad valorem duties to the United States.

Third, it will help waterfront brokers and importers of these goods and products entering the United States.

WHOM BILL WILL INJURE TOLD BY SENATOR

Whom will H. R. 6040 hurt?

First, it will hurt American business, manufacturing and industrial enterprises which are not big enough or rich enough to move abroad and are forced to compete for the American market against destructive and unfair foreign competition which, in effect, is subsidized by our own Government.

Second, it will hurt the wage-earners and investors in these American enterprises producing for the American market.

Third, it will hurt the taxpayers of the United States who are being compelled to subsidize this foreign competition which is closing mines, mills, and factories and terminating or reducing payrolls in our own country.

NATION IS OPERATING ON A WAR ECONOMY

We are now operating the American economy as a war economy. We are spending $35 billion each year in preparation for war, and about five or six billion dollars, on the average, since World War II, to enable foreign countries to build plants for direct competition with us. In other words, four or five or six billion dollars is sent every year to foreign countries so they may buy machinery and goods in this country. So, Mr. President, we have a $40 billion war economy. If today we were assured of perpetual peace we could not afford to accept it, because if we suddenly stopped war expenditures our economy would go out like a light within 60 days.

H. R. 6040 "LOADED" AGAINST AMERICAN PRODUCER

Fourth, H. R. 6040 will hurt the Treasury itself which will suffer reduced revenues from customs previously collected from imported goods subject to ad valorem duties.

Fifth and most important, it will hurt the economy of the United States, and our economic and political independence.

It will not hurt very much, the Treasury Department tells us, as a parent tells a child going to the dentist, but it is all of the same give-away pattern. If we don't give away our gold, we give away our markets, and this bill, like the trade agreements act, gives away our markets to foreign producers in foreign nations.

This bill is loaded against the American producer and for the foreign manufacturer and exporter.

Every provision of the bill is to the latter's advantage.

Let us examine H. R. 6040 as it came from the House and as it appears before us today. Some adjustments have been made in the Senate bill but the inherent defects still remain. If the bill is passed by the Senate it will go to conference. There is no assurance that the original House version will not be the final act. Both versions were drafted ostensibly by the Treasury Department: we know they were not written in the Congress.

Neither version is acceptable to the senior Senator from Nevada or to industries which had an opportunity to testify against the original bill.

RULES SWITCHED TO BENEFIT FOREIGN EXPORTER

First, it changes the customs valuation rules which our customs officials and appraisers have used for 30 years, with which they are experienced and familiar, which have long been interpreted by the Department and tested in the courts. It changes not only the rules but the values themselves, all to the advantage of the foreign exporter.

Under the present law, these values are:

First. The foreign value or the export value, whichever is higher.

Second. If the appraiser determines that neither the foreign value nor the export value can be satisfactorily ascertained, then the United States value.

Third. If the appraiser determines that neither the foreign value, the export value, nor the United States value can be satisfactorily ascertained, then the cost of production.

Fourth. In the case of an article with respect to which there is in effect under section 336 a rate of duty based upon the American selling price of a domestic article, then the American selling price of such article.

H. R. 6040 eliminates foreign value, except that in the Senate amendments the ghost of a foreign value remains under certain limited circumstances. It is not mentioned by name, however: it is just a ghost.

Foreign value, as will be shown, customarily is the higher of the two values.

LOWER VALUATIONS MEAN HIGHER PROFITS FOR EXPORTERS

The object of the bill is to eliminate high valuations on imported goods subject to ad valorem duties and to substitute low valuations on the same imported goods.

Ad valorem duties are duties based on a percentage of values. A 10 percent ad valorem on a low valuation is therefore less than a 10 percent ad valorem on the same imported article appraised at a higher and more realistic value.

The Government therefore loses revenue when appraisals are based on lower valuations. That is what it obviously wants to do or it would not have come to us with a request to eliminate higher valuations and accept lower valuations on the same imported product.

The foreign producer and exporter gains profits when he can export products to the United States at lower valuations for duty purposes than he previously would have had to pay.

FOREIGN COUNTRIES MANIPULATE VALUES TO AID OWN EXPORTERS

Mr. President, it is well known that in many instances, when other nations want to encourage exports to the United States—and they have complete control of the valuation of their own money in terms of the American dollar—they will give their exporters a higher value in their own money than otherwise would obtain.

If they do not want the goods to be exported to another country, whatever the country may be, they will give their

exporters a smaller amount of their own money in terms of the dollar.

Many instances of that type of operation could be cited. It has been done and is being done. But it goes to show that so long as foreign countries can manipulate the value of their own currency in terms of the dollar for their own trade advantage with the export, import, and exchange firms, there is no kind of export value which will be a fair value. It will be a manipulated value; and the check on that value will be the value at which the foreign country will sell the article concerned to its own people, because they have no way of subsidizing everything they sell to their own people.

Mr. President, this is one more check which is being eliminated.

DUTIES ON IMPORTS DECREASED BUT NOT TAXES ON UNITED STATES CITIZENS

The bill, therefore, is in the interest of the foreign producer and against the interest of the United States. It will increase imports and decrease revenues, but that apparently is what the executive branch wants, with respect to foreign imports.

There have been no proposals by the executive branch to decrease revenues from the American people which it readily could do by decreasing taxes. It only wants to decrease the duty taxes on foreign manufacturers and producers.

Mr. President, there never has been any need for a duty or tariff in any way except to equalize labor costs, taxes, and the costs of doing business in the United States as compared with costs in the chief competing nations with respect to each product. The 1930 Tariff Act provided a flexible duty or tariff, so that the tariff based on the costs of doing business and the standard of living in foreign countries could be lowered or increased. This gave foreign nations equal access to American markets but no advantage.

VALUATION CHANGE WILL MEAN LOSS TO AMERICAN INDUSTRY

When the valuation on which tariff is based is reduced 5 percent—and that is the limit in the decrease of valuation which the Treasury can impose without having to come to Congress—it will often represent the difference to American industry between a profit and a loss.

Those concerned with this matter seem to have entirely lost sight of the fact that when the tariff or the duty is decreased 1 percent, if the rate was correct in the first place, the American producer, in order to make up the difference in cost, must decrease his labor costs or his investment, or both, to meet the situation, or else go out of business.

Mr. President, the Government seems to have forgotten the principle which was upheld by this Nation for 145 years, from 1789 to 1934, namely, that a tariff or a duty is imposed to make up the difference between the cost of production in this country and in the chief competitive nations, taking into account labor and other costs. It was never contemplated that there should be a constant lowering of the duty.

MANY IMPORT ITEMS SUBJECT TO AD VALOREM DUTIES

Foreign commodities imported into the United States and valued for duty purposes on an ad valorem basis include:

Cotton and wool textiles, steel-mill products, stone, cement, tiles, toys and sporting goods, many vegetable products, musical instruments, wood products, leather products, jewelry, glassware, earthenware, pottery, ferroalloys and ores, shellfish and products, watches and clocks, vegetable oils, dairy products, logs and lumber, fish and fish products, drugs and chemicals, paints, soaps, synthetic fibers and textiles, photo goods, coal-tar products, aluminum and manufactures, airplanes, automobiles, bicycles, motorcycles, copper and manufactures, machinery, electrical and nonelectrical, grains, meat products, medical and pharmaceutical supplies, fruits, and tobacco and tobacco manufactures.

This is only a part of the products the Treasury Department has listed as being affected by H. R. 6040, and the Treasury has not listed thousands of specific products and commodities subject to ad valorem duties in our tariff schedule. If I wished to do so, I could take the 447-page schedule of tariff duties and the recent supplements consisting of many more pages, and read off the list of all imported commodities on which ad valorem rates of duty apply. I shall not do so at this time.

Suffice to say that the bill affects, in one way or another, every one of these imported items, and almost invariably to the advantage of the foreign producer.

HIGHER VALUATIONS ELIMINATED

As I have stated, H. R. 6040 eliminates the higher or foreign value entirely from the language of the bill. The House version eliminates it in fact, but the Senate version, by virtue of an amendment which I shall discuss presently, leaves an unnamed and ghostlike vestige at the determination of the Treasury Department.

Then, as in the present act, the bill has a second measure, or United States value, but has changed the criteria.

Third, the bill has a new measure of value with a new criteria, called constructed value which replaces the present cost of production value.

Lastly, the bill has an American selling price value, also with a new set of definitions.

The definitions of what each of these terms of value mean, and the changes made in the definitions, are important. They are part of the trick wordage of this bill.

DEFINITIONS ALTERED TO AID FOREIGN EXPORTERS

The definition for foreign value is, of course, eliminated entirely. In the absence of any definition of foreign value, I am not sure of exactly how the Senate amendments will apply, but that matter, like almost everything else in the bill, is for the executive branch to determine.

The definition of export value differs widely from the definition of export value in the present law.

H. R. 6040 defines export value as the price, at the time of exportation to the United States of the merchandising undergoing appraisement, at which such or similar merchandise is freely sold or, in the absence of sales, is offered for sale in the principal markets of the country of exportation, in the usual wholesale quantities and in the ordinary course of trade, for exportation to the United States, plus, when not included in such price, the costs of all containers and coverings of whatever nature, and all expenses incidental to placing the merchandise in condition, packed ready for shipment to the United States.

The present act, which H. R. 6040 would replace, defines export value as the price, at the time of exportation to the United States, "at which such or similar merchandise is freely offered for sale to all purchasers in the principal markets of the country from which exported, in the usual wholesale quantities and in the ordinary course of trade, for exportation to the United States, etc."

NEW EXPORT VALUE DEFINITION HAS TRICKY GIMMICK

Now what is the gimmick that makes a difference in this wordage, if there is a difference? There is one. The present act includes the words "to all purchasers," which the new bill omits. The present act requires that the merchandise be freely offered for sale to all purchasers. The pending bill says nothing about freely offered for sale to all purchasers. There merely has to be an offer. It can be a restricted offer. It may be a real or a fictitious offer. It can be an offer to anyone, including anyone who the exporter may know will not accept it.

As the American Cotton Manufacturers Institute put it in a brief filed with the House Ways and Means Committee, and as its spokesman, and also that of the Underwear Institute, testified before the Senate Finance Committee:

> "Export value" as defined in this bill in its association with goods, is restricted to those for exportation to the United States. If exactly identical goods are being exported at the same time to other countries at different prices, that fact cannot be taken into account.
>
> Moreover, even the goods being exported to the United States do not have to be sold competitively to qualify for "export value" appraisal. In fact, they do not have to be sold at all. It is only required that they be offered for sale; and the offer need not be made to more than one selected customer at wholesale. The purchaser, of course, is not expected to accept the offer. Should he do so the entire set of conditions, so carefully drawn for making the most advantageous export value, would be knocked down; and our particular exporter in that case would lose the business.
>
> To make sure that the exporter, along with his friendly competitors, if any, is not embarrassed by unintended acceptances, he is specifically permitted by the bill to attach strings to his offer. To the potential purchaser, or indeed to all purchasers, he may say, "I offer an X quantity of these goods at Y price for resale only in New Mexico at Y price plus I."
>
> Since the offer is meant to be unacceptable by reason of its territorial, quantitative, and resale-price conditions, it is declined.
>
> In a cartel or some other cooperative arrangement an offer and refusal would be still easier. In either case export value for American customs purposes has been established.

Apologists for the bill may say that the term "freely sold" in the definition of "export value" covers this criticism and

the omission of "freely offered for sale to all purchasers" which is in the present act.

COTTON INDUSTRY SPOKESMAN'S CRITICISM BORNE OUT

Well, Mr. President, the executive branch has taken care of that. On page 6 of the bill it defines what it means by "freely sold." "Freely sold" can be to "all purchasers at wholesale," or to "one or more selected purchasers at wholesale at a price which fairly reflects the market value of the merchandise."

Now we are back to the "one selected purchaser" which the spokesman for the American Cotton Manufacturers Institute and the Underwear Institute was talking about.

But what about the qualification that the sale or offer to one selected purchaser shall be at a price that fairly reflects the market value of the merchandise? That is easy. Those in the Treasury Department, or whoever drafted the bill, took care of that one, too. They simply avoided any definition of "market value," just as they avoided any reference to collusion or cartels.

COTTON TEXTILE INDUSTRY MARKED FOR DISASTER WHEN TRADE ACT EXTENDED

Mr. President, I would say to my friends in the textile manufacturing business that when, in 1955, the Congress extended for 3 years the 1934 Trade Agreements Act, I addressed myself, on this floor, directly to the cotton-textile producers of the South; and at that time I stated that if the 1934 Trade Agreements Act were extended, it would be the beginning of the end for the cotton-textile industry in the United States.

Only recently we have seen the textile producers hold meetings all over the area where textiles are manufactured. They are scared to death, and they should be.

When their representatives appeared before the Senate Finance Committee, I attended the meeting; I think it was held the week before last. We sat in the committee for 3 hours. Everyone there was worried about the textile business, and we had to do something about it. The question was, what should we do? We had the Chairman of the Tariff Commission there, and we asked him what to do. He said he had no authority to make any investigation unless so ordered by the Senate Finance Committee or the Senate itself, or in some other regular manner, as provided by law. So we adopted a resolution directing the Chairman of the Tariff Commission to make an investigation—which he said would take 8 or 9 months—to determine what is wrong with the textile business.

WARNINGS OVER A PERIOD OF 10 YEARS HAVE GONE UNHEEDED

Even the senior Senator from Nevada gets a chuckle once in a while, Mr. President. This is the 10th year that he has spoken on the floor of the Senate in the way he is speaking today about the 1934 Trade Agreements Act, GATT, ILA, OTC, customs simplification, and a whole group of acts or arrangements which do nothing but destroy the workingmen and investors of the United States, and are designed to do so.

When the hearing was over, the distinguished chairman of the committee, the senior Senator from Virginia [Mr. BYRD], for whom I have the highest regard, saw me chuckling a little. He knew it was coming, but he did not know just how. When the hearing was over, I said, "I know that all the members of the committee are very busy, and are tired, and are trying to end the session. But if you will speak to my little grandson, Michael O'Connor, who is just 6 years old, he will tell you what is wrong with the textile industry; it is just that apparent. There is nothing wrong with textile industry except the existence of 13- to 19-cent-an-hour labor in Japan and $2- or $3-a-day labor in Scotland and other countries, and the fact that American tariffs are away down, so that there is no evener between the wages and taxes in those countries, as compared with the wages and taxes in the United States."

INVESTMENT DOLLARS FORCED TO GO ABROAD

Mr. President, if anyone has any doubt about that situation, let him send a member of his family to a store, and see where the textiles are coming from. American investors are smart; they cannot be blamed for wanting to make some money. I blame the Congress of the United States, which makes it necessary for American investors to invest their funds in foreign firms, concerns behind the low-wage curtain. So, under these circumstances, American investors are investing in firms in Japan and elsewhere. Furthermore, many of the foreign plants have been built by means of American foreign aid.

So the trade agreement extension acts are coming back to haunt the Members of Congress who voted for them, and are doing so even faster than the Senator from Nevada thought would happen.

For instance, Mr. President, suppose Pennsylvania had $2-a-day labor, and suppose every other State of the United States were continuing to pay the wages that are being paid today—let us say between $14 and $20 a day. In that event, in 1956 there would be no industries anywhere in the United States except in the State of Pennsylvania, unless that situation could be changed.

UNITED STATES FREIGHT COSTS HIGHER THAN WATER RATES FROM JAPAN OR EUROPE

Furthermore, the overland freight rates to tidewater, on either ocean, are greater than the cheap water rates from Japan, England, Scotland, and other nations that are in this business, to the same ports. So, Mr. President, what chance does an American workingman or investor have in the long run?

There is in the Senate version of the pending bill a provision, which the State Department has advocated for many years, that if through the machinations of this legislation—which is designed for only one thing, namely, to divide the American markets with the low-wage nations of the world—and if in the course of that division there is an area where the industry is destroyed or has slackened, then this measure, if enacted, will make it possible to pay for the transportation of the workers to other areas where they might obtain jobs, and to reimburse the stockholders. That has happened already, Mr. President, even though the pending bill has not yet been passed.

Last year I spent 2½ months behind the Iron Curtain, in Russia and in the Balkans; and that is exactly the way they handle such matters, except they do not need to have legislation for that purpose. If we continue, we shall be traveling the same route. We do require legislation here, thank God.

MANY UNITED STATES INDUSTRIES TOTTERING UNDER HEAVY IMPORT COMPETITION

In the long run, what we are trying to do is to flatten out the curve, and compensate the distressed areas. The textile industry is going down. Crockery has already gone. American mines are closed, except in cases where, under a special act of Congress, payments are made for minerals or other material. Under the $35 billion war economy under which we are spending, we are giving contracts to certain producers to hold them up.

Mr. President, I have before me a document issued by the Department of Commerce of the United States, dated January 1956, and entitled "Investment in Japan—Basic Information for United States Businessmen."

UNITED STATES FIRMS AIDING JAPANESE TEXTILE INDUSTRY LISTED

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks, table No. XIV on page 103 of this document. The table is entitled "Foreign Companies Which Have Concluded Technological Assistance Agreements With Japanese Firms, May 1950–December 1954." The table deals with spinning and weaving.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE XIV.—*Foreign spinning and weaving companies which have concluded technological assistance agreements with Japanese firms, May 1950 to December 1954*

Date of validation	Foreign company	Nationality	Japanese recipient	Kind of technology	Term (years)
May 23, 1951	Joseph Bancroft & Sons Co.	United States	Takase Dyeing & Printing Works, Ltd.	Durable and washable finish of textiles by the use of resin.	15
Jan. 23, 1952	John B. Stetson Co.	do	Tokyo Hat Co., Ltd.	Manufacture of felt hats	5
Mar. 19, 1952	Julius Kayser & Co., Ltd.	do	Naigai Amimono Co., Ltd.	Manufacture of silk full-fashion hosiery	16
Mar. 27, 1952	Cluett-Peabody & Co., Inc.	do	Toyo Spinning Co., Ltd.	Shrinkproof finish of cotton textiles	5
June 25, 1952	do	do	Kanegafuchi Spinning Co., Ltd.	do	5

TABLE XIV.—*Foreign spinning and weaving companies which have concluded technological assistance agreements with Japanese firms, May 1950 to December 1954*—Continued

Date of validation	Foreign company	Nationality	Japanese recipient	Kind of technology	Term (years)
Nov. 18, 1952	Joseph Bancroft & Sons Co.	United States	Kanegafuchi Spinning Co., Ltd.	Manufacture of crease-resistant Everglaze textiles.	15
Do.	do.	do.	Daido Dyeing & Printing Works, Ltd.	do.	15
Do.	do.	do.	Toyo Spinning Co., Ltd.	do.	15
Mar. 31, 1953	Scholler Bros., Inc.	do.	Naigai Amimono Co., Ltd.	Shrinkproofing wool and mixed wool products.	10
June 2, 1953	Cluett-Peabody & Co., Inc.	do.	Fuji Spinning Co., Ltd.	Sanforized and Sanfor compressive shrinking of woven cotton, linen, and ramie fabrics.	5
Do.	do.	do.	Nisshin Cotton Spinning Co., Ltd.	do.	5
Do.	do.	do.	Kureha Spinning Co., Ltd.	do.	5
Do.	do.	do.	Toyo Sen-i Co., Ltd.	do.	5
Dec. 15, 1953	do.	do.	Hamaguchi Dyeing Works, Ltd.	do.	5
Do.	do.	do.	Ichishin Bleaching Co., Ltd.	do.	5
Do.	do.	do.	Yamatogawa Dyeing Works, Ltd.	do.	5
Apr. 20, 1954	American Viscose Corp.	do.	Toyo Spinning Co., Ltd.	Stabilization of cellulose.	18
May 4, 1954	Pacific Mills	do.	Fuji Spinning Co., Ltd.	Manufacture of bulk filament into staple.	14
June 15, 1954	do.	do.	Kanegafuchi Spinning Co., Ltd.	do.	14
Do.	do.	do.	Nankai Woolen Yarn Spinning Co., Ltd.	do.	14
July 6, 1954	Cluett-Peabody & Co., Inc.	do.	Kurashiki Spinning Co., Ltd.	Shrinkproof finish of fabrics.	5
Do.	do.	do.	Daido Dyeing & Printing Works, Ltd.	do.	5
Oct. 19, 1954	Joseph Bancroft & Sons Co.	do.	Nippon Cloth Manufacturing Co., Ltd.	Manufacture of Everglaze textiles.	15
Dec. 7, 1954	Cluett-Peabody & Co., Inc.	do.	Nitto Spinning Co., Ltd.	Shrinkproof finish of fabrics (Sanforized)	5

H. R. 6040 SO WORDED AS TO ENCOURAGE DUMPING OF FOREIGN PRODUCTS ON UNITED STATES MARKET

Mr. MALONE. As I stated earlier in my remarks, this is a tricky bill. It has been purposely made tricky so as to benefit in every way possible the foreign exporter who may wish to dump his products on the United States.

I agree thoroughly with the witness before the Senate Finance Committee who said that the bill invites foreign exporters and individuals to have a field day at the expense of the American Treasury and American industry. It does more than that. It enables them to make suckers out of Members of the United States Congress, and encourages foreign governments to continue their long maintained policies of trade discrimination, exchange manipulation, and cartel operation.

VALUE EXECUTIVE BRANCH WANTS ELIMINATED DEFINED

We have discussed the present and the proposed new definition of "export value." For the record, perhaps, also we should give the present statutory definition of "foreign value," which House bill 6040 would eliminate.

The foreign value of the imported merchandise shall be the market value or the price at the time of export of such merchandise to the United States at which such or similar merchandise is freely offered for sale for home consumption in the principal markets of the world from which exported, in the usual wholesale quantities—

And so forth. Foreign value offers a true standard of value, which our foreign friends exporting to the United States cannot juggle. It is the price at which such foreign merchandise is freely offered for sale for home consumption to all purchasers in the principal markets of the country from which the merchandise is exported. That is a one-price value. That is what the Treasury Department wishes to eliminate.

FOREIGN TWO-PRICE SYSTEM EXPLAINED

Exporters in many foreign countries operate on a two-price system—high prices for their own consumers and special or lower export prices for goods which they ship to the United States. They take what the traffic will bear, and the export trade is subsidized in order that that may be done.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. MALONE. I am happy to yield.

Mr. BARRETT. I should like to discuss some provisions of the bill. I am not familiar with the exact purpose of the bill. It seems to me that the bill might properly be considered another reduction in tariffs, rather than simplification of the procedures. Can the Senator tell me if that is true?

Mr. MALONE. I will say to my distinguished friend from Wyoming that it is one more drop of water on the wheel of lower duties and tariffs, without regard to the difference in taxes, wages, and living standards between this country and the chief competitive nation, which our duty or tariff for 145 years, from 1789 to 1934, was used to equalize. With the 1934 act as a base—everything stems from that act—foreign nations are now convening in Geneva and dividing our markets like a juicy beefsteak. This is one more act in a succession of acts beginning in 1934, to lower the tariffs or duties, this time through a lower export valuation, separate and apart from the foreign value, which is defined in the present act as being the price at which such merchandise is freely offered to their own people.

Mr. BARRETT. Is it not true that under existing law, the tariff is based upon either the foreign value or the export value, whichever is the higher? As I understand it the foreign value is the going market price in the foreign country?

Mr. MALONE. That is true. It could be easily determined. That is the thing which the bill would eliminate entirely.

Mr. BARRETT. Under the proposed legislation, we would be confined to the export value of the commodity in question, would we not?

EXPORT VALUE SUBJECT TO EASY FOREIGN MANIPULATION

Mr. MALONE. It would apply entirely and only to the export value, which can be manipulated at will through the operations of cartels, through manipulation of foreign currencies in terms of our dollar, or directly with the exporter. In many nations, if one is an exporter, and the particular nation wishes his goods exported, it will give him a greater value for his dollar. For example, in France, if it is desired to export the product of a particular exporter, he is given a greater number of francs for the dollar which he receives. If it is not desired that he export his product, the number of francs given the exporter in that transaction is reduced.

Mr. BARRETT. Is it the purpose of the bill to confine the valuation to the export value in order to simplify procedures and make it easier to compute the value of the goods brought into this country?

Mr. MALONE. That is what is said. This is called a "simplification" bill. That is a very popular type of name. It is, like dozens of other names, catchwords, and phrases, used to sell the Congress and the American people down the river. That process has been in operation for the past 23 years. Such names and slogans include "reciprocal trade," "dollar shortage," "trade, not aid," "Office of Trade Cooperation," and "International Trade Organization."

Mr. BARRETT. Can the Senator tell me why it is easier to compute the export value than the foreign value?

FOREIGN MONEY VALUES FICTITIOUS

Mr. MALONE. It is impossible to compute the export value, because of the fact that, through cartels, manipulation of exchange value, and other means, the export value can be increased by merely giving the exporter more francs, for instance, for the dollar which he receives. If it is not desired to export his product, he is given fewer francs. There is a fictitious value on the money anyway, so there is no way of getting at the export value.

Mr. BARRETT. Is there any reciprocity involved in the bill? Is there any assurance that the countries which will receive the benefits of this proposed legislation will accord to this country any benefits whatever?

Mr. MALONE. In this bill there is not even a promise of reciprocity. There was a promise of it in the 1934 Trade Agreements Act, which is avoided by other nations by the very subterfuges I have mentioned, namely, manipulation of their money values in terms of the dollar, money exchange permits, export permits, and import permits. If it is not to the advantage of the foreign country

to have anything exported or imported, no permits are issued.

In the succession of acts since 1934 there has never been any reciprocity. There is none now. This is about the first measure in which none is even promised.

Mr. BARRETT. The fact is that we do not expect any and most assuredly we will not receive any under this particular measure, if it is enacted into law.

Mr. MALONE. That is true. We would simply get a lower valuation for the export value, with no machinery left to determine the actual value. What it means is a lower export value, upon which the ad valorem duty or tariff would be computed.

Mr. BARRETT. As I understand the situation, under existing law the department is required to take either the foreign market price or the export price, whichever is the higher. It is not true that in a good many cases the foreign value is higher because of the fact that only a limited quantity of a given kind of merchandise is sold in the home market compared with that amount which is exported and furthermore taxes in some cases are imposed on the commodities sold at home that are not levied on exports. As a consequence, generally speaking, the foreign value in some cases at least is higher than the export value?

PRICE AT WHICH PRODUCT IS SOLD IN FOREIGN COUNTRIES ONLY FAIR VALUE MEASURE

Mr. MALONE. I think that is generally true. Of course, when we consider a customs question with respect to evaluating the product either way, there is not so much incentive for lowering the export value, so that there may be some similarity in the price of a foreign product as compared with a domestic product.

The only fair price is the one at which the products are sold by foreign countries to their own people. When there is no connection and we cannot check what the actual worth of the product is, then the incentive is, by manipulation of money, and by other ways, to lower the export price. If the export price were lowered to make the product cheaper to the customer in this country, it would be one thing, but what is done is that the price is lowered enough to meet what the traffic will bear and to undersell the domestic product. So a price is charged to meet what the traffic will bear, and the market is taken away from the domestic producer.

Mr. BARRETT. It seeems to me the bill is a misnomer, in that it provides, in effect, an additional reduction in the tariff, and in my judgment the bill should be so designated rather than merely a customs simplification bill.

As I understand, the Bureau of Customs made a sample survey in 1954 to determine what the valuation would be under such a procedure. Of nearly 20,000 items which were surveyed, about 17 percent were found to be the beneficiaries of a tariff reduction under a bill such as this.

Would the Senator say that statement is approximately correct?

TRADE ACT NEVER INTENDED TO BE RECIPROCAL

Mr. MALONE. I do not know the percentages, but I will say to the distinguished Senator from Wyoming that, beginning with the 1934 Trade Agreements Act, there has never been any advantage gained by the United States of America. It is called reciprocal trade. The two words do not occur in the original act. It was not intended to be reciprocal. What it was intended to do, and what it does do, and what the original act did do, was to take away the constitutional responsibility of Congress and place it in the Executive, with plenty of power to send anywhere in the world a body of men who would regulate our foreign trade, under the auspices of any organization which the President might choose to organize.

In 1939 there was created the General Agreement on Tariffs and Trade, located in Geneva. It could have been located in Moscow or Peking, and that still could be done, according to the testimony of the Secretary of State before the Finance Committee last year. When that particular trade act, which is called the 1934 Reciprocal Trade Agreements Act, was extended for 3 years, it meant that, unless repealed in the interim, it would be in effect until 1958. The way things are going now, by that time enough industries will see what is happening to enable us to stop any extension of the act after 1958.

NO ESCAPE UNDER SO-CALLED ESCAPE CLAUSE

We have no way of effective utilization of so-called escape clause once an agreement has been consummated to lower our tariff.

We make a 3-year agreement based upon a peril point determination—but once made the affected foreign nations juggle the price of their currency in terms of the dollar—invoke exchange permits—import permits and export permits and immediately nullify the effect on their own nation.

We have then signed a 3-year multilateral agreement—and there are so many penalties and recriminations that escape is impossible.

Therefore if it is desired to export a product into a country with which we have a trade agreement, the transaction has to go through at least two different operations—permission from executive offices of that nation so they can and do nullify the entire benefit.

If the authorities of that nation do not want the product imported or exported, as the case may be, they tire the applicant out through interminable delays and finally he abandons the enterprise. Therefore, no advantage has been gained by us in any one of these so-called reciprocal trades.

Mr. BARRETT. That is precisely the question which has been concerning me with regard to the proposed legislation. As I understand, the survey made by the Bureau of Customs in 1954 was a sample survey, and it was then related to the total ad valorem imports, which in that year were valued at $1,411,000,000. It was found there would be a reduction to $1,376,000,000, constituting a decrease of 2½ percent. I call the Senator's attention to the fact that there would be a substantial tariff reduction under the terms of the pending bill. The average of 2½ percent is somewhat deceiving. In some cases the decrease in valuation is extremely large. On the whole, it means the industries of this country are going to be forced to compete just that much more with low-cost producing foreign countries.

Mr. MALONE. With countries that have cheap labor.

Mr. BARRETT. With countries that have a much lower wage scale than is prevalent here in this country.

I myself think that if there were some yardstick whereby we could compensate for the difference in the cost of production, certainly private industry in this country would be able to compete and hold its own against manufacturers anywhere in the world. However, it is simply impossible to do that with the wide difference in wages paid in this country and those paid in Japan, for example, where I understand the wage-rate is one-tenth of what it is in this country.

Mr. MALONE. One-tenth or one-fifteenth. In Japan wages are from 13 to 19 cents an hour.

Mr. BARRETT. That is the way I understand it.

The situation resolves itself, then, to the point where the pending bill is in effect more a tariff reduction bill than a customs simplification bill. Is that correct? It will make an already bad situation in some cases much worse.

Mr. MALONE. I think anyone who has the opportunity to study the bill will come to that conclusion. With the press of other pending legislation, it has been all I can do, with the aid of my staff, to really study the bill. We have tried to do it. The bill is extremely complicated. I think it was made so purposely, with no other idea in the world except to lower the tariffs. It is just one more drop of water on the wheel.

I want to ask the Senator if he agrees with me. I have tried to make a study of this situation. This is the tenth year I have been in the Senate.

Mr. WOFFORD. Mr. President, will the Senator yield?

Mr. MALONE. I shall be happy to yield in a moment.

If a tariff or duty is fixed correctly, according to the 1930 Tariff Act, it is supposed to represent the difference between the cost of production in the United States and in competing countries. If it happens to be fixed accurately, and the tariff is reduced 1 percent, then there have to be reduced, in this Nation, labor and investment costs by 1 percent, or that industry will go out of business. Does the Senator agree with me?

Mr. BARRETT. Certainly. There is no question about it. What disturbs me about the bill is that, even according to the Bureau of Customs, there will probably be percentage valuation decreases of from 4 to 16 percent in the case of drugs, rubber manufactures, synthetic fibers, coffee, tea, cocoa, and a great many other commodities. It seems to me that if that is to be the end result of the proposed legislation, we ought to consider it on that basis, rather than on the basis that it is merely a customs simplification bill which will

make procedures simpler than they are now.

H. R. 6040 OBJECTIVE SOLELY TO REDUCE TARIFFS

Mr. MALONE. I would say to the distinguished Senator from Wyoming there is no other objective to the bill than to reduce tariffs. If we want simplification of customs, that is easy to work out. It is easy to work out a simplification of customs. Here there is no attempt to work out a customs simplification. The whole thing is a further reduction in valuations. There is no way of checking on the export values. European countries have used cartels ever since the Senator from Wyoming and I were born, which is a long time.

Mr. BARRETT. That is certainly true so far as I am concerned.

Mr. MALONE. So far as both of us are concerned. There has never been any intention on the part of other countries to arrive at a fair value on exports. The European countries will take what the traffic will bear. If we can sell an article for $5, they will sell it for $4.90, or at some other low price, even if it costs them only $2.50. They are smart traders. They have lived by their wits for 300 years. They have used cartels and colonial slavery, and every other means they can think of. They know what a slight cut in duty or in a tariff means. They know what a shaving of a money exchange valuation will do. They know what it means. Our people have no idea what it means. Certainly there has been no debate on the subject in Congress this session which would show that we have any conception whatever of what these things mean.

Mr. BARRETT. Most foreign producers and exporters are dominated by the idea that they must protect their own interests, and they look after themselves. Apparently in this country we feel we must look after the rest of the world rather than our own people.

Mr. MALONE. It is not the bedrock traders who do the harm. We can spot them, as we can spot the real Communists. We finally got Harry Dexter White and Alger Hiss. I am the one who got Remington out of the Department of Commerce. He was later killed in prison with a rock wrapped in a sock.

One day I asked for a committee to look into some matters in the Department of Commerce. I looked innocuous enough, and probably I am, and perhaps that is why I was given the chairmanship of the committee. There followed 2 resignations in the Department of Commerce, of 2 assistants. Remington was one of them. I am the one who got him out of the Government.

Some of these persons are very clever. They are the ones who invent those catch phrases: "reciprocal trade," and "customs simplification," and "dollar shortage," and "trade, not aid." Then the honest people of the country mouth those phrases. They think it is wonderful to have customs simplification. It would be, if that is what was meant. Reciprocal trade would be wonderful if there could be some reciprocity. We know what a "dollar shortage" is. It comes about when foreign countries fix a price for the dollar which is higher than the market price which anyone will pay for it. In that way the countries have a dollar shortage. Nevertheless, that phrase sounds good. So the patriotic people of our country mouth phrases like that. It is like a catfish in the creek that takes the bait.

Mr. BARRETT. In the Reciprocal Trade Extension Act we included a peril point or escape clause. That was designed for the purpose of giving the producers of our country a little protection. I should like to ask the Senator from Nevada whether there is any provision in the pending bill which will protect American industry in a like manner.

Mr. MALONE. None whatever. The Treasury Department itself can make any value reduction on imports it wants to without coming to Congress; that is, up to 5 percent. Beyond that it must come to Congress and ask that something be done about it. However, so long as they have the confidence of the Senate, as apparently they have, with no one analyzing the effect, there is no question that they will get what they want.

(At this point Mr. MALONE yielded to Mr. JOHNSON of Texas for the purpose of considering a unanimous consent agreement to limit debate on Mutual Security Appropriations for 1957, which, on request and by unanimous consent, was ordered to be printed in the RECORD at the conclusion of Mr. MALONE's speech.)

Mr. BARRETT. Mr. President, I should like to ask the Senator from Nevada this question: As I understand it there is a provision in the bill providing a 5-percent limitation on the amount at which the export value could fall below the foreign value before the State Department would be requested to take some action. Is that not an average deviation, rather than an actual 5-percent straight out reduction?

Mr. MALONE. I am not exactly sure about the average. That is the trouble with averaging duties in tariffs. Some may amount to 5 percent, some to 1 percent, and others to more than 5 percent. A 5-percent reduction might hurt someone, whereas a 1-percent reduction would not injure an industry. It is like having many pairs of pants that do not fit anyone. I do not know what the effect would be.

Mr. BARRETT. It seems to me that in some cases the export value might be 15-percent below the foreign value in a particular country, and in several others it might be pretty much the same so that there would be little or no relief in such a safeguard. But the average would still be within the 5 percent limitation. Consequently, I cannot see where there is any protection from this so-called safeguard.

I should like to ask the Senator if during the debate today a proposal will be offered which will revise section 2 of the bill.

Mr. MALONE. I have an amendment that I may offer which would revise it, but we should really use the American value of a product. The Tariff Act directs the Tariff Commission to compare the foreign production cost with the American production cost. Why should we beat around the bush?

Mr. BARRETT. It seems to me the Senator is correct. If we are going to make a change in a practice which has been in effect for 20-some years, it would seem to me that we should safeguard American industries to the point where they will not be any worse off than they are at the present time, and it should not amount to a general reduction in tariffs.

SENATE SHOULD WRITE OWN BILLS—NOT EXECUTIVE BRANCH

Mr. MALONE. I will say to the distinguished Senator that what we should do is to write a bill ourselves. The Senate of the United States should write one bill. Never since 1934 has the Senate ever written a bill. This bill comes from the Treasury Department. It was written by persons who are interested in making it easier to import goods. The 1934 Trade Agreements Act might have been written in London; it was certainly written some place other than the United States. The Senate committees get bills and have to ferret out the trick wording and the trick approach. Let the Senate Finance Committee write a bill of its own and really simplify the customs. That is where it should start. Let Congress write it from its own standpoint.

The Constitution of the United States provides that the legislative branch "shall have power to lay and collect taxes, duties, imposts, and excises," and to regulate foreign commerce. The 1934 Trade Agreements Act transferred that responsibility to another organization. The Constitution does not say "may"; it says "must." The act transferred that responsibility to the President of the United States, with full authority, so the Secretary of State testified in 1954 on H. R. 1, to locate that authority any place on earth. In 1947 it was located in Geneva under the auspices of the General Agreement on Tariffs and Trade. That institution started with about 22 members and now has 35, each having 1 vote. They sit in Geneva and reduce tariffs on American goods, at the same time making some kind of a reduction on paper on foreign imports. Then they nullify the purpose of the act, as I have explained so many times on the floor of the Senate, by manipulation of currency values, or through application of their empire preferential rates, which GATT specifically states they may do. They can control rates, as England controls them in the Malayan States. They have empire preferential rates. When they make one of these agreements it is a multilateral agreement of 35 nations. Then there is a most-favored-nation clause.

Mr. BARRETT. If it is a general agreement made with the other 34 nations, each 1 of those countries has as much to say about the degree of tariff protection afforded to American industry.

REPEAL OF TRADE AGREEMENTS ACT REAL SOLUTION

Mr. MALONE. That is correct. It is a case of 34 to 1. The President of the United States could send them to Moscow or to Peking, and Congress would

have nothing to say, unless it should repeal the act. I have a bill to repeal the act. My bill was introduced on January 12. The argument has been reprinted and is available. We must repeal the act and repeal the basis for all this stuff and get back to the constitutional responsibility of the United States Senate and of the House of Representatives. We should adjust our duties and tariffs through the Tariff Commission, an agent of the Congress, on a basis of fair and reasonable competition, so that we will be back in business and an American businessman will not have to spill his heart's blood in front of a Government bureau in order to protect his investment.

Mr. BARRETT. The Senator referred a moment ago to the action taken by the Committee on Finance. Am I correctly informed that the bill was reported by the affirmative vote of only seven members of the committee, with a couple other members of the committee voting to report the bill with reservations?

Mr. MALONE. I am not certain. If a Senator votes to report, it is a vote to report. Several Senators who voted to report the bill have said they did so with reservations. At least two other Senators—I shall not quote them directly—have said indirectly that they were against the bill and would argue against it.

Mr. BARRETT. Then the report was not by any means a unanimous report of the committee?

Mr. MALONE. It was not a unanimous report; and there was some grumbling by several Senators who did not sign the minority views.

(At this point Mr. MALONE yielded to Mr. JOHNSON of Texas for the purpose of propounding a unanimous-consent agreement. The colloquy incident thereto appears in the RECORD at the conclusion of Mr. MALONE's speech.)

Mr. MALONE. Mr. President, the distinguished Senator from South Carolina [Mr. WOFFORD] previously asked me to yield. I see he is present, and I yield to him.

Mr. WOFFORD. The bill is called a customs simplification bill. Is that correct?

Mr. MALONE. I have already described what I think about the title.

Mr. WOFFORD. In substance, is it not true that the only simplification involved in the bill is that there is a cut in tariffs? Is not that what it amounts to?

Mr. MALONE. In final summation, it is another drop of water on the wheel, cutting duties and permitting goods produced by cheap labor in countries in Europe and Asia to compete with products made in America, with its higher standard of wages. That is exactly what it is.

Mr. WOFFORD. In substance, is it not really a back-door approach to tariff reduction, rather than a direct tariff reduction?

Mr. MALONE. I am very glad the Senator from South Carolina is present and is making this contribution. Over the years, I have debated the question. I remember I said at one time that they come through the door. When the door is shut, they come through the window. When the window is shut, they come up through the cellar floor. They are now coming up through the cellar floor.

Mr. WOFFORD. Will the bill or will it not directly affect the textile industry of the United States?

Mr. MALONE. It is just one more drop of water on the wheel to help destroy industry. It is practically destroyed now. If today we were assured of world peace and there would no longer be any necessity for defense contracts, the economy of this country would be destroyed in 60 days. We are operating in a war economy, while our markets are being taken away by foreign investors, and by many of our own investors in foreign countries. I have been told by representatives of chemical industries that, while they do not want to go to foreign nations and establish branch plants there, they will either have to do so, if the present policy continues, or go broke. That policy doesn't help South Carolina very much.

Mr. WOFFORD. Reference has been made to the percentage of reduction, and it was figured to a pretty narrow percentage. There was also reference to an analysis, which I assume was made by the Bureau of Customs. A survey was referred to. I should like to ask the Senator whether or not it is true that the analysis which was made and the testimony which was given related to an average of a sample, and a very small sample, of all industries in this country.

Mr. MALONE. I think it did. It would be very hard to prove what would be an average. However, I can say to the distinguished Senator from South Carolina that the more one studies these approaches, which are founded on the basic law of 1934—which was the start of all this trouble—the more one will find that there have been greater and greater reductions made in tariffs imposed on products made in cheap-labor and low-cost-of-production countries as compared with the United States. That policy has been cumulative. The party of the Senator from South Carolina started it. My party is continuing it. I say it is worse for my party to do it, because we ought to know better.

H. R. 6040 OFFERS FIELD DAY TO FOREIGNERS AT UNITED STATES EXPENSE

Mr. President, as I stated early in my remarks, this is a tricky bill. It has, I think, purposely been made tricky to benefit in every way possible the foreign exporter who may wish to dump his products on the United States.

I agree thoroughly with the witness who said that this bill invites foreign exporters as individuals to have a field day, at the expense of the American Treasury and American industry. It does more than that; it enables him to make suckers out of the Congress of the United States, and encourages foreign governments to continue their long-maintained policies of trade discrimination, exchange manipulation, and cartel operations.

We have discussed the present and the proposed new definition of "export value." For the RECORD perhaps we should also give the present statutory definition of "foreign value" which H. R. 6040 would eliminate. It is as follows:

> Foreign value: The foreign value of imported merchandise shall be the market value or the price at the time of exportation of such merchandise to the United States, at which such or similar merchandise is freely offered for sale for home consumption to all purchasers in the principal markets of the country from which exported, in the usual wholesale quantities—

And so forth. "Foreign value" offers a true standard of value which our foreign friends exporting to the United States cannot juggle—the price at which such foreign merchandise "is freely offered for sale for home consumption to all purchasers in the principal markets of the country from which exported."

That is a one-price value. It is what the Treasury Department wants to knock out.

FOREIGN CARTELS FAVOR TWO-PRICE SYSTEM

Exporters in many foreign countries operate on a two-price system—high prices for their home consumers, and special or lower export prices for goods they ship to the United States.

Witnesses before Congressional committees have testified as to specific cases. Even proponents of this bill, including the spokesman for the Council of American Importers, stated that "foreign value," which has these safeguards, results in higher duty appraisals and higher dutiable values. I shall refer in greater detail to his testimony later in my remarks.

The present law protects American producers against foreign 2-price systems, which are a favorite device of foreign cartels. H. R. 6040 would encourage 2-price systems.

It is common knowledge that the major foreign producers, through their rigid market controls, can establish United States export prices that have no relation to costs. They can rig prices in their home market and dump their low-wage products on the American market at cut-rate prices to eliminate American competition. After American competition is eliminated, they raise their prices to whatever the market will bear.

It has been done repeatedly. In other words, the argument that the American people are entitled to the lower price of foreign goods—produced as a result of low-cost labor, taxes, or cost of doing business—and that we should allow the goods to come in, is not sound, because the moment the competitor is out of business or subdued, the price of the competitive product is raised to whatever the market will bear.

SAFEGUARDS TO AMERICAN PRODUCERS ELIMINATED IN BILL

The senior Senator from Nevada cannot believe, Mr. President, that the people who drafted H. R. 6040 were oblivious of these facts. They were a bit too subtle in eliminating such safeguards as may still remain to American producers, a bit too eager to remove all curbs against foreign producers manipulating values and prices to our disadvantage.

This is a trick bill.

Now let us go to the next standard of value in H. R. 6040—United States value—and see what has happened there.

United States value is to be used when export value cannot be readily determined.

Its use usually is limited to circumstances such as these:

First. Goods manufactured by American owned and controlled industries abroad which export them back to the United States under their direct control. There are many such industries, Mr. President, and obviously the standards for export value cannot apply to them with any degree of accuracy.

Second. Goods manufactured abroad under exclusive contracts and restrictive as to delivery. This is somewhat similar to the above, Mr. President, but some American firms or importers prefer the contract method to direct ownership of plants abroad.

Third. Goods handled exclusively by a single exporter so that the test under the export-value provision, even as diluted in H. R. 6040, would not apply.

Fourth. Goods of a type not previously exported to the United States.

LIMITATIONS TAKEN OFF PROFITS, COMMISSIONS IN DEFINING IMPORT VALUES

Now, to come under the United States value classification, the goods must have a United States wholesale price determined by sale or offer of sale of the same or similar goods from the same foreign country in the principle market of the United States.

In the present law the offer again applies to all purchasers. In H. R. 6040 "all purchasers" is eliminated, and "for domestic consumption" substituted. In the present law allowance is made for duty, cost of transportation, insurance, a commission not exceeding 6 percent, profits not to exceed 8 percent, and general expenses not to exceed 8 percent on purchased goods.

H. R. 6040 takes the lid off commissions, profits, and expenses and wipes out the percentages. This again is a tariff-reducing gimmick. The larger the claimed deductions for commissions, profits, and general expenses, the lower will be the dutiable base, and the lower the duties which will be assessed. It is a ripe field for tricky claims and kickbacks.

Mr. President, there is another interesting gimmick in the definition of "United States value." H. R. 6040 permits deductions in calculations of such value of Federal excise taxes imposed on wholesale transactions in the United States. The effect is to permit allowances for taxes of this nature in the amount or to the extent an American producer would have to pay them on a similar product, and represents another lowering of dutiable value on the imported article or goods. Such deductions are not permitted under the present law.

Again may I say, Mr. President, that this bill has been very carefully—or craftily—drafted to give the advantage to the foreign producer and exporters. "All the bases" have been covered.

"CONSTRUCTED VALUE" REPLACES COST OF PRODUCTION STANDARD

Mr. President, in the present law the next category under which imported goods are evaluated for duty purposes is "cost of production", with a category which includes a percentage base in considering profits and expenses. H. R. 6040 changes this to "constructed value," and eliminates the percentage checks.

The last valuation is "American selling price." In the present law, "freely offered for sale for domestic consumption to all purchasers" is again a determining factor in valuation.

H. R. 6040 eliminates the "all purchasers", and makes the same generous modifications in the "offer for sale" definition as it does under "export value." It is a tricky bill.

None of the provisions, definitions, or sections of the new bill which I have just discussed have been changed by the Senate Finance Committee. They are identically the same as when they passed the House.

ORIGINAL BILL MODIFIED TO "WET DOWN" OPPOSITION

What the committee has done is to add at the end of the bill a new section designed to "wet down" some of the opponents of H. R. 6040. Like the bill, the amendments, with the execption of five lines at the end of the bill, were submitted by the Treasury Department, and presumably were drafted by it. I do not think American industry is going to be happy about them, either.

Let us take a look at the so-called compromise amendments which the Treasury submitted in an 11th-hour effort to obtain favorable committee action on the bill. The amendments were accepted and the bill was reported by a divided vote.

Mr. President, if you have the bill before you, the amendments should appear on page 17, beginning with line 4, and following. Not a single substantive provision, new valuation category, or definition has been changed; only their application has been changed. In other words, the amendments relate to how, when, and whether new valuation standards shall be applied.

LISTS TO BE PREPARED BY TREASURY SECRETARY

The Treasury amendment provides that, if and when this bill is passed, the Secretary shall make a preliminary list of imported products which would experience a value reduction exceeding 5 percent if the bill's valuation criteria were applied. In preparing this preliminary list he shall make such investigation "as he deems necessary." The articles appearing on the list would continue to be valued for duty purposes in the same manner as they are now. Articles not on the list would be valued under the new rules and criteria.

An American manufacturer, producer, or wholesaler who has "reason to believe" that articles imported from foreign countries in 1954, like or similar to those he produces, should have been included on the list, but have been omitted, is given 60 days to complain to the Secretary of the Treasury. If he does not complain, he is out of luck for that year, at least.

If he does complain, the Secretary shall cause to be made such investigation as he deems necessary. If the belief of the manufacturer, producer, or wholesaler is upheld by the Secretary's investigation, the articles involved will be added to the preliminary list, and be appraised under the old rules. The list of foreign 5-percenters will then be published as a final list.

SUCCESSIVE LISTS TO BE PREPARED FOR 3 YEARS

As soon as practicable after the expiration of each of the 3 succeeding 12-month periods, following publication of the first final list, the Secretary, again after such investigation as he deems necessary, shall publish successively second, third, and fourth preliminary lists of articles which he shall have determined would experience a 5-percent duty reduction under the old standards of valuation. Then the same procedure for appeal by American producers would be followed; and the Secretary would make such investigations as he deems necessary, would pronounce his findings, and would publish another final list.

As the Treasury wanted it, after the fourth final list, the new valuation rules would automatically become applicable to all United States imports, if Congress did not take any action. This last was a little too much for the committee. It appended its own amendment, at the end of the bill, to require that Congress do act, after submission of the final list, to determine the future application or date of repeal of the new valuation procedures.

Mr. President, all this is very complicated, and it is also very tricky.

REDUCED VALUATIONS CAN HARM MANY INDUSTRIES

Inherent in these amendments is the assumption that a 5 percent decrease in valuation is of no significance to American industry, manufacturers, wage earners, and other producers. This is not true.

In America today there are industries that are operating on a net profit of less than 2 percent, and there are industries that are operating on no profit at all, and are going broke. If even another small concession in duty assessments is made to foreign competitors, it will be a serious, and possibly a fatal, matter to many of these industries and producers.

The bill is still a tariff-reducing bill, even if the overall cuts are smaller than those which the Treasury Department first proposed. The amended bill provides for arbitrary and across-the-board tariff reductions which are automatic, rather than the gradual and selective reductions advocated by the President.

Of course our tariff reductions have never been gradual, and, in my opinion, they have never been selective. But at least there was a pretense that they were negotiated with foreign countries.

The reductions provided by this bill are unilateral. No foreign country will offer us anything in return, or will pretend to offer us anything for these concessions. These will be give-away reductions.

PERIL POINT AND ESCAPE CLAUSE FICTITIOUS REMEDIES

They are reductions to which neither the peril-point, escape-clause, nor national-security remedies, provided by the Congress for the protection of domestic industry, apply. However, in my opinion that is not too significant.

Mr. President, in that connection let me say that at different times I have discussed on this floor the peril-point and escape-clause provisions, neither of which was effective or was intended to be effective. By means of a short definition under the peril-point provision, the Tariff Commission could be required to declare at what point, in reducing the tariffs, a certain industry would be imperiled.

PERIL POINT DETERMINATIONS EASILY EVADED BY FOREIGN COUNTRIES

Suppose the Tariff Commission determined exactly what that point was, which, of course, should be the tariff. After that determination a 3-year trade agreement is made, which cannot be rescinded except under the escape clause, which I shall discuss later. Five minutes after the ink is dry, the foreign country adjusts the price of its money in terms of the dollar, and places in operation the many other subterfuges which defeat the obvious intent of the act. Then the peril point previously found is no longer effective, but the trade agreement is effective for 3 years. So it never had any force or effect. It was merely a subterfuge to wet down the American people for the extension of the act.

Next, there is the escape clause. Everyone is familiar with the fact that there is no real escape from a trade agreement once it is made, because of the many penalties which are exacted under the act if the escape clause is used.

FINAL DETERMINATION IN ESCAPE CLAUSE CASES MADE BY PRESIDENT

Those so-called recourses of stricken industries are largely a pretext and a sham anyway. Whatever the findings of the Tariff Commission, the President makes the final determination on the advice and counsel of his secretaries; he has the final word.

But at least they are provided in tariff statutes, and they are omitted from this bill.

The bill now before us provides for a series of reports to Congress, but it makes no requirement and sets no specific standards for either the reports or the investigations which precede them. The secretary makes only such investigations as he, the secretary, deems necessary. The standards by which they shall be conducted or by which the 5-percent lists are prepared are left to the secretary's discretion. Anyone familiar with customs matters knows that it is possible to group imported articles for listing in such a manner as to becloud or preclude a realistic determination of the effects which the changed valuations will have on imports.

Even when the secretary prepares such lists, all he has to do is publish them. He is not required to make public the basis of his findings or any of the supporting data which he used in making his determinations.

AMERICAN PRODUCERS DISCRIMINATED AGAINST GIVEN LITTLE TIME TO ENTER PROTESTS

Mr. President, this bill also puts the squeeze on any American producer, manufacturer, or industry which may wish to protest against the failure of the Treasury to put on the Treasury list the foreign product competing against him, and thus by this commission enabling the foreign company or exporter to enjoy an extra bonus tariff cut. The bill allows the American producer only 60 days to protest, and then only if he has "reason" to believe he has been discriminated against in favor of his foreign competitor.

Sixty days is too short a time, as anyone knows who has ever sought such simple information as what goods are being imported, to say nothing about data on the amounts of duty charged.

To find out what commodities are being imported, in what quantities, in what values, total, not broken down by items, and from what countries, one may call the Commerce Department or the Bureau of the Census. The very latest reports of this nature are for April. They were issued July 17. That is a time lag of more than 10 weeks between the fact and the report. These are reports only on quantity and total value, by commodity group and country. They contain no data on duty assessed or the methods of duty valuation. To determine those facts, if he can, is, under this bill, the task of the producer. This bill gives him 60 days from "scratch" to do it.

MUCH NEEDED INFORMATION UNAVAILABLE TO VICTIMS OF H. R. 6040

Actually much of the information necessary to domestic producers to show reason to believe they are being discriminated against, simply is not available to them, so this provision in the bill is merely a scheme to make it appear that a remedy is available to American producers which is not there.

Remember, the amendment was drafted by the Treasury Department in an effort to save their bill by leading both the Senate and the American producer into a blind alley.

This bill is a major step backward from the Customs Simplification Act of 1954. Congress in that measure provided for a study of tariff reclassification by the Tariff Commission, an agency of Congress.

NEW BILL NEGATES 1954 SIMPLIFICATION ACT SAFEGUARDS

In the 1954 act Congress specifically prescribed that the simplification purposes be achieved, if at all possible, without changes in the tariff. This bill completely negates and nullifies that stipulation. It is a bill to cut tariffs.

Congress also directed that whenever any changes in the level of the tariff might be required, the Tariff Commission should give public notice of that fact, and afford a reasonable opportunity for parties interested to be present, to produce evidence, and to be heard at public hearings with respect to the probable effect of such suggested changes on any industry in the United States. This is the fair way, the American way.

H. R. 6040, drafted by the Treasury Department or someone associated with it, carefully omits these safeguards. It is a bill drafted to benefit the foreign producer and denies the American producer even his day in court. It is a tricky bill.

FOREIGN COUNTRIES LONG SKILLED IN MANIPULATING MERCHANDISE PROCEDURES

Foreign producers, of course, have long had the power to manipulate their merchandising procedures in such a way as to achieve almost any end result they wish to. They are past masters in the arts of trade. England has been living on trade for 400 years. She has preference arrangements with all the commonwealth countries.

These are called empire preferential rates. Every empire country which controls colonies has such arrangements. They are recognized by the nations which get together to divide up our markets. We are only 1 member, with 1 vote out of 35.

Great Britain manipulates the pound to meet whatever tradesmen may consider their advantage. France has similar preferences with her colonies. So does even little Portugal.

It will be quite within the power of all foreign trading nations to manipulate their merchandising procedures so as to effect exclusion of their export products from the Secretary's list and thus obtain all the tariff cuts this bill would allow.

There are many ways they can do this. For example, they can manipulate their trade practices so that no foreign value could be found at the time the preliminary and final lists were prepared.

H. R. 6040 OFFERS INCENTIVE FOR FOREIGN MANIPULATION AND DUMPING PRACTICE

Even the Treasury Department witness before the Senate Finance Committee felt impelled to admit that—

> Foreign exporters are now in a position to so conduct their affairs that the export value would be used in most cases.

Of course they are, and of course they would. This bill would be a direct incentive for them to do so, and doubtless was drafted with that purpose in mind. The aim is to lower valuations and thus increase imports.

Once having accomplished the appraisement of their products under these new bargain-basement value provisions, and after publication of the final 5-percenter list, the foreign producers would be free to resume their old practices of exporting their products to this country far below the foreign value, without being subject to the automatic check against this practice provided in the present law. There would be nothing to stop them.

The fact that the committee amendment in the last four lines of the bill provides that Congress must take affirmative action to remove an article from the fourth and final list and subject it to the new value standards is no protection against these foreign practices.

If anything, this amendment enhances the opportunity for foreign producers to engage in dumping practices to the detriment of American producers and the national economy.

ANTIDUMPING PROVISIONS OF PRESENT LAWS WEAKENED

Even the last remaining antidumping provision of our tariff laws for the protection of our domestic industries would be substantially weakened by the amended bill. With the elimination of foreign value under H. R. 6040 the foreign value data now collected by the customs service would be severely curtailed.

The information available to the Government, the American producer, the Congress and the public will be lessened and curtailed under this bill, which could be one reason its proponents so ardently seek its enactment.

The amendments to H. R. 6040 provide that the Secretary will publish a preliminary list of articles which were imported in fiscal 1954, and which would have been appraised under the amended bill at 95 percent or less of the average value at which such articles actually were appraised.

TREASURY FACES ENORMOUS TASK

Now let us see how great a task this would be. The Secretary's annual report for fiscal 1954 states that there were 1,472,000 invoices handled in 1954. Each of these would have to be reexamined to properly identify those pertaining to articles whose duties are based in whole or part on value. That is assumed that the Secretary followed the clear intent of the amendments to this bill. When the Treasury Department did present some data on imports to the Senate Finance Committee, they admittedly used only a limited sample because obtaining data for a complete picture would have been costly and difficult. So what did the Treasury Department give us? I will tell you.

They gave us a 5 percent sampling of fiscal year 1954 dutiable entries at New York, and Laredo, Tex., and a 2½ percent sampling at six other ports. From the customs offices in our other ports and border stations they gave no sampling at all.

What would they do under H. R. 6040's amendments? Would they seek to get by with a mere sample in preparation of their lists? Or would they do a complete job as intended under the amendments to H. R. 6040?

If the latter, they would still have 95 percent of the job to do in New York and Laredo, Tex., 97½ percent of the job in 6 other ports, and 100 percent of the job in all the other points of entry where customs offices are maintained.

COST, MANPOWER PROBLEMS POSED

How much manpower will be required at what expense, just to effect a small decrease in duty or tariff costs to benefit our foreign friends? The Treasury Department which drafted this 5-percenter plan, has not given us those figures.

In the sampling I have reported above, customs personnel made 19,908 recomputations of dutiable values. To do a 100 percent job just at these ports, omitting all the others, would require more than 20 times that number of recomputations or more than 398,160 recomputations. So should H. R. 6040 be enacted with these amendments—the House conferees may choose to cut them out—we may expect the Treasury Department back here next year calling for greater appropriations to meet the payroll for a substantial increase in personnel. The Treasury Department is not the only department of our Government which proposes programs to increase their workloads and consequently their personnel. It has become an old custom which increases the burden on our taxpayers.

Amendments to H. R. 6040 which were prepared by the Treasury Department to make the bill more palatable, or seem more palatable, to the committee and to the Senate, would, moreover, continue this increased workload for 4 long years.

Assuming that the Secretary can get over the task of compiling the first list, he must face the task of compiling the second, third, and fourth lists in the same way.

CUSTOMS SERVICES TO PUBLIC FACE IMPAIRMENT

If he tries to spread the work among the present customs personnel, what happens to the regular day-to-day service which customs is supposed to render, and to the prompt disposition of customs entries? The customs service already is overburdened with the problems of increased imports which are the result of direct tariff cuts under trade agreements, such as the recent one with Japan, and under GATT.

The lists, of course, would not necessarily carry the same items year after year. Items appearing on the list are to be appraised under the present value standards while those not listed would be appraised under the rules provided in the amended bill.

This on-again, off-again character of the lists not only will confound and confuse the customs service and its personnel, but would require that American producers maintain a sort of "watchdog" role for 4 long years or face being discriminated against by their own Government.

CUSTOMS CONFUSION—NOT SIMPLIFICATION

This is not customs simplification. It is customs confusion, which would continue permanently because after publication of the fourth and final list certain imported articles would be valued under the value rules provided in the amended bill, and other imported articles would continue to be valued under the present value rules.

There is nothing in this bill, as I have stated before, that benefits the American producer, the American taxpayer, or the Government itself.

What is the professed objective of the Treasury Department in advocating this bill which would mean a substantial reduction in such duty protection as remains to American producers, a tremendous increase in the workload of customs personnel, and undoubtedly increased costs for decreased customs services in the interest of the American public.

The Treasury Department has testified that the bill would simplify customs procedures, and I quote: "Primarily by eliminating the necessity for a great number of investigations in foreign countries.

Well, just how great is that "great number"?

FOREIGN INVESTIGATIONS PROBLEM MINUTE

The 1955 report of the Secretary of the Treasury states that there were exactly 420 foreign investigations involving both classification and value problems. Four hundred and twenty foreign investigations out of a total of 1,632,000 invoices.

This is less than three-one hundredths of 1 percent. A great problem.

It is for the professed objective of solving this problem that the Treasury Department would cause wholesale tariff reductions on imports competing against American producers and for the rich American market.

It is to reduce a mere 420 foreign investigations that the Treasury Department says it will conduct investigations in all American ports and stations where customs offices are maintained, over a period of 4 years, of all imports subject to ad valorem duties.

It is to reduce the number of foreign investigations—420 in all—that, according to the Treasury Department, it is willing to investigate the complaints of American producers who contend they have been discriminated against by the Treasury Department in the preparation of Treasury Department lists, with the Department, of course, investigating itself in such manner as the Secretary deems necessary, and passing its own judgment.

It is to reduce the number of foreign investigations from 420 to some unstated estimate that the Department, if we are to credit its testimony, seeks to reduce duty valuations which in turn reduces duties, at the risk of injuring scores of American industries, the investors and wage earners in these industries, and the national economy.

SENATOR CALLS TREASURY CLAIM "FEEBLE PRETEXT"

The senior Senator from Nevada considers such a feeble pretext for the Treasury Department's submission of this bill incredible.

Why should the necessity for conducting a mere 420 foreign investigations be such a hardship when to reduce them the Department is willing to make tens of thousands of investigations here in America, for the sole purpose of reducing the number of foreign investigations?

Has it come about that we are so eager to appease foreign producers and competitors that we do not even wish to investigate those who have falsified, erred, or been confused in the matter of values on goods subject to ad valorem duties intended for export to the United States?

Have we become so supine that we do not even wish to inquire into foreign trade manipulations against our interest?

Why should we be so concerned about sensitiveness of foreign producers when we have shown little or no concern for American producers since the Trade Agreements Act was passed in 1934?

Mr. President, I find I cannot swallow this Treasury Department dish.

H. R. 6040 A SIDE-DOOR APPROACH TO TARIFF REDUCTION

With all due respect to the Treasury Department witness who testified before our committee, I do not believe that a

reduction of a mere 420 foreign investigations is the objective of this bill at all. The witness is an honorable man, a fine man, and I like him. I think he believed every word he said. But I also think that he, like so many of us, had been sold a bill of goods.

The real objective of this bill is to reduce tariffs.

Why should anyone wish to take this side-door approach to reducing tariffs?

Congress has been voting the executive branch permission to reduce tariffs for 22 years.

Article I, section 8, of the Constitution declares that regulation of our foreign commerce and the laying of duties and imposts—meaning tariffs—is the responsibility of Congress.

CONGRESS DUMPED TARIFF RESPONSIBILITIES IN EXECUTIVE'S LAP

But Congress in effect has repealed this part of the Constitution. It has nullified it by passing this responsibility on to the Executive. The Executive passed it on to the State Department, which passed to on to the international GATT.

So Congress has not directly reduced tariffs. It has merely said "let George do it"—meaning the executive branch or GATT. In any event tariff reduction for the past 22 years has been no problem to the one-worlders, free-traders, and others willing to sacrifice our jobs and markets to the advantage of foreign nations.

In a previous administration the Treasury Department was very active in promoting schemes for reducing tariffs, a subject on which I may elaborate later in my remarks. But in recent years it has left tariff-cutting largely to the State Department.

Now comes the Treasury Department with a new tariff-whittling approach, an indirect approach, which has no connection with the Trade Agreements Act, but may, as I shall point out elsewhere in my remarks, have considerable connection with GATT.

NEW TARIFF CUTS WILL BE ARBITRARY

The new approach is the arbitrary, unilateral approach, that requires no negotiations, no notification, no hearings, no pretext of relief such as the peril point and the escape clause; no extensions by the Congress, but just cuts tariffs on imported ad valorem goods on which 1954 values would not be more than 5 percent above the values had they been appraised under the relaxing provisions of H. R. 6040.

The new approach was presented last year to Congress by the Treasury Department without any 5 percent differential. The new, or lower, values in that bill were to apply to all imports subject to ad valorem duties.

The House Ways and Means Committee reported out this across-the-board bill, not, however, without strenuous objection from some of its members. The bill then passed the House.

Hearings were held on the across-the-board tariff-cutting bill before the Senate Finance Committee. These hearings were more extensive than those held before the House committee, and major defects in the bill were brought out.

The Senate Finance Committee kept the bill in committee and did not report it.

This year the Treasury Department was back with what it chose to call a compromise, the 5-percent compromise I call it, for that is just about what this so-called compromise amounts to. It proposed amendments which were introduced by request.

Hearings were held, the scope of which Members of the Senate can readily determine by the hearings which were published just this week.

OFFICIAL SPOKESMAN FOR H. R. 6040 NO LONGER WITH GOVERNMENT

The Treasury Department official who testified last year had left the Department before the new hearings were held. He had returned to his law practice in another State, a practice in which I hope he is successful. He had been gone from the Treasury Department for some time.

The Treasury Department now had the problem of who would appear before the Senate committee to explain the so-called compromise or, in other words, the amendments to the House-passed bill.

So they sent for this gentleman who had testified last year and asked him to take time out from his private profession and come before our committee to explain the amendments.

I do not know why the Department felt this was necessary. Could it be that there was no one remaining in the Department after this gentleman's departure who could explain the bill and its amendments? Could it be that no one else was sufficiently informed about the bill to present it in its amended version to the committee? Or could it have been simply that the Treasury Department thought this former official in the Department who had resigned the Department some time earlier in the year, would be more persuasive on the committee members. I do not know. He is a very personable gentleman.

He came here and called on members of the committee. I know that he visited my office and I assume he extended other members the same courtesy. We had a very pleasant chat, although it was a waste of time because when he was through extolling his bill I was just as much opposed to it as previously.

Then the gentleman testified before the committee in behalf of the Treasury Department, but as a private citizen. He offered certain assurances in behalf of the Department, but; as a private citizen there is a question in my mind as to whether any of these assurances commit or bind the Department at all, because he is no longer an official of the Department, but a private citizen.

Whatever the case, he apparently is the only person in the United States who the Treasury Department felt could properly explain this bill to the committee.

PURPOSE OF NEW APPROACH TO TARIFF SLASHING EXAMINED

I must agree that it is a very complicated bill. It would be, because it is a new approach to this tariff-cutting drive that has so obsessed the executive branch for the past 22 years.

Why should the free-trade contingent in the executive branch be so eager to put over a new approach to their tariff-chopping program when, for 22 years, they have been so successful in selling their old program to the Congress?

The old approach has been through the Trade Agreements program, which is operated by the State Department, and through GATT, also through the State Department, although GATT has never been submitted to the Congress or approved by Congress.

Together, through the Trade Agreements program and GATT, tariffs have been slashed three times. First in 1934 they could be slashed 50 percent. Then, after 1947 they could be slashed another 50 percent under the existing duties, or a total of 75 percent. Last year they were authorized to slash tariffs another 15 percent, the cuts to be spread out over a period of 3 years.

Most of the reductions already have been made, and for the entire 3-year period. They were made at a recent session of GATT.

TRADE ACT INTERNATIONAL SOCIALISTIC DEVICE TO AID FOREIGN COUNTRIES AT OUR EXPENSE

Then why are they so arduous in their advocacy of an entirely new approach?

I think I know the answer.

The old approach has sickened a good many of our citizens, and a great segment of our economy.

It has brought hardship to many industries, to investors, and to hundreds of thousands of American wage earners.

It has never fulfilled any of the promises made to the American people of what it would accomplish.

It has posed, and still poses, a constant threat against the American producer.

It has been exposed as an international socialistic device to benefit foreign countries at the expense of America and American taxpayers.

The American people are rapidly awakening to its dangers and to its ever-constant menace to their livelihoods.

OPPOSITION TO TRADE ACT MOUNTS

The opposition to the program has grown tremendously in the last several years, particularly since last year, when Congress enacted H. R. 1, to extend the free trade, trade agreements program for 3 more years.

Incidentally, the 1934 Trade Agreements Act has been periodically extended beyond the original 3 years. Last year it was extended for 3 more years and will next expire in 1958. I hope the Senate will refuse to continue it the next time it expires.

The opposition grows continuously, and from information I receive it is growing in all parts of the country, including New England, the South, the Midwest, and the West.

The opposition will continue to grow as more and more American industries, wage earners, and investors are hurt by the Trade Agreements Act and GATT.

CONSTITUTION HOLDS ANSWER WHILE BUREAUCRATS SEEK TRICK REMEDIES

I might say, however, that while the people are awakening to this danger, many persons have forgotten that the

Constitution provides for the protection of the American workingmen and American investors. Instead of going back to the Constitution, reading it one more time, and then applying it, the Government is still trying to find some trick remedy, such as quotas, or some way by which to allow a bureau to direct when certain things shall be done to protect American industry. But the easiest thing on earth to do is simply to remember that we have a Constitution, which was written by persons who had had experience with such difficulties. We ought to remember that the colonials, who fought the Revolutionary War, had had everything happen to them that could have happened to a colonial nation. They were the first to break away from a system which has today spread all over the world.

STATE DEPARTMENT'S KNOWLEDGE OF COMMUNITY PROBLEMS QUESTIONED

The Founding Fathers wrote into the Constitution a provision for the regulation of foreign trade. That regulation was placed in the hands of Congress, where every precinct in the Nation is represented in both Houses. It was not placed in the hands of the executive, of the State Department, or of some other agency of the executive branch, which has very little connection with the people. No one in the State Department runs for office. No one in the State Department understands, or purports to understand, what is happening in the communities of America.

What do they say when a complaint is made that a textile industry in North Carolina, or a mine in Colorado, or a machine tool plant in Pittsburgh is on the verge of bankruptcy? Oh, they simply say they think a law should be passed to transfer those workingmen and women to another area, where they might get jobs and the investors might be compensated.

I have previously said today that that is what is done in Russia, but a law to do it is not needed there. If ever such a law were passed in this country, our Government would be operated in exactly the same way as the government which we think we are trying to prevent from coming to this country operates.

SENATOR PREDICTS CONGRESS WILL ULTIMATELY END TRADE ACT

Mr. President, the opposition to the trade agreements program will grow until one fine day Congress will awaken to the public sentiment and the public interest, which is, after all, under the Constitution, the only national interest, and will wipe the Trade Agreements Act off the statute books.

When the Trade Agreements Act goes, GATT will go, because the State Department—including Secretary Dulles himself—has conceded that the United States is a party to international GATT by virtue of the Trade Agreements Act. At least, that is the contention.

Secretary Dulles contended in his testimony before the Committee on Finance last year that the Trade Agreements Act of 1934 provides for the transfer of the constitutional responsibility of Congress to the President, and also gives him full authority to transfer that responsibility to any organization which he might spearhead or cause to be organized and located anywhere in the world. It could be located at any other point besides Geneva, including Moscow or Peking, under the 1934 Trade Agreements Act.

MALONE CONTENDS TRADE ACT, GATT, UNCONSTITUTIONAL

I myself think that both the Trade Agreements Act and our connivance with GATT are unconstitutional, but the Supreme Court has never weighed the issue, and the lower courts have avoided it.

Whether or not the Supreme Court ever acts, the Trade Agreements Act is on its way out. It is causing too much damage to the national economy, and to American laboring men, investors, and producers to survive.

It will go out by repeal—and I have proposed legislation pending to repeal it and will reintroduce it early in the 85th Congress—or it will go out by failure of Congress to renew it when the present extension law expires on June 30, 1958.

At least, I hope that by 1958 Congress will have had the guts to restore its authority to regulate the national economy and American foreign trade. If we have not, we will deserve just what we get; and, when the public understands what has happened, I think they will change the residence of a good many Members of Congress.

I hope Congress will not prolong the agony to June 30, 1958, but will repeal the act and return to the Constitution, article I, section 8.

In any event, the act is on its way out, and when it goes GATT will go with it.

EXECUTIVE BRANCH SEEKS WAY TO CONTINUE TARIFF CUTS WITHOUT TRADE ACT

The senior Senator from Nevada is convinced that the executive branch sees the handwriting on the wall. It is obvious that they see it; otherwise, they would not be making such desperate efforts to save the free-trade program without it.

One of these efforts has been to inveigle Congress into approving an international organization for trade cooperation.

That is its name. Press dispatches from Geneva, Switzerland, where it would operate, refer to it as International Organization for Trade Cooperation, or IOTC.

The State Department is a little sensitive about the international part of the name. In all of their propaganda they drop the international and refer to it merely as Organization for Trade Cooperation. Well, it is international all right—as international as was the International Trade Organization, which Congress rejected.

IOTC WOULD HAVE SAME MEMBERS AS GATT

Thirty-five nations would be members of the IOTC, each having 1 vote. The United States would have 1 vote, Communist Czechoslovakia would have 1 vote, Ceylon would have 1 vote, Rhodesia and Nyasaland would have 1 vote, Luxembourg would have 1 vote, Burma would have 1 vote. Actually Great Britain would have 9 votes, 1 for the United Kingdom, and 1 each for her commonwealth partners, but the rest of the nations would have only 1 each.

This would be the same membership as GATT, with the same vote limitation.

Mr. President, the United States of America has the only market where 10 cents worth of chewing gum can be sold and the money be obtained for it, unless we have already given the other countries the money with which to buy the gum. We have one vote, but we furnish all the markets in the pot. The objective, the target, is the American market. There are no other markets worthy of the name.

The functions of the International Organization for Trade Cooperation would be, so says the State Department, to administer GATT. Congress is being permitted to consider only the IOTC setup, however. GATT itself, in which all the substantive provisions of this international scheme have been stacked, is not being submitted to the Congress, and will not be submitted. It has never been submitted.

The public is given the idea, and even the Members of Congress themselves get the general idea, that it will be submitted, but the testimony of the Secretary of State before the Committee on Finance in 1954, when the amendment of the 1934 Trade Agreements Act was under consideration, was that the Department has all the authority it needs under the original act to operate GATT—the General Agreement on Tariffs and Trade—at Geneva. But the only objective which is sought in having Congress approve GATT is to make it permanent.

GATT CONTINUES EVEN IF IOTC DIES

So, Mr. President, if the OTC—that is, the Office of Trade Cooperation, or the International Organization for Trade Cooperation, to be more exact—is dead in the House—I somehow regret that it is dead in the House; I wanted the pleasure of killing it in the Finance Committee or on the floor—but if it is dead, then GATT would still go on at Geneva with 35 votes, 1 to each country, dividing the trade in the same way. In other words, we are shooting at a hat. We go home and say we do not approve. They do not need any further approval. The first vote, according to the Secretary of State, the vote which passed the first, the initial, the mother bill of this whole destructive program, gave all the authority needed to operate GATT in Geneva. Perhaps next year there will be another bill, with another trick name, involving the word "cooperation." Nobody cooperates with us.

Mr. President, as I stated before, GATT is comprised of the same 35 nations, each with the same number of votes—1. It has been operating in secret in foreign countries for 9 years, regulating our foreign commerce and our duties, and has never been submitted to the Congress. Secretary Dulles says it does not need to be submitted, because our participation in it is under the authority of the Trade Agreements Act.

STATE DEPARTMENT DENIES CONGRESS RIGHT TO JUDGE GATT ON ITS MERITS

The State Department, I am convinced, knows that the Trade Agreements Act is going out. They do not

dare to present GATT to Congress to be judged on its merits or demerits. So they conceive this disguised, shadowy new international organization, with a vain hope that Congress will be so blind as to accept it.

The Congress is not blind, the State Department has found out, obviously with surprise. The IOTC bill is stuck in the House Rules Committee. The House leadership has not had the bill brought out because it knows that were it brought out and submitted to the floor for a vote, the House would defeat it.

Mr. President, I do not blame them for thinking Congress was blind. I think it temporarily was blind, and I think it is about half blind now. But it is waking up. So long as we are not tied to something permanent, so long as we can repeal the 1934 Trade Agreements Act, as provided in the bill introduced on June 20 in this body, or so long as we refuse to extend the act in 1958, the policy of regulating trade and the national economy eventually will automatically revert to the body in which it was placed, in the first place, by the Constitution.

INTERNATIONAL BOG HOLE WAS DUG BY ECONOMIC ONE-WORLDERS

The people of the United States may yet get out of this international bog hole dug by the economic one-worlders, who say we must all live alike and we must divide our cash and our wealth, on an international socialistic basis, in order to have peace. We all know what kind of peace we would have. After we were destroyed economically, everybody would move into our country.

I want to say at this point that no one can be for free trade—no one can be for the successive bills that have provided for free trade—without being for free immigration. That is the objective—free trade and free immigration—of the grandiose one-world scheme. That is what the real scheme is, if the Members of Congress would only take a few minutes to study its objectives.

Had Congress been blind and approved this new international trade organization, then GATT would still operate, whether Congress repealed the Trade Agreements Act or not.

Should Congress repeal the Trade Agreements Act or permit it to expire June 30, 1958, GATT will be dead in the absence of an international organization for trade cooperation.

IOTC BILL DESIGNED TO ASSURE PERMANENCE OF GATT

So the IOTC bill—the International Organization for Trade Cooperation—I want to emphasize the international part of it; and the dropping of the word "international" when it is spoken of, through the State Department, was not accidental. The IOTC bill was introduced as insurance by the free traders that their beloved GATT would survive when the Trade Agreements Act is thrown out the window.

This was not the only free-trade insurance measure, however.

H. R. 6040, the bill before us today, was the other approach.

There are certain bureaucrats who love nothing better than to cut tariffs on foreign products and make it tougher for American industry to survive.

AMERICA FAST AWAKENING TO FREE-TRADE MENACE

But there has been a great awakening in America—a great awakening. The day of wholesale, irresponsible, insensate tariff cutting, at the whim of any country wishing to export to the United States, is almost past.

Perhaps I should say there has been a great revival or reawakening. For 140 years our forefathers made the United States the business of the United States and put United States interests first.

They looked to the interests of the "whole people," as Abraham Lincoln's platform put it, and pledged, may I quote, "to the workingman liberal wages, to agriculture remunerative prices, to mechanics and manufacturers an adequate reward for their skill, labor, and enterprise, and to the Nation prosperity and independence."

They did not pledge this to the foreign workingman, foreign agriculture, foreign mechanics and manufacturers, as the executive department has been doing for the past 22 years in so many pacts that even the State Department does not know how many there are.

FOREFATHERS LEGISLATED FOR AMERICAN, NOT FOREIGN, INTERESTS

Our forefathers made these pledges to American workingmen, American agriculture, American manufacturers and mechanics.

They did not introduce bills to make the United States and its producers dependent on foreign countries and international organizations for the regulation of our foreign commerce and our tariffs, as GATT does and the IOTC would do.

They did not devise schemes and legislation to assure commercial prosperity to foreign nations; they were concerned with the commercial prosperity of the United States.

They were for independence.

I say the American people are returning to the Constitution and to the basic principles which were abandoned in 1934, and which have remained abandoned, and will remain abandoned until the Congress sees the light.

The question for us in Congress to decide is whether we intend to keep abreast of sentiments and ideals of the people we represent, or lag far behind.

SENTIMENT OF NATION NOT FOUND IN WASHINGTON OR NEW YORK

Mr. President, I have found no one in the United States who is in favor of a division of our markets. I have found no taxpayer working at a job, trying to make a living for his family, who wants to divide the wealth of the United States.

What happens to a Representative or a Senator when he is elected to the Congress? What happens to a Cabinet officer when he is appointed to a Cabinet job and comes to Washington, and finds these soft cushions, air-conditioning, and so forth? It is a very good setup. What happens to make him seem to vote with a wet finger, and makes him think that the sentiment of the country is formed in Washington? There is no public sentiment in Washington. The only city that approaches Washington in its danger to the welfare of the country is the city of New York.

That is where they get an over-ride of 10% no matter which way the trade goes. So they are for trade for the benefit of the waterfront brokers.

READ CONSTITUTION ONE MORE TIME

I ask my colleagues just to read the Constitution one more time. Just revert to the Constitution. It was framed for the benefit of all the people of the country, and for the development of all areas alike, and contains the principle of fair and reasonable consideration of legislation by the Congress of the United States in its responsibility under article I, section 8 of the Constitution.

The House of Representatives this year has used excellent discretion in blocking the IOTC bill.

The Senate will be using excellent discretion if it defeats H. R. 6040, the new and other free trade, tariff-cutting approach. It is because it is a new approach that I think the bill is here before us.

The pending bill would reduce tariffs in a subtle, indirect, and roundabout way; but it would reduce them all the same. It would alter the standards of evaluating imports of foreign goods subject to ad valorem duties and would do so in such a way that duties would automatically be lowered. The foreign producers and exporters could take the ball from there and have a field day at America's expense. The Trade Agreements Act could die. It is in its last days now. GATT would, of course, die with it, in the absence of any IOTC. But tariff reductions would go on just the same, through this new valuation approach—that is, unless we defeat H. R. 6040.

ERA OF DEEP TARIFF CUTS OVER

Of course, the argument will be made that reductions made under H. R. 6040 would be small. There are two answers to that. One is that our free-trade claque will prefer little tariff cuts to none at all. The other is that the day of the big 50 percent tariff bisectings are gone anyway. There is so little left to chop off. The 50 percent tariff cut of 1934 and the 50 percent cut of 1947 left only 25 percent of our tariff protection under the 1930 Tariff Act. Last year's extension of the Trade Agreements Act took 15 percent out of that. H. R. 6040 would whittle protection still further, although with little left to whittle.

Foreign producers will be happy with these small tariff cuts; and it seems to be the policy of our executive branch to seek always to keep the foreign industrialists happy, however desperate it may make producers in the United States.

ALL SAFEGUARDS ELIMINATED FROM TRADE ACT IN H. R. 6040

H. R. 6040 also would extend the principle of tariff cutting for at least 4 years, or for 2 years after the Trade Agreements Act expires. It is the Tariff Reduction Insurance Act of 1958. It is a tricky bill.

Every attempted safeguard that Congress has placed in the Trade Agreements Act has carefully been eliminated, so that if the Trade Agreements Act

should be repealed, or when it expires, the executive branch will not have such bothers as the escape clause, the peril point, and Tariff Commission analyses and investigations to contend with, in its tariff-wrecking obsession.

I hope the executive branch has not fooled the Senate with this new approach. I know the executive branch will not succeed in fooling the people, the manufacturers, the wage earners, and the producers with this bill, H. R. 6040.

The people of the Nation, labor organizations, farm groups, growers, and manufacturers, are becoming aroused to the free-trade menace.

PENNSYLVANIA INDUSTRIES PROTESTING INJURY FROM FOREIGN IMPORTS LISTED

I hold in my hand a list entitled "The Important Injury to American Enterprise and Labor." The list was prepared by the Pennsylvania Employer-Wage Earner, Job-Protection Association. At the head of this list this paragraph appears:

The following is a partial list of agricultural, trade, and industrial organizations or associations, along with individual companies, with investment and operations in Pennsylvania, that filed protests with congressional committees in Washington in 1955, against the damage, injury, and threats to their American enterprises, by the competition in American markets from cheap foreign imports. Also, list of national and international labor unions filing protests.

Then follow the names of 142 organizations, industries, or labor organizations, with investments and operations in Pennsylvania alone, which have made protests to the Congress about the injury being done to them by cheap foreign imports. It is imports that the bill before us would reduce valuations on, and thus would reduce tariffs.

Mr. President, I ask unanimous consent that the list be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

National Board of Fur Farm Organizations.
American Mining Congress.
National Coal Association.
Zinc industry.
Pennsylvania Grade Crude Oil Association.
Bradford District Pennsylvania Producers Association.
Southwestern Pennsylvania Producers Association.
National dairy industry.
National Milk Producers Association.
Association of Cocoa and Chocolate Manufacturers of the United States.
Bachman Chocolate Manufacturing Co., Mount Joy, Pa.
Blumenthal Bros. Chocolate Co., Philadelphia.
Hershey Chocolate Co., Hershey, Pa.
Klein Chocolate Co., Elizabethtown.
Wilbur-Suchard Co., Lititz.
United States beverage distilling industry.
Wine Institute.
Wine Association of Pennsylvania.
Mushroom Growers Cooperative Association.
Brandywine Mushroom Corp., West Chester.
National Association of Greenhouse Vegetable Growers.
National Apple Institute.
American Cotton Manufacturers' Institute, Inc.
National Association of Wool Manufacturers.
National Association of Cotton Manufacturers.
The Underwear Institute.
The Philadelphia Wood & Textile Association.
National Association of Blouse Manufacturers, Inc.
American Lace Manufacturers Association.
North American Lace Co., Philadelphia.
Tufted Textile Manufacturers' Association.
Textile Fabrics Association.
National Knitted Outerwear Association.
Carpet Institute.
American Viscose Corp., Meadville.
Cordage Institute.
Edwin H. Fitler Co., Philadelphia.
Thomas Jackson & Sons, Reading.
Rinek Cordage Co., Easton.
Card Clothing Manufacturers' Association.
Benjamin Booth Co., Philadelphia.
National Association of Finishers of Textile Fabrics.
Soft Fibre Manufacturers' Institute.
Hanover Cordage Co., Hanover.
Thomas Jackson & Sons, Reading.
Lehigh Spinning Co., Allentown.
Ludlow Manufacturing Sales Co., Allentown.
Ravenah Spinning Mills, Hanover.
Schlichter Jute Cordage Co., Philadelphia.
The Twisted Jute Packing and Oakum Institute.
Silk and Rayon Printers and Dyers Association of America, Inc.
The Thread Institute.
The woven woolen felt industry.
Philadelphia Felt Co., Frankford.
The Hat Institute.
The Wool Hat Manufacturers' Association.
John B. Stetson Co., Philadelphia.
Hardwood Plywood Institute.
The Wall Paper Institute.
Printing Industry of America, Inc.
The Book Manufacturing Institute.
Manufacturing Chemists Association, Inc.
Synthetic Organic Chemical Manufacturers' Association.
American Cyanamid Co., Inc.
Rubber Manufacturers Association, footwear division.
National Authority for Ladies Handbag Industry.
American Fabric Glove Association.
Pittsburgh Plate Glass Co., Pittsburgh.
American Glassware Association.
United States Potters Association.
Vitrified China Association, Inc.
Shenango Pottery Co., New Castle, Pa.
Tile Council of America.
The Pin, Clip & Fastener Association.
De Long Hook & Eye Co., Philadelphia.
Industrial Fasteners Institute.
The Industrial Wire Cloth Institute.
United States Wood Screw Service Bureau.
Talon Co., Meadville, Pa.
The National Machine Tool Builders Association.
Landis Tool Co., Waynesboro.
S. Morgan Smith Co., York and Philadelphia.
Rockwell Manufacturing Co., Pittsburgh.
Rockwell Spring & Axel Co., Coraopolis.
Electrical Machinery Industry.
Westinghouse Electric Corp., Pittsburgh, East Pittsburgh, Beaver, Essington, Sharon, Sunbury, and Trafford.
General Electric Co., Philadelphia and Erie.
McGraw Electric Co., East Stroudsburg.
Pennsylvania Transformer Co., Canonsburg.
National Electric Products Co., Ambridge.
Pacific Electric Manufacturing Co., Scranton.
Proctor Electric Co., Philadelphia.
Stackpole Carbon Co., Kane, Johnsonburg, and St. Marys.
Syntron Co., Homer City and Blairsville.
Allis-Chalmers Manufacturing Co., Pittsburgh.
Elliott Co., Jeannette and Ridgway.
Okonite Co., Wilkes-Barre.
Air Products Co., Emmaus.
National Electrical Manufacturers Association, Telephone Equipment Division.
Western Electrical Co., Inc.
High-Voltage Electrical Porecelain Insulator Industry.
The Bicycle Institute of America, Inc.
Manufacturers of optical and ophthalmic glass, lenses and instruments.
American Optical Co.
Scientific Apparatus Makers Association.
H. B. Instrument Co., Philadelphia.
National Association of Photographic Manufacturers.
American Watch Manufacturers Association, Inc.
Hamilton Watch Co., Inc., Lancaster.
The Toy Manufacturers of the United States.
Girard Manufacturing Co., Girard.
Louis Mars Co., Inc., Erie.
H. L. Moore Co., Cochranton.
Lead Pencil Manufacturers Association, Inc.
Fountain Pen and Mechanical Pencil Manufacturers Association, Inc.
Insulation Board Institute.
And the Pennsylvania Railroad Co.

Mr. MALONE. Mr. President, this is by no means the end of the list. It is only the list of industries and business organizations.

All these are companies or associations doing business in Pennsylvania, I am informed. It was my hope that the distinguished senior Senator from Pennsylvania [Mr. MARTIN], who is the second ranking Republican on the Senate Finance Committee, could be present in the Senate Chamber at this time.

LABOR PROTESTS AGAINST FOREIGN IMPORT COMPETITION GIVEN

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the list of national and international labor unions who filed direct protests against cheap foreign import, according to the Pennsylvania Employer-Wage Earner Job Protection Association.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Affiliated with the American Federation of Labor:
The United Brick and Clay Workers of America.
International Brotherhood of Bookbinders.
United Brotherhood of Carpenters and Joiners of America.
International Photoengravers Union of North America.
American Flint Glass Workers Union of North America.
International Glove Workers Union of America.
International Handbag, Luggage, Belt, and Novelty Workers Union.
United Hatters, Cap and Millinery Workers International Union.
International Brotherhood of Operative Potters.
Printing Pressmen's and Assistants' Union of North America, International.
Seafarers International Union of North America.
International Stereotypers and Electrotypers' Union of North America.
United Textile Workers of America.
International Typographical Union.
United Wall Paper Craftsmen and Workers of North America.

Affiliated with the Congress of Industrial Organizations:

The United Glass and Ceramic Workers of North America and the Textile Workers Union of America.

In addition, four independent unions:

United Mine Workers of America.

Amalgamated Lace Operatives of America.

National Independent Union Council.

Electrical Workers Independent Union.

Also four important railroad unions:

The Brotherhood of Locomotive Engineers.

Brotherhood of Locomotive Firemen and Enginemen.

Order of Railway Conductors and Brakemen.

Order of Railway Trainmen.

TEXTILE UNIONS AROUSED TO IMPORT THREAT

Mr. MALONE. Mr. President, these organizations represent workingmen whose jobs are threatened by cheap imports. Do we want to increase this threat by passing H. R. 6040? I, for one, do not.

I note that the list to which I have referred includes two large textile unions. According to an article by John Herlong, published in the Washington News of May 22, 1956, other textile unions—in addition to the textile workers union, named in the foregoing list—also are aroused.

Mr. Herlong's article is titled "Unions in Stew Over Competition From Imports." I ask unanimous consent, Mr. President, to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNIONS IN STEW OVER COMPETITION FROM IMPORTS

(By John Herlong)

A trade union leader's life is not a simple or a happy one, especially if he normally prides himself on thinking big and acting big.

Take, for example, this business of international trade. Generally speaking, a trade union leader is all for it, when his industry benefits or is not hurt by such trade.

But, within the last week, three unions—among the most articulately progressive in the country—have assembled in convention and torn their emotions to tatters over the tough time they're having because of competition from imports.

JOIN FORCES

Textile Workers Union, the International Ladies Garment Workers Union and now the Amalgamated Clothing Workers are ready to join forces with the employers in their industries to protect their American markets from lower priced imports.

Although, by and large, the flow of imports represents a small percentage of American business and the impact on American industry is—on an average—rather light, there seems little doubt that in certain economic and geographic areas, people consider imports a threat to an already unstable situation.

What to do? The textile industry is especially nervous, but deep concern about this problem permeates also the women's and men's garment industries. The latter are no longer bunched up in the New York area. Fully 500,000 members of these unions are distributed throughout the country. Lots of communities are affected.

POINTS OUT

Sol Barkin, chief economist of the Textile Workers, points out that 21 out of the 83 labor markets having 6 percent unemployment or more are textile areas.

Although "high tariff" has long been considered a dirty word, the Textile Workers Union make common cause with textile manufacturers in warning that "the rising tide of imports poses a serious threat to the well-being of the American textile industry."

Specifically, foreign producers today are found to be redoubling their efforts to increase sales to the United States "as markets in other parts of the world recede."

Now that Japanese mills have completed their post-war rehabilitation, they have taken their place once again as "highly efficient, low-cost producers." Imports of Japanese cotton and wool textiles tripled in 1955.

CRITICISM

The administration is sharply criticized for failing to implement a reservation to the General Agreement on Tariffs and Trade—GATT—under which tariffs could be raised if imports exceeded 5 percent of domestic production. Import of woolen and worsted apparel fabrics increased to 7 percent of domestic production in 1955.

Liberalization of the textile tariff structure, warns newly elected Textile Union President William Pollock, would be destructive to American interests because it "would create chaos in many divisions of the textile industry, without enabling foreign nations to build a permanent large-scale market for themselves."

Why can other countries undersell American textiles in their own market? Union's answer: "Only lower wage standards enable foreign countries to export to these shores and this advantage is receding as our productivity rises."

PENNSYLVANIA ASSEMBLY BACKS STATE INDUSTRIES, WORKERS

Mr. MALONE. Mr. President, labor and industrial organizations throughout Pennsylvania and other States have spoken, and spoken loudly, in opposition to unfair import competition.

Shortly, I shall read into the RECORD resolutions from my own State of Nevada. But at this point I shall confine my remarks to Pennsylvania, one of the great industrial States of the Union, and certainly a State unexcelled in its contributions to American history.

As I have stated, in Pennsylvania, industrial and labor organizations, large and small, have spoken. The Legislature of the State of Pennsylvania has heard their voices, and has heeded their appeals.

RESOLUTIONS URGING CONGRESS TO ACT ADOPTED

On March 14 of this year, the Senate of the State of Pennsylvania adopted an impressive resolution memorializing the Congress with reference to tariff and trade legislation. The resolution had strong bipartisan support.

On March 26 of this year, only 12 days later, the House of Representatives of the State of Pennsylvania concurred in this resolution.

The resolution is so conclusive, so imbued with the patriotic interest of the whole people, that I shall read it into the RECORD. Incidentally, it bears the seal of that great Keystone State, and is completely official.

PENNSYLVANIA ASSEMBLY RESOLUTION

The resolution reads as follows:

Whereas the increased importation of numerous products that come into competition with the output of factories, farms and mines of Pennsylvania, replacing the products of Pennsylvania's industries, is a constant menace to the State's continuing economic stability; and

Whereas the lower wages paid abroad make it impossible for many of our smaller and medium-sized producers to compete with imports without resorting to ruinous price-cutting, which in turn would result either in financial losses or heavy pressure for wage reduction and outright unemployment; and

Whereas our national obligations have reached such extreme proportions that the national income must be maintained at its present unprecedented high level, or close thereto, lest we become insolvent; and

Whereas unemployment caused by the imports of residual oil, which increased 300 percent from an average of 45 million barrels in 1946, to more than 136 million barrels in 1954, or the yearly equivalent of 33 million tons of coal; and unemployment caused by imports of crude oil; various types of glass, steel, aluminum, brass and zinc products; pottery and chinaware; granite, tiles, cement, hardboard, plywood, hardware, plumbing, flat glass and other building supplies, lace, carpets and all kinds of woolen, cotton and synthetic fiber manufactured goods; leather and fabric gloves; bicycles, hydraulic turbines; machine tools and other machinery; heavy electrical equipment and other electrical industry products and electronics; watches, clocks and parts; optical industry products, cutlery, scientific apparatus, pencils and pens, pins, clips and fasteners, soft fibre, insulation board and manufactured cork products; chemicals, toys, mushrooms, farm, dairy and dried milk products; wallpaper, hats and millinery, printing industry products; ladies' handbags and leather goods; nails, wire, screws, bolts and nuts and many other commodities—

Incidentally, Mr. President, virtually all these are subject to ad valorem duties when imported from abroad; thus they are the imports affected by this bill—

will render the upholding of the economy at its high levels most uncertain and difficult, unless all import trade is placed on a fair competitive basis and the potential injury therefrom thus eliminated; and

Whereas agricultural products such as wheat, wheat flour, cotton, butter, cheese, and peanuts enjoy the protection of import quotas; and

Whereas a maximum of satisfactory trade results from a prosperous domestic economy freed from the threat of a breakdown resulting from unfair import competition: Therefore be it

Resolved, That the General Assembly of the Commonwealth of Pennsylvania hereby memorialize the Congress of the United States that adequate safeguards be provided in tariff and trade legislation, including import quotas, against the destruction and lowering of the American standard of living, the labor standard of our workmen, and the stability of our economy by unfair import competition, and that the existing trade-agreements legislation be amended accordingly.

COPIES OF RESOLUTION SENT TO PRESIDENT AND CABINET MEMBERS

Mr. President, there follows another resolve that copies of the resolution be transmitted to the President of the United States, the Vice President of the United States, the Secretary of State, the Secretary of Commerce, the Secretary of Labor, the Secretary of Agriculture, the Chairman of the United States Tariff Commission, the Speaker of the House of Representatives, and each Senator and Representative from Pennsylvania in the Congress of the United States.

The certification is by the secretary of the senate, G. Harold Watkins, and the seal of the senate follows.

Mr. President, I do not know why, in their distribution of copies of this resolution, they did not send one also to the Secretary of the Treasury.

Perhaps members of the Pennsylvania Assembly were not aware that H. R. 6040, which was left slumbering at the end of the last session, would be revived with such vigor in this session, or that it contains the provisions that it does.

That is not important to the purpose of this resolution, however. What is important is that agriculture, labor and industry in Pennsylvania are being hurt by imports from foreign countries, most of which imports—nearly all of them in fact—are subject to ad valorem duties on which valuations and therefore duties would be cut under H. R. 6040.

CONGRESS SHOULD SHOW SAME CONCERN FOR NATION'S WELFARE AS PENNSYLVANIA ASSEMBLY

What also is important is that the Senate and the House of Representatives of the Commonwealth of Pennsylvania acted to the best of their ability to protect the interests of the people and the economy of the State. They sent what is tantamount to a vigorous protest against trade and tariff legislation as it now exists to the President of the United States, the Secretary of State, several other Cabinet members, the Chairman of the United States Tariff Commission, the Speaker, and to Pennsylvania's entire congressional delegation. That is all they could do.

The Commonwealth of Pennsylvania cannot enact tariff legislation. That is the constitutional responsibility of the Congress of the United States. But the people of Pennsylvania suffer if Congress fails to exercise its responsibility, as it has failed to do for the past 22 years.

The senior Senator from Nevada insists, Mr. President, that the Senate of the United States should show no less concern for the welfare of industries, wage earners and agricultural producers throughout the United States than the Senate of Pennsylvania shows, and the Pennsylvania House of Representatives shows, for the welfare of Pennsylvania's producers and her economy.

The Senate of the United States can act. It can defeat H. R. 6040. Defeat of H. R. 6040 would demonstrate that the Senate of the United States is concerned about the welfare of the citizens and producers of the United States, and about the stability of the national economy.

NO AMENDMENTS CAN CORRECT BASIC WRONGS OF TRADE ACT

The Pennsylvania Assembly makes one error, in my opinion although on every other point it is completely sound. It resolves at the conclusion of its indictment of present trade and tariff laws that they be amended to provide safeguards and curb unfair import competition.

Mr. President, that cannot be done. Amendments have been tried before and have failed to bring relief to stricken industries. We have had escape-clause amendments, peril-point amendments, and in the last trade agreements extension we inserted a defense-factor amendment, which has been ignored.

The escape clause is a farce because whatever the findings of the Tariff Commission the President, in effect, can veto them, and frequently has done so in the past. He has even done so when the findings and recommendations of the Tariff Commission were unanimous.

Any amendment will be worthless or inconsequential so long as we turn over our constitutional responsibility to the executive branch. The executive branch can put that responsibility anywhere it chooses—in the State Department, in the Treasury Department, as provided in the bill now before us, in Geneva, or in the high authority of the European coal and steel community, as he already has done to a limited degree. He can delegate it to anyone he chooses except to the legislature of a State, which knows more about the problems of wage-earners, industries and producers than anyone to whom he has ever delegated the responsibility.

What does the State Department know about anthracite, textile fabrics, wire cloth, machine tools, glassware, plywood, or any of the other products manufactured by industries on the list I have just read?

What does the Treasury Department know about them?

REPEAL OF TRADE ACT REAL SOLUTION TO NATIONAL PROBLEM

No manner of amendments will solve the problems of these industries. The only thing that definitely will solve them is repeal of the Trade Agreements Act. Then the regulation of foreign commerce and the national economy will revert to the Congress, as the Constitution intended. Even then the problems of unfair import competition will not be solved if we pass such trick bills as H. R. 6040 or H. R. 5550, the latter being a bill to set up an international OTC.

Mr. President, the free trade crowd in the executive branch are persevering and persistent. Many, if not most of them, are holdovers from the early New Deal. I have a list of those who represented us at the last session of GATT. Almost without exception they are veterans at this business. I have their records; and if it were not that many of them are honest, but misguided fellows who are only doing the job they are assigned to do, I would elaborate on their background. Nearly all of them are holdovers from previous administrations.

They come at us with executive-branch-drafted bills from every direction. If they cannot come at us through the front door, they come at us from a side door. If they cannot get through that they try the back door, and if that fails they come up through the cellar door.

If they cannot get at us fast enough through bilateral trade agreements they invent GATT. If they think GATT may be in danger they try IOTC. If stopped in that attempt, as they have been, they try coming at us through the Treasury Department with this trick scheme of lowering tariffs by lowering import valuations on which duties are assessed.

H. R. 6040 THIRD CUSTOMS BILL IN 3 YEARS

They have come at us with two customs simplification bills in the past 3 years, bills which we have passed. Now they are here again with a tariff reduction bill disguised as another customs simplification measure, which, as I have shown, it is not.

Should we make the mistake of passing this bill they will be at us again next year, or the year after that with another bill, seeking further to lower the valuation standards so that more foreign goods will pour into our markets to compete against American products made by American labor and distress the Nation.

What we must do, Mr. President, if we truly want to help the American producer and the national economy is to stop all this funny business and get back to the Constitution.

WHAT CONGRESS COULD AND SHOULD DO

We must defeat H. R. 6040, bury H. R. 5550, and repeal the Trade Agreements Act.

Repeal the Trade Agreements Act.

That is what the people of Nevada want.

That is the real solution.

I have read the resolution from the Pennsylvania Assembly passed in March of this year, pleading for safeguards against unfair import competition, but not going all the way and asking for repeal of the Trade Agreements Act, the only real solution.

NEVADA CALLS FOR TRADE ACT REPEAL

In Nevada we have some resolutions too. The people of Nevada want no halfway measures.

They want repeal.

Mr. President, I hold here a number of resolutions from Nevada. They come in nearly every day. One of them arrived only yesterday, and when I get time to go through my mail today I may find another.

NEVADA REPUBLICAN CONVENTION RESOLUTION

Mr. MALONE. Mr. President, I read a resolution passed by the Republican State Convention on February 6, 1956. It reads:

Whereas, article I, section 8, of the Constitution of the United States provides that "The Congress shall have the power to lay and collect duties, imposts, and excises" (tariffs or imports fees) and "to regulate foreign commerce"; and

Whereas the Congress transferred the constitutional responsibility to regulate foreign trade to the executive branch through the 1934 Trade Agreements Act as extended from time to time: Therefore be it

Resolved, That the United States Congress is hereby urged to resume its constitutional responsibility of regulating foreign commerce, through the adjustment of duties, imposts, and excises, through its agent, the Tariff Commission, and allow the Trade Agreements Act—the so-called Reciprocal Trade Act—which transferred such responsibility to the President, to expire.

Mr. President, the resolution was originally passed prior to last year's extension of the Trade Agreements Act.

The act was renewed, and the resolution has also been renewed for the repeal of that act.

CHURCHILL COUNTY (NEV.) CHAMBER OF COMMERCE RESOLUTION

A resolution was received in my office today. It has just now been handed to me. It was adopted by the Churchill County Chamber of Commerce, Fallon, Nev., at its regular meeting on July 12, 1956. The resolution reads:

Whereas the promotion of world trade should be on the basis of fair and reasonable competition and must be done within the principle long maintained that foreign products of underpaid foreign labor shall not be admitted to the country on terms which endanger the living standards of the American workingman or the American farmer, or threaten serious injury to a domestic industry; and

Whereas article I, section 8 of the Constitution of the United States provides that the Congress shall have the power to lay and collect—duties, imposts, and excises (tariffs or import fees) and "to regulate foreign commerce"; and

Whereas the Congress transferred the constitutional responsibility to regulate foreign trade to the executive branch through the 1934 Trade Agreements Act as extended from time to time: Therefore be it

Resolved, That the United States Congress is hereby urged to resume its constitutional responsibility of regulating foreign commerce and the national economy, through the adjustment of duties, imposts, and excises, through its agent the Tariff Commission and to repeal the 1934 Trade Agreements Act, which transferred such responsibility to the President.

OTHER NEVADA AND WESTERN RESOLUTIONS

Mr. President, I ask unanimous consent to have printed in the RECORD at this point resolutions adopted by chambers of commerce and organizations in Nevada.

There being no objections, the resolutions were ordered to be printed in the RECORD, as follows:

REPEAL OF THE 1934 TRADE AGREEMENTS ACT

(Resolution on foreign trade adopted by the Reno Chamber of Commerce, June 19, 1956)

Whereas the promotion of world trade should be on the basis of fair and reasonable competition and must be done within the principle long maintained that foreign products of underpaid foreign labor shall not be admitted to the country on terms which endanger the living standards of the American workingman or the American farmer, or threatens serious injury to a domestic industry; and

Whereas article I, section 8, of the Constitution of the United States provides that the Congress shall have the power to lay and collect duties, imposts, and excises (tariffs or import fees) and to regulate foreign commerce; and

Whereas the Congress transferred the constitutional responsibility to regulate foreign trade to the executive branch through the 1934 Trade Agreements Act as extended from time to time: Therefore be it

Resolved, That the United States Congress is hereby urged to resume its constitutional responsibility of regulating foreign commerce and the national economy, through the adjustment of duties, imposts, and excises, through its agent the Tariff Commission and to repeal the 1934 Trade Agreements Act, which transferred such responsibility to the President.

WILLIAM BEUSSARD,
Director, Reno Chamber of Commerce.

RESOLUTION ON FOREIGN TRADE ADOPTED BY THE LAS VEGAS CHAMBER OF COMMERCE, DECEMBER 19, 1955

Whereas the promotion of world trade should be on the basis of fair and reasonable competition and must be done within the principle long maintained that foreign products of underpaid foreign labor shall not be admitted to the country on terms which endanger the living standards of the American workingman or the American farmer, or threaten serious injury to a domestic industry; and

Whereas article I, section 8, of the Constitution of the United States provides that the Congress shall have the power to lay and collect duties, imposts, and excises (tariffs or import fees), and to regulate foreign commerce; and

Whereas the Congress transferred the constitutional responsibility to regulate foreign trade to the executive branch through the 1934 Trade Agreements Act as extended from time to time: Therefore be it

Resolved, That the United States Congress is hereby urged to resume its constitutional responsibility of regulating foreign commerce and the national economy, through the adjustment of duties, imposts, and excises, through its agent the Tariff Commission and to repeal the 1934 Trade Agreements Act, which transferred such responsibility to the President.

HERB MCDONALD,
Director, Las Vegas Chamber of Commerce.

RESOLUTION PASSED BY THE HUMBOLDT COUNTY CHAMBER OF COMMERCE, JUNE 1956

Whereas the promotion of world trade should be on the basis of fair and reasonable competition and must be done within the principle long maintained that foreign products of underpaid foreign labor shall not be admitted to the country on terms which endanger the living standards of the American workingman or the American farmer, or threaten serious injury to a domestic industry; and

Whereas article I, section 8 of the Constitution of the United States provides that "the Congress shall have the power to lay and collect * * * duties, imposts, and excises" (tariffs or import fees) and "to regulate foreign commerce"; and

Whereas the Congress transferred the constitutional responsibility to regulate foreign trade to the executive branch through the 1934 Trade Agreements Act as extended from time to time: Therefore be it

Resolved, That the United States Congress is hereby urged to resume its constitutional responsibility of regulating foreign commerce and the national economy, through the adjustment of duties, imposts, and excises, through its agent the Tariff Commission and to repeal the 1934 Trade Agreements Act, which transferred such responsibility to the President.

KAY FLOYD JOHNSON,
Manager, Humboldt County Chamber of Commerce.

RESOLUTION ON FOREIGN TRADE ADOPTED BY THE WHITE PINE CHAMBER OF COMMERCE AND MINES, JUNE 1956

Whereas the promotion of world trade should be on the basis of fair and reasonable competition and must be done within the principle long maintained that foreign products of underpaid foreign labor shall not be admitted to the country on terms which endanger the living standards of the American workingman or the American farmer, or threaten serious injury to a domestic industry; and

Whereas article I, section 8 of the Constitution of the United States provides that "the Congress shall have the power to lay and collect * * * duties, imposts, and excises" (tariffs or import fees) and "to regulate foreign commerce"; and

Whereas the Congress transferred the constitutional responsibility to regulate foreign trade to the executive branch through the 1934 Trade Agreements Act as extended from time to time: Therefore be it

Resolved, That the United States Congress responsibility of regulating foreign commerce is hereby urged to resume its constitutional and the national economy, through the adjustment of duties, imposts, and excises, through its agent the Tariff Commission and to repeal the 1934 Trade Agreements Act, which transferred such responsibility to the President.

JAMES E. HEALD,
Executive Secretary, White Pine Chamber of Commerce and Mines.

RESOLUTION BY MINA CHAMBER OF COMMERCE, INC., JUNE 21, 1956

The importation of low-wage materials and various products without protection of any kind has caused the closing of American mines and factories and resulting in unemployment throughout our State; and

Whereas the present situation regarding the adjustment of tariff has been delegated to a world conference in which our representative is 1 in 35 instead of being in our Congress where the time-to-time changes in tariff schedules require prompt action to remedy the situation: Be it therefore

Resolved, That it is the spirit of this chamber that we urge our Congress to repeal the Foreign Trades Act and place the tariffmaking powers back where it belongs in our Congress so that our mines and factories can have the protection to which they are entitled.

MINA CHAMBER OF COMMERCE,
JAMES SHARMAN, *President.*

RESOLUTION OF 1955 WESTERN GOVERNORS MINERAL POLICIES CONFERENCE ON FOREIGN TRADE

Whereas the promotion of world trade should be on the basis of fair and reasonable competition and must be done within the principle long maintained that foreign products of underpaid foreign labor shall not be admitted to the country on terms which endanger the living standards of the American workingman or the American farmer, or threaten serious injury to a domestic industry; and

Whereas article I, section 8 of the Constitution of the United States provides that "the Congress shall have the power to lay and collect—duties, imposts, and excises (tariffs or import fees)"—and "to regulate foreign commerce"; and

Whereas the Congress transferred the constitutional responsibility to regulate foreign trade to the executive branch through the 1934 Trade Agreements Act as extended from time to time: Therefore be it

Resolved, That the United States Congress is hereby urged to resume its constitutional responsibility or regulating foreign commerce and the national economy, through the adjustment of duties, imposts, and excises, by its agent the Tariff Commission through the repeal of the 1934 Trade Agreements Act as amended, which transferred such responsibility to the President.

RESOLUTION ON FOREIGN TRADE BY RENO CENTRAL TRADES AND LABOR COUNCIL, DECEMBER 1955

Whereas the promotion of world trade should be on the basis of fair and reasonable competition and must be done within the principle long maintained, that foreign products of underpaid foreign labor shall not be admitted to the country on terms which endanger the living standards of the Ameri-

can workingman or the American farmer, or threatens serious injury to a domestic industry; and

Whereas article I, section 8, of the Constitution of the United States provides that "the Congress shall have the power to pay and collect—duties, imposts and excises (tariffs or import fees) and "to regulate foreign commerce"; and,

Whereas the Congress transferred the constitutional responsibility to regulate foreign trade to the executive branch through the 1934 Trade Agreements Act as extended from time to time: Therefore be it

Resolved, That the United States Congress is hereby urged to resume its constitutional responsibility of regulating foreign commerce and the national economy through the adjustment of duties, imposts and excises, through its agent the Tariff Commission and to repeal the 1934 Trade Agreements Act which transferred such responsibility to the President.

PAULA DAY,
TOMMY BLAKE,
LOU LEVITT,
C. D. BYRD,
Musicians Local 368.

RESOLUTIONS ADOPTED AT THE 30TH ANNUAL MEETING OF THE NEVADA STATE FARM BUREAU ON DOMESTIC AND FOREIGN POLICY, ELY, NEV., DECEMBER 2, 1949

Whereas the selective free-trade policy adopted by the State Department, based upon the Trade Agreements Act of 1934, is lowering the American living standards through the lowering of wages and is causing unemployment and a subsequent decline in the demand for agricultural products: Therefore be it

Resolved, That the Nevada State Farm Bureau adopts and recommends that the American Farm Bureau Federation support a domestic and foreign policy containing the following features:

I. FOREIGN POLICY

(a) Protection of private investments in foreign countries.

(b) Free convertibility of European currencies in terms of dollars.

(c) Consolidation of the European nations into a United States of Europe, and the erasing of all present trade barriers.

(d) Equal access to the trade of all nations of the world subject only to the action of the individual nations.

II. NATIONAL POLICY

(a) Set up a flexible import fee which would be based upon "fair and reasonable" competition administered by a reorganized experienced tariff Commission in the same manner as the long established Interstate Commerce Commission adjusts freight rates for the carriers on a basis of the principle laid down by Congress, of a reasonable return on the investment. Under a flexible import-fee principle, a market is immediately established for the goods of foreign nations on a basis of a "fair and reasonable" competition with our own—other nations in good conscience cannot ask for more. By so doing, America's domestic agricultural market would be greatly stabilized and cease to be a dumping ground for world surpluses. We are a land of agricultural abundance striving to maintain a standard of living unparalleled by any other nation in the world; Be it further

Resolved, That the lowering of import fees and tariffs without regard to the differential of the cost of production due largely to the difference in living standards of this Nation and of foreign competitive nations has a demoralizing effect on our agricultural markets as well as those of other industries, thereby causing unemployment and loss of revenue to the American farmer.

RESOLUTION ADOPTED BY THE WHITE PINE COUNTY CENTRAL LABOR COUNCIL, JANUARY 1950

Whereas the selective free trade policy is removing the floor from under American wages and investments, causing unemployment and loss of taxable property; and

Whereas the haphazard lowering of the import fees and tariffs without regard to the differential of the cost of production due largely to the difference in living standards of this country and foreign competitive nations, has severely injured the nonferrous mining industry: Therefore be it

Resolved, that a telegram be sent to each of our national Senators asking them to do what they can toward correcting this deplorable situation.

DOUG HAWKINS,
President, White Pine County General Council.

RESOLUTIONS BY COLORADO RIVER WATER USERS ASSOCIATION ACCEPTED AND PASSED DECEMBER 1, 1955

Whereas much industry in the Colorado River Basin States, including mining, the beneficiation of ores, manufacturing of industrial chemicals, fuels, military supplies, and the successful agriculture of irrigated areas is dependent upon water supply from the Colorado River system; and

Whereas such industries are essential to the public welfare in peacetime and doubly so in time of war, when foreign sources of supply might be lost; and

Whereas much of such industry has been destroyed or seriously injured by the competition of imported products manufactured at lower labor costs than are possible or desirable in the United States: Now, therefore, be it

Resolved, that the Colorado River Water Users Association urges the United States Congress to resume its constitutional authority of regulating foreign commerce by the Tariff Commission through repeal of the Trade Agreements Act of 1934, which transferred that responsibility to the President.

PIOCHE, NEV.

DEAR SIR: By unanimous vote Pioche Union Local No. 407 CIO disapproves part 4 plan of the President which includes the International Trade Organization agreement and urge that you do everything possible to substitute flexible import fee. (As outlined in your talk at Pioche, Nev., on December 15, 1949.)

THOMAS L. HUTCHINGS,
President, Local No. 407.

RESOLUTION OF THE UNITED STATES POTTERS ASSOCIATION

Whereas the promotion of world trade should be on the basis of fair and reasonable competition and must be done within the principle long maintained, that foreign products of underpaid foreign labor shall not be admitted to the country on terms which endanger the living standards of the American workingman or the American farmer, or threaten serious injury to a domestic industry; and

Whereas article I, section 8 of the Constitution of the United States provides that the Congress shall have the power to lay and collect duties, imposts and excises (tariffs or import fees) and to regulate foreign commerce; and

Whereas the Congress transferred the constitutional responsibility to regulate foreign trade to the executive branch through the 1934 Trade Agreements Act as extended from time to time: Therefore be it

Resolved, That the United States Congress is hereby urged to resume its constitutional responsibility of regulating foreign commerce and the national economy through the adjustment of duties, imposts and excises, through its agent the Tariff Commission and to repeal the 1934 Trade Agreements Act which transferred such responsibility to the President.

W. A. BETE,
Executive Secretary, United States Potters Association.

RUSSIA ORIGINALLY INVITED TO SHARE IN FREE TRADE, AID, SCHEMES

Mr. MALONE. Mr. President, I said at the beginning of my remarks that H. R. 6040 is just part of a pattern, a long-continuing pattern to fatten the world at the expense of the American taxpayer and to divide our wealth and share our markets with every low-wage foreign country that will accept our largese.

I called it international socialism, and that is what it is.

I cited ITO, GATT, and foreign aid. Even Russia was invited to share in all three when they were first proposed.

COMMUNIST CZECHOSLOVAKIA MEMBER OF GATT

Communist Czechoslovakia did accept our invitation to become a party to GATT, and still is, with voting power equal to our own. She will be a member of the IOTC too, if that should ever get through Congress, and again with the same voting power that we have.

Communist Yugoslavia accepted our foreign aid and still accepts it, although Tito is pledged to march "shoulder to shoulder" with the Russians in the event of conflict.

We have been told—oh, how we have been told—that the legislation we have been asked to pass, and have passed, must be passed to increase our exports. We are told that every time an extension of the Trade Agreements Act comes up.

Instead of operating as it was expected to operate, it operates in exactly the opposite way.

FREE TRADE IN UNITED STATES DRIVES AMERICAN INVESTORS ABROAD

As we can see, Mr. President, when we have free trade our own investors go abroad behind the low-wage curtain and buy plants or take over plants which we built with the taxpayers' money, and use the low-wage labor to furnish the market in the low-wage areas which we were supposed to get and which were promoted by the Marshall plan and all these other funny organizations which succeeded it. It took 5 or 6 or 7 billion dollars annually to increase production which is no more than their own consumption, and much of it is owned and controlled by American investors, many of whom have been forced to do that very thing in order to remain in business.

Mr. President, I have heard testimony before the Senate Finance Committee when, under questioning, witnesses representing chemical industries, steel industries, and other industries have stated that if this policy continues they will be forced to invest their money in foreign countries and move much of their investment there in order to survive the competition.

SMALLER SHARE OF NATIONAL PRODUCT EXPORTED NOW THAN IN 1920'S

Mr. President, we are exporting a smaller percentage of our national product now than we were in the 1920's or

even in the early 1930's while in the midst of a depression.

Mr. President, in the 1920's we exported 10 percent of the value of all movable goods produced in the United States, exports which foreign countries bought and paid for themselves. That was before the Trade Agreements Act, GATT, or foreign aid.

In the last 10 years, 1945 through 1955, we have exported only 5.5 percent that our foreign friends bought and paid for. Including military aid but excluding foreign economic aid we have exported just 5.8 percent.

EXPORTS DROP DESPITE FOREIGN AID

Including both economic and foreign aid totaling $65 billion, we have exported only 9 percent of our products, or less than we were exporting in the 1920's, and 3.5 percent was paid for by the American taxpayers with no benefit to themselves.

Since the days we were exporting 10 percent of our products which were bought and paid for by foreigners, not Americans, we have reduced tariffs 3 times, 50 percent in 1934, 50 percent in 1947, and 15 percent last year, given foreign countries some 65 billion to buy our goods, and in the meantime our exports have gone down. The more we give away the less we export.

In 1954 we exported 5.9 percent; last year 5.8 percent; over the entire peacetime postwar period 5.5 percent.

DEPRESSION-YEAR EXPORT SHARE GREATER THAN TODAY

Going back to the early 1930's before foreign aid or the Trade Agreements Act, our exports were 7.3 percent of the national product in 1931 and 6.5 percent in 1933, when the whole world was presumed to be broke and in the throes of a depression.

In fact none of our billion-dollar handouts, trick trade legislation or gimmicks such as GATT have increased the share of United States products being exported to what it was before we first embraced international socialism in 1934, while without them our exports have dropped, percentagewise, to only a little more than half what they were in the 1920's.

Our export share has dropped but we are certainly being showered with imports.

This is what the Congress should have expected.

BILLIONS TO EUROPE, ASIA, BUILDS FOREIGN COMPETITION TO UNITED STATES PRODUCERS

As we pour billions into Europe, Africa, Asia and every part of the old world that will accept our dollars, the aided nations have built up their own production.

With our dollars they have increased their agricultural production so they do not need as much of our agricultural products as they did before. Many of them have increased their agricultural production to a point where they themselves have surpluses to export, and do export to other countries in competition to farm commodities from the United States.

Mr. President, when the Secretary of Agriculture exports our agricultural products at the world price, after we have paid the support price, we lose on exports of wheat about $1.34 for every 100 pounds of wheat we export. That represents the difference between the support price and the world price. We make enemies of nations who have formerly supplied the market, as the Secretary so stated in one of his conferences with Senators prior to the agricultural bill going to the Senate floor.

AIDED NATIONS PRODUCE MORE THAN THEY CAN CONSUME

With our dollars these foreign countries have expanded and modernized their industrial plan for beyond the consumptive capacities of their own people. They acquire a surplus of manufactured products which they must export to other countries. First of all they want to export to us. We have the dollars. The United States has the market, 43 percent of the total market of the world.

A principal preoccupation of many officials in our Government long has been to encourage these nations to export their goods to us and to induce Congress to turn over our markets to the foreign producers. To spur this program the Congress is asked to pass bills—trade bills, foreign aid bills, customs valuation bills.

UNITED STATES TAXPAYERS FORCED TO ASSUME TWO-WAY BURDEN

American taxpayers are required to put up the dollars to build up foreign industries, expand foreign production and create foreign surpluses of goods and products.

Then they are asked to pay out more dollars to buy the foreign surpluses which were created by the first dollars. Who else has the dollars to take these surpluses off foreign producers' hands?

It is a two-way street and the American producer is held up and hijacked on it both ways.

Mr. President, I do not blame these foreign countries and their industries and cartels from accepting American dollars to overbuild their plant and overexpand their production.

I do not blame them when, having overbuilt their plant and overexpanded their production, they welcome the opportunity to exploit our markets.

I do not blame them when they set up a great clamor for lower American duties or tariffs and for lower valuations on the exports they ship to the United States.

I do not blame them when they sit around the table in Geneva at these sessions of GATT, the delegates of 34 foreign countries and some underling from our State Department, and cook up schemes to divide our markets like a juicy apple pie.

I do not blame them when they urge our delegates to press for legislation in Congress so that our customs valuation procedures will conform more closely to the rules they have laid down—to our disadvantage—for customs valuation.

FOREIGN NATIONS DOING ONLY WHAT COMES NATURALLY TO THEM

They are the export nations—not we. They are the ones who want valuations lowered on their products, because they dump their goods on the United States—43 percent of the world market. The United States is the only market in the world where a decent price for profit obtains.

Of course, the foreign exporters want to realize the greatest profits possible and maintain the greatest possible competitive advantage over producers of the same products in the United States, so they set up a constant clamor for lower duties. They set up a great clamor, and our State Department, deaf to the pleas of American industries and producers, is attentive and sympathic always to the foreign demands. So, apparently, also are the Treasury Department and the Commerce Department.

The next thing that happens is that bills emanating from the executive branch are introduced, the propaganda mills are started turning, the White House lobby starts working on Congress, and before we can clear our minds, our markets are opened further to foreign competition developed and paid for by American taxpayers' dollars.

Mr. President, it is time to stop, look, and listen—listen to our own constituents—not to foreign-minded bureaucrats.

Why cannot we do that, just this once?

GATT is the international agency which wants our valuations changed; not the industries or the peoples of the United States.

GATT SETS OWN CUSTOMS VALUATION RULES

GATT has its own valuation rules, drawn up and agreed to by 34 foreign nations and by the State Department, not by Congress. Congress has had nothing to say about it at all. Congress neither approves nor disapproves GATT, as we say in our own trade-agreements legislation.

But GATT makes its own rules, and it has a rule on customs valuation, article VII.

Not only does GATT have its own rules, but it investigates to see how its members are carrying them out. It sends out questionnaires. The questionnaires it sends to this country are, of course, answered by the State Department.

The State Department is not supposed to be the Department that handles commerce or customs valuations; we have separate departments to handle those functions. But the State Department is our "big wheel" in all matters such as GATT; it is the catch-all Department and knows everything.

But the Constitution fixes that responsibility on Congress—the legislative branch—not in the executive branch, to say nothing of the State Department.

GATT CUSTOMS VALUATION RULES CITED

Let us see exactly what the GATT rules are on customs valuation.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD article VII of the GATT rules, entitled "Valuation for Customs Purposes."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARTICLE VII

VALUATION FOR CUSTOMS PURPOSES

1. The contracting parties recognize the validity of the general principles of valuation set forth in the following paragraphs of this article, and they undertake to give effect

to such principles, in respect of all products subject to duties or other charges or restrictions on importation and exportation based upon or regulated in any manner by value. Moreover, they shall, upon a request by another contracting party, review the operation of any of their laws or regulations relating to value for customs purposes in the light of these principles. The organization may request from contracting parties reports on steps taken by them in pursuance of the provisions of this article.

2. (a) The value for customs purposes of imported merchandise should be based on the actual value of the imported merchandise on which duty is assessed, or of like merchandise, and should not be based on the value of merchandise of national origin or on arbitrary or fictitious values.

(b) "Actual value" should be the price at which, at a time and place determined by the legislation of the country of importation, such or like merchandise is sold or offered for sale in the ordinary course of trade under fully competitive conditions. To the extent to which the price of such or like merchandise is governed by the quantity in a particular transaction, the price to be considered should uniformly be related to either (i) comparable quantities, or (ii) quantities not less favorable to importers than those in which the greater volume of the merchandise is sold in the trade between the countries of exportation and importation.

(c) When the actual value is not ascertainable in accordance with subparagraph (b) of this paragraph, the value for customs purposes should be based on the nearest ascertainable equivalent of such value.

3. The value for customs purposes of any imported product should not include the amount of any internal tax, applicable within the country of origin or export, from which the imported product has been exempted or has been or will be relieved by means of refund.

4. (a) Except as otherwise provided for in this paragraph, where it is necessary for the purposes of paragraph 2 of this article for a contracting party to convert into its own currency a price expressed in the currency of another country, the conversion rate of exchange to be used shall be based, for each currency involved, on the par value as established pursuant to the articles of agreement of the International Monetary Fund or on the rate of exchange recognized by the fund, or on the par value established in accordance with a special exchange agreement entered into pursuant to article XV of this agreement.

(b) Where no such established par value and no such recognized rate of exchange exist, the conversion rate shall reflect effectively the current value of such currency in commercial transactions.

(c) The Organization, in agreement with the International Monetary Fund, shall formulate rules governing the conversion by contracting parties of any foreign currency in respect of which multiple rates of exchange are maintained consistently with the articles of agreement of the International Monetary Fund. Any contracting party may apply such rules in respect of such foreign currencies for the purposes of paragraph 2 of this article as an alternative to the use of par values. Until such rules are adopted by the Organization, any contracting party may employ, in respect of any such foreign currency, rules of conversion for the purposes of paragraph 2 of this article which are designed to reflect effectively the value of such foreign currency in commercial transactions.

(d) Nothing in this paragraph shall be construed to require any contracting party to alter the method of converting currencies for customs purposes which is applicable in its territory on the date of this agreement, if such alteration would have the effect of increasing generally the amounts of duty payable.

5. The bases and methods for determining the value of products subject to duties or other charges or restrictions based upon or regulated in any manner by value should be stable and should be given sufficient publicity to enable traders to estimate, with a reasonable degree of certainty, the value for customs purposes.

STATE DEPARTMENT AGREES TO ATTEMPT VALUATION RULE CHANGE

Mr. MALONE. Mr. President, note here that as a party to GATT we have, through the State Department, agreed to recognize the validity of the general principles of valuation which GATT has decided upon. Note also that we, through the State Department, have been pledged to undertake to give effect to such principles, in respect to all products subject to duties.

Note also that the State Department has agreed that upon the request of another contracting party, this country shall review the operation of any laws or regulations relating to value for customs purposes, and do so in the light of these principles.

Congress has never agreed to any of this. That is what it is asked to do now.

However, in H. R. 6040, instead of the term "actual value," the term "export value" is used.

TRADE EXPERT EXPLAINS RULE CHANGES

As Richard H. Anthony, executive secretary of the American Tariff League, Inc., told the Senate Finance Committee:

Congress ought to realize fully that it is being asked to enact H. R. 6040, not in answer to any clear domestic clamor for its passage, but as another step toward bringing United States laws and practices into line with the principles of GATT.

Mr. Anthony pointed out that GATT has just published a comparative study of methods of valuation for customs purposes, which is in response to the questionnaire that GATT sent out.

One of the questions asked by GATT was this:

Do you have any administrative or legal provisions which permit valuation for customs purposes to be based on arbitrary or fictitious values, in the sense that such values are not related to the value of the imported merchandise in question or of like merchandise.

This is the United States reply as summarized from the GATT study:

In the United States there are some arbitrary elements in the statutory limitations on certain deductions and additions which have to be made in computing United States value and cost of production when it is necessary to use either of these methods for establishing the value for duty purposes.

The United States delegate stated that the application of the "United States" value and the "cost of production," section 402, is probably not unprecedented in the practice of other countries which inevitably have to use similar criteria if the value cannot be determined in a normal way.

The difference as compared with other countries, our delegate said, seemed to him to lie in the fact that other countries can use administrative measures more flexibly, whereas under the American system the administration has no right to act without precise legal provisions. However, consideration has been given, the delegate added, to changing these provisions of law to remove the arbitrary elements.

CONGRESS CHANGES UNITED STATES LAWS, NOT STATE DEPARTMENT

Mr. President, who under the American system changes the laws? It is not the State Department or the Treasury Department. It is Congress.

That is why this bill is before the Senate today.

Under section 2 of H. R. 6040, United States value is redefined, and constructed value is substituted for the cost of production to accomplish the changes which our delegate to GATT anticipated. The value of imported merchandise, Mr. President, should be based on the actual value of the imported merchandise on which duty is assessed, or on like merchandise, and should not be based on the value of merchandise of national origin, or on arbitrary or fictitious values.

GATT's question No. 3 asks, in part:

Do you base your valuation for duty on the value of (a) the merchandise actually imported, or (b) like merchandise? If (b) do you use the price at which the merchandise is generally sold or offered for sale, to the equivalent class of trade, e. g., jobbers, wholesalers, retailers, etc?

SUMMARY OF UNITED STATES POSITION IN REPLY TO GATT GIVEN

Mr. President, I ask unanimous consent to have the summary of the United States position as stated in its reply to GATT, printed at this point in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

The discussions indicated that the principal aspects in the valuation system of the United States which have been objected to by exporters in other countries are the application of the provisions in section 402 of the Tariff Act for the determination of "foreign value" on the basis of merchandise "freely offered for sale" and in "the usual wholesale quantities." Under judicial interpretations of these terms, if the goods are freely offered to all purchasers, but at different prices depending on the class of purchaser, then the highest price would have to be taken since that would be the only price at which anyone could buy. Also, the "usual wholesale quantity" is determined by the quantity most frequently sold.

It will be seen that in these circumstances, the dutiable value could be based on sales to retailers rather than sales to wholesalers, since the price to the retailers may be the price at which goods are available to all purchasers, and the quantity most frequently sold is sold to retailers. The United States delegate drew attention to the fact that valuation methods in his country have been under continuing study in recent years with a view to improving them wherever possible, and consideration of the foregoing features has been an important part of that study.

By the new terms in section 2 (f) "Definitions" of H. R. 6040, our laws would be changed to meet these objections of foreign exporters to the United States, and our laws presumably would then conform more closely to the principles laid down in GATT article VII, 2 (b), as follows:

"Actual value" should be the price at which, at a time and place determined by the legislation of the country of importation, such or like merchandise is sold or offered for sale in the ordinary course of trade under fully competitive conditions. To the extent

to which the price of such or like merchandise is governed by the quantity in a particular transaction, the price to be considered should uniformly be related to either (i) comparable quantities, or (ii) quantities not less favorable to importers than those in which the greater volume of the merchandise is sold in the trade between the countries of exportation and importation.

FOREIGN EXPORTERS ONES WHO WANT UNITED STATES LAW CHANGED

Note here, Mr. President, that the reference is to provisions in the present law which are objected to by foreign exporters. They are the ones who want this law changed.

Note there also that the United States delegate drew attention to the fact that valuation methods in his country, meaning the United States, have been under continuing study in recent years with a view to improving them whenever possible, and that consideration of the features complained about by foreign exporters has been an important part of that study.

We are legislating here today for the benefit of foreign exporters and GATT.

H. R. 6040 would change the law to meet the objections of foreign exporters.

Question No. 10 in the GATT questionnaire asked:

Do you exclude from the value of imported goods the amount of internal taxes from which the imported product has been exempted in the exporting country? Do you limit this exclusion to specified taxes (such as purchase tax, etc.) or do you grant it to any internal tax or charge from which exemption has in fact been granted by the exporting country?

The United States position, summarized, as presented to GATT was that in the United States a foreign internal tax not applicable to exports, is, in some instances, included in the appraised value of the imported merchandise.

Section 2 (d) of H. R. 6040 defines constructed value so that the cost of materials would be "exclusive of any internal tax applicable in the country of exportation directly to such materials or their disposition, but remitted or refunded upon the exportation of the article in the production of which such materials are used."

H. R. 6040 IS BILL TO HAVE UNITED STATES CONFORM TO GATT

So Congress is being asked to change its laws to conform to the wishes of GATT, article VII, 3, which reads:

The value for customs purposes of any imported product should not include the amount of any internal tax, applicable within the country of origin or export, from which the imported product has been exempted or has been or will be relieved by means of refund.

Mr. President, what the executive branch is asking us to do here today, in acting upon H. R. 6040, is to legislate for the benefit of GATT, not for the interests of the producers of the United States. We are asked, not to bring our customs procedures in line with the interests of the United States and its people, but in the interests of foreign exporters exporting to the United States.

Mr. President, I said at the beginning of my remarks that this bill is sought by, and will help primarily foreign producers and cartels exporting goods subject to ad valorem duties to the United States.

AMERICAN FIRMS ABROAD EMPLOY 2 MILLION FOREIGN WORKERS

I think my preceding comments demonstrate that very clearly.

I said also that it will help those large and wealthy American business, manufacturing, and industrial interests which have established branches and factories in foreign countries behind the low-wage curtain, and who export their foreign-made products to the United States.

Now how many of these are there?

A page 1 article in the Wall Street Journal of May 3, 1956 states in part, giving the Department of Commerce as their source, as follows:

At present, more than 1,500 United States concerns are actively engaged in manufacturing abroad, according to the Department of Commerce. They employ over 2 million workers and most of them are foreigners—

Over two million workers in foreign factories, most of them foreigners.

COMMERCE DEPARTMENT EVADES SUPPLYING BREAKDOWN

Mr. President, I have asked the Department for a breakdown on these foreign workers. I have requested this information both in letters and in person. I have had officials of the Department of Commerce in my office. They evade furnishing this information. They are embarrassed.

Two million foreign workers, with wages only one-third to a tenth of the United States wage rates, are manufacturing products or producing products primarily for shipment to the United States.

Two million foreign workers working for American employers who have been big enough and rich enough to move their operations behind the low-wage curtain and to foreign lands.

Is it for these employers that we are asked to pass this tariff-cutting bill?

Mr. President, I have reported my difficulty in getting information about these expatriate companies or their over 2 million foreign workers in foreign lands from the Department of Commerce.

They are tied up in this conspiracy to move industry abroad and bring the products of that industry, produced by low-wage labor, back to the United States.

They are publishing thick booklets to propagandize investment abroad.

They are almost as difficult to obtain specific information from as is the State Department.

QUESTIONS TO STATE DEPARTMENT ON GATT UNANSWERED

Mr. President, I sent the Secretary of State a letter, asking 50 questions. We have as yet had no answer to these questions.

I ask unanimous consent that the letter to the Secretary of State be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON FINANCE.

Hon. JOHN FOSTER DULLES,
Secretary of State,
Department of State,
Washington, D. C.

MY DEAR MR. SECRETARY: In connection with pending legislation would you kindly have your staff prepare for me as expeditiously as possible answers to the following interrogatories:

1. Under what constitutional, statutory, or executive authority did each of the presently participating 34 foreign countries, dominions, or federated territories become a contracting party to the General Agreement on Tariffs and Trade? I would appreciate citations of pertinent provisions, statutes, orders, or decrees.

2. What statutory authority, executive decree, constitutional provision, or administrative order now empowers each of the foreign contracting parties to become a member of the International Organization for Trade Cooperation, should it become operative with or without the membership of the United States?

3. What department or agency in each participating foreign government selects and directs that contracting party's representation at sessions of the General Agreement on Tariffs and Trade, determines the extent or limitations of delegation authority in negotiations, and is empowered to enter into or sign commitments or agreements in behalf of the government it represents?

4. How do the concessions or commitments agreed to by formal signature and embodied in protocols growing out of these sessions become operative and binding on the governments of each of the 34 foreign contracting parties, and on their foreign trade regulating agencies and customs services—by orders, proclamations, decrees, statutes, or otherwise?

5. How will concessions, or commitments, or decisions made by the proposed International Organization for Trade Cooperation become binding on these governments in the regulation of their foreign trade and commerce and collections of customs and duties?

6. Do any of the foreign governments who are "contracting parties" to the General Agreement on Tariffs and Trade have authority by legislative action to reject commitments formally agreed to and signed by their respective delegations as sessions of the GATT? If so, please list them.

7. Do any of these governments have authority administratively to reject commitments formally agreed to and signed by their respective delegations at sessions of the GATT? If so, please list them.

8. From what source does the General Agreement on Tariffs and Trade derive the authority and power to exercise the following governmental and customarily sovereign functions?

(a) To determine the consistency of actions or proposals of a party to the agreement.

(b) To allow or limit compensatory action.

(c) To grant waivers of agreement obligation by a two-thirds vote.

(d) To determine the terms of accession of new parties and to expel parties which refuse to accept major amendments.

(e) To establish procedures for the operation of the agreement.

(f) To allocate operational costs to each "contracting party" on an arbitrary basis.

(g) To limit each "contracting party" to one vote irrespective of cost burdens imposed, foreign-trade volume, or the certainty of bloc voting by parties who are guaranteed discriminatory empire preference privileges by the agreement.

9. What constitutional provision, statutory authority, executive decree or administrative order of each foreign government presently participating in the General Agreement on Tariffs and Trade authorized its delegation at GATT sessions to confer or concur in the exercise by GATT of such governmental powers and functions?

10. What constitutional provision, statutory authority, executive decree or administrative order empowered the United States delegation at such stations to confer or delegate the above-stated governmental

powers and functions to the General Agreement?

11. What is the procedure for selecting cities in which sessions of the "Contracting Parties" to the General Agreement on Tariffs and Trade are held, and is there any restriction in the General Agreement applicable to any cities or countries in which they may not be held?

12. What will be the procedure for selecting cities or countries for sessions or meetings in the event the International Organization for Trade Cooperation is approved?

13. Under what constitutional provision, statutory authority, executive order or decree did the State Department, in 1946, submit to the United Nations Economic and Social Council the so-called Proposals for the Expansion of World Trade and Employment and under what authority did it present a motion that the Council sponsor an "International Conference on Trade and Employment?"

14. Under what constitutional or legal authority did the Department, in London, in 1946, at sessions of the "Preparatory Committee," set up by UNESCO, present its "Suggested Charter for an International Trade Organization of the United Nations?"

15. Under what authority did the United States delegation at this Conference approve and accept recommendations of the Preparatory Committee that it proceed in such a way as to give effect "to certain provisions of the Charter of the International Trade Organization by means of a general agreement on tariffs and trade?"

16. What were these "certain provisions" and who were the members of the "Preparatory Committee" and members of the United States delegation to this meeting of the "Prepar..tory Committee"?

17. Under what authority did the State Department participate in 1947, at Geneva, in conducting tariff negotiations "as a part of the second session of the Preparatory Committee for the United Nations Conference on Trade and Employment, and participated also in drafting a proposed Charter for an International Trade Organization"? Under what authority did each of the other nations or dominions participating at this session engage in this undertaking?

18. Under what appropriation or budget item were the expenses of the United States delegation to the above-designated sessions of the "Preparatory Committee" financed, and what was the cost to the United States of United States representation at each of these meetings or sessions?

19. How many United States officials and employees attended each of the above-designated meetings or sessions, and during what period of time did they participate?

20. At the United Nations Conference on Trade and Employment held at Habana, Cuba, from November 21, 1947, to March 24, 1948, representatives of the United States Government, and of 52 foreign nations, dominions or territories formally signed a Charter for an International Trade Organization. Have the governments of any of the signatory delegates adhered to this charter, and if not, in what manner did they reject adherence thereto following formal approval of and signature to the charter by their official representatives to this conference? Please specify for each country.

21. Under what appropriation authority or budget item were the expenses of the United States delegation to the above-named conference financed, and what was the cost to the United States of United States representation to this conference?

22. How many United States officials and employees attended the above-named conference?

23. The first session of the General Agreement on Tariffs and Trade was held at Habana, Cuba, from February 28 to March 24, 1948, simultaneously or coincident with the final 25 days of the United Nations Conference on Trade and Employment, and at which "it was considered desirable to make parallel amendments (to those in the charter) in the corresponding provisions of the General Agreement." Under what constitutional, statutory, or executive authority did the United States participate in this parallel or first session of the General Agreement?

24. Did the same United States delegation participate both in the conference and the first session of the General Agreement above referred to? If not, what delegates to the conference did not serve also at the GATT session, and what delegates to the first session of GATT did not participate in the United Nations Conference on Trade and Employment? Please list those who may have participated in both the conference and the session.

25. Under what appropriation authority or budget item were the expenses of the United States delegation to the first session of the General Agreement on Tariffs and Trade financed, and what was the cost of United States representation to this session?

26. When did a President of the United States first proclaim a Protocol of the General Agreement on Tariffs and Trade in effect, and was it prior to or following the first session of the General Agreement on Tariffs and Trade above referred to?

27. Following approval of the charter for an International Trade Organization, 52 nations, including the United States, formally agreed to establish an "Interim Commission for the International Trade Organization." Was such an interim commission established? If so, what signatories to the charter and to the separate resolution to create the interim commission became members of the commission or accepted representation on it? Did the United States do so? If so, under what constitutional, statutory, executive or United Nations authority? Is this commission still in existence? If so, what is its present official membership? What relationship, if any, does this commission have to the General Agreement on Tariffs and Trade? What relationship could it have, if any, to the proposed International Organization for Trade Cooperation? Has the United States ever contributed funds to the "Interim Commission"? If so, in what amount and under what authority?

28. Under what constitutional, statutory or executive authority of any sovereign nation did the high authority of the European Coal and Steel Community participate in the General Agreement on Tariffs and Trade conference or session begun in Geneva, Switzerland, January 18, 1956, and concluded in that city on May 23, 1956?

29. Does the high authority of the European Coal and Steel Community constitute a "foreign country" or a "foreign government"?

30. Under what constitutional, statutory or executive authority did the United States delegation to the recent session of the General Agreement have the power to negotiate with and enter into tariff agreements with the high authority of the European Coal and Steel Community?

31. With what delegates of the high authority of the European Coal and Steel Community did members of the United States delegation negotiate tariff reductions on certain steel bars, bands and strips and on some types of wire rods, imports of which in 1954 amounted to approximately $17 million?

32. What members of the United States delegation negotiated this agreement?

33. Are any members of the high authority of the European Coal and Steel Community officially appointed representatives of any sovereign nation in Europe, and, if so, what official positions do they hold in that government?

34. Has the High Authority of the European Coal and Steel Community been recognized as a "contracting party" to the General Agreement on Tariffs and Trade, and if so under what procedure and pursuant to what article of the general agreement?

35. Can "contracting parties" to the general agreement, if they so choose, designate any international cartel, organization or "authority" as a "contracting party" to the general agreement, or to act in behalf of one or more "contracting parties," and if so, under what article of the general agreement can this be done?

36. What commitments and concessions did the High Authority make to the United States? Please list any concessions, tariff reductions or bindings made to the United States by the High Authority in return for commitments made by the United States to the High Authority, and state who these commitments made by the High Authority commit?

37. Under administrative interpretations of United States authority to participate in the general agreement, could the United States, as a "Contracting Party," designate an international authority, organization, industrial or other nonsovereign combination to negotiate trade agreements in its own name or under its own identity in behalf of the United States? Could it designate a sovereign State of our Union, or a group of sovereign States? Could it designate a nonsovereign group or coalition of interests such as, for example, coal and steel, to do so? Could the President of the United States?

38. What qualifications, if any, are required of "contracting parties" or delegates from governments or "authorities" participating in general agreement negotiations or sessions?

39. What qualifications, if any, are required under the proposed International Organization for Trade Cooperation?

40. What constitutional provision, statute, executive order, proclamation or court decision does the State Department interpret to empower the United States to become a "contracting party" to the General Agreement on Tariffs and Trade? Please cite the specific language which, within the interpretation of the Department or executive branch, confers such power, and express your view of the extent of this power in relation to deals or dealings with international nonsovereign entities such as that with which the United States delegation at Geneva recently carried on negotiations and to which it made commitments in the name of the United States? In this connection is the Government of the United States or the President the "contracting party" under State Department construction?

41. In public notices of intention to negotiate at the recent session at Geneva, was it announced that negotiations would be conducted by the United States with the High Authority of the European Coal and Steel Community?

42. What does the term "Contracting party" imply with respect to the contractural authority, responsibility, and liability of parties to the general agreement? What constitutes a party and what constitutes a contract within the meaning of the general agreement?

43. During negotiations at sessions or conferences of the general agreement on tariffs and trade, what considerations, if any, are given by the United States delegation to sums expended by the United States in economic aid to countries or authorities participating in these sessions? What consideration, if any, is given to loans and credits of United States dollars made by the United States or by international monetary agencies to these countries or authorities?

44. What considerations, if any, are given to the effect of grants, loans, or credits to negotiating countries or authorities, on United States industries or enterprises comparable to or competing with foreign industries and enterprises aided through United States grants, loans, or credits?

45. In view of the fact that negotiations for a general agreement were first carried on under the auspicies and sponsorship of an agency of the United States Economic and Social Council, does the State Department consider that it would have authority to continue as a contracting party to the general agreement under United Nations or UNESCO auspicies in the absence of a Trade Agreements Act?

46. Does it consider that it would have authority to continue as a contracting party to the general agreement in the absence of a Trade Agreements Act if the proposed organization for Trade cooperation is approved by the Congress?

47. Under what budget item and under what provisions of appropriate Appropriation acts are funds for overseas participation in the general agreement on tariffs and trade carried? Please specify appropriations for this purpose, and the specific amounts spent on travel to and from sessions of the general agreement, and on maintenance of delegates at these sessions.

48. What is the total payroll of State Department employees and officials engaged directly in functions pursuant to administration of the Trade Agreements Act, and in negotiations under the general agreement?

49. Has the State Department ever sought or received any ruling from the General Accounting Office relative to expenditures incurred by the United States as a contracting party to the general agreement?

50. Has the State Department ever sought or received from the General Accounting Office or Comptroller General any ruling or interpretation of items or provisions of any Appropriations act relating to appropriations out of which funds have been expended to participate in sessions of the general agreement on tariffs and trade?

I assure you an early reply to the above questions will be very helpful.

Sincerely,

GEORGE W. MALONE,
United States Senate.

PROPONENTS' VIEWS AT COMMITTEE HEARINGS CITED

Mr. MALONE. Mr. President, I ask unanimous consent that a partial résumé and a discussion of the testimony of some of the proponents of H. R. 6040 be printed in the RECORD at this point as a part of my remarks.

There being no objection, the résumé and discussion were ordered to be printed in the RECORD, as follows:

Now let us see what some of the proponents of this proposed legislation have to say about it and the reasons they advance for its enactment.

First let us take the testimony of the executive vice president of the National Council of American Importers, Inc., with headquarters in New York City. He is Mr. Harry S. Radcliffe.

IMPORTERS' SPOKESMAN FIRST NONGOVERNMENT WITNESS

Mr. Radcliffe was the first non-Government witness to testify on this bill before the House Ways and Means Committee, and the first witness not appearing for the Government to testify before the Senate Finance Committee.

He is a very earnest man and, of course, he was speaking in behalf of the people he represents, the importers of foreign goods and products, and in their interests. It is in their interests to bring in all the foreign goods they can regardless of the effect on the American producer and the national economy, and it is in their interest also to bring it in free of duty or at the lowest duty rates possible.

It is Mr. Radcliffe's right and duty to represent the interests of the people who pay his salary, and he is very well informed about those interests, as his testimony shows. He is all for eliminating "foreign value" as a basis of customs valuation and for using "export value." The reason is, of course, that "export value" is lower.

WITNESS TELLS WHY FOREIGN VALUE HIGHER THAN EXPORT VALUE

But let this importers' spokesman state it in his own words, as taken from the hearings. He says:

"Where appraisement on the basis of foreign value"—that is what the importers want to knock out—"results in a higher dutiable value, it is usually due to causes wholly unrelated to export transactions or world market price conditions. The wholesale price in a foreign home market is usually found to be higher than the price importers pay because of three principal reasons."

Then he proceeds to give the reasons.

"One is," he says, "That the quantities sold for home consumption are much smaller than the quantities bought by American importers, and there is a natural differential in prices due to economics in the production of larger quantities."

That is very interesting. "Quantities sold for home consumption are much smaller than the quantities bought by American importers," states this witness. In other words, these foreign producers are unloading much more of their products on the United States market than they can sell at home. Their major market is not their own country at all, but the United States, where their product can compete against American workingmen, producers and investors.

As I have frequently stated in the foreign aid debates, our prime objective in handing out billions to Europe and other foreign countries, whether we know it or not, has been to build up European industries to compete against ourselves.

We have spent billions of good American dollars to finance foreign industries so they can produce more goods than their own countries and their own peoples can consume.

Having been overbuilt, or overexpanded at the expense of the long-suffering American taxpayer, these foreign industries are stuck with far more goods than they can ever hope to sell in their own market unless—and this is the gimmick—they can unload them on the American market.

EFFORTS OF EXECUTIVE BRANCH TO ENCOURAGE MORE FOREIGN IMPORTS INTENSIFIED

For the past 22 years the State Department and the Treasury Department have been trying to figure out ways and means to get more foreign goods into the United States to the injury of American manufacturers, investors, and workingmen.

Since the war, and particularly since we began handing out our hard-earned billions—the total now is more than $65 billion—these efforts to increase foreign competition in our own markets have been intensified.

We now have GATT. This administration has been trying to put over the so-called International Organization for Trade Cooperation, just as the Truman administration tried to put over ITO, or the International Trade Organization, of which OTC is a slightly reduced carbon copy. And now some bright person has come up with the scheme before us to make it still easier for foreign industries to dump their goods in the American market, by substituting the lower export value for foreign value, which, as Mr. Radcliffe tells us, is usually higher.

All of these trick schemes and proposals have one purpose, to help foreign producers unload on the United States goods and products they cannot sell in their home market.

FOREIGN SURPLUS LARGER THAN FOREIGN DOMESTIC DEMAND

As Mr. Radcliffe states, and I repeat his words, "quantities sold for home consumption are much smaller than the quantities bought by American importers." If this is correct these foreign industrialists are producing a surplus that is larger than their domestic demand.

I do not follow the conclusion that Mr. Radcliffe reaches in the completion of his sentence, that, and I quote, "there is a natural differential in prices due to economics in the production of larger quantities." Of course as total production increases costs tend to go down, but they should go down equally to all purchasers whether foreign or domestic. Why should there be a differential between what is produced for export and what is produced for foreign domestic consumption? The only answer I can think of is that such industries as the importers' spokesman is referring to are producing one type of item for export to the United States and another type of item for their own people. If that is true the domestic purchasers in the foreign country are having to pay a higher price than American consumers because, as Mr. Radcliffe states, they are buying in smaller quantities. And if they are having to pay higher prices than we do, we, with all our foreign aid, are not improving foreign living standards when we finance these foreign factories.

I have gone into some detail on Mr. Radcliffe's first reason why he thinks, in the interest of importers foreign value, or the higher dutiable value, should be eliminated.

FOREIGN PRODUCERS PAY INTERNAL TAXES ONLY ON DOMESTIC SALES

"Another reason," he states, "is that certain internal taxes, similar to our own excise taxes, are assessed"—on the foreign producer, that is—"only on domestic sales"—that is, sales in the foreign producer's own country—"which they do not apply to the same goods exported to the United States or to other countries."

Let me read that again, without my interpolations. Quoting Mr. Radcliffe—another is that certain internal taxes, similar to our own internal excise taxes, are assessed only on domestic sales, which they do not apply to the same goods exported to the United States or to other countries.

Of course when we buy an American product, made in an American factory by American workmen, we pay any manufacturers' excise tax that may be imposed by our Government. We pay it in the markup.

TWO-PRICE SYSTEM CONCEDED

Mr. Radcliffe, executive vice president of the importers' organization, continues:

"A third common reason," he says, "why the present foreign value exceeds export value is somewhat technical. It arises from the situation where a foreign producer sells at two different prices in wholesale quantities to jobbers and retailers in the home market.

"Under the present interpretation of the term 'usual wholesale quantity'"—still quoting Mr. Radcliffe—"appraisement is made on the basis of the quantity in which the largest number of individual transactions occur, which is ordinarily the price level between the foreign producer and domestic retailer. The new bills define 'usual wholesale quantity' in such a manner as to mean the quantities in which the greatest aggregate quantity of the merchandise is sold. Thus, where retailers in a foreign country do not buy as much as wholesalers in those markets, the producer's wholesale price to retailers will be disregarded."

So where there are two values, we eliminate the higher and adopt the lower.

EXCLUSIVE AGENTS MAINTAINED BY CERTAIN FOREIGN PRODUCERS IN UNITED STATES

Now we come to the last, and to me the most revealing, reason Mr. Radcliffe offers, why importers would like to see foreign value dropped, as H. R. 6040 proposes to do. I quote from his testimony:

"Another reason why foreign value is higher than export value is that certain mer-

chandise is sold in the home market to all purchasers, but is exported to the United States by the foreign producer to an exclusive selling representative here. Under the present law, sales to an exclusive distributor are ruled out, but the proposed legislation will permit the establishment of an export value on the basis of exports to one or more selected exclusive agents, provided the prices paid by such agents fairly reflect the market value of the merchandise."

Mr. President, Congress in the past has been diligent in enacting legislation to prevent monopoly and monopoly price-fixing. We have antitrust laws directed at domestic industry. The Justice Department has been very active in filing suits against American enterprises which, in its opinion, have grown too big or have captured too much of the domestic market, even when it is obvious that they do not have a complete monopoly, but do have some degree of competition from other American producers.

But here we have a bill sponsored by the Treasury Department which not only condones monopoly in the distribution of a foreign product, but would confer on such a monopoly a concession on the valuation of its imported product.

The present law, as Mr. Radcliffe states, does not do that. The new bill, and I again quote him, "will permit the establishment of an export value on the basis of exports to one or more selected exclusive"—mark that word "exclusive"—"agents, provided the prices paid by such agents fairly reflect the market value of the merchandise."

Now I ask you if you are an exclusive agent for a product in the United States, the only person in the United States privileged to sell this imported product, how can anyone under high heaven determine whether the prices paid "fairly reflect the market value of the merchandise" when "foreign value" has been liquidated.

Mr. President, this is a great bill for importers, particularly for those exclusive agents who have a monopoly on the foreign product in the American market.

It is a good bill for foreign producers and manufacturers who want lower valuations for customs purposes on the goods they export to the United States.

It is an especially good bill for those foreign producers and manufacturers who void any possibility of competitive pricing of their product when it reaches the United States by having their goods handled through a monopoly or exclusive agent who can price the product at whatever the traffic will bear.

It is a bad bill for the Treasury of the United States and the American taxpayer.

It is a bad bill for American industry which by law is compelled to be competitive.

It is a bad bill for American investors and workingmen.

H. R. 6040 BAD BILL FOR COUNTRY

It is a bad bill for the country.

Now let us turn to some of the other proponents of the bill, although few, I fear, speak with such direct knowledge of customs duties and problems as Mr. Radcliffe.

The chairman of the Import and Customs Committee of the Detroit Chamber of Commerce testified in behalf of H. R. 6040 that it will "make it easier for foreign manufacturers to do business over here."

Detroit automobile workers should appreciate this testimony in behalf of H. R. 6040.

From accounts that I have read a considerable number of thousands of automobile workers—I have seen figures on auto industry layoffs as high as 210,000—are now unemployed.

H. R. 6040 will make it easier for foreign manufacturers to do business over here, according to the Detroit chamber witness, which certainly would include foreign automobile manufacturers.

BILL WILL ENCOURAGE FOREIGN AUTOMOBILE IMPORTS

The bill will therefore make it easier for foreign manufacturers to export foreign automobiles to the United States. The State Department already has accomplished a service to these foreign manufacturers by lowering the duty on imports of automobiles to 9½ percent ad valorem this year, 9 percent next year, and 8½ percent the year after that.

This makes the duty on imported cars lower than the excise tax on American-produced cars.

We may see the day, Mr. President, when we will see Mr. Walter Reuther, who heads the Auto Workers Union, riding around the streets of Detroit in a foreign car exhorting his unemployed union members. Perhaps the distinguished Detroit chamber chairman who supports H. R. 6040 and states it will "make it easier for foreign manufacturers to do business over here" will be riding with him. We are today exporting only half the American automobiles that we exported in the mid-twenties, and less than half the automobiles that England is exporting now.

Yet the executive branch continues to make it easier for foreign countries to ship cars here, and this bill, H. R. 6040, is one example.

Should Congress pass this bill it will, of course, apply to foreign automobiles on which ad valorem duties are assessed, and on which duties already have been reduced until they are negligible.

PORT AUTHORITIES FAVOR BILL

Mr. President, there was much other interesting evidence from supporters of this bill. Mr. Stacey Bender, Jr., of Baltimore, testified before the House Ways and Means Committee in behalf of the American Association of Port Authorities and the North Atlantic Ports Association, Inc.

Testifying for the American Association of Port Authorities he said, and I quote, "As increased imports are facilitated, so will our export market expand."

Testifying for the North Atlantic Ports Association, Inc., he said:

"The foreign waterborne commerce of the member ports in 1953, the latest full year of record, was 119,758,100 short tons, or 55.97 percent of the total foreign waterborne commerce of the United States during this same period. Import commerce accounted for 91,863,950 short tons of this figure, or 76.71 percent. It will be readily seen that, in point of tonnage figures, import commerce amounts to more than three times the export total."

What about the thesis, then, that as increased imports are facilitated export markets expand, which the same witness advanced? It would seem from his later statement that export tonnage still had a long way to go.

That is the trouble, Mr. President, with these generalized statements of imports expanding exports. We have been hearing them for 22 years. We are today importing more goods than ever before. But are we exporting more of our cotton, our wheat, our rice, our tobacco, meats, lard, apples, pears. We have not despite all Government incentives.

WITNESS OFFERS ANOTHER ARGUMENT FOR BILL

The witness who I referred to a moment ago made another contribution in behalf of passage of this bill when, in his testimony, he observed, and I quote:

"There will be those who will propose that this legislation should not be acted upon favorably because no other country has made, or is making, a similar gesture, and that trade expansion cannot be accomplished by the United States alone. Here, as in every other field," he continues, "of accomplishment, leadership is the priceless ingredient. Whether we enjoy wearing that mantle or not, it is incumbent upon us to assume the role, sure in the knowledge that, held in such high esteem, others will follow."

We have held the hope for 22 years now that as we lowered duties on imports, other nations, inspired by our leadership, would lower their trade barriers. Instead they have multiplied their trade barriers and invented new ones, as I shall detail as I proceed, and from official documents and records.

UNITED STATES DUTIES LOWERED WHILE OTHER NATIONS INCREASE RESTRICTIONS

We have now lowered duties or tariffs on imports generally 70 percent, an action no other country in the world has followed.

Yet we are told by another proponent of the bill, appearing for the United States Council of the International Chamber of Commerce, comprised of the business interests of 34 foreign countries:

"The action our country takes in removing trade restrictions will be a potent factor on whether the barriers to international trade will be increased, or decreased by the other free nations of the world."

Well, the other free nations of the world have had 22 years to decrease their trade restrictions against the United States such as quotas, embargos, import licenses, exchange permits, mixing and milling regulations, empire preferences, multiple exchange, and discriminatory trade arrangements against the United States. Instead of decreasing them they have added new ones, while the United States played Santa Claus.

FARMERS UNION CALLS FOR HIGHER METAL IMPORTS

But perhaps the most remarkable testimony in behalf of this legislation came from Mr. Reuben Johnson, Assistant Coordinator of Legislative Services, for the National Farmers Union.

Speaking of tariffs on metals, minerals, petroleum, and other raw materials except food and fibers—he is very careful to except food and fibers—Mr. Johnson states:

"From a purely selfish national viewpoint it would be better to import a maximum of such materials"—meaning metals, minerals, petroleum etc.—"while conserving the supply within our own boundaries."

At this point it would appear that Mr. Johnson, testifying in favor of H. R. 6040 as a means of further tariff reduction, would have us close down our mines, smelters, and oil wells and refineries, and depend entirely on foreign products. This was, of course, the theory of the late Secretary Harold Ickes, and of Harry Dexter White.

But Mr. Johnson does not go quite that far. He both qualifies and elaborates. Says he: "Within the framework of international economic cooperation"—that is what the State Department is trying to sell us through GATT and OTC—"the wiser course"—Mr. Johnson again speaking—"would seem to be the establishment of a balanced drain on natural irreplaceable resources of the different countries."

WITNESS ASKS INTERNATIONAL RAW MATERIALS RESERVE

This, of course, is the old IMC or International Materials Conference plan again that the Subcommittee on Minerals, Materials, and Fuels Economics of the 83d Congress exposed, and that was embodied in the old International Trade Organization which Congress rejected.

But the witness is not yet finished with his thought of internationalizing our mineral resources. He says further, and I quote:

"Establishment of the international raw materials reserve would be admirable for this task."

This may seem a bit far afield of the subject matter of H. R. 6040, which Mr. Johnson is testifying for, but he gets back to his theme in his next sentence.

"In the absence of such an international agency," he says, "it would seem desirable to combine a United States national stockpiling program with the reduction and ultimate elimination of import duties and restrictions on metals, minerals, and petroleum, with a domestic program that will protect the legitimate interests of domestic producers."

After advancing a plan to internationalize our mineral resources by leaving most of them buried in the ground, importing a maximum of such materials and removing the last vestiges of protection, Mr. Johnson winds up by saying there should be some domestic program that will protect the legitimate interests of domestic producers. He isn't clear on what this program should be or who should direct it, but obviously his thought is that there would be some international control.

Mr. Johnson may be an expert on farm products, I would not know, but he is certainly no expert on minerals.

I am sure he would not propose the same suicide for the farming industry that he is advocating for minerals and fuels.

WANTS MORE RAW MATERIALS IMPORTED, BUT NOT WHEAT OR COTTON

When he says we should "import a maximum of such materials" he is not referring to cotton, wheat, peanuts, butter, and all the other support commodities which we properly protect by quotas, but to minerals, metals, and petroleum.

When he says we should conserve the supply within our own boundaries, I am sure he is not referring to farm commodities.

Mr. President, the senior Senator from Nevada does not subscribe to the views of the witness quoted above. I do not believe in strangling one industry on the theory that it might help some other industry, which of course always is a fallacy.

I would never do anything to injure agriculture in my State and I would never do anything to injure the mining industry in my State, because I know that an injury to one is an injury to the other and to all industries.

Mr. President, as I read these hearings that about sums up the thinking and the arguments of the public witnesses who support and advocate passage of this bill.

There were others who testified for the bill, but as it appeared to me their testimony was a variation of one or more themes of the proponents who I have quoted above.

FURTHER RÉSUMÉ OF TESTIMONY PRESENTED

Mr. MALONE. Mr. President, I also ask unanimous consent that a résumé of statements of the opponents of the proposed legislation be printed in the RECORD at this point as a part of my remarks.

There being no objection, the résumé was ordered to be printed in the RECORD, as follows:

It is revealing to read, year after year, the hearings on the various proposals to internationalize our economy, sacrifice domestic industries for the advantage of foreigners, and, under one pretext or another, further reduce duties and increase the flood of foreign goods into our markets.

Reading the successive hearings on Trade Agreements Extension Acts, on the international OTC bill, and now on H. R. 6040 one notes a consistent pattern, seldom broken.

HEARINGS ON FREE TRADE BILLS FOLLOW PATTERN

For the bill there invariably appears one or more administration officials, usually flanked by aids in his department to tell him what the bill is all about. Then there are the dedicated free-trade lobbyists from organizations with impressive names such as the committee for a national trade policy, which to me has always seemed vastly concerned with advancing foreign interests. There are of course the importers' groups and councils, which is quite understandable, as they make their living off of imports of foreign goods, and the International Chamber of Commerce, comprising business interests of 35 foreign countries, 34 of which make their living off of exporting goods to the United States and other countries.

The big farm organizations, which enjoy, and properly so in my opinion, virtually complete protection from imports of competitive farm commodities, price supports, and now Government subsidies and assistance in exporting their surpluses, generally are there.

They appear at these hearings to support the various measures to destroy what little protection may remain for manufacturers; for resource industries such as minerals and fuels, for fisheries, for industrial workers, wage earners, and investors, and even for other farm producers and growers who do not happen to enjoy Government supports.

UNITED STATES CONSUMER MAJOR MARKET FOR UNITED STATES PRODUCTS

It would be more becoming and more sound, in my opinion, if these major farm organizations were to seek to build up and protect their fellow citizens and toilers in mines and mills and factories instead of offering them for sacrifice on the altar of free trade.

The biggest market for products of the American farm is America itself. It is not Japan or Germany or Venezuela or any other foreign nation. It is the United States. And the people of the United States consume more wheat, more cotton, more butter, and more meats at higher prices per capita than in any foreign country by the Department of Agriculture's own records.

If we import foreign manufactures in greater and greater amounts and quantities as all these free-trade bills propose, we injure our own industries, wage earners, and markets, just as if we encouraged unlimited imports of wheat, cotton, butter, oats, barley—we would injure our agriculture and our markets for products of the farm.

Yet we invariably, it seems, find the National Farmers Union and 1 or 2 other major farm organizations, appearing in behalf of these bills to encourage nonfarm imports.

WOOL GROWERS OPPOSE TARIFF CUTS

I am happy to say right here that the National Wool Growers Association—and they are having as desperate a time trying to survive as any of our hard-pressed groups producing food or fiber—is not a party to this activity. They oppose all of these schemes to help foreign producers invade our markets with low-wage goods and products. They oppose H. R. 6040.

But in general we find the big farm organizations, the big importers groups, the foreign minded committee for a national trade policy, the International Chamber of Commerce, several big port authorities and local chambers of commerce on or near our borders championing these bills.

None of them represent industries or wage earners being hurt by imports.

INDUSTRY WITNESSES OPPOSE FREE TRADE MEASURES

There also are many witnesses at these hearings, or making presentations to the committees holding these hearings, who oppose these bills.

They represent the industries and people who are being hurt by imports. They are not concerned with theories but with facts, such facts as mills, mines and factories being forced to lay off workers or close down, diminished returns, passed dividends, lost investments or decapitated jobs.

The testimony these witnesses have to present is specific. It is based on experience, not on the books some foreign economist has written or slogans some Britain has invented.

These witnesses come to the hearings year after year as long as their industry manages to survive, and present their case, the case of their own industry, its investors, and its wage earners. They base their case, as I stated before, on facts—not theory.

CONGRESS ALWAYS REJECTS INDUSTRY APPEALS

No matter how strong a case they make the committees turn them down, that is a majority of the committees rule against them.

The committees turn the domestic producers for the domestic market down. I am proud to say that my vote has never been cast with the majority on the committee considering these bills on which I serve. I have always been in the minority. The minority has been growing, I am proud to report. It will not always be the minority. One of these days, and I do not believe the day is too far distant, we will be the majority.

Then these American producing industries who are being injured by destructive low-wage import competition will receive the relief they deserve. They will receive relief in the American way we followed in the first 140 years of our glorious history; relief under the American system that imposed flexible tariffs to make up the difference in foreign costs and domestic costs and take the profit out of foreign sweat-shop labor at the water's edge.

The pending bill, all the free-trade legislation since 1934, has had one result if not one purpose—to increase the profit to waterfront brokers and importers at the water's edge, and as a corollary the profit to the foreign producer in his foreign mine or factory.

I am not interested in the foreign producer. I am interested in the American producer, and as I said before, the committees in Congress always turn him down.

The bills then go to the floor, and Congress turns him down.

That, too, will end one of these days, and I hope it ends with this bill now before us, H. R. 6040.

Now let us consider the testimony or statements of several of these opponents of H. R. 6040 presented to the committees. Elsewhere I have presented the basic arguments of proponents of this legislation in behalf of the bill. It is only fair that both sides be given.

SOUTHERN TEXTILE INDUSTRY SPOKESMAN TESTIFIES

First I will offer some of the testimony presented before the Senate Finance Committee by Mr. R. Houston Jewell, of Chicamaugua, Ga., who appeared in behalf of the American Cotton Manufacturers Institute and the Underwear Institute. I have not placed his testimony first because I believe it is more significant or less significant than the testimony of other witnesses but because Mr. Jewell represents an industry which at this moment is suffering a tremendous impact from Japanese cotton textile imports as a result of tariff reductions granted them at the 1955 session of the Geneva General Agreement on Tariffs and Trade.

There are 35 nations represented in GATT, of which Japan is one, and each nation, including the United States, has just one vote. Fourteen foreign nations have reneged on the tariff concessions granted Japan at this GATT session, but the United States is not 1 of the 14.

We, or I should say our State Department, is quite agreeable to the tariff reductions granted Japan at Geneva, and as a result Japanese textiles produced by 13-cents-per-hour labor are flooding the United States, closing cotton mills and throwing American wage earners out of work.

EFFECT OF H. R. 6040 CHANGES LISTED

I am sorry that my distinguished colleagues from Georgia were not present at the

Senate Finance Committe hearings to hear the testimony of their constituent from Chocamauga. Perhaps they have read the hearings. In any event, I shall repeat the opening paragraphs of Mr. Jewell's statement before the committee.

"The American Cotton Manufacturers Institute takes strong exception to certain provisions of section 2 of this bill and urges that the section be stricken in its entirety.

"The proposed changes in the methods of determining dutiable value are drastic in character and would tend to impair, or remove altogether, authentic standards of appraisement in the application of ad valorem duties.

"The proposed changes in consequence would:

"1. Subordinate the tariff function to considerations of "easy" administration.

"2. Transfer the power of value determination to foreign exporters without the offset of legally dependable correctives.

"3. Establish a pattern of legalized price discriminations in international trade.

"4. Remove the factor of competition, whether national or international, from value determination.

"5. Establish dumping as a legalized practice by removing the means of identifying it.

"6. Distort the dollar measurements of imports, thus crippling further their use in trade analysis.

"The bill not only invites foreign exporters as individuals to have a field day at the expense of the American Treasury and American industry," Mr. Jewell continued. "It also specifically encourages foreign governments to continue the practices of trade discrimination and exchange manipulation which are the avowed enemies of world trade recovery and which for 10 years we have been struggling to overthrow.

"Many countries from time to time resort to artificial measures to promote the sales of certain types of merchandise to the United States.

"Export bonuses, exchange retention certificates, the use of the so-called link system, the granting of export credits at rates lower than for other purposes, the conversion of dollar proceeds into national currency at rates above the market—all of these and many more devices influence directly, or determine, the market in which export value is established."

BILL DESTROYS FAIR WORLD TRADE STANDARDS

Further on in his testimony, Mr. Jewell said:

"The proposed course removes the means of attaining fair competitive standards in international trade. It brushes aside the concept of equality in treatment as between any given country and its customers. It assumes that it is fair and sound for every country to have a different set of prices for each country to which it exports.

"To realize the enormity of such a proposal let us suppose that American exporters were given the same rights and privileges as are accorded by this bill to foreign exporters. Selling procedures in the export trade would immediately adjust themselves to take advantage of the fact that in any foreign country, dutiable value could be established without reference to competition or to sales to other countries, or to cost of production.

"We have only to visualize the certain repercussions to know that a wide-scale adoption of such a system is unthinkable, and impossible."

H. R. 6040 WILL OPEN DOOR TO MORE IMPORT DUMPING

Further on in his testimony Mr. Jewell also stated:

"Under H. R. 6040, dumping would cease to exist as a separate definable feature of trade. It would become a normal and legally indistinguishable component of trade. There would be no way to give it definition in a particular case. The criteria of 'export value' as defined in the law gives respectability and acceptance to dumping under the guise of customs simplification."

JAPANESE TEXTILE EXPORT DATA CITED

Mr. Jewell when he states that this is a pro-dumping bill under the guise of customs simplification is correct. He also presented facts about Japanese cotton textile imports into the United States. From January to April 1954, they amounted to 10,000,772 square yards of piece goods. From January to April 1955, they totaled 23,096,987 yards, an increase of 130 percent. And that was before the new tariff cuts decreed by GATT.

PRESIDENT OF COTTON MANUFACTURERS STATES OPPOSITION TO H. R. 6040

William F. Sullivan, president of the National Association of Cotton Manufacturers, also presented a statement for the record. He stated in part:

"Section 2 of H. R. 6040 presents completely unjustifiable hazards and dangers to domestic textile producers. Itemization of the reasons why serious damage to the domestic textile industry would result from the operation of section 2 include:

"1. Section 2 actually enables foreign producers to take unilateral action in lowering the United States tariff on goods which they are exporting to the United States. This can be done by the simple expedient of selling textile products to the American market at a lower price than in their own domestic market. Foreign producers organized into cartels can use a two-price system—A high price in their own country where they can control the market and a lower price for export to the United States. Section 2 of H. R. 6040 places a very desirable premium on the use of this system and is an open invitation to foreign producers to exploit the American textile market.

"Even in situations where a cartel does not control the foreign market," Mr. Sullivan continued, "textile producers in other countries are offered a strong temptation to maintain an export price lower than the price in their own markets in order to break into the American market. Foreign producers would be given a free hand to abuse and distort our ad valorem rates of duty. There would be no real protection for the domestic textile industry against price manipulation by foreign producers.

"2. Reductions in ad valorem rates resulting from the operations of section 2 would be in addition to the tariff concessions granted by the United States in the Japanese treaty recently negotiated at Geneva.

"3. Reductions in rates of duty which would result from the use of section 2 would be in addition to the 15-percent tariff reduction authorized under the Trade Agreements Extension Act.

"4. Tariff reductions would be made without any advance notification and the domestic textile industry would be denied any opportunity to present its case at peril-point hearings, because there is no peril-point provision with respect to the reductions which would be affected under section 2.

"5. The domestic textile industry, damaged by tariff reductions under section 2, could receive no relief from the escape-clause procedure established under the Trade Agreements Extension Act, because there is no escape clause applicable to section 2 of H. R. 6040."

MANY OTHER TEXTILE ORGANIZATIONS FIGHTING BILL

Mr. President, there is much additional testimony from other representatives of the textile industry, from the Textile Workers Union of America which protests added injury to the industry, from the executive director of the National Federation of Textiles, Inc., the American Knit Handwear Association, the National Association of Wool Manufacturers, and others.

I shall refer to the testimony of only two additional witnesses representing segments of the textile industry, and then turn to some of the other industries who would be hurt by H. R. 6040.

Mr. Matthew H. O'Brien, secretary of the rayon and acetate fiber producers group, cited the two customs simplification acts already on the statute books. He said:

"I submit we are approaching a position where the Congress needs to view the cumulative effect of the various tariff proposals some of which effects are not immediately known. If this bill were designated and titled by the name of its present effect, for example, it would be much better understood and probably have no chance for reenactment."

"In the Trade Agreements Act of 1955," Mr. O'Brien pointed out, "Congress again renewed and adopted the principle of tariff concessions on a reciprocal basis. Without waiting for the effect of that act, or indeed the trade agreements recently negotiated with Japan and Switzerland, which may have drastically injurious effects on the domestic textile industry, Congress now is asked to abandon the principle of reciprocal concessions and make unilateral tariff reductions in unknown amounts."

Mr. President, I disagree with Mr. O'Brien that Congress has ever adopted the principle of tariff concessions on a reciprocal basis, although that is what proponents have long pretended. But I concur with him completely in his statement that H. R. 6040 would achieve unilateral tariff reductions in unknown amounts.

I agree with him also in his statement, and I quote, "That the time has come for the Congress to stop, look, and listen in order to appraise the effects of these acts and trade agreements, and to permit the industries and the workers affected to know the amounts of reduction in duty which are proposed, and to give them an opportunity to present to the Congress their views."

FABRICS EXECUTIVE DETAILS PROBLEM IN OBTAINING IMPORT DATA

Arthur M. Klurfield, executive director of the Textile Fabrics Association, testified before the Senate Finance Committee last year. He said, and I quote:

"Domestic manufacturers have no way of finding out from the Bureau of Customs what a particular importer pays by way of duty, at what rate, at what evaluation these goods are set, what is the basis of the evaluation. The only way the domestic manufacturers learn about any possible harm is after the harm has been done. In other words when they find those goods in the market place competing with their own. And then they have no way of going back and obtaining the necessary proof to make out their case.

"In other words, not only are the figures not made available to them, but in presenting a case, all they can point to is the bare fact of injury and the rest is left up to the administrative agency to do all the investigation and, in effect, make out the case for them."

What Mr. Klurfeld said is true. In other words the so-called concessions the Treasury Department has made with respect to lists, and investigations, and protests, and inquiries is a sham.

The American producer still has no way he can make his case.

The Treasury Department or the Customs Bureau which will actually do the work, is still the prosecutor, judge, jury, and hangman.

THE AMERICAN SYSTEM

Mr. MALONE. Mr. President, if the Congress of the United States is interested in trying to arrive at a fair valuation of imports, then it should value them just as the Tariff Commission was instructed to value imports, for tariff

purposes, in the 1930 act. That would be the American system. It should determine the difference in the American and foreign costs of production of each product, and the difference should be the tariff to take the profit out of cheap foreign labor at the waters edge.

I ask unanimous consent that the part I have indicated of section 336 of the 1930 Tariff Act, Equalization of Costs of Production, be printed at this point in the RECORD as a part of my remarks.

There being no objection, the section was ordered to be printed in the RECORD, as follows:

SEC. 336. Equalization of costs of production:

(a) Change of classification or duties: In order to put into force and effect the policy of Congress by this act intended, the Commission—meaning the United States Tariff Commission—(1) upon request of the President, or (2) upon resolution of either or both Houses of Congress, or (3) upon its own motion, or (4) when in the judgment of the Commission there is good and sufficient reason therefor, upon application of any interested party, shall investigate the differences in the costs of production of any domestic article and of any like or similar foreign article. In the course of the investigation the Commission shall hold hearings and give reasonable public notice thereof, and shall afford reasonable opportunity for parties interested to be present, to produce evidence, and to be heard at such hearings. The Commission is authorized to adopt such reasonable procedure and rules and regulations as it deems necessary to execute its functions under this section. The Commission shall report to the President the results of the investigation and its findings with respect to such differences in cost of production. If the Commission finds it shown by the investigation that the duties expressly fixed by statute do not equalize the differences in the costs of production of the domestic article and the like or similar foreign article when produced in the principal competing country, the Commission shall specify in its report such increases or decreases in rates of duty expressly fixed by statute (including any necessary change in classification) as it finds shown by the investigation to be necessary to equalize such differences.

(b) Change to American selling price: If the Commission finds upon any such investigation that such differences cannot be equalized by proceeding as hereinbefore provided, it shall so state in its report to the President and shall specify therein such ad valorem rates of duty based upon the American selling price (as defined in section 402 (g)) of the domestic article, as it finds shown by the investigation to be necessary to equalize such differences.

MINORITY REPORT ON H. R. 6040

Mr. MALONE. Mr. President, I also ask unanimous permission to insert in the RECORD as a part of my remarks the minority report on H. R. 6040.

There being no objection, the minority views were ordered to be printed in the RECORD, as follows:

MINORITY VIEWS ON H. R. 6040

We are opposed to H. R. 6040 in the form in which it was referred to the committee and as amended by the committee.

This very complicated customs simplification bill would change customs valuation rules of 30 years' standing. It would eliminate foreign value, make export value the major base for United States ad valorem duties, and change longstanding definitions of value terms. As shown by the Treasury Department's own testimony, these changes will lower the value for customs duty purposes and, hence, United States duties more than 5 percent on 19 broad classes of imported merchandise.

The bill's innocent appearance did not deceive the committee last year. Because of its tariff-reducing effect, the committee after hearings in July 1955, did not report the bill. Thereafter Treasury proposed compromise amendments.

This compromise consisted of a complicated scheme under which Treasury would identify at the beginning of each year for 3 years the imported products which would experience a reduction in duty exceeding 5 percent if the bill's value rules were applied. For 3 years those articles appearing on the Treasury list would continue to be valued for duty purposes under the present law. At the end of 3 years a report of the duty reductions which would occur under H. R. 6040 would be made by Treasury to Congress. If Congress did not act in 90 days, the new valuation rules of H. R. 6040 would have automatically become applicable to all United States imports.

Hearings were held by the committee on the compromise amendments on June 25, 26, and 27, of this year. After the public hearings had been concluded, the Treasury Department proposed to the committee an additional amendment to the bill providing in substance that all articles appearing on the fourth and final list to be prepared by the Treasury Department would continue to be valued for duty purposes under the present law unless and until Congress by appropriate legislation directed that such articles be valued for duty purposes under the new value provisions of H. R. 6040.

This amendment was adopted by the committee without opportunity for interested and affected industries to be heard and without sufficient time for an examination of the full implications of the amendment.

The bill as amended by the committee fails to correct the basic defects in the bill:

First: Inherent in the bill as amended by the committee is the assumption that a 5-percent decrease in valuation will not significantly affect the tariff protection afforded by the existing valuation standards. Any such premise is invalid. Furthermore, the bill as amended fails to meet the concern the committee itself had at the conclusion of its hearings in July of last year about the duty-reducing effects of the bill. The amended bill provides for arbitrary and across-the-board tariff reductions rather than the gradual and selective reductions advocated by President Eisenhower. Moreover, these reductions are not subject to the peril point, escape clause, and national security industries.

The fact that the so-called peril point and escape clause are ineffective and only included in prior extensions of the 1934 Trade Agreements Act to "wet down" public opinion do not justify ignoring the last vestige of recognition of the American workingman and investors.

Second: The bill as amended by the committee provides for a series of reports to Congress. It is not specific either as to the content or the preparation of the reports. Such reports can be revealing or not, depending upon the intent of the person making the report. No standard for classification is prescribed. It is possible to group imported articles for listing purposes in such a fashion as to eliminate the possibility of determining the effect of the changed valuation standard. Moreover, the amended bill provides for nothing more than publication of the lists. The Secretary is not required to publish any findings or supporting data upon which the lists are based. All that is required is preparation of lists "after such investigation" as the Secretary "deems necessary." This leaves the Secretary of the Treasury complete discretion as to the standards which are to govern the information to be contained in the reports to Congress.

The full extent of this discretion cannot be measured. The amended bill makes no provision for an effective appeal. If an article of merchandise is omitted from a list or is improperly classified, complaint must be made to the Secretary. All the amended bill requires the Secretary to do is to "cause such investigation of the matter to be made as he deems necessary." The amended bill places an impossible burden of proof on domestic industries to show why their products should not be subjected to the tariff-reducing effects of the bill.

Third: The procedure provided in the amended bill for obligation by a domestic manufacturer would be ineffective. The 60 days given to a domestic manufacturer in which to specify particular articles which he believes belong on the Treasury lists is unrealistic. Import statistics are not published in sufficient detail nor rapidly enough to let any private company know whether its products classified under general tariff terminology have actually been imported. Moreover, most producers do not have readily all their products. Finally, much of this available foreign and export value data on information as may be in the possession of the Treasury is not made available to domestic producers.

Fourth: If such reports are to determine what articles are to continue being valued for duty purposes under the present law, some better system of collecting and testing the data on which these reports are based should be provided. Congress in the Customs Simplification Act of 1954, in providing for a study of tariff reclassifications by the Tariff Commission, prescribed that the simplification purposes be achieved if at all possible without changes in the tariff. In those instances where the Commission concluded that changes in the level of the tariff would be required, Congress directed that before making such recommendations "the Commission shall give public notice of its intention to do so and shall afford reasonable opportunity for parties interested to be present, to produce evidence, and to be heard at public hearings with respect to the probable effect of such suggested changes on any industry in the United States."

The amended bill is completely lacking in any such safeguards.

Fifth: Under the amended bill foreign producers would have it within their power to manipulate their merchandising procedures in such a way as to influence the exclusion of their products from the list of articles which would experience a reduction in duty exceeding 5 percent under the new value rules. This could be accomplished by trade practices which would result in no foreign value being found at the time the preliminary and final lists were prepared under the amended bill. Treasury in its testimony before the committee admitted that "foreign exporters are now in a position to so conduct their affairs that the export value will be used in most cases." Once having accomplished the appraisement of their products under the new value provisions and after publication of the final list under the amended bill, the foreign producers would be free to resume their former practice of exporting their products to this country far below the foreign value without being subjected to the automatic check against this practice provided by the present value provisions. There would remain for the protection of domestic producers only the antidumping provisions of our tariff law.

This result is typical of the implications of the last amendment adopted by the committee without opportunity for hearing and adequate consideration. The fact that under this amendment Congress must take affirmative action to remove an article from the fourth and final list and subject it to the new value standards is no protection against the practice referred to. If anything, this amendment enhances the opportunity of

foreign producers to engage in dumping practices to the detriment of domestic producers.

Sixth: Even the last remaining antidumping provision of our tariff laws for the protection of our domestic industries would be substantially weakened by the amended bill. With the elimination of foreign value by the amended bill, the foreign value data now collected by the customs service for the administration of the present value provisions would be substantially curtailed.

Seventh: If a proper determination is to be made under the amended bill as to the applicability of the new valuation rules to articles which will suffer a reduction in value by 5 percent or more, it is obviously necessary that for each test period specified each and every imported article subject to ad valorem duties be appraised under both the present value standards and those specified in the amended bill.

The amended bill provides that the Secretary will publish a preliminary list of articles which were imported in fiscal year 1954 and which would have been appraised under the amended bill at 95 percent or less of the average value at which such articles were actually appraised. The Secretary's annual report for fiscal 1954 states under the caption, "Appraisement of Merchandise," that there were 1,472,000 invoices handled in 1954. Each of these would have to be reexamined to identify those pertaining to articles whose duties are based in whole or in part on value. Then a new appraisement would have to be made of the merchandise covered by each invoice so identified.

What is the magnitude of this task? In a 5 percent sampling of fiscal year 1954 dutiable entries at New York and Laredo and a 2½ percent sampling at 6 other ports, customs personnel made 19,908 recomputations of dutiable values. To do a 100 percent job just on those ports, it would apparently require at least 20 times that number of recomputations, or more than 398,160 recomputations. With what degree of accuracy can such a monumental undertaking be accomplished in the customhouses of the United States? What will the effect be on the regular day-to-day workload of the customs personnel and the prompt disposition of customs entries which Treasury is seeking to accomplish by the amended bill? Assuming that the Secretary can get over the task of compiling the first list, he must face the task of compiling the second, third, and fourth lists in the same way.

Furthermore, the lists would not necessarily carry the same items year after year. Items appearing on the list are to be appraised under the present value standards while those not listed would be appraised under the rules provided in the amended bill. This on-again, off-again character of the lists would create considerable confusion abroad as to the amount of duties to which imported articles would be subject during the 4-year period involved.

The final amendment proposed by Treasury to the bill would only add to this confusion, for after the publication of the fourth and final list certain imported articles would be valued under the value rules provided for in the amended bill and other imported articles would continue to be valued under the present value rules.

In short, the amended bill, if it is to be properly executed, involves almost an insurmountable workload at home and continuing confusion among foreign traders abroad. This is hardly customs simplification.

Eighth: What is the objective which would require a substantial reduction in the duty protection now afforded domestic producers, a tremendous increase in the workload of customs personnel, and confusion to foreign producers as to the tariff treatment of their products which they desire to export to the United States? The Treasury Department has testified that the bill would simplify customs procedures "primarily by eliminating the necessity for a great number of investigations in foreign countries." What are the actual dimensions of this problem? The 1955 report of the Secretary of the Treasury states that only 420 foreign investigations (including both classifications and value problems) were required in fiscal 1955 out of a total of 1,632,000 invoices handled. This is less than three-one hundredths of 1 percent. It is less than half of the 968 foreign inquiries in the preceding year. It is little more than a third of the peak year, 1953, when foreign investigations reached 1,180. Moreover, customs reduced its backlog of entries awaiting liquidation by about 61 percent during fiscal year 1955.

Is this the kind of a situation which calls for scrapping our well-established customs value machinery? We think not.

The people generally are only now becoming aware of the fact that beginning with the 1934 Trade Agreements Act that every move, GATT, ITO, OTC, customs simplification, billions to Europe, International Monetary Fund and many other organizations, and much proposed legislation form a concentrated attack on the economy of this Nation—and a leveling of our standard of living with that of the low-wage living standard nations of the world.

GEO. W. MALONE,
United States Senator, Nevada.

Mr. MALONE. In 2 decades the American system of economic and social independence established in 1789 with the adoption of our Constitution has been transformed into a grandiose, international socialist scheme of the division of our wealth program.

With our stepped-up transportation and communications systems suddenly all of the problems of the world—most of them 2,000 to 5,000 years old, starting before Columbus discovered America—seem to be added to our own.

STOP A MINUTE TO THINK

If we will just stop a minute to think, we would know that India and China, for example, after more than 5,000 years of recorded history and a combined population of more than one billion people, have not changed their standard or manner of living in 50 centuries of time.

If we paused a moment in our headlong rush to inject ourselves and our Nation's future back into the interminable trade wars of old Europe and Asia, we would realize that the rivalries and bitterness between the tribes and nations began several hundred years before Christ, and are more intense now than ever before.

If we would just pause to consider the facts in our short history, we would know that our ancestors left their homelands in Europe because they could not be free and make a decent living for their families.

What, then, are our objectives?

Are they to maintain our economic and social independence, or are they to merge our economy with that of the low-wage standard of living nations of Europe and Asia?

Now when it can be clearly seen that the continuation of this 22-year mental-aberration period is leading us directly into worldwide international socialism—a division of our wealth, a one-citizenship world, and free immigration—it is time to have another look before the final headlong plunge.

No one can advocate free trade and deny free immigration. Apropos of free trade, free immigration, the dollar shortage, reciprocal trade, and the myriad of catchwords and phrases and the multitude of trick organizations that whittle at our vitals while we sleep, you might remember that Abraham Lincoln once said:

> We cannot absolutely know that all these exact adaptations are the result of preconcert. But when we see a lot of framed timbers, different portions of which we know have been gotten out at different times and places and by different workmen—and we see these timbers joined together, all the tenons and mortises exactly fitting, and all the lengths and proportions of the different places exactly adapted to their respective places, and not a piece too many or too few—in such a case we find it impossible not to believe that all worked upon a common plane or draft drawn up before the first blow was struck.

Lincoln has told us how to recognize a complete, many-sided plan to destroy us from within.

THE CONSTITUTION AND BILL OF RIGHTS

Let us return to the Constitution and the Bill of Rights, the two greatest man-made documents in 5,000 years of recorded history.

CONGRESS—REGULATE FOREIGN TRADE AND NATIONAL ECONOMY

Article I, section 8, places the responsibility directly upon the Congress, the legislative branch, to regulate foreign commerce and our national economy. That the Congress, not the President, shall adjust the duties or tariffs.

Article I, section 8, also says that the Congress, the legislative branch, not the President, shall have the power to declare war.

The executive branch—the President of the United States—has usurped both of these powers.

Better said, the legislative branch has abdicated its constitutional responsibility in favor of the Executive through legislation recommended to it by the President of the United States.

The executive branch has completely dominated the legislative branch of our Government for 22 years.

THE AMERICAN SYSTEM VERSUS INTERNATIONAL SOCIALISM

The clear-cut issue facing the American people today is the American system versus international socialism.

Bulganin said last year in Moscow, in answer to my direct question, that socialism is the fisrt step to communism. That, I would say, came out of the "horse's mouth."

The international socialism—the division of the wealth—that we are now pursuing is the first step to international communism.

CATCH WORDS AND PHRASES

The international socialists invent catchwords and phrases: dollar shortage, reciprocal trade, trade not aid, to have foreign trade we must have "free trade."

The dollar shortage is caused by fixing a price on their money in dollars above the market price. The words reciprocal trade do not occur in the 1934 Trade Agreements Act, and we export a less percentage of our exportable goods now

than we did in 1934 when the act was first passed.

SO-CALLED LIBERALS—ACTUALLY THROWBACKS

It is time then to review the position of the so-called liberals who have continually shouted for free trade—billions of dollars of taxpayers' money to Europe, and freer immigration.

The so-called liberals who advocate the transfer of constitutional legislative power to the Executive, and the resulting international socialism theory, are actually advocating a return to the government ownership system as old as that of the primitive peoples of the desert and jungle.

They are advocating a return to central government control, which our people left Old Europe more than 300 years ago to escape—and then fought the Revolution and adopted the Constitution and the Bill of Rights to forever prevent its return.

Without realizing it, they are the greatest throwbacks in history.

They are advocating, evidently without realizing it, a return to the never-ending European trade wars, and to the central government control maelstrom, of the overpopulated areas of Europe and Asia.

From Washington's Farewell Address:

If in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation: For though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed.

RETURN TO AGE-OLD SYSTEM OF ALL-POWERFUL CENTRAL GOVERNMENT

They are advocating a return to the European and Asiatic age-old systems of absolute government domination of the world's economy and trade. They, in effect, say that since practically all of the European and Asiatic nations control their foreign trade and national economy through an all-powerful central government—that we must return to that 500-year-old system.

Old Europe, with one-half of the area, has twice the population of the United States.

Overpopulation is their problem—they have lived off the world through their colonial slavery system for 300 years.

The colonial slavery system is as dead as Julius Caesar. Through NATO, the Atlantic Pact, we guaranteed the integrity of a system already dead. The Atlantic Pact was stillborn.

Our forefathers left Europe because they could not make a living in that area—they still cannot, unless they can force other nations to contribute to their material wealth. The basic problem has not been changed and cannot change.

They say we must divide our wealth with them through gifts of cash and a division of our markets to get them back on their feet—they have no feet—they have lost the colonial slavery areas upon which they have depended for 300 years—we were the first to break away.

THE AMERICAN SYSTEM

The American system means keeping the American markets for Americans.

The American system means giving the American workingmen and investors equal access to their own markets, by taking the profit out of the foreign low-wage standard of living at the water's edge through paying a duty into the United States Treasury representing the difference in the effective wages and foreign wages.

FAIR AND REASONABLE COMPETITION

The American system means a flexible tariff or duty, as the Constitution calls it, adjusted on the basis of fair and reasonable competition — continually representing the difference between the American wage standard of living and that of the chief competitive nation on each product.

It will take the profit out of cheap foreign labor at the water's edge and provide the greatest possible incentive for foreign nations to raise their own standards of living.

Abraham Lincoln's platform, the Republican platform of 1860, proposed to adjust imports or tariffs "so as to encourage the development of the industrial interest of the whole country."

My Senate bill 2926 would revert to the Constitution in the regulation of foreign trade and the national economy.

The Tariff Commission, an agent of Congress, is equipped to do the job.

CONGRESS SHOULD CONSIDER THE AMERICAN PRODUCER AND WORKINGMAN

Mr. President, I ask that the Senate today consider the American system. Consider the American producer and the American workingman. Consider giving the American producer and workingman equal access to the American markets.

We should consider all of the approaches made to destroy the constitutional provision for the Congress to regulate foreign trade and the national economy, starting with the basic 1934 Trade Agreements Act, progressing through GATT, which was inaugurated in 1947.

The Secretary of State testified before the Senate Finance Committee that the 1934 Trade Agreements Act gave full authority to the President to locate the organization he might spearhead in Geneva or any other place on earth and he did spearhead the organization of GATT and located it in Geneva. The General Agreement on Tariffs and Trade located at Geneva was followed by the International Trade Organization, which the Congress refused to adopt, and the International Trade Cooperation Organization, which is now pending in the House, three customs simplification bills, so-called, all designed to bypass the Constitution of the United States in the regulation of foreign trade and the national economy.

READ THE CONSTITUTION JUST ONE MORE TIME

I ask that the Members of the Senate just read the Constitution one more time, and return to the Congress the regulation of foreign trade and the national economy in accordance with the provisions of that document—written in blood in 1789 by men who had left bloody tracks since 1776, the Declaration of Independence—to get away from the Old World's endless trade wars and domination by a colonial slavery system.

MUTUAL SECURITY APPROPRIATIONS FOR 1957—UNANIMOUS-CONSENT AGREEMENT

During the delivery of Mr. MALONE's speech,

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Nevada [Mr. MALONE] may yield to me for the purpose of suggesting the absence of a quorum and proposing a unanimous-consent request on the mutual security bill, with the understanding that the proceedings will appear in the RECORD at the conclusion of the Senator's remarks, and with the further understanding that it will not jeopardize the Senator's right to the floor.

Mr. MALONE. Mr. President, I yield under those conditions.

The PRESIDING OFFICER (Mr. ERVIN in the chair). Without objection, it is so ordered.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I send to the desk a proposed unanimous-consent agreement and ask that it be stated.

The PRESIDING OFFICER. The proposed unanimous-consent agreement will be stated for the information of the Senate.

The Chief Clerk read the proposed unanimous-consent agreement, as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That when the Senate proceeds to the consideration of the bill H. R. 12130, mutual security 1957, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 6 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal. (July 18, 1956.)

Mr. ELLENDER. Mr. President, reserving the right to object, may I inquire when the Senator from Texas expects to have the bill taken up?

Mr. JOHNSON of Texas. We hope to take up the bill after the consideration of the bill which is now before the Senate.

Mr. ELLENDER. Will it be tomorrow or on Friday?

Mr. JOHNSON of Texas. It is difficult for me to say. I do not know how long the Senator from Nevada is going to speak. The Senator from Louisiana has had more experience than I have as to how long a Senator will speak.

Mr. ELLENDER. In any event, it will not be taken up on Friday?

Mr. JOHNSON of Texas. We certainly will not vote on it. I will say that to the Senator.

The PRESIDING OFFICER. Is there objection to the request of the majority leader?

Mr. MALONE. Mr. President, will this agreement affect any debate prior to the consideration of the bill?

Mr. JOHNSON of Texas. No.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the unanimous-consent request is entered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed the following bills of the Senate, severally with amendments, in which it requested the concurrence of the Senate:

S. 1243. An act for the relief of Kyu Lee;

S. 1324. An act for the relief of Salvatore di Morello; and

S. 3009. An act for the relief of Kiyoshi Kinoshita.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 5299) to authorize the establishment of the Virgin Islands National Park, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ENGLE, Mr. ASPINALL, and Mr. WESTLAND were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 5712) to provide that the United States hold in trust for the Pueblos of Zia and Jemez a part of the Ojo del Espiritu Santo Grant and a small area of public domain adjacent thereto; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HALEY, Mr. SISK, and Mr. RHODES of Arizona were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 12138) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CANNON, Mr. MAHON, Mr. SHEPPARD, Mr. THOMAS, Mr. KIRWAN, Mr. NORRELL, Mr. WHITTEN, Mr. ANDREWS, Mr. ROONEY, Mr. GARY, Mr. FOGARTY, Mr. SIKES, Mr. PRESTON, Mr. RABAUT, Mr. TABER, Mr. WIGGLESWORTH, Mr. JENSEN, Mr. H. CARL ANDERSEN of Minnesota, Mr. MORAN, Mr. CANFIELD, Mr. FENTON, Mr. PHILLIPS, Mr. SCRIVNER, Mr. COUDERT, Mr. CLEVENGER, Mr. WILSON of Indiana, and Mr. FORD were appointed managers on the part of the House at the conference.

The message further announced that the House insisted upon its amendment to the bill (S. 497) to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ENGLE, Mr. ASPINALL, and Mr. MILLER of Nebraska were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7380) to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities.

The message further announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 908. An act for the relief of August J. Strigga;

H. R. 2952. An act for the relief of John H. Parker;

H. R. 3274. An act for the relief of the Martin Wunderlich Co.;

H. R. 4464. An act for the relief of Mrs. Kathryn H. Wallace;

H. R. 5586. An act for the relief of Otto B. Hauffe;

H. R. 6081. An act for the relief of Patricia May Stevens;

H. R. 7162. An act for the relief of T. W. Holt & Co.;

H. R. 8056. An act for the relief of Col. Adolph B. Miller;

H. R. 8971. An act for the relief of Hamazasp Psakian, Mrs. Varsenick Psakian, and Nune Nona Psakian;

H. R. 9028. An act for the relief of Fred G. Nagle Co.;

H. R. 9755. An act for the relief of Elmer L. Henderson;

H. R. 11821. An act for the relief of Esterlee Hutzler Weikhoeppel;

H. R. 11822. An act for the relief of Tom R. Hickman and Nannie Conley and husband, Jack Conley;

H. J. Res. 642. Joint resolution to authorize and direct the Secretary of Agriculture to quitclaim certain property in Coahoma County, Miss., to the Home Demonstration Club of Rena Lara, Miss., Inc.;

H. J. Res. 660. Joint resolution for the relief of certain aliens;

H. J. Res. 661. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 662. Joint resolution for the relief of certain relatives of United States citizens;

H. J. Res. 680. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 681. Joint resolution to waive the provisions of section 212 (a) (6) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 682. Joint resolution for the relief of certain aliens; and

H. J. Res. 683. Joint resolution for the relief of certain aliens.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 1358. An act to authorize modification of the flood-control project for Missouri River Agricultural Levee Unit 513-512-R, Richardson County, Nebr.

S. 1384. An act to provide for the reconveyance of all mineral interests in lands acquired by the United States for certain reservoir projects to former owners thereof, and for other purposes;

S. 2092. An act transferring to the jurisdiction of the Department of the Army the bridge across the Missouri River between the Fort Leavenworth Military Reservation in Kansas and Platte County, Mo., and authorizing its removal;

S. 2305. An act to exclude certain lands from Acadia National Park, Maine, and to authorize their disposal as surplus Federal property;

S. 2424. An act to provide that lock and dam numbered 17 on the Black Warrior River, Ala., shall hereafter be known and designated as the John Hollis Bankhead Lock and Dam;

S. 2517. An act to amend subsection 3 (a) of the act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska;

S. 2711. An act to authorize medals and decorations for outstanding and meritorious conduct and service in the United States merchant marine, and for other purposes;

S. 3032. An act granting the consent and approval of Congress to the Middle Atlantic Interstate Forest Fire Protection Compact;

S. 3120. An act to amend the Soil Conservation and Domestic Allotment Act, as amended;

S. 3180. An act to amend title 28 of the United States Code to authorize the appointment of two United States commissioners for Cumberland Gap National Historical Park;

S. 3344. An act to authorize the Secretary of Agriculture to convey to the Territory of Alaska certain lands in the city of Sitka, known as Baranof Castle site;

S. 3388. An act to provide for the conveyance of certain real property of the United States to the port of Port Townsend, Wash.;

S. 3397. An act to amend section 3 of the act of May 19, 1947 (ch. 80, 61 Stat. 102), as amended, for the purpose of extending the time in which payments are to be made to members of the Shoshone Tribe and the Arapahoe Tribe of the Wind River Reservation, in Wyoming, and for other purposes;

S. 3412. An act to extend the provisions of title XIII of the Civil Aeronautics Act of 1938, as amended, relating to war risk insurance for an additional 5 years;

S. 3482. An act to provide for transfer of title of certain lands to the Carlsbad Irrigation District, New Mexico;

H. R. 2111. An act to authorize the Secretaries of the Army, the Navy, and the Air

Force to cause to be published official registers for their respective services;

H. R. 8898. An act to provide an additional authorization of appropriations for the purchase by the Secretary of Agriculture under the act of May 11, 1938, of lands within the boundaries of the Cache National Forest in the State of Utah;

H. R. 10285. An act to merge production credit corporations in Federal intermediate credit banks; to provide for retirement of Government capital in Federal intermediate credit banks; to provide for supervision of production credit associations; and for other purposes; and

S. J. Res. 182. Joint resolution to extend the time for filing the final report of the Commission on Government Security to June 30, 1957, and for other purposes.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED OR PLACED ON CALENDAR

The following bills and joint resolutions were read twice by their titles, and referred, or placed on the calendar, as indicated:

H. R. 908. An act for the relief of August J. Strigga;

H. R. 2952. An act for the relief of John H. Parker;

H. R. 3274. An act for the relief of the Martin Wunderlich Co.;

H. R. 4464. An act for the relief of Mrs. Kathryn H. Wallace;

H. R. 5586. An act for the relief of Otto B. Hauffe;

H. R. 6081. An act for the relief of Patricia May Stevens;

H. R. 7162. An act for the relief of T. W. Holt & Co.;

H. R. 8056. An act for the relief of Col. Adolph B. Miller;

H. R. 8971. An act for the relief of Hamazasp Psakian, Mrs. Varsenick Psakian, and Nune Nona Psakian;

H. R. 9028. An act for the relief of Fred G. Nagle Co.;

H. R. 9755. An act for the relief of Elmer L. Henderson;

H. R. 11821. An act for the relief of Esterlee Hutzler Weikhoeppel;

H. R. 11822. An act for the relief of Tom R. Hickman and Nannie Conley and husband, Jack Conley;

H. J. Res. 660. Joint resolution for the relief of certain aliens;

H. J. Res. 661. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 662. Joint resolution for the relief of certain relatives of United States citizens;

H. J. Res. 680. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 681. Joint resolution to waive the provision of section 212 (a) (6) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 682. Joint resolution for the relief of certain aliens; and

H. J. Res. 683. Joint resolution for the relief of certain aliens; to the Committee on the Judiciary.

H. J. Res. 642. Joint resolution to authorize and direct the Secretary of Agriculture to quitclaim certain property in Coahoma County, Miss., to the Home Demonstration Club of Rena Lara, Miss., Inc.; placed on the calendar.

CUSTOMS SIMPLIFICATION ACT, 1956

The Senate resumed the consideration of the bill (H. R. 6040) to amend certain administrative provisions of the Tariff Act of 1930, and to repeal obsolete provisions of the customs laws.

During the delivery of Mr. MALONE's speech,

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Nevada may yield to me for the purpose of suggesting the absence of a quorum, in order that a unanimous-consent agreement to be proposed by the minority leader and myself may be read for the information of the Senate, without the Senator's losing the floor, and with the understanding that this subject matter will appear at the conclusion of his remarks.

Mr. MALONE. Mr. President, I yield for that purpose.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GORE in the chair). Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask that the unanimous-consent agreement proposed by the minority leader and myself be read.

The PRESIDING OFFICER. The proposed unanimous-consent agreement will be read for the information of the Senate.

The legislative clerk read as follows:

UNANIMOUS CONSENT AGREEMENT

Ordered, That, effective on the conclusion of the speech of the Senator from Nevada [Mr. MALONE], during the further consideration of the bill H. R. 6040, the so-called Customs Simplification Act of 1956, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal. (July 18, 1956.)

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement?

Mr. MALONE. Mr. President, I presume that the distinguished Senator from Texas has consulted with the Senators who have expressed opposition to the bill. I do not see all of them here.

Mr. JOHNSON of Texas. I have consulted with the Senator from Pennsylvania [Mr. MARTIN] and have asked him to speak with the Senators on his side of the aisle who are interested. I have consulted also with the minority leader and with Senators on this side of the aisle who are opposed to the bill.

The proposed agreement is in the usual form and would become effective at the conclusion of the remarks of the Senator from Nevada.

Mr. MALONE. As for myself, I shall not object.

The PRESIDING OFFICER (Mr. GORE in the chair). Is there objection to the proposed unanimous consent agreement? The Chair hears none, and the agreement is entered.

Mr. WOFFORD. Mr. President, I send an amendment to the desk, and ask to have it stated.

The PRESIDING OFFICER (Mr. LAIRD in the chair). The amendment will be stated.

The LEGISLATIVE CLERK. On page 21, after line 9, it is proposed to insert the following:

(c) Notwithstanding any other provision of this act, any article the rate of duty on which has been or will be decreased under a foreign trade agreement to the extent permitted by paragraph 2 (C) or (D) of section 350 (a) of the Tariff Act of 1930, as amended, shall be appraised only in accordance with redesignated section 402a of such act; and all such articles shall be included in the final lists published under the provisions of this section.

The PRESIDING OFFICER. The unanimous-consent agreement now being effective, how much time does the Senator from South Carolina yield to himself?

Mr. WOFFORD. I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 10 minutes.

Mr. WOFFORD. Mr. President, I wish to make only a few remarks in explanation of my proposed amendment.

The amendment has only one purpose: To prevent further reductions in tariffs on items which have already been reduced to the limit under the provisions of H. R. 1, which was approved by the Congress last year. In some cases the full reduction has already taken place on textile items imported from Japan and on some other items.

In other instances, negotiations at the GATT conference in Geneva last year, and at the more recent negotiations this year, resulted in the cutting of tariff rates up to the maximum of 15 percent over a period of 3 years.

While I fully understand that the purpose of this bill is not to reduce the pres-

ent rates on goods imported into this country, it should be clear from a casual reading of the bill that its result will be identical. The Treasury Department in its testimony before the Senate Finance Committee and the House Ways and Means Committee admitted that the average reduction would be 2½ percent of the present value of imported goods, when the customs valuation is based entirely on "export value," as this bill proposes.

Mr. President, some of our American industries are hard pressed, and a resolution asking for relief for our people is now pending on the Senate calendar. This Senate should not permit a backdoor approach, such as this bill, to result in further damage to our domestic industries. Without my amendment, that will be the sure result of this so-called customs simplification bill.

Mr. President, in this amendment, I am not asking any special favors for any industry. What I am seeking is to keep this backdoor bill from reducing the protection to our American industries which the members of the Senate approved only a year ago, in H. R. 1.

It should be clear that my amendment would apply to thousands of items which are produced in all sections of this country. The maximum reductions allowed by H. R. 1 were agreed to on practically all of the items considered in the negotiations at Geneva in 1955, and again this year.

Included in these long lists are jute fabrics, linen handkerchiefs, damask tablecloths, cigars, canned tomatoes, many hardware products, motorboats, textile machinery, ceramics, lumber and paper products, textile products, and so forth.

The largest cut at the negotiations in Geneva this year was in the field of metal products. In this category the reductions amounted to 42 percent of the total trade value which the State Department estimated was involved in the negotiations.

Products of agriculture totaled 29.6 percent of the total.

The State Department estimated that the concessions at Geneva this year, valued in terms of trade, totaled $753 million, based on 1954 import values.

Without my amendment, this bill would defeat the purpose of H. R. 1, which last year established a 3-year policy of tariff reduction. This bill would now completely upset that policy, after only 1 year.

Mr. President, on the question of agreeing to my amendment, I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. JOHNSON of Texas. Mr. President, has the Senator from South Carolina concluded his statement?

Mr. WOFFORD. Yes.

Mr. JOHNSON of Texas. Mr. President, from the time available to Members in opposition to the amendment, I yield 7 minutes to the Senator from Arkansas [Mr. McCLELLAN].

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 7 minutes.

REPORT ENTITLED "EAST-WEST TRADE" BY COMMITTEE ON GOVERNMENT OPERATIONS—MINORITY VIEWS (S. REPT. NO. 2621)

Mr. McCLELLAN. Mr. President, I submit a report of the majority of the Senate Permanent Subcommittee on Investigations, of the Committee on Government Operations, on the relaxation of international controls over trade with the Soviet bloc.

As is pointed out in the report, since the Paris Agreement in 1954, our Allies, with the concurrence of the United States, can now ship such strategic materials as machine tools; minerals and metals, such as aluminum, copper, and nickel alloys; and even electric equipment, such as generators up to 60,000 kilowatts, which are used in the manufacture of fissionable materials.

The report should prove of interest to the Members of this body as they vote on appropriation for foreign aid, for they will find that some of the countries that we are intending to aid, to fight the Communist threat, are, in turn, trading strategic materials to the Communists.

As is clearly documented in the report, the American people and Congress were misled about the results of this 1954 agreement by the statements of Mr. Harold Stassen, while he was Battle Act administrator.

This relaxation of strategic trade embargo has been, and is still, cloaked in secrecy not warranted by security regulations. The suppression of information hindered the investigation of our subcommittee, and violated the right of Congress to obtain information necessary in the exercise of its legislative functions.

The majority of the subcommittee members find it ironic that the executive branch of the Government has made available to a private citizen, for the purpose of writing a book for his own profit, memorandum and papers similar to those which it refused to this subcommittee.

The report on the results of the secret agreement with our allies regarding trade with the European Soviet bloc takes on particular significance at this time, as discussions regarding relaxation of trade with Red China are now taking place. It should be pointed out that, even without such relaxation, our Allies' trade with Communist China increases monthly.

In 1955, 1,193 trips were made by Western-flag vessels in and out of Red Chinese ports. This is an increase of 386 trips over the prior peak year of 1954. In 1955, the gross tonnage of these vessels amounted to 11,085,831—an increase of over 2,200,000 gross tons from the corresponding tonnage in 1954.

Since January, 1956, well over 1 million gross tons of shipping flying flags of our Allies have been going in and out of Communist Chinese ports, each month. Furthermore, over 50 percent of the vessels taking part in this trade fly the British flag.

The subcommittee has recommended that Congress should be advised, prior to implementation, as to those items that the United States agrees with our Allies should be removed or downgraded from the China embargo list. The American people and Congress should not again learn years after the event takes place, what is done in an area as vital as this.

I feel the whole subject of East-West trade, as dealt with in our subcommittee report, is of prime importance, and I ask it be given close study by Members of Congress.

Mr. President, along with the majority report, minority views are filed. I must confess that when I read the minority views, I was amazed and was really astonished at the tone and contents and at the apparent very partisan spirit in which they are written. The minority views are not on the merits of the investigation, but they are more directed at partisan criticism of a majority of the committee.

At this time, I should like to say a few words about the minority views and the statements contained therein.

The primary point which seems to be made is that at the COCOM conference, there was nothing we could do other than to agree to the removal of these strategic items from the international list. This is not true, Mr. President.

As is pointed out in the minority views, before items are placed on the list, there must be complete agreement and concurrence from all nations. In the same way, before items are removed from the embargo list, there must be concurrence and agreement from all countries. Therefore, the United States had to agree to the removal or downgrading of these 200 items or otherwise those items would not be removed.

It should also be pointed out that the United States had the Battle Act wherein aid could be cut off to nations who sent items of strategic nature to the Soviet bloc. We could have invoked the penalty provisions of the Battle Act, but did not do so. At the request of our allies, immediately following the COCOM conference, we removed from the Battle Act list those items which our allies wished to ship to the European Soviet bloc. The Battle Act, which would have been a strong bargaining point, was thus made ineffective.

The point is made in the minority report that—

> The report deliberately fails to relate the entire program that was followed by these committees.

The report further states:

> The Joint Operating Committee simply acted at the time as a coordinating committee at the working level for these two senior advisory committees. The recommendations of JOC were first reviewed and approved or revised by ACEP and EDAC, which in turn made recommendations to the Secretary of Commerce and the Battle Act Administrator respectively, and thence to the President by way of the National Security Council.

This statement is not accurate as is pointed out on page 20 and page 21 of the report. The JOC recommendations were just not approved or revised by ACEP and EDAC, for the simple reason that ACEP and EDAC did not even meet during this period when this crash review was taking place.

The minority report also makes the point that the subcommittee was given information in executive session and specifically that no figures were given in the report regarding the trade with the Soviet bloc in certain strategic items.

If that information is not available to the public, and not available to the Congress, it is not the fault of the majority of the committee, because we did everything in our power to get the information and make it available to the Congress and to the American people. So I do not see why the majority of the committee, after having done its best, should be criticized for a failure to get the information to which the American people are entitled.

It should be pointed out that the figures for trade in these particular items were requested by the subcommittee of the various Government departments on several occasions including the executive session on April 20, 1956.

We tried to get figures showing the volume of trade in these strategic items, one by one. We were unable to get it, because representatives of the executive branch who testified before the committee said they did not have that information. They could give it to us only in categories, such as machine tools, but we could not tell from that information what kind of machine tool was shipped. The only figures available were with respect to the dollar value.

The PRESIDING OFFICER. The time of the Senator from Arkansas has expired.

Mr. JOHNSON of Texas. I yield 3 additional minutes to the Senator from Arkansas.

Mr. McCLELLAN. Admiral DeLany, Deputy Director of ICA, and Battle Act Administrator, and Mr. Smith, of the Commerce Department, explained to the subcommittee at that time that it was impossible to give these figures on particular items because our Government just did not have them. Trade figures are not broken down to that extent. It is significant that the minority report does not carry such figures.

Mr. President, the only figures that are available are the overall trade figures which are contained on pages 20 and 22 of the report. It shows that between 1953, the year prior to the COCOM revision, and 1955, the year after the COCOM revision, Western Europe's trade with the European Soviet bloc had increased some 65 percent. In addition, it was pointed out in the last Battle Act report that this increase in trade was in the hard-goods category. It was clearly established during the hearings that the exports to the Soviet bloc in the general machine tool and metals categories has increased considerably since August 1954.

The point is, Mr. President, that some 200 items which were deemed to be highly strategic in July of 1954 were considered nonstrategic in September of 1954.

My principal contention is that testimony taken in executive session is not made available. It is not the fault of the majority of the committee that this testimony is not available to the American people. I take the position that our Government has no right to make secret agreements with our allies with regard to trade with foreign countries, and then expect the American taxpayer to make up their economic deficits, with our financial aid without being given information about the nature and character and extent of that trade in strategic goods, which are bound to go to the military benefit of a possible enemy, when we are providing this aid to build resistance to the aggression of communism.

The PRESIDING OFFICER. The time of the Senator from Arkansas has again expired.

Mr. JOHNSON of Texas. I yield 2 additional minutes to the Senator from Arkansas.

Mr. SYMINGTON. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I yield.

Mr. SYMINGTON. I notice this statement in the minority views:

> The report is based upon testimony obtained in public hearings and ignores testimony given in executive session.

Mr. McCLELLAN. I do not want to ignore the testimony given in executive session. I should like to make it public. The only reason it cannot be made public is that the administration will not declassify it so that the American people can have it.

Mr. SYMINGTON. The minority views continue: "which necessarily creates a foundation for distortion. The result is that the conclusions are erroneous."

Will not the Senator agree, first, that all the classification was done by the administration?

Mr. McCLELLAN. It was all done by the administration, over the protest of the committee and our insistence that the American people were entitled to this information.

Mr. SYMINGTON. Will the distinguished Senator not agree also that there was no justification for the classification of this information?

Mr. McCLELLAN. I do not think there was any justification whatever for it. I think the American people are entitled to know what kind of trade our allies, whom we are asked to help, are carrying on.

Mr. SYMINGTON. Can the Senator reach any other conclusion than this information was classified in order to prevent the truth from getting to the American people?

Mr. McCLELLAN. It has that effect. It prevents the truth from getting to the American people.

The PRESIDING OFFICER. The report, together with the minority views, will be received and printed.

WORK OF SUBCOMMITTEE ON REORGANIZATION OF THE COMMITTEE ON GOVERNMENT OPERATIONS

Mr. JOHNSON of Texas. Mr. President, I yield 10 minutes to the Senator from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY. Mr. President, 12 of the 20 reports of the Second Hoover Commission—the Commission on Organization of the Executive Branch of the Government—were referred to the Subcommittee on Reorganization of the Committee on Government Operations, of which I have the privilege of serving as chairman.

Fifty-five of the one-hundred-odd bills introduced in the Senate during the 84th Congress to implement the Hoover Commission's recommendations were referred by the Committee on Government Operations to the Subcommittee on Reorganization, which has the major responsibility for reorganization legislation in the Senate.

I am glad to report to Members of the Senate that the subcommittee has acted upon 32 of these bills. After consolidations to eliminate duplications, the Main Committee on Government Operations, of which my distinguished colleague, the senior Senator from Arkansas [Mr. McCLELLAN] is chairman, has reported favorably 12 reorganization measures incorporating the bills the subcommittee acted upon. All 12 of these bills have been approved by the Senate; 8 have also passed the House of Representatives and 5 have become public law.

Mr. President, I should like to take this opportunity to express my grateful appreciation to my colleagues on the Subcommittee on Reorganization who have been responsible for this outstanding program on the Hoover reports: Senator HUMPHREY of Minnesota, Senator SYMINGTON of Missouri, Senator WOFFORD of South Carolina, Senator SMITH of Maine, Senator COTTON of New Hampshire, and Senator MARTIN of Iowa, as well as all the Members of the Committee on Government Operations who have cooperated so splendidly with us in this important work.

I also express my appreciation to the majority leader [Mr. JOHNSON of Texas] for the assistance he has given us in securing passage of the legislation.

I should also be remiss if I did not take this occasion to commend the staff of the full Committee on Government Operations, which has labored so diligently in processing this legislation through the Senate. I refer especially to Mr. Scull, Mr. Shriver, Mr. Nobleman, and Mrs. Keeney, who rendered very valuable service.

The Subcommittee on Reorganization has acted upon 32 Hoover Commission bills during the 84th Congress.

On the recommendation of the subcommittee, the Senate Committee on Government Operations has reported favorably upon 12 Hoover Commission bills into which the subcommittee consolidated the 32 bills upon which it acted.

Mr. President, I ask unanimous consent that a list of the bills upon which

the subcommittee has taken action be printed in the RECORD at this point as a part of my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Bill	Sponsor	Subject	Status
S. 613 H. R. 2576	McClellan	To extend the Reorganization Act of 1949, as amended, to June 1, 1957.	Public Law 16, 84th Cong., 1st sess.
S. J. Res. 21 H. J. Res. 157	Humphrey (et al.)	To establish a 12-member bipartisan Commission on Government Security.	Public Law 304, 84th Cong., 1st sess.
S. 1806 H. R. 7025	McClellan	To authorize the Comptroller General to relieve accountable officers of the Government of financial liability in certain instances.	Public Law 334, 84th Cong., 1st sess.
S. 1927 H. R. 7034	do	To provide permanent authority for the relief of Army, Navy, Air Force, and Marine Corps disbursing officers of accountable liability in certain instances.	Public Law 365, 84th Cong., 1st sess.
S. 2364 H. R. 6091	Kennedy	To centralize records management in the General Services Administration.	Passed Senate July 30, 1955.
S. 2591 H. R. 6568	do	To centralize disposal of surplus property in the General Services Administration.	Do.
S. 3362 H. R. 9693	Kennedy (et al.)	To expedite payments of certified claims where appropriations have lapsed.	H. R. 9693. Passed Senate June 20, 1956. Passed House [1] June 5, 1956.
S. 3693 H. R. 7227	do	To authorize donation of surplus property for civil defense purposes.	Public Law 655, 84th Cong., 2d sess.
S. 3897 H. R. 11526	do	To revise budgeting, accounting, and appropriations processes.	S. 3897. Passed Senate June 20, 1956. H. R. 11526. Passed House July 13, 1956.
S. 2068 H. R. 7855	McClellan	To extend authority to dispose of surplus property by negotiation to July 31, 1958.	H. R. 7855. Passed Senate June 18, 1956. Passed House Aug. 2, 1955.
S. 3768	do	To include the Department of Health, Education, and Welfare in sec. 158 of the revised statutes.	Passed Senate June 14, 1956.
S. 4076	do	To authorize appointment by the President of legal officers of certain executive departments.	Passed Senate July 13, 1956.

[1] House amendments agreed to in conference July 13, 1956.

Mr. KENNEDY. With this start, we may look forward to continued progress during the next Congress on implementation of those Hoover Commission recommendations which prove justified in the interest of efficiency, economy, and better management of governmental affairs.

Altogether, the subcommittee, during the 84th Congress, considered 55 bills, resolutions, and other proposals relating to the Second Hoover Commission's reports.

Action at the current session was deferred upon 5 bills because their objectives either have been or may be implemented through administrative action, upon 12 bills because the executive agencies affected either were opposed or unable to determine their positions on controversial reorganization issues, and upon 6 bills which were referred to other congressional committees which had primary jurisdiction over the legislation proposed.

The most significant action by the 84th Congress on the Hoover Commission reports was passage by the Senate on June 20, 1956, on recommendation of the Committee on Government Operations, of S. 3897, providing for improvements in budgeting, accounting, and appropriation procedures regarded as the most important developments in the Government's financial structure in a decade or more. An amended bill passed the House of Representatives July 13, 1956.

Sponsored by 32 Members of the Senate from both sides of the aisle, S. 3897 would place the entire governmental financial structure on an annual accrued expenditures basis by requiring that budgets be based upon actual costs, the agency accounts be maintained on an annual accrual basis, and that appropriations be related directly to expenditures each fiscal year. Most authorities regard these as the most important of all the Hoover Commission's recommendations to the Congress.

The bill has the unqualified endorsement of the Hoover Commission, the major financial officers of the Government—the Director of the Bureau of the Budget, the Comptroller General of the United States, and the Secretary of the Treasury—and of the President of the United States, who in a special message to the Congress on May 10, 1956, urged early enactment of appropriate legislation in this field.

In addition to providing substantial savings, the determination of appropriations on an expenditures basis would eliminate or substantially reduce the tremendous carryovers of unexpended balances now estimated to amount to $74,600,000—statement by Senator HARRY F. BYRD in the CONGRESSIONAL RECORD of June 20, 1956, page 10633—and over which the Congress has little or no annual control once the appropriations are made.

Other Hoover Commission proposals of significance upon which the subcommittee took favorable action during the 84th Congress, indicated by the tabulation above, include: First, extension of the Reorganization Act of 1949, which empowers the President to submit reorganization plans to the Congress; second, establishment of the Commission on Internal Security, which is reviewing the Government's complicated security program; third, centering of responsibility for the disposal of surplus property throughout the Government in the General Services Administration; fourth, authorizing the General Accounting Office to expedite the payments of certified Government claims where appropriations have lapsed with an estimated annual savings of approximately $1 million; fifth, coordination of the Government's $4 billion records-management program throughout the executive branch by the General Services Administration; sixth, authorizing the donation of surplus Government property for State civil defense purposes; seventh, extending the Government's authority to dispose of surplus property by negotiation to July 31, 1958; and, eighth, authorizing appointments of the chief legal officers of various executive departments by the President of the United States.

The subcommittee disapproved two measures during the 84th Congress—a proposal to create a position of Administrative Vice President in the White House and Reorganization Plan No. 2 of 1956, which would have separated the Federal Savings and Loan Insurance Corporation from the Home Loan Bank Board, neither of which was in accord with the Hoover Commission's Reports. The House of Representatives rejected Reorganization Plan No. 2 on July 5, 1956.

The subcommittee also considered Reorganization Plan No. 1 of 1956 submitted by the President on May 16, 1956, which provided for the creation of an Assistant Secretary for research in the Army, Navy, and Air Force, but took no action since the House of Representatives rejected plan No. 1 on July 5, 1956.

It is my hope that during the next session of Congress the subcommittee will continue to consider these matters. However, I believe that on the measures which have been referred to the subcommittee an excellent start has been made, because the proposals embodied in them and referred to the subcommittee have either been passed or, if not passed, referred to other committees, or carried out through administrative action.

CUSTOMS SIMPLIFICATION ACT, 1956

The Senate resumed the consideration of the bill (H. R. 6040) to amend certain administrative provisions of the Tariff Act of 1930, and to repeal obsolete provisions of the customs laws.

Mr. WOFFORD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Bricker	Case, S. Dak.
Allott	Bridges	Chavez
Anderson	Bush	Clements
Barrett	Butler	Cotton
Beall	Byrd	Curtis
Bender	Capehart	Dirksen
Bennett	Carlson	Douglas
Bible	Case, N. J.	Duff

Dworshak	Johnson, Tex.	Neely
Eastland	Johnston, S. C.	Neuberger
Ellender	Kefauver	O'Mahoney
Ervin	Kennedy	Pastore
Flanders	Kerr	Payne
Frear	Knowland	Purtell
Fulbright	Kuchel	Robertson
George	Laird	Russell
Goldwater	Langer	Saltonstall
Gore	Lehman	Schoeppel
Green	Long	Scott
Hayden	Magnuson	Smathers
Hennings	Malone	Smith, Maine
Hickenlooper	Mansfield	Smith, N. J.
Hill	Martin, Iowa	Sparkman
Holland	Martin, Pa.	Stennis
Hruska	McCarthy	Symington
Humphrey, Minn.	McClellan	Thye
	McNamara	Watkins
Humphreys, Ky.	Millikin	Welker
	Monroney	Wiley
Ives	Morse	Williams
Jackson	Mundt	Wofford
Jenner	Murray	Young

Mr. CLEMENTS. I anounce that the junior Senator from Texas [Mr. DANIEL] is absent on official business.

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The PRESIDENT pro tempore. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. WOFFORD].

Mr. WOFFORD. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were not ordered.

Mr. JOHNSON of Texas. Mr. President, I am prepared to yield back the remainder of the time on this amendment, if the minority leader will do likewise.

Mr. KNOWLAND. Mr. President, how much time remains?

The PRESIDENT pro tempore. The Senator from South Carolina has 13 minutes, and the opposition has 13 minutes. Each side has 13 minutes on the amendment.

Mr. WOFFORD. Mr. President, I yield 2 minutes to the Senator from North Carolina [Mr. ERVIN].

Mr. ERVIN. Mr. President, I urge the adoption of the amendment offered by the junior Senator from South Carolina. The amendment merely provides that there can be no reductions in tariffs beyond those authorized by the Reciprocal Trade Agreements Act. It seems to me it is a fair and just amendment, and should be adopted by the Senate, if the Senate thinks it has the duty to offer protection to American industry.

Mr. SALTONSTALL. Mr. President, will the Senator from North Carolina yield?

Mr. ERVIN. I yield.

Mr. SALTONSTALL. Is it the opinion of the Senator that if the duty on an article under the Reciprocal Trade Agreements Act has been reduced to the lowest point to which it is possible to reduce it, the text of this bill would not apply?

Mr. ERVIN. That would be true if the amendment under consideration were adopted.

In other words, the amendment provides, in effect, that there shall be no reduction below the point authorized by the Reciprocal Trade Agreements Act.

Mr. SALTONSTALL. I thank the Senator.

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the Senator from California [Mr. KNOWLAND].

Mr. KNOWLAND. Mr. President, this amendment would exempt from the customs simplification procedure all articles which were the subject of tariff-rate reductions under the authority contained in H. R. 1, passed by the last Congress, and those included in the recent Japanese trade agreement.

The Treasury believes the result would be to eliminate from the operation of the act and the benefits to be derived from the act some 10 percent or more of all ad valorem entries and would result in a serious emasculation of the simplification to be derived from the bill.

Furthermore, this is not a tariff-reduction bill, but a customs procedural-simplification bill. Therefore, any special consideration to items which have been the subject of recent trade agreement negotiations would be undesirable and would seriously undermine the entire purpose of the act.

I hope the amendment will be defeated.

Mr. GORE. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. GORE. If the bill under consideration should operate in practical application to increase slightly the duty on some item and to decrease slightly the duty on other items, as the case may be, and the Senate should adopt an amendment which would prevent its operation with respect to any item which would be reduced, would it not, in fact, make the bill a bill to increase tariffs?

Mr. KNOWLAND. I believe the Senator is correct in this instance.

SEVERAL SENATORS. Vote! Vote!

Mr. WOFFORD. Mr. President, I again ask for the yeas and nays on my amendment.

The yeas and nays were not ordered.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time on condition that the Senator from South Carolina will do likewise.

Mr. WOFFORD. I yield back my remaining time, Mr. President.

The PRESIDENT pro tempore. All time having been yielded back, the question is on agreeing to the amendment of the Senator from South Carolina [Mr. WOFFORD].

The amendment was rejected.

Mr. JOHNSON of Texas. Mr. President, I understand that the Senator from Florida [Mr. SMATHERS] has an amendment to offer.

Mr. SMATHERS. Mr. President, I call up my amendment, designated 7-16-56—6, offered on behalf of my distinguished senior colleague [Mr. HOLLAND] and myself.

The PRESIDENT pro tempore. The amendment offered by the Senator from Florida for himself and his colleague will be stated.

The CHIEF CLERK. It is proposed at the end of the bill to insert the following new section:

SEC. 8. Paragraph 219 of the Tariff Act of 1930 (U. S. C., 1952 edition, title 19, sec. 1001, par 219) is amended by striking out the last proviso thereof (relating to packing of imported glass).

Mr. SMATHERS. Mr. President, the only purpose of this amendment is to repeal those provisions of paragraph 219 of the Tariff Act of 1930, which require that certain glass imported in boxes must be packed in units containing 50 square feet or multiples thereof. This is an old-time packing requirement which I am advised does not now assist the official handling of glass imports and the removing of it is in line with the general movement for customs simplification.

Basically the complaint is that import firms find that to comply with this provision of law requires extra labor and expense in the repacking of glass strips before distributing such glass to the users. Interested Government agencies such as the Departments of Labor, Treasury, Commerce, and the United States Tariff Commission have no objection to this amendment. As a matter of fact the United States Tariff Commission stated that the provision in existing law serves no useful purpose in simplifying customs administration to the extent that it requires packing of glass in boxes in units not conforming to trade practices which constitutes an unnecessary burden on the importing trade.

I hope that the chairman will see fit to accept this amendment to the pending legislation.

Mr. BYRD. Mr. President, I am willing to take the amendment to conference.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the junior Senator from Florida [Mr. SMATHERS] for himself and the senior Senator from Florida [Mr. HOLLAND].

The amendment was agreed to.

The PRESIDENT pro tempore. The bill is open to further amendment.

Mr. SALTONSTALL. Mr. President, I should like to ask the Senator in charge of the bill a question.

Mr. JOHNSON of Texas. Mr. President, I yield 1 minute to the Senator from Massachusetts for that purpose.

Mr. SALTONSTALL. I address the question to the Senator from Virginia [Mr. BYRD] who is in charge of the bill.

It is my understanding that under an amendment proposed by the committee to section 6 there can be no further reduction in the tariff on any commodity by more than 5 percent in any single year; and that if the effect of the bill would be to reduce the duty by more than 5 percent, then the tariff would be frozen at its present rate.

Mr. BYRD. The Senator is correct. Present methods of valuation would be frozen for 4 years. Then, before it could become operative, any reduction in excess of the 5 percent would have to be voted by Congress.

First, the tariff is frozen for 5 years. Then, before it can become operative in any case where the valuation is lowered by more than 5 percent, Congress must approve each individual item.

Mr. SALTONSTALL. So as one who is interested in textiles and the problem presented by the importation of textiles, is my understanding correct that the bill

will have no effect on the present tariff rates?

Mr. BYRD. That is, assuming the valuation of textiles is not reduced by more than 5 percent.

Mr. SALTONSTALL. Assuming that the valuation is not reduced by more than 5 percent.

Mr. BYRD. That is correct.

Mr. PAYNE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield 1 minute to the Senator from Maine.

Mr. PAYNE. Can I be assured that the cotton and woolen industry and the textile machinery industry, which is suffering at the present time, will encompass no difficulty simply by reason of the passage of the bill?

Mr. BYRD. There can be such assurance only provided that there is a reduction of more than 5 percent. If there is a reduction of more than 5 percent, then the rate is frozen for 5 years; and, as I have just explained to the Senator from Massachusetts, at the end of 5 years, in order to become operative under the bill. Changes in valuation greater than 5 percent would have to be passed by Congress affirmatively.

Mr. SALTONSTALL. But could there be a reduction of 4.9 percent?

Mr. PAYNE. Could the industry be damaged by such a reduction?

Mr. BYRD. It could be damaged slightly if the reduction in valuation was less than 5 percent.

Mr. JOHNSON of Texas. Mr. President, the Senator from Maine [Mr. PAYNE] has been very diligent in this matter. I spoke with him about Senate Resolution 236, which directs the Tariff Commission to make an immediate study in this field and to report forthwith.

It is the thought of the members of the committee who reported the pending bill that if the resolution is adopted, it will considerably expedite matters at the Tariff Commission, and perhaps very substantially relieve a distressed industry.

I have discussed the matter with the minority leader, the distinguished Senator from California [Mr. KNOWLAND]. We are prepared at the appropriate time, and at the convenience of Senators, to have the resolution called up. We both express the hope and, I think, the belief—if I am incorrect, the Senator from California can correct me—that the resolution can be agreed to shortly.

Mr. PAYNE. I appreciate the Senator's assurance very much.

Mr. JOHNSON of Texas. I deeply appreciate the interest of the Senator from Maine for having given me that information. He has been quite persistent and diligent, and, of course, always courteous.

Mr. President, I yield myself as much time on the bill as may be necessary to enable the Senator from Maine to conclude his questioning.

Mr. PAYNE. I merely wish to ask one additional question.

At present, according to the statements, textiles would not come under this provision. Am I correct in that understanding?

Mr. BYRD. If there is a valuation reduction of 5 percent or more, they will not be affected. There are a number of different classifications of textiles. I think perhaps there are a thousand or more.

Mr. PAYNE. About 720.

Mr. BYRD. That is correct. I remember that was the number mentioned when the Senator submitted his resolution.

If in any classification the duty is decreased in excess of 5 percent, it will not be affected; the rate will be frozen for 4 years. Then the valuation cannot be reduced unless and until there has been a vote on the specific item by Congress.

Mr. PAYNE. As I understand the provisions of the bill, there is no manner in which an industry which might suffer under it will have any relief under either the peril point or the escape clause provisions, through the Tariff Commission. Is that correct?

Mr. BYRD. I think it is probably correct, insofar as the simplification bill is concerned. But such an industry will still have that avenue open under the escape clause, if they appear to be injured.

Mr. PAYNE. The Senator from Virginia assures me that in his own mind the measure is a good one.

Mr. BYRD. That is saying a great deal. All I can say is that it is the best measure we could devise for the simplification of customs procedures. I do not endorse every single item in the bill.

Mr. SALTONSTALL. Is it true, under the resolution submitted by the Senator from Maine, that if the Tariff Commission makes some changes in the tariffs, the bill would not in any way affect those changes or the ability of the Tariff Commission to make changes?

Mr. BYRD. That is correct. Items imported into this country on an ad valorem basis will have the foreign value placed upon them. That is the value in the country from which the items are exported to us.

The bill bases the valuation on the export price. It is much simpler to have importations into this country based on the export price than it is to go to the foreign countries and ascertain what the foreign price is. This legislation may lower the valuation on a few items, but 91 percent of the imports on an ad valorem basis were not affected.

Mr. SALTONSTALL. Does the Senator believe that the duty on any of the 720 textile items will be lowered, so far as he knows?

Mr. BYRD. Not so far as I know. There may be some items among the 720 classifications on which the valuation will be lowered. But if the reduction exceeds 5 percent, the rate will be frozen for 5 years, and a reduction cannot be made operative until it has been approved by Congress.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. Mr. President, will the Senator from Connecticut permit me to have an amendment called up, so that it will be possible to yield time on each side? Then I will yield to the Senator from Connecticut as much time as he may need.

Mr. President, I ask the Senator from Delaware if he will call up his amendment, so that time may be allotted to each side.

Mr. FREAR. Mr. President, I submit an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Delaware will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 18, line 5, it is proposed to substitute "a list" for the word "lists."

On page 18, line 8, delete (1).

On page 19, line 9, beginning with the word "and" strike out through the word "list" in line 10.

On page 19, after line 12, delete all language down to page 21, line 5.

On page 21, line 5, substitute the word "the" for the word "each."

On page 21, line 15, delete (1).

On page 21, line 17, delete all language after the word "Act."

Mr. JOHNSON of Texas. Mr. President, if the Senator fom Delaware will permit me to do so, I shall yield two minutes to the Senator from Connecticut in opposition to the amendment.

Mr. BUSH. I desire time only for the purpose of asking the Senator from Virginia a question.

On page 11, line 15, I find the following:

> In any action relating to tariff adjustments by executive action, including action taken pursuant to section 350 of the Tariff Act of 1930, as amended—

And I presume that that means this very amendment—

> The United States Tariff Commission and each officer of the executive branch of the Government concerned shall give full consideration to any reduction in the level of tariff protection which has resulted or is likely to result from the amendment of section 402 of the Tariff Act of 1930 made by this act.

So the point is that the amendment does not deprive industries from protection under the escape clause of the Trade Agreements Act

Mr. BYRD. That is correct.

Mr. BUSH. I wanted to understand that clearly.

Mr. BYRD. That is clearly understood. Any change which may be made under the bill would be taken into consideration when the application is made under the peril point or escape clause, as covered specifically in subsection E, page 11.

Mr. SALTONSTALL. Mr. President, will the Senator yield for one more question?

Mr. JOHNSON of Texas. I yield 1 minute to the Senator from Massachusetts.

Mr. SALTONSTALL. As I understand, the purpose of the bill is to simplify the methods of customs operation. The bill does not change any fundamental tariff law.

Mr. BYRD. That is correct. It was never intended to bring about any change in the tariff law. It was simply designed to protect certain limited categories from a reduction in protection because of the change from the foreign value to the export value.

Mr. SALTONSTALL. So all the responsibilities lodged in the Tariff Commission and all the other parties taking executive action are not affected in any way at all?

Mr. BYRD. No the escape and peril point clause are preserved.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. BYRD. I yield to the Senator from Connecticut.

Mr. BUSH. The report speaks of the average being about 2 percent. Are there any items of a very large nature affected?

Mr. BYRD. There are a few items as high as 10 or 15 percent, but they are protected by the saving clause I have been discussing. There can be no reductions above 5 percent. That is the maximum reduction that can take place under the bill. If the reductions are over 5 percent, they are put in a special class, and for 4 years they remain under the old system.

Mr. BUSH. Foreign value or export value, whichever is higher?

Mr. BYRD. They remain in that category for 5 years, and at the end of 5 years, there must be action by Congress with respect to those particular items before there can be further reductions.

The PRESIDING OFFICER. The time of the Senator from Connecticut has expired.

Mr. JOHNSON of Texas. I yield the Senator 1 additional minute.

Mr. BUSH. I thank the Senator from Texas.

Sometimes these averages are a little surprising, or almost disillusioning. I know in the case of cotton textiles it has been asserted that imports from Japan amount to only 1 percent or less of what the American market is or what our own production is. Yet in some items such as velveteen or gingham, the importation is as high as 60 percent. I wanted to be sure there is not contained in this proposed legislation any hazard of that nature to any American manufacturer. Is the Senator in a position to give me such assurance?

Mr. BYRD. The point the Senator from Connecticut has raised is one that seriously concerned the committee. In other words, we cannot go by the average; we have to go by each product. We protected such an eventuality by providing that there could not be a reduction of more than 5 percent, and if products fall in that category, they would come under the dual system of valuation, and after 4 years, Congress itself would have to act to put such products under the provisions of the bill.

Mr. PASTORE. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. Mr. President, I yield 3 minutes to the Senator from Rhode Island, so he may ask questions of the Senator from Virginia.

Mr. FREAR. Mr. President, is the Senator from Texas yielding my time or his own time?

Mr. JOHNSON of Texas. I am yielding time in opposition to the amendment. If the Senator prefers that I yield his time, I shall be glad to do so. I thought I was doing him a favor by yielding the time which is in charge of the opposition.

Mr. FREAR. I appreciate that.

Mr. PASTORE. I should like to read two short telegrams and a letter as a preface to my question. The first is a telegram from the Bristol Manufacturing Corp., which reads:

BRISTOL, R. I., *July 11, 1956.*

Hon. JOHN O. PASTORE,
United States Senate:

Rubber footwear industry exposed to danger generally by provisions of section 2 of H. R. 6040, customs simplification bill now before Senate. Our industry particularly threatened by provisions of paragraph F of section 2 covering "definitions." Entire section 2 should be eliminated from bill if industry is to be protected. We urge your assistance in securing elimination of section 2.

WILLIAM H. SMITH,
President, Bristol Manufacturing Corp.

I have another telegram which reads:

PROVIDENCE, R. I., *July 16, 1956.*

Senator JOHN O. PASTORE,
Senate Office Building:

We understand customs simplification bill 6040 will come to the floor this week and if passed will greatly reduce the protection of our jobs. We plead for your aid and assistance in having deleted from the bill section 2F and as much else of section 2 as possible to protect our jobs in which we are skilled only and which we need badly.

ELVIRO LOSTACCO,
President, Providence Rubber Workers Union, Local 21172.
PROVIDENCE.

I also have a letter from the George C. Moore Co., signed by H. F. Moore, treasurer, which reads:

GEO. C. MOORE CO.,
Westerly, R. I., July 12, 1956.

Senator JOHN O. PASTORE,
The United States Senate,
Washington, D. C.

DEAR SENATOR PASTORE: We understand that the customs simplification bill, H. R. 6040, amendment to section 2: Valuation, is coming up for a vote very shortly. We wish to urge you very strongly to vote against that amendment to section 2.

We are already feeling seriously the effects of imports of elastic webbing and elastic braid to the extent that we are having to slow down our production in our Rhode Island, Tennessee, and Alabama plants.

If this amendment to section 2 is passed then it would make the situation still worse for then the valuation which as it now stands takes the highest of either foreign value or export value as the dutiable value, the present method usually takes the foreign value which is almost always higher than the export value, and if this new amendment to section 2 goes through it will take the lower or the export value and hurt still further.

Therefore, we cannot urge you too strongly, for the protection of the workers in your State, to vote against that amendment to section 2, H. R. 6040.

Also, something must be done to eliminate some of the imports of textiles, both woven webbing and elastic braid, that are coming in from countries where the labor is so much less than in the United States.

Please act on this amendment to section 2 on H. R. 6040 and also bear in mind that something must be done to take care of the textile situation here in the United States, otherwise we are going to lose all of our textile business to low-wage countries; there is no alternative. The tariff should be such so as to equalize the wage structure in these various countries, and if that is taken care of by a tariff then we can meet competition ourselves, but we cannot attempt to compete where the wage scale is so far below our wage scale. Please give this serious consideration.

Very truly yours,

GEORGE C. MOORE CO.,
H. F. MOORE, *Treasurer.*

I should like to ask the distinguished Senator from Virginia if anything he has mentioned in explanation of section 2 is calculated to reassure the workers and manufacturers of Rhode Island that what has been stated in the telegrams and letters will not occur?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PASTORE. Will the Senator from Texas yield me 2 more minutes, so that the Senator from Virginia may answer the question?

Mr. JOHNSON of Texas. I yield 2 minutes to the Senator from Rhode Island.

Mr. BYRD. I think the constituents of the Senator from Rhode Island are overapprehensive. There will be some reduction in tariffs on certain categories of articles, but not as much as is generally thought. As I have just explained, it is provided in the bill by an amendment which was offered at the end of the consideration of the bill, in order to afford protection to industries, that there can be no reductions in excess of 5 percent, and that if commodities fall in that category the particular items will be put in a special class and will continue under the provisions of the existing legislation, which provides for two levels of valuation, for 4 years. Even at the end of the 4 years the provision in the bill cannot be made operative as to the particular item, where there would be reductions in excess of 5 percent except by specific act of Congress.

The committee tried to safeguard the situation in every possible way.

There is a need for simplification of customs. They are very complicated. Whenever foreign prices are considered, we have to send agents abroad to ascertain what the foreign prices are. It is a very difficult thing to do considering the great number of items involved.

Mr. PASTORE. If I understand the Senator, there would have to be an act of Congress in order to put into effect a reduction in excess of 5 percent.

Mr. BYRD. That is correct. For 4 years a freeze would be in effect.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JOHNSON of Texas. Mr. President, I wonder if the Senator from Delaware, who has been courteous enough to yield, will ask his questions and make his statement at this time?

Mr. FREAR. Mr. President, under existing legislation, the primary basis for customs valuation purposes in the case of "ad valorem" duties is a yardstick based on the higher of two bases, foreign value on the one hand and export value on the other. The first basis is the wholesale market value of the merchandise in the domestic market of the country of export. The second basis is the export value of the merchandise at the time of exportation to the United States. This export value is not related to the export value of the same merchandise to any other countries.

The witness for the Treasury Department, Mr. Chapman Rose, stated in his testimony before the committee that the major purpose of H. R. 6040 is to improve the customs procedures on valuation. According to the bill, this is to be accomplished by eliminating foreign value as a basis of appraisement, thus leaving export value as the primary basis of valuation; that is, value for export to the United States only, and bare of any controlling relationship to any other basis of valuation.

Information has been given in the past to the committee through the House Committee on Ways and Means of the rather broad practice of dual and even multiple pricing systems by foreign countries.

I should like to ask the chairman of the committee or some other member of the committee a few questions about the bill. Should I address my questions to the Senator from Florida [Mr. SMATHERS]?

Mr. SMATHERS. Yes.

Mr. FREAR. What assurance or guaranty has the Treasury Department given the Senate committee that foreign sellers are not going to establish special lower prices for exports to the United States than their going rates for exports to other countries?

Mr. SMATHERS. Mr. Chapman Rose, in his testimony, stated the following before the committee:

> I also believe that this trial period will demonstrate that use of the new valuation principles will result in a more realistic basis of appraisement which will not encourage dual pricing practices or any other form of unfair competition in trade with the United States.

Mr. BUSH. Mr. President, will the Senator from Delaware permit to ask a question in support of his question?

Mr. FREAR. Yes, although I think perhaps it would be better if the Senator from Connecticut would permit me to continue with my questions.

Mr. BUSH. The question I have in mind is directly in line with the question asked by the Senator from Delaware.

Mr. FREAR. Very well; I yield.

Mr. BUSH. I should like to ask the Senator from Florida this question: But is it not true that in the event described by the Senator from Delaware, the antidumping act would come into play, and there would be cause for action under that legislation?

Mr. FREAR. I plan to take up that point later on.

Mr. SMATHERS. The answer to the question of the Senator from Connecticut is that the witness from the Treasury Department stated that the Department was going to be very diligent and faithful in enforcing the provisions of the antidumping act, to see that there was no dumping. That was a question which naturally arose in the minds of many members of the committee. We were assured that they would positively and diligently carry out the provisions of that act.

Mr. FREAR. Is it correct to say that the witness for the Treasury Department in his testimony to the committee and in his written answers to the written questions sent to him by the Senator from Virginia [Mr. BYRD], the chairman of the committee, and included in the record, made statements to the effect that foreign sellers of merchandise to the United States can manipulate their trading practices so as to create artificial conditions in the trade in a particular product, so as to shift the valuation basis to a more favorable standard?

Mr. SMATHERS. It is correct to say that the witness for the Treasury Department in his testimony to the committee and in written answers to the questions sent to him by the Senator from Virginia [Mr. BYRD], the chairman of the committee, and made a part of the record, made statements to the effect that foreign sellers of merchandise to the United States can manipulate their trading practices so as to create artificial conditions in the trade in a particular product, so as to shift the valuation basis to a more favorable standard.

So the answer to the question is "Yes"; it could be done to an extent.

Mr. FREAR. Is not that particularly true for those values established by foreign trading practices abroad, such as "foreign value" and "export value," and where our customs authorities have only the remotest control?

Mr. SMATHERS. That could be so presumed.

Mr. FREAR. Why should the control of values for United States customs purposes be in the hands of foreign businessmen, instead of within the immediate reach of our customs authorities?

Mr. SMATHERS. As a matter of fact, I did not attend all the sessions of the committee, and I do not know that that particular matter was discussed at the committee hearings.

However, I may say, for the benefit of the Senator from Delaware, that if we should follow the practice of using the export price set in the United States—instead of using the foreign price which is set or the export price which is set in foreign countries—of course, we would know about it.

Mr. FREAR. Yes. I agree with the Senator from Florida that I could not find any testimony by the Treasury Department's witness about that, either. However, in his written replies to the questions of the Senator from Virginia [Mr. BYRD], Mr. Chapman Rose, the Treasury Department witness, made the point "that protection of domestic industry is not a proper function of customs procedures."

That is correct, is it not? Did not Mr. Rose make that statement?

Mr. SMATHERS. I think that, technically speaking, he did make such a statement. But, on the other hand, I think it is only fair to explain that the members of the committee were particularly concerned about any detriment which might result to any of our own industries; and we felt an obligation to try to protect those industries.

Although Mr. Chapman Rose himself said it was not his particular duty—and I do not suppose it is—nonetheless, we were concerned about it, and we think that in this bill there is protection for our industries.

Mr. FREAR. But the Senator from Florida has stated that Mr. Rose did say exactly that—as taken from his testimony—namely:

> That protection of domestic industry is not a proper function of customs procedures.

Mr. SMATHERS. The Senator from Delaware has a copy of the hearings; and if he says that is what the witness said, I am satisfied that that is what he said.

Mr. FREAR. For the RECORD, let me say that is shown on page 39 of the hearings.

Mr. SMATHERS. Very well.

Mr. FREAR. By the same line of thought, is it not reasonable to say that the reduction of protection of domestic industry is not a proper function of customs procedures?

Mr. SMATHERS. If one followed that thought originally, he would have to say that was a logical thought; yes.

Mr. FREAR. If that is so, is it not inconsistent that the witness who made the first statement should be the same person who originally submitted the so-called simplification proposals which, in his own recognition, would result in substantial reductions in the case of certain articles.

Mr. SMATHERS. The Treasury Department amended the original proposal, so that no article would be faced with a decrease of 5 percent or more in the appraised value.

Mr. FREAR. In the Trade Agreements Act of 1955, did not Congress authorize the President of the United States to negotiate agreements with foreign countries to obtain concessions in foreign tariff schedules, against concessions in the United States import tariff schedule, in three annual stages, not exceeding 5 percent each?

Mr. SMATHERS. The Senator from Delaware is correct.

Mr. FREAR. Were not such reductions subject to all the safeguards provided for in the Trade Agreements Act of 1934, as amended—such as "peril point" determinations or recourse to the "escape clause" or the "national defense" provisions?

Mr. SMATHERS. The Senator from Delaware is correct.

Mr. FREAR. The Treasury Department is again asking in this bill for permission to reduce duties, this time by reduction of values for customs purposes, by a maximum of 5 percent; is that true?

Mr. SMATHERS. The Treasury Department is seeking enactment of this bill, but not for the purpose of bringing about a reduction in tariffs. It is possible that in the simplification of the customs procedures, a reduction in tariffs could occur, but not to exceed 5 percent.

Mr. FREAR. But the reduction of values would be made for customs purposes; would it not?

Mr. SMATHERS. For the purpose of simplifying customs procedures. As the Senator from Virginia [Mr. BYRD] has pointed out, we are going to take a price that is fixed by, let us say, an importer here, rather than a price fixed in the domestic market in a country where the article is manufactured.

Mr. FREAR. Of course, there are some differences of opinion as to whether

this is a simplification bill or a complication bill. However, I shall proceed.

Are such reductions as those just referred to, subject to reciprocal treatment from foreign countries and subject to the safeguards provided in the Trade Agreements Act of 1934, as amended?

Mr. SMATHERS. I think the answer would be, no.

Mr. FREAR. Why is permission for reductions as great as 5 percent requested?

Mr. SMATHERS. The witness for the Treasury Department indicated that that much leeway is needed in the simplification of the customs procedures.

Mr. FREAR. Why would not 2 percent or even 1 percent provide sufficient leeway with which to make this test?

Mr. SMATHERS. The Treasury Department felt that 5 percent would give them more leeway—as it obviously would; and they did not believe it would cause any great injury. As a matter of fact, they testified there would be a loss, at maximum, of only $300,000 to the Treasury.

Mr. FREAR. The Treasury Department witness in his testimony, in reply to the questions by the Senator from Virginia [Mr. BYRD] has indicated that the trial period for this complicated process of simplification will probably last 5 years. Is that correct?

Mr. SMATHERS. That is correct.

Mr. FREAR. Should there be unforeseen delays between the periods for the establishment of each of the four lists referred to, the trial period might be extended to 6 years, and perhaps more; is that correct?

Mr. SMATHERS. That is correct.

Mr. FREAR. During those 5 or 6 years or more, two systems of valuation would be in effect, and an article might be shifted from one system to another perhaps as many as three times. Does the Senator agree with that?

Mr. SMATHERS. That could be the case. It is a possibility. I do not know whether it is a probability, but it is a possibility.

Mr. FREAR. This on-again, off-again character of the list would make it impossible for an importer to know from one year to another, for 6 years, perhaps, under what system duties on his imported article might be assessed. Would this be in favor of expansion of trade? Would it not create great confusion both at home and abroad?

Mr. SMATHERS. The Treasury Department witnesses did not think so; nor did the majority of the members of the Senate Finance Committee think so.

Mr. FREAR. It is not clear in the bill which system of valuation would apply to articles imported during the trial period, and which were not imported during the basic period, that is, the year 1954. Where would they be listed?

Mr. SMATHERS. The bill does not say. I presume the listing is a matter of experimentation. I assume the administrators will make one basic list, and add each year to that particular list.

Mr. FREAR. I must agree with the Senator. I believe it is a matter of experimentation.

The magnitude of the task of recomputing all the ad valorem customs entries at all the ports of entry in the United States would seem to be monumental, but nothing is said of the load placed on American business by the burden of proving that an important article should be placed on the list if it has not been placed there by the Treasury Department. To do this, the individual must know that the article has been imported during the period between the two lists. Where does he get that information, and how can he learn the basis of assessment and the value determined?

Mr. SMATHERS. I believe that question was asked of the Treasury Department, and I think the Senator from Delaware may remember better than I do what the answer was.

Mr. FREAR. In the testimony given by the Treasury witness, on page 41, I believe, of the hearings, he said:

> It is doubtful if domestic manufacturers, producers, or wholesalers would have information available.

One would think that the witness, because of his admitted familiarity with the customs field, would know that by existing regulations such information can be disclosed only to the importer of record, and that it has never been available to the public. Let me ask the Senator how much time after publication of the tentative list the domestic industry would have to send in its comments?

Mr. SMATHERS. Sixty days.

Mr. FREAR. The only official source of information relative to imports in any period is the monthly report, FT 110, published by the Bureau of the Census, and usually a month or more is required to compile and print these statistics. This might leave less than 30 days for interested parties to collect import data on which to show their reasons for believing that any given article should be added to the so-called tentative list of items which will vary 5 percent or more under the new value provisions. Where and how could an interested party obtain the necessary information as to imports and the basis on which the duty was assessed?

Mr. SMATHERS. I should say he would naturally go to the Customs officials.

Mr. FREAR. Is there provision in the bill for that?

Mr. SMATHERS. There is no provision in the bill as to where people should go to get information as to how to operate; but that would not be a matter which should be written into the bill, anyway.

Mr. FREAR. For whom is this a simplification bill—for the importer or the exporter of a foreign product?

Mr. SMATHERS. It is designed actually to improve our program of importing goods from other countries, and at the same time to help our exports.

Mr. FREAR. If detailed information relative to import entries is not available except to the importer, how can an interested party determine whether or not there is a 5 percent or greater difference in valuation?

Mr. SMATHERS. Any importer or any person interested can check the matter for himself. I do not think anyone would believe that this information with respect to the customs would be in any way secret. Anyone interested could find it out if he cared to look for the information.

Mr. FREAR. The bill provides that the Secretary shall make public four successive preliminary and final lists of imported articles which are 95—or less—percent of the average values at which such articles would have been appraised in accordance with existing value provisions. These lists from first to last will be predicated on "such investigation as he"—the Secretary—"deems necessary." Provision is made for interested parties to present to the Secretary reason to believe that articles which are not on the list should be included. Here again the bill provides that the Secretary "shall cause such investigation of the matter as he deems necessary."

No provision is made for hearings or appeal or for disclosure of the basis for his decisions. Neither is there any provision in the bill to indicate what the Secretary will accept as reason to believe that an article has been omitted or dropped by error or inadvertence. Provision is made for the Secretary to report to Congress, but no standards or requirements are set forth as to the information which should be given and published. All this is left to the discretion of the Secretary.

Since all reports are filed and all investigations and decisions are made and passed without recourse—solely on the Secretary's discretion—does this bill not ask Congress to place in the hands of one man complete unappealable discretion to administer a bill which admittedly cuts existing duties an indeterminate amount?

Mr. SMATHERS. Apparently considerable discretionary authority is granted.

Mr. FREAR. I think the bill shows that there is considerable discretionary authority.

Mr. BYRD. Mr. President, as I understand the amendment of the Senator from Delaware, he wishes to provide for 1 list instead of 4 lists. Is that correct?

Mr. FREAR. The Senator is correct.

Mr. BYRD. Is there any other change proposed by the Senator's amendment?

Mr. FREAR. That is what the amendment proposes to do.

Mr. BYRD. To provide for 1 list instead of 4?

Mr. FREAR. One list instead of four.

Mr. BYRD. I am willing to take the amendment to conference. It may be some improvement. We can consider it in conference. As I understand, the amendment has not been printed, but all it does is to provide for 1 list instead of 4.

Mr. FREAR. So that the importer can take the information from 1 list instead of 4, as to the basis for the tariff or duty.

Mr. BYRD. We will take the amendment to conference and study it.

Mr. JOHNSON of Texas. Mr. President, I yield back all the remaining time on this side, and ask for a vote on the amendment.

Mr. FREAR. I yield back all my unused time.

The PRESIDING OFFICER. All time has been exhausted or yielded back.

The question is on agreeing to the amendment offered by the Senator from Delaware [Mr. FREAR].

The amendment was agreed to.

Mr. ANDERSON. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from New Mexico will be stated.

The CHIEF CLERK. On page 21, between lines 9 and 10, it is proposed to add a new section, to be numbered section 7, to read as follows:

SEC. 7. Notwithstanding the provisions of the last paragraph under the heading "Customs Service" of the act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1915, and for other purposes," approved August 1, 1914 (38 Stat. 623; 19 U. S. C. 2), the State of New Mexico shall hereafter constitute a separate customs collection district with headquarters either in Deming, or Columbus, N. Mex., and such additional ports of entry as the Secretary of the Treasury may deem necessary.

It is also proposed to renumber old section 7 as section 8.

Mr. ANDERSON. Mr. President, I yield myself 2 minutes. This is an amendment which I believe the able chairman of the committee is willing to accept. It was discussed with the Finance Committee this morning.

Mr. BYRD. Mr. President, the amendment offered by the Senator from New Mexico [Mr. ANDERSON] was considered by the Committee on Finance this morning. The amendment establishes a new customs service in the State of New Mexico. Therefore, I will accept the amendment and take it to conference.

Mr. ANDERSON. Mr. President, I yield back the remainder of my time.

Mr. BYRD. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Mexico [Mr. ANDERSON].

The amendment was agreed to.

Mr. BYRD. Mr. President, I have a technical amendment to propose to the bill.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 21, line 18, it is proposed to strike out "(1)."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. KNOWLAND. Mr. President, I yield 1 minute to the Senator from New Hampshire [Mr. COTTON].

Mr. COTTON. Mr. President, I have listened with close attention to the questions propounded to the distinguished Senator from Virginia by some of my colleagues from New England. The Senator from Virginia answered those questions with his usual forthrightness and clarity. I was entirely satisfied with his answers, but not with the facts which the answers disclosed.

I cannot escape the conclusion that if the bill means anything, it means that there can be some detriment, even though it may only be a slight detriment, to New England industries. New England industries, like the camel's back, cannot stand any more strain, no matter how slight it may be.

Therefore, I desired to have 1 minute to indicate that when the Senate votes on the bill, I shall be compelled to vote against it.

Mr. KNOWLAND. Mr. President, I send to the desk an amendment, which I do not intend to call up, but which I ask to have printed in the body of the RECORD at this point.

The PRESIDING OFFICER. Without objection, the amendment will be printed in the RECORD.

Mr. KNOWLAND'S amendment is as follows:

On page 18, beginning with line 4, strike out through line 21 on page 21 and insert in lieu thereof the following:

"SEC. 6. (a) The Secretary of the Treasury shall determine and make public a list of the articles which shall be valued in accordance with section 402a, Tariff Act of 1930, as amended by this act, as follows:

"As soon as practicable after the enactment of this act, the Secretary shall make public a preliminary list of the imported articles which he shall have determined, after such investigation as he deems necessary, would have been appraised in accordance with section 402 of the Tariff Act of 1930, as amended by this act, at average values (calculated as provided in this subsection) for each article which are 95 (or less) percent of the average values at which such article was actually appraised during the fiscal year 1956. If after the effective date of this act but after the publication of such preliminary list any manufacturer, producer, or wholesaler in the United States presents to the Secretary his reasons for belief that any articles not previously specified in such list and like or similar to articles manufactured, produced, or sold at wholesale by him would have been appraised in accordance with such section 402 at average values (calculated as provided in this subsection) which are 95 (or less) percent of the average values at which they were actually appraised, or if there was no such appraisal, the average foreign value as defined in the Tariff Act of 1930, the Secretary shall cause an investigation of the matter to be made. If the belief is confirmed by the investigation, the article or articles involved shall be added to the preliminary list. Should the investigation not satisfy the Secretary that the article or articles involved should be added to the list a public hearing shall be held to provide opportunity for interested parties to appear, to produce evidence, and to be heard. Upon the evidence produced or presented at such hearing the Secretary shall within 60 days decide whether the article or articles involved should be added to the list. The list, including any additions so made thereto within 6 months, shall be published as the first final list. Every article determined by the Secretary to be specified in the first final list and any additions subsequently made thereto shall continue to be appraised in accordance with the provisions of section 402a, Tariff Act of 1930, as amended by this act.

"The average value specified in this subsection shall be determined with respect to each article by calculating the average value for each separate country from which the article was imported. If the average value so derived with respect to the imports of the article from any country supplying not less than 10 percent of the imports during the fiscal year 1956 is found to be 95 (or less) percent of the average values at which such article was actually appraised during the fiscal year 1956, such article shall be placed on the preliminary list specified in this subsection. The average value of each article shall also be calculated for each quarter year of the fiscal year 1956 without regard to the country of origin of the importation. If the average value so derived with respect to the imports during any such quarter-year period is found to be 95 (or less) percent of the average value at which such article was actually appraised during the corresponding quarter-year period during the fiscal year 1956, such article shall be placed on the preliminary list specified in this subsection.

"(b) The first final list published in accordance with the provisions of subsection (a), together with explanatory data, shall be transmitted promptly to the chairmen of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate. Any additions subsequently made to the first final list shall promptly be transmitted in the same manner.

"SEC. 7. This act shall be effective on and after the day following the date of its enactment, except that section 2 shall be effective only as to articles entered, or withdrawn from warehouse, for consumption on or after the 30th day following the publication of the final list provided for in section 6 (a) of this act, and section 3 shall be effective as to entries filed on or after the 30th day following the date of enactment of this act."

Mr. KNOWLAND. Mr. President, I have gone into the matter with a number of members of the committee and with the Treasury Department. Because of the fact that the bill had already been cleared by the Committee on Finance, and even though the amendment may have been helpful in meeting some of the objections to the bill, I shall not press for its adoption, but will watch the administration of the law in the months immediately ahead.

I have a brief statement to make relative to the antidumping provisions.

It has been said that passage of the customs simplification bill is going to kill the effectiveness of our antidumping law. Very few people know much about the administration of our antidumping law. When someone talks about it in sweeping generalities the rest of us have a tendency to nod our heads in agreement, and in ignorance.

What are the facts?

Dumping can occur under our law when goods are imported into the United States at a lower price than they are sold for in the country of export.

Under the present law ordinary duties are often assessed on the price to the United States—export value—or the price in the home market—foreign value—whichever is higher. When this is the case the invoice can give the tip-off as to whether there may be dumping sales. Under the new law it will no longer be necessary to compute home market price for ordinary duties. That is the reason people give for saying the

new law will kill our administration of the Antidumping Act.

What is actually going to happen?

The Treasury assures me that it will continue to require the home market price on the invoice if the customs simplification bill passes. In addition it will print on the invoice the penalties for false statements, something which has not been done up to now. Further, it will not allow exporters to avoid giving the home market price information because commercially insignificant restrictions are placed on sales in the country of export.

This being the case our Treasury officials will operate on more, not less, information under the new law, and they will operate with formal notice given of penalties for falsifying. In addition to this, they will have more time to look into possible cases of dumping. The time-consuming process of figuring out every foreign value to the last decimal point—which is necessary in the case of ordinary duties—will no longer be needed. What the officials can concentrate on now is whether there is a margin of dumping, which could be 10 percent or 20 percent or 30 percent—in spotting the case it makes no difference which. Where there is, we have a potential dumping case and where circumstances warrant it the officials can proceed to a speedy processing of the case unhampered by burdensome requirements of investigating foreign value where there is no indication of dumping.

In other words the proposed Customs Simplification Act is going to strengthen, not weaken, the administration of our Antidumping Act.

Mr. President, I will not take the time of the Senate to read a statement relative to the bill, but, instead, I ask unanimous consent that it may be printed in the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KNOWLAND

The assertion is made that the proposed legislation will have a serious effect on the amount of protection afforded to domestic industry against competitive imports. An examination of the figures and the evidence submitted to the Senate Finance Committee shows how little substance this argument has. The Treasury Department realizing that this question of protection would be the principal concern of many Members of the Congress conducted an extensive survey of imports made during the fiscal year 1954. During that year the total value of our imports amounted to $10.491 billion. Out of this amount $5.822 billion, over half, were free of any tariff duty whatsoever. Another $3.258 billion paid a specific duty, that is, a duty based upon a unit of quantity. These duties would not be affected in any way by the change in our valuation system. The remaining imports amounting to $1.411 billion were dutiable on a percentage of their value, and consequently the subject matter of this bill, H. R. 6040, revising the standards for valuation, would be applicable to this amount of imports.

Taking 1954 as a representative year, less than 15 percent of the imports into the United States will be affected in any possible way by the provisions of H. R. 6040. In the sample survey made by the Treasury Department, there were 19,908 recomputations of dutiable value for merchandise which totaled $42,157,962 under existing law. In only 3,456 of these recomputations for merchandise having a value of $9,352,354 did a lower value result. Accordingly, in only about one-sixth of the number of ad valorem entries in the sample, amounting to about one-fifth of the total value, was there any reduction in value. This means that the changes in valuation, under the original bill, would have affected only about 3 percent of the import trade of the United States.

Nevertheless in order to afford an opportunity for testing the new valuation principles without bringing about any substantial reduction in valuation for any product, the Treasury Department proposed, and the Senate Finance Committee has adopted, an amendment to the House bill which would prevent for a trial period and until Congress acts again, any single reduction in valuation of 5 percent or more. Looking again at the sample survey figures, this reduces the value of the imports in the sample survey which would be reduced in value to about $3.5 million out of a total of $42 million in the survey.

Only about 8 percent of the ad valorem imports into the United States are likely to be reduced in value under the bill. Since the ad valorem imports constitute less than 15 percent of the trade with the United States, this means that the bill as it stands will affect the duty on about 1 percent of the United States imports, and any single item in the 1 percent that will be affected will not be reduced in value by 5 percent or more.

I hope this gives some indication of the insignificance on the domestic economy of the United States of any possible valuation reduction under this measure, and should permit appropriate weight to be accorded to the claims of danger which have been made about this legislation.

Such a minute effect on valuation of imported commodities certainly should not be sufficient to outweigh the benefits in improved administration and simplification of the operations of our customs service. Moreover it has been convincingly demonstrated by the Treasury Department representatives who appeared before the Senate Finance Committee that just as much, if not greater, reductions in value are likely to take place under the existing law. This is true because in many cases a higher valuation is based upon conditions in trade in the foreign country. It is not uncommon for a smaller demand or different methods of distribution in the foreign country to result in a higher unit price for the usual wholesale quantities in the home market than in the trade with the United States. In such a situation as for example when the wholesale quantities in the foreign market are only one-tenth as big as those sold in the United States, it is not surprising to find a higher foreign value. Such a higher foreign value may be found and used by the customs service only if merchandise such or similar to that exported to the United States is freely offered to all purchasers in the usual wholesale quantities in the foreign country. Consequently it is a relatively easy matter for many foreign manufacturers or distributors to adjust their trading patterns so that a foreign value may no longer be found. The customs service must then resort to export value if one is available and this will result in a lower valuation under existing law.

Some of my friends have suggested: Well, if this is true, why not let the law stand as it is and let matters develop along this line in their own due course? There are two answers to this question. First, it does not result in simplification. The customs service as a result of a foreign value investigation may be currently assessing duty on the basis of a foreign value. If the foreign manufacturer states that in his opinion he has so changed his terms of distribution that a foreign value for customs purposes no longer exists, the Bureau of Customs has to undertake another investigation abroad either through its own men or through the consular officers of the State Department. These investigations are usually long, difficult, and costly. If the investigation develops that the foreign manufacturer is correct in his assertion, the customs service has no choice but to accept the lower export value. Customs has had to waste time and money in order to confirm that a higher duty cannot be collected. This is not the simplification which the Treasury Department is asking for and which the Customs Bureau so urgently needs.

Another objection is that this type of operation places a premium on high-priced advice. The large or wealthy manufacturer or exporter can afford to investigate these possibilities and obtain the professional advice needed to adjust his trade to get a low valuation. The small inexperienced exporter often believes he cannot afford such advice and thus he pays an additional duty based on the higher valuation which he might not have had to pay. A system of law which thus discriminates against the inexperienced should not be continued.

Mr. KNOWLAND. Mr. President, I yield 1 minute to the Senator from North Dakota.

Mr. LANGER. Mr. President, from the investigation I have made of the bill, I am convinced that it is a very bad bill for the people of the country, especially the people of New England. I understand there will not be a yea-and-nay vote on the bill; therefore I wish to indicate on the RECORD that I shall vote against it.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from Kansas.

Mr. CARLSON. Mr. President, it is quite obvious, of course, that the fundamental issue here is the concern of many people about the incidental lowering of tariffs which accompanies this simplification of customs administration. I can understand how and why that disturbs many people, particularly before the amendment adopted by the Senate Finance Committee.

Existing law makes foreign value or export value, whichever is higher, the preferred basis of customs valuation. Export value, the wholesale price in sales to the United States, is the more readily ascertainable because it may be determined from records of transactions which the Bureau of Customs sees regularly in the United States.

Foreign value, the wholesale price for home consumption in the foreign markets, relates to transactions in foreign countries and requires investigation there. This often requires long and very expensive procedure.

The making of export value the preferred basis of valuation as proposed in this bill will greatly reduce the number of investigations and simplify customs administration. It will also in some few instances result in lower valuation.

However, there can be no doubt that many such lower valuations will soon take place under existing law but without the important simplification of procedure. There are many examples of foreign exporters understanding that foreign value may not be used when it is not a completely freely offered price. For this reason, the imposition of restrictions having no commercial signifi-

cance can have the effect of forcing the appraisers to use the lower export value.

Nevertheless, to avoid any immediate material lowering of valuations under the law, the Treasury has proposed amendments which limit any individual change to less than 5 percent. Under this proposal the average reduction in value based upon 1954 figures will be 0.13 of 1 percent and the average reduction of protection only 0.02 of 1 percent.

The amendment procedure provides, as has been explained, for successive listings of articles which will continue to be valued under existing law because they will be reduced in value by 5 percent or more if appraised under the new law. This will continue for some 5 years and give the Congress the benefit of the experience under the new law not only of customs but of domestic industry in its competition with foreign shippers. Thus, in the few instances where the result might otherwise be a sudden substantial lowering of valuation, protection is afforded by way of the amendment.

Some people say that passage of H. R. 6040 would leave American industry completely at the mercy of dumping. Quite the contrary. In the first place, we have a letter of the Secretary of the Treasury to the effect that information needed to discover dumping will be obtained.

In the second place, customs will continue to determine foreign value for antidumping duty purposes but will have many, many more man-hours available for that objective than they now do when so much time must be spent on foreign value investigations.

In the third place, section 5 of the bill specifically states that nothing in it will repeal, modify, or supersede directly or indirectly any provision of the Antidumping Act of 1921. It also provides for review of the Antidumping Act and a report to the Congress within 6 months after the effective date of this act. In that report, the Secretary of the Treasury shall recommend to the Congress any amendment to the Antidumping Act which he, upon the basis of the study, considers desirable or necessary to provide for greater certainty, speed, and efficiency in the enforcement of that act.

Actually, the only real discouragement to the creation of a two-price system for exploitation of the United States market does lie in the antidumping law. The present valuation system of imposing duty based upon foreign value or export value, whichever is higher, cannot be an effective discouragement of such pricing practices even if foreign value is applicable.

Take, for example, a manufactured product which sells in the foreign country at a unit wholesale price of $100. Assume that it is dutiable at 20 percent ad valorem. The average rate of duty for all imports in the sample survey made by customs was 18.4 percent. If the foreign manufacturer thought he could take over the United States market by dumping at a wholesale price of $50 a unit, the use of foreign value as a basis of appraisement would be no deterrent. The duty based upon foreign value would be $20. The duty based upon export value would be $10. Thus, the difference between the after-duty cost would be only $10, $70 with duty on foreign value and $60 with duty on export value. This $10 difference in duty will be little, if any, discouragement to a $50 dumping margin. The real discouragement against such a practice would be the fear that a dumping duty of $50, equal to the margin of dumping, would be imposed in addition to all other duties.

I wish to say to the Senate that I have been a careful and attentive participant in the hearings and meetings of the Finance Committee on this bill and I feel that H. R. 6040 as now amended will continue fair protection for American industry and constitute a substantial simplification of customs procedures.

It is long overdue.

Mr. DIRKSEN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. FREAR in the chair). Does the Senator from Kansas yield to the Senator from Illinois?

Mr. CARLSON. I yield.

Mr. DIRKSEN. A good deal of concern has been expressed about the new definitions contained in the bill. Does the Senator from Kansas, who is a member of the committee, share that concern?

Mr. CARLSON. We are all concerned, more or less, about this proposed legislation, because it does go quite a long way with customs simplification However, I have every reason to believe that under the administration of the act, as I have been assured in committee—and I can give the same assurance to the Senator from Illinois—the matter will be handled in such a way as to protect American industry, without any question at all.

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the Senator from Wyoming [Mr. O'MAHONEY], so that he may ask questions of the Senator from Virginia [Mr. BYRD].

Mr. O'MAHONEY. Mr. President, I desire to inquire of the chairman of the Committee on Finance, or any other Senator who is familiar with the subject, whether the bill delegates any power of Congress or of the courts to the Secretary of the Treasury, either with respect to the raising or lowering of tariffs, or the changing of a court construction of provisions of law.

Mr. BYRD. In response to the Senator's question I would say that it certainly does not change anything in relation to the courts. The only change in relation to tariffs is to change the basis of valuation from a foreign value to an export value.

Mr. O'MAHONEY. Does it not authorize the Secretary of the Treasury to place new interpretations upon the present statutory language?

Mr. BYRD. Only in connection with the change in the basis of valuation.

Mr. O'MAHONEY. Do I correctly understand then that this bill delegates away from Congress and to the Secretary of the Treasury the power to redefine terms which have already been defined?

Mr. BYRD. The bill redefines the terms and directs how it is to be administered. I do not think the bill gives the executive department any power that belongs to Congress.

Mr. O'MAHONEY. I understand that one of the experts connected with the committee who has worked upon this bill has stated that the effect of this bill would be to give the Secretary of the Treasury such power if he chose to use it.

Mr. BYRD. I do not know of any expert attached to the committee who has said that. He did not tell the Finance Committee anything like that.

Mr. O'MAHONEY. I have every confidence in the Senator from Virginia. I am sure he does not want to add his prestige to a further delegation of congressional power to executive authority over the tariff. With that understanding, I accept his answer. Do I understand the Senator correctly?

Mr. BYRD. The Senator does understand me correctly. I have indicated the situation as I understand it.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Pennsylvania [Mr. MARTIN].

Mr. MARTIN of Pennsylvania. Mr. President, I should like to ask the Senator from Virginia 2 or 3 questions.

The bill now pending is not a bill to lower tariffs, is it?

Mr. BYRD., That is not the purpose or the intention of the bill.

Mr. MARTIN of Pennsylvania. The purpose of the bill is to simplify the matter of collecting customs?

Mr. BYRD. That is correct.

Mr. MARTIN of Pennsylvania. And that is brought about by a plan of valuation?

Mr. BYRD. That is correct.

Mr. MARTIN of Pennsylvania. Is there anything in this bill having to do with what has been referred to as GATT?

Mr. BYRD. Nothing.

Mr. MARTIN of Pennsylvania. The Congress of the United States is not by this bill delegating any authority to any other agency, is it?

Mr. BYRD. It is my understanding that it does not delegate any authority to any agency.

Mr. MARTIN of Pennsylvania. Many questions have been asked the Senator from Virginia concerning textile industries. The answers he made in response to those questions, which I feel were eminently sound and fair, apply to all the other industries of our country, do they not?

Mr. BYRD. That is correct.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time if the minority leader is prepared to yield back the remainder of his time.

Mr. KNOWLAND. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The bill having been read the third time, the question is: Shall it pass?

The bill (H. R. 6040) was passed.

Mr. PASTORE. Mr. President, I desire to have the RECORD show that I voted "no."

The PRESIDING OFFICER. The RECORD will so show.

Mr. WOFFORD. Mr. President, I wish to be recorded as having voted "no."

The PRESIDING OFFICER. The RECORD will so show.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider

the vote by which the bill H. R. 6040 was passed.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Texas.

The motion to lay on the table was agreed to.

Mr. BYRD. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BYRD, Mr. GEORGE, Mr. KERR, Mr. MILLIKIN, and Mr. MARTIN of Pennsylvania conferees on the part of the Senate.

Mr. BYRD. Mr. President, I move that the bill as passed by the Senate be printed with the amendments numbered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Virginia.

The motion was agreed to.

TRUST FOR PUEBLOS OF ZIA AND JEMEZ FOR CERTAIN LANDS

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 5712) to provide that the United States hold in trust for the Pueblo of Zia and Jemez a part of the Ojo del Espiritu Santo Grant and a small area of public domain adjacent thereto and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ANDERSON. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ANDERSON, Mr. NEUBERGER, and Mr. GOLDWATER conferees on the part of the Senate.

PRESS RELEASES ISSUED BY SECRETARY OF STATE CONCERNING USE OF CURRENCY FOR CERTAIN PROJECTS IN ISRAEL

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a press release issued by Secretary Dulles on July 17 relating to a report submitted by Mr. Bernard Katzen, special consultant to the Department and expert on the use of local currency acquired by the United States in Israel, together with the accompanying statement on cultural and scientific aid to Israel.

There being no objection, the press releases were ordered to be printed in the RECORD, as follows:

Secretary of State Dulles made the following statement today in connection with the submission of a report by Bernard Katzen, special consultant on the use of local currencies acquired by the United States in Israel:

"I have asked you to join me here today because I wanted to tell you of the program which we have developed to use $3,500,000 in local currency for cultural, scientific, and humanitarian projects in Israel.

"Last February I asked Mr. Bernard Katzen to go to Israel to find a constructive use for these funds. As a result of his on-the-spot survey, and his report and recommendations, a plan has been developed to which private and public groups in both the United States and Israel are giving their support. We are asking Congress to authorize this undertaking.

"It is particularly appealing to me, notably because most of the projects in this program are to be carried out by private groups. I hope that similar programs can later be extended to other nations.

"Such programs provide immediate help to those in foreign countries that we do not normally reach directly in our government-to-government aid programs. It is my belief that this approach through private organizations demonstrates the bonds of friendship between our people and the peoples of various countries. It is in the spirit of President Eisenhower's proposals at Baylor University last May."

CULTURAL AND SCIENTIFIC AID TO ISRAEL

The United States proposes to expend over I£6 million ($3,500,000) now on deposit in Israel on scientific and humanitarian projects in that country.

This provides for assistance, largely to private groups in Israel, to foster closer relations between the peoples of the United States and Israel. It is a pilot project which may be extended to other countries.

The program has been recommended to the Congress for authorization, and an appropriation request has just been submitted, as a result of a report and recommendations made by Bernard Katzen, special consultant to the Department, who went to Israel last September at the request of Secretary of State John Foster Dulles. Mr. Katzen was asked by the Secretary to investigate and make recommendations with regard to a fund in Israeli pounds built up under the informational media guaranty program which permits countries having a shortage of foreign exchange to import books, periodicals, and other informational media from the United States through regular commercial channels. Under this program, foreign importers in countries with soft currencies can make payment to the American exporter in local currency and the exporter can exchange the local currency for dollars upon application to the United States Information Agency.

The program is presently operating in 12 countries and agreements exist with 15 other countries.

The projects recommended for assistance include provision for expanded facilities for a number of organizations that care for orphans, underprivileged children, and the handicapped—the blind, deaf-mute, and crippled.

There would be established chairs in American studies at Israel's major universities, and scholarships funds for studies in fields that will contribute to closer United States-Israel understanding.

Assistance is also proposed toward the construction of cultural and community halls at such centers at Tel Aviv, Haifa, Nazareth, and in the Galilee. Quarters would be supplied for a United States information center and library at Tel Aviv, thus saving a future expenditure of money from new tax funds. A wing is recommended to house an American law library for the Israel Bar Association, as a means to promote an understanding of the American legal system.

Assistance would be given in the translation and publishing of books, a substantial portion of which would be American textbooks and technical manuals. It is recommended that a museum be constructed for the display of arts and antiquities, and provision has been made for archeological research and exploration.

Several projects would promote the teaching and use of the English language, while others are designed to introduce courses in American history and literature.

The program as a whole has thus been designed to reach all walks of Israeli cultural life and humanitarian interests.

The undertaking has had the support and cooperation of most leading Jewish organizations in the United States, and of Israeli private organizations as well as the Israeli Government. Various United States Government entities have been involved including the International Cooperation Administration, the Treasury, and the USIA, in addition to the Department of State. The projects themselves are concentrated largely in the leading cities of Israel which directly serve the needs of half the population of Israel and are important centers for nearby villages and rural areas.

Mr. Katzen in his report to Secretary Dulles asserted that an important consideration in their selection was "the potentiality of each project for the consolidation of good will between the people of Israel and the United States.

"In addition," Mr. Katzen continued, "an attempt has been made to interest the many social groupings in Israel and to include a variety of scientific, educational, and humanitarian activities. Special mention should be made of the proposed cultural halls at Haifa and Nazareth, where Arabs represent a substantial portion of the population."

Mr. Katzen observed: "The overwhelming favorable response in Israel to this mission suggests that local currency funds may also be useful in other countries to promote friendly relations with the United States through science, education, and culture.

"This would provide a dramatic new approach to one of the most basic problems in our foreign relations: the creation of good will for our own country among the broad masses of foreign peoples."

Mr. Katzen noted that the projects were tentatively selected from 270 proposed by private Israeli organizations and the Israeli Government and its subdivisions, including cities and other types of settlements.

"The problem was clearly not one of finding uses for the funds which would be effective and would contribute to better United States-Israel relations but to choose a relative few from so many fine proposals," Mr. Katzen said.

After the proposed projects were received, they were screened from the public and private organizations of both countries involved and finally by Mr. Katzen with the following points of view:

(1) Each individual proposal should demonstrate an affinity between the United States and Israel, thus contributing to friendly relations between the people of the two countries.

(2) To assure the proper impact, the individual proposal should provide something new, and not merely continue something already in effect.

(3) The program as a whole, to be effective, should contain elements appealing as much as possible to all the major social groupings within Israeli society.

(4) The geographic distribution of the projects should be taken into consideration. A large number of fine projects were proposed for Jerusalem, for example, but to accept them all would have restricted benefits to other parts of Israel and thus would not adequately demonstrate the interest of the Government and people of the United States in all areas of Israel. It was also necessary to consider the availability of existing facilities. Help toward the construction of a law library in Tel Aviv appeared justified, for example, although a similar request for Jeru-

salem was not considered of equal priority because existing facilities are more nearly adequate.

(5) The program should be balanced with a few recommendations for primarily humanitarian causes. Our interest in traditional educational, scientific and cultural fields should not cause us to exclude other projects which tap deep reservoirs of human sympathy. The allocation of small sums for such purposes would have a tremendous appeal, perhaps demonstrating more clearly than anything else the continuing interest of the United States in Israel.

Among the Jewish organizations which Mr. Katzen contacted were the American Jewish Congress, Hadassah, the American Jewish Committee, B'nai B'rith, the United Jewish Appeal, the Zionist Organization of America, the Jewish Welfare Board, the American Technion Society, the American Friends of the Hebrew University, Yeshivah University, the American CRT Federation, the World Academy for Higher Jewish Studies, the Jewish Agency for Palestine, the Jewish War Veterans, the Order of B'nai Zion, the Jewish National Fund, the Federation of Jewish Women's Organizations of New York City, the Jewish Theological Seminary, the Synagogue Council of America, the American Fund for Israel Institutions, the American Israel Society, the National Council of Jewish Women, the Union of Orthodox Congregations of America, the Israel Olympics Sports Committee, Brith Abraham, the Council of Jewish Federations and Welfare Funds, the Rabbinical Council of America, the American Zionist Council, the American Committee for the Weizmann Institute of Science, and the Hebrew Union College.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House insisted upon its amendments to the bill (S. 849) to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystrophy, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HARRIS, Mr. CARLYLE, Mr. ROBERTS, Mr. DIES, Mr. WOLVERTON, Mr. HINSHAW, and Mr. HESELTON were appointed managers on the part of the House at the conference.

The message also announced that the House insisted upon its amendment to the bill (S. 3897) to improve governmental budgeting and accounting methods and procedures, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DAWSON of Illinois, Mr. JONES of Alabama, Mr. KILGORE, Mr. FASCELL, Mr. HARDEN, Mr. BROWN of Ohio, and Mr. LIPSCOMB were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 7723) to authorize the Secretary of Agriculture to convey certain lands in Phelps County, Mo., to the chamber of commerce of Rolla, Mo.

INVESTIGATION BY TARIFF COMMISSION OF EFFECT OF IMPORTS OF TEXTILES AND TEXTILE PRODUCTS

Mr. JOHNSON of Texas. Mr. President, I am about to make a motion with reference to a Senate resolution offered by the distinguished Senator from Maine [Mr. PAYNE]. It is Senate Resolution 236. I hope we may be able to have that resolution explained thoroughly but briefly, by the Senator from Maine, and have statements made on it and have action taken on it.

I then propose to move the consideration of Calendar No. 2568, Senate bill 2643, to promote the common defense by encouraging maximum development of low-cost electric energy from all sources of power, including atomic energy, and for other purposes.

Some Senators will wish to discuss various extraneous subjects before the Senate begins to operate under the time limitation on the Hells Canyon Dam bill. Therefore, Mr. President, I should like to give notice that immediately following action on Senate Resolution 236 there will be an opportunity for Senators to make their statements before the time limitation takes effect.

Mr. President, I move that the Senate proceed to the consideration of Senate Resolution 236.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 236) directing the Tariff Commission to investigate whether imports of textiles or textile products are affecting injuriously the domestic industry.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the resolution, which had been reported from the Committee on Finance with amendments.

Mr. PAYNE. Mr. President, I shall try to be as brief as may be possible with my explanation of this particular resolution. The distinguished majority leader asked if it would be possible to do it in a short period of time. Of course, coming from New England, where we are short on words, anyway, I never take too much time.

Mr. President, Senate Resolution 236, which I submitted last April for myself and 25 other Senators, would have originally called for an immediate investigation by the United States Tariff Commission of the effect of increased textile imports on the domestic textile industry. As amended by the Senate Committee on Finance, Senate Resolution 236 expresses the concern of the Senate over the current distress felt by some segments of the domestic textile industry as a result of increased imports, and urges the President to consider the use of the emergency powers he has under existing laws to curb or in some way control the importation of those textiles and textile products which are causing the most severe injury to segments of the domestic textile industry. The resolution further directs the Tariff Commission to expedite and wherever practicable to give priority to escape clause investigations on textiles and textile products. It is hoped that this directive to the Commission will have the effect of speeding up investigations now being undertaken by the Commission, so that any relief the industry might gain from this procedure will come as rapidly as possible.

A few weeks ago the Senate considered two amendments to the foreign aid bill which would have provided immediate relief to the domestic textile industry. Unfortunately both of these amendments were defeated. One of the principal arguments against enactment of these amendments was on the grounds that they were mandatory rather than discretionary. Although I cannot agree with the arguments that were thus posed against these amendments, I would like to point out to the Senate at this time that the pending resolution imposes no obligation upon the President to take any action whatsoever in regard to textile imports unless he deems it necessary. It simply declares it to be the sense of the Senate that the President should give consideration to using his existing emergency authority to provide relief for the domestic textile industry.

Mr. President, I am not satisfied that Senate Resolution 236 represents all that the Congress should do for the benefit of the domestic textile industry, but I am unhappily convinced that Senate Resolution 236 represents all that the Congress will do at this late stage in the present session. The adoption of this resolution will mean official recognition by the Senate of the textile import problem. It will demonstrate that the Senate is deeply concerned in finding a sound and adequate solution to this problem. And finally, the adoption of Senate Resolution 236 will call to the attention of the administration the deep concern of the Senate and will, in effect, ask the administration to give careful consideration to using the means already at its disposal to work out an administrative solution which will prove equitable to the textile industry, the workers it employs, and be equitable also to those nations who export textiles to this country.

Mr. President, taking into consideration the importance of the textile industry to the Nation, the allied industries and related agricultural producers, and the millions of people it employs directly or indirectly, it is my firm belief that the Senate has definite responsibilities concerning the future of the textile industry and should adopt Senate Resolution 236. While this resolution does not of itself solve a single problem of the domestic textile industry, it will at least demonstrate that the Senate has not turned its back on the industry and the increasingly serious problem of textile imports.

Mr. President, I ask unanimous consent that the statutory provisions referred to in Senate Resolution 236, as amended by the Senate Finance Committee, may be printed at this point in the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

STATUTORY PROVISIONS REFERRED TO IN SENATE RESOLUTION 236, AS AMENDED BY THE SENATE COMMITTEE ON FINANCE

1. SECTION 22 OF THE AGRICULTURAL ADJUSTMENT ACT, AS AMENDED

United States Code, 1952 edition, supplement III, title 7, section 624, page 145, limitation on imports; authority of President:

(b) (second paragraph): "In any case where the Secretary of Agriculture determines and reports to the President with regard to any article or articles that a condition exists requiring emergency treatment, the President may take immediate action under this section without awaiting the recommendations of the Tariff Commission, such action to continue in effect pending the report and recommendations of the Tariff Commission and action thereon by the President."

2. SECTION 204, AGRICULTURAL ACT OF 1956 (PUBLIC LAW 540, 84TH CONGRESS)

"The President may, whenever he determines such action appropriate, negotiate with representatives of foreign governments in an effort to obtain agreements limiting the export from such countries and the importation into the United States of any agricultural commodity or product manufactured therefrom or textiles or textile products, and the President is authorized to issue regulations governing the entry or withdrawal from warehouse of any such commodity, product, textiles, or textile products to carry out any such agreement. Nothing herein shall affect the authority provided under section 22 of the Agricultural Adjustment Act (of 1933) as amended."

3. TRADE AGREEMENTS EXTENSION ACT OF 1951

United States Code, 1952 edition, title 19, section 1363 (a), page 2722:

"No reduction in any rate of duty, or binding of any existing customs or excise treatment, or other concession hereafter proclaimed under section 1351 of this title, shall be permitted to continue in effect when the product on which the concession has been granted is, as a result, in whole or in part, of the duty or other customs treatment reflecting such concession, being imported into the United States in such increased quantities, either actual or relative, as to cause or threaten serious injury to the domestic industry producing like or directly competitive products."

4. SECTION 350 OF THE TARIFF ACT OF 1930, AS AMENDED

United States Code, 1952 edition, supplement III, title 19, section 1351 (a) (5), page 512:

"The President may at any time terminate, in whole or in part, any proclamation made pursuant to this section."

Mr. PAYNE. Mr. President, I close by expressing the very sincere hope that the Senate will unanimously agree to the resolution, so that the administration may know of the problem which confronts the textile industry.

Mr. JOHNSON of Texas. Mr. President, first, I express my personal appreciation and commendation to the senior Senator from Maine and his colleagues who have offered the resolution. I think that if the resolution shall be adopted by an overwhelming vote of the Senate, as I expect it to be, it will show beyond any doubt that the Senate is gravely concerned about the acute distress which exists within the textile industry. Second, it will say to the President that it is the view of the Senate that the President should give immediate consideration to the impact textile imports are having. Finally, it will say to the Tariff Commission in clear, unmistakable and positive terms that the Senate directs it to expedite and wherever practicable to give priority to the investigation which is now pending.

A long delay between the time when an investigation is initiated and the time when it is concluded has resulted in the death of many of America's finest and best businesses. I think that if nothing else flows from the resolution than cutting redtape and expediting the action of the Tariff Commission report, it will have been well worth the efforts which the distinguished senior Senator from Maine and the other Senators who have been associated with him have spent in this direction.

I compliment the Senator from Maine upon his interest, and I express my personal appreciation for the diligence he has demonstrated in bringing the resolution before the Senate.

Mr. PAYNE. Mr. President, I express my appreciation to the majority leader for his kind statement and for the concern he has expressed. I simply say that I fully share in the expressions he has conveyed to the Senate concerning the textile industry.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. PAYNE. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I wish to add my word of commendation of the Senator from Maine for his energy in having the resolution considered by the committee and reported to the Senate. As a Senator from Massachusetts, I know of the problems which confront the textile industry. I know how important it is to have a thorough study made and to see what can be done to stimulate executive action in order to help the industry.

I commend the Senator, and I shall help him in any way I can.

Mr. PAYNE. I thank the Senator from Massachusetts.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. PAYNE. I yield.

Mr. PASTORE. I congratulate the distinguished Senator from Maine upon his very eloquent explanation of the resolution. I am happy to be associated with him in the offering of the resolution, and I associate myself with everything the Senator from Maine has said.

I realize we are living in an era in which we must win the hearts of the people of the free world. I know there are many things we can do to win the friendship of the peoples of other nations. But I know equally well that we cannot buy their friendship with American unemployment.

Mr. PAYNE. I thank the Senator from Rhode Island.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. PAYNE. I yield.

Mr. SMITH of New Jersey. I wish to add my word to those of other Senators in commending the distinguished Senator from Maine for the diligence he has exerted in having the resolution reported. I am very glad to be a cosponsor of the resolution. I understand something of the situation about which the Senator has spoken, because of my knowledge of similar conditions in my own State.

I thank the Senator from Maine for all he has done to bring action on this important matter.

Mr. PAYNE. I thank the Senator from New Jersey.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. PAYNE. I yield to the Senator from Connecticut.

Mr. BUSH. I am happy to have joined with the Senator from Maine in sponsoring the resolution. I congratulate him upon his presentation.

A few years ago I was a member of the Randall Commission, which prepared a report on the question of foreign trade and tariff policy. I do not believe the resolution is inconsistent with the philosophy of the Randall Commission report. Certainly it is not inconsistent with the statements which were made by the President himself when H. R. 1 was under debate in the House of Representatives. At that time the President said in a letter which he wrote to Representative JOE MARTIN that it certainly was not his intention that any legislation of this nature should result in the demise of or serious injury to any American company or employer.

So I believe the President will be glad to have the Senate adopt the resolution because it is not inconsistent with the position he has taken heretofore in this matter.

Mr. PAYNE. I thank my colleague from Connecticut. I know of his continually expressed great concern over the textile situation, and, I appreciate what he has just said.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. PAYNE. I yield.

Mr. LANGER. I, too, express my deep satisfaction that the resolution has been reported and is now before the Senate. I hope it will bring the problem with which it concerns itself very forcefully to the attention of the Executive.

After a complaint has been filed it takes entirely too long and too much redtape before executive action is taken in these matters. A while ago I complained about the importation of grain. It took 7 months before I could get an inquiry made into the matter. As the Senator from Texas [Mr. JOHNSON] has said, in that length of time an industry might be ruined.

Mr. PAYNE. My good friend from North Dakota has always taken a great interest in these matters. I can assure him that the people of New England and the people of other sections of the country, as well, share the concern which he has expressed.

Mr. DOUGLAS. Mr. President, while, of course, the resolution before us is merely in the nature of a recommendation, and is in no sense mandatory upon the President and merely directs the Tariff Commission to expedite investigations relating to textiles, it will have a great deal of symbolic significance.

If it shall be agreed to, it will mean that the United States Senate will in-

crease the pressure upon the President and upon the Tariff Commission to raise the duties upon textile imports or to impose quotas upon them.

When the recommendation for the approval of the resolution was made by the Committee on Finance, I felt sufficiently strongly about the matter to prepare minority views. I ask unanimous consent that these views be printed at the end of the brief remarks which I am about to make.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit A.)

Mr. DOUGLAS. Mr. President, first I point out, as the evidence indicates, that the textile industry has a bad case of stage fright over imports which, quantitatively, are not large in number. What has been hurting the textile industry primarily has been the development of new fabrics, such as rayon, dacron, nylon, orlon, and so forth.

If we shut off or decrease imports, as will inevitably happen if the Tariff Commission follows the advice of the Committee on Finance and of the Senator from Maine [Mr. PAYNE], it will mean that we will be more or less automatically shutting off some of our exports. We cannot sell to other countries unless the other countries are able to buy from us. They buy from us with the foreign exchange they get from selling to us. If we force them to decrease their exports to us, it will mean that they will have less foreign exchange, and therefore will be able to buy less from us.

This will mean they will not for example be able to buy as much raw cotton or tobacco. I am surprised to find so many of our good friends from the cotton-producing and tobacco-producing States favoring the proposal, when it is directly against the interests of the cotton and tobacco growers.

The resolution will strike a blow at the exportation of automobiles, farm implements, earth-moving machinery, powdered milk, soybeans, soybean oil, and a multitude of products which we export. So this is a blow at the American export industry, and it is a move to shrink rather than expand world trade.

There is one other result which will inevitably follow from the pursuit of this policy; that is, it will throw Japan into the arms of Communist China. We have been insisting, and I think properly so, that Japan, which has been more or less under our tutelage, should not trade with Communist China. I agree with that policy, which we adopted in the past. However, we should face the fact that we are up against great natural difficulties. Japan lies off the mainland of Asia, and the economy of Japan is naturally complementary to that of China. From the standpoint of strict trade logic, Japan probably should buy cotton from China and fabricate it into cotton cloth in its factories. It should take iron ore or pig iron from Manchuria, and make that iron ore or pig iron into steel in its steel mills.

If China were a peaceful, non-Communist country, this mutual trade between Japan and China would be welcome; but China is not a peaceful country, and it is a Communist-dominated country. We can be quite certain that the price for its trading with Japan will be an insistence that Japan shall move away from its alliance with the Western democracies, and move into either neutrality or outright alliance with Communist China; and we would, therefore, likely lose 80 million people and the strongest force that we have in Asia against communism.

So, Mr. President, I think this resolution is a very shortsighted one—extremely shortsighted. If it shall be acted upon by the Tariff Commission and by the President, I think we shall rue the day it was put into effect. I hope it will be rejected.

I do not have too great hopes that it will be rejected, because I have the sneaking suspicion that the managers of the customs simplification bill may have gotten that bill through on the tacit understanding that the Payne resolution would then be agreed to. I do not know that this is so, but I suspect it is. I am sorry the managers of the bill felt they had to pay so high a price as that. If the proposal means anything, far from expanding world trade, it will shrink it, and it will weaken the forces on the side of the free world. It is a backward step.

Mr. LONG. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LONG. It seems to me those of us who approve of the idea of expanding trade recognize that we shall not be able to expand trade unless at the same time we give reasonable consideration to our domestic industries. Otherwise the program might become so very unpopular that over a period of time the entire program might be wiped out in a wave of reaction. On the other hand, if we can expand trade in such a way that no grievous harm is done to our domestic industries, I do not think there will be too much danger of injuring our foreign trade program, and I think that it can be expanded.

The trouble in the textile industry is that there are certain commodities of which the Japanese are taking over a tremendous share of the market. If the exportation of Japanese textiles were more general and included many commodities, the injury would not be so grievous to domestic manufacturers in particular lines who have suffered as a result of Japanese competition in, for instance, gingham, ladies' blouses, and certain other particular commodities.

Mr. DOUGLAS. May I say, first, on a factual basis, that in 1955 the domestic production of cotton cloth was about 11 billion square yards. The total imports of cotton cloth in that year were 133 million square yards, or only 1½ percent of the domestic production, and Japan furnished only a portion of that 1½ percent.

Secondly, we exported in 1955, 542 million yards of cotton cloth, or four times the volume of imports.

Even if we were to take cotton alone, we are not importing any appreciable fraction of the domestic production, and we are exporting four times as much as we import.

But, in addition to that, we should recognize this fact: We cannot pass any tariff bill that does not adversely affect somebody. I have believed for a long time, as the Senator from Louisiana knows, that industries or plants which are adversely affected by tariff reduction should receive compensation. It is proper that we should get the advantages of world trade, but we should not insist that all the burdens be borne by a few.

While we were in the course of adopting the Reciprocal Trade Agreements Act last year, the Senator from Minnesota [Mr. HUMPHREY] and I fought on the floor of this body for compensatory payments, both to manufacturers and to workers who might suffer as a result of tariff reductions. I was deeply pained that the persons who use this argument of someone being hurt as a reason for protection turned down our amendment, we could not even get a rollcall vote on it—and that the Randall Commission voted, Mr. McDonald being the sole exception, against the program for compensatory payments.

In the minority views which I expressed on this resolution, I again advocated such compensatory payments.

We should recognize, that, on the whole, the country gains from foreign trade, and when we shut it off, as would happen under the present proposal, our export industry will be hurt. The cotton-producing section of the country is going to be hurt. The cotton manufacturing industry, in its export branches, will be hurt. A whole line of other industries will be hurt.

The resolution is extremely shortsighted.

I want to say that in the past I have been very proud of the Democratic Party because, on the whole, we have stood for lower tariffs. Those of us who grew up in high tariff areas fought against the false ideas promulgated by the Republican Party. Now I am pained to see, as the textile industry moves South to the Piedmont range, it is infecting many Southerners with these erroneous ideas. That is one New England importation that I think the South could do without. That is one carpetbagging idea that I think the South ought to rally against, and return to the historical Democratic principle of low tariffs.

Mr. LONG. The Senator knows I voted for the compensatory amendment. I believe it was offered by the Senator from Minnesota, but I voted for it both in committee and on the floor.

Mr. DOUGLAS. Yes.

Mr. LONG. However, that amendment did not carry.

However, it occurs to me that there can be a steady increase in foreign trade without injuring any particular industry, if we recognize the fact that ours is an expanding economy and that year by year we tend to produce more and to consume more in our own Nation.

The Senator correctly points out that the volume of textile imports does not show a great percentage increase. However, the difficulty is in certain instances. For instance, the Japanese producers have concentrated on certain commodities. In that connection, let us consider the situation in respect to gingham. Let us assume the Senator to be a manufacturer of gingham. If the overall figures

showed that only 2 or 3 percent of textile consumption in America was Japanese-produced, that would not particularly help him if Japanese gingham had already captured 30 percent of the market for his particular specialty. In any case he would be on the point of being driven out of business.

Mr. President, it seems to me that these are factors which the Tariff Commission should take into consideration and should study very carefully.

Mr. DOUGLAS. Mr. President, I yield the floor.

EXHIBIT A

MINORITY VIEWS

The Senate Finance Committee has properly told the textile industry, by this resolution, that it should follow appropriate procedures under the escape clause provisions of the Reciprocal Trade Act. Further, by its action the committee recognizes that the problems of the industry center in certain selected areas. Yet, while accepting these points, the committee in reporting this resolution fails to appreciate the facts which the Tariff Commission report outlined and gives the impression that the industry as a whole is in some way seriously damaged by the imports of textiles and gives credence to the exaggerated claims of the industry that it is being harmed.

If this resolution is passed by the Senate, it will greatly increase the pressure upon the President and the Tariff Commission to impose import quotas and higher tariff duties upon the importation of foreign textile products.

The forces of high tariffs and protectionism which were in general retreat from 1934 to 1952 will be greatly strengthened and further pressure for similar action for chemicals, toys, plastics, pottery, and so forth, will be hastened. We should therefore look very carefully at what the results of such action would be.

The advocates of high tariffs and of further import quotas apparently see only the textile industry and have highly exaggerated fears of what Japanese and other foreign textiles have done or will do to their domestic market.

I have great sympathy for the workers and management in this industry but we should look at the problem with a steady eye. We should ask ourselves just how much trouble has actually been caused by the importation of foreign textiles, and what would be the effect upon our exports of thus limiting our imports by means of higher tariffs and import quotas. We should also take into consideration what effect such a policy would have upon the confederation of free nations which are trying to build up to resist Communist aggression.

1. The facts show that the claims of the textile industry about the losses they have suffered as a result of the importation of Japanese and other textiles have been greatly exaggerated.

In the first place there has been a technical revolution in the manufacture of textiles so that problems faced by a few sections of the industry are the results, in large part, of the new synthetic fibers—rayon, dacron, orlon, and nylon.

Second, as the Tariff Commission itself has stated (memorandum for the Senate Committee on Finance on S. Res. 236):

"The United States exports cotton manufactures to a far greater extent than it imports them; * * *."

And—

"It should be noted, however, that an exceedingly small part of the domestic consumption of cotton manufactures is supplied by imports and that Japan accounts for only a part of such imports."

The Commission then adds in a footnote—

"The raw cotton content of those imports from Japan in 1955, for example, was equivalent to only about one-fifth of the raw cotton that the United States shipped to Japan in that year."

The Commission further states that though the ratio of United States imports to exports of cotton manufacturers has risen during recent years, "* * * that ratio is still very much lower than it was in the years immediately preceding World War II," and concludes by stating:

"It is clear that textile manufacturers in Japan do not have an 'across the board' competitive advantage over the textile manufacturers in the United States."

A few facts to substantiate these points are in order.

(a) In 1955 domestic production of cotton cloth was about 11 billion square yards. Total imports of cotton cloth in 1955 were 133 million square yards, or 1½ percent of domestic production.

(b) Exports of cotton cloth were 542 million yards in 1955 or four times the volume of imports.

(c) Sales, profits, and profit margins for the industry were substantially higher in 1955 than in 1954, and the upward trend has continued in 1956. Yet it is during this period that imports have increased.

The proper method of approaching the problems of the industry in specific lines where it is claimed imports are providing serious injury, is to instigate escape-clause procedures under the Reciprocal Trade Act. The reluctance of the industry to accept this approach and instead to seek rigid quotas on all cotton imports, indicates their lack of confidence in their ability to make their case where facts, rather than fictions, are involved.

2. The restriction of imports which is suggested in this resolution will greatly reduce our exports and thus work hardship on a number of American industries including raw cotton and tobacco.

This is something which the high tariff advocates and the trade restrictionists find it almost impossible to understand or take into account. They fasten their attention upon the industries which they seek to protect and they neglect to notice the export industries which they injure.

And, more important, they often fail to recognize the interest of their own industry when looked at as a whole instead of by the jaundiced-eyed method of looking at a very few specific items. In 1955, for example, our exports of raw cotton were 2½ million bales of which one-fourth or about 647,000 bales went to Japan. The raw cotton content of our textile exports was an additional 523,000 bales whereas the raw cotton content of our textile imports was 130,000 bales, of which only about half came from Japan. Thus, certain segments of the cotton trade have difficulty in recognizing their own self-interest.

And yet the truth is that we cannot export unless we import and the more we restrict our imports, the more we cut off our exports. The high tariff advocates and those who would restrict international trade proceed on a mistaken assumption, namely that we can continue to export to other nations even though we cut off or greatly reduce the exports of those nations to us.

This is impossible.

In the old days of the international gold standard the balance between exports and imports was automatically effected through gold movements and the operational national price levels. Thus if we curtailed our imports, the foreign countries could not pay for the goods which they imported from us by their export of other goods. They would then have been compelled to send us gold. This would have increased the supply of money in this country and have decreased the supply abroad. This in turn would have meant that our prices would have risen and theirs fallen. This in itself would cut down our exports and would increase those of the other countries above the immediately prior level, after our higher tariffs had been in effect. Ultimately a balance would have been struck between exports and imports but with smaller quantities being traded than before the imposition of the restrictions upon imports. Our export industries would have lost a portion of their market. If we completely cut off our imports then our exports would ultimately cease.

In any event, the advantages of the international division of labor would have been lessened and the gains which we derived from such international exchange would be greatly reduced. All countries including our own would lose.

3. At the present time, under the almost universal system of managed currencies and more or less pegged exchange rates in which gold plays a somewhat minor role, the results of increasing tariffs and imposing import quotas are the same, although the process is somewhat different.

The amount that any one country can purchase from abroad is limited by the amount of foreign credits which it holds at its disposal. These foreign credits are, in the main obtained by selling goods to other countries. If the sale of these goods is reduced by the imposition of tariffs or imports quotas, then the amount of foreign exchange which a given country holds is correspondingly decreased. This reduces its ability to buy from other nations so that the net volume of international trade diminishes. Since it cannot export as readily to other countries, other countries cannot as readily export to it.

A country which raises its tariffs and imposes import quotas to protect its own manufacturers will find rather speedily that it thereby restricts the sale of the goods which it exports. In the case of the United States, if we restrict the amount of cotton and woolen textiles which can be shipped to us, we will soon reduce the amount of raw cotton, tobacco, soybeans, wheat, powdered milk, farm machinery, automobiles, earth-moving machinery, computing machines, electrical equipment, and so forth, which we can sell abroad.

4. Moreover, if we impose these tariffs and quotas against foreign textiles by governmental action, we can be quite certain that other countries will retaliate by imposing tariffs and quotas against our producers. It is naive to assume that other countries will be passive in the face of our action. They will inevitably retaliate both to protect the amount of foreign exchange which they hold and from a natural, human desire not to passively accept such action by us. Not only will the amount of international trade decrease but the amount of international animosity will greatly increase.

5. Twenty-six years ago, at about this time, the American Congress passed the Smoot-Hawley-Grundy Tariff Act, which greatly raised our tariffs against foreign goods. The bill then went to President Hoover's desk where it awaited his signature or veto. As a private citizen, I helped to draft an appeal to the President asking him to veto this bill in which we pointed out that if it went into effect it would inevitably cut off our exports, invite retaliatory action by other countries, and intensify the world depression which was then beginning to gather headway. Our appeal was signed by no less than 1,146 economists of the country.

Despite our appeal, President Hoover signed the high-tariff bill and what we had prophesied came true. Our exports were reduced; other countries increased their tariffs; Great Britain abandoned her low-tariff policy to which she had adhered for nearly a century. Imperial preference was estab-

lished within the British Empire and Commonwealth. The world slipped into protectionism and economic nationalism. We were proved to be good prophets then and this experience should help to deter this country from embarking on a similar policy now.

6. The proposed measure is directed primarily at Japan, since it is the importation of Japanese textiles about which our textile industries chiefly complain. We are trying to keep Japan as an ally and a loyal member of the free world coalition against communism. To do this we are spending a very large sum of money. If we deny to the Japanese the ability to sell textile cloth to us and hence prevent them from acquiring the dollar exchange which will enable them to buy raw cotton, rice, wheat, machinery, and so forth from us, we will have to appropriate still more money to feed the Japanese people if we wish to keep them in an alliance with us. Our slogan will then be "aid not trade." In view of the increasing restiveness of the country about foreign aid, the widespread feeling that the policies of the administration in this field are contradictory, confused, and ill-conceived, it is not certain for how long the American people will give their approval for aid in the quantities which will be needed were we to take the action which the proposed Senate resolution would encourage.

7. The imposition of these tariffs and import quotas might well throw Japan into the arms of Red China and lead to the withdrawal of Japan from the democratic bloc and its entry into the ranks either of the Communist satellites or those "neutrals" whose orientation is toward communism rather than toward democracy.

Let us note that the economies of Japan and China are in fact complementary rather than competitive. China is primarily an agricultural country and the provider of raw materials. Japan is a processing and manufacturing country. The natural tendency would be for Chinese raw products, such as cotton and iron ore, to be sent to Japan for fabricating and then for some of the finished goods to be shipped back to China.

If these were ordinary times, this would be a welcome development. But they are not ordinary times and we are in fact engaged in a great struggle with the Communist bloc. Red China is one of the two great powers in that Communist bloc. If we prevent Japan from selling her products here in any appreciable quantity, then Japan will have to turn toward China. But Communist China will undoubtedly ask a price for opening its markets to Japanese goods and for shipping its raw products, such as iron ore and cotton, to Japan. That price will, at the very least, be for Japan to quit the Western Alliance and instead to be neutral. I doubt, however, if merely neutrality will satisfy Red China for long. China will instead more and more demand and obtain close economic and political cooperation on the part of Japan, and Japan will more or less rapidly move into the Soviet orbit. This would leave us without a single great power in Asia on our side, and it would be difficult for us to maintain the independence of small peripheral countries, such as South Korea, Formosa, South Indochina, Thailand, and so forth. The tide of communism would be greatly strengthened and the free world weakened.

8. There is one point, however, upon which a few segments of the textile industry and such other industries as may be adversely affected by imports have a legitimate complaint. This is that they are being sacrificed for the general good. "Why," they ask, "should we be compelled to take losses in order that the consumers and other industries may obtain gains? Since everybody else is working for their self-interest, why should we be expected to forego ours?"

In my judgment the only effective way to meet this complaint is to provide compensation to management and to the workers for the losses which they may suffer because of increased foreign imports. This could take the form of cash payments to management and an extension of unemployment benefits to displaced workers coupled with provision for retraining.

This was advocated by David McDonald as a member of the Randall Commission. It was in my judgment a great mistake for that Commission summarily to reject that proposal. Senators Humphrey, Kennedy, and I, among others, also advocated this plan in the debate last year on the reciprocal trade bill but were not successful in mustering much support for it.

Such a proposal is however fundamentally sound since it is only fair that the losses resulting from a given public policy should be at least partially met out of the net gains of such a program. Unless some such policy is adopted, it will be difficult to carry out a broader trade policy and the retreat from the Cordell Hull program is likely to proceed at an accelerated pace.

9. In short, if we pass this resolution and the executive authorities take the action which is implicitly recommended, I believe we will have opened a Pandora's box of mischief. I can only hope that the United States does not make the same mistake which we made in 1930. These are some of the reasons why I feel compelled to oppose the passage of this resolution, and why I hope it will be rejected on the floor of the Senate.

PAUL H. DOUGLAS.

Mr. GORE. Mr. President, I cannot agree with the conclusions and interpretations which the distinguished Senator from Illinois has reached in regard to the effect and purpose of the pending resolution. I concur in many of the statements of fact he has made. However, I wish to point out that the resolution reads, in part, as follows:

Whereas the Senate is gravely concerned over the acute distress existing in segments of the domestic textile industry—

In that connection, I emphasize the words "segments of the domestic textile industry." Unquestionably, Mr. President, in some small segments of the industry, there is distress. That should be cause for concern by all Senators, as I am sure it is. Certainly I share that sentiment.

I also call attention to the fact that the resolution states, further—

That the impact of the imports of foreign articles may be causing or threaten serious injury.

In that connection I emphasize the use of the word "may."

I call attention, further, to the fact that the resolution states—

That in the light of the acute distress existing in segments of the domestic textile industry—

It is the sense of the Senate that the President should give—

immediate consideration.

Mr. President, what is wrong with having the Senate express, as being the sense of the Senate, that the President of the United States should give immediate consideration to this problem, and to the problem of any other segment of our society, if it is distressed or if it thinks it is about to be put into a distressed condition? That is the purpose for which other provisions of law—including section 22 and section 204—were enacted.

Therefore, I am unable to reach the conclusion which my distinguished friend, the able senior Senator from Illinois [Mr. DOUGLAS] has reached, namely, that this resolution is a high-protection resolution, or that it is intended to place pressure in that direction upon the President of the United States and the Tariff Commission.

I support the pending resolution, but I do not support it either in purpose or with the interpretation which the distinguished senior Senator from Illinois has given to it.

I wish to point out a few of the problems facing the textile industry. I do not seek in any way to minimize the seriousness of these problems with respect to some of the segments of the industry. It is true that the textile industry today is not so prosperous, relatively speaking, as are some other segments of our economy. There are many basic factors which have brought about that situation. Chief among them are problems caused by relocation and by increasing competition within the United States, either from other fabrics or from products whose production within the industry has increased.

The competition from imports is not the major factor. With the exception of some narrow segments of the industry, imports have, in fact, had a very small impact.

The cotton textile lobby makes exaggerated claims. I have heard it stated even on the floor of the Senate that the textile industry is facing destruction. The professional lobbyists say this:

Floods of ruinous imports have destroyed or threaten to destroy the cotton textile industry, with its hundreds of thousands of employees.

Mr. President, I believe it is important, as we prepare to adopt this resolution, to place the question in proper perspective by the use of a few statistics. It should be borne in mind that the cotton textile industry contends that increased imports, beginning late in 1954, and continuing through 1955 and the first quarter of 1956, offer a serious threat to the survival of the industry. However, I do not believe that is the case.

I believe that the industry as a whole suffers more from fear of possible impacts to come, than from the effects of current imports.

Mr. PASTORE. Mr. President, at this point, will the Senator from Tennessee yield for a question?

The PRESIDING OFFICER (Mr. KENNEDY in the chair). Does the Senator from Tennessee yield to the Senator from Rhode Island?

Mr. GORE. I yield.

Mr. PASTORE. I shall not address myself exactly to a question involving textiles, but I shall cite an example to the distinguished Senator from Tennessee, to show that the condition referred to is a little more than fiction or frivolous fear. In many instances there is real fear or real cause for fear, because, after all, we are dealing with production and employment. As an example, let me say that in the case of a

wristband which in Rhode Island sells for $12.95, an exact duplicate, if made in Japan, can be sold in the United States for $1.50. If greater selectivity is not provided, and if that condition is allowed to continue to exist, how long will it be before that entire industry is eradicated from the American economic horizon? How long can we live with that kind of a situation in existence, without putting business out of business?

Mr. GORE. I am not acquainted with the wristband production problem or the problem related to that particular industry. I have acknowledged, and in my own way I wish to call to the attention of the Senate the problem with respect to certain segments of the textile industry—for example, velveteen.

Mr. PASTORE. That is correct.

Mr. GORE. But I wish to point out that, on the whole, increased production within the United States has had greater impact than has competition from without the United States. In 1955, the textile industry as a whole had more than 98 percent of the American market, and exported more than twice as much as was imported.

Mr. PASTORE. Mr. President, will the Senator from Tennessee yield at this point?

Mr. GORE. I yield.

Mr. PASTORE. Will not the Senator from Tennessee admit that the entire philosophy of our trade relations with other governments has been predicated upon imports and exports? The distinguished Senator from Illinois has just argued that we have to prop up the economy of Japan—a very laudable thing to do—because of the relationship between Japan and Red China. Logical as that may be, in that event we are no longer indulging in our philosophy of the relationship between imports and exports; in that case we are dealing with foreign aid, insofar as the economics involved may be concerned.

If we dip into the foreign aid field, in the philosophy of trade based upon imports and exports, I believe that before we can do so effectively we must embrace the compensatory idea of the distinguished Senator from Illinois. We cannot open up the floodgates on one hand without doing something as a relief measure at the other end.

If the whole philosophy of helping the economy of Japan rests upon the relationship of Japan with China, we are not talking about imports and exports. We are not talking about the ability of Japan to buy from America, so that America can sell to Japan for the dollar credit which may exist between them. We are talking about stabilizing the economy of Japan in order that she can stand up against Red China. That is laudable, but if we are putting American industries out of business we must do something to retrain our workers. We must do something about federalizing unemployment compensation, and a great many other things.

The State Department is not doing that, because the State Department does not care. That is our problem. The State Department does not know the problems with which various States are confronted. I have talked time and time again about the reinsurance of our unemployment compensation. I have been told that that is a State responsibility. Unemployment is a national responsibility. If people in Rhode Island are to become unemployed because of the national policy to do business with Japan, it becomes a Federal responsibility to take care of people who are out of work in Rhode Island.

Mr. GORE. I thank my distinguished, able, and eloquent friend, the Senator from Rhode Island, for his contribution. I recognize fully that in the implementation of national policy stresses and strains inevitably result.

I join with the Senator in supporting this resolution, directing that a study be made by the Tariff Commission, and expressing the sense of the Senate that the President should give immediate consideration to specific problems and to the overall problem.

The distinction which I am trying to draw for the RECORD is the distinction between the overall problem and the problem of specific segments within an industry. I think it is important, as we adopt this resolution, that these facts be made a part of the RECORD.

I do not support the resolution—and I venture to say the Senator from Rhode Island does not support the resolution—as a legislative act which will fundamentally alter the trade policy of the United States. I support it—and I hope other Senators have the same motive in mind—for the purpose of bringing to bear the proper study, and bringing to the attention of the President, the Congress, and the country the facts. The resolution expresses the sense of the Senate that immediate consideration should be given to the problem.

Do I correctly state the motives of the Senator from Rhode Island?

Mr. PASTORE. The Senator certainly does bespeak the motive, the intention, and the heart of the junior Senator from Rhode Island. I join with the Senator from Tennessee in the fine presentation he is making. The only point I make is that the fears to which reference has been made are not frivolous; they are not nebulous; they are real. They are measured in terms of jobs. I have just read 1 letter and 2 telegrams sent to me only today, from management and workers in Rhode Island. It is ridiculous for anyone to say "Such fears are not real; they are frivolous." I cannot say that to people who are out of work, who have lost their jobs.

The problem is real. It involves humanity. It involves people who want employment. When they see that an article manufactured in this country costs 10 or 15 times as much as the same article manufactured in another country, which has a standard of living lower than ours, the problem becomes real. I have nothing against those people. I am not talking against the people of any other country. I am merely speaking for the United States of America. Much as we wish to win the hearts of those people, we cannot buy their hearts with the jobs of American workers. If we do, it will only be a matter of time until we cripple our American economy. Then where will we be?

Mr. GORE. I thank the Senator from Rhode Island for his fine contribution. I agree with him that the problem is real. When an American citizen loses his or her job in a velveteen plant or in a watch-band plant, or any other plant, a real problem is presented. But I call attention to the fact that there are far more jobs involved, and there is far greater employment for American working men and women involved in textile exports than there are in terms of jobs of American workmen lost because of textile imports.

A given industry might temporarily profit from a policy which would close the door of America to all imports of the particular commodity which that industry produces. The loss might be financed from other sources—from general taxation or otherwise. A thriving export trade might be financed from other sources, but I do not believe we can establish such a policy. As the able Senator has indicated, our trade policy must be characterized as a two-way street. In order to sell we must buy. When an industry has more than 98 percent of the American market and is exporting more than twice as much of the articles it produces as is imported, the industry as a whole is in a fortuitous position.

Mr. PASTORE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. SCOTT in the chair). Does the Senator from Tennessee yield to the Senator from Rhode Island?

Mr. GORE. I have been promising to yield to the senior Senator from Illinois [Mr. DOUGLAS].

Mr. DOUGLAS. Mr. President, is it not true that a reduction of imports of cotton cloth from abroad will not only decrease our exports of cotton cloth, and hence cause unemployment in other sectors of the cotton manufacturing industry, but will also decrease our exports of raw cotton, our exports of farm machinery, our exports of electrical machinery, our exports of tobacco, our exports of earth-moving machinery, our exports of automobiles, soybean oil, and so forth, resulting in unemployment elsewhere?

The Senator from Rhode Island, with all his fine desire to protect his people in Rhode Island, will find that, as he protects one set of people, he is throwing another set out of work, and that in other sectors of the economy there will be unemployment.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. DOUGLAS. The trouble with the Senator from Rhode Island and the other sponsors of the resolution is that they are shortsighted. They have economic astigmatism.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. PASTORE. I admit that I am myopic. I wear glasses——

Mr. DOUGLAS. So do I.

Mr. PASTORE. But there is no astigmatism in Pastore's eyes.

The thesis which has just been developed by the very distinguished Senator from Illinois is predicated upon the

philosophy of import and export, as I have just explained. So long as we buy other people will buy. So long as we maintain that philosophy, we are on solid ground. I am not against that. I have been a Democrat all my life——

Mr. DOUGLAS. And the Senator from Rhode Island has held aloft the Democratic banner in Republican New England, where there has been more economic misinformation coming from textile manufacturers than in any other section of the country. The Senator from Rhode Island should not go back on his own philosophy and upon that of our party.

Mr. PASTORE. I shall not go back on my own philosophy.

The truth is that we are no longer following the traditional philosophy of import and export. I thought I made that plain. We have been told this afternoon, even by the very distinguished Senator from Illinois [Mr. DOUGLAS], that we had better help Japan, not because we can sell to Japan and Japan can buy from us, but because Japan must be made strong against China. That is a new philosophy. That is a brand new philosophy. That is foreign aid. When we get into foreign aid and allow the Secretary of State to promote that program with jobs in Rhode Island and jobs in Illinois and jobs in Tennessee, we are getting away from the traditional philosophy of import and export. That is why I say to the distinguished Senator from Illinois, as long as we remain steadfast to our traditional philisophy of import and export, he is right in the theory he has developed.

Mr. DOUGLAS. I thank the Senator very much.

Mr. PASTORE. Once we get away from that, and once we get to the point where we help Japan so that Japan can become strong in a military way against a possible aggressor nation, then we are getting into foreign aid. When we get into foreign aid, we must think about domestic aid. When we think about domestic aid, we must think about the thousands of people in Rhode Island who are out of work and who want jobs. It is as simple as that.

Mr. GORE. I cannot agree with all the sentiments expressed by my able and distinguished friend from Rhode Island. It must be remembered that an international trade policy cannot operate in a vacuum. An international trade policy which is truly representative of national interest must be legislated by the Congress and must be interpreted and administered in the light of existing world conditions.

The able Senator has pointed to the jobs involved in the various States. The senior Senator from Illinois has pointed to the question of exports of cotton. I call attention to the fact that the Tariff Commission recently made a report to the Committee on Finance in which it said:

> The raw cotton content of those imports from Japan in 1955 was equivalent to only about one-fifth of the raw cotton that the United States shipped to Japan in that year.

If we are to reduce this program, as my friend from Rhode Island tends to do in his last remarks, to a quid pro quo basis, in terms of exports and imports, with a particular nation, then I point out that the last great market that the American cotton farmer has abroad is in Japan. I point out that while a job of a Tennessean or of a Rhode Islander or, per chance, of a person from some other State may be involved in the importation of textile products, there are more than twice as many jobs involved in the export of textile products, as well as a market for the produce of the cotton farmer.

I ask what major industry in America is in such a fortuitous position as is the textile industry, with more than 98 percent of the American market and a thriving export trade? I raise this question without any intent of minimizing the difficulties of particular segments of the industry.

Mr. LONG. Mr. President, will the Senator yield?

Mr. GORE. In a moment I shall be happy to yield.

The textile industry is a complex industry. It has many segments. Some particular segments are seriously hurt; others fear they may be hurt. However, I point out that the depressed situation within the textile industry results more from increased production and other conditions arising within the United States than from imports. I wish to refer briefly to certain statistics before I yield to the distinguished Senator from Louisiana.

In 1954, the total production of broad woven cotton cloth in the United States was 10.7 billion square yards. That increased in 1955 to 11.1 billion square yards. The Department of Commerce recently published its "Facts for Industry" report on the production of broad woven goods in the first quarter of 1956. That report indicates an increase in production during the first quarter of 1956 for each of the six segments of broad woven cloth production in the United States.

Mr. President, I cannot understand how the assertion can be made that the entire cotton-textile industry is threatened with destruction because of the increased imports, when the record shows that both production and profits have increased during the very period when calamitous injury from imports is alleged to have occurred.

After I have yielded to the distinguished Senator from Louisiana, I shall refer to the improved profit position of the textile industry. I point these facts out without in any way being unsympathetic with, or intending to minimize the problems faced by some segments of the industry. I yield to the Senator from Louisiana.

Mr. LONG. I was merely going to ask the Senator from Tennessee about the figures he is now presenting to the Senate, because representations have been made to me that during the last year or so—and it occurred to me that the Senator might be relying upon last year's figures—there has been a major decline in the American export market and a substantial decrease in profits. I have seen some figures presented by spokesmen for the industry which were at variance with those figures. Perhaps the Senator has those figures.

Mr. GORE. I appreciate the contribution of the able junior Senator from Louisiana. I wish to state that the statistics furnished by both the Federal Trade Commission and the Securities and Exchange Commission indicate that the profits of textile corporations in the United States, after taxes, for the year 1954 were $114 million.

The same sources report that the profits after taxes for 1955 increased by 204 percent, to $346 million. The net income of textile corporations in the first quarter of 1956 was 23 percent higher than in the first quarter of 1955. Profit margins and return on stockholder investments during the first quarter of 1956 were the highest since 1952.

The distinguished majority leader, I may say with genuine respect and regard for him and his problems, has been pulling on my coattails, figuratively speaking, pressed as he is with the legislative calendar, including the Hells Canyon bill.

I should like to present additional facts, but in deference to the pending legislative program I conclude by saying, briefly, that I am glad to support the resolution. I believe the problems of individual segments of the industry must be segregated from the overall situation in the textile industry. It is important that we reach some resoluton of the problem which has plagued Congress for many months. I wish to call attention to the fact, also, that through the years the United States international economic policy has been supported in Congress by representatives from the southern part of our country. That point of view is now threatened. I believe that fact poses, in its own way, a serious challenge to the political capacity of the United States to sustain a truly international economic policy, which I regard as being in the enlightened self-interest of the United States of America.

I support the resolution in the hope that it will contribute to the development of the facts and to an early and proper consideration of the facts, so as to lead to a resolution of the problem.

Mr. WOFFORD. Mr. President, I rise to express my strong support of Senate Resolution 236, of which I am a cosponsor with the Senator from Maine [Mr. PAYNE], who submitted it.

Instead of making a lengthy statement, I, like the Senator from Tennessee, desire to state a few facts about the textile industry, as to some of which he apparently has not been informed.

At the beginning of the war, when the Japanese bombed Pearl Harbor, the Japanese textile industry had 11,500,000 antiquated spindles. During the war, the Japanese textile equipment which was not bombed away was melted down, and at the conclusion of the war the Japanese people had 1 million antiquated spindles and still had no know-how with reference to textiles. Out of the greatness and goodness of the American heart, we immediately started to build the economy of the Japanese people—which I think was a good thing.

Mr. GORE. Mr. President, will the Senator from South Carolina yield?

Mr. WOFFORD. I yield.

Mr. GORE. If all the textile imports from Japan were eliminated, such action would not significantly expand the market for products of the American textile industry at this particular time. Is that not correct?

Mr. WOFFORD. I have heard that statement made. We sent our engineers to Japan to teach the Japanese how to make textiles, in an effort to improve their economic condition. We gave them money and machinery, as did the British and the Germans. So that today the Japanese people have 8½ million spindles, and modern new equipment, which is better than that which we have in the entire United States. The Japanese are able to buy cotton on the world market at 6 cents a pound less than our own domestic manufacturers have to pay for it, and cotton represents 56 percent of the cost of the material.

In addition to that advantage, Mr. President, the Japanese textile manufacturers have compounds for textile employees to live in. There is almost slave labor in Japan. They employ in the textile industry girls who have been taught by our experts. They are kept in compounds under 3-year contracts with their parents, and the average wage is from 14 to 15 cents an hour, whereas American manufacturers are forced to pay 6 cents a pound more for cotton and the average wage in the domestic industry is $1.30 an hour. With all those advantages, how can we expect the textile industry to prosper? One out of nine industrial employees in the entire United States is either directly or indirectly connected with the textile industry.

I think we have done enough for Japan so far as that one industry is concerned. The Japanese are in far better condition than they were in before the war. The Japanese in this instance are smarter than Americans—certainly, smarter than the American Government. They put voluntary quotas on themselves with the understanding that they will give us 90 days. The exporters themselves put them on. They have, themselves, offered to enter into negotiations to establish quotas, but our State Department has denied us the right to have quotas. They have the power, the authority, and the right now, and, certainly, this resolution would be enough to prod them into doing something for the American people. I know whereof I speak, Mr. President, because mills are closing in my section of the State and people are walking the streets seeking jobs. Why did the Japanese establish quotas if they did not realize that the American Congress would some day wake up and realize what has happened to the textile industry? It is not fair and right to give away not only money to foreign countries, but our industry as well.

I reluctantly say this, Mr. President, but I believe it to be true that the present administration has entertained the deliberate purpose and intent of giving away at least half of our textile industry before it will attempt to give us any relief.

Mr. President, I ask unanimous consent that a statement which I had prepared with reference to this resolution be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR THOMAS A. WOFFORD

I rise to express my strong support of Senate Resolution 236 to which I am one of the cosponsors with Senator PAYNE who introduced it. I say strong support because my hope had been that the Finance Committee would make the resolution stronger.

In lieu of a stronger resolution, I want to emphasize the need for this additional expression of views by the Senate on the matter of protecting American industry from the importation of foreign, cheap-labor textile products.

On June 28 the mutual security bill was being debated in the Senate. Senator YOUNG offered an amendment which would have required quota protection against foreign imports. That amendment was rejected by the narrow margin of two votes. Several members who had expressed interest in the enactment of protective measures were not present when the vote was taken.

The tremendous problem which besets the textile industry is one which is now recognized widely. I am convinced that import quota protection would already have been approved by the Congress, if it had not been confused with matters of international relations to such an extent that undue fears have resulted.

Conflicting interests and emotions have been mixed with this important matter.

But this is the time for the Senate to express itself again on the problem. This is a clear-cut resolution, even though it does not provide additional law or additional authority to implement necessary reforms in our handling of import problems. The resolution does provide the Senate with another opportunity to make clear to the administration that action should be taken under existing law and authority to protect Americans first.

Several steps have been taken by the Senate to make this clear during the past 2 years. In 1955 the amendments approved to H. R. 1, the Reciprocal Trade Agreements Extension Act, showed the concern of this body for the well-being of American industry.

Later last year, the Senate enacted Resolution 121 to provide for a continuing survey of the effect of foreign imports on the American textile industry.

Also, strong opposition has been expressed in the Senate Finance Committee to approval of the Customs Simplification Act, which would further reduce tariffs on many products which are competitive with American-made products.

From time to time strong representations have been made to the administration expressing the concern of Members of the Congress in this matter.

I realize the scope of the task which the Senate Finance Committee and other committees have faced in considering the bills pertaining to this problem. I am fully aware of the pressures which have been brought to bear from the administration against some of these proposed measures because of the administration approach to diplomatic relations with foreign countries in other matters.

I want to commend the chairman and the members of the Finance Committe for the careful manner in which it has proceeded on each bill and resolution. The members of this committee have handled these matters with deliberation and acumen.

The resolution before us now provides that the Tariff Commission "is directed to expedite and, whenever practicable, to give priority to" escape clause investigations.

Certainly such investigations are the most important matters the Commission could have before it.

The Japanese have promised only to give 90 days' notice if they decide to lift the few self-imposed restrictions they have placed on goods exported to the United States. But the Tariff Commission is, under the present law, granted 9 months to make an investigation under an escape clause application.

Expedited action and priority consideration of escape clause applications could well mean the difference between life and death of an American industry. The Commission has informed the Finance Committee that it does not have the staff or facilities to keep a constant watch on all phases of textile import activity. Therefore, when it receives a specific application for relief, it is vital that the Commission act with all dispatch.

I would like to say that I was happy to note the interest and concern in this matter of the distinguished minority leader as shown by his remarks in the Senate on June 28. I was especially happy to hear him state that he had personally brought this problem to the attention of the White House. I hope he will continue his efforts to secure action in that quarter.

This is not a partisan problem. The vote on the Young amendment showed the concern manifest on both sides of the aisle. This is a problem for all Americans. We cannot afford to let a basic industry be killed by failure of the Congress to protect American trade interest.

I am convinced that, if the administration does not take action soon to implement authority already provided by law, the Congress will at the next session take legislative action.

But the matter before us now is the Payne resolution. It makes clear once again the great concern this Senate feels for the people of the textile industry. Let me urge you, my colleagues, to vote for this resolution.

This Senate on June 29 voted to authorize an appropriation of billions of dollars for what is called "mutual security." I say the security of the jobs of more than a million Americans is just as important—more important to me—than the billions of dollars we have spread over the globe since World War II trying to purchase friendship in other countries.

Mr. MORSE. Mr. President, will the Senator from South Carolina yield?

Mr. WOFFORD. I yield.

Mr. MORSE. Is it the Senator's understanding that the new textile factories in Japan which he says are the most modern textile factories in the world were, in effect, built out of foreign-aid money which the United States sent to Japan, and that, therefore, we are confronted with that competition?

Mr. WOFFORD. That is correct.

Mr. MORSE. Which results in the expenditure of our own foreign-aid money, plus the other economic disadvantages to which the Senator has referred.

Mr. WOFFORD. That is true.

Mr. MORSE. If the textiles of Japan were going into Japan's historic market, we would not be in the situation in which we now find ourselves, and yet we are taking the position that Japan must not trade with some of her historic markets.

Mr. WOFFORD. The Senator is eminently correct.

Mr. MORSE. The Senator knows how delicate this subject is. I am

against any trade with any Communist country which involves materiel which can be used against us in a possible war, and I have always been at a loss to understand why we do not use economic weapons to break down communism in the field of trade. It does not strengthen the war potential in any of the countries in Southeast Asia and Red China.

The Senator, I think, was on the floor the other day when I spoke about what is happening to the women's blouse industry in the United States. It is simply closing down. Factories are being closed.

Within the last 60 days, I spoke at a meeting in New York, at which a group of blouse manufacturers were present. They pointed out the statistics with respect to the number of workers they were having to lay off because of the necessity to close the factories. They cannot compete with Japanese blouses. They said that those blouses were being shipped into trade areas where, under our foreign policy, apparently, we are using our influence to prevent Japanese sales.

In my own State of Oregon, we are confronted with a serious threat to the plywood industry. Actually plywood logs are being shipped from the west coast to Japan, where in some very modern plants, they are being manufactured into plywood. The processed wood is then coming back to the United States. Even with all the transportation cost, including the actual shipment of the logs, the plywood cost is so far below the cost of American plywood that if the Japanese can produce it in sufficient quantities, they will, in the near future, do irreparable damage to the American plywood industry.

We who have consistently taken the course of action, as I have, of seeking to develop the economic, productive power of the peoples in those areas of the world where the fight for freedom must be won are in a very curious predicament in regard to the foreign trade policy of the Government. We vote for foreign aid, on the one hand, only to find ourselves involved in exactly the kind of situation which the junior Senator from South Carolina has so ably set forth this afternoon.

I have been criticized, for example, because in the Committee on Foreign Relations I supported the Green amendment to the foreign aid bill. The Green amendment, in effect, when all was said and done, contained the principle of the quota policy.

I think we shall have to follow that policy in those areas of the world where our economic foreign policy is boomeranging because we are using our influence to prevent normal trade in the historic channels into which that trade previously flowed.

I think there is great merit in what the Senator from South Carolina has pointed out.

Mr. WOFFORD. I thank the Senator from Oregon.

Mr. JOHNSTON of South Carolina. Mr. President, first I wish to commend the Senator from Maine for submitting the resolution. I have listened to several Senators today as they made their speeches on this subject. I should like to call attention to something which is happening in my State at the present time.

In South Carolina the mills are closing. Many have already closed. Other manufacturers are refusing to build or to expand. The owners of a mill in Lancaster, S. C., had plans made to build a new mill at a cost of several million dollars, but they have decided not to do so because they cannot meet the Japanese competition with which they are now faced.

Let us consider that point for a moment. The Japanese buy their cotton between 8 and 10 cents a pound cheaper than the manufacturer in the United States can buy cotton. The Japanese manufacturer buys cotton for 25 or 26 cents a pound. The United States manufacturer at present pays about 34 or 35 cents a pound.

The American manufacturer has to meet the competition of Japanese labor. The average pay of Japanese labor at present is approximately 13 cents an hour. But the American manufacturer, according to the latest statistics, has to pay on the average of $1.43 an hour.

Mr. President, we have set the Japanese up in business under our relief program. The State Department had us do that. They discussed the matter with us in a little room just outside the Chamber. They said that $250 million was needed to rehabilitate the Japanese industry, in order to enable them to provide work in that country. We finally ended by providing $150 million.

It will also be found that we gave the Japanese the know-how, which they did not have in the beginning. We provided them with patent rights and techniques to enable them to go forward.

After all these things, the Japanese are now coming back to meet us in competition. But what does the State Department say? The State Department says, "Oh, no, do not touch Japan. Let her sell all she wants to America."

The Camperdown Mill, in Greenville, S. C., is closed at the present time because it cannot meet the competition. That mill is 82 years old. But it is closed now. Other mills are operating 3 or 4 days a week, instead of 5 days, because they cannot meet the competition, and because their profits have dropped.

If we are to assist the Japanese as a relief proposition, should the textile industry pay all the cost? Or should not all of the United States pay to rehabilitate Japan?

Mr. WATKINS. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. WATKINS. What would the Senator suggest as a remedy for that situation? I call his attention to the fact that the mining industry of the United States, too, has been having a difficult time in competing with the mining industry of Africa and of other countries. Those foreign industries also have been built with American dollars.

Mr. JOHNSTON of South Carolina. I agree with the Senator from Utah. Many times I have stood alone on the floor and objected to giving so much money to foreign nations which are now producing in competition with the United States.

Mr. President, I say that is wrong. We in America should begin to think a little of our own people at home, instead of always thinking of other nations.

I have been told that we have the votes to agree to the resolution. I am one who believes in voting when we have the votes. So I ask unanimous consent to have printed at this point in the RECORD a statement I have prepared on this subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHNSTON OF SOUTH CAROLINA

The American cotton textile industry has a peculiar distinction: 80 percent of the costs of producing its product are regulated by law.

The raw cotton, upon which the industry is based, accounts for more than 50 percent of the value of the finished product. Unlike its competitors abroad, the American mill cannot enjoy the advantages of shopping in world markets for the cheapest sources of raw material.

Raw cotton imports into this country are strictly regulated by quotas, which prevent the production from low-wage countries competing in the domestic market with the cotton grown by American farmers. These quotas were set up more than 20 years ago when it was determined by the Congress that American agriculture needed protection from foreign exploitation. They have been in effect ever since and undoubtedly will continue as long as we have a national agricultural program.

The same quotas which protect the farmer, however, limit the source from which the domestic mills can buy. They must buy American cotton. Mexican cotton may be cheaper. Brazilian cotton may be less costly. Other nations may buy these foreign cottons freely and without restriction at prices which are cheaper than that asked for American cottons. American mills do not enjoy the advantage of cheaper sources of supply. They must buy in the United States and only in the United States.

In buying at home they are confronted with a fixed minimum price for their raw materials. This price is fixed by the level of the price support program given the American farmer. There never has been any indication by the mills that they thought this price excessive. There has been a complete understanding of the need for such supports and a ready acceptance of the principle of price regulation. They merely have pointed out that it is a fixed cost over which they have no control, a cost which puts them at a great disadvantage when competing in both foreign and domestic markets with nations which have access to the cheaper sources of raw cottons in countries such as Mexico, Brazil, Pakistan, or Turkey.

The disparity between what foreign textile manufacturers pay for their raw material and what the domestic mills pay has increased with the development of the surplus disposal program which was ordered by Congress.

The support price for middling 15/16-inch cotton on the 1955–56 crop averages 33.50 cents a pound. Because the harvest is long over, storage and other charges have accumulated until the actual market price is in the neighborhood of 35.50 cents a pound. This is the price the domestic mill must pay.

Under the export sales program, cotton is available to the foreign mill at 25 cents a pound at average location. This is 10.5 cents a pound under the current market price and 8 cents a pound under the current support

price. It is more than 6 cents a pound below the announced support price for next year.

It is assuming too much if it is believed that any textile mill can compete on equal terms with another when one has this great advantage in the price of raw material.

Even though the domestic support price is lowered somewhat after August 1, the buyer of cotton under the export program still will have an insurmountable price advantage of 6 cents a pound. And this assumes that the price for export sales will not be lowered to meet prices for foreign cottons, which have a way of declining just below our own price umbrella, whatever it is.

The second fixed charge with which domestic mills have to contend is that of wages. The law fixes a minimum wage of $1 an hour, and the average rate paid by the industry is about $1.43. Labor alone accounts for at least 27 percent of the cost of producing a typical American cotton fabric.

In Japan the average hourly rate is only about 13 cents an hour—less than one-tenth the American average. The only way American and Japanese labor costs can be brought into balance is for the American textile worker to increase his output tenfold. Even though he may be superior to the average Japanese worker in efficiency and know-how, even though he may have the best and most modern machinery, such an increase in output is impossible. Actually the Japanese are known to be exceptionally efficient textile millworkers and the Japanese cotton industry is the most modern one in the world since it is largely of postwar vintage.

The Japanese mill, therefore, has two great advantages over the American textile producer. He can buy cotton at a 25 to 30 percent price advantage, and he pays less than 10 cents for every dollar in wages the American mills spend.

Tariffs have long been the accepted means of bringing the advantages of cheap foreign labor in line with domestic costs. But this type of regulation recently has been discarded. As the cost factors have widened between the domestic and the Japanese mills, the tariffs protecting domestic industry have been reduced.

There has been a flood of Japanese textiles into America as a result—even before the extra price advantage because of our export sales program was granted. The lower cost of cotton will increase the Japanese price advantage immeasurably and make it still more difficult for the domestic mills to compete.

The administration recognizes the effect that this disparity of raw cotton prices will have on American textile exports. It has announced that it will begin a cotton textile export subsidy about August 1 to make up for the difference in raw cotton prices.

Exports are only a small part of the American textile output. The major market is at home—and this is the market which is being left unprotected, subject to the whims of any nation which has the advantage of cheap labor and cheap cotton.

This is the market to which the American cotton farmer looks to take the major part of his production. If it is destroyed, the American cotton farmer is destroyed.

IMMIGRATION AND REFUGEE RELIEF

Mr. WATKINS. Mr. President, with the passing of each day we come closer to the adjournment date for this session of Congress, and with the passing of each day the chance for passage of the much-needed amendments to the Immigration and Refugee Relief Acts becomes less and less. My concern over this prompted me to call this matter to the attention of the Senate earlier this month.

The need for this remedial legislation further prompted me to call this plight to the attention of the President by letter, dated July 17. I frankly asked the President for his suggestions and comments in the hope that I might have his thinking while it was still possible to obtain passage of some of the proposed legislation. I was honored today to receive a very prompt reply from the President. In view of the President's comments, I feel it my duty to make his letter available to all in order that the widest possible circulation might be made among the people of the Nation, and specifically for the use of my colleagues in the Senate who are in a position to avoid further delay in the consideration of the President's program.

At this point I shall read the brief letter I addressed to the President, and then I shall read his reply:

JULY 17, 1956.

DEAR MR. PRESIDENT: Several times during the past year you have spoken out to urge that Congress take immediate steps to amend the Refugee Relief Act and to modernize and overhaul some of our basic immigration legislation.

The legislative session is fast drawing to a close and, as of this date, no effective action has been taken by the Congress in this field; such action now appears unlikely.

I have submitted to the Congress a series of bills which incorporate the recommendations which you presented to the Congress in your state of the Union message and in your message to Congress on February 8, 1956. These proposals have been redrafted and sent to the desk as amendments to the single general immigration measure to come out of the Senate Judiciary Committee during this Congress (H. R. 6888, commonly called the sheepherders bill).

Action on these amendments has bogged down and it is apparent that unless quick action is taken there will be no legislation affecting this crucial problem during the 84th Congress.

I would appreciate your suggestions and comments on this matter.

Sincerely,

ARTHUR V. WATKINS.

I may point out that H. R. 6888 has already passed the House of Representatives, and has been reported to this body by the Senate Judiciary Committee.

I now read the letter I received from the President today:

JULY 18, 1956.

DEAR ARTHUR: Thank you for your letter of July 17th. I appreciate your giving me an opportunity to point out once again the vital need for legislation revising the McCarran-Walter Immigration Act and amending the Refugee Relief Act.

As you know, on February 8, 1956, I submitted to the Congress a four-point program designed to reshape our existing immigration laws. This program would revise and bring up to date the quota system and remove the quota mortgages; provide a fair and workable substitute for the private bill system of granting relief from deportation in hardship cases; make a series of other improvements and provide an exclusive, speedy, and fair system of judicial review of administrative deportation orders. I emphasized then and I emphasize now that this country should have larger immigration and that the national origins system should be reviewed in its entirety.

As you so rightly state, it is important that the Congress enact this program without delay. Unless action is taken in this session, immigration from a number of friendly nations such as Greece and Italy will be drastically reduced when visas which have been available to those countries under the Refugee Relief Act are exhausted this summer. For example, the already small regular annual quota for Greece is limited to 154 as a result of the mortgage imposed by the 1948 Displaced Persons Act.

More than a year ago and again last January I suggested revision of the Refugee Relief Act. One of the most important of my suggestions was that visas be reallocated from countries where they are not needed to countries where they have been exhausted and are needed. For example, thousands of visas authorized for escapees in Germany and Austria have not been applied for while at the same time the refugee-relief program can no longer accept applications from escapees residing in other countries.

Many of these people risked their lives to flee from Communist persecution in the Baltic nations, Poland, Czechoslovakia, Hungary, Rumania, and Bulgaria. For them and for many others who are relatives of American citizens the only remaining opportunity to come to the United States is under the small and heavily oversubscribed annual quotas of their native lands. As a practical matter, in the absence of new legislation, visas for many of these deserving people will never become available under the McCarran-Walter Act.

The amendments which you have offered substantially cover the important recommendations which I have made and they deserve the most serious consideration. I again urge the Congress to enact into law these several proposals before the conclusion of the present session.

Sincerely,

DWIGHT D. EISENHOWER.

I realize that ordinarily the offering, on the floor, of amendments of a substantial nature to bills is not the best way to legislate. However, in this particular instance, I wish to point out that the four amendments applicable to H. R. 6888, which I have had printed, and which are now lying on the desk, have already had hearings held on each one of them by the Immigration Subcommittee of the Judiciary Committee of the Senate. Those amendments have been discussed and analyzed by persons who are responsible for laws of that kind. Secretary Dulles, Mr. Herbert Brownell, Mr. Scott McLeod, and others having to do with the State Department and the Department of Justice have testified, as have numerous other witnesses.

Last November I was called back to Washington by a summons from the then chairman of the Judiciary Committee and chairman of the Immigration Subcommittee, the late Senator Harley Kilgore, to attend hearings on proposed immigration legislation. Extensive hearings were held at that time. At various times since then hearings have been held on these amendments, which are, almost word for word, the same measures which I introduced at the beginning of the year as the present administration's program with respect to immigration. So there has been full consideration given by a committee to the proposals, but there has been no opportunity to get the bills to the floor as such. I have had the amendments printed, and they are now lying on the table. They propose to amend H. R.

6888, which is known as the sheepherders' bill.

Mr. President, the need for amendments in the field of immigration and refugee relief legislation is recognized by both political parties. Besides the President's messages and pleas for necessary amendments, I have called to the attention of my colleagues the address appearing in the January 18 issue of the CONGRESSIONAL RECORD, starting on page 629, which is a reprint of a speech of the majority leader, the distinguished Senator from Texas [Mr. JOHNSON] at a Democratic advisory committee meeting at Whitney, Tex. This speech is identified as the "program with a heart" speech. In this speech the majority leader—as point No. 11 in this program—called for amendments to the immigration and naturalization laws to insure that that they are fair and just.

Mr. President, I submit that the President's program, as evidenced by the amendments to H. R. 6888 presently lying on the desk, represents at least a modest approach to making the immigration and naturalization laws fair and just. If the laws are to be fair and just, then it is understood that justice be done not only to one, but to all groups. Certainly the sheepherder bill, which I endorse and support, is fair and just to the group designated to benefit thereby; but it falls far short of being fair and just to all.

I submit, Mr. President, that if this Congress is to carry out the program endorsed by the President, then prompt scheduling of the sheepherder bill for Senate consideration is an absolute necessity, or action must be taken on other proposed legislation designed to provide fair and just treatment to all in the field of immigration and refugee relief matters.

Mr. President, I had intended at this point to ask unanimous consent to have the President's letter printed in the RECORD. However, I understand that it is already in the RECORD.

Mr. President, at this time I intend to discuss another matter.

Mr. LEHMAN. Mr. President, before doing so, will the Senator from Utah yield to me?

Mr. WATKINS. I yield.

Mr. JOHNSON of Texas. Mr. President, I would remind the Senator from Utah and the Senator from New York that Senate Resolution 236, in which many Senators are interested, is awaiting final action. I was informed that action on the resolution would require only 5 or 10 minutes. I am sure that neither the Senator from Utah nor the Senator from New York was in the Chamber at that time.

The Senator from Utah has asked me to schedule very important proposed legislation; but I must observe that I am having great difficulty in getting final action taken on the legislation I have already scheduled.

If Senators will permit action to be taken on the pending legislation, already scheduled, then I will have another measure brought before the Senate and made the pending business. When that measure is pending, Senators can engage in debate until midnight, if they wish. In that way, every Senator will be given ample opportunity to express his views on any matter in which he is interested.

If the Senator from Utah will yield for that purpose, so that the Senate can vote on Senate Resolution 236—and with the understanding that the Senator from Utah will be recognized by the Chair immediately after the vote is taken—I shall appreciate it very much.

Mr. WATKINS. Mr. President, first I wish it understood that I shall not thereby lose the floor.

Mr. JOHNSON of Texas. I request that the Senator from Utah may yield, with the understanding that immediately after the vote on the resolution is taken, he will be recognized.

Mr. LEHMAN. Mr. President, will the Senator from Utah yield?

Mr. WATKINS. I yield.

Mr. LEHMAN. I do not like to interfere in any way at all with the plans of the distinguished majority leader; but I think he must understand that no Member of the Congress of the United States has been more deeply concerned than have I with immigration and naturalization matters.

Mr. JOHNSON of Texas. Mr. President, I know that is very true, but I hope the Senator from New York will make his further remarks on the subject after Senate Resolution 236 is acted on. Final action on it will take only about 1 minute.

Mr. LEHMAN. Mr. President, will the Senator from Utah yield to me, following action on that resolution?

Mr. WATKINS. At that time I shall yield for questioning.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Utah may yield the floor, for the purpose of permitting the Senate to act on Senate Resolution 236, and for the purpose of permitting me then to bring before the Senate, as the pending business, another measure; and that then the Senator from Utah be immediately recognized.

The PRESIDING OFFICER (Mr. SCOTT in the chair). Is there objection to the unanimous-consent request of the Senator from Texas?

Mr. WATKINS. Mr. President, before I actually yield, I wish to say, in regard to the pending resolution (S. Res. 236), that I am very happy that my friends from the South and from Maine are becoming interested in the protection of American industries. I have been in favor of a protective tariff when it is necessary in order to protect our standard of living. It is interesting to note that now some of our friends from the South—who used to be our allies in fighting for solution of the problems affecting the Intermountain States and the Western States—are again taking an interest in protection. However, they are proceeding by another route.

I wish to point out that in the Intermountain States there are many industries which are having great difficulty in meeting, or in some cases are unable to meet successfully, competition from areas around the world which have been given help by the United States Government, by means of the funds we have spent for the rehabilitation of those countries. Some of the foreign countries have not received any help from us; but nevertheless they are underselling us, largely because of the difference between their standard of living and the standard of living in the United States.

Therefore, Mr. President, I am in favor of adoption of the pending resolution. I only wish it covered the mining industry and many other industries in the United States which also need some relief. We are going to hear more about this matter as time goes on.

Mr. President, I yield at this time, under the proposed unanimous-consent agreement, to the distinguished majority leader.

Mr. JOHNSON of Texas. Mr. President, I renew my unanimous-consent request.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas? Without objection, it is so ordered.

INVESTIGATION OF IMPORTS OF TEXTILES OR TEXTILE PRODUCTS

The Senate resumed the consideration of the resolution (S. Res. 236) directing the Tariff Commission to investigate whether imports of textiles or textile products are affecting injuriously the domestic industry, which had been reported from the Committee on Finance with amendments.

Mr. JOHNSON of Texas. Mr. President, I yield the last minute to the Senator from North Carolina [Mr. ERVIN].

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 1 minute.

Mr. ERVIN. Mr. President, I merely wish to say that I endorse the views on the resolution expressed by the distinguished Senator from Maine [Mr. PAYNE]; and I hope the resolution will be agreed to.

The PRESIDING OFFICER. The committee amendment will be stated.

The LEGISLATIVE CLERK. On page 3, it is proposed to strike out all after the word "Resolved" and insert:

That in the light of the acute distress existing in segments of the domestic textile industry, it is the sense of the Senate that the President should give immediate consideration to the impact of imports of textiles and textile products on such industry, with a view to determining whether the authority granted to him under section 22 of the Agricultural Adjustment Act, as amended, section 204 of the Agricultural Act of 1956, the Trade Agreements Extension Act of 1951, as amended, section 350 of the Tariff Act of 1930, as amended, or other law, should be exercised with respect to imports of any textiles or textile products.

Resolved further, That the United States Tariff Commission is directed to expedite and, wherever practicable, to give priority to, investigations now pending, or which may hereafter be instituted, under section 7 of the Trade Agreements Extension Act of 1951, as amended (escape clause investigations), relating to textiles or textile products or any other articles or products.

The amendment was agreed to.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. Has the resolution—the so-called Payne resolution—as amended been agreed to?

The PRESIDING OFFICER. No; it has not yet been agreed to.

Mr. JOHNSON of Texas. Mr. President, despite the conversations in a low voice which have been occurring at the desk, the Chair has not yet put the question on adoption of the resolution.

The PRESIDING OFFICER (Mr. PASTORE in the chair). Without objection, the resolution submitted by the Senator from Maine [Mr. PAYNE], on behalf of himself and certain other Senators, is agreed to.

Mr. DOUGLAS. Mr. President, do I correctly understand that the resolution has been agreed to?

The PRESIDING OFFICER. Yes.

Mr. DOUGLAS. Mr. President, I did not hear the resolution put to a vote.

Mr. JOHNSON of Texas. Mr. President, the Chair has stated that the resolution has been agreed to; but it has not been agreed to, insofar as Senators could hear. If it was agreed to as a result of an announcement at the desk, Senators on the floor simply could not hear the announcement. In fact, no such announcement was made.

The PRESIDING OFFICER. The Chair stated that, without objection, the resolution would be agreed to.

Is there objection?

Mr. DOUGLAS. Mr. President, I wish to have my vote recorded in the negative on the question of agreeing to the resolution. I do not think the RECORD should show that the resolution was agreed to by unanimous consent.

Mr. JOHNSON of Texas. Mr. President, the question on agreeing to the resolution has not yet been put; the Chair did not state that the question was on agreeing to the resolution. While the resolution has been brought up to the point of the question, it has not yet been stated.

The PRESIDING OFFICER. The present occupant of the chair took the chair only a moment ago, and stated what he was informed was the situation.

The question now is on agreeing to the resolution, as amended. [Putting the question.]

The resolution (S. Res. 236) was agreed to, as follows:

Resolved, That in the light of the acute distress existing in segments of the domestic textile industry, it is the sense of the Senate that the President should give immediate consideration to the impact of imports of textiles and textile products on such industry, with a view to determining whether the authority granted to him under section 22 of the Agricultural Adjustment Act, as amended, section 204 of the Agricultural Act of 1956, the Trade Agreements Extension Act of 1951, as amended, section 350 of the Tariff Act of 1930, as amended, or other law, should be exercised with respect to imports of any textiles or textile products.

Resolved further, That the United States Tariff Commission is directed to expedite and, wherever practicable, to give priority to, investigations now pending, or which may hereafter be instituted, under section 7 of the Trade Agreements Extension Act of 1951, as amended (escape clause investigations), relating to textiles or textile products or any other articles or products.

The preamble was amended, so as to read:

Whereas substantial reductions have been made in tariff rates on textile products in various trade agreements with foreign countries; and

Whereas the value of imports of cotton manufactures in January 1956 was 14 percent higher than in December 1955 and the value of imports of cotton cloth in January 1956 was 46 percent higher than in December 1955; and

Whereas more than 1 million persons are employed directly in the textile industry of the United States; and

Whereas in many sections of the Nation the entire economy of a community is tied directly to the healthy operation of the textile industry; and

Whereas the textile industry of the United States is a vital part of our national defense; and

Whereas the United States Senate in Senate Resolution 121, 84th Congress, directed the United States Tariff Commission to keep currently informed regarding the impact of imports of textiles and textile products on the domestic industry producing like or directly competitive products in order to be prepared to act promptly on such investigations as may be requested by the President, or directed by resolution of either House of Congress, the Committee on Finance of the Senate, or the Committee on Ways and Means of the House of Representatives, or applied for by any interested party, under section 7 of the Trade Agreements Extension Act of 1951, as amended, to determine whether any product upon which a concession has been granted in a trade agreement is, as a result in whole or in part of the concession, being imported into the United States in such increased quantities, either actual or relative, as to cause or threaten serious injury to the domestic industry producing like or directly competitive products; and

Whereas the Senate is gravely concerned over the acute distress existing in segments of the domestic textile industry and the greatly increasing importations of foreign textiles and textile products, and recognizes, with equally grave concern, that the impact of imports of foreign articles may be causing or threatening serious injury to domestic producers of textiles and other products: Now, therefore, be it

The title was amended, so as to read: "A resolution urging immediate consideration of the impact of imports of textiles and other products upon the domestic market and directing the Tariff Commission to expedite escape clause investigations and to give them priority wherever practicable."

Mr. JOHNSON of Texas. Mr. President, I thank the Chair very much for getting the muddled situation straightened out; and I thank the Senator from Illinois for pointing out that the question on agreeing to the resolution had not been stated.

Mr. DOUGLAS. I wish to have it recorded that my vote on the Payne resolution was "No."

EXTENSION OF AUTHORITY OF AMERICAN BATTLE MONUMENTS COMMISSION

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3498) to extend authority of the American Battle Monuments Commission to all areas in which the Armed Forces of the United States have conducted operations since April 6, 1917, and for other purposes, which was, on page 1, strike out line 3 over through line 20 on page 2, and insert:

That the second and third paragraphs of the first section of the act entitled "An act for the creation of the American Battle Monuments Commission to erect suitable memorials commemorating the services of the American Soldier in Europe, and for other purposes," approved March 4, 1923 (42 Stat. 1509, as amended; 36 U. S. C. 121), are amended to read as follows.

Mr. MURRAY. Mr. President, the Committee on Interior and Insular Affairs has considered the action of the House of Representatives, and reports favorably thereon. The committee recommends that the Senate concur in the amendment of the House, and I so move.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

PARTICIPATION IN THE UNITED STATES WORLD TRADE FAIR

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2654.

Mr. WATKINS. Mr. President, what measure is that?

Mr. JOHNSON of Texas. Mr. President, I have moved that the Senate proceed to the consideration of Calendar No. 2654—in order that some business will be pending before the Senate, so that Senators may then make extraneous speeches, if they wish.

Mr. WATKINS. Mr. President, that measure is not the Hells Canyon bill, is it?

Mr. JOHNSON of Texas. No; it is not.

The PRESIDING OFFICER. The joint resolution will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (S. J. Res. 194) authorizing the President to invite the States and foreign countries to participate in the United States World Trade Fair.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the joint resolution (S. J. Res. 194) authorizing the President to invite the States and foreign countries to participate in the United States World Trade Fair.

Mr. MORSE. Mr. President——

Mr. JOHNSON of Texas. Mr. President, if the Senator from Oregon will defer just a moment, let me say that we entered into a unanimous-consent agreement, and in that connection I should like to make an announcement.

In order to have the last resolution (S. Res. 236) agreed to—its consideration was supposed to take 5 minutes, but it actually took an hour and one half—we agreed that immediately after the resolution was acted upon—and the Senator from Utah had stated that he wanted the Senate to act on the resolution, and that he would vote for it—the Senator from Utah would be recognized. In other words, the Senator from Utah yielded for that purpose, with the understanding that he would not there-

by lose the floor following the taking of that action.

I should like to announce that it is not the purpose of the leadership to ask for immediate action on Calendar No. 2654, Senate Joint Resolution 194. The only purpose of moving that it be considered was to permit any Senator who may desire to do so to speak on any subject with which he may be filled. [Laughter.]

The first Senator who will speak under that heading is the Senator from Utah [Mr. WATKINS]. The Senator from New York [Mr. LEHMAN] has some questions to propound to him.

I have talked with both Senators from Oregon, the Senator from Washington, the Senator from Idaho, and other Senators who may wish to have some general discussion on the Hells Canyon Dam project before we reach the point of limitation of debate. There are some 3 or 4 hours of speeches to be delivered on that subject before I shall move that the Senate take a recess this evening.

For the information of Senators, an order has already been entered that when the Senate concludes its business this evening it will stand in recess until 9:30 o'clock tomorrow morning.

While I have been speaking I have forgotten my beloved friend from Michigan [Mr. MCNAMARA]. I promised him earlier in the day that I would try to see that he was recognized for 10 minutes. He has been waiting all day. I hope the Chair will recognize him shortly.

It is the plan—or the hope—of the leadership to get through with the third reading of the Hells Canyon bill before the Senate take a recess this evening. If that hope is realized, the Senate will reassemble tomorrow at 9:30 a. m., have a morning hour and a quorum call, and perhaps by 10:15 or 10:30, final debate on the bill will begin. That will continue for 3 hours. Unless there is a motion to recommit, the vote on final passage should come around 1 or 2 o'clock. There will be no evening session tomorrow. Democratic Senators, I am sure, will be leaving early to attend a very notable event being held downtown for the purpose of honoring our beloved colleague, the Senator from Georgia [Mr. GEORGE].

We shall be prepared to remain in session this evening as late as it may suit the convenience, desire, and pleasure of Senators. I appreciate the cooperation of Senators.

I now yield the floor, in order that the Senator from Utah [Mr. WATKINS] may be immediately recognized.

I express the hope that the Chair will cooperate in seeing that the Senator from Michigan [Mr. MCNAMARA] is recognized soon.

The PRESIDING OFFICER. The Senator from Utah is recognized.

IMMIGRATION AND REFUGEE RELIEF

Mr. LEHMAN. Mr. President, will the Senator yield to me?

Mr. WATKINS. I yield to the Senator from New York for some questions.

Mr. LEHMAN. I ask the Senator from Utah to advise me, in view of the fact that I was not present at the time he read the President's letter, whether he has suggested consideration by the Congress of the recommendations made some months ago by the President of the United States.

Mr. WATKINS. I have. I called attention to the fact that the President submitted certain recommendations. On February 8 he submitted recommendations, and later, legislation to carry out those recommendations was introduced by me. The same measures which I have introduced have now been offered as amendments to the so-called sheepherders' bill. The President rather vigorously, I think, recommends and urges that we adopt, in substance, those amendments, and get some action at this session of Congress.

Mr. LEHMAN. The Senator will recall, I believe, that in addition to the amendments which he offered to the so-called sheepherders' bill, representing the views of the President of the United States, the junior Senator from New York offered as an amendment in the form of a substitute a comprehensive bill covering matters of immigration, naturalization, and citizenship.

Mr. WATKINS. I think that is true. As I remember, that amendment is the same, in substance, as the amendment the Senator submitted at the immigration hearing last November. It is the same type of amendment to the Immigration Act the Senator offered at that time.

Mr. LEHMAN. That is correct. I wish to say to the Senator from Utah and to my other colleagues that I very much hope that consideration will be given by the Senate to the recommendations made by the President of the United States. They are worthy of careful consideration.

At the same time, if any legislation on the subject is brought before the Senate, I shall insist that the bill which I have offered as an amendment in the nature of a substitute be considered at the same time. The recommendations made by the President have considerable merit so far as they go, but in my opinion they do not go far enough in any particular.

The bill which I have presented in the form of an amendment in the nature of a substitute was originally introduced by me and 12 cosponsors last year. It is comprehensive, thorough, and full. It includes not only the improvements covered by the recommendations made by the President, but many other vital issues connected with immigration, naturalization, and citizenship. It covers the issuance of visas by our consular officers.

I point out that the consular officers have complete and full discretion as to how they will issue visas, and to whom. Not even the Secretary of State or the President of the United States can reverse the decision of a consular officer with regard to the issuance of visas.

The bill covers many injustices and inequalities in connection with the deportation of men and women who have lived in this country for years. I remember the case of an Englishman who had come over here 40 years ago. He married an American woman, and they had several children. He had lived an exemplary life. However, he did not become an American citizen. That is not unusual. A similar situation often exists in the case of a great many Americans when they live abroad.

He committed some minor crime or misdemeanor, and notwithstanding his long residence in this country and his exemplary life, he was ordered deported. It required a private bill, special legislation, to permit that man to remain with his family in this country.

My bill covers the difference between naturalized and native-born citizens. I point out that naturalized citizens are second-class citizens, subject to the whims and will of many officials, and subject to many circumstances over which they have little or no control.

The bill remedies most of the—I do not say all—inequities and inequalities and injustices and cruelties and brutalities of the present McCarran-Walter Act. The time is long overdue for some action on that kind of legislation.

I am glad the Senator from Utah has brought up the subject today. I had not intended speaking on it until I entered the Chamber about 15 minutes ago. I am glad the Senator brought it up. If my bill is not passed, I certainly will support the amendments offered by the distinguished Senator from Utah, because, although they do not go far enough and merely touch the surface, they do constitute some improvement, and I shall therefore be glad to add my support to them.

Mr. WATKINS. I thank the Senator.

Mr. LEHMAN. I thank the Senator for yielding.

HELLS CANYON DAM

Mr. WATKINS. Mr. President, the statements I shall make will be more or less miscellaneous in character. However, the statement I am about to make now has to do with the Hells Canyon project.

Newspaper editors, columnists, and a considerable number of Senators are raising the question: Why is it that certain Senators from the reclamation States—who support the Colorado River storage project—oppose the high Hells Canyon project?

The question is pertinent. As one of these Senators, as a member of the Reclamation Subcommittee, and as a consistent supporter of reclamation projects, I can summarize some of my reasons for this stand, as follows:

First. Hells Canyon is not a reclamation project. It does not conserve water nor does it attempt to reclaim land by irrigation. All of the water that might be stored in a Hells Canyon reservoir inevitably goes to the ocean, the flow being merely retarded for a period of time. It is not a holdover storage reservoir.

Second. Hells Canyon would not be effective for flood control. Present reclamation dams high up on the Snake River plus direct diversions for irrigation take the crest from any possible floods on that river. Also, planned future reclamation projects will practically eliminate any possibility of floods—caused by runoffs of melting snow or heavy rains upon the area above Hells Canyon.

To get at real flood control on that portion of the Columbia's waters originating in Idaho would require construction of flood-control dams on the Clearwater and Salmon Rivers, which being streams with heavy flood runoffs bring large quantities of water into the Columbia. There are no irrigation projects on either of these rivers which will be interfered with; furthermore, none is planned because of the area's topography.

Third. Hells Canyon project differs from the storage-dam concept of the upper Colorado project. Hells Canyon, with storage for only about 4 million acre-feet of water, would have to be filled annually.

That is the way it has worked out under the plan provided by the Bureau of Reclamation for the operation of a project of that kind. It is always necessary, for flood-control purposes, that each year the reservoir be emptied down to the point where additional water can be stored. That is one of the requirements.

Glen Canyon Dam, it should be remembered, is a large dam in a series of dams on the upper Colorado project. Glen Canyon Dam will have holdover storage capacity for 26 million acre-feet, and will store, for periods of up to 20 years, water during wet cycles for use in dry ones.

If I may expand that point for a moment, I wish to say that that is vastly different from a 4 million acre-foot storage of the proposed Hells Canyon Reservoir. The Glen Canyon Dam would have a capacity of 26 million acre-feet of water under the arrangement made in the compact which has been entered into. It is necessary to guarantee to the water users downstream from Glen Canyon a supply of water which will meet requirements for water under the Colorado River compact, which is the law of the river. I wanted to explain that point so that there would not be any question about the comparison. Glen Canyon Dam is definitely a multipurpose project.

Furthermore, the water released from Glen Canyon's reservoir will be used by the downstream States of Arizona, Nevada and California for irrigation, municipal and industrial uses, and will turn generators for the production of power as well.

Upstream users will get their water out of Glen Canyon reservoir for consumptive use by exchange. That is, they will take—from upstream tributaries of the Colorado—water which otherwise would flow down for the use of the lower basin States. In exchange, they will release water belonging to upper basin States that is stored in the reservoir, so that this will be used by the lower basin States.

Fourth. There has been no compact allotting water of the Columbia—including the Snake as a tributary—between the States in the Columbia River Basin. On the Colorado River, the overall streamflow has been allotted by the Congress.

The four upper Colorado Basin States also entered into a compact likewise approved by Congress for the allotment of the upper Colorado River water among them. It should be noted that the Bureau of Reclamation and the Congress refused to consider the Hoover Dam project and the upper Colorado River storage project until such compacts had been negotiated and approved.

Three of the principal States—Washington, Oregon, and Montana—in the Columbia River Basin have failed to ratify the compact that had been negotiated by the Commissioners from all the States involved.

Fifth. The Colorado storage project comes well within the fundamental principles enunciated by Abraham Lincoln. Paraphrased, this is: The Government should do for its citizens only those necessary things which the citizens cannot do for themselves. The original Reclamation Act of 1902 was based on the same principle.

In other words, it was considered basic to that act that only the projects which the people could not build themselves would be built under the Reclamation Act; all the projects the people could build themselves they should build, and they have built them in the past. It was an absolutely essential requirement to show that the people could not build the project proposed, because it was too vast and too expensive to be built from their resources and means and money and materials, and that the project could not be financed by the ordinary commercial transactions, but had to have Government financing.

Private enterprise could not undertake such a gigantic project as the Colorado, which required huge sums of money on a long-term basis. No private utility was willing to build the storage dams for irrigation and other consumptive use, for it could not secure funds from investors for such a purpose.

Hells Canyon, being substantially a power dam and nothing else, except for some incidental flood-control, private enterprise could and did plan a program for utilization of Hells Canyon's power resources which would attract private investors.

After prolonged hearings the Federal Power Commission—carrying out its functions as Congress has provided—approved the private utility's plan to develop Hells Canyon resources in full harmony with the comprehensive development of all the waterpower resources of the Columbia Basin.

The Colorado storage project is a necessary project which only the Federal Government has the resources to construct.

That is why Congress authorized it. That is why it was not built by private enterprise before. If it had been possible, the demand for water and power—water, particularly—for consumptive use was so strong that the people would actually have built the project without coming to the Congress. It would have been built before the reclamation project went into effect in 1902 if the people could have managed it themselves.

High Hells Canyon Dam cannot qualify under Lincoln's philosophy nor under the basic requirement of the Reclamation Act of 1902.

Mr. President, I wish to expand in another statement with respect to this project.

The administration's endorsement of the three-dam proposal for the Hells Canyon reach of the Snake River, an action licensed by the Federal Power Commission, clearly conforms to long-established national policies.

Back in 1854, Abraham Lincoln set forth this basic policy of the role of Government, as quoted by Nicolay and Hay in Lincoln's Works, volume II, pages 182 and 183:

> The legitimate object of government is to do for the people what needs to be done but which they cannot by individual effort do at all or do so well for themselves.

This is a sound general policy of the role of Government that I am sure is as eminently acceptable to many members of both major political parties today as it was to forward-looking Americans in Lincoln's day. It is a policy wherein the administration's decision to endorse the three-dam proposal for Hells Canyon, as licensed by the Federal Power Commission, is entirely compatible.

This policy of expecting the Government to do only those things which individuals and State and local governments cannot do or do as well is reflected in congressional consideration of the history-making Reclamation Act of 1902. In Senate Report No. 254, 57th Congress, 1st session, on this measure, this answer is given to the question, "Where should Government works be built?"

> Government works should be built for the reclamation of arid lands so situated that private enterprise has been found to be impracticable.

In the case of Hells Canyon, private enterprise has found it practicable to build the project and a construction license has been issued by the appropriate Federal regulatory agency. Is it right now for Congress to upset that decision of its own agency and authorize the project as a Federal reclamation project in violation of the 54-year-old policies of the National Reclamation Act, under which Federal authorization is now sought?

Proponents of the high Hells Canyon Dam have contended that the action of the Eisenhower administration in supporting the FPC decision on the three-dam plan would not have been supported by President Theodore Roosevelt.

Let us take a look at the record. As a long-time admirer and supporter of Teddy Roosevelt, I did some research on that subject and came upon a policy statement made by the trust-busting Republican President at the conference of governors in 1908. This historic conference is being hailed by Senators NEUBERGER, MURRAY, and other proponents of the high Hells Canyon Dam as a milestone in conservation and a conference which should be commemorated by the Congress, so I feel that Teddy Roosevelt's comments at that time should be acceptable even to those who may have charged that the present Republican administration is not in step with the policies laid down by the frank-talking colonel of the Rough Riders. Here, therefore, is what President Theodore

Roosevelt declared on this subject as the 1908 Conference of Governors, as reported in the official proceedings, pages 212 to 213:

The PRESIDENT. We are greatly indebted to Governor Comer for his speech protesting against centralization. Governor, I do not understand that you object to the National Government appropriating money to clear out the Muscle Shoals. [Laughter and applause.]

Seriously, I want to say one word about what has been called the twilight land between the powers of the Federal Government and the State governments. My primary aim, in the legislation that I have advocated for the regulation of the great corporations, has been to provide some effective popular sovereign for each corporation. [Applause.] What I am trying to avoid is finding out, not negatively but by decisions, first that the State cannot act, and then a few years later, by another decision, that the Nation cannot act either; and I am trying to find out where one or the other can act, so that there shall always be some sovereign power that, on behalf of the people, can hold every corporation, every individual, to an accountability, and so that its or his acts shall be beneficial to all the people as a whole. [Applause and cheers.] In matters that relate only to the people within a State, of course, the State is to be sovereign, and it should have the power to act. If the matter is such that the State itself cannot act, then I wish, on behalf of the State, that the National Government should act. [Applause.] Take such a matter as charging rent for waterpower. My position has been simply that where a privilege, which may be of untold value in the future to the private individuals granted it, is asked from the Federal Government, that the Federal Government shall put on the grant a condition that it shall not be a grant in perpetuity. [Applause.] Make the term long enough so that the corporation shall have an ample material reward. The corporation deserves it. Give an ample reward to the captain of industry, but not an indeterminate reward. [Applause.]

Mr. President, I interpolate at this point that Theodore Roosevelt was discussing the question of permitting corporations which desired to develop waterpower resources on the great interstate rivers to be granted a license for a certain length of time, and that they should also pay something for it.

I continue with the quotation:

Put in a provision that will enable our children at the end of a certain specified period to say what in their judgment should be done with that great natural value which is of use to the grantee only because the people as a whole allow him to use it. It is eminently right that he should be allowed to make ample profit from his development of it, but make him pay something for the privilege, and make the grant for a fixed period, so that when the conditions change, as in all probability they will change, our children—the Nation of the future—shall have the right to determine the conditions under which that privilege shall then be enjoyed. [Applause.] Where that policy can be best carried out by the States, carry it out by the States; where it can be best carried out by the Nation, carry it out by the Nation. My concern is not with the academic side of the question. My concern is in the employment either of the principle of States rights or the principle of National sovereignty as will best conserve the needs of the people as a whole. [Great applause and cheers.]

One would conclude from this statement that Teddy Roosevelt would have strongly approved of the Eisenhower administration's decision on the Hells Canyon question.

The matter was one affecting more than one State, because the high dam and reservoir are located on the river which forms the border between Oregon and Idaho. The matter is of concern to more than one State and there is no doubt that the Federal Government and not a single State has adequate jurisdiction.

The Snake River at that point is the boundary line between Idaho and Oregon.

The privilege is granted to a private corporation not for perpetuity, but for a specific licensing period of 50 years. It was granted by the appropriate Federal agency, after extensive hearings extending for more than a year.

The period for which the privilege is granted is not long enough for the corporation to derive an "ample reward," as Teddy Roosevelt recommended. In fact, the licensing period is just long enough for the corporation to pay out on its investment and make payments of nearly a half billion dollars in State and local taxes. However, the area is in need of kilowatts, and the fact that they can be provided, and soon, through this FPC-approved project probably is reward enough for the private utility under the circumstances.

There is a Roosevelt-approved provision in the FPC license that will "enable our children at the end of a certain specified period—50 years—to say what, in their judgment, should be done with that great natural value which is of use to the grantee only because the people as a whole allow him to use it." At the end of this license period, the Federal Government can, if it chooses, take over the power works merely by paying the using company its net investment, which at that time should be extremely moderate.

I am speaking, of course, Mr. President, of Hells Canyon, where authority to construct a hydropower dam has been granted by the Federal Power Commission to the Idaho Power Co. What I have been saying applies at the end of the license period, when it is possible for the Government to take the facilities over completely. That is what Teddy Roosevelt was talking about when he said there should be a definite limitation on the grant. That was later embodied in the Federal Power Act, adopted under the administration of Woodrow Wilson and readopted and expanded during the administration of Franklin D. Roosevelt.

This demonstrates that the three-dam Hells Canyon project is not a giveaway, as charged. It is a wise use of our natural resources, wherein the Federal Government reaps tremendous advantages without making the capital investment, and without relinquishing either the title to the dam site nor the opportunity to regain possession of the power facilities at the end of the initial 50-year licensing period. It is the type of federally licensed power operation that Theodore Roosevelt would have heartily approved of had he been living today.

Mr. President, I shall make further remarks, probably during this evening or tomorrow, when the matter is being considered, but at this point I desire to yield the floor.

AUTHORIZATION FOR COMMITTEE TO FILE REPORTS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Committee on Finance and the Committee on Post Office and Civil Service may file reports notwithstanding the recess or adjournment of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENT EISENHOWER'S HEALTH

Mr. McNAMARA. Mr. President, I have noticed in recent weeks that a few newspapers have begun directing a questioning look at some of the propaganda concerning the President's health. Some newspaper reporters, who know more than they are permitted to print about this issue, apparently are becoming increasingly unhappy over this unwholesome state of affairs. This was evidenced during the past weekend, when reporters sharply questioned the President's press secretary, and received very unsatisfactory answers. I commend Doris Fleeson, of the United Features Syndicate, and the other reporters, who tried to skim the whipped cream off the propaganda, and to get at the facts.

I am glad to see these indications of a desire to know the truth, even though they are far too few. It is a healthy sign for the American press, even if it is late.

I do not want to take issue with the many hundreds of newspapermen in Washington who are anxious to print the truth. Nor have I any personal quarrel with the press. However, I do speak as one who has become greatly alarmed at the apparent manipulation of facts and the lack of information in the press on this subject.

Furthermore, I do not wish to criticize the President personally on this issue. We have plenty of other matters about which to criticize him. I hope he makes the "vigorous" campaign he mentioned, because the people should have an opportunity to defeat him—and I am sure they will—on the basic failures of his administration.

I am quite sure the President has not been a party to the shotgun medical bulletins and the hucksters' propaganda barrage from Madison Avenue that has been fired at the American public from his bedside.

I believe most emphatically, however, that the American public is entitled to know the truth, and know it completely and totally, regarding the health of any man so important as the President of the United States.

Newspapermen in Washington have been talking about the skillful coverup of James Hagerty, the President's press secretary. But few of them have been writing about it. The only conclusion I can draw is that they are not allowed to do so.

They know that no doctor can predict a few hours after an operation that his patient can recover from a

major operation and assume four more years of the burden of the White House.

And the newspapermen have seen the medical differences of opinion expressed by competent doctors regarding ileitis. They have seen the statements of these doctors that it is a recurrent disease. But few of the newspapermen have been able to tear down the "Hagerty curtain." This curtain is still shielding the American public from the truth in one of the most masterful suppressions of the facts ever put across by the advertising techniques of Madison Avenue.

For a month the American public has watched Hagerty operate. They have seen him call in the press and make announcements that the President is making important decisions. But does any newspaperman point out that those decisions were made—if they actually were made—when the President apparently was still under sedatives; when he could not be making decisions, or should not be if he really was?

The newspapermen know the facts, but most of them are mute. The reason, I am afraid, must be because the publishers do not want them printed.

I am happy to note that there are exceptions. And one of them is the publisher of a newspaper which has sometimes criticized me, and which I, in turn, have sometimes criticized—the Detroit Free Press.

John S. Knight, publisher of the Free Press, the Chicago Daily News, the Akron Beacon Journal, the Miami Herald, and the Charlotte Observer, is one publisher who has had the courage to publish the truth.

Shortly after Eisenhower was taken ill, the second time, Mr. Knight reported in his Editor's Notebook, June 16:

> The seriousness of the President's illness has been minimized by friendly editorialists. How idle and misleading it is to pretend that the President, a former heart case and chronic sufferer from gastric disturbances, can fully regain his old vigor.
>
> But in their anxiety over the future the Republican strategists and the big guns in the business world are determined to have Ike run, even though he may not last through a second term under the pressures of the job.
>
> But this time, President Eisenhower can decline to be a candidate for reelection if, as he said on March 7, he should not feel up to the performance of his Presidential duties.

I ask that Mr. Knight's editorial of June 16 be printed in the RECORD at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. McNAMARA. In his Editor's Notebook in the Free Press of Sunday, July 8, 1956, Mr. Knight mildly castigates two well-known newspapermen, including one long-time Knight employee, for becoming enveloped in the Hagerty curtain.

This is what Mr. Knight says:

> Edward P. Folliard, capable White House correspondent for the Washington Post and Times Herald, says "the greatest political fallacy of the times is the notion that President Eisenhower is being dragooned into running for a second term * * *." Folliard adds that Ike gets bored at Gettysburg, likes his job and wants to hold onto it.
>
> The view is shared by Paul R. Leach, retired Washington bureau chief of the Knight newspapers, who also accepts at face value Republican Chairman Len Hall's statement that no pressure has been exerted on Ike to run.
>
> First thing you know—
>
> Concluded Mr. Knight,
>
> We'll be hearing that Ike wasn't ever sick.

I am sure that Mr. Knight is not delighted to write such editorials as that. I doubt if there have been more staunch supporters of Eisenhower than John Knight and his newspapers. Yet, Mr. Knight's desire for the truth has apparently pushed his politics into the background.

Another newspaper, the New York Times, has finally admitted that the newspaper profession has not given the American public the facts. On June 25, in an article by James Reston, it is reported that the press had been giving a lopsided view of Eisenhower's health.

The New York Times is a little more discreet in its language than I. It does not say "lopsided." It says that—

> Some balance has been restored to the flow of information on an important political subject.

The Times goes on to note prophetically:

> It does not mean that the new balance will affect the President's decision. It is too late for that.

In other words, the New York Times, one of our great papers, tacitly admits that the barrage of misinformation fed to the American public has so colored the political atmosphere that the President is certain to run regardless of his health.

> Last fall, when the President was carefully considering his political future—

Says Mr. Reston, of the New York Times—

> the opinions of writers, editors, and doctors might have influenced him if these opinions had been expressed as candidly in public as they were in private. This did not happen, however—

Says the New York Times.

The other side was seldom written, continues the Times.

> And when it was—you may be sure nobody on the White House staff rushed it to the President. That was the decisive period. It's too late now. The machinery of election is in full swing. The normal skeptical tradition under which the press consciously tries to decontaminate political announcements from whatever source, or fill in the missing background, was for a time abandoned—

Says the New York Times.

I ask unanimous consent that this article be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit B.)

Mr. McNAMARA. Mr. President, I am disappointed that another great newspaper perhaps has not been so forthright as either John Knight of the Detroit Free Press or Mr. Reston of the New York Times. I refer to the Washington Post and Times Herald.

I note in the CONGRESSIONAL RECORD of June 25 an extension of remarks by Representative FRANK THOMPSON, of New Jersey, in which he pointed out the omission from the columns of the Post of one of its regular features, the column of Drew Pearson on the President's illness.

This column was particularly significant, because it cited a long list of important matters concerning the President's health that have been enveloped in the Hagerty curtain.

The column is printed in the daily RECORD of June 25, so I will not burden the RECORD with extensive quotations from it at this point.

However, after detailing many instances of how the cover-up operated, Mr. Pearson concludes:

> That is part of the record—of how the American people have not been told the truth about the President's health. It's strongly suspected that perhaps the President himself has not been told the entire truth—either.

I do not know why the Post did not print Mr. Pearson's column. Perhaps it felt it had good reason not to do so, and I certainly do not deny the paper's rights in this respect. At any rate, the Post more recently has been trying to put this health issue into greater perspective.

I also commend to every Senator who has not seen it, the Washington News column of June 28 by Tom Donnelly, in which he invites Mr. Russell Wiggins, editor of the Washington Post, to meet Mrs. Eugene Meyer, wife of the chairman of the board of the Washington Post.

Mrs. Meyer, a great lady in her own right, long before her husband acquired the Washington Post, made a speech at the High School of Music and Art, expressing, according to Mr. Donnelly, "strong dismay over the shocking reluctance of United States newspapers to criticize that nice man in the White House."

The newspaper which is owned by Mrs. Meyer's husband, however, did not carry her remarks.

Here is what Mrs. Meyer said about Eisenhower:

> President Eisenhower's cheerful disposition has its value but not when, as is often the case, he tells the American people what they want to hear instead of the stern realities which they should hear.
>
> Mrs. Meyer complained—

According to Tom Donnelly—

> that the high-powered public relations machine which holds Mr. Eisenhower prisoner "has so intimidated public opinion that it poses a serious threat to democratic government and freedom of thought." The President has a constitutional duty to inform the people of the facts however unpleasant, Mrs. Meyer said sternly, but "he has not lived up to this definition of the constitutional role * * * when he failed to warn the Nation that we are falling behind the Communists in our diplomacy, our armaments, and even in the education of sufficient scientists. * * *"
>
> Now all this is fine, rugged, printable stuff, much livelier than a lot of things we read in the Post that Mrs. Meyer said on other occasions—

Says Mr. Donnelly.

The most serious accusation Mrs. Meyer makes refers to the silence of most United States newspapers about

Eisenhower's "serious lapse in responsible leadership—but one of many indications that there is outright fear in this country of expressing any criticism of the President."

We need a few more representatives of the press such as Mrs. Meyer, John Knight, Doris Fleeson, Drew Pearson, Mr. Reston, and Mr. Donnelly, if we are not to make the tragic mistake made in Germany and Russia, namely, a press which represents the views of the administration in power and gives the American people only what the Government wants them to know.

I sincerely hope the President will completely recover and will be able to wage a strong campaign. The people are entitled to that kind of a campaign if he desires to be their President for the next 4 years.

I am, however, making an issue of what seems to be a deplorable departure from the normal skeptical tradition of the press in presenting this case to the public. I hope the items I have mentioned in this brief address are signs that the press is returning to this fine tradition.

Mr. President, it has not been my intention to damn the press. Nor do I charge that there is a conspiracy to withhold important information from the public. But the very fact that a few responsible writers have brought up this situation is what has called it to my attention.

As Mr. Walter Lippmann wrote recently on the question of the President's health:

> To refrain from the discussion, not to try to inform the discussion and to lead it and to enlighten it, would be to engage in a sentimental conspiracy of silence.

Perhaps this is what has happened.

EXHIBIT A

[From the Detroit Free Press of June 16, 1956]

THE EDITOR'S NOTEBOOK

(By John S. Knight)

Everyone has the same question, "What about Ike? Do you think he'll run?"

I don't know why they ask me. I was wrong the last time; I thought Ike had too much sense to kill himself in office.

Actually, those informed people who have told you they "knew all the time that Ike would run" didn't know any such thing.

Ike decided to make the race only after he had been persuaded by Republican Chairman Leonard Hall, Presidential Assistant Sherman Adams, Gen. Lucius Clay, and a small coterie of other close friends, that the Republicans had no other candidate who could win.

When Ike was recuperating at Gettysburg, Hall kept him from saying "no" by arguing that a negative decision would jeopardize the administration's legislative program.

With Ike's good recovery, the buildup began. Business leaders were urged to write the President about his indispensability." Undocumented stories were circulated that an always active Ike was beginning to get bored with the pastoral life at Gettysburg.

NO REAL DESIRE TO RUN

But the President remained reluctant. Intimate and unselfish friends of older days who talked with Ike during his convalescence were convinced that the President had no desire to wage another presidential campaign.

What they failed to take into account was the tremendous pressure exerted by a powerful combination of political and business leaders upon a man with a deep-seated sense of duty.

Ike had no illusions about himself. He told his first press conference after the heart attack:

"It would be idle to pretend that my health can be wholly restored to the excellent state in which the doctors believed it to be in mid-September. * * * My future life must be carefully regulated to avoid excessive fatigue."

He had reservations on January 20 when he said, in speaking to the Salute to Eisenhower dinners in 56 cities: "My own future role remains undetermined. * * * I could devoutly wish that there were some method by which the American people could point out the path of my true duty. But it appears this is a question I alone must answer."

ANOTHER FATEFUL CHOICE

In finally deciding to run, the President yielded to appeals of the potent influences who have such a big stake in his reelection.

I like to think, too, that his affirmative decision was encouraged by the people's will.

Now the President must again make a fateful choice.

Should he fail to show the expected good recovery, his words of March 7 may prove prophetic * * *. "I have said, unless I felt absolutely up to the performance of the duties of the President, the second that I didn't, I would no longer be there in the job, I wouldn't be available for the job."

As things stand today, it would appear that the pattern of Gettysburg is being repeated. Republican leaders are chanting that Ike is sure to run and physicians who operated on the President believe it likely that he may be in better health than before.

The seriousness of the President's illness has been minimized by friendly editorialists who point to Adlai Stevenson's operation for kidney stones; Harry Truman's gall bladder operation; the recent surgery on Gov. Averell Harriman's prostate gland; and Senator LYNDON JOHNSON's heart attack and Senator SYMINGTON's sympathectomy (for high blood pressure) in 1947.

How idle and misleading it is to pretend that the President, a former heart case and chronic sufferer from gastric disturbances, can fully regain his vigor.

But in their anxiety over the future, the Republican strategists and the big guns in the business world are determined to have Ike run, even though he may not last through a second term under the pressure of the job.

But this time, President Eisenhower can decline to be a candidate for reelection if, as he said on March 7, he should not feel up to the performance of his Presidential duties.

Certain it is that the President will reappraise his original decision.

He will seek, by inner self-examination, to determine the path of true duty * * * whether he can conscientiously run, or finds the burdens of office too heavy for him to carry.

IN THE PEOPLE'S CONFIDENCE

It is a very great tragedy indeed that President Eisenhower, respected abroad and beloved at home, has been twice stricken.

Probably no other President in our history has enjoyed such a full measure of the people's confidence and affection.

Ike has been almost an ideal President of our times. A nation weary of war and government by crisis found in his leadership the road to peace and a restoration of public morality.

Few men are as free from prejudice and few men have done as much to stamp it out. The esteem in which the President is held crosses economic groups and party lines.

Unlike the shrill and sometimes bitter partisan leaders of other days, Eisenhower, the "economic conservative" and "humanitarian liberal," thinks solely in terms of the general welfare.

When in 1952 the Republican Convention nominated a war hero as its presidential candidate, it was an admission that the party had no leaders, including the respected Senator Taft, who could win the election.

WHAT OTHER POSSIBILITIES?

Should Eisenhower be unable or unwilling to make another campaign, the GOP faces a serious, if not an insuperable problem.

Vice President NIXON, young, able and diligent, is not popular with voters of independent tendencies.

Senator WILLIAM F. KNOWLAND, of California, Harold Stassen, and Gov. Christian Herter, of Massachusetts, lack national appeal.

Other than Herter, there are no Republican governors who come to mind as men of presidential stature. Former Gov. Thomas E. Dewey, of New York, has been twice defeated.

This brief summation of the men other than Ike who comprise the Republican list of presidential possibilities explains the wishful and almost hysterical conviction that Eisenhower must run.

The Republican party, out of power for 20 long years, desperately wants to win again.

But, as on January 20, when the words of a humble and conscientious man were expressed to the Nation, so it is once more:

"This is a question that I alone must answer."

EXHIBIT B

[From the New York Times of June 25, 1956]

PRESIDENT AND THE PRESS—A STUDY OF THE DIFFERENCES IN REPORTING AND COMMENT ON HIS TWO ILLNESSES

(By James Reston)

WASHINGTON, June 24.—There has been a marked change in the reporting and comment on President Eisenhower's illness during the last couple of weeks.

The general tendency still is to play up the Eisenhower side of the story, but the other side has been given far more play during the second illness than the first.

Part of the reason for this is that some doctors who disagreed with the optimistic official medical estimates of the President's future have spoken up since his abdominal operation.

It is fair to say that more doctors had more doubts about Dr. Paul Dudley White's comments on the President's heart attack than about Dr. Leonard Heaton's remarks about ileitis, but they made their remarks in private last fall. This summer at least a few of them have spoken up publicly about the second illness and this, of course, has been published.

Moreover, the reporters have been more willing to dig into the medical literature about the possible dangers of the recurrence of ileitis than they ever were about the life expectancy of heart patients. And editors, publishers, and commentators have been much more outspoken this time against James C. Hagerty's efforts to create the impression that the President was back running the Government.

PUBLISHER CHANGES VIEW

For example, John S. Knight, of the Knight papers, the Chicago Daily News, the Akron Beacon Journal, the Miami (Fla.) Herald, who was a strong supporter of the Eisenhower-Nixon ticket in 1952, has written an extremely sharp editorial condemning the official Ike's-as-good-as-ever thesis.

Walter Lippmann, the columnist, has emphasized the main point in the whole controversy—namely, that the election of 1956 is not merely a judgment on whether the President has done a good job in his first term, but on the selection of a President who can run the Government full time for 4½ more years after having sustained 2 major illnesses at the age of 65.

The Alsop brothers, who played the whole thing pianissimo in the first illness, have reported this time on the insurance statistics on patients who have had a heart attack and ileitis at the President's age.

And Doris Fleeson has led the way this time in reporting the differences between the official doctors remarks on ileitis and the medical literature on the subject.

All this means is that some balance has been restored to the flow of information on an important political subject. It does not mean that the new balance will affect the President's decision. It is too late for that.

WERE CANDID IN PRIVATE

Last fall and early winter, when the President was carefully considering his political future, the opinons of writers, editors, and doctors might have influenced him if those opinions had been expressed as candidly in public as they were in private.

This did not happen, however. Most of the published opinions came from those who sincerely felt the President should seek a second term regardless of his heart attack, and these, of course, were shown to the President by aids who naturally agreed with them and used them in their arguments for a second term.

The other side of it was seldom written, and when it was, you may be sure nobody on the White House staff rushed it to the President.

That was the decisive period. It is too late now. The machinery of the election is in full swing. Movies of the President's administration are being made every day and circulated to Republican Senators and Representatives for use in their State and district campaigns. All the GOP plans are being made on the assumption that the President and Vice President RICHARD M. NIXON will be the nominees.

The President knows all about this, so any statement reiterating his second-term candidacy is merely a formality. Just after the President announced his second-term plans last February 29, Merriman Smith, the well-informed White House correspondent for the United Press, reported that General Eisenhower had said to an aid in the White House that he had made up his mind to run because he was told that there wasn't time to build up anybody who could win.

UNITED PRESS KILLED STORY

This was killed on the United Press wire, but the President was later asked about it and he replied that if he said it, he must have been talking facetiously.

Nevertheless, that is about what the situation is today. It has been demonstrated that neither the President's own personal feelings about his health nor his doctors' estimates were able to foresee either of his illnesses. But he and his party have decided to take the gamble, and in fairness to them, it must be said that, in doing so, they seem to be responding to wishes of the people.

Nobody here has any right to object to the President's making a second run provided all the facts are known, and provided everybody expresses his honest opinion on the matter.

There is room in all this for honest differences of opinion. The trouble was that the honest doubts about the wisdom of a second term were not expressed, and judgments were thus being formed on the basis of one-sided expressions of fact and opinion.

In short, the normal skeptical tradition under which the press consciously tries to decontaminate political announcements, from whatever source, or fill in the missing background was for a time abandoned, but fortunately it is now gradually being restored.

Mr. KNOWLAND. Mr. President, I came into the Chamber while the distinguished Senator from Michigan, the acting majority leader [Mr. MCNAMARA], was making his remarks. I hope the remarks were purely personal on the part of the junior Senator from Michigan, and that he was not speaking as the acting majority leader of the opposition. I hope, indeed, that neither do they express the viewpoint of the Democratic Party, nor the viewpoint of even the United Auto Workers or the CIO.

It seems to me that these remarks cast reflection upon the integrity of the President of the United States. They cast reflection upon the integrity of the able and outstanding men of the medical profession who have attended the President of the United States in his illness.

I have had the opportunity, as the minority leader of this body, to meet with the President of the United States on numerous occasions, both before and subsequent to his illness. Men may differ with the political views of the President of the United States, and, in our constitutional system, that is perfectly proper. The President of the United States is the first one to recognize that under our constitutional system not only is there a separation of the powers of the executive, the legislative, and the judicial branches of the Government but, by the very nature of the executive and legislative branches, they are political in character, and they must submit themselves to the electorate from time to time for the endorsement or repudiation of the people of the United States. But, Mr. President, I do not believe there is any individual—at least I hope there is no individual on either side of the aisle—who believes that President Eisenhower would deliberately misrepresent to the American people the condition of his health or his ability and his capacity to serve as President of the United States, either in his present term or in the next term, to which I believe he will be overwhelmingly reelected by the people of the United States.

Mr. President, when the remarks of the Senator from Michigan are examined, I believe that no other observation can fairly be made than that, in fact, he does cast reflection upon the integrity of the President of the United States by suggesting that the President would attempt deliberately to mislead the American people in regard to his capacity to serve in that high office.

I do not believe that President Eisenhower, under any circumstances, would misrepresent the situation to the people of this country.

Mr. President, I do not personally know all the doctors who have been called upon to serve the President of the United States in a professional capacity. I know some of them. I believe they are of the highest caliber and have the highest reputation in the medical profession. I do not believe it is fair to challenge either their integrity or their medical capacity or ability. I do not believe that one of those learned gentlemen would deliberately misrepresent to the people of the United States the condition of the President of the United States. I think that when the speech of the Senator from Michigan is carefully examined, it will be found to be a reflection upon them.

Mr. President, I do not believe that the Senator from Michigan can show that during the entire history of the Nation, from George Washington down to the present day, there has been an instance when the American people have ever been taken into fuller confidence by the President of the United States, regarding his illness, than they have been by the present Chief Executive, Dwight D. Eisenhower.

I did not want this opportunity to pass without challenging the statements which have been made.

Of course, the American people are entitled to the facts. I believe that to the best of his ability, the President of the United States has laid the facts—as bare as bones—before the American people. I think he has not only wanted the medical men who attended him to lay the full facts before the American people but he has insisted that that be done, and that it has been done by them.

As for me, Mr. President, I am not a medical man. But I would much rather take the word of those who have been in contact with the President, those who performed the operation, those who cared for the President during his illness, those who have had a chance to examine all the tests which have been made, than to take the word of some medical persons who have neither seen the President, nor examined the tests which have been made, nor know anything personally about the patient himself.

I wanted to take this opportunity to raise my voice in protest that a challenge of that type should be made in this Chamber to the President of the United States.

Under the Constitution, the President of the United States himself cannot defend himself in this Chamber.

But if I believed that an unjust criticisim had been made of the President, and a challenge of his integrity, a statement upon which no other interpretation can be placed than that he has deliberately set out to deceive the 165 million American people, I would not consider that I was properly performing my function as either minority leader or as a Senator of the United States if I did not rise in protest. So I say that I am greatly shocked by the statement which has been made by the junior Senator from Michigan.

Mr. MCNAMARA. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield to the Senator from Michigan.

Mr. MCNAMARA. Mr. President, I wish to say to the distinguished Senator from California that I was occupying the chair of the majority leader only as a coincidence, and not in any manner as representing the majority leader of the United States Senate. I stepped to the desk of the majority leader only for the convenience of using the equipment which already was on that desk.

The Senator from California questioned whether I was speaking for the majority leader. I think it important that that point be cleared up.

Mr. KNOWLAND. I raised the question of whether the Senator from Michigan was speaking, not for the majority leader as an individual, but for the ma-

jority party on the other side of the aisle.

Mr. McNAMARA. I wish to make it clear that I was not speaking for the majority leader. The majority party can speak for itself.

Mr. President, I was talking about the newspaper accounts regarding the handling of the President's illness. If the Senator from California reads into what I said many things that I did not say—and a careful examination of my statement will not justify many of the things the Senator from California said about it—I can do nothing about that.

I did not say anything derogatory of the President. I did not charge that he was making these claims. I was referring to the press, and to what I called the Madison Avenue technique and the Hagerty curtain, and things of that sort. I was referring strictly to the press.

Mr. KNOWLAND. Mr. President, I listened to the speech the Senator from Michigan made. The only interpretation one can place upon it is that the President is so surrounded by those who are keeping facts from him, even perhaps keeping some of the medical information from the President, that he does not know what is going on either regarding his own illness or regarding the functioning of the Government of the United States. Mr. President, I challenge that statement: I say it is not true. I am surprised that such a statement should be made on the floor of the Senate of the United States.

Mr. McNAMARA. Mr. President, will the Senator from California yield again to me?

Mr. KNOWLAND. I yield.

Mr. McNAMARA. I made no such statement. The Senator from California has successfully attacked his own statement, not mine, I most respectfully submit.

Mr. KNOWLAND. Mr. President, I also submit that neither in the case of any situation existing in the United States of America nor, to the best of my knowledge, in the case of any situation existing anywhere else in the world, has the press more fully covered the facts than in this case, here in the United States of America. I dispute the claim that there is any kind of a controlled press in the United States, or that there has been any kind of conspiracy on the part of the press either to hide the seriousness of the President's illness or to hide the facts of his recovery or to hide any of the other facts relating to the Presidency of the United States.

Mr. GOLDWATER and Mr. JOHNSON of Texas addressed the Chair.

The PRESIDING OFFICER (Mr. BIBLE in the chair). Does the Senator from California yield; and if so, to whom.

Mr. KNOWLAND. I yield first to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I wish to associate myself with the remarks of the minority leader.

I have known the distinguished junior Senator from Michigan [Mr. McNAMARA]; I have served with him on committee. I have always found him to be a kindly, understanding man.

I was very much shocked to hear what he had to say on the floor this evening. I sincerely hope that the remarks he delivered were not prepared by the junior Senator from Michigan. I hope that, instead, they were prepared by some person with a "gray flannel typewriter," some person whom the Senator from Michigan can repudiate.

Coming from the West, I have known all my life that the donkey is a very skittish and nervous animal; but I have never known the donkey to be a coward. Yet the comments being made on the floor of the Senate for the avowed candidates on the opposition ticket indicate to me that the opposition party knows it has no candidates, and that the opposition is attempting to do everything it can to discredit, in the eyes of the 165 million Americans, the President whom a majority of the people of the United States want reelected.

Mr. President, I do not blame the donkey for being scared—so scared that his knees are shaking, his ears are drooping, his hair is coming out in large quantities, and his tail is very low—in fact, it is dragging on the ground—all for a good reason, namely, that he needs rejuvenation, needs new oats and new pasture, and, above all, he needs someone with new ideas to ride on his back.

I should like to suggest to the Senator from Michigan that if any of the facts in this case have not been reported, let him document the facts which have not been reported. I should like to suggest to the junior Senator from Michigan that if the press of the Nation has failed to inform the people of the Nation regarding the President's health, let him document where the press has failed. I should like to have the Senator from Michigan tell us who in the press has been covering up, if such has been the case.

In closing, Mr. President, I should like to remind the Senator from Michigan and all other Members of the opposition party, and all other Members of this body, that our distinguished majority leader suffered a heart attack about a year ago; but since then he has done not only a valiant job, but also an outstanding job, in a difficult position, and he seems to be doing it well and to be holding up admirably under the strain.

I deplore the use of the political technique which has been used in this body, where it has been suggested that the President of the United States is operating under sedatives; that the President does not even know his own condition. Mr. President, political campaigns can be conducted on a much higher plane than that.

Mr. CHAVEZ. Mr. President, I also come from the West—as does the Senator from Arizona [Mr. GOLDWATER]. We are not asking the permission of anyone from the West or elsewhere to serve in the United States Senate.

I associate myself with the remarks of the Senator from Michigan. What kind of a body is the Senate if Senators do not dare express an opinion?

I can either agree or disagree with the remarks of the Senator from California and the remarks of the Senator from Arizona. But the Senator from Michigan took the same oath of office the Senator from Arizona and the Senator from California took. Therefore, why deny his sincerity of purpose, even if he is wrong? Why impugn his motives.

No one has more admiration for a President of the United States than I have. I did not vote for the present President, and I do not intend to do so in the future. But when we try to make of the President an infallible person, we find that we are dealing with human beings. I, for one, do not believe that anyone who happens to be President is infallible. If I had my way I would elect only Presidents like Lincoln. But as human beings, either as Senators or as President, we are subject to error.

I resent the remarks of the Senator from California, so far as they pertain to the Senator from Michigan. I do not know that the Senator from California has any more rights or any more votes than the Senator from Michigan.

So far as my good friend from Arizona [Mr. GOLDWATER] is concerned, we love him. He is our neighbor. He says, "Let us have no politics." What was his speech? It was nothing but a political speech. It will not do any good in Arizona.

Let us keep politics on a high level. The Senator from California knows that I have tried to be as fair as anyone to him, and I shall always continue to be, because he deserves that kind of treatment. But I dislike to hear anyone say that the person who disagrees, or who says that the light is too bright, or not bright enough, must necessarily be bad. I want the Senator from California to have his way of thinking, but I also want the Senator from Michigan to have his way of thinking.

Mr. NEUBERGER. Mr. President, I am very glad to rise on the floor of the Senate tonight, after the distinguished Members of the minority party in the Senate have displayed such great admiration for the American press, and have offered such encomiums to the American press. In a moment, I shall have something to say regarding the comments of the American press on the conduct of this administration in the Hells Canyon fight. I know that, inasmuch as the minority Members of the Senate have been so glowing in their praise of the American press, they will not deny the truth as to what the American press is saying today about the conduct of the national administration in the Hells Canyon situation.

THE NATIONAL FORESTS PROBLEM

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a most effective editorial from the Pendleton East Oregonian, of Pendleton, Oreg., of July 10, 1956, entitled "The National Forests Problem." This editorial states extremely succinctly the case for establishment of a so-called Mission 66 to improve and promote recreation in the national forests, along the lines of S. 4096, a bill which I have introduced with other Members of the Senate to authorize a

comprehensive study of national forests recreational needs.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE NATIONAL FORESTS PROBLEM

On periodic trips through the Umatilla National Forest with Supervisor Charles Rector, we have been impressed by the immensity of the forest's potential as an area for recreation, and how little has been done toward achieving that potential.

The Umatilla Forest has 30 camp and picnic areas that will accommodate 1,280 people; a winter sports area, spout springs, which will care for 1,500; and an organization camp, Buck Creek Camp, which has a large building for rent to groups of 150 or less. In 1955 the forest had approximately 225,000 visitors. That number included hunters, fishermen, hikers, picnickers, and campers.

Last fiscal year (1955–56) Umatilla forest headquarters was given $4,600 to maintain those facilities. At midyear a special appropriation of $2,000 was added, half to be spent for maintenance and the rest for new facilities. It was necessary to use all the special appropriation at Woodward camp near Langdon Lake to repair the water system.

For years Umatilla Forest has not been given sufficient funds to maintain existing facilities. This is obvious to anyone who sees the camp and picnic areas. Beyond this one sees many places in the forest that provide ideal sites for camping and picnicking. They need to be cleared of brush, some campfire installations, a few tables, and sanitary facilities built. Of all we have seen the one that begs loudest for development is the beautiful Olive Lake area.

Last substantial work on forest recreational facilities was done by the Civilian Conservation Corps. Since the CCC's closed up shop virtually nothing has been done because forest headquarters hasn't had sufficient money to do it.

Failure to maintain national forest and national park facilities has been outrageous the country over. The complaints about it became so violent that the Congress in the past year was forced to recognize the national parks problem. Funds were appropriated to bring national park staffs up to a level that could restore parks, facilities and henceforth maintain them at that standard. Nothing was done about the much larger problem that exists within national forests.

Oregon's Senator RICHARD NEUBERGER has recently introduced legislation which, it seems to us, is the best approach to the national forest problem. Rather than to demand a large sum of money for restoring camp and picnic areas in the forests and developing others, Senator NEUBERGER's legislation asks for a study of the problem in order that it can be determined exactly what is needed now and in the future.

As our population grows and as people have more time for recreation our national forests must answer much of the growing demand. National forests had 45,713,000 visitors in 1955. By 1960 that number very likely will double if the forests have necessary facilities to carry the load. It is essential that they be ready for all who wish to visit them. The forests belong to everybody.

Senator NEUBERGER's legislation would establish use of the national forests as a policy of Congress, and direct the Secretary of Agriculture to make comprehensive study of national forest recreational use needs.

Senator NEUBERGER's bill reads:

"*Be it enacted, etc.*, That in recognition of the fact that the national forests constitute an invaluable asset in the recreational life of the people of the United States, providing actual and potential recreational possibilities of great importance to the national economy; that use of such forests for recreational purposes, including picnicking, camping, skiing, swimming, hunting, fishing, hiking, and mountain climbing is rapidly increasing, reaching an all-time high of 45.5 million visits in 1955; that visits to improved recreational areas within the national forests have almost tripled since the 1930's when most of such areas were planned and their facilities constructed in connection with Civilian Conservation Corps projects; that many of such facilities are now reaching the age where heavy maintenance and even replacement are becoming necessary; that many popular recreational areas are now regularly overcrowded and an intensive program of construction of new facilities to accommodate present use is necessary; that the continuing increase in our population emphasizes the growing need for increasing the national forest recreational opportunities with new facilities; that the national forests comprise the largest area of productive habitat for public fishing and hunting grounds in the country; and that funds available to the Department of Agriculture for providing the necessary maintenance, replacement, and construction of national forests recreational areas and facilities and for wildlife habitat management are not adequate to meet present and future needs; it is declared to be the policy of the Congress that public use of the national forests for purposes of recreation is a beneficial and proper use of such forests and that development and maintenance of areas and facilities for such public use, including maximum safety, sanitation, and wildlife habitat values, is a proper function of the Federal Government.

"SEC. 2. The Secretary of Agriculture is authorized and directed to initiate and carry out a comprehensive study of the personnel, funds, and other requirements necessary to develop within 5 years an adequate program for recreational use and wildlife habitat on the national forests and to provide the proper services and facilities to carry out the program. The Secretary shall within 1 year report to the Congress the results of the comprehensive study and his program recommendations including funds and any legislation necessary to permit implementation of the recommendation, such report and recommendations specifically to include provisions for (a) the development, maintenance, and operation of areas and facilities needed for public recreational use, (b) coordinating wildlife management with other resource uses and development and maintenance of wildlife habitat, and (c) adequate safety, sanitation, and health measures and facilities."

RESTORATION OF FUNDS FOR UNITED NATIONS TECHNICAL ASSISTANCE

Mr. WILEY. Mr. President, we shall shortly have the opportunity to vote on one of the most important elements in the free world program, for uplifting the standards of living throughout this globe.

I refer to the United States contribution to United Nations technical assistance, for the 1957 fiscal year.

I know of few other appropriations which have done more good among more people for so comparatively little in outright expenditures.

It is a source of pride to me that it was our own United States Government which helped supply the initiative and leadership for the establishment of this U. N. program in 1950.

The program represents effective international cooperation in its essence. From its start, it has helped some 131 countries and territories.

It has mobilized the services of 5,000 technical experts from 77 countries in providing specific advice and guidance—against hunger, disease, malnutrition, and low productivity.

It has provided some 10,000 fellowships.

During its brief 6 years of existence, 77 other countries besides ourselves have pledged over $142 million to the central account of the program. Of this sum, our own Government has contributed approximately $80 million.

This is a self-help program. Every government receiving assistance contributes substantially in the form of local supporting costs of projects.

It was with regret therefore that we learned that a slash of $5½ million had been proposed by the House of Representatives, and by the Senate Appropriations Committee. This slash represents a cut of 35.5 percent in the $5.5 million authorization figure previously approved.

While I respect the difference of viewpoint of my colleagues on the committee, I most respectfully disagree with their specific action.

The $5.5 million cut will constitute around 19 percent of all the funds pledged to the program for the calendar year 1956 operations. Our past experience shows that other countries will tend not to be able to take up the shortage brought about by the reduction of our American contribution.

Indeed, other countries may in turn lessen their own support.

The net effect of the cut is to slash technical projects in all fields of activity—health, agriculture, education, and so forth.

In the eyes of the world, a United States slash would run completely contrary to the best interests of the free world—indeed, the best interests of the United States itself.

After all, what we are witnessing today on the part of Messrs. Bulganin and Khrushchev is the dangling of all sorts of offers of technical assistance under Soviet auspices. Such Soviet assistance is actually a rope which the Russians hope to tie around the necks of underdeveloped peoples.

But if we were to slash U. N. funds, then among the underdeveloped nations themselves, there would be a feeling of bewilderment, regret and despair, over the United States action. Their confidence in us would be impaired.

Soviet propaganda would find enormous fuel in the cut.

Summing up, it seems to me in the best interests of our own country, in the best interests of the free world, that the slash be restored. Thereby, we will strengthen our negotiating position in the United Nations: more important, we will deservedly strengthen our moral position in the eyes of the world; we will strengthen the confidence in which the free world rightly holds us.

Let us not take an action which we will have cause to regret and which our friends will have cause to regret.

I shall, therefore, support and vote for the restoration amendment when it is offered by my colleagues of the Foreign Relations Committee.

I have in my hand a series of telegrams which had come to me from many sources, from leading religious and lay groups throughout the country—from organizations, and alert, civic-minded individuals in my own State, particularly in our State capital.

In the instance where individuals have wired to me, I will refrain, of course, from using their names without their permission. But I should like to cite the names of group officers who have formally communicated with me in their organizational capacity.

I send these fine messages to the desk and ask unanimous consent that they be printed at this point in the body of the RECORD. I underline their position emphatically.

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

NEW YORK, N. Y., *July 16, 1956.*

Senator ALEXANDER WILEY,
Foreign Relations Committee,
Senate Office Building,
Washington, D. C.:

Proposed cut one-third appropriation for United Nations technical assistance incredible when more, not less, such help is demanded by world situation. Hope you and others concerned for this vital need will make successful floor effort to restore full appropriation requested by President and authorized by your committee for U. N. and United States technical assistance. Churches consistently support such constructive programs for peace.

ROY G. ROSS,
General Secretary, National Council of Churches.

CLEVELAND, OHIO, *July 16, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

Shocked to hear of Appropriations Committee cut in request for United Nations technical assistance program, trust you and your colleagues on Senate Foreign Relations Committee will make strong and successful floor fight to restore full $15½ million appropriation. Commission on Christian Social Action of the Evangelican and Reformed Church, like other church groups, regards technical aid, especially through United Nations, as practical expression of our belief in dignity of men and our hope to build foundations for peace. We can ill-afford to cut back now.

HUBER F. KLEMME,
Executive Secretary, Commission on Christian Social Action, Evangelical and Reformed Church.

LAKEWOOD, OHIO, *July 16, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

The following resolution concerning United States aid was adopted unanimously by the members of the board present at meeting July 16, 1956, Genoa, Ohio:

"Concerning current Senate consideration on foreign aid we urge that there be restored at least so much of President Eisenhower's original recommendations that the United States foreign-aid program will provide full support for the United Nations organization and the United States and United Nations programs of technical assistance."

THE BOARD OF WORLD PEACE, THE NORTH-EAST OHIO CONFERENCE OF THE METHODIST CHURCH,
JOHN CHITTUM, *President,*
JOHN R. WILLIAMS, *Secretary.*

RACINE, WIS., *July 14, 1956.*

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

Urge restoration of House cut in funds for U. N. Technical Assistance program.

MRS. MARSHALL BEAUGRAND,
President, League of Women Voters of Wisconsin.

LA CROSSE, WIS., *July 15, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

Am at loss to understand the acceptance by the Senate Appropriation Committee of a five and a half million cut in the United States contribution to the United Nations Technical Assistance program. Urge that the Senate follow the May 7 recommendation of the Senate Foreign Relations Committee: "The subcommittee believes that the United States should continue to support the United Nations program of technical assistance. Compared to the United States bilateral activities the U. N. program is small but in the subcommittee's judgment, highly effective. As no move was made by either the House or the Senate when considering the authorization bill to cut or place a ceiling on these funds, the House and Senate committee action appears to be illogical. As a citizen deeply concerned with the integrity and welfare of the country I urge you to do everything in your power to restore the five and a half million cut in the United States contribution to the United Nations technical assistance program.

MADISON, WIS., *July 16, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

Strongly urge full restoration of appropriation for the United Nations technical assistance program we realize the great value of this international work.

MADISON, WIS., *July 16, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

We are in favor of technical assistance program with maximum appropriation. Wishing you luck.

MADISON, WIS., *July 16, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

Please do utmost to insure restoration of cut in United Nations technical assistance program appropriation to $15 million. Best of luck and good wishes.

MADISON, WIS., *July 16, 1956.*

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

We believe the technical aid program very important in helping other countries build for themselves self-supporting economy. Urge that you support Mansfield amendment to restore program to its original size.

MADISON, WIS., *July 16, 1956.*

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

We respectfully urge your affirmative vote for restoration of full amount to United States technical assistance appropriations for U. N. and for entire bill. We believe it a way to world peace. Thank you for your attention to this matter. Sincerely,

MADISON, WIS., *July 16, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

Urge your support of U. N. technical-assistance program to $15 million.

CHICAGO, ILL., *July 16, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

Sincerely urge your support of general foreign aid and technical assistance appropriation as essential to America's basic role and program as leader for peace in world family of nationals.

MADISON, WIS., *July 17, 1956.*

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

We urge you to vote for the $5 million increase in United States technical aid through the United Nations which is supported by Senator Mansfield. This money will meet world problems more effectively than a similar amount spent on military aid.

MADISON, WIS., *July 17, 1956.*

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

We understand effort to be made in Senate tomorrow to restore full appropriations for United Nations technical-assistance program. Hope you will support this strongly. This seems to us an important opportunity for demonstrating sincerity of our commitment to cooperative efforts to improve conditions of life everywhere.

WATERTOWN, WIS., *July 13, 1956.*

The Honorable ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

Need your help in Senate to restore House cut appropriation for United Nations technical-assistance program. We must not fail now.

KENOSHA, WIS., *July 13, 1956.*

The Honorable Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

We urge you support restoration of full appropriation for U. N. technical assistance. Deplore House cut.

POLITICAL PRESSURES IN THE HELLS CANYON CONTROVERSY

Mr. NEUBERGER. Mr. President, the junior Senator from Arizona [Mr. GOLDWATER] complained on July 17 that the chairman of the Democratic National Committee has urged enactment of the bill to authorize a high Federal dam at Hells Canyon. He got quite indignant at his own allegations of the pressure and power he imagines the Democratic chairman to have over Senators.

Inasmuch as this question of pressure has been introduced, I call attention to some real pressure—the heavy and sustained pressure being exerted upon Republican Senators by the White House staff to vote against the Hells Canyon bill.

A front-page article in the New York Times this morning, July 18, 1956, begins:

Intensive White House pressure is being brought to bear on Republican Senators to persuade them to vote against the Democratic-backed Hells Canyon project.

The New York Times article goes on to report:

One Republican Senator has received 4 telephone calls from the White House and 2 from the Department of the Interior in recent days. Others have received two or more calls. Some have been visited by White House aides, such as I. Jack Martin, President Eisenhower's administrative assistant for legislative affairs.

The pressure, in the opinion of many Senators, is as great as that applied on any issue in the last 3 years.

Mr. President, I ask unanimous consent that the entire article from the New York Times be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHITE HOUSE BIDS SENATE BAR DAM AT HELLS CANYON—EXERTS INTENSIVE PRESSURE ON REPUBLICANS TO REJECT FEDERAL POWER BILL

(By Allen Drury)

WASHINGTON, July 17.—Intensive White House pressure is being brought to bear on Republican Senators to persuade them to vote against the Democratic-backed Hells Canyon project. The bill would authorize a high Federal dam in Hells Canyon of the Snake River on the Idaho-Oregon border.

One Republican Senator has received 4 telephone calls from the White House and 2 from the Department of the Interior in recent days. Others have received two or more calls. Some have been visited by White House aids, such as I. Jack Martin, President Eisenhower's administrative assistant for legislative affairs.

The pressure, in the opinion of many Senators, is as great as that applied on any issue in the last 3 years.

There was preliminary discussion of the bill today, interrupting the Senate consideration of social security changes. Full debate and a final vote are expected Thursday.

Both proponents and opponents agree that the issue is so close that it could be decided by 1 or 2 votes.

At stake is one of the basic features of the Eisenhower "partnership" theory of power and water development. The Democrats favor a high Federal dam that would provide flood control and federally produced power.

REPUBLICANS FAVOR UTILITY

The Republicans, acting through administration appointees on the Federal Power Commission, have rejected this in favor of three dams to be built by the Idaho Power Co. The company would produce and distribute the power.

If the Democrats are successful in passing the bill in the Senate, it is believed the Democratic leadership in the House will make a strong attempt to win approval by that chamber also and send the measure to the President. A Presidential veto would dramatize the issue for the fall campaign.

Senator BARRY M. GOLDWATER, Republican, of Arizona, charged today that the Democratic bill was "politics and nothing else, in its rawest form."

His charge was echoed by Senator HERMAN WELKER, Republican, of Idaho. Senator WELKER told the Senate that Oscar L. Chapman, Secretary of the Interior in the Truman administration, "is quarterbacking the Hells Canyon play."

Senator RICHARD L. NEUBERGER, Democrat, of Oregon, only proponent of the Federal dam to enter the debate today, said that if the administration should succeed in defeating the bill it "will mean a reversal of 50 years of conservation policy."

Meanwhile, the Idaho Power Company challenged the Supreme Court's jurisdiction over the Federal Power Commission grant of authority to the company to build the three lower dams.

The National Hells Canyon Association and other public power groups have asked the court to require the company to stop construction of the first of the three dams until the controversy is settled.

In still another phase of the controversy over the administration's power policies, a House Government Operations Subcommittee heard a spokesman for Ebasco Services, New York engineering concern, deny that his organization had joined an attempt by private power companies to influence the Secretary of the Interior.

The charge had been made by the subcommittee chairman, Representative EARL CHUDOFF, Democrat, of Pennsylvania. Mr. CHUDOFF linked Ebasco with the Idaho Power Co., the Montana Power Co., the Arizona Public Service Co., the Utah Power & Light Co., and the Public Service Company of Colorado to an organized effort to influence the Interior Department.

Calvin W. Raff, an official of the Montana Power Co., testified that Ebasco had no control over his company.

Mr. NEUBERGER. I do not believe, Mr. President, that the White House will deny that it is using all resources at its disposal to maintain a solid lineup of Republican Senators against the Hells Canyon bill, whatever may be the best interests or expressed preferences of their constituents. If the White House does deny this, let them state publicly and authoritatively that every Republican Senator is entirely free to vote his own convictions of the national interest in this case.

It is significant that the press, including such distinguished commentators as, for instance, Mr. James Reston of the New York Times, have criticized the administration for sitting idly on its hands while Republicans helped send the school-construction bill down to defeat in the House of Representatives.

The administration is not sitting on its hands during the Hells Canyon fight. It is busy and active. It leaves no stone unturned in its fight to turn over Hells Canyon—the finest water-power site left in our country—to a private utility company for wasteful, partial exploitation.

I call the attention of the people of this country to the relative values emphasized by a national administration which will sit supinely by, or issue belated statements of mild concern, while a bill to aid the school children of America goes down to defeat with Republican votes, but which is intensely active and aggressive in its efforts to surrender a magnificent national resource to a private utility company.

I am glad these are not my standards of government. I repeat, the unprecedented White House pressure against the Hells Canyon bill stands in eloquent contrast to the administration's inaction, or expressions of mild interest, when such national needs as school construction, foreign trade or the mutual-security program are concerned.

The point was made briefly, but forcefully in an editorial in the Washington Post and Times Herald this morning, July 18, 1956. The editorial is short enough so that I shall read it in its entirety:

The administration reportedly is using its influence to prevent any wavering Republican Senators from voting for the Hells Canyon bill when it comes up this week. Completely apart from the merits of this measure, why is it that the Administration, which failed so dismally to prevail on the school construction bill and which has had great difficulty in getting its ideas on foreign aid accepted, seems to be able to muster its strongest artillery for the essentially negative purpose of stopping legislation?

Mr. President, if anyone cares to challenge the reports in the press of this White House pressure on Republican Senators to line up against Hells Canyon dam, there is an easy way for the Republican Party to prove me wrong. The distinguished minority leader [Mr. KNOWLAND] need merely announce that, so far as the White House is concerned, each Republican Senator should vote on the Hells Canyon issue freely and entirely on his own views and those of the majority of his constituents, be they farmers, conservationists, or utility shareholders.

But I suggest that the American people watch the Senate rollcall closely when the Hells Canyon bill comes to a vote. The choice of Hells Canyon as the issue on which is concentrated the strongest and most determined White House pressure of the entire congressional session is a shocking indication of the priorities recognized by this adminstration. What is to be said for an adminstration which uses the full impact of its strength where private utilities stand to be the beneficiaries, but remains passive when the welfare of schoolchildren is at stake?

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House insisted upon its amendments to the bill (S. 2568) to amend title I of the act entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes", disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DAVIS of Georgia, Mr. WILLIAMS of Mississippi, and Mr. BROYHILL were appointed managers on the part of the House at the conference.

The message also announced that the House insisted upon its amendments to the bill (S. 3275) to establish a sound and comprehensive national policy with respect to fisheries; to strengthen the fisheries segment of the national economy; to establish within the Department of the Interior a Fisheries Division; to create and prescribe the functions of the United States Fisheries Commission; and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BONNER, Mr. BOYKIN, Mr. KLUCZYNSKI, Mr. TOLLEFSON, and Mr. ALLEN of California were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 10947) to provide particular designations for the highway bridges over the Potomac River at 14th Street in the District of Columbia; asked a conference with the Senate on the disagreeing votes of

the two Houses thereon, and that Mr. DAVIS of Georgia, Mr. WILLIAMS of Mississippi, and Mr. BROYHILL were appointed managers on the part of the House at the conference.

The message also announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 2603. An act to increase the area within which officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia may reside;

H. R. 4993. An act to authorize the Board of Commissioners of the District of Columbia to permit certain improvements to business property situated in the District of Columbia;

H. R. 5853. An act to amend the act entitled "An act to regulate the practice of veterinary medicine in the District of Columbia," approved February 1, 1907;

H. R. 8149. An act to amend the first sentence of paragraph (a) of section 756 of title 11 of the District of Columbia Code, 1951 edition (par. (a) of sec. 5 of the act of Apr. 1, 1942, ch. 207, 56 Stat. 193), relating to the transfer of actions from the United States District Court for the District of Columbia to the Municipal Court for the District of Columbia; and

H. R. 9842. An act to authorize the Postmaster General to hold and detain mail for temporary periods in certain cases.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills:

S. 2280. An act to amend the Longshoremen's and Harbor Workers' Compensation Act, as amended, to provide increased benefits in case of disabling injuries, and for other purposes;

S. 2895. An act to amend the acts of February 28, 1903, and March 3, 1927, relating to the payment of the cost and expense of constructing railway-highway grade elimination structures in the District of Columbia;

S. 3246. An act to increase the amount authorized for the erection and equipment of suitable and adequate buildings and facilities for the use of the National Institute of Dental Research;

H. R. 5566. An act to terminate the existence of the Indian Claims Commission, and for other purposes; and

H. R. 7380. An act to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities.

HELLS CANYON DAM

Mr. NEUBERGER. With the imminent vote on the Hells Canyon bill, the Senate stands on the verge of a decisive moment in the history of our Nation's policies toward its natural resources. During the past days, while many other important issues have been before the Senate, we have seen some preliminary skirmishing, as opponents of the project have sought in advance of the debate to fill the RECORD with long diatribes against it. In the next 24 hours, however, the Hells Canyon issue will occupy the full attention of the Senate. In these 24 hours, the Senate will be called upon to make a decision which—if it should be adverse to the project—will be irreversible, and which, I repeat, will for this generation stand as a symbol of our husbandry of the resources on which our strength and our future wealth depends.

Much of the effort of the opponents has gone into the attempt to obscure, behind clouds of rhetoric about free enterprise, the wide differences between the high Federal project and the alternative private utility development. But the great issue before the Senate, Mr. President, is whether we can afford to waste forever the additional flood control and power potential provided by the high Hells Canyon Dam.

Can we afford less than maximum development of this potential?

Mr. President, this issue comes before the Senate at a time when America is passing through a stage of transition, from an era of unmeasurable and apparently unlimited abundance to an era of predictable exhaustion of our resources, at a time of intense international competition with the growing strength of vast empires ruled by men dedicated to ultimate dominance over us and our friends in the world.

Mr. President, perhaps a hundred years ago, we could afford the kind of policies advocated by those who prefer partial development of an irreplaceable resource—who prefer wasteful development, inefficient development, high-cost development, just so long as it is development by private capital, for the profit of private shareholders, rather than Federal investment. A century ago, Americans might well feel and act as if we were alone in the world, a few million men on a vast, open continent—there to be explored, taken, exploited for the immediate profit of those who had the strength to grab their share of the continent's seemingly limitless resources.

TEDDY ROOSEVELT STARTED UNITED STATES CONSERVATION MOVEMENT

But 50 years ago, under the leadership of a great Republican President, Theodore Roosevelt, our Nation began to recognize that our resources are not limitless, and that future generations have a claim on the present generation not to dissipate these resources needlessly and wastefully for short-range gain. From this recognition, Mr. President, basic national resource policies were born which have, until today, endured for a half a century.

Are we to abandon them now, when America faces a greater strain of economic expansion at home, and greater peril abroad, than ever before?

Recent studies have abundantly shown that the time is overdue for us to plan with care the future use of the resources available to us on our own continent. Within very few years, the rapid expansion of our population will place unprecedented pressures on all of these resources—on energy above all—and also on the remaining resources of wildlife and wilderness, which are imminently imperiled if the Hells Canyon site is frittered away. Already, the administration is pushing for the authorization, as a so-called substitute for Hells Canyon, of a storage dam at Bruces Eddy on the Clearwater River which threatens the steelhead runs, the elk refuges, and the majestic solitudes of this last, great upland wilderness in our country.

Mr. President, I wish to digress briefly to mention Bruces Eddy in this respect. I am a member of the Senate Committee on Public Works. On July 17 the distinguished senior Senator from Idaho [Mr. DWORSHAK] appeared before the committee to urge Federal authorization of the Bruces Eddy Dam as a Federal project. Tomorrow we shall discuss Bruces Eddy and Hells Canyon. However, what I wish to emphasize to the Senate today is that Bruces Eddy Dam, which the distinguished senior Senator from Idaho seeks to have authorized as a power and flood-control project, has less flood-control benefits than Hells Canyon. Yet, a Senator who is urging the Senate to reject the Hells Canyon Dam, a dam with greater power resources than Bruces Eddy, is asking Congress at this hour to grant Federal authorization for the Bruces Eddy project, which would have less flood-control benefits than Hells Canyon.

At the same time, Mr. President, we learn with every month that passes of new projects behind the Iron Curtain, in Soviet Russia, in Red China, and actually throughout the world, designed to squeeze every kilowatt of precious energy, every ounce of the other possible multiple uses, out of the great rivers of those nations.

Our competitors for the future leadership in the world have learned the value of full and comprehensive development of a great river's potential, which was pioneered in our own Nation. Can we now afford to forget the lessons we taught them, and return to the short-sighted and greedy methods of piecemeal exploitation which we abandoned as national policies way back in the days of Teddy Roosevelt and Gifford Pinchot?

Mr. President, if the bill for authorization of a high Federal dam at Hells Canyon is passed by the Congress and signed by the President, these basic questions will be answered in the public interest. Its defeat will mean a reversal of 50 years of conservation policy—a sorrowful and adverse answer to the needs of the American people for full development of natural resources.

The decision on Hells Canyon will be a moment of destiny for the Nation, but especially for the present and future generations who reside in the Pacific Northwest region. Nearly 40 percent of this Nation's hydroelectric energy lurks in the waters of the Columbia River drainage. The die will be cast for years to come when action is taken on S. 1333, the Hells Canyon bill. At that time, it will be determined whether we are to establish a policy which will wring the last kilowatt of energy from a power site, fully utilize its potential for flood-control storage, for irrigation project financing benefits, for aid to navigation, and for the ultimate in wildlife and recreation uses; or whether these vast values will be relinquished to partial and piecemeal use for the benefit of private-power monopoly interests.

This is an issue of special significance to the Pacific Northwest because a policy of wasteful use of our great water resource—the region's only abundant source of fuel for manufacture—will place a ceiling on prospects for economic growth. Less-than-full development at Hells Canyon will mean less-than-full

use of our region's greatest natural asset—its falling water.

POLICIES OF TEDDY ROOSEVELT AND GIFFORD PINCHOT AT STAKE IN HELLS CANYON

I first visited Hells Canyon in 1939. I have been there many times since. I have ridden its surging rapids on the mailboat *Idaho*. I have trudged its narrow trails and ridden horseback over Freezeout Saddle, the great pass on the Oregon rim of the chasm where Capt. Benjamin L. E. Bonneville and his fellow explorers escaped from the gorge nearly a century and a quarter ago. My wife and I have camped alone in the Seven Devils Range of Idaho, along the eastern wall of Hells Canyon, and peered down upon the foaming mountain river, which has trenched more than a mile into the earth. Little did I realize that the use of Hells Canyon for the benefit of the American people would one day become a monumental struggle against great odds, against powerful financial interests which fear public development as a threat to their monopoly position.

Hells Canyon passed into protected public possession when Theodore Roosevelt and Gifford Pinchot set aside the forest reserves in 1908. The vast chasm is divided between the Nez Perce and Clearwater National Forests of Idaho and the Wallowa National Forest of Oregon. The hydroelectric power resources of Hells Canyon need not be given to the absentee-dominated Idaho Power Co., if this Congress will only stand by the principles of those progressive Republicans, Theodore Roosevelt and his chief forester, Gifford Pinchot. Indeed, Roosevelt and Pinchot deliberately located forest ranger stations along swift rivers at power sites, to keep these sites out of the clutches of what Pinchot called "the power octopus."

We are again confronted by the same kind of challenge which sent Roosevelt and Pinchot into action. This is like the struggles which in the past brought forth the great efforts of men like Senators George W. Norris, William E. Borah, Charles L. McNary and Hiram Johnson. While it would be presumptuous to assume their qualities of stature and oratory, it is at least possible to emulate their characteristic decisions to discharge a public trust in the public interest. Great projects such as Hoover Dam, Grand Coulee Dam and McNary Dam stand today as monuments of their beliefs. As we again face the hour when it will be determined whether the objectives for which they fought and worked will be continued, it may be well to review an event which is parallel to the one which confronts us today.

Grand Coulee Dam is the greatest single source of electricity on our planet. It stokes the Hanford Works, where material for the atomic bomb goes through its final processing. Its energy made possible 50,000 planes a year during World War II. It is pumping water to irrigate thousands of fertile homesteads where ex-GI's are getting a new chance in life.

Yet Grand Coulee was nearly lost to us forever in the 1920's, when a private utility company wanted to choke this roaring stretch of the Columbia River with a pygmy, dog-in-the-manger dam at Kettle Falls which would have prevented construction of the massive dam which now spans the river. Like the Idaho Power Co. and its small dam which would block Hells Canyon high dam, the Washington Water Power Co. sought a Federal Power Commission license for the Kettle Falls project which would have stymied Grand Coulee.

I am glad that the distinguished junior Senator from Washington [Mr. JACKSON] is on the floor, because he and his eminent senior colleague [Mr. MAGNUSON] have fought for Grand Coulee and for appropriations to advance that greatest of all power projects.

WHAT DID FPC EXAMINER DECIDE?

On August 5, 1955, the Federal Power Commission consisting of four Eisenhower men and one Hoover appointee, licensed the Idaho Power Co. to erect three low dams in the Hells Canyon reach of the Snake. If this decision stands, there never will be constructed one of the biggest multiple-purpose projects of all time—the high Federal dam. The three little dams of the power company and the towering dam of the Federal Government are incompatible with each other. Both systems would occupy the same stretch of the Snake River.

Low-cost power produced by Federal dams like Hells Canyon have tremendous impact on economic development of a region such as the Pacific Northwest which has no source of industrial fuel, except its valuable falling water. Giving the Hells Canyon stretch of the Snake to an absentee-dominated corporation for less than full development means not only a loss of 45 percent of the potential waterpower but power at a cost 2½ times higher than the Federal dam. The Commission's decision means less power, higher cost power, less industry, and fewer jobs for the Pacific Northwest.

The Federal Power Commission is an administrative arm of Congress established under the Federal Power Act. It has always seemed clear to me how Congress intended the Federal Power Commission to function in cases such as the Hells Canyon issue. The act specifically declares that the Commission shall base its determination on the project best adapted to comprehensive development of a river basin. How can the less than full development provided by the Idaho Power dams be the best policy, when an alternative will produce maximum use?

This is not the first time an administrative arm of Congress has distorted an interpretation of a congressional directive. When such an occasion arises and the national interest is endangered, it becomes necessary for Congress to clarify and redefine the meaning of previous acts. It is a legislative responsibility to chart the proper course for congressional administrative branches. By authorizing a Federal dam at Hells Canyon, the Congress will again establish the proper guideposts for determining what constitutes full and comprehensive development of water resources.

Two and one-half pages of the 4-page dissenting report of the minority of the Senate Interior Committee are devoted to expounding the view that only the Federal Power Commission can judge the Hells Canyon issue; and that it is against all public policy, and perhaps even somehow immoral, for the Congress to exercise an independent judgment, on the basis of the evidence before it, of the merits of this project. The minority states that they do not presume to decide these issues as between Hells Canyon one-dam plan and the three-dam plan of the Idaho Power Co. Their only objection, then, is that the majority would have the Congress undertake this task.

Let us note this well, Mr. President. The minority do not state—and they cannot state—that the three-dam plan is better than the one high dam. They do not tell the Senate that the three low dams are as good as the high dam to be authorized by S. 1333—for that, too, would be contradicted by all the evidence in the record before the Interior Committee. I invite all Senators to read the minority report with care, Mr. President—to compare it with the committee's report and with the evidence in the hearing transcript—to see how little of substance the minority had to say about the Hells Canyon project. Their report is based entirely on the supposed expert judgment of the Federal Power Commission, which has licensed the low dams of the Idaho Power Co.

Very well, then—what about the actual findings which resulted from the 12 months of hearings before the Federal Power Commission? As every Senator will, of course, realize, those hearings were not held before the five men who sign the final opinion and license. They were held before a hearing officer, Mr. William J. Costello, an expert career Government officer. It was Mr. Costello who sat through these months of hearings, who listened to the witnesses, who studied the exhibits and listened to the engineers and the economists. If there was any expert judgment exercised on the basis of the 12 months of hearings conducted by the Federal Power Commission, it was the judgment which found its form in the 184 findings and 79 pages of text of the initial decision issued by Hearing Examiner Costello on May 6, 1955.

And what was the final distilled conclusion of the hearing examiner on the merits of the high Hells Canyon project, the project whose fate the Senate is called upon to determine soon?

FPC EXAMINER FOUND HIGH DAM BEST ON THE MERITS

His conclusion was that, as a Federal project, "the high dam would be dollar for dollar the better investment and the more nearly ideal development of the Middle Snake." Those are the FPC examiner's words, Mr. President, "dollar for dollar the better investment and the more nearly ideal development of the Middle Snake."

Why, then, did Mr. Costello recommend granting a license to Idaho Power Co. for a project which is a worse investment and a partial and incomplete development of the irreplaceable potential of the Middle Snake? He did it, very

frankly and expressly, for one reason and only one reason, Mr. President, which he explained fully in his opinion. He guessed that it was unlikely that Congress would act favorably on the recommendation, which he would otherwise make under section 7 (b) of the Federal Power Act, that the Federal project be authorized.

That was the only reason why the expert hearing officer of the Federal Power Commission went against his own findings of the superiority of the high dam and recommended a license for partial development by the Idaho Power Co. He guessed Congress would not accept the recommendation for the high dam, anyway.

CONGRESS IS ASKED TO ACCEPT ALPHONSE-GASTON RUNAROUND

Mr. President, my point here is not whether this guess would have been proved right or wrong, or whether it vitiates the legal basis of the license granted by the Federal Power Commission. My point is to draw to the attention of any Senator who may be impressed with the minority's emphasis on the FPC decision just what a runaround the Congress is asked to accept in this case.

Mr. President, it needs to be pointed out that the Federal Power Commission could not authorize a Federal project even if the commissioners may have wanted to do so. Judgment must be exercised as to whether there should be built a high dam. This is the responsibility of Congress, as exercised before, and which Congress will exercise again. It has not been without some interest to the minority Members of the Senate in connection with the upper Colorado project and the Fryingpan-Arkansas project.

At this point, Mr. President, I should like to comment very briefly on the speeches we have been hearing from the other side of the aisle concerning the Glen Canyon Dam. It is quite significant and very ironic, to me, that Members on the other side of the aisle, who are leading the fight against Hells Canyon Dam, are themselves the foremost advocates of the Glen Canyon Dam in the upper Colorado River project.

I have here the report of the Committee on Interior and Insular Affairs concerning the upper Colorado project. What do I find with respect to the Glen Canyon Dam? I find, for example, under the heading "Lands To Be Irrigated" not one single acre of land listed in the committee report for Glen Canyon Dam. The $421 million Glen Canyon Dam is located so far downstream that none of the water to be stored there will be available for irrigation, in connection with the Colorado participating projects.

Glen Canyon Dam has an installed generating capacity of 800,000 kilowatts, approximately the same as at high Hells Canyon Dam. The storage capacity of Glen Canyon Dam will be used for final regulation of the Colorado River to permit delivery of the 7½ million acre-feet of water to the lower basin States, as required by the Colorado River Compact. That is the only other purpose of Glen Canyon Dam. It has no flood control, no navigation, and no irrigation benefits assigned to it. If it has, the Senate committee report is incorrect; and we know the report is not incorrect.

Mr. MORSE. Mr. President, will my colleague yield?

Mr. NEUBERGER. I yield.

Mr. MORSE. I am glad the Senator is discussing a point about which I should like to ask him a question.

Is it not true that Glen Canyon and Hells Canyon are similar in that they both would generate a great deal of power, but they are dissimilar in that Hells Canyon, over and above the power features, will develop navigation features, great flood control features, recreation features, and will cost somewhat less in construction and will cost much less in the sense of a comparison of the cost of a kilowatt of power?

Mr. NEUBERGER. There is no question that the senior Senator from Oregon is correct. Hells Canyon will produce somewhat more power than the Glen Canyon dam and will cost over $100 million less to erect.

Mr. MORSE. Does my colleague share my perplexity over the attitude of some of our good friends on the other side of this issue who are strong for Glen Canyon but are strongly opposed to Hells Canyon, and whose position we cannot explain, certainly on any ground of consistency or logic, because the Glen Canyon is such a fine project that I am for it. If it is such a fine project, Hells Canyon is even a finer project on the basis of the same criteria.

Mr. NEUBERGER. Of course the Senator is correct in his comments on the inconsistency of those who are leading the fight against Hells Canyon and who are foremost advocates of Glen Canyon.

It has been said that Hells Canyon is nothing but a power project. It is quite interesting to look at Glen Canyon with reference to the estimated cost of $421,250,000. The reimbursable benefits for power are $370,974,000, and for the irrigation benefits only $50,296,000. None of the costs of Glen Canyon will be paid by irrigation water users. They will be paid by power users. In other words, 87 percent of the cost of Glen Canyon Dam is assigned to power. This is the dam promoted by Members of the Senate who loudly complain because they say Hells Canyon is nothing but a power project. According to the Corps of Army Engineers, Hells Canyon is also a flood-control project, which cannot be said of Glen Canyon.

There is one great difference between Hells Canyon and Glen Canyon. At Hells Canyon the unit cost of power for each kilowatt used is comparatively low. At Glen Canyon the individual unit cost for power is comparatively high. Therefore, no private utility is anxious or even willing to take over for its own the Glen Canyon site.

The Idaho Power Co. wants the Hells Canyon site because of the comparatively low unit cost at which power can be generated there. Therefore, our friends on the other side of the aisle have adopted this policy. They have adopted the policy of reserving for the taxpayers of the United States the privilege of paying for the high cost of the Glen Canyon project, and, at the same time, they are leading the fight against the comparatively low-cost, Hells Canyon project, because it is on a site which a private-power company desires.

I think it is significant that the Federal Power Commission examiner found, in his report, substantial flood-control benefits at Hells Canyon. Let me repeat, Mr. President, that there are no flood-control benefits at Glen Canyon.

My record in the Senate, and that of my distinguished senior colleague [Mr. MORSE], will show that we are not against Glen Canyon Dam. Both of us supported the upper Colorado River project which includes the Glen Canyon Dam, because we believe that the whole West must go forward. We do not take the inconsistent position that the Federal development should take place only in those parts of the West which the private utility companies have picked over and have decided that they are not for them, and, therefore, they are willing to have Federal development take place where the cost is so high that no private corporation wants to grab it.

The Idaho Power Co. and its supporters have argued vociferously against the proponents, of the high dam on the ground that Congress would never authorize high Hells Canyon even if it is the best possible project. The FPC examiner is stampeded into joining this political guessing game and thus fails to report to Congress his factual conclusions that the Federal high dam is dollar for dollar the better investment and the more ideal development of the Middle Snake. And now the minority, on the basis of the FPC decision, asks the Congress to abandon its responsibility for assuring the best use and development of the Nation's vast resources, which the Constitution has placed under its trusteeship.

When the Congress delegated to the Federal Power Commission its authority to license private hydroelectric projects, it certainly did not contemplate this kind of an Alphonse-and-Gaston act.

And, Mr. President, it needs to be pointed out that it was only the authority to license which was delegated, not the power to authorize Federal development. The FPC cannot do that. No matter what the FPC may do about private applications, only the Congress can and must exercise the judgment, and the minority's songs of praise for the Federal Power Commission cannot alter that responsibility.

It is a responsibility the Congress has exercised before and will exercise again. In this session, it has exercised it, for example, in two instances which have not been without interest to the minority—the upper Colorado project and the Fryingpan-Arkansas project.

The minority did not think the Congress too inexpert a body to judge the merits of these projects, Mr. President. And what was the evidence on which we acted? It was the testimony of the engineers and the hydrologists and the economists of the Federal Government—in many cases the identical Federal expert witnesses who for years have studied the Hells Canyon site, who have assembled the streamflow data and the economics of power in the Northwest, who have

designed the great dam itself, and whose favorable testimony for the Hells Canyon project forms the basis of the Interior Committee's report to the Senate.

Mr. President, I urge that we debate the Hells Canyon bill on the actual merits of the project. Its opponents naturally want to avoid this ground of debate. They would prefer to seek shelter behind an administrative agency. But when we vote on S. 1333, the Senate cannot escape its own responsibility for the fate of the finest multipurpose waterpower site left to our Nation. The Senate must judge Hells Canyon on its merits as a Federal project; it must judge it with the yardstick applied to other Federal projects; and by such standards, it will be unable to avoid the conclusion which FPC Examiner Costello called "inescapable": That the high dam is, dollar for dollar, the better investment and the more nearly ideal development of the Middle Snake.

Mr. President, before I conclude I wish to discuss briefly the preservation of wildlife and wilderness areas.

HELLS CANYON PRESERVES WILDLIFE AND WILDERNESS VALUES

Mr. President, few more delicate tasks confront the United States than that of developing natural resources for continuance of national strength and prosperity without impairing some of the wilderness and wildlife values so essential to our well-being.

This task is dramatically symbolized in development of the Columbia which has 40 percent of the Nation's hydropower potential and sustains a commercial fishery valued at $10 million annually and provides sports fishing and recreation for thousands of Americans.

The conflict between developing the Columbia for fish and kilowatts has raised this question: Where can power best be generated without destroying fish runs and scarring scenic grandeur? That is the issue created at Hells Canyon, because if we fail to develop the full potential of this greatest natural storage site on the continent, then pressures will increase to find the power and storage elsewhere at sites which would impair either fishery or scenic values. The blueprint of what is to come if Hells Canyon is relinquished to less than full development, is seen in the statements of governmental agencies that so-called substitute storage and power might be found at Bruces Eddy and Penny Cliffs sites on the Clearwater River; on the untrammeled Salmon River, which is the heart of the chinook spawning ground; or at Glacier View, which would invade the pristine grandeur of a great national park.

The abandonment of Hells Canyon site will definitely result in attempts to construct dams which would blockade fish runs, drown out wildlife habitat, and generally ruin and destroy irreplaceable realms of scenic majesty and outdoor enjoyments. Thoughtful custodianship of our natural resources demands that the Hells Canyon site be dedicated for full development, lest great values in fish, wildlife, and scenic grandeur be wasted for generations to come.

ADMINISTRATION SPENDS TAX MONEY FOR PUBLIC POWER—IF PRIVATE UTILITIES PERMIT

Responsible elements of the press, in good faith and on apparently ample evidence, have frequently pointed out that the present administration is opposed to public power. The record does not wholly bear out this view. True, the administration has whenever possible favored private utility corporations against local, regional, or Federal public agencies; but that is not the whole story.

The present administration favors extensive Federal, taxpayer-supported, public power projects—wherever the sites are so doubtful in quality, so low in streamflow, so high in unit cost, so far from adequate transportation and markets—in a word, so uneconomical—that no private power company would consider touching them with a 300-mile transmission line. Sites of this sort are proposed by this administration for development by the Federal taxpayers.

Hells Canyon is not such a site; it is quite the opposite. As the committee finds, Hells Canyon is the finest natural water storage and hydroelectric power site remaining in the United States. It is recommended for Federal development as a high storage dam and reservoir in the master plan for the Columbia River Basin, the 308 Report of the Corps of Army Engineers. The chief expert witness of the Bonneville Power Administration testified that addition of Hells Canyon power to the present Columbia River power system would result in an average rate of about 2.75 mills per kilowatt-hour. Similarly, the Federal Power Commission's presiding examiner found, in comparing the Federal high dam with the Idaho Power Co.'s lower project, that power from the Federal dam would cost 2.7 mills per kilowatt-hour.

This compares with 6 to 7 mills power costs at much costlier Federal developments which are backed by the administration and its spokesmen for far smaller rivers elsewhere in the West.

This administration has repeatedly favored costly Federal public-power developments, as justifiable investments of taxpayers' funds, in areas where electricity can be produced only at a cost of from 6 to 9 mills. I do not mean to disapprove all of these projects, which can play an important role in the full development of our country's available resources. But what is to be said of a policy which promotes such projects as public investments, while simultaneously raising the most captious and frivolous objections to justify the giveaway of Hells Canyon, which can generate power for 2½ to 3 mills a kilowatt-hour and help prevent floods, too?

WHOLE NATION MUST PROGRESS ECONOMICALLY TOGETHER

I am convinced that the economic progress of our whole country must be seen as a continuing whole. That has been true when Federal investment has been necessary for such essential foundations of economic development as river channels, ports, and other navigation facilities, railroads subsidized by gifts of land, and modern roads, as well as for soil conservation. It must be equally true when Federal investment is necessary for the best development and conservation of the great natural resources of the West.

Rarely has it been openly proposed to segregate from an essential Federal function the portions which offer an opportunity for private profit, and retain only the risks and the potential losses for the public.

The investment of Federal funds to furnish the essential capital foundation for western economic development is entirely consistent with our national tradition—especially where public resources such as our great rivers are concerned. The best development and conservation of these resources is in the national interest. I have joined with the majority of the Committee on Interior and Insular Affairs in supporting programs of federally financed development throughout the West in the conviction that such development is in the national interest, and that in the long run the public investment will be repaid even in marginal projects.

Others might disagree and take the position that there should be no Federal capital investment whatever; that development which cannot attract private capital must be too uneconomic to be worth while. While I cannot share such a shortsighted approach, at least it can be consistently argued in good faith. But a program which would preserve for public development only the doubtful, marginal projects, while turning over to partial, wasteful, high-cost private exploitation the richest public resources, is not a national policy; it is organized plunder.

Why should the Northwest be penalized for being blessed by the Almighty, in the Columbia River and its tributaries, with vast volumes of water and magnificient natural dam sites. The private utilities have given the go-ahead to Federal development of high-cost sites elsewhere in the West, but they have claimed the Columbia Basin for themselves—for exploitation at power rates which will forever foreclose future cheap-power-based industrial development of the Pacific Northwest.

If the utilities are thus to be permitted to call the tune for the march of western development, it will be an economic death march—not only for the Pacific Northwest, but for all the American West.

Mr. President, the administration may hope to make some political capital out of bringing about the defeat of the Hells Canyon Dam—perhaps in the Senatorial campaign to take place this year in the States of Oregon and Washington.

I am not a prophet, because only the seventh son of a seventh son can prophesy. But the people of Oregon and Washington are literate, intelligent people. They have more libraries, more schools, and more colleges per capita than do the people of almost any other part of our country. They know what is going on in the Government; they know what is going on in the Nation. They know that while the members of the Republican Party in the Senate and other spokesmen for the administration

say there is no money in the Treasury for the $310 million high Hells Canyon Dam, the same administration has aggressively taken the lead in bringing about the Federal authorization of almost $900 million worth of high-cost marginal projects in the Rocky Mountain region.

Mr. President, the people of the Pacific Northwest will have that in mind when they go to the polls in November.

Mr. JACKSON. Mr. President, in reviewing the history of the fight for the full development of our natural resources, I am reminded of A. Conan Doyle's classic tales of Sherlock Holmes. The brilliant Holmes was pitted against the evil genius, Professor Moriarty. In each tale the battle was tense and close, but in the end Moriarty was defeated and disappeared. But the next story always brought Moriarty back—in a new disguise, with a new scheme, but with the same ends in mind.

The power lobby is like Professor Moriarty. Regardless of how often their schemes are rejected, or how soundly they are defeated, they keep coming back—in a new disguise and with a new scheme.

Our debate today could well be called The Return of Professor Moriarity, for the ghost of an old antagonist has been revived and is before us, sporting a false moustache, and supporting a disguised scheme, but still the same old Moriarty nevertheless.

It must be our task, therefore, to unmask the villain, so that we can clearly recognize the issues on which a decision should be based.

Mr. President, the principle that must stand or fall on our decision is this: the comprehensive development of our water resources. Let there be no mistake about it. The attack on Hells Canyon is an attack on the principle of water conservation.

It is the same old attack, rising from the same sources, and defending the same narrow interests which have fought every effort to protect public resources.

More than 50 years ago a great President, Theodore Roosevelt, enunciated the principle of comprehensive river development. In 1901 he urged that the Federal Government undertake multiple-purpose river development too vast for private effort. And he spelled out, in 1908, the fundamental conception that every waterway should be made to serve the people as largely and in as many different ways as possible. He vetoed projects which failed to provide for the maximum development of the navigation and power. His successor, President Taft, did likewise.

The principle was established, and in 1920 was written into law. The Federal Water Power Act of that year called for the full and comprehensive development of public water resources. In 1935 this law was incorporated in the Federal Power Act, the applicable statute today.

It may seem redundant to recite this history now. We have all heard it before.

But great truths are not redundant. To repeat them is neither unnecessary nor superfluous. We should review the truths which Theodore Roosevelt clarified.

Dedication to these truths built Grand Coulee and Bonneville and Hoover Dams in the West, and the TVA in the South. Dedication to these truths has reclaimed vast areas of arid land, and has saved millions of other acres from flooding. The application of these great truths has provided low-cost power which has stimulated the creation of new industry by private enterprise.

Because of the understanding and foresight of the men who carried out these principles, we entered World War II with enough low-cost power to produce the aluminum and the airplanes, and the atomic energy and other weapons and supporting goods which enabled us to win.

It is necessary to recall this brief history. If this history were unimportant, the fight for comprehensive river development would be without consequence.

Permit me just another moment of pertinent history.

In 1927 the Congress authorized the Army Corps of Engineers to conduct comprehensive river-basin surveys and to report on them. The reports, resulting from House Document No. 308, became known as "308" reports. Since 1927 there have been more than 200 of these comprehensive river studies.

The first "308" report for the Columbia River was issued in 1932. It outlined 10 projects for the main stem of the Columbia River. One was Grand Coulee Dam. The Chief of Engineers at that time predicted that Grand Coulee Dam would meet all foreseeable power needs for 30 years, and he thought the other projects should await growth of a power market.

His estimate was wrong, and was proven more wrong by the overwhelming demands of World War II. So Congress in 1943 directed the Army engineers to review and modify the report. The result, the so-called 308 review report, was completed in 1948.

The Bureau of Reclamation had been preparing a similar plan, and in 1949 the two plans were integrated. In 1950 the resulting comprehensive plan, representing years of study by the Corps of Engineers and the Bureau of Reclamation, and endorsed by the Federal Power Commission, and other interested Federal and State agencies, was transmitted to the Congress.

The comprehensive plan called for 125 million acre-feet of storage, 32 million kilowatts of firm power, 500 miles of uninterrupted inland navigation, about 8 million acres of irrigated land, and other benefits.

The heart of the plan for achieving these objectives is in 14 key multipurpose projects comprising the main control plan. Eight of these projects were already existing, under construction, or authorized when the review report was presented. Of the remaining 6, the Army engineers and the Interior Department recommended 5, including high Hells Canyon Dam, for immediate authorization. All but Hells Canyon were authorized by the Congress in May 1950. Hells Canyon was left out only because of unacceptable reclamation provisions, which are not in the bill now before us.

With Hells Canyon not authorized, the Idaho Power Co. moved in to file an application with the FPC for a license to build a single dam at Oxbow. Approval of this proposal would have made construction of the high dam impossible.

Secretary of the Interior Chapman intervened in the FPC proceeding to oppose the low-dam project and protect the high-dam site.

The Federal Government's defense of full and comprehensive development was, therefore, assured until May 1953, just 5 months after the change in administration. Then the Eisenhower-appointed Secretary of the Interior, Douglas McKay, withdrew the Interior Department's intervention.

With conspicuous speed, the Idaho Power Co. stockholders acted the next day and approved an application—filed with the FPC 9 days later—for two additional low dams.

The Federal Power Commission subsequently commenced hearings, and both the Interior Department and the Bureau of the Budget took the position that Congress should not act on the then pending Hells Canyon authorization until the FPC had ruled on the application.

The FPC's presiding examiner recommended, on May 6, 1955, that 1 of the 3 proposed low dams, Brownlee, be licensed.

The Federal Power Commission itself did not act until the last Congress adjourned. On August 4, 1955, a few days after adjournment, the FPC made public its decision to license all three low dams.

The National Hells Canyon Association has appealed this decision, and the matter is now pending before the United States court of appeals.

At this point the Hells Canyon association deserves a word of praise. When the administration defaulted on its responsibility to protect the public interest, no champion remained to carry on the fight for the water-resource-development program contemplated in the 308 review report. It was then that individual private citizens united to form the Hells Canyon association, and dedicated themselves to saving the dam site.

The individuals who have contributed to this fight deserve our gratitude and appreciation. They can expect no personal gain from their work. No profits will go into their pockets. They can expect to share in the overall benefit to the economy which would result from comprehensive development.

It should be made clear that the expected court decision on the appeal filed by the National Hells Canyon Association in no way limits the authority of the Congress to now authorize construction of the high Hells Canyon Dam. Let there be no misunderstanding on this point.

A warning against misunderstanding the Hells Canyon issue is particularly appropriate. Surely, there has been no issue more disguised with distortions or maligned with myths.

These, Mr. President, are the principal myths:

First. The myth that the impending power shortage in the Northwest will be relieved by construction of the low dams.

Second. The myth that the taxpayer will gain if the low dams are built, and that the taxpayer will lose if the high dam is built.

Third. The myth that construction of the high dam would be a blow against free enterprise.

Fourth. The myth that the low-dam plan is best adapted to comprehensive development of the Snake River Basin. These are the excuses being offered as justification for the inconceivable waste of the low-dam development.

To go behind these myths, it is necessary to compare the two proposals for use of the Hells Canyon site. First, let me say that these proposals are not really comparable. One is designed for the single purpose of making money by providing power at a high price to consumers in a limited service area; the other is intended to develop the site for all the multiple purposes of wide public benefit which are possible. The basic point is this—the proposals are mutually exclusive. There cannot be both a high dam and a low dam on this single site.

The pending bill, of which I am proud to be a cosponsor, calls for the Bureau of Reclamation to build on this site the second highest dam in the world. It would be 722 feet from foundation to crest, or 4 feet less than Hoover Dam on the Colorado River. It would cost $308,472,000. It would have these multiple benefits:

First. Some 686,000 kilowatts of prime power produced at the site, with an additional 436,000 kilowatts of prime power from increased generation at dams downstream. This totals 1,122,000 kilowatts of prime power—steady, around-the-clock power. Bonneville Power Administration experts say this 1,122,000 kilowatts of prime power would be the equivalent of 1,461,000 kilowatts of salable firm power.

Second. Upstream storage—4,400,000 acre-feet of water storage space of which 3,880,000 acre-feet would be usable for flood control.

Third. Navigation benefits essential to the goal of a 500-mile inland navigation route from the mouth of the Columbia to Lime Point, 30 miles above Lewiston, on the Snake River.

Fourth. A tourist attraction and recreational area that would attract an estimated 500,000 to 600,000 visitors a year.

Fifth. A guaranty of 500,000 kilowatts of low-cost firm power for eastern Oregon and Idaho, in an area where low-cost power is not now available.

Sixth. Power rates approximately one-third of those at which low-dam power could be sold. These rates would make possible:

(a) Full-scale development of phosphate rock reserves (estimated at 60 percent of the Nation's supply) for production of fertilizer to serve a market from the Pacific coast to the Great Plains, and

(b) The stimulation of industry, particularly the electro-process industry, which needs low-cost power in order to make use of low-grade deposits of strategic minerals.

Seventh. Power revenues to extend irrigation in the central and upper Snake Basin.

Eighth. New industry, jobs, and payrolls, and the resulting increased corporate and personal income taxes flowing into the Treasury.

Against these multiple benefits of the high dam, what does the low-dam proposal offer? It offers these multiple drawbacks:

First. Only enough power for the company's limited service area.

Second. Rates nearly three times as costly.

Third. One-quarter the storage of the high dam.

Fourth. Less than one-half the flood-control benefits.

Fifth. Barely one-half the navigational benefits.

Sixth. One-half of the tourist and recreational benefits.

Seventh. None of the power revenues to aid irrigation projects.

Eighth. Very little or no stimulation to development of phosphate fertilizer or electro-process industries.

Ninth. Approximately one-fifth the return to the Federal Treasury in taxes.

At this point, Mr. President, I ask unanimous consent to have inserted in the RECORD a comparison of the high Hells Canyon Dam with the Idaho Power Co. plan, as the comparison appears on page 38 of the committee report.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Comparison of high Hells Canyon Dam with Idaho Power Co. Dam plan

	Hells Canyon	3 dams	Oxbow and Brownlee only [1]
Height of dam (feet)	722	205, 395, 320	
Size of reservoir (acre-feet of usable capacity)	3,880,000	1,000,000	1,000,000
Power output (prime kilowatts)	1,122,000	505,000	325,000
Construction cost	$308,472,000	$175,766,000	$119,052,000
Annual cost of power at market	$28,567,000	$27,921,000	
Cost of power at market (mills per kilowatt-hour)	2.65	6.69	
Other benefits (annual):			
Flood control	$2,300,000	$1,000,000	
Navigation	$189,000 to $230,000	$108,000	
Recreation (number of annual visitors)	500,000 to 600,000	250,000 to 325,000	
Benefit-cost ratio	2.37 to 1	[2]	
Irrigation (availability of power revenues to subsidize).	Yes	No	

[1] Although the FPC license is for 3 projects, it provides no assurance that more than 2 will ever be constructed. At p. 20 of the Opinion and Order Issuing License the Commission stated:

"If a sufficient load does not develop to justify construction of low Hells Canyon within the time limits imposed in the license, the Commission may either extend the time for construction or terminate the license for that project, whichever is in the public interest at the time the matter is under consideration."

[2] Examiner's figure, 0.91 to 1; Commission's figures, 1.29 to 1. (Annual value of power at market divided by annual cost of power at market.)

Mr. JACKSON. Mr. President, on the basis of this background we can examine the various myths which have been propounded about Hells Canyon.

The first myth, which I cited earlier, is the claim that the Idaho Power Co.'s three low dams will alleviate the power shortage in the Northwest—an area which will require 500,000 more kilowatts on the line every year from 1960 on.

Part of this fallacy is the assumption that the low-dam proposal is really for three dams.

The footnote to the above table tells the true story. The footnote reads:

Although the Federal Power Commission license is for 3 projects, it provides no assurance that more than 2 will ever be constructed. At page 20 of the Opinion and Order Issuing License, the Commission stated:

"If a sufficient load does not develop to justify construction of low Hells Canyon—

One of the low dams, Mr. President—

within the time limits imposed on the license, the Commission may either extend the time for construction or terminate the license for that project, whichever appears to be in the public interest at the time the matter is under consideration.

That footnote is extremely significant, for supporters of the low-dam scheme talk with assurance of "three dams". They keep talking of the three-dam plan as a single whole, and then compare it with the high dam. Even then the low-dam plan does not measure up to the high dam.

Not only have the advocates of the low-dam plan misled us as to the number of dams that we can be sure will be built, but they have tried to mislead us as to the amount of power the low dams will produce.

For instance, the House minority views on the Hells Canyon bill blithely assert the 3 low dams would have an installed capacity of 783,400 kilowatts—360,400 kilowatts at Brownlee, 151,000 kilowatts at Oxbow, and 272,000 kilowatts at low Hells Canyon.

But installed capacity does not mean a thing if there is not behind it the water to generate the full capacity.

The Federal Power Commission examiner estimated the 3 dams will generate only 505,000 kilowatts, and he also pointed out there is little likelihood that the third dam will ever be built. The 2 dams that could be expected to be built would produce 325,000 kilowatts.

Yet, the myth has been created that the Idaho Power Co. proposal will alleviate the power shortage in an area of the country that will require 500,000 more kilowatts on the line every year.

As a nation our power requirements are doubling every 8 years.

We cannot afford to sacrifice for all time the high dam power—686,000 kilowatts at the site, plus 435,000 kilowatts downstream, that would start coming

on the line only 5 years after construction begins—in exchange for the 325,000-kilowatt low-dam power, merely because it might be available to consumers a couple of years sooner.

Are we to be, like wasteful heirs, trading away our future inheritance for a few years' spending money? This will be our role if we fall victim to myth No. 1.

The facts are more appalling, the more we think about them. Four of the downstream dams already authorized by Congress are dependent upon Hells Canyon storage to make them more economically feasible.

With Hells Canyon storage gone, could we not expect the next attack to be against these downstream projects? The result of not building a high Hells Canyon Dam could well be not just the lost 686,000 at-site kilowatts and the 436,000 downstream kilowatts; it well could be an additional downstream loss of more than a million kilowatts at authorized projects—projects for which the Congress might refuse, on the grounds of economic unfeasibility, to appropriate funds.

The low-dam proposal would make no significant reduction in the region's power shortage. Even if it produced power excess to the Idaho Power Co.'s own monopoly-service area needs, the rates would be prohibitive. The FPC examiner called the private company's power "fancy priced." He was right. Six-mill power cannot be peddled in a 2-mill region. The Idaho Power Co.'s customers have to pay 6 mills because they do not have a choice. They buy from Idaho Power Co., or do without.

Corollary to the myth that the low-dam development will help save the Northwest from a power shortage is the charge that a high dam development will "cost" the Northwest power pool in excess of 400,000 kilowatts for 3 to 4 months, every year. I put quotation marks around the word "cost," to demonstrate the lengths to which some supporters of the low-dam plan will go to sell their case.

During the summer months the high dam would be storing water for the winter low-water, high-peak period. During this time, something more than 400,000 kilowatts of power from the Northwest power pool would be wheeled into Idaho and eastern Oregon, to meet the guaranty in this bill for 500,000 kilowatts of firm power the year around for that area.

But the power to be shipped into the Oregon-Idaho area during those months is power that would not be used otherwise. The whole point is that during these months the rest of the Northwest power pool generating system is capable of producing more power than is needed. By selling to the Oregon-Idaho area, power that otherwise would go unused during these months, we can stop generation at Hells Canyon, and can store the water to be released during low-water periods to meet winter peak loads.

This storage accomplishes the collateral purpose of flood control. This water we propose to store 3 or 4 months a year is a part of the water that now ends up in the basements of homes along the lower Columbia.

In summary on this point, a major concept involved in the high Hells Canyon Dam is to balance the Snake's storage against the Columbia's summer runoff. We propose to trade surplus summer kilowatts for scarce and valuable winter kilowatts.

The second great myth of the propagandists is that the taxpayer will get soaked if the Federal Government builds a high dam.

Just the other day the New York Chamber of Commerce charged that a high Hells Canyon Dam would cost the Nation's taxpayers $508 million to build and that the taxpayers of New York State, alone, would have to "divvy up" $76 million.

How many times is it necessary to say that all our multipurpose dams involving generation of power are ahead of schedule in paying back Uncle Sam—with interest.

The record of our great multipurpose projects paying their own way has pretty well discredited this type of argument.

But there is another part of the myth that requires some discussion. This is the claim that if the Federal Government builds the dam the United States and State Treasuries will lose vast sums of taxes.

Both the majority and minority agree that the Idaho Power Co.'s development of Hells Canyon will result in between 9 and 10 million dollars each year in taxes to the State and Federal Treasuries.

These figures stand in weak contrast to the estimated $45 million a year in Federal income and corporation taxes and $3 million annually in local property taxes that would result from the high dam.

To understand the tax contribution of the high dam, it is necessary to take into account the new taxable wealth which low-cost Federal power would create.

The Senate committee report on the Hells Canyon bill concludes, on the basis of expert testimony, that power from the high dam would create 35,000 jobs in manufacturing, another 35,000 jobs in service industries, and would create new industrial production of $700 million annually in the Pacific Northwest.

Parenthetically, let me assure Senators of this: These will not be Government jobs nor Federal employees. The Federal Government does not propose to mine our Pacific Northwest deposits of tungsten and manganese and ilmenite, nor process it. The Federal Government does not propose to manufacture the phosphate rock into fertilizer. The Federal Government is not going to farm the reclaimed lands.

Neither will private power monopolies do these jobs!

All this will be done by private enterprise and private individuals on the basis of opportunity created by a large new source of low-cost power from the high dam.

The estimates of how many new jobs and how much increase in the volume and value of our manufactured products and how much more in taxes will flow into our State and National Treasuries as a result of the high dam have not been grabbed out of thin air. They are based on past experience with the growth of new industry side by side with the growth of low-cost public power.

Permit me to cite an example.

Between 1940 and 1951 the electroprocessing industry settled and grew in the Northwest, producing nearly $1½ billion worth of aluminum, magnesium, chlorine, caustic soda, ferroalloys, carbon and the like. From 1940 to 1951 these plants paid an estimated $73 million in Federal income and excess profits taxes. Local property taxes exceeded $200 million. Wage earners and salaried employees in this new industry, alone, paid an estimated $13 million in Federal income tax on their earnings. And the industry has been growing steadily every year since 1951.

The impact of these new factories has stimulated markets and business throughout the Nation.

Mr. President, the figures purporting to show that the private development of Hells Canyon will return vast sums of money to the United States and State Treasuries in taxes do not take into account the Idaho Power Co.'s pending application for a fast tax writeoff.

Only a few months after last summer's favorable FPC ruling the Idaho Power Co. applied for tax amortization certificates for 2 of the 3 low dams. The fact that it applied for a fast tax writeoff for only two of the dams, incidentally, is a direct indication from the company that it never intends to build the third dam.

The fast tax writeoff, if granted, would save the company taxes which, invested at average rates, would put a $338 million windfall profit in the pockets of the company during the next 50 years—more than the cost of the high Federal dam.

This is sheer irony. The company bases its application for license on the grounds that it will pay large amounts in taxes into the Federal Treasury. With the license in hand, it immediately starts trying to avoid paying these taxes be applying for the fast tax writeoff benefits.

There is a nice theory behind the fast tax writeoff which the Office of Defense Mobilization still, years after the original wartime purpose has ended, is authorized to grant private businesses. The theory is that private enterprise must be given incentive to provide additional power—or whatever the product might be—which is necessary to national defense, and which otherwise might not be produced.

Not once in its hearing before the FPC did the Idaho Power Company attempt to sell its case for the low dams on the basis of contributions to the national defense. The reason for this is, of course, that there is no defense justification for the Idaho Power Company plan. The low dams would produce, at best, half of what the high dam will contribute to the region's power supply, and at rates which would put it out of the reach of defense industry.

A number of Senators and Representatives from the Northwest, including myself, have made a very strong protest to the Office of Defense Mobilization

against granting the Idaho Power Company the Tax Amortization Certificates.

I am glad, though, that the power company has now brought up the subject of national defense. While it is clear the low-dam proposal has virtually nothing to offer in the way of national defense, the defense implications of the high Federal dam are clear—abundant cheap power that will stimulate the electroprocess industries; the development of mineral deposits valuable to defense in which the Northwest abounds, but which for lack of low-cost power remain largely untapped. The minerals must be developed in this age of airpower.

The Pacific Northwest, for example, has considerable deposits of ilmenite, from which is produced the new metal, titanium, which in turn goes into our jet engines.

Aluminum is well known as a kilowatt-eater. It takes 10 kilowatts per pound to produce finished aluminum. But it takes 19 kilowatts per pound to produce titanium—titanium which is absolutely vital to national defense.

We also have deposits of tungsten, copper and manganese—all important to national defense.

I might say further that we may be sure that the Soviet Union is not standing still in developing its hydroelectric potential. The Soviets recently boasted that three new hydroelectric projects each will have greater capacity than Grand Coulee Dam. As the committee report emphasizes:

> There is no underdevelopment in Russia.

Mr. President, the third great myth about Hells Canyon says the low-dam plan has met and passed the test of comprehensive development of the Snake River.

This myth has been perpetrated on us by the Federal Power Commission, itself. I cannot help but note the reliance of both Senate and House minority reports on the FPC's finding that the low-dam plan "is best adapted to a comprehensive plan of development."

I certainly would join with them in supporting the low-dam proposal if, indeed, this were true.

But wishing does not make it so.

The FPC conclusion is completely without substantiation. As a matter of fact, the FPC's findings constitute one of the best cases I have ever seen for the high dam.

But the FPC has concluded the low-dam plan is best, so the minority accepts this as fact and further asserts the law has been complied with. But has the FPC complied with the law? The applicable statute is the Federal Power Act and the pertinent parts are sections 7 (b) and 10 (a).

Section 7 (b) reads:

> Whenever, in the judgment of the Commission, the development of any water resources for public resources should be undertaken by the United States itself, the Commission shall not approve any application for any project affecting such development, but shall cause to be made such examinations, surveys, reports, plans, and estimates of the cost of the proposed development as it may find necessary, and shall submit its findings to Congress with such recommendations as it may find appropriate concerning such development.

Section 10 specifies that all licenses issued by the FPC shall be on the following conditions:

> (a) That the project adopted, including the maps, plans, and specifications shall be such as in the judgment of the Commission will be best adapted to a comprehensive plan for improving or developing a waterway or waterways for the use of interstate or foreign commerce, for the improvement and utilization of waterpower development, and for other beneficial public uses, including recreational purposes.

And what did the FPC find? It found that the high dam would provide more effective flood control, more usable storage, more power, cheaper power, more navigation benefits, more recreational benefits. It found that the high dam would provide revenues to finance irrigation, make possible more extensive development of phosphate resources and stimulate the electroprocess industry.

These are the findings of the Federal Power Commission on which it based its decision to license the Idaho Power Co. low-dam plan, on which it found the low-dam plan "best adapted" to comprehensive development.

The minority reports in both the House and Senate make much of the fact the FPC conducted hearings over the period of more than a year, accumulated 20,000 pages of testimony, and amassed some 400 documents before reaching its decision.

Apparently the minority thinks that the more testimony and evidence the FPC disregards, the better is its decision.

Somebody please tell me, on the basis of the FPC's own findings, how the low-dam plan is "best adapted to a comprehensive plan."

Whose comprehensive plan? The Idaho Power Co.'s comprehensive plan for making money at the expense of real free enterprise and the public interest, including national security? Certainly not the comprehensive plan set forth by the Army engineers and the Bureau of Reclamation.

Let there be no doubt as to what is the comprehensive plan for the Columbia Basin, including the Snake. It is the comprehensive plan spelled out by the Army engineers and the Bureau of Reclamation. The Supreme Court, in 1953, referring to the Army engineers' comprehensive plan for another river basin, declared:

> Congressional approval of a comprehensive plan can be read, as we think it should be in this case, simply as saying that a plan such as that here, recommended by the Corps of Engineers for the fullest realization of the potential benefits of the river basin, should be accepted by the Commission as the comprehensive plan to be used in the application of these statutory provisions.

And if the main control plan, as I have outlined it at the outset of my remarks, is not the FPC's conception of a comprehensive plan, where is the FPC's substitute? Mr. President, the low-dam proposal approved by the FPC is a comprehensive plan for underdevelopment. The only uncertainty is the exact degree of underdevelopment.

Mr. President, I hold that the FPC was not established by Congress to indulge in fiction. Nor was it established to indulge in political considerations. It was set up to advise Congress on how best to develop water resources to the public's advantage.

Mr. President, I think I know how and why the FPC reached the decision it did. The examiner, who established so clearly the superiority of the high dam in meeting the tests of comprehensive development and public purposes, knew what kind of a decision could be expected from the FPC and he provided the excuse for the decision. Said the examiner:

> The likelihood or absence of likelihood of authorization of and appropriation for development by the United States of particular water resources are factors which, with propriety, may be taken into consideration in arriving at a decision as to whether or not to recommend under section 7 (b) development of water resources by the United States, itself.
>
> Even assuming that substantial benefits would accrue to the people of the United States by Federal development of the Hells Canyon site on the Snake River, and that such benefits would exceed by a substantial amount those to be conferred by development under private auspices, there is no reason to assume that if a recommendation of Federal development were to be made under section 7 (b) by the Commission, that development of these water resources would be undertaken by the United States within a foreseeable time.

Here is the nub of the matter. I must compliment the examiner for certainly recognizing the political complexion of the decision the FPC was about to make. His words speak for themselves—the high dam is best, but some excuse must be concocted for not recommending it.

Mr. President, this is the first time I have heard of an FPC examiner basing his decision on a political guess as to what Congress might or might not do. This is a brandnew device concocted to permit a political decision that could not be made on the facts.

Mr. President, I say it is not the FPC examiner's job, and not the job of the FPC, to tell Congress what it might or might not do.

The FPC has made a mockery of the law and of the Congress of the United States. It has said this Congress will not support Federal development of a multipurpose project when the merits of the case plainly call for it.

I certainly do not think Congress should be flattered by the FPC's judgment of its sense of duty, and if I were a member of the minority I would not be proud to associate myself with this judgment of my colleagues.

Mr. President, a great effort has been made to characterize this issue as a fight between free enterprise and the Government. This is, perhaps, the greatest myth of all.

First, let us examine what the power interests call free enterprise. The Idaho Power Co., as an example, is licensed by the Government to use public property in a way which, by its very nature, must constitute a natural monopoly. It furnishes power to consumers in a defined service area. The rates charged for this service are set by a public-utilities commission and, by law, the rates must be

sufficient to pay the company's operating expenses, including all taxes—and the company's anti-Government advertising—and above all else to guarantee a 6-percent profit.

This description makes clear what the Idaho Power Co. is: It is a regulated public utility, like the telephone company or a city transit system. It must necessarily be so because of the essentially monopolistic nature of its operation. It has no competition. The customer has no choice but to use its service.

It is ludicrous for such a regulated utility to compare itself with the corner grocery store, and then to justify its demands for an unreasonable extension of its monopoly privileges on the ground that it is a competitive free-enterprise business.

Mr. President, I have no quarrel with the regulated utilities. Their operation follows long-established principles and has been extremely successful. They are performing essential services. In my own State private utilities are right now building dams which will generate new power for their consumers. They are doing a proper job of developing power resources and I am certainly not opposed to their operations. They are not attempting to exploit a great multiple-purpose site by partial development. They are building dams on sites which are primarily suitable for power development and, therefore, should be utilized by private utilities or local public utilities. The construction of such dams in no way impairs full development of our water resources.

The construction of the high Hells Canyon Dam would actually benefit the Idaho Power Co. and its consumers. The Idaho Power Co. itself would market power from Hells Canyon at a guaranteed profit in its service area.

Mr. President, the high Hells Canyon Dam will mean this to my own State of Washington: Flood control for the towns and farms along the Columbia; better transportation for the Palouse farmer; and additional vitally needed power. The additional power which will be fed into the Northwest power pool and marketed by the Bonneville Power Administration is vitally necessary to meet the growing needs of existing industry. It will provide support for new industries yet to come to my State of Washington and our sister States of Idaho and Oregon.

All this will mean new wealth to the Pacific Northwest. But the prosperity created by this development would by no means be limited by regional or State lines. The wealth of Hells Canyon is no more limited to Idaho than the prosperity created by the TVA is limited to Tennessee; it is no more limited to the Northwest than the benefits of the St. Lawrence Seaway are limited to the Northeast.

These great developments contribute to a national prosperity which Senators on both sides of the aisle are proud to point out.

Mr. President, the issue before us is simply this: Comprehensive river development versus underdevelopment or partial development. One proposal is a scheme to make some quick money. The other is a part of a carefully planned effort by an alert Government to meet the needs of its people.

I think we established, at the outset, the well-recognized responsibility and obligation of the Government, as first set forth by Teddy Roosevelt, to develop our waterways to the maximum.

Please understand, also, that I do not believe in Federal monopolization of power development. But neither do I believe that selfish private power monopoly interests should be allowed to hinder the Government in its proper role of developing multiple-purpose sites.

A little more than a year ago, on this very Senate floor, our beloved and distinguished late colleague, Alben Barkley, said:

> My attitude in regard to the development of our waterways indicates no opposition to private utilities. I am interested in their success. We all know that no private utility can develop a river valley. It cannot afford to undertake such a gigantic task. A private utility will build a dam in order to create power for a local purpose.
>
> A private utility has stockholders who look to it for dividends. Therefore, a private utility will build a dam in order to create power for a local purpose, but in the very nature of things we cannot look to private utilities to develop a great system in any great river valley in the United States.

Can anyone find any quarrel with this great statement? I do not, and neither do I find fault with the succeeding portion of his remarks that day.

> It is, however, quite possible for the Government of the United States and for private utilities to work together in cooperation in developing these great valleys for the benefit of both the public and the utilities.

Mr. President, this must be our goal—a goal which cannot be reached if the Hells Canyon site is lost. A defeat for Hells Canyon would not be merely a defeat for this single project, it would be a lasting blow to the very principle of conservation. It would destroy our dream of river valley development just as we are recognizing the magnitude of its benefits.

The legislation before us must pass. To neglect this responsibility would cause a tragic and irrevocable loss.

Mr. President, I yield the floor.

Mr. MAGNUSON. Mr. President, first of all, I wish to compliment my colleague on his very fine presentation of the matter in controversy. I think he brought out some points which needed to be brought out in regard to the Hells Canyon project, and I wish to associate myself with his remarks. Mr. President, I shall have more to say on the subject tomorrow, but I desire now to turn to another matter.

The PRESIDING OFFICER. The Senator from Washington has the floor.

PERIODIC SURVEY OF NATIONAL SHIPBUILDING CAPABILITY

Mr. MAGNUSON. Mr. President, the minority leader has asked me to have action taken on a House amendment to a bill, S. 3705, which came from the Committee on Interstate and Foreign Commerce. It is a technical amendment, merely to the title.

Mr. WATKINS. Mr. President, may I inquire what is the subject matter of the bill?

Mr. MAGNUSON. It is a bill under the terms of which the Secretary of Commerce will make a periodic study of the national shipbuilding capacity. The title was incorrect, and the Senator from California is vitally interested in it and wished to have the title amended.

The PRESIDING OFFICER (Mr. BIBLE in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 3705) to require periodic survey by the Chairman of the Federal Maritime Board of national shipbuilding capability, which was to amend the title so as to read: "An act to require periodic survey by the Secretary of Commerce of national shipbuilding capability."

Mr. MAGNUSON. Mr. President, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

INCREASING IMPORTS OF OIL

Mr. CARLSON. Mr. President, I again want to call the attention of the Senate to the ever-increasing imports of foreign oil.

Total imports in the latest 4-week period averaged 1,376,000 barrels daily, compared with 1,096,500 in the like period a year ago.

These imports continue to increase despite the fact that the Congress, when it extended the Reciprocal Trade Agreements Act, wrote into it a provision that the imports of foreign oil should be based on a percentage of the current production.

During the past few weeks, I have had many letters from Kansas stressing the fact that these oil imports are seriously affecting the development and production of oil in our State.

If the present rate of imported oil continues to increase in volume, I am confident that the Congress will want to take some very definite action in the next session.

I ask unanimous consent that the short article which appeared in the Oil Daily, Thursday, July 12, 1956, be made a part of these remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TOTAL OIL IMPORTS FOR 4 WEEKS HOLD 25.5 PERCENT OVER YEAR EARLIER

Imports of crude and products in the 4-week period ended July 6 held 25.5 percent, or 279,500 barrels daily, above the level of the like year-earlier period, due to average increase in receipts of both crude and residual fuel.

Total imports in the latest 4-week period averaged 1,376,000 barrels daily, compared with 1,096,500 in the like year-ago period.

Total imports in the week ended July 6 averaged 1,425,800 barrels daily, a gain of 179,400 or 14.4 percent, from the average of 1,246,400 in the preceding week, and compared with an average of 1,240,600 in the like year-earlier week.

Total receipts of crude in the latest 4-week period averaged 968,900 barrels daily, up 192,400, or 22 percent, from the average of 794,400 barrels daily in the like period of 1955.

Imports of residual fuel in the 4-week period averaged 380,500 barrels daily, up 108,600, or 39.9 percent, from the average of 271,900 in the like 1955 period.

Combined receipts of other petroleum products in the 4-week period ended July 6 averaged 22,200 barrels daily, compared with a daily average of 30,200 barrels in the like year-earlier period.

Average receipts of distillate in the period were 6,200 barrels daily, compared with 5,300 in the like year-earlier period; asphalt imports averaged 14,300, compared with 10,300, while receipts of other petroleum products were off to 1,700 barrels daily from an average of 14,600 in the like year-ago 4-week period, according to the report of the American Petroleum Institute.

HELLS CANYON DAM

Mr. LEHMAN. Mr. President, we are told there is a right way and a wrong way to do things. To do things the right way requires the knowledge of what the right way is, and it also requires the will to apply that knowledge.

Applied to the problem of developing our river basin resources, our knowledge today is at a very advanced stage, as becomes a Nation that prides itself on its technical know-how. I wish it were possible to add that our will to apply that knowledge is in proportion.

Many areas in the world provide examples of the fates of nations which did not apply their knowledge of water resources utilization. The once lush irrigated valleys of the Tigris and Euphrates were permitted to erode and decay, until they could barely support nomadic tribes. Recent archelogical discoveries in the Negev Desert of Israel show that there were elaborate irrigation works in that area in ancient days. The irrigation works were abandoned, and the area was reclaimed by the sands of the desert. Today, water again flows through irrigation pipes and lush vegetation has overspread the sand in many parts.

In the other areas of the world, including our own country, the wanton cutting of trees denuded forests and brought erosion to vast stretches of formerly fertile land.

In this country today we have available a body of river basin and water resource utilization technology which has grown and matured for many decades. One of the crucial concepts in the evolution of our techniques of river basin development was that of the unity of all resources, and of the compatibility of their development. A great former Governor of my State of New York, Theodore Roosevelt, first gave expression to this concept and lent great impetus to the comprehensive development of the resources of our river basin. This concept embodied essentially two elements. One is the principle that water resources should be developed to their utmost; the other principle, in the words of Teddy Roosevelt, states that "each river system, from its headwaters in the forest to its mouth on the coast, is a single unit and should be treated as such." He was the first to see that the various water uses—navigation, flood control, power, prevention of soil erosion, and domestic water supply—far from being in conflict, could "often be made to assist one another."

The recognition of this concept gave the right direction to our river basin work. It remained for structural and electrical engineers, aided by many other related professions, to discover the best physical works to carry out these principles.

Gradually the engineers devised better and stronger dams. They learned to build them to greater heights; they designed intricate irrigation works. Each time they took a new step forward, the cynics expressed disbelief, opposed the particular project as fantastic, and later discovered that not only could it be done, but that it also worked, and brought great economic benefits. Thus gradually this country has won a worldwide reputation for its river-basin engineering. Visitors come from far and wide to study, or merely to see, some of the proudest examples of this technology in the United States. Our engineers are sought after all around the world.

This Nation, with the help of its engineers, has learned to plan river-basin development in the right way. We have the knowledge. Have we the will?

Congress has shown that it has the will, at least sometimes. We have authorized the huge Colorado River Basin plan. The Senate voted to authorize the redevelopment of the Niagara River in my own State of New York. There is another project—Hells Canyon—now before Congress, on which the will to apply our knowledge is to be tested.

Pooling our cumulative engineering knowledge, the Army engineers in 1948 completed a comprehensive plan for the Columbia River Basin. This plan reflected years of work and the fruits of years of practical experience at Hoover Dam and at many other existing successful projects. Yet since 1950 Congress has demonstrated no will whatsoever to carry out the work on this master plan. The plan would utilize the resources of the Columbia Basin to its utmost. It would assure that the various water uses would be made to assist one another, thus carrying on the principles enunciated by Teddy Roosevelt.

The plan for the Columbia is of bipartisan origin, as are most of our major efforts in the resource conservation field. Begun in the late twenties, a first so-called 308 report was drawn up in 1931. The current master plan, the so-called 308 review report, drew on the work of its predecessor, but applied the knowledge gained in the decade following the preparation of the earlier plan.

It provided for flood control, combined with power, navigation, recreation, and domestic water supply. Based on exhaustive investigations, this plan applied our best engineering know-how.

The next project work which is needed to carry on the design of the plan is the Hells Canyon Dam, now before the Senate in S. 1333. The same great engineering organizations which designed Hoover Dam and the upper Colorado River storage project laid out the basic plan for Hells Canyon Dam. They used the same skills on that project as they are now applying in new hydroelectric projects around the world at the request of many foreign governments.

Hells Canyon Dam is an essential element in the comprehensive plan for the Columbia. Construction at the same site of a lesser project will destroy this carefully contrived master plan. It will reject and discard the years of work that highly skilled technicians have devoted to this project. It will abrogate our faith in our own technique of comprehensive river basin planning. It would show a lack of will to do the job in the Columbia Basin in the right way.

The many engineers in the Bureau of Reclamation and the Army Corps of Engineers who spent long years to produce the best possible plan for the Columbia, and to design the best possible dam for the Hells Canyon of the Snake River, must feel a great sense of frustration at the reluctance of the Senate to endorse their work. They must wonder whether perhaps in the future they should devote their talents to rivers like the Nile or the Zambesi, or to rivers in the Soviet Union, rather than to our own Columbia River and its tributaries. In nations abroad there is great competition for the skilled services and the bold designs of the engineers who have conceived these high-dam plans.

Will the civilizations of countries like Egypt, Northern Rhodesia, and the Soviet Union sometime in the future look back on the United States with the same archeologic nostalgia which we feel when we think of the disintegration to the old civilizations which formerly irrigated the Tigris-Euphrates Basin, and the Negev? Pointing to evidence of our magnificent technological relics, our posterity may well wonder why the Americans lost the will to apply their know-how.

It is not enough to develop the resources of one section of the country in the right way, while permitting the wrong way to govern in other sections. We in New York are not selfish; we want to help other sections of the country to utilize their water resources as fully as we insist that the water resources of our State be developed. The same high standard should govern our river-basin engineering in every watershed of this Nation. This standard should be based simply on our best engineering science. It has nothing to do with politics.

Comprehensive river-basin develop- was nonpartisan. The great leaders of both parties have brought it to the present high state of advanced technology.

Let us again remember the words of Theodore Roosevelt who, as Governor of the State of New York, warned us:

> Do not give up your waterpower for a promise of quick development. We are poor citizens if we allow the things worth most to get into the hands of the few.

Let us carry on the nonpartisan American tradition which has brought us the admiration of the world. Let us carry on the comprehensive plan for the Columbia River Basin by authorizing the high Hells Canyon Dam.

New York State will gain no immediate, direct profit from the development of Hells Canyon. Like many other areas of the Nation, however, New York will profit from the increased development and prosperity of the Pacific Northwest,

as it will from the development and prosperity of every other section of the Nation. The prosperity of the Pacific Northwest and all other areas of the Nation will insure the prosperity of my beloved State of New York, too.

The people of New York State, Mr. President, I am certain, favor the public development of the resources of Hells Canyon; and I support the plan which is now before Congress with the utmost confidence and with great enthusiasm. I hope the bill will be passed by the Senate and by the House of Representatives.

Mr. MORSE. Mr. President, tonight I shall make my major argument in presenting my case in chief in support of having a high dam at Hells Canyon; but before I turn to my argument, I wish to express my very deep appreciation to the Senator from New York [Mr. LEHMAN], to the junior Senator from Washington [Mr. JACKSON], and to my colleague [Mr. NEUBERGER], for the three exceedingly able speeches which they made in support of the Hells Canyon Dam bill now pending before the Senate.

In my more than 11 years' service in the Senate, I have fought for the development of the maximum resource potential of the streams of the United States, and Hells Canyon Dam is but a part of that fight. But I want to say, Mr. President, when I sit and listen, as I just did, to the great Senator from the great State of New York make what I consider to be a national argument in the national interest, for the welfare of all the people of our country, it warms my heart.

When we are talking about the development of the maximum potential of the natural resources of our country, we are not talking about a regional problem, as the Senator from New York so well brought out in his eloquent speech. When we are talking about the development of the maximum resource potential of the Snake River and the Columbia River, we are also talking about the development of the maximum economic opportunities of the people of the State of New York, because, the increase in wealth production which will necessarily ensue from such development will help American industry as a whole.

I have been heard to say before, and I say it again tonight, Mr. President, that if we are really going to protect the best economic interests of our country for our generation and for future generations, then we must cast aside narrow regionalism and sectionalism, and recognize the totality of the economy of the United States.

So as I discuss this great natural resource problem tonight, I wish to lay down the major premise which is basic to my philosophy in the whole field of the development of natural resources and their conservation, not only for our generation, but for future generations. It is a very simple, but sound premise, Mr. President: It is that each generation is but the trustee of God's gift in the form of natural resources. In my judgment, we have the profound moral obligation to see that we leave those natural resources for the next generation in a better condition than that in which we found them.

In the case of every natural resource issue which has come before the Senate since I have been a Member I have tried to apply this trustee doctrine to it. I applied it in the case of the upper Colorado project. I applied it again the other day in the case of the so-called Arkansas-Fryingpan project. I am proud of the fact that my record, during my 11 years in the Senate, is a record of consistent support for the development of the natural resources of our country, wherever located, for the benefit of all the people.

The second premise I wish to lay before the Senate, by way of introduction to this argument in presenting my case in chief in support of the Hells Canyon Dam bill, Mr. President, is the premise that I do not favor a monopoly of power developments by the Federal Government of the United States.

Many of my critics constantly seek to misrepresent my position on this matter, Mr. President, by undertaking to leave the impression that, because I have fought for a high dam at Hells Canyon, I am therefore in favor of a Federal monopoly of electric power development. Such is not the case, and yet the denial of it apparently must be repeated over and over again in order to check the misrepresentation.

As I have said many times, and as I repeat tonight, I shall give my support to any private utility in the building of a low-head dam at a low-head dam site; but I shall oppose a private utility that seeks to develop a low-head dam at a site which in effect prevents full use of a great multipurpose site which ought to be preserved not only for our generation, but for the benefit of future generations of American boys and girls.

One of the reasons I have fought as I have during my terms in the Senate in support of the Hells Canyon high dam is that I have felt that in making that fight, I, in my small way, have tried to keep faith with the statesmanship and leadership of the great George Norris who preceded us in the Senate, in fights he made in support of the same case we are supporting on our side of the proposition in the Senate tonight. because it was Norris and McNary and Dill and Hiram Johnson and La Follette and a group of other bipartisan Senators, Republican and Democrat alike, who fought to save Grand Coulee, when, in my opinion, an identical scheme was then attempted to scuttle Grand Coulee by private utility combines which were seeking to build a low-head dam at Kettle Falls, and they almost got away with it.

This group of bipartisan Senators—and the record of their activities is perfectly clear—went to the White House, which was then occupied by Franklin D. Roosevelt, and pointed out what the scheme of the private utilities was. With the assistance of Franklin D. Roosevelt, they succeeded in preventing the scuttling of the great Grand Coulee dam site. The result was the economic and security insurance provided by the majestic Grand Coulee Dam—the greatest economic and security ally we had in World War II, in the sense that without it we would not have been able to make the progress we have made with the atomic energy program, and without it we would not have had the aluminum production so essential to superiority in the air in the momentous contest for the very life of our Nation during World War II.

Mr. President, I cannot escape the fact that the result of the Idaho Power Co.'s attempt to build these smaller dams would be exactly the same as the one those bipartisan Senators and President Franklin D. Roosevelt prevented from occurring when the private utilities wanted to scuttle Grand Coulee Dam. In my judgment, the building by the Idaho Power Co. of a dam which would prevent the subsequent building of a high dam at Hells Canyon would be a great disservice not only to our generation, but also to future generations of Americans. I have said in Oregon, I have said in the Senate, and I now repeat, that the Idaho Power Co. will have my cooperation in building low-head dams, provided it does not seek to build a low-head dam at a multiple-purpose dam site; and the Hells Canyon dam site is the greatest remaining multiple-purpose dam site on this continent.

Mr. President, I raise my premise of trusteeship. I say—as Norris and his colleagues made crystal clear in the record of statesmanship which they established on this very floor, on this natural-resource issue—that, in my judgment, on this issue, we should not walk out on our moral obligations to future generations of American boys and girls. We should say, here and now, that in the great Pacific Northwest, public power and private power can operate successfully, and at a profit to the private utilities, as well as to the people of the Nation, by way of repayment over the years, into the Treasury of the United States, of many times the cost of these projects, from the returns from the power which will be sold.

Of course, Mr. President, I have also taken the position that there is a third premise which I believe to be particularly applicable to my section of the country, in the case of the development of power, by both private and public groups. That is the pooling of the power.

Mr. President, some persons have not agreed with me on this point; but I have never been one to oppose the idea of having a great multiple-purpose dam built at Hells Canyon and a reasonable contractual relationship worked out with the Idaho Power Co. for a supply of that power to serve the customers of the Idaho Power Co., of course with the understanding that the Idaho Power Co. would join the Northwest Pool operation, that the Idaho Power Co. would be willing to enter that pooling arrangement, so that all power—that developed by the private utilities and that developed by the public utilities—would be placed in a common pool. In my opinion, in the long run that would be the most economic way of handling the power. I believe that in the long run it would be to the financial advantage of the private utilities; and, Mr. President, I am certain that it gives the greatest assurance of

maintaining the cheap power rates which are so essential to the economic expansion and building up of the economic productive power of the great Northwest.

Mr. President, I have made these comments by way of introduction, because I know the misrepresentation that is made about my position in connection with so-called public power development. Again, Mr. President, I deny that I am in favor of a Federal power monopoly. I am in favor of having the Federal Government and the private power utilities work together, under a pooling arrangement, in the development of the maximum power resources of the Pacific Northwest.

MAXIMUM DEVELOPMENT VERSUS WASTE OF RESOURCES: THE ISSUE AT HELLS CANYON

Mr. President, Hells Canyon Dam is is the only project in the C–2, or 1960–70 phase of the main control plan for the Columbia River Basin which has not yet been authorized by the Congress.

The bill before us today, S. 1333, would authorize this project. I should like to point out how this great dam fits into the main control plan and is, in fact, the key to the future of the plan.

Through construction of 15 major multiple-purpose projects, the main control plan will harness the water of the Columbia Basin to prevent disastrous floods, to generate power for home and industry, to provide new arteries of commerce, and to add to the wealth of the people of the Northwest and of the Nation.

The main control plan was the fruit of many years of study, by the Congress, by the United States Army Corps of Engineers, and the Bureau of Reclamation. It could be considered quite properly to be a fruit of President Theodore Roosevelt's determination to consider each of the rivers in the United States as a unit, to be developed as a whole, from its source in the mountains to its outlet in the sea.

THE RESOURCE PRINCIPLES OF THEODORE ROOSEVELT

That we must preserve the wealth of our rivers for the benefit of all was recognized before the turn of the century, in section 7 of the River and Harbor Act which became law on September 19, 1890. The act provided that—

It shall not be lawful to build any wharf * * * dam * * * or structure of any kind * * * in any navigable waters of the United States where no harbor lines are or may be established, without the permission of the Secretary of War, on any * * * navigable river, or other waters of the United States, in such manner as shall obstruct or impair navigation, commerce, or anchorage of said waters, and it shall not be lawful hereafter to commence the construction of any * * * works over or in any * * * navigable river, or navigable waters of the United States, under any act of the legislative assembly of any State, until the location and plan of such bridge or other works have been submitted to and approved by the Secretary of War.

Shortly after the introduction of central-station electric service in our country, the energy in our rivers became attractive to the mushrooming electric utility industry, and by 1901 Congress was obliged to make some provision for such use of the waters, already being cognizant of the fact that the people must be protected from piecemeal exploitation of their water resources. In 1901, the Secretary of the Interior was authorized by law to issue revocable permits for power development on public lands and reservations.

The General Dam Act of 1906 was a milestone in the evolution of comprehensive resource development. It became law only after a bitter struggle, in which President Theodore Roosevelt led the way in protecting the public interest.

In his first message to Congress in 1901, this far-sighted President, who might be called the "father" of comprehensive water resource development, declared that, "The forest and water problems are perhaps the most vital internal questions of the United States."

How appropriate to the present issue of Hells Canyon were these declarations, also part of Teddy Roosevelt's first message to Congress:

Great storage works are necessary to equalize the flow of streams and to save the floodwaters. There construction has been conclusively shown to be an undertaking too vast for private effort. Nor can it be best accomplished by the individual States acting alone. Far-reaching interstate problems are involved; and the resources of single States would often be inadequate. It is properly a national function, at least in some of its features. It is as right for the National Government to make the streams and rivers of the arid region useful by engineering works for water storage as to make useful the rivers and harbors of the humid region by engineering works of another kind. The storing of the floods in reservoirs at the headwaters of our rivers is but an enlargement of our present policy of river control, under which levees are built on the lower reaches of the same streams.

The Government should construct and maintain these reservoirs as it does other public works. Where their purpose is to regulate the flow of streams, the water should be turned freely into the channels in the dry season to take the same course under the same laws as the natural flow.

T. R. OPPOSED GIVEAWAYS

President Theodore Roosevelt's historic veto in 1903 of the Muscle Shoals giveaway laid the groundwork for the subsequent enactment of the General Dam Act of 1906. He pointed out that—

The recent development of the application of waterpower to the production of electricity available for use at considerable distances has revealed an element of substantial value in streams which the Government is or is liable to be called upon to improve for purposes of navigation, and this value, in my judgment, should be properly utilized to defray the cost of the improvement. Wherever the Government constructs a dam and lock for the purpose of navigation there is a waterfall of great value. It does not seem right or just that this element of local value should be given away—

And, Mr. President, Theodore Roosevelt understood the "giveaway," and used the words "given away" in this famous message of his.

I shall repeat the beginning of the sentence:

It does not seem right or just that this element of local value should be given away to private individuals of the vicinage, and at the same time the people of the whole country should be taxed for the local improvement.

In concluding that veto message, he declared:

I think it is desirable that the entire subject of granting privileges of the kind referred to in this bill should be considered in a comprehensive way and that a general policy appropriate to the new conditions caused by the advance in electrical science should be adopted under which these valuable rights will not be practically given away, but shall be disposed of after full competition in such a way as shall best conserve the public interests.

President Theodore Roosevelt's leadership in the field of comprehensive resource development was demonstrated also in his appointment of the Inland Waterways Commission, assigned the task of evolving "a comprehensive plan designed for benefit of the entire country" and the National Conservation Commission. The latter reported that "broad plans should be adopted providing for a system of waterway improvement extending to all uses of the waters and benefits to be derived from their control, including the clarification of the water and abatement of floods for the benefit of navigation; the extension of irrigation; the development and application of power; the prevention of soil wash; the purification of streams for water supply; and the drainage and utilization of the waters of swamp and overflow lands."

The Commission's report was approved by the Joint Conservation Conference, attended by governors of 20 States and Territories, representatives of 22 State conservation agencies, and 60 national organizations, in addition to representatives of Federal agencies. The conference noted that in addition to approving the report, "we also especially approve and endorse the proposition that all the uses of the waters and all portions of each waterway should be treated as interrelated."

It was this kind of nationwide concern for the public interest in resource development, translated into legislation and approved by the Congress, which resulted in a provision in the General Dam Act—

That when, hereafter, authority is granted by Congress to any persons to construct and maintain a dam for water power or other purposes across any of the navigable waters of the United States, such dams shall not be built or commenced until the plans and specifications * * * have been submitted to the Secretary of War and Chief of Engineers for their approval.

Later, when the General Dam Act was amended, in 1910, President Roosevelt insisted upon this provision:

That in acting upon said plans as aforesaid the Chief of Engineers and the Secretary of War shall consider the bearing of said structure upon a comprehensive plan for the improvement of the waterway over which it is to be constructed with a view to the promotion of its navigable quality and for the full development of waterpower.

POWER COMPANY PROPAGANDA

During recent weeks, there have been expensive advertisements with a picture appearing in many national magazines, of a workman who presumably is saving

the taxpayers money by building the Brownlee Dam of the Idaho Power Co. The picture, part of a paid advertisement of "America's Independent Light and Power Companies," exemplifies to me the shortsighted versus the long-range approach to water resources, in conflict today just as they were in the early 1900's. I believe that in the eyes of those early pioneers of river-basin planning, as in mine, the Idaho Power Co. is not saving the taxpayers money, but rather attempting to frustrate comprehensive planning for the Columbia River Basin, both with respect to its navigable quality and in the full development of waterpower.

COMPREHENSIVE DEVELOPMENT

One of the most widely quoted statements of President Theodore Roosevelt is that "each river system, from its headquarters in the forest to its mouth on the coast, is a single unit and should be treated as such."

In this one sentence, I believe, is summarized the national water policy which this Nation has followed since the turn of the century. In calling for comprehensive planning of our water resource development, President Roosevelt also noted in a message to Congress that "no plan once underway should be changed except for grave reasons."

Mr. NEUBERGER. Mr. President, will the senior Senator from Oregon yield?

Mr. MORSE. I will say to my colleague that in order to meet the time schedule which confronts us tonight, and as a matter of courtesy to other speakers on the other side, who have delayed their speeches presenting their case in chief on this subject, I shall decline to yield until I finish my speech, and until my colleagues have had an opportunity to present their speeches. Then I shall be glad to subject myself to any cross-examination which any Senator wishes to put me through on this subject.

I think this is the proper place to make a very brief comment on the procedural problem which confronts us. We have a unanimous-consent agreement that, beginning tomorrow immediately after the morning hour, there will be a limitation of debate. We all know that we could not make our cases in chief under that unanimous-consent agreement. The time limitation is too restrictive.

Through the cooperation of both the majority leader and the minority leader time has been made available to us tonight to present our so-called closing major arguments on the Hells Canyon Dam issue.

It is also true that during the past few years the CONGRESSIONAL RECORD contains a rather exhaustive record of our respective positions on this issue. I consider this speech of mine tonight pretty much a summary of the position I have taken over the years on this question. I think it is particularly fitting, under those circumstances, that we try to conform to what I think is a matter of parliamentary courtesy tonight, each one of us finishing his speech without interruption. Then, if any Senator wishes to subject us to cross-examination, he can do so at a later hour.

I hope my colleague will not consider me guilty of discourtesy in declining to yield to him. I have said to the majority leader that I would go through with my speech, so that other Senators could make their speeches, and that if there should be any cross-examination, it could come later.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. WELKER. Is it fair to say that the distinguished author of the bill and the Senator from Idaho made an agreement that we would not interrupt each other during the presentation?

Mr. MORSE. Yes. The Senator from Idaho called my attention to the fact that in one of his major speeches yesterday he felt that it was in the interest of continuity that his speech be made without interruption. I agree with him that that was a very reasonable position to take, and we agreed that that would be our position here tonight.

I do not think there is any doubt the fact that the two speeches will be so obviously in conflict with each other that we could not make the conflict any clearer by engaging in colloquy.

Mr. WELKER. I think that is correct.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. WATKINS. I think it will be agreed that neither of us would be able to convert the other.

Mr. MORSE. I have no hope—and I am disappointed by that fact—of being able to convert my good friend from Utah. I feel very sad about it, because he converted me with respect to the upper Colorado project. I thought he was as right on that subject as a man could be, and I have never seen any difference between the objectives of the upper Colorado project and the Hells Canyon Dam objectives.

However, the Senator from Utah has been able to see some difference. Either I suffer from myopia or he does. I know that I would not be able to convert him tonight.

Mr. WATKINS. I am just as sad over the prospect that I shall not be able to convert the Senator from Oregon.

Mr. MORSE. I hope we shall meet at some future time other than on a plane of sadness.

Returning to the thesis I was developing, I had quoted what I consider to be a very famous statement by President Theodore Roosevelt on the problem which I think is involved in this discussion. He said:

> Each river system, from its headwaters in the forest to its mouth on the coast, is a single unit and should be treated as such.

As I have already stated, I believe that in this one sentence is summarized the national water policy which this Nation has followed since the turn of the century.

In calling for comprehensive planning of our water resource development, President Roosevelt also noted in a message to Congress that "no plan once under way should be changed except for grave reasons."

TAMPERING WITH MAIN CONTROL PLAN

What is involved at Hells Canyon is an attempt to make a major change in a river basin plan. If the small-dam scheme of the Idaho Power Co. is substituted for the Federal high dam which we seek to authorize, the Nation will lose 3 million acre-feet of flood and power storage and at least half a million kilowatts of electric energy, losses which necessitate further changes in the main control plan.

Are there grave reasons for this critical change in the plan? I think not. And none have been cited.

There is a certain gravity in the coming into power of an administration which withdrew from its responsibility to save the Hells Canyon gorge for full development.

Yes, a grave situation has been created, but one which points to a change in leadership rather than a change in our natural resources policy, which has survived the coming and goings of many Federal administrations.

The natural resources policy of this administration is one of the main reasons why I stand on this side of the aisle in the Senate of the United States tonight. When the natural resources plank of the Republican platform was adopted at the 1952 Republican convention, I knew that my then party sought to take me back far beyond the days of Theodore Roosevelt, and was making a liberal out of McKinley.

I have always taken the position that the welfare of the people of the country must come before party. I insist that if one is going to be true to his conscience, and if he is going to live up to his responsibility of statemanship, when his party walks out on the people of his country, it is his duty to walk out on his party.

I did that, Mr. President, with no regrets.

I am glad I am not in a position where I have to try to defend the natural-resources program of the Republican Party. That program under this administration has walked out not only on the boys and girls of this generation, but also on the boys and girls of generations yet to come, for decades and decades ahead.

When we come to this point, we come, I think, to the crux, to the great difference between the two parties on the subject of natural-resource development.

This administration, by the position it took in 1952 in its platform of that year, in my judgment, walked out on the development of the maximum potential of the natural resources of the United States.

A great many people do not understand me in this matter. They cannot understand that when the point is reached where a man's conscience tells him he cannot go along any further in trying to change a political course of action of his party, he then has the duty, as Woodrow Wilson made it so clear, to leave the party, because under those circumstances to stay in the party, as Wilson said, a man would have to be either a knave or a fool.

I stood with my conviction on the subject of natural resource-development.

I do not mean to say, Mr. President, that that was the sole cause for the political course of action I followed. I happen to be the kind of person, however, who is perfectly willing to let future events and the voters of my State be the judge of whether I was right in keeping faith with the principle of trusteeship that is so fundamental and vital to my political policy and philosophy.

By doing it, Mr. President, I at least attempted to walk in the footsteps of the great George Norris, of Nebraska. He, too, found it was incompatible to follow the reactionary Republican natural resources policy of his party at the time. He, too, left the party, as his writings show, in part, at least, because he no longer could go along with the natural-resource program of his party which he felt broke faith with the trusteeship that each generation owed to future generations in regard to the protection and development of the country's natural resources.

EXAMPLE OF WILLIAM HOWARD TAFT

Therefore, I wish to say that not only can we look to a great Republican President, Teddy Roosevelt, for a sound decision, as my sights give me to see it, on the subject of natural resources, but President William Howard Taft, in vetoing a bill to permit a private power company to build a dam on the White River, in Arkansas, declared that since a series of Federal dams were under construction downstream, "to introduce a diversity of title into a series of dams which may all become eventually a part of a single improvement directed at the same end would, in my opinion, be highly objectionable."

A more famous Taft veto involved a proposed development on the Coosa River by the Alabama Power Co. President Taft told the Senate in 1912 that the Coosa bill "presents a typical case of a river where its development by the Federal Government for navigation should go hand in hand with its development for water power."

President Taft suggested in his veto message that Federal development of power on rivers being improved for navigation purposes "may in time greatly reduce the swollen expenditure for river improvements which now falls wholly upon the general taxpayer."

It is the comprehensive plan that is involved here rather than the diversity of title which concerned Presidnt Taft. At no time has the Idaho Power Co. or any other private interest proposed the construction of a single high dam at Hells Canyon, as envisioned in the main control plan.

It is the sacrifice of the plan, the loss of the resource, which gives urgency to our action in authorizing the high dam. If the Federal Government fails to build the dam, no one will build it.

Congress wrestled with the question of comprehensive river development through the years of World War I, and the war itself brought to the forefront the need for hydroelectric power. President Woodrow Wilson, in 1917, presented to Congress a draft of a Federal water-power bill which ultimately became the Federal Water Power Act of 1920.

PRINCIPLES OF FEDERAL POWER ACT

That act provided for a Federal Power Commission composed of the Secretaries of the Army, the Interior, and Agriculture. The legislative history of the 1920 act shows that it was the intent of Congress to provide for non-Federal river development, but at the same time to protect the public interest.

Senator Jones, chairman of the Senate Committee on Commerce, while discussing the legislation which became the Federal Power Act, made a statement which is pertinent to the Hells Canyon issue. He said:

> It will thus be seen that under the terms of the act the Federal Government has, through its Commission, the first right to develop any of the water powers under its jurisdiction. Should the Federal Government elect not to do so, then States and municipalities are accorded a preference right to licenses on even terms over citizens, associations of citizens, or corporations.

In the Hells Canyon decision of last August, the Federal Power Commission elected to give away the great Hells Canyon damsite to the only private bidder without regard for the first right of the Federal Government.

It might well be said that the company was low bidder—for it offers less water storage, less flood control, less power, less recreation, and imperils fish and wildlife conservation. The administration has consistently favored, advocated, and worked for the permanent waste of Hells Canyon by handing it over to this low bidder. Only Congress can assert that first right, and the opportunity to do so is now before us.

The purpose of the Act of 1920 was summed up by Senator Henderson, of Nevada, when he said that:

> The purpose of the law as finally enacted was not mere investigation, but the making of plans for actual construction, upon which appropriations could be asked and made to actually build the works and do the things which the plan showed were necessary to be done, in any and every flood-menaced valley, and to make available for beneficial use for every practicable purpose, the standardized flow of all the rivers of the country.

The language of the Federal Power Act of 1920 required that whenever in the judgment of the Federal Power Commission the "development of any project should be undertaken by the United States itself," the Commission shall not approve "any application for such project." This language was changed in 1935, as many Senators will recall, to require that whenever, in the judgment of the Commission, "the development of any water resources for public purposes should be undertaken by the United States itself", the Commission shall not approve any application "affecting such development."

A key provision of the 1920 Act was that specifically requiring that the project adopted be that best adapted to a "comprehensive scheme of improvement and utilization for the purposes of navigation, of water power development, and of other beneficial public uses."

The Federal Power Commission, in its Hells Canyon decision, has distorted this principle in order to justify approval of a plan providing the lesser navigation benefits, little more than half the water-power development, and barely one-fourth of the water-storage benefits.

Historically, the comprehensive approach moved ahead in 1925, when Congress directed the United States Army Corps of Engineers and the Federal Power Commission jointly to prepare and submit an estimate of the cost of surveying those navigable streams "whereon power development appears feasible and practicable." The purpose of the estimate was to formulate "general plans for the most effective improvement of such streams for the purposes of navigation and the prosecution of such improvement in combination with the most efficient development of the potential waterpower, the control of floods, and the needs of irrigation."

THE 308 REPORTS

The appraisal was submitted to Congress in 1927 and printed as House Document No. 308, and during that same year Congress, in the River and Harbor Act, authorized the prosecution of the surveys by the Corps of Engineers. Upon this historic foundation rests the main control plan for the Columbia River Basin, which was contained in an 8-volume report of the Corps of Engineers in 1948 and a 2-volume report of the Bureau of Reclamation in 1947. The two reports were blended into a 1949 agreement between the Secretaries of the Army and the Interior.

Essentially, the comprehensive plan for development of the Columbia River and its tributaries has four principal objectives which need to be studied in this debate:

First. The elimination of major floods by providing about 125 million acre-feet of flood storage;

Second. The development of approximately 32 million kilowatts of firm power, an inland navigation system 500 miles long, and more than 8 million acres of newly irrigated land.

Other objectives are the development of recreation and fish resources and mineral resources.

THE MAIN CONTROL PLAN FOR THE COLUMBIA BASIN

The Federal Government has completed phase A and phase B of the main control plan, with phase C–2 scheduled for completion in the early 1960's. With the completion of phase C–2, the Columbia Basin would have 27 million acre-feet of storage for flood control and other purposes, 12 million kilowatts of installed generating capacity, and substantial completion of the 500-mile navigation channel.

In order to give a complete picture of the main control plan, I would like to list the major projects planned for completion by early 1960 under the plan, noting the progress which has been made on each project.

Bonneville Dam, on the Columbia River, was authorized by the Rivers and Harbors Act of 1935, went under construction in 1934, and commenced generation of electricity in 1936.

Grand Coulee Dam, the world's largest man-made structure, also on the Columbia, was authorized in the same act,

was under construction in 1934, and generated its first electricity in 1941.

Hungry Horse Dam, on the South Fork of the Flathead River, was authorized in the Hungry Horse Dam Act of 1944. Construction started in 1945 and generation began in 1952.

McNary Dam, on the Columbia, was authorized by the act of 1945 and construction got underway in 1947. First generation was accomplished in 1953. Of 4 other dams authorized in the Rivers and Harbors Act of 1945, only 1, Ice Harbor Dam, is now under construction, having commenced last year. Ice Harbor is on the Snake River, as are Lower Monumental, Little Goose, and Lower Granite, all authorized in the same act but not yet under construction.

Chief Joseph Dam, on the Columbia, was authorized by the Rivers and Harbors Act of 1946. Started in 1949, Chief Joseph generated its first power last year and is still under construction.

Albeni Falls Dam, on the Pend Oreille River, was authorized by the Flood Control Act of 1950, got underway in 1951, and was completed in 1955.

The great Libby Dam, in Montana, also was authorized by the Flood Control Act of 1950. The Libby site on the Kootenai River is considered by many to be one of the finest in the Columbia Basin; however, its construction cannot get underway until agreement is reached with Canada with respect to Canadian lands which would be flooded by a section of the proposed Libby Reservoir.

John Day Dam, on the Columbia, was authorized by the same 1950 act. Construction has not yet begun at John Day. Not even the planning has been completed.

At the Dalles Dam, on the Columbia, work began in 1952 and is continuing. The Dalles also was authorized by the 1950 act.

HELLS CANYON ONLY DAM IN PLAN UNAUTHORIZED

Hells Canyon Dam alone, of the 15 planned for the C–2 phase, remains unauthorized. And yet, as I mentioned earlier, the feasibility of the lower Snake River dams, one of which already is under construction, is largely dependent upon water storage upstream at Hells Canyon.

An earlier plan of the Corps of Engineers, the so-called C system of projects, preceded the present C–2 plan. It is significant that a high dam at Hells Canyon on the Snake River was included in the C as well as the C–2 phase, as a key project in the overall development of the Columbia Basin.

HELLS CANYON WATER STORAGE

Nearly a third of the Columbia Basin's potential power lies in the Snake subbasin, and Hells Canyon is the only storage project in the series of dams envisioned for the Snake River. Hells Canyon is expected to contribute about one-seventh of the C–2 flood-control objective and upon the high dam depends nearly 500,000 kilowatts of prime power which would be added to other dams downstream.

Efforts have been made in the past to secure authorization for the Hells Canyon Dam, as a key project in the main control plan. However, in the past Congress approached the issue with the comfortable assumption that the decision could be made by a future Congress.

URGENT NEED FOR ACTION

This 84th Congress is faced with decision under terms of extreme urgency. If we do not act before adjournment this year, the site, the dam, and the comprehensive development of the Snake River may be lost forever.

It has taken this Nation half a century or more to come to full realization of the meaning of full and comprehensive resource development. Theodore Roosevelt pointed the way many years ago, and Congress through the years has developed a resources policy which has brought both tangible and intangible benefits to the entire Nation, not merely to isolated regions.

This policy is being tested in the Senate today. Our action to save Hells Canyon for the Northwest and the Nation will be a logical forward step in the bipartisan policy of conservation which we have been following through the 20th century.

Our failure to act could mean the beginning of the end. The destruction of a policy which has evolved out of the foresight of Presidents and legislators alike in past years could be effected in a single day, should S. 1333 go down to defeat.

The superiority of the high dam is clear. Based upon the testimony of the experts of the Bureau of Reclamation, some of the findings of the Federal Power Commission examiner which were not overruled by the Commission and by the findings of the Interior Committees of both House and Senate, the following table and summary show precisely how high Hells Canyon dam means full development of the great natural resources and how the Idaho Power Co.'s scheme means perpetual waste of that irreplaceable source.

GREATEST REMAINING DAMSITE

The proposed Federal Hells Canyon Dam would make maximum use of the greatest remaining dam site in the United States. Every person in the country has an immediate and direct interest in Hells Canyon, for it is a natural resource which belongs to all the people of the Nation. This great multipurpose dam means defense strength and economic health to benefit the whole Nation in addition to the immense importance of its benefits to the people of the Pacific Northwest.

Each Member of the Senate has a grave responsibility in voting upon Hells Canyon. A future flood, which the records show will take place in the Columbia basin, which Hells Canyon could reduce, will be the responsibility of those who oppose the high dam. A future defense emergency which Hells Canyon power could avert, will be the responsibility of those who oppose the high dam. Failure to develop the rich phosphate fertilizer resources of Idaho, which Hells Canyon power alone would avert, because of its cheapness, will be the responsibility of those who oppose the high dam.

COMPANY DAMS CANNOT BE REPEALED

In most cases, a bad law can be repealed. But loss of Hells Canyon, if unreversed by the courts, cannot be repealed and the inadequate company dams will stand for at least 50 years as immovable testimony to partisanship. I believe that the voters will repudiate such narrow motivation. But, political consequences are not the reckoning to fear. It is the dreadful physical consequences and their impact upon the potentialities of a whole region that are the true wages of defeating Hells Canyon, if that is what will come to pass. It is history, not mere political fortune, that will inexorably judge those who decide the fate of Hells Canyon and the Columbia Basin.

I am making my plea tonight to repudiate the policies of the Idaho Power Co. in respect to this great controversy which involves the question whether there shall be constructed a high dam at Hells Canyon or the small dams as proposed by the Idaho Power Co.

As the Senator from Washington [Mr. JACKSON] pointed out so ably in his speech a few moments ago, we have no assurance that three dams will be built by the Idaho Power Co. It is a very interesting commentary that all the propaganda in this controversy has concerned itself with three dams to be built by the Idaho Power Co. There is no assurance that three dams will be built. There is no assurance that two dams will be built.

A license has been granted, with certain conditions attached thereto, authorizing the Idaho Power Co. to build three dams; but it is interesting to note that they are not required to do so.

That leads me to make some comments about the policies and the practices of the Idaho Power Co., because I have become accustomed to the tactics of that company.

VIOLATION OF CRIMINAL LAWS BY IDAHO POWER CO.

I shall discuss for a few minutes the chronology of some of the legal action which has been taken against the Idaho Power Co., because, in my judgment, the Idaho Power Co. tonight stands as a corporation which is guilty of a violation of the criminal laws of the State of Oregon and the criminal laws of the United States. I have no right to make such a serious charge without offering some proof, so I now proceed to document my charge as to the criminality of the Idaho Power Co. I turn first to the chronology of the Oregon legal action in regard to the Idaho Power Co.

During the 1930's Oregon passed a hydroelectric act to protect its hydroelectric resources from private exploitation and to permit easy coordination between the Federal river program and the State's objective to protect its power and fish resources against private monopoly.

In July 1947 Idaho Power Co. applied for a preliminary permit to investigate 1 dam, at Oxbow, and a 16,000-cubic-feet-per-second water right therefor.

In September 1947 the Oregon Hydroelectric Commission held a hearing on this application. No action thereon has ever been taken.

On May 21, 1954, Idaho Power Co. filed applications for permission to build Brownlee and low Hells Canyon Dams before the Oregon Hydroelectric Commission and to be granted a right of 24,500 cubic feet per second of the river's flow for the operation of the dams. No action has even been taken upon these applications.

In December of 1955 the Oregon Hydroelectric Commission set hearings for January 20, 1956, on the Brownlee and low Hells Canyon applications.

On January 20, 1956, hearings were held at Baker, Oreg., on applications for Brownlee and low Hells Canyon Dams. The Oregon State Fish and Game Commissions protested the low-dam applications. No action has ever been taken upon these applications.

At hearings on January 20, 1956, Idaho Power Co., through its contractor, declared it had started construction at Brownlee Dam. The date of the start is identified in the press of the area as immediately after January 1, although materials movement and investigation work was noted as early as December 1, 1955.

At hearings on January 20, 1956, a motion was placed before Oregon Hydroelectric Commission that the commission cite the Idaho Power Co. for criminal violation.

OPINION OF OREGON ATTORNEY GENERAL

On February 29, 1956, Oregon Attorney General Robert Thornton issued an opinion to Representative Bob Steward, of Baker County, that Idaho Power Co. was in criminal violation of the Oregon Code, and by communication on the same date he so advised the district attorney of Baker County. In my judgment, our attorney general is completely right as a matter of law.

In May 1956, the district attorney presented the matter to the Baker County grand jury. The grand jury heard witnesses, including Representative Steward. The report of the grand-jury action has never been made public.

On July 16, 1956, United States Senator JAMES E. MURRAY, chairman of the Senate Committee on Interior and Insular Affairs, after he had read an editorial published in the East Oregonian, which I shall place in the RECORD in a moment, telegraphed Circuit Judge Forrest L. Hubbard for information within the bounds of judicial propriety relative to the case.

On July 16, 1956, Circuit Judge Forrest L. Hubbard, of Baker County, replied to Senator MURRAY, the chairman of the committee, as follows:

In answer to your wire this date there has been no unwarranted delay in any criminal matter pending before this court. I am not permitted under the laws of this State to furnish you with any information as to what may have occurred before the grand jury nor what action may have been taken with reference thereto, if any, until it has become a matter of public record. Any person furnishing such information is in contempt of court.

REPORT COMPANY INDICTED BY OREGON GRAND JURY

On July 10, 1956, the East Oregonian, a newspaper published in Pendleton and having the largest circulation in the eastern part of Oregon, carried the following editorial comment:

It has been an open secret for some time that a Baker County grand jury has returned an indictment against the Idaho Power Co.

Idaho Power Co. has a Federal license to build dams in the Hells Canyon stretch of the Snake River. But it does not have authority in the State of Oregon.

Last year Representative Bob Steward, of Baker, got an opinion from Oregon's attorney general, Robert Y. Thornton, that it would be a criminal act for Idaho Power Co. to start work without an Oregon license. The attorney general then referred the case to Baker County for investigation. Subsequently, a Baker County grand jury heard the testimony from Steward and others. The grand jury is reported to have returned an indictment. It was, however, sealed and was not made public.

Will it ever see daylight?

I have no comment to make on what may or may not have happened in the Baker County grand jury; but I should like to say that I agree with the attorney general of our State in the opinion that under the Oregon law the Idaho Power Co. had no right, on the Oregon side of the river, to proceed with any construction until it had a license from the appropriate Oregon authorities. The Idaho Power Co., flouting the Oregon law, and proceeding in defiance of State law, proceeded with the building, as is shown on the picture in the rear of the Chamber, with the Brownlee Dam on the Oregon side of the river.

COMPANY VIOLATED FEDERAL LAW WITH SMALL DAM PROJECT

But that is not its only questionable act, Mr. President. I now want to turn to the United States Code, and I cite the applicable provisions of that code under title 33, namely, sections 401, 406, 413, 525, and 533.

Mr. President, I ask unanimous consent that those sections of the United States Criminal Code may be printed in the RECORD at this point in my remarks.

There being no objection, the sections of title 33, United States Code, were ordered to be printed in the RECORD, as follows:

IDAHO POWER CO.—CONSTRUCTION OF THE BROWNLEE BRIDGE

APPLICABLE PROVISIONS OF THE UNITED STATES CODE—TITLE 33

SEC. 401. It shall not be lawful to construct or commence the construction of any bridge, dam, dike, or causeway over or in any port, roadstead, haven, harbor, canal, navigable river, or other navigable water of the United States until the consent of Congress to the building of such structures shall have been obtained and until the plans for the same shall have been submitted to and approved by the Chief of Engineers and by the Secretary of the Army.

* * * * * *

SEC. 406. Every person and every corporation that shall violate any of the provisions of sections 401, 403, and 404 of this title or any rule or regulation made by the Secretary of the Army in pursuance of the provisions of section 404 of this title shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding $2,500 nor less than $500, or by imprisonment (in the case of a natural person) not exceeding 1 year, or by both such punishments, in the discretion of the court.

* * * * * *

SEC. 413. The Department of Justice shall conduct the legal proceeding necessary to enforce the provisions of sections 401, 403, 404, 406, 407, 408, 409, 411, 549, 686, and 687 of this title; and it shall be the duty of United States attorneys to vigorously prosecute all offenders against the same whenever requested to do so by the Army or by any of the officials hereinafter designated.

* * * * * *

SEC. 525. (a) The consent of Congress is granted for the construction, maintenance, and operation of bridges and approaches thereto over the navigable waters of the United States, in accordance with the provisions of sections 525–533 of this title.

(b) The location and plans for such bridges shall be approved by the Chief of Engineers and the Secretary of the Army before construction is commenced, and, in approving the location and plans of any bridge, they may impose any specific conditions relating to the maintenance and operation of the structure which they may deem necessary in the interest of public navigation, and the conditions so imposed shall have the force of law.

* * * * * *

SEC. 533. Any person who fails or refuses to comply with any lawful order of the Secretary of the Army or the Chief of Engineers issued under the provisions of sections 525–533 of this title, * * * or who otherwise violates any provisions of said sections shall, upon conviction thereof, be punished by a fine of not to exceed $5,000 or by imprisonment for not more than 1 year, or by both such fine and imprisonment.

Mr. MORSE. Mr. President, I shall now state the chronology of the Idaho Power Co.'s actions in regard to the Federal law.

On January 3, 1956, an amended application for permission to construct a bridge across the Snake River at Brownlee was filed with the Corps of Engineers and the Secretary of the Army.

On January 9, 1956, the construction of the bridge was commenced.

January 20, 1956, was the end of the period for the filing of objections to the granting of a permit for the construction of the bridge. Hearings on the application were held at Walla Walla, Wash.

On March 10, 1956, I wrote a letter to the Attorney General of the United States, pointing out the violation, in my opinion, of the United States Code by the Idaho Power Co.

On May 8, 1956, I received a letter from Assistant Attorney General Warren Olney, admitting the criminal violation by the Idaho Power Co.

On May 18, 1956, the application by the Idaho Power Co. was approved by the Chief of Engineers and the Secretary of the Army.

COMPANY DEFIED FEDERAL LAW

Now, let me point out that this company, obviously in a concerted attempt to rush through some construction, because it thought it might help it in an argument in its favor when the Hells Canyon Dam bill came before the United States Senate, in open defiance of the Federal law, proceeded to build the Brownlee Bridge. When it did so, it violated the criminal law of the United States. Mr. Olney, of the Department of Justice, admits it. Listen to this letter. I read it into the RECORD:

MAY 8, 1956.

DEAR SENATOR MORSE: This is in reply to your letter to the Attorney General dated March 10, 1956—

Mr. President, I shall start the letter over in a moment. I only say in passing, it is very interesting that I should write a letter under date of March 10, and get a reply under date of May 8, when the letter was of an emergency nature, in that it raised a question as to whether or not the Idaho Power Co. was in criminal violation of the Federal Code. But I return to the letter, and shall now read it:

DEAR SENATOR MORSE: This is in reply to your letter to the Attorney General dated March 10, 1956, calling attention to the construction of a bridge by the Idaho Power Co. across the Snake River without the approval of the plans and location by the Chief of Engineers and the Secretary of the Army, and requesting to be advised as to the action the Department intends to take to enforce the law.

As your letter states, the commencement of the construction of this bridge without prior approval of the plans by the Chief of Engineers and Secretary of the Army is a violation of title 33, United States Code, section 401, for which criminal sanctions are provided. We therefore requested the Chief of Engineers to furnish us with a report concerning any violation of section 401. In response we received a letter dated April 25, 1956, from the Honorable Wilber M. Brucker, Secretary of the Army. He advises that an application had previously been made for the approval of the plans, that there is no objection to the bridge from the standpoint of navigation, that there is no legal objection to the approval of the application at this time, and that but for the circumstance that construction had been commenced there could be no reason to withhold approval. His letter also states that the Idaho Power Co. had demonstrated a willingness to comply with the law, that there is no evidence of willful violation, and that he does not recommend that any action be taken to compel removal of the bridge or to impose any penalty.

While title 33, United States Code, section 413, provides that the Department of Justice shall conduct the legal proceedings necessary to enforce the provisions of section 408, that section contains the somewhat unusual but, nevertheless, binding provision that, "[I]t shall be the duty of district attorneys of the United States to vigorously prosecute all offenders against the same whenever requested to do so by the Secretary of War or by any one of the officials hereinafter designated." Since the interested Government agency does not recommend prosecution, no such action is contemplated.

Sincerely,

WARREN OLNEY III,
Assistant Attorney General.

I desire to dwell a bit on this letter from the Assistant Attorney General. In the letter he speaks about the building of the bridge not being a "willful violation." Mr. President, take a look at the picture in the rear of the Chamber and the size of the bridge. It is a massive construction. It was not an accidental violation. It was not an unknowing violation. Mr. President, the Idaho Power Co. knowingly and willfully built the bridge after it filed an application for a permit, but before the protest period expired let alone without the required license.

Mr. President, they can be charged with the knowledge of the law, and the law prohibits just such conduct as they engaged in, and the law provides criminal sanctions for such conduct.

Mr. President, I will tell you what my interpretation is. The Idaho Power Co. got caught; and when it was pointed out to them that it was caught in its own wrongdoing, it let all the time lapse from the date notice was served on them in my letter of March 10 as to the criminal conduct of the Idaho Power Co.

Mr. President, I am not going to surmise as to what happened. Let the dates speak for themselves. The fact is that after they were caught, between that time and May 8, when Mr. Olney replied to me, they worked out with the Army engineers an approval of the bridge, because Mr. Olney wrote that at that time the Army engineers had no objection to the bridge.

Mr. President, that has nothing to do with whether or not the people of this country are going to be protected from the criminal depredations of a corporation or an individual. What do you think would happen, Mr. President, to some lowly citizen who was in violation of the criminal law? Do you think he would be excused on the ground that somebody had come to the conclusion he did not think it was a very serious matter, or that he was willing now to approve of his criminal conduct? It only goes to show what I consider to be the whole social attitude of the Idaho Power Co. in this attempt on their part to take advantage not only of this generation, but of future generations, by the very selfish course of action which it has followed in this matter.

ILLEGAL BRIDGE FOR PROJECT BUILT BEFORE PROTEST PERIOD EXPIRED

I want the Senate to keep in mind that the bridge was started on January 9, 1956, which was before the end of the period for filing objections to the granting of a permit for the construction of a bridge. The construction of the bridge was started before the period for filing objections to the construction of the bridge had elapsed. Will anyone tell me that was not a willful violation? While I do not charge the Idaho Power Co. officials with being nonreaders—they can read—in view of the chronology of the matter and the date sequences, in my judgment it adds up to a rush act. It adds up to an act of trying to rush through some construction, even though both the Oregon law and the Federal law were violated, to such a stage that it could be said, "Well, at least part of it is an accomplished fact. What shall we do now?"

I am perfectly willing to let any court apply the law of damages to determine what damages, if any, should accrue to the Idaho Power Co. if the Hells Canyon Dam bill is passed and there is a stoppage of the work at Brownlee. That is what we have a court system for.

No one needs to shed any crocodile tears over the poor Idaho Power Co. if it is damaged in any way by a bill which seeks to protect the interests of future generations of Americans. The courts of law will give it the damages to which it is entitled.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, a statement I released under date of March 12, 1956, in which I discussed the letter to which I have previously referred, which I had sent to the Department of Justice.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ATTORNEY GENERAL ASKED WHAT HE PROPOSES TO DO ABOUT ALLEGED VIOLATION OF LAW BY POWER CO.

Senator WAYNE MORSE, Democrat, of Oregon, in a letter to Attorney General Brownell, called attention "to a situation which in all likelihood constitutes a flagrant violation * * * of the United States Code" by the Idaho Power Co. in building a bridge in connection with its dams in the Hells Canyon area without the approval of the Secretary of the Army required by law.

He pointed out that the office of the Assistant Chief of the Army Engineers had informed him that no approval for the bridge over the Snake River had been given at the very time that reports from the area were that the Idaho Power Co. had almost completed the bridge.

In his letter, Senator MORSE also wrote that it seems clear that the company commenced operations on the bridge before the January 20 closing date for protests on the application.

Senator MORSE's letter quoted the applicable sections of the code which makes it unlawful "to construct or commence the construction of any bridge * * * over * * * any navigable river" without such prior approval of the Chief of Engineers. Violation is a criminal misdemeanor punishable by fine and removal of the structure by court order. The statute places responsibility upon the Attorney General to institute proceedings.

The letter closed: "I request that you institute an investigation of this matter. Please advise me at the earliest possible moment of what action you propose to take to enforce the law."

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a release I issued on May 11, in reply to a letter I received from Mr. Olney.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

SECRETARY OF THE ARMY AND DEPARTMENT OF JUSTICE CONDONE IDAHO POWER CO. VIOLATION OF LAW

"Secretary of the Army Brucker and the Department of Justice have condoned the unlawful action of the Idaho Power Co. in building a bridge without the license required by law," Senator WAYNE MORSE, Democrat, Oregon, asserted today.

"The law and the facts are clear. Title 33, section 401 provides 'it shall not be lawful to construct or commence the construction of any bridge * * * over any navigable river * * * until the plans for the same have been submitted to and approved by the Chief of Engineers and by the Secretary of the Army.'

"Assistant Attorney General Olney has just written me: 'As your letter states the commencement of the construction of this bridge without prior approval of the plans by the Chief of Engineers and Secretary of the Army is a violation of title 33, United States Code, section 401 for which criminal sanctions are provided.' However, Secretary Brucker has advised the Justice Department that because the Army has no objection to the bridge as such, he recommends against any action under the law.

"This is further proof of the administration's favoritism toward private utilities and the Idaho Power Co. plan to scuttle the high Hells Canyon Dam. Brucker's action is open

approval of an unlawful action. Thousands of American citizens and companies seek to do perfectly lawful things for which licenses are required, but suffer severe penalties if they begin before the license is obtained. A motorist who does what the Idaho Power Co. has done could find himself in jail.

"Apparently the law means little to this company and even less to this administration if it means dealing with illegality on the part of a private utility."

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, an article entitled "What the United States Is Losing," written by Roscoe Fleming, and published in the Denver Post of July 11, 1956.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHAT THE UNITED STATES IS LOSING

(By Roscoe Fleming)

We need to put a money value on our national natural resources, if only so that the people may realize how much of their public wealth is being given away or dissipated.

Imagine the Southwest without Hoover Dam, or the Northwest without the Grand Coulee, or the Southeast without TVA. How much is Hoover worth? How much the Grand Coulee? How much the TVA system? Let nature or an enemy blow any one, and what do we lose? Billions of dollars in each instance.

This is because great multipurpose structures, wisely placed, have unlocked the golden door to development of public treasure beyond price—which could never have been developed otherwise.

Now, how much would a high multipurpose dam be worth in Hells Canyon as an integral part of the Columbia Basin development? The Bureau of Reclamation planned to spend $400 million on such a dam. In place, it would be worth several times that. I should say a billion dollars would be a small measure of what is being thrown away there, in potential value of the people's property.

A high dam would mean more power there, and all the way downstream, rather than the diminished power supply which a private company will now develop to sell at more than twice what the public power would have cost. This higher cost will in itself sterilize and stifle regional development such as would have been possible with low-cost public power.

But the high dam would bring many more benefits than power, which the lower dams will not. For example, flood control. Just as with a defense program, a second-best flood-control program is worse than useless. It lulls the people into a false feeling of security.

The Columbia Basin has just been saved—by a foot or two of freeboard—from a flood as disastrous as that of 1948, with possibly hundreds of millions of dollars' worth of damage. That achievement can be chalked up to the dams now in place, the socialistic dams built by Uncle Sam.

But the engineers anticipate someday a bigger flood. Their original plans were for about 21 million acre-feet of flood storage, enough safely to bypass even the giant Columbia. But half that potential storage has been lost, due to just such niggling and piggling as we've seen in the Hells Canyon giveaway.

Among the cutbacks was one from 2,600,000 acre-feet of flood storage at Hells Canyon behind the dam to 1,500,000 acre-feet. Incidentally, flood control is a public function, not a private one, and a private outfit has no legal or moral right to provide it at all, unless it is getting a great big diamond-and-platinum bargain at the expense of the people, as here.

This administration has at Hells Canyon made such indecent and unseemly haste to give away the cream of the natural benefits of this great site that it is letting the milk run down to the gutter, too.

Golden cream! Rich milk! To allow a corporate friend of the administration to make a few million dollars extra profit yearly, we the people are being lulled into wrecking our natural resources rather than developing them.

Come to think of it, ought we to let the Hells Canyon deal stand, as a horrible example for all time of what the resource wreckers invariably do when they get their hands on the people's property? It might be cheap, at the price, if the lesson should sink home in the people's consciousness.

WHAT TAXPAYERS WILL LOSE IF COMPANY DEFEATS HELLS CANYON DAM

Mr. MORSE. Mr. President, speaking of the Idaho Power Co. and its representations about the great losses the American taxpayers will suffer as a result of the building of a high dam, instead of the Idaho dam program, I wish to make a few brief remarks on what the taxpayers will pay the Idaho Power Co. if the Hells Canyon Dam bill is defeated.

Mr. President, we have heard much, and will hear more, about the generosity of the Idaho Power Co. This company, we are told by its spokesmen, is willing to bring to the people of Idaho—even to the entire Pacific Northwest—benefits of great value "at no expense to the taxpayers." Even the Federal Power Commission, I am sad to report, used this Madison Avenue slogan as one of its justifications for awarding a license to the company to build 2 or 3 dams at Hells Canyon. Those among our predecessors who spent so many years of legislative effort to fashion the Federal Power Act into an instrument designed to help promote comprehensive development of our river basins, would be appalled to find that for this standard has now been substituted, among others, the avoidance of expense to taxpayers. I have examined the Federal Power Act, and it contains not a shred of a statutory requirement that bids the Commission consider that criterion.

The claim has not even the virtue of truth to recommend it. It is absolutely and completely unfounded. In fact, construction of 2 or 3 dams by the company would cost the taxpayers—

First. Three-fourths of the potential flood control storage of the site.

Second. Over one-half of the power potential of the site and downstream benefits.

Third. It would destroy the comprehensive plan for the Columbia River basin in which the taxpayers have already invested great sums of money.

Fourth. It would cost the taxpayers the tax revenue from about $300 million annually which might be spent in the area by tourists who would come to see the high Hells Canyon dam, but not the 2 or 3 small dams.

Fifth. It would cost the taxpayers about $100,000 or more a year in navigation benefits.

Sixth. It would cost the taxpayers the revenue from about $250 million in annual payrolls for new jobs created by the low-cost power which the high dam would make available for use in electro-process industries; $200 million for investments created by these additional workers; plus about $160 million investment in plant facilities to employ them; and about $6 million annually in State and local taxes which these plants would pay.

Seventh. It would cost farmers in the West and Midwest a new supply of low-cost phosphate fertilizer which, with the availability of low-cost power, would be produced from the vast, barely tapped deposits of eastern Idaho.

Even over and above these tangible and substantial losses to the people of the Pacific Northwest and of the Nation, the claims of the company and its friends as to the company's own estimated tax payments are grossly exaggerated. Thus, the company has repeatedly stated that it would pay almost $10 million annually in State, local and Federal taxes.

The advertisements which it and its fellow utilities have sponsored in national magazines and newspapers at great expense to the ratepayers and the taxpayers, have stressed this $10 million claimed tax payment as if it were more important than the power to be generated by the 2 or 3 dams.

All this ballyhoo about the company's singular taxpaying virtues naturally omits any reference to a rather basic fact of utility life; namely, that the utility pays no taxes whatsoever; its customers actually make the payments; the utility merely collects them, and passes them along.

This tax-collecting activity, judging by the power-company advertisements, seems to have become the primary function of our private utilities, far overshadowing in importance their generation of electric power.

COMPANY SEEKS QUICK TAX WRITEOFF

What the Idaho Power Co. and its associates do not disclose, however, is that they diligently seek to avoid performing this function which they have elevated to such solemn status. Thus, neither the company nor its sister utilities disclose in either their advertisements or through their spokesmen, that it has applied to the Government for permission to defer a large portion of its Federal income-tax payments.

In 1953, the Idaho Power Co. filed with the Office of Defense Mobilization a formal application for permission to write-off its proposed new investment in the Oxbow and Brownlee plants in 5 years, instead of in the customary 33 years. These applications carry the file numbers TA–26407 and TA–26500. The company did not request a quick amortization certificate for their third dam, the low Hells Canyon Dam. Apparently, already in August 1953, the company had certain doubts whether it would ever get around to build it. The Federal Power Commission left the question open when it issued the license for the other two dams in August 1955. Yet all the comparisons they make are always based on the construction of all three dams.

The applications requested accelerated tax amortization certificates to cover $67 million for Brownlee and $36 million for Oxbow, or a total of $103 million for these 2 projects.

In order to qualify for these certificates, the projects would have to be completed by December 31, 1958. Further, to qualify under this so-called defense goal 55, electric power, some relation must be shown between the company's little dams and national defense.

That these applications confer far more than the right merely to pay the same amount of taxes after the first 5 years is indicated by the huge amounts of such certificates asked for and received by private utilities. The total amount certified by the end of 1955 amounted to about $5.4 billion.

In the case of the applications by the company, the tax savings in the first 5 years would amount to about $30 million, based on almost 65 percent of the total requested. The Federal Power Commission has called such savings interest-free loans from the Government to the company, for the company has this amount of money available without having to pay interest on it. If the company were to invest this amount over the life of the project, it would in fact receive a bonanza larger than the cost of the high dam, about $325 million, after repayment, later, of taxes earlier withheld.

Yet this is the much-touted plan to save the taxpayers' money.

PEOPLE WILL PAY COMPANY TO BUILD ITS DAMS

Mr. President, what it amounts to, when we get down to the interest-free feature of this tax-acceleration scheme, is that we, the people, will build a large portion of the project for the Idaho Power Co., and will give it to the company; and after the company has it built, the company will own it, whereas we are fighting for a high dam at Hells Canyon, to be built by the people, for the people, to be owned by the people, Mr. President, and to repay into the Treasury of the United States many times its cost, by way of Federal power revenues, over the years.

Yet, this issue is a rather vital one, in my judgment, in the great contest over this bill.

The applications have not yet been granted, but the Interior Department, on the basis of unsubstantiated data, has recommended their issuance. The Office of Defense Mobilization, which finally approves the certificates, relies on the Interior Department to pass on applications for quick writeoffs.

According to a staff paper on these applications, issued by ODM in October 1955, the Interior Department, ironically enough, wrote to ODM:

> The Oxbow and Brownlee hydro projects of the Idaho Power Co. will contribute to the power supply shortage in the Pacific Northwest.

That is probably the outstanding unpremeditated admission of the year. If the Interior Department actually held this view, it would have long fought for the construction of the high Hells Canyon Dam, and it would certainly not have recommended quick tax amortization for the Idaho Power Co.'s inferior projects.

As the reason for this recommendation Interior cited not only the power shortage in the Northwest power-pool area, but also defense requirements and those of the Atomic Energy Commission. New capacity on the company's system, Interior contended, will "add materially to the capacity needed to meet the requirements of the present defense industries and any new defense loads that might be located in the Pacific Northwest."

Picking up this wholly unsupported and unsupportable claim, the ODM staff paper adds a sizable number of additional distortions. Perhaps as the result of a letter a number of Senators addressed to Chairman Arthur Flemming of the ODM, pointing out some of these distortions has so far halted issuance of the certificates.

Let me list merely some of the grossest of these misstatements of fact on the basis of which Idaho Power Co. was to be granted a bonanza of over $300 million.

The company during the hearings before the FPC has continuously claimed that the power from the proposed development was required to meet the company's normal load growth. Normal load growth does not mean a reserve will be available for sudden defense requirements. Yet that is the theory behind the granting of accelerated amortization certificates to electric utilities.

Let us understand the significance of that, Mr. President. They are talking about normal rate growth, to take care of their normal consumers. It has nothing to do with any accelerated load caused by a defense establishment which might come into the area.

HIGH COST COMPANY POWER

Furthermore, the power from the development would be so high in cost, that defense industries would not wish to buy it. Any surplus power which the company might have, would not be marketable in the Pacific Northwest at three times the Bonneville rate. The FPC examiner referred to it as "fancy priced" power, and doubted its marketability to any member of the Northwest power pool; yet the staff paper claims that this would be one of the important defense contributions of the project.

In my judgment, one of the main reasons why, over the years, without a break in consistency on this subject, the Army engineers and the engineers of the Federal Bureau of Reclamation, which is a part of the Department of the Interior, have constantly recommended a high dam at Hells Canyon is that the engineers know that the high dam would produce cheap power, and the Idaho Power Co. dams would produce high-cost power. High-cost power is not the power need of the Pacific Northwest. The economic need of the Pacific Northwest is low-cost power. The need of the farmers who would benefit from the high dam at Hells Canyon is cheap power. Power at from 2 mills to 3.7 mills per kilowatt hour is necessary to develop the phosphate fertilizer beds of Utah and Idaho, which will give the farmers the cheap fertilizer they need. We are talking about cheap power at the Hells Canyon high dam, and the high-cost power from the Idaho Power Co. dams. The Office of Defense Mobilization ought to take a look at the economic facts with respect to these two systems of dams. If it did so, we would not get the kind of distortions to which I am now referring in the staff paper.

The staff paper also contends that storage releases from Brownlee Reservoir will add to downstream generation at Federal dams. Yet no such showing has been made, not even by the Federal Power Commission.

In order to bring the projects under the deadline of the December 31, 1958, expiration of the whole program, the Interior Department's report on the applications issued in October 1955, stated that the projects were begun in August 1955, which they should have known they were not. Interior, in its headlong eagerness to support the company's applications, thus claimed Brownlee would be in service in November 1958. In fact, the company began construction of Brownlee in November 1955, and using the same schedule, would not complete it until February 1959—2 months after the expiration of the tax-amortization program. The staff paper issued in February 1956, apparently assumes, based on the misinformation furnished by the Interior Department, that the company could meet the deadline.

It is not my purpose tonight to discuss the irresponsible manner in which ODM relies upon the Interior Department to hand out billions of dollars of the taxpayers money. Nor do I wish to single out the three little anonymous men in the Interior Department who have the sole responsibility for recommending this giveaway, this "artificial stimulus" as Secretary of the Treasury George Humphrey called it, which, he said should be used "only sparingly." Tax collections in 1956, the Secretary estimated, would be cut down by $880 million in fiscal year 1956 as the result of the granting of accelerated tax amortization. The net loss in taxes during 1951–65 has been estimated at $2.8 billion, based only on certificates issued as of June 29, 1955.

If this is a program designed to increase our defense production capacity, the Idaho Power Co. applications for its two dams in Hells Canyon should be denied most emphatically. If the Office of Defense Mobilization were doing its job properly, it would have turned them down long ago, and would have instead recommended the construction of the high Hells Canyon Dam, which would contribute to defense production capacity not only by its large block of low-cost power, but by its effectiveness in controlling floods which might inundate defense plants on the lower Columbia; by its contribution to navigation; and by its contribution to the availability of phosphate fertilizer which would sustain the fertility of land which might be required to feed hungry peoples here and abroad in case of another world conflict.

If Idaho Power Co. were to be granted accelerated tax amortization it would add insult to injury; it would result in direct out-of-pocket expense to the taxpayers heaped on top of all the other losses they would incur as the result of the company's program.

To show the superiority of the high dam over the Idaho Power Co.'s assumed

free dams, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a table showing a comparison between the high Hells Canyon project and the Idaho Power Co.'s three-dam scheme, showing a comparison with respect to the following items: Power output; power costs; active storage; flood-control benefits; navigation benefits; recreation benefits; power revenues for aid to future reclamation; availability of power to entire region; development of phosphate fertilizer; development of electroprocess industries; cost of project; and benefit-to-cost ratio.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

I. Comparison between the High Hells Canyon project and the Idaho Power Co. 3-dam scheme

Item	High Hells Canyon Dam	Idaho Power Co. 3-dams [1]
1. Power output (prime kilowatt).	1,122,000	505,000.
2. Power costs (per kilowatt-hour).	2.7 mills	6.69 mills.
3. Active storage (acre-feet).	3,880,000	1,000,000.
4. Flood control benefits (annual).	$2,300,000	$1,000,000.
5. Navigation benefits (annual).	$189,000	$108,000.
6. Recreation benefits (number of annual visitors).	500,000 to 650,000	250,000 to 325,000.
7. Power revenues for aid to future reclamation.	Yes	No.
8. Availability of power to entire region.	Yes	No.
9. Development of phosphate fertilizer.	"The high-dam project, by providing power at low rates, might be expected to stimulate large-scale development of the phosphate resources and large-scale expansion of fertilizer production" (examiner's finding No. 159). This means fertilizer to farmers in Midwest and West at savings of $10 to $20 a ton.	"The 3-dam plan would stimulate less phosphate development and less fertilizer production than the high-dam project" (examiner's finding No. 160).
10. Development of electroprocess industries.	"The high-dam project, because of its high volume and low-cost power output, might be expected to stimulate the expansion of electro-process industries to a greater extent than the 3-dam plan, including those which would utilize regional mineral resources" (examiner's finding No. 162).	(See examiner's finding No. 162, opposite column.)
11. Cost of project (less transmission lines)	$308,473,000. FPC examiner said: "The facts seem to point to the inescapable conclusion that with the marked and substantial advantage of the Government's credit the high dam would be dollar-for-dollar the better investment and the more nearly ideal development of the Middle Snake."	$175,766,000.
12. Benefit-to-cost ratio	1.83 to 1	0.91 to 1 (dividing the examiner's figures on annual value of power at market by the annual cost of power at market. This shows the 3-dam plan as being economically unfeasible.)

[1] In fact, the FPC and company have indicated that the 3d dam may never be built, even if the FPC decision is not reversed.

Mr. MORSE. Mr. President, I also ask to have printed in the RECORD at this point as a part of my remarks a statement dealing with the loss to the people if the Federal Power Commission decision is allowed to stand.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

II. THE LOSS TO THE PEOPLE IF THE FPC DECISION IS ALLOWED TO STAND

1. Active storage capacity of 2,800,000 acre-feet vitally needed to aid in controlling the river and meeting the goals of the Army Engineers' main control plan.

2. Nearly the equivalent of the power production of Bonneville Dam—410,000 prime, year-round kilowatts. Several important downstream dams are dependent upon Hells Canyon storage for power output. Lacking Hells Canyon storage they may not be built. The total loss would amount to 2¼ million kilowatts of prime power capability.

3. 1,122,000 kilowatts of prime power generated at 2.7 mills per kilowatt-hour and available over the Bonneville transmission grid to serve loads throughout the region at Federal wholesale rates of slightly over 2 mills per kilowatt-hour. The Commission wishes to substitute in their stead 505,000 kilowatts of private power costing 6.69 mills per kilowatt-hour to generate and available only to the Idaho Power Co. service area.

4. 35,000 jobs in manufacturing—another 35,000 jobs in service industries—$700 million in manufactured products.

5. $45 million in annual Federal income and corporation taxes—$3 million annually in local property taxes.

6. Full development of the Nation's greatest phosphates reserves—for high analysis, low cost farm fertilizer which would save the farmers of 17 Midwestern and Western States more than $5 million annually, increase use of fertilizer on the land, reduce soil depletion, increase yield and nutritional content of crops.

7. Millions of dollars in flood control, navigation, and recreation benefits.

8. Rightful control by the people over development of their rivers to be used for their greatest benefit.

9. Realization of the goals of the comprehensive plan for development of the Columbia Basin—for this decision would mean its dismemberment for the benefit of the power companies and the attendant loss of millions of kilowatts of low-cost power and millions of acres-feet of vitally needed upstream storage. This would result in slow stagnation of the Pacific Northwest's economy, for it has but one abundant, cheap energy base—falling water—to attract new industry that cannot now be established in this country.

10. Power revenues to aid in repaying reimbursable costs of upstream irrigation projects which will be needed to provide more food in decades ahead for our rapidly growing population.

Mr. MORSE. Mr. President, I have two other major insertions which I should like to make in the RECORD before I close.

The first is an editorial entitled "Conundrum," published in the Washington Post of July 18, 1956, which comments upon the statement my colleague made in regard to the White House pressure which is being put upon Senators in an attempt to defeat the bill of which I am an author.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CONUNDRUM

The administration reportedly is using its influence to prevent any wavering Republican Senators from voting for the Hells Canyon bill when it comes up this week. Completely apart from the merits of this measure, why is it that the administration, which failed so dismally to prevail on the school-construction bill and which has had great difficulty in getting its ideas on foreign aid accepted, seems to be able to muster its strongest artillery for the essentially negative purpose of stopping legislation?

Mr. MORSE. Without taking the time to read the statement, although I had intended to make it a part of my speech tonight, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a statement entitled "Hells Canyon Supported by the People." In this statement I discuss the 79 Idaho organizations and groups favoring Hells Canyon.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

HELLS CANYON SUPPORTED BY THE PEOPLE

This week the United States Senate will make an historic decision: whether the greatest remaining dam site will be developed fully in the public interest or sacrificed to permanent underdevelopment.

The people of the Pacific Northwest support the high Hells Canyon Dam.

SEVENTY-NINE IDAHO ORGANIZATIONS AND GROUPS FAVOR HIGH HELLS CANYON

The people of Idaho recognize the value of the high dam to their State. The report of the Senate Committee on Interior and Insular Affairs details those benefits: a new phosphate fertilizer industry; low-cost power for new industry, jobs and taxes; low-cost irrigation pumping power; and the only possibility of power revenues for future irrigation projects.

That is why 79 Idaho organizations, representing thousands of people, have gone on record as favoring the Hells Canyon Dam. They are:

1. Mountain Home Reclamation Association.
2. Idaho State Federation of Labor.
3. Democratic Party of Idaho.
4. Idaho CIO Council of Communications Workers.
5. Idaho CIO Political Legislative Council (representing 5,000 CIO members).
6. National Farmers Union of the State of Idaho.
7. Group of ranchers, Washington County, Idaho.
8. Two petitions carrying 157 names, Minidoka County, Idaho.
9. Minidoka County Farm Bureau Federation.
10. National Rural Electric Cooperative Association.
11. Idaho Hells Canyon Association.

12. Idaho County Light and Power Cooperative.
13. Northern Lights, Inc. (REA Cooperative).
14. Idaho-Oregon-Washington Hells Canyon Association.
15. Lewis and Clark Production Credit Association, Lewiston.
16. Local 338, United Steelworkers of America.
17. AFL Central Labor Council, Nez Perce County.
18. AFL Lumber and Sawmill Workers, Local 2257, Orofino.
19. District 2, Idaho Wildlife Federation.
20. Idaho Rural Electric Cooperative Association.
21. Nez Perce Grange.
22. Pomona County Grange.
23. Lapwai, Idaho Grange.
24. Lewiston Local, Farmer Union.
25. Pacific Supply Cooperative, Walla Walla, Wash. (75,000 farmers in 3 Northwest States).
26. Ada County Democratic Central Committee.
27. Black Canyon Farmers Union, Local 200.
28. Black Canyon Water Users' Association, New Plymouth, Idaho.
29. Idaho State Legislative Board, Brotherhood of Locomotive Fireman and Enginemen.
30. Central Labor Council (28 local unions), Lewiston, Idaho.
31. Nine members of Farmers Union Local No. 39, Northwest Shoshone, Idaho.
32. Gem County Democratic Central Committee.
33. Hotel and Restaurant Employees International League of America, local 490, Lewiston.
34. International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers, subordinate lodge No. 52.
35. International Brotherhood of Electrical Workers of Pocatello, Idaho, local union No. 582.
36. Local 2816, Lumber and Sawmill Workers, AFL, Emmett, Idaho.
37. Mountain Home Reclamation Committee, Mountain Home, Idaho.
38. Nampa Trades and Labor Council (1500 members voting), April 2, 1955.
39. Pocatello System Federation No. 105, Union Pacific Railroad, Pocatello.
40. Rocky Mountain District Council of Carpenters of Idaho.
41. Local No. 236 Sheet Metal Workers Railroad Organization, Pocatello.
42. Water Users Under North Side Canal Co., Ltd., Gooding, Idaho.
43. Wingville Grange, No. 650.
44. Young Democratic Clubs of Idaho, Boise.
45. Petition, Gem County—94 signatures.
46. Petitions—262 signatures (Pocatello, Baker, Nampa, Roberts, Blackfoot, Idaho).
47. Petition—175 signatures (Heyburn, Burley, Paul, Pocatello, Rupert, Burby, Twin Falls, Minidoka, Idaho).
48. Canyon County Democratic Central Committee.
49. Farmers Union, Action Officials of the Gooding Local No. 46, Gooding.
50. Minidoka-Cassia Counties Farmers Union, Rupert.
51. Brotherhood of Railway Carmen of America, Camas Prairie, No. 754, Lewiston.
52. Clarkston Chapter 431, Farmers Union.
53. Clarkston Heights Grange.
54. International Woodworkers of America, Coeur d'Alene.
55. International Brotherhood of Paper Makers, AFL.
56. Lapwai Valley Grange, No. 330.
57. IWA Local 10-119, Coeur d'Alene, Idaho.
58. Patrons of Husbandry, Culdesac Grange No. 337, Culdesac, Idaho.
59. IWA Local 10-119, Coeur d'Alene, Idaho.
60. Idaho Mutual Benefit Association.
61. Typographical Union No. 634, Lewiston.
62. Petition—about 100 names.
63. Ahsahka Chapter 1-214, Idaho Farmers Union.
64. United Brotherhood of Carpenters and Joiners of America, local No. 2257, Ahsahka, Idaho.
65. Hells Canyon Dam Club, Weiser, Idaho.
66. Local 1491, International Association of Machinists, AFL, Boise.
67. Laborers Local 434, Boise.
68. Iron Workers Local 646, Boise.
69. Local 291, Electrical Workers, Boise.
70. Local 370, International Union of Operating Engineers, Boise.
71. Idaho State Group, National Rural Electric Cooperative.
72. Northwest Public Power Association (77 public and cooperative distribution systems in Montana, Idaho, Oregon, and Washington).
73. Kootenai Rural Electric Association, Coeur d'Alene, Idaho.
74. Lost River Electric Co-op, Inc., Mackay.
75. Raft River Electric Cooperative, Malta.
76. Clearwater Valley Light & Power Association, Lewiston, Idaho.
77. Lewis-Clark Local of the Idaho-Oregon Hells Canyon Association, Lewiston.
78. Lewiston Grange.
79. Rupert Chamber of Commerce, Rupert, Idaho.

OREGONIANS AGAINST COMPANY LOW DAMS

Mr. MORSE. It is equally clear that thousands of Oregonians favor the high Hells Canyon Dam. Leading the fight for it has been the Oregon State Grange, which expresses the views of its membership in resolution after resolution at the local and State level. The Oregon State Farmers Union membership is equally dedicated.

The recently merged AFL–CIO reendorsed the long-standing endorsement of the State federation of labor and CIO, which, in turn, are supported by countless resolutions of their members.

Only recently numerous groups and individuals in Oregon have submitted evidence of their determined support.

I ask unanimous consent that a series of communications I have received in support of the high dam be printed in the RECORD at this point.

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

OREGON STATE GRANGE,
Portland, Oreg., July 11, 1956.

Senator WAYNE L. MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: Since 1947 the Oregon State Grange has been fighting with all the resources at its command against the "giveaway" of the Hells Canyon Dam site. Year after year at our annual sessions we have renewed and reaffirmed our position.

Anything less than full development of the hydroelectric potential of Hells Canyon is a senseless and shameful waste of a God-given natural resource. The only plan advanced for the full development of the Hells Canyon reach of the Snake River is that for the high Federal dam.

I want to commend you for the valiant fight you have made, and are making, to secure authorization for the high dam. Best wishes for your success in pushing through the passage of S. 1333 providing for the construction of a high Federal dam in Hells Canyon.

Sincerely yours,

ELMER MCCLURE,
Master, Oregon State Grange.

SALEM, OREG., *July 16, 1956.*

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

The Oregon Machinists Council representing all local lodges of the International Association of Machinists in the State of Oregon has by unanimous vote again reaffirmed its support of the high Hells Canyon Dam. We wish you all good luck in the your fight to preserve the benefit of Hells Canyon Dam site. We are behind you 100 percent.

OREGON MACHINISTS COUNCIL,
MILO O. HOLT,
Secretary-Treasurer.

TIGARD, OREG., *July 11, 1956.*

Senator WAYNE L. MORSE,
Washington, D. C.

Honorable SENATOR MORSE: As an Oregon voter I am highly in favor of the high dam on the Snake River for further development of the Northwest and for flood control.

Respectfully,

MARGARET O. PEARSON,
(Mrs. Milford S. Pearson).

CENTRAL LABOR COUNCIL OF LA GRANDE,
La Grande, Oreg., July 11, 1956.

Senator WAYNE MORSE,
United States Senate,
Washington, D. C.

HONORABLE SIR: We urgently urge that you and all Senators do all in your power to get the Hells Canyon high dam, which is so badly needed in this region.

The Idaho Power Co. years ago started the Ox Bow plant but did not do anything with it, the farmers in that part of the State tried for years to get power for their farms but could not get Idaho Power Co. to do much about it.

We must have the Hells Canyon high dam to do the most people the most good.

Hoping the Hells Canyon high dam federally owned will be approved.

Sincerely yours,

RETTA CAMERON,
Secretary.
W. I. HERRMANN,
Vice President.

CENTRAL LINCOLN
PEOPLES' UTILITY DISTRICT,
Newport, Oreg., July 11, 1956.

The Honorable WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: One of the major issues of the day is the Hells Canyon Dam issue.

To remind you of the position of the district in regard to this issue there is enclosed herewith a copy of Resolution No. 190, adopted over a year ago. We are of the same opinion now as then.

Very truly yours,

L. J. BAUER,
Manager.

RESOLUTION No. 190

Whereas the Central Lincoln People's Utility District has the responsibility of providing electric service to approximately 45,000 people in westen Lincoln, Lane, Douglas, and Coos Counties along the Oregon coast; and

Whereas the power demands of the District's service area during the past 10 years have increased more than tenfold and the present demands are expected to triple in the next 10 years; and

Whereas the demands for increased power supplies are general throughout the Pacific Northwest; and

Whereas the economic development of the Pacific Northwest will inure to the benefit of the entire nation; and

Whereas the full potential economic development of the District's service area and

the Pacific Northwest is dependent upon a continuing, abundant, low-cost power supply; and

Whereas full development of the hydroelectric power potentials of the Northwest are a requisite for a continuing adequate power supply in the area; and

Whereas a Federal high Hells Canyon Dam on the Snake River between Idaho and Oregon is essential for full development of the power potentials of the Snake and Columbia rivers: Now, therefore, be it

Resolved by the Central Lincoln People's Utility District, a municipal corporation of the State of Oregon, That the district go on record as favoring the construction by the Federal Government of the Hells Canyon Dam on the Snake River between Idaho and Oregon as proposed by Senate bill 1333; and be it further

Resolved, That the district's position on Senate bill 1333 be made known to the joint Senate and House Interior and Insular Affairs Committee, the congressional delegations of the Pacific Northwest States, and other members of the 84th Congress, 1st session.

Adopted this 29th day of March 1955.

MILLARD MARTIN,
President.

Attest:

JOHN GREENBO,
Secretary.

ASTACADA, OREG., *July 12, 1956.*

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SIR: Continue your fight for High Hells Canyon Dam.

Yours truly,

EMMA PARKER.

TIGARD, OREG., *July 14, 1956.*

SENATOR MORSE: We helped you now you help us. We want the High Dam.

MRS. ALINE JUNG.

PORTLAND, OREG., *July 11, 1956.*

Senator WAYNE L. MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: Your fight to prevent the Idaho Power Co.'s preempting the Hells Canyon Dam site is a very wise and courageous one. Regardless of the outcome you have performed a great service to the people of the northwest, and I think the majority of them appreciate it.

I want to wish you every success in securing the passage of the legislation providing for the full development of the hydroelectric potential of Hells Canyon by the Federal Government.

Sincerely yours,

MILDRED NORMAN.

PORTLAND, OREG., *July 12, 1956.*

Senator WAYNE L. MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: I am aware that you have long advocated the full development of our natural resources for the benefit of all the people—and that you have most vigorously opposed the "giveaway" program of the present administration, including the Hells Canyon Dam site—so asking your support for legislation authorizing the high Federal dam in Hells Canyon is indeed carrying coals to Newcastle.

However, I do want you to know that I strongly advocate the Federal high dam development in Hells Canyon and that I believe the overwhelming majority of the people of the Northwest are in complete agreement with your stand on this issue.

Sincerely yours,

CLAIRE ELLIOTT.

KLAMATH FALLS, OREG., *July 11, 1956.*

Senator WAYNE MORSE,
Washington, D. C.

GREETINGS: I am writing this letter to give you my personal views and to appeal to you for your support in the passage of a high Hells Canyon Dam, constructed by the Federal Government.

It is my opinion a great natural resource such as this should not be given to any private utility or ownership. The people will have to pay for the construction either in consumer prices or by taxes written off to the private concern for the construction of low head dams. I believe the average person would rather have the dam built by the Government and pay for it in taxes or rates.

The construction of a Hells Canyon high dam means more to the future of Oregon, Idaho, and Washington than anything in the foreseeable future.

Therefore I would like to appeal to you as a representative of the people to do your utmost to see the passage of any legislation which may come before your body favoring a high Hells Canyon Dam.

With best wishes, I remain,

Sincerely yours,

H. W. WATTS, Jr.,
Business Representative, Local Union 191, United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada.

TIGARD, OREG., *July 18, 1956.*

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Our wishes and prayers with those of thousands of people are with you in your effort to save our God-given heritage.

WASHINGTON COUNTY
JANE JEFFERSON CLUB,
ADA NIVA.

LOS ANGELES, CALIF., *July 10, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Urgently request your support on the national Hells Canyon project which is to be voted on within a few days.

P. A. JUDD,
Secretary, Western States Conference of Operating Engineers.

KLAMATH FALLS, OREG., *July 12, 1956.*

Senator WAYNE MORSE,
Washington, D. C.:

The Klamath Falls Central Labor Union AFL–CIO and its approximately 25 affiliated local unions favoring the Federal construction of the high Hells Canyon Dam for the past several years and urge your support in passage of such bills as are before your body to bring this about.

ALMA SWEETMAN,
Secretary-Treasurer, Klamath Falls Central Labor Union.

KLAMATH FALLS, OREG., *July 12, 1956.*

Senator WAYNE MORSE,
Washington, D. C.:

The Plumbers and Steam Fitters Local Union 191, AFL–CIO, of Klamath Falls, Oreg., has instructed me by a unanimous vote to go on record as favoring a high Hells Canyon Dam constructed by the Federal Government. We urge your support of any such bills that may come before your body.

H. W. WATTS, Jr.,
Business Manager, Local Union No. 191.

KLAMATH FALLS, OREG., *July 12, 1956.*

Senator WAYNE MORSE,
Washington, D. C.:

As a representative of the Klamath Falls Building Trades Council, composed of 21 affiliated unions, I am requesting your fullest support of the pending Hells Canyon federally constructed dam on the Snake River.

This dam will be built with taxpayers' money whether built by public or private interests, so it should be federally built, so the cost and maintenance will be returned to the Federal Treasury. If built by private interests the cost and maintenance will be added to the consumer bill, so the consumer will be losing a natural resource that should be held in trust for the people of this Nation, instead of being turned over to the big electric corporations to exploit at the expense of the public.

EARL F. SWEET, *Secretary.*

KLAMATH FALLS, OREG., *July 12, 1956.*

Senator WAYNE MORSE,
Washington, D. C.:

I am instructed by the members of Laborers Union, Local 1078, to urge your fullest support of the Hells Canyon bill about to come up for vote in the Congress and Senate. We as electric consumers, paying the highest rate in this State, are concerned with the prospect of the last great dam site being turned over to the electric corporations to exploit at the expense of the people of Oregon.

As a Federal dam the project will return its cost to the Federal Treasury with interest, and still afford a lower rate to the consumers of this State.

EARL F. SWEET,
Secretary.

TIGARD, OREG., *July 18, 1956.*

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

We pray that what God gave us Congress will not give away. Good luck.

Mr. and Mrs. ALBERT NIVA.
IDA ANDERSON.

INDEPENDENCE, OREG., *July 18, 1956.*

Senator WAYNE MORSE,
Washington, D. C.:

We want to let you know we are backing you up for the high Hells Canyon Dam.

Sincerely,

Mr. and Mrs. L. O. BUCKNER.

COOS BAY, OREG., *July 17, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

At meeting last night southwestern Oregon Central Labor Trades Council voted unanimously to request that you support the Senate bill 1333 for a high Hells Canyon Dam.

C. P. GLASS,
Secretary.

BAKER, OREG., *July 17, 1956.*

Senator WAYNE MORSE,
Washington, D. C.:

We urge you to vote for Hells Canyon high dam.

HAL PERSHALL.
ERMA PERSHALL.
ETHEL PIPER.
JOHN TOMPKINS.

PORTLAND, OREG., *July 12, 1956.*

WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR WAYNE: Best of luck in your efforts to obtain authorization for construction of a high Federal dam at the Hells Canyon site on the Snake River.

Favorable action must be taken by this session of Congress or this valuable resource will be forever lost to the people of America.

Sincerely,

URSEL C. NARVER.

UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA,
UNION No. 190,
Klamath Falls, Oreg., July 11, 1956.

Senator WAYNE MORSE,
Washington, D. C.

Greetings: This letter is written to advise you of my personal opinions and views on the Hells Canyon controversy. Quite some time ago I wrote a resolution urging the Congress to adopt a bill authorizing the construction, by the Federal Government, of the high dam at Hells Canyon, a copy of which was sent to you in April of 1955, and which Senator NEUBERGER had printed in the RECORD, shortly thereafter.

All our members are in favor of this move and believe that much of Oregon's future will be involved in this matter. We feel that such a natural resource as this should not be given to any private ownership but should be developed by the people. After all, the total costs of the project must be borne by the consuming public, whether charged to us as rates or in taxation, we will still pay the bill. Therefore, we again urge you to vote for the passage of such bills as may be before you to authorize Federal construction of this great asset.

Sincerely,

C. D. LONG,
Business Representative.

OPHIR GRANGE, No. 767,
Ophir, Oreg., July 12, 1956.

United States Senator WAYNE MORSE,
Senate Chambers,
Washington, D. C.

Ophir Grange, No. 767, still supports the Hells Canyon Dam bill, now before Congress, and will give full support to any action to get this bill passed.

This is the key to the full use of power, at a price we can afford to use, and a full development of the program for the Columbia River.

Sincerely,

RUTH M. MOORE,
Secretary.

BAKER, OREG., *July 12, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR FRIEND: I wish to compliment you on your stand on S. 1333, and hope Congress will pass it this session. I hope this letter will help you in the cause.

We need the full development of the Columbia River system, and it is not electric power at any price, but power at a price that industry can afford to use that we have got to have.

Yours for full utilization of the resources of the Northwestern United States of America.

FRED J. SCHUETZ,
Farmer near Baker, Oreg., and Baker County Grange Deputy.

INTERNATIONAL HOD CARRIERS'
BUILDING AND COMMON
LABORERS' UNION OF AMERICA,
La Grande, Oreg., July 14, 1956.

Senator WAYNE L. MORSE,
Washington, D. C.

DEAR SENATOR: The majority of the citizens in the Northwest want and need the high Federal dam in Hells Canyon. We stand behind you in your fight to preserve same.

Keep up the good work.

Respectfully yours,

WILLIAM I. HERRMANN,
Secretary, Local No. 1368.

OPHIR, OREG., *July 12, 1956.*

Senator WAYNE MORSE,
Washington, D. C.

DEAR SENATOR: The people of Oregon are looking to you and our other Representatives to do everything in their power to get the bill passed for Hells Canyon Dam. It's the key to the full development of Columbia River, and we in southwestern Oregon are as interested in the passing of this important bill as any legislation before this session of Congress. Oregon can ill afford to be deprived of a dam which can mean so much to every citizen of the State. With every good wish,

I am,

Yours respectfully,

FRED W. ADAMS.

SHERWOOD, OREG., *July 12, 1956.*

DEAR SENATOR MORSE: I heartily approve your stand on the Hells Canyon issue. More power to you.

Yours truly,

Mr. and Mrs. ANTON HORTON.

PORTLAND, OREG., *July 13, 1956.*

Hon. WAYNE MORSE,
United States Senator,
Washington, D. C.

DEAR SIR: The high Hells Canyon Dam is a structure dearly necessary for the future of our western country. We have large areas of land, sparsely settled, and the high Hells Canyon Dam will be of great benefit for the West, and for our whole country. We are asking that you give your fullest endeavor in passing Senate bill S. 1333.

Very sincerely yours,

Mrs. ELFIE WIDMER.

PORTLAND, OREG., *July 12, 1956.*

Senator WAYNE L. MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: I know you are working just as hard as you possibly can for the passage of the Hells Canyon Dam bill and I want you to know how much I admire the work you are doing.

I am certain that, like me, the majority of the people in the Northwest are hoping and praying that your efforts will meet with success.

Sincerely yours,

OLGA M. WILSON.

PORTLAND, OREG., *July 12, 1956.*

Senator WAYNE MORSE.

DEAR SIR: Do us a great favor and vote for the Hells Canyon Dam bill.

Mr. and Mrs. A. J. JORDAN.

PORTLAND, OREG., *July 13, 1956.*

Senator WAYNE MORSE,
United States Senate,
Washington, D. C.

DEAR SIR: As time draws nigh for voting for the high Hells Canyon Dam it behooves us to consider the weight of the proposition.

That dam was thought of far back in F. D. R.'s time. Our engineers had seen that such a dam was the logical thing that should be done next. It has been waiting for a long time. Our country needs it. Let our Western States have something that will build up our vacant lands for a vaster population.

The States of Oregon, Washington, and Idaho need the high Hells Canyon Dam because of its ability to give our people, home folks and business folks, electricity at a rate which we can pay for the long run. High Hells Canyon Dam will build up the Northwestern States in the quickest and surest way, in a boost that will redound to all the West, and the whole country. Surely our statesmen cannot overlook such a clearcut and needful proposition.

We ask your fullest endeavor in passing the bill in the Senate, S. 1333.

Most sincerely yours,

EDWIN WIDMER.

PORTLAND, OREG., *July 12, 1956.*

Hon. WAYNE MORSE,
Washington, D. C.

DEAR SENATOR: Good luck in your, and our, fight for Hells Canyon Dam—a high dam.

Sincerely,

CLAIR E. ELLIOTT.

PORTLAND, OREG., *July 13, 1956.*

Hon. WAYNE MORSE,
Washington, D. C.:

As a member of Friendly Grange, No. 897, Portland, Oreg., I urge your support of a high Hells Canyon built by the Federal Government.

The future of the Northwest is at stake.

Yours truly,

FRANK L. BUEHLER.

PHILOMATH, OREG., *July 15, 1956.*

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.

The Wren Farmers Union is vitally interested in a multipurpose high dam at Hells Canyon. We urge you to present our case before the Senate. We appreciate your past efforts in our behalf.

Mrs. J. R. GRAHAM,
Secretary-Treasurer, Wren Local, Corvallis, Oreg.

LANGLOIS, OREG., *July 15, 1956.*

United States Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Sixes Grange in meeting tonight heartily backs you in your support of Hells Canyon bill.

SIXES GRANGE,
C. H. BROOKS,
Legislative Chairman.

PORTLAND, OREG., *July 13, 1956.*

Senator WAYNE L. MORSE,
Senate Office Building:

Full development of power, flood control, reclamation, irrigation, navigation, conservation and recreation in the Pacific Northwest depends upon the enactment of legislation providing for Federal construction of a high, multipurpose dam in the Hells Canyon reach of the Snake River. The high dam proposed by S. 1333 and the companion bill in the House is an integral part of the main control plan submitted by the Army engineers in their 308 report. We urge your support of this legislation on behalf of thousands of workers and their families in Oregon, Washington, Idaho, California and Montana.

JAMES E. DICEY,
Vice President, International Woodworkers of America.

BLOOMINGTON, ILL., *June 28, 1956.*

Senator WAYNE MORSE:

Please tell us the reason this administration has fought to keep the Government from building the Hells Canyon Dam? Which the Pacific Northwest seems to be needing so bad.

They didn't try to stop the Government from building the dam in Colorado. Why?

A. E. MAYER.

SHERWOOD, OREG., *July 11, 1956.*

Senator WAYNE MORSE,
Senate Office Building.

DEAR SENATOR MORSE: Hundreds of us are watching with great concern the outcome of the struggle you and DICK NEUBERGER and others are waging to save Hells Canyon for the people. I was raised at the head of the canyon in Weiser, Idaho, and I know something of the importance of this wonderful site for purposes of irrigation, reclamation, and recreation, in addition to the power.

Best wishes for success and my personal gratitude to both you and Dick for your courageous stand.

ALICE (Mrs. Alfred) TAYLOR.

OREGON GRANGE BULLETIN,
Portland, Oreg., July 12, 1956.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: Anything less than maximum development of our natural resources is a disservice to the people of America.

Failure to enact legislation authorizing the high Federal dam at the Hells Canyon site by this session of Congress will invite the building of three inadequate dams there by the Idaho Power Co. which will stand forever as symbols of the stupidity and greed of our generation.

Let's do the job that needs to be done now.

Good luck.

Sincerely,

BEN BUISMAN,
Editor.

OREGON VOTED AGAINST COMPANY LOW DAM SCHEME

In 1948, the voters of Oregon rejected senate bill 99 in a referendum which was fought out on the basis of the high dam versus the Idaho Power Co.'s Ox Bow Dam proposal. This is how the Oregon Voter, which favored Senate bill 99, characterized the issue in 1948:

"The development which precipitated the proposal embodied in senate bill 99 has been the wish of the Idaho Power Co. to obtain a license and build a $15 million to $28 million powerplant at Ox Bow, Baker County, beside a wing dam on the Oregon side of the Snake River. This power company's representatives lobbied at Salem for the bill. The unfortunate feature of this circumstance is that it particularly affords opportunity for public ownership crusaders to assail the measure as a power-site grab. They are enabled to assert that little else than the selfish motives of the Idaho company would be served.

"BROAD INTERESTS AT STAKE

"During the campaign much will be heard of a selfish purpose of this particular company to 'stop forever the Federal Government from building Hells Canyon Dam—a project bigger than Boulder Dam.'

"The building of Hells Canyon Dam, another monolithic river barrier like Grand Coulee, cannot be advocated as wholly wise and in any event belongs in the remote future. Hydroworks at Ox Bow could be of great usefulness over a considerable period of time before hundreds of millions of dollars are dumped into Hells Canyon, if ever.

"If the voter prefers to look as Senate bill 99 in the narrow view, as some cliques do, then he may perhaps in good conscience but unwisely vote "no" on the measure in November. It is to be hoped that a majority of electors will take the broader view of Oregon's possible development which was taken by 70 of the State's 90 legislators and will vote to remove the out-of-date hampering restrictions which preclude licensing and useful development of new hydroprojects."

The people of Oregon rejected Senate bill 99 by a vote of 242,100 against and 173,004 for it. In 35 of Oregon's 36 counties a majority were against Senate bill 99.

WASHINGTON SUPPORT CLEAR

The pattern in Oregon and Idaho is repeated in the State of Washington where the Grange, labor, and many other groups favor Hells Canyon Dam on the basis of the votes of their membership.

HOTEL ROBERTS,
Provo, Utah, July 8, 1956.

Senator WAYNE MORSE,
United States Senate,
Washington, D. C.

DEAR SENATOR MORSE: Many people, regardless of party affiliations, are aware that a fundamental principle is involved in the Hells Canyon controversy. As I see it there is no basic difference between the Colorado River system and the Columbia River system or that of any other large river system rising in and flowing through several States. I have always believed that our streams, particularly the larger rivers including their watersheds, should remain in Federal ownership to be developed and administered by the Federal Government for the benefit of all the people.

The Federal Government is the only agency that can qualify to carry out a coordinated plan of development and operation for these rivers. The Federal Government is the only agency that has the political and financial strength to do this job as it should be done. The Federal Government is the only agency that can properly represent all the people and see that justice is done in handling these vast natural resources that are worth many billions of dollars.

When private monopolies take over the job is not being done by the people or for the people. These rivers belong to the public in the first place. The public should in no way be done out of this heritage. It is my opinion that no private monopoly should be permitted to get any kind of a hold on these publicly owned resources, our rivers and forest watersheds.

Countless private interests will be better served if private monopolies are not permitted to tie up and foul up these river systems or in any way interfere with a comprehensive overall plan of development and administration. It has already been demonstrated that these so-called socialistic developments have aided every private enterprise in the areas served and these benefits extend to include the entire national welfare. They are all paying off both directly and indirectly in a big way.

It is essential that each river system be developed and administered in accordance with an integrated and coordinated plan. Much has been said about saving money for the taxpayers by turning Hells Canyon over to a private monopoly. Much has also been said about the taxes that private utilities pay. The same arguments were used against the Boulder Canyon project. In fact, a low privately owned dam was recommended by some instead of the Federal high dam that was eventually built. We all know that taxes paid by private utility are made a part of their rate base and charged to the consumers of electrical energy.

It was also argued that this socialistic power development on the Colorado would ruin the Southern California Edison Co. On the contrary, the Southern California Edison has been greatly benefited. First, in being able to buy a billion kilowatts a year from Boulder and, second, by the great economic boost that these socialistic developments on the lower Colorado have given all business and industrial activities in southern California.

It is true that the whole Colorado drainage needs more water and that water conservation is, therefore, extremely important in this area. Power generating is secondary on all smaller reclamation projects in Utah, but on the larger developments electric power will far exceed sale of water as a revenue producer.

We feel that Utah's congressional delegation has done a great job in securing approval of the upper Colorado and central Utah project, but many of us do not agree with their thinking on Hells Canyon.

I am writing you because a great many people believe that you have a clear picture of this situation and that you will lead in the fight to protect the interests of the entire public in shaping river legislation.

Best wishes.

Respectfully yours,

MARK ANDERSON.

PEOPLE OF PACIFIC NORTHWEST KNOW VALUE OF MULTIPURPOSE DAMS

Mr. MORSE. Mr. President, vigorous debate in the Pacific Northwest has convinced most people there of the superiority of Hells Canyon and its place in comprehensive plan for multipurpose development of the water-rich Columbia Basin.

Moreover, they have the examples of the great multipurpose dams such as Grand Coulee, Bonneville, McNary, and others which have proven great national and regional assets for defense and economic development. They cannot be fooled into believing that smaller dams with one-fourth the water storage, one-half the power potential at almost three times the cost at market and a fraction of the conservation benefits of Hells Canyon are somehow more desirable.

Even newspapers which are not strong supporters of Hells Canyon deplore the absurd propaganda against Hells Canyon, as an editorial on July 5, 1956, of the Portland Oregonian shows.

I ask unanimous consent that the editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PHONY TAX ARGUMENT

We have no patience with the kind of attack on a proposed Federal dam in Hells Canyon of the Snake River being conducted by the Council of State Chambers of Commerce and injudiciously assisted by such local organizations as Oregon Tax Research.

The council has broadcast over the country a table showing an assumed cost of $508,300,000 for the Federal Hells Canyon project as allocated to each State on the basis of its respective share of the present Federal tax revenues. By this means is shown the tax cost of each State for Hells Canyon, ranging from $762,450 for Maryland to $75,990,850 for New York.

Oregon Tax Research not only circulates these figures but includes a reprint of an editorial in the Oklahoma City Times headed, "Oklahoma, Can You Spare $5 Million?"

This is a disservice to the Northwest and the Nation which can scarcely be explained by politics or tax conservation. Carried to its logical conclusion, this line of argument is that multiple-purpose projects have no benefit to the Nation as a whole; that there is no repayment of Federal investment in such projects; that natural resources must be developed solely by private investment.

Leaving aside the advisability of Federal or private construction of dams in the Snake, does Oregon Tax Research intend to say that the Federal Government should not have built Bonneville, Grand Coulee, Chief Joseph, McNary, The Dalles, Detroit, Lookout Point, and other great multipurpose projects which now are the backbone of the Northwest's economy? Does this agency dispute the Eisenhower administration's formula for repayment of 93 percent of the costs of McNary and similar dams from revenues of power sales? Does it assert that Oklahomans have no responsibility to contribute taxes to flood control in Oregon, and Oregonians no responsibility to help pay for flood control in Oklahoma?

In singling out Hells Canyon to raise the false issue of tax burdens by States, the

Council of State Chambers of Commerce offers the same phony and emotional argument for use against other proposed Federal projects in the Northwest. These figures are not new. They were entered into the CONGRESSIONAL RECORD last year. They can be used as an excuse for voting against a Federal dam at John Day, should the partnership bill not be approved.

Whatever agency wins in Hells Canyon, this line of attack is negative, defeatist, and harmful to the Northwest's interests. It is also misleading, because it does not consider repayment from power revenues, and because it fails to recognize the national interest in power, flood control, navigation, and irrigation.

CANNED EDITORIALS AGAINST HELLS CANYON

Mr. MORSE. Mr. President, the "Phony Tax Argument" is the basis for a series of editorials and articles against Hells Canyon put into the RECORD on July 11, 1956.

The remarkable part of these editorials and articles is not merely the similarity of the arguments—mainly the tax gambit—but the repetition of precisely the same language.

So, for example, the editorials from the Evansville (Ind.) Courier and the Biloxi (Miss.) Herald are verbatim the same. One is not copied from the other for they both appeared on June 23.

Five paragraphs from both of these editorials are reproduced almost verbatim in the June 23 Camden (N. J.) Courier-Post. Clearly this is a boilerplate editorial. Perhaps the three newspapers have common ownership or merely a common source of editorial inspiration.

In any event, they are wrong in their facts. As an example they are so uninformed and misinforming as to state that the smaller company dams "would flood the site of a larger, higher dam in Hells Canyon." In order for that to be true, the Snake River would have to flow opposite to its present direction.

The Cleveland Plain Dealer and the Beckley (W. Va.) Post Herald also are in the business of copying misinformation. They claim that the estimated cost of the high dam—and they overestimate it to begin with—"will probably double this figure if the experience of other Government dams holds true."—Beckley editorial; similar statement in Plain Dealer. If these papers were not reproducing predigested misinformation, they would know that the most recent experience at Hungry Horse, McNary and other Federal dams is that new methods have reduced the actual cost below the estimates.

It is unfortunate that these papers, whose editorials were placed in the RECORD on July 11 for the edification of the Senate, have subordinated fact to advocacy.

HIGH HELLS CANYON IRREPLACEABLE; COMPANY HAS OTHER SITES

There are only a few sites at which feasible multipurpose high dams can be constructed. Of these, Hells Canyon is the best of those remaining in the United States. If its water storage, so vital to flood control and downstream power output, is lost, it cannot be replaced.

That is not true of the company's smaller dams. Just a few days before Secretary of Interior McKay withdrew from the FPC case on May 5, 1953, just before the company filed its two additional dam license applications for the Hells Canyon reach, the following report appeared in the Ontario (Oreg.) Argus-Observer on April 23, 1953:

"The Idaho Power Co. plans to begin building a $15 to $20 million dam within the next few months," A. C. Inman, attorney for the company, told the Ontario city council Monday night.

Robert Ball, assistant to the president of the company, verified the statement to the Argus-Observer Wednesday.

Ball said that the demand for power was so great that the company would soon need to build another dam. He said that the company hoped the Federal Government would approve the Oxbow site but if it did not, the company had other sites nearer the head waters of the river.

This is borne out by the fact that the Idaho Power Co. has filed requests for other dams with the State of Idaho at three other upriver sites: Eagle Rock (near American Falls Dam), Guffey (near Murphy, Idaho) and upper Bliss (near the company's present Bliss power site).

The high Hells Canyon site is irreplaceable. If it is not developed to its full economic capacity for flood control, power at site and downstream, conservation and recreation, navigation and aid to irrigation, the loss to the Pacific Northwest and the Nation will be permanent.

At his confirmation hearing, Secretary of Interior Seaton indicated he was not free to reach an independent conclusion on Hells Canyon but had to be guided by administration policy.

The elected representatives of the people in Congress have the obligation to exercise their independent judgment on the facts and the record. The superiority of the high dam is clear.

History will not honor narrow partisanship on this issue. It will not honor a concept of "team play" that calls for sacrificing the greatest remaining damsite for permanent underdevelopment.

The vote on Hells Canyon may well turn on whether party or the public welfare is to be given priority by each individual Senator.

Mr. President, I am proud to submit my record, not only to the Senate, but to the people of my State and to the people of my Nation. It is the position I have taken over these many years in support of the high dam at Hells Canyon. It is a position which has sought to put into legislative effect a great principle on natural resources which I believe should guide us, namely, that as elected representatives of a free people we should try to carry out our trusteeship obligation, so that future generations of American boys and girls will receive those natural resources handed down to them in a better condition than that in which we found them.

That is basically the issue over Hells Canyon.

Mr. WELKER. Mr. President, I trust my distinguished colleague, the senior Senator from Oregon, the author of this bill, will extend to me the courtesy that I have extended to him by remaining in the Chamber and listening to my remarks.

The senior Senator from Oregon is a kindly man. He has been my personal friend for many years. He has been a law professor, and the dean of the law school at the University of Oregon. He is without doubt an outstanding debater. However, I venture to say, in my humble opinion, that I have probably tried more law suits than he has.

Without rancor or bitterness, I wish to discuss a few of the legal principles involved in this case, as applied by the dean of the law school, to which I disagree.

I attended law school, and I graduated from the University of Idaho. I have had differences with law deans and law professors, and I shall continue to have difference with them. I believe there is no substitute for experience in the actual trial of law.

Thus based upon my experience I must say I have noted that the senior Senator from Oregon is quite an expert in the field of criminal law. He said the great State he in part represents and the United States Government have had a crime perpetrated upon them.

Without rancor or bitterness, I believe I can say I know where all that propaganda has come from. I have listened to it for nearly 6 long years. It is a part of the same theme.

I should like to ask the senior Senator from Oregon, who is a reasonable man, If he, the Mike Strauses, and the Chapmans, who advocate law and order so strongly, felt that a grievous crime had been committed against them, whether for one moment they would have waited for this huge bridge to have been built across the river to Oregon to file a complaint and to prosecute the violators. Certainly if it was so damaging the State of Oregon, if they were truly interested, would have stopped the alleged violation by an injunction or a prosecution.

How ridiculous can we get? How ridiculous can we become? Where have they been all this time, these learned men, who know all about Hells Canyon? Did the fact escape them that this giant bridge, costing a quarter of a million dollars, was being erected? Oh, no. They had their men there. They knew about it all along. They never said that the State of Oregon had had its laws violated, or that the Federal Government had had its laws violated. That is mere hogwash, pure and simple in the opinion of the Senator from Idaho. Otherwise, they would have had the representatives of the Idaho Power Co. arrested and indicted, or had an injunction granted against this company before this huge interstate bridge was completed.

Is there any criminal prosecution pending now? What was done to be a crime must have been done willfully and maliciously. I believe the senior Senator from Oregon knows that there was no willful or malicious intent involved. I am not about to say these people committed a crime. In fact I say this accusation is just a bit more of politics injected in this case.

At the outset, Mr. President, let me say that I am not, nor have I ever been, with one sole exception, in the employ of the so-called vicious Idaho Power Co. In

27 years of practice of the law, which is just about 27 years longer than the senior Senator from Oregon has practiced law, I received from the Idaho Power Co. the tremendous and stupendous sum of $15. I was paid that fee for the examination of an abstract on a piece of property at Cambridge, Idaho. Perhaps if there had been any other attorney in my hometown, I would not have been given that business, I never had their business. I do not have it now—nor do I ever expect to be their lawyer.

Incidentally, the little city of Cambridge, Idaho, where I was born, is thriving as a result of the free enterprise business which has come to it from the building of the road that winds down to the place on the river where the Brownlee Dam is being constructed. Much material is purchased there, many of my old friends are employed at this dam—not only from Cambridge but from all over Idaho and Oregon.

I have seen some crocodile tears shed, and I have heard some vicious accusations made against the terrible Idaho Power Co. because it had been granted tax amortization. I wonder what the senior Senator from Oregon is going to say when I quote to him a little item which was printed in one of the great newspapers of the United States. I quote from the Wall Street Journal, not of 5 years ago, not of 3 years ago, not of 2 days ago, but of today. I will ask the senior Senator from Oregon to pay attention to this. I wonder what he will have to say about this tax amortization item I am about to quote to him from the Wall Street Journal. This is a very significant statement:

> The Harvey Machine Co. completed arrangements to finance construction of a $65 million primary aluminum plant at The Dalles, Oreg.

I digress to say that The Dalles, Oreg., is on the Columbia River far below Brownlee, or Hells Canyon.

I continue to read from the Wall Street Journal:

> The company has borrowed $44 million for the project from the Bank of America, Chase Manhattan, and the First National City Bank of New York. The Government is guaranteeing 95 percent of the loan and will allow—

Please follow me on this—

> and will allow the vast amortization of 85 percent of the plant's cost. Harvey will become the fifth United States producer of primary aluminum. Others are Alcoa, Reynolds Metals, Kaiser Aluminum, and Anaconda Co.

Mr. President, I suppose the Senator from Oregon will scream even more loudly with respect to the vast amortization of the Harvey Machine Co. which is going to do business in the State of Oregon than he has about the Idaho Power Co. That is exactly the reason why the Senator and those who have joined him have been screaming to high heaven—not for flood control, not for navigation, not for fish and wildlife, not for recreation, but to drain water from the State of Idaho in order to promote the plants at The Dalles and all over their respective States.

I should like the Senator from Oregon to tell me in the debate tomorrow what he has to say about the Harvey Machine Co. receiving this vast tax amortization, and what is the difference between the grant made to Idaho Power Co. and the Harvey Machine Co.—not an Oregon corporation but I am informed a foreign corporation that the senior Senator from Oregon seems to abhor.

It seems to me, Mr. President, that it all depends on whose ox is being gored.

Mr. President, I wish to refer for a moment to Mr. Blaine Hallock, of Baker, Oreg., now deceased, truly an immortal man, who was a friend of the senior Senator from Oregon, and the greatest lawyer I have ever known. It has been my privilege to practice law in the city of Los Angeles with some very good lawyers and to watch and observe some very famous ones. Blaine Hallock was a great lawyer; I learned a great amount of law from him. He could have taught many of my colleagues something about law. He was on the ground at Baker, Oreg., engaged in the practice of law in that small community, the hotbed of those who advocate the high dam, according to the assertions of the proponents of the bill. Blaine Hallock had these significant words to say:

> It will serve so many purposes and will serve those purposes that are incidental to other purposes, and when we boil it all down we find that the only purpose it will serve will be the generation of electrical energy, and the purposes incidental to those purposes are incidental to the generation of the same energy. We have thrown in here some suggestions about flood control and about recreation. There is no semblance of flood control about this proposal, and, so far as recreation is concerned, they are going to destroy it completely.

That great lawyer from Baker, Oreg., who passed on a few years ago, further stated in opposition to this so-called Federal dam, and referring to a speech made by the senior Senator from Oregon in Chicago, stated, on page 564 of the hearings of 1952, as follows:

> Now, in that speech, about the only other thing that the Senator had to say with respect to the program of the Idaho Power Co. was this. He said:
>
> "When we build Hells Canyon Dam we will drown out all of the dams, the other five dams that the Idaho Power Co. wants to build."
>
> And that seemingly was treated as a valid and convincing argument, but it occurred to me, as it must have to all of you, that you can drown out every hydroelectric dam in the Northwest, if you just go down the stream a little farther and build another dam a little higher. We can drown out this 700-foot Hells Canyon Dam if we want to go down the canyon a little ways and build one 1,000 feet high, and for that matter, if we are interested in that question of whether or not a Federal dam will drown out the dams of the private power companies, we can go down to Bonneville or Cascade Locks, where those mountains tower thousands of feet high, pushing themselves right up against the Columbia River, and we can drown out every hydroelectric plant in the State, so surely there can be little merit to the argument that if the Idaho Power Co. develops the resources of this river by a series of low dams, the Government is going to have to come along and drown them all out.

Mr. President, we are told that the Hells Canyon Dam will be a multipurpose dam. I challenge that statement. In doing so I shall stand upon the record, and I expect to prove my statement.

Mr. President, I was born and raised within 20 miles of this place at which I am pointing on the map, and I know more about it than do the senior Senator from Oregon and any other advocates or sponsors of this bill.

I asked the senior Senator from Oregon a while ago whether he had ever been to Hells Canyon. He told me he had been, three times. I asked him how, and he told me he had flown over it in an airplane.

Mr. President, the recreation feature which it is supposed would be created by the high dam is absolutely nil, fictitious, and false. It might be able to catch there a few frogs or a chub or catfish or two, but that could also be done in the smaller private-enterprise lake. All around this area at which we are looking, there is nothing but bunchgrass on which sheep and cattle have a hard time even to stand. Splendid grazing indeed but recreation no. It is the deepest gorge on the continent. There is not one place in the picture to which I am pointing where any person could participate in any recreational activities.

Suppose the high dam had created this vast lake and the generators were turning, and suppose, Mr. President, that we took a rowboat for a little ride on that big pond. It is very likely that before we got back from whence we started we would run into something like 40 miles of mud flats. We would see the walls of the canyon straight up and down, sheer walls of solid rock—not a fit place for recreation—caused by necessary use of the water going through the turbines of the Federal dam in order to have it produce its necessary power output.

As to wildlife, in the dead of winter, without a doubt there is in that area some of the best deer hunting to be had in all the world. But unfortunately the deer season is closed at that time. Furthermore, I do not know of four human beings who would have the strength to walk a quarter of a mile on the ridges to which I am pointing in this picture. That disposes of the plea for fish, wildlife, and recreation.

The proponents of the measure refer to the project as a multiple-purpose dam. Aside from power development, flood control is the only purpose which they can advance to try to make us believe this would be a multiple-purpose dam. All the other purposes fall of their own weight.

Navigation? What is meant by "navigation"? I venture to say that, if the Federal dam were built, the only person who could navigate upon the stream would be some idiot, who might get into a rowboat and paddle back and forth; and the only thing he could haul in his attempt at navigation would be a coyote or a gopher. There is nothing else there. Oh, yes; some sagebrush, but that is about all.

So let us forget the sales talk which has sought to make the people of my hometown of Weiser believe their town will be another Pittsburgh—another sea-

port—with ocean liners coming up to it. Actually I have heard many of my friends who thought this navigation tale would make southwestern Idaho have cheap waterway straight to the sea.

What do the proponents of the high dam mean by "navigation"? They mean only that the water of the State of Idaho would be used to firm up the stream below, in order to permit some navigation at Cascade locks, on the Columbia, and Snake into Lewiston, Idaho. But there it would end.

So let us take the mask off the fictitious thing called "navigation." To say there would be navigation is ridiculous and absurd in the extreme.

Mr. President, I have listened to the argument about God having put the water there for the benefit of everyone, and to the statement that it should not be destroyed but should be kept for the benefit of present and future generations. I wonder how far one can go in this matter. Is it not true that God Almighty created the sun, which causes the grass to grow? The grass in turn feeds the cattle.

Let us go further. I believe God Almighty created the forests, too. I believe He put the minerals and the metals into the bowels of the earth.

If we are to adopt the philosophy that the water is to be used for the benefit of everyone, why should we stop with the water? Why not have the Government take the mines, the forests, the cattle lands? Why not go all the way? Mr. President, what upon this earth did God Almighty not create? Should the Government take it all over?

This is not a question of public versus private power. Certainly public power has its place; and the many millions of dollars which the Government has spent in the last year are the best evidence that public power will always thrive even though private enterprise is allowed to construct those projects which it can and is best adapted to handle.

I wish to trace exactly what the proposed Federal monstrosity will do for my State of Idaho. As I said on the floor of the Senate in a speech last Monday, if I failed to stand up and say everything I could on behalf of the great State of Idaho, how could I go home and look my people in the eye? How could I say that I represented the people of Idaho with honor, dignity, or courage? If I failed to protect my State as best I could I should not be here in these sacred chambers. I would be not deserving of the honor my State has bestowed upon me.

I expect to take the mask off the proposal and state exactly what the States of Oregon, Washington, and Idaho want to do. The Governors of those States—each and all of them—have opposed the proposed Federal monstrosity. Remember that, Mr. President. The people who live in that area at the grassroots have opposed it, and they will continue to oppose it. Yes, the Governors of the three States affected are against the proposed Federal project.

Oh, the people there so urgently demand a Federal dam; do they? What about the great Representative COON, of Baker County, Oreg., which is in the shadow of the proposed Federal dam? He confronted the voters face to face. He campaigned in opposition to the Federal project, not once, but twice; and, in western language, he beat their brains out every time. He will beat their brains out again, come November.

What about the State of Idaho? My distinguished colleague, the senior Senator from Idaho [Mr. DWORSHAK], who sits at my right, opposed the Federal project. He received the largest majority of votes ever recorded for any candidate in the history of Idaho, even including the fabulous immortal, William E. Borah, who was our great Senator for so many years.

What about Representative BUDGE, a great Member of the House of Representatives from the Second District of Idaho? In a wide-open campaign he opposed the project. He knows more about the whole Hells Canyon issue than do all the other Senators and Representatives I know. He has spoken long and firmly upon this matter. Representative BUDGE, by the same token, also received one of the largest majorities ever received by any candidate in a congressional election because of his opposition to the bill.

Oh, yes, Idaho has a lady Representative from the First District. But compare the number of votes which she received with those received by Representative BUDGE. Compare the number of votes which she received with those received by Governor Smylie, who also ran 2 years ago and overwhelmed his opposition. She received a mere handful of votes in excess of her opponent. She was very, very lucky to get in under the wire.

I may say, Mr. President, that I had had very little experience in the field of politics when I first ran for the Senate. I recall that I prepared a little half-cent postal card, asking the people to support me—the first statement on it was that I was opposed to the Government going into the power business or any other kind of business—the record will show that the junior Senator from Idaho, HERMAN WELKER, received one of the largest majorities in the history of Idaho on his first time out. This is an indication, Mr. President, how popular this issue is in Idaho.

The only place where it has any popularity is in the Chamber of the Senate, where it is used as a campaign vehicle, and nothing more.

I now wish to discuss what the bill will do to my State, and I hope Senators will bear with me. I am continually astounded by the errors in facts and figures with which the advocates of the high Hells Canyon Dam attempt to sell their bill of goods to Congress and the people.

There are two important questions about which I should like to talk.

First, how much more storage is actually needed on the Snake River, above the mouth of the Salmon and the Clearwater; that is, in the Hells Canyon area, and on all of the river and its tributaries upstream from Hells Canyon?

Second, how much storage can reasonably be filled, in good water years and bad, in the Hells Canyon area of the river? Let us remember that it is the bad water years, when the river is running low—and there are many of them—when water to fill the reservoir for power down at Hells Canyon would be needed most; let us also remember that it is those same low water years—and sometimes there are several of them in succession—when the farmer needs to take that same water out of the river upstream to fill his irrigation reservoirs, and store it, and hold it back so that it cannot flow down to Hells Canyon. That is where the conflict exists between Hells Canyon power and upstream irrigation needs in southern Idaho and eastern Oregon, and the Idaho farmer knows it is a serious conflict indeed.

How much storage is needed on the middle and upper Snake? Is it the 3,880,000 acre-feet to which the Hells Canyon advocates point with pride?

The Army says not. Both at the Federal Power Commission hearing, and in other documents, the Army says that 2,300,000 acre-feet of additional storage would be desirable—not necessary, mind you, Mr. President, but desirable—on the Snake River above the Salmon. According to their testimony before the Federal Power Commission, that is all that they assigned to the Hells Canyon project—not 3,880,000 acre-feet, but 2,300,000 acre-feet.

Does that 2,300,000 acre-feet have to be in the Hells Canyon reach of the river? Of course not, and in fact, it should not be. A part of it is badly needed far upstream, where additional storage would serve both irrigation and flood-control needs. In that area, damaging floods occur every year; there irrigation water storage is needed, not only for new lands, but to provide an adequate supply for lands already under cultivation; and there crops are lost in many, many years because there is not enough water to go around for all the land.

Has the Army Corps of Engineers opposed the licensing of the three dams which are proposed in the Hells Canyon area? No, it has not, and the record is clear on that point. Instead, after studying the Brownlee reservoir, with its 1 million acre-feet of usable storage, which will be provided without cost to the United States, the Army filed its recommendations with the Federal Power Commission as to how the 3 dams should be operated for the best flood-control protection. The Commission adopted these recommendations verbatim, and made them a part of the license requirements—article 42. The evidence shows that when the three smaller dams are operated under the Army's main control plan—as they have to be under the FPC license—they will provide substantially the same flood-control benefits as would the half-billion dollar Government dam, only at much lesser cost, and with no cost or investment at all by the United States.

To illustrate some of the points that I am going to make, and to give a better idea of the geography of this fine section of our country, I have in the Chamber a map of the Pacific Northwest. It is an enlarged copy of the map presented before the Federal Power Commission in the Hells Canyon case. It shows the

three Pacific Northwest States—Washington, Oregon, and Idaho—and those portions of Montana and Wyoming which are a part of the Columbia River drainage area. It shows the Columbia River and its tributaries. The various markings on these rivers are existing or proposed dams for the development of power, and storage of water, or both.

I now point to the Snake River as shown on the map. It commences in Wyoming, at Jackson's Lake, and winds through the southern part of the State of Idaho——

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. WELKER. I shall be happy to yield.

Mr. JOHNSON of Texas. I wonder if the Senator will consider yielding to me for the purpose of laying aside the pending business and proceeding to the consideration of the Hells Canyon bill, and carrying it to the third reading, with the understanding that, with the consent of the Senate, the Senator will not lose his rights to the floor, that he may complete whatever speech he has planned for this evening, that his colleague, who will be recognized following him, may complete his speech, and that then the Senate will recess until 9:30 o'clock in the morning?

Mr. WELKER. Is the Senator from Arizona going to speak tonight?

Mr. JOHNSON of Texas. Not that I am aware of.

Mr. WELKER. He is on the list.

Mr. JOHNSON of Texas. If the Senator from Arizona desires to speak, I shall be glad to include him.

Mr. WELKER. Is the Senator from Utah going to speak?

Mr. JOHNSON of Texas. If the Senator from Utah desires to speak, I shall be glad to place him on the list. The Senator from Texas has no desire to cut off any Senator. The Senator from Texas hopes to have a vote on the bill as has been planned. He made arrangements for some Senators to speak yesterday and some to speak today, and he is very willing and anxious to agree that every Senator who wants to speak shall have the opportunity. But he has certain responsibilities to have the Senate proceed, if he can bring that about, to the consideration of the Hells Canyon bill, with the understanding that the junior Senator from Idaho may conclude his speech, and that the senior Senator from Idaho may conclude his speech.

The Senator from Arizona had not informed me that he had planned to speak tonight, but if he cares to speak, we shall ask that the Senate remain in session until he does. Then tomorrow we shall have 3 hours on the bill. We shall convene at 9:30 a. m. By the time we get through the morning hour and quorum calls, we shall probably be able to have some votes between 1 and 3 o'clock.

Mr. WELKER. In reply to my distinguished friend, the great majority leader from the State of Texas, I should like to say that we have sat here hour after hour listening to proponents of Federal power. I certainly do not want any inference, expressed or implied, that the Senator from Texas or any other person tried to cut off any debate on the part of those who oppose the Federal dam; but that inference will be made by the press no matter what the Senator from Texas may do. It will be said that when the defenders of the three private enterprise dams were ready to speak, we were asked if we would stop things, and then we could just ad lib off the cuff, when the pending order of business came up in the morning.

Mr. JOHNSON of Texas. The Senator from Texas has said nothing to give that impression——

Mr. WELKER. Will the Senator from Texas speak loud enough for the members of the press to hear?

Mr. JOHNSON of Texas. The Senator from Texas has said nothing that would leave any such implication or impression. Yesterday, when the minority leader spoke to me and informed me—before we entered into a limitation agreement—that the Senator from Idaho desired to make a speech and the Senator from Arizona desired to make a speech, he had the perfect cooperation of the majority leader. Those were the only two Senators, as I recall, who desired to make speeches at that time on this subject. There was no implication that they were "hogging" the time, so to speak——

Mr. WELKER. I think we had a right to have time. We were not operating under a limitation. We were proceeding under the rules of the Senate.

Mr. JOHNSON of Texas. Certainly, the Senator has a right to proceed in that way, and he has that right tonight, just as all other Senators have. The Senator from Texas does not want to foreclose any speeches which Senators plan to make.

Mr. WELKER. As a matter of fact, the Senator from Texas is the one who suggested that we make the speeches tonight.

Mr. JOHNSON of Texas. Certainly, and the Senator from Texas still so desires. He has not suggested that they stop. The Senator from Texas has no speech to make, and he plans to be here at 9:30 in the morning to open the session of the Senate.

Mr. WELKER. Mr. President, I will do anything for my pal, the distinguished majority leader. I am sorry I have detained him.

Mr. JOHNSON of Texas. Mr. President, I certainly will not attempt to foreclose the right of the Senator from Idaho to deliver his remarks. The Senator from Idaho can speak just as long under the arrangement I am proposing as he is at liberty to speak now; and his colleague [Mr. DWORSHAK] will be able to do likewise. That is a part of the consideration, so to speak.

Mr. WELKER. Very well; I simply wanted to avoid the possibility of such an inference as I mentioned.

Mr. JOHNSON of Texas. There was no such inference.

Mr. WELKER. I wish to be sure that such an arrangement will be agreeable to my distinguished colleague.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Idaho [Mr. WELKER] may yield to me, for the purpose of making it possible for the Senate to proceed to the consideration of the Hells Canyon Dam bill and then to proceed to the third reading of the bill, with the understanding that the Senator from Idaho will not thereby lose the floor or jeopardize his right to the floor, and that he may conclude his speech; and that at the conclusion of his speech, his colleague from Idaho [Mr. DWORSHAK] may be recognized to make his speech.

Mr. THYE. Mr. President, and with the further understanding that if the Senator from Utah [Mr. WATKINS] desires to speak, he likewise will be given an opportunity to do so.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Idaho [Mr. WELKER] may yield to me, for the purpose of enabling me to move that the pending business be laid aside; that notwithstanding the previous unanimous-consent agreement, the Senate proceed to the consideration of the Hells Canyon Dam bill; that the committee amendments be agreed to; and that the Senate then proceed to the third reading of the bill, and that it be read the third time; and with the further understanding that upon the completion of the third reading of the bill, the Senator from Idaho [Mr. WELKER] again be recognized, to conclude his speech this evening; that at the conclusion of his speech, his colleague from Idaho [Mr. DWORSHAK] be recognized, to make and to conclude his speech this evening; and that if the Senator from Utah [Mr. WATKINS] desires to speak thereafter, he may make and conclude his speech this evening.

Mr. THYE. And that the Senator from Idaho [Mr. DWORSHAK] may do likewise—and all without having the time thus used charged against the time allowed under the unanimous-consent agreement with regard to controlled time, as previously entered into.

The PRESIDING OFFICER (Mr. LAIRD in the chair). Is there objection? The Chair hears none.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Senate bill 1333.

CONSTRUCTION OF HELLS CANYON DAM

The PRESIDING OFFICER (Mr. LAIRD in the chair). The Senator from Texas moves that the Senate proceed to the consideration of Senate bill 1333, providing for construction, operation, and maintenance of the Hells Canyon Dam, and for related purposes.

There being no objection, the Senate proceeded to consider the bill (S. 1333) to authorize the construction, operation, and maintenance of the Hells Canyon Dam on the Snake River between Idaho and Oregon, and for related purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments.

Mr. JOHNSON of Texas. Mr. President, under the agreement, I now ask unanimous consent that the committee amendments be considered and agreed to en bloc.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The amendments agreed to en bloc are as follows:

On page 1, line 4, after the word "tributaries", to strike out "the Congress, in the exercise of its constitutional authority to provide for the general welfare, to regulate commerce among the States, and to make all needful rules and regulations respecting property belonging to the United States,"; on page 3, line 4, after the numeral "2", to strike out "The" and insert "Notwithstanding the provisions of any other law, the"; in line 9, after the word "the", where it appears the first time, to strike out "upstream"; in line 10, after the word "tributaries", to insert "upstream from the dam and downstream"; in line 15, after the word "of", to insert "firm"; and on page 4, line 2, after the word "amended", to strike out "16 Stat. 832" and insert "50 Stat. 731", so as to make the bill read:

Be it enacted, etc., That in order to foster comprehensive development of the resources of the Snake River and its tributaries, and for the purposes, among others, of controlling and utilizing the Snake River and its tributaries for beneficial objects, including generation of hydroelectric power and energy for the national defense and other purposes, irrigation of lands, navigation and flood control, and for purposes incidental to any of the foregoing, including providing financial assistance to Federal reclamation projects, the Department of the Interior, under the supervision and direction of the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized and directed to construct, substantially in accordance with the physical plans set out in the reports referred to hereinafter as—

(a) the Hells Canyon Dam, as described in volume 2 of House Document No. 473, 81st Congress, and as modified by the report of the Commissioner of Reclamation, approved by the Secretary on May 11, 1951; and

(b) the Scriver Creek power facilities of the Payette unit of the Mountain Home division, as described in the report of the Commissioner of Reclamation, approved by the Secretary on May 11, 1951.

The Secretary in prosecuting his activities under this section and in operating and maintaining said projects shall, except as is otherwise provided in this act, be governed by the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto).

SEC. 2. Notwithstanding the provisions of any other law, the operation of the Hells Canyon Dam shall be only such as does not conflict with present and future rights to the use of water for irrigation or other beneficial consumptive uses, whether now or hereafter existing, valid under State law, of the waters of the Snake River and its tributaries upstream from the dam and downstream.

SEC. 3. (a) In order to facilitate the development of the Central and Upper Snake River Basin, and also that of downstream areas, the Hells Canyon Dam and powerplant and the Federal Columbia River power system shall be interconnected, and 500,000 kilowatts of firm power attributable to the Hells Canyon project, or such portion thereof as is required from time to time to meet loads under contracts made within this reservation, shall be made available for use in Central and Upper Snake River Basin and to all other parts of Idaho lying outside the Central and Upper Snake River Basin.

(b) Electric energy available from Hells Canyon Dam and powerplant and the Scriver Creek power facilities not required for the operation thereof shall be marketed by the Secretary in accordance particularly with sections 1, 2, 3, 4, 5, 6, and 7 of the Bonneville Project Act of 1937, as amended (50 Stat. 731), dealing with transmission, distribution, sale, and rate schedules.

(c) The Secretary is authorized and directed to supply and transmit from the McNary Dam the necessary construction power for the Hells Canyon Dam.

SEC. 4. (a) The initial works of the projects authorized by section 1 of this act and any additional works or division, including the irrigation features of the Payette unit of the Mountain Home division, that may be authorized as hereinafter provided shall be treated as one project for the purpose, among others, of providing for the application of project revenues to the return of reimbursable costs in accordance with the provisions of the Federal reclamation laws. Federal reclamation developments proposed to be constructed in the Central and Upper Snake River Basin may be authorized as works or divisions of these projects but only if such authorization is specifically provided by an act of Congress. Recommendations by the Secretary with respect to such authorizations shall be made in connection with the Secretary's report and findings under section 9 of the Reclamation Project Act of 1939 (53 Stat. 1187), which report shall include findings as to the costs and benefits of the proposed developments and as to the effect of such authorization on the project's power rate structure. In the case of the irrigation features of the Payette unit of the Mountain Home division, such a report shall be made and transmitted to the Congress not later than during the term of the 85th Congress.

(b) The term "Central and Upper Snake River Basin" as used in this act shall mean the area comprising the drainage basin of the Snake River and its tributaries down to and including the Clearwater River.

SEC. 5. There are hereby authorized to be appropriated, out of moneys not otherwise appropriated, such sums as may be required to carry out the purposes of this act.

Mr. JOHNSON of Texas. Mr. President, under the agreement, I now ask unanimous consent that the bill be engrossed for a third reading and read the third time.

The PRESIDING OFFICER. Is there objection? Without objection, the bill is ordered to be engrossed for a third reading and will be read the third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, no further amendments to the bill are in order.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. The bill has now been read the third time, has it not?

The PRESIDING OFFICER. That is correct; and no further amendments to the bill are in order.

Mr. JOHNSON of Texas. Very well.

Mr. President, as previously stated, I also ask unanimous consent that, as a part of the unanimous-consent agreement, at this time, following the third reading of the bill, the Senator from Idaho [Mr. WELKER] again be recognized, for the purpose of resuming and concluding his speech this evening; that at the conclusion of his speech, his colleague from Idaho [Mr. DWORSHAK] be recognized, to present and conclude his speech this evening; that thereupon the Senator from Utah [Mr. WATKINS] be recognized, if he desires, to present and conclude his speech this evening.

Mr. THYE. And also that the Senator from Arizona be then recognized for the same purpose, Mr. President; and, with the further understanding that the time thus required not be charged under the allowance made pursuant to the unanimous-consent agreement previously entered into, regarding control of the time on tomorrow.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I understand that the Senator from Idaho [Mr. WELKER] is now to be recognized, to resume his speech; that also under the unanimous-consent agreement, the Senator from Idaho [Mr. DWORSHAK] may, if he desires to do so, then proceed to make his speech; and that if the Senator from Utah [Mr. WATKINS] or the Senator from Arizona [Mr. GOLDWATER] desire to do so, they may then speak this evening. Is that the understanding, under the unanimous-consent agreement?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. I thank the Chair.

Mr. THYE. And also that the controlled time will commence on tomorrow.

Mr. JOHNSON of Texas. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. As I understood the previous unanimous-consent agreement—which in no way is affected by the agreement just entered into this evening—on tomorrow there will be 3 hours for debate on the bill. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. Mr. President, I desire to thank my friend, the Senator from Idaho [Mr. WELKER] for his courtesy and understanding.

The PRESIDING OFFICER. The Chair also points out that under the unanimous-consent agreement which has just been entered, the committee amendment has been agreed to, prior to the third reading of the bill; and the bill has now been read the third time.

Mr. JOHNSON of Texas. That is correct.

Mr. President, I also wish to thank the Senator from Idaho [Mr. DWORSHAK] for his courtesy, and I also wish to thank the distinguished acting minority leader, the Senator from Minnesota [Mr. THYE], for his courtesy. I appreciate very much the consideration they have shown.

Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. There has previously been entered an order that on tomorrow the Senate will meet at 9:30 a. m.; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. I thank the Chair.

Mr. President, again I thank the Senator from Idaho [Mr. WELKER].

Mr. WELKER. Mr. President, a few minutes ago I started to refer to the map which shows the Columbia River on its course past Bonneville, Portland, Oreg., and thence to the sea. The various markings shown on the map along the

rivers are existing or proposed dams for the development of power or the storage of water, or both.

I now point on the map to the Snake River. It rises in Jackson Lake, in northwestern Wyoming, near Yellowstone Park; curves across southern Idaho to the west; then turns north, where it forms the boundary between Idaho and Oregon; and finally turns west again, through southeastern Washington, where it flows into the Columbia, near Pasco, Washington.

The Snake has two main tributaries. The Salmon River rises in central Idaho, and flows to the north and west, emptying into the Snake south of Lewiston, Idaho. The Clearwater, farther to the north, rises in central Idaho, and flows westerly to where it empties into the Snake at Lewiston, Idaho. I wish to point out that both of these rivers flow into the Snake below Hells Canyon. These two tributaries of the Snake, the Salmon and the Clearwater, are as important as the Snake itself—much more so, in fact, from the standpoint of flood control; and later I shall have more to say about them.

It will be noticed that some of the markings on this map are colored—red or blue. The four red dots on the lower Snake, in southeastern Washington, before it joins the Columbia, are the so-called four lower Snake plants—at Ice Harbor, Monumental, little Goose, and lower Granite. I have colored them red to call attention to them. Why? Because thy are not there. They will not be there until the Congress appropriates another half a billion dollars to build them, over the protests of the Columbia River salmon and fishing industry, in which millions of dollars have been invested, and upon which thousands of workers depend for their livelihood. A few million dollars have been appropriated for preliminary work at the Ice Harbor site, and that is all.

Down on the Columbia is another red dot, the site of the proposed John Day Dam, between McNary and The Dalles. That plant also is not there, and to build it would cost nearly another half a billion dollars.

Why have I shown these five plants by means of red dots? Why do I call particular attention to them, when they are not there? Because it is upon these nonexistent powerplants—some of which may never be built—that the advocates of the Government dam at Hells Canyon depend for the exaggerated power-production figures which they ascribe to this monumental structure, which they wish to erect through the expenditure of taxpayers' funds.

There are also some blue markings on this map. They extend from the headwaters of the Snake, at Jackson Lake, over by Yellowstone Park, clear across southern Idaho to the Malheur River, another large tributary of the Snake, in eastern Oregon. Every one of those blue dots indicates a large storage reservoir. They represent only the big reservoirs. If the map were large enough, there would be dozens more of these blue dots, representing small reservoirs on practically every tributary of the middle and upper Snake, where water is stored for irrigation use, and serves the purpose of flood control at the same time.

The average annual runoff of the Snake River below Weiser, Idaho—that is in the Hells Canyon area—is about 12,500,000 acre-feet. That is an average figure; some years there is more, in many years there is less. It includes the return flow of the water temporarily stored and held back in all the reservoirs. These upper reservoirs—blue dots on the map—already have an existing storage capacity of about 8,800,000 acre-feet of water, more than two-thirds of the total annual runoff of the Snake River in an average year, and almost as much as the total flow of the whole river in low-water years.

The Snake River above the Salmon, with its existing storage dams and reservoirs, is already one of the best controlled streams in the whole Pacific Northwest—in fact, in the entire Nation.

It will be noted that there are no blue dots on either the Salmon River or the Clearwater River—both tributaries of the Snake. This was not an oversight. There are no markings there because there are no dams there. There are no storage reservoirs on either of these major streams, both of which are bad flooders. Both the Clearwater and the Salmon are absolutely uncontrolled rivers. Their water resource value, both for power and flood control, is wasted because of lack of storage, and both of them are major contributors to the floods on the lower Columbia. In fact, the Army engineers have characterized the Clearwater and the Salmon as being the worst flooders in the entire Columbia River Basin.

If we seriously and honestly want to control floods, the place to control them is where the flood waters occur; and on the Snake River system the place to build reservoirs to help control floods on the lower Columbia is on the Salmon and Clearwater Rivers, both of which enter the Snake below Hells Canyon. In other words, when the proponents of the big dam talk about flood control at Hells Canyon, the only practical result would be to dam up the trickle and let the deluge go.

I am not indulging in froth and oratory. The facts and figures support what I say. As Al Smith used to say—and I can remember his campaign when I was a young man—"Let's look at the record"—and by the record I mean the official records and reports of the United States Geological Survey and the United States Army engineers.

Since 1948—and that was the year of the bad flood on the lower Columbia—a number of large storage reservoirs have been completed on the middle and upper Snake, which further reduce the flow at Hells Canyon. Anderson Ranch Dam has been completed on the Boise, and Cascade Reservoir on the Payette—both built by the Bureau of Reclamation.

The Army engineers have completed Lucky Peak on the Boise; and the Palisades Reservoir on the upper Snake, over in southeastern Idaho, is nearing completion by the Bureau of Reclamation. These four dams, completed since 1948, and built where storage is needed for both irrigation and flood control, will provide over 1,600,000 additional acre-feet of storage on the Snake that is usable both for flood control and irrigation purposes. In fact, a witness from the Army engineers, testifying before the Federal Power Commission, stated that if a flood should recur, identical with the greatest known historical flood of 1890, the flow in the Hells Canyon area would be reduced to only 59,000 cubic feet per second—Federal Power Commission transcript, pages 13491, 13592–13593—instead of nearly 130,000 cubic feet per second, which occurred in 1894. This is a result of the upstream storage which has been constructed.

It is true that we do need more storage on the Snake and its tributaries in eastern Oregon and southern Idaho. We need it for irrigation, not only for new lands, but also to provide supplemental water for land already under cultivation but without an adequate water supply. We need it especially in poor water years, years of low spring runoff, when every drop must be diverted from the river into the upstream reservoirs, and stored and released later when it is most needed for irrigation use. That is where the conflict comes with storage for power down below at Hells Canyon.

Storage is also needed for flood control, too, on the upper Snake and its tributaries. Year after year thousands of dollars of flood damage occurs, first on one tributary, then on another. The Wood River in south-central Idaho, up by Hailey and Sun Valley, is one example. There are others all along the upper reaches of the Snake in eastern Idaho and Wyoming.

I digress to say that at Cambridge, Idaho, where I was born, from whence the road shown in the picture began, passing over the hill, this year there was a damaging flood in the Weiser River, which actually tore out of the channel a bridge on which I had climbed and played as a little boy. It was called the Cove Bridge. It did not throw it down into the channel, but threw it clear over to the roadside. It damaged the countryside, farms, livestock, and property of all kinds. It was the most damaging flood in Weiser River history.

The same thing occurred in the area where I now live, at Payette, Idaho. Hundreds of thousands of dollars of damage was done. Why? Because of lack of upstream storage, where storage is needed. Where a storage is needed, there should be an empty dam, not a filled one. What good would a filled dam do in the event of a flood? To have storage, it is necessary to have something in which to store water, and not something out of which to let the water run. We read about these floods every spring in the Idaho newspapers.

Here is a dispatch of last spring from up in the high country where the runoff is late. It is an Associated Press dispatch from the Boise Statesman—datelined from Jackson, Wyo. I read only a part of it:

Crews worked feverishly Monday (that was June 13) to reinforce dikes as the rapidly rising Snake River threatened to flood an area of rich farmland between Jackson and Wilson * * * Highway crews and volunteers sought to strengthen the dikes with new earth, old automobile bodies,

and rock and gravel hauled in by trucks * * * Dikes washed out by a flood last spring in the same area were replaced in construction work last fall. Extensive damage was caused by the 1954 flood.

The Corps of Engineers recognize these facts. Hearings were held at Idaho Falls February 15 of last year, and again only last week. Numerous projects were discussed which would provide storage in the high watershed area, where the bulk of the annual flow of the Snake River originates, and where it can be put to its maximum use.

Take a look at the river with me again. Let us see if there would be enough water there to fill the big Hells Canyon Reservoir, which requires 3,880,000 acre-feet of storage water to fill it. Let us look not only at the occasional years of heavy runoff. How about the average years? How about the dry years? Those are the years that count. How many of them are there. Let us look at a 20-year period of historical records and see what would happen to this big dam which it is desired to build.

Let us take a look at last year—1955. The winter of 1954–55 was one of low precipitation on the Snake River watershed. Had we not had a late, cold spring, which delayed the beginning of irrigation, 1955 might well have been the farmers' tragic year.

Fortunately, the big American Falls Reservoir in southeastern Idaho filled. But because of lack of upstream storage, when the spring runoff came down, American Falls actually had to spill water, because there was no upstream storage to hold it back. And so in a low-water year we had to waste water and let it run unused to the sea. See what I mean? See what Colonel Tandy meant by the need for upstream storage?

The situation was the same all across southern Idaho, and over on the Owyhee project in eastern Oregon. Here are some newspaper clippings.

April 1, 1955:

Rationing of water seen on Owyhee irrigation unit.

The Owyhee Reservoir, which supplies water for 100,000 acres in southwestern Idaho and eastern Oregon, had less than half of the water as at the same time the previous year.

Then, in spite of a cold, wet spring, on June 14, 1955, the Idaho Daily Statesman said:

Eastern Oregon water lack said critical.

The Owyhee Reservoir was 80,000 acre-feet lower than at the same time the year before. The Agency Valley Reservoir was only half full; and the Warm Springs Reservoir, with a capacity of 191,000 acre-feet, had less than 35,000 acre-feet of water.

Here is another one—April 6, 1955:

Boise area irrigation quotas cut.

Water allocations for the 150,000-acre Boise project were cut almost in half because of the below normal snowpack.

Here is an AP dispatch out of Washington, D. C., May 10, a year ago:

In the southern half of the Columbia Basin—

That is eastern Oregon and southern Idaho, the Snake River Valley—

Critical water supply shortages are developing. The Big and Little Lost Rivers, the Big Wood, the Little Wood, Salmon Falls Creek, and the Owyhee have low reservoir storage and a low snowpack.

It goes on to say that in the Snake River Basin water conditions would range from a high of only 90 percent of average, in the few places where there are reservoirs with carryover storage, down to a low of 32 percent of average in the Owyhee Basin. And these percentages were not based on good water years, but only on average conditions, under which water shortages normally occur in many areas.

In spite of these conditions, when the spring runoff came, there were local floods in many areas because of lack of upstream storage.

What the middle and upper Snake Basin needs is not one mammoth reservoir far downstream at Hells Canyon—below all irrigation, below the areas where numerous floods occur every year—but reservoirs located upstream in the higher country, where they can serve a real multiple-purpose use for irrigation and flood control, as well as for power—to catch and hold the water that is now wasted because it cannot be stored.

There are numerous sites for such reservoirs. Both the Idaho State engineer and a former deputy State engineer testified to this before the Federal Power Commission. Altogether these sites could provide an additional 7 million acre-feet of storage, all of it where storage is needed for irrigation, and will serve downstream flood-control needs as well. I have prepared a list of only a few of these reservoirs, and ask unanimous consent to append it at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Proposed reservoirs—Name, stream, and capacity

State of Wyoming, Snake River drainage:	
Blind Canyon, Snake River	765,000
Hoback Site, Snake River	1,223,000
Buffalo Fork, Buffalo Fork	200,000
Cottonwood, Gros Ventre	200,000
Pfisterer Ranch, Hoback	400,000
Elbow Site, Greys River	200,000
Stump Creek, Stump Creek	15,000
Elk Valley, Spring Creek	3,000
Crow Creek, Crow Creek	1,500
Bechler Meadows, Bechler River	186,000
Mountain Ash, Falls River	49,600
Teton Canyon, Teton Creek	3,000
State of Idaho, upper Snake River drainage:	
Tetonia, Teton River	131,000
Lower Willow, Willow Creek	200,000
Beacon, Bannock Creek	25,000
Molly's Nipple, Rock Creek	3,000
Thornton, Rock Creek	45,000
Raft River, Raft River	25,000
Otley, Cassia Creek	20,000
Albion, Marsh Creek	25,000
Crockett, Rock Creek	25,000
Williams No. 2, McMillan Creek	8,000
Williams No. 1, Cottonwood Creek	
Camas, Camas Creek	27,000
Modoc, Modoc Creek	10,000
Medicine Lodge, Medicine Lodge Creek	6,000
Birch, Birch Creek	35,000
State of Idaho, upper Snake River drainage:—Continued	
Garden Creek, Big Lost River	180,000
Castle, East Fork, Big Lost	100,000
Antelope, Antelope Creek	70,000
Little Wood, Little Wood River	45,000
Forks Site, Big Wood River	130,000
Warm Springs, Warm Springs Creek	20,000
Upper Clover Creek, Clover Creek	10,000
State of Idaho, central Snake River drainage:	
Bruneau Forks, Bruneau	350,000
Castle Creek, Castle Creek	5,000
Reynolds, Reynolds Creek	20,000
Squaw Creek, Squaw Creek	19,000
Jordan Creek, Jordan Creek	40,000
Twin Springs, Boise River	300,000
Dog Creek, Boise River	200,000
Garden Valley, Payette River	1,250,000
Johnson Park, Johnson Creek	2,300
Horse Flat, Camp Creek	3,300
Voder, Mann Creek	7,000
Lost Valley, Lost Creek	5,500
Tamarack, Weiser River	20,000
Upper Crane Creek project:	
Upper Hog Creek	3,000
Bed Rock Flats	7,400
Granger	2,000
Lower Hog Creek	2,800
Shirts Creek	2,300
Crane, Crane Creek	1,500
Squaw Flat, Weiser River	1,225
Bacon Creek, Weiser River	300,000
Duck Valley, Miller Creek	20,000
Thomas Creek, Little Weiser	3,500
State of Nevada, Snake River drainage:	
Duck Valley, S. Fork Owyhee	100,000
Bull Run, Bull Run Creek	15,000
Isaac, Succor Creek	38,000
Duncan Ferry, Owyhee River	1,000,000
South Fork, Malheur	90,000
Bully Creek, Bully Creek	31,000
Otis Creek, Cottonwood Creek	10,000
Mason Dam, Powder River	60,000
North Burnt, Burnt River	15,000
Thief Valley, Powder River	83,000

Mr. WELKER. Mr. President, there are many smaller ones which I have not included—reservoirs which the farmers badly need to supply their irrigation needs, as well as for local flood protection.

It will be recalled that a few moments ago I said that the total average runoff of the Snake River in the Hells Canyon area is only about 12.5 million acre-feet, and that figure comes from the official report of the Idaho State engineer. I also pointed out that existing reservoirs already have a capacity of 8.8 million acre-feet—more than two-thirds of the total average annual flow of the whole river. If only half of the available upstream sites are completed, this storage will equal the flow of the entire river in an average year.

What, then, is left for Hells Canyon, with 3,880,000 acre-feet to be filled with water that can only come from upstream? Even today, with the reservoirs we have now, taking the recorded river flow for a typical 20-year period, from 1929–1948, and adjusting the flow for the big reservoirs which have been completed since 1948—I named some of them—Cascade, Anderson, Ranch, Lucky Peak, and Palisades that will soon be finished, in many years the big dam could never be filled.

There was plenty of evidence before the Federal Power Commission on this

point—exhibits 88–A and 88–B. The hearing examiner referred to it in his initial decision. This is what he said:

> While there was some expert testimony which would cast doubt upon the dependability of water supply for the larger high-dam project throughout its economic life, there was no evidence of any lack of water forecast or diminution of flow contemplated that would affect the economic feasibility of the Idaho Power Co. proposal.

That is what the examiner found, and he recommended that the Brownlee Dam, which only requires 1 million acre-feet of storage, be licensed for immediate construction.

I want to say here and now that should this monstrous big dam be constructed at Hells Canyon, it will be the death knell for future irrigation in southern Idaho and the whole Snake River Valley. There is not enough water for both. That is why thousands of irrigators and scores of water-user organizations oppose the Government dam.

Does anyone think for a moment, if the Government spends half a billion dollars to build a dam and reservoir at Hells Canyon, with 3,880,000 acre-feet of storage, which could not even be filled today even under average water conditions, that there would ever again be another major storage reservoir built upstream in the Snake River Valley?

I want to see our Northwest prosper and grow. I want all of us to prosper and grow together. Of course, the cities on the coast need power. Idaho needs power, too, but most of all Idaho needs its water. Without more water, more storage, for future growth, Idaho is condemned to stagnation. The Snake River, as it flows across the State, is the artery which carries the lifeblood of agriculture for half a million people. Hundreds of thousands of acres of rich desert land are there, waiting for water to make that desert bloom for generations yet to come. We cannot have reclamation of arid lands, we cannot have irrigation without water. And we cannot store the same water in two places at the same time. There is not enough for both. The irrigators in southern Idaho know that. That is why they oppose the Hells Canyon Dam. Not only will it endanger their present water rights, but it would spell the end of growth forever in the Snake River Valley.

After a hearing which lasted over a year, the Federal Power Commission made definite findings in favor of the three smaller dams. It found that they will fully develop the Hells Canyon reach of the river, and without cost to the taxpayers. They heard and considered every phase of the question as to the best plan of development. They heard the advocates of the high dam, brought there to testify at Government expense. Their own technical staff presented a 44,000 man-hour study on every phase of the problem. They heard the testimony of a representative of the Army engineers. They considered all the complex problems of power production, and cost of power, navigation, flood control, recreation, and they found, on all the evidence, that the private enterprise three-dam plan was the best plan of development.

It will fully develop the 602 feet of power head in the river, exactly the same as would the more costly Government dam. The power will be developed immediately—the lowest cost power the Idaho Power Co. can possibly provide for its customers in southern Idaho and eastern Oregon. The Commission not only found that to be the case, but pointed out that this is one multiple-purpose river development that would be free of cost to the taxpayers. Instead, it will pay Federal and State taxes of $10 million every year.

It will provide large public benefits—other than power and taxes—likewise free of cost to the taxpayers. The Army testified that the larger release of water for downstream navigation from these smaller dams would be 2½ times the minimum release from the larger dam when it was storing water to fill. The evidence showed this, and the FPC license guarantees that the Army's downstream navigation requirements will be met.

The million acre-feet of storage provides an adequate amount of flood control for this section of the river, and, according to the Corps of Engineers, will fit into the Army's overall flood-control plan for the Columbia basin—a million dollars of flood-control benefits annually without cost to the United States.

The 3-dam development removes any possibility of conflict with upstream irrigation needs, either now or in the future. The license provides for this, and under private development the water rights are not only subject to the license provisions, but they are subject to State law and State control as well.

The project will help to meet a power shortage which already exists all over the Northwest—not 6 or 7 years from now, which is the time that Government engineers testified that it would require to build the Government dam.

Work at Brownlee, as well as preliminary work at the Oxbow development, has been underway since last November. Approximately a thousand men are at work there today. Seven or eight million dollars have already been spent on this construction, by an electric company that doesn't look to Uncle Sam to supply the needs of its customers.

If this development is stopped, the people of southern Idaho and the local utility will be placed in the anomalous position of having to build more expensive steam plants on the very banks of the Snake River, while its waters continue to flow unused down to the sea.

Finally, I should like to point out that a license has been issued for this construction, under the Federal Power Act by the Federal Power Commission, the body which Congress itself created to analyze and determine these complex problems of river development. The Commission, unanimously by its 5 members, made its findings against the so-called high dam, and in favor of the 3-dam program. In its decision, after reviewing all the evidence, the Commission specifically stated its judgment that the United States itself should not undertake the development of the Hells Canyon reach of the Snake River.

I believe the Federal Power Commission and their staff to be sincere and able men, just as I accept the testimony given by the Army on the flood-control and navigation benefits that the 3-dam project will provide. I certainly find no objection to the 10 million new tax dollars annually which the private development will provide for the States of Oregon, Idaho, and the Federal Government. I will be glad, finally, to see a huge, multipurpose development constructed, at long last, as the Commission said, without cost to the taxpayers of the United States.

Mr. President, in conclusion, I should like to call the attention of the Senate to the fact that great emphasis has been laid on certain findings by an examiner of the Federal Power Commission, and certain inferences were drawn unfavorable to the Federal Power Commission, the five man, bipartisan, quasi-judicial body of the Federal Government, which has been established to pass upon subjects such as this that came before it. The members of the Commission are able and honorable men, and they are learned men. The membership of the Commission is made up of both Democrats and Republicans. Let someone stand up and say otherwise. I would be glad to meet that argument in my closing debate tomorrow.

Is it reasonable to expect us in the Senate to take out of context some words of an examiner? Anyone who has practiced law, even for only a short time, knows what an examiner does. He brings the facts before the tribunal as he, the individual, must present them. In this case the examiner brought the facts before the five-man Commission, and that Commission determined the facts in a lawful, just manner.

I have confidence in the Federal Power Commission. I have President Eisenhower's thought in mind. I believe he has done his best to advocate the full development of this reach of the Snake River. America will profit, and certainly the taxpayers will not have to pay for the construction of a high dam. Mr. President, this will be my last lengthy debate on this bill. I have heretofore argued for the Idaho way, the American way. I rest my hope in the hands of the Senate of the United States. It is my prayer they will weigh my words as seriously as I have attempted to present them. To my farmers of Idaho I say I have done my best. I want your homes, your farms protected. We are all so proud of them. Without our water our State would fade away. Also let us see that private enterprise, with no expense to the taxpayer, be enhanced by our vote for America and for its sacred and great traditions.

Mr. DWORSHAK. Mr. President, I regret very much that the two Senators from Oregon found it necessary to leave the Chamber immediately after making their speeches this evening.

In view of the fact that the unanimous-consent agreement provides for 3 hours of debate tomorrow, before the final vote is had on the proposed legislation, I am sure that those of us who are speaking now, including myself, are speaking merely for the CONGRESSIONAL RECORD,

and that tomorrow we will indulge in the final debate on the issue.

I listened with a great deal of interest to the speeches this evening made by the supporters of the high-dam proposal, who profess great solicitude for the proper utilization of the water resources of the Snake River. Not necessarily for the benefit of the people of the State of Idaho, where most of the water originates, but, rather, so that the Nation may have the full benefit from any development in the Snake River Canyon. I share that concern, except that I make this one distinction: I have solicitude also and primarily for the people of the State which I have the honor in part to represent in the United States Senate.

Mr. President, we hear much about States rights. I am not going to detain the Senate long this evening, but I should like to discuss that phase of this particular controversy. In view of the fact that the Oregon Senators have reiterated the statement that a high Hells Canyon dam is essential as a flood-control project to safeguard the lower Columbia River Basin, I wish to refer very briefly to a chart which I moved from the rear of the Senate Chamber where it was placed by proponent of the high dam.

I wonder if I may emphasize something that should be emphasized in this debate. Here we have a chart showing the location of the main control reservoirs, but projects which are not a part of the main flood control plan are not shown.

In looking over the chart I find the great Snake River from the Wyoming border down through the central plain of southern Idaho, where there have been constructed approximately 20 reservoirs to store water from the Snake River.

In the northern part of the State of Idaho appears the Kootenai River which discharges its water and then joins the Snake River downstream near Pasco, Wash.

What I wish to point out is that on this map we find no trace of the great Salmon River or of the Clearwater River. My colleague from Idaho [Mr. WELKER] has already pointed out that much of the runoff of the Snake River and its tributaries originates in the Salmon and Clearwater Rivers; but they have been eliminated from the watershed of the great Snake River.

In 1948, Mr. President, there was a devastating flood in the Columbia River Basin, resulting in the loss of many lives, near Vanport and Portland, Oreg., and many million dollars' worth of property destruction. The record shows that in that devastating flood about one-sixth of the water discharged by the Snake River originated in the upper Snake River, two-sixths in the Salmon River watershed, and about one-half in the Clearwater River watershed. That means that about one-sixth of the volume of water discharged into the Columbia River by the Snake River and its tributaries originated in the Snake River, and five-sixths of it originated in the Salmon River and the Clearwater River.

But, Mr. President, the notation on the map says that projects which are not a part of the main plan for flood control are not shown. Does that mean that the two rivers which discharged five-sixths of the water in the great flood of 1948 are not involved in the runoff of the Snake River and its tributaries?

I wish my two distinguished colleagues from the State of Oregon were here to give us an explanation as to why they have seen fit to point to a chart which takes two great river watersheds out of the State of Idaho.

In their great solicitude for our State and for the lower Columbia River Basin, I wonder if my colleagues from Oregon know that the water which caused loss of life in their State originated in two rivers which are not even shown on this chart. The Senators should be here to answer that.

Mr. President, I see that the senior Senator from Oregon has returned to the Chamber. Possibly he can tell me why they have taken the Salmon River and the Clearwater River off the chart? I know he is thoroughly conversant with the various aspects of this entire controversy, and I wonder if he can explain why those two river watersheds have been taken off the chart.

Mr. MORSE. Mr. President, will the Senator from Idaho yield?

Mr. DWORSHAK. I yield.

Mr. MORSE. I asked the Senator to yield because I wish to express my sincere apology for not being present to hear the first part of his speech. I had not eaten since early this morning, and I am now greatly refreshed, and I hope we shall hear a very enlightening speech on the subject.

Mr. DWORSHAK. I may say that, in view of the arrangement which has already been entered into, I have stated that I would make a very short talk tonight and would try to make a few pertinent remarks during the time allotted to our side tomorrow in concluding the debate on this subject. I suggest to the 2 Senators from Oregon, and possibly the 2 Senators from Washington, that overnight they make an effort to discover the Salmon River and the Clearwater River, so that we can restore five-sixths of the water discharged from the Snake River into the Columbia near Pasco, Wash., because I am fearful that we cannot so easily eliminate those great watersheds merely by taking them off the chart which has been displayed for the benefit of the Senate this evening.

Mr. President, I am not going to discuss the engineering or political aspects of this subject tonight. Those matters have been thoroughly covered. But the senior Senator from Oregon made a remark on Friday which intrigued me greatly. I say that in all sincerity. I quote from page 12673 of the CONGRESSIONAL RECORD, where the Senator from Oregon had this to say:

> I want the people of the State of Idaho, as well as the people of Oregon and Washington, to join together in the common enterprise of trying to do what we can, as citizens of the three States, to try to develop our economic resources as a region in the interest of promoting the prosperity of all of the people of the region.

That inspires me, Mr. President, to devote my brief remarks now to the question of why the compact between the seven States in the Columbia River Basin has not been ratified by the legislatures of either Oregon or Washington. The Legislatures of Idaho, Utah, and Nevada, the latter two States participating only to a limited extent in the utilization of the waters of the Columbia River Basin, have ratified the compact. I question whether there is any possibility of entering into the kind of an agreement which has been suggested by my colleague from Oregon pledging the full utilization of the resources of the Columbia Basin for the interests of all the seven States in that basin.

Negotiations for an interstate compact between the seven States comprising the Columbia River Basin have been in progress for more than 5 years. They were first conducted on an informal basis between representatives of the various States, prior to the passage of authorizing legislation. Then, after formal authority to conduct such negotiations had been enacted by the Congress and the legislatures of the States involved, the negotiations were continued by the officially appointed representatives of the various States.

From the point of view of the upstream States, the fundamental requisite of any compact was proper protection for present and future irrigation water rights against the large water rights which are necessarily required for, and become appurtenant to, the great downstream powerplants. In other words, already there are water requirements for the great downstream plants which, in low-water periods, require more than the entire flow of the stream. If these rights are strictly enforced, there can be no further irrigation expansion in the great semiarid upstream basins of the Columbia River tributaries.

This was particularly important to the State of Idaho, which has the greatest potentials for irrigation development. Admittedly this will reach a minimum of a million additional acres, and with the possibility that this may increase up to 2 million additional acres. All of this is over and above the present irrigated empire of approximately 2¾ million acres.

Accordingly, throughout all the negotiations, the Idaho representatives have insisted that, without qualification, there must be a provision that present and future upstream irrigation water rights have priority over downstream nonconsumptive—power—rights. Idaho was fully supported in this position by the other upstream States. It was agreed that the same priority for irrigation rights should prevail with respect to the eastern portions of the downstream States of Washington and Oregon, for they, too, are dependent upon expansion of irrigation reclamation for their future agricultural growth.

Also, the upstream States, with Montana as their leading spokesman, have insisted that with respect to any future power developments with large storage reservoirs in any upstream State, the rights of the State in which the project is located to an equitable share of all of the resulting power, both at site and downstream, should be protected. From the experience at Hungry Horse, it was

realized that storage reservoirs would be operated, not with the principal object of producing the most power at site, but rather with respect to producing maximum power in the overall hydro system, extending clear down through the lower reaches of the Columbia—so that much of the actual resulting power from the storage would be produced at lower plants. It was also realized that the impending power shortages on the Pacific coast would initially absorb all new power, but the State of Montana felt that they should have the right hereafter, after due and proper notice, to draw back for use in that State their equitable share of the new generation when it was there needed in future years.

The other upstream States fully supported Montana in this position.

Many other questions are involved in the compact, but these were the basic matters discussed.

HISTORY OF THE COMPACT

The history of the proceeding so far in the compact negotiations is:

First. Negotiations of Columbia River compact authorized by act of Congress of July 16, 1952, amended July 14, 1954.

Second. (a) The States of Idaho, Washington, Nevada, Montana each passed specific legislative acts in 1951 creating commissions to negotiate this compact.

(b) Wyoming, Utah, and Oregon all had continuing compact negotiating authority of a general nature which enabled them to participate without further legislative action.

Third. After many meetings in all the States of the basin of the full group of commissioners, comprising some 40 men, and many meetings of special subcommittees, drafting committees, and other groups, a draft of the compact was agreed upon and was formally approved by the full group in Spokane, Wash., on December 29, 1954.

Fourth. The compact was formally signed at Portland, Oreg., on January 15, 1955, by the commissioners, and was approved by the Federal representative, Mr. Frank A. Banks.

Fifth. The 1955 Legislatures of Idaho, Nevada, and Utah formally approved the compact.

It has not been approved by the legislatures of the other States.

BASIC FEATURES OF COMPACT

While necessarily lengthy, and technical in language, the compact is basically simple.

The one absolutely mandatory provision, article VII, is that which provides that all irrigation water rights in the upstream area which are either now in existence or which may be acquired prior to the year 2000 shall be prior to any downstream, nonconsumptive—power—rights.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. DWORSHAK. I yield.

Mr. WATKINS. Does the Senator intend to discuss the potential possibilities of consumptive use upstream from Hells Canyon in Idaho?

Mr. DWORSHAK. No, I do not intend to, because I think that subject has been covered already; and I hope tomorrow we may use some of that information. I assume the senior Senator from Utah intends to use it.

Mr. WATKINS. I thought perhaps the Senator from Idaho would refer to that subject in his speech and would point out the potential uses and advantages which would accrue if an iron-clad agreement had been enforceable in the United States which would protect the upstream potentialities.

Mr. DWORSHAK. The Senator from Utah is a student of water law. He knows that frequently the Supreme Court of the United States renders decisions which are in conflict with existing States rights affecting water law. Because of that, obviously it is necessary for States such as Idaho and Utah, and other States in the upper watershed of the Columbia Basin, to resort to every possible safeguard to protect those future water rights and diversions for consumptive uses.

Mr. President, in the compact which was originally negotiated, it is provided that either at the year 2000—or in 2050, if it is later unanimously agreed to extend the time to that date—any then unappropriated waters may be apportioned among the States.

The importance of this provision is emphasized by the specific provision—article VII (D)—that the compact shall not become effective unless the Federal law approving it accepts this priority provision. This absolute priority provision is completely ignored in the committee report, page 28, and the completely erroneous statement is there made that no allocation to water will be made prior to the year 2000.

All other provisions of the compact with respect to power or water rights, other than the foregoing absolute priority of irrigation rights acquired up to and including the year 2000, are merely recommendatory.

The compact provides for a permanent Interstate Compact Commission comprised of 11 members, 2 each from Idaho, Montana, Oregon, and Washington, and 1 each from Nevada, Utah, and Wyoming. The Commission is intended to be a truly representative body, representing all of the States in the basin. It is given the power either to initially propose, or to review and consider proposals made by other Federal or State agencies with respect to all plans for the construction of works relating to flood control, navigation, power development, irrigation, or other water uses. It is intended to have general planning and review authority with the purpose of making it a truly adequate and representative spokesman for the whole basin. Among the things upon which this permanent Commission shall make recommendations are those with respect to the allocation of power in connection with all newly proposed projects. There is stated the basic provision that there shall be a fair and equitable apportionment of the hydroelectric power among the States in the basin. Also, that with this basic principle in mind, the Commission shall, with respect to all new projects, whether either federally constructed or constructed under licenses issued by the Federal Government, determine the amount of power and energy which, in its judgment is equitable for reservation and use in the State or States in which the project is located, and the kind of reservation which would be reasonable and practical in the particular case, and shall make its recommendation to the Congress or the licensing agency.

It is, of course, recognized that the only power of the permanent commission is to make such a recommendation, and that the determination with respect thereto would, in the final analysis, be made either by Congress or by the Federal Power Commission, as the case may be.

The commission also is directed to make recommendations to the proper agencies with respect to pollution control, fish, wildlife, and recreation protection, and to itself engage in general planning activities. The Commission would be financed by the States of the basin. A nonvoting Federal representative shall serve as chairman of the commission.

NEED FOR A COMPACT

The need for the execution of such a compact before creation of any new downstream Federal projects is very great. And particularly is there need for such a compact prior to the construction of any Federal project on the Snake River above the mouth of the Salmon River. For the demands for water in that section of the Columbia River Basin are already highly competitive, and will rapidly become more so.

All now concede that if any such Federal project as Hells Canyon Dam were constructed, the Federal Government, under its constitutional authority would be supreme, regardless of whatever protective language might be included in the act, for the reason that any such protective clause would be at best subject to immediate change by Congress and of no binding effect upon any Federal executive department claiming constitutional rights. A concise, current statement of this position is that made by J. Lee Rankin, Assistant Attorney General of the United States, at a hearing before the House Interior and Insular Affairs Committee on February 22, 1956, while that committee was considering the Water Rights Settlement Act of 1956, which is the same act as the so-called Barrett bill. Under questioning, Mr. Rankin testified as follows:

Mr. BUDGE. Just one question, and then I will yield. To bring this down to a specific bill which is pending before this committee * * * if that bill were enacted, then would the State laws be abrogated so far as the waters of the Snake River and its tributaries are concerned?

Mr. RANKIN. You have to have certain assumptions. Assume that it is a valid Federal project—and we would assume that—and that the Congress approved that action, any place where the State law would interfere with the carrying out of the will of Congress, we would say that the executive branch did not have to comply with that particular part of the State law, because they could not carry out the congressional will, and insofar as the State law would try to prevent the Federal Government from acting in its proper sphere it has no control.

Mr. BUDGE. In other words, if this Congress should pass the Hells Canyon bill, the control over the waters of the Snake River and

its tributaries would be under the control of the Federal Government insofar as any conflict arose between the operation of the project and State water laws. Is that correct?

Mr. RANKIN. I think that would have to follow.

And the majority report on S. 1333 admits, at page 27, "only a constitutional amendment can control actions of future Congresses" and that the protective language in S. 1333 has the limitation of being only "as complete and effective to both existing and future water rights, valid under State law as it is within the power of Congress to give."

The Snake River above the mouth of the Salmon River already has 8,800,000 acre-feet of storage, being by far the best developed stream in the basin. This existing storage will not fill in low water years. In 1934 the American Falls Reservoir, with the second oldest priority of the large reservoirs, filled only approximately 50 percent. Even the ardent advocates of the high dam admit it will not fill in years of low stream flow. Accordingly, there will inevitably be a clash between the demands for water in the Federal dam and the demands of the upstream irrigation water rights.

Without a prior interstate compact, the present and future irrigation water rights are in great danger. With an investment of a half billion dollars in the Hells Canyon project and its transmission lines, and additional billions of dollars in affected downstream projects, the pressure would be irresistible on the operators of the Federal dam in low water years to demand sufficient water for its full operation, even if it adversely affected upstream water rights. The downstream interests would demand that this be done. And Assistant Attorney General Rankin agrees it could be done.

A compact would be the only protection. It would bind the downstream States to recognize the upstream irrigation priorities. It would bind the Congress both morally and legally. And no Federal officials who were operating dams could trespass on irrigation rights unless and until the Congress had with all formality terminated or altered the compact.

Mr. WATKINS. Mr. President, will the Senator yield at that point?

Mr. DWORSHAK. I yield.

Mr. WATKINS. Is it not a fact that under the law and the Constitution, when a compact has been entered into between States and ratified by their legislatures, and also ratified by Congress, the States then can go into the Supreme Court of the United States and sue to protect their rights? In the case of a congressional act, which might be repealed or modified or amended at any time by the Congress, that could not be done; but there would not be any doubt whatsoever that the States could sue in the Supreme Court to protect their rights against other States.

Mr. DWORSHAK. I am sure that is the general understanding and the intention of the water districts and the water district leaders in my State. They feel that without the adequate protection of a compact committing the seven States in the Columbia River Basin to undertake an equitable distribution of the water, their rights might subsequently be placed in jeopardy because of the constant threat of Supreme Court mandates. To that extent I think it is obvious that, in the absence of a compact, there can be no adequate guaranty of the rights of the States in the basin.

Mr. WATKINS. I make this further observation: If the people or the governments or the representatives of the States of Oregon and Washington are so sure there is enough water in the upper Snake, not only to take care of present irrigation demands and present consumptive demands, but potential future demands, if possible, even up to 5 million acre-feet, they should be willing to write that assurance into a guaranty.

Mr. DWORSHAK. I cannot tell the Senator from Utah what has been the reason for the failure of the States of Oregon and Washington to ratify the compact, but certainly the fact that it has not been ratified by the legislatures of those two downstream States indicates that there is some fear or suspicion that the downstream rights will be limited or restricted in some way by the diversion of upstream consumptive use of water.

Mr. WATKINS. In other words, they are not willing to write their own guaranty. They want the assurance to be taken on the strength of something they say, but they are not willing to guarantee it in the future. They say there is plenty of water. If there is, why should not they guarantee it?

Mr. DWORSHAK. I wish the Senator from Utah would give the people of Idaho some assurance on that point. So far as I am concerned, I merely point to the fact that the compact has not been ratified by Oregon and Washington. For what reason, I do not know.

Mr. WATKINS. Should not those States follow the regular pattern which has been imposed upon the Colorado River States from the mouth of the river to the Gulf of California? Every foot of it had to be agreed upon before any project could be built.

Mr. DWORSHAK. Yes.

Mr. WATKINS. We had to have compacts on the overall river, and then we had to have compacts between the States on the upper division. That was the rule laid down by the Reclamation Bureau, the Department of the Interior, and the Congress. We could not get anywhere until we had all the compacts.

Mr. DWORSHAK. Yes; I readily agree with the Senator from Utah. That is a reasonable assumption. So long as no compact is ratified by the lower basin States, the people of Idaho are entirely justified in refusing to jeopardize the future use of their own water.

Mr. WATKINS. If the States of Washington and Oregon will not take a chance, why should the people of Idaho assume all the risk?

Mr. DWORSHAK. That is true.

Mr. President, the specious argument in the committee report, at page 28, completely overlooks the point that a compact would bind the downstream States. And it overlooks the fact that such documents, executed in accordance with the express permission of the United States Constitution, are instruments of the highest character—similar to international treaties. They are the aproved and frequently used methods for fixing rights between several States.

No further Federal dams on the Snake River, below the great irrigated empire, should be built until, by compact, the irrigation rights of the upstream areas have been assured protection.

The Senator from Utah has raised the very pertinent point that the two States of Oregon and Washington have failed to ratify the compact. It might be entirely appropriate at this point to refer to the fact that Public Law 464 of the 81st Congress, 2d session, is an act granting the consent and approval of the Congress to a compact entered into by the States of Idaho and Wyoming relating to the waters of the Snake River. That act was approved on March 21, 1950. It is very significant that this compact is very vivid and conclusive evidence of the good will and the desire for cooperation on the parts of the States of Idaho and Wyoming to have an equitable distribution and full utilization of the waters of the upper Snake River. If the States of Idaho and Wyoming could agree, as they did, to this compact—which makes a division and allocation of the water of the upper Snake River—then certainly the States of Oregon and Washington could be expected to do likewise.

Article I of the compact or agreement between Wyoming and Idaho provides as follows:

> A. The major purposes of this compact are to provide for the most efficient use of the waters of the Snake River for multiple purposes; to provide for equitable division of such waters; to remove causes of present and future controversies; to promote interstate comity; to recognize that the most efficient utilization of such waters is required for the development of the drainage area of the Snake River and its tributaries in Wyoming and Idaho; and to promote joint action by the States and the United States in the development and use of such waters and the control of floods.

So, Mr. President, I am sure that the people of Idaho are justified in the position they take, namely, that in the absence of a compact ratified by the States of Oregon and Washington, there is little justification for the State of Idaho to consent to the building of a high dam in the Hells Canyon, almost entirely dependent upon water from the States of Wyoming and Idaho to operate the dam, until there is a complete understanding, based upon the provisions of the compact which already has been ratified by the Legislatures of the States of Idaho, Nevada, and Utah.

So, Mr. President, on tomorrow, as we enter the final minutes of the debate on the bill, I think that one of the most potent arguments which will be made by those who are opposed to the high Federal dam is that thus far there has been a complete lack of good faith and good intentions on the part of the officials of the two lower-basin States of Oregon and Washington.

Mr. WATKINS. Mr. President, I wish to express my appreciation of the very fine presentations of the pending measure which have been made this

evening by the two Senators from Idaho—the senior Senator [Mr. DWORSHAK] and the junior Senator [Mr. WELKER]. They represent a great State and a great people. They have worked hard for the development of their State; and I think that they are justified in the opposition which has been expressed by them to this project. I believe they have a right to worry about the water rights for consumptive uses upstream of the Hells Canyon dam site, because once the dam is built—and it calls for approximately 4 million acre-feet of water a year for its operation—if the development of the dam goes forward, and if water becomes scarce, so that almost the entire stream is used for consumptive uses upstream of this project—and there should be a right to do so, under the law in the West, whereby consumptive uses of water have a prior right over all other uses—then either the dam could not be operated, or those who operate the dam would insist upon taking water from the supply to which Idaho is entitled.

Mr. President, Senate consideration of Senate bill 1333 has placed me in the unusual position of opposing what is claimed to be a water-resource development measure. It purports to be a measure which would contribute to the economic growth and progress of my neighbor State of Idaho and of the entire Pacific Northwest.

In view, therefore, of my opposition to the high Hells Canyon Dam proposal, I want to make my position abundantly clear before proceeding with a discussion of the bill itself.

In the first place, I have been, am now, and will continue to be, in favor of as much support as the Federal Government can provide for water-resource development, based on the principle that the Government should develop only the necessary projects which the citizens cannot build with their own resources.

I strongly endorse President Eisenhower's water-resource policy statement to the effect that—

> The conservation and use which we make of the water resources of our Nation may in large measure determine our future progress and the standards of living of our citizens.

I endorse the policy, enunciated under other Republican administrations, that revenues from hydropower facilities may be utilized to develop other water resources on interstate streams. This policy is essential to the continued development of water for all uses, especially in the semi-arid West.

Furthermore, I am strongly in favor of river-basin development, such as proposed by the Colorado River Storage project, recently authorized by the Congress.

These are basic policies in water-resource development; and I believe that I can adequately demonstrate, in the comments which will follow, how my stand in opposition to Senate bill 1333 is consistent with these policies and with the positive performance record of the Eisenhower administration in the field of natural-resource development.

Unfortunately, the high Hells Canyon proposal has been a partisan issue for so long now, that there exists much confusion in the public mind—and I dare say in the minds of some of us in this body—about exactly what is at issue in this matter. Hence, to delineate the basic issue, I shall preface my remarks by pointing out some specific things that this legislative proposal would not do:

First. High Hells Canyon Dam would not contribute a drop of water for irrigation use or municipal consumption in Idaho or elsewhere in the semiarid West.

In spite of the fact that this measure was handled by the Senate Irrigation and Reclamation Subcommittee, of which I am a member, it is not fundamentally a reclamation project. On the contrary, it is a power project which has some very limited flood-control values which can be effectuated under an alternative program at Hells Canyon or elsewhere.

The high Hells Canyon Dam would not conserve water, nor would it provide any water for reclaiming land by irrigation. It would not be a holdover storage reservoir. The reservoir behind the dam would be used exclusively for flood control, river regulation, and power production, which means that the dam would merely retard the flow of the Snake River for a relatively brief period of time, not conserve it for use in dry cycles lasting longer than a few months.

In fairness, I must point out that S. 1333 provides that revenue from this project may be utilized to finance irrigation projects in the Snake River Basin, upon completion of the 50-year amortization period, if Congress so directs.

Of course, Mr. President, such a provision is perfect nonsense, because in that respect the bill says, in effect, that the Congress can do thus-and-so if it wishes to do thus-and-so. Mr. President, it is not necessary to provide in a bill that Congress can act if it wishes to act; such a provision would be completely redundant, unnecessary, and without value.

However, it is significant that the Idaho State Reclamation Association, representing over 2 million acres of irrigated land in the State most directly affected, has been adamantly fighting the high Hells Canyon proposal for the past 8 years, and is solidly opposed to S. 1333. The Governors of Idaho, Oregon, and Washington also oppose the measure.

In addition, it is also true that if a need exists for power revenues to finance reclamation projects in the Snake River Basin a half century from now, comparable revenues can be obtained from the FPC-approved three-dam project, if the Federal Government elects to recapture the project facilities during or at the end of the 50-year licensing period.

Mr. President, under the law, as I have pointed out, that agency of the Congress—which has a judicial capacity and also a legislative capacity, in accordance with the standards laid down in the Federal Power Act—can determine, and it has determined, that only a license is given this company; that the company has no permanent right; that its right or license is limited to 50 years; and that at the end of that time the project can be taken over by the Government. In that event, probably the company would have some equities there, which would have to be taken care of; but from that point on, the Government could take the project and could take the revenue and could use them for the development of the water resources of the entire basin. That would be in accordance with the principle, now well established, that the electric-power revenues can be used for the purpose of aiding and developing the other beneficial uses of such a stream.

Furthermore, the revenues from the latter project would be available several years ahead of irrigation returns from the high-dam project. This fact discloses the real nature of the "giveaway" propaganda unfairly directed against the FPC-approved plan.

Second. High Hells Canyon Dam would not solve the problem of flood-control needs on the Columbia River.

The alleged flood-control contributions of the high Hells Canyon Dam have been so magnified that I feel that many Americans, possibly even including some Members of this body, are convinced that construction of the high dam would immediately end all flood-control problems on the Columbia River; and that failure to build the high dam would contribute directly to destruction of life and property on the lower Columbia. Such is not the case.

The facts are that present irrigation dams higher up on the Snake River, together with direct diversions and irrigation pumping, have taken much of the crest from any possible floods on that tributary of the Columbia. Also, it is true that planned reclamation projects, together with the million acre-feet of flood-control storage in the FPC-approved 3-dam Hells Canyon project, will, for all practical purposes, eliminate the possibility of any consequential flood runoff from the Snake River above the Hells Canyon Dam site at the season when the other tributaries of the Columbia are at flood stage.

Today, the upper Snake River is not the real flood producer of Columbia River tributaries. The major flooding problems are now, and will continue to be, contributed by the Salmon and Clearwater Rivers, both of which join the main stem of the Snake well below the Hells Canyon reach. Little irrigation storage exists, or is contemplated, on these two flooding tributaries.

Unfortunately for the sake of understanding on this matter, all three of these rivers flow through a sparsely inhabited section of the West. If we were discussing the Potomac River, for example, no one would seriously believe that the problems of flood control on and below the Anacostia River could be solved by building a single flood-control reservoir far up on the upper reaches of the Potomac. Such a storage reservoir would, of course, contribute to a total reduction of volume in the river itself; but it would do little to counter the effect of heavy floods originating on the Anacostia drainage or pouring into the main river from tributaries between the Anacostia and the upstream flood-control reservoir. Also, the Snake River, unlike the Potomac, already has on the upper

river extensive irrigation storage dams—some 8 million acre-feet of storage, in fact—which serve an auxiliary-flood-control purpose, and make the need of an additional 4 million acre-feet of flood-control storage at Hells Canyon highly questionable.

Third. High Hells Canyon would not produce kilowatts for the Northwest in the immediate future, when they are needed.

Construction of two units of the three-dam, FPC-approved project is now well under way. Completion of two units by the end of 1958 now appears possible. To arrest this program, and to substitute a project to build the second highest dam in the world—a project which would require from 6 to 8 years, or more, to build—would delay actual power production from 1958 to 1964, or even later. One of the main reasons advanced for the construction of high Hells Canyon Dam has been the urgent need for additional energy for the Northwest. It is now extremely evident that this need can be met far more quickly by the program approved by the Congress' power agency, than by the delaying action proposed in S. 1333.

I interpolate to say that I know the State of Idaho is in need of increased electric energy. I know that because the Idaho Power Co., the utility which serves that State, or at least the south end of it, is actually purchasing electric energy now from the State of Utah, energy which is produced in steam plants located in Salt Lake City. That supply will not be available too much longer. So Idaho will be in desperate straits for power if the power development does not take place very soon.

Fourth. The high Hells Canyon project does not begin to compare with the Colorado River storage project for its contributions as a comprehensive water resource project.

Many uncomplimentary comments about the Colorado River storage project have been made by supporters of the high Hells Canyon project. I do not know what it accomplishes these destructive critics to attempt to obliquely discredit a great project that has been overwhelmingly approved by the 84th Congress, but there is no denying the fact that repetitive attempts have been made to undermine the Colorado project while extolling the virtues of the high Hells Canyon project.

What these people have been doing, in effect, is to compare a good power project, high Hells Canyon, with an outstanding comprehensive water-development project that produces power as a byproduct of water storage dams, namely, the Colorado project. The fact that power in the latter project costs more to produce than power from Hells Canyon is largely academic, because the real value of the Colorado project lies in the fact that it makes available to 4 semi-arid States roughly 5 million acre-feet of water from the only large remaining source of water for that desert area.

If an honest comparison of the two projects is made, it will be readily apparent to any fair-minded person that high Hells Canyon does not begin to compare with the Colorado project for its regional and national contributions.

High Hells Canyon would produce hydropower, and do so quite efficiently. This cannot be denied. It also would make limited contributions in flood control, navigation, and recreation. However, an alternative development—the three-dam FPC-approved project—also would produce hydropower with comparable efficiency, as well as make certain other contributions, such as flood control, recreation, and navigation—at no expense to the Federal Government, and do so while local, State, and Federal taxes are being paid.

In addition to its tremendous contribution of making possible the ultimate development of the water resource of the upper Colorado River, the Colorado River storage project also possesses these values:

(a) Its great storage vessels, such as Glen Canyon, Flaming Gorge, and Navajo Dams, store and conserve water which is vital to continued growth and progress of the Mountain West. Glen Canyon, for example, will have holdover storage capacity for 26 million acre-feet—as compared with 4 million acre-feet at high Hells Canyon—and will store, for periods up to 20 years, surplus waters of wet cycles for use in dry years.

(b) Initial project units will provide 48,800 acre-feet of water for municipal purposes. Irrigation water developed also is available for future municipal and industrial use under priorities established by State laws.

(c) Initial units also will provide irrigation water for 233,930 acres of farmlands now inadequately supplied, and for 132,360 acres of new irrigation lands, required to meet future local food and livestock forage requirements.

(d) Project reservoirs would provide needed water recreation areas for a mountain-desert area.

(e) Indian peoples would benefit, both from construction employment and from augmented water supplies.

(f) The project will add roughly a million kilowatts of installed hydropower capacity to a power-deficient area.

(g) The above contributions and others add up to significant civil-defense values, personally vouched for by Civil Defense Administrator Val Peterson.

Finally, there was no alternative to the Federal action taken on the Colorado River.

I cite these recognized values of the Colorado River storage project, not to discredit the high Hells Canyon proposal, but to defend a highly commendable project against unjustified slurs. You may be assured that I will have more to say about this subject later on.

Fifth. Approval by the FPC of the three-dam Hells Canyon project does not penalize the Pacific Northwest in its overall water resource development.

If Oregon and Washington have been severely retarded in their water resource development under Federal auspices, then some 46 other States would like to be so penalized.

Oregon is the No. 1 State in construction appropriations for navigation and flood-control projects, and Washington is No. 3 on the list. These two States have received a total of $929,909,000 for construction of such projects, or roughly one-seventh of the seven billions which have been appropriated for this civil-works program in all 48 States.

In addition, Washington is No. 1 on the list of Federal reclamation construction expenditures in any one State. Oregon's reclamation program is considerably more limited, but both States have received a total of more than $600 million in Federal funds for reclamation projects, one-fifth of all reclamation construction funds.

During the 4-year period of 1953 through 1956, almost a half billion dollars was appropriated for new work by the Corps of Engineers in the Columbia River Basin alone, a sum far greater than that provided for any other river basin in the Nation and amounting to some 30 percent of the new-work appropriations for the Corps of the entire United States.

Hence, I think we can assume that regardless of the action on high Hells Canyon Dam, water resource development will proceed in the richly favored States of Oregon and Washington at a pace comparable with or in advance of all other States.

The FPC-approved three-dam project, which is now going forward, itself represents no penalty upon the Northwest. On the contrary, it represents a private extension of that very extensive Federal program which I have just described. Furthermore, the successful culmination of the privately sponsored Hells Canyon project undoubtedly would tend to strengthen the revived interest in resource development among private business interests in the Northwest. If private industry is able to participate with the States and the Federal Government in this development program, then it is possible that a large part of the rich, undeveloped energy resources of the Northwest can be harnessed and put to use, thereby benefiting both the individual States, the region, and the Nation as a whole.

Development of the remaining water and power resources of the Columbia River will require expenditures of from six to eight billion dollars, or more, and it appears good sense to utilize the partnership of all interest—local, State, Federal, and private enterprise—in this vital, but admittedly expensive development. Meanwhile the Pacific Northwest—which has the country's richest hydropower potential—already has the Nation's lowest power rates, a regional asset of tremendous value, in and of itself.

So much for some observations, apparently negative in nature, to help place this argument in proper perspective. Now let us proceed to a brief analysis of the measure to ascertain what it actually proposes.

First. S. 1333 violates the precedent of Congressional respect for State's rights in water-resource legislation affecting the semiarid West.

No interstate compact has been effected to adequately protect the rights of Idaho and other upper basin States to consumptive uses of water in the Columbia River. This was one of my basic reasons for voting against S. 1333 when it

came before the Senate Irrigation and Reclamation Subcommittee in 1955. It still remains a basic objection.

People who live in the humid sections of the country have difficulty in comprehending the active interest in water resource legislation that is taken by those of us who live west of the 98th meridian, in what is the semiarid region of this great country of ours. In much of my part of the West, annual precipitation averages only from 5 to 10 inches a year. This represents only a little more moisture than falls here in the East during a typical week of heavy hurricane rains. Furthermore most of this limited precipation in the semiarid West occurs in the winter in the form of snow. Therefore, to have water for our cities and our relatively small agricultural oasis, we are obliged to build storage reservoirs which trap moisture during the spring snow melt and conserve it for use during the dry months of the year.

In western water development, a major advantage has been enjoyed by the downstream water users on our large rivers. The downstream areas frequently are the first to develop, have the best hydro power sites, and build up population justifying earlier development.

This was the situation faced by the upper States of the Colorado River Basin when the downstream users first proposed large-scale storage on that river in the 1920's. The upper basin States, whose watersheds collect 90 percent of the water of the Colorado, recognized that the tremendous storage capacity proposed for the Boulder Canyon project would enable the downstream States of California and Arizona to put to use all the available, unappropriated water in that river. Hence, the upper basin States refused to approve the construction of the Boulder Canyon project until the lower basin States had guaranteed to them, in an interstate compact, specific consumptive water uses in the river. Ratification of such a compact was required by Congress as a condition to authorization of the project bill which ultimately made possible the construction of Hoover Dam.

A similar situation exists on the Columbia River today. Tremendous power and irrigation projects have been constructed on the lower river. In this river basin, however, unlike the situation on the Colorado, the coastal sections are a water-surplus area, and considerable reclamation development has occurred in Idaho's Snake River drainage basin. Hence, there has not been a comparable drive in that basin for compact protection or for downstream water use.

The day is approaching, however, when competing uses of the Columbia's water will have to be resolved by compact. That situation is now at hand on the upper reaches of the Columbia, where an international compact will be required to permit further development on that tributary. On the Snake River tributary, fears of barriers to future water development in Idaho are the basis of Idaho opposition to the high Hells Canyon proposal.

From my own experience as a resident of an upstream State, I can assure my friends in Idaho that their fears are justified. A power dam consumes little water, but it establishes an appropriation right to streamflow which must be considered in any future water development upstream. In the case of the high Hells Canyon Dam, a reservoir impoundment of 4 million acre-feet would be required for flood control storage, power production, and regulation of the river flow to provide seasonal prime power at 9 power dams downstream. Witnesses at the hearings on this bill testified that projected uses during the next 50 years would permit this single Government reservoir to function efficiently, without interfering with estimated future water needs upstream. However, no estimates were made on possible effects of these downstream power-regulatory storage needs upon Idaho water development after the 50-year amortization period, and the high dam itself would be built to last at least 150 years.

There was testimony to the effect that only during the 50-year payout period could the experts establish and more or less make a solid commitment that there would be enough water for that period. However, beyond that point, the testimony is vague and uncertain, and there is no definite statement by any of the experts that beyond that period there would be enough water for development.

We have known in the past how water becomes available. Lands are needed to take care of increasing populations, and the cost of water is a very small item if it is available at all. So the millions of acres in Idaho which are now desert may in the future, if the water right is preserved to them, and the right to use it, be developed to provide homes for hundreds of thousands, if not millions, of people.

This large question mark on water available after the turn of the century bulwarked by the obvious power of the lobby-propaganda support drummed up for the high Hells Canyon proposal, has alarmed officials and water-user groups throughout Idaho and crystallized opposition in the Gem State to S. 1333.

So far as I recall during my term here, Congress has never approved a large-scale reservoir project like this without the support of the State in which the structure is located.

On the other hand, there is the precedent of the Boulder Canyon project bill of 1928, which produced congressional support for Hoover Dam, contingent upon ratification of an interstate compact.

The Columbia River States have a proposed compact, drafted in 1954 after interstate considerations extending over many months. However, the proposed compact, while signed by the compact commission in early 1955, has not been ratified by the lower basin States of Oregon and Washington. In fact, the impression has been given that these States will not ratify such a document. Instead, Oregon and Washington are telling Idaho, in effect, "We refuse to guarantee upstream rights by entering into a compact, but we offer you in place of such a formal legal guaranty, a protective clause in S. 1333 which will effectively protect your rights to Snake River waters."

So far, Idaho has not accepted the assurances that a proviso of S. 1333 will protect its rights to develop a rightful share of Columbia River water. On the contrary, Idaho leaders and farm groups have accepted the alternative proposal of the Idaho Power Co. to develop needed kilowatts by a three-dam project which requires only 1 million acre-feet of storage, and which is not keyed into a regulatory program to increase firm power production at 9 large downstream power dams.

The suggestion has been made that a proviso to make authorization of high Hells Canyon contingent upon compact ratification would now remove all major objections to this legislative proposal. Such compromise action may have helped, if the measure's proponents had made such a proposal last session, or in previous sessions. However, a development last fall—approval of the three-dam proposal by the Federal Power Commission—injected another major objection which cannot be removed by a willingness at this time to effectively guarantee upstream rights. This objection is summarized as follows:

Second. S. 1333 proposes upsetting a decision of the Congress' own bipartisan power agency, the Federal Power Commission, made after the most extensive deliberations in FPC history, amassing 20,000 pages of testimony in 150 hearing days.

It is indeed surprising to see some of my good friends on the other side of the Chamber supporting a move which aims at undermining the Federal Power Commission, an arm of the Congress, not under the domination of the Executive, but our own instrumentality, which has been given the means, the experts, and the bipartisan judges to determine something which we cannot very well determine for ourselves.

The FPC was established during the Wilson administration—after some good Republican spadework in previous administrations—and its authority was extended during the early years of Franklin D. Roosevelt's administration. Democratic stalwarts like Senator Burton K. Wheeler must be appalled at the prospect of this attack upon a great utility regulatory agency by their modern counterparts in the Congress. The shades of Republican liberals, like conservationist Gifford Pinchot, who pioneered in the campaign to bring about the FPC, also must be disturbed at this prospect.

The Federal Power Act of 1920 was passed by the Congress to provide an independent, bipartisan expert body to license and supervise power projects and waterpower developments on the public lands, navigable streams, and other waters subject to Federal jurisdiction.

Deficiencies of direct congressional action in this field were well summarized in the minority views on S. 1333, as follows:

Late in the 19th century and in the early years of the 20th century, the Congress itself undertook to examine and license by separate statutes each individual non-Federal hydroelectric project proposal. This

practice did not assure consistency with the public interest because the Congress was not equipped technically to examine proposals from the point of view of optimum development of the resources of the region involved. Furthermore, the lack of uniform standards made determination of the best multipurpose development impossible and tended toward piecemeal, limited development of the better hydroelectric sites.

These deficiencies were early recognized by Presidents Theodore Roosevelt and William Howard Taft, who refused to approve individual licensing bills and who urged upon the Congress the necessity for legislation of general application that would establish standards to be met by non-Federal project proposals.

Today, we have the FPC, whose authority has been extended to regulate utilities as well as issue licenses, and we have well-defined Commission policies established during more than a quarter century of legislation and Commission operation. Yet, when the chips are down on a tough FPC decision, the parent body now is asked to overrule its expert Commission—in effect, to overrule itself—and put power-project licensing back a half century into the era of individual project bills.

The question naturally follows: If the Congress cannot draft general policies which can be followed by its bipartisan, administrative commission, then why not dispense with the commission and restore licensing action to Congress before we have any further repetition of the waste represented by this proposal to disregard a decision based on 150-hearing days of an expert commission?

In other words, if the FPC is now found wanting after years of successful operation—the solution appears to be action to modify the rules, the basic policies, and not a resort to special legislation to gain, retroactively, an end that was not acceptable to the expert body established by Congress to weigh such proposals.

Revocation of the Commission's studied action would be tantamount to a return to the days at the turn of the century, when Presidents Theodore Roosevelt and Taft used Presidential vetoes to help persuade the Congress to achieve expert, consistent action on matters of this type.

The position of the minority is very sound on this score, as the minority views attest:

> We of the minority do not presume to decide these issues as between the Hells Canyon 1-dam plan and the 3-dam plan. The majority would have the Congress undertake this task. In so doing, the majority would commit the Congress to a task for which it has neither the time nor the technical resources. It would have the Congress return to a method of individual project review tried and found wanting 50 years ago.

Third. The action upsetting the FPC decision may entail Federal liability for a large investment, of as yet unspecified size, already made by a private utility acting under a license issued by a congressional agency.

Articles in Idaho newspapers have disclosed the fact that several hundred workers have been employed by Idaho Power on the construction of Brownlee and Oxbow Dams, and a diversion tunnel has been completed for one unit. Additional millions have been invested in constructing transmission tie-ins and in fabricating special generating equipment. This construction speed has been necessary because the license requires completion of the Brownlee unit by the end of 1958.

Inasmuch as this activity occurred following the hearings conducted by the Senate committee, it behooves the proponents of S. 1333 to clearly inform the Senate how much is actually involved in these FPC-authorized construction activities, what the Federal liability would be, and how these additional costs would affect the financial picture painted in the hearing record and report.

Fourth. Approval of S. 1333 would mark a departure from a half century of reclamation policy that reserves Federal sponsorship to projects which are not practicable for State or private financing.

Private enterprise has constructed three-fourths of the reclamation works in this country. Reclamationists are strong believers in private enterprise, and the whole purpose of the historic Reclamation Act of 1902 was to provide for Federal financing of sound reclamation projects which could not be undertaken by State or local interests. Nowhere in the reclamation movement do we encounter the feeling that the Federal Government should exclusively develop our water resources.

This does not mean that we reclamationists are not grateful for Federal assistance, when it is required. We most certainly are, and there are many good water development projects in the semi-arid West—including Washington and Oregon—that can never be developed without Federal financing.

However, we are also well aware that there exists a tremendous backlog of desirable public works projects that also need Federal financing. This backlog has been estimated at $80 billion, with three-fourths of the potential projects in the water resource field. To find these billions, and, at the same time, to meet our astronomical defense costs, it is essential that all avenues of financial assistance—Federal, State, local, and private business—be utilized.

Here in the Hells Canyon area, we have a sound private utility that not only has offered to finance a power-flood-control project, but also has obtained the necessary license from the FPC and energetically expedited construction work. Under these circumstances, and in view of the billions needed for a large variety of needed public works, it just doesn't make sense to kill a going project and waste the time, money, and effort involved.

Abraham Lincoln long ago told the people that the Federal Government should do for its citizens only those necessary things that the citizens cannot do for themselves. This is a paraphrase of President Lincoln's remarks, but the sentiments were sound a century ago, and they are a good guiding principle for us today.

I could go on at some length developing these and other ideas on this subject, and endeavoring to correct some of the misstatements and half-truths in the heavily one-sided committee report on this measure, but I shall not take time to do so at the moment.

CONCLUSION

In conclusion, I wish to summarize my position on this bill as follows:

First. The Congress' own power regulatory agency has authorized a three-dam project for the Hells Canyon reach of the Snake River which does virtually everything done by the proposed high Hells Canyon Dam, and at no expense to the Federal Government.

Second. If revenues are required to help finance water resource development in the Snake River Basin in the future, the Federal Government can obtain them by recapturing the facilities to be built and paid for by Idaho Power Co. under its 50-year FPC license. These revenues, incidentally can be made available several years before similar funds would be available from the proposed Federal high dam, because the low dams would be built much earlier, and the 50-year period would terminate much earlier.

Third. Construction of the three-dam plan will provide power for the Northwest by 1958, several years ahead of energy deliveries from a single high dam.

Fourth. The State of Idaho favors the FPC-approved three-dam program now under construction; it adamantly opposes the proposed high dam because of possible adverse effect upon its future water supply and agricultural economy.

Fifth. In pressing for the high dam, which has many professed downstream benefits, the downstream States of Oregon and Washington have resisted guaranteeing upstream water development rights by ratifying an interstate compact to govern use of the water resources of the Columbia River.

Sixth. Approval of the high dam proposal would mark a departure from half-century-old reclamation policies of requesting Federal assistance only for those projects which cannot be built and financed by State or local interests.

Seventh. Rejection of the high dam proposal would not retard, to any consequential degree, water resource development in the Pacific Northwest, an area where one-seventh of the national flood control and navigation construction expenditures and one-fifth of the reclamation construction appropriations have been concentrated in two States—Oregon and Washington.

In fact, defeat of the high dam proposal probably would enlist further participation by private interests, thereby supplementing the extensive program now going forward and planned for the future under Federal auspices.

One of the chief reasons the advocates advance for the authorization of a Federal Hells Canyon Dam project is the need for flood-control storage in the Snake River Basin. I requested a statement from the office of the Chief of Engineers on this matter last year, receiving a reply which I ask unanimous consent to be inserted in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

OCTOBER 6, 1955.

Hon. ARTHUR V. WATKINS,
United States Senate,
Washington, D. C.

DEAR SENATOR WATKINS: Reference is made to your letter dated September 7, 1955, requesting information on several matters including the adequacy of the annual water supply at Hells Canyon site.

Annual emptying and filling of the entire usable capacity of Hells Canyon Reservoir was not contemplated by the Corps of Engineers. The preliminary plan of operation considered in connection with the developments outlined in House Document No. 531, 81st Congress, provided that Hells Canyon would be operated jointly for flood control and power on a streamflow forecast basis with a total of 3,280,000 acre-feet of storage space available for use. Later the Bureau of Reclamation studies indicated 3,880,000 acre-feet of storage space could be made available. Under the Corps of Engineers' plan the amount of storage to be evacuated annually would vary depending upon the runoff forecast, the entire 3,280,000 acre-feet being evacuated only when a runoff of more than 10 million acre-feet was estimated for the months February through July. Under this plan the reservoir would be refilled annually except during critical years of low water supply and power shortages under which circumstances the reservoir might advantageously be emptied below the point where refilling would be assured. Examinations of past records indicate that the reservoir would not have completely refilled four times during the measured record of 1910 to date.

In regard to your question relative to the basis for computing benefit ratios, a maximum amortization period of 50 years has been the general rule for economic analyses made by the Corps of Engineers. An extensive search of the large number of studies that have been made by the Corps of Engineers would be expected to reveal some exceptions to this general rule, however, it is believed that it would show very few instances where a period longer than 50 years was used in determining benefit-to-cost ratios.

The amounts of flood control storage space recommended in surveys by the Corps of Engineers for the rivers specified in your request are shown in the following tabulation. The amount of storage space shown for the upper Snake River includes storage existing or under construction in amount of 2,850,000 acre-feet.

Tributary	Recommended flood control storage space (acre-feet)	Survey report
Main stem of Snake River, confluence with Columbia to Clearwater River.	None	H. Doc. 704, 75th Cong., 3d sess.
Clearwater River	3,730,000	Review report, Columbia River and tributaries Middle Snake River Basin, Dec. 22, 1953.
Grande Ronde River.	None	H. Doc. 531, 81st Cong., 2d sess.
Salmon River	None	Do.
Upper Snake River including tributaries.	7,380,000	Do.

Sincerely yours,

E. C. ITSCHNER,
Brigadier General, United States Army, Assistant Chief of Engineers for Civil Works.

Mr. WATKINS. Mr. President, the answer to the specific question of necessary flood storage is found in the report, printed as House Document No. 531, according to this reply. The Assistant Chief of Engineers says that 7,380,000 acre-feet in the basin above the Hells Canyon site is required. As in most storage reservoirs, this space can be used jointly for flood control, power, and irrigation when operated under regulations which include runoff forecasting based on snow measurements. Forecasts in this basin have been tested for more than 20 years.

The design and proposed operation of the Palisades Dam and Reservoir on the basis of joint uses for the purposes of flood control, power, and irrigation resulted in making it a financially feasible undertaking. It will be completed by the Bureau of Reclamation next year.

The letter of the Assistant Chief of Engineers also states that the 7,380,000 acre-feet includes storage on tributaries as well as on the main river, and that it "includes storage existing or under construction in amount of 2,850,000 acre-feet." An examination of the 1953 water supply paper of the United States Geological Survey for Snake River Basin shows that, including Palisades Reservoir, there now exists an active storage volume in this drainage area of 7,781,000 acre-feet, of which 3,742,000 is on the main stem of Snake River.

I ask unanimous consent that there be printed in the RECORD at this point table I.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE I.—*Reservoirs in Snake River Basin above Hells Canyon*

[Data from U. S. Geological Survey Water Supply Papers]

Reservoir	Operation year	Active capacity, acre-feet	Stream
Jackson Lake	1906	840,000	Snake River.
Island Park	1938	125,000	Henry's Fork.
Henry's Lake	1922	76,000	Do.
Grassy Lake	1939	15,000	Do.
Palisades [1]	1957	1,202,000	Snake River.
American Falls	1926	1,700,000	Do.
Lake Walcott	1906	105,000	Do.
Oakley	1911	74,000	Goose Creek.
Magic	1909	190,000	Malad River.
C. J. Strike	1952	50,000	Bruneau River.
Owyhee	1932	1,120,000	Owyhee River.
Anderson Ranch	1945	464,000	Boise River.
Arrowrock	1915	286,000	Do.
Lucky Peak	1955	280,000	Do.
Lake Lowell	1908	177,000	Do.
Warm Springs	1920	191,000	Malheur River.
Agency Valley	1935	60,000	Do.
Deadwood	1930	160,000	Payette River.
Lake Fork	1926	16,000	Do.
Cascade	1949	650,000	Do.
Total in operation [1]	------	7,781,000	

[1] Palisades will be in operation in 1957.

[Data from other sources]

UNDER CONSTRUCTION

Brownlee	------	1,000,000	Snake River.

BEING STUDIED

Garden Valley	------	843,000	Payette River.
Burns Creek	------	120,000	Snake River.
Alpine	------	780,000	Do.
Marsing	------	830,000	Do.
Total	------	2,573,000	
Grand total	------	11,354,000	

Mr. WATKINS. Mr. President, the table includes the 1 million acre-foot capacity Brownlee Reservoir, now under construction under license from the Federal Power Commission. The Commission has required that Brownlee be operated to serve flood-control purposes to the greatest possible extent, and 500,000 acre-feet will be available on March 1 of each year, the whole capacity to be made available, under regulations of the Corps of Engineers, when necessary. The table also includes 4 reservoirs in planning and investigation stages. These aggregate 2,573,000 acre-feet of storage space, so that the total storage in a few years could be 11,354,000 acre-feet. Certainly three-quarters of this active storage space, 8,500,000 acre-feet as a minimum, is beneficial directly to alleviating flood damages not only locally but downstream in the Columbia River channel.

The Assistant Chief of Engineers, in this letter of October 6, 1955, also said that of the existing storage, including Palisades Reservoir, 2,850,000 acre-feet, are now set aside for flood control under regulations of the Corps of Engineers. By the further refinement of forecasting, I do not doubt but that this volume could easily be doubled in the existing structures. However, disregarding this probability, and adding the last items of the table, Brownlee Reservoir and those being studied, to the 2,850,000, there will be a total of 6,420,000 acre-feet for flood-control use, jointly with other uses, of course. This is not far from the requirement of 7,380,000 acre-feet suggested in the letter of October 6.

The comprehensive plan of the Corps of Engineers presented in House Document No. 531, 81st Congress, is not the final solution of the Corps of Engineers. These eminent specialists did not claim it was, and do not now. The corps held hearings in Montana, Washington, Oregon, and Idaho last month to hear local people on the matter of reviewing the 1949 plan. I ask that the notice of these hearings be placed in the RECORD at the conclusion of my remarks.

I note, however, according to this notice, that the 1949 report indicates that in computing the storage space needed at Hells Canyon no consideration was given to storage on the Clearwater River. Now, two sites on this stream, the worst flood producer in the Snake River Basin, will be studied. The construction of control storage on the Clearwater would result in the reduction or elimination of further space required on the middle and upper Snake drainage over that shown in my table I.

The argument for the high Hells Canyon project as a flood-control necessity does not appear now to have the particular validity to warrant our consideration.

Proceeding next to the subject of present and prospective irrigation in the Snake River Basin above Hells Canyon reach of Snake River.

I ask unanimous consent that there be printed in the RECORD at this point tables II and II–A.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE II.—*Irrigation in Snake River Basin above Hells Canyon reach of Snake River*

	Irrigation acreage
Idaho	1,802,400
Oregon	205,700
Wyoming	66,700
Nevada	40,900
Utah	6,300

NOTE.—The acreage is taken from Bureau of Census reports for 1950 and represents that irrigated by enterprises, which includes a small percentage of lands deriving water from more than one local source. The Idaho acreage is corrected for lands shown in independent basins, such as Lost Lake.

TABLE II–A.—*Areas served by irrigation enterprises in Columbia River Basin.*

[Data from 1950 report of Bureau of Census]

	Columbia River Basin	Total in State
	Acres	*Acres*
Idaho	2,032,600	2,167,900
Montana	347,200	1,808,600
Nevada	40,900	722,900
Oregon	770,700	1,337,500
Utah	6,300	1,167,000
Washington	586,800	618,100
Wyoming	66,700	1,474,800

NOTE.—Data from drainage basin tables Nos. I, pt. I.

Mr. WATKINS. Mr. President, I have taken these data from the 1950 report of the Bureau of the Census to avoid any question as to their integrity. Table II shows irrigation in 1950 in the basin under discussion. Five States are here involved. The acreage now irrigated is not as important as the future increase of irrigated agricultural lands in this arid region. The testimony was that there will inevitably be an increase in irrigated areas, especially in Idaho; that this increase would result in the depletion of river flows in Hells Canyon reach of an average of 2,435,000 acre-feet annually in about 50 years. The evidence was that each acre of irrigated land would evaporate about 2 feet depth of water including losses from new reservoirs; in other words 2 acre-feet per irrigated acre.

The testimony was that there might be an increase in irrigated lands, between 1950 and 2010, of 1,300,000 acres, and that the effect of this depletion of Snake River flows for power at Hells Canyon had been considered in studies for project feasibility. There also was testimony that there has been an increase of 200,000 acres since 1950. It may well be that with new storage developments and increased pumping from groundwaters in the Snake River plains, the depletion by irrigation easily could be twice as rapid and much more extensive than the estimates. My concern is not altogether confined to the effects on power production. My principal concern is the absence of an agreement among the Columbia River Basin States to the effect that use of water for power production shall be subservient to all the beneficial consumptive uses for agricultural, municipal, and industrial purposes. The compact of the seven States of the Colorado Basin, signed in 1922, carries such a stipulation. It is a sure way to protect upstream water users, whether in the Colorado or the Columbia River Basins, against both Federal and private power developments downstream. It is one of the more important aspects of interstate stream compacts between interested States that they may determine their respective rights in basin water resources and the conditions to control the use.

The Congress has approved and consented to 15 such compacts in the West. Congress has also stated a policy for observing the rights of the States. The policy of the Congress is in forceful, strong, and plain language. It is in the preamble to section 1 of the Flood Control Act of 1944, better known in the West as the O'Mahoney-Milliken amendment. Let Senators pay close attention to it as I read:

In connection with the exercise of jurisdiction over the rivers of the Nation through the construction of works of improvement, for navigation or flood control, as herein authorized, it is hereby declared to be the policy of the Congress to recognize the interests and rights of the States in determining the development of the watersheds within their borders and likewise their interests and rights in water utilization and control, as herein authorized to preserve and protect to the fullest possible extent established and potential uses, for all purposes, of the waters of the Nation's rivers; to facilitate the consideration of projects on a basis of comprehensive and coordinated development; and to limit the authorization and construction of navigation works to those in which a substantial benefit to navigation will be realized therefrom and which can be operated consistently with appropriate and economic use of the waters of such rivers by other users.

We do not have recent official statements from the governors of any of the seven States of the Columbia River Basin approving construction by the Federal Government of the high Hells Canyon project. We have testimony that some of the governors do not approve, including the governor of Idaho. Most of the water supply originates in Idaho, and yet the bill, S. 1333, would ignore the interests of the State of Idaho.

As against the water demands of the large power developments constructed, under construction, and authorized to be built downstream from the agricultural areas of Idaho, Oregon, Nevada, Wyoming, and Utah, what are the rights of irrigators whose uses are initiated junior to the power developments at Bonneville, at The Dalles, at McNary, at John Day?

In addition to these dams on the Columbia River below the mouth of Snake River, I apply the same question to the four authorized power dams on the Lower Snake River in Oregon, which are Lower Granite, Little Goose, Lower Monumental, and Ice Harbor. The testimony was that the power drops over these eight dams aggregate 687 feet. Without an interstate agreement, approved by the Congress, no one can answer this question.

The proposed high Hells Canyon project that would be authorized by the bill before us, would, it is claimed by its sponsors, surrender its priority against future upstream consumptive uses. However, the project is feasible only because downstream powerplants, present and future, credit to the project the benefits received from its operation. Therefore, these also acquire rights under the project, all the way to Bonneville Dam. The States of Oregon and Washington have not at this date, agreed to have their power rights made subservient to upstream developments for irrigation, municipal, and industrial purposes. They must do so ultimately when the total basin resources are necessary to the Nation's welfare. They will do so when we return to the basic principle that the development of natural resources is not a matter of partisan politics, but, instead, is a matter involving the rights of sovereign States.

It has been claimed by the sponsors of S. 1333, as amended, that it protects present and future upstream uses of water under the laws of the affected States. These States are Nevada, Utah, Wyoming, Oregon, and Idaho. Rights to water obtained under the laws of these States are founded on the doctrine of priority of appropriation. This doctrine is the law also of the seven Colorado River Basin States. These States never entertained any doubts on the necessity of an interstate compact to cover the Colorado River stream system. What this compact, signed at Santa Fe in 1922, provides is pertinent here.

The Colorado River Compact of 1922 was approved and consented to by act of Congress in 1928. Article IV of this compact is as follows:

(a) Inasmuch as the Colorado River has ceased to be navigable for commerce and the reservation of its waters for navigation would seriously limit the development of its basin, the use of its waters for purposes of navigation shall be subservient to the uses of such waters for domestic, agricultural, and power purposes. If the Congress shall not consent to this paragraph, the other provisions of this compact shall nevertheless remain binding.

(b) Subject to the provisions of this compact, water of the Colorado River system may be impounded and used for the generation of electrical power, but such impounding and use shall be subservient to the use and consumption of such water for agricultural and domestic purposes and shall not interfere with or prevent use for such dominant purposes.

(c) The provisions of this article shall not apply to or interfere with the regulation and control by any State within its boundaries of the appropriation, use, and distribution of water.

Subsection (b) of section 13 of the Boulder Canyon Project Act of 1928, in which act consent to the project was given, reads as follows:

(b) The rights of the United States in or to waters of the Colorado River and its tributaries howsoever claimed or acquired, as well as the rights of those claiming under the United States, shall be subject to and controlled by said Colorado River compact.

The Colorado River Compact could not, as a practical matter, be terminated by a simple act of Congress, because Congress has approved article X which reads as follows:

This compact may be terminated at any time by the unanimous agreement of the signatory States. In the event of such termination, all rights established under it shall continue unimpaired.

I have examined the Columbia Interstate Compact, which was approved by a commission representing the States of Idaho, Montana, Nevada, Oregon, Utah, Washington, Wyoming, and the United States. The date of its approval was December 29, 1954. The legislature of the State of Idaho of 1955 ratified this compact. The compact provided that rights to beneficial consumptive uses in the States of Idaho, Montana, Nevada, Utah, Wyoming, and in the portions of Oregon and Washington, east of the Cascade Mountains, whether established heretofore or hereafter prior to the controlling date, under the laws of the States involved, if validly established under those laws, shall be recognized as against, and shall not be limited by, any rights, existing or future, to such waters for nonconsumptive uses by means of developments, locally, wholly, or partly, within a member downstream State whether the rights to such nonconsumptive uses are established under the laws of a member State, or are being asserted under the authority of the United States in connection with any water use or control development constructed by or under the authority of the United States. I note that it covers existing and future consumptive uses, and thereby, provides complete protection to those upstream areas which are relying on agricultural development, in large part, for their future prosperity.

I also note that this compact contains in article XII the following language:

> Except as otherwise specifically provided in subdivision D of article VII hereof, this compact shall remain in full force and effect unless and until terminated by action of the legislatures of the States of Idaho, Montana, Oregon, and Washington which action is consented to and approved by the Congress of the United States: *Provided*, That in the event of any termination all rights theretofore established hereunder or recognized hereby shall continue to be recognized as valid notwithstanding such termination.

This is the same provision as was agreed to in the Colorado River compact.

An act passed by the Congress without the approval of all of the States involved is certainly not in keeping with the policy of the Congress, which I have heretofore described. Moreover, a simple act of authorization is, as everyone knows, subject to later modification or repeal by another act of Congress at a later date. I have cited an article from the Colorado River compact of 1922 and also one from the proposed Columbia Interstate compact, which provide that these compacts, when approved and consented to by the Congress, could only be terminated by the States themselves. In the case of the Colorado River compact, it could be terminated only by the unanimous agreement of the States. In the case of the proposed Columbia Interstate compact, it would be terminated only by act of the legislatures of each of the States of Idaho, Montana, Oregon, and Washington, these being the major States of this basin. In my opinion, these provisions give complete protection to the use of waters in the States involved in interstate compacts and to their citizens who obtain rights to waters under their laws. I know of no other method for obtaining complete protection for all water users, large and small. I assure Members of the Senate that in rejecting approval of the measure before us they are taking an important step in maintaining the integrity of States rights and in guaranteeing political autonomy at the grassroots level.

The Committee on Interior and Insular Affairs of the Senate has in its files the briefs of the staff of the Federal Power Commission covering its protracted hearings on the applications before it concerning the development of power in Hells Canyon. I shall not go into these matters extensively, but I should like to present a brief summary from some of the evidence and from the findings of the Commission with respect to the three-dam plan for Hells Canyon, which has been approved and is under license to be constructed by a private utility, which serves the upper Snake River region, and with respect to the high Hells Canyon Dam.

I ask unanimous consent that there be printed in the RECORD at this point, a table containing these data.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE III.—*Hells Canyon Reach of Snake River*

[Data from staff brief, Federal Power Commission]

	3-dam plan	High dam
Installation (kilowatts)	783,400	800,000
Nominal prime power (kilowatts)		
At site	565,000	646,000
Downstream	110,000	278,000
Total	675,000	924,000
Average annual generation (millions of kilowatt-hours):		
At site	4,783	5,554
Downstream	517	990
Total	5,300	6,544
At market (93 percent)	4,880	6,086

Mr. WATKINS. Mr. President, I note that the installations of generating capacities are for the three-dam plan, 783,400 kilowatts and for the high dam, 800,000 kilowatts; that the prime power capability is 565,000 kilowatts for the three-dam plan and 646,000 kilowatts for the high dam; that downstream capabilities for prime power will be increased 110,000 kilowatts by the three-dam plan and 278,000 kilowatts for the high dam; that the total nominal prime power for the three-dam plan will, therefore, be 675,000 kilowatts and 924,000 for the high dam. It seems to me, however, that the average annual generation for each plan is a better method of comparing them than the comparison of the prime power capabilities of installations. I think that the actual salable production of energy is a better measure. The table shows this and summarizing it we find that the three-dam plan will deliver 4,880 and the high dam will deliver 6,068 millions of kilowatt hours annually at market. The three-dam plan will produce over 80 percent of the energy produced by the high dam plan. If we consider the energy produced at the dam sites, and allow 7 percent for transmission loss, the three-dam plan will produce 86 percent as much power as the high dam. This should answer the claim that the licenses plan will result in a large loss of power potential, because the claim is without real substance.

We were supplied with costs of these two plans during our hearings. The complete cost of the three-dam plan will not exceed $133 million. The lowest estimated cost of the high dam is $328 million. Adding transmission costs to these, increases the total project costs to the following amounts:

For the 3-dam plan $154,000,000
For the high-dam plan 405,000,000

I have a table which gives these and other data, and I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE IV

[All values in round numbers]

	3-dam plan	High dam
Total cost	$133,000,000	$328,000,000
Transmission, local and regional	21,000,000	77,000,000
Total project investment	154,000,000	405,000,000
Annual generation, at site in average kilowatts [1]	546,000	634,000
Investment cost per average kilowatt of output	$280	$640

[1] These values are derived by dividing the "average annual generation" quantity of the previous table by 8,760, the hours in a year.

Mr. WATKINS. Mr. President, the final item in the table shows the investment cost per average kilowatt of output of $280 for the three-dam plan and $640 for the high dam.

I have discussed the importance and scope of irrigation in the upper Snake River Basin, and included data in support of my views. I have shown that there exists nearly 8 million acre-feet of storage and about 3½ million acre-feet of storage space under construction or being planned. This storage, except for that under construction in the Hells Canyon reach of Snake River, is chiefly near the mountains where snowmelt runoff causes floods. Flood storage at high Hells Canyon would benefit no one in the basin upstream. That storage would tend to contain floods after they had traversed parts of Wyoming and Oregon and most of the length of Idaho.

The data I have presented on power production are from records and from conclusions of the Federal Power Commission's technical staff after long hearings and reviews of testimony and exhibits. I have made some calculations from these data, and it seems to me that when a non-Federal entity is able to provide 86 percent as much electric energy, with an investment of $154 million, as a Federal agency would with $405 million, there is actually little argument for an authorization to effect Federal intervention. To approve S. 1333 is completely unrealistic fiscally, and is in violation of the principles adopted by the Congress regarding such developments in the Western States.

I ask unanimous consent to have printed in the RECORD a summary on the Hells Canyon project, a summary on the

Scriver Creek power project, and a memorandum issued by the Corps of Army Engineers.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

HELLS CANYON PROJECT

SUMMARY

1. The bill, S. 1333, in item a on page 2, refers to the report of the Commissioner of Reclamation approved May 11, 1951.

2. The bill will authorize Hells Canyon Dam as described in the Columbia Basin report, which is now a House document, and as modified by the 1951 report of the Commissioner.

The report states that the Hells Canyon project, consisting of a dam, reservoir, and powerplant will cost $356,810,000. Of this amount $43,424,000 is nonreimbursable. The report also states that the cost of transmission lines, based on 1948 price levels, is $120 million. Thus the total cost, according to the 1951 report of the Hells Canyon project, and transmission system required therefor, would be $476,810,000. Neither the 1951 report nor the "underlying report" of April 1948 mentions the cost of interest during construction. The interest item, however, has been estimated during our hearings on S. 1333 at $27 million. Thus, the total cost of the project and pertinent features would exceed $500 million.

3. There is an item also mentioned, in the 1951 report, in the amount of $5 million for migratory fish preservation facilities. However, in none of the studies which I have examined is the $5 million considered; that is, it has not been added to either the three-dam project or the high-dam project costs, and it does not affect a relative comparison significantly.

4. The 1951 report notes on page 2 that the "original comments of the States of Oregon, Nevada, Utah, Washington, and Wyoming are in agreement with the proposed plan set forth in this report. The Governor of Idaho, however, in commenting on the proposed report and on the Columbia Basin report, indicated that prior construction of the power units of the Mountain Home division in southern Idaho might be more advantageous to the State of Idaho." Apparently there were no comments from the Governor of Montana on the Hells Canyon project separately from the Columbia Basin report plan.

5. It is pointed out that the Columbia Basin report, printed as House Document No. 473, 81st Congress, is similar to the report on the Colorado River (H. Doc. 419, 80th Cong.) in that both are catalogs of possibilities which could receive the approval of most everybody in connection with the objective of accomplishing basinwide integration respecting water resources.

THE SCRIVER CREEK POWER PROJECT

SUMMARY

1. The Scriver Creek power facilities include works for diverting waters from the North Fork of Payette River to the Middle Fork through a total drop of 1,280 feet. In utilizing this difference in head, the waters will be used in two powerplants with capacities as follows: Upper Scriver Creek, 30,000 kilowatts, lower Scriver Creek, 90,000 kilowatts, initial installations.

2. The bill, S. 1333, in item B on page 2, refers to the report of the Commissioner of Reclamation, approved May 11, 1951. This report gives the estimated cost of these plants at $49,413,000, allocated to power. A part of this allocation, $2,245,000, will be an irrigation pumping power allocation, according to Project Planning Report No. 1-5.5-7.8., which report is referred to in the document of May 11.

3. In this Project Planning Report at page 140 is shown the pay-out period for the Payette unit of the Mountain Home project. That project, of course, includes Scriver Creek power facilities in one large project estimated to cost $253,234,000, of which $249,118,000 is reimbursable.

4. At the top of page 3, the May 11 report says that the Payette division of the Mountain Home project includes "192,000 acres of fertile desert land."

5. The last pargraph on page 2 of the May 11 report mentions the Garden Valley Dam and powerplant, stating that its construction will be deferred for a future stage of development. The active capacity of the reservoir is about 840,000 acre-feet and the power installation will be 60,000 kilowatts.

6. The May 11 report, however, recommends only the Scriver Creek power facilities.

7. Attached also is a special report of the Regional Director at Boise on the Scriver Creek power facilities, dated June 1955. Page 6 of this report gives the cost of the Scriver Creek facilities also at about $49 million, and the annual cost for producing power would be $2,405,700. On page 8 under the heading "Financial Feasibility" it is stated that the total project costs, including the unassigned cost of Cascade Reservoir, could be returned in 43 years at 2.5 percent interest. The return for energy sold would be 4.7 mills for firm energy; 2.6 mills for off-peak energy; and dump energy at 2 mills. On this basis, the annual revenue would be $2,566,000, as against the annual cost of $2,405,700.

8. In the future it is planned to add the Garden Valley unit at an estimated cost of about $30 million. The required revenues from power for the whole plan would be about the same as for the Scriver Creek plants alone.

9. The total cost of the Payette unit of the Mountain Home project is stated in paragraph 3. It would include the Scriver Creek and Garden Valley powerplants, the diversion works from the Payette drainage to the Boise River, the diversions from Lucky Peak Reservoir to the lands in the Hillcrest Division, the diversion from the South Fork of Boise River to the Long Tom Division constituting the Payette unit. The Project Planning Report referred to in the April 11 letter (or report) contains the following financial summary which was previously referred to at page 140:

Summary of cost allocation and repayment of reimbursable costs

ALLOCATION OF COSTS

Reimbursable: Irrigation	$199,705,000
Power:	
Commercial power	47,168,000
Irrigation pumping power	2,245,000
	49,413,000
Total reimbursable	249,118,000
Nonreimbursable:	
Flood control	940,000
Fish and wildlife	3,176,000
Total nonreimbursable	4,116,000
Total	253,234,000

REPAYMENT OF REIMBURSABLE COSTS

Irrigation allocation:	
Payments by water users	$22,455,000
Application of interest component earned on power investment	19,118,000
Surplus net power revenues from project in 79 years	80,737,000
Basin-wide repayment plan	77,395,000
Total	199,705,000
Power allocation: Payments from net power revenues	49,413,000
Total reimbursable costs	249,118,000

The summary assumes a schedule of construction in the development of irrigated lands which will include a total repayment period of 79 years. It is noted that something over $77 million must come from power revenues other than those of the project and it calls that source "Basin-wide Repayment Plan." However, water users would be required to pay 40 years only, exclusive of what might be collected during the development period. But, it is also pointed out that this financial summary, prepared in 1949, includes the application of $19 million of interest on power as repayment for irrigation costs. This method of financing is not presently accepted by the Congress, and thus a basin fund would be required to supply about $96 million instead of the $77 million.

CORPS OF ENGINEERS,
UNITED STATES ARMY OFFCE,
DIVISION ENGINEER,
NORTH PACIFIC DIVISION,
Portland, Oreg., June 9, 1956.

NOTICE OF PUBLIC HEARINGS ON COLUMBIA RIVER AND TRIBUTARIES

Pursuant to resolution adopted July 28, 1955, by the Committee on Public Works of the United States Senate, the Division Engineer has been directed to review the report on Columbia River and tributaries published as House Document No. 531, 81st Congress 2d Session. For your information the resolution reads as follows:

"Resolved by the Committee on Public Works of the United States Senate, That the Board of Engineers for Rivers and Harbors, created under section 3 of the River and Harbor Act, approved June 13, 1902, be, and is hereby, requested to review the report on the Columbia River and tributaries published as House Document No. 531, 81st Congress, 2d Session, and other reports, with a view to determining the advisability of modifying the existing project in any way at this time particularly with regard to present requirements of flood control including consideration of flood storage in Canada; the present needs of navigation; a restudy of hydroelectric power potentialities as a part of a combined hydrothermal system; and consideration of all related water uses."

In order that the report may fully cover the matter, public hearings will be held by the respective district engineers as follows:

HEARING TO BE CONDUCTED BY CORPS OF ENGINEERS

[*Date, time, location, and district*]

July 9, 1956, 9 a. m., Bitterroot Room, Florence Hotel, Missoula, Mont.; district engineer, Seattle district.

July 10, 1956, 9 a. m., Chamber of Commerce Auditorium, 1020 West Riverside, Spokane, Wash.; district engineer, Seattle district.

July 11, 1956, 9 a. m., Ball room, Lewis and Clark hotel, Lewiston, Idaho; district engineer, Walla Walla district.

July 12, 1956, 9 a. m., Crystal Ball Room, Boise Hotel, Boise, Idaho; district engineer, Walla Walla district.

July 13, 1956, 9 a. m., auditorium, Interior Building, 1101 N. E. Lloyd Blvd., Portland, Oreg.; district engineer, Portland district.

A description of the existing project for Columbia River and tributaries, as well as a résumé of the water-resource problems and potential solutions to these problems, are contained in the attached bulletin for your advance information and consideration. Additional information on the various projects under consideration will be presented at the public hearings. Advance information on any specific project or group of projects may be obtained from the appropriate district engineer.

This series of hearings is being held in the early stages of the review study to permit the Corps of Engineers to obtain suggestions and comments from those interested in resource development in order that full consideration can be given to these views in the formulation of a feasible and acceptable plan of development. It is planned to hold additional hearings in 1957 after specific proposals have been developed. All interested parties are invited to be present or represented at one of the above-listed hearings. Full opportunity will be afforded for the expression of views concerning the need for further water-resource development in the basin and general plans of improvement desired.

Oral statements will be heard, but for accuracy of record all important facts and arguments should be submitted in writing, in quadruplicate. Written statements may be handed to the district engineer conducting the public hearing or be mailed to him beforehand. Those wishing to present oral testimony should notify the district engineer in charge preferably in advance of the meeting. In order to permit maximum participation, it is desired that each presentation from the floor not exceed 10 minutes. Time will be allowed for answering questions from the floor.

For your information the addresses of the district engineers are as follows:

District engineer, Seattle district, Corps of Engineers, 4735 East Marginal Way, Seattle, Wash.

District engineer, Walla Walla district, Corps of Engineers, Building 602, City-County Airport, Walla Walla, Wash.

District engineer, Portland district, Corps of Engineers, 628 Pittock Block, Portland, Oreg.

Please bring the foregoing to the attention of persons known to you to be interested in the matter.

L. H. FOOTE,
Brigadier General, United States Army,
Division Engineer.

INFORMATION BULLETIN ON A STUDY OF WATER RESOURCE DEVELOPMENT OF THE COLUMBIA RIVER BASIN

This bulletin outlines the objectives of the restudy being conducted by the Corps of Engineers, United States Army, of its 1948 "308 Review Report" on the Columbia River (published as H. Doc. 531, 81st Cong., 2d sess.), and outlines some of the possibilities being considered to achieve a fuller development of the basin's resources.

Detailed project studies and field investigations by the Corps of Engineers are being conducted by the respective District Engineers. The Seattle district area includes that portion of the Columbia River Basin above the head of the McNary pool near Richland, Wash. The Walla Walla district encompasses the Snake River Basin and that portion of the Columbia between the head of The Dalles pool near the mouth of John Day River to the head of McNary pool. The Portland district has jurisdiction over the balance of the Columbia River Basin, including the Willamette River Basin.

The Corps of Engineers is receiving assistance in this study as follows:

Project investigations in the Clark Fork and upper Snake River areas and irrigation studies—Bureau of Reclamation.

Power load growth studies—Federal Power Commission and Bonneville Power Administration.

Power transmission studies and transmission costs—Bonneville Power Administration.

Evaluation of effects of water resource development projects on the fish and wildlife resource—United States Fish and Wildlife Service and State fish and game agencies.

Evaluation of effects of water resource development projects on forest access and management facilities—United States Forest Service.

Appraisal of recreation values—National Park Service, the Forest Service and fish and wildlife agencies.

Requirements of future water supply and sanitation—Department of Health, Education, and Welfare.

Advisory committees composed of representatives of five Northwest States, Federal agencies, private and public power concerns and navigation interests have been established to review and advise on the studies as they progress.

A consulting board of four nationally recognized engineers has been formed to assist the Corps of Engineers, principally in the review of power problems.

THE PRINCIPAL OBJECTIVES OF THIS REVIEW

1. Flood control: To formulate an acceptable and effective plan for control of main river floods, giving full consideration to control of floods in upper river flood zones in the selection of reservoir projects.

2. Navigation: To investigate the need for improvement and extension of inland navigation systems.

3. Hydroelectric power: To investigate the future power needs of the Northwest area and to analyze major undeveloped hydroelectric resources. To investigate the economics and operating characteristics of hydroelectric developments in a future combined large hydro and thermo electric generating system.

4. Columbia River Basin in Canada: To study the effects of potential developments in the Canadian portion of basin on developments and needs in the United States and to study the cost and benefit relations as factual groundwork for negotiation between the United States and Canada in the interest of coordinated development of the resources.

5. Related water resource interests: In analyzing the foregoing main basin problems, to consider the need and possibility of conjunctive development for irrigation, pollution abatement, domestic and industrial water supply needs, fish and wildlife improvement and recreation development.

The main control plan of the 1948 review report: The Columbia River 308 report prepared in 1948 presented a comprehensive plan of water resource development to meet the present and immediate future needs of the region and outlined a plan to meet later needs as the region expands. As a first step, the report proposed for immediate development a system of large multiple-purpose dams and reservoirs which when operated as a coordinated system in conjunction with levees along lower Columbia River and other locations in the basin would provide a high degree of flood control for all floods of record. The development of these reservoirs also would improve inland navigation and supply a large quantity of hydroelectric power to help meet the growing loads of the region. This coordinated system of initial improvements was designated as the main control plan. The major storage reservoirs included in that plan are shown on the attached map, plate 1.

This main control plan provided 27 million acre-feet of storage usable for power, flood control, and other uses. Of the total storage provided, approximately 21 million acre-feet would be utilized in controlling a flood like that of 1894 (1,240,000 cubic-feet per second) to a flow of 800,000 cubic-feet per second at The Dalles and to control lesser floods to even lower discharges. Further storage development could provide additional control and a higher degree of protection.

The status of the major storage projects included in the main control plan is summarized in the following tabulation:

Flood control storage (usable at site to control the 1894 flood)

[Acre-feet] [1]

	Main control plan	Present outlook for early development
Existing:		
Hungry Horse	2,100,000	
Grand Coulee	1,200,000	
Palisades	[2] 1,200,000	
Payette and Boise Rivers	390,000	
Subtotal	4,890,000	4,890,000
Additional proposed in H. D. 531:		
Grand Coulee (increase)	3,900,000	[3] 3,000,000
Glacier View	1,800,000	[4]
Libby	3,900,000	[5]
Priest Rapids	2,100,000	[6] 500,000
John Day	[7] 1,400,000	[8] 500,000
Garden Valley	300,000	[9]
Hells Canyon	2,600,000	[10] 1,500,000
Subtotal	16,000,000	5,500,000
Total	20,890,000	10,390,000

[1] An acre-foot of water storage is equal to 1 foot of water standing on 1 acre of land.

[2] Operable for storage in 1957.

[3] Full increase in storage to 3,900,000 acre-feet not effective until other major storage above Grand Coulee is developed.

[4] Specific recommendation of this project withheld because of objections to the project by recreation and wildlife interests.

[5] Authorized but construction delayed pending completion of negotiations with Canada.

[6] 2-dam plan of Public Utility District No. 2 of Grant County would provide approximately 500,000 acre-feet in lieu of 2,100,000 acre-feet contemplated in main control plan.

[7] 2,000,000 acre-feet available for use as required.

[8] Authorized. Because of objections to surcharge storage feature of the project by local interests, recommendations for a modified project providing 500,000 acre-feet of storage will be submitted to Congress in near future.

[9] Not authorized.

[10] Not authorized. Plans of private power companies for development of Brownlee and Pleasant Valley would provide 1,500,000 acre-feet of storage.

New investigations relating to flood control: Because the present outlook visualizes the early attainment of only 50 percent of the storage development contemplated by the 1948 main-control plan, the review study will include an examination of other apparently feasible and economic storage developments in the basin. Table I attached to this bulletin lists the storage projects which have been considered. Those projects which appear to be worthy of more detailed investigation and appraisals are underlined in the tabulation. Two additional projects, the Bruces Eddy and Penny Cliffs projects on the Clearwater River, which would provide 3,700,000 acre-feet of usable storage, already have been studied in detail and have been recommended for construction in a report submitted to Congress on June 1, 1955. Further study of these projects will not be included in this review but the effects of their development will be evaluated in any revised main-control plan which may be derived from this study. The location of projects selected for further study are shown on plate II. All of these reservoirs are so situated that they will provide flood-control benefits in up-river damage areas as well as along the lower river. No projects are being considered at this time on Salmon River in Idaho because of the importance of that stream to the anadromous fishery resource.

This review study also will include a reexamination of the possibilities of extending and improving the lower river diking system in combination with alternative plans for up-river storage development. However, it

is expected that any major extensions of levees or seawalls along developed waterfront areas will be confronted with practical and economic difficulties.

While not a part of the main control plan for control of major Columbia River floods, the Willamette River Basin project will also be reviewed to determine the feasibility of providing additional protection to critical flood damage areas along Willamette River and its major tributaries. Projects under study in that basin include Gate Creek Reservoir in the McKenzie River Basin and Wiley Creek and Cascadia Reservoirs in the South Santiam River Basin. Studies also will be made of channel improvements, supplemental levees and the feasibility of increasing the storage capacities of the existing Fern Ridge, Cottage Grove, and Dorena Reservoirs.

New investigations relating to navigation: The navigation project for Columbia River provides for a deep-draft ship channel from the sea to Portland, Oreg., and Vancouver, Wash.; a channel of 27-foot depth from Vancouver to The Dalles, Oreg., and thence slack water for barge transportation to Pasco, Wash., and Lewiston, Idaho. The project also provides for barge transportation on Willamette River and for numerous side channels and turning basins along the lower Columbia River. While the slack water improvement above The Dalles is only partially complete, widespread use has been made of this transportation artery since completion of the Bonneville Lock in 1938. The growth of waterborne transportation since 1938 is illustrated by the following:

Year	Tonnage	
	Bonneville	The Dalles-Celilo Canal
1938	161,920	44,349
1940	707,444	325,900
1945	802,901	508,980
1950	1,143,901	834,303
1954	1,372,725	791,192

The review study will include a forecast of estimated future commerce on the Columbia-Snake slack-water navigation system above Bonneville, determination of the economic feasibility of extending slack-water navigation above Pasco, Washington, and Lewiston, Idaho and consideration of the need for improving existing navigation facilities at Bonneville Dam for future barge traffic.

New investigations relating to power: The demand for power in the Pacific Northwest has increased rapidly since 1935 and continued rapid growth is anticipated. Plate III depicts the results of a preliminary study of load growth between now and the year 2000 made by the Federal Power Commission. The prediction is in terms of firm energy requirements. Peak demands would be some 50 to 60 percent greater.

Preliminary estimates of the probable total development of hydroelectric power in the Northwest, based on practical and economic limitations, are indicated on plate III and amount to about 14 million kilowatts (firm energy resource) or double the approximately 7 million kilowatts obtainable from projects presently developed, under construction, or under license for immediate development. It is apparent from this estimated total, as the chart indicates, that loads of the magnitude forecast for 1975 and beyond cannot be met by hydro resources alone. Eventually and not too far in the future, large amounts of thermal power must be integrated into the system. Accordingly, system power studies and project appraisals in the review study will be predicated on future operation of the hydro projects in a combined hydro-thermal system. Evaluation of the benefits of storage projects operating in a future large hydro-thermal system is an important objective of this review. The effect of nuclear power generation on the study of potential power resources to meet future loads will be considered to the limit that information on costs of future nuclear generation becomes available during the study period. One concept, developed by the Bonneville Power Administration, of the position of nuclear generation in future regional resources is indicated on plate III.

Run-of-river projects on important tributaries also will be given some further analysis in the current investigation, but to a lesser extent than projects which will provide flood control and hydro power storage. Projects which may be included in this category are:

Name:	*Tributary*
Kootenai Falls [1]	Kootenai River.
Katka [1]	Do.
Yaak Falls	Yaak River
Yaak Canyon	Do.
McNamara	Clark Fork River.
Bonner	Do.
Plateau	Do.
Quartz [1]	Do.
Quinn [1]	Do.
Eddy	Do.
Coram	Flathead River.
Clarkston [1]	Snake River.
Asotin [1]	Do.
China Gardens	Do.
6 possible low head projects.	Clearwater River.

[1] These projects are shown on plate 2.

Development of the storage projects underlined in table I and Bruces Eddy and Penny Cliffs; the above indicated additional run-of-river projects; and expansion of the existing, under construction and planned downstream powerplants made possible by the resulting upstream control will provide an increase in system firm energy resource in the general magnitude of 5 to 6 million kilowatts. The remainder of the 14 million kilowatts of firm energy resource indicated above as a probable total hydroelectric development for the Pacific Northwest would be obtained as a result of possible Canadian storages, construction of the Libby project and other smaller tributary developments which eventually may be constructed at a cost less than steam.

Studies of other water uses: Storage provided for flood control and power generation can also be used for irrigating new lands or for supplementing the water supply for lands already under irrigation. This phase of the investigation is being closely coordinated with the Bureau of Reclamation which has primary responsibility for matters pertaining to irrigation.

In many instances, storage reservoirs will enhance the recreation potential of a given area. In general, project operation schedules will be such as to provide a full reservoir during all or a large portion of the summer recreation season. The lakes thus formed would offer opportunity for boating, swimming, fishing, camping, migratory waterfowl hunting in some instances, and other related water sports. Close collaboration is being maintained with the National Park Service and the United States Forest Service in the planning of recreational and public-use facilities to be provided at the reservoir projects.

Regulation afforded by storage reservoirs will increase the low water flow in the streams on which the reservoirs are located and thereby improve the quality and adequacy of water supply for domestic and industrial use, assist in pollution abatement and enhance the streams for fish life. Close collaboration in planning for such benefits is being maintained with the Department of Health, Education, and Welfare, the United States Fish and Wildlife Service and the State fish and game agencies. Studies also will be made to indicate the provisions or adjustments that may be required in project development in the interest of fish and wildlife culture.

Developments in Canada: The Canadian Government is currently making studies to determine the best plan of water-resource development for that portion of the Columbia River Basin in British Columbia. Until these studies have been completed, little concrete consideration can be given to the effect of Canadian developments on flood control and power production in the United States. The current review investigation is concerned with the plans for development in Canada which could result in benefits to the United States. The opportunity for exchange of basic engineering information and coordination with Canada is available through the work of the engineering committee of the International Joint Commission which is conducting international studies of mutual interest to both countries.

It is expected that the Canadian studies will be completed in time to permit a thorough analysis of the effects of proposed developments on projects in the United States in the forthcoming review report. Development of the Libby project with potential storage lying both in the United States and Canada is an important item contingent upon completion of the international studies.

Related investigations: Numerous authorities are available to the Corps of Engineers for investigation of flood control and related water-use problems in specific local areas throughout the Columbia Basin. Of primary importance among these are the upper Snake River above Weiser, Idaho, and Kootenai River (Kootenai Flats area), Idaho, investigations. The problems in these areas will not be included in this review study but will be covered by separate investigations and reports.

TABLE I.—*Potential storage projects*

Project	Location	Usable storage (acre-feet)	Remarks
Kootenai River Basin:			
Long Meadows	Mile 30, Yaak River	450,000	
Meadow Creek	Mile 11, Moyie River	320,000	Discontinued. Project entirely within United States of doubtful economic value.
Clark Fork River Basin:			
Atkins	Mile 48, Rock Creek	140,000	Discontinued because of high cost and interference with valuable sports fishery.
Ovando	Mile 47–52, Blackfoot River	310,000	Discontinued. Ninemile Prairie more beneficial project.
Ninemile Prairie	Mile 22, Blackfoot River	960,000	

TABLE I.—*Potential storage projects*—Continued

Project	Location	Usable storage (acre-feet)	Remarks
Smoky Range	Mile 167, North Fork, Flathead River	1,500,000	Further study dependent upon favorable decision by Department of the Interior.
Spruce Park	Mile 50, Middle Fork, Flathead River	300,000	
Swan River	Mile 2, Swan River	320,000	
Flathead Lake outlet improvement	Flathead River	500,000	Would provide more effective use of available storage within present levels of lake operation for flood control.
Little Bitterroot	Mile 0.6, Little Bitterroot	60,000	Discontinued. Site would be inundated by Buffalo Rapids No. 4.
Buffalo Rapids No. 4	Mile 37, Flathead River	568,000	
Thompson River	Mile 8, Thompson River	100,000	Little likelihood of developing economic project.
Paradise	Mile 240.6, Clark Fork	4,080,000	No further consideration because of major impact of project on local economy.
Spokane River Basin:			
St. Joe River	St. Joe River	200,000	Discontinued. None of the 4 projects investigated proved economically feasible.
Enaville	Mile 37.2, Coeur d'Alene River	805,000	
Springston	Mile 3.5, Coeur d'Alene River	2,600,000	Discontinued because of possible major damage to mineral resources developments.
Similkameen River Basin: Nighthawk	Mile 14, Similkameen River	30,000	Very limited value for flood control or power.
Wenatchee River Basin: Chiwawa	Wenatchee-Chiwawa	150,000	Being studied by Chelan County Public Utilities Department under preliminary permit from Federal Power Commission.
Snake River Basin:			
Thousand Springs	Mile 502, Snake River	500,000	Discontinued in favor of Marsing site.
Marsing	Mile 426, Snake River	830,000	Alternative studies in Guffey-Marsing area being conducted jointly with Bureau of Reclamation.
Nez Perce	Mile 186.1, Snake River	4,800,000	No further consideration because of interference with Salmon River fish resource. Alternative development covered by Mount Sheep and Pleasant Valley projects for which license application is now before the Federal Power Commission.
Garden Valley	Mile 4, South Fork, Payette	1,000,000	
Horseshoe Bend	Mile 47, Payette River	850,000	Discontinued in favor of Garden Valley where costs and flowage problems would be less.
Rays Ferry	Mile 19, Grande Ronde	970,000	Determined to have the most favorable prospects of 5 alternative projects on lower Grande Ronde River.
Main Stem, Columbia: Grande Coulee	Columbia River	[1] 4,000,000	Studies in progress by Bureau of Reclamation to determine modifications required to permit use of all outlets and full utilization of total 5,200,000 acre-feet for flood control as well as power.

[1] Additional.

Mr. GOLDWATER. Mr. President, it is not my intention to speak to this subject again before tomorrow. However, in listening to the speeches made earlier by the proponents of the high dam, particularly those portions of the speeches dealing with rapid tax amortization, I believe in all fairness to both sides that the entire subject of tax amortization should be cleared up.

Criticism of rapid tax amortization by the proponents of the high dam comes at a very peculiar time. I believe my distinguished friend, the Senator from Idaho [Mr. WELKER] touched on this subject earlier, particularly with reference to an article which appeared in the Wall Street Journal today. However, I should like to read it into the RECORD at this point, because it is strange that the subject should be raised by the proponents, particularly the Senator from Oregon [Mr. MORSE] and the Senator from Washington [Mr. JACKSON], in view of the fact that the Wall Street Journal reports on its front page today the following situation:

Harvey Machine Co. completed arrangements to finance construction of a $65 million primary aluminum plant at The Dalles, Oreg. The company has borrowed $44 million for the project from the Bank of America, Chase Manhattan, and the First National City Bank of New York. The Government is guaranteeing 95 percent of the loan and will allow fast amortization of 85 percent of the plant's cost. Harvey will become the fifth United States producer of primary aluminum. Others are Alcoa, Reynolds Metals, Kaiser Aluminum, and the Anaconda Co.

It does seem peculiar to me to hear Senators from the Northwest both condemn rapid tax writeoff and then welcome it in their own States. At least I did not hear them condemn the Harvey Co. for coming into The Dalles with a $65 million plant.

In fact, I am continually astounded at the hue and cry that is being raised against utility companies and their customers obtaining some tax relief, by organizations that pay no Federal taxes at all.

Congress passed the accelerated tax amortization law, and it is being administered as the law provides by the Office of Defense Mobilization, an independent agency of the Government.

Is the proposition which the public power advocates now advance, that utilities should be discriminated against, under the law, and not be given the same equal treatment that is accorded to any other type of industry that provides new plants or facilities that are needed or valuable for national defense purposes?

Who are the ones that are in the forefront of this campaign against power users who obtain their electricity from utility companies, instead of from the public bodies that enjoy freedom from taxation?

Of course, the American Public Power Association is in the forefront of this campaign. See, for example, the statement of Alex Radin, General Manager of this public power lobby group on page 825 of the hearing on S. 1333. I quote Mr. Radin from his statement at the bottom of page 825. He says:

We note with interest that the Federal Power Commission has considered these accelerated tax amortization certificates as having the effect of "interest-free loans," and furthermore, has ruled that the benefits of these loans should be passed on to the stockholders of the recipient companies, rather than to the consumers, as requested by this and other organizations.

Now that is typical of the propaganda of misinformation that this organization is putting out. The Federal Power Commission has never made any such ruling. Under the Natural Gas Act, saving made in taxes during the first 5 years are charged—not to surplus, for the stockholders—but to a taxation reserve account. During all the remaining years of the life of the property, when taxes are actually higher, as a result of what Mr. Radin calls savings, this account is charged back to expenses year by year. With regard to electric companies, the FPC has made no ruling at all, such as Mr. Radin has said.

I wonder if Mr. Radin knows—and the other public power people know, who talk so glibly about it—just how this so-called accelerated tax depreciation works. They ought to, because they talk like authorities on the subject. But apparently, they either don't know or—what is more likely—they just plain are not interested in giving out with the facts.

Every utility company—gas or electric—and every other company that elects to take accelerated tax amortization takes a gamble that it won't actually lose money, and have to pay the Government more money in taxes in the long run for taking advantage of it.

Every dollar that is saved in taxes in the first 5 years must be paid back to the Government over all the remaining life of the property. And if tax rates go up—the company is the loser in the long run.

Another misrepresentation that we have constantly heard is that this accelerated tax depreciation enables a company to write off the total cost of the property in 5 years, at the expense of the Government. Now, that is wrong—and these people know it.

Depreciation is an expense to be deducted for income tax purposes, just like any other expense. The Government permits you to increase that tax expense deduction for 5 years. For the remaining years you can't take any further tax deduction for the property at all, and consequently your taxes are higher—and as

I have said, if tax rates increase, they are higher still.

Who are these people who are objecting to the Idaho Power Co.—which pays one-third of its entire gross revenue out in taxes—getting some relief, and their customers getting some relief from taxation?

Mr. President, the thing that astounds me is that these people do not pay any Federal taxes at all. They are Federal tax-free public-power agencies. They get all their power—and it is subsidized, tax-free power—from the Government. Even though they do not pay any Federal taxes at all, they do not want anyone else to be relieved from a penny of their own tax burden.

Among the opponents of the Federal Power Commission's license to the Idaho Power Co. are eight public utility districts in the State of Washington. They serve over 75,000 customers. They have an annual income of nearly $10 million. They have a plant investment of over $33 million. That is a big operation. But how much of that investment is in powerplants—power-generating facilities—to serve their own needs? Well, Mr. President, how much would you expect, when, as preference customers, they can get all their power supply from the Federal Government—subsidized by taxpayers' dollars, and free from the taxes other power users have to pay?

Mr. President, the answer to that question is officially on file with the Federal Power Commission.

Not one of those 8 public utility districts, Mr. President, has a single dollar invested in generating facilities—except 1, that has a 496-kilowatt plant that it carries on its books for about $40,000. It is the free ride, Mr. President, with the good old American taxpayer footing the bill.

I have recently seen that one of these PUD's, the Skamania County No. 1, I believe, has recently filed an application with the Federal Power Commission to build a small hydro plan of their own. I hope they do. I take my hat off to those people, Mr. President, because it is time that the people of this Nation realized that every power supply organization—whether it is publicly or privately owned and operated—must assume some responsibility for supplying its own needs—instead of expecting Uncle Sam and all his taxpaying children to continue to foot all the bill.

I ask unanimous consent to have printed in the RECORD a tabulation, prepared from official FPC records, on these eight PUD's, and also giving corresponding figures for the Idaho Power Co.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Statistics of 8 public utility districts in the State of Washington, 1954

Washington public utility districts	Total electric utility plant	Production plant	Production plant	Customers	Operating revenue	Taxes	Percent taxes to revenue	Kilowatt-hour sales	Kilowatt-hour revenues	Average per kilowatt-hour
			Kilowatts							
Public Utility District No. 1 of Benton County	$3,681,280	0	0	8,382	$1,243,694	$95,795	6.90	109,528,622	$1,239,133	$0.0113
Public Utility District No. 1 of Clark County	10,998,408	0	0	29,494	3,593,608	213,022	5.93	348,125,308	3,568,508	.0103
Public Utility District No. 1 of Franklin County	3,257,609	0	0	6,437	883,271	65,431	7.41	73,060,812	876,855	.0120
Public Utility District No. 1 of Klickitat County	4,191,744	0	0	4,802	786,816	44,376	5.64	64,491,636	776,991	.0121
Public Utility District No. 1 of Lewis County	5,402,501	0	0	11,731	1,356,396	77,975	5.75	96,123,296	1,349,125	.0140
Public Utility District No. 3 of Mason County	1,976,834	0	0	5,357	868,133	30,972	3.57	112,210,247	857,964	.0077
Public Utility District No. 2 of Pacific County	2,872,579	$40,423	496	7,109	759,801	44,619	5.87	62,952,619	756,044	.0120
Public Utility District No. 1 of Skamania County	824,422	0	0	1,996	243,227	14,226	5.85	20,214,789	243,161	.0120
Total	33,204,467	40,423	496	75,308	9,734,946	576,416	5.92	886,707,329	9,667,691	.0109
Idaho Power Co., 1954	140,801,903	59,999,043	352,227,000	120,331	23,309,789	7,788,259	33.41	2,151,994,757	22,916,772	.0107

The foregoing data concerning the 8 public utility districts listed above, which oppose Idaho Power Co.'s Snake River development, are from their official annual report filing made to the Federal Power Commission.

Mr. GOLDWATER. Mr. President, the PUD's pay less than 6 percent of their total operating revenue in taxes. The electric utility company paid over 33⅓ percent of its total operating revenue in taxes. And that is for the year 1954, the last year for which the figures are available.

And the outstanding thing, Mr. President, is that the utility company can sell electricity for less money per kilowatt-hour, than these 8 PUD's. That is American free enterprise for you. Paddle your own canoe. Borrow your own money, pay your own taxes, generate all the power that your customers require—and sell it for less than these so-called "public bodies," that have no Federal taxes at all—and have no generating problems, except that of getting the United States Government to keep on spending $150 million to $200 million a year in the Northwest to keep up with the rapidly growing demand.

Mr. President, there is a great difference in getting a temporary saving—provided for by law—in the huge tax bill which the utility companies and their customers must pay—and in not having to pay any Federal taxes at all.

Mr. President, in conclusion I wish to refer to the chart which I have asked unanimous consent to have printed in the RECORD. I invite the attention of my colleagues to the fact that the taxes these eight public utility districts pay amount to 5.92 percent. Their revenue in 1954 was $9,734,946, and their taxes were $576,416.

Compare those figures with the Idaho Power Co. which had an operating revenue in 1954 of $23,309,798 and paid taxes to the tune of $7,788,259, or 33.41 percent of their total operating revenue.

Here is the astounding thing, Mr. President. Once before, in commenting on the Tennessee Valley Authority, I said it was high time the Federal Government investigated these public bodies that could not compete with private enterprise, even though they were tax free, interest free, and riding on the taxpayers' money.

These eight districts sell their electricity at an average of 1.09 cents per kilowatt-hour. The Idaho Power Co. sells its electricity at 1.07 cents per kilowatt-hour.

It is time that Congress became interested in these so-called low-cost companies that are suppose to sell electricity at lower prices.

I have tried to collect information around the country with reference to it, but I have come to the conclusion that costs vary so much according to the circumstances that it would be impossible to reach any sound conclusions.

However, Mr. President, in order to save the time of the Senate, I ask unanimous consent to have printed in the RECORD at this point in my remarks, a statement which I was going to make in respect to electric power and the fact that it does vary in cost throughout the country. In fact, in the five cooperatives which I selected to investigate I found that the cooperatives that paid the most at the bus bar sold the electricity at the cheapest rate, which is also at a loss.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR GOLDWATER

With respect to electric power, anyone with any knowledge in this field knows that costs vary according to circumstances in different areas.

Generation of hydroelectric power in one section of the country may be many times as expensive as generation at some other location, dependent upon regularity of streamflow, building conditions, etc.

Generation of steam electric power also varies in costs dependent upon type and cost of fuel and construction requirements.

Distribution costs of power also vary. It costs more to distribute power in sparsely settled areas than in more densely populated sections. Building conditions also affect the cost of distribution. Where heavy snow, ice, and storm conditions exist construction is more expensive, and where distribution has to be underground as in many of our large metropolitan areas, the cost may be 10 times that of overhead distribution.

So comparison of power rates in one section of the country with another is meaningless unless conditions are identical.

Also cost of generation has little effect on cost to the ultimate consumer except for heavy power consuming industries such as aluminum and many of these build their own plants unless subsidized Government power is available.

I looked through REA's annual statistical report for 1954 and picked some farm electric cooperatives at random to find out what they paid for power and what they charge their members or customers. This was not selective picking; the only thing I did was to pick

co-ops with about the same number of customers.

I found the Ouachita Co-op in Arkansas with 3,701 customers bought its power for 5 mills per kilowatt hour and sold it for 4 cents—8 times its cost.

Panola Harrison Co-op in Texas, with 3,594 customers, bought its power for 5.4 mills per kilowatt hour and sold it for 3.96 cents—7½ times its cost.

Northern Lights Co-op in Idaho, with 3,303 customers, bought its power for 3.26 mills and sold it for 2.96 cents—9 times its cost.

Illinois Valley Co-op in Illinois, with 3,542 customers, bought its power for 8.5 mills and sold it for 2.85 cents—less than 3½ times its cost.

The above are just a few unselected examples, but from them we find the co-op paying the most for its power selling it the cheapest. For instance, the Illinois cooperative with approximately the same number of customers, pays 160 percent more for its power than does the Idaho co-op, and sells it to customers 4 percent cheaper.

There may be perfectly justifiable reasons for the above differences, but the point I am making is that cost of production is not the controlling factor. After all, the important thing is what power costs the ultimate consumer.

We hear figures bandied around about the Government being able to produce power for 3 or 4 mills per kilowatt hour, while it would cost private industry 2 or 3 mills more. In the first place, the Government should be able to produce anything cheaper than private industry, with all its hidden subsidies, cheap United States Treasury financing, and no taxes. But do we want to stop private industry and let the Government produce everthing?

In the second place, if we saved 2 or 3 mills on power, would we be able to find it on our power bill?

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

RESOLUTION OF GOVERNING BODY OF TOPEKA, KANS.

Mr. CARLSON. Mr. President, I wish to call the attention of the Senate to a resolution adopted by the governing body of the city of Topeka, Kans., in regard to Senate bill 4183, and House bill 12167.

The governing body of the city of Topeka states that they have several federally owned tracts of real property within the corporate limits which have been improved and will be improved in the future by local municipal improvements, and as a result of this have experienced some financial hardships by assuming the cost of such local municipal improvements, and urge the adoption of this legislation.

I ask unanimous consent that the resolution be referred to the appropriate committee, and be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

Whereas the governing body of the city of Topeka has been informed of two congressional bills, namely, Senate bill S. 4183 and House bill H. R. 12167, now being considered by the Congress of the United States; and

Whereas the governing body has been informed that the congressional measures provide for Federal payments to municipalities in lieu of taxes in the following instances:

1. Special assessments such as sewer, streets, curbs, gutters, sidewalks, and other local public improvements.

2. All industrial and commercial property acquired by the Federal Government since June 30, 1950.

3. Federally owned real property leased or sold under conditional sales contract to taxable persons; and

Whereas the city of Topeka has several federally owned tracts of real property within its corporate limits which have been improved and will be improved in the future by local municipal improvements; and

Whereas the local municipal improvements made by this city have and will greatly improve the valuation of the federally owned properties; and

Whereas the city at large has in the past experienced financial hardships by assuming the cost of such local municipal improvements; and

Whereas the governing body of the city of Topeka feels that it is to the best interests of the citizens of the city that the Congress of the United States act favorably on the two above congressional measures: Be it therefore

Resolved by the board of commissioners, That the mayor, on behalf of the board of city commissioners, memorialize the congressional representatives of the State of Kansas and any other Member of Congress who has a direct interest in Senate bill S. 4183 and House bill H. R. 12167 requesting said Members of Congress to act favorably upon said bills.

GEO. G. SCHNELLBACHER, *Mayor*.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, with an amendment:

H. R. 7619. A bill to adjust the rates of compensation of the heads of the executive departments and of certain other officials of the Federal Government, and for other purposes (Rept. No. 2642).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 604. A bill to provide port of entry and related facilities on the Alaska Highway at the Alaska-Canadian border in the Territory of Alaska, and for other purposes (Rept. No. 2637);

H. R. 8226. A bill to amend section 1 of the act of March 4, 1915, as amended (48 U. S. C., sec. 353) (Rept. No. 2638);

H. R. 10946. A bill to provide for the disposition of surplus personal property to the Territorial government of Alaska until December 31, 1958; (Rept. No. 2639); and

H. R. 11024. A bill to amend the act entitled "An act relating to the compensation of commissioners for the Territory of Alaska," approved March 15, 1948 (62 Stat. 80), as amended by the act of July 12, 1952 (66 Stat. 592, 48 U. S. C. 116a) (Rept. No. 2640).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with an amendment:

H. R. 4096. A bill to provide for the disposal of public lands within highway, telephone, and pipeline withdrawals in Alaska, subject to appropriate easements, and for other purposes (Rept. No. 2641).

MUTUAL SECURITY APPROPRIATION BILL, 1957—AMENDMENT

Mr. KNOWLAND. Mr. President, I submit an amendment, intended to be proposed by me to the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes. I have been joined in the amendment by the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Maine [Mrs. SMITH].

The amendment reads as follows:

On page 2, line 13, before the semicolon insert a colon and the following: "*Provided*, That none of the funds made available for military assistance under this act, and none of the funds made available for military assistance under any prior act and remaining unexpended, shall be used to furnish military equipment to Yugoslavia except for maintenance of equipment heretofore furnished or to provide spare parts for replacement purposes."

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

RECESS

Mr. CLEMENTS. Mr. President, pursuant to the order previously entered, I move that the Senate take a recess until 9:30 o'clock tomorrow morning.

The motion was agreed to; and (at 11 o'clock and 43 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Thursday, July 19, 1956, at 9:30 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate July 18 (legislative day of July 16), 1956:

INTERNATIONAL COOPERATION ADMINISTRATION

Walter K. Scott, of Maryland, to be Deputy Director for Management of the International Cooperation Administration, in the Department of State.

IN THE NAVY

The following officers of the Navy and Naval Reserve on active duty for temporary promotion to the grades indicated subject to qualification therefor as provided by law:

CAPTAIN, MEDICAL CORPS

Simunich, William A.	May, Romulus L.
Moser, John H.	Galuszka, Albin A.
Warren, Jack	Wagner, Henry G.
Lill, Nicholas D.	Hall, William K.
Seebach, Leslie G.	Jones, Walton L.
Jacoby, Jack M.	Anderson, Gustave T.
Yood, Norman L.	Schufeldt, Dean
York, Frederick P.	Sudduth, Herschel C.
Sartori, Max O.	Spencer, James L., Jr.
Bonar, Robert R.	Dunnigan, William C.
Heins, Vernet H.	Jones, Samuel H., Jr.
Robbins, Jacob J.	McLaughlin, James A.
Risberg, Harry B.	Furtos, Norma C.
Meade, Thomas N.	Willoughby, Frances L.
Whitney, Karl R.	
McWilliams, Hamlin K.	Nell, Edward R.
	Kaye, Maxwell E.
Schiff, Maurice	Lippincott, Charles A.
Small, Milton M.	Walsh, Robert E.

COMMANDER, MEDICAL CORPS

Kalchuk, Frank P.	McKane, Andrew, III
Trinidad, Salvador S.	Furman, Robert H.
Ruhmann, Warren H.	Sharp, William C., Jr.
Summers, John E.	Maher, Frank M.
Dmytrenko, Michael	Kupke, Melvin F.
Manolio, Anthony P.	Swyer, Alfred J.
MacPherson, Roderick F. C.	Smith, Francis J.
	McCoy, John T.
Sheldon, Robert W.	Salhanick, Louis
Gray, Oscar, Jr.	Garland, Charles M., Jr.
Ushafer, Thomas R.	
Levine, Harry H.	Salzman, Morris

Rubinowitz, Julius A.
Davis, Clement E.
Ho, Kenneth E.
Dunavant, William D.
Levitt, Earl
Weidemannz, Karl G.
Steller, Frederick C.
Griggs, James Y.
Rothman, Stanley D.
Lyons, Howard N.
Waite, Charles L.
Whatley, Joseph L.
Heaton, Samuel A., Jr.

LIEUTENANT COMMANDER, MEDICAL CORPS

Capps, John W.
Romaine, Mason, II
Cowart, Elgin C., Jr.
Silvetti, Anthony N.
Pierson, Malcolm G.
Smeltzer, James L.
Preacher, Charles B.
Zaino, Lawrence J.
Hofmann, Gerald N.
Lathrop, Clarence A.
Pugh, Charles M.
Willoughby, James O.
Utkov, Edmund

LIEUTENANT, MEDICAL CORPS

McLoud, Keith
Wolf, Frank A.
Lindemuth, Edmund K., Jr.
Sicular, Arthur
Fox, Jack M.
Knotts, Benjamin F., Jr.
Nonkin, Paul M.
Wooley, Charles F.
Kloecker, Richard J.
Schutt, Donald A.
Whitney, Jeremy B.
Anderson, Charles C.
Kretschmar, Paul O.
Tyson, Charles H.
Ritter, Paul J.
Wilson, Thomas C.
Brown, George W.
Veatch, Donald H. K., Jr.
Crawford, Robert, F.
Proskey, Aloysius J.
James, LeRoy H.
Flanigan, John L., Jr.
Kerrihard, George N.
Becker, Donald E.
Levine, Paul
Harris, Robert S., Jr.
Hatch, Fred E., Jr.
Zlatnik, Philip A.
Spanier, Jacob A.
Spellmeyer, John C.
Harshfield, Richard D.
McCoy, William J., III
Sidwell, Walter F.
Weinstein, Eugene C.

CAPTAIN, DENTAL CORPS

Seiser, Edwin O.
Levin, Harry L.
Stead, George O.
Willson, Percy N.
Yolken, Henry D.
Combs, Robert L., Jr.
Jerdon, Edward J.
Wikstrom, Roy O.
Oliver, Norman R.
Condon, Robert J.
Bartelle, August
Abbott, Herbert H.
Fox, Harry R.
Nylin, William A.
Foell, Guy H.
Sutphin, Nighbert W.
Waller, Midford D.
Clements, Joseph M.
Waters, A. Raymond
Brown, John W.
Noble, Alvin B.
Rice, William T.
Garton, William C.
Mitchell, Edward C.
Keenan, James F.
Andrews, Wallace S.
McNitt, William H.
Lamb, Patrick J.

COMMANDER, DENTAL CORPS

Gilchrist, George I., Jr.
Sivik, Henry C.
Lucchetti, Francis L.
Gelston, Irving, Jr.
Hoyt, Joseph J.
Armstrong, Lloyd M.
Robinson, Earl B.
Elmquist, Carl W.
Pablos, Tomas C.
Welden, Robert B.
Staples, William R.
Johnson, Van L., Jr.
Giannusso, Anthony P.
Robinson, Jack W.
Lynds, Charles W.
Cordonier, Louis H.
Williams, Leonard E.
Grossman, Frank D.
Traeger, Kimble A.
Bancroft, John A., Jr.
Colby, Gage
Rinck, Theodore J. H.
Neskow, Robert S.
Knapp, Victor P.
D'Vincent, Richard C.
Troxell, Richard R.
Blackwell, Richard T.
Brauer, Frank J.
Mazzarella, Maurice A.
Hagerman, Wade H., Jr.
Hicks, Henry H.
Naylor, Merlin E.
Monroe, William A., Jr.
Hodder, Edwin J.
Firestone, Dale L.
Gaver, Oren H., Jr.
Koch, John A.
Ellis, Frank N.

LIEUTENANT COMMANDER, DENTAL CORPS

Sheintoch, Martin
Outlaw, Billie F.
Wasem, John L.
Glasband, Robert

LIEUTENANT, DENTAL CORPS

Nesbitt, James W.
Bishop, Alan B.
Gorrie, John M., Jr.
Cooper, Joseph W., Jr.
Ferguson, David A.
Riegelman, Theodore C.
Anderson, Jack E.
McLenaghan, Jack E.
Boland, William P.
Adams, Robert J.
Sewell, Jerry S.

Michael W. McKinnon (Naval Reserve Officers' Training Corps) to be an ensign in the Navy, subject to qualification therefor as provided by law.

The following-named Reserve officers to the grades indicated in the Medical Corps in the Navy, subject to qualification therefor as provided by law:

COMMANDER

George M. Ricketson

LIEUTENANT

John W. Cox
Edwin D. Kaufmann
Alfred K. Rhodes

The following-named (Naval Reserve officers) to be permanent lieutenants in the Medical Corps of the Navy, in lieu of lieutenants (junior grade) as previously nominated and confirmed, to correct grade, subject to qualification therefor as provided by law:

George M. Akin, Jr.
Joseph H. Britton
Joseph S. Garrison III
Thomas J. Grause
Don L. McCord
Martin C. Shea, Jr.
Jeno E. Szakacs
Henry S. Trostle
John F. Wurzel

James W. Ledwith (Naval Reserve officer) to be a permanent lieutenant in the Medical Corps of the Navy, in lieu of lieutenant (junior grade) as previously nominated, to correct grade, subject to qualification therefor as provided by law.

Neil C. Demaree (Naval Reserve officer) to be a permanent lieutenant in the Dental Corps of the Navy, in lieu of lieutenant (junior grade) as previously nominated and confirmed, to correct grade, subject to qualification therefor as provided by law.

POSTMASTERS

The following-named persons to be postmasters:

CALIFORNIA

Vera A. Largent, Leucadia, Calif., in place of G. E. Thrailkill, retired.

FLORIDA

Harlow John Schutt, Boynton Beach, Fla., in place of E. S. Pierce, retired.

GEORGIA

Nell P. Roquemore, Lakeland, Ga., in place of H. H. Jones, retired.

Clara W. Smith, Sargent, Ga., in place of E. W. Scroggin, retired.

ILLINOIS

Bertha P. Glenn, Verona, Ill., in place of J. G. Finch, retired.

INDIANA

Anne Lee Cooper, Clarksburg, Ind., in place of N. C. Tucker, removed.

Donald F. Clark, Hammond, Ind., in place of R. E. Wilhelm, removed.

William W. Bishop, Newport, Ind., in place of R. H. Adams, removed.

Ray E. Melick, Oaktown, Ind., in place of E. P. Donnar, retired.

Delbert E. Cantrall, Red Key, Ind., in place of G. R. Sears, retired.

IOWA

Ella V. Jones, Hawkeye, Iowa, in place of F. J. A. Huber, retired.

Edward J. Wesselink, Pella, Iowa, in place of Arthur Klein, retired.

Melvin Hartvig Albertson, Ridgeway, Iowa, in place of F. J. Carolan, resigned.

KANSAS

Carroll V. Houlton, Dodge City, Kans., in place of J. E. Brock, retired.

Neil Curtis Wieland, Morrowville, Kans., in place of G. M. Thomas, deceased.

KENTUCKY

Herman Ray Johnson, Outwood, Ky., in place of T. E. Moss, deceased.

MARYLAND

Margaret F. Williams, Worton, Md., in place of J. H. Dwyer, retired.

MASSACHUSETTS

George D. Fisher, Jr., Hampden, Mass., in place of H. M. Mann, resigned.

MICHIGAN

Charles C. Larsen, Jr., Newaygo, Mich., in place of C. P. Sawyer, retired.

MINNESOTA

Floy A. McCoy, Monticello, Minn., in place of Marguerite Mealey, retired.

Earl W. Axeen, Sartell, Minn., in place of P. A. Weis, retired.

MISSISSIPPI

Edgar I. Adcock, Ridgeland, Miss., in place of B. D. Battley, resigned.

MISSOURI

Harland T. Stroud, O'Fallon, Mo., in place of E. E. Gentemann, transferred.

NEW JERSEY

William H. Miles, Colts Neck, N. J., in place of A. P. Miles, resigned.

Stephen R. Lazar, Port Reading, N. J., in place of S. M. Vahaly, resigned.

Josiah E. Spalding, Rockaway, N. J., in place of M. S. Malone, retired.

Anthony T. Pipitone, Rosenhayn, N. J., in place of Max Wurtzel, retired.

Ella Venita Crandall, Stanton, N. J., in place of M. F. Barton, retired.

NEW YORK

John W. Ginther, Adams Basin, N. Y., in place of J. J. Ginther, retired.

Catherine V. Whalen, Hopewell Junction, N. Y., in place of W. T. Storm, retired.

Fotius Stelianou, Lyndonville, N. Y., in place of L. B. Wright, retired.

Lawrence Leo Shade, Merrick, N. Y., in place of J. G. Funch, retired.

Vincent E. Trunk, Niagara University, N. Y., in place of W. J. Glavin, resigned.

Robert J. Johnson, Staten Island, N. Y., in place of B. J. Sheeran, deceased.

Sylvia C. Semel, Thompsonville, N. Y., in place of D. M. Loeb, retired.

OHIO

Ray W. Coler, Chesterhill, Ohio, in place of Hettie Woodward, retired.

Robert C. Detwiler, Seville, Ohio, in place of D. P. Auxter, resigned.

PENNSYLVANIA

Wilbert C. Shafer, Barnesville, Pa., in place of P. E. Chappell, removed.

Max L. Saylor, Beavertown, Pa., in place of H. E. Spaid, resigned.

Eugene Elgin, East Berlin, Pa., in place of E. M. Jacobs, removed.

Maurice D. Greenawalt, Fayetteville, Pa., in place of A. E. Shoemaker, retired.

Margaret H. Heiney, Jeddo, Pa., in place of John Butchkosky, removed.

Miriam T. Hornberger, Talmage, Pa., in place of F. P. Dixon, retired.

Elsie C. Summers, Zionsville, Pa., in place of G. B. Summers, deceased.

TENNESSEE

Thomas L. Duncan, Kingsport, Tenn., in place of Howard Long, resigned.

Irlene A. Roblin, Pressmen's Home, Tenn., in place of B. L. Day, removed.

TEXAS

Aubrey A. Dunwody, Anson, Tex., in place of G. O. Harrell, transferred.

Marene J. Johnson, Eastland, Tex., in place of E. E. Layton, retired.

Hal N. Anderson, Gatesville, Tex., in place of J. H. McClellan, retired.

Clinton E. Spragins, Martindale, Tex., in place of F. F. Spragins, retired.

Harry L. Muenzler, New Ulm, Tex., in place of L. O. Muenzler, retired.

Neda C. Holt, Pyote, Tex., in place of A. J. Sitton, Jr., resigned.

Elton J. Mueller, Richmond, Tex., in place of L. C. Davis, retired.

Martha Marie Miller, Shelbyville, Tex., in place of S. A. Cannon, resigned.

VIRGINIA

Virginia C. Foskett, Lynnhaven, Va., in place of M. V. Mills, retired.

VIRGIN ISLANDS

Virginia C. Foskett, Lynnhaven, Va., in place of Adele Berg, resigned.

WITHDRAWAL

Executive nomination withdrawn from the Senate July 18, 1956.

POSTMASTER

William E. Eaton to be postmaster at Ivydale, in the State of West Virginia.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JULY 18, 1956

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, our creator and benefactor, we rejoice that the coming in and the going out of all our days are in Thy gracious keeping and control.

Grant that in a spirit of gladness and gratitude we may express our appreciation of the many glorious opportunities which this new day has brought us for self-culture and service.

May it be a day when the thoughts of our mind, the words of our mouth, and the labor of our hands shall be acceptable and well pleasing unto Thee.

Inspire us to walk and work with one another in the strength of minds illumined by Thy divine wisdom and in the joy of hearts warmed by Thy divine love.

May our vision of a blessed social order be so clear and commanding that we shall feel constrained and compelled to make every effort and sacrifice to bring it to fulfillment.

In Christ's name we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 8806. An act to provide an additional authorization of appropriations for the purchase by the Secretary of Agriculture under the act of May 11, 1938, of lands within the boundaries of the Cache National Forest in the State of Utah;

H. R. 9742. An act to provide for the protection of the Okefenokee National Wildlife Refuge, Ga., against damage from fire and drought; and

H. R. 11077. An act to amend the Atomic Energy Community Act of 1955, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 2280. An act to amend the Longshoremen's and Harbor Workers' Compensation Act, as amended, to provide increased benefits in case of disabling injuries, and for other purposes;

S. 2895. An act to amend the acts of February 28, 1903, and March 3, 1927, relating to the payment of the cost and expense of constructing railway-highway grade elimination structures in the District of Columbia; and

S. 3246. An act to increase the amount authorized for the erection and equipment of suitable and adequate buildings and facilities for the use of the National Institute of Dental Research.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 849) entitled "An act to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystrophy, and for other purposes"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HILL, Mr. MURRAY, Mr. LEHMAN, Mr. SMITH of New Jersey, and Mr. PURTELL to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3275) entitled "An act to establish a sound and comprehensive national policy with respect to fisheries; to strengthen the fisheries segment of the national economy; to establish within the Department of the Interior a Fisheries Division; to create and prescribe the functions of the United States Fisheries Commission; and for other purposes"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. SMATHERS, Mr. BIBLE, Mr. DUFF, and Mr. PAYNE to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 3897) entitled "An act to improve governmental budgeting and accounting methods and procedures, and for other purposes"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. HUMPHREY of Minnesota, Mr. WOFFORD, Mr. SYMINGTON, Mrs. SMITH of Maine, Mr. COTTON, and Mr. MARTIN of Iowa to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5265) entitled "An act to exempt certain additional foreign travel from the tax on the transportation of persons."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7089) entitled "An act to provide benefits for the survivors of servicemen and veterans, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9593) entitled "An act to simplify accounting, facilitate the payment of obligations, and for other purposes."

The message also announced that the Senate insists upon its amendments to the bill (H. R. 11124) entitled "An Act to amend title 28, United States Code, to provide for the payment of annuities to widows and dependent children of judges," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. EASTLAND, Mr. JOHNSTON of South Carolina, Mr. O'MAHONEY, Mr. WATKINS, and Mr. WELKER to be the conferees on the part of the Senate.

OJO DEL ESPIRITU SANTO GRANT

Mr. ENGLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5712) to provide that the United States hold in trust for the Pueblos of Zia and Jemez a part of the Ojo del Espiritu Santo grant and a small area of public domain adjacent thereto with Senate amendments thereto, disagree to the Senate amendments and ask for a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. HALEY, SISK, and RHODES of Arizona.

VIRGIN ISLANDS NATIONAL PARK

Mr. ENGLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5299) to authorize the establishment of the Virgin Islands National Park, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. ENGLE, ASPINALL, and WESTLAND.

WASHOE RECLAMATION PROJECT

Mr. ENGLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 497) to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California, with a House amendment thereto, insist on the House amendment and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. ENGLE, ASPINALL, and MILLER of Nebraska.

INTERNATIONAL JURIDICAL COMMISSION

Mr. DODD. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution (H. J. Res. 668) to urge the creation of an Interna-

tional Juridical Commission within the framework of the North Atlantic Treaty Organization in order to document the crimes against humanity committed by the international Communist conspiracy and to reduce the dangers of world war III.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

The Clerk read the joint resolution, as follows:

Whereas there is an abundance of evidence now available to support the charge that the leaders of the international Communist movement are guilty of a long list of crimes against humanity; and

Whereas there are many persons in the free world able to give eyewitness testimony to the crimes against humanity committed by the leaders of communism and to identify official documents, directives, records, and other written evidence necessary to support the essential details of such crimes; and

Whereas the orderly collection and safekeeping of such evidence and testimony is essential in order that a just and truthful account of Communist crimes be made a part of history; and

Whereas the leaders of the international Communist movement are now engaged in an intensive campaign to place sole guilt and responsibility for these crimes against humanity upon the deceased Dictator Stalin thus relieving themselves of complicity in such crimes; and

Whereas the effort of the present rulers of the Kremlin to absolve themselves from complicity in a long list of crimes against humanity is aimed at covering the conspiracy of communism with a deceptive cloak of respectability which can only lull free people into a false sense of security, divide the free world alliances and rapidly increase the danger of world war III;

Whereas the experience gained at the International War Crimes Trials at Nuremberg following World War II demonstrated that the scarcity of authentic records, sworn testimony of eyewitnesses and other documented evidence made difficult and in some cases impossible the prosecution of persons who were participants in a wide range of crimes against humanity; and

Whereas the North Atlantic Treaty Organization is a grouping of free nations dedicated to the defense of human freedom and the safeguarding of such nations against Communist aggression: Now, therefore, be it

Resolved, etc., That it is the sense of Congress that the establishment of an International Juridical Commission, within the framework of North Atlantic Treaty Organization, is both necessary and timely in order to document all available evidence on the crimes against humanity committed by the leaders of the international Communist conspiracy; to prevent those individuals implicated in such crimes from purging themselves of guilt by passing all responsibility to former leaders of the conspiracy now deceased; to prevent the conspiracy of communism from cloaking itself with unwarranted respectability and to reduce the dangers of a world war III.

The President and Secretary of State are respectfully urged to take immediate steps to cause the establishment of such an International Juridical Commission within the framework of North Atlantic Treaty Organization.

With the following committee amendment:

Page 2, strike out the following:

"Whereas the experience gained at the International War Crimes Trials at Nuremberg following World War II demonstrated that the scarcity of authentic records, sworn testimony of eyewitnesses, and other documented evidence made difficult and in some cases impossible the prosecution of persons who were participants in a wide range of crimes against humanity."

The committee amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. DODD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. DODD. Mr. Speaker, the adoption of this resolution by the unanimous action of this House is a most significant development in the struggle between the free world and the slave world of communism.

The resolution which I introduced and which was unanimously adopted by the House Committee on Foreign Affairs, and which was unanimously passed by this body today, will provide the United States with one of its strongest weapons in the fight for freedom which engulfs the world.

This resolution which recommends to the President of the United States the establishment of a Juridical Commission within the North Atlantic Treaty Organization for the purpose of collecting and preserving evidence of Communist crimes against humanity will give the Communist tyrants reason for pause and hesitation in their course of evil conquest.

With the passage of this resolution, the Communist despots will know that the free world is not only aware of their crimes, but that it is preserving evidence of them.

Some day, in God's good time, the evil that these Communists have done will be judged and punished by the forces of decency in the world.

In these days when the Communists are striving desperately to shoulder off all responsibility on to the corpse of Stalin for the many crimes against humanity, this resolution will serve notice on his living disciples that they cannot escape justice and punishment.

Besides, and not of the least importance, the Commission which this resolution recommends will preserve for history an authentic record of the evil that is known as Communist tyranny.

Generations yet unborn can learn a lesson from the records of this Commission.

That lesson is that there is no extent to which the forces of evil in this world will not go.

That lesson is that there is no price too high to pay for liberty.

That lesson is that the struggle between good and evil is one that never ends.

That lesson is that nothing matters so much as that goodness must triumph.

CORRECTING INEQUITIES IN DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT OF 1953

Mr. DAVIS of Georgia. Mr. Speaker, I call up the conference report on the bill (H. R. 7380) to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2715)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7380) to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 6.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, and 4, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows:

Restore the matter proposed to be stricken out by the Senate amendment and, on page 2, line 7, of the House engrossed bill strike out "SEC. 3." and in lieu thereof insert "SEC. 2."; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "3"; and the Senate agree to the same.

JAMES C. DAVIS,
JOHN BELL WILLIAMS,
JOEL T. BROYHILL,
Managers on the Part of the House.

ALAN BIBLE,
J. ALLEN FREAR, JR.,
J. GLENN BEALL,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7380) to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment strikes out the provision of the House bill which provides additional compensation for privates in the Fire Department who are assigned to duty as acting sergeants. The House recedes.

Amendment No. 2: This amendment strikes out the provision of the House bill which prevents certain inspectors in the Fire Department from counting, for the purpose of computing their entitlement to certain longevity increases, certain service occurring prior to the enactment of the District of Columbia Police and Firemen's Salary Act of 1953. The Senate recedes with the appropriate change in the section number.

Amendment No. 3: This amendment strikes out the provision of the House bill which provides for the assignment of 15 privates to duty as acting sergeants. The House recedes.

Amendment No. 4: This amendment strikes out the provision of the House bill which repeals the provisions of law granting authority for payment of additional compensation of $5 per month to outstandingly efficient police and firemen. The House recedes.

Amendments Nos. 5 and 6: These are technical conforming amendments. The House recedes with an amendment on No. 5, and the Senate recedes on No. 6.

JAMES C. DAVIS,
JOHN BELL WILLIAMS,
JOEL T. BROYHILL,
Managers on the Part of the House.

The conference report was agreed to.

A motion to reconsider was laid on the table.

LA PUNTILLA MILITARY RESERVATION, SAN JUAN, P. R.

Mr. DURHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 9506) to provide for the conveyance of La Puntilla Military Reservation, San Juan, P. R., to the Commonwealth of Puerto Rico.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Army is authorized and directed to convey the property described in section 2 of this Act to the Commonwealth of Puerto Rico, by quitclaim deed, without monetary consideration therefor.

SEC. 2. The real property to be conveyed to the Commonwealth of Puerto Rico consists of 3.24 acres, more or less, together with improvements thereon, in the city of San Juan, Puerto Rico, described as follows:

Beginning at a point marked by a large granite post sunk in the ground, having a punched brass bolt let into the top, located on the line between the Department of the Army reservation known as La Puntilla and the lighthouse reservation, about 30 feet east of the true north and south line permanently established in 1913; thence south 85 degrees 46 minutes 50 seconds west, 257.58 feet; thence south 5 degrees 4 minutes 22 seconds east, 98.26 feet; thence south 84 degrees 6 minutes 39 seconds west, 273.53 feet; thence north 5 degrees 35 minutes 22 seconds west, 177.751 feet; thence south 46 degrees 6 minutes 6 seconds east, 79.609 feet; thence north 40 degrees 38 minutes 56 seconds east, 286.78 feet; thence south 4 degrees 23 minutes 37 seconds east, 11.14 feet; thence south 4 degrees 23 minutes 37 seconds east, 8.67 feet; thence in arc of 90 degrees 18 minutes 6.5 seconds—13.7 feet, r=8.7 feet, 13.709 feet; thence north 85 degrees 33 minutes 41 seconds east, 8.49 feet; thence north 85 degrees 33 minutes 41 seconds east, 79.85 feet; thence north 25 degrees 26 minutes 25 seconds east, 345.5 feet; thence north 74 degrees 6 minutes 51 seconds east, 108.94 feet; thence north 75 degrees 3 minutes 42 seconds east, 33.63 feet; thence north 82 degrees 30 minutes 11 seconds east, 56.47 feet; thence south 87 degrees 26 minutes 54 seconds east, 42.25 feet; thence south 27 degrees 33 minutes 6 seconds west, 7.74 feet; thence north 87 degrees 26 minutes 44 seconds west, 19.90 feet; thence south 28 degrees 27 minutes 23 seconds west, 107.80 feet; thence south 3 degrees 7 minutes 58 seconds east, 122.65 feet; thence south 86 degrees 32 minutes 46 seconds west, 84.51 feet; thence south 3 degrees 24 minutes 22 seconds east, 134.04 feet; thence north 86 degrees 30 minutes 8 seconds east, 83.86 feet; thence south 3 degrees 7 minutes 58 seconds east, 172.53 feet; thence south 85 degrees 46 minutes 50 seconds west, 126.65 feet, containing 4.55 acres, more or less, excepting and reserving unto the United States, however, a portion thereof comprising 1.31 acres, more particularly described in Executive Order No. 8867 dated August 22, 1941, "Transferring to the Control and Jurisdiction of the Treasury Department a Certain Portion of the Military Reservation at 'La Puntilla' San Juan, Puerto Rico".

With the following committee amendment:

Page 1, line 6, strike the period and add the following: "but on condition that the property will be maintained by the Commonwealth of Puerto Rico as a historic monument."

Mr. DURHAM. Mr. Speaker, I offer a substitute committee amendment to the committee amendment appearing in the bill.

The Clerk read as follows:

Amendment offered by Mr. DURHAM as a substitute for the committee amendment: On page 1, line 6, strike the period and add the following: "but on condition that the property will be maintained by the Commonwealth of Puerto Rico as a historic monument, and if such property shall ever cease to be maintained by the Commonwealth of Puerto Rico as a historic monument, or for other similar purposes, all the right, title, and interest in and to such property shall revert to, and become the property of the United States, which shall have the immediate right of entry thereon."

The substitute amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF CONGRESS AGAINST ADMISSION OF THE COMMUNIST REGIME IN CHINA AS THE REPRESENTATIVE OF CHINA IN THE UNITED NATIONS

Mrs. KELLY of New York. Mr. Speaker, I ask unanimous consent for the present consideration of the concurrent resolution (H. Con. Res. 265) expressing the sense of Congress against admission of the Communist regime in China as the representative of China in the United Nations.

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that its previous expressions should be and are hereby reemphasized that the Communist regime in China should not be admitted to membership in the United Nations or any of its specialized agencies as the representatives of China; and

That the Congress hereby expresses its conviction that such admission would gravely injure the United Nations and impair its effective functioning in accordance with the aims, principles, and provisions of the United Nations Charter.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. KELLY of New York. Mr. Speaker, the purpose of House Concurrent Resolution 265 is clear. It is to reemphasize the sentiment of the American people, through its Congress, that the Communist regime in China should not be admitted to membership in the United Nations or any of its specialized agencies as a representative of China.

It was the strong view of the committee that this matter is so essential and vital that the overwhelming sentiment of the American people through its Congress should be again stated in certain and positive terms. The history of previous expressions on this subject is compiled in the House report accompanying House Concurrent Resolution 265, and follows:

1948: STRATEGY AND TACTICS OF WORLD COMMUNISM—SUPPLEMENT III, COMMUNISM IN CHINA (REPORT OF FOREIGN AFFAIRS SUBCOMMITTEE ON NATIONAL AND INTERNATIONAL MOVEMENTS)

January 19, 1951: House Resolution 77, 82d Congress, 1st session.

May 15, 1951: House Resolution 96, 82d Congress, 1st session.

July 21, 1953: Amendment to Departments of State, Justice, and Commerce Appropriation Act, 1954.

July 10, 1953: Extracts from House Report 768 (83d Cong., 1st sess.) accompanying House Concurrent Resolution 129.

August 26, 1954: Extract from section 101 of the Mutual Security Act of 1954 (Public Law 665, 83d Cong. 2d sess.).

July 8, 1955: Section 12 of the Mutual Security Act of 1955 (Public Law 138, 84th Cong., 1st sess.).

May 10, 1956: Extract from House Report 2147 (84th Cong., 2d sess.) Report of the Special Study Mission to the Middle East, South and Southeast Asia, and the Western Pacific (pp. 203, 204).

Special emphasis should be given to part of the report of the Special Study Mission to the Middle East, South and Southeast Asia, and the Western Pacific when they returned and said:

The United States must steadfastly refuse to recognize the Communist regime in China and must resist its admission to the United Nations.

On the grounds that—

Legally, such admission would make a mockery of the United Nations Charter.

And:

Politically, admission to the United Nations would be a smashing victory for world communism.

And:

Morally, it would be an equally devastating defeat for the free world.

June 20, 1956: Section 110 of the Department of State Appropriation Act, 1957 (title I of Public Law 603, 84th Cong., 2d sess.).

July 14, 1956: Section 107 of H. R. 12130, 84th Congress, 2d session, Mutual Security Appropriation Act, 1957, as reported by the Senate Appropriations Committee.

The conclusion of this report on House Concurrent Resolution 265 states concisely:

The members of the Communist regime in China are exerting continuous effort to gain admission into the United Nations and its specialized agencies as representatives of

China. At a time when these efforts are being intensified by the Communist bloc and supported by some others it is particularly important to restate and reemphasize the overwhelming sentiment of the United States as expressed by its people, by its Congress, and by its President.

History has some vivid examples of grave consequences flowing from actions taken by governments which misjudged American opinion on a given issue. It would be tragic if anyone abroad failed to understand how deep and determined is the feeling of the American people on the issue involved in this resolution. By the very nature of their office, Members of Congress know and reflect accurately the views and deep feelings of the American people whom they represent. That is what gives extraordinary significance to the repeated unanimous votes of the Congress against the admission of Communist China to the United Nations. Anyone who might be inclined to support the admission of the Communist regime in China into the United Nations as the representative of China should seriously weigh in advance the loss to the United Nations which would result from this disregard of the principles of the United Nations and of United States public opinion which to date has so fully supported the United Nations.

The adoption of this resolution will serve notice to all that the admission of the Communist regime to membership in the United Nations or any of its specialized agencies as a representative of China will be regarded as a serious matter by our Nation. At the same time, its adoption will reassure the peoples and governments of the free world that the United States position on this question is firm and resolute.

Mr. JUDD. Mr. Speaker, will the gentlewoman yield?

Mrs. KELLY of New York. I yield to the gentleman from Minnesota.

Mr. JUDD. Mr. Speaker, I am grateful to the gentlewoman from New York for having taken the lead in bringing this resolution to the floor. I trust the world will give it attention.

Some people may say, "Why should we declare our opposition to admission of Communist China into the United Nations again, when we have done it so many times before?"

Well, everybody knows that all the Communist forces in the world, assisted now by some of our friends, are maneuvering to get the United States into a sort of squeeze play, if they can. After the elections are held, and the United Nations Assembly has convened when the Congress is not in session, attempts apparently will be made to admit Communist China into the United Nations. Then when we come back in January, we would be presented with a fait accompli that would be difficult to deal with. It must be our policy to head off any such movement which could have some very bad consequences. Our committee felt unanimously that we ought to make clear right now to the whole world the determination of the people of America and their representatives on this issue. Some governments abroad, listening only to their representatives here, who in turn hear only the gossip in Washington or New York, or read supposedly sophisticated columnists, may think, "Well, the United States cannot be too serious on this matter. The American people will come along."

But, Mr. Speaker, history has a good many tragic examples of people—like the Kaiser, Hitler, the Japanese imperialists, the Communists in Korea—who disastrously misjudged the temper and the resolution of the American public. Historians generally agree that none of these would have done what they did if they had realized in advance how strong and determined would be the reaction of the United States. Because the American people are long suffering and try to the last minute to avoid any trouble, gives some the impression we can be pushed around indefinitely. The Congress owes it to the world to announce once more to any countries anywhere that may be inclined to think that American public opinion is soft on this issue, that they ought to stop and ask themselves carefully:

Which do they think it more important and valuable to themselves and to the United Nations to have on their side, Communist China or the United States? They may not be able to have both.

Mr. Speaker, one occasionally hears, especially from abroad, various arguments brought up in favor of recognition or admission into the United Nations of a Communist regime in China which, instead of helping the U. N. put down an aggression in Korea, joined in the aggression against the U. N.—a regime which brazenly defies all the decencies of civilized international intercourse, cynically breaks its pledged word whenever expedient, and accuses the United States of the crimes in Asia of which it itself has been solemnly judged guilty by the United Nations.

I wish all would read the committee report on this resolution, which assembles the facts and arguments presented in the reports on 5 similar resolutions during the last 5½ years. May I give the answers to some of the arguments that at first glance might seem plausible?

It is said that Communist China should be admitted because the U. N. ought to have all existing governments in it, ought to have universal membership. No; the charter makes perfectly clear that was never the intent of the U. N. Maybe there ought to be a universal organization, but that cannot be the U. N. unless its charter is drastically amended. Why do not the advocates for Red China openly advocate such amendment, instead of cynical violation of the charter?

The U. N. was limited to peace-loving nations. Article IV sets up criteria and procedure for determining eligibility, how nations are to be admitted, and how they are to be suspended or expelled if they violate the charter. To admit the Communist China regime would only make it immediately eligible for expulsion.

Someone will protest, "But the Soviet Union is in the U. N.—what is the difference? We should either admit Red China or kick the Soviet Union out." There are three quick answers:

First, two wrongs do not make a right.

Second, the Soviet Union got in on the ground floor when it was pretending to be peace-loving, democratic, willing to cooperate for peace in international affairs. The Reds of China do not even pretend. There is no excuse for making a mistake in their case.

Third, it is idle to talk about expelling the Soviets because they are one of the big five and can veto their expulsion. If Communist China were to be admitted, it would not be possible to expel her either. Russia would veto that too.

It is said, "Well, Communist China is a fact. We must be realistic." The answer is that it is just because Red China is indeed such a powerful and dangerous fact that the regime must not be admitted. To do so would make it even more powerful and more dangerous. If anything is realistic, it is the fact that the Communist regime in China is dedicated to the isolation and destruction of the United States.

Gangsters are a fact in some of our big cities. We do not argue, in the name of realism, that, therefore the FBI should take the gangsters in. Realism demands that the gangsters be kept out of the forces responsible for maintaining law and order.

It is said that since the Chinese are the most numerous people on the globe, they are entitled and ought to have representation in the U. N.

Certainly, but the Peking Government does not represent the Chinese people. It represents the Kremlin. When a person becomes a Communist, he ceases to be a Chinese patriot, or a French patriot, on an American patriot. He is a world revolutionist. Let the Chinese people choose their representatives in free elections.

There are many more arguments as superficial and as easily refuted as the above. But I must not take time here and now to list and answer them. In summary let me ask three questions.

First. Would admission of Communist China to the U. N. make it weaker or stronger? The answer is obvious. Why else would every Red regime sympathizer in the world be moving heaven and earth all these years to get Red China admitted?

Second. Would admission decrease or increase Red China's influence with its neighbors in Asia—Japan, Southeast Asia, India—and the neutrals everywhere? The answer is obvious.

Third. Would admission make Red China a lesser or a greater danger to ourselves and to genuine peace in the world? The answer is obvious.

To build up an avowed enemy, as admission into the U. N. would undeniably do, could only be described as an act bordering on madness. It must not happen.

Mr. MORANO. Mr. Speaker, will the gentlewoman yield?

Mrs. KELLY of New York. I yield.

Mr. MORANO. First of all, I want to say I am happy that the gentlewoman has brought up this resolution this morning. But, I want to say I have heard a report, which I hope is true, that Great Britain has decided not to press for the resolution to admit Communist China into the United Nations.

GENERAL LEAVE TO EXTEND

Mrs. KELLY of New York. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks at this point.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The question is on the resolution.

Mrs. KELLY of New York. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 391, nays 0, not voting 41, as follows:

[Roll No. 103]

YEAS—391

Abbitt	Curtis, Mass.	Hinshaw
Abernethy	Curtis, Mo.	Hoeven
Adair	Dague	Hoffman, Mich.
Addonizio	Davidson	Holifield
Albert	Davis, Ga.	Holland
Alexander	Davis, Tenn.	Holmes
Alger	Dawson, Ill.	Holt
Allen, Calif.	Dawson, Utah	Holtzman
Allen, Ill.	Deane	Hope
Andersen, H. Carl	Delaney	Horan
	Dempsey	Hosmer
Andresen, August H.	Denton	Huddleston
	Derounian	Hull
Andrews	Devereux	Hyde
Anfuso	Dies	Ikard
Arends	Diggs	Jackson
Ashley	Dingell	James
Ashmore	Dixon	Jarman
Aspinall	Dodd	Jenkins
Auchincloss	Dollinger	Jennings
Avery	Dolliver	Jensen
Ayres	Dondero	Johansen
Baker	Donohue	Johnson, Calif.
Baldwin	Dorn, N. Y.	Johnson, Wis.
Barden	Dorn, S. C.	Jonas
Barrett	Dowdy	Jones, Ala.
Bass, N. H.	Doyle	Jones, Mo.
Bates	Durham	Jones, N. C.
Baumhart	Edmondson	Judd
Beamer	Elliott	Karsten
Becker	Ellsworth	Kean
Bennett, Fla.	Engle	Kearney
Bennett, Mich.	Evins	Kearns
Berry	Fallon	Keating
Betts	Fascell	Kee
Blatnik	Feighan	Kelly, N. Y.
Boggs	Fenton	Keogh
Boland	Fernandez	Kilburn
Bolling	Fino	Kilday
Bolton, Frances P.	Fisher	Kilgore
	Fjare	King, Calif.
Bolton, Oliver P.	Flood	King, Pa.
	Flynt	Kirwan
Bonner	Fogarty	Klein
Bosch	Forand	Kluczynski
Bow	Ford	Knox
Bowler	Forrester	Knutson
Boykin	Fountain	Krueger
Boyle	Frazier	Laird
Bray	Frelinghuysen	Landrum
Brooks, La.	Friedel	Lanham
Brown, Ga.	Fulton	Lankford
Brown, Ohio	Garmatz	Latham
Brownson	Gary	LeCompte
Broyhill	Gentry	Lesinski
Buckley	George	Lipscomb
Budge	Grant	Long
Burdick	Gray	Lovre
Burnside	Green, Oreg.	McCarthy
Bush	Green, Pa.	McConnell
Byrd	Gregory	McCormack
Byrne, Pa.	Griffiths	McCulloch
Byrnes, Wis.	Gross	McDonough
Canfield	Gubser	McGregor
Cannon	Gwinn	McIntire
Carlyle	Hagen	McMillan
Carrigg	Hale	McVey
Cederberg	Haley	Macdonald
Celler	Halleck	Machrowicz
Chase	Hand	Mack, Ill.
Chelf	Harden	Mack, Wash.
Chenoweth	Hardy	Madden
Chiperfield	Harris	Magnuson
Chudoff	Harrison, Nebr.	Mahon
Church	Harrison, Va.	Mailliard
Clark	Harvey	Marshall
Clevenger	Hays, Ark.	Martin
Colmer	Hays, Ohio	Mason
Cooley	Hayworth	Matthews
Coon	Healey	Meader
Cooper	Henderson	Merrow
Corbett	Herlong	Metcalf
Coudert	Heselton	Miller, Calif.
Cramer	Hess	Miller, Md.
Cretella	Hiestand	Miller, Nebr.
Crumpacker	Hill	Miller, N. Y.
Cunningham	Hillings	Mills
Minshall	Richlman	Teague, Calif.
Morano	Riley	Teague, Tex.
Morrison	Rivers	Thomas
Moss	Roberts	Thompson, Mich.
Moulder	Robeson, Va.	
Multer	Robsion, Ky.	Thompson, N. J.
Mumma	Rodino	Thompson, Tex.
Murray, Ill.	Rogers, Colo.	Thomson, Wyo.
Murray, Tenn.	Rogers, Fla.	Tollefson
Natcher	Rogers, Mass.	Trimble
Nicholson	Rogers, Tex.	Tuck
Norblad	Rooney	Tumulty
Norrell	Roosevelt	Udall
O'Brien, Ill.	Rutherford	Utt
O'Brien, N. Y.	Sadlak	Vanik
O'Hara, Ill.	St. George	Van Pelt
O'Konski	Saylor	Van Zandt
O'Neill	Schenck	Velde
Osmers	Schwengel	Vinson
Ostertag	Scott	Vorys
Patterson	Scrivner	Vursell
Pelly	Seely-Brown	Wainwright
Perkins	Selden	Watts
Pfost	Sheehan	Weaver
Philbin	Shelley	Westland
Phillips	Sheppard	Wharton
Pilcher	Short	Whitten
Pillion	Shuford	Widnall
Poage	Sikes	Wier
Poff	Siler	Wigglesworth
Powell	Simpson, Ill.	Williams, Miss.
Preston	Simpson, Pa.	Williams, N. J.
Price	Sisk	Williams, N. Y.
Quigley	Smith, Kans.	Willis
Rabaut	Smith, Miss.	Wilson, Calif.
Radwan	Smith, Va.	Wilson, Ind.
Rains	Smith, Wis.	Winstead
Ray	Spence	Withrow
Reece, Tenn.	Springer	Wolcott
Reed, N. Y.	Staggers	Wolverton
Rees, Kans.	Steed	Wright
Reuss	Sullivan	Yates
Rhodes, Ariz.	Taber	Younger
Rhodes, Pa.	Talle	Zablocki
Richards	Taylor	Zelenko

NOT VOTING—41

Bailey	Eberharter	Passman
Bass, Tenn.	Gamble	Patman
Belcher	Gathings	Polk
Bell	Gavin	Priest
Bentley	Gordon	Prouty
Blitch	Hébert	Scherer
Brooks, Tex.	Hoffman, Ill.	Scudder
Burleson	Kelley, Pa.	Sieminski
Carnahan	Lane	Thompson, La.
Chatham	McDowell	Thornberry
Christopher	Mollohan	Walter
Cole	Morgan	Wickersham
Davis, Wis.	Nelson	Young
Donovan	O'Hara, Minn.	

So the concurrent resolution was agreed to.

The Clerk announced the following pairs:

Mr. Brooks of Texas with Mr. Scherer.
Mr. Patman with Mr. Cole.
Mr. Bell with Mr. Gavin.
Mr. Thornberry with Mr. O'Hara of Minnesota.
Mr. Hébert with Mr. Prouty.
Mr. Thompson of Louisiana with Mr. Belcher.
Mr. Carnahan with Mr. Hoffman of Illinois.
Mr. Burleson with Mr. Gamble.
Mr. Bailey with Mr. Davis of Wisconsin.
Mr. Mollohan with Mr. Nelson.
Mr. Gordon with Mr. Scudder.
Mr. Gathings with Mr. Young.
Mr. Wickersham with Mr. Bentley.

The result of the vote was announced as above recorded.

SUPPLEMENTAL APPROPRIATION BILL, FISCAL YEAR 1957

Mr. CANNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 12138) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. CANNON, MAHON, SHEPPARD, THOMAS, KIRWAN, NORRELL, WHITTEN, ANDREWS, ROONEY, GARY, FOGARTY, SIKES, PRESTON, RABAUT, TABER, WIGGLESWORTH, JENSEN, H. CARL ANDERSEN, HORAN, CANFIELD, FENTON, PHILLIPS, SCRIVNER, COUDERT, CLEVENGER, WILSON of Indiana, and FORD.

IMPROVING GOVERNMENTAL BUDGETING AND ACCOUNTING METHODS AND PROCEDURES

Mr. DAWSON of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3897) to improve governmental budgeting and accounting methods and procedures, and for other purposes, with House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. DAWSON of Illinois, Mr. JONES of Alabama, Mr. KILGORE, Mr. FASCELL, Mrs. HARDEN, Mr. BROWN of Ohio, and Mr. LIPSCOMB.

CONSTRUCTION OF FACILITIES FOR RESEARCH IN CRIPPLING AND KILLING DISEASES

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 849) to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystrophy, and for other purposes, with House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. HARRIS, CARLYLE, ROBERTS, DIES, WOLVERTON, HINSHAW, and HESELTON.

CHAMBER OF COMMERCE OF ROLLA, MO.

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7723) to authorize the Secretary of Agriculture to convey certain lands in Phelps County, Mo., to the Chamber of Commerce of Rolla, Mo., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, after line 4, insert:

"SEC. 2. The conveyance authorized by this act shall provide that in the event that the lands cease to be used for public purposes all right, title, and interest therein shall immediately revert to and revest in the United States."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

COMMITTEE ON AGRICULTURE

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file reports on the following bills: S. 2216, S. 1079, S. 4058, H. R. 5275, and H. R. 11950.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

ELKINS, W. VA.

Mr. CELLER submitted a conference report and statement on the bill (S. 2182) for the relief of the city of Elkins, W. Va.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. ENGLE. Mr. Speaker, I ask unanimous consent that the House Committee on Interior and Insular Affairs may have until midnight tonight to file reports on several bills favorably reported to the House today.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DO NOT PERMIT OUR NATIONAL BANKING SYSTEM TO BE DESTROYED

Mr. MULTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, a bill, S. 256, is presently being considered by the House Banking and Currency Committee. No counterpart of that bill was ever introduced in the House. It passed the Senate in June of 1955.

In the dying days of this session it is called up for hearing before the House Banking and Currency Committee where a determined effort will be made to report it out and then to pass it on the floor.

It is a very short bill and would appear to be quite innocuous. Actually, the purpose and intent of the bill is to prevent minority representation of stockholders on national bank boards of directors. The enactment of the bill of and in itself, without any further action, would destroy such right of minority representation by stockholders. It could well mark the destruction of our national banking system.

I take this means of alerting the membership of the House to the fact that this is a bad bill, and it should not be rushed through in the dying days of this session of Congress. If there is anything good about the bill it can wait for enactment until next year when it can be fully and thoroughly debated and its merits or demerits exposed.

If majority stockholders and directors need any protection against minorities within their banking institutions, they should frankly come forward and make out a case. I know that the Congress will not hesitate to give them the fullest protection that they may need. They do not need this bill and it is against their own best interests.

EXPLANATION OF VOTE

Mr. GAVIN. Mr. Speaker, I was unavoidably detained during the rollcall on House Resolution 265, rollcall No. 103, against the admission of Red China to the United Nations. Of course I have vigorously opposed the admission of Red China in the past, that my position hardly needs reiteration by me.

Let me again make it crystal clear that I am vigorously against the admission of these nefarious Reds to the society of free nations, and will continue militantly to resist all such proposals. Had I been present, I would have voted "yea."

CALENDAR WEDNESDAY

The SPEAKER. This is Calendar Wednesday. The Clerk will call the committees.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. COOLEY (when the Committee on Agriculture was called). Mr. Speaker, I call up the bill (H. R. 11708) to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase the amount authorized to be appropriated for purposes of title I of the act, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. This bill is on the Union Calendar. The House automatically resolves itself into the Committee of the Whole House on the State of the Union.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 11708, with Mr. PRESTON in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the general debate will be limited to 2 hours.

Mr. HOPE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOPE. I would like to inquire of the Chair how much time is allowed for general debate.

The CHAIRMAN. The Chair was about to state that the time will be equally divided between the gentleman from North Carolina and the gentleman from Kansas; each will have 1 hour.

Mr. COOLEY. Mr. Chairman, I yield myself 15 minutes.

The CHAIRMAN. The gentleman from North Carolina is recognized.

Mr. COOLEY. Mr. Chairman, this bill is of great importance. I think the purpose of the bill is very well understood, but I do want to make a few brief remarks concerning its provisions. I know you will recall that we first authorized the expenditure of $750 million in section 48 to be used for the purpose of disposing of surplus agricultural commodities. Very soon the $750 million had been obligated and used, and at a later date we increased that authorization from $750 million to $1,500,000,000. That authorization has now been reached and exceeded, and the Department is without authority to proceed further and to consummate many important transactions which are now pending.

In this bill we increase the authorization from $1,500,000,000 to $3 billion. My recollection is that there was no objection to this section of the bill in the committee, and I hope and assume there will be no objection to this particular section of the bill here in the House today.

In addition to that increase in authorization we put in another provision which authorizes barter transactions with the satellite nations, but it excludes barter transactions wih Russia, with Red China, and North Korea.

In bringing this provision before the House I think I should tell the House that when the President, in his message of January 9, listed the repeal of section 304 as one of the nine points in his agricultural program, our committee was not particularly impressed with that recommendation, because it was too broad and comprehensive and we figured perhaps too dangerous.

At a later date we did decide to modify the section so as to authorize barter transactions with satellite nations. We had a communication from the Secretary of Agriculture favoring the President's recommendation for an outright repeal of the section, and I am certain the Department of Agriculture is in favor of the provision now written into the bill.

We then had Secretary of State Dulles testify in executive session. At that meeting he urged the approval of the section that we now have in the bill.

At my request Mr. Dulles wrote a letter to me, which appears in the report, in which he points out the desirability of having this authority which is contained in this section.

Mr. DODD. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Connecticut.

Mr. DODD. I would like to ask this question: As I understand the gentleman, this bill which is before us will permit the Secretary to barter agricultural commodities with satellite nations.

Mr. COOLEY. That is right.

Mr. DODD. But does the gentleman think this is wise in view of the world situation? Would it not be far better for us to give them these commodities so they could be distributed among the people by the International Red Cross or some such organization, so that those who need this food would get it and know it comes from the free world? It seems ridiculous to be entering into trade with the satellite nations, particularly at this time.

Mr. COOLEY. The reason that the President's recommendation for the repeal of this section did not appeal to me was the fact that I am not in accord with the suggestion for the reason that it is not the policy of our Government, nor is it the policy of our people, to carry on commerce with communism. For that reason that suggestion was not seriously considered in our committee. The explanation offered by Mr. Dulles is in a very brief communication addressed to the chairman of the committee and appears in the report.

Under existing law the Congress has already given authority to do what the gentleman suggests might be desirable. That is, to give surplus food to the satellite people or to friendly people behind the Iron Curtain. You will recall that after the recent revolution in Poland, when the people were calling for food and freedom, our Government immediately offered to give the people of Poland food. The Polish Government refused to accept the food, saying they were not prepared to accept charity and alms at the hands of the American people.

Mr. DODD. That is precisely my point. I think we should offer to give them food but it is a mistake, I suggest, to barter or trade with them so they will have food and make it appear they are successfully operating their economy in these captive countries and make profit at our expense.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. COOLEY. Mr. Chairman, I yield myself 5 additional minutes.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Minnesota.

Mr. JUDD. I have read very carefully the letter on page 10 of the committee report from the Secretary of State in which he says:

> The suggestions we make do not relate to trade with the Soviet Union itself nor do they relate to the establishment of a normal pattern of trade with the Soviet satellites which might serve either to strengthen the war potential of the Soviet bloc or to entrench the present order in relation to the satellite countries.

That would be a good trick if one could figure out how it can be done. Maybe the Secretary of State explained what he had in mind to the committee. But I should like to ask the gentleman these questions. How can you carry on barter with Poland, for example, except through the Government of Poland? And if the Polish people get food through the existing Communist government, does that not strengthen that government?

Mr. COOLEY. May I say to the gentleman I do not like the idea, either, but in executive session there was a discussion of this important subject behind closed doors. It is for that reason I asked the Secretary to put that statement in writing so that the Members of the House would clearly know it was not contemplated we would carry on commerce with communism or that we would do anything to strengthen the war potential of either the satellites or the Soviet Republic.

Mr. JUDD. I realize the gentleman is now in the position that we so often are in when we come before the House from the Committee on Foreign Affairs. We have been given an explanation in private that convinces us, but we cannot reveal it publicly to the House. Was the gentleman convinced by the explanation given to his committee in executive session that there are means and methods by which we can carry on the barter that would get food into Poland and yet would not strengthen the existing government?

Mr. COOLEY. I think we must know that once food is delivered to Poland we will, to all practical purposes, lose complete control over final disposition and consumption of that food. It is anticipated or contemplated that in the exchange for these vital foods, which we understand there is great need for now in Poland, we are to receive something of strategic importance to us. Frankly I say to the gentleman, I do not anticipat that much trading will be done. In the first place, Poland says her people are not hungry. The free world knows that statement is not true. People do not revolt and say they want food and freedom, then stand before firing squads to be shot to death or murdered unless there is some truth in the assertion that there is a vital need for food. We can offer to meet the Polish proposal. The Poles say: "We are ready to barter with you. We do not want your charity." Here is the answer to it: "Yes; we will barter with you if it is necessary to get the food in the mouths of the hungry people of Poland."

Mr. JUDD. And once more we would be demonstrating to the whole world that whatever the Communists lay down as the terms, Uncle Sam agrees to. They call the tune; we dance to it. Why should we not, rather, let the Communists stand exposed before the world as the diabolically cruel men they are, preferring to let their own people die rather than receive food from the people of the United States?

Are we against these Communist despots or are we for them? We denounce them, then we help them solve their food problems. How can other countries, looking to us for steadfast leadership, know what to count on?

Mr. COOLEY. I might ask the gentleman the same question. Why should this great republic of ours, with our warehouses bulging with vital food that will sustain life, refuse to barter with these people in Poland and save the lives of hungry people who are now being sent before the firing squad?

Mr. JUDD. What makes you believe any of it will go to the hungry people? Or, at least, unless the people abandon their resistance?

The same thing was true when we sent food into Yugoslavia under Tito. In order to get food the people had to sign up with his agents, join the party, or if they did not, they starved.

Mr. COOLEY. I do not know that it will go to the hungry people, but I do know that the Federal Government, with all this vital food, can at least meet the terms, and we could probably offer them such good barter transactions that Russia would refuse to permit them to be consummated, and then the hungry can blame the Communist regime for refusing the food we offer to them.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Michigan.

Mr. RABAUT. When we gave wheat to Yugoslavia, when they were so badly in need of food, we designated at that time Americans who would supervise the distribution of that food. If you have no supervision over the distribution of this food, you or no one else knows that the food will get to the proper place; that those in need are ever going to get it. It might be put in their warehouses and bolster their economy to the further detriment of the very people we are trying to feed. I am favorable to your idea that we want to help them. That is fine, but we have no assurance that we are going to help them.

Mr. COOLEY. Let me call my friend's attention to the fact that we are not giving them the vital food. We are bartering it with them, and when they give us some of these strategic materials that we will call upon them to give us, we will strengthen our own war potential and we will weaken theirs to that extent. I certainly do not want to carry on any commerce with communism any more than does the gentleman from Michigan.

Mr. RABAUT. I am not trying to embarrass my friend.

Mr. COOLEY. I understand.

Mr. RABAUT. I know he is trying to do a job, but I am saying what we did with Yugoslavia. We insisted that we supervise the distribution of that food.

Mr. COOLEY. Do not bring up Yugoslavia, because I can argue with the gentleman for 2 days about that. We have not exacted one promise from Mr. Tito, and that is the reason I am against giving him money.

Mr. RABAUT. I am talking about the time we distributed food there. We do know that Americans supervised the distribution of that food.

Mr. COOLEY. Maybe in negotiating these barter transactions a provision will be inserted in the document which will require Government supervision to the ultimate consumer.

Mr. RABAUT. It was not Tito we gave it to, but to the hungry people.

Mr. COOLEY. We are now giving food to the escapees and refugees from East Germany. We do not want to cut them off.

Mr. RABAUT. Would they agree to supervision?

Mr. COOLEY. I do not know, but I know that the State Department will supervise the agreement and certainly put that in the contract as one of the provisions.

Mr. RABAUT. It looks as if we are giving up to their dictation.

Mr. COOLEY. Suppose you visualize the hungry Poles who say "You promised you would give it to us, but your fascist government would not permit us to accept it, because you refused to barter with us."

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. If we follow the advice or the policy of the gentleman from Minnesota, as just suggested, then are we not being put in a position of causing these people to starve to death instead of the Communists?

Mr. COOLEY. That is what I am afraid the interpretation will be over there. Let me say this to my friend from Minnesota. Why is it more vicious to barter with them and get something in exchange and put it into our own arsenal here than to give it to them? The gentleman is perfectly willing to give it to them.

Mr. JUDD. Certainly, I would give it to them when it is distributed by the Red Cross, for example, and goes to the people. But I would not give it if it meant giving it to the Communist government to distribute as a weapon in breaking the will of the people. They are proving that freedom is more important to them than food. People who are revolting to gain their freedom will be tempted to ask, "What is the use of our revolting against a government which the great powerful United States recognizes, deals with as an equal, and builds up?"

Once we announce we are willing to barter with the governments, we are giving them enormous prestige and strengthening them.

Well, do we want to win this cold war, or do we want to lose it?

Mr. COOLEY. I do not want to emphasize the President's views, and I do not want to emphasize unduly the views of the Secretary of State. I remind the gentleman of the fact that his President, Mr. Eisenhower, on January 9, in a message read from this rostrum advocated the outright repeal of the provision, and his Secretary of Agriculture and his Secretary of State urged the adoption of this provision.

Mr. JUDD. I will say on that point that when Mr. Acheson was Secretary of State, he advocated a similiar proposal with respect to Yugoslavia and other satellites. As a matter of principle I resisted it then under his leadership; and as a matter of principle I must resist it equally under the present leadership of my own party. Because I believe the net result will be that you will not get food to the people who need it, but instead you will greatly enhance the influence and power of the government that is oppressing the people. That was what happened then, as we feared. Will it not be certain to happen now?

Mr. COOLEY. Why not let us try one barter transaction? I am willing, and the Democrats are willing, to trust your own Cabinet officers to negotiate these contracts. Why not let us try one barter transaction and then see whether or not the food goes to the people who are in need?

Mr. JUDD. It is not a matter of trusting one administration or another. The real issue for us is what we do right here in the House of Representatives today, not what our officials do after awhile. The passage of this bill would recognize and give respectability to the tyrants whom we are trying with our whole mutual security program to overthrow. It is not what the administration may be able to do or not able to do after we pass this bill. It is the passage of this bill which would do the damage.

Mrs. KELLY of New York. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentlewoman from New York.

Mrs. KELLY of New York. On page 9 of this report, in the committee's explanation of section 304 it says:

> The section has also been interpreted to prohibit barter of surplus commodities with any such countries and even cash sales for dollars at the world price, although neither barter nor cash sales depend upon this act for their basic authority, and although it is by no means clear that such was the intent of Congress when the law was enacted.

Can the gentleman explain to me what basic authority and what public law gives the Secretary of Agriculture or the Secretary of State the right at this moment without this bill to barter with the satellite nations? And if that be the case, why need this new section in the law?

Mr. COOLEY. Mr. Chairman, may I say to my friend that the barter authority is in the law, in section 480, except with regard to the Soviets and their satellites.

Mrs. KELLY of New York. That is just the point. I want to assist the people of the satellite nations but I do not want to assist the Communist regime which keeps them in slavery.

Mr. COOLEY. This would modify or change that provision so as to permit barter transaction with the satellites but preclude barter transactions with Soviet Russia, North Korea, and Red China.

Mrs. KELLY of New York. Mr. Chairman, it was my amendment to the original law, Public Law 480, concerning friendly nations which I had in mind; and in that basic law in section 107, on page 3 it says:

> As used in this act "friendly nations" means any country other than (1) the U. S. S. R. or (2) any nation or area dominated or controlled by a foreign government or foreign organizations controlled by the world Communist movement.

That was to prevent the sale or barter to satellite nations. This is clear.

The gentleman must be referring to some other law.

Mr. COOLEY. No, it does mean that; that is the prohibition that is being modified by this provision in the bill.

Mrs. KELLY of New York. Then why was that written into the report—"although neither barter nor cash sales depend upon this act"?

Mr. COOLEY. I shall answer that by saying that this does not authorize cash sales to the satellites. It does not authorize sales to the satellites for foreign currencies. It only authorizes barter transactions for strategic materials. We can sell to all the other countries in the world for foreign currencies. We can sell for dollars. We can give away the surplus commodities. Under existing law we can do the same thing with all the countries of the world, as I have just enumerated, except with the satellites and the Soviets.

Mrs. KELLY of New York. This amendment to section 304, and I might add it is very poorly written—permits barter with the Communist regime. There is no guaranty that the agricultural surplus would reach the people of those countries.

Mr. COOLEY. I agree with the lady; the language is very awkward.

Mrs. KELLY of New York. The language is not understandable. May I ask the gentleman, was that the language of the administration?

Mr. COOLEY. I think the language was prepared by the Department of State at our request.

Mrs. KELLY of New York. I want to go on record as saying that it was certainly written to confuse and not to state the real facts, because it could have been written very clearly, that we can barter with the satellite nations, instead of this confusing language.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Texas.

Mr. POAGE. May I ask in connection with the question which has been asked the gentleman so frequently as to how we would know that this food would go to hungry people. Who, other than hungry people, no matter where they may be in the world, no matter what their economic status may be, ever eats food?

Mr. COOLEY. I assume if they were hungry and if they had an opportunity to have this food they would eat it.

Mr. POAGE. Is it not perfectly obvious that if you were selling lumber, washing machines, or radios, that would not be true, but when you sell food none but hungry people are ever going to eat it?

Mr. COOLEY. I think the gentleman is correct, but the gentleman from Minnesota is fearful the food will be placed in a warehouse and not be made available to the hungry people.

Mr. JUDD. Of course, it will be put in the warehouses or distributed to the faithful, and the hungry people will not get it unless they bow down and give their allegiance to the Communists.

Mr. COOLEY. Suppose the hungry people of Poland are crying for food, and there is no food? Suppose we fill up the warehouses, and they know it is there? They will probably tear down the warehouses and go in and get the food.

Mr. JUDD. I am afraid the gentleman is not very familiar with life under a Communist police state.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Missouri.

Mr. SHORT. I am sure the able gentleman from North Carolina does not want to sharpen the razor of any potential enemy to cut our own throat. He is performing yeoman service here. I think his heart is in this thing about as much as mine is. But the whole trouble is, as the gentleman from Minnesota has distinctly pointed out, that so much of this relief and foreign aid has gone down the drain and fallen into the hands of governments, not the people, but governments, to distribute to their own advantage. The people themselves do not know where it is coming from.

Mr. COOLEY. May I say to my friend that if we feel that way about it we should repeal the authority to give this food to the hungry people. The only thing we are talking about here is whether we are going to give it to them.

Mr. SHORT. Who gives it? Do we give it to the hungry people, or do we give it to the governments, and they distribute it to their own advantage?

Mr. COOLEY. It all depends on the American people.

Mr. SHORT. How many people in Poland or any other country in Europe know where it comes from?

Mr. COOLEY. I do not know about that.

Mr. SHORT. We sent thousands of tons of wheat to India, and you know what we have gotten in gratitude.

Mr. POAGE. If the gentleman will yield further, regardless of the question of whether we ever make a trade or not, this bill would give us the authority at least to seek to negotiate agreements. If, for instance, we find, as seems to be the case, that there is a need for food in Poland today, we can under the terms of this bill offer to provide Poland with a certain quantity of wheat, with a certain quantity of meat, with a certain quantity of fats, in return for wood pulp or other commodities they have that we need. We can offer that and advertise that all over the world, that we are offering that to help the people of Poland. The Polish Government then is placed in this position: They either have to accept the American offer, and everybody in the world then, including the people of Poland, will know that we have done it, or they have to reject the American offer, in which event the people of Poland and all the rest of the world will know that the Communists are willing to see their people starve rather than deal with the American Government. That is what this bill is seeking to do. It is not a matter of advertising it after you have done it, it is a matter of making your offer known to the rest of the world.

Mr. COOLEY. I agree with the observation of the gentleman.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. SHORT. The fact is that we have already offered to give them food.

Mr. COOLEY. That is right.

Mr. SHORT. They have refused it. There is a bug under the chip. They want to negotiate and the minute you start trading, you give a semi-recognition to the Government. Oh, do not let that camel get his nose under the tent.

Mr. COOLEY. You say my heart is not in it. I am perfectly willing to admit it.

Mr. SHORT. I am so pleased and grateful to see the gentleman stand up and defend this administration.

Mr. COOLEY. I am not doing that.

Mr. SHORT. I will love you forever.

Mr. COOLEY. The gentleman misunderstood my suggestion. I told you that I wanted no part of your President's recommendation on January 9 that we carry on commerce with communism.

Mr. SHORT. What are you doing when you pass this?

Mr. COOLEY. He recommended it.

Mr. SHORT. I do not care who recommended it.

Mr. COOLEY. Dulles recommended it.

Mr. SHORT. I do not care who recommended it.

Mr. COOLEY. Neither do I.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. GROSS. This bill might be more acceptable if you had provided in the bill that the Poles could not ship 22 million pounds of canned pork products alone into this country each year. Why are you talking about the hungry people of Poland? Why does not the Polish Government keep their hams that they are shipping into this country to compete with American agriculture?

Mr. COOLEY. Does the gentleman mean to say that under this Republican administration we are carrying on commerce with Communist Poland?

Mr. GROSS. The gentleman knows that we have been doing that for years under both Truman and Eisenhower. Why do you not shut that off?

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. JUDD. I would just like to ask the gentleman's interpretation of the language on page 2 on lines 8, 9 and 10 beginning with the parenthesis: "to assist friendly nations to be independent of trade with the Union of Soviet Socialist Republics and with nations dominated or controlled by the Union of Soviet Socialist Republics."

Now, this is to assist friendly nations to be independent of trade with nations dominated or controlled by the Communists. What are the friendly nations that we would thereby be helping to become independent of Poland, East Germany and Hungary and Czechoslovakia as well as of the Soviet Union? Presumably those are the countries that are controlled or dominated by the Soviet Union. I do not understand what this means.

Mr. COOLEY. That is the same complaint that the lovely lady from New York had a moment ago when she called attention to the fact that this language is awkward, and I agree that it is awkward.

Mr. JUDD. Then, also, the second part: "to assure that agricultural commodities sold or transferred thereunder do not result in increased availability of those or like commodities to unfriendly nations."

Now you seem to be saying in this that Poland, which is under Communist domination, is a friendly nation because otherwise you would not have to decree in the second half that nothing must go to an unfriendly nation. Yet these Communist-dominated nations I had assumed were considered unfriendly. But, then in the first part, you are authorizing barter with these nations. Are they friendly or are they unfriendly?

Mr. COOLEY. We have already authorized giving away.

Mr. JUDD. I am not talking about giving, I am talking about barter. This has to do with barter. Does not this language thereby define these satellite countries as friendly nations?

Mr. COOLEY. I do not think so.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. ZABLOCKI. The gentleman from North Carolina is a recognized authority on agricultural problems of the United States, and I am sure it is known that he is a student of agricultural production internationally. There are, I think, two basic questions which I would like to ask. Is it not true that Poland historically was an agricultural export nation; is that not true?

Mr. COOLEY. Sure. So is Yugoslavia.

Mr. ZABLOCKI. Is it not true, sir, that there was no drought or flood which would ruin the crops? What has caused the shortage?

Mr. COOLEY. I can tell you what I think has caused the shortage, but I do not have time to do so. I think the same situation exists in Poland as exists in all the Communist countries.

Mr. ZABLOCKI. Was it not an expression against the regime in Poland and the Communist-dominated Government of Poland that food was not produced?

Mr. COOLEY. That is right. The system now used in agriculture in those nations, and the same situation exists now in Yugoslavia where the farmers refuse to produce and turn their products over to the Government.

Mr. ZABLOCKI. If we are going to send our surplus commodities to that government, are we not telling the people of Poland that although they are oppressed; that we will deal with the oppressor?

Mr. COOLEY. The former Secretary of Agriculture said when he left office that the system had failed. When they have to admit that their agricultural machinery has bogged down and they are unable to produce enough food for their own people, that must be so.

Mr. ZABLOCKI. We are all kindly and humanitarian, but I am sure this provision in the legislation will not provide food to the people in the Communist-dominated nations.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. COOLEY] has again expired.

Mr. COOLEY. Mr. Chairman, I yield myself 4 additional minutes.

I yield to the gentlewoman from Missouri.

Mrs. SULLIVAN. To get back to the distribution of surplus food to friendly nations, since we are giving this food away, although we get paid in foreign currency and, according to the President's message of July 11, nearly all of this money is given back to the countries which pay it or else it goes to them for development in their own countries, in any event, since we are giving it away and paying even for the transportation on it as well, can we not afford to distribute more of this surplus food to our own needy? In other words, can we not devise a practical method for getting some of this food to people on public assistance?

Mr. COOLEY. I want to compliment and commend my friend for her great interest in the subject we are now mentioning. I do not know of any Member of this House who has shown greater interest in the matter which you are now discussing. As a result of your own great interest, the conferees placed a provision in the recent farm bill calling upon the Department of Agriculture to study the problem and to submit an appropriate stamp plan or some other distribution program to take care of our own needy people in this country.

Mrs. SULLIVAN. I know the gentleman has been very cooperative, but I was wondering if any effort is being made to get that report through before we adjourn.

Mr. COOLEY. We have called upon the Department of Agriculture to submit that report. It was required within 60 days. I am not sure how many days remain, but we will ask for the report within a period of 60 days.

Mrs. SULLIVAN. It probably is not due until September, but I was wondering if there was some way to get it through before that.

Mr. COOLEY. I assure the gentlewoman from Missouri that I will do everything I can to expedite it.

Mr. RICHARDS. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. RICHARDS. I would like to get our feet back on the ground on this thing. Is it not a fact that we have food surpluses running out of our ears in this country, and do not other countries have strategic materials of which we are short and in need?

Mr. COOLEY. That is correct.

Mr. RICHARDS. If we provide this food, which I think we should, through barter, if there is no barter arrangement arrived at, then the world would know that we could not agree on barter.

Mr. COOLEY. I think the gentleman is entirely correct. You remember the comment that came out of Poland to the effect that Poland refused this charity because it was only American propaganda. We are giving them a little more propaganda.

Mr. RICHARDS. And is this not correct, that if we do have a barter arrangement this country gets something worthwhile for this country, and the other country gets food to relieve human suffering, and if the government of those people does not provide that food, then they are more ready for a revolution over their dictatorial powers?

Mr. COOLEY. The gentleman is correct.

Mr. RICHARDS. I think the gentleman has a sensible proposition, if people will look at it from the commonsense standpoint.

Mr. COOLEY. May I call attention to this language in Mr. Dulles' letter:

> I believe that it would be helpful if they could know, in a concrete and dramatic way of the bountiful fruits of a society of freedom, which free nations share on a normal basis.

Then one other quotation:

> The offers we have in mind would be designed to illustrate and illuminate the possibilities which normally prevail as between free nations.

That is the objective that he has in mind. Whether the House wants to approve this or not is not of much concern to me.

I have no pride in this provision. I did not believe that it was a thing that should be done, but I am perfectly willing for the House to work its own will.

Mr. DODD. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. DODD. There has been considerable comment here to the effect that in this proposed barter of food the people of Poland and people of the other captive nations would know it came from us, but this is not sound reasoning, for it overlooks or ignores the fact that in these countries there is an absolutely controlled press and radio. For example, does the gentleman believe that the people of Poland know that the Red government of Poland refused UNRRA aid when we offered it? I doubt it. And the same is true of other captive peoples. Consequently I believe it is nonsense to say that we can gain a propaganda advantage by the use of bartering food for certain strategic materials.

One other question: Does not the gentleman agree that there are some people in this country who are more interested in getting rid of surplus commodities than they are in the struggle to help these captive people get their freedom?

Mr. COOLEY. No; I do not believe that. I regret the gentleman said that.

Mr. DODD. I do not regret that I said it, because I believe it very earnestly and seriously.

Mr. COOLEY. That is tantamount to an indictment of the Committee on Agriculture. It is an indictment of Mr. Dulles.

Mr. DODD. No it is not. I have the highest respect for you, your committee, and for Mr. Dulles. I am referring to certain dollar patriots and they are not always interested in good commodities. They have plagued us for years. Some of them sold scrap to Japan, they sold other vital material to our enemies at other times, they are still busy and they do not care about anything but profits.

Mr. COOLEY. That is tantamount to saying that the President of the United States, the Secretary of State, the Secretary of Agriculture, all three of them are not vitally interested in the future welfare of our public relations. Certainly they are not unduly interested in disposing of surplus commodities, and I resent the suggestion that any man on our Committee on Agriculture would put the sale of commodities ahead of our future welfare and security.

Mr. DODD. I did not make any such statement and had no such thing in mind, because I know that is not so. But I stated the truth and every informed person knows it.

Mr. COOLEY. I hope so.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from New York.

Mr. TABER. Does not the gentleman remember that when we had UNRRA, Russia took the food and relief materials and put her own label on it and pretended to be giving it to these people over there, her satellites?

Mr. COOLEY. I do not doubt that at all.

Mr. TABER. Food and material that we furnished.

Mr. COOLEY. I will say to my friend that I do not doubt that in the slightest.

Our committee has to do everything we possibly can, and the House likewise, to see to it that the ultimate recipients of these commodities know the source from which they come.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Texas.

Mr. DIES. Does this bill authorize the exchange of American surplus agricultural products for strategic war materials?

Mr. COOLEY. That is right.

Mr. DIES. May I ask the gentleman if that is not a rather serious thing? In other words, we are seeing riots in the satellite countries brought on by the inability of the Soviet Union to supply those people with food and fiber. If we supply their needs, whatever the reason may be, does not the gentleman believe we are aiding the Soviet Union in the end?

I understand there are two sides to the question: I have discussed it with people in the State Department, but it seems to me that the great weakness of the Soviet Union today is their inability to feed their people.

Mr. COOLEY. That is right.

Mr. DIES. If we step into the picture and send them food we are taking that much of a load off Russia.

Mr. COOLEY. Let me say to the gentleman that he is under more apprehension than he need be, for under the law now we can give it to them; it will not cost them a dime. They refused to take it.

This is a barter transaction in which we get a dollar's worth for every dollar's value that we give. If the gentleman's fears are well grounded then I think that the governmental departments were wrong when they offered to give these people food.

Mr. DIES. I think that was a very, very wise gesture.

Mr. COOLEY. That was not a gesture. The Poles said it was propaganda. It was not a gesture.

Mr. DIES. I understand, but they refused?

Mr. COOLEY. That is right.

Mr. DIES. They did not get it. Here is what I fear, though I am not certain, I am frank to say to the gentleman. There are two sides to this question. I have the feeling that if we will let this situation alone, cruel as it may seem, hunger and poverty will ultimately force these people to revolt throughout the satellite countries.

Mr. COOLEY. The gentleman may be right. If he is right, then we should revoke the authority we provided for the donation of food.

Mr. DIES. Of course, that is given under control.

Mr. COOLEY. No. As the gentleman from Minnesota [Mr. JUDD] pointed out a moment ago, we have no way of controlling it.

Mr. JUDD. We offered to give the food through the International Red Cross Society.

Mr. COOLEY. But the people did not know that.

Mr. DIES. This is a tremendously important question. Here is what I question: If you appear to give it to them through the Red Cross, that is an act of a Christian character. That organization is known throughout the world. But when you undertake to trade, that is quite a different proportion, it seems to me. They are under no sense of gratitude or obligation to us. They say, "We gave you something in exchange."

In other words, you are coming to the rescue of the Soviet Union because, make no mistake about it, Russia cannot feed her millions of people. That is what has happened in the satellite world and that more than the atomic bomb or anything else will ultimately defeat the Communist plan of world conquest.

Mr. COOLEY. The gentleman may be right.

Mr. DEVEREUX. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Maryland.

Mr. DEVEREUX. Going back to the point that was originally brought out by the gentleman from Minnesota, the question of friendly nations. On page 2, line 9, suppose we strike out the word "nation" and insert "people" rather than "nations." Would that not make it more acceptable?

Mr. COOLEY. The people would have nothing to barter with. We can give it to the people now.

Mr. DEVEREUX. That would establish our relationship.

Mr. COOLEY. The hungry people of Poland would have no strategic materials with which to barter.

Mr. DEVEREUX. What we are trying to do is to get the food to the hungry people. We would say "friendly people." This is our objective.

Mr. COOLEY. No. If you are going to barter with someone in a Soviet country, you have to barter with the government.

Mr. DEVEREUX. The object we have is to get food to friendly people.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. COOLEY. Mr. Chairman, I yield myself 1 additional minute.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Kansas.

Mr. HOPE. Is it not a fact that under the provisions of this bill and in the manner in which it will be handled, as we understood the Secretary of State we will simply make an offer, say to the Government of Poland or to the Government of Czechoslovakia: "We offer you this proposition." Is there any reason why that proposition cannot comprehend delivery of these goods directly to the people rather than to the Government?

Mr. COOLEY. I think the gentleman is correct. It will be up to our negotiators to say what provisions to put in the contract.

Mr. MASON. But you are negotiating with a government.

Mr. COOLEY. Yes.

Mr. HOPE. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, most of the discussion so far has taken place on section 3 of the bill. I have no disposition to avoid a discussion of section 3 of the bill, but it is certainly one of the least important provisions in the bill, in my opinion. The situation as far as our surplus-disposal program is concerned at the present time is that the Department of Agriculture has authority to sell for local currencies $1.5 billion worth of surplus commodities. At the present time they have either disposed of commodities amounting to that quantity or have contracted to do so. The result is that unless we extend the authority they cannot make any more deals to dispose of these commodities.

Now, I am informed at the present time that there are negotiations pending with a number of governments which, if carried out, would perhaps result in the disposal of $400 million or $500 million worth of additional commodities, commodities which are now stored in our warehouses, the storage of which is costing us $1 million a day, and it is obviously, it seems to me, to our advantage to extend this legislation so that this disposal program can be continued.

Mr. Chairman, I think this program has been very successful. It took a little while to get it off the ground, but during the first year we disposed of approximately half a billion dollars worth of commodities. During the past year we have disposed of about $1 billion worth of commodities; that is, on the basis of the investment of the CCC. Now, that does not mean that we made sales aggregating that much. The actual aggregate amount of the sales for the 2 years is about $1 billion, because we sold at prices lower than the investment of the CCC, as we are permitted to do under legislation which says that we do not have to follows the usual formula when we sell for export. But, unless we extend the legislation, this program will have to come to an end as soon as present contracts are fulfilled.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Texas.

Mr. DIES. Could we not accomplish that by simply striking out section 3 of this bill?

Mr. HOPE. Well, there is no question but what that could be done. As far as the point I am discussing now is concerned, certainly that could be done.

Mr. DIES. What you are arguing is that all of the rest of the bill is very much needed.

Mr. HOPE. Yes, certainly.

Mr. DIES. Well, we would not interfere with the bill by striking section 3.

Mr. HOPE. I do not want the gentleman to understand that I am in favor of striking section 3, because I am not. But that is the only controversial point in the bill, I think.

Now, there are three things that this bill does. The first one I have mentioned. The second one is to authorize the use of some of the foreign currency which has been received from the sale of surplus commodities for the support of American schools abroad, that is, schools that qualify under the so-called Smith-Mundt Act. At the present time these funds can be used to carry out projects under the Fulbright Act but not under the Smith-Mundt Act.

That brings us to the other provision which appears to be quite controversial, and I think it was to be expected that there would be controversy over that section. However, I want to point out that this is an administration proposal; that this bill came from the Department of Agriculture as a departmental bill; that it has the support of the Secretary of State, and that the administration regards section 3 of the bill as a very important part of the measure.

The testimony of the State Department before the committee was in executive session. I am not in a position to reveal what was said by the Secretary of State, but I do know that he regards this section and the provision which it contains as being of the utmost importance.

Now, the committee after considering the matter did not accept the exact provision which was contained in the bill as it came from the Department of Agriculture. That provision was simply to repeal section 304 outright. We did not feel like going that far, but essentially what we have done here is to provide that section 304 be limited to title I of the act.

I have listened attentively to the debate. I have heard the objections that have been raised by those who feel that section 304 is a dangerous provision. I can understand why anyone might want to stop and look and think at least about that provision and study fully its implications. But I do not feel that the fears of those who are concerned about section 304 are justified. It seems to me that this is not a provision which puts the control of the situation in the hands of the Communist countries as my friend, the gentleman from Minnesota [Mr. JUDD] has declared. Rather, the initiative is entirely in our hands. We can make any kind of barter offer we want. We can provide in that offer just how these commodities are to be distributed.

We can say that they shall be distributed through the Red Cross; that

they shall be distributed through church organizations; that they shall be distributed through representatives of the United States Government. We can offer to accept by way of barter any commodities that we can use in this country, strategic or nonstrategic. So the initiative is entirely in our hands. It is up to us to do what we want to do in the way of making an offer.

Let us consider what might happen if an offer were made. I would be surprised if the Government of Poland or the government of any other satellite country would accept the kind of offer that I have described, because naturally it would put them on the spot. But suppose they turned it down. And suppose this were known all over the world, suppose Radio Free Europe broadcast into Poland that we had made an offer of this kind and that it had been turned down by the Polish Government. Is there anything wrong with that? Have we lost anything by that?

Suppose the Government of Poland desired to accept an offer of this kind and suppose Soviet Russia said, "No, you cannot do that; we are not going to let you do that," and suppose word got out that that is what happened. Is that going to help the relations between Poland and Soviet Russia?

Certainly there are a great many possibilities, as I see it, in a situation of that kind. I am not saying that that is what the Secretary of State has in mind at all. But as I see it there are a great many possibilities of upsetting the relationship that now exists between Russia and the satellite countries and between the satellite countries and their people.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Connecticut.

Mr. MORANO. Mr. Chairman, the gentleman is making a very fine statement. Is it not a fact that we have diplomatic representation in most, if not all, of these satellite countries; and that if we did make an offer and it were accepted on the basis of the provisions we inserted in the agreement, our embassies could follow through to see that the agreement was properly carried out to our satisfaction?

Mr. HOPE. Certainly.

Mr. MORANO. And we would have a great advantage, then, in doing as the gentleman says, by creating some friction between the Soviet Union and the satellite countries which were trying to get food for their people.

Mr. HOPE. I agree with the gentleman entirely.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Wisconsin.

Mr. LAIRD. The gentleman from Kansas was discussing section 3. I think there was some misunderstanding as to paragraph (a) of section 3 of the bill. Title I of the act we are discussing here and seeking to amend applies merely to the use of counterpart funds. Subsection (a) of this amendment does not designate the satellite countries as friendly nations. The only part of that amendment that applies to barter is down here in (b) where title III is limited so that no transactions can be carried on with the Union of Soviet Socialist Republics or Communist China or North Korea. I think there was some misunderstanding in the discussion that went on before here that we were designating the satellite nations as friendly nations, which we are not doing in this legislation.

Mr. HOPE. I am glad the gentleman brought that up. That is absolutely correct. The principal purpose and effect of section 3 is that we limit the provisions of section 304 of the old act to title I of the bill. We take away the limitation that has heretofore existed as far as barter is concerned.

Mr. BURNSIDE. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from West Virginia.

Mr. BURNSIDE. Is it not true that these satellite nations have to furnish the food for the Russian troops stationed in their countries? Would not this food we are sending over there actually be food for the Russian troops in those satellite countries?

Mr. HOPE. No, I do not think we would make a deal that would provide for anything of that kind. We can make any kind of offer we want to. I have enough confidence in the Secretary of State to feel that the kind of offer they would make would not be one that would result in the feeding of Russian troops in any satellite countries.

Mr. BURNSIDE. I understand they are now foraging and picking up the food for the Russian troops. Would not the easiest way be for them to take this food sent in there and just tranfer it over to the Russian troops that are stationed there?

Mr. HOPE. In my answer to the gentleman I have to repeat what I said before: We can make any kind of offer we want to and provide for supervision by United States personnel, which I certainly think would be the wise thing to do, if we did make a deal.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. I was interested to hear the gentleman say he agreed with the statement of the gentleman from Connecticut that our people would have an opportunity to supervise and see that the agricultural commodities actually got to the people. Will the gentleman tell us just how they could possibly be able to do that?

Mr. HOPE. I said I thought that any offer we would make should contain a provision of that kind. As far as I know, no one objects to the provisions in title II of the old bill which state that we can give food and other surplus commodities away to the people of these countries. We have done it. We did it in East Berlin. We gave food away during the period of the Balkan flood, and we supervised it through the Red Cross and similar agencies.

Mr. ZABLOCKI. We knew it was going to the people.

Mr. HOPE. All right. Why can we not make the same kind of offer under this provision?

Mr. ZABLOCKI. Are we going to agree to any provision that the Soviet or the Communist-dominated nations are going to have an opportunity to supervise the strategic items they may barter in exchange for food? Is there any assurance that the Communist-dominated countries will agree to the supervision of the distribution of commodities obtained by barter?

Mr. HOPE. I do not say that we have made any deal or that we will, but we can make an offer. I think the kind of offer we make should be one that will fully protect this country so that we will be sure that these commodities will go to the people who need them and not serve in any way to build up the strength of the countries themselves.

Mr. ZABLOCKI. You just cannot deal with Communists.

Mr. HOPE. Perhaps not, but we can make them an offer.

Mr. ZABLOCKI. We made an offer to give them the food free providing that it got to the people, but they refused that.

Mr. HOPE. They may refuse to accept this.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield.

Mr. AUGUST H. ANDRESEN. The gentleman will recollect that when we had the Marshall plan up here for debate some years ago. I proposed an amendment that the food we shipped under the Marshall plan would be distributed to hungry people through the Red Cross and through charitable organizations. Would it not be possible for us to write an intent into this debate so that the distribution in these countries can be in the same manner?

Mr. HOPE. You mean to put some language in this legislation?

Mr. AUGUST H. ANDRESEN. No; I mean, if the debate is worth anything, that we can get it into the debate. For myself, I would be willing to have this food distributed in these countries through the International Red Cross and through the churches and through charitable organizations to hungry people. When I offered a similar amendment to the Marshall plan, I was turned down by the very men who are advocating that thing now. They said I was wrong then. Now they have come around saying that I was right at that time. So I would rather see this food distributed in that manner, and then we will be sure, at least, that this food will go to the hungry people of Hungary, Czechoslovakia and these other countries.

Mr. HOPE. I would, of course, agree with the gentleman that that is the preferable way to do it, and I hope we do not make any offer that does not fully protect the interests of this country and protect the interests of the people of the recipient country.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield.

Mr. JUDD. However, when we barter—the grain or the food or whatever it is becomes theirs. We cannot put any strings on how they are to distribute

what will be their own once they have bought it.

Mr. HOPE. We can put any kind of strings on an offer that we want to.

Mr. JUDD. Would we not be making ourselves ridiculous to say that we will barter with them, and then that they have to agree to our strings as to how they shall distribute their own food after they have bought it from us?

Mr. HOPE. We can make the question as to how the food shall be distributed a condition of the offer. They may not accept it.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield.

Mr. AUGUST H. ANDRESEN. It would be ridiculous if we did not tie strings to it. Then, if that is true, it is ridiculous the way our Government handled the Marshall plan and the distribution of food to hungry people.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield to the gentleman.

Mr. JUDD. I would like to say first that I think the gentleman will agree that I have shown as great interest as anyone in this program of selling agricultural surpluses for foreign currencies, since I was the first person to testify before this committee in 1953 to try to get section 550 of the Mutual Security Act of 1953, of which section I was the author, transformed into the general bill from his committee in 1954, which became Public Law 480.

Mr. HOPE. That is true. The gentleman is entitled to a great deal of credit for that. He was the original, or at least one of the original, Members advocating that.

Mr. JUDD. The gentleman from Texas [Mr. BURLESON] and I put in the original identical bills. Therefore, nobody can be more interested in the success of this program from the standpoints, both, of getting commodities to people who are suffering from lack of food and of helping our own domestic surplus problem of which we are all aware. My point here is this. We all agree as to the fine objective—but what will be the result? That is the question. Food is the most powerful political weapon in the world, and the Achilles heel of Communist regimes from the beginning has been failure of the people to produce adequate food. Russia, Poland, Hungary, and Rumania were always food-surplus countries. They never had shortages until the Communists took over. If they had had drought or floods to cause the present shortages, that would have been one thing. But, they have had good crop-growing seasons and yet there is a shortage that leads unarmed men in the cities to riot, or gives them the excuse to riot. What is the reason? There can only be one reason. The rural people are fighting their tyranny by the only method they have—cutting down food production. Yet it is proposed in this section that we start bartering with the governments, thereby giving the tyrannies respectability, helping to solve their food problems for them, and breaking the spirit of the people. It seems to me an act of shortsightedness where our hearts are running away with our heads, to suggest that we now help the very governments our whole foreign policy is designed to weaken—and at a moment when they are in trouble because of their inability to get the people to produce enough food.

Mr. HOPE. I do not know any way that you can use food for diplomatic purposes as long as it is deteriorating in our warehouses. This is an effort to give us authority to let us make some use of food in an effective way.

Mr. JUDD. I want to see that too. But, I do not want to adopt a method that I believe may defeat the very excellent end that you and your committee have in mind.

Mr. HOPE. Of course, when the gentleman raises that point he is taking a position in opposition to that of the Secretary of State.

Mr. JUDD. That is true, and I regret deeply the necessity of my doing so. Perhaps I have had more direct personal experience with and under Communist regimes. I was under the Communists in China for 8 months in 1930. That was a long time ago, but there has not been any discernible change in Communists anywhere in all these years.

There is an honest and sincere difference of opinion between myself and my own administration as to which is the best way to weaken and eventually break down these tyrannies. I do not believe that can be done from the outside. I think it has to be done from the inside. The strongest and most valuable allies we have in the world today are not some of our ancient friends in Western Europe, but the 900 million people behind the Iron Curtain. We must never do anything to dampen their hopes or cause them to despair. Their spirit is rising in Poland, their resistance is increasing in Hungary, there is open resistance in Tibet. For God's sake, do not desert or discourage them just when they are making headway against the tyrants, as our offering to supply food and thereby greatly strengthen those tyrants would inevitably do. How can they be expected to resist their Red rulers if we are to accept those rulers?

The CHAIRMAN. The time of the gentleman from Kansas [Mr. HOPE] has expired.

Mr. HOPE. Mr. Chairman, I yield myself 3 additional minutes.

I want to say to the gentleman from Minnesota that there is no one who has any greater respect and admiration for him than myself. There is no one with whom I dislike to differ more than the gentleman from Minnesota. I am sure he is very, very sincere, but this is a question upon which there are differences of opinion among well informed people.

Mr. JUDD. There is no question about that, and I deeply appreciate the gentlemen's statement. He knows how high is my respect and regard for him. Our difference is a question of judgment as to what is the best way to deal with Communist governments. I do not think our record in dealing with them has been so successful in the past that we ought to accept from anyone proposal for retreats in our policy as drastic as this without the most careful consideration.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield.

Mr. CURTIS of Missouri. I have been interested in trying to follow this debate. It covers a very important subject. I was disturbed to find there were no hearings available. Did the committee conduct hearings on this matter?

Mr. HOPE. Yes. We conducted hearings over a period of 3 days. We heard the Secretary of State and Mr. Gwynn Garnett, who is the official in charge of this program in the Department of Agriculture. We also heard other officials, including some from the State Department.

Mr. CURTIS of Missouri. I want to thank the gentleman for making available to me a few minutes ago what hearings there were. But the thing that disturbed me, I further observed that almost the entire subject matter deals with section 2 of the bill, and very little of the hearings have any concern with section 3, which is the subject of this big difference of opinion. If the gentleman will refer to section 2 of the bill, which is making available additional funds for the United States Intelligence Agency and Student Exchange Program, I gather that they think this will give them additional money. Is that true? Are they not still limited by the money that the Appropriations Committee of the House and Senate vote in that way, or will this be free money for the student exchange program and also the Information Service?

Mr. HOPE. My understanding is that this will be free money, but it will be handled in the same way as the Fulbright money is handled now.

Mr. CURTIS of Missouri. I think it will be free money. Here is another example of completely bypassing our own Appropriations Committee. I simply wanted to include that thought, that if this is true, I think the Appropriations Committee should be very much concerned. I certainly am, because we try to tighten up on this program, the Information Service, as well as the educational program. Mr. Riley has testified that this will give them almost twice the amount of money that the Congress voted through their appropriation bills. If it is free money, I think we should think about this quite carefully. I cannot understand why these hearings were not printed so that they would be available during this debate.

Mr. HOPE. I recognize the gentleman's position, but it is not a new principle, because it is exactly the same provisions contained in the original Public Law 480, except it is extended to another program.

The CHAIRMAN. The time of the gentleman from Kansas has again expired.

Mr. HOPE. Mr. Chairman, I desire to yield 3 minutes to the gentleman from Wisconsin [Mr. O'KONSKI].

Mr. O'KONSKI. Mr. Speaker, I sometimes wonder if I read enough, because it is pretty hard for me to determine just exactly what our policy is.

I do not see much propaganda value on our side, for instance, when less than a year ago the Government of Poland offered to buy wheat from the United States of America to help feed the people of Poland, and they were refused. Poland was indirectly refused when they were asked to pay 30 percent above the prevailing world price at that time. The Government of Poland went over to Canada and bought the wheat anyway where they got it at the prevailing world price.

Here is what I mean when I say I do not understand: Somehow our State Department and those in control of our foreign policy think it is against our interest to sell food to a Communist-dominated country, dominated against their will as in the case of Poland. But at the same time under this very policy the same State Department and the same Commerce Department just the other day approved a deal whereby the United States is selling $1 million worth of sheet steel to the Soviet Union.

For the life of me I cannot understand how a foreign policy can be against selling food to satellite countries that are controlled against their will and at the same time sell $1 million worth of sheet steel to the Soviet Union. What do you think that sheet steel is going to be used for?

Mr. HOFFMAN of Michigan. They are going to eat it.

Mr. O'KONSKI. They are probably going to make us eat it when the bullets start flying. That is what I mean when I say I cannot understand what goes, and just what kind of a policy we do have, if any?

I hold no brief for the Communist Government of Poland. I despise it. I was against ever recognizing it in the first place. But if we do business with Russia, I cannot see how we can refuse to do business with Poland.

I am for this bill. I think it is a good bill. It may aid us in getting food to hungry people—when our warehouses are bulging.

Mr. POAGE. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I am glad to find at least 1 or 2 Members on my left have finally decided that this bill is worthy of some consideration.

However, I think the gentleman from Wisconsin is probably laboring under some illusion as to the facts when he describes the situation a year ago. It is perfectly true that the United States refused to sell to Poland the wheat she wanted at the price for which we were then selling to other nations under this very act. The United States did offer to sell wheat to Poland on the terms required by the general law. All that Poland was denied was the advantageous terms which we have extended to friendly nations under Public Law 480. The reason is that there is language in the law today which our Government construed as prohibiting them from extending the more advantageous terms to any satellite. The language is to be found in section 304 where it says:

> The President shall exercise the authority contained herein to assure that agricultural commodities sold or transferred hereunder do not result in increased availability of those or like commodities to unfriendly nations.

What the State Department and the Department of Agriculture determined was that that language prohibited them from selling under the terms of this act. They then offered to sell wheat to Poland at the regular domestic price, the same price you and I would have to pay if we bought it from the Commodity Credit Corporation. That was not a refusal to sell wheat to Poland; that was a refusal to sell wheat to Poland at the discount price which we were offering to certain other foreign countries under the terms of this bill. The United States did it because they said this bill prohibited the more favorable terms to Poland. The very amendment that is now under discussion would take that language out and will substitute language which will enable us, if we see fit and if we think it is to our advantage, to trade with Poland on a barter basis or with any of the satellite countries. It will achieve exactly what the gentleman feels should be achieved. It seems to me it is a step in the right direction.

Mr. O'KONSKI. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. How in the same bill could our Government approve the shipment and the sale of a million dollars worth of steel to Russia?

Mr. POAGE. Because there is a specific difference between the way we treat the satellite countries and the way we treat the Soviet Union. We have tried under the terms of this amendment to make it very clear that you cannot even barter under the terms of this amendment with the Soviet Union, with Red China, or with North Korea. Read the amendment. It specifically prohibits the bartering of these commodities with those three countries, Red China, Red Russia, and Red Korea.

They are trading with Russia now, as I understand it, on the basis of the old law that has never prohibited our citizens from trading with Russia. The Agriculture Committee had no jurisdiction over those transactions. We can only recommend rules as to the movement of these surplus agricultural products. If you can get a license from the Department of Commerce or the State Department you can trade anything except these agricultural products with Russia, and American citizens are doing it today. Your President is authorizing it. Possibly that is the reason some of the Members on that side have felt so much reluctance to approve this measure.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Minnesota.

Mr. JUDD. The same section that the gentleman has read in which barter is prohibited with Red Russia, Red China, and Red Korea also prohibits transactions under title I, which is trading surpluses for foreign currency.

Mr. POAGE. That is right. We are not offering anything to either Russia or Poland for foreign currency. The steel hereto referred to is not being sold for rubles; it is being sold for dollars. As far I as know, there is nothing in the present laws of the United States that prohibits the sale of anything—of airplanes, of high-octane gasoline, of weapons.

Mr. JUDD. Oh, yes there is.

Mr. POAGE. To Red Russia if they can get a license from the United States Government.

Mr. JUDD. But the issuing of a license is prohibited in the Battle Act.

Mr. POAGE. I am sure that the President has issued the license, whether forbidden or not. The people who are selling this steel have a license. This steel is being shipped under such a license.

Mr. JUDD. There are certain strategic commodities prohibited entirely in the Battle Act. Others are considered of less importance and, hence, have differing grades of priority.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Iowa.

Mr. GROSS. I wonder if the gentleman from Minnesota can tell us when the penalties under the Battle Act have been enforced.

Mr. JUDD. But the Battle Act requires licensing, just as the gentleman from Texas said.

Mr. GROSS. It has been violated by Britain, France, and other countries. They have on the record admitted that they have violated the act by shipping strategic materials to Communist-dominated countries. Has the Battle Act ever been enforced?

Mr. JUDD. We are not talking about the Battle Act as far as other countries are concerned. I was talking about as far as it affects the sale of American goods.

Mr. GROSS. The gentleman was talking about the Battle Act and it has become a dead letter in the law.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. POAGE. Mr. Chairman, I yield myself 5 additional minutes.

Mr. Chairman, I hope Members will let me proceed for a few moments without interruption because I think it is rather important that we get this situation clear. I can see that there is some reluctance on the part of the gentlemen on the Republican side to support legislation that gives your President and your Secretary of State a degree of discretion that if properly exercised will certainly be to the great advantage of the United States. But, if improperly exercised, it probably would be harmful. I can understand why you have some reluctance, but I should think that it might more properly be expressed on this side. I should suppose that we might have a little more reluctance than you do about that matter, but apparently the gentlemen on my left are more reluctant to place power in the hands of their President and in the hands of his Secretary of State than those of us on the Democratic side. I suppose this must be so because you know them a little better than we do. You have an opportunity to discuss these things with them and we do not. I have never had an opportunity in my life to discuss with

the Secretary of State any of these problems except on the one occasion when he asked to come before the Committee on Agriculture. Of course, the Committee on Agriculture was glad to have the Secretary of State come up and discuss matters with us. We thought he made a rather reasonable presentation. We thought it sounded rather reasonable that we should be allowed to get something from these people when we help them rather than to simply hand them something as a gift with no opportunity to even ask anything in return.

I want to make this clear. If you do not understand anything else I say, please remember this: The law as it is now written—and I refer you to title II of Public Law 480 as it is now written—authorizes your President and your Secretary of State, and mine, within the overall dollar limits of the law—to give every bit of this food we have in storage to these people in the satellite countries. They could clean the warehouses of the United States and ship it as a gracious gift to Poland, Hungary, Rumania, or any of the rest of those countries and get back not one thing of value. Now, what this amendment does is to say that the same officials who now have the authority to make these decisions can, instead of giving this food away and forgetting it, say, "We would like to have something in return." I think it is important to the membership of this House that you understand that presently the President of the United States and the Secretary of State can clean the warehouses out; give away every grain of wheat, every bale of cotton, to people behind the Iron Curtain; give it to them without any recompense whatsoever. This amendment says: Mr. Secretary, it looks like it is smart to get something in return for what we give these people. We are not adverse to helping people who need help, but we feel in turn if they have something that we need that you should ask for it, and this amendment authorizes your Secretary of State, your President, to get something in return.

Now, we do not know just how much they have in many of these places that would be helpful to us. We do not know just what kinds of trades can be made. The Committee on Agriculture of the House is in no position to make trades with these countries, but we do feel that common, ordinary, horse-trading sense indicates that we ought to give the authority to the executive branch of the Government to make some trades and get something back when we give away this food. After all, what it boils down to, it is nothing in the world except are you willing to give to the President of the United States and the Secretary of State the right to do some trading rather than to limit them to giving things away. They have the power to give this food away today. We want to give them the right to get something in return, and that is all there is to it.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from California.

Mr. SHEPPARD. There is one question I should like to ask the gentleman just to clear up my own thinking. Suggestions were advanced by my colleague, the gentleman from Minnesota [Mr. JUDD], and also by the gentleman from Texas [Mr. DIES] that indicated that apparently they were concerned very much about the mechanics of the distribution of this food, because of its psychological effects. Would the gentleman be good enough to tell me whether under the existing law there is anything to preclude this Administration from designating the Red Cross or some other such organization to distribute any of this food that goes to these countries?

Mr. POAGE. No, there is not a thing in the law now. The President can give it away under any terms he wishes and though any agencies he may select, but we cannot get anything back from these countries. This amendment says that we can get something back; that is all it says.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Minnesota.

Mr. JUDD. Just for a correction. The gentleman has said that the President could clear out our warehouses and give away to satellite countries everything we have in them. He cannot. The law says:

> In order to enable the President to furnish emergency assistance on behalf of the people of the United States to friendly peoples in meeting famine or other urgent relief requirements—

Unless the gentleman can envisage a famine or other urgent relief requirement that would require everything we have in our warehouses, it is extravagant to say that he has such power.

Mr. POAGE. If the gentleman does not believe that there is enough hunger behind the Iron Curtain today to eat up all that we have in our warehouses in America, then he has a vastly different idea of the efficiency of the Communist countries than I have. I have understood that they do have exactly the "famine or other urgent relief requirements" mentioned in the law.

Mr. JUDD. But our President will not violate the law.

Mr. POAGE. I don't want him to violate the law. I want to give him a law that will clearly give him the authority he needs to do some good trading. Evidently I have more confidence in our President than you do.

Mr. HOPE. Mr. Chairman, I yield 10 minutes to the gentleman from Colorado [Mr. HILL].

Mr. HILL. Mr. Chairman, I should like to talk for just a few moments about what the bill actually does and not get off on section 103, or section 104, whichever it is, on which there has been so much colloquy, because there are much more important parts of this bill that have not yet been emphasized or discussed.

The gentleman who just preceded me was one of the original members [Mr. POAGE]—and I supported him—who felt that we should use barter and trade for strategic minerals or materials, with foreign countries.

Certainly no one within the sound of my voice but realizes that we should do that, when we consider the matter of our surpluses of farm commodities. There is no reason why we should not dispose of our surplus farm crops to all areas except those satellite countries which are named as exceptions in the bill. That is exactly what this bill proposes to do.

Let us check carefully and see if we cannot get together on this. If any Member wishes to offer an amendment, I know of no rule to prevent him from rising and offering an amendment to accomplish what he has in mind.

First of all, this bill increases the amount named in Public Law 480, $1.5 billion, to $3 billion. We felt that it had worked well, and the State Department supported it and asked for the legislation. We ought to double this sum. Certainly no one within the sound of my voice is going to rise and oppose this increase of funds.

No. 2, it authorizes the use of some foreign currencies received from the sale of surplus commodities for the support—and listen to these next four words—of American schools abroad.

That is in this bill. It gives an opportunity to our Secretary of State to see to it that some of our surplus products get into schools guided and directed by the philosophy of the Christian religion, regardless of the denomination. It permits the Secretary of State to get this food and these materials into these schools. If we can get them into the schools—and they are needed—we are doing a good job. There are thousands and thousands of people behind the Iron Curtain that are just as serious in the belief in the Christian religion as we ourselves are. This is an act that appeals to the basic philosophy upon which our Government was founded.

You are listening to one Congressman that has always felt the real error has been made in the way we send our surpluses, especially our food surpluses abroad. What do I mean? I simply mean that, if you accept the philosophy upon which this Government is based, you support the idea expressed in this legislation. I have been disappointed in the Foreign Affairs Committee in that long ago they did not say to us we should not give the food to the governments but to the people.

In the front row before me sits a Congressman who was chairman of the committee that in 1947 visited some 9 or 10 countries of Europe. We were just beginning to deliver our great surpluses to these people. He and I visited farm after farm, market after market. We had conferences with agricultural departments in almost every one of those countries. We discovered at that time that we were doing this in a very slipshod and mistaken manner, wherein we were sending it through the governments when it should not have been sent through any government; it should have been sent to some type or kind of social organization that could direct the food to the people.

Let me tell you a terrific impression I received in Italy. It is almost impossible to transfer the impressions in my

mind to this House. I am sure the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN], of whom I was speaking a moment ago, will remember this.

We came upon a group, I will say 50 men at least, laboring on a highway in Italy. I was amazed at the kind of tools and equipment they had. They were all hand tools. We stopped and we visited with those men through an interpreter. With all the food we had been sending to Italy, and it is a great country without a question of a doubt, we discovered that they could not work those men over 3½ to 4 hours a day, in spite of all the surplus food we were sending to Italy. The answer was simply this: They could not get the food through the Government of Italy passed on down to the poor folks of that country without going through every type and kind of business organization that existed in the country of Italy. Just what kind of distribution of food is this? Under this bill we begin to realize the mistake and the error of our ways.

I happen to be a Protestant, a Presbyterian, but behind the Iron Curtain are thousands and thousands of devout Catholics. I hope the House can see that through this plan we can get this food to these people many of them starving.

There is one more request I want to make. Some of us keep still when we know we should speak. This is one of the times when my heart says to me, "You cannot keep still." I cannot go along with the philosophy that just because a damnable government holds a people down you cannot or must not try to get food to them?

I do not care whether it is in surplus or whether it is in scarcity.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HILL. I do not yield.

Mr. HAYS of Ohio. Tell us how you are going to do this then?

Mr. HILL. That is something that you should be thinking of in case I ask you.

It is a fine thing to find fault when someone says you have no way of remedying it. I have a remedy and I gave it to you. The remedy is through the philosophy of the very religion that was the basis of the foundation of this Government. We still have organizations that can see that this food is channeled into the proper places. Now, let us keep that in mind. The Communists have no religion.

I want you to turn to page 15. There you will find this. Let us get to the base of the difficulty. No one is finding fault with the first two sections. The general provisions of page 15, and they are according to the rules of this House we have written in the changes. I wish you would look at those changes. They are not many and they are not difficult. But, if anyone in this House does not like those changes, please make your arguments—offer your amendments and if you can convince me that you are right, I will support them.

Now let me say—not one single member of the Committee on Agriculture, after they heard this testimony on how they were going to carry on this program offered a single word of objection to this bill.

I now yield to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. I would like to take the gentleman back to section 2 and ask him where he finds the word "school" in there. It says: "authorized by section 203 of the United States Information and Educational Exchange Act."

Mr. HILL. We happen to know where you will find it and, if the gentleman cannot get the hint of what I said, the gentleman will always have to be lacking in information.

Mr. GROSS. What do you mean by educational exchange act?

Mr. HILL. I mean there are plenty of ways to get the food to these people behind the Iron Curtain, if you know how to do it. That is the answer to the gentleman—I cannot go any further.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield.

Mr. JUDD. I hesitate to say this because I realize how easily it can be misunderstood. But here is a case where my conscience requires me to say something too. The gentleman has said this bill is based on the principles of the Christian religion.

Mr. HILL. The gentleman believes that, does he not?

Mr. JUDD. Yes, I certainly do.

Mr. HILL. You are not questioning that statement?

Mr. JUDD. No. That is the worthy objective. But what will the result be? I am convinced it will be the very opposite.

Mr. HILL. Wait a minute, I have the floor.

You do not have any results that you are bragging about here this afternoon from your committee, do you? Do you think you are bragging about what you have been doing? I could tell you frankly that you have convinced many people to oppose any type or kind of foreign-relief program that you present to them simply because of the way it has been handled.

Mr. JUDD. Will the gentleman let me make my comment?

Mr. HILL. Yes, I am waiting.

Mr. JUDD. Thank you. This is what I must say. It seems to me we are being tempted here today in the same way that the Founder of the Christian religion was tempted. People came to Jesus and said, "Here are people who are desperately hungry. You have the power to feed hungry people. Are you going to be so cold-blooded and so heartless and so cruel that you will refuse to use your power to turn stones into bread to feed these starving children?"

It was a terrible temptation. He loved them and he wanted them to have food. But because he loved them so understandingly, he resisted the temptation, saying: "Men do not live by bread alone."

Now why are the people of Poland refusing to work and to till their fields and to grow enough food? It is because they want freedom—they cannot live without it. It is more precious even than food. Likewise, we must not yield to the temptation to believe that bread, essential and important as it is, is the whole thing by which God's children, with souls as well as bodies, live. They must have freedom also. If I can help myself I will never do anything to build up the strength and the prestige or the respectability or the influence or the power of those anywhere who hold human beings in subjugation.

I too go back to the Founder of our religion and am led to the very opposite conclusion of that to which the gentleman is led. With the very same religious motivation and with equal conscientiousness and sincerity, some of us come to the opposite conclusion of that of the gentleman. But, I do not want the gentleman to think that we come to our conclusion because we are against feeding children. We must be sure that the food gets to the children and we must also feed them with more than what bread alone can provide.

Mr. HILL. Is the gentleman finished?

Mr. JUDD. I am through.

Mr. HILL. Why you are making my argument. I am proud of the gentleman because he knows full well before he sat down he said frankly that if you can do what I said they could do, he would be for the bill. Now what are you going to do—be against the very thing you supported on the floor of this House because we happen to know they will get some of this food to these people in a way that you would expect?

Mr. JUDD. It is not just food they must have to live.

Mr. HILL. Read the Scripture and then give it a meaning.

Mr. JUDD. Well, they have proved that they preferred freedom to food.

Mr. HILL. Oh, now——

Mr. JUDD. Yes. That is why they did not grow enough food. They are trying to weaken the government that deprives them of freedom. That is happening in every Communist country.

Mr. HILL. Let me ask you. You said they control it.

Mr. JUDD. I said the people prefer freedom to food.

Mr. HILL. You mean they prefer starvation to working?

Mr. JUDD. No. It is not to avoid work. It is to avoid strengthening their government. In every Communist country they have cut down production. Let us not defeat by this section their efforts to regain their freedom, harsh as that at first might seem.

Mr. HILL. Now you are off the track and running on the ties. You have to work because you cannot help it. They are forced to work. Even if they did work a little on the food you supply them, do you believe for a minute that the people of Poland, with their fine historical background they have had in the past—do you believe they have forgotten the foundation of their nation, its liberty, its freedom, and so forth. One of the greatest spirits in any nation on earth for liberty and freedom is Poland.

Mr. JUDD. Why are the people in Poland hungry?

Mr. HILL. That is not your fault or mine.

Mr. JUDD. Why are they hungry?

Mr. HILL. You would violate all precepts of the philosophy of the Christian

religion unless you want to help them as much as you can.

Mr. JUDD. Why are they hungry? Why have they not grown food? The Communists can control the industrial workers, but they have not been able to control the rural people. They will not grow food because they want to pull down their government. This is the main hope there is of ultimate triumph over the despots.

The CHAIRMAN. The time of the gentleman from Colorado [Mr. HILL] has again expired.

Mr. HOPE. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. HILL. I am not asking you that you should give money to the Communists. Who said that? No one on the floor on either side has said that. We simply think there is a way in this bill that you can get around some of the difficulties we have had and save some of these people behind the Iron Curtain. Save them for what? For Russia? Certainly not. Save them for liberty and freedom in every spot on the earth.

Well, here you have an opportunity. If you do not like the bill, you change it to suit yourself, but let us have the bill as nearly as we have presented it. If you want to amend it, propose your amendment.

The CHAIRMAN. The time of the gentleman from Colorado has again expired.

Mr. POAGE. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. SIEMINSKI].

Mr. SIEMINSKI. Mr. Chairman, I think we agree that in this debate the most important interest is the interest of the United States.

I beg my colleagues of this Congress not to throw a food blockade around any people on earth in need of food. Let it be their governments not ours that would be guilty of such a crime.

Like pain, hunger respects no boundaries, nor does it respect, wherever found any race, color, or creed, regardless of conditions or servitude.

Though born of prior servitude, the United States has in freedom extended its hand in help ever since 1776.

Our flag flies where it belongs all over the earth. It flies in friendship.

Woe to any man whose hands reach for the guidelines that would lower that flag without our consent. I would shoot him dead if entrusted to keep Old Glory flying, or if entrusted to raise it where it belongs for all to see and for all to draw nourishment from it.

In every land on earth, Old Glory does its job, it seems to me, if with each setting sun, because of it, one more pair of eyes and one more heart has smiled and quickened.

Old Glory is our morning prayer. By eventide, let us hope that it has flown before the breeze to fill men's hearts with added appreciation of their worth and of their right to live, worship, and work in freedom, unfettered by governments not of their own choosing.

Our food follows the flag. Let it not be said that we, the people of the United States, do not want the food surplus that we, the House of Representatives own, to go to the people who are in need of food, flag or no flag.

The people of Poland, the 100 million people of Central Europe and the over 1 billion people in Asia need food. We have food. Let us set up feeding tables and feed the people who hunger.

In 1944, when our boys first lit fires to feed themselves in Viareggio, Italy, hands, fingers, open hands of women and children pushed through iron fences with anguished cries of "Pane, pane, Io fame, pane, pane"—Bread, bread, I am hungry. Our boys gave. God how we gave. We asked no questions. We gave.

The people in Poland want food. They need food. They hunger. We must give it.

God forbid that this House throw down a food blockade.

We must man the food sacks. It is for the Executive, it is for the President of the United States, it is for our Commander in Chief and our experts in the land to get food to the mouths of those who hunger.

Does our fleet close in only on the night of battle? Does it ply the Baltic and the Mediterranean loaded only for bear? Why cannot the Commander in Chief order the fleet to load up and stand offshore in the Baltic with food on board? Why cannot the Commander in Chief through an officer on board one of our ships in the Baltic signal to the people of Poland, signal to the people in Gdynia, in Danzig, in Stettin and in Koenigsberg, to "Come and get it, the food is yours." Let the President say, "the people of the United States want you to have food. The people of the United States want you, the Poles, you who were the first to fight for our cause, you the Poles who helped us smash the Axis, and who now writhe in hunger under Cossack officers who swing at you with hammer and sickles. We the people of the United States, through our Commander in Chief, want you to have that food. Here it is."

Then, let the responsibility for the denial of that food to the mouths of those who hunger be squarely placed. But let the President speak out, not at Geneva, not at the United Nations, but at Gettysburg or the White House.

One wishes that the President, ill as he might have been, had raised a finger and simply said to the Kremlin—whose officers command the Polish Army—"Kremlin, what is the story on the Poznan uprising? Kremlin, what are you doing about the satellites?"

One wishes that the President had done that. The people of the country would feel very happy, for it is a humanitarian gesture, is it not, for the White House to make an inquiry about a nation in difficulty? It was not done.

There is time, Mr. President, there is time for the White House to hearken to the spirit of our boys who, as they lie in Flanders Field, seem yet to say, for mankind everywhere—

We are the dead
Short days ago we lived, felt dawn, saw sunset glow,
Loved and were loved, and now we lie in Flanders Field.
Take up our quarrel with the foe:
To you from failing hand we throw the torch; be yours to hold it high.
If ye break faith with us who die,
We shall not sleep, though poppies grow in Flanders Field.

That is the spirit of Old Glory, Mr. President. It is our spirit, yours and mine. It is the spirit of this House and of all the people in the land, is it not?

It is the spirit of the people in Poland. Let us tell them we know it to be so. For their dead speak to them as do our dead. Mr. President, do they not?

Mr. POAGE. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. HAYS].

Mr. HAYS of Ohio. Mr. Chairman, I tried to ask the gentleman from Colorado a question, but he would not yield.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I am not going to yield to the gentleman; the gentleman did not yield to me.

Mr. HILL. I yielded to you, but you left the floor.

Mr. HAYS of Ohio. I did not leave the floor; I have been here all afternoon. I tried to ask the gentleman from Colorado [Mr. HILL] a question and he said: You had better be thinking about it yourself instead of asking me." I profited from his observation and probably anything I have thought of will be more fruitful than his discussion.

I just want to say with regard to the gentleman's proposals, that no matter what he proposes to do he cannot give me any satisfactory answer, and I have listened to witnesses in closed-door testimony, but none can say how they are going to get this stuff to the people without going through the Communist government. And if you go through the Communist government they are going to distort it, they are going to relabel it, they are going to take the credit for it.

When in 1949 I was in Yugoslavia I saw what happened to the milk we sent there through UNICEF. We visited a school in Zagreb where the children were drinking milk. After they had drunk it they sang a song of thanks to Tito for the milk; yet that was the very milk that we were giving them.

What you are going to do if you adopt this plan is to strengthen these despotic governments which hold these people in slavery, you are going to help fasten it on them with tighter bands.

As a matter of fact I introduced a resolution just today asking this Congress to request the State Department to withdraw recognition from that bloodstained so-called government of the so-called People's Republic of Poland.

If you give the State Department the power to barter with them I think you are giving that government a stature in the eyes of their people and in the eyes of the world that they do not deserve.

If the gentleman from Colorado wants to get some more time he can come down here in the well and tell the House just exactly how he proposes to get that food to these people who want it, and God knows I want to see them have it, but how can we get it over there and get it to them without going through the Communist government?

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Chairman, I hesitate to intrude myself in this debate because I have had no opportunity to study this subject as have the members of this committee. I did, however, discuss the matter with a representative of the State Department, and I recognize that there are two sides to this question. I have given it very careful consideration, and I am convinced in my own mind that we should not authorize the trade with the satellite countries.

I am reminded of the words of an old Roman senator who on the floor of the Senate of Rome said: "An empty belly hath no ears."

The truth is that the Achilles' heel of the Soviet Union is its inability to furnish the people under its control and domination with the necessary food and fiber. The greatest weapon we have today is the fact that all over the Communist world people are going hungry. Of course, I would be willing to use any of this surplus food to feed these starving people, and our Secretary of State offered to give to the people of Poland all the food they needed. But the Communist regime refused it. They refused it because they did not want to acknowledge their failure. The time will come, however, when they cannot refuse it. There is one thing that no government can control and that is the people when they are hungry, when they are starving. What the satellite countries want is trade for this food, to put it on a respectable basis. From a propaganda point of view it seems to me it would be far better for us to continue to make offers, to say we will give all the food that the starving people need. We will make it available to them in all of the free countries. But to barter with those Communist countries, to supply their governments with the things they need to strengthen them in this critical moment, in my opinion, would be to strengthen the Soviet regime.

This united front, to which the Communists are returning, was a very potent weapon. Stalin used it successfully. One of the strategic mistakes of the Soviet Union was to scrap the united front. It proved very effective in all of the free countries of the earth. It was effective in the United States. Through that instrumentality, that device, the Communists were able to gain many adherents and dupes throughout the world. They are now seeking to return to it for strategic reasons. The principal reason they have for returning to the united front is the desperate need for food. They must make a decision either to reduce their armaments and to whittle down the gigantic war machine they have constructed to terrorize the world, or to starve their people. They find it impossible to maintain and strengthen this war machine and supply the millions of people under their control and domination with the food and the fiber which they desperately need.

So as an act of Christian charity and because I have a love for humankind, wherever they are, I would certainly be willing to tender to the peoples of the satellite countries surplus food, but I would not recognize the regimes that now dominate those helpless people by entering into trade agreements with them. I would hold fast and strong to our position because I am confident it is the great weapon that freemen and democracies now have in the world. If we will adhere to a policy of refusal to trade with them, not a refusal to offer our food and our help to their starving people but a refusal to put it upon a respectable basis of barter and trade with their tyrants, I am confident that in the months to come the Soviet Union will find itself in the same predicament that Napoleon faced, that Hitler faced, that every conqueror who ever usurped authority finally had to reckon with—hunger and want.

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Chairman, Public Law 480 was passed by this Congress with the greatest of hope it would help solve our farm problem. It was passed at a time when these huge supplies of commodities were being pointed out as evidence that our farm program had broken down. At the time this law was passed it was clearly intended to be used as an additional means of relieving the problems coming from huge supplies that we had on hand, but which we had never offered for sale.

Most of you will recall that for about 3 years I have tried to point out that the Commodity Credit Corporation has had authority through these years to sell these commodities through normal channels for dollars, but would not use that authority. I think, looking back, in view of the way it has been administered we probably made a mistake in passing Public Law 480. And I voted for it. But we probably made a mistake, because I can see that it was used as a substitute for normal sales through normal channels at competitive prices and as a means to hold our commodities off world markets so as to give an umbrella to expand production in foreign countries. The law to which this present bill is an amendment provides that 90 percent of the foreign currencies that are received through sales of those commodities are not even subject to the appropriation processes of the Congress. Even the other 10 percent the President can release. Evidence before our committee—and we had it investigated—shows that as we cut our own farmers down in acreage, foreign acreage has increased. Why? Because foreign currencies were being used to meet the needs of those countries, leaving their dollars free to buy tractors, farm implements, and machinery to go into the production of the very commodities that we were giving them. It means that American farm commodities have been used to put American farmers out of business. Why? Not under the intent of the act, not under the intent of the Congress, but because while we gave these commodities away—and every newspaper and magazine wrote about how to sell American farm commodities, limiting themselves to a discussion of Public Law 480—in the process we forgot about the age-old simple way of disposing of commodities, which is to offer them for sale for dollars through normal channels for export all as authorized under existing law. Secretary Benson insisted he could not sell if he tried. Finally he acted after 3 years and his experience has given conclusive evidence that I have been right all the time, and, may I say, has said so before our committee. He has sold some $2 billion worth of commodities for dollars since we finally got him to offer them through normal channels at competitive prices. Listen to this: 3.5 million bales of cotton have been sold for dollars through normal channels, through our own businessmen, the finest exporters, the finest foreign-trade people in the world, in 6 months, after we finally got them to start.

I am not trying to destroy this bill at all. I do not think the first bill should have done the damage it did. It was in the administration and in its being used as a substitute, as a vehicle to take us out of world markets and hold an umbrella over foreign expansion. When we reach the appropriate place, I expect to offer this amendment:

Commodities disposed of under this act must be in addition to sales of such commodities in world trade through normal channels at competitive prices for dollars.

In other words, we say to Mr. Benson: It is all right; we are willing for you to give some of our commodities away, in view of the present situation largely caused by holding our commodities off world markets, but you cannot give away that which you refused to sell for dollars through normal channels. We ought to keep our own farmers in business.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from North Carolina.

Mr. COOLEY. The gentleman's amendment provides that the surplus commodities shall be in addition, and of the same kind going into these different countries. Now, I do not know whether that is the language the gentleman refers to, but in the law it says, "In excess of the usual marketings of such commodities." That is the language that we wrote into 480.

Mr. WHITTEN. I tried to make it quite clear, that the intent of the original bill was good. I supported the bill. The intent was good. But, my amendment is somewhat different from that, in that my amendment calls on them to sell in world markets at competitive prices before they give away. The present act is a little broader in that the quantity going into that particular country shall be in addition to the quantity that normally would go in. This amendment goes a little further, but clearly says that we insist that they continue those normal sales at competitive prices.

Mr. COOLEY. The basis of the gentleman's argument is that the administration should ignore the real language and the purpose and intent of the law. What encourages the gentleman to believe that they will not ignore the language contained in the gentleman's amendment?

Mr. WHITTEN. Because for 6 months they have been selling competitively, and I want to see this effort of the last 6 months continued. I would have us say: Do not give away without being willing to sell.

Mr. HOPE. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. FEIGHAN].

Mr. FEIGHAN. Mr. Chairman, I am opposed to the proposed amendment to section 304. I am opposed to people making a fast buck at the expense of our national security. This amendment will bring about a situation in which the bounty of our free agricultural system will be bartered against the products of the slave labor camps of the tyrannical Communist regime.

The reason I am opposed to it is that we will be in the first instance trading against the products of slave labor camps of the tyrannical Communist regimes; and if we do provide Communists with food—and the Communists have always used food as a political weapon and even as a weapon of war—we will be making more firm their tyrannical hold upon the enslaved people.

It is patently clear to me that when we barter these agricultural commodities with the Communist-dominated countries, we certainly must expect that they will be using those commodities at the behest and the direction of the Kremlin. So we are really just opening up the back door for the Russians to use our agricultural surpluses and we are not facing the real issue. So I certainly hope that this amendment will be defeated.

This proposed amendment is contra to the basic purpose and intent of the Mutual Security Act. Through that legislation we intend to help free nations to remain free and to expand the influence of human freedom. This proposed amendment would counteract all the good we are attempting to do through the mutual-security program. To me, this is an intolerable inconsistency.

I hope this proposed amendment will be defeated.

Mr. JUDD. Mr. Chairman, would the gentleman yield?

Mr. FEIGHAN. I am glad to yield to the gentleman from Minnesota.

Mr. JUDD. The gentleman spent a great deal of time with a subcommittee in Europe studying these Communist regimes at first hand. Does he believe that any of this food could conceivably get into the stomachs of the poor, tragic people in Poland, for example, who have been rising against their government?

Mr. FEIGHAN. I think very definitely not. And if it did, it would be at such an outrageous cost to them that they probably could not even afford it.

Mr. HOPE. Mr. Chairman, I have no further requests for time.

Mr. COOLEY. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That section 103 (b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (Public Law 480, 83d Cong.), is amended by striking out "$1,500,000,000" and inserting in lieu thereof "$3,000,000,000."

Mr. GROSS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. GROSS. Mr. Chairman, I know of no one who would not help starving people if they knew how they could be reached directly and effectively. I know of no one in this House Chamber who would not give all the aid and assistance possible.

The hungry people of Poland have been an issue before the House today. Mr. Chairman, I want to call your attention to the fact that according to the American Meat Institute 2,640,000 pounds of pork were shipped from Poland into this country during February of this year. This was 94 percent more than the amount imported during February 1955. The institute also reported that during all of last year 13 percent more hams came into the United States from Poland than during 1954, 22,359,000 pounds against 19,717,000 pounds.

In terms of ham imported during 1955 it represented about 1,175,000 marketable hogs in the United States. With the people of Poland hungry, why don't they keep these hams at home, in Poland, to feed their people? Why do we permit Polish pork products to come into this country, thus helping deprive hungry people of food?

What kind of an arrangement would we be getting into under the terms of this bill if we use our surplus to feed the hungry people of Poland while they ship hams into this country? We would be paying both ways in that kind of a deal. And, of course, the people of Poland who are hungry would not get the food except upon the condition of subservience to the ruling Communists.

Last year, according to the Department of Commerce, Poland shipped to this country $25,756,000 worth of all kinds of products. Almost $20 million of the $25,756,000 represented canned pork products from Poland. We exported to Poland $3,307,000 worth of all kinds of our products. Did somebody say we are going to barter with Poland? In other words, we apparently shipped American dollars to Poland last year to the extent of some $22 million. They get mileage out of the American dollars back of the Iron Curtain, better mileage than we get on this side of the Iron Curtain, in dealing with our so-called foreign friends. If the people are starving in Poland, let them keep their ham at home. We do not need it in this country.

Incidentally, I want to say to the gentleman from North Carolina that when his bill comes up to finance the establishment of city markets, providing that the taxpayers of the entire country put up the money to build markets in the various big cities of this country, I will have an amendment to provide that no Polish ham, or agricultural products from any Communist-dominated country, can be sold in any of those markets.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from North Carolina.

Mr. COOLEY. Would the gentleman give us the figures again on the importation of Polish hams? The gentleman gave the figures a minute ago, but I did not want to interrupt him at the time.

Mr. GROSS. Yes. 22,359,000 pounds in 1955 alone.

Mr. COOLEY. Then we are carrying on commerce with Poland at this time?

Mr. GROSS. Yes, we are. I anticipate the gentleman's next question, and before the gentleman can ask it, let me say I have protested these imports time after time on the floor of the House and in letters to the White House.

Mr. COOLEY. Other Members of Congress have likewise protested it, but the fact is our Government is carrying on commerce with Communist Poland.

Mr. GROSS. That is exactly right.

Mr. DEVEREUX. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Maryland.

Mr. DEVEREUX. I should like to compliment the gentleman for bringing to the attention of this body the case of Polish hams. I wrote to the Secretary of State just a few days ago suggesting we should not be a party to taking food out of Poland under the circumstances the people are living under today.

Mr. GROSS. I compliment the gentleman for his action. Let me reemphasize that Polish shipments of pork products to this country last year alone displaced the equivalent of 1,175,000 head of hogs in this country, according to the American Meat Institute. That also displaced a lot of corn and other feed grains that go into raising hogs to marketable weights, and thereby added to our surplus of feed grains.

Mr. COOLEY. May I ask the gentleman whether or not Secretary Benson has recommended any remedy for the problem the gentleman is now presenting and discussing?

Mr. GROSS. None that I know of.

Mr. COOLEY. The Polish hams are replacing the American hams in the American market?

Mr. GROSS. Not only that, but they are displacing, as I said before, substantial amounts of feed grains produced in this country.

Mr. COOLEY. I think the gentleman is probably correct.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Connecticut.

Mr. MORANO. Does the gentleman know whether there is any duty on Polish ham, and if so, how much it is?

Mr. GROSS. No; I do not know whether there is or not. I resent any of it coming in under any condition, even one pound.

Mr. BURNSIDE. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from West Virginia.

Mr. BURNSIDE. I want to compliment the gentleman on the statement he made, and to reiterate that if we give this food it will be given to the Russians, because they collect the food in these countries. In this way we would be furnishing food for Russian troops in the satellite countries.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Minnesota.

Mr. JUDD. As a sample of how benevolent these governments are toward their own people, when millions were actually starving in China, Communist China exported hundreds of thousands of tons of rice to Ceylon and other countries in exchange for rubber and other strategic materials. They took the rice out of the mouths of their starving people in order to procure weapons of war to use against our allies and ultimately against ourselves. Now it is proposed that we help such governments overcome their shortages of food so they can continue to do more of the same.

Mr. GROSS. Yes, and the British are shipping tractors, rubber, and other strategic materials to Communist China.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read and open to amendment at any point.

Mr. CURTIS of Missouri. I object, Mr. Chairman.

The Clerk read as follows:

SEC. 2. Section 104 (h) of the act is amended by inserting the following language immediately before the period at the end of the section: "and for the providing of assistance to activities and projects authorized by section 203 of the United States Information and Educational Exchange Act of 1948, as amended (22 U. S. C. 1448)".

Mr. CURTIS of Missouri. Mr. Chairman, I make the point of order against all of section 2 that it is an appropriation on a bill by a committee not authorized to deal with appropriations.

In support of that statement, may I say that this is exceedingly technical and very difficult to follow. Nonetheless, by referring to the basic act, Public Law 480, with which this deals, we find that it refers to foreign currencies and I quote, "which accrue to the United States under this act." Then refer to the specific section which states, "to use the foreign currencies which accrue." Then go right on down to section (h), to which this is an amendment. It states, "for the financing of." I submit this is obviously an appropriation. I might say that if this were only an authorization I would have no objection to it at all, but I do not believe this is a proper place to appropriate.

Mr. TABER. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. TABER. Mr. Chairman, this currency unquestionably belonging to the Government of the United States, which it receives under the provisions of section 2 of Public Law 480, 83d Congress, and being turned over by the terms of section 104 for specific purposes is for other things or for anything that they desire to purchase.

Paragraph (a) provides for providing new markets for United States agricultural commodities.

Paragraph (b) to purchase strategic and critical materials.

Paragraph (c) to procure military equipment, materials and so forth.

Paragraph (d) for financing purchases of goods.

Paragraph (e) for promoting balanced economic trade among nations.

Paragraph (f) to pay United States obligations abroad.

Paragraph (g) for loans to promote multilateral trade.

Mr. Chairman, the adding of one more item for which the funds can be used constitutes an additional appropriation of these currencies which belong to the Government of the United States as a result of the operations under paragraph (a) section 2.

Mr. COOLEY. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. COOLEY. Mr. Chairman, all of the money that goes into the financing of these programs have already been appropriated and turned over to the President to be used by the President. In the original act, he is given the right to barter. He is given the right to sell for local currencies. He is given the right to give away. This only provides that he can barter just as has been pointed out heretofore in the debate; one of the rights he now has is to barter. We say he cannot barter with the U. S. S. R. or North Korea or China, but that he can barter with all other countries in the world. So it is not an appropriation on legislation at all. The moneys have already been appropriated and now are in the hands of the President. Mr. Chairman, without unduly delaying the matter, may I point out the language. It says:

The President may use or enter into agreements with friendly nations or organizations of nations and use the foreign currencies which accrue under this title for one or more of the following purposes.

And following that is barter, which is one of those purposes.

The CHAIRMAN. The Chair would like the gentleman from North Carolina to comment on this question. Do we not acquire foreign currencies which belong to this Government, which we receive for selling commodities?

Mr. COOLEY. Certainly, we are acquiring foreign currencies, and the act provides for the use of those currencies by the President of the United States. One of the uses that he can use them for is (c) to produce military equipment, materials and so forth and services for the common defense.

The CHAIRMAN. The point at issue is whether the funds can be used without a further appropriation by the Congress.

Mr. COOLEY. Yes, Mr. Chairman, that is the question. But the point is, as I have pointed out, that the funds have already been appropriated and have already been used largely, and this act itself authorizes the increase of the authorization, but it does not authorize the President to use the foreign currencies or commodities for any purpose foreign to or in addition to the enumerated uses set forth in the act, one of which is to barter.

The CHAIRMAN. The Chair would like to inquire of the gentleman from North Carolina [Mr. COOLEY] if all the currencies previously acquired have been used by this Government.

Mr. COOLEY. They have been obligated. To the exact extent, I am not sure, but practically all of them have been obligated but not actually used. They are covered by gentlemen's agreements, some of which have not been fully consummated.

I would like to emphasize one point, if I may. The point of order is to the effect that we are adding to the enumeration of uses that the President could employ. We are not doing anything of the kind. Under the act we have a right to barter. That is what this provision authorizes him to do. We are only saying that he can barter with this money. The fact of the business is it might be considered a limitation because we limit the use of the money, in that he cannot use it in Korea or North China.

Mr. TABER. If the Chair will permit, this is not barter at all. It is the use of funds. The appropriations having already been established in section 104, that of course can be continued. But to add new money and appropriate money for other purposes that were not allowed in the first bill is beyond the rule, and it constitutes a new appropriation. Therefore, it is subject to a point of order because it comes from a committee other than the Committee on Appropriations.

Mr. CURTIS of Missouri. Mr. Chairman, might I add also that in the committee hearings witnesses testifying on the part of the executive department used as one of their arguments that this would give them additional funds.

Mr. COOLEY. Mr. Chairman, may I add one comment? The gentleman from New York [Mr. TABER] points out that we are adding something to the authority of the President by this amendment in the bill. Actually, I think some of these funds are now used in connection with the school lunch program in Japan. They are being used in other countries in connection with the education of the children of those countries. Certainly we are not adding to the authority of the President. It is rather strange that an objection to giving authority to the President should come from that side of the aisle. I do not think this is subject to a point of order.

The CHAIRMAN (Mr. PRESTON). The Chair is ready to rule. The gentleman from Missouri [Mr. CURTIS] has made a point of order against section 2 of the bill, that this constitutes an appropriation. The bill under consideration by the Committee seeks to amend existing law known as Public Law 480 of the 83d Congress. In the pending bill it is clearly evident that a new activity is being created by the legislation. New authority is being granted in the handling of the foreign credit derived from the sale of commodities. Therefore, in the opinion of the Chair, it constitutes an appropriation. The Chair therefore feels constrained to sustain the point of order.

Mr. COOLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COOLEY. Would an amendment be in order that authorized the use of these funds to carry on the lunch program in Japan, which is now being carried on by the use of these funds? That

is the point I made a moment ago, and the purpose of this is to do just that.

The CHAIRMAN. The Chair would pass on such a proposal if and when the proposal is made.

Mr. DODD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DODD. I have an amendment beginning at line 5. Is it necessary for the Clerk to read all of section 3 before I offer that amendment?

The CHAIRMAN. The Clerk should read section 3 before an amendment would be in order.

The Clerk will read.

The Clerk read as follows:

SEC. 3. Section 304 of the act is amended to read as follows:

"SEC. 304. (a) The President shall exercise the authority contained in title I of this act (1) to assist friendly nations to be independent of trade with the Union of Soviet Socialist Republics and with nations dominated or controlled by the Union of Soviet Socialist Republics and (2) to assure that agricultural commodities sold or transferred thereunder do not result in increased availability of those or like commodities to unfriendly nations.

"(b) Nothing in this act shall be construed as authorizing transactions under title I or title III with the Union of Soviet Socialist Republics or Communist China or North Korea."

Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DODD: On page 2, strike out lines 5 through 18, inclusive and substitute in lieu thereof the following:

"SEC. 3. Section 304 of the act is amended by adding the following new sentence at the end thereof: 'Nothing in this or any other act shall be construed as authorizing transactions under title I or title III with the Union of Soviet Socialist Republics or Communist China or North Korea, or with any other nation or area which is not a "friendly nation" as defined in section 107 hereof.'"

Mr. DODD. Mr. Chairman, the amendment which I have offered will make it clear that Congress has refused to authorize trade transactions with the Communist world.

It is as simple as that.

I believe that the issue which confronts us is one of the greatest importance. I do not remember many questions which have confronted us since I have been privileged to be a Member of the House which I consider to be equally important.

For we are deciding here today something more than an amendment to the Agriculture Trade Development and Assistance Act of 1954.

We are squarely facing the question of whether or not we have the will and the inner strength and the self-discipline to successfully resist communism.

If we pass this bill as it has been presented to us, we will have taken another step down the easy and comfortable road of complacency and materialism. For this bill asks us to forget all about the basic evil of communism and in a sense to accept it and to do business with it.

In one way this bill is deceptive and in a very real sense it is confusing.

I have listened carefully to the debate and I tried to understand the reasons advanced for its adoption by those who favor this measure.

I think it is accurate to say that the only reasons advanced for adoption of this measure by its proponents are: First, that it will permit us to barter food for strategic material; and second, that since we are willing to give food to the hungry people in the captive Communist countries, it is more sensible to barter it because we get something in return.

With respect to the deception and the confusion in this bill, let me point out that the language of the bill on a first reading would appear to constitute a firm stand against trading with the Communist world.

For the bill as it stands specifically prohibits transactions with the Union of Soviet Socialist Republics, Communist China, and Red North Korea.

This I say is a deception because under this bill the Government of the United States will be authorized to enter into barter relationships with the captive satellite countries which are part and parcel of the Red Russian, Red Chinese, and Red Korean axis.

When a captive Communist satellite is benefited, all of the Communist world is helped.

The confusion of which I speak lies in this: If it is logical and in the interest of the United States to barter food for strategic materials from the captive satellite countries, then it is as logical to do the same with the captor countries, Red Russia, Red Korea, and Red China. And the reverse is logical and true as well.

I deem it to be of great significance that no proponent of this measure has talked about the strategic material which we will obtain from the Communist world under this program.

There have been only vague general references to strategic materials, but nothing specific has been offered.

If this subject has not been discussed in the interest of national security, then we should have been told so by those who advocate this measure.

The silence with respect to this aspect of the debate, I suggest, is ominous.

It sounds more like a poor excuse than a good reason for this legislation.

We do a lot of lip service to anti-communism.

We pass a resolution against the recognition of Red China without a dissenting vote.

We pass a resolution expressing our strong stand against the admission of Red China into the United Nations.

We do these things with a whoop and a holler.

These are good things to do, but they are easy things to do.

But we are really put to the test by the issue which confronts us at this hour.

Today in this House we shall decide whether we shall fall for the blandishments of trade and barter with communism for the material benefits accruing from it or whether we have the character and the self-discipline and the strong will to resist these enticements in the best interests of freedom and justice in the world.

Two years ago I doubt that this measpure would have been presented to this House, and if it had been presented, I think there would have been no doubt at all about its defeat.

But something has happened to us, particularly in the last year, for we have been conditioned by the Communists for the debate in which we are engaged now.

The Communists, for at least a year, have been subjecting us to a program of moral disarmament.

We are ready now to seriously consider barter and trade with our avowed enemies.

We are ready now to strike another blow at the forces of freedom in the world.

We are prepared, I fear, to discourage and dishearten the brave freedom-loving captives of Communist tyranny.

This proposal is but another step down the treacherous road of cynical complacency which leads to disaster.

Mr. Chairman, we are told that we are engaged in a death struggle which presently has the name of cold war.

I believe that we are engaged in such a death struggle; that this is a cold war.

But I never heard of a side that hoped to win any kind of a war giving comfort and assistance to its enemy.

It has been argued here this afternoon that by entering into such a shabby barter arrangement, the United States will gain a propaganda advantage. This is a specious reasoning.

In the first place, anyone who knows anything about the Communist police state knows that the people are deprived of information of this kind.

One of our greatest handicaps in our struggle with the Communists is in this field of information, and I suggest that it is naive to believe that if we barter food with the Communists, the people held under Communist tyranny will be told the truth about the source of this food.

It has been argued that food barter is not essentially different from a gift of food.

Those who so argue ignore the fact that the Communists will gain great prestige and influence from the fact that the free world is willing to do business with them.

This will lend a kind of respect to the Communist tyrants, and they will use it very effectively in their pressure propaganda and in the struggle for the allegiance of men.

There is a vast difference between the people of the United States generously giving food and assistance to the hungry and needy people of the world and barter and trade arrangements between the United States and its avowed enemies.

This difference is self-evident, and it seems to me to be unnecessary to take the time of this House to labor this car today.

Every person within the sound of my voice knows that there is a difference and no amount of words can make it otherwise.

Perhaps we have forgotten a very fundamental fact in the course of this discussion.

That fact is that every one of these captive satellite countries has been the victim of Communist aggression and Communist tyranny.

In the course of World War II we promised these people that after the war had been won they would be given an opportunity to govern themselves.

This was one of the high purposes for which the free world fought.

But the fact is that every one of these captive countries was seized by force and power by the Communists, and they are occupied today by force and power, and the promises which the free world made have not been and cannot be fulfilled.

The slightest bit of comfort or assistance which we give to the Communist tyrants who hold these people in bondage is in some measure a confirmation of Communist oppression and a negation of our announced purposes.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. DODD. I yield to the gentleman from Texas.

Mr. DIES. The gentleman is making an unanswerable argument. I want to compliment him for it. Will the gentleman tell the House if his amendment will prevent trading with satellite countries?

Mr. DODD. It will, indeed, sir.

Mr. DIES. It ought to be adopted.

Mr. DODD. That is what it is intended for. The people of this country and of the free world are ahead of us. And when they hear what some people have been trying to do here today they will be shaken, distressed, and disturbed.

How in the world can we ask our friends abroad to resist this evil force in the world when they discover that we are willing to peddle needed food to it.

Mr. DORN of New York. Mr. Chairman, will the gentleman yield?

Mr. DODD. I yield to the gentleman from New York.

Mr. DORN of New York. I agree with everything the gentleman has said and also with the comment made by the gentleman from Texas. But I still do not understand the effect of the gentleman's amendment. Would he explain the whole amendment so I can understand it? Frankly, I hope what the gentleman says the amendment will do it will do.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

(By unanimous consent (at the request of Mr. JUDD) Mr. DODD was allowed to proceed for 5 additional minutes.)

Mr. DODD. Mr. Chairman, this amendment simply makes it impossible to engage in any barter or trade or commercial traffic with any of the Communist-occupied countries, as well as with Communist Russia, Red Korea, and Communist China.

Mr. DIES. It will not prevent gifts?

Mr. DODD. Oh, no; it will not prevent gifts.

Mr. MASON. Does it prevent trade and bartering with the governments of these countries?

Mr. DODD. Yes. The language is "nations."

This amendment simply says:

Nothing in this or any other act shall be construed as authorizing transactions under title I or title III, Public Law 430, with the U. S. S. R. or Communist China or North Korea, or with any other nation or area which is not friendly nation as defined in section 107 hereof.

Section 107 means any country other than, first, the U. S. S. R.; or, second, any nation or area not dominated or controlled by a foreign government or foreign organization controlling the world Communist movement.

That is what it does. I think that is what so many of us have been trying to get done this afternoon.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. DODD. I yield to the gentleman from Connecticut.

Mr. MORANO. Would that include Yugoslavia?

Mr. DODD. It does not spell out each nation. But, I assume it could very well be considered so.

Mr. COOLEY. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. COOLEY. Now that the gentleman has explained his amendment, I make the point of order that the amendment is not in order for the reason that the amendment says "this or any other act." No other act of Congress is before the House at the moment other than this act.

Mr. HAYS of Ohio. Mr. Chairman, I make the point of order that the point of order comes too late.

Mr. COOLEY. Let the Chair pass on that. The gentleman was just in the midst of explaining his amendment, and the amendment indicates that he undertakes to put limitations on some other act of Congress. Now, his amendment, of course, is germane to the bill or to the act now under consideration, but I make the point of order that he has no right by this amendment to amend some unknown act of the Congress.

The CHAIRMAN. What is the basis for the point of order that the gentleman is making? Is the gentleman attacking the germaneness of the amendment?

Mr. COOLEY. As it is written, it is not germane to this act, because it is applicable to all other acts.

The CHAIRMAN. If the point of order is based on germaneness of the amendment, it comes too late, because debate has already been had on the amendment. The gentleman from Connecticut has addressed the House for several minutes on his amendment.

Mr. COOLEY. He tried to explain it.

The CHAIRMAN. The point of order comes too late. The gentleman will proceed.

Mr. DODD. Mr. Chairman, I do not care to take more time. I do not know that there is anything more I can say except that this is actually a matter of principle. Here we have an opportunity to say that we are really opposed to this evil force in the world, that we will not be tempted by this kind of an offer, that we will not help communism even if in so doing we get some slight material benefit from it.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. DODD. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Would the gentleman explain what the difference is between the adoption of his amendment and the present law?

Mr. DODD. Yes. It contains words that are not in the bill offered here, and it is intended to do this: It will stop this business of trading with our enemies.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. DODD. I yield to the gentleman from North Carolina.

Mr. COOLEY. The effect of the gentleman's amendment is to nullify the entire section, is it not?

Mr. DODD. That is right. And, I say this respectfully to the chairman of this great committee—whom I respect and admire—I cannot understand the wording of that section as it is written—and it should be changed.

Mr. COOLEY. My point is, Why not offer an amendment to strike out the section?

Mr. DODD. Well, I think this will do as well. I thought of that. I think this is more clear, and I think it will better express the will of the Congress, and I think it will give the Members an opportunity to vote directly on this important issue. I think that is precisely the point.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. DODD. I yield to the gentleman from Minnesota.

Mr. JUDD. It is not only clear, but keeping that language in will do what the bill is supposed to do. It will reassure people all around the world that the United States does not come in and spend billions of dollars on one hand to help people fight communism and on the other hand assist the very governments we are asking others to resist.

Mr. DORN of New York. Mr. Chairman, if the gentleman will yield, I thank the gentleman for his explanation. It satisfies me, and I hope his amendment is adopted.

Mr. DODD. I thank the gentleman.

Mr. COOLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to make it perfectly clear that the effect of the pending amendment is to strike out, for all intents and purposes, the section which was drafted and prepared and presented by officials of the State Department and supported by Mr. Dulles, Secretary of State. I think Mr. Dulles thought that he was carrying out at least in part the recommendation of President Eisenhower which he submitted to the Congress on January 9 in his message on agriculture. In that message President Eisenhower advocated the outright repeal of this section. As I said, I have no pride in the provision, but I do not see how it could possibly do any harm, because we can now give the food to the starving people of Poland or to any other of the hungry people in any of the satellite nations. Now, if you can give it to them, you will be strengthening their economy to the extent that food will strengthen the economy of a country. The only proposition here is that Mr. Dulles proposes, in addition to giving them the food, that we barter it to them in exchange for some strategic material that we ourselves can use.

It seems to me that every argument that has been made against this provision can just as well be made against the existing authority which provides that the vital foods might be given away. It is just a question of whether you want to give it to them or whether you want to sell it to them in exchange for something of value to our country.

Mr. TUMULTY. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from New Jersey.

Mr. TUMULTY. Under the present law food can only be given if there is a need or a condition of disaster; is that right?

Mr. COOLEY. That is right.

Mr. TUMULTY. They just cannot give it to anybody, just for the sake of giving?

Mr. COOLEY. No. The President determines the need.

Mr. TUMULTY. Yes, but there has to be a need?

Mr. COOLEY. Yes. And we assume that there is a need or the officials in the executive branch of the Government will not make the offer.

Mr. TUMULTY. But it is not as the gentleman has stated that the present law is such that the Government could give the food regardless of need, just as a matter of policy.

Mr. COOLEY. No, the Government cannot do that. Furthermore, under this provision, the Secretary of State or some other official of the Government will first determine that the barter transaction will not strengthen the war potential of the recipient nation.

Mr. TUMULTY. There has to be a showing?

Mr. COOLEY. There has to be a showing, yes. It further contemplates that someone negotiating the agreement pertaining to the barter transaction write the conditions of the transaction, one of which very easily could be that the food that we are making available shall be earmarked and identified and followed to its ultimate consumption. It might even provide that the Polish Government or other governments with which we would be dealing would agree to permit commissions of Americans to go there to supervise the distribution.

Mr. DONOVAN. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from New York.

Mr. DONOVAN. Am I to understand that the gentleman says that the law at present gives authority to the executive department to barter or sell to these countries, if they want to take a chance with them?

Mr. COOLEY. No. It gives them the right to sell for local currencies in any of the countries, and to give the food away any place in the world where it is needed on account of hunger.

Mr. DONOVAN. So that this bill, if passed, would be giving congressional approval to that; is that correct?

Mr. COOLEY. No; the existing law, which of course was passed by Congress, known as Public Law 480, gives the right to barter under certain conditions and to give away and to sell for local currencies. But under the present law they have no right to barter with unfriendly nations. This would give the right to barter with unfriendly nations in exchange for strategic materials.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Ohio.

Mr. FEIGHAN. Is it not correct that it is virtually impossible for our Government to handle this food so that it will reach the people? I say that because after the First World War the Hoover Relief Commission which went to Russia was not permitted to distribute the food to the people on the basis of need and for this reason the Commission left Russia. The same condition obtains at the present time.

Mr. COOLEY. I can agree with the several gentlemen that we are facing difficulties. But again I say that the argument that the gentleman has just made may very well be made against the authority which now exists. I think it is very difficult to say that the food shall be earmarked so that the recipient will know where it came from.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman.

Mr. JUDD. I think it is very important to be clear on this. The implication has been made several times that the President can now give our surplus foods to unfriendly nations or to the satellite nations or wherever he wants to. That is not the law. Under title II he can give to "any nation friendly to the United States in order to meet famine or other urgent relief requirements in friendly nations and to friendly but needy populations without regard to the friendliness of their government." We wrote that into the law for the very purpose of making sure that he could not give food to unfriendly governments as you now propose to do.

Mr. COOLEY. We wrote that into the law. That was written into the law by the same committee that drafted and reported this bill.

Mr. JUDD. That is right.

Mr. COOLEY. But we use the term friendly nations and friendly populations.

Mr. JUDD. That is the whole point. The President cannot give such aid to Poland; he cannot give aid to any other Communist government, even if there is dire disaster. Under the present law he can only give it to the friendly populations of such countries, as he offered to do the other day, through the Red Cross. My contention is that we do not need to and ought not to give him the authority to barter with unfriendly governments when he now has the authority to give to their needy populations.

Mr. COOLEY. Is the gentleman saying now Mr. Dulles had no right on behalf of our Government to offer food to the Polish people?

Mr. JUDD. No, I am not saying that. I am saying quite the opposite. He did offer it to the Polish people despite the unfriendliness of their government. That is the policy we have had for 2 years. It is beginning to get results. Let us stick to that policy and not weaken it or retreat from it at this time.

Mr. POAGE. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I want to explain a matter that has now been raised twice by the gentleman from Minnesota. The gentleman points out that present law states that we can give food to friendly but needy people regardless of the friendliness of their government provided there is need in the country. He then seems to insist that there is no pressing need or emergency so far as food is concerned behind the Iron Curtain.

To emphasize the point I want to make, it seems to me that the gentleman from Minnesota must have a much higher regard for the efficiency of communism than I ever held, if he has the slightest idea that there is not continuous and perpetual want behind the Iron Curtain. I have always been led to believe that the populations of the satellite countries as well as of the Red countries themselves were in desperate condition. It seems to me the outbreaks in Poland recently rather clearly support that belief that there is substantial hunger in Poland and in other satellite countries today. Surely, conditions behind the Iron Curtain are such as to meet the requirements of the existing law to authorize the President to make gifts of food.

There are behind the Iron Curtain something like three-quarters of a billion people, some 4 or 5 times as many people as there are in the United States. The gentleman assumes that communism is caring for the wants of those people. I do not assume anything of the kind. I think it is perfectly clear that the want that is required by the present law as a criterion for giving away foods exists, and exists in large measure and to such an extensive degree that it would be utterly impossible for the United States ever to supply all of the needs of the people behind the Iron Curtain for an adequate diet. Consequently I repeat what I said some time ago, that under the present law the President of the United States has the power to practically clear out the warehouses of the Commodity Credit Corporation—to give all of our surpluses to the people behind the Iron Curtain, and that the only change this amendment would make in the present law is that he could ask for something in return if those people have something that we would like to have, whereas under the present law he cannot even ask for anything in return.

How impractical can you get when you suggest, "Oh, it is all right to give to these people, but we must not ask anything in return"? We of the Agriculture Committee are accused of bringing in some idealistic and rather visionary proposal. This committee has at least brought to you a sound proposition—a bill under which we will try to get something for what we are giving away. That is all that is involved before this House this afternoon. Do you want to continue a policy which authorizes us to give away almost everything we have in the CCC warehouses, or do you want to so amend

the law that the United States can at least try to get something in return?

Mr. JUDD. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, I am utterly at a loss to understand how the gentleman from Texas or anybody else could have gotten the impression that I am suggesting there are not severe food shortages in the Communist countries. I have said several times that they do exist and that this is the Achilles' heel of the Communist movement. This is the one way by which enslaved peoples have demonstrated they can and that they have the will to weaken the governments over them. They have plenty of good land and good weather, yet they systematically do not grow enough, beyond what they need themselves, to supply the nation's needs. The industrial workers, the proletariat, those without property, the Communists can control. That is why they always preach the dictatorship of the proletariat. They can control the proletariat because the latter has nothing except the wages they get on Friday or Saturday night. They do not have a garden, or a few chickens or a pig. They do not have any extra grain put away under the floorboards. They cannot resist the power of their despotic governments because they do not have anything to fall back upon.

But while the individualistic and decentralized peasant grows enough to keep his own family alive, he finds ways not to grow enough more to supply the hated agents and armies with the fat of the land, and those in the government bureaus, the tyrants at the top.

My argument this afternoon is that our President ought to have authority to give to needy populations, no matter how evil or unfriendly their government, when he can be sure that the assistance will go to those people. But it is self-deceiving and self-defeating for our Government to barter and trade with Communist governments and put into their hands, no matter what we get in return, the two essentials that they need above everything else—respectability and food. For it would enable them to use that food as a means of coercing into total and absolute subjection the people who are today trying to overthrow the tyranny.

Mr. Chairman, I have come before this House, I do not know how many times, to urge that we appropriate more money to carry on the mutual-security program around the world. I do not see how I could keep silent, no matter by how close a friend of mine a proposal is made, when that proposal, in my opinion, would enormously strengthen the very enemy that I have urged all of you here to vote billions of dollars to try to defeat.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. HAYS of Ohio. I would like to point out too, in support of the gentleman's argument, it is one thing that has not been touched on, the fact that they say the President can give this away but any time he has offered it, they have not accepted it.

Mr. JUDD. That is true.

Mr. HAYS of Ohio. And that has been because he has insisted that we have some supervision to see that it gets to the people and that the people know it comes from the United States. But, if they can barter this stuff, the Polish Communists or the Czech Communists or any others can take it and label it as their own, and they can tell the people, "This is what the Polish regime has produced for you." And it will strengthen their despotism.

Mr. JUDD. Certainly, actually, the program that we have had for 2 years has worked well. It has given good results. They are in trouble. Why in the world should we give up a winning formula at the very time that it is producing the result we want?

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. COOLEY. The gentleman's argument against the pending amendment could be very well made and just as well made against the present law.

Mr. JUDD. I am arguing for the pending amendment, not against it.

Mr. COOLEY. Yes; I meant to say the pending provision in the bill.

Mr. JUDD. The gentleman refers to section 3.

Mr. COOLEY. If food will strengthen their economy and increase their war potential, it does not make any difference whether we give it or sell it or whether it is obtained through barter.

Mr. JUDD. Oh, there is a world of difference.

Mr. COOLEY. I cannot see that. I wish the gentleman would clear that up and tell us what is the difference.

Mr. JUDD. Because under present law, food can be given only to the people in the satellite countries; in the new proposal our Government would furnish the food by barter to the governments. One helps the victims; the other helps the tyrants.

This is a struggle involving more than calories and more than guns. It is a struggle for the souls and hearts and minds of men. We are trying to win the confidence of people. For us to get food to the people may make them a little stronger. I want the hungry, needy people to be stronger; but I do not want to make stronger the Communist regimes over them. I want rather to strengthen the will and capacity of the people to fight the Red regimes. When you barter with their government, you strengthen the regimes—you do not help the people.

Mr. COOLEY. Suppose we can put an amendment in the pending bill directing our administrators to mark and to guard and to supervise the delivery of the food. Would the gentleman still be for it or against it?

Mr. JUDD. Of course, I would not be for it, because if we barter our food in exchange for their strategic materials, how can we require them to let us supervise the handing out of their food—they will have bought it; it is theirs.

Mr. COOLEY. You do not require it. Any barter transaction must have conditions written into the document. The gentleman knows that.

Mr. JUDD. Does the gentleman seriously believe the Communists would give strategic materials to strengthen us and then take our food and pass it out in such a way that we would get the credit for it, and not they?

Mr. COOLEY. Would the gentleman accept an amendment which would make it absolutely imperative and necessary that all of the food be earmarked and the delivery of it be supervised by an American commission? Would the gentleman not be for the provision with those safeguards?

Mr. JUDD. Certainly, I would not, because I would not want to do anything that would strengthen my enemy.

Mr. COOLEY. The gentleman just does not want us to get anything in exchange for what we give away.

Mr. JUDD. That is not the point. I do not want to strengthen my enemy. I do not think that we could possibly get enough strategic materials to balance the harm that would come from strengthening and building up and giving respectability to these tyrannies.

Mr. DIES. What the gentleman really believes is that you cannot do business with the devil.

Mr. JUDD. Of course, you cannot do business with the Communists. They live to isolate and destroy my country. To me the first requirement for survival is to be able to distinguish between one's friends and one's enemies. The division is quite simple. I am willing to support whatever will strengthen our friends and weaken our enemies. I must oppose whatever builds up any enemy of my country. It is as simple as that.

Mr. COOLEY. I want to compliment the gentleman and pay tribute to him, and say that you have been very forthright and frank and honest in giving your opinion on the subject under discussion.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOPE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think it might be wise to consider for a moment what this amendment would do. The principal, if not the only effect, would be to prevent barter transactions with satellite countries behind the Iron Curtain. The fact is that we are doing considerable business with these countries now. The gentleman from Iowa [Mr. GROSS], told us how much pork we are getting from Poland. The President has made offers to give them food without taking anything in exchange. The only issue, as I see it, that is involved is whether we want to give the State Department the authority to make an offer to the Communist satellite countries, that will protect our interests and at the same time give us an opportunity to outmaneuver the Communist governments in these countries.

It seems to me that if we adopt this amendment we are tying the hands of our State Department to go out and set up situations which might have the effect of undermining Communist regimes behind the Iron Curtain, which may have the effect of building up dissension and discord between the people and their governments. I am in favor of

giving our State Department and the administration all the authority they can use in making the best possible use of that great strategic weapon, our abundant food supply. I would not offer them a deal that would permit these governments to take advantage of us, but what I would do would be to offer them a deal that would provide that these goods must be distributed directly to the people of Poland, under the supervision of the United States or some agency it designated. They could take it or turn it down.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield.

Mr. FEIGHAN. Is it not true that it is not going to be the State Department or the United States Government officials who will make this barter trade? The surplus commodities will be sold to individuals, partners or corporations, and they will make this barter deal.

Mr. HOPE. However it is done, the conditions certainly will have to be agreeable to the State Department.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Connecticut.

Mr. MORANO. The statement has been made here that food would strengthen any satellite government. Is it not true that the State Department made a direct offer to the Polish Government to give food to the Polish Government for distribution to its people?

Mr. HOPE. That is true.

Mr. MORANO. And it was turned down. If that would have strengthened the satellite government does not the gentleman suppose they would have accepted it?

Mr. HOPE. Certainly.

Mr. MORANO. Furthermore, if we permit the Secretary of State to make an offer based on conditions that he would lay down, would not that be a better bargaining point than just giving it to them?

Mr. HOPE. Certainly; I agree with the gentleman 100 percent, and that is the whole issue that is involved here.

Mr. RABAUT. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I know what the situation is here on the floor, but I am taking this time to announce that I intend to propose an amendment. I am interested that the needy have food. We are talking about governments, we are also talking about weakened people. Others say if they are in a weakened condition they will rise again. No, they will be too weak for anything but to fall in their tracks.

My amendment would be to page 2, line 14, after the period insert the following:

> In carrying out the purposes hereof the President shall designate persons or organizations as representatives of the United States to assure that the benefits hereunder are made available to needy persons in the countries with which agreements are consummated.

That puts it in the hands of organizations such as the Red Cross, or such as the President would wish to designate; In other words, we would have teams supervising the distribution of food to the needy where we want it to go.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. RABAUT. I yield.

Mr. COOLEY. I would like to see a copy of the gentleman's amendment.

Mr. RABAUT. I will be glad to give it to the gentleman.

Mr. Chairman, I yield back the balance of my time.

Mr. COOLEY. I do not think I will have any objection to it.

Mr. HAYS of Ohio. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

> Mr. HAYS of Ohio moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. HAYS of Ohio. Mr. Chairman, this is not a pro forma amendment; I am serious about it. I think this is the way to dispose of this bill once and for all, and I hope the amendment will be adopted.

There has been a lot of discussion about this; as a matter of fact, the gentleman from North Carolina wanted to know if we would accept an amendment which would require these foodstuffs to be packaged and labeled to let the people behind the Iron Curtain and in the countries where we propose to send it, know where it is coming from.

I differ with the gentleman from Minnesota [Mr. JUDD]; I would accept that amendment because that amendment would kill the bill just as certainly as the amendment I am offering will kill it.

Why was it Poland did not accept our offer to give food to the people? It was because our offer had some strings tied to it that the Polish people would have to know from whence the food came. The Communists are not going to accept any offer to give them food or to barter them the food or to let them buy with their own currency or counterfeit currency, as far as that is concerned, if there is any provision in there that their people have to know where the food came from.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield to the gentleman from Connecticut.

Mr. MORANO. Then what danger is there in the amendment proposed by the committee? If the Secretary of State or any other agency is going to set down rules, they certainly are not going to say it came from China.

Mr. HAYS of Ohio. I think the gentleman has a point. He and I are in substantial agreement. The only difference is that the committee has not offered the amendment, and I do not know how much longer we will have to wait for the committee to offer the amendment. The gentleman agrees with me that that amendment will kill the bill. So why not just dispense with the bill now by striking out the enacting clause because you cannot do business with these Communist governments under any proposal of letting their people know that the free world is interested in their enslaved people. The minute the people behind the iron curtain in Poland or in Czechoslovakia, or in Hungary or any other country believe that the United States in interested in them to any extent at all, that Communist government is going to become more and more shaky. The only thing we are going to do if we pass this bill is to allow those countries to propagandize their people and say: "Look, the United States is willing to do business with us, the United States is giving stature to this Communist government, the United States is recognizing that we are the government of the people; the United States says that we are the legal government and you better sit down and pay attention to us."

Mr. DODD. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield to the gentleman from Connecticut.

Mr. DODD. That is precisely the point, the difference between barter and gift. I did not have the time to talk about that. We are giving it to them, they say, why not get something back. But when you get into the business of trading with them, you give them prestige, you give them influence so that they can use that for propaganda purposes on their people.

Mr. HAYS of Ohio. The gentleman is exactly right. His argument is very strong. I would even forego his argument if I thought there was one chance of any of this food getting to the people who need it, but whether you barter it, whether you give it to them, whether you accept counterfeit money for it, the people are not going to know where it came from.

Mr. MORANO. The gentleman made the statement this amendment will give them perstige and this bill will give them prestige. The gentleman knows they have diplomatic representatives right here in Washington, so I do not see how we are giving them any extra prestige by this.

Mr. HAYS of Ohio. The gentleman is right as far as he goes. We have given them too much prestige altogether and I say we should not add to it by this bill because there is not going to be any good come of it. It is going to be a thing we will hear a lot about. It is going to weaken the desire and resolve of our own people in the United States to stand firm against these vicious, despotic governments which have blood-stained hands, which rule by force, murder, pillage and torture their own people and I do not think we ought to do anything to help them.

Mr. DORN of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield to the gentleman from South Carolina.

Mr. DORN of South Carolina. I think the gentleman from Ohio is right. It does not make any difference whether we have United States stamps all over the food, it will still go to the government controlled by the Communists. They will go out to their people and say: "Here is something from these suckers, but if you will stay with us we will give it to you." It is just like the old UNRRA.

Mr. HAYS of Ohio. The gentleman is right. It does not make any difference if we stamp our name all over it, they will put it in new bags, they will have the

people believe it came through the Communist government and they, the Communists, made it possible.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. VORYS. Mr. Chairman, I rise in opposition to the motion to strike the enacting clause and in opposition to the pending Dodd amendment.

Mr. Chairman, the question involved here is what is the best way to use our food surpluses as a weapon in the cold war. Under the Battle Act, which is our fundamental act on this general question of Iron Curtain trade, and under this law, we can sell food now for dollars to the Iron Curtain countries, or we can give it to them. This merely gives us one other possibility, the possibility of barter. I helped to write the Battle Act, and one of its three purposes is: "To assist the people of the nations under the domination of foreign aggressors to reestablish their freedom." At the time of the Battle Act in 1951 there were many people who proposed that, since food is strategic, everything is strategic in a cold war, the carrying on of any trade at all between the Iron Curtain countries and ourselves and countries we are associated with should be forbidden. Then we found out that a lot of the countries of Europe and elsewhere had to rely on nonstrategic supplies, food, timber, coal, and so forth, from behind the Iron Curtain, and that we would either have to boost up our aid programs or permit the continuation of nonstrategic East-and-West trade, unless we wanted those countries to collapse. So, that is the basis on which the Battle Act is drafted. Therefore, agricultural commodities are available for dollars behind the Iron Curtain and they can be given there. But, here is a proposal that we enter into possible barter deals, and here is the way the Secretary of State describes what we are going to do. He does not say, as some of the previous speakers seem to imply, that we are going to do it in a way to add prestige to these governments which we detest. Here is what Secretary Dulles says, and I quote from page 10 of the report:

> The peoples of these countries are frequently plagued with food shortages and dietary deficiencies. I believe that it would be helpful if they could know, in a concrete and dramatic way, of the bountiful fruits of a society of freedom, which free nations share on a normal basis.

Then he goes on to say:

> The suggestions we make do not relate to trade with the Soviet Union itself nor do they relate to the establishment of a normal pattern of trade with the Soviet satellites which might serve either to strengthen the war potential of the Soviet bloc or to entrench the present order in relation to the satellite countries—an order which President Eisenhower and I have repeatedly said, to the Soviet rulers themselves, ought to be changed in the interest of peace and justice.

That is what this is going to be used for. If you think the Secretary of State and the President are going to back up on what they have said is their purpose in using this authority, then you will vote to scrap this bill, and vote for this amendment. If you think it is time that we confront the Soviets and their satellites when they claim they have a new look and want to have new friendly relations, and say: All right, now here is what we are willing to do; trade some food, provided you distribute it fairly, and let your people know where it came from; then you will vote down this amendment. Then they either accept it on the basis which does what President Eisenhower and Secretary Dulles want to accomplish, or they refuse it, and we will let their people know through the Voice of America and other ways on what basis we have offered it. That is why I am opposed to the pending motion to strike out the enacting clause as well as to the pending amendment.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from Kansas.

Mr. HOPE. If we strike out all after the enacting clause, that means that we strike out the entire bill and stop this entire program of surplus disposal, does it not?

Mr. VORYS. If we strike out the enacting clause we kill this beneficent program which would add a $1.5 billion more for disposal of agricultural surpluses. We strike out the part that adds $1.5 billion for this program, which has made a dent in our surpluses and demonstrates, as the Secretary of State says, the bountiful fruits of a society of freedom which free nations share on a normal basis.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from North Carolina.

Mr. COOLEY. Funds have already been exhausted 10 days ago.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Ohio [Mr. HAYS].

The question was taken; and on a division (demanded by Mr. HAYS of Ohio) there were—ayes 21, noes 80.

So the motion was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut [Mr. DODD].

The question was taken; and the Chair being in doubt, the Committee divided, and there were—ayes 81, noes 53.

Mr. HOPE. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. DODD and Mr. COOLEY.

The Committee again divided; and the tellers reported that there were—ayes 92, noes 62.

So the amendment was agreed to.

Mr. DONOVAN. Mr. Chairman, this afternoon an attempt was made to drive an opening wedge and start trade and barter with Red China and the satellite nations by using our staggering agricultural surpluses as the wedge. Section 3 of H. R. 11708 before the House today would permit barter and sale of surpluses with Red China and satellite countries. The House rejected the proposal by adopting the Dodd amendment which specifically forbids such barter and trade. I supported the Dodd amendment. Yesterday an editorial appeared in the New York Daily News. It is an admirable statement of the reasons why the United States should avoid any kind of trade at this stage with the Reds.

RUSSIA: EXPERT TESTIMONY

The West has numerous experts on communism, and several times as many persons who think they are experts. If you're looking for a top-flight expert on the subject, and on dictatorship in general, you can do a lot worse than to consult Generalissimo Francisco Franco, ruler of Spain.

In the bitter 1936–39 Spanish Civil War, Franco fought Communists who had been trained and were largely directed by Red fighting men from Russia.

He learned a great deal about Red strategies, tactics and tricks. Since his victory in '39, the "Gissimo" has managed Spain largely by dictatorial methods, and has kept the Communist conspiracy pinned down.

Franco, then, should have some pretty useful ideas on the meaning of the Kremlin's new look—the smiles, the trips abroad by Red big shots, the endless chatter about peace and aid for backward countries, and the yells of "Stalin was a ringtailed so-and-so" which go to make up present day Soviet foreign policy.

These thoughts occurred recently to Harry F. Byrd, Jr., son of the eminent Virginia Senator and publisher of a couple of Virginia newspapers. Mr. Byrd wrote to Franco and asked his opinion on the new Soviet look. In reply, he got an impressive letter setting forth the Spanish dictator's views in detail. Byrd printed the letter in his newspapers.

Briefly, General Franco is not convinced that the new Kremlin policy is sincere, peaceable, or anything else Khrushchev, Bulganin and their cronies say it is.

Franco says that if all had been serene in Russia, Khrushchev and his pals needn't have cut loose with their campaign to make a devil out of Josef Stalin, whom they had helped make a demigod while he lived. They could have gone along doing reverence to his memory, thereby keeping Communists inside and outside Russia quiet and as happy as these people who live on hate can ever be.

AFRAID OF THE SLAVES

Instead, the present Kremlin bosses turned on Stalin's name and fame, and are currently describing him as a heel in spades-plus. By so doing, they have set Communists in a frenzy everywhere, and have weakened the party in all countries except possibly Russia itself. Why did they do it?

They felt forced to it, says Franco, "because somebody is attacking and attacking strongly." Nobody is attacking Russia from the outside. Therefore, this attack must be coming from inside the Red slave empire.

The recent uprising in Poznan, Poland, and the persistent reports of widespread unrest in Czechoslovakia, Hungary, and East Germany bear out this theory.

As Franco sees it, the Kremlin Reds are fighting for time to save their own hides from the wrath of their slaves. If they can do that, they will later renew their drive to enslave the entire world.

If Franco is right (and he is by no means the only Westerner who sees the new Kremlin look this way), then it follows that here is a golden opportunity for the West to score heavily in the cold war, if not to win it. The obvious strategy would be to let the enemy stew in his own juice.

Instead of expanding trade with the Red Empire, our side could tighten its embargoes and enlarge its no-sales lists of specific goods.

WHAT WE COULD BUT DO NOT DO

We could refuse to receive delegations of Russian farm or building experts, or Russian musicians and actors, or Russian anything else.

Conversely, we could decline to let the Kremlin murderers build prestige at home

and abroad by entertaining or having their pictures taken with prominent Westerners, such as President Eisenhower, British Prime Minister Eden, French Premier Guy Mollet, et al.

If the United States wanted to get really tough, it could withdraw its recognition of Soviet Russia, extended by F. D. Roosevelt in a fit of idiocy in 1933.

Up to now, the West is using none of these devices for letting outraged human nature take its course inside the Red Empire. On the contrary, Western leaders in the main seem bent on helping the Kremlin gang save itself.

All of which leads some people on this side of the Iron Curtain to wonder uneasily what's going to happen to the West in this cold war, after all.

Mr. McCORMACK. Mr. Chairman, I offer an amendment.

The Clerk read, as follows:

Amendment offered by Mr. McCORMACK: On page 2, after line 18, insert the following:

"SEC. 3. That it is the further purpose of this act to assist the United States cotton textile industry to reestablish and maintain its fair historical share of the world market in cotton textiles so as to (1) insure the continued existence of such industry, (2) prevent unemployment in such industry, and (3) allow employees in such industry to participate in the high national level of earnings.

"SEC. 4. (a) In order to carry out the purposes of this act the Secretary of Agriculture is authorized and directed to make available to textile mills in the United States during the fiscal year ending June 30, 1957, and each of the 4 succeeding fiscal years not less than 750,000 bales of surplus cotton owned by the Commodity Credit Corporation at such prices as the Secretary determines will allow the United States cotton textile industry to regain the level of exports of cotton products maintained by it during the period 1947 through 1952. Cotton shall be made available to a textile mill under this act only upon agreement by such mill that such cotton will be used only for the manufacture of cotton products for export.

"(b) The Secretary shall announce, not later than September 1 of each year for which surplus cotton is made available under this act, the price at which such cotton is to be made available and thereafter for a period of 30 days shall accept applications from textile mills for the purchase of such surplus cotton. In the event the quantity of cotton for which application is made exceeds the quantity of such cotton made available for distribution under this act, the cotton made available for distribution shall be distributed pro rata among the eligible mills making application therefor on the basis of the quantities of cotton processed by such mills during the 3 calendar years preceding the year for which such distribution is made.

"SEC. 5. The Secretary shall promulgate such rules and regulations as may be necessary to carry out the provisions of this act.

"SEC. 6. No person shall sell or offer for sale in the United States any product processed or manufactured in whole or in substantial part from any cotton made available under this act. If the Secretary of Agriculture determines that any person has knowingly violated the preceding sentence, such person shall not thereafter be eligible to receive any cotton under section 2 for such period, not in excess of 3 years, as the Secretary of Agriculture shall determine. Any person who knowingly violates the first sentence of this section shall be liable to the United States in an amount equal to three times the amount paid for the cotton used in the product sold or offered for sale in violation of such sentence when such cotton was transferred to a textile mill under section 2. The Attorney General may bring civil actions to recover amounts which are due the United States under this section."

Mr. FORD. Mr. Chairman, I was on my feet at the conclusion of the reading of the amendment by the Clerk, and I would like to suggest and I do, that a point of order rests against this amendment. It is not germane to the bill.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. FORD. I do make the point of order.

Mr. McCORMACK. Mr. Chairman, would the gentleman reserve the point of order?

Mr. FORD. I will be very glad to reserve the point of order to permit the majority leader to proceed.

The CHAIRMAN. The gentleman reserves the point of order.

The gentleman from Massachusetts [Mr. McCORMACK] is recognized.

Mr. McCORMACK. Mr. Chairman, as far as I know I have no textiles in my district. It is a well-known fact that the American textile industry, which is one of our most important industries, is in a bad way. I am sure argument is unnecessary to establish that fact. The question we should pass upon and determine is what action we can take to give equitable consideration to this important activity which affords employment to tens of thousands of our people. It seems to me so far as the merit of the amendment is concerned that the argument is overwhelmingly in favor of the amendment. I am not going to go into any further argument because the facts are so clear and indisputable that if the amendment were before the House, I think each and every Member has a clear picture of the necessity that action of this kind be taken. It is a problem confronting textiles not only in one section of the country, but in all sections of the country, and is a basic problem. The amendment is a fair one. It helps agriculture in that it helps to solve some of the problems in connection with surplus cotton. Something has to be done for American textiles and an amendment of this kind is a step in the right direction, and it would not disturb our international situation. But, at the same time, it would be of invaluable assistance to the American textile industry. As I said, I do not have one textile mill in my district, but I am interested in the problems of the American textiles in all sections of the country. Up in New England, it is not a question of the textile industries moving south, but it is a question of the textile industries going out of business because they are unable to compete with the sharply increased imports from other countries.

Heretofore we have given other countries a decided advantage in the equalization fee. While there was an order just recently issued by the Secretary of Agriculture so that American textiles can purchase at the same price as foreign countries, nevertheless some compensatory consideration beyond that must be given in order for our great textile industry to exist.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. GROSS. I wonder if the gentleman would have any objection to my offering an amendment to his amendment to provide cutting off Polish hams and Czechoslovakian hams from coming into this country.

Mr. McCORMACK. Let us not get into that insofar as this is concerned at the present time.

Mr. GREEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. GREEN of Pennsylvania. I congratulate the gentleman for presenting this amendment. I think that all Members of the House realize that the textile industry today is a mighty sick industry. They have suffered under bills that we have supported vigorously, such as the Reciprocal Trade Agreements. I trust the gentleman's amendment will be agreed to.

Mr. McCORMACK. I thank the gentleman. In all frankness to my friend from Michigan [Mr. FORD], I want to concede that the point of order would lie. However, in view of the importance of the problem confronting our American textile industry, I hope my friend will not press his point of order.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Yes, I yield.

Mr. FORD. I can fully appreciate the serious problem confronting the textile industry in the United States. I have talked with many Members from the North and the South involving that perplexing problem. I specifically feel that there is need for some remedial action, but it does seem to me that it is unwise for us to consider on a bill of this sort an amendment that may have far reaching implications which are not known to many Members, since the amendment has not been considered by the committee. For that reason only I would say to the majority leader that I think this point of order should lie and that I should press it, and I hope that proper legislation by the proper committee would be taken up as soon as possible.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. McCORMACK] has expired.

(By unanimous consent, Mr. McCORMACK was granted 3 additional minutes.)

Mr. McCORMACK. Mr. Chairman, may I say to my friend from Michigan that I thoroughly appreciate his position, and I am the last man in the House to make any comment on any Member exercising his rights under the Rules of the House. The gentleman is exercising his rights under the Rules of the House. On the other hand, in the closing days of the session there will be nothing done, in all probability, unless something like this is done.

I am interested in all segments of the American society and of our national economy, and I know of the tremendous difficulty that our textiles are laboring under, and behind them the tens of thousands of Americans who are unemployed. I did not idly offer this amend-

ment. I took it up with the chairman of the committee and some of the other members of the committee. There is no surprise as far as the ranking members on the committee are concerned. I had hoped that no point of order would be made, so that the House could consider this on its merits because of the urgency of the situation. If the gentleman insists on his point of order, I want the RECORD clearly to show that I respect the fact that under the rules he has a right to do so. On the other hand, in the light of the emergency of the situation, I hope that the gentleman during this little colloquy of ours and the remarks I have just made, will recognize the importance and the urgent situation and will withdraw his point of order and let us consider the amendment and then let it be explored in the other body where they will have time, because if we do not do it now we are not going to do anything this session, as I see it.

Mr. FORD. As I understand, a bill similar to this amendment has been introduced and is before a committee in the other body.

Mr. McCORMACK. That is correct. Might I say there that this amendment is the bill that was introduced in the other body. I consulted with our former colleague, Senator MARGARET CHASE SMITH, who introduced it, before I introduced my bill. I was reading it in the RECORD down in my hotel one night, as I read the RECORD every night. My bill is the same as hers, except I do not believe in emergency legislation in making it criminal if somebody violates it and is subjected to possible criminal prosecution and jail sentence; so I made section 4 civil rather than criminal. I have a lot of respect for our businessmen who have their own and other people's money invested and who are giving employment to Americans and the heads of American families.

So it is the same bill with the exception that the penalty section is changed to civil liability and penalty instead of criminal.

Mr. Chairman, I hope the gentleman will not press his point of order.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

(By unanimous consent, and on request of Mr. FORD, Mr. MCCORMACK was allowed to proceed for 3 additional minutes.)

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Gladly.

Mr. FORD. I do greatly appreciate the kind attitude and the understanding point of view the gentleman takes toward my point of order. What disturbs me is this: I have heard concern expressed by many Members about the condition facing the textile industry for some months here. Apparently this emergency is not one that has arisen overnight but is one that has existed at least since January, since this Congress has been in session, and perhaps longer. If therefore the emergency is so acute it seems to me that proper remedial action in the usual course of events through proper committees could have been had, and it disturbs me that now in the closing days of this session we are called upon in this fashion to pass upon matter which may be controversial, which certainly is involved without adequate hearing before a proper committee. Under this situation and without trying to be critical of anybody, I simply say I am constrained to insist on the point of order.

Mr. McCORMACK. I may say to my friend before he makes his final observation that I really think it is now or never so far as any action is concerned. It is a very carefully drafted bill, it is a fair bill; it simply says that for the next 5 years the Secretary of Agriculture can sell to American textile manufacturers cotton to be fabricated for export purposes. The manufacturers file their applications and get their quotas. Not only will it help industry, but it is also going to help agriculture, and certainly it is going to help the American textile industry. That is simply what the amendment is, and if it is not acted upon now I am very fearful that we will not have any action this year.

Mr. FORD. Is it not true, though, even admitting that the bill with which this amendment is identical was drafted with greatest care and by a most competent individual, it does reflect the views of an industry rather than the pros and cons that might be expressed by a different point of view?

Mr. McCORMACK. We are confronted with that same problem all the time in legislation.

Mr. FORD. But when that problem confronts us we have a forum where those who are for or against it have a chance to express their views. In this case that is not so.

Mr. McCORMACK. I may say I was very hopeful that no point of order would be made. Really I thought I had surveyed the situation, of course, not every Member, and I do not mean that any agreement was made but there was a sort of general conversation. I would like to assure the House that I have gone into this very carefully, talking with keymen. I did not consult the gentleman from Michigan.

Mr. FORD. There is no reason why you should have.

Mr. McCORMACK. There is no reason why I should not had I known the gentleman's interest.

I hope the gentleman will not insist upon his point of order.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

(By unanimous consent (at the request of Mr. FORD) Mr. MCCORMACK was allowed to proceed for 1 additional minute.)

Mr. McCORMACK. Mr. Chairman, I am really pleading for a very sick American industry.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Iowa.

Mr. GROSS. Now, here we are coming right back to foreign aid. We have given these foreigners the machinery to manufacture textiles, we have given them the money to teach them how to produce cotton and so forth. Apparently the gentleman wants us to pay again through subsidization of the textile industry in this country. That just indicates the fallacy that exists in connection with every foreign-aid bill.

Mr. McCORMACK. There are certain compensatory considerations that American industry is entitled to. I hope the gentleman will reconsider and not press his point of order. This is a sick industry and it needs immediate relief of some kind.

Mr. FORD. Mr. Chairman, despite my great affection and admiration for the gentleman from Massachusetts, and my awareness of the desperate situation some people say the textile industry is in, I am constrained to insist upon my point of order.

Mr. McCORMACK. Mr. Chairman, admitting that a point of order does lie, I would not ask the Chairman to pass upon it and in view of the fact the gentleman from Michigan insists upon his point of order, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. WHITTEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITTEN: On page 2, at the end of page 2, add the following subsection:

"(c) The commodities disposed of under this act must be in addition to sales of such commodities in world trade through normal channels at competitive prices or dollars."

Mr. WHITTEN. Mr. Chairman, briefly I would like to explain what is involved here. In the original act it was provided that commodities sold under Public Law 480 for foreign currency must be in addition to our regular sales through normal channels.

The Department of Agriculture offered our commodities at the support level plus reasonable carrying charges, which, in effect, kept our commodities off the world market. So it left Public Law 480 as our only means of moving the commodities. That was contrary to the intent of the Congress in passing Public Law 480. It was intended that we keep our commodities moving through normal channels at competitive prices. I listened to the debate and I supported the bill.

For 3 years we have tried to convince the Department that they should not rely on Public Law 480 where we virtually were giving away our commodities but they should offer our commodities to world trade competitively. After 3 years of argument they have done so. They have sold $525 million worth of cotton since the 1st of January by this means. Yet up until the 1st of January they had not sold any cotton of any consequence, except a few bales that were of extraordinary quality. They have in the last 2 years sold $2 billion worth of commodities.

The point I make here in this amendment is that in figuring what we do under Public Law 480 you shall stay in the world market on a competitive price and

what we sell for foreign currency should be in addition to what we sell on a competitive basis, because unless your prices are competitive you do not sell.

I hope the chairman of the committee will accept my amendment because it is clearly in line. I have tried to draw it in such a way as to not needlessly tie their hands but as clearly pointed out we should stay in the world markets and use this vehicle as an additional means of getting rid of the commodities.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from North Carolina.

Mr. COOLEY. I have no right, on behalf of the committee, to accept the gentleman's amendment, but as I understand the gentleman's amendment, it would not result in changing the law as it is now written, because the law as written contemplates sales in excess of the normal quantity of a commodity that is going into the particular market.

Mr. WHITTEN. I would say to the gentleman that I do not think my amendment would change the basic law but would clearly show that our intent in the law is considerably different from what used to be the position of the Department of Agriculture.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Kansas.

Mr. HOPE. It seems to me there are at least three places in the bill where the matter that the gentleman includes in his amendment is already stated in a different way.

Mr. WHITTEN. That could be, and I am frank to say in a way it is covered, but having had 3 years of experience in trying to get them to carry on on a competitive basis, having worried the House on hundreds of occasions trying to make my point, creating a sales organization within the Department and setting up sufficient money for it, having all that background, I feel that the Congress would be taking a forward step putting this language in the bill where it is not misunderstood, because, believe me, it has been for 3 years.

Mr. HOPE. I am not objecting to the gentleman's amendment, but I think the whole matter is covered in existing legislation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. WHITTEN].

The amendment was agreed to.

Mr. POAGE. Mr. Chairman, I offer an amendment:

The Clerk read as follows:

Amendment offered by Mr. POAGE: Page 2, following line 18, add the following new section:

"SEC. 4. Sales under title I of the act shall be exempt from the requirements of the cargo preference laws (Public Res. 17, 73d Cong. (15 U. S. C. 616a) and sec. 901 (b) of the Merchant Marine Act, 1936 (46 U. S. C. 1241 (bb))."

Mr. POAGE. Mr. Chairman, I submit this just as a proposition of commonsense. If we are going to be sending food abroad to help poor people, we ought not to burden it with extra expense. The present law does burden it with extra expense, and this amendment enables it to get there in the cheapest way.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. POAGE].

The question was taken; and on a division (demanded by Mr. POAGE) there were—ayes 30, noes 50.

Mr. POAGE. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

Mr. MATTHEWS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MATTHEWS: Page 2 following line 18 add the following new section:

"SEC. 4. Sales of fruit and the products thereof from privately owned stocks under title I of the act shall be exempt from the requirements of the cargo preference laws (Public Resolution 17, 73d Cong., 15 U. S. C. 616 (a) and sec. 901 (b) of the Merchant Marine Act, 1936, 46 U. S. C. 1241 (b))."

Mr. MATTHEWS. Mr. Chairman, this amendment excludes from the provisions of the cargo preference laws fruits and their products. It is my understanding, Mr. Chairman, that there are no American flagships at the present time that have facilities for carrying a cargo of fruits and their products. In other words, this amendment is a delimiting amendment to the one offered by the gentleman from Texas [Mr. POAGE]. It is my sincere understanding that there is no particular objection to this amendment.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I am delighted to yield to the gentleman from North Carolina.

Mr. BONNER. Mr. Chairman, I want to have a little clearer understanding of this amendment. It happened that I was not on the floor when the previous amendment was offered. I had more or less agreed to this amendment, but if this amendment is a step in the direction of the previous amendment, I think we can defeat it in the House at the present time.

Mr. MATTHEWS. Mr. Chairman, I want to say this. I have been very sincere and candid about my amendment. I did not know about this other amendment. I want to assure the gentleman that the amendment speaks for itself and that I have no ulterior motives in offering it.

Mr. ROOSEVELT. Mr. Chairman, would the gentleman yield?

Mr. MATTHEWS. I am glad to yield to the gentleman from California.

Mr. ROOSEVELT. I should like to advise the gentleman that I am going to offer an amendment to this amendment in order to overcome the objections which have been voiced. In essence what I shall offer is that if American cargo vessels become available and that is certified to by the Secretary of Commerce, the gentleman's amendment shall not be operative any further.

Mr. MATTHEWS. I shall be delighted to accept the gentleman's amendment.

Mr. BONNER. Mr. Chairman, would the gentleman yield further?

Mr. MATTHEWS. I yield to the gentleman further.

Mr. BONNER. This applies only to fresh fruits, does it?

Mr. MATTHEWS. The amendment says fruits and their products. It would be further delimited by the amount of the products that go to these countries. Please remember that this refers only to the provisions of Public Law 480. There are very few cargoes of fruits and their products going. In fact, I doubt if 1 percent of the total amount of the goods that would be shipped under Public Law 480 would be represented by fruit.

Mr. SHELLEY. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from California.

Mr. SHELLEY. When the gentleman says "fruits and their products" does he construe that to include canned fruit?

Mr. MATTHEWS. No, sir; I do not.

Mr. SHELLEY. Does not the gentleman think that some department might so construe it? Would not canned fruit be a product of fresh fruit?

Mr. MATTHEWS. It is my understanding that this problem has come up only in the case of fresh fruits.

Mr. SHELLEY. Then why does not the gentleman so word his amendment to restrict it to fresh fruit, together with the limitation proposed by the gentleman from California [Mr. ROOSEVELT]? In that case I am sure there would be no objection. But if the amendment includes fruits and their products it might mean fruit in any form and there probably would be opposition to that.

Mr. MATTHEWS. If the gentleman from California [Mr. ROOSEVELT] would add whatever language he thinks would best fit the situation, I should be glad to accept it.

Mr. MILLER of California. Does not the gentleman realize that fruit and their products would include dried fruits? Is it the gentleman's intention to include dried fruits?

Mr. MATTHEWS. No, sir. I do not believe we would find any of that kind of cargo shipped.

Mr. MILLER of California. Would the gentleman be willing to alter his amendment so that it would include fresh fruits only?

Mr. MATTHEWS. As I have indicated, if the gentleman from California [Mr. ROOSEVELT] would cooperate during this colloquy to include the change in the language of his amendment, I should be inclined to accept such change.

Mr. GROSS. Mr. Chairman, would the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from Iowa.

Mr. GROSS. Would any of those tankers that slipped through the House the other day be involved in this?

Mr. MATTHEWS. I do not believe so; no, sir.

Mr. HOLMES. Mr. Chairman, would the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman.

Mr. HOLMES. Is it not true that this amendment, as offered, is contained in a bill as it passed the other body?

Mr. MATTHEWS. That is true. It is my understanding that this provision passed the other body. The very able representatives of our great merchant marine agreed to it. That is my understanding. Again, I am trying to be just as sincere and candid as I know how.

Mr. BONNER. Mr. Chairman, would the gentleman yield further?

Mr. MATTHEWS. I yield to the gentleman.

Mr. BONNER. Would fruits and their products include wines and spirits?

Mr. MATTHEWS. Being a teetotaler, sir, I cannot answer that.

Mr. BONNER. I am just trying to ascertain how far the gentleman's amendment would go. Would the gentleman be willing to limit it to fresh fruits?

Mr. MATTHEWS. Yes, sir. As far as the gentleman from Florida is concerned, he certainly would. There are other proponents of this amendment and I cannot speak for them, of course.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. MATTHEWS. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from California.

Mr. PHILLIPS. The gentleman said, Would this be confined to fresh fruits? Would the gentleman include in that fresh and frozen fruits, because it is a question of the ability of the merchant marine to handle those?

Mr. BONNER. You can use reefer service for fresh fruits and frozen fruits.

Mr. MATTHEWS. I had that in mind.

Mr. BONNER. Yes, I know that is what the gentleman was referring to.

Mr. HOLMES. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from Washington.

Mr. HOLMES. In the category the gentleman mentioned, fresh and frozen fruits, the reefer service many times includes dried fruits or fruits necessary to be refrigerated in transit.

Mr. HORAN. When we had the triplease bill up recently the matter of fresh and frozen fruits was discussed, and it was explicit that the words "fruit products" would be a little broad in this case.

Mr. ROOSEVELT. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. ROOSEVELT to the amendment offered by Mr. MATTHEWS: Add the words "fresh and frozen" before the word "fruits", and at the end of the proposed amendment eliminate the period, insert a comma, and add the words, "excepting for such shipments as the Secretary of Commerce shall have made a finding that American-flag cargo vessels are available and qualified to make."

Mr. MATTHEWS. I am delighted to accept that amendment, Mr. Chairman.

The CHAIRMAN. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. BYRNES of Wisconsin. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do this only to make an inquiry of the chairman of the Committee on Merchant Marine and Fisheries. It has always been my understanding that this preference act could come into play only where American vessels were available. If there were not any vessels available, then the Department did not have to pay any attention to that part of the law.

Mr. BONNER. That is correct.

Mr. BYRNES of Wisconsin. That being the case, my understanding here is that we have no American reefer ships carrying the American flag. Is that correct?

Mr. BONNER. Yes; we have American reefer ships.

Mr. BYRNES of Wisconsin. That carry fresh and frozen fruits?

Mr. BONNER. In the Pacific area we have ships capable of furnishing reefer service. As to the South Atlantic coast, I think it is questionable that there are reefer ships available.

Mr. MATTHEWS. It is my understanding that before the war most of the fruits were shipped to the United Kingdom and the Scandinavian countries. It is my understanding that the facilities are just not available now to ship them.

Mr. BYRNES of Wisconsin. That being the case, that there are no reefer accommodations available on the east coast to take care of the situation as far as the Florida oranges are concerned, yet there is going to be shipment of those oranges overseas to Europe, and this provision we are talking about, which says they shall use American bottoms, says they shall use them if they are available. Assume that they are not available, so the point is—what are we worrying about?

Mr. BONNER. Fifty percent of the cargo they could use for this part of the cargo to go in foreign vessels and balance it off with other types of cargoes so as to reach 50 percent.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield.

Mr. MILLER of California. There is a good deal of reefer space or refrigerator space in the so-called berth ships that are carrying this type of cargo from the east coast. Of course, that goes into the 50–50 provision.

Mr. BYRNES of Wisconsin. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. MATTHEWS] as amended.

The amendment, as amended, was agreed to.

Mr. COOLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COOLEY: Page 2, following line 18, add the following new section:

"SEC. 4. Section 201 of the act is amended by inserting after the word 'urgent' wherever it occurs in said section the words 'or extraordinary'."

Mr. COOLEY. Mr. Chairman, the purpose of this amendment is entirely for the purposes of clarification. There has been some question apparently with regard to the language of the act, section 201, which provides:

In order to enable the President to furnish emergency assistance on behalf of the people of the United States to friendly peoples in meeting famine or other urgent relief requirements, the Commodity Credit Corporation shall make available to the President out of its stocks such surplus agricultural commodities—

And so forth. I propose to insert the two words "or extraordinary" after the word "urgent" as it appears in this particular section in two places. The idea being that there is some question as to whether or not these foods can be used for the relief of refugees except on an immediately urgent basis. There are many of them in the Arab world and other places in the world that are in need of food that we now have in storage. I do not know that there is any objection to the amendment. I have not presented it to the committee, but I present it now, believing that it is in the best interest of the program. I hope it will be adopted.

Mr. Chairman, I would like at this point to compliment the gentleman from Massachusetts [Mr. MCCORMACK] not only for his great interest in all farm legislation and all farm problems and in all bills reported by our Committee on Agriculture, but also I wish to compliment him for his great interest in the welfare of the workers in the textile mills and the operators of the textile mills of our country. The amendment which he offered was not in order. He had discussed it with me and I think he had also discussed it with the gentleman from Massachusetts [Mr. MARTIN], the minority leader. I would like to place in the RECORD for his benefit and the benefit of the Members of the House a press release from the United States Department of Agriculture dated July 12, which indicates clearly that the Department of Agriculture has now embarked upon a program which will be beneficial to the cotton textile people of America and will enable them to better meet competition in world markets. I am under the impression that the proposal submitted by the gentleman from Massachusetts [Mr. MCCORMACK] went very much too far, but certainly the Department of Agriculture has now announced a cotton export subsidy program for cotton and manufactured textiles. I hope it will be successful.

I want to point out further that the cotton-textile industry, while it is facing difficulties, has requested the present administration to use authority now in existing law, section 22 of the Agricultural Adjustment Act of 1938, but that authority has not been used to limit the export or to embargo exports from Japan or other countries.

There was a Japanese gentleman in Washington sometime in the spring. His name was T. Murayama, director of research of All Japan Cotton Spinners' Association, from Osaka, Japan. He was here for the purpose of negotiating

agreements with representatives of our own Government, looking to the imposing of some limitations upon Japanese imports into this country. He could not get an audience anywhere. No official of our Government would talk to him because they did not think they had authority to negotiate with representatives of a foreign government or a foreign textile manufacturers association for the purpose that the gentleman had in mind.

He came to my office sometime about the middle of April, and, after discussing the matter with me, I brought the matter to the attention of the House Committee on Agriculture and the Senate Committee on Agriculture, and we placed in the bill, which became Public Law 540 of the 84th Congress, 2d session, an authorization which authorizes the President to negotiate with these representatives of the Japanese industry, with the idea of limiting imports into our market.

I insert a copy of that act in my remarks:

[Public Law 540, 84th Cong., ch. 327, 2d sess.]

H. R. 10875

An act to enact the Agricultural Act of 1956

Be it enacted, etc., That this act may be cited as the "Agricultural Act of 1956."

AGREEMENTS LIMITING IMPORTS

SEC. 204. The President may, whenever he determines such action appropriate, negotiate with representatives of foreign governments in an effort to obtain agreements limiting the export from such countries and the importation into the United States of any agricultural commodity or product manufactured therefrom or textiles or textile products, and the President is authorized to issue regulations governing the entry or withdrawal from warehouse of any such commodity, product, textiles, or textile products to carry out any such agreement. Nothing herein shall affect the authority provided under section 22 of the Agricultural Adjustment Act (of 1933) as amended.

Mr. COOLEY. If the administration does not use that authority, it is the fault of the officials of the administration. They have in section 32 the power to impose quotas or to limit imports. Now they have it to negotiate agreements. I hope they will start the machinery operating and that we will impose appropriate limitations on imports of Japanese manufactured goods.

I wish to read this letter from Mr. T. Murayama, which he addressed to me in April:

ALL JAPAN COTTON SPINNERS' ASSOCIATION,
Osaka, April 17, 1956.

Hon. HAROLD D. COOLEY,
Chairman, Committee on Agriculture, House of Representatives, Washington, D. C., U. S. A.

DEAR MR. CHAIRMAN: I have just returned to Japan from my all too short visit to your country, and wish to take this opportunity to thank you for the time you gave me in discussing mutual problems relating to Japanese cotton textile imports into the United States.

Your thoughts and suggestions were conveyed to members of the Japanese textile industry, and have been received in the spirit in which they were given. Our members will undertake serious and well-deserved consideration to these proposals shortly.

My personal report stressed the cordiality of my reception in the United States and the generally sympathetic attitude expressed toward the plight of Japan and our textile industry. I found particularly pleasing the understanding which you, and Members of the Congress with whom I was privileged to speak, had of our problems and especially your good will for Japan, good will which I know my colleagues reciprocate.

The spirit of reasonableness which was so apparent in our discussions, I am sure, will result in the resolution of our problems to the satisfaction and benefit of both our countries. We pride ourselves that we can be natural allies in commerce as well as in international relations.

Again, thank you for the kindness you extended me during my recent visit in Washington.

Sincerely yours,

T. MURAYAMA,
Director of Research.

Mr. COOLEY. I also wish to read a statement issued by the United States Department of Agriculture on July 12, 1956:

UNITED STATES
DEPARTMENT OF AGRICULTURE,
Washington, July 12, 1956.

COTTON PRODUCTS EXPORT AID WILL BE EXTENDED THROUGH EQUALIZATION PAYMENTS

The United States Department of Agriculture announced today that assistance in the export of United States cotton products to be shipped on and after August 1, 1956, will be made available through cash equalization payments from the Commodity Credit Corporation to eligible exporters.

On May 21, 1956, the Department announced that the benefits of the previously announced export program for raw cotton would be extended to cover exports of cotton textiles, cotton yarns, and spinnable cotton waste manufactured from American upland cotton. Under the raw cotton export program, sales of cotton from CCC stocks for export on or after August 1 are being made on a bid basis at competitive prices. Including acceptances announced on June 29, sales under this program have totaled nearly 2½ million bales.

Extension of the benefits of the export program to cotton products is designed to protect the competitive position of the domestic cotton industry in relation to sales of cotton products manufactured abroad from American cotton purchased at export prices. The current export sales prices are lower than domestic prices. The equalization payments will be based on the raw cotton content in the products exported.

Detailed operating provisions of the cotton products export program will be developed and announced in the near future.

The Department also announced today that the Commodity Stabilization Service, which will carry out program administration, will establish a special office in New York City to handle the program. This office will receive registration of export sales, take care of necessary inspections, make payments, and handle other administrative details of the new program.

The special New York office, which will be designated as the CSS Cotton Products Export Office, located at 290 Broadway, will be staffed and in operation by the August 1 beginning date for export activity.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. COOLEY] has expired.

Mr. JOHNSON of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have listened to the majority leader's interesting discussion of the textile industry and the need for Government help to bolster and give support to a distressed industry; namely, the textile fabrics industry.

There is one place in South Carolina which pointed the way to bring prosperity to the textile industry without the help from the National Government.

Elliott Springs was and is the manager of the Spring Maid Textile Co. located in Lancaster, S. C. Elliott Springs was a noted aviator in the First World War. He flew with the English and has a marvelous record. When he returned from the war he did not want to go back into the cotton fabrics business with his father. Consequently he spent several years in New York and wrote several books which had a ready sale. Later he decided to go back and work with his father in operating the Springs Mills in Lancaster, S. C. He developed some ads designed to show what the Springs Mills could do in the way of making fabrics, and the various uses to which they could be put, including use for clothes, bedding, and other uses. Some of the advertisers and magazines that he called on to place his ads claimed that his style of advertising was too suggestive for their readers. But he did place a few ads that showed these fabrics made into women's clothes. The women shown in the ad whirled around so that some of the underclothing of the women could be seen. The idea was to show just what these fabrics could do in making women who wore clothes of these fabrics look attractive. Some of the companies to which he offered these ads thought they were too sophisticated. A few of them took the ads. Then he continued to use this advertising, and he increased his customers who took the fabrics as shown in the ads.

Soon he had more advertising for his fabrics as clothes or as bedsheets and pillowcases than he could handle, because the output of his factory was not large enough to supply the orders. In other words he conducted a successful advertising campaign and in that manner he developed his business into a successful venture.

He told me in his own words about 2 years ago that inside of 5 years he had every single person selling fabrics in New York and all the magazines in New York that carried their ads asking him if they could buy some of his goods and get more of his advertising. That is the way he developed the fabric industry, just by advertising and showing what could be done. It is a tremendously remarkable record, because of his skillful operations of his textile factories and the use of clever ads to show the persons using the fabrics the many uses to which they could be put.

I think that is the way the New England people can likewise build up their fabric industry. Incidentally, we have quite a large fabric industry in southern California.

(By unanimous consent the pro forma amendments were withdrawn.)

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

Mr. COOLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not think there are any other amendments to be offered.

Before we finish consideration of this bill I would just like to emphasize that even though the section which authorizes the barter transactions to satellite countries has been eliminated to all intents and purposes, the fact remains that this bill is of vital importance. Our Government, as I said during the debate, has obligated substantially all of the first $1,500,000,000 and in addition has negotiated, we understand, many important transactions which cannot possibly be completed and consummated unless this additional authority is granted which is now provided in section 1 of the bill. I hope therefore no one will vote against the bill now thinking it is a bad or vicious measure, because certainly it is essential to the welfare of all of our people. It is vital to our foreign-aid program and to our foreign policy also that we authorize the increase to $3 billion for the Commodity Credit Corporation, and I hope the bill will be passed and that this program can be carried on and expanded.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Wisconsin. Mr. Speaker, the present administration has on many occasions claimed that it is very much concerned about farmers and their problems. Of course, it is easy to make claims. What really counts are positive actions.

For example, a press release on July 10, 1956, by the Executive Office of the White House announced a date for hearings on a petition relative to proposed restrictions on the importation of baler and binder twine for use by the American farmer and commercial twine and rope consumers.

The petition was presented by the Cordage Institute which represents some of the industrial producers of twines and ropes in the country. Briefly, the petition attempts to establish the claim that the cordage industry is adversely affected by the importation of cordage products, and that the imports constitutes a threat to our national security.

This is an interesting claim, but I do not believe that it has merit. If the petitioners are successful in pressing their claim and imports of cordage products are restricted, then another noose will be tied around the neck of farmers. Baler and binder twine is important to thousands of farmers in the United States. Restricting imports of baler and binder twine will raise the price on both the domestic and foreign product.

I understand that the volume of rope imported into this country is only about 8 percent of domestic consumption. I am sure that the cordage industry is not worried about this small amount of imports. On the other hand imports of baler and binder twine represents about 50 percent of our domestic consumption. This is the melon that the cordage industry is really interested in, and it is the type of cordage primarily used by farmers. Thus, farmers will be the consumers most affected by restriction of cordage imports.

The domestic production of twine has never been sufficient to satisfy our needs in either peace or wartime. In the past Congress was well aware of this situation and it took appropriate action to assure farmers of an adequate supply of baler and binder twine at reasonable prices. In the 1951 session of Congress specific action was taken to remove the duty from baler and binder twine.

Before Congress took this action, extensive hearings were held by House and Senate committees.

However, now we discover that the administration is willing to undo all of the constructive action taken by Congress to assure American farmers a free and unrestricted flow of binder and baler twine. Could it be that the administration is more interested in the profits of a few cordage companies than it is the plight of hard-pressed farmers caught in a farm cost price squeeze? That is the way it looks to me.

Approximately 80 percent of the baler and binder twine is produced by two companies in the United States. The two companies are the Plymouth Cordage Co. and the International Harvester Co. It is interesting to note that the International Harvester Co. has not associated itself with the brief presented by the Cordage Institute. Therefore, the petition is presented to protect or increase the profits of one company.

I question the sincerity of presenting the claim that our national security is being threatened—particularly in view of the fact that our own production of baler and binder twine has never equalled domestic demand. There is only one conclusion to draw: The stage is being set to gouge the farmer again, and the administration is willing to play handmaiden to the gouge.

I protest this action and I hope that other Members of Congress will do the same.

Mr. COOLEY. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRESTON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 11708) to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase the amount authorized to be appropriated for purposes of title I of the Act, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en grosse.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken and the Speaker announced that the Ayes appeared to have it.

Mr. DORN of South Carolina. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 389, nays 6, not voting 37, as follows:

[Roll No. 104]

YEAS—389

Abbitt	Church	Hagen
Abernethy	Clark	Hale
Adair	Cole	Haley
Addonizio	Cooley	Hand
Albert	Coon	Harden
Alexander	Cooper	Hardy
Alger	Corbett	Harris
Allen, Calif.	Coudert	Harrison, Nebr.
Allen, Ill.	Cramer	Harrison, Va.
Andersen, H. Carl	Cretella	Harvey
	Crumpacker	Hays, Ark.
Andresen, August H.	Cunningham	Hays, Ohio
	Curtis, Mass.	Hayworth
Andrews	Curtis, Mo.	Healey
Anfuso	Dague	Henderson
Arends	Davidson	Herlong
Ashley	Davis, Ga.	Heselton
Ashmore	Davis, Tenn.	Hess
Aspinall	Dawson, Ill.	Hiestand
Auchincloss	Dawson, Utah	Hill
Avery	Deane	Hillings
Ayres	Delaney	Hinshaw
Baker	Dempsey	Hoeven
Baldwin	Denton	Hoffman, Mich.
Barden	Derounian	Holifield
Barrett	Devereux	Holland
Bass, N. H.	Dies	Holmes
Bates	Diggs	Holt
Baumhart	Dingell	Holtzman
Beamer	Dixon	Hope
Becker	Dodd	Horan
Belcher	Dollinger	Hosmer
Bennett, Fla.	Dolliver	Huddleston
Bennett, Mich.	Dondero	Hull
Berry	Donohue	Hyde
Betts	Donovan	Ikard
Blatnik	Dorn, N. Y.	Jackson
Blitch	Dorn, S. C.	James
Boggs	Dowdy	Jarman
Boland	Doyle	Jenkins
Bolling	Durham	Jennings
Bolton, Frances P.	Edmondson	Jensen
	Elliott	Johansen
Bolton, Oliver P.	Ellsworth	Johnson, Calif.
	Engle	Johnson, Wis.
Bonner	Evins	Jonas
Bosch	Fascell	Jones, Ala.
Bow	Feighan	Jones, Mo.
Bowler	Fenton	Jones, N. C.
Boykin	Fernandez	Judd
Boyle	Fino	Karsten
Bray	Fisher	Kean
Brooks, La.	Fjare	Kearney
Brown, Ga.	Flood	Kearns
Brown, Ohio	Flynt	Keating
Brownson	Fogarty	Kee
Broyhill	Forand	Kelly, N. Y.
Buckley	Ford	Keogh
Budge	Forrester	Kilburn
Burdick	Fountain	Kilday
Burnside	Frazier	Kilgore
Bush	Frelinghuysen	King, Calif.
Byrd	Friedel	King, Pa.
Byrne, Pa.	Fulton	Kirwan
Byrnes, Wis.	Gary	Klein
Canfield	Gavin	Kluczynski
Cannon	Gentry	Knox
Carlyle	George	Knutson
Carrigg	Grant	Krueger
Cederberg	Gray	Laird
Celler	Green, Oreg.	Landrum
Chase	Green, Pa.	Lanham
Chelf	Gregory	Lankford
Chenoweth	Griffiths	Latham
Chiperfield	Gross	LeCompte
Christopher	Gubser	Lesinski
Chudoff	Gwinn	Lipscomb

Long	Philbin	Smith, Miss.
Lovre	Phillips	Smith, Va.
McCarthy	Pilcher	Spence
McConnell	Pillion	Springer
McCormack	Poage	Staggers
McCulloch	Poff	Steed
McDonough	Polk	Sullivan
McGregor	Powell	Taber
McIntire	Preston	Talle
McMillan	Price	Taylor
McVey	Prouty	Teague, Calif.
Macdonald	Quigley	Teague, Tex.
Machrowicz	Rabaut	Thompson, Mich.
Mack, Ill.	Radwan	Thompson, N. J.
Mack, Wash.	Rains	Thompson, Tex.
Madden	Ray	Thomson, Wyo.
Magnuson	Reece, Tenn.	Tollefson
Mahon	Reed, N. Y.	Trimble
Mailliard	Rees, Kans.	Tuck
Marshall	Reuss	Tumulty
Martin	Rhodes, Ariz.	Utt
Matthews	Rhodes, Pa.	Vanik
Meader	Richards	Van Pelt
Merrow	Riehlman	Van Zandt
Metcalf	Riley	Velde
Miller, Calif.	Rivers	Vinson
Miller, Md.	Roberts	Vorys
Miller, Nebr.	Robeson, Va.	Vursell
Miller, N. Y.	Robsion, Ky.	Wainwright
Mills	Rodino	Watts
Minshall	Rogers, Colo.	Weaver
Morano	Rogers, Fla.	Westland
Morgan	Rogers, Mass.	Wharton
Morrison	Rogers, Tex.	Whitten
Moss	Rooney	Widnall
Moulder	Roosevelt	Wier
Multer	Rutherford	Wigglesworth
Mumma	Sadlak	Williams, Miss.
Murray, Ill.	St. George	Williams, N. J.
Murray, Tenn.	Saylor	Williams, N. Y.
Natcher	Schenck	Willis
Nicholson	Schwengel	Wilson, Calif.
Norblad	Scrivner	Wilson, Ind.
Norrell	Seely-Brown	Withrow
O'Brien, Ill.	Selden	Wolcott
O'Brien, N. Y.	Sheehan	Wolverton
O'Hara, Ill.	Shelley	Wright
O'Konski	Sheppard	Yates
O'Neill	Shuford	Young
Osmers	Sieminski	Younger
Ostertag	Sikes	Zablocki
Patterson	Siler	Zelenko
Pelly	Simpson, Ill.	
Perkins	Simpson, Pa.	
Pfost	Sisk	

NAYS—6

Colmer	Garmatz	Thomas
Fallon	Smith, Kans.	Winstead

NOT VOTING—37

Bailey	Gordon	Priest
Bass, Tenn.	Halleck	Scherer
Bell	Hébert	Scott
Bentley	Hoffman, Ill.	Scudder
Brooks, Tex.	Kelley, Pa.	Short
Burleson	Lane	Smith, Wis.
Carnahan	McDowell	Thompson, La.
Chatham	Mason	Thornberry
Clevenger	Mollohan	Udall
Davis, Wis.	Nelson	Walter
Eberharter	O'Hara, Minn.	Wickersham
Gamble	Passman	
Gathings	Patman	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Halleck.
Mr. Patman with Mr. Short.
Mr. Thompson of Louisiana with Mr. Davis of Wisconsin.
Mr. Brooks of Texas with Mr. Clevenger.
Mr. Carnahan with Mr. Mason.
Mr. Burleson with Mr. Smith of Wisconsin.
Mr. Mollohan with Mr. Scherer.
Mr. Gordon with Mr. O'Hara of Minnesota.
Mr. Gathings with Mr. Gamble.
Mr. Bell with Mr. Hoffman of Illinois.
Mr. Thornberry with Mr. Bentley.
Mr. Walter with Mr. Scott.
Mr. Bailey with Mr. Nelson.
Mr. Kelley of Pennsylvania with Mr. Scudder.

Mrs. BLITCH changed her vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. THOMPSON of Texas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3903) to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase the amount authorized to be appropriated for the purposes of title I of the act, and for other purposes.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the present consideration of the Senate bill?

Mr. TABER. Reserving the right to object, Mr. Speaker, if I understood the request, it was that the Senate bill be substituted.

Mr. THOMPSON of Texas. No. I expect to offer the House bill, just passed, as an amendment.

There was no objection.

Mr. THOMPSON of Texas. Mr. Speaker, I move to strike out all after the enacting clause in the bill, S. 3903, and insert the provisions of the House bill just passed, H. R. 11708.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H. R. 11708, was laid on the table.

The resolution providing for consideration of the House bill was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. THOMPSON of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks prior to the passage of the bill, H. R. 11708.

The SPEAKER. Is there objection?

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Tribbe, one of his secretaries, who also informed the House that on July 16, 1956, the President approved and signed bills of the House of the following titles:

H. R. 8226. An act to suspend for 2 years the duty on crude bauxite and on calcined bauxite;

H. R. 8636. An act to continue until the close of June 30, 1957, the suspension of duties and import taxes on metal scrap, and for other purposes; and

H. R. 10269. An act to provide for the temporary suspension of the duty on certain alumina.

NATIONAL POLICY WITH RESPECT TO FISHERIES

Mr. BONNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 3275, an act to establish a sound and comprehensive national policy with respect to fisheries; to strengthen the fisheries segment of the national economy; to establish within the Department of the Interior a Fisheries Division; to create and prescribe the functions of the United States Fisheries Commission; and for other purposes, with House amendments, insist on the amendments of the House and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. BONNER]?

Mr. HOFFMAN of Michigan. Mr. Speaker, reserving the right to object, I would like to know what this bill is.

Mr. BONNER. The Senate passed one bill practically reorganizing the Fish and Wildlife Service of the Department of the Interior. There was great discord among the sports fishermen of the Nation with respect to the Senate bill and some disagreement by the commercial fishermen of America with respect to the bill. The House held extensive hearings, bringing in all parties interested in the subject and worked out a bill that was agreeable to the sports fishermen and to the commercial fishermen and to the hunters of the Nation.

Mr. HOFFMAN of Michigan. Is this the bill where it is proposed to separate some of the functions?

Mr. BONNER. This sets up commercial fishing and a Fish and Wildlife Service that includes in the fish and wildlife sport fishing.

Mr. HOFFMAN of Michigan. I withdraw my reservation of objection, Mr. Speaker.

Mr. MARTIN. The request is merely to send it to conference?

Mr. BONNER. That is true.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. BONNER]? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. BONNER, Mr. BOYKIN, Mr. KLUCZYNSKI, Mr. TOLLEFSON, and Mr. ALLEN of California.

AUTHORIZING THE POSTMASTER GENERAL TO HOLD AND DETAIN MAIL FOR TEMPORARY PERIODS

Mr. MURRAY of Tennessee. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9842) to authorize the Postmaster General to hold and detain mail for temporary periods in certain cases, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 11, strike out "for" and insert "and obtain."

Page 4, after line 4, insert:

"SEC. 2. The provisions of this act shall not apply to mail addressed to publishers or distributors of publications which have entry as second-class matter under the act of March 3, 1879, as amended (ch. 180, 20 Stat. 358; 39 U. S. C. 221, and the following), or to publishers or distributors of copyrighted books and other publications as to which certificate of registration of copyright has been issued under the copyright laws of the United States (title 17 U. S. C.)."

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. MURRAY]?

Mr. HAYS of Ohio. Mr. Speaker, reserving the right to object, I would like to know what this bill is about.

Mr. MURRAY of Tennessee. Mr. Speaker, this bill involves mail used for trial purposes, obscene mail or indecent, vile mail going through the mails. It gives the Postmaster General the right to detain such mail for a period of 20 days. Unless he goes to court and files a petition for the purpose of further detention of this material, then the order no longer remains in effect.

Mr. HAYS of Ohio. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

BORROWING POWER OF THE COMMODITY CREDIT CORPORATION

Mr. SPENCE submitted a conference report and statement on the bill (S. 3820) to increase the borrowing power of Commodity Credit Corporation.

PARTICULAR DESIGNATIONS FOR 14TH STREET BRIDGES

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 10947) to provide particular designations for the highway bridges over the Potomac River at 14th Street in the District of Columbia, with Senate amendments thereto, disagree to the amendments of the Senate, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? [After a pause.] The Chair hears none and appoints the following conferees: Messrs DAVIS of Georgia, WILLIAMS of Mississippi, and BROYHILL.

AMENDING TITLE I OF ACT AUTHORIZING BRIDGE ACROSS THE POTOMAC RIVER

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2568) to amend title I of the act entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes," with House amendments, insist on the amendments of the House, and ask for a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? [After a pause.] The Chair hears none and appoints the following conferees: Messrs DAVIS of Georgia, WILLIAMS of Mississippi, and BROYHILL.

TRANSFER OF ACTIONS TO MUNICIPAL COURT FOR THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 8149, an act to amend the first sentence of paragraph (a) of section 756 of title 11 of the District of Columbia Code, 1951 edition (par. (a) of sec. 5 of the act of Apr. 1, 1942, ch. 207, 56 Stat. 193), relating to the transfer of actions from the United States District Court for the District of Columbia to the Municipal Court for the District of Columbia with the following Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That the first sentence of section 5 (a) of the act entitled 'An act to consolidate the police court of the District of Columbia and the municipal court of the District of Columbia, to be known as "the municipal court for the District of Columbia," to create "the municipal court of appeals for the District of Columbia," and for other purposes,' approved April 1, 1942 (D. C. Code, sec. 11-756), is amended to read as follows: 'If, in any action, other than an action for equitable relief, pending on the effective date of this act or thereafter commenced in the United States District Court for the District of Columbia, it shall appear to the satisfaction of the court at any time prior to trial thereof that the action will not justify a judgment in excess of $3,000, the court may certify such action to the municipal court for the District of Columbia for trial.'"

Amend the title so as to read: "An act to amend the act of April 1, 1942, so as to permit the transfer of an action from the United States District Court for the District of Columbia to the municipal court for the District of Columbia at any time prior to trial thereof, if it appears that such action will not justify a judgment in excess of $5,000."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PRACTICE OF VETERINARY MEDICINE IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5853) to amend the act entitled "An act to regulate the practice of veterinary medicine in the District of Columbia," approved February 1, 1907, with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, after line 2, insert:

"SEC. 2. Where any provision of this act, or any amendment made by this act, refers to an office or agency abolished by Reorganization Plan No. 5 of 1952, such reference shall be deemed to be to the office, agency, or officer exercising the functions of the office or agency so abolished."

Page 2, line 3, strike out "2" and insert "3."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

RESIDENCE AREA OF MEMBERS OF METROPOLITAN POLICE FORCE AND FIRE DEPARTMENT, DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2603) to increase the area within which officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia may reside; with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 3, after "That", insert "(a)."

Page 1, line 9, strike out "shall" and insert "shall, except as otherwise provided in subsection (b) of this section."

Page 1, line 10, strike out "twenty" and insert "twelve."

Page 2, after line 5, insert:

"(b) For the purposes of this act, the Commissioners of the District of Columbia are hereby authorized, in their discretion, to prescribe the area constituting the 'Washington, D. C., metropolitan district' so as to include the District of Columbia and the territory within any radius which is greater than 12 miles but not more than 20 miles from the United States Capitol Building."

Amend the title so as to read: "An act to authorize the Commissioners of the District of Columbia to prescribe the area within which officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia may reside."

Mr. MARTIN. Mr. Speaker, reserving the right to object, have these bills been cleared with the gentleman from Illinois [Mr. SIMPSON]?

Mr. McMILLAN. All these bills have been cleared.

Mr. MARTIN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

IMPROVEMENT TO CERTAIN BUSINESS PROPERTIES SITUATED IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4993) to authorize the Board of Commissioners of the District of Columbia to permit certain improvements to business property situated in the District of Columbia, with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 6, after "on", insert "(1)."

Page 1, line 8, after "Northwest)" insert "and (2) square 2695, lot numbered 806 (east side of Sixteenth Street between Arkansas Avenue and Upshur Street Northwest), both."

Amend the title so as to read: "An act to authorize the Board of Commissioners of the District of Columbia to permit certain improvements to two business properties situated in the District of Columbia."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

LEND-LEASE REPORT — MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 413)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I transmit herewith the 37th Report to Congress on Lend-Lease Operations for the calendar year 1955.

During the year under review collections and credits on lend-lease accounts amounted to approximately $47 million.

No further settlement agreements were completed during 1955 but notable progress was made toward reaching agreement with Poland for the settlement of its lend-lease indebtedness. Also, continuous efforts were made to reach agreement with Ecuador on settlement terms for certain overdue "cash reimbursement" postwar lend-lease obligations to the United States.

Most other countries made scheduled payments on account.

These and other matters of interest to the Congress and the public are covered more fully in the report.

DWIGHT D. EISENHOWER.

The WHITE HOUSE, *July 18, 1956.*

(Enclosure: 37th Report to Congress on Lend-Lease Operations.)

DESEGREGATION IN PUBLIC SCHOOLS

Mr. BOYKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include an article.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BOYKIN. Mr. Speaker, prior to the decision of the United States Supreme Court ordering desegregation in the public schools, which reversed the opinions of that Court rendered over a period of approximately 50 years, the relations between the races in the South were most harmonious and there were practically no racial incidents. The extremists who would change the customs and traditions of the people of the South overnight have done a distinct disservice to the Negro people in the South who had been progressing at a rate far beyond their own expectations. Instead of helping the Negro race, they have retarded their progress.

One must bear in mind that the South was ravaged and her agriculture and economy in ruins after the Civil War. We had no Marshall plan to rebuild our economy. The South pulled itself up by its own bootstraps. We had millions of whites who were ill-fed, ill-housed and ill-clothed. The progress made by the Negro race in the South under our economic conditions and with the cooperation and good will of their white neighbors has been phenomenal.

What those from other sections, who do not or will not understand our racial problems, want to accomplish, is complete chaos in our beloved Southland. What they have so far accomplished is to create distrust among the races where formerly there was trust and mutual understanding and cooperation.

The attitude of the average colored person in my district is well represented in a letter I received dated April 19, 1956, from Mobile, from which I quote:

DEAR CONGRESSMAN BOYKIN: I hear so much about segregation. I would like to express my idea on this subject. I'm colored, with a good husband, a married daughter, and a 17-month-old son. I attend and take an active part in Stone Street Baptist Church. I'm happy in my church, and I, nor any of my friends, want any part of changing our way of life. We want our churches and schools left just as they are. We only ask for equal right to serve God as we please, and to have equal opportunities to work and play. I have friends white and colored that pray that God will direct you, our Congressman, to protect our humble way of life.

Mr. Speaker, these professional politicians who are using the Negro as a pawn would have us undergo a second Reconstruction Era in the South. I was greatly impressed by two articles appearing in the July 20, 1956, issue of the U. S. News & World Report, one entitled, "Was the 14th Amendment Ever Really Ratified," and "The Dubious Origin of the 14th Amendment," which latter mentioned article was written by Walter J. Suthon, Jr., professor of civil law, Tulane University, and former president of the Louisiana State Bar Association.

WAS THE 14TH AMENDMENT EVER REALLY "RATIFIED"?

(Today's segregation issues have a 90-year-old history of bitterness and reprisal which began after the Civil War.

(It is the history of the 14th amendment to the Constitution, basis for the Supreme Court ruling on integration in schools.

(The Southern States ratified the amendment—when Congress held a pistol to their heads. They did so to escape military rule, under a law now generally deemed invalid.

(This era has been called "the second American revolution." Here, in the words of historians, you get the record of how powers of the States first were weakened.)

The 14th amendment, under which the Supreme Court outlawed segregated schools, actually got into the Constitution by a back door. Unwilling Southern States were forced to ratify this amendment before Congress would readmit them to the Union after the Civil War. And the law under which Congress acted to force ratification is generally held by modern historians to have been, itself, unconstitutional.

The amendment, presented on page 55, is designed to guarantee civil rights to Negroes and other persons, to reduce representation in Congress if Negroes are denied the vote, to disqualify former Confederate leaders from holding office, to invalidate Confederate debts and to uphold the validity of the Federal debt. It was drafted in Congress by a joint committee of the House and Senate, known as the Committee of Fifteen, under the control of Representative Thaddeus Stevens, of Pennsylvania, and was approved by Congress in 1866.

All Southern States except Tennessee rejected the amendment, but later they were forced by Congress to ratify it. By this means the necessary three-fourths of the States required to amend the Constitution were mustered.

SETTING THE STAGE

W. E. Woodward, in A New American History, sums up the period as follows:

"To get a clear idea of the succession of events let us review (President Andrew) Johnson's actions in respect to the ex-Confederate States. In May 1865, he issued a Proclamation of Amnesty to former rebels. Then he established provisional governments in all the Southern States. They were instructed to call constitutional conventions. They did. New State governments were elected. White men only had the suffrage. Senators and Representatives were chosen, but when they appeared at the opening of Congress they were refused admission. The State governments, however, continued to function during 1866.

"Now we are in 1867.

"In the early days of that year Stevens brought in, as chairman of the House Reconstruction Committee, a bill that proposed to sweep all the Southern State governments into the wastebasket. The South was to be put under military rule.

"The bill passed. It was vetoed by Johnson and passed again over his veto. In the Senate it was amended in such fashion that any State could escape from military rule and be restored to its full rights by ratifying the 14th amendment and admitting black as well as white men to the polls."

That's the background of the 14th amendment. It was put into the Constitution as a result of the Reconstruction Act of March 2, 1867, which abolished State governments in the South and installed military rule. There is little doubt in the minds of historians that, without this first Reconstruction Act, the amendment would have been rejected.

THE SOUTHERN STRUGGLE

Woodrow Wilson, in his History of the American People, notes:

"Two days after Congress adjourned (July 30, 1866) a New Orleans mob broke up an irregular 'constitutional convention' of Negroes and their partisans with violence and bloodshed. In October, the Southern States, as if taking their cue from the President, not from Congress, began, one after the other, to reject the 14th amendment."

Horace Edgar Flack, in The Adoption of the Fourteenth Amendment, reports:

"Nearly 2 years had gone by since the amendment had been submitted and the assent of the necessary three fourths was still wanting. Thus far not a single State of the section which would be most affected by the amendment had given its assent to it, with the exception of Tennessee. * * * The other States almost unanimously rejected it."

So it took the Reconstruction Act of March 2, 1867, to force ratification of the amendment.

President Johnson officially challenged the constitutionality of this law in a long veto message in which he said:

"I submit to Congress whether this measure is not in its whole character, scope and object without precedent and without authority, in palpable conflict with the plainest provisions of the Constitution, and utterly destructive of those great principles of liberty and humanity for which our ancestors on both sides of the Atlantic have shed so much blood and expended so much treasure."

THE HISTORIANS SPEAK

In the judgment of historians, President Johnson's stand was clearly correct. Samuel Eliot Morison and Henry Steele Commager, in The Growth of the American Republic, observe:

"Johnson returned the bill with a scorching message arguing the unconstitutionality of the whole thing and most impartial students have agreed with his reasoning. Professor [John W.] Burgess writing, indeed, that 'there was hardly a line in the entire bill which would stand the test of the Constitution.'"

Indeed, in setting up military governments in the South, Congress flew in the face of a Supreme Court decision. As James Truslow Adams points out in his History of the United States:

"The Supreme Court had decided 3 months earlier, in the Milligan case, * * * that military courts were unconstitutional except under such war conditions as might make the operation of civil courts impossible, but the President pointed out in vain that practically the whole of the new legislation was unconstitutional. So mad had become the course of the radicals that there was even talk in Congress of impeaching the Supreme Court for its decision. The legislature had run amok and was threatening both the executive and the judiciary."

President Johnson was impeached for his opposition to the reconstruction plans of Congress, and escaped conviction in the Senate by only one vote. The Supreme Court, after the Milligan case, carefully refrained from ruling on the Reconstruction Acts.

AVOIDING THE ISSUE

Mississippi challenged the Reconstruction Acts in a suit filed in the Supreme Court to enjoin President Johnson from carrying out the terms of the law. Charles Warren, in The Supreme Court in United States History, notes:

"On April 15, 1867, within 3 days after the argument, the Court, through the Chief Justice, rendered a decision in which it avoided the delicate issue as to its power to control executive acts in general. * * *

"Undiscouraged by this failure, counsel for the States of Georgia and Mississippi made another attempt to test the validity of the reconstruction legislation by asking leave to file bills praying for injunctions to restrain Secretary of War Stanton and General Grant from executing the provisions of the Reconstruction Acts, and setting forth that the design of these acts was to annul existing State governments and to subject the people to military rule. * * *

"Only 10 days later, the Court rendered a decision dismissing the suits."

Mr. Warren quotes a contemporary editorial in The Nation on the effect of these dismissals:

"Undoubtedly, it is no light matter that the highest Court in the land should thus disclaim the power of enquiring into the constitutionality of an act of Congress destroying the government of 10 States.

"For it must be observed that every word of Mr. [Attorney General] Stanbery's argument would be just as applicable if Massachusetts instead of Georgia were the complainant, and if Congress had undertaken to overthrow a State government which it at the same time admitted to be perfectly legitimate. No State in the Union, therefore, can rely upon the Supreme Court for protection against the usurpation of Congress."

THE FIGHT GOES ON

Yet cases continued to press on the Court. A Mississippi editor named McCardle, who had been arrested by a military commission, applied for a writ of habeas corpus. Mr. Warren notes that this appeal was taken under a law that broadened the Supreme Court's jurisdiction in habeas corpus cases. "By an ironic stroke," says Mr. Warren, "this act designed to enforce the reconstruction measures was now seized as a weapon to test their validity."

The McCardle case stirred up as much controversy as the laws themselves. Congress fearing that a decision would kill the reconstruction acts, passed a law, again over President Johnson's veto, repealing the Supreme Court's jurisdiction. The Court, after postponing a decision, later bowed to Congress and admitted it had lost jurisdiction. It was during this controversy that Gideon Welles, Secretary of the Navy, noted in his diary:

"The judges of the Supreme Court have caved in, fallen through, failed in the McCardle case. * * * These things look ominous and sadden me. I fear for my country when I see such abasement. * * * These are indeed evil times."

That settled the major legal points raised by the reconstruction acts. Mr. Warren reports: "Thus, this hotly contested legal question of the validity of the reconstruction laws disappeared from the Court's history, without any express decision."

With the reconstruction acts virtually forcing them to do so, the Southern States one by one began to ratify the 14th amendment and on July 28, 1868, Secretary of State William H. Seward, at the direction of Congress, declared the amendment to be part of the Constitution.

UNANSWERED QUESTIONS

It still is a real question, though, whether the ratification itself was a valid constitutional process. President Johnson took the view that the Confederate States had never actually left the Union, a stand upheld by the Supreme Court in *Texas* v. *White*. It was on this theory that President Johnson set up State governments in 1865. But the radical Republican leaders of Congress held that the Confederate States were conquered territories and had to be readmitted to the Union. This raised a lot of questions that have yet to be answered.

For instance, Andrew C. McLaughlin, in his Constitutional History of the United States, puts these questions:

"There is no need of allowing ourselves to be smothered by the fogs of reconstruction metaphysics, but can a State which is not a State and not recognized as such by Congress, perform the supreme duty of ratifying an amendment to the fundamental law? Or does a State—by congressional thinking—cease to be a State for some purposes but not for others? If the States were no longer States but, as Stevens had asserted, conquered territory, were they competent to amend the Constitution as a condition to admission? Or, if they had committed suicide, and had become territories, were they still sufficiently alive to perform this solemn function of statehood?

"Congress had no qualms, but passed a resolution, naming all of the six Southern States as well as Ohio and New Jersey, declaring the 14th amendment a part of the Constitution and ordering its promulgation by the Secretary of State."

THE RADICAL MINORITY

And W. E. Woodward poses still other issues:

"They [the Southern States] were informed by the radical leaders in Congress that the reward for their ratification would be restoration to the Union, and that if they did not ratify they might expect the military rule to continue. Were these ratifications valid in the circumstances? That is one question: and here is another. If a State is not in the Union what concern has it with the Constitution? How can it ratify anything? But if the Southern States were actually in the Union, why were their Senators and Representatives excluded from Congress?"

Charles A. Beard and Mary R. Beard in The Rise of American Civilization suggest that this unorthodox way of amending the Constitution was adopted because the radical Republicans actually were in a minority in the country, but wanted to make sure that their policies would endure. As the Beards explain it:

"Soon after slavery was legally abolished the former masters, working through State legislatures, restored a kind of servitude by means of apprentice, vagrancy, and poor laws. This strategical movement the radical Republicans in Congress answered by passing the Civil Rights Bill of 1866 designed to assure American citizenship and the legal rights of citizens to all freedmen—a mere statute which a succeeding Congress could undo.

"Anticipating such a reaction as the tide of northern war passion receded and knowing that they were in a minority in the country as a whole, the Republicans undertook to place the civil rights of freedmen beyond the reach of an ordinary majority forevermore, in a constitutional provision."

WASHINGTON VERSUS THE STATES

The Beards state further that the clause in the first section of the amendment, "nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction, the equal protection of the laws"—was inserted to strengthen the Federal Government in all fields and to weaken the powers of States. They say:

"By a few words skillfully chosen every act of every State and local government which touched adversely the rights of persons and property was made subject to review and liable to annulment by the Supreme Court at Washington, appointed by the President and Senate for life and far removed from local feelings and prejudices."

The Beards call this era in history "the second American revolution." Morison and Commanger note that the amendment reversed "the traditional relationships between these governments [State and Federal] which had from the beginning distinguished our Federal system."

This is the amendment that continues to give the Supreme Court authority to expand Federal power, amid the complaints and criticism of a growing number of Congressmen and State officials.

This is the 14th amendment:

"SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of

life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

"SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being 21 years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crimes, the basis of representation therein shall be reduced in the porportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

"SEC. 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a Member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

"SEC. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SEC. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article."

THE DUBIOUS ORIGIN OF THE 14TH AMENDMENT

(By Walter J. Suthon, Jr., professor of civil law, Tulane University, former president, Louisiana State Bar Association)

(What's behind all the argument over the 14th amendment? Why do many Southerners refuse to accept it as basis for the outlawing of segregated schools?

(Walter J. Suthon, Jr., a prominent lawyer in Louisiana, originally set out the Southern case in a study published in the Tulane Law Review. He reaffirms his view today. He says: "Southerners were excluded from Congress during the vote on the amendment. Military coercion was used in the South to obtain ratification in 1868."

(Mr. Suthon urges a Supreme Court reexamination. Excerpts from his study follow.)

The 14th amendment to the Constitution of the United States has loomed large in recent years in litigation before the United States Supreme Court involving contentions for restriction of State regulatory power and enlargement of Federal regulatory power. Under this amendment—and its companion, or satellite amendment, the 15th—the United States Supreme Court, in the past approximately 15 years, has repeatedly rendered decisions aimed at coercing racial integration and breaking down established systems of racial segregation in political, educational, social, economic, and other fields in the Southern States—and in some instances outside the South.

It is not the purpose of this article to discuss the merits of segregation—or of its antitype, racial integration. These are questions upon which each of us has his or her own individual view, belief, and conviction, based on what we think and how we think. What is to be discussed relates to the use of the 14th amendment by the United States Supreme Court as an implement for invading the areas formerly reserved to State regulation, or to individual or group action, and for breaking down established systems of racial segregation and setting up compulsive racial interassociation—in effect compulsive racial integration. In this field, the "equal protection of the laws" clause and the "privileges or immunities" clause of the 14th amendment are those most frequently invoked in support of those legal attacks upon our fundamental way of life.

SCHOOL SEGREGATION CASES

There are now (1953) pending in the United States Supreme Court a group of cases involving attacks upon the constitutionality of our system of segregated public schools, and presenting demands that the segregation feature of this system shall be destroyed by judicial fiat. These cases seek the overruling of the established jurisprudence, predicated in a large measure upon a leading decision of the Supreme Court of Massachusetts, that a segregated system of public schools is constitutional, provided the educational facilities for each race are substantially equal.

The United States Supreme Court, after hearing arguments in these school segregation cases, and after several months of study and consideration following these arguments, has entered orders refixing these cases for further argument, now scheduled to take place in December. The orders for reargument specify certain issues on which the Court desires to hear discussion and to receive briefs. From this course of events, it appears quite possible that this Court is closely divided on these cases, and that the ultimate outcome may be determined by the presentation on reargument and in the additional briefs to be filed thereon.

The specification of issues, on which discussion is requested at the reargument, includes inquiries as to events contemporaneous with the framing, submission and ratification of the amendment. These specifications were probably prepared without any particular intent to invite exposure or discussion of the dubious origin of this amendment. Be that as it may, they involve study, consideration and evaluation of the legislative history of the amendment, and its dubious origin—one may justifiably say its worse than dubious origin—is an inseparable part of its malodorous legislative history.

AMENDMENT PROCEDURE ESTABLISHED BY ARTICLE V

Article V of the Constitution sets forth the procedure for amendment proposals and ratifications. The portion of article V pertinent to the amendment machinery utilized in this instance reads as follows:

"The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution * * * which * * * shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States".

As will be observed, this amending process is a two-step process. Congress takes the first step—submission. The next step—ratification—must be the act of the States—the act of at least three-fourths of the States concurring in ratification passed by their respective legislatures.

When the amendment procedure set forth in article V of the Constitution is carefully analyzed, it will appear that the States have the primary or major and final function in the amending process, and the role of Congress therein, although substantial and important, is definitely of a secondary and preliminary nature. Indeed, an amendment proposal defeated in Congress may nevertheless be adopted exclusively by State action. This would occur upon the legislatures of two-thirds of the States applying for the calling of a convention to propose such an amendment, and upon the ratification of that amendment proposal by three-fourths of the States.

Even when the amendment proposal is the product of a two-thirds vote of Congress, the final say-so rests entirely with the States. After the initial step of voting the amendment proposal, the only remaining function in the ratification procedure allocated to Congress by the Constitution is a minor one—the function of determining whether the States, in voting on ratification, shall act through their respective legislatures, or through conventions.

It is a far cry from the delegated power of determining whether ratification shall be considered by State legislatures or by State conventions, to the unmentioned and undelegated power, arrogated unto itself by Congress in 1867, of the commanding sovereign States to ratify an amendment proposal hitherto rejected by them, under the penalty otherwise of continuing denial of all rights of self-government and continuing subjection to military rule. In thus attempting to coerce State action in favor of ratification, after the proposal had been submitted by Congress to the State legislatures, Congress arrogated to itself a primary and paramount role in that part of the amending process wherein the Constitution has allocated to Congress no role at all.

PROPOSAL OF THE AMENDMENT

The 14th amendment was proposed by Congress to the States for adoption, through enactment by Congress of Public Resolution No. 48, adopted by the Senate on June 8, 1866, and by the House of Representatives on June 13, 1866. That Congress deliberately submitted this amendment proposal to the then existing legislatures of the several States is shown by the initial paragraph of the resolution.

This submission was made by a two-thirds vote of the quorum present in each House of Congress, and in that sense it complied with article V of the Constitution. However, the submission was by a "rump" Congress. Using the constitutional provision that "each House shall be the judge of the elections, returns, and qualifications of its own Members," each House had excluded all persons appearing with credentials as Senators or Representatives from the 10 Southern States of Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, and Texas. This exclusion, through the exercise of an unreviewable constitutional prerogative, constituted a gross violation of the essence of two other constitutional provisions, both intended to protect the rights of the States to representation in Congress.

Had these 10 Southern States not been summarily denied their constitutional rights of representation in Congress, through the ruthless use of the power of each House to pass on the election and qualifications of its Members, this amendment proposal would doubtless have died a-borning. It obviously would have been impossible to secure a two-thirds vote for the submission of the proposed 14th amendment, particularly in the Senate, if the excluded Members had been permitted to enter and to vote. Of course, that was one of the motives and reason for this policy of ruthless exclusion.

Assuming the validity of the submission of this amendment by a two-thirds vote of this "rump" Congress, there is no gainsaying the obvious proposition that whatever contemplation or understanding this "rump" Congress may have had, as to the intent, or the scope, or the effect, or the consequences of the amendment being submitted,

was necessarily a "rump" contemplation or understanding. The 10 Southern States, whose Senators and Representatives were all excluded from the deliberations of this "rump" Congress, could have had no possible part in the development or formation of any contemplation or understanding of what the consequences and effects of the proposed amendment were to be.

If the Supreme Court now finds that the Congress submitting the proposed amendment understood and contemplated that it would abolish segregation in the public schools, either immediately or ultimately, one naturally wonders whether the Supreme Court will then enforce this necessarily "rump" contemplation or understanding against the 10 Southern States who were deliberately and designedly excluded from any possible participation in these "rump" submission proceedings.

When the 14th amendment was submitted, these 10 Southern States, which had been excluded from representation in Congress, had existing governments and legislatures. Congress had sought to avoid extending any recognition to these existing State governments, and the legality of these governments, in what the radical majority in Congress termed the "rebel States," was disputed in some quarters. However, in practically all of these 10 States, these governments were the only governments then in existence and these legislatures, being the only legislatures then existing in these States were in June 1866, the only legislatures in these States to which the 14th amendment could be then submitted under the directive in the proposed resolution that the amendment be submitted to the legislatures of the several States.

These State governments had received Presidential recognition and, through their legislatures, they had participated actively in the then recent ratification and adoption of the 13th amendment abolishing slavery. Indeed, ratification of that amendment by these legislatures in these Southern States had aided in making up the ratification of that amendment, abolishing slavery, by the required three-fourths of the States.

REJECTIONS OF THE AMENDMENT

When the proposed 14th amendment was submitted to the legislatures of the several States, it needed to have ratification by 28 States, being three-fourths of the 37 States. While it was ratified rather promptly by most of the States outside the South, it was never ratified by California and it was rejected by the 3 border States of Kentucky, Delaware and Maryland. It was also rejected, during the latter part of 1866 and the early part of 1867, by the legislatures of the 10 Southern States, including Louisiana, whose Senators and Representatives had been excluded from seats in Congress.

These legislative rejections of this amendment proposal in these 10 States were in some instances by a unanimous vote and in all other instances by a vote but little short of unanimity.

This created a situation which made impossible the ratification of the amendment unless some of these rejections were reversed. With 37 States in all, 10 rejections were sufficient to prevent the adoption of the amendment proposal. The 13 rejections, by the 10 Southern States and 3 border States, were more than sufficient to block ratification even if all other States finally ratified.

The Louisiana Legislature, which rejected the 14th amendment early in 1867, had been elected under the Louisiana Constitution of 1864, and functioned under this constitution. It should be remembered that this constitution was not a product of the Confederacy, or of a reorganization of the State government by former Confederates after cessation of hostilities. The Louisiana Constitution of 1864 was adopted by a convention held in New Orleans under the auspices of the Federal authorities, acting largely on suggestions and directions from President Lincoln. It was clearly a reestablishment and continuation of the Louisiana State government as it had existed before secession.

The rejection of the 14th amendment by this Louisiana Legislature is embodied in Act 4 of 1867, a joint resolution adopted by both houses declaring "That the State of Louisiana refuses to accede to the amendment of the Constitution of the United States proposed as article XIV."

This is the only action ever taken on the 14th amendment by a Louisiana Legislature exercising free and unfettered and uncoerced judgment and discretion as between ratification or rejection of the amendment proposal. The subsequent purported ratification of this amendment in Louisiana was by a legislature of a puppet government, created by the radical majority of Congress to do the bidding of its master, and compelled to ratify this amendment by the Federal statute which had brought this puppet government into existence for this specific purpose.

It is most interesting to read the proceedings of the Louisiana House of Representatives on February 6, 1867, whereby that body adopted the joint resolution ordaining the refusal of Louisiana to ratify the proposed 14th amendment—the joint resolution which became Act 4 of 1867. This journal shows, by the rollcall, that 100 members voted out of a total house membership of 110—and that the unanimous vote was 100 against ratification and none in favor of it. This was the last opportunity for a free and uncoerced expression of views on this amendment proposal by the duly elected representatives of the people of Louisiana.

THE RECONSTRUCTION ACT

The scene shifts back to Washington. The radicals have a majority, by over a two-thirds vote, in the rump Congress from which all representation of the 10 Southern States is excluded. They accomplish the passage of the Reconstruction Act of March 2, 1867. This act had, as one of its major objectives, the attainment of ultimate ratification of the 14th amendment through compelling and coercing ratification by the 10 Southern States which had rejected it.

The act dealt with these 10 Southern States, referred to as "rebel States" in its various provisions. It opened with a recital that "no legal State government" existed in these States. It placed these States under military rule. Louisiana and Texas were grouped together as the Fifth Military District, and placed under the domination of an Army officer appointed by the President. All civilian authorities were placed under the dominant authority of the military government.

The Reconstruction Act, as supplemented by later legislation, see particularly act of July 19, 1867, 15 Stat. 14, established a system of registration before Boards set up under military auspices, as a predicate for qualifying as voters under the proposed new governments being imposed upon the Southern States. This legislation gave the Registrars powers at least as absolute and arbitrary as those conferred upon such officials by the Boswell amendment, being amendment No. 55 to Section 181 of the Constitution of Alabama. In the recent judicial annulment of the Boswell amendment, as violative of the 14th and 15th amendments to the Constitution of the United States, great stress was laid upon the arbitrary powers which it conferred upon Boards of Registrars in the registration of voters.

This act, as supplemented by subsequent amendments, completely deprived these States of all their powers of government and autonomy, until such time as Congress should approve the form of a reorganized State government, conforming to rigid and extreme specifications set out in the act, and should have recognized the States as again entitled to representation in Congress.

The most extreme and amazing feature of the act was the requirement that each excluded State must ratify the 14th amendment, in order to again enjoy the status and rights of a State, including representation in Congress, section 3 of the act sets forth this compulsive coercion thus imposed upon the Southern States: "and when said State, by a vote of its legislature elected under said constitution, shall have adopted the amendment to the Constitution of the United States, proposed by the 39th Congress, and known as article 14, and when said article shall have become a part of the Constitution of the United States, said State shall be declared entitled to representation in Congress."

The most apt characterization of this compulsive provision placing these States under military authority, there to remain until they complied inter alia with this requirement of ratifying the rejected 14th amendment, is found in a speech by Senator Doolittle of Wisconsin, a Northerner and a Conservative Republican. During the floor debate on the bill, he said:

"My friend has said what has been said all around me, what is said every day; the people of the South have rejected the constitutional amendment, and therefore we will march upon them and force them to adopt it at the point of the bayonet, and establish military power over them until they do adopt it."

Surely, the authors of our Constitution never contemplated or understood that ratification of a constitutional amendment proposal by a State could lawfully be compelled "at the point of the bayonet," and by subjecting all aspects of civil life in the recalcitrant State to continued military rule, until this State recanted its heresy in rejecting the proposed amendment, and yielded the desired ratification to the duress of continued and compelling force.

It is elementary that any consideration of an amendment proposal from Congress by a State legislature must involve equal freedom on the part of each State to ratify or reject, as its legislature in its deliberation and discretion may determine. The constitutional right and power of a State legislature to ratify carries with it, by necessary implication, an unquestioned and unfettered right and power to refuse to ratify.

President Johnson vetoed the Reconstruction Act in an able message, stressing its harsh injustices and its many aspects of obvious unconstitutionality. He justifiably denounced it as "a bill of attainder against nine million people at once."

Notwithstanding this able message, the act was promptly passed over his veto by the required two-thirds majority in each House. Military rule took over in the 10 Southern States to initiate the process of conditioning a subjugated people to an ultimate acceptance of the Fourteenth Amendment.

In *Dillion* v. *Gloss* (256 U. S. 368, 374 (1921)) the view is expressed that action by the States, on ratification of a proposed constitutional amendment, through State legislatures as "representative assemblies," is an "expression of the people's will." Accordingly, any effort to coerce or manipulate action by a State legislature, on a constitutional amendment proposal, would be tantamount to tampering with the machinery by which the will of the people is expressed in a matter of grave importance. That is exactly what was done on a vast scale, by the dominant majority in Congress, in bringing about the ostensible ratification of the Fourteenth Amendment.

Some may pretend that the ratifications of the Fourteenth Amendment by the Southern States were not compelled or coerced, since the Reconstruction Act gave those States the option or election either to

ratify the amendment and resume their former statehood status, with representation in Congress and power of self-government restored, or else to persist in their rejection of the amendment and to remain under military rule. Any such suggestion can be effectively answered by citing the holding in *Frost Trucking Co.* v. *Railroad Commission* (271 U. S. 583, 593 (1929)) that an exercise of one constitutional right may not lawfully be conditioned upon the surrender of another constitutional right. That opinion speaks of such an ostensible choice as being "no choice, except the choice between the rock and the whirlpool" and "requiring a surrender, which, though in form voluntary, in fact lacks none of the elements of compulsion." These quoted expressions, although from a late case relating to another statute, would describe most aptly the predicament in which the Southern States were placed by the harsh and compulsive provisions of the unconstitutional Reconstruction Act.

This forthright language just quoted contrasts sharply with the unrealistic refusal in *White* v. *Hall* (13 Wall. 646, 649 (1872)) to recognize the obvious fact that the new State constitution, adopted by Georgia under the compulsion of the Reconstruction Act, was a product of congressional "dictation and coercion." In that opinion, the Court ignored actualities to such an extent as to characterize this new constitution, forced upon that State through reiterated compulsive enactments of Congress, as "a voluntary and valid offering" submitted by the State to Congress. This decision did not require a direct adjudication upon the constitutionality and validity of the Reconstruction Act, which came into the case only in a collateral manner.

JUDICIAL REVIEW UNSUCCESSFULLY SOUGHT

Relief from the oppressive and unconstitutional features of the Reconstruction Act was sought in vain in the courts. Three times the Supreme Court found some reason for not deciding these constitutional issues. Unlike the present Court, which was alert to protect three minor Government officials against salary-blocking legislation by Congress, interpreted as constituting a bill of attainder against these individuals, the Court of 1867–68 seemed to feel no urge to review the constitutional merits of the solemn charge of President Johnson that the Reconstruction Act constituted a bill of attainder against 9 million people. This is all the more amazing since the two leading precedents on the enforcement of the constitutional prohibition of bills of attainder, cited and followed in *United States* v. *Lovett*, were decisions of the Court of 1867–68.

The decisions wherein grounds were found for avoiding a ruling on the constitutionality of the Reconstruction Act leave the impression that our highest tribunal failed in these cases to measure up to the standard of the judiciary in a constitutional democracy. If the Reconstruction Act was unconstitutional, the people oppressed by it were entitled to protection by the judiciary against such unconstitutional oppression.

This is emphasized by decisions recognizing that conflicts between Federal and State authority bring into operation one of the most important functions of the Supreme Court. This high function of the Court was adverted to in the opinion in *Luther* v. *Borden*: "The high power has been conferred on this Court, of passing judgment upon the acts of the State sovereignties, and the legislative and executive branches of the Federal Government, and of determining whether they are beyond the limits of power marked out for them respectively by the constitution of the United States" (7 How. 1, 47 (1848)).

Other utterances of the Court most pertinent to the judicial duty to entertain and decide issues arising when action by a State or the United States is challenged by the other, as an invasion of the constitutional rights and prerogatives of the challenger, are found in *Harkrader* v. *Wadley*: "And while it is the duty of this court, in the exercise of its judicial power, to maintain the supremacy of the Constitution and laws of the United States, it is also its duty to guard the States from any encroachment upon their reserved rights by the General Government or the courts thereof" (172 U. S. 148, 162 (1898)); and in Matter of Heff: "In this Republic there is a dual system of government, National and State. Each within its own domain is supreme, and one of the chief functions of this Court is to preserve the balance between them, protecting each in the powers it possesses and preventing any trespass thereon by the other" (197 U. S. 488, 505 (1905)).

In *Mississippi* v. *Johnson*, the Court expressed definite apprehension that an injunction against the execution of the Reconstruction Act by the President, on grounds of unconstitutionality, might result in congressional impeachment of the President for obeying the mandate of the Court.

This refusal of the Court to entertain an action, seeking to enjoin the President from carrying into execution a law alleged to be unconstitutional, clashes sharply in principle with the established doctrine, going back to an early precedent set by Chief Justice Marshall, *Osborn* v. *Bank of the United States* (9 Wheat. 738, 838–859 (1824)), that, even when a sovereign government is not itself suable for want of the consent to be sued, a governmental official may be sued and enjoined upon averment and proper showing of the unconstitutionality of the law under which he purports to act. This is the principle upon which the courts entertain and determine cases involving important constitutional questions, such as the steel seizure cases, *Youngstown Sheet & Tube Co.* v. *Sawyer* (103 F. Supp. 569, aff'd, 343 U. S. 579 (1952)).

It should also be noted that, in *Mississippi* v. *Johnson* (4 Wall. 475 (1866)), the defendants against whom the plaintiff sought to proceed included not only the President, but also his subordinates in the prospective enforcement of the Reconstruction Act in the State of Mississippi, particularly General Ord, military commander of the district whereof Mississippi was a part. If the Court could have been justified in maintaining its view of the President as a sort of an unusable "sacred cow," then General Ord, as the chief subordinate through whom the President would execute in Mississippi the act of Congress assailed as unconstitutional, would still have been a proper and logical defendant for testing and determining this constitutional issue under the principle of *Osborn* v. *Bank of the United States*, supra. Having as the defendant the subordinate, through whom the Chief Executive would perform acts assailed as unconstitutional, would present the identical situation under which the Court acted, by enjoining the steel seizure adjudged to be unconstitutional in *Youngstown Sheet & Tube Co.* v. *Sawyer*, *supra*.

In *Georgia* v. *Stanton*, the Court declined to entertain a suit assailing the constitutionality of the Reconstruction Act, on the ground that the issues raised were political and not justiciable. The opinion frankly describes in the language below the issues as to which the Court held that a State is without any protection in a court of law:

"We are called upon to restrain the defendants, who represent the executive authority of the Government, from carrying into execution certain acts of Congress, inasmuch as such execution would annul, and totally abolish the existing State government of Georgia, and establish another and different one in its place; in other words, would overthrow and destroy the corporate existence of the State by depriving it of all the means and instrumentalities whereby its existence might, and, otherwise would, be maintained."

This denial by the Supreme Court of the right of a State to litigate the constitutionality of a congressional assault upon the validity of its government, and the existence of its sovereignty, exhibits a painful contrast on comparison with later recognitions by the same Court of the right of the same State to sue and litigate, in behalf of its quasi-sovereign rights and interests, *Georgia* v. *Tennessee* (206 U. S. 230, 237 (1907)), and, as parens patriae, in behalf of the economic and industrial interests of its people, *Georgia* v. *Pennsylvania R. R. Co.* (324 U. S. 439, 446–451 (1945)). Pertinent here also are judicial recognitions of the right of a State to sue for protecting the health, comfort, and welfare of its inhabitants against a threatened infraction.

In *Ex parte McCardle*, the Court permitted Congress to evade a judicial determination of the constitutionality of the Reconstruction Act, by repealing a statutory provision as to appellate jurisdiction after the appeal had been lodged, and even after the case had been argued and submitted for decision. Again the opinion leaves the impression that the Court preferred not to be obliged to pass on the merits of the constitutional issue.

This decision appears jurdically sound. See *Bruner* v. *United States* (343 U. S. 112 (1952)). It illustrates, however, the infirmities in our judicial system, whenever a dominant and determined majority in Congress chooses to embark upon a program for sabotaging the power and efficacy of the Federal judiciary. Our Supreme Court has very little vested constitutional judiciary power, and our inferior Federal courts have none at all.

COERCED RATIFICATIONS OF THE AMENDMENT

As a result of these decisions, enforcement of the Reconstruction Act against the Southern States, helpless to resist military rule without the aid of the judiciary, went forward unhampered. Puppet governments were founded in these various States under military auspices. Through these means, the adoption of new State constitutions, conforming to the requirements of Congress, was accomplished. Likewise, one by one, these puppet State governments ratified the 14th amendment, which their more independent predecessors had rejected. Finally, in July 1868, the ratifications of this amendment by the puppet governments of 7 of the 10 Southern States, including Louisiana, gave more than the required ratification by three-fourths of the States, and resulted in a joint resolution adopted by Congress and a proclamation by the Secretary of State, both declaring the amendment ratified and in force.

It is interesting to speculate upon what might have been the course of events if our Supreme Court in 1867–68 had met these charges of unconstitutional action in the enactment and enforcement of the Reconstruction Act in the direct manner which characterized the judicial performance of the Supreme Court of the Union of South Africa in the recent "Coloured Vote Case." The Malan Government had enacted certain legislation restricting the rights of colored voters, which clashed with the assertedly "entrenched clauses" of the Constitution of South Africa. Twice the case went to the Supreme Court of South Africa, and twice the court upheld the constitution on the merits of the issues and pronounced the unconstitutionality of the offending legislation. For this fine judicial work, it has been highly commended.

When *Georgia* v. *Stanton* is compared with the recent South African decisions, one cannot escape the impression that the difference between the cases is the difference between meeting and evading (even though the eva-

sion be perhaps unconscious) an issue which ought to be met and decided.

ATTEMPTED JUSTIFICATIONS OF COERCION

The supposed constitutional justification of the Reconstruction Act, most frequently asserted by its supporters, was the view that such legislation would come within the power of Congress under the guarantee of "a republican form of government" to each State by the United States.

Whatever justification for other portions of the Reconstruction Act may or may not be found in this constitutional provision, there could clearly be no sort of a relationship between a guarantee to a State of "a republican from of government" and an abrogation of the basic and constitutional right of a State, in its legislative discretion, to make its own choice between ratification or rejection of a constitutional amendment proposal submitted to the State legislatures by the Congress of the United States. To deny to a State the exercise of this free choice between ratification and rejection, and to put the harshest sort of coercive pressure upon a State to compel ratification, was clearly a gross infraction—not an effectuation—of the constitutional guaranty of "a republican form of government."

Beyond this, the whole idea that article IV, section 4, could confer upon Congress power to alter the governmental structure of a State—particularly a governmental structure of the general type existing in the Thirteen Original States at the time of the adoption of the Constitution—has been most effectively refuted by Madison. Writing in the Federalist, No. 43, Madison poses two questions respecting the provision for a guarantee to each State of "a republican form of government."

"It may possibly be asked, what need there could be of such a precaution, and whether it may not become a pretext for alterations in the State government, without the concurrence of the States themselves."

He then proceeds to give his answers to these questions, and he answers the second question: "* * * the authority extends no further than to a guaranty of a republican form of government, which supposes a preexisting government of the form which is to be guaranteed. As long, therefore, as the existing republican forms are continued by the States, they are guaranteed by the Federal Constitution. Whenever the States may choose to substitute other republican forms, they have a right to do so, and to claim the Federal guaranty for the latter. The only restriction imposed on them is, that they shall not exchange republican for antirepublican constitutions; a restriction which, it is presumed, will hardly be considered as a grievance."

Notwithstanding this clear and sound demonstration by Madison that this constitutional guaranty should not and could not serve as a pretext for an alteration in the form of a State government of established and recognized republican character, against the protest and objection of the State, there persists in certain decisions of the Supreme Court the concept that this constitutional provision confers upon Congress, acting upon a "political" subject and hence not subject to judicial review, an undefined power of nebulous character to compel changes in an existing State governmental structure.

These observations as to the supposed existence of any such "political" power on the part of Congress are necessarily purely obiter, in the sense that none of these cases involved any effort on the part of Congress to exercise any such power upon and against an existing and objecting State governmental structure. Each of these cases involved an unsuccessful plea or contention for judicial action against some exercise of State authority or against some State law, on the argument that the relief sought was required or authorized by the constitutional guaranty of a republican form of government. In each case, the Court declined to so act against the existing State governmental structure or law.

Accordingly, insofar as what was actually at issue and decided is concerned, none of these cases produced a decision which would clash with the view of Madison that the constitutional guaranty of a republican form of government serves as a safeguard protecting, against enforced change by Federal action, a State governmental structure established and recognized as republican in character. Insofar as these opinions contain discursive observations on a possible unrestrained power in Congress, of a "political" character, to alter an established State governmental structure on the pretext of carrying out the constitutional guaranty of a republican form of government, it should be sufficient to point out that a spurious fallacy does not become sound law merely through being incorporated as obiter in a reported decision of even the highest Court in an important case.

It is appropriate to also mention *White* v. *Texas* (7 Wall. 700 (1869)), as a decision which may be asserted to embody a holding that the enactment of the Reconstruction Act was authorized by the constitutional guaranty of a republican form of government. Such an assertion would seem to be very much of an overstatement, since the validity and effect of the Reconstruction Act were not directly at issue, but came into the case only in a collateral and indirect manner. Indeed, the case only in a collateral and indirect manner. Indeed, the opinion rests the right of Texas to prosecute the suit as much upon the authorization of the suit by the State government antedating the Reconstruction Act as upon such authorization by the State government provisionally set up by the military authorities under the Reconstruction Act. The opinion expressly disclaims "investigating the legal title of either to the executive office."

Furthermore, the concept of "an indestructible union * * * of indestructible States" expressed in this opinion would seem to be at variance with the devastating impact of the Reconstruction Act upon Texas as a State. Highly significant in this connection are the carefully precise statements by the Court that the case required no pronouncement of "judgment upon the constitutionality of any particular provision of these arts" and no inquiry "into the contutionality of this legislation, so far as it relates to military authority or to the paramount authority of Congress."

It would seem appropriate to close this discussion of cases, which might be cited and relied upon in an adversary argument, by repeating the assertion already made in the text that under no conceivable theory could the coerced and compelled ratification of the 14th amendment be defended as authorized by the constitutional guarantee of a republican form of government, even if some of the other provisions of the Reconstruction Act might derive some support from that constitutional provision.

Elsewhere in the same number of the Federalist, Madison reiterates his basic concept that article IV, section 4, unquestionably recognizes the then existing State governments as republican in form, and protects them against innovations or changes of a nonrepublican character.

It is interesting to note that the Supreme Court, in *Minor* v. *Happersett*, enunciated a doctrine completely in accord with Madisonian ideology that the type of government existing in the original States when the Constitution was adopted established a standard for the meaning of the term "republican form of government" in this constitutional provision:

"The guaranty is of a republican form of government. No particular government is designated as republican, neither is the exact form to be guaranteed, in any manner especially designated. Here, as in other parts of the instrument, we are compelled to resort elsewhere to ascertain what was intended.

"The guaranty necessarily implies a duty on the part of States themselves to provide such a government. All the States had governments when the Constitution was adopted. In all the people participated to some extent, through their representatives elected in the manner specially provided. These governments the Constitution did not change. They were accepted precisely as they were, and it is, therefore, to be presumed that they were such as it was the duty of the States to provide. Thus we have unmistakable evidence of what was republican in form, within the meaning of that term as employed in the Constitution."

COERCED RATIFICATION IN LOUISIANA

The enactment of the legislature of the puppet government of Louisiana which ratified the 14th amendment is embodied in Act 2 of 1868. The legislative journals of that session reflect the presence and dominance of the military, all as provided for and contemplated by the Reconstruction Act.

The House Journal shows that on June 29, 1868, Colonel Batchelder opened the session by calling the roll and reading an extract from the order of General Grant. The Senate Journal for the same date shows the reading of instructions from General Grant to the commanding officer of the Fifth Military District emphasizing the supremacy of the power of the military over the provisional civilian government. It was under these auspices that the coerced ratification of the 14th amendment in Louisiana was accomplished.

Even under the puppet government, created in Louisiana pursuant to the Reconstruction Act, the ratification of the 14th amendment in Louisiana was not unanimous. In the Senate on July 9, 1868, the vote on ratification was 20 yeas and 11 nays. The record contains a protest by Senator Bacon against voting upon ratification "under duress" imposed by the Reconstruction Act, and an unavailing appeal by that legislator for an opportunity for a "free and unrestrained" vote.

FORCED RATIFICATION REQUIRES REEXAMINATION OF PURPORTED ADOPTION OF THE AMENDMENT

The fact that ratification in the Southern States came finally, as a coerced result, through the legislatures of the puppet governments created by the Reconstruction Act, after rejection of the amendment by the prior State legislatures, can pose a very serious question in relation to one of the issues upon which the Supreme Court invited discussion on the reargument. This of course refers to the request by the Court for discussion of what understanding or contemplation of the scope of the amendment was had by the State legislatures which ratified it.

Such an inquiry may be proper as to a legislature which, free to ratify or reject, determined of its own volition to ratify. But to give effect, as against the Southern States now, to whatever extreme and sweeping notions of the broad scope of the 14th amendment may have been expressed by the puppet legislators, who used their power under the Reconstruction Act to vote in favor of ratification States really opposed to ratification, would be a perversion of history and a contradiction of plain fact.

Even if plain coercion, under the Reconstruction Act, be not regarded as nullifying the ratification votes of the Southern States, recorded by puppet legislators obeying the orders of their masters, these puppet legislatures have no power to speak on matters of legislative intent, ex post facto, for the States which they misrepresented in voting for ratification. These States, as soon as they were free of Federal coercion, repudiated and

disestablished these puppet governments, and all that went with them.

In 1877 the people of Louisiana succeeded in reestablishing their own government, and thus rid themselves of the puppet government excrescence which the Reconstruction Act had for a time imposed upon them by coercion from without. The present State government of Louisiana is the direct lineal successor of the Nicholls government, which the people of Louisiana elected, installed, and maintained in office in 1877.

The Nicholls government came into office in Louisiana over the bitter opposition of the predecessor puppet government. The latter sought to install the Packard government in official power in Louisiana, and for several months Louisiana had two governments—the puppet Packard government spawned by the Reconstruction Act, and the Nicholls government elected by the people. Upon the withdrawal of military support from it, the Packard government disintegrated. The Nicholls government thus came into power as in actuality a new government—not as a successor and continuation of the disintegrated puppet government.

This type of change was characteristic of what occurred in other Southern States, as the puppet governments which had gone through the form of ratifying the 14th amendment, under the compulsion and coercion of the Reconstruction Act, fell from power one by one and were succeeded by governments of the people.

But the attack upon the legality of the coerced ratifications of the 14th amendment by the Southern States, under the compulsions of the Reconstruction Act, goes beyond the question of whether the puppet governments, which went through the form of voting these enforced ratifications, were authorized to authentically express the contemplation or understanding of the Southern States as to the scope and operative force of the amendment. The question arises, upon an analysis of the provisions of article V and upon a study of the history of the evolvement of this article in the Federal Convention of 1787, whether these coerced ratifications should be decreed null and void, as the product of an usurpative incursion by Congress into an area—the ratification-or-rejection process—from which it is clearly excluded by article V.

To permit Congress to have a decisive and controlling part in the final decision on ratification or rejection of a constitutional amendment proposal, after Hamilton had secured the reluctant assent of the Convention to letting Congress have merely a power to initiate amendment proposals, on his solemn representation that the people would finally decide, would constitute a clear disregard of the plain intent of the Founding Fathers concerning the meaning and effect of article V. Beyond this, congressional coercion, intruding into and upon the ratification process, amounts to a gross breach of faith with the obvious understanding had between Madison and Hamilton when, following Hamilton's frank avowal that the power of final decision in an amendment proposal should be vested in the people, these two great statesmen cooperated in setting up the amendment procedure whereby, on an amendment proposal submitted by Congress to the legislatures of the several States, the people of each State, speaking through its legislature, have the final decision on ratification or rejection.

One who says that such questions are political and not justiciable, must necessarily mean that a political body, actuated by political motives and effectuating political objectives, should have and exercise a final power, not judicially reviewable, to change the plain meaning of a constitutional provision, and to disregard its obvious intent and purpose, as demonstrated by the history of its evolvement.

No such paramount power over any step or event in the ratification phase of a constitutional amendment proposal, after submission of the proposal by Congress to either State legislatures or State conventions has taken place, is conferred upon Congress by either the plain wording of article V, or the spirit or intent of article V, as shown by the history of its evolvement in the Federal Convention of 1787. There is nowhere in the pertinent sources of congressional authority deriving from article V any warrant for a determination by Congress, unreviewable by the judiciary, that Congress has any power at all to coerce and compel rejecting States to change their action to ratification. To set up such an unreviewable power in Congress, as to the validity of its own coercive action directed against sovereign States, would be an attempt to create a high court of Congress having judicial functions and powers superior to those of the Supreme Court of the United States itself.

It may be assumed that, when State legislatures are acting on ratification vel non of a submitted constitutional amendment proposal, it is appropriate for Congress, or some Federal functionary so doing under authority delegated by Congress, to act as scorekeeper and to tabulate and announce the result. However, to use an apt illustration borrowed from a favorite outdoor sport, a scorekeeper at a baseball game would clearly have no power (inherent or implied) to score a strikeout as a base hit, or to recall to the bat a player who has just struck out and to order the pitcher to continue to pitch to this batter until he does get a base hit.

These simple illustrations of the very limited functions and powers of a scorekeeper completely refute any idea that any function or power which Congress might have to statistically record and compile, and to declare the results of action by the States on ratification or rejection of an amendment proposal, could by any stretch of the imagination confer upon Congress any power to influence or compel State action one way or the other on ratification or rejection, or to legalize a coerced and compelled change by a State from rejection to ratification.

Finally, a reference to the several decisions treating as justiciable issues controveries pertaining to various questions arising in the course of the amendment procedure established by article V, clearly negatives any idea that the question of the validity of the coerced ratifications of the 14th amendment, compelled by the Reconstruction Act, could be properly classified as a political and nonjusticiable issue.

The adversary or the skeptic might assert that, after a lapse of more than 80 years, it is too late to question the constitutionality or validity of the coerced ratifications of the 14th amendment even on substantial and serious grounds. The ready answer is that there is no statute of limitations that will cure a gross violation of the amendment procedure laid down by article V of the Constitution.

Precedents are not wanting for the successful assertion of constitutional rights which have been flouted or ignored over long periods of time. In *Erie Railroad Co. v. Tompkins*, the Court, on a constitutional point, reversed its jurisprudence of more than 90 years' standing, dating back to *Swift v. Tyson*. This was done on the expression of the view that a doctrine involving statutory construction would not be reexamined and upset after that lapse of time, but that the true doctrine on the constitutional point, once resolved, must be given effect regardless of lapse of time.

This principle should apply here. If the coerced and enforced ratifications of the 14th amendment by the Southern States in 1868, compelled by congressional duress offending against the Constitution itself, constitute an infraction of the amendment procedure ordained by article V of the Constitution, these enforced ratifications are just as violative of the provisions of article V in 1953 as they were in 1868.

In a recent case terminating the exclusion of Negroes from restaurants in the District of Columbia, the Court found still operative, and ordered enforced, a statutory enactment dating back to the early 1870's, which had lain dormant during practically the whole period of time since its enactment, and which had been variously regarded by lower courts in the case as having been repealed by codification or implication in 1877 or in 1901. Upon a demonstration now that article V of the Constitution was violated and flouted by the 1868 coerced ratifications of the 14th amendment, the true rule for this amendment process, ordained by article V, is entitled to receive from the judiciary the same respectful consideration and orderly enforcement as was recently accorded the revivified 1873 enactment of the short-lived local legislature of the District of Columbia.

CONSTRUCTION OF HEALTH RESEARCH FACILITIES

Mr. HARRIS submitted a conference report and statement on the bill (S. 849) to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystrophy, and for other purposes.

Mr. DODD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. DODD. Mr. Speaker, in the United States in recent years, all of us have played a part, both as citizens and as legislators, in one of the great social movements of our time—the rapid and far-reaching advances of medical science. These advances have come about largely through increased private support of medical research and through Federal programs, including Public Health Service grants to non-Federal medical research institutions. This has been a cooperative endeavor, with Government, industry, foundations, and individuals all participating, in the best American tradition. We can well be proud of the results that have been achieved.

New and pressing needs, however, are becoming apparent. The testimony in support of S. 849 has emphasized that research in the Nation's medical schools, universities, hospitals, and other institutions pursuing medical investigation is critically hampered by lack of adequate facilities and equipment. The Nation's research laboratory is outworn, outmoded, and bursting at the seams. While yielding many wonders, it is no longer able to keep pace with the scientific mind.

We have before us an opportunity—more than that, a responsibility—to take an important step toward resolving this problem. And it will be a step wholly consistent with that tradition of cooperative endeavor by which the medical research effort of this country has attained

its position of solidarity and world leadership. Experience has shown that Federal funds for research construction will be more than matched from private sources.

I am interested in this problem as a national concern, but the problem is clearly manifest in the need for research facilities and equipment in my own State. Several institutions in Connecticut are actively engaged in medical research of a high caliber, but are seriously restricted by lack of funds for the construction of research facilities.

Yale University School of Medicine, the largest of our institutions conducting research on many of the major health problems, affords an outstanding example of what might be expected of grants for research construction. In 1948 Yale received $250,000 under a 2-year Public Health Service program for construction of cancer research facilities. The university put up an additional $170,000 and a building site, although there were no matching requirements. By August 1951 a two-story animal building of 18,000 square feet was completed, enabling the school to bring together and maintain under proper conditions the various animals needed for cancer investigation.

The University is now engaged in productive research on a wide variety of diseases, including cancer, arthritis, and other metabolic diseases, heart disease, and mental and neurological disorders. In addition to this work, the University conducts many basic research studies—vitally important but not necessarily related to any particular disease. I have in mind studies on growth, heredity, body chemistry, the function of various organs and tissues—studies yielding fundamental knowledge which will undoubtedly find application later to practical health problems.

But this important work—and similar investigations in other institutions throughout the country—has reached a point where continued productivity demands the renovation, expansion, and equipment of research facilities. At Yale there is an acute need for expansion of the biochemical laboratories, for relocation of the School of Public Health to make room for studies in pathology and microbiology, for renovations to provide a laboratory for psychiatry, for remodeling of the laboratory of obstetrics. This list is not complete, but the needs are typical.

As in many institutions, overcrowding of the laboratories has decreased efficiency and curtailed the acceptance of advanced research students. Some of the buildings are obsolete and should be repaired extensively or abandoned. Meanwhile, the staff and research program is constantly expanding, and the occupancy of many laboratories has reached the saturation point. At the present rate of growth, programs now in operation will be seriously hampered in 2 or 3 years, the time it would take for detailed planning and construction if funds were now available.

I have spoken of Yale University, but I could have drawn my examples from many other institutions in the State of Connecticut. Highly significant studies in the chronic diseases are being done at Connecticut College of New London, Connecticut University of Storrs, the Institute of Living at Hartford, Norwalk Hospital, and Wesleyan University, to name a representative group. The need for facilities varies, and there are variations in the capacity of the institutions to match funds; but the pattern is the same. As in research laboratories across the land, many of these institutions would be able, through the proposed legislation, to undertake essential construction.

This would have bearing not only on the progress of immediate vital research, but also on the training of tomorrow's scientists. There is little hope of ever achieving adequate scientific manpower in this country unless research facilities are available in which young research scientists can study and work. To help provide such facilities is the opportunity, and I repeat, the responsibility presented to us.

I therefore urge adoption of this conference report and trust that an appropriation will be made before the end of this session to carry out its purposes.

THE REPUBLICAN CAMPAIGN SLOGAN

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, during the past several months we have heard a great deal from Republican Chairman Leonard Hall and other Republican stalwarts about this year's Republican campaign slogan of "Peace, progress, and prosperity." In using this slogan, as in other matters, the Republican Party again proves itself about 36 years too late.

I hold in my hand the Democratic campaign textbook for the year 1920, the year James L. Cox ran for the Presidency and what do you suppose the slogan was? "Peace, progress, and prosperity."

I am sure the Democratic Party does not object to this Republican plagiarism. After all, the Democratic Party has always propounded the cause of national military strength which has led to peace. It has always pushed the Republican Party into whatever progress it could claim. The economic stabilizers built in during Democratic years have continued prosperity into the present administration.

To the Republican Party which has plagiarized this slogan, I wish the same success as the Democratic Party had with it in 1920.

PUBLIC WORKS APPROPRIATION BILL

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, I am most desirous of extending my warm appreciation to the committee for its outstanding work on this bill.

In behalf of the people of my State and district and as chairman of the Massachusetts congressional delegation committee on flood prevention and rehabilitation as well as for myself personally, I am privileged to thank the able chairman of the committee, the able chairman of the subcommittee, all the members and staff members who were responsible for bringing this very constructive measure to the House.

So far as my area is concerned, this bill marks the greatest forward step in flood control that has ever been taken in the area by the Federal Government. I am very happy to acknowledge and state that practically every major flood project that was proposed and supported by our delegation committee was adopted by this fine committee of the House, and by the conference, and will be passed by the Congress. There is only one project of our original major program that was not included in the bill and that was omitted, not because it was opposed, but because of operational problems that made it more appropriate to defer it until another major project above it in the same river basin has been completed.

Of course there are other measures necessary in the future in order to round out the overall program—the minimum program if you will—which will be required for complete flood control and protection in the Northeast.

But as a result of the great work of the committee we are well on our way toward the ultimate goal. This bill will make our tasks henceforth much easier though no less vital, and I am anxious to record here my feelings of sincere gratitude and appreciation.

HOUSING FOR OLDER PEOPLE

Mr. PRICE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, I should like to direct my remarks specifically to the question of special programs to produce housing units that fit the needs of a growing group, our citizens of 65 years of age and more.

The chairman of the Housing Subcommittee of the Committee on Banking and Currency [Mr. RAINS] took the trouble to arrange for many hearings at the grassroots, across the country, on the problems we face in the housing field.

It is fair, I think, to say that we have been more remiss in housing in regard to older people than in any other single field.

Let us look at the human facts involved. Families composed of husband and wife 65 years old or more show a certain pattern. Their children are grown and married. They themselves no longer have maximum earning power and they are at least thinking of retirement. The breadwinner cannot look forward confidently to full pay. The

family may be living on social-security payments or be contemplating the future need of living on social-security payments.

Older people may become ill. The infirmities of age are a menace to all of us. Older people, whose children have grown up and moved away, do not need large houses. Neither do they wish to be a burden on their children. They need a chance for companionship among people of their own age group.

Let us look at the fact that an apartment house designed for older people would have ramps, instead of steep stairsteps, for the convenience of those for whom the building is intended.

The issues of which I am talking are not abstract and theoretical. The increasing span of life expectancy suggests very strongly that even now, and much more so in the next 10 years, a substantial part of our population must lie in the age group of 65 years and older.

These people deserve respect. They have lived decently, reared their children, and now they are in the twilight of their lives. They should have a place to lay their heads.

The bill reported out by the Banking and Currency Committee, after the work of the Subcommittee on Housing, would make a start toward meeting the problems in the housing field of our older citizens.

For families that are indigent—for couples who no longer can support themselves but do not wish to be a burden on their children or clients of the poorhouse—public housing would be available.

For other aged couples, more fortunately situated financially, nonprofit corporations might me underwritten by the Government's housing authorities, for the single purpose of building housing for the elderly.

The interest rate would be low. The term of payment of the principal would be long—as long as 50 years.

We need have no fear that these seemingly generous terms will lead to widespread defaultations and heavy loss to the Federal Government.

We have learned, in about the last 30 years, that American citizens pay their bills. If this were not true, the whole structure of consumer credit would tumble down. And where then would be Detroit's automobile sales, and the sales of appliances and desirables from many other cities? Americans pay their bills.

The citizens of 65 years and older, I would suggest, are very good risks.

They are growing in number—and in the field of housing they need help.

Some of them, a small minority, need help in the way of publicly sponsored housing. Others can pay their own way if the interest rates are held down properly and the term of payment is extended.

In both cases the older people who ask our help are self-respecting and fundamentally self-reliant. They have had lifetimes of labor. They ask a place for themselves in the later years—a place where their problems are met, where others are decently kind to them, a place designed for them.

I congratulate the gentleman from Alabama [Mr. RAINS] for his subcommittee's work in this field of housing for the older citizen and for his pioneering activity in uncovering the facts.

HELPING PEOPLE BEHIND THE IRON CURTAIN

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LESINSKI. Mr. Speaker, I would like to see Congress take some definite and forward action so as to show the people behind the Iron Curtain that we in America are standing behind them. Today, I am proposing to the Congress for its consideration that the Congress set aside a definite sum, to be prorated according to size or population, to the people presently behind the Iron Curtain to assist them in setting up their own respective governments as to ethnic origin.

These sums should be set aside and held in escrow and earmarked specifically for each respectively designated nation and should be of an amount large enough to be effective.

The stipulations would be that these moneys would be held until the following: That a complete and unbiased election be held by the people by American standards to formulate a free, democratic government; that American representatives shall be present only as observers to make sure that the elections held would not be under coercion or intimidation and that complete freedom of the individual be exercised at the election booth.

These funds shall only then be given to the respective country if the above is followed for the purpose of assisting them in carrying out the intent of the elected officials of that country.

Of course, with the above, we must consider other elements of the economy of the nations. Steps should be prepared to send livestock—hogs, cattle and so forth—and grains, to bolster the agricultural economy. Steps should be initiated for technical assistance and any other category which would be for the express intent only of assisting these nations to get back on their own feet and regain their relative position in Europe.

The above proposal would have the effect of assuring the people behind the Iron Curtain that we in America are definitely behind them and are prepared to assist them at the time they are able to throw off the yoke of oppression.

While this is not exactly on the order of the Marshall plan, it resembles it in that it would be for the purpose of making these nations independent and self-sustaining. The response of the American public would be, I believe, overwhelming. Let us not forget what happened after World War I when the public responded to assisting the Armenians and other nations of the world.

We are presently spending billions for foreign assistance and on our Military Establishment. These have been deterrents to further expansion by Soviet Russia. The American public, I believe, would accept my proposal because of the possible elimination of the huge expenditures that the taxpayers are presently bearing.

If those countries behind the Iron Curtain could be freed and assisted by us, they would be a deterrent to any future war that might be perpetrated. Also, we must consider the fact that the present Russian Government would automatically be weakened to the degree that it would be impossible to keep its present position.

I believe we can very well judge certain actions in World War II as a premonition of what to expect. The Russian people if attacked band together to throw off aggressors, as they did the Germans. Still, we ought to know that the Russian people as a whole are opposed to their present form of government.

This proposal is far-reaching and with immense potential for the future not only for the protection of America but the stability of the world.

I beg the indulgence of the membership of the House in this matter which I believe merits consideration.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tonight to file a report.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

ATOMIC ELECTRIC PLANTS

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, S. 4146 should be rejected in its entirety at this session of Congress. There are so many different aspects and implications that require attentive study by every Representative that judicious endorsement of the proposal before adjournment would be impossible.

The report of the National Academy of Sciences should cause even the most fervent advocate of atomic electric power to hesitate before recommending the creation of unnecessary nuclear facilities anywhere in the United States. The fact that Russia may be going ahead with some sort of a peacetime atomic program is no justification for our plunging into perilous waters on the theory that we must remain in front of this race into the unknown.

We must continue to spend as many billions as are necessary in the development of atomic weapons as a security measure, but progress in this direction does not depend upon our ability to set atomic power stations hither and yon.

Life is cheap in Russia. The Kremlin would undoubtedly be willing to sacrifice a few million lives in Vladivostok, Rostov, Poznan, or Peiping, for the sake of an experimentation that might give the U. S. S. R. a superficial prestige among the countries of the world. The ultimate results to human life are of no concern so long as there is a temporary advantage to the cause of the Red ideology.

Our scientists have been very frank in admonishing us of the risks involved in extracting utility value from the atom. We must not disregard the advice of these experts. Our research into the peacetime application of nuclear materials is still in its infancy. We trust, and we are confident, that in the not too distant future many of the inherent dangers will have been eliminated through the persistent devotion of our scientists and engineers. Until that time, however, America must avoid being stampeded into a dubious course of action merely because Russia threatens to assume an early lead in producing electricity from the atom. Let the advocates of the reactor program say what they want, there is no need in America for a new source of electric energy at this time. Nor will there be for many centuries to come.

More than 50 percent of all the electric power generated in this country comes from coal-fired steam plants. This share will rise steadily in future decades; what is more, there are ample coal reserves to assume this responsibility. To undertake the creation of a competitive means of producing our power supply through Federally-subsidized reactors would not only be an extravagance; it would also be unfair to the coal industry and to the thousands of families depending upon it for a livelihood. It would also be unfair to the railroad men whose jobs depend upon coal traffic for their livelihood. Our anthracite miners have experienced difficult times for a number of years, with the burden of guilt for depressed markets largely attributable to the Federal Government because of its attitude toward oil imports and its fuel-buying policies. The anthracite industry has also been victimized by assorted other handicaps not of its own making. We cannot permit anthracite to be saddled with additional burdens. More than 10 percent of all the anthracite produced in the United States is used by our electric utilities industry. This market is highly valued by both producers and miners. It cannot be sacrificed in deference to the wishes of the sponsors of the reactor program.

I repeat, Mr. Speaker, S. 4146 must be laid aside at this time. If in succeeding Congresses we are convinced that the dangers are sufficiently minimized and that economic hardship will not come to the coal industry, then there will be ample time for reexamining the program, refocusing our sights, and revising our judgment. In any case, however, a Government undertaking of this sort must be accompanied by the assurance that it will not in any way create unemployment in the coal and railroad industries.

HELLS CANYON DAM

Mrs. GREEN of Oregon. Mr. Sperker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, the exercise of Presidential power is a marvelous thing. We have had a lot of opportunity to marvel over it in the last few days. For instance, the President is supposedly for any bill that will build schools. And he is for comprehensive resource development—at least, in the upper Colorado Basin. Yet when the school bill was defeated in the House, with a large Republican majority against it, the President, who is for school aid, did not lift a finger, or say a word, to get the 16 Republican votes that would have saved the school bill. Presidential power had apparently blown a fuse.

On the other hand, now that the bill for high Hells Canyon Dam is before the Senate, the President, who was for comprehensive development of the upper Colorado, is using every ounce of power against comprehensive development of the Columbia Basin. Presidential power seems to be on a curious kind of alternating current—and the school bill came up during the wrong cycle. Or maybe Presidential power is strictly private power—available for the benefit of private-utility corporations but not for the benefit of schoolchildren.

James Reston wrote in the New York Times, after the defeat of the school bill:

> The silence of the President during this week's debate is extremely interesting. Ever since his first inaugural address, he has talked about the urgent need for prompt action in this field, but with his party divided and wavering on what to do, he did not send a single word to Congress during this week's debate. * * * While the President was for any bill that would build more schoolrooms, only 75 Republicans voted for the Kelley bill that lost by only 30 votes.

In fact, some press reports indicate that the administration passed the word that it was all right for Republicans to oppose any school bill except the administration's own special version.

The Times for Wednesday, July 18 tells a very different story about the use of Presidential power on the Hells Canyon bill. It says:

> Intensive White House pressure is being brought to bear on Republican Senators to force them to vote against maximum comprehensive development of the Columbia River system.
>
> One Republican Senator has received 4 telephone calls from the White House and 2 from the Department of the Interior in recent days. Others have received two or more calls. Some have been visited by White House aides. * * * The pressure, in the opinion of many Senators, is as great as that applied on any issue in the last 3 years.

Why is it that the Idaho Power Co., an absentee corporation operating for private profit, can command all the resources of the Presidency in support of its interests, while the schoolchildren of all the United States can get no help from the White House? Maybe the administration had to neglect the school bill while it rested up for its intensive service, this week, in behalf of Idaho Power. Or maybe schoolchildren do not make such large campaign contributions as utility corporations.

This is an ironic exhibition of the use of Presidential power. The President is for school construction—so Republican votes in the House kill school construction while he looks on in apparent indifference. He is for comprehensive resource development—so every ounce of energy is thrown into defeating high Hells Canyon Dam. Our schoolchildren are given the shadow of empty piety, while all the substance of Presidential power is put at the service of a private corporation. Is this the great crusade—or is it progressive modernization or dynamic conservatism or one of those grand-sounding slogans? I will wait patiently and with interest, while Madison Avenue prepares a four-color, slick paper explanation of this sorry performance.

PEACE, PROGRESS, AND PROSPERITY

Mr. BROWNSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BROWNSON. Mr. Speaker, I was entertained by the reference to the 1920 Democratic Handbook, a portion of which was just read by the gentleman from Ohio [Mr. VANIK]. It would seem to me rather obvious, from the result of the 1920 election, when the Democrats were resoundingly defeated, that the people in general did not believe that the Democrats really stood for a peace, progress, and prosperity program then. I am inclined to believe the people did know President Eisenhower stood for peace, progress, and prosperity in 1952 because they elected him overwhelmingly. I doubt if they would believe the Democrats stood for peace, progress, and prosperity today even if the Democratic Party came forward with that same slogan once more.

They could well do just that. Evidently few people remember the Democrats as a party of peace, especially in light of the heated division in their party ranks during the civil-rights debate this week.

VETERANS LEGISLATION

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rise to state with all the strength of my being that I believe the Congress should stay in session until the so-called veterans compensation and training bill and one or two others are ready for the President's signature. I

believe the great majority realize we should not go home until those bills have been passed and signed by the President. It is a debt we owe and affects the future of our country. Gratitude in past sacrifices will make our country happier, but is insurance for our security in unsettled times.

H. R. 8902

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. HESELTON] is recognized for 20 minutes.

Mr. HESELTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a minority report, certain correspondence, and tabulations.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HESELTON. Mr. Speaker, yesterday the Rules Committee reported House Resolution 605, providing for consideration of and 1-hour debate on this bill.

Because of the pressure under which all remaining legislative proposals must be considered during these last few days before adjournment, I believe some of my colleagues will be interested in an outline of reasons for opposing this bill.

First, I shall restate the minority report which I filed July 9, as follows:

MINORITY REPORT (TO ACCOMPANY H. R. 8902)

In my opinion, the reasons against this proposed legislation far outweigh any reasons for its passage.

There are compelling reasons against favorable action at this time.

The testimony of Hon. Joseph P. Adams, Vice Chairman of the Civil Aeronautics Board, to the Subcommittee on Transportation and Communications of the House Committee on Interstate and Foreign Commerce on April 20, 1956, expresses the reasons for not approving this bill in two brief sentences as follows:

"These bills (referring to H. R. 8902, and a companion bill, H. R. 8903) would, in effect, substitute for the present test of demonstrable need of an individual carrier, a conclusive presumption of need that is based on some idea that the industry generally requires such an inducement. Such a basis for handing out Government money carries with it little, if any, assurance that some carriers will not get windfalls." (Hearings, p. 562.)

At the time when Vice Chairman Adams testified before the subcommittee, our former colleague, Hon. Ross Rizley, had resigned from the Civil Aeronautics Board to become a judge, but previously, as chairman of the Board, he joined Vice Chairman Adams in using these exact words.

It is to be noted that no department or agency of the United States Government supports this bill. On the contrary, while two members of the Civil Aeronautics Board did support the bill, the Comptroller General of the United States and the Bureau of the Budget opposed the proposal. Among those who supported the bill were representatives of the Air Transport Association of America and of Pan American World Airways, Inc.

As Vice Chairman Adams stated in his testimony, hearings, page 562, this bill is objectionable because the manner in which it proposes to accomplish the air carriers' reequipment plans "is in conflict with the basic principles of the Civil Aeronautics Act and sound ratemaking policy in general."

After outlining the facts that the act requires the Board to grant subsidy in an amount sufficient to meet an air carrier's overall financial requirements, and that a very substantial part of the total need of a carrier, which has been recognized always, is depreciation expense and a fair margin of profit, he referred to the fact that the income or revenue side of the ledger must be examined.

He stated:

"I strongly believe that the present method of awarding subsidy on the basis of the need of a particular carrier is abundantly fair to the carrier, prevents waste of Government funds, and contains adequate inducement to the carriers to maintain and develop the quality and quantity of air transportation required in the national interest. Adequate proof of this is demonstrated by the tremendous development of air transportation since the enactment of the very rate provision that H. R. 8902 and H. R. 8903 now seek to amend. And yet, these bills would in effect disregard the actual need of the particular carrier seeking subsidy support by prohibiting the Board from looking at the profits from the sale of equipment—the very same equipment which, through depreciation allowances, already might have been paid for by the traveling public and the Government through its award of subsidy. Whether a particular carrier needs it or not, it would get to keep the profit anyway, if these bills pass."

The background of this proposal is important.

On November 11, 1944, the Board issued a certificate of public convenience and necessity to Western Airlines for route 68, between Denver and Los Angeles. United Airlines was the other principal applicant.

Western did not inaugurate service over this route until April 1, 1946. Less than a year later Western and United entered into an agreement, subject to the Board's approval, for the sale of the certificate and route, together with aircraft and certain equipment, for $3,750,000. The purchase price represented a substantial profit.

This led to a dispute, involving the Board and the Postmaster General, as to whether the profit to Western was "other revenue" under the act which would reduce Western's mail pay or subsidy.

In the proceeding before the Board, the Air Transport Association of America filed a brief amicus curiae supporting Western's contention that the profit was not "other revenue."

The United States Court of Appeals for the District of Columbia Circuit held that the Board was required to take into account the amount of profit as constituting "other revenue."

On certiorari, the Supreme Court of the United States on February 1, 1954, unanimously upheld the decision of the circuit court of appeals.

In December 1955, in the System Mail Rates case, involving the Pan American World Airways, Inc., the Board applied the principle of looking at the income side of the ledger and ruled that gains from the sale of flight equipment is clearly within the "other revenue" provision of section 406 of the act and must be offset against the expenses unless "need" is shown for the United States Government to pay an additional amount of subsidy. Therefore, it held that the "other revenue," including gains from sale of flight equipment, securities, and other tangible property during the period January 1-September 30, 1955, totaled $4,654,000. It stated that:

"Since capital gains are taxed at a 26-percent rate for Federal income-tax purposes, application of this income will reduce the amount of tax, otherwise allowable," and that—

"The total impact of this source of income on the carrier's subsidy is a reduction of $7,319,000 for the first 9 months of 1955."

It is difficult to forecast what the exact result would be in future years if this legislative proposal was to be substituted for the basic principles of the Civil Aeronautics Act and sound ratemaking policy in general. But I submit that this proposal is inconsistent with the concept of individual "need" contained in section 406 of the act and, in practice, would not only be discriminatory but entirely unrelated to the individual requirements of the carriers.

In any event, the best current data as to the actual effect of this legislative proposal is indicated in a tabulation prepared by the Department of Commerce, which is as follows:

Summary of capital gains used to reduce subsidy payments and capital losses underwritten with subsidy under final mail rate orders

	Calendar year					
	1951	1952	1953	1954	1955	Total
Braniff:						
Domestic	0	0	$1,375,000	$55,000	$84,000	$1,515,000
International	(1)	(1)	(1)	0	0	0
Capital	0	0	0	0	0	0
Chicago & Southern	0	0	(2)	(2)	(2)	(2)
Colonial	0	0	0	(2)	(1)	0
Continental	0	0	0	0	0	0
Delta	0	0	0	700,000	700,000	1,400,000
Inland	0	(2)	(2)	(2)	(2)	(2)
Mid-Continent	0	(2)	(2)	(2)	(2)	(2)
National	0	0	0	0	0	0
Northeast	$42,000	$254,000	0	0	0	296,000
Northwest	(1)	0	0	(2)	0	0
Western	0	0	0	0		0
Allegheny	0	0	0	0	(2)	0
Bonanza	170	0	0	0	(2)	170
Central	2,033	30	1,224	0	0	3,286
Empire	0	(2)	(2)	(2)	(2)	(2)
Frontier	0	0	0	0	0	0
Lake Central	$43,604	$28,242	$450	0	0	$72,296
Mid-West	0	(1)	(1)	(1)	(1)	(1)
Mohawk	0	0	0	0	(2)	0
North Central	24,037	0	0	0	0	24,037
Ozark	0	0	0	0	(2)	0
Piedmont	0	0	0	0	(2)	0
Pioneer	0	0	0	0	(2)	0
Southern	0	168	0	0	0	168
Southwest	0	16,083	0	0	0	16,083
Trans Texas	0	0	2,150	$50	0	2,200
West Coast	0	0	(2)	(2)	(2)	0
Wiggins	0	0	(2)	(2)	(2)	(2)
Helicopter	−4,872	0	0	0	0	−4,872
Los Angeles	0	364	533	335	0	1,232
New York	0	−199	−1,067	−3,022	0	−4,288

See footnotes at end of table.

Summary of capital gains used to reduce subsidy payments and capital losses underwritten with subsidy under final mail rate orders—Con.

	Calendar year					
	1951	1952	1953	1954	1955	Total
Alaska Airlines	[1]	[2]	0	0	−$2,231	−2$,231
Alaska Coastal	−$2,126	0	0	0	0	−2,126
Byers	2,242	$724	0	0	0	2,966
Christensen	0	[10]	[10]	[10]	[10]	[10]
Cordova	−1,842	0	0	0	0	−1,842
Ellis	183	0	0	0	0	183
Northern Consolidated	−5,854	550	0	0	8,400	3,096
Pacific Northern	37	0	0	[3]	[1]	37
Reeve	215	1,410	0	0	0	1,625
Wien	−4,678	−1,769	0	0	0	−6,447
Hawaiian	$2,071	0	−$360	0	0	$1,711
Trans-Pacific	0	0	−494	0	0	−494
Pan American	3,085,000	[11] 2,935,000	3,419,000	[12] 613,000	7,236,000	17,288,000
Trans World (International	287,000	504,000	504,000	0	0	1,295,000
Caribbean	0	0	0	0	0	0
Panagra	0	0	0	0	[7]	0
Total	3,469,219	3,738,603	5,208,436	1,368,363	8,026,169	21,900,790

[1] Mail rate open for entire year.
[2] Merged into Delta May 1, 1953.
[3] Mail rate open for portion of year.
[4] Merged into Western Apr. 10, 1952.
[5] Merged into Braniff Aug. 16, 1952.
[6] Merged into West Coast Aug. 1, 1952.
[7] Ceased operations Apr. 15, 1952.
[8] Merged into Continental Apr. 1, 1955.
[9] Ceased operations Aug. 1, 1953.
[10] Ceased operations July 6, 1952.
[11] Mail rate for Latin American Division open for calendar year 1952.
[12] Mail rate for Pacific Division open for calendar year 1954.

It seems to me significant that the following amounts would have been received by four airlines had this legislative proposal been in effect since 1951:

Pan American	$17,288,000
Braniff	1,515,000
Delta	1,400,000
Trans-World (International)	1,295,000
Total	21,498,000

An examination of the tabulation indicates how little benefit could be anticipated by most of the airlines of the country.

It is most significant that the Board recognizes the wisdom of reappraising existing policies as to gains from the retirement of property in terms of the capital requirements arising from the reequipment programs of the airlines.

On April 6, 1956, the Board instituted a proceeding to determine how gains and losses upon the retirement of property can be reflected most effectively in the subsidy rates. Congress should weigh carefully the following statement by Vice Chairman Adams as to this proceeding:

"I consider this kind of proceeding the best approach to the problem because it looks toward a policy consistent with the scheme of the Civil Aeronautics Act, fully supported by a complete economic record, and geared as closely as possible to the individual needs of the carrier."

In my opinion, that is the best guaranty of dealing fairly with the individual airlines without the possibility and apparent probability, of legislating unpredictable windfalls to a few carriers at the expense of many carriers which may be equally entitled to consideration and of substantially increased subsidy costs to the taxpayers generally. Enactment of this proposal would be a sharp reversal of the efforts which have been made by Congress and the executive department toward reducing and ultimately eliminating unnecessary waste in the form of unjustifiable subsidy grants. Certainly this proposal violates the principle that any subsidy should be justified by the "need" standard of the act. If not, the word "need" loses any significance and should be taken out of the act directly.

JOHN W. HESELTON.

Second, it is most significant that no Department or Agency of the Federal Government supports this proposal.

On the contrary, it is opposed vigorously and reasonably by the Comptroller General, by the Bureau of the Budget and by the Vice Chairman of the Civil Aeronautic Board, who was joined in his opposition by our former colleague, Honorable Ross Rizley, then Chairman of that Board.

I now insert several communications with reference to the bill which are self-explanatory.

First. A letter from Hon. Joseph Campbell, Comptroller General:

COMPTROLLER GENERAL OF
THE UNITED STATES,
Washington, July 17, 1956.

Hon. JOHN W. HESELTON,
House of Representatives.

DEAR MR. HESELTON: Reference is made to your letter of July 11, 1956, relative to H. R. 8902, pertaining to the reinvestment of air carriers of the proceeds from the sale or other disposition of certain operating property and equipment. In particular, you advise that you intend to offer a floor amendment and you request whatever further data we think might be pertinent and helpful in support of such an amendment.

In the course of its ratemaking functions the Civil Aeronautics Board properly has taken into consideration the matter of depreciation as an allowable item of expense in determining the "need" of the carrier under the terms of section 406 (b) of the act, which, of course, is an accepted principle adopted by most regulatory bodies. We also believe that since depreciation is not an exact science, it must be recognized that the establishment of the useful life and residual value of a given asset must of necessity be predicated upon estimates, the accuracy of which cannot be ascertained until actual disposition of the asset. Therefore, if, because of changed economic conditions, the established residual values pertaining to flight equipment owned by the air carriers results in the realization of profits in excess of the net book values at the time of disposition of such equipment, it is clear that depreciation over the preceding period was inaccurate.

The Board's depreciation policy generally has permitted a 7-year life on postwar aircraft with residual values of about 10 percent. Hence, by determining "need" under this practice, a carrier is able to recoup its cash investment in flight equipment through depreciation over that period. Also permitted as allowable expenses are inspection, maintenance and overhaul, since obviously a carrier is required at all times to operate safe and dependable aircraft which, of course, requires a constant outlay of expenditures. Therefore, in permitting these and other expenses, the Board has complied with the "need" element of section 406 (b). But to permit the Board now to disregard the profits realized from the sale of such equipment would permit those carriers to have enjoyed the benefit of a subsidy in excess of their "need." Furthermore, the carrier's depreciation has not amounted to a cash expenditure and, as pointed out by the Supreme Court in the case of *Western Air Lines, Inc. v. Civil Aeronautics Board, et al.* (347 U. S. 67), it has been permitted to retain its earnings plus a fair and reasonable return upon its investment.

In view of the foregoing, therefore, it is our considered opinion that the bill, if enacted, would make partially ineffective the decision of the Supreme Court of the United States in the Western case and, therefore, could result in an unwarranted burden upon the taxpayer. We also are of the belief that so long as the standard of assistance to a carrier is to be measured by its "need," as prescribed in section 406 (b) of the act, such assistance should be determined upon nothing less than the carriers "all other revenue," regardless of the source from which derived. Moreover, in appraising the matter from an equitable and pratical viewpoint it is manifest that the measure of assistance rendered to any carrier by a "need" standard should be based upon the premise of its actual overall requirements; otherwise, as stated in your minority report, the word "need" will have lost its significance. Furthermore, we concur in the statement of the Vice Chairman of the Civil Aeronautics Board that the bill is objectionable because it "is in conflict with the basic principles of the Civil Aeronautics Act and sound ratemaking policy in general."

Notwithstanding the foregoing, however, as an alternate to the proposed bill, H. R. 8902, we would suggest an amendment which would enable the Government ultimately to recoup through the Board's ratemaking process that portion of the profits realized from the sale of equipment which through former depreciation allowances already might have been paid for by the Government through its award of subsidy. Such an amendment should provide that capital gains from the sale of equipment by subsidized carriers would be initially retained by the carrier for reinvestment in new equipment. Recovery by the Government would be effected by action of the Board in fixing future mail rates first, by reducing the asset base upon which depreciation expense would be allowed and, second, by reducing the investment base upon which a rate of return is computed. Thus, assuming the carrier remains on subsidy throughout the depreciable life of the new equipment, the Government would, through reduced subsidy payments, recoup over that period of time, the full amount of capital gains earned by the carrier and reinvested in the new equipment. Furthermore, if, prior to the time that the equipment is fully depreciated, the Board should determine that the carrier no longer requires the "need" portion of the mail rate there would revert to the Government any balance of the reinvested capital gains not otherwise recovered through a reduced depreciation allowance and return on investment.

In conclusion, it is significant to observe that the present act appears not to have been an undue burden as evidenced by the

fact that certain carriers already have entered into extensive commitments for future delivery of equipment.

If we can be of any further assistance to you in this matter, please do not hestiate to call on us.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

Second. A letter from Hon. Percy Rappaport, Assistant Director, Bureau of the Budget:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., July 12, 1956.

Hon. JOHN W. HESELTON,
House of Representatives,
Washington, D. C.

MY DEAR MR. HESELTON: You asked this morning to be advised as to how H. R. 8902, as reported, should be amended to take account of the alternative proposal which the Bureau of the Budget recommended to the House Interstate and Foreign Commerce Committee in its letter of May 9, 1956.

The amendment would be accomplished by substituting the enclosed draft language for section 1 of H. R. 8902 as reported.

The amendment would in general make two major changes in H. R. 8902 as reported: (1) It would allow subsidized carriers to retain their capital gains for investment in new flight equipment but provide that the investment representing such gains would not thereafter be recognized in allowing depreciation and return on investment for subsidy purposes; (2) the capital gains concerned would be limited to those resulting from disposition of flight equipment rather than those from disposition of "depreciable property used or useful in the carrier's normal operations" as provided in H. R. 8902 as reported.

Copies of the Bureau's letters of May 2 and May 9 to the House Interstate and Foreign Commerce Committee are enclosed for your convenience.

Sincerely yours,

PERCY RAPPAPORT,
Assistant Director.

AMENDMENT OF SECTION 406 (B) RELATING TO REINVESTMENT OF NET GAINS FROM DISPOSITION OF FLIGHT EQUIPMENT

That section 406 (b) of the Civil Aeronautics Act of 1938, as amended, is hereby amended as follows:

(a) By redesignating section "406 (b)" as section "406 (b) (1)."

(b) By adding the following paragraphs after paragraph (1):

"(2) In determining all other revenue of the air carrier, the Board shall not take into account the net gains (after any losses and expenses resulting from the disposition of flight equipment) derived from the disposition of any flight equipment of such carrier, if (A) such carrier notifies the Board in writing that it intends to reinvest in other flight equipment the proceeds derived from such disposition, (B) such proceeds, less all applicable taxes, are placed by such carrier in a funded reinvestment reserve immediately upon the receipt thereof, and (C) within a reasonable period to be determined and fixed by the Board, such proceeds are actually reinvested in other flight equipment by such carrier.

"(3) Hereafter in determining that portion of the carrier's mail rate which is payable by the Board (which portion is hereinafter referred to as "subsidy") the Board shall compute such carrier's depreciation expense and return on investment after first deducting the net gains not taken into account in determining all other revenue of such carrier from the original cost to such carrier of the flight equipment in which such net gains have been reinvested.

"(4) In the event the Board determines that the carrier no longer required subsidy, there shall be deducted from all subsidy to be paid to such carrier after the effective date of this amendment, or there shall be otherwise recovered from such carrier, an amount equal to the total net gains not taken into account in determining all other revenue of such carrier minus the total amounts by which such carrier's depreciation expense has been reduced on account of and solely by the application of paragraph (3) above. Such amount shall be determined as of the date the carrier no longer requires subsidy."

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., May 9, 1956.

Hon. J. PERCY PRIEST,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, New House Office Building, Washington, D. C.

MY DEAR MR. CHAIRMAN: In our letter of May 2, 1956, this office replied to your request for views on H. R. 8902 and H. R. 8903, identical bills, to amend subsection 406 (b) of the Civil Aeronautics Act of 1938, as amended. In our letter you were advised that the Bureau of the Budget does not favor enactment of this legislation. However, an alternative was suggested for the committee's consideration if it wished to take action at this time. In view of certain advantages of that alternative, it is believed that your committee may be aided by further elaboration of it.

In greater detail, the alternative would operate as follows:

(1) Carriers would be permitted to retain net capital gains on the sale of equipment, provided these were applied within a reasonable period to the purchase of like equipment.

This provision would accomplish the same objectives as H. R. 8902 and H. R. 8903.

(2) While retained for reinvestment, the capital gains would not be recognized as part of the carrier's investment base for subsidy purposes nor would these retained amounts be available for dividends.

This limitation may be regarded as implicit in H. R. 8902 and H. R. 8903, but it may be desirable to state it explicitly.

(3) After reinvestment of gains by the carrier, the Board could establish subsidy without recognizing the reinvested amounts.

The effect of this can be illustrated in terms of the two basic elements in a carrier's subsidy, break-even need and return on investment.

Break-even need: For subsidy purposes, depreciation expense is recognized in computing break-even need. Under the alternative suggested, depreciation expense would be computed as follows: Assuming a 7-year life for the new equipment purchased with the help of capital gains, the Board would allow the carrier, not one-seventh of the cost of the new asset, but one-seventh of an amount equal to the cost of the new asset minus the retained profits used in its purchase. To illustrate—If a carrier should purchase new aircraft at a cost of $14 million to which it has applied retained capital gains of $3,500,000, under the provisions of H. R. 8902 and 8903 it would be entitled for subsidy purposes to annual depreciation of $2 million (one-seventh of $14 million); under the suggested alternative, the annual depreciation in this connection would be $1,500,000 (one-seventh of $10,500,000 ($14 million minus $3,500,000)). It can thus be seen that over the 7-year life of the equipment the entire amount of the capital gain would be offset against subsidy otherwise payable in amounts of $500,000 per year.

Return on investment: In allowing the customary return on investment as part of subsidy, the value of the carrier's assets would be recognized net of reinvested capital gains. To illustrate—A carrier's investment base consists solely of equipment just purchased at a cost of $14 million with the help of capital gains of $3,500,000 and a return of 8 percent is allowed; under H. R. 8902 and H. R. 8903 subsidy would be as follows:

First year:	
Investment (at cost)	$14,000,000
Subsidy (8 percent of $14 million)	1,120,000
Second year:	
Investment (at cost less depreciation (one-seventh of $14 million))	12,000,000
Subsidy (8 percent of $12 million)	960,000

This pattern would be followed until the asset is fully depreciated.

Under the suggested alternative, subsidy would be as follows:

First year:	
Investment (at cost less capital gain)	$10,500,000
Subsidy (8 percent of $10,500,000)	840,000
Second year:	
Investment (at net cost ($10,500,000) less depreciation (one-seventh of $10,500,000))	9,000,000
Subsidy (8 percent of $9 million)	720,000

This pattern would be followed until the asset is fully depreciated.

The savings to the Government on this basis would compensate it for the interest-free retention by the carrier of its capital gains.

(4) If a carrier reaches unsubsidized status before its retained capital gains have been fully offset against subsidy, as indicated in (3) above, adequate provision should be made for the Government to recapture the balance of the capital gain.

The foregoing alternative is brought to the attention of your committee in the belief that it may make it possible to accomplish the desirable objectives of H. R. 8902 and H. R. 8903 without increasing the cost to the Government. As an additional benefit to both the carriers and the Government, the alternative would appear likely to minimize distortions in carrier earnings and air carrier subsidy totals which would coincide with the taking of capital gains, and which could serve to obscure the progress of the industry and individual carriers toward subsidy free status.

This office will of course be pleased to be of such further assistance as may be needed.

Sincerely yours,

PERCY RAPPAPORT,
Assistant Director.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., May 2, 1956.

Hon. J. PERCY PRIEST,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, New House Office Building, Washington 25, D. C.

MY DEAR MR. CHAIRMAN: This is in reply to your letters of February 1, 1956, requesting the views of this office with respect to H. R. 8902 and H. R. 8903, identical bills, "to amend subsection 406 (b) of the Civil Aeronautics Act of 1938, as amended."

These bills provide that the Civil Aeronautics Board shall not take into account gains or losses resulting from the sale of property in determining all other revenue of an air carrier for subsidy purposes. The gains must, however, be reinvested in similar

property within a reasonable period. The apparent objective of the bills is to assist subsidized carriers in buying new aircraft.

As has been pointed out in agency reports and testimony before your committee, these bills would in general require higher subsidy payments than under the Board's current rate-making practices. Questions have also been raised as to whether the inducement to reequipping which the bills intend is actually needed or would apply equitably to all carriers; or stated another way, whether the Civil Aeronautics Act and the Board's present practices would not adequately provide for essential reequipping needs of subsidized carriers.

It is understood that the Board recently instituted a proceeding to develop a record on which to formulate a policy for dealing with the profits from retirement of equipment, and that the proceeding will take into account the reequipping problem. We believe it would be highly desirable to have the benefit of the record which will be developed in this proceeding in deciding what changes in the basic law may be needed.

In view of the foregoing the Bureau of the Budget does not favor enactment of this legislation.

If your committee wishes to take action at this time, however, we suggest that it explore alternatives which would protect the Government against higher subsidy payments. For example, it might be possible to provide for the gradual offset of capital gains against subsidy by authorizing reinvestment of gains in appropriate cases, if the investment representing such gains were not thereafter recognized in allowing depreciation and return on investment for subsidy purposes, and if the Government's interests were fully protected should a carrier's subsidy need end before the reinvested amounts had thus been offset fully against subsidy.

Sincerely yours,

PERCY RAPPAPORT,
Assistant Director.

Third. A letter from Hon. Joseph P. Adams, Vice Chairman, Civil Aeronautics Board:

CIVIL AERONAUTICS BOARD,
Washington, July 16, 1956.

Hon. JOHN W. HESELTON,
House of Representatives,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN HESELTON: Thank you for your letter of July 10, 1956, enclosing your minority report on H. R. 8902 and requesting my comments. I continue to be strongly opposed to this bill, and the comments that follow merely reaffirm and elaborate the statement that I previously submitted to the House Interstate and Foreign Commerce Committee.

1. Principle of individual need: I like the emphasis your report gives to the fact that the bill provides for a departure from the present standard of the "need" of the individual carrier. The present standard is something more than an historical accident or a fetish. It is based on obvious principles of fairness to the carriers and regard for the public treasury. It is backed by 18 years of successful administration under which our carriers have experienced nothing short of phenomenal growth. I can think of only one justification for departing from an individual "need" basis for awarding subsidy, and that would be on a showing that the burden and expense of proceeding on such a basis outweigh the waste and inequity involved in a broad-stroke approach. That no such justification exists here is attested by the fact that to my knowledge it has never been so much as mentioned by anyone.

2. The meaning of "need": There is, unfortunately, much confusion about the meaning of "need" in our act as the Board has interpreted and applied it. It calls for more than just making up the deficit of a carrier after taking into consideration all of its direct and incidental income from its transportation activities. It includes a reasonable profit element, after taxes, which now stands at 7 percent on the invested capital for a past period and 8 and 9 percent for a future period, depending on whether domestic or foreign operations are involved. It should be emphasized that this profit allowance is over and above the allowance to cover the deficit. And it should be emphasized, further, that included in operating expenses is an allowance for depreciation on aircraft and all other used and useful equipment and facilities. Thus, while a carrier is legally and technically the purchaser and owner of its aircraft, the Government and the public pay for such aircraft through annual allowances for depreciation, and further, compensate the carrier for its initial outlay of the purchase price by an allowance of a reasonable return on such outlay. This is precisely what has happened and is happening with respect to the aircraft the carriers now have on hand, and this is precisely what will happen when they purchase new aircraft. When the carriers purchase new aircraft, the full purchase price will go into their respective investment bases and they will be entitled to a reasonable return on their outlay. In addition, they will be able to recover the principal through annual allowances for depreciation.

It is obvious, then, that what the carriers are asking for, and the pending bills intend to give them, is something over and above what the Board normally allows them—that is, something in addition to meeting their deficits and an allowance of a reasonable profit on their invested capital. Why should a carrier receive more than that without showing need for the additional amount? If any carrier can show a need for more, I know of nothing in our act, or in the decisions of the Board or the courts, that would prohibit the Board from giving additional subsidy. The "need" provision in section 406, together with the broad policy declarations of our act, afford the Board wide discretion. The fact is, however, that thus far no carrier has been able to show such additional need, and from the discussion above, it is obvious why such a showing would be most difficult to make, and well it should be. It might be of interest to quote a paragraph from the Board's opinion in the reopened Transatlantic Final Mail Rate case (order serial No. E–10117, March 23, 1956) in answer to Pan American's plea that excess earnings should be left with it for the purchase of new equipment.

"Moreover, the evidence does not establish that PAA will be left, even after its earnings are reduced by our action here, in a situation where it will not be able to attract capital on fair terms. Aside from what we have already discussed, the only real evidence of PAA's ability to raise capital is a recent debt flotation. If that loan (of $60 million at 3¾ percent payable over a period of years from 1966) does not positively establish its ability to attract capital on fair terms, it certainly is evidence of this ability which we do not find contradicted by anything else in the record."

3. Windfall and inequity in H. R. 8902: "Windfall" is not a pretty word, and yet when one considers the table on page 4 of your report showing that had H. R. 8902 been law since 1951, the subsidy would have been approximately $22 million higher, he might be at a loss for a better word to characterize the result that this bill would accomplish. I do not believe that anyone will dare say that the development of air transportation in the past 5 years has suffered as a result of that saving in subsidy, or that our carriers have been short-changed. Nor do I believe that anyone will be able to say anything like that in the next several years if this bill is defeated and the Government saves the substantial amounts indicated in the table appended to this letter.

Quite aside from the windfall aspects of this bill, one must be struck with its inequitable and haphazard basis for leaving equipment profits with the carriers. The two tables referred to above immediately reveal how little the need factor enters into the matter and how small the benefit would be to most of the subsidized carriers. The glaring case in point is the local service airlines. Their financial problems for new equipment appear to be at least as great, relatively, as those encountered by the large and powerful airlines. And yet, what does this bill hold for them, especially when it is considered that by the time their reequipment programs get into full swing the market for the DC–3 might well be seriously depressed?

In connection with the local service industry, I should like to reiterate my previous position before the House Interstate and Foreign Commerce Committee to the effect that I do not consider my opposition to this bill to be inconsistent with my vigorous interest in, and support of the continuing devopment of this industry. I am of the strong opinion that the best way of insuring their economically sound development in the best interests of the relatively small communities which they serve is for the Board to continue an enlightened program of strengthening their routes rather than their bringing about a change in the existing rate-making standards which have proved to be sound over the past 18 years.

4. Budget Bureau amendment: You have specifically requested me to comment on a possible amendment to H. R. 8902, suggested by the Bureau of the Budget in a letter of May 9, 1956, to the chairman of the House Interstate and Foreign Commerce Committee. I understand that this amendment was suggested by the Bureau of the Budget in an attempt to head off the payment of increased subsidies and at the same time meet the argument of some supporters of the bill to the effect that what the carriers are really interested in is help in financing new equipment purchases and not necessarily in keeping the profits. The amendment would accomplish this by providing that the profits from equipment sales, which are reinvested in new equipment, would not be recognized either for depreciation or for return on investment purposes. A further, and very important, provision of the amendment is that in the event a carrier goes off subsidy before the Government fully recoups the equipment gains through depreciation, the balance must be remitted by the carrier. The practical effect of the amendment is that the carrier would initially have the amount of the equipment gains as a loan to be repaid to the Government in equal annual installments during the life of the new equipment that was purchased. While the carrier would pay no interest on such loan, it would, on the other hand, not receive a return on that amount, as it would be entitled to if the money were borrowed elsewhere. A bill with such provisions would obviate the essential objections I have stated above.

I hope that the length of this letter does not burden you too much. I felt that at least some of these thoughts and facts would be of assistance to you and meet your request for comment. The expressions of opinion are, of course, my own, and do not necessarily reflect the views of any present members of the Board. Please let me know if I can be of further assistance.

Sincerely yours,

JOSEPH P. ADAMS.

Carrier	Depreciated cost as of Dec. 31, 1955	Estimated market value
Braniff	$14,269,711	$30,610,000
Continental	4,888,139	10,100,000
Northeast	1,227,258	4,200,000
Allegheny	1,024,845	2,300,000
Bonanza	350,440	800,000
Central	147,561	900,000
Frontier	285,725	1,300,000
Lake Central	281,285	800,000
Mohawk	1,677,913	2,900,000
North Central	810,582	1,800,000
Ozark	574,493	1,600,000
Piedmont	604,200	1,700,000
Southern	483,962	1,300,000
Southwest	1,059,487	2,200,000
Trans Texas	451,273	1,600,000
West Coast	568,369	1,300,000
Alaska Airlines	168,822	1,399,000
Alaska Coastal	96,322	259,500
Byers	30,915	32,000
Cordova	149,100	239,500
Ellis	50,179	189,000
Northern Consolidated	105,594	465,000
Pacific Northern	257,865	1,400,000
Reeve Aleutian	12,115	345,000
Wien Alaska	200,390	566,000
Hawaiian	2,039,929	3,800,000
Trans Pacific	78,722	500,000
Helicopter	101,853	240,000
Los Angeles	304,576	580,000
New York	322,939	500,000
Pan American	79,147,000	130,200,000
Panagra	15,233,755	22,800,000
Total	127,005,319	228,895,000

APPENDIX

The table on the next page sets forth for each subsidized air carrier a comparison of the depreciated cost with the estimated market value of the aircraft owned by each such carrier. The depreciated cost data are as reported by the carriers on their form 41 reports to the Board as of December 31, 1955. These data reflect the depreciated cost of airframes and engines, which represent the bulk of the carriers' investment in flight equipment, and do not include other items such as spare parts and assemblies since it is not feasible to estimate the market value of the latter on the basis of information readily available.

The estimated market values are based upon representative sale prices reported in the last year. The estimates do not reflect the very highest prices reported in isolated instances but are believed to be typical of the general market for such aircraft over a reasonable period of time.

The difference between estimated market value and depreciated cost, which amounts to approximately $102 million for these carriers, should be considered with a good deal of caution in projecting the potential benefits to the carriers to be provided by H. R. 8902 or, conversely, the potential cost to the taxpayers. In the first place, the potential reduction of subsidy is obviously limited by the total subsidy to be paid. The Board has estimated for budget purposes that these carriers will require $46,486,000 of subsidy in fiscal year 1957. In the second place, the estimate of market value of the aircraft owned by these carriers is based upon the prices realized when relatively small numbers of aircraft have been sold from time-to-time in the recent past. Market values could be different if large numbers of aircraft were to be put up for sale within a short space of time.

Fourth. Perhaps the strongest argument for not approving or voting for this proposal during these dying days of this Congress is the capital-gains proceeding begun by the Civil Aeronautics Board on April 6, 1956, on which the prehearing conference report was issued only 15 days ago, on July 3, 1956, with a full-scale hearing tentatively scheduled here in Washington on November 14, 1956.

I know of no opponent to this particular legislative proposal who does not recognize the existence of a problem as to how best and fairly to deal with gains and losses upon the retirement of property of the airlines. But Congress is on clear notice as to this proceeding before the Civil Aeronautics Board and as to its vital importance in any sound solution of the problem through the following statement of Joseph P. Adams, Vice Chairman of the Civil Aeronautics Board:

I consider this kind of proceeding the best approach to the problem because it looks toward a policy consistent with the scheme of the Civil Aeronautics Act, fully supported by a complete economic record, and geared as closely as possible to the individual needs of the carrier.

One of the most unfair and unjustifiable results of this proposal would be its favored treatment of a very few large airlines, without regard to the equally legitimate interests of the many other airlines, and wholly at the expense of the taxpayers generally.

Only those airlines still receiving subsidies would benefit under this legislation.

No airline which is off subsidies could receive a single penny from the Federal Treasury.

It seems to me both relevant and important to list here the facts as to these two classifications of certificated airlines.

The following is the list of nonsubsidized United States Certificated Air Carriers:

JULY 18, 1956.

Name	Date carrier became subsidy-free [1]
American Airlines, Inc	Jan. 1, 1951
Capital Airlines, Inc	Oct. 1, 1951
Caribbean-Atlantic Airlines, Inc.	July 1, 1955
Delta Air Lines, Inc	Oct. 1, 1951
Eastern Air Lines, Inc	Jan. 1, 1951
National Airlines, Inc	Jan. 1, 1952
Northwest Airlines, Inc	Jan. 1, 1955
Trans World Airlines, Inc	Jan. 1, 1954
United Air Lines, Inc	Jan. 1, 1951
Western Air Lines, Inc	Oct. 1, 1951
American Air Export & Import Co.	[2]
The Flying Tiger Line Inc	[2]
Riddle Airlines, Inc	[2]
Slick Airways, Inc	[2]

[1] Indicates date when each carrier's entire system became subsidy-free. Various of these carriers have operated on a nonsubsidy basis during earlier periods (e. g., during World War II) and subsequently reverted to a subsidy status.

[2] These carriers were recently certificated to carry mail on a nonsubsidy basis. Thus, these carriers have not received any subsidy to date.

The following is a list of United States Air Carriers currently receiving subsidies from the Federal Treasury, with a summary of the amounts of subsidies accruing to each airline in the fiscal years 1939–56:

JULY 18, 1956.

	Amount [1]
Braniff Airways, Inc	$24,955,000
Continental Air Lines, Inc	12,709,000
Northeast Airlines, Inc	18,905,000
Allegheny Airlines, Inc	16,445,000
Bonanza Air Lines, Inc	5,086,000
Central Airlines, Inc	$10,308,000
Frontier Airlines, Inc	17,695,000
Lake Central Airlines, Inc	6,937,000
Mohawk Airlines, Inc	5,852,000
North Central Airlines, Inc	12,598,000
Ozark Air Lines, Inc	11,235,000
Piedmont Aviation, Inc	12,060,000
Southern Airways, Inc	11,605,000
Southwest Airways Co	10,319,000
Trans-Texas Airways	16,239,000
West Coast Airlines, Inc	10,815,000
Helicopter Air Service, Inc	[2] 1,277,000
Los Angeles Airways, Inc	[2] 2,452,000
New York Airways, Inc	[2] 4,316,000
Alaska Airlines, Inc	12,662,000
Alaska Coastal Airlines	1,993,000
Byers Airways, Inc	274,000
Cordova Airlines	1,653,000
Ellis Airlines	1,677,000
Northern Consolidated Airlines, Inc	6,291,000
Pacific Northern Airlines, Inc	8,128,000
Reeve Aleutian Airways, Inc	247,000
Wien Alaska Airlines, Inc	6,238,000
Hawaiian Airlines, Ltd	2,296,000
Trans-Pacific Airlines, Ltd	823,000
Pan American-Grace Airways, Inc	28,511,000
Pan American World Airways, Inc	219,768,000
Total	502,915,000

[1] Data for fiscal years 1951–56 are from the Board's subsidy separation reports. Data for the earlier years were developed on a basis consistent with the separation reports.

[2] Amounts relate to fiscal years 1954–56. Prior to this period no passenger service was provided by these carriers and all of their mail compensation was designated as service mail pay.

I know of no means by which the effect of this legislative proposal in terms of future payments of subsidies from the Federal Treasury can be forecast accurately. But, as I have indicated in my minority report, the tabulation prepared by the Department of Commerce is indicative.

Pan American, one of the most vigorous proponents of this legislation, would have received approximately $17,288,000 if this had been law during the last 5 years.

Three other airlines would have received approximately $4,210,000.

Fifteen other subsidized airlines would have received the balance, approximately $402,790.

Twenty-nine other subsidized airlines would have received nothing.

Clearly this would be a sharp departure from the "need" test or standard of the law, which is the only conceivable justification for continuing to pay subsidies from the Federal Treasury to some airlines.

Obviously, the proposal, however it has been or may be presented as of value to the small local feeder airlines, actually would be legislating unpredictable windfalls to a favored few.

Another test of this proposal can be made in terms of competition.

Clearly Pan American stands to gain most. It has on order new jet planes, which I have been advised cost more than $260 million.

I understand that the estimated profit from the sale of Pan American old equipment might be as large as $100 million.

And it cannot be denied that the Federal Government, for reasons of national policy, gives to subsidized airlines outright payments from the Treasury which, after taxes, now stands at 7 percent on the invested capital for a past period

and 8 and 9 percent for a future period, depending upon whether domestic or foreign operations are involved.

Yet a competitor of Pan American, even though it receives no subsidies, must also find ways to purchase equally good modern planes, if it is to compete effectively. One striking example, in terms of comparative revenues illustrates that point graphically.

Pan American's Pacific revenues, over its exclusive central Pacific route, are about $60 million annually. Yet it is willing and anxious to have the American taxpayers forced to contribute substantially to its purchase of modern equipment, above and beyond its present large subsidies.

Northwest's total international revenues are about $21 million a year. It is off subsidies. But since it must have modern equipment, it must purchase it without recourse to the Federal Treasury if it is to compete with Pan American, a much larger airline and the prime beneficiary of this proposal.

We are expected to disregard all this and to pay no attention to the unsuccessful efforts to upset the awarding of subsidies on the established and sound basis of need in the case before the United States court of appeals, in the case before the Supreme Court of the United States, and in the ruling of the Civil Aeronautics Board in the System Mail Rate case, involving Pan American, only last December.

There will be another session of Congress in a few months' time. It will have the benefit of the Civil Aeronautics Board's considered rulings and decisions upon all the facts in the pending proceeding.

If Pan American or any other subsidized airline thinks then that it has been treated unfairly or can show that it needs more money from the taxpayers, it can come before Congress and prove it.

I submit that, on all the facts, the bill should be rejected by the House.

In any event, I shall offer the amendment suggested by the Bureau of the Budget, if the bill comes to the floor under the rule. Of course, such an amendment could not be offered if the bill comes before the House on suspension of rules. In that case, I submit that, on all the facts, the House should reject the bill.

SALE AND USE OF ALCOHOLIC BEVERAGES ON AIRLINES SHOULD BE PROHIBITED

The SPEAKER. Under previous order of the House, the gentleman from Kansas [Mr. REES] is recognized for 5 minutes.

Mr. REES of Kansas. Mr. Speaker, I take this time to call the attention of the membership of the House to proposed legislation presently pending that would prevent the sale and furnishing of alcoholic liquor to airplane passengers.

There are several bills dealing with the subject matter. One of them, H. R. 8000, by the Honorable JOHN BELL WILLIAMS is presently pending on the calendar. I hope it will be approved by the House and enacted into law before the present session is brought to a close. My colleague, the Honorable WINT SMITH, of Kansas, has introduced a similar bill that cannot be misunderstood. It reads as follows:

> No air carrier shall sell or otherwise furnish to its passengers alcoholic beverages (including wine and beer) for consumption while in flight within the United States.

It is extremely important that this legislation be approved as a safety measure. No one knows this better than the airline pilots and the stewardesses who are in charge of the planes. They are required to take every precaution available for the safety of the passengers and yet here is one where the stewardesses and the airline pilots have been overruled.

I call your attention to a resolution recently approved by the Airline Pilots Association. It reads as follows:

> *Therefore be it resolved,* That the Airline Pilots Association is opposed to the serving of alcoholic beverages aboard aircraft, the providing of setups aboard aircraft, or any other practices which will encourage drinking alcoholic beverages on board aircraft.

This legislation is also vigorously supported by airline stewardesses.

Of course, the use of intoxicating liquor does no one any good any time or anywhere. The excessive use of it is bound to result in harm. The question involved in this legislation goes beyond whether a person favors the use of intoxicating liquor. This involves a question of safety for those who operate the planes, as well as the passengers who ride the planes. I am amazed and disappointed that the management of the airlines would not be glad to cooperate in support of the resolution approved by the Airline Pilots Association. For years the air crews' unions have been urging nonalcoholic rules for domestic flights.

I quote from a statement that appeared in the last issue of Newsweek. Here is what it says:

> Crew members have cited cases of overloaded riders slugging pilots, stewardesses cut by exploding champagne bottles, and other social problems of drinking on planes. A spokesman for the Airline Pilots Association points out that 2 drinks at altitude pack the wallop of 4 on the ground and that crews still must enforce the rules. "It is quite a job," this man added, "to be a bouncer and a pilot at the same time."

Again, I am deeply concerned that this proposal shall not be lost in the shuffle, but that it be enacted as promptly as may be done.

SOCIAL SECURITY BENEFITS

The SPEAKER. Under previous order of the House, the gentleman from Kentucky [Mr. PERKINS] is recognized for 20 minutes.

Mr. PERKINS. Mr. Speaker, one of my great concerns since I have been in Congress has been that the people who are permanently and totally disabled should be entitled to social-security benefits, and that the retirement age should be lowered. I have repeatedly introduced amendments which would pay disabled benefits at any age. In 1949 I voted for the House proposal which would have provided disability benefits, but this measure was defeated in the Senate. It was with satisfaction, therefore, that I viewed the action of the Senate in adopting the George amendment which will provide disability benefits to many Americans. The Senate amendment does not go as far as I would like to go, but it is an important step in our social-security system.

The restrictive provisions of this social security disability program are such that less than one-third of the persons now totally disabled will be able to qualify. In my opinion the eligibility requirements for totally disabled persons should be no more restrictive than for those persons reaching retirement age. To a worker at age 30 to 35 who becomes totally disabled, the need is usually more for social security payments than a worker at age 60.

At any rate, the Senate has approved the principle of disabled benefits and of a lower retirement age for women. Moreover, they have gone a step further than did the House bill, in that they have increased the Federal share for public-assistance programs for the aged, the disabled and the blind by some $5 to $7, for each recipient. This measuring formula has been placed on a permanent basis rather than on a temporary basis by the Senate amendment.

Mr. Speaker, it was with pleasure that I appeared before the Committee on Finance to urge the enactment of a similar provision. At that time I said:

> I am confident that this committee will give full consideration to these important human problems as well as to other important aspects of this legislation in your recommendations to the Senate. I am equally convinced that we are capable, in this country, of administering such a system efficiently and equitably. It is part of our American heritage to combine a concern with individual human welfare with the ability to find good workable answers—and our social security system is certainly no exception. As I have indicated, I also believe that we will make a very important step forward in providing security for American homes by lowering the eligibility age for women under the social security system from age 65 to at least age 62. I believe, moreover, that we should make a similar adjustment in the old-age assistance program so that those needy women who cannot qualify for social security benefits, may also become eligible for Federal aid in furnishing old-age assistance payments at age 62.
>
> To further enable the States to more adequately provide for the aged who are forced by lack of funds to apply for old-age assistance payments, I also am happy to endorse the proposal of Senator LONG and some 40 other Senators which would increase the Federal share for old-age assistance payments so that the Federal Government would provide $25 of the first $30 of each average payment, and half of the rest up to a maximum of $65.
>
> I have felt for many years that our present law should be amended to take care of those widows who need assistance after their children become 18 years of age. Under the present law, payments cease for those widows upon their last child becoming 18 years of age. The widow is no longer entitled to social security payments until she becomes 65 years old. I am hopeful that Congress will bridge this gap.

As I have said, I am delighted that the Senate bill accepted this increase in the Federal share for payments for old-age assistance and also for the aid to the

blind, and the aid to the totally and permanently disabled program of the public assistance program. I am also happy to endorse the Senate provision which will allow people on old-age assistance to earn up to $50 before the need test can be applied. This means on outside income.

Personally I have always been against restrictions and regulations that would require an old-age individual who cannot qualify for social security payments to completely take the pauper's oath before he is entitled to receive benefits. Our welfare laws were never intended to be so unjust. I am in wholehearted agreement with the pass-on provision in the Senate amendment which in effect requires the States to pass on this increase to the recipients. But I am concerned that the Senate bill makes no provision for an increase in the Federal share for the aid to dependent children's program of public assistance. In increasing the Federal share for public assistance programs in the past, the increase provision was applied proportionately to all four programs. It doesn't seem wise to me at the present time to make an exception for the 1 important program concerned with needy children, and I hope the conferees will take this matter into account so that a proportionate increase can be made for the aid to dependent children's program, as well as for the other 3 programs which were provided for in the Senate bill.

The total cost of this increase is estimated at $208 million per year, but this will decrease as the broader coverage of the old-age and retirement program are rapidly transferring farmers and self-employed workers from the welfare roles to the old-age and retirement roles. These provisions tending to bring the program into line with current economic conditions were approved in the Senate by a vote which closely followed party lines.

I believe that the House provision which will provide full benefits at age 62 for all women—widows, wives, and women workers—is better than the Senate plan which would provide such benefits at age 62, but only if they elect to take a reduced benefit for the rest of their lives. Only widows are entitled to full benefits at age 62 in the Senate version. I feel that this matter, too, can be resolved in conference in favor of the House version.

I heartily approve the action of the Senate in adopting the amendment for continuing payments to the physically handicapped and mentally retarded children after their 18th birthday. Also applicants over 18 years are able to make application for the first time under the Senate amendment. This is an amendment long overdue but will redound to the welfare of thousands of disabled children who otherwise would continue to suffer.

Mr. Speaker, I am hopeful that the House conferees will go along with the Long amendment. Our old-age people well deserve this $5 to $7 increase and I sincerely hope that the House conferees will insist that this same increase be extended to cover dependent children. The increase in 1952 affected all groups across the board. Dependent children should not be discriminated against in this instance. Personally I feel that our conferees should insist on the House provision in lowering the retirement age for women to 62 instead of the Senate version.

Mr. Speaker, this improved social-security legislation gives the common people in this country who need it most a little lift—the aged, the blind, and the totally and permanently disabled groups.

To make certain that we are able to give some aid to these groups at this session of Congress, the conferees should act as speedily as possible in order to give the Members a chance to act on any adverse action the President may take. I regret personally that the administration opposes these worthwhile amendments. I also regretted to see the vote on such a humane issue as the disability provision follow closely along party lines with only 6 Republicans voting for this amendment, while on the other hand 41 Democrats supported the amendment. I certainly hope that the Chief Executive will approve this measure and not follow the views expressed by his Secretary of Health, Education, and Welfare.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. GORDON (at the request of Mr. MURRAY of Illinois), for an indefinite period, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. METCALF, at the request of Mr. REUSS, for 1 hour on Friday, July 20.

Mr. REUSS, for 30 minutes on Friday, July 20.

Mr. PERKINS, for 10 minutes today.

Mr. HENDERSON (at the request of Mr. HILL), for 30 minutes on Thursday and Friday of this week.

Mr. DONDERO, for 30 minutes on Friday next.

Mr. SAYLOR, for 60 minutes, on Friday.

Mrs. ROGERS of Massachusetts, for 5 minutes, tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. KEE (at the request of Mr. MCCORMACK).

Mr. PHILBIN and to include extraneous matter.

Mr. FORAND and to include an explanation of the tax bill introduced by him today.

Mr. MULTER and to include extraneous matter.

Mr. MILLER of Nebraska and to include a speech.

Mr. HENDERSON (at the request of Mr. HILL) and include extraneous matter.

Mr. KEARNEY.

Mr. JACKSON in two instances and include extraneous matter.

Mr. GAVIN.

Mr. COOLEY (at the request of Mr. THOMPSON of Texas) and include extraneous matter.

Mr. SIMPSON of Illinois (at the request of Mr. MARTIN) and to include extraneous matter.

Mr. MCCULLOCH.

Mr. DONOVAN, the remarks he made in the Committee following the teller vote on the Dodd amendment and to include an editorial from the New York Daily News.

Mr. DONOHUE and to include extraneous matter.

Mr. DINGELL (at the request of Mr. ALBERT) and to include extraneous matter.

Mr. BROOKS of Louisiana and to include extraneous matter.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2111. An act to authorize the Secretaries of the Army, the Navy, and the Air Force to cause to be published official registers for their respective services;

H. R. 5566. An act to terminate the existence of the Indian Claims Commission, and for other purposes;

H. R. 7380. An act to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities;

H. R. 8898. An act to provide an additional authorization of appropriations for the purchase by the Secretary of Agriculture under the act of May 11, 1938, of lands within the boundaries of the Cache National Forest in the State of Utah; and

H. R. 10285. An act to merge production credit corporations in Federal intermediate credit banks; to provide for retirement of Government capital in Federal intermediate credit banks, to provide for supervision of production credit associations, and for other purposes.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 1358. An act to authorize modification of the flood-control project for Missouri River Agricultural Levee Unit 513–512–R, Richardson County, Nebr.;

S. 1384. An act to provide for the reconveyance of all mineral interests in lands acquired by the United States for certain reservoir projects to former owners thereof, and for other purposes;

S. 2092. An act transferring to the jurisdiction of the Department of the Army the bridge across the Missouri River between the Fort Leavenworth military reservation in Kansas and Platte County, Mo., and authorizing its removal;

S. 2280. An act to amend the Longshoremen's and Harbor Workers' Compensation Act, as amended, to provide increased benefits in case of disabling injuries, and for other purposes;

S. 2305. An act to exclude certain lands from Acadia National Park, Maine, and to authorize their disposal as surplus Federal property;

S. 2424. An act to provide that lock and dam No. 17 on Black Warrior River, Ala., shall

hereafter be known and designated as the John Hollis Bankhead lock and dam.

S. 2517. An act to amend subsection 3 (a) of the act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska;

S. 2711. An act to authorize medals and decorations for outstanding and meritorious conduct and service in the United States merchant marine, and for other purposes;

S. 2895. An act to amend the acts of February 28, 1903, and March 3, 1927, relating to the payment of the cost and expense of constructing railway-highway grade elimination structures in the District of Columbia;

S. 3032. An act granting the consent and approval of Congress to the Middle Atlantic Interstate Forest Fire Protection Compact;

S. 3120. An act to amend the Soil Conservation and Domestic Allotment Act, as amended;

S. 3180. An act to amend title 28 of the United States Code to authorize the appointment of two United States commissioners for Cumberland Gap National Historical Park;

S. 3246. An act to increase the amount authorized for the erection and equipment of suitable and adequate buildings and facilities for the use of the National Institute of Dental Research;

S. 3344. An act to authorize the Secretary of Agriculture to convey to the Territory of Alaska certain lands in the city of Sitka, known as Baranof Castle site;

S. 3388. An act to provide for the conveyance of certain real property of the United States to the port of Port Townsend, Wash.;

S. 3397. An act to amend section 3 of the act of May 19, 1947 (ch. 80, 61 Stat. 102), as amended, for the purpose of extending the time in which payments are to be made to members of the Shoshone Tribe and the Arapahoe Tribe of the Wind River Reservation, in Wyoming, and for other purposes;

S. 3412. An act to extend the provisions of title XIII of the Civil Aeronautics Act of 1938, as amended, relating to war-risk insurance for an additional 5 years;

S. 3482. An act to provide for transfer of title of certain lands to the Carlsbad Irrigation District, New Mexico; and

S. J. Res. 182. Joint resolution to extend the time for filing the final report of the Commission on Government Security to June 30, 1957, and for other purposes.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 483. An act to amend the Army-Navy-Public Health Services Medical Officer Procurement Act of 1947, as amended, so as to provide for appointment of doctors of osteopathy in the Medical Corps of the Army and Navy;

H. R. 842. An act granting increases in the annuities of certain former civilian officials and employees engaged in and about the construction of the Panama Canal, and for other purposes;

H. R. 1403. An act for the relief of Anthony J. Varca, Jr.;

H. R. 1535. An act for the relief of Cabrillo Land Co., of San Diego, Calif.;

H. R. 2111. An act to authorize the Secretaries of the Army, the Navy, and the Air Force to cause to be published official registers for their respective services;

H. R. 3733. An act for the relief of Charles A. Barron;

H. R. 3987. An act for the relief of Onie Hack;

H. R. 4456. An act for the relief of Corp. Oscar H. Mash, Jr.;

H. R. 5868. An act for the relief of the estate of Gertrude I. Keep;

H. R. 6729. An act to provide that the Secretary of the Navy shall appoint certain former members of the Navy and Marine Corps to the Fleet Reserve or Fleet Marine Corps Reserve, as may be appropriate, and thereafter transfer such members to the appropriate retired list;

H. R. 7190. An act restoring to tribal ownership certain lands upon the Colville Indian Reservation, Washington, and for other purposes;

H. R. 7611. An act to establish a date of rank for pay purposes for certain Naval Reserve officers promoted to the grades of lieutenant and lieutenant commanders;

H. R. 7646. An act to authorize the Secretaries of the military departments, and the Secretary of the Treasury with respect to the Coast Guard, to incur expenses incident to the representation of their personnel before judicial tribunals and administrative agencies of any foreign nation;

H. R. 7943. An act to change the name of the Government Locks at Ballard, Wash., to the "Hiram M. Chittenden Locks";

H. R. 8005. An act to provide for the conveyance to the Mathew American Horse American Legion Post No. 259, Cannon Ball, N. Dak., of certain lands upon the Standing Rock Reservation, N. Dak., for use as a site for the erection of a memorial monument in honor of members of the Armed Forces killed in battle;

H. R. 8290. An act to provide for the appointment and promotion of the director and assistant directors of the band of the United States Marine Corps, and for other purposes;

H. R. 8407. An act to require enlisted members of the Armed Forces to make up time lost during enlistments;

H. R. 8898. An act to provide an additional authorization of appropriations for the purchase by the Secretary of Agriculture under the act of May 11, 1938, of lands within the boundaries of the Cache National Forest in the State of Utah.

H. R. 9106. An act for the relief of Saul Lehman;

H. R. 9246. An act to amend the Armed Forces Leave Act of 1946 by authorizing payments to survivors of former members for unused leave credit;

H. R. 9339. An act to authorize the exchange of certain lands of the United States situated in Union County, Ga., for lands within the Chattahoochee National Forest, Ga., and for other purposes;

H. R. 9451. An act to provide that certain lands shall be held in trust for the Seminole Indians and to provide that certain lands shall be designated as a reservation for Seminole Indians;

H. R. 9500. An act to continue the effectiveness of the Missing Persons Act, as extended, until July 1, 1957;

H. R. 9892. An act to amend the provisions of the Revised Statutes, relating to physical examinations preliminary to promotion of officers of the naval service;

H. R. 10011. An act for the relief of Jess Gary;

H. R. 10199. An act for the relief of A. O. Nissen and Don Nissen;

H. R. 10285. An act to merge production credit corporations in Federal intermediate credit banks; to provide for retirement of Government capital in Federal intermediate credit banks; to provide for supervision of production credit associations; and for other purposes;

H. R. 10368. An act to amend the Civil Service Act of January 16, 1883, so as to require that certain reports and other communications of the executive branch to Congress contain information pertaining to the number of civilian officers and employees required to carry out additional or expanded functions, and for other purposes;

H. R. 10375. An act to amend the act entitled "An act to provide recognition for meritorious service by members of the police and fire departments of the District of Columbia," approved March 4, 1929;

H. R. 10670. An act to amend the District of Columbia Unemployment Compensation Act so as to extend the coverage of such act to employees of the municipal government of the District of Columbia employed in the District of Columbia institutions located in Maryland and Virginia;

H. R. 10683. An act to amend the Dependents Assistance Act of 1950, as amended, so as to provide punishment for fraudulent acceptance of benefits thereunder;

H. R. 10964. An act to provide for municipal use of storage water in Benbrook Dam, Tex.;

H. R. 11010. An act creating the Muscatine Bridge Commission and authorizing said Commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near the city of Muscatine, Iowa, and the town of Drury, Ill.;

H. R. 11163. An act to amend section 2 of the act of March 29, 1956 (70 Stat. 58), authorizing the conveyance to Lake County, Calif., of the Lower Lake Rancheria, and for other purposes;

H. R. 11320. An act to effect the control of narcotics and dangerous drugs in the District of Columbia, and for other purposes;

H. R. 11346. An act for the relief of Camillus Bothwell Jeter;

H. R. 11375. An act to amend the Agricultural Act of 1949, as amended, to further extend the special school milk program to certain institutions for the care and training of children;

H. R. 11488. An act to amend the District of Columbia Traffic Act, 1925, as amended;

H. R. 11530. An act for the relief of M. Sgt. Harold LeRoy Allen;

H. R. 11611. An act to provide for the establishment of the Pea Ridge National Military Park, in the State of Arkansas;

H. R. 11766. An act to provide for the establishment of the Horseshoe Bend National Military Park, in the State of Alabama;

H. J. Res. 621. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 626. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 627. Joint resolution for the relief of certain aliens; and

H. J. Res. 638. Joint resolution to facilitate the admission into the United States of certain fiances of United States citizens.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 50 minutes p. m.) the House adjourned until tomorrow, Thursday, July 19, 1956, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2064. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal and lists or schedules covering records proposed for disposal by certain Government agencies, pursuant to the act approved July 7, 1943 (57 Stat.

380) as amended by the act approved July 6, 1945 (59 Stat. 434); to the Committee on House Administration.

2065. A letter from the Secretary of the Navy, transmitting a report of all claims paid by the Department of the Navy during the fiscal year 1956, July 1, 1955, to June 30, 1956, pursuant to section 2673 of title 28, United States Code; to the Committee on the Judiciary.

2066. A letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to section 244 (a) (5) of the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a) (5)); to the Committee on the Judiciary.

2067. A letter from the Commission, Immigration and Naturalization Service, United States Department of Justice, transmitting copies of orders granting the applications for permanent residence filed by the subjects, pursuant to section 4 of the Displaced Persons Act of 1948, as amended; to the Committee on the Judiciary.

2068. A letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to section 244 (a) (1) of the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a) (1)); to the Committee on the Judiciary.

2069. A letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, relative to a letter dated May 6, 1956, relating to the case of Sen Sun Chu, case No. —, involving the provisions of section 6 of the Refugee Relief Act of 1953, and requesting that it be withdrawn from those before the Congress and returned to the jurisdiction of this Service; to the Committee on the Judiciary.

2070. A letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, transmitting copies of orders granting the applications for permanent residence filed by the subjects, pursuant to section 6 of the Refugee Relief Act of 1953; to the Committee on the Judiciary.

2071. A letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to Public Law 863, 80th Congress, amending subsection (c) of section 19 of the Immigration Act of February 5, 1917, as amended (8 U. S. C. 155 (c)); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CELLER: Committee of Conference. S. 2182. An act for the relief of the city of Elkins, W. Va. (Rept. No. 2759). Ordered to be printed.

Mr. WILLIS: Committee on the Judiciary. H. R. 11911. A bill to authorize negotiations with respect to a compact to provide for a definition or relocation of the common boundary between Arizona and California, and for the appointment by the President of a Federal representative to the compact negotiations; with amendment (Rept. No. 2761). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of New York: Committee on the Judiciary. H. R. 12170. A bill to remove the present $1,000 limitation which prevents the Secretary of the Navy from settling certain claims arising out of the crash of a naval aircraft at the Wold-Chamberlain Air Field, Minneapolis, Minn.; without amendment (Rept. No. 2762). Referred to the Committee of the Whole House on the State of the Union.

Mr. RODINO: Committee on the Judiciary. H. R. 800. A bill to amend section 1201 of title 18 of the United States Code to authorize the Federal Bureau of Investigation to initiate investigation of any kidnapping in which the victim has not been released within 24 hours after his seizure; without amendment (Rept. No. 2763). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 11968. A bill to permit the State of New York to purchase from the District of Columbia Reformatory at Lorton, Va., gun mountings and carriages for guns for use at historic sites and for museum display purposes; with amendment (Rept. No. 2764). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOPER: Committee on Ways and Means. H. R. 7643. A bill to amend the Internal Revenue Code of 1939 and the Internal Revenue Code of 1954 with respect to foreign tax credit for United Kingdom income tax paid with respect to royalties and other like amounts; with amendment (Rept. No. 2765). Referred to the Committee of the Whole House on the State of the Union.

Mr. HILLINGS: Committee on the Judiciary. Senate Joint Resolution 105. Joint resolution authorizing the President of the United States to designate the period beginning September 17 and ending September 23 of each year as Constitution Week; without amendment (Rept. No. 2766). Referred to the House Calendar.

Mr. MILLER of New York: Committee on the Judiciary. S. 3650. An act for the relief of the town of Freeport, Maine; without amendment (Rept. No. 2767). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARDEN: Committee on Education and Labor. S. 3875. An act to amend section 4 (a) of the Vocational Rehabilitation Act, as amended; without amendment (Rept. No. 2770). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARDEN: Committee on Education and Labor. S. 3259. An act to amend the act to promote the education of the blind, approved March 3, 1879, as amended, so as to authorize wider distribution of books and other special instructional material for the blind, to increase the appropriations authorized for this purpose, and for other purposes; with amendment (Rept. No. 2771). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee of conference. S. 3820. An act to increase the borrowing power of Commodity Credit Corporation (Rept. No. 2772). Ordered to be printed.

Mr. HARRIS: Committee of conference. S. 849. An act to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystophy, and for other purposes (Rept. No. 2773). Ordered to be printed.

Mr. FRAZIER: Committee on the Judiciary. House Joint Resolution 576. Joint resolution to amend the joint resolution entitled "Joint resolution to establish a commission for the celebration of the 200th anniversary of Alexander Hamilton," approved August 20, 1954; with amendment (Rept. No. 2774). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRAZIER: Committee on the Judiciary. H. R. 9459. A bill to amend section 77 (c) (6) of the Bankruptcy Act; with amendment (Rept. No. 2775). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 12027. A bill to authorize the city of Rock Hill, S. C., to acquire certain tribal lands on the Catawba Indian Reservation, S. C.; without amendment (Rept. No. 2776). Referred to the Committee of the Whole House on the State of the Union.

Mr. KLEIN: Committee on Interstate and Foreign Commerce. S. 2226. An act to authorize the Attorney General to dispose of the remaining assets seized under the Trading With the Enemy Act prior to December 18, 1941; with amendment (Rept. No. 2777). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. S. 3365. An act to amend section 410 of the Interstate Commerce Act, as amended, to change the requirements for obtaining a freight forwarder permit; without amendment (Rept. No. 2778). Referred to the House Calendar.

Mr. FRAZIER: Committee on the Judiciary. H. R. 590. A bill to incorporate the Military Order of the Purple Heart, a national organization of combat wounded composed solely of Purple Hearters; without amendment (Rept. No. 2779). Referred to the House Calendar.

Mr. FRAZIER: Committee on the Judiciary. H. R. 11571. A bill to incorporate the Boys' Clubs of America; without amendment (Rept. No. 2780). Referred to the House Calendar.

Mr. FRAZIER: Committee on the Judiciary. House Resolution 543. Resolution extending the felicitations of the House of Representatives to the city of Orange, N. J., on the celebration of its sesquicentennial; without amendment (Rept. No. 2781). Referred to the House Calendar.

Mr. ENGLE: Committee on Interior and Insular Affairs. Senate Joint Resolution 114. Joint resolution to change the name of Bedloe's Island in New York Harbor to Liberty Island; without amendment (Rept. No. 2782). Referred to the House Calendar.

Mr. TRIMBLE: Committee on Rules. House Resolution 610. Resolution for consideration of H. R. 7435, a bill to reauthorize construction by the Secretary of the Interior of Farwell unit, Nebraska, of the Missouri River Basin project; without amendment (Rept. No. 2784). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 611. Resolution for the consideration of H. R. 12061, a bill providing for a civilian atomic power acceleration program; without amendment (Rept. No. 2785). Referred to the House Calendar.

Mr. O'NEILL: Committee on Rules. House Resolution 612. Resolution for consideration of H. R. 10433, a bill to promote the fishing industry in the United States and its Territories by providing for the training of needed personnel for such industry; without amendment (Rept. No. 2786). Referred to the House Calendar.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 514. An act to provide for the disposal of certain Federal property in the Boulder City area, to provide assistance in the establishment of a municipality incorporated under the laws of Nevada, and for other purposes; with amendment (Rept. No. 2787). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 3338. An act relating to rates charged to public bodies and cooperatives for electric power generated at Federal projects; with amendment (Rept. No. 2788). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 11685. A bill to pro-

vide for the acquisition of Navaho Indian lands required in connection with the construction, operation, and maintenance of the Glen Canyon unit, Colorado River storage project; with amendment (Rept. No. 2789). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. House Joint Resolution 672. Joint resolution to provide for a 230,000-volt line from the Fort Randall Dam in South Dakota to Grand Island, Nebr.; without amendment (Rept. No. 2790). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. S. 1079. An act to provide for the sale of certain lands in the national forests; with amendment (Rept. No. 2791). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. S. 2216. An act to amend the act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497); without amendment (Rept. No. 2792). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 5275. A bill to amend the Federal Crop Insurance Act, as amended; with amendment (Rept. No. 2794). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 11958. A bill to amend the acreage reserve provisions of the Soil Bank Act to permit inclusion of acreage up to 30 days prior to harvest; without amendment (Rept. No. 2795). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FORRESTER: Committee on the Judiciary. H. R. 1140. A bill for the relief of the Southwest Research Institute; with amendment (Rept. No. 2760). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. S. 1184. An act for the relief of Frank R. Davis; without amendment (Rept. No. 2768). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. S. 3361. An act for the relief of Egbert Carlsson; without amendment (Rept. No. 2769). Referred to the Committee of the Whole House.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. S. 3363. An act for the relief of Miroslav Slovak; without amendment (Rept. No. 2783). Referred to the Committee of the Whole House.

Mr. COOLEY: Committee on Agriculture. S. 4058. An act to authorize the Secretary of Agriculture to extend and renew to Chicago, Milwaukee, St. Paul & Pacific Railroad Co. for the term of 10 years a lease of a tract of land in the United States Department of Agriculture Range Livestock Experiment Station, in the State of Montana, and for a right-of-way to said tract, for the removal of gravel and ballast material, executed under the authority of the act of Congress approved June 26, 1946; with amendment (Rept. No. 2793). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FORAND:

H. R. 12298. A bill to make technical changes in the Federal excise tax laws, and for other purposes; to the Committee on Ways and Means.

By Mr. BERRY:

H. R. 12299. A bill to amend the act of August 5, 1947, to grant to owners of property adjacent to lands to be leased by the Secretary of the Army for agricultural or grazing purposes, certain rights with respect to the leasing of such lands; to the Committee on Armed Services.

By Mr. HALE:

H. R. 12300. A bill for the relief of the town of Freeport, Maine; to the Committee on the Judiciary.

By Mr. IKARD:

H. R. 12301. A bill to amend the Internal Revenue Code of 1954 to provide that the acquisition of real property by trade-in shall in certain cases constitute a nontaxable exchange for income-tax purposes; to the Committee on Ways and Means.

By Mr. METCALF:

H. R. 12302. A bill to provide for cooperative unit programs of research, education, and demonstration between the Federal Government of the United States, colleges, and universities, the several States and Territories, and private organizations, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. STAGGERS:

H. R. 12303. A bill to provide for the establishment of a fish hatchery in the State of West Virginia; to the Committee on Merchant Marine and Fisheries.

By Mr. FEIGHAN:

H. J. Res. 691. Joint resolution to extend the Refugee Relief Act of 1953 for an additional 6 months with respect to cases pending on December 31, 1956, and to amend the provisions of that act which require aliens to present assurances and certificates of readmission; to the Committee on the Judiciary.

By Mr. GRANT:

H. J. Res. 692. Joint resolution to authorize and direct the Secretary of the Army or his designee to convey certain property located in the vicinity of Montgomery, Montgomery County, Ala., to the State of Alabama; to the Committee on Armed Services.

By Mr. BURDICK:

H. Con. Res. 267. Concurrent resolution providing for a complete investigation of mental health legislative programs which are currently being promoted, and for other purposes; to the Committee on Rules.

By Mr. COOPER:

H. Res. 606. Resolution to amend House Resolution 331 of the 84th Congress; to the Committee on Rules.

H. Res. 607. Resolution providing for the expenses of conducting the studies and investigations authorized by House Resolution 331 and House Resolution 606, 84th Congress; to the Committee on House Administration.

By Mr. HAYS of Ohio:

H. Res. 608. Resolution proposing the withdrawal of diplomatic recognition of the present government of the Polish Peoples Republic; to the Committee on Foreign Affairs.

By Mr. CHELF:

H. Res. 609. Resolution favoring an investigation and report to the Senate on alleged inequities in the policy of the United States with reference to imports of distilled spirits; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOGGS:

H. R. 12304. A bill for the relief of Mrs. Hsin Chuen Li Mok; to the Committee on the Judiciary.

By Mr. DONOVAN:

H. R. 12305. A bill for the relief of Chong Jean and Han Jan Jean; to the Committee on the Judiciary.

By Mr. HARVEY:

H. R. 12306. A bill for the relief of Hildegard Kaufmann; to the Committee on the Judiciary.

By Mr. HILLINGS:

H. R. 12307. A bill for the relief of Cecelia Vaccaro; to the Committee on the Judiciary.

By Mr. SHEEHAN:

H. R. 12308. A bill for the relief of Miloslav Lubomir Cermak; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 12309. A bill for the relief of Cynthia Lynn Troutman; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1197. By Mr. HENDERSON: Petition of 600 residents of Muskingum County, Ohio, at the instance of World War I veterans of Muskingum County Barracks 454; to the Committee on Veterans' Affairs.

1198. By the SPEAKER: Petition of Paul L. Marshall, New Orleans, La., relative to a suit of complaint against Donald A. Maginnis, Jr; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Mental Health Legislation

EXTENSION OF REMARKS
OF
HON. DONALD L. JACKSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 18, 1956

Mr. JACKSON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following editorial from the Santa Monica Evening Outlook of June 5, 1956:

THE OUTLOOK

(By Louise Randall Pierson)

There's been a lot of yacking about mental health lately. And a whole flock of mental health bills have been tossed gaily into Federal and State hoppers.

In talking with people, I find they're pretty confused about the whole thing and my guess is that confusion worse confounded is just what the authors and boosters of these bills are hoping for.

If folks knew what the real score was they might blow their tops and insist the whole mess be dragged right out in the open.

But if any of these bills pass in their present form, you better think twice before you blow your top. This would show that you were emotionally immature and you could be whisked off to the boobyhatch in a plain envelope without previous notification.

Now, we are all aware of the sad fact that what with one thing and another, more people are going batty than ever before.

Our overcrowded hospitals are full of the mentally ill and short on doctors who are capable of helping these troubled patients to get well again.

So when the average citizen is urged to be for mental health, he naturally thinks he's being asked to support bills which would provide much-needed funds for better care for the mentally ill.

He couldn't be more wrong. These bills are not designed to get people out of hospitals and insane asylums but put more in.

How? Why the UNESCO "kids" who are behind these bills just redefined insanity. If you disagree with them, you have paranoid delusions, otherwise known as bats in your belfry.

Listen to Dr. Brock Chisholm, of the U. N. World Health Organization:

"We have swallowed all manner of poisonous certainties fed to us by our parents, our Sunday and day school teachers." He calls for "reinterpretation and eventually eradication of the concept of right and wrong."

Now take it easy. We better keep our traps buttoned. The bogyman will get us if we don't watch out.

Now, Mr. Carl Mote, Jr., of Hollywood doesn't like Senate bill 2937 or H. R. 6376, the Alaska mental-health bill (there are several identical bills with different numbers).

He believes—rightly or wrongly—that the bill is so carelessly drawn that it might conceivably lay a predicate of legislation which would someday enable politicians in power to send their outspoken critics off to an insane asylum under the guise that those critics are abnormal and therefore in need of mental care.

Mote wrote to quite a few of the politicians now in power, pointing out why he didn't like the bill and urging its defeat.

He received the following reply from Hon. ABRAHAM J. MULTER, United States Congressman from the 13th District, New York:

"DEAR MR. MOTE: Your post card of March 14, 1956, has been received.

"As soon as the mental-health bill is signed into law by our Republican President, after it has been passed by a Democratic Congress, I will make a special request that the first bed be reserved for you.

"Yours very truly,

"ABRAHAM J. MULTER."

Bye now. See you-all in Camarillo.

LOUISE RANDALL PIERSON.

Schedule of Conferences and Visits With Residents of the Fourth Ohio District

EXTENSION OF REMARKS

OF

HON. WILLIAM M. McCULLOCH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 1956

Mr. McCULLOCH. Mr. Speaker, I believe that a Congressman should be in his district to confer and visit with his constituents whenever official duties do not require him to be in Washington.

When Congress adjourns in a few weeks, I expect to return home and to be available for conferences and visits with residents of the Fourth District in the courthouse of each county seat between 8 a. m. and 4 p. m., in accordance with the following schedule:

Lima, Allen County: Tuesday, August 14.

Wapakoneta, Auglaize County: Wednesday, August 15.

Greenville, Darke County: Thursday, August 16.

Eaton, Preble County: Monday, August 20.

Celina, Mercer County: Wednesday, August 22.

Troy, Miami County: Thursday, August 23.

Sidney, Shelby County: Tuesday, August 28.

No appointments will be necessary. Any problem with, or opinion concerning, the Federal Government will be proper subject for conference.

Of course, I will be glad to see residents of the district, in my Piqua office, any time that the Congress is not in session, except on the days scheduled above.

A Civilian Atomic Power Acceleration Program

EXTENSION OF REMARKS

OF

HON. ELIZABETH KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 1956

Mrs. KEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I should like to include the following thoughts on the subject of S. 4146, which would provide for a civilian atomic power acceleration program.

Mr. Speaker, I am disturbed at the thought of the proposal to build atomic powerplants as specified in S. 4146. I have opposed the unnecessary subsidization of electric powerplants on the grounds that it would be unfair to our coal people and to our private electric companies. As you know, coal is responsible for the employment of many thousands of persons in my congressional district. We are also proud of the Appalachian Power Co., whose 5 generating plants consume well over 3 million tons of coal per year and which has always provided southern West Virginia with excellent service. I have been especially pleased with the cooperation which the Appalachian Electric Power Co. has always offered when the cause of the coal industry was at stake. I recall that only recently, when the West Virginia State Society arranged for the first Coal Festival to be held in Washington, two of Appalachian's executives came here to participate in the program. The company's attractive display—which explained factually and simply how electricity is generated through the use of coal—was placed in a prominent part of the Sheraton-Park Hotel Lobby and thus was seen by scores of persons who otherwise would have no knowledge of coal's role in the production of electricity.

What excuse is there for the Federal Government to invest $400 million in the creation of atomic power plants that would be competitive with our electric power industry? When the need for greater supply of electricity becomes evident, our electric companies immediately undertake to provide the needed capacity. There is no shortage of electricity at our atomic energy installations. If these reactors were to be built as stipulated, the electric utilities industries would be threatened with a loss of market for which they have invested millions of dollars. At the same time the coal industry would be confronted with serious losses. In my opinion the coal industry and its working force have already been subjected to enough injury and indignities through unwise policies on the part of the Federal Government.

Aside from the interest of these industries in the proposed program, there is another factor which should definitely cause Congress to hesitate before proceeding with legislation. I am sure that every American mother, in particular, will protest any furtherance of the reactor proposal under present conditions in the light of the report that has been made available to us by the National Academy of Sciences.

As the National Academy explains it:

Man has been dealing with an enormous new force whose potential effects he has only dimly understood.

The amount of radiation absorbed by the human body in a lifetime is usually infinitesimal; it is the cumulative effect that is to be feared. We presumably can safely take more radiation than we are now receiving, but the scientists cannot say precisely how much more. They do explain, however, that when a worldwide power industry is fully developed, the accumulated waste would send out more deadly rays than bombs in an atomic war. Mr. Speaker, I would think that this one item in the Academy's report is enough to defeat S. 4146.

Gen. Williston B. Palmer and Maj. Gen. E. L. Cummings

EXTENSION OF REMARKS

OF

HON. OVERTON BROOKS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 1956

Mr. BROOKS of Louisiana. Mr. Speaker, before this session closes, I believe the RECORD of the Congress should contain some recognition of the superior work of Gen. Williston B. Palmer, Vice Chief of Staff, United States Army, and Maj. Gen. E. L. Cummings, Chief of Ordnance, United States Army.

As a Member of Congress, and as a member of the Armed Services Committee and its Subcommittee for Special Investigations, I have had occasion to observe the manner in which these two officers have conducted Army business; and General Cummings that of the Ordnance Corps.

They have won for themselves and for the Army the confidence and the praise of my colleagues in the Congress. I would feel remiss in my duty if I did not publicly express to them the admiration which all of us have for them as devoted and efficient public administrators.

General Cummings, who has the strenuous and time-consuming job of

Chief of Ordnance in our complex system of ordnance procurement, has done, in my opinion, an outstanding job. He is forthright, clear and courageous in his decisions. I compliment him, and the men with him, for the superior administration he is giving to the task committed to his care.

Mr. Speaker, in the past I have had occasion to inspect the type of work done by Army Ordnance. I have found its work of making ammunition excellent and most efficient. These leaders are doing a good job in producing our ammunition and I for one want to voice my own confidence in them and my appreciation of their abilities.

Social Security

EXTENSION OF REMARKS
OF
HON. LEON H. GAVIN
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 18, 1956

Mr. GAVIN. Mr. Speaker, I take this time to make a few observations on social security as we find it operating in our country today. I have watched its growth and progress since the first social-security bill was enacted into law in 1935—21 years ago.

Yes; we have come a long way in that short time. The immensity of the program is staggering to the average mind. Of the some 62 million employed citizens in our country some 52 million are under coverage by some phase of our social-security system, and others are continually being added.

The social-security reserve fund now totals approximately $21 billion, the largest reserve fund in the history of all time. Just what do these astronomic figures mean in terms of our individual and collective well-being?

First, I believe it is an attempt and to some extent a remedy to alleviate the fear of destitution and dependency in old age.

Second, generally speaking, it is a form of insurance where the premiums are paid by both employer and employee. They are paid willingly and rather painlessly.

Third, it has been accepted by the American people and is now a part of our American way of life.

Mr. Speaker, we may not agree with all the provisions of the Social Security Act, as amended, but whether we like it or not, it is here to stay. For many years to come any new features, changes, or alterations will, in my opinion, come within the framework of the Social Security Act of 1935.

One phase of the social-security program which I have been especially interested in is that of old-age assistance. This involves that group of our elder citizens who in the declining years of their lives are destitute and needy. In most cases through no fault of their own they find themselves without funds or means of living. They have no insurance, no social security, and because of age and disability unable to work or hold a job. When and if they declare themselves paupers, they may receive what is known as old-age assistance. This small pittance only helps to keep body and soul together. There are slightly more than 2½ millions of these senior folks who are getting an average throughout the country of $54.07 a month.

The State matching system under which old-age assistance operates poses some flagrant inequities which I feel should be corrected. For instance, I find that in my own State of Pennsylvania the average payment to those on old-age assistance is $46.40 a month. New York pays $82.66 a month; while West Virginia—the lowest—pays $28.48 a month.

Certainly, Mr. Speaker, no one would agree that a person could live in common decency on these meager pittances. Inasmuch as their needs grow greater as they advance in age and because of the increased cost of living, I feel that the plight of this group presents an emergency. I appeal to the proper committee of the House and to the Congress to give this situation their careful attention. If at this late day in the present Congress we find it impossible to correct this glaring inadequacy, let us determine now to make it one of the first orders of business in the next Congress.

In conclusion, I want to call attention to the fact that America has led all nations in many fields of progress. In science, invention, and modern industrialism we have been outstanding but in some of the humanitarian aspects of life we have been only average. There are about 50 countries in the world that have general old-age pension programs. Some are generous, some are scant. Twelve countries retire men at 65 years and women at 60, and 11 countries retire both men and women at 60. I am glad to note that the social security amendments before the Congress now would retire our American women at 62 years of age.

Our national social security together with our many special industrial pensions and other benefits of a public nature has given old age some measure of protection in contrast to 21 years ago. Let us all be thankful for what has been accomplished in this great humanitarian field.

Nebraska Farmers Need Electrical Power

EXTENSION OF REMARKS
OF
HON. A. L. MILLER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 18, 1956

Mr. MILLER of Nebraska. Mr. Speaker, presently pending on the House Calendar is House Joint Resolution 672, which I introduced to reauthorize, in effect, the Secretary of the Interior to construct a 230,000-volt transmission line from the Fort Randall Dam on the Missouri River to Grand Island, Nebr. The Interior Department takes the position, and quite soundly, I am sure, that further legislation is not necessary to authorize construction of this project, inasmuch as the Flood Control Act of 1944 provides that the Secretary of the Interior shall construct such transmission lines as are needed to bring power generated at the Missouri River plants to the load centers in the basin.

I offered an amendment to include $5.5 million for this public power project in the public works appropriation bill when it was considered by the House this year, but the amendment was rejected when a point of order interposed thereto was sustained. For that reason I introduced House Joint Resolution 672 which is, in effect, reauthorizing legislation.

I appreciate the consideration my colleagues have given to this resolution, because the project is badly needed in Nebraska. At the present time, there are in my State approximately 15,000 irrigation wells and there is every prospect that 2,000 to 3,000 more wells will be drilled and put into operation during the coming year. Nebraska agriculture has suffered severely from drought, and the only way our agriculture can stabilize itself is through irrigation from one source or another.

We are steadily going ahead with reservoirs and ditch irrigation systems, but in large areas in Nebraska this method of development is infeasible. However, where this situation exists there is, fortunately, a tremendous reserve of underground water. These irrigation wells are tapping that underground source and they need a constantly growing amount of electrical energy for their operation. The primary purpose of the Grand Island transmission line is to provide a source of relatively cheap power, to be marketed by the REA's and public power agencies of the State, for the future development and stabilization of Nebraska agriculture. The cost will be repaid with interest.

This sound and feasible project has been approved by the Department of the Interior and the Bureau of the Budget, and President Eisenhower, this year, made a special request to Congress for an appropriation of $5.5 million to bring about construction of the line.

I hope my colleagues will vote favorably on House Joint Resolution 672.

Report of National Projects Committee to the Rivers and Harbors Congress

EXTENSION OF REMARKS
OF
HON. SID SIMPSON
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 18, 1956

Mr. SIMPSON of Illinois. Mr. Speaker, under leave to extend my remarks, I include in the CONGRESSIONAL RECORD the report of the National Projects Committee, which was unanimously adopted by the recent 43d national convention of the National Rivers and Harbors Congress held in Washington on May 10–12, 1956.

The permanent National Projects Committee of the congress consists of an outstanding expert on water-resource problems from each of the major drainage basins of the United States. They serve without compensation of any kind whatsoever and bear all of their own expenses when coming to Washington and while here serving on this committee.

The committee's purpose is to assist the sponsors of projects in preparing and presenting their data, so that they may be placed in line for approval. The projects recommended by the committee and endorsed by the congress are vigorously pressed for inclusion in the Government's public-works program, and appropriations or allocation of funds sought therefor.

We are grateful to the members of this committee for their public-spirited service in an effort to assist the Congress of the United States and the governmental agencies charged with the responsibility for these public works, as well as the people in the areas to be served thereby.

The members of the committee who served at its recent session follow:

NATIONAL RIVERS AND HARBORS CONGRESS

National Projects Committee: Representative SID SIMPSON, of Illinois, chairman.

New England Division: Fred E. Bergfors, president and general manager, Quincy Oil Co., Quincy, Mass.

North Atlantic Division: Brig. Gen. James H. Stratton, United States Army (retired), consulting engineer, New York, N. Y.

South Atlantic Division: H. H. Buckman, consulting engineer, Jacksonville, Fla., vice chairman.

Southwestern Division: Dale Miller, executive vice president, Intracoastal Canal Association of Louisiana and Texas, Houston, Tex.

Lower Mississippi Valley Division: Hu B. Myers, chief engineer, department of public works, State of Louisiana, Baton Rouge, La.

North Central Division: Al Hansen, comptroller, city of Minneapolis, Minneapolis, Minn.

Missouri River Division: John B. Quinn, executive vice chairman, National Resources Development Association, Inc., Lincoln, Nebr.

Ohio River Division: J. I. Perrey, chief engineer, Indiana Flood Control and Water Resources Commission, Indianapolis, Ind.

North Pacific Division: Harold B. Say, manager, Washington office, Portland, Oreg., Chamber of Commerce.

South Pacific Division: Col. Thomas J. Weed, transportation counsel, city and county of San Francisco, San Francisco, Calif.

Western Inter-Mountain Region: E. W. Rising, Washington representative, State Water Conservation Board of Montana, Helena, Mont.

REPORT OF THE NATIONAL PROJECTS COMMITTEE TO THE 43D NATIONAL CONVENTION OF THE NATIONAL RIVERS AND HARBORS CONGRESS, MAY 12, 1956

Hon. OVERTON BROOKS,
President, National Rivers and Harbors Congress, Washington, D. C.

DEAR MR. PRESIDENT: In pursuance of the call of the president, your projects committee met on May 10, 1956, to consider the projects submitted since the last session of the National Rivers and Harbors Congress. Hearings were afforded all who made appearance.

The committee at this session has examined 14 proposals embracing all resource improvements with which this Congress is concerned, including navigable waterways, harbors, flood control, soil conservation, reclamation, and water conservation.

Of the proposals examined, this committee is convinced that 17 constitute projects sound in conception, needful, and sufficiently advanced in status to warrant endorsement, involving a total estimated cost of $249,416,998. Ten proposals appear to be without sufficiently advanced development to warrant project endorsement at this time, but are believed to be meritorious and entitled to further consideration by this committee, if and when additional information may be adequate to warrant an endorsed status. We find that on six proposals, surveys have been authorized but the reports on such surveys have not been completed and we therefore recommend in these cases that the Congress request the appropriate authority to complete reports of its investigations and surveys as soon as practicable in order that action may be taken toward classification by this congress. We find six proposals, which on preliminary examination appear to be desirable and needful, and we accordingly recommend that engineering and economic investigations of survey scope be made in these cases with a view to developing projects for subsequent authorization. Of the proposals investigated, we find two are without necessary data or sponsorship to enable the committee to reach a reasonable conclusion on their worth. However, we desire to give the applications sympathetic consideration, and, if possible, offer to the proponents the services of this Congress in reaching a solution to their problems. We have, therefore, not classified these but have suggested that the secretary communicate with the applicants concerned and request additional data upon the receipt of which further consideration will be given to their proposals.

Appendix A of this report sets forth in detail a list of all proposals and projects examined and the action taken thereon.

As the members of this congress know, the Committee on Public Works of the House of Representatives is currently holding hearings on navigation, flood control, beach erosion control and multiple-purpose survey reports which have been submitted to the Congress by the Secretary of the Army since enactment of the 1954 river and harbor flood-control bill. These reports contain proposals for the construction of water resource development projects throughout the Nation. Formulation of these proposals into an omnibus rivers and harbors and flood-control authorization bill, and ultimate enactment into law will be a valuable addition and supplement to the presently authorized program. Some of the pending recommendations are of high importance to the Nation's expanding economy, and should be provided as soon as possible.

Your projects committee recommends that the Congress and the President of the United States be requested to give every consideration to early approval of this highly important legislation and to the appropriations of the necessary funds for the planning and construction of these projects. Since passage of the last act, Congress has considered 2 navigation projects and 1 flood control project estimated to cost $320 million which have been authorized. Funds have been included in the President's budget for fiscal year 1957 for initiation of planning and construction on two of these projects. A total of 42 reports are now under consideration by the House Public Works Committee in the formulation of the bill; 20 are flood control projects estimated to cost $475 million; 16 are navigation projects estimated to cost $20 million and 6 are shore protection projects costing an estimated $4½ million. In addition there are about 42 favorable reports of all types in various stages of processing to Congress having a total estimated cost of about $250 million.

During the intervening time since our last meeting there has been much activity in connection with Federal civil works construction and investigation program and in the field of water resources policy. Destructive floods have occurred in the Northeastern States and west coast States which have emphasized the fact that the controlling of floodwaters and putting them to beneficial use is far from complete. The damages from these unprecedented floods and hurricanes in the Northeastern States far exceeded those of record, being estimated at more than $700 million with more than 200 lives being lost. These damages would have been much larger had not some of the authorized flood control projects been constructed. The floods in California, Oregon, and Nevada of last December caused an estimated damage of $150 million. Some of the constructed flood control projects in these areas prevented more extensive damages. Much remains to be done in the field of flood control, particularly in the determination of the feasibility of projects for the prevention of flood damages. In recognition of these problems and the need for an adequate flood control program for the areas damaged, the 84th Congress has passed legislation authorizing and directing that survey investigations be made to determine practical means of reducing the loss of human lives and damages to property. Investigations have also been authorized to study hurricanes, to include methods for forecasting their paths and improving warning services and types of structures at coastal locations to prevent damages and loss of lives. It is evident, therefore, that the development of plans for the control of floods and minimizing the destructive force of hurricanes are of paramount importance. In this connection we must never for one moment lose sight of the objectives of the National Rivers and Harbors Congress in supporting this great program of water resource development.

Although much work remains to be done in the field of water resource development throughout the country, we feel that the problem is being expertly handled by the Federal agencies in cooperation with the States concerned. The need for full scale development of our water resource program is greater today than ever before. The projects committee, therefore, considers it highly important that sufficient funds be provided in order that the Federal agencies can carry out their respective water resources program in an orderly fashion. Your committee is concerned over the large backlog of investigations authorized by Congress to be carried out by the various Federal agencies and recommends that appropriations be increased at this time in order that the backlog be reduced and that a reserve of projects may be built up for activation at such time as the economy of the Nation demands.

The committee renews its previous observations with respect to the essentiality of recognizing the strategic values of our waterways. The basic importance of transport in time of war increases steadily with the integration of the civil and military war effort. The transportation resources of the United States, rail, water, highway, air, and pipeline, are not adequate in time of war, and become dangerously inadequate when coastwise shipping is curtailed.

To remedy this situation, there is necessary a peacetime growth of the transportation network. There does not appear any probability of the economical expansion of the rail network. All other forms of transport are subject to economical peacetime expansion in greater or lesser degree. Of all these, inland water transport affords the most important opportunity for achieving a system (including all forms) that will be adequate in wartime.

There are two Websterian definitions of the term "strategy." The more narrow of these

is "the science and art of military command, exercised to meet the enemy in combat under advantageous conditions." The broader meaning is "the science and art of employing the armed strength of a belligerent to secure the objects of a war." It is in this latter sense that the committee applies the term "strategic" to our inland waterways, and their increase and improvement.

The committee is convinced that legislation that will make mandatory the inclusion of such strategic value, wherever it is found to exist, in all appraisals of waterways and proposed improvements thereof, is a need of the first importance. We are not unaware of the difficulty of drafting such legislation, nor of the fact that, as in certain other legislative fields, intangible values cannot be reduced to dollars and cents without recourse to arbitrary criteria. However, it is the opinion of the committee that such difficulties are not insurmountable, and they stand ready to assist Members of the Congress of the United States in drafting provisions that will rationally and equitably accomplish the desired end.

Respectfully submitted.

SID SIMPSON,
Chairman.

NOTE A.—A project which has been placed in class II, III, IV, or V by the committee may be reexamined from time to time upon due application and the submission of material supplementary information, with a view to advancing its classification; but no project will be reported upon by the committee more than once in each year.

NOTE B.—Attention is called to the fact that when a project is once put in class I—endorsed, such status continues and it is unnecessary to follow up at subsequent sessions with new applications. All projects endorsed by the Congress, upon the recommendation of the committee, retain their status until finally constructed, unless such action is rescinded by the Congress, and the Congress stands pledged to do everything possible to assist in reaching that goal.

APPENDIX A

APPLICATIONS FOR APPROVAL OF PROJECTS RECEIVED BY THE PROJECTS COMMITTEE

[Letter "R" following the project number indicates revision of a previous application]

CLASS I.—*Projects endorsed*

Endorsed: This means that the committee is convinced that the project is sound, needful and sufficiently advanced in status, and should be promptly constructed in the public interest.

Docket No.	Name of project	State	Division	Docket No.	Name of project	State	Division
119-R	Lake Charles-Calcasieu River and Pass Ship Channel.	Louisiana	Lower Mississippi Valley.	1036C	Lower Cumberland	Kentucky and Tennessee.	Ohio River.
843-R-3	Levees East of Chandlerville (Sangamon River).	Illinois	North Central.	1037	Jamaica Bay	New York	North Atlantic.
852-AR3	Norfolk Harbor	Virginia	North Atlantic.	1038	New Jersey Pierhead Line Channel; New York Harbor: Entrance channels and anchorage areas.	New Jersey	Do.
852-BR3	Thimble Shoal Channel	do	Do.				
860-R2	South Channel: New York Harbor entrance channels and anchorage areas.	New York and New Jersey.	Do.	1041	Dillon Dam	Ohio	Ohio River.
				1042	Oscoda Harbor of Refuge	Michigan	North Central.
875-R4	Whitewater River East Fork at Brookville.	Indiana	Ohio River.	1043	Whitefish Point Harbor of Refuge	do	Do.
				1044	Harrisville Harbor of Refuge	do	Do.
1036A	Lower Cumberland	Kentucky and Tennessee.	Do.	1049	Removal and control of sedimentation, St. Lucie River.	Florida	South Atlantic.
1036B	do	do	Do.	1050	New York State barge canal	New York	North Atlantic.

CLASS II.—*Projects classified as meritorious*

Meritorious: This means that the committee believes that although the project is not sufficiently advanced in status to warrant its present endorsement, it is meritorious and open for further consideration by the committee.

Docket No.	Name of project	State	Division	Docket No.	Name of project	State	Division
598-R	Salem Harbor	Massachusetts	Northeast.	890-R2	Kahului Harbor improvements	Territory of Hawaii.	South Pacific.
770-R2	Saginaw River	Michigan	North Central.				
793-R3	Cleves flood-protection project	Ohio	Ohio River.	932-R	Pepperell Cove, Kittery, dredging of Chauncy Creek.	Maine	Northeast.
883-R2	Improvements to channels and turning basins of San Juan Harbor.	Puerto Rico	South Atlantic.	1036	Connecticut River basin flood control (Littleville Dam).	Massachusetts and Connecticut.	Do.
888-R2	Long Beach, Plymouth Harbor	Massachusetts	Northeast.	1045	Beaufort Harbor	North Carolina	South Atlantic.
				1048	Grand River at Lansing	Michigan	North Central.

CLASS III.—*Expeditious Report on authorized survey requested*

Expeditious report on authorized survey requested: This means that the committee believes the Congress should request the engineering authority to expedite the report of its investigation and survey of the project to the end that appropriate further action may be had thereon in regard to classification by the Congress.

Docket No.	Name of project	State	Division	Docket No.	Name of project	State	Division
970-R	Preliminary examination of southern branch of Elisabeth River, Norfolk Harbor.	Virginia	North Atlantic.	1046	Channel from Pamlico Sound through Core Sound to Beaufort Harbor (wide channel at sea level).	North Carolina	South Atlantic.
979-R2	Ocracoke Inlet	North Carolina	South Atlantic.				
1003-R	Calcasieu low-water dam	Louisiana	Lower Mississippi Valley.	1047	Thoroughfare Bay from Core Sound to Cedar Bay near the mouth of Neuse River.	do	Do.
				1051	Port Mansfield	Texas	Southwest.

CLASS IV.—*Projects recommended for survey*

Recommended for survey: This means that the committee believes that sufficient showing on behalf of the project has been made to warrant further examination in the form of an adequate survey by an appropriate agency of the Federal Government.

Docket No.	Name of project	State	Division	Docket No.	Name of project	State	Division
671-R	New River dredging	Florida	South Atlantic.	1035	Intracoastal Waterway (Boston-Long Island Sound).	Massachusetts and Rhode Island.	Northeast.
1033	Drum Inlet (deepening and stabilization).	North Carolina	Do.	1039	New York and New Jersey Channels.	New York and New Jersey.	North Atlantic.
1034	Saw Mill River, Bronx River, and tributaries flood control.	New York	North Atlantic.	1040	Hudson River Channel	do	Do.

Our National Security

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 18, 1956

Mr. MULTER. Mr. Speaker, the following is a statement which I submitted to the House Post Office and Civil Service Committee today:

STATEMENT OF REPRESENTATIVE ABRAHAM J. MULTER, DEMOCRAT, 13TH DISTRICT, NEW YORK, BEFORE THE HOUSE COMMITTEE ON POST OFFICE AND CIVIL SERVICE, JULY 18, 1956

Mr. Chairman and distinguished members of the committee, I appreciate your invitation to testify before you on this important subject concerning amendment of Public Law 733 of the 81st Congress, to protect the national security of our country.

I had originally intended to express my views in great detail and to indicate to you what I think is appropriate language for the amendment of this law. Because of the pressure attendant upon the closing days of the session, which I am sure has been as great upon other Members as it has been upon me, I haven't had the time.

I very earnestly urge upon this committee that it do not attempt to write any legislation for presentation to this session of the Congress at this time. The matter is far too important for hasty action. It requires extensive study and thorough deliberation.

On August 1, 1955, I introduced my bill, H. R. 7813, which is pending before this committee. You will observe that it calls for the establishment of a commission to review all cases which have arisen under the act in question. Since the introduction of that bill, the Association of the Bar of the City of New York appointed an impartial committee, made up of distinguished members of the bar of the entire country, to study this matter. They have made an exhaustive study and have issued a very lengthy report. A copy of that report has been sent to every Member of the Congress. Whether we agree with all or part thereof, I believe it is incumbent upon this committee to thoroughly study that report before it makes any determination as to what form any amendatory legislation should take.

On July 10, 1956, I placed in the CONGRESSIONAL RECORD, a statement from the New York Times which indicates the high caliber of the chairman of that committee. A copy is submitted herewith for your record.

On the same day, I placed in the CONGRESSIONAL RECORD, a summary of the committee's report as prepared and released by the committee. A copy of that summary is submitted herewith for your record.

The bar association's study and report probably makes unnecessary the study commission suggested by my bill, and can easily take the place thereof. This committee could well take that report as its starting point and make a complete study of the subject so that it will be able to present to the next Congress, in the early days thereof, appropriate legislation to cover this very important subject.

I am certain that every Member of this Congress has the best interests of our country at heart and wants to give it the utmost protection against its enemies from within and from without. I am just as certain that every last member of this committee, like every Member of the Congress, is determined that in securing our country against its enemies, we must not destroy the very liberties and freedoms that are so precious to us and that make our country both great and powerful.

I again thank you for the opportunity of presenting this brief statement to you.

Health Amendments Act of 1956

EXTENSION OF REMARKS
OF
HON. HAROLD D. DONOHUE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 18, 1956

Mr. DONOHUE. Mr. Speaker, as we approach adjournment date of this Congress, I earnestly hope that the vitally important so-called omnibus health bill will not be overlooked.

This pending legislation is designed to increase the supply of public health specialists, certain categories of professional nurses and trained practical nurses, extend for an additional 2 years the Hospital Survey and Construction Act, due to expire on June 30, 1957, and in addition authorize the Surgeon General to conduct investigations, experiments, and demonstrations in the field of mental health.

Authoritative statistics reveal a shocking need for vastly more trained personnel to administer to the medical needs of our rapidly increasing population. The need for trained public health specialists by local, State, and Federal public health agencies is urgent because of the severe shortage.

It is estimated that we need thousands of professionally trained nurses to adequately staff the Nation's hospitals, to teach and train other nurses and to increase the number of nurses qualified to fill important administrative and supervisory positions.

We are all aware, I am sure, that most of our chronic-disease hospitals and mental institutions are deplorably lacking in the number of practical nurses that are required to adequately attend upon these unfortunate people. The provisions in the bill would be of invaluable assistance to most of our States and communities to help them deal with this problem by increasing the number of practical nurses and relieving professional nurses to handle more technical medical care.

The extension for another 2 years of the Hospital and Medical Facilities Survey and Construction Act, known so well to us as the Hill-Burton Act, is an outstanding feature of this pending legislation. It has already helped States and communities of the country to build more and better hospitals, but there is still a great need for the continuing assistance that it affords. The knowledge that it has been continued will permit and encourage States and communities to make plans for their future hospital needs with the assurance that reasonable Federal assistance will be available. The unquestionable record of the universal benefits and success of this hospital construction program is a most convincing reason for us to insure its continuation.

Mr. Speaker, the challenge of the mentally ill in this country is recognized and accepted by the provisions of this proposed legislation. Unfortunately, today slightly more than one-half of the hospital beds of the Nation are occupied by mental patients. This is a distressing fact, but it is a fact nevertheless and it must be dealt with.

Title V of the health bill is to aid States in solving mental illness problems. In addition to research and training grants which the Surgeon General is now authorized to make, it would make special project grants available for the support of investigations, experiments, and demonstrations in the field of mental health. Its emphasis would be upon projects designed to improve the operation and administration of State institutions for the care or treatment of the mentally ill. The results of such pilot studies and experiments would benefit all States, yet, only several States would need to perform the basic research and incur the expense. Because of the already heavy strain on State budgets in just providing for the mentally ill, they have been reluctant to conduct such expensive experiments. Yet, the need for experimentation and research in the methods of operation and administration of State mental hospitals is just as greatly needed as research into methods of diagnosis and treatment of the mentally ill. The funds provided for in title V could be used to develop such new programs as outpatient care and day care for the mentally ill to reduce the strain on the hospitals. With over half of the Nation's hospital beds filled with mentally ill persons, it is certainly appropriate for the Federal Government to give this serious national problem attention.

Mr. Speaker, the continuing health of and adequate medical care for the American people should be of primary concern to this Congress and we will be negligent in our duty if we do not act upon this omnibus health legislation for the good of all America.

Pension Program for Veterans of World War I

EXTENSION OF REMARKS
OF
HON. JOHN E. HENDERSON
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 18, 1956

Mr. HENDERSON. Mr. Speaker, I have filed today under clause 1 of rule XXII a petition signed by 600 residents of Muskingum County, Ohio, situated in the 15th District which I have the honor to represent. This petition was forwarded to me urging immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans. The members of the Muskingum County Barracks 454, World War I Veterans have been instrumental in presenting this petition. It is the program of this organization that World War I veterans have reached the

position in life where they are deserving of consideration and treatment on an equal basis with the aging veterans of previous wars in our Nation's history and in line with established American traditions. It is the expressed feeling of this organization that the time has come when the needs of the veterans of World War I require treatment different from that accorded veterans of the more recent wars. It is my sincere hope that the appropriate committee and the Congress continue to acquaint itself with the needs of this group of patriotic Americans which will result in the enactment of appropriate legislation.

The President's Health

EXTENSION OF REMARKS
OF
HON. B. W. (PAT) KEARNEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 18, 1956

Mr. KEARNEY. Mr. Speaker, nerves are always jumpy in a campaign year and the affliction seems more contagious than ever this year. The current tempest over the President's health is a case in point. There was a front-page headline in one of the Washington newspapers the other day that read "Democrats Agree To Go All Out on the Health Issue."

The news story justifying this headline went on to say that the Democratic high command was not going to let anyone in America forget President Eisenhower's heart attack and recent operation. In other words, the President is being put on guard that if he runs again he will be subjected to a bitter, all-out attack. The implication is that he had better get out of the race.

The obvious strategy behind all this is that the Democratic high command has no other issue to use against the President, so it has been decided to keep hammering at his health, even though the best doctors in the country have assured us that the President is in no danger.

Mr. Speaker, I respectfully submit that to malign a man's health for political purposes—to use this sort of a scare attack to undermine public confidence in our leader and agitate the nervous system of the body politic—is as wrong as it is to malign a man's character.

My Democratic friends are quick to protest against anything they think will reflect unfairly upon themselves in this campaign year. Among other things, they are riled about a forthcoming Hollywood movie called "The Boss," which is said to be patterned after the old Prendergast political machine. This movie has been described as an attack on former President Truman, but it is my understanding, and I have been so advised, that the film does no dishonor to the former President. If it did, I would protest its release.

Mr. Speaker, I am for a clean campaign on both sides.

H. R. 12298, a Bill To Improve Provisions of the Federal Excise Tax System

EXTENSION OF REMARKS
OF
HON. AIME J. FORAND
OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 18, 1956

Mr. FORAND. Mr. Speaker, I am introducing today a bill, H. R. 12298, which is the result of the work of the subcommittee on excise tax technical and administrative problems which began in October of 1955. This bill incorporates the more than eighty-odd recommendations made by the subcommittee for the improvement of administrative and technical provisions of our Federal excise tax system. The bill reflects the policy changes made in the subcommittee recommendations by the Committee on Ways and Means during the course of the committee's consideration of the subcommittee's report. I will discuss these changes below.

The status of this bill is somewhat different than the ordinary introduced bill. It has been considered by the full committee and in general, I believe the bill meets with the approval of the full committee. I have not asked the committee to report out the bill, however, because there is no prospect of its final enactment this year.

Nevertheless, I believe that an important function will be served by the introduction of this bill at this time. It is my hope that all taxpayers and taxpayer groups who are affected by the operation and effects of the Federal excise tax system will devote their full attention to the bill from the point of view of determining its technical adequacy and substantive sufficiency in carrying out the recommendations of the subcommittee and the Committee on Ways and Means. It is also my hope that interested groups and persons will immediately begin to prepare overall studies of the excise tax field as it affects them. This is important because the Subcommittee on Excise Tax Technical and Administrative Problems has been reconstituted by the Committee on Ways and Means and given a much broader jurisdiction which will enable us to consider not only technical and administrative problems but the underlying substantive policy of our Federal excise tax laws and the level of excise tax rates as well.

While the subcommittee will have to meet to determine specific plans, it is my expectation that interested parties will be given an opportunity to be heard by the subcommittee, not only on the provisions of the bill but also on questions of Federal excise tax policy, the level of rates, and other technical and administrative problems in the excise tax field not covered by the bill.

I want to take this opportunity to express my sincere appreciation to the members of the subcommittee for their diligent work and cooperation in the preparation of the subcommittee's recommendations.

I also would like to publicly thank the staffs of the Treasury Department, the Internal Revenue Service, the Joint Committee on Internal Revenue Taxation, and the Committee on Ways and Means who have helped make this bill possible. Were it not for the full cooperation of these people and the all-important contribution of the House legislative counsel's office, it would not have been possible to draft the bill for public inspection and comment in the relatively short period of time which has been available since the report of the subcommittee was first considered by the Committee on Ways and Means.

As soon as our legislative schedule permits, I plan to call a meeting of the subcommittee to formulate the plans of the subcommittee for the balance of this session of Congress.

The Honorable JERE COOPER, Democrat, of Tennessee, chairman of the Committee on Ways and Means, will announce the membership of the subcommittee as soon as the members are named. I expect this announcement in the next day or two.

The name of our subcommittee has been redesignated as the "Subcommittee on Excise Taxes."

There follows a description of the changes made by the Committee on Ways and Means in the recommendations of the subcommittee. These changes are incorporated in the bill.

The principal action taken by the Committee on Ways and Means which differs from the subcommittee's recommendation are:

First. Section 111 amends the tax on automotive parts and accessories to exclude from tax those which are sold for ultimate use or used as repair or replacement parts or as accessories for farm equipment.

Second. The bill does not increase the tax on tubeless tires by 1 cent a pound over the rate imposed on tires requiring inner tubes.

Third. Section 115 relating to the tax on radio and television sets, phonographs and records does not impose a tax on transistors. In other respects, however, it does follow the subcommittee recommendation; that is, it imposes a tax with respect to record players and tape and wire recorders.

Fourth. The bill does not delete curling stones, deck tennis equipment, lacrosse equipment, and sleds from the tax on sporting goods.

Fifth. Section 132 (b) of the bill amends section 4243 to exclude from the application of the club-dues tax assessments paid for the construction or reconstruction of any social, athletic, or sporting facility.

Sixth. Section 132 (b) also adds a new exemption from the club-dues tax for dues or fees paid to nonprofit organizations primarily for the purpose of providing swimming facilities for its members. In order to qualify children must be permitted to use the swimming facilities, no alcoholic beverages may be served or be permitted to be consumed on the premises, no dining facilities—other than for light refreshments—and no dancing facilities may be provided and the organization must not be controlled

by or under common control with any other organization.

Seventh. The subcommittee had proposed that amounts paid to a club for replacement of facilities destroyed by a casualty under certain conditions should not be subject to the club-dues tax. This has been omitted as no longer necessary since capital improvements will not be subject to tax under the introduced bill.

Eighth. The subcommittee recommended that it be made clear that in the case of transportation of oil by pipeline, the tax does not apply to movements which constitute an integral part of the operation of a refinery, a bulk plant, a terminal, or a gasoline plant. The bill, in section 136, in more specific terms than the subcommittee report, carries out the intent of this recommendation but provides that in no case are movements located on two or more premises to be free of tax if the distance covered is more than 25 miles.

Ninth. Section 141 of the bill in the new code section 4302 provides as recommended by the subcommittee for an exclusion from the documentary transfer tax in the case of amounts transferred to capital account from earned surplus. It also provides an exclusion for other amounts transferred to capital account to the extent such amounts were taken into account in determining value in an earlier transaction.

Section numbers refer to section of the bill.

Tenth. Section 152 of the bill carries out the full committee's action with respect to pinball machines.

Eleventh. No attempt has been made in this bill to carry out specifically the subcommittee's recommendations with respect to the timing of floor stock refunds although in general terms the subcommittee's recommendations were followed in the floor stock refunds provided by the Highway Revenue Act of 1956, H. R. 10660.

Twelfth. Section 164 of the bill provides for refunds with respect to gasoline lost in a disaster as declared by the President. The subcommittee had in addition recommended that refunds be made available in the case of gasoline lost in a fire. This part of the subcommittee recommendation has been omitted from the introduced bill.

Thirteenth. The bill does not include the subcommittee recommendation for a semimonthly rate system beginning August 1, 1956, or for a monthly rate system beginning August 1, 1958, for the collection of alcohol and tobacco taxes.

Fourteenth. In section 201 of the bill—sections 5006 (a) (2) and 5173 (c) (1) (A) of the code—the 8-year bonding period for distilled spirits is extended to 20 years.

Fifteenth. Section 207 of the bill authorizes refunds for beer lost by reason of the flood of 1951 and the hurricane of 1954. Only the first of these changes was recommended by the subcommittee.

Sixteenth. Section 201 of the bill—section 5415 of the code—permits transfers of beer between breweries owned by the same brewer and allows such transfers where the controlling interest in the shipping and receiving brewery is owned by the same person or where shipments are between breweries owned by parent and subsidiary corporation. The subcommittee had recommended against allowing these transfers.

Seventeenth. Section 201 of the bill—section 5561 of the code—limits the authority of the Secretary or his delegate regarding waiver of the provisions of the distilled spirits laws to meet the requirements of the national defense to 3 years. The subcommittee would have extended this waiver provision indefinitely.

Eighteenth. Section 201 of the bill also makes certain amendments relating to wine. These include: (a) a revision of the definition of the winemaker's own product to cover multiple plant operations and affiliated persons located within the same State—section 3592 (f) of the code; (b) a clarification of permitted activities on bonded wine cellar premises—sections 5361 and 5364 of the code; (c) provision for a slight increase in the amount of dry sugar which may be used in fermenting wines from low sugar fruits such as apples and a clarification of the manner in which such sugar may be added—section 5384 (b) (2) of the code.

Greek Refugees and the Immigration Act

EXTENSION OF REMARKS
OF
HON. JOHN D. DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 1956

Mr. DINGELL. Mr. Speaker, this great Republic stands for a large number of high ideals and as such it has been regarded as the best and perhaps the last refuge of freedom-loving, industrious, and enterprising people. In the past when there were few immigration restrictions, people flocked to this country and joined hands with native Americans in making this country a model, prosperous, and democratic commonwealth. America benefited by their industriousness, and they benefited by the freedom and the opportunities offered to them. It is no exaggeration to say that without the fine and lasting contribution of those immigrants to our civilization, we would be poorer in many ways today. We all readily admit that their share in the making of this country, as well as in the shaping of its destiny, has been immensely significant.

Fully conscious and duly appreciative of the fine qualities of the many immigrant elements in this country, I would like to say a few words in support of S. 3876 and S. 4088. As you are aware, there are a number of anomalies under the existing immigration laws. One of these is that while quotas allotted to countries of northwestern Europe remain unused, those for the Mediterranean countries, limited in numbers, are not. This is true even though the total number of quotas permitted under the McCarran-Walter Act of 1953 has not been filled. The purpose of these bills is to permit filling unused quotas with stated numbers of refugees of other nationalities.

I would like to give my unreserved and wholehearted support to these bills. Without increasing the total number of immigrants, they will provide an opportunity for a deserving number of people who will make good American citizens—many of whom will be joining relatives who are themselves American citizens.

Textiles Suffering From Foreign Imports

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 1956

Mr. PHILBIN. Mr. Speaker, the fallacious arguments of proponents of free trade have been directed toward developments in the textile industry.

It is stated, for example, that new synthetic fabrics have been responsible for the present conditions. There is no factual basis for this claim.

Production of all Broadwoven cotton goods increased 3 percent during 1955 over 1954 while imports from Japan increased 108 percent. Although production of synthetic textile fabrics has been increasing during the past few years, this section of the industry has suffered reverses during the past several months and has not been placing cotton goods at a competitive disadvantage.

During the first quarter of 1956, production of synthetic textile fabrics declined 4 percent from the preceding quarter and 3 percent from the first quarter of 1955. As far as cotton fabrics are concerned, first quarter 1956 production was 4 percent over the preceding quarter and 5 percent over first quarter 1955. In contrast, imports of cotton fabrics from Japan during the first quarter of 1956 were at an annual rate of 243,756,000 square yards, an increase of 410 percent over 1955.

The price structure of the industry is such that the prices of cotton and synthetic textile fabrics are interrelated. The importation of low-cost Japanese cotton textiles affects not only the price of the same fabrics made in the United States but they affect the price of all competitive fabrics—including synthetic textiles. The Japanese fabrics, low-priced because of cheap labor and cheap cotton, depress the price of American fabrics and also create tremendous market uncertainty.

It is also stated that "an exceedingly small part of domestic consumption of cotton manufacturers is supplied by imports—and Japan accounts for only a part of such imports." This is another misstatement of fact.

To measure total United States production of cotton fabrics against imports is a distorted and unfair measure be-

cause of the nature of the industry. The cotton textile industry has several major components, such as manufacturers of fine goods, print cloth, duck, sheeting and others. Even within these broad categories there are important subdivisions.

The key to our present problem is the quantity of fabrics of specific types which are being imported from Japan. For example, cotton velveteens—imports from Japan during 1955 totaled 5,754,000—or 71 percent of total United States production. Imports of cotton velveteens from all countries amounted to 92 percent of total United States production during 1955.

The gingham imports situation further proves the inaccuracies of the free traders.

During 1955—imports from Japan equaled 12.7 percent of United States production of ginghams and other box loom goods.

The annual rate of imports of Japanese gingham is now at 121 million square yards or equal to 46 percent of 1955 domestic production—an increase of 266 percent in the quantity of Japanese ginghams being imported over 1955 and an increase of 262 percent in the ratio of imports from Japan to United States production of ginghams and other box loom goods.

Just as important, if not more so, than the actual imports now coming into the United States from Japan is the increasing rate of these imports. During 1954 imports from Japan were 56 percent greater than during 1953, but by 1956 the annual rate has increased 695 percent over 1953—an increase of 1,141 percent in the rate of increase.

There are other examples of the fantastic rate by which Japan is increasing her share of the American market for cotton textiles:

First. Velveteens: Imports during 1954 declined 77 percent from 1953 but during 1955 imports from Japan were 1,977 percent over 1953 and 9,890 percent over 1954.

Second. Cotton sheets and pillowcases: During 1955 increased 787 percent over 1954 and the annual rate during 1956 is 792 percent over 1954.

Third. Ginghams: During 1955 exports from Japan to United States increased 663 percent over 1954 and the annual rate of imports from Japan during 1956 is 1,977 percent higher than during 1954.

Fourth. Cotton wearing apparel—bulk are blouses and shirts: Imports during 1955 were 2,497 percent over average annual imports during 1954 and the pace has become accelerated in 1956 with the current annual rate of imports at $44 million—or 6,605 percent over the annual average during 1954.

As to Japan's share of total United States imports of cotton cloth, during 1953, 48 percent was from Japan; 1954, 65 percent was from Japan; 1955, 75 percent was from Japan.

The textile profit picture, as we know it, also disproves certain inaccurate assertions.

So far as we know there are no sales and profit data available for the cotton textile industry as such. In all probability the minority report in referring to "Sales, profits, and profit margins for the industry were substantially higher in 1955 than in 1954" refers to the textile mill products industry. It is quite correct that profits after taxes for the textile mill products industry increased considerably during 1955. According to the SEC, profits increased from $114 million to $346 million, a percentage increase of 204 percent. These figures are, however, completely meaningless in any discussion concerning the cotton textile industry. They are data for the textile mill products industry which includes the cotton textile industry, the synthetic textile industry, the woolen and worsted industry, the knitting industry, the hosiery industry, the knit underwear industry, the dyeing and finishing industry, the felt hat industry, carpets, rugs, and other floor coverings. There is no way of allocating any proportion of the profits for the textile mill products industry to any of the component industries.

The Northern Textile Association has surveyed sales and profits for 12 southern companies and 4 New England companies manufacturing the same kinds of fabrics which are being imported from Japan. These companies make both cotton and synthetic textiles but concentration is on cotton fabrics. Total sales for these companies during 1955 amounted to $1,594,892,000; net profit, after taxes, for these companies amounted to $48,490,000, a ratio of 3 percent—profits to sales. This represents some improvement over the ratio of 2 percent during 1954 but is less than the ratio of net profits to sales during 1953, which amounted to 3.2 percent.

The 1955 profit ratio of 3 percent is considerably less than the ratio of net profits to sales for all manufacturing corporations in the United States, which during 1955 amounted to 5.4 percent. Many individual industries during 1955 had profit ratios far in excess of those reported for the 16 representative cotton textile mills. For example, profit ratio in primary iron and steel industry was 7.2 percent, 5.1 percent in the machinery industry, 6.1 percent in the paper and allied products industry, 8.2 percent in the chemical industry, and 11.1 percent in the petroleum industry. As compared with the profit ratio for all industries and with the specific industries mentioned above, the profit ratio of the cotton and textile mills is below average despite claims to the contrary made by proponents of free trade.

Congress must act soon to check devitalizing imports if we are to retain the vitality of our great free-enterprise system. More industries every day are affected by cheap, substandard imports from foreign nations. If this trend continues, irreparable damage will ensue to the American economy. The question of tariffs and cut-throat imports is a major national issue. As greater impact on American industry and employment occurs, this question will present an increasing challenge. It must be met now.

Address by Hon. Alexander Wiley, of Wisconsin, at Arpin Farmers Union Picnic

EXTENSION OF REMARKS
OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Wednesday, July 18, 1956

Mr. WILEY. Mr. President, last Sunday afternoon, it was my pleasure to journey to Arpin, in my State, to address a picnic of the Arpin Farmers Union at Powers Bluff.

It was a pleasure to meet with grassroots farmers, their families, local officials, and State legislators.

I met, for example, with William Stanton, president of the Farm Union local; Floyd Sparks, organizer of the local; State Senator W. W. Clark, of Vesper; and Assemblyman John Crawford, of Marshfield.

I have in my hand the text of the address which I was pleased to deliver on this fine occasion.

I referred in the course of this address to various efforts which I have made down through the years, and which I am now making on behalf of our farmers and all other segments of our population.

I think that it might be of interest to point out citations from the public record down through the years, documenting some of my efforts.

So I assembled some of the newspaper clippings which show what I have done for farmers on such issues as farm parity, school milk, Dairy Day, dairy research, cheese support.

I have also assembled items from the press with regard to my past efforts for the St. Lawrence Seaway.

I ask unanimous consent that these various articles from the press be printed in the CONGRESSIONAL RECORD, to be followed by the text of a letter which President Eisenhower sent me following the victory of the St. Lawrence Seaway—a crucial plank in my farm platform.

There being no objection, the address and articles were ordered to be printed in the RECORD, as follows:

PAST CLIPPINGS FROM WISCONSIN NEWSPAPERS DEMONSTRATING SENATOR WILEY'S EFFORTS FOR FARMERS

WILEY ADVOCATES AID FOR FARMERS

SILVER LAKE.—Adequate distribution and temporary Government aid were recommended as a solution to the dairy farmers' problems by Senator ALEXANDER WILEY (Republican, of Wisconsin) Friday night at the 13th annual meeting of the Manitowoc County Farm Bureau.

WILEY firm in stand for high farm prices.

GOP to give farmers fair supports—WILEY.

WILEY'S 90 PERCENT PARITY FOR DAIRYMEN

Senator WILEY, as senior Senator from a senior dairy State of the Nation, has introduced in the Senate a bill for milk price support at 90 percent of parity.

Senator WILEY's proposal, companion bill to a House measure sponsored by Representative Reid Murray, of Wisconsin, is Wisconsin's way of saying that it will insist on being

"taken care of" in its own leading agricultural industry if other types of farming are to be benefited in a distribution of Government largess. After all, milk is one of the most important foods, and it obviously will be impossible for dairymen to stay in business unless they obtain the same treatment as those in other lines of the farming business.

If the Government has the answer—as many farmers apparently believe it has—Senator WILEY's bill probably comes as close as any other yet devised.

WILEY PRAISES CO-OPS

"Cooperatives have become an indispensable part of the American scene," Senator ALEXANDER WILEY, Republican, of Wisconsin, told the Senate. This is particularly true in agriculture, he said.

Co-ops of all kinds—local, regional, national—"have become invaluable aids to farmer and consumer alike," WILEY said January 6.

He praised National Council of Farmer Cooperatives, the Cooperative League of the United States of America, American Institute of Cooperation, National Milk Producers Federation, National Rural Electric Cooperative Association, and National Livestock Producers Association.

WILEY to back cheese trade.

Washington background—WILEY rates as top Ike man in Senate—by Roscoe Drummond.

WILEY protests lack of butter in diet of Veteran hospitals.

WILEY says dairy industry is being taken for a ride.

National Dairy Day proposed by WILEY.

SENATOR WILEY PROPOSES MORE MILK FOR SCHOOL PROGRAM

WASHINGTON, D. C.—Senator ALEXANDER WILEY, Republican, of Wisconsin, on January 9 introduced legislation which would expand by one-third the special school milk program. He urged immediate action by Congress on legislation that would maintain the flow of milk to schoolchildren during the rest of this school year.

WILEY seeks United States dairy research laboratory to be built in Madison.

[From the Wisconsin Agriculturist and Farmer of April 2, 1955]

BILL GROVES' NOTEBOOK—WILEY WANTS MILK RESEARCH CENTER

"Research center such as the one provided for in the bill introduced by Senator WILEY is definitely needed," says Bill Groves. "Constructive research is necessary for an industry to expand or even for survival."

Dairy plight in Wisconsin held critical—WILEY gets report of University of Wisconsin dean, recovery found only hope.

[From Hoard's Dairyman]

WASHINGTON DAIRY LEADER

Although burdened with many pressing administrative responsibilities, Senator WILEY in recent years has been one of the United States Senate's most vigorous defenders of the dairy farmer. His work in the 80th Congress last year was primarily responsible for the failure of pro-oleo legislation to pass prior to adjournment.

At the present time he is leading a bipartisan coalition of 27 United States Senators in a hard-fought effort to prevent the passage of the House approved pro-oleo measure. He hopes to substitute the dairy compromise legislation on the Senate floor and secure approval from both Houses of Congress.

[From the River Falls, Wisconsin, Journal of June 28, 1956]

"17½ YEARS OF SERVING WISCONSIN FARMERS"—"THAT'S MY RECORD," SAYS ALEX WILEY

Farmers entitled to fair return

"I am proud to campaign on my record which includes 17½ years of what, most folks say, are solid achievements for our farmers," said the senior Senator who has owned and operated a dairy farm in Barron County for more than 40 years. "But I am sincerely humble. The farmer has had a lot of bad breaks and is truly entitled to everything that I or any other legislator can do in his behalf and in the public interest."

WILEY said that this basically requires "making absolutely sure that our people in America's dairyland get their fair cost of production, plus a reasonable profit. They must get a fair return on their heavy investment—their investment in their own and their family's hard work, their buildings, their machinery and livestock. Too often, our dairymen have been discriminated against in relation to the so-called 6 'basic' crops (which are really not one bit more basic than nature's first food, milk). Too often, our dairymen have been caught in the squeeze of higher costs of feed, machinery and of everything else."

Major Wiley achievements for farmers

Among major past accomplishments listed by WILEY are:

The Wiley St. Lawrence Seaway law—generally regarded as the greatest single piece of legislation affecting Wisconsin enacted in the 20th century. The seaway, he said means "low cost transporting of the farmers' products to all the ports of the world."

Wiley antibrucellosis funds legislation.

Wiley school-milk legislation.

Wiley soil bank bill.

Wiley gasoline tax refund bill.

"Every one of the latter bills represent legislation which I personally introduced or cosponsored. Others and I fought hard for this legislation, and together we succeeded in getting it enacted."

Battles currently being fought by Wiley

"Additional legislation which I am at this very minute advancing includes: Provision to distribute surplus food to America's needy; protection of American farmers from the flood of cheap foreign farm imports; establishment of a new dairy-research laboratory at Madison; liberalized credit for farm building repair and improvement.

"Still other objectives for which I am now striving include: Raising of price support for manufactured milk; greater security for elderly, retired farmers by liberalized social security for themselves and their wives; securing greater freedom for Wisconsin's milk to be sold in other States."

Past Wiley battles for milk, cheese, butter

The Chippewa Falls legislator looked back at his 17½ years of past service and recalled these battles:

The struggle for the Wiley dairy amendment to the anti-oleo bill (an amendment to curb oleo misrepresentation or falsification).

The WILEY efforts against OPA's infamous Plymouth plus—Wisconsin minus order (which almost crucified Wisconsin cheesemaking in favor of production in other States).

The struggle to keep the limited amount of young manpower on our farms and to prevent arbitrary drafting.

Many WILEY efforts for Wisconsin's various foods and its great canning industry—for Badger corn, peas, sauerkraut, as well as for cranberries. (These efforts ranged from getting emergency manpower for harvesting, to getting sufficient steel for tin cans, when they were in desperately short supply.)

Efforts for improving rural health and reducing farm accidents.

Advancing of REA and rural phone legislation.

Defense of vital producing and marketing cooperatives against unfair attacks.

Battles to cut down on the high cost of distribution and thus help raise the farmer's relatively small share of the consumer's dollar.

Senator WILEY also stressed his efforts to get Americans to eat and drink more dairy products.

Boosting Wisconsin dairy products

"In June, Dairy Month, and in all 11 other months of the year, I have been constantly in the forefront of boosting Wisconsin's vitamin-rich, nutritious dairy products. I am proud to be known as the No. 1 booster of Wisconsin cheese in the Nation, and the No. 1 dairyland publicist. I have constantly promoted increased sales of Wisconsin cheese, milk, butter, ice cream, and nonfat dry-milk solids. Dozens of photos in the Nation's newspapers and magazines have shown me helping to spread the Wisconsin dairy habit—to get 167 million Americans to eat, drink, and appreciate our unexcelled dairy products. I started this dairy promotion way back in 1939 when the world's largest cheese, 2,000 pounds, was sent to Washington from our State. It became the focus of nationwide publicity, through which I helped increase consumption of Wisconsin cheese."

Farm groups have praised record

"This then," WILEY concluded, "is my constructive record. It includes solid deeds, not mere words or promises or lip service. It is a record whose achievements have been praised on many occasions by every single major farm organization in our country.

"I feel confident, therefore, that once more, our farmers will overwhelmingly support me."

[From the Juneau County Chronicle]

HONORABLE? THE TITLE FITS THE SENATOR

Senator ALEXANDER WILEY of Wisconsin was the speaker of the evening at a testimonial dinner in Lake Delton Saturday evening. It was given in honor of Miss Isabelle Drumb who is retiring after 20 years as publisher and editor of the Wisconsin Dells Events.

Decorum dictates that the word "Honorable" be used as a prefix to the title of a United States Senator. The conduct of some is such that it raises grave question as to whether the prefix is deserving.

This is not true of Senator WILEY.

In a 20-minute speech he gave glowing tribute to a retiring weekly newspaper publisher without speaking an unkind word about even those few among the newspaper fraternity who have been his critics.

He could have taken credit for steering the St. Lawrence Seaway bill through to passage. He could have taken credit for his opposition to unregulated natural gas rates, and his record on farm legislation; few others under similar circumstances would have failed to preen their feathers just a little bit. But the Senator exercised an admirable degree of restraint, rare indeed among officeholders facing a fight for reelection.

He spoke about the expanding American economy which has grown from $70 billion 17 years ago when Senator WILEY first went to Washington, to nearly $400 billion today.

Yes, the word "Honorable" is a befitting prefix to the title of Senator as it is worn by ALEXANDER WILEY. There was more "wheat" in his message and less political "chaff" than any of his audiences had heard from a Senator or Congressman in a long, long time.

The Senator is running for reelection this year, and he will probably have opposition from within his own party. It is particularly refreshing to hear a candidate for office discuss the issues of the day with frankness, dignity, and credit to himself and his party.

[From the Superior (Wis.) Evening Telegram of August 8, 1952]

SENATOR WILEY MEASURES UP

Many important legislative posts have come to him, and he has acquitted himself ably on all of them. He is a former chairman of the Senate Committee on the Judiciary and is now the highest Republican member. Wisconsin citizens will recall the vigorous prosecution he directed as a member of the Senate Special Committee to Investigate Organized Crime in Interstate Commerce.

Always ahead of him was the knowledge that he was responsible to his electors back in his home State. With that in mind he began a long series of services—and they stretched on into an endless chain—with the idea of helping the Nation as a whole and Wisconsin in particular. Seldom did people from his home State arrive in Washington but that the Senator made himself and his office facilities available to them.

Yes, students of government can find in Senator WILEY much to praise. His tenure in office is marked by a long series of outstanding achievements.

LETTER FROM THE WHITE HOUSE, WASHINGTON, MAY 14, 1954

DEAR SENATOR WILEY: Now that the St. Lawrence Seaway struggle is over, I want to thank you for your informed and aggressive leadership in this historic effort. This kind of legislative-executive teamwork in areas vital to all of our citizens is, in my opinion, essential to a sound government and to the welfare of the Nation.

I am very pleased that you were able to move so effectively in helping to make the seaway at last a reality.

Sincerely,

DWIGHT D. EISENHOWER.

[From the Milwaukee Journal of June 11, 1954]

TRIBUTE PAID TO WILEY FOR SEAWAY LEADERSHIP—SENATOR IS HONORED AT A TESTIMONIAL DINNER FOR SUCCESSFUL BATTLE FOR LEGISLATION

(By Rod Van Every)

Nearly 400 Milwaukee and Wisconsin leaders in industry, civics and Government—Republicans, Democrats and even some Socialists—paid tribute Thursday night to the one man who, more than any other in Congress, worked harder and longer for St. Lawrence seaway legislation.

The man was Senator ALEXANDER WILEY (Republican, Wisconsin), chairman of the powerful Senate Foreign Relations Committee.

The testimonial dinner, sponsored by the Great Lakes-St. Lawrence Association, the Milwaukee Association of Commerce, and the Governor's Committee for the St. Lawrence Seaway, jammed the Pfister Hotel's fern room.

FROM THE PRESIDENT

There were telegrams of greetings and congratulations. One of them came from President Eisenhower:

"Senator WILEY'S leadership in the historic St. Lawrence Seaway effort was vital and was deeply appreciated by all in the administration and in the Congress who were identified with it. I am happy that you pay him this honor and thank you for affording me this public opportunity to say so."

From a competing port city, Duluth, Minn., came banker Lewis G. Castle, executive committee chairman of the Great Lakes-St. Lawrence Association. He said:

"Senator WILEY'S patience, loyalty, and understanding, his willingness to work at all times and at all hours for this important project has won him many friends and great admiration."

CALLED GREAT CITIZEN

Castle quoted from the CONGRESSIONAL RECORD the senatorial speeches from seaway friend and foe, all praising WILEY'S work in the seaway fight.

"Senator WILEY is a great citizen, a great American, a great Senator," he said. "I salute him with personal pride and admiration for all that he has done."

I. R. Witthuhn, president of the Association of Commerce and master of ceremonies, added his praise. So did Dr. N. R. Danielian, president of the Great Lakes-St. Lawrence Association, himself in the front lines of the seaway battle for many years.

"We have gone through a great struggle," said Danielian. "It has taken considerable ingenuity to bring matters to this happy pass. In great measure, Senator WILEY is the man responsible for this happy result.

"Both sides fought hard. The game is over. The issue is settled. It took faith and fortitude to hold to the common cause. Senator WILEY had that faith and fortitude.

"His motivations were love of his country and compassion and sympathy for his fellow men. Our country is grateful for giving us the chairman of the Senate Foreign Relations Committee so he could remold the earth to our desires."

CREDIT FOR EISENHOWER

WILEY pushed the seaway bill out of committee and onto the Senate floor.

"Then we went to work on the personnel of that Senate, and the job was done," he said.

"But without President Eisenhower's inspired leadership the seaway bill never would have passed. Dwight D. Eisenhower is a man of forthright honesty. He frankly wanted the facts on the seaway. We gave him the facts. He promptly made his decision with firmest resolution and gave us the fullest and finest cooperation. His achievement in attaining what no President before him could attain will, I am certain, be one of the great landmarks of his outstanding tenure of office."

WILEY also praised Wisconsin people who "at the grass roots" adopted resolutions for the seaway, wrote letters, visited him and appealed to other Congressmen.

"Many members of that team are here tonight," he said. "Each of them gave of himself selflessly and untiringly. Through years of setbacks, years of disappointments, years of facing what appeared to be hopeless odds, none of you ever gave in.

"What triumphed last May 13 was a great cause, not just a group of individuals; what triumphed were the forces of right, truth, justice and reason over wrong, falsehood, unfairness and illogic."

WILEY said the seaway would be a "shot in the arm" of the Midwest and would form a firmer bond between the United States and Canada.

"But most important of all," he said, "the seaway is a great psychological spur. It is a lift to the morale of men. It demonstrates anew that there is no such thing as an end to the economic horizons of America. People say that the frontier is gone. It is not gone. There is a whole new frontier on the Great Lakes.

Transcript of Vice President Nixon's Press Conference, Karachi, July 9, 1956

EXTENSION OF REMARKS

OF

HON. DONALD L. JACKSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 1956

Mr. JACKSON, Mr. Speaker, I ask unanimous consent to place in the RECORD a transcript of Vice President RICHARD M. NIXON'S press conference in Karachi, Pakistan, on July 9, 1956.

This transcript shows clearly the depth of understanding displayed by the Vice President, and his effectiveness in his recent tour in the Far East, in handling the problems in that area.

I call your special attention to Mr. NIXON'S answer to the question of whether we should recognize the Government of Red China. He says, in part:

It certainly does not appear likely because the Communist government of China continues to persist in engaging in the type of activity which, as far as we are concerned, would make recognition morally wrong and, we believe, as far as the free world is concerned, disastrous.

This press conference transcript shows, far more clearly than I can describe, the concise opinions of our Government on many problems confronting the people of that area of the world.

The transcript is as follows:

TRANSCRIPT OF VICE PRESIDENT NIXON'S PRESS CONFERENCE, KARACHI, JULY 9, 1956

Question: "Can you tell us what you discussed with the President this morning?"

Answer: "Of course, as you know, the custom and proper practice is not to disclose what is said by the Chief of State in conversations we have. He, of course, has the option in that respect. We discussed economic problems—that was the major part of our discussion. We discussed the military ties which our two countries have. Also, it was very helpful for me to get from the President and members of his staff their view of new developments that have taken place in the past few months with regard to the new line being followed by the leaders in Moscow and Peking—particularly in Moscow, to a lesser extent, Peking—and to get their views as to the effect that line was having and would have in this part of the world. What I will do when I return to Washington is to report to President Eisenhower and to the National Security Council the substance of our conversations and the views that have been expressed. Beyond that, I don't think there was anything in the conversation I could disclose, but I will be glad to answer any general questions any person may ask me."

Question: "Do you find any change in the attitude of the Asian countries after Russia has started this economic offensive?"

Answer: "First of all, in answering that question, I must limit it to the countries I have visited. I have visited the Philippines, Vietnam, the Chinese Republic, Thailand, and, of course, Pakistan. Those visits have been relatively brief, and I emphasize that I am not one of those who thinks he can become an expert on problems simply by stopping and having a 2- or 3-hour chat with the heads of the government. On the other hand, you do get some impressions that are worthwhile passing on. In the countries I have visited I have not found that the leaders

of those countries have changed their thinking as a result of these tactics. I would say that in all of these countries the attitude of the leaders is pretty much the same. And it is this—they are watching with interest and listening with interest to what the men of Moscow are saying, but they are still waiting for them to do something. In other words, they are waiting for them to act as they talk, and, until they act as they talk, the leaders of these countries believe it is important that the free world countries—countries that want to retain their independence—continue those policies that they have adopted in the past. That is a general summary of a very complicated question."

Question: "Sir, would you like to comment on the Peking Radio broadcast?"

Answer: "That is the one accusing the United States of exploiting the Philippines, and, apparently, ties my visit into it. That, of course, is not a new charge. As a matter of fact, the United States is accused of exploiting every country in the world with which we have friendly relations, and every country which the United States may find that it is to the mutual interest of the two countries to assist, for example, in economic development. Speaking specifically of the Philippines, I would say the record shows that what the Peking radio claims is completely false, because the Philippines have had remarkable economic progress during the first 10 years of their independence. Their progress in the 3 years since I last visited there was very encouraging to me, and greater even than I had expected. I would simply sum it up by saying that the United States in its various assistance programs, as distinguished from the Communist government in their assistance programs, is not interested in creating economic satellites. However, what we are interested in doing is to help these countries where they themselves believe it is in their self-interest to gain the strength—economically, politically, and militarily—to maintain their independence of any foreign domination. Now, that, of course, sounds altruistic—but we believe it is also self-interest as far as we are concerned, because we believe the best guaranty of our independence and the liberties that we want to retain is to have nations around the world strong enough to be independent and to maintain their own freedoms."

Question: "Do you believe the countries that accept economic assistance from Communist countries run the danger of becoming satellites, and, secondly, is that the purpose of offers of economic aid by Communist countries?"

Answer: "My answer to both questions is yes. That, however, is not an opinion of mine. It is simply an analysis of what I believe is history. The history of the situation has always been this: That economic aid and military aid, when offered by Communist countries, always has as its purpose creating satellites—military, political, or economical, or all three. I think it was pretty well summed up by a friend on this trip last night in Bangkok. He said there had been some criticism that, insofar as United States aid was concerned, it took too long to get it expedited and that there were too many strings attached. I gave the same answer, of course, that I gave here to your question regarding the purpose of our aid. He also said the claim was made, as far as Soviet countries are concerned, that they offered their aid without any conditions or strings attached; but he added this—he said they have no strings, that is true—they offer aid with a rope. I believe that is the best way to answer it. Any country that will accept military aid or economic aid from a Communist country runs certain risks of having a rope tied around its neck."

Question: "Is the United States still opposed to the admission of Red China to the U. N.?"

Answer: "The answer, of course, is categorically yes. We base that position on the U. N. Charter. The U. N. Charter states specifically and clearly that new membership is open to all peace-loving nations who agree to abide by the principles of the U. N. And, at the present time, the Communist government of China is acting in open defiance to the U. N. in maintaining the division of Korea, for example, in maintaining internal subversions in all the independent countries in Asia, and in continuing to threaten and use force and violence in regard to its claims to Quemoy and Matsu and areas in that part of the world."

Question: "Do you think that the United States at any time might recognize the government of China?"

Answer: "The answer is that we in the United States believe that a question of that type should be answered when we have the situation presented, rather than on a hypothetical basis—a situation which would enable us to change our position. And, in the foreseeable future, it certainly does not appear likely because the Communist government of China continues to persist in engaging in the type of activity which, as far as we are concerned, would make recognition morally wrong and, we believe, as far as the free world is concerned, disastrous."

Question: "Since you were here last has the United States been able to make any contribution toward the solution of Kashmir issue?"

Answer: "I am personally aware of the great difficulty of that issue, as all of you are in this area. The position of the United States is well known. And that is—first, we think the issue should be settled just as quickly as possible and second, we believe that the way it should be settled is, if possible, through direct negotiations between the two countries. If that will not work out—then, through U. N. action. We do not feel the United States should properly intervene and attempt to dictate a settlement one way or the other. But certainly the moral support of the United States is on the side of the settlement of the issue because we feel it is a constant source of irritation between two great nations—India on the one side, and Pakistan on the other side."

Question: "Should the Pakistanis conclude that all the big nations like the United States and other powers express their views like this on the important issues like Kashmir, what will be the fate of the smaller nations in the world?"

Answer: "I am not sure I understand the question. If the United States takes this position on Kashmir, what will be the position of the smaller nations of the world?"

Question: "I make it clear a bit more. There is general impression in Pakistan that United States and other big powers, they are not prepared to annoy Nehru and, therefore, they are expressing their moral support to the issue. If that is correct position, I do not know whether it is correct officially or not, and if that is the correct position what will be the fate of the smaller nations?"

Answer: "I think I understand now. Let me make one thing clear. The United States in its relation to other countries constantly at least tries to take a position which recognizes the sovereignty, the equality, and the independence of all countries, regardless of their population, regardless of their military strength, and of their economic strength—and as far as this issue is concerned, that is our position. The only thing, however, that we do also say is that we do not think it would be appropriate for the United States unilaterally to intervene in this issue until the traditional methods for settling the issue have been exhausted: (1) Direct negotiation, and then (2) through the U. N. That we think is the only proper position to take."

Question: "When you say you think that countries which receive" * * * (tape missing.) (This question was covered correctly by A. M. Rosenthal in his New York Times article, July 10, 1956, datelined Karachi, July 9.)

Answer: [1] "Economic aid is one that will make a country stronger economically. Even though that country might have received some aid from a Communist country, we think, in the long run, that where a country is strong enough economically, it then becomes strong enough to maintain its independence of foreign domination and runs less risk of becoming a Communist satellite."

Question: "Said he thought your views were not democratic on neutrality."

Answer: "Mr. Nehru?"

Questioner: "Yes."

Answer: "I, of course, for reasons that are apparent, would be very hesitant to comment on what somebody said Mr. Nehru's views were. Obviously, in this world we believe—and our friends of Pakistan believe this as well as we in the United States—there will be disagreement among friends as to what is the proper course for a nation to chart in its international relations. Mr. Nehru, of course, is entitled to his opinion. But I think that if Mr. Nehru would read my speech carefully and, not with any false pride of authorship I trust, that if others would read it carefully, they would find that my speech is the very antithesis of undemocratic procedures. Because what I constantly emphasize in that speech is this theme—the theme that all through Asia people want a better way of life; that all through Asia people want to retain their newly won independence; and that in my opinion there were dangers to that independence—dangers that I indicated—particularly the danger of Communist domination, and I cited case by case where it happened in other areas of the world in which previously independent countries had come under Communist domination. In view of that fact, I then reached the conclusion that communism was out of step with the real desires of the Asian peoples—to have independence and freedom—because international communism of the Peking and Soviet variety is completely inconsistent with independence. It is completely inconsistent with freedom and my answer to Mr. Nehru would be that anyone who suggests that Communist assistance, for example, is not inconsistent with independence and freedom is not reading correctly the lessons of history."

Question: "Do you feel that in the case of the Kashmir issue the U. N. should act as vigorously as in the case of Korea?"

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[1] [Excerpt taken from the New York Times of July 10, 1956, by A. M. Rosenthal.]

KARACHI, PAKISTAN, July 9.—Vice President RICHARD M. NIXON warned the countries of the free world today against accepting any form of economic or military assistance from the Soviet Union.

The price of aid from the Communists would be a "rope around the neck," Mr. NIXON said. He said the Soviet Union's purpose in its current offers of economic aid was to make the recipient countries satellites—economic, political, or military satellites or all three.

But the Vice President turned down the idea that the United States should automatically refuse to help countries taking assistance from the Communists.

He said the purpose of United States aid was to help countries maintain freedom. And he declared that United States assistance might help countries taking aid from the Communists to keep their independence.

Answer: "Unfortunately, I think we have chosen the example there that isn't perhaps the best because Korea is still unsettled as well. I will go back to my original theme that the settlement of the Kashmir issue at as early a date as possible is in the best interests of international peace and harmony, and that in both the case of Korea and Kashmir, the U. N., interested as it is in maintaining the peace, should act vigorously, provided the two countries are unable to work out the disagreement between themselves."

Question: "The recent bilateral talks between the two countries have reached an impasse; therefore, shouldn't the United States intervene?"

Answer: "My answer again is that we believe, assuming that should happen—and understand, I am not commenting on whether it has reached an impasse yet because I have not studied this as much as you have—but, assuming that has happened, we still say that the other step must also be exhausted; and that is the U. N. step, because we must get away from unilateral action in the world if we can and we must use wherever we can the world organization that is set up specifically to deal with that problem where all of the weight of world public opinion can be brought to bear toward its solution."

Eighty-fourth Congress Record in Behalf of Farmers

EXTENSION OF REMARKS
OF

HON. HAROLD D. COOLEY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 18, 1956

Mr. COOLEY. Mr. Speaker, I report proudly to the House that our Committee on Agriculture has handled in the 84th Congress the heaviest legislative workload ever undertaken in any Congress in behalf of the farmers of America.

With this Congress not yet ended, more than 800 bills have been referred to our committee. The content as well as the number of these bills reflects great concern in the Nation over the recession in agriculture that again has brought hard times to our farms, at the very time when the rest of our economy enjoys great prosperity.

The number of bills handled is about double the 423 referred to us in the 83d Congress, and compares with the total of agricultural measures in previous Congresses as follows: 82d, 175 bills; 81st, 396 bills; 80th, 208 bills; 79th, 208 bills; and 78th, 200 bills.

Our committee has had 19 subcommittees at work studying and refining this record number of agricultural bills, and these subcommittees as well as the full committee have conducted many special studies into ways of improving our agricultural economy. These committees have held almost 300 hearings, and the full committee has reported 103 bills, of which 52 already have become public laws. We have disposed of virtually all of the 800-plus bills referred to us, approving the best, consolidating the good points of others, and rejecting or passing over others. In the latter category there were a number of good bills that require further study, before Congress can act upon them.

Mr. Speaker, while for each of the 11 years—1942–52 inclusive—our farmers had received average prices at 100 percent of parity or better, by the beginning of 1955, when this Congress convened, these prices had fallen far below a full parity relationship with the rest of the economy and farm income continued in a downward and devastating spiral. The average of farm prices had dropped 22 percent below the level of February 1951. Net farm income in 1954 had dipped about 30 percent under the income of 1947. The parity ratio was at the lowest level since 1941. Farm operating costs remained near record highs, and farm debt was increasing. Farmers' purchasing power had declined to the lowest level since 1940.

Our Committee on Agriculture, which it is my honor and privilege to serve as chairman, immediately set to work, in January 1955, to stem this new recession in agriculture, with the firm and resolute purpose of putting our farmers and their families again on the road toward income parity with our nonfarm population.

The most apparent and the most effective action open to this Congress, for quick relief of the farm distress, was to undo the damage of the Agricultural Act of 1954 which required that flexible—lower—price supports should be applied to the major crops.

This Congress approved H. R. 12, calling for an end to the downward flexing of prices; but we were thwarted and defeated by a Presidential veto. The will of the Congress did not prevail, as the President exercised his constitutional powers to reject H. R. 12. This will mean a loss of many millions of dollars to our farm families this year and it is my judgment that the veto has delayed a recovery of the farm economy.

Mr. Speaker, our fight was not in vain. Notwithstanding the veto, the Members should feel great pride in the record of this Congress in its accomplishments for agriculture. Our fight for 90 percent of parity forced Mr. Ezra Taft Benson, the Secretary of Agriculture, to raise the low prices he had set for the 1956 crops. As example, the Secretary had announced the support for wheat at $1.81 a bushel—76 percent of parity. This price was raised to $2 a bushel, or 84 percent of parity. The corn support was increased from $1.40 a bushel to $1.50, rice from $4.04 per hundredweight, to $4.50. The dairy supports were increased. Supports for oats, rye, barley, and grain sorghum were lifted from 70 to 76 percent of parity. I believe our effort also brought about better supports for cotton and peanuts than Mr. Benson otherwise would have proclaimed.

This record of the 84th Congress bespeaks a deep interest in the people who till the soil.

The Congress established a $1,200,000,000 soil bank.

It enacted various legislation to protect the interests of small farmers and the rights of tenants and sharecroppers.

It improved the agricultural credit system, with special emphasis on the well-being of family-operated farms.

It improved the machinery for disposal of our farm products abroad.

It opened wider the doors of our warehouses to provide food for needy people in our own country.

It advanced research in agriculture.

It enacted legislation and appropriations to expand and improve rural electrical and telephone service.

It expanded the program to provide milk for millions of schoolchildren.

It improved and extended the Sugar Act, in a way to give our own cane and beet producers a larger share of the American sugar market.

It made great advances for the improvement and conservation of our soil and water resources.

It authorized the greatest appropriation of funds of any Congress in our history for agriculture.

It repealed the Federal tax on gasoline used in farming.

Mr. Speaker, through all our efforts you will find one purpose overshadowing all others—that is: To perpetuate and strengthen the family farm and the rural community economic and social order that is indispensable as a source of spiritual, social, and political vitality in our growing Nation.

And, Mr. Speaker, I want to assure my colleagues here, and the farmers and, indeed, all the American people, that the fight for fair treatment of our farm families will go on. Of necessity, it must go on. The interests of all our citizens requires that this fight continue.

Following is a review of enactments thus far in the 2d session of the 84th Congress relating to agriculture:

THE AGRICULTURAL ACT OF 1956—PUBLIC LAW 540

1. SOIL BANK

This act sets up a $1,200,000,000-a-year soil bank, in two parts:

(a) Acreage reserve. This program is designed to reduce acreages of wheat, cotton, corn, peanuts, rice, and tobacco. Payments to farmers are made to reduce their acreages of these crops below their acreage allotments, and these payments may be made as soon as the acreage is measured. Under this authority, the Department of Agriculture has set up 1956 rates of payment per acre, on a national average, as follows: Corn, $40.05; cotton, $45; wheat, $19.80; rice, $59.22; peanuts, $27; flue-cured tobacco, $255.42; and burley tobacco, $295.74. A maximum of $750 million a year could be expended on the acreage reserve for the next 4 years.

(b) Conservation reserve. This program is designed to remove acreage from crop production on a semipermanent basis, for which payments approximately equivalent to the rental value of the land would be made, with an annual national limit of $450 million.

Compulsory features, proposed in other soil-bank legislation, were not included in H. R. 12—vetoed—or in H. R. 10875 which became Public Law 540. Limit is placed on the amounts that can

be spent on specific crops, thus assuring an equitable distribution of funds. Provision is made for the protection of tenants and sharecroppers. Procedures are provided for appeal by producers whose soil-bank contracts have been canceled because of alleged violations.

The act directs that the soil bank be commenced with 1956 crops, with a clear Congressional intent that the fact that some crops had been planted at the time of enactment is not to stand in the way of starting the program this year.

Many Members of Congress are disappointed with the manner in which this program is being administered. The Secretary has discriminated against those farmers who need the benefits of this program most: namely, those farmers whose crops have been ruined or damaged by drought or flood. It was the clear intent of the Congress to pay farmers who plowed up their crops on a basis of the average yield of the land, but the Secretary has adopted an "appraised" yield payment plan, knocking down the level of payment to take into account any weather or other natural damage to the crops on the land put into the acreage reserve. Thus, where the average yield base might mean a payment of $45 an acre in cotton the Secretary actually is paying as low as $6 under his improvised "appraised" yield. Similar trimming down of payments has occurred in wheat and other crops.

The major objective of the soil bank and other provisions of the act, relating to surplus disposal and to marketing quotas and acreage allotments, is the adjustment of production to market needs, reduction of the surpluses, conservation of soil and water, and the general improvement in farm income.

2. CORN

The act authorizes four different programs under which corn farmers may receive price supports in 1956, as follows:

(a) Producers in the commercial area who elect to comply with the acreage allotments previously announced by the Secretary—at the rate of approximately 43 million acres—are eligible for price supports at $1.50 per bushel—86.2 percent of parity—under that program, without putting land into the soil bank.

(b) For the operation of the soil bank the bill increases the corn acreage allotment for 1956 by 9 million acres to a total of 51 million acres. Corn producers in the commercial producing area may qualify for price supports at $1.50 per bushel—86.2 percent of parity—by planting within their allotment from the 51 million-acre base acreage, provided they put into the soil bank an amount of cropland equal to 15 percent of their base acreage of corn.

(c) Producers in the commercial corn area who do not comply with the regular acreage allotments previously announced nor with the base acreage setup for soil bank purposes will still be eligible for price supports, under the noncompliance program newly announced by the Secretary, at the rate of $1.25 per bushel—about 83 percent of the support level of compliance corn in the commercial area.

(d) Producers outside the commercial area will receive a support at 82½ percent of the level of the support for compliance corn in the commercial area—or about $1.24 a bushel.

(e) The Secretary is directed, not later than December 15, 1956, to conduct a referendum of producers in the commercial corn area to determine whether they favor the present acreage allotment and price support program or would prefer to do away with acreage allotments completely and then let the Secretary fix the corn price support at such a level as he determines "will assist producers in marketing corn in the normal channels of trade but not encourage the uneconomic production of corn." If two-thirds or more of producers voting approved the change, corn then would be removed from the list of basic crops for price support purposes, and the support level thenceforward would be at the discretion of the Secretary, as has been the case in the small feed grains and in other crops.

3. FEED GRAINS

The act sets the price support for the 1956 crop of grain sorghums, barley, rye, and oats at 76 percent of the parity price for each commodity as of May 1, 1956. Thus, the 1956 supports are: Barley $1.02 per bushel; oats 65 cents per bushel; rye $1.27 per bushel, and grain sorghums $1.97 per hundredweight. These higher level supports thus supersede the 70 percent supports announced by the Secretary, which were 93 cents for barley, 59 cents for oats, $1.16 for rye, and $1.80 for grain sorghums.

4. COTTON

(a) A freeze of 1957 and 1958 national acreage allotments at no less than the 1956 allotment; (b) a provision that no State acreage allotment can be cut in 1957 and 1958 by more than 1 percent; (c) a special 100,000-acre national reserve is created to add to the allotments of small farmers; and (d) the Secretary of Agriculture is directed to sell Government cotton for export at the price necessary to regain America's traditional world market at around 5 million bales annually.

A program has been put into effect to make cash payments on the export of cotton textiles and cotton waste, to equalize the competitive position of our own cotton textile mills with foreign mills in the use of American cotton.

The act requires that whenever the price of either cottonseed or soybeans is supported, the price of the other shall be supported at a level which will cause them to compete on equal terms in the market.

Solution of our market problems, particularly in cotton textiles, will be substantially assisted by authority clearly given the President in this act to negotiate voluntary agreements with representatives of other countries with respect to importations into the United States of competing agricultural commodities or products made therefrom.

5. RICE

The act provides that the State acreage allotments for rice for 1956 shall not be less than 85 percent of the final State allotment for 1955; and that the national acreage allotments of rice for 1957 and 1958 shall not be less than the final national allotment for 1956, and shall be apportioned among the States in the same manner as the 1956 final allotment. The act provides a certificate program for rice, at the discretion of the Secretary. The certificate program will not be substituted for the present program unless the Secretary determines and proclaims that the initiation of the problem is "administratively feasible and in the best interests of rice producers in the United States."

6. TRANSITIONAL PARITY

The act freezes transitional parity for the basic commodities for 1957. This will mean that the parity price of corn, wheat, and peanuts—the only 3 basic commodities currently affected by the transitional parity formula—will be 5 percent higher in 1957 than they otherwise would have been. The bill also requires the Secretary of Agriculture to make a thorough study of possible methods of improving the parity formula and to report to Congress thereon not later than January 31, 1957, and to include drafts of any legislation needed to carry out this recommendation.

7. GOVERNMENT-OWNED LANDS

The President is directed to restrict insofar as practicable the leasing of Government-owned lands for the production of price-supported crops in surplus supply.

8. SECTION 32 EXPANSION

Appropriation of an additional $500 million annually is authorized for section 32 funds, for use in surplus removal and disposal operations, particularly for perishable commodities. The section 32 program previously has operated on funds derived from an allocation of 30 percent of duties collected under the customs laws, amounting to approximately $200 million annually. The authorization of a $500-million appropriation, in addition to the amount available from a share of the customs collections, will bring to about $700 million annually the funds available for this program which acts as a substantial price stabilization mechanism for various crops, as well as serving the needs of the school lunch program, making food available for low-income persons and generally aiding in the disposal of surpluses.

9. FORESTRY

The act authorizes broad expansion of cooperative activity between the Federal Government and the States in reforestation. Upon presentation by the proper State official the Secretary of Agriculture is authorized to approve a plan for tree planting within the State and thereafter to cooperate technically and financially in such program. With respect to parts of the program carried out on non-Federal lands, the Federal financial contribution cannot exceed that of the State toward the same program. The Secretary is directed to cooperate with other Federal agencies and with the appropriate State forester in approving and carrying out such plans.

10. OTHER IMPORTANT PROVISIONS

The act embraces various improvements in the disposal of surplus commodities and other significant provisions.

To facilitate surplus disposal in the United States, the Secretary of Agriculture is authorized to process food commodities, such as grain, into a form—meal or flour—which can be used in the home and is also given authority long sought by both the State and the Federal Government to denote food commodities to certain penal institutions.

To facilitate surplus disposal abroad, the President is given authority to pay ocean freight on surplus commodities donated for use in other countries and to step up disposal under title II of Public Law 480 from $300 million to $500 million.

The act authorizes the appointment of a Surplus Disposal Administrator in the Department of Agriculture.

Provision is made for the appointment of a commission to study and make recommendations to Congress on increased industrial use of agricultural products.

In addition to these specific new authorizations to deal with the surplus problem, the Secretary is directed to make a study of proposals for disposing food domestically through some kind of food-stamp plan; he is directed to report to Congress within 90 days on this important matter; he is directed to make a similar study and report on the matter of establishing strategic stockpiles of agricultural commodities both in the United States and abroad for use in the event of war or similar emergency; he is directed to use existing authority of the Commodity Credit Corporation to dispose of surpluses generally and long-staple cotton specifically.

An attack is made upon the surplus problem affecting long staple cotton by again placing extra long staple cotton, now exempt from quotas, within the quota set up for all cotton longer than 1⅛ inches.

In order to encourage further the underplanting of acreage allotments, the act authorizes a producer, for the first time, to plant only a part or even none of an acreage allotment for three successive years without losing his history and the right to future allotments. This could eliminate the practice of planting merely to retain history for allotment purposes, which is now required.

To make present production adjustment laws more effective, the bill increases to 75 percent of the support price the penalty for exceeding peanut-marketing quotas.

SUGAR

Public Law 545, H. R. 7030, reenacts and extends for 4 years, to December 31, 1960, the Sugar Act of 1948, as amended, with further amendments to, first, give domestic cane and sugarbeet producers a fair share of the growth of the United States sugar market; second, bring about a more equitable participation by foreign suppliers in this market; and third, maintain stability of sugar supplies and prices in the United States.

The Sugar Act is one of the most successful of our farm programs, in terms of benefits to producers and dependable supplies at stabilized prices for consumers. Sugar consumption continues to soar under this program. The United States now consumes over 8,500,000 tons of the approximately 40 million tons annual world production, and the consumption is increasing by more than 135,000 tons a year.

This is because the Sugar Act maintains a fair price to housewives, while giving a fair return to producers.

Public Law 545 provides that domestic producers may supply 55 percent of the growth in the American market, in addition to the approximately 4,500,000 tons annually already allotted to them.

This participation by the United States sugar producers in the future market growth restores to them the status they had under sugar-quota legislation prior to World War II. In the Sugar Act of 1948, quotas for the domestic areas were limited to fixed quantities, with all the growth of our market going to foreign suppliers, 96 percent to Cuba. This was done to assist Cuba in making the transition from wartime to peacetime conditions, since Cuba's production has been greatly expanded to meet America's wartime needs. However, it was recognized at the time that the change was of temporary nature and that at the appropriate time the domestic areas should resume participation in market growth.

Cuba, under Public Law 545, retains its status as our largest foreign supplier. The actual tonnage which Cuba will market in the United States is expected to increase from year to year because of her participation in our market growth. Additional quotas granted to other foreign suppliers, as provided in this act, are in line with our national policy of broadening our trade relations.

It should be emphasized here that the sugar program, supported by a small excise on sugar, actually has shown a profit of about $312 million since it became effective in 1937, and American housewives, under this program, pay less for sugar than is the case in many other areas of the world.

SCHOOL MILK PROGRAM

Public Law 465, H.R. 8320: This act, first, extended the special school milk program 2 years to June 30, 1958, increased the amount authorized for it from $50 million annually to $60 million annually for the current fiscal year and to $75 million for each of the next 2 fiscal years, and made certain nonprofit institutions devoted to the care of underprivileged children eligible for the benefits of the program; second, extended the accelerated brucellosis program 2 years to June 30, 1958, and increased the amount authorized for it from $15 million annually to $17 million for the current fiscal year and to $20 million for each of the next 2 fiscal years; and third, extended the veterans and Armed Forces milk program 2 years to December 31, 1958.

CONSERVATION

Public Law 483, H. R. 7236: This act means that in establishing the national standards for the Agricultural Conservation Program, the Secretary of Agriculture will have the authority, if he chooses to exercise it, of applying water conservation measures as ACP practices in any State. This act struck out the words "in arid or semiarid sections" which previously had limited the area of operation of this program as it relates to water conservation measures.

Public Law 473, H. R. 1855, enacted into permanent legislation authority which has been contained in the most recent several appropriation acts for the Department of Agriculture and which has been exercised, pursuant to those acts, by the Forest Service. The act consists essentially of authority for the Secretary of Agriculture to advance Federal funds in the furtherance of cooperative research projects.

TOBACCO

Public Law 425, House Joint Resolution 455, adjusted the burley tobacco allotment for 1956 upward, to conform with acreage justified by accurate data on 1955 production which was not available when the original allotment for 1956 was determined. The effect of Public Law 425 was to make most farm allotments the same as they were in 1955.

Public Law 427, House Joint Resolution 521, readjusts the acreage allotment of Maryland tobacco to conform with acreage justified by data on production of the previous year not available when the original allotment for 1956 was determined. The effect of this act was to eliminate an acreage reduction of approximately 15 percent for 1956.

Public Law 426, House Joint Resolution 518, adjusts upward the acreage allotments of fire-cured and dark air-cured tobacco to conform with acreage justified by data on production of the previous year which was not available when the original allotments for 1956 were determined.

Public Law 609, H. R. 9475: This act changed the statutory deadline from December 1 to the following February 1, for the announcement by the Secretary of Agriculture of tobacco marketing quotas with respect to all kinds of tobacco except flue-cured. The law had required that the Secretary make the announcement of tobacco marketing quotas not later than December 1 of the year preceding the year for which such quotas are established. On December 1 most kinds of tobacco have not yet been marketed. Therefore, instead of the accurate measurement of the quantity of tobacco produced during the current year which the Secretary possesses as soon as the current crop has passed through the markets, he has on December 1 only the estimates made as of November 1. In a number of recent years these estimates have varied sufficiently from actual outturn of crops to have created a situation where the marketing quota announced by the Secretary was substantially different from the quota he would have determined had the actual weight of the crop been known to him. Under Public Law 609, the Secretary now may make the quota announcements at any time prior to February 1 and it is presumed that he will do so with respect to the various types of tobacco at such time as sufficient production and other data are available.

Prior to this enactment, this Congress had approved separate bills to adjust allotments to conform to data that was not

available when the allotments were announced—a condition that may be avoided in the future by the use of the authority in Public Law 609.

OTHER ENACTMENTS

Public Law 431, S. 2884: This act made possible the planting in 1956 of an expanded acreage of durum wheat in counties known to be capable of producing this wheat, in order to alleviate the serious shortage of this particular type of wheat, which is preferred in the manufacture of macaroni.

Public Law 607, S. 2967, first, increased by 15,000 acres the lands within the roadless area of the Superior National Forest which may be acquired under the act of June 22, 1948; second, increased to $2,500,000 (from $500,000) the amount authorized to be appropriated for the acquisition of lands under such act; and third, made section 5 of such act applicable to the additional lands described by the bill of June 30. Section 5 provides for payment to the State of Minnesota of amounts based on the appraised value of national-forest lands in the roadless area rather than forest receipts, as provided by title 16, United States Code, section 500.

Public Law 471, House Joint Resolution 122, directed the Secretary of Agriculture to release to the Orangeburg School District reversionary interests in improvements on a 3-acre tract in Orangeburg County, S. C.

Public Law 472, H. R. 374, authorized the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest, Tuolumne County, Calif.

APPROPRIATIONS FOR AGRICULTURE

Mr. Speaker, the 84th Congress, in its two sessions, has approved appropriations and loan authorizations aggregating $3,907,268,000 for the Department of Agriculture, exclusive of the actions restoring the capital of the Commodity Credit Corporation and not including funds which will be carried in the first and second supplemental 1957 appropriations yet to be enacted in the present session. The previous Congress authorized $2,778,400,000 for the Department.

Liberal appropriations and authorizations were approved for conservation, education, research, school lunch, and all the various action programs.

A compilation of the House Committee on Appropriations figures shows specific appropriations and authorizations of the 84th Congress and the comparative figures for the previous Congress as follows: Research, 84th, $179,044,000; 83d, $129,600,000. REA electric and telephone facilities, 84th, $549 million; 83d, $420 million. Farmers Home Administration loan authorizations, 84th, $367,500,000; 83d, $330 million. Extension Service, 84th, $101,175,000; 83d, $73,800,000. Soil Conservation Service and watershed and flood prevention, 84th, $182,268,000; 83d, $145,011,000. School lunch, 84th, $183,235,000; 83d, $166,601,000.

Mr. Speaker, other bills vital to agriculture will become law, as the work of this Congress. Thirteen bills, handled by our committee and approved by the Congress, now are at the White House awaiting action of the President.

These bills include:

H. R. 10285, to increase farmer ownership and control of the Farm Credit System and to promote the efficiency and growth of the credit system. This important bill also will merge production credit corporations in Federal intermediate credit banks.

H. R. 11375, to further extend the special school-milk program to certain institutions for the care and training of children.

H. R. 8321, to extend for 2 years the agricultural conservation program (ACP).

H. R. 11873, to amend the Watershed Protection and Flood Prevention Act so as to eliminate delay in the start of projects. This would reduce from 45 to 15 the number of days plans are held for review in Congress.

H. R. 9333, to amend the Commodity Exchange Act to provide for hedging anticipated requirements of processors and manufacturers.

S. 1915, to provide for the exchange of employees of the United States Department of Agriculture and employees of State political subdivisions or educational institutions.

S. 3032 grants the consent and approval of Congress to the Middle Atlantic Interstate Forest Fire Protection Compact.

A number of other bills approved by our committee are now awaiting final action by the Congress. They include:

IMPROVED CREDIT

H. R. 11544 which further improves and simplifies the credit facilities available to farmers. It provides additional funds for emergency loan programs, authorizes loans specifically for the refinancing of existing farm debts, provides assistance to part-time farmers, permits extension of loans when natural disasters result in crop losses, and provides other measures complementing the special programs for low-income farmers and the Great Plains program.

PUBLIC LAW 480

H. R. 11708 amends the Agricultural Trade Development and Assistance Act of 1954—Public Law 480. This is the law which authorizes the sale of agricultural surpluses for foreign currencies, where such sales are in addition to the usual purchases of such commodity by the foreign country. H. R. 11708 increases from $1.5 billion to $3 billion the total amount of the foreign currency transactions which may be carried out under the law.

GREAT PLAINS

H. R. 11833—the Great Plains Conservation bill—proposes a broad program, in cooperation with farmers, to restore and conserve cultivated and grazing lands of a wide area in the 10 Great Plains States that often are ravaged by high winds and dry weather. A $150 million program, over a 10-year period, is provided in this legislation.

SOIL-BANK PAYMENTS

H. R. 11958 proposes full soil-bank payments on allotted acreages not planted or not harvested because of adverse weather or other natural causes. Under this measure, if a farmer does not plant his full allotment or plants and does not harvest it, because of weather or other adverse conditions, he would be given the opportunity to place such land in the soil bank and be paid the regular acreage-reserve rate, provided he does not use the acreage for other production purposes.

MARKETING FACILITIES

H. R. 4054 seeks to reduce the cost of food to consumers and to improve the income of farmers through more efficient marketing of perishable agricultural commodities. The bill authorizes the Secretary of Agriculture to insure loans by private lending institutions for the improvement and development of wholesale marketing facilities, designed to lessen the uneconomic practices in antiquated facilities that now cause greatly increased costs, undue losses, excessive waste, spoilage, and deterioration in the handling of these perishable foods.

PERISHABLE COMMODITIES

H. R. 5337 would—without broadening the scope or original intent of the Perishable Agricultural Commodities Act of 1930, as amended—correct certain deficiencies which have become apparent in the administration of the act, thereby lending greater strength and more effectiveness to the basic legislation.

WATERSHEDS

H. R. 8750 amends the Watershed Protection and Flood Prevention Act, so as to provide a program that will be consistent with other Federal programs for the conservation, control, and utilization of water. The bill broadens the general scope of the act and makes a number of specific amendments.

Among other bills awaiting final action are:

H. R. 10108 which amends the penalty provisions of the tobacco marketing quota law to provide that penalties for exceeding the farm quota shall be assessed on the basis of the harvested acreage of tobacco rather than on the basis of the quantity of tobacco sent to market. The bill also amends the measurement provisions of the 1938 act to clear up any doubt which might arise as to the authority of the Secretary of Agriculture to measure tobacco acreage for compliance purposes.

H. R. 8384 which would include cranberries in the Agricultural Marketing Act of 1947.

Mr. Speaker, the recession in agriculture is reflected particularly in the volume of inquiries coming to Members of Congress and the House Committee on Agriculture concerning farm legislation.

These inquiries, from farm people and from people interested in farm problems, deserve thoughtful response, sometimes in considerable detail. I have inserted the foregoing preliminary and incomplete material to assist in furnishing the facts about agricultural legislation. Those who may be interested in reviewing all the farm legislation passed during the 84th Congress, to this date, should refer to the CONGRESSIONAL RECORD, volume 101, part 10, page 13267, where I presented a summary of enactments relating to agriculture during the first session of this Congress.

SENATE

THURSDAY, JULY 19, 1956

(Legislative day of Monday, July 16, 1956)

The Senate met at 9:30 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God, in whose Almighty hand the future lies, give us understanding minds, patient hearts, and determined wills that through us Thou mayest be able to create among the nations and peoples of the earth Thy charter for freedom and justice. Our lot is cast in times when malignant forces instead of helping to lift mankind to the gates of the New Jerusalem are dragging down to the law of the jungle. Our hearts cry out for a meaning that is larger than the things we see. Lest our feet slip in perilous times, we must be upheld by something that has an eternal faith behind it. Make us worthy, having put on the whole armor of God, to fight against the rulers of the darkness of this world as we lift our living Nation a single sword to Thee. In the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, July 18, 1956, was dispensed with.

ENROLLED BILLS SIGNED

The PRESIDENT pro tempore announced that on today, July 19, 1956, he signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

S. 2280. An act to amend the Longshoremen's and Harbor Workers' Compensation Act, as amended, to provide increased benefits in case of disabling injuries, and for other purposes;

S. 2895. An act to amend the acts of February 28, 1903, and March 3, 1927, relating to the payment of the cost and expense of constructing railway-highway grade elimination structures in the District of Columbia;

S. 3246. An act to increase the amount authorized for the erection and equipment of suitable and adequate buildings and facilities for the use of the National Institute of Dental Research;

H. R. 5566. An act to terminate the existence of the Indian Claims Commission, and for other purposes; and

H. R. 7380. An act to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on July 18, 1956, the President had approved and signed the following acts:

S. 47. An act for the relief of Guiseppe Agosta, Shakeeb Dakour, and Gertrud Charlotte Samuelis; and

S. 1178. An act for the relief of Mrs. Sylvia Simonson.

REPORT ON UNITED STATES PARTICIPATION IN THE UNITED NATIONS — MESSAGE FROM THE PRESIDENT (H. DOC. NO. 455)

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations.

(For President's message, see House proceedings for today.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed the bill (S. 3903) to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase the amount authorized to be appropriated for purposes of title I of the act, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 9506. An act to provide for the conveyance of La Puntilla Military Reservation, San Juan, Puerto Rico, to the Commonwealth of Puerto Rico; and

H. J. Res. 668. Joint resolution to urge the creation of an International Juridical Commission within the framework of the North Atlantic Treaty Organization in order to document the crimes against humanity committed by the international Communist conspiracy and to reduce the dangers of world war III.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 265) expressing the sense of Congress against admission of the Communist regime in China as the representative of China in the United Nations, in which it requested the concurrence of the Senate.

HOUSE BILL AND JOINT RESOLUTION REFERRED

The following bill and joint resolution were each read twice by their titles and referred as indicated:

H. R. 9506. An act to provide for the conveyance of La Puntilla Military Reservation, San Juan, Puerto Rico, to the Commonwealth of Puerto Rico; to the Committee on Armed Services.

H. J. Res. 668. Joint resolution to urge the creation of an International Juridical Commission within the framework of the North Atlantic Treaty Organization in order to document the crimes against humanity committed by the international Communist conspiracy and to reduce the dangers of world war III; to the Committee on Foreign Relations.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 265) expressing the sense of Congress against admission of the Communist regime in China as the representative of China in the United Nations, was referred to the Committee on Foreign Relations, as follows:

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that its previous expressions should be and are hereby reemphasized that the Communist regime in China should not be admitted to membership in the United Nations or any of its specialized agencies as the representatives of China; and

That the Congress hereby expresses its conviction that such admission would gravely injure the United Nations and impair its effective functioning in accordance with the aims, principles, and provisions of the United Nations Charter.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be the usual morning hour for the presentation of petitions and memorials, the introduction of bills, and the transaction of other routine business, subject to the usual 2-minute limitation on statements.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Committee on Armed Services, the Subcommittee on the Air Force of the Committee on Armed Services, and the Committee on the District of Columbia were authorized to meet during the session of the Senate today.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs be authorized to meet this morning during the session of the Senate.

Mr. JOHNSON of Texas. Mr. President, would the Senator withhold his request until I am able to check it? Some members of the Committee on Interior and Insular Affairs spoke to me about it yesterday afternoon, and I should like to check it.

Mr. O'MAHONEY. Very well; I withhold my request.

Mr. O'MAHONEY subsequently said: Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs may meet during the session of the Senate today. Of course, the Hells Canyon bill is the business which is before the Senate, but, nevertheless, I ask that consent.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wyoming?

Mr. MORSE. Mr. President, in view of the nature of the debate coming on in the Senate, I think all Members should be present. I object.

The PRESIDENT pro tempore. Objection is heard.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

The petition of J. A. Ely, of Deerfield Beach, Fla., relating the opening of all court ses-

sions with prayer; to the Committee on the Judiciary.

The petition of Mildred DeShields, of Philadelphia, Pa., relating to the school construction bill and desegregation; to the Committee on Labor and Public Welfare.

A letter, in the nature of a memorial, from the Cincinnati Chapter, American Institute of Architects, Cincinnati, Ohio, remonstrating against any changes in the design of the Capitol Building, in the District of Columbia; to the Committee on Public Works.

A resolution adopted by the officers and councilors of the American Society of Tropical Medicine and Hygiene, Chapel Hill, N. C., relating to the expenses incident to organizing and holding the Eleventh World Health Assembly in the United States; ordered to lie on the table.

PROHIBITION OF LIQUOR ADVERTISING IN INTERSTATE COMMERCE—PETITION

Mr. CASE of South Dakota. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD a petition sent to me by the Sioux Falls, S. Dak., Woman's Christian Temperance Union, Mrs. Veral Gardner, corresponding secretary.

The petition, bearing some 700 signatures reads:

To the Senators and Representatives in Congress:

We, the undersigned, respectfully petition you to support and vote for the Langer bill, S. 923, and Siler bill, H. R. 2967, or any similar bill prohibiting liquor advertising.

The PRESIDENT pro tempore. The petition will be received and referred to the Committee on Interstate and Foreign Commerce.

RESOLUTION OF NATIONAL ASSOCIATION OF ATTORNEYS GENERAL—DISSENTING VIEWS

Mr. LANGER. Mr. President, yesterday I asked unanimous consent to have printed in the RECORD certain resolutions adopted by the National Association of Attorneys General. At that time I did not know that there were dissenting views on Resolution 14, dealing with subversive activities.

I now ask unanimous consent that I may have printed in the RECORD the dissenting views signed by the Attorneys General of 8 States, together with the letter of transmittal.

There being no objection, the minority views and letter were ordered to be printed in the RECORD, as follows:

COMMONWEALTH OF PENNSYLVANIA,
OFFICE OF ATTORNEY GENERAL,
Harrisburg, July 18, 1956.

Hon. WILLIAM LANGER,
Member, Senate Judiciary Committee,
Senate Office Building,
Washington, D. C.

DEAR SENATOR LANGER: The Attorneys General of California, Delaware, Michigan, Minnesota, New Jersey, New York, Nevada, and Rhode Island have authorized me to transmit the enclosed statements to you as an expression of our dissent to the actions of the National Association of Attorneys General at its 50th annual meeting (1956).

Very truly yours,

HERBERT B. COHEN,
Attorney General.

SUBVERSIVE ACTIVITIES—STATEMENT OF POSITION ON RESOLUTION 14 OF THE NATIONAL ASSOCIATION OF ATTORNEYS GENERAL, 50TH ANNUAL MEETING, 1956

The undersigned members of the National Association of Attorneys General, believing that the security of the nation and of each of the States will best be served by uniform Federal investigation, control and prosecution of subversive activities and having dissented from the action of the Association at its 50th Annual Meeting (1956) endorsing Federal legislation to permit enforcement of State penal statutes in this field, adopt this statement as their formal expression of dissent from such action of the Association and desire that this formal expression of dissent be made known to the presiding officers and appropriate committee members of the Senate and the House of Representatives of the United States.

Edmund G. Brown, Attorney General of California; Joseph D. Craven, Attorney General of Delaware; Thomas M. Kavanagh, Attorney General of Michigan; Miles Lord, Attorney General of Minnesota; Grover C. Richman, Jr., Attorney General of New Jersey; Harvey Dickerson, Attorney General of Nevada; Herbert B. Cohen, Attorney General of Pennsylvania; William E. Powers, Attorney General of Rhode Island.

RESOLUTION 14—SUBVERSIVE ACTIVITIES

Be it resolved by the 50th annual meeting of the National Association of Attorneys General, That this association endorses the enactment of Federal legislation authorizing the enforcement of State statutes prescribing criminal penalties for subversive activities involving State or National Governments or either of them; and be it further

Resolved, That the secretariat is requested to forward copies of this resolution to the presiding officers and the appropriate committee chairmen of the Senate and House of Representatives of the United States.

RULES OF CONSTRUCTION TO GUIDE THE SUPREME COURT—STATEMENT OF POSITION ON RESOLUTION 15 OF THE NATIONAL ASSOCIATION OF ATTORNEYS GENERAL, 50TH ANNUAL MEETING, 1956

The undersigned members of the National Association of Attorneys General, believing that the delineation of the proper spheres of activities of the Federal and State governments is properly a function of the Supreme Court of the United States and not one to be circumscribed by legislative enactment and having dissented from the action of the association at its 50th annual meeting (1956) approving enactment by the Congress of legislation attempting so to circumscribe this judicial function, adopt this as a formal expression of their disapproval of such legislation (in particular, H. R. 3 and S. 3143, now pending in the 84th Cong.) and their dissent to such action of the association, and desire that this formal expression of disapproval and dissent be made known to the presiding officers and appropriate committee members of the Senate and House of Representatives of the United States and to the sponsors of the above named bills.

Edmund G. Brown, Attorney General of California; Joseph D. Craven, Attorney General of Delaware; Thomas M. Kavanagh, Attorney General of Michigan; Miles Lord, Attorney General of Minnesota; Grover C. Richman, Jr., Attorney General of New Jersey; Jacob K. Javits, Attorney General of New York; Harvey Dickerson, Attorney General of Nevada; Herbert B. Cohen, Attorney General of Pennsylvania; William E. Powers, Attorney General of Rhode Island.

RESOLUTION 15—RULES OF CONSTRUCTION TO GUIDE THE SUPREME COURT

Whereas members of this association have expressed alarm on several occasions in recent years over the increasing tendency of the Supreme Court of the United States to hold that enactments by Congress operate to exclude or supersede any State laws on the same subject matter and to preempt the field for Federal occupancy; and

Whereas such extensions of Federal power by judicial interpretation have impinged and continue to impinge directly upon the powers reserved to the States and citizens thereof by the 10th amendment to the Constitution, and thus present a real threat to the continued independence and integrity of the States: Now, therefore, be it

Resolved by the 50th annual meeting of the National Association of Attorneys General, That this association approves the enactment by Congress of legislation to clarify its intent that no future act of Congress shall be considered to exclude any State laws on the same subject matter unless such congressional act contains an express provision to that effect, nor shall such congressional act invalidate a provision of State law which would be valid in the absence of such act unless a power expressly granted to the Federal Government by the Constitution of the United States is involved; and be it further

Resolved, That this association extends to the Members of Congress who have introduced H. R. 3 and S. 3143, now pending in the 84th Congress, its sincere appreciation for sponsoring legislation designed to accomplish the objectives set forth above, and the secretariat is requested to bring this resolution to the attention of the presiding officers and to the appropriate committee chairmen of the Senate and the House of Representatives of the United States as well as to the sponsors of the named bills.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, with amendments:

H. R. 8837. A bill to amend certain sections of the Hawaiian Organic Act, as amended, relating to the Legislature of the Territory of Hawaii (Rept. No. 2643).

By Mr. BIBLE, from the Committee on the District of Columbia, without amendment:

S. 4044. A bill to exempt from taxation certain property of the National Association of Colored Women's Clubs, Inc., in the District of Columbia (Rept. No. 2644).

By Mr. BIBLE, from the Committee on the District of Columbia, with an amendment:

H. J. Res. 667. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the Presidential inaugural ceremonies (Rept. No. 2645).

By Mr. MORSE, from the Committee on the District of Columbia, with amendments:

H. R. 11090. A bill concerning gifts of securities to minors in the District of Columbia (Rept. No. 2663).

By Mr. RUSSELL, from the Committee on Armed Services, with amendments:

H. R. 11613. A bill to authorize the loan of naval vessels to the Governments of the Federal Republic of Germany, Greece, Portugal, Spain, and friendly far eastern nations, and for other purposes (Rept. No. 2667).

By Mr. STENNIS, from the Committee on Armed Services, without amendment:

H. R. 5519. A bill to authorize and direct the Secretary of the Army to convey certain tracts of land in El Paso County, Tex., to the city of El Paso, Tex., in exchange for cer-

tain lands to be conveyed by the city of El Paso, Tex., to the United States Government (Rept. No. 2647); and

H. R. 9081. A bill to direct the Secretary of the Army or his designee to convey a 3-acre tract of land situated about 6 miles south of the city of San Antonio, in Bexar County, Tex., to the State of Texas (Rept. No. 2649).

By Mr. STENNIS, from the Committee on Armed Services, with an amendment:

S. 3356. A bill to direct the Secretary of the Navy or his designee to convey a two hundred forty and fifty-five one-hundredths-acre tract of land situated near the city of Grand Prairie, in Dallas County, Tex., to the State of Texas (Rept. No. 2646).

By Mr. STENNIS, from the Committee on Armed Services, with amendments:

H. R. 9699. A bill to provide for the conveyance to the State of Oregon of the land and improvements known as the Clackamas National Guard target range, at Clackamas, Oreg., to be used for National Guard purposes (Rept. No. 2650).

By Mr. JACKSON, from the Committee on Armed Services, with an amendment:

H. R. 9970. A bill to provide for the disposition of the Stockton Air Force Station and the Stockton Annex, Sharpe General Depot, Calif. (Rept. No. 2651).

By Mr. CASE of South Dakota, from the Committee on Armed Services, without amendment:

H. R. 8047. A bill granting authority to the Secretary of the Army to renew the license of the Ira D. MacLachlan Post No. 3, the American Legion, Sault Sainte Marie, Mich., to use a certain parcel of land in St. Marys Falls Canal project (Rept. No. 2648).

By Mrs. SMITH of Maine, from the Committee on Armed Services, without amendment:

H. R. 7290. A bill to authorize female Reserve officers of the Army or Air Force appointed as nurses or women medical specialists to be members of the Army National Guard of the United States or Air National Guard of the United States, as appropriate (Rept. No. 2669).

By Mrs. SMITH of Maine, from the Committee on Armed Services, with amendments:

S. 4075. A bill to provide for the appointment of certain officers in the grade of rear admiral in the Retired Reserve to the grade of vice admiral in the Retired Reserve (Rept. No. 2670).

By Mr. SALTONSTALL, from the Committee on Armed Services, without amendment:

H. R. 6794. A bill to authorize certain members and former members of the Armed Forces of the United States to accept and wear decorations, and supporting documents conferred upon them by the Government of the Philippines (Rept. No. 2668).

By Mr. SYMINGTON, from the Committee on Armed Services, with amendments:

H. R. 11677. A bill to provide for the advancement of Maj. Gen. Hanford MacNider, United States Army Reserve (retired), to the grade of lieutenant general on the retired list.

By Mr. KEFAUVER, from the Committee on Armed Services, without amendment:

S. 3414. A bill to provide for the advancement of Capt. Edward J. Steichen, United States Naval Reserve (retired), to the grade of rear admiral on the Naval Reserve retired list (Rept. No. 2665).

By Mr. KEFAUVER, from the Committee on Armed Services, with an amendment:

H. R. 10432. A bill to amend further the Federal Civil Defense Act of 1950, as amended, to authorize the Administrator to pay travel expenses and per diem allowances to trainees in attendance at the National Civil Defense Staff College, and for other purposes (Rept. No. 2666).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 5486. A bill to authorize the sale of certain land in Alaska to Gilbert Henkens, Jr., star route, Mile 17½, Anchorage, Alaska (Rept. No. 2653);

H. R. 6024. A bill to withdraw and restore to its previous status under the control of the Territory of Hawaii certain land at Kaakaukukui, Honolulu, Oahu, T. H. (Rept. No. 2654);

H. R. 7552. A bill to amend sections 220 and 221 (d) of the Hawaiian Homes Commission Act, 1920 (Rept. No. 2655);

H. R. 7887. A bill to authorize the commissioner of public lands to sell public lands under certain circumstances without public auction (Rept. No. 2656);

H. R. 7888. A bill to authorize the commissioner of public lands to sell public lands located at Weliweli, Island of Kauai, to certain claimants (Rept. No. 2657);

H. R. 7891. A bill to authorize and direct the exchanges and sales of public lands within or adjacent to the district of Puna, county of Hawaii, Territory of Hawaii, for the relief of persons whose lands were destroyed by volcanic activity (Rept. No. 2658);

H. R. 7893. A bill to amend section 73 '1) of the Hawaiian Organic Act (Rept. No. 2659); and

H. R. 9265. A bill to amend the Hawaiian Organic Act, as amended, relating to the audit of government (Territorial and county) accounts (Rept. No. 2660).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with an amendment:

H. R. 7890. A bill to authorize the commissioner of public lands to sell public lands located at Kaneohe Bay, Oahu, to certain persons (Rept. No. 2661).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

H. R. 11522. A bill to implement section 25 (b) of the Organic Act of Guam by carrying out the recommendations of the Commission on the Application of Federal Laws to Guam, and for other purposes (Rept. No. 2662).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs, with amendments:

S. 3416. A bill relative to employment for certain adult Indians on or near Indian reservations (Rept. No. 2664).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, with amendments:

H. R. 4090. A bill to amend part II of title III of the Communications Act of 1934, so as to require the installation of an automatic radiotelegraph call selector on cargo ships of the United States carrying less than two radio operators, and for other purposes (Rept. No. 2652).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HENNINGS:

S. 4245. A bill to permit the Secretary of Agriculture or any other officer or agency of the Department of Agriculture holding in an official capacity a mortgage on any real property to be made a party in condemnation proceedings involving such property; to the Committee on Agriculture and Forestry.

By Mr. BENDER:

S. 4246. A bill to provide for the conveyance of certain real property of the United States to the city of Euclid, Ohio; to the Committee on Banking and Currency.

By Mr. LEHMAN:

S. 4247. A bill to authorize Canadian vessels to be employed in the coastwise transportation of coal to Ogdensburg, N. Y.; to the Committee on Interstate and Foreign Commerce.

By Mr. ERVIN:

S. 4248. A bill for the relief of Guido William Grambergs; to the Committee on the Judiciary.

By Mr. BRIDGES:

S. 4249. A bill for the relief of Isak Irving Herz; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 4250. A bill to amend section 315 of the Communications Act of 1934 (47 U. S. C. 315); to the Committee on Interstate and Foreign Commerce.

By Mr. HENNINGS:

S. J. Res. 198. Joint resolution to amend the joint resolution entitled "Joint resolution to establish a commission for the celebration of the 200th anniversary of the birth of Alexander Hamilton," approved August 20, 1954; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

The following concurrent resolution was submitted, considered, and agreed to:

By Mr. JOHNSON of Texas:

S. Con. Res. 86. Concurrent resolution authorizing the conferees on H. R. 1774, abolishing the Verendrye National Monument, N. Dak., to consider certain additional Senate amendments.

(See concurrent resolution printed in full when submitted by Mr. JOHNSON of Texas, which appears under a separate heading.)

INVESTIGATION OF CRITICAL RAW MATERIALS AND RESOURCES OF SOVIET UNION AND OTHER EASTERN HEMISPHERE COUNTRIES

Mr. MURRAY (for himself and Mr. MALONE) submitted the following resolution (S. Res. 317), which was referred to the Committee on Interior and Insular Affairs:

Resolved, That the Senate Committee on Interior and Insular Affairs, or any duly authorized subcommittee thereof, is authorized and directed (1) to make a full and complete investigation and study of the critical raw materials and resources of the Soviet Union and the satellite countries, as well as other countries in the Eastern Hemisphere which are supplying critical minerals and materials to the United States; (2) to gage the economic strength of these countries in order to show how the United States may lessen its dependence upon these countries, and to strengthen its own economy and security to be prepared for emergencies; and (3) to report to the Senate at the earliest possible date, not later than January 31, 1957, the results of its investigation and study, together with its recommendations.

SEC. 2. For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to utilize the information, facilities, and personnel of any of the departments or agencies of the Government, with the consent of the heads of such departments.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO MUTUAL SECURITY APPROPRIATION BILL

Mr. KNOWLAND submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice

in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes, the following amendment, namely:

"On page 2, line 13, before the semicolon insert a colon and the following: *'Provided,* That none of the funds made available for military assistance under this act, and none of the funds made available for military assistance under any prior act and remaining unexpended, shall be used to furnish military equipment to Yugoslavia except for maintenance of equipment heretofore furnished or to provide spare parts for replacement purposes.'"

Mr. KNOWLAND also submitted an amendment, intended to be proposed by him, to House bill 12130, making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes.

(For text of amendment referred to, see the foregoing notice.)

STUDY OF POSSIBILITY AND DESIRABILITY OF ESTABLISHING A UNIVERSITY OF THE AMERICAS—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the name of the distinguished minority leader, the Senator from California [Mr. KNOWLAND], be added as a cosponsor of the joint resolution (S. J. Res. 174) providing for a study of the possibility and desirability of establishing a University of the Americas, introduced by me on May 16, 1956.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. GREEN:

Address delivered by him at the 15th anniversary of the commissioning of the United States Naval Air Station at Quonset Point, R. I., on July 14, 1956, and three letters relating to the same event.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business for the purpose of considering nominations on the Executive Calendar, beginning with the United States Court of Customs and Patent Appeals. We shall need to have yea-and-nay votes on the treaties on the calendar, and there will be some discussion with reference to the United Nations nominations. In view of the limitation on debate this morning, we shall not take up either the treaties or the United Nations nominations, but at the conclusion of the debate and vote on the Hells Canyon bill it is planned to return to the consideration of the Executive Calendar to consider the United Nations nominations, and, if agreeable to the distinguished chairman of the Foreign Relations Committee, the treaties.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Kermit H. Hansen, of Iowa, to be Administrator of the Farmers' Home Administration, which was referred to the Committee on Agriculture and Forestry.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. HICKENLOOPER, from the Committee on Agriculture and Forestry:

Kermit H. Hansen, of Iowa, to be Administrator of the Farmers' Home Administration.

Mr. CASE of South Dakota. Mr. President, from the Committee on Armed Services I report favorably a total of 435 nominations in the Army, Navy, Marine Corps, and Air Force. This group includes the nomination of Alfred Maximilian Gruenther to be placed on the retired list in the grade of general, the promotion of 3 major generals to lieutenant generals, and the temporary appointment of 2 major generals and 11 brigadier generals in the Army of the United States.

In addition to the Army nominations, there are promotions in the Air Force in the grade of major and captain and appointments in the Navy and Marine Corps in the grade of captain and below.

I ask that these nominations be placed on the Executive Calendar.

The PRESIDENT pro tempore. The nominations will be placed on the Executive Calendar.

The nominations are as follows:

Maj. Gen. John Francis Uncles, United States Army, to be assigned to a position of importance and responsibility designated by the President, in the rank of lieutenant general;

Brig. Gen. Evan McLaren Houseman, and sundry other officers, for temporary appointment in the Army of the United States;

Gen. Alfred Maximilian Gruenther, Army of the United States (major general, U. S. Army), to be placed on the retired list in the grade of general;

Maj. Gen. Emerson Leroy Cummings, United States Army, to be assigned to a position of importance and responsibility designated by the President, in the rank of lieutenant general;

Maj. Gen. Francis William Farrell, United States Army, to be assigned to a position of importance and responsibility designated by the President, in the rank of lieutenant general;

Billy June Carter, and sundry other officers, for promotion in the Regular Air Force; and

John C. Zimmerman, and sundry other persons, for appointment in the Navy.

The PRESIDENT pro tempore. If there be no further reports of committees the nominations on the calendar, except those to the United Nations, will be stated.

UNITED STATES COURT OF CUSTOMS AND PATENT APPEALS

The Chief Clerk read the nomination of Noble J. Johnson, of Indiana, to be chief judge.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Giles S. Rich, of New York, to be associate judge.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

COMMISSION ON INCREASED INDUSTRIAL USE OF AGRICULTURAL PRODUCTS

The Chief Clerk proceeded to read sundry nominations of members of the Commission.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the nominations be considered and confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc, and, without objection, the nominations are confirmed.

BUREAU OF MINES

The Chief Clerk read the nomination of Marling J. Ankeny, of Maryland, to be Director of the Bureau of Mines.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc, and without objection, the nominations are confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be immediately notified of all nominations confirmed.

The PRESIDENT pro tempore. Without objection, the President will be immediately notified of the nominations which have been confirmed.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

ADDRESS BY FRANCIS O. WILCOX BEFORE THE NORMAN WAIT HARRIS FOUNDATION, UNIVERSITY OF CHICAGO

Mr. HICKENLOOPER. Mr. President, on June 29, 1956, Hon. Francis O. Wilcox, Assistant Secretary of State for International Organization Affairs, delivered an address before the Norman Wait Harris Foundation, University of Chicago, on the subject of the United Nations and the search for disarmament. The address is a thorough discussion of the subject. I ask unanimous consent that the address be printed at this point in the RECORD as a part of my remarks.

Without objection, the address was ordered to be printed in the RECORD, as follows:

THE UNITED NATIONS AND THE SEARCH FOR DISARMAMENT

(Address by Assistant Secretary of State for International Organization Affairs Francis O. Wilcox before the Norman Wait Harris Foundation, University of Chicago, Chicago, Ill., June 29, 1956)

In speaking to you tonight about disarmament, I should purposely avoid use of that term for the most part. Rather, I should speak of the limitation, regulation, and control of arms. My reason is that "disarmament" is a word which can have misleading and inaccurate connotations. To some people, it may present an image of a world without arms and therefore at peace. This, of course, is an oversimplification of the problem at least in two respects.

In the first place, the word "disarmament" as used in our negotiations does not mean and has never meant, even to its most enthusiastic proponents, the abandonment of armed forces. The maintenance of substantial armed strength is essential for internal security, for the fulfillment of international commitments, and for carrying out responsibilities in connection with the maintenance of international peace and security under the U. N. Charter.

In the second place, the relationship of disarmament to peace is a complex one. Indeed the possession of arms, under conditions of limitation and control, is probably the surest guarantee of peace. Weakness invites aggression. It is not the absence of arms but an effective system of limitation and control that we seek.

I. NATURE AND URGENCY OF THE PROBLEM

Secretary Dulles, earlier this year, stated that in his considered view "Disarmament is the most difficult and the most compelling of all world problems." For a decade now the question has been under consideration within the framework of the United Nations under the provisions of articles 11 and 26 of the charter. These articles empower both the Security Council and the General Assembly to make recommendations on arms regulation and limitation to member states. As we look ahead a variety of developments contribute to the sense of urgency with which we attempt to deal with the ever-mounting difficulties and the ever-mounting importance of a solution to this problem. Let me mention a few of these factors.

Already the task of limitation and control of armaments has been enormously complicated by the accumulation of nuclear stockpiles. These stockpiles, with relatively simple shielding, could be hidden beyond the range of presently known means of scientific detection.

Already we are confronted with the potential dangers inherent in the development of nuclear weapons capability by the Communist world as well as by the free.

Already stockpiles of fissionable materials sufficient to constitute grave danger are in being without international safeguards or regulations or controls. Delivery systems for both nuclear and conventional weapons are steadily improving.

Trends based on present developments need be projected only a little way into the future to anticipate further factors that must be taken into account in our plans today.

For instance, the steady accumulation of nuclear weapons stockpiles and of materials available for their manufacture constantly increase the danger to civilization that would arise from the outbreak of nuclear warfare. By this I mean that if larger amounts of such materials are available, then greater quantities might be used in the heat of war, to the vast peril of nations and peoples and unborn generations in no way involved in the conflict.

We must consider, too, I regret to say, the prospects of development within the foreseeable future of missiles equipped with thermonuclear warheads and capable of traversing great distances. This development would drastically increase vulnerability to surprise attack and would diminish the utility of existing types of early warning systems. By "early warning" I mean the 15 minutes which a nation will have to mobilize for defense and retaliation. And with this greater threat would come a much greater problem of control since highly destructive missiles and their launching platforms could be hidden in small areas of ground space, in submarines, or in ships.

Nor is this all. We must look ahead to the possibility, as well, that in the absence of control, atomic weapons may be widely diversified and fully integrated into the total structure, strategy, equipment, and training of military forces. As we move toward that time we may be headed toward a point of no return with respect to practical prospects of comprehensive control of nuclear weapons. In a world of military forces so organized and so equipped, reliance for defense upon conventional armaments would be as unrealistic as a proposal in 1917 that the Nation's defense be entrusted to the crossbow or even the flintlock musket of colonial days.

There is another compelling reason for the early establishment of effective controls. The time is approaching when nuclear weapons capabilities may exist in many quarters of the globe. A delicate balance might be tragically upset by a single intrusion of local passions or a single misjudgment by one of the sovereign authorities with access to the trigger that could launch a nuclear war. Effective controls would become far more costly and far more complex with the widening of areas to be inspected.

At the moment only three states possess the materials and the technical know-how to manufacture nuclear weapons. In another decade this number may be increased to as many as a dozen. If we do not take effective action fairly soon the control problem may become academic.

Lastly, I thing we should contemplate the rising cost curve of defense in a decade of uninhibited nuclear weapons development. The expense both in terms of research and development and in terms of installation and operation of adequate defenses against long-range missiles would be nothing short of colossal. Added to this, the size and complexity of a military establishment able to retaliate decisively even after absorbing such a blow must be considered in estimating the costs of defense against massive attack by such weapons.

II. DISARMAMENT AS A SAFEGUARD OF THE NATIONAL SECURITY

In view of the unpleasant factors I have mentioned, I think our basic purpose in seeking an effective limitation of armaments is clear. It is to enhance the security of the United States with which the security of the entire free world is inseparably linked. That security requires that we maintain strength adequate to our defenses, our extensive commitments, and our responsibilities in the free world coalition.

But such strength is not enough. The security that comes from an arms race is illusory, short lived, and fraught with increasing danger for reasons I have already described.

For deterrent power alone cannot eliminate, although it may importantly reduce, the danger of war. And a war fought in the nuclear age, with all the weapons that could be created and stockpiled during an unlimited arms race, could, as we know, threaten civilization itself.

I think it is important to realize that the danger of war arises in large part from the possibility of devastating surprise attack. Given the awful destructive power of modern weaponry, an aggressor nation, in the absence of inspection or control, might calculate that it could deliver a surprise initial blow of such proportions as to destroy the means of effective retaliation. The fact that the aggressor's calculation would be proven by events to be fatally wrong would be of small comfort to the victim. And it is the democracies of the world that have, by their whole scheme of values, traditionally been compelled to accept the first blows of war.

President Eisenhower's bold conception, set forth at Geneva last July, represents in our view a means not only of building confidence but also of reducing the threat to our security which is posed by the danger of surprise attack. Major aggression seems far less likely if the aggresor is deprived of the advantage of surprise. It is improbable that preparation for an attack of such magnitude as to give hope of success could be concealed from aerial inspection.

Wars could also arise, of course, even if the threat of surprise attack were removed, from a series of actions and counter actions which neither side intended to lead to hostilities. Our objective is to reduce this danger through agreement on a balanced and safeguarded system of limitation, regulation and control of armaments, applicable fairly to ourselves and others.

Such a system should not only reduce the likelihood of war, by lessening the terrible tensions which arise from an unlimited arms race. It should also reduce the threat to our security which would be posed in the event of nuclear conflict.

Without altering the balance of deterrent power, such a system would at once reduce capabilities for successful aggression. Eventually, the reductions should be of such a character, and the machinery for inspection and enforcement so effective, that no nation would be in a position to mount, or believe that it could mount, successful aggression against another.

There are those who argue, and I think with good logic, that it is not the arms race which produces international tensions. It is rather, they say, the political tensions between the Communist and the free world countries which causes the competition for more lethal weapons. Reduce the former and you will automatically be on the way to eliminating the latter.

An effective plan for limitation of armaments should, it is true, reduce the threat to our security by virtue of its impact on international political conditions as well as on levels of armament. The spread of Communist ideologies which menace the free world as a whole, and which contribute to the danger of war, is fostered by human want and fear. They seem to thrive on the lower

standards of living that may be produced by an excessive burden of armaments, on the political and economic controls needed to sustain that burden, and on the fears, suspicions, and hatreds of a world in which unregulated weaponry imperils the very survival of the race. By alleviating these conditions, we may contribute to the process of peaceful change, which will eventually erode tyranny and thus help to create a peace that is just as well as lasting.

The early achievement of a substantial measure of disarmament would contribute to our Nation's security, not only by weakening tyranny but also by strengthening the free world. This would set free great resources for productive purposes. It would mean that a benign war could be waged effectively against hunger and disease and low standards of living. By these steps basic conditions of stability and cooperation among the free nations could be brought into being more quickly and surely.

The United States, no less than other free nations, would be strengthened by steps which would permit a substantial measure of disarmament. As we are able to curtail that burden, as taxes can be reduced or their proceeds devoted to internal improvements, our energies will be released for productive investments of benefit alike to the United States and to the world trading community of which it is a part.

III. DISARMAMENT AS AN INTEGRAL PART OF NATIONAL POLICY

I have tried to describe the impelling reasons which underlie our policy with respect to disarmament. Now let me indicate why I believe that this policy is a consistent and integral part of United States foreign policy as a whole.

The primary objective of foreign policy, as I conceive it, is to advance the national security of the United States in the broadest sense of that term. National security, of course, is a complex of many factors. Foremost, however, among its prerequisites is the maintenance of a just and lasting peace, and it is toward this goal that our foreign policy, including that part which concerns disarmament, is primarily directed.

In pursuit of this objective the United States seeks concurrently both international agreement on disarmament—for reasons which I have indicated—and the resolution of other major international issues which perpetuate injustice and create tensions among states. I emphasize the word "concurrently," for the two approaches to our goal are interdependent.

There is a Japanese proverb to the effect that he who chases two rabbits at the same time fails to catch either one. This may be quite true of rabbits, but it is definitely not true of two objectives so delicately interrelated as political tensions and armaments. Any government which pursues one and ignores the other will soon find the error of its ways.

Armaments and armed forces, as I have said, reflect the fear, tension, and insecurity arising from the existence of other unresolved issues between nations. With the end of World War II, for example, our Armed Forces were reduced from 12½ million men to 1½ million men in the space of 2 years. They were not substantially enlarged until Communist aggression in Korea made such enlargement imperative. It is clear that disarmament is not independent of political developments.

On the other hand, to say that armaments are nothing more than a reflection of political tensions is to overstate the case. The unique character of modern weaponry makes the existence of unrestricted armaments a source of tensions in themselves, aggravating other issues and making their settlement more difficult. If the upward spiraling of tensions and armaments is to be successfully reversed, it must be by concurrent progress upon both elements of the interacting process.

In his statement of April 16, 1953, President Eisenhower, charting the course of United States policy, set forth this principle of concurrent progress toward disarmament and the relaxation of tensions. Expressing in vivid terms the dangers to humanity from present weapons and affirming our desire to divert expenditures to constructive ends, he recognized that it would be difficult to alter the armament situation markedly so long as the existing measure of suspicion and distrust remained.

He called for concrete deeds which would relax tension. He affirmed the readiness of the United States to do its just part. He went on to say that "as progress in all these areas strengthens world trust, we could proceed concurrently with the next great work—a reduction of the burden of armament now weighing upon the world."

These principles are basic tenets of our policy today. While seeking to resolve other major international issues, we seek to move ahead on the problem of armaments in specific ways which need not wait.

More important is the relationship between the objectives of our disarmament policy and the moral foundation of our foreign policy as a whole. It is our firm policy to uphold and advance in every legitimate way the principles of individual rights and freedom upon which our Nation and the free world stand united. These policies and these principles require the achievement of an open and peaceful world relieved of its oppressive burden of arms. Such a world is at once an expression and a precondition for the fulfillment in the widest sense of ideals for which we stand.

These are appealing arguments particularly for those who would like to see our resources used for constructive purposes. Even so, we must never lose sight of the fact that, in recent years at least, world peace has rested upon the deterring power of American military and economic strength.

Over a century and a half ago Pascal wrote: "Right without might is weakness. Might without right is tyranny. What we must do, therefore, is to combine might with right, making what is right, mighty, and what is mighty, right."

This is wise counsel. In our quest for effective disarmament we must make sure that there is enough power on the side of law and order and justice in the world to keep the free world free.

IV. MAJOR PERIODS OF NEGOTIATION

The United States has pursued for a decade now within the United Nations framework the objective of securing agreement on practical measures of disarmament. In broadest terms this decade of negotiation may be considered as falling into three general periods.

The first of these periods, from 1946 to 1948, was characterized by the development of the United Nations majority plan. This plan was based closely upon the far-reaching propositions put forward by the United States which have come to be known as the Baruch plan.

Unfortunately some people are prone to forget that the United States took this initiative when we alone possessed atomic weapons and the facilities to produce them.

You will recall that the Baruch plan called for the centralization in an international authority of ownership or managerial direction of all fissionable materials capable of use for weapons purposes. The authority would license and supervise the use of fissionable materials for power reactors. These materials were to be disposed in such a way that no nation could gain a dominating margin by seizure of the materials within its borders. Enforcement authority would rest in the Security Council operating without the veto.

To these proposals the U. S. S. R. responded merely with condemnation and a call for a treaty outlawing the production and use of atomic weapons. It was the beginning of "Ban the Bomb and Trust the Russians," the familiar theme song played in several keys but with few variations for the next 10 years. The First Report of the United Nations Atomic Energy Commission, incorporating the essential elements of the Baruch plan, met the deadening impact of a Soviet veto. Hopes remained high, however, and additional reports in 1947 and 1948 presented improvements and modifications of the plan. However, Soviet reactions soon convinced the world of the insincerity of Soviet participation in United Nations efforts to achieve valid nuclear controls.

There followed a 5-year period from 1948 to 1953 which can be characterized as one of discouraging deadlock, a period which reached its lowest ebb with the outbreak of Communist aggression in Korea in 1950.

While details of negotiations during the period are a matter of record, I would like to mention two salient features. One is the unflagging efforts of the Western powers to develop soundly based proposals capable of meeting every valid Soviet criticism. The other is the purely propaganda objectives pursued by the Soviet Union. The fact is that the Soviets talked about disarmament while building nuclear capabilities.

From the standpoint of the evolution of policy, one important development was the establishment, in line with the suggestion of President Truman in October 1950, of the present United Nations Disarmament Commission by merging the separate commissions on conventional and atomic weapons.

A third period, from 1953 to 1955, might be called a period of new approaches. Within this period various events, among them the end of the Korean war and the death of Stalin, brought changes in the political climate which were conductive to new approaches and to renewed hope that progress might be made.

The first authoritative expression of the central place of disarmament in United States policy in this period was the statement of President Eisenhower of April 16, 1953, to which I have already referred.

The first of the basically new approaches to arise from the policy planning that ensued was the President's atoms-for-peace speech before the General Assembly of the United Nations on December 8, 1953. After indicating in a general way the order of magnitude of atomic weapons stockpiles and something of the potential destructiveness of modern weapons, he proposed the establishment of an international atomic-energy agency. From cooperation in the peaceful uses of the atom he hoped might grow a greater readiness to join in the control of atomic weapons. Subsequent experience attests the productiveness of this approach, although its full benefits are still far from being realized.

The second basically new approach was introduced in 1955, when the President at the meeting of the Heads of Governments at Geneva put forward the "open skies" plan for mutual aerial reconnaissance and exchange of military information as a means of relaxing tensions and minimizing the danger of surprise attack.

This proposal was the further outgrowth of the intensive policy review which continues in process in various departments of the Government. As a result of a decision in 1955 that coordination at the Cabinet level was desirable and that extensive studies were required, the President had appointed Harold E. Stassen as Special Assistant for Disarmament Matters. Mr. Stassen had set up a small staff to assist him, and asked a number of the most competent authorities in American life to undertake a study of the

requirements and methods of effective international control.

The President's proposal at Geneva was a creative response to the fact that the pace of technological progress had introduced new dimensions to the problem of control, particularly in the nuclear field. Older plans for inspection and control of nuclear material, which were based on total accounting for production—past and present—had become technologically outmoded.

In the absence of international controls, it had been possible for a country seeking to evade prospective control to build up a hidden stock of atomic weapons, and shield them in such a way as to be beyond the range of detection. After Ambassador Lodge had called attention to this problem in March 1955, the Soviet Union recognized the fact explicitly in its proposal of May 10, 1955, but still called for "prohibition" of weapons despite the impossibility of assuring that this could be done. Because of the margin of error under any system of accounting that has been devised, the amount of material that could be used for hidden weapons had increased year by year. With the passage of time, a crucial point had been reached at which this margin of error represented a dangerous military potential in nuclear weapons.

Other technological changes, as well, had outmoded earlier approaches to control. A relatively smaller amount of nuclear material could be made to produce greater yields of explosive power. The hydrogen bomb had entered the picture. Of most far-reaching significance, however, were the consequences and the cumulative effect of a decade of nuclear production proceeding without international control.

V. PRESENT STATUS OF DISARMAMENT NEGOTIATIONS

Partial approach to disarmament

I have, up to this point, tried to outline man's efforts to cope with the stark realities and challenging opportunities of the first 10 years of the atomic age. These efforts, under Western leadership, have been carried on within the framework of the United Nations. I think we will all agree that the United Nations is the proper forum in which to tackle this formidable problem. For if there is any issue which clearly transcends national boundaries and the traditional sovereignty of States, it is the issue of the regulation and control of nuclear armaments.

Ten years of negotiation have so far failed to result in an agreed plan of control. I should like to stress, however, that this is not a failure chargeable to the United Nations. Certainly we should not blame the United Nations for the weakness and the shortcomings of its members. It is, after all, up to the members themselves to reach agreement on a plan which the United Nations can then implement. For our part we feel that we have faithfully lived up to our commitments under the charter to find a fair, equitable, and workable solution.

As we entered 1956, the General Assembly under Western leadership overwhelmingly endorsed the practicality of a partial approach short of immediate adoption of a comprehensive disarmament plan as the most promising basis for negotiations. In simplest terms the approach is that we do all that can be done now, even while we continue to work toward comprehensive disarmament, and while we tackle the scientific barriers and the barriers of distrust which now block a solution.

Now some people will argue that a piecemeal approach to disarmament is both misleading and dangerous. A little disarmament, the argument runs, like a little education, could be a very dangerous thing. It might tend to lull the free world prematurely into a very false feeling of security.

But since the wit of man has been unable thus far to devise an acceptable program of comprehensive disarmament, it seems logical to move ahead on whatever front we can. Before a child begins to run, he must first learn to walk.

In accordance with this approach and with the specific mandate of the General Assembly that priority should be given to such confidence building measures as the Eisenhower plan and the Soviet plan for ground control posts, the United States has put forward during 1956 a variety of initiatives.

Preliminary measures in United States disarmament program

In the first place, we have reaffirmed our willingness to implement both the aerial reconnaissance and ground inspection proposals endorsed by the General Assembly.

In the second place, we have proposed an immediate exchange for a test period of a small number of inspection personnel who could be used as members of inspection teams as soon as an inspection agreement is concluded.

In the third place, we have proposed the designation of small strips of territory in the United States and the U. S. S. R. within which the feasibility of inspection systems would be tested.

Finally, as part of an air and ground inspection system, we have proposed advance notification of planned movements of armed units through international air or water, or over foreign soil.

These may not seem to be far-reaching steps. Yet, if any one of them were put into effect by the great powers, it would do much to erode the barriers of suspicion and distrust that have made successful negotiations impossible.

Reduction of conventional armaments

We are by no means confining our efforts to nuclear weapons. In the field of conventional armaments, in order to do all that can be done without waiting, the United States proposed this year in London an immediate beginning on important gradual reductions in armed forces under a sound agreement. It is our thought that arms, rather than men, are subject to supervision and control and that major armaments should be reduced under proper safeguards. We have suggested, as a basis for measuring this arms limitation, reducing armed manpower to force levels of 2.5 million men for the U. S. S. R. and the United States with corresponding reductions for other states. This, I submit, is a concrete and practical beginning. Drastic reductions beyond his point can be carried out safely only as progress is achieved on important political issues.

It should never be forgotten, however, that manpower is the most elusive factor in the disarmament equation. The Soviet Union, for example, can make good propaganda capital from an announcement that it intends to reduce its armed forces by a million men. Actually, however, these men are fully trained and stand ready to return to service at a moment's notice. Unless the guns and tanks and planes that mold these men into active fighting units are also reduced, little real progress has been made. This is precisely why we believe the emphasis should be placed upon weapons rather than upon manpower.

The nuclear threat

Further initiatives, far reaching in their implications, have been made by the United States this year in the field of nuclear weapons.

In his letter of March 1 to Marshal Bulganin, the President stated that in his judgment, our efforts must be directed especially to bringing under control the nuclear threat.

As an important step in this direction, and assuming the satisfactory operation of an air and ground inspection system, the United States would be prepared to work out, with other nations, suitable and safeguarded arrangements so that future production of fissionable materials anywhere in the world would no longer be used to increase the stockpiles of explosive weapons. The President suggested that this might be combined with his proposal of December 8, 1953 "to begin now and continue to make joint contributions" from existing stockpiles of normal uranium and fissionable materials to an international atomic agency.

These measures, if carried out adequately, would reverse the present deplorable trend toward a constant increase in nuclear weapons overhanging the world. The President stated as the ultimate hope of this Government that all production of fissionable materials anywhere in the world will be devoted exclusively to peaceful purposes. It is my hope that all the nations which may possess fissionable material will subscribe to this great objective.

The problem of radiation

One of the problems of the atomic age arises from the fact that many uses of atomic energy, peaceful or military, are accompanied by the production of radioactive materials, which though found to be of value in many fields, can also be harmful.

Last June Ambassador Lodge proposed that the United Nations undertake to pool the world's knowledge about the effects of atomic radiation on human health. Upon United States initiative the General Assembly established a special scientific committee to collect, evaluate, and distribute reports received from governments on levels of radiation and scientific observations concerning the effects of radiation.

The United States is cooperating to the fullest extent with the United Nations Radiation Committee in the collection and dissemination of data on this subject. We believe the first step in dealing with any scientific problem is to mobilize resources, explore what is known, and point out what still needs to be done. The work of the committee, we believe, will stimulate further study by competent authorities, encourage the international exchange of information, and provide each nation with adequate data for reaching its own conclusions on the problem of radioactivity.

The United States believes, on the basis of its own extensive studies, and others such as the recent report of the National Academy of Sciences, that properly conducted nuclear tests do not at present constitute a hazard to human health and safety.

Our Government, unlike the Soviet Union, provides warning by prior announcement of the start and location of its tests, and works out in consultation with other states extensive safeguards. If a disarmament agreement can be reached to limit nuclear weapons under proper safeguards, the United States would, of course, be prepared to agree to restrictions on the testing of such weapons.

Importance of inspection and control

I would like to touch briefly on United States proposals for inspection. Adequate inspection and control is a key principle underlying all our proposals in the disarmament field.

It is our firm conviction that there should be inspection for the purpose of providing against great surprise attack, ensuring compliance with such measures as may be agreed upon, and providing the necessary basis for successive steps in achieving comprehensive disarmament.

We believe that an effective system in this age of jet planes and nuclear weapons, and in view of the expanse of territories involved, must include air inspection as well as ground inspection and some form of budgetary control.

We believe inspection should encompass forces maintained outside the national boundaries by signatory states as well as those within their boundaries.

We do not believe, however, that inspection should be any more extensive than is

necessary to achieve the objectives of the disarmament agreement of which it is a part.

Now I realize full well that the Soviets have said that they cannot tolerate the intrusion of American aerial inspection over their territories. Khrushchev has made this point quite effectively by suggesting that the United States should not try to look in everybody's bedroom and everybody's garden. I also realize that the Soviets have their own legitimate defense and security needs. However, we are not proposing anything that we are not willing to be subjected to ourselves.

Some people may wonder why we have attached such importance to an effective system of inspection and control. The reason is not far to seek. The purpose of arms limitation and control is to increase the security of nations, not decrease it. It is to provide real security, not false security. It is to build trust, not distrust.

This being the case we believe that no nation should be expected to reduce its armed strength on the basis of paper promises that other countries will do the same.

Where we stand

Although no concrete agreements came from the recent London sessions of the disarmament subcommittee, there were advances and clarifications in positions in the course of negotiations which may serve as a basis for future progress.

For example, at London there was for the first time apparent Soviet acceptance of the principle that a ground inspection system should be in place before disarmament begins. There was, for the first time, a Soviet definition not as yet fully adequate, of what is called the objects of control, that is, the operations and installations to be subject to inspection. Also at London the Soviets seemed to have abandoned their 10-year-old ban the bomb proposal as an immediate objective, although this theme seems to be emerging again in some of their statements of the past few weeks.

Negotiations at London produced better understanding by the two sides of their respective positions, and seeds planted by Western initiatives and new approaches put forward there may yet bear fruit when given further study by Soviet leaders.

When arguing with an opponent it is well to know just where you disagree. There were three major areas of disagreement with the Soviets at London; the need for inspection, particularly of air inspection; the necessity for progress toward political settlements simultaneous with disarmament measures involving far-reaching reductions; and apparent Soviet unwillingness to take any practical measures now to bring the nuclear threat under control.

The latest development is the Soviet announcement of May 14 concerning projected reductions in force levels, and their letter of June 6 to President Eisenhower transmitting this announcement. The letter is under study and the President will, of course, give his personal attention to the reply. At this stage, I can only speculate, personally and unofficially as a fellow student of world affairs, as to some of the possible implications of the announcement and the letter.

In their reductions of forces, if carried out, the Soviet Union is, of course, merely following belatedly the lead of the United States and its principal allies. Soviet calls for extensive reductions on our part must be viewed in the light of this fact. As I have already mentioned, the United States has reduced its forces since World War II by over 9 million men, from a level higher than the Soviet Union to a level substantially below.

On the positive side, the Soviet force reductions, if carried out, may indicate Soviet recognition of the fact that the United States, despite propaganda charges to the contrary, will not attack them. If this is the case the reductions may foreshadow a possible willingness to negotiate more seriously than in the past toward the achievement of stabilizing measures in the field of armaments.

In many respects, however, the Soviet announcement and letter are disappointing. In contrast to the open record of our conventional armed strength, the world does not know what the Soviet manpower level now is, nor what it would be after it is reduced. Therefore it cannot properly assess the effect of the Soviet action.

There are still no Russian proposals addressed to the major threat, which is that of nuclear devastation. Still no system of safeguards against surprise attack has been advanced by them, and still no western proposals for dealing with this threat have been accepted.

The projected troop withdrawls from Germany would still leave Soviet forces there more numerous than those of all other countries combined, and forces of the Soviet Union could always be quickly enforced in comparison to those of countries at a greater distance.

There is no reference to measures looking toward the reunification of Germany in peace and freedom, and indeed the steps suggested seem to imply continued division. Neither in the case of this particular problem nor in general is there yet a recognition of the necessity for progress toward the solution of major political problems along with progress toward disarmament.

There is a discouraging propaganda flavor, too, in the Soviet attempt to cast doubt upon the effectiveness of the United Nations subcommittee and to seek to deal with this highly technical question primarily in other forums more susceptible to misuse for propaganda.

Finally the latest proposal still avoids the problem of inspection, and seems to deliberately seek to confuse unilateral, unagreed, uninspected, unverified claims of reduction with a safeguard system of arms limitation and control.

VI. PROSPECTS FOR DISARMAMENT

In conclusion let me turn to the prospect ahead. It is useful, I think, to view the problem in terms of the discouraging perspective of the past, the challenging opportunities of the present, and the compelling necessities of the future.

Time does not permit a detailed analysis of areas of agreement reached during a decade of negotiations, but such an analysis would reveal a marked degree of movement in the positions of both the United States and the Soviet Union.

During the past 10 years, the past 5 years, the past year, even the past 6 months, despite waverings and setbacks, an objective balance sheet will show the gap has progressively narrowed.

An analysis of approaches to the problem over the last decade also affords a useful perspective. Disarmament negotiations before 1955 revolved largely around comprehensive, step-by-step arms reduction plans. These plans either began or ended with the total prohibition and elimination of nuclear weapons and had to be agreed substantially in full before any real beginning could be made. The current emphasis upon lesser and more immediate steps as starting points may well offer greater promise.

In terms of present opportunities, it is important to bear in mind the many sided character of the problem with which we are confronted. We will maximize our opportunities if we systematically examine and review the possibilities for advancement in each aspect of the problem.

On the scientific side, for example, we must continue to press research looking toward a breakthrough that will permit detection of hidden nuclear weapons.

In development of the peaceful uses of atomic energy we must provide adequate safeguards against diversion of nuclear materials for military purposes.

In negotiations we shall press forward on the basic principles of the Four Power Declaration of May 4, 1956. In this connection we shall explore in greater detail the possibilities for agreement after further consideration by the Soviet Union of the new approaches outlined by the President in his letter of March 1 to Marshal Bulganin.

In our planning we shall seek to develop new measures and new approaches appropriate not only to the existing situation but to the technological developments in such fields as guided missiles.

In the political sphere we will seek concurrent progress toward the resolution of outstanding international issues.

Lastly, we must bear in mind the necessities of the future, the new and ever greater dimensions of the problem, its complexities, and its urgencies.

In the age of uncontrolled nuclear weaponry, the problems of national security and defense could assume dimensions which we cannot measure by traditional concepts. Tensions arising from diminished security in the world might well grow in proportion. Difficulties of securing agreement would be magnified. The hazards of an imperfectly safeguarded disarmament system would be enlarged. Defense costs could place unprecedented burdens on the economies of the world. The devastation of war could involve the total population, economy, political unity and social cohesion of even a "victor" state.

Supremacy in a contest of will could no longer be a prize of war if gained at the cost of destruction of the victorious power.

In facing such a future, two firm requirements emerge as equally important. One is to pursue imaginatively and by every feasible means agreement to a comprehensive safeguarded system of arms limitation and control. The second is, in the absence of such agreement, to move ahead with equal determination in the development and construction of such weapons of defense as our national security demands.

Given the tremendous complexities of the problem one might be tempted to argue that agreement on acceptable limitation of armaments is a well-nigh impossible task. This is a position which even the most confirmed pessimist dare not take. What must be done can be done. If the human race wishes to survive—and I think I can speak for one very small segment of it—then a way must be found to free the world from the persistent threat of total destruction.

I remain confident that man, who possesses the ingenuity to build weapons powerful enough for his own self-destruction, also possesses enough commonsense to keep these weapons under effective control.

CHARACTER AND COURAGE OF SENATOR McNAMARA, OF MICHIGAN

Mr. NEUBERGER. Mr. President, I listened on the floor of the Senate last night with a great deal of disturbance and sorrow to what I regarded as unwarranted attacks upon the distinguished Senator from Michigan [Mr. McNAMARA] by the senior Senator from California and by the junior Senator from Arizona.

I have known the Senator from Michigan since we came to this body on the same day. I serve with him on the Senate Public Works Committee. We are warm personal friends. For over a year we sat together, side by side, in one corner of this Chamber. I consider the Senator from Michigan a person of integrity, courage, and honor. He has the gift of blunt speech and the quality of candor. He has a warm heart and hu-

manitarian impulses. I feel that the Senator from California [Mr. KNOWLAND] and the Senator from Arizona [Mr. GOLDWATER] wrenched from context what the Senator from Michigan said, and they placed unsubstantiated interpretations upon the meaning of his words.

Furthermore, I resented the suggestion in the speeches attacking the Senator from Michigan that, perhaps, he himself was not the author of the words which he spoke upon the Senate floor. No Senator should make this charge against another Senator, unless he is prepared to go through to the logical conclusion of his charges.

These Senators, who, without any evidence whatever, tried to raise the impression that Senator MCNAMARA's speech last night came from some outside, irresponsible source, are themselves much more prolific in Senate utterances than is the Senator from Michigan. We have seen them read many speeches in the Senate. Are they prepared to certify that they themselves wrote all those speeches? If not, what right do they have to voice insinuations of this kind against the Senator from Michigan—who speaks far less often in the Senate, but generally speaks sincerely when he does? Indeed, only a few weeks ago, the Senator from Arizona [Mr. GOLDWATER] placed in the CONGRESSIONAL RECORD, without identifying it as any but his own material, a table which later proved to have been taken directly from a private utility company advertisement. Should the Senator from Arizona be the one to raise doubts as to whether other Senators are the authors of their own material?

The record and the statements of the Senator from Michigan [Mr. MCNAMARA] speak for themselves, but I wanted to take this opportunity during the morning hour to pay tribute to the character, the courage, and the sincerity of our colleague from Michigan, PATRICK V. MCNAMARA.

Mr. O'MAHONEY. Mr. President, I should like to associate myself with the remarks just made by the junior Senator from Oregon with respect to the character of the junior Senator from Michigan [Mr. MCNAMARA].

SIXTH ANNUAL NATIONAL CATHOLIC YOUTH WEEK

Mr. PASTORE. Mr. President, I ask unanimous consent to have a statement printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Seven million Catholic youth from all over the United States will observe the 6th annual National Catholic Youth Week this year, from October 28 through November 4. Youth Week is sponsored by the National Council of Catholic Youth under the aegis of Monsignor Joseph E. Schieder, the director of the Catholic youth in the United States. The theme of this year's celebration is "Trust in Youth."

President Eisenhower, and many governors and mayors throughout the country have issued special messages marking the event.

Youth Week is one of the largest single youth activities in this country and includes participation of hundreds of schools, colleges and universities, and many local and national youth groups—as well as millions of working youth. All over the United States and in military installations overseas, Youth Week is celebrated with a diversified program of events: TV and radio programs, religious exercises, jamborees, parades, award dinners, athletic events, and social affairs.

The week is a great tribute to the future citizens of the country, spotlighting as it does their purposefulness, talents, and level-headedness. In these times when so much undue emphasis is placed on the problem of juvenile delinquency, Youth Week offers assurance to the people of the United States that the future of the country is secure. Its theme, "Trust in Youth," should be edifying and inspiring to both youth and adults alike.

DESIGNATIONS FOR HIGHWAY BRIDGES OVER THE POTOMAC RIVER AT 14TH STREET IN THE DISTRICT OF COLUMBIA

Mr. JOHNSON of Texas. Mr. President, I ask that the Chair lay before the Senate a message from the House concerning H. R. 10947.

The PRESIDENT pro tempore laid before the Senate a message from the House announcing its disagreement to the amendments of the Senate to the bill (H. R. 10947) entitled "An act to provide particular designations for the highway bridges over the Potomac River at 14th Street in the District of Columbia," and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. NEELY. Mr. President, I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint conferees on the part of the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to; and the President pro tempore appointed Mr. BEALL, Mr. MCNAMARA, and Mr. ALLOTT conferees on the part of the Senate.

CONSTRUCTION OF HELLS CANYON DAM

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 1333) to authorize the construction, operation, and maintenance of the Hells Canyon Dam on the Snake River between Idaho and Oregon, and for related purposes.

The PRESIDENT pro tempore. As the Chair understands, by unanimous consent the time is controlled by the two leaders.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum, without the time being charged to either side.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I yield 15 minutes on the bill to the Senator from Montana [Mr. MURRAY].

Mr. MURRAY. Mr. President, on June 19, 1956, by direction of the Committee on Interior and Insular Affairs, of which I have the honor to be chairman, I reported S. 1333 with the recommendation that the bill do pass.

It is my intention this morning to confine myself to a factual discussion of the merits of the bill.

This bill authorizes the construction, operation, and maintenance of the Hells Canyon high dam on the Snake River between Idaho and Oregon, with certain other related features.

This is one of the last great natural damsites left in the United States. It will be the second highest dam in the world and will pay for itself with interest within 50 years. It will be a federally developed, multiple-purpose project, designed to provide flood control, resources conservation and development, reclamation, navigation, and hydroelectric power development.

The project when completed will make possible extensive production of cheap phosphate fertilizer, vitally needed by the farmers of the Nation all the way from the west coast to as far east as Ohio. It will accomplish many other benefits of incalculable value to the Pacific Northwest and to the Nation, as I will hereafter point out.

Necessarily, such a huge project can be undertaken only as a Federal program.

Before discussing the bill in detail, I will advise the Senate concerning the extent and nature of the thorough consideration which was given this highly important measure. For 3 days in April 1955 hearings were held at central points in Idaho, Washington, and Oregon. Opportunity was given proponents and opponents of the Federal construction of Hells Canyon Dam to be heard or to present their views in writing. Literally hundreds of citizens concerned with water resources development took advantage of the opportunities afforded.

Further hearings were held at Washington, D. C., for a full week during May 1955. Here spokesmen for the executive agencies, as well as all other interested persons, were given further opportunity to be heard.

The transcripts of the open hearings, as well as the statements offered for the record, have been printed in two volumes and are available for examination and consideration.

Following the hearings, the Senate Committee on Interior and Insular Affairs devoted many sessions to the consideration of the measure and proposed amendments. No proposed legislation in the recent history of the Senate has had more thorough analysis or consideration than S. 1333.

The construction of the high dam which is proposed by this measure is opposed by the Idaho Power Co., a private utility operating in the area, which seeks to build three lower dams in the immediate vicinity of the site selected by

the Army Corps of Engineers for construction of the high dam.

A comparison of the two programs is found in the report. I ask unanimous consent to insert in the RECORD at this point the material referred to in the report of the committee.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Item	High Hells Canyon Dam	Idaho Power Co. 3-dams [1]
1. Power output (prime kilowatt).	924,000	505,000.
2. Power costs (per kilowatt-hour).	2.7 mills.	6.69 mills.
3. Active storage (acre-feet).	3,880,000	1,000,000.
4. Flood control benefits (annual).	$2,300,000	$1,000,000.
5. Navigation benefits (annual).	$189,000	$106,000.
6. Recreation benefits (number annual visitors).	500,000 to 650,000	250,000 to 325,000.
7. Power revenues for aid to future reclamation.	Yes	No.
8. Availability of power to entire region.	Yes	No.
9. Development of phosphate fertilizer.	"The high-dam project by providing power at low rates, might be expected to stimulate large-scale development of the phosphate resources and large-scale expansion of fertilizer production" (examiner's finding No. 159).	"The 3-dam plan would stimulate less phosphate development and less fertilizer production than the high-dam project" (examiner's finding No. 160).
10. Development of electro-process industries.	"The high-dam project, because of its high volume and low-cost power output, might be expected to stimulate the expansion of electro-process industries to a greater extent than the 3-dam plan, including those which would utilize regional mineral resources" (examiner's finding No. 162).	(See examiner's finding No. 162, opposite.)
11. Cost of project (less transmission lines)	$308,472,000	$175,766,000.
12. The better investment	FPC examiner said: "the facts seem to point to the inescapable conclusion that with the marked and substantial advantage of the Government's credit the high dam would be dollar-for-dollar the better investment and the more nearly ideal development of the middle Snake."	
13. Benefit-to-cost ratio	1.83 to 1	0.91 to 1 (dividing the examiner's figures on annual value of power at market by the annual cost of power at market. This shows the 3-dam plan as being economically unfeasible.)

[1] In fact, the FPC and company have indicated that the third dam may never be built, even if the FPC decision is not reversed.

Mr. MURRAY. Mr. President, nearly 50 years ago President Theodore Roosevelt, in transmitting the preliminary report of the Inland Waterways Commission, said:

> Every stream should be used to its utmost. No stream can be so used unless such use is planned in advance. When such plans are made we shall find that, instead of interfering, one use can often be made to assist another. Each river, from the headwaters in the forest to its mouth on the coast, is a single unit and should be treated as such.

I refer to Senate Document No. 325, 60th Congress, 1st session.

What Theodore Roosevelt told the Congress nearly a half century ago is as apt today as it was then. Perhaps it is more to the point now, when the country is confronted by attempted emasculation of comprehensive resources development under the guise of so-called free enterprise or partnership proposals.

Back in that early period Theodore Roosevelt asserted his leadership to stem the tide then arising against Federal development of the inland waterways. Without the program he then sponsored, navigation would not be what it is today on the Mississippi, nor would we have the intercoastal waterways system on the Atlantic seaboard.

Mr. President, the term "multiple-purpose, comprehensive development," which describes the character of the program here involved, is not a mere fetish. The Corps of Engineers, which has planned many of the greatest river basin developments of the Nation in cooperation with the Bureau of Reclamation, pinpointed the situation on the Columbia River as recently as 1952. In its so-called 308 Report on the Columbia River, the Corps had this to say, as reproduced in House Document No. 531, volume 1, page 337:

> The various water resources problems in the Columbia River Basin can be solved satisfactorily only by adoption of a truly comprehensive plan of development, wherein all elements are carefully coordinated, both with respect to the immediate needs of each water use and with respect to the later expansion which will be necessary in the future. In no other way can it be assured that the optimum development of each water use will be accomplished in the best interests of each subbasin, the region, and of the Nation as a whole; or that improvements made to meet the present needs will not block or interfere with the more extensive improvements that will be required in the future. The latter consideration is of primary importance since a project which would only partially utilize the capabilities of a site would constitute waste of a valuable national resource.

PURPOSES OF THE BILL

In its purposes, S. 1333 carries out the objectives so succinctly alluded to by Theodore Roosevelt, and dealt with so effectively in the quotations to which I have just referred. The bill provides for a continuation of full comprehensive development of the Columbia River and its tributaries. It prevents the wasteful underdevelopment of the greatest and most economical dam site remaining undeveloped in the United States.

The high Hells Canyon Dam, the major feature of the bill, is the only method yet proposed to adequately harness the tremendous potential of the middle Snake River in order to assure the maximum multiple-purpose use, not only in the interest of the Pacific Northwest, but of the Nation at large.

The hydroelectric power to be produced by the high dam will be integrated with the existing Columbia Basin power system. The operation of the dam will substantially increase the power output of downstream dams already constructed, or which are under construction, or contemplated in the future.

A second purpose of the bill is to authorize construction of Scriver Creek power facilities in Idaho. These facilities will be a part of the Payette unit of the Mountain Home reclamation project. The ultimate authorization of this important irrigation development is contemplated by the bill. In describing the primary purpose of the bill, Mr. President, I shall outline briefly what this development will do.

First, through flood control, it will provide protection for lives and property, through regulation of the middle reach of the Snake River, which is the largest tributary of the Columbia. Downstream areas have been ravaged by floods resulting from inadequate upstream storage facilities.

Second, the bill reaffirms conservation policies evolved over the last half century, and reasserts the policy of Congress to secure maximum development of the Columbia River in the best interest of the Nation at large, as well as the Northwest.

Third, it carries forward the comprehensive plan for the Columbia River Basin, developed more than 30 years ago by the Corps of Engineers. It authorizes the construction of the only remaining unauthorized project in the current phase of the main control plan developed by the Corps, which is the nucleus of the full comprehensive plan for flood control, irrigation, power production, navigation, and recreation. The Congress has consistently approved elements of the plan, and authorization of Hells Canyon is but another stage of a program under way during the last 20 years.

Fourth, Hells Canyon will provide the maximum power by use of the full at-site head and stream flow of the area. It will provide 3,800,000 acre-feet of storage capacity to firm up power production at downstream plants during low-water seasons and permit full integration with the East Columbia River Basin system.

Fifth, it will assure maximum public benefits from the power to be produced, through inter-connection of Hells Canyon Dam and the Great Columbia River system. It reserves to the States of Idaho and Eastern Oregon 500,000 kilowatts of firm power, with sale under the provision of the Bonneville Project Act.

Sixth, and I call this feature to the particular attention of my colleagues from the mid-West and other areas, the

high dam at Hells Canyon will provide the only available source of low-cost power for the production of low-cost phosphate fertilizers from the great phosphate beds of southeast Idaho and Utah. These beds contain nearly two-thirds of the Nation's remaining phosphate resources.

Seventh, by stimulating the economic growth of the Northwest, including the State of Idaho, Federal construction of Hells Canyon will contribute to the national economy and the national defense. This will be achieved through providing low-cost power for continual industrial growth, and by increasing national and State tax bases, and purchasing power. National defense, of course, will be materially aided, as was done by Bonneville and Grand Coulee Dams during World War II.

Eighth, Hells Canyon will make a material contribution to fish and wildlife conservation. It will provide a tremendous national recreational resource in a most rugged area.

Ninth, it will contribute to the expansion of irrigation in the agricultural economy of southern Idaho. From no other source will come financial aid for future irrigation projects that the Congress may authorize in the Central and Upper Snake River basins.

Tenth, reverting to the case for Theodore Roosevelt's 1908 message to Congress on multiple-purpose developments, Hells Canyon will contribute to the completion of the 500-mile inland navigation route from the mouth of the Columbia to Lime Point, above Lewiston, Idaho, on the Snake River.

In achieving each and every 1 of these 10 objectives, S. 1333 carries the most forthright declaration yet proposed to the Congress, which would recognize the paramount character of existing and future water rights for irrigation and other beneficial consumptive uses of water. The language of the bill has, as its purpose, assurances of maximum and unassailable protection for these water rights.

ATTACK ON FREE ENTERPRISE

The fight against this high dam development is based on the pretense that Federal development of the project is an attack on free enterprise. That has been the gist of the speeches thus far made against the Hells Canyon dam.

Now, one of the most abused terms in the American vocabulary today is the phrase "free enterprise." The opposition to Federal power development has seized upon the term in an attempt to justfiy their support for those interests which have enjoyed monopolies over much of our economy since trade began. One of the most flagrant abuses of the expression "free enterprise" occurs in the constant struggle of the private power companies to take over all of the Nation's waterways and rivers.

In a recent debate in the Senate, it was declared that the Niagara Falls waterways should be turned over to private power companies so that "our system of free enterprise can be maintained." Evidently, their definition of free enterprise is freedom for big business to seize the country's natural resources and personally exploit them, regardless of the inherent right of the people of this country to share in these God-given resources.

There are two well-established principles at stake in the struggle over the Hells Canyon proposal. First is the policy defined half a century ago by President Theodore Roosevelt for integrated development of our water resources for their best utilization in irrigation, flood control, and hydroelectric power. Second is the principle of the so-called "yardstick" policy, established by the Congress in the early 1930's whereby such public projects as TVA and others were created as pilot projects to show what it really costs to produce electricity and thus hold in line the rates of privately owned utilities.

Both of these principles will be preserved in the authorization of a high dam on the Snake River.

The principle involved in the Hells Canyon high dam providing for the full development of the power potential of the river is recognized throughout the world. I could mention a number of instances, such as the projected high dam for Egypt, at Aswan on the upper Nile, and many others like it.

Another alleged point made by the opposition is that these multiple-purpose Federal projects are a drain on the Federal Treasury and a burden on the taxpayers. As a matter of fact, such projects are fully reimbursable, and do not cost the taxpayers a dollar in the end. Furthermore, the new business and industry and new population attracted into undeveloped areas in the South, Southwest, and Pacific Northwest by these great multiple-purpose Federal projects have poured millions of dollars in income taxes from agricultural, commercial, and industrial enterprises into the Federal Treasury, and into the treasuries of the States, counties, and local communities of the area, as well.

The PRESIDENT pro tempore. The Senator from Montana has one-half minute remaining.

Mr. MURRAY. Mr. President, I ask the Senator from Texas to yield to me an additional 5 minutes.

Mr. JOHNSON of Texas. I yield an additional 5 minutes to the Senator from Montana.

The PRESIDENT pro tempore. The Senator from Montana is recognized for an additional 5 minutes.

Mr. MURRAY. I thank the Senator from Texas.

HOW HELLS CANYON DAM WILL PAY FOR ITSELF

Mr. President, the high Hells Canyon Dam will pay all reimbursable costs, with interest over a 50-year period.

The successful public power operations in the Pacific Northwest are attested to by the record of the Bonneville Power System. Here, repayments are currently more than $58 million ahead of schedule. All of the expert testimony, unchallenged, in the lengthy hearings before the Committee shows that the high Hells Canyon Dam is financially sound, a solid investment for the Federal Government, and will be an asset to the country.

Less than 15 percent of the total costs are assigned to nonreimbursable features, such as flood control, recreation, and navigation.

Mr. President, I come from the great State of Montana. The western part of my State lies in the Columbia River Valley. Our streams feed the great Columbia River, and we stand for public development of public resources in the interest of the nation at large.

We stand with the Pacific Northwest for the multiple-purpose development of our water resources. We believe in public power development in order to secure the highest use of our great water resources, not only for domestic and industrial purposes, but also to aid in the expansion of worthy irrigation projects.

The financial assistance for irrigation that arises from public power is aptly illustrated by the development of the Columbia Basin project, in Washington State, through surplus power revenues from Grand Coulee Dam. Here 600,000 acres of productive land are being transformed from sagebrush into farms that will support increased population and will produce food, forage, and fiber that this country is going to require.

What Grand Coulee Dam has done for eastern Washington, through the Columbia Basin project, the high Hells Canyon Dam on the Snake River will do for Idaho and eastern Oregon. It is only through Hells Canyon, as I have indicated, that the State of Idaho can expect its Mountain Home project to be financed.

RELATION TO OTHER WESTERN DEVELOPMENTS

The 84th Congress, Mr. President, under Democratic control, has authorized more and greater reclamation developments than has any other Congress since the time when Theodore Roosevelt, in 1902, broke down the barriers against Federal assistance in the development of the West.

Earlier in this session we completed enactment of the authorization of the Colorado River storage project. The ultimate cost of this development will be several times that of the Hells Canyon project.

On pages 8 and 9 of the committee report a complete statistical outline of the Hells Canyon Dam is presented. I shall avoid burdening the Senate at this time with too many figures; suffice it to say that the Federal Hells Canyon Dam will produce power, delivered at load centers, for 2.65 mills per kilowatt hour, in addition to the other benefits which I have indicated would result.

The benefits from a dollar-and-cents standpoint are tremendous, while indirectly produced results will inure to the benefit of every section of the country.

The construction costs of the high Hells Canyon Dam itself are now estimated at $308,472,000. Together with the transmission system and the Scriver Creek development, the total costs run to $431,306,000. Additional generation in downstream Federal projects to produce power made possible by the high Hells Canyon Dam will result in increasing the estimated cost to approximately half a billion dollars. Mr. President, I ask unanimous consent to insert at this point in the RECORD excerpts from pages

8 and 9 of the Senate Report No. 2275, which give the figures in detail.

There being no objection, the excerpts from the report were ordered to be printed in the RECORD, as follows:

PHYSICAL FEATURES

Location: At river mile 247.3 on the Snake River, about 90 miles north of Weiser, Idaho.

Dam: Height, 722 feet; length (crest), 1,733 feet.

Reservoir: Total capacity, 4,400,000 acre-feet; usable capacity, 3,880,000 acre-feet.

Power: Installed capacity, 800,000 kilowatts initial, 900,000 kilowatts ultimate; prime output, 686,000 kilowatts at site, 436,000 kilowatts downstream; total 1,122,000 kilowatts contributed to Columbia River system; salable power, 1,461,000 kilowatts. Cost per kilowatt-hour at load center, 2.65 mills.

BENEFITS

Flood control: $2,300,000 annually.

Navigation: $189,000 to $230,000 annually.

Recreation: 500,000 to 650,000 annual visitors.

Irrigation: Power revenues to help finance future reclamation projects.

Phosphate fertilizer: Low-cost power available to develop vast phosphate rock deposits in eastern Idaho-Wyoming-Utah-Montana area.

Electroprocess industries: Low-cost power available to expand these industries in the whole Northwest.

Estimated costs

Construction of Hells Canyon Dam	$308,472,000
Transmission:	
Southern Idaho and system integration	68,200,000
Main system additions	8,700,000
Total, Hells Canyon Dam and transmission	385,372,000
Scriver Creek project	45,934,000
Total	431,306,000
For additional system generation when authorized	69,100,000

SHALL THE CONGRESS SURRENDER?

Mr. MURRAY. Mr. President, these days we are hearing much about the prerogatives of the Executive and the responsibility of the Congress. We have been told that the Congress should not interfere with the action of the Federal Power Commission in granting a three-dam license to the Idaho Power Co. for power projects in the Hells Canyon reach of the Snake River.

The issue here resolves itself into a single question: Shall the Congress surrender its prerogatives to an independent agency, that is the creature of the Congress? The record of the Federal Power Commission, in handling the Hells Canyon situation, should be spread out where all can see.

On April 18, 1955, after hearings had been held in the field on S. 1333, 25 United States Senators requested the Federal Power Commission to withhold action on the applications of the Idaho Power Co. for the Hells Canyon license. The letter to the Chairman of the Commission was couched in the most respectful language.

On April 28, Chairman Jerome K. Kuykendall replied that full consideration would be given the request.

Again, on July 28, 1955, as chairman of the Committee on Interior and Insular Affairs, the Federal Power Commission was requested to defer its decision. On that day, July 28, 1955, the Chairman of the Federal Power Commission appeared before the House Subcommittee on Small Business. It is important to keep these dates definitely in mind. Mr. Kuykendall was asked about the status of the Hells Canyon proposal before the Federal Power Commission. He stated that "the matter is before the Commission now."

Remember, Mr. President, this was the week before the first session of the 84th Congress adjourned.

Congress adjourned on August 2.

On August 4, the Federal Power Commission issued its opinion and order granting the three-dam license in the Hells Canyon reach to the Idaho Power Co. The record shows that on July 27, the day before Chairman Kuykendall appeared before the House subcommittee, the Commission adopted the opinion and order, the issuance of which was withheld until August 4, 1955, 2 days after the first session of the 84th Congress adjourned.

Mr. President, I call this discrepancy to the attention of the Senate, and ask unanimous consent to insert at this point in the RECORD, as a part of my remarks excerpts from the transcript of the hearings before the House subcommittee at which Chairman Kuykendall appeared.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPT FROM TESTIMONY BEFORE SUBCOMMITTEE OF SUBCOMMITTEE NO. 1 ON REGULATORY AGENCIES OF HOUSE SELECT COMMITTEE ON SMALL BUSINESS CONCERNING HELLS CANYON CASE BY JEROME K. KUYKENDALL, CHAIRMAN, FEDERAL POWER COMMISSION, ON JULY 28, 1955

(Questions by Mr. MacIntyre, counsel for committee, and Representative EVINS, Democrat, Tennessee, chairman of subcommittee)

Mr. MACINTYRE. What is the status of this Hells Canyon proposal in issue at the Federal Power Commission?

Mr. KUYKENDALL. The matter is before the Commission now. The hearings are all concluded, and arguments have been held.

Mr. MACINTYRE. How long has it been before the Commission for its consideration?

Mr. KUYKENDALL. I don't recall.

Mr. CONNOLE. July 6, I believe it was

Mr. KUYKENDALL. I believe we had oral argument in that case on July 6.

Mr. MACINTYRE. July 6 of this month?

Mr. KUYKENDALL. Yes, of this year.

Mr. MACINTYRE. And you are sitting in judgment on this case?

Mr. KUYKENDALL. That is correct.

Mr. MACINTYRE. You have not recused yourself in any way?

Mr. KUYKENDALL. I have not what?

Mr. MACINTYRE. Recused or disqualified yourself in any way from participating in a decision on it?

Mr. KUYKENDALL. I know of no reason why I am disqualified.

Mr. MACINTYRE. And how recently have you been considering that matter at the Power Commission?

Mr. KUYKENDALL. We have had it under advisement since July 6, when the arguments were concluded.

Mr. MACINTYRE. Considering it from day to day?

Mr. KUYKENDALL. Oh, we don't meet on it every day. The Commission meets and we consider that. We have other matters before us, too.

Mr. MACINTYRE. What was the date of the last meeting at which the Commission considered the matter?

Mr. KUYKENDALL. I don't think it is proper for me to divulge what the Commission is doing in consideration of any particular case which is before it, any more than a court should divulge those things.

Mr. EVINS. The question will be withdrawn.

Mr. MACINTYRE. You have been asked by a number of representatives of the United States Congress to advise them before any action is taken on this matter, I believe, have you not?

Mr. KUYKENDALL. We got a letter from a number of Senators asking us to withhold decision until Congress had an opportunity to act on the bills pertaining to Hells Canyon which were before it.

Mr. MACINTYRE. Is it your opinion that that will be done?

Mr. KUYKENDALL. I repeat again, I do not think it is proper for me to discuss action on a matter that is before the Commission for decision.

Mr. EVINS. Withdraw the latter question.

Mr. MURRAY. Mr. President, I call attention of the Senate to a comparison, on the basis of an economic evaluation, of the Federal high Hells Canyon Dam with the Idaho Power Co.'s three-dam plan. I shall not burden the Senate with the minute details of this comparison, but I shall cite briefly the salient points in the comparison.

The Federal project will produce 500,000 additional kilowatts of salable firm power.

The Federal project will produce annually 3,770,000,000 kilowatt-hours more than the 3 dams of the Idaho Power plan.

The added annual cost, including transmission, under the Idaho Power plan, will be $3,834,000 more than under the Federal project.

Under the Idaho Power plan, the unit cost per kilowatt of salable firm power will be $18.45 per year more than under the Federal project plan.

Under the Idaho Power plan, the total added annual cost will be $13,200,000, or $660 million over a 50-year period.

Under the Idaho Power plan, as compared with the Federal project, the value of the salable firm power lost over a 50-year period will total $1,030,000,000.

The power consumers of the Pacific Northwest—Idaho, Oregon, Washington, and Montana—will stand these losses and will pay these additional costs.

I ask unanimous consent to insert this economic comparison at this point in the RECORD.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

HELLS CANYON—ECONOMIC EVALUATION

(Federal high Hells Canyon Dam versus Idaho Power three-dam plan)

Economic evaluation of the far-reaching effect of the three-dam license granted to the Idaho Power Co. by the Federal Power Commission as contrasted with the high Hells Canyon Dam recommended for Federal construction and operations, has been made on the basis of expert testimony at hearings before the Federal Power Commission and the Senate Committee on Interior and Insular Affairs.

This evaluation, summarized from the official records in the several categories, shows:

1. Power output creditable:

A. Federal project (big dam), 961,000 kilowatts prime; 1,257,000 kilowatts salable firm.

B. Idaho Power (three dams), 500,000 kilowatts prime; 716,000 kilowatts salable firm (plus 52,000 kilowatts equivalent secondary).

2. Average annual firm salable energy at load centers:

A. Federal project, 7,820 million kilowatt-hours.

B. Idaho Power, 4,050 million kilowatt-hours.

Lost salable energy, 3,770 million kilowatt-hours.

3. Annual costs, including transmission:

A. Idaho Power, $27,921,000.

B. Federal project, $24,087,000.

Added costs (Idaho Power), $3,834,000.

4. Unit cost—salable firm power per kilowatt:

A. Idaho Power, $37.70 per year.

B. Federal project, $19.25 per year.

Added cost under Idaho Power plan, $18.45 per year.

5. Estimated added cost to consumers of Idaho and Northwest over 50 years under Idaho Power plan over Federal Hells Canyon plan:

Annual unit cost added, $18.45 per kilowatt.

Total annual added cost, $13,200,000.

Total added cost over 50-year period, $660,000,000.

6. Value of prime power lost over 50-year period (based on low Bonneville rate of $17.50 per kilowatt-year):

Prime energy creditable to Federal project, 961,000 kilowatts.

Prime energy creditable to Idaho Power, 500,000 kilowatts.

Prime power differential, 461,000 kilowatts.

Annual value of prime power lost at $17.50 per kilowatt-year, $8,060,000.

Value over 50 years of prime power lost, $403,000,000.

7. Value of salable firm power lost over 50-year period (based on FPC estimate of $16.50 per kilowatt, plus 3.34 mills per kilowatt-hour as value of integrated steam-hydro power in Northwest, making total of $38.40 per kilowatt-year):

Total salable firm power creditable to Federal project, 1,251,000 kilowatts.

Total salable firm power creditable to Idaho Power plan, 716,000 kilowatts.

Value of firm salable power lost over 50-year period, $1,030,000,000.

8. Value of three-dam license to Idaho Power Co.:

Cost of firm energy from privately financed steam plant, 7.40 mills per kilowatt-hour.

Cost of firm energy under Idaho Power three-dam plan, 6.67 mills per kilowatt-hour.

Value to Idaho River, 0.73 mill per kilowatt-hour.

On basis of 4.5 million kilowatt-hours annually to be produced under three-dam plan, the value of license would be $148 million above taxes, financing costs, etc., which represents the tangible value of the license to the Idaho Power Co.

Mr. MURRAY. Mr. President, one does not have to be an engineer or an expert of any kind to see that the Hells Canyon high dam is the logical course to follow, in order to secure the highest potential development of the waters of the Snake River. It is an integral part of a comprehensive plan developed by the Army Corps of Engineers to get the most out of the water resources of the Columbia River Basin. Mr. President, I have stated the cold facts.

All the propaganda of the publicity experts from Madison Avenue will never overcome the solid facts involved in this issue. All such propaganda can never succeed in overcoming the simple truth that the Hells Canyon high dam will produce nearly twice the power that the proposed three lower dams can produce.

In summary, Mr. President, I call the attention of the Senate to salient facts and circumstances which should guide our decision on S. 1333:

First, a major issue is that the Congress must retain its jurisdiction if there is to be full development for use of our heritage in natural resources.

Second, so-called independent agencies, such as the Federal Power Commission, are creations of the Congress, and not its masters.

Third, more than an issue of public power versus private development is involved in the Hells Canyon bill.

Fourth, the people—the consumers—will pay the bill in any event, and the Pacific Northwest will pay nearly three times as much for power, under the Idaho Power plan, as they will under the Federal high dam at Hells Canyon.

Fifth, can the Congress justify approval of a ruthless disregard of economic facts, such as the Federal Power Commission perpetrated in the Hells Canyon case?

Sixth, we should bear in mind that the presiding examiner of the Federal Power Commission found the Federal high dam "dollar for dollar" the better investment, but he and his Commission disregarded this finding.

Mr. President, in these opening remarks I have endeavored to present basic principles which, to my mind, constitute a solid foundation on the affirmative side for the passage of the Hells Canyon bill, S. 1333.

If the leadership of the present administration dares to ignore the undisputed facts presented here today; if it evades its responsibility to the people, and lines up with the private-power interests, to defeat this program for the highest utilization of the waters of the Snake River, it will certainly be held by the American people answerable for its default.

Mr. MANSFIELD. Mr. President, will the Senator from Texas yield 15 minutes to me?

Mr. JOHNSON of Texas. Yes, Mr. President; I yield 15 minutes on the bill to the Senator from Montana [Mr. MANSFIELD].

The PRESIDENT pro tempore. The Senator from Montana is recognized for 15 minutes.

Mr. MANSFIELD. I thank the Senator from Texas.

Mr. President, I feel that it is most appropriate that Senate bill 1333, of which I am a cosponsor, is being considered by the Senate, prior to adjournment of Congress within the next few days. This bill, as my colleagues know, will authorize the construction, operation, and maintenance of the high Hells Canyon Dam, on the Snake River, between Idaho and Oregon.

This is one final opportunity for the Congress and the administration to put themselves firmly on record as to their attitude regarding the development of the Nation's natural power resources. The administration's stand is well known, but this is one final opportunity to firm up its position regarding the development of our natural resources in the interests of all the people of this Nation of ours.

In the next few months, the power issue is going to be one of the biggest issues; and Hells Canyon will top the list. The question is, Are we going to utilize the benefits of the Snake River, as planned by the Corps of Engineers and the Bureau of Reclamation, in construction of one high, multipurpose dam? The administration's answer is "No." It has licensed the Idaho Power Co. to build three low dams, with one-fourth as much storage and less power and fewer benefits than the proposed Federal high dam.

While the Hells Canyon Dam is much larger than the three small dams proposed by the Idaho Power Co., the benefits will be much greater in all respects, fully justifying the additional construction cost. In fact, Hells Canyon, when constructed, will be the highest dam in the United States, and will provide storage of spring floodwaters to be released in the fall. The benefits of the stored water will be felt at Bonneville, McNary, The Dalles, and other dams downstream from Hells Canyon.

It is natural that the Idaho Power Co. or any other private utility would not want to invest expensive capital in works with storage capacity, navigation advantages, and flood-control features, because they provide no income. The private companies are interested in power alone. I feel that private interests should not be allowed to take precedence over benefits of more far reaching consequences.

Hells Canyon is one of the few remaining superior dam sites; it is an essential part of the Columbia River Basin plan; and it plays a key role in the development of the natural resources of the Northwest. Despite the ever-increasing power shortages in our area, the administration continues to ignore the potential of this site.

In Montana, there are examples where comprehensive development of natural power sites has been hindered by the administration. Libby Dam and Reservoir, in northwestern Montana, constitute one of the Federal multipurpose projects which the executive branch has programed for construction at some later date. However, all of us know that this project cannot be started until the international negotiations between Canada and the United States are agreed upon. One must be extremely optimistic to believe at this time that it is likely that such an agreement will be made. Soon after the Eisenhower administration came into office, these negotiations were discontinued. However, when the administration discovered that this was not popular, negotiations with the Canadian Government were reopened.

Yellowtail Dam, another multipurpose project authorized for eastern Montana and Wyoming is approved by the administration—or is it? Here I wish to emphasize that within the past month an equitable means, arrived at by Congress, after 12 years of effort, to remove the one remaining obstacle to construction of the project was presented to the President. He in turn vetoed the bill. Why? As a result the funds appropriated for the construction of the project were lost and the transferal of Crow Indian lands necessary to construction of the project remains unsettled. I feel that it is safe to predict that there will always be one

more obstacle to the construction of Yellowtail Dam so long as there is an administration following present policies.

It is most unfortunate that natural power sites such as Hells Canyon, Yellowtail, and Libby must go undeveloped because of the administration's desire to satisfy the wishes of private power companies.

The Senate is familiar with the statistical data on Hells Canyon and the three smaller dams, so there is no need for me to go into the engineering details at this point. It has been well established by the Government authorities that the larger Federal project is considered feasible in all respects. The construction of a Federal dam at Hells Canyon would be financed by United States Government funds, those of the taxpayer, but they would be repaid with interest from power revenues. I believe that Hells Canyon has a proposed 40-year repayment schedule. This is the same self-liquidating formula used at Hungry Horse, Bonneville, and other Federal dams.

As my distinguished colleague, the senior Senator from Montana [Mr. MURRAY], chairman of the Senate Committee on Interior and Insular Affairs, has already stated, at the present time both Bonneville and Grand Coulee are far ahead in their repayment schedule. I am happy to say that the same statement can be made with respect to Hungry Horse, young though it is.

The benefits to the Nation with Federal development of this project far exceed those coming from private power development, benefiting only the private companies.

Hells Canyon will provide an additional 600,009 prime kilowatts of low-cost power over that produced by the three small dams. If the larger dam is not constructed, the Nation will lose 3 million acre-feet of flood-control storage.

If a high dam is constructed the vast phosphate deposits in Idaho can be developed to provide low-cost phosphate fertilizer for western and midwestern farmers at considerable savings compared with current prices. Additional power provided by the project would encourage development of strategic minerals and industries in the Northwest, which are of considerable importance to the Nation's security. A Federal multipurpose project on the Snake River would provide revenues to help irrigation expansion in southern Idaho. New industries materializing from the development of this power site would provide an additional payroll of an estimated one-quarter billion dollars. Last, but not least, the development of this area in Oregon and Idaho would provide unequaled recreational areas in primitive wilderness.

Much of the information that comes to my attention, protesting a Federal project at Hells Canyon, plays on the notion that the Federal Government is taking over private enterprise and monopolizing the field of power generation. A look at the figures deflates this supposition in an instant. Information at my disposal indicates that only 12.5 percent of the electricity generated in the United States is generated by Federal dams. Six percent of the electricity is produced by municipal plants, and the remaining 81.5 percent of the electricity is generated by private utility companies. There is considerable difference between 12.5 percent and 81.5 percent. A charge of Federal monopoly is difficult to arrive at, looking at such figures as these. There is room for both public and private power development in this country, but, in my opinion, the Federal Government has the right and the duty to build projects of a multiple-purpose character.

By any conceivable test, public power has been a success. It has brought comforts to farmers, jobs to workers, profits for businessmen. Equally important, it is paying for itself. The Hungry Horse Dam in Montana has had its turbines in action only a short time, but it is currently ahead in its repayments to retire its power debt. Under the partnership approach to power development, a large portion of the income, instead of going to the Federal Government, would be preempted by the private power companies. The private power companies do pay taxes, but how does their tax load compare to the lower utility rates and the vast multipurpose benefits which would accrue from the Federal development of Hells Canyon? Multiple-purpose projects such as Hells Canyon, Hungry Horse, and Yellowtail broaden the tax base, furnish employment, attract new business and give our people more security.

Before concluding this statement in behalf of S. 1333 I wish to express my amazement at the Eisenhower administration's apparent willingness to spend billions abroad in foreign lands developing multipurpose projects, but it maintains steadfast opposition to such Federal development in this country. I refer to the proposed American financing of the TVA project on the Jordan River in the Middle East and the current negotiations over the financing of the Aswan Dam in Egypt.

Why is it that the TVA in our own country is called creeping socialism by this administration but in another area of the world this administration, in considering a similar project, thinks it good enough to advocate for the Arabs and the Israelis? I refer to the administration-sponsored TVA on the Jordan. Why is it that this administration was willing to make a downpayment of $55 million in the past fiscal year, and is again considering a renewal of the offer to the Egyptian Government for the building of a great multiple-purpose project at Aswan on the Nile? If the high Hells Canyon Dam is socialism in this country, why are we advocating a project of the same nature, and producing somewhat the same benefits, in a foreign country, and doing it on the basis of a grant?

Mr. President, it is indeed difficult to justify to my constituents the administration's financial backing of these huge multipurpose projects in foreign lands, when the Federal Government refuses to construct Hells Canyon, Yellowtail Dam, and similarly authorized projects.

The basic issue in the Hells Canyon controversy is whether a public resource will be fully developed or whether a part of it will be wasted. I have always maintained that Federal development should supersede private development only where such action is in the better interests of the American people. The development of the high Hells Canyon Dam as a Federal project is in the interests of the vast majority of the American people.

Mr. President, the Senate has the opportunity to do a great service for the development of the Northwest and the Nation, as well as give our economy a stabilizing boost. I sincerely hope that the Senate will do so by voting favorably on this legislation.

Let us invest in America. Let us develop this resource on a fully repayable basis, and let us give more security and prosperity to our own people. Let us recognize that the partnership principle as such does not mean a partnership between the private utilities and the government. It does mean a partnership between the people whom the Government represents and the Government which represents the people.

What is good for the people, Mr. President, is good for the United States.

Mr. KNOWLAND. Mr. President, I yield 10 minutes to the distinguished Senator from Utah [Mr. WATKINS].

Mr. WATKINS. Mr. President, my colleagues from the Pacific Northwest have made much ado over the alleged giveaway involved in the awarding of an FPC license to Idaho Power Co. for construction of three dams in the Hells Canyon reach of the Snake River. Apparently this propaganda smokescreen over a perfectly legal and proper action of the Federal Government's duly-constituted power regulatory agency was designed to cover up the fact that the high dam project as proposed in S. 1333 itself represents a tremendous giveaway of federally financed hydropower, below actual costs of generation and transmission, to large industrial corporations operating in the Pacific Northwest.

Let me document this assertion:

On May 3 of this year, I directed an inquiry to the Bonneville Power Administration of the United States Department of the Interior, requesting a summary of BPA sales by classes of customer for fiscal year 1955. The following information was provided for me on May 21, 1956, in a letter from Morgan D. Dubrow, manager of BPA's Washington, D. C., office:

A summary of BPA sales by classes of customer for fiscal year 1955 follows:

	Kilowatt-hours
Publicly owned utilities:	
Firm	6,255,661,000
Exchange	18,290,000
Subtotal	6,273,951,000
Privately owned utilities:	
Firm	3,639,657,000
Exchange	933,609,000
Subtotal	4,573,266,000
Federal agencies	1,363,485,000
Industries:	
Firm	6,221,368,000
Interruptible and dump	3,391,000,000
Subtotal	9,612,368,000
Total sales	21,823,070,000

In other words, nearly half of the total power sales made by the Bonneville Power Administration—which which would handle the sale of power from the proposed high Hells Canyon Dam—are made to industries, most of them large industrial power users like the aluminum companies attracted to the Pacific Northwest, largely by the lure of 2-mill power from Columbia River power dams.

It is also interesting that one-fifth of BPA power is now being sold to private utilities in the Pacific Northwest. Hence, even if the legal and proper FPC decision on this matter were reversed and high Hells Canyon Dam were built, one-fifth of the power produced would go to Idaho Power Co. and other private utilities in the Pacific Northwest.

In fact, it is obvious that two-thirds of the total power produced at high Hells Canyon Dam would go—through the Bonneville system—to industrial users and private utilities, many of which are large corporations, organized in the East and owned largely by residents of Eastern States. I bring up this point not because I think there is anything insidious or illegal about eastern corporations operating in the West—in fact, we welcome them in most Western States—but because some of my colleagues have made an issue of the fact that Idaho Power Co., while operating largely within and promoting the economic development of Idaho, was organized as a corporation under the laws of the State of Maine.

Now let me review some of the major users of industrial power from the Bonneville Power system. In a letter to the Bonneville Power Administration on September 7, 1955, I inquired what industries have been supplied large quantities of Bonneville power and at what rate.

The following information was submitted to me on January 3, 1956, by Administrator William A. Pearl of the BPA:

Company	Location	Average cost in mills per kilowatt-hour in calendar year 1954
Aluminum Company of America	Wenatchee, Wash	2.03
Do	Vancouver, Wash	2.01
Anaconda Aluminum Co	Columbia Falls, Mont	(1)
Carborundum Co	Vancouver, Wash	2.12
Crown-Zellerbach Corp	Port Angeles, Wash	2.28
Electro-Metallurgical Co	Portland, Oreg	2.10
Hanna Nickel Smelting Co	Riddle, Oreg	[2] 2.50
Harvey Machine Co	The Dalles, Oreg	(3)
Kaiser Aluminum & Chemical Corp	Rolling Mill, Spokane	2.61
Do	Spokane, Wash	2.02
Do	Tacoma, Wash	2.03
Keokuk Electro-Metals Co	Rock Island, Wash	2.32
Pacific Carbide & Alloys	Portland, Oreg	2.35
Pacific Northwest Alloys	Spokane, Wash	2.74
Pennsylvania Salt Manufacturing Co	Portland, Oreg	2.02
Rayonier Corp	Port Townsend, Wash	2.18
Reynolds Metals Co	Longview, Wash	2.01
Do	Troutdale, Oreg	2.00
Victor Chemical Works	Silver Bow, Mont	2.24

[1] No service in 1954.
[2] Experimental operations at 2.50 mill rate.
[3] No service to date.

Mr. Pearl's report on these industrial uses continued, as follows:

The above industries produce aluminum pig, ingots, sheet, wire, bar, rod, and extrusions; silicon, ferrosilicon, ferrochrome, ferronickel, calcium carbide, elemental phosphorous, chlorine, caustic soda, chlorates, pulp and papers, and abrasives.

Power to these industries is sold at $17.50 per kilowatt-year or 2 mills a kilowatt-hour at 100 percent load factor. Interruptible power is also supplied these industries on the basis of $1.46 a kilowatt-month which is also 2 mills a kilowatt-hour at 100 percent load factor, the difference being primarily in that firm power is ratcheted for 1 year; whereas interruptible is ratcheted for only 1 month. No new industrial outlets are being considered at the present time from projects under construction.

In view of these facts, I strenuously urge my colleagues to weigh carefully any charges of "giveaway" directed here against the administration.

I should say at this point that the administration itself does not control the Federal Power Commission. The Federal Power Commission is our instrumentality; it is a body Congress has created, and is answerable only to Congress. It has made its decision in this case, after doing exactly what we asked it to do under the law.

Mr. THYE. Mr. President, will the Senator yield for a question?

Mr. WATKINS. I will yield very briefly, because I am speaking on limited time.

Mr. THYE. The Federal Power Commission members are not all appointees of the present administration; are they?

Mr. WATKINS. No, they are not.

Mr. THYE. They are not all of the same political faith, are they?

Mr. WATKINS. No more than 3 of its members can be of 1 political party. There are 5 members on the board.

The sole basis for this charge is the granting by the Federal Power Commission—an independent agency—of a license to a private utility to construct power units in Hells Canyon. I respectfully request that Senators ask themselves: Is it any more of a giveaway to make power available to a large corporation, at a stream site, than it is to make it available at or below cost to other large corporations—at the load center or the plant site?

In other words, the corporations which get their power at 2 mills, which is less than cost, actually are not regulated, and their profits are not regulated. The Idaho Power Co. is regulated by the Federal Power Commission as to its profits and as to the rates it may charge. The State of Idaho and the State of Oregon also have the right to regulate the Idaho Power Co.

The Aluminum Company of America and the Kaiser Co., and the other companies, which are getting their power at below cost, are not regulated at all. Their benefits are all wrapped up beautifully in one package and handed to them. Nevertheless we hear talk about giving something away to the Idaho Power Co., which risks its money on a 50-year license, which may or may not be renewed. That is what Idaho Power Co. has to do, while all the other companies get their benefits all wrapped up in one package. There is no giveaway to the Idaho Power Co.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. WATKINS. I cannot yield at this time.

Mr. MAGNUSON. I shall be glad to give some of my time to the Senator.

Mr. WATKINS. How much time will the Senator give me?

Mr. MAGNUSON. I shall be glad to give the Senator enough time so that I may ask him a question.

Mr. WATKINS. Very well.

The PRESIDENT pro tempore. The Senator from Utah has 1 minute remaining.

Mr. WATKINS. I have only 1 minute remaining. When I have concluded my statement, I shall be glad to yield to the Senator from Washington.

Even if Senators do not agree with me that the release of this extremely low-cost hydropower to private concerns—Alcoa, Reynolds Aluminum, Pennsylvania Salt, Rayonier Corp., Crown-Zellerbach, Kaiser, Anaconda, Hanna Nickel—at the plant site is every bit as much a giveaway as permitting use of the energy source at Hells Canyon by Idaho Power Co. for production of power at its own expense, there is one further facet to this giveaway charge that has been blissfully ignored by my colleagues from the Pacific Northwest.

You noted in my listing of big industrial users of Bonneville power that these tremendous out-of-area corporations pay average rates of only 2.01 to 2.74 mills per kilowatt-hour.

This industrial power rate—lower even than the rates charged in the Tennessee Valley or at Niagara Falls—becomes significant to this true giveaway picture, when it is considered that the at-site cost of power generation and transmission for the Columbia River Basin's Bonneville power system actually averages 2.9 mills per kilowatt-hour.

The PRESIDENT pro tempore. The time of the Senator from Utah has expired.

Mr. THYE. Mr. President, I yield 2 additional minutes to the Senator from Utah.

Mr. WATKINS. In other words, the great Alcoa Corp. and other industrial giants actually are delivered tremendous quantities of Bonneville system power for only two-thirds of the actual

average at-site cost of prime power generated by the hydropower dams of the Columbia River power system.

That means that the small consumers in the Northwest are forced to pay much more of the cost of the construction of the so-called power dams in the Bonneville system.

This information was provided for me in an attachment to Mr. Dubrow's letter of May 21, 1956, and I hereby request unanimous consent to have "Table 1, Columbia River Power System, Estimated At-Site Cost of Power, Including Transmission," reproduced in the RECORD at the conclusion of my remarks, as exhibit 1.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. WATKINS. Mr. President, Senators will note that the at-site costs of power at the Federal plants on the Columbia River range from 2 mills per kilowatt-hour to 7.6 mills per kilowatt-hour. These costs are averaged to the cost figure provided by the BPA of 2.9 mills per kilowatt-hour.

It is also significant that the generation and transmission costs of power produced at the high Hells Canyon plant is estimated at 3.36 mills. To this must be added transmission costs, which average 1.1 mills per kilowatt-hour for the Columbia Basin system. This means that power will be produced at the high Hells Canyon Dam for a cost of 4.46 mills. Yet power sold to large industrial users, as the BPA report indicates, will be sold at the system rate of roughly 2 mills per kilowatt-hour.

The PRESIDENT pro tempore. The time of the Senator from Utah has again expired.

Mr. WATKINS. Mr. President, may I have an additional minute?

Mr. THYE. I yield 3 additional minutes to the Senator from Utah. I shall wish to ask him a few questions; therefore I yield him the additional time.

Mr. WATKINS. I presume that this procedure will be followed also with power produced at The Dalles at an average cost of 3.4 mills per kilowatt-hour. Undoubtedly it will be sold to the new Harvey Machine Co. aluminum plant, to be established there, at the below-cost rate of 2 mills per kilowatt-hour.

This, then, is the true giveaway involved at the high Hells Canyon Dam and other Federal hydropower projects in the Pacific Northwest.

Mr. President, in order to show the amount of power which these large corporations are getting under the Bonneville system, I ask unanimous consent to have printed as a part of my remarks a table entitled "Bonneville Power Administration: Electrometallurgical-Electrochemical Power Sales Contracts in Effect as of October 1, 1955," which was furnished to me by the Bonneville Power Administration.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Bonneville Power Administration—Electrometallurgical-electrochemical power sales contracts in effect as of Oct. 1, 1955

Customer	Power requirements (kilowatts)		
	Stated in contract		Total interruptible power required [1]
	Contract demand (firm)	Interruptible power	
Aluminum Company of America:			
Vancouver	136,000		150,000
Wenatchee	120,000	50,000	
Anaconda Aluminum Co.	111,000	37,000	37,000
Carborundum Co.	18,720	20,000	0
Electro-Metallurgical Co.	7,500		25,000
Hanna Nickel Smelting Co.	65,000		0
Harvey Machine Co.[2] (The Dalles)	40,563	81,129	81,129
Kaiser Aluminum & Chemical Corp.:			
Spokane reduction plant	189,000	162,000	245,000
Spokane rolling mill	35,000	10,000	
Tacoma reduction plant	50,000	20,000	
Keokuk Electro-Metals Co.	7,300		7,000
Pacific Carbide & Alloys Co.	3,250	2,750	2,800
Pacific Northwest Alloys Co.	13,000		36,000
Pennsylvania Salt Manufacturing Co.	13,600		9,000
Reynolds Metals Co.:			
Longview	60,000		85,100
Troutdale	142,100		
Victor Chemical Co.	31,200	18,800	18,800
Total	1,043,000	402,000	698,000

[1] As specified in exhibit B to contract No. 14-03-001-11493 with Idaho Power Co., power provided, if any, under primary contract.
[2] Scheduled for Aug. 1, 1956.

EXHIBIT 1

TABLE 1.—*Columbia River power system—Estimated at-site cost of power, including transmission*

Project	At-site average annual payout requirement, $1,000	Prime power generation at site, 1,000 kilowatt-hours per year	Cost of prime generation per kilowatt-hour plus 1.1 mills per kilowatt-hour for transmission
Bonneville Dam	3,065	3,547,800	2.0
Columbia Basin	12,535	11,212,800	2.2
Hungry Horse	3,610	1,857,120	3.0
Albeni Falls	1,538	236,520	7.6
Detroit-Big Cliff	1,832	446,760	5.2
Lookout Point-Dexter	1,775	332,880	6.4
McNary	12,352	4,607,760	3.8
Chief Joseph	8,078	6,175,800	2.4
The Dalles	11,549	4,923,120	3.4
Chandler	219	96,360	3.4
Ice Harbor	4,730	1,261,440	4.8
Hills Creek	515	148,920	4.6
Cougar	566	140,160	5.1
Rosa	118	52,560	3.3
System total	62,482	35,040,000	2.0

Source: Letter from Washington office manager Bonneville Power Administration, dated May 21, 1956.

Mr. THYE. Mr. President, if the Senator from Utah will now yield, I should like to ask him a question.

Mr. WATKINS. I yield.

Mr. THYE. Is the Hells Canyon Dam a multipurpose dam?

Mr. WATKINS. Only in a limited way. It is for the production of power, with a limited amount of flood control. It has nothing to do with irrigation.

Mr. THYE. Can it be developed into an irrigation project in the event the high dam is installed, thereby impounding a great volume of water?

Mr. WATKINS. No. It is not necessary for irrigation at all, because the water below the dam is sufficient, ordinarily, without any storage at Hells Canyon Dam, to take care of all the irrigation needed downstream. In the State of Idaho there is to be no use for Hells Canyon water for irrigation. The Idaho irrigation is all well above Hells Canyon. This upstream irrigated area, therefore, could be short of water for the number of acres which otherwise would be developed in the future. It would not be a help, but a detriment to irrigation. It would probably stop future development of irrigation use of water for consumptive purposes.

Mr. THYE. Mr. President, I yield 2 additional minutes to the Senator from Utah.

At what distance from Hells Canyon are the phosphate beds to which I have heard reference while the debate has been going on? I was present last evening until a late hour, and I was present most of the time yesterday afternoon, and I have heard frequent reference to the cheap electrical energy to develop the phosphate beds. Where are they located with reference to this particular Hells Canyon area? What is the distance in miles? The Senator from Utah is very familiar with all that area.

Mr. WATKINS. I think the phosphate beds are southeast of Hells Canyon, the distance of several hundred miles.

Mr. THYE. They are located, as I understand, in Utah, Idaho, and Colorado, in the general area——

Mr. WATKINS. I am advised by a Senator who lives there that they are approximately 400 miles from Hells Canyon.

Mr. THYE. I have heard the figure stated as 600 miles, and I was trying to verify the figure.

Mr. WATKINS. Phosphate lands located in Utah and Colorado would be much farther away.

Mr. THYE. I thank the Senator for yielding for questions.

Mr. MORSE. Mr. President, I yield 20 minutes to the Senator from Wyoming [Mr. O'MAHONEY].

HELLS CANYON DAM IS A CONSERVATION MEASURE

Mr. O'MAHONEY. Mr. President, I must confess that it is beyond my capacity to understand why the Republican administration has marshaled its forces to defeat this water-conservation measure.

I have been a Member of the Senate since the first of January 1934, with a small interruption in membership, and during all that period I have heard appeals from Oregon and Washington for Federal relief from floods which almost entirely wreck the most populous area of the State of Oregon. There is a stretch of 85 miles in the State of Oregon north and west of the city of Portland which is constantly in danger from the huge volume of water which flows down the Columbia River, and a tre-

mendous portion of that volume of water comes from the Snake River.

The Snake River enters the Columbia River at a point called Pasco. The Snake begins in the Jackson Hole country, in Wyoming, and flows up through Idaho to the point of Hells Canyon. That whole supply of water annually streams down the river to flood the lower reaches in Oregon.

Those who live in Oregon, those who represent that State in the Congress, both in the Senate and in the House, and who have for years been begging for Federal funds for flood control and who would vote against the Hells Canyon Dam, are merely saying, "We are not interested in permanent control of floods which destroy this area. We are concerned only with getting emergency aid."

I remember that only a few years ago—as I recall, in 1948—Vanport City, a community of 75,000, in the State of Oregon, in the area about which I am speaking, was flooded, and completely destroyed. Not a stick or a stone of that community has been rebuilt. People seem to be too much absorbed in the controversy between public and private power. They would rather preserve private power in that area by killing this dam than to prevent continuous flooding of the area.

STORAGE OF HELLS CANYON WILL BE FOUR TIMES THAT OF IDAHO POWER DAMS

Why do I say that, Mr. President? The answer is simple. It can be understood by everybody.

Three dams have been allowed by the Federal Power Commission to the Idaho Power Co. All three of those dams at their utmost capacity will not store more than 1 million acre-feet of water. Hells Canyon alone will store almost 4 million acre-feet. Actually it will store more than 4 million acre-feet, but the usable storage will be 3,800,000 acre-feet of water.

Why is it that the administration and the White House—I do not say President Eisenhower, because I see pictures of him walking with his doctor; I say the White House—and the stories are printed in the daily newspapers—one appeared in the Washington Post and Times Herald of this morning, and there was one in the New York Times yesterday—why is it that the White House is marshaling all the pressure it can in order to prevent the passage of the Hells Canyon bill?

ATTEMPT TO DEFEAT BILL IS ATTEMPT TO PREVENT SOLVING FLOOD-DAMAGE PROBLEM

I wish the wire services which carry the news to the States of Washington and Oregon would send this report. In attempting to defeat the bill to authorize the construction of the storage dam at Hells Canyon, the White House—I do not accuse President Eisenhower; I accuse those who surround him in the White House, and those who sit in the Department of the Interior—is in effect bringing all the pressure it can to prevent the permanent solution of the problem of flood damage in the most populous area of the State of Oregon.

It is only necessary to look at the map I am holding or at the map which is mounted at the rear of the Chamber to see why the Hells Canyon Dam should be built. In the middle of the State of Idaho, the Wood River and the Lost River—"Lost" because the waters of that river disappear into the subterranean caves beneath the lava beds and the phosphate beds of Idaho—rise after they have traversed most of southern Idaho underground. There are springs in some of the canyons through which the Snake River flows. Those springs, coming from the underground streams, run down the river.

HELLS CANYON DAM WILL PREVENT FLOODS, PROVIDE POWER, AND IN NO WAY PREVENT DEVELOPMENT OF BENEFICIAL WATER USES

All of the area west of Twin Falls is not available to the underground waters, but that water comes out and can be held at Hells Canyon. That canyon is the very best site for a dam, a dam which will provide power which the northwestern United States needs, which the States of Washington and Oregon, in particular, need; a dam which will prevent floods; a dam which will provide for a great new supply of power, which the whole area needs; a dam which will not in any way, shape, or form ever prevent the agricultural and domestic development of the beneficial uses of water in the State of Idaho or anywhere about the dam.

When the measure was before the Committee on Interior and Insular Affairs, my attention was called to the fact that some criticism had been made by witnesses who came from Idaho. They were fearful that if Hells Canyon Dam were built, the development of the rest of Idaho would be prevented. I said to the committee that that fear could easily be allayed. The bill as it was introduced contained section 2, reading as follows:

> The operation of the Hells Canyon Dam shall be only such as does not conflict with present and future rights to the use of water for irrigation or other beneficial consumptive uses, whether now or hereafter existing, valid under State law, of the upstream waters of the Snake River and its tributaries.

Fear was expressed that that language would not be sufficient; it was said that Congress might repeal the law.

I said, "Let us make the language more specific"; and I offered amendments in the first line and in the last line. The amendments I added were, first, at the very beginning:

> Notwithstanding the provisions of any other law, the operation of Hells Canyon shall be subordinate to consumptive uses.

Then I added this amendment at the end of the paragraph:

> Upstream from the dam and downstream.

BILL GUARANTEES THAT DAM CANNOT RESTRICT CONSUMPTIVE USE OF WATERS OF RIVER

So when the bill shall have passed, Mr. President, it shall have passed as an act of Congress which has stamped upon this construction, in words that cannot be misunderstood, the provision that the waters stored in that dam cannot be used at any time to establish a priority over the ordinary beneficial uses of water in the State of Idaho or anywhere else where beneficial uses for the support of the people living on farms are needed and can be developed.

It will be just as though there were stamped upon the face of Hells Canyon Dam a written declaration:

> This dam has been constructed on the condition that it shall never be operated in any manner so as to deprive the people of the States either above the dam or below the dam of the future consumptive use of the waters of the river.

What Hells Canyon will become under the bill will be a storage reservoir which can be used for recreation and flood control—and flood control certainly is necessary in the whole Northwest. Flood control will prevent the constant streaming of this great river system into the Pacific Ocean without its being used. Everyone in the United States, including every Senator and every Member of the House, knows that under modern conditions, with the use of aircooling, with industrial development, and with all other sorts of needs for water, the water table is constantly becoming lower and lower throughout the United States. So the only sensible thing to do is to spend whatever sum may be necessary to prevent the escape of this supply of water into the Pacific Ocean, unused, and thus assure these great States the opportunity for development which is given to them by this bill.

OPPOSITION TO DAM IS AIMED AT SENATOR MORSE

Why, Mr. President, I understand that a good deal of the opposition directed against the bill is based on the belief that if the Hells Canyon bill can be defeated, WAYNE MORSE can also be defeated for the Senate. He is a Senator who never has hesitated to speak his mind, and to speak truthfully. I have never known him to resort to any devious method of explaining his position, and I am confident the people of Oregon know that what he says comes from the sincere conviction of his heart, dictated by the logical processes of one of the best legal minds I have met on the floor of the Senate. I compliment the Senator from Oregon, and I congratulate him that he and the Hells Canyon issue are tied together in the campaign that is being waged against him by the subordinate employees of the administration.

THERE IS ENOUGH WATER FOR ALL NEEDS

Mr. President, is there any doubt of what I say about the presence of a sufficient supply of water for all necessary purposes? I wish to read from page 740 of the hearings of the committee on S. 1333. I want to read just a sentence from the testimony of Mr. R. P. Parry, who is the attorney for the Idaho Power Co. He said:

> If you will look at the dam, both the one on the wall and the one I gave you, and find the Milner Dam.

Which is located in southern Idaho above the areas where the rivers of Idaho flow into subterranean territory, not to reappear until they have traveled many miles farther west—

> During all the irrigation season the river goes practically dry at Milner Dam.

"Practically," he says. Now, that was a good word to use in a legal document.

"Practically" means it really does not go dry.

Mr. Parry said further:

You will notice below there are the group of the present plants of the Idaho Power Co. Enough return flow comes in from the underground flows which have been mentioned to afford adequate water to run those plants if they are built with no water coming over Milner Dam during the irrigation season.

Here is Mr. Parry telling the Senators on the Interior and Insular Affairs Committee, even those who are being marshaled by the whip to vote against the bill, that what I have just said is true—that the water disappears, but then rises.

The PRESIDENT pro tempore. The Senator from Wyoming has 1 minute remaining to him.

Mr. O'MAHONEY. I shall use that minute to quote these additional words from the testimony of Mr. Parry:

About 40 miles downstream there is always about 6,000 cubic feet of water per second flowing. That water gains as it flows westerly through Idaho. When it gets down into the Hells Canyon reach—

This is the Idaho Power Co. speaking—

When it gets down into the Hells Canyon reach, there is always about 10,000 to 12,000 second-feet of water flowing. That water is going to drop 602 feet over the head, whether you have 1 dam or 3 dams, and it is going to make power.

But it is not going to control floods. It is not going to provide recreation. It is not going to help develop the country by saving the water for future uses downstream. It is not going to do the things which are necessary to develop the resources.

The PRESIDENT pro tempore. The time of the Senator from Wyoming has expired.

Mr. O'MAHONEY. May I ask the Senator to yield me a few minutes more?

Mr. JOHNSON of Texas. Mr. President, I yield the Senator from Wyoming 2 additional minutes.

Mr. O'MAHONEY. I desire to conclude these remarks by calling attention to the figures which show the actual flow. I wish to show by the figures developed in the hearings that, while the minimum flow at the Hells Canyon area is even lower than that which was mentioned by Mr. Parry, the maximum flow sometimes reaches 20,427,000 acre-feet. The average flow in this area is probably not less than 13 or 14 million acre-feet.

So, Mr. President, by the statistics produced by the Department of the Interior, which has changed its mind, we have shown that the flow at Hells Canyon is sufficient to fill the Hells Canyon Dam, whereas the three Idaho Power Co. dams are sufficient only to store about one-fourth of the water in Hells Canyon, and only sufficient to develop the power which the Idaho Power Co. desires to sell.

The PRESIDENT pro tempore. The time of the Senator has expired.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. JOHNSON of Texas. How much time remains to either side?

The PRESIDENT pro tempore. The Chair is advised that the Senator from Texas has 37 minutes left, and the Senator from California has 73 minutes left.

Mr. JOHNSON of Texas. The Senator from Texas has 37 minutes, and the Senator from California has 73 minutes. I wonder if the Senator from Idaho [Mr. WELKER], who is presently acting as minority leader, will yield some of his time?

Mr. WELKER. May I have the attention of the Senator from Arizona——

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, without the time being charged to either side.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that at this time I may make a brief statement, and I request that the time required therefor shall not be charged to either side.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, the majority side has 37 minutes remaining; the minority, 73. The minority does not have a speaker available at this time. Rather than waste the time of the Senate and keep Senators here when we have no business to transact, I shall yield 5 minutes to the junior Senator from Oregon [Mr. NEUBERGER].

I hope that at the conclusion of his remarks, the minority will be able to yield time to some of their speakers.

Mr. THYE. Mr. President, I can assure the majority leader that at the end of the 5 minutes, we shall have a speaker here.

Mr. JOHNSON of Texas. I thank the Senator from Minnesota.

Mr. President, at this time I yield 5 minutes to the junior Senator from Oregon [Mr. NEUBERGER].

The PRESIDENT pro tempore. The Senator from Oregon is recognized for 5 minutes.

Mr. NEUBERGER. Mr. President, on July 17, the junior Senator from Idaho [Mr. WELKER] told the Senate that, according to the Corps of Army Engineers, high Hells Canyon Dam would have reduced the flood crest on the Columbia River only about 2½ inches more than the proposed private-power dams of the Idaho Power Co would.

The next day, the senior Senator from Idaho [Mr. DWORSHAK] appeared as a witness before the Senate Public Works Committee, of which I am a member, to urge authorization of the Bruces Eddy Dam, on the north fork of the Clearwater River. The multipurpose specification of the Bruces Eddy Dam, according to the Senator, was flood control.

Today, I have a message from the Army engineers pointing out that high Hells Canyon Dam would have reduced the flood stage of the Columbia River runoff at Vancouver to 26 feet, whereas Bruces Eddy Dam would have reduced it only to 26.2 feet. In other words, Bruces Eddy Dam would furnish less flood reduction than would Hells Canyon Dam.

Mr. President, Members of this body who live on the Mississippi know that 2½ inches can be the difference between life and death on a river system of that magnitude; and the Columbia is second only to the Mississippi, among the waterways of our Nation. A difference of 2½ inches in flood crest might well have saved Vanport City, a community of 70,000 men, women, and children, in May of 1948.

Mr. President, this is significant. While one Idaho Senator scoffs at the flood-control benefits of high Hells Canyon Dam, the other Idaho Senator urges the Senate Public Works Committee to authorize a costly flood-control project in Idaho, with fewer benefits in this respect than Hells Canyon would provide. This is an interesting display of teamwork between the Senators from Idaho.

The Senators from Idaho want the Idaho Power Co. to enjoy the unequaled Hells Canyon site, but they want Congress to authorize Bruces Eddy Dam on the Clearwater River, in Idaho. In this endeavor, they will confront a solid front of opposition from the many groups of men and women in this country who are concerned about the effect of Bruces Eddy Dam on the fish runs, the wildlife, and the unique scenic wilderness of the Clearwater Basin.

I am not invoking some distant threat. The controversy over the Clearwater dams, backed by the administration as so-called, though inferior, alternatives to Hells Canyon, is before the Senate Public Works Committee at this very time. Conservationists are well aware of the imminent danger to conservation values which is posed by the relationship between Hells Canyon and Bruces Eddy Dam, and which nears a decision in the Senate today.

That is why Dr. Ira N. Gabrielson, longtime head of the Fish and Wildlife Service, and now chairman of the Citizens Committee on Natural Resources, made the following statement, which is quoted on page 16 of the Interior Committee's report on Hells Canyon:

We are not concerned with the battle between public versus private power interests, but it is apparent that reduction in reservoir capacity at the Hells Canyon site is forcing power and water interests to advocate high dams on the Clearwater River, where a disastrous effect on fish and wildlife resources of national importance will needlessly result.

Big dams on either the Clearwater or the Salmon would wipe out important fish-spawning grounds, inundate many thousands of acres of forest land, and, in addition, destroy critical winter range for some of the country's finest elk and deer herds. It makes little sense to reduce drastically the amount of water storage at Hells Canyon, where no important wildlife or scenic values are at stake, if this means the destruction of scenic and wildlife resources that the Nation could otherwise save for the enjoyment of present and future generations.

Mr. President, the Senate is being asked to abandon Hells Canyon, but to authorize Bruces Eddy Dam, although Bruces Eddy Dam offers less flood control than does Hells Canyon Dam, and at great cost to irreplaceable conservation values. Will the Senate ever be able to explain and to justify such a choice, if the Senate makes it?

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator from Texas yield some time to me?

Mr. JOHNSON of Texas. Mr. President, I have no time to yield; the committee has distributed the time, and all of it has been allocated.

Mr. HUMPHREY of Minnesota. I am sorry.

Mr. THYE. Mr. President, at this time, I yield 10 minutes to the junior Senator from Arizona [Mr. GOLDWATER].

The PRESIDENT pro tempore. The Senator from Arizona is recognized for 10 minutes.

Mr. GOLDWATER. Mr. President, one of the most amazing things to me about the debate that has been carried on the last few days on the Hells Canyon Dam is the ease with which proponents of the Federal dam develop and insert in the RECORD figures which, at first glance, indicate that the high Hells Canyon Dam is far superior to the FPC licensed development by the Idaho Power Co.

We have in the Senate many distinguished scholars who have applied themselves to this problem and have inserted in the RECORD the results of their studies. On June 13, 1956, the senior Senator from Oregon [Mr. MORSE], admittedly an authority on Hells Canyon, inserted in the RECORD a table comparing the cost of the power output of the Federal and the private dams. I discussed that table on the floor of the Senate on last Tuesday. The table lists the power output of the high Hells Canyon Dam as being 924,000 kilowatts of prime power.

During the debate last evening, the junior Senator from Washington [Mr. JACKSON] inserted in the RECORD a similar table giving his estimate of the prime power output of the high Hells Canyon Dam; and in that estimate he has raised the ante a little bit, to 1,122,000 kilowatts.

Mr. President, I need call the attention of the senior Senator from Oregon [Mr. MORSE] only to the insertion he made in the RECORD on July 18, a little over 1 month after his previous insertion, in which, in his comparison between the high Hells Canyon project and the Idaho Power Co.'s 3-dam scheme, he increases his original estimate of 924,000 kilowatts to 1,122,000 kilowatts.

Mr. President, I am surprised that neither of those Senators saw fit to use the estimates set forth in the supplementary report of the Secretary of the Interior dated May 11, 1951, in which the astronomical figure of 1,430,500 kilowatts was given as the output of the Hells Canyon high dam. Possibly the reason is that the same report admits that the Hells Canyon high dam plant could produce only 688,000 kilowatts, with the rest to come from 8 downstream plants, of which 5 are not built. I call the attention of my colleagues to that fact. I brought it out the other day in my address to the Senate.

When the proponents of the high dam talk about any more power than 688,000 kilowatts, they are talking about the construction of 8 dams downstream, 5 of which have not been built, and they do not include in the cost of the construction of the high dam the cost of the other 5 dams; nor do they include in the cost of construction of the high dam the cost of regulating dams which would be necessary to control the surging flow of the river below the high dam, which was estimated some years ago to be $50 million.

The Senator from Washington [Mr. JACKSON] apparently chose as his authority for power output the power manager for the Bonneville Administration, who, on March 31, 1950, during the hearings on House bill 5747, estimated the prime power output at 1,124,000 kilowatts.

Again, it must be pointed out that this witness claimed only 688,000 kilowatts for the Hells Canyon Dam itself. The same witness, much to the chagrin of the public power proponents, went on to say that in a low-water year his 688,000 kilowatts of nominal prime power was for an average of 9 months of the year only, and that during the other 3 months the actual power production would have to be cut down to only 66,000 kilowatts. There is quite a difference between 66,000 kilowatts and 1,124,000 kilowatts.

Remember also that prime power was defined by the junior Senator from Oregon as power available "almost 365 days of the year." The word "almost" might carry the connotation to the average person that it would be possible 360 or 350 days of the year. But when a Government witness who is qualified says that for 3 months of the year production would have to be cut down to 66,000 kilowatts, that throws an entirely different light on the rather astronomical figures which the proponents of the high dam are using, figures that soar up to 1,400,000 kilowatts, come down to 900,000, and go up to 1,200,000. We never know exactly where the balloon is going to be. I wish enough gas were let out of it so that it would remain at some definite level in the atmosphere.

Mr. THYE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. THYE. The question is, What did the Federal Power Commission's engineers determine to be the maximum generating capacity of the high dam, and what would be the estimated generating capacity of the multiple three-dam scheme?

Mr. GOLDWATER. The estimate for the high dam was 785,000 kilowatts; and if my memory serves me correctly, the estimate for the three low dams was 767,000 kilowatts, a difference of about 18,000 kilowatts. The proponents of the high dam are asking the people of the United States to pay out a quarter of a billion dollars more for the difference of 18,000 kilowatt hours.

Mr. THYE. If the Senator wishes additional time, I am willing to yield him 2 additional minutes, to compensate for the time I have taken in asking questions.

Mr. GOLDWATER. I thank the Senator.

I was happy to note that both my colleagues were agreed on the power output of the low dam development. This figure was agreed upon at 505,000 kilowatts. Knowing, as I do, the high regard both these Senators have for true comparisons, I am a little surprised at the use of that figure.

The Federal Power Commission, after 1 year of hearings, which resulted in 20,000 pages of testimony, concluded that the 3-dam project would develop 767,000 kilowatts. The same body found that the high dam would develop only 785,000 kilowatts, which leaves a difference of only 18,000 kilowatts between the two types of development. These figures differ greatly from the 419,000 kilowatts estimated by the Senator from Oregon, and the 517,000 kilowatts estimated by the Senator from Washington.

There is no unanimity among the proponents of the high dam as to just what the power output of the high dam would be, or what the power output of the low dams would be. For the information of my colleagues, I reiterate that when proponents of the high dam mention these astronomical figures, they do not tell us that they took a wet year, when the dam could be filled. They do not tell us that it would require the construction of 8 downstream dams to reach those figures; and they do not tell us that 5 of those downstream dams have not been constructed.

The same two authorities were practically in accord on the cost of power at the market for the two projects, but I think it should be pointed out that if the output figures are inaccurate, then the figure for the cost at the market, which is cost divided by output, must also be inaccurate.

The Bureau of Reclamation estimated the market cost in the case of the high Hells Canyon Dam at 4.4 mills per kilowatt-hour. To arrive at the figure of 2.7 mills per kilowatt-hour which has been used in the tables to which I have referred, the Senator from Oregon had to divide $23.80, the cost per kilowatt-year, by 8,760, the number of hours in a year.

The weak spot in this arithmetic, however, is the fact that to arrive at the $23.80 figure it is necessary to use an output figure of 924,000 kilowatts. The proponents of the high Hells Canyon Dam do not ask for the additional downstream expenditures which would be necessary to develop the higher figure.

But let us say that the output figure is 924,000 kilowatts, which, as I pointed out, is at best ambitious. Also, to arrive at the figure of $23.80 per kilowatt-year for the cost, it is necessary to assume that the 8 downstream plants are in operation in a high-water year, with a 100 percent load factor, 24 hours a day, 365 days a year.

It seems to me that such assumptions are well beyond the realm of reality.

To reach the figure of 6.69 mills used in the table, it is necessary to increase the construction cost estimates by 44 percent; operating costs by 400 percent; and costs of transmission by 200 percent.

Using this formula, it is not difficult to price any cost out of the picture.

I should like to touch upon one other point which has been raised this morning, and that is the subject of flood control. On our desks this morning is an article from the Denver Post, by Mr. Roscoe Fleming. It is not my pleasure to know him, but he points out, as have the proponents of the high dam, that the only way to save the Columbia Basin from vast floods is to build a high dam.

Let us see what the United States Government has just found out, as published in the Oregonian, a very responsible newspaper in Oregon, after the last flood, which was the third largest flood in the history of the basin. It is said that if the high dam had been constructed and in operation it would have saved the crest of the flood 0.8 of a foot. It is also said that if Brownlee, one of the dams of the three-dam project, had been constructed, it would have saved the crest 0.6 of a foot. That is the difference of 0.2 of a foot. What is two-tenths of a foot? It is about two and a half inches.

How crazy can the United States Senate become, when it is proposed to take a quarter of a billion dollars from the taxpayers of the country to pay for 2½ inches of flood control on the Columbia River?

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

The PRESIDING OFFICER. The time of the Senator from Arizona has expired.

Mr. THYE. How many more minutes does the Senator wish?

Mr. GOLDWATER. Will the Senator yield to me 3 additional minutes?

Mr. THYE. I yield 3 additional minutes to the Senator from Arizona.

Mr. WATKINS. Is it not a fact that reclamation projects are under construction on the upper Snake River, upstream from Hells Canyon, and that more are to be built, which will practically eliminate all the danger of flood conditions on the river?

Mr. GOLDWATER. The testimony before our committee last year and the testimony before other committees which have heard evidence on this subject during many Congresses, but which have never voted to report such a bill, is to the effect that the river is pretty well controlled by existing projects upstream. The construction of a high dam, contrary to what has been suggested by the distinguished Senator from Wyoming [Mr. O'MAHONEY], would, in my mind, endanger the water rights of the people upstream.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield to the Senator from Utah.

Mr. WATKINS. I hold in my hand an article published in the Oregonian of Sunday, June 17, 1956. It quotes Brig. Gen. L. H. Foote, North Pacific division engineer of the Corps of Army Engineers, as discounting the value of flood relief from the Hells Canyon Dam. I ask unanimous consent that the article may be printed in the RECORD, at this point in the Senator's remarks.

Mr. GOLDWATER. I shall be very happy to have the article printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ENGINEER DISCOUNTS VALUE OF FLOOD RELIEF FROM HELLS CANYON DAM

Construction of a high Federal dam at the Hells Canyon site in the Snake River would not be necessary to attain adequate flood control in the Columbia River Basin, providing storage is provided at enough other sites, Brig. Gen. L. H. Foote, North Pacific division engineer, said Thursday.

General Foote's explanation of the flood control storage situation in the Northwest came in answer to a series of questions that were presented to him as a result of speculation about methods to reduce floods like the present high-water condition.

High dam supporters have contended the current flood is an objective demonstration of the need for a high dam at Hells Canyon. Supporters of the three-dam plan now being executed by Idaho Power Co. have disagreed.

Said General Foote, the top Corps of Engineers officer in the Northwest:

"Assuming that a total of 21 million acre-feet of suitably located flood-control storage can be obtained elsewhere in the Columbia Basin, a reasonable degree of flood control along the lower Columbia River can be realized without the high Hells Canyon project."

As to whether the 2,600,000 acre-feet of storage at the high dam would be more effective than the 5,200,000 acre-feet available at the proposed storage sites of Bruces Eddy, Penny Cliffs, Brownlee and Pleasant Valley (which opponents of the high dam advocate), General Foote said:

"The main control plan set forth in the 1948 308 report, which included 2,600,000 acre-feet of flood control storage at high Hells Canyon site, would have controlled the 1894 flood to a flow of 800,000 cubic feet per second at The Dalles. Provision of 5,200,000 acre-feet of storage at Bruces Eddy, Penny Cliffs, Brownlee and Pleasant Valley would permit the same degree of control at The Dalles with a lesser amount of flood control storage elsewhere in the Columbia Basin."

CLAIM DISPUTED

General Foote indirectly disputed the claim of a high dam supporter that the Federal Hells Canyon project, if it had been operating, would have reduced the crest of the present flood by 1.2 feet at Vancouver. He estimated it would have cut the crest "possibly less than 0.8 foot."

Questions submitted to General Foote to clarify the current flood picture, and his detailed answers to them, follow:

Question. Columbia River floods have created a great deal of interest in flood control. Public hearings on flood-control measures, as well as other features of an updated 308 report, were announced Sunday. Can you clarify the status and prospects for flood control? For instance, just how much flood control storage do the Army engineers now figure is desirable in the Columbia River Basin?

Answer. Studies made for House document 531, the 1948 Columbia Basin Review Report of the Corps of Engineers, indicated that a reasonable degree of flood control could be obtained in the basin from development of about 21 million acre-feet of storage for flood control use. This storage would permit reduction of the maximum flood of record, that which occurred in 1894, to 800,000 cubic feet per second at the Dalles which could be handled by the improved levees on the lower river also recommended in the report. This degree of storage control is still considered a desirable minimum for reasonably adequate flood control in the basin although additional upstream control would be usable for even greater reduction of major flood flows and additional benefits. It is of interest to note that the flood crest this year was about 820,000 cubic feet per second or about 0.4 foot above the maximum contemplated with the main control plan outlined in House document 531.

Question. Various figures have been used for the total flood control storage needed. These range from 17,300,000 acre-feet, a figure which you reportedly indicated in testimony before the Board of Engineers for Rivers and Harbors, to 21 million and 27 million acre-feet. Can you explain what different concepts of flood-control storage are contained in these figures?

Answer. Such figures have resulted in quite a bit of confusion, and I will attempt to clarify them. First, House Document No. 531 proposed a main control plan which included reservoir projects with a total of 26,990,000 acre-feet (27 million in round numbers) of active storage capacity which could be used for flood control, power, or other purposes. By active storage I mean the storage capacity, above the dead storage or conservation pool levels, which is available for release or filling as needed. Due to the fact that in some cases the active storage capacity of a project is in excess of the amount which could be stored at that particular project during the 1894 flood; that is, a sufficient volume of water did not pass that site during the period when its capture would result in a reduction of the flood crest at The Dalles, it is said that this total active capacity is not fully usable for flood control although it may be usable for power or other purposes. Adding the amounts of storage in the main control plan which would have been used to control the 1894 flood to 800,000 cubic feet per second at The Dalles gives a total of 20,890,000 acre-feet or 21 million acre-feet so frequently referred to as the amount of flood control storage usable at-site in the main control plan to control the 1894 flood. The third figure of 17,300,000 acre-feet is usually called the total storage effective at The Dalles. To explain this figure we must realize that storage located immediately above a particular point could be operated to cause immediate and direct reduction in flows at the point in question. This storage would be called 100 percent effective.

On the other hand, storage located several hundred miles upstream where the storage effects will be dampened out in intervening lakes and river channels and where water must be stored many days in advance of the flood crest in order to be effective in reducing the crest when it occurs at the downstream point, must be considered less than 100 percent effective. Referring again to the reservoirs proposed in the main control plan of House Document No. 531, the actual storages used at-site for control of the 1894 flood which totals 21 million acre-feet, must be individually discounted to measure their true effectiveness at The Dalles. The sum of these effective storages totals 17,300,000 acre-feet and it can be seen that this total most accurately reflects the effective value of a system of storage projects.

Question. It is reported that you testified on January 19 that projects existing and recommended for construction would provide 13,200,000 acre-feet of storage, effective at The Dalles. Is that correct? What projects are included in arriving at this storage?

Answer. The following projects, which are either existing, under construction, or which appeared to be in reasonably early prospect at the time I was speaking in connection with modifying the flood-control storage feature at the John Day project, total 9,490,000 acre-feet in effective storage at The Dalles:

Hungry Horse, Grand Coulee, Priest Rapids, Cascade, Lucky Peak, Arrowrock, Anderson

Ranch, Palisades, Brownlee, Pleasant Valley, John Day (with 500,000 acre-feet).

In addition, the Bruces Eddy and Penny Cliffs projects on the Clearwater River were recommended to Congress June 1, 1955, and would add 3,730,000 acre-feet of effective storage for a total of 13,220,000 acre-feet effective at The Dalles.

Question. During the hearings before the Board of Engineers for Rivers and Harbors on January 19, it was reported you gave this reply to a question arising from a discussion of a low John Day Dam: "I might point out that on the upstream storage we have for consideration presently in connection with the review report on the Columbia River Basin before us, 22 possible storage projects. They are being studied. They will contain a very substantial total amount of storage. Certainly we are confident that among those 22 projects we will obtain adequate replacement not only for such storage that would be lost if the (John Day) modification is approved, but also replacement for storage lost in the Priest Rapids project as it is now planned, and storage lost in other storage projects contemplated in House Document 531, which now appears incapable of accomplishment. The present feeling is that we have been unable to pinpoint the locations of that storage in the exact amount. Adequate replacement will be available."

Does not this mean that the corps considers it can get the necessary flood-control storage even though storage capabilities of Priest Rapids, John Day, and Hells Canyon have been reduced?

Answer. As I noted, the Corps of Engineers is currently reviewing House Document No. 531 with a view to formulating an effective plan for control of the main river floods which will be compatible with present conditions and with approved plans for development by other interests or agencies and which will be acceptable to the people of the region. Many possible storage sites still remain in the upper Columbia River Basin, both in the United States and in Canada which are theoretically capable of development as a part of a new main control plan. Continued investigation and study is revealing that many of the possibilities must be eliminated from further consideration at this time due to serious conflicts with other valuable resources or because of valid economic objections by peoples of the area. Until our studies are complete next year it will not be possible to evaluate which storage potentials remain for early development in the interest of flood control, power, and other uses. However, we are hopeful that sufficient storage will be found acceptable to achieve at least the degree of control contemplated by the main control plan of House Document No. 531, even with the reductions indicated at Priest Rapids, John Day, and Hells Canyon.

Question. You were reported to have said in your testimony January 19 that there are other storage possibilities in the basin totaling some 17,700,000 acre-feet, including possible reservoirs in Canada. Are these possibilities in addition to those in existence and under construction or licensed?

Answer. The complete list of possible storages I mentioned above would exceed 17,700,000 acre-feet effective at The Dalles, including known storage possibilities in Canada, but not including any project existing, under construction, under license or even under prospective licenses, as I included before in the 13,200,000 acre-feet as being in early prospect. The 13 storage possibilities indicated for further study at this time, in the enclosure to the recent public notice of hearings in connection with this review investigation, would provide approximately 5,500,000 acre-feet of effective storage, if they can all be achieved. The authorized Libby project which is deferred pending completion of Canadian studies and international negotiations would add an additional 3 million effective acre-feet and the Mica project in Canada would add another 5,500,000 acre-feet depending upon how it would be operated. The above projects add some 14 million acre-feet of effective storage. I had other potentials in mind in January which we have since set aside for one reason or another.

Question. Somebody in the Multnomah County Hells Canyon Association claimed last week that the Snake River above Hells Canyon was responsible for 1.2 feet of the flood crest. Can you indicate just what difference in this year's flood crest would have been made by the high Hells Canyon Dam, had it been constructed and in operation?

Answer. Since the current flood is not yet over and detailed routing studies have not been made to consider what we might have done had additional storage been available, it is not possible to give you an exact answer to this question. Hindsight is always much better than foresight, hence the use that can be made of a storage capacity in actual operationg during a flood when the next day's or next week's flows can only be estimated or guessed is quite different from what would be done operating on paper when you have the future condition laid out before you to suggest or at least influence a decision which otherwise would have to be made on predictions alone. The conditions under which the operation is made consequently would materially affect the result obtained to answer your question. Preliminary analysis, assuming future flows on both the Snake and Columbia Rivers, would indicate that addition of the high Hells Canyon to storages that were actually available would have permiteed reduction of the actual crest of this year's flood by less than 1 foot at Vancouver, possibly less than 0.8 foot.

Question. Would Brownlee or Brownlee and Pleasant Valley have satisfactorily controlled this year's flood insofar as the flow of the Snake River in the Hells Canyon area above the Salmon River is concerned?

Answer. Because the volume of water from the upper Snake River Basin that contributed to the upper portion of the flood hydrograph at The Dalles this year was in excess of the 1,000,000 acre-feet that would have been available at Brownlee; this project alone would not have been as effective in reducing the flood crest at The Dalles as would Hells Canyon with 2,600,000 acre-feet. The difference in peak reduction between the two projects would probably be about 0.2 feet. Addition of Pleasant Valley with 500,000 acre-feet and Brownlee to the present condition probably would have made up the difference this year and the two projects would have had essentially the same effect as the single high Hells Canyon.

Question. It has been stated that the Clearwater contributed far more to the 1948 flood than did the Snake at Hells Canyon. Do you know if that was true this year?

Answer. Based on assumed recession curves since flows are still high at all points, a preliminary analysis of natural flood volumes indicates comparative contributions somewhat as follows for the 1956, 1948 and 1894 floods. The volumes shown are the estimated total volumes passing each station during the time when such flows would contribute to discharge at The Dalles in excess of the assumed controlled plan of 800,000 cubic feet per second for the 1894 flood; 700,000 cubic feet per second for the 1948 flood and 600,000 cubic feet per second for the 1956 flood to which it probably would have been controlled by the main control plan.

Stream and location	Volume in acre-feet			Comparable observed volume, 1956
	1894	1948	1956	
Columbia River at The Dalles	65,500,000	51,500,000	46,300,000	41,100,000
Columbia River at Trinidad	45,000,000	35,000,000	29,500,000	26,100,000
Snake River at Hells Canyon	5,900,000	2,500,000	4,100,000	2,700,000
Salmon River at Whitebird	5,000,000	4,300,000	4,100,000	4,100,000
Clearwater River at Spalding	5,000,000	5,600,000	4,300,000	4,300,000

The above tabulation shows the relative contributions from the upper Columbia, the upper Snake above Hells Canyon and from the Salmon and Clearwater basins during the assumed control periods of each flood at The Dalles. The observed volumes for the 1956 flood, shown in the last column, have been adjusted to obtain the figures in the third column by eliminating the effect of flood control storage operations during the flood period. This was done to make direct comparisons in the basic table of unregulated runoffs for the three floods. No flood-control storage was available during either the 1948 or 1894 floods, hence the volumes given are not subject to such adjustment. This is also the case for the 1956 flood for the Salmon and Clearwater Rivers. Although the existing flood-control storage above Hells Canyon accomplished a sizable reduction during the 1956 flood, additional storage could have been effectively used.

Question. If the Corps' proposed Bruces Eddy and Penny Cliffs Dams had been in operation this year, what would have been the effect on the crest of the Columbia flood?

Answer. It is estimated that had there been no storage in the Columbia River Basin the current (1956) flood would have had a peak discharge of 930,000 cubic feet per second at The Dalles which corresponds to a stage of 29.2 feet at Vancouver. Operation of existing storage reduced the peak discharge to 820,000 cubic feet per second at The Dalles or to a stage of 26.8 feet at Vancouver. Preliminary estimates indicate that Bruces Eddy and Penny Cliffs, if operated in conjunction with presently existing storage, would have further reduced the flood by approximately 1½ feet.

Question. The memo attached to your announcement of hearings indicated that Bruces Eddy, Penny Cliffs, Brownlee and Pleasant Valley together would provide about 5,200,000 acre-feet of storage in the middle Snake. Is that true?

Answer. That is essentially correct. Actually the bulletin attached to the announcement indicates 5,230,000 acre-feet of usable storage.

Question. What would have been the effect on the crest of the Columbia flood this year if all that storage had been in operation?

Answer. Preliminary estimates indicate that operation of the four middle Snake projects, Brownlee, Pleasant Valley, Bruces Eddy and Penny Cliffs, in conjunction with presently existing storage would have reduced the observed stage at Vancouver (26.8) by approximately 2½ feet.

Question. The main control plan included only 2,600,000 acre-feet of storage at Hells Canyon in this same area, so that the present plans of the corps, which do not include a high dam at Hells Canyon, provide more than twice as much effectiye storage. Is that correct?

Answer. If we are to compare a main control plan with 2,600,000 acre-feet in Hells Canyon and another plan with 5,200,000 acre-feet of storage at Bruces Eddy, Penny

Cliffs, Brownlee, and Pleasant Valley and everything else being equal, the latter plan will provide twice the effective storage in the middle Snake River area. That does not say, however, that full control is provided in either case or that additional storage could not be utilized in the middle Snake River Basin with either plan. However, to obtain the same degree of control at The Dalles, the latter plan would require less storage in other projects elsewhere in the Columbia Basin.

Question. Of the two alternatives, the 2,600,000 acre-feet at high Hells Canyon, or the 5,200,000 acre-feet at Bruces Eddy, Penny Cliffs, Brownlee, and Pleasant Valley, which would be better for control of the big 1894 flood?

Answer. The main control plan set forth in the 1948 308 Report, which included 2,600,000 acre-feet of flood-control storage at high Hells Canyon site, would have controlled the 1894 flood to a flow of 800,000 cubic feet per second at The Dalles. Provision of 5,200,000 acre-feet of storage at Bruces Eddy, Penny Cliffs, Brownlee, and Pleasant Valley would permit the same degree of control at The Dalles with a lesser amount of flood-control storage elsewhere in the Columbia Basin.

Question. Is it true, then, that storage at high Hells Canyon for flood control is not necessary in order to obtain practical flood control?

Answer. Assuming that a total of 21 million acre-feet of suitably located flood-control storage can be obtained elsewhere in the Columbia Basin, a reasonable degree of flood control along the lower Columbia River can be realized without the high Hells Canyon project.

Question. In the present planning of the corps, are you including any storage at either high Hells Canyon or Nez Perce?

Answer. Present planning studies of the corps take into consideration all projects, existing, under construction, authorized, recommended, or potential. In view of the fishery situation at Nez Perce and the fact that the Federal Power Commission has licensed the Brownlee, Oxbow, and Hells Canyon projects of the Idaho Power Co., it is unlikely that any detailed study of storage at either the Nez Perce or high Hells Canyon sites will be undertaken.

Mr. GOLDWATER. Mr. President, I have only one question to ask of the proponents of the high dam: Who wants this project?

The Governor of Washington does not want it. The Governor of Idaho does not want it. The Governor of Oregon does not want it.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. GOLDWATER. I have only 2 minutes. I shall be happy to yield for a question.

Mr. MAGNUSON. Does the Senator know that the 2 Senators from Washington want it; that the 2 Senators from Oregon want it; that 6 or 7 Representatives in the House of Representatives want it? I refer to the Representatives from the State of Washington. Does the Senator from Arizona know that the Representatives from the State of Oregon want it? Does the Senator know that the two Senators from Montana want it? Does the Senator know that the Senator from Wyoming wants it?

Mr. GOLDWATER. The Senator can name 38 Senators. I am talking about the people who live in that area.

Mr. MAGNUSON. I live in the State of Washington.

Mr. GOLDWATER. I agree that the 2 Senators from Washington want it and that the 2 Senators from Oregon want it. I could have answered that question.

Mr. MAGNUSON. No one wants it but the people.

Mr. GOLDWATER. The two Representatives from Oregon who represent the eastern section, the one most vitally affected, and who ran on the issue in opposition to the Hells Canyon Dam, were elected.

The two Senators from Idaho are against it. One Representative from Idaho is against it. I do not say that there are not people who want it. But who wants it besides certain distinguished Members of this body?

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. GOLDWATER. No; my time is running out. I should like to have the Senator use his own time.

Mr. President, instead of reading it, I ask unanimous consent to have printed in the RECORD at this point a letter addressed to the Hon. H. W. SMITH, Chairman of the House Rules Committee, by the Governor of Washington, the Governor of Idaho, and the Governor of Oregon.

I wish to read one paragraph from the letter to indicate the attitude of these three men who represent the Pacific Northwest:

If the Congress at this sessions wants to advance power development of the Pacific Northwest and provide flood control storage, they should take out the bill bottled up in committee providing for authorization and construction of Penny Cliffs and Bruces Eddy projects on the Clearwater River. These two projects will give local flood control, flood control on the lower Columbia River, and will store water that would otherwise be spilled, which will increase the energy output both at site and at downstream developments on the lower Snake and Columbia Rivers.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

The Honorable H. W. SMITH,
Chairman, House Rules, Committee,
Washington, D. C.

DEAR CONGRESSMAN SMITH: Please know that the Governors of Oregon, Washington, and Idaho oppose Federal financing and construction of the high-head Hells Canyon storage project on the Snake River for the following reasons:

1. It is foolish to spend $400 million to build the monumental high-head dam to develop 602 feet of head in the Snake River when 3 low-head dams can develop the same storage of the river for $180 million and will achieve in the long run a greater benefit in power and water use.

2. Power can be supplied to the growing demand of the Pacific Northwest at least 4 years earlier through the construction of the low dams. This is a very important factor to industry and commerce in the Pacific Northwest.

3. The design of the three low dams is such as to give much greater flexibility of operation when called up to operate as a part of a system which includes considerable amounts of nuclear and fossil fuel generating resources.

4. The people of the Pacific Northwest do not want some $220 million of additional capital investment in the rate base of the power rate schedules of the Pacific Northwest, which would increase the power bills of the area by not less than $13 million a year for the next 50 years.

5. If the Congress at this session wants to advance power development of the Pacific Northwest and provide flood control storage, they should take out the bills bottled up in committee providing for authorization and construction of Penny Cliffs and Bruces Eddy projects on the Clearwater River. These two projects will give local flood control, flood control on the lower Columbia River, and will store water that would otherwise be spilled, which will increase the energy output both at site and at downstream developments on the lower Snake and Columbia Rivers.

Yours very truly,

ARTHUR E. LANGLIE,
Governor, State of Washington.
ROBERT E. SMYLIE,
Governor, State of Idaho.
ELMO E. SMITH,
Governor, State of Oregon.

The PRESIDENT pro tempore. The time of the Senator from Arizona has expired.

Mr. THYE. Mr. President, I yield 5 minutes to the Senator from Vermont.

Mr. FLANDERS. Mr. President, I am opposed to the construction of the Federal dam on the Snake River because it is a steal and a giveaway of taxes taken from me and from my constituents and from millions of people in our country who are far removed to the east and to the south of the area in question.

Furthermore, I am opposed to the project because no public benefit would be derived from this steal and this giveaway. Let me correct myself. It is a steal, not a giveaway, because we can not give anything away unless we are willing to do so.

For what objective would my taxes go under the provisions of the bill? They would go for a Federal power project which would not return 52 percent of the profits that a private power company would return to the Government. Therefore, not only would I lose my own taxes at least in my own lifetime, but the country would lose 52 percent in taxes which the private company would pay for generations.

The region in which the dam would be built would lose more. It would lose heavy property taxes.

What would we get for this loss in taxes? We would get, first, a more expensive dam. It does not take anything more than a country contractor to know that full power for a high-head development in such a region is much more cheaply developed by building three small dams than by one great one. Of course, a great dam is more grandiose and more spectacular. It is something to write home about. It is something to put pictures in the newspapers about. However, it is not the kind of dam which is built by an organization that has to make a dollar earn a dollar.

Organizations which have to make a dollar earn a dollar are not public or Federal organizations, but private power companies, with a responsibility to those who invest in them and companies which are under the control of State commissions, and are required to pay 52 percent or more of their profits into the Public Treasury. Here is another point: What would be obtained from the high Hells

Canyon Dam would be only power, power pure and simple.

Flood protection, judged on the basis of experience with our small projects in the Northeast, should be provided by upstream dams. Then flood protection would be afforded not merely to the Columbia River territory below the dam, but also to the vast network of streams and irrigation developments and settlements which cover the Snake River Valley in the State of Idaho.

The idea of huge flood control dams has been abandoned in my section of the country, because the protection they afford is too limited. The way to provide flood protection is by building headwater dams. They also contribute a method of providing firm power.

We in the Northeast have had experience with floods. We have had experience with variations in power from fluctuations in streams. I can apply the little 2-foot rule we use in the Northeast to the enormous projects in the Northwest with complete confidence that the principle is the same. Firm power on the streams of New England is obtained by controlling the flow of waters near the stream source.

The PRESIDENT pro tempore. The time of the Senator from Vermont has expired.

Mr. FLANDERS. Mr. President, may I have 3 additional minutes?

Mr. THYE. I shall be glad to yield 2 additional minutes to the Senator from Vermont.

Mr. FLANDERS. In the instant case navigation is not involved. Only power is involved. That raises the question whether we are going to adopt a new principle, and say that power must now be developed by the Federal Government, and that private development of power shall be ruled out.

I do not believe the people of the country, I do not believe this body of legislators, are ready to commit the Nation to the principle that large power developments, uncomplicated by flood control, uncomplicated by irrigation, and uncomplicated by navigation, shall come within the scope solely and uniquely of the Federal Government. I oppose the establishment of any such principle.

Mr. MAGNUSON. Mr. President, will the Senator from Texas yield——

Mr. JOHNSON of Texas. Mr. President, if the Senator from Washington insists on using his time now, I shall be glad to yield; but I was hoping that the other side would bring down their time in proportion. I thought I had made it clear to the Senator from Washington.

Mr. MAGNUSON. Mr. President, I wish to inquire about the time.

Mr. THYE. Mr. President, does the Senator from Washington desire to speak at this time?

Mr. MAGNUSON. I wanted to inquire about the remaining time.

Mr. THYE. Mr. President, I yield 10 minutes to the Senator from Idaho [Mr. DWORSHAK].

The PRESIDENT pro tempore. The Senator from Idaho is recognized for 10 minutes.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Idaho yield to me for a moment, without the time being taken from him and with the understanding that he shall not lose his right to the floor?

Mr. DWORSHAK. I yield.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the passage of the Hells Canyon bill.

The yeas and nays were ordered.

The PRESIDENT pro tempore. The Senator from Idaho is recognized for 10 minutes.

Mr. DWORSHAK. Mr. President, last evening during the debate, and again a few minutes ago, the junior Senator from Oregon stated that there is no flood control in the Clearwater River and has attempted to embarrass the senior Senator from Idaho by pointing out that while he is opposed to the high Federal dam in Halls Canyon he has appeared recently before the Senate Public Works Committee to urge authorization of the Bruces Eddy dam project on the Clearwater River.

Last evening I made some brief remarks and pointed to the map which has been placed in the rear of the Senate Chamber. I should like to emphasize that possibly the junior Senator from Oregon may be justified in making that statement about flood control, because, for some unknown reason, the watersheds of the Clearwater River and of the Salmon River in Idaho do not appear on the map.

What kind of manipulation is this, Mr. President? The junior Senator from Oregon should know that in 1948, when there was a devastating flood in the Columbia River Basin causing the loss of many lives and much property in the Senator's own State, half of the water discharged by the Snake River and its tributaries into the Columbia River at Pasco, Wash., was discharged by the Clearwater River. Yet the Senator from Oregon states on the floor of the Senate that no flood control exists on the Clearwater River——

Mr. NEUBERGER. Mr. President, will the Senator from Idaho yield?

Mr. DWORSHAK. I yield.

Mr. NEUBERGER. If the Senator had listened to my speech he would know that I said there were less flood control benefits in Bruces Eddy than in Hells Canyon, and I stand by that assertion.

Mr. MAGNUSON. Mr. President, will the Senator from Idaho yield for half a second?

Mr. DWORSHAK. I do not have much time.

Mr. MAGNUSON. This is a map of the Army engineers. I wanted the RECORD to be correct.

Mr. DWORSHAK. I do not care whose map it is. I simply called attention to the map and the omissions.

Mr. President, when that flood occurred in 1948, one-half of the water discharged came from the Clearwater River, two-sixths from the Salmon River, and only one-sixth from the upper Snake River and its tributaries, which means that there was very little flood threat on the Snake River where about 20 reservoirs have been built to store water and control the flow.

I regret that the time is inadequate to touch upon all the aspects of the proposed Federal dam. Many speakers have alluded to the fact that in New York State, in other Eastern States, and in other sections of the country there are fish and wildlife groups favoring the Federal dam. Senators representing those States plead for full utilization of the water resources of the Snake River for the entire country. Oh, Mr. President, that is wonderful solicitude; but so far as I am concerned, I am interested in doing what is best for Idaho to utilize the water in the great Snake River watershed, because most of it originates in the southern part of my State.

Mr. President, I have received many dozens of telegrams and letters from various groups and representative organizations in Idaho opposing the high dam, but I shall not have time to read them into the RECORD. I wish to point out that one of them is from the Northwest Mining Association, which represents an extensive mining area and industry in northern Idaho.

We have been told about the attitude of the reclamation interests, and I should like to read a telegram from Guy C. Jackson, Jr., president of the National Reclamation Association. It is as follows:

JUNE 28, 1956.

Hon. JAMES E. MURRAY,
Chairman, Senate Interior and Insular Affairs Committee.
Hon. CLAIR ENGLE,
Chairman, House Interior and Insular Affairs Committee,
Washington, D. C.:

Last year Mr. C. Petrus Peterson, of Lincoln, Nebr., then president of the National Reclamation Association, appeared before the Subcommittee on Irrigation and Reclamation of the Senate Committee on Interior and Insular Affairs, and made a statement in opposition to the Hells Canyon authorization bill, S. 1333, on behalf of the directors of the National Reclamation Association of 8 Western States, including all 5 States in the Columbia Basin.

These eight States were Washington, Oregon, Idaho, Montana, Wyoming, Utah, South Dakota, and California.

Mr. Peterson's statement said in part, "We urge that the Federal Power Commission report be announced and that their findings and recommendations be accepted." These same directors of eight reclamation States have now requested me to reiterate on their behalf their continued opposition to S. 1333. The Federal Power Commission's three-dam proposal is the best comprehensive plan and the license makes full provision for complete protection of irrigation water rights; both present and future Congresses should abide by that decision.

GUY C. JACKSON, JR.,
President, National Reclamation Association.

That telegram reiterates the position which has been consistently taken by the National Reclamation Association.

Mr. President, I have here a statement by Fred M. Cooper, president of the Idaho State Reclamation Association. The statement reads as follows:

Idaho irrigation farmers representing over 2 million acres of irrigated land have been fighting against a Federal Hells Canyon project and its dangerous threat to irrigation water rights for 8 long years. Previously we fought the Columbia Valley Authority proposal to defeat for the same reasons. We

have appeared repeatedly before committees of the Senate and House to voice unalterable opposition to the Federal project. In all the years this matter has been before us, the position of the Idaho State Reclamation Association has been asserted time and time again by unanimous vote of our membership in our annual meetings.

All of the resolutions which have been adopted by the Idaho State Reclamation Association, year after year, in opposition to the proposed Federal project at Hells Canyon are on file in your office, and they demonstrate fully the position of irrigation farmers at the grass roots in Idaho.

As a member of the finance committee of the Idaho Senate, I have personally experienced the very serious problems of securing needed additional tax revenues for the State of Idaho and its subdivisions. Members of the State legislature are doing their best to avoid the imposition of a sales tax, which the people of the State do not want. But, Senator, we are up against the prospect of a sales tax unless other tax revenues can be found.

The development of power resources at Hells Canyon by the Idaho Power Co., which development has been underway for the past 8 months under terms of the Federal Power Commission license, will produce some $4 million annually in State and local tax revenues after its completion in addition to $6 million annually in Federal tax revenues. It would go a long way toward assisting the very serious problem facing our legislature.

The people of Idaho, and particularly the irrigation farmers of the State, are tired of being the pawns in the political chess game being played to aid and abet the political fortunes of a few public power fanatics from neighboring States. These people have no respect for State water rights, for the taxpayers' money or for the desires of the people of Idaho.

Speaking for the Idaho State Reclamation Association and its membership representing over 2 million acres of irrigated land, I urge the Senate of the United States to defeat S. 1333 or any similar legislation.

Mr. President, I should like to emphasize a telegram which I received recently from the Governor of Idaho, Robert E. Smylie. Should we assume that Governor Smylie reflects the sentiments of the people of Idaho in the Snake River Valley, or should we defer to the wishes of some of the representatives from far-removed States of the Union? Governor Smylie says in his telegram to me:

BOISE, IDAHO, *July 2, 1956.*

Hon. HENRY C. DWORSHAK,
United States Senator,
Washington, D. C.:

Pursuant to your request for my views with respect to S. 1333 which I understand is now pending before the Senate, I am happy to invite your attention to my sworn testimony on the bill before the Committee on Interior and Insular Affairs which appears at pages 3 through 6 of the printed record of the hearings. In that testimony I urged the committee to disapprove the bill and said that the bill would not, in my opinion, adequately protect Idaho's right to consumptive use of the waters of Snake River for existing and future agricultural development. That the Northwest needed kilowatts of power now and not at some future time after successive Congresses had reluctantly appropriated the money to build the massive project proposed by the pending bill. As you know, the project authorized by the Federal Power Commission in the canyon is now being built. It is in the best interests of Idaho, the Northwest, and the Nation to permit this development to proceed. Politically inspired interference at this late date serves no useful public purpose. If you desire to state my views to the Senate you may use the full text of the sworn testimony referred to above.

Sincerely,

ROBERT E. SMYLIE,
Governor of Idaho.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a telegram from Karl W. Jasper, president of the Northwest Mining Association.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SPOKANE, WASH., *June 26, 1956.*

Senator HENRY C. DWORSHAK,
United States Senate,
Washington, D. C.:

The Northwest Mining Association herewith reaffirms its declaration of policy adopted at its 1955 convention and again endorses the Federal Power Commission actions to date for power development of the Snake River and believes that proper and legal provision has been made for the Hells Canyon area of the Snake River. We therefore respectfully request your vigorous effort to defeat Senate bill 1333.

KARL W. JASPER,
President, Northwest Mining Association.

Mr. President, in the time remaining at my disposal, I wish to repeat some of the comments I made last night. For several years, efforts have been made to negotiate a compact among the seven States in the Columbia River Basin. A compact has been completed by the commissioners representing those States, and it is significant that the States of Idaho, Utah, and Nevada have already ratified that compact.

But when the representatives of the lower basin States in the Columbia area come into the Senate and plead that they are entitled to preferential consideration, I point out that the legislatures of Oregon and Washington have failed to ratify the compact. Is not that conclusive and persuasive evidence that, while professions are made on the part of the representatives of the lower basin States, those States have been unwilling, so far, to ratify the compact?

It is also noteworthy that the States of Idaho and Wyoming have already ratified another compact between those two States, thus insuring an equitable distribution of water in the upper watershed.

The PRESIDENT pro tempore. The time of the Senator from Idaho has expired.

Mr. KNOWLAND. Mr. President, I yield five additional minutes to the Senator from Idaho.

Mr. DWORSHAK. Two minutes will be sufficient.

Mr. President, I agree with my colleagues from the other States in the Columbia River Basin that efforts should be made to reach an understanding or an agreement providing for the safeguarding of the water rights and the preferential use of water in the upper watershed for consumptive uses, primarily irrigation. But the record is very conclusive and clear to the effect that, while efforts have been made to point out the need of building a high Federal dam in Hells Canyon, a compact has not been ratified.

In the face of that evidence, I think the water users and the other residents of the State of Idaho, which furnishes most of the water for the Snake River watershed, are justified in taking the position that they are unwilling to agree to the building of a Federal dam in Hells Canyon. It is recognized that the Federal Government has many rights, under decisions rendered by the Supreme Courts, which supersede States rights so far as the use of water on navigable streams is concerned.

The people of Idaho are entirely justified in opposing a high Federal dam, at least until such time as a compact has been ratified, because without a compact there is no safeguard or protection of the upstream rights to which our State is entitled.

Mr. President, there are many other alternate sites which could be used, not on the Snake River—where there are already 20 dams to store floodwaters—but rather on rivers such as the Clearwater, and downstream on the Snake River, where storage facilities could be used not only to store floodwaters, but also to firm up power in the downstream plants.

The PRESIDENT pro tempore. The time of the Senator from Idaho has expired.

Mr. KNOWLAND. Mr. President, I yield 15 minutes to the Senator from Utah.

Mr. WATKINS. Mr. President, the confusion which exists with respect to the figures claimed for the 2 programs—the high Hells Canyon Dam and the 3-dam proposal—and the colloquy emanating from both sides of the question as to figures which ought to be well known, illustrate better than anything I can imagine the necessity of doing exactly what Congress did in the days of Woodrow Wilson and Franklin Roosevelt, namely, to create an independent agency to sit down with experts and calmly go over all these matters, reconcile the figures, and come forth with the correct answer and a determination as between the Bureau of Reclamation and the Corps of Engineers with respect to the kind of program which should be adopted. That has been done before.

I have not heard anyone on the other side who has criticized the Federal Power Commission or who has said that it should be abolished. But if it is deliberately giving away $500 million or $1 billion worth of our property, it ought to be abolished tomorrow.

We cannot now rely upon the Federal Power Commission in the debate. The Commission is not going to make the decision, by reason of the bill. We shall try to make the decision in Congress.

The Hells Canyon reach of the Snake River is one of the best power sites remaining in this country. The comprehensive development of this stretch of the river is, therefore, important. Let us examine in this light the two proposals which have been made.

What are the facts regarding these two proposals? What is offered by the combination of the low dams against the high dam? What are the comparative costs? What will be the yield in power and other benefits?

The contracted cost reported by the Idaho Power Co. for the 3 dams is $133 million. I understand the actual cost will be even less than that, and the work is now underway. The work will be done by private capital. It will not come out of tax dollars.

Against this, consider the cost of $328 million for the high dam, to be financed entirely by the taxpayers of the 48 States out of the Federal Treasury, plus another $140 million for transmission lines, a staggering total of almost one-half a billion dollars.

If the project is constructed by private enterprise, not only will it cost the taxpayers nothing; it will also pay into the treasuries of the Federal and State governments approximately $10 million a year in taxes on future income. This will be divided into $6 million of annual revenue to the Federal Government and $4 million annually to the State governments.

This money will be available to lighten the tax burden of all citizens. Over a 50-year period, it would amount to $500 million.

The power head developed by the two plans—the low dams or the high dam—would be exactly the same—602 feet.

I have gone through these figures. I have worked with reclamation for more than 20 years; it was my field before I came to Congress.

The power yield would be roughly the same; a total of 783,400 kilowatts of installed capacity for the low dams as against 800,000 kilowatts for the high dam.

The three private dams would produce 605,000 kilowatts of dependable power as compared with 747,000 kilowatts of average dependable power for the high dam, including the downstream developments benefited.

The opponents of the development of the water resources of the Hells Canyon reach by private initiative have contended that the plan of the Idaho Power Co. does not assure the comprehensive development that is required. The Federal Power Commission made a long and searching inquiry into this matter. It heard scores of witnesses. It took thousands of pages of testimony. It held hearings on the license application for many months. The investigation covered all the questions and engineering principles involved. It did so in a calm judicial atmosphere.

In summary, let me note here that the Federal Power Commission found that the ratio of power benefits to power costs is greater for the 3-dam plan than for the Federal dam.

After careful consideration, the Commission also came to the conclusion that the power features of the Federal dam—despite a quarter of a billion dollars of added cost—"have no clear economic advantage over those of the 3-dam plan."

The Commission found that flood control, navigation, and recreation benefits will be provided "to about the same extent under either plan of development."

But let me emphasize again that the Commission stated that under the license for private development "these public purposes will be realized without expense to the United States."

Of the 2,300,000 acre-feet of flood control storage that is deemed desirable on the Snake River, Brownlee alone will provide more than 1 million acre-feet at no cost to the taxpayers. As the Senate knows, the construction of Brownlee is now well under way. Thus the private development which is moving forward is wholly consistent with the Army's plans for controlling floods on the Columbia River.

Let me emphasize also that the FPC license guarantees full upstream water right protection, both for existing irrigation and for future reclamation development. If the Idaho Power Co. does not accord to that guarantee, the license can be canceled.

The Federal Power Commission found specifically that the 3-dam proposal is "best adapted to a comprehensive plan of development as required by section 10 (a) of the Federal Power Act."

This, in its own words, is the conclusion reached by the Commission—and it is our Commission, not a Commission dominated by the administration; it cannot take orders and does not take orders from the administration, but only from Congress:

> It is our judgment that the United States itself should not undertake the development of the water resources of the Hells Canyon reach of the Snake River.

Full development is admittedly the guiding principle of the Federal Power Act under which the Idaho Power Co. received a license to proceed with its 3-dam plan.

Section 10 (a) of this legislation provides that any license issued must be "best adapted" to a comprehensive plan of development. It may be said, therefore, that the basic purpose of the act is to encourage non-Federal development of water resources under conditions which assure comprehensive planning and full development.

The principal difference between the plan for Federal development, which we have before us, and the proposal of the Idaho Power Co., which has been approved by the FPC, is simply this: The high dam would provide 3,900,000 acre-feet of storage as compared to about 1 million acre feet which would be provided by the company's three dams.

On this key point the FPC declared:

> We are convinced from the record that the provision of such storage should not be a problem from the standpoint of the availability of other sites.

There are other grave considerations here which must be borne in mind by all of us in considering this proposed legislation.

Since issuance of the Federal Power Commission license on August 4, 1955, the Idaho Power Co. has proceeded to fill its part of the bargain, placing complete reliance on the word and the intentions of the Federal Government.

On November 3 of last year, the FPC approved plans for the construction of the Brownlee and Oxbow Dams. This was based on the prior approval of the Army engineers.

On November 9, an $87 million construction contract was signed with the builders. Work started the following day. The Brownlee Dam is scheduled for completion by November 1958.

That is a long time ahead of when the Federal project would be completed. I have had experience in that field. One small project in Utah was started in 1936, and it is not finished yet. That is being done by the Bureau of Reclamation.

We now face a situation where we are being asked to halt and scrap a project on which millions of dollars of construction has been expended as of June 15.

Over $9 million in equipment has been ordered and is in the process of manufacture.

More than 700 men are at work on the project, and the number is soon to be increased to 1,100, with a $600,000 monthly payroll.

At the Brownlee Dam, a 2,600-foot diversion tunnel has been completed; cofer dams are nearing completion; dam abutments are well underway; concrete mixing plants are in operation; access roads are completed; a $200,000 interstate highway bridge across the Snake River has been completed; and construction camps and outbuildings, including family housing and trailer parks, are completed.

At Oxbow, a $250,000 operators and construction village is nearing completion, and preliminary construction work has been started.

The implications of these facts are indeed enormous.

Beside the question of the Government's integrity, there is the very real hazard of vast damage actions and endless litigation in what we are being asked to do.

Mind you, Mr. President, this company was required, by the license issued by the Federal Power Commission, to get busy and to get it done by 1958.

There is another deadly serious point that we cannot escape: By abrogating the existing license, the bill we are considering would reverse the important national policy of development by non-Federal licensees whenever consistent with the general standards of sound resource use set forth by the Federal Power Act.

This national policy is not new. It has a long and distinguished history. It was first proposed, indeed, by Theodore Roosevelt early in this century. It was adopted by Congress in 1920, when the act was first enacted, during the Wilson administration. It was reaffirmed in 1935, when the original Federal Water Power Act was reenacted, during the administration of Franklin Roosevelt.

Another vital objection to the pending bill arises from the fact that no interstate compact apportioning waters between upstream and downstream areas in the Columbia River Basin has as yet been agreed upon.

The economy of Idaho, we know, is particularly dependent upon the future extensive irrigation developments, which will necessarily require greatly increased depletion of the waters of the Snake River upstream from the Hells Canyon reach.

It is understandable, therefore, and should be carefully noted by all of us, including especially those who have done so much to advance the development of

the West through their support of sound reclamation programs—and I claim to be one of those who has been interested in such programs for many years—that many of the people of Idaho are gravely concerned about the irrigation problem thus posed. The absence of a compact establishing rights to future upstream depletions, they feel, makes the high dam a direct threat to their plans and hopes for a balanced program of irrigation projects.

Still another compelling consideration which should lead us to reject S. 1333 is its violation of both the spirit and intent of the O'Mahoney-Millikin amendment to the Flood Control Act of 1944.

This amendment requires submission of proposed projects to the governors of affected States for comment before their submission to Congress for authorization. The purpose of this requirement is clear. It attempts to give the States of the West a real voice in the planning and development of the water-resource projects which concern the West.

If the law means anything, if we mean what we say about consulting the local people who are most affected, the States must not only be consulted, but their views should be given the full hearing and full weight which they deserve.

The Governor of Oregon has opposed the high dam. The Governor of Washington has opposed the high dam. The Governor of Idaho has opposed the high dam. They are the men who, under the Millikin-O'Mahoney amendment, would receive notification and an outline of the plans.

Thus all the States most immediately affected have made clear and emphatic their unanimous opposition to the Federal development plan.

I may add that Utah has a small interest in the Columbia. We are members of the compact commission. We also have objected to it.

In view of this, it is difficult for me to understand how this Congress can choose arbitrarily to override the pledge of cooperation which is implicit in the O'Mahoney-Millikin amendment, and which underlies, I believe, the type of sound approach which should distinguish our consideration of this vital matter.

One of the great newspapers of the Northwest felt constrained to comment recently on this present drive to push through an authorization of a Federal Hells Canyon Dam at this session.

I can think of no better way of closing than to quote briefly from that expression.

The newspaper was the Oregon Journal, published in Portland, the heart of the area which is supposed to be burning with a desire for this legislation.

This is what the Journal stated editorially on June 22:

> What must be borne in mind is that even if a high Hells Canyon Dam is authorized, authorization doesn't mean construction. It could be years before any money is appropriated. This has been the experience with many other projects in the Columbia Basin. And even after the go-ahead, construction would require 6 to 8 years.
>
> Meanwhile, Idaho Power Co. is proceeding with the building of Brownlee Dam. If it is not stopped, it will be producing power from Brownlee in the summer of 1958. This dam is expected to yield 414,000 kilowatts and any of these not needed by Idaho Power will be fed into the Northwest power pool. Immediately upon Brownlee's completion Idaho Power will start construction on Oxbow and follow it with low Hells Canyon. * * *
>
> In our view the difference in power and flood control which high Hells Canyon would offer is not great enough to justify perhaps a 10-year delay in time and more than triple cost.
>
> Wouldn't it be wiser * * * to put the money high Hells Canyon would cost into other Columbia Basin projects which will furnish more effective flood control, and let Idaho Power get on with a project that will provide substantial benefits to the region?

It should be remembered that, going back into the history of appropriations for that purpose, Washington and Oregon have now had one-seventh of the flood-control appropriations made for the the entire United States. Those two States have not been neglected at all. In the matter of reclamation, they have had one-fifth of the appropriations made for that purpose. It is about time other States in the country besides States in the Northwest had a chance to get some of the reclamation dollars and flood-control dollars.

Mr. KNOWLAND. Mr. President, I yield 1 minute to the senior Senator from North Dakota.

Mr. LANGER. I thank the Senator from California for his kindness, because I am on the other side of this question.

Mr. President, I have received hundreds of letters and telegrams on the Hells Canyon issue. I have received communications from practically every REA cooperative in my State, and I have also received letters from citizens. I am not putting all the communications into the RECORD, but I am merely asking unanimous consent that some of the communications which I have selected from the mass of correspondence I have received from REA's and distinguished citizens be printed in the RECORD at this point.

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

SELFRIDGE, N. DAK., *July 18, 1956.*

Senator WILLIAM LANGER,
Washington, D. C.:

Favor passage of Senate bill No. 1333. Please vote for it.

Mr. and Mrs. RICHARD SEIFERTH,
Mandan, N. Dak.

MCVILLE, N. DAK., *July 18, 1956.*

Senator WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

We as a local of 120 members of the Farmers Union would urge that you support the Hells Canyon bill 1333.

E. J. OPHAUG,
President.

ANETA, N. DAK., *July 18, 1956.*

Senator WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

Your support of House bill 1333 is very important which I am sure you realize.

SELMER BERGH,
Hatton, N. Dak.

MINOT, N. DAK., *July 18, 1956.*

Senator WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

Please use your influence and support for passage of Senate bill 1333 for high Hells Canyon Dam as it would benefit our Nation much more than three low dams privately owned.

DAIL MOFFITT.

COGSWELL, N. DAK., *July 19, 1956.*

Hon. Senator WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

The Bowen local of the Sargent County Farmers Union of North Dakota at its regular meeting voted unanimously to urge you to support the Hells Canyon high level legislation.

OSCAR WAHLUND,
Legislative Director.

WATFORD CITY, N. DAK.,
July 16, 1956.

Senator WILLIAM LANGER:

Do everything in your power to save for our Nation its greatest natural power and irrigation site Hells Canyon Dam.

MCKENZIE COUNTY, N. DAK., FARMERS UNION,
GUNTHER HARMS, *President.*
OLUF ERICKSON, *Secretary.*

WILLISTON, N. DAK., *July 18, 1956.*

Senator WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

Urge your favorable vote and utmost effort on behalf Federal Hells Canyon Dam legislation.

SIGRUD BROEGGER,
Vice President, Williams Electric Co-op, Inc.

COLUMBUS, N. DAK., *July 18, 1956.*

Senator WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

We urge your support of Hells Canyon legislation. Thanks for your wire of 16th.

LLOYD LARSON,
Manager, Burke Divide Electric Co-op.

WILLOW CITY, N. DAK., *July 18, 1956.*

Senator WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

Bottineau County Farmers Union Board in session July 17 strongly urge your support of Senate bill 1333.

JERROLL ERICKSON, *President.*
ALDA FRASER, *Secretary.*

DAZEY, N. DAK., *July 18, 1956.*

Hon. WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

We urge your support and vote for Senate bill 1333.

BARNES COUNTY FARMERS UNION,
DONALD ANDERSON, *President.*

WILLISTON, N. DAK., *July 16, 1956.*

Hon. WILLIAM LANGER,
Senate Office Building,
Washington, D. C.

DEAR BILL LANGER: We urge your support of bill 1333, high Hells Canyon Dam.

ALVIN ANDERSON,
Chairman, Williams County Farmers Union.

BOWMAN, N. DAK., *July 16, 1956.*

Senator WILLIAM LANGER,
Washington, D. C.:

We urge your support and vote on Senate bill 1333.

MORRIS NELSON,
President, Bowman County Farmers Union.

GRAND FORKS, N. DAK., *July 16, 1956.*
Hon. WILLIAM LANGER,
United States Senate,
Washington, D. C.:

We urge your strongest continued support of Federal development of the Hells Canyon site in order to obtain the maximum all-around development of this great natural resource.

BOARD OF DIRECTORS,
North Dakota Rural Electric Co-op.

LISBON, N. DAK., *July 16, 1956.*
Senator WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

Private power will get $300 million gift or tax writeoff on three small Hells Canyon dams and no flood control or soil conservation. One high Government dam will develop 1,100,000 kilowatts of electricity and cost plus 2 percent interest will be paid as are all Government dams by sale of power at a lower cost than private power which will permit development of immense phosphate deposits in the West as well as giving flood control over 3,800,000 acres. Vote for public Hells Canyon dam.

W. R. HUMPHREY,
Legislative Director, Ransom County Farmers Union.

KLUM, N. DAK., *July 16, 1956.*
Senator WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

On behalf of the 860 members of the Dickey County Farmers Union I would urge your support of a high Government dam for Hells Canyon which will give added flood protection and much needed low cost hydro-electric power for that area.

DICKEY COUNTY FARMERS UNION,
GOTTLIEB HARTMAN, *President.*

BOTTINEAU, N. DAK., *July 16, 1956.*
WILLIAM LANGER,
United States Senator,
Washington, D. C.:

Reurtel Hells Canyon legislation. North Dakota Associated Electric Cooperatives and North Central, respectfully seek your support in the passage of this legislation reiterating policy of full development resources electric energy for both agriculture and industry. Personal regards.

MEL SCHMIDT,
Manager, North Central Electric Co-operative.

DICKINSON, N. DAK., *July 16, 1956.*
Hon. WILLIAM LANGER,
United States Senator, United States Senate Building, Washington, D. C.

DEAR SIR: We highly favor Federal development of the Hells Canyon site on the Snake River and pledge our wholehearted support and endorsement to Senate bill 1333 and its companion bill in the House introduced by Representative PFOST.

WEST PLAINS ELECTRIC COOPERATIVE,
A. L. SHJEFLO, *Manager.*

JAMESTOWN, N. DAK., *July 16, 1956.*
Hon. WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

Steele County Farmers Union membership of over 600 families urge your support for Senate bill 1333.

WALDO LUGABILL,
President, Steele County Farmers Union.

NEW ENGLAND, N. DAK., *July 16, 1966.*
Senator WILLIAM LANGER,
Washington, D. C.:

We strongly urge your support of the Hells Canyon bill, S. 1333.

SLOPE ELECTRIC CO-OP, INC.

FLASHER, N. DAK., *July 17, 1956.*
Senator WILLIAM LANGER,
United States Senate Building,
Washington, D. C.:

The board of directors of this cooperative favors the development of the power resources of the Hells Canyon project and urge your support in passing of legislation in its behalf.

Regards.

MOR GRAN SOU ELECTRIC CO-OP, INC.,
WALLACE TIMPE, *Manager.*

GARRISON, N. DAK., *July 17, 1956.*
Senator WILLIAM LANGER,
United States Senate,
Washington, D. C.:

McLean Electric Co-op, Inc., urges your support of Senate bill 1333 authorizing the high Federal dam at Hells Canyon.

BOARD OF DIRECTORS, MCLEAN ELECTRIC CO-OP, INC.

LANGDON, N. DAK., *July 17, 1956.*
Senator WILLIAM LANGER,
Washington, D. C.:

Board of directors, Cavalier Rural Electric Cooperative, Inc., Langdon, N. Dak., urges your vote for passage of following measures: H. R. 11477, Buckley bill; H. R. 412 and S. 300, Millikin-Chenoweth bills; H. R. 4648 and S. 1333, Morse-Pfost bills; H. R. 9664, Trimble bill; and H. R. 2061 and S. 4146, Gore-Holifield.

JOHN RIDLEY,
President.

RUGBY, N. DAK., *July 17, 1956.*
Senator WILLIAM LANGER,
Washington, D. C.:

We urge a "yes" vote on Senate bill 1333.

PIERCE COUNTY FARMERS UNION,
JESSE SAND, *Secretary.*

STANLEY, N. DAK., *July 14, 1956.*
Hon. WM. LANGER,
United States Senate Building,
Washington, D. C.:

Representing 1,800 members of this electric cooperative we highly endorse Senate bill 1333 authorizing a high Federal Hells Canyon Dam and respectfully request your full support.

Mountrail Electric Cooperative, Inc.,
Board of Directors: William Erickson, Leonard Texel, Silas Anderson, Albert J. Fox, Freeman Sand, Leonard Erickson, E. M. Berg, Albert Kjellberg, Clifford Olson.

WILLISTON, N. DAK., *July 14, 1956.*
Senator WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

We urge immediate enactment of the bill creating a Federal Hells Canyon Dam. North Dakota Association of Rural Electric Coops yesterday adopted resolution strongly urging passage of this bill. Best of luck.

S. A. FORSETH.

HUNTLEY, MONT., *July 16, 1956.*
Senator WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

Pending power shortage makes imperative maximum development of all hydro power sites. Request your continued support Senate bill 1333.

YELLOWSTONE VALLEY ELECTRIC COOPERATIVE, INC.,
ED C. BROWN, *President.*

LA MOURE, N. DAK., *July 16, 1956.*
Senator WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

Request your support for Senate bill 1333.

LA MOURE COUNTY FARMERS UNION,
W. J. MANGIN, *President.*

MOHALL, N. DAK., *July 17, 1956.*
Hon. WM. LANGER,
Senate Chamber, Washington, D. C.:

We urge the passing of Senate bill 1333, the Hells Canyon bill for a high dam. Please support and vote for this bill.

RENVILLE COUNTY FARMERS UNION,
SIG GULLICKSON, *Secretary.*

LINTON, N. DAK., *July 17, 1956.*
Senator WM. LANGER,
United States Senate,
Washington, D. C.:

Members of county organization request and urge your support Hells Canyon bill No. 1333.

EMMONS COUNTY FARMERS UNION,
ROY B. VETTER, *President.*

WATFORD CITY, N. DAK., *July 17, 1956.*
Senator WILLIAM LANGER:

The Board of Directors and the 2,000 members of the McKenzie Elec Co-op urge you to give your support to the Hells Canyon bill coming up in the Senate this week. We would appreciate anything you can do on its behalf.

MCKENZIE ELECTRIC CO-OP,
HOWARD L. HANSEN, *Manager.*

BISMARCK, N. DAK., *July 16, 1956.*
Hon. WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

Association's delegates unanimously adopted following last Friday. Your support on same much appreciated:

"Whereas the FPC decision on Hells Canyon threatens to cause the loss of a half million kilowatts of capacity and raise the cost of the resulting power from 2.5 to 7 mills: Now, therefore, be it

"*Resolved*, That Congress pass the Morse-Pfost bill for the Federal Hells Canyon project, thereby reiterating a Federal policy of full development of resources, provide a million kilowatts of capacity to generate at 2.5 mills per kilowatt-hour, power for the development of agriculture and industry, for national security, and provide for manufacture of low-cost phosphate fertilizer for all farmers."

Letter follows.

R. G. HARENS,
North Dakota Association of Rural Electric Cooperatives.

WASHINGTON, D. C., *July 16, 1956.*
Hon. WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

Senate approval of the Hells Canyon bill, S. 1333, is of vital importance to the industrial future and national defense of the United States. To meet enormous increase in future power requirements of our country we shall need maximum possible development of all our energy resources. We cannot afford to foreclose forever the full development of the Hells Canyon power potential by surrendering this site to a private project which will develop only 60 percent of the available power. Loss of this power will entail the loss of countless job opportunities. This issue is not public power versus private power. The issue lies between conservation and waste of priceless and irreplaceable natural resources. At a time when American world leadership is being challenged by the rise of Soviet industrial power, such waste

and destruction of this great natural resource is even more inexcusable. I cannot believe that the United States Senate will fail to make its decision firmly on the side of the national interest and I ask your support for S. 1333.

WALTER P. REUTHER,
President, United Automobile Workers.

JAMES VALLEY ELECTRIC COOPERATIVE, INC.,
Edgeley, N. Dak., July 16, 1956.

Senator LANGER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR LANGER: Your wire of July 14 received. Thank you.

Would like to inform you that we have gone on record as an organization, member and board action, to back the Hells Canyon Morse-Pfost bills, H. R. 4648 and S. 1333.

We wish your consideration and vote on the following bills: Senate bill 300—the Millikin-Chenoweth bill authorizing the Fryingpan-Arkansas project to provide irrigation and power. Also Senate bill 4146 known as the Gore-Holifield atomic-power-development bill.

Thanks again for your support and friendship to the cooperative and as a personal friend.

Sincerely,

D. D. MCCHESNEY,
Manager, James Valley Electric Cooperative, Inc.

REQUEST FOR COMMITTEE MEETING DURING TODAY'S SESSION OF THE SENATE

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from New Mexico [Mr. ANDERSON] may be allowed time to request permission for a committee meeting; and that the time required for the making of the request shall not be charged to either side.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The Senator from New Mexico is recognized.

Mr. ANDERSON. Mr. President, I ask unanimous consent that immediately following the final vote on the Hells Canyon Dam bill, the Committee on Interior and Insular Affairs may meet to consider nominations.

The PRESIDENT pro tempore. Is there objection?

Mr. JOHNSTON of South Carolina. Mr. President, I object.

The PRESIDENT pro tempore. Objection is heard.

Mr. JOHNSON of Texas. Mr. President, I yield 2½ minutes to the Senator from New Mexico [Mr. ANDERSON].

When the Senator from New Mexico has concluded, I shall yield 2½ minutes to the Senator from Tennessee [Mr. KEFAUVER].

Mr. ANDERSON. Mr. President, in 2½ minutes it is impossible to develop any detailed argument in reference to the bill. But let me point out that hearings in connection with the bill were held in the field for several days. The hearings in Washington were begun on May 2. It was my privilege, as chairman of the Committee on Irrigation and Reclamation, to conduct the hearings.

At the very beginning of the hearings, we obtained a statement from Dr. Paul Raber, the Bonneville Power Administrator. In his statement, he pointed to the Columbia River system, and said that 2 great dams had been completed but 10 were uncompleted. He said that the next logical step in the development of the system was the construction of the Hells Canyon storage and power project. After the long hearings had ended and after other witnesses also seemed to be in agreement with that statement by Dr. Raber, I agreed with his statement. At the hearing, more than 1,000 pages of testimony were taken—in fact, 1,365 pages.

Mr. President, if we are to have any respect for the testimony which was given by witness after witness, then at least my impression is that the high dam should be built.

Dr. Raber also stated that:

> Hells Canyon is a key structure in the control and utilization of the waters of the Snake River.

We had other testimony from Mr. E. L. White, area engineer of the Bureau of Reclamation, at Boise, Idaho.

We also received the testimony of Mr. John R. Riter, Chief Development Engineer of the Bureau of Reclamation, at Denver, Colo. Incidentally, his testimony was that the benefit rate in the case of Hells Canyon Dam is 1.69 to 1. A few days ago I stood on this floor and urged the passage of the bill relating to the Arkansas-Fryingpan project, in Colorado. That project has a benefit ratio of 1.50 to 1. So Hells Canyon Dam is really a better project than the Arkansas-Fryingpan project.

At the hearings on Hells Canyon Dam we also received the testimony of Mr. Cecil I. Hoisington, Chief of the Estimates and Analysis Branch of the Bureau of Reclamation.

We also received testimony from a witness who interested me very, very much, indeed. I refer to Mr. Lynn Crandall, Snake River watermaster for the State of Idaho. We asked him how long he had been there; and he testified he had been there since 1910.

I said to him:

> That is quite a while. Are you familiar with the river?

He certainly indicated that he was fully familiar with the river.

I wished to ascertain from him—the watermaster of the Snake River, for the State of Idaho—whether he thought there was an adequate water supply for the Hells Canyon project. That testimony by him is in the hearings.

Mr. President, there is a good deal to be said about the fact that the Federal Power Commission granted the request for the private dams. But the examiner who went there and looked it all over, and took thousands of pages of testimony, testified that he would have favored the high dam; but he said, "Congress will never authorize it. Therefore, I have gone to the next alternative."

Mr. President, I do not know who brought him his crystal ball; but I think he should have waited until Congress had made up its mind.

This is the first time Congress has had a chance to make up its mind regarding this project. If the examiner had known that Congress would be passing upon it in a very short time, I question whether he would ever have made a recommendation for the private power dams.

Mr. President, this project will provide, at the main dam, 27 million acre-feet of storage for control purposes; that was stated by the examiner. This project is an integral part of the Columbia Basin development.

Only after the hearings had been concluded, did I arrive at the conviction that the bill should be passed and the dam should be built.

The PRESIDENT pro tempore. The time yielded to the Senator from New Mexico has expired.

Mr. JOHNSON of Texas. Mr. President, at this time I yield 2½ minutes to the Senator from Tennessee [Mr. KEFAUVER].

The PRESIDENT pro tempore. The Senator from Tennessee is recognized for 2½ minutes.

Mr. KEFAUVER. Mr. President, in voting on S. 1333 we shall be deciding an important part of America's future. No room is left for serious, sincere, and informed doubts as to which is the best way to develop the great potential resource which is the Hells Canyon reach of the Snake River. If proof of this is needed, it is only necessary to look at the reports of the Senate Interior Committee and the minority views on S. 1333. For sheer poverty of substantive content and substantial argument, the 4 pages of the minority views would be hard to equal; whereas the 53 pages of the majority report and individual views are packed with facts justifying the construction of this great project in the national interest.

One method of development of Hells Canyon will provide full utilization of this magnificent resource. The other method will result in the positive destruction of more than half of it, and will unquestionably decrease by 90 percent the long-term indirect benefits to the Nation which could result from this great gift of nature.

Mr. President, I think it is time for the Congress to ask itself who is urging it to destroy such a resource in this manner, and what reasons are given to justify such an act. The answer is that those who are asking us to do this terrible thing are:

First. The monopoly utility which rules southern Idaho with an iron hand;

Second. The great octopus of loosely federated private utilities which would dominate our political and economic life, and may yet succeed in doing so unless their depredations are stopped; and

Third. Individual men within the present administration who, because of their close relation with the private utilities, or because they have been misled and ill advised, are fighting the battle of the private power companies against the interests of the people of the United States.

How has this been done? We really do not yet have all the answers to that question, but some day they will be spread on the record. Some day the complete story will be told, and on that day I should not like to be listed among those who aided and abetted such actions.

What reasons are given us for committing such an act against the interests of our Nation?

We are told that we must not have "subsidized power," and that development by the only method which can give full development would be socialism.

Is power production subsidized, when every cent invested in the power facilities is repaid to the investor, with interest, by the consumers of the power produced?

Is it socialism to stand for the principles of full development which have been developed in this country over the past half-century? If it is, most of the greatest men of the 20th century stand as self-confessed full-resource-development Socialists.

But what has happened in this country when the great majority of the elected representatives of an entire party can be paralyzed by the use of such scare words into unthinking inaction? What has happened to the great traditions of Theodore Roosevelt and Gifford Pinchot, the Republican leaders who gave us every fundamental principle of resource conservation which we cherish today? Where, among my colleagues across the aisle, are the men and women who today can claim kinship with Charles McNary, Robert La Follette, George Norris, William Borah, and Hiram Johnson? Is this the party of the great President who said only 4 dozen years ago:

> Every stream should be used to its utmost. No stream can be so used unless such use is planned in advance. When such plans are made, we shall find that, instead of interfering, one use can often be made to assist another. Each river system, from its headwaters in the forest to its mouth on the coast, is a single unit and should be treated as such.

Or, perhaps more pertinently, is this the party of the President who on April 12, 1956, signed into law the bill to authorize the Colorado River storage project, and said:

> This bill represents what I believe in—treating a whole river valley as a unit, as a whole thing. It goes from top to bottom. It recognizes one thing which is also true—that water is getting to be our most valuable resource.

Mr. President, there is a top-to-bottom plan for the Columbia Basin, too—the famous "308 report" by the Corps of Engineers. The same Bureau of Reclamation engineers who went "top to bottom" to plan and design the upper Colorado project, participated in the work on the "308 report" and designed Hells Canyon Dam from top to bottom, and have repeatedly testified to the great superiority of it over the low-dam plan for Hells Canyon.

It is no secret, Mr. President, that the pressure from the White House on Members of this body against this bill has this week reached a pitch unequaled in this Congress. How can this be? What has happened to the Republican leadership? Is the prestige of the Presidency being thus perverted to serve the special interest of the private utilities, against the interest of the people of the Nation and its future?

And, accepting this, is the power of the Executive being so cynically abused as to ask Members of this body to ignore the interest of the Nation in supporting one private utility?

Is the President aware of this? Does he condone it?

The PRESIDENT pro tempore. The time yielded to the Senator from Tennessee has expired.

Mr. JOHNSON of Texas. Mr. President, I yield an additional minute to the Senator from Tennessee.

The PRESIDENT pro tempore. The Senator from Tennessee is recognized for an additional minute.

Mr. KEFAUVER. I thank the Senator from Texas.

Mr. President, recently we have seen, in the case of Dixon-Yates versus the American people, how far the private utilities will go to achieve their ends, through their own agents planted within the executive branch.

But what is the whole truth of the Hells Canyon case, in which the phrases of "free enterprise" are being pressed into service as a front for the efforts of a monopoly utility to cram down the throats of the American people a plan for less than 50 percent development of one of our greatest river resources?

How far will the private utilities go? In their thinking is there no room for considerations of the public interest? No institution in a free democracy can thus repeatedly defy the public interest and not know a day of retribution; and if that day ever comes in this country—and it will come—the monopoly utilities will have done more to destroy the institution of free enterprise within their own industry than all the Socialists in the world could ever do.

This is the shame of it. Hells Canyon's defeat would not be just a fiscal shenanigan—a hoax which, when revealed, would cost the Nation only a few million dollars, at worst.

If S. 1333 is defeated, Hells Canyon will stand forever as the Nation's prime example of underdevelopment; it will stand as the symbol of the positive destruction of a great resource, as the loss of thousands of job opportunities and hundreds of millions of dollars in income to the Nation.

Hells Canyon is not an issue which will pass from the public scene with the rendering of a court decision, because low dams, pygmy dams, inadequate dams in Hells Canyon will stand for decades or centuries as permanent monuments to a wasted resource.

I say to my colleagues today:

Consider well your vote on this great issue, for tomorrow's historians will measure the stature of today's Senators by the stature of the dams they voted for—by the vision they showed and the degree of statesmanship which controlled their actions on this issue.

Let us not today destroy the dream of the world's second highest dam. Let us act in the traditions of the great men of both parties of this Nation.

Mr. KNOWLAND. Mr. President, I yield 10 minutes to the Senator from Idaho [Mr. WELKER].

The PRESIDENT pro tempore. The Senator from Idaho is recognized for 10 minutes.

Mr. WELKER. Mr. President, I wish to answer the Senator from Tennessee, by saying that it is remarkable, indeed, how his memory has been refreshed during the last few weeks.

When the Senator from Tennessee appeared, in the course of his campaign junket, in the capital city of Idaho, a few weeks ago, he was asked by a news reporter what he thought about the Hells Canyon Dam. The Senator from Tennessee replied that he did not know anything about it. With that statement, Mr. President, I agree; I do not believe the Senator from Tennessee does know anything about it.

Mr. President, much has been said in regard to the omission from the map used by the proponents of the bill the other watersheds that caused the damage to the Vanport area, at Portland, Oreg. I have on display, here in the Chamber, a map which was presented before the Federal Power Commission. The map shows not only the Salmon River and the Clearwater River, but also the Kootenay River. Mr. President, there is not 1 dam controlling floods upon any of those 3 vast rivers.

I wish to refer briefly to the legal argument made by the Senator from Wyoming [Mr. O'MAHONEY] with respect to how the water rights of the people of Idaho are to be protected. There was some inside baseball played in the majority report, on page 27. I ask the distinguished President pro tempore, who is a great jurist, to listen to this language and see if a justice of the peace in "Bay Horse," Ind., would render such a decision as this:

> As stated in the memorandum by Mr. Frank B. Horne, of the American Law Section of the Library of Congress Legisative Reference Service, at page 31 of the printed hearings, only a constitutional amendment can control the actions of future Congresses. However, the committee finds that the provisions of section 2 provide protection as complete and effective to both existing and future water rights valid under State law from any infringement by this project as it is within the power of Congress to give. No more effective amendment could be proposed.

Do Senators believe that an act of Congress could overule the Constitution of the United States, which the proponents admit, in the first instance, is governing? But they say, "We can take it away by an act of Congress. What Congress can give by an act of Congress it can take away the next day."

In opposition to Senate bill 1333 and the construction of the so-called high dam at Hells Canyon by the Federal Government, I should like to discuss the question of costs of the project.

We have heard a great deal about the cost of the proposed Hells Canyon Dam, but we have heard little or nothing about the total costs that S. 1333 would involve; and I want to point out that the Hells Canyon Dam itself is only a small part of it. There is far more to S. 1333 than the Hells Canyon Dam.

Let us see what else there is. If we look at S. 1333, we find that it also authorizes—

> The Scriver Creek power facilities of the Payette unit of the Mountain Home division, as described in the report of the Commissioner of Reclamation, approved by the Secretary on May 11, 1951.

We have heard very little about this part of the bill. These other features have been kept well hidden in the shadow of the monumental Hells Canyon Dam, but they are there, just the same, and they represent many more millions of dollars of additional cost. Remember that these facilities are directly authorized by S. 1333, in addition to the Hells Canyon Dam.

The Scriver Creek power facilities—committee print, page 415—include two more dams and reservoirs, two mountain tunnels, two powerplants, and all related facilities. The present cost estimate, after deducting the "nonreimbursable" costs, is $52,134,000. With less than 100,000 kilowatts of capacity, the cost of this power installation on Scriver Creek would average more than $521 per kilowatt of capacity.

That is high-priced power. Of course, it is not so high-priced as the Hells Canyon Dam and powerplant would be, where the 800,000 kilowatts, with transmission investment, would run about $625 per kilowatt, according to the figures of the Senator from Oregon [Mr. MORSE], committee print, page 453. Of course, as he said, those are just "round numbers" and if the Bureau's costs run "true to form," and are grossly underestimated, as my distinguished colleague, the Senator from Illinois, said in his address to this body on April 19, 1955, they usually are, then the actual costs may run "more than double the costs originally estimated by the Bureau of Reclamation"—CONGRESSIONAL RECORD, volume 101, part 4, pages 4634–4635.

But even that additional fifty-odd-million dollars for the Scriver Creek power facilities is not all the story. There is still more, believe it or not, in fact about $31 million more.

There is the Garden Valley Dam, reservoir and powerplant. Those are not authorized as such in S. 1333. Under the Commissioner's report approved by the Secretary of the Interior on May 11, 1951, these power facilities are "to be deferred for a future stage of development." What does that mean?

It means that here again we have the same typical method of getting Congress to authorize public works projects on a shoestring basis. Once started, when millions of public money have been spent, when it is too late to back out, the estimates go up, the projects are expanded, and before we know it the actual, inevitable cost runs "more than double the costs originally estimated," as the Senator from Illinois has so ably pointed out.

The Scriver Creek-Garden Valley power facilities present a typical example of how the system works. It is all clear in the record of the hearing, at pages 415–417. There are to be three generators at the lower Scriver Creek powerplant.

On the very face of it, the Bureau's report shows that one of these three generators will be dependent upon the construction of the Garden Valley facilities.

The $52 million Scriver Creek estimate to which I referred includes only two generators, only two-thirds of the plant's capacity. Does any Senator believe for 1 minute that the third generator is not to be installed? Does any Senator believe that the Garden Valley power facilities are not to be authorized and constructed, in order that that third generator at Scriver Creek can be installed? Of course not.

Do not think for 1 minute that the Bureau is going to sit quietly by with only two-thirds of a powerplant at lower Scriver Creek, or that Congress would not be forced to go along and, once started, complete the works.

If they do not give us the full story when they want appropriations, we owe it to the taxpayers of the Nation to find it out for ourselves, and act accordingly, and stop these everlasting drains on the National Treasury before they get started.

Let us see what the so-called Payette division power facilities are to cost. The information is in the record from a Bureau witness, on page 417 of the hearing record. The figure is $94,576,000.

It is also clearly stated, as I said a moment ago, that the added Garden Valley facilities are essential in order to "allow for the immediate installation at the lower Scriver Creek powerplant of a third 30,000-kilowatt generating unit."

It is time for Congress to insist that the estimators and these planners get all their cats out of the bag when they come here with their multi-million-dollar requests, and not leave it for Congress to search these things out of all the camouflage and underestimates with which we have had to contend.

Let us see, then, how much money is really involved in S. 1333. I take the Hells Canyon Dam first by itself, and I shall use the Bureau's own figures, as presented and summarized at the committee hearing by the distinguished senior Senator from Oregon, who authored the bill. Here it is, from page 453 of the hearing report:

Hells Canyon Dam and powerplant	$356,810,000
Transmission lines	144,274,000
Total	501,084,000

Slightly over half a billion dollars—"in round numbers," as the Senator from Oregon said. That is all.

But that is not all. Somebody conveniently overlooked the cost of interest during construction, which was not included in those figures. That is $26 to $27 million more, as appears from pages 451–52 of the hearing record. Now we are up to more than $527 million; and still that is not all.

As has been pointed out, in order to get these claimed downstream power benefits for Hells Canyon, we shall have to have to spend another $58,707,000 "to add additional turbines and generators at downstream dams."

Senators should not assume that that money will not be spent. With a super high-cost Hells Canyon power dam on our hands, the next Congress will be told how ridiculous it is not to average out the cost, so to speak, by spending some $58 million more in an endeavor to get our money's worth.

Now we are up to $527 million, plus $58 million—in "round numbers"—and we have a total of $585 million, for which S. 1333 will commit us.

But even that is not all. Do not forget Scriver Creek and Garden Valley. That cost is in the record too, at page 417. It is $94½ million, after deducting the nonreimbursables, whatever amount they may be.

So now we have $585 million for the Hells Canyon part of the project, plus $94 million for Scriver Creek and Garden Valley, or a total of $679 million for power alone involved in S. 1333.

Even that tremendous sum completely ignores the $230 million required for the contemplated irrigation development at $1,200 an acre. So we are really talking about a cost of more than $900 million—almost a billion dollars. Make no mistake about it; that is where S. 1333 would lead us. That is why I have heard Hells Canyon called the Northwest's "billion dollar baby."

Where is all this to end? As I have pointed out, it is the whole country that must pay for these subsidies on power—not merely 2 or 3 States where the benefits go. The industries in New England, around the Great Lakes, along the Atlantic seaboard, in the Ohio Valley, in California, and in the South; the farmers in the Middle West, and the Corn Belt, and the wheatlands of the Dakotas—the taxpayer everywhere will be forced, through Federal taxes, to buy some more competition for their own businesses, to make it just a little harder to pay their own bills, to make their own living.

This is no $356 million dam that we are talking about. That is only the "come-on." We are looking one billion dollars of taxpayers' money squarely in the eye; and if the Bureau of Reclamation is as inaccurate in its estimates as it has been in the past, the cost may well be a billion and a half or more before we are through.

I am opposed to this bill, as I am opposed to the Federal Government building the Hells Canyon Dam. The Federal Power Commission has issued a license for private development in the Hells Canyon area under the Federal Power Act. I believe that they know their business, and I accept their decision. Not only would the taxpayers be saved a tremendous cost; not only would several millions of tax revenues each year be obtained, but the Nation would be well rid of a long-standing controversy. For 6 or 7 years, while it has been a political football, legitimate power development has been held up, while power shortages occur every year and are fast becoming critical.

If we must spend Federal money in the Northwest, there are plenty of other sites—both for power and irrigation—where the controversy is less and the economics are better.

I invite attention of Senators to the map which the Federal Power Commission used and to the pictures made by the Reclamation Association of the State of Idaho 2½ months ago showing what private enterprise can do without the expenditure of a dollar of the money of the State or the Federal Government.

Senators will notice in the picture vast installations, warehouses, and hundreds of cars. As of this moment, 1,100 men are employed there daily.

There is an interstate bridge crossing the Snake River at this point, which cost a quarter of a million dollars. It was constructed by private enterprise, and not at the expense of the American taxpayers. Look at the winding road, which was necessary to bring giant equipment to the bottom of the deepest gorge on the North American Continent.

I say that the bill should be overwhelmingly defeated on its merits, as has happened so many times before in committee.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. KNOWLAND. How much time have I remaining?

The PRESIDENT pro tempore. The Senator has 14 minutes remaining.

Mr. KNOWLAND. I yield 10 minutes to the Senator from Wyoming [Mr. BARRETT].

Mr. BARRETT. Mr. President, seldom in recent years has any issue aroused such emotional nonsense as the Hells Canyon controversy. There are some who make themselves utterly ridiculous by claiming the Hells Canyon as President Eisenhower's big giveaway to the power trust. The President gave nothing away. Let us take a look at the facts. The Federal Power Commission is a creature of Congress. It is a bipartisan quasi-judicial Commission designed to determine on a fair and impartial basis the complexities of water power development. The tremendous demand for power in every State of the Union and the inability of either the Government through its huge tax-free hydroelectric generating plants or private enterprise's steam plants, or both for that matter, to supply that demand makes it relatively easy to interpose unwarranted and unjustified charges into a judicial hearing.

What did the administration have to do with the hearing on the Idaho Power Co. application for a license to build a powerplant on the Snake in Hells Canyon? Nothing at all. It simply did not throw any roadblocks in the pathway of that judicial body whose duty it was to arrive at a just decision by resorting to its own devices and without interference of any kind or character. The Federal Power Commission was designed by the Congress to do that job in precisely that way. How did the Commission handle the matter? Starting 3 years ago, the examiner conducted hearings for a full year. He took nearly another year to consider the evidence. He decided in favor of the Idaho Power application and the Commission, after further study rendered the same decision nearly a year ago. Mr. President, the matter was handled in an orderly manner.

The Federal Power Commission, after spending 44,000 man-hours in study and in hearing testimony which is contained in almost 20,000 printed pages, found that the comprehensive development of the Snake River by the 3-dam plan, as proposed by the Idaho Power Co., was the best plan in the public interest. This plan will cost the Federal Government nothing. In addition power would be available to the people in the area for whom it is intended much sooner than the proposed high dam.

Some people would have us believe that the Idaho Power plan is wholly inadequate and would preclude the proper development of the water resources on the Snake in that great canyon. How large are those three dams? The smallest is twice as high as Bonneville. The second is higher than Niagara Falls and the highest is more than 100 feet higher than the dome over this Capitol. Furthermore, there are 3 more good sites downstream from Hells Canyon and 3 more even farther down the river. So I submit, Mr. President, that the facts show clearly and conclusively that the plan approved by the Commission is a comprehensive plan that will utilize to the hilt the natural resources of that tremendous gorge.

It has been established that the 3-dam plan now under construction in the Hells Canyon reach of Snake River will cost about $154 million; that it will develop, including downstream increased generation, 675,000 prime kilowatts; that the cost of generation of the 3-dam plan at the sites will be 3.8 mills per kilowatt-hour; and that the cost per average kilowatt of output will be $280.

It has also been established that the cost of the high dam will vary from $405 million to $505 million; that it will develop, including downstream increased generation, 924,000 prime kilowatts that the cost of generation will be 2.7 mills per kilowatt hour; and that the cost per average kilowatt of output will be $640.

The difference between the prime kilowatts is 250,000. The difference in costs varies from $250 million to $350 million, depending upon what figures are used and what transmission elements are included. Thus, to provide the additional 250,000 kilowatts will cost from $1,000 to $1,400 per kilowatt. That is a high price, and certainly cannot be held to be justifiable. I believe that the true figures of costs will show the more economic development to be the three-dam plan and that the users of power will be the beneficiaries.

There is widespread propaganda to the effect that the Eisenhower partnership policy in water resource development is a radical departure from the old and accepted practice and policy. Nothing could be farther from the truth. In the first place, Mr. President, it seems to me that there is no reason for a public-versus-private power dispute. We need all the power that everyone, public and private, can produce to maintain our economy on a high standard. No sensible man proposes that the Federal Government "get out of the power business." There are projects too big for private enterprise. The partnership idea merely encourages and permits total cooperation in the responsibility for providing desperately needed power. Otherwise, we will experience crippling power shortages and brownouts.

The distinguished Senator from Utah [Mr. WATKINS] pointed out a few days ago that nearly one-seventh of the moneys appropriated for the civil works program and one-fifth of the total reclamation construction funds had been spent in the States of Oregon and Washington, and, in my book that constitutes a pretty sizable share of those appropriations. As a matter of fact, I agree that it is about time more consideration was given to other States.

The proposed Federal "high dam" at Hells Canyon flies directly in the face of fundamental concepts of Federal-State relationships enacted into law by the Congress in the Flood Control Act of 1944. Moreover, in the absence of a binding, effective Columbia Basin compact the project raises the spectre of interference with upstream appropriation of water for beneficial consumptive uses, including irrigation, upon the continuance of which the economy of the upstream area is squarely based.

When I was a Member of the House of Representatives in 1944 my colleague, the distinguished Senator from Wyoming [Mr. O'MAHONEY] and the distinguished Senator from Colorado, [Mr. MILLIKIN] rendered great service to the reclamation States by sponsoring an amendment to the Flood Control Act in order to give the States of the West an effective voice in the planning of Federal projects to utilize their water resources. The amendment known as the O'Mahoney-Millikin amendment, requires that all reports on proposed projects be submitted to Congress for authorization. The adoption of this amendment did not mean that projects were to be authorized by Congress which were opposed by all the affected States.

Mr. President, the Governors of Idaho, Oregon and Washington are all positively opposed to the proposed Hells Canyon high dam.

The development of power sites on Snake River, which is one of the large tributaries of the Columbia River System, is of primary concern to these States. I urge my colleagues to consider carefully the proposal contained in S. 1333 which would announce that this Congress would arbitrarily thrust aside any considerations of coordination with the affected States and capriciously reject the decision of the Federal Power Commission, an instrumentality of the Congress, and the agency charged by it with the determination of what development would best be in keeping with the principle of comprehensive development of the resources of the river basin for the benefit of the Nation as a whole.

I know of no reason why the views of these States should not be recognized when they are all in agreement that Hells Canyon Dam should not be authorized.

Secondly, Mr. President, I should like to emphasize the fact that the Columbia River compact, which Congress authorized to be negotiated in July of 1952, has not been ratified by the States of Washington and Oregon, nor obviously has it as yet been consented to by the Congress of the United States. Until this agreement is in effect no adequate protection is afforded upstream users against development of nonconsumptive downstream rights which will impair present or future upstream uses.

The Snake River rises in my State. The water of that river is stored in Wyoming and used in Idaho. We have a compact with our neighbor Idaho. We are protected against future needs of some of the water presently being used downstream. We think that Idaho too is entitled to the protection of the guarantee of a compact.

In the case of the Colorado River, it was not until the upstream area, the upper basin, was protected in its rights to future depletion, that the Congress authorized the construction of the downstream project. Hoover Dam, and then only with requirement that the United States itself be bound to observe the compact. Certainly, the upstream area of the Snake River Basin is entitled to the same protection before Congress considers authorization of a project which carries with it such a threat to the stability of irrigation water rights. I know of no precedent since the Flood Control Act of 1944 for the development of a multipurpose project on an interstate river, which project necessitates the full cooperation between the States in the river basin, without prior, mutual agreement for the protection of upstream users.

In conclusion, Mr. President, let me say that this is not a subject pertaining merely to public versus private development, this bill raises serious issues of the rights of our sovereign States to have a voice in the development of the West, and, more important, the decision of this Congress on this measure will represent a public announcement of the extent to which the expressions of the States will be given due weight and consideration. I am opposed to authorization of Hells Canyon Dam because the States affected have not agreed with one another concerning the division of the water in this stream and, above all, because, while these States have not reached an agreement with one another on the proposed compact, they have individually recorded their opposition to Hells Canyon Dam! That opposition comes from not only Idaho, the State in which the dam would be located, but also from Oregon and Washington, the downstream beneficiaries of any development on the Snake River. These primary considerations compel the conclusion that authorization of Hells Canyon Dam is not in the best interest of Idaho, it is not in the best interest of the States within the Columbia Basin, and it certainly is not in the best interest of the Nation.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a rebuttal of the figures in the table heretofore supplied in appendix E of the majority report on S. 1333.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

1. The majority report contains appendix E which purports to present the findings of the presiding examiner of the Federal Power Commission. The examiner's decision was issued on May 6, 1955. I think this appendix deserves an analysis because it does not show comparable data with respect to the two plans for the development of the Hells Canyon reach of Snake River, and several proponents have inadvertently repeated these erroneous figures. In the first place, the second paragraph of the appendix states that the committee has accepted certain cost figures for the high dam and the low dam. I do not believe this is a true statement. The committee may have considered these figures, but that does not mean that they deliberately accepted them.

2. With respect to some of the items in the table in this appendix, I wish to present, for the record, an accurate comparison of some of these values as reflected by the decision of the presiding examiner, the brief of the Commission staff counsel, the hearings before the Senate committee, and the opinion and order issuing license—of the Federal Power Commission, issued August 4, 1955. I hereby introduce this table at this point.

Corrected table for appendix E, S. Rept. No. 2275 (with S. 1333)

Item	High Hells Canyon Dam	Idaho Power Co., 3 dams
1. Power output (prime kilowatt)	924,000	675,000.
2. Power costs (per kilowatt-hour) at site	2.7 mills	3.8 mills.
3. Active storage (acre-feet)	3,880,000	1,000,000.
4. Flood control benefits (annual)	$2,300,000	$1,000,000.
5. Navigation benefits (annual)	$189,000	$108,000.
6. Recreation benefits (number annual visitors)	500,000 to 650,000	250,000 to 325,000.
7. Power revenues for aid to future reclamation	Yes, if Congress directs	Yes, if Congress directs.
8. Availability of power to entire region	Yes	Yes, required by FPC.
9. Development of phosphate fertilizer	No appreciable differences	No appreciable differences.
10. Development of electro-process industries	do	Do.
11. Cost of project (less transmission lines)	$309,472,000	$133,000,000.
12. Best plan		Approved unanimously by FPC.
13. Benefit-to-cost ratio	1.83 to 1	2.50 to 1 (see examiner's finding No. 151).

3. Item 1 of the table referred to, I believe, gives the correct estimate for the "nominal prime power" for the high dam; but for the low dam, the figure, 505,000, is the value for the at-site energy of the 3-dam plan coordinated with existing sources only of supply of the Idaho Power Co. The correct figure to use in this comparison is 675,000 kilowatts, which takes into account integration in the whole Northwest power pool as authorized, which includes 4 plants on the lower Snake and 4 plants on the Columbia downstream from the mouth of Snake River. These estimates, 924,000 and 675,000, are the averages computed by 3 engineers for the median of the period of pay-out for each plan. These 3 engineers were Mr. Riter, of the Bureau of Reclamation; Mr. McIntyre, of the Bonneville Power Administration; and Mr. Meadowcroft, of the Federal Power Commission. These data appear in the brief above mentioned. They do not vary greatly from information furnished the committee and printed by the committee in print No. 1–A, at pages 10 and 11. These estimates are based upon an assumed level of irrigation development in 1985, which is about the middle of the pay-out period for the plants.

4. Item 2 of the table in the appendix compares power costs per kilowatt-hour, but assumes at the site for the high dam and at the market for the 3-dam plan. The proper figure for the 3-dam plan, based on 675,000 kilowatts previously referred to, would be 3.8 mills against 2.7 mills for the high dam.

5. Referring next to items 7 and 8 of this table, there might be power revenue available for future reclamation if Congress decided so from either plan. That is to say, in 50 years after construction of the 3-dam plan it could be taken by the United States, or provision could be made then to apply certain earnings to the benefit of irrigation. In line 8, it is not true that the 3-dam plan does not make power available to the entire region. The requirement of the license is complete connection to permit full integration with regional transmission facilities. In the hearings before the Federal Power Commission, this connection was estimated to cost $21 million.

6. I do not need to comment on items 9 and 10 because we find that the power costs are about comparable, but I direct your attention to the figures given in item 11. The cost presented in the table of the 3-dam plan, which is about $176 million, was derived by the Federal Power Commission from testimony presented, for the purpose of comparing costs of power production of the 2 plans "assuming Federal construction and Federal financing." I note in the opinion and order of the Federal Power Commission of August 4, 1955, at page 22, the following statement:

"However, applicant has presented estimates of capital cost which are about 28 percent lower than the staff estimates. If the applicant can, as it claims, construct the project at a cost less than that estimated by the staff, then, of course, the economic feasibility of the project would be greater than we have indicated."

Twenty-eight percent of $176 million is about $32 million, deriving a cost of $154 million, which is what I have estimated as the cost, based upon the record of this case and on information in the record with the committee.

7. With reference to item 13 of the table, the Federal Power Commission finds that the benefit-cost ratio of the power output of the 2 projects is 1.75 to 1 for the high dam and 2.13 to 1 for the 3-dam plan. (See p. 19 of brief for the respondent, Federal Power Commission.) But, this benefit-cost ratio for the 3-dam plan is based on the estimate of cost of the overall project at $176 million, and not $154 million.

Mr. BARRETT. I yield back the remainder of my time.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the time being charged to either side. We have one more speaker on each side.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator withold his request, so that I may have 2 minutes yielded to me by the Senator from Washington?

Mr. JOHNSON of Texas. The Senator from Washington does not control the time. Does the Senator from Washing-

ton yield 2 minutes of his time to the Senator from Minnesota?

Mr. MAGNUSON. I do.

Mr. JOHNSON of Texas. I yield 2 minutes to the Senator from Minnesota.

Mr. HUMPHREY of Minnesota. Mr. President, in the very brief moments I have to discuss this issue, I wish to say that I am proud to be a cosponsor of S. 1333. I believe the measure is of the utmost importance for the long-term economic development of our country. I have noted in the brief statement which I have prepared that all the leaders of the major conservation groups in the United States are in support of this proposal for a high dam at Hells Canyon. I should like to call the attention of the Senate to the fact that their support is not based on the argument of public power versus private, but, instead, on the cause of conservation.

I have joined as a cosponsor of S. 1333 because I believe it is in the public interest. I believe the high dam at Hells Canyon is sound public policy in terms of hydroelectric energy, conservation, recreation, and overall economic development.

The farmers of the Midwest are anxious to obtain cheap fertilizer. Conservationists see in the measure an opportunity to preserve some of the great scenic areas of America. I look forward to the economic development of the Far West as requiring this kind of project.

I should like my colleagues to note also that the project is being constructed on public land for public purposes. Therefore, it is long overdue. This is, in a sense, a D-day in the Senate, to determine whether we are going to continue the program of development of our great natural resources under public measures, such as the development of the high dam at Hells Canyon, or whether we will turn these resources over to private groups.

I believe that is the issue, and it will be determined quickly.

Mr. President, I ask unanimous consent to have printed in the RECORD telegrams and other communications received by me on this subject.

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

GIBBON, MINN., *July 18, 1956.*
Senator HUBERT H. HUMPHREY,
Washington, D. C.:

The farmers in this locality are in favor of the Government building the Hells Canyon Dam in view of cheaper electricity to process fertilizer.

WALTER J. BOEDER.

LAKE BRONSON, MINN., *July 18, 1956.*
Hon. HUBERT HUMPHREY,
Senate Office Building,
Washington, D. C.:

Support and vote for high Federal Hells Canyon Dam.

GEO. W. MAGNUSON.

BAGLEY, MINN., *July 18, 1956.*
Hon. HUBERT H. HUMPHREY,
United States Senate,
Washington, D. C.:

I am strongly in favor the Government building the Hells Canyon Dam.

SYVERT RAMSRUD.

LANCASTER, MINN., *July 18, 1956.*
Senator HUBERT HUMPHREY,
Senate Office Building,
Washington, D. C.:

Favorable vote earnestly urged Government-built high Hells Canyon Dam.

OSCAR NORDINE.

RED LAKE FALLS, MINN., *July 17, 1956.*
Senator HUBERT H. HUMPHREY,
Washington, D. C.:

Please support bill authorizing Government to support construction of Hells Canyon Dam project.

LESLIE FLAGE.

HOLLOWAY, MINN., *July 17, 1956.*
Senator HUBERT HUMPHREY,
Senate OfficeBuilding,
Washington, D. C.

DEAR SIR: Hells Canyon Dam most essential future welfare area concerned, please support.

Yours truly,

HARRY ARNOLD.
ROSS STRAWN.

DANUBE, MINN., *July 17, 1956.*
Senator HUBERT HUMPHREY,
Washington, D. C.:

Because of the importance of low-cost electricity for production of fertilizer as well as other power uses, I urge you to vote and work for Government dam in Hells Canyon.

ALVIN JOHNSON.

ST. PAUL, MINN., *July 17, 1956.*
Senator HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D. C.:

Just as you have always done on farm legislation and power issues, we hope that you will do your utmost to rally support for the Hells Canyon bill. Building of the Government dam would help reduce the cost of electric power for farmers in the States involved and would affect fertilizer costs for farmers of many States including Minnesota.

EDWIN CHRISTIANSON,
President, Minnesota Farmers Union.

OKLEE, MINN., *July 17, 1956.*
Senator H. H. HUMPHREY,
Senate Office Building,
Washington, D. C.:

Please vote for Government control of Hells Canyon Dam on Snake River in Idaho.

LLOYD JOHNSON.

OKLEE, MINN., *July 17, 1956.*
Senator H. H. HUMPHREY,
Senate Office Building,
Washington, D. C.:

Please vote for Government control of Hells Canyon Dam on Snake River in Idaho.

GEORGE M. JOHNSON.

ALBERT LEA, MINN., *July 17, 1956.*
Hon. HUBERT H. HUMPHREY,
United States Senate,
Washington, D. C.

DEAR MR. HUMPHREY: Vote "yes" for the construction of one big Hells Canyon Dam by the Federal Government. My reason: because a larger amount of electrical power at lower cost would be available. This would alleviate the power shortage that threatens the REA cooperatives.

Yours very truly,

NELS WANGEN.

DANUBE, MINN., *July 17, 1956.*
Senator HUBERT HUMPHREY,
Washington, D. C.:

Urge your support of public power dam in Hells Canyon. It would mean cheaper fertilizer and lower power costs to other consumers.

DALE HAEN,
Renville, Minn.

KETTLE RIVER, MINN., *July 17, 1956.*
Senator HUBERT HUMPHREY,
Senate Office Building,
Washington, D. C.:

We farmers in the Midwest are vitally interested in a plentiful supply of super phosphate fertilizer. This is only one of many reasons we urge you to vote for Hells Canyon Dam when it comes up for Senate action. Electricity at low cost is needed to process the phosphate rock deposits in that area owned by our national farm organizations. Please stand by us.

JOHNN WAISHANEN,
Sturgeon Lake, Minn.

KETTLE RIVER, MINN., *July 17, 1956.*
Senator HUBERT HUMPHREY,
Senate Office Building,
Washington, D. C.:

The Federal plan for development of one high dam at Hells Canyon will best serve the public purpose and the public interest as compared with the plan proposed by the Idaho Power Co. The Federal will develop nearly twice the electric energy which will sell for about one-half the price required by the private company. In addition, the Federal plan will provide four times as much reservoir storage capacity. To forestall the waste of power potential and water storage in the Snake River Basin we are counting on you to support the high Federal dam at Hells Canyon when it comes before you for a vote.

LUDWIG ANDERSON,

KETTLE RIVER, MINN., *July 17, 1956.*
Senator HUBERT HUMPHREY,
Senate Office Building,
Washington, D. C.:

If the Idaho Power Co. builds the three small dams on the Snake River the people will still have to pay for it. They will pay for it once through higher electric rates and once through the cash benefit of the accelerated depreciation certificates which over the life of the project will return to the Idaho Power Co. approximately $336 million or almost twice the highest estimate of the total construction costs of the three dams. If the Federal Government builds the one high dam at Hells Canyon the people will own it. In addition the high dam will produce twice as much electric power and deliver it at half the cost. We are expecting you to protect the public interest and vote for and work for the high Hells Canyon Dam when this measure comes up before you for action in the next few days.

M. F. BRINK,
Sturgeon Lake, Minn.

WINTHROP, MINN., *July 16, 1956.*
Senator HUBERT HUMPHREY,
Senate Building:

The farmers in this locality are in favor of the Government building the Hells Canyon Dam on the Snake River in Idaho to provide cheaper electricity for development of Idaho phosphates which would mean cheaper fertilizer.

RALPH B. JOHNSON.

MOOSE LAKE, MINN., *July 16, 1956.*
Senator HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D. C.:

For the sake of lower electric rates and lower fertilizer costs to the farmer it is important that the Hells Canyon high dam bill be passed.

NEWELL C. ANDERSON.

BROOTEN, MINN., *July 16, 1956.*
Senator HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D. C.:

I urge you to vote for the building of Hells Canyon Dam by the Government. Cheaper

electric power will help in the development of lower cost fertilizer.

ARNOLD P. LEE,
President, Hope County Farmers Union.

GLENCOE, MINN., *July 16, 1956.*
Senator HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D. C.:

Because of the great benefits to agriculture and industry I urge you to support the bill in favor of Federal Hells Canyon high dam.

ACHIM GRAUPMANN.
BISCAY, MINN.

GLENCOE, MINN., *July 16, 1956.*
Senator HUBERT HUMPHREY,
Senate Office Building,
Washington, D. C.:

I recommend and urge you to vote for the high dam at Hells Canyon as the lower rates of Government high dam is essential to farmers of these western States.

HAROLD W. SCHROEDER.
HUTCHINSON, MINN.

ULEN, MINN., *July 18, 1956.*
Senator HUMPHREY,
Senate Office Building,
Washington, D. C.:

The Atlanta/Wallworth farmers union members are in favor of the passage of the Hells Canyon bill.

ROY STEICHEN,
Legislative Secretary.

FARIBAULT, MINN., *July 18, 1956.*
Senator HUBERT HUMPHREY,
United States Senate.

DEAR SENATOR HUMPHREY: Hope you can see fit to support the Hells Canyon Dam. It is imperative that we have cheap power developed to assure reasonable power rates in years to come.

DONALD O'NEIL.

PLUMMER, MINN., *July 18, 1956.*
Hon. HUBERT HUMPHREY,
Senator, Washington, D. C.:

Urge Government construction on Hells Canyon Dam.

ELVIN PETERSON.

PLUMMER, MINN., *July 18, 1956.*
Hon. HUBERT HUMPHREY,
Senator, Washington, D. C.:

Urge Government construction on Hells Canyon Dam.

L. O. BRAATEN.

FARIBAULT, MINN., *July 18, 1956.*
Senator HUBERT HUMPHREY,
United States Senate, Washington, D. C.:

DEAR SENATOR HUMPHREY: Hope you can see fit to support the Hells Canyon Dam project. It is imperative that we have cheap power developed to assure reasonable power rate in years to come.

LOUIS VANZUILEN.

WASHINGTON, D. C., *July 16, 1956.*
Hon. HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D. C.:

Senate approval of the Hells Canyon bill, S. 1333, is of vital importance to the industrial future and national defense of the United States. To meet enormous increase in future power requirements of our country we shall need maximum possible development of all our energy resources. We cannot afford to foreclose forever the full development of the Hells Canyon power potential by surrendering this site to a private project which will develop only 60 percent of the available power. Loss of this power will entail the loss of countless job opoprtunities. This issue is not public power verus private power. The issue lies between conservation and waste of priceless and irreplaceable natural resources. At a time when American world leadership is being challenged by the rise of Soviet industrial power, such waste and destruction of this great natural resource is even more inexcusable. I cannot believe that the United States Senate will fail to make its decision firmly on the side of the national interest and I ask your support for S. 1333.

WALTER P. REUTHER,
President, United Automobile Workers.

MINNEAPOLIS, MINN., *July 17, 1956.*
Senator HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D. C.:

Construction of the Hells Canyon Federal Dam is imperative to the economical processing of natural fertilizer deposits in Idaho. The farmers of America are in urgent need of lower cost plant foods to preserve and restore the fertility of our soils. Representing our 250,000 member farm families in this area who are vitally affected by this important Federal project we urgently request your support of the legislation now being considered which will make the Federal dam at Hells Canyon possible.

MIDLAND COOPERATIVES, INC.,
J. F. SHEA, *President.*
A. J. SMABY, *General Manager.*

YOUNG DEMOCRATIC CLUBS OF AMERICA,
Washington, D. C., July 18, 1956.
Hon. HUBERT H. HUMPHREY,
United States Senate,
Washington, D. C.

MY DEAR SENATOR HUMPHREY: The Young Democratic Clubs of America at their most recent national convention in Oklahoma City unanimously adopted a resolution urging authorization of the Hells Canyon Dam.

If the Hells Canyon bill is not passed:

The people will lose a large block of low-cost power which would help win the battle of production in any defense or war effort.

We will lose the great industrial expansion that abundant cheap power would make available.

The Nation will lose the substantial Federal, State, and county taxes the new industries would pay.

The people will lose thousands of new irrigated acres in Idaho which will be needed in a few years to feed our rapidly increasing population.

The Nation will lose irretrievably and forever the opportunity for the full and comprehensive development of a great natural resource that belongs to all of the people.

The monuments to the Democratic Party's advancement in resource development stand in the Tennessee Valley, at Grand Coulee, Bonneville, and Shasta, to mention only a few. Let us erect another one in Hells Canyon, and emphatically reverse the Eisenhower administration's attempted giveaway of the people's resources to the monopolies for their personal gain. Please help us win this fight.

With kindest regards, I am

Sincerely,

RICHARD J. MURPHY,
Executive Secretary.

Mr. HUMPHREY of Minnesota. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial published in the New York Times.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HELLS CANYON

Hells Canyon, in the remote fastness of the Snake River on the Oregon-Idaho border, is one of the finest unexploited power sites in the country. For at least 8 years the dispute has raged over the question of how the great hydroelectric potential there should be developed, whether by public or private enterprise. The solution cannot be put off much longer.

Senator MORSE and a large number of other Senators have been sponsoring a bill authorizing Federal construction of a 600-foot dam at Hell's Canyon to produce over 900,000 kilowatts of power, as one more giant addition to the integrated system of Federal dams in the Columbia Basin. The Idaho Power Co., on the other hand, is proposing to build three smaller dams on the river, producing fewer kilowatts, as a strictly private operation. One thing is certain: one side or the other will have to give, because the high Federal dam and the three small private dams are incompatible.

It seems to us that the Federal proposal for a high dam at Hell's Canyon would provide for realization of the full potentialities of this enormously valuable water resource, while the company's proposal for a series of low dams—only one of which would be authorized at the present time—would lead to a piece-meal development of the river and probably prevent its full utilization.

This is a natural resource that belongs to all the people. It seems clear that the maximum benefit from the resource in this case, in respect to power, irrigation, navigation and other facets of an integrated river program, can only be obtained by large-scale Federal investment.

Mr. HUMPHREY of Minnesota. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement which I prepared on the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR HUMPHREY OF MINNESOTA

I should like to direct the attention of the Senate to the position of the conservationists in their support of S. 1333. The conservationists have sometimes been accused of obstructing proper development of the country's natural resources. Last February 28, Dr. Spencer M. Smith, secretary of the Citizens Committee in a letter to Members of the Congress stated that conservationists had often been accused of unreasonable opposition to power and reclamation projects when in fact conservationists have urged alternative sites or projects to protect the nonrestorable benefits of nature. Conservationists are fully aware, Mr. President, that at this country's population grows, so will the demand for the development of natural resources to provide for the increased uses of hydroelectric power, greater water utilization, and greater recreational resources. Some positive planning and thinking must be done in order to accommodate these uses for the full utilization of all without the destruction of any.

Their support of the high Hells Canyon Dam is an excellent example of the efforts of conservationists to achieve the best maximum utilization of our country's resources. Dr. Ira N. Gabrielson, chairman of the Citizens Committee on Natural Resources, stated in a press release on February 28: "Big dams on either the Clear Water or the Salmon would wipe out important chief spawning grounds, inundate many thousands of acres of forest land and in addition destroy critical winter range for some of the country's finest elk and deer herds. It makes little sense to reduce drastically the amount of water storage at high Hells Canyon where no important wild life or scenic values are at stake if this means the destruction of scenic and wildlife resources that the Nation could otherwise save for the enjoyment of present and future generations."

The position of the conservationists is abundantly clear. They are anxious to have development and utilization carried out without the destruction for all time of the scenic and wildlife resources that will be so greatly needed for the enjoyment of future

generations. I reiterate that no obstruction on the part of conservationists is mainfest here, but rather a positive urging that good power sites and proper areas for flood control should not be half used or abandoned and in so doing destroy other resources—nonreplaceable resources.

It is interesting to note that the conservationists have not involved themselves in the usual argument of public versus private power. They have said they are not particularly interested in who builds dams, but they are desperately concerned with where they are built.

The Citizens Committee on Natural Resources which has been strong in its support of the high Hells Canyon Dam has some of the most distinguished and outstanding conservationist leaders in the United States among its members: Dr. Ira N. Gabrielson, the first Director of the Fish and Wildlife Service, and now president of the Wildlife Management Institute; Mr. Howard Zahniser, executive director of the Wilderness Society; Mr. Lyle F. Watts, former Chief of the Forest Service; Dr. Sigurd Olson, president of the National Parks Association, and many others. These conservationists, forming a nonpartisan task force in support of conservation in the public interest have endorsed S. 1333 for one reason, and one reason only: in their judgment, this is a postive measure to enhance the cause of conservation.

Mr. JOHNSON of Texas. Mr. President, I renew my suggestion of the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I understand we have 4 minutes left.

The PRESIDING OFFICER. (Mr. FREAR in the chair). That is correct.

Mr. KNOWLAND. Mr. President, I yield my remaining time to the Senator from Vermont [Mr. AIKEN].

The PRESIDING OFFICER. The Senator from Vermont is recognized for 4 minutes.

Mr. AIKEN. Mr. President, for over 20 years I have been an advocate of cooperative and public power development because I believe that such developments have a greater regulatory effect upon corporation operations than all the commissions of State and Federal Governments combined.

I am satisfied that cooperative power distribution has brought light and power to millions of rural homes years before these people would otherwise receive it.

I am satisfied that public power developments have contributed immensely to the marvelous industrial progress of the United States.

Public power development was responsible for the atomic bomb and possibly spelled the difference between winning and losing World War II.

I believe thoroughly in the perpetuation of cooperative power distribution in rural areas and the further public development of hydroelectric energy where feasible.

I have been immensely disturbed, Mr. President, during recent years at the tendency to use public and cooperative power for political purposes.

I was sadly disturbed only 2 years ago when the public power advocates of the TVA area unanimously agreed to turn the development of the Coosa River over to the Alabama Power Co. after the public development of that river had been authorized by Congress.

I have been disillusioned at other times when the development of public power has seemed to be sacrificed on the altar of political expediency.

Now, Mr. President, I am called upon to vote on the pending measure when the decision is not easy to make.

I have never been an advocate of big, down-river dams.

My sympathies are entirely with the agricultural interests of the upstream areas.

They will in future years need the water of the Snake River far more than it will be needed downstream to generate low-cost power for industrial development.

Yet, Mr. President, if the greater number of smaller dams upstream are constructed, it appears that they will be built by the private power interests.

This will not constitute a precedent for I notice that the Idaho Power Co. already has 13 dams on the Snake River in addition to the few large publicly owned dams on the lower reaches.

It would have been well to have authorized public development of these three lower upstream dams, but that was not done and I do not learn that the advocates of the big dam at Hells Canyon ever proposed such a course.

It has been charged, in fact, it is common gossip, that this measure is before us at this time in order to give the Democratic Party a public versus private power issue for the coming campaign.

The Democratic Party has done little to dispel this charge.

Some weeks ago, Mr. President, this Senate passed a Niagara power development bill.

Since that time, that bill has been bottled up by the House Rules Committee, which is controlled 2 to 1 by members of the Democratic Party.

I have been waiting patiently to hear that the Democratic-controlled House Rules Committee is willing to let the Niagara power bill come to the floor for action.

So far my hopes have been in vain and at present there is no indication that the Democratic Party intends to let the Niagara power bill be passed at this session of Congress, even though it is almost unanimously advocating public construction of the Hells Canyon Dam. If public power is good for Oregon is it not also good for New York?

Under the circumstances, the charge that the Hells Canyon bill is now before us for political purposes is strongly substantiated and regardless of what misinterpretation may be put upon my action, I cannot support the pending measure under such circumstances.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Wisconsin as much time as he may desire.

Mr. WILEY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement I have prepared concerning my views on the high Federal dam at Hells Canyon, and also representative communications I have received from spokesmen in my State who favor the bill.

There being no objection, the statement and communications were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

Within a few moments the Senate will vote on the legislation for a high Federal dam at Hells Canyon.

It is my intention to vote for this legislation.

I regard it as sound and in the public interest. I regard it as in the interest of the people of the Pacific Northwest and in the interest of the rest of our Nation as well.

I believe that the Congress of the United States has a perfect right to enact legislation of this nature, notwithstanding the approval which the Federal Power Commission has unfortunately given to the application for three low dams.

I shall vote for this bill because it will provide for more electric juice for more people and at lower cost. It will provide more inexpensive fertilizer for the farmers of Wisconsin and the rest of our Nation. It will serve the interests of conservation as well. I have been pleased to hear from many conservation experts who have pointed out the danger to fish and wildlife which will arise from the construction of the three low dams.

I have weighed this bill most carefully on its merits.

I have received a tremendous amount of mail on it from my State. Most of the mail has very definitely favor the high Federal dam. This mail comes to me from individuals and organizations: from cooperatives, from REA's, from farm union locals, from conservationists, from individual citizens, from labor unions.

Of course, on an issue like this, I judge the issued based on this one standard: Will it serve the interests of my country? In my judgment, S. 1333 will. The high dam will be a good investment. It will pay for itself out of power revenues. It will protect the rights of the American people to this great resource.

I am sorry to have to differ with many colleagues of my party and with spokesmen for the administration in the Executive branch.

I believe that the needs of the Nation's agriculture require this high Federal dam. From one end of my State to another, I have told the people of my State that the farmers must get relief from the present serious cost-price squeeze which they face. Helping to assure lower cost fertilizer is at least one step in relieving that cost-price squeeze.

I have been pleased to meet with many farm delegations on this issue and to state that I would be faithful to fulfillment of the needs of agriculture.

WASHINGTON, D. C., *July 16, 1956.*

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

Senate approval of the Hells Canyon bill, S. 1333, is of vital importance to the industrial future and national defense of the United States. To meet enormous increase in future power requirements of our country we shall need maximum possible development of all our energy resources. We cannot afford to foreclose forever the full development of the Hells Canyon power potential by surrendering this site to a private project which will develop only 60 percent of the available power. Loss of this power will entail the loss of countless job opportunities. This issue is not public power versus private power. The issue lies between conservation and waste of priceless and irreplaceable natural resources. At a time when American world leadership is being

challenged by the rise of Soviet industrial power, such waste and destruction of this great natural resource is even more inexcusable. I cannot believe that the United States Senate will fail to make its decision firmly on the side of the national interest and I ask your support for S. 1333.

WALTER P. REUTHER,
President, United Automobile Workers.

FARMERS EDUCATIONAL AND COOPERATIVE UNION OF AMERICA,
Sparta, Wis., July 16, 1956.

Senator ALEXANDER WILEY,
Washington, D. C.

DEAR SENATOR WILEY: We the members of the Monroe County Farmers Union are asking you to kindly support the bill for the high Hells Canyon Dam. Thanking you for you support.

Sincerely,

JOS. N. SCHANTZ,
Monroe County Secretary and Treasurer.

JULY 12, 1956.

DEAR SENATOR WILEY: With legislation for the Hells Canyon project coming up I certainly hope you can support it as it will be to the benefit of all Wisconsin farmers.

I remain,

ALBERT BOLLEREY,
President of the Scott Corning Harding Local of the Farmers Union.

CENTRAL COOPERATIVE WHOLESALE,
Superior Wis., July 12, 1956.

Hon. ALEXANDER WILEY,
United States Senator from Wisconsin, Senate Office Building, Washington, D. C.

DEAR SENATOR WILEY: The crucial moment on the long-debated Hells Canyon power-dam issue seems to be at hand, what with committees of both House and Senate having voted approval of a high Federal dam.

This issue, although far removed from us geographically, is very important to your farmer constituents. A Federal dam at Hells Canyon will produce low-cost power for the processing of the vast phosphate deposits of that area. We are members and part owners of the Central Farmers Fertilizer Co., a large cooperative which plans to erect processing plants in the Hells Canyon area. Low-cost power from a Federal dam will create immediate benefits for the farmers of our North-Central States operations area, saving them $15 to $18 on each ton of fertilizer.

We urge you to give the Hells Canyon Federal dam bill your vigorous support when it comes up on the floor of the Senate.

Sincerely yours,

J. W. KOSKI, *General Manager.*

MINNEAPOLIS, MINN., *July 17, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building, Washington, D. C.:

Construction of the Hells Canyon Federal dam is imperative to the economical processing of natural fertilizer deposits in Idaho. The farmers of America are in urgent need of lower-cost plant foods to preserve and restore the fertility of our soils. Representing our 250,000 member farm families in this area who are vitally affected by this important Federal project we urgently request your support of the legislation now being considered which will make the Federal dam at Hells Canyon possible.

MIDLAND COOPERATIVES, INC.,
J. F. SHEA, *President.*
A. J. SMABY, *General Manager.*

CENTRAL WISCONSIN ELECTRIC COOPERATIVE,
Iola, Wis., July 13, 1956.

Senator ALEXANDER WILEY,
Senate Office Building, Washington, D. C.

DEAR SENATOR WILEY: I have just completed reading the report of the Senate Committee on Interior and Insular Affairs on the bill (S. 1333) to authorize the construction of Hells Canyon Dam. On several occasions within the past year I have corresponded with you regarding our interest in this important legislation. Our analysis of the report leaves us more convinced than ever on the soundness of the investment in Hells Canyon by the American people. Therefore, we again urge your support by casting an affirmative vote for S. 1333.

Cooperatively yours,

JOHN C. GROENIER,
Manager.

OSSEO, WIS., *July 13, 1956.*

Hon. ALEXANDER WILEY,
Washington, D. C.

DEAR SIR: The Sumner local of the Farmers Union, composed of 60 families from Eau Claire, Trempeleau, and Jackson County area, urge you to vote for the Hells Canyon project. It is of the utmost importance to Wisconsin farmers for the development of rock phosphate processing, which will mean cheaper fertilizer for our farmers.

Yours truly,

MRS. ALTON HAGEN,
Legislative Director, Sumner Local No. 302, Wisconsin Farmers Union.

EAU CLAIRE, WIS., *July 14, 1956.*

Mr. ALEXANDER WILEY,
Senate Office Building, Washington, D. C.

DEAR SIR: Members of Wheaton Farmers Union, Local No. 266, Chippewa County, wish to urge your support of the bill known as Hells Canyon project. We feel it is urgent this bill passes to give cheaper power for developing phosphate mines. Wisconsin farmers use thousands of tons of phosphate each year, and this would be one way farm expenses could be kept in control.

Yours truly,

WHEATON FARMERS UNION LOCAL 266,
MRS. FRED ROBERTS, *Secretary.*

PEPIN, WIS., *July 13, 1956.*

SENATOR WILEY: The following resolution was passed at the regular meeting of the Pepin Farmers Union, Local No. 129, on Friday evening, July 13.

"Whereas development of the Hells Canyon Dam by the Federal Government would generate vast amounts of low-cost electric power: Therefore be it

Resolved by the Pepin Farmers Union, Local No. 129, That we go on record in favor of Federal construction of the Hells Canyon project; and be it further

"*Resolved,* That we send a copy of this resolution to our Senators and Congressmen and ask them to vote in favor of Federal development of the project."

GEORGE JAHNKE,
President.
ELDON MERCER,
Secretary.
RONNIE BRUNDAR,
Treasurer.

WISCONSIN STATE INDUSTRIAL UNION COUNCIL,
Milwaukee, Wis., July 17, 1956.

Senator ALEXANDER WILEY,
Senate Office Building, Washington, D. C.

DEAR SENATOR WILEY: On behalf of the Wisconsin State CIO I strongly urge you to support the Hells Canyon measure.

As you know, our organization is sympathetic to this particular project, as are the farmers in the State of Wisconsin; and in support of our position, we wish to point this out to you:

The Federal high Hells Canyon Dam versus the Idaho Power Co.'s three dams reflect the following advantages of your support of the Hells Canyon measure:

The useful water storage in acre-feet for Hells Canyon Dam is 3,888,000 feet as against the three Idaho Power Co.'s dams of only 1 million feet.

The initial installed capacity of Hells Canyon would be 800,000 kilowatts as against 783,000 kilowatts for Idaho's.

The prime power at the site would be 688,000 kilowatts as against Idaho's 577,000.

The prime power at other sites for Hells Canyon would be 436,000 kilowatts as against 103,000 kilowatts for Idaho.

The total prime power for Hells Canyon would be 1,124,000 kilowatts as against Idaho's 680,000 kilowatts.

The cost of kilowatts for Hells Canyon would be 2.71 mills to the consumer as against 6.69 mills for Idaho's.

I think that these statistics are important in helping you to complete your decision in support of Hells Canyon power project.

Thanking you for your consideration, I remain

Sincerely yours,

CHARLES M. SCHULTZ,
President.

[Citizens Committee on Natural Resources, Washington D. C.]

CITIZENS COMMITTEE ON NATURAL RESOURCES ENDORSES HIGH HELLS CANYON DEVELOPMENT

The Citizens Committee on Natural Resources today reiterated its endorsement of the high Hells Canyon development as a means of avoiding threatened dams in the Clearwater River. The committee maintained that the high Hells Canyon Dam would best utilize the total resources of the area.

A Senate bill, S. 1333, recently reported out by the Committee on Interior and Insular Affairs, is expected to come up for Senate action soon. The House bill, H. R. 4719, was also recently reported out by committee.

The Citizens Committee released the following statement of policy:

The most recent effort to dam the Clearwater River in Idaho at Bruces Eddy and at Penny Cliffs failed. Both of these dams were being considered for possible inclusion in an omnibus authorization bill in the House Public Works Committee. As reported out neither Bruces Eddy nor Penny Cliffs was included in this.

If these efforts to dam the Clearwater had been successful, the Bruces Eddy project would have flooded 48 miles of the canyon of the North Fork of the Clearwater, while the Penny Cliffs Reservoir would have flooded 68 miles of the Middle Fork of the Clearwater, the Selway, and Lochsa River Canyons. The Clearwater boasts one of the largest elk herds in the United States. The dams would flood important parts of the winter feeding grounds of the more than 25,000 elk that winter on steep canyon slopes and stream bottoms of this mountainous area.

About 62 percent of the Columbia River's tributaries are presently blocked to salmon and steelhead. In 1955 nearly 14,000 of these fish were counted in the Clearwater. The dams would have blocked completely hundreds of miles of these spawning waters, and another route from salt water to fresh water would have been closed.

Not only would a serious blow be dealt to the sports fisherman, but other scenic and recreational resources would likewise have been destroyed. For example, the Penny Cliffs Dam would backwater some 6 miles into the Selway-Bitterroot primitive area that was set aside in 1936 for public recreation. This same dam would also flood more than 46 miles of the scenic Lewis and Clark Highway now nearing completion.

Conservationists have been reasonably successful in protecting these scenic resources from attempts to build these dams. A bill introduced in 1954 by Congressman Homer O. Angell of Oregon to authorize both

dams never succeeded in getting enough support to be reported out of committee. In July 1955, a conference committee deleted a $100,000 detailed planning fund for the Bruces Eddy project from an appropriations bill. Conservationists must continue to be alert because proponents of the Bruces Eddy and Penny Cliffs dams are still active.

These threats to the scenic and recreation values of the Clearwater led the Citizens Committee on Natural Resources to support an alternative program that would further the development of the Columbia River Basin without the disastrous effects of these two dams on the Clearwater. While not involved in the original Hells Canyon controversy, the committee under the leadership of Dr. Ira N. Gabrielson, its chairman, became convinced that neither the high dam at Hells Canyon nor the three smaller dams proposed would have any serious adverse effect upon the wildlife and that this area should, therefore, be utilized for its storage possibilities. When proponents of the three small dams showed that by abandoning the high Hells Canyon Dam they would sacrifice some 2,880,000 acre-feet of useful storage capacity, the Citizens Committee noted that to compensate for this loss the small dam builders had to find other sites including the Bruces Eddy and Penny Cliffs. The Committee was further alarmed when on December 3, 1955, General Foote, division engineer for the North Pacific division of the Corps of Engineers was reported advocating the Bruces Eddy and Penny Cliffs Dams as "a big step in solving the question of storage."

The Citizens Committee has taken a strong stand that the Clearwater and Salmon Rivers should not be devastated when possible alternatives are available. The High Hells Canyon site is in an area that has already been devoted to water storage and in any case will do no more damage to wildlife and recreation resources than the three small dams but will bring greater returns. The added returns can make the Clearwater dams unnecessary. The Citizens Committee believes that the people of this country will support a plan that will thus meet the development needs and not flood the resources of the Clearwater. It is accordingly supporting development of the high Hells Canyon Dam.

The Citizens Committee on Natural Resources, composed of conservationists serving as individuals rather than as representatives of other organizations, has described itself as a legislative task force for conservation. Banded together "to affect policy concerning our natural resources in the public interest," the committee is headed by Dr. Ira N. Gabrielson, chairman. Secretary of the Committee is Dr. Spencer M. Smith, with headquarters at 2140 P Street, Northwest. Other members of the executive committee are: Howard Zahniser, vice chairman; Dewey Anderson, treasurer; C. R. Gutermuth; Raymond E. Marsh; and Anthony W. Smith.

WILDLIFE MANAGEMENT INSTITUTE,
Washington, D. C., July 18, 1956.

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: Confirming our talk, the conservation organizations are urging the approval of the high dam in Hells Canyon strictly from a conservation standpoint. While some people are trying to make a political issue of this, the fact remains that the loss of storage in building those small dams in the Snake River definitely will force the construction of dams on the Clearwater River in Idaho and ultimately in the Salmon River. Dams in those tributaries would result in tremendous losses in fisheries, wildlife, and recreational facilities that are of national significance.

Here is a copy of the brief statement that was submitted to the Senate Public Works Committee yesterday in opposition to one of those substitute dams. A concerted effort is being made to force the premature authorization of the Bruce's Eddy Dam in the Clearwater to try to compensate for the loss of storage through the building of a small dam in Hells Canyon. You will see from my statement what effect the Bruce's Eddy Dam would have on one of the largest elk herds in North America—to say nothing of the fisheries.

It is hoped that you can join with those who are supporting a high dam in Hells Canyon because of its increased efficiency and its benefits to conservation.

Sincerely,

C. R. GUTERMUTH,
Vice President.

Mr. JOHNSON of Texas. Mr. President, I yield 23 minutes to the distinguished Senator from Washington [Mr. MAGNUSON]. At the conclusion of his speech, it is expected that there will be a quorum call preceding the vote on the bill, so that all Senators may be in attendance.

Mr. MAGNUSON. Mr. President, I shall direct my remarks for a minute to the distinguished Senator from Vermont, who I hope will listen, because he has always been courteous to me.

I just heard him say that we on this side of the aisle were trying to push the Hells Canyon Dam bill in order that it be made an issue of private versus public power in the coming campaign. I hope I can disabuse the Senator's mind of that charge.

No one is opposed to the Idaho Power Co. building dams in many, many places in the Pacific Northwest. That company has built dams and has received public licenses without even a word of protest from anyone, in either party, in the Pacific Northwest. The whole issue here concerns the proposal of the Idaho Power Co. to build a dam which would foreclose the full potential use of the river. The company wants to build dams from which power will not go into a Government pool for the benefit of the co-ops and the preference customers, of whom the Senator from Vermont has been a champion for many years.

This is not an issue of private versus public power at all. Regardless of who builds the dams, we in the Pacific Northwest entertain the view that private power companies, municipalities, public utility districts, and the Federal Government should all combine their power; all of it should go into a pool, and all agencies needing power should use it.

Numerically, there are as many private dams in existence and under construction in the Pacific Northwest as there are public dams.

It has been found that to secure the full potential use of the river, it is necessary to build multiple-purpose dams, dams which only the Federal Government can build, because the private power companies either cannot or do not want to undertake to build them. That is the story.

This is not a fight between public power and private power. If it has been a fight, I may say to the senior Senator from Vermont, it has been made a fight by the private utility interests over the construction of Hells Canyon Dam.

I know that what I may say, and what has already been said by other Senators on either side of the aisle will not change a vote in this case. Votes may have been changed by many frantic telephone calls in the past few weeks or in the past few days. But I do not think that a charge such as that which the senior Senator from Vermont [Mr. AIKEN] made should go unchallenged.

I have never been against private power. None of the Senators whom the Senator from Vermont says have been doing what he said they have done are against private power. We are simply trying to develop completely the full potential of the Snake River.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MAGNUSON. I have not much time.

Mr. AIKEN. The Senator evidently was not here when I made my statement.

Mr. MAGNUSON. I sat here and listened to the Senator from Vermont as he spoke.

Mr. AIKEN. I did not say this was an issue of private versus public power.

Mr. MAGNUSON. The Senator said that for the sake of political expediency we were attempting to create that issue.

Mr. AIKEN. I said it is common gossip that the Democratic Party is trying to create a public versus private power issue for the coming campaign.

Mr. MAGNUSON. Let me try to disabuse the Senator of that idea now.

Mr. AIKEN. I said the Democratic Party had done very little to refute that charge.

Mr. MAGNUSON. I hope I am doing a little something to refute it now.

Mr. AIKEN. Let the Democratic Party unbottle the Niagara bill in the House of Representatives.

Mr. MAGNUSON. The Democratic Party has developed most of the projects those on the Senator's side of the aisle have wanted.

I voted for the upper Colorado project. I voted for the Glen Canyon project. I voted for the Niagara project.

But it seems that it depends on what the need is and who wants it.

I voted for all the projects in California. I think they are good. The Hells Canyon project is a good one.

Mr. AIKEN. But the fact remains that the Niagara bill is bottled up in the House.

Mr. MAGNUSON. I am sorry; I cannot yield any more time.

Mr. JOHNSON of Texas. I yield an additional mintue to the Senator from Washington in order that he may respond to the comments of the Senator from Vermont.

Mr. MAGNUSON. I thank the Senator from Texas.

Mr. JOHNSON of Texas. May I have the attention of the senior Senator from Vermont? I have yielded an additional minute to the Senator from Washington for the purpose of allowing him to answer the Senator's comment.

Mr. AIKEN. What does the Senator from Washington wish to ask me?

Mr. MAGNUSON. I thought the Senator from Vermont wanted to ask me a question.

Mr. AIKEN. I think I have asked all the questions I wanted to ask. I simply remarked that the Niagara power bill is still bottled up in the House by the Democrats.

Mr. MAGNUSON. I hope it gets out. I would not say that it is being bottled up by the Democrats. I know a few Republicans who want to keep it bottled up, and I can look at some of them here. [Laughter.]

There is another thing of which I wish to disabuse the minds of Senators on the other side of the aisle. My friend the junior Senator from Vermont [Mr. FLANDERS] rose a few minutes ago to say that he would not vote for the bill because he did not feel right about taking money out of the pockets of the taxpayers of Vermont to pay for a dam in the State of Washington.

Before the Senator answers me, I may say that the junior Senator from Vermont did not feel too bad about voting for the upper Colorado project. I voted for it, too, but its feasibility ratio is almost nil so far as the payback is concerned.

Mr. FLANDERS. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. FLANDERS. I explained the difference between the Hells Canyon project and the other projects, a difference which I think warranted the position I took.

Mr. MAGNUSON. I know the difference. The difference was in the several telephone calls made lately, I think.

Mr. FLANDERS. Mr. President, the lobbying to which I have been subjected on the bill has not been, even by a word or a whisper of any sort, from the administration. The only lobbying was from the proponents of the Federal construction of the Hells Canyon Dam.

Mr. MAGNUSON. Perhaps the Senator is not so close to some of the officials of the administration as I thought he was.

Let me say something about the taking of the taxpayers' money.

The lobbying has been the result of the advertisements. I do not blame the advertisers; they have a perfect right to advertise; but I think their advertisements have been very misleading and entirely incorrect. The newspaper advertisements said that the State of Vermont would have to pay so much for the terrible Hells Canyon Dam.

Let me remind the Senator from Vermont that all the hydroelectric projects are paying back to the Federal Government their cost with interest. They are the only projects that do, and at 3 percent interest; and they are 7 years ahead of their repayment schedule. Bonneville, which was built in the same way, has paid out almost 32 percent.

These are the best investments which the Federal Government makes, moneywise, not considering what the projects do for the country as a whole. They are better than Humphrey's bonds for the bankers.

Mr. FLANDERS. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. FLANDERS. I remind the Senator that I am not getting back any taxes from a Federal dam, as I would from a company with a 52 percent-plus local taxation on their property.

Mr. MAGNUSON. Fair minded and liberal as my friend from Vermont is, if he will spend a couple of hours with me I will enlighten him about that tax argument.

The Federal Hells Canyon Dam will pour more money into the Federal Treasury in any given 10 years than the Idaho Power Co. will pour taxes back to the Government in a given 10 years.

In other words, what the project will do is to provide for the comprehensive development of the area.

Mr. FLANDERS. I am sorry about the 2 hours; we can only have a few more minutes.

Mr. MAGNUSON. The Senator from Utah [Mr. WATKINS] opposes the high dam at Hells Canyon because, as he says, the Federal Power Commission has ruled—and this is true—in favor of the building of low dams. I know a little of the history of that ruling. The Federal Power Commission, after it knew what it would do, waited until Congress had recessed last year; then 24 hours later it made its ruling. The Commission knew that if it made the ruling while Congress was in session, we would have remained in session and protested.

The Senator from Vermont is a distinguished lawyer. I know because I have served with him on the Committee on the Judiciary. Let me read a part of the Federal Power Act. The Commission violated the law when it voted to grant this license. This is what the act provides:

> *Provided, further,* That in case the Commission shall find that any Government dam may be advantageously used by the United States for public purposes in addition to navigation, no license thereof shall be issued until 2 years after it shall have been reported to Congress.

That is the law. The Commission waited until Congress recessed, and they knew what they were doing. The examiner said he did not think Congress would ever authorize this project. He must have been closer to some sources than my friend from Vermont is. But, under the law, the Commission is supposed to report to Congress and wait 2 years, which they did not do.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. MAGNUSON. I do not have enough time to yield.

The PRESIDING OFFICER. The Senator from Washington refuses to yield.

Mr. MAGNUSON. The only reason for seeking the Federal high dam is to assure forever the full potential use of the great Snake River for all the people, for all purposes.

I do not blame the Idaho Power Co. for wanting the site to build three dams. But who knows whether the company will build three dams? The sad experience in the Pacific Northwest has been that sometimes such projects are not proceeded with in the future, either because there is no desire to do so, or because what it was said would be done cannot be done. The dam on which the Idaho Power Co. has started construction, as indicated by the pictures in the rear of the Chamber, will take the cream of the river, the prime power, and will yield nothing in return except some profits which will ultimately go to a Maine corporation.

I will say to my friend from Utah if he can see any difference between Glen Canyon and Hells Canyon, he is sadly mistaken—

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. MAGNUSON. No. I refuse to yield. I do not have time to yield.

Mr. WATKINS. I can point out the difference to the Senator. It has been put in the RECORD time and time again.

Mr. MAGNUSON. Mr. President, much has been said about the difference in kilowatts. On that point many figures have been put into the RECORD and much misinformation has been given. The truth is that Federal Hells Canyon project would produce 934,000 prime kilowatts of power, in comparison with the at-site production of the power company's dam of 505,000 kilowatts. The downstream benefits would amount to almost four-hundred-and-some thousand as against over 1 million kilowatts for the Federal project. Anyone who has different figures has been misinformed. Those figures come from the Federal Power Commission examiner's report.

The question has been asked by a Senator on the other side of the aisle, "Who wants this dam?" It was said that the Governor of Washington—and I will talk to him about this later on in the year [Laughter]—the Governor of Idaho, and the Governor of Oregon are opposed to the Federal project. They may have perfectly legitimate reasons for opposing the project in their own right; but if anyone on the other side of the aisle or on this side of the aisle who votes against the bill thinks that in opposing Hells Canyon those three governors represent the will of the people of the area, they are sadly mistaken.

I could put into the RECORD, as many other Senators have done, correspondence, which would stack very high on my desk, from citizens and organizations, both Democrats or Republicans, in favor of the Hells Canyon Dam. It is favored by labor in my State, by the Grange, the big farm organization, and most of the sportsmen and those interested in recreation and conservation.

When it comes to politics, just as many persons in high office favor Hells Canyon as oppose it—in fact, more favor it, in both parties. As I said before, 6 out of 7 Representatives from the State of Washington are in favor of the high dam, and 6 out of the 7 Representatives from the State of Washington are Republicans. That is how widespread the support for Hells Canyon is.

I know there will be many votes against the project. I have been familiar with politics in power projects ever since I was a young man in the State legislature. I know where the opposition comes from. I remember that when there was talk about starting to build Grand Coulee, the same thing happened that is happening now. A private

power company sought a license to build a low dam on the site. We had a different Power Commission then, and the company did not get the license. The company wanted to build a low dam, just as is being attempted in this case, and if it is done, it will be regretted. If the private power company had built a low dam at Grand Coulee, we would never have had what we now know as Grand Coulee and all it means to the whole United States.

This is not a fight between public and private power. The fight concerns what is being attempted to be done to the river. I would be just as much opposed to a municipality or a PUD undertaking to do what the Idaho Power Co. is trying to do as I am opposed to the power company itself doing it.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. JOHNSON of Texas. If we had followed the philosophy advocated by the minority party, we would not have had TVA, Bonneville, Grand Coulee, or any of the other great projects on which we relied so heavily during World War II.

Mr. MAGNUSON. Not only those which the Senator has mentioned, but also the great Hanford project, which, in my opinion, shortened the war by 1 year. We have heard the nonsensical argument that the high dam would not store twice as much as the three low dams would. Every engineer, including the Army engineers, and General Itschner and General Foote, and the other engineers, know what is the fact.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield further?

Mr. MAGNUSON. I yield.

Mr. JOHNSON of Texas. We have not injected politics into this issue. We are not trying to vote as a party. We advocated and supported the upper Colorado projects; we brought the bill providing for it before the Senate, and had it passed. We brought up the Fryingpan-Arkansas bill, and passed it without a yea-and-nay vote. There has been no politics in this issue, so far as our side of the aisle is concerned.

Mr. MAGNUSON. I think we voted for every one of those projects, but it all depends on who wants it and what year it is, apparently. I am for the Hells Canyon project.

I say to my colleagues they will regret it if they vote against the bill.

I remember when I first came to Washington as a Member of the House of Representatives, during the consideration of the first appropriation for Grand Coulee, I was amazed when Members of Congress stood up on the Republican side of the aisle and said, "What will be done with the power? Is it going to be sold to the jackrabbits? This dam will be a concrete monument of folly."

The three low dams of the Idaho Power Co., would provide some power, but the Snake River would go on its way to the Columbia producing a minute amount of prime power.

The Idaho Power Co. has a perfect right to build dams. They can build them at other places. But the company wants to foreclose full utilization of the dam site. I do not know why, because power from the high dam would go into the power pool, too.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. MANSFIELD. It was suggested on the floor this morning that this was a steal and a giveaway. What about the Government's giving $55 million to build Aswan Dam, a multipurpose project in Egypt? Why not invest some of our money in America and give our own people a project? Such an investment would be fully repaid. It is not a steal or a giveaway.

I should like a comment from the Senator from Washington on that particular aspect of the issue.

Mr. MAGNUSON. I do not want to use the word "steal," or the word "giveaway," but believe me, we would really be giving the Idaho Power Co. something if we gave them the site. Talk about a giveaway. The company has filed an application with the Defense Mobilization Director for a 5-year amortization on the dam. They will be paid off in 5 years for utilizing a river that belongs to the people. It will be used for prime power and no other purpose. That is a giveaway.

I believe the Idaho Power Co. has a right to do that, but I do not think it has a right to do it with 3 low dams. However, I do not think the company will build 3 dams for a long time. At the same time it would foreclose the right of the people to the full use of the great tributaries of the Columbia and what it would mean downstream in the way of flood control and otherwise. That is what the opponents of the pending measure would accomplish if they should defeat the bill.

It is not a political question, because national organizations, such as conservation and other groups, are in favor of the project.

I could name some persons who have come nowhere near our area, but who have suggested that certain Members vote against this bill. The same persons who are opponents of the Niagara project and were opponents of Grand Coulee Dam, are opponents of the dam we are trying to have built.

Mr. JOHNSON of Texas. Mr. President, I yield an additional 1½ minutes to the Senator from Washington.

The PRESIDING OFFICER (Mr. ANDERSON in the chair). The Senator from Washington is recognized for an additional one minute and a half.

Mr. MAGNUSON. Mr. President, I am about through.

I wish to state, for the RECORD, the correct figures: Hells Canyon high dam will produce 1,122,000 kilowatts; and the Idaho Power Co.'s plan will produce 505,000. The difference will be lost.

More important, the Idaho Power Co. dams will store a little more than 1 million acre-feet of water, whereas the high dam at Hells Canyon will store 3,880,000 acre-feet of water.

Finally, Mr. President, I should like to state what will be done if the high dam at Hells Canyon is not built. I do not care what figures may be shown to me; I say that the Idaho Power Co. will sell the power—and if I am here at the time, I will remind Senators of it then—for approximately 6.69 mills; but the power from the high dam at Hells Canyon, when put into the Bonneville pool, will be sold for less than 3 mills, and every farmer in the Pacific Northwest will pay through the nose for the difference between 3 mills and 6 mills. That is why the Grange and the Farmers Union and other farm organizations are opposed to the Idaho Power Co.'s proposal, as against the high dam at Hells Canyon. They are not opposed to private power; neither are they against the Idaho Power Co.

Mr. President, I have said enough.

I ask unanimous consent to have printed in the RECORD a speech I have prepared and some endorsements of the bill.

There being no objection, the statement and letters and other papers were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MAGNUSON

HELLS CANYON DAM AND FLOOD CONTROL

In March of this year the newspapers of the Pacific Northwest began to sound the alarm about the possibilities of a disastrous flood in the Columbia River Basin. The snow pack this spring was unusually large—its water content high. The already very moist ground would not be able to absorb much of the anticipated high runoff.

The headlines read "River Studies Show Possibility of Flood Worse Than 1948 Disaster." In that year—still vividly in our memory—the entire city of Vanport was wiped out by the flood with a loss of almost 50 lives and of about $100 million in property damages.

The Corps of Engineers stated it was "Fully cognizant of the flood potential in the Columbia Basin this year" and expressed "well-founded concern." All kinds of preparations were made throughout the Pacific Northwest to alleviate the impact of the expected emergencies. The White House even took the unprecedented step of allocating to Idaho $100,000 in emergency funds before the onset of any actual flood.

We did not have a really disastrous flood this year. We escaped with only local damage from inundation—though records now available show that the spring runoff this year was the second highest in recorded history. It ranked right behind the year 1894—which brought the worst flood ever experienced in our part of the country.

We were fortunate this year. We avoided a similar disaster which could have cost countless lives and almost half a billion dollars in property damages. We did so—not by foresight and wise planning. We avoided a major catastrophe only by the grace of God. Early warm weather produced a steady high rate of snowmelt over an extended period. Had it not been for this benign weather—vast areas of valuable land and perhaps many lives might have fallen prey to onrushing Snake and Columbia River waters.

One of the reasons greater damage this year was averted—was the use of Grand Coulee to hold back some of the flow coming from the upper Columbia. Grand Coulee—a multipurpose dam—primarily for reclamation but called on for flood control due to the extreme emergency.

There was good reason for concern this spring. According to the United States Geological Survey—the water content of the snow pack as of March 1, 1956 throughout the Columbia Basin was unusually high. Some watersheds contained more snow water than at any time in the 20 years of record.

Fortunately—the "serious flood potential" mentioned by the Survey remained only a potential and did not become a reality.

But the potential was a sufficient threat to the people of the Pacific Northwest—so that they sat back and asked themselves—must this happen again and again? Only 8 years ago a tremendous flood had ravaged the lower Columbia plain and many upstream areas have experienced floods not only in 1948 but several times since then.

In 1948 the impact of the disaster had led to speeded up preparation of the famous 308 review report on the Columbia River—the Army engineers' comprehensive plan. That report proposed for immediate construction the main control plan designed to prevent a repetition of the havoc wrought by the 1948 flood. The main control plan consisted of major storage dams, strategically distributed on the tributaries of the Columbia. The Army engineers and the Bureau of Reclamation each were to construct several of the projects, and jointly they recommended their authorization to Congress early in 1950. The Congress in that year authorized all those projects recommended for construction by the engineers, but omitted the one large reservoir project allocated to the Bureau.

As the people of the Pacific Northwest took stock this spring when a major flood seemed imminently upon them, they found that not a single new project recommended for immediate construction in 1950, had in fact been built since. The region was no more protected against the swirling water of the Columbia than it had been in 1948.

The only construction begun since that year was on run-of-the-river projects like The Dalles and Ice Harbor. The only storage reservoir added since 1948 is the Palisades project in the far upper reaches of the Snake. This project, primarily an irrigation reservoir, will be completed next year and can contribute in some measure to flood control.

The main control plan as designed by the Army engineers, contemplated the construction of reservoirs to contain a total of almost 27 million acre-feet of storage for flood control and power production. The total storage in existence or under construction today is only 4.89 million acre-feet—less than one-fifth of the goal.

The impact of the historical floods is measured by their flow at The Dalles, Oreg. The 1894 flood rushed past that point with 1,240,000 cubic feet per second. The 1948 flood had a crest discharge at The Dalles of 1,010,000 cubic feet per second. The storage now in existence in the basin would only reduce the crest of the 1894 flood from 1,240,000 second-feet to 1,110,000 second-feet at The Dalles. In other words, that reduced crest would still be about 10 percent greater than the peak flow in the disaster year of 1948.

At the rate we are going, there is little reason to hope for early completion of the main control plan and the flood protection it would provide. According to Maj. Gen. E. C. Itschner of the Corps of Engineers, the present outlook for the remaining storage proposed in the comprehensive plan for the Columbia in House Document 531, 81st Congress, 2d session, is not very good. The general recently testified that "the present outlook shows reasonable prospects for only 5,500,000 acre-feet of additional storage."

Unfortunately, I cannot even agree with his evaluation of projects he lists as "reasonable prospects." And furthermore, the general's list contains one signal omission. He does not include the high Hells Canyon Dam which alone would contribute more storage than any other project on his list—namely, 3,880,000 acre-feet.

Failure to include the Hells Canyon Dam, which we are now considering, is an indication of the bankruptcy of the Federal multipurpose program in the Pacific Northwest. The snarl into which the proposed Libby dam site on the Kootenai has become entangled is another symptom of the less-than-the-best thinking which now prevades resources planning activities in our region.

The projects included in this "reasonable prospect" of 5,500,000 additional acre-feet of storage includes primarily 3 million acre-feet—which could be provided at Grand Coulee by increasing the outlet gates—it includes 500,000 acre-feet each for the scaled-down John Day and Priest Rapids projects—formerly planned to have 2,100,000 and 2 million acre-feet of storage, respectively—and it includes 1,500,000 acre-feet on the Middle Snake—for the private substitute Brownlee and Pleasant Valley projects.

Unless we authorize construction of the high Hells Canyon Dam, the "reasonable prospect" in fact scales down to a mere 500,000 acre-feet at Priest Rapids about to be constructed by the Grant County Public Utility District. No money has yet been requested to modify Grand Coulee. Only special efforts of members of the Northwest delegation have been able to obtain enough funds to keep John Day planning on schedule, while the partnership proposal for this project threatens to prevent its early construction. Even with the reduced storage of 500,000 acre-feet—and as far as the Middle Snake is concerned—the midget proposals included in the list to take the place of the magnificent Hells Canyon and later Nez Perce projects—shall never whittle down the realizable potential of that stretch of the river as long as those of us who desire to see full comprehensive development of our water resources can help it. How anybody can refer to those two proposed private projects as "reasonable" prospects is hard to understand.

In fact, this 5,500,000 acre-feet of storage considered as a "reasonable" prospect takes the place of 15,780,000 acre-feet proposed by the comprehensive plan of the engineers for the same general sites.

This is the meaning of the partnership program—so-called. Instead of 15,780,000 acre-feet of flood control and power storage, all the storage the partnership policy would permit us to have is one-third—5,500,000 acre-feet. Two out of every three acre-feet of storage are sacrificed to the wishes of the private utilities. The sound plans of the engineers called for full development to control floods. The cream-skimming plans of the utilities call for partial development—leading to the permanent loss to the region of two-thirds of the storage proposed. As General Itschner of the Corps said, "We are having the greatest difficulties in getting additional storage any place in the basin."

One aspect of this substitute midget flood-control plan of politically feasible storage projects is of particular concern to me. Even assuming that this amount of storage were to be provided sometime in the near future—it would fall far short of the flood-control task to be accomplished by the main control plan. That task is to reduce the flood crest at The Dalles from the 1,240,000 cubic feet per second experienced during the 1894 flood to 800,000 second-feet. This 800,000 cubic feet per second goal was established by the engineers "after considering the flood stages that the present and future levee systems could safely withstand."

Yet even if this 5.5 million acre-feet were added to the existing storage it would yield a mere 10.39 million acre-feet which could control a repetition of the 1894 flood only to 920,000 cubic feet per second at The Dalles.

That, obviously, is far more than the 800,000 cubic feet per second flow that existing levees could withstand. And no work has been done on the levees by the Federal Government since the 1948 flood. Only two levee improvements have been made by local interests since that time.

This is one of the reasons why we were no better prepared to meet the 1956 flood than we were to meet the 1948 flood. And the prospects—on the basis of all evidence I have so far cited—indicates that no substantial relief—if any—is in sight.

In 1952 the Missouri Basin was hit by floods worse than any previous inundation ever experienced in that area. In 1955, New England was devastated by a series of disastrous floods far exceeding in flow and damage anything our friends in that region had suffered before. Last winter, northern California and western Oregon fell prey to several raging floods. And this spring, the entire Pacific Northwest was threatened by a flood potential which was the worst since 1894.

The Congress understood that the raging waters of our rivers recognize no man-made boundary. The Congress approached the flood problem on a national basis when it enacted the flood insurance legislation earlier this year. Flood insurance cannot restore lives lost—or going business concerns washed away. It is merely a limited approach to recompense compensable losses.

But why is it that many in this Congress continue to look upon the only really effective way of preventing floods as primarily a local or regional matter. The only really effective manner to prevent floods, of course, is the construction of flood-control projects.

The single most effective approach we can take to the prevention of future flood damage is to construct those projects which the Corps of Engineers has designed for this purpose in the days when it was free to permit engineering considerations to guide its planning work.

One of these projects—and the one most nearly ready for construction—is the Hells Canyon Dam. As I have already indicated—this project would provide 3,880,000 acre feet of storage—abut four-fifths again as much as the existing storage.

If this project had been begun in 1950 when it was first recommended for authorization to Congress, its storage capacity would already have been available to help stem the flood tide this year.

Much has been said to belittle the importance of the Hells Canyon project as an element of the flood-control plan for the Columbia Basin. Some claim it is not needed at all. Others allege that the much smaller reservoir proposed to be built by the private utility would be sufficient. Still others point to so-called substitutes and alternatives which, they contend, would do just as much as the high Hells Canyon project, to relieve the danger of floods. In my opinion these various unauthorized, inexpert, selfseeking spokesmen show a callous disregard for human lives and valued property. They play fast and loose with the people of the Pacific Northwest and with those in the rest of the United States who are willing to listen to them.

But what are the real facts? Whom shall we believe? Whose expert word shall we take for the part that the high Hells Canyon project can play in the flood-control plan for the Columbia River Basin?

Could those among us who are concerned for the welfare of the people of the Pacific Northwest agree on an authority whose word we would be willing to take on this aspect of the Hells Canyon project?

I propose that we be guided by an authority which has the responsibility for flood control, not only in the Pacific Northwest, but everywhere in this country where snow melts, spring freshets or sudden summer squalls may threaten lives and property. There is only one real authority in this country, an authority which has worked on flood-control projects for close to a century. That, of course, is the Army Corps of Engineers.

The Army engineers first proposed a high dam at Hells Canyon in 1947. They rec-

ommended it again as part of their comprehensive plan for the Columbia in 1948. They endorsed its construction by the Bureau of Reclamation in 1949, and jointly with that agency recommended it for congressional authorization in 1950. After a review of their plans for the Middle Snake River, for which they had earlier recommended a high Hells Canyon Dam, the Corps—in 1952 reiterated that "the plan previously recommended is most effective for development for this reach of Snake and Salmon Rivers."

And in March of 1956, Gen. E. C. Itschner, assistant chief of engineers for civil works stated when questioned by the senior Senator from Oregon as to whether or not "the Army engineers were still of the opinion that Hells Canyon Dam would be valuable as a flood control dam." Replied "there is no question that it would be valuable as a flood control storage dam, sir."

When General Itschner was asked about the corps' concern over the reduced storage at John Day Dam, he readily agreed that they were disturbed about the loss of storage there, he added.

"It is of concern that we have lost storage at Hells Canyon, as it is at other places * * * We gave up Glacier View in the beginning, but we wanted an alternative site for Glacier View, which has not been forthcoming. We are having the greatest difficulties in getting additional storage any place in the basin."

While I am by no means willing to agree that Hells Canyon storage has yet been lost, I agree that that loss, should it occur, would be of the very gravest concern.

The main control plan for the Columbia Basin was soundly conceived and executed. As General Itschner stated:

"In our House Document 531 report we did not recommend any project with flood control storage unless we felt that it was economically justified."

As time went on since the preparation of that comprehensive report in 1948, the engineers became convinced, in fact, that their estimates were on the "conservative side." As a result, they feel that their originally recommended flood control storage projects "are well justified today." And that statement includes the Hells Canyon project.

According to the report of the Committee on Interior and Insular Affairs on this bill, the Corps studied many alternatives before it selected the projects for its main control plan for the Columbia Basin. For this proposed plan it picked "the most economical and the most effective combination of projects which were considered most acceptable to the people of the area at the time." Projects for the later phases of the comprehensive plan would be selected on the basis of the same criteria after further investigation. In this fashion, phase by phase, the fullest possible use would be made of the water resources of the whole basin.

The overriding principles applied by the corps in this process of gradual development are clearly set forth in the 308 review report.

"The various water resources problems in the Columbia River Basin can be solved satisfactorily only by adoption of a truly comprehensive plan of development—wherein all elements are carefully coordinated—both with respect to the immediate needs of each water use and with respect to the later expansion which will be necessary in the future. In no other way can it be assured that the optimum development of each water use will be accomplished in the best interests of each subbasin—the region—and of the Nation as a whole. Or that improvements made to meet the present needs will not block or interfere with the more extensive improvements that will be required in the future. The latter consideration is of primary importance since a project which would only partially utilize the capabilities of a site would constitute waste of a valuable national resource."

I cannot too strongly emphasize the soundness of these concepts. In other words—we must keep our eyes on the best program of development for the long run. Improvements to meet present needs—the corps states—must not block or interfere with the more extensive improvements that will be required in the future.

Yet what is happening now in the Hells Canyon stretch of the Snake River? An improvement to meet the present needs of the Idaho Power Co.—unless we enact this legislation—will be permitted to block and interfere with the more extensive improvements that will be required in the future for the benefit of the entire Pacific Northwest and the entire Nation. As the corps so clearly states—"A project which would only partially utilize the capabilities of a site would constitute waste of a valuable national resource." But that is exactly what the partial development proposed by the power company for the middle Snake would do. It would waste a valuable national resource. Have we enough resources so that we can afford such waste?

The Idaho Power Co. and its friends would have us believe that the loss of the 2.88 million acre-feet of storage through the private partial development can be made up elsewhere. Apparently they have not the haziest notion of the proper comprehensive development of a river basin.

Truly comprehensive development is like a jigsaw puzzle. You have to have the right pieces to fit into the right spots. And you must have all pieces if you are to complete the picture. Yet they would have us borrow a piece here and there to fit it into the gap left by the underdevelopment they propose to carry out on the Snake. They don't seem to realize that if you take a piece from somewhere else, by building a so-called substitute project on some other river, it will leave a gaping hole in the total picture. Furthermore, the piece borrowed from somewhere else, can never fully fit the gap left by underdevelopment. Only one piece—only one project—fully fits the middle Snake. That is the high Hells Canyon Dam. Another properly-sized piece fits the Clearwater. You cannot take a project that matches the flood-control needs on another tributary and try to fill the flood-control requirements in Hells Canyon. There is the other effect when you juggle pieces of needed flood control. What we lose by underdevelopment at Hells Canyon must be obtained elsewhere. Thus efforts are intensified on other streams where conservation needs will be sacrificed. All you get is more ill-fits—more holes elsewhere—and you move further away from fitting together the complete picture of complete flood control and river development for the Columbia River Basin. Those pieces are needed, too, but they are needed for their own proper spots in addition to Hells Canyon Dam.

These advocates of underdevelopment of our Nation's resources are even going so far as to add one-fourth and one-tenth to come out with the answer of two. This kind of arithmetic simply won't work. But the friends of the private utility are offering us one-fourth the necessary storage at Hells Canyon—and one-tenth the necessary storage below the canyon—at Mountain Sheep and Pleasant Valley—and would have us believe that the result would be as good as the high Hells Canyon Dam plus the storage which can some day be developed at the Nez Perce Dam when the fish problem has been licked. Thus—they add one-fourth of a project plus one-tenth of a project and come out with something they claim to be as good as two projects.

With this kind of short-sighted—half-a-loaf developemnt—the private utilities constitute the greatest threat to adequate flood-control on the river—and the economic future of our region that the people have ever faced.

The Army's comprehensive plan contemplates full comprehensive use of all water resources. The flood control part of its program is intimately linked with the other water use plans to yield the largest possible amount of benefits. To achieve this goal, storage reservoirs must be strategically placed at the right points. They must have the right size. The pieces together will form a whole plan—whose benefits far exceed the sum of the parts that compose it. This extra dividend of benefits arises from the integrated planning and operation of these projects as part of a unified, integrated system. As in a large complex machine—if one of the wheels is too small—the machine as a whole refuses to work at all—or at best yields only a fraction of its potential output.

We are faced with the same problem in the Columbia River Basin. We must have the high Hells Canyon Dam in the middle Snake—because only that project can properly function at that spot, and hence aid the whole system to produce extra dividends for the region and the Nation.

To obtain our full measure of flood protection below the Hells Canyon reach we must build the high Hells Canyon Dam.

As Mr. Gordon H. Fernald, the able Chief of the Planning Branch, North Pacific Division of the Corps of Engineers, told the Senate Interior and Insular Affairs Committee only a few months ago, "The Columbia River at the present time is in need of some additional storage and primarily from the standpoint of flood control."

I do not wish to tell the people of the State of Washington that they must continue to face the threats of future floods. With no more protection than they had this spring. Except for the projects begun before 1953, all they had were sandbags.

Authorization and construction of Hells Canyon Dam can write a bold chapter in Northwest transportation history as well.

Since waterborne transportation from the Snake River area provides about 65 percent of the tonnage on the entire Columbia River, every precaution has been taken at lower Columbia projects already constructed so that this commerce will increase and not be stymied by haphazard planning. Emphasizing my point, Bonneville and McNary Dams already have locks installed. John Day and the Dalles Dams will be equipped with locks. Ice Harbor Dam, now in the construction stage on the Snake River, will accommodate river traffic.

When Little Goose, Lower Granite, and Lower Monumental Dams are built, they also will provide locks so that river traffic can proceed smoothly through slack water up the Snake River as far as Lewiston, Idaho. Hells Canyon plays two roles in this performance of the navigation dams. First, it provides control of river flowage; and second, it increases power output at these dams to make them more favorably feasible in paying back the Government's investment.

The best interests of inland cities will be served through construction of the high dam at Hells Canyon.

Time and again I have pointed out that the investment, or loan, the American people would make toward the building of a high Hells Canyon Dam would be repaid by the region's power users in 50 years with interest.

In addition, the following 50 years would see that project paying for itself twice over.

The fact that Congress can perform its duty to the people in providing navigation, flood control, and reclamation projects on a self-financing basis including interest is fortunate and should be recognized in our Northwest multipurpose projects.

The Federal Power Commission examiner who studied the project carefully bore out my words when he said in his report, "The facts seem to point to the inescapable conclusion that with a marked and substantial advantage of the Government's credit, the

high dam would be dollar for dollar the better investment and more nearly ideal development of the Middle Snake."

We didn't need the examiner to tell us these facts; we knew the facts from reports made by the Corps of Army Engineers and the Bureau of Reclamation in the Department of Interior.

Even though flood control and navigation features are enough proof of the desirability and immediate need for the high dam at Hells Canyon, another primary purpose will be production of vitally needed kilowatts for electrical energy.

How does a high dam compare with the plan which the Federal Power Commission has seen fit to authorize instead?

Let me recount some facts from the examiner's own report.

He says: "The Federal Hells Canyon project would produce 924,000 prime kilowatts."

By comparison the at-site energy produced by the three dams planned and O. K.'d for the private facility would be 505,000 prime kilowatts.

Already you see a difference of 410,000 kilowatts—equal to another Bonneville Dam—in favor of the Federal dam.

Now how about the cost of those kilowatts?

The examiner said the cost of salable firm power from Hells Canyon would be 22.80 per kilowatt year. He pointed out that this would not affect the going Bonneville rate of 17.50 a kilowatt-year when pooled with the Federal system.

In effect—this means that Hells Canyon power would be cost-delivered at load center 2.7 mills per kilowatt-hour.

By comparison—in finding 25 of his report—the examiner stated that cost of salable firm power from the three dams would be 6.69 mills per kilowatt-hour. Now this would make such power cost $58 per kilowatt-year—nearly 250 percent higher than Federal Hells Canyon power.

Now although we all realize that the present economy of my State is tied to low-cost electric power—there is a factor in high Hells Canyon of importance to farmers from Ohio to the Pacific coast.

If the high Hells Canyon Dam is built and furnishes power at less than 3 mills—as the FPC examiner found that it will—the phosphates of southern Idaho—comprising 60 percent of the remaining phosphate beds of the country can be developed. This means a saving to the farmers from Ohio to the Pacific coast and from the Canadian border to the plains of Texas of from $15 to $18 per ton of needed fertilizer. You see—other States have a vital stake in the outcome at Hells Canyon.

The Power Commission examiner—after a long and careful study—also agreed with another finding by these other agencies that we have come to trust and respect through a lifetime of service—when he said—"The high dam project is feasible from an engineering standpoint."

Only a year ago opponents of the high dam were saying there would not be enough water available to turn the turbines during low water years. How silent these opponents have been on this point since the runoff began this year with the resultant flood condition.

Discussing the Federal power examiner's report—this body should be deeply interested in this quotation.

"I conclude that on the basis of the facts before me—including the legislative history of the various Hells Canyon bills which have been heretofore presented to the Congress without success—the likelihood of the authorization of and appropriation for an undertaking of the size involved in the high dam project is so remote as to make a recommendation to the Congress under section VII (B) that such a dam be undertaken by the United States a completely useless action."

The very fact that this measure is being considered by House and Senate at this time would appear to knock the examiner's final conclusion into a cocked hat.

The letters and other papers submitted by Mr. MAGNUSON are as follows:

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,
Washington, D. C., July 13, 1956.

Hon. WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MAGNUSON: The American Federation of Labor and Congress of Industrial Organizations endorses pending legislation reported by the Senate Interior Committee, to authorize a high dam at Hells Canyon on the Snake River, and urges you to support this legislation.

Organized labor is persuaded that the demand for increased energy for industry, agriculture, and the home, requires the use of all possible sources of energy to their maximum if we are to meet the demand of the immediate future. Today we know the demand for industry amounts to 7.7 kilowatt-hours per man-hour of work. Sound predictions of future demand show a minimum need by 1970 of 14 kilowatt-hours per man-hour of work.

The proposed dam which would be authorized by S. 1333 would provide large blocks of low-cost power. Lower dams would produce less electricity at higher cost to electric consumers. Abundant, low-cost electric energy is an essential ingredient of the industrial development which brings jobs for labor, health to the economy, and prosperity to our Nation and its people.

The high dam at Hells Canyon would add a total of 1,124,000 kilowatts of prime power, compared with a total of only 680,000 kilowatts for the smaller dams. The cost per kilowatt-hour of power from the proposed lower dams would be more than twice as much as power from high Hells Canyon Dam.

The high Federal dam would provide nearly 4 times as much water storage for flood control (3,880,000 acre-feet of useful storage as opposed to only 1 million acre-feet for the low-dam project). The high dam would provide greater benefits in navigation, conservation and recreation. It could make possible irrigation of large areas.

At stake in the Hells Canyon controversy is the future of our water resource development programs. Our rivers belong to our people, and organized labor is proud to join with others in calling for maximum development of the Nation's rivers for the greatest benefit to the largest number of our people. For these reasons the AFL–CIO merger convention held last December specifically endorsed "construction of the high dam at Hells Canyon on the Snake River." We urge that you cast your vote for S. 1333.

Sincerely yours,

GEO. MEANY,
President.

PULLMAN, WASH., *June 25, 1956.*

Senator WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.

As Democratic congressional candidate, 4th district, Washington, 1954, I strongly urge building of high Hells Canyon Dam as recommended by Senate committee. Also I believe vast majority of 43,000 people voting for me desire same thing. Place this message in hands of proper House committee.

FRED R. YODER.

SEATTLE, WASH., *July 12, 1956.*

Re: Hells Canyon Dam.

Senator WARREN MAGNUSON,
Capitol Building, Washington, D. C.

DEAR SIR: One wonders how, in the face of such documents as the cotton report, the Federal Power Commission could have decided that the best interests of the people would be served by granting a license to the Idaho Power Co. Apparently two important factors in that decision were: (a) if the power company were permitted to proceed with their scheme, some benefits in addition to power would be obtained at no cost to the Government, and (b) the Commission assumed (see Mr. Costello's initial decision) that Congress would not act to begin the construction of a Federal dam "within a reasonable time."

The important question is not who develops the potential of the lower Snake River, but what the nature of that development is. In the interest of maximum energy yield, and therefore minimum depletion of our fossil fuel resources, only the high Federal dam gives the best development. The next move is up to Congress, and the time is now.

Yours very truly,

THOMAS H. REID.

SEATTLE, WASH., *July 12, 1956.*

Hon. WARREN G. MAGNUSON,
Capitol Building, Washington, D. C.

DEAR SENATOR MAGNUSON: As a citizen of the Northwestern section of our United States I am sincerely interested in any program which appears to have long-range benefit to our area. I have watched with great interest and some concern the various proposals for development of our hydroelectric resources in the Hells Canyon area.

It is my belief that the best interests of the people would be served by the construction of one high dam. The presently proposed three low dams sponsored by the Idaho Power Co. do not appear to adequately provide or accommodate the ultimate potential of these hydro resources for all purposes, i. e., power generation, irrigation and recreation.

I urge you to devote any possible efforts to assuring that the present bill for the Hells Canyon high dam be scheduled for a hearing by the House of Representatives and the Senate.

Yours very truly,

J. C. WHALEY.

LONGVIEW, WASH., *July 13, 1956.*

Senator WARREN G. MAGNUSON.

DEAR SIR: Am writing you in regards to the Hells Canyon legislation now being considered by the Senate.

We appreciate the efforts you have extended so far in behalf of this bill and we sincerely hope that it passes.

We people here along the Columbia River had a very close call this spring, and we feel that the high dam in Hells Canyon is a very necessary development for our future safety. If weather conditions had been against us the damage along the Snake River and the Columbia would have been several times the cost of building the high dam.

We feel that if we can send billions of dollars each year to foreign countries we surely can afford to spend some here at home, especially as these projects here are self-supporting and will cost us nothing in the long run.

Thanks.

HARVE W. HART.

HOQUIAM, WASH., *July 12, 1956.*

Hon. WARREN G. MAGNUSON,
Washington, D. C.

DEAR SENATOR: This letter is to let you know that my neighbors and I are 100 plus percent back of you in our fight to save the Federal high dam in Hells Canyon and we appreciate the fight you are making in behalf of full development of the Columbia Basin and for low-cost power.

As a Granger I worked on PUD Committee and have seen our community lifted from the

days of kerosene lamps, lanterns, and hand pumps to electrified improvement and we want no return to high rates to eastern interests.

It will, indeed, be a pleasure to help you beat Langlie.

Thanks again and good luck.

Sincerely,

R. A. BEAN.

To the Honorable Senator WARREN G. MAGNUSON:

We the following members of Cougar Flat Grange, No. 738, of Lewis County, Wash., wish to indorse your support of a high Hells Canyon Dam.

A. H. Booth, Sulo Kolekmainen, Frank Austin, Carl E. Nilson, Walter A. Gurberson, Col. W. C. Nelson, Loretta Wileman, Mary Ann Roab, Tyne Austin, Sam A. Maki, Herman H. Maki, Irma M. Nelson, Agnes Reed, Mable Nelson, Lena Leathers, Bertha Clinch, Mrs. Pauline M. Smith, Dorothy Booth, Vera Long.

HELLS CANYON RESOLUTION

Whereas on the Snake River on boundary between Oregon and Washington lies the last of the truly great undeveloped power sites of the Nation; and

Whereas construction by the Federal Government of the Hells Canyon High Dam would mean a large block of low cost power available in the Federal system for the expansion and development of agriculture, industry and commerce in the Pacific Northwest plus the opportunity to develop economically the large phosphate rock deposits in Idaho and Utah thereby supplying farmers in the Northwest with low-cost fertilizer; and

Whereas many other benefits would accrue to the region including flood control and irrigation and navigation; and

Whereas the former Secretary of Interior and the Federal Power Commission did serious injury to the Nation and this area when they granted a license to the Idaho Power Co. to build three dams of less capacity and about one-fourth of the storage capabilities of the Hells Canyon Dam; and

Whereas the United States House of Representatives and the United States Senate are now considering authorization of the high Hells Canyon Dam to be built by the Federal Government: Now, therefore, be it

Resolved, That Douglas County Pomona Grange No. 49 does hereby ask Representatives and Senators from this area to support the Hells Canyon bills with all their resources, thereby protecting the interests of the people of this Nation and assure continued comprehensive development of our great rivers.

JOHN D. JONES,
Master.
FLOYD MCLEAN,
Secretary.

JULY 14, 1956.

JULY 14, 1956.

Hon. WARREN G. MAGNUSON,
United States Senator,
Washington, D. C.

DEAR SENATOR MAGNUSON: The grangers of this area, as of the State as a whole, feel strongly regarding the moves to destroy such great natural resources as the high Hells Canyon hydropower site. A similar effort was made here years ago to destroy the Grand Coulee hydrosite.

We are depending upon our representatives in Washington, D. C., to whom the people of the State of Washington have delegated the responsibility for protecting these resources, to do everything in their power at this time to help convince the Congressmen and Senators from other parts of the Nation that the site of the high Hells Canyon should not be destroyed.

We have no oil or gas fields or industrial coal. Hydropower is our hope for future development. We should develop its maximum potential, not the minimum low-dam plans.

The voters of the State of Washington have never in any election repudiated the Grange program regarding public power or conservation of these natural resources. We trust that you will bend every effort to obtain authorization of the high Hells Canyon Dam at this session of the United States Congress, and such view has been formerly voiced by our grangers in the enclosed resolution.

Very truly yours,

T. M. ZACHER,
Master, Beacon Hill Grange, Wenatchee, Wash.

RESOLUTION

Whereas the Grange is dedicated to the conservation of our natural resources; and

Whereas the construction of low dams on the Snake River would eliminate all hope of construction of the Hells Canyon high dam and therefore, would result in the wastage of one of our great natural resources; and

Whereas our Pomona and State Granges have repeatedly reaffirmed their stand for the Hells Canyon high dam; and

Whereas legislation is now before the United States Senate and House of Representatives to authorize construction of the Federal high dam in place of the proposed low dams: Now, therefore, be it

Resolved, That the Beacon Hill Grange appeal to the Washington State Congressmen and Senators, as well as the National Grange, to support the bills calling for construction of the Hells Canyon high dam by the Government of the United States; and be it further

Resolved, That copies of this resolution be airmailed to the Representatives and Senators of the State of Washington and also to the master of the National Grange.

Adopted this 13th day of July, 1956.

TED M. ZACHER,
Master.
AL WALLACE,
HOWARD D. FREFRY,
THELMA HONEYSETT,
Executive Committeemen.
ALICE MORRIS,
Secretary.

SEATTLE, WASH., *July 12, 1956.*

The Honorable WARREN G. MAGNUSON,
United States Senate, Capitol Building,
Washington, D. C.

DEAR SENATOR MAGNUSON: We in the Northwest are exceedingly gratified that the congressional committees of both Houses have approved the high Hells Canyon Dam project.

Providing for the maximum development of our remaining natural resources including hydroelectric power, irrigation, and related flood-control benefits is very sound judgment.

I sincerely urge that this legislation be carried through to final conclusion.

Yours truly,

R. C. CORNELIUS.

VANCOUVER, WASH., *July 13, 1956.*

Senator WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: The people of the Northwest and Nation are watching the outcome of the vote on Senate bill S. 1333.

We appreciate your hard work and wish it success.

Governor Langlie had a front page campaign article in our Vancouver Columbian last night. It was loaded with untruths about the dam.

Sincerely,

KEYE and EVA MEYER.

OKANOGAN, WASH., *July 17, 1956.*

Senator WARREN G. MAGNUSON,
Senate Office Building:

Members of Okanogan Grange urge you to do everything possible to gain passage of bill authorizing high dam at Hells Canyon.

JOHN GOLDMARK,
Chairman, Power Committee,
Okanogan Grange.

WENATCHEE, WASH., *July 14, 1956.*

Hon. SAM RAYBURN,
House of Representatives,
Washington, D. C.:

We in the State of Washington have great respect for Senator WARREN G. MAGNUSON and Representative DON MAGNUSON.

To be certain of their reelection, we urge that you do all in your power to obtain favorable action on H. R. 4719, Hells Canyon before adjournment.

NORTH CENTRAL WASHINGTON CHAMBER OF COMMERCE.
EAST WENATCHEE DISTRICT CHAMBER OF COMMERCE.
NORMAN L. MCLANDRESS.

WENATCHEE, WASH., *July 14, 1956.*

Hon. LYNDON B. JOHNSON,
Senate Office Building, D. C.:

In Washington State, we have great respect for the ability and accomplishments of Senator WARREN G. MAGNUSON and Representative DON MAGNUSON. To assure their reelection we urge that you make every effort to have favorable action on S. 1333, Hells Canyon, this session.

NORTH CENTRAL WASHINGTON CHAMBER OF COMMERCE.
EAST WENATCHEE DISTRICT CHAMBER OF COMMERCE.
NORMAN L. MCLANDRESS.

TACOMA, WASH., *July 13, 1956.*

Senator WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

Private power lobby presently in Washington D. C., do not convey a majority opinion of the citizens of the Northwest. We urge all your efforts for the high dam at Hells Canyon. This is formal action of our membership.

Kindest regards.

VERNIE REED,
Director, Tacoma Building and Construction Trades Council.

CASTLEROCK, WASH., *July 17, 1956.*

The Honorable WARREN MAGNUSON,
Senate Office Building,
Washington, D. C.:

Sunnyside Grange, Castle Rock, Wash., urges your support of immediate authorization of Federal high Hells Canyon Dam. Grangers in this area are solidly behind this project and believe that construction of low dams at this time will sabotage long-range program of power development and flood control.

OCEA NIEMI, *Master.*

DAVENPORT, WASH., *July 16, 1956.*

Hon. WARREN MAGNUSON,
United States Senate Office Building,
Washington, D. C.:

We thank you for your support of Hells Canyon bills. We urge your continued effort for the comprehensive development of the Columbia River Basin.

CHAS. P. LINSTRUM,
President, Lincoln Electric Cooperative, Inc.

LONGVIEW, WASH., *July 16, 1956.*

Senator WARREN MAGNUSON,
Washintgon, D. C.:

The Public Ownership League is a delegate body representing Pomona subordinate

granges, central labor council, and affiliates. We urge support of high Federal dam at Hells Canyon.

PUBLIC OWNERSHIP LEAGUE OF COWLITZ COUNTY.

KELSO, WASH., *July 14, 1956.*

WARREN G. MAGNUSON,
Senate Office Building:

We urge support of high Federal dam at Hells Canyon.

CATLIN GRANGE.

ELA, WASH., *July 13, 1956.*

Senator WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

Would appreciate your support to Hells Canyon Dam bill. The people of this district do not agree with the view or statements of Gov. Arthur B. Langlie on this subject.

CLYDE V. TISDALE,
Acting President, Central Labor Council of Willapa Harbor.

BREMERTON, WASH., *July 13, 1956.*

Senator WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

Labor urgently requests full support of Federal all-purpose dam in Hells Canyon.

CENTRAL LABOR COUNCIL.
E. W. HOLBROOK,
Secretary.

OLYMPIA, WASH., *July 13, 1956.*

Senator WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

The 54th annual convention of the Washington State Federation of Labor, meeting in Olympia, Wash., reaffirms its position on Hells Canyon high dam and urges your support and vote for this important project.

E. M. WESTON,
President, Washington State Federation of Labor.

CASTLE ROCK, WASH., *July 16, 1956.*

United States Senator WARREN G. MAGNUSON,
Washington, D. C.

DEAR SENATOR: This Grange did at its regular July meeting go on record favoring the full development of the Columbia River with construction of a high dam at Hells Canyon. Urge your support.

ELMA HAROLD,
Secretary, Silver Lake Grange, Cowlitz County, Wash.

TACOMA, WASH., *July 13, 1956.*

Senator WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

Hod Carriers Building and Construction Laborers Local 252 urge your favorable consideration of full development of Hells Canyon Dam by Federal Government. Orderly development of hydroelectric resources is necessary for economic growth of Pacific Northwest area.

GORDON J. BROWN,
Financial Secretary-Treasurer, Local 252.

SPOKANE, WASH., *July 16, 1956.*

Senator WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

The president's committee of the following locals in Montana, Idaho, and Washington urgently request your support of bill authorizing construction of Hells Canyon High Dam in preference to Idaho Power small dams: Locals 329, 338, 3785, 4017, 4527, 4904, 3169, 5089, and 5114.

OTTO ORR,
Subdistrict Director, United Steel Workers of America.

LEWISTON, IDAHO, *July 14, 1956.*

Senator WARREN MAGNUSON,
Senate Office Building,
Washington, D. C.:

We, the people of this Northwest, want Hells Canyon Dam. Get in there and fight for the preservation of this great natural resource.

HOWARD E. ENGLE.

CLARKSTON, WASH.

SPOKANE, WASH., *July 14, 1956,*

United States Senator WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

Trust you will exert every influence favoring Hells Canyon Dam. I feel this is the greatest thing left for the development of the Pacific Northwest.

Dr. R. E. BLAKEMORE.

WASHINGTON, D. C., *July 16, 1956.*

Hon. WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

Senate approval of the Hells Canyon bill, S. 1333, is of vital importance to the industrial future and national defense of the United States. To meet enormous increase in future power requirements of our country we shall need maximum possible development of all our energy resources. We cannot afford to foreclose forever the full development of the Hells Canyon power potential by surrendering this site to a private project which will develop only 60 percent of the available power. Loss of this power will entail the loss of countless job opportunities. This issue is not public power versus private power. The issue lies between conservation and waste of priceless and irreplacable natural resources. At a time when American world leadership is being challenged by the rise of Soviet industrial power, such waste and destruction of this great natural resource is even more inexcusable. I cannot believe that the United States Senate will fail to make its decision firmly on the side of the national interest and I ask your support for S. 1333.

WALTER P. REUTHER,
President, United Automobile Workers.

TACOMA, WASH., *July 13, 1956.*

Senator WARREN G. MAGNUSON,
Senate, Washington, D. C.:

Have information private-power lobby presently in Washington, D. C., are trying to convey to our representatives that the majority of people in the Northwest are in favor of private power. They are doing everything possible to stop the building of the high dams at Hells Canyon. This is not the wishes of our people as we have always supported a Hells Canyon Dam. We are asking your cooperation in stopping the private-power lobby.

A. A. BRADLEY,
Business Manager, International Brotherhood of Electrical Workers, Local 76.

POMEROY, WASH., *July 14, 1956.*

Senator WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MAGNUSON: Just a note to urge you to do everything you can to get a high dam in Hells Canyon. It's not really a political issue but one in which all the Northwest should be for. We need that cheap electric power if we are to have the growth we should. The lousy Spokesman Review is so biased we never hear if anyone is working on the side for a Hells Canyon high dam. All we hear is the times we have suffered some setbacks.

I know you have worked for it all along. Thanks and good luck next week.

Sincerely,

WENDELL BARTLAW.

McMILLIN, WASH.

Senator WARREN G. MAGNUSON,
Washington, D. C.

DEAR SENATOR: We are still very much in favor of the Hells Canyon bill, and know you are working hard for it.

Please, give Arthur the worst beating ever. We will help on this end, and it sounds good when we approach friends, even Republicans.

Sincerely,

GEO. and MARIE CUSTER.

RICE, WASH., *July 14, 1956.*

Hon. WARREN G. MAGNUSON,
Member of Congress.

DEAR MR. MAGNUSON: Last night Quillissant Grange, No. 372, reaffirmed their stand for a high Hells Canyon Dam.

I know you are working very hard for this legislation. If there is anything more that our grange or I personally can do to help with the passage of this legislation at this time please let me know.

Our grange has 87 members.

Fraternally and sincerely,

A. L. MCKERN, *Master.*

Senator WARREN G. MAGNUSON,
Washington, D. C.:

We favor the high dam at Hells Canyon.

CHAS. P. BLAUVELT.
ELSIE M. BLAUVELT.

FOX ISLAND, WASH.

BREMERTON, WASH., *July 14, 1956.*

Senator WARREN G. MAGNUSON,
Senatorial Offices,
Washington, D. C.

DEAR SIR: I am just one of the people of the State of Washington, and as such demand to know how a few people can give away our natural resources to a private company to make money for themselves. The little people most concerned are not behind this, and do not realize what these few with their hands out for a tidy sum are doing to the rest of us.

The people most concerned should never give up fighting for the high dam, which is as it should be for all of us, and no one in Washington, D. C., can by law of "we the people" give any private interests a right to build three dams so they could control the power and deprive us of the right to cheaper rates. Have an electric range out in the shed right now, because I cannot afford to pay the bills that would result from the canning and long-time cooking for our family, that we can do with wood, but as we are getting old and at 70 my husband is hardly able to cut wood any more, we still can't afford the high price of electricity.

We protest the right of the private interests to have our resources, we did not vote them the right and I thought this was a government for the people and by the people.

Sincerely,

MRS. FRED E. SNYDER.

SEATTLE, WASH., *July 12, 1956.*

Senator WARREN G. MAGNUSON,
Senate Building, Washington, D. C.

DEAR SENATOR MAGNUSON: Attached find copy of letter today mailed Senator LYNDON JOHNSON and Congressman SAM RAYBURN which, I believe, is self-explanatory.

Your continued efforts on this matter will also be greatly appreciated.

With best wishes and kindest personal regards.

Yours very truly,

J. R. DIJULIO.

SEATTLE, WASH., *July 12, 1956.*

Senator LYNDON JOHNSON,
Capitol Building, Washington, D. C.

DEAR SENATOR JOHNSON: I note from the local press that the high Hells Canyon Dam

installation project is before the congressional bodies.

We, in Seattle and the Northwest, believe it most vital that the Columbia River and its important tributaries be developed to protect this area from floods together with providing sufficient storage for irrigation, and at the same time providing us with hydroelectric power which is a vital necessity for the future economic development of our region.

Again thanking you for your assured cooperation.

Yours very truly,

J. R. DIJULIO.

Senator WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

We, the undersigned, respectfully request your support of a high multipurpose dam in Hells Canyon, to be built by the Federal Government, and dedicated to service in the best interest of all of the people in the Pacific Northwest, through effective flood control and full utilization of our water resources for maximum power development.

John C. Eggeiman, Esther H. Lund, George Lund, Longview, Wash.; Roger C. McLeod, Camille Young, Kelso, Wash.; Mildred C. Olson, Longview, Wash.; Geraldine Gilbert, Henriette Dempsey, Kelso, Wash.; Margaret Cooley, Longview, Wash.; Mildred McNeely, Mr. and Mrs. E. D. Shafer, Kelso, Wash.; Liona McAllister, Longview, Wash.; Elsie D. Wilma, Sydney Pietila, Kelso ,Wash.; Emil Carlson, W. H. Cooley, Longview, Wash.; Geo. Pietila, Arthur J. Young, Emma J. Closner, John D. Closner, Kelso, Wash.; Ellen E. Olson, Longview, Wash.; Donna Jean Jarales, Kelso, Wash.; Charles A. King, Longview, Wash.; Turner R. King, J. C. Jacobson, Vern Gilbert, Harold Luethe, Ada Napper, F. J. Napper, Nellie L. Hunter, Clara E. Fisher, Kelso, Wash.; Esther Carlson, Longview, Wash.; Juanita Loethe, Mrs. Fred Goldsmith, Lillian Chesley, Kenneth E. Chesley, Kelso, Wash.; Louis L. Scharf, Longview, Wash.

SEATTLE, WASH., *July 12, 1956.*

Congressman SAM RAYBURN,
Capitol Building, Washington, D. C.

DEAR CONGRESSMAN RAYBURN: I note from the local press that the high Hells Canyon Dam installation project is before the congressional bodies.

We, in Seattle and the Northwest, believe it most vital that the Columbia River and its important tributaries be developed to protect this area from floods together with providing sufficient storage for irrigation, and at the same time providing us with hydroelectric power which is a vital necessity for the future economic development of our region.

Again thanking you for your assured cooperation.

Yours very truly,

J. R. DIJULIO.

[From the Tacoma News Tribune, June 2, 1956]

COLUMBIA'S RUNOFF HIGHER THAN IN 1948

PORTLAND.—The spring runoff of the Columbia River this year broke all records except that of 1894, the United States Geological Survey reported.

The runoff measured at The Dalles from April 1 through June 25 was 86,290,000 acre-feet, compared with 83,496,000 when the Columbia went on its last big flood in 1948.

The 1894 flood, however, still is the record with 114,500,000 acre-feet in the 3-month period.

The peak stage this year was a discharge of 823,000 cubic feet a second at The Dalles on June 2.

The Columbia now is back within its banks almost everywhere. The Portland harbor level dropped to 17.4 feet Thursday, the first time it has been under the 18-foot flood stage since May 20.

The river, which crested at 26.8 feet at Vancouver, Wash., June 4, now is down to 17.5 at Vancouver. Flood stage there is 15 feet.

LOCAL UNION NO. 77, INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS,
Seattle, Wash., June 18, 1956.

Senator WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.

DEAR MR. MAGNUSON: Enclosed is an editorial taken from the June 7 issue of the Seattle Daily Journal of Commerce, no doubt prompted by the threat of a disastrous flood on the Columbia River this past month.

If we had expedited the flood control plans we soon would have control of the river and would not have to resort to "sand bags and prayers" as suggested by one of the Army engineers.

This year the Lord has been kind to most people along the Columbia River. An unusually dry April and May saved them from disaster. Of course many acres of farmland were flooded, some crops destroyed and at least three people were reported drowned.

I wonder if this administration considers that a policy of spending billions of dollars in foreign lands and letting our own people along our own rivers have much of their property destroyed, is a sound policy?

This Government has offered to build flood control and power projects in foreign lands. Don't you think it is about time that we should work for a flood control project as outlined in this attached editorial?

I would appreciate your views on this subject.

Yours very truly,

J. F. FLYNN,
Recording Secretary.

[From the Daily Journal of Commerce of June 7, 1956]

DAMS WOULD CURB COLUMBIA FLOODS

Disastrous floods of the Columbia River could be eliminated by construction of dams planned by the Army engineers that will, if eventually authorized, provide 20,900,000 acre-feet of water storage. Without Grand Coulee Dam and other Columbia River controls, present flood conditions in the lower river area could be far more serious. Extremely high water causes many breaks in dikes. The answer to flood control on the Columbia River is primarily in adequate dams and the storage reservoirs behind such structures, according to Brig. Gen. L. H. Foote, of the North Pacific Division, Corps of Army Engineers.

The worst floods can be cut down to dike size if sufficient dams are constructed and heavy flood losses eliminated or greatly reduced, according to General Foote. A flood such as occurred in 1894, under present conditions, could result in a loss of over $300 million in the lower Columbia River area alone. To achieve practical flood control, construction of the following dams is required.

The high dam at Hells Canyon, with 2,600,000 acre-feet of storage; Payette River, increased by 300,000 acre-feet; John Day, 1,400,000; Priest Rapids, 2,100,000; Libby Dam, 3,900,000; Glacier View, 1,800,000; and an increase of 3,900,000 acre-feet of storage at Grand Coulee by installation of new gates that operate under high pressure, and by upriver storage from additional dams.

These projects, together with 4,890,000 acre-feet of storage available at existing dams, would provide 20,890,000 acre-feet of usable storage for flood control, the engineers emphasize.

The dams listed are by no means in the working-drawing stage and may not be built for many years if at all. But they would be virtually capable of making disastrous Columbia River floods but a chapter in history.

To combat this year's floods and those that may occur next year, the Army engineers have storage capacity available of 2,100,000 acre-feet at Hungry Horse; 1,200,000 feet at Grand Coulee (increased to 2,800,000 feet this season by emergency use of diversion tunnels in dam structure); 1,200,000 acre-feet at Palisades and 390,000 feet on the Payette and Boise Rivers. The total storage capacity at present is far short of the 20,900,000 acre-feet suggested by General Foote.

KLICKITAT COUNTY PUBLIC UTLITY DISTRICT,
Goldendale, Wash., June 25, 1956.

Senator WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MAGNUSON: We are writing you again concerning three rather vital power development bills.

We know you have expressed your feelings concerning these bills in one way or another. I also realize that the Buckley bill and the Lehman bill have been receiving some favorable consideration already in Congress. We urgently feel that the three bills, as listed below, are a must in power developments if the development of our national resources and of the Nation as a whole is to go ahead on a reasonable and orderly basis. We urgently recommend your continued support on the Buckley bill, and the Lehman bill for the development of the Niagara in the State of New York, and particularly we urge the inclusion of the preference to cooperatives and public agencies for the output of this development.

The second item is the House bill 412 and the Senate bill 300, the Millikin-Chenoweth bill authorizing the Fryingpan-Arkansas project in Colorado. We feel this is a must in western development and would greatly aid the power movement of the West.

The third item is the House bill 4648 and Senate bill 1333, the Morse-Pfost bill for the high dam at Hells Canyon in the Snake River.

I am sure that you already know our feeling with regard to this and we feel that the time is probably the most opportune now to push this legislation through.

Your continued support and effort with regard to this bill and the others mentioned will be most appreciated.

Sincerely yours,

EMMET E. CLOUSE,
Manager.

INTERNATIONAL BROTHERHOOD PULP, SULPHITE AND PAPER MILL WORKERS,
Lewiston, Idaho, June 23, 1956.

Hon. Senator WARREN G. MAGNUSON,
Washington, D. C.

HONORABLE SIR: Please be informed that consistent with all previous policy of our organization concerning development of the power potential of the Columbia River drainage as well as flood control, navigation reclamation and recreation unanimous action was adopted to notify you that we urge the United States Congress to support passage of House bill No. 4719, and Senate bill No. 1333.

Our organization comprises all organized workers engaged in production of wood pulp in the State of Idaho.

We wish to commend you for your untiring efforts in behalf of river development for maximum benefit to the people of our Nation.

Our best regards.

CLINTON MOURER,
Secretary.

DAVENPORT, WASH., *July 14, 1956.*

Hon. WARREN G. MAGNUSON,
House of Senate,
Washington, D. C.

DEAR SENATOR MAGNUSON: In regard to the Hells Canyon bill which may come before the Senate for a vote.

Very likely you have spent considerable time in the study of this project, as it directly affects our Northwest area.

After doing considerable reading and study of this project I feel that the high Hells Canyon Dam should be built, as it appears to have many advantages over the smaller dams, not only for the present time, but for future use, and it appears as though the site is about the last of the Northwest's remaining proposed large dam sites left.

We are all very proud of our large Grand Coulee Dam and all the benefits derived therefrom, and all the irrigation projects which are still to be developed which could not have been possible if several small dams were built on the Columbia, in place of Grand Coulee Dam.

So I would urge a very careful consideration of this important decision, with regard to present and future needs, and I trust that the correct decision on the matter will be obtained, and that we will not be sorry of the error later on.

Sincerely yours,

CARL MIELKE.

CENTRAL LINCOLN
PEOPLE'S UTILITY DISTRICT,
Newport, Oreg., July 13, 1956.

The Honorable WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MAGNUSON: One of the major issues of the day is the Hells Canyon Dam issue.

To remind you of the position of the district in regard to this issue there is enclosed a copy of Resolution No. 190, adopted over a year ago. We are of the same opinion now as then.

Very truly yours,

L. J. BAUER, *Manager.*

RESOLUTION No. 190

Whereas the Central Lincoln People's Utility District has the responsibility of providing electric service to approximately 45,000 people in western Lincoln, Lane, Douglas, and Coos Counties along the Oregon coast; and

Whereas the power demands of the district's service area during the past 10 years have increased more than tenfold and the present demands are expected to triple in the next 10 years; and

Whereas the demands for increased power supplies are general throughout the Pacific Northwest; and

Whereas the economic development of the Pacific Northwest will inure to the benefit of the entire Nation; and

Whereas the full potential economic development of the district's service area and the Pacific Northwest is dependent upon a continuing, abundant, low-cost power supply; and

Whereas full development of the hydroelectric power potentials of the Northwest are a requisite for a continuing adequate power supply in the area; and

Whereas a Federal high Hells Canyon Dam on the Snake River between Idaho and Oregon is essential for full development of the power potentials of the Snake and Columbia rivers: Now, therefore, be it

Resolved by the Central Lincoln People's Utility District, a municipal corporation of the State of Oregon, That the district go on record as favoring the construction by the Federal Government of the Hells Canyon Dam on the Snake River between Idaho and Oregon as proposed by Senate bill 1333; and be it further

Resolved, That the district's position on Senate bill 1333 be made known to the joint Senate and House Interior and Insular Affairs Committee, the congressional delegations of the Pacific Northwest States, and other Members of the 84th Congress, 1st session.

Adopted this 29th day of March 1955.

MILLARD MARTIN,
President.

Attest:

JOHN GREENBO,
Secretary.

LUMBER AND SAWMILL WORKERS,
UNITED BROTHERHOOD OF CARPENTERS
AND JOINERS OF AMERICA, LOCAL NO. 1845,
Snoqualmie, Wash., June 28, 1956.

The Honorable WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MAGNUSON: Local No. 1845, Lumber and Sawmill Workers Union, has written to the Representatives from our district reaffirming our position on the Hells Canyon issue as you and Senator JACKSON requested.

On behalf of the local I want to take this opportunity to thank you for the excellent work you are doing and to inform you that the local is, as before, in accord with your actions.

Sincerely yours,

GALE I. JENSEN,
F. S. Treasurer, B. A., Local Union No. 1845.

OKANOGAN POMONA GRANGE, NO. 53,
Oroville, Wash., July 14, 1956.

Mr. WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.

DEAR MR. MAGNUSON: Resolved by Okanogan County Pomona Grange, No. 53, that we urge our representatives in the Senate and the House of Representatives to work for the immediate passage of the legislation authorizing the construction of the high Hells Canyon Dam. (Senate bill 1333 and House bill 4719.)

Be it further resolved that letters be sent to our Senators WARREN G. MAGNUSON and HENRY M. JACKSON and all members of the Washington delegation in the House of Representatives.

Sincerely,

Mrs. KATHARINE LESLIE,
Secretary.

MANSON, WASH., *July 16, 1956.*

The Honorable WARREN MAGNUSON,
United States Senate.

DEAR SENATOR: I heard you talk at Walla Walla at the Washington State Grange meeting, and since then I have a great deal of respect for your master mind and keen intellect. We of the grange, as you know, are strong for the high dam at Hells Canyon. I believe it would be needless for me to urge you to support Senate bill 1333, but if you'll do what you can and continue as you have been, just remember we're right behind you all the way.

Respectfully,

LaRUE BARKLEY,
Master of Chelan County Grange.

WILBUR, WASH., *July 16, 1956.*

Senator WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.

DEAR SIR: The people of the Northwest favor the building of the high Hells Canyon Dam because they think it is to the best advantage of the entire country.

We hope you will support it.

Yours truly,

GLEN C. WATSON.
(Mrs.) HELEN V. WATSON.

DELRIO GRANGE, NO. 828,
Grand Coulee, Wash., July 14, 1956.

DEAR MR. MAGNUSON: The Delrio Grange wishes and does support the high Hells Canyon Dam for the purpose of power, flood control, navigation and recreation.

Fraternally.

Mrs. AUDREY N. STEVESON,
Secretary.

DIXON, ILL., *July 16, 1956.*

WARREN G. MAGNUSON.

DEAR SIR: I received your letter relating to Hells Canyon.

We feel the development of the Hells Canyon reach of the Snake River is frankly a lost cause.

Though the high dam may be far the most value to Idaho and Washington it seems that under the present administration we and the democratic cause have taken a resounding licking "pardon the expression."

I know one thing for sure the construction industry has fallen to a new low in our State and the State of Idaho. Oregon has felt the squeeze probably due to politics as much as our own State.

You are bothered with a quorum. Don't feel lonely. Just before coming here I made a trip as usual to the coast area from Aberdeen, Hoquaim area to and including Mount Vernon. Back to Spokane via Leavenworth, Wenatchee, Waterville in to Coulee Dam and vicinity. There were four of us who attended labor meetings, construction trades council meetings, in an effort to support and gain more strength on a drive for funds for Labor's League for Political Education. Where we used to have audiences of from 20 to 150 and more, we stood before 5 to the most 53 at a meeting of the boilermakers in Seattle.

My colleagues, like myself, have been forced out of the Northwest and into more Republican strongholds in order to make a living.

It's alarming the rate of losses in membership in the Northwest as far as democratic building trades are concerned.

I know there are over 200 voting residents of the Spokane area in Wisconsin, Minnesota, Illinois, Indiana, Colorado, South Dakota, Michigan—States that I've been sent a list of by the Spokane Chapter of Building Trades—Mr. Thomas J. Richardson, president.

Not only is there less construction in our line of work. I'd safely say 40 percent of our jurisdiction has been taken over by the one big union who supported the Republican Party.

I was offered an appointment with LLPE, which would have been an ideal spot but wages were not enough to cover the amount of traveling I'd like to do, so I'm in Illinois, and will have to be until things come out of mothballs in our State.

I'm truly sorry I can't be in Washington to ask support for your Hells Canyon quorum. I've certainly had 100 percent support from those who are still hanging on.

Sincerely,

GLENN L. LAMB.

P. S.—I'm sorry my letter was so long I know you are a busy man, especially these days. Good luck this fall.

BEAVER LUMBER CO.
Everett, Wash.

Hon. WARREN G. MAGNUSON,
United States Senator,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MAGNUSON: We are in favor of Federal development of Hells Canyon, and do urge you to do your utmost to bring it about.

We are opposed to all giveaway measures of our national resources.

Sincerely yours,

P. C. RINDERO.

WENATCHEE, WASH., *July 18, 1956.*
Hon. WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

East Wenatchee District Chamber of Commerce today in full assembly unanimously adopted resolution that you leave no stone unturned to have Hells Canyon up for action this session if favorable action assured.

EAST WENATCHEE DISTRICT CHAMBER OF COMMERCE,
NORMAN L. MCLANDRESS, *Secretary.*

RICHLAND, WASH, *July 18, 1956.*
Senator WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

Congratulations on your efforts in behalf of Hells Canyon and the dual-purpose reactor. Passage of these bills will aid your candidacy and the stature of the Democratic Party in this area. Keep up the good work.

GORDAN COCHRAN,
Chairman, Benton County Central Committee.
MIKE MCCORMACK,
Conservation and Natural Resource Development Chairman.

BELLINGHAM, WASH., *July 17, 1956.*
Senator WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

Save Hells Canyon for full development of Northwest. Keep fighting.

FRED DUSTIN.
LYNDEN, WASH.

BREMERTON, WASH., *July 13, 1956.*
Senator WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

We appreciate your support of the Hells Canyon high dam and urge continued effort in its behalf.

A. A. JUSTIN,
Recording Secretary, District Lodge No. 282, I. A. of M.

PORTLAND, OREG., *July 13, 1956.*
Senator WARREN G. MAGNUSON,
Senate Office Building:

Full development of power, flood control, reclamation, irrigation, navigation, conservation and recreation in the Pacific northwest depends upon the enactment of legislation providing for Federal construction of a high, multipurpose dam in the Hells Canyon reach of the Snake River. The high dam proposed by S. 1333 and the companion bill in the House is an integral part of the main control plan submitted by the Army engineers in their 308 report. We urge your support of this legislation on behalf of thousands of workers and their families in Oregon, Washington, Idaho, California, and Montana.

JAMES E. DICEY,
Vice President, International Woodworkers of America.

SEATTLE, WASH., *July 12, 1956.*
Senator WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

Appreciate your efforts towards high Hells Canyon Dam. Keep up and expand your efforts if possible. If we lose this battle expansion of the Northwest will be lost.

HAROLD SLATER,
Secretary-Treasurer, Washington State CIO Council.

SEATTLE, WASH., *July 10, 1956.*
Hon. WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

We must protect at all costs maximum development of all Northwest river resources. Immediate action necessary. Urge your all-out effort to protect the full development of our natural resources by immediate passage of high Hells Canyon Dam legislation.

A. LARS NELSON,
Master, Washington State Grange.

LOS ANGELES, CALIF., *July 10, 1956.*
Congressman DON MAGNUSON,
House Office Building:

Urgently request your support on the national Hells Canyon project which is to be voted on within a few days.

P. A. JUDD,
Secretary, Western States Conference of Operating Engineers.

LOS ANGELES, CALIF., *July 10, 1956.*
Senator WARREN MAGNUSON,
Senate Office Building,
Washington, D. C.:

Urgently request your support on the national Hells Canyon project which is to be voted on within a few days.

P. A. JUDD,
Secretary, Western States Conference of Operating Engineers.

Mr. P. A. JUDD,
Secretary, Western States Conference of Operating Engineers,
Los Angeles, Calif.

Am in complete support of Hells Canyon legislation.

WARREN G. MAGNUSON,
United States Senator.

POULSBO, WASH., *July 16, 1956.*
Hon. JOHN J. SPARKMAN,
Member of Congress,
Washington, D. C.

DEAR SENATOR: I sincerely hope you understand the game the Republican manipulators are counting on for the defeat of Senator MAGNUSON.

Hells Canyon high dam is favored by an overwhelming majority of the voters in this State, and I believe also in Oregon and Idaho.

Our Governor Langley does not represent the sentiment of the voters in opposing the measure, and what is more his representations will not stand the light of day.

It is hoped that the Hells Canyon Dam may be defeated before the Republican Convention, where Mr. Langley will deliver the keynote speech.

Should Mr. Langley's efforts to give the river to the Idaho Power Co. be successful it would probably be worth 10,000 votes for him against Senator MAGNUSON. While I do not suppose this could defeat MAGNUSON the making of the keynote speech after being instrumental in defeating the measure is considered a master stroke by the Republican machine in this State.

The Hells Canyon measure is sound. It wil pay for itself with interest the same as Coulee Dam is doing besides benefitting both State and Nation by helping bring about many thousands of dollars in extra taxes.

I sincerely hope you will do all in your power to secure its passage.

Noticing several errors, including the spelling of your name, I retyped this letter to Senator SPARKMAN. Hope its good tactics.

Sincerely,

LEON DUROCHER.

NORTHWEST PUBLIC POWER ASSOCIATION, INC.,
Vancouver, Wash., June 24, 1956.
Senator WARREN MAGNUSON,
Senate Office Building,
Washington, D. C.

DEAR MAGI: The enclosed article by our President-elect P. C. Spowart entitled, "Northwest Water Resources: Shameful Waste To Continue, or Coordinated Conservation?" may merit your consideration for insertion in the CONGRESSIONAL RECORD.

Mr. Spowart will assume the presidency of this association on September 1, 1956, for 1 year. Seattle, as you know has been a pioneer not only in hydropower but also in so conducting its program as to aim at the ultimate full development of the Skagit River by means of upstream storage for both flood control and power. Also its program yields great recreational values. This year the long famous Skagit tours have been resumed.

Best personal regards. See you in Tacoma June 30.

Sincerely,

GUS NORWOOD.

[From the Seattle City Light News of June 1956]

NORTHWEST WATER RESOURCES—SHAMEFUL WASTE TO CONTINUE, OR COORDINATED CONSERVATION?

(By P. C. Spowart, assistant superintendent)

"Man shall not live by bread alone." In addition to food, he must have water. In fact, man can live without food for several weeks. But take away water, and in a few short days he will die.

North America, with its vast river systems and lakes, must have seemed a veritable paradise of water to the early explorers. Where, in the countries of England, France, Spain, was there a river tc compare with the mighty Mississippi, thousands of miles long, an inexhaustible supply of fresh water.

Or where, in those Old World lands, was there a body of water comparable to any of the Great Lakes, 5 of the largest fresh-water bodies in the world.

These explorers, and the settlers that followed them, saw that North America, in regard to water as with other natural resources, was blessed with abundance beyond all measure.

EARLY POPULATION SMALL

By 1790, there were only 4 million people in the United States. The Nation had few large cities. The population was scattered along the Atlantic coast and the rivers flowing into the Atlantic. Other than periodic floods, no harm seemed to be done by unregulated streams. The use of rivers for garbage and sewage disposal was common practice.

As the Nation grew and more land was settled, irresponsible methods in clearing forest land for cultivation accounted for additional waste of water. Instead of leaving some forest covering to help hold the rain and snow, settlers for lack of knowledge cleared away and burned all the underbrush. The resulting floods washed away thousands of acres of valuable topsoil.

A similar loss of water and land resulted when farmers plowed their fields in straight furrows, rather than following the contour of their land. The furrows were nothing more than ditches down which the water ran, instead of sinking into the soil to nourish the crops.

By 1910, the United States had grown to a Nation of 92 million people, covering the area contained in the present 48 States. The waste of water, though not yet producing a serious crisis, was beginning to making itself felt.

It is one of the tragedies of American history that this waste of water continued for so many years with scarcely a voice to protest it. Even the warnings sounded by a national personage such as President Theodore Roosevelt largely went unheeded.

THEODORE ROOSEVELT'S WARNINGS

In 1906, President Roosevelt appointed an Inland Waterways Commission to investigate the water resources and needs of the country.

Two years later he sent to Congress the committee's preliminary report, with a letter expressing his views.

He said, "Our river systems are better adapted to the needs of the people than those of any other country. Yet the rivers of no other civilized country are as poorly developed, so little used, or play so small a part in the industrial life of the nation as those of the United States. In view of the use made of rivers elsewhere, the failure to use our own is astonishing, and no thoughtful man can believe it will last."

President Roosevelt proposed two ways to remedy this situation. First, "the national government must play the leading role in securing the largest possible use of our waterways; other agencies can and should assist, but the work is essentially national in scope."

And second, "Each river system, from its headwaters in the forest to its mouth on the coast, is a single unit and should be treated as such."

To a limited degree, both of these proposals have been followed, but only in small measure. The only instance where the river-system concept has been carried out has been in the Tennessee Valley Authority legislation enacted by Congress in 1933.

This type of river treatment has been condemned by the guardians of our free enterprise system only because the power producing facilities were not turned over to the private utilities. However, our government has not only recommended, but is willing to pay the cost of such river developments in Egypt, Israel and Jordan.

In recent years, four commissions, appointed either by presidents or Congress, have made exhaustive studies of the national water situation. All of these, the Hoover Commissions of 1947 and 1953, President Truman's Water Resources Policy Commission appointed in 1950, and President Eisenhower's Cabinet Committee on Water Resources Policy appointed in 1954, while differing on many points, made at least one recommendation in common. This was that the country needed a person or an agency to act as coordinator in planning all projects having to do with water resources.

STILL NO UNITED STATES WATER POLICY

This recommendation met with such little concrete response, that in 1956, Lt. Gen. Samuel D. Sturgis, Chief of the United States Army Engineers, could still say that our Nation has no comprehensive, definite water resources policy.

In an interview printed in a recent issue of "U. S. News and World Report," Gen. Sturgis makes that statement, and many more besides. He explains what is happening to our water supply, and tells us why it is happening.

He points out that the ultimate limit of water supply in the United States is fixed by the average annual rainfall of 30 inches. Of this, much is irretrievably lost, leaving about 1,300 billion gallons as the maximum amount available. Present usage consumes 15 percent of this amount. By 1975, this consumption will reach 27 percent.

If this 1,300 billion gallons were evenly spread around the country, the water crisis would not be too serious. However, many parts of Texas, Oklahoma, Utah, and portions of the Plains States are going through a time of acute shortage right now. This affects the food supply, since it takes 7,500 gallons of water to grow a bushel of wheat.

Though there were serious floods in the Ohio Valley in 1938, in 1953 there was such a shortage that navigation on the Ohio River barely kept going and the water supply of many cities was endangered, the general said.

Cities, too, are having their problems. In 1920, the daily per capita use of water was between 50 to 75 gallons. It grew to between 75 to 125 gallons; and now it has risen to 125 gallons per day, in smaller cities, and 225 gallons, for a city like Chicago. Thus, in only 35 years, the per capita daily use of water in cities has increased 200 percent.

Another area faced with serious water problems is the State of California. But here, unlike most of the other parts of the Nation, there is a definite plan for solving these problems.

CALIFORNIA DILEMMA AND SOLUTION

To begin with, California has too much water in one area and not enough in another. That is, 70 percent of the water resources are in the northern part of the State, north of a line drawn from San Francisco and Sacramento, and 80 percent of the water requirements are below that line.

Next, the timing of the streamflows is wrong. More than 80 percent of the water runs to the sea between December and May; whereas the need for water occurs between June and October.

Also, to complicate matters, is the tremendous growth in population. Since 1940, California's population has doubled, to a present total of over 13 million people. The future anticipated increase, to 20 million by 1975, is only half of what the final growth is expected to be.

To solve these problems, the California State Water Resources Board, after an exhaustive 10-year study, has recommended a $13 billion program comprising 260 reservoirs, capable of storing 60 million acre-feet of water (1 acre-foot is about 325,000 gallons), and some 40 pumping plants plus hundreds of miles of canals and tunnels. The purpose of all this is to transfer 21 million acre-feet a year from northern to southern California.

Half of this program will be completed in the next 20 years. When finished, the project will cost about $13 billion.

To carry out this vast project, in April 1956, the California legislature abolished almost all State water agencies and transferred their functions to a new department of water resources.

Such is the action being taken by California to meet its water crisis.

PACIFIC NORTHWEST'S POWER POTENTIAL

In our own Pacific Northwest, we have the same philosophy about use of water that has prevailed for so long in our national history. The water resources are unlimited; therefore use them without regard to conservation and the future.

And so far, this philosophy has apparently done little harm other than causing a few bad floods, periodic power shortages, and stunted our industrial growth.

Here, in the words of Henry Broderick, Seattle real estate manager, is the glowing picture of what has been accomplished to date. "Seattle's industrial stature and growth are dependent upon power. The most important prop under the economy of the entire State of Washington is the Columbia River.

"There is 750 million horsepower of potential energy in all the rivers of the world. One-fifth of this is in North America, and one-third of this fifth (50 million horsepower) is in the Columbia River, which flows for more than a thousand miles through Washington.

"Already 5 dams, completed or nearly so, supply 4,330,000 kilowatts of power, and 5 other dams on the way will furnish another 2 million kilowatts.

"This is a kind of asset possessed by no other State in the Union, and it is a mighty and monumental factor in the list of forces which are contributing to the steady growth of the area.

"Every inhabitant of Seattle should be ever conscious of the tremendous natural blessing with which our State and city is endowed. Without the great Columbia River the future of Seattle would be another story. With it, the industrial panorama offers a bright spectacle of the years ahead, insuring here the making of a great metropolis and a pulsating economy."

Reflecting this optimistic picture are statements recently made by Len Jordan, former Governor of Idaho, and now Chairman of the United States Section of the International Joint Commission, a group working with Canada toward solution of mutual water resource problems.

As Mr. Jordan points out, the present population of the Columbia Basin is about 5 million people. The population forecast for 1975 is 8 million, an increase of 60 percent. More than a million new jobs will be required; 800,000 new homes must be provided; about 700,000 more school children will require 25,000 new classrooms with teachers to staff them; churches, hospitals, charitable organizations, a million more cars, etc.

It is a wonderful picture. But there is another side to it, one that is not at all optimistic.

NORTHWEST POWER SHORTAGE EXPLAINED

A recent Bonneville Power Administration analysis indicates that the Pacific Northwest Federal power system is becoming unbalanced. The analysis confirms what is generally known—that after 1961 or 1962, this region may face serious winter power shortages.

This situation is not due to lack of hydropower potential. Rather, it is brought about by complete abandonment or blocking of construction of dams that would have provided 27 million acre-feet of usable summer storage.

Three of these, on tributaries of the Columbia River, would have accounted for 12 million acre-feet of this storage.

Now, the only alternative is to find substitutes for these projects that have been abandoned or blocked. And most engineers concede that this will be difficult.

Such is the result of piecemeal planning of hydroelectric projects. Millions of gallons of valuable water go to waste while those in authority argue who will build the dams and in what manner they will do so. We overlook the fact that it is not power, nor navigation, nor irrigation, nor recreation that are important. These are the byproducts. The important thing is the water itself, and getting the maximum use of it.

And while we spend millions of dollars in building hydroelectric projects, mere run-of-the-river projects, water itself is gradually slipping away from us. The time will come when some of these projects will have to be removed to make way for other structures that will allow for maximum use of water.

In the meantime, the United States Army Corps of Engineers and some public and private group struggle along with what they can, hoping to take care of the immediate power requirements of the region.

But until the Northwest and Canada agree on a comprehensive plan to get the maximum use out of our rivers, we will continue to waste this resource; we will continue to have devastating floods and shortages of electric power.

Proper action now can insure an adequate supply of water and its byproducts (flood control, irrigation, navigation, power and recreation) at a price we can afford to pay.

PERRY COUNTY DEMOCRATIC
CENTRAL COMMITTEE,
Republic, Wash., July 16, 1956.

HON. LYNDON JOHNSON,
Senate Majority Leader,
Washington, D. C.

DEAR MR. JOHNSON: We believe that the economic future of this region is dependent upon the greatest possible development of all power sites in the Pacific Northwest. The high dam at Hells Canyon on the Snake River is a vital factor in producing the power there and at down-river dams.

Therefore we urge early passage of legislation in Congress for the maximum power development at Hells Canyon through the construction of a single high dam.

Respectfully,

LESTER M. MERRITT,
State Committeeman.
PHYLLIS WINDSOR,
State Committeewoman.

FERRY COUNTY DEMOCRATIC
CENTRAL COMMITTEE,
Republic, Wash., July 16, 9156.

Hon. SAM RAYBURN,
Speaker of the House,
Washington, D. C.

DEAR MR. RAYBURN: We believe that the economic future of this region is dependent upon the greatest possible development of all power sites in the Pacific Northwest. The high dam at Hells Canyon on the Snake River is a vital factor in producing the most power there and at down-river dams.

Therefore we urge early passage of legislation in Congress for the maximum power development at Hells Canyon through the construction of a single high dam.

Respectfully,

LESTER M. MERRITT,
State committeeman.
PHYLLIS WINDSOR,
State committeewoman.

YAKIMA, WASH., *July 14, 1956.*

Hon. WARREN G. MAGNUSON,
United States Senator.

DEAR SIR: Both wife and I are in favor of the high Hells Canyon Dam. Please use your good offices to cause that bill to go through. The power of that mighty river belongs to the people.

Yours for the people's cause.

Respectfully,

C. LULL.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., July 17, 1956.

Hon. WARREN G. MAGNUSON,
United States Senate,
Washington, D. C.

DEAR WARREN: I hope this will help you line up one of the two votes you told me you lack the other day on the Hells Canyon project.

Sincerely yours,

LESTER JOHNSON.

WENATCHEE BUILDING TRADES COUNCIL,
Wenatchee, Wash., July 16, 1956.

Senator WARREN G. MAGNUSON,
Senate Building,
Washington, D. C.

DEAR SENATOR MAGNUSON: It has come to the attention of this council that within a few days the issue of the federally built multipurpose Hells Canyon Dam will be brought before the Senate.

As you know, this area is of deep concern regarding the passage of this and it is our hope that you will lend all your support for the passage of the Federal-built dam in order for all the benefits that its passage will bring to the entire Northwest, and especially the State of Washington.

Kindest regards, I am,

Respectfully yours,

WARD C. GILMORE,
Secretary, Wenatchee Building Trades Council.

CASHMERE GRANGE, NO. 380, RESOLUTION FAVORING A HIGH DAM AT HELLS CANYON

Whereas the Washington State Grange in regular session at Walla Walla instructed the State Master, A. Lars Nelson, to do all in his power to secure the passage of Senate bill 1333 and H. R. 4719 insuring the construction of the high dam at Hells Canyon; and

Whereas we believe that the high dam is essential for the full development of the people's power and conservation of the water resources of the Snake River: Therefore, be it

Resolved, That Cashmere Grange, No. 380, hereby reaffirms its stand in favor of this legislation, and earnestly requests all our Senators and Representativese to secure passage of the above legislation, and that copies of this resolution be sent to our State master, our State Senators and Representatives in Washington, D. C.

CASHMERE GRANGE, NO. 380,
HAROLD T. REESE,
Master.
MARGARET E. REESE,
Secretary.

WENATCHEE CENTRAL LABOR COUNCIL,
Wenatchee, Wash., July 16, 1956.

Re: Senate bill 1333.

Senator WARREN G. MAGNUSON,
Senate Building,
Washington, D. C.

DEAR SENATOR MAGNUSON: Information has been directed to this council concerning proposed legislation to come before the Senate in the very near future, which would authorize a federally constructed high dam at Hells Canyon.

The benefits to be derived from a high dam at Hells Canyon are countless and the people of this area, as well as of the entire State of Washington, realizing these potentials and anxious for the utilization of our natural resources to the fullest extent, respectfully request that you give your full support to the proponents of this legislation.

Sincerely yours,

VANCE LEE,
Secretary, Wenatchee Central Labor Council.

YOUNG DEMOCRATIC CLUBS OF AMERICA,
Washington, D. C., July 18, 1956.

Hon. WARREN G. MAGNUSON,
United States Senate,
Washington, D. C.

MY DEAR SENATOR MAGNUSON: The Young Democratic Clubs of America at their most recent national convention in Oklahoma City unanimously adopted a resolution urging authorization of the Hells Canyon Dam.

If the Hells Canyon bill is not passed:

The people will lose a large block of low-cost power which would help win the battle of production in any defense or war effort.

We will lose the great industrial expansion that abundant cheap power would make available.

The Nation will lose the substantial Federal, State, and county taxes the new industries would pay.

The people will lose thousands of new irrigated acres in Idaho which will be needed in a few years to feed our rapidly increasing population.

The Nation will lose irretrievably and forever the opportunity for the full and comprehensive development of a great natural resource that belongs to all of the people.

The monuments to the Democratic Party's advancement in resource development stand in the Tennessee Valley, at Grand Coulee, Bonneville, and Shasta, to mention only a few. Let us erect another one in Hells Canyon, and emphatically reverse the Eisenhower administration's attempted giveaway of the people's resources to the monopolies for their personal gain. Please help us win this fight.

With kindest regards, I am

Sincerely,

RICHARD J. MURPHY,
Executive Secretary, Young Democratic Clubs of America.

REPUBLIC, WASH., *July 18, 1956.*

Hon. WARREN G. MAGNUSON,
Senator, Washington, D. C.:

During special meeting of July 18 Republic Chamber Commerce, Republic, Wash., passed a resolution urging your adoption of Senate bill 1333 and House bill 4719 regarding Hells Canyon. Piecemeal development of our natural resources is not conducive to the best interest of our Pacific Northwest.

LESTER MERRITT,
President, Republic Chamber Commerce.

SEATTLE, WASH., *July 18, 1956.*

Senator WARREN G. MAGNUSON,
Washington, D. C.:

The 2,000 members of Streetcar Mens Union, Division 587, urgently request your vote for high dam at Hells Canyon. The Pacific Northwest should not be deprived of the benefits of its natural resources.

WALTER A. NORD,
President, Streetcar Mens Union, Local 587.

MOSES LAKE, WASH., *July 18, 1956.*

Hon. WARREN MAGNUSON,
Senate Office Building,
Washington, D. C.:

We urge you to do all in your power to work for Hells Canyon high dam.

Sincerely yours,

GRANT COUNTY PAMONA GRANGE,
C. F. MORDHORST, *Master,*
BRYAN MILLER, Overseer,

VANCOUVER, WASH., *July 19, 1956.*

Hon. WARREN MAGNUSON,
Senate Office Building,
Washington, D. C.:

Washington's Grange, No. 82, urges all out support for S. 1333.

LOUI C. PETERSEN,
Master.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. How much time remains?

The PRESIDING OFFICER. The Senator from Texas has 4 minutes remaining.

Mr. JOHNSON of Texas. Mr. President, I yield 4 minutes to the distinguished senior Senator from Oregon [Mr. MORSE].

The PRESIDING OFFICER. The Senator from Oregon is recognized for 4 minutes.

Mr. MORSE. Mr. President, I had not intended to close this debate. I shall be very glad to yield to any other Senator on this side who wishes to close the debate.

If there is none, then let me say that I appreciate the honor which the majority leader has bestowed upon me by asking me to close the debate. I wish to pay my sincere compliments to the Senator from Washington [Mr. MAGNUSON] for making what, in my opinion, was one of the greatest speeches, if not the greatest speech, ever made in the entire history of the Hells Canyon Dam fight.

Mr. GORE. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield.

Mr. GORE. The speech, the able senior Senator from Washington [Mr. MAGNUSON] has just made is one of the most eloquent and stirring speeches on any subject that I have heard delivered in this Chamber.

I wish to associate myself fully with the sentiments expressed by the senior Senator from Oregon, and I wish to join shoulder to shoulder with the other Senators from that area in this great fight.

Mr. MORSE. Mr. President, I thank the Senator from Tennessee.

Mr. President, I wish to say that I am greatly pained to hear from the lips of the Senator from Vermont [Mr. AIKEN] that, apparently, we have lost his vote on the Hells Canyon Dam issue because he believes that, some way, somehow, partisan politics is involved in it. I am sorry he believes that the Niagara power bill has been bottled up by the House Rules Committee for some political purpose. I think his charge of politics is a most unfair criticism to make of the loyal friends, on both sides of the aisle, here in the Senate, of the Niagara project. We have fought in the Senate for the people's interest in the Niagara power project, Mr. President, as we fought for the people's interest in the upper Colorado project and in the Fryingpan-Arkansas project and in every one of the other great natural-resource-development projects. I submit that it is the Senator from Vermont [Mr. AIKEN] who has introduced partisan politics into this issue. By his own statement he confesses that he is casting a political vote.

Mr. President, on this issue there should be no partisanship. So far as the senior Senator from Oregon is concerned, there is no partisanship. But today the roll will be called on the Hells Canyon Dam issue and then we shall see what Republican Senators and what Democratic Senators will stand up, here in the United States Senate, and will fulfill their obligations of trusteeship over our natural resources, not only to this generation, but to the future generations of American boys and girls. Senators will not keep that moral obligation of trusteeship, Mr. President, if today in the Senate of the United States they vote against the maximum development of the electric-power resources of the Snake River. If Senators vote against the Hells Canyon high-dam project, they will be voting to deny to future generations of American boys and girls the maximum development of the electric-power potential of the Snake River and of the Columbia River Basin.

Many of the Members of this body will live 20 years longer; and 20 years from today—so the experts have testified before our committees—the United States will need to generate at least 10 times the amount of electric power which is being generated in the United States today, if the power needs of America 20 years from today are to be met. Under those circumstances, will Senators vote to deny to future generations of American boys and girls the maximum electric power potential of the Snake River? If Senators vote to deny that maximum power potential to the future generations of Americans they will be cheating our future citizens out of their full heritage in God's gift of the Snake and Columbia Rivers. They will be cheating them out of 500,000 kilowatts of electric power. Let Senators put that on their voting records, if they wish. As for me, I am glad that when the researchers come to study my record in the Senate, they will not find a vote cast by me today to cheat future generations of Americans out of 500,000 kilowatts of power on the Snake River. Instead, I shall vote in favor of full development of the Snake and Columbia River Basins, because those kilowatts may be needed for defense—just as the power from Grand Coulee Dam served us so well in World War II. Hells Canyon high dam might very well mean the difference between adequate defense and inadequate defense 20 years from today, Mr. President. Furthermore, those kilowatts will be needed for the maximum economic development of our country.

Mr. President, I am shocked that in the closing hour of debate on this subject, we should hear the charge that Senators should vote against the Hells Canyon project because someone believes that in the other body of the Congress the Niagara power bill is being bottled up. Such a political charge has no place in Senate debate. The people of the Pacific Northwest should not be penalized by such a vote of political revenge cast against the Hells Canyon Dam bill because some Senator feels that the House Rules Committee is playing politics with some other bill. Mr. President, let the record show perfectly clear what the Senate did in regard to the Niagara project; the Senate voted in favor of it.

Mr. President, I close with this prayer and plea on my lips: I say to the Members of the Senate, do not violate your moral obligations of trusteeship, calling upon you to pass on to future generations of American boys and girls their full heritage in the maximum power and economic potential of the Snake and Columbia River Basins. By your vote today do not give away to selfish monopoly interests the people's right to a full development of the power resources of the Snake River.

By your vote today do not help the Idaho Power Co. scuttle the greatest remaining multipurpose dam site in the United States. Vote for the people's interests by voting for a high dam at Hells Canyon.

Mr. MORSE subsequently said: Mr. President, I ask unanimous consent that immediately following my closing remarks on the Hells Canyon Dam bill there be printed certain communications which I have received in support of the bill, and a statement I have prepared on the protection which the Hells Canyon bill would provide to Idaho upstream water rights.

There being no objection, the communications and statement were ordered to be printed in the RECORD, as follows:

COQUILLE, OREG., *July 18, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

We are depending on your support of legislation for the Hells Canyon Dam. We urge your support as we believe this is vital to the continuance of the cooperative program.

COOS CURRY ELECTRIC CO-OP, INC.,
IVAN LAIRD.

DAVENPORT, WASH., *July 16, 1956.*

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

We thank you for your support of Hells Canyon bills. We urge continuance of your efforts for the comprehensive development of the Columbia River Basin.

CHAS. F. LINSTRUM,
President, Lincoln Electric Cooperative, Inc.

LEWISTON, IDAHO, *July 14, 1956.*

Senator WAYNE MORSE,
Senate Building, Washington, D. C.:

We the people of this Northwest want Hells Canyon Dam. Get in there and fight for the preservation of this great natural resource.

HOWARD E. ENGLE.

PORTLAND, OREG., *July 18, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

The board of directors of Willamette Democratic Society of Oregon today unanimously approved previous resolution of the society passed June 1955 urging support of Government construction of high Hells Canyon Dam as opposed to construction of low dams by private utility companies and request you call this matter to Honorable LYNDON JOHNSON and other Senators.

HENRY L. HESS,
President, Willamette Democratic Society of Oregon.

RUPERT, IDAHO, *July 18, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

The Farmers Union of Minidoka and Cassia Counties in Southern Idaho are in favor of the high Federal dam at Hells Canyon. Don't let them give our resources away.

ALDO D. DALLOLIO PAUL,
President.

PORTLAND, OREG., *July 12, 1956.*

DEAR SENATOR: A high dam at Hells Canyon is the only sensible development of the Snake and Columbia Rivers watershed.

Please influence your utmost to build a high dam at Hell's Canyon.

Respectfully,

E. K. ROBERTS.

VANCOUVER, WASH., *July 13, 1956.*

DEAR SENATOR MORSE: Just a line to encourage you in your wonderful fight for the success of Senate bill S. 1333. Hope the 3 long years of fight will not be in vain.

Sincerely,

HEYE and EVA MEYER.

JULY 12, 1956.

DEAR SENATOR MORSE: Let's settle the Hells Canyon Dam this year. More power to the United States Government in giving our West public power. I enjoy your newsletter.

Thank you.

MRS. FRANK BUEHLER.

JACKSON, MICH., *July 16, 1956.*

MY DEAR SENATOR MORSE: May I express my very hearty appreciation of your remarks on Hells Canyon Dam. I want also to express my very best wishes for you in the coming campaign when a stooge of the present giveaway administration will be opposing you. You have consistently represented the interests of the people in the United States Senate.

Sincerely yours,

Rev. ALBERT W. KAUFMAN,
South Jackson Community Congregational Church.

LEBANON, OREG., *July 12, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: I know you are doing all you can for a high dam at Hells Canyon, but perhaps my card will let you tell the Senate how many out here want the high Federal dam.

Hope to see you at Brownsville picnic.

W. E. MILES.

KLAMATH FALLS, OREG., *July 19, 1956.*

Senator WAYNE MORSE,
Washington, D. C.:

Stay with Hells Canyon high dam. We are with you 100 percent.

CLAUDE SHIELDS.
CLARA SHIELDS.
OSCAR BELL.
AGNES BELL.

MALTA, IDAHO, *July 19, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

We urge passage of S. 1333. We need 35,000 kilowatts of electric power next 10 years. Twelve thousand consumers in southern Idaho need adequate amounts of low-cost power to develop land and industries. Negotiation over the past year clearly indicate we cannot get it from private power companies. Give to the people what belongs to them. Pass S. 1333.

EDWIN C. SCHLENDER,
Raft Rural Electric Co-Op.

WASHINGTON, D. C., *July 16, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Senate approval of the Hells Canyon bill, S. 1333, is of vital importance to the industrial future and national defense of the United States. To meet enormous increase in future power requirements of our country, we shall need maximum possible development of all our energy resources. We cannot afford to foreclose forever the full development of the Hells Canyon power potential by surrendering this site to a private project which will develop only 60 percent of the available power. Loss of this power will entail the loss of countless job opportunities. This issue is not public power versus private power. The issue lies between conservation and waste of priceless and irreplaceable natural resources. At a time when American world leadership is being challenged by the rise of Soviet industrial power, such waste and destruction of this great natural resource is even more inexcusable. I cannot believe that the United States Senate will fail to make its decision firmly on the side of the national interest, and I ask your support for S. 1333.

WALTER P. REUTHER,
President, United Automobile Workers.

LA GRANDE, OREG., *July 12, 1956.*

Hon. WAYNE MORSE,
Washington, D. C.

DEAR SIR: We in the Northwest want Hells Canyon, a high Federal dam on the Snake River.

Sincerely yours,

Mr. and Mrs. NORVAL G. OLSON.

DEPOE BAY, OREG., *July 14, 1956.*

Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.

DEAR SENATOR MORSE: I am writing you to let you know that I appreciate the tremendous efforts you and Senator NEUBERGER are putting forth in securing the passage of the bill for the authorization of the Hells Canyon Dam, which is so essential in controlling our devastating floods at frequent intervals, for the development of more power so badly needed in the Northwest and for bringing more industrial advantages to our area.

I sincerely hope that success will reward your efforts.

With best personal regards, I remain,

Sincerely yours,

MINNIE MCFARLAND.

HILLSBORO, OREG., *July 12, 1956.*

Hon. WAYNE MORSE,
Washington, D. C.

DEAR SIR: It has been brought to our attention that the Hells Canyon Dam bill is at last up for action in the United States Congress.

We urge your support of the high Hells Canyon Dam. Will you do all in your power to convince others that we, the people of Oregon, need and want the high dam?

Sincerely,

CLAY DORLAND,
Master, Washington County Pomona Grange.

EFFIE M. DORLAND,
Secretary, Washington Grange No. 313.

HILLSBORO, OREG., *July 12, 1956.*

Hon. RICHARD NEUBERGER,
Washington, D. C.

DEAR SIR: It has been brought to my attention that the Hells Canyon Dam bill is now up for action in the United States Congress.

May we urge you to do all in your power to cause the high Hells Canyon Dam to become a reality? Will you urge others to work toward the same end?

Sincerely,

CLAY DORLAND,
Master, of Washington County Pomona Grange.

EFFIE M. DORLAND,
Secretary, Washington Grange No. 313.

WARRENTON, OREG., *July 9, 1956.*

Senator MORSE.

DEAR SIR: I get a lot out of your letters. My husband, Frank Wooden, passed away 15 months ago. He was very loyal to the Democrat Party and a good worker for what he thought right.

I just heard through our State grangemaster, Elmer McClure, that some chance of Hells Canyon project going through so I urge you to work for it for we feel it needed greatly.

I wish you good luck.

Respectfully,

Mrs. FRANK WOODEN.
(Mrs. Josephine E. Wooden).

WARRENTON, OREG., *July 12, 1956.*

DEAR SENATOR MORSE: I've been planning, for a long time, to write and tell you that I'm backing you 100 percent and that I admire a person who thinks things out for himself and does what he things is right regardless of public opinion.

Please make Congress understand, somehow, that the people in Oregon want Hells Canyon Dam. Those who don't want it are representing other interests than those of the farmers and working people.

We're going to send you back to the United States Senate in November.

Sincerely,

(MRS.) BLANCHE H. PICKERING.

LA GRANDE, OREG., *July 13, 1956.*

Senator WAYNE MORSE.

DEAR SENATOR MORSE: I wish to add my support for the passage of the Federal Hells Canyon Dam legislation.

We need this dam for its aid to flood control, navigation, irrigation, and its additional generation of electricity.

We should not have to settle for less.

Sincerely,

CLARENCE CARTER.

OPHIN, OREG., *July 13, 1956.*

Senator WAYNE MORSE,
Senate Chambers,
Washington, D. C.

DEAR MR. MORSE: We are 100 percent behind you in the support of the Hells Canyon Dam issue.

Yours truly,

Mr. and Mrs. DENNIS WADE.

PORTLAND, OREG., *July 12, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: This is to remind you that we "little people" (your constituents) are very much interested in the passage of S. 1333. Let's not lose the Hells Canyon site, please.

Thanks and sincerely,

TOM KIDDER.

OAKRIDGE, OREG.

DEAR SENATOR MORSE: Am 100 percent in favor of the high Hells Canyon Dam and I want to thank you and RICHARD NEUBERGER for your courageous effort in trying to get it.

Sincerely yours,

C. B. MARQUIS.

OAKRIDGE, OREG., *July 16, 1956.*

WAYNE MORSE.

DEAR SIR: I am in favor of the Hells Canyon Dam and I think it is the only thing. I am for everything you do as you are an honest man.

Yours truly,

GEORGIA MARQUIS.

CORVALLIS, OREG., *July 17, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: The people of the Northwest have a vital interest in the full and proper development of the water and power of the great Columbia River Basin. That interest is threatened by miniature plans and low dams that will destroy forever the complete and multipurpose development of these vast resources.

Such a mistake would be an economic tragedy to this region. We know these are critical days in Congress and we urge your utmost efforts to secure a federally constructed multipurpose high dam at Hells Canyon.

It is not possible for us to present our case to all Members of Congress, but perhaps you as our representative can do this.

We are deeply appreciative of your past efforts in our behalf. The Benton County Farmers Union in session today went on record as favoring the high dam.

Sincerely yours,

ALVIN R. ROOT,
President.
Mrs. J. R. GRAHAM,
Secretary.

OPHIR, OREG., *July 13, 1956.*

Senator WAYNE MORSE,
Washington, D. C.:

DEAR SENATOR: Feeling so strongly that Hells Canyon Dam is in the best interest of the United States of America, as well as the more immediate best interests of the Pacific Northwest, I hope you will do your very best to influence Congress to pass favorably on the issue.

Respectfully yours,

V. E. JOHNSTON.

OREGON STATE GRANGE,
Oregon City, Oreg., July 16, 1956.
Hon. WAYNE MORSE,
Washington, D. C.

DEAR SIR: The Northwest needs the high Hells Canyon Dam—not only to develop the fullest power potential possible for future use, but to increase flood control, and to reclaim land through irrigation for future agricultural development.

To do less than build the multipurpose dam would be a folly and shortsightedness for which future generations to come would curse this generation rather than call it blessed.

Therefore I urge you to continue to make every effort possible to convince Congress that the Hells Canyon Dam bill should pass this session.

Respectfully yours,

BEULAH MOORE.

VALE, OREG., *July 12, 1956.*
Mr. WAYNE MORSE,
Washington, D. C.

DEAR MR. MORSE: May I urge that you vote for Hells Canyon Dam. I receive many letters from you and know how you feel about Hells Canyon.

We of the West understand the value of Hells Canyon to our State of Oregon.

It would mean more power, also a great payroll for our working people, something that is much needed in our State. I am a farmer and livestock raiser and have been in this business all my life.

I welcome your letters and reports.

I am also a member of the executive committee of the Oregon State Grange.

Respectfully,

WM. G. ROSS.

TIGARD, OREG., *July 12, 1956.*
Senator WAYNE MORSE,
Washington, D. C.

DEAR SIR: According to reports, you may have a chance to debate the Hells Canyon Dam next week in the Senate. We in Oregon want you to know that we are with you on this bill and know you will do your best to let the other Senators know how important the big dam is to all of us. You're doing a wonderful job up there and we are working to keep you there to represent us.

Good luck and good wishes.

Yours truly,

A. U. HANKS.

CENTRAL POINT, OREG., *July 11, 1956.*

MY DEAR SENATOR: In the past I have had the pleasure of expressing approbation of your official acts, and again I want to congratulate you, the friends who worked with you, on the forward steps taken to assure the high Hells Canyon Dam.

To me it is a mystery why any person who claims to be an intelligent friend of his fellowman can vote to turn our timber and waterpower over to private parties.

Now, if we can make perjury charges stick in the Al Sarena case, I'll be doubly pleased. As a miner and prospector of many years, I know this case is a plain case of theft.

I am of the opinion that you will be victor over McKay this fall, and I put in a word whenever I can. I hope he will be disposed of for keeps this time. And I think, if we could know the truth, that our President and the big guns in the GOP sent him out here in order to get rid of him.

Sincerely,

W. W. FERGUSON.

INTERNATIONAL LONGSHOREMEN'S AND WAREHOUSEMEN'S UNION,
FEDERATED AUXILIARIES,
North Bend, Oreg., July 12, 1956.
Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

HONORABLE SIR: ILWU Auxiliary 1, North Bend, Oreg., has gone on record reaffirming its full support to you in your fight to help pass the Hells Canyon bill.

We the citizens of the State of Oregon support the high dam recognizing it as indispensible to full multipurpose development of the Northwest's greatest resource, the Columbia River system.

We need Hells Canyon Dam for the people and not for private utilities.

Very truly yours,

NORMA WYATT,
Secretary, ILWU Auxiliary 1.

EMMETT, IDAHO, *July 14, 1956.*
Senator WAYNE MORSE.

DEAR SENATOR MORSE: I live in Gene County, Idaho. I wish to tell you that a great many people in our county favor the high Government dam at Hells Canyon in spite of the stuff the Idaho Power Co. is telling. In fact we do not find too many for Idaho Power. Their prices here are about twice as high as in many other States.

Sincerely,

Mrs. EMMETT COOPER.

SALEM TRADES AND LABOR COUNCIL,
Salem, Oreg., July 16, 1956.
Senator WAYNE MORSE,
United States Senate,
Washington, D. C.

DEAR SENATOR: This letter is to thank you for the splendid work you have done and are still doing to get authorization of the Hell's Canyon multipurpose dam through this session of the Congress.

We also wish to advise you that at a recent meeting of the Salem Trades & Labor Council, we again went on record as reaffirming our previous support of the all-purpose dam at Hells Canyon.

Trusting that you will be successful in getting the authorization at this session, and with all good wishes in your coming campaign, I am,

Very truly and sincerely yours,

H. E. BARKER,
Secretary, Salem Trades and Labor Council.

WILLAMINA, OREG., *July 15, 1956.*
Senator WAYNE MORSE,
Senate Building, Washington, D. C.:

This evening as I listened to Drew Pearson's predictions over the outcome of the dispute on Hells Canyon high dam I felt deeply concerned for the high dam is an insurance for the future generations to have food. Water conserved in it would irrigate thousands of acres of arid land and this will soon be needed. You see my grandparents came to Portland in 1854, mother and I were both born in Portland. I've seen farm after farm engulfed by the city as it spreads out and the other towns too are spreading out over the farmland. Folks I've talked with have told me they too are concerned over the dwindling farm available land. The Mayflower Dairy Co-op, of which we are members, sends trucks for fluid milk to the coast and over the mountains into eastern Oregon. The population of our Nation is increasing at a tremendous rate. I read in the Oregon Journal 4,200,000 babies born last year. 4 million the year before. Congress better stop and seriously consider this situation. I've come to this conclusion, if our democracy ever fails it will be from within, not from without.

In the April issue of the American magazine Governor Hall of Kansas had an interesting article in which he stated "farm folk are conservative; they are in business for themselves so they work long hours to protect their investment. Their roots go deep into the soil." He is so right. I know farm folk who are working for no wages at all on their farms just because their roots are deep and their life earnings are invested in their farms.

In June 1955 Louie Gross, Yamhill County agent, told the Sheridan Rotary Club the future of farmers producing processing milk was dark. He wondered why they kept on producing milk at the price they received for it. He said an average cow produces 300 pounds of butterfat a year at the present price of 75 cents a pound, an increase of 5 cents over a year ago. The cow returns $225 a year, hauling charge must be deducted. Mr. Gross and the cost of feed, labor etc., on a cow comes to $489 a year. He commented the grade A producers were better paid. He is right. This last returns $5.18 for grade A quota 4 percent milk; the surplus the same as manufacturing milk 75 cents a pound for the milkfat in it. We have hauling charges and tany payments to make. Our bulk tank cost almost $3,000. Charge for hauling from the tank is 15 cents a hundredweight cheaper. Hope this information will be of help to you.

Learned the FHA is to liberalize the loan policy to include loans just for refinancing and lend up to $9,000. Hope they will change the rule so loans can be made to refinance on farm mortgages and farm contracts. You have worked hard for this improvement, I'm so glad you and others made it possible. Thanking you for all you have done an for your good letters I am,

Very truly,

Mrs. J. F. EIGHME.

JULY 15, 1956.
The Honorable WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: The controversy over Hells Canyon seems to be second only to the controversy over you. In both cases, it is very clear where the people of your State stand—right with you.

Good luck when S. 1333 comes up for a vote in the Senate this week. I know that you are doing all you can to see that the high dam is authorized during this session of Congress.

Sincerely yours,

JOAN BAKER.

YOUNG DEMOCRATIC CLUBS OF AMERICA,
Washington, D. C., July 18, 1956.
Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.

MY DEAR SENATOR MORSE: The Young Democratic Clubs of America at their most recent national convention in Oklahoma City unanimously adopted a resolution urging authorization of the Hells Canyon Dam.

If the Hells Canyon bill is not passed—

The people will lose a large block of low-cost power which would help win the battle of production in any defense or war effort.

We will lose the great industrial expansion that abundant cheap power would make available.

The Nation will lose the substantial Federal, State, and county taxes the new industries would pay.

The people will lose thousands of new irrigated acres in Idaho which will be needed in a few years to feed our rapidly increasing population.

The Nation will lose irretrievably and forever the opportunity for the full and comprehensive development of a great natural resource that belongs to all of the people.

The monuments to the Democratic Party's advancement in resource development stand in the Tennessee Valley, at Grand Coulee, Bonneville, and Shasta, to mention only a few. Let us erect another one in Hells Canyon, and emphatically reverse the Eisenhower administration's attempted giveaway of the people's resources to the monopolies for their personal gain. Please help us win this fight.

With kindest regards, I am

Sincerely,

RICHARD J. MURPHY,
Executive Secretary, Young Democratic Clubs of America.

LEWISTON, IDAHO, *July 15, 1956.*

DEAR SENATOR MORSE: We in Idaho truly appreciate the great work you are doing for Hells Canyon. I for one want to thank you. I know that you are doing everything in your power to save this great resource for us.

Enclosed is the front page from the Valley News. This circulates over in eastern Oregon, and the editor was very happy to print my impressions of how people in your State feel about you.

Sincerely,

Mrs. A. L. LYONS.

PORTLAND OREG., *July 17, 1956.*

Senator WAYNE MORSE,
Washington, D. C.

DEAR SENATOR: We note that the Hells Canyon Dam bill is coming up in the Senate this week.

We wish to express our appreciation of your untiring efforts in behalf of a high Federal multipurpose dam.

Yours truly,

Mr. and Mrs. A. H. KERR.

INTERNATIONAL BROTHERHOOD PULP, SULPHITE AND PAPER MILL WORKER,,
Lewiston, Idaho, June 23, 1956.

Senator WAYNE MORSE,
Washington, D. C.

HONORABLE SIR: Please be informed that consistent with all previous actions of our organization concerning development for the power potential of the Columbia River drainage as well as flood control, navigation, reclamation, and recreation, unanimous action was dopted to notify you that we urge the United States Congress to support passage of House bill No. 4719 and Senate bill No. 1333.

Our organization comprises all organized workers engaged in production of wood pulp in the State of Idaho.

We wish to commend you for your untiring efforts in behalf of river development for maximum benefit to the people of our Nation.

Our best regards,

CLINTON MOURER, *Secretary.*

CALDWELL, IDAHO, *June 20, 1956.*

DEAR SENATOR MORSE: Writing you about how much the real issue of Hells Canyon is lately being diverted for votes.

All efforts to divert attention from what it is not are not done so the dishonesty shows.

Likely the investments of taxpayers money for irrigation has been a better than a 10 to 1 with future prospect for continuing, and value be when most needed as was few years ago.

All water that might be pumped from lands near also east of the canal used to supply Lake Lowell. If pumped so it go into it would not do harm but good and if done much of surface water damage below should end. If most pumps were to be operated nearly 12 months per year. Plus pumping from near Greenleaf about 20 miles west where it was 170 feet lift, but of late years flows about 22 feet above surface and is now piped to three nearby homes as a city water supply is no cities.

About as too much or too little exercise or food weakens, so or about so will or may if again we are to have too little or ever should have too much time such as for some years kept Muscle Shoals as it always has kept the Arrow Rock power unused. Meaning that for the 35 years it should have been of profit, and even now with about 8ii feet of water backed against it from the new Lucky Peak Dam, it is waste that such not be used. As there the water from each of the three forks of the Boise River now drops to make it about equal to the Anderson Ranch Powerplant.

Best of wishes for you.

Yours truly,

G. L. CROOKHAM, Sr.

NORTHWEST PUBLIC POWER ASSOCIATION, INC.,
Vancouver, Wash., July 13, 1956.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: During the Hells Canyon debate I think it would help to have somewhat of a record to the effect that—

1. Nothing is to prevent the Bureau from improving the design of the high Hells Canyon Dam so as to achieve optimum efficiency of operation and most economical construction based on improvements in the art since the original designs of 1947–48.

2. The powerhouse is to be designed so as to leave space for 6 additional 100,000 kilowatt generators if required at a future date. As at Hoover Dam the peaking capacity of Hells Canyon could be raised to about 1,500,000 kilowatts.

3. The word "attributable" in S. 1333 means "attributable to Hells Canyon when operated as a hydraulically and electrically integrated part of the Columbia River power system." Thus Idaho would receive its 500,000 kilowatts of firm power even if Hells Canyon Dam is shut down tight to store all water. (Point out that the critical low in Bonneville Dam power output is not due to lo-7 water, but as in 1948 to high water which reduced output to about 170,000 kilowatts. Had Hells Canyon Dam been storing all Snake River water in May and June of 1948, the power output at Bonneville Dam would have been increased because the flood would have been reduced. This is an apparent paradox.)

Sincerely,

GUS NORWOOD,
Executive Secretary.

[From the Boise Journal of June 15, 1956]

IRA COMES OUT FOR COLORADO'S PROJECTS—BUT NOT IDAHO'S

Officials of the Idaho (Power) State Reclamation Association on Monday declared that the Fryingpan-Arkansas project is a serious need of Colorado and declared that it certainly had no objection to the Fryingpan-Arkansas project for the development of Colorado.

No, the Idaho (Power) Reclamation Association has no objection to the development of Colorado, but it does seriously object to the development of Idaho and the Snake River and has so stated many times. It has declared for years that if the Federal Government puts a high dam at Hells Canyon to store and use the floodwaters it would be "a serious threat to our irrigation water rights, and also to full utilization of water of Snake River."

On the other hand, the Idaho (Power) State Reclamation Association has given full approval for its sponsor, Idaho Power Co., to build three dams in the Hells Canyon area and use the very same waters, because IPC's project is no threat to irrigation waters upstream.

The real fact is that the Idaho (Power) Reclamation Association favors development anywhere except south Idaho where it must defend Idaho power even against the people.

HELLS CANYON BILL PROVIDES BEST PROTECTION TO IDAHO UPSTREAM WATER RIGHTS

(Remarks by Senator WAYNE MORSE in U. S. Senate, July 15, 1955)

The Army engineers, the Bureau of Reclamation and most recently an examiner of the Federal Power Commission have declared after intensive study that the high Hells Canyon Dam would provide the best development of the Middle Snake River as it runs between Idaho and Oregon. In addition, they agree that it would contribute to the maximum multipurpose benefits to the full use of the rich water resources of the Columbia River Basin.

There has been a great deal of propaganda inspired by the Idaho Power Co. that the Hells Canyon Dam should not be built, that a new economic era for the Pacific Northwest should not be opened, because the dam allegedly would imperil present and future irrigation in Idaho.

This rebuttal is recommended to the special attention of the senior Senator from Utah who has expressed concern over the water rights aspect of the Hells Canyon project.

TESTIMONY CONCLUSIVE THAT WATER SUFFICIENT FOR POWER AND IRRIGATION

Expert testimony was given before the Federal Power Commission and the Senate Reclamation Subcommitee that streamflow studies shows there is sufficient water to supply the 3,880,000 acre-feet of Hells Canyon storage without denying an acre-foot of water needed in Idaho for irrigation from the Snake River Basin.

This is the conclusion of fact reached by the FPC examiner after a year of hearings (finding No. 116):

"With ample allowance for all foreseeable upstream irrigation water uses, a dependable water supply can reasonably be expected for the efficient and economic operation of the high dam project during its payout period."

This conclusion was supported by the testimony of Bureau of Reclamation experts before the Reclamation Subcommittee this spring.

That testimony was based upon studies of the most adverse streamflow. It is reinforced when the following fact is taken into account: The Hells Canyon Reservoir would not be refilled anew each year. Once it is filled only small amounts of water would be required to maintain the 3,880,000 acre-feet required for maximum operation.

S. 1333 GIVES IRONCLAD PRIORITY TO UPSTREAM

The physical fact that there is adequate water for the operation of the high Federal dam and all planned irrigation should set to rest any of the emotional fears that Idaho irrigation is imperiled. Indeed, the maximum future irrigation upon which the studies were based would take many decades to achieve.

To remove all fears section 2 of S. 1333, the Hells Canyon bill provides:

"The operation of the Hells Canyon Dam shall be only such as does not conflict with present and future rights to the use of water for irrigation or other beneficial consumptive uses, whether now or hereafter existing valid under State law, of the upstream waters of the Snake River and its tributaries."

No more ironclad protection could be provided to insure the upstream irrigation (and that is the only kind involved) will have an absolute priority over all other uses of the waters of the Snake.

This provision is far stronger than the corresponding provision of the Hells Canyon bill (S. 3556), introduced by Senator DWORSHAK in 1950, which read:

"The operation of Hells Canyon Dam and Reservoir for the generation of power shall bo without prejudice to future depletion of stream flows arising from upstream diversions for beneficial consumptive uses under water rights established under State laws in a total amount which are determined to be reasonable, having regard for the upstream beneficial consumptive use of water for the new and supplemental land developments indicated in chapter IV of the Substantiating Materials, Hells Canyon project report, approved by the Acting Secretary of the Interior, June 9, 1948."

There has been an attempt to place in doubt the effectiveness of section 2 of the present bill by using a memorandum dated March 23, 1954, provided by the Legislative Reference Service to Congressman BUDGE, of

Idaho. (That memorandum appears in the Senate hearings on S. 1333 at pp. 29–39.) [1]

In fact that legal analysis supports the contention that the Hells Canyon bill provides the maximum legislative protection to upstream water rights.

It declares: "We are unable to state that the language of these bills would not protect both present and future diversions. It would protect such diversions to the extent that other areas are now similarly protected by similar provisions. Such protection, as we have heretofore indicated, is not absolute, and cannot be absolute, because of the constitutional powers of Congress that are involved."

There can be no justification for opponents of the Hells Canyon bill asking for more protection for upstream water rights than is presently given "other areas * * * similarly protected by similar provisions." Indeed, S. 1333 gives more protection than legislation governing similar projects. Moreover, the Pacific Northwest has abundant water supply, whereas, other areas with similar projects have water scarcity problems.

AN INTERSTATE COMPACT COULD DO NO MORE

Despite the fact that there is no problem of water scarcity in the Snake River Basin and that S. 1333 provides complete protection and priority for upstream water use the argument is made that the Congress, in the absence of a controlling interstate compact, could eliminate that protection.

This implies that Congress would be guilty of bad faith at some future time. I suggest that this argument is fanciful. The Congress of the United States deserves greater confidence than that. But, the opponents counter:

"Let us make sure. An interstate compact with the required approval of the Congress would prevent any future Congress from changing the water use priorities contained in such a compact."

As a matter of law, that is not the case. I ask unanimous consent to insert at this point in my remarks a memorandum prepared by the American Law Section of the Legislative Reference Service:

"THE LIBRARY OF CONGRESS,
"LEGISLATIVE REFERENCE SERVICE,
"*Washington, D. C., July 1, 1955.*

"To: Hon. WAYNE MORSE,
"From: James P. Radigan, Jr., senior specialist in American law.

"Subject: Amendability and revocability of interstate compacts with particular reference to the distribution of water.

"Subject to congressional consent, amendment of a compact is a matter for the decision of the contracting States. *Henderson* v. *Delaware River Joint Toll Bridge Commission* (1949) 66 A. 2d 843, 848, cert. denied, 338 U. S. 850. An agreement solemnly entered into betwen States by those who alone have political authority to speak for the State cannot be unilaterally nullified; nor is it to be given its final meaning by an organization of one only of the contracting States. *West Virginia ex rel. Dyer* v. *Sims* (1951) 341 U. S. 22. While Congress may refuse consent to a compact it has no authority to vary its terms. *Green* v. *Biddle* (1823) 8 Wheat. 1, 37. Congress, however, may condition its consent. See 41 Stat. 1447 and 45 Stat. 300.

"On the other hand, compacts between States cannot diminish the power of the Congress to improve waterways, *South Carolina* v. *Georgia* ((1876) 93 U. S. 4), nor diminish the power of Congress to pass acts pursuant to any other constitutional powers granted, otherwise a compact between two States might annul a constitutional power granted the Federal Government. *Wilson* v. *Mason* ((1801) 1 Cr. 45, 91–92). Occupation of a delegated field by Congress is conclusive of any contrary State right. *Wisconsin* v. *Duluth* ((1877) 96 U. S. 379, 387); *Green Bay and Mississippi Canal Co.* v. *Patten Paper Co.* ((1898) 172 U. S. 58, 81). And this is true even with respect to rights under a compact entered into prior to the adoption of the Constitution. *South Carolina* v. *Georgia*, supra; see *Missouri* v. *Illinois & Chicago District* ((1901) 180 U. S. 208, 228).

"While an interstate compact may not be modified by direct amendment or inconsistent subsequent legislation of a State, *Green* v. *Biddle, supra; Hawkins* v. *Barry* ((1831) 5 Pet. 457, 464; *Pennsylvania* v. *Wheeling & Belmont Bridge Co.* ((1852) 13 How. 518, 565; *Missouri* v. *Illinois* ((1906) 200 U. S. 496, 519; *Virginia* v. *West Virginia* ((1921) 220 U. S. 1); and *Olin* v. *Kitzmiller* ((1923) 259 U. S. 260), it may be modified by inconsistent Federal legislation when within the field of a delegated power. *Wilson* v. *Mason, supra;* and *Pennsylvania* v. *Wheeling & Belmont Bridge Co.* ((1855) 18 How. 421, 433.)

"Compacts with reference to the distribution of water are likely to fall into the category of compacts which might be affected by subsequent Federal legislation enacted under the commerce clause. These compacts will control distribution notwithstanding water rights of claimants granted before the State entered into the compact. *Hindenlider* v. *La Plata River & C. Creek Ditch Co.* ((1938) 304 U. S. 92)."

I would stress the conclusion:

"While an interstate compact may not be modified by direct amendment or inconsistent subsequent legislation of a State, *Green* v. *Biddle, supra; Hawkins* v. *Barry* ((1831) 5 Pet. 457, 464; *Pennsylvania* v. *Wheeling & Belmont Bridge Co.* ((1852) 13 How. 518, 565; *Missouri* v. *Illinois* ((1906) 200 U. S. 496, 519; *Virginia* v. *West Virginia* ((1921) 220 U. S. 1; and *Olin* v. *Kitzmiller* ((1922) 259 U. S. 260), it may be modified by inconsistent Federal legislation when within the field of a delegated power. *Wilson* v. *Mason,* supra; and *Pennsylvania* v. *Wheeling & Belmont Bridge Co.* ((1855) 18 How 421, 433)."

This conclusion was obviously shared by the drafters of the proposed Columbia Basin Interstate Compact. The proposed compact which was ratified this year by the Idaho Legislature, specifically conditions the operation and duration of the compact not only upon congressional approval, but, in addition, upon independent legislation incorporating the provisions of the section on water rights. It provides that when and if such a law is repealed, the compact would thereafter be inoperative. Section VIII D provides:

"This compact shall become effective only if Federal law accepting and implementing the provisions of subdivision A of this article with respect to developments wholly or partly in downstream States constructed by or under the authority of the United States is enacted as part of the legislation giving the consent of the Congress to this compact and shall continue to be operative only while such law remains in effect."

There could hardly be a more clear recognition that Congress would retain under the compact the power to alter or amend the disposition of water rights contained in the compact.

PROPOSED COMPACT PROTECTION LESS BROAD THAN S. 1333

Further it should be pointed out that the proposed compact, already approved by the State of Idaho, provides the self same kind of protection for upstream water diversion as does S. 1333 and no more. Section VII A reads, in a pertinent part:

"No apportionment of waters or determination of rights to the use thereof is made by this compact. Right to beneficial consumptive uses within the upstream area, whether established heretofore or hereafter prior to the controlling date, under the laws of the States involved, if validly established under those laws, shall be recognized as against, and shall not be limited by, any rights existing or future to such waters for nonconsumptive uses by means of developments located wholly or partly within a member downstream State whether the rights to such nonconsumptive uses are established under the laws of a member State or are being asserted under the authority of the United States in connection with any water use or control development constructed by or under the authority of the United States, subject to these provisions and limitations." But that protection would last only until the year 2000. Thereafter, the apportionment of water use and rights would be the subject of negotiation. Clearly that negotiation, if it results in agreement could provide less protection for water use in Idaho.

Negotiations under the compact draft must be complete by the year 2000. Any extension of the time must be by unanimous vote of all State representatives. Idaho is supposedly fearful that the downstream States of Oregon and Washington have designs upon upstream water use. If that is so, it is clear that the compact provision gives Oregon and Washington a veto power on future negotiation. If negotiations were unsuccessful by the year 2000, there would be no further compact protection for future water use in Idaho.

COMPACT NEED A "FEAR" ARGUMENT

The alleged superiority of the compact approach is clearly nonexistent because of constitutional principles and the shortcomings of the compact itself.

S. 1333, the Hells Canyon bill, not only provides the best hope for development of the Snake and Columbia River Basins; it also provides the best protection available to upstream irrigation, both present and future, in Idaho.

COMPACT REQUIREMENT WOULD CRIPPLE RIVER BASIN DEVELOPMENT

Some Senators who are interested in water rights may have ben misled by the opponents of Hells Canyon on this interstate compact argument.

I wish to borrow an effective counter argument from a great fighter for Western water development, the junior Senator from Wyoming [Senator O'MAHONEY]. If interstate compacts were to be made a condition of multipurpose project authorization these vital developments would grind to a halt throughout the West. There is no compact for the Missouri Basin, the largest drainage area in the country. If a compact were required before project approval many pending projects could not be authorized, as an example the Fryingpan-Arkansas project.

Compacts can serve a useful function in adjusting the competing claims of States. They have not been used and are not adaptable to foreclosing the United States from the exercise of its constitutional power.

The Congress of the United States can be relied upon to act equitably when it adopts legislation guaranteeing local water rights. Congress has not tampered with the provisions of the reclamation law which are decades old and recognize State law governing water rights.

The water rights objections to Hells Canyon are a phantom.

Such fanciful obstructions should not be permitted to block the benefits of new cheap power, industry, jobs, navigation, flood con-

[1] The analysis is of H. R. 4648 in the 83d Congress; that bill was identical to my bill, S. 1664. Section 2 of S. 1333 of this Congress is the same as section 2 of S. 1664. The language has been streamlined to eliminate repetitiousness; if anything it is more clear.

trol and irrigation, which Hells Canyon would bring to Idaho, Oregon, Washington, and the Nation.

The PRESIDING OFFICER. The time yielded to the Senator from Oregon has expired. All time has expired.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that at this time I may proceed for half a minute.

The PRESIDING OFFICER. Without objection——

Mr. KNOWLAND. Under the circumstances, may those of us on this side also be allowed an additional one-half minute?

Mr. JOHNSON of Texas. I so request, Mr. President.

The PRESIDING OFFICER. Is there objection to the request that an additional one-half minute be allowed to each side, to be controlled in the same way that the time previously available has been controlled? Without objection, it is so ordered.

The Senator from Texas is recognized for one-half minute.

Mr. JOHNSON of Texas. Mr. President, here on the floor of the Senate, I wish to express the hope that in the closing days of this Congress the Members of the Senate will confine their remarks to the deliberations of this body, rather than to those of the other body. [Laughter.]

Mr. KNOWLAND. Mr. President, I yield one-half minute to the Senator from Arizona [Mr. GOLDWATER].

The PRESIDING OFFICER. The Senator from Arizona is recognized for one-half minute.

Mr. GOLDWATER. Mr. President, a few moments ago the distinguished majority leader made a statement which rather amused me; he said that no politics is involved in the consideration of the pending bill.

Mr. President, not only has there been politics all the way through it, but the bill reached the floor by means of politics. I suggest that a reading of a letter which I shall ask unanimous consent to have printed in the RECORD, as a part of my remarks, will convince the skeptics in this body that it was Paul Butler who activated the movement of the bill to the floor of the Senate.

Mr. President, I ask unanimous consent that the letter from Paul Butler to each of the members of the Senate and House committees be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEMOCRATIC NATIONAL COMMITTEE,
Washington, D. C., March 19, 1956.

Hon. ——— ———.
United States Senate,
Washington, D. C.

DEAR ———: I am sending to you as a member of the Committee on Interior and Insular Affairs a copy of my letter of March 16 to Senator LYNDON JOHNSON concerning the situation confronting our party in the area of natural resources.

I shall be most appreciative of anything which you may do in this matter.

With kind personal regards, I am

Sincerely,

PAUL M. BUTLER.

DEMOCRATIC NATIONAL COMMITTEE,
Washington D. C., March 16, 1956.

Hon. LYNDON B. JOHNSON,
United States Senate,
Washington, D. C.

DEAR LYNDON: I am fearful that our party and its nominees for President, Vice President, the Senate and the House next fall may be in a very weak position in the area of natural resources unless some action is taken to bolster our legislative record in this session of Congress.

The Democratic record on Dixon-Yates and the upper Colorado project is deserving of special commendation to our Democratic leadership and our Senators and Representatives. But if we are to be in a position to go to the people with a record on conservation of our natural resources that will gain votes in one key State and district after another, it is apparent that a few important measures should be considered in this session.

I strongly believe that the public interest will be served by the earliest possible consideration of the following four matters:

1. Niagara: This is S. 1823 which has been reported out of the Senate Public Works Committee. The passage of this bill is of tremendous importance in the reelection of Senator LEHMAN and in the congressional elections in many districts in New York, Pennsylvania and Ohio, where there are 40 REA cooperatives and 144 municipalities located within economical transmission distance of the Niagara project.

2. Hells Canyon: S. 1333 and H. R. 4719, 4730, 4739 and 4740 are identical bills covering this project. They are now pending before the Interior and Insular Affairs Committee in both Houses. Our campaign attack on the administration giveaway at Hells Canyon is meaningless if the Democratic Congress has not moved in the 84th Congress to stop it. This action is vital in the election of Democratic Senators and Representatives in the four Columbia Basin States (Oregon, Washington, Montana, and Idaho) and will be an effective issue in other sections of the country. The attorney general in Oregon is about to prosecute criminally Idaho Power Co., the administration's licensee, because it has commenced construction of 1 of its 3 small dams at Hells Canyon without having obtained an Oregon water permit. This issue is hot in Oregon and will be a vital factor in the reelection of Senator MORSE and Representative EDITH GREEN.

3. TVA Construction funds: The House Appropriations Committee has approved the us of TVA's corporate funds, which have now accumulated far ahead of required amortization schedules, to add steam generation units at John Sevier and Johnsonville plants and meet the impending power shortage in the valley.

The committee action reaffirms the opinion of TVA's General Counsel that corporate funds could legally be used for this purpose on existing units. If Congress carries through in both Houses, this would avoid needless delay from litigation which would probably be instituted to test the General Counsel's opinion. Such litigation is threatened. The minority report indicates that resort will be made to litigation to prevent such use of TVA funds.

Congressional action on this matter favorable to TVA will be of tremendous help this fall throughout the TVA area.

4. Loan appropriations for REA: President Eisenhower's budget message this year called for $145.3 million for new loans under REA, with a contingency fund of another $25 million. The "contingency" has little meaning, since it cannot be used unless the full appropriation plus last year's carryover has been earmarked.

Member cooperatives of the National Rural Electric Cooperative Association, in their estimate of needs for next year, show an aggregate requirement of $185 million in new loans as a conservative figure. Many of those cooperatives are located in important States and congressional districts. I am therefore hopeful that the higher figure can be agreed upon and included in the appropriation bill.

You included in your 13-point program for this session both the Niagara and Hells Canyon bills.

Our party has made a magnificent record in the conservation of our natural resources in the public interest. It is a noteworthy achievement which we can bring before the American people. The enactment of the foregoing measures in this session would be hailed as the accomplishments of our Democratic Congress and would be vitally important in our retaining control of the Congress for the next 2 years.

I speak for the Democratic National Committee in addressing this communication to you. Its members and I will appreciate your consideration of these matters in the interest of our country and our party.

Sincerely,

PAUL M. BUTLER.

P. S.—A similar letter is being sent to SAM RAYBURN and Members of Senate and House committees.

The PRESIDING OFFICER. All time has expired.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement regarding my position on the Hells Canyon bill.

The PRESIDING OFFICER. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CASE OF SOUTH DAKOTA

Mr. President, the equities of this matter, in my opinion, are against passage of the so-called Hells Canyon bill at this time.

Had the bill come before work had started, had it come before an application had been made to the Federal Power Commission and before that Commission had granted certain licenses, the issue might have been different. As things stand, however, work has begun by private companies duly licensed by the Federal Power Commission. To change now would mean not only additional costs, but would mean throwing down the agency created at least 20 years ago and charged with the responsibility for investigating the technical values in power applications.

I am not opposed to public power. I voted for the recent Niagara bill which authorizes the State of New York to build the works on Niagara. I was persuaded in part because the State would handle the financing and not call upon the Federal Treasury.

I am not bothered by what lobbyists may say about this bill, for or against. Such communications as I have had from constituents in South Dakota are numerically about equally divided.

The following considerations lead me to vote against the bill:

1. Private companies are already at work under a license duly granted by the Federal Power Commission. Congress is not equipped to weigh proposals technically; the Federal Power Commission is and it approved the applications for private licenses. The construction and operation and rates will be under the control of the Commission.

2. Government development now would not only require Federal financing of the construction costs but indemnities for private funds already expended. The cost would be more than $500 million for taxpayers to provide—and the people have taxes enough now.

3. Estimates of power to be developed by 1 big dam or by 3 low dams vary. The truth, as nearly as I can evaluate the conflicting estimates, seems to be that the total amount of power will depend upon the type of ultimate development and the degree of integration with Bonneville and other sources of interchange of power under seasonal requirements.

So, in the face of this situation, I conclude that it is best to let private financing proceed with the job and avoid the necessity for adding at least half a billion dollars to the burden of the Federal Treasury—and the taxpayers.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. As I understand, the yeas and nays have been ordered on final passage of the bill, and the question is, Shall the bill pass?

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. YOUNG (when his name was called). I have a pair with the senior Senator from Florida [Mr. HOLLAND]. If he were present and voting he would vote "nay." If I were at liberty to vote I would vote "yea." I therefore withhold my vote.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL] and the Senator from Florida [Mr. HOLLAND] are absent on official business.

I further announce that if present and voting, the Senator from Texas [Mr. DANIEL] would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission, and if present and voting, would vote "nay."

The result was announced—yeas 41, nays 51, as follows:

YEAS—41

Anderson	Humphreys, Ky.	Monroney
Bible	Jackson	Morse
Chavez	Johnson, Tex.	Murray
Clements	Johnston, S. C.	Neely
Douglas	Kefauver	Neuberger
Ellender	Kennedy	O'Mahoney
Fulbright	Kerr	Pastore
George	Laird	Scott
Gore	Langer	Sparkman
Green	Lehman	Stennis
Hayden	Magnuson	Symington
Hennings	Mansfield	Wiley
Hill	McClellan	Wofford
Humphrey, Minn.	McNamara	

NAYS—51

Aiken	Bender	Bush
Allott	Bennett	Butler
Barrett	Bricker	Byrd
Beall	Bridges	Capehart
Carlson	Hickenlooper	Payne
Case, N. J.	Hruska	Purtell
Case, S. Dak.	Ives	Robertson
Cotton	Jenner	Russell
Curtis	Knowland	Saltonstall
Dirksen	Kuchel	Schoeppel
Duff	Long	Smathers
Dworshak	Malone	Smith, Maine
Eastland	Martin, Iowa	Smith, N. J.
Ervin	Martin, Pa.	Thye
Flanders	McCarthy	Watkins
Frear	Millikin	Welker
Goldwater	Mundt	Williams

NOT VOTING—4

Daniel	Potter	Young
Holland		

So the bill (S. 1333) was rejected.

Mr. WELKER. Mr. President, I move that the Senate reconsider the vote by which the bill was rejected.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from California. [Putting the question.]

The motion to lay on the table was agreed to.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MAGNUSON. Mr. President, the Committee on Interstate and Foreign Commerce wanted to meet this afternoon, but I understand there was some objection to their meeting. However, in order to keep the record straight, I ask unanimous consent that the Committee on Interstate and Foreign Commerce be permitted to meet this afternoon.

Mr. KNOWLAND. Mr. President, while I myself would have no objection to the committee meeting, I must, by request, object to the Senator's request at this time.

Mr. MAGNUSON. I understand the reason for the Senator's objection.

MEETING BY THE COMMITTEE ON THE JUDICIARY DURING SENATE SESSION TOMORROW MORNING TO CONSIDER CERTAIN BILLS

Mr. EASTLAND. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized, upon call by the chairman, to meet during the session of the Senate from 10:30 a. m. to 12 noon on Friday, July 20, 1956, for the purpose of considering only the following bills, in the order designated by the chairman, and amendments thereto which are germane, in the judgment of the chairman of the committee and which are listed below: S. 3571, S. 3574, H. R. 9424, H. R. 1840, S. 3026, S. 3284, H. R. 1971, H. R. 2128, H. R. 4642, H. R. 3561, H. R. 10111, H. R. 8110, House Joint Resolution 396, House Joint Resolution 317, H. R. 2121, H. R. 6247, H. R. 3661, H. R. 5417, H. R. 6403, H. R. 9956, H. R. 7121, House Joint Resolution 511, H. R. 9314, H. R. 6332, H. R. 10949, H. R. 5274, S. 2627, S. 2786, S. 3476, S. 3908, S. 2915, S. 1868, H. R. 1953, H. R. 7074, H. R. 9947, H. R. 10983, H. R. 11207, S. 703, S. 966, H. R. 11636, H. R. 1189, S. 384, H. R. 2342, H. R. 6126, H. R. 1420, H. R. 4635, H. R. 3728, H. R. 1739, S. 721, S. 1561, S. 1539, S. 157, H. R. 3365, H. R. 4637, H. R. 7835, H. R. 4506, H. R. 5809, H. R. 11207, H. R. 3062, H. R. 11706, H. R. 9029, H. R. 2325, H. R. 3073, H. R. 5888, H. R. 1116, House Joint Resolution 660, House Joint Resolution 661, House Joint Resolution 662, House Joint Resolution 681, House Joint Resolution 682, House Joint Resolution 683, H. R. 6081, H. R. 8971, H. R. 11821, and any other bills, nominations and motions can be considered by unanimous consent of the committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I have an announcement to make which is of importance to all Members of the Senate.

The VICE PRESIDENT. The Senate will be in order. The Senator will suspend until the Senate is in order.

Mr. JOHNSON of Texas. I thank the Chair. I should like all Senators to know that, so far as the leadership is concerned, no yea-and-nay votes are planned after 5:30 o'clock this evening. A dinner honoring one of our colleagues is being held at 7 o'clock this evening.

By arrangement with the minority leader, we do not plan to have an evening session today. That has been previously announced.

However, I am about to move that the Senate proceed to the consideration of the bill extending the Renegotiation Act, which is an important administration measure, and which needs to be passed at an early date. We believe it will take a comparatively short time to dispose of it.

Then I shall move that the Senate go into executive session, for the consideration of certain nominations, upon which, I have already been assured, certain Members will ask for a yea-and-nay vote.

Following that, in executive session, we shall have a yea-and-nay vote on some treaties. Following that, I shall ask the Senate to proceed to the consideration of the executive pay bill. We hope to be able to dispose of all of that business this afternoon. If not, we will carry it over until tomorrow.

As Members are aware, a unanimous-consent agreement has been entered with respect to mutual security appropriation bill. We will probably consider that bill tomorrow, and perhaps also on the next day.

I wish all Members to know that there will likely be at least two yea-and-nay votes, and probably three, within a very short time.

COMMITTEE MEETING DURING SENATE SESSION

Mr. ANDERSON. Mr. President, I again ask unanimous consent that the Committee on Interior and Insular Affairs be authorized to meet during the session of the Senate this afternoon.

The VICE PRESIDENT. Is there objection?

Mr. LANGER. I object.

ABOLITION OF VERENDRYE NATIONAL MONUMENT, NORTH DAKOTA — AUTHORIZATION FOR CONFEREES TO CONSIDER CERTAIN ADDITIONAL SENATE AMENDMENTS

Mr. JOHNSON of Texas. Mr. President, I send a concurrent resolution to the desk and ask for its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The Chief Clerk read the concurrent resolution (S. Con. Res. 86) as follows:

Resolved by the Senate (the House of Representatives concurring), That the conferees on H. R. 1774, in addition to the Senate amendments already pending before them, be authorized to consider the following amendments:

"(3) Page 1, line 6, strike out all after 'permits' down to and including 'site' in line 8.

"(4) Page 1, strike out all after line 8 over to and including line 5 on page 2.

"(5) Page 2, strike out lines 6 to 20, inclusive."

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the concurrent resolution was considered and agreed to.

EXTENSION OF THE RENEGOTIATION ACT OF 1951

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 2669, H. R. 11947, to extend and amend the Renegotiation Act of 1951.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 11947) to extend and amend the Renegotiation Act of 1951.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with amendments.

Mr. JOHNSON of Texas. Mr. President, I shall ask the Senator from Virginia to make an explanation of the bill. I ask Senators to remain on the floor, because we will have a yea-and-nay vote on treaties very shortly.

The VICE PRESIDENT. The Senate will be in order.

Mr. BYRD. Mr. President, this bill is the result of an extensive study conducted by the staff of the Joint Committee on Internal Revenue Taxation and the Defense Department and the Renegotiation Board. It has the approval of the administration.

It is a decided improvement over the existing law. I will now summarize briefly the principal provisions of the bill:

First. The Renegotiation Act is extended for an additional 2 years, that is, until December 31, 1958.

Second. The statutory floor below which sales may not be renegotiated is raised from $500,000 to $1 million with respect to receipts or accruals for fiscal years ending after June 30, 1956. On the basis of filings shown in prior years, this will eliminate from renegotiation 37 percent of contractors whose sales are above the present statutory floor of $500,000 and should be of real benefit to small business.

Third. The bill considerably simplifies the standard commercial article exemption. It places the standard commercial article exemption on an individual contractor basis rather than on the basis of conditions in similar or related industries as under present law. In lieu of the competitive conditions test of existing law, the House bill substitutes the requirement that a certain percentage of the dollar volume of sales of the article by a particular contractor must be made under nonrenegotiable contracts and in addition defines a standard commercial article as—

(a) An article which is customarily maintained in stock if at least 35 percent of the aggregate dollar amount of the sales of such article by the contractor during the fiscal year and the preceding fiscal year are nonrenegotiable; or

(b) An article covered by established price quotations (the catalog test) if at least 35 percent of the aggregate dollar amount of the sales of such article by the contractor during the fiscal year and the preceding fiscal year are nonrenegotiable.

Present law provides that an item which is "identical in every material respect" with a standard commercial article is also exempt. "Identical in every material respect" is defined in the present act to mean of the same kind, content, and use, without necessarily being of the same specifications. Here, too, the board must examine articles produced by other contractors or possibly by an entire industry. Comparison with similar articles produced by other contractors has made the provision difficult to apply. The bill eliminates the "same use" test in the definition of "identical in every material respect" because it has proved to be too flexible a concept, and substitutes a "reasonably comparable price" test.

The House bill has retained the exemption for substantially identical articles but has placed this exemption on an individual-contractor basis in that the substantially identical article sold by the particular contractor must be compared with an article sold by the same contractor, which article itself qualifies as a standard commercial article.

The House bill also requires that 35 percent of the aggregate dollar volume of sales by the contractor of the standard commercial article or articles and the substantially identical article or articles must, during the year, be sold under nonrenegotiable contracts.

Both the stock and catalog tests as provided in (a) and (b) above will be self-executing in that they will operate automatically without application to the board, and with the 35 percent tests will provide definite yardsticks for establishing the exemption. This is a decided improvement over present law which has no definite yardsticks. To obtain the exemption under the substantial identity test above, the contractor is required to file an application with the renegotiation board and the board must take action within 3 months instead of 6 months as provided under present law.

Your committee has added four amendments to the standard commercial article exemption of the House bill to meet certain objections raised by outside groups.

First, the contractor or subcontractor is permitted to waive the exemption provided for a standard commercial article without necessarily waiving the exemption with respect to other standard commercial articles.

Second, the contractor or subcontractor is permitted in meeting the 35-percent test for standard commercial articles to group articles which are substantially similar without identifying which particular article meets the 35-percent test. The provision requires an application to the Board and a determination by the board within 6 months unless the contractor and the Government agree to a longer period.

Third, in the case of the Board determination relating to an article substantially identical to a standard commercial article called for within 3 months by the House bill, an agreement between the contractor and the Government for extending the time is permitted.

Fourth, in meeting the 35-percent test of nonrenegotiable sales of a standard commercial article, the House bill provided that the contractor group the sales of the current fiscal year and the preceding fiscal year. Your committee's bill provides that the test be applied to either the current year or the combination of the current and preceding years.

Under the existing law, contracts with 21 Government agencies are subject to renegotiation. The bill eliminates all but eight agencies. The eight agencies whose contracts are still subject to renegotiation are the Departments of Defense, Army, Navy, and Air Force and Commerce—Maritime Administration and Federal Maritime Board only—the Atomic Energy Commission, and the General Services Administration. The bill also provides that in a period of a future national emergency declared by the Congress or proclaimed by the President, the President is authorized to designate for such period other agencies which he considers should be covered by the renegotiation statute.

The bill provides a 2-year carryforward of losses on renegotiable contracts. If a contractor sustains losses for 2 consecutive years, the losses of both years may be offset against the profits of the third year. If a contractor has a loss in the first year, profits in the second year, and profits in the third year, the loss would first be reduced by the profits of the second year before being carried forward and applied against profits of the third year. Generally, the effect of the provision is to allow losses sustained in 1954 and later years to be carried forward 2 years.

Under the present law if a contractor's renegotiable sales are below the statutory floor, he is required to file a statement of nonapplicability. At the option

of the contractor the bill eliminates this requirement. However, if the contractor elects to file, it will start the period of limitation and if no action is taken by the Board within 1 year, renegotiation is permanently foreclosed in the absence of fraud or malfeasance or willful misrepresentation of a material fact.

The present law provides for a 1-year period of limitations for the commencement of renegotiation proceedings, and a 2-year period for completing such proceedings by the Board. These limitations will run under the bill in the absence of fraud, malfeasance, or willful misrepresentation of a material fact.

The bill makes other changes in the act which are fully explained in the report. Among these is the requirement for an annual report to the Congress by the Renegotiation Board, and the removal of the exemption under existing law of subcontracts made with exempt organizations and other changes which will help the administration of the act.

Mr. President, this bill is approved by the Renegotiation Board and by the various agencies concerned, and by the administration.

Mr. SPARKMAN. Mr. President, unfortunately, the Congress finds itself faced once more with a rigid timetable when the extension of the Renegotiation Act comes before it for consideration. I had hoped that our action last year in providing for a study of the act by the staff of the Joint Committee on Internal Revenue Taxation would bring us answers to the basic, fundamental questions which have been raised by this sort of governmental price control and profit limitation in a time of relatively normal commercial operations. The joint committee, however, limited itself to a more restricted area and made recommendations only as to how the present Renegotiation Act could be improved, not as to what alternatives exist for it.

I have had many opportunities to study the impact of the Renegotiation Act in my capacity as chairman of the Small Business Committee and I have heard a number of case studies showing how renegotiation adversely affects small producers of defense materials. Therefore, I appeared yesterday before the Senate Finance Committee in its executive session and presented my views on the pending measure.

Mr. President, in my statement I made recommendations which I believe represent better methods for guarding against exorbitant profits on war contracts in these days when less than 4½ percent of our current annual rate of output of goods and services is being utilized to produce these defense materials. I most earnestly call on the appropriate committees to give every consideration to these suggestions so that we can seek alternatives to the present legislation which would prevent such burdensome side effects upon the many small businesses of the Nation.

Mr. President, I ask unanimous consent that the statement I made to the Finance Committee be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHN SPARKMAN, CHAIRMAN, SENATE SMALL BUSINESS COMMITTEE, BEFORE THE SENATE FINANCE COMMITTEE ON THE RENEGOTIATION ACT

Mr. Chairman and members of the Senate Finance Committee, it is a great pleasure to appear before you this morning to discuss with you certain aspects of the legislation you now have under consideration, particularly as it affects the 4 million smaller firms in our business community.

It was just a little over a year ago, when an extension of this same act was being sought so as to run to the end of 1956, that I stated on the floor of the Senate that I was unalterably opposed to exorbitant profits on military contracts. I recalled my previous support of renegotiation, at the time of my service on the Military Affairs Committee of the House during World War II when the predecessor of the present-day act, the Sixth Supplemental National Defense Appropriation Act of 1942 was passed. During those times, the productive facilities of our industries were strained to the breaking point, normal competitive conditions in our economy were completely disrupted, and contracting and purchasing officials in the executive branch of the Government were unable to insure that the prices on their emergency requirements were at reasonable levels. I firmly believed that a form of renegotiation was an essential and necessary measure at that time.

However, in the last few years I have not felt so inclined. For this reason I complimented the chairman of the Finance Committee, last year, for calling for a comprehensive study of this problem by the Joint Committee on Internal Revenue Taxation. I felt that such a study would do much to point out the inconsistencies of wartime controls on the industrial segment of our economy during times of peace and presumably normal Government operations. I also believed that this study would end once and for all, the piecemeal revision of the act by exemptions, which has so characterized the repeated extensions of this legislation since its enactment in 1951.

At the same time last year I informed your chairman that I was directing the staff of the Select Committee on Small Business to collate the information in our files and to render all assistance to the Joint Committee staff in their study on renegotiation. Toward this end the Small Business Committee sent out letters to numerous small-business organizations and firms throughout the country, requesting their views on the act as it was then being implemented, plus soliciting their suggestions on the continuation of the act or regarding measures that might be taken to improve its operations. As was to be expected, the replies, without exception, recommended that the act be permitted to expire. The most prevalent disadvantages cited were that renegotiation is a selective taxation without rate from which there is no workable or practical avenue of appeal, being levied by a five-man board rather than by Congress, that it stifles expansion through reinvestment owing to the inability of a company to measure its financial liability until long after a profitable year has been completed; that it encourages inefficient and careless procurement; that it reduces incentives for economy and efficiency; that it discourages subcontracting; that it is a heavy drain on the time and talents of industrial personnel; that it discourages small firms with limited management personnel from entering into competition for defense contracts; and lastly, that the great financial expense to both the Government and private industry has not been justified when compared with the so-called excess profits which have been recovered.

Mr. Chairman, upon receipt of these expressions from industry, members of the Small Business Committee staff held several meetings with the chairman of the Renegotiation Board and his advisers, and also with various members of the staff of the Joint Committee in order to point out the types and nature of hardships that the act, as now written, is presenting to small business.

Regrettably, I have only had an opportunity to cover the main points of the report submitted by the Joint Committee and which is the basis for the legislation now before you. I have, however, quickly recognized that several of the suggested recommendations will prove of great assistance to small-business firms which have long suffered through their efforts to comply with the multitude of rules and regulations handed down by the board in the past. I was particularly pleased to note that a number of the suggested amendments contained in the Small Business Committee's Sixth Annual Report, issued in January of this year, were favorably reported on by the Joint Committee. Raising of the statutory floor beneath which sales cannot be renegotiated from $500,000 to $1,000,000 will be of particular help to small business as will making optional the filing of a statement of nonapplicability, now required in the present act even though a contractor's total sales are beneath the statutory floor. It is hoped that the new amendments designed to broaden the standard commercial article exemption will enable the Board more latitude and ease of operation in this area with the resultant relief to the smaller firms who have historically produced this commercial type of product as opposed to the more costly technical items. Restricting renegotiation to fewer agencies of the Government and providing for a 2-year carryforward of losses will also do much to ease the burden. To my mind, 2 of the 11 recommendations listed in the Joint Committee's report are of paramount importance and most closely reflect my judgment on this legislation. They are: (1) that renegotiation should not become a permanent part of the law, and (2) that the entire area of profit-limiting legislation, including the renegotiation, Vinson-Trammel and Merchant Marine Acts, should be reviewed by the appropriate committees of Congress to determine their adequacy, necessity and/or workability. The current situation whereby the discredited "cost-plus" mechanism of the Vinson-Trammel Act would immediately come into effect with the expiration of renegotiation is indeed a lamentable one.

Mr. Chairman, since it appears that at least for this session of Congress we are going to continue to attack this problem on the basis of piecemeal revisions I feel strongly that there are two additional problem areas in the current law demanding our attention. The senior Senator from Virginia so ably pointed up one of these on the Senate floor last year when he said: "I believe that normally we should rely upon competitive bidding to protect the Government against excessive prices. I hope the study will go into this question and determine whether competitive bidding is a sufficient safeguard in the awarding of Government contracts." In this connection the Joint Committee Report states on page 6 the following:

"A question about the ability of normal competitive market to meet the needs of military procurement is recognized in the extension of numerous grounds for purchases through negotiated contracts under the Armed Service Procurement Act. Some 88 percent, by dollar volume, of procurement contracts by the Defense Department is done through negotiation."

Here indeed, Mr. Chairman and members of this committee, are we presented with a

truly classic paradox. Many Members of both of the Houses of Congress have become increasingly alarmed in recent months over the higher and higher percentages of the total defense dollars that are being awarded to suppliers as a result of negotiated contracts. As we are all aware, the normal procedure for the letting of Government contracts as prescribed by Congress in the Armed Services Procurement Act is that all purchases for supplies and services shall be made by competitive advertised bids with some 17 exceptions to this basic premise being permitted under certain prescribed conditions. A widespread belief that certain of these exceptions to the act were being abused by the military departments led to the passage by the House, in February of this year, of H. R. 8710, which legislation is designed to lessen the use of negotiation by the military in writing its contracts. The propaganda of the military departments regarding the merits of negotiated contracts versus advertised bids has truly come full circle, Mr. Chairman, when a report of a congressional committee cites these very percentages as justification for challenging the ability of the competitive market to meet the military's procurement needs.

The joint committee study also has this to say about advertised competitive bidding, and I quote from page 15 of the report:

"It is often argued that greater reliance on formal advertised competitive bidding will make greater use of competitive forces in the economy and reduce the need for renegotiation. Successful use of this technique requires a large number of suppliers effectively bidding against each other on a product with definitive specifications. It is readily seen that this is substantially the situation referred to in the discussion of the standard commercial article exemption. Recommendations are made for considerably liberalizing the standard commercial article exemption in present law. With this more liberal exemption it will be seen that in fact there will not be a great deal of renegotiation in those areas where advertised competitive bids are used."

Mr. Chairman, I submit that since it is believed that there will not be a great deal of renegotiation in these areas where advertised competitive bids are used and, in view of the fact that these contracts constitute only 12 percent of the total dollars expended, we should face this situation realistically, and further lessen the tremendous administrative burdens on both industry and the Renegotiation Board by eleminating all contracts awarded as a result of advertised competitive bidding among three or more qualified, responsive bidders. I could not agree more, Mr. Chairman, with your statement of last year that "Competitive bidding is the cornerstone of our free-enterprise system," and I strongly feel that those firms who carefully compute their costs, sharpen their pencils, and take the risk of competing with countless others in response to the far too few advertised bids of the Government should not be penalized by having their marginal profit position unknown for some 2 or 3 years. Awards made as a result of advertised bidding constitute firm fixed price contracts, not subject to upward revisions or incentives or cost-plus-fixed-fee advantages and, as we are all aware, renegotiation is a one-way street in that it concerns itself only with profits and not with losses. Removing renegotiation from this segment of Government contracts will also, I feel, do much to encourage more and more small companies to compete for defense work, which increased competition should result in lower prices and a lessening of the burden on the taxpayer.

I would like to add here that there have been views advanced by the Renegotiation Board to the effect that certain companies would not want their competitively advertised contracts mandatorily exempted since the comparatively lower profits resulting from advertised contracts serves to offset the higher profits derived from their negotiated contracts; this balancing out apparently taking place when their entire operation is lumped together and reviewed by the Board on a fiscal year basis.

To me, this merely substantiates my belief that no excessive profits accrue as a result of advertised bidding and gives credibility to certain allegations that big firms with large negotiated contracts have gone into product fields entirely foreign to their normal operations so as to utilize the lower profits resulting from advertised bid contracts to average out their higher profits on negotiated contracts. The danger to the smaller, highly specialized firms presented by this type of subsidized encroachment is patently unjust. This recommendation, I should add, has the support of the Small Business Administration.

Another proolem, of particular significance to small business, deals with the Renegotiation Board's practice of lumping "extent of subcontracting" in with "government-owned materials and facilities," "large debt capital," "high rate of progress payments" and similar items as justifications for the Board's determination that a company has received excessive returns on its invested capital at little or no risk. As a consequence, a contractor who is being renegotiated is not allowed as high a rate of profit on work he has subcontracted as on that accomplished under his own roof. Certainly no company management could be criticized for pulling work back into its own plant under these circumstances, although the damaging effect on those smaller plants who have historically supplied various components to the bigger primes is readily apparent. What is so completely incongruous about this situation, Mr. Chairman, is the fact that three other agencies of the executive branch of our Government, the Department of Defense, the Small Business Administration and the Bureau of the Budget, have all been assiduously working, for over 2 years toward developing a policy and report form designed to encourage subcontracting to small businesses by the giant corporations supplying the military services. Department of Defense Directive No. 4100.20 states under paragraph IV, Specific Policies, the following:

"A. The military departments shall insert in all cost type and fixed supply or service contracts and in all construction contracts, in amounts exceeding $5,000, a clause requiring the contractor to subcontract to small business concerns the maximum amount that the contractor finds to be consistent with the efficient performance of his contract."

Whereas a close reading of this directive will reveal that there is nothing mandatory involved here, it is apparent that the directive reflects an energetic effort by the military to encourage the large firms to subcontract to small business, thereby spreading the defense dollar further and maintaining a healthy and vigorous base of supporting industries in our country. As the President stated in his message to the Congress last year urging the extension of renegotiation, "* * * in the interest of broadening and strengthening the mobilization base, we have encouraged the extensive use of subcontracting."

When one considers the reduced profits that contractors are being permitted under the Board's current rulings on subcontracting, the task of the Defense Department and the administration of fostering a small business subcontracting program appears almost insurmountable. I strongly urge that the act be amended to provide an incentive for subcontracting to smaller businesses or, at the very least, that it be made abundantly clear to the Renegotiation Board that contractors should not be penalized for supporting the subcontracting program of the Department of Defense. This recommendation also has the support of the Small Business Administration.

Mr. Chairman and members of the committee, after considering and weighing all of the complex factors involved in the extremely complicated area of profit limitations, of which renegotiation is a part, I do not feel that we are currently accomplishing much more than a partial "up-dating" of legislation which was designed to prevent procurement errors in a period of national emergency. What is contained in the House bill and what I have recommended will, I am certain, do much to alleviate many of the inequities and burdens that exist in the present act. As I have stated before, I believe that the staff of the joint committee has done a commendable job under the terms of their mandate; however, I feel that this entire area of profit limitation including the Vinson-Trammell and Merchant Marine Acts should be thoroughly studied by the respective committees having cognizance over these various laws with a view to developing singular legislation, sufficiently comprehensive in context as to provide adequate safeguards for the specific problem areas which the military feels still to be vital.

This approach, by specific and clearly defined problem areas which the military determines are the danger spots in their procurement processes is, certainly, the most logical approach to what appears to be a continuing problem. The Secretary of the Air Force, writing in behalf of the Defense Department, advised the Speaker of the House on May 2 of this year that:

"In the changing technology of the defense effort, new equipment becomes more complex and past production and cost experience is not necessarily satisfactory for forecasting and avoiding unconscionable profits. This factor has increased dramatically in importance with the new urgency which has centered on the guided missile and supersonic aircraft programs. The problem is further complicated by the numerous changes and improvements which are necessarily introduced into production to achieve better performance, safety in flight, and producibility."

We are all certain that our military services will continue to vigorously search and develop new and better weapons, aircraft, and ships, not only during this present period of uncertainty in world affairs, but at all future times in order to insure the adequate defense of our country. Since the changing technology of weapons will obviously require contracting for increasingly complex materials there is no reason to believe that the current procurement problems facing the military, which, in Secretary Quarles' judgment, justifies the extension of renegotiation, will abate in the foreseeable future.

I feel, Mr. Chairman, that there is a general presumption in the Congress in favor of firm pricing and competitive bidding rather than retroactive correction, and since the military believes that its high rate of spending on complex and technical items does require the renegotiation process, the burden of defining specifically the product classes demanding this procedure should be placed upon the military itself rather than on an amazingly patient and understanding segment of our industrial community. I use the term "segment" advisedly, since it has been computed that, for fiscal year 1956, an amount somewhere in the nature of $16.5 billion will be spent on renegotiable purchases, which amount is actually less than 4½ percent of the Nation's current annual rate of output of goods and services. These are hardly the days of all-out mobilization and stifled competitive markets which render impossible orderly and sound pricing of all military requirements.

I grant, Mr. Chairman, that what the Secretary of the Air Force tells us has great merit, when confined to such procurement areas as research and development and purchases in the electronics and aviation fields. But I feel that these areas, not by individual contracts of course, but by general classes, should be restricted to bedrock minimums and clearly defined by the military for such eventual treatment by the Renegotiation Board as may be deemed essential. To start out by including practically all types of materials being purchased by almost every agency of Government, as we did during periods of full mobilization, only to begin chipping away at this whole as conditions eased is not, in my opinion, the logical approach to the present-day problem.

Mr. Chairman, I can see nothing that would be gained by extending this act for 2 years that could not be accomplished equally as well with a 1-year extension. The current extension of Renegotiation has until December 31 of this year to run and I would much prefer to see any extension held down to 1 year, if only to insure that these problems will receive immediate and continuing attention by the respective committees concerned. Certainly, in the year and a half from now until the end of calendar year 1957, the entire profit limitation question can be exhaustively studied by the appropriate legislative committees in order that the Congress could have presented to it one single piece of legislation designed to satisfy this problem of profit limitation for those danger areas which still prevail even in peacetime.

I sincerely recommend your favorable consideration of the amendments to the existing act as are contained in H. R. 11947 and those that I have proposed to you today. I thank you for your very kind attention and consideration of these views and recommendations which I am certain will be of substantial assistance to the industrial small-business communities of our country.

Mr. CASE of South Dakota. Mr. President, as one who has followed the course of the renegotiation statute from its inception in 1942, I have a feeling that the Senate Committee on Finance and the House Committee on Ways and Means have made some important changes in the renegotiation statute by the bill which is now before the Senate. For the most part, it seems to me that some very definite and worth while changes have been made.

The distinguished Senator from Alabama has just referred to the alleged burden which the operation of the renegotiation statute imposes on small business. Certainly it should be pointed out that the proposal of the pending bill to exempt from renegotiation the sales of a contractor which do not total $1 million should materially relieve the burden on small-business people.

I should like to ask the distinguished chairman of the Committee on Finance if it is not his feeling that raising the exemption from $500,000 to $1 million has materially alleviated the alleged burden on the small contractor.

Mr. BYRD. That was the intention of the change. It will accomplish that effect.

Mr. CASE of South Dakota. In that connection, I think the RECORD should show that the increase in the exemption from renegotiation would remove only about 8.51 percent of the number of contracts, in terms of dollars, from renegotiation.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a table, which appears on page 3 of the report, relating to the matter.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Renegotiable sales	Cases		Refunds	
	Number	Percent of total	Amount	Percent of total
Under $500,000	696	30.19	$21,243,000	5.59
$500,000 to $1,000,000	599	25.99	32,340,000	8.51
Over $1,000,000	1,010	43.82	326,449,000	85.90
Total	2,305	100.00	380,032,000	100.00

Mr. CASE of South Dakota. Mr. President, I call attention to the fact that the history of the operation of the act, since 1951, discloses that there have been refunds totaling $380 million. That is the amount of the recoveries under the act. But 85.90 percent—in other words, almost 86 percent—of the recoveries have been in renegotiable sales which totaled more than $1 million a year. Almost 6 percent of the sales were exempted as being under $500,000. So only 90 percent of the recoveries would have been exempted under the amendment now proposed.

In addition to the change in exemption, it seems to me there are 2 or 3 other matters of interest in connection with the extension of the act to which attention should be especially invited.

The chairman has appropriately called attention to the new definition of "standard commercial article." I believe that the new definition will improve the administration of the act and relieve the so-called burdensome features of it with respect to small businesses or businesses which are truly competitive, and the price of which can be controlled under the normal procedures of government.

The 2-year carryforward is a definite change in the present act, and, again, should relieve small businesses, or even the larger businesses, from any abnormal burden under the act.

A final change which the bill makes, to which attention should be called, is that in the case of the provision for appeals from the Tax Court, for the review of determinations by the Renegotiation Board, the bill permits appeals to be taken to the district court where the case arises, instead of requiring that the appeals be taken before the United States Court of Appeals for the District of Columbia. That, also, is in the nature of making the act easier of application, and should relieve the cost accountants of the companies which come under that provision.

I wish to express my personal appreciation for the work which the committee had done in this regard. I think they have improved the operations of the act, and that the bill will materially contribute to the usefulness of the act to the Government.

Mr. CAPEHART. Mr. President, I think that increasing the exemption from $500,000 to $1 million is an excellent change. I congratulate the committee. The amendments to the Renegotiation Act which are presented by the committee today are much needed.

I am not too certain that the exemption ought not to be greater than $1 million, but that is a question which might well be considered later.

Again I congratulate the committee. I shall support the bill.

Mr. BUTLER obtained the floor.

Mr. DIRKSEN. Mr. President, will the Senator from Maryland yield briefly to me, without his losing the floor?

The PRESIDING OFFICER (Mr. PAYNE in the chair). Does the Senator from Maryland yield to the Senator from Illinois?

Mr. BUTLER. I yield, provided I do not lose the floor.

Mr. DIRKSEN. Mr. President, I had intended to submit an amendment with respect to the definition of the word "article" in the bill. The amendment arises from the fact that where assembled articles are processed, as in the case of the steel industry, notably, where some of the fabricators at home have differences in gage dimensions, and so forth, the act adds very materially to the keeping of accounting records and the number of items which have to be handled separately.

The amendment I had intended to offer would have provided, in part, that the board could, in its discretion, consider an article, as defined in the bill, as a completed product. But I am now informed that on pages 12 and 16 of the bill the Senate committee has provided language which, so far as I can tell, will probably take care of such cases.

I have been informed also that a number of complaints were made because of the accounting burden which was placed upon industry as a result of the original definition of "article."

For the purpose of the record, I should like to have a brief comment from the chairman of the committee on that point.

Mr. BYRD. Mr. President, the statement made by the Senator from Illinois is correct.

The contractor or subcontractor is permitted in meeting the 35 percent test for standard commercial articles to group articles which are substantially similar without identifying which particular article meets the 35 percent test. This provision requires an application to the board and a determination by the board within 6 months unless the contractor and the Government agree to a longer period.

Mr. DIRKSEN. Mr. President, I am inclined to believe that the Senator's explanation covers the situation which I have had in mind. I feel certain there are a good many persons in industry who will appreciate this action on the part of the Senate committee.

Mr. BYRD. Mr. President, I ask that the Senate committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection——

Mr. O'MAHONEY. Mr. President, I object. I want to discuss one of the amendments.

The PRESIDING OFFICER. Objection is heard.

Mr. O'MAHONEY. Mr. President——

The PRESIDING OFFICER. It is the understanding of the Chair that the Senator from Maryland has the floor, but that he yielded to the Senator from Texas in order that action might be completed on the bill now before the Senate, with the understanding that the Senator from Maryland would not lose his right to the floor. Will the Senator from Maryland advise the Chair if that understanding is correct?

Mr. JOHNSON of Texas. I may advise the Chair that that understanding is correct.

Mr. O'MAHONEY. Mr. President, the Chair has answered my parliamentary inquiry, or the one I was about to make. I thought the Senator from Maryland intended to talk upon the bill.

Mr. JOHNSON of Texas. No; he desired to speak on an extraneous matter.

Mr. O'MAHONEY. Is my understanding correct that consent has not been given to the request that the committee amendments be agreed to en bloc?

Mr. BYRD. I may say to the Senator from Wyoming that I was speaking only of the committee amendments.

Mr. O'MAHONEY. But it is one of the amendments which the committee has submitted to which I wish to address myself.

Mr. BYRD. What I think the Senator from Wyoming has in mind is not a committee amendment.

Mr. O'MAHONEY. It is not a committee amendment.

It is my understanding, from the discussion I heard between the Senator from Indiana [Mr. CAPEHART] and the chairman of the committee [Mr. BYRD] that the bill raises the exemption from $500,000 to $1 million, so as to exempt small companies doing small business with the Government from the delays and discouragement of renegotiation. If that is not a committee amendment, of course I have no objection to the adoption of the committee amendments.

The PRESIDING OFFICER (Mr. PAYNE in the chair). Does the Senator withdraw his objection?

Mr. O'MAHONEY. I do.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments en bloc.

The amendments were agreed to en bloc, as follows:

On page 4, line 3, after the word "month", to insert "during"; on page 7, line 5, after the word "the" where it appears the first time, to strike out "fourth" and insert "fifth"; on page 9, after line 3, to insert:

"(c) The second sentence of section 105 (c) of such act (50 U. S. C., App., sec. 1215 (c) is amended by striking out 'then upon the expiration' and inserting in lieu thereof 'then, in the absence of fraud or malfeasance or willful misrepresentation of a material fact, upon the expiration'."

At the beginning of line 10, to strike out "(c)" and insert "(d)", and in the same line, after the word "subsections", to strike out "(a) and (b)" and insert "(a), (b), and (c)"; in line 16, after the numerals "30", to strike out "1953," and insert "1953"; in line 17, after the word "following", to strike out "or" and insert ", or"; in line 18, after the numerals "30", to strike out "1956," and insert "1956"; on page 11, line 5, after the numeral "(1)", to strike out "Exemption" and insert "Articles and Services"; after line 16, to strike out: "Subparagraph (B) or (C) shall apply to amounts received or accrued in a fiscal year under any contract or subcontract for an article or service only if (i) the contractor or subcontractor at his election files, at such time and in such form and detail as the Board shall by regulations prescribe, such information and data as may be required by the Board under its regulations for the purpose of enabling it to make a determination under this paragraph, and (ii) within a period of 3 months after the date of filing of such information and data, the Board determines that such article or service is, or fails to determine that such article or service is not, an article or service to which such subparagraph applies."

On page 12, after line 6, to insert:

"'(2) Classes of articles: The provisions of this title shall not apply to amounts received or accrued in a fiscal year under any contract or subcontract for an article which (with respect to such fiscal year) is an article in a standard commercial class of articles.'"

After line 11, to insert:

"'(3) Applications: Paragraph (1) (B) or (C) and paragraph (2) shall apply to amounts received or accrued in a fiscal year under any contract or subcontract for an article or service only if—

"'(A) the contractor or subcontractor at his election files, at such time and in such form and detail as the Board shall by regulations prescribe, an application containing such information and data as may be required by the Board under its regulations for the purpose of enabling it to make a determination under the applicable paragraph, and

"'(B) the Board determines that such article or service is, or fails to determine that such article or service is not, an article or service to which such paragraph applies, within the following periods after the date of filing such application:

"'(i) in the case of paragraph (1) (B) or (C), 3 months;

"'(ii) in the case of paragraph (2), 6 months; or

"'(iii) in either case, any longer period stipulated by mutual agreement.'"

On page 13, at the beginning of line 9, to strike out "(2)" and insert "(4)"; in line 23, after the word "the", to strike out "aggregate receipts or accruals in such fiscal year and the preceding fiscal year are" and insert "receipts or accruals in such fiscal year, or of the aggregate receipts or accruals in such fiscal year and the preceding fiscal year, are"; on page 16, line 3, after the word "this", to strike out "title." and insert "title; and"; after line 3, to insert:

"'(G) the term "standard commercial class of articles" means, with respect to any fiscal year, two or more articles with respect to which the following conditions are met:

"'(i) at least one of such articles either is customarily maintained in stock by the contractor or subcontractor or is offered for sale in accordance with a price schedule regularly maintained by the contractor or subcontractor,

"'(ii) all of such articles are of the same kind and manufactured of the same or substitute materials (without necessarily being of identical specifications),

"'(iii) all of such articles are sold at reasonably comparable prices, and

"'(iv) at least 35 percent of the aggregate receipts or accruals in the fiscal year by the contractor or subcontractor from sales of all of such articles are not (without regard to this subsection and subsection (c) of this section subject to this title.'"

After line 24, strike out:

"'(3) Special rule: A contractor or subcontractor may claim that an article is identical in every material respect with more than one standard commercial article, or may claim that two or more articles are identical in every material respect with one or more standard commercial articles, but in any such case paragraph (2) (C) (iii) shall be satisfied only if at least 35 percent of the aggregate receipts or accruals in such fiscal year by the contractor or subcontractor from sales of such article or articles and sales of such standard commercial article or articles are not (without regard to this subsection and subsection (c) of this section) subject to this title.'"

On page 17, after line 12, to insert:

"'(5) Waiver of exemption: Any contractor or subcontractor may waive the exemption provided in paragraphs (1) and (2) with respect to his receipts or accruals in any fiscal year from sales of any article or service by including a statement to such effect in the financial statement filed by him for such fiscal year pursuant to section 105 (e) (1), without necessarily waiving such exemption with respect to receipts or accruals in such fiscal year from sales of any other article or service. A waiver, if made, shall be unconditional, and no waiver may be made without the permission of the Board for any receipts or accruals with respect to which the contractor or subcontractor has previously filed an application under paragraph (3).'"

On page 18, at the beginning of line 3, to strike out "(4)" and insert "(6)"; in line 4, after the word "emergencies", to strike out "Paragraph (1)" and insert "Paragraphs (1) and (2)"; after line 15, to insert:

"SEC. 10. Section 107 (c) of such act (50 U. S. C., App., sec. 1217 (c)) is amended by striking out 'subject to the Classification Act of 1949 (but without regard to the civil-service laws and regulations)' and inserting in lieu thereof 'subject to the Classification Act of 1949 and the civil-service laws and regulations'."

At the beginning of line 22, to change the section number from "10" to "11"; on page 19, at the beginning of line 6, to change the section number from "11" to "12"; on page 20, at the beginning of line 1, to change the section number from "12" to "13"; and at the beginning of line 5, to change the section number from "13" to "14."

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. O'MAHONEY. Mr. President, now I desire to draw attention to the amendment which the Senator from Indiana and the Senator from Virginia were discussing. May I ask to have pointed out to me where the provision is to be found in the bill?

Mr. CAPEHART. Mr. President, will the Senator yield to me while an effort is being made to get that information?

Mr. O'MAHONEY. I yield.

Mr. CAPEHART. I congratulated the committee a moment ago on increasing the exemption from $500,000 to $1 million, but I feel it ought to be more than $1 million. I believe it ought to be no less than $1,500,000 and preferably $2 million.

Mr. O'MAHONEY. Certainly, it should not be less than $2 million. I should like to join with the Senator from Indiana in offering an amendment to raise the exemption to $2 million.

Mr. CAPEHART. I think the exemption ought to be $2 million, because the small-business men are at a great disadvantage.

Mr. O'MAHONEY. That is the reason why I have interrupted the swift progress of the bill through the Senate. The big corporations doing business with the United States Government, supplying

materials for defense, have so many pockets into which they can put their profits that they are, in fact, almost completely exempt from the penalties of renegotiation. The small businesses, which do not have subsidiaries and affiliates and which have only one pocket for their profits, are the victims of renegotiation.

If we want to preserve small business, and give it a chance to obtain some of the contracts which the Government is ladeling out under the huge appropriation bills Congress passes, we certainly ought to exempt small business from renegotiation.

Mr. CAPEHART. I agree with the able Senator, and I hoped perhaps the manager of the bill would take the $2 million item to conference with the House to see what might be worked out.

Mr. O'MAHONEY. Let us say that we are serious about it; we do not want such an amendment taken to conference and dropped.

Mr. CAPEHART. I understand that.

Mr. O'MAHONEY. Because there is a very important argument in favor of a higher exemption.

Mr. CAPEHART. I agree 100 percent with the Senator from Wyoming, but the question is whether the amount should be $2 million, $2½ million, or $1,800,000. I think $1 million is entirely too low. I think it ought to be higher.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. CASE of South Dakota. I hope the distinguished Senator from Wyoming and the distinguished Senator from Indiana will not press their amendment. When the renegotiation program was initiated, I think the exemption was $100,000.

Mr. O'MAHONEY. The Senator from South Dakota is correct. He played a very substantial part in getting the renegotiation bill through the Congress. That was at a time when the United States was entering the Second World War, and when nobody—the procurement officers in Government and the contractors in business—knew what the costs were likely to be. Therefore, at the suggestion of the late General Somervell, who was at one time Quartermaster General, the renegotiation suggestion was agreed to. The Senator from South Dakota [Mr. CASE] was at that time a member of the Appropriations Committee of the House, and he did yeoman service in connection with the passage of the Renegotiation Act.

I feel the necessity of protecting the small-business man is so great, and the opportunities for the large-business man to escape renegotiation are so great, that we ought not to waver about increasing the exemption.

Mr. CASE of South Dakota. If the Senator will yield, we started out with exempting sales under $100,000.

Mr. O'MAHONEY. That was because of lack of knowledge. Now we have the knowledge.

Mr. CASE of South Dakota. Let me follow that statement through. We went from $100,000 to $200,000 or $300,000. Then when the act was extended again, for the preparedness effort in connection with the Korean war, the exemption was increased to cover sales up to $500,000. In the amendment proposed to the act by the bill before the Senate, the exemption would be increased from $500,000 to $1 million. The information before the Senate shows what would be the result of such an increase. But to go from $500,000 up to $2 million is a considerable jump, and there is nothing in the report of the committee to give any idea at all of what it would involve either in the number of cases or in dollar amounts.

The table to which I alluded, and which appears on page 3 of the report, which was placed in the RECORD, indicates, on the basis of past history, what the change proposed by the bill will accomplish so far as the number of cases and percentage of total volume are concerned.

Unless some Senator has the information, there is none before the Senate to indicate what an increase in the exemption from $500,000 up to $2 million would mean.

It seems to me the committee has acted wisely in limiting the increase of exemptions to a doubling of the amount now permitted.

Mr. O'MAHONEY. I am advised by the clerk of the committee that the $1 million figure was not a committee amendment. That is what the chairman of the committee said. It appears on page 9, line 17, and the figure $1 million is in roman type, so that it appears this was a House amendment.

Mr. CASE of South Dakota. It is a change from the present law.

Mr. O'MAHONEY. It is a change from the present law. The Senate has done nothing to that amendment. What the Senator from Indiana [Mr. CAPEHART] and I are seeking to do is amend the figure on page 9, line 17, to $2 million, so the committee of conference of the two Houses may have an opportunity to go into this matter. I think the Senator from South Dakota and the committee will be serving a great public interest if they agree to our amendment to increase the amount to $2 million.

Mr. CAPEHART. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. CAPEHART. The Renegotiation Act was passed when we were at war, or just prior thereto, and when we were building literally thousands and thousands of special items.

Mr. O'MAHONEY. That is correct.

Mr. CAPEHART. Today, the small-business men participate primarily in the production of what we call civilian goods, and such contracts should not be subject to renegotiation at all—whether amounting to $2 million, $3 million, or $4 million.

Mr. BYRD. Mr. President, will the Senator from Wyoming yield to me, to permit me to make a brief statement on the proposed amendment?

Mr. O'MAHONEY. I yield.

Mr. BYRD. Mr. President, when the Renegotiation Act was amended last year, the committee was directed, by means of an amendment, to make recommendations for amendment and simplification of the act itself; and in that connection the committee directed its staff to make a study for that purpose. The staff has been working on that matter for months; and the Joint Committee on Internal Revenue Taxation has been working on the bill. The members of the Joint Committee on Internal Revenue Taxation are the ranking members of the Finance Committee of the Senate and the Ways and Means Committee of the House of Representatives, as the Senator from Wyoming knows.

Subsequently the bill was introduced in the House of Representatives, and was passed by the House.

If the statutory floor of $500,000 had been $1,000,000 when the 1951 act was adopted, 37 percent of the cases renegotiated would have been exempt. Furthermore, the bill provides for carryover of losses for a period of two years. The bill eliminates the present requirement of making a filing when the contractor's defense business is below the statutory floor. The bill simplifies the standard article exemption.

Mr. O'MAHONEY. Mr. President, will the Senator from Virginia permit me to make a remark at this point?

Mr. BYRD. Certainly.

Mr. O'MAHONEY. I am only trying to give the Senator from Virginia double congratulations on the work of his committee. I think he will be far more worthy of commendation if he accepts this amendment, which provides for a further review.

Mr. BYRD. Mr. President, I am sorry I cannot agree with the Senator from Wyoming. This measure has been considered and approved by the various departments of the Government, including the Air Force, which has more contracts than does any other Government department.

The bill increases the ceiling from $500,000 to $1,000,000. I agree with the Senator from South Dakota that this is as far as we should go at this time. I am in favor of eliminating renegotiation where it is not needed. However, after all, at the present time the Defense Department is spending $35 billion a year on defense contracts; and I think we need a renegotiation law for the present.

Mr. O'MAHONEY. Yes, we do; I am all for the renegotiation law.

Mr. BYRD. I would not be willing to accept the amendment, because the Defense Department has said that it is willing to agree to the $1 million figure, but we have no information from the Defense Department that it would agree to the $2 million figure. As the Senator from Wyoming knows, renegotiation occurs chiefly with respect to contracts made by the Defense Department.

Mr. O'MAHONEY. Mr. President, I wish the RECORD to show that this point in the session it is difficult to obtain a quorum. I do not care to suggest the absence of a quorum in connection with this matter; but I desire the RECORD to show that few Members of the Senate are having an opportunity to receive a full explanation of the bill. I also wish to point out the importance of the disparity between the actual renegotiations which are occurring with the companies which are obtaining the bulk of the contracts and the renegotiations which are occur-

ring with the small companies which are getting only small portions.

Mr. President, I shall not suggest the absence of a quorum.

Mr. CAPEHART. Mr. President, would the Senator from Wyoming be willing to modify the amendment, so as to have it provide an exemption of $1,500,000?

Mr. O'MAHONEY. Yes.

Mr. BYRD. Mr. President, let me say under existing law, the contracts of 21 agencies are subject to renegotiation. By the bill that number has been reduced to eight. Those eight agencies, whose contracts still would be subject to renegotiation, are the Departments of Defense, the Army, the Navy, the Air Force, the Department of Commerce, the Federal Maritime Board, and the Maritime Administration only, the Atomic Energy Commission, and the General Services Administration.

The bill, as it now stands, was agreed to by the House Ways and Means Committee, and I fear that there would be difficulty in conference on such an amendment as is proposed.

Mr. O'MAHONEY. Mr. President, by agreement between the Senator from Indiana [Mr. CAPEHART] and myself, we shall modify the amendment, by having it provide that on page 9, in line 17, the figure "$1,000,000" be stricken out, and that in lieu thereof there be inserted "$1,500,000."

Mr. President, I shall not suggest the absence of a quorum. Neither shall I request a yea-and-nay vote on the question of agreeing to the amendment.

I hope the Members of the Senate who are present will vote for the amendment; and I hope that in consideration for our lack of desire to conduct anything resembling a filibuster upon this proposal, the chairman of the committee will agree to accept the amendment.

The PRESIDING OFFICER. The amendment, as modified, which has been submitted by the Senator from Wyoming, for himself and the Senator from Indiana [Mr. CAPEHART], will be stated.

The CHIEF CLERK. On page 9, in line 17, it is proposed to strike out "$1,000,000" and to insert in lieu thereof "$1,500,000."

The PRESIDING OFFICER. The question is on agreeing to the modified amendment offered by the Senator from Wyoming [Mr. O'MAHONEY] for himself and the Senator from Indiana [Mr. CAPEHART].

Mr. BYRD. Mr. President, I am sorry that I cannot accept the amendment.

Mr. O'MAHONEY. Mr. President, let us have the vote on the amendment taken.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment submitted by the Senator from Wyoming, for himself, and the Senator from Indiana. [Putting the question.]

The "noes" appear to have it; and the "noes" have it, and——

Mr. O'MAHONEY. Mr. President, I ask for a division.

On a division, the amendment was rejected.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 11947) was read the third time, and passed.

Mr. JOHNSON of Texas subsequently said: Mr. President, I move that the Senate insist on its amendments, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. MORSE in the chair) appointed Mr. BYRD, Mr. GEORGE, Mr. KERR, Mr. MILLIKIN, and Mr. MARTIN of Pennsylvania conferees on the part of the Senate.

ADJUSTMENT OF RATES OF COMPENSATION OF HEADS OF EXECUTIVE DEPARTMENTS

Mr. BUTLER obtained the floor.

Mr. JOHNSON of Texas. Mr. President, if the Senator from Maryland will yield to me, I should like to have another bill made the pending business; and then I should like to make an announcement.

Mr. BUTLER. I yield for that purpose.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2687, House bill 7619.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 7619) to adjust the rates of compensation of the heads of executive departments and of certain other officials of the Federal Government, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 7619) to adjust the rates of compensation of the heads of executive departments and of certain other officials of the Federal Government, and for other purposes, which had been reported from the Committee on Post Office and Civil Service with an amendment.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, let me state that I plan to call up Calendar No. 2679, Senate Resolution 73, to refer to the Court of Claims the bill (S. 542) for the relief of the Trust Association of H. Kempner. That measure has been cleared by the majority and minority leaderships, and I should like to have the RECORD show that.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I now move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

CONVENTIONS

Mr. JOHNSON of Texas. Mr. President, there are two treaties or conventions on the Executive Calendar—Executive J and Executive K. I ask unanimous consent that on the question of agreeing to the resolution of ratification of each of those treaties or conventions, only one vote be taken.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I should like to state, for the information of the Senate, that at the conclusion of the remarks of the Senator from Maryland [Mr. BUTLER], the Senate will proceed to the consideration of the treaties or conventions on the Executive Calendar; and as just ordered, one yea-and-nay vote will be taken on the question of agreeing to the resolution of ratification of each of the conventions.

Thereafter we shall proceed to the consideration of the nominations to represent the United States at the General Assembly of the United Nations; and a yea-and-nay vote will be taken on that question.

THERE IS NO PLACE FOR SOCIALISTS IN THE EISENHOWER ADMINISTRATION

Mr. BUTLER. Mr. President, Fletcher Knebel, the author of Potomac Fever, one of the amusing columns in the Washington Star, on June 18 said:

> Republicans promised in 1952 they'd kick every Communist out of Government. They think they succeeded, but darn if they can remember what the fellow's name was.

I do not intend to indulge in name-calling; therefore, I will not attempt to supply the fellow's name. I am also not going to charge anyone with being a Communist.

We all know that the vast majority—all but a most minute minority—of the more than 2¼ million civilian employees of the Federal Government are loyal, dedicated, hard-working citizens who serve the American public well. They do an amazingly good job, which is often little appreciated. It is to be expected that in any large group of people—whether it be Government, a large corporation, or a university—there will, of course, be found individuals who are habitual drunkards, sex deviates, too communicative, or otherwise objectionable. These people must be separated from the payroll for the good of the service. They are always a tiny minority.

Obviously, the President of the United States and the top administrative officials of the Government have no intimate personal knowledge concerning all the people who constitute the Government career service. The top officials usually first learn of the existence of an unworthy character in Government by the public disclosure of his misdeeds.

Mr. President, the political party in power is responsible, however, for the performance of the principal executive officers of the Government. They are selected by the President with the advice and consent of the Senate. They

set the standard for the performance of the entire executive branch. These officials recruit personnel into the Federal Government. They determine who shall be promoted, who shall be retained in Government service, and the responsibilities delegated to each subordinate officer. If we permit top officials to serve who are not completely dedicated to the ideals which we hold dear, we must not be surprised to find individuals in the lower levels of Government who have betrayed their trust.

The initial responsibility in selecting these officials rests with the President. The Members of the Senate also have a responsibility which they cannot evade, as they must approve the President's nominations. The top officials of our Government today were nominated by President Eisenhower, and their appointments were confirmed by the Senate. They are dedicated to the preservation of the Constitution of the United States, to the promotion of individual freedom for all of our citizens, and to the preservation of our system of competitive private enterprise which has made us the most prosperous and strongest nation on the face of the earth.

I think I can best illustrate the contrast between those who administer our Government today under a Republican administration and those who formerly served under a Democratic administration by using a specific example. I wish to examine with Senators the record of one individual who held a position of great responsibility under the Truman administration and whose Government employment ceased with the election of President Eisenhower in 1952. I repeat, I will not indulge in name-calling. I shall call him Mister X. This individual served in Paris as a high official in the Mutual Security Agency, then under the direction of W. Averell Harriman who is at present the Governor of the great State of New York.

Mr. President, former President Truman participated in awarding the four freedoms award to Governor Harriman before he left on his European trip on May 9 of this year. President Truman said of Governor Harriman:

> We miss his wisdom and energy and sure touch in our foreign policy today.

Referring to a warning in 1945 by Mr. Harriman, then Ambassador to Moscow, that the Russians were threatening to sabotage the forthcoming peace, the former President said:

> Averell Harriman was right then and he has been right since about the Russian threat to peace and freedom. He was not taken in, as so many other political leaders were at that time, by Russian avowals of peaceful intent. He is not taken in today as so many of our leaders seem to be, by the smile on the face of the Kremlin.

Mr. Truman declared that the Soviet Government is as much an enemy of freedom today as it was in 1941 and 1945. The chief current danger, he said, lies "in Russian intrigues and in their fake promises to help the cause of freedom."

The dates in Mr. Truman's statements are of special interest. Apparently Harry Truman now believes that the Soviet Government was an enemy of freedom in 1941 as well as in 1945. I find it difficult to reconcile this statement with his "good old Uncle Joe" references to Stalin after the Potsdam Conference.

If Harriman had this unusual ability to understand the Communist threat, it is difficult to see how he could have selected the individual whose record I will develop, as one of his special assistants.

Mr. President, let me repeat that Mr. X was second in command to President Truman's Special Ambassador in charge of the European aid program. When Mr. X was appointed Director of the European office of the Mutual Security Agency on January 15, 1952, the Mutual Security Agency issued a press release giving this gentleman's background.

The press release supplied the date and place of his birth and informed us that he graduated from college in the year 1928. It also described his employment through 1931. Then it conveniently skips to 1942 and traces his career in Government from 1942 through his appointment to Director of the European Office of the Mutual Security Agency. His career in Government is quite interesting. The press release informs us that he became head of the Shipbuilding Stabilization Committee in 1942; economist for the Foreign Economic Administration, attached to the Office of the United States Military Government in Germany, March 1945; Chief of Mission for Economic Affairs in London, 1946; Chief of Mission for Office of the United States representative to the Economic Commission for Europe, 1947 to 1949; ECA Mission Chief to Greece, 1949 to 1950; Assistant ECA Administrator for Program, 1950; Acting ECA Special Representative in Europe, 1951.

The President of the United States obviously has some personal responsibility for the selection of an individual charged with such duties.

I shall now review some of the publicly available information concerning the activities of this individual during the 11 years omitted in his official biography. It makes fascinating reading. As Al Smith said, "Let's look at the record." What do we find?

Mr. President, he wrote a letter to the New Leader which was published in the editorial pages of that magazine on January 3, 1931. This letter includes the following amazing statement:

> Inhumanities are deplorable but relative. The Soviet has had its share. Acknowledge them; even then these facts remain: in Russia as in no other country planned production for use is being practiced on a vast scale and in a manner that assuredly makes it one of the most audacious and idealistic ventures in the history of mankind. • • • All facts carefully weighed, the Russian experiment probably stands as the greatest contribution to man's welfare yet made in the 20th century.

I ask unanimous consent that this letter may be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EDITOR, THE NEW LEADER:

I welcome the editorial invitation in the December 13 New Leader for more discussion of the Socialist Party's attitude toward Soviet Russia. To me it seems that the New Leader and several prominent party leaders have been unfairly critical of the Soviet Union.

There are aspects of the Russian experience which, with many other Socialists, I do not like—particularly the ruthless denial of liberty and, concurrently, the absence of democracy, which, all observers agree, characterize Russia today no less than 13 years ago. Yet ruthless though Russia be, hers is a ruthlessness of a purpose which I sometimes doubt is worse, even at the moment, than the callousness of American indifference.

In this early stage of Russia's industrialization, men are hungry, but not in the midst of riotous waste. In a country that knew only autocracy there is no freedom for those who oppose the new order—freedom even less than exists in Nazareth, Pa., or Atlanta, Ga., for those who oppose the old order. In a society where there was always class persecution, persecution of even innocent members of the once privileged class continues in a manner perhaps more shameful than America's treatment of Sacco and Vanzetti or Mooney and Billings or the Centralia and Gastonia class war prisoners, but surely no more savage than the lynching of Negroes, the unpunished massacring of Marion strikers, or the one-time slaughter of American Indians, ended only when the Indians were no longer powerful enough to hinder our forefathers' pillaging.

Inhumanities are deplorable but relative. The Soviet has had its share. Acknowledge them; even then these facts remain: In Russia as in no other country planned production for use is being practiced on a vast scale and in a manner that assuredly makes it one of the most audacious and idealistic ventures in the history of mankind. The parasitism of some men living by the labors of others has been abolished, and following that has come a progressive increase in workers' security, a decrease in their hours of work, and a long step toward their enjoyment of the fruits of the civilization they build. All facts carefully weighed, the Russian experiment probably stands as the greatest contribution to man's welfare yet made in the 20th century.

Those Socialists, then, who permit legitimate objections to certain aspects of Russian communism to lead them into an alinement with those who would overthrow the Soviet incur a grave responsibility. Given the present state of world affairs it should be apparent that Russian communism can be safely remodelled only within the structure of the present government. A defeat of that government and the imperialist intervention that such defeat would invite would mean an indefinite setback to Socialism throughout the world.

If by this I am running counter to some of the pronouncements of the American party or the International, so be it. Our goal is the achievement of socialism, and neither our own party nor the parties with which we are affiliated can afford to blind themselves to the importance of the Soviet in the Socialist movement. Indeed, we cannot approve in all respects the conduct of some of those parties who adhere to the same international—for instance, the British Labor Party's distressing record in India. And each day the course of events in Germany increase, in this particular instance, the allurements of the Communist Party in preference to those of the Social-Democratic Party with which we are affiliated.

But this is no time for a pot and kettle repartee. It is time for a fresh dedication to the Socialist ideal, and an appreciation of all steps in that direction. In America let us build by other methods a better Socialism than Russia promises, but let us not forget the practical experience and inspiration Russia is now giving.

Specifically, I should like to see the New Leader present more articles on the indus-

trialization of Russia, such as those by Anna Louise Strong made available through the Federated Press service. I should like to see certain party members more objective concerning the outcome of the 5-year plan, and less influenced by wish-fathered beliefs or a priori assumptions about just when and how socialization should occur. Finally, I should like to see the Socialist Party not only push for the recognition of Russia, but aggressively oppose the attempts of the fishes, wolls et al., to launch a commercial war against her.

MR. X.

Mr. BUTLER. Mr. President, the American Socialists under Norman Thomas believed in Socialism, but not in the Stalin brand of Socialist dictatorship as practiced in Russia. Mr. X took violent exception to the Norman Thomas credo.

Mr. President, Mr. X wrote another letter to the New Leader on February 21, 1931. In this letter he said:

Nowhere is dictatorship to my liking, but even with dictatorship Russia may claim achievements which I as a Socialist can heartily applaud.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks Mr. X's letter of February 21, 1931.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EDITOR, THE NEW LEADER:

Algernon Lee has asked me to specify the acts of Socialists that I have considered an alinement with reactionary forces in common unfriendliness toward the Soviet government. If Comrade Lee chooses to construe my use of "alinement" as implying a formal and definite alliance with reactionaries he reads into my letter a meaning never intended nor borne out by the context. What the word was intended to convey (a meaning consonant with the definition of the Webster Standard Dictionary) was that some Socialists in their verbal attacks upon the Soviet government have placed themselves in a position scarcely distinguishable from that of those persons who seek its downfall.

I had in mind, for instance, the excited harangue of Mr. Joseph Shaplen in the New Leader of December 13, in which he writes: "As a Socialist I blush that a man of Mr. Thomas' standing acting as the helper of Soviet executioners. Why does he not leave it to them to stage their judicial massacres and confine himself to the task of defending the interests of the Russian people against their Communist oppressors?" Mr. Shaplen's point of view is emotionally so tempered by his personal association with the Kerensky regime that it might be ignored if he were alone in trying to express through the Socialist Party a personal resentment against the Soviet government.

But he is not. Two resolutions instigated by Russian Social-Revolutionaries have recently been given the approval of prominent Socialists. I speak of (1) the resolution presented at the Newark meeting of the N. E. C. by Comrades Oneal and Sharts that denounces "the brutal extermination of Socialists and other workers" and continues "because the Soviet Republic claims to be a working class government, this barbarous reign of intolerance and terrorism is peculiarly a betrayal of liberty and working class ideal"; and (2) the resolution adopted at the Hotel Pennsylvania conference on November 23 which bespeaks of "a new wave of deliberate bloodshed," "wholesale butchery," and "force, espionage, and fear to keep the masses under control."

Passing over the fact that such language certainly does not bespeak friendliness, the resolutions are decidedly unfair in their failure to mention Russia's immensely significant demonstrations that a socialized planned economy can be practiced. If the intention of the resolutions was solely a protest against repressive tactics employed by supposedly Socialist governments, why was not British brutality in India condemned?

The one-sided aspect of those pronouncements are sure to be interpreted as active hostility to the Soviet Government by the headline readers, in which category most workers will be found.

There have been other acts of Socialists that I think indicate an unfriendliness, although I do not wish to be misinterpreted as saying that these comrades have entered into an alliance with reactionaries. Comrade Hillquit assuredly shows a will not to believe what most observers at the scene agree to be true when he writes, as he did in the New Leader of December 6, that he does not believe "that the course of international socialism will be seriously affected by the development of the Russian Soviet regime"; that the Soviet Government has made "no visible progress toward socialism or communism in the 13 years of its existence," and that its efforts are doomed to failure. That a man of Comrade Hillquit's intellectual eminence should assert that the gigantic experiment in socialization of a country of 160 million people will have little effect upon the course of international socialism is amazing at a time when conservative economists are inquiring if it does not already have capitalism on the run. Starting from the a priori assumption that socialism can develop only in countries already highly industrialized Comrade Hillquit dismisses Walter Duranty's reports of strides toward socialism as unreliable. Does he dismiss as lightly the similar reports of Stuart Chase, Paul H. Douglas, H. N. Brailsford, Rexford Guy Tugwell, James H. Maurer, Fenner Brockway, the London Economist, or the Russian Experiment, by Arthur Feiler, which book Comrade Hillquit himself has recommended?

Firsthand accounts of Russia's experiments in socialization for good or evil are of utmost importance to Socialists everywhere. The impressionistic articles of Harry Laidler and Reinhold Niebuhr in the New Leader were excellent but they should have been supplements to, not substitutes for, stories by observers who have lived in Russia almost since the revolution. Has the New Leader ever sought the correspondence, say, of Albert Rhys Williams? Why has it not used the articles of Anna Louise Strong, Ed Falkoski, and others available through Federal Press Services.

I do not condone Russian ruthlessness (although on the basis of facts at hand I would not hysterically call it wholesale butchery). Nowhere is dictatorship to my liking, but even with dictatorship Russia may claim achievements which I, as a Socialist, can heartily applaud. In America we can seek a more desirable socialism by democratic methods, but we neither deserve the name of Socialists nor can expect to win the support of American workers unless we can offer a better society than Russia is building. We will never do that by negative criticism of its offers.

MISTER X.

Mr. BUTLER. Mr. President, Mr. X's activities were also noted in the Daily Worker. In its issue of October 2, 1933, it said:

A significant speech was made by the organizer of the Socialist Party of Philadelphia [our Mr. X], formerly a field organizer for the League for Industrial Democracy. He is also organizer of the Taxi Drivers Union of Philadelphia. He made a vigorous appeal for support of the Soviet Union and said it was the only force fighting for peace.

A further insight into Mister X's philosophy of government is revealed in a publication entitled "The Commonwealth Plan," published by the Socialist Party, U. S. A., in 1934. He concludes this publication with this statement:

We want to rise to power and freedom through peaceful methods. We believe in democratic and orderly procedure. We do not want violence. We shall do our best to avoid it.

But if the rulers of today refuse to allow us to proceed peacefully to win the abundance our country offers, we have no choice but to fight back with the weapons chosen by our enemies. We shall not surrender.

We appeal now and we shall continue to appeal to the soldiers and sailors of the Army and the Navy and the National Guard to think clearly about what they are doing, and to refuse to shoot their brother workers. We ask them to rise to the high patriotism of George Washington who, though once an officer in Britain's Colonial Army, when the crisis came, refused to wage war against the mass of his own people and joined with them to drive the supporters of an outworn and unjust system from the country. Our forefathers freed America from foreign rule and chattel slavery. We shall free it from hunger and wage slavery (p. 27).

Mr. President, I ask unanimous consent to have printed in the RECORD at this point some of the pertinent excerpts from "The Commonwealth Plan," published by the Socialist Party, U. S. A., in 1934.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

The income of all persons shall be limited to $10,400 a year ($200 a week) by a tax of 100 percent upon all income exceeding that amount.

Inheritances valued at $10,000 or more shall be subject to a graded inheritance tax reaching 100 percent on all property in excess of $25,000 to each heir (p. 20).

Free education shall be offered in Government-supported kindergartens, schools, colleges, technical and adults' schools. These shall be open to all students who meet the minimum standards of advancement. Those who show outstanding ability in art, science, or the professions, shall receive scholarships to enable them to continue their studies. The management of schools shall be in the hands of representatives of the teachers, the mature students, the parents of children, the Government Department of Education, and, in the case of technical or professional schools, the industries or professions concerned. Private schools may continue to function, and may receive Government aid in place of endowments lost in the socialization of capital, provided they do not engage in counterrevolutionary propaganda. Attendance at school shall be compulsory to the age of 16.

Libraries, museums, art galleries, and similar institutions shall be established and maintained by the Department of Education. Aid will also be given to existing institutions which may suffer from the loss of endowments.

All broadcasting stations shall be taken over by the Department of Education, which, in cooperation with representatives of artists, shall sponsor programs of entertainment, information, and education. Motion pictures of similar nature also shall be produced by the Department of Education (pp. 22–23).

The United States shall cooperate closely and harmoniously with the Soviet Union and all other countries which may adopt a Socialist form of government. No aid shall be

given to Fascist countries which might enable dictators to seize or maintain power (p. 24).

The Commonwealth plan goes to the root of our troubles—the robbery of the workers and farmers by the bankers and industrialists who own the machinery of production. The hold of this class upon the Government of the United States must be broken by the organized might of the workers and farmers, who themselves shall take over and reorganize the Government and all the economic institutions whose interests it watches over. The brief history of the NRA is conclusive proof that the Government cannot serve the interests of both exploiters and producers whom capitalism sets against each other in ever-sharpening struggle. Government will properly serve the masses only when the workers and farmers make themselves the ruling class for the purpose of abolishing class divisions in society for the building of socialism (p. 25).

We want to rise to power and freedom through peaceful methods. We believe in democratic and orderly procedure. We do not want violence. We shall do our best to avoid it.

But if the rulers of today refuse to allow us to proceed peacefully to win the abundance our country offers, we have no choice but to fight back with the weapons chosen by our enemies. We shall not surrender.

We appeal now and we shall continue to appeal, to the soldiers and sailors of the Army and the Navy and the National Guard to think clearly about what they are doing, and to refuse to shoot their brother workers. We ask them to rise to the high patriotism of George Washington who, though once an officer in Britain's Colonial Army, when the crisis came refused to wage war against the mass of his own people and joined with them to drive the supporters of an outworn and unjust system from the country. Our forefathers freed America from foreign rule and chattel slavery. We shall free it from hunger and wage slavery (p. 27).

Mr. BUTLER. Mr. President, as a lawyer, I would think that this statement comes as close to sedition as anything I have ever read.

Mister X, in 1937, again wrote a pamphlet entitled "Which Way for the Socialist Party?" It was glowingly reviewed in the Daily Worker of March 22, 1937. The Daily Worker said:

To the discussion of these problems [our Mister X] brings a grasp of Marxist fundamentals and an ability to combine theory with practice in terms of the American scene such as no Socialist writer has hitherto shown. As against the pseudorevolutionary phrasemongering of the fledgeling Marxists of the Socialist Call, and the anti-Soviet, anti-People's Front activity of the counterrevolutionary Trotzkyites who have entrenched themselves in the Socialist Party [our Mister X] presents a realistic program of united action of Socialists, Communists and all progressives to defeat the Fascist instigators of war and save our own country from the terrible fate of Italy, Germany, and Austria.

One thing which stands out particularly in this comment by the Daily Worker is the reference to Trotzkyites. Traditional Socialists were not concerned with Trotzkyites. The only people who were concerned about Trotzky were the supporters of Joe Stalin.

I have in my possession this manuscript entitled "Which Way for the Socialist Party?" In addition to excoriating Trotzkyites in the United States repeatedly, it states:

Suffice it to say that there is no historical explanation of the present crisis in human affairs (and thus no reliable steps toward its solution) save that advanced by Marx and Engels, first in the Communist Manifesto and later amplified by Engels in Anti-Duhring and by Marx in his many richly documented studies (p. 46).

Could anything have been more incredible than the selection of the author of the quotations I have just read for an important post in our Government? How could such a person save the world from communism as administrator of a mutual-security program in Europe? When the Congress appropriated billions of tax dollars for foreign aid, it did so with the belief that by fostering an understanding of private enterprise and helping to reconstruct devastated areas the world would emulate our ways and secure the blessings of freedom which we enjoy here. Could anyone who has subscribed to these statements sell the American way to countries struggling with their own Communist minorities?

All Americans can take great satisfaction in the fact that Mr. X does not work here any more. He and many others like him left the Government service when President Eisenhower became our Chief Executive. The important policymaking posts have been filled by Americans who never were Socialists. These new officials have been working to eliminate those who were recruited by Mr. X and the many like him who served under Democratic Presidents.

There is significance to this story which goes far beyond the activities of this individual whose name I have purposely omitted. I am not interested in name-calling.

Mr. President, we all know what happened to France when it was governed by a so-called popular front which included Socialist, Communist, and other leftwing groups. During the period of New Deal-Fair Deal control of our country we, too, had a popular front.

The statistics show that the Democrat Party has only twice been able to control the Presidency without securing the electoral vote of the great State of New York—once in 1916 and again in 1948. The election statistics also show that the Democrat Party is the minority party in the great State of New York. Since 1936 its candidates for President, Governor, and United States Senator were only elected when they secured the support of the minority parties. These parties include the Liberal Party and, prior to 1954, the American Labor Party, which is now out of existence. This was the party headed by the late Representative Marcantonio, an admitted Communist fellow traveler.

Again, let me make it perfectly clear that all but a handful of Democrats are loyal Americans, dedicated to our Constitution and our system of private enterprise. Yet, if they are to achieve power nationally, they must form a coalition with leftwing groups such as the Liberal Party in New York. These splinter leftwing parties never support Republican presidential candidates. Our party has had to make no concessions to them. No Democratic candidate for the Presidency can secure the help of these groups during a campaign without making concessions to them if he is elected to office. This coalition of the Democrats with leftwing groups happens to be exactly what Mr. X advocated in Which Way for the Socialist Party? Remember, he was advising the Socialists how best to advance socialism in the United States.

Mr. President, I ask unanimous consent that excerpts from his views on joint political action may be printed in the RECORD at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Whatever strengthens the labor movement benefits us all.

With that perspective before us, there are, we believe, four main tasks in which we can cordially cooperate:

(a) Building a national farmer-labor party.

(b) Assisting the trade unions.

(c) Warding off the threat of war.

(d) Winning allies for the labor movement.

Not only are we all committed to these, but we have, in numerous instances and in varying degree, cooperated already. Where we have done so we have seen our strength multiplied (p. 45).

The Old Guard and Communists have worked together in building the American Labor Party; perforce they have often had to cooperate in trade unions (p. 45).

In Wisconsin, Socialists and the production-for-use progressives work together in the closest harmony.

In Minnesota even conservative farmer-laborites work with Communists in the Farmer-Labor Party.

Our party cannot afford to go against this current. On the contrary, it must be our firm policy to advance and cement this cooperation.

Whether it be in our attitude toward the "Old Guard" in the Social Democratic Federation or toward the Communists, our comrades need recall the injunction of Booker T. Washington that the white man cannot hold the Negro in a ditch without remaining in the ditch himself (p. 45).

Mr. BUTLER. Mr. President, history shows the only way that we can retain our liberty, maintain our security, and advance our economy is to elect Republicans who do not seek, and will not accept, the aid of any group supporting socialism, or any other "ism" other than good old-fashioned Americanism.

President Eisenhower has eliminated security risks because he did not have to secure the aid of left-wingers to achieve power in the first place. No Democrat can take the position he has taken because he will never come to power without the help of countless Mister X's who, in return for their support, will expect an opportunity to mold the policies and destinies of any Democrat administration. These are the political facts of life.

The Republicans have delivered on their promises of 1952. It is up to the voters to make the return of all the Mister X's to Government service impossible.

Mr. BENNETT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONVENTION BETWEEN UNITED STATES OF AMERICA AND THE FRENCH REPUBLIC RELATING TO THE AVOIDANCE OF DOUBLE TAXATION AND CONVENTION BETWEEN THE UNITED STATES AND THE REPUBLIC OF HONDURAS RELATING TO THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION

The PRESIDING OFFICER. The Senate will now proceed in executive session with the consideration of Executive J and Executive K.

The Senate, as in Committee of the Whole, proceeded to consider, en bloc, the following conventions:

Executive J, 84th Congress, 2d session, a convention between the United States of America and the French Republic, signed at Washington on June 22, 1956, supplementing the conventions of July 25, 1939, and October 18, 1946, relating to the avoidance of double taxation, as modified and supplemented by the protocol of May 17, 1948.

Executive K, 84th Congress, 2d session, a convention between the United States of America and the Republic of Honduras for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Washington on June 25, 1956.

The conventions were severally read the second time, as follows:

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE FRENCH REPUBLIC SUPPLEMENTING THE CONVENTIONS OF JULY 25, 1939, AND OCTOBER 18, 1946, RELATING TO THE AVOIDANCE OF DOUBLE TAXATION, AS MODIFIED AND SUPPLEMENTED BY THE PROTOCOL OF MAY 17, 1948

The President of the United States of America and the President of the French Republic,

Desiring to modify and supplement the Conventions between the United States of America and France relating to the avoidance of double taxation, signed at Paris July 25, 1939 and October 18, 1946, as modified and supplemented by the Protocol of May 17, 1948,

Have designated for the purpose as their respective Plenipotentiaries.

The President of the United States of America:

John Foster Dulles, Secretary of State of the United States of America, and

The President of the French Republic:

Maurice Couve de Murville, Ambassador Extraordinary and Plenipotentiary of the French Republic at Washington,

who, having communicated to one another their full powers, found to be in good and due form, have agreed as follows:

ARTICLE I

The provisions of the Convention and Protocol between the United States and the French Republic signed at Paris on July 25, 1939 are hereby modified and supplemented as follows:

(a) By striking out Article 1 (a) and inserting in lieu thereof the following:

"(a) In the case of the United States: The Federal income taxes (including surtaxes and excess profits taxes) and the documentary taxes on sales or transfers of shares of certificates of stock or bonds."

(b) By striking out Article 1 (b) and inserting in lieu thereof the following:

"(b) In the case of France: Income tax on the income of physical persons (proportioned tax and progressive surtax), the tax on profits of companies and other legal entities, and the tax on Stock Exchange transactions."

(c) By striking out in Article 5 the words "tax on industrial and commercial profits" and inserting in lieu thereof the words "proportional tax."

(d) By adding immediately after Article 6 the following new article:

"ARTICLE 6A

Dividends and interest derived, on or after January 1, 1952, from sources within one of the contracting States by a resident or corporation or other entity of the other State, not having a permanent establishment in the former State, shall be subject to tax by such former State at a rate not in excess of 15 percent of the gross amount of such dividends or interest. Such reduced rate of tax shall not apply to dividends or interest paid prior to the calendar year in which are exchanged the instruments of ratification of the present Convention if, for the taxable year in which such dividends or interest is received, penalty for fraud with respect to the taxes which are the subject of the present Convention has been imposed against the recipient of such dividends or interest."

(e) (1) By striking out Article 9 as rewritten by Article I (3) of the Protocol signed May 17, 1948, and inserting in lieu thereof the following:

"ARTICLE 9

An individual who is a resident of one of the contracting States shall be exempt from tax by the other contracting State upon compensation for personal services (other than income from the exercise of a liberal profession) performed during the taxable year within such other contracting State if (a) he is present in such other contracting State for a period or periods aggregating not more than 183 days during the taxable year and (b) such services are performed for or on behalf of a resident, corporation or other entity of the former contracting State or for or on behalf of a permanent establishment, situated within such former State, or an enterprise of such other State.

This provision does not apply to the income referred to in Article 8."

(2) The preceding subparagraph shall have effect for taxable years beginning on and after the first day of January of the year following the exchange of the instruments of ratification of the present Convention.

(f) By adding immediately after Article 13 the following new article:

"ARTICLE 13A

Any transaction in which an order for the purchase, sale or exchange of stocks, securities or commodities originates in one of the contracting States and is executed through a stock or commodities exchange in the other State shall be exempt by the former State from stamp or like tax otherwise arising with respect to such transaction."

(g) By striking out Article 14 B and inserting in lieu thereof the following:

"B.—Concerning France:

(a) Proportional tax and tax on companies.

Income from securities and trusts having its source in the United States shall be subject in France, on the gross amount thereof, to the proportional tax on income of physical persons as to income from personalty; but this tax shall be reduced by the amount of tax already paid to the United States on the same income.

However, when said income is included in the receipts of a commercial, industrial, or mining enterprise, it is, for the purposes of assessment of the tax applicable to the profits of these organizations, considered as having effectively sustained the proportional tax at the normal rate.

Income from debts having its source in the United States shall be subject in France to the proportional tax or the tax on companies, as the case may be; but the amount of the proportional tax or the tax on companies applicable thereto shall be reduced by the amount of tax already paid to the United States on the same income.

Income other than that provided for in the preceding paragraphs shall not be subject in France to the proportional tax on income of physical persons or the tax on companies, as the case may be, when, pursuant to the convention, they are taxable in the United States.

(b) Progressive surtax on income of natural persons.

With regard to taxpayers domiciled in France within the meaning of French domestic legislation, the progressive surtax will be collected on income exclusively taxable in France under the provisions of the present Convention as well as on income from transferable securities referred to in Article 6a of the present Convention and in the preceding subparagraph (a) of this paragraph.

However, it will be computed according to the effective rate determined by reference to the aggregate income of the taxpayer.

Notwithstanding the provisions of the two preceding sentences, the provisions of paragraphs (1) and (2) of Article 164 of the General Tax Code prescribing the mode of taxation of foreigners domiciled or residing in France shall continue to be applied.

(h) Article 15, as modified by Article 7 (a) of the supplimentary Convention signed Octo-October 18, 1946, is further modified by striking out "In derogation of Article 3 of the Decree of December 6, 1872" and inserting in lieu thereof "In derogation of Article 109–2 of the General Code of Taxes."

(i) By striking out Article 16 and inserting in lieu thereof the following:

"An American corporation shall not be subject to the proportional tax on the income from personalty by reason of participation in the management or the capital of a French company or because of any other relation with such company. In such a case the proportional tax on the income from personalty continues to be imposed in conformity with French law on dividends, interest and all other revenue distributed by the French company; but it is moreover collectible, if the occasion arises, and subject to the measures of appeal applicable in the case of proportional tax with respect to the profits which the American corporation derives from the French company under the conditions prescribed in article 5."

ARTICLE II

(a) The provisions of the Convention and Protocol signed at Paris on July 25, 1939, of the Convention signed at Paris on October 18, 1946, of the supplementary Protocol signed at Paris on May 17, 1948, and of the present Convention, may be extended in their application, either in whole or in part with such modifications as may be deemed necessary, to all or any of the territories for whose international relations either of the contracting States is responsible and which impose taxes substantially similar in character to the taxes which are the subject of those Conventions and Protocols.

(b) Any extension as provided for in paragraph (a) of this Article shall be effected by an exchange of diplomatic notes between the contracting States which shall specify the territory or territories in respect of which the application of such provisions is extended and the conditions with respect thereto. Such provisions, in whole or in part or with such modifications as may be deemed necessary, as specified in the notes exchanged for

this purpose, shall apply to the territory or territories named in such notes on and after the date or dates specified therein.

(c) At any time after the expiration of a period of one year from the effective date of an extension made by virtue of paragraphs (a) and (b) of this Article, either of the contracting States may, by a written notice of termination given to the other contracting State through diplomatic channels, terminate the application of the provisions in respect of any territory to which such application has been extended in which case the provisions shall cease to be applicable to such territory on and after the first day of January following the date of such notice; provided, however, that this shall not affect the continued application of such provisions to the United States, to France, or to any other territory to which such provisions apply and which is not named in the notice of termination.

(d) When provisions of the Conventions and Protocols cease to apply between the United States and the French Republic, such provisions shall cease to apply in respect of any territory to which they are applicable pursuant to this Article, except to the extent expressly agreed otherwise by the contracting States.

(e) For the application of any of the provisions of the Conventions and Protocols to any territory to which extended pursuant to this Article, references to "United States" or "France", as the case may be, or to "the territory of one or the other of the contracting States", shall be construed to refer to the territory to which application of such provisions shall have been extended.

(f) This Article shall be deemed to supersede and replace Article 17 of the Convention signed at Paris on October 18, 1946.

ARTICLE III

(a) The present Convention shall be ratified and the instruments of ratification shall be exchanged at Paris as soon as possible.

(b) Its provisions shall come into force and shall become effective as of the date of the exchange of the instruments of ratification subject both to the provisions of Article I (d) and (e) and to the provisions set forth herein below.

Article I (b) (c) (g) and (l), so far as they redesignate the French taxes on the income of natural persons and on the profits or juridical persons, and article I (h) shall be considered retroactive to January 1, 1949.

Article I (f) shall apply to all taxes unpaid as of the date of the signing of the present convention even if such taxes have been the subject of a final judicial decision.

(c) If refund of any overpayment resulting from the application of article I (d) of the present convention is prevented on the date of exchange of instruments of ratification or within two years from such date by the operation of any law, refund of such overpayment (without interest) shall nevertheless be made provided that claim for refund is filed within two years after the date of the exchange of instruments of ratification of the present convention with the contracting State to which such overpayment was made.

(d) The present convention shall remain effective so long as the conventions signed July 25, 1939 and October 18, 1946, remain effective.

Done at Washington, in duplicate, in the English and French languages, this 22nd day of June, 1956.

For the President of the United States of America:

[SEAL] JOHN FOSTER DULLES

For the President of the French Republic:

[SEAL] MAURICE DE MURVILLE

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF HONDURAS FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME

The President of the United States of America and the Supreme Chief of State of the Republic of Honduras, desiring to conclude a convention for the avoidance of double taxation with respect to taxes on income, have appointed for that purpose as their Plenipotentiaries:

The President of the United States of America:

John Foster Dulles, Secretary of State of the United States of America, and

The Supreme Chief of State of the Republic of Honduras:

Carlos Izaguirre, Ambassador Extraordinary and Plenipotentiary of the Republic of Honduras in Washington,

who, having communicated to one another their full powers, found in good and due form, have agreed as follows:

ARTICLE I

(1) The taxes referred to in this Convention are:

(a) In the case of the United States of America: The Federal income taxes, including surtaxes.

(b) In the case of Honduras: The income tax.

(2) The present Convention shall also apply to any other taxes of a substantially similar character imposed by either contracting State subsequent to the date of signature of the present Convention.

ARTICLE II

(1) As used in this Convention:

(a) The term "United States" means the United States of America, and when used in a geographical sense includes only the States, the Territories of Alaska and Hawaii and the District of Columbia.

(b) The term "Honduras" means the Republic of Honduras and when used in a geographical sense means the territory of the Republic of Honduras.

(c) The expression "permanent establishment" means a branch, office, factory, plantation, mine, railroad, warehouse and other fixed place of business, but does not include the casual or temporary use of mere storage facilities, nor does it include an agent unless the agent has and habitually exercises a general authority to negotiate and conclude contracts on behalf of the enterprise. An enterprise of one of the contracting States shall not be deemed to have a permanent establishment in the other State merely because it carries on business dealings in such other State through a bona fide broker, commission agent or custodian who acts as such in the ordinary course of his business. The fact that an enterprise of one of the contracting States maintains in the other contracting State a fixed place of business exclusively for the purchase by such enterprise of goods or merchandise shall not of itself constitute such fixed place of business a permanent establishment of such enterprise. The fact that a corporation of one of the contracting States has a subsidiary corporation which is a corporation of the other contracting State or which is engaged in trade or business in the other contracting State shall not of itself constitute that subsidiary corporation a permanent establishment of its parent corporation.

(d) The expression "enterprise of one of the contracting States" means, as the case may be, "United States enterprise" or "Honduran enterprise."

(e) The term "enterprise" includes any type of enterprise whether carried on by an individual (in his individual capacity or as a member of a partnership), by a corporation, or by any other entity.

(f) The term "United States enterprise" means an industrial or commercial or agricultural enterprise or undertaking carried on by a resident of the United States (including an individual in his individual capacity or as a member of a partnership) or a fiduciary of the United States or by a United States corporation or other entity; the term "United States corporation or other entity" means a corporation or other entity created or organized in the United States or under the laws of the United States or of any State or Territory of the United States.

(g) The term "Honduran enterprise" means an industrial or commercial or agricultural enterprise or undertaking carried on by a resident of Honduras (including an individual in his individual capacity or as a member of a partnership) or a fiduciary of Honduras or by a Honduran corporation or other entity; the term "Honduran corporation or other entity" means a corporation or other entity formed or organized in Honduras or under the laws of Honduras.

(h) The term "industrial or commercial or agricultural profits" includes manufacturing, mercantile, agricultural, mining, financial and insurance profits, but does not include income in the form of dividends, interest, rents or royalties, or remuneration for personal services: Provided, however, that such excepted items of income shall, subject to the provisions of this Convention, be taxed separately or together with industrial or commercial or agricultural profits in accordance with the laws of the contracting States.

(i) An individual temporarily present within one of the contracting States solely for one of the purposes specified in Article XIII or XV, shall not be considered a resident of such State merely because of such presence therein.

(j) The expression "competent authorities" means, in the case of the United States, the Secretary of the Treasury or his delegate and, in the case of Honduras, the Secretary of Economics and Finance or his delegate.

(k) For the purposes of Article XI and Article XIII, the term "United States dollars" shall be deemed to include the equivalent sum in lempiras as computed at the rate of exchange in effect at the time the money is paid.

(2) For purposes of application of the provisions of the present Convention by one of the contracting States, any term not otherwise defined shall, unless the context otherwise requires, have the meaning which such term has under the laws of such State relating to the taxes which are the subject of the present Convention.

ARTICLE III

(1) An enterprise of one of the contracting States shall not be subject to the tax of the other contracting State in respect of its industrial or commercial or agricultural profits unless it has a permanent establishment situated in such other State. If it has such permanent establishment such other State may impose its tax upon the entire income of such enterprise from sources within such other State.

(2) In determining the industrial or commercial or agricultural profits of a permanent establishment there shall be allowed as deductions all expenses wherever incurred, reasonably allocable to such permanent establishment, including executive and general administrative expenses so allocable to the reasonable satisfaction of the competent authorities of the State in which the permanent establishment is situated.

ARTICLE IV

Where an enterprise of one of the contracting States, by reason of its participation in the management or the financial structure of an enterprise of the other contracting State, makes with or imposes on the latter enterprise, in their commercial or financial

relations, conditions different from those which would be made with an independent enterprise, any profits which would normally have been allocable to one of the enterprises, but by reason of such conditions have not been so allocated, may be included in the profits of such enterprise and taxed accordingly.

ARTICLE V

(1) Where an enterprise of one of the contracting States has a permanent establishment situated in the other contracting State, there shall be attributed to such permanent establishment the industrial or commercial or agricultural profits which it might be expected to derive if it were an independent enterprise engaged in the same or similar activities under the same or similar conditions and dealing on an independent basis with the enterprise of which it is a permanent establishment.

(2) If need be, the competent authorities of the State collecting the tax may, in order to implement articles III, IV, and V (1), rectify the tax return submitted, especially in order to correct errors and omissions or to establish the prices or compensations entered in the books and compare them with the prices which would prevail between independent persons prompted by their respective interests.

(3) (a) If an establishment does not submit books showing its own operations or

(b) if the books submitted are not consistent with the commercial practices customary in the contracting State where such establishment is situated, or

(c) if the rectifications provided for in this article cannot be made, the competent authorities of the State collecting the tax may determine the net industrial, agricultural, or commercial profit by applying equitable and reasonable methods for formulas to the operations of such establishment.

(4) The competent authorities of both contracting States may, consistent with other provisions of the present convention, arrange details for the apportionment of industrial or commercial or agricultural profits.

ARTICLE VI

Profits derived by an enterprise of one of the contracting States from the operation of ships or aircraft or from the operation of motor vehicles for hire between the United States and Honduras by way of the Inter-American Highway, shall be exempt from tax by the other contracting State, if such ships, aircraft, or motor vehicles are registered under the laws of the former State.

ARTICLE VII

(1) Dividends and interest paid by a corporation organized under the laws of Honduras shall be exempt from United States tax except where the recipient is a citizen or resident or corporation of the United States.

(2) Dividends and interest paid by a corporation organized under the laws of the United States shall be exempt from Honduran tax except where the recipient is a resident or corporation of Honduras.

ARTICLE VIII

Royalties and other amounts from sources within one of the contracting States received, as consideration for the use of, or for the privilege of using, copyrights, patents, designs, secret processes and formulae, trademarks and other like property (including rentals from motion picture films), by a resident, corporation or other entity of the other contracting State not having a permanent establishment within the former State at any time during the taxable year in which such royalties or other amounts are received, shall be exempt from tax by such former State.

ARTICLE IX

Interest on bonds, securities, notes or on any other form of indebtedness from sources within one of the contracting States received by a resident, corporation or other entity of the other contracting State not having a permanent establishment within the former State at any time during the taxable year in which such interest is received, shall be exempt from tax by such former State.

ARTICLE X

(1) (a) Salaries, wages, and similar compensation and pensions paid by the United States or by any of the political subdivisions thereof to a citizen of the United States for services rendered to the United States or to any of its political subdivisions, in the discharge of governmental functions, shall be exempt from tax by Honduras.

(b) Salaries, wages, and similar compensation and pensions paid by Honduras or by any of the political subdivisions thereof to a citizen of Honduras (other than an individual who has immigrant status in the United States) for services rendered to Honduras or to any of its political subdivisions, in the discharge of governmental functions, shall be exempt from tax by the United States.

(c) For the purposes of paragraph (1) of this Article the term "pensions" shall be deemed to include annuities paid to a retired civilian government employee.

(2) (a) Private pensions and annuities from sources within one of the contracting States paid to individuals who reside in the other contracting State shall be exempt from tax by the former State.

(b) Public pensions and annuities (whether representing employee or employer contributions or accretions thereto) from sources within one of the contracting States paid to individuals who reside in the other contracting State shall be exempt from tax by the former State to the extent that such payments are allocable to services the remuneration for which was exempt from tax by the former State.

(3) The term "pensions", as used in this Article, means periodic payments made in consideration for services rendered or by way of compensation for injuries received.

(4) The term "annuities", as used in this Article, means a fixed sum payable periodically at stated times during life, or during a specified number of years, under an obligation to make the payments in return for adequate and full consideration in money or moneys' worth.

ARTICLE XI

(1) A resident of Honduras who is present in the United States for a period or periods aggregating not more than 180 days within a taxable year shall be exempt from tax by the United States with respect to such year on that part of his compensation for personal services

(a) not exceeding 10,000 United States dollars, if such services are performed as an employee of a resident, corporation or other entity of Honduras, or for or on behalf of a permanent establishment situated in Honduras of an enterprise of the United States, or

(b) not exceeding 5,000 United States dollars for personal services in any case not within the scope of (a).

(2) The provisions of paragraph (1) shall apply, mutatis mutandis, to a resident of the United States with respect to compensation for personal services performed in Honduras.

ARTICLE XII

A resident or corporation or other entity of one of the contracting States deriving

(a) income from real property (including gains derived from the sale or exchange of such property, but not including interest from mortgages or bonds secured by real property), or

(b) royalties in respect of the operation of mines, quarries or other natural resources situated within the other contracting State may elect, for any taxable year, to be subject to the tax of such other State on a net basis as if such resident or corporation or other entity had a permanent establishment in such other State during such taxable year.

ARTICLE XIII

(1) A resident of one of the contracting States who is temporarily present in the other contracting State solely

(a) as a student at a recognized university, college or school in such other State, or

(b) as the recipient of a grant, allowance or award from a religious, charitable, scientific or educational organization of the former State

shall be exempt from tax by such other State (i) on all remittances from abroad, other than compensation for personal services, and (ii) with respect to an amount not in excess of 5,000 United States dollars for any taxable year, on remittances representing compensation for personal services.

(2) A resident of one of the contracting States who is temporarily present in the other contracting State for a period not exceeding one year, as an employee of, or under contract with, an enterprise of the former State or an organization referred to in paragraph (1) solely to acquire technical, professional or business experience from a person other than such enterprise or organization, shall be exempt from tax by such other State on compensation paid by such enterprise or organization for such period in an amount not in excess of 5,000 United States dollars.

(3) A resident of one of the contracting States temporarily present in the other contracting State under the auspices of such other State or of any agency or instrumentality thereof solely for the purpose of training, study or orientation shall be exempt from tax by such other State with respect to compensation not exceeding 10,000 United States dollars for the rendition of services directly related to such training, study or orientation (including emoluments and remuneration, if any, from the employer abroad of such resident).

ARTICLE XIV

(1) Organizations organized under the laws of Honduras and operated exclusively for religious, charitable, scientific, literary, or educational purposes shall, to the extent and subject to the conditions provided in the United States Internal Revenue Code as in effect at the date of the signature of the present Convention, be exempt from tax of the United States.

(2) Organizations organized under the laws of the United States and operated exclusively for religious, charitable, scientific, literary or educational purposes shall, to the extent and subject to the conditions provided in the tax laws of Honduras as in effect at the date of the signature of the present Convention, be exempt from the tax of Honduras.

(3) In computing the tax liability of any taxpayer for any taxable year by one of the contracting States, there shall be treated as a charitable contribution any contribution made by such taxpayer to a religious, charitable, scientific, literary or educational organization created under the laws of the other State if (A) contributions to such organizations would qualify for deduction under the laws of the former State had such organization been created under the laws of such former State or political subdivisions thereof, and (B) contributions to such organizations would qualify for deductions under the laws of such other State. However, the amount to be treated as a charitable contribution under the preceding sentence shall in no case exceed the amount which would have been allowed as a deduction had the income from sources within such other State constituted the entire income of the taxpayer for the taxable year.

ARTICLE XV

A resident of one of the contracting States, who, in accordance with agreements between

the Governments of the contracting States or between educational establishments in the contracting States for the exchange of professors and teachers or at the invitation of the Government of the other contracting State or of an educational establishment in such other State, temporarily visits such other State for the purpose of teaching for a period not exceeding two years at a university, college, school or other educational institution in such other State, shall be exempt from the tax of such other State on his remuneration for such teaching for such period.

ARTICLE XVI

(1) It is agreed that double taxation shall be avoided in the following maner:

(a) The United States, in determining the tax of its citizens, residents or corporations or other entities may, regardless of any other provision of the present Convention, include in the basis upon which such tax is imposed all items of income taxable under the revenue laws of the United States as if the present Convention had not come into effect. The United States shall, however, subject to the provisions of sections 901 to 905, inclusive, of the Internal Revenue Code of 1954 (as in effect on the date of signature of the present Convention) deduct from its tax the amount of the tax of Honduras. For this purpose, the compensation received by a citizen or resident of the United States for services aboard ships flying the Honduran flag while on the high seas shall be deemed to be income from sources within Honduras.

(b) Honduras, in determining the tax of its citizens, residents or corporations or other entities may, regardless of any other provision of the present Convention, include in the basis upon which such tax is imposed all items of income taxable under the tax laws of Honduras as if the present Convention had not come into effect. Honduras shall, however, in accordance with regulations to be adopted to bring this paragraph into effect, deduct from its tax so calculated the amount of the tax of the United States upon income from sources within the United States and included for the taxes of both contracting States but in an amount not exceeding that proportion of the tax of Honduras which such income bears to the entire income subject to the tax of Honduras.

(2) For the purposes of this Article a Honduran corporation shall not be deemed to be a resident of the United States even though that corporation is engaged in trade or business within the United States.

(3) The provisions of this Article shall not be construed to deny the benefits conferred by Article X (1), by Article XIV (3), by the last sentence of Article XVI (1) (a), and by Article XX (7).

ARTICLE XVII

For the purpose of the present Convention:

(a) Dividends paid by a corporation of one of the contracting States shall be treated as income from sources within such State.

(b) Interest paid by one of the contracting States including any local Government thereof or by an enterprise of one of the contracting States not having a permanent establishment in the other contracting State shall be treated as income from sources within the former State.

(c) Gains, profits, and income derived from the purchase and sale of personal property shall be treated as derived from the country in which such property is sold.

(d) Gains, profits, and income derived from the sale by a taxpayer in one of the contracting States of goods produced in the other contracting State in whole or in part by such taxpayer shall be treated as derived in part from the country in which manufactured and in part from the country in which sold. When goods are produced in one of the contracting States and sold in such State the entire profit from such production and sale will be considered as derived from such State.

(e) Income from real property (including gains derived from the sale or exchange of such property, but not including interest from mortgages or bonds secured by real property) and royalties in respect of the operation of mines, quarries, or other natural resources shall be treated as income derived from the country in which such real property, mines, quarries, or other natural resources are situated.

(f) Compensation for labor or personal services (including the practice of liberal professions) shall be treated as income from sources within the country where are rendered the services for which such compensation is paid.

(g) Royalties for using, or for the right to use, in one of the contracting States, patents, copyrights, designs, trademarks, and like property shall be treated as income from sources within such State.

ARTICLE XVIII

(1) The competent authorities of both contracting States shall exchange such information available under the respective tax laws of both contracting States as is necessary for carrying out the provisions of the present Convention or for the prevention of fraud or for the administration of statutory provisions against tax avoidance in relation to the tax. Any information so exchanged shall be treated as secret and shall not be disclosed to any person other than those, including a court, concerned with the assessment and collection of the tax or the determination of appeals in relation thereto. No information shall be exchanged which would disclose any trade, business, industrial, or professional secret or any trade process.

(2) Each of the contracting States may collect the tax imposed by the other contracting State (as though such tax were the tax of the former State) as will insure that the exemptions, reduced rates of tax, or any other benefit granted under the present Convention by such other State shall not be enjoyed by persons not entitled to such benefits.

ARTICLE XIX

Where a taxpayer shows proof that the action of the tax authorities of either contracting State has resulted, or will result, in double taxation contrary to the provisions of the present Convention, he shall be entitled to present the facts to the competent authorities of the contracting State of which he is a national or a resident, or, if the taxpayer is a corporation or other entity, to those of the contracting State under the laws of which it is created or organized. Should the taxpayer's claim be deemed worthy of consideration, the competent authorities of such State to which the facts are so presented shall undertake to come to an agreement with the competent authorities of the other contracting State with a view to equitable avoidance of the double taxation in question.

ARTICLE XX

(1) The provisions of the present Convention shall not be construed to deny or affect in any manner the right of diplomatic and consular officers to other or additional exemptions now enjoyed or which may hereafter be granted to such officers.

(2) The provisions of the present Convention shall not be construed to restrict in any manner any exemption, deduction, credit or other allowance now or hereafter accorded by the laws of one of the contracting States in determining the tax of such State.

(3) Should any difficulty or doubt arise as to the interpretation or application of the present Convention, or its relationship to Conventions between one of the contracting States and any other State, the competent authorities of the contracting States may settle the question by mutual agreement; it being understood, however, that this provision shall not be construed to preclude the contracting States from settling by negotiation any dispute arising under the present Convention.

(4) The competent authorities of both contracting States may prescribe regulations necessary to interpret and carry out the provisions of the present Convention and may communicate with each other directly for the purpose of giving effect to the provisions of the present Convention.

(5) The citizens or nationals of one of the contracting States shall not, while resident in the other contracting State, be subjected therein to other or more burdensome taxes than are the citizens or nationals of such other contracting State residing in its territory. The term "citizens" or "nationals", as used in this paragraph, includes all legal persons, partnerships and associations deriving their status from, or created or organized under, the laws in force in the respective contracting States. In this paragraph the word "taxes" means taxes of every kind or description whether national, State, provincial or municipal.

(6) The present Convention has been concluded with reference to United States and Honduran law in force on the date of signature of the present Convention. If such laws are appreciably modified, the competent authorities of the two contracting States will consult together.

(7) A citizen or national of one of the contracting States shall not, while residing within the other contracting State, be subject by the former State to other or more burdensome taxation than would have been imposed had he been resident during such period in such former State.

ARTICLE XXI

(1) The present Convention shall be ratified and the instruments of ratification shall be exchanged at Tegucigalpa as soon as possible. It shall have effect on and after the first day of January of the year in which such exchange takes place.

(2) The present Convention shall continue effective for a period of five years beginning with the calendar year in which the exchange of the instruments of ratification takes place and indefinitely after that period, but may be terminated by either of the contracting States at the end of the five-year period or at any time thereafter, provided that at least six months' prior notice of termination has been given and, in such event, the present Convention shall cease to be effective for the taxable years beginning on or after the first day of January next following the expiration of the six-month period.

Done at Washington, in duplicate, in the English and Spanish languages, each text having equal authenticity, this 25th day of June, 1956.

For the United States of America:
[SEAL] JOHN FOSTER DULLES
For the Republic of Honduras:
[SEAL] CARLOS IZAGUIRRE

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the two conventions.

The yeas and nays were ordered.

Mr. GEORGE. Mr. President, these double taxation conventions with the French Republic and the Republic of Honduras are similar to the previous double taxation conventions with foreign governments which have been approved by the Senate. These conventions all have as their purpose reducing the burden of double taxation in those cases where both the United States and another government levy a tax on the same income or transaction. The convention with Honduras is the first such convention to be agreed to with a Latin Ameri-

can country. The convention with France modifies and supplements previous arrangements entered into with France for the avoidance of double taxation. The Committee on Foreign Relations had before it an analysis of the conventions prepared by the chief of staff of the Joint Committee on Internal Revenue Taxation. The committee received no objections to the conventions and received a number of communications in support of the two conventions. The committee voted unanimously to report the conventions favorably to the Senate, and I urge the Senate to approve the conventions at this time.

I may say that the reports of the committee contain all the facts concerning the conventions, so that no one need have difficulty in understanding exactly what they will do.

The treaty with the French Government, which is a renewal of a previous treaty, and contains a correction of a previous treaty, is for the purpose of eliminating double taxation on the transfer of any property, whether real, personal, or mixed. This has been a very burdensome tax. The United States Government has been attempting for a long time to get rid of it. We have finally succeeded, in this treaty, in doing so.

The Treasury recommends the ratification of both treaties, as does the Joint Committee on Internal Revenue Taxation. Furthermore, all the stock exchanges and many business organizations in this country and in France are most anxious that the treaties be ratified.

The treaties, especially the French Treaty, will relieve double taxation on the transfer of property, including stocks, bonds, and other securities. Regardless of the number of times the securities are transferred in a day or a week, each person who receives such securities by transfer must pay a tax. Of course, that is obvious double taxation. But the French people for a long time have relied more upon indirect taxes than they have upon direct taxes. The treaty is an effort to relieve that situation.

Mr. CAPEHART. Mr. President, as a member of the Committee on Foreign Relations, I join with the able chairman in recommending that the Senate advise and consent to the two treaties. I think they are very much needed and should be approved. Both treaties were very carefully considered when they were before the committee.

The PRESIDING OFFICER. If there be no objection, the conventions respectively, will be considered as having passed through their various parliamentary stages, up to the point of the consideration of the resolutions of ratification. The resolutions of ratification will now be read.

The legislative clerk read the resolutions of ratification, as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive J, 84th Congress, 2d session, a convention between the United States of America and the French Republic, signed at Washington on June 22, 1956, supplementing the conventions of July 25, 1939, and October 18, 1946, relating to the avoidance of double taxtion, as modified and supplemented by the protocol of May 17, 1948.

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive K, 84th Congress, 2d session, a convention between the United States of America and the Republic of Honduras for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Washington on June 25, 1956.

The PRESIDING OFFICER. The question now is, Will the Senate advise and consent to the ratification of Executive J, 84th Congress, 2d session? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Florida [Mr. HOLLAND], the Senator from Kentucky [Mr. HUMPHREYS], the Senator from Montana [Mr. MURRAY], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

I further announce that, if present and voting, the Senator from Texas [Mr. DANIEL], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Florida [Mr. HOLLAND], the Senator from Kentucky [Mr. HUMPHREYS], the Senator from Montana [Mr. MURRAY], and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission and, if present and voting, he would vote "yea."

The Senator from Maryland [Mr. BEALL] and the Senator from Wisconsin [Mr. MCCARTHY] are detained on official business.

If present and voting, the Senator from Maryland [Mr. BEALL] and the Senator from Wisconsin [Mr. MCCARTHY] would each vote "yea."

The yeas and nays resulted—yeas 87, nays 0, as follows:

YEAS—87

Aiken	Goldwater	McNamara
Allott	Gore	Millikin
Anderson	Green	Monroney
Barrett	Hayden	Morse
Bender	Hennings	Mundt
Bennett	Hickenlooper	Neely
Bible	Hill	Neuberger
Bricker	Hruska	Pastore
Bridges	Humphrey, Minn.	Payne
Bush	Ives	Purtell
Butler	Jackson	Robertson
Byrd	Jenner	Russell
Capehart	Johnson, Tex.	Saltonstall
Carlson	Johnston, S. C.	Schoeppel
Case, N. J.	Kefauver	Scott
Case, S. Dak.	Kennedy	Smathers
Chavez	Kerr	Smith, Maine
Clements	Knowland	Smith, N. J.
Cotton	Kuchel	Sparkman
Curtis	Laird	Stennis
Dirksen	Langer	Symington
Douglas	Lehman	Thye
Duff	Long	Watkins
Dworshak	Magnuson	Welker
Eastland	Malone	Wiley
Ellender	Mansfield	Williams
Ervin	Martin, Iowa	Wofford
Flanders	Martin, Pa.	Young
Frear	McClellan	
George		

NOT VOTING—9

Beall	Humphreys, Ky.	O'Mahoney
Daniel	McCarthy	Potter
Fulbright	Murray	
Holland		

The PRESIDING OFFICER. Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification of Executive J is agreed to.

By order of the Senate previously agreed to, the ratification of Executive J, 84th Congress, 2nd session, will automatically be deemed to include the ratification of Executive K, 84th Congress, 2nd session by the same vote.

Mr. GEORGE. Mr. President, I ask that the President be immediately notified of the vote just taken on the conventions.

The PRESIDING OFFICER. Without objection, the President will be notified.

NOMINATIONS TO THE UNITED NATIONS

Mr. GEORGE. Mr. President, on the Executive Calendar there are certain nominations to represent the United States of America to the 11th session of the General Assembly of the United Nations. I believe that a yea-and-nay vote is to be taken on the question of confirming those nominations.

Mr. JOHNSON of Texas. Mr. President, a yea-and-nay vote on that question has not yet been ordered. The Senator from Indiana has a request to make in reference to the ordering of the yeas and nays. I shall be glad if he will make his request at this time.

Mr. JENNER. Mr. President, I ask unanimous consent that on the question of confirming the confirmation of Paul G. Hoffman, of California, to be a representative of the United States to the 11th session of the General Assembly of the United Nations, the yeas and nays be ordered.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. Do I correctly understand that the yeas and nays have been ordered only on the question of the confirmation of the nomination of Mr. Hoffman?

The PRESIDING OFFICER. That is correct.

Mr. GEORGE. Mr. President, in the case of the nominations to represent the United States at the 11th session of the General Assembly of the United Nations, I suggest that all of the nominations other than that of Paul G. Hoffman, of California—which nomination is objected to, and regarding which nomination certain Senators desire to be heard—be considered and confirmed en bloc, inasmuch as the other nominations to represent the United States at the General Assembly of the United Nations are not objected to by any Senator, so far as I know.

The PRESIDING OFFICER. Is there objection to the request that the nominations referred to be considered en

bloc? The nominations which the Senator from Georgia wishes to have considered en bloc will be stated.

The legislative clerk read the nominations of Henry Cabot Lodge, Jr., of Massachusetts; William F. Knowland, of California; Hubert H. Humphrey, of Minnesota; and Ellsworth Bunker, of Vermont; all to be representatives of the United States of America to the 11th session of the General Assembly of the United Nations.

The legislative clerk also read the nominations of James J. Wadsworth, of New York; Richard Lee Jones, of Illinois; Frank C. Nash, of the District of Columbia; Edward S. Greenbaum, of New Jersey; and Mrs. Oswald B. Lord, of New York; all to be alternate representatives of the United States of America to the 11th session of the General Assembly of the United Nations.

The PRESIDING OFFICER. The Senator from Indiana has requested unanimous consent that these nominations be considered and confirmed en bloc. Is there objection?

Without objection, the nominations are considered and confirmed en bloc.

The remaining nomination to the United Nations will be stated.

PAUL G. HOFFMAN

The legislative clerk read the nomination of Paul G. Hoffman, of California, to be a representative of the United States of America to the 11th session of the General Assembly of the United Nations.

Mr. GEORGE. Mr. President, objection was made to the confirmation of the nomination of Mr. Hoffman. The committee heard a witness on that objection, and considered some other matters which were brought to its attention. The committee by unanimous vote agreed to recommend that the nomination of Mr. Hoffman be confirmed.

Other members of the committee will desire to be heard, before the nomination is brought to a vote.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to this nomination?

Mr. KNOWLAND. Mr. President, I serve as a member of the Foreign Relations Committee. The nominations to represent the United States at the General Assembly of the United Nations came before the committee; and the committee was unanimous in voting to order all the nominations—all five of the nominations to be representatives of the United States at the General Assembly, and all five of the nominations to be alternate representatives of the United States at the General Assembly—reported to the Senate.

The only nominee who asked to testify before the committee was Mr. Paul Hoffman, whose nomination was sent to the Senate by the President of the United States.

Prior to Mr. Hoffman's appearance before the committee, I received from him a letter dated July 16. The letter was presented to the Foreign Relations Committee, and was available to the members of the committee at the time when Mr. Hoffman appeared before it.

A number of members of the committee inquired further of Mr. Hoffman concerning his views on the subject-matter of the letter. I am certain that all those who were present were fully satisfied that he set forth his views and confirmed the views he expressed to me in his letter of July 16.

In view of the fact that there has been some misinformation, perhaps, regarding Mr. Hoffman's views relative to the admission of Communist China to the United Nations, I think the letter should be read to the Senate, as it was read to the Committee on Foreign Relations.

The letter is on Mr. Hoffman's personal stationery, and is dated July 16, 1956. It reads as follows:

DEAR SENATOR KNOWLAND: In answer to your query in reference to my position as to the admission of Red China into the United Nations, I am glad to state in this letter as I have stated publicly on many occasions that I am opposed to the admission of Red China into the United Nations. There are many reasons for this position, the principal one being that Red China acting through North Korea has consistently violated the terms of the truce into which she entered.

Sincerely yours,

PAUL G. HOFFMAN.

Mr. President, I thought the Senate should have that information prior to taking action on the nomination.

As a member of the Foreign Relations Committee which heard Mr. Hoffman's testimony in this regard, I shall support the nomination.

Mr. JENNER. Mr. President, will the Senator from California yield for a question?

Mr. KNOWLAND. I yield.

Mr. JENNER. The Senator from California would not interpret the letter, would he, to mean that if the Communists stopped violating their truce agreement in Korea, Mr. Hoffman would no longer oppose the admission of Communist China into the United Nations?

Mr. KNOWLAND. No; I would not.

Mr. JENNER. I have some quotations from the New York Times, although I shall not go into them today, because I have said that I would limit my remarks. But I note that when Mr. Hoffman was questioned about that matter, he changed his statement or his position. I notice that Paul Hoffman makes statements, and when questioned about them he changes the interpretation of the statements. That is the reason I asked the question. The letter only states that he would not agree to the admission of Red China into the United Nations because of her violations of the truce in Korea. Does the Senator mean to imply that if Red China were to stop her violations of the truce in Korea, Mr. Hoffman would consent to admitting Red China into the United Nations?

Mr. KNOWLAND. No. I do not think so, in fairness to Mr. Hoffman. He says, "there are many reasons for this position, the principal one being that Red China, acting through North Korea, has consistently violated the terms of the truce into which she entered."

Mr. JENNER. There are many other reasons, but that is the only one mentioned in his letter.

Mr. KNOWLAND. That is the only reason mentioned in his letter. I could probably think of many more reasons than Mr. Hoffman could as to why Red China should not be admitted. I was very much pleased, as an American as well as a member of a two-house Congress, that yesterday the other body, by an overwhelming yea and nay vote, went on record in opposition to the admission of Communist China into the United Nations.

The Appropriations Committee of this body, by a unanimous vote, has placed in the appropriation bill language reiterating the position of the Senate in opposition to the admission of Communist China into the United Nations, and reiterating a position which both the House and Senate have unanimously taken on several occasions.

To the best of my knowledge and belief, the administration is opposed to the admission of Communist China, and I hope that, with the action which the House has already taken, and the action which I hope the Senate will take reiterating its position, nations which may be toying with the idea of waiting until after the American national elections in November to bring Communist China into the United Nations will realize that it would undermine the moral position of the United Nations. In my judgment, at least, it would seriously affect the support which the American people have given to that organization, because it would undermine the moral position of the United Nations in the eyes of the people of the United States, and I believe the people of the free world.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. SMITH of New Jersey. I should like to ask the Senator whether the concurrent resolution adopted yesterday by the House is coming over to the Senate. It is a concurrent resolution; is it not?

Mr. KNOWLAND. Yes; it is a concurrent resolution.

I ask unanimous consent that there be printed in the RECORD at this point as a part of my remarks the full text of House Concurrent Resolution 265, which was agreed to by the House yesterday by a vote of 391 to 0, I believe, together with a copy of the House committee report, which I think very thoroughly goes into the subject matter. I am hopeful that the distinguished chairman of the Foreign Relations Committee will be able to permit the Foreign Relations Committee, at its meeting tomorrow, to act on this concurrent resolution and report it to the Senate, where I hope it will have unanimous bipartisan support.

There being no objection, the concurrent resolution (H. Con. Res. 265) and the report (H. Rept. No. 2733) were ordered to be printed in the RECORD, as follows:

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that its previous expressions should be and are hereby reemphasized that the Communist regime in China should not be admitted to membership in the United Nations or any of its specialized agencies as the representatives of China; and

That the Congress hereby expresses its conviction that such admission would

gravely injure the United Nations and impair its effective functioning in accordance with the aims, principles, and provisions of the United Nations Charter.

The Committee on Foreign Affairs, to whom was referred the concurrent resolution (H. Con. Res. 265), expressing the sense of Congress against admission of the Communist regime in China as the representative of China in the United Nations, having considered the same, report favorably thereon without amendment and recommend that the concurrent resolution do pass.

COMMITTEE ACTION

House Concurrent Resolution 265 was introduced by the Honorable EDNA F. KELLY and referred to the Committee on Foreign Affairs on July 13, 1956. On that date the committee considered the resolution in executive session and unanimously ordered it reported.

PURPOSE

The resolution does two things: First, it expresses the sense of the Congress that its previous expressions should be and are reemphasized that the Communist regime in China should not be admitted to membership in the United Nations or any of its specialized agencies as a representative of China; secondly, the Congress expresses its conviction that such admission would gravely injure the United Nations and impair that organization's effective functioning in accordance with the aims, principles, and provisions of the United Nations Charter.

PREVIOUS EXPRESSIONS BY THE HOUSE AND COMMITTEE

This resolution is not only in keeping with previous congressional statements and resolutions but is intended to reemphasize and buttress those statements and expressions. It was the strong view of the committee that this matter is so essential and vital that the overwhelming sentiment of the American people through its Congress should be again stated in certain and positive terms.

For the benefit of the House, there follow previous expressions by the House and the Committee on Foreign Affairs on this subject:

"*1948: Strategy and tactics of world communism. Supplement III—Communism in China (report of Foreign Affairs Subcommittee on National and International Movements, Hon. Frances P. Bolton, chairman)*

"Chinese communism is regular communism. Its doctrines follow those of Lenin and Stalin. Its leaders are Moscow trained. Its policies and action, its strategy and tactics, are Communist. The Chinese Communists have followed faithfully every zigzag of the Kremlin's line for a generation.

"January 19, 1951: House Resolution 77, 82d Congress, 1st session:

"*Resolved*, That it is the sense of the House of Representatives that the United Nations should immediately act and declare the Chinese Communist authorities an aggressor in Korea.

"May 15, 1951: House Resolution 96, 82d Congress, 1st session:

"*Resolved*, That it is the sense of the House of Representatives that the Chinese Communist authorities shall not be permitted to represent China in the United Nations.

"July 21, 1953: Amendment to Departments of State, Justice, and Commerce Appropriation Act, 1954:

"SEC. 111. It is the sense of the Congress that the Communist Chinese Government should not be admitted to membership in the United Nations as the representative of China.

"July 10, 1953: Extracts from House Report 768 (83d Cong., 1st sess.) accompanying House Concurrent Resolution 129:

"China has been a member of the United Nations since the beginning of that organization. Its seat has always been, and is, occupied by a representative of the National Government of the Republic of China, now on Formosa. The issue is whether the single seat assigned to China—1 of the 5 permanent members of the Security Council—should continue to be held by the representative of the National Government of the Republic of China or whether that representative should be unseated and a representative of the Chinese Communists who have seized the mainland given that seat. The attitude of Congress is an unequivocal expression of opposition to the latter alternative.

"The legal issues involved in determining whether the Chinese Communists should be seated in place of the representative from Nationalist China have been exhaustively debated in the organs of the United Nations. In its resolution of December 14, 1950, the General Assembly recommended that in cases where 'more than one authority claims to be the government entitled to represent a member state * * * the question should be considered in the light of the purposes and principles of the charter and the circumstances of each case.'

"An examination of those portions of the charter strengthens the committee's conviction that the Chinese Communists have no basis upon which to lay claim to representation in the United Nations. The preamble of the charter states the spirit that motivated the establishment of that organization, namely:

" 'To reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small; and

" 'To establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained; and

" 'To promote social progress and better standards of life, in larger freedom; and for these ends to practice tolerance and live together in peace with one another as good neighbors; and

" 'To unite our strength to maintain international peace and security; and

" 'To insure, by the acceptance of principles and the institution of methods, that armed forces shall not be used, save in the common interests; and

" 'To employ international machinery for the promotion of the economic and social advancement of all peoples; have resolved to combine our efforts to accomplish these aims.'

"Article 1 spells out the purposes for which the United Nations has been organized—

" 'To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breech of the peace;

" 'To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;

" 'To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and

" 'To be a center for harmonizing the actions of nations in the attainment of these common ends.'

"Article 2 imposes rules of conduct upon the members:

" 'The organization is based on the principle of the sovereign equality of all its members.

" 'All members, in order to insure to all of them the rights and benefits resulting from membership, shall fulfill in good faith the obligations assumed by them in accordance with the present charter.

" 'All members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

" 'All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations.

" 'All members shall give the United Nations every assistance in any action it takes in accordance with the present charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action.'

"Measured against the criteria laid down in the charter, the Chinese Communists do not meet the standards prescribed for membership in the United Nations. They have shown a consistent disregard for fundamental human rights, they have degraded the dignity of persons, and they have obliterated the rights of individuals. Freedom has been stifled; intolerance has been substituted for tolerance.

"In the international field the Chinese Communists have not only refused to assist the United Nations in its action taken in accordance with the charter against aggression in Korea; they have participated in the aggression. This is not alone the judgment of the United States. It is the considered conclusion reached by an overwhelming majority of the General Assembly. A regime that has been held to have violated the charter cannot plead that it meets the standards necessary to hold a seat in an organization pledged to support that very charter. Indeed, to seat the Chinese Communists would only qualify them for expulsion. Article 6 states that 'a member of the United Nations which has persistently violated the principles contained in the present charter may be expelled from the organization * * *.' To accord representation to a regime that is unable or unwilling to discharge its international responsibilities would make a mockery of the very principles that led to the creation of the United Nations. It would violate both the letter and the spirit of the charter.

"The moral and legal issues involved in this question are not in conflict with the practical issues. The United States and the United Nations are engaged in hostilities against the Chinese Communists. To give them a permanent seat on the Security Council, equal in weight to that of the United States and the other permanent members would enhance their prestige, give courage to their sympathizers, and weaken those in other countries who are resisting Communist aggression from without and Communist subjugation from within. It would imply an acceptance of their permanent conquest of China and give them an air of respectability. All of this is in contradiction to the judgment already expressed by the members.

"The psychological consequences of seating the Chinese Communists would be disastrous. It would be a reward to the enemies of the United Nations and of the United States. The prestige of the organization would suffer irreparably no less than that of the members who are fighting to uphold its principles.

"In the course of the present truce negotiations, our Government has taken an adamant position that it will not turn over to the Chinese Communists some 15,000 Chinese prisoners who are opposed to the Communist regime. The committee believes that the American people will not accept for 450 million people what it rejects for 15,000.

"For these reasons our Government should actively oppose granting representation to the Chinese Communists in the United Nations or in any of the specialized agencies. Should the Chinese Communists' delegate, nevertheless, be seated over our opposition, the Congress, representing the overwhelming sentiment of the American people on this matter, would properly insist upon a reexamination of our participation in the United Nations or any of the specialized agencies.

"August 26, 1954: Extract from section 101 of the Mutual Security Act of 1954 (Public Law 665, 83d Cong., 2d sess.):

"The Congress hereby reiterates its opposition to the seating in the United Nations of the Communist China regime as the representative of China. In the event of the seating of representatives of the Chinese Communist regime in the Security Council or General Assembly of the United Nations, the President is requested to inform the Congress, insofar as is compatible with the requirements of national security, of the implications of this action upon the foreign policy of the United States and our foreign relationships, including that created by membership in the United Nations, together with any recommendations which he may have with respect to the matter.

"July 8, 1955: Section 12 of the Mutual Security Act of 1955 (Public Law 138, 84th Cong., 1st sess.).

"It is hereby declared to be the continuing sense of the Congress that the Communist regime in China has not demonstrated its willingness to fulfill the obligations contained in the charter of the United Nations and should not be recognized to represent China in the United Nations.

"May 10, 1956: Extract from House Report 2147 (84th Cong., 2d sess.), Report of the Special Study Mission to the Middle East, South and Southeast Asia, and the Western Pacific (pp. 203, 204).

"* * * the United States must steadfastly refuse to recognize the Communist regime in China and must resist its admission to the United Nations.

"The study mission was unable to discover any benefit that recognition could bring to us or to any other nation in the free world. This is not a matter of speculation. What benefits have been gained by any of the countries that have recognized Communist China?

"There are solid grounds for opposing Communist China's admission to the United Nations and other international organizations.

"(1) Legally, such admission would make a mockery of the U. N. Charter itself, which restricts admission to "peace-loving" nations. Communist China cannot qualify for admission until it proves it has changed its character and objectives by supporting the U. N. against aggression, instead of supporting aggression against the U. N. It cannot change its character and objectives until it ceases to be Communist. And the more the world accepts it, the less reason there is for it to shed its communism.

"(2) Politically, admission to the U. N. would be a smashing victory for world communism and a smashing defeat for the forces of freedom. It would give the Communist dictatorship in China legitimacy and respectability, enormously increase its prestige, influence, and power. It would give Communists control of Chinese embassies and consulates in scores of countries, including some which have never recognized the Soviet Union. Every consulate would become a center of Communist espionage, sabotage, and propaganda. This would be especially disastrous in Southeast Asia where the free peoples are already fighting a life-and-death struggle to halt Communist advances and subversion.

"(3) Morally, it would be an equally devastating defeat for the free world. Admission would not be mere acceptance of a powerful band of gansters on the basis of expediency or so-called realism; rather it would be abandonment of 450 million people of Communist enslavement. It would be regarded by all as an attempt to buy peace for ourselves by sacrificing our own moral principles and other peoples' freedom. If anyone imagines the peoples of Asia will resist a Communist China which the Western World embraces, he is deceiving no one but himself. History proves that there is no peace in appeasement.

"If we are to defeat the avowed purpose of armed communism to conquer the world, the first step is to prevent its gaining any more victories—territorial, military, economic, diplomatic. Free Asia will crumble once it believes the Communists are winning. Recognition by the United States or admission to the United Nations would mean to Asia, as it should mean to us, that the Communists have already won.

"June 20, 1956: Section 110 of the Department of State Appropriation Act, 1957 (title I of Public Law 603, 84th Cong., 2d sess.):

"'It is the sense of the Congress that the Communist Chinese Government should not be admitted to membership in the United Nations as the representative of China.'

"July 14, 1956: Section 107 of H. R. 12130, 84th Congress, 2d session, Mutual Security Appropriation Act, 1957, as reported by the Senate Appropriations Committee.

"The Congress hereby reiterates its opposition to the seating in the United Nations of the Communist China regime as the representative of China, and it is hereby declared to be the continuing sense of the Congress that the Communist regime in China has not demonstrated its willingness to fulfill the obligations contained in the charter of the United Nations and should not be recognized to represent China in the United Nations. In the event of the seating of representatives of the Chinese Communist regime in the Security Council or General Assembly of the United Nations, the President is requested to inform the Congress insofar as is compatible with the requirements of national security, of the implications of this action upon the foreign policy of the United States and our foreign relationships, including that created by membership in the United Nations, together with any recommendations which he may have with respect to the matter."

CONCLUSION

The members of the Communist regime in China are exerting continuous effort to gain admission into the United Nations and its specialized agencies as the representatives of China. At a time when these efforts are being intensified by the Communist bloc and supported by some others, it is particularly important to restate and reemphasize the overwhelming sentiment of the United States as expressed by its people, by its Congress, and by its President.

History has some vivid examples of grave consequences flowing from actions taken by governments which misjudged American opinion on a given issue. It would be tragic if anyone abroad failed to understand how deep and determined is the feeling of the American people on the issue involved in this resolution. By the very nature of their office, Members of Congress know and reflect accurately the views and deep feelings of the American people, whom they represent. That is what gives extraordinary significance to the repeated unanimous votes of the Congress against the admission of Communist China to the United Nations. Anyone who might be inclined to support the admission of the Communist regime in China into the United Nations as the representative of China should seriously weigh in advance the loss to the United Nations which would result from this disregard of the principles of the United Nations and of United States public opinion which to date has so fully supported the United Nations.

The adoption of this resolution will serve notice to all that the admission of the Communist regime to membership in the United Nations or any of its specialized agencies as a representative of China will be regarded as a serious matter by our Nation. At the same time, its adoption will reassure the peoples and governments of the free world that the United States position on this question is firm and resolute.

Mr. SMITH of New Jersey. Mr. President, I wish to endorse everything the Senator from California has said with respect to the concurrent resolution. I am very hopeful that we can obtain prompt action on it by the Senate. I am very much concerned with the question of admission of Red China into the United Nations. Because of that fact, I took the trouble to ask Mr. Hoffman to come to see me a week or two ago when I heard that his nomination was coming up. I had two long conferences with him in my office, and I think I explored every possible combination of circumstances under which Red China might conceivably be admitted into the United Nations.

Mr. Hoffman took the unequivocal, unconditional stand that he is opposed to the admission of Red China into the United Nations at this time. What might happen in the years to come, it is difficult to say. But he is unalterably opposed. I could not find any loophole suggestion of any sort which might persuade him to favor the admission of Communist China to the United Nations.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. COTTON. I understood the Senator from California, in starting to reply to the question of the distinguished Senator from Indiana [Mr. JENNER], to say that some of the testimony of Mr. Hoffman before the committee, in addition to the letter, confirmed the impression of the Senator from California that Mr. Hoffman was completely opposed to the entrance of Red China into the United Nations. Will the Senator complete what he started to say?

Mr. KNOWLAND. In his letter, Mr. Hoffman says that this is one of the reasons why he opposes the admission. I started to say that there are many other reasons—for example, the question of the holding of American civilians, which the Chinese Communists are now doing in violation of the agreement they entered into at Geneva. They are still holding 11 American civilians, I believe, whom they solemnly promise to release.

They are still in violation of the terms of the Korean armistice, which was mentioned.

In addition, they were declared by the United Nations to be the aggressors. There is still a war going on in Korea. There is only a cease-fire status now.

I then said that I thought there were many additional reasons which could be advanced, though Mr. Hoffman did not advance them in the committee. There are many additional reasons which I personally could advance, as to why Communist China should not be admitted into the United Nations. As a delegate to the General Assembly, I shall do everything possible, in conformity with the policies of our Government, to bring these facts to the attention of the General Assembly.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. COTTON. The Senator stated his own convictions, and his own analysis of the reasons why Red China should not be admitted. They are excellent reasons, and reasons in which the Senator from New Hampshire heartily concurs. I admire the Senator for his steadfastness.

My question was with respect to the testimony of Mr. Hoffman before the committee. Did he indicate his consciousness of the further reasons to which he refers indirectly in the letter?

Mr. KNOWLAND. He indicated—and other members of the committee who were present will bear me out—that this was but one reason. We discussed a number of the reasons which I have mentioned to the Senator, and he was in complete conformity with those reasons.

I am merely saying that I could perhaps advance many more reasons that Mr. Hoffman could advance, but I am sure he would concur in all the reasons I have stated, based upon both his appearance before the committee and his conversation with me the day before in my office.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. BUSH. I congratulate the Senator from California on his statement respecting this very important nomination, which has been the subject of much speculation and some criticism in the press. I intend to support the nomination.

I am very glad that the Senator has stated that there was no opposition in the Foreign Relations Committee to this nomination, and that it was approved unanimously.

I am also glad that the Senator is able to present the letter from Mr. Hoffman respecting his views on Communist China. I am not particularly surprised that he expresses such views, because I myself talked with him some weeks ago in my own office. I wished to talk with him about this specific issue. He told me that he was not now, and never has been, an advocate of admission of Communist China into the United Nations. If that is the point in the mind of any Senator regarding Mr. Hoffman, certainly upon the basis of the evidence which the Senator from California has presented we can resolve all doubt on that score.

I am very glad to give personal testimony in support of what the Senator from California has said. As chairman of the resolutions committee of the Republican Party I intend to insist, with all the authority I may have, that we shall have in our platform a plank which will strongly oppose the admission of Communist China into the United Nations.

Mr. KNOWLAND. I am very glad to hear the distinguished Senator from Connecticut, who is the able chairman of the platform committee of the Republican Party, express those views. As an American, rather than as a partisan, I express the very fervent hope that the other party, the Democratic Party, will also express itself as members of that party have expressed themselves in both the House and the Senate. As I understand from reading the newspapers, the distinguished Representative in the House from Massachusetts, the able majority leader of the House, Representative McCORMACK, is chairman of the resolutions committee of the Democratic Party. Time and time again he has been in the forefront, making known his views in opposition to Communist China. I hope they may have a similar plank in their platform.

Mr. BUSH. I join with the Senator from California in the hope that the Democrat Party likewise will incorporate such a plank.

Mr. LEHMAN. Mr. President, I deem it a real privilege to rise in support of the nomination of Paul Hoffman. I have known him for upwards of 30 years. I was closely associated with him over a considerable period of that time.

When the Marshall plan was proposed in 1948 I worked continuously and in close association with him in order to bring about the implementation of that plan. I can say that in all my contacts with him—and they have been close contacts—I have never known a man who has been more consistently and with greater vigor opposed to communism than Paul Hoffman.

After he was appointed Administrator of ECA, I had the honor of serving for 2 years on the advisory committee which was created by Congress in connection with the work of the Marshall plan. I saw him continuously as a member of that committee, and frequently on my visits abroad, where he was carrying on the work at his headquarters in Paris.

I can say that Paul Hoffman is a man of strict honesty, outstanding loyalty, and unquestioned patriotism. He is a man of fine mental stature and of unimpeachable moral stature. I believe that our country is fortunate, indeed, in having been able to enlist his services over the years and that it is able now to enlist the services of this great American and great patriot, Paul Hoffman. I am happy to have the opportunity of voting for his confirmation.

Mr. JENNER. Mr. President, we have been more or less assured that Paul Hoffman will not vote to seat Red China in the United Nations. If we had such assurance on all the other great problems that will arise in the United Nations, such as disarmament and atomic energy, I for one would feel more secure.

Mr. President, I rise to protest against the confirmation of the nomination of Mr. Paul Hoffman as a delegate to the Assembly of the United Nations.

The Constitution provides that the choice of important officials in the executive branch shall be made with the "advice and consent" of the Senate.

The Members of this body have rightly followed the rule that a President should have the widest possible latitude in his personal preference for officials in the executive branch.

We have no wish to oppose nominations because we would, perhaps for good reason, make a different choice.

The duty imposed upon the Senate by the Constitution is the limited, but vitally important, obligation to oppose nominations by the executive branch whenever—and I repeat whenever—a vital national interest is involved.

The Senate is given the responsibility to make sure, in advance, that nominations, for important offices, will not bring harm to the Nation.

We do not have the right to deplore, after the event.

We have the duty to prevent, before the damage is done.

This is an obligation we owe, not only to the executive branch but to the security of the Nation, and to the sovereign States for which we speak.

I have the greatest respect for President Eisenhower's reasons for this appointment.

Mr. Hoffman is a personal friend of long standing.

We know that the friendship of Presidents is a very important road to power, a road which has been cultivated by men with more than one interest.

We know further that the United States today is in more serious danger from more subtle and invidious forces than it has ever faced since 1776.

I say that the Senate is bound by the Constitution to consider the effect of this nomination as it concerns the national interest.

I say that, if we consider the national interest, we must vote against sending Paul Hoffman to speak for the United States at the meeting of the United Nations Assembly, where critical issues of American security will be decided.

I believe Mr. Hoffman cannot be approved by this body, because he has been actively identified with a foreign policy which has led to worldwide expansion of Soviet power, and the crumbling of anti-Communist opposition throughout the world by the spread of neutralism.

Further, Mr. Hoffman is now chairman of the Fund for the Republic, a tax-exempt foundation which, in my opinion, is engaged in propaganda to soften up American public opinion in the direction of further appeasement.

I believe, and I think I can prove, that the propaganda here at home for confusion, softness, and appeasement of communism is the most dangerous threat to the military security of the United States.

In voting to consent or not to consent to the appointment of Mr. Hoffman, we are voting then on a matter which concerns the military security of the United States.

Let me make one point perfectly clear, so that no one need misinterpret my statement—except intentionally.

I am not accusing Mr. Hoffman of being a Communist, a pro-Communist, or a willing collaborator in any Communist propaganda activities.

I do not know his motives.

They are none of my business.

I do know Paul Hoffman is chairman of the Fund for the Republic, and that the Fund for the Republic has been engaged in a subtle, brilliant, aggressive, wide-branching propaganda, which is slanted in support of objectives which the Communist leaders have stated to be their objectives.

The Fund for the Republic is interlocked with many other opinion-forming agencies, which reach into our schools, colleges, publishing houses, radio, the press, the churches, women's clubs, labor unions, and business groups.

An enterprise of this magnitude cannot be a matter of indifference.

The Members of this body must decide whether its results are beneficial or harmful.

Please note that I do not accuse the Ford Foundation, or the Fund for the Republic, of being consciously pro-Communist.

But to argue that directors of these powerful foundations do not know their publications follow the lines laid down by Communist agents from Moscow for their followers, is the old argument of we did not know it was loaded.

That argument has never brought a single corpse back to life.

It is the duty of American citizens in positions of power and responsibility to know when the propaganda guns are loaded.

If Paul Hoffman is not able to see what is going on, I do not think he is competent to represent the United States at the United Nations in an intellectual duel with spokesmen for the Soviet Union.

We have detailed evidence of the kind of activities carried on by the Fund for the Republic, and its parent organization, the Ford Foundation, of which Mr. Hoffman was also an officer.

Mr. President, I have reams and volumes of evidence here, but I am not going to take the Senate's time in these closing days of the session to read them to the Senate. I think every Member of this body knows exactly the record. We know what the Fund for the Republic has done, and we know what its parent, the Ford Foundation is.

But, first, let us examine the military issue.

In New York City, on September 9, 1954, I quoted from a speech by a high Communist Party official representing Moscow, who told the Communist workers in this country their immediate task was to expoit the growing possibilities "for easing the danger of war against the Soviet Union."

I said:

Translated from Communist double-talk, this means the Soviet leaders lived (in 1953) in deadly fear of military defeat by America. * * * But they saw new hopes that by exploiting our confusion they could save the day.

While our fighting men were winning victories in Korea, did they send a mission to beg for peace? No, indeed.

As I said:

The Communists are strategists, first, last and all the time.

They knew they could not defeat American military power by military means.

How then, did they defeat it?

Obviously by weakening the public opinion which united the American people behind the drive for victory in Korea.

The Communist spokesman ordered his Communist adherents to "take full advantage of the new possibilities which are emerging to transform the political situation in this country."

In 1954 I said:

A military force, the civilian heads, and the Nation it serves, may be compared with a sword, the arm that wields it, and the mind of the swordsman, which directs it.

One's opponent may be defeated by blunting his sword, cutting off his arm, or giving him a dose of sleeping pills to overcome his will.

The Soviet Union did not care to tangle with American military power.

It chose the sleeping pills.

The answer to American military genius in Korea was the Stockholm peace petition.

You and I thought the Stockholm peace petition was silly.

We thought the idea of getting innocent, unimportant people to sign peace petitions was nonsense.

How could they be a danger to American national security?

But Louis Budenz warned us of how the currents set in motion in Stockholm were going to be moved out along a carefully predetermined course into the labor unions, the women's clubs, the churches, business groups, and the other private organizations which the Communists study so carefully.

The "peace offensive" was to be pushed along, under Soviet steering, until it welled up, through unimpeachable channels, in all parts of our country, and looked like an irresistible demand by American public opinion for "peaceful coexistence," an "end to tension," and face-to-face meetings between the heads of the Big Four, like those of Yalta and Potsdam.

French foreign minister Bidault said just before Geneva that the leaders of the Western World were hurrying to Geneva for meetings with the Soviet leaders, in answer to a fictitious public opinion which apparently demanded it.

This fictitious public opinion was manufactured by the Communists.

Do not let us be fooled by the fact that there were all sorts of "good" reasons for the amazing change in our policies, in this year 1955.

There are a thousand good reasons, but only one real reason.

That reason is: We were politically in a state of confusion, and the Communist apparatus, from the leaders in the Kremlin to the poorest party hack, knew exactly where they wanted to go.

They had orders to protect Soviet interests by ending the ability of the West to make effective war against Soviet Russia, by undermining the American will to national security and defense of freedom.

They had orders telling exactly how to get there—by moving into key places in the agencies which shape public opinion in America, to spread smiles, sweet talk of "peaceful coexistence" and wringing of hands about the dreadful atom bomb.

They had orders to keep their true purposes hidden by a well-laid smokescreen of attacks on what they called "McCarthyism," the loss of civil liberties, the "climate of fear" in America, book burning, and the other clever lying campaigns to divert our minds from the real danger.

I ask you, Mr. President, to recall the psychological climate of 1953, when the American people were stirred to the depth by the magnificent bravery of our fighting men, and the brilliant skill of our commanders in the Korean theater.

At the same time they were shocked and outraged at the proven barbarities Red China practiced against our Korean allies and our own fighting men.

I ask you, Mr. President, to compare the heroic spirit of that time, only 3 short years ago, with the wilted defeatist appeasement spirit since Geneva.

The change was brought about, Mr. President, by means of the subtle, invidious skill of the Communist propaganda apparatus in softening up American and European public opinion.

One of the objectives of the Communist apparatus has been to discredit those ex-Communists who have been willing to testify before congressional committees.

I need not remind the Senate that there is no way to find out about the activities of a conspiratorial network except when members of a conspiracy repent and offer to help the forces of law.

It is easy to see why the Communist leaders should be so fiercely determined to frighten, smear or otherwise discredit such witnesses.

In May 1955 the fund for the Republic circulated 25,000 copies of a reprint from Harper's magazine, entitled "The Kept Witnesses," to labor officials, business magazines, Government personnel, and professional people, written by Richard H. Revere, who has written for Communist publications. Most Senators, I assume, have read it.

This article was an all-out attack against friendly witnesses before our committees and of the entire security program of the Government.

Dr. Bella V. Dodd, one of our most helpful witnesses, brought suit against the fund, the magazine, and the author, though she had to pit her meager earnings against their tax-exempt millions.

In reply to the suit, Mr. Revere, who wrote the article circulated by the Fund for the Republic, stated, under oath, that he had been commissioned by the Fund for the Republic to write the article.

It was written, in other words, on their initiative.

Mr. Revere was presumably paid by the fund.

He was paid by Harper's, and he received a share of the royalties for the thousands of reprints.

Harper's magazine also profited from the reprints ordered by the Fund for the Republic.

In her complaint, Dr. Dodd alleges:

That the 17 books, articles and other material distributed by the fund up to publication of its report all deal with communism.

That at least seven of such books, articles, and other materials were concerned—get this—with congressional or governmental investigations into communism.

That each one of these articles:

Is part of a program designed to unfavorably influence public opinion in regard to the necessity of such investigations and the

character, honesty, truthfulness and integrity, professional status, social or economic standing of those witnesses who testified before and cooperated with such investigations.

That the books and other materials were published in an effort to create a general atmosphere of authority for the books, and articles, and to attempt to pyramid and compound the effect of any one such article, in the public mind, and to create the impression that each "is a greater and more reliable authority in the matter dealt with than it would have, were it not referred to or quoted in material distributed by the Fund for the Republic."

Those familiar with the subject will see a striking resemblance between the way the Fund for the Republic helps to create a climate of opinion unfavorable to congressional investigations of communism, and the way in which the Institute of Pacific Relations pyramided books and articles it had chosen, to create an appearance of greater authority in the field of Chinese affairs than it possessed, and to slant public opinion to accept the Communists as agrarian reformers and scorn the Nationalists as cowardly and corrupt.

As the complaint alleges, Paul Hoffman was the chairman of the board of directors of the fund, and knew, could have known, should have known, and must be considered to know, the subjects to be investigated, what books and other publications were to be distributed, how, and to whom.

If he did not know, do Senators think he is a fit person to represent this country among the skillful Communist negotiators in the United Nations, and to talk not only about the admission of Red China into the United Nations, but also about disarmament, atomic power, and the 101 other subjects which will come up after the election?

Let me turn to another enterprise. I wish I could cover all of them. He has been a right busy fellow. [Laughter.]

In late 1954, a subcommittee of the House Education and Labor Committee, under the chairmanship of Congressman RALPH GWINN, held hearings on Federal activities in education.

Among other programs they inquired into the Defense Department's information and education program.

Members will recall that our subcommittee heard various witnesses describe the very active interest of known Communists in getting into this program and helping to guide the thinking of our servicemen to friendliness and trust of the Soviet Union.

Dr. Frank H. Bowles, director of the college entrance examination board, testified on his work as consultant of the Fund for the Advancement of Education on the Armed Forces project.

The Fund for the Advancement of Education is a subsidiary of the Ford Foundation.

Mr. Bowles testified on how the fund originally became interested in the I. and E. program of the Armed Forces.

He said:

It is my understanding, Mr. Riggs, that the original interest arose through a conversation between General Marshall, when he was Secretary of Defense, and Mr. Paul Hoffman.

That interest, when Mr. Hoffman was president of the Ford Foundation, was passed down the line.

And I can say of my own knowledge that when I was brought into it, the interested parties were Mrs. Anna Rosenberg, Assistant Secretary of Defense, on one side and the officers of the Fund for the Advancement of Education on the other.

This was a request both verbally and in writing on the part of the Office of the Secretary of Defense for the Fund for the Advancement of Education, "to rethink the orientation program of the Armed Forces."

As Dr. Bowles explained, the problem presented to the fund had been graphically outlined by Dr. Benjamin Fine, education editor of the New York Times, a former Communist, I believe, who repented, and who has appeared before our subcommittee.

Dr. Fine had made a survey of information programs in the Armed Forces, and reported that there were very serious misunderstandings on the part of our men in Korea about the reasons for their being in Korea.

The argument that American soldiers do not understand what they are fighting for is a favorite theme of writers following a leftwing orientation.

The Armed Forces were disturbed at the criticisms and turned to the fund to get the correct orientation for their men.

Dr. Bowles testified that the fund spent $180,000 on the project.

They prepared 12-lesson plans dealing with the problem of citizenship.

They prepared eight-lesson plans dealing with world problems.

They prepared six lessons on communism.

This work was begun under the supervision of Mrs. Anna Rosenberg, Assistant Secretary of Defense.

Senators have been hearing from many sources of other activities of the Ford Foundation and of the Fund for the Republic.

The annual reports of those organizations give us excellent information on the range of their influence.

We also have information on the power of these and other foundations in the report of the special House Committee on Tax-Exempt Foundations.

For some reason, representatives of the foundations fought bitterly against this investigation.

Representative REECE reported on August 20, 1954, of the campaign of vilification. He said:

It has been said that the foundations are a power second only to that of the Federal Government itself.

Perhaps this statement should be modified because it seems to have become an affront for a congressional committee to dare to subject foundations to criticism.

Perhaps the Congress now should admit that the foundations have become more powerful, in some areas at least, than the legislative branch of the Government.

On July 21, 1955, Representative REECE gave us the full story of the connection of the Fund for the Republic with J. Robert Oppenheimer, the Mary Knowles case, and the National Committee To Defeat the Mundt Bill.

Fulton Lewis has given us a vast amount of additional material about the fund.

One other incident may throw light on our problem. Mr. Hoffman, before he undertook to decide on international issues, was an organizer of the Committee for Economic Development, made up of businessmen, directed at businessmen, and ostensibly supporting American private enterprise.

From the beginning, the staff of this organization included the chief economist of Harry Hopkins' WPA, the chief economist of Henry Wallace, and one of the important economists of the TNEC, the congressional committee staffed by leftwing New Dealers, in an attack on American enterprise.

I do not know who was brain washing whom, but I cannot believe it was an accident that this committee could not find enough distinguished economists who favored free enterprise, and was compelled to turn to Harry Hopkins and Henry Wallace for its guiding lights.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. JENNER. I do not yield.

The PRESIDING OFFICER (Mr. MONRONEY in the chair). The Senator from Indiana declines to yield.

Mr. JENNER. Mr. Hoffman has been identified with some kind of brain washing since the early 1940's.

He has moved into ever larger spheres of influences, and wherever he went, the aura of propaganda went with him, becoming more skillful, more effective, more widespread, and more devious as time went on.

Today Mr. Hoffman is head of one of the most powerful propaganda networks in the United States, reaching into nearly every college school system, and opinion-forming agency.

Its influence operates to defend Communists, to ridicule or hamstring congressional committees investigating communism, and to confuse the American people about the meaning of their fundamental constitutional principles.

For instance, Hoffman said about the Bricker amendment—I cannot quote Hoffman exactly; the Senator from Ohio [Mr. BRICKER] can—"If it is adopted, it means every treaty will have to be ratified by every State." I could go on for hours about this, but I shall not do so.

In conclusion, I return to the first point, and the important point, and the point upon which my decision will be made.

The softening up and corruption of American public opinion, by means of a network which produces and distributes propaganda that is almost identical with that of the Communist Party, is a threat to the security of the United States.

The Communists are not able to meet our military power with military power. They know the greatest military power can be blunted, as the national force of France was destroyed by a fifth column before 1940. The Communists know what they are doing.

Mr. Hoffman's enterprises, knowingly or unknowingly, serve similar ends.

We cannot vote to consent to the nomination of Paul Hoffman to speak for the United States on questions as vital to our security as Red China, disarmament, atomic energy, and the other policies which may be decided in the conferences at this meeting.

The Senate of the United States is on notice. The greatest possible threat to our national security is softening of national will.

We are voting to approve or disapprove, as a representative of the United States, a man who has been clearly identified over many years with the softening and corruption of public opinion in the United States and the undermining of its power to meet the Communist danger.

I repeat, if Paul Hoffman does not see what is going on, he is not competent to represent the United States in an intellectual duel with spokesmen for the Soviet Union.

We have plenty of able, experienced men who enjoy the united public opinion of the Nation, and I will not gamble my country's future on Paul Hoffman.

Mr. FLANDERS. Mr. President, I feel I have a very special interest in what has just been said by the Senator from Indiana [Mr. JENNER], not only from the fact that his statement deals with a man whom I have known for many years—I think about 15 years—but also because of the fact that I was intimately engaged with him during the first half of that period. I speak of Paul Hoffman with some knowledge and from friendship.

I can assure you, Mr. President, I shall leave the friendship side alone, and touch only on matters of knowledge. Before doing so, however, I should like to say to the junior Senator from Wisconsin [Mr. MCCARTHY] that I was on the floor during a part of the time when he spoke a few days ago, and I agree with one of the points he made. He mentioned a man by the name of Geiger. I believe that is the name. Is it?

Mr. MCCARTHY. Yes; Theodore Geiger.

Mr. FLANDERS. Theodore Geiger, who had been connected with Mr. Hoffman's organization over a considerable period. I wanted to say to the junior Senator from Wisconsin that I have my own independent means of information about Mr. Geiger, which probably are quite independent of his; and I agree with him that Mr. Geiger is an unreliable person, and I am sorry that his connection with Paul Hoffman lasted so long. So to that extent the junior Senator from Wisconsin and I are in agreement. I think we are in agreement in other ways, as well, but I mention that one in particular.

Now let me give my assessment of Paul Hoffman from at least 15 years of association. During that period I have seen him make two tremendous contributions to the well-being of the United States and of the world.

The first contribution was one of stopping what seemed to be the irresistible course of national socialism which was "in the cards," which was being planned for, to bring the country, at the end of the war, out of what was expected to be an economic tailspin. The organization which accomplished that was the Committee for Economic Development. As has been said, Paul Hoffman was the Chairman of that Committee. I had the honor of being, I suppose, in a way, second in command, in that I was Chairman of the Research and Policy Committee.

Let me say just a word or two about what the Committee for Economic Development did. At a time when an economic tailspin was predicted, and when the busy administrative bureaus were preparing to make sure that, by governmental action—presumably, chiefly by heavy spending—the prosperity and employment in the United States would be maintained, the Committee for Economic Development took a completely different point of view, under the wise leadership of Mr. Hoffman. In every large city in the country, and in almost every small city in the country, throughout the length and breadth of the country—North, South, East, and West—the businessmen of the United States were encouraged and urged and organized to plan for themselves, instead of letting the Federal Government plan for them. The businessmen of the country responded magnificently. The merchants in the towns planned what they were going to do to enlarge their businesses. The manufacturers planned what they were going to do with new products, to meet new demands. Back of all that was the judgment of the Research and Policy Committee, of which I was chairman, that the danger was not great, anyway, because we had an enormous backlog of savings and an enormous backlog of unfilled wants, due to rationing, which then had ended or was ending; and our committee believed that if the people of the country only maintained their confidence in private enterprise, we would pull through with flying colors. And we did.

So, Mr. President, looking back at that period, and considering it in retrospect, I say today that no man has made a greater contribution to the stopping of governmental socialism than did Paul Hoffman, through the Committee for Economic Development, of which I was an important and continuously active part.

The next contribution which Paul Hoffman made was to stop the conquest of Europe by communism. That was done, not by a plan which he originated, but by a plan which was voted by the Congress of the United States, and which came to be known as the Marshall plan, and later as the EDC. Many persons have a different concept of that plan, its administration, and its results, than I do.

I simply state in plain language what it seems to me the Marshall plan did, under the capable administration of Paul Hoffman. When I say "capable administration," let me state that I do not mean the administration was 100 percent perfect, because no such organization, organized anew, from the ground up, on the basis of a new idea, could have perfect administration. It did not have perfect administration, but it led to an effective result. Without it, in the personal judgment of this one man who stands before you today, Mr. President, France would be Communist today; Italy would be Communist today; Greece would be Communist today; and Turkey would be beset by Communists on all sides. Frankness compels us to state that France and Italy are still teetering. Still the issue has not been clearly decided. But at least France and Italy have been kept out of the Communist camp, by the work of the Marshall plan in the years to date; and Greece and Turkey stand on fully firm foundations, as a result of the work we did with them then.

With regard to the plan, Mr. President, I submit that, on the whole, it was successfully administered. The administrators of the plan spent $2 billion less than had been laid out for it at the beginning. They accomplished that within the time which had been set. The objective was to increase the production of the war-torn countries of Europe, and return their production to its prewar condition. The plan did more than that. It brought some of them as much as 10 percent above their prewar condition, and others as much as 40 percent above their prewar condition. The fact that today we have comparative industrial peace, economic strength, production, employment, and all the rest, is due, in my judgment, to the fine administrative work done by Paul Hoffman.

Mr. MCCARTHY. Mr. President, I should like to compliment the very able Senator from Indiana [Mr. JENNER] on an excellent job of research and on an excellent speech.

Mr. President, last week on the Senate floor I made a carefully documented speech against the proposed appointment of Paul Hoffman to be a delegate to the United Nations General Assembly. I call this speech to the attention of the Senators, not because it is enjoyable reading—as a matter of fact, it is most unpleasant reading—but because it sets forth several aspects of Paul Hoffman's record that in my judgment clearly disqualify him for any important public office.

Shortly after that speech was delivered, the White House formally made the appointment.

I today speak again against Paul Hoffman because I consider his appointment the very worst that has ever been made by the Eisenhower administration.

The appointment is an affront to the American people—and most especially it is an affront to the Republican Party.

As well as any man I know of, Paul Hoffman symbolizes the things the Republican Party has fought against in recent years. As head of the ECA, Hoffman showed a contemptuous disregard for security measures designed to protect this country against Communist infiltration; the Republican Party, on the other hand, has always insisted that these measures are necessary and must be strengthened. Hoffman has waged a relentless personal campaign, through personal financing, and through his writings and speeches, to destroy congressional opposition to the internal Communist menace; while the Republican Party contains in its leadership many of the people against whom Hoffman has directed his barbs.

Mr. President, I may say—and if I am wrong about this, I ask the Senator from Vermont [Mr. FLANDERS], who just spoke, to correct me—that Hoffman, for example, by his own admission, spent $1,000 to help prepare the speeches and the charges made against me because I was waging a fight against communism.

Mr. FLANDERS. Mr. President, may I put in a word?

Mr. McCARTHY. I certainly will yield.

Mr. FLANDERS. The money that was spent and the work that was done were to put into legal form charges which I had already formulated on my own. I do not know, but I assume, he spent perhaps that amount of money for that purpose.

Mr. McCARTHY. I may say to the Senator that Hoffman, by his own admission, spent $1,000 to help formulate charges against me, because I was fighting communism. So I can understand why the Senator rises on the floor today and defends him. I am not criticizing the Senator for that. I assume that he was sincere when he made the charges. But this man Hoffman is the man who financed the Senator, bought the speechwriters——

Mr. FLANDERS. No.

Mr. McCARTHY. Who formulated the charges——

Mr. FLANDERS. No.

Mr. McCARTHY. Who formulated the charges?

Mr. FLANDERS. I must say that I wrote every word of my speeches with my own hand.

Mr. McCARTHY. Mr. President, I decline to yield.

Mr. JOHNSON of Texas. Mr. President, I demand the regular order.

Mr. McCARTHY. I will yield when I finish the sentence.

The PRESIDING OFFICER. The Senator from Wisconsin has the floor. Does he yield?

Mr. McCARTHY. I will yield as soon as I finish the sentence, because I think the Senator from Vermont is entitled to the right to answer.

Hoffman bought the speechwriters who formulated the charges; he helped to rent rooms in the hotel across the street—if I am wrong, tell me. I believe the Senator admitted that on the floor of the Senate, when the Senator from California [Mr. KNOWLAND] asked him a question about who made the charges, or formulated them.

I now yield to the Senator from Vermont.

Mr. FLANDERS. Mr. President, to keep the RECORD clear, with respect to the charges which I formulated, I am not a lawyer, and they were not in satisfactory form for a committee working on a semilegal basis to use. So I did have them turned over to a group of lawyers whom Mr. Hoffman in part, without question, paid for. I have always supposed that he did, but I did not quite know. I assume that he did. It was for legal services that those men were engaged and worked. But every one of my speeches was written—not dictated, but written in my own hand, on long sheets of yellow paper that are found in every Senator's office.

May I say another word, in friendliness to the Senator from Wisconsin——

Mr. McCARTHY. Would the Senator name the lawyers who took part?

Mr. FLANDERS. I never even knew their names.

Mr. McCARTHY. Did the Senator know the names of the writers who were in the Carroll Arms, writing the material?

Mr. FLANDERS. They did not write anything I delivered.

Mr. McCARTHY. Correcting it?

Mr. FLANDERS. They did not correct anything that I wrote.

I merely wish to say a word of friendliness to the junior Senator from Wisconsin. I have respected him. I have had admiration for him. I had had and do have affection for him, and I am the sorriest person in this Chamber that this subject should arise again.

Mr. McCARTHY. Merely out of curiosity—it has nothing particularly to do with this case, but I am wondering, in view of the fact that we now agree that Paul Hoffman had a hand in this matter—who the writers were, and who the lawyers were who either reviewed or corrected, or in any way helped to draft this material.

Mr. FLANDERS. I do not know. I may say that some word was passed 2 years ago on this floor with regard to a beautiful blond who occupied a room over in a hotel not far away.

With regard to that beautiful blond, let me say that she brought the material over. I never made personal contact with any one of the men engaged in the work; and I thought the arrangement was quite satisfactory.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield for a moment?

Mr. McCARTHY. I yield.

Mr. JOHNSON of Texas. We are unable to hear over on this side. As I understood the Senator, his contact was confined entirely to a beautiful blond.

Mr. FLANDERS. She was a go-between.

Mr. McCARTHY. If the Senator does not know the names of the men who used this blond messenger in their dealings with the Senator, perhaps Paul Hoffman knows their names. He was evidently instrumental in hiring them. I have heard some reports about the unusual characters who were employed by him, who had space at the Carroll Arms. I wonder if, before the vote comes on the nomination of Paul Hoffman, the Senator from Vermont would call Mr. Hoffman's office and ask him to give the names of the people whom he employed in this project. It might enlighten the Senate about the character and background of Paul Hoffman. I wonder if the Senator from Vermont would not go to the telephone—charging it to my office—and call Mr. Hoffman and ask him to give those names.

Mr. FLANDERS. I appreciate the suggestion that I charge the call to the Senator's office, because unfortunately, when I got up this morning I changed my trousers and left every bit of money that I had on my person on top of the chiffonier.

Mr. JOHNSON of Texas. Mr. President, this is becoming very revealing. [Laughter.] May we have order? Where did the Senator say he left his money?

Mr. FLANDERS. On top of my own chiffonier, in my own house.

Let me say to the junior Senator from Wisconsin that, except as we get a little fun out of this, I would rather not dig into those days. In my mind they have gone. I have drawn a veil over them, and the junior Senator from Wisconsin is to me as though they never existed.

Mr. McCARTHY. I believe that veil conceals a great many things that will one day come to light. But now I shall proceed.

Hoffman has ridiculed, disparaged, and lied about the efforts of patriotic, private citizens to rid our society of Communist influence; yet the Republican Party has consistently championed the efforts of the American people to combat Communist subversion.

I may say that this is no reflection upon the Democratic Party. There are some men on the other side of the aisle for whom I have the highest respect, and who, I sincerely hope, may spend a considerable period of time in the Senate. I do not give the number.

Hoffman has stood for a policy of softness toward the Soviet Union, Red China, and the rest of the Communist empire, while a cardinal principle of republicanism is that our fight against Soviet imperialism must be uncompromising, unyielding, and unrelenting.

And yet with all the distinugished Americans who are available and qualified to serve the United States in a diplomatic capacity, and who thus might have been appointed by the administration, Paul Hoffman is selected for the job.

I have no apology to make for opposing the Eisenhower administration on this matter. My party affiliation only intensifies my judgment that the Hoffman appointment is an assault on the sensibilities of the American people. For the appointment is also a calculated rebuff to republicanism—perpetrated, if you please, by the men who surround Dwight Eisenhower. Frankly, Mr. President, I wonder whether President Eisenhower knows what he is doing in this case.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. McCARTHY. I am glad to yield.

Mr. BUTLER. Does the Senator know whether Paul Hoffman is a member, as of this day, of the Committee for a More Effective Congress?

Mr. McCARTHY. As I understand it he has contributed a sizable amount of money to it, and may still be a member of that committee. That committee, incidentally, has contributed money to the opponent of the Senator from Maryland. That opponent of the Senator has one of the worst records of any man who has ever been in the Senate. He is Millard Tydings.

Mr. BUTLER. That committee is also contributing money to defeat other Republican Senators; is that correct?

Mr. McCARTHY. That is correct. He is the man whose nomination we are asked to confirm. But I would not for a

moment suggest that the argument against Paul Hoffman is only that he is offensive to the Republican Party. The whole country is outraged over this appointment—Republicans and Democrats alike. The American people are well aware of the record that I documented in my speech last week, and that has been further documented on the floor today. The American people know that during that critical period in our history when Americans were attempting to hurl back the challenge of Communist subversion, Paul Hoffman ran about the country proclaiming that a reign of terror was being perpetrated by the anti-Communists. The American people watched, with amazement and disgust, the spectacle of a well-known American insisting that anticommunism means "totalitarianism," that it means "thought control," that it means "conformity," that it means "Ku Klux Klanism"—to use Mr. Hoffman's latest phrase.

The American people listened to Hoffman's hysterical rantings about an anti-Communist "hysteria" in this country. They listened to the Fund for the Republic's untruthful propaganda campaign to persuade Americans that our civil liberties are threatened more by anti-Communists than by Communists, and they know that Hoffman was chairman of the board of the Fund To Destroy the Republic. The American people heard Hoffman proclaim that "academic people are now coming out of their foxholes" since the anti-Communist "reign of terror" has abated. They heard these and countless other charges designed to undermine and destroy those who were attempting to fight communism.

The American people listened to Paul Hoffman's line and became sickened by it, precisely because they were hearing the same line, ad nauseum, from the Communist Daily Worker and from the Communist magazine, Political Affairs. They knew that Hoffman's harangues had the same content as the party line which was packed, sealed, and delivered from Moscow.

I have never maintained that Paul Hoffman is a Communist, but judging by his line, I would say that he often appears to be cheating the Communist Party out of dues.

It is often impossible to distinguish a speech by Paul Hoffman on the internal Communist menace from an editorial on the same subject in the Communist Daily Worker. The American people have never been able to make that distinction, and that is why my office, and the offices of other Senators, as I understand it, have been deluged by protests against this appointment.

The charges I am now making against Hoffman were documented in my speech of last week, which I earnestly urge anyone who has any doubts about them to study. Also, in that speech, I devoted many pages to documenting Hoffman's handling of the security problem in his own department while he was head of the ECA. I shall review only the highlights of that situation today.

The uncontroverted record shows that in the spring of 1949 Hoffman was personally advised by one of his top assistants, Mr. Peter Hoguet, that another of his top assistants, Mr. Theodore Geiger, had been named under oath as a member of the Communist Party. The information concerning Geiger was called to Hoffman's attention because, as the ECA Administrator, Hoffman was forbidden by law to employ a man who was or had ever been a member of the Communist Party. The uncontroverted record shows that Hoffman completely disregarded the information about Geiger, that instead of investigating Geiger and firing him, he immediately sought the resignation of the man who had brought the matter to his attention. Geiger was not separated from ECA until over a year later, and this was accomplished only after powerful representations by the McCarran watchdog committee. I am not advising the Senate either that Theodore Geiger was, or that he was not, a Communist. For our purposes today, that is unimportant. The points are that Hoffman had the strongest kind of prima facie evidence that he was employing, in a highly critical position in his department, a man who had been a Communist; and that he was forbidden by law to do so. In this instance Hoffman showed a contemptuous disregard for the security program of the United States Government and for the laws enacted by the United States Congress.

Now let me turn to another aspect of Hoffman's career which I did not deal with last week, and which I regard as perhaps the most damning evidence against him.

The Senators will recall that late in 1948 the Republic of China was on the verge of military collapse, thanks to the refusal of the Truman administration to send military aid to Free China in its fight against the Communists. Possibly, even at that late date, China could have been saved if our policy had been drastically reversed; but a reversal was out of the question after November 1948, when Harry Truman was reelected to the Presidency. Given our policy of not aiding Chiang Kai-shek militarily, the collapse of Free China's opposition to the Chinese Reds was then only a matter of time. This was well-known throughout the world—and most particularly, it was well-known to Paul Hoffman, who was then one of the top officials in the United States Government.

Hoffman knew, moreover—as did the rest of the world—that the time was long past when it was possible for the Free Chinese to join the Communists in a coalition government. Chiang had not only adamantly refused to be led into this trap; his government was so weak by that time that the Nationalists would have been incapable of maintaining an independent position within a coalition government. Thus, at that time, the only alternative to the Kuomintang was a government completely dominated by the Communists.

This was the situation in December of 1948 when Paul Hoffman made a trip to China.

Mr. President, I wish to invite the attention of the very able Senator from California [Mr. KNOWLAND] to the documentation in the next paragraph of my speech.

On December 13, 1948, in Shanghai, Hoffman as ECA Administrator, solemnly proposed that American aid to China be continued even after Chiang fell—that American aid should be given, that is to say, after the Reds had taken over. I call to the Senators' attention the New York Times of December 14, 1948. The headline at the top of page 1 states, "Hoffman Pledges Aid to a Coalition With Reds in China"; the article being as follows:

> Paul G. Hoffman, Economic Cooperation Administration chief, today pledged the continuance of aid to China even if the present government falls, as long as the essential freedoms are preserved.

Now, I shall deal in just a moment with the silly qualification that Hoffman tied to his proposal—namely, that "essential freedoms" would have to be observed by the Chinese Communists. But first let me turn to the New York Times of the following day, to another front page story that helps put Hoffman's views in their proper perspective. Here the headline is "Hoffman Talk Disavowed—United States Policy Remains Unchanged." And the article states:

> The State Department sought to make it clear that Economic Cooperation Administrator Paul G. Hoffman spoke for himself alone rather than for this Government in pledging continued aid to China if the present government were supplanted by a coalition regime.

In other words, Hoffman's fantastic proposal was repudiated even by the State Department—if you please, the Marshall State Department. Even George Marshall—himself an experienced practitioner of appeasement of the Chinese Reds—could not stomach this astounding proposal by Hoffman to send direct American aid to the Chinese Reds. Hoffman, in other words, out-Marshalled Marshall. Yet the very man whom Marshall, and presumably Truman, thought had gone too far toward appeasing Red China, is now being proposed by the Eisenhower administration as our delegate to the United Nations. Is it any wonder, Mr. President, that the American people are dumfounded by this appointment?

Now let us look a little more closely at Mr. Hoffman's proposal that we aid Red China. Hoffman said that we should give American aid to a coalition government, which would inevitably be dominated by the Communists—provided essential freedoms were observed by the Communists. Now this statement permits 1 of 2 conclusions: Either, first, Paul Hoffman knew perfectly well, as he certainly ought to have known, that the observation of essential freedoms by a Communist regime was inconceivable, in which case his talk about essential freedoms was eyewash designed to make more palatable a deliberate policy of aiding communism; or, second, Hoffman really believed that it was possible that the Chinese Communists would permit free speech and a free press, and other freedoms, in which case Hoffman reveals himself as abysmally ignorant of even the most elementary facts about com-

munism. In either case Hoffman cannot be considered qualified to represent this country in an important diplomatic capacity.

Whether he is pro-Communist or is ignorant about communism, he is not fit for the job to which he has been appointed. Whatever his motivations, Hoffman has shown himself to be a valuable asset to our enemies; he is thus a man in whom it is absolutely impossible to repose confidence as an official representative of the United States Government.

It is said that Paul Hoffman is opposed to admitting Red China to the United Nations. According to his supporters, Hoffman has said that he is opposed to admitting Red China, and that apparently is good enough for them. Well, Mr. President, it is not good enough for me.

I am aware that Hoffman said recently in New York—in the same speech, incidentally, in which he equated anticommunism with Ku Klux Klanism—that he was personally opposed to admitting Red China to the U. N. I interpret this as nothing more or less than an attempt by Hoffman to buy a seat at the United Nations. He desperately wants this job. Paul Hoffman has been out of the official limelight for some time, and he cannot stand it. If misleading the American people about his real views on Red China is the price he must pay for the United Nations seat, then I believe that he is perfectly prepared to mislead the American people on that issue, even as he has so outrageously tried to mislead them in his discussions of Communist subversion and the civil-liberties problem.

As I see it, the best evidence as to how Hoffman feels about Red China is to be got, not from the self-serving statements of a man who is trying now to appease his enemies, but from the deeds of that man when he was riding high in national power and could afford to announce his views without fear of popular reprisals. In 1948 Hoffman attempted to commit this Government to a policy of building up Red China with American dollars and thus consolidating Communist rule over hundreds of millions of human beings. In 1956, when a job is coming up which requires at least verbal opposition to Red China, he protests that he is not in favor of admitting that regime to the United Nations. I leave it to the Senate to decide on which occasion it is more likely that Hoffman was expressing his real views about Red China, and on which occasion he was concealing them.

Whether I express the sentiments of the Senate in voicing opposition to Paul Hoffman, I do not know. That will be known when the vote is in.

I am very much disturbed that my Democrat friends, under whose administration Paul Hoffman served, and the Eisenhower Republicans, a number of whom will go along at all costs, will combine to confirm the nomination of Hoffman by a sizable vote.

But I am supremely confident that I express the sentiments of the vast majority of the American people. They have had quite enough of Paul Hoffman's shadow boxing with communism—of his practice of attacking communism with broad generalities at the same time he is vigorously supporting concrete policies that aid communism. They want none of this in the future—at least not with the official sanction of the United States Government. I assure you, Mr. President, the American people want this appointment rejected.

I sincerely hope the Senate will reject the nomination, but for the reasons I have heretofore stated I fear very much that it will not.

In recent weeks I have observed very unusual activities on the floor of the Senate and in the Committee on Appropriations. I have seen Senators whom I have considered to be among our most responsible legislators vote to have the United States send some 300 jet planes to Yugoslavia. They voted to send Tito planes, knowing that Tito has declared that Communist Yugoslavia and Communist Russia are now firm allies.

So, frankly, I cannot be too confident about the prospects of the Senate rejecting the Hoffman appointment.

During the delivery of Mr. McCARTHY's speech:

Mr. JOHNSON of Texas. Mr. President, I wonder if the Senator from Wisconsin will yield in order that I may make an announcement?

Mr. McCARTHY. I yield, with the understanding that the announcement will appear in the RECORD at the end of my remarks.

Mr. JOHNSON of Texas. Mr. President, I understand the Senator has several minutes remaining, and there are other Senators who desire to address themselves to this subject. I have received many inquiries from Members on my side of the aisle as to whether we would have a yea-and-nay vote on this question this evening. If it is agreeable to the Senator from Wisconsin, he might proceed, with the understanding that he will have the floor tomorrow morning. I announce to all Members that we shall not have a yea-and-nay vote tonight, and that other Senators who are interested in speaking can make their statements tomorrow.

Is that agreeable to the Senator from Wisconsin?

Mr. McCARTHY. Mr. President, may I say to the Senator from Texas that I think his suggestion is an excellent one, in view of the fact that the vast number of Members on the other side of the aisle are going to attend a testimonial dinner for the distinguished Senator from Georgia [Mr. GEORGE] tonight. For that reason I shall not yield further, but shall finish the brief remarks which I have remaining. If any Senator wishes to ask any questions or to question what I have said, I shall take the floor in the morning for that purpose.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Wisconsin may complete his statement and occupy the floor following the morning hour tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

As in legislative session,

The PRESIDING OFFICER (Mr. PAYNE in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 3903) to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase the amount authorized to be appropriated for purposes of title I of the act, and for other purposes, which was to strike out all after the enacting clause and insert:

That section 103 (b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (Public Law 480, 83d Congress), is amended by striking out "$1,500,000,000" and inserting in lieu thereof "$3,000,000,000."

SEC. 2. (a) Section 304 of the act is amended by adding the following new sentence at the end thereof: "Nothing in this or any other act shall be construed as authorizing transactions under title I or title III with the Union of Soviet Socialist Republics or Communist China or North Korea, or with any other nation or area which is not a 'friendly nation' as defined in section 107 hereof."

(b) The commodities disposed of under this act must be in addition to sales of such commodities in world trade through normal channels at competitive prices for dollars.

SEC. 3. Sales of fresh and frozen fruit and the products thereof from privately owned stocks under title I of the act shall be exempt from the requirements of the cargo preference laws (Public Resolution 17, 73d Congress (15 U. S. C. 616a) and section 901 (b) of the Merchant Marine Act, 1936 (46 U. S. C. 1241 (b)), excepting for such shipments as the Secretary of Commerce shall have made a finding that American flag cargo vessels are available and qualified to make.

SEC. 4. Section 201 of the act is amended by inserting after the word "urgent" wherever it occurs in said section the words "or extraordinary."

Mr. ELLENDER. Mr. President, I move that the Senate disagree to the amendment of the House of Representatives, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ELLENDER, Mr. JOHNSTON of South Carolina, Mr. HOLLAND, Mr. AIKEN, and Mr. YOUNG conferees on the part of the Senate.

AUTHORITY FOR ARMED SERVICES COMMITTEE TO FILE REPORTS

As in legislative session,

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Committee on Armed Services may have until midnight tonight to file reports on bills on which they have acted today.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today

it stand in recess until 9:30 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUSTRALIAN PROPOSAL FOR INTERNATIONALLY SUPERVISED POLISH ELECTION

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a cabled proposal by Australian parliamentary officials for an internationally supervised Polish election, a copy of which was sent to the Senator from Georgia [Mr. GEORGE], chairman of the Committee on Foreign Relations, by the Senator from Mississippi [Mr. EASTLAND], chairman of the Subcommittee on Internal Security of the Committee on the Judiciary, together with the letter of transmittal.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JULY 5, 1956.

Hon. WALTER F. GEORGE,
Chairman, Foreign Relations Committee,
United States Senate,
Washington, D. C.

DEAR MR. CHAIRMAN: The Honorable William C. Wentworth, Member of the Australian Parliament and member of the Parliamentary Foreign Affairs Committee, has transmitted the enclosed cable to Robert Morris, chief counsel of the Senate Internal Security Subcommittee. Inasmuch as it bears on matters related to our foreign polity, I am transmitting herewith a copy of this cable, with the request that you place it before the Senate Foreign Relations Committee.

The Australian Parliamentary Affairs Committee is made up of 13 members. The fact that 12 of these members have signed the within cable would indicate that their sentiments represent committee thinking.

Very sincerely yours,
JAMES O. EASTLAND,
Chairman, Internal Security Committee.

SYDNEY, *July 3, 1956.*

ROBERT MORRIS,
Chief Counsel, Committee on the Judiciary, United States Senate, Washington, D. C.:

Twelve members of Parliamentary Foreign Affairs Committee including myself have signed the following statement for press. Statement begins:

"The massacres and mass arrest in Poznan show that Poland is still a police state whose people are kept in subjection to totalitarian terror.

"Public comment from Communist leaders in other Soviet satellites to the effect that the Polish uprising proved the need for greater party vigilance is at least an indication that this is still the normal method of government throughout the Communist world.

"The new leaders in the Kremlin now profess penitence for the misdeeds of the criminal Stalin. It should be remembered that Stalin's greatest crimes were committed, not against the Russian people, but against neighboring free people, particularly Poland, who were enslaved by force of Russian arms, and have been kept in subjection by violence and electoral fraud.

"The Kremlin confessions regarding Stalin's activities constitute new evidence justifying the reopening of the Polish case of 1945.

"Surely there is some international organization which will support the principle of free and properly supervised elections in Poland.

"The Poznan uprising proves—if any further proof were needed—that there are still Poles who are willing to sacrifice their lives for their nation.

"The free world should not sit on the sideline while the unctuously penitent men in the Kremlin proceed to repeat Stalin's crimes of 1945 and apply the jackboot to Poland once again.

"We must protest against Communist methods and develop our protest into an effective demand for free elections in Poland.

"Meanwhile the press and radio of the world should not relax its efforts to expose the administrative and judicial terror being employed against the Polish people.

"We should demand the fullest and most factual account of the happening, and if press correspondents are denied freedom of movement in Poland and freedom of access to the accused, the world should know about it and protest accordingly.

"The methods adopted by the Communist authorities in Poznan throw a lurid light on the insincerity of the Kremlin much-advertised change of heart."

WENTWORTHSY.

HELLS CANYON ASSOCIATION

Mr. NEUBERGER. Mr. President, with an epic legislative struggle now drawn to a close, I want to speak briefly about the dedicated men and women who formed the first Hells Canyon Association nearly 8 years ago, to save for posterity the finest waterpower site left in our Nation.

They did this without substantial funds and without the other needed appurtenances of such an undertaking. They raised money among farm groups, trade unions, outdoor associations, conservation organizations, sportsmen's groups, and similar organizations throughout America, because their cause appealed to such altruistic people. Most of it was money contributed in comparatively small amounts. Indeed, they carried on this fight for 8 years with fewer funds than have been expended by the private-power companies on just one single nationally placed advertisement attacking the high dam at Hells Canyon.

These people have succeeded, at least up until now, in clinging tenaciously to this priceless water resource because of the qualities of faith, courage, intelligence, and the natural ingenuity which Americans at the grassroots happily often possess.

As a Senator, I feel a sense of guilt that some of my senatorial colleagues and I in this cause have received much attention, and these people comparatively little. It should be the other way around. Yet they have the great personal satisfaction of knowing that they have fought the good fight, that they have not surrendered, and that at the end—whatever that ultimate end may be—their flag was still flying proudly from the halyards.

The people to whom I refer are not those in public life who have provided the legislative leadership in the battle to save Hells Canyon Dam. It is proper that full recognition be given to the time, thought, and tireless energy which has been given in behalf of the high dam by such Members of this body as the distinguished chairman of the Senate Interior and Insular Affairs Committee [Mr. MURRAY]; his able chairman of the Subcommittee on Irrigation and Reclamation [Mr. ANDERSON]; my colleague, the senior Senator from the State of Oregon [Mr. MORSE]; the senior and junior Senators from the State of Washington [Mr. MAGNUSON and Mr. JACKSON]; the junior Senator from the State of Montana [Mr. MANSFIELD], and the other able and outstanding Members of the Senate who have worked for and supported the Hells Canyon Dam project. But, it is equally proper to pay tribute to the people not in public life who have fought the skirmishes against the forces of entrenched wealth which covet the priceless resources of the Snake River.

Mr. President, there are many ways to pioneer. There are those who face the uncharted wilderness in search of new goals. There are those who—with equal courage—face the risks of economic retaliation which comes from opposing the power of wealthy interests. It is those people of whom I speak today.

After making a beginning, in Baker, Oreg., a group of citizens from the States of Oregon, Washington, and Idaho gathered in 1951 to form the Idaho-Oregon-Washington Hells Canyon Association. This group included such persons as Byron Brinton, a newspaper editor in Baker; Albert C. Ullman, a builder and real estate man; Elmer McClure, master of the Oregon State Grange; James Donart, a lawyer of Weiser, Idaho; George H. R. Taylor, a writer from Boise, Idaho; Charles Baker, a businessman from Walla Walla, Wash.; Herb Howe, a merchant from Lewiston, Idaho; Richard Schaefer, a Lewiston lumber dealer; W. Lloyd Tupling, a Boise newspaper publisher; Howard Fleming, a Mountain Home, Idaho, auto dealer; Harold Haller, a merchant, of Enterprise, Oreg.; Don McKinnis, a farmer of LaGrande, Oreg.; Joe DeWuhs, a farmer from Union, Oreg.; the late Judge Sewell Stanton of Ontario, Oreg.; Clark Hamilton, a Weiser merchant; Harry Nelson, Twin Falls insurance man; George McKinnon, a union official; the late Ed Jamieson, Nyssa farmer; Sam Fretwell, Parma, Idaho, farmer; Clinton Sincleir, Wallowa County, Oreg., builder; Charles Clapp, Weiser hotel man; Guy Graham, an Idaho legislator; Asher Wilson, Twin Falls farmer; Mrs. GRACIE PFOST, then a Nampa, Idaho, businesswoman and now a distinguished Member of the House of Representatives; Charles Kaschmitter, a Cottonwood, Idaho, farmer; Bill Hudleson, a Union, Oreg., farmer; Francis Miller of Elgin, Oreg.; Mrs. Mae Bateman, a Lewiston, Idaho, school teacher; Maynard Kendall, a Lewiston union official; Dr. Paul Eke of the University of Idaho; John G. Jones, a radio station manager of LaGrande, Oreg.

In later years, the ranks of the people fighting to preserve the priceless water resource at Hells Canyon were strengthened by others who took up the struggle in various capacities. There was a body of conservationists which included Dr. Ira N. Gabrielson, former chief of the Fish and Wildlife Service; the late, great author and journalist, Bernard DeVoto;

Spencer Smith, of the Citizens Committee on Natural Resources; Lyle F. Watts, former illustrious chief of the United States Forest Service; and countless others.

After Secretary of the Interior McKay withdrew the opposition of the Federal Government to the small dams of the Idaho Power Co., the battlelines shifted to the legal sphere. People who had spent many years in support of the high dam, like C. Girard "Jebbie" Davidson, of Portland, Oreg.; Mrs. Evelyn Cooper, Lucien Hillmer, and Inge Kaiser, of Washington, D. C.; Roy Bessy, of Portland, Oreg.; took up the legal struggle before the Federal Power Commission.

It was at this point that the Hells Canyon fight expanded to a nationwide effort under the leadership of men like James T. Marr, of the Oregon Federation of Labor; Gus Norwood, of the Northwest Public Power Association; Ken Billington, of the Washington P. U. D. Association; Lars Nelson, of the Washington State Grange; C. W. Riddell, Owen Hurd, and Vince Cleaveland, of the Washington PUD Association; Lee Wooden, of the Oregon REA Association; Elmer McClure and Ray W. Gill, of the Oregon Grange; Ed Weston, of the Washington A. F. of L.; Harley Libby, of the Oregon Farmers Union; Hy Myer, of the Washington PUD; George Brown, of the Oregon State Industrial Union Council; Eric Johnston, of the Oregon REA Association; Frank Stewart, Kirby Billingsley, and Wilfred Woods, of Wenatchee, Wash.; Ora M. Beasley, of the Idaho REA Association; George Lackman, of the Montana REA Association; Don Reed, of the Baker County Commercial Club; James S. Umber, of the Montana State Federation of Labor; L. E. Egan, International Union of Operating Engineers; Dan Jolly, Washington P. U. D. Association; W. R. Armstrong, Idaho REA Association; John George, Idaho REA Association; Jess Bell, Oregon CIO; Harold Slater, Washington CIO; William E. Riggs, International Brotherhood of Pulp Sulphite and Paper Mill Workers; Ralph Ethier, Washington REA Association; John O'Neill, Sheet Metal Workers International Association; Charles J. Smith, United Steelworkers of America; Al F. Hartung, president of the International Woodworkers of America, CIO; Volney Martin, Portland Building Trades Council.

Mr. President, there were countless others who gave of their time, energy, and money to hold the lines at Hells Canyon. The leaders of many national organizations took leading roles in this fight. Included in the groups who gave their support to the objectives of the Hells Canyon Association were: American Federation of Labor; Congress of Industrial Organizations; the many railroad brotherhoods; American Public Power Association; National Rural Electric Cooperative Association; and many others.

Mr. President, the roll of Hells Canyon advocates which I have enumerated is lengthy. There are many, many others who, through oversight on my part, I may not have mentioned; but their names and their dedicated efforts will be known to others who have fought the good fight.

These are not the names of famous people, Mr. President. They are the names of average men and women, who have lived by an ideal. That ideal is our obligation to the next generation of Americans. They have been motivated by the doctrine of the great Pinchot, who founded our system of forest reserves, when he said:

> The earth, I repeat, belongs of right to all its people, and not to a minority, insignificant in numbers but tremendous in wealth and power. The public good must come first.
>
> The rightful use and purpose of natural resources is to make all the people strong and well, able and wise, well-taught, well-fed, well-clothed, well-housed, full of knowledge and initiative, with equal opportunity for all and special privilege for none.

Mr. President, I salute the citizens whose names I have enumerated here on the Senate floor today. The towering high dam might have been the monument to the courage and idealism of these Americans, who have fought the Hells Canyon fight. But there are other monuments, too—monuments not of concrete and steel, but monuments which endure in the hearts of other human beings.

Many generations from now, when this verdict on the Senate floor will be history, a future era of men, women, and children in the great Pacific Northwest will remember the people who organized the National Hells Canyon Association and battled against overwhelming odds and adversity to save a great natural resource.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. MORSE. I wish to join my colleague in paying tribute to the fine men and women he has just mentioned, who have done such a great public service in their fight for a high Hells Canyon Dam. I am sure that they, as well as the Senators from Oregon, Washington, Montana, and the other Senators who support the people's dam are perfectly willing to let time and future events, and the voters themselves, be the judges of their and our course of action.

Mr. NEUBERGER. And I know those people feel a sense of debt and gratitude to the long and heroic fight made by the senior Senator from Oregon.

Mr. MORSE. It was a fight which could not have been made without the partnership of my colleague, who has always been out in the forefront in the fight for this high dam.

Mr. NEUBERGER. I thank the Senator.

From this episode, we can predict that the residents of our region in the future will learn either how to protect their natural heritage, or of the vast and powerful forces pitted against those who dare to wage this battle.

In the white wastes of Antarctica, over the last resting place of a noble and valorous man, Comdr. Robert F. Scott, of the Royal Navy, stands a cross. On that cross is inscribed a stirring verse by Alfred Lord Tennyson. I think of it today, as I pay tribute to the men and women who did not yield or surrender in the Hells Canyon fight:

> To strive, to seek, to find
> And not to yield.

WISCONSINITES URGE PASSAGE OF "PAYMENT IN LIEU" BILL

Mr. WILEY. Mr. President, for many years I have pointed up the problem of local governments who find that much of their tax base has been lost because of the presence of federally owned real property within their area.

The net result is that local governments find it extremely hard to meet their financial obligations and, in turn, they must place an extra heavy tax burden on private taxpayers in the area.

I have long urged, therefore, the enactment of legislation providing for reasonable payments by Uncle Sam in lieu of local taxes.

I feel that this procedure is necessary in order to preserve the financial soundness of local governments. Too often, localities have been deprived of the wherewithal to secure revenue to meet their own needs. Fortunately, there has now been reported from the Senate Government Operations Committee, S. 4183, known as the "payment in lieu bill."

I have received messages from numerous mayors in my State urging enactment of this legislation, and I should like to express my agreement with them. It is my hope that this bill can be passed by the Senate, and that it can be enacted into law before the end of the current session of Congress.

I send to the desk the texts of these representative messages, and ask unanimous consent that they be printed at this point in the body of the RECORD.

There being no objections, the communications were ordered to be printed in the RECORD, as follows:

CITY OF MANITOWOC, WIS., *July 17, 1956.*

HON. ALEXANDER WILEY,
United States Senator,
Washington, D. C.

DEAR SENATOR: I understand that bill S. 4183, known as the payment in lieu bill, is presently before the Senate, and that a vote is expected on the bill before Congress adjourns.

This bill definitely should be passed by both Houses.

We, here in Manitowoc, are confronted with a situation involving special assessments on Government-owned lots in the Custerdale housing project. About 3 years ago the Government sold the 400 units with the necessary land for each unit, but did not sell the vacant lots but were kept in the Government's possession. Since that time, numerous special assessments have been charged to these vacant lots, but the city cannot collect.

I took this matter up with our city attorney about 6 months ago, and we decided that in order to protect the city's interests in these special assessments, we place a lien against all the lots that are owned by the Government. Notice was sent to the Public Housing Administration office having charge of the lots, and they have agreed that when any of the lots were sold, they would notify the purchaser of the special assessments against the property, and which would have to be paid before a clear title could be had on the land.

Hoping for your favorable support on this very vital bill, I remain,

Respectfully yours,

WALTER G. KOEPKE, *Mayor.*

MADISON, WIS., *July 17, 1956.*
Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D.C.:

Please support for passage in this session S. 4183 authorizing Federal payments to local governments of taxes and special assessments on federally owned property. Large amounts of tax-exempt Air Force and other Federal properties located within this city make this bill of considerable financial importance to Madison.

IVAN A. NESTINGEN,
Mayor.

RIVER HILLS, WIS., *July 17, 1956.*
Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D.C.:

The village of River Hills is heartily in favor of and pleads your support of the payment in lieu bill S. 4183 if provisions are just and its passage will be endorsed by your constituents at the present time any community having within its federally occupied land is heavily and unjustly penalized through removal from the tax rolls of Government property and the providing of services and improvements at no expense to the Government but at great expense to the community.

A. J. KIECKHEFER,
President, Village of River Hills.

WISCONSIN RAPIDS, WIS., *July 16, 1956.*
Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D.C.:

Approve passage of payment in lieu bill S. 4183.

CITY OF WISCONSIN RAPIDS,
NELS M. JUSTESON, *Mayor.*

NEW RICHMOND, WIS., *July 16, 1956.*
Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D.C.:

Respectfully request your support payment in lieu bill S. 4183 giving municipalities much-needed relief.

PAUL O. SWENDY,
Mayor of New Richmond, Wis.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, July 19, 1956, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 1358. An act to authorize modification of the flood-control project for Missouri River agricultural levee unit 513–512–R, Richardson County, Nebr.;

S. 1384. An act to provide for the reconveyance of all mineral interests in lands acquired by the United States for certain reservoir projects to former owners thereof, and for other purposes;

S. 2092. An act transferring to the jurisdiction of the Department of the Army the bridge across the Missouri River between the Fort Leavenworth Military Reservation in Kansas and Platte County, Mo., and authorizing its removal;

S. 2280. An act to amend the Longshoremen's and Harbor Workers' Compensation Act, as amended, to provide increased benefits in case of disabling injuries, and for other purposes;

S. 2305. An act to exclude certain lands from Acadia National Park, Maine, and to authorize their disposal as surplus Federal property;

S. 2424. An act to provide that lock and dam numbered 17 on the Black Warrior River, Ala., shall hereafter be known and designed as the John Hollis Bankhead Lock and Dam;

S. 2517. An act to amend subsection 3 (a) of the act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska;

S. 2711. An act to authorize medals and decorations for outstanding and meritorious conduct and service in the United States Merchant Marine, and for other purposes;

S. 2895. An act to amend the acts of February 28, 1903, and March 3, 1927, relating to the payment of the cost and expense of constructing railway-highway grade elimination structures in the District of Columbia;

S. 3032. An act granting the consent and approval of Congress to the Middle Atlantic Interstate Forest Fire Protection Compact;

S. 3120. An act to amend the Soil Conservation and Domestic Allotment Act, as amended;

S. 3180. An act to amend title 28 of the United States Code to authorize the appointment of two United States commissioners for Cumberland Gap National Historical Park;

S. 3246. An act to increase the amount authorized for the erection and equipment of suitable and adequate buildings and facilities for the use of the National Institute of Dental Research;

S. 3344. An act to authorize the Secretary of Agriculture to convey to the Territory of Alaska certain lands in the city of Sitka, known as Baranof Castle site;

S. 3388. An act to provide for the conveyance of certain real property of the United States to the port of Port Townsend, Wash.;

S. 3397. An act to amend section 3 of the act of May 19, 1947 (ch. 80, 61 Stat. 102), as amended, for the purpose of extending the time in which payments are to be made to members of the Shoshone Tribe and the Arapahoe Tribe of the Wind River Reservation, in Wyoming, and for other purposes;

S. 3412. An act to extend the provisions of title XIII of the Civil Aeronautics Act of 1938, as amended relating to war-risk insurance for an additional 5 years;

S. 3482. An act to provide for transfer of title of certain lands to the Carlsbad Irrigation District, New Mexico; and

S. J. Res. 182. Joint resolution to extend the time for filing the final report of the Commission on Government Security to June 30, 1957, and for other purposes.

RECESS UNTIL 9:30 O'CLOCK A. M. TOMORROW

Mr. KNOWLAND. Mr. President, in executive session, and pursuant to the order already entered, I move that the Senate stand in recess until 9:30 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 6 minutes p. m.) the Senate, in executive session, took a recess, the recess being, under the order previously entered, until tomorrow, Friday, July 20, 1956, at 9:30 o'clock a. m.

NOMINATION

Executive nomination received by the Senate July 19 (legislative day of July 16), 1956:

FARMERS' HOME ADMINISTRATION

Kermit H. Hansen, of Iowa, to be Administrator of the Farmers' Home Administration.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 19 (legislative day of July 16), 1956:

UNITED NATIONS

The following-named persons to be representatives of the United States of America to the 11th session of the General Assembly of the United Nations:

Henry Cabot Lodge, Jr., of Massachusetts.
William F. Knowland, of California.
Hubert H. Humphrey, of Minnesota.
Ellsworth Bunker, of Vermont.

The following-named persons to be alternate representatives of the United States of America to the 11th session of the General Assembly of the United Nations:

James J. Wadsworth, of New York.
Richard Lee Jones, of Illinois.
Frank C. Nash, of the District of Columbia.
Edward S. Greenbaum, of New Jersey.
Mrs. Oswald B. Lord, of New York.

UNITED STATES COURT OF CUSTOMS AND PATENT APPEALS

Noble J. Johnson, of Indiana, to be chief judge of the United States Court of Customs and Patent Appeals.

Giles S. Rich, of New York, to be associate judge of the United States Court of Customs and Patent Appeals.

COMMISSION ON INCREASED INDUSTRIAL USE OF AGRICULTURAL PRODUCTS

The following-named persons to be members of the Commission on Increased Industrial Use of Agriculture and Agricultural Products:

George Henry Coppers, of New Jersey.
Karl Douglas Butler, of New York.
Charles R. Sayre, of Mississippi.
Frank J. Welch, of Kentucky.
J. Leroy Welsh, of Nebraska.

BUREAU OF MINES

Marling J. Ankeny, of Maryland, to be Director of the Bureau of Mines.

POSTMASTERS

ALASKA

Margaret E. White, Juneau.

ARKANSAS

Wendell R. Kimbrough, Alicia.
William E. Place, Parkdale.

CALIFORNIA

Willabelle F. Spafford, Midway City.
Chester F. Harritt, Santee.
John W. Harding, Ukiah.
Harry A. Smith, Williams.

COLORADO

Edward H. Hargraves, Creede.
Alvah L. Pearsall, Monte Vista.

CONNECTICUT

Genri M. Palmieri, Plantsville.
Joseph B. Raccone, Windsor Locks.

GEORGIA

Charles C. Fulghum, Abbeville.
John N. Waters, Arabi.

IDAHO

Wayne J. Petrie, Lewiston.

INDIANA

Edward Stucky, Berne.
Raymond R. Neal, Greencastle.
Greta J. Dixon, Kentland.
Henry Kenneth Dennis, Pekin.
Evart Julian, Winslow.

IOWA

Irvin B. Walker, Early.
Merle M. Funk, Monona.

KANSAS

Walter S. Coulter, Linwood.
Calvin C. Matteson, Manchester.

LOUISIANA

Robert A. McCormick, Houma.

MAINE

Robert H. Morse, Old Orchard Beach.
Harold K. Joy, South Berwick.

MASSACHUSETTS

Cecil B. Wheeler, Jr., Berlin.
Walter Rinki, Lunenburg.
Albert C. Coltin, Newburyport.

MICHIGAN

John Alfred Bosworth, Brighton.
Alfreda E. Swanson, Freeland.
Earl E. Secor, Imlay City.
Elizabeth M. Smith, Lennon.
John Burdette Shaft, Leslie.
George A. Malloy, Petoskey.
Edward C. Hudson, Trout Lake.

MINNESOTA

Carman J. Eeg, Gary.
Stanley A. Torgerson, Hawley.
Henry Walter Malchow, Marietta.
Ralph W. Myers, Owatonna.
Vera E. Harris, Ponsford.
Frank W. Gurno, Redlake.
Maurice A. Walline, Starbuck.
Albert L. Dyrdahl, Williams.

MISSISSIPPI

Carroll N. Yelverton, Hattiesburg.

NEBRASKA

Gerald B. Longwell, Homer.

NEVADA

Virginia M. Rowe, Ruth.

NEW JERSEY

Andree M. Schroeder, Lincoln Park.
Leora M. Wanamaker, Mahwah.
Helen H. Stryker, Ringoes.

NEW MEXICO

Edwin L. Shiplet, Jal.

NEW YORK

Fred A. Griffin, Holtsville.
Vincent J. Behm, Nedrow.
Edna H. Purcell, Waterloo.

OHIO

John R. Mericle, Bremen.
Leslie M. Taylor, Middletown.
Mary E. G. Rex, Rome.

OKLAHOMA

Donald E. Jones, Byars.
Paul O. Wright, Hobart.

PENNSYLVANIA

Clark H. Freas, Falls.
Albert F. Hilliard, Horsham.
Earl G. Smith, Mont Clare.
George Cassett, Somerset.
Herbert E. Readdy, Yeagertown.

SOUTH CAROLINA

Thomas W. Martin, Eutawville.
Shuford S. Shull, Leesville.

SOUTH DAKOTA

Lyman L. Bich, Cavour.
George H. Pryde, Keystone.

VERMONT

Carlton O. Tarbox, Orleans.
James H. Watson, Taftsville.

VIRGINIA

Harland B. Little, Jr., Blacksburg.
Lewis H. Hiscock, Church Road.

WISCONSIN

Werner F. Arnhoelter, Brillion.
John A. Wolenec, Cobb.
Arthur J. Reeths, Marshfield.
Orland L. Prestegard, Roadstown.

WYOMING

Alma F. Bissell, Evansville.

HOUSE OF REPRESENTATIVES

THURSDAY, JULY 19, 1956

The House met at 12 o'clock noon.

Rev. J. Milburn McLeod, pastor, First Methodist Church, Lakeland, Fla., offered the following prayer:

God of our fathers, who hast abundantly blessed our Nation from her beginning, we beseech Thee to continue to guide and bless us.

In the very opening moments of this session, help us to be conscious of Thy presence.

Accept, we pray Thee, our sincere thanks for all Thy blessings; forgive us of our sins, we humbly ask of Thee.

Reveal unto us, our Father, Thy will in all our deliberations, and empower us with the courage to carry it out regardless.

Within Thy universal love we would remember our loved ones and all the people of our great Nation.

Use us in the service of our fellow men that we may thereby serve Thee.

May we ever remain faithful to our sacred heritage and always be willing to accept the responsibilities that shall insure its future to generations yet to come.

Now hover over us, our Heavenly Father, in these moments we pray in the name of Him who came to reveal unto us the way everlasting. Amen.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Tribbe, one of his secretaries, who also informed the House that on July 18, 1956, the President approved and signed bills of the House of the following titles:

H. R. 2452. An act to provide for the conveyance of certain lands by the United States to the State of Wisconsin;

H. R. 11000. An act to provide for the striking of medals in commemoration of the one hundredth anniversary of the birth of the late Justice Louis Dembitz Brandeis;

H. R. 11356. An act to amend further the Mutual Security Act of 1954, as amended, and for other purposes;

H. R. 11619. An act to amend the Internal Revenue Code of 1954 and the Narcotic Drugs Import and Export Act to provide for a more effective control of narcotic drugs and marihuana, and for other related purposes;

H. J. Res. 456. Joint resolution for the relief of certain relatives of United States citizens;

H. J. Res. 569. Joint resolution to provide for a medal to be struck and presented to each surviving veteran of the War Between the States; and

H. J. Res. 616. Joint resolution for the relief of certain aliens.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed a bill and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 4203. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes; and

S. Con. Res. 86. Concurrent resolution authorizing the conferees on H. R. 1774, abolishing the Verendrye National Monument, N. Dak., to consider certain additional Senate amendments.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6040. An act to amend certain administrative provisions of the Tariff Act of 1930 and to repeal obsolete provisions of the customs laws.

The message also announced that the Senate insists upon its amendments to the foregoing bill, and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD, Mr. GEORGE, Mr. KERR, Mr. MILLIKIN, and Mr. MARTIN of Pennsylvania to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7225. An act to amend title II of the Social Security Act to provide disability insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD, Mr. GEORGE, Mr. KERR, Mr. FREAR, Mr. MILLIKIN, Mr. MARTIN of Pennsylvania, and Mr. WILLIAMS to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 3498. An act to extend the authority of the American Battle Monuments Commission to all areas in which the Armed Forces of the United States have conducted operations since April 6, 1917, and for other purposes; and

S. 3705. An act to require periodic survey by the Chairman of the Federal Maritime Board of national shipbuilding capability.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 5712) entitled "An act to provide that the United States hold in trust for the Pueblos of Zia and Jemez a part of the Ojo del Espiritu Santo grant and a small area of public domain adjacent thereto," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ANDERSON, Mr. NEUBERGER, and Mr. GOLDWATER to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 10947) entitled "An act to provide particular designations for the highway bridges over the Potomac River at Fourteenth Street in the District of Columbia," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BEALL, Mr. MCNAMARA, and Mr. ALLOTT to be the conferees on the part of the Senate.

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Gov-

ernment," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 57–2.

CALL OF THE HOUSE

Mr. DAVIS of Georgia. Mr. Speaker, I demand that the Journal be read in full, and, Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 105]

Bailey	Gathings	O'Hara, Minn.
Bell	Gordon	Passman
Bentley	Halleck	Powell
Brownson	Hébert	Priest
Burleson	Hoffman, Ill.	Prouty
Carnahan	Holmes	Scudder
Chatham	Kelley, Pa.	Short
Clark	Lane	Simpson, Pa.
Dague	McDowell	Thompson, La.
Davis, Wis.	Mollohan	Thornberry
Eberharter	Moulder	Wickersham
Gamble	Nelson	

The SPEAKER. On this rollcall 399 Members have answered to their names, a quorum.

Without objection, further proceedings under the call will be dispensed with.

Mr. DAVIS of Georgia. Mr. Speaker, I object to dispensing with further proceedings under the call.

Mr. McCORMACK. Mr. Speaker, I move that further proceedings under the call be dispensed with.

Mr. SMITH of Virginia. Mr. Speaker, I move to lay that motion on the table, and on that I demand the yeas and nays.

The SPEAKER. The question is on the motion offered by the gentleman from Virginia [Mr. SMITH].

The yeas and nays were ordered.

The question was taken; and there were—yeas 104, nays 290, not voting 38, as follows:

[Roll No. 106]

YEAS—104

Abbitt	Forrester	Patman
Abernethy	Fountain	Pilcher
Albert	Frazier	Poage
Alexander	Gary	Poff
Alger	Gentry	Preston
Andrews	Grant	Rains
Ashmore	Gregory	Richards
Barden	Haley	Riley
Bass, Tenn.	Hardy	Rivers
Bennett, Fla.	Harris	Roberts
Blitch	Harrison, Va.	Robeson, Va.
Boggs	Hays, Ark.	Rogers, Fla.
Bonner	Herlong	Rogers, Tex.
Boykin	Huddleston	Rutherford
Brooks, La.	Ikard	Selden
Brooks, Tex.	Jennings	Sheppard
Brown, Ga.	Jonas	Shuford
Broyhill	Jones, Ala.	Sikes
Carlyle	Jones, Mo.	Siler
Colmer	Jones, N. C.	Smith, Kans.
Cooley	Kilday	Smith, Miss.
Cooper	Kilgore	Smith, Va.
Cramer	King, Pa.	Spence
Davis, Ga.	Landrum	Teague, Tex.
Davis, Tenn.	Lanham	Thomas
Dies	Long	Thompson, Tex.
Dondero	McMillan	Trimble
Dorn, S. C.	Mahon	Tuck
Dowdy	Mason	Vinson
Durham	Matthews	Whitten
Elliott	Mills	Williams, Miss.
Evins	Morrison	Willis
Fascell	Murray, Tenn.	Winstead
Fisher	Natcher	Wright
Flynt	Norrell	

NAYS—290

Adair	Ford	Morano
Addonizio	Frelinghuysen	Morgan
Allen, Calif.	Friedel	Moss
Allen, Ill.	Fulton	Multer
Andresen, August H.	Garmatz	Mumma
	Gavin	Murray, Ill.
Anfuso	Gray	Nicholson
Arends	Green, Oreg.	Norblad
Ashley	Green, Pa.	O'Brien, Ill.
Aspinall	Griffiths	O'Brien, N. Y.
Auchincloss	Gross	O'Hara, Ill.
Avery	Gubser	O'Konski
Ayres	Gwinn	O'Neill
Baker	Hagen	Osmers
Baldwin	Hale	Ostertag
Barrett	Halleck	Patterson
Bass, N. H.	Hand	Pelly
Bates	Harden	Perkins
Baumhart	Harrison, Nebr.	Pfost
Beamer	Harvey	Philbin
Becker	Hays, Ohio	Phillips
Belcher	Hayworth	Pillion
Bennett, Mich.	Healey	Polk
Berry	Henderson	Price
Betts	Heselton	Prouty
Blatnik	Hess	Quigley
Boland	Hiestand	Rabaut
Bolling	Hill	Radwan
Bolton, Frances P.	Hillings	Ray
	Hinshaw	Reece, Tenn.
Bolton, Oliver P.	Hoeven	Reed, N. Y.
	Holifield	Rees, Kans.
Bosch	Holland	Reuss
Bow	Holmes	Rhodes, Ariz.
Bowler	Holt	Rhodes, Pa.
Boyle	Holtzman	Riehlman
Bray	Hope	Robsion, Ky.
Brown, Ohio	Horan	Rodino
Brownson	Hosmer	Rogers, Colo.
Buckley	Hull	Rogers, Mass.
Budge	Hyde	Rooney
Burdick	Jackson	Roosevelt
Burnside	James	Sadlak
Bush	Jarman	St. George
Byrd	Jenkins	Saylor
Byrne, Pa.	Jensen	Schenck
Byrnes, Wis.	Johansen	Scherer
Canfield	Johnson, Calif.	Schwengel
Cannon	Johnson, Wis.	Scott
Carrigg	Judd	Scrivner
Cederberg	Karsten	Seely-Brown
Celler	Kean	Sheehan
Chase	Kearney	Sieminski
Chelf	Kearns	Simpson, Ill.
Chenoweth	Keating	Sisk
Chiperfield	Kee	Smith, Wis.
Christopher	Kelly, N. Y.	Springer
Chudoff	Keogh	Staggers
Church	Kilburn	Steed
Clark	King, Calif.	Sullivan
Clevenger	Kirwan	Taber
Cole	Klein	Talle
Coon	Kluczynski	Taylor
Corbett	Knox	Teague, Calif.
Coudert	Knutson	Thompson, Mich.
Cretella	Krueger	
Crumpacker	Laird	Thompson, N. J.
Cunningham	Lankford	Thomson, Wyo.
Curtis, Mass.	Latham	Tollefson
Curtis, Mo.	LeCompte	Tumulty
Davidson	Lesinski	Udall
Dawson, Ill.	Lipscomb	Utt
Dawson, Utah	Lovre	Vanik
Deane	McCarthy	Van Pelt
Delaney	McConnell	Van Zandt
Denton	McCormack	Velde
Derounian	McCulloch	Vorys
Devereux	McDonough	Vursell
Diggs	McGregor	Wainwright
Dingell	McIntire	Walter
Dixon	McVey	Watts
Dodd	Macdonald	Weaver
Dollinger	Machrowicz	Westland
Dolliver	Mack, Ill.	Wharton
Donohue	Mack, Wash.	Widnall
Donovan	Madden	Wier
Dorn, N. Y.	Magnuson	Wigglesworth
Doyle	Mailliard	Williams, N. J.
Eberharter	Marshall	Williams, N. Y.
Edmondson	Martin	Wilson, Ind.
Ellsworth	Meader	Withrow
Feighan	Merrow	Wolcott
Fenton	Metcalf	Wolverton
Fernandez	Miller, Calif.	Yates
Fino	Miller, Md.	Young
Fjare	Miller, Nebr.	Younger
Flood	Miller, N. Y.	Zablocki
Forand	Minshall	Zelenko

NOT VOTING—38

Andersen, H. Carl	Bell	Carnahan
	Bentley	Chatham
Bailey	Burleson	Dague
Davis, Wis.	Hoffman, Ill.	Powell
Dempsey	Hoffman, Mich.	Priest
Engle	Kelley, Pa.	Scudder
Fallon	Lane	Shelley
Fogarty	McDowell	Short
Gamble	Mollohan	Simpson, Pa.
Gathings	Moulder	Thompson, La.
George	Nelson	Thornberry
Gordon	O'Hara, Minn.	Wickersham
Hébert	Passman	Wilson, Calif.

So the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Mollohan against.

Mr. Bell for, with Mr. Kelley of Pennsylvania against.

Mr. Thornberry for, with Mr. Gordon against.

Mr. Thompson of Louisiana for, with Mr. Powell against.

Mr. Gathings for, with Mr. Bailey against.

Mr. Burleson for, with Mr. Carnahan against.

Mr. Chatham for, with Mr. Engle against.

Mr. Passman for, with Mr. Fogarty against.

Mr. Priest for, with Mr. Shelley against.

Mr. Wickersham for, with Mr. Dague against.

Until further notice:

Mr. Moulder with Mr. Bentley.

Mr. Dempsey with Mr. Simpson of Pennsylvania.

Mr. McDowell with Mr. Short.

Mr. Fallon with Mr. Scudder.

Mr. JOHANSEN changed his vote from "yea" to "nay."

Mr. HOFFMAN of Michigan. Mr. Speaker, what are the qualifications to vote?

The SPEAKER. Members must say they were on the floor listening and did not hear their names called.

Mr. HOFFMAN of Michiagn. I walked in the door as the rollcall was finished. I presume I cannot qualify.

The SPEAKER. The gentleman does not qualify.

Mr. HOFFMAN of Michigan. Then I cannot vote.

The result of the vote was announced as above recorded.

The SPEAKER. The question recurs on the motion of the gentleman from Massachusetts [Mr. McCORMACK] that further proceedings under the call be dispensed with.

Mr. DAVIS of Georgia. Mr. Speaker, on that I demand the yeas and nays. [After a pause.] I withdraw it.

The SPEAKER. Without objection further proceedings under the rollcall will be dispensed with.

There was no objection.

The JOURNAL

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Journal be considered as read and that it stand approved.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CIVIL RIGHTS

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 627) to pro-

vide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 627, with Mr. FORAND in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on Tuesday, July 17, all the time for general debate on the bill had expired. Pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

Mr. CELLER. Mr. Chairman, I ask unanimous consent to proceed for 1 minute.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Chairman, as I understand it, an agreement has been reached by the majority and minority leaders and those concerned with the bill who are in leadership thereof that the Committee will rise at 5 o'clock this afternoon.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. Mr. Chairman, I wonder if that is agreeable to the gentleman from New York [Mr. KEATING].

Mr. KEATING. The arrangement to rise at 5 o'clock is agreeable to me.

Mr. SMITH of Virginia. I hope that will satisfy everybody.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

That this act may be cited as the "Civil Rights Act of 1956."

Mr. WILLIS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIS: Strike out all after the enacting clause and substitute in lieu thereof the following:

"SEC. 101. (a) There is created in the executive branch of the Government a Commission on Civil Rights (hereinafter called the 'Commission').

"(b) The Commission shall be composed of six members who shall be appointed by the President by and with the advice and consent of the Senate. Not more than three of the members shall at any one time be of the same political party.

"(c) The President shall designate one of the members of the Commission as Chairman and one as Vice Chairman. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman, or in the event of a vacancy in that office.

"(d) Any vacancy in the Commission shall not affect its powers and shall be filled in the same manner, and subject to the same limitation with respect to party affiliations as the original appointment was made.

"(e) Four members of the Commission shall constitute a quorum.

"COMPENSATION OF MEMBERS OF THE COMMISSION

"SEC. 102. (a) Each member of the Commission who is not otherwise in the service of the Government of the United States shall receive the sum of $50 per day for each day spent in the work of the Commission, shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.

"(b) Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service, but while engaged in the work of the Commission shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.

"DUTIES OF THE COMMISSION

"SEC. 103. (a) The Commission shall—

"(1) investigate the allegations that certain citizens of the United States are being deprived of their right to vote or are being subjected to unwarranted economic pressures by reason of their color, race, religion, or national origin;

"(2) study and collect information concerning economic, social, and legal developments constituting a denial of equal protection of the laws under the Constitution; and

"(3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

"(b) The Commission shall submit interim reports to the President at such times as either the Commission or the President shall deem desirable, and shall submit to the President a final and comprehensive report of its activities, findings, and recommendations not later than two years from the date of the enactment of this statute.

"(c) Sixty days after the submission of its final report and recommendations the Commission shall cease to exist.

"POWERS OF THE COMMISSION

"SEC. 104. (a) Within the limitations of its appropriations, the Commission may appoint a full-time staff director and such other personnel as it deems advisable, in accordance with the civil service and classification laws, and may procure services as authorized by section 15 of the act of August 2, 1946 (60 Stat. 810; 5 U. S. C. 55a) but at rates for individuals not in excess of $50 per diem.

"(b) The Commission shall consult with the governors and attorneys general of the respective States and may consult with such other representatives of State and local governments, as it deems advisable.

"(c) All Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its functions and duties.

"(d) The Commission, or on the authorization of the Commission any subcommittee of two or more members, may, for the purpose of carrying out the provisions of this act, hold such hearings and act at such times and places as the Commission or such authorized subcommittee may deem advisable.

"APPROPRIATIONS

"SEC. 105. There is hereoy authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this act."

Mr. WILLIS (interrupting reading of the amendment). Mr. Chairman, the amendment I have offered carries out what I stated on the floor the other day. It proposes to strike out parts II and III. It is very simple in its nature. I ask unanimous consent that further reading of the amendment be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman from New York.

Mr. KEATING. I understood the gentleman to say that his amendment would strike out parts II and III. Probably the gentleman meant parts III and IV, did he not?

Mr. WILLIS. Yes. I was about to say that the amendment would strike out parts II, III, and IV.

Mr. KEATING. The gentleman now says III and IV?

Mr. WILLIS. II, III, and IV.

Mr. Chairman, as we know by now, the proposition before us is divided into four parts. Part I would establish a Commission on Civil Rights. Part II would add an additional Assistant Attorney General to head a new division in the Department of Justice to be known as the Division on Civil Rights, part III purports to strengthen the civil-rights statutes, and part IV to further secure and protect the right to vote.

Mr. BOYLE. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman from Illinois.

Mr. BOYLE. I think part I really does not establish a Commission. It establishes a group to study this for 2 years.

Mr. WILLIS. Well, it does establish a Commission. That is the title of it.

Mr. BOYLE. For 2 years.

Mr. WILLIS. I will come to that. I am synopsizing the four parts.

Mr. Chairman, in offering this amendment, as I said a moment ago I am carrying out what I announced previously. I announced to the full Committee on the Judiciary, I announced to the Rules Committee and I announced on the floor I would offer this amendment, the effect of which is to strike out parts II, III, and IV.

Under the language of the amendment I have offered the language in part I is kept intact except in three simple instances. On page 22 of the bill, section 104 (b) reads as follows:

(b) The Commission may accept and utilize services of voluntary and uncompensated personnel and pay any such personnel actual and necessary traveling and subsistence expenses incurred while engaged in the work of the Commission (or, in lieu of subsistence, a per diem allowance at a rate not in excess of $12).

My amendment deletes that provision. Then again, on page 22, section 104 (c) presently reads:

(c) The Commission may constitute such advisory committees and may consult with such representatives of State and local governments, and private organizations, as it deems advisable.

I substitute new language for section 104 (c) to read:

The Commission shall consult with the governors and attorneys general of the respective States and may consult with such other representatives of State and local governments as it deems advisable.

The third change in the entire part I made by my amendment would be to delete on page 24, lines 6 through 24, language relating to the subpena power. Now, with these three slight changes, important though they are, I have offered

this proposal as a substitute, and I do so for two primary reasons:

No. 1: In his state of the Union message the President of the United States asked only for a Commission. He did not ask for any further enactment of law in the areas that this bill reaches during this session of the Congress. Of course, we have been told that the President now approves parts II, III, and IV in addition to part I establishing the Commission. I cannot speak for the administration, but I think from my knowledge of the facts I can assert as a fact that there is no particular anxiety on the part of the President for us to do anything more than what he asked for in his state of the Union message, namely, the establishment of a Commission. And, I do so for these reasons: His state of the Union message was not followed up by the introduction of any legislation of any kind; not even the establishment of a Commission, much less legislation along the lines of parts II, III, and IV.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. SMITH of Virginia. Mr. Chairman, I ask unanimous consent that the gentleman from Louisiana [Mr. WILLIS] may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WILLIS. We encountered in the Committee on the Judiciary having charge of this legislation much delay in receiving any word from the administration in connection with this legislation in answer to the request of the committee. As a matter of fact, the Attorney General was invited many times to appear before the subcommittee, which is normal procedure, to give evidence and to express the views of the administration, but he never did appear before the subcommittee. He appeared once by special invitation of the full committee when we were about to consider a resolution as to what to do with this troublesome problem. Up to that time we had a bill introduced by the gentleman from New York which contained provisions entirely different than those now before the House. Finally, the Attorney General appeared before the full Committee on the Judiciary, and just about the same time, a measure was finally introduced carrying out Mr. Brownell's version, which is the bill before the House at this very moment. So I say that all in all I am personally confident, from the facts as I know them, that it would not be too displeasing, if not entirely satisfactory to the administration, if we dealt only with the subject matter of the establishment of a Commission.

The second reason for my proposal as a substitute, striking out parts II, III, and IV, is this. Part I of the bill establishes a Commission and directs the Commission to investigate allegations concerning the matters spelled out in the bill. The purpose and effect of part I, one would imagine, is to verify these allegations for the information of Congress in order that after the Commission filed its report, within 2 years, we could then proceed to legislate. As a matter of fact, that is what the President proposed specifically in his state of the Union message; to establish the Commission for a 2-year period, to await the findings and recommendations and then we would proceed to legislate.

On the other hand, after doing that—launching an investigation to verify allegations—then come parts II, III, and IV, which contain specific legislation as though the allegations to be investigated had been proven. Why should we legislate upon matters that the Commission had been instructed to investigate? If the creation of a Commission is necessary then why should we not await the report of the Commission? As a matter of fact, after 2 years of a study which I hope will be long and deliberate and fruitful—and it could be, probably—the Commission might come forward with an entirely different approach to this problem.

Witness the fact that the gentleman from New York [Mr. CELLER], the chairman of my committee, and a great friend of mine, had an entirely different idea as to what should be done. Then Mr. Brownell came along at the last minute and injected these other thoughts.

So I say to you that if the Commission makes this study and after 2 years render its report, we may be embarrassed by a premature action on our part at this time.

Let me say that I do not favor the idea of a Commission at all, and I expressed myself so on the floor the other day. I entertain the same views today. But I know that legislation results from a process of compromise based on sound judgment. Therefore, I think it would be a good solution if we carry out the recommendation of the President that a Commission be established. However, I believe that the powers of the Commission should be restricted in the three areas that I have indicated. First, that it not be given power to utilize voluntary groups; the power of the Commission to utilize the services of voluntary groups and organizations will result in plaguing the Commission with such matters as I described the other day. Then the Commission should be directed to consult with the governors and attorneys general of the respective States, obtain their ideas, study their advice, and to get their viewpoints, the ideas of the chief executives and law-enforcement officers of the several States. Finally, the subpena power should be eliminated. I think that would be a happy solution and I hope my proposal will be adopted.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman from Iowa.

Mr. GROSS. Then the gentleman's amendment makes no change whatever in part I, with respect to the duties of the Commission, and so forth?

Mr. WILLIS. It does not.

Mr. GROSS. It does not affect any part of the vast powers given to the Commission?

Mr. WILLIS. It does not, with the exceptions that I have indicated that it does do away with the power of the Commission to hire voluntary groups, and so on.

Mr. GROSS. That is very helpful, I will say to the gentleman.

Mr. WILLIS. And secondly, it would eliminate the subpena power. But outside of that, the language of part I is the same. I do not like that language, but believe me, I do not want to scuttle part I. I want to preserve as much of Mr. Brownell's language as I think would be fair.

Mr. MURRAY of Illinois. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield.

Mr. MURRAY of Illinois. Is it not a fact that, under our Constitution, if the governors and attorneys general refuse to consult with this Commission we could not do anything to compel them to consult with them?

Mr. WILLIS. There may be a point to what the gentleman states, I think, if he can find other language to indicate that they shall make an attempt to consult. That is all I want.

Mr. SELDEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Chairman, let me say at the outset that I am unalterably opposed to the legislation now before us. This bill transfers new and dangerous powers to the Federal Government and has evidently gained support as a result of its title rather than its merits. It is designed to undermine States rights rather than to protect civil rights.

Even the proponents of H. R. 627 must realize that this bill is not only loosely drawn, but its real purpose is often hidden. For example, part I of H. R. 627 sets up a Commission on Civil Rights to investigate the necessity of civil rights legislation. Yet, parts II, III, and IV, propose the very legislation whose need is supposed to be investigated. If an investigation is really what the proponents of this legislation desire, then why are its results prejudged?

Under normal procedure, a thorough investigation of any subject should be conducted before remedial legislation is considered, and this is the purpose of the amendment now under consideration.

I therefore urge the Members of the House to support the amendment offered by the gentleman from Louisiana [Mr. WILLIS] to eliminate parts II, III, and IV of H. R. 627.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it is with reluctance that I oppose anything that the distinguished gentleman from Louisiana proposes. I have a deep and abiding respect for him and his opinions. However, I feel that if we were to adopt his amendment we would scuttle this bill. We would take the very guts out of it.

We read daily of the deprivation of civil rights in various parts of the country. One of the purposes of this bill is to preserve those civil rights guaranteed by the Constitution, particularly amendments 14 and 15. The present statute is woefully inadequate to preserve those rights and to prevent erosion of these rights. Part III, which is sought to be

stricken, seeks to strengthen those civil-rights statutes, which go back many years, but as a result of various interpretations of the courts have dwindled into empty rights. They are not adequate for the situation as it exists today. It would be like applying a horse-and-buggy technique to an atomic era. So that it is necessary to build on those old statutes. We do not put up a great superstructure thereon, but I do believe in a measurable degree protection will be given to those who are daily having their rights unduly taken from them.

I do not believe we can disregard some of the events that we have heard of which have culminated in the desegregation decision of the Supreme Court and which has prompted legislation of this character. We cannot remain purblind and myopic to those events.

For example, we cannot disregard the lessons that flow from the Emmet Till murder and the Montgomery bus boycott and the student transportation strike in Tallahassee, the barring of the NAACP in two States, and more particularly the White Citizens Councils. As the result of their machinations, employees are fired because of race or color, mortgages are foreclosed, farmers are denied credit, lawyers and doctors are intimidated, and stores are boycotted because they sought to protect constitutional rights—rights of themselves and rights of their fellows.

We read of all manner and kinds of excesses. They are deplorable. The very object of this legislation is, shall I say, to start a train of remedies or a train of statutes to get after these excesses that result in taking away from our citizens their natural rights, their constitutional rights.

For example, we know in one State there are all manner and kinds of employment discriminations. As a result, for example, of a revision of the law in South Carolina on February 15, 1953, it is unlawful to employ colored and white in the same room in the textile industry. Any citizen of a county can sue the defending company and collect $100 for each violation. Now there are scores of similar State laws of that nature. We cannot blind ourselves to these situations. While it may be true that this particular proposed statute before us is not aimed at those specific cases, I will say that these old statutes which go back to 1871 could conceivably be stretched by court decisions to get at these very violations—I say could—but what we do by this legislation is to make more definite those old moth-eaten statutes. I hope, therefore, the amendment will not prevail.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. COLMER. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for an additional 2 minutes so that I may propound a question to him.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. COLMER. The gentleman referred to the so-called Till murder case. If that were a murder, and I am willing now to assume that it was for the purpose of this question, and if so a very deplorable one, does the gentleman mean that in a case of murder the Federal courts would have exclusive jurisdiction under this proposal to the exclusion of the State courts?

Mr. CELLER. I did not say that. I was very careful in my statement. I said, "Events of that character alerted the Nation to the need for taking some legislative steps." I said that not only is there a need to pass the bill, but there may be the need to start a chain of other bills to meet the situations.

Mr. COLMER. Then, assuming again that that was a murder, and if so, I repeat, a deplorable one; is there anything in this bill which would touch on that question or which would solve it?

Mr. CELLER. That question is going to take more than a half minute to answer, but I will say this. If individuals under color of authority, and I emphasize that—take steps to prevent anyone from exercising his constitutional rights—and that might be involved in some of the circumstances involving that terrible event which you have mentioned——

Mr. COLMER. The gentleman mentioned it first.

Mr. CELLER. Whoever mentioned it—it matters not—it is a fact. But to continue. Then those individuals could be brought to book, civilly and criminally under the present statute.

But as to those criminal sanctions for violations of the old statute, because of present tensions and past tensions in the local communities, grand juries have failed to bring in true bills, petit juries have refused to indict and even judges have forsaken their duty in making appropriate charges because of the pressures, tensions, and difficulties that exist locally. Those laws have been rendered abortive. The individuals who have the right to sue in their private capacity are in the main indigent or ignorant. They know not of their rights. If they know of their rights, they have not the wherewithal to sue as private individuals. Therefore, what we do by this bill in part III particularly is to give the Attorney General the right to represent those individuals who have been aggrieved so that they can have their day in court at least.

Mr. COLMER. Mr. Chairman, will the gentleman yield further?

Mr. CELLER. I yield to the gentleman.

Mr. COLMER. What I am trying to get the gentleman to say in one way or another is this: Does the gentleman propose we should have the jurisdiction of the crime of murder taken away from the sovereign States and placed in the Federal Government?

Mr. CELLER. That cannot be answered categorically, but I will say that if in that crime of murder there is a combination of individuals who have concertedly sought and actually have deprived an individual of his constitutional rights—for example if he wished to complain about the murder—he has a right to complain. If that concerted effort prevents him from complaining, and they exercise reprisals against him, then the law today gives him the right to complain—it may be an empty right because, as I said, it is a poor individual usually; he does not know his rights. He is often cowed and intimidated. If he knows his rights, he may not have the wherewithal to proceed; so we say let the Attorney General come in. I am not one of those who likes to give this power to the Attorney General. It goes against my principles to give an agent of the Government such tremendous power. But when we have a danger of this character we have to meet that danger with a power that is equal to overcome that danger. That is why I am willing to go this far, as to give the Attorney General the right to bring this action on the part of an individual aggrieved.

The CHAIRMAN. The time of the gentleman from New York [Mr. CELLER] has expired.

Mr. COLMER. Mr. Chairman——

Mr. ALGER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The Chair is going to alternate from one side to the other in recognizing Members. The gentleman from Texas [Mr. ALGER] is recognized.

Mr. ALGER. I yield to the gentleman from Mississippi.

Mr. COLMER. I do not want to take advantage of my gracious friend.

Mr. HOFFMAN of Michigan. Will somebody yield to me to make a unanimous-consent request?

Mr. COLMER. If I understood the Chair, he said he would alternate, and I may get recognition in my own time, or that I might get recognition now and yield to the gentleman from Texas. But if the gentleman yields to me, and I have the floor, then I will proceed.

The CHAIRMAN. Allow the Chair to make it clear that in order to be fair he is going to try to alternate from one side to the other. If the gentleman from Texas [Mr. ALGER] wants to use his time, he is at liberty to do so. If he wants to yield, he may do so, or he can yield the floor and be recognized later.

Mr. GROSS. Is this coming out of the gentleman's time?

Mr. ALGER. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The gentleman from Texas is recognized for 10 minutes.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. ALGER. I yield to the gentleman from Mississippi.

Mr. COLMER. I do not want to leave this very, very important question that I raised with the distinguished gentleman from New York [Mr. CELLER], as to just how far we are going and how far we propose to go under the guise of protecting the rights of minority groups at the expense of the sovereignty of the States. If we follow the line of reasoning of the gentleman from New York [Mr. CELLER], then we are going to further rape the sovereignty of the States by removing from them the traditional jurisdiction to try the crime of murder.

Now let me say that I do not condone the crime in the so-called Till case. And I must not trespass upon the time of my friend from Texas.

Mr. ALGER. I was hoping the gentleman would not continue too long, but he may proceed, if he yields the floor back to me.

Mr. COLMER. The gentleman is very gracious and I will not take more of his time than to say that no one in Mississippi holds any brief for the murder of Till or anybody else, but the issue involved here is whether we are going to surrender one of the few rights left to the States to an ever increasingly powerful Federal Government.

I thank the gentleman from Texas for his generosity and his graciousness.

Mr. ALGER. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Chairman, in the last few weeks, if reliable reports are to be believed, there has been a great stirring among some of the politicans in this country for action by Congress on a number of issues lest the coming campaign find these same politicians with little about which to argue. I find their concern both puzzling and appalling.

For one, I should never stigmatize this 84th meeting as a "do-nothing" Congress. Would to goodness it had done a great deal less. My puzzlement should surprise no one, for I confess I have gone around here a little puzzled, if not downright perplexed, a good deal of the time during the 2 years it has been privileged to sit, and to learn, in this greatest legislative assembly in the world. Should and can a Congressman vote his convictions?

Almost 2 years ago, I faithfully promised the people of Dallas that I would be guided in my actions here by the clear and simple philosophy outlined in the Declaration of Independence and by the equally clear and simple mandates of our Constitution. I pledged to the people of Dallas that I would measure every bill considered by two yardsticks: First is this a function of the Federal Government? and, second, can we afford it? I further promised them, in utter good faith and with absolute sincerity, that on the positive side I would use four guideposts to determine the positive merits of every piece of legislation and offer my active support to those which measured up. The guideposts: First, stop increasing the size of the Federal Government; second, eliminate Federal Government from those areas where it has no place being; third, decentralize the Government back to the States wherever possible; and, fourth, conform in every case to the principles outlined in the Declaration of Independence, and the rules laid down in the Constitution.

Goodness knows, this was a simple enough platform, and one firm enough to support any who would stand on it. Like Alice's looking glass, however, when viewed from the perspective of that platform, much of the legislation passed in this Congress makes no sense at all. Could it be that these principles make an excellent platform to stand upon while being photographed, but one which offers no protection from the elements in the event of a political storm? For I have been told on more than one occasion that to stand flatfootedly in such an exposed position and vote invariably according to my own convictions is "political suicide." There is the heart of the puzzle, and as I listen to colleagues in committee and on the floor, my perplexity only increases.

Before examining specific legislation, consider the yardsticks and guideposts. To stop increasing the size of Federal Government and limiting government to its proper functions implies an advocacy of States rights. While many of us criticize the Supreme Court judicial reinterpretation of the Constitution, which curtails States rights, what have we done in legislation?

The bill authorizing our vast highway program boosted the Federal Government's contribution from 50 to 90 percent and in one swoop transferred the authority to set wage rates and working conditions from each State capital to Washington. Also, States are offered Federal funds for reimbursement of utility relocation costs "if State law permits" which simply forces States not now conforming to alter their laws. Of course, we need the highways and for 2 years in my committee I worked for them, but the final bill violated States rights and concentrates greater power in Washington, even though it does face up to pay-as-we-go financing which satisfies the can-we-afford-it yardstick.

By the time we got through with the much-needed water pollution bill it proffered new and different Federal help direct to localities without traditional State participation. This huge new grant-in-aid program to build local sewage-disposal facilities assumes what have been, prior to this, local and State responsibilities. Once again, States rights took a licking not necessary in such a bill, so I voted against it. Here, again, a bill fails under the first yardstick, as is so often the case, before we even consider: Can we afford it?

Public-power development, putting Uncle Sam in the business of generating electricity at the expense of all taxpayers for the benefit of those in certain areas of the country, transfers State authority to the Federal Government at an alarming rate as huge Federal expenditures are poured into almost countless existing projects. TVA expansion and the Colorado River project are but two I voted against, feeling that it is not the business of Federal Government to generate electricity for sale. I do not see why Dallas citizens must help pay for others' electric power as well as their own which is not subsidized by Government.

When the public-housing bill came up, we heard its advocates argue that we should now build federally subsidized housing for middle-income families and without relationship to slum clearance. Now, nobody is against all our citizens having decent housing—of course, they should. But is it the function of our Government to provide it? Socialism, of course, advocates this. There are other ways to secure housing in a country of free people than by dependence on the Federal Government. So I voted against the public-housing bill.

How about the bill increasing the minimum wage? Is this a function of Federal Government? Here is a real teaser which even the committee which studied the bill could not, or did not, answer. It is a documented fact that the committee could not define "interstate commerce" properly to account for the right of Federal Government to set wages, but the bill passed the House anyway, with no one bothering to answer this question. Again, I was dragging my feet and voting against it on principle.

Is construction of school rooms a function of Federal Government? We well know that we cannot keep the education of our children under local jurisdiction and permit the Federal Treasury to foot the bill. A responsible Federal Government must supervise its own expenditures and the bill itself contains 29 pages of detailed terms and conditions under which Federal aid might be extended. Federal law is written by politically-minded Congressmen, and I voted against this bill which I felt could bring our schools under Federal and political domination.

Foreign aid presents a dilemma not easily resolved and I painstakingly studied the bill, read the committee reports, and listened to the entire debate. Grave doubts plagued me over whether or not such aid could accomplish our intended goals. At the same time, even the constitutionality of such expenditures seems questionable. This, plus bookkeeping errors amounting to hundreds of millions of dollars and unexpended balances of billions, sufficiently satisfied me that the program was not satisfactory in its present form.

These measures represent some of the accomplishments of the 84th Congress and probably were among the most difficult. After study and debate the answer for me was not difficult because I adhered to my yardsticks of principle and voted according to the facts. Is this not a Congressman's duty?

On the positive side, a great many bills embodying much-needed legislation were left untouched or passed over in committee.

The field of tax revision, particularly income tax, needs great study and correction. How about legislation requiring that Congress balance the budget yearly? The national debt retirement warrants congressional attention. The need for reform in our electoral procedures has long been recognized, yet the House gave it no thought. Another provocative thought—why does Congress not propose a constitutional amendment to give the States full power to amend the Constitution without the intervention of Congress? Though the people recognize that we should never let our Constitution be changed by use of treaty power, yet Congress did nothing. Then, if we really believe in efficient, dependable, streamlined government, why did we not consider the bills to implement the Hoover Commission's findings? Waste, overlapping agencies, duplicated effort, costing

billions of dollars yearly have been uncovered and documented by the bipartisan Hoover Commission. I, for one, did my best to put these sensible recommendations into law by sponsoring many bills embodying the Hoover Commisison recommendations. Little hope exists for their consideration. Would these bills not have been worthy of the most responsible and do-something Congress? The President specifically requested their consideration, mentioning several as particularly meritorious, but Congress would not act.

Instead of such legislation, we spent time and effort on strictly political legislation and pure demogoguery considering the $20 tax cut, civil rights, veterans' pensions, the "little man" pleadings, and others. The $20 tax cut was proposed early last year before appropriation bills were considered, which would tell us the year's planned expenditures and at a time of deficit financing. This was not responsible fiscal action. No one wants to oppose a tax cut, of course. Apparently, some never will. But I could not vote for this bill whose questionable aim was an effort to buy votes. True, it might have embarrassed an administration trying hard to balance the budget, and the budget has been balanced; but the Democrat proponents forgot, at least temporarily, that this being a Democrat controlled Congress, the responsibility for such action would be theirs. Also forgotten was the embarrassment this action would cause those Democrat Congressmen who would not approve this political bill.

The civil rights bill found Congressmen of both parties faced with a bill that threatened unlimited damage to the civil liberties of all citizens. The proponents were placed in a particularly bad light in bringing the bill up just before adjournment, expecting thus to be able to try politically to win votes throughout the country, yet certain that time, or the Senate, would prevent its passage. Such poorly written legislation can do irreparable damage to the freedom of our citizens, even as Congressmen refuse to oppose it, not because they believe it to be good legislation, but because they are afraid to oppose the name "civil rights." How ironic, if in the name of civil liberty, we were to subject ourselves to the absolute dictation of our own Central Government.

The veterans' non-service-connected disability pension bill would have been funny, as events developed during debate, were it not so serious. Many Congressmen who opposed this bill in principle voted against the bill, but when the record rollcall was demanded, many changed their vote. Is this responsible representation of constituents? I voted against the bill because I felt that service-connected disabled veterans came first.

Finally, to summarize other demagogic, not statesmanlike, floor action, I recall the many references to the little man, so-called, the nameless class of people who some claim are particularly deserving of the Federal hand-out and attention. Suppose a Congressman is for the little man. Then, to be consistent, he must vote to prevent inflation which waters the earnings, buying power, and savings of those of lower income. This means such a Congressman must vote against the countless social programs and big paternal Government appropriations, because it is these very expenditures that make the taxload so heavy on this little man. Why not cut the size of Government and permit a tax cut which would return money to the taxpayer's pocket. Those who proclaim most loudly their concern for the little man are the very ones who vote for all appropriations. Remember, "tax, tax, spend, spend, elect, elect"?

Who now will proclaim the facts of labor's stake in industry and this American paradise of little man's capitalism where the worker is privileged to own his business through stock participation.

In Congress we hear demagogery on the trickle-down versus percolate-up Federal grants and very little on the virtues of the free enterprise system which has given the laboring man the world's highest living standard. If we do not vote to nurture and preserve the goose that lays the golden eggs, we could be the funeral arrangers for free enterprise, individual freedom, and the American system of Government.

The voting record I have outlined has been built upon honest conviction, but again the recurring question, "Can a Congressman vote his convictions and remain in Congress?" Admittedly, the platform upon which I have stood and from which I cast my votes has at times been a cold and lonely place. Colleagues of considerably greater seniority have termed my course "political suicide." In his analysis of the 84th Congress, issued between sessions, Walter Reuther made it very apparent that he and I agree on next to no point whatever. There are those who believe that in order to get along you have to go along—that party regularity comes first. I cannot endorse this rubber-stamp policy, nor has my party ever asked it of me. Mr. Paul Butler told me to my face that "We intend to see that you do not return." The ADA figured that from their viewpoint my batting average in the first session was an absolute zero.

It may well be that the course I have followed is politically suicidal. Having never held a public post or political job before, perhaps I am sort of like the bumblebee—who theoretically cannot fly for lack of wing area—and should not be here at all. To have voted contrary to the basic principles I have laid down in order to curry political favor, I feel, would have been insulting to the intelligence of those people who were good enough to put their faith in me. Votes based on conviction suicidal? I doubt it.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. ALGER. I yield to the gentleman from Illinois.

Mr. MASON. I say to the gentleman after 20 years in this body that a man can and should vote his convictions, regardless of partisanship, and that man will return.

Mr. DEROUNIAN. Mr. Chairman, will the gentleman yield?

Mr. ALGER. I yield to the gentleman from New York.

Mr. DEROUNIAN. May I say to the gentleman from Texas that in his brief 2 years as a Member of this House he has gained the admiration and respect of his colleagues not only for his industry and perseverance but for his refreshing attitude, his clean way of living, and I congratulate the gentleman. I predict he will be back the next time with even a greater majority than before.

Mr. LANHAM. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I believe that even we Democrats are a little bit glad of the political accident that sent our good friend from Texas [Mr. ALGER] here as a Member. He has won the hearts and the respect of all of us. I count him as one of my very true friends.

Mr. Chairman, I was rather surprised at the statement of the distinguished gentleman from New York [Mr. CELLER] when he said that in principle he thought that the Attorney General should not be given so much power. I wonder if he means by that he is rising above principle to support this bill? That is what it sounded like to me and I think that is what you will have to do if you vote for this bill.

I rise in support of the pending amendment and I do so at this time because of the colloquy between the distinguished gentleman from Mississippi and the distinguished gentleman from New York relative to invasion of the rights of the States to conduct their own affairs, and especially to conduct their own courts.

In this connection I want to call your attention to a case again that happened in my own district, just to show you what will happen if you give an Attorney General all this power. Moreover, what happened in my State happened without his having this power that you propose to give him in this bill.

Mr. Chairman, I rise also in opposition to the so-called civil-rights bill which, in my opinion, should better be called the civil-wrongs bill. As the distinguished gentleman from Texas [Mr. Alger] has said, more civil and individual rights will be destroyed by this bill than will be protected.

So much has been said and so ably by those who are in favor of the bill and those who are opposed to it that it does not seem necessary for me to repeat the arguments which have been adduced on the question.

As the able gentleman from Louisiana [Mr. WILLIS] has so forcefully told you, this bill does not give a single right to any individual but concentrates power in the Attorney General even to the extent of permitting him to bring a suit either for damages or an injunction not only without consulting the aggrieved person but even over the objection of such person. This is an astounding proposal; and if so many were not intent upon passing this bill for purely political purposes, the House would be shocked and would revolt against the bill's passage.

Within this bill are the seeds of a Soviet-type gestapo, of secret informers, and, if the bill should become law, we

would be faced with the knock on the door at midnight of the secret and unpaid agents of the Commission set up by this bill and the tools of the Attorney General. We could be jailed without the benefit of trial by jury and at the instigation of faceless informers. The minds of Khrushchev, Bulganin, or Stalin himself could not have conceived a more dangerous surrender of individual power to a government official, politically minded as our Attorneys General usually are.

I warn you that in adopting this bill you are creating a Frankenstein monster that can destroy us all. Power corrupts and absolute power corrupts absolutely, as it has been said. No Attorney General should be entrusted with such power as this bill would give him.

The people of my district have tasted the bitter brew concocted of the unwarranted interference by the present politically minded Attorney General who sent his snoopers into Cobb County, Ga., not to protect anyone's civil rights but to interfere with the administration of the courts of law in that great county of my district. He did this without consultation with and, I believe, over the objection of the United States district attorney for the Northern District of Georgia. He did it upon the insistence of the NAACP which had interfered in the defense of a Negro rapist who had twice been convicted of the offense and who was at the time of his last offense of the same sort serving a sentence for one of the previous assaults upon white women. Moreover, the accused had admitted a third such offense and was convicted and sentenced to death though represented by able counsel appointed by the court and later had his conviction affirmed by the Supreme Court of Georgia where he was represented by one of the ablest lawyers in the State employed by the NAACP.

And the snoopers who made the investigation did not confine themselves to an investigation but slyly made suggestions which the officers of the court took to be an attempt to prevent further prosecution of the Negro who, in the meantime, had been granted a new trial by the United States Supreme Court upon a trivial point of law.

It is perfectly apparent that you will pass this bill but when you do you are sowing the wind and those who come after, your descendants and mine, will reap the whirlwind.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Chairman, in order that the Congress may legislate wisely and effectively, we have certain rules of the House. We have rules which are written and we have rules that rest upon practice. For at least the last 20 years when a Member made an objection to a unanimous consent request, especially for the consideration of a bill, it has been understood, and the practice has been followed, that that bill would not be brought up again without the individual who made the objection being notified. On more than one occasion I have made objection to bills, and the majority leadership has assured me, and has followed that practice clear through to the end—that that legislation would not again be brought before the House until I had been given an opportunity to object, if my objection still remained.

Unless we have an observance of the rules of the House, unless we can trust one another and rely upon agreements made, conditions expressed, especially when made in the House, we will have trouble in the House in legislating wisely and constructively.

Let me call your attention now to what happened here recently.

When, on July 2, the Consent Calendar was called —CONGRESSIONAL RECORD, page 11604—the coastwise trade bill, H. R. 11122, was called. The gentleman from Iowa [Mr. CUNNINGHAM] said:

> Mr. Speaker, I understand that this bill is programed to be called up under suspension of the rules. Therefore, I ask unanimous consent that it be passed over without prejudice.
>
> The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?
>
> There was no objection.

The same day, July 2—CONGRESSIONAL RECORD, page 11630—the gentleman from North Carolina [Mr. BONNER] moved to suspend the rules and pass the bill, H. R. 11122. The bill was debated—CONGRESSIONAL RECORD, pages 11630–11635—a vote was taken, and on a division, there were ayes 101, noes 90. The bill was not passed. The following then occurred:

> Mr. BONNER. Mr. Speaker, as I stated before, I object to the vote on the ground that there is no quorum, but I am not going to ask for a rollcall vote now. I ask unanimous consent that further proceedings on this bill be postponed until Friday.
>
> There was no objection.

On Friday, July 6—CONGRESSIONAL RECORD, page 11945—the following occurred:

> COASTWISE TRADE
>
> The SPEAKER. The unfinished business is on suspension of the rules and passage of the bill (H. R. 11122) to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes, which the Clerk will report by title.
>
> The Clerk read the title of the bill.
>
> Mr. MARTIN. Mr. Speaker, I think the Members of the House would like an explanation as to what this suspension is.
>
> The SPEAKER. This is a bill, the consideration of which was carried over from last Monday until today.
>
> Mr. BONNER. Mr. Speaker, I ask unanimous consent to withdraw further consideration of this bill, as I have requested a rule from the Rules Committee.
>
> The SPEAKER. Is there objection to the request of the gentleman from North Carolina?
>
> Mr. VAN ZANDT. Mr. Speaker, reserving the right to object, if the gentleman's request is granted, does that mean it may be called up at any time between now and the adjournment of Congress?
>
> Mr. BONNER. No. I will bring it up under a rule.
>
> Mr. CURTIS of Massachusetts. Mr. Speaker, reserving the right to object, is this the tanker bill?
>
> The SPEAKER. It had something to do with that matter.
>
> Mr. CURTIS of Massachusetts. We had two bills, Mr. Speaker.
>
> The SPEAKER. The gentleman from North Carolina can perhaps inform the gentleman.
>
> Mr. BONNER. Mr. Speaker, this bill provided for the chartering of tankers from the reserve fleet.
>
> The SPEAKER. Is there objection to the request of the gentleman from North Carolina?
>
> There was no objection.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. HOFFMAN of Michigan. Mr. Chairman. I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Chairman, on July 16—CONGRESSIONAL RECORD, page 12888—Mr. GARMATZ, of the Committee on Merchant Marine and Fisheries, asked and received unanimous consent that the committee sit during general debate that afternoon.

July 16 the speaker announced that it was Consent Calendar day. The Clerk called the coastwise trade bill, H. R. 11122, and there being no objection, the committee amendments were adopted, the bill was ordered to be engrossed, was read a third time and passed, and a motion to reconsider was laid on the table—CONGRESSIONAL RECORD, page 12892.

Mr. BONNER. Mr. Chairman, would the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. BONNER. I did not ask unanimous consent to call the bill up. The bill was on the Consent Calendar. I was not on the floor.

Mr. HOFFMAN of Michigan. As to whether you were on the floor, I have no information. The bill was on the Consent Calendar. The Speaker ordered the Clerk to call the next bill. The Clerk called the next bill which was H. R. 11122. Why the bill was not stricken from the Consent Calendar, why it was called again, I do not know.

Mr. BONNER. I understood the gentleman to say that I asked unanimous consent.

Mr. HOFFMAN of Michigan. No. If I did, I was in error. The RECORD does not show the gentleman asked that the bill be called. The RECORD shows that the bill was called up on the Consent Calendar in the regular way after the gentleman said on July 6 he would bring it up under a rule.

Mr. BONNER. I was not on the floor. I was out of town and returned, when the Consent Calendar was being considered.

Mr. HOFFMAN of Michigan. That is enough of an explanation, if that is all the gentleman wants to say.

Also on July 16, at page 12916 there is the following:

> Mr. ZELENKO. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Consent Calendar No. 626, the bill (H. R. 11122) to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes.
>
> Mr. BONNER. I object, Mr. Speaker.

The gentleman was here that day. If he was out of town, he came back on the 16th the day the bill was called and passed. After it was passed he objected to a reconsideration—accepted the benefit of the what I consider improper action.

Still later the same day July 16—CONGRESSIONAL RECORD, page 12961—the following occurred:

COASTWISE TRADE

Mr. ZELENKO. Mr. Speaker, I ask unanimous consent that the House reconsider the action it took today in passing the bill (H. R. 11122) to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes. That bill was No. 626 on the Consent Calendar called today.

Mr. ROBESON of Virginia. I object, Mr. Speaker.

The following day, July 17—CONGRESSIONAL RECORD page 13192—the gentleman from Pennsylvania [Mr. VAN ZANDT] was given permission to address the House for 1 minute and to revise and extend his remarks, which were as follows:

DEVELOPMENT AND REHABILITATION OF COASTWISE TRADE

(Mr. VAN ZANDT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VAN ZANDT. Mr. Speaker, yesterday during the call of the Consent Calendar the bill, H. R. 11122, to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes was approved.

While I knew that H. R. 11122 was on the Consent Calendar and while I did not have the opportunity to object to its consideration, based on a commitment I received from the gentleman from North Carolina [Mr. BONNER] on July 6 and recorded in the CONGRESSIONAL RECORD of that date, page 11945, it was my understanding the bill would not be called up on the Consent Calendar but under a rule which has been requested.

Let me read the colloquy which took place between Mr. BONNER and me as recorded on page 11945 of the CONGRESSIONAL RECORD of July 6, immediately after the Speaker had announced that the unfinished business at this time "is on suspension of the rules and passage of the bill, H. R. 11122."

My colleague from North Carolina [Mr. BONNER] said:

"I ask unanimous consent to withdraw further consideration of this bill as I have requested a rule from the Rules Committee."

The Speaker then said:

"Is there objection to the request of the gentleman from North Carolina?"

At this point I arose and said:

"Mr. Speaker, reserving the right to object, if the gentleman's request is granted, does that mean it may be called up at any time between now and the adjournment of Congress?"

Mr. BONNER replied:

"No; I will bring it up under a rule."

Mr. Speaker, I took my colleague of North Carolina [Mr. BONNER] at his word and I was amazed, as were many other Members of the House, when he objected to the request of the gentleman from New York [Mr. ZELENKO] on page 12916 of the CONGRESSIONAL RECORD when he requested reconsideration of H. R. 11122.

Mr. Speaker, the parliamentary situation here in the House is such that those of us who are opposed to the legislation have no alternative but to appeal to the Senate. In fact, such action has already been taken because, in our opinion, the legislation is an out and out giveaway of the taxpayers' money to a steamship company that the bill is tailored to favor.

On July 17, the gentleman from New York [Mr. ZELENKO] in the CONGRESSIONAL RECORD, extended his remarks protesting the passage of the coastwise trade bill H. R. 11122. His remarks read as follows:

H. R. 11122

(Extension of remarks of Hon. HERBERT ZELENKO, of New York, in the House of Representatives, Tuesday, July 17, 1956)

Mr. ZELENKO. Mr. Speaker, on July 16, there appeared on the Consent Calendar of the House, H. R. 11122, a bill dealing with the charter of tankers under certain conditions.

Had I been present when this bill was called up, I would have objected. I have vigorously opposed this bill at all times, in the Merchant Marine and Fisheries Committee and on the floor of the House.

It was my personal understanding, and that of many other Members, perhaps naively, that this measure would not be brought up at that time by its proponents.

On July 2, 1956, it first appeared on the Consent Calendar of the House. At that time, the following took place:

"The Clerk called the bill (H. R. 11122) to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes.

"Mr. CUNNINGHAM. Mr. Speaker, I understand that this bill is programed to be called up under suspension of the rules. Therefore, I ask unanimous consent that it be passed over without prejudice.

"The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

"There was no objection."

Later, on the same day, under suspension, debate was had on the bill. At that time it was opposed not only by myself but by the gentleman from Pennsylvania [Mr. VAN ZANDT], who had demanded a second under the suspension of rules. Other Members also indicated their opposition. At the conclusion of the debate, on a division, a vote was taken. The ayes were 101 and the noes 90. It appeared from the vote that the measure was defeated under the suspension of rules. At this point, the gentleman from North Carolina [Mr. BONNER], the proponent of the bill, objected on the ground that there was no quorum and asked unanimous consent that further proceedings on the bill be postponed until Friday, July 6. On page 11635 of the July 2 CONGRESSIONAL RECORD, his verbatim statement appears as follows:

"Mr. BONNER. Mr. Speaker, as I stated before, I objected to the vote on the ground that there is no quorum, but I am not going to ask for a rollcall vote now. I ask unanimous consent that further proceedings on this bill be postponed until Friday.

"The SPEAKER. Is there objection?

"There was no objection."

On July 6, 1956, the bill was called up again and the following took place, and I quote:

"The SPEAKER. The unfinished business is on suspension of the rules and passage of the bill (H. R. 11122) to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes, which the Clerk will report by title.

"The Clerk read the title of the bill.

"Mr. MARTIN. Mr. Speaker, I think the Members of the House would like an explanation as to what this suspension is.

"The SPEAKER. This is a bill, the consideration of which was carried over from last Monday until today.

"Mr. BONNER. Mr. Speaker, I ask unanimous consent to withdraw further consideration of this bill, as I have requested a rule from the Rules Committee.

"The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

"Mr. VAN ZANDT. Mr. Speaker, reserving the right to object, if the gentleman's request is granted, does that mean it may be called up at any time between now and the adjournment of Congress?

"Mr. BONNER. No. I will bring it up under a rule."

Many Members of the House, including myself, relying upon the foregoing statement of the gentleman from North Carolina [Mr. BONNER], the chairman of the Merchant Marine and Fisheries Committee, the author of the bill, assumed, and I believe correctly, that this bill would not be brought out again unless it was done so under a rule.

It appeared clear to me that the bill had been withdrawn for all purposes and consideration from the floor of the House and would not reappear unless a rule was obtained.

On July 9 and 10, the Rules Committee held protracted hearings on this bill and, as of today, no rule has yet been obtained, and to all intents and purposes the matter is still before the Rules Committee.

Yesterday, July 16, 1956, the bill again appeared on the Consent Calendar and was passed. The House convened at 12 noon. The passage of this bill took place sometime before 12:20 p. m.

My absence from the floor at the convening of the House yesterday was due to the following facts. At 10 a. m., an open meeting of the Merchant Marine and Fisheries Committee, of which the gentleman from North Carolina [Mr. BONNER] is chairman, was held for the resumption of labor hearings held in Los Angeles and Long Beach, Calif. The witnesses appearing before the committee were Paul St. Sure, president of the Pacific Maritime Association; Harry Bridges, president, International Longshoremen and Warehousemen's Union; and Ben McDonald, Local 13, ILWU, San Pedro, Calif.

I arrived at the committee room at about 10:30 a. m. In the absence of the chairman, the gentleman from North Carolina [Mr. BONNER], and in the absence of the next ranking majority member, the gentleman from Alabama [Mr. BOYKIN], the meeting was being conducted by the acting chairman, the gentleman from Maryland [Mr. GARMATZ]. The committee was in session until just before noon.

I left the committee hearing several minutes before its recess. At no time during my attendance there was the chairman of the committee, the gentleman from North Carolina [Mr. BONNER], nor the ranking majority member, the gentleman from Alabama [Mr. BOYKIN], present. Thereupon, I went to a meeting of a large group of Members to discuss the civil-rights bill, which was to be brought up on the floor.

The foregoing statement of my official congressional activities yesterday morning contains the reasons for my failing to be present at the opening of the House.

Sometime between 12:15 and 12:20 p. m., I entered the House Chamber and walked over to the committee table where I sat down next to the chairman of the Merchant Marine and Fisheries Committee, the gentleman from North Carolina, who was already there. Upon inquiry, he informed me that H. R. 11122 had been passed.

Thereafter, in order to indicate my further opposition to the measure, I requested unanimous consent to return H. R. 11122 to the floor for immediate consideration. The sole objection was made by the chairman of the Merchant Marine and Fisheries Committee, the gentleman from North Carolina [Mr. BONNER], the author of the bill. The following is a verbatim extract from the House RECORD, page 12916:

"Mr. ZELENKO. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Consent Calendar No. 626, the bill (H. R. 11122), to promote the development and rehabilitation of the coastwise

trade, to encourage the construction of new vessels, and for other purposes.

"Mr. BONNER. I object, Mr. Speaker."

Several hours later, almost at the conclusion of the session, I renewed the request. Objection was then made by the gentleman from Virginia [Mr. ROBERSON]. The gentleman from North Carolina [Mr. BONNER], the author of the bill, was present in the House at the time and sitting alongside the gentleman from Virginia, who made the objection.

In conclusion, I direct your attention to the title page of Cannon's Procedure in the House of Representatives, House Document 562. On the lower portion of the page appears the following quotation:

"BASSANIO. And I beseech you wrest once the law to your authority; to do a great right, do a little wrong.

"PORTIA. It must not be; * * * 'twill be recorded for a precedent, and many an error by the same example will rush into the state."

Mr. Chairman, the point is this, unless we are to go along with the rules, practices, and customs of the House, unless the procedure of the House which enables us to deal with each other from hour to hour and day to day without watching each other every minute of the day are observed, unless those rules are followed especially in the closing days of a session we cannot legislate intelligently. It will be my purpose to object to every unanimous consent request if that course be the only one which will give members an opportunity to know what transpires. Perhaps there are some others on the floor who intend to bring about orderly procedure.

Later I intend to ask for unanimous consent to reconsider H. R. 11122. And if objection is made, then an effort will be made to exercise my right in the House to object to unanimous consent requests if that procedure will bring correct procedure. I know that is rather drastic procedure, it is unpleasant procedure, but I contend that our rules must be followed if we are to do business in an orderly constructive manner. If relief cannot be obtained in that way objection will not be made for I have no desire to delay legislation.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman.

Mr. VAN ZANDT. I think I should add this point: that the House considered the bill under suspension, and was about ready to vote on it when the Speaker asked if I would cooperate by not asking for a rollcall vote.

Mr. HOFFMAN of Michigan. It was defeated under suspension.

Mr. VAN ZANDT. I am talking about a rollcall vote. It is true the bill was defeated on a division or standing vote, but, anticipating a rollcall vote, the Speaker asked if I would cooperate by agreeing to a unanimous-consent request that the vote be held over and made the first order of business the following Friday. The basis of the request, according to the Speaker, was that he had committed himself to the gentleman from Virginia [Mr. SMITH], the chairman of the Rules Committee, to call up a rule. In cooperation with the Speaker, and with the understanding we would have a record vote on Friday as the first order of business, I agreed to the unanimous-consent request, or rather, I did not object to it.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Iowa.

Mr. GROSS. I was one of those who opposed the bill actively on the floor of the House, this tanker bill. It was my understanding that the bill would be brought up under a rule; that, if it was brought out again, it would be brought out under a rule. I join with the gentleman in resenting the tactics that were employed to get this bill through.

Mr. HOFFMAN of Michigan. I want to say this: As far as I am concerned, I have no personal interest in the bill, the ships or the railroads, neither one of them. It does not make any difference to me personally whether the bill is passed or defeated. All I am asking is that we follow the old, established sound procedure of the House, so that if a Member of the House has a valid objection to the consideration of a unanimous-consent request to take up and pass a certain bill, and he makes it, he is not required to sit here and watch every other Member of the House and see whether it is to be brought up again. That is all I am asking. I hope you will read the statement in the RECORD tomorrow so you get the facts clear. I do not want to do the gentleman from North Carolina [Mr. BONNER] any injustice, but I cannot go along with the procedure that was followed in this instance. It deprived Members, without fault, of their right to oppose the bill.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Iowa.

Mr. CUNNINGHAM. I wish to correct the statement the gentleman from Michigan made. I know he made it in good faith. On July 2 the bill was called up on the Consent Calendar. It was not objected to.

Mr. HOFFMAN of Michigan. That is right. The gentleman from Iowa [Mr. CUNNINGHAM] said—and I quote—CONGRESSIONAL RECORD, page 11604:

Mr. Speaker, I understand that this bill is programed to be called up under suspension of the rules. Therefore, I ask unanimous consent that it be passed over without prejudice.

There was no objection.

Mr. CUNNINGHAM. As I understand, there was no one to ask to have it passed over.

Mr. HOFFMAN of Michigan. That is right. There was no reason why anyone should anticipate that it would be on the Consent Calendar—would be considered again—except under suspension or later under a rule after it was defeated when brought up under suspension and it was announced that it would come up under a rule.

Mr. CUNNINGHAM. It was passed. In further explanation, may I say as a member of the Consent Calendar objectors' committee that we have talked this over since there has been some criticism of what happened on Monday of this week. There was nothing in the bill or in the report concerning the bill that made it objectionable to the Consent Calendar objectors' committee; in other words, it violated no rule of the Consent Calendar objectors' committee. However, I believe it was incumbent upon those interested in having the bill defeated or not having it passed by unanimous consent to advise the members of the Consent Calendar objectors' committee that they wished to have it passed over without prejudice again. Why no one asked the Consent Calendar objectors' committee to do that, I do not know.

Mr. HOFFMAN of Michigan. I can give the gentleman my opinion on that. I have not been told, but I assume that those who objected to the bill relied upon the statement it was coming up under suspension. When the adverse vote was taken and it was announced that a rule would be obtained and that under the established practice of the House it would be brought up in that manner those opposed to the bill relied upon the record as made. Opponents were waiting for the rule to appear.

Mr. VAN ZANDT. If the gentlemen will yield further, I want it understood that my understanding with the Speaker and with the gentleman from North Carolina [Mr. BONNER] was that the bill would be called up under a rule.

Mr. HOFFMAN of Michigan. I expect to strike what I have said here, except as I have yielded, and insert the record as it occurred, so there will be no misunderstanding about what it is, inserting, of course, what the gentleman from North Carolina [Mr. BONNER] said.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. CURTIS of Missouri. I want to ask the gentleman from Iowa a question. I would imagine no bill would be on the Consent Calendar that had that previous legislative history. Am I right? Or why would it be on there?

Mr. CUNNINGHAM. I do not understand, myself, why the bill remained on the Consent Calendar, the rule having been denied.

Mr. RICHARDS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RICHARDS. Mr. Chairman, during the consideration of this measure, a great deal has been said in general debate about the necessity for this Congress to assure the American people and the people of the world in its fight against communism that we, too, are doing something for civil liberties. If we are going to fight communism through the proposals of this bill, it might be well for us to refresh our memory for just a moment as to what communism is and how it has gotten the power over the people of the world that it has and has throttled all civil liberties. Should we not remember when we hear these arguments for a Civil Rights Commission that communism accomplished

its aims through many similar instrumentalities? Lenin and Trotsky and Marx and their fellows taught that to get freedom for the people it was necessary to take drastic action even to the extent of having a dictatorship of the proletariat. Russia has had such a dictatorship for 35 years and the people of Russia are slaves today as are her satellites. If we do not take care here, we are going to hammer a nail in the coffin to bury the liberties and freedoms of the American people through this monstrous measure. People come here and say, "We want to preserve the liberties mentioned in the Constitution through this bill. I reply with Madame Roland, "Oh, liberty, how many crimes are committed in thy name." Always, those who seek to nullify the checks and protections of the Constitution, attempt it by the flank attack. They do not dare make a frontal attack on the freedoms guaranteed in this great document.

The Founding Fathers knew that this day would come. Those men were students of the history of mankind and the efforts of man to establish a better form of government and secure a greater degree of freedom for the people. They knew it was inevitable, sooner or later, that misdirected efforts of individuals or groups would move to circumvent the original purposes of the Constitution and seek to destroy its basic tenets. Therefore they charted the course whereby the Constitution might be amended. It is almost impolite to mention in our efforts to improve, that we should follow the rules in amending the Constitution these days. It has become an old-fashioned idea and they do not do that any more. It is too slow. They want revolution in thinking and they want revolutionary procedure. They do not want the slowness of evolution. These people have no patience with the tedious process of amending the Constitution to meet new problems in our great country. It was decided that it would be better to tamper with the judiciary and appoint as Judges those who have the philosophy of those who propose these measures. Now that has turned out to be too slow. There was once a generally accepted principle of constitutional law that aggrieved parties in the field of civil liberties, must exhaust remedies in the State courts before appealing to the United States court for protection. They find now that that principle of law is a hindrance.

So those who seek to bypass the Constitution have resorted to the bill before us.

You can call it committee, gestapo, or anything you want to call it. It has many of the elements that Hitler used in his rise to power. Many of the elements that communism is using now. Yes; it is out of fashion to amend the Constitution, or even mention the Constitution, unless you want to hide behind it or subvert it.

Let us go back a little further. What about the Declaration of Independence that the gentleman from Massachusetts made such an eloquent reference to yesterday. It seems to be forgotten that one of the chief complaints of the subscribers thereof against George the Third was:

He has erected a multitude of new offices and sent hither swarms of officers to harass our people.

That was in the Declaration of Independence. The Commission proposed here is just another harassing body. This is nothing in the world but a harassing expedition. It is intended to deprive the people of the States of their rights and liberty and the State governments of the authority guaranteed to them by the Constitution.

The proponents of this measure do not want to deal with 48 sovereign States. They seek to concentrate all power in Washington and then concentrate their attack here against whatever ramparts of our liberty are still left.

There is another thing about these people who want to subvert the Constitution, want to destroy States' rights. They do it with the beguiling smile. Take my friend from New York, the distinguished gentleman from Rochester [Mr. KEATING] and my friend from the great State of New York [Mr. CELLER], the two navigators of this bill.

Many compliments have been paid those two gentlemen for their politeness here. They are great lawyers. They have been very suave and tolerant in the handling of this bill. So is the spider who weaves his web.

I read not long ago in a book of old England a story about the chief executioner. It was about the time King Charles I's head was cut off. The author said of the executioner: "He was an expert in his field. He was a man of gentle mien and performed his ghastly duties with a smile." We see here history repeat itself.

I say to you, Mr. Chairman, this is a very serious matter. If this bill is enacted into law, it is the beginning of the end of American liberty as we have known it. You remember in the great play, Romeo and Juliet that Romeo replied to Friar Laurence, when he was promised certain sweet words of comfort: "Thou cuttest my head off with a golden axe, and smil'st upon the stroke that murdereth me." You, gentlemen, smile in your advocacy of this bill.

The day will come when you will regret it. It is the South you are striking at. But just as sure as you sit here today other sections of the country, sooner or later, will feel the venom of this adder. The day will come, and then the the people of the North, the South, and the West are going to rise up. You will not hear so much about Republicans and Democrats. You will hear about the United States Party and those who are trying to destroy it.

The CHAIRMAN. The time of the gentleman from South Carolina [Mr. RICHARDS] has expired.

Mr. RICHARDS. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection?

Mr. JACKSON. Reserving the right to object, Mr. Chairman, and I shall not object, of course, I think eventually sometime today we are going to reach the point where important amendments which have been given a great deal of consideration will not have time to be considered. The authors are going to find themselves with about 30 seconds to explain the amendments.

I shall, of course, not object to the gentleman's continuing, but I will object from this point on to any requests for extension of time.

Mr. RICHARDS. I understand that, and I will try not to intrude on the time of the House.

In closing I want to say that this measure is directed at the South, against my people and against my State.

May I say here today to the people of the United States through this assembly that much has been said about imperfections in the field of human relations and civil rights in the South; you talk about discrimination against race, color, creed, and national origins. I have been all over the United States and in a great many parts of the world and I want to tell you that so far as race problems of the South are concerned there is more real love, more real respect, more real desire to help, more admiration for the achievements of the great colored race there than you will find anywhere else in the country.

As for religious intolerance and political discrimination in the South, I only need mention one exhibit to my friend the gentleman from New York [Mr. CELLER]. I refer to a personal friend, Sol Blatt, a great South Carolinian of the Jewish faith, a member of the House of Representatives of South Carolina, and for 18 years the honored and revered speaker of that body. He is one of only 2 or 3 members of the Jewish faith in that body. His parents came to South Carolina as immigrants. But our people have recognized his merit as a citizen. I doubt that it would have happened here. It is typical of South Carolina. Yes, we do have some rabble rousers and bigots in South Carolina, but I dare say that you have a greater number in proportion to population in Rochester and New York City.

Give us our due.

Mr. CURTIS of Missouri. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to explain my position and also to ask some questions. I have tried to follow this debate very carefully both in the RECORD and as far as I could on the floor. I might state that one of my two fundamental pillars of belief in governmental matters is civil rights, and I think my voting record will bear that out.

It has been said that more crimes have been committed in the name of religion than in any other cause. The term "civil rights" is one that should not be taken in vain, and for that reason I am very much disturbed at the manner in which this bill is drawn. I want to vote for this bill—I said "I want to." But I am not going to vote for it unless it is amended in certain respects. But I am very much disturbed by a group who say primarily they are interested in civil rights but come out with a bill of this nature that ignores these issues of civil rights to the extent it does.

Let me say further that some of the arguments advanced by my Southern

friends are certainly based on good solid observation, in my judgment, although I might say I am fundamentally in disagreement with them on other aspects of this problem and I certainly think the South has not done a good job in living up to this question of fundamental civil rights.

In the matter of the creation of this commission I know the chairman of the committee was asked a series of questions as to whether or not the rules of procedure we have adopted in regard to our congressional investigatory committees were considered and whether or not those amendments to achieve the same purpose for this executive commission would be accepted, and I was completely dissatisfied with the answer, because the answer to those southerners who suggested the amendments was merely a question: "Well, were you for those amendments to the rules of congressional committees,"

I want to say I have been strongly in favor of remedying the procedure of congressional committees. I am very disturbed at that answer because I think the fundamental thing is, Are you going to have civil rights abridged by this procedure of setting up a Presidential commission over which there are no guidelines?

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from New York.

Mr. CELLER. I do not know what these rules are that will be made applicable by virtue of any amendment. I would like to see them.

Mr. CURTIS of Missouri. It was the duty of this committee concerned with civil rights to have gone into that aspect of the matter and to have written such provision themselves, not by having an amendment offered on the floor of the House, which amendment might or might not be good. There are things we have been through time and time again; for instance, the use of television at committee hearings. There is a rule in the bill that a subcommittee of the commission shall consist of 2 or more members. That is a concession against these 1-man hearings. But that is the only procedural rule set out in this bill.

Mr. CELLER. Of course, the gentleman is aware of the fact all of the committees we have set up, like the one that is set up here in the instant bill, have in fact had rules as such.

Mr. CURTIS of Missouri. I may say to the gentleman most of those commissions have not had the right of subpena. Certainly those commissions have not had that privilege.

Mr. CELLER. The gentleman is in error. A good many of them have the right of subpena.

Mr. CURTIS of Missouri. But many of them do not, anyway. The main thing is that those executive commissions were not set up to investigate the personal action of individuals, they were not set up in such a way that would bring about condemnation for the commission of a crime or attack the reputation of individuals. The very matters and material this commission will go into will affect the reputation of individual persons among their fellowmen.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Texas.

Mr. DIES. If the gentleman will be patient, I shall offer the fair rules of procedure introduced by the gentleman from New York [Mr. CELLER] and numerous Members of the House and Senate, and approved by all liberal organizations of America. I am going to offer them and give everybody a chance to go on record.

Mr. CURTIS of Missouri. I appreciate that, but I think the gentleman has said he would vote against the bill even if the House would adopt it. I would vote for the bill if the House would adopt it. The accusation of politics seems to have some merit when this committee came out without considering these rules of procedure in a bill to be presented to the House. That is what I am disturbed about. I do not believe the proper way to put that sort of serious material in a bill is through amendment on the floor of the House. The proper place is in the committee itself and if the committee had been properly observant in trying to bring out a good bill on civil rights it would have gone into the civil rights aspects of the governmental procedures it was setting up and presented them to the House in the bill.

Mr. YATES. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, the gentleman from South Carolina [Mr. RICHARDS] is my very good friend. He is one of the outstanding Members of this body, and I have the utmost admiration and respect for his ability and for his judgment. I can understand the reasons which impelled him to make his speech and he was quite persuasive. Not persuasive enough, however, for his reasoning is based upon erroneous assumptions.

The gentleman from South Carolina declared that this was a bill against the people and against his home. In that the gentleman errs, because those of us who favor this bill have no antagonism toward his people or toward any section of the country. We are not vindictive, nor do we intend to wreak any vengeance against his people, against his home or against the South. This is not a destructive bill. This is a constructive bill, a bill which proposes to grant freedom to people and not to destroy them. This is a bill to give all the people of this country their birthright under the Constitution of the United States.

The gentleman from South Carolina is the able chairman of the Committee on Foreign Affairs. I am sure he remembers well the resolution that the Congress passed last year, the so-called McCormack resolution, which expressed the sense of the Congress to be that the United States should administer its foreign policy programs to support other peoples in their effort to achieve self-determination. That was a good bill. It placed the United States on the side of freedom, on the side of those who favor the right of peoples everywhere to govern themselves.

This bill applies the same principles to our own country. It gives the right of self-determination—the right to participate in the workings of our democracy to many people who are now disenfranchised for no other reason than their race.

This is the 20th century. The peoples of the world are on the move. The paternalism of the white man's burden policy is being stamped out in the surge for freedom of formerly dominated peoples. The traditions and ideals of the United States favor such expressions of democratic self-determination in other countries. We can do no less at home.

I should now like to turn to the amendment presented by the gentleman from Lousiana [Mr. WILLIS]. As I understand it, he proposes to retain the Commission with three changes: Delete the subpena power, delete the compensation and make sure that the Commission consults with governors and other officers of the States.

Directing myself first to the subpena power, let me say that during the debate the impression has been given that this is an unusual power; it is a tremendous power; that it is a power that even the Committee on the Judiciary does not possess. Well, this morning I did some research. I went through the legislation which created certain other commissions and discovered that the subpena power has been given in many instances. Every regulatory agency of our Government has the power to issue subpenas. The Federal Power Commission, the Interstate Commerce Commission, and the others. It has been given, too, to investigating commissions. In 1941, in Public Law 370 of the 77th Congress, the Congress gave the President the right to appoint a commission to conduct an investigation in connection with the attack on Hawaii. It gave that commission the subpena power.

Listen to this. In the 79th Congress, in Public Law 711, in an act to provide for investigating the matter of establishing a national park in an old part of the city of Philadelphia, we find that for the purpose of conserving historic bases and buildings therein Congress granted to the commission the right to subpena, including the power to subpena books and documents. If the Congress gave to the Philadelphia National Shrines Park Commission the right of subpena, why should not a commission to investigate the civil rights of the people of our country also be given that right? Are its purposes less important, less beneficent?

The gentleman from Louisiana says, too, that there should be no compensation paid to the voluntary organizations that might offer their services to the commission. There is no compensation paid under this bill. Section (b) provides only for paying necessary traveling and subsistence expenses. What can be fairer than that? There is no other compensation provided for under the bill.

As a matter of fact, the organizations the gentleman seeks to keep away from the commission are the very organizations that the commission should consult. They are the groups which have fought for civil rights over the last several decades and have contributed greatly to the progress we have made.

Organizations like the American Civil Liberties Union and the NAACP have acted as private atorneys general, if you please, in obtaining redress for the people who have been deprived of their civil rights.

The gentleman says, too, that the commission should consult with the governors and the chief officers of the various States. That is provided for in this legislation. It says that the commission may constitute such advisory committees and may consult with such representatives of State governments and private organizations as it deems advisable. This amendment should be voted down.

Mr. RAINS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. RAINS. Mr. Chairman, the pending legislation, H. R. 627, misnamed an omnibus civil-rights bill, is politically conceived, and is a dagger in the heart of the rights of the States of the Union. This bill, the brainchild of a politically minded United States Attorney General, is in reality a sinister invasion of the rights guaranteed to the people of this Nation, under the Constitution. Though, piously dedicated to the protection of minorities, it will be, if enacted into law, a shackle on the rights of the individual. This bill smacks of a Federal gestapo.

First, the bill sets up a Commission on Civil Rights in the executive branch of the Government—the members of the Commission not elected officials, not judicial officers, but appointed by the President, with wide and dangerous authority, to run down and investigate rumors and allegations that certain citizens of the United States are being, or may be deprived of their rights to vote; or that they are being sujected to unwarranted economic pressures by reason of their color, race, religion, or national origin. This bill would give jurisdiction over the right of suffrage, to this Commission of appointed officers of the executive branch of the Government. Can it be seriously maintained that the Constitution of the United States gives unlimited jurisdiction and power to the Federal Government as to the voting rights and privileges of the citizens of the various States? If this is true, which I am convinced beyond peradventure of a doubt that it is not, that the Federal Government has jurisdiction of suffrage in the various States, then can this Congress, in whom is vested the fundamental responsibilities of investigation, legally, lawfully, or sensibly delegate that authority to the executive branch?

And, Mr. Chairman, this hydraheaded Commission, set up by this bill, is authorized to investigate allegations and rumors of economic pressures, alleged or rumored to have been exerted upon a person because of his color, race, religion, or national origin. This is a field which has from the beginning of the Constitution, been reserved to the individual States. In fact, this legislation would mean the final culmination of a well-laid plan inspired by cheap politics to totally and completely destroy the time-honored and historic concept of the rights of the States.

As I studied the bill, the hearings and the committee reports, I was fearfully fascinated by the term "economic pressure." What does it mean? What could it mean in terms of a definition promulgated by the long-haired, fuzzy thinking of a President-appointed committee?

And then, Mr. Chairman, the frightening thought of a commission to snoop and investigate and browbeat the people of this country with no other restraint save their own definition of what constitutes economic pressures. Armed, as this commission would be, with the right of subpena makes me despair of what may be next in this never-ending, daily unfolding scheme to invade the powers, rights, and responsibilities of the States of the Union. Under this Commission there naturally would be established hundreds of Federal inquisitors, dragging the people from the various States before the Commission in Washington, or its appointed place of meeting, threatening boards of registrars, election officials and the officers of our county and State governments. The right of subpena is given to only three committees in the Congress—committees that are manned by men and women who have been elected by the voters of sovereign States. Here we are about to give this same power to the Executive, to members of a commission who will be dedicated to a theory that it is their duty to invade the provinces of the officials in the various States, and to intimidate all those with whom they happen to disagree politically.

I do not know how the people of the other congressional districts of the United States feel, but I do know that in my own, there will be bitter, determined, and burning resentment at snooping Federal agents sticking their noses—yes, subpenas and their threats—into local elections.

The third section of this bill seeks to amend the criminal conspiracy statutes. These statutes are now limited and have been since the beginning of our country, to private actions for damages. Under this bill the right of action would become the prerogative of the Attorney General. It clothes him with authority to enter into a field which has been formerly reserved for private persons in the States. And the amazing assertion is made in the bill that the Attorney General could take action against someone who is about to engage in any act or practice which would give rise to a cause or action under the bill. Are we willing as responsible Members of this great legislative body to break down the constitutional concept so long the protection of the individual, and set up offenses criminal in nature to be determined before it ever happened, by the Attorney General of the United States? Under this provision it would be possible, in a country where we have always prided ourselves on the freedom of thought, to punish a man for a political opinion—and in whose hands would the decision rest? In the hands of a politically minded, partisan Attorney General.

To my mind, as a lawyer, and as a legislator, the implications in this section are terrifying, and I cannot believe that, no matter how great the political urge may be on Members of this Congress, they will ever agree to place into the hands of any Attorney General a weapon so dangerous and so designed with which to blot out the freedoms which are guaranteed to our people under the Constitution.

If the American people knew, individually, what this bill proposes, that it threatens and endangers the rights of all people, this legislation would not be here for debate in this Chamber today. It is sold under the guise that it is to protect a downtrodden race. Nothing could be further from the truth. It is promoted by the overweening ambition of an administration, playing for political advantage. If it is enacted, it will solve no problem, and will divide, confuse, disgust, and frustrate the people of this country, in all sections of the land.

I have been disappointed and somewhat alarmed at the division which this bill creates here among the Members of Congress. It is clear to me that the climate in which this bill is presented, the motives which present it, and the means hoped to be attained, are pure, plain, selfish politics. In my judgment, at this rather turbulent hour in the life of this Nation, it is no time to pour fuel on a smoldering fire. We do not help an already threatening situation by inflammatory legislation. We are wasting a whole week of the Congress, in the closing days of the session, when we need to be engaged in other important legislation, on a bill which even the most rabid proponent of this legislation knows has no hope of enactment in this session of Congress, and why—simply because it is a political election year, playing to the prejudices of minorities in the hope of political gain. The same spirit which prompts and actuates this legislation, killed the aid to school construction bill. The schoolchildren of America were the pawn in that political chess game. In my humble judgment, neither political party won any political advantage, and the children of the members of all political parties suffer, as a result. The same thing is true in this legislation; it would set up a Federal bureaucracy to send investigators across the land like an army of locusts, but in the long run all it will accomplish is more turbulence in a turbulent era.

While I make no claim or pretense to statesmanship, it has always been my belief that legislation enacted by this Congress should be devoted to the commonweal, and not to a planned campaign of the violation of the rights of the people of this country. I sometimes wonder if my colleagues, who are so fervent in their support of this bill, ever stop to remember that other people, other than those who may belong to some minority group because of their race, color, or creed, also have civil rights, which should be protected, and in my humble judgment, this legislation, if enacted into law, would be a clear-cut violation of the rights of the great majority of the American people.

Enact this bill into law, and no man anywhere in America can sleep easy, free, and secure from the danger of Federal compulsion by an army of informers, feeding threatening, fantastic rumors. Do-gooders and anxious informers will be delving into every community and hamlet on our country—seeking, hunting, stirring up trouble.

There is today statute after statute for the protection of the civil rights of each individual in this country. Adequate remedies already exist. But no, we are called upon, and how Democrats can respond to this call of a partisan Republican Attorney General is more than I know, to arm him with extraordinary powers, powers which are not needed, and which pose to every citizen of our country, a dangerous threat to their freedom.

I am well aware that no matter how logical my argument, or how well marshaled are the facts, no matter though I presented unanswerable legal authorities, as my distinguished colleague the gentleman from Louisiana [Mr. WILLIS] did on Tuesday, there are those in this Chamber today who refuse to be enlightened, informed, or persuaded. Will right and reason go out the window, and passion and political partisanship prevail? I hope not.

I hope that the House of Representatives will maintain its great record for sound, sensible legislative action, by giving this bill a resounding defeat.

Mr. BOW. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have sat through practically all of the debate on this bill, and I have been intrigued and impressed by the fine debates on constitutional law. I think the one given the other day by the gentleman from Louisiana [Mr. WILLIS] was one of the best I ever heard.

I am somewhat disturbed, however, my colleagues, that we have spent all the time that we have in this debate, days of it, on the question of civil liberties. I can point out to this House where constitutional rights and liberties are being deprived and have been deprived for some time. But, on other occasions we have had from 5 to 15 to 20 minutes to discuss it and we have been unable to get a bill on the floor of this House to defend the constitutional rights of those who are not considered in this bill on civil rights. The constitution provides that the Congress shall make rules for the government and regulation of the land and naval forces of our country. There is a lot that has been taken away from this country by international treaty.

Of course, I refer to the NATO Agreements and the Status of Forces Agreements which are depriving American men in uniform in the service of their country from the protection of the Constitution. I hope that when this question comes before this body again we may be able to get the support of some of these fine constitutional lawyers who have debated this bill, so that we may some day present wholly and fully to this House the question of the deprivation of those constitutional rights of American men in uniform who are serving in foreign countries, where they are now being tried in foreign courts and imprisoned in foreign jails.

Just the other day there came a report from Japan that American servicemen had been subjected to double jeopardy. We have cases where men are held to be guilty and have to prove their innocence. We have cases where confessions taken under duress may be used as competent evidence against them. I could cite instance after instance where civil rights and constitutional rights of American men following our flag are being deprived. But we have not been able to get this kind of support on the floor of this House, nor have we been able to get a bill that could be fully debated in this House on that subject, so that the House could work its will on it and determine whether or not our men should be protected in their rights when they are serving our country abroad.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. BOW. I am delighted to yield to the gentleman.

Mr. RIVERS. I should like to say to the gentleman that I shall support his bill when he gets one brought up. I know of cases equally as bad as those recited by the gentleman and if there is any way on earth to get a bill before the House that will do what the gentleman is suggesting, I shall support it. I think the gentleman is completely right, and to the limited extent of my capacity I shall help him in his objective. I say again, the gentleman is 100 percent right.

Mr. BOW. Mr. Chairman, I thank the gentleman. I hope some day we will be able to protect the rights of these men who are now protecting us in foreign countries.

Mr. GARY. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, this debate has brought out certain facts regarding this so-called civil-rights bill which are absolutely appalling. It has been proved, beyond all doubt, that this bill does not protect the civil rights of our people. On the other hand, it does violence to long-established legal procedures set up to guarantee the rights of our citizens.

The bill would allow a politically motivated Attorney General to send snoopers throughout the length and breadth of the land to spy upon our people and to bring citizens before the Federal courts on nothing more than a suspicion that they will in the future engage in plans which might deprive another citizen of his rights. It is an attempt to look into the minds of free citizens. Good reputations of honest and law-abiding people could be besmirched for purely partisan reasons.

The bill would create more wrongs than it would protect rights. It is misnamed. It is not a civil-rights bill. It is in fact a civil-wrongs bill.

Mr. SIKES. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, many sound arguments have been advanced against the civil rights measure now under consideration. I shall review some of them. Let us take the Commission on Civil Rights.

The subpena power to be vested in this Commission would constitute a threat to the liberty and privacy of every citizen who challenges the extravagant claims of minority pressure groups. The subject matter to be investigated is so broadly defined as to touch almost every aspect of personal, social and business relations. Witnesses could be summoned to testify at any time anywhere in the United States, no matter how far distant from their homes. No provision is made for reimbursing witnesses for expenses or loss of time occasioned by obedience to a subpena.

Let me quote from *Cudahy Packing Co.* v. *Holland* ((1942) 315 U. S. 357, 363), in which Mr. Chief Justice Stone said:

> It is a power capable of oppressive use, especially when it may be indiscriminately delegated and the subpena is not returnable before a judicial officer. Under the present act, the subpena may, as in this case, be used to compel production at a distant place of practically all of the books and records of a manufacturing business, covering considerable periods of time. True, there can be no penalty incurred for contempt before there is a judicial order of enforcement. But the subpena is in form an official command, and even though improvidently issued it has some coercive tendency, either because of ignorance of their rights on the part of those whom it purports to command or their natural respect for what appears to be an official command, or because of their reluctance to test the subpena's validity by litigation.

In the same vein, in *Harriman* v. *Interstate Commerce Commission* ((1908) 211 U. S. 407, 417–420), Mr. Justice Holmes stated:

> The legislation that the Commission may recommend embraces, according to the arguments before us, anything and everything that may be conceived to be within the power of Congress to regulate, if it relates to commerce with foreign nations or among the several States. And the result of the arguments is that whatever might influence the mind of the Commission in its recommendations is a subject upon which it may summon witnesses before it and require them to disclose any facts, no matter how private, no matter what their tendency to disgrace the person whose attendance has been compelled. If we qualify the statement and say only, legitimately influence the mind of the Commission in the opinion of the court called in aid, still it will be seen that the power, if it exists, is unparalleled in its vague extent. Its territorial sweep also should be noticed. By § 12 of the act of 1887, the Commission has authority to require the attendance of witnesses "from any place in the United States, at any designated place of hearing." No such unlimited command over the liberty of all citizens ever was given, so far as we know, in constitutional times, to any commission or court.
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> * * * * * * * * * * * * * the purposes of the act for which the Commission may exact evidence embrace only complaints for violation of the act, and investigations by the Commission upon matters that might have been made the object of complaint * * *. These in our opinion are the purposes referred to; in other words the power to require testimony is limited, as it usually is in English-speaking countries at least, to the only cases where the sacrifice of privacy is necessary—those where the investigations concern a specific breach of the law.

Then *In re Pacific Railway Commission* ((1887) 32 Fed. 241, 263), Circuit Judge Sawyer, concurring:

A general, roving, offensive, inquisitorial, compulsory investigation, conducted by a Commission without any allegations, upon no fixed principles, and governed by no rules of law, or of evidence, and no restrictions except its own will, or caprice, is unknown to our Constitution and laws; and such an inquisition would be destructive of the rights of the citizen, and an intolerable tyranny. Let the power once be established, and there is no knowing where the practice under it would end.

I believe it undeniably true that the investigating authority which H. R. 627 would vest in the Commission exceeds that which Congress has power to confer.

Now let me quote from *Quinn* v. *United States* ((1955) 349 U. S. 155, 161), per Mr. Chief Justice Warren:

But the power to investigate, broad as it may be, is also subject to recognized limitations. It cannot be used to inquire into private affairs unrelated to a valid legislative purpose. Nor does it extend to an area in which Congress is forbidden to legislate.

I find also in the case of *Jones* v. *Securities & Exchange Commission* ((1936) 298 U. S. 1, 25–26), per Mr. Justice Sutherland:

An official inquisition to compel disclosures of fact is not an end, but a means to an end; and it is a mere truism to say that the end must be a legitimate one to justify the means. The citizen, when interrogated about his private affairs, has a right before answering to know why the inquiry is made; and if the purpose disclosed is not a legitimate one, he may not be compelled to answer. Since here the only disclosed purpose for which the investigation was undertaken had ceased to be legitimate when the registrant rightfully withdrew his statement, the power of the Commission to proceed with the inquiry necessarily came to an end. Dissociated from the only ground upon which the inquiry had been based, and no other being specified, further pursuit of the inquiry, obviously, would become what Mr. Justice Holmes characterized as "a fishing expedition * * * for the chance that something discreditable might turn up" (*Ellis* v. *Interstate Commerce Comm'n* (237 U. S. 434 445))—an undertaking which uniformly has met with judicial condemnation.

Likewise in the case of *Sinclair* v. *United States* ((1929) 279 U. S. 263, 292), per Mr. Justice Butler:

It has always been recognized in this country, and it is well to remember, that few if any of the rights of the people guarded by fundamental law are of greater importance to their happiness and safety than the right to be exempt from all unauthorized, arbitrary, or unreasonable inquiries and disclosures in respect of their personal and private affairs.

This legislation would provide for the appointment of an Assistant Attorney General.

The establishment of this position would enable the Department of Justice to set up a civil-rights division and hire an army of lawyers to meddle in private affairs and stir up race conflicts in the South or anywhere else their fancy might lead them.

The authority of the Attorney General to bring civil suits to enforce sections 1971 and 1980 of the Revised Statutes provides additional questions. Traditionally and historically, the control of elections is a matter for the States. H. R. 627 would give the Attorney General authority to police practically all elections, including primaries.

Faced with the threat of a law suit under this bill for every error or alleged error of judgment in administering election laws, honest citizens would be reluctant to serve as election officials. No matter how many hundreds or thousands of persons the Attorney General might employ, it would be impossible for outsiders to enforce honest elections in every local precinct. The ultimate result of this measure would be to undermine the integrity of elections not only in the South but in every section of the country.

That part of section 1980 which purports to give a cause of action for conspiracies to deprive any person of equal protection of the laws or equal privileges and immunities under the laws is of doubtful validity. In *United States* v. *Harris* (1882) 106 U. S. 629), the Supreme Court held that another section imposing a criminal penalty for an offense defined in the same terms as the first clause of subsection 3 was unconstitutional. Speaking for the Court, Mr. Justice Woods wrote:

As, therefore, the section of the law under consideration is directed exclusively against the action of private persons, without reference to the laws of the State or their administration by her officers, we are clear in the opinion that it is not warranted by any clause in the 14th amendment to the Constitution.

* * * * * * * * * * *

If Congress has constitutional authority under the 13th amendment to punish a conspiracy between two persons to do an unlawful act, it can punish the act itself, whether done by one or more persons.

A private person cannot make constitutions or laws, nor can he with authority construe them, nor can he administer or execute them. The only way, therefore, in which one private person can deprive another of the equal protection of the laws is by the commission of some offense against the law which protect the rights of persons, as by theft, burglary, arson, libel, assault, or murder. If, therefore, we hold that section 5519 is warranted by the 13th amendment, we should, by virtue of that amendment, accord to Congress the power to punish every crime by which the right of any person to life, property, or reputation is invaded. Thus, under a provision of the Constitution which simply abolished slavery and involuntary servitude, we should, with few exceptions, invest Congress with power over the whole catalogue of crimes. A construction of the amendment which leads to such a result is clearly unsound.

There is only one other clause in the Constitution of the United States which can, in any degree, be supposed to sustain the section under consideration; namely, the 2d section of article 4, which declares that "the citizens of each State shall be entitled to all the privileges and immunities of citizens of the several States." But this section, like the 14th amendment, is directed against State action. Its object is to place the citizens of each State upon the same footing with citizens of other States, and inhibit discriminative legislation against them by other States. *Paul* v. *Virginia* (8 Wall. 168).

Referring to the same provision of the Constitution, this court said, in Slaughter-House cases ubi supra, that it "did not create those rights which it called privileges and immunities of citizens of the States. It threw around them in that clause no security for the citizen of the State in which they were claimed or exercised. Nor did it profess to control the power of the State governments over the rights of its own citizens. Its sole purpose was to declare to the several States, that whatever those rights, as you grant or establish them to your own citizens, or as you limit, or qualify, or impose restrictions on their exercise, the same, neither more nor less, shall be the measure of the rights of citizens of other States within your jurisdiction."

It was never supposed that the section under consideration conferred on Congress the power to enact a law which would punish a private citizen for an invasion of the rights of his fellow citizen, conferred by the State of which they were both residents, on all its citizens alike.

In the recent case of *Collins* v. *Hardyman* ((1951) 341 U. S. 651), the Court held that there could be no recovery of damages under this section for violent interference by private individuals with the meeting of a political club held for the purpose of adopting a resolution opposing the Marshal plan. The Court did not pass on the constitutionality of this provision. However, Mr. Justice Jackson, who delivered the opinion of the Court, had this to say:

This statutory provision has long been dormant. It was introduced into the Federal statutes by the act of April 20, 1871, entitled "An act to enforce the provisions of the 14th amendment to the Constitution of the United States, and for other purposes." The act was among the last of the reconstruction legislation to be based on the "conquered province" theory which prevailed in Congress for a period following the Civil War. This statute, without separability provisions, established the civil liability with which we are here concerned as well as other civil liabilities, together with parallel criminal liabilities.

* * * * * * * * * * *

The act, popularly known as the Ku Klux Act, was passed by a partisan vote in a highly inflamed atmosphere. It was preceded by spirited debate which pointed out its grave character and susceptibility to abuse, and its defects were soon realized when its execution brought about a severe reaction.

The provision establishing criminal conspiracies in language indistinguishable from that used to describe civil conspiracies came to judgment in *United States* v. *Harris* (106 U. S. 629). It was held unconstitutional. This decision was in harmony with that of other important decisions during that period by a court, every member of which had been appointed by Presidents Lincoln, Grant, Hayes, Garfield, or Arthur—all indoctrinated in the cause which produced the 14th amendment, but convinced that it was not to be used to centralize power so as to upset the Federal system.

While we have not been in agreement as to the interpretation and application of some of the post-Civil War legislation, the Court recently unanimously declared, through the Chief Justice:

"Since the decision of this Court in the *Civil Rights* cases (109 U. S. 3 (1883)), the principle has become firmly embedded in our constitutional law that the action inhibited by the first section of the 14th amendment is only such action as may fairly be said to be that of the States. That amendment erects no shield against merely private conduct, however discriminatory or wrongful."

And Mr. Justice Douglas, dissenting, has quoted with approval from the Cruikshank case, "The 14th amendment prohibits a State from denying to any person within its jurisdiction the equal protection of the laws; but this provision does not, any more than the one which precedes it * * * add anything to the rights which one citizen has under the Constitution against another." (92 U. S. at pp. 554–555.) And "The only obligation resting upon the United States is to see that the States do not deny the right. This the amendment guarantees, but no more. The power of the National Government is limited to the enforcement of this guaranty." He summed up: "The 14th amendment protects the individual against State action, not against wrongs done by individuals."

It is apparent that, if this complaint meets the requirements of this act, it raises constitutional problems of the first magnitude that, in the light of history, are not without difficulty. These would include issues as to congressional power under and apart from the 14th amendment, the reserved power of the States, the content of rights derived from national as distinguished from State citizenship, and the question of separability of the act in its application to those two classes of rights.

H. R. 627 not merely authorizes the Attorney General to sue for acts already committed; it also permits him to institute procedings wherever any persons are about to engage in any acts or practices which would give rise to a cause of action under section 1980. Since it is always a matter of speculation whether a person may or may not be about to engage in particular acts, this gives the Department of Justice an unlimited license to harass the people.

By giving the Federal courts jurisdiction of proceedings instituted under this bill, without requiring the party aggrieved to exhaust other remedies provided by State law, the Attorney General would be able to bypass State courts entirely and concentrate in the Federal all litigation concerning everything the broad language of this bill might be stretched to cover.

Certainly it is bad legislation which does not merit the approval of the Congress. There is no place on the statute books for it in a democracy.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. WILLIS].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PART I—ESTABLISHMENT OF THE COMMISSION ON CIVIL RIGHTS

SEC. 101. (a) There is created in the executive branch of the Government a Commission on Civil Rights (hereinafter called the "Commission").

(b) The Commission shall be composed of six members who shall be appointed by the President by and with the advice and consent of the Senate. Not more than three of the members shall at any one time be of the same political party.

(c) The President shall designate one of the members of the Commission as Chairman and one as Vice Chairman. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman, or in the event of a vacancy in that office.

(d) Any vacancy in the Commission shall not affect its powers and shall be filled in the same manner, and subject to the same limitation with respect to party affiliations, as the original appointment was made.

(e) Four members of the Commission shall constitute a quorum.

Mr. DIES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIES: On page 20, line 14, after the word "quorum" insert the following new section:

"RULES OF PROCEDURE—SUBCOMMITTEES, MEETINGS, INVESTIGATIONS, AND REPORTS

"SEC. 101. (a) Subcommittees, as required, shall be appointed by the Commission Chairman subject to the approval of the majority of the Commission and shall ordinarily consist of no less than three members. Subcommittees of less than three members may be designated by the Chairman, subject to the approval of the majority of the Commission.

"(b) Commission meetings shall be called only upon a minimum of 16 hours' written notice to the office of each Commission member. This provision may be waived by the assent of the majority of the members of the Commission.

"(c) Commission hearings (whether public or in executive session) and Commission investigations shall be scheduled and conducted only upon the majority vote of the Commission in a meeting at which a majority of the Commission is actually present.

"(d) A resolution or motion scheduling hearings or ordering a particular investigation shall state clearly and with particularity the subject thereof, which resolution may be amended only upon majority vote of the Commission in a meeting at which a majority of the Commission is actually present.

"(e) The Chairman or a member shall consult with appropriate Federal law enforcement agencies with respect to any phase of an investigation which may result in evidence exposing the commission of Federal crimes, and the results of such consultation shall be reported to the Commission before witnesses are called to testify therein.

"(f) No Commission report shall be issued unless a draft of such report is submitted to the office of each Commission member 24 hours in advance of the meeting at which it is to be considered and is adopted at a meeting at which a majority is actually present.

"(g) No testimony given in executive session or part or summary thereof shall be released or disclosed orally or in writing by a member or employee of the Commission without the authorization of the Commission by majority vote at a meeting at which a majority of members is present. No Commission or staff report or news release or statement based upon evidence or testimony adversely affecting a person shall be released or disclosed by the Commission or any member orally or in writing unless such evidence or testimony and the complete evidence or testimony offered in rebuttal thereto, if any, is published prior to or simultaneously with this issuance of the report, or news release, or statement.

"(h) The rule as to the secrecy of executive sessions as set forth in subsection (g) of this section shall be applicable to members and employees of the Commission for a reasonable period following an executive session until the Commission has had a reasonable time to conclude the pertinent investigation and hearings and to issue a report; subject, however, to any decision by a Commission majority for prior release in the manner set forth in subsection (g).

"Hearings

"(i) Witnesses at Commission hearings (whether public or in executive session) shall have the right to be accompanied by counsel, of their own choosing, who shall have the right to advise witnesses of their rights and to make brief objections to the relevancy of questions and to procedure.

"(j) Rulings on motions or objections shall be made by the member presiding, subject to appeals to the members present on motion of a member.

"(k) At least 24 hours prior to his testifying a witness shall be given a copy of that portion of the motion or resolution scheduling the hearing stating the subject of the hearing; at the same time he shall be given a statement of the subject matters about which he is to be interrogated.

"(l) It shall be the policy of the Commission that only evidence and testimony which is reliable and of probative value shall be received and considered by the Commission. The privileged character of communication between clergymen and parishioner, doctor, and patient, lawyer and client, and husband and wife shall be scrupulously observed.

"(m) No testimony shall be taken in executive session unless at least two members of the Commission are present.

"(n) Every witness shall have the right to make complete and brief answers to questions and to make concise explanations of such answers.

"(o) Every witness who testifies in a hearing shall have a right to make an oral statement and to file a sworn statement which shall be made a part of the transcript of such hearings, but such oral or written statement shall be relevant to the subject of the hearings.

"(p) A stenographic verbatim transcript shall be made of all Commission hearings. Copies of such transcript, so far as practicable, shall be available for inspection or purchase at regularly prescribed rates from the official reporter by any witness or person mentioned in a public hearing. Any witness and his counsel shall have the right to inspect only the complete transcript of his own testimony in executive session.

"Rights of persons adversely affected by testimony

"(q) A person shall be considered to be adversely affected by evidence or testimony of a witness if the Commission determines that: (i) the evidence or testimony would constitute libel or slander if not presented before the Commission or (ii) the evidence or testimony alleges crime or misconduct or tends to disgrace or otherwise expose the person to public contempt, hatred, or scorn.

"(r) Insofar as practicable, any person whose activities are the subject of investigation by the Commission, or about whom adverse information is proposed to be presented at a public hearing of the Commission, shall be fully advised by the Commission as to the matters into which the Commission proposes to inquire and the adverse material which is proposed to be presented. Insofar as practicable, all material reflecting adversely on the character or reputation of any individual which is proposed to be presented at a public hearing of the Commission shall be first reviewed in executive session to determine its reliability and probative value and shall not be presented at a public hearing except pursuant to majority vote of the Commission.

"(s) If a person is adversely affected by evidence or testimony given in a public hearing, that person shall have the right: (i) to appear and testify or file a sworn statement in his own behalf, (ii) to have the adverse witness recalled upon application made within 30 days after introduction of such evidence or determination of the adverse witness' testimony, (iii) to be represented by counsel as heretofore provided, (iv) to cross-examine (in person or by counsel) such adverse witness, and (v) subject to the discretion of the Commission, to obtain the issuance by the Commission of subpenas for witnesses, documents, and other evidence in his defense. Such opportunity for rebuttal shall be afforded promptly and, so far as practicable, such hearing shall be conducted at the same place and under the some circumstances as

the hearing at which adverse testimony was presented.

"Cross-examination shall be limited to 1 hour for each witness, unless the Commission by majority vote extends the time for each witness or group of witnesses.

"(t) If a person is adversely affected by evidence or testimony given in executive session or by material in the Commission files or records, and if public release of such evidence, testimony, or material is contemplated such person shall have, prior to the public release of such evidence or testimony or material or any disclosure of or comment upon it by members of the Commission or Commission staff or taking of similar evidence or testimony in a public hearing, the rights heretofore conferred and the right to inspect at least as much of the evidence or testimony of the adverse witness or material as will be made public or the subject of a public hearing.

"(u) Any witness (except a member of the press who testifies in his professional capacity) who gives testimony before the Commission in an open hearing which reflects adversely on the character or reputation of another person may be required by the Commission to disclose his sources of information, unless to do so would endanger the national security.

"Subpenas

"(v) Subpenas shall be issued by the Chairman of the Commission only upon written notice to all members of the Commission, with a statement as to the identity of the witness or material and their relevancy to the investigation or hearing already authorized. Upon the request of any member of the Commission, the question of whether a subpena shall be issued or remain in force if already issued shall be decided by a majority vote.

"Commission staff

"(w) The composition and selection of, and changes in, the professional and clerical staff of the Commission shall be subject to the vote of a majority of the members of the Commission.

"Television and other means of communication and reporting

"(x) Subject to the physical limitations of the hearing room and consideration of the physical comfort of Commission members, staff, and witnesses, equal access for coverage of the hearings shall be provided to the various means of communication, including newspapers, magazines, radio, newsreels, and television. It shall be the duty of the Commission Chairman to see that the various communication devices and instruments do not unreasonably distract, harass, or confuse the witness or interfere with his presentation.

"(y) No witness shall be televised, filmed, or photographed during the hearing if he objects on the ground of distraction, harassment, or physical handicap."

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes in support of his amendment.

Mr. DIES. Mr. Chairman, this is a very long amendment.

Mr. JACKSON. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield.

Mr. JACKSON. In light of the fact that I understand an agreement has been made between the leadership that will not unduly restrict the time to be given to Members to explain their amendments, I wish to state that I will not interpose any objection to a request for additional time.

Mr. SMITH of Virginia. Mr. Chairman, I ask unanimous consent that the gentleman from Texas may have 5 additional minutes.

Mr. DIES. Mr. Chairman, it must be manifest to the House that this cannot be explained in just a few minutes. May I request the indulgence of the House for 10 additional minutes? This is a very important amendment. Any amendments that I shall hereafter propose I will take only a few minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas, that he may proceed for 10 additional minutes?

There was no objection.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield.

Mr. KEATING. Does the gentleman have this in written form, which I might study during his presentation?

Mr. DIES. I asked unanimous consent last night to insert it in the RECORD. For some reason it was not inserted in the RECORD. I regret that very much. I wanted to give the House ample time to consider it in advance. I do not think I have a copy with me, but the gentleman can get the copy from the Clerk's desk and be reading it.

Mr. ROBERTS. Mr. Chairman, I ask unanimous consent to extend my remarks immediately following the remarks of the gentleman from Texas [Mr. DIES].

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DIES. Mr. Chairman, this amendment is verbatim the language of a bill introduced by the gentleman from New York [Mr. CELLER]. I had some difficulty trying to decide which bill to use. I secured copies of all bills that had been introduced by numerous Members of both bodies, and I discovered that practically all of the bills were alike. In fact, the bills introduced by many of the Members were identical in language.

Then I went back to the hearing before the Rules Committee, and I discovered that the rules proposed in this bill were suggested by numerous liberal organizations. For instance, the American Civil Liberties Union appeared and advocated these rules.

The Association of the Bar of the City of New York, through Witness Allen Klots, appeared in support of these rules.

The American Jewish Congress, through Will Maslow, appeared in support of these rules.

Harold Riegelman, of the American Jewish Committee, appeared before the committee in support of these rules.

Dr. Eugene C. Blake, National Council of the Churches of Christ in the United States, appeared before the Rules Committee in support of the rule, and offered for the record numerous statements of denominational organizations throughout the United States in support of these rules.

Andrew E. Rice, executive director of the American Veterans Committee, and Hon. Kenneth B. Keating, of New York; Hon. Chauncey W. Reed, of Illinois; Thomas E. Harris, asistant general counsel of the CIO, appeared and at some length suggested these rules.

Then Hon. Andrew Biemiller, of the American Federation of Labor, appeared before the committee in support of these rules of fair procedure.

Hon. Jacob K. Javits, of New York, was also one of the witnesses.

I could go on, Mr. Chairman, and consume a great deal of time reading the endorsements of these rules of procedure by numerous liberal organizations in the United States; and, strange as it may appear, the very organizations that endorsed these rules endorsed the civil rights bill which is now under consideration by the House.

Mr. KEATING. Mr. Chairman, will the gentleman yield for a question?

Mr. DIES. I yield briefly.

Mr. KEATING. I do not believe the gentleman would care to give the impression that I appeared in behalf of these rules.

Mr. DIES. I have the gentleman's rules here and they are very similar.

Mr. KEATING. Similar but somewhat different.

Mr. DIES. To be frank, I read as many of these bills as I could all afternoon and until 2 o'clock in the morning when I got very sleepy, and I could not tell much difference in the bills. I do not know where they originated, but it was a strange coincidence that so many different minds would all agree upon the same measure. However, I am sure that that is the case.

Now, Mr. Chairman, I want to be very serious about this. It may appear at first blush that I am offering this facetiously, but as a matter of fact, having read these rules carefully, having considered them, I believe they will afford a measure of protection to people who are accused and who appear before this commission as witnesses.

Remember, this commission is unusual. Most commissions deal with subject matters. The Committee on Un-American Activities dealt with un-American activities. Mr. Hoover's Commission dealt with a subject matter. But here for the first time it is mandatory that a commission shall investigate allegations. The commission has no discretion about it. Anyone who makes an unverified, unsupported, unsworn allegation against his fellow man is entitled as a mandatory right to have that allegation investigated.

Remember also that if someone makes an allegation before this commission against any American citizen or against anyone, that person can be subpenaed to travel to Washington, D. C., and to answer that allegation.

As I said, I have had a lot of experience with investigations; and, as a matter of fact, the very first order of business of our committee was to announce rules of procedure. I do not have the time to review those rules, but they were designed to insure fair trial.

I also introduced several years ago a set of rules. They were somewhat different from the rules of the gentleman from New York [Mr. CELLER], but he has had so much experience in the field and has worked so many long and tireless hours on these rules that I felt it was my duty to honor him by introducing his bill today.

Mr. Chairman, the rules that were proposed by the gentleman from New

York and by numerous other Members of this body and of the other body and supported so vigorously and unanimously by all of the liberal forces in America were designed to apply to the investigation and exposure of communism. There is no doubt about that. That was the provocation for the avalanche of rules that were introduced. I submit that if so many Members of the House felt that the Communists should be safeguarded and protected by these rules of procedure, certainly American citizens ought to have equal protection.

I have not sought to strengthen these rules. I think it would be appropriate to add some more safeguards in view of the differences between what you are trying to reach here and what the authors of the rules sought to reach. I submit that even in this progressive and liberal period we ought to give as much protection to American citizens as it was proposed to give to Communists and those engaged in subversive activities. I shall not attempt to explain in detail all of the provisions of these rules. They have been well considered by committees of the other body and of the House of Representatives. I did not bring all of the hearings of the other body here because they are very voluminous, and I felt it would serve no useful purpose. I did bring the hearings of the Rules Committee of the House and I am proposing to you a set of rules which has been carefully considered by appropriate committees of the Congress and which have been introduced by some of the most distinguished and able Members of both branches. I could if it were not for the rules of the House name the Members of the other body. It is an imposing galaxy of liberal and progressive leadership in the United States.

I assume, Mr. Chairman, that those of you who want to safeguard and protect those who are accused, those who are libeled or slandered or subjected to harassment, will enthusiastically embrace the opportunity to pass this amendment. It will be a glorious day for the cause of enlightened liberalism in America. I think I can foresee the time, Mr. Chairman, when this day will be celebrated as historic.

I can recall those long years when I headed the Committee on Un-American Activities. I listened to many fervent speeches from those who demanded that the people who were investigated and exposed by the Dies committee should be surrounded with all of these rights and with all of these protections. And through the long weary years they have labored, and finally it is my privilege to offer this measure to the House of Representatives.

Mr. Chairman, this will be the real test of liberalism. It is the test of whether you meant what you said in your speeches to your constituents, to labor and other liberal organizations, and to the House of Representatives, and in the numerous bills that you introduced. If you believe in them you now have a magnificent opportunity to attach to this bill the very rules that you have advocated in the past.

It may be suggested by some reactionary who might oppose this amendment that there is a difference between congressional investigations and commissions. If there is a difference, Mr. Chairman, that difference is that there is greater need to safeguard accused persons before a commission than a congressional investigating committee. In a congressional investigation the House has constant control over the committee. In the case of a special committee, such as was the much maligned Dies committee, we were required to appear before the House every year for additional funds.

We were compelled to defend ourselves against any charge that was made by any Member of this body, and at any moment the House of Representatives could have terminated our investigation.

But, in the case of a commission, you lose control. You empower the President to appoint the commissioners. I know it has been suggested that we can trust the President to select the right men for the place. Well, perhaps he can get around to the duty of personally selecting the commissioners, but I have great doubts. I saw the security program in operation, and as I told the House of Representatives the other night, there were great injustices committed in the administration of the security program. I told you of one incident that it would be well to repeat for the benefit of those who were not here, of a man who is the regional director of the NLRB at Fort Worth, Tex., Dr. Edwin Elliott, a man who was accused before our committee some years ago of being a Communist. We investigated the charges and found that they were groundless. Then, when the security program went into effect, suddenly, without any previous warning, this man was accused by the Government of being a Communist. Well, I wrote letters to Washington and asked for a bill of particulars. They refused to give me any information. They set a date for hearing in the city of Fort Worth. I appeared there as his counsel, voluntarily and without pay, because I knew the man was innocent. When we walked into the hearing room, there sat six men from Washington, D. C., and the newspaper reporters were excluded. No one was permitted in the hearing room but the defendant and myself and another attorney for the National Labor Relations Board. I rose and asked the Board if they would supply me with information as to the name of the accuser. They said, "We cannot give you that information." I asked, "Can you tell me when he was accused of being a Communist? What activities did he engage in? Is there any evidence of membership in the party?" They said, "We are not permitted to give you any information." I said, "Then I must assume that the burden of proof is upon us to establish his innocence without any information whatsoever." They said, "That is true." Fortunately, I had gone through my old records and discovered the name of the original accuser, and we conducted an investigation. We found that the informant worked for a detective agency in Fort Worth, and without any right of subpena whatsoever we prevailed upon him to appear, as well as other witnesses, and assumed and discharged the burden and proved beyond any reasonable doubt that the regional director was innocent.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. DIES. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DIES. But, it took 1 year to get Washington to act upon the matter, and during all that time this Government official, this man who had formerly been on the faculty of TCU, who was highly respected, and his family were under the shadow of guilt.

Now, Mr. Chairman, here is a commission with tremendously more power than the security boards had. And, we have no safeguard, no measure of protection for the thousands of people that can be subpenaed to appear before that Commission. There are no rules of procedure provided; there is no provision for counsel to be there; there is no provision that the accused shall be furnished with information in advance as to what the accusation is.

I submit to you, Members of the Committee, liberals and conservatives alike, that if you are determined to pass this bill over my strenuous objection and vote, the least you can do is to adopt these rules of procedure that have been advocated so strenuously and so eloquently and so persistently by the gentleman from New York [Mr. CELLER] and by the gentleman from Illinois [Mr. YATES] and by numerous other gentlemen of this House and of the other body. They have been here pleading for these rules. I submit that those who understand the value and the necessity of protecting the rights and the God-given privileges of the American people cannot afford to oppose this amendment. I believe that this is a real test of the honest liberalism of the membership of this House and I call upon the Members of the minority, if they believe in protecting defendants and accused people and of giving them an opportunity to a fair day in court, and to have counsel present and to know the specific nature of the charges, and who the accuser is, and to have the right to subpena witnesses in their behalf—if they believe in these time-honored principles of American jurisprudence, then I urge them to join with all of us in approving this amendment.

Mr. ROBERTS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ROBERTS. Mr. Chairman, the bill now before the House for consideration, H. R. 627, the so-called civil rights bill, is a bill ill-conceived, ill-drafted, and if enacted, can only bring ill-will. It is legislation designed to destroy States rights, disregard State judicial processes, and create chaos such as our entire Nation has never experienced. It is even unlikely that this legislation could ac-

complish what its proponents seek. It is more likely that it would only result in sending a horde of investigators, traveling at the Nation's taxpayers' expense, to swarm across the Southland searching for a bona fide civil-rights complaint.

Basically H. R. 627 would establish a Civil Rights Commission; would provide for an additional Assistant Attorney General; would establish a special civil-rights division in the Justice Department; and would empower the United States Attorney General to institute civil action or other proceedings for redress for an individual complainant, free of charge, and without State remedies having been exhausted. And of significant note is the fact that the Attorney General may institute litigation without the knowledge or consent of the person designated as the party in interest. If some pressure group feels an individual's rights have been violated, even if the individual does not agree, action can be instituted.

I am sure this House is well aware that the establishment of a Commission on Civil Rights is not unique. The President could create such a commission if he so chose. But I note he has not "so chosen" during his past 3½ years in office. Of course, the unusual power which this legislation before us proposes to place in the hands of the Civil Rights Commission are full subpena powers and provisions for punishment for any contempt. Defendants could be called upon to appear at any place, any time, and apparently at their own expense. I emphasize at his own expense because the individual lodging the complaint that his civil rights has been denied, would not have to pay 1 cent of the costly litigation expenses. A team of lawyers and investigators would be set to work investigating complaints and all at the taxpayers' expense.

And it would be facetious to think that all the complaints filed would be real and not imaginary. To illustrate the goose chases that Government tax-paid lawyers and investigators would be sent on, let us take a look at the past. In 1940, 8,000 civil-rights complaints were received. Prosecutions were recommended in 12 cases. This is 0.15 percent—less than two-tenths of 1 percent. In 1942, 8,612 complaints were received. Prosecutive action was taken in 76 cases, but the Attorney General's report does not say how many convictions were obtained. In 1944, 20,000 complaints were lodged; 64 prosecutions were undertaken, but it is not revealed how many were convicted. In 1947, 13,000 complaints were received, and prosecutions were undertaken in 12 cases. Convictions were secured in 4 cases. Four convictions out of 13,000 complaints, Mr. Speaker, is less than four-tenths of 1 percent. This is a pretty poor return for the time, money, and effort involved—if this area is as flagrant with abuses as so many professional liberals and vote-hungry politicians would like to have the public think. To the candid eye, I frankly think it would appear that the civil-rights measure is political eyewash brewed to further make the South the whipping boy for all sections of the Nation, with the hope of gaining votes in November. In the last few days of this session we see the administration attempting to coerce this Congress into passing this legislation so that the President can claim fulfillment of a campaign promise he made in Harlem in 1952—when he was a most active candidate for the Presidency of these United States.

The Commission on Civil Rights would be designed to investigate allegations concerning deprivations of the right to vote and to investigate allegations concerning unwarranted economic pressures by reason of the color, race, religion, or national origin of the victim. The legislation, H. R. 627, as proposed, extends the Federal authority into areas traditionally reserved to the States and to the people. It also called for eliminating the requirement that all State administrative and judicial remedies must be exhausted before access can be had to the Federal court. These are indeed unique and strong-handed tactics to bypass the States and completely nullify their rights and procedures. A feeble justification was made that the State courts were overworked but only last week, Chief Justice Warren, addressing the 26th Judicial Conference of the United States Fourth Circuit Court of Appeals, referred to the congestion in the courts, the tremendous backlog of cases, and called for Congress to enact legislation to provide for the appointment of 21 additional Federal judges.

In the clamor to ram civil rights down the necks of Southerners, it would well behoove the Members of Congress to take heed lest they destroy States rights and thus begin the whittling away of our freedom. The Founding Fathers of this Nation, while aware of the necessity and strength in unity, were equally anxious that States rights and the individuals' rights in no way be impaired. The enactment of H. R. 627 would take us a long way from this philosophy, so deeply cherished and fought for by our great forebears.

Thomas Jefferson wrote in 1800:

> The true theory of our Constitution is surely the wisest and best, that the States are independent as to everything within themselves, and united as to everything respecting foreign nations.

In his first inaugural address in 1801, Thomas Jefferson stated that one of the essential rights was "the support of State governments in all their rights, as the most competent administration for our domestic concern and the surest bulwarks against antirepublican tendencies." These United States can be strong only so long as the individual States remain strong. The legislation now before this House would destroy freedom, while being sold to us under the pretext of assuring freedom.

It is interesting to note how zealous Congress has been on occasions to protect State rights. In the Lindbergh law, the FBI is prevented from going into action on a kidnaping case until after 7 days or some evidence of interstate action has occurred. Kidnaping involves a human life, but the Federal Government does not go into action until there has been interstate commerce. Yet, today, we are being asked to approve legislation to let the Federal Government's agents move right into a State, in total disregard of State remedies, and indeed where it is not a life and death matter.

I should also like to state my objection to the vagueness of the language used in H. R. 627. Should this measure be enacted it would leave entirely too much area for the courts to interpret. When the Supreme Court hands down a decision in November awarding a train brakeman $90,000 and then reverses its decision 6 months later, I am reluctant to give my approval to any bill which would give such an unstable Court any opportunity to legislate. The present membership of the Court seems to have a tendency to want to legislate anyway.

Mr. Chairman, I wish to reiterate my hope that this House will defeat this bill now before us which, if enacted, can only bring chaos to our magnificent Nation and will whittle away our individual and State rights, privileges, and freedoms.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I want to thank the gentleman from Texas [Mr. DIES] for the compliment he pays me in endeavoring to graft onto this Commission the rules which apparently I sought to graft onto his committee some years ago.

Mr. DIES. Mr. Chairman, if the gentleman will permit, that is not quite accurate; not my committee. The gentleman introduced his rules only 2 or 3 years ago.

Mr. CELLER. Then it would be applicable to the committee that succeeded the gentleman's committee. It may be that these rules would be good for a congressional committee. But there is a different story to tell when you speak of a Commission. I think if the rules were so good, as indicated by the fulsome praise the gentleman from Texas accorded them, they should have been adopted by the gentleman from Texas. But we never got a peep out of him as to what his attitude was when the rules that I suggested were made manifest to this House.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. DIES. That is not quite accurate, because the rules of the gentleman from New York were not introduced until 2 or 3 years ago. My committee terminated in 1945. The gentleman had introduced no rules in that period. If the gentleman had introduced those rules then I would have gladly adopted them.

Mr. CELLER. Mr. Chairman, I think the laughter with which the gentleman's assertion was met is a complete answer. And I would say in that regard that the gentleman has 20/20 vision in his hindsight. He did not adopt the rules or would not have adopted the rules, I am quite sure, at the time he was chairman. I think redemption has come a little late to the gentleman from Texas. The light has dawned upon him rather a little late.

It reminds me of the fable of the turtle and the scorpion. The gentleman may remember it. I think it was Aesop that told the tale of the turtle on the bank and next to him there was a scorpion. The scorpion said to the turtle, "Would you mind allowing me to go on your back,

and then you could ferry me across to the other side of the stream?" The turtle said, "No, I cannot do that. You might sting me, and then we would both go down and drown."

Then the scorpion said, "I don't think I will sting you." So the turtle said, "Hop on board." The turtle started to paddle and paddled his way across the stream. Then in midstream the scorpion stung the turtle, and of course they were about to go down, and the turtle said, "You said you wouldn't sting me." The scorpion said, "Well, in answer I will say, it is in my nature to sting."

So I say the moral of this is, beware the sting of the gentleman from Texas. This proposition has a real sting in it. The rules are very intricate. By the time they would be interpreted, I suppose even by the Supreme Court of the United States, the 2 years that is the life of the Commission would have elapsed and then the work of the Commission would have gone overboard.

None of the commissions that I know of that have been approved and set up by this House, the Hoover Commission and numberless other commissions, have had to work under rules of the type the gentleman from Texas now promulgates and wants to graft onto this Commission. So I do indeed hope that the Committee will vote down the amendment offered by the gentleman from Texas.

Mr. KEATING. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to say at the outset that I appreciate the spirit in which this amendment has been offered and the manner of presentation of the gentleman from Texas and the spirit in which my chairman is opposing the amendment. I am sure that he does well to cite the case of the scorpion.

However, ever since I have been in Congress I have favored the establishment of rules of fair procedure for congressional committees, whether the investigation had to do with alleged Communists or alleged violators of law of any character. I would much have preferred it, had the gentleman from Texas selected the rules which I prepared and which were introduced by me for several sessions on this subject.

Mr. DIES. If the gentleman will yield, would the gentleman want me to substitute his rules? Would he agree to the adoption of them?

Mr. KEATING. I would be happy to do so.

Mr. DIES. The trouble is, the gentleman's rules are so much like the chairman's that I thought since he was the chairman and a Democrat we ought to honor him with it.

Mr. KEATING. I think the gentleman's point may be well taken.

The rules which I worked out did not really go as far as these. I must be frank with the Members. I think they were more practical for the conduct of congressional investigations. I wish they were the subject of this amendment. There is no doubt about it that there have been abuses in congressional investigations. It is conceivable that there could be abuses in the investigations conducted by this Commission. Any commission of body, whether it be executive or legislative, if it has untrammeled power to do anything, is bound in some cases to get off base.

This entire legislation will be the subject of a conference with the other body after they have acted on it and at that time we can take up these rules in more detail. While I feel that this is not the best way to legislate on such an important subject, it is possible that our committee should have considered this specific matter for rules for this investigation. I see nothing serious to object to in these amendments. I have never believed that you should bring on the floor of this body a piece of legislation and be unwilling to consider the improvement of it. I am sure that most of the amendments which are offered here, I shall feel it necessary to oppose. But, in this case, since I feel so strongly that what is sauce for the goose is sauce for the gander, I shall support the amendment offered by the gentleman from Texas [Mr. DIES].

Mr. ROGERS of Texas. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have one or two questions which I would like to address to the gentleman from Texas [Mr. DIES].

Under the rules that you have offered in your amendment, would they protect a man from being charged and convicted of the crime of contumacy, which is not defined although the term is used.

Mr. DIES. You mean in the event that a person refuses to obey a subpena?

Mr. ROGERS of Texas. Well, I do not know what contumacy is.

Mr. DIES. I believe I can answer the question.

Mr. ROGERS of Texas. Let me say this to the gentleman. I believe we can get at it this way. If a man is served a subpena by a fellow he does not like who has been delegated by this Commission and he says in a very low tone of voice, "If it wasn't against the law, I would knock your head off." That fellow is guilty of contumacy even though he knows it is against the law and he is not going to knock that fellow's head off. Do your rules protect me if I should be so served and should so state?

Mr. DIES. I would not say that it would go that far—I will say to the gentleman, if he wants a definition of that word, he can obtain it by consulting the author of the definition "unwarranted economic pressure" since the same man wrote both of them.

Mr. ROGERS of Texas. I have undertaken to get a definition of it, and the only definition that has been furnished to me is that contumacy means the act of being contumacious. I then run into another difficulty, I cannot find out what contumacious means. Can the gentleman help me out on that?

Mr. DIES. I am afraid I cannot be of any assistance to my friend.

Mr. ROGERS of Texas. Would the gentleman do this? Does he think that some amendments might be in order to his rules to protect a man in that situation?

Mr. DIES. No, I think the rules, as I have offered them, are perfect. I would not want them weakened. I think they have been considered so long over so many years and my friend, Mr. CELLER, has fought so valiantly for them that I have introduced them exactly the way he wrote them. I do not want a "t" crossed—I mean I do not want a word changed.

Mr. ROGERS of Texas. If the gentleman from New York introduced these rules in an effort to try to protect the many people that you say he is trying to protect, and knowing his great learning in the law and knowing that he understands what contumacy means, it seems to me an amendment to your amendment would be in order to protect the man in the position I related because I was very conservative; and if the debate on this bill is correct and if I am to believe it, I do not even have to say, "If it was not against the law, I would knock your head off." But, even if I think that, I am liable to end up in a Federal prison.

Mr. DIES. Seriously, these amendments will insure everyone brought before the Commission a fair American trial.

Mr. ROGERS of Texas. That is what I wanted to know. I thank the gentleman. I am glad the gentleman has helped to take some of the sharp edge off of the most dangerous piece of legislation I have ever seen or heard of, and one traveling under an innocent-sounding alias.

Mr. FLYNT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FLYNT. Mr. Chairman, it is with pleasure that I support the amendment offered by the gentleman from Texas [Mr. DIES]. On Tuesday of this week I listened with great interest to the distinguished Texan when he gave this Committee advance notice that he would introduce such an amendment on today. I believe that most of the Members knew of what would be contained in his amendment even before he sent his amendment to the Clerk's desk, but at the same time, I was delighted at the close attention given to the reading of this amendment by the reading clerk.

These recommendations embraced in the Dies amendment will remove from this bill some of the danger it inherently contains. It will effectively prohibit star chamber and inquisition methods and procedures.

Why, Mr. Chairman, without the Dies amendment, H. R. 627 would make the Spanish Inquisition milder than a Sunday School picnic and would make torture racks and thumbscrews seem as children's swings and playground toys. The wording of H. R. 627, either in its original form as drafted by the gentleman from New York [Mr. CELLER] or in the committee substitute which is now before us for consideration, provides for the creation of the instrument and the machinery which would make Hitler's persecution of certain minorities pale into insignificance. It was just such legislation as this asked for by Hitler and granted by the German Reichstag that enabled Hitler to begin a planned program of extermination of a minority which is often referred to as God's

chosen people, and do not forget that that program came close to being consumated.

Let me caution and let me warn, my friends, of all races, of all creeds and of all religious faiths, that even though some of you may now support H. R. 627, it could indeed become the very instrument which would provide for the worst persecution ever known or ever experienced by your people, my people, or any people.

Let me recall to your attention, in case some of you may have missed it, the words spoken in this body by the distinguished gentleman from Virginia [Mr. TUCK] a great former Governor of that Commonwealth, when he recalled and recounted the Old Testament story of Haman who built the gallows upon which to hang Mordecai but upon which Haman himself was hanged 3 days later.

So it is, my friends, with this proposed legislation—there can be no question but that those who proposed it and those who sponsor it and most of those who support it intend it as a weapon against my people, my State, and the great Southland of which I am a part. It will not be me, my people or my section who in the long run will suffer from it—it will be Americans everywhere who believe in freedom, liberty, justice, and moderation.

There are no circumstances under which I could support this bill and vote for it, and I say this quite frankly and willingly, because this same thought has been expressed upon this floor in recent days by many of my colleagues. However, I hope that in the interest of fair play, common decency, good judgment, commonsense, and justice that an overwhelming majority of the Members on both sides of this aisle will lend their support to this amendment.

If the amendment is adopted, it will provide substantial safeguards to the rights and liberties of all Americans. I hope this amendment will be adopted.

Mr. DOYLE. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Chairman, during the 2 previous days' debate on this important measure I have been in attendance throughout the full time of the many hours of debate each day, with the exception of about 10 minutes. And, since much of the debate so far has treated with actual or imagined legal problems, I consider it not amiss for me to make a brief observation in this all too short a time I have on a point or two which I feel have not yet been clearly defined. Having happily and somewhat prosperously practiced civil law for over 30 years before I first was elected to this great legislative body five terms ago, I feel my experience gave me training which causes me to speak on this occasion within the short time limit allowed.

First, because there has not yet been stated a reasonably full and comprehensive definition of just what is involved in the subject of this civil-rights bill, and because it is designed for the protection of civil rights of persons, I asked the Library of Congress to furnish me with such definition. I read you the same:

CIVIL RIGHTS: SOME DEFINITIONS

Civil rights are those which belong to the individual as a result of his membership in organized society, that is, as a subject of civil government. They are entirely the offspring of law and may be contra-distinguished from so-called natural rights or such as are inherent in the nature of man and which are said to belong to him by virtue of the law of nature rather than of positive law. To a large extent, however, civil rights are nothing but natural rights which have been created and defined by the state. Again, they may be distinguished from political rights or privileges, or such as the state confers upon certain classes of its citizens * * * for the purpose of giving them a share in the choice of public officers and in the conduct of the government. Such is the right to vote and hold public office. In strictness, civil rights belong only to citizens whose civil status has not been impaired by judicial condemnation. In a wider sense, however, they are the great fundamental rights of all the inhabitants of the state, that is, they belong to all persons within the jurisdiction of the state and not merely to citizens. (Source: Cyclopedia of American Government, New York, D. Appleton and Co., 1914. V. 1, pp. 281–282.)

Civil rights, the rights which a State's inhabitants enjoy by law. The term is broader than "political rights," which refer only to rights devolving from the franchise and which are held usually only by citizens. Unlike "natural rights," civil rights have a legal as well as philosophical basis. Source: Columbia Encyclopedia. 2d ed. New York, Columbia University Press, 1950, p. 397.)

Those liberties possessed by the individual as a member of the State; more particularly those liberties guaranteed to the individual in the State against encroachment by his Government. In this latter sense, civil rights are found enumerated in the Bill of Rights, of State and National Constitutions and include both substantive rights, such as freedom of speech, press, assembly, or religion, and procedural rights, such as protection against unreasonable searches and seizures or against punishment without a fair trial. The most important of these rights is embodied in the clause which prohibits the Government from depriving anyone of life, liberty, or property without due process of law. Twice found in the Constitution, this clause imposes a limitation upon the States as well as Congress. By its interpretation of the "due-process" clauses, the Supreme Court of the United States largely determines the scope of civil rights in America. Recently interest in civil rights has been directed toward positive legislation by the Government guaranteeing certain liberties to the individual against encroachment by other individuals or groups. Examples of this tendency are State civil rights acts in which individuals or groups are forbidden to discriminate against other individuals or groups because of their race, color, religion, or membership in labor unions. (Source: Smith, Edward Conrad and Arnold John Zurcher, Eds. New Dictionary of American Politics. New York, Barnes and Noble, 1949, p. 66.)

Second, I do not object to any fair-minded investigation lawfully and justly conducted as to any major problem surrounding the voting rights and therefore the civil rights of any segment of the American people by reason of their color, race, religion, or national origin. This is what the commission is authorized to do in section 103 (a) of the pending bill. It specifies that the commission shall investigate the allegations that some citizens of the United States are being deprived of their right to vote. And so far in the debate I have not heard any flat denial of this text in the bill. Furthermore I think the public record clearly speaks that it is an existing fact that certain citizens are being deprived of their right to vote. In stating this I have no ill will toward, nor lack of understanding of some of the problems existing in certain sections of our great Nation. But, making allowance for such difficulties and problems facing certain sections of our Nation in this regard, I nevertheless cannot condone any continuance of any situation which is designed to deprive any American citizen from the right to vote on account of their color, their race, their religion, or their national origin. I conceive of this right to vote as an inherent natural right of every American citizen, and I likewise consider any deliberate deprivation of this right to vote of any American citizen on account of their color, race, religion, or national origin as a deliberate disservice to the strengthening of the democratic processes under our constitutional form of Government.

Third, objection has been made to the fact that the bill does not provide that the allegations referred to in section 103, which are to be investigated, are not required to be sworn to. However, it is a fact that investigative committees of this House itself, for instance the House Un-American Activities Committee, of which I am 1 of 9 members, does not require in its investigations that preliminary information furnished the committee be sworn to in the early stages of the investigation.

Fourth, and as to the provisions of the bill that the Attorney General may institute injunctive proceedings in Federal court, and the objection that this gives him too much power, and that he can easily abuse it, I wish to remind you that an Attorney General must bring just injunctive proceedings in a United States court and that he has to make a showing of good cause and a reasonable basis before the Federal judge for the granting or issuance of any preventive relief. And every lawyer in this House who has had any injunction practice knows that an injunction will only issue on the basis of sufficient sworn affidavits or as result of sworn oral testimony in the injunction proceedings.

Since I do not have time or opportunity to speak at greater length on this bill, I wish to say that I hope that its worthy objective to protect the voting rights of all American citizens will be considered most seriously and fairly throughout the remainder of this debate as amendments are offered. I have frequently stated that I regard the strength of our democracy as coming from the grassroots withing the States and that only as people living at the grassroots in the States are experienced and participate in effective State government will our National Government be strengthened. The State laws governing State matters must always be paramount. But under the Constitution interpretation and effect the States are morally and legally obligated, in my judgment, to cooperate in the protection of the voting rights of all citizens within their respective borders. This

applies to every State in our Nation. I do not herein pick or point or find fault with any particular geographical section of our Nation. Whatever the facts are in this matter of voting rights and voting franchises, is best known to the responsible officials and citizens within those States.

I recognize there are some imperfections in my judgment in the text of this bill. For instance I think some guiding rules of required procedure should have been spelled out. Since the text of the Dies amendments was not printed in the CONGRESSIONAL RECORD last night I have not had the benefit of reading them. I recognize that some of these are basic provisions which I have been and still am in support of as being basic for favorable consideration by the House Un-American Activities Committee and other congressional committees. As you know, I had the responsibility of being chairman of the committee to submit rules to that committee and which rules were adopted. It is recognized that they have made lasting improvements in committee procedures. And, I am naturally pleased that this bill and amendments proposed incorporate the proviso of at least two members of the Commission always being on the job during any action any subcommittee is to take. This requirement of at least two members present was adopted by this House unanimously under the terms of House Resolution 151. How I shall vote on this bill depends on what it looks like when ready for final passage. If it is weakened and watered down by amendments which in effect make it a useless or ineffectual bill, then in spite of the fact that I have always been and always expect to remain an active proponent for the right of every American citizen to register and vote, regardless of race, creed, religion, or national origin, I cannot feel happy about voting for a bill which may be a useless bill. I wish to repeat that I understand clearly why some of my distinguished colleagues frankly state they will not vote for this bill or any bill like it. But in the same measure of understanding, I expect those who differ with me to understand why I hope that some effective, worthwhile, and fair bill will come out of this important debate.

Mr. ASHLEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Texas [Mr. DIES], and I do so with considerable pleasure.

Those who favor this legislation, as I do, cannot help but honestly admit that it contains serious loopholes. One of the most serious of these loopholes, I believe, would be answered by the amendment just offered, for it would secure to individual citizens the time-honored protections which our American judicial system accords to the accused.

Mr. DIES has quite rightly pointed out that a distinction lies in the degree of protection and the kind of protection to be accorded individuals hailed before a Government Commission—as opposed to the protection of an individual appearing before a congressional committee.

Perhaps the best and most current illustration of what can happen to an individual before a Government Commission is to be found in the proceedings of the Foreign Claims Settlement Commission. As many Members of this body know, this Commission is charged—among other things—with the responsibility of administering Public Law 615, 83d Congress, which provides for compensation to be paid to former Korean prisoners of war at the rate of $2.50 per day for each day of imprisonment. Prisoners of war who collaborated with the enemy, of course, are excluded from this compensation.

This is how the act has been administered by the Foreign Claims Settlement Commission, and I point this out to show the assaults which can be made upon invidual rights by a Presidentially appointed body allowed to promulgate its own rules and regulations without any regard whatsoever for the rights of the individuals concerned.

A claimant under the act merely has to submit a claim, together with an affidavit that he did not collaborate with the enemy during his period of incarceration. Most veterans receive payment in due course. But not all. There is a small group who, on the basis of uncorroborated, hearsay scuttlebutt, are presumed to be guilty of collaboration and who, therefore, are denied compensation under the act.

These veterans—and there have been hundreds of them—have had their claims disallowed upon primary examination not by members of the Commission, but by clerical help hired by the Commission. These claimants, if they apply in writing, are afforded the opportunity of what the Commission calls a hearing, but which no student of administrative law could possibly recognize as such. In more than one case, a hearing has been conducted without any of the Commissioners present and an adverse decision handed down over the signature of a majority of the Commission, before the record of the so-called hearing was even transcribed and available for study and review.

These unfortunate claimants have been denied the right to review the charges against them and have been refused the opportunity to cross-examine their accusers. This, on the phony charge that it would violate our national security.

And the best of all is yet to come. Until recently, it was the policy of the Commission to make partial awards to claimants accused of collaboration, despite the fact that the law specifically states that no compensation shall be paid to any prisoners of war who without duress collaborated with or aided and assisted the enemy.

I have pointed out this clear violation in administering the law to the Foreign Claims Settlement Commission continuously over the past 6 months, but it was not until congressional hearings were scheduled that the Commission took remedial measures.

What did they do? Very simple. They simply went back and made full payment to each claimant who previously had received a partial payment.

But there remain individuals throughout the country who have not been so fortunate. The shadow of guilt continues to hang over their lives. Many have been decorated for wounds received and for bravery in action and have been honorably discharged from the service of their Nation.

But the Foreign Claims Settlement Commission, using the most outrageous rules of procedure ever to come to my attention, have in effect branded these men as collaborators with the enemy and traitors to their country. I can assure these individuals, the Members of this House, and the Foreign Claims Settlement Commissioners that so long as I draw breath, I will continue to do everything within my power to expose the shallow, corrupt, and deceitful procedures which have robbed these American veterans of the rights for which they fought.

I commend Mr. DIES for the substance of his amendment, and I will support it enthusiastically.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. DIES].

The amendment was agreed to.

Mr. ROGERS of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Texas: Amend H. R. 627 by striking out all of section 101 beginning on line 21, page 19, to and including all of line 14 on page 20, and all of line 15 on page 20 and inserting in lieu thereof the following:

"SEC. 101. (a) There is hereby created a Commission on Civil Rights (hereinafter called the 'Commission').

"(b) The 'Commission' shall be composed of six Members of the Congress of the United States of America, 3 of which shall be duly elected and qualified Members of the United States House of Representatives and 3 shall be duly elected and qualified Members of the United States Senate. The Members of the House of Representatives shall be appointed by the Speaker of the House of Representatives, 2 representing the majority political party and 1 representing the minority political party. The Members representing the Senate shall be appointed by the President of the Senate, 2 representing the majority political party and 1 representing the minority political party. At no time shall there be more than four Members on the 'Commission' from the same political party.

"(c) The Members of the 'Commission' shall elect a Chairman and Vice Chairman. In the absence of the Chairman, or in the event of a vacancy in that office, the Vice Chairman is hereby authorized to act. In the absence of both the Chairman and Vice Chairman, or in the event of a vacancy in those offices, the remaining members of the 'Commission' shall designate a Chairman and Vice Chairman to fill the vacancies.

"(d) Any vacancy in the 'Commission' shall not affect its powers. Such vacancies, if any, shall be filled in the same manner and subject to the same limitation with respect to party affiliations as original appointments are made.

"(e) Four members of the 'Commission' shall constitute a quorum.

"(f) The said Commissioners shall be appointed for a term of 2 years and 60 days

from August 1, 1956. Upon the expiration of the said 2 years and 60 days, the said 'Commission' shall terminate and cease to exist for any and all purposes.

"(g) The members of the 'Commission' shall be reimbursed for actual and necessary travel expenses or shall receive a per diem allowance of $12 in lieu thereof, but shall not be entitled to any compensation other than the compensation received by them as Members of the Congress of the United States of America."

Mr. KEATING. Mr. Chairman, I make a point of order against the amendment that it is not germane. This amendment seeks to set up a joint congressional committee. As such, the jurisdiction over such procedure would come within the Rules Committee. This is a matter which has never been passed upon by the Rules Committee. A bill for the purpose which the gentleman seeks here would have been referred to the Committee on Rules and not to the Committee on the Judiciary. It is not within the purview of the measure, of course.

The CHAIRMAN. Does the gentleman from Texas desire to be heard?

Mr. ROGERS of Texas. Mr. Chairman, it seems to me rather odd that a point of order is made. I had suspected that a point of order might be made to this proposed amendment, because there seems to be a trend to continue bureaucracy that has this Nation by the throat at this time. It seems rather odd to me that the rules of this House would be so construed that the House of Representatives could pass a law creating in the executive branch of the Government a bureaucracy made up of members who are appointed, yet they do not have the power as the House of Representatives, duly elected representatives of the people, to set up a committee composed of the Members of their own House.

The CHAIRMAN (Mr. FORAND). The Chair is prepared to rule.

The gentleman from Texas [Mr. ROGERS] offers an amendment to which the gentleman from New York [Mr. KEATING] has made a point of order. The Chair has examined the amendment and finds that while the bill provides for the establishment of a Presidential commission, the amendment would provide for the appointment of what is tantamount to a joint committee composed of Members of the Senate and the House of Representatives, which is clearly a deviation from the original purpose of the legislation.

For that reason, the Chair sustains the point of order.

The Clerk read as follows:

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 102. (a) Each member of the Commission who is not otherwise in the service of the Government of the United States shall receive the sum of $50 per day for each day spent in the work of the Commission, shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.

Mr. COOLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the fact that the House has just adopted the amendment offered by the gentleman from Texas should be convincing proof of the fact that the bill as presented to us by the committee was a monstrous measure. The gentleman from Texas and other Members who have spoken in opposition to this bill ably and well exposed the evils inherent in the measure and the wrongs which will be visited upon our people if this bill is enacted. This bill is a booby trap that will blast the fondest hopes of its sponsors, and it will prove to be a Frankenstein which will haunt them even in their dreams.

I compliment the distinguished gentleman from New York upon the friendly spirit which has characterized his conduct during the course of this debate.

Mr. Chairman, this has been one of the most magnificent debates I have heard during the long years that I have served here. I do not believe that any group of speakers could have done a better job than those who have spoken in opposition to this bill. After hearing this great debate, we now know what this measure really is. The gentleman from Lousiana [Mr. WILLIS], the gentleman from North Carolina [Mr. JONES], and one Member after another stripped this bill of all its camouflage and the vicious provisions now stand in stark nakedness before us. This bill will destroy civil rights and do great violence to the privileges which our citizens now enjoy.

I do not question anyone's sincerity nor shall I impugn anyone's motives; but to speak forthrightly and frankly, I must say that I do not believe that the President of the United States really wants to do anything about civil rights and if this bill is enacted, I believe that it will even haunt him. If the President really wanted action, why has this bill been pigeonholed in the House committee from the date it was introduced on January 5, 1955, until May 21, 1956? What actually prompted the reporting of this measure on May 21, 1956, after the bill had been sleeping in the committee for all these many months? Surely, not much time was consumed in the drafting of the measure because it is poorly drafted. But even under the poorly drafted provisions, all of the constitutional rights of citizenship could be taken away and destroyed—sacred rights which have been guaranteed to all of our citizens by the organic law of our Nation. It is difficult for many to understand how any lawyer familiar with the legal jurisprudence of our country could in good conscience vote for this un-American measure.

I say that it is dangerous, that it will haunt those who sponsor it. I am not aware of the fact that a single man or woman in my congressional district is being oppressed, nor am I aware of the fact that any of them are being denied the protection of the law. Thousands upon thousands of times the law enforcement officers of the South have risked their own lives to protect the lives and the liberties and the property of the colored people of the South. That is well known. You do not have to outlaw lynching. Lynching is murder in every jurisdiction in this country.

This bill is a bill to perpetuate McCarthyism, to continue it in operation, to establish a Gestapo with snoopers, going into all the homes and houses of this country. Yes, it will plague the employer and the employee.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

(By unanimous consent Mr. COOLEY was allowed to proceed for 3 additional minutes.)

Mr. COOLEY. Mr. Chairman, I have listened attentively to this debate and I have not heard a single plausible argument in behalf of the bill. The President has appointed more commissions, he has created more committees than any President in my day and generation. He has an Advisory Committee on Education, he has an Agricultural Advisory Committee and numerous other committees and commissions. Did we authorize them. No. He is paying these committees and commissions and they are advising him, not us. They do not report to our congressional committees. If he wanted to establish a commission why did he not do it on his first day in office? Why did he not do it in the first year, in the second year, or in the third year? If he wants to direct one of the Assistant Attorneys General to protect the civil rights of citizens, why does he not call in his Cabinet officer, the chief law-enforcement officer of America, and direct him to call upon one of his assistants to go to the rescue of people who are being oppressed? If he wants to create another division within the Department of Justice, what is to keep him from issuing an appropriate Executive order creating such a division? Oh, no; he does not do that. All of us know that the President can do under his own power everything he would be able to do under this bill that should be done.

I have had experiences similar to the one discussed by the gentleman from Texas [Mr. DIES]. Such denials and investigations are nauseating to any lawyer who knows anything about the legal jurisprudence of America. I have appeared in these kangaroo courts. I know that constitutional rights and privileges are ravished and violently ignored. The accused is denied the right to confront his accusers. He is denied a bill of particulars or a bill of indictment, rules of evidence are destroyed. Hearsay evidence is freely admitted and they constitute a disgrace to the legal jurisprudence of our Nation. The judges in most instances have already condemned and convicted the accused. It makes no difference what your legal achievements have been, nor how persuasive an advocate you are. You as a lawyer will be of little value in the kangaroo courts which will be established under this bill.

The enacting clause should be stricken out and we should end this discussion and turn our attention to more important business.

The CHAIRMAN. The time of the gentleman from North Carolina has again expired.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina.

There was no objection.

Mr. HESELTON. Mr. Chairman, I objected, and I intend to object.

The CHAIRMAN. The gentleman was not on the floor at the time he objected.

Mr. HESELTON. I was.

The CHAIRMAN. The Chair did not observe the gentleman. The committee will be in order, and the gentleman from North Carolina is recognized for 2 additional minutes.

Mr. COOLEY. I regret that the gentleman does not want to hear any more of the truth about this matter. I have been here for days and hours, and I have only asked for a few brief minutes. This is what you would expect in a kangaroo court. They would probably limit counsel to 3 minutes to speak in behalf of the rights of an American citizen who happens to be accused.

How many of you have received communications from citizens of your districts who even contend that they are being oppressed and mistreated? I have not received a single communication. I look upon this bill as nothing but deception and fraud. Some may think that it will be politically to their advantage, perhaps, to vote for this bill because it is called a civil-rights bill. It will be too late after you enact this vicious and evil bill to complain about it then. I know that most of you have your minds made up, but those of you who sat here and voted for the Dies amendment a moment ago must face your consciences if the roll is called and you are called upon to go on record. Everybody in the gallery knows and everybody here knows that there were only a few feeble noes against that good amendment.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from California.

Mr. McDONOUGH. Do I understand the gentleman is condemning his own party's chairman for bringing this bill to the House?

Mr. COOLEY. No; I am not condemning the chairman; I am not condemning anybody. Everybody has a perfect right to exercise his own free will and be guided by his own conscience. That is your privilege. I compliment the chairman for being so friendly and so fair in this debate.

I accord to every Member the right to vote his own convictions. Mr. Chairman, no one can now say that they do not understand the provisions and the far-reaching implications involved in this measure. You and all of you know now what it really is. I again appeal to you to condemn and defeat this un-American measure and to kill this monster which will destroy rather than protect the rights of our citizens.

Mr. BARRETT. Mr. Chairman, we have just completed 2 full days of general debate on H. R. 627, a bill to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States. I am pleased to state here I was among the first to sign the discharge petition on this bill in order that it could be brought before the House for debate and a vote.

I have followed the debate very closely and have been amused and, at the same time, very much disgusted with the wrangling and bickering that has taken place here on the floor. From all appearances, one would think the House was holding a combined Democratic and Republican national convention.

During the debate on the bill, this thought occurred to me, "What are we as human beings trying to do to our Negro citizens. Elevate them to their rightful place in society—as they should be—or beat them down into the pit of slavery." Slavery is indeed an ugly word and its practice during the early formation of our country was equally as repulsive. In 1776, our young Nation awoke to the fact that all men are created equal and are endowed by God with the right of life, liberty, and the pursuit of happiness.

How the Negro people since their arrival on our shores have managed to survive the ridicule and injustices hurled at them is beyond me. Yet they have survived and with God's help and our guidance, they will endure.

In my congressional district I have approximately 90,000 Negro constituents. I am pleased to say I know thousands of them personally and address them by their Christian name. They are law abiding, religious citizens and their greatest desire is to live in peace and harmony.

In order to insure and protect their rights as American citizens, I introduced a series of bills in February 1955, because it was my honest desire to help in every way to improve their lot. Many of the proposals contained in the bill under discussion now are identical to those I introduced, so you can understand why I wholeheartedly endorse the bill and urge that it be passed immediately.

In an effort to acquaint the reading public with all the facts on this vital issue, many editorials have appeared in our local Philadelphia papers. With your permission, Mr. Chairman, I would like to close my remarks with the following article entitled "Bigotry Gesture in South," which recently appeared in the Philadelphia Inquirer:

BIGOTRY GESTURE IN SOUTH

The race bigots in Louisiana are probably patting themselves on the back as a result of the signing by Gov. Earl Long of a new law banning interracial athletic contests and other events in the State. But actually the measure represents a rather pathetic attempt to set back the clock. Even Governor Long has predicted that the law will end up in the courts.

At a time when racial segregation has been dealt one blow after another by the Nation's courts, Louisiana is hardly making itself look good by enacting new and harsher restriction laws—that will probably be thrown out as illegal in due course when subjected to judicial review.

Under the latest statute, professional and amateur contests in which Negroes and whites participate are barred in the State. College football schedules, minor league baseball games, major league exhibition contests, and Sugar Bowl events will all be affected. The bill also requires separate seating, sanitary drinking water, and other facilities for white and Negro spectators at sports events within the State—a provision that may in itself keep some northern and western teams out of the Sugar Bowl.

As a gesture of resentment at the Supreme Court decision on school segregation, the Louisiana restrictions are futile. New laws compounding past injustices cannot be allowed to stand.

Mr. JONES of Alabama. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JONES of Alabama. Mr. Chairman, in last night's Evening Star of Washington, D. C., there appears a most penetrating editorial with respect to the bill we are debating here today, which I sincerely hope each member of this body will read most carefully and ponder most heedfully. It bears the quaint caption "Alice Outdone." The editor seized upon this title as a result of an exchange earlier in this debate between two of our distinguished Members in which reference was made to a tete-a-tete between Alice and Humpty-Dumpty, with Alice asking "How can you make words mean so many different things?"

After quoting the give and take between our two distinguished colleagues, the editorial comments upon the bill now before us in the following language:

It is our understanding that the Attorney General wrote the bill. But maybe Alice or Humpty-Dumpty, had a hand in it. At any rate its words mean, or could mean, so many different things that we think it ought to undergo careful, thorough and searching study before it ever becomes law.

To this last admonition I humbly utter a sincere and devout "Amen." Before discussing the vagueness and ambiguity of those words used in the bill, I should like to call the atention of my colleagues to the keen observation the Evening Star writer made at the outset of the editorial to which I have referred:

The expectation is that the House, with both Republicans and Northern Democratics reacting in the usual way to political pressure, will pass the civil rights bill. There is an equally strong expectation that it will not pass the Senate.

It is a good thing, in our judgment, that it will not. For anyone who takes the trouble to read the record of the House debate cannot fail to come away with the firm impression that few, if any, House Members fully understand the implications of this far-reaching bill.

I frankly plead guilty to being one of those House Members who fail fully to understand the implications of this far-reaching bill. This is true in spite of the fact that I have studied the bill carefully, have gone over it painstakingly many times, and sincerely have tried to come up with an honest understanding as to just what the Commission on Civil Rights and the Attorney General could or could not do if unfortunately the bill ever were to become the law of this land. While I do not profess to be an eminent constitutional lawyer such as are many of my distinguished colleagues, I have practiced law for a number of years, and also

served as a judge for a period of time. This experience is of no avail to me in attempting to arrive at any conclusion with any remote degree of certainty as to what protection a citizen might have against the whimsical actions of the proposed Commission on Civil Rights or the Attorney General under the novel and frightening new powers given to him by the misty language employed in the bill.

I also am firmly of the opinion that the Evening Star is correct in charging that few, if any, of my fellow members fully understand the implications of this far-reaching bill. In concurring in this opinion expressed by a most cautious and carefull newspaper, I am not reflecting unfavorably upon the intelligence of my friends here. Neither do I apologize for my own lack of understanding of just what could or could not be done under the bill.

The perplexity those of us who are lawyers encounter is that the language used is not the language used in any laws which we have been called upon to interpret and pass upon in the past. The wording of the bill constitutes a departure from that degree of certainty and definiteness in a law which we were taught in law school was required in a law if its validity were to be upheld. Whether we are lawyers or not we must be appalled by the looseness of the language used and the utter lack of any circumscription on the powers granted to the Commission and the Attorney General.

I do have one conviction as a result of careful study of the words in the bill. A preying, meddlesome Commission on Civil Rights could go just as far as its members pleased in invading the privacy of our citizens. An Attorney General, under the influence of a pressure group, or for selfish political gain would suffer from no restraint in starting harassing injunctive proceedings against perfectly innocent individuals who might be singled out for such action.

Many speakers preceding me have gone through the bill, section by section and pointed out the ill-defined and inexplicit terms of the bill and indicated how they could mean whatever possible unscrupulous designees of authority under the bill might desire them to mean. Previous speakers also have pointed out what violence the powers granted under the bill do to our established traditions of jurisprudence and fair play. I shall not take the time of this body to go over that ground again.

I merely ask my fellow members to give serious consideration to what you have heard from other Members concerning the abstruseness of, or the unbridled license implicit in, such language as "investigate the allegations that certain citizens are being subjected to unwarranted economic pressures"; "study and collect information concerning economic, social, and legal developments constituting a denial"; "appraise the laws and policies of the Federal Government with respect to equal protection of laws"; "whenever any persons have engaged or are about to engage in any acts or practices"; "no person, whether acting under color of law, or otherwise."

Likewise, I appeal to you to take heed to what you have heard from others who have taken part in this debate with respect to how foreign to our system of jurisprudence is the provision:

> The district courts of the United States shall have jurisdiction * * * and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

Moreover, I would ask you to give regard to the questions which have been raised as to the propriety and advisability in the following strange provisions of the bill: authorizing the proposed Commission to utilize the services of volunteers and then paying them $12 a day; giving the Commission the unbridled power to issue subpenas; creating a new position of Attorney General; authorizing the Attorney General to institute action on behalf of a party even though the latter does not request or authorize him to do so; making the United States liable for costs in an action for the benefit of a private party.

Mr. Chairman, I have another request that I should like to make of my fellow Members of the House. Before voting on this bill, I urge that you read a speech made by one of the greatest Republican liberals and one of the greatest constitutional authorities who ever served in the Senate of the United States—Hon. William E. Borah, of Idaho. Senator Borah made the speech on January 7, 1938, as a part of the debate which took place on another bill relating to the same issue involved here. Not only does his speech contain a full and carefully documented history of the problems facing the South, but it also furnishes a keen analysis of the legal effects of the bill. What the illustrious Senator Borah said at that time is equally applicable to the bill before us now.

I oppose this so-called civil-rights bill for the same reasons Senator Borah opposed the earlier bill. In closing, I adopt the following quote from him as mine and apply it to this bill.

> But I call attention to this feature now which must be of concern to every Member of this body, to everyone who believes in our dual system of government. This bill as it is drawn—observe my language—this bill as it is drawn strikes at the very heart, at the very life of local self-government. I ask Senators to reread the bill in the light of that assertion. It would place a construction upon the 14th amendment never contemplated by the men who wrote it—in fact, specifically rejected by them—and which, in my opinion, a fair construction in no sense sustains.

The Clerk read as follows:

> (b) Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service, but while engaged in the work of the Commission shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.
>
> DUTIES OF THE COMMISSION
>
> SEC. 103. (a) The Commission shall—
>
> (1) investigate the allegations that certain citizens of the United States are being deprived of their right to vote or are being subjected to unwarranted economic pressures by reason of their color, race, religion, or national origin;
>
> (2) study and collect information concerning economic, social, and legal developments constituting a denial of equal protection of the laws under the Constitution; and
>
> (3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.
>
> (b) The Commission shall submit interim reports to the President at such times as either the Commission or the President shall deem desirable, and shall submit to the President a final and comprehensive report of its activities, findings, and recommendations not later than 2 years from the date of the enactment of this statute.
>
> (c) Sixty days after the submission of its final report and recommendations the Commission shall cease to exist.

Mr. JACKSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. JACKSON: On page 21 strike out lines 9 through 13 and insert the following:
>
> "(1) investigate the allegations that certain citizens of the United States are being deprived of their right to vote or obtain employment, or are being subjected to unwarranted economic pressures, by reason of their color, race, religion, national origin, or membership or nonmembership in a labor or trade organization."

Mr. CELLER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CELLER. I make the point of order that the amendment is not germane.

The CHAIRMAN. Does the gentleman from California desire to be heard on the point of order?

Mr. JACKSON. Yes. Would the gentleman reserve his point of order?

Mr. CELLER. Does the gentleman insist upon germaneness, or does he want 5 minutes to speak?

Mr. JACKSON. Well, never mind. Let the point of order stand.

Mr. CELLER. Mr. Chairman, I make the point of order that the amendment of the gentleman from California is not germane.

Mr. KEATING. Mr. Chairman, I join in the point of order.

The CHAIRMAN. The Chair will hear the gentleman from California [Mr. JACKSON] on his point of order.

Mr. CELLER. Mr. Chairman, if the gentleman wishes, I should be glad to reserve the point of order. I did not intend any slight to the gentleman from California, I assure him.

Mr. JACKSON. I thank the gentleman.

The CHAIRMAN. The gentleman from California [Mr. JACKSON] may be heard on his point of order.

Mr. JACKSON. Mr. Chairman, I should like to say first of all that this amendment is not being offered as a dodge or a subterfuge but in the sincere conviction that something of this sort is needed in a civil-rights bill. I believe that the committee in the language contained in the bill on page 21, lines 11 and 12 in no way limits the scope of the authority of the Commission in the investigation of reported infringements of

the right to vote. The bill proposes very clearly that the Commission shall inquire also into instances where—and I quote the language of the bill—"citizens of the United States * * * are being subjected to unwarranted economic pressures."

Certainly this throws the matter wide open. It throws it open, in my opinion, Mr. Chairman, in any case where there is a suggestion or an instance of unwarranted economic pressures. Certainly any unwarranted economic pressure that would serve to place a citizen of the United States on an economic blacklist falls within this category.

I submit, Mr. Chairman, in conclusion, that it is upon that point that the amendment which I have offered is germane. If there is any fundamental civil right in the United States it is the right of a citizen to be employed; it is a civil right for him to have the privilege of feeding and clothing his family.

I wish to say nothing more on the point of order, Mr. Chairman, except I hope the chairman's wisdom will make him see fit to overrule the point of order.

The CHAIRMAN. Does the gentleman from New York [Mr. CELLER] desire to be heard on the point of order?

Mr. CELLER. Very briefly, Mr. Chairman. I believe the amendment would change the whole complexion of the bill. The purpose of the bill is to prevent and to redress deprivation of constitutional civil rights on the grounds of race, color, religion, or national origin. All through the provisions setting forth the duties of the Commission we find the words "race, color, religion, or national origin." That part that the gentleman read contained the words "economic pressures" and the phrase in the bill reads: "Unwarranted economic pressures by reason of their color, race, religion, or national origin."

For that reason, I insist on my point of order.

The CHAIRMAN. Does the gentleman from New York [Mr. KEATING] wish to be heard on the point of order?

Mr. KEATING. Mr. Chairman, I just want to add to what the chairman has said, that the suggestion if it were offered separately by the gentleman from California in another bill probably represents a matter on which the Congress should work its will, in the proper way. If it were offered, it would be referred to the Committee on Education and Labor and would not fall within the province of the Committee on the Judiciary. For that reason I also feel the point of order is well taken.

The CHAIRMAN. The Chair is ready to rule. The gentleman from California [Mr. JACKSON] has offered an amendment to the bill H. R. 627 now under consideration. The Chair has examined the amendment and also the language of the bill as referred to by the gentleman from California. The Chairman finds that the bill itself has to do with matters of economic pressure by reason of their color, race, religion, or national origin.

The amendment of the gentleman from California goes beyond that and extends to membership or nonmembership in labor or trade organizations. The Chair holds that the amendment is not germane. The point of order is sustained.

Mr. SMITH of Virginia. Mr. Chairman, I appeal from the decision of the Chair.

Mr. ROGERS of Colorado. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. ROGERS of Colorado. Can the decision of the Chairman of the Committee of the Whole be appealed, under the rules?

The CHAIRMAN. It can.

Mr. KEATING. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KEATING. On this appeal from the ruling of the Chair, do I understand correctly that in voting on it we are voting not on the merits of the proposition submitted by the gentleman from California but rather on whether the Chair is correct in his ruling?

The CHAIRMAN. That is correct.

The question is, Shall the decision of the Chair stand as the judgment of the Committee?

The question was taken; and the Chairman announced that the ayes had it.

So the decision of the Chairman stood as the judgment of the Committee.

Mr. McDONOUGH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McDONOUGH: Page 21, line 12, after "their", insert "sex."

Mr. KEATING. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. KEATING. Mr. Chairman, I make the point of order against the amendment that it is not germane to the bill.

Mr. CELLER. Mr. Chairman, I also make the point of order that the amendment is not germane, and I should like to be heard on that.

The CHAIRMAN. Does the gentleman from California care to be heard on the point of order?

Mr. McDONOUGH. I do, Mr. Chairman.

Mr. Chairman, section 103, with which I am sure the Members are thoroughly familiar, deals with the duties conferred upon the Commission. My amendment would add to paragraph (1) of section 103 that sex would be a justifiable reason for the Commission to investigate, along with color, race, religion, and national origin.

I see no reason why this should not be germane to the duties of the Commission, because sex is a category just as much as color, race, or religion. Certainly there is sufficient evidence that unwarranted economic pressures have been applied to people because of sex.

The Congress has had before it for a number of years a proposed amendment to the Constitution of the United States which would if adopted provide equal rights for women, or remove the question of sex as a means of discrimination in this country. Certainly the duties of the Commission under this bill with respect to color, race, religion, or national origin relate to matters of discrimination or the bill would not be before us. It is because there are discriminations against people in those categories that this bill is before the Congress today. In my opinion, there is no reason why sex should not be included and the Commission be permitted to investigate why economic pressure has been placed against people because of sex.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. McDONOUGH. I yield to the gentleman from Louisiana.

Mr. WILLIS. Is it not so that what this section deals with is the creation of the Commission and permitting the Commission to engage in certain investigations?

Mr. McDONOUGH. That is right.

Mr. WILLIS. Certainly we are not legislating on anything on the question of germaneness. We are directing the Commission to make certain investigations. Therefore, why is it not germane to add to the duties of the Commission?

Mr. McDONOUGH. I certainly agree with the gentleman's reasoning there. In my opinion, if sex is not germane, Lord help the human race.

Mr. Chairman, that is all I have to say.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, having been apprised of the amendment of the gentleman from California [Mr. McDONOUGH] we studied this amendment a bit last night and I came up with these arguments against the germaneness of the amendment.

First, the amendment would change the entire purport of the bill. If we are going to permit the word "sex" in the bill and allow that to be the subject of the investigation of the Commission, you may as well allow the word "youth" in there or "adolescence" or "spinsterhood" or "old age" or "dotage" or what-have-you. The bill concerns the protection of constitutional rights against the deprivation by reason of race, color, or creed or national origin and concerns the denial of equal protection of the laws under the Constitution. These constitutional protections have never—have never been considered relevant or germane to women's rights.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. McDONOUGH. Does the gentleman maintain that the words "national origin" are more germane to the categories that the commissioners may investigate than the question whether a woman or a man is given an opportunity to work in this country?

Mr. CELLER. That is an address to the merits or the demerits of the amendment. I am speaking of the germaneness of the amendment. The 14th amendment to the Constitution, and this bill concerns much of the 14th amendment, prohibits the denial by State action of the equal protection of the laws, but distinctions based on sex have never been considered within the purview of this prohibition. Likewise, the 14th amendment prohibits State action

abridging the privileges and immunities of citizens of the United States.

As long ago as 1872, it was recognized that this had no relation to women's rights. In the case of *Bradwell* v. *Illinois* (83 U. S. 139), decided in 1872, the Supreme Court of the United States was asked to compel the State of Illinois to admit Myra Bradwell to practice law. The court refused although she claimed this to be a privilege and immunity guaranteed her by the Constitution of the United States. Likewise, the statutes which make distinction between men and women for the purposes of jury service have been held not to deprive a constitutionally guaranteed privilege and immunity. This principle applies to the privileges and immunities clause of article IV, section 2 of the Constitution, which provides:

Citizens of each State shall be entitled to all the privileges and immunities of citizens of the several States—

As well as to the like provision in the 14th amendment. Uniformly, the courts have held that the 14th and 15th amendments and the clause that I have just read of the Constitution are never to be considered by way of a deprivation or discrimination rather, between a man and a woman. This bill also relates to the protection of the right to vote against deprivation based on race or color. The 15th amendment of the Constitution is implemented by this legislation. It provides:

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color or previous condition of servitude.

The 19th amendment, the women's rights amendment, was necessary to cover that matter. Otherwise women could not vote. None of the constitutional rights considered in this bill relates in any way to the subject of the proposed amendment. Senate Joint Resolution 39, pertaining to equal rights for women, is now pending in the Senate. To amalgamate these wholly different subjects is contrary to the rules of the House and will do no justice to the consideration of either that joint resolution or this bill now before the House. Nor will it give proper consideration to a resolution offered by the distinguished lady from New York [Mrs. ST. GEORGE], for whom we all have a most affectionate regard. It would hurt the consideration of that amendment.

Mr. KEATING. Mr. Chairman, since we have adopted the rules set forth by the gentleman from Texas, it seems I should withdraw my objection to investigations by this Commission. However, I feel that I must press the objection so well set forth, that to add these words would completely change the tenor and character of this legislation. For the same reasons that we ruled out the amendment submitted by the gentleman from California [Mr. JACKSON] this should be ruled out. I know how hard the gentleman from California [Mr. MCDONOUGH] has worked on this problem, as well as our colleague, Mrs. ST. GEORGE, but this is not the proper place to present an argument on this issue.

Mrs. ST. GEORGE. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mrs. ST. GEORGE. Mr. Chairman, as I have a certain interest in this because the equal rights amendment has been mentioned by my very dear and distinguished colleague from New York, I would like to say first of all that I am a little at a loss whenever the word "sex" is brought into any argument on the floor of the House of Representatives it is immediately assumed to mean only the female sex. I do not know what you gentlemen think you are. I do not know what my distinguished friend from New York [Mr. CELLER] thinks he is, but I have always been under the impression that he and you all belong to the male sex.

This bill is a bill on civil rights, and I can see no reason why civil rights should not apply to people of both sexes just as much as it applies to people of different color. There is discrimination on account of sex, not always against females; sometimes against males. We have recently had a bill before my own committee on retirement, and it has been my great pleasure to insist that whenever the word "widow" occurs the words "and widower" shall be added. So you see, what is sauce for the goose is sauce for the gander. I am sorry that there is such opposition to this on the ground that it would affect women. I do not know what the great objection is to women having equality under the law or equal civil rights.

My friend from New York has always been opposed to this. I believe he is secretly at heart a misogynist—and that is a $64 word. I would also say that in spite of these remarks of mine I am truly devoted to my friend from New York.

The CHAIRMAN. Is the lady speaking to the point of order?

Mrs. ST. GEORGE. Yes; but could I make a few allusions?

The CHAIRMAN. The lady will confine her argument to the point of order.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentle lady yield?

Mrs. ST. GEORGE. Yes; I yield.

The CHAIRMAN. The lady cannot yield.

Mr. HOFFMAN of Michigan. As long as no one is objecting.

The CHAIRMAN. The Chair is here to maintain order.

Mr. HOFFMAN of Michigan. And the Chair objects to her talking?

The CHAIRMAN. The Chair wants to be informed on the point of order.

Mrs. ST. GEORGE. I personally can see no reason why the word "sex" should be omitted from this bill any more than the word "religion," or "color." I have not yet heard it satisfactorily explained, although I will admit that there has been a great deal of eloquence, and the question of women's rights has been introduced in the committee where I quite agree it has no place, where I certainly did not intend to bring it.

I am sorry I have been interrupted; I have some very charming things to say about my colleague from New York which unfortunately now will be lost to posterity.

Mr. MCDONOUGH. Mr. Chairman, will the gentleman from New York yield?

Mr. KEATING. I yield.

Mr. MCDONOUGH. The gentleman from New York has yielded to me to ask the gentlewoman from New York a question.

The point of order is raised on whether or not discrimination on account of sex should not be included among the investigative duties of the Commission. Does not the gentlewoman agree that this is not legislation, this has not any comparison to the citations read by the gentleman from New York [Mr. CELLER] of court decisions, this is not in the same category; this is merely conferring upon the Commission duties to investigate a category of citizens that is of a comparative nature to race and religion?

Mrs. ST. GEORGE. I quite agree with my friend. As I read this bill it does nothing but appoint a Commission to investigate, and I might also say in view of what my good friend from New Jersey [Mr. TUMULTY] said the other day, that I can very well see some woman going down the street. The Attorney General might be looking out the window and say, "Well, she obviously is being very put upon," and he probably would be right—a great many are sorely put upon. So then he would use these investigators and other individuals to investigate the plight of this citizen who happened to be a woman, and under this she would be deprived of any redress of any kind at all. That is my understanding from what the gentleman from New York has just told us.

The same would apply to a man if for some reason——

The CHAIRMAN. The Chair must insist that the gentlewoman speak to the point of order which is whether or not the word "sex" is germane to the legislation.

Mrs. ST. GEORGE. I have repeated that it is; I am now trying to prove why it is. I am trying to prove that under this bill you exempt certain people for this reason——

The CHAIRMAN. The Chair understands that very well. The Chair wants to know whether or not this is germane, not why it is germane.

Mrs. ST. GEORGE. In my opinion, sir, it is germane.

Mr. BURDICK. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BURDICK. I have been observing this debate and I have observed what the gentlewoman has said. She appears to be talking to the point and as far as I know is in complete order.

Mr. TUMULTY. Mr. Chairman, will the gentlewoman yield for a question?

Mrs. ST. GEORGE. Will the gentleman ask that of the gentleman from New York, please?

Mr. KEATING. Mr. Chairman——

The CHAIRMAN. The gentleman from New York has the floor. Does he yield or is he going to help the Chair make a decision?

Mr. KEATING. I am going to clear up one point raised by the gentlewoman to the effect that this bill will apply to men and women alike, as there is no discrimination on the ground of color, race, religion, or national origin.

Mr. TUMULTY. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. The Chair is prepared to rule.

Mr. SMITH of Virginia. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman from Virginia.

Mr. SMITH of Virginia. I want to be heard rather seriously, because I was shocked——

The CHAIRMAN. The Chair hopes it will be serious.

Mr. SMITH of Virginia. Shocked by the decision of the Chair.

In the first place, this is a bill entitled "A bill to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States."

That does not confine itself to color; it does not confine itself to race, religion, or national origin, but it is a bill to protect all civil rights. That is what it is intended for.

Mr. Chairman, to confine this bill to these four classes of people, and to rule out all and every protection of other civil rights seems to me is going far beyond the precedents that have heretofore governed us in the consideration of bills.

Mr. TUMULTY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from New Jersey.

Mr. TUMULTY. Is it not a fact, unless my information is incorrect, that our color and our race and our national origin is derived from sex?

Mr. SMITH of Virginia. I believe the gentleman is right about that.

Mr. TUMULTY. Otherwise I have been misinformed.

Mr. SMITH of Virginia. Mr. Chairman, I can hardly conceive of any class of people who by courtesy in our usual American tradition should be more and better entitled to the protection of their civil rights than women. As the Chair doubtless knows, we have had a constitutional amendment pending for years to take care of the civil rights of women, but somehow or other it has never gotten out of the fine committee of the gentleman from New York [Mr. CELLER] and the gentleman from New York [Mr. KEATING]; but, nevertheless, there has been a great demand for it. There would not be a demand for it unless there was a violation of civil rights. We all know in our practice and in our experience in business that women are discriminated against daily and constantly in the matter of salaries and wages.

Let us take the right to work, which the Chair has ruled is not a civil liberty. Tell me what greater civil liberty there is than the right to work? It was not given to us by the Constitution of the United States, it was not given to us by the constitution of my State or your State or by any law of the Congress. It was given the first man ever born on this earth, Adam, when God ran him out of the Garden of Eden and said: "In the sweat of thy face shalt thou eat bread."

That was a Biblical command that he should work. When this House sets itself up to say by a parliamentary rule on so narrow a subject as civil rights that the most important civil rights to the existence of mankind, the right to work, is not a civil right, in my opinion is not proper.

Mr. McDONOUGH. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. McDONOUGH. The Chairman ruled against the gentlewoman from New York for not confining her remarks to the point of order. I appreciate what the gentleman from Virginia is now saying, but he is talking about a point of order made to a previous amendment.

The CHAIRMAN. The gentleman will confine his remarks to the point of order on the amendment under consideration.

Mr. SMITH of Virginia. Mr. Chairman, I am talking about the narrow view we are taking on the question of civil rights. I mentioned the right to work as merely an illustration. If it hurts anybody's feelings on account of the implications that surround the right to work, then I apologize. But, Mr. Chairman, the purpose of that illustration was merely to bring to the attention of the Chair the very narrow limitation which he has put upon this bill and which is going to narrow this bill so that a great many pertinent amendments on the violation of civil rights cannot be considered by the committee when it is considering the whole general question under the title of the bill as violations of civil rights.

The CHAIRMAN. The Chair is prepared to rule. The Chair may say to the gentleman from Virginia, however, that he should not prejudge what the Chair is going to rule.

Mr. SMITH of Virginia. I was not doing that, Mr. Chairman.

The CHAIRMAN. The previous amendment had to do with a class that came within the jurisdiction of another committee of the Congress.

The gentleman from California [Mr. McDONOUGH] has offered an amendment, to which a point of order has been made. The Chair has heard the arguments, he has read the bill, he has read the amendment and finds that by adding the word "sex" to the other four categories listed herein the subject is germane and so rules.

The Chair, therefore, overrules the point of order.

Mr. McDONOUGH. Mr. Chairman, in the interest of time, it seems to me that enough has been said about my amendment and the purpose of it to limit the debate to a minimum in order to vote on the question. I merely want to say briefly that the addition of the word sex to the other categories would broaden the scope and bring to the attention of the public the question of discrimination because of sex, both male and female. This is not a facetious amendment. It is submitted with my sincere convictions of its reason and its purpose. In checking the record since this session of the Congress, I find an honor roll of some 219 Members of the House who have agreed with the gentlewoman from New York [Mrs. ST. GEORGE] in her proposal to amend the Constitution of the United States to bring about an equality of the sexes or to prevent discrimination because of sex under the Constitution. Most of the women of the Congress have agreed with her. I have here a statement from Judge TRIMBLE, of Arkansas, to Mrs. ST. GEORGE stating that he is glad to become a sponsor with her for that amendment. I have here an excerpt from a letter from BROOKS HAYS, of Arkansas, stating likewise. And, as I said before, the list contains the names of 219 Members of the House who have agreed to sponsor the equal rights amendment to the Constitution. Here is a list of these names:

SPONSORS OF THE EQUAL RIGHTS AMENDMENT—TOTAL 219

Alabama: FRANK W. BOYKIN; CARL ELLIOTT, GEORGE HUDDLESTON, JR.

Arizona: JOHN J. RHODES, STEWART UDALL.

Arkansas: WILBUR D. MILLS, OREN HARRIS, W. F. NORRELL.

California: HUBERT B. SCUDDER; JOHN E. MOSS, JR.; WILLIAM S. MAILLIARD; JOHN F. BALDWIN, JR.; JOHN J. ALLEN, JR.; J. ARTHUR YOUNGER; CHARLES S. GUBSER; B. F. SISK; CHARLES M. TEAGUE; HARLAN HAGEN; GORDON L. MCDONOUGH; DONALD L. JACKSON; CARL HINSHAW; EDGAR W. HIESTAND; CLYDE DOYLE; GLENARD P. LIPSCOMB; JAMES ROOSEVELT; HARRY R. SHEPPARD; JOHN PHILLIPS; ROBERT C. WILSON.

Colorado: BYRON G. ROGERS, WAYNE N. ASPINALL.

Connecticut: THOMAS J. DODD; HORACE SEELY-BROWN, JR.; ALBERT W. CRETELLA; ALBERT P. MORANO; JAMES T. PATTERSON.

Delaware: HARRIS M. MCDOWELL, JR.

Florida: WILLIAM C. CRAMER; BOB SIKES; DANTE B. FASCELL; A. S. HERLONG, JR.; DWIGHT L. ROGERS; JAMES A. HALEY; D. R. MATTHEWS.

Idaho: GRACIE PFOST.

Illinois: WILLIAM L. DAWSON, WILLIAM E. MCVEY, RICHARD W. HOFFMAN, TIMOTHY P. SHEEHAN, CHARLES A. BOYLE, MARGUERITE STITT CHURCH, LESLIE C. ARENDS, SID SIMPSON, WILLIAM L. SPRINGER, CHARLES W. VURSELL, KENNETH J. GRAY.

Indiana: E. ROSS ADAIR, JOHN V. BEAMER, CECIL M. HARDEN, WILLIAM G. BRAY, EARL WILSON.

Iowa: FRED SCHWENGEL, HENRY O. TALLE, H. R. GROSS, KARL M. LECOMPTE, PAUL CUNNINGHAM.

Kansas: WILLIAM H. AVERY, MYRON V. GEORGE, CLIFFORD R. HOPE, WINT SMITH.

Kentucky: WILLIAM H. NATCHER, BRENT SPENCE, CARL D. PERKINS, EUGENE SILER.

Louisiana: F. EDWARD HÉBERT, OTTO E. PASSMAN, GEORGE S. LONG.

Maine: ROBERT HALE, CHARLES P. NELSON.

Maryland: EDWARD T. MILLER; JAMES P. S. DEVEREUX, EDWARD A. GARMATZ, GEORGE H. FALLON, RICHARD E. LANKFORD, DEWITT S. HYDE, SAMUEL N. FRIEDEL.

Massachusetts: EDWARD P. BOLAND, HAROLD D. DONOHUE, EDITH NOURSE ROGERS, DONALD W. NICHOLSON.

Michigan: GERALD R. FORD, JR.; DON HAYWORTH; ALVIN M. BENTLEY; RUTH THOMPSON; VICTOR A. KNOX; CHARLES C. DIGGS, JR.; MARTHA W. GRIFFITHS.

Minnesota: EUGENE J. MCCARTHY, COYA KNUTSON.

Missouri: GEORGE H. CHRISTOPHER; W. R. HULL, JR.; A. S. J. CARNAHAN; MORGAN M. MOULDER.

Montana: ORVIN B. FJARE.

Nebraska: PHIL WEAVER, ROBERT D. HARRISON, A. L. MILLER.

Nevada: CLIFTON YOUNG.
New Hampshire: CHESTER E. MERROW.
New Jersey: FRANK S. THOMPSON, JR.; PETER FRELINGHUYSEN, JR.; HARRISON A. WILLIAMS, JR.; WILLIAM B. WIDNALL; FRANK C. OSMERS, JR.; T. JAMES TUMULTY.
New Mexico: ANTONIO M. FERNANDEZ, JAMES J. DEMPSEY.
New York: STUYVESANT WAINWRIGHT; FRANK J. BECKER; HENRY J. LATHAM; ALBERT H. BOSCH; LESTER HOLTZMAN; VICTOR L. ANFUSO; ABRAHAM J. MULTER; JOHN H. RAY; ADAM CLAYTON POWELL, JR.; FREDERIC R. COUDERT, JR.; ARTHUR G. KLEIN; IRWIN D. DAVIDSON; HERBERT ZELENKO; SIDNEY A. FINE; ISIDORE DOLLINGER; CHARLES A. BUCKLEY; PAUL A. FINO; RALPH W. GWINN; KATHARINE ST. GEORGE; J. ERNEST WHARTON; LEO W. O'BRIEN; DEAN P. TAYLOR; BERNARD W. KEARNEY; WILLIAM R. WILLIAMS; HAROLD C. OSTERTAG; WILLIAM E. MILLER; EDMUND P. RADWAN; JOHN R. PILLION; DANIEL A. REED.
North Carolina: THURMOND CHATHAM, F. ERTEL CARLYLE.
North Dakota: USHER L. BURDICK, OTTO KRUEGER.
Ohio: GORDON H. SCHERER; JAMES G. POLK; THOMAS A. JENKINS; A. D. BAUMHART, JR.; WILLIAM H. AYRES; JOHN E. HENDERSON; FRANK T. BOW; J. HARRY MCGREGOR; WAYNE L. HAYS.
Oklahoma: PAGE BELCHER, ED EDMONDSON, TOM STEED, JOHN JARMAN, VICTOR WICKERSHAM.
Oregon: SAM COON, HARRIS ELLSWORTH.
Pennsylvania: WILLIAM A. BARRETT; WILLIAM T. GRANAHAN; JAMES A. BYRNE; EARL CHUDOFF; BENJAMIN F. JAMES; JOSEPH L. CARRIGG; IVOR D. FENTON; SAMUEL K. MCCONNELL, JR.; ALVIN R. BUSH; RICHARD M. SIMPSON; JAMES M. QUIGLEY; JAMES E. VAN ZANDT; JOHN P. SAYLOR; CARROLL D. KEARNS; FRANK M. CLARK; THOMAS E. MORGAN; JAMES G. FULTON.
South Carolina: L. MENDEL RIVERS, ROBERT T. ASHMORE.
South Dakota: HAROLD O. LOVRE, E. Y. BERRY.
Tennessee: JOE L. EVINS, CLIFFORD DAVIS.
Texas: BRADY GENTRY, BRUCE ALGER, OLIN E. TEAGUE, JOHN DOWDY, CLARK W. THOMPSON, FRANK IKARD.
Utah: HENRY ALDOUS DIXON.
Vermont: WINSTON L. PROUTY.
Virginia: RICHARD H. POFF, HOWARD W. SMITH, PAT JENNINGS, JOEL T. BROYHILL.
Washington: THOMAS M. PELLY, JACK WESTLAND, RUSSELL V. MACK, HAL HOLMES, WALT HORAN, THOR C. TOLLEFSON.
West Virginia: ROBERT H. MOLLOHAN, HARLEY O. STAGGERS, CLEVELAND M. BAILEY, M. G. BURNSIDE, ELIZABETH KEE, ROBERT C. BYRD.
Wisconsin: GARDNER R. WITHROW, WILLIAM K. VAN PELT, LESTER JOHNSON.
Wyoming: E. KEITH THOMSON.
Alaska: E. L. BARTLETT.
Hawaii: MRS. JOSEPH R. FARRINGTON.
Puerto Rico: ANTONIO FERNÓS-ISERN.

Mrs. ST. GEORGE. Mr. Chairman, if the gentleman will yield, we now have 225.

Mr. MCDONOUGH. Here is an opportunity for those of you who sincerely believe that equal rights regardless of sex should be an amendment to the Constitution of the United States, to provide the Civil Rights Commission provided for in this bill with authority to investigate why there has been discrimination because of sex in the United States. This Commission can then submit their findings to us so that the Congress will be better advised and better informed on the equal rights amendment.

I have continuously favored this amendment because I believe that on the basis of freedom and equality for all, an amendment that women should not be discriminated against in their civil rights and their right to hold public office is necessary, and also that what constitutes such discrimination should be clarified with an appropriate amendment to the Constitution.

It is true that the United States was founded on the principles of freedom and individual liberty. And American women under our Government have enjoyed many privileges not accorded to their sex in other parts of the world. But freedom and liberty have degrees, and in many sections of our Nation, local and State laws have been enacted which restrict the rights of women and to a degree encroach upon their freedom and liberty as individuals.

At this time when the United States of America stands as a beacon light in the world dedicated to the cause of freedom and individual rights, it is essential that these same rights be protected within the United States for every citizen. And the only means by which discrimination against women in whatever form it may exist and wherever it may be found within the borders of our Nation can be ferreted out and eliminated is through enactment of the equal rights amendment to our Constitution which will establish that "equality under the law shall not be denied or abridged by the United States or by any State on account of sex."

The struggle of the American woman for equality with the men of this country is well known. They were barred from business and the professions. They were not permitted to hold public office, and were not expected to hold opinions on affairs of state.

But the women of America were not satisfied to accept such restrictions upon their individual liberty, and during the past half century have made great strides to achieve their goal of equality with the men of the Nation.

Under the leadership of Susan B. Anthony, the pioneer crusader for equal rights, the campaign for women suffrage was launched, and American women finally gained the right to vote for ratification of the 19th amendment to the Constitution in 1920.

Race, creed, and sex have been the recognized areas of discrimination since the dawn of history.

1787: The Constitution was framed under the influence of common-law, which is the code of precedent and tradition. Common law did not regard women as persons or legal entities.

1791: The 1st amendment made discrimination because of creed unlawful.

1868–70: The 14th and 15th amendments made discrimination because of race unlawful.

1920: The 19th amendment made discrimination because of sex unlawful with respect to voting. Any other discrimination because of sex is still lawful.

1923: The equal-rights amendment was placed before Congress by Senator Charles E. Curtis, later Vice President, and Representative Daniel R. Anthony.

1940: The Republican Party endorsed the amendment in its national platform and has so continued.

1942: The Senate Judiciary Committee reported the amendment favorably and has so continued in every subsequent Congress.

1943: The Senate Judiciary Committee, Chairman, Warren Austin, rephrased the amendment in its present classical form.

1944: The Democratic Party endorsed the amendment in its national platform and has so continued.

1945: The Senate ratified the Charter of the United Nations, which affirms "the equal rights of men and women."

1946: The first vote on the amendment was taken in the Senate. The favorable majority vote was less than the required two-thirds majority.

1947: At the International Conference of American States, all 21 Republics, except the United States of America, signed a convention granting to women the same civil rights enjoyed by men. Our representative, Norman Armour, then Assistant Secretary of State, explained that "if the equal rights amendment were added to the Constitution there would be nothing of a constitutional nature to prevent signing."

1948: Our delegate to the United Nations Economic and Social Council voted against a resolution, carried by the votes of nine other nations, which provided for equal economic rights of women.

1950: The second vote on the amendment was taken in the Senate. Over a two-thirds favorable vote was cast, but a nullifying rider had been added, proposed from the floor by Senator CARL HAYDEN.

1953: The third vote on the amendment was taken, in the Senate, repeating the vote of 1950. Again the rider, without submission to the Judiciary Committee, had been added from the floor. It was characterized by Senators of both parties as political hypocrisy.

Mr. Chairman, I do not think it is necessary to go into any more detail. I am the author of House Joint Resolution 125 that was introduced in this Congress on January 13, 1955, proposing equal rights for men and women. A lot more can be said on the subject, but, in the interest of time, I prefer to limit the debate to a minimum and give the House an opportunity to vote, and I trust you will support my amendment.

Mr. KEATING. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I recognize the sincerity of the gentleman from California and the gentlewoman from New York in advancing this amendment. I know that they have for a long time been interested in this field and have sponsored a constitutional amendment to provide that there shall be no discrimination on the ground of sex. That is a matter that has been before this Congress for some time. It has been in our committee. We held some hearings in previous Congresses on the subject. It is a highly controversial subject. There are many strongly held views on both sides. It is a complicated subject on its merits, whether or not this constitutional amendment should be adopted. It is not a matter that should come before us at this time, it seems to me, and whether or

not you favor that constitutional amendment, it seems to me this particular amendment should be opposed.

I might say to those who support that constitutional amendment that it might well delay the consideration of that if this field were opened up to an investigation by this Commission. I want to make it perfectly clear that a victim of discrimination on account of color, race, religion, or national origin, whether it be a man or woman, would be covered by the wording of this legislation as it stands. It would completely change the character of this investigation if the Commission were set up to investigate economic pressures by reason of sex. Unless it is the will of the House that this Commission should go into a field of investigation entirely foreign to that having to do with what we have generally spoken of as civil rights, then this amendment should be opposed. I feel it necessary to oppose the amendment because of my strong conviction that it will completely change the character of this proposed legislation.

Mr. HALLECK. Mr. Chairman, will the gentleman yield to me?

Mr. KEATING. I yield to the gentleman from Indiana.

Mr. HALLECK. I think it should be noted, wholly apart from the merits or arguments one way or the other on a matter such as presented by this amendment that we have here before us legislation dealing with a subject that has been under consideration for a long time. Some argue that it should have been settled a long time ago. Some contend that there should be no action on it now.

I have been here a long time and I have seen on many and many an occasion when matters of this sort have been under consideration in committee, amendments have been offered and have been adopted to a point where after all the whole purpose of the original legislation is lost sight of and we wound up getting nowhere.

So I think I may properly say at this point that because not only will this amendment be before us but there will be many more, if we want to bring this legislation to passage then I think we ought to be very, very careful about loading it up with amendments that might ultimately result in its defeat.

Mr. KEATING. Mr. Chairman, I agree with the gentleman completely. While I realize that this amendment is not offered by the gentleman from California for that purpose, because I understand him to favor this legislation—and the same is true of the gentlewoman of New York [Mrs. ST. GEORGE]—I think it will be supported in the main by those who are against this legislation and who are seeking to defeat it.

I urge the House not to fall for that kind of tactics and to defeat this amendment.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do hope, indeed, that the members of the majority party will vote against this amendment, particularly those who favor the general purport of the bill. However, I want to say to the very gentle lady from New York, Mrs. KATHARINE ST. GEORGE, that one could hardly consider me a misogynist, a man who has been married for over 42 years, with children and grandchildren, all of whom are of the same sex as the gentle lady from New York.

Mrs. ST. GEORGE. That might very well be an excuse, I might say, for the gentleman being a misogynist.

Mr. CELLER. I could not be a misogynist, because I have a very high and very real affectionate regard for the gentle lady from New York.

Of course, I agree with my distinguished colleague, the gentleman from New York [Mr. KEATING], that to load this bill down with an amendment of this sort would be a sort of boobytrap. It would be a bait for the unwary. I hope those who are in favor of the resolution offered by the distinguished gentlewoman from New York [Mrs. ST. GEORGE], which provides for so-called equal rights, will not be tempted to vote for this amendment because they are in favor of that proposal. The one has nothing to do with the other. It is like mixing vinegar with water, you will get something that will be rather disturbing to you if you try to mix the two.

Mr. MILLER of Maryland. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. MILLER of Maryland. Would the gentleman explain why this would be a boobytrap or why in any way it would hurt the purposes of the legislation?

Mr. CELLER. I hate to answer that, but I can assure the gentleman that the Commission would be spending endless days in hearing all the various and sundry women's organizations interested in equal rights, and they probably might never get to the real matter for which they were established.

We have had this equal-rights amendment before our Judiciary Committee for many years. We have had extensive hearings on it in the past. The Judiciary Committee in its wisdom saw fit not to report out the resolution. Yet the constitutional amendment is offered year after year, despite those extensive hearings. If there were such a great sentiment in this House for the passage of that constitutional amendment it would be a simple matter to file a discharge petition, and if all these men who have signed something that has been mentioned today in favor of that equal-rights proposition wanted to do so they could sign the discharge petition and get the matter up before the House. But do not try to enter by the side door, as it were, and tag that proposal for equal rights onto this proposition of a commission.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from California, the author of the amendment.

Mr. McDONOUGH. The gentleman just referred to this as a cumbersome amendment.

Mr. CELLER. I did not say "cumbersome."

Mr. McDONOUGH. Well, "it would not butter it up;" the gentleman used words to that effect. Is it any more cumbersome than the amendment submitted by the gentleman from Texas [Mr. DIES], that outlines the procedure of the Commission?

Mr. CELLER. I voted against that amendment.

Mr. McDONOUGH. Does not the rule set down by the gentleman from Texas [Mr. DIES] provide that investigation of this category of citizens would not allow everybody to be investigated?

Mr. CELLER. I do not agree with the gentleman.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Illinois.

Mr. YATES. Should it not be pointed out that this is a temporary Commission that expires 2 years after the passage of this act?

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Indiana.

Mr. HALLECK. The matter of the so-called equal-rights amendment has been introduced into this discussion. I do not believe this amendment has anything at all to do with the equal-rights amendment. As I understand, the equal-rights amendment is supposed to eliminate certain provisions in law that are said to discriminate against women. Certainly the thing that is sought to be reached in the study of this Commission does not involve any legal restriction arising out of the law, but rather is a matter of going into discriminations or restrictions that arise out of actions by people in the country.

Mr. CELLER. The gentleman is opposed to the amendment?

Mr. HALLECK. I am opposed to the amendment.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Mississippi.

Mr. COLMER. The gentleman made the statement that he objected to this on other grounds, that so much of the time of the Commission would be taken up in going into all this. Does the gentleman think that the rights of people as they might be affected by discrimination because of point of origin or race or color are more sacred and worth more than the rights of the women of this country?

Mr. CELLER. I will answer the gentleman's question with a question: Will the gentleman vote for the bill if it contains sex?

Mr. COLMER. I am always in favor of the rights of women.

Mr. FOGARTY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

MY SOCIAL-SECURITY PROPOSALS, 1950

Mr. FOGARTY. Mr. Chairman, great strides have been made in recent years in improving our social-security program. That program, conceived and developed under a Democratic administration, has certainly proved its worth. On that we are all agreed—even including the majority of the Members of our worthy minority.

Today over 8 million persons are regularly receiving their monthly social-security benefits. Over $5 billion a year goes to our aged persons, widows, and dependent children receiving these benefits under the old-age and survivors' insurance program. The number of beneficiaries and amount of benefits will continue to increase as the full effect of recent legislation comes into force.

Yet, there are important changes which still must be made in our social-security program. The program is still far from completion. I believe that the Congress must make additional improvements in the program in order to make the maximum contribution to our aged citizens and to the widows and children who are left without a father. Among the measures which I am supporting in Congress to accomplish this objective are the following:

First, the payment of social-security benefits to all insured persons prior to age 65 who become permanently and totally disabled. I believe that the man or woman who has contributed to social security and becomes so disabled that he or she cannot work any more should be eligible to draw social-security benefits irrespective of age. For example, an individual who became permanently disabled at age 50 should be able to start drawing benefits as soon as he or she had met the eligibility conditions as a disabled person. I do not believe there should be any arbitrary age limitation imposed by the Congress for such benefits. The young working man or woman, age 30 or 40, needs such protection just as much as the man or woman, age 50 or 60, who becomes disabled. I shall do everything within my power to see that the disabled person gets a fair break under the social-security law.

Second, I believe the eligiblity age for all men and women should be reduced to 60 years. A year ago, on March 1, 1955, I introduced in the House of Representatives, a bill, H. R. 4517, for that purpose. This change would retain the voluntary character of the retirement program. It would not require that an individual retire at age 60; only that he would be permitted to draw his full benefit at that age if he elected to retire. I am convinced that this would be a great boon to thousands of older people, who at the present time are precluded from drawing benefits until age 65.

Third, as a part of my program I propose that individuals who postpone their retirement after age 65 should receive an increase in their benefit for each year they delay their retirement. Such a delayed retirement credit would recognize that many individuals who continue working after age 65 are making an important financial contribution to the social-security system and to the economy, as a whole. Thus, an individual otherwise eligible to a social-security benefit of $100 a month would be entitled to receive $110 a month if he retired at age 70 or $114 a month if he retired at age 72. This would be fair and equitable to all.

Fourth, I believe that social-security benefits should be increased for all beneficiaries particularly for aged widows. At the present time, if a man has retired and he and his wife are drawing social-security benefits of $150 a month, the widow, upon the man's death, is entitled to receive only $75 a month. This is because the widow receives 75 percent of the man's benefit—that is, one-half of their combined benefit. I believe this proportion should be increased from 75 percent to 100 percent so that in the case I have just cited, the widow's benefit would be increased from $75 a month to $100. This would greatly aid widows.

Fifth, I believe that both the minimum and maximum social-security benefits should be increased as part of a general benefit increase. I especially believe that the maximum benefit of $108.50 a month for an insured worker is too low. I believe the maximum benefit should be increased to at least $158.50 by increasing the maximum wage which can be credited under the program from $350 a month to $600 a month. This would permit a retired man and wife at age 60 to draw a maximum benefit of $237.75 a month. I would also increase the maximum family benefit from the present $200 a month to $300 a month. This would be of particular benefit to a widow with several young children.

Finally, I believe existing benefits are too low to permit most social-security beneficiaries to provide adequately for their hospitalization and medical bills. We should, therefore, extend hospitalization and medical-care insurance to all social-security beneficiaries.

As you know, Mr. Chairman, I have strongly supported the provisions of H. R. 7225 to extend the old-age and survivors insurance program to most of those who are not now covered, to those who become prematurely disabled, and to women at the age of 62 or even 60.

Thus far, Mr. Chairman, the social-security program has been too rigid. It has tended to force all people into a single pattern of retirement and eligibility at the single age of 65. This, I submit, has been unjust for it fails to recognize the basic differences among people—differences in their rates of aging, in their health, in their social circumstances, and in their personal desires. It is for this reason, Mr. Chairman, that I have so strongly urged the passage of the liberalizing amendments to the social-security program.

The administration has objected to these amendments on the grounds that the social-security tax would have to be raised in order to pay for them and that our workers would not support even a small increase. This, I believe, Mr. Chairman, is a wholly specious argument.

These changes in our social-security program are vitally necessary. They are practical and realistic. They would strengthen the existing program and retain all the essential features of the contributory wage-related program with benefits payable as a matter of legal rights.

I shall continue to do everything possible to urge that the Congress adopt these amendments. We have made many important improvements in social security. The amendments I am advocating and supporting will improve the program for all Americans. Of more importance, it will help to ease the crushing burden already being felt by too many thousands of our people.

Mrs. KELLY of New York. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I speak for four women on the Democratic side of the aisle; the gentlewomen from Missouri, from Minnesota, from Oregon, and from New York [Mrs. SULLIVAN, Mrs. KNUTSON, Mrs. GREEN], and myself.

We are opposed to this amendment because we feel that women are included in the general terms, race, color, and creed. The addition of sex is superfluous. This amendment will destroy the real purpose of this bill and will lead to its defeat.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. MCDONOUGH].

The question was taken; and the Chairman being in doubt, the Committee divided and there were—ayes 121, noes 71.

Mr. KEATING. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. MCDONOUGH and Mr. CELLER.

The Committee again divided, and the tellers reported that there were—ayes 115, noes 83.

So the amendment was agreed to.

Mr. VINSON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

Mr. CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON. Mr. Chairman, because I am sadly expecting, at any moment, to receive word of the death of my brother, it may not be possible for me to be here when the final vote is taken on H. R. 627. But I cannot leave the House of Representatives without placing in the RECORD my views on H. R. 627, which carries the misnomer of a "civil rights" bill.

I want the RECORD to show clearly and unequivocally that were I present when the votes are taken on this legislative monstrosity, I would vote to recommit the bill to the Committee on the Judiciary, and if the bill is not recommitted, I would vote an emphatic "no" against final passage.

I have listened to much of the debate on this measure, and I have read the RECORD. If it were possible to remove politics, emotions, and sectionalism from the minds of the Members of the House, there is no question in my mind that this bill not only would be overwhelmingly defeated, it would never have been reported by the Committee on the Judiciary.

The bill is divided into four parts. The first part creates a commission that should be classified as a snooping commission, whose principal function seems to be that of destroying the last vestiges of the powers reserved to the States.

It envisions the creation for the next 2 years of what is equivalent to a court of inquiry with full Federal power if it so desires to pry into the affairs of every citizen of the United States, every business and every State of the Union. Its

jurisdiction is practically unlimited and its powers are practically unlimited.

This Commission would be created for the sole purpose of federalizing every conceivable economic, social, and legal institution in the United States of America.

I would assume, therefore, that if a farmer employs a white man to help him on his farm, he can be subpenaed by the Commission and required to come to Washington to explain why he hired a white man in an area where there were unemployed Negroes.

Or take another example. If a restaurant employs colored waiters, I would assume that the owner could be required to show cause why the assistant manager is not colored.

If a Chinese laundry employs no one but those of oriental origin, I am sure the owner could be required to produce his records, including those he writes in Chinese, to answer charges that he is discriminating against those of Eskimo origin, or any other race.

Perhaps of even greater significance is the potential authority contained in this bill with regard to the Commission's right to inquire into the entire educational system in existence in the Nation.

As I interpret this bill, the Commission could subpena all the records of a private school, including a church school, and subject that school to a searching inquiry as to why that school denied admission to any individual because of his race, color, or creed. No school, private, public, or denominational, would be beyond the reaches of the Commission.

Is this what was meant by our Founding Fathers when they forever guaranteed to the American people the right to have religious freedom?

But not satisfied with just creating a Commission, the bill also provides for an additional Attorney General who will be in charge of a civil rights division. Apparently his sole function from the day he is appointed, should the Nation ever be unfortunate enough to see this legislation enacted, will be to enforce, with or without the consent of a plaintiff, his idea of what constitutes a violation of an individual's civil rights.

Part III of the bill gives the Attorney General the right to bring a civil action to protect the so-called rights of anyone who has a complaint. And part IV deals with the right to vote.

There is little doubt that this bill is a dagger pointed at the heart of the South.

Today it is the South; tomorrow it will be the West; the next day it will be the North, and then the East.

As I see it, the bill has in it the beginning of the end of organized labor, for any union whose views differ from that of the Attorney General might well find themselves subpenaed to death. They would be accused of denying equal protection of the laws to every crackpot who wishes to bring a legal action.

Lawsuits which could involve hundreds of millions of dollars in costs can be brought against any labor union in the United States under this bill.

If it becomes law, it would give the Federal Government the power to destroy any citizen, any corporation, any business—big or small—any political subdivision, any labor union, and I will even go so far as to say, any organization in the country.

So I would say to those of you who insist upon this type of legislation, beware that the club you use does not turn upon you.

You are planting an insidious and cancerous growth of complete Federal domination in the hands of a small group.

You had better think of the consequences to your children, and your children's children, before you go on record in favor of legislation that in my opinion will do more to destroy the foundations of this Republic as we know it, and as designed by the Founding Fathers, than anything we have ever previously considered.

For those of you who have faith in our institutions; for those of you who take pride in quoting our Founding Fathers; for those of you who believe that the Federal Government was created on the basis of delegated powers; for those of you who fear a strong central government; for those of you who have read the history of the world and the rise of despotism; for those of you who would preserve this great Nation as bequeathed to us by our forefathers—beware of the dangers that lie in this bill.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. HOLTZMAN] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HOLTZMAN. Mr. Chairman, I would like to take this opportunity to say a few words about the civil-rights program.

We have before us in the House at the present time a very moderate civil-rights bill, which will provide more adequate protection of the rights of the individual which are guaranteed to all American citizens by our Constitution.

I believe that it has been amply demonstrated during the course of general debate that no new extremes have been advocated by this bill. Rather, the bill merely makes more certain that these rights will be enjoyed by all, regardless of race, creed, color, or national origin. Our country was founded on the principle that all men are created equal, and this legislation reflects our belief in that principle, and would strengthen the efforts of the Federal Government and the Congress to accomplish that objective.

In an effort to insure that no citizen is deprived of his civil rights, it has been recommended that a Commission on Civil Rights be created. The bill also calls for the creation of a special division within the Department of Justice to handle civil rights matters; it gives the courts increased powers to deal with civil rights cases, and it provides added protection to the right to vote.

As elected representatives of the people, we must discharge our responsibilities to all the people, not to just one segment of the population. I believe that this legislation is in the best interests of the country as a whole, and I feel that it will be a definite step forward in the fight against discrimination, and in our efforts to uphold the dignity of all men.

Mrs. BLITCH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, a few moments ago, the gentlewoman from New York [Mrs. KELLY] spoke for four Democratic women Members on the floor. I know she certainly did not intend to include me. I want the RECORD to show that the lady from New York [Mrs. KELLY] was not speaking for me, and further that I voted "aye" and support the amendment at this point.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word.

Mr. HOFFMAN of Michigan. Mr. Chairman, a little while ago someone asked from the floor: "What is the purpose of the bill?" Of course, the Committee on the Judiciary knows more about the real purpose than do the individual Members, at least more than I do. But I can venture a guess, if I am permitted.

As I have listened to the debate I have reached the conclusion that the Republicans have been supporting it mainly—joined by some Democrats from the North—because they thought it would be helpful—that is in addition to their sincere and intense desire to give everyone equality before the law on the political front—because of their thought that the Republican Party for the first time in a long, long time might be able—or at least aid—to get a majority of the colored votes at the November election. I know that some Democrats from the North have been supporting the bill in an effort to prevent that—to try to take away the advantage that the Republicans might get if the bill came out as a Republican measure. That is to say, while the purpose of those who support the bill—and I cannot vote for it—goes on that high plane of equality under the law is to——

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. PELLY. Does not the gentleman know that a great many of us who are interested in civil rights have been right from the start of this session trying to get legislation like this? We have not been thinking about what you are impugning to us.

Mr. HOFFMAN of Michigan. Certainly I know that. There are those who have always believed in this type of legislation. That is their right. Certainly I am not questioning that right. I am not impugning the motives of anyone. Nor am I questioning the right of my colleagues. To do so would be absurd as well as insulting.

But, incidentally, some folks expect—you don't think I know what I am talking about? Some Republicans expect we will as a party get the support of colored voters at the polls in November because of the enactment of this bill. You can challenge that statement or not. I am not critical of anyone or saying even indirectly that trying to get political sup-

port is unethical. But can there be any other reason for bringing it up at this late date, at this particular time?

Is there any Member of this House who believes for one minute this bill is going through the other body? Is there? No one makes answer. No, there is not. So why is it here now if it is not because of the fact we hope to get a little political advantage by voting for it? That is my question. That is what I would like to know.

And then another thing. In the title it is stated that the purpose is to protect the rights of all persons. Note well that word persons. That word includes everybody. It is all inclusive. But later comes the section to protect the right of only those who fall into one of four groups. No individual who is denied the right to vote is protected unless the denial is because of race, color, religion or origin. Why limit the so desirable protection? If the bill is an effort to get equality before the law for everyone, why write in those four qualifications: Race, color, creed or origin? Why put those limiting qualifications? The section is a limitation upon the general purpose of the bill.

Then we have in the bill a provision to protect the individual who is unjustly discriminated against by economic pressure. Why limit the protection—restrict the protection, of those subjected to economic pressure, to members of the four groups? Discriminated against for what reason? Again only because of race, color, creed, or origin. Why limit it if we want to protect everyone? If we want protection for all persons; as is the stated purpose of the bill? I ask someone to tell us here before we vote on it this afternoon why this limitation to members of those four groups. Suppose the oppression is because of red hair? Blue eyes? Age? Lack of teeth?

As someone has asked earlier, What is the use of having the right to vote if one cannot eat? But the amendment offered by the gentleman from California [Mr. JACKSON] was ruled not germane. That decision I question.

And someone else said that ever since Adam and Eve were driven out of the Garden of Eden unless they were theives or the recipients of charity people have had to work if they wanted to eat. If they desired to live. Is not that true? Why, of course. So why attempt to protect only those who are discriminated against because of one of those four things? Assume we all believe in equal protection under law. Does not the bill because of its restriction carry political implication?

What else does the bill do? It opens wide the doors of the courts of the United States to every individual who wants to make a complaint. Is there any more fertile field for blackmail that would be opened when we make it possible—make it easy—to threaten me with litigation if I do something which someone regards as discrimination to take the matter to the Attorney General or the United States district attorney in my district and go into the Federal court in some lawsuit? And if the complainant cannot get a lawyer because he is too poor all he has to do to start a lawsuit because of some fancied denial of some claimed right—is to go to the United States district attorney. This bill opens the door to every Tom, Dick, and Harry, Mary, Jane, and Sue to go to the Attorney General or some United States district attorney to file a lawsuit in the United States district court in the name of the United States and at the expense of the United States.

The bill—no matter how laudable its purpose—opens wide the door to oppression, blackmail, and a denial of equality. It is an invitation to harassment by busybodies, professional meddlesome busybodies, eager beavers whose occupation is that of stirring up trouble and strife.

Mr. DOWDY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Page 21, line 12, after the word "religion" insert the word "age."

Mr. DOWDY. Mr. Chairman, I offer this amendment on behalf of us older Members of Congress as well as all of the older people in the United States, over 40 years of age. You and I have had lots of complaints from people who are getting over 35 or 40 or 45 years of age about the impossibility of getting employment. I do not know for sure what "unwarranted economic pressures" means here in this bill. That phrase should be defined somewhere in the bill. I am going to assume perhaps it means "the ability to obtain employment."

I am not going to talk long on this amendment because I think "age" is obviously a matter that should be added to this bill just like sex was heretofore added. We will then actually have something for this Commission to go into when it is created. It can investigate unwarranted economic pressures being applied to people over 35 to 40 years of age so they cannot get a job and make a living.

I cannot see any justification for this bill myself, but these Members who are supporting it I know represent the people of the States from which they come—New York, Illinois and other places. They know whether their State governments are able to take care of the governing of those people in the States. I know in Texas our people are intelligent and can govern themselves. In some of the other States maybe they are not able to. However, the Members who represent those States in Congress know better about their own people than I do. I know this about the people of Texas—we believe in the right to govern ourselves in our own State and our own communities, and you insult us when you infer we are not intelligent enough to do so, and try to create this gestapo to control us. There are people of other States who feel the same way we do.

If we are going to have a bill at all certainly age should be one of the things that is protected against unwarranted economic pressures. I still think that phrase should be defined for the benefit of anybody who tries to interpret this bill or its purposes.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Alabama.

Mr. ANDREWS. I want to congratulate the gentleman for offering this amendment and to say I am heartily in favor of it. I think there are more justifiable complaints of discrimination because of age in this country than there is because of religion, race or origin.

Mr. DOWDY. And all of them put together.

Mr. ANDREWS. The gentleman is correct. I want to commend the gentleman for representing the older people of this country. I am sure that the true facts will show that many people, both male and female, colored and white, of all religions and faiths, have been discriminated against because of age and solely because of age. I want to commend the gentleman for offering the amendment.

Mr. DOWDY. I thank the gentleman. I believe every liberal in this House will have to vote for this amendment. We have the question of additional social security and all that, and they should be for this.

Mr. ANDREWS. Those who formerly advocated the so-called Townsend plan through the years should also favor the gentleman's amendment.

Mr. DIES. On behalf of the liberals, we will accept the gentleman's amendment. I heartily endorse the gentleman's amendment. He is rendering a great service.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. I have a 14-year-old boy who sometimes complains about economic pressure from his family. Would the gentleman's amendment allow him to go to the Attorney General and make a complaint?

Mr. DOWDY. I think it would. Every citizen would be able to go to the Attorney General and make a complaint, under this bill as written—in fact they wouldn't even have to go to him. He would take up the matter without being asked. You see, this bill would repeal and override the Bill of Rights in our Constitution.

Mr. TUMULTY. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from New Jersey.

Mr. TUMULTY. I wonder if the gentleman would consider a limitation on the proposition of size? I have been discriminated against all my adult life. My wife has to get a scooter in order to press my shirts, and it costs me more to live. I have trouble in the ball park sometime. I got up to go out of the ball park last week and I was in another woman's lap.

Mr. DOWDY. I would support an amendment to protect you, if you offer it.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Georgia.

Mr. LANHAM. I think all men are discriminated against and they ought to be included. I think they should be included as well as the women.

Mr. DOWDY. The gentleman is correct.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Mississippi.

Mr. WHITTEN. The gentlelady raised the question about whether her 14-year-old son could come to the Attorney General and have him institute suit. If I read the bill correctly, no one has to go to the Attorney General, but he may anticipate an act based on his own belief about the rights of people who have no idea that their rights are being infringed upon. So, the son would not even have to go.

Mr. DOWDY. Yes, and under the provisions of this bill, if the Attorney General thinks you are about to do something, or that you are thinking about doing something, he can take action against you.

Mr. WHITTEN. That is as I understand it.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman says he sees no justification for the bill, and therefore, I take it, he will vote against the bill. It is rather strange that he is so solicitious in offering the amendment, and I would say that his offering does not come with any good grace, because he means to kill the bill. And it is quite manifest that many of those who have indicated favorable disposition to the amendment are the very ones who want to scuttle the bill. The opponents want the bill so loaded up with extraneous matters, such as age, that the Commission would be sorely put to consider all these diverse subjects, much less to come to any sort of a recommendation to be made to the President, and the whole purpose of the bill will have been destroyed. Finally, I say that those who have been treating this matter rather lightly are those who scoff, but someday may have to come to pray.

Mr. KEATING. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it seems to me we have reached the point in our deliberations where we had better face up to the facts. This amendment is offered for the purpose of destroying this bill and scuttling it, killing it; loading it up with amendments that are unacceptable, for the purpose of defeating it. I do not ascribe any improper motives to any Member. There are many here who differ with me about this legislation. They are perfectly entitled to take any point of view they want to. The result of this bill is not going to affect my political fortunes one way or the other. I say this in the finest of spirits to all of my colleagues, we better face up to the facts, and that is that the method of defeating this legislation, it is now perfectly apparent, is by putting in amendments which sound plausible. You are pictured as being for or against old people, depending upon your vote on this amendment, just the same as the last one, whether you are for or against women. Now, I am for women and I am for old people and I am for young people and for all kinds of other people, but that is not the problem before us. The problem before us today—and I address myself to those on both sides of the aisle in the hope, of course, that I will have a little more appeal to those of my own party—is whether we are going to support an effort to defeat this bill. I appeal to my colleagues not to lend themselves to that effort which is now so apparent and to vote against these amendments which are offered for the purpose of seeking to defeat the bill. The test will come on these amendments whether or not you favor moderate and constructive legislation for the protection of the civil rights of our citizens. I favor this bill because I believe in it, and I shall oppose amendments which seek to kill the bill.

Mr. WHITTEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I agree with those who oppose this amendment, that it would defeat some of the purposes of this bill, though I shall vote for the amendment. If this amendment is adopted, it will keep this bill from being clearly directed toward minority groups, because this amendment would make it have general application just as the amendment on sex would do.

However, I take this time to call to your attention an amendment which I have at the desk, which I am afraid I might be cut off on and not be able to explain when it is presented, due to maybe debate being limited. But, having listened to the debate, I think it is quite clear that if this bill became law, the greatest danger that the people of the country would have in regard to their civil rights being interfered with or taken from them would come from what was done by the Attorney General of the United States. I, therefore, have at the desk an amendment which would give the people some chance to protect themselves from the Attorney General if he exercised the rights given him under this bill. I have very carefully used that language that is in the bill itself with regard to the authority given the Attorney General. My amendment—and I am utterly serious in it—is as follows:

Whenever any private individual believes the Attorney General or any representative of the Federal Government has engaged or is about to engage in any of the actions or practices authorized in this act, such private individual may institute for the United States or in the name of the United States, but for the real party in interest, a civil action or other proper procedure for redress or preventive relief, including an application for a permanent or temporary injunction, restraining or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

May I repeat, this bill permits the Attorney General in the name of the United States to anticipate a violation of the rights of somebody and to go into court without the approval of that person. My amendment would let any person who could see that the Attorney General was fixing to drag somebody into court, or who anticipated that he was beginning to attempt or beginning to engage in certain action, to go into court and sue out a restraining order against the Attorney General from violating the rights of our citizens.

If you really want to protect the rights of the citizens of this country, the place you must start, so far as this bill is concerned, is to adopt my amendment and let the private citizen have the right to go into court and restrain the Attorney General.

THE CIVIL RIGHTS ACT OF 1956: A MISNOMER

Mr. HOFFMAN of Michigan. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Chairman, it has long been recognized that the best form of government is that which exercises the least control over the people.

This is true because, as the powers of government are increased and exercised, the rights of the individual are lessened and circumscribed.

Our forefathers recognized these facts when they wrote the Constitution. In the 10th amendment they expressly provided that—

The powers not delegated to the United States by the Constitution nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Their knowledge of history and their experience in the countries from which they came convinced them that, even though the ever-expanding authority granted the Federal Government was exercised by the people's representatives, few indeed would or could resist the temptation to extend their power over their fellow men.

Because of our increase in population, in the ever-expanding area occupied by our people, and more especially because of the diversity of our activities and the astronomical increase in our productivity, our wealth and fields of endeavor, an ever greater extension of Government, both local and national, has been grasped and exercised by the legislative and executive departments.

This bill—and like all others, I but express an opinion—is unnecessary.

We have ample laws protecting our citizens and others who reside with us.

If the civil rights of individuals or any appreciable number of our people are disregarded, it is because those charged with the enforcement of our present laws either do not wish to enforce them or their efforts to implement the enforcement are not supported by the people.

Before discussing the provisions of the bill, let us for a moment be realistic. Permit me to ask a few questions.

Is it true that legislation of this type has been introduced and pushed to the floor of the House at this time by so-called "liberals" in both parties to gain the support of minority groups in the cities?

Do the Republicans of New York City, Chicago, Philadelphia, Pittsburgh, Detroit, the Midwest and the western cities, in which reside a large number of Negroes, hope to gain support at the polls by the enactment of this legislation?

Do the Democrats hope to thwart that swing to the Republican Party by proving by the passage of this bill that the Democrat Party, now in control of the House, can be trusted to protect and maintain the rights of the minority?

The questions are not critical. They are asked in an effort to show that the bill carries political implications as well as whatever desire there may be to secure equality for certain groups in certain activities.

Does anyone believe that when the bill receives, as presumably it will, the endorsement of the House, it will be approved by the other body?

THE BILL

The title of the bill states that it is a bill "To provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States." It would lead one to believe that it is an effort to secure for, and to insure all the civil rights guaranteed by the Constitution and our laws to, persons within the jurisdiction of the United States.

That, however, is not the fact. Bouvier's Law Dictionary, Rawle's Third Revision, defines "civil rights" as:

The term applied to certain rights secured to citizens of the United States by the 13th and 14th amendments to the Constitution and by various acts of Congress made in pursuance thereof.[1]

PREVIOUS LEGISLATION

Title 42 of the United States Code deals with the public health and welfare. Chapter 21 of that title deals with civil rights.

Section 1981 declares that "all persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other."

A subsequent section declares that all citizens shall have the same property rights.

Section 1983 makes available to any person deprived of such a right an action at law, suit in equity, or other proper proceeding for redress.

The next section provides that any case arising under the action in the courts of the United States shall be reviewable by the United States Supreme Court without regard to the sum in controversy.

Section 1985 makes it an offense for two or more persons to conspire to prevent by force, intimidation, or threat, the exercise of the rights referred to.

Section 1986 states that any person who, having power to prevent or aid in preventing a violation of the act, neglects or refuses to do so, if such wrongful act be committed, shall be liable to the party injured or his legal representative for all damages caused by such wrongful act, which such individual by reasonable diligence could have prevented.

A provision of the present law—section 1987 of title 42, United States Code—authorizes the United States attorneys and certain other Federal officials at the expense of the United States "to institute prosecutions against all persons violating any of the provisions of section 1990 of title 42 or of sections 5506–5516 and 5518–5532 of the Revised Statutes, and to cause such persons to be arrested, and imprisoned or bailed, for trial" before the Federal courts.

But, so far as I have been able to learn, no action is authorized to be instituted in behalf of or "for the benefit of the real party in interest."

This bill, by sections 121 and 131—pages 24–26—grants authority to the Attorney General to institute for the United States or in the name of the United States and at the expense of the United States, but for the benefit of the real party in interest, a civil action either to enjoin an act forbidden by the statute or to provide redress for a violation of that act.

While the previous statute authorized prosecutions for a conspiracy to interfere with civil rights—preventing officer from performing duties and depriving persons of rights or privileges—this bill adds two new sections: a fourth to section 1985, United States Code, which opens wide the door to individuals who may hope to gain some pecuniary benefit by filing charges with the Attorney General or his deputies; and a fifth section added to the same section 1985, which confers jurisdiction upon the district courts of the United States to entertain such actions.

Under present holdings of the Supreme Court, it may well be contended that this section might deprive citizens of any right to institute action in the State courts for acts which constituted a violation of sections 1985 and 1986, and for which therefore a civil remedy existed, although section 1988 of title 42 would seem to preserve the rights of individuals to bring suit in the State courts.

A NEW AUTHORITY

This bill creates a Commission of six to implement the bill and provides for their compensation.

Long in both parties there has been a faction which opposed an extension of the power of the Federal Government, which demanded economy in that Government.

Why then establish a new commission which, from our experience, we know will grow in number of officials and employees and in cost as long as it may exist?

Section 103 (a) states that:

The Commission shall—

(1) investigate the allegations that certain citizens of the United States are being deprived of their right to vote or are being subjected to unwarranted economic pressures by reason of their color, race, religion, or national origin;

(2) study and collect information concerning economic, social, and legal developments constituting a denial of equal protection of the laws under the Constitution; and

(3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

That the bill is limited in its scope, political in its nature, is shown by the fact that it is designed to protect only those who are deprived of the right to vote or who are being subjected to unwarranted economic pressures by reason of their color, race, religion, or national origin.

The bill makes no attempt to protect those who are deprived of the right to vote or who are being subjected to unwarranted economic pressure unless the reason for the deprivation or for the pressure is because of the color, race, religion, or national origin of the individual so discriminated against.

If one is deprived of his right to vote for any reason other than because of his color or his race or his religion or his national origin, he gets absolutely no protection under this bill.

That subsection and the words just quoted are proof, if any were needed, that the purpose of the bill is political rather than remedial.

There is little or no complaint that individuals have been deprived either of the right to vote or have been subjected to unwarranted economic pressure because of their religious views or of their national origin.

Subsections 2 and 3 merely provide for a study and collection of information and an appraisal of economic, social, and legal developments which deny equal protection of our laws and the appraisal of the laws and policies of the Federal Government with respect to equal protection of those laws under the Constitution.

THE BILL DOES NOT PROTECT ALL CIVIL RIGHTS

Part IV seems to have been drawn to protect the right to vote.

Under section 2, article I, of the Constitution, "the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

Section 1971, title 42, of the United States Code, now provides that—

All citizens of the United States who are otherwise qualified by law to vote at any election by the people in any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding.

Section 131, paragraph (b), of part IV, of this bill, among other things, provides for three new subsections. All three are designed to make secure the rights of the individual to vote as he may choose.

Beyond doubt, the right to vote as one may choose lies at the very foundation of our Government. However, there is another right that is just as important. The right to vote is of little practical use unless the one choosing to exercise it is able to eat.

The originators and the sponsors of this legislation, one of the principal objectives of which is to preserve the right

[1] By the term "civil rights," in its broader sense, is meant those rights which are the outgrowth of civilization, which arise from the needs of civil as distinguished from barbaric communities, and are given, defined, and circumscribed by such positive laws, enacted by such communities as are necessary to the maintenance of organized government, and comprehend all rights which civilized communities undertake, by the enactment of positive laws, to prescribe, abridge, protect, and enforce. (*Byers* v. *Sun Savings Bank* (139 Pacific 948).)

to vote, have, either by design or inadvertently, carefully avoided—or shall we say, neglected—any provision which will protect the right to work. The prospective voter who is prevented from working to earn a livelihood, if his right to a job is long denied, will lose interest in the right to vote. His first objective will be to earn the money to furnish food for himself and those dependent upon him.

Recently we read of workers in Poland rioting not for the right to vote but for bread.

Why is it that here in the United States of America, where apparently we are so jealous of the rights of certain minority groups, we are so blind to the fact that others in control of certain organizations have usurped the power of the local, State, and Federal Governments to levy taxes not only directed upon their members but indirectly upon consumers?

To my desk within the week came a protest from members of one of the national educational societies protesting the move on the part of the officers of that organization to increase the dues of the members from $5 to $10 per year. Not long ago many protests were coming in against the action of certain labor unions raising the dues from $2.50 to $7.50 per month, and that without a vote of the membership.

The bill, by subsection (c) of section 131, part IV, provides that, when any person has engaged or is about to engage in any act or practice which would deprive any other person of his voting right, or takes certain other action which would interfere with the right of one to vote for or against, and contrary to his own will, any candidate for a Federal office, the Attorney General may institute for the benefit of the real party in interest a civil or other proceeding for redress or preventive relief. If the action be not sustained, costs may be assessed against the United States.

The net result of these provisions is to make it possible for any individual who can gain the approval of the Attorney General to "for free" start an action for damages in the name of the United States against any individual or group of individuals who he claims have unlawfully deprived him of his right to vote.

Permit a repetition. The bill does not attempt to make available the right to vote where one is deprived of that right for any reason other than that he is of a certain color, race, religion, or national origin.

Nor does it attempt to protect anyone from unwarranted economic pressure unless that pressure be exerted because of his color, race, religion, or national origin.

It is a matter of common knowledge that in many a labor organization an individual member is deprived of his right to vote because of violence or the threat of violence or expulsion from a union.

It is a matter of common knowledge that many an individual is subject to unwarranted economic pressure not because of his color, race, religion, or national origin, but because he has not joined a labor organization or because he does not pay the initiation fee, the dues, and the special assessment levied by that organization.

It is a matter of common knowledge that many a member of a union has been deprived of his property, that is, welfare funds, has been subjected to unwarranted economic pressure, that is, deprived of his job, not because of any reason carried in this bill but solely because he has failed to join a certain organization, pay the dues, and special assessments levied by that organization upon its membership.

Permit me to ask why no provision is written in this bill granting protection to the civil rights of the individuals referred to above?

If we wish to protect the right of the individual to work, to earn a livelihood for himself and his family—and it may be assumed that that is a civil right—how come the bill does not contain a provision that no one shall be deprived of his right to work or shall be subjected to economic pressure because of his membership or lack of membership in any organization?

The bill confers certain powers upon the Commission, authorizes the appropriation of an unlimited sum to carry out the provisions of the act. It creates an additional Assistant Attorney General and presumably there will be assigned to him such assistants as he may need.

Both the Republican and the Democrat Parties and their candidates advocate economy in Federal operations. The Congress has been so desirous of economy that it has appropriated somewhere around $3 million to cause an investigation and a report and recommendations to be made by the Hoover Commission. Generally speaking, the Hoover Commission has advocated a reduction or a consolidation of Federal departments, bureaus, and agencies.

But here we are advocating the establishment of a new Commission, designed to protect citizens who have been or who it is anticipated will be deprived of their constitutional rights. The direct way and the economical and efficient way to protect such individuals would be to appropriate more funds, authorize the employment of more individuals by the Department of Justice and the FBI.

But such a procedure, while the obvious one, would not tend to centralize here in Washington the Federal power over the citizens of the States. Nor would it gain for those advocating it, political support from some union officials.

So here, in the closing days of the session, when practically all the Members of the House are aware that neither this bill nor anything like it will be voted out of the other body, we are spending our time in an apparently pious and patriotic effort to pass a bill which it seems will never at this session receive consideration in the other body.

Let us be honest with ourselves. Let us admit first that there is ample legislation upon the books which, if adequately enforced, would protect the civil rights of every citizen. Second, that this bill was conceived and put forward, in part at least, to obtain a political advantage at the next November election. Third, that it will not become law at this session of the Congress.

Mr. MILLER of New York. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. MILLER of New York moves that the Committee do now rise and report the bill back to the House with a recommendation that the enacting clause be stricken out.

Mr. MILLER of New York. Mr. Chairman, as one who all my life has believed and even now believes fundamentally in the proposition of civil rights; as one who sponsored this legislation; as one who voted for it in the subcommittee and in the full committee, but as one who after further deliberation and after listening to the debate, and one who is a lawyer, I must in good conscience state that I make this motion in utter sincerity because I am profoundly convinced that this legislation in its present form will destroy more civil liberties and civil rights than it will ever protect.

Let me make one thing clear.

This bill in its present form gives no right, no privilege, no benefit to a single individual in the United States that he does not already have. But what does it do? It creates a commission with the authority to subpena me or you or anyone in this country, to subpena us any place, to Washington, California, or Texas, and hold us under subpena at our own expense interminably; on what? Some allegation perhaps that I am guilty of exerting unwarranted economic pressure on somebody. Who? The corner grocer, who alleges that I do not trade with him and I get my friends not to trade with him because he is a Jew or a Catholic.

This bill provides that there may be utilized the services of all volunteers who wish to volunteer their services in the work of this Commission. I will bet you there is a whole regiment of the ADA ready to volunteer their services as soon as this becomes law. Every single person in this country who ever had a conservative thought or professed a conservative word will be served with questionnaires and will be subpenaed before the Commission.

This bill authorizes the Attorney General to do something that, if any other lawyer in America did it, he would be disbarred for life. No lawyer has the right to institute action and represent anybody without the consent of that person, yet this bill permits the Attorney General to institute action on behalf of people who do not solicit his help and against people who are charged with what? An allegation, perhaps, that somebody's voting right is being affected in New York State.

We have people coming in by the boatloads from every country in America and from Puerto Rico. We have requirements administered by State officials for voting rights in New York, residential requirements, and literacy requirements, and here we have the Attorney General given the right to summarily hale someone into court, and temporarily restrain him in his activities without any appeal at all or reference to or use of the administrative procedures set up by my State of New York and your State, which

would destroy the very fundamentals of States rights in this country.

Mr. Chairman, I was an assistant prosecutor at the Nuremberg trial. It was my job to try to figure out how it was that Hitler succeeded in imposing his control over the good German people for so many years. I found that he did it by decree after decree, just like this piece of legislation, because the legislation or the decree was aimed at dividing the people of Germany instead of uniting them. The only thing that ever made this country great was the happy blend of labor and management working together.

Mr. Chairman, I shall ask for a teller vote on my motion. I believe it should be adopted. Then we will go back to work in this House.

Mr. MARTIN. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, I have heard with great regret the statement of my good friend from New York. I wish he had become awakened to his views before he voted for the bill or before he introduced a measure similar to it. It would have been a little easier, perhaps, for the rest of us in the House.

He has moved to strike out the enacting clause. I want to talk to those of you on the Republican side of the House, because he has put us in a position where the ultimate result could be great.

I want to tell the Republicans in this House if they follow the southern democracy in the defeat of this bill, they will seriously regret it.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. MARTIN. I do not yield.

Mr. DIES. I want to compliment the gentleman.

Mr. MARTIN. I do not want any compliments.

Mr. DIES. The gentleman did not mean what he said. You do not mean what you said.

Mr. MARTIN. What did I say?

Mr. DIES. You did not mean that.

Mr. MARTIN. I yield to the gentleman.

Mr. DIES. You are a great, fine patriot.

Mr. MARTIN. Now let us eliminate that.

Mr. DIES. The gentleman does not mean to inject politics into this thing; does he?

Mr. MARTIN. Why, my friend, this bill has been jockeyed into the position where the one group who will be blamed for the defeat of this bill, if it is defeated, particularly upon this motion, is the Republican Party. Those are the real facts.

I just want to point out to the Republicans not to fall into this trap. By adopting all these amendments offered you are helping to scuttle the bill, and if you scuttle this bill, you will be scuttling a bill which has been favored by the President of the United States. You will be scuttling a bill that has been formulated by the Attorney General, and I do not think we would want to bring this about.

Mr. DOWDY. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state the point of order.

Mr. DOWDY. Mr. Chairman, I think unwarranted economic pressure is being brought upon the Republicans.

The CHAIRMAN. The gentleman from Texas does not state a point of order.

Mr. MARTIN. We will look out for ourselves.

Mr. Chairman, we will not vote in favor of this motion to strike out the enacting clause.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. MARTIN. I yield.

Mr. KEATING. I certainly share fully the views of the distinguished minority leader. This bill represents the views of our President on this subject. It represents the views of the Attorney General. It was offered in conjunction with me by the gentleman who now makes the motion to defeat the bill, and I urge all of my colleagues to stand up in opposition to this motion.

Mr. MARTIN. I thank the gentleman.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from New York [Mr. MILLER].

Mr. MILLER of New York. Mr. Chairman, on that I ask for tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. MILLER of New York and Mr. CELLER.

The Committee divided; and the tellers reported there were—ayes 91, noes 140.

So the motion was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. DOWDY].

Mr. KEATING. Mr. Chairman, I rise in very definite opposition to this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. DOWDY].

Mr. CHELF. Mr. Chairman, a parliamentary inquiry. Is this the amendment that pertains to age?

The CHAIRMAN. That is correct.

The question was taken; and on a division (demanded by Mr. DOWDY) there were—ayes 102, noes 157.

So the amendment was rejected.

Mr. COLMER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to have the attention of the gentleman from Massachusetts, the minority leader, if I may.

I have been in this House for some time; this is my 24th year, and during that time I have tried to approach the issues that confronted me as a representative of the people of a sovereign State and as an American citizen with two questions in mind: First, how that proposal that was submitted to me as a Representative in one of the great parliamentary bodies of this world would affect my country; secondly, I consider the interest of my party.

We have just heard a speech by a distinguished Member of this body, a leader of the group on my left. The gentleman from Massachusetts [Mr. MARTIN] the like of which I have not witnessed in those two-decades-plus. The gentleman in his opposition to the amendment to strike out the enacting clause of this bill made by a Member of his own party, and a courageous and patriotic one, I might add, answers that with a purely political speech.

Then the distinguished gentleman, my friend from Massachusetts, said that if this is done his party suffers because they will be charged with alining themselves with the southern Representatives in this Congress.

I recall the days in previous administrations, Democratic ones, I point out to my friend and the leadership on that side, that support from my section of the country was welcomed with open arms. I recall the days when questions that I thought were adverse to the interest not of my section but of our great common country arose in this House under a previous administration, that the support of that little group from the South was welcomed by the leadership on the left.

It all goes to prove one thing and one thing alone and that is what I pointed out in opening the debate on the rule—this is purely a political measure.

Now, let me say to my friend and to all of like mind and to Americans everywhere, that so long as I am a Member of this House I propose to conduct myself in the future as I have in the past and approach these questions solely in the interest of my country. I never thought that I would see a distinguished leader of a party in this House rise in the well of this House and appeal, upon a purely partisan basis, for support of a measure where the very liberties of all of the people of this great country of ours and the sovereignty of the 48 States of the Union were involved.

Mr. MARTIN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, the gentleman from Mississippi, my good friend [Mr. COLMER], for whom I have the greatest respect and admiration, has made the accusation that he never heard politics mentioned on the floor of this House in the past. I do not know where he was when those many occasions were happening. He is a pretty devoted Member of the House and has been constant in his attendance and his memory must be faulty. We all know that there have been other passionate political appeals made in the past and we Republicans have suffered from them. I do not question the gentleman's patriotism, I do not question his sincerity, and he has no right to question my patriotism or my sincerity, either.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Mississippi.

Mr. COLMER. I never said anything about the gentleman's patriotism or his sincerity. I still believe his sincerity to his party is of the highest order.

Mr. MARTIN. And also to my country.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Texas.

Mr. DIES. When the gentleman was speaking, I interrupted him and I said

"I am sure the gentleman does not mean it." I thought the gentleman was speaking hastily, as many Members do on the floor of this House. But, it appeared to me that what the gentleman said was that the Republican Members of the House would rue the day that they followed the gentleman from New York. And, I implied that that was a threat to his own Members.

Mr. MARTIN. The gentleman can make any implication he wants.

Mr. DIES. I do not want to do that.

Mr. MARTIN. Thank you. The gentleman from Massachusetts believes this is a fair bill, a moderate bill, and a bill that should be passed. No one can reasonably oppose the measure. I simply wanted to give my views to the party that has honored me. I had the right as well as any other Member of this House to express my views. The gentleman from New York could well rise here and make the motion, if that was his desire, but I, too, have the right to oppose it, if that was my desire. And, it was. I want to say that this is a moderate bill; it is a bill that will give justice to all groups of our people and bring security and hope for all.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from New York.

Mr. KEATING. When the gentleman stated that he was a Republican and favored this bill as a Republican, am I incorrect in saying that the Republican Party, since the days of Abraham Lincoln, has stood for civil rights and still does?

Mr. MARTIN. Equal and social justice have always been the cornerstone of the Republican Party. This bill has been brought to the floor of the House, and it deserves an honest consideration.

Mr. PRESTON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PRESTON. Mr. Chairman, I rise to urge the membership of this House to reject overwhelmingly this repugnant legislation that is presented to us under the name of "civil rights."

Not since the tragic days of reconstruction has such hateful, punitive legislation been presented for serious consideration by this House.

We all know that in the aftermath of bitterness that followed the War Between the States punitive laws were passed directly against the prostrate Southern States. We know that after passions had cooled some of the laws were ruled unconstitutional, some were repealed by the Congress and some, by tacit agreement fell into disuse.

Now, in 1956, we find a strong move afoot to nullify the historic rights of the several States by passing a statute that enables the Attorney General of the United States to take action against private citizens and State officials on the slightest pretext or no pretext at all. This proposal is monstrous on its face.

Such a law as that which is proposed is not just needless. It is wicked and dangerous.

Our country has grown great as a "sovereign Nation of many sovereign States." This legislation effectively destroys the sovereignty of the several States. It takes from the jurisdiction of the State courts proper functions which they have effectively performed since its founding. It bestows jurisdiction over purely local matters on the Attorney General of the United States.

We condemn foreign police states. Indeed, like many of you here, I fought in World War II against dictatorships that maintained their internal power through the operation of vicious police practices that effectively terrorized their citizens.

Local law enforcement is among our most precious traditions. Yet, with this legislation we would empower a single Federal official in Washington to invade the States and take legal action against citizens for alleged or imagined acts that have been historically within the province of local courts and officials.

Does this not smack of the States that we so righteously condemn? Are we, unknowingly perhaps, taking a big step toward establishing a police state in our own country with the passage of legislation such as this?

We spend billions to defend ourselves from the attack of dictatorships from abroad. We gird ourselves to repel any invasion from without. Yet here in the Halls of this House of Representatives we are considering with the utmost solemnity the enactment of a law that would oppress our citizens in a way that strongly suggests the dictatorships we profess to despise.

The State governments did not ask for this invasion of their rights. No State officials have suggested that they needed the iron hand of the Federal Government to enforce the rights which are guaranteed us by State constitutions as well as the Federal Constitution. There has been no compelling evidence of the need for this legislation.

A number of small minority groups, for the most part, have promoted this vicious legislation. They have little or no official standing. They may mean well, but their good intentions do not change any aspect of this dangerous, vicious, destructive legislation. They represent no State nor political subdivision. Yet they presume to tell the Federal Congress what it must do in the matter of State rights.

In the past few years the cry of "civil rights" has been raised abroad in this land on many occasions. No mention is made of the precious Bill of Rights that is incorporated in our Constitution. "Civil rights" is a slogan to disguise any hateful change that self-serving groups may seek. Let us analyze, let us examine, let us study the effect on our Nation, our States, our institutions of this so-called "civil rights" legislation. Let us not be mislead by the harmless sounding phrase of "civil rights."

You remember the French poet Lamartine, who said so eloquently, "Oh, liberty, liberty. What crimes are committed in thy name."

Some historian of the future in looking back on this era may well describe our folly today by lamenting, "Oh, civil rights, civil rights. What crimes are committed in thy name."

Mr. SCOTT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD and include a letter.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SCOTT. Mr. Chairman, I received today the following letter from Clarence Mitchell, director of the Washington Bureau of the National Association for the Advancement of Colored People:

JULY 19, 1956.

Hon. HUGH SCOTT,
House Office Building,
Washington, D. C.

MY DEAR CONGRESSMAN SCOTT: During the debate on H. R. 627, we have been amazed to hear questions raised about the possibility that this bill would give powers to the Attorney General that he might abuse by directing them against such matters as the refusal of citizens in Montgomery, Ala., to ride on segregated buses. Of course, there is nothing in the bill which gives the Attorney General authority to prosecute individuals who refuse to ride on a segregated bus. Presumably, those who raise this question have in mind section 103 of the bill which gives the Presidential Commission authority to investigate instances in which unwarranted economic pressures are used to deprive persons of their civil rights because of their color, race, religion, or national origin.

It is fantastic to suppose that a Commission established to protect civil rights would act in reverse and seek to destroy such rights. However, if this did occur, it would be the fault of the members of the Commission and not the fault of the language in the bill. Also, I am certain that the citizens of Montgomery or any other community in which there is flagrant denial of civil rights would be happy to state their case in any public forum. They know full well that their cause is so just that it commands universal respect and support in the court of public opinion.

The recital of laws, which contain the words "about to engage in any acts or practices," by Representative KENNETH KEATING shows that the use of this phrase in legislation is not new. Unfortunately, some persons who are adroit in heaping ridicule upon just causes have used this language again and again during the debate to inject a dubious kind of humor into the consideration of this bill. I hope that they will realize that when American citizens are denied the right to vote or are murdered when they seek to have their fellow citizens qualify to vote, there is no room for jokes when Congress considers a remedy for this tragic problem.

It may be well to remember that the families of Mr. and Mrs. Harry Moore, who were killed by a bomb explosion in Florida; the Reverend George W. Lee, who was fatally shot in Mississippi; and Lamar Smith, who was killed on election day in Brookhaven, Miss., are still alive and looking hopefully to the Federal Government for redress for the wrongs done to those who are now dead.

We are grateful to you and other Members of the House, on both sides of the aisle, for the patient and constructive work that you have done to bring this legislation to the floor.

In spite of the cries of politics, you and I know that underlying the effort to pass this bill is the fundamental desire of most Americans to translate our guaranties of freedom into the realities of everyday life.

Sincerely yours,

CLARENCE MITCHELL,
Director, Washington Bureau, National Association for the Advancement of Colored People.

Mr. BOLAND. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Chairman, it appears to me that the bill now under consideration is the least that this Congress can do to implement civil rights. It presents a moderate approach to an emotional and controversial problem. The problem that this proposal seeks to resolve is, in my judgment, compounded by an unwillingness on the part of some of the leaders in local, State and Federal governments to exercise responsible leadership. Leaders in the political and community life of our Nation have the duty to lead. Education and enlightenment are requisites on matters that are fired with emotion. The hallmark of the great, devoted and sincere public leader is his all-consuming desire to see that right is done. That is what is sought to be done by the proposal now under consideration by this committee. Much is being made by the opponents that it sets up a police state; that the power that is granted to the Attorney General is too vast and broad and that the language of the bill is nebulous and confused. The record that has been made here in the debate, in my opinion, indicates that these objections are unfounded. Mr. Chairman, stripped of all the verbiage that has surrounded the proceedings on this matter, the bill stands as a moderate and needed approach on civil rights.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 627) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, had come to no resolution thereon.

THE VETERANS HOSPITAL RADIO GUILD

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include an article.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, several hundred devoted professionals from all branches of the entertainment industry are bringing a new concept to the rehabilitation of the hospitalized veterans in Veterans' Administration hospitals throughout the Nation. Not content with merely entertaining hospitalized veterans, these unpaid volunteers are using their special skills and their valuable time to encourage and train veterans in VA hospitals to write, act, sing, and produce original radio shows for broadcast over their own hospital networks. In the belief that the activities of these patriotic citizens are less well-known than they deserve to be, I should like to describe this splendid work in some detail.

This fine group is known as the Veterans Hospital Radio Guild, a nonprofit, volunteer organization chartered in New York State. The motto of the organization is "Help a vet to help himself." Founded early in 1948, the VHRG, in only 8 years of operation, has developed new and startling, yet medically sound, methods of rehabilitating disabled servicemen confined to veterans hospitals through the use of music and radio shows.

Recently, at the White House correspondents' dinner for President Eisenhower, I had the opportunity of hearing about some of the work being done by this splendid group from its newly elected President, Mr. Alex Kramer, member of the board of the American Society of Composers, Authors, and Publishers—ASCAP. Mr. Kramer told me that this rehabilitation program for hospitalized servicemen is receiving support and encouragement not only from the Veterans' Administration, but from all segments of the entertainment industry, including of course ASCAP, the radio and television networks, and the professional organizations of actors, directors, and musicians. More than 350 professionals from all branches of the entertainment industry are members of this pioneering organization.

We all know that the first step in healing a hospitalized patient is for the patient to want to get well. In far too many cases, our hospitalized veterans become, in the words of the poet, "the world forgetting, by the world forgot." In many instances, the first step in their rehabilitation is to implant in their minds and hearts a feeling of togetherness, of belonging, of contact with their fellow men. Only in such an atmosphere can the doctors and nurses perform their healing tasks.

The work of the Veterans Hospital Radio Guild has a twofold purpose: To let the hospitalized veteran know that we on the outside remember him, and to give him practical assistance in taking the first difficult steps toward recovery and readjustment. By creating their own entertainment, under the supervision and with the help of skilled professionals, thousands of veterans have been given a renewed self-confidence and have been started on the road to recovery and readjustment.

With the assistance of a VHRG team, hospitalized veterans write their own scripts, make their own sound effects, compose and perform their own songs. They then broadcast the program they have created over the hospital radio system, known as the "bedside network."

Some of the results have been startling. A boy in a mental hospital who had never spoken a word since he had seen his buddy blown to bits in Korea hesitantly joined in the chorus of Smiles—and now has reached a point where the doctors can help him. A paraplegic, paralyzed in all four limbs, has developed a renewed interest in living as a result of discovering a real talent for showmanship. Many remarkable cases of speeding recovery have occurred with patients who seemed to have lost all interest, but who through mastering a musical instrument, participating in a professional-type broadcast, writing scripts, acting, directing or merely joining in the chorus of a well-remembered song, have been given a new incentive to get well.

Starting as an experiment in Halloran Veterans Hospital on Staten Island, the VHRG currently serves more than 6,000 patients in New York area, and is beginning to spread into other States—including New Jersey, Pennsylvania, and—I am happy to say—my own Commonwealth of Massachusetts. In addition, the Guild services 40 VA hospitals in various sections of the United States and Alaska with a Scriptkit library, which includes a completely packaged show containing scripts, sound equipment and detailed production directions. Eventually, the Guild hopes to serve all 172 Veterans' Administration hospitals in the 48 States and Territories.

It was a great thrill to learn from VHRG President Alex Kramer about the wonderful work being done by his organization. I feel I am doing a service to my fellow Members of Congress in bringing to their attention the work of this patriotic group.

The guiding hands of the Veterans Hospital Radio Guild represent all areas of the entertainment and broadcasting industry. Their names read like a "Who's Who" of the radio, television, advertising, and entertainment world. For instance, the VHRG advisory board is made up of Paul Cunningham, president of ASCAP; Stanley Adams, past ASCAP president; Carl Haverlin, president, Broadcast Music, Inc.; Ernest L. Jahncke, Jr., vice president and assistant to the president, American Broadcasting Co.; Dr. Harvey J. Tompkins, director of the Jacob L. Reiss Mental Health Pavilion, St. Vincent's Hospital, New York, and former director of psychiatry and neurology for the Veterans' Administration, and J. L. Van Volkenburg, president of television operations, Columbia Broadcasting System.

The VHRG board of governors is made up of this representative group: Jay Berry, vice president of Brooks, Smith, French & Dorrance, New York; Doris E. Corwin, NBC supervisor of public affairs; Hal Davis, vice president in charge of promotion, Kenyon & Eckhardt, New York; Sydney H. Eiges, NBC vice president in charge of press; Kenneth Groot, executive secretary, American Federation of TV and Radio Artists, New York local; Russell Patterson, former president, National Cartoonists Society; Roger Pryor, vice president in charge of radio-TV, Foote, Cone & Belding, New York; Beverly Smith, Kenyon & Eckhardt, New York, and Joe Rosenfield, of Radio Station WMGM, New York.

The following are the officers and members of the VHRG board of directors: President, Alex Kramer, songwriter and ASCAP director; first vice president, Michael Enserro, actor; second vice president, William C. Jackson, actor and publisher; treasurer, Anita Phillips, singer; secretary, Shirley Berry, radio and television producer; Douglass Parkhirst, actor and writer; Arlene Steele, program director, Community Concerts,

Inc., Columbia Artists Management; Hubert Wilke II, sales manager, Teleprompter, Inc.; Walter Bishop, songwriter and vice president, Songwriters Protective Association; Jean Tighe, president emeritus and cofounder of the Veterans Hospital Radio Guild; and A. Carl Rigrod, VHRG cofounder.

The fund-raising committee of the Veterans Radio Guild consists of the following: Jules Gutterman, president, Provocative Packaging, Inc.; Jean Tighe, cochairman; Robert Brenner, NBC Film Sales; Helen E. Lee, Walt Framer Productions; Toni Mendez, president, Toni Mendez, Inc.; A. Carl Rigrod, cofounder, vice president in charge of radio-TV-motion picture division, Donahue & Coe; Arlene Steele, program director, Columbia Artists Management; Michael J. Wardell, public relations director, eastern region, American Airlines; William C. Jackson, AFTRA-SAG-Equity, and Joseph F. Hannigan, executive secretary.

The Veterans Hospital Radio Guild, located at 353 West 57th Street, New York 14, N. Y., needs the support and encouragement of the public, in order to maintain its current program, to purchase technical equipment such as tape recorders, sound turntables, mixers, microphones, and so forth, and ultimately to extend its services to Veterans' Administration hospitals in each of the 48 States. I am sure that as this fine movement grows and becomes more widely known, the Veterans Hospital Radio Guild will receive the wholehearted public support it needs and deserves.

I am gratified to know that the distinguished composer, Mr. Alex Kramer, has undertaken the leadership of this great and worthy cause and that he is assured of the continued wholehearted support and cooperation of ASCAP's brilliant president and celebrated creative artist, Mr. Paul Cunningham, as well as the assistance of so many other famous figures of the musical and entertainment world.

I am proud to urge support for this fine undertaking.

H. R. 11122

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent that the proceedings by which the bill H. R. 11122 was passed be vacated.

The SPEAKER. The Chair cannot recognize the gentleman for that purpose at this time.

Mr. HOFFMAN of Michigan. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOFFMAN of Michigan. Mr. Speaker, the motion which I offered reads as follows:

> I move that the Clerk of the House be and he hereby is directed to respectfully request the Senate, in behalf of the membership of the House, to return H. R. 11122 for further consideration by the House.

Mr. Speaker, is there any way by which the proceedings by which that bill was passed may now be vacated and the bill brought back?

The SPEAKER. The bill is not in charge of the House. The bill is in the Senate of the United States at this time.

Mr. HOFFMAN of Michigan. There is no proceeding by which we can get it back; is that right?

The SPEAKER. Not that the Chair can figure out.

UNITED STATES PARTICIPATION IN THE UNITED NATIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 455)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed, with illustrations:

To the Congress of the United States:

I transmit herewith, pursuant to the United Nations Participation Act, the 10th annual report, covering the year 1955, on United States participation in the United Nations.

The prime purpose of the United Nations—"to save succeeding generations from the scourge of war"—remains unchanged. This goal as well as those of human rights, justice, and social progress are ardently desired by the American people. I, therefore, found special satisfaction in addressing the United Nations Commemorative Conference in San Francisco in June 1955, which was convened to mark the 10th anniversary of the signing of the charter.

The record for 1955 shows that the United Nations, now in its second decade, is increasingly vital and effective. I draw your attention to a few of the year's developments which especially command the interest of the United States.

1. First in significance for peace and progress, in the long range view, are the United Nations contributions to the peaceful applications of atomic energy. Having proposed before the General Assembly in 1953 that an international atomic-energy agency be created, I have carefully followed developments in this field. The progress made in the past 2 years is impressive.

Although the Soviet Union's response to the initial proposal for an international agency was negative and disappointing, we and other interested nations pressed on with new proposals.

Important strides in this momentous field were thus made in 1955. In August, pursuant to a United States proposal, scientists from 73 states met under United Nations auspices for 2 weeks in Geneva in an International Technical Conference to explore the promise of the atom. The Conference provided valuable opportunities for the exchange of scientific knowledge for the benefit of mankind between scientists without regard for ideologies.

There was also progress in the creation of the international agency itself. The determination of free nations to advance this program, together with the great prestige of the United Nations, resulted in unanimous approval by the 10th General Assembly of the prospective creation of the International Atomic Energy Agency. The statute of the Agency is now ready for adoption. The Agency itself should be established during the coming year.

This progress in converting the atom to peaceful use illustrates the ability of the United Nations to get results in the face of what might seem insurmountable obstacles.

At the time I originally proposed the development of peaceful uses of atomic energy I had this in mind: That if the world could cooperate and move ahead significantly in this field, this might make it easier to move ahead in the far more difficult field of disarmament. I am still convinced that this is so. When this agency comes into being the confidence, the cooperation, and the trust which it will engender among nations can bring us significantly closer to the day when honest disarmament can be realized.

Disarmament, and by this I mean the controlled reduction of military forces and of conventional and nuclear weapons, remains one of the most vital unsolved problems facing the world. The Soviet Union and the United States are the two great nuclear powers. Both possess an enormous potential for either the welfare or the destruction of mankind. The responsibility, therefore, lies particularly upon us and the Soviet Union to produce a workable plan for safeguarded disarmament. Other nations look with justified anxiety for signs that this is being done.

Our Government, the first to master atomic energy, was likewise the first to offer to put it under the control of the United Nations. Ten years have elapsed since that time, but our repeated efforts to reach agreement through the United Nations have been unavailing. The basic reason for this is the mutual distrust existing between the Soviet Union and other nations.

2. The dispelling of this paralyzing distrust was my main purpose in proposing at Geneva last July the plan for aerial inspection by the United States and the Soviet Union of each other's military installations. Such a system should make it impossible for either side to make a massive surprise attack on the other. Last December the General Assembly by the overwhelming vote of 56 to 7 asked that this be one of the proposals to receive priority consideration as a confidence-building first step on the road to arms reduction. The Soviet Union has nevertheless refused, thus far, to accept this offer. But we and our associates should continue, with patient resolve, to seek common ground with the Soviet Union on this or some equally effective program that could lead to safeguarded disarmament, looking for the day when the Soviets will change their view on this topic, as they have done on others in the past.

We shall continue to obey the mandate of the United Nations in this field. We shall continue our search until we have found the answer to this awesome problem. We shall be guided by the knowledge that no nation can live in the true spirit of peace or devote its energies to the pursuit of happiness until the trend toward increasingly destructive armaments is reversed.

3. In 1955 the United Nations made its contribution to the continuance of a world fortunately free from open war.

In the strife between the Arab States and Israel, which reflects intense political, economic, and cultural tensions, the United Nations succeeded for another year in maintaining the uneasy armistice. Measured against the tragic alternative, this ranks as a substantial accomplishment.

The stabilizing influence that the United Nations has been able to exert upon the near eastern situation is one of the best proofs of the sheer necessity of the United Nations. We are in an era of resurgent nationalism, which has very little tolerance for the methods of pacification and arbitration imposed from without that have worked in other eras. In the Near East the United Nations has provided perhaps the only force—essentially a moral force—that can maintain the armistice and work toward a permanent solution. Secretary-General Hammarskjold's mission undertaken this spring as a result of United States initiative in the Security Council made a substantial contribution to improving a serious and dangerous situation there. It illustrates the ability of the United Nations to develop over a period of time, through patient testing, workable methods that, when world opinion is mobilized, can deal successfully with such serious problems.

4. One more United Nations achievement of 1955 is especially precious for Americans because it concerns our own flesh and blood. In May and August, the Chinese Communist authorities released from unjust and illegal imprisonment 15 American fliers, fighting men of the Korean war. They had detained these men in violation of the Korean Armistice. Most of them had been victims of fabricated propaganda charges. Their return to their homes followed Secretary-General Hammarskjold's trip to Peiping armed with a mandate from the General Assembly. It proved with dramatic force the power of the United Nations to influence events through its impact on world opinion.

5. The end of year 1955 found the United Nations larger by 16 members, giving it a total membership of 76. For years the Soviet veto had kept many fully qualified states from taking their place in the United Nations. Finally the pressure of world opinion made possible a generally acceptable solution.

As additional countries become qualified for membership, they should be admitted without delay. I am glad to note that the Sudan, which achieved independence late in 1955, has already been recommended for admission by the Security Council. Certainly, the grossly unjust exclusion of Japan by repeated Soviet vetoes should be promptly rectified. The Republic of Korea and Vietnam are likewise fully eligible for membership.

The United Nations in its first decade has not seen a single member withdraw from membership. To the contrary, most of those outside the organization seek to join it. Nothing could more clearly prove its vitality and influence.

I commend to the Congress this report of United States participation in the 10th year of the United Nations. It is a record of substantial evolution in man's efforts to live at peace. It is up to us and the other member states to see that the United Nations serves with increasing effectiveness, within the charter, its central purpose of maintaining the peace and fostering the well-being of all peoples. To this end the United Nations and the Specialized Agencies associated with it deserve, and should continue to receive, our honest, intelligent, and wholehearted support.

DWIGHT D. EISENHOWER.

The WHITE HOUSE, *July 19, 1956.*

CARRIAGE OF DISABLED PERSONS ON COMMON CARRIERS

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1777) to amend the Interstate Commerce Act in order to authorize common carriers to carry a disabled person requiring an attendant and such attendant at the usual fare charged for one person.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 22 of the Interstate Commerce Act is amended by inserting after "or other guide dog specially trained and educated for that purpose" a comma and "or from carrying a disabled person accompanied by an attendant if such person is disabled to the extent of requiring such attendant."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

SOCIAL SECURITY ACT AMENDMENTS

Mr. COOPER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7225) to amend title II of the Social Security Act to provide disability-insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. COOPER, MILLS, GREGORY, REED of New York, and JENKINS.

JEANN C. MARSH

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution (H. Res. 565) for the relief of Jeann C. Marsh.

The Clerk read the resolution, as follows:

Resolved, That there shall be paid out of the contingent fund of the House of Representatives to Jeann C. Marsh, widow of Daniel Edward Marsh, late an employee of the Office of the Architect of the Capitol, an amount equal to 6 months' salary at the rate Marsh was receiving at the time of his death and an additional amount not to exceed $350 toward defraying the funeral expenses of said Daniel Marsh.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. HAYS of Ohio. Reserving the right to object, Mr. Speaker, is this the resolution that has been pending for many months in the Committee on House Administration and has not been reported out favorably?

Mr. McMILLAN. I was asked by members of the committee to call it up on the floor of the House. They did not want to set a precedent by passing it out of the gentleman's committee. I have similar resolutions, one concerning a matter that arose just 2 weeks ago.

Mr. HAYS of Ohio. I am a member of that committee, and I have no knowledge that the committee took any such action as to ask that this be called up separately.

Mr. McMILLAN. No; I do not think the committee did. I say individual Members asked me to bring it up.

Mr. HAYS of Ohio. I am not going to object, but I just want to call attention again to the fact that this has happened in the past. The committee has turned down these resolutions and then Members come in here and call them up under unanimous consent.

I withdraw my reservation of objection, Mr. Speaker.

Mr. MARTIN. Reserving the right to object, Mr. Speaker, will the gentleman explain this resolution?

Mr. McMILLAN. This gentleman, Mr. Marsh, was employed by the Architect's office. He had a heart attack and passed away on duty. This resolution is similar to several others relating to employees in the Office of the Architect who have passed away.

Mr. MARTIN. Is the minority representation aware of the calling up of these resolutions?

Mr. MARSHALL. This is the matter of the resolution to pay the funeral expenses and 6 months' salary to the estates of deceased employees of the House, which I discussed with the distinguished minority leader yesterday.

Mr. MARTIN. Mr. Speaker, I withdraw my reservation of objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CLAIMS ARISING OUT OF WOLD-CHAMBERLAIN AIRFIELD CRASH

Mr. McCORMACK. Mr. Speaker, at the request of the chairman of the Committee on the Judiciary and also in my

own right, I ask unanimous consent for the present consideration of the bill (H. R. 12170) to remove the present $1,000 limitation which prevents the Secretary of the Navy from settling certain claims arising out of the crash of a naval aircraft at the Wold-Chamberlain Air Field, Minneapolis.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the $1,000 limitation contained in the first section of the act of July 3, 1943, as amended (31 U. S. C. 223b), shall not apply in the case of claims arising out of the crash of a United States Navy aircraft near Wold-Chamberlain Air Field, Minneapolis, Minn., on June 9, 1956.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSAL OF GOVERNMENT-OWNED SYNTHETIC RUBBER RESEARCH LABORATORIES AT AKRON, OHIO

Mr. BROOKS of Louisiana. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3832) to provide for the disposal of the Government-owned synthetic rubber research laboratories at Akron, Ohio.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. ARENDS. Mr. Speaker, reserving the right to object, and I will not object, is this not, as I understand it, a bill which was unanimously reported out of the Committee on Armed Services and will the gentleman make a short explanation which I think will be appreciated for the benefit of the House.

Mr. BROOKS of Louisiana. Mr. Speaker, this is practically the last part of the rubber program. There is a little pilot plant at Akron, Ohio, which has been under the control of the National Science Foundation. The National Science Foundation was left in charge of it to operate it as long as that Agency felt it should be operated. Now the National Science Foundation tells us they have come to the end of the program and the plant is no longer being operated, and has been put in standby condition. The purpose of this measure is to turn the property over to the General Services Administration for disposal in accordance with the Federal Property and Administrative Services Act of 1949.

Mr. ARENDS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill.

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Government laboratories at Akron, Ohio, now under control of the National Science Foundation are hereby transferred to the General Services Administration for disposal in accordance with the Federal Property and Administrative Services Act of 1949, except that the Administrator of General Services shall first offer the laboratories for public sale before seeking to dispose of them by transfer or assignment to any Federal agency. The Administrator of General Services, before he offers the laboratories to the public for sale, shall ascertain what the value of the laboratories would be to Government agencies which would make substantial use thereof, and the Administrator shall not sell the laboratories to the public unless he finds, after consultation with the Director of the Budget Bureau, that such sale to the public would be in the best interests of the United States, taking into consideration among other relevant factors the value of the laboratories to any interested agency and the amounts offered by public bidders. The National Science Foundation is authorized to reimburse the General Services Administration in advance for expenses necessary for the protection and maintenance of the laboratories up to June 30, 1957.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REPORT ON COMMUNIST CONSPIRACY

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up the concurrent resolution (H. Con. Res. 254) authorizing the printing of additional copies of House Reports Nos. 2240, 2241, 2242, 2243, and 2244, current session, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Un-American Activities, House of Representatives, 10,000 additional copies each of House Reports Nos. 2240, 2241, 2242, 2243, and 2244, current session, all of which are reports on the Communist conspiracy.

Mr. LECOMPTE. Mr. Speaker, will the gentleman yield?

Mr. HAYS of Ohio. I yield.

Mr. LECOMPTE. May I ask the gentleman, at this time you contemplate calling up 6 or 7 so-called printing resolutions, all of which are for several of the standing committees of the House.

Mr. HAYS of Ohio. That is correct.

Mr. LECOMPTE. They have all been voted out by the subcommittee of the Committee on House Administration unanimously and no opposition has developed to any of the resolutions which you have before you at this time.

Mr. HAYS of Ohio. All of the resolutions which I intend to call up are privileged resolutions, I may say to the gentleman, and all of them were reported out of the subcommittee unanimously and reported out of the full committee unanimously. They have all been cleared with the leadership on both sides.

Mr. LECOMPTE. And all of them are for the use of standing committees of the House?

Mr. HAYS of Ohio. That is correct.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HEARINGS ON CIVIL DEFENSE FOR NATIONAL SURVIVAL

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up the concurrent resolution (H. Con. Res. 261) authorizing the printing of additional copies of the hearings on civil defense for national survival held during the current session by a subcommittee of the Committee on Government Operations, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Government Operations not to exceed 3,000 additional copies of each part of the hearing held by the Subcommittee on Military Operations, Committee on Government Operations, during the current session relative to civil defense for national survival.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADDITIONAL COPIES OF HEARINGS BY RESEARCH AND DEVELOPMENT SUBCOMMITTEE

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Con. Res. 262) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Joint Committee on Atomic Energy 40,000 additional copies of the hearings held by the Research and Development Subcommittee of the said joint committee during the 84th Congress entitled "Progress Report on Research in Medicine, Biology, and Agriculture Using Radioactive Isotopes."

With the following committee amendment:

Page 1, line 2, after the word "printed" insert "with illustrations."

The amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LABOR-MANAGEMENT PROBLEMS OF THE AMERICAN MERCHANT MARINE

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Con. Res. 263) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Merchant Marine and Fisheries, House of Representatives, 1,000 additional copies of the hearing held by said committee during the current Congress, first session, relative to labor-management problems of the American merchant marine.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HOUSE REPORT NO. 2279

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Res. 529) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there be printed for the use of the Committee on Government Operations, House of Representatives, 4,000 additional copies of House Report No. 2279, a report of the Committee on Government Operations on the effect of Department of the Interior and Rural Electrification Administration policies on public power preference customers.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. HAYS of Ohio. I yield.

Mr. HOFFMAN of Michigan. Is that the resolution where there is an understanding that the minority members are to have a proportionate share of the printing?

Mr. HAYS of Ohio. The gentleman is correct. The gentleman from Ohio, the chairman of the Subcommittee on Printing, will issue orders to the Printer, and it is understood and agreed by everyone that the minority will get its share.

Mr. LECOMPTE. Mr. Speaker, will the gentleman yield?

Mr. HAYS of Ohio. I yield.

Mr. LECOMPTE. That understanding prevails on all of these resolutions, does it not?

Mr. HAYS of Ohio. That is correct.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADDITIONAL COPIES OF TESTIMONY OF NIKOLAI KHOKHLOV

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 573 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there be printed for the use of the Un-American Activities Committee 10,000 additional copies of the hearing held by that committee during the current session containing the testimony of Nikolai Khokhlov.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HEARINGS ON HEALTH AMENDMENT ACT OF 1956

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Res. 596) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there be printed for the use of the Committee on Interstate and Foreign Commerce, House of Representatives, 3,500 additional copies of the hearings held by said committee during the current session relative to the Health Amendments Act of 1956.

The resolution was agreed to.

A motion to reconsider was laid on the table.

NIAGARA FRONTIER PORT AUTHORITY

Mr. RADWAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (H. J. Res. 549) granting the consent of Congress to the State of New York to negotiate and enter into an agreement or compact with the Dominion of Canada for the establishment of the Niagara Frontier Port Authority with power to take over, maintain, and operate the present highway bridge over the Niagara River between the city of Buffalo, N. Y. and the city of Fort Erie, Ontario, Canada.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. RADWAN]?

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That the Congress hereby consents to the negotiation and entering into of a compact or agreement between the State of New York and the Dominion of Canada providing for (1) the establishment of the Niagara Frontier Port Authority substantially in accordance with the provisions of chapter 870 of the laws of 1955 of the State of New York as amended or supplemented; (2) the transfer of the operation, control, and maintenance of the present highway bridge (the Peace Bridge) over the Niagara River between the city of Buffalo, N. Y., and the city of Fort Erie, Ontario, Canada, to the Niagara Frontier Port Authority; (3) the transfer of all of the property, rights, powers, and duties of the Buffalo and Fort Erie Public Bridge Authority acquired by such authority under the compact consented to by the Congress in Public Resolution 22 of the 73d Congress, approved May 3, 1934 (48 Stat. 662), to the Niagara Frontier Port Authority; and (4) the consolidation of the Buffalo and Fort Erie Public Bridge Authority with the Niagara Frontier Port Authority and the termination of the corporate existence of the Buffalo and Fort Erie Public Bridge Authority.

SEC. 2. The right to alter, amend, or repeal this joint resolution is hereby expressly reserved.

Amend the title so as to read: "A bill granting the consent of Congress to the State of New York to negotiate and enter into an agreement or compact with the Government of Canada for the establishment of the Niagara Frontier Port Authority with power to take over, maintain, and operate the present highway bridge over the Niagara River between the city of Buffalo, N. Y., and the city of Fort Erie, Ontario, Canada."

With the following committee amendments:

Page 1, line 6, strike out "Dominion" and insert in lieu thereof "Government."

The resolution was ordered to be engrossed and read a third time, was read the third time and passed.

The title was amended so as to read: "A bill granting the consent of Congress to the State of New York to negotiate and enter into an agreement or compact with the Government of Canada for the establishment of the Niagara Frontier Port Authority with power to take over, maintain, and operate the present highway bridge over the Niagara River between the city of Buffalo, N. Y., and the city of Fort Erie, Ontario, Canada."

A motion to reconsider was laid on the table.

PERISHABLE AGRICULTURAL COMMODITIES ACT, 1930

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5337) to amend the provisions of the Perishable Agricultural Commodities Act, 1930, relating to practices in the marketing of perishable agricultural commodities, with Senate amendments thereto, and agree to the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 3, after "2." insert "(a)."

Page 2, after line 5, insert:

"(b) The last proviso of section 4 (a) of such act (7 U. S. C., sec. 499d (a)) is amended by striking out 'a fee of $20' and inserting 'the fee provided in section 3 (b), plus $5'."

Page 5, line 6, strike out all after "(a)" down to and including "gives" in line 17 and insert:

"The Secretary or his duly authorized agents shall have the right to inspect such accounts, records, and memoranda of any commission merchant, dealer, or broker as may be material (1) in the investigation of complaints under this act, or (2) to the determination of ownership, control, packer, or State, country, or region of origin in connection with commodity inspections, or (3) to ascertain whether section 9 of this act is being complied with, and if any such commission merchant, dealer, or broker refuses to permit such inspection, the Secretary may publish the facts and circumstances and/or, by order, suspend the license of the offender until permission to make such inspection is given."

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. ALBERT]?

Mr. CURTIS of Missouri. Mr. Speaker, reserving the right to object, will the gentleman explain the bill briefly?

Mr. ALBERT. I shall be pleased to.

The bill will strengthen the enforcement provisions of the Perishable Agricultural Commodities Act. The purpose of that act is to prevent unfair and fraudulent practices in the marketing fresh fruits and vegetables in interstate commerce. The changes in the act made by the bill were carefully worked out with the Department of Agriculture and all segments of the fresh fruit and vegetable business. The amendments made by the Senate are minor in nature and are merely clarifying and technical in character.

Mr. CURTIS of Missouri. I want to thank the gentleman and withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

REDUCED RATE AIR TRANSPORTATION FOR MINISTERS

Mr. HARRIS. Mr. Speaker, I call up the conference report on the bill (S. 3149) to amend the Civil Aeronautics Act of 1938 in order to permit air carriers to grant free or reduced rate transportation to ministers of religion, and ask

unanimous consent that the statement of the managers on the part of the House may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2750)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3149) to amend the Civil Aeronautics Act of 1938 in order to permit air carriers to grant free or reduced rate transportation to ministers of religion, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That subsection (b) of section 403 of the Civil Aeronautics Act of 1938, as amended, is amended by inserting at the end thereof the following sentence: 'Any air carrier or foreign air carrier, under such terms and conditions as the Board may prescribe, may grant reduced-rate transportation to ministers of religion on a space available basis.'"

And the House agree to the same.

That the title be amended to read as follows: "An Act to amend the Civil Aeronautics Act of 1938 in order to permit air carriers to grant reduced-rate transportation to ministers of religion."

OREN HARRIS,
F. ERTEL CARLYLE,
PETER F. MACK, Jr.
CHAS. A. WOLVERTON,
CARL HINSHAW,
Managers on the Part of the House.

MIKE MONRONEY,
WARREN G. MAGNUSON,
GEORGE A. SMATHERS,
ANDREW F. SCHOEPPEL,
FREDERICK G. PAYNE,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3149) to amend the Civil Aeronautics Act of 1938 in order to permit air carriers to grant free or reduced rate transportation to ministers of religion, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause and inserted a substitute amendment. The Senate recedes from its disagreement to the amendment of the House, with an amendment which is a substitute for both the Senate bill and the House amendment. Except for conforming changes in the title, the following statement explains the differences between the House amendment and the substitute agreed to in conference.

The Senate bill amended section 403 (b) of the Civil Aeronautics Act of 1938 to permit all air carriers and foreign air carriers, under such terms and conditions as the Civil Aeronautics Board may prescribe, to grant free or reduced-rate transportation to ministers of religion on a space available basis.

The House amendment, which struck out all of the Senate bill after the enacting clause, amended section 403 (b) of the Civil Aeronautics Act of 1938 to permit only those air carriers and foreign air carriers not receiving so-called subsidy payments determined by the Civil Aeronautics Board under section 406 of such act and payable by such Board pursuant to Reorganization Plan No. 10 of 1953, during any period with respect to which such carriers grant reduced-rate transportation, to grant reduced-rate transpotation, but not free transportation, to ministers of religion under such terms and conditions as such Board may prescribe. The House amendment did not contain a provision relating to the availability of space.

The substitute agreed to by the committee of conference permits all air carriers and foreign air carriers, under such terms and conditions as the Civil Aeronautics Board may prescribe, to grant reduced-rate transportation, but not free transportation, to ministers of religion, without regard to whether such carriers are receiving so-called subsidy payments determined by such Board under section 406 of such act and payable by such Board pursuant to Reorganization Plan No. 10 of 1953. Under the substitute such reduced-rate transportation will be provided only on a space-available basis. The test to be applied in determining the availability of space is whether space is available on the aircraft immediately prior to the time of takeoff. This test, in effect, eliminates any possibility of granting reduced-rate transportation to ministers of religion which would interfere with the transportation of first-class ticket holders.

OREN HARRIS,
F. ERTEL CARLYLE,
PETER F. MACK, Jr.,
CHAS. A. WOLVERTON,
CARL HINSHAW,
Managers on the Part of the House.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the statement of the managers on the part of the House be printed at this point.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(The statement reads as follows:)

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3149) to amend the Civil Aeronautics Act of 1938 in order to permit air carriers to grant free or reduced rate transportation to ministers of religion, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause and inserted a substitute amendment. The Senate recedes from its disagreement to the amendment of the House, with an amendment which is a substitute for both the Senate bill and the House amendment. Except for conforming changes in the title, the following statement explains the differences between the House amendment and the substitute agreed to in conference.

The Senate bill amended section 403 (b) of the Civil Aeronautics Act of 1938 to permit all air carriers and foreign air carriers, under such terms and conditions as the Civil Aeronautics Board may prescribe, to grant free or reduced-rate transportation to ministers of religion on a space available basis.

The House amendment, which struck out all of the Senate bill after the enacting clause, amended section 403 (b) of the Civil Aeronautics Act of 1938 to permit only those air carriers and foreign air carriers not receiving so-called subsidy payments determined by the Civil Aeronautics Board under section 406 of such act and payable by such Board pursuant to Reorganization Plan No. 10 of 1953, during any period with respect to which such carriers grant reduced-rate transportation, to grant reduced-rate transpotation, but not free transportation, to ministers of religion under such terms and conditions as such Board may prescribe. The House amendment did not contain a provision relating to the availability of space.

The substitute agreed to by the committee of conference permits all air carriers and foreign air carriers, under such terms and conditions as the Civil Aeronautics Board may prescribe, to grant reduced-rate transportation, but not free transportation, to ministers of religion, without regard to whether such carriers are receiving so-called subsidy payments determined by such Board under section 406 of such act and payable by such Board pursuant to Reorganization Plan No. 10 of 1953. Under the substitute such reduced-rate transportation will be provided only on a space available basis. The test to be applied in determining the availability of space is whether space is available on the aircraft immediately prior to the time of takeoff. This test, in effect, eliminates any possibility of granting reduced-rate transportation to ministers of religion which would interfere with the transportation of first-class-ticket holders.

OREN HARRIS,
F. ERTEL CARLYLE,
PETER F. MACK, Jr.,
CHAS. A. WOLVERTON,
CARL HINSHAW,
Managers on the Part of the House.

The conference report was agreed to.

A motion to reconsider was laid on the table.

CONSTRUCTION OF HEALTH RESEARCH FACILITIES

Mr. HARRIS. Mr. Speaker, I call up the conference report on the bill (S. 849) to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis, and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystrophy, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2773)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 849) to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystrophy, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill, and agree to the same with the following amendments:

(1) On page 5 of the House engrossed amendments, in line 9, strike out "1958" and insert "1957";

(2) On page 5 of the House engrossed amendments, in line 17, strike out "1959" and insert "1958";

(3) On page 10 of the House engrossed amendments, in line 9, strike out "1958" and insert "1957"; and

(4) On page 10 of the House engrossed amendments, in line 15, strike out "1959" and insert "1958".

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same.

OREN HARRIS,
F. ERTEL CARLYLE,
KENNETH A. ROBERTS,
MARTIN DIES,
CHAS. A. WOLVERTON,
CARL HINSHAW,
Managers on the Part of the House.

LISTER HILL,
JAMES E. MURRAY,
HERBERT H. LEHMAN,
H. ALEXANDER SMITH,
WILLIAM A. PURTELL,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 849) to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystrophy, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate bill established a three-year program of construction of facilities for research into certain killing and crippling diseases, to begin July 1, 1955.

The House amendment is a substitute for the text of the Senate bill, and establishes a three-year program for construction of health research facilities, to begin July 1, 1957.

The Senate recedes with amendments. The conference agreement provides that the program of construction shall be a three-year program, beginning during the fiscal year which ends June 30, 1957, and makes corresponding changes in other dates specified in the House amendment.

OREN HARRIS,
F. ERTEL CARYLE,
KENNETH A. ROBERTS,
MARTIN DIES,
CHAS. A. WOLVERTON,
CARL HINSHAW,
Managers on the Part of the House.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the statement of the managers on the part of the House may be printed in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

(The statement reads as follows:)

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 849) to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystrophy, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate bill established a 3-year program of construction of facilities for research into certain killing and crippling diseases, to begin July 1, 1955.

The House amendment is a substitute for the text of the Senate bill, and establishes a 3-year program for construction of health research facilities, to begin July 1, 1957.

The Senate recedes with amendments. The conference agreement provides that the program of construction shall be a 3-year program, beginning during the fiscal year which ends June 30, 1957, and makes corresponding changes in other dates specified in the House amendment.

OREN HARRIS,
F. ERTEL CARLYLE,
KENNETH A. ROBERTS,
MARTIN DIES,
CHAS. A. WOLVERTON,
CARL HINSHAW,
Managers on the Part of the House.

The conference report was agreed to.

A motion to reconsider was laid on the table.

MASS TRANSPORTATION IN THE DISTRICT OF COLUMBIA

Mr. HARRIS. Mr. Speaker, I call up the conference report on the bill (S. 3073) to provide for an adequate and economically sound transportation system or systems to serve the District of Columbia and its environs, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House may be read in lieu of the report.

The Clerk read the title of the bill.

Mr. HESELTON. Mr. Speaker, reserving the right to object, will the gentleman tell us what this bill is?

Mr. HARRIS. Yes; this deals with transportation for the District of Columbia.

Mr. HESELTON. Will the gentleman yield to me to ask 2 or 3 questions?

Mr. HARRIS. Yes; as soon as it is reported.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No 2751)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3073) to provide for an adequate and economically sound transportation system or systems to serve the District of Columbia and its environs, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"TITLE I

"Part 1.—Franchise provisions

"SECTION 1. (a) There is hereby granted to D. C. Transit System, Inc., a corporation of the District of Columbia (referred to in this part as the 'Corporation') a franchise to operate a mass transportation system of passengers for hire within the District of Columbia and between the District of Columbia and points within the area (referred to in this part as the 'Washington Metropolitan Area') comprising all of the District of Columbia, the cities of Alexandria and Falls Church, and the counties of Arlington and Fairfax in the Commonwealth of Virginia and the counties of Montgomery and Prince Georges in the State of Maryland, subject, however, to the rights to render service within the Washington Metropolitan Area possessed, at the time this section takes effect, by other common carriers of passengers: *Provided,* That nothing in this section shall be construed to exempt the Corporation from any law or ordinance of the Commonwealth of Virginia or the State of Maryland or any political subdivision of such Commonwealth or State, or of any rule, regulation, or order issued under the authority of any such law or ordinance, or from applicable provisions of the Interstate Commerce Act and rules and regulations prescribed thereunder.

"(b) Wherever reference is made in this part to 'D. C. Transit System, Inc.' or to the 'Corporation', such reference shall include the successors and assigns of D. C. Transit System, Inc.

"(c) As used in this part the term 'franchise' means all the provisions of this part 1.

"SEC. 2. (a) This franchise is granted for a term of twenty years: *Provided, however,* That Congress reserves the right to repeal this franchise at any time for its non-use.

"(b) In the event of cancellation of this franchise by Congress after seven years from the date this franchise takes effect for any reason other than non-use, the Corporation waives its claim for any damages for loss of franchise.

"SEC. 3. No competitive street railway or busline, that is, bus or railway line for the transportation of passengers of the character which runs over a given route on a fixed schedule, shall be established to operate in the District of Columbia without the prior issuance of a certificate by the Public Utilities Commission of the District of Columbia (referred to in this part as the 'Commission') to the effect that the competitive line is necessary for the convenience of the public.

"SEC. 4. It is hereby declared as a matter of legislative policy that in order to assure the Washington Metropolitan Area of an adequate transportation system operating as a private enterprise, the Corporation, in accordance with standards and rules prescribed by the Commission, should be afforded the opportunity of earning such return as to make the Corporation an attractive investment to private investors. As an incident thereto the Congress finds that the opportunity to earn a return of at least 6½ per centum net after all taxes properly chargeable to transportation operations, including but not limited to income taxes, on either the system rate base or on gross operating revenues would not be unreasonable, and that the Commission should encourage and facilitate the shifting to such gross operating revenue base as promptly as possible and as conditions warrant; and if conditions warrant not later than August 15, 1958. It is further declared as a matter of legislative policy that if the Corporation does provide the Washington Metropolitan Area with a good public transportation system, with reasonable rates, the Congress will maintain

a continuing interest in the welfare of the Corporation and its investors.

"SEC. 5. The initial schedule of rates which shall be effective within the District of Columbia upon commencement of operations by the Corporation shall be the same as that effective for service by Capital Transit Company approved by the Commissioners of the District of Columbia pursuant to the Act of August 14, 1955 (Public Law No. 389, 84th Congress; 69 Stat. 724), in effect on the date of the enactment of this Act, and shall continue in effect until August 15, 1957, and thereafter until superseded by a schedule of rates which becomes effective under this section. Whenever on or after August 15, 1957, the Corporation files with the Commission a new schedule of rates, such new schedule shall become effective on the tenth day after the date of such filing, unless the Commission prescribes a lesser time within which such new schedule shall go into effect, or unless prior to such tenth day the Commission suspends the operation of such new schedule. Such suspension shall be for a period of not to exceed one hundred twenty days from the date such new schedule is filed. If the Commission suspends such new schedule it shall immediately give notice of a hearing upon the matter and, after such hearing and within such suspension period, shall determine and by order fix the schedule of rates to be charged by the Corporation. If the Commission does not enter an order, to take effect at or prior to the end of the period of suspension, fixing the schedule of rates to be charged by the Corporation, the suspended schedule filed by the Corporation may be put into effect by the end of such period, and shall remain in effect until the Commission has issued an appropriate order based on such proceeding.

"SEC. 6. The Corporation is hereby authorized and empowered to engage in special charter or sightseeing services subject to compliance with applicable laws, rules and regulations of the District of Columbia and of the municipalities or political subdivisions of the States in which such service is to be performed, and with applicable provisions of the Interstate Commerce Act and rules and regulations prescribed thereunder.

"SEC. 7. The Corporation shall be obligated to initiate and carry out a plan of gradual conversion of its street railway operations to bus operations within seven years from the date of the enactment of this Act upon terms and conditions prescribed by the Commission, with such regard as is reasonably possible when appropriate to the highway development plans of the District of Columbia and the economies implicit in coordinating the Corporation's track removal program with such plans; except that upon good and sufficient cause shown the Commission may in its discretion extend beyond seven years, the period for carrying out such conversion. All of the provisions of the full paragraph of the District of Columbia Appropriation Act, 1942 (55 Stat. 499, 533), under the title 'HIGHWAY FUND, GASOLINE TAX AND MOTOR VEHICLE FEES', subtitle 'STREET IMPROVEMENTS', relating to the removal of abandoned tracks, regrading of track areas, and paving abandoned track areas, shall be applicable to the Corporation.

"SEC. 8. (a) As of August 15, 1956, paragraph numbered 5 of section 6 of the Act entitled 'An Act making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes', approved July 1, 1902, as amended (D. C. Code, sec. 47–1701), is amended by striking out the third and fourth sentences and inserting in lieu thereof the following: 'Each gas, electric-lighting, and telephone company shall pay, in addition to the taxes herein mentioned, the franchise tax imposed by the District of Columbia Income and Franchise Tax Act of 1947, and the tax imposed upon stock in trade of dealers in general merchandise under paragraph numbered 2 of section 6 of said Act approved July 1, 1902, as amended.'

"(b) Notwithstanding subsection (a) of this section, the Corporation shall be exempt from the following taxes:

"(1) The gross sales tax levied under the District of Columbia Sales Tax Act;

"(2) The compensating use tax levied under the District of Columbia Use Tax Act;

"(3) The excise tax upon the issuance of titles to motor vehicles and trailers levied under subsection (j) of section 6 of the District of Columbia Traffic Act of 1925, as amended (D. C. Code, sec. 40–603 (j) (4));

"(4) The taxes imposed on tangible personal property, to the same extent that the Capital Transit Company was exempt from such taxes immediately prior to the effective date of this section under the provisions of the Act of July 1, 1902, as amended; and

"(5) The mileage tax imposed by subparagraph (b) of paragraph 31 of section 7 of the Act approved July 1, 1902, as amended (D. C. Code, sec. 47–2331 (b)).

"SEC. 9. (a) Except as hereinafter provided, the Corporation shall not, with respect to motor fuel purchased on or after September 1, 1956, pay any part of the motor vehicle fuel tax levied under the Act entitled 'An Act to provide for a tax on motor vehicle fuels sold within the District of Columbia, and for other purposes', approved April 23, 1924, as amended (D. C. Code, title 47, chapter 19).

"(b) For the purposes of this section—

"(1) the term 'a 6½ per centum rate of return' means a 6½ per centum rate of return net after all taxes properly chargeable to transportation operations, including but not limited to income taxes, on the system rate base of the Corporation, except that with respect to any period for which the Commission utilizes the operating ratio method to fix the rates of the Corporation, such term shall mean a return of 6½ per centum net after all taxes properly chargeable to transportation operations, including but not limited to income taxes, based on gross operating revenues; and

"(2) the term 'full amount of the Federal income taxes and the District of Columbia franchise tax levied upon corporate income' means the amount which would have been payable in the absence of write-offs in connection with the retirement of street railway property as contemplated by section 7 of this part, but only to the extent that such write-offs are not included as an operating expense in determining net earnings for rate-making purposes.

"(c) As soon as practicable after the twelve-month period ending on August 31, 1957, and as soon as practicable after the end of each subsequent twelve-month period ending on August 31, the Commission shall determine the Corporation's net operating income for such twelve-month period and the amount in dollars by which it exceeds or is less than a 6½ per centum rate of return for such twelve-month period. In such determination the Commission shall include as an operating expense the full amount of the motor vehicle fuel tax which would be due but for the provisions of this section on the motor fuel purchased by the Corporation during the twelve-month period, and the full amount of the Federal income taxes and the District of Columbia franchise tax levied upon corporate income. The Commission shall certify its determination to the Commissioners of the District of Columbia or their designated agent. If the net operating income so certified by the Commission equals or is more than a 6½ per centum rate of return, the Corporation shall be required to pay to such Commissioners, or their designated agent, the full amount of the motor vehicle fuel taxes due on the purchases of motor fuel made by the Corporation during such twelve-month period. If the net operating income so certified is less than a 6½ per centum rate of return, the Corporation shall pay to such Commissioners, or their designated agent, in full satisfaction of the motor vehicle fuel tax for such period an amount, if any, equal to the full amount of said motor vehicle fuel tax reduced by the amount necessary to raise the Corporation's rate of return to 6½ per centum for such period, after taking into account the effect of such reduction on the amount of the Federal income taxes and the District of Columbia franchise tax levied upon corporate income payable by the Corporation for such period. Within thirty days after being notified by the said Commissioners or their designated agent of the amount of the motor vehicle fuel tax due under this section, the Corporation shall pay such amount to the said Commissioners or their designated agent.

"(d) If not paid within the period specified in subsection (c), the motor vehicle fuel tax payable under this section and the penalties thereon may be collected by the Commissioners of the District of Columbia or their designated agent in the manner provided by law for the collection of taxes due the District of Columbia on personal property in force at the time of such collection; and liens for the motor vehicle fuel tax payable under subsection (c) and penalties thereon may be acquired in the same manner that liens for personal property taxes are acquired.

"(e) Where the amount of the motor vehicle fuel tax payable under subsection (c), or any part of such amount, is not paid on or before the time specified therein for such payment, there shall be collected, as part of the tax, interest upon such unpaid amount at the rate of one-half of 1 per centum per month or portion of a month.

"(f) The Commissioners of the District of Columbia or their designated agent are hereby authorized and directed to issue to the Corporation such certificates as may be necessary to exempt it from paying any importer the motor vehicle fuel tax imposed by such Act of April 23, 1924, as amended, or as hereafter amended.

"(g) (1) From and after the time fixed in paragraph (2) of this subsection the Corporation shall not be required to pay real estate taxes upon any real estate owned by it in the District of Columbia and used and useful for the conduct of its public transportation operations to the extent that the Commission has determined under such rules and regulations as it may issue that the Corporation's net operating income in the previous year was insufficient, after giving effect to the tax relief provided in the preceding subsections, to afford it a 6½ per centum rate of return.

"(2) This subsection shall take effect upon the completion of the program contemplated in section 7 of this part, as certified by the Commission to the Commissioners of the District of Columbia, or at such earlier time as the Commission may find that the said program has been so substantially completed that the taking effect of this subsection would be appropriate in the public interest and shall so certify to the Commissioners of the District of Columbia.

"SEC. 10. (a) The Corporation shall not be charged any part of the expense of removing, sanding, salting, treating, or handling snow on the streets of the District of Columbia, except that the Corporation shall sweep snow from the streetcar tracks at its own expense so long as such tracks are in use by the Corporation.

"(b) The paragraph which begins 'Hereafter every street railway company' which

appears under the heading 'Streets' in the Act entitled 'An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purposes', approved June 26, 1912 (D. C. Code, sec. 7-614), is hereby repealed.

"SEC. 11. The provisions of law set forth in Title 43, sections 501 through 503 of the District of Columbia code shall not be deemed to restrict any merger or consolidation of the Corporation with any other company or companies engaged in mass transportation in the District of Columbia or the Washington Metropolitan Area: *Provided, however,* That any such merger or consolidation shall be subject to the approval of the Commission.

"SEC. 12. Nothing in this part shall prevent the transfer, by or under the authority of any other Act of Congress, to any other agency of any of the functions which are by this part granted to or imposed upon the Commission.

"SEC. 13. (a) The Corporation is hereby authorized to issue or create loans, mortgages, deeds of trust, notes or other securities to any banking or other institution or institutions and to Capital Transit Company, with respect to the acquisition of assets of Capital Transit Company (including any corporation controlled by Capital Transit Company), provided that the interest rate thereon shall not exceed 5 per centum per annum, but the aggregate principal shall not exceed the cost of acquiring the assets of Capital Transit Company.

"(b) (1) Section 5 of the Interstate Commerce Act shall not be construed to require the approval or authorization of the Interstate Commerce Commission of any transaction within the scope of paragraph (2) of such section 5 if the only parties to such transaction are the Corporation (including any corporation wholly controlled by the Corporation) and the Capital Transit Company (including any corporation wholly controlled by the Capital Transit Company). The issuance or creation of any securities provided for in subsection (a) shall not be subject to the provisions of section 20a of the Interstate Commerce Act.

"(2) No approval of the acquisition of assets referred to in subsection (a), or of the issuance or creation of any securities provided for in subsection (a) in connection with such acquisition, shall be required from any District of Columbia agency or commission.

"(c) This section shall not apply to any issuance of securities constituting a public offering to which the Securities Act of 1933 applies.

"(d) Notwithstanding the provisions of section 409 (a) of the Civil Aeronautics Act of 1938—

"(1) no air carrier shall be required (because of the fact that a person becomes or remains an officer, director, member or stockholder holding a controlling interest of the Corporation, or of any common carrier controlled by the Corporation which is engaged in mass transportation of passengers for hire in the Washington Metropolitan Area, or is elected or reelected as an officer or director) to secure the authorization or approval of the Civil Aeronautics Board in order to have and retain such person as an officer or director, or both, of such air carrier if such person is an officer or director of such air carrier at the time this section takes effect; and

"(2) no person who, at the time this section takes effect, is an officer or director of an air carrier shall be required to secure the approval of the Civil Aeronautics Board in order to hold the position of officer, director, member or stockholder holding a controlling interest of the Corporation or of any common carrier controlled by the Corporation which is engaged in mass transportation of passengers for hire in the Washington Metropolitan Area.

"As used in this subsection, the term 'air carrier' has the same meaning as when used in section 409 (a) of the Civil Aeronautics Act of 1938.

"(e) Notwithstanding section 20a (12) of the Interstate Commerce Act, authorization or approval of the Interstate Commerce Commission shall not be required in order to permit a person who is an officer or director of the Corporation to be also an officer or director, or both, of any common carrier controlled by the Corporation which is engaged in mass transportation of passengers for hire in the Washington Metropolitan Area.

"SEC. 14. The Corporation, at the time it acquires the assets of Capital Transit Company, shall become subject to, and responsible for, all liabilities of Capital Transit Company of whatever kind or nature, known or unknown, in existence at the time of such acquisition, and shall submit to suit therefor as though it had been originally liable, and the creditors of Capital Transit Company shall have as to the Corporation all rights and remedies which they would otherwise have had as to Capital Transit Company: *Provided, however,* That the Corporation shall not be liable to any dissenting stockholder of Capital Transit Company for the fair value of the stock of any such stockholder who shall qualify to be entitled to receive payment of such fair value. No action or proceeding in law or in equity, or before any Federal or District of Columbia agency or commission, shall abate in consequence of the provisions of this section, but such action or proceeding may be continued in the name of the party by or against which it was begun, except that in the discretion of the court, agency, or commission the Corporation may be substituted for the Capital Transit Company. In any and all such actions or proceedings, the Corporation shall have, and be entitled to assert, any and all defenses of every kind and nature which are or would be available to Capital Transit Company or which Capital Transit Company would be entitled to assert.

"Part 2.—Miscellaneous provisions

"SEC. 21. (a) Section 14 of the joint resolution entitled 'Joint resolution to authorize the merger of street-railway corporations operating in the District of Columbia, and for other purposes', approved January 14, 1933 (47 Stat. 752), as amended (Public Law 389, Eighty-fourth Congress), is hereby repealed to the extent that such section repeals the charter of Capital Transit Company, without thereby affecting the termination of its franchise.

"(b) Upon the taking effect of part 1 of this title, Capital Transit Company shall not be authorized to engage in business as owner or operator of electric railway, passenger motor bus, public transportation of passengers, or common carrier of passengers within, to, or from the Washington Metropolitan Area.

"(c) Capital Transit Company shall continue to exist as a corporation incorporated under the provisions of subchapter 4 of chapter 18 of the Act entitled 'An Act to establish a code of laws for the District of Columbia', approved March 3, 1901, as amended (D. C. Code, title 29, ch. 2), under its certificate of incorporation, as amended, and Capital Transit Company may amend its charter in any manner provided under the laws of the District of Columbia and may avail itself of the provisions of the District of Columbia Business Corporations Act in respect to a change of its name and may become incorporated or reincorporated thereunder in any manner as therein provided. Nothing referred to in this title, or the sale and vesting of the assets of Capital Transit Company, referred to therein, shall cause or require the corporate dissolution of Capital Transit Company.

"SEC. 22. Nothing in this title shall be deemed to extend the franchise of Capital Transit Company beyond August 14, 1956, or, except as otherwise provided in this section, to relieve Capital Transit Company of any obligation to remove from the streets and highways at its own expense all of its property and facilities and to restore the streets and highways in accordance with the provisions of the District of Columbia Appropriation Act, 1942 (55 Stat. 499, 533) in the event the Corporation fails to acquire the assets of Capital Transit Company. If part 1 of this title takes effect, Capital Transit Company shall thereupon be relieved of all liability to remove from the streets and highways of the District of Columbia all of its properties and facilities and to restore such streets and highways.

"SEC. 23. The powers and jurisdiction of the Public Utilities Commission of the District of Columbia with respect to Capital Transit Company shall cease and be at an end upon the taking effect of part 1 of this title.

"TITLE II

"SEC. 201. (a) Part 1 of title I shall take effect on August 15, 1956, but only if prior thereto D. C. Transit System, Inc. (referred to in this title as the 'Corporation') has acquired the assets of Capital Transit Company and has notified the Commissioners of the District of Columbia in writing that it will engage in the transportation of passengers within the District of Columbia beginning on August 15, 1956. If the Corporation has not acquired the assets of Capital Transit Company prior to August 15, 1956, but does thereafter acquire such assets, the Corporation shall, on the date of such acquisition, give written notice thereof to the Commissioners, and part 1 of title I shall take effect upon such date of acquisition.

"(b) Part 2 of title I, and this title, shall take effect upon the date of the enactment of this Act.

"SEC. 202. If it is determined by the Commissioners of the District of Columbia that, due to any act or omission on the part of the Corporation, the Corporation has not acquired the assets of Capital Transit Company and if such Commissioners approve a valid contract, ratified and approved by the required number of stockholders of Capital Transit Company, between Capital Transit Company and some other corporation providing for the acquisition of such assets and if such other corporation is also approved by such Commissioners as capable of performing the operation contemplated by the franchise provisions of part 1 of title I, then the terms 'D. C. Transit System, Inc.' and 'Corporation' as used in this Act shall be deemed to mean such other corporation for all purposes of this Act.

"SEC. 203. If part 1 of title I of this Act does not take effect on August 15, 1956, the Commissioners of the District of Columbia may authorize (including authorization of such contractual agreements as may be necessary) such mass transportation of passengers within the District of Columbia, beginning on and after August 15, 1956, and until such date as part 1 of title I of this Act takes effect, as may be necessary for the convenience of the public. Such transportation shall be furnished to the public at such rates and under such terms and regulations as may be recommended by the Public Utilities Commission and approved by the Commissioners of the District of Columbia."

And the House agree to the same.

That the title of the bill be amended to read as follows: "An Act to grant a franchise

to D. C. Transit System, Inc., and for other purposes."

OREN HARRIS,
JOHN BELL WILLIAMS,
PETER F. MACK, JR.,
WALTER ROGERS,
CHAS. A. WOLVERTON,
CARL HINSHAW,
JAMES I. DOLLIVER,
Managers on the Part of the House.

PAT MCNAMARA,
WAYNE MORSE,
ALAN BIBLE,
J. GLENN BEALL,
CLIFFORD P. CASE,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3073) to provide for an adequate and economically sound transportation system or systems to serve the District of Columbia and it environs, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment to the text struck out all of the Senate bill after the enacting clause and inserted a substitute. The Senate recedes from its disagreement to the amendment of the House, with an amendment which is a substitute for both the Senate bill and the House amendment. The essential differences between the House amendment and the substitute agreed to in conference are noted below.

THE SENATE BILL AND THE HOUSE AMENDMENT

The bill as passed by the Senate was designed to make provision for mass transportation of passengers in the Washington metropolitan area after August 14, 1956, the date on which the franchise of the Capital Transit Co. expires.

It provided, initially, for an "interim" public authority, to be an agency and instrumentality of the District of Columbia, with broad powers to do everything necessary in order to acquire and operate such a mass transportation system, including the authority to acquire property by eminent domain, to issue tax exempt obligations in order to finance its operations, to fix rates and fares, to employ all necessary personnel, and so on.

The interim public authority would have been given power to sell to any private operator found by it to be suitable, at any time prior to August 15, 1959, the transportation properties acquired and operated by it. In that event the interim public authority would have ceased to exist. In case of any such disposition of the properties, the Commissioners of the District would have been empowered to grant to the purchaser a franchise to operate in the District of Columbia, together with such exemptions from District of Columbia taxes as the Commissioners deemed advisable.

It was provided, however, that if the interim public authority did not thus dispose of its transportation properties to a private operator before August 15, 1959, the interim public authority should become a permanent public authority, with power to operate in perpetuity.

The provisions of the House amendment were designed to keep the transit system in the District of Columbia in the hands of private ownership by extending, with modifications, the franchise of Capital Transit Company. The modifications were essentially as follows:

(1) The section of law which repealed the charter and franchise of Capital Transit Company would have been repealed, thus restoring to Capital Transit Company its charter and franchise.

(2) A system rate base of a specific amount would have been established for the Capital Transit Company.

(3) A legislative determination would have been made that a return of 6½ percent on the system rate base was a fair return which the Company should be afforded the opportunity to earn.

(4) The rates of fare presently being charged would have been frozen until August 15, 1957, and thereafter a new procedure would have been established, designed to expedite action on rate applications filed by the Company.

(5) Capital Transit Company would have been exempted from the gross receipts tax of the District of Columbia and would have continued to be exempt from the District of Columbia mileage tax, gross sales tax, compensating use tax, excise tax on motor vehicle titles, and tangible personal property taxes to the same extent that it is presently exempt from such taxes.

(6) If the Capital Transit Co. failed in any year to earn a 6½ percent return on its system rate base, it would have been forgiven the payment of the District of Columbia motor vehicle fuel tax to the extent necessary to bring its return up to 6½ percent for the year.

(7) Capital Transit Co. would have been required to sweep its streetcar tracks at its own expense and would have been relieved of all other snow removal expense.

(8) It would have been the duty of Capital Transit Co. to gradually convert to an all-bus operation but no specific time for completion of the conversion would have been provided.

(9) The Capital Transit Co. would have been relieved of the necessity to obtain Public Utility Commission approval of evidences of indebtedness payable in 1 year or less.

THE CONFERENCE SUBSTITUTE

Briefly, the conference substitute provides for the grant of a franchise to a private operator, D. C. Transit System, Inc. (hereinafter referred to as the "Corporation"). The award of a franchise to the Corporation was recommended by the Commissioners of the District of Columbia and the terms of the franchise which this legislation proposes to grant are substantially as recommended by such Commissioners. The conference agreement also contains provisions to empower the Commissioners to take appropriate steps to insure continuance of transportation service in case the Corporation does not, for any reason, begin operations on August 15, the day after the expiration of Capital Transit's franchise.

The substitute agreed to in conference consists of titles I and II. Title I is divided into parts 1 and 2.

Title I, part 1

This part, which consists of sections 1 to 14, constitutes the franchise which this legislation proposes to grant to the Corporation.

Subsection (a) of section 1 provides that the franchise is granted for the operation of a mass transportation system of passengers for hire within the District of Columbia and between the District of Columbia and points in the area (referred to as the "Washington Metropolitan Area") comprising all of the District of Columbia, the cities of Alexandria and Falls Church, and the counties of Arlington and Fairfax in the Commonwealth of Virginia and the counties of Montgomery and Prince Georges in the State of Maryland. The franchise is subject to the rights to render service within such area possessed, at the time this provision takes effect, by other common carriers of passengers. The Corporation will not, by reason of this section be relieved from compliance with the laws of Virginia or Maryland, or requirements imposed under authority thereof, or with the Interstate Commerce Act and rules and regulations prescribed thereunder. In the exercise of the franchise rights granted to it under this part, the Corporation will be fully subject to the regulatory laws of the District of Columbia which are applicable to common carrier operations of the character which it is to perform, except to the extent that such laws are modified or superseded by the provisions of this legislation.

Subsection (b) of section 1 is included merely in order to make it unnecessary to repeat references to successors and assigns of the Corporation in those places in part 1 where reference is made to the Corporation. This subsection makes no change whatever in any laws which otherwise would govern the right of the Corporation to dispose of or assign any of its assets or operating rights. Compliance with such laws will be necessary to the same extent as though this subsection had not been enacted.

Subsection (c) of section 1 provides that as used in part 1 the term "franchise" means all the provisions of part 1.

Section 2 of the conference substitute provides that the franchise is granted for a term of 20 years subject to the right of Congress to repeal the franchise at any time for its non-use.

Subsection (b) of section 2 provides that in the event of cancellation by Congress of the franchise at any time after 7 years following its effective date for any reason other than non-use, the Corporation waives its claim for any damages for loss of franchise. This subsection is not intended to preclude the Corporation's property from being valued as that of a going concern in the determination of any damages resulting from a cancellation of the franchise for any reason other than non-use.

Section 3 is almost identical with a provision (section 4) of the so-called Merger Act of 1933. It provides in effect that no person or company may establish a competitive street-railway or bus line for the transportation of passengers in the District of Columbia, over particular routes on fixed schedules, without first having obtained a certificate from the Public Utilities Commission of the District of Columbia to the effect that the competitive line is necessary for the convenience of the public.

Section 4 contains a declaration of legislative policy which, among other things, declares that (1) the Corporation, in accordance with standards and rules prescribed by the Public Utilities Commission, should be afforded the opportunity of earning such return as to make the Corporation an attractive investment to private investors, (2) Congress finds the opportunity to earn a return of at least 6½ percent net after all taxes properly chargeable to transportation operations, including but not limited to income taxes, on either the system rate base or on gross operating revenue would not be unreasonable, and (3) the Commission should encourage and facilitate the shifting to such gross operating revenue base as promptly as possible and as conditions warrant; and if conditions warrant not later than August 15, 1958.

Section 5 of the conference substitute provides that the rates authorized by the Commissioners of the District of Columbia under Public Law 389, Eighty-fourth Congress, which are in effect on the date of enactment of the Act shall be the initial schedule of rates effective within the District of Columbia upon commencement of operations by the Corporation, and shall continue in effect as the schedule of rates until August 15, 1957, and thereafter until superseded by a new schedule of rates. If the Corporation files a new schedule of rates on or after August 15, 1957, that schedule will take effect in 10 days, or at the end of any shorter period the Public Utilities Commission may prescribe, unless the Commission suspends the operation of the rate schedule. The suspen-

sion period may be of any length up to 120 days, but during that period the Commission must hold a hearing and if it fails to issue an order during that period fixing a rate schedule, the Corporation may put the suspended rate schedule into effect at the end of the suspension period, and it will remain in effect until the Commission issues an appropriate order based upon the proceeding.

This section is quite similar to the provisions of section 2 (c) of the House amendment with two exceptions, first, the maximum period of suspension permitted under the House amendment was 90 days, instead of 120 days as provided in the conference substitute, and second, under the House bill if the Commission failed to issue an order during the suspension period, the suspended rate schedule would have automatically gone into effect at the end of such period and the Commission would not thereafter been empowered to issue any order based upon such proceeding.

Section 6 provides that the Corporation may engage in special charter or sightseeing service, subject to compliance with applicable District of Columbia and State law, as well as applicable provisions of the Interstate Commerce Act, and regulations prescribed under such laws.

Section 7 of the conference substitute requires the Corporation to complete conversion of its street railway operations to bus operations within 7 years from the date of enactment of this Act, upon terms and conditions prescribed by the Commission, with such conversion to be tied in with the highway development plans of the District of Columbia to the extent such a tie-in is possible. It is also provided that the Commission may extend the time beyond 7 years upon good and sufficient cause. The Corporation is made subject to all of the duties and responsibilities which Capital Transit Company is presently subject to relating to the removal of abandoned tracks, regarding of track areas, and paving of abandoned track areas.

Section 6 of the House amendment provided with respect to Capital Transit Company that it was to carry out a plan of gradual conversion of its street railway operations to bus operations in general conformity with the economic concepts contained in the Gilman report which was a study and report made on the desirability of conversion of street railway operations to motor bus. The House amendment contained no specific date within which such conversion should be completed.

Subsection (a) of section 8 of the conference substitute relieves the Corporation of the obligation to pay the 2 percent gross receipts tax which under existing law it would be required to pay upon commencement of its operations in the District of Columbia.

Subsection (b) of such section 8 specifically exempts the Corporation from the District of Columbia Sales Tax Act and the corresponding compensating use tax levied under the District of Columbia Use Tax Act (where purchases are made out of the District and brought into the District), and the tax imposed on the issuance of titles to motor vehicles. It also exempts the Corporation from the District of Columbia taxes imposed on tangible personal property to the same extent that Capital Transit Company is exempt from such taxes immediately prior to the effective date of the section.

Section 3 of the House amendment contained the same exemptions for the Capital Transit Company as are provided for the Corporation under section 8 of the conference substitute.

Subsection (a) of section 9 specifically exempts the Corporation from payment of District of Columbia motor vehicle fuel taxes except as provided for in the section.

Subsection (b) defines certain terms which are used in the section. The term "a 6½ per centum rate of return" is defined to mean a 6½ percent rate of return net after all taxes properly chargeable to transportation operations, including but not limited to income taxes, on the system rate base or if the operating ratio method is used to fix rates, on the gross operating revenues. The term "full amount of the Federal income taxes and the District of Columbia franchise tax levied upon corporate income" is defined to mean the amount which the Corporation would have paid in the absence of write offs in connection with the retirement of street railway property as the result of conversion to all-bus operation as provided in section 7 of the conference substitute, but only to the extent that such write offs are not included as an operating expense in determining net earnings for rate-making purposes.

Subsection (c) is intended (1) to require the Corporation on and after September 1, 1956, to pay the full amount of the motor vehicle fuel tax due on motor fuel purchased on or after that date, whenever the net operating income of the company, after taking into consideration the full amount of the motor-vehicle fuel tax which would be due but for the provisions of this section, as determined by the Public Utilities Commission for the preceding 12-month period ending August 31, equals or exceeds a 6½ percent rate of return on the Corporation's system rate base for such period or on the gross operating revenues of the Corporation, if the operating ratio method is being used to fix the rates of the Corporation, and (2) whenever the rate of return is less than 6½ percent to reduce the amount of the motor-vehicle fuel tax payable by the Corporation by whatever amount is necessary to provide the Corporation with a 6½ percent rate of return. In determining whether the Corporation has earned a return of 6½ percent for any 12-month period, the Commission is required to include as an operating expense the full amount of the motor-vehicle fuel tax which would be due but for the provisions of this section on motor fuel purchased by the Corporation during the 12-month period and the full amount of the Federal income taxes and the District of Columbia franchise tax levied upon corporate income. If the net operating income of the Corporation, as certified by the Commission, is equal to, or more than, a 6½ percent rate of return, the Corporation is required to pay the full amount of the motor-vehicle fuel tax due on motor fuel purchased by it during such 12-month period. If the net operating income of the Corporation, as certified by the Commission, is less than a 6½ percent rate of return, the Corporation is required to pay in full satisfaction of the motor-vehicle fuel tax for such period an amount, if any, equal to the full amount of the motor-vehicle fuel tax reduced by the amount necessary to raise the Corporation's rate of return to 6½ percent for such period after taking into account the effect of such reduction on the amount of Federal income taxes and the District of Columbia franchise tax levied upon corporate income payable by the Corporation for such period. If as the result of the inability of the Corporation to acquire the assets of Capital Transit Company prior to August 31, 1956, the initial period with respect to which this motor-vehicle fuel tax relief is granted is less than a 12-month period, it is intended that for such first period, an appropriate pro rata computation be made based on the percentage that the initial period is of 12 months.

Subsections (d) and (e) relate to the collection of motor fuel taxes which are not paid within the time referred to in subsection (c), together with penalties and interest.

Because of the uncertainty as to the amount of motor vehicle fuel tax which would be paid by the Corporation under this section it is desirable that the importer who sells motor fuel to the Corporation not be required to pay the tax on the motor fuel purchased by the Corporation and that the Corporation not be required in turn to pay the amount of such tax to the importer. Therefore, subsection (f) provides for the issuance of the necessary certificates of exemption to the Corporation.

Subsection (g) provides that if after completion of conversion to an all bus operation as provided in section 7, or at such earlier time as the Commission finds that the conversion has been substantially completed and certifies that fact to the Commissioners, the Corporation, despite all other tax relief granted to it, fails to earn a 6½ percent rate of return on either its system rate base or, if the operating ratio method is being used, on its gross operating revenues, the Corporation shall not be required to pay real estate taxes upon any real estate owned by it in the District of Columbia used and useful for the conduct of its public transportation operations to the extent that the Public Utilities Commission determines that its net operating income for the previous year was insufficient to afford it a 6½ percent rate of return.

Section 9 follows the pattern for relief from the District of Columbia motor vehicle fuel tax which was proposed for Capital Transit Company in section 4 of the House amendment, with the exception that section 9 contemplates the future use of the operating ratio method for determining rates and modifies the provisions of the House amendment to the extent necessary to take care of that possibility. It further differs from section 4 of the House amendment in that contemplated write-offs of property as the result of conversion to all-bus operation (to the extent such write-offs are not included as operating expenses in determining net earnings for rate-making purposes) are permitted to be ignored in determining the Corporation's net operating income under section 9, so that for such purpose, the Corporation's Federal income taxes and District of Columbia taxes on corporate income are established on the basis of what they would have been but for such write-offs. Finally, the House amendment contained no provision for relief of real estate taxes, as is provided in section 9 (g) of the conference substitute.

Section 10 (a) provides that the Corporation shall not be charged any part of the expense of removing, sanding, salting, treating, or handling snow on the streets of the District of Columbia, except that the Corporation shall sweep snow from the street car tracks at its own expense so long as such tracks are in use by the Corporation. Subsection (b) of this section relates to this same matter. Similar provisions with respect to Capital Transit Company were included in the House amendment.

Section 11 is intended to make it clear that certain specified provisions of District law are not to be deemed to restrict any merger or consolidation of the Corporation with any other company or companies engaged in mass transportation in the District or the Washington Metropolitan Area, but it is expressly provided that any such merger or consolidation shall be subject to approval of the Public Utilities Commission.

Section 12 of the conference substitute is included to insure that nothing in the franchise will prevent the transfer in the future to any other agency, by or pursuant to law, of any of the functions which the franchise grants to or imposes on the Public Utilities Commission.

Section 13 contains several provisions intended to authorize the doing of certain things considered necessary or appropriate in order to facilitate the carrying out by the Corporation of its contract with Capital Transit Company and the commencement of

transportation operations under the franchise.

Subsection (a) relates to the issuance or creation of loans, mortgages, deeds of trust, notes, or other securities to any banking or other institution or institutions, and the Capital Transit Company, in connection with the contemplated acquisition of assets.

Subsection (b) would make it unnecessary to secure Interstate Commerce Commission approval of (1) the contemplated acquisition of assets, including certificates of public convenience and necessity held by Capital Transit Company or a wholly owned subsidiary of it, or (2) the issuance of securities provided for in subsection (a). It also provides that the proposed acquisition of assets and issuance or creation of securities may be accomplished without having to secure approval of any District of Columbia agency or commission.

Subsection (c) provides that this section shall not apply to any issuance of securities constituting a public offering to which the Securities Act of 1933 applies.

The purpose of subsection (d) is to make it possible for an individual who is now an officer and director of an air carrier (as that term is used in section 409 (a) of the Civil Aeronautics Act of 1938) to become and continue to be connected with the Corporation (or a subsidiary engaged in transportation in the Washington Metropolitan Area) as an officer or director or in certain other specified capacities, without having to secure prior approval of the Civil Aeronautics Board under section 409 (a) of the Civil Aeronautics Act of 1938.

Subsection (e) provides that section 20a (12) of the Interstate Commerce Act shall not require Interstate Commerce Commission approval in order for a person who is an officer or director of the Corporation to also be an officer or director of any subsidiary of the Corporation engaged in mass transportation of passengers in the Washington Metropolitan Area.

Section 14 is a provision, substantially similar to one contained in the contract under which D. C. Transit System, Inc., is to acquire the assets of Capital Transit Company, spelling out the respects in which D. C. Transit is to become subject to, and responsible for, the liabilities of Capital Transit Company.

Title I, part 2

This part consists of sections 21, 22, and 23.

The effect of these provisions is to insure that Capital Transit Company will continue to exist as a corporation, but it is made clear that the termination of its franchise, as heretofore provided by law, is unaffected. If part 1 of title I takes effect, Capital Transit Company is to be relieved of all liability to remove from the streets and highways of the District all of its properties and facilities and to restore such streets and highways. However, if part 1 of title I does not take effect, Capital Transit Company is not relieved of such liability.

Title II

This title consists of sections 201, 202, and 203.

Section 201 of title II of the conference substitute provides that part 1 (the franchise provisions) of title I shall take effect on August 15, 1956, but only if prior thereto D. C. Transit System, Inc. (referred to in title II as the "Corporation") has acquired the assets of Capital Transit Company and has notified the Commissioners of the District of Columbia in writing that it will engage in the transportation of passengers within the District of Columbia beginning on August 15, 1956. If the Corporation has not acquired the assets of Capital Transit Company prior to August 15, 1956, but does thereafter acquire such assets, the Corporation shall, on the date of such acquisition, give written notice thereof to the Commissioners, and part 1 of title I shall take effect upon such date of acquisition.

Subsection (b) of section 201 provides that part 2 of title I, and title II, shall take effect upon the date of the enactment of this act.

Section 202 of the conference substitute provides that if it is determined by the Commissioners of the District of Columbia that, due to any act or omission on the part of the Corporation, the Corporation has not acquired the assets of Capital Transit Company and if such Commissioners approve a valid contract, ratified and approved by the required number of stockholders of Capital Transit Company, between Capital Transit Company and some other corporation providing for the acquisition of such assets and if such other corporation is also approved by such Commissioners as capable of performing the operation contemplated by the franchise provisions of part 1 of title I, then the terms "D. C. Transit System, Inc." and "Corporation" as used in this act shall be deemed to mean such other corporation for all purposes of this act. In other words such other corporation would be granted the franchise in lieu of D. C. Transit System, Inc.

Section 203 of the conference substitute grants to the Commissioners of the District of Columbia, if part 1 (the franchise provisions) of title I of this act does not take effect on August 15, 1956, the general authority to authorize (including authorization of such contractual agreements as may be necessary) such mass transportation of passengers within the District of Columbia, beginning on and after August 15, 1956, and until such date as part 1 of title I takes effect, as may be necessary for the convenience of the public. The section also provides that such transportation shall be furnished to the public at such rates and under such terms and regulations as may be recommended by the Public Utilities Commission and approved by the Commissioners of the District of Columbia. There is no intent on the part of the managers to grant any powers of eminent domain to the Commissioners under the provisions of this section.

The title of the bill has been changed to conform with the conference agreement.

OREN HARRIS,
JOHN BELL WILLIAMS,
PETER F. MACK, JR.,
WALTER ROGERS,
CHAS. A. WOLVERTON,
CARL HINSHAW,
JAMES I. DOLLIVER,
Managers on the Part of the House.

Mr. HARRIS (interrupting the reading). Mr. Speaker, this is a rather lengthy statement. I ask unanimous consent that further reading of the statement be dispensed with, and that the statement may be included at this point in the RECORD. I believe we can expedite consideration in this way.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

(The statement reads as follows:)

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3073) to provide for an adequate and economically sound transportation system or systems to serve the District of Columbia and its environs, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment to the text struck out all of the Senate bill after the enacting clause and inserted a substitute. The Senate recedes from its disagreement to the amendment of the House, with an amendment which is a substitute for both the Senate bill and the House amendment. The essential differences between the House amendment and the substitute agreed to in conference are noted below.

THE SENATE BILL AND THE HOUSE AMENDMENT

The bill as passed by the Senate was designed to make provision for mass transportation of passengers in the Washington metropolitan area after August 14, 1956, the date on which the franchise of the Capital Transit Co. expires.

It provided, initially, for an "interim" public authority, to be an agency and instrumentality of the District of Columbia, with broad powers to do everything necessary in order to acquire and operate such a mass transportation system, including the authority to acquire property by eminent domain, to issue tax-exempt obligations in order to finance its operations, to fix rates and fares, to employ all necessary personnel, and so on.

The interim public authority would have been given power to sell to any private operator found by it to be suitable, at any time prior to August 15, 1959, the transportation properties acquired and operated by it. In that event the interim public authority would have ceased to exist. In case of any such disposition of the properties, the Commissioners of the District would have been empowered to grant to the purchaser a franchise to operate in the District of Columbia, together with such exemptions from District of Columbia taxes as the Commissioners deemed advisable.

It was provided, however, that if the interim public authority did not thus dispose of its transportation properties to a private operator before August 15, 1959, the interim public authority should become a permanent public authority, with power to operate in perpetuity.

The provisions of the House amendment were designed to keep the transit system in the District of Columbia in the hands of private ownership by extending, with modifications, the franchise of Capital Transit Co. The modifications were essentially as follows:

(1) The section of law which repealed the charter and franchise of Capital Transit Co. would have been repealed, thus restoring to Capital Transit Co. its charter and franchise.

(2) A system rate base of a specific amount would have been established for the Capital Transit Co.

(3) A legislative determination would have been made that a return of 6½ percent on the system rate base was a fair return which the company should be afforded the opportunity to earn.

(4) The rates of fare presently being charged would have been frozen until August 15, 1957, and thereafter a new procedure would have been established, designed to expedite action on rate applications filed by the company.

(5) Capital Transit Co. would have been exempted from the gross receipts tax of the District of Columbia and would have continued to be exempt from the District of Columbia mileage tax, gross-sales tax, compensating-use tax, excise tax on motor-vehicle titles, and tangible personal-property taxes to the same extent that it is presently exempt from such taxes.

(6) If the Capital Transit Co. failed in any year to earn a 6½-percent return on its system-rate base, it would have been forgiven the payment of the District of Columbia motor vehicle fuel tax to the extent necessary to bring its return up to 6½ percent for the year.

(7) Capital Transit Co. would have been required to sweep its streetcar tracks at its own expense and would have been relieved of all other snow-removal expense.

(8) It would have been the duty of Capital Transit Co. to gradually convert to an all-

bus operation but no specific time for completion of the conversion would have been provided.

(9) The Capital Transit Co. would have been relieved of the necessity to obtain Public Utility Commission approval of evidences of indebtedness payable in 1 year or less.

THE CONFERENCE SUBSTITUTE

Briefly, the conference substitute provides for the grant of a franchise to a private operator, D. C. Transit System, Inc. (hereinafter referred to as the "Corporation"). The award of a franchise to the Corporation was recommended by the Commissioners of the District of Columbia and the terms of the franchise which this legislation proposes to grant are substantially as recommended by such Commissioners. The conference agreement also contains provisions to empower the Commissioners to take appropriate steps to insure continuance of transportation service in case the Corporation does not, for any reason, begin operations on August 15, the day after the expiration of Capital Transit's franchise.

The substitute agreed to in conference consists of titles I and II. Title I is divided into parts 1 and 2.

Title I, part 1

This part, which consists of sections 1 to 14, constitutes the franchise which this legislation proposes to grant to the Corporation.

Subsection (a) of section 1 provides that the franchise is granted for the operation of a mass transportation system of passengers for hire within the District of Columbia and between the District of Columbia and points in the area (referred to as the "Washington Metropolitan Area") comprising all of the District of Columbia, the cities of Alexandria and Falls Church, and the counties of Arlington and Fairfax in the Commonwealth of Virginia and the counties of Montgomery and Prince Georges in the State of Maryland. The franchise is subject to the rights to render service within such area possessed, at the time this provision takes effect, by other common carriers of passengers. The Corporation will not, by reason of this section, be relieved from compliance with the laws of Virginia or Maryland, or requirements imposed under authority thereof, or with the Interstate Commerce Act and rules and regulations prescribed thereunder. In the exercise of the franchise rights granted to it under this part, the Corporation will be fully subject to the regulatory laws of the District of Columbia which are applicable to common carrier operations of the character which it is to perform, except to the extent that such laws are modified or superseded by the provisions of this legislation.

Subsection (b) of section 1 is included merely in order to make it unnecessary to repeat references to successors and assigns of the Corporation in those places in part 1 where reference is made to the Corporation. This subsection makes no change whatever in any laws which otherwise would govern the right of the Corporation to dispose of or assign any of its assets or operating rights. Compliance with such laws will be necessary to the same extent as though this subsection had not been enacted.

Subsection (c) of section 1 provides that as used in part 1 the term "franchise" means all the provisions of part 1.

Section 2 of the conference substitute provides that the franchise is granted for a term of 20 years subject to the right of Congress to repeal the franchise at any time for its nonuse.

Subsection (b) of section 2 provides that in the event of cancellation by Congress of the franchise at any time after 7 years following its effective date for any reason other than nonuse, the Corporation waives its claim for any damages for loss of franchise. This subsection is not intended to preclude the Corporation's property from being valued as that of a going concern in the determination of any damages resulting from a cancellation of the franchise for any reason other than nonuse.

Section 3 is almost identical with a provision (sec. 4) of the so-called Merger Act of 1933. It provides in effect that no person or company may establish a competitive street-railway or bus line for the transportation of passengers in the District of Columbia, over particular routes on fixed schedules, without first having obtained a certificate from the Public Utilities Commission of the District of Columbia to the effect that the competitive line is necessary for the convenience of the public.

Section 4 contains a declaration of legislative policy which, among other things, declares that (1) the Corporation, in accordance with standards and rules prescribed by the Public Utilities Commission, should be afforded the opportunity of earning such return as to make the Corporation an attractive investment to private investors, (2) Congress finds the opportuntiy to earn a return of at least 6½ percent net after all taxes properly chargeable to transportation operations, including but not limited to income taxes, on either the system rate base or on gross operating revenue would not be unreasonable, and (3) the Commission should encourage and facilitate the shifting to such gross operating revenue base as promptly as possible and as conditions warrant; and if conditions warrant not later than August 15, 1958.

Section 5 of the conference substitute provides that the rates authorized by the Commissioners of the District of Columbia under Public Law 389, 84th Congress, which are in effect on the date of enactment of the act shall be the initial schedule of rates effective within the District of Columbia upon commencement of operations by the Corporation, and shall continue in effect as the schedule of rates until August 15, 1957, and thereafter until superseded by a new schedule of rates. If the Corporation files a new schedule of rates on or after August 15, 1957, that schedule will take effect in 10 days, or at the end of any shorter period the Public Utilities Commission may prescribe, unless the Commission suspends the operation of the rate schedule. The suspension period may be of any length up to 120 days, but during that period the Commission must hold a hearing and if it fails to issue an order during that period fixing a rate schedule, the Corporation may put the suspended rate schedule into effect at the end of the suspension period, and it will remain in effect until the Commission issues an appropriate order based upon the proceeding.

This section is quite similar to the provisions of section 2 (c) of the House amendment with two exceptions, first, the maximum period of suspension permitted under the House amendment was 90 days, instead of 120 days as provided in the conference substitute, and second, under the House bill if the Commission failed to issue an order during the suspension period, the suspended rate schedule would have automatically gone into effect at the end of such period and the Commission would not thereafter been empowered to issue any order based upon such proceeding.

Section 6 provides that the Corporation may engage in special charter or sightseeing services, subject to compliance with applicable District of Columbia and State law, as well as applicable provisions of the Interstate Commerce Act, and regulations prescribed under such laws.

Section 7 of the conference substitute requires the Corporation to complete conversion of its street railway operations to bus operations within 7 years from the date of enactment of this act, upon terms and conditions prescribed by the Commission, with such conversion to be tied in with the highway development plans of the District of Columbia to the extent such a tie-in is possible. It is also provided that the Commission may extend the time beyond 7 years upon good and sufficient cause. The Corporation is made subject to all of the duties and responsibilities which Capital Transit Co. is presently subject to relating to the removal of abandoned tracks, regrading of track areas, and paving of abandoned track areas.

Section 6 of the House amendment provided with respect to Capital Transit Co. that it was to carry out a plan of gradual conversion of its street railway operations to bus operations in general conformity with the economic concepts contained in the Gilman report which was a study and report made on the desirability of conversion of street railway operations to motor bus. The House amendment contained no specific date within which such conversion should be completed.

Subsection (a) of section 8 of the conference substitute relieves the Corporation of the obligation to pay the 2 percent gross receipts tax which under existing law it would be required to pay upon commencement of its operations in the District of Columbia.

Subsection (b) of such section 8 specifically exempts the Corporation from the District of Columbia Sales Tax Act and the corresponding compensating use tax levied under the District of Columbia Use Tax Act (where purchases are made out of the District and brought into the District), and the tax imposed on the issuance of titles to motor vehicles. It also exempts the Corporation from the District of Columbia taxes imposed on tangible personal property to the same extent that Capital Transit Co. is exempt from such taxes immediately prior to the effective date of the section.

Section 3 of the House amendment contained the same exemptions for the Capital Transit Co. as are provided for the Corporation under section 8 of the conference substitute.

Subsection (a) of section 9 specifically exempts the Corporation from payment of District of Columbia motor vehicle fuel taxes except as provided in the section.

Subsection (b) defines certain terms which are used in the section. The term "a 6½ per centum rate of return" is defined to mean a 6½ percent rate of return net after all taxes properly chargeable to transportation operations, including but not limited to income taxes, on the system rate base or if the operating ratio method is used to fix rates, on the gross operating revenues. The term "full amount of the Federal income taxes and the District of Columbia franchise tax levied upon corporate income" is defined to mean the amount which the Corporation would have paid in the absence of writeoffs in connection with the retirement of street railway property as the result of conversion to all-bus operation as provided in section 7 of the conference substitute, but only to the extent that such writeoffs are not included as an operating expense in determining net earnings for ratemaking purposes.

Subsection (c) is intended (1) to require the Corporation on and after September 1, 1956, to pay the full amount of the motor vehicle fuel tax due on motor fuel purchased on or after that date, whenever the net operating income of the company, after taking into consideration the full amount of the motor-vehicle fuel tax which would be due but for the provisions of this section, as determined by the Public Utilities Commission for the preceding 12-month period ending August 31, equals or exceeds a 6½ percent rate of return on the Corporation's system rate base for such period or on the gross operating revenues of the Corporation, if the operating ratio method is being used to fix the rates of the Corporation, and (2)

whenever the rate of return is less than 6½ percent to reduce the amount of the motor-vehicle fuel tax payable by the Corporation by whatever amount is necessary to provide the Corporation with a 6½ percent rate of return. In determining whether the Corporation has earned a return of 6½ percent for any 12-month period, the Commission is required to include as an operating expense the full amount of the motor vehicle fuel tax which would be due but for the provisions of this section on motor fuel purchased by the Corporation during the 12-month period and the full amount of the Federal income taxes and the District of Columbia franchise tax levied upon corporate income. If the net operating income of the Corporation, as certified by the Commission, is equal to, or more than, a 6½ percent rate of return, the Corporation is required to pay the full amount of the motor vehicle fuel tax due on motor fuel purchased by it during such 12-month period. If the net operating income of the Corporation, as certified by the Commission, is less than a 6½ percent rate of return, the Corporation is required to pay in full satisfaction of the motor vehicle fuel tax for such period an amount, if any, equal to the full amount of the motor vehicle fuel tax reduced by the amount necessary to raise the Corporation's rate of return to 6½ percent for such period after taking into account the effect of such reduction on the amount of Federal income taxes and the District of Columbia franchise tax levied upon corporate income payable by the Corporation for such period. If as the result of the inability of the Corporation to acquire the assets of Capital Transit Co. prior to August 31, 1956, the initial period with respect to which this motor vehicle fuel tax relief is granted is less than a 12-month period, it is intended that for such first period, an appropriate pro rata computation be made based on the percentage that the initial period is of 12 months.

Subsections (d) and (e) relate to the collection of motor fuel taxes which are not paid within the time referred to in subsection (c), together with penalties and interest.

Because of the uncertainty as to the amount of motor vehicle fuel tax which would be paid by the Corporation under this section it is desirable that the importer who sells motor fuel to the Corporation not be required to pay the tax on the motor fuel purchased by the Corporation and that the Corporation not be required in turn to pay the amount of such tax to the importer. Therefore, subsection (f) provides for the issuance of the necessary certificates of exemption to the Corporation.

Subsection (g) provides that if after completion of conversion to an all-bus operation as provided in section 7, or at such earlier time as the Commission finds that the conversion has been substantially completed and certifies that fact to the Commissioners, the Corporation, despite all other tax relief granted to it, fails to earn a 6½ percent rate of return on either its system rate base or, if the operating ratio method is being used, on its gross operating revenues, the Corporation shall not be required to pay real estate taxes upon any real estate owned by it in the District of Columbia used and useful for the conduct of its public transportation operations to the extent that the Public Utilities Commission determines that its net operating income for the previous year was insufficient to afford it a 6½ percent rate of return.

Section 9 follows the pattern for relief from the District of Columbia motor vehicle fuel tax which was proposed for Capital Transit Co. in section 4 of the House amendment, with the exception that section 9 contemplates the future use of the operating ratio method for determining rates and modifies the provisions of the House amendment to the extent necessary to take care of that possibility. It further differs from section 4 of the House amendment in that contemplated writeoffs of property as the result of conversion to all-bus operation (to the extent such writeoffs are not included as operating expenses in determining net earnings for ratemaking purposes) are permitted to be ignored in determining the Corporation's net operating income under section 9, so that for such purpose, the Corporation's Federal income taxes and District of Columbia taxes on corporate income are established on the basis of what they would have been but for such writeoffs. Finally, the House amendment contained no provision for relief of real estate taxes, as is provided in section 9 (g) of the conference substitute.

Section 10 (a) provides that the Corporation shall not be charged any part of the expense of removing, sanding, salting, treating, or handling snow on the streets of the District of Columbia, except that the Corporation shall sweep snow from the streetcar tracks at its own expense so long as such tracks are in use by the Corporation. Subsection (b) of this section relates to this same matter. Similar provisions with respect to Capital Transit Co. were included in the House amendment.

Section 11 is intended to make it clear that certain specified provisions of District law are not to be deemed to restrict any merger or consolidation of the Corporation with any other company or companies engaged in mass transportation in the District or the Washington metropolitan area, but it is expressly provided that any such merger or consolidation shall be subject to approval of the Public Utilities Commission.

Section 12 of the conference substitute is included to insure that nothing in the franchise will prevent the transfer in the future to any other agency, by or pursuant to law, of any of the functions which the franchise grants to or imposes on the Public Utilities Commission.

Section 13 contains several provisions intended to authorize the doing of certain things considered necessary or appropriate in order to facilitate the carrying out by the Corporation of its contract with Capital Transit Co. and the commencement of transportation operations under the franchise.

Subsection (a) relates to the issuance or creation of loans, mortgages, deeds of trust, notes, or other securities to any banking or other institution or institutions and the Capital Transit Co., in connection with the contemplated acquisition of assets.

Subsection (b) would make it unnecessary to secure Interstate Commerce Commission approval of (1) the contemplated acquisition of assets, including certificates of public convenience and necessity held by Capital Transit Co. or a wholly owned subsidiary of it, or (2) the issuance of securities provided for in subsection (a). It also provides that the proposed acquisition of assets and issuance or creation of securities may be accomplished without having to secure approval of any District of Columbia agency or commission.

Subsection (c) provides that this section shall not apply to any issuance of securities constituting a public offering to which the Securities Act of 1933 applies.

The purpose of subsection (d) is to make it possible for an individual who is now an officer and director of an air carrier (as that term is used in section 409 (a) of the Civil Aeronautics Act of 1938) to become and continue to be connected with the Corporation (or a subsidiary engaged in transportation in the Washington metropolitan area) as an officer or director or in certain other specified capacities, without having to secure prior approval of the Civil Aeronautics Board under section 409 (a) of the Civil Aeronautics Act of 1938.

Subsection (e) provides that section 20a (12) of the Interstate Commerce Act shall not require Interstate Commerce Commission approval in order for a person who is an officer or director of the Corporation to also be an officer or director of any subsidiary of the Corporation engaged in mass transportation of passengers in the Washington metropolitan area.

Section 14 is a provision, substantially similar to one contained in the contract under which D. C. Transit System, Inc., is to acquire the assets of Capital Transit Co., spelling out the respects in which D. C. Transit is to become subject to, and responsible for, the liabilities of Capital Transit Co.

Title I, part 2

This part consists of sections 21, 22, and 23.

The effect of these provisions is to insure that Capital Transit Co. will continue to exist as a corporation, but it is made clear that the termination of its franchise, as heretofore provided by law, is unaffected. If part 1 of title I takes effect, Capital Transit Co. is to be relieved of all liability to remove from the streets and highways of the District all of its properties and facilities and to restore such streets and highways. However, if part 1 of title I does not take effect, Capital Transit Co. is not relieved of such liability.

Title II

This title consists of sections 201, 202, and 203.

Section 201 of title II of the conference substitute provides that part 1 (the franchise provisions) of title I shall take effect on August 15, 1956, but only if prior thereto D. C. Transit System, Inc. (referred to in title II as the "Corporation") has acquired the assets of Capital Transit Co. and has notified the Commissioners of the District of Columbia in writing that it will engage in the transportation of passengers within the District of Columbia beginning on August 15, 1956. If the Corporation has not acquired the assets of Capital Transit Co. prior to August 15, 1956, but does thereafter acquire such assets, the Corporation shall, on the date of such acquisition, give written notice thereof to the Commissioners, and part 1 of title I shall take effect upon such date of acquisition.

Subsection (b) of section 201 provides that part 2 of title I, and title II, shall take effect upon the date of the enactment of this act.

Section 202 of the conference substitute provides that if it is determined by the Commissioners of the District of Columbia that, due to any act or omission on the part of the Corporation, the Corporation has not acquired the assets of Capital Transit Co. and if such Commissioners approve a valid contract, ratified and approved by the required number of stockholders of Capital Transit Co., between Capital Transit Co. and some other corporation providing for the acquisition of such assets and if such other corporation is also approved by such Commissioners as capable of performing the operation contemplated by the franchise provisions of part 1 of title I, then the terms "D. C. Transit System, Inc." and "Corporation" as used in this act shall be deemed to mean such other corporation for all purposes of this act. In other words such other corporation would be granted the franchise in lieu of D. C. Transit System, Inc.

Section 203 of the conference substitute grants to the Commissioners of the District of Columbia, if part 1 (the franchise provisions) of title I of this act does not take effect on August 15, 1956, the general authority to authorize (including authorization of such contractual agreements as may be necessary) such mass transportation of passengers within the District of Columbia, beginning on and after August 15, 1956, and until such date as part 1 of title I takes effect, as may be necessary for the convenience of the public. The section also pro-

vides that such transportation shall be furnished to the public at such rates and under such terms and regulations as may be recommended by the Public Utilities Commission and approved by the Commissioners of the District of Columbia. There is no intent on the part of the managers to grant any powers of eminent domain to the Commissioners under the provisions of this section.

The title of the bill has been changed to conform with the conference agreement.

OREN HARRIS,
JOHN BELL WILLIAMS,
PETER F. MACK, Jr.,
WALTER ROGERS,
CHAS. A. WOLVERTON,
CARL HINSHAW,
JAMES I. DOLLIVER,
Managers on the Part of the House.

Mr. HESELTON. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I will yield to the gentleman but may I say first that the conference report under consideration relates to the transit problem in the District of Columbia. The conferees after many sessions and full discussion and consideration of this problem came to full agreement on this approach to the problem, and we are unanimous, both Senate and House, as to this solution of the problem.

I yield to the gentleman from Massachusetts, a member of our committee.

Mr. HESELTON. Mr. Speaker, it is not my intention to offer any objection to this conference report. My understanding is that it is unanimous.

I think the conferees are to be commended for attempting to reach a conclusion in a very complex and difficult subject. However, I have read the report, and as is the case with technical, legal language, there is a great deal to be desired in terms of finding out what the thoughts of the conferees are. I would like to ask a few questions to get their point of view. May I ask the chairman of the conferees if I am correct in my understanding that the conferees have said that the so-called Chalk-Fox group will be able to enter into a binding contract before the expiration of the franchise of the Capital Transit Co.?

Mr. HARRIS. I can say to my distinguished colleague, Mr. Chalk himself is very confident he can get possession of the facilities by the 15th of August. The representatives of the Capital Transit Co. also stated that they feel the arrangement can be completed and that the Chalk-Fox group can take over on the 15th of August. I might say in further response to the question that the stockholders of the Capital Transit Co. have a meeting called for August 3. The only thing that could prevent the matter from being completed by the 15th of August would be the running of the records and so forth that would be necessary to see that the titles were all clear.

Mr. HESELTON. While it is hoped that will come about, the gentleman will agree, I am sure, that it is impossible to say it definitely will materialize, either through some difference of opinion among the stockholders at their meeting or for some other reason.

Mr. HARRIS. That is conceded.

Mr. HESELTON. Have the conferees a recommended engineering report and arrangements so that some other suitable private applicant could make this contract in default of the Chalk-Fox group?

Mr. HARRIS. Those were some of the difficult problems that we had to wrestle with for a long time before we could work them out. In the first place, we do not know if the stockholders on August 3 will approve this contract and arrangement; consequently, anticipating that conceivably something could happen, we endeavored to work out a program as to the approach to this problem if it failed in some way.

Mr. HESELTON. May I ask this question, and I realize these are all assumptions but I think they are practical questions of real interest to those who have responsibility in the matter, including the conferees of the committees concerned, the Congress, the District Commissioners and the people of the District. Assume those things do not materialize, then what happens? Does the Capital Transit Co. continue to operate the transportation system?

Mr. HARRIS. Assuming for one reason or other the agreement with the Chalk group, called the Fox group, does not materialize on August 15, then the District Commissioners are given authority to enter into contractual arrangements with some other private operator to continue mass transportation for the District of Columbia during the interim it might be necessary in order to complete the contractual arrangements or the agreement with the Chalk people.

Mr. HESELTON. I realize how difficult it is to foresee every contingency; however, if you assume that the Chalk-Fox group, and I hope they will be able to, cannot complete the contract, if you assume there is no other suitable group that could step in and take the place of the Chalk-Fox group, if you assume the Capital Transit Co. and their stockholders do not want to carry on the transportation system in the District of Columbia, I wonder what would happen? Is there any arrangement? Is there any condemnation power?

Mr. HARRIS. There is no power of eminent domain in the conference report. We assume that there could possibly and conceivably be some development that the present contract would not become consummated. We provide if the Capital Transit Co. could enter into an agreement with some other private operator that would be satisfactory to the District Commissioners, then that company could be given a franchise on the terms of this franchise we have for the Fox group. If the Capital Transit Co. could not enter into an agreement or did not enter into an agreement with any private operator, in that case the District Commissioners are given authority to enter into contractual arrangements with some private operator for some means or some method or some way to provide transportation for the District of Columbia.

Mr. HESELTON. If they succeed, it will be all right; if they do not, we will have to come back here again.

Mr. HARRIS. Then we will have the problem next year when we come back here.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. As I understand this conference report, it does not grant a new franchise, at much better arrangements, to the Capital Transit Co. or to the so-called Wolfson interests, as was provided for in the original House bill which came before this body.

Mr. HARRIS. The gentleman is correct. Furthermore, there is nothing the Commissioners could do under the terms of this report that could give a franchise to the Capital Transit Co.

Mr. BROWN of Ohio. And neither does the conference report contain provisions that were in the original Senate bill which would set up a public authority.

Mr. HARRIS. That is correct.

Mr. BROWN of Ohio. In other words, this conference report reaches finally the very solution, the very suggestion that was made by some of us on the floor of the House that we should have neither a public authority nor a continuation of the so-called Capital Transit-Wolfson group franchise at much better rates than obtained in the past.

Mr. HARRIS. That is correct.

Mr. BROWN of Ohio. I congratulate the gentleman and his colleagues for getting around to a commonsense standpoint that many of us expressed on the floor of the House when this measure was first before us.

Mr. HARRIS. I thank the gentleman for his very kind statement. This conference report does precisely what we pleaded and urged that we might have an opportunity to do when we considered this bill on the floor of the House, by taking it to conference and working out a plan that would be satisfactory.

Mr. BROWN of Ohio. Some of us tried to suggest this in the first place, but we ran into a great deal of resisitance when this bill was first before us.

Mr. WOLVERTON. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from New Jersey.

Mr. WOLVERTON. It is not my intention to take any considerable length of time, but I would feel remiss if I did not bring to the attention of the House again the very fine service that has been rendered by the gentleman from Arkansas [Mr. HARRIS], who has just presented the conference report. The membership of the House will never understand the difficulties that were faced by the conferees on this particular matter because of the many details that were in dispute between the Senate and the House. Of course, there was a basic difference in that the Senate looked toward a public authority to operate within the city, whereas the House had agreed upon private ownership. This brought into conflict differing ideas of a character that I think you can readily understand, and it required a great deal of skill in the handling of the matter. The chairman of the committee of conference, the gentleman from Arkansas [Mr. HARRIS],

displayed at all times not only a great degree of patience, which was necessary or there would have been probably no agreement, but, in addition to that, the deep study that he made of the legal questions involved, which were numerous and varied in character, and also the study that he made of the numerous questions that had to be decided, indicated that the services that he had rendered in this respect have never been exceeded by any chairman of a committee of conference. I feel that whatever has been said by the gentleman from Ohio, in expressing his satisfaction with what has been accomplished, is due very largely, if not entirely, to the zealous and careful consideration that was given to this matter by the gentleman from Arkansas.

I am certain that what has been brought forth by the conferees will provide a satisfactory service to the citizens of Washington in this important matter of transportation.

Furthermore, in answer to my colleague from Massachusetts [Mr. HESELTON] I would say that every phase of the situation that he covered in the questions he asked was most carefully considered by the conferees and we have every assurance, it is our understanding and our belief, that we have provided a means that will continue transportation in this city which will be highly satisfactory to the Members.

Mr. HARRIS. Mr. Speaker, I thank the gentleman for his very kind statement. I want to say, Mr. Speaker, the subcommittee that handled this matter was as attentive and loyal to this very difficult problem as any I have experienced in my service of 14 years on the Committee on Interstate and Foreign Commerce. I want to commend every member of the committee and thank the members of the committee for the fine work that they have accomplished.

Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, in brief, the agreement worked out by the Senate and House conferees for assuring continuing transit service in the District of Columbia after this coming August 14, provides that this service will be rendered by a privately owned and operated system, under a new franchise granted for a period of 20 years.

The Members of the House will recall that the bill as it passed the Senate was designed to make provision for the mass transportation of passengers in the Washington metropolitan area through the creation of a public authority, which would take over after the Capital Transit Co. franchise expired on August 14. The bill as it was amended by the House, provided that this transportation service should continue to be privately rendered by the Capital Transit Co. under a modified franchise.

Subsequent to the passage of the bill in the House, several private groups approached the Capital Transit Co. and the Board of Commissioners of the District of Columbia for the purpose of buying out the Wolfson interests in Capital Transit, and continuing transit operation in the District under private management under a modified franchise acceptable to the Board of Commissioners, and within the general framework of guidelines which were laid out by the conferees.

On July 7, Capital Transit Co. agreed to sell its properties to TCA Investing Corp.—the so-called Chalk-Fox group—and this group agreed to buy them and operate a private system, subject to the receipt of a franchise along the lines of one they had worked out with the Board of Commissioners. On July 9, the Board of Commissioners presented this agreement, and draft franchise, and recommended that a franchise be awarded to the Chalk group upon the terms which they and the interested parties had worked out. The franchise which this legislation proposes to grant is substantially as recommended by the Commissioners.

The statement of the managers on the part of the House contains a summary of the provisions of the franchise, and an indication of the differences between the franchise here recommended and that proposed in the bill as it earlier passed the House—so that it is unnecessary to recapitulate here these terms and differences. The same general tax concessions based upon a 6½-percent return, handling of rate matters and maintenance for a year of present fares, snow removal, and so on, as were in the House bill, are in the franchise here proposed.

Inasmuch, however, as the new group is definitely committed to a conversion of street railway to all-bus operations within a 7-year period, and is also acquiring the existing properties at a figure substantially below the amount at which they are carried on the books of Capital Transit, there is no specific provision in this franchise setting the rate base. In this connection, also, provision is made permitting the Public Utilities Commission, if conditions warrant, to calculate the rate of return under an operation-ratio method rather than the rate-base method hitherto employed.

While the conferees have been given assurance that the new group will make every effort to effectuate the title searches, and complete other technical details, so that they will be able to acquire the assets and take over the operation of transit here on August 15, it is possible, of course, that these ramifications may take a little more time than the 4 weeks remaining until that date. The conferees, accordingly, have made provision whereby the Commissioners may make the franchise to the new group effective at a date subsequent to August 15. Provision is also made whereby the Commissioners may make any arrangements for the continuing operation of the properties until the new group takes over. Capital Transit Co. has written the conferees to the effect that it will cooperate in every way with the Commissioners in the continuation of transit operation until all arrangements are finalized and the transfer of the property completed. Thus we are assured that there can be no hiatus between the termination of the old franchise to Capital Transit and the operation by the new group. The continuation of adequate transit service to the people of the area, without interruption, of course has always been one of the prime considerations before us.

The conference substitute further provides that in the event the deal with the Chalk group should fall through, the franchise may become operable with respect to any other corporation which the Commissioners approve and which acquires the properties under a contract approved by the Commissioners.

I urge the adoption of this conference substitute. It is fully in accord with the main objective of our committee and of the House in seeking a continuing transit service for the citizens under private operation.

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I appreciate the difficulty and the complexity of the local transportation problem, difficult and complex in any city but especially so in Washington since here we have the element of haste because Congress feels the necessity to find the answer before it adjourns. The element of haste in finding the answer to any problem in local transportation is the element that destroys any possibility of finding the answer that has much real virtue except expediency. I do appreciate the hard, exacting work that the chairman and the members of the House subcommittee gave to the task. I feel they have earned the acclaim and gratitude for their efforts of all their colleagues in this body and of the people of Washington.

Nevertheless I opposed on the floor and with my vote the bill originally presented to the House. It was because I did not think it possible for any men of the highest of ability and the greatest of faithfulness to their public responsibilities to draw up a traction bill properly protective of the public interest when expediency was the end they had to serve.

The bill that has come from the conferees is a vastly better bill. It represents hard and conscientious work by the conferees of both bodies. It is regrettable, however, that neither this nor the other body will have much opportunity to carefully consider the report of the conferees and the details of the bill finally worked out. It is an unavoidable situation because the people of Washington must have local transportation, the Congress is about to adjourn and the people of Washington having no home rule the Congress of the United States is the city council of the city of Washington. If Washington had its own municipal legislative body, and the adoption of a franchise ordinance were dependent on the outcome of a referendum, I doubt that it would contain all the language in this bill.

I do wish to call the attention of my colleagues to the language in section 4 of part I of title I. This is a section that guarantees to the traction corporation a return of at least 6½ percent net on investment. Please note that the language is not a return of 6½ percent net but—and I quote the exact language—"to earn a return of at least 6½ percent." Now I come to the last sentence of section 4 which reads:

It is further declared as a matter of legislative policy that if the Corporation does provide the Washington metropolitan area with good transportation, with reasonable rates, the Congress will maintain a continuing interest in the welfare of the Corporation and its investors.

To me this is strange language in traction legislation. Having in mind that this is in the nature of a contract I would think it would require judicial interpretation as to the extent of the binding application of that language upon the Congress and the city of Washington.

It goes without saying that the Congress as well as the people of Washington will maintain a continuing interest in the welfare of the corporation upon which it is dependent for its local transportation. Certainly the Congress and the people of Washington hopefully look forward to the very best kind of transportation and will always give their blessing and their continuing interest in the welfare of the company supplying that transportation service. But why is it put in this bill as a declaration of legislative policy? Words and phrases are not put in contracts unless they are intended to serve some purpose in the protection and interest of one or both of the parties to the contract. Having had some little experience in this field, I can only remark that I should like more time to study the meaning and the contractual weight of such a declaration of legislative policy than is afforded at the present time when we are getting ready to adjourn and feel that we cannot leave the city without home rule to go without streetcars possibly until we return. Under the circumstances, the conferees have probably done the best that could have been done. As I have said they have come up with a much better bill than that which squeaked through the House by a very narrow margin some weeks ago.

In withdrawing my objection, I express my hope but unhappily not my confidence, that all will work out as well as expected and that some day the District of Columbia will enjoy home rule so that its many problems, including the difficult one of local transportation, will not eternally have to be decided on the rule of expediency.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

SAFETY DEVICES ON HOUSEHOLD REFRIGERATORS

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 11969) to require certain safety devices on household refrigerators shipped in interstate commerce, with a committee amendment.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. McGREGOR. Mr. Speaker, reserving the right to object, it is my understanding that this is the bill requiring certain safety devices on household refrigerators; is that correct?

Mr. ROBERTS. The gentleman from Ohio is correct.

Mr. McGREGOR. Mr. Speaker, further reserving the right to object, I am sure that all of us are certainly in accord with the intent of this proposed legislation. I am sure that the manufacturers of iceboxes and refrigerators are willing and want to do everything they can to prevent some of the tragedies that may happen. However, some of us have felt that probably this legislation was a little premature owing to the fact that the Bureau of Standards was making a study and was soon to report, we hope, on just what devices should be recommended. It is my understanding that the gentleman from Alabama has an amendment which will clarify this situation and in reality will give industry a year and 90 days in which to arrange their production so that they will be in compliance with the recommendation of the Bureau of Standards.

Mr. ROBERTS. That is correct. I might say that the language of the amendment which I shall offer at the proper time, has been approved by Frigidaire, which is one of the largest manufacturers in this particular industry.

Mr. McGREGOR. The gentleman from Alabama has been most cooperative. He has shown me his amendment, and I am certain that it carries out the request we had previously made.

Mr. SCHENCK. Mr. Speaker, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Ohio.

Mr. SCHENCK. It so happens that the largest manufacturer of household refrigerators is located in the congressional district I have the honor to represent. This manufacturer, along with other manufacturers of electric refrigerators, has expressed their complete agreement with the philosophy and idea behind this legislation. They believe it is worthy, they believe it is timely, and they are perfectly willing to accept the legislation. They had some ideas for amendments which would permit them to comply with these regulations, and those amendments have been worked out.

Mr. McGREGOR. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That it shall be unlawful for any person to introduce or deliver for introduction into interstate commerce any household refrigerator manufactured after the effective date of this act unless it is equipped with a device which enables the door thereof to be opened easily from the inside.

SEC. 2. Any person who violates the first section of this act shall be guilty of a misdemeanor and shall, upon conviction thereof, be subject to imprisonment for not more than 1 year, or a fine of not more than $1,000, or both.

SEC. 3. As used in this act, the term "interstate commerce" includes commerce between one State, Territory, possession, or the District of Columbia, and another State, Territory, possession, or the District of Columbia.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That it shall be unlawful for any person to introduce or deliver for introduction into interstate commerce any household refrigerator manufactured on or after the date this section takes effect unless it is equipped with a device, enabling the door thereof to be opened from the inside, which conforms with standards prescribed pursuant to section 3.

"SEC. 2. Any person who violates the first section of this act shall be guilty of a misdemeanor and shall, upon conviction thereof, be subject to imprisonment for not more than 1 year, or a fine of not more than $1,000, or both.

"SEC. 3. The Secretary of Commerce shall prescribe and publish in the Federal Register commercial standards for devices which, when used in or on household refrigerators, will enable the doors thereof to be opened easily from the inside; and the standards first established under this section shall be so prescribed and published not later than 90 days after the date of the enactment of this act.

"SEC. 4. As used in this act, the term 'interstate commerce' includes commerce between one State, Territory, possession, the District of Columbia, or the Commonwealth of Puerto Rico and another State, Territory, possession, the District of Columbia, or the Commonwealth of Puerto Rico.

"SEC. 5. This act shall take effect on the date of its enactment, except that the first section of this act shall take effect 1 year after such date of enactment."

Mr. ROBERTS. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. ROBERTS to the committee amendment: Page 3, line 6, strike out "effect 1 year after such date of enactment." and insert in lieu thereof the following: "effect 1 year and 90 days after the date of publication of commercial standards first established under section 3 of this act. In the event of a change in said commercial standards first established, a like period shall be allowed for compliance with said change in commercial standards."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks at this point in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

PURPOSE OF LEGISLATION

Mr. ROBERTS. Mr. Speaker, the reported bill would make it unlawful for any person to introduce or deliver for introduction into interstate commerce any household refrigerator (manufactured 1 year following the date of enactment of this act or thereafter) unless such refrigerator is equipped with a device which will enable the door thereof to be opened easily from the inside. The purpose of the legislation is to minimize, if not entirely eliminate, the number of tragic deaths of innocent children entrapped inside refrigerators, which have been occurring with increasing frequency in recent years.

NEED FOR LEGISLATION

From time to time the people of this Nation have been shocked to read in the newspapers stories of children who were entrapped inside refrigerators and ice boxes and were suffocated to death. In 1952, 14 such deaths were recorded, and in 1953, 26 deaths were recorded. From January 1954 to June 1956, the records show that there were at least 33 incidents of suffocation in household refrigerators, involving 54 children of whom 39 died. With the number of such deaths increasing each year, it is imperative that the Congress enact legislation to minimize these deaths insofar as possible.

The legislation here proposed to attack this problem is to require that all household refrigerators hereafter manufactured and shipped in interstate commerce shall be equipped with an effective device which will enable a child trapped inside to open the door.

Some opposition has been expressed to this legislation on the ground that most of these tragic accidents have occurred in abandoned ice boxes. This fact does not lessen the urgency of this legislation because the problem is not confined to abandoned ice boxes. There are instances where children have suffocated in refrigerators which were being defrosted or otherwise in use. Furthermore, the refrigerators that are being manufactured today may be the coffins of innocent children 15 years hence when these refrigerators will be abandoned. The Congress should not fail to act now because the effect of this legislation cannot be felt immediately.

No doubt publicity campaigns to make parents alert to the dangers of deaths in refrigerators are helpful, but they are inadequate to meet the problem. Likewise, State laws and local ordinances forbidding the abandonment of these potential death traps, without first removing the door or the door latch, are inadequate. The bill here being reported is essential to protect the lives of the innocent children of this Nation.

STANDARDS FOR SAFETY DEVICES

While many of the new refrigerators being sold today already are equipped with some type of safety device which will enable one to open the door from the inside, the reported bill does not prescribe any one device. Rather, it directs the Secretary of Commerce to prescribe commercial standards for such devices. the National Bureau of Standards of the Department of Commerce, with the cooperation of the refrigerator manufacturing industry, has been engaged for some time in experiments to determine the basic criteria of reasonable safety which manufacturers could incorporate in the design of their refrigerators for preventing the suffocation of children entrapped in refrigerators.

The committee is confident that satisfactory criteria can be developed which will be effective in saving the lives of children and yet not work undue hardship on the refrigerator manufacturing industry. In fact, 6 months ago the Department of Commerce advised a subcommittee of this committee that substantial accord had already been reached between representatives of the refrigerator manufacturing industry and the National Bureau of Standards with respect to the criteria for such safety devices.

SECTION-BY-SECTION ANALYSIS OF REPORTED BILL

Section 1 would make it unlawful for any person to introduce or deliver for introduction into interstate commerce any household refrigerator manufactured 1 year after the date of enactment of this act, or thereafter, unless such refrigerator is equipped with a device which will enable a person entrapped inside to open the door easily.

Section 2 provides a penalty for violation of section 1 of this act. Upon conviction, a person shall be subject to imprisonment for not more than 1 year or a fine of not more than $1,000, or both.

Section 3 directs the Secretary of Commerce to prescribe and publish in the Federal Register commercial standards for such devices, containing the basic criteria of reasonable safety which manufacturers of household refrigerators shall incorporate in the design and manufacture of such refrigerators for enabling the doors thereof to be opened easily by a person entrapped inside. These standards must be prescribed and published not later than 90 days after the enactment of this act.

Section 4 contains a definition of "interstate commerce."

Section 5 provides for the effective date of this act to be changed to allow the industry 1 year and 90 days from the date of publication of standards in the Federal Register by the Secretary of Commerce and a like time in the event of a change in said commercial standards first established.

HEARINGS

Hearings on this legislation were held on July 20 and 21, 1955, and May 28, 1956. These hearings were on H. R. 2181. H. R. 11969 was introduced as a clean bill to achieve the objectives sought by H. R. 2181.

INTERCHANGE OF LANDS BETWEEN THE DEPARTMENT OF AGRICULTURE AND THE MILITARY DEPARTMENTS OF THE DEPARTMENT OF DEFENSE

Mr. DORN of South Carolina. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2572) to authorized the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. GROSS. Reserving the right to object, Mr. Speaker, this is an exchange of land between the military departments and the States; is that correct?

Mr. DORN of South Carolina. No. It is an exchange between the Corps of Engineers in the Defense Department and the Department of Agriculture, the Forest Service.

Mr. GROSS. How much acreage is involved?

Mr. DORN of South Carolina. I yield to the gentleman from California to answer that.

Mr. TEAGUE of California. In my particular area in California there are about 30,000 acres involved on each side. I am familiar with it. This is an entirely reasonable and fair exchange from a value standpoint. Further, the bill contains a provision that no such exchanges may be made without a 45-day notice to the Congress at a time when the Congress is in session.

The purpose of the bill is to open up additional areas, which are not now available for use for recreational purposes, to the public for fishing, hunting, or other recreational purposes. It does not involve any money.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture with respect to national forest lands and the Secretary of a military department with respect to lands under the control of the military department which lie within or adjacent to the exterior boundaries of a national forest are authorized, subject to any applicable provisions of the Federal Property and Administrative Services Act of 1949, as amended, to interchange such lands, or any part thereof, without reimbursement or transfer of funds whenever they shall determine that such interchange will facilitate land management and will provide maximum use thereof for authorized purposes: *Provided*, That no such interchange of lands shall become effective until 45 days (counting only days occurring during any regular or special session of the Congress) after the submission to the Congress by the respective Secretaries of notice of intention to make the interchange.

SEC. 2. Any national forest lands which are transferred to a military department in accordance with this act shall be thereafter subject only to the laws applicable to other lands within the military installation or other public works project for which such lands are required and any lands which are transferred to the Department of Agriculture in accordance with this act shall become subject to the laws applicable to lands acquired under the act of March 1, 1911 (36 Stat. 961), as amended.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FEDERAL CIVIL DEFENSE ADMINISTRATION

Mr. DURHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5435) to amend further the Federal Civil Defense Act of 1950, as amended, to authorize the Federal Civil Defense Administration to procure radiological instruments and detection devices, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That subsection 201 (h) of the Federal Civil Defense Act of 1950, as amended (64 Stat. 249), is further amended by adding the following proviso: "*Provided further*, That the administrator is authorized to procure under this subsection radiological instruments and detection devices, and distribute the same by loan or grant to the States for training and educational purposes, under such terms and conditions as the administratior shall prescribe."

Mr. DURHAM. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DURHAM. Mr. Speaker, the purpose of H. R. 5435 is to give permanent legislative authority to the Administrator of the Federal Civil Defense Administration to procure radiological instruments and detection devices, and to distribute the same by loan or grant to the States for training and educational purposes.

The problem of detection and measuring radioactive fallout from nuclear explosions has become a major concern in the civil defense of the Nation. In approaching a solution to it, it is evident that there must be full coordination of our civil-defense resources at all levels of our Government.

Any of the civil-defense services—fire, police, rescue, welfare, warden, first aid—are likely to have to work in a contaminated area, and must have personnel trained and equipped to do the radiation monitoring.

The need for radiological defense is not restricted to the critical target area or even to the towns around them. With the possibility of fallout that could exist under a wide-scale attack, and under various weather conditions, every community in the United States must develop a radiological defense. This means training which cannot be done without instruments and, for this reason, instruments are the key to the whole problem.

There exists little proficiency in the evaluation of radiation hazards or in the operation of radiation instruments and the interpretation of their readings. At least 10 to 16 hours are required to train an instrument reader; 25 to 30 additional hours are required to train the radiological monitor who can interpret the instrument readings and recommend civil-defense actions.

The Civil Defense Administration proposes to bring the training programs into our school systems. It is believed that high-school science courses should include radiological defense subject matter and high-school science teachers should be capable of giving instruction in radiological monitoring. Consequently, if the radiological instruments can be made available to the high-school science departments a big step forward will have been made in getting this course of training initiated. Of course, in offering such training the Federal Civil Defense Administration will cooperate with the Atomic Energy Commission and with the Office of Education of the Department of Health, Education, and Welfare in the development of training programs to qualify the science teachers as instructors in radiological defense.

The Independent Offices Appropriations Act for fiscal year 1956 contained funds of approximately $4 million, and with that amount this program has already been started. This bill merely has the effect of giving permanent authorization for the purchase of these instruments in the future so that they can be loaned to the States for training purposes. The cost of the program for fiscal year 1957 is estimated to be $5.3 million.

Mr. Speaker, it does little good for us to purchase civil-defense detection devices if we do not have adequately trained personnel throughout the Nation who can use these instruments. In case of an enemy attack it will be absolutely imperative that people throughout the country be trained in the use of radiological instruments in order to detect radioactive fallout from nuclear explosions. I urge all members to give favorable consideration to this legislation.

Mr. OSTERTAG. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OSTERTAG. Mr. Speaker, the purpose of this bill is to enable the Administrator of the Federal Civil Defense Administration to acquire and distribute radiological detection devices to the States for education and training purposes.

The importance of providing such authority, on a permanent basis, can hardly be overestimated. It would probably be desirable even if we were assured of peace, for radiation hazards may result from the industrial uses of atomic energy as well as from its use in weapons. But so long as the threat of war hangs over us, it is absolutely essential.

Radiation fallout from an A-bomb or an H-bomb can endanger life not only within the immediate vicinity of a detonation, but over an area of thousands of square miles. Federal Civil Defense Administrator Val Peterson estimates that the fallout from a single 20-megaton bomb would occur in dangerous quantities over an area of 8,000 to 10,000 square miles. In the event of a full-scale attack, the dangers would be multiplied astronomically. The Army recently released estimates indicating that an atomic attack in relatively thickly settled areas of the world could result in several hundred million deaths, depending on which way the wind blew.

Against the dangers of this deadly peril, there is at present only one known protection—cover, deep cover, preferably, until the danger is past. And the only way to determine when the danger is past is through radiation detection devices.

To utilize and operate such devices over an area of several thousand, or as much as a million square miles would, of course, be beyond the capabilities of the Federal Government, even if it was disposed to take over the entire civil-defense organization.

As the President wisely observed, in his message to FCDA Administator Peterson this week:

> Civil defense can never become an effective instrument for human survival if it becomes entirely dependent upon Federal action. * * * The Federal Government must remain in partnership with States, cities, and towns. Only in this way can we obtain more citizen participation, more vigorous efforts by States, local governments, and metropolitan areas, and more readiness by the Congress to support necessary civil-defense measures.

Mr. Speaker, the bill before you is designed to implement the radiation detection program within that framework of Federal-State-local cooperation. It is not intended to replace or eliminate the purchase by the States of radiological detection devices within their present civil-defense programs. It is intended to accelerate their programs, at both the State and local levels, however, so that cadres of radiological-detection personnel, trained and equipped, can be developed throughout the country.

Some work along these lines is already going forward as the result of temporary authority granted to FCDA in appropriations bills. This bill would make that authority permanent, so that FCDA can expand and accelerate its programs, in the interest of this Nation's safety. I hope it will be speedily enacted into law.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSENT CALENDAR AND SUSPENSIONS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it be in order on Monday next to call the Consent Calendar, and that it also be in order for the Speaker to recognize Members to move to suspend the rules.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. NICHOLSON. Mr. Speaker, reserving the right to object, I want to ask about a bill that I have introduced. I wonder if I can bring it up under suspension of the rules, if the committee does not want me to do so.

Mr. McCORMACK. I will be glad to confer with my friend and give him the benefit of my advice and experience.

Mrs. ROGERS of Massachusetts. Mr. Speaker, reserving the right to object, I would like to ask about the program for Saturday.

Mr. McCORMACK. I am unable to state now, but I am philosophically viewing the program after today. Tomorrow, when I see what develops, why then I will concentrate on Saturday.

Mrs. ROGERS of Massachusetts. Undoubtedly, we will work on Saturday.

Mr. McCORMACK. Oh, absolutely. I make that statement for all Members.

The SPEAKER. Is there objection?

There was no objection.

RE H. R. 8902

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. HESELTON] is recognized for 20 minutes.

Mr. HESELTON. Mr. Speaker, yesterday I outlined some of the reasons for opposing this legislation, beginning at page 13418.

At page 13422 I referred to the fact that a capital gains proceeding was begun by the Civil Aeronautics Board on April 6, 1956.

I pointed out that the existence of a problem as to how best and fairly to deal with gains and losses upon retirement of the property of airlines.

But I referred to the excellent comment as to the value of this proceeding before the Civil Aeronautics Board made by Vice Chairman Joseph P. Adams, of that Board, when he said:

> I consider this kind of proceeding the best approach to the problem because it looks toward a policy consistent with the scheme of the Civil Aeronautics Act, fully supported by a complete economic record, and geared as closely as possible to the individual needs of the carrier.

This capital gains proceeding has reached the stage of a prehearing conference and the report on that was served July 3, 1956.

Thirty-three airlines are parties to this proceeding. They are the ones still receiving subsidies from the Federal Treasury.

It is of considerable significance that one of these airlines, Pan American, has already received from the taxpayers of this country over one-fifth of a billion dollars in subsidies in the fiscal years 1939–56—$219,768,000—as set out in the table on page 13422 of yesterday's RECORD. It is more significant that in the tabulation of capital gains prepared by the Department of Commerce as illustrative of the amounts which would have accrued to subsidized airlines in the 5 calendar years 1951–55, had this proposal been law. Pan American would have had the lion's share from the Federal Treasury, approximately $17,288,000 of the total of $21,900,700.

This makes quite clear Pan American's keen interest in and vigorous efforts to secure passage of this proposal by Congress.

But it still leaves unanswered why Pan American should be so concerned about permitting this Civil Aeronautics Board proceeding to continue to conclusion unless it interprets the decisions of the United States Court of Appeals, which was unanimously upheld by the Supreme Court of the United States, as fatal to its efforts to avoid the necessity of establishing "need" under existing law, in order to get subsidy on subsidy. This seems more than likely in view of the fact that the Civil Aeronautics Board has ruled consistently against Pan American and other airlines in treating capital gains received from the retirement of flight equipment as other revenue under existing law and as thereby reducing claimed subsidy requirements—see annotation 3 in order instituting proceedings, which I now include:

UNITED STATES OF AMERICA,
CIVIL AERONAUTICS BOARD,
Washington, D. C.

ORDER NO. E–10171 ADOPTED BY THE CIVIL AERONAUTICS BOARD AT ITS OFFICE IN WASHINGTON, D. C., ON THE 6TH DAY OF APRIL 1956

Mail rates for Alaska Airlines, Inc.; Alaska Coastal Airlines; Allegheny Airlines, Inc.; Bonanza Air Lines, Inc.; Braniff Airways, Inc.; Byers Airways, Inc.; Central Airlines, Inc.; Colonial Airlines, Inc.; Continental Air Lines, Inc.; Cordova Airlines, Inc.; Ellis Air Lines; Frontier Airlines, Inc.; Hawaiian Airlines, Ltd.; Helicopter Air Service, Inc.; Lake Central Airlines, Inc.; Los Angeles Airways, Inc.; Mohawk Airlines, Inc.; New York Airways, Inc.; North Central Airlines, Inc.; Northeast Airlines, Inc.; Northern Consolidated Airlines, Inc.; Ozark Air Lines, Inc.; Pacific Northern Airlines, Inc.; Pan American-Grace Airways, Inc.; Pan American World Airways, Inc.; Piedmont Aviation, Inc.; Reeve Aleutian Airways, Inc.; Southern Airways, Inc.; Southwest Airways Co.; Trans-Pacific Airlines, Ltd.; Trans-Texas Airways; West Coast Airlines, Inc.; Wien Alaska Airlines Inc.; Docket No. 7902.

ORDER INSTITUTING PROCEEDINGS

The instant order reopens the outstanding section 406 mail rates of the subsidized carriers for the sole purpose of determining whether or not the orders establishing such rates should be amended, effective April 6, 1956, by the addition of provisions for reflecting gains and losses upon retirement of property and the terms of such provisions. As the institution of these proceedings is not based upon the ground that the existing subsidy mail rates are otherwise excessive, this order is not intended to affect the present rate level of any carrier except insofar as subsidy may be adjusted as the result of this case to reflect the results of property retirements.

Since the policies developed in this proceeding will affect carriers on temporary as well as final rates, all subsidized carriers have been made parties to this proceeding.

The Board's authority to fix mail rates containing subsidy is set forth in section 406 of the Civil Aeronautics Act. Subsection (b) thereof provides that the Board "shall take into consideration, among other factors * * * the need of each such air carrier for compensation for the transportation of mail sufficient * * * together with all other revenue of the air carrier, to enable such air carrier under honest, economical, and efficient management, to maintain and continue the development of air transportation to the extent and of the character and quality required."

In determining a carrier's need, we must, therefore, consider the extent to which that need is reduced by the carrier's revenues from other sources.[1]

Particularly since the beginning of the Korean conflict, profits from property retirements, especially of flight equipment, have been substantial. Such profits have, of course, always been considered as a part of "other revenue." In line with the Board's general policies on the treatment of "other revenue," it has followed the practice of reducing claimed subsidy requirements by the amount of any known capital gains received from the retirement of flight equipment. Thus, such gains have usually been offset in full against subsidy in so-called past period rate cases.[2] In addition, the Board has applied such profits to reduce future rates in cases where the profits were realized prior to the establishment of the rate.[3]

Logical application of our other revenue policy would seem to require that in establishing subsidy rates for future periods a forecast of retirement gains be made, and that such gains be utilized to reduce the subsidy otherwise required for the future. However, application of a policy of reducing future subsidy by forecast retirement gains raises substantial problems as regards sales which have not yet been consummated. The timing of each sale, the state of the market for aircraft at the time when the transaction is completed, and other variable factors render a reasonably accurate forecast of gains from this source most difficult.

Since the forecasting of gains upon disposition of property appears likely to entail a substantial margin of error, we have considered whether some alternative technique could be adopted which would prove more accurate and workable, would be entirely equitable to the carriers and the Government alike and would not disturb the finality status of the subsidized carriers' rates. The capital requirements arising from the carriers' reequipment programs also suggest that we should reappraise our policies regarding gains from retirements of property. Accordingly, we have instituted this proceeding in order that the parties may develop a record from which we may formulate a policy for dealing with retirement profits to be applicable to all subsidized carriers, whether on final or temporary rates. The order contemplates that any new policy will be applied by means of an amendment to all outstanding rate orders effective as of the date of the issuance of this order.

Since our sole concern in this proceeding is with the problem of retirement gains, it would be clearly undesirable from the standpoint of the carriers and the public interest to reopen all subsidy rates with respect to all issues in order to deal with that one issue. Such a course would involve the necessity of establishing rates for possibly lengthy past periods for all subsidy carriers, a course which

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[1] *Western Air Lines* v. *C. A. B.* (347 U. S. 67 (1954)); *Delta Air Lines* v. *Summerfield* (347 U. S. 74 (1954)).

[2] Pan American World Airways, Inc., Latin American division, mail rates (provisional statement), order No. E–7441, pp. 35–36, June 5, 1953 (final order), order No. E–7495, June 19, 1953; Northeast Airlines, Inc., mail rates (provisional statement), order No. E–7368, pp. 15–17, May 11, 1953 (final order), order No. E–7443, June 5, 1953; Northwest Airlines, Inc., mail rates, domestic operations (tentative statement), order No. E–5839, p. 34, November 2, 1951 (final order), order No. E–6338, April 18, 1952; Pennsylvania-Central Airlines, mail rates 4 CAB 22, 30 (1942).

[3] Pan American World Airways, Inc., system mail rates (provisional statement), order No. E–9869, p. 8, December 22, 1955 (final order), order No. E–9889, December 30, 1955; Braniff Airways, Inc., domestic and international mail rate (provisional statement), order No. E–9670, p. 11, October 18, 1955 (final order), order Nos. E–9711 and 9712, November 3, 1955; Transatlantic Final Mail Rate Case (opinion), order No. E–8833, p. 115, December 20, 1954 (supplemental opinion on reconsideration), order No. E–9530, pp. 29–30, August 30, 1955; Braniff Airways, Inc., domestic operations, mail rates (provisional statement), order No. E–7780, pp. 18–19, October 1, 1953 (final order), order No. E–7928, November 27, 1953.

would be burdensome to the Board and the carriers and which would remove the incentives, which are furnished by final future rates, toward the achievement of economies leading to self-sufficiency.

Another possible procedure for dealing with the retirement problem would be to institute an investigation. This would have the advantage of enabling us to limit the issues involved to the single issue presented. However, any action which we could take upon the termination of such an investigation would be prospective only and we would therefore be unable to reflect the effect of possibly substantial capital gains realized by carriers between the institution and termination of the proceeding.

We believe that an acceptable solution to this problem is to provide for the reopening by this order of all subsidy mail rates, effective on the date of this order, and the limitation of the issues in such proceeding to the question of retirement gains and losses, subject to the right of any carrier, at its option, to raise the issue of its over-all rate level at any time during the course of the proceeding. At the conclusion of the proceeding the Board will then be in a position to adjust the rates of all carriers not exercising such option, effective April 6, 1956, in order to reflect the determination of the proper treatment of retirement profits, while at the same time leaving the other elements of the carriers' rates intact.

In view of the fact that gains on retirement of flight equipment are clearly separable from the other elements going to the establishment of the rate, we believe that this procedure is practical as well as equitable to all parties. In limiting the issues solely to the question of the proper treatment of retirement gains we are not depriving any carrier of an opportunity to raise any other issues going to the total rate, such as rate of return, selling expense, operating revenues, service lives and residual values of aircraft, etc.

We are providing, however, that unless other issues are clearly raised by formal application accompanied by supporting data filed within 30 days of service of this order, they shall be considered waived, but where a carrier files an application which raises any other issue as to its rate, then all issues going to the fixing of a mail rate will be open, effective April 6, 1956.[4] Any carrier desiring to challenge the adequacy of its overall rate level during the pendency of this proceeding following the 30-day period may do so by filing a similar application and in such event the carrier's rate level shall be considered open as to all issues as of the date of such application.

We shall, of course, continue to establish mail rates during the course of this proceeding in the normal fashion. In fixing such rates, we shall apply our current policies regarding retirement gains. If, at the conclusion of this proceeding, it is determined that no change should be made in those policies, the compensation paid pursuant to such rates will be left undisturbed. If some policy change is made with regard to retirement gains, the rates established during the pendency of this proceeding may be modified accordingly, effective April 6, 1956.

Accordingly it is ordered that proceedings are hereby instituted reopening the outstanding mail rates established under section 406 of the Civil Aeronautics Act[5] for the operations of Alaska Coastal Airlines; Byers Airways, Inc.; Central Airlines, Inc.; Continental Air Lines, Inc.; Cordova Airlines, Inc.; Ellis Air Lines; Frontier Air Lines, Inc.; Hawaiian Airlines, Ltd.; Helicopter Air Service, Inc.; Lake Central Airlines, Inc.; North Central Airlines, Inc.; Northeast Airlines, Inc.; Pan American World Airways, Inc.; Reeve Aleutian Airways, Inc.; Southern Airways, Inc.; Trans-Pacific Airlines, Ltd.; and Wien Alaska Airlines, Inc., over their entire systems, and Braniff Airways, Inc., over its international routes, for the sole purpose of determining whether or not the orders establishing such mail rates should be made subject to provisions for adjustment, effective April 6, 1956, to reflect gains and losses upon the retirement of property[6] owned by such carriers, and the terms of such provisions.[7]

It is further ordered that Alaska Airlines, Inc., Allegheny Airlines, Inc., Bonanza Air Lines, Inc., Colonial Airlines, Inc., Los Angeles Airways, Inc., Mohawk Airlines, Inc., New York Airways, Inc., Northern Consolidated Airlines, Inc., Ozark Air Lines Inc., Pacific Northern Airlines, Inc., Pan American-Grace Airways, Inc., Piedmont Aviation, Inc., Southwest Airways Co., Trans-Texas Airways, and West Coast Airlines, Inc., are hereby made parties to this proceeding.[8]

It is further ordered that all further procedure herein shall be in accordance with the rules of practice.

It is further ordered that the issues involved herein shall be limited to the question of whether or not the mail-rate orders referred to herein should be made subject to provisions for adjusting said rates to reflect gains and losses upon the retirement of property owned by the carriers named above, effective April 6, 1956, and the terms of such provisions: *Provided, however,* That any carrier may file an application stating that its rate is, or is likely to become, inadequate, and setting forth the reasons therefore, together with supporting documents, in which case the carrier's overall rate level, including all issues relating thereto, shall be considered open. Applications filed within 30 days of this order shall have the effect of reopening the overall rate level, as aforesaid, as of April 6, 1956, and applications filed subsequent to such 30 days shall have the effect of reopening such rate level as of the date when filed.[9]

It is further ordered that any issue, other than the issue of the treatment of gains and losses upon the retirement of property, shall be dealt with in separate proceedings.

It is further ordered that this order be served upon all parties to this proceeding.

By the Civil Aeronautics Board:

M. C. MULLIGAN,
Secretary.

Mr. Speaker, it may be helpful to those who wish to understand the issues involved in this proposal to have available also the report of prehearing conference. Consequently, I include it here:

UNITED STATES OF AMERICA,
CIVIL AERONAUTICS BOARD,
Washington, D. C.

CAPITAL GAINS PROCEEDING, DOCKET NO. 7902—
REPORT OF PREHEARING CONFERENCE

Served July 3, 1956, upon:

Robert W. Oliver, 730 Southern Building, Washington, D. C., for Alaska Airlines, Inc., Central Airlines, Inc., Helicopter Air Service, Inc., and Mohawk Airlines, Inc.

Joseph D. Sullivan, 700 Woodward Building, Washington, D. C., for Alaska Coastal Airlines, Inc., Cordova Airlines, Inc., Northern Consolidated Airlines, Inc., and Wien Alaska Airlines, Inc.

Lawrence L. Stentzel, 122 East 42d Street, New York, N. Y., for Allegheny Airlines, Inc.

G. Robert Henry, Post Office Box 391, Las Vegas, Nev., for Bonanza Airlines, Inc.

H. A. Schneider, 815 15th Street NW., Washington, D. C., for Braniff Airways, Inc.

Clyde S. Carter, 1701 K Street NW., Washington, D. C., for Continental Airlines, Inc., Reeve Aleutian Airways, Inc., and West Coast Airlines, Inc.

Harry A. Bowen, 408 Wyatt Building, Washington, D. C., for Frontier Airlines, Inc.

George C. Neal, 805 15th Street NW., Washington, D. C., for Hawaiian Airlines, Ltd.

A. L. Wheeler, 817 Warner Building, Washington, D. C., for North Central Airlines, Inc.

John H. Slate, 551 Fifth Avenue, New York City, N. Y., for New York Airways, Inc.

Herbert L. Berman, 10 Post Office Building, South Boston, Mass.

Gerald P. O'Grady, 1011 Cafritz Building, 1625 I Street NW., Washington, D. C., for Pacific Northern Airlines, Inc.

Gerhard A. Gesell, 701 Union Trust Building, Washington, D. C., for Pan American-Grace Airways, Inc.

John C. Pirie, 135 East 42d Street, New York City, N. Y., for Pan American World Airways, Inc.

Cecil A. Beasley, Jr., 912 American Security Building, Washington, D. C., for Southern Airways, Inc., and Piedmont Aviation, Inc.

Howard J. Thomas, 411 Elg Building, Silver Spring, Md., for Southwest Airways Co.

Vincent L. Gingerich, Citizens Bank Building, Takoma Park, Md., for Trans-Texas Airways.

Arthur S. Present and Chris E. Steier, Bureau Counsel, Civil Aeronautics Board, Washington, D. C.

Exceptions, if any, to the matters contained in this report must be filed with Examiner Paul N. Pfeiffer and served upon all counsel within 5 days from the date of service shown above.

REPORT OF PREHEARING CONFERENCE HELD JUNE 18, 1956

Pursuant to due notice of the chief examiner, a prehearing conference in the above-entitled proceeding was held on June 18, 1956, at 10 a. m. (eastern daylight saving time), in room 1512, temporary building No. 4, 17th Street and Constitution Avenue NW., Washington, D. C., before the undersigned hearing examiner.

The following persons entered appearances:

Robert W. Oliver for Alaska Airlines, Inc., Central Airlines, Inc., Helicopter Air Service, Inc., and Mohawk Airlines, Inc.

Joseph D. Sullivan and Theodore I. Seamon for Alaska Coastal Airlines, Cordova Airlines, Inc., Northern Consolidated Airlines, Inc., and Wien Alaska Airlines, Inc.

Hamilton O. Hale, Lawrence L. Stentzel, and Walter J. Short for Allegheny Airlines, Inc.

G. Robert Henry for Bonanza Air Lines, Inc.

H. A. Schneider for Braniff Airways, Inc.

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[4] In such cases, all issues other than those specifically encompassed in this proceeding will be treated in separate mail proceedings, in conformance with established mail rate practice. The rules of practice relating to documents filed in such cases, including those relating to petitions, may be used as a general guide to the preparation of applications under this order.

[5] This order is not intended to disturb the service mail rates established under Reorganization Plan No. 10 of 1953.

[6] While we have framed the issues broadly to include all types of property, our chief concern is with retirements of flight equipment. The question as to the types of property to be included in the rate adjustment provisions will, of course, be one of the issues in this proceeding.

[7] While this order does not affect the section 406 rate established for Braniff's domestic division, it does embrace the question of adjustment of the international division's subsidy rate order to reflect property retirements over the carrier's entire system.

[8] The rates for these carriers are already open.

[9] Nothing herein is to be construed to prevent the Board from reopening any carrier's overall rate level, including all issues related thereto, effective on the date of the order reopening such rate level.

C. Edward Leasure, H. F. Scheurer, and Clyde S. Carter for Continental Air Lines, Inc., Reeve Aleutian Airways, Inc., and West Coast Airlines, Inc.

George C. Neal for Hawaiian Airlines, Ltd.

James G. Ray and A. L. Wheeler for North Central Airlines, Inc.

John H. Slate for New York Airways, Inc.

Herbert L. Berman, Henry E. Foley, and Clarence I. Peterson for Northeast Airlines, Inc.

Gerald P. O'Grady for Pacific Northern Airlines, Inc.[1]

Gerhard A. Gesell for Pan American-Grace Airways, Inc.

John C. Pirie for Pan American World Airways, Inc.

Cecil A. Beasley, Jr., for Southern Airways, Inc., and Piedmont Aviation, Inc.

Howard J. Thomas for Southwest Airways Co.

Vincent L. Gingerich for Trans-Texas Airways.

Harry A. Bowen for Frontier Airlines, Inc.[1]

Arthur S. Present and Chris E. Steier for Bureau of Air Operations.

This proceeding was instituted by order No. E–10171, adopted April 6, 1956, which order opened the mail rates of all subsidized carriers effective on the same date for the purpose of considering the question of the proper treatment of gains and losses upon the retirement of company property. The reopening was subject to the right of any carrier, at its option, to raise the issue of its overall mail-rate level at any time during the course of the proceeding by formal application under section 406 of the act. The issues in this proceeding were limited solely to the question of the proper treatment of retirement gains—other issues such as rate of return, selling expense, operating revenues, service lives, and residual values of aircraft could be raised by any air carrier party by formal application, accompanied by supporting data, within 30 days of the service of the order, or else it would be considered waived so far as this proceeding is concerned.

In accordance with the latter provision of the order, on May 7, 1956, Helicopter Air Service, Inc., Central Airlines, Inc., and Southern Airways, Inc., filed petitions for the adjustment of overall final mail rates, and were assigned Docket Nos. 7996, 7997, and 7998, respectively.

At the opening of the conference the scope of the issues in the proceeding was discussed. Bureau counsel indicated that the object of the case would be the development of a formula to account for retirement capital gains, and not the actual dollar amount of recapture, amortization, or offset applicable to each carrier. After considerable discussion he conceded that a result of this proceeding could be the issuance of 33 different orders accounting for capital gains of each subsidized carrier differently, depending upon the particular need of such carrier for capital gain retention as may be established in this proceeding.

Mr. Oliver raised the question as to whether consideration of capital losses as well as gains was in issue in the proceeding. Bureau counsel agreed that it was.

Mr. Neal desired consideration herein of the question whether the Board's failure to underwrite the Convairs operated by Hawaiian Airlines may be considered in connection with that carrier's need to retain capital gains on the sale of its DC–3's. Bureau counsel agreed to the inclusion of this issue.

Messrs. Oliver and Henry requested that consideration be given herein as to whether depreciation on aircraft was or was not earned so as to affect the net book value of aircraft sold, the contention being that the carrier should be charged only with capital gains computed on the basis of earned depreciation.

Mr. Oliver indicated that a motion would be filed to dismiss the proceeding on the ground that the Board has no power to open up only one element of a carrier's mail rate for consideration of capital gains recapture purposes without thereby opening up for consideration the need of the affected carriers under all the elements of mail rate making under section 406 of the act.

A lengthy discussion then ensued as to whether the need of each carrier to retain capital gains for operational as well as legitimate capital purposes was a proper consideration within the issues of this proceeding as limited by the Board order instituting same. Counsel for several of the carriers maintained that, for example, the need of a carrier to retain capital gains for the purpose of utilizing same to increase schedules on a particular segment of its route was a proper consideration. Counsel for Braniff urged that consideration be given to the retention of capital gains for the purpose of building a new maintenance base. After considerable debate it was ruled that evidence will be received bearing on the need of the carrier parties for retention of capital gains for legitimate capital purposes—for example, the purchase of new equipment, construction of maintenance bases, etc.—but that evidence relating to their need to retain capital gains for ordinary operational purposes, e. g., to increase schedules, increase selling expense, or schedule expansion to meet foreign competition was not within the scope of this proceeding, but may be raised by those carriers so desiring by reopening their mail rate in toto through an appropriate petition under section 406 of the act so as to consider the need of each carrier for funds to provide honest, economic, and efficient operations over its routes as required by the public convenience and necessity.

It was also ruled that within the scope of the issues herein would be consideration of whether the recapture, amortization, or offset (whichever theory is adopted) would be partial or full, depending upon the showing of each carrier's need for retention, in whole or in part, for legitimate capital purposes.

It was agreed by Bureau counsel and the air carriers concerned that there was no substantial difference between the status of the three carriers, Helicopter Air Service, Southern Airways, and Central Airlines, which filed objections in this proceeding and thereby reopened their overall rate level, and those other carrier parties which may be on so-called "open" mail rates at the present time. Bureau counsel stated in his brief that the final order in this proceeding would amend all existing rate orders, effective as of April 6, 1956. For those carriers still on open rates, the final order herein would be a factor in whatever final decision is rendered in such separate mail-rate proceeding.

Bureau counsel stated that he is considering the presentation of two alternative plans which, as a part of his affirmative case, would be described in greater detail at the time of exchange of information. The first plan generally involves immediate annual recapture of capital gains. The second plan involves amortization of the capital gains over the life of the new equipment or other property purchased, a legitimate period being the life of the principal mortgage on newly acquired property. The Bureau will not at this time propose any plan to offset such capital gains against the purchase of new property, but reserves its right to do so or revise its position in any other manner after all the evidence has been introduced. The examiner indicated that in the event the final position of the Bureau was withheld until after the close of the hearing, the Bureau would be required to file its statement of position or brief in advance of the briefs of other parties so as to comply with the requirements of adequate notice.

With respect to capital losses, the Bureau proposes that there would be no reimbursement of the carriers for capital losses, but that such losses may be offset against future gains through a carrying-forward process.

The carriers did not set forth the position that they would take in the proceeding, except that there was a suggestion that the issue of offsetting capital gains against the cost of future purchases for depreciation purposes may be advocated at a later date.

An opportunity was given all parties by the examiner to consider adjustment of the dispute along middle grounds, but no party showed any inclination toward instituting settlement negotiations at this time.

Mr. Schneider, representing Braniff, objected to the stipulation proposed by the Bureau, and the examiner indicated that official notice would be taken of the matters contained in that stipulation to the extent that the law allows, with the understanding that the matters to be officially noticed must be set forth by the parties formally either at the hearing or in their briefs.

The parties agreed to comply with the Bureau's information requests, in the amended form set forth in appendix A.

Mr. Oliver indicated that he would file a motion to dismiss the proceeding on the legal grounds previously advanced, and he, as well as other parties joining in the motion, were granted until July 2, 1956, for the purpose. A subsequent request for extension to July 12, 1956, is hereby granted.

In the event that legislation affecting the issues in this proceeding which is now pending is passed by the Congress at the present session, the prehearing conference will be reconvened.

A matter that was not discussed was which side of the issues has the burden of going forward with the evidence. Since the Bureau of Air Operations is the proponent of a new rule in this proceeding, it will bear the burden of going forward with the evidence in accordance with section 7 (c) of the Administrative Procedure Act. (For House and Senate committee reports bearing on this subject, see pp. 207–208, 269–271 of S. Doc. No. 248, 78th Cong., 2d sess., printed July 26, 1946.)

All testimony should be reduced to writing and circulated at least 48 hours before the sponsoring witness is called to the stand.

Procedural dates were established as follows:

Exchange of information, July 16, 1956.

Exchange of direct exhibits, September 10, 1956.

Exchange of rebuttal exhibits, October 15, 1956.

Hearing, tentative, in Washington, D. C., November 14, 1956.

PAUL N. PFEIFFER,
Hearing Examiner.

APPENDIX A

MATTERS TO BE OFFICIALLY NOTICED

1. All monthly, quarterly and annual reports filed by the United States certificated carriers with the Board, beginning January 1, 1939, together with all written communications between the Board and the carriers with respect to such reports.

2. All official schedules and tariffs filed by all United States certificated carriers with the Board and the Official Airline Guide.

INFORMATION REQUEST

The following information needed by Bureau Counsel for the preparation of his case is requested of each party:

1. A statement setting forth:

(a) The amount of long-term debt, including debenture issues, outstanding as of

[1] Appeared informally by communication to the examiner.

December 31, 1944, together with the terms of repayment.

(b) The amount of each long-term loan floated from January 1, 1945, to date, together with the date of borrowing and the terms of repayment.

(c) A schedule of the dates and amounts of repayment of each loan referred to in paragraphs (a) and (b).

(d) The net dollar amount of new common stock or preferred stock capital raised during the period January 1, 1945, to date, with the date of issuance.

2. A statement setting forth the following information regarding aircraft on order at the time this information is furnished:

(a) Type of aircraft.

(b) Number of aircraft and engines on order.

(c) Total purchase price on an aggregate basis of all aircraft, engines, and related flight equipment.

3. If the carrier has received firm commitments from financial institutions, underwriters, or others with regard to the financing of new equity or debt capital as of the date for furnishing information, furnish the following:

(a) The type of capital to be furnished (i. e., whether long-term debt, preferred stock or common stock).

(b) The total amount committed by type of capital, less any amounts previously drawn down, together with the date or dates on which the capital will become available.

(c) With respect to long-term debt, give the terms of repayment, except for interest rates.

The carriers are to supplement the record from time to time up to time of closing the hearing with respect to the information requested.

GAINS IN NATIONAL DEFENSE UNDER EISENHOWER ADMINISTRATION

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. WILSON] is recognized for 60 minutes.

Mr. WILSON of California. Mr. Speaker, it is almost 15 years since the attack on Pearl Harbor. That day, December 7, 1941, has been called a day of infamy in American history. We were caught unready and unprepared. Yet, if Pearl Harbor was a day of infamy, then the year 1950 was a year of tragedy, for it was in 1950, just six years ago that we were again caught napping, unready for the war in Korea.

A group of us here in the House of Representatives has been concerned about our military or defense posture today. We are not military experts, but we have to make decisions affecting our military strength, so we have been examining our military program—have been asking critical questions about the state of our preparedness. We have endeavored to search out the facts, to separate them from the fancy, and now are ready to come up with a factual report on the state of our preparedness today.

Of course, this is an election year, and the political winds have been blowing in monsoon proportions at the other end of the Capitol. All manner of questions and doubts have been raised in the other body as to our military strength. There has been what the San Diego Union in my district called recently "so much public suffering."

Now I would be the last to deny that our report today on military posture has its own political overtones. We, as Republicans, are proud of the gains that have been made under the Eisenhower administration. We are particularly proud of the improvements in our military strength. Hence, the desire on our part to spell out these gains today.

It seems to have been the pattern in recent months, at the other end of the Capitol, to compare certain elements of our military strength with similar elements of Soviet military strength. As President Eisenhower said recently, in a press interview:

> I repeat again and again the strength of America is not just to be found in a guided missile or bomb, no matter how big, or in the airplanes, it is in everything.

Consequently, a few of us will attempt this afternoon to outline our military strength, not just a comparison of our air power versus Soviet air power, our Navy against the Russian navy, but of our overall total defense posture. Since this is the sixth year anniversary of our entry in the Korean war, why not compare our strength today with our strength of 1950. Let us compare how we stand in our research and development program in 1950 and now, in our striking power, in our mobility readiness. Let us compare the period of 1950 with 1956, as it relates to the strength of our Allies, the power of our industrial facilities, and our whole mobilization requirements. I believe it is entirely fair and proper for us to use these two years, 1950 and 1956, as comparisons. We must know today if we are making the same mistakes that were made before Pearl Harbor and before Korea. The possibility exists, and we must all face it, that the carousing madmen in the Kremlin might very well touch off another terrible conflagration. We must not be caught short again.

Nineteen hundred and fifty was a Truman year—1956 is an Eisenhower year. That we all know. And the obvious answer to a question on comparative strengths of those 2 years is that we are infinitely better prepared today, from the standpoint of weapons in being, weapons on the drawing boards, weapons in the testing stage. In all fairness, we must point out that, having been caught short the second time in Korea, we made an immediate start to rebuild our strength. Some of the weapons, some of the programs, that give us strength today were planned and ordered in the 2 years of the Truman administration, when we were at war in Korea.

Research time, development time, lead time being what they are, we can be thankful that the start was made then—in 1950—to rebuild our skeleton military forces, and to recognize the fundamental point made by General Washington when he said:

> If we desire to be secure—it must be known that we are at all times ready for war.

At the end of World War II, we had been the strongest nation the world had ever seen. Yet, year after year, following World War II, we saw deeper and deeper cuts, not only of the military fat but of the muscle, the very sinews of our military strength, until we faced Korea in 1950 as a second-rate military nation.

It gives me pride in our Republican leadership to recall that the Republican 80th Congress tried to call a halt to the clipping of the wings of our Air Force. Under Defense Secretary Louis Johnson, our huge Air Force was ordered cut down to 48 wings. The Republican 80th Congress, not only authorized, but appropriated the money for a 70-wing Air Force. Harry Truman vetoed this authorization. The 80th Congress overrode Truman's veto and insisted on a 70-wing Air Force. Harry Truman refused to spend the money.

Two short years later we went into Korea with obsolete airplanes and air strength insufficient to carry out our military mission.

One of the harshest critics of our defense posture today was in 1950 the civilian head of our air arm and had been for 4 critical years, when our Air Force grew progressively weaker. It is interesting to examine some of his statements in 1950 and compare them with his attitude today. Just 14 weeks before the invasion of Korea, on April the 12th, in Macon, Ga., the then Air Force Secretary said:

> All of us must work together unceasingly to solve the problem of financing the bare necessities of military security, both at home and abroad, without wrecking our national economy in the process.

A little later, he said:

> We must not repeat our past error of trying to build as much as possible of everything that might conceivably be used in any future war. We must concentrate instead on the real necessities and only those necessities, because that production in itself will heavily burden our national economy and resources. Nothing should be bought or built except against the war plans established by our military leaders and approved by higher authorities.

That last line is a little ironic—"Nothing should be bought or built except against the war plans established by our military leaders and approved by higher authorities," for in recent weeks we have seen the man who made this statement in the forefront of those urging the billion-dollar increase in our Air Force for B–52 bombers, urging the increase over the objections of the National Security Council, the Joint Chiefs of Staff, the Secretary of Defense, the Secretary of the Air Force, and others entrusted with the military decisions of today.

In that same speech, shortly before the Korean invasion, he said this:

> If you ask, "Is there to be a war?" my personal opinion is "No" provided America remains strong.

He also went on to say:

> If America is prepared, those so foolish as to attack us will be destroyed, so we must be strong to stay secure, and we must be secure to stay free.

With the latter part of his statement, I find full agreement. That is the theme of our report today, for in comparing our air strength of 1956 with our air strength of 1950, the obvious improvement is both reassuring and heartening.

Today's Air Force has three times the combat wing strength of 1950 which was

42. This year we reach our goal of 126 combat wings, plus 11 support wings. They are modern, full-strength wings. In 1950 we were operating nine carrier air groups. At the present time we have 17 naval air groups, each of which has a striking potential far above the total naval striking power we had at the time of Korea.

General Twining pointed out not long ago that just one bomber today can unleash more explosive force than all the bombs dropped in all of World War II. Many of our wings are comprised of the fast B–47 jet bombers that can go anywhere in the world by means of refueling from our modern tanker fleet.

Our B–52 wings are now becoming operational to replace the workhorse B–36's. The bomb bays of just one B–52, manned by 6 men, can carry an explosive force greater than that of a million B–17's of World War II, manned by 15 million airmen, carrying bombs of TNT, bombs of the type used in the European conflict. As our able Secretary of Defense Charles E. Wilson said recently, the striking power of our Air Force and modern weapons is "so large that it almost defies the imagination."

To me, the most significant difference bewteen 1956 and 1950 is the stability that has entered our defense picture. The armed services of this Nation in the last 20 years have been subjected to feast or famine. The Eisenhower administration has put an end to the feast or famine. There has been a steady, carefully planned, and carefully executed build-up of our military might.

I represent a great military area, San Diego, Calif., headquarters for many Navy commands and a manufacturing center for aircraft and guided missiles. I saw what happened after World War II, when we mothballed our fleet, closed down our installations, cut out our aircraft production. San Diego was almost a ghost city at the height of the Louis Johnson era. We were listed as a critical unemployment area. Well, the Navy is back in business today—and the aircraft factories are humming again—not humming at double-time rates for nights and Sundays, but humming because of an aircraft procurement program that makes sense, spreading out the contracts over the years ahead so that we can keep our Air Force and Navy air arm completely modernized as the years roll by, and still be able to pay the bills. Yes—we've put an end to the feast or famine—and that in itself is a very real military accomplishment.

Attempts have been made in recent years and months to build up one arm or other disproportionately, without taking into consideration such related factors as impact on the economy, proper training of personnel to operate the advanced equipment and similar problems. Today's policy of stability is a result of the considered judgment of the President, the Cabinet, the National Security Council and the Joint Chiefs of Staff.

I was pleased last year to hear our distinguished and beloved chairman of the Armed Services Committee, the Honorable CARL VINSON, say:

> The American people should rejoice in the knowledge that the days of valleys and peaks, of feast and famine, are over.

It is safe to say that when we compare our striking force of today with our weaknesses of 1950, we should be encouraged by the vast improvement. We are strong. We have a strong Air Force, a strong Navy, a strong Marine Corps, a strong Army and we must continue to build their strength. We must continue to take inventory of our national security, to evaluate its needs and to see that we do not go down for the third time to the inevitable defeat that will be our destiny if we are caught unready and weak.

I hope that, in our generation, we shall never need to use the strength that we possess and will continue to possess if today's policies are continued. With all this force, we shall never become the aggressor, but this force could very well prevent aggression against us. As Secretary Wilson said in March this year,

> The real fundamental is this: the tremendous deterrent power in military forces today. We have today, and we will have for the foreseeable future, the capability of inflicting vast destruction upon any aggressor anywhere in the world. This capability cannot be thwarted—a retaliatory force of vast proportions can be applied regardless of a massive surprise attack on our country, and regardless of defensive measures of the aggressor. This fact is the key deterrent to war. No recent development and no foreseeable development will basically change this situation.

I have made no attempt today to discuss a field that has captured the fancy of this Nation, the field of missiles, guided missiles, ballistic missiles, subsonic and supersonic missiles. I should like to discuss a comparison of the hopes of 1950 with the realities of 1956 in this important field. But first I think we should have a comparison of the more conventional methods of waging war. What was the strength of our military and our Navy in 1950? What weapons were available? And what weapons do we have at hand today?

Mr. Speaker, the quality of our weapons and the strength of our fighting forces are of course the main elements of our defense posture. One of our colleagues is prepared today to discuss our present comparative military might with that of our pre-Korea days. In yielding the floor to Congressman HOSMER, I would like to point out that he is admirably qualified to discuss this subject, having spent 6 years in World War II in every major theater of naval operations. As skipper of a Navy assault transport, his wartime experiences include many contacts with the enemy, in one of which encounters his ship was sunk in the South Pacific. In addition to his congressional activities, he is a commander in the Naval Reserve.

I yield to our distinguished colleague, CRAIG HOSMER, of California.

Mr. HOSMER. Mr. Speaker, President Truman on June 1, 1950, told his regular press conference that the world was closer to peace than at any time during the previous 5 years.

Before the end of that same June in 1950, an Asiatic horde, armed to the hilt with Russian weapons and heavy tanks, trained by Communist officers, overran the free Republic of South Korea.

On July 1, 1950, according to official records at the Pentagon, the United States managed to have just 540 men of the 24th Infantry in Korea to help the free ROK Forces. The Navy had 1 officer, 3 enlisted men, plus a small Marine guard at the United States Embassy.

By July 17, exactly 6 years ago Tuesday, the first amphibious landing was completed successfully by American forces on the west coast at Inchon. By the end of the month, under the flag of the United Nations, we had 52,000 troops in South Korea to fight the Communist aggression. By August 2 the entire 1st Marine Division was in Korea.

We hardly need be reminded, on this sixth anniversary of the Korean outbreak, of some of the events in Korea prior to the invasion.

Although the United States gave generously to the new Korean Republic—$523 million to be exact—only $56 million was in military aid. This aid consisted of an assortment of small arms and ammunition suitable for police action, mostly surplus equipment left behind when the American occupational forces withdrew in 1949. These included 40,000 Japanese rifles, some 100,000 small arms, 2,000 bazookas, and quite an assortment of light artillery—but nothing very effective against the steel walls of a Russian heavy tank.

This, I am sorry to say, was the American-Korean situation 6 years ago today. In fact, on July 18, 1950—6 years ago yesterday, an illustrious Member of this House, our colleague from Minnesota, Dr. WALTER JUDD, an expert on Asiastic affairs, stated:

> For the first 3 years after V–J day, we refused to train and develop armed forces to defend South Korea, although we knew the Russians were feverishly developing large forces in North Korea and had large and experienced units made up of Koreans across the border in both Siberia and Manchuria. We were, as usual, perfectly correct and proper—and weak.

That statement pretty well defines our overall defense posture at that time.

Despite President Truman's prediction of "peace in our time" as of 1950, he should have paid attention to Dr. JUDD who on January 19, 1950, asserted on the floor of the House:

> I am willing to predict, although I shall take this remark out of the RECORD, that Korea will be overrun and our money will probably be lost.

What was our policy toward our friendly ward on the coast of Asia? Perhaps Prof. Owen Lattimore spelled it out in an article published on July 17, 1949, wherein he said concerning pending legislation for Korean aid:

> The thing to do, therefore, is to let South Korea fall, but not let it look as though we pushed it. Hence, the recommendation of a parting grant of $150 million.

Mr. Lattimore was, at that time, some sort of consultant to the State Department and many stalwart American citizens are still not satisfied on which side Dr. Lattimore was playing.

This much I know, because it is a matter of record:

> Of the $10,230,000 earmarked for Korea in the military assistance bill signed by President Truman October 28, 1949, only $200 in signal wire had been delivered when the war began on June 25, 1950.

Now let us contrast that posture of 1950 with that today when all aggression into territory of the free world is stalemated.

The head of the allied forces in Europe held a press interview in Paris on the last day of this May. At that time, the Wisconsin-born General Larry Norstad said:

We are here to defend ourselves—never to attack anyone first—and I would make no apology for what weapons we use.

The Russians do not have to speak English to understand his meaning. Under Eisenhower, the United States means business and aggression will be met by as much defense as is required to stop invasion in its tracks. That is indeed a contrast to the Truman-Acheson policies that failed in 1950.

The world at large knows that atomic cannon are in place at advance outposts of the free world, but it does not know what such a device means when used in tactical defense.

The Pentagon has been questioned on this point and has answered officially. It is, I believe, the first time that the devastation of such shells has been explained in terms that ordinary folk can understand.

The question was:

Contrast the devastating effect of a standard artillery shell and an artillery shell armed with atomic warhead.

The answer was:

A 280-millimeter shell with an atomic warhead, equivalent to 20,000 tons of high explosives, has been tested. The explosion from such a shell would produce thermal radiation, gamma radiation, and blast. For troops in the open, the thermal effect would have the longest range. The thermal effect from such an airburst weapon under normal weather conditions would produce 50 percent fatalities among exposed personnel at ranges up to slightly more than a mile from the point of burst; all other exposed personnel within the 1-mile range would receive third-degree burns. In contrast, a 105-millimeter howitzer shell, quick-fuzed, could be expected to cause 50 percent casualties (not necessarily fatalities) over an elliptical area about 15 yards deep and 50 yards wide, centered on the point of burst. The comparable ellipse for a 155-millimeter howitzer shell would be about 18 yards by 60 yards, and for an 8-inch howitzer shell about 20 yards by 80 yards.

These howitzers, particularly the 155-millimeter, were in common use in Korea. Taking the above contrast, we can figure that about 2,000 Korean shells of that size—just 6 years ago—would inflict about half of the damage in terms of casualties that one tactical atomic shell will produce today. One hundred atomic shells would level the District of Columbia.

Concentration of troops is a war maneuver of the past. Today's warfare will be dispersed over a wide terrain. Today, our ground troops in the Army and Marine Corps are prepared for dispersal with their new methods of "vertical drop" from helicopters and by parachute.

I am not at liberty to give a measurable description of our new weapons systems with their new explosives, new rockets and missiles, nor can I give in detail an account of our mobility readiness to slap down aggression the moment it appears anywhere along the borders of the free world from here to Pakistan, traveling east or west.

I can say, however, that the death-and-destruction-strength per man in today's armed forces is many times that of a combat man in 1950. Therefore, when Monday morning quarterbacks come up with comparisons and decry the streamlining of our Armed Forces, just keep in mind the difference between that Korean howitzer shell and an atomic-headed missile.

And, while I mention missiles, let me repeat another question directed to the Pentagon, and I believe this answer also is news to the American people.

It was asked:

Has the lead time shrunk for the Inter-Continental Ballistics Missile, guided missiles and nuclear air propulsion? Are such projects nearer than once thought?

The answer was:

The projected lead time for the ICBM, guided missiles and nuclear air propulsion has shrunk, and it is considered that these projects are nearer than once thought.

The ICBM is the so-called ultimate weapon which, once in place and aimed, can be sent on its way through space at the press of a button. Each missile can be as deadly and destructive as the load carried today by one B–52 world-range bomber.

In World War II, the United States Air Forces dropped 2.7 megatons of high explosive bombs. The warhead on today's one bomb is "far greater than this," if I may use a quotation from a Department of Defense publication.

Another comparison of interest to those evaluating our national defenses is the matter of airplane speeds.

We began our fighting in Korea with Mustangs which could reach 400 miles an hour. We ran into MIG's which flew rings around these "Symington Specials". We knocked the MIG's out of the sky with Sabre Jets which do better than 600 miles per hour. Today's Supersabre has a speed record of 822 miles per hour. That is a fighter now in use.

We used the World War II B–26 bomber in Korea and it droned along at 370 miles an hour compared to the Navy's carrier-based light bomber of today which does better than 750 miles per hour.

Now, let us turn to the operating forces, the "cutting edge" of our military might.

This force now is maintained at a level of 1 million men above that of pre-Korea—both days of frigid peace, if we can call it peace.

Our overall military strength is double the force maintained before Korea.

Our Army is at its Korean strength and double that of pre-Korea. We have more than double the antiaircraft battalions of pre-Korea and treble the amount of Army support aircraft. Today, we have 20 divisions of troops in our Army, 126 antiaircraft battalions and 3,378 army aircraft.

When Korea was invaded, our Navy had 237 combatant ships compared to 403 on the high seas today. We then had 9 carrier groups with propeller jobs on the flight deck. Today, we have 17 carrier groups and planes jet propelled from catapults. Antisubmarine squadrons grew from 7 to 19, fleet combat squadrons—patrols, mine sweepers and the like—from 24 in 1950 to 47 today. Naval aircraft increased in numbers from 9,099 to 12,598 today.

Our Air Force Wings at the Korean invasion numbered 48 and many of the planes were obsolete. Today, our Air Force Wings total 131. The inventory of Air Force aircraft rose from 12,572 on Korea Day to 24,840 at the opening of 1956.

Since President Eisenhower took office, the greatest change in personnel numbers has been in the overall Army which has dropped 450,000 since June 30, 1953. The growth of the ROK army to the third largest in the world, and the creation of a Japanese Defense Force, permit us to keep some 288,000 troops at home, but we also were able to cut the continental forces within the United States, mostly because of lessened training and transit needs.

At the same time, our Ready Reserve is far ahead of postwar years.

Now, let us return to some further description of the military services as they operate today.

When President Eisenhower took office, only 59 percent of those in the Army were up where the shooting was. Today, 70 percent will operate effectively as combatants. That's efficiency.

We have five divisions in Europe, three in the Far East, and 1 Army division each in Hawaii and Alaska. Also, there are 9 divisions in the United States of which 2 are armored and 2 are airborne and another 2 are on station with antiaircraft defense. This force at home must be ready—and is indeed ready—to aid the populace in case of atomic attack or to repel invaders even with the use of tactical atomic weapons. This entire force, both at home and abroad, can move with astounding speed to any spot where an aggressor appears.

One of the Army's greatly improved weapons is the rocket launcher. It took a battalion of 620 men to handle a battery of 18 cannon, size 105 mm in Korea.

Today only 236 men are needed for the much faster "Honest John" with 4 launchers while only 248 are needed for the battalion of 3 "Corporal" launchers.

That is a great saving in manpower, upkeep, maintenance, and a tremendous gain in firepower because the launcher can be used for nearby, broad-front attack or for distances not reachable with artillery.

Our Navy announced in last Sunday's newspapers that its new ship-launched atomic missiles, now in the making, will hit any target within nine-tenths of the vast Communist domains of Europe and Asia. This missile, the Jupiter, ranges 1,500 miles, has a high degree of accuracy, and can be launched from a submarine or surface ship.

While Jupiter missiles and ships are not now in being, 10 other missile-launching ships can deliver today the Regulus missile over a range of 500 miles with atomic or hydrogen warhead. Missile cruisers, convoying aircraft carriers at some distance, can put up effective

protection against high-flying enemy aircraft above the reach or range of cannon.

One member of the Eisenhower team, and one of our truly great Secretaries of the Navy, Charles S. Thomas, says:

We now have the most powerful Navy in the world. * * * Its main offensive force is built around airpower. * * * We need permission from no one to take these mobile airbases any place on any part of the earth's surface that is seawater. Their top speed of almost 40 miles an hour, their 1,200 watertight compartments, make them almost invulnerable to submarines. In this day of ballistic missiles, carriers will not be targets for long-range missiles, which must necessarily follow a fixed trajectory.

As for our 1956 Air Force, Gen. Nathan F. Twining said:

All fighter units of the Air Force are now jet equipped. By the end of this fiscal year, all of our combat units will be jet equipped, except for heavy bomber and tactical reconnaissance wings. * * * One of our B-47's has flown 21,000 miles nonstop. Two of our medium bombers have flown from Georgia to Europe and back without stopping.

Mr. Speaker, in question and answer form I want to bring out a few more important and significant comparisons between our defense posture as of 1950 compared to today.

Question. Contrast equipment of individual infantry soldier, 1950–56.

Answer. The most significant items standardized during the above period for the individual infantry soldier are body admor and the insulated boot.

Question. List advances in armor and related mechanical items for same period.

Answer. In the tank field, much progress has been made in improving engines, transmissions, suspensions, guns, and fire control equipment. A family of air-cooled engines was introduced for all tanks, which provides for standardization of components and accessories and for decreased weight through elimination of liquid cooling. Effective thickness of armor has been increased through redesign of hull shape. Velocities of 90 millimeter guns have been increased to give greater armor penetration, and improvement in fire control equipment permits greater accuracy and possibility of first round hits.

Question. Contrast quality and performance of 1950 fighter and ground support aircraft and today.

Answer. There has been considerable improvement in the overall combat capability of fighter and ground support aircraft since 1950. Maximum speeds have increased from high subsonic to supersonic for many combat aircraft; combat radius, rate of climb, and altitude have been substantially increased. The ground run for almost all aircraft has been reduced, relieving the critical runway requirement. In-flight refueling is now standard on most aircraft.

Firepower of all aircraft has increased with both conventional and nuclear weapons. New bomb delivery techniques have been developed; navigation aids and fire-control equipment have been greatly improved. Equipment such as ejection seats, pressure cabins, anti-G suits, and survival gear is allowing humans to keep up with the advances of modern aircraft.

Following are maximum speeds of certain aircraft operational in 1950, as opposed to maximum speeds today:

	Miles per hour
1950:	
F–51	400
B–26	370
F2H–2	600+
AD	270+
Present:	
F86F, H	600+
A4D Carrier	750+
F7U–3	700+
FJ–3	650+

Question. Contrast the firepower delivery of a missile cruiser with that of a standard heavy cruiser.

Answer. The heavy cruiser is unable to cope with high-flying jet aircraft, because its antiaircraft guns are ineffective against high-altitude aircraft and because the modern bomber with its large-yield weapon can release its bomb before it even comes within range of the guns.

The new guided missile cruisers, *Boston* and *Conberra*, are equipped with two twin launchers which can launch over eight Terriers per minute. The Terrier is effective against both fast and high-flying aircraft. Thus, these ships are a big improvement over the old cruisers against this new threat. Although this new capability has the effect of reducing the surface fire power by about 50 percent, it is felt that these assignments can be covered by aircraft.

As a member of our Armed Forces Reserve, and also as a Member of Congress, I am proud indeed of this progress in the Nation's defenses made under the great American leader who put together the forces that conquered Hitler's Europe, who formed the alliances and commands of NATO, and who today as our Commander in Chief assures us that we have the armed means to assure the peace and to keep the peace, not only in our land, but as well throughout the free world.

To those critics of the election year variety who complain about an alleged weakness in the Nation's defenses, if there is indeed any weakness, it is only of the kind that has allowed peace and prosperity to invade the country.

Mr. Speaker, I include at this point in the RECORD an address by Carter L. Burgess, Assistant Secretary of Defense for Manpower, Personnel, and Reserve, given before the Washington Chapter of the VMI Association on February 14, last:

I came over here tonight to talk to you about some of our programs, and some of our problems, in the Department of Defense. I want to say that it will always be a privilege to talk to an audience such as this which takes a serious and knowledgeable interest in such matters.

The Department of Defense has been on the front page a great deal of late. And perhaps that's the understatement of the evening.

I know you are all familiar with the situation. And it could be that by now a faint suspicion has sprouted in your minds—as it has in mine—that much of the recent criticism has proceeded from concerns dealing with particular situations that fit this particular year.

Speaking frankly, a great deal of the current comment has seemed to me to be overly extreme. Unconstructive criticism and part time, part of the story blasts, can be harmful to the best interests of this country, and can lead to serious doubts and confusion in the public mind.

Those not allied with us in the search for a free world would like nothing better than to see such a development. Who else would reap any benefit if we were to become lost in confusion and recrimination, failing to take proper counsel among ourselves, and failing to keep constantly in mind the need to work together?

We all know there is difference of opinion in a democracy. And we should recognize as well that this is one of our greatest assets—setting us off from the slave states where conformity is enforced by the firing squad, and where the party line is always infallible.

But it has long seemed to me—and not only since I came to Washington—that where problems as vital as the life of the Nation are concerned, where it takes no special gift to imagine our fate if Russia were to overrun the world, we should be able to act in harmony as one people and subjugate personal and partisan attitudes to the common good. Defense is everyone's job.

I know that the majority of the American people are intensely on the side of this approach.

There are those of late, however, who have seen fit, for reasons unclear to me, to charge that today's leadership is deliberately attempting to reduce our military strength to dangerous levels, cut our forces below the safety point, and in general trade defense protection for budget dollars in the false name of economy. Others claim that we are far behind in the development of advanced weapons. Still others have gone so far as to intimate that political considerations have influenced vital defense planning. And so forth.

I know it won't surprise you too much if I register a flat and emphatic disagreement with this type of opinion.

I'd like to say, with all the conviction I can muster, that any contention that we are tearing down our ready strength, lagging in technology, and otherwise recklessly risking our security, is totally misleading and is not in accordance with the facts as they exist.

What I'd like to do now is give you some balanced idea of where we actually stand today—and how the various parts of the defense picture fit into a coherent and protective unity.

OUR STRENGTH TODAY

First, let's take a look from the budget standpoint and with a few examples observe what America is spending today in support of an adequate defense program.

Today's budget is in harmony with our long-haul effort, reflecting the scaled adjustments we made in getting down from the peak of Korea, and the sizable economies we have achieved from a determined effort to get the most for our money.

In comparison with the burget before Korea, however, it affords an accurate index of a far more realistic outlook in coping with existing dangers. Back in 1950 and before, when we had ample evidence of an obviously growing military might in another area of the world, we were spending $12 billion a year on our total defense program. The figure for fiscal 1957 will be close to $35.5 billion, or almost triple.

Today we have a double job at Defense—getting early results out of our present and projected programs and making up time for all of the things a $12 billion budget didn't do in the precious period that preceded Korea.

In 1949 and 1950, we were spending around a half billion dollars annually for our entire program of research and development. We're

spending about $100 million more than that today for the Air Force alone. And for a total we are programing better than $1.5 billion for fiscal 1957.

In 1952, with Korea at its height, we were spending $169 million on guided missile research. In the fiscal 1957 budget this effort is programed at $1.7 billion.

In 1952 we were spending $476 million dollars on our Reserves. Today the figure is around $1 billion.

Of course, the expenditure of money alone does not constitute proof that real strength is being built. But let me assure you that it is, and that it is quite demonstrable at the present time.

Let's look at the picture from the standpoint of existing ready strength. First, however, let's ask this question. When you talk about a nation's strength in this age, are you talking about total numbers of people or are you talking about total striking power, total effective force arising from a vast complex of elements?

What I'm talking about is the latter, although it's not at all hard to point to plenty of organized manpower as well.

Our active forces today number around 2.9 million men, double what we had in 1950. But bear in mind that this is an active force armed and equipped with new and deadly weapons, and new concepts of warfare—a force in which it would be hard to estimate the extent to which destructive firepower has grown in immensity.

Today's Army at a standing strength of 19 divisions can hardly be compared with the Army that went into the Korean struggle with 10 divisions and rose to 20. The difference is in striking force, in firepower. And to this picture should be added Ready Reserves now in an active process of build-up geared to about 2½ times their highest point before Korea.

Today's Air Force has three times the combat wing strength of 1950, which was 42. At the height of Korea we had 99. Within a matter of months we shall reach our goal of 126 combat wings and 11 support wings, and here again you have to add the factor of tremendous technological progress—in advanced weapons, supersonic speeds and an advanced degree of proficiency.

This is an Air Force, as General Twining graphically underlined not long ago, in which 1 bomber "can unleash more explosive force than all the bombs dropped in World War II," and in which the Strategic Air Command constitutes the deadliest striking force in existence.

Back in 1950, further, we were operating with 9 carrier air groups. At the present time the naval air arm is composed of 17, each of which has a growing striking potential far above anything we had at the Korean level.

To this whole picture of a tightened, taut and ready force you have to add the great collective strength of our alliances with other free nations. Land, sea and air forces complement each other in what Admiral Radford has rightly called "balanced forces on a global scale."

Lastly I want to touch on the subject of missiles and advanced weapons in general.

If you want to, you can become the prey of wild speculation on this subject.

I think it will help the American people to keep their perspective, however, if they will closely heed the statement made by President Eisenhower only last week.

At his press conference on Wednesday, the President said that in certain fields of missile production the United States is ahead of Russia, while in other fields the Soviet Union probably had outdistanced this country.

Then the President went on to say that from the standpoint of the overall picture, the United States is doing all it possibly can to maintain a strong posture in the missile field.

As for myself, I consider the President's words most reassuring.

THE OVERALL PICTURE

Now let me sum up some of these ideas a bit.

Most of the controversy which has developed over Armed Forces policy today has resulted from the determination of the administration to stabilize our force levels and costs, and maintain that stability for what may be a good many years to come.

Today's policy was only arrived at after long and careful study by the President, the Cabinet, the National Security Council, and the Joint Chiefs of Staff. It was concurred in by such notable legislators as Congressman CARL VINSON, chairman of the House Armed Services Committee, who told Mr. Wilson a year ago:

"I think our allies should be greatly strengthened in their confidence with the knowledge that our Armed Forces stabilize at not less than 2,850,000 men for the indefinite future. They, along with the American people, should rejoice in the knowledge that the days of valleys and peaks, or feast and famine, are over."

The point which I have sought to underline is that we can no longer place our faith in mere numbers. In evaluating the effectiveness of our forces, we have to take into account the tremendous technological advances in weapons systems, and then multiply numbers of men times the weapons to be employed.

One heavy tank would have wiped out Alexander the Great's entire Macedonian Army. A host of men with outdated weapons is hardly equal to one man with a jet plane or an atomic cannon.

What we are doing with our Armed Forces today is adjusting to the technological realities of this day, and the "long pull" which probably lies ahead. To deduce from this that we are heedlessly taking risks with our security seems to me totally absurd.

In other words, it is dangerous to overlook the vast complex of factors which go into a nation's total defense capability, and instead, leap to unjustified conclusions on the strength of developments in only a single element of this complex.

In doing this, there is always the likelihood of oversimplification and distortion of the true picture.

During the coming fiscal year, our Armed Forces are going to continue to grow in striking power and effectiveness, not decline. The SAC is swiftly replacing the B–36 with the intercontinental B–52. The carrier force of the Navy will increase its combat power. Our continental defense system will grow in scope and effectiveness. Our air defense squadrons, already jet equipped, will receive substantial numbers of supersonic aircraft.

On the ground, our forces will achieve even greater firepower. More and more NIKE installations will replace standard anti-aircraft. A major share of the 1957 procurement program in all the services will be for more advanced weapons. And finally, by the end of fiscal year 1957, we expect to have our Reserve program rolling, with around 1.1 million men in an active drill-pay status.

What do all these demonstrable strengths add up to? If they actually add up to weakness, then I think we need a new set of military standards, and perhaps we need some new definitions.

What I believe they actually add up to is just what the President has time and again emphasized, and that is a military defense program designed for the indefinite future—a program which fully recognizes both the need to maintain adequate and balanced forces, but which also realizes that we could wreck our economy and our whole social order if we tried to match Communist forces on a man-for-man basis.

CAREER INCENTIVES

And now I recall that I mentioned areas in which we need to make a greater effort, and in the short time remaining to me I want to touch on two of them.

In the area of career incentives, we have been making genuine progress, but we need to make more.

The last session of Congress made increases in the pay and benefits of career and Reserve members of the Military Establishment by $1 billion—and the result has been a decided improvement in our reenlistment rates.

The present session of Congress now has before it bills to provide for improved dependent's medical care, survivor's benefits, retirement of service personnel in the highest grade held, and other important measures.

The point I want to make is this: It is to the direct interest of the taxpayers to support final approval of these measures because the savings which can be achieved through their encouragement of career stability are truly enormous.

Let me give you an example of what I mean. In the Air Force, alone, the action taken by Congress last year meant the reenlistment of 11,000 more airmen in the first 4 months of the fiscal year than last year.

A dollar value estimate of the skills retained in the service as a consequence comes to around $160 million—which is what it would have cost to train replacements. The cost of the pay raise for this period was less than $50 million, so, as Secretary Quarles has pointed out, we made 300 percent on our investment.

Now when you consider factors of this kind in relationship to our total defense program, and the heavy turnover we have been experiencing, it's easy to see where it's good sense and sound practice to work harder on the career incentive program. It gives us a lot more stability in our defense structure, conserves our critical skills and helps us cut down the terrible overhead in training, and replacements.

We need to bear in mind that our service people have a right to good housing, proper medical care for families, and all of the other conveniences of life that you and I enjoy. When you consider that they are frequently ordered from one end of the earth to another, this is particularly true.

The career idea which we seek to build in a unified incentive program is the stability and economy idea. It is essential if we are going to have any basis of competitive appeal whatsoever with private industry.

RESERVES

A second area of tremendous importance is our Reserves. Here I believe the country as a whole has got to get behind the program and help the Department of Defense.

This program, from its sensible provision for conserving critical civilian skills to its special inducements for young men under 18½, has not yet achieved the necessary public response.

It can unquestionably provide a tremendous and continuous ready strength for America. And it can assist us in our long-range efforts to stabilize our Military Establishment.

The special 6-months program, in particular, is designed to meet a real need of this time, namely, a means whereby our young men can conveniently discharge their military service and at the same time plan their futures without sudden interruption.

We are trying to help the high school student plan his future step by step. All that is necessary to fill out the ranks of our Reserve units is the recognition by young men that they have a responsibility to help protect this Nation, and that the Reserve route offers a sound way.

Six months of active duty for training is followed by a reasonable period in the Ready

Reserve. Once the brief active duty phase is over, the man is free to devote full attention to education or career or family.

But he must make the decision. And he must understand that there is nothing in the existing world situation which in any way suggests that his country will have less need for his services.

Always, when I talk about this program, therefore, I ask the people in my audience to lend a helping hand. I'll ask you gentlemen to do the same. We need your help, and that of all other citizens, in getting our Reserve program booming along its path of ready strength for America.

In particular, we must make every effort to induce young people under 18½ to volunteer for the 6-months training program—in their interest and the national interest. At the present rate of enlistments, around 90,000 Reserve billets are going begging in this program, and for fiscal 1957 which starts on July 1, another 100,000 will become available.

Talk to the young men of your acquaintance. Tell them of the advantages to them and their country of an early decision on military service. I'll be happy to provide every one of you with detailed literature on the program, showing the many choices available today to a young man of military age.

This program needs the dynamic support of the public—and deserves it. So let's all make it a point to help our young men understand how they can further their own futures and that of America by signing up. There is no advantage in not planning. All eligible young men are being called to serve. Putting off a decision is only to ask for complication and inconvenience later on.

CONCLUSION

And now, that about brings me to the conclusion of my remarks. I want to thank all of you, and John Lyle in particular, for asking me to be here tonight. I have enjoyed being your guest.

What I have been talking about, essentially, is perspective—in terms of seeing clearly where we are today in our national defense program, and recognizing the kind of immediate and long-range protection it affords us.

I suppose there will never be such a thing as a perfect program, one that will satisfy the objections of all critics, and one that will provide total and absolute answers to all of our problems.

But we can try to provide the best program within our means—and the best program for us as a nation determined to maintain our freedom in the face of a calculated assault against it throughout great areas of the world. That, I submit, is precisely what the present administration is doing.

We are strong. And we are growing stronger, well-nigh hourly, as the production of our technology and the skill of our Armed Forces leadership are meshed together. But we can never become complacent.

I mentioned two areas in which I believe a greater public support and response is necessary, and I could have listed more—such as our need to win the cold war of the classroom in competition with the Soviet output of trained scientists.

It profits us little or none at all, however, to fall out among ourselves and to forget, even for one instant, that our greatest basic strength lies not in our weapons and machines, but in our spirit as free and independent people. We need, as seldom before in our history, to stand, act and speak as one nation.

In concluding these remarks, let me leave this thought with you:

Tyranny is alien to the soul of man. The hammer and sickle can produce dangerous weapons, win temporary advantages, and threaten to engulf those who oppose it. But it can never quench the indomitable spirit of freemen and their will to be their own masters.

With all our advanced technology today, we should be hard at work encouraging our young people to come forward as volunteers to man our active and Reserve forces, filling them to overflowing, and giving the Communist Geiger counter a terrific and lasting jolt.

The will to be voluntarily strong is a quality of living and breathing strength that no Communist nation can ever match. Let's build on this strength.

You and I, and everybody else, needs to get into the fight. What is at stake is all we ever fought and died for in the past.

All that will be lost if we fail is America itself.

Mr. Speaker, included in the criticism of our defense posture this year, which I remind you again is an election year, has been that we are lagging in our research and development programs. That gives us a chance to make another comparison, and I recently asked the Defense Department to supply me with facts and figures on research and development appropriations, expenditures, personnel and the projects for 1950 and 1956. These figures are especially revealing for they show, as our able Assistant Secretary of Defense Carter Burgess said on February 14 of this year:

> Today we have a double job of defense—getting early results out of our present and projected programs and making up time for all the things a $12 billion budget didn't do in the precious period that preceded Korea.

For back in 1950, although we had evidence that there was a growing military might in another area of the world, we were spending only $12 billion a year in our total defense program, while the figure for this year is $35.5 billion, almost three times our 1950 expenditure.

The Defense Department tells me that appropriations identified as research and development were five hundred and forty-five million in fiscal year 1950, and one billion four hundred and ninty-four million in fiscal 1956. Actual expenditures for 1950 were five hundred and forty million and estimated expenditures for 1956 were one billion five hundred million.

These figures are for research and development alone and do not include the activities directly supporting the research and development test and evaluation program, nor do they include military construction, industrial facilities financed under procurement appropriations, or pay and allowance of military personnel.

We have more than twice as many research engineers and scientists actively engaged in Defense Department research and development programs now over what we had in 1950. There were 32,000 engineers and scientists then, and there are over 75,000 now, not including supporting research workers, administrative, clerical, maintenance and other nonprofessional technical assistants. It is interesting to compare the specific research and development expenditures on guided missiles for 1950, for the guided missile program was another program that suffered from the starvation treatment before Korea. In 1946, at the end of World War II, we had an opportunity to bring to America the German scientists who had made advances in this field far greater than those of any other nations. Yet we brought in only 35 scientists in 1946 and Russia took more than that behind the Iron Curtain to begin her missile program. Ultimately, we got over 800 scientists in this category, but again Russia got more.

A start was made on the intercontinental ballistics missile at this time with defense funds, yet despite the knowledge that Russia was utilizing the talents of a force of scientists greater than ours in this particular field, our missile program suffered even more severely than our Air Force. At one point, between 1947 and 1950, we had no missile or rocket program worth mentioning. Some of the projects that had been started were completely cut off from funds, and only the foresightedness and patriotism of some of our aircraft companies, who continued to experiment in this field, kept us from losing 2 or more precious years in guided missile research and production. In fiscal year 1956, we spent $917 million in this vital field plus additional millions for the research project.

The ballistics missile project was shoved up from a class 2 priority in 1953 to a class 1 priority. We are making real progress in this field. In my congressional district, for example, a $40 million plant is being constructed to build the Atlas intercontinental ballistic missile. This is a missile capable of flying 15,000 miles an hour, carrying a hydrogen bomb warhead, a distance of up to 5,000 miles to land on a target with deadly accuracy. There is every evidence that we lead the field today in missile research development and production. Air Force Secretary Quarles said recently that "there is no question about our being ahead of the Russians in the whole field of missile development." Sir Frederick Brundrett, who heads the scientific research development in the British Ministry of Defense, said this year:

> I think it is possible that the Russians might be ahead of Britain in the ballistic missiles field but they are definitely not ahead of the United States.

The missile program today is nearly as large as America's nuclear energy program which is well known. The budget beginning July 1 this year contained $1.5 billion for missiles and the entire atomic energy program is $1.9 billion.

The question of lead time is one that works its way into any discussion by military experts. It takes years to develop new weapons, more than 5 years to develop a new bomber, for example, and yet, while lead times of our weapons of today are classified information, I can assure you that our lead time on the development of the new weapons that will comprise our arsenal of tomorrow is being cut down as we improve the technology of our armed services. One of the heartening developments of recent months was revealed to me this afternoon by Congressman CRAIG HOSMER, who pointed to the Defense Department's significant answer on lead time, stemming from our modern research

and development program, which stated:

The projected lead time for ICBM guided missiles and nuclear air propulsion has shrunk, and it is considered that these projects are nearer than once thought possible.

Mr. Speaker, in evaluating the overall strength of this Nation today, we must of course recognize the contributions of our allies to the common defense of the free world. Another of our colleagues will discuss our military alliances, and he, too, has the qualifications for such a commentary. Congressman BENTLEY, of Michigan, served for 9 years in the Foreign Service, in both Eastern and Western Europe. He served 2 years back of the Iron Curtain, and was an eyewitness to the dramatic and tragic events that occurred during the overthrow of free government in the Iron Curtain countries. He has been shot at by the Communists and incidentally, was shot and seriously wounded here in the House 2 years ago by the Puerto Rican fanatics.

I yield to the Honorable ALVIN BENTLEY, of Michigan.

Mr. BENTLEY. Mr. Speaker, we have already heard a comparison of our air strength, an account of new weapons systems, air support for ground troops, and our search at sea for aerial or underwater invaders. We have heard the contrast between American military might in 1950 with our fighting power of today.

We must not forget, however, that in our last three major wars, American boys fought for freedom side by side with valiant soldiers of many other nations and races. In fact, during the last one, Americans fought under the United Nations flag to protect the freedom of an oriental race.

Therefore, our discussion today of the American defense posture must include a summation of the strength and power of our allies in NATO, SEATO, in South America, Asia and elsewhere.

The Communist rape of Czechoslovakia in 1948 shocked the United States into joining with European nations in the alliance we call NATO.

When General Eisenhower returned to active duty early in 1951 to start formation of a new allied European force to repel aggression, the 12 member nations of NATO had less than 15 divisions and less than 1,000 warplanes, with those mostly obsolete.

In the year 1950, we spent $14,559,000,000 on the United States military forces and our allies in Europe spent $5,413,000,000, a total of slightly more than $20 billion for the free world.

In 1955, we spent $40,548,000,000 and our allies had doubled their outlay to $10,393,000,000, a free world total of $53 billion.

We do not have 15 divisions in NATO today—we have a force equivalent to more than 200 divisions and they are trained, equipped, hardened, fit, and high in morale. The New York Herald Tribune estimated last Christmas day that the armed forces of all the NATO nations totaled 6,988,700 men under arms, of which less than half were Americans. These forces operate under an international trained command, now accustomed to working together in spite of language barriers and the variant viewpoints on social, religious, or political matters.

Gen. J. Lawton Collins said in a speech last November that—

Today the armed forces of NATO are much stronger, better trained and better equipped than they were a few short years ago. We now have international commands set up which, in the event of aggression, would control allied forces assigned to them. As a result, an attack in Europe would indeed be costly, if not catastrophic, for any aggressor. In fact, in my opinion, it is the strength of NATO coupled with the retaliatory power of our Strategic Air Command and the tremendous industrial and military potential of the Western Hemisphere that has protected us from another world war.

Admiral Radford said during this May:

I believe that one of the most important reasons for the change in the Communist line has been the success of our country, in conjunction with our friends and allies throughout the free world, in creating a military posture which Communist forces are becoming less willing to challenge.

When NATO started 5 years ago, it could count on the use of 15 military airfields. Today more than 135 airfields are used by NATO and they are interconnected with pipelines for supplies of fuel. More than 300 air squadrons equipped with the latest in high-speed and supersonic warplanes are ready to meet any aggressor in the European or Atlantic world.

Contrast that with the meager 1,000 obsolete airplanes General Eisenhower started with, when for a second time in a decade, he assumed the task of uniting free peoples in one international army.

Today, some 26 naval bases are built and in operation to serve the 2,000 war vessels in NATO fleets.

When we in the United States give vast sums of money and equipment to aid our allies in NATO, we must also remember that NATO members are doing their part too. They supplied 85 percent of the cost of the European NATO buildup and we contributed 15 percent of the total. Moreover, NATO nations furnished 90 percent of the soldiers in the ground forces defending Europe today. They supplied 75 of the present European air strength and a substantial share of the naval might in European waters.

More and more, we are able—because of willing allies—to pull back our American forces to the Western Hemisphere. Fewer and fewer American boys will have to stand watch on the Rhine.

To achieve this increasing self-sufficiency, our allies in Europe brought about a fourfold increase in their defense production since the day that Eisenhower put Nato in motion.

I do not mean to say that all or everything about the North Atlantic treaty alliance is perfect. There are nations in Europe who are not doing their part or standing up to be counted among the NATO nations. Some are not allied with us from fear of the Soviet bear that walks like a man. Some others, in my opinion, consider it "better for business" to stay out of alliances in order to keep themselves free to sell to both sides. Neutralists are not confined to Asia. However, in sum total, those who remain aloof are neither large nor powerful. Such nations seem to forget the innocent little countries like Estonia and Latvia which went down the gullet of the Russian bear.

My acclaim goes to little nations like Denmark and Norway. They know only too bitterly what it means to be scuttled by Quislings and occupied by iron-booted conquerors, yet they stand up and serve as partners in NATO, preferring a fight for liberty and freedom to thralldom under godless tyrants.

I wonder how our citizens would feel if in place of Canada, we had on our northern border, a totalitarian state with 5 times our capacity for military production, 10 times our military might, and a long history of genocide, enslavement of peoples, perfidy and violence to the point of madness? I hope we would have the courage to join with the other free peoples of the world for mutual protection.

NATO has paid off.

Communists made no territorial gains anywhere in Europe or the Atlantic area since NATO began.

Looking back from 1956 to the outbreak in Korea when NATO was in process of formation, I wonder now why we did not have wit enough to form similar alliances with the free peoples of southeast Asia.

SEATO came late. SEATO came only after too many parts of lower Asia were snatched into the realms behind the Iron and Bamboo Curtains.

SEATO was formed only in February of last year, and progress among the eight associated nations has been reported, but only in general terms. The military might of the combined countries can be built up only after stability is brought to some of the countries themselves.

An analysis of the situation in the SEATO territory was given in a talk last year by Struve Hensel, then Assistant Secretary of Defense:

In the Middle and Far East many countries had to start with police forces—internal security forces to protect life and property. We in this country, where law and order rule in the most remote settlements, often forget that it is not the same elsewhere. In free Vietnam, there are villages less than 100 miles from Saigon which have only courier—and that means on foot—communication with their capital city. Disturbances in those villages go on for days before the Central Government hears of them or can send help. The power of the central government, just to protect life and property, is geographically very limited. In other countries—Iran for example—a journey of a few hundred miles from the capital brings one to tribes who are virtually a law unto themselves and are totally unaware of any national government. Think for a moment of the opportunities such situations offer Communist agitators. In such countries, the first military requirement is to enable the Central Government to enforce its laws and protect its people from internal disturbances. Only when a country is internally secure, can we expect resistance to external aggression.

Toward that goal of security and modernization, more than $200 million has

been made available, as well as quantities of suitable arms. The Communists are finding more and more difficulty in stirring up revolt, civil commotion and rioting.

And, mark you, no country in the world has ever gone communistic except by means of violence and force. No country and no people ever voted for a choice between government of the people and a government which forces everybody to serve the State.

In 1950, for lack of NATO, SEATO, and allied strength, Communist aggression spread like locusts through land after land. Today, in 1956, the major revolts are behind the Iron Curtain.

All through the ramshackle Communist empire, revolt is simmering—

Reported the U. S. News & World Report for July 6.

Poland, East Germany, Czechoslovakia, Baltic States, Russia itself are powder kegs, ready to explode at the slightest spark. Flareup in Poland is just the latest in a growing series of incidents. There'll be many more. The Communist dilemma: give people an inch of freedom and they'll move in with demands for a mile. Communist rule will be in danger. But deny them any more freedom and pressure of resentment will build up for an explosion. Big forces of revolt appear to be stirring in the Communist world.

Nowhere does communism rest upon the consent of the governed.

The News continues:

Wherever communism exists it is imposed and maintained by force. That's its weakness.

Communism, basically is afflicted with fatal weaknesses. Given time and lack of aid from the outside, serious trouble seems inevitable.

Last week, the same publication carried a feature article which spells out in detail the trouble spot which fills the Kremlin creatures with fear.

The troubles of the Kremlin remind me of an old saying among farmers, "It is a good thing a dog has fleas. Keeps him remembering he is a dog, and keeps him busy too."

Mr. Speaker, we have more allies than we think. Many, many hands are reaching out to us for the guns and ammunition for use against the world's communistic tyrants.

Consequently, when we contrast our military might of 1956 with our weakness in 1950, we should include in our summary, not only the forces in being in NATO and elsewhere, we should include the will for freedom which burns so strongly in people throughout the world.

If we keep up our arms in a posture of defense, if we stay alert and confident in strength, if we maintain our will to stand for right, for God, and for decency among nations and peoples, tyrants cannot stay in power forever.

Mr. WILSON of California. Mr. Speaker, we rightfully look upon our fighting men and women as the best cared-for, best trained forces in the world. Certainly we cannot match the Communist horde with numbers alone. We must rely more and more on quality rather than quantity of manpower. As we develop more complex equipment and weapons, we must upgrade the abilities and talents of the men and women who handle them. To lead a discussion on this subject and the success of the administration in retaining valuable trained personnel in the services, we are going to hear a report from Congressman CEDERBERG, of Michigan. His wartime experience includes service as an Army officer in the 83d Infantry Division, where he was a division headquarters company commander. He served nearly 5 years in World War II, in the European theater, and just recently resigned his commission as a major in the Army Reserve.

I yield to the Honorable ELFORD CEDERBERG, of Michigan, who will discuss the manpower element of our defense posture.

Mr. CEDERBERG. Mr. Speaker, for the first time in our history we have been faced with a continuing peacetime threat to our security from a foreign potential foe. This has meant a complete revamping of our thinking with respect to military standards.

In his letter to the Secretary of Defense on January 5, 1955, President Eisenhower said:

Both in composition and in strength our security arrangements must have long-term applicability. Lack of reasonable stability is the most wasteful and expensive practice in military activity. We cannot afford intermittent acceleration or preparation and expenditure in response to emotional tension, inevitably followed by cutbacks inspired by wishful thinking. Development of sound, long-term security requires that we design our forces so as to assure a steadily increasing efficiency, in step with scientific advances, but characterized by a stability that is not materially disturbed by every propaganda effort of unfriendly nations.

One of the first tasks undertaken by the Eisenhower administration at the conclusion of the so-called police action in Korea in which so many of our youth lost their lives, was to launch a study of the various problems relating to the personnel of the armed services and the particular need for conservation and utilization of military manpower.

The Nation is faced with an entirely different situation with respect to military personnel in peacetime than it is in wartime. Conscription is taken for granted in wartime and in such periods compulsory calling to arms becomes an accepted procedure.

However, in peacetime our Military Establishment finds itself suffering under the great handicap of competition for manpower from private industry.

In a communication to the President, the Secretary of Defense said:

Our personnel practices must enable an individual to attain a standard of living more nearly approaching that which a man can earn—ability for ability and skill for skill—in industry. The quality of our military preparedness depends upon retention, on a long-term career basis, of a proper proportion of these officers and men with highly developed technical skills and competent leadership qualities.

Only a few years ago (prior to World War II) traditional emoluments provided by the Congress for military personnel were broader and considerably more attractive than those offered by industry. These advantageous circumstances prevailed for many years in recognition of the sacrifices inherent in military service compared to the comforts and unlimited opportunities of stabilized civilian life. We cannot escape the fact that most of the benefits that were once unique with the military career are now, or are rapidly becoming, common in civilian industry.

There has been increased emphasis in recent years on the so-called fringe benefits in private industry. Economists estimate that these benefits have tripled in the past 2 decades.

The National Industrial Conference Board, making a survey of 500 large companies, has compiled its findings on the scope of these benefits and the following figures reveal the extent to which businesses in the respective categories pay all or part of the cost of the identified benefits. Those percentages follow: group life insurance, 89.5 percent; hospital insurance, 98.4 percent; maternity benefits, 78.5 percent; retirement pensions, 66.2 percent; special price on company products, 46.2 percent; subsidized cafeteria, 42.6 percent; free periodic medical examination, 37.2 percent; year end or Christmas bonus, 34 percent; and paid sick leave, 13.5 percent.

Without the Federal Government offering incentives for military service it is not difficult to realize the reason for the lag in the rate of volunteers.

This has been particularly true with our civilian economy running at an alltime high under the Eisenhower administration and with our civilian establishments offering an attractive array of incentives in their bid for manpower.

This situation was anticipated by President Eisenhower and his advisers from both the military and civilian departments and that is why they undertook this extensive study as soon as the President succeeded in ending the shooting in Korea.

The problem which confronted us is reflected in statistics showing that in the fiscal year 1955 enlistees in all occupations who completed their first term of service, reenlisted at the rate of 15.7 percent. In the more technical branches the reenlistment rate was even lower. For instance first-term electronic technicians reenlistments were down to 6.9 percent.

Experts in the Defense Department tell us that the dollar value estimate of the skills in the service comes to around $160 million. That figure represents the cost to train replacements. With the turnover of personnel at the rate we have experienced in the past it can readily be seen that this has been an expensive item in our defense budget and at the same time lowers the efficiency rating with respect to overall manpower skills.

To provide our country with top notch military might, the backbone of which would be highly trained career personnel, the Eisenhower administration has inaugurated a program of improved military career incentives.

In his communication to Congress on April 9 of this year President Eisenhower set forth the importance of such a program when he said "Only when we have created a career military service which can compete with the attractive opportunities available in civilian pursuits will we be able to stop the wasteful losses from our Armed Forces and attract individuals to those services. We cannot

move too soon in our efforts to increase the number and quality of volunteers for long-term career service in both enlisted and officer ranks."

As we make service in the military branch of our Government more attractive and as these incentives draw more men into the service through volunteer enlistments and through reenlistments, there will be fewer and fewer demands on our local draft board quotas.

The effect of the incentive program of the Eisenhower administration is already showing up in selective service statistics. The percentage of inductees dropped 13 percent between 1953 and 1955 and an additional 4.8 percent drop is anticipated for the fiscal year 1957.

This new program of attracting volunteers means that our Armed Forces will have increased stability of personnel through the use of long-term volunteers instead of 2-year inductees.

Already we find that our reenlistment rate is going up. In the fiscal year 1954 the rate of reenlistment was 23.7 percent. The next year it went to 27.2 percent, and in the 1956 fiscal year it is estimated it will have jumped another 15 percent to 43.1 percent.

Each additional 10 percent gain in enlistment rate means that 60,000 seasoned fighting men and technicians are retained in the place of 60,000 raw recruits who must be trained at the rate of about $3,200 per man.

Until the career incentive program of the Eisenhower administration got underway, the huge drain on our military force was staggering. Of our planned military force of 2,900,000 service men and women, 45 percent had less than 2 years' service and only one-tenth had served longer than 10 years. These huge losses which have been occurring annually as the result of men leaving the service as soon as they complete their first enlistment or their draft obligation have made it necessary to rebuild one-third of our force each year and even then we fall far short of the proper mix of skills and abilities. This turnover is a tremendous burden on our Treasury.

Prior to World War II 300,000 men made up the entire standing military force of our country. One and one-half million were in active service between World War II and Korea. We now require nearly 3 million men under arms.

President Eisenhower's military knowledge caused him to readily grasp the situation when he took office. In spite of the wailing of the prophets of gloom to the contrary as the machinery of the Republican administration began to coordinate and veer the course of Government away from some of the socialistic tendencies that had been advocated in previous years our employment began to rise and prosperity expand. This made civilian life with its lure of greater comforts and more stable opportunities, the inconvenience and nature of military life, and the growing spread between civilian and military incomes become reflected in the turnover in military personnel.

In his message to Congress in January 1955 President Eisenhower said:

> To sustain our active forces at required levels of strength and efficiency, it is necessary to increase the present rate of voluntary enlistments * * * and to induce volunteers, both officers and enlisted men, to continue in the service on a career basis.

And he set the pattern for corrective action when he said:

> These objectives require compensation which is more in line with that offered by private industry. They also require strengthening of traditional service benefits in recognition of the unusual difficulties facing the serviceman and his family.

PRESIDENT EISENHOWER'S RECOMMENDATIONS

A very positive program was undertaken by the Eisenhower administration to make military careers more attractive. The President, in a message to Congress, made some very specific recommendations for congressional action. They included:

First. Selective increases in pay.

Second. Corresponding increases in hazardous-duty pay.

Third. A "dislocation" allowance.

Fourth. An increase in travel per diem.

Fifth. More housing and reduced rental on substandard housing.

Sixth. Improved dependent medical care.

Seventh. Equalization and improvement of survivor benefits.

As an immediate incentive to stem the mass exodus of servicemen from our Armed Forces we provided the Reenlistment Bonus Act of 1954. This was heavily weighted to increase reenlistment of first-term service people. We gave them 1 month's pay for each year of reenlistment. We also increased incentives for second and subsequent enlistments.

CAREER INCENTIVE PAY

The next step was the Career Incentive Pay Act which became Public Law 20 of this Congress. This law was one of the major factors in reducing the staggering turnover we were experiencing. This was strictly an incentive law. Those performing obligated service are not benefited by it. In other words, minimum years of service were established before these additional pay benefits are available. The increases vary in amount between 6 percent and 25 percent of basic pay, with the largest pay increases applying at critical career points. Certain other additional benefits are now available for hazardous duty.

SERVICEMEN'S SURVIVOR BENEFITS

President Eisenhower recommended and we have just passed legislation designed to establish a new and equitable survivor benefit program for members and former members of the uniformed services. The legislation originated with the Select Committee on Survivor Benefits. In assembling the many inequities that have existed under the present system, it was learned, for instance, that under existing law the part-time reservist had better survivor-benefit coverage than the full-time regular. It was pointed out that a major shortcoming of the present system is the failure to relate the principal benefit payment to the income level of the serviceman at the time of death.

The purpose of this new law is to improve and streamline the present survivor-benefit system so as to provide a uniform, equitable, and efficient program for the future.

Under this act those who are now receiving greater benefits under provisions of the present laws may continue to receive those benefits. On the other hand, if they would improve their status under this bill now in conference they may elect to receive the benefits thereunder.

Survivors now receiving the higher benefits may desire to continue receiving these benefits until such time as their status changes and they may then elect to take the benefits provided in this pending act.

We have taken a great step forward in improving benefits to widows, orphans, and dependent parents of our servicemen and veterans. One phase of the new law links them closer to social security. In the past members of our Armed Forces have been receiving a temporary gratuity of $160 credit toward social security, but, under this new legislation, they will join the social security system. The survivors' benefits will hereafter be a combination of both social-security and Veterans' Administration payments.

We have corrected another inequity in this respect because the Social Security Act provides that total family benefits are limited to a maximum of 80 percent of the worker's average wage. However, in the case of a soldier, sailor, or airman who dies while still in the lower pay grades, the benefits accruing to his survivors would be disproportionate. Consequently we have made allowances for this in the law by authorizing certain Veterans' Administration increases. We have made certain other adjustments to bring service benefits in line with social-security benefits.

The Department of Defense feels that this act fills a long-standing need for improvement of family protection for the service member and it provides a strong inducement with which to attract and retain personnel of the caliber required to man the Armed Forces.

DEPENDENT MEDICAL CARE

President Eisenhower called the proposal for dependents' medical care one of the most important in the administration's career incentive legislative program when he sent his message to Congress recommending certain provisions extending and enlarging medical benefits for service families. At the time we considered this legislation it was pointed out that these increased benefits would contribute immeasurably to the morale, well-being, and effectiveness of servicemen. Prior to the enactment of this proposal of the President our servicemen did not have the assurance of the benefits which we are now giving them under Public Law 569. As a matter of fact, this vital element to the morale and well-being of our military personnel was long overdue. Since the end of World War II, it has been practically impossible to furnish this care to many of the dependents of our military forces. Our military departments have not kept pace with American industry in this respect because while we were compelled to decline medical care of the families of our Armed Forces more and more industries were extending those benefits to employees and their families.

Without question this assurance that medical care will be available to the family of any of our servicemen is a very effective argument in favor of Armed Forces. By providing medical care for the dependents of servicemen we accomplish two purposes. The first is that the serviceman has the assurance that his wife and children are going to have the kind of medical attention that they need. The second is that the extension of this medical care to these dependents contributes directly to the primary medical mission by attracting and retaining competent career personnel who find it possible to maintain their professional proficiency through the opportunity to extend their professional service to military dependents.

Surveys made by the Defense Department have shown that decisions of many men to leave the service and return to civil life are influenced because of the fact that medical care has not been available for his wife and children. The act to which I refer will now provide an improved and uniform program of medical care for dependents. Not only does this act provide service dependents medical care at service facilities when available, but it also directs the Secretary of Defense to establish group health insurance or medical service plan providing certain minimum services for the wife and children of active-duty personnel. The coverage of this insurance is automatic and is at no cost to the member of the armed services.

Furthermore, this act gives the Secretary of Defense the authority to contract for the medical care of wives and children of servicemen who are on active duty outside of the United States, through civilian medical sources.

In the past there has been some confusion over the entitlement to medical care and also the type of medical care that has been offered to a dependent by the different branches of the service has varied. The law which has just been enacted will eliminate much of this confusion and also provides that each of the services will afford the same care to the same category of dependents. It gives a very clear-cut and positive legal sanction to a service benefit. This law makes dependent medical care a genuine service benefit by making it available to all military dependents regardless of circumstances. Furthermore, it contributes immeasurably to career attractiveness by providing a benefit which can be measured in dollars and cents and the benefit which identifies the service family with the sponsoring service.

PROCUREMENT OF MEDICAL AND DENTAL OFFICERS

Another incentive proposal which has been enacted into law is that which undertakes to deal with one of the most serious problems affecting the Armed Forces today and that is providing adequate medical personnel. Public Law 410 was designed to provide an incentive for medical and dental officers. At the time this bill was under consideration we were told that in the last 2 fiscal years the military services lost about 25 percent of their regular medical personnel. It became necessary in 1950 for us to enact the doctor draft law from which the Defense Department got about two-thirds of its medical officers. Out of the 10,000 medical officers on duty with the Department of Defense at the time this medical and dental career service bill was passed only about one-third were career personnel.

Since we do not have schools in the military service where our doctors are trained as we train our other military personnel it was very appropriate that as an incentive we should permit these men to have credit for longevity pay purposes of their medical education periods up to 5 years for doctors and 4 years for dentists. This provision will place them on the same longevity basis as other line officers who enter military service at the same time that these doctors entered medical school.

We are all aware of the fact that combat readiness of our military forces depends upon the health and well-being of the individual fighting man. In order to keep these men in trim we must have available an adequate corps of medical men.

While opportunities in civilian life have increased for our Nation's physicians and dentists we had not increased those opportunities in our military service until the Eisenhower administration undertook this incentive career program. Public Law 410 was designed to increase these incentives. It was aimed as a counterbalance to the superior attractions of a civilian medical career.

SUBSTANDARD HOUSING

Another of the President's recommendations on which the House recently completed action was the substandard housing bill affecting military personnel. This bill preserves the rental allowance of our military personnel when they are living in inadequate housing units. It frequently happens that our personnel with families are compelled to live in converted barracks, with several families occupying the same building. It also frequently happens that a service family must live in a quonset.

We are advised that today there are some 36,000 units of inadequate housing which are technically public quarters and therefore require that the service family, the majority of whom are enlisted, surrender their total housing allowance. This bill provides that the serviceman retain his allowance for quarters and pay a fair market rental for the space occupied. This is a temporary measure but one which gives overdue correction to an inequity.

Of course this entire housing matter will eventually be taken care of under the family housing programs already authorized by Congress and in contemplated programs for which approval is anticipated.

Nurse Corps career incentives, preservation of retirements rights, regular officer augmentation proposal and readjustment pay for Reserve officers are only a few more of the many forward-looking programs designed to make service in the Armed Forces more attractive.

The Eisenhower administration has done more to strengthen the position of our mililtary forces through the inauguration of the mililtary career incentive program than any other peacetime administration in many decades.

The President's incentive career plan is giving the serviceman a feeling of belonging. It is giving him pride in his job and an assurance of continuity of service under conditions that are being improved as conditions in private employment are improved. Under the President's program we are giving them so-called fringe benefits comparable to the general trend of such benefits in private life.

We are making more effective use of the skills of career service men and women and we are compensating them for their knowledge. We are presenting a program that will encourage young people to come forward as volunteers in the service of their country. Never before has the phrase "career in the Armed Forces" carried so much meaning.

We are adding dignity to the military career.

In the past we have paid a tragic price for our failure and neglect in getting ready. The program of President Eisenhower with respect to military personnel is one which will get us ready and keep us ready with a defense force of highly trained volunteers dedicating their lives to the service of their country. In turn our Government recognizes their service by placing them on a career basis.

Mr. WILSON of California. Mr. Speaker, we can be strong only if we have a strong industrial and mobilization base. As the great producer nation of the world, we must remain constantly alert to keep our mobilization facilities and materials intact and ready for action. To discuss this phase of our defense posture, I am yielding to the gentleman form Arizona, Congressman JOHN RHODES, a distinguished young attorney and business leader, who is well versed in his subject. His 5 years of active duty in the Air Force includes service as executive officer of the huge Williams Air Force Base in his home State of Arizona. He is active in the National Guard, in which he serves as a lieutenant colonel.

I yield to our colleague the gentleman from Arizona [Mr. RHODES] to discuss our mobilization role.

Mr. RHODES of Arizona. Mr. Speaker, it was announced recently that in the year 1955 the national product of the United States exceeded $400 billion. Measured in constant dollars, this is an increase of almost 25 percent over the 1950 level. This is the most significant figure we have with which to measure our national mobilization base.

A mobilization base is the floor upon which must be built the Armed Forces to win a war, and the wartime economy to support those Armed Forces. It provides the means whereby this country may, if necessary, recover from the shock of an atomic attack, and marshal its forces for eventual victory.

The most important single factor in a mobilization base is a strong, existing, civilian economy. That is why I mentioned the $400 billion level of our national product. This record national product indicates the extent to which private and governmental initiative have

been successful, in partnership, in building this type of civilian economy. Further indications of the success of this administration along these lines are as follows: Estimated steel capacity for 1956—128.4 million tons, which is an increase of 30 percent over 1950. Aluminum capacity at 3.5 billion pounds annually is 140 percent above 1950. Electric power capacity at the end of 1956 will be approximately 125 million kilowatts compared with about 70 million kilowatts in 1950.

Private industry has been encouraged to expand in many ways. One of these is by use of the fast tax writeoff. This law allows the Office of Defense Mobilization to give a tax writeoff certificate to any industry which builds a plant that can be used or adapted, for war production. Through the control of these certificates, ODM has been able, not only to secure the type of industrial expansion desired, but also to locate it in accordance with the best dispersion methods, so that in the event of attack, American industry could not be wiped out with a small number of bombs. However, the most powerful factor in industrial expansion has been the creation of a governmental climate favorable to business expansion. The elimination of the excess profits tax, the very modest relief from double taxation accorded corporate stockholders, the removal of Government from competition with private industry, are only a few of the factors which have caused business to feel that under the Eisenhower Administration it can invest and prosper. As a corollary, there is almost no unemployment in the country. The industrial force is better housed, better fed, and better paid, than ever in the history of any country on the face of the earth. Therefore, our unequaled industrial might is ready to man the ramparts of wartime production if the need should arise.

Planning for mobilization is a complex operation, largely because of the type of world in which we live. For instance, one plan calls for mobilization upon the outbreak of a Korean-type war. Another plan envisages full mobilization for a war of the World War II variety, but with no attack on the United States. Another plan calls for full mobilization for a war of the World War II type with an attack on the United States likely to follow. Finally, there is a plan for mobilization assuming an atomic sneak attack on the United States. In each contingency, plans of action must be ready which will, first, support the defense of the United States; second, give logistical support to civil defense; and third, readjust the economy to provide for expanded production of the products needed to carry on a war.

In the event of any mobilization, ODM will release material from its stockpile to provide needed logistical support for the Armed Forces and war industries now in operation. It will also make material available to civil defense, to aid stricken communities, to clear away damage, and to resume the flow of industry and commerce. It will also reallocate and assign defense contracts to provide for expanded production, and to fill the gaps which might have been caused by destruction from enemy action.

While it is impossible in this short time to relate all of the activities inherent in the establishment and maintenance of a mobilization base, I would like to discuss the bomb damage assessment feature briefly. It is obvious that if a bomb of a certain magnitude is dropped on a certain locality, certain industries will be wiped out, at least temporarily. Therefore, by the use of electronic computors such as Univac, ODM is ready at a moment's notice to appraise bomb damage. Given the megaton rating of a bomb, the altitude at which the bomb was exploded, and point zero of the explosion, Univac can give ODM the industrial capacity which was wiped out, and do so within a matter of minutes. Then it is up to ODM to immediately reallocate the production destroyed to plants in other areas which have not been hit, so that the national production may reach and maintain a level necessary to carry on a wartime economy. ODM has also distributed "self triggering" orders to certain plants. In the event of disruption of communication from enemy attack, these plants would begin immediately to produce certain manufactured articles which will be needed in the event of full mobilization. A plan has also been implemented for regional coordination of defense activities in the event that communication with Washington is impossible. Under this plan, certain regional coordinators are responsible for war production in a given area of the United States, and in that region the coordinator will assume the function of ODM without further order from Washington.

Since manpower is important to any war effort, ODM has established an executive reserve from the ranks of industry. Persons assigned to the executive reserve are given designated duties to perform in the event of full mobilization. They will be trained in these duties, and prepared to take over full-time operation of their respective sections on mobilization day.

One of the first functions of ODM is to make certain that the raw materials, machinery, and some finished products, which we would need immediately in the event of war, are available. We are completely dependent on foreign sources for some raw material, and partially dependent on such sources for other materials. ODM must gear its stockpile objectives for a national emergency of a certain duration, and then proceed to acquire enough of the needed material to fulfill the objective.

The Office of Defense Mobilization recently reported that approximately 75 percent of the total minimum stockpile objectives are now on hand. Good progress is being made on all stockpile objectives. Wherever possible, the attainment of a stockpile objective was accomplished in a manner best calculated to develop domestic industry. Sometimes it was necessary to postpone deliveries to the stockpile, in order to provide minerals and metals needed by the civilian economy. When such a need arose, the overall benefit to the economy and the consequent expansion in our mobilization base was weighed against the desirability of attainment of the immediate stockpile objective. This is an example of the many complex decisions which must be made by personnel responsible for the mobilization base.

The attainment of the industrial mobilization base also entails certain expansion goals. Since Korea, 195 expansion goals have been completed. Only 32 now remain, and only 2 new ones have been added in the past 5 months. The accomplishment of these goals was attained through the use of the tax amortization program as set forth above, through the outright procurement and placing of certain machinery by the Federal Government which is now in standby status, and by the use of Government loans so that certain industries might expand to the desired goals. Of paramount importance, however, is the willingness of industry to spend its own funds to expand the civilian economy in the favorable climate afforded by the Eisenhower administration.

The maintenance of the mobilization base necessitates a continuing study. New situations demand new solutions; new weapons and new techniques demand new types of material; new international situations demand new countermeasures. ODM is constantly revising and restudying the mobilization base, and its long-range plans.

Although I have been critical of ODM for the way it has handled the manganese program, and am still critical of it for that program, I think that we must all agree that this Office has done an outstanding job. It has had the complete backing of President Eisenhower and his administration. Because of the policies of this administration, private industry has also been more than anxious to do its part in the attainment of our mobilization base. Much work remains to be done, but the attainment of our objectives is proceeding smoothly, with competent hands on the throttle.

Mr. WILSON of California. Mr. Speaker, we have tried today to give our colleagues a factual report on the state of our defenses. It is reassuring to those of us who have studied the facts and figures we have assembled over the past few months to see a pattern of continual strengthening of our defense posture, under the able leadership of President Eisenhower. We should be remiss today if we failed to pay special tribute to the contributions to our national security made by the loyal men and women of the service, and the civilian workers, too. I want at this time to pay my respects to the patriotism and devotion of the civilian secretaries of the various services, many of whom have made substantial financial sacrifices to serve their country in this crucial period.

I would single out as representative of the ability and dedication that such men have brought into our Government an individual who though sometimes maligned, has generally proved to be right in his decisions as they affect the military. Of course, I am referring to our able Secretary of Defense, Charles E. Wilson, whose strong and determined hand has

guided the progress of our defense build-up since 1953. The Nation may well be grateful some day, beyond all means of expression, for the ability, the loyalty, the persistence, and complete dedication this selfless man has exhibited in his administration of the Defense Department. I am sure I echo the sentiments of many of us in this Chamber when I pay public tribute to Secretary Wilson.

WHAT IS THE TRUE CONDITION OF OUR MILITARY PREPAREDNESS?

The SPEAKER pro tempore (Mr. TRIMBLE). Under previous order of the House, the gentleman from Indiana [Mr. BRAY] is recognized for 30 minutes.

Mr. BRAY. Mr. Speaker, Americans are confused and disturbed. They know most of their tax dollars are being channeled to this country's military programs. They do not complain too much about that. But they are beginning to raise questions about military spending, and, rightly so, for they hear almost daily from some self-styled experts that our defense is second-rate and inadequate. If it is, Americans want to know why. They also want to know the true picture of their highly priced military defense.

I will try to describe that condition as briefly as possible, but I assure you that an adequate review of our national defense would take thousands of pages.

From the press, radio, TV, from speeches throughout the country, and from the floor of Congress we hear that our national defense has been deteriorating, that we are not appropriating or spending enough money on national defense.

The President has been bitterly assailed because he is not requesting larger expenditures from Congress. A great group, whether great in number or just great in vocal strength, is stating that we are in great danger from Russia and that to save ourselves we must pour more and more billions into armament and draft more and more men into our Armed Forces.

It is of vital interest to every American that we have a sufficiently strong military force to give us adequate defense. It is equally important that we not place a crushing burden of taxation on the American laborer, farmer, or businessman; that we do not wreck our great American economy and high standard of living by surrendering to the regimentation of militarism.

I am now and have been during all of my adult life an exponent of adequate preparedness. I attended the first CMTC camp held in the United States when I was 17 years old, and I have been a commissioned officer more than 31 years. Before World War II, I worked with the William Allen White committee to get our country interested in national defense. I spent almost 4 years in the Asiatic-Pacific theater during World War II, most of which time I was in command of a tank battalion. For the past 4 years I have been a member of the House Armed Services Committee and have followed closely the progress of our national defense. I make these remarks only to point out my continuous interest in an adequate national defense, just to insure that some remarks I am about to make may not be wrongly construed.

DEFENSE SPENDING FACTS BEST ILLUSTRATED BY COMPARISONS

What are the facts regarding our defense spending? The only manner whereby we can determine whether we are going forward or backward in military preparedness is by comparing that which we are accomplishing today with that which we accomplished in the past. No one would expect our country to maintain the same armed might in time of peace as in time of war, to have a military establishment of the same size in 1956 as we had in 1952 and 1953. The Congressional Library has prepared for me a comparison of the military accomplishments of today with the military accomplishments during the 2 years immediately prior to the Korean war.

These figures cover the fiscal years ending June 30, 1949 and June 30, 1950, and June 30, 1956. World War II came to an end in 1945. In 1950 the Russian menace loomed as large as it does today. Russia was on the march and had an even larger army than she has today. Harry Truman was President of the United States, Louis Johnson was Secretary of Defense, Stuart Symington was Secretary of the Air Force, Frank Pace, Jr., was Secretary of the Army, and Francis P. Matthews was Secretary of the Navy. I do not intend to criticize or praise either the personalities involved or the planning for the development or the failure of development of our military strength in 1949–50 or today. I merely want to give you the facts.

The number of authorized air wings—called groups in 1949—authorized in June 1949 was 48. The number actually in operation was 48. The number of wings authorized as of June 30, 1950, had increased to 53, but the number actually in operation had decreased to 44. However, on June 30, 1956, 137 wings were authorized and 123 wings were actually in operation. An increase in actual operating wings in 1956 over 1950 is 179 percent.

Now, as to the actual personnel strength of the Air Force as of June 30, 1949, June 30, 1950, and June 30, 1956, there were 419,000 persons in the Air Force as of June 30, 1949, and this number had decreased to 411,000 on June 30, 1950. The strength of the Air Force as of June 30, 1956, was 916,000 men, an increase of 122 percent over June 30, 1950, in actual number of officers and men; and to those who would say that we are denying the Air Force necessary funds, I would point out that the Air Force during the fiscal year ending June 30, 1950, spent $3.6 billion, and in 1956 $15 billion, an increase of 317 percent.

ARMY HAD OVER A BILLION DOLLARS UNSPENT AT KOREAN WAR START

The increase of our Army strength is equally outstanding. The strength of our Army on June 30, 1950 was approximately 632,000; on June 30, 1956 1,027,000—an increase of 64 percent. With the money now being spent for higher pay and more modern weapons, the dollars spent become even more outstanding. For the Army in the fiscal year ending June 30, 1950, $3,985,000,000 was spent and for 1956 $8,510,000,000, an increase of 113 percent. One interesting fact concerns appropriations and spending: for the fiscal year 1950, Congress had appropriated $5,017,000,000 for the Army, yet only $3,985,000,000 were spent, leaving a 21 percent unexpended balance. This is especially significant as the Korean War started just 6 days before the end of that fiscal year.

The manpower strength of the Navy as of June 30, 1949, was 450,000 men, and by June 30, 1950, had dropped to 382,000 men. The strength on June 30, 1956 was 663,000 men, an increase of 73 percent over 1950.

The change in the strength of the Marine Corps is even more marked. On June 30, 1949, the Marine strength was 94,000 men and in the following fiscal year it dropped to 77,000. It has risen to 193,000, as of June 30, 1956, an increase of 150 percent since 1950. The expenditures for the Navy—including the Marine Corps—for the fiscal year 1949 was $4,446,000,000 and for 1950 slid to $4,102,000,000. For the fiscal year 1956, the Navy spent $9,435,000,000, an increase of 130 percent over 1950.

The number of reservists actually on a regular training status is of great importance. The record shows that there were 347,000 members of the National Guard on regular drill status as of June 30, 1950. That number had increased to 410,000 as of June 30, 1956. The number of our Air National Guard on a regular drill status from June 30, 1950, to June 30, 1956, increased from 45,000 to 63,000 members.

Table showing the military strength for the 3 services for the fiscal years ending June 30, 1949, June 30, 1950, and June 30, 1956, and the expenditures for those 3 fiscal years

Military service	June 30, 1949	June 30, 1950	June 30, 1956	Percent increase, 1949–50 and 1956
Air wings authorized	48	53	137	158
Air wings in operation	48	44	123	179
Air Force personnel on duty at end of fiscal year	419,000	411,000	916,000	122
Expenditures for fiscal year		$3,600,000,000	$15,000,000,000	317
Army personnel on duty at end of fiscal year		632,000	1,027,000	64
Expenditures for fiscal year		$3,985,000,000	$8,510,000,000	113
Navy personnel on duty at end of fiscal year	450,000	382,000	663,000	73
Marine Corps personnel	94,000	77,000	193,000	150
Navy-Marine Corps expenditures for fiscal year	$4,446,000,000	$4,102,000,000	$9,435,000,000	130
National Guard personnel on duty at end of fiscal year		347,000	410,000	18
Air National Guard personnel on duty at end of fiscal year		45,000	63,000	40

From these facts, it is apparent that from 1949 to 1950, that is, right up to the beginning of the Korean war, our Government definitely was decreasing our armed strength.

Mr. BROWNSON. Mr. Speaker, will the gentleman yield?

Mr. BRAY. I yield.

Mr. BROWNSON. I want to compliment the gentleman from Indiana, a member of the great Committee on Armed Services, on the address he is making today. The study which he has made has kept him occupied for many, many weeks, gathering together the data on which this speech is based.

I would like to ask the gentleman a question. Is it not true that some of those who feel that the defense of this country today under the Eisenhower administration is inadequate are the ones who are responsible for cutting back the defense of this country to a marked degree in 1948, 1949, and 1950?

Mr. BRAY. That is correct.

During that period—the 2 years before the Korean war—we were abandoning our military bases, allowing our equipment to become obsolete, lagging in research. It is equally apparent that today, more than 3 years after the end of the hostilities in Korea, we have a far greater and stronger defense than we had at the beginning of that conflict. We are promoting research, developing new and better weapons and equipment, and modernizing our bases at home and abroad.

Let us clear away all of the confusion caused by sensational statements, extravagant plans, and political maneuvering and see exactly what our defense strength is today and what our plans are for the coming year, especially in the field of air power and guided missiles, which are receiving the greatest criticism.

Just what are the military plans of the United States for the year ending June 30, 1956? To get a clear picture of this important matter, in no way colored by the administration's view, I will quote rather extensively from two men, both members of the Democratic Party, who perhaps because of their ability, experience, and posts of responsibility, do more to guide our Armed Forces than any other two men, with the exception of the President. I refer to Congressman GEORGE H. MAHON of Texas, chairman of the Subcommittee on Defense Appropriations, for many years a vigorous exponent of a strong military establishment; and Congressman CARL VINSON of Georgia, also a Democrat, who is and for many years has been the chairman of the House Armed Services Committee and one of the strongest advocates of a strong national defense.

MAHON BELIEVES UNITED STATES LEADS RUSSIA IN MISSILES RACE

On Wednesday, May 9, 1956, the Defense Department appropriations bill was debated on the floor of the House. The Defense Appropriations Subcommittee of the Appropriations Committee, under the chairmanship of Representative MAHON, had held 3 months of hearings on this bill, filling 7 volumes and 6,500 pages with testimony. A study of the hearings on this appropriations bill and the House debate will, I believe, show that all branches of our services are becoming stronger.

In speaking of the guided missile program Representative MAHON had only praise for what is being accomplished at the present time. Mr. MAHON's remarks appear on page 7804 of the CONGRESSIONAL RECORD of May 9, 1956.

Speaking of missiles generally I think there is little likelihood but that the United States, in the development of a wide variety of so-called guided missiles, is decidedly out in front of any other power. * * *

Another important fact is that immediately after World War II the Soviet began an intensive program for the development of the ICBM (intercontinental ballistic missile). This country did not. We are trying now to make up for lost time and whether we will be able to do it remains to be seen.

The ICBM field, I must admit, is one in which there is no definite knowledge as to whether the United States or Russia is ahead in technical progress. We know Russia began her extensive intercontinental development just after World War II. We did not start until a few years ago. The element of time is the one concession we must grant the Soviets in this field. If we are behind, it is because of our inaction in the years between the end of World War II and conclusion of fighting in the Korean conflict. Today, as Representative MAHON said, "We are trying to make up for lost time."

In discussing the B–47, the medium jet bomber, and the B–52 large jet bomber, Representative MAHON on page 7804, the CONGRESSIONAL RECORD said:

Of course, we are going to phase out the B–47's. We have about all the B–47's, the medium jet bomber, that we require."

It may be that amendments will be offered to increase the funds in the bill for the B–52. I shall not support such amendments. If we had 1,000 new B–52's tomorrow, we would not have the crews to maintain and man them and the airfields to operate them. We can integrate a new weapon into our arsenal only as fast as we can provide the facilities and train the mechanics and crews necessary for its use.

In answer to Representative LANHAM, of Georgia, as to the advisability of converting more factories to the making of B–52's, Mr. MAHON said on page 7805:

I doubt that an additional source for the B–52, the tooling of another plant, would have any serious effect upon the production of the B–52 in the next 12 months and very little effect in the next 18 months. But 2 or 3 years from now, of course, it would have a profound effect. But again, in 2 or 3 or 4 years from now we may be moving out of the production of the B–52 into the production of another type of bomber which is now on the drawing boards and which had not been finally firmed up.

ALL-OUT B–52 PRODUCTION COULD CHOKE NEW PLANE DEVELOPMENT

The last statement of Mr. MAHON demonstrates the error in the demand that we construct more and more B–52 bombers. A few years ago we made that mistake when we assumed that the B–36 was the zenith of our large bomber development. Before 10 percent of the B–36's were finished they were obsolete because of the greater efficiency of newly developed jet bombers over the propeller-driven bomber. If today we should "go all out" for the production of B–52's, in a few years we could have the air literally filled with them; but we would have ignored research and planning for far better planes which I personally know are on the drawing board.

We are all interested in research. Mr. MAHON, on page 7808 says:

For research and development the bill provides $610 million. This may not be enough to adequately carry out all of the programs contemplated under this appropriation. However, no firm estimates of additional requirements could be supplied. The committee has told the Department that should breakthroughs occur in any important weapons development areas, available funds and facilities are to be used as rapidly as required, and that supplemental appropriations will be provided.

To those who say we are allowing our Air Force to slip, I respectfully refer them to Mr. MAHON's statement on page 7809:

Well, the Air Force is going to 137 wings at the end of fiscal 1957, which compares with 127 as of today, with 98 on the day 3 years ago when Secretary Wilson took over, and with 48 as of just prior to Korea.

It has been charged that our air bases at home and abroad are not receiving proper consideration by the administration and Congress. CARL VINSON, chairman of the House Armed Services Committee, said during debate on the military construction bill—page 5994 of the April 10 CONGRESSIONAL RECORD:

The Air Force under the bill gets authority for construction at 205 major installations of which 144 are in the United States and 61 overseas * * *

The whole Air Force program is aimed at having the 137-wing Air Force in being and ready to go in 1957.

To the demand that we spend more money in this fiscal year for B–52's, the President of the United States, National Security Council, Bureau of the Budget, Secretary of Defense, Secretary of the Air Force, and the Air Force Chief of Staff, have all answered that they did not want this additional money.

MILITARY HOUSING NOW BUILT AT FASTEST RATE IN HISTORY

There have also been requests for more family housing for members of the Armed Forces. The availability of good housing for a serviceman's family is important to the efficient operation and morale of the Armed Forces. For years many service families either have rented at exorbitant rates poor housing, miles from the base, or have remained at their homes hundreds of miles away.

Housing is one facility that can be provided, yet costs the Government nothing. Married officers and the ranking married noncommissioned officers are entitled to family housing. If the Government does not furnish this housing, it must pay an allowance in lieu of housing. The Government can construct these houses for approximately the amount they pay the servicemen in lieu of housing.

Apparently those who are so loud in their demand that such housing be constructed do not take the time to investigate the true situation. From 1946 to

1951 but little armed services family housing was constructed on bases in the Continental United States. However, such is not true today. Last year we authorized and appropriated money for 28,000 homes for servicemen, the greatest such appropriation in our Nation's history. The services, however, only constructed approximately 14,000. We now have a new method of constructing and financing these homes. They are built by private capital on military reservations and the Federal Government pays for them at about the same rate they save in not having to pay a quarters allowance. Some 101,000 service homes are scheduled for this fiscal year. This is called the Capehart program of construction of military family housing.

Our bases are rapidly approaching completion, and within the next 3 years we should have all of our bases and family housing well on the way to completion.

Great and even revolutionary progress is being made in the entire field of electronics. The Navy is constructing an atomic-powered submarine which can launch guided missiles, and the Army is also advancing with greater firepower and maneuverability.

Many other programs have been commenced within the last 3 years to provide us with a stronger defense and to develop a higher morale within the services. We have a sound program of medical services for the families of our servicemen. We have commenced an integration system, transferring Reserve officers into the Regular services. This will do much to provide the stability so long needed in our Defense Establishment.

Any casual, nonpartisan study will show that we have reversed the old "feast or famine" policy of national defense. Previously we allowed our defense to deteriorate in strength and morale until some foreign country said "boo"; then we would frantically increase our defense, at tremendous cost but with little efficiency. We have reversed the trend which existed just before the Korean war, when our strength was rapidly deteriorating. Now, 3 years after Korea, we are building toward a long-time defense program, not one that will ebb and flow each time the Kremlin smiles or frowns.

Let us address ourselves to the alarmist who seems to see a Russian invasion just around the corner. Let us refer to the testimony of Admiral Burke, Chief of Naval Operations, before the House Armed Services Committee, January 18, 1956. Admiral Burke had been discussing the buildup of our Navy in comparison with that of the Russian Navy, and his testimony had revealed that the Russian buildup was in submarines—not the large ships and transports that would be necessary in an invasion. I asked regarding the possible purpose of the Russian Navy—

Admiral, referring to your earlier statements regarding the buildup of the American Navy in contrast to that of the Russian Navy, did I understand you to say that there is no evidence from the Russian naval buildup that they were contemplating any invasion of the United States?

Admiral BURKE. Yes, approximately, sir.

He later added:

In my opinion the type Navy that Russia is building is for the purpose of denying the control of the seas, denying the use of the seas to the United States and its allies, particularly near Eurasia.

NEW SOVIET JET TRANSPORT IS INFERIOR TO UNITED STATES PLANES

I would like to discuss briefly the myth of Russian air superiority. One interesting sidelight as to Russian air strength is that this propaganda campaign indicates that the Russians are using every possible means of fostering the idea of Russia's great technological progress. There has been the introduction into intelligence channels of doctored-up photographs, purporting to show the latest types of Russian planes. These photographs, which appeared in publications throughout the free world labeled as having come from "behind the Iron Curtain," actually were retouched photographs of some of the latest American planes, with the American insignia replaced by the Russian red star, and other minor alterations.

The recent flight of the Tu–104 jet-transport to London created a sensation in the outside world, not only because of the existence of the plane previously unknown, but because the Russians chose to show it off so dramatically.

The Tu–104 represents a tremendous step forward for the Russians, who heretofore have had nothing in the civil-transport field but very pale and inferior imitations of our prewar Douglas DC–3 and our postwar Convairs and Martin-liners. Its cruising speed of about 490 miles per hour, is about 60 miles per hour slower than that of the Boeing 707 and the Douglas DC–8, and about 100 miles per hour slower than that of the Convair Golden Comet. Its range of slightly under 2,000 miles compares with ranges of 3,000 miles for the Convair and 5,000 for the DC–8 and 707.

Its engines, which were described in the press as being much more powerful than any being built in England and the United States and which also power the new medium and heavy Russian jet bombers, are rated at slightly under 15,000 pounds thrust in the civil transport version and slightly over 17,000 pounds thrust in the military version. This puts them in the same power class as the Pratt and Whitney J–75, which is already in production in this country and which will power the overseas versions of the DC–8 and 707. It should be noted, however, that on the basis of the fuel consumed by the Russian jet on its flight to London, the fuel consumption efficiency of the Russian engine may be little better than half that of the American engine. This is an extremely important factor when it comes to the range capabilities of bombers; and, when it comes to commercial jet transports, it may well be the determining factor as to whether a particular plane type can be economically operated on a competitive route or not.

Aside from the engines, the airframe itself of the Tu–104 showed some peculiarities which appear to be quite significant. For one thing, the wings were quite thick—described by one correspondent as being grotesquely thick. Now, it happens that the efficiency and performance of high-speed aircraft appears to depend to a very great degree on having the wings as thin as it is structurally possible to make them.

The press stories following the arrival of the Tu–104 created the impression that the non-Communist world had no jet transports in existence, and that the Tu–104 was proof that the Russians were years ahead of us in this field. Actually, the Tu–104 made its first flight in June of 1955, while the Boeing 707 prototype has been flying since August 1954. Actually, of course, the pioneer in this field was the British Comet I. One of the reasons why the Comet I is no longer flying the commercial airways is that it suffered many of the same limitations and shortcomings as the Tu–104.

NO EVIDENCE SOVIETS POSSESS LONG-RANGE BALLISTIC MISSILES

As to the Russian development in the missile field, for example, when Communist boss Khrushchev bragged about Russia having a 1,500-mile range missile, he referred to it as a guided missile. Various persons in the United States picked up this statement and started shouting that it represented proof that Russia was way ahead of us in the missiles field; however, they misquoted Khrushchev as having said that Russia had a 1,500-mile range ballistic missile, which is a horse of an altogether different color. While it is true that we do not yet have a ballistic missile with a 1,500-mile range, there is still no evidence that Russia has either. On the other hand, we do have a guided missile with considerably greater range than 1,500 miles—the Northrop Snark. The only reason that we do not have this weapon, which has been fully developed, in operational quantities is that the Air Force, for reasons of its own, has decided to wait for perfection of that better weapon which is always just around the corner, in this case, the Navaho missile.

As to fighter planes, the American F–86 Sabrejet flies higher, climbs faster, flies faster, and has greater range than the Russian Mig–15. The F–86 can break the sound barrier and the Mig–15 cannot. The new B–58 medium bomber, almost ready for production, flies roughly twice as fast as any known Russian medium or heavy bomber. The American B–52 flies faster and higher and operates much farther than the Russian Bison, the large jet bomber.

It is proper that some comparison be made as to the relative percent of the national budget of the United States and other countries which is spent for military preparedness. Such comparison may be misleading because of the low pay and living standards of service personnel in some countries and because of the extent of nationalization of industries, especially in Russia. However, I will present the figures as prepared for me by the Library of Congress. The United States expends 53 cents out of each budget dollar for military preparedness, and if the atomic energy program and the mutual security program are included, our defense preparations cost 63 cents out of each dollar. Other countries spend the following percentage of

their budgets for military preparedness: United Kingdom, 44 percent; France, 28½ percent; Italy, 22½ percent; Russia, 20 percent. Again, I want to state that the figures, especially for Russia, are probably misleading for reasons given above.

The demand for increased military expenditures will not end this year. We are already aware of the planned requests for next year, which will be $14 billion more than the amount appropriated this year. If such demands were granted and appropriations for all other Government activities remained the same, the total budget would increase from $64,270,000,000 to $78,270,000,000, of which $54 billion would be for military expenditures, including atomic energy and mutual security. Thus, if the services should receive what they are planning to ask for in July 1957, 70 percent of our total tax dollar would go for military preparedness. If a budget increase of $14 billion had to be met exclusively by an increase in personal income taxes, the income from such taxes would have to be increased by 44 percent. Even if corporation income, excises, and other taxes were raised proportionately, the personal income levy would have to be increased by more than 20 percent.

FACTORS SEEKING INCREASED DEFENSE SPENDING STUDIED

As I have stated previously, I am for a strong, virile national defense, but I feel that I must raise my voice in warning against a trend which is all too obvious.

In a sense it is difficult to understand the present demand for greater and greater military expenditures when we are already spending 63 cents out of every Federal budget dollar for such purposes—a far greater percent than any other country on earth—far more than we were spending at the outbreak of the Korean war. It is especially difficult to understand when we remember that many of those who are crying today for more and more money for defense were in authority just before the Korean war and were rapidly decreasing the military strength of the United States.

I will attempt to present some of the reasons that are behind this great interest and loud demand to spend more than 63 cents of each budget dollar for the military and less than 37 cents of each dollar for all other activities of our National Government. This is an election year, and we naturally expect many issues to arise. This is also the time of year when the military budget comes before Congress, and we have all noticed for many years that at such times we see publicity of threatened attack and increased publicity of enemy strength. Rumors of dangers from a possible enemy are circulated throughout the country at this time. The manfacturers of planes and other articles of armament are naturally trying to sell their products.

Another reason for this demand for more defense money is very natural and understandable. We have in the United States a very capable and devoted military service. Our officers and enlisted men naturally believe in their respective branch of service and believe that it should excel; any other belief would demonstrate a lack of spirit and pride in their service. We are entering into a changing era of the making of war. Each serviceman is apprehensive that the importance and size of his branch will not be given the priority he believes it deserves. The Army, Navy, and Air Force are in bitter and unyielding controversy over which one will control the guided-missile program. The Army is demanding its own air force. The Navy is requesting more and larger airplane carriers. The Air Force says these carriers are worthless and the money spent on them should be spent on the Air Force. The controversy goes on and on. Gen. Matthew Ridgway, now retired, a great and fine soldier, believes that a great mistake is being made in our emphasis on airpower as over the Army. On the other hand, I recently heard Maj. Gen. O. A. Anderson, a retired Air Force general, say that the Air Force is practically everything in defense and that the Army should only be an auxiliary to our air arm to support it if and where needed.

As a tanker in World War II, I never thought that proper emphasis was being given to armor—I never thought that my battalion was being given enough of anything. Each branch of the service is clamoring for more and more with insatiable appetites. Active and retired officers, and the manufacturers of planes and other weapons of war, are using the press, radio, and TV to sell their story to the American people, to the administration, and to the Congress.

The more sensational the story, the easier it is to get publicity. It is always easier to view with alarm than to point with pride. A story stating merely that we have a strong, well-balanced defense force sufficient to our needs, yet within our capacity to maintain, will never make the headlines. But if one has a story that Russia is planning to launch an aerial attack from the North on our steel mills along the Great Lakes, that certainly is news, regardless of the truth of the statement.

I do not mean to criticize these members and friends of the various services and manufacturers selling their story to the American people and to the Government. In a democracy all sides should be heard. It is a job of the administration and of Congress to determine in the light of all the facts what should be done. If we should give to the air generals all of the planes and airmen they request; to the Navy admirals all of the seamen and ships they request; and to the Army generals all of the soldiers and guns that they request, there would be nothing left for other activities of our Government. That is the trend of events in a country of militarism, where a country exists for the military instead of the military to serve the country—militarism has in the end destroyed every country that has adopted it. No real American, and especially none of our able military leaders, would want such a condition.

NEVER UNDERESTIMATE ABILITY OF POSSIBLE ENEMY FOR WAR

Prior to World War II, our country was not making adequate progress in military preparedness. I remember that some of our military leaders jokingly said that if we had a war with Japan in the early morning we would win it before lunch. After war came, I assure you several lunches were missed before that war was over.

Before the Korean war many of our so-called experts said that Russia couldn't even make a truck that could operate effectively. Now many of our so-called experts loudly cry that Russia is outdistancing us in airplanes, guided missiles, bombs, scientific education, and many other fields. Most of these claims are incorrect. It is true that Russia is a country that is great in area, population, and resources; its people are intelligent and industrious. Russia is making progress, but as long as she relies on slave labor her progress will be inferior to ours. Russia apparently realizes that for even to the most casual observer it is apparent that she is veering away from many of her old practices. When Russia recognizes the great democratic principle of freedom and dignity of the individual, if she ever does, she then could build a way of life similar to ours. I for one hope that she does reach that standard. A Russian who believes in the freedom and dignity of man will not be an enemy of free people any place.

It seems to be popular today to state that Russia is winning the cold war—that democracy, as we know it, is failing. I am no Pollyanna, but I cannot see that to be the case. It is true there are countries and people who do not have the strength and character to remain free. Freedom is only for those stout of heart. No foreign country can bribe people to resist tyranny and to fight for freedom. However, there is one fact that clearly demonstrates we are not losing the cold war. Russia for years has been rattling the sword, building greater armed forces, and apparently threatening the world. Now it is clear that Russia sees that she cannot gain her ends by armed might. She has ceased to rattle her sabre, and is cutting down her armed forces, at least in number.

RUSSIA NOW FEELS SHE CANNOT CONQUER THE WORLD BY FORCE

Please understand that I am not naive enough to believe that Russia has changed her goal any more than we have changed our goal. But Russia does understand that she cannot conquer the world by force. It demonstrates that she has accepted defeat in this regard, and certainly refutes the thinking that Russia is gaining her objectives. If Russia were gaining her objectives by threat of armed might she would have continued that course, for you never change your course of action when you are winning.

For what purpose does the United States maintain so powerful a Military Establishment? Aside from protecting our shores from military attack, from a would-be aggressor, the American people generally want to be friends and help less fortunate people. The American people desire that all people have freedom and good government. Many well-meaning people in the United States even go so far as to believe that the United States should by force of arms, if necessary, right every wrong in the world. They would have our planes, ships, and

tanks, give to every people on earth the kind of government we think is best. If that philosophy is going to govern the military actions of the United States, then it is true that we do not have enough soldiers, airmen, seamen; not enough planes, ships, tanks, bombs, and guns. There is not enough youth in America, enough resources or economic capacity, enough wealth in all America to carry out such a grandiose, Don Quixote plan for righting all of the wrongs in the world.

A worldwide military and economic effort of that magnitude would drain dry our great economic and military might. The regimentation necessary in such an effort would destroy our heritage of freedom. We would fail, and then the United States, instead of standing as a shining example to the world of what democracy and freedom can produce, would instead stand as a stark warning of the failure of democracy.

Sun Tzu, the great Chinese military leader and writer, in 496 B. C., said:

If he—

Referring to a military leader—

sends reinforcements everywhere, he will be everywhere weak.

Hindsight in military planning is easy. Foresight is difficult if not impossible. Some of those sounding off now with criticisms of our defense planning were not overly blessed with the ability to peek into the future when they controlled the Pentagon. Should we ask them now why their crystal balls apparently were clouded when the military programs were in their hands?

No one knows exactly what course we should follow, how large our military forces should be, exactly what arms we should have. As I say, military planning is difficult. Our possible future action is clouded by the uncertain plans of our adversary. However, the decisions must be made and are being made by the President of the United States, the Commander in Chief of our military forces, who in his own right, is one of the greatest military leaders of our age. He receives the summation of all of the knowledge in the hands of all agencies of our Government, and he has the advice of our most capable military leaders. No one knows whether war will come. I do not believe war is in the foreseeable future. But in my capacity as a Member of Congress and as a member of the Armed Services Committee, I cannot disregard that possible danger any more than you who, while not expecting a fire, yet carry fire insurance on your home.

I do know that the greatest danger from communism comes from within a country and not from without. I do know that militarism and supporting too large a military service can wreck the economy and stability of a country as quickly as an armed enemy can do. Lenin himself said that the United States will spend itself into ruin. We must see that this does not happen.

I fear that, in the beating of drums and the blowing of bugles, we may forget that the real strength of America does not lie in our armed might, in our marching battalions, in our ships and tanks and guns. The real strength of America lies in its free, unregimented people, a Nation under God, dedicated to the freedom and dignity of the individual, a free people that have produced the greatest economy and the highest standard of living on earth. Without that great economy and without that free unregimented people, all of our Armed Forces would become "as sounding brass or tinkling cymbal."

WORKING PEOPLE PROSPER UNDER REPUBLICAN ADMINISTRATION

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Illinois [Mr. SHEEHAN] is recognized for 20 minutes.

Mr. SHEEHAN. Mr. Speaker, a review of the record of the last 4 years of the Republican administration leaves not the slightest shadow of a doubt that the working people have greatly prospered under the Eisenhower Republican administration.

Recent reports of the Commerce and Labor Departments show that more Americans held jobs in June—66,503,000—than in any other month in our Nation's history. The reports also showed that the average weekly earnings of $79.40 during the month of June were an all-time record high. The above, coupled with the fact that the average annual family income is at an all-time high, proves conclusively that the American workingman is earning more money than at any previous period in our history.

However, we must measure this increase in earnings from the standpoint of its purchasing power. It does not do much good to earn more money if those increased earnings do not enable one to buy more goods, increase one's savings, or make possible a higher standard of living. It does little good to get increases in wages if such increases are consumed by an equal rise in the cost of living. In other words, if it now costs more money to obtain the same amount of goods and services as one was able to purchase with smaller earnings last year, one is no further ahead.

Under the Eisenhower Republican administration the working man realized increased purchasing power from his increased earnings. In the period 1944–52, the workers of this country received wage increases amounting to $21.89 per week. This gain under two Democrat administrations was an illusion, because inflation and taxes not only absorbed these wage increases but actually caused the real spendable earnings of a single person to drop by $1.88 per week. Between 1952 and 1955, under the Republican administration, the average worker received a clear cut gain in net spendable earnings of close to $6 per week. This has been brought about to a large extent by the fact that the level of the cost of living has remained steady during the past 2 years, thus making the wage increases the workers received very real in terms of purchasing power.

Moreover, the working people are now sharing to a greater extent in the Nation's income and prosperity than at any time since 1939. From 1953 to 1955, under the Republicans, the workers of our country received 69 percent of the national income, the largest percentage since 1939. In other words, the big gains in our national prosperity are going to people who live on wages and salaries.

Many members of the Democrat Party during their 1952 campaigns attempted to mislead the working people into believing that a Republican administration would bring back the depression. The facts stated above certainly dispel that false propaganda. As further proof, a recent coast-to-coast survey released on May 31 by Dr. George Gallup, shows that for the first time in 20 years the rank and file of labor union membership indicated it will give a majority of its votes to the Republican candidate for President. This poll indicated that this year 56 percent of labor union members would vote for President Eisenhower, whereas 4 years ago Mr. Eisenhower polled only 39 percent of these votes.

In a similar vein, the Democrats in their 1948 and 1952 platforms made promises to certain union officials and to the rank and file of union workers that they would repeal the Taft-Hartley Act. In 6 cut of the last 8 years since the Taft-Hartley Labor Relations Act was passed, the Democrats have controlled the House and Senate. In none of these 6 years of control did the Democrats bring on to the floor of the House or of the Senate a bill to repeal or to amend the Taft-Hartley Act. They simply made false promises to hoodwink union members in order to gain votes. In 1953, when the Republicans brought out on the Senate floor a bill to amend the Taft-Hartley Act, every Democrat Senator voted to send the bill back to committee, which was tantamount to killing the bill.

From the standpoint of union members, the least acceptable part of the Taft-Hartley Act is section 14 (b) dealing with right-to-work laws. When the Democrats are in power, the southerners are in control of most of the committees of Congress. Of the 18 States that have a right-to-work law on their books, the legislatures of 13 of those States are controlled by southern Democrats, 4 by Republicans and 1 is nonpartisan. The Congressional delegations from those 18 States comprise a total of 114 Democrat Congressmen and Senators; therefore, how can union members expect any sympathetic consideration of legislation benefiting union labor in view of that record.

President Eisenhower and the Republican administration have sent to the Congress many legislative proposals benefiting millions of working people. These include safety programs, betterment of working conditions, expansion of overtime laws on Federal construction projects, amendments to the Taft-Hartley Act and many others, all of which have been quietly tucked away—pigeonholed—by a Congress controlled by Democrats.

In 1955, 14,000 people were killed on their jobs and nearly 2 million workers lost time through injuries incurred on their jobs. The Republican administration proposed legislation to promote occupational safety programs in the States by providing grants-in-aid to the indi-

vidual States to enable better and broader worker protection programs to be instituted. This legislation was introduced early in 1955, but thus far there has been no action on it by the Democrat-controlled committees. I could repeat this story many times over to prove conclusively that when the Democrats control the Congress the general welfare of union members and of all working people is not foremost in their deliberations. How then can it be honestly argued that the Republican administration does not favor the workingman in the face of its record of accomplishment and its record of proposed worker-benefiting legislation?

There is no question at all in my mind that from the past record a continuation of Republican administration would be most beneficial to the peace and prosperity of the working people of America. The only hope of the working people for forward-looking legislation is by returning control of both the House of Representatives and the Senate to the Republican Party. I like to keep ever in mind—and I should like to reiterate here to you—the assurance given by Secretary of Labor James Mitchell in his statement:

> My job in the Labor Department is to promote and develop the welfare of the wage earners of this country, and I assure you, ladies and gentlemen, that so long as I am in that job that will be my sole objective.

THE SITUATION IN AGRICULTURE

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Ohio [Mr. HENDERSON] is recognized for 20 minutes.

Mr. HENDERSON. Mr. Speaker, the farm question has probably been discussed more than any other problem upon the floor of this House during this session of Congress. I have heard most of my colleagues make some statement or other on one of the many sides of the issue. Too often, I believe, an attempt has been made to make the situation in American agriculture a political issue. If it is a valid political issue, Mr. Speaker, it would seem to me that it is an issue which clearly favors the Republican Party and is unfavorable to the Democrat Party.

I grew up on a farm in southeastern Ohio about 4 miles north of the city of Cambridge. My first recollections of my farm environment began in about the year 1922 and continued on for the next 20 years until I left Ohio to enter the Army. We thought we had a pretty progressive farm. One thing on which we prided ourselves was our independence to do what we thought best in our pursuit of one of the world's oldest occupations. Ours was the determination of the number of acres that we would allot to a given crop. My family decided the manner in which our crops would be rotated. It was left to us to determine the price at which we would sell our milk products. We were the sole judges, within the laws of supply and demand, of what the market would bear in the price that we received for all of our agricultural products.

During the late thirties and early forties various things were done over here in Washington which were designed and intended to improve the lot of the farmer and at the same time to remove from him some of the natural freedoms which he had enjoyed. These laws called upon him to surrender some of his rights in exchange for a paternalistic attitude on the part of Government which would give to him a few dollars or a little fertilizer or some advantage which he had not heretofore enjoyed.

Some of the farmers in our valley listened and were quick to accept those dollars from Washington. Others of our neighbors, too fond and too jealous of their independence, rejected any thought of a Government bribe. I can remember full well a statement which was made by Court of Appeals Judge Charles Montgomery when he said that "for every dollar that the farmers accepted from Washington, they are surrendering some of their liberty, their rights of decision, and their independence."

The entangling net of Government controls completely captivated American agriculture during the war years. Acreage controls, price controls, everything, in fact, except thought control, became part of the farmer's way of life.

I did not return to the farm after I got back to this country from service in the Army, and I think that one of the reasons that prompted me to stay away was the terrible tangling of controls.

Since I have been in Congress, I have received a great number of letters from thinking farm men and women. Early this year I sent out a questionnaire to the people of the 15th Congressional District. In that questionnaire, I asked 30 questions covering nearly every aspect of current national problems. Four or five of the questions dealt with agriculture—with farming in southeastern Ohio. Not only did my constituents answer my questionnaire, but when they got down to the questions that had to do with farming, they made many detailed and voluntary statements to convey their feelings to me with regard to farming in America. A great number of them frankly stated that our agricultural troubles could best be eliminated, could best be cured, if the farmer were let alone and allowed to do what he wanted to do. Then, if they had the proper type of weather, enough sunshine, enough rain, and a little less interference from Washington, the agricultural problem as it manifested itself in southeastern Ohio would be solved.

Insofar as farm income was concerned, of course, they complained about the price that they were receiving for the produce they sold as it compared with the price that they were paying for the goods that they needed in order to run their farms. That complaint will be heard as long as the situation continues. A great number of these letters and comments which I have received from the farmers of southeastern Ohio have pointed the finger at the cause of their farm dilemma. They know that that cause stems from the political manipulations of the Democratic Party during the time that it had control of the Congress and White House.

For instance, in 1951, with a Democrat President in the White House, his Democrat Director of the Office of Price Stabilization Michael V. DiSalle announced a 10 percent rollback on the price of cattle with President Truman's approval. They even threatened rollbacks because they said the price of cattle was too high.

The result of this announcement was an immediate drop in the price of cattle—a drop which the farmers of America felt very keenly in their pocketbooks.

In the election year of 1952, in a vain and desperate effort to win favor with the farmers of America, the Democrat administration continued to ignore all acreage controls on basic crops despite the fact that high rigid price supports by the Government were stimulating the production of staggering surpluses which could only serve to bring about an eventual drop in farm prices.

The Democrats carried out this cynical manipulation for a short term political advantage. As we know, it failed to woo the farmer's vote, but it clearly was a blow to his income.

The result was to increase the surplus of agriculture products which was becoming dangerous under the continuation of rigid price supports. The problem of farm prices stems from surpluses and over-production stimulated and encouraged by the blind devotion to rigid price supports by the Democrat Party. So long as that surplus hangs over our heads, there will be a tendency to depress the price the farmer receives.

Now, during the current session of Congress, the Republican administration has addressed itself realistically to the problem of farm prices. Several important measures have been urged by the present administration which have been rebuffed by the Democrat Congress. I am not convinced that very much is to be gained by the farmers of southeastern Ohio through price supports of basic crops. My constituents are simply not raising sufficiently great amounts of any one crop that price supports are going to mean too much in the way of added income. The sources of income on 15th district farms are many and varied and are dependent upon the overall farm picture. We have relatively low income farmers in our part of Ohio. Our problem is to raise that income for our farmers and in this regard the support price of wheat or corn or any of the other basic commodities has little direct relationship, for they do not sell great quantities of grain. High rigid price supports, however, do have their effect. The little farmer who has to buy feed pays more for it. The large corporate farmer who creates the surpluses lives off the fat of Government price supports. At the same time, his over-production depresses market prices which small family farmers receive.

The salvation of the low-income farmer in the 15th District of Ohio lies not with support prices, but with an opportunity to utilize every new technique and device to raise his income. The Government bears a direct responsibility in this.

Knowing of the needs of the low-income farmer, who makes his living on a small family-size farm, the administration last year proposed legislation which would assist him by helping him farm more profitably. Through lack of foresight or deliberately, the Democrat leadership of this Congress has not seen fit to permit that legislation to be enacted.

Then came the year of the soil-bank legislation—1956. This plan was announced very early in the year by the Eisenhower administration. It was a part of the President's message to Congress—his plan to help the farmers who needed assistance. By their subsequent action, the Democrats have admitted that the plan has merit, because they have approved it. But how much more help it could have given to America's farmers—both in the way of a cash income and in reducing the surplus which hangs over America's agricuture if it had been enacted earlier in the year. Knowing that the program was a good one, but fearing that immediate action might possible result in improvement in the farmer's plight, the Democrat leadership in Congress set every possible legislative block in motion in an effort to delay a good, sound, and sensible program. Instead, the Democrat leadership included the soil-bank program as a part of its own unworkable and unacceptable legislative program by incorporating it in a bill which sent up a smokescreen insisting upon high rigid price supports which most Americans have repudiated. For a time it looked as though the only way to obtain the good parts of the bill was to accept another year of rigid price supports. In this way, the Democrats hoped to secure a reversal of the administration's plan of flexible price supports in exchange for the needed and acceptable soil-bank program.

It has been pointed out and proved abundantly that a great number of the difficulties in agriculture today stem from high, rigid price supports—again price supports which have been of little or no benefit to the farmers of southeastern Ohio. The President's veto of this bill, and the insistence of public opinion forced the Democrat-controlled Congress to provide a reasonable facsimile of the kind of legislation the President had requested.

And finally, after the Democrat leadership realized it could not be successful in its maneuverings on this bill—that the soil bank program would be accomplished without the reestablishment of high support prices—still another roadblock was placed in the way. The soil bank program could have become a complete reality in 1956 and the benefits of it could have been received by the farmers of America this year—not next. But no, those of the Democrat Party who were watching American farmers suffer under the burdens which they had placed upon them, were afraid that if the burden were to be removed in 1956—in an election year—that the American farmer might possibly vote for the Republican Party.

Mr. Speaker, let me suggest here and now, that the farmers of America have not been asleep for the last 20 years—that the farmers of this Nation are not the dumb, ignorant boobs that some of our colleages would believe them to be or might wish them to be.

Let me point out that in the history of America our farmers have been the great leaders of our Nation's destiny. The time has not yet come when the city slickers of either political party are going to be able to pull the wool over the eyes of America's farmers. Our farmers are alert and they know what is going on. They know who has been responsible for the plight that they are now experiencing. They know wherein lies their salvation. They know how they have been manipulated by political cynics in the past and that is why they will vote Republican in 1956.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may have until midnight tonight to file a report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

VETERANS' LEGISLATION

The SPEAKER pro tempore. Under the previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I want to remind the House that Congress should remain in session until we pass the pension bill and the compensation bill for the veterans.

ATOMIC ENERGY

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rise in support of the atomic-energy bill which I understand will come up for action very soon. I do so with a heavy heart, because I know Mr. Speaker that pressures beyond my control have already taken out of the bill a provision which the committee initially wrote into it to provide for the construction of one of the atomic facilities within an area of the United States in which electric power is currently produced at relatively high cost and which is relatively remote from conventional fuels.

Mr. Speaker, the area the committee was describing is my own beloved New England.

Though the bill provides for the construction of reactors at existing AEC installations, we in New England, while supporting the bill, look forward to the possibility of construction of one of the reactors in the New England area. Certainly one could be produced in connection with the power needs of the assembly of the atomic submarines in Connecticut. One could be produced in connection with the laboratories at the Massachusetts Institute of Technology in Cambridge, Mass., and we of the Fifth District of Massachusetts have been hopeful that the Army package reactor program could be accelerated by using the facilities at the Watertown Arsenal.

Mr. Speaker, we in New England feel unfortunately neglected in the development of this new industry into which the Government has now poured approximately $15 billion. Mr. Speaker, we in New England need the benefits which will flow from the peacetime use of the nuclear sciences as an economic boost to our economy.

Mr. Speaker, the administrators of this program have sadly neglected the advantages which New England provides for the allocation of one of their concentrates of industry which has grown up around this new science. Over $7 billion has now been invested in the capital structure of this new industry. I join with my colleagues in rejoicing at the allocation of the plants in Oak Ridge, Tenn.; in Hanford, Wash.; in the Savannah River area of Georgia and South Carolina; in Los Alamos, N. Mex.; in the Argonne National Laboratory near Chicago, Ill.; in the Gaseous Diffusion Plants in Portsmouth, Ohio, and Paducah, Ky., Arco-Blackfoot, Idaho. The nearest major installation of the atomic program to New England is the Brookhaven Laboratory on Long Island.

Mr. Speaker, 130,000 workers are directly employed at these major industrial installations. Reliable estimates show a minimum of 400,000 are directly or indirectly employed in these new expanding industries. Yet we in New England have not a single major installation and only a few minor installations operated under contract with AEC and the only significant atomic plant in New England is the submarine assembly unit at Groton, Conn., which employs less than 1,000 men.

Mr. Speaker, New England is being ignored in yet another respect. Under the power demonstration program, reactors are being planned and considered in many sections of the country. Reactors which will produce electric power, sometime in the future we hope, at a cost competitive with conventionally produced electricity. Only New England is being bypassed in the major aspects of this demonstration reactor program. Only New England, Mr. Speaker, is losing out in the location of these demonstration reactors. Without criticizing the advantage which my colleagues have secured for their section of the country, I would point out, Mr. Speaker, that projects which are being actively considered today include the North American reactor program in Livermore, Calif.; the Los Alamos reactors in New Mexico; the Elk River project in Minnesota; the consumers public power project in Nebraska; the Commonwealth Edison proposal near Chicago, Ill.; the Detroit Edison proposal—though I understand this project has now been rejected on safety grounds—the Consolidated Edison proposal in New York City; the eastern Pennsylvania electric proposal, and only two were ever considered for New England. These I will discuss at some length.

The first of the two projects which was proposed by a public power body, the Holyoke, Mass., Electric Society, has now been curtailed by request of the Bureau of the Budget from a $50 million proposal to an allocation of $15 million

which Mr. Strauss admitted before our colleagues in the House Appropriations Committee was inadequate to permit this project to go ahead. I cannot say that the Holyoke project is dead, but it is clear that of all of the projects which AEC has stated it is pushing forward, only the major project in New England has been so sharply curtailed as to put its whole future in jeopardy.

The second project is one of even more dubious existence. This project, proposed by a combination of 18 New England power companies, is known as the Yankee atomic electric project. It plans to build in north central Massachusetts what is described in their application to the SEC as "a single experimental atomic generating facility whose capacity is of minor significance in relation to the overall New England power supply."

I suppose, Mr. Speaker, that that description could be applied to all of the reactors which will be built under the terms of this bill. But, Mr. Speaker, I am surprised to read further on in their SEC application the following:

> In this connection it may be noted that the designs for the proposed plant do not permit the installation of an additional reactor, that on account of water conditions it is improbable that an additional unit of the same size and nature could be added at the present location, and that Yankee's president (whom I believe to be the president of the New England Power System), testified that there was no intention of expanding it either to a multiple-unit installation on the same site or to a second installation at another site.

In other words, Mr. Speaker, the Bureau of the Budget has foreclosed our proceeding in New England as rapidly as power demonstration reactors are going ahead in other parts of the country, and our timid private enterprise in New England is planning, at most, a small experimental nonexpandable reactor, to produce a grand total of 134,000 kilowatts in power-hungry New England.

Mr. Speaker, New England is power hungry. New England needs some of the advantages which have been secured by other sections of the country in the development of large blocks of low-cost power.

I know that the economic state of New England requires the benefits which can flow from the availability of a large block of low-cost power. The Committee on New England of the National Planning Association in a review of the economic state of New England recently wrote, and I quote:

> As we shall see shortly, power rates and costs in New England are above the national average. Industries which require large quantities of low-cost power have been slow to expand in the region or are not present at all, with the exception of the paper industry in the northern part of New England, where sufficient hydroelectric power was developed in a period of much lower costs.

It continues:

> The principal way higher power costs have been felt has been in their influence on the location decisions of certain types of new manufacturing establishments and in the rates of expansion of some existing establishments.

And what of the future power needs of New England? The report says:

> To meet the power needs of the future through increased capacity is a continuing long-range problem. * * * Even without any replacement, by 1970 New England will require from 3,400,000 to 5,400,000 (kilowatts) of new generating capacity, roughly doubling the total capacity of the region in 1952.

And my final quote from this study shows the need for Federal intervention because of the following conclusion:

> Without attempting to pass judgment on the engineering appraisals, it seems fair to say that under private financing and ownership the amount of new hydroelectric capacity in the region that can be economically added to the private utility systems of New England by 1970 is no more than 15 percent of the total expansion that will be needed during that period, and it is probably less than 10 percent. The declining proportion of hydroelectric to total capacity will undoubtedly continue in New England, as in the country as a whole.

Mr. Speaker, part of the reason for high cost is due to the remote distance of New England from the sources of conventional fuels. This factor is so well known to New England that it is not necessary for me to go into this subject for their benefit but for those of you who come from other sections of the country who have not had the privilege of sharing in our wonderful climate and scenery and therefore have not been exposed to the thinking in the region about the high cost of fuel, I will develop this factor briefly.

The National Planning Association study shows that New England consumes 319 trillion BTU's of residual oil, 295 trillion BTU's of bituminous coal, 223 trillion BTU's of oil, 83 trillion BTU's of anthracite coal, 41 trillion BTU's of manufactured gas, 29 trillion BTU's including hydro coke, and so forth. The residual oil is a subject which has been discussed in this Congress. Conflicts which have occurred around this subject have resulted in increasing the cost to New England of residual oil. Though we have the advantage of inexpensive water transportation and New England is a major consumer of imported residual oil, we know from the wartime experience how dangerous it is to rely exclusively on this source of energy.

The average cost per million BTU's of energy from bituminous coal in the United States is 23.8 cents. We in New England are forced to maintain our economy on the economic disadvantage of having to pay an average of 37 cents per million BTU's from bituminous coal. But we are faced even there with continuing rising costs.

The study reports, and I read from page 191:

> The most promising opportunity for the substitution of fuels in New England is the commercialization of nuclear fuels, though their extensive use will probably require many more years of development.

Mr. Speaker, I believe this bill will provide the breakthrough to the peaceful use of atomic energy which President Eisenhower called for in his United Nations speech of December 8, 1953. I support the bill in its content and I urge my colleagues to join me so that we in New England can share with the other sections of the country, the advantages which will accrue from the passage of this bill.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FORD, for 10 minutes, on Friday, July 20.

Mr. GRAY, for 30 minutes, on Monday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. CHIPERFIELD and to include extraneous matter.

Mr. METCALF and to include extraneous matter.

Mr. CHRISTOPHER.

Mr. THOMPSON of New Jersey in three instances and to include extraneous matter.

Mr. MILLER of California and to include extraneous matter.

Mr. BYRD.

Mr. MILLER of Maryland.

Mr. BAUMHART (at the request of Mr. HENDERSON).

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2603. An act to authorize the Commissioners of the District of Columbia to prescribe the area within which officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia may reside;

H. R. 4993. An act to authorize the Board of Commissioners of the District of Columbia to permit certain improvements to two business properties situated in the District of Columbia;

H. R. 5853. An act to amend the act entitled "An act to regulate the practice of veterinary medicine in the District of Columbia," approved February 1, 1907;

H. R. 7089. An act to provide benefits for the survivors of servicemen and veterans, and for other purposes.

H. R. 7723. An act to authorize the Secretary of Agriculture to convey certain lands in Phelps County, Mo., to the Chamber of Commerce of Rolla, Mo.;

H. R. 8149. An act to amend the first sentence of paragraph (a) of section 756 of title 11 of the District of Columbia Code, 1951 edition (paragraph (a) of section 5 of the act of April 1, 1942, ch. 207, 56 Stat. 193), relating to the transfer of actions from the United States District Court for the District of Columbia to the Municipal Court for the District of Columbia;

H. R. 9742. An act to provide for the protection of the Okefenokee National Wildlife Refuge, Georgia, against damage from fire and drought;

H. R. 9842. An act to authorize the Postmaster General to hold and detain mail for temporary periods in certain cases;

H. R. 10010. An act for the relief of Roy Click; and

H. R. 11077. An act to amend the Atomic Energy Community Act of 1955, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 277. An act for the relief of Jean Pfeifer;

S. 1627. An act for the relief of Alexander Orlov and his wife, Maria Orlov;

S. 1708. An act for the relief of Mr. and Mrs. Ernest M. Kersh;

S. 1893. An act for the relief of Harold D. Robinson;

S. 2846. An act for the relief of Don-chean Chu;

S. 3150. An act for the relief of Sergeant and Mrs. Herbert G. Herman;

S. 3473. An act for the relief of Kurt Johan Paro;

S. 3579. An act for the relief of Elizabeth M. A. de Cuevas Faure; and

S. 3705. An act to require periodic survey by the Secretary of Commerce of national shipbuilding capability.

ADJOURNMENT

Mr. WILLIAMS of Mississippi. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 11 minutes p. m.) the House adjourned until tomorrow, Friday, July 20, 1956, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

2072. Under clause 2 of rule XXIV, a letter from the Comptroller General of the United States, transmitting a report on the audit of the Navy industrial fund, United States Naval Powder Factory, Indian Head, Md., Bureau of Ordnance, Department of the Navy, for the period October 1, 1953, to June 30, 1955, pursuant to the Budget and Accounting Act, 1921 (31 U. S. C. 53), and the Accounting and Auditing Act of 1950 (31 U. S. C. 67) was taken from the Speaker's table, and referred to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROBESON of Virginia: Committee on Post Office and Civil Service. S. 65. An act to amend section 1 (d) of the Civil Service Retirement Act of May 29, 1930, as amended; with amendment (Rept. No. 2796). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURRAY of Tennessee: Committee on Post Office and Civil Service. S. 912. An act to amend the act of April 23, 1930, relating to a uniform retirement date for authorized retirements of Federal personnel, and the Foreign Service Act of 1946, as amended; with amendment (Rept. No. 2797). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURRAY of Tennessee: Committee on Post Office and Civil Service. S. 1873. An act to increase the minimum postal savings deposit, and for other purposes; without amendment (Rept. No. 2798). Referred to the Committee of the Whole House on the State of the Union.

Mr. KILGORE: Committee on Post Office and Civil Service. S. 2634. An act relating to the transportation of mail by highway post office service, and for other purposes; without amendment (Rept. No. 2799). Referred to the Committee of the Whole House on the State of the Union.

Mr. ALEXANDER: Committee on Post Office and Civil Service. S. 3592. An act to provide in certain additional cases for the granting of the status of regular substitute in the postal field service; without amendment (Rept. No. 2800). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 3698. An act to amend the act of June 4, 1920, as amended, providing for allotment of lands of the Crow Tribe, and for other purposes; without amendment (Rept. No. 2801). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 3968. An act to provide for the termination of Federal supervision over the property of the Peoria Tribe of Indians in the State of Oklahoma and the individual members thereof, and for other purposes; without amendment (Rept. No. 2802). Referred to the Committe of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 3969. An act to provide for the termination of Federal supervision over the property of the Ottawa Tribe of Indians in the State of Oklahoma and the individual members thereof, and for other purposes; without amendment (Rept. No. 2803). Referred to the Committee of the Whole House on the State of the Union.

Mr ENGLE: Committee on Interior and Insular Affairs. S. 3970. An act to provide for the termination of Federal supervision over the property of the Wyandotte Tribe of Oklahoma and the individual members thereof, and for other purposes; without amendment (Rept. No. 2804). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURRAY of Tennessee: Committee on Post Office and Civil Service. S. 4060. An act to amend section 607 of the Postal Field Service Compensation Act of 1955 to include employees in the Motor Vehicle Service; without amendment (Rept. No. 2805). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 4086. An act to provide that the United States hold in trust for the Indians entitled to the use thereof the lands described in the Executive order of December 16, 1882, and for adjudicating the conflicting claims thereto of the Navaho and Hopi Indians, and for other purposes; without amendment (Rept. No. 2806). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Colorado: Committee on the Judiciary. S. 2887. An act to further protect and assure the privacy of grand or petit juries in the courts of the United States while such juries are deliberating or voting; without amendment (Rept. No. 2807). Referred to the House Calendar.

Mr. ROBERTS: Committee on Interstate and Foreign Commerce. S. 2060. An act to amend the act of March 3, 1901 (31 Stat. 1449), as amended, to incorporate in the Organic Act of the National Bureau of Standards the authority to use the working capital fund, and to permit certain improvements in fiscal practices; with amendment (Rept. No. 2809). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. S. 3391. An act to provide for the regulation of the interstate transportation of migrant farm workers; with amendment (Rept. No. 2810). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARDEN: Committee on Education and Labor. H. R. 12237. A bill to encourage and assist the States in the establishment of State committees on education beyond the high school and for other purposes; with amendment (Rept. No. 2814). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOPER: Committee on Ways and Means. H. R. 12254. A bill to provide additional time for the Tariff Commission to review the customs tariff schedules; with amendment (Rept. No. 2815). Referred to the Committee of the Whole House on the State of the Union.

Mr. HINSHAW: Committee on Interstate and Foreign Commerce. S. 2074. An act to extend for an additional 5 years the provisions of the act of September 30, 1950, entitled "An act to promote the development of improved transport aircraft by providing for the operation, testing, and modification thereof"; without amendment (Rept. No. 2816). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS of Ohio: Committee on House Administration. House Concurrent Resolution 254. Concurrent resolution authorizing the printing of additional copies of House Reports Nos. 2240, 2241, 2242, 2243, and 2244, current session; without amendment (Rept. No. 2817). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Concurrent Resolution 261. Concurrent resolution authorizing the printing of additional copies of the hearings on civil defense for national survival held during the current session by a subcommittee of the Committee on Government Operations; without amendment (Rept. No. 2818). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Concurrent Resolution 262. Concurrent resolution authorizing the Joint Committee on Atomic Energy to print 40,000 additional copies of the hearings of the Research and Development Subcommittee on Progress Report on Research in Medicine, Biology, and Agriculture Using Radioactive Isotopes; with amendment (Rept. No. 2819). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Concurrent Resolution 263. Concurrent resolution authorizing additional copies of the hearing on labor-management problems of the American merchant marine; without amendment (Rept. No. 2820). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 529. Resolution authorizing the printing of additional copies of House Report No. 2279, a report of the Committee on Government Operations on the effect of Department of the Interior and Rural Electrification Administration policies on public power preference customers; without amendment (Rept. No. 2821). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 573. Resolution to print additional copies of the hearing held during the current session containing the testimony of Nikolai Khokhlov; without amendment (Rept. No. 2822). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 596. Resolution authorizing the printing of additional copies of the hearings on the Health Amendments Act of 1956; without amendment (Rept. No. 2823). Ordered to be printed.

Mr. KLEIN: Committee on Interstate and Foreign Commerce. H. R. 12144. A bill to amend the War Claims Act of 1948, as amended; without amendment (Rept. No.

2824). Referred to the Committee of the Whole House on the State of the Union.

Mr. KLEIN: Committee on Interstate and Foreign Commerce. H. R. 6586. A bill to amend section 7 of the War Claims Act of 1948, with respect to claims of certain religious organizations functioning in the Philippine Islands; with amendment (Rept. No. 2825). Referred to the Committee of the Whole House on the State of the Union.

Mr. DIES: Committee on Interstate and Foreign Commerce. S. 3430. An act to amend title III of the Public Health Service Act, and for other purposes; with amendment (Rept. No. 2826). Referred to the Committee of the Whole House on the State of the Union.

Mr. DELANEY: Committee on Rules. House Resolution 616. Resolution for consideration of H. R. 9875, a bill to amend the Internal Revenue Code of 1954 to provide that the tax on admissions shall apply only with respect to that portion of the amount paid for any admission which is in excess of $1; without amendment (Rept. No. 2827). Referred to the House Calendar.

Mr. O'NEILL: Committee on Rules. House Resolution 617. Resolution for consideration of S. 3732, an act to provide insurance against flood damage, and for other purposes; without amendment (Rept. No. 2828). Referred to the House Calendar.

Mr. BONNER: Committee on Merchant Marine and Fisheries. House Joint Resolution 676. Joint resolution to authorize the Secretary of Commerce to sell certain war-built vessels; with amendment (Rept. No. 2829). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FORRESTER: Committee on the Judiciary. H. R. 10898. A bill for the relief of Mr. and Mrs. Randall McMahon; with amendment (Rept. No. 2808). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. S. 2419. An act for the relief of Dr. Anton M. Lodmell; without amendment (Rept. No. 2811). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. S. 3064. An act for the relief of Thomas J. Smith; without amendment (Rept. No. 2812). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. S. 3347. An act for the relief of Mr. and Mrs. H. P. Webb; without amendment (Rept. No. 2813). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY:

H. R. 12310. A bill to provide for further research relating to new and improved uses which offer expanding markets for farm products, and for other purposes; to the Committee on Agriculture.

By Mr. BARTLETT:

H. R. 12311. A bill to provide increased apportionments to Alaska with respect to the Federal Aid in Wildlife Restoration Act and the Federal Aid in Fish Restoration Act; to the Committee on Merchant Marine and Fisheries.

By Mr. BRAY:

H. R. 12312. A bill to provide for the issuance of a special postage stamp to honor the 125th anniversary of the origin of the savings and loan associations; to the Committee on Post Office and Civil Service.

By Mr. THOMPSON of New Jersey:

H. R. 12313. A bill to supplement the antitrust laws of the United States, in order to balance the power now heavily weighted in favor of automobile manufacturers, by enabling franchise automobile dealers to bring suit in the district courts of the United States to recover compensatory damages sustained by reason of the failure of automobile manufacturers to act in good faith in complying with the terms of franchises or in terminating or not renewing franchises with their dealers; to the Committee on the Judiciary.

By Mr. DIXON:

H. R. 12314. A bill to amend the Packers and Stockyards Act, 1921, as amended, and for other purposes; to the Committee on Agriculture.

H. R. 12315. A bill to provide for further research relating to new and improved uses which offer expanding markets for farm products, and for other purposes; to the Committee on Agriculture.

H. R. 12316. A bill to provide for the establishment of the Golden Spike National Monument; to the Committee on Interior and Insular Affairs.

By Mr. LESINSKI:

H. R. 12317. A bill to provide for increases in the annuities of annuitants under the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Post Offices and Civil Service.

By Mr. WALTER:

H. J. Res. 693. Joint resolution to authorize the issuance of nonquota immigrant visas allocated under the Refugee Relief Act of 1953, as amended, upon the expiration of the said act; to the Committee on the Judiciary.

By Mr. HAYS of Ohio:

H. Con. Res. 268. Concurrent resolution authorizing the disposal of certain obsolete Government publications now stored in the folding rooms of the Congress; to the Committee on House Administration.

By Mr. O'HARA of Illinois:

H. Res. 613. Resolution creating a select committee to conduct an investigation and study of the regulatory practices of the Federal Reserve System; to the Committee on Rules.

By Mr. ASHLEY:

H. Res. 614. Resolution that the Administrator of General Services Administration refrain from selling certain land in Lucas County, Ohio, temporarily; to the Committee on Government Operations.

By Mr. FRIEDEL:

H. Res. 615. Resolution authorizing the Sergeant at Arms of the House of Representatives to insure the funds of his office; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LATHAM:

H. R. 12318. A bill for the relief of William S. Scott; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H. R. 12319. A bill for the relief of Franc Molka; to the Committee on the Judiciary.

By Mr. O'NEILL:

H. R. 12320. A bill for the relief of Elpis Patrinacos; to the Committee on the Judiciary.

By Mr. PHILLIPS:

H. R. 12321. A bill for the relief of Alfonso Navarette-Navarette; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H. R. 12322. A bill for the relief of Mrs. May Chen Cheing Voo (Wu) and Ming-Ming Voo (Wu); the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Voluntary Credit Home Mortgage Program

EXTENSION OF REMARKS
OF
HON. EDWARD T. MILLER
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 1956

Mr. MILLER of Maryland. Mr. Speaker, the Congress has repeatedly voiced its interest in providing means by which in proper cases veterans can be assisted in promptly securing homes for themselves and their families.

However, a situation has developed that has had a serious effect upon many veterans and is producing inexcusable delays in the housing program.

The difficulty is not occasioned by faults in the legislation but in the way in which it is administered.

The VA has quite properly adopted a policy of reserving direct loans for the cases which are sound but where for some reason or another, the veteran is unable to secure the necessary credit from private institutions. To facilitate this approach an organization of private lenders has been established under the name Voluntary Credit Home Mortgage Program, and through it, applications are channeled to be accepted or rejected by private lenders within a reasonable period. If the application is rejected by VCHMP, it then becomes eligible for consideration for a direct VA loan.

So far the procedure works reasonably well. The catch is that after a loan is accepted by VCHMP and is therefore ineligible for a direct loan, all too frequently action bogs down for long periods and months elapse before the loan is processed and available. Often the veteran and his contractor are placed in a frustrating and damaging position. This is particularly apt to occur in rural areas such as the district I represent. They cannot secure a direct loan, yet the guaranteed private loan is not forthcoming.

An examination of the records of a single real estate broker on the Eastern Shore of Maryland indicates that, at the present time, he has 18 purchases by veterans awaiting financing or which have been settled in the last 30 days. Of that

18, it took 12 months and 11 days to settle 1; it took 9 months and 21 days to settle 1; it took 7 months and 6 days to settle 1; it took 8 months and 14 days to settle 2; it took slightly over 9 months to settle 1, and of the ones unsettled, 4 have been approved more than 5 months ago with no apparent settlement date in sight, and 3 others have been in progress for at least 9 months.

An examination of the records of a local builder indicates that of 9 cases on which applications have been approved 4 are not yet settled, the applications on those having been approved in January of 1956 and in February of 1956. Of the ones which have been settled, there is an average of approximately 6 months' delay. This situation exists with all persons dealing with the veterans' mortgage field in this area.

These two examples are the result of a personal spot check and there are doubtless many similar situations.

As the result of the delay, two unfortunate situations are developing. First, the veteran is being seriously deprived of his ability to purchase a home, and in some instances where the seller has become dissatisfied, has been unable to make the necessary purchase at all. In some instances the veteran is obliged to pay rent for which he does not receive credit on his purchase price between the time he occupies the house after completion and the 7, 8, or 9 months in which he awaits a permanent financing. The second undesirable effect is the serious deterrent which there is to business in the construction industry generally, with the net effect that new starts are being seriously impeded and business activity generally is suffering.

I hope this state of affairs can be corrected administratively. If not, I trust appropriative legislation will be considered at the outset of the next session of Congress.

Schedule of Tour of the 13th Ohio District

EXTENSION OF REMARKS
OF
HON. A. D. BAUMHART, JR.
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 1956

Mr. BAUMHART. Mr. Speaker, despite the tremendous technological advances that have been made in the field of communications in recent years, there is no adequate substitute for face-to-face contact to enable a Member of Congress to learn the sentiments of his district and render the best possible service to his constituents.

It is for this reason that I look forward with fond anticipation to my annual postadjournment tour of each of the four counties in my congressional district.

Last year I was visited by constituents from all walks of life—housewives, farmers, mill workers, retailers and manufacturers, retired people—a representative cross section of Lorain, Erie, Huron, and Sandusky Counties.

Many dropped in to see me about pending legislation, foreign affairs, farm policy, national defense. Still others came to discuss personal and business problems—servicemen's family hardship cases, Government employment, veterans and social security benefits, Academy appointments, harbor development and other public works, postal service, Government contracts, immigration procedures, and so forth.

Beginning on September 17, I will embark on another 4-week grassroots tour through the 13th Ohio District, according to the following schedule:

September 17–21: Loraine County Courthouse, Elyria, Ohio.

September 24–28: Erie County Courthouse, Sandusky, Ohio.

October 1–5: Sandusky County Courthouse, Fremont, Ohio.

October 8–12: Huron County Courthouse, Norwalk, Ohio.

I am grateful to the local officials who have made office space available to me for these conferences. I feel their cooperation and helpfulness deserve public acknowledgment.

Individuals and groups who wish to confer with me during this tour are welcome to visit me at their convenience. No appointments are necessary.

Our republican form of government demands that we, as the elected representatives of the people, keep open every possible channel to public opinion within our districts. I know that these meetings during September and October will be of great assistance in enabling me to discharge my responsibilities as a Member of the House of Representatives.

Our Pigtail Veterans' Program

EXTENSION OF REMARKS
OF
HON. GEORGE H. CHRISTOPHER
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 1956

Mr. CHRISTOPHER. Mr. Speaker, when the Congress undertakes to pension America's old disabled and down-and-out veterans, invariably certain propagandists attempt to stampede the American taxpayers by citing astronomical cost projections. But what about our pigtail pension program? Yes, how much in dollars and cents are the taxpayers paying to pension Chiang Kai-shek's soldiers who turned their backs to the Communist invader?

According to reliable press reports, Mr. Eisenhower's ICA is really going to town for Chiang's army. I am talking about the Free China veterans' program being set up by Mr. Harold V. Sterling, a retired Assistant Administrator of our own Veterans' Administration.

Under this program $48 million ICA money will be spent this year—as initial outlay—to pension 70,000 veterans of Chiang's forces and to build old soldiers homes, military convalescent camps, a general hospital, a tuberculosis hospital, and several public works projects.

The projects are being supervised by the George Frye Associates, a management organization, with offices in New York and Chicago and, of course, at the taxpayers' expense.

Now the veterans being pensioned are not service-connected. They are just being retired at United States expense. According to Ralph Boyce, of the ICA, this "is a means of getting rid of old soldiers to make room for new ones." That's a service pension scheme if I ever heard of one.

Of course these expenditures represent only the beginning, and from year to year the Congress will be called on to appropriate the necessary funds for completion of Chiang's building program and to hand over the money for the pension payments.

H. R. 12302

EXTENSION OF REMARKS
OF
HON. LEE METCALF
OF MONTANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 1956

Mr. METCALF. Mr. Speaker, I have introduced H. R. 12302 to authorize the Secretary of the Interior to permit the United States Fish and Wildlife Service and other agencies within his department to enter into cooperative agreements with other Federal agencies, colleges and universities, State and Territorial fish and game departments, and non-profit organizations for the conducting of research, training, and demonstrational programs through the establishing of cooperative research units, which may be named for the various States and Territories in which they are formed.

The research work to be conducted under this proposed program definitely would constitute valuable training for graduate students who are required to perform field research as part of their formal educational training. This kind of a program, confined largely to wildlife activities, has been in operation in 16 of the land grant colleges and universities—among them Montana—throughout the United States and Alaska since 1935. This bill would stabilize, strengthen and broaden the existing program.

The present cooperative research unit program, which has been operating successfully for more than 20 years, has proved itself to be a highly valuable and economical method of getting research work done while training men for future careers in fish and wildlife research, management, and administration.

The 16 colleges and universities affiliated in the present cooperative research unit program have bestowed 2,373 degrees upon wildlife students since the program started. A high percentage of the graduates are employed in State and Federal agencies and educational institutions in all parts of the country. The existing unit program has provided

splendid cooperation between the Federal and State agencies and colleges and universities, and there is no doubt but that such local programs are in the public interest.

This bill will be examined and discussed during adjournment. It will be introduced again early next session.

Fancy Footwork on the Washington Post and Times Herald—No. 2. Republican Senators and Lack of Leadership by the President Responsible for Destroying Cultural Exchange Program

EXTENSION OF REMARKS
OF
HON. FRANK THOMPSON, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 1956

Mr. THOMPSON of New Jersey. Mr. Speaker, in the report, No. 2580, filed by the Appropriations Committee of the Senate to accompany the supplemental appropriation bill, 1957, H. R. 12138, this language occurs:

With respect to the sum recommended for expenditure by the State Department the committee disapproves the use of funds for jazz bands, ballet and dance groups and similar activities, and strongly urges that greater emphasis be placed in sponsoring choral groups and miscellaneous sports projects. The effectiveness of some of the musical groups heretofore sponsored appears questionable.

In addition to this limiting, nay, strangling, action the Senate Appropriations Committee cut the appropriation requested for the President's Emergency Fund from $2.5 million to $1.5 million. The Washington Post and Times Herald makes this comment editorially this morning, Thursday, July 19:

ART FOR EXPORT

The Senate Appropriations Committee has added insult to injury in dealing with the State Department's overseas cultural program. The injury took the form of cutting the program's appropriation from the $2.5 million requested to $1.5 million. The insult was contained in a paragraph of the committee's report which declared: "The committee disapproves the use of funds for jazz bands, ballet and dance groups, and similar activities, and strongly urges that greater emphasis be placed in sponsoring choral groups and miscellaneous sports projects."

Leaving entirely out of account the impropriety of this sort of legislative assumption of administrative responsibility, the committee's view seems to us a sadly mistaken one on esthetic and pragmatic grounds. Dizzy Gillespie's band may seem to produce nothing but pure noise to Senator ELLENDER, who led the attack on jazz in the committee; but the fact of the matter is that all over Europe, the Middle East, and the Far East crowds flocked to hear the Gillespie group. Similarly, Louis Armstrong, playing a type of music which might not be appealing to Senator ELLENDER, was hailed as genius by audiences all over the European continent.

Jazz music is a peculiarly American art form. As such, it has special interest for Europeans and constitutes a distinctive American contribution. It has won the flattery of extensive imitation abroad; but few if any of its alien imitators has ever matched the Gillespies and Armstrongs—or a host of other American band leaders—in quality or in popularity. Whether Senator ELLENDER appreciates it or not, American jazz orchestras have made friends abroad who could not have been won by any form of propaganda.

The United States has given hospitality to some of the great ballet corps exiled from totalitarian lands; as a result ballet under American sponsorship has a special significance to Europeans. To cut this art form out of a cultural program would be to deprive this country of one of its real assets. Choral groups are all very well, and it is nice to know that Senator ELLENDER likes them; but people abroad seem to have plenty of choral groups of their own. As for miscellaneous sports projects, it is hard to see how they contribute to a cultural program designed to demonstrate that the United States is a free society where the arts are fostered and flourish.

Now, Senator MCNAMARA, in an important speech on the floor of the Senate on Wednesday, July 18, which was reported by the Washington Star yesterday, had some things to say about the Washington Post and Times Herald and the way it reports, or, I should say, fails to report all the news that is fit to print.

I am disappointed—

Said Senator MCNAMARA—

that another great newspaper perhaps has not been so forthright as either John Knight of the Detroit Free Press or Mr. Reston of the New York Times. I refer to the Washington Post and Times Herald.

It is my painful duty today to call to the attention of my colleagues the way the Washington Post and Times Herald reported the action of the Senate Appropriations Committee. For the sake of the record I include the article from the news section of the Washington Post and Times Herald this morning:

JAZZ MISSING BEAT ABROAD, SENATE SQUARES SAY, BUT NOBODY WAS LOOKING AT THE WASHING MACHINE

(By Paul Hume)

American jazz will suffer some real licks if the Senate Appropriations Committee has its way on what this country sends abroad.

A report of this committee reads: "The committee disapproves the use of funds for jazz bands, ballet and dance groups, and similar activities, and strongly urges that greater emphasis be placed in sponsoring choral groups and miscellaneous sports projects."

This report accompanies the supplemental appropriations bill which was approved by the Senate last Tuesday. Opposition to sending jazz musicians overseas was voiced by Senator ALLEN J. ELLENDER, Democrat, of Louisiana, who said, after hearing Dizzy Gillespie's band, "I never heard so much pure noise in my life."

Last spring the Government spent $92,500 to help make possible a tour in which Gillespie and his band played in eight Middle Eastern and Balkan countries. According to a report of July 14 in the Saturday Review, Gillespie's tour was a complete and unqualified triumph for jazz, for American jazzmen, and for democratic ideas by this band during its travels.

Theodore C. Streibert, director of the United States Information Agency and coordinator of the international program, said he heard only one criticism of the Gillespie tour: People had difficulty getting in to hear the band because the response to its playing was so tremendous.

As the appropriation now stands, the State Department's share of funds for overseas music is a million dollars less than last year, while the Commerce Department has been granted an increase of $3 million in order to carry out an extensive program of trade shows. Regarding these shows, Representative JOHN J. ROONEY, Democrat of New York, said that he visited a trade fair in Europe where American machinery was on display.

"Nobody was looking at the washing machines," he said. "They were all standing around a juke box made in Chicago listening to dance bands."

The Senators from Louisiana, one of the great sources of jazz, the brand known as Dixieland, do not share similar views on the subject. A recent radio program called Guest Conductor, which featured the favorite music of the junior Senator from Louisiana, RUSSELL B. LONG, closed with two of LONG's favorite samples of New Orleans jazz: When the Saints Go Marching In and Tailgate Ramble.

American musicians, returning from both brief and extended tours abroad, universally report that the greatest interest overseas is in our jazz. A prominent Washington musician, just back from a year's study in Belgium on a Fulbright grant, said, concerning American choral groups touring Europe, "The people over there are just not interested in choral music."

The bill, of which the controversial supplemental report is a part, is H. R. 12138. It is now due to go into conference where jazz has one final chance of getting back into the act. House Members who, it is suggested, are perhaps younger and livelier than their Senate colleagues, are hoping to get the big beat back into the bill.

This report, and the editorial as well, completely overlooks the fact that there are 11 Republican members of the Senate Appropriations Committee. What were they doing when the appropriation for the President's Emergency Fund was under consideration?

Senator KARL F. MUNDT is on the committee. He is one of the authors of the Smith-Mundt Act which, with the Fulbright Act, is basic legislation in the field of cultural exchange.

Senator WILLIAM F. KNOWLAND, a member of the Appropriations Committee, is spokesman for the administration in the Senate. Everyone is familiar with President Eisenhower's numerous statements in support of cultural exchange programs in general and this Emergency Fund in particular. Certainly Senator KNOWLAND, who is so close to President Eisenhower, knows how he feels about this matter of sending performing artists overseas. He must know that the President initiated this Emergency Fund in July 1954 and that the Congress appropriated $5 million for it in 1954 and in 1955. The fact that the Senate on March 26, 1956, adopted S. 3116, a measure to make the President's Emergency Fund permanent, could not have escaped the attention of Senator KNOWLAND or any of the other Republican members of the Senate Appropriations Committee. They also must have been aware that the top officials of the Eisenhower administration have supported this very small $5 million fund before the various committees of the Congress.

I might add that my own interest in this matter is based on legislation which

I cosponsored with Senator HUBERT H. HUMPHREY, of Minnesota.

Now the point I want to make here is that the Washington Post and Times Herald this morning completely fails to mention the Republican Senators who are members of the Senate Appropriations Committee. Did they sit stolidly by when the President's fund was under consideration? Did they defend the program? How did they vote? Or were they absent? These things the Washington Post article does not go into.

Senator ELLENDER is mentioned both in the editorial and in the news article as the man who, it is said, led the attack on jazz in the committee. It seems to me that Senator ELLENDER or anyone else can like or not like jazz. Personally, I think it is a great art form, perhaps our very greatest art form, native to this country, completely democratic, telling our story as no amount of symphony orchestras can tell it by playing the music of the classical composers of Europe.

Senator ELLENDER has every right to oppose the appropriation of funds to send jazz bands abroad where they have been hailed as our finest export. He has the right to be wrong, and he is terribly wrong in this instance, I feel. Surely, too, the other Senators on the Appropriations Committee can vote their convictions. But I must point out that the Senate without a single dissenting vote, and without any discussion, adopted S. 3116, a bill to make this program permanent in its present form and without the modifying and limiting language of the Senate Appropriations Committee. It seems to me extremely unlikely that anything has happened since March 26, 1956, to have caused the Senate to accept the recommendation of the Senate Appropriations Committee on this important program without question. Nor do I yield to the suggestion that has been made that the other Chamber has grown unsteady, or unstable.

Surely, however, the action of the Senate Appropriations Committee and of the Senate itself on this matter raises some very interesting questions, in view of its action in adopting S. 3116 a few short weeks ago.

And one of these questions, certainly, is: Where were the Republican members of the Senate Appropriations Committee when this program was under consideration? Why did not they, or at least some of them, defend the program? They could certainly have outvoted Senator ELLENDER who is, after all, only one Senator and has only one vote in the committee.

Another thing. Why did not the Washington Post and Times Herald, in reporting this story, tell us what the Republican Senators were doing at the time? Could it be that this newspaper was printing only that part of the news that fits its special prejudices as has happened before? Was the Washington Post and Times Herald playing partisan politics?

What about the vaunted leadership of the President? Why was it not in evidence in support of his own program? If it was in evidence, did the Republican Senators on the committee and in the Senate vote against the program despite the President?

The Washington Post and Times Herald should try again and this time it should give us all of the story.

Fifteenth Anniversary of the Commissioning of the United States Naval Air Station at Quonset Point, R. I.

EXTENSION OF REMARKS
OF
HON. THEODORE FRANCIS GREEN
OF RHODE ISLAND
IN THE SENATE OF THE UNITED STATES
Thursday, July 19, 1956

Mr. GREEN. Mr. President, on Saturday, July 14, it was my privilege to be the principal speaker at the 15th anniversary of the commissioning of the United States Naval Air Station at Quonset Point, R. I. I ask unanimous consent to have printed in the RECORD the address I gave at these exercises, and also in this connection three form letters, first from Capt. B. E. Close, United States Navy, commanding officer at the Naval Air Station, Quonset Point, entitled "A Sincere Welcome to You," and second, from the executive officer at the Naval Air Station, Comdr. George M. Cunha, United States Navy, and third, from Jack A. Smith, president of the Civilian Welfare Association at the Naval Air Station, entitled "Welcome Neighbors" and dated July 14, 1956.

These letters, I believe, will be of interest to all who are interested in our naval establishments.

There being no objection, the address and form letters were ordered to be printed in the RECORD, as follows:

ADDRESS OF UNITED STATES SENATOR THEODORE FRANCIS GREEN AT THE 15TH ANNIVERSARY OF THE COMMISSIONING OF THE UNITED STATES NAVAL AIR STATION AT QUONSET POINT, RHODE ISLAND, JULY 14, 1956

Captain Close, officers and men of the Navy, employees of the Naval Air Station, honored guests, ladies and gentlemen, this 15th anniversary celebration of the establishment of the United States Naval Air Station here at Quonset Point, recalls vividly to me the ceremonies I attended in connection with the commissioning of this northeastern air base in July 1941.

I am especially glad to be here again today as for these past 15 years it has been my privilege to be closely associated with the establishment and development of this base.

I remember well my talks with the late President Roosevelt relative to the original selection of this site, and later my sponsorship of the appropriation of $1 million for the purchase of additional land needed by the Navy for the base.

I also have in mind my conferences with the late President Roosevelt and Navy officials relative to the appropriation of sufficient funds to construct the base. Later I recall visiting this site when steam shovels, bulldozers, engineers, technicians and laborers were busy rushing the completion of the base so that the northeastern part of our country would have an active Naval air facility in the event that some aggressor might declare war against us. It was not long before that declaration of war came and this great Naval Air Station was again expanded, and other Naval establishments, such as the Sea Bee Base at Davisville, were located in close proximity.

The 15 years have passed swiftly since the commissioning of this great Naval Air Station in 1941, and they have been filled with historical events.

Throughout the first 4 years our country was engaged in a war which threatened the very existence of all freedom loving nations. During that war the German submarine brought the fight to the shores of the United States. Many of you here today will recall how the Atlantic shores of our homeland, from Maine to Florida, were washed with the fuel oil of merchant ships sunk by German submarines in our coastal waters.

This United States Naval Air Station here at Quonset Point was a key base in that fight against the German submarine, for it was here that most of the patrols flown by aircraft over the North Atlantic shipping routes started. This air station provided all the required services for these flights—fuel, overhaul and repair, training of crews for the planes and for their overhaul and repair. Later on it served as a base for the hunter-killer aircraft carriers which proved to be the doom of the German submarine.

The years since World War II have been marked by significant changes. I remind you especially of the establishment and growth of collective security agreements among the free peoples of the world planning to preserve their independence and freedom. In these agreements, such as the charter of the United Nations and the charter of the North Atlantic Treaty Organization, our country has pledged assistance to more than 60 nations.

These collective security agreements look to the United States for leadership and support. The seas are the common highways which link us together. Across the world's oceans we extend our economic strength and political power to our allies today more than ever before. Our Navy is the tool which we depend upon to keep these highways free—it is the strength and mobility of our naval forces which give meaning and reality to these collective security agreements.

The United States depends on these ocean highways now more than ever before to reach sources of raw materials. Of the 77 strategic and critical materials which are needed for our defense production, 66 must be imported in whole or in part from across the oceans. In only 11 are we self-sufficient. Most of all, the tin, rubber, chromium, cobalt, mica and aluminum must be imported, and can only be brought to this country, in the quantities needed, by ships. It may be truly stated that our country cannot afford to lose control of the seas if we are to survive. Today the American Navy is more important than ever before—not only to us, but also to the whole civilized world.

It is significant to remember that the Nazis started World War II with only 57 submarines, but with this small starting force, they brought the war to our very coast line. Today the Russians have some 400 submarines, more than 7 times the number the Germans had at the start of World War II.

A second significant change which has come to pass during the past 15 years, involves the tremendous new advancements in our Armed Forces. For example, in our Navy, here at this naval air station, we have seen the transition from propeller-driven aircraft to supersonic jet aircraft. Fifteen years ago naval aviators trained at this base joined the fleet to fly the *Hellcat* and *Corsair* aircraft with a top speed of about 400 knots. Today in our fleet, aircraft such as the *Banshee* and *Cougar*, with the same mission, operate at supersonic speeds. The aircraft carriers *Forrestal* and *Saratoga*, which are capable of operating these new aircraft, are

now an active part of the United States Fleet. Recently I took a short cruise on the *Forrestal* and went all over her from stem to stern, on all her decks, flying ashore from the flight deck while at sea. She has all the latest equipment and is most impressive.

The U. S. S. *Nautilus* has successfully introduced nuclear power into the fleet. This change from fuel oil to nuclear power was described as a historical first. It was at first compared in importance to the introduction of steam power, and later on to the change from coal to oil fuel. It has been truly revolutionary and is significant of the advanced science in our Navy.

The U. S. S. *Boston* and U. S. S. *Canberra* have joined the fleet as the world's first guided-missile cruisers. This change from bullets to missiles is another significant event that has taken place within recent years.

We have every reason to expect that the employment of nuclear power and guided missiles will develop tremendously during the next 15 years, and that these developments will require still further changes in the designs of ships, submarines, and aircraft.

The very existence of this new Navy, and the versatility and mobility it represents, greatly increases the chances for avoiding other wars, either small or large. Our enemies who would conquer the world are persuaded that they must first conquer the seas. Our Navy today is a strong deterrent force, which today protects the peace of the free world.

I am one of those who definitely believe that our country can best be protected if we have a strong Navy and Naval Air Force. So, I express my congratulations to the officers and men of this base and to the civilian workers who are employed here, and also congratulations to the mothers and fathers of the officers and men who have served here since the base was commissioned. Their records are those of achievement and efficiency and I, for one, believe that in the years to come this station will continue its expansion, will increase its activity, and will add to its prestige, not only as a great naval activity but also as an important industrial development in our State.

A SINCERE WELCOME TO YOU

On behalf of all Navy-civilian personnel at United States Naval Air Station, Quonset Point, I am pleased to have this opportunity of extending to you a most cordial welcome to participate with us in celebrating the 15th anniversary of the commissioning of this important link in the great chain of Atlantic coastal defenses. We, at Quonset, are proud of our station and of the progress that we have made over the past 15 years in the impressive advancement accomplished in naval aviation—our contribution to America's defense system through service to the fleet. It is our sincere wish that you may have a thoroughly enjoyable day with us. We will do all within our power to make you welcome.

B. E. CLOSE,
Captain, United States Navy, Commanding Officer.

As a native-born Rhode Islander, I am vitally interested in anything that is advantageous in promoting the welfare of the State. The creation and ever-continuing development of Quonset as one of the most important naval air stations in America have been instrumental in achieving this by providing jobs for many of my Rhode Island neighbors and friends and in improving economic conditions in general. Naturally, as a native, I would like to have people see what we are doing here at Quonset, therefore I am happy that Captain Close is so cordially welcoming you to help us celebrate our 15th anniversary on Saturday, July 14, in this way observing at first hand our Navy-civilian team in action and enjoying a day as our guests.

GEORGE M. CUNHA,
Commander, United States Navy, Executive Officer.

UNITED STATES NAVAL AIR STATION,
Quonset Point, R. I., July 14, 1956.

WELCOME NEIGHBORS: The Civilian Welfare Association is organized, as its name implies, to promote the welfare and recreation of all civilian employees of United States NAS, Quonset Point. The directors of this association comprise two delegates from each of the employee organizations officially recognized at Quonset. They elect their own officers, prepare bylaws, appoint committees, and supervise the work of those committees.

The assistance committee accomplishes its work with the utmost tact and many times has stepped in to assist Quonset workers in financial difficulties as a result of prolonged sickness, fire, or other disaster. It has available for free loan to station employees hospital beds, wheel chairs, and crutches. Through shop and unit representatives of the association, this committee maintains an active line of communication to all workers.

The recreation committee works with all departments and work units through the same representatives to provide recreational facilities and to support recreational activities on the station on an equitable basis for all employees. The blood donor committee maintains at Rhode Island Hospital, Providence, R. I., what is believed to be the largest blood bank account of any single work group, from which withdrawals may be made by any employee or member of his immediate family. In addition, for workers living outside of Rhode Island, the blood donor committee arranges direct donations as they are needed.

Other committees work to support these and other activities of the association and to carry on its affairs expeditiously and efficiently in the interest of all civilian workers.

The association's shared sponsorship of tonight's "Welcome Neighbors" dance at landplane hangar No. 1 is a sample of the association's efforts to provide all civilian employees of Quonset an evening of enjoyable recreation, an opportunity to meet each others' families and friends, and to celebrate with them this station's 15th anniversary of "Service to the Fleet."

To all of our guests we extend a most cordial welcome.

JACK A. SMITH,
President.

S. 4146 and H. R. 12061

EXTENSION OF REMARKS
OF
HON. ROBERT C. BYRD
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 1956

Mr. BYRD. Mr. Speaker, under leave to extend my remarks, I wish to include a statement which I made today in an appearance before the House Committee on Rules. I spoke in opposition to S. 4146 and H. R. 12061, bills authorizing the construction of a number of atomic reactors and authorizing the expenditure of $400 million in furtherance of the acceleration program. The statement follows:

Mr. Chairman, you are extremely kind to permit me to appear before this committee today. I realize the pressure of business in these closing days of the Congress is such that the Committee on Rules is especially hard put. It would certainly be understandable if requests such as mine were rejected in the interest of expedition. Yet, the chairman and other members of this committee are so cognizant of the importance of the bills pertaining to the atomic reactor program that you would not be satisfied to act upon it without having heard the testimony of each interested party.

I should like to preface my remarks with the explanation that I have from the start been an enthusiastic advocate of the plan to put the atom to work in every way that it is economically feasible and practical. I am convinced that the research and development work should be left to private industry wherever possible, but I have not opposed the program by which the Federal Government would participate in the construction of experimental reactors. I speak in opposition to S. 4146 and H. R. 12061 because, among other reasons, they would go far beyond this concept. They would order and direct the Atomic Energy Commission to carry out a program to which the Commission itself is opposed—a program for duplication of facilities that have not yet been given an opportunity to demonstrate their worth.

Mr. Chairman, the principles involved in these bills are highly confusing in that they appear to be entirely devoid of reason. It would appear that the Joint Committee on Atomic Energy, in its sincere and devoted effort to produce legislation of some sort before the 84th Congress becomes history, has created these bills in a desperate attempt to beat the clock at the 11th hour. The proposed legislation is entirely unnecessary. It would set up atomic generating facilities to compete with coal and other fossil fuels at AEC plants. Despite the fact that the Federal Government will absorb the cost of constructing and operating these facilities, they will still not be able to produce electricity nearly as economically as that which comes from steam plants using coal, oil, and gas. Thus, though there is no logical defense for the construction of these plants, they would nevertheless be put into operation as a losing proposition and at the same time threaten coal's markets—markets which provide for the very subsistence of many of the families in my congressional district.

Inasmuch as my district is the world's most productive bituminous coal region, Mr. Chairman, I could, in justice to my people, review in detail the importance of the electrical market to the coal industry. I shall not impose on your time, however, because I am certain that you understand the serious implications of this nature contained in these bills. Nor will I dwell upon the subject of atomic radiation and its effect on the health—mental and physical—of the human being. I am certain that you too were disturbed by the report of the National Academy of Sciences that emphasized the danger of exposure to these lethal rays and that you will take this factor into consideration in making your decision on this proposed legislation.

What I especially wish to point out to you at this time, Mr. Chairman, is that while it may appear to some advocates of this program that there will be no substantial harm in directing the AEC to put up reactors in these specified areas, so far as on-the-spot technical aspects are concerned, I submit that such a program would serve to accentuate the shortage of scientific and engineering manpower that already confronts us. You know the story. It persists in private plants and in Government laboratories. The Congress itself has time and again discussed means of alleviating the deficits in engineering manpower.

Admiral Radford referred to this important problem on April 18, 1956, when he appeared

before a subcommittee of the House Appropriations Committee. He pointed up the shortage of scientific personnel for research and development work. The Chairman of the Joint Chiefs of Staff said these words:

"I have come to the conclusion that we are spending probably all the money in research and development that we can spend to advantage. We have reached a stage where the limitation in that field is probably a matter of competent scientific personnel available for that work.

"We can give a contract to a company for research and usually they will take it. Then we see ads in the paper where they try to hire trained men away from some other company that is producing on some other defense research program. There is a shortage. If we were to materially increase our efforts in this line I think we would cause trouble."

Could we now in conscience subscribe to a program which would require the services of thousands of trained technicians to be used in a project that is not necessary to our military or peacetime survival? I think you will find that this is one of the major reasons for the AEC's objection to the proposed legislation. For that matter, you will find that some members of the Commission are quite fearful that, if this program should become law, it would be necessary to take personnel away from defense research and development projects in order that they may fill the positions that will, in effect, be set up by a mandate of Congress under these bills.

Mr. Chairman, I ask that you consider this point very seriously. I shall not take any more of your time. Again, let me thank you for this opportunity to appear in opposition to S. 4146 and H. R. 12061.

What Is the Eisenhower Administration Trying To Do to the Seat-of-Government Concept Decreed by Article I of the Constitution?

EXTENSION OF REMARKS

OF

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 1956

Mr. THOMPSON of New Jersey. Mr. Speaker, among all the subjects confronting Congress in the closing days of the present session, few are as important to our Nation as the problem I am about to outline. With concern over it mounting in the national press, in local government, and among citizens everywhere, it deserves immediate legislative attention and action.

I refer to the unplanned, uncoordinated, and thoroughly political manner in which Federal agencies are presently being permitted to move out of Washington. Because Government is the No. 1 industry of our Capital City, the net effect of this trend, if allowed to continue, could be to turn Washington into a ghost city.

Washington has been aptly characterized in a recent magazine article as "the pride of every good American and in reality the capital of the free world." It is your city and mine. To most of us in this Congress, its stately buildings and leafy avenues symbolize a second home.

To millions of tourists its gleaming monuments are reminders of our Nation's glorious past. To visitors from other parts of the world, Washington stands as a constant symbol of liberty and freedom—and of hope that these priceless attributes may someday be attained by the enslaved millions of the world.

Yet today, the security of this, the world's most important Capital City, is threatened by an indiscriminate flight of Federal agencies to the suburbs. Although this threat is less dramatic than that posed by the H-bomb and intercontinental ballistic missile, it can, if allowed to continue, have the same effect over the long term.

You can find the problem outlined in headlines of the day: "City of Washington in Trouble," U. S. News & World Report, July 6, 1956; "United States Agencies Join Rush to Suburbs," New York Times, July 15, 1956; "Undermining the Capital," Washington Star, June 12, 1956; "Agencies Scored for Leaving District of Columbia," Washington Post and Times Herald.

I shall quote briefly from some of these news stories and editorials. On July 15, a New York Times story bearing a Washington dateline announced:

> The largest Federal construction program in years is underway with proposed and approved projects involving more than $400 million in the Washington area alone. And, like many citizens of this town, more of the Federal agencies are turning to the suburbs for their new homes. * * *
>
> All this, agency officials will explain, is because it is Government policy to disperse for defense reasons, there are few suitable sites left in Washington, and the modern buildings they want to build would run into trouble with the Fine Arts Commission.
>
> But there is suspicion among some Members of Congress that agency officials, who generally have had free rein in selecting their sites, simply want "hunt country" to work in with plenty of free parking space and plenty of lawn.
>
> The trend is causing some concern. Homeowners in the countryside are complaining. Businessmen in the city are protesting that the trend could be disastrous to Washington's economy.

A similar concern was voiced by the Washington Star in its lead editorial on June 12:

> The public generally (has) cause to be concerned over what seems to be happening to the original concept of Washington as the Nation's seat of Government. That time-honored concept is seriously threatened by a movement in some Government circles toward abandoning the District as a site of Federal activities in favor of decentralized locations in the suburbs and beyond.
>
> Equally disturbing is the apparent lack of a national policy governing so-called relocation. Heads of agencies have been given free rein, as a rule, in choosing sites for their new homes. It is all very haphazard, with planning agencies often assigned to subordinate roles.

And in its lead editorial for June 14, the Washington Post and Times Herald scored the "current confused relocation policy" which bases final decision for moving Federal agencies out of Washington on "the whims and preferences of individual agency heads."

REASONS FOR CONCERN

There is ample reason for this growing concern. The city of Washington, with its thousands of white-collar workers, small-home owners and small-business men, depends upon governmental activities for its very existence. Federal Government in this area accounts for nearly half of all employment. It also sustains a host of small businesses which exist to service Federal workers.

Directly or indirectly, Government accounts for the bulk of Washington's retail sales, rental payments and other basic activities. We already see a spiraling budget and falling revenues in the city—both largely caused by a population movement to the suburbs. We see Congress forced to refuse desperate requests from the District Commissioners for increased funds. Take away the operations of the Federal Government and Congresss share of maintaining our capital city would increase to truly astronomical proportions.

These budget requests point up the disturbing fact that Washington is already in trouble. As the U. S. News & World Report put it in the magazine's lead article on July 6:

> The visitor, captivated by the Capitol's lovely panorama and awed by the power that emanates from its portals, does not see the layers of troubles—governmental, social, financial—that are piling up to overburden the Nation's first city.

Yet these difficulties exist. In large part they are similar to the socioeconomic headaches suffered by other major cities. They include the familiar flight to the suburbs on the part of city families, the dwindling tax base, the traffic congestion, the rapidly mounting financial burdens and so on.

Today, gentlemen, I could take you only four blocks from where we sit in this Chamber and show you some of the worst slums in the Nation—houses without running water, and whose residents are forced to use outdoor toilets.

All of these problems are magnified by Washington's lack of any vote or true government of its own. They would be far worse were it not for the bolstering effect upon the local economy exerted by operations of the Federal Government.

It is against this background that a growing number of agency heads are deciding to relocate their departments outside the District. At least six major agencies are presently hoping to move. They include:

The Central Intelligence Agency, which plans to build a $56 million building near Langley, Va.

The Atomic Energy Commission, which has started work on its new $10 million headquarters near Germantown, Md.

The National Bureau of Standards, which is planning a $40 million home near Gaithersburg, Md.

The Weather Bureau and the Coast and Geodetic Survey, which are planning a joint $31 million building near Gaithersburg, Md.

The Geological Survey, which would like to construct another building, costing $23 million somewhere on the Potomac River in Maryland.

Still other agency officials are considering the possibilities of relocation. For example, there has reportedly been serious talk within the Navy Department about moving to the Midwest.

How this will affect the Nation's Capital in loss of population is summarized in the New York Times article from which I quoted previously:

One estimate is that if all the proposals for the Federal agency exodus were adopted, some 50,000 residents of Washington would move out. Washington over recent years has lost a number of Federal employees to outlying areas, what with the Pentagon in Virginia and the National Institutes of Health and the Census Bureau in Maryland.

Now, on the basis of the best estimates available, it takes at least one person to service each governmental employee in Washington. Add to this the fact that, according to Census officials, the average Federal worker represents a family of three. This means that, for each Federal employee affected by relocation, at least four other individuals would be indirectly affected. And if 50,000 employees moved out of Washington, as the New York Times estimates they would, 200,000 people—or nearly one-third of the total population—would feel the consequences.

Transocean Air Lines

EXTENSION OF REMARKS
OF
HON. GEORGE P. MILLER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 1956

Mr. MILLER of California. Mr. Speaker, on several occasions I have made comments concerning Transocean Air Lines which has its principal offices in my district in Oakland, Calif., and the entire business, civic, and social community in the Oakland Bay area is very proud of the accomplishments of Transocean, its affiliates, and their more than 2,500 employees.

I have just recently visited with my good friends at Transocean and I was extremely pleased to see how this young and vigorous great company continues to develop and make increasing important contributions to the national defense and overall public interest through its air transport and affiliated aeronautical enterprises.

However, I continue to be puzzled by the failure of the Civil Aeronautics Board and the President to grant even a temporary certificate of convenience and necessity or appropriate long-term exemption to this great company, authorizing the provision of nonsubsidized passenger and property services, despite the participation of the company in a number of costly CAB proceedings. For the convenience of the Members, I cite below a list of Transocean's applications before the CAB, the disposition of determined applications, and the status of pending applications:

LIST AND DESCRIPTION OF CAB APPLICATIONS OF TRANSOCEAN AIR LINES

Docket No. 2379: June 1946 application for special services. No action and application terminated upon institution of proceedings in Large Irregular Investigation, Docket No. 5132.

Docket No. 2537 et al.: Pacific Northwest-Hawaii Case. Application for scheduled services denied.

Docket No. 3041 et al.: Transatlantic Cargo Case. Application for transatlantic cargo service denied.

Docket No. 3041 et al.: Reopened Transatlantic Cargo Case. Application of Seaboard & Western granted, and Transocean's application denied.

Docket No. 5582 et al.: West Coast-Hawaii Case. Transocean's application denied.

Docket No. 5031 et al.: Transpacific Certificate Renewal Case. Examiner recommended temporary certificate to Transocean for carriage of persons and property only in the transpacifc area; but the Board by a 3 to 2 vote did not adopt the examiner's recommendation. Thereafter, the Board by a split of 2 to 2 vote denied Transocean's reconsideration petition, despite a concession of substantial error in original opinion, and without retransmitting to the President in light of such error, although one member urged that such retransmittal be made.

Docket No. 5132 et al.: Irregular Carrier Investigation. Granted supplemental authority of persons and property in domestic and overseas air transportation but denied supplemental authority for carriage of persons in foreign air transportation on a limited basis. The acquisition of the latter authority has been the 10-year quest of Transocean.

Docket No. 7300: Application for exemption for authority to engage in transportation of persons and property (charter and special services) between points in the United States and between points in the United States and overseas and foreign points. No action by CAB.

I am particularly concerned and grieved by the failure of the Board in the Transpacific Certificate Renewal Case to sustain the recommendation of an able and experienced assistant chief examiner of the CAB to grant a temporary certificate to Transocean to provide nonsubsidized, nonscheduled, irregular transportation by air of persons and property only in the transpacific areas. I am sure that it will be of interest to my colleagues to note that the adverse decision of the CAB and the President was on the basis of an adverse 3–2 vote within the CAB. The two Democratic members of the Board, Col. J. P. Adams and former Senator Josh Lee, filed a vigorous dissenting opinion urging that the Board and the President adopt the examiner's recommendation. It is of further interest that when the decision was affirmed by the President, one of the adverse voters, Hon. Oswald Ryan, had failed of reappointment to the Board. Transocean petitioned for reconsideration of the adverse decision but was turned down by a 2–2 vote of the Board and without sending the matter to the President despite the fact that the two adverse members admitted in the reconsideration order that certain errors had been made in the original majority decision in which the examiner's recommendation for certification of Transocean was not adopted.

It should be emphasized that the dedicated and prime objective of Transocean throughout its more than 10 years of operation has been to restrict itself to the providing of supplemental passenger and property air transport services in overseas and foreign areas. It should also be pointed out Transocean has religiously lived within the restrictive CAB regulations applicable to nonscheduled air carriers; and that no complaint by anyone has ever been filed against Transocean with respect to alleged violations of the Board's regulations.

By its decision with respect to Transocean in the Transpacific Certificate Renewal Case, the CAB has preserved, with the approval of the President, its dubious record of never having issued a route certificate to a new trunkline carrier in its 16-year history; and has throughout that period protected from new carrier competition the subsidized carriers which were blanketed in under the grandfather provisions of the Civil Aeronautics Act of 1938.

It is almost beyond belief that, in this Nation that was founded to give liberty, freedom and comprehensive opportunity to all, a monopolistic policy is to be maintained which bars new thinking, new blood and new enterprise in the dynamic aeronautical field, the newest product of man's ingenuity to protect and advance the rights of the whole people.

The abhorrence of this monopolistic policy in civil aviation is emphasized by the current trend of affairs in the Far East. It should be self-evident to the President and his advisers that the uncertainties in that area make more important than ever the preserving and strengthening of this Pacific area carrier which seeks to provide low cost commercial passenger and cargo service between the United States and the Orient without the payment of 1 cent of subsidy or mail pay and without causing the slightest increase in subsidy for the presently certificated and subsidized carriers.

The Civil Aeronautics Board has, among other things, in the past used as argument against certification of new carriers that such certification would divert traffic from carriers already certificated and would of necessity increase the subsidy needs of the presently certificated carriers. In reversing himself on the renewal of a certificate for Northwest Airlines between the Pacific Northwest and Honolulu, the President gave as his reason for such reversal that he had been advised by the Chairman of the CAB that within 2 years the Board believed that the entire subsidy would be eliminated from the Pacific runs. It would seem to follow that even if the limited certification of Transocean Air Lines were approved that there could be no increase in subsidy payments by reason of the admittedly insignificant diversion which such limited certification might inconceivably cause. In this connection, it is most interesting to note that the CAB is presently actively considering again permanent certification of Northwest's United States-Orient route and Pan American's United States-Orient Great Circle route application, with both carriers' primary contention being that the question of subsidy is no longer a factor in Pacific airline operations.

The perpetuation of monopoly and the continuation, in civil aviation, of a total lack of real freedom of entry is in strange contrast with the President's statement

in his economic report of January 20, 1955:

Government should persevere in its efforts to maintain easy entry into trade and industry, to check monopoly and preserve a competitive environment.

I am confident that the CAB under its new chairman, James R. Durfee, from that great progressive State of Wisconsin, will fittingly reward Transocean with early certification or appropriate long-term exemption for its great contributions to the air transport objectives of this country at home and throughout the world.

Certainly, such early authorization to Transocean would appear to be appropriate in light of Aviation Week's recent forecast of a $4 billion year for the world's airlines in 1957; and the fact that Transocean's supplemental nonsubsidized passenger and property operations would have infinitesimal, if any, adverse effect on the operations of any United States-flag carrier. I am hopeful that the CAB and the administration will fulfill its responsibility to the public, the national defense, and the commercial air transport industry generally by granting appropriate nonsubsidized passenger and property authorization to Transocean very soon. There is no doubt of Transocean's full ability to meet its high responsibilities under such authorization from our Government.

The Thoughtless Whims of a Few Eisenhower Appointees Threaten To Ruin and Bankrupt Hundreds of Small-Business Men

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EXTENSION OF REMARKS
OF

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 1956

Mr. THOMPSON of New Jersey. Mr. Speaker, I have been trying to discover what the exodus from Washington to its surrounding suburbs will mean to the Nation's Capital in terms of lost purchasing power and taxes.

I have introduced a measure, House Joint Resolution 690, to preserve the economic basis of the Nation's Capital by establishing a basic policy and an orderly procedure for the location of new Federal buildings in the metropolitan area of the District of Columbia. The text of this resolution is included at the conclusion of my remarks.

I am concerned with the consequences of this thoughtless, unplanned exodus to thousands of human beings—to small-home owners forced to put their homes on the block and relocate their families—to hundreds of small-business men faced with bankruptcy due to the loss of customers—to thousands of white-collar workers who, unwilling or financially unable to relocate at the whim of agency heads appointed by the President, would be forced to give up jobs and would, perhaps, become a drain on the local economy—and to churches, whose parishioners would have to reestablish their religious ties in other communities.

You would expect that, with much of the fate and future of our Nation's Capital hanging in the balance, relocation of Federal agencies would be subject to a logical procedure of careful investigation and factfinding, stressing the interests of Government as a whole and the cumulative effect of such moves on the Capital city.

You would expect that, before an agency head were permitted to move his department and his thousands of employees, he would have to present irrefutable planning, engineering, and economic facts to justify his decision.

You would also expect that some democratic system of checks and balances would exist in the relocation procedure, to prevent the possible circumvention by agency heads, either deliberately or unintentionally, of any of the required steps for obtaining officials approval of his decision to relocate.

Fantastic as it may seem, none of this is true today. As the previously quoted editorials indicate, Federal agency relocation is currently being decided largely on the basis of two factors—politics and personal whim—with defense usually quoted as the ostensible reason.

Now we all agree that civil defense should have overriding consideration. But the plain fact is that in these days of the H-bomb and guided missile, much of our defense thinking is as out of date as the model T. Bear in mind that the possible immediate fallout from an H-bomb covers more than 200 miles, and that varying amounts of demolition are caused up to a radius of 20 miles. I ask you gentlemen, how much protection can be afforded an agency by moving it across the Potomac and within a few miles of the city? It seems to me that our whole defense policy needs clarification, and perhaps revision, in the light of new developments in atomic weapons.

When, for defense or other reasons, an agency head decides he would like to move his department out of the Capital, certain types of clearances are theoretically required. In securing approval to relocate, agency officials are supposed to contact the following authorities:

Bureau of the Budget and Congress, on requested appropriations; General Services Administration, on planning of buildings and, occasionally, of the site; National Capital Planning Commission—and, if the proposed move involves the metropolitan area, National Capital Regional Planning Council—on planning aspects of the proposed relocation; and Office of Defense Mobilization, on civil defense phases.

PRESENT CLEARANCES INEFFECTIVE

But the sad fact is that these required clearances are often ineffective. Many agency officials are apparently unaware that they even exist. Frequently, agencies desiring to relocate omit steps in the pattern or do not follow them in logical order.

The city's two planning agencies—National Capital Planning Commission and National Capital Regional Planning Council—lack enforcement authority. Therefore, they are all too frequently regarded as merely a rubber-stamp routine.

There is a serious deficiency in the manner in which Federal agency relocations are being processed—

Writes Max Wehrly, chairman of the National Capital Regional Planning Council.

Steps requiring coordination through, and reports of the planning agencies are being circumvented until administrative commitments have been made, thus presenting them with what is in fact a "fait accompli."

Furthermore, the entire pattern for relocation has never been pinned down and defined in any one law.

The result of the present haphazard method of relocating Federal agencies is, to a large extent, to leave the final decision for moving up to each individual agency head. And the inevitable consequence of this, is that Federal dispersal has become a political football.

EXAMPLE OF CIA

I regard the Central Intelligence Agency's campaign to build its new headquarters at Langley, Va., and relocate all personnel there, as one outstanding example of the inadequacy and political aspects of present dispersal methods.

This move is being proposed against the advice of a large number of official planners, and of qualified, disinterested planning and economic consultants outside the planning agencies. It is occurring over what the New York Times terms "the vehement protests of—Langley—area property owners." From any logical viewpoint, involving the city's welfare and considerations of reasonable cost, CIA's move appears totally unjustifiable. Yet it has been allowed to progress to the final appropriations stage.

I do not have time here to outline the step-by-step development of this relocation project. But I would like to mention several facts in passing.

From the very start, the project was opposed by leading planners and consultants on the grounds of inadequacy of facilities at Langley, and the "disastrous" effect the relocation move might have on land use plans and community relationships.

In a study of possible CIA sites made by the two planning agencies at the request of CIA officials, more than 40 sites were included—but the planners did not even rank Langley in the first 20 possibilities.

At least two District sites were considered far superior to Langley by the planning agencies, but apparently neither ever received serious consideration by CIA officials.

One major consideration in CIA Director Allen Dulles' decision to relocate, according to some reports, has been his desire to provide his employees with a "Princeton type" campus atmosphere.

However, the most interesting fact of all concerns the manner in which final approval for the Langley site was obtained from the National Capital Planning Commission, chief planning agency for the District. The Commission's

membership is made up of 12 persons—5 appointed by the White House, and 7 serving ex officio due to legislative or governmental positions.

In December of last year, Commission members disapproved the Langley site by a vote of 6 to 5. Soon after, two governmental employees serving on the Commission were replaced by two other individuals. One of those replaced was Fred S. Poorman, Deputy Public Buildings Administrator, who had abstained from voting. The other was Leon Zach, representing the Chief of Engineers. Mr. Zach had voted against Langley.

By a strange coincidence, immediately after these men were replaced, CIA requested a reconsideration of its proposal to relocate at Langley. At the next meeting of the Planning Commission, when the reconsideration took place, the two new men supported the site. Those were the only two votes that changed. The Commission was put on record as approving the site, by a vote of 7 to 5.

You can find these facts documented in the printed record of hearings held June 1 before the House Appropriations Committee's Subcommittee on Department of Defense Appropriations, in connection with CIA's request for additional appropriations.

Mr. Speaker, I believe you will agree that the entire manner in which CIA's relocation request has been handled, points up the urgent need for an airtight procedure free of politics and personal whims.

Fortunately, responsibile leaders in Washington are already alerted to this need. The alarm was sounded months ago by the Federal City Council, when it spearheaded a factfinding drive to develop better relocation procedure. In June the District Bankers Association added its support to this campaign by adopting a resolution expressing "deep concern" over present relocation methods, and pledging "unstinting cooperation until a logical and orderely procedure for Federal agency relocation is finally secured."

Both of the city's planning agencies have launched studies with a view to coming up with specific recommendations for improved relocation procedure.

RESPONSIBILITY OF CONGRESS

However, we cannot shirk the fact that prime responsibility for study and adoption of a better procedure rests with Congress. In Washington, as the editors of U. S. News & World Report have observed:

All fingers point to Congress. All the big decisions on affairs of the District of Columbia have to be made by District committees of the Senate and House, followed by action on the floor—just like any national law.

It was in recognition of our responsibilities in connection with Federal agency dispersal that I introduced House Joint Resolution 690 on July 17. This joint resolution sets forth Congress intent to preserve the District of Columbia as the seat of government as provided in article I of the Constitution. It calls for establishment of a basic policy for location of new Federal buildings as one means of implementing this intent.

Under the resolution, no funds appropriated before or after the date of its enactment shall be obligated or spent for construction of any building space for any agency of the Federal Government at any location outside the District of Columbia, but within 20 miles of the zero milestone, without express approval of Congress with respect to the proposed site for such construction.

By immediately adopting this resolution Congress can establish a policy and formally recognize its own decisive authority on relocation. I hope this will be done before the current session ends.

NEED FOR STUDY

However, I believe this resolution should be followed by a full-fledged study of present relocation methods, with a view to presenting specific recommendations to the next session of Congress. These proposals would outline further improvements which should be made in methods of relocating Federal agencies.

This study should take due cognizance of the new plan developed by General Services Administration for location of public buildings within the District and its environs. In accordance with GSA's proposed program, the National Capital Planning Commission is currently working to establish a floor for Federal employment in Washington—a minimum level below which population should not be depleted by Federal relocation.

The study which I am now proposing would go beyond these efforts with specific recommendations designed to:

First. Establish a standard operating procedure on relocation with adequate authority to see it is followed.

Second. Guarantee that planning agencies have sufficient time to study civic and economic effects of each proposed move.

Third. Insure that all agency officials are fully informed on relocation procedure.

Fourth. Give widest possible publicity to issues and problems involved in each agency relocation.

I hope this study will be launched before the current session ends. Until it is, the all-important matter of relocation of Federal agencies—to which the very future of our Nation's Capital is tied so closely—will continue to be decided on a basis of politics and personal whim, rather than on sound engineering and economic principles, as these relate to preservation of the Capital City.

In conclusion I would like to read the text of my House Joint Resolution 690:

Joint resolution to preserve the economic basis of the Nation's Capital by establishing a basic policy and an orderly procedure for the location of new Federal buildings in the metropolitan area of the District of Columbia

Whereas Congress finds that there is a growing tendency on the part of Federal agencies to seek new locations in the vicinity of the District of Columbia, considering only the desires of the particular agency and without regard to the interests of the Government as a whole or the cumulative effect which such moves will have on the District of Columbia; and

Whereas it is the intention of the Congress to preserve the District of Columbia as the seat of Government as provided in article I of the Constitution: Now, therefore, be it

Resolved, etc., That it is declared to be the policy of the Congress that the development of the National Capital region shall be based upon the general concept that the District of Columbia shall be the seat of Government and that agencies which can be accommodated in the District of Columbia should be located there.

SEC. 2. All those responsible for the planning or construction of building space to accommodate agencies of the Federal Government within the greater metropolitan area of Washington shall be guided by the policy stated in the first section of this joint resolution.

SEC. 3. No funds appropriated before or after the date of enactment of this joint resolution shall be obligated or spent for the construction of any building space for any agency of the Federal Government at any location outside the District of Columbia, but within 20 miles of the zero milestone, without the express approval of the Congress with respect to the proposed site for such construction.

SENATE

FRIDAY, JULY 20, 1956

(Legislative day of Monday, July 16, 1956)

The Senate met, in executive session, at 9:30 o'clock a. m., at the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, who art the hope of all the ends of the earth and the light of all our seeing, help us who grope in the darkness of earth's dim ways to remember that even the shadows themselves are born of light. Lift upon us the light of Thy countenance. Save us from the blighting company of those for whom humanity's wistful longings are but a target for sneers. Deliver us from political policies which are symptoms of spiritual disease. Give us courage and strength for the vast task of social rebuilding that needs to be dared if life for all men is to be made full and free.

We ask it in the dear Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., July 20, 1956.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. EARLE C. CLEMENTS, a Senator from the State of Kentucky, to perform the duties of the Chair during my absence.

WALTER F. GEORGE,
President pro tempore.

Mr. CLEMENTS thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, July 19, 1956, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Tribbe, one of his secretaries, and he announced that on July 19, 1956, the President had approved and signed the following acts:

S.146. An act for the relief of certain aliens;

S. 1622. An act to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, South Dakota, of the Missouri River Basin project, and for other purposes;

S. 2704. An act to authorize the appropriation of funds for the construction of certain highway-railroad grade separations in the District of Columbia, and for other purposes;

S. 3246. An act to increase the amount authorized for the erection and equipment of suitable and adequate buildings and facilities for the use of the National Institute of Dental Research; and

S. 3982. An act to provide for the maintenance of production of tungsten, asbestos, fluorspar, and columbium-tantalum in the United States, its Territories, and possessions, and for other purposes.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting several nominations, which were referred to the Committee on Foreign Relations.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Masaji Marumoto, of Hawaii, to be associate justice of the supreme court, Territory of Hawaii, vice Philip L. Rice, elevated;

Roger G. Connor, of Alaska, to be United States attorney for the district of Alaska, division No. 1, vice Theodore E. Munson, resigned; and

Ralph W. Gray, of Massachusetts, to be United States marshal for the district of Massachusetts, vice Robert H. Beaudreau, resigned.

By Mr. GEORGE, from the Committee on Foreign Relations:

Cavendish W. Cannon, of Utah, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Morocco;

Christian M. Ravndal, of Iowa, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Ecuador;

Walter K. Scott, of Maryland, to be Deputy Director for Management of the International Cooperation, in the Department of State; and

Edward Poor Montgomery, of the District of Columbia, and sundry other persons, for appointment and promotion in the Foreign and Diplomatic Service.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that as in legislative session there may be the usual morning hour for the presentation of petitions and memorials, the introduction of bills, and the transaction of other routine business, subject to the usual 2-minute limitation on statements.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communication and letter, which were referred as indicated:

PROPOSED SUPPLEMENTAL APPROPRIATIONS AND OTHER AUTHORIZATIONS (S. Doc. No. 143)

A communication from the President of the United States, transmitting proposed supplemental appropriations and other authorizations for the fiscal year 1957, for various departments and agencies of the executive branch totaling $350,565,038, and for the government of the District of Columbia in the amount of $10,000 payable from District of Columbia funds (with accompanying papers); to the Committee on Appropriations and ordered to be printed.

AUDIT REPORT ON NAVY INDUSTRIAL FUND, UNITED STATES NAVAL POWDER FACTORY

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Navy Industrial Fund, United States Naval Powder Factory, Bureau of Ordnance, Department of the Navy, for the period October 1, 1953, to June 30, 1955 (with an accompanying report); to the Committee on Government Operations.

RESOLUTIONS OF HOUSE OF REPRESENTATIVES OF MASSACHUSETTS

Mr. SALTONSTALL. Mr. President, on behalf of myself and my colleague, the junior Senator from Massachusetts [Mr. KENNEDY], I present, for appropriate reference, resolutions of the House of Representatives of the Commonwealth of Massachusetts, relating to the issuance of a commemorative postage stamp depicting the Adams National Historic Site.

There being no objection, the resolutions were referred to the Committee on Post Office and Civil Service, and, under the rule, were ordered to be printed in the RECORD, as follows:

Resolutions memorializing the Congress of the United States to authorize and direct the issuance of a commemorative postage stamp depicting the Adams National Historic Site

Resolved, That the House of Representatives of Massachusetts hereby urges the Congress of the United States to authorize and direct the Postmaster General of the United States to issue a special commemorative postage stamp depicting the Adams National Historic Site in honor of John Adams and his son, John Quincy Adams, former Presidents of the United States from Massachusetts; and be it further

Resolved, That the house of representatives urges upon the Congress the importance of keeping alive the memory of two such distinguished citizens from Massachusetts who fought so courageously for the freedom and rights enjoyed by our citizens; and be it further

Resolved, That copies of these resolutions be sent forthwith by the secretary of the Commonwealth to the President of the United States, to the Postmaster General, to the presiding officer of each branch of Congress, and to each of the Members thereof from this Commonwealth.

OVERTIME PAY TO CIVILIAN EMPLOYEES ON EMERGENCY FLOOD CONTROL PROJECTS — RESOLUTION

Mr. SALTONSTALL. Mr. President, I present, for appropriate reference, a resolution adopted by Local Union 762, United Brotherhood of Carpenters and Joiners of America, Quincy, Mass., relating to overtime pay to civilian employees for work on emergency flood control projects. I ask unanimous consent that the resolution may be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Public Works and ordered to be printed in the RECORD, as follows:

UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA,
LOCAL UNION NO. 762,
Quincy, Mass., June 12, 1956.

Senator LEVERETT SALTONSTALL,
United States Senate,
Washington, D. C.

MY DEAR SENATOR SALTONSTALL: Recalling the unprecedented damage caused by the northeast floods in 1955, the 58th annual convention of the Massachusets State council of Carpenters adopted the following resolution:

"RESOLUTION NO. 4—ARMY ENGINEERS

"Whereas the New England division of the Army Engineers Corps is responsible for all construction for the Air Command for the Army, and for carrying out specific acts of Congress in the field of navigation, flood control, shore protection and allied maters; and

"Whereas because of the flood of 1955 at literally a minute's notice, the entire staff, military and civilian, augmented from Army engineers from all over the country did a tremendous job in supervising the various relief and emergency projects resulting from the floods; and

"Whereas said military and civilian members of the corps worked around the clock for days and days with little or no reimbursement for overtime because of military and civil service regulations applying to personnel in their status; and

"Whereas the Army engineers were handicapped in their efforts in the postflood work by ceiling of $150,000 on each emergency project; Therefore be it

"*Resolved*, That the State Council of Carpenters in convention assembled applauds the Army engineers for a job well done, and that the delegates and the local unions affiliated are urged to seek through proper channels in Washington a ceiling of $500,000 on emergency projects and legislation to recompense more thoroughly the civilian employees for overtime work on such projects."

We the undersigned, all members of Local Union No. 762, United Brotherhood of Carpenters and Joiners of America, Quincy, Mass., believe the enactment of the resolution would be a vast help to similar projects in the future.

Thank you in advance for your help.

We wish you success in your numerous undertakings.

Sincerely,

William W. Vancock, William L. Brown, John D. Gutlo, Richard H. Schultz, Joseph L. Comis, John L. Gillis, Maurice A. Filch, Charles Weir, George C. Custer, Wm. Hancock, Richard H. Schutz, Harold Keith, John Tista, Wilfred Bleakley, Elmer J. Peterson, Sanley Dame, Henry Jellow, Albert N. Olson, William A. G. Andrew, Francis Lamb, Francis M. Clifford.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GEORGE, from the Committee on Foreign Relations, without amendment:

S. J. Res. 174. Joint resolution providing for a study of the possibility and desirability of establishing a University of the Americas (Rept. No. 2671); and

H. Con. Res. 265. Concurrent resolution expressing the sense of Congress against admission of the Communist regime in China as the representatives of China in the United Nations (Rept. No. 2697).

By Mr. SCHOEPPEL, from the Committee on Interstate and Foreign Commerce, with an amendment:

S. 3809. A bill to provide for the establishment of a new fish hatchery at Cedar Bluff Reservoir, Kans. (Rept. No. 2672).

By Mr. EASTLAND, from the Committee on the Judicary, without amendment:

H. R. 4635. A bill to authorize the Secretary of the Interior to transfer to Robert T. C. Rasmussen, the right, title, and interest of the United States, in foreign countries, in and to certain inventions (Rept. No. 2673);

H. R. 8068. A bill for the relief of Elma Agnes Gibson Hollingsworth (Rept. No. 2674);

H. R. 9947. A bill for the relief of the estate of William Edward Wine (Rept. No. 2675); and

H. R. 10983. A bill for the relief of P. R. Cox (Rept. No. 2676).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 4200. A bill to incorporate the Boys' Clubs of America (Rept. No. 2679).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

H. R. 1420. A bill for the relief of Mr. and Mrs. Herman E. Mosley, as natural parents of Herman E. Mosley, Jr. (Rept. No. 2677).

By Mr. DIRKSEN, from the Committee on the Judiciary, with an amendment:

S. 4184. A bill to incorporate the Boys' Clubs of America (Rept. No. 2678).

By Mr. LANGER, from the Committee on the Judiciary, with amendments:

S. 3570. A bill to increase the number of visas authorized to be issued to eligible orphans under the Refugee Relief Act of 1953, and for other purposes (Rept. No. 2684).

By Mr. BIBLE, from the Committee on the District of Columbia, with amendments:

H. R. 11489. A bill to exempt from taxation certain property of the American Institute of Architects in the District of Columbia (Rept. No. 2680).

By Mr. STENNIS, from the Committee on Armed Services, with amendments:

S. 3783. A bill to direct the Secretary of the Navy or his designee to convey a 2,477.43-acre tract of land, avigation and sewer easements, in Tarrant and Wise Counties, Tex., situated about 20 miles northwest of the city of Fort Worth, Tex., to the State of Texas (Rept. No. 2683).

By Mr. JACKSON, from the Committee on Armed Services, with amendments:

H. R. 5738. A bill to authorize flight instruction during Reserve Officers' Training Corps programs, and for other purposes (Rept. No. 2682).

By Mr. CASE of South Dakota, from the Committee on Armed Services, with an amendment:

H. R. 5731. A bill to permit members of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service, with dependents, to occupy inadequate quarters on a rental basis without loss of basic allowance for quarters (Rept. No. 2681).

By Mr. DWORSHAK, from the Committee on Interior and Insular Affairs, with an amendment:

S. 3957. A bill to amend the act authorizing the exchange and amendment of certain farm units in order to limit the time during which applications may be made under such act (Rept. No. 2685).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 11254. A bill to amend section 104, title 4, United States Code (Rept. No. 2695);

H. R. 11696. A bill to authorize the conveyance of homestead allotments to Indians, Aleuts, or Eskimos in Alaska (Rept. No. 2696); and

H. J. Res. 643. Joint resolution to provide for an investigation of the need for a geophysical institute in the Territory of Hawaii (Rept. No. 2694).

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

S. 4228. A bill to provide for a President's Advisory Commission on Presidential Office Space (Rept. No. 2687);

H. R. 8265. A bill relating to the use of storage space in the Buford Reservoir for the purpose of providing Gwinnett County, Ga., a regulated water supply (Rept. No. 2689);

H. R. 8940. A bill relating to the use of storage space in the Hulah Reservoir to provide water for the city of Bartlesville, Okla. (Rept. No. 2688);

H. R. 10423. A bill to provide for the conveyance of 18.18 acres of land within the Garza-Little Elm project to the city of Lewisville, Tex., for sewage disposal purposes (Rept. No. 2690); and

H. R. 11861. A bill to amend the act entitled "An act authorizing Federal participation in the cost of protecting the shores of publicly owned property," approved August 13, 1946 (Rept. No. 2691).

By Mr. CHAVEZ, from the Committee on Public Works, with an amendment:

S. 3445. A bill to provide for the construction, equipment, and furnishing of a building for the United States Court of Claims, and for other purposes (Rept. No. 2692).

By Mr. CHAVEZ, from the Committee on Public Works, with amendments:

H. R. 7596. A bill to provide for the disposal of federally owned property at obsolescent canalized waterways and for other purposes (Rept. No. 2693).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, without amendment:

S. 4247. A bill to authorize Canadian vessels to be employed in the coastwise transportation of coal to Ogdensburg, N. Y. (Rept. No. 2699);

H. R. 11969. A bill to require certain safety devices on household refrigerators shipped in interstate commerce (Rept. No. 2700); and

S. J. Res. 197. Joint resolution authorizing the President to proclaim the period from October 22, 1956, to October 27, 1956, as National Transportation Week (Rept. No. 2698).

CONSERVATION AND DEVELOPMENT OF LAND AND WATER RESOURCES—JOINT REPORT—ADDITIONAL COSPONSORS OF RESOLUTION (S. REPT. NO. 2686)

Mr. MURRAY. Mr. President, I submit a joint report on the resolution (S. Res. 281) relating to the relations of the Congress and the executive agencies in connection with water resources development, with amendments.

The resolution was referred jointly to the Committee on Interior and Insular Affairs and to the Committee on Public Works. Joint hearings were held at which representatives of the executive agencies and outside witnesses were heard. I submit the report for myself, as chairman of the Committee on Interior and Insular Affairs, and the distinguished chairman of the Committee on Public Works, the Senator from New Mexico [Mr. CHAVEZ].

I ask unanimous consent that the names of the Senator from South Dakota [Mr. CASE], the Senator from Nebraska [Mr. HRUSKA], the Senator from Pennsylvania [Mr. MARTIN], and the Senator from Oregon [Mr. NEUBERGER], may be added, at their request, as cosponsors.

The original sponsors, in addition to the senior Senator from New Mexico, are the junior Senator from New Mexico [Mr. ANDERSON] and the senior Senator from Oklahoma [Mr. KERR] who have been most helpful in the consideration of the resolution, as have also the four additional cosponsors, Mr. CASE of South Dakota, Mr. HRUSKA of Nebraska, Mr. MARTIN of Pennsylvania, and Mr. NEUBERGER of Oregon.

When the resolution comes up for consideration, I shall request the opportunity to make a more extended statement setting forth my views on the need for and the desirability of the Senate going on record by adopting Senate Resolution 281.

The PRESIDENT pro tempore. The report will be received, and the resolution will be placed on the calendar.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THYE:

S. 4251. A bill for the relief of Francis Cho-Yuan Lin and his wife, Wong Su-I Lin; to the Committee on the Judiciary.

(See the remarks of Mr. THYE when he introduced the above bill, which appear under a separate heading.)

By Mr. MARTIN of Pennsylvania:

S. 4252. A bill for the relief of Harilaos Filippos Ikonomou; to the Committee on the Judiciary.

By Mr. CAPEHART:

S. 4253. A bill for the relief of Sui-an Fung and Shunung Wu Fung; to the Committee on the Judiciary.

By Mr. COTTON:

S. 4254. A bill for the relief of William B. Plumer; to the Committee on the Judiciary.

By Mr. MURRAY:

S. 4255. A bill to amend section 403 of title IV of the National Housing Act affecting insurance of savings and loan accounts and to amend section 5 (1) of the Home Owners Loan Act of 1933, as amended, affecting Federal savings and loan associations, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. MURRAY when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSON of Texas:

S. 4256. A bill to authorize the Honorable WILLIAM F. KNOWLAND, United States Senator from the State of California, to accept and wear the award of the Cross of Grand Commander of the Royal Order of the Phoenix, tendered by the Government of the Kingdom of Greece.

(See the remarks of Mr. JOHNSON of Texas when he introduced the above bill, which appear under a separate heading.)

By Mr. DOUGLAS:

S. 4257. A bill for the relief of Karl Schopko; and

S. 4258. A bill for the relief of Julia Sliwinska; to the Committee on the Judiciary.

By Mr. MORSE:

S. 4259. A bill for the relief of Harry G. Brown and Frances Brown; to the Committee on the Judiciary.

By Mr. KENNEDY:

S. 4260. A bill to amend the act of June 30, 1936 (the Walsh-Healey Act); to the Committee on Labor and Public Welfare.

(See the remarks of Mr. KENNEDY when he introduced the above bill, which appear under a separate heading.)

By Mr. LANGER:

S. 4261. A bill relating to applications under the homestead laws with respect to lands not considered by the Secretary of the Interior as suitable for cultivation; to the Committee on Interior and Insular Affairs.

By Mr. WILEY:

S. 4262. A bill to include, within the provisions of law providing punishment for killing or assaulting Federal officers on official duty, officers and employees of the Department of Health, Education, and Welfare engaged in enforcing the food and drug or public health laws of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. WILEY when he introduced the above bill, which appear under a separate heading.)

By Mr. KNOWLAND:

S. J. Res. 199. Joint resolution to authorize an additional position of Assistant Director in the Bureau of the Budget; to the Committee on Post Office and Civil Service.

FOREIGN TRADE CARGO-FREIGHT RATE SCHEDULE FOR NEW ENGLAND AREA

Mr. KENNEDY. Mr. President, on behalf of myself, and Senators GREEN, BRIDGES, AIKEN, SALTONSTALL, FLANDERS, SMITH of Maine, PASTORE, BUSH, PURTELL, PAYNE, and COTTON, all New England Senators, I submit, for appropriate reference, a concurrent resolution which relates to the rail-rate structure in the New England area.

This concurrent resolution, in effect, calls for the discontinuation of the discrimination presently existing in the schedule of rail rates to and from New England. This would be accomplished by permitting the new schedule of rates proposed by 10 northeastern railroads serving the New England area to become effective. It should be noted that the railroads serving the southern Atlantic ports have attempted to preserve the existing differential between northern and southern rates by proposing a reduction in their own schedule. Although we in New England are anxious to have a more reasonable rate schedule, we do not believe that a rate war is the answer and hope that the ICC will take the entire matter under advisement and, on the basis of the information available, authorize rate schedules which are not discriminatory against any section of the country.

New England has long been interested in the national transportation rate structure for those rates are one of the most important factors bearing upon the economic difficulties that have beset our region of the country. Because of the manufacturing and processing role played by New England and because of its relatively isolated geographic location, the question of rail rates is of even greater importance to us than to most other sections of the country.

Our particular concern at this time is the squeeze in which the North Atlantic ports find themselves as a result of two different pricing systems in operation. The advantage in ocean rates which the North Atlantic ports would normally enjoy because of their location, placing them many miles closer to the European and Canadian ports, is lost by virtue of the fact that ocean cargo rates have been equalized by shippers' conferences. At the same time, our existing rail rate structure, based as it is on the distance to be covered by the carrier, gives to the southern ports the benefit of their geographical location. I am sure that the inequity of this particular situation is obvious. Now that the New England railroads have undertaken to offset the unfair advantage which for many years has been enjoyed by the South Atlantic ports, we in New England want to give every kind of encouragement to those railroads and I believe that the Congress should make it perfectly clear that there should be no discrimination in the matter of transportation rates against any area of the United States.

It is not likely that the Congress will act upon this concurrent resolution prior to the close of this session. By submitting it, however, we want to direct the attention of Congress to this problem and to insure that the staff of the Interstate and Foreign Commerce Committee has the opportunity to inquire into the problem during the recess in order that action can be taken promptly at the beginning of the next session if, as we expect, the facts merit such congressional action.

I ask that the concurrent resolution be appropriately referred.

The PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred; and, under the rule, the concurrent resolution will be printed in the RECORD.

The concurrent resolution (S. Con. Res. 87) was referred to the Committee on Interstate and Foreign Commerce, as follows:

Whereas the 10 railroads serving the northeastern section of the United States have on June 8, 1956, filed with the Interstate Commerce Commission a new schedule of foreign trade cargo-rail freight rates which would equalize such rates among all the Atlantic coast ports of the United States; and

Whereas since 1935 the ocean freight rates charged for shipments between all Atlantic coast ports and each foreign port have been equalized, regardless of the actual distance traveled, by conferences of shippers acting under the laws of the United States; and

Whereas the amount of foreign trade cargo-rail freight handled by the northeastern ports of the United States has not kept pace with the increase in the amount of such freight experienced by other Atlantic coast ports; and

Whereas it is in the national interest that all of the ports on the Atlantic coast of the United States be treated fairly and be permitted to have an equal opportunity to handle foreign trade cargo-rail freight; and

Whereas the Supreme Court of the United States in its decision in *Interstate Commerce Commission* v. *New York Central Railroad Co.* (342 U. S. 890) has recognized and affirmed the principle that railroads serving ports in the northeastern part of the United States should be permitted to establish rail rates which are competitive with rates to ports in the Southern United States; and

Whereas it is appropriate for Congress to express its views regarding such rates designed to eliminate discrimination against certain ports in the United States: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the foreign trade cargo-rail freight rate schedule filed by the 10 railroads serving the northeastern section of the United States, which would eliminate the present discrimination in such rates against the ports in the northeastern section of the United States, is in accord with the national transportation policy as expressed in the Interstate Commerce Act, and should be allowed to become effective in accordance with the provisions of such act.

PRINTING OF ADDITIONAL COPIES OF SENATE DOCUMENT NO. 83, 84TH CONGRESS, FIRST SESSION, ENTITLED "CRITICAL MATERIALS"

Mr. MALONE submitted the following resolution (S. Res. 318), which was referred to the Committee on Rules and Administration:

Resolved, That there be printed for the use of the Committee on Interior and Insular Affairs 1,550 additional copies of Senate Document No. 83, 84th Congress, First Session, entitled "Critical Materials—Factors Affecting Self-Sufficiency Within Nations of the Western Hemisphere."

FRANCIS CHO-YUAN LIN AND HIS WIFE, WONG SU-I LIN

Mr. THYE. Mr. President, I introduce, for appropriate reference, a private bill for the relief of Francis Cho-Yuan Lin and his wife, Wong Su-I Lin, who are now residing in Hong Kong, China.

I am introducing this bill because I am of the firm conviction that the services of Dr. Lin will be substantially beneficial to the national interest of the United States.

As you know, there is dire shortage of graduate, experienced scientists in this country. Dr. Lin received his doctor of philosophy degree in 1939 at the Pennsylvania State College with a major in chemistry, and subsequently pursued the study of ceramics. In 1946, he left the United States and set up a factory in Hong Kong for the Union Ceramics Industries Co., and has been the engineer and managing director of the company since that time.

The Minnesota Mining & Manufacturing Co. in St. Paul, Minn., is very much in need of men with the technical

background of Dr. Lin for the invention, development and production of their products, which are being used extensively by the highway departments of every State in the United States and by the Federal Government in the manufacture of reflective traffic control devices. He will also be utilized in connection with other ceramic programs of Minnesota Mining & Manufacturing Co., all of which will be beneficial to the national economy and interest of the United States.

The shortage of ceramic experts is presently very acute and is well recognized in Government circles. Therefore, in view of the strong petition made by the Minnesota Mining & Manufacturing Co. for the services of Dr. Lin, and because I believe it is not only in the interest of our great State of Minnesota, but in the national interest, I introduce this bill to provide for the entrance of Dr. Lin and his wife, notwithstanding the quota limitations of the Immigration and Nationality Act.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 4251) for the relief of Francis Cho-Yuan Lin and his wife, Wong Su-I Lin, introduced by Mr. Thye, was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF NATIONAL HOUSING AND HOME OWNERS LOAN ACTS

Mr. MURRAY. Mr. President, I introduce, for appropriate reference, a bill to amend section 403 of title IV of the National Housing Act affecting insurance of savings and loan accounts and to amend section 5 (i) of Home Owners Loan Act of 1933, as amended, affecting Federal savings and loan associations, and for other purposes. I ask unanimous consent to have printed in the RECORD a memorandum, prepared by me, explaining the purpose of the bill.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the memorandum will be printed in the RECORD.

The bill (S. 4255) to amend section 403 of title IV of the National Housing Act affecting insurance of savings and loan accounts and to amend section 5 (i) of Home Owners Loan Act of 1933, as amended, affecting Federal savings and loan associations, and for other purposes, introduced by Mr. MURRAY, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The memorandum presented by Mr. MURRAY is as follows:

MEMORANDUM BY SENATOR MURRAY

BACKGROUND OF THE PROBLEM

Considerable criticism and concern has been manifested during the past year toward conversion of federally chartered and State-chartered mutual savings and loan associations into permanent stock companies. The manner in which such conversions are consummated and alleged abuses attendant thereto is such that members of the savings and loan industry, as well as other informed persons and agencies, regard the trend as contrary to the best interests of the public and highly prejudicial to the public esteem now enjoyed by the savings and loan industry.

This criticism and concern has been voiced publicly and privately—in meetings and in the press of the banking and savings and loan industries—in statements and communications of responsible officials of two Federal agencies active in this field—and by public utterances of Members of the United States Senate who have spotlighted the developments in the strongest language, alluding to such conversions as "steals," "grabs" and "legalized larceny."

Some of the critics appear to regard the alleged abuses as accomplished fact. But at any rate if they are not susceptible of legal proof, the allegations surrounding conversions is of sufficient importance to be a matter of deep concern to members of the savings and loan industry. Their present high standing and the public confidence reposed in mutual savings and loan associations has been acquired only through years of dedication to public and community service, to maintenance of high business standards, and to enlightened cooperation with Federal and State legislatures and regulatory agencies.

HOW MAY THESE ABUSES OCCUR?

For an understanding of the allegations that are made with respect to conversion of mutual savings and loan associations into permanent stock type institutions, one must consider the nature of the organizations. In a mutual-type institution, every shareholder is a part owner and has a right to his pro rata share of the association's net worth, including its reserves, surplus and undivided profits. When a mutual association is dissolved, voluntarily or involuntarily, each shareholder is entitled to receive his pro rata share of that net worth. In times like these the value of associations is substantial; usually far in excess of the stated reserves, surplus and undivided profits. Their shareholders or depositors are necessarily dependent upon and must look to the management and directors of their associations to protect their interests and to assure the continued success of their associations. Such management and directors occupy positions of trust—theirs is a fiduciary relationship to the many mutual shareholders.

During the past 20 years the industry has enjoyed unprecedented success in winning the confidence of the American public. More money has been invested in these institutions than ever before in history, making it possible, to a great extent, to finance the tremendous postwar homebuilding program. The income from these mortgage holdings, the large reservoirs of accumulated capital, the goodwill enjoyed by the association, plus the substantial reserves, surplus, and undivided profits accounts and their future earning power—all have created an asset worth far more than meets the eye.

The allegation is made that management and directors or others on the inside, in derogation of their fiduciary responsibilities, have cast their eyes upon the association's reserves and become interested in acquiring them through the legal device of converting the mutual association, under State law, into a permanent stock company. A conversion of a mutual to a permanent stock organization dissolves the mutual institution and creates a new legal entity. During this conversion the many shareholders of the mutual association are not given their pro rata share of value. In effect, the conversion is invariably a transfer of ownership from the many to the ownership of a select or privileged few—the owners of the permanent stock. These permanent-stock owners control and operate the institution, the business it has built up, and its assets for their sole benefit. Unless proper safeguards are established, a conversion may enable people who are in the know or on the inside to purchase the permanent stock for a fraction of the values behind it. As one nationally prominent mutual savings and loan association executive recently stated:

"My feeling about the matter is that if the purchasers of permanent stock in the conversion of a mutual association had to pay as much for their stock as these same people feel it to be worth immediately after conversion, this whole trend would be reversed. Certainly this stock should be worth as much the day before conversion as the day after and the price fixed accordingly. The value of the stock should be measured not only by the previously accumulated reserves and surplus funds but also by the future earnings potential."

HEARINGS BEFORE THE SENATE BANKING SUBCOMMITTEE

The problems surrounding conversions and the allegations of abuses in connection with them were discussed in a public hearing on Federal savings and loan branches held by a subcommittee of the Senate Committee on Banking and Currency, May 31, 1955. That record contains a discussion attributed to Chairman Walter W. McAllister, of the Federal Home Loan Bank Board, before a panel sponsored by the California Savings and Loan League and reprinted in the league's Journal of April 1955. Mr. McAllister is quoted as saying during the panel discussion:

"The statement is made that a group of people operating mutually and cooperatively build big reserves. Then the management and directors become interested in acquiring those reserves. They convert that institution into a mutual company and then convert the mutual company in accordance with State law into a permanent stock association. People who are on the 'in' buy the stock for $100 or thereabouts and it has a book value of $200 or $300 and up."

The Senate record reveals that the Home Loan Bank Board Chairman felt that the Board was limited with respect to legal authority over conversion of Federal savings and loan associations into State-chartered associations, and subsequent conversion of the State-chartered association to a permanent stock-type institution. It wa pointed out to the Senate group that such conversions are permissible; therefore, if a Federal association converts to a State-chartered mutual association and thereafter decides as a State association to reorganize under State law into a permanent stock company, the Board has no control. The Senate record also reveals that the Board had not been in sympathy with some proposed conversions and had worked out procedures to protect mutual shareholders by giving them opportunity to buy their share of the permanent stock issued by the State institution. The potential for abuses in connection with such conversions is clearly recognized. In fact, the California panel discussion referred to above shows that Chairman McAllister said that he, as an individual member of the Board, would not act favorably or unfavorably upon applications for conversion at that particular time and that he believed "from what I hear around that it would have been a rather fertile field of investigation and complaint against the savings and loan business."

Members of the Senate group viewed the allegations in such serious vein that Senator BUSH called for investigation of alleged efforts by managers and directors of some Federal savings and loan associations to convert into permanent stock companies. Senator DOUGLAS alluded to such developments as "legalized larceny." Senator BUSH apparently regarded the allegations sufficiently serious to urge that the Senate not act upon a pending proposal to grant the Home Loan

Bank Board independent status until further information was developed.

VIEWS OF HOUSING AND HOME FINANCE ADMINISTRATOR

The Housing and Home Finance Administrator, in a letter concurred in by the chairman of the Home Loan Bank Board (CONGRESSIONAL RECORD, vol. 101, pt. 6, pp. 7751–7753), wrote that he was "increasingly disturbed" about questions surrounding such conversions. He made the point that in such conversions there is a transfer of ownership from a body of mutual shareholders to a usually smaller group of permanent stockholders and that in the common case the mutual association usually has at the time of transfer substantial earned surplus, reserves, and undivided profits. The HHFA Administrator said he was firmly convinced that the Federal regulatory and insuring agencies were under a duty to see that the rights of mutual shareholders at time of such conversion were adequately protected and preserved. He concurred that requirements of law were being met in such conversions and that the Board had gone perhaps further than expressly required by law to control them. He was satisfied that legal requirements now existing could not alone be relied upon and recommended remedial legislation by the Congress. Significantly, the HHFA Administrator pointed out that conversions were a rather recent development and might develop into a trend of significant dimensions.

CONCLUSIONS AND RECOMMENDATIONS

It has been aptly observed that Federal insurance of accounts in savings and loan associations were predicated upon risks inherent in a mutual-type business. Permanent stock-type charters were very rare at the inception of Federal insurance and their existence attracted little attention or concern. However, the enactment of permanent stock-company laws in several States and the current interest in converting mutual associations into permanent stock companies (for unethical and immoral, if not illegal, ends) serves to emphasize that the character of risk that has been assumed by the Federal Savings and Loan Insurance Corporation and its members needs to be reexamined. As pointed out above, conversions are a rather recent development that may develop into a trend of significant dimensions. This points out a course of action that Congress should immediately pursue pending a reexamination of the whole theory and philosophy underlying Federal insurance of savings and loan institution accounts. There is grave doubt, with profound changes being wrought in the basic characteristics of the industry, through conversions, that the Government with propriety should continue to make insurance available to additional permanent stock-type institutions.

It is recommended therefore that Congress amend the law to provide that, in the future, insurance of accounts by the Federal Savings and Loan Insurance Corporation be granted only to accounts of local, mutual savings and loan associations, and that the insurance of existing mutual associations be canceled within 1 year, if they convert to or are merged with a permanent stock company. Such requirements would impose no inequity or hardship upon an existing savings and loan association or upon an institution with a permanent stock-type of charter which is already insured.

AMENDMENT OF ACT OF JUNE 30, 1936 (THE WALSH-HEALEY ACT)

Mr. KENNEDY. Mr. President, this Congress has not been afforded an opportunity to review existing deficiencies in the Walsh-Healey Public Contracts Act. In order to lay the groundwork for a comprehensive review of that act early in the next session, I am today introducing a bill providing suggested language for four changes necessary to make the Walsh-Healey Act a more valuable instrument for the regulation of labor conditions in Government contracts.

The first change, modifying the admittedly vague language of section 1 (b) of the act in order to clarify the original intent of Congress as determined by the Secretary and the courts, gives the Secretary of Labor two clear and specific options for determining the minimum wage under which a Government contract may be granted to a firm. The Secretary could find a prevailing wage either (a) for a single industry on a nationwide or smaller basis or (b) for a group of industries in a particular locality.

The second change seeks to provide the Government, employers and employees with more specific definitions or contexts of the key terms relied upon by them under the operation of the act. These heretofore vague terms include "party responsible," "regular dealer," and "manufacturer," and particularly the phrase "bought in the open market," which may soon lead to litigation. The Government has always assumed the "open market" reference to mean articles which the Government has so purchased; and this was the obvious intent of Congress. But to prevent unnecessary litigation and interpretation greatly reducing the coverage of the law, this intent is spelled out in the bill I am introducing today. The bill also eliminates specific reference to judicial review for the purpose of interpreting terms previously vague but which would be definite under the amendments already mentioned.

Third, this bill provides that no injunction shall be issued against a minimum-wage order until it is finally determined, by the highest court to which an appeal is taken, that the Secretary's order is invalid. Such an amendment preserves all of the rights of contractors to judicial review without destroying the protection for employees which Congress intended to provide by this act. The Emergency Price Control Act of World War II similarly and successfully denied judicial restraints on price orders until final adjudication. Under the present system, judicial review can delay the effectiveness of a wage determination for at least 3 years, at the end of which time it has lost all significance. Thus unfounded litigation is encouraged and the practical effect of the act is rendered void.

Fourth and finally, this bill would encourage periodic reexamination of prevailing wage rates, require the Secretary of Labor to keep abreast of changes in wage and price levels and authorize redeterminations of wage levels necessary to preserve the objectives of the act. Elimination of the time lag between economic changes and the Secretary's decision will be more just to both employers and employees—and, like the other amendments previously mentioned, preserve the original obectives of the Walsh-Healey Act while improving the administrative machinery necessary to achieve those objectives.

I introduce the bill, and ask that it be appropriately referred.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 4260) to amend the act of June 30, 1936 (the Walsh-Healey Act), introduced by Mr. KENNEDY, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

PROTECTION OF OFFICERS AND EMPLOYEES OF DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Mr. WILEY. Mr. President, I introduce, for appropriate reference, a bill amending United States Code to provide Federal protection for enforcement officers of the food and drug or public health laws of the United States.

HEW OFFICERS AND EMPLOYEES NOT GIVEN FULL PROTECTION

Section 1114 of title 18, United States Code, now makes it a crime punishable under Federal law for anyone to kill any officer or employee of the Federal Bureau of Investigation, post-office inspector, officer or employee of the National Park Service, or any of the many other Government officials and employees specified in that section, while engaged in the performance of their official duties.

Section 111 of title 18 also makes it a Federal crime for anyone forcibly to assault, resist, oppose, impede, intimidate or interfere with any person specified in section 1114 while he is engaged in the performance of his official duties.

However, since officers and employees of the Department of Health, Education, and Welfare are not mentioned in section 1114, the protection of neither of these sections is afforded to them under existing Federal law.

INCREASED DANGER FOR EMPLOYEES OF HEW

Increasingly, during recent years, employees of this Department, engaged in the enforcement of the food and drug laws, have been exposed to the risk of assaults and other injuries during the performance of their regular duties.

For example, many perishable foods such as crabmeat, eggs, and fresh vegetables are necessarily shipped by truck and move at night, so as to reach the markets the following morning. To collect official samples and make analyses before the foods are sold, Federal employees must stop trucks at night on the highway. Sometimes, the truckdrivers are uncooperative and, on occasion, belligerent to the point of assaulting the employee attempting to make the inspection.

The danger of personal harm is particularly acute in the investigation of deliberately concealed violations of the Federal Food, Drug, and Cosmetic Act.

Often during investigations, food and drug inspectors operate undercover as truckdrivers in circumstances which subject them to great danger of physical injury or death. Duties of this kind are

increasingly being required of our food and drug inspectors. While the great United States trucking industry provides invaluable cooperation, culprits may, of course, be found at the fringes of almost any industry.

Similarly, Federal employees, carrying out quarantine laws, are necessarily engaged in sometimes dangerous investigatory, inspection or other activities in connection with the enforcement of our public health laws and regulations. For instance, the interstate and foreign quarantine laws are designed to prevent the spread of communicable diseases into this country from abroad or from one State to another. Frequently, it is necessary to deal with uncooperative persons attempting to evade the laws or regulations or otherwise interfere with their enforcement. In these cases, the danger of personal harm is extremely great.

In view of these facts, I believe that the protection now afforded by sections 111 and 1114 of title 18, United States Code, to numerous Federal officers and employees should be extended to officers and employees of the Department of Health, Education, and Welfare engaged in these enforcement activities.

ENACT BILL IN HONOR OF DR. WILEY'S MEMORY

I believe the enactment of this legislation would not only plug a loophole in the existing law, but would contribute greatly to the personal protection—as well as morale—of officers and employees of HEW.

Mr. President, this year marks the 50th anniversary of the pure food and drug law, a law which is the living memorial to a man with a name identical to mine, but to whom I, unfortunately, can claim no relation, Dr. Harvey W. Wiley.

It would be most appropriate, in Dr. Wiley's living memory, to enact additional laws to strengthen the wise foundations which he laid.

The hour is, of course, late in this 84th Congress for action of this nature, but I am hoping that early in 1957 we can carry forward in this great objective.

I present a significant letter from the General Federation of Women's Clubs on one important phase of this problem, adequate poultry inspection.

I ask unanimous consent that this letter be printed in the RECORD at this point.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 4262) to include, within the provisions of law providing punishment for killing or assaulting Federal officers on official duty, officers and employees of the Department of Health, Education, and Welfare engaged in enforcing the food and drug or public-health laws of the United States, introduced by Mr. WILEY, was received, read twice by its title, and referred to the Committee on the Judiciary.

The letter presented by Mr. WILEY is as follows:

GENERAL FEDERATION OF WOMEN'S CLUBS,
Washington, D. C.

DEAR SENATOR: Since its organization in 1890 the General Federation of Women's Clubs has been vitally interested in legislation to insure a pure and safe food supply. We have been credited by Dr. Harvey Wiley with prompting the educational program which resulted in the passage of the Pure Food and Drug Act in 1906 and in the intervening years we have consistently worked for amendatory legislation to further the health and welfare standards of our Nation.

The membership of the General Federation is composed of over 875,000 women in all parts of the United States, most of whom are housewives and mothers. They therefore have a very personal interest in the food which they purchase for their families. We are at present greatly concerned that there is no effective inspection of poultry and that consumers face serious danger to health from the sale of unclean, contaminated and diseased poultry. The General Federation does not feel that the present voluntary inspection of poultry is an adequate safeguard to health, and we fully concur with the statement of the Commissioner of the Food and Drug Administration that not only after-slaughter inspection is needed, but before-slaughter, as well. We believe it is imperative that we have new legislation to provide for the compulsory inspection to guarantee clean and healthy poultry.

The General Federation of Women's Clubs strongly urges that you favorably consider S. 3176, the bill introduced by Senator MURRAY. We believe the bill is an excellent measure to protect the consumer.

Sincerely yours,

GRACE D. NICHOLAS,
Mrs. Stephen J. Nicholas,
Executive Director.

APPOINTMENT OF ADDITIONAL CIRCUIT AND DISTRICT JUDGES—AMENDMENTS

Mr. SMATHERS submitted amendments, intended to be proposed by him, to the bill (S. 1256) to provide for the appointment of additional circuit and district judges, which were ordered to lie on the table and to be printed.

Mr. SMATHERS (for himself and Mr. HOLLAND) submitted amendments, intended to be proposed by them, jointly, to Senate bill 1256, supra, which were ordered to lie on the table and to be printed.

AMENDMENT OF FEDERAL DEPOSIT INSURANCE ACT, RELATING TO SAFEGUARDS AGAINST CERTAIN BANK MERGERS—AMENDMENTS

Mr. DOUGLAS. Mr. President, on behalf of myself, and the Senator from New York [Mr. LEHMAN], I submit amendments, intended to be proposed by us, jointly, to the bill (S. 3911) to amend the Federal Deposit Insurance Act to provide safeguards against mergers and consolidations of banks which might lessen competition unduly or tend unduly to create a monopoly in the field of banking. The amendments are designed to tighten up the bill and to protect competition in the field of banking. They would also prevent monopolies in banking.

I ask that the amendments be printed and lie on the table.

The PRESIDENT pro tempore. The amendments will be received, printed, and will lie on the table.

NOTICE OF CONSIDERATION OF TWO NOMINATIONS BY THE COMMITTEE ON FOREIGN RELATIONS

The PRESIDENT pro tempore. As a Senator, and as chairman of the Committee on Foreign Relations, the Chair desires to announce that the Senate received today the following nominations:

Cavendish W. Cannon, of Utah, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Morocco; and

Christian M. Ravndal, of Iowa, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ecuador.

Notice is given that the Committee on Foreign Relations expects to consider these nominations before the adjournment of Congress.

SIXTIETH ANNIVERSARY OF THE DISCOVERY OF THE X-RAY

Mr. IVES. Mr. President, one of mankind's greatest boons and medicine's most useful tools—the X-ray—was discovered 60 years ago by a German physics professor, Wilhelm Conrad Roentgen.

Today, the Surgeon General of the United States, Dr. Leonard A. Scheele, is marking this anniversary by signing a scroll paying tribute to Professor Roentgen and the X-ray. At the same time, the American College of Radiology is presenting a bronze bust of Professor Roentgen to the Department of Health, Education, and Welfare. The scroll and the bust will be displayed together in a suitable place here in Washington.

Mr. President, I ask unanimous consent to have the text of the scroll printed in the body of the RECORD at this point in my remarks.

There being no objection, the text of the scroll was ordered to be printed in the RECORD, as follows:

RAY OF HOPE

Prof. Wilhelm Conrad Roentgen discovered X-rays and, in doing so, not only made one of the great discoveries of history but also inspired the beginning of a new medical service for all humanity—radiology.

It was 60 years ago that this physics professor, working in his University of Wurzburg laboratory in Germany, first produced a new kind of ray that made visible the bones of his hand. This was man's first glimpse of a living skeleton.

Today, X-ray equipment has advanced from Roentgen's experimental Crooke's tube to huge machines employing millions of volts. The effective use of these machines rests in the hands of medical specialists known as radiologists who direct and control them.

Thanks to Professor Roentgen's discovery, X-rays and other forms of penetrating radiant energy, used for diagnosis and therapy, serve and benefit hundreds of millions of the world's people every year.

It is, therefore, appropriate for us today to honor Professor Roentgen who served science and truth all his life. His service, rendered decades ago, became the foundation of a profession aiding all mankind today.

LEONARD A. SCHEELE, M. D.,
Surgeon General, United States Public Health Service.

STATUS OF VISA APPLICATIONS UNDER THE REFUGEE RELIEF PROGRAM

Mr. LANGER. Mr. President, I am chairman of the Subcommittee on Refugees. My office has been flooded with calls from various Senators and their administrative assistants, asking about the number of refugees who still can be admitted to the United States, under the various classifications.

I have a report from the State Department, showing the number of refugees who can be admitted to the United States from various countries. I ask unanimous consent that the report be printed at this point in the body of the RECORD.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Refugee relief program, status of visa applications, July 13, 1956

	Italy	Greece	Netherlands	Germany	Austria	France	Great Britain	Belgium	Far East	Others	Total
Each individual covered by assurance (cumulative):											
1. Applicants	97,975	32,380	8,151	58,788	20,319	5,823	4,557	4,905	23,906	5,258	262,062
2. Visas issued	58,692	16,868	3,942	22,698	11,535	2,021	1,653	1,764	5,121	2,065	126,359
3. Visas refused	7,881	2,020	220	5,778	2,060	530	564	313	951	339	20,656
4. Canceled action	3,255	438	713	8,945	2,353	1,064	409	773	449	394	18,793
5. Applicants still in process	28,147	13,054	3,276	21,367	4,371	2,208	1,931	2,055	17,385	2,460	96,254
Preprocess (without assurances) applicants (status only):											
In preprocess	8,484	459	3,959	11,586	2,509	280	0	1,183	684	355	29,499
Completed (part of in preprocess)	1,007	211	0	3,705	820	31	0	105	27	101	6,007
Assurances sent to field	17,357	18,236	2,714	29,336	10,048	3,237	2,154	1,737	13,883	5,464	104,166

NOTE.—Assurance figures reflect principal applicants only.

"YOUTH WANTS TO KNOW"

Mr. GOLDWATER. Mr. President, as a member of the Senate Committee on Labor and Public Welfare, which handles education matters, among other duties, and as one who has appeared on this program, I wish to compliment the nationally known television program, "Youth Wants To Know," on its new affiliation with the National Education Association. The NEA is well known to all of us in the Senate for its wide range of activities in the field of education.

I ask unanimous consent that a press release telling of this event may be printed in the RECORD at this point in my remarks.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

YOUTH WANTS TO KNOW ANNOUNCES ITS AFFILIATION WITH THE NATIONAL EDUCATION ASSOCIATION

Theodore Granik, founder and producer of Youth Wants To Know, announces with pleasure that the program will hereafter be produced in cooperation with the National Education Association. The new affiliation between the program and the association will serve to heighten existent educational and entertainment aspects of the show. Youth Wants To Know is especially proud to be identified with the National Education Association on the eve of its 100th anniversary.

The association represents more than one million persons in the teaching profession throughout the United States; it has 659,190 teachers on its own rolls, and an additional 470,000 in affiliated State and local associations; its membership is comprised of classroom teachers, principals, supervisors, superintendents, and other active professional educators in the schools and colleges of the United States. The association has pioneered in every field of educational work, and its contributions to the welfare of the United States has been recognized by leaders in all walks of life.

It works closely with such other outstanding organizations as the American Legion, the American Medical Association, the American Library Association, the American Teachers Association, the Magazine Publishers Association, and the National Congress of Parents and Teachers. It has annually cosponsored American Education Week, to arouse citizen interest in the well-being and improvement of the American school system. The National Education Association has done important work in research, in developing sound educational policies, in furthering rural education; through its National Commission on Teacher Education and Professional Standards, it has striven to advance the professional standards of teachers and to improve the standards of teacher education.

The National Education Association publishes a monthly periodical with a paid circulation of nearly 700,000 copies; in addition, each of the 48 States affiliated publishes a similar periodical, and specialized educational groups within the National Education Association issue publications relating to their group interests. All of these publications will carry news flowing from the affiliation between the National Education Association and NBC's Youth Wants To Know.

The cooperation between Youth Wants To Know and the National Education Association will implement the program's dedication to the advancement of knowledge on national and international affairs among the young people of our country.

Youth Wants To Know was founded in 1951; since that time it has been produced by its founder, Theodore Granik. It is the outstanding television program of its kind for young people and adults, having won almost every national award since its inception.

Youth Wants To Know is telecast each Sunday afternoon, from 3:30 to 4:00 p. m., e. d. t., over the National Broadcasting Co.'s television network.

CONSERVATIONISTS SUPPORT THE HOUSE VERSION OF FISH AND WILDLIFE REORGANIZATION

Mr. WILEY. Mr. President, one of the important issues now before the Congress and, in particular, before a Senate-House conference committee, is the reorganization of the United States Fish and Wildlife Service.

In my judgment, the House of Representatives' version of this legislation, representing an amended form of S. 3275, is definitely superior to the original version, as was unfortunately approved by the Senate.

The amended version should be approved by the conference committee. This version will protect the interests of America's millions of sports fishermen. The amended version represents a reasonable compromise, in which sports fishermen have conceded just about all that they could or should, under the circumstances, without compromising principle.

I was pleased to receive from distinguished conservation experts of our nation a great many messages endorsing the amended form of S. 3275.

I had previously pledged to them my support toward this objective. I had done so in the form of a special report which I had sent out to the conservationists of my own and other States.

I am delighted to say that this conservation report received the enthusiastic reaction of our national conservation leaders here in Washington.

This fine group of men, spokesmen for fish and wildlife groups, are among the most vigilant guardians of our outdoor resources. Naturally, I am deeply appreciative of their very splendid expressions.

Too often we, as a nation, have failed to preserve the precious heritage which belongs to all 167 million of us, and to the future generation which will follow.

As an indication of the deep interest of these men and of the civic-minded groups which they represent, I am going to ask unanimous consent that the text of the appeal for amended S. 3275, be printed at this point in the body of the CONGRESSIONAL RECORD, and be followed thereafter by the gracious individual messages which I have received from the conservation leaders.

I should like now to conclude by urging that the Senate Appropriations Committee grant necessary funds to carry out the water pollution control law recently approved by Congress. These funds, particularly $50 million for vital grants-in-aid to municipalities, for sewerage treatment plants, must be included in the second supplemental funds bill if we are not to lose a whole year of precious time in our battle against the dread pollution menace.

Mr. President, I ask unanimous consent that a letter from C. R. Gutermuth, vice president of the Wildlife Management Institute addressed to all Members of Congress; a press release of the Department of the Interior; a letter addressed to me by Michael Hudoba; a letter from C. R. Gutermuth, addressed to me; a letter from Richard H. Stroud,

executive vice president of the Sport Fishing Institute; and a letter from Ernest F. Swift, executive director of the National Wildlife Federation, may be printed in the RECORD at this point in my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

WILDLIFE MANAGEMENT INSTITUTE,
Washington, D. C., July 16, 1956.

IMPORTANT ANNOUNCEMENT ON S. 3275

To All Members of Congress:

The Magnuson bill, S. 3275, as amended and passed by the House on July 7, has the full support of the sportsmen, conservationists, State fish and game directors, and Secretary of the Interior Fred A. Seaton (see attached Interior Department press release dated July 3).

While a few clarifying word changes should be made in the amended Magnuson bill, S. 3275, the following conservation organizations have requested me to make it clear that they will oppose any amendments to this bill that would make any major changes in the organizational pattern of administration that now is provided in amended S. 3275, which is the same as H. R. 11570, dated June 28.

Despite the last-minute claim by one commercial fishing organization that the amended Magnuson bill, S. 3275, would subordinate fisheries, it will do just the opposite. Commercial fisheries would be elevated in the United States Fish and Wildlife Service, but the Service would be kept together as one agency in Interior—which is what the people across the country have been demanding. Without weakening amendments, the amended S. 3275 would give greater recognition to both fish and wildlife by creating an Assistant Secretary for Fisheries and Wildlife. The amended bill would provide immediate relief to the distressed commercial fishing industry, and the vast majority of members of the industry favor its enactment.

Sincerely,

C. R. GUTERMUTH,
Vice President.

(Citizens Committee on Natural Resources, Spencer M. Smith, secretary; Forest Conservation Society of America, Charles H. Stoddard, executive director; International Association of Fish, Game, and Conservation Commissioners, Bruce F. Stiles, president; Izaak Walton League of America, Joseph W. Penfold, conservation director; Midwest Association of Fish, Game, and Conservation Commissioners, Glen D. Palmer, president; National Wildlife Federation, Charles H. Callison, conservation director; Outdoor Writers Association of America, Michael Hudoba, conservation director; Public Affairs Institute, Dewey Anderson, executive director; Sport Fishing Institute, Richard H. Stroud, executive vice president; Western Association of State Game and Fish Commissioners, Thomas L. Kimball, president.)

DEPARTMENT OF THE INTERIOR DEFERS FWS REORGANIZATION PENDING CONGRESSIONAL ACTION

Secretary of the Interior Fred A. Seaton today announced that, because Congress is considering legislation affecting the Fish and Wildlife Service, administrative reorganization of that Service, scheduled to go into effect July 1, had been temporarily deferred, with the President's approval.

The Department has been working out details of the reorganization plan since June 4, when a White House directive spelled out the objectives of the administration's proposal to provide new forms of assistance to the commercial fishing industry and to bolster other services performed by the Fish and Wildlife Service.

Secretary Seaton said the Department had decided to postpone completion of the reorganization until Congress has had an opportunity to act on pending legislation designed to accomplish essentially the same things as the administration's program.

The Secretary said H. R. 11570 is generally in accord with the President's program.

"In view of the fact that the Congress is now considering legislation that would, among other things, provide for the reorganization of the Fish and Wildlife Service to include a bureau for wildlife and sport fishing and a bureau of commercial fisheries, it would seem best at this time for the Department to delay effectuating its own reorganization plan beyond the originally contemplated July 1 target date," Seaton said.

"This is a complex problem and it is the President's desire that the Department of the Interior and other interested Federal agencies cooperate to the utmost with the Congress in working out the best possible solution to the problem," he added.

In addition to providing for reorganization of the Fish and Wildlife Service, H. R. 11570, as reported by the House Committee on Merchant Marine and Fisheries, calls for establishment within the Department of the Interior of an Assistant Secretary to have supervision of fisheries and wildlife and a Commission of Fish and Wildlife. Other significant features of the bill are a revolving loan fund and a continuation of the Saltonstall-Kennedy program which would eliminate the present $3 million limitation on funds for fisheries research and other projects. The act is due to expire next year.

The administration's proposed legislation, submitted to Congress on June 7, provided for a $10 million revolving loan fund for the maintenance and repair of commercial fishing vessels and for liberalization of the Saltonstall-Kennedy Act.

SPORTS AFIELD,
Washington, D. C., July 13, 1956.

Hon. ALEXANDER WILEY,
United States Senate,
Washington, D. C.

DEAR SENATOR WILEY: Thank you for your kind letter and thoughtfulness in sending me a copy of your report to Wisconsin conservationists.

It is a fine report and affirms what those of us working for conservation and sportsmen here in Washington know of your long and persistent interest in conservation.

You are one of the too few Senators who have consistently urged that recreational use of the national forests be firmed up through legislation assuring adequate funds for fish, wildlife, and recreational facilities in national forests.

One of the most urgent matters in the final days of the session is to get supplemental appropriations for the newly enacted pollution abatement law which can only be done now because of time through the Senate.

I wish to express appreciation for your continuing interest and support of those measures so important to the sportsmen-conservationists during your service in the United States Senate.

With kindest regards,

Sincerely,

MIKE HUDOBA.

WILDLIFE MANAGEMENT INSTITUTE,
Washington, D. C., July 16, 1956.

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: Thanks for your letter of July 11, and for the enclosed copy of your special report to the Wisconsin conservationists. It is believed that this will be one of the most popular releases that you ever have issued.

We appreciate your continued cooperation and support. It is regretted that we do not have more stanch conservationists like you in the Congress. We certainly are indebted to you for your help over the years.

The internationally famous cartoonist, J. N. "Ding" Darling once said, the worst enemies of fish and game were Democrats and Republicans who acted as Democrats and Republicans, and we need more statesmen who hold steadfast in the public interest.

Sincerely,

C. R. GUTERMUTH,
Vice President.

SPORT FISHING INSTITUTE,
Washington, D. C., July 17, 1956.

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: Many thanks for your letter of July 11 with a copy of your report to Wisconsin conservationists. I appreciate your thoughtfulness in this regard.

I note your statement opposing domination of sport by commercial fishing interests. As you doubtless know, Sport Fishing Institute has been in the forefront of this battle. I am enclosing a copy of my recent letter to Senator MAGNUSON in which you will doubtless be interested. Any assistance you can give will be appreciated.

Respectfully yours,

RICHARD H. STROUD,
Executive Vice President.

NATIONAL WILDLIFE FEDERATION,
Washington, D. C., July 13, 1956.

The Honorable ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR: I appreciate your letter of July 11 with the attachment regarding your conservation record, copy of which has gone out to the people of Wisconsin.

I can assure you the federation appreciates your stand on Echo Park Dam, the help that you gave us on writing in the specifications in the soil bank law for consideration of forestry and wildlife, as well as your stand on the many other conservation issues that have come up in Congress over the years.

As a resident of Wisconsin I appreciate all that you have done for that State and the Nation as a whole in conservation.

Very sincerely yours,

ERNEST F. SWIFT,
Executive Director.

AGREEMENTS ENTERED INTO BETWEEN THE UNITED STATES AND FOREIGN GOVERNMENTS FOR THE DEVELOPMENT OF ATOMIC ENERGY

Mr. PASTORE. Mr. President, on June 29 I obtained unanimous consent to have printed in the RECORD certain agreements for cooperation which had arrived before the Joint Committee on Atomic Energy, pursuant to section 123 of the Atomic Energy Act of 1954.

I now ask permission to have printed in full in the CONGRESSIONAL RECORD at this point the agreement which arrived before the Joint Committee on June 29 between the Republic of Germany and the United States; the agreement which arrived before the Joint Committee on July 2 between the Kingdom of Denmark and the United States; and the agreement which arrived before the Joint Committee on July 6 between the Government of Belgium and the United States.

In addition, I also ask permission to have the body of the agreement between the Government of Switzerland and the Government of the United States printed. Inadvertently the agreement with the Netherlands was substituted in the RECORD before.

There being no objection, the agreements were ordered to be printed in the RECORD, as follows:

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., June 29, 1956.

Hon. CLINTON P. ANDERSON,
Chairman, Joint Committee on Atomic Energy, Congress of the United States

DEAR SENATOR ANDERSON: Pursuant to section 123c of the Atomic Energy Act of 1954, there is submitted with this letter:

1. An amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of the Federal Republic of Germany Concerning Civil Uses of Atomic Energy;

2. A letter from the Commission to the President recommending approval of the amendment;

3. A letter from the President to the Commission approving the amendment, authorizing its execution and containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security.

Article I of the amendment would permit the Government of the Federal Republic of Germany to have in its custody at any time up to 12 instead of the original 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactors involved.

Article II of the amendment would permit the transfer of limited amounts of special nuclear materials, including U–235, U–233, and plutonium for defined research projects related to the peaceful uses of atomic energy.

The guaranties undertaken by the parties in the agreement for cooperation dated February 13, 1956, will continue and will be applicable to the transactions contemplated by the enclosed amendment.

Sincerely yours,

Chairman.

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., June 29, 1956.

The PRESIDENT,
The White House

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the attached amendment to the agreement entitled "Agreement for Cooperation Between the Government of the United States of America and the Government of the Federal Republic of Germany Concerning Civil Uses of Atomic Energy," which was signed February 13, 1956. It is also recommended that you authorize the execution of this proposed amendment by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Article I of the amendment would permit the Federal Republic of Germany to have in its custody, at any one time, up to 12 instead of 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous use of the reactors involved. As you know, under the terms of the existing agreement, the Federal Republic of Germany may have 6 kilograms of such material in its custody, plus such additional quantity as is necessary to permit efficient and continuous operation.

The additional material which has been requested by Germany is needed, among other things, to fuel a second swimming pool reactor which Germany proposes to construct as part of its program to develop the peaceful aspects of atomic energy. Germany cannot allocate the necessary U–235 to this facility within the framework of the existing agreement, inasmuch as it plans to allocate the material now available under the existing agreement to other reactors which are considered equally important to its program. Accordingly, the Commission has reviewed the German request and has concluded that the allocation of an additional 6 kilograms under agreement is an important and desirable step in advancing the development of the peaceful uses of atomic energy in Germany in accordance with the policy which you have established.

Article II of the amendment would permit the transfer of limited amounts of special nuclear materials, including U–235, U–233, and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Following your approval and subject to the authorization requested, the proposed amendment will be executed by appropriate authorities of Germany and the United States. In compliance with section 123c of the Atomic Energy Act of 1954, the agreement will then be placed before the Joint Committee on Atomic Energy.

Respectfully,

LEWIS L. STRAUSS,
Chairman.

THE WHITE HOUSE,
Washington, June 29, 1956.

The Honorable LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission, Washington, D. C.

DEAR MR. STRAUSS: Under date of June 28, the Atomic Energy Commission recommended that I approve a proposed amendment to the "Agreement for Cooperation Between the Government of the United States of America and the Government of the Federal Republic of Germany Concerning Civil Uses of Atomic Energy" which was signed on February 13, 1956.

The Commission's letter states that article I of the amendment will enable the Federal Republic of Germany to obtain an additional 6 kilograms of contained U–235 in uranium from the United States (making a total of 12 kilograms) for retention in its custody at any one time. Upon an analysis of facts the Commission has determined that this additional material is needed, in part, to fuel a second swimming pool research reactor facility which Germany proposes to construct as part of its program to develop the peaceful uses of atomic energy. The Commission's letter states that the provision of the additional material will represent an important step in advancing the German program.

I also have noted that article II of the amendment would permit the transfer of limited amounts of special nuclear materials for peaceful research purposes.

I have examined the proposed amendment to the agreement and I share in the belief of the Commission that the performance of the agreement will serve to advance the development of the peaceful uses of atomic energy in Germany.

Accordingly, pursuant to the provisions of section 123 of the Atomic Energy Act of 1954 and upon the recommendations of the Atomic Energy Commission, I hereby

(1) Approve the proposed amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of the Federal Republic of Germany Concerning the Civil Uses of Atomic Energy;

(2) Determine that the performance of the proposed amendment to the agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States; and

(3) Authorize the execution of the proposed amendment to the agreement for the Government of the United States by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America (including the United States Atomic Energy Commission) and the Government of the Federal Republic of Germany;

Desiring to amend the Agreement for Cooperation Between the Government of the United States of America and the Government of the Federal Republic of Germany Concerning Civil Uses of Atomic Energy, dated February 13, 1956 (hereinafter referred to as the Agreement for Cooperation),

Have agreed as follows:

ARTICLE I

Article IV, paragraph 2, of the Agreement for Cooperation is amended (1) by adding after the phrase "by the Commission" the following: "under this article" and (2) by deleting the words "six (6)" wherever appearing in this paragraph and substituting in lieu of each such deletion the following: "twelve (12)."

ARTICLE II

The following new article is added directly after article V of the Agreement for Cooperation:

"*Article V (a)*

"Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy undertaken by the Government of the Federal Republic of Germany, including source materials, special nuclear materials, byproduct material, other radioisotopes, and stable isotopes will be sold or otherwise transferred to the Government of the Federal Republic of Germany by the Commission for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear materials under the jurisdiction of the Government of the Federal Republic of Germany, by reason of transfer under this article, be, at any one time, in excess of 100 grams of contained U–235, 10 grams of plutonium, and 10 grams of U–233."

ARTICLE III

Article VII, paragraph 1, of the Agreement for Cooperation is amended by deleting the phrase "uranium enriched in the isotope U–235 leased from the Commission" and substituting in lieu thereof the phrase "special nuclear materials received from the Commission."

ARTICLE IV

This amendment shall enter into force on the date on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such amendment and shall remain in force for the period of the Agreement for Cooperation.

In witness whereof, the undersigned, duly authorized, have signed this amendment.

Done at Washington, in duplicate, in the English and German languages, this ------ day of----------, 1956.

For the Government of the United States of America:

JOHN K. ROULEAU June 28, 1956.
WILLIAM K. MILLER June 28, 1956.

For the Government of the Federal Republic of Germany:

EDUARD HESS June 28, 1956.

UNITED STATES ATOMIC ENERGY COMMISSION,
Washington, D. C., June 29, 1956.

Senator CLINTON P. ANDERSON,
Chairman, Joint Committee on Atomic Energy, Congress of the United States

DEAR SENATOR ANDERSON: Pursuant to section 123c of the Atomic Energy Act of 1954, there is submitted with this letter:

1. An amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Denmark Concerning Civil Uses of Atomic Energy;

2. A letter to the Commission to the President recommending approval of the amendment;

3. A letter from the President to the Commission approving the amendment, authorizing its execution and containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security.

Article II of the amendment would permit the Government of the Kingdom of Denmark to have in its custody at any time up to 12 instead of the original 6 kilograms of contained U-235 in uranium enriched up to a maximum of 20 percent U-235, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactors involved.

Article III of the amendment would permit the transfer of limited amounts of special nuclear materials, including U-235, U-233, and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Articles I and IV of the amendment include several new provisions which are designed to clarify the responsibilities that the parties to the agreement have assumed with respect to liability for any information, special nuclear material or fuel elements transferred pursuant to the agreement.

The guaranties undertaken by the parties in the Agreement for Cooperation, dated July 25, 1955, will continue and will be applicable to the transactions contemplated by the enclosed amendment.

Sincerely yours,

LEWIS L. STRAUSS,
Chairman.

UNITED STATES ATOMIC ENERGY COMMISSION,
Washington, D. C., June 26, 1956.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the attached amendment to the agreement entitled "Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of the Kingdom of Denmark" which was signed on July 25, 1955. It is also recommended that you authorize the execution of this proposed amendment by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Article II of the amendment would permit the Kingdom of Denmark to have in its custody, at any one time, up to 12 instead of 6 kilograms of contained U-235 in uranium enriched up to a maximum of 20 percent U-235, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous use of the reactors involved. As you know, under the terms of the existing agreement, the Kingdom of Denmark may have 6 kilograms of such material in its custody, plus such additional quantity as is necessary to permit efficient and continuous operation.

The additional material which has been requested by Denmark is needed, among other things, to fuel a zero-power research facility which Denmark proposes to construct as part of its program to develop the peaceful aspects of atomic energy. Denmark cannot allocate the necessary U-235 to this facility within the framework of the existing agreement inasmuch as it plans to employ the 6 kilograms presently available in the agreement for a high-flux research reactor. Accordingly the Commission has reviewed the Danish request and has concluded that the allocation of an additional 6 kilograms under agreement is an important and desirable step in advancing the development of the peaceful uses of atomic energy in Denmark in accordance with the policy which you have established.

Article III of the amendment would permit the transfer of limited amounts of special nuclear materials, including U-235, U-233 and plutonium, for defined research projects related to the peaceful uses of atomic energy.

You also will note that articles I and VI of the amendment include some new provisions which are designed to clarify the responsibilities that the parties to the agreement have assumed with respect to liability for any information, special nuclear material or fuel elements transferred pursuant to the agreement.

Following your approval and subject to the authorization requested, the proposed amendment will be executed by appropriate authorities of Denmark and the United States. In compliance with section 123c of the Atomic Energy Act of 1954, the agreement will then be placed before the Joint Committee on Atomic Energy.

Respectfully,

W. F. LIBBY,
Acting Chairman.

Certified to be a true copy:

H. D. BRUSELSDORF
(For Clark C. Vogel, Acting Director Division of International Affairs).

THE WHITE HOUSE,
Washington, June 27, 1956.

The Honorable LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission, Washington, D. C.

DEAR MR. STRAUSS: Under date of June 26, 1956, the Atomic Energy Commission recommended that I approve a proposed amendment to the "Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of the Kingdom of Denmark" which was signed on July 25, 1955.

The Commission's letter states that article II of the amendment will enable the Kingdom of Denmark to obtain an additional 6 kilograms of contained U-235 in uranium from the United States (making a total of 12 kilograms) for retention in its custody at any one time. Upon an analysis of facts the Commission has determined that this additional material is needed, in part, to fuel a zero-power research facility which Denmark proposes to construct as part of its program to develop the peaceful uses of atomic energy. The Commission's letter states that the provision of the additional material will represent an important step in advancing the Danish program.

I also have noted that article III of the amendment would permit the transfer of limited amounts of special nuclear materials for peaceful research purposes and that articles I and VI are designed to make the responsibilities of the parties to the agreement more explicit.

I have examined the proposed amendment to the agreement and I share in the belief of the Commission that the performance of the proposed amendment will serve to advance the development of the peaceful uses of atomic energy in Denmark.

Accordingly, pursuant to the provisions of section 123 of the Atomic Energy Act of 1954 and upon the recommendation of the Atomic Energy Commission, I hereby

1. Approve the proposed amendment to the Agreement for Cooperation Concerning the Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of the Kingdom of Denmark;

2. Determine that the performance of the proposed amendment to the agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States, and

3. Authorize the execution of the proposed amendment to the agreement for the Government of the United States by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE KINGDOM OF DENMARK CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America (including the United States Atomic Energy Commission) and the Government of the Kingdom of Denmark;

Desiring to amend the Agreement for Cooperation Concerning Civil Uses of Atomic Energy between the Government of the United States of America and the Government of the Kingdom of Denmark, dated July 25, 1955 (hereinafter referred to as the "Agreement for Cooperation");

Have agreed as follows:

ARTICLE I

Article I of the Agreement for Cooperation is amended to read as follows:

"A. Subject to the limitations of article V, the parties hereto will exchange information in the following fields:

"1. Design, construction, and operation of research reactors and their use as research, development, and engineering tools and in medical therapy.

"2. Health and safety problems related to the operation and use of research reactors.

"3. The use of radioactive isotopes in physical and biological research, medical therapy, agriculture, and industry.

"B. The application or use of any information or data of any kind whatsoever, including design drawings and specifications, exchanged under this agreement shall be the responsibility of the party which receives and uses such information or data, and it is understood that the other cooperating party does not warrant the accuracy, completeness, or suitability of such information or data for any particular use or application."

ARTICLE II

Article II, paragraph B, of the Agreement for Cooperation is amended (1) by adding after the phrase "by the Commission" the following: "under this Article" and (2) by deleting the words "six (6)" wherever they appear in that paragraph and substituting in lieu of each such deletion the following: "twelve (12)."

ARTICLE III

The following new article is added directly after article III of the Agreement for Cooperation:

"Article III bis

"Materials of interest in connection with defined research projects related to the

peaceful uses of atomic energy undertaken by the Government of the Kingdom of Denmark, including source materials, special nuclear materials, byproduct material, other radioisotopes, and stable isotopes will be sold or otherwise transferred to the Government of the Kingdom of Denmark by the Commission for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear materials under the jurisdiction of the Government of the Kingdom of Denmark, by reason of transfer under this article, be, at any one time, in excess of 100 grams of contained U–235, 10 grams of plutonium, and 10 grams of U–233."

ARTICLE IV

1. Article VI, paragraph A, of the Agreement for Cooperation is amended by deleting the phrase "uranium enriched in the isotope U–235 leased from the Commission" in the second and third lines and substituting in lieu thereof the phrase "special nuclear materials received from the Commission."

2. The following new paragraph is added to article VI of the Agreement for Cooperation:

"D. Some atomic energy materials which the Government of the Kingdom of Denmark may request the Commission to provide in accordance with this arrangement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of the Kingdom of Denmark, the Government of the Kingdom of Denmark shall bear all responsibility, insofar as the Government of the United States is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the Commission may, pursuant to this Agreement, lease to the Government of the Kingdom of Denmark or to any private individual or private organization under its jurisdiction, the Government of the Kingdom of Denmark shall indemnify and save harmless the Government of the United States against any and all liability (including third party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the Commission to the Government of the Kingdom of Denmark or to any authorized private individual or private organization under its jurisdiction."

ARTICLE V

This amendment shall enter into force on the date on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such amendment and shall remain in force for the period of the Agreement for Cooperation.

In witness whereof, the undersigned, duly authorized, have signed this amendment.

Done at Washington this 27th day of June 1956 in two original texts.

For the Government of the United States of America:

C. BURKE ELBRICK,
Acting Assistant Secretary of State for European Affairs.

LEWIS L. STRAUSS,
Chairman, United States Atomic Energy Commission.

For the Government of the Kingdom of Denmark:

HENRIK DE KAUFFMAN,
Ambassador of Denmark.

Certified to be a true copy.

A. BRUCE MERCER.
(For Clark C. Vogel, Acting Director, Division of International Affairs).

UNITED STATES ATOMIC ENERGY COMMISSION,
Washington, D. C., July 6, 1956.

Senator CLINTON P. ANDERSON,
Chairman, Joint Committee on Atomic Energy, Congress of the United States

DEAR SENATOR ANDERSON: Pursuant to section 123c of the Atomic Energy Act of 1954, there is submitted with this letter:

1. An amendment to the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Belgium;

2. A letter from the Commission to the President recommending approval of the amendment;

3. A letter from the President to the Commission approving the amendment, authorizing its execution and containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security.

The proposed amendment will broaden the scope of cooperation between Belgium and the United States and, in particular, a number of provisions have been modified or inserted to permit a wider exchange of classified information in areas related to the peaceful development of atomic energy. In addition, the amendment is designed to further recognize the special relationship that exists between the Government of the United States and the Government of Belgium in the field of atomic energy, and it accords Belgium the same advantages which are now being granted concurrently to other countries pursuant to other agreements for cooperation.

Article I of the amendment replaces article III of the existing agreement in its entirety. In particular, the scope of the exchange of classified information has been broadened to permit, as may be agreed, an exchange of information on the methods of producing and utilizing reactor materials and the methods of producing and fabricating reactor components. In addition, the agreement has been amplified to permit an exchange of classified information on the exploration for, treatment, and production of source materials.

Article III of the amendment would, among other things, enable the Commission to make a portion of the U–235 sold under the agreement to Belgium available as material enriched up to 20 percent for use in a materials testing reactor, capable of operating with a fuel load not to exceed 8 kilograms of contained U–235 in uranium.

In article V of the amendment, the parties affirm their common interest in the establishment of an international atomic energy agency to foster the peaceful uses of atomic energy and express their intention to reappraise the agreement in the event such an agency is established. Article V also recognizes the efforts that are now being made in Western Europe to integrate the atomic energy programs of a group of nations and, accordingly, provides that such an integrated group may assume the rights and obligations of the Government of Belgium under the agreement, provided the integrated group can, in the judgment of the United States, effectively and securely carry out the undertakings of this agreement.

Article VI of the amendment incorporates a number of prudent safeguards which are designed to strengthen the intention of the parties that material or equipment received from the United States under the agreement only will be used for peaceful purposes.

The guaranties undertaken by the parties in the Agreement for Cooperation will continue and will be applicable to the transactions contemplated by the enclosed amendment.

Sincerely yours,

LEWIS STRAUSS,
Chairman.

UNITED STATES ATOMIC ENERGY COMMISSION,
Washington, D. C., July 3, 1956.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed amendment to the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Belgium, dated June 15, 1955, and authorize its execution by appropriate authorities of the United States Atomic Energy Commission.

The proposed amendment will broaden the scope of cooperation between Belgium and the United States and, in particular, a number of provisions have been modified or inserted to permit a wider exchange of classified information in areas related to the peaceful development of atomic energy. In addition, the amendment is designed to further recognize the special relationship that exists between the Government of the United States and the Government of Belgium in the field of atomic energy, and it accords Belgium the same advantages which are now being granted concurrently to other countries pursuant to other Agreements for Cooperation. The amendment also includes some new provisions which relate to procedures for safeguarding materials transferred pursuant to the agreement, the responsibilities that the parties assume with respect to liability for any information or materials they exchange under the agreement, and the relationship of the agreement to the proposed international agency and European efforts to integrate atomic energy activities.

You will note that article I of the amendment replaces article III of the existing agreement in its entirety. In particular, the scope of the exchange of classified information has been broadened to permit, as may be agreed, an exchange of information on the methods of producing and utilizing reactor materials and the methods of producing and fabricating reactor components. In addition, article III of the agreement has been amplified to permit an exchange of classified information on the exploration for, treatment and production of source materials.

Article III of the amendment would, among other things, enable the Commission to make a portion of U–235 sold under the agreement to Belgium available as material enriched up to 90 percent for use in a materials-testing reactor, capable of operating with a fuel load not to exceed 8 kilograms of contained U–235 in uranium.

In article VII bis, the parties affirm their common interest in the establishment of an international atomic energy agency to foster the peaceful uses of atomic energy and express their intention to reappraise the agreement in the event such an agency is established. Article VII bis also recognizes the efforts that are now being made in Western Europe to integrate the atomic energy programs of a group of nations and accordingly, provides that such an integrated group may assume the rights and obligations of the Government of Belgium under the agreement, provided the integrated group can, in the judgment of the United States, effectively and securely carry out the undertakings of this agreement.

You also will note that article VIII bis of the amendment incorporates a number of prudent safeguards which are designed to strengthen the intention of the parties that material or equipment received from the United States under the agreement only will be used for peaceful purposes.

Article XI bis is designed to clarify the responsibilities that the parties have assumed with respect to any liability for information or materials transferred pursuant to the agreement.

The Atomic Energy Commission believes that the proposed amendment will contrib-

ute significantly to the program of cooperation between Belgium and the United States in fields related to the peaceful uses of atomic energy, and your approval is recommended. Following your approval and subject to the authorization requested, the proposed amendment will be executed by appropriate authorities of Belgium and the United States. In compliance with section 123c of the Atomic Energy Act of 1954, the agreement will then be placed before the Joint Committee on Atomic Energy.

Respectfully,

———— ————,

Chairman.

H. D. BEUSELSDORF.

Certified to be a true copy.

THE WHITE HOUSE,
Washington, July 5, 1956.

The Honorable LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission,
Washington, D. C.

DEAR MR. STRAUSS: Under date of July 3, 1956, the Atomic Energy Commission recommended that I approve a proposed amendment to the "Agreement for Cooperation Concerning the Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Belgium," dated June 15, 1955.

I have examined the amendment recommended. It calls for a broadening exchange of classified information between Belgium and the United States in fields related to the peaceful uses of atomic energy. In particular, the amendment would permit an exchange of classified information on the methods of producing and utilizing reactor materials, the methods of fabricating reactor components, and the techniques of exploring for, treating and producing source materials.

Article III of the proposed amendment would, among other things, enable the Commission to make a portion of the U–235 sold to Belgium under the agreement available as material enriched up to 90 percent for use in a materials-testing reactor, capable of operating with a fuel load not to exceed 8 kilograms of contained U–235 in uranium.

Article VIII bis of the amendment provides for appropriate safeguards against the diversion of materials and equipment for unauthorized uses. The amendment also affirms the interest of the United States and Belgium in the establishment of an International Atomic Energy Agency which would foster the peaceful uses of atomic energy, and I note that it takes into account efforts that are now being made in Western Europe to integrate the atomic energy program of a group of nations.

On the basis of my review I agree with the Commission's determination that the proposed amendment is an important step in fostering cooperation between the United States and Belgium in the development of the peaceful uses of atomic energy. Accordingly, pursuant to the provisions of section 123 of the Atomic Energy Act of 1954 and upon the recommendation of the Atomic Energy Commission, I hereby

(1) Approve the within proposed amendment to the Agreement for Cooperation Concerning the Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Belgium,

(2) Determine that the performance of the proposed amendment to the agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States, and

(3) Authorize the execution of the proposed amendment to the agreement for the Government of the United States by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

AMENDMENT TO AGREEMENT FOR COOPERATION CONCERNING THE CIVIL USES OF ATOMIC ENERGY BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF BELGIUM

The Government of the United States of America and the Government of Belgium;

Desiring to broaden in certain respects the Agreement for Cooperation on the Civil Uses of Atomic Energy (hereinafter referred to as the "Agreement for Cooperation") signed between them in Washington on the fifteenth day of June, 1955;

Have agreed as follows:

ARTICLE I

Article III of the agreement for cooperation is deleted and the following is substituted in lieu thereof:

"Article III

"With the objective of facilitating the development of peacetime uses of atomic energy, and particularly the development of atomic power, the Government of Belgium and the Commission agree to exchange unclassified information thereon and classified information in the specific fields set forth in this article. The exchange of information provided for in this article will be accomplished through the various means available, including reports, conferences and visits to facilities.

"A. 1. Of the information which is classified, only that relevant to current or projected programs will be exchanged.

"2. The parties will not exchange restricted data under this agreement relating to design or fabrication of atomic weapons or information which, in the opinion of the Commission, is primarily of military significance; and no restricted data concerning the production of special nuclear materials will be exchanged except that concerning the incidental production of special nuclear materials in a power reactor.

"3. This agreement shall not require the exchange of any information which the parties are not permitted to communicate because the information is privately developed and privately owned or has been received from another government.

"4. The Commission will communicate classified information pertaining primarily to any reactor types, such as submarine, ship, aircraft, and certain package power reactors, the development of which is concerned primarily with their military use, only when, in the opinion of the Commission, these types of reactors warrant peacetime application and as exchange of information on these types of reactors may be mutually agreed.

"B. Subject to the provisions of paragraph A of this article, classified information within the following fields shall be exchanged between the parties:

"1. Reactors:

"(a) General information on design, characteristics, operational techniques and performance of research reactors, and of experimental, demonstration power, or power reactors as is required to permit evaluation and comparison of their potential uses in a research or power-production program.

"(b) Detailed technological information on the design, development, construction, and operation of specific research, experimental, demonstration power or power reactors and when in the case of Belgium such information is required in connection with reactors currently in operation in Belgium, Belgian Congo, or Ruanda-Urundi, or when such reactors are being seriously studied in the Belgian power-development program or are being seriously considered for construction by the Government of Belgium as a source of power or as an intermediate step in a power-production program.

"(c) Classified information within subparagraphs (a) and (b) hereof shall be exchanged when it falls within one or the other of the following areas:

"(1) Specifications and methods of producing reactor materials: Final form specifications including composition, shape, size, and special handling techniques of reactor materials (including uranium, heavy water, pile grade graphite, and zirconium); and, as may be agreed, the methods of producing and utilizing reactor materials exclusive of information on the separation of isotopes.

"(2) Properties of reactor materials: Physical, chemical, metallurgical, nuclear and mechanical properties of reactor materials including fuel, moderator and coolant and the effects of the reactor's operating conditions on the properties of these materials.

"(3) Reactor components: The design and performance specifications of reactor components and, as may be agreed, the methods of producing and fabricating reactor components.

"(4) Reactor physics technology: This area includes theory of and pertinent data relating to neutron bombardment reactions, neutron cross sections, criticality calculations, reactor kinetics and shielding.

"(5) Reactor engineering technology: This area includes considerations pertinent to the overall design and optimization of the reactor and theory and data relating to such problems as reactor stress and heat transfer analysis.

"(6) Environmental safety considerations: This area includes considerations relating to normal reactor radiations and possible accidental hazards and the effect of these on equipment and personnel and appropriate methods of waste disposal and decontamination.

"(d) Subject to the provisions of paragraph B. 1. (b) of this article the Commission will receive selected security-cleared personnel from Belgium to work with and participate in the construction of the PWR reactor at Shippingport, Pa., and such other reactors as may be agreed.

"2. Uranium and thorium:

"Geology, exploration techniques, chemistry and technology of extracting uranium and thorium from their ores and concentrates; the chemistry, production technology and techniques of purification and fabrication of uranium and thorium compounds and metals including design, construction and operation of plants."

ARTICLE II

Article IV of the Agreement for Cooperation is amended as follows:

1. The title to article IV is deleted and the following substituted therefor. "Article IV—Research Materials and Research Facilities."

2. The letter "A" is placed before the present paragraph and the following new paragraph is added:

"B. Subject to the provisions of article III, and under such terms and conditions as may be agreed, and to the extent as may be agreed, specialized research facilities and reactor materials testing facilities of the parties shall be made available for mutual use consistent with the limits of space, facilities, and personnel conveniently available, when such facilities are not commercially available. It is understood that neither party will be able to permit access by personnel of the other party to facilities which are primarily of military significance."

ARTICLE III

Paragraphs A and B of article VII of the Agreement for Cooperation are amended to read as follows:

"A. The Commission will sell to Belgium under such terms and conditions as may be

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agreed such quantities of uranium of normal isotopic composition as Belgium may require, and to the extent practical in such form as Belgium may request, during the period of this agreement for use in research and power reactors located in Belgium, the Belgian Congo, and Ruanda-Urundi, subject to the availability of supply and the needs of the United States program.

"B. 1. The Commission will sell to the Government of Belgium under such terms and conditions as may be agreed such quantities of uranium enriched in the isotope U–235 as Belgium may require during the period of this agreement for use in research and power reactors located in Belgium, the Belgian Congo, and Ruanda-Urundi, subject to any limitations in connection with quantities of such material available for such distribution by the Commission during any year, and subject to the limitation that the quantity of uranium enriched in the isotope U–235 of weapon quality in the possession of Belgium by reason of transfer under this agreement shall not, in the opinion of the Commission, be of military significance. It is agreed, except as hereafter provided, that the uranium enriched in the isotope U–235 which the Commission will sell to Belgium under this article will be limited to uranium enriched in the isotope U–235 up to a maximum of 20 percent U–235. The Commission may upon request and in its discretion make a portion of the material sold under this paragraph available as material enriched up to 90 percent for use in a materials-testing reactor, capable of operating with a fuel load not to exceed 8 kilograms of contained U–235 in uranium. It is understood and agreed that although Belgium will distribute uranium enriched in the isotope U–235 to authorized users in Belgium, the Belgian Congo, and Ruanda-Urundi, the Government of Belgium will retain title to any uranium enriched in the isotope U–235 which is purchased from the Commission at least until such time as private users in the United States are permitted to acquire title to uranium enriched in the isotope U–235.

"2. It is agreed that when any source or special nuclear materials received from the United States of America require reprocessing, such reprocessing shall be performed at the discretion of the Commission in either Commission facilities or facilities acceptable to the Commission, on terms and conditions to be later agreed; and it is understood, except as may otherwise be agreed, that the form and content of the irradiated fuel elements shall not be altered after their removal from the reactor and prior to delivery to the Commission or the facilities acceptable to the Commission for reprocessing.

ARTICLE IV

Article IX of the Agreement for Cooperation is deleted and the following is substituted in lieu thereof:

"A. With respect to any invention or discovery employing information classified when communicated in accordance with article III and made or conceived as a result of such communication during the period of this agreement, the Government of the United States of America with respect to invention or discovery rights owned by it, and the Government of Belgium with respect to any invention or discovery owned by it or made or conceived by persons under its jurisdiction:

"(a) Agree to transfer and assign or cause to be transferred or assigned to the other all right, title, and interest in and to any such invention, discovery, patent application or patent in the country of that other, subject to a royalty-free, nonexclusive, irrevocable license for the governmental purposes of the transferring party and for purposes of mutual defense;

"(b) shall, upon request of the other, grant or cause to be granted to the other a royalty-free, nonexclusive, irrevocable license for its governmental purposes in the country of the transferring party or third countries, including use in the production of materials in such countries for sale to the requesting party by a contractor of such party;

"(c) agree that each party may otherwise deal with any invention, discovery, patent application or patent in its own country or third countries as it may desire, but in no event shall either party discriminate against citizens of the country of the other in respect of granting any license under the patents owned by it in its own or third countries;

"(d) waive any and all claims against the other for compensation, royalty or award as respects any such invention or discovery, patent application or patent and releases the other with respect to any such claim.

"B. 1. No patent application with respect to any classified invention or discovery employing information which has been communicated under this agreement may be filed by either party or any person in the country of the other party except in accordance with agreed conditions and procedures.

"2. No patent application with respect to any such classified invention or discovery may be filed in any country not a party to this agreement except as may be agreed and subject to article XI.

"3. Appropriate secrecy or prohibition orders shall be issued for purpose of giving effect to this paragraph."

ARTICLE V

The following new article is added directly after article VII of the agreement for cooperation:

"Article VII bis

"A. The Government of Belgium and the Government of the United States of America affirm their common interest in the establishment of an international atomic energy agency to foster the peaceful uses of atomic energy. In the event such an international agency is created:

"1. The parties will consult with each other to determine in what respects, if any, they desire to modify the provisions of this Agreement for Cooperation. In particular, the parties will consult with each other to determine in what respects and to what extent they desire to arrange for the administration by the international agency of those conditions, controls, and safeguards, including those relating to health and safety standards, required by the international agency in connection with similar assistance rendered to a cooperating nation under the aegis of the international agency.

"2. In the event the parties do not reach a mutually satisfactory agreement following the consultation provided in paragraph A of this article, either party may by notification terminate this agreement, except that such termination shall not apply to the provisions of article VII.E.1 and 2. In the event this agreement is so terminated, the Government of Belgium shall return to the Commission all source and special nuclear materials received pursuant to this agreement and in its possession or in the possession of persons under its jurisdiction and in such event the Commission shall, as may be agreed, return to the Government of Belgium any amount of uranium ore or concentrate equivalent to the amount of uranium ore or concentrate delivered to the Commission as a result of the exercise of its option pursuant to article VII.E.3.

"B. It is recognized that efforts are being made in Western Europe to integrate the atomic energy programs of a group of nations. If the Government of Belgium becomes a member of such an integrated group and if an Agreement for Cooperation on atomic energy is made between the group of nations and the Government of the United States of America, the latter would be prepared if so requested by the Government of Belgium to arrange for the integrated group to assume the rights and obligations of the Government of Belgium under this agreement, provided the integrated group can, in the judgment of the Government of the United States of America, effectively and securely carry out the undertakings of this agreement."

ARTICLE VI

The following new article is added directly after article VII of the agreement for cooperation:

"Article VIII bis

"The Government of Belgium and the Government of the United States of America emphasize their common interest in assuring that any material, equipment, or device made available to the Government of Belgium pursuant to this agreement shall be used solely for civil purposes.

"A. Except to the extent that the safeguards provided for in this agreement are supplanted, by agreement of the parties as provided in article VII bis, by safeguards of the proposed international atomic energy agency, the Government of the United States of America, notwithstanding any other provisions of this agreement, shall have the following rights:

"(1) With the objective of assuring design and operation for civil purposes and permitting effective application of safeguards, to review the design of any

"(i) reactor and

"(ii) other equipment and devices the design of which the Commission determines to be relevant to the effective application of safeguards,

which are to be made available to the Government of Belgium or any person under its jurisdiction by the Government of the United States of America or any person under its jurisdiction, or which are to use, fabricate or process any of the following materials so made available: source material, special nuclear material, moderator material, or other material designated by the Commission;

"(2) With respect to any source or special nuclear material made available to the Government of Belgium or any person under its jurisdiction by the Government of the United States of America or any person under its jurisdiction and any source of special nuclear material utilized in, recovered from, or produced as a result of the use of any of the following materials, equipment, or devices so made available:

"(i) source material, special nuclear material, moderator material, or other material designated by the Commission,

"(ii) reactors,

"(iii) any other equipment or device designated by the Commission as an item to be made available on the condition that the provisions of this subparagraph A2 will apply,

"(a) to require the maintenance and production of operating records and to request and receive reports for the purpose of assisting in ensuring accountability for such materials; and

"(b) to require that any such material in the custody of the Government of Belgium or any person under its jurisdiction be subject to all of the safeguards provided for in this article and the guaranties set forth in article XI;

"(3) To require the deposit in storage facilities designated by the Commission of any of the special nuclear material referred to in subparagraph A2 of this article which is not currently utilized for civil purposes in Belgium and which is not purchased by the Commission or transferred to another country pursuant to article VII, paragraph C, of this agreement, or otherwise disposed of pursuant to an arrangement mutually acceptable to the parties;

"(4) To designate, after consultation with the Government of Belgium, personnel who,

accompanied, if either party so requests, by personnel designated by the Government of Belgium, shall have access in Belgium to all places and data necessary to account for the source and special nuclear materials which are subject to subparagraph A2 of this article to determine whether there is compliance with this agreement and to make such independent measurements as may be deemed necessary;

"(5) In the event of noncompliance with the provisions of this article or the guaranties set forth in article XI and the failure of the Government of Belgium to carry out the provisions of this article within a reasonable time, to suspend or terminate this agreement and require the return of any materials, equipment, and devices referred to in subparagraph A2 of this article;

"(6) To consult with the Government of Belgium in the matter of health and safety.

"B. The Government of Belgium undertakes to facilitate the application of the safeguards provided for in this article."

ARTICLE VII

The following new article is inserted directly after article XI of the Agreement for Cooperation:

"Article XI bis

"The application or use of any information (including design drawings and specifications), material, equipment, or device, exchanged or transferred between the parties under this agreement shall be the responsibility of the party receiving it, and the other party does not warrant the accuracy and completeness of such information and does not warrant the suitability of such information, material, equipment, or device for any particular use or application."

ARTICLE VIII

Article XII of the Agreement for Cooperation is amended by adding the following new definitions:

"J. 'Source material' means (1) uranium, thorium, or any other material which is determined by the Government of Belgium or the Commission to be source material; or (2) ores containing one or more of the foregoing materials, in such concentration as the Government of Belgium or the Commission may determine from time to time.

"K. 'Parties' means the Government of Belgium and the Government of the United States of America, including the United States Atomic Energy Commission on behalf of the Government of the United States of America. 'Party' means one of the above 'parties.'"

ARTICLE IX

This amendment, which shall be regarded as an integral part of the Agreement for Cooperation shall enter into force on the day on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such amendment.

In witness whereof, the parties hereto have caused this amendment to be executed pursuant to duly constituted authority.

Done at Washington in duplicate the day of , 1956, in the English and French languages, but in any case in which divergence between the two versions results in different interpretations the English version shall be given preference.

For the Government of the United States of America:

July 3, 1956:

CLARK C. VOGEL,
Atomic Energy Commission.

July 3, 1956:

PHILIP J. FARLEY,
Department of State.

For the Government of Belgium:

July 3, 1956:

LOUIS GROVEM,
Embassy of Belgium.

AGREEMENT FOR COOPERATION CONCERNING CIVIL USES OF ATOMIC ENERGY BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF SWITZERLAND

Whereas the peaceful uses of atomic energy hold great promise for all mankind; and

Whereas to further the peaceful uses of atomic energy, the Government of Switzerland and the Government of the United States of America have entered into an Agreement for Cooperation relating to the sale and purchase of a research reactor, the exchange of information relating thereto, and the lease of special nuclear material; and

Whereas the Government of Switzerland and the Government of the United States of America are desirous of entering into a further agreement for cooperation relating to the peaceful uses of atomic energy with regard to medical therapy, the exchange of information relating to the development of other peaceful uses of atomic energy, including civilian nuclear power, and for research and development programs looking toward the realization of peaceful and humanitarian uses of atomic energy; and

Whereas the Government of Switzerland and the Government of the United States of America are desirous of cooperating with each other to obtain the above objectives;

The parties therefore agree as follows:

ARTICLE I

This agreement shall enter into force on the day on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such agreement and shall remain in force for a period of 10 years. Either party, however, may subsequent to the end of the fifth year that this agreement is in force, upon 6 months' prior written notice given to the other party, terminate this agreement.

ARTICLE II

A. Subject to the provisions of this agreement, the availability of personnel and material, and the applicable laws, regulations, and license requirements in force in their respective countries, the parties shall cooperate with each other in the achievement of the use of atomic energy for peaceful purposes.

B. The disposition and utilization of atomic weapons and the exchange of restricted data relating to the design or fabrication of atomic weapons shall be outside the scope of this agreement.

C. The exchange of restricted data under this agreement shall be subject to the following limitations:

(1) Restricted data which in the opinion of the United States Commission is primarily of military significance shall not be exchanged.

(2) Restricted data concerning the production of special nuclear materials except that concerning the incidental production of special nuclear materials in a power reactor shall not be exchanged.

(3) It shall extend only to that which is relevant to current or projected programs.

(4) The development of submarine, ship, aircraft, and certain package power reactors is presently concerned primarily with their military uses. Accordingly, restricted data pertaining primarily to such reactors will not be exchanged until such time as these types of reactors warrant peacetime application and the exchange of information on these types of reactors may be agreed. Information on the adaptation of these types of reactors to military use will not be exchanged. Likewise, restricted data pertaining primarily to any future reactor types the development of which is concerned primarily with their military use will not be exchanged until such time as these types of reactors warrant civil application and exchange of information on these types of reactors may be agreed; and restricted data on the adaptation of these types of reactors to military use will not be exchanged.

D. This agreement shall not require the exchange of any information which the parties are not permitted to communicate because the information is privately developed and privately owned or has been received from another government.

E. It is agreed that the United States Commission will not transfer any materials and will not transfer or permit the export of any materials or equipment and devices if such materials or equipment and devices are, in the opinion of the United States Commission, primarily of military significance.

ARTICLE III

A. Subject to the provisions of article II, classified information in the specific fields set out below and unclassified information shall be exchanged between the United States Commission and the Government of Switzerland with respect to the application of atomic energy to peaceful uses, including research and development relating to such uses and problems of health and safety connected therewith. The exchange of information provided for in this article shall be accomplished through the various means available, including reports, conferences, and visits to facilities.

B. The parties agree to exchange the following classified information, including restricted data:

(1) General information on the design and characteristics of experimental, demonstration power, or power reactors as is required to permit an evaluation and comparison of their potential use in a power production program.

(2) Technological information, as may be agreed, on specific experimental, demonstration power or power reactors and when, in the case of Switzerland, such information is required in connection with reactors currently in operation in Switzerland or when such information is required in the development, construction and operation of specific reactors which Switzerland intends to construct as part of a current experimental, demonstration power or power program in Switzerland.

(3) Classified information within subparagraphs (1) and (2) hereof shall be exchanged within the following fields:

(a) Specifications for reactor materials: Final form specifications including the composition, shape, size and special handling techniques of reactor materials including uranium, heavy water, reactor grade graphite, and zirconium.

(b) Properties of reactor materials: Physical, chemical, metallurgical, nuclear and mechanical properties of reactor materials including fuel, moderator and coolant and the effects of the reactor's operating conditions on the properties of these materials.

(c) Reactor components: The design and performance specifications of reactor components, but not including the methods of production and fabrication.

(d) Reactor physics technology: This area includes theory of and pertinent data relating to neutron bombardment reactions, neutron cross sections, criticality calculations, reactor kinetics and shielding.

(e) Reactor engineering technology. This area includes considerations pertinent to the over-all design and optimization of the reactor and theory of and data relating to such problems as reactor stress and heat transfer analysis.

(f) Environmental safety considerations. This area includes considerations relating to normal reactor radiations and possible accidental hazards and the effect of such on equipment and personnel and appropriate methods of waste disposal and decontamination.

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ARTICLE IV

A. Research materials:

Materials of interest in connection with the subjects of agreed exchanges of information as provided in article III and under the provisions set forth in article II, including source materials, special nuclear materials, byproduct material, other radioisotopes, and stable isotopes will be exchanged for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall transfers under this article of quantities of special nuclear materials under the jurisdiction of the Government of Switzerland be, at any one time, in excess of 100 grams of contained U–235, 10 grams of plutonium, and 10 grams of U–233.

B. Research facilities:

Subject to the provisions of article II and under such terms and conditions as may be agreed, and to the extent as may be agreed, specialized research facilities and reactor material testing facilities of the parties shall be made available for mutual use consistent with the limits of space, facilities, and personnel conveniently available, when such facilities are not commercially available. It is understood that the United States Commission will not be able to permit access to facilities which are primarily of military significance.

ARTICLE V

With respect to the subjects of agreed exchange of information as provided in article III and subject to the provisions of article II, equipment and devices may be transferred from one party to the other under such terms and conditions as may be agreed. It is recognized that such transfer will be subject to limitations which may arise from shortages of supplies or other circumstances existing at the time.

ARTICLE VI

A. It is contemplated that, as provided in this article, private individuals and private organizations in either the United States or Switzerland may deal directly with private individuals and private organizations in the other country. Accordingly, in the fields referred to in paragraph B of this article, persons under the jurisdiction of either the Government of the United States or the Government of Switzerland will be permitted to make arrangements to transfer and export materials, including equipment and devices, to and perform services for the other government and such persons under its jurisdiction as are authorized by the other government to receive and possess such materials and utilize such services, provided that any classified information shall fall within the fields specified in paragraph B and subject to:

(1) The provisions of paragraph E of article II;

(2) Applicable laws, regulations, and license requirements;

(3) Approval of the party to the jurisdiction of which the person making the arrangement is subject if the materials or services are classified or if the furnishing of such materials or services require the communication of classified information.

B. To the extent necessary in carrying out the arrangements made under paragraph A of this article, classified information subject in each case to the provisions of article II may be communicated by the person furnishing the material or services to the party or person to whom such material or service is furnished, as follows:

(1) the subjects of agreed exchange of information as provided in article III;

(2) technological information within the categories of information set forth in article III (B) (3) on specific experimental, demonstration power or power reactors and when, in the case of Switzerland, such information is required in connection with reactors currently in operation in Switzerland or when such information is required in the construction and operation of specific reactors which the Government of Switzerland or authorized persons under its jurisdiction intend to construct as part of a current experimental, demonstration power or power program in Switzerland.

ARTICLE VII

A. During the period of this agreement, the United States Commission will sell to the Government of Switzerland uranium enriched in the isotope U–235 in a net amount not to exceed 500 kilograms of contained U–235 in uranium. This net amount shall be the quantity of contained U–235 in uranium sold to the Government of Switzerland less the quantity of contained U–235 in recoverable uranium resold to the United States or transferred to any other nation or international organization with the approval of the United States in accordance with this agreement. This material may not be enriched above 20 percent U–235 except as hereinafter provided. Such material will be sold subject to the terms and conditions of this article and the other provisions of this agreement as and when required as initial and replacement fuel in the operation of defined research, and experimental, demonstration power and power reactors which the Government of Switzerland in consultation with the United States Commission decides to construct or authorize private organizations to construct in Switzerland and as required in experiments related thereto. The United States Commission may, upon request and in its discretion, make a portion of the foregoing 500 kilograms available as material enriched up to 90 percent for use in a materials testing reactor, capable of operating with a fuel load not to exceed 6 kilograms of contained U–235 in uranium.

B. The quantity of uranium enriched in the isotope U–235 transferred by the United States Commission under this article and in custody of the Government of Switzerland shall not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project which the Government of Switzerland or persons under its jurisdiction decides to construct as provided herein, plus such additional quantity as, in the opinion of the United States Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in Switzerland or while fuel elements are in transit, it being the intent of the United States Commission to make possible the maximum usefulness of the material so transferred.

C. Each sale of uranium enriched in the isotope U–235 shall be subject to the agreement of the parties as to the schedule of deliveries, the form of material to be delivered, charges therefor and the amount of material to be delivered consistent with the quantity limitations established in paragraph B. It is understood and agreed that although the Government of Switzerland will distribute uranium enriched in the isotope U–235 to authorized users in Switzerland, the Government of Switzerland will retain title to any uranium enriched in the isotope U–235 which is purchased from the United States Commission at least until such time as private users in the United States are permitted to acquire title in the United States to uranium enriched in the isotope U–235.

D. It is agreed that when any source or special nuclear materials received from the United States of America require reprocessing, such reprocessing shall be performed at the discretion of the United States Commission in either United States Commission facilities or facilities acceptable to the United States Commission, on terms and conditions to be later agreed; and it is understood, except as may be otherwise agreed, that the form and content of the irradiated fuel elements shall not be altered after their removal from the reactor and prior to delivery to the United States Commission or the facilities acceptable to the United States Commission for reprocessing.

E. With respect to any special nuclear material produced in reactors fueled with materials obtained from the United States which are in excess of Switzerland's need for such materials in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices then prevailing in the United States for special nuclear material produced in reactors which are fueled pursuant to the terms of an agreement for cooperation with the United States of America, and (b) the right to approve the transfer of such material to any other nation or international organizations in the event the option to purchase is not exercised.

ARTICLE VIII

As may be necessary and as may be mutually agreed in connection with the subjects of agreed exchange of information as provided in article III, and under the limitations set forth in article II, and under such terms and conditions as may be mutually agreed, specific arrangements may be made from time to time between the parties for lease, or sale and purchase, of quantities of material, including heavy water and natural uranium, but not including special nuclear materials, greater than those required for research, when such materials are not available commercially.

ARTICLE IX

A. With respect to any invention or discovery employing information classified when communicated in accordancce with article III and made or conceived as a result of such communication during the period of this agreement, the Government of the United States of America with respect to invention or discovery rights owned by it, and the Government of Switzerland with respect to any invention or discovery owned by it or made or conceived by persons under its jurisdiction:

(1) Agree to transfer and assign or cause to be transferred or assigned to the other all right, title, and interest in and to any such invention, discovery, patent application or patent in the country of that other, subject to a royalty-free, nonexclusive, irrevocable license for the governmental purposes of the transferring party;

(2) Shall, upon request of the other, grant or cause to be granted to the other a royalty-free, nonexclusive, irrevocable license for its governmental purposes in the country of the transferring party or third countries, including use in the production of materials in such countries for sale to the requesting party by a contractor of such party;

(3) Agree that each party may otherwise deal with any invention, discovery, patent application or patent in its own country or third countries as it may desire, but in no event shall either party discriminate against citizens of the country of the other in respect of granting any license under the patents owned by it in its own or third countries;

(4) Waive any and all claims against the other for compensation, royalty, or award as respects any such invention or discovery, patent application, or patent and releases the other with respect to any such claim.

B. (1) No patent application with respect to any classified invention or discovery employing information which has been communicated under this agreement may be filed by either party or any person in the country of the other party except in accordance with agreed conditions and procedures.

(2) No patent application with respect to any such classified invention or discovery may be filed in any country not a party to this agreement except as may be agreed and subject to article XIII.

(3) Appropriate secrecy or prohibition orders shall be issued for the purpose of giving effect to this paragraph.

ARTICLE X

A. The criteria of security classification established by the United States Commission shall be applicable to all information and material, including equipment and devices, exchanged under this agreement. The United States Commission will keep the Government of Switzerland informed concerning these criteria and any modifications thereof, and the parties will consult with each other from time to time concerning the practical application of these criteria.

B. It is agreed that all information and material, including equipment and devices, which warrant a classification in accordance with paragraph A of this article shall be safeguarded in accordance with applicable security arrangements between the Government of the United States of America by the United States Commission and the Government at Switzerland.

C. It is agreed that the recipient party of any material, including equipment and devices, and of any classified information under this agreement shall not further disseminate such information or transfer such material, including equipment and devices, to any other country without the written consent of the originating country. It is further agreed that neither party to this agreement will transfer to any other country equipment or device, the transfer of which would involve the disclosure of any classified information received from the other party, without the written consent of such other party.

ARTICLE XI

The Government of Switzerland and the Government of the United States of America affirm their common interest in the establishment of an international atomic energy agency to foster the peaceful uses of atomic energy. In the event such an international agency is created:

(1) The parties will consult with each other to determine in what respects, if any, they desire to modify the provisions of this agreement for cooperation. In particular, the parties will consult with each other to determine in what respects and to what extent they desire to arrange for the administration by the international agency of those conditions, controls, and safeguards, including those relating to health and safety standards, required by the international agency in connection with similar assistance rendered to a cooperating nation under the aegis of the international agency.

(2) In the event the parties do not reach a mutually satisfactory agreement following the consultation provided in paragraph A of this article, either party may by notification terminate this agreement. In the event this agreement is so terminated, the Government of Switzerland shall return to the United States Commission all unused source and special nuclear materials which were received pursuant to this agreement.

ARTICLE XII

The Government of Switzerland and the Government of the United States of America emphasize their common interest in assuring that any material, equipment, or device made available to the Government of Switzerland pursuant to this agreement shall be used solely for civil purposes.

A. Except to the extent that the safeguards provided for in this agreement are supplanted, by agreement of the parties as provided in article XI, by safeguards of the proposed International Atomic Energy Agency, the Government of the United States of America, notwithstanding any other provisions of this agreement, shall have the following rights:

(1) With the objective of assuring design and operation for civil purposes and permitting effective application of safeguards, to review the design of any

(i) reactor and

(ii) other equipment and devices the design of which the United States Commission determines to be relevant to the effective application of safeguards,

which are to be made available to the Government of Switzerland or any person under its jurisdiction by the Government of the United States of America or any person under its jurisdiction, or which are to use, fabricate, or process any of the following materials so made available: Source material, special nuclear material, moderator material, or other material designated by the United States Commission;

(2) With respect to any source or special nuclear material made available to the Government of Switzerland or any person under its jurisdiction by the Government of the United States of America or any person under its jurisdiction and any source or special nuclear material utilized in, recovered from, or produced as a result of the use of any of the following materials, equipment, or devices so made available:

(i) source material, special nuclear material, moderator material, or other material designated by the United States Commission,

(ii) reactors,

(iii) any other equipment or device designated by the United States Commission as an item to be made available on the condition that the provisions of this subparagraph A. 2 will apply,

(a) to require the maintenance and production of operating records and to request and receive reports for the purpose of assisting in insuring accountability for such materials; and

(b) to require that any such material in the custody of the Government of Switzerland or any person under its jurisdiction be subject to all of the safeguards provided for in this article and the guaranties set forth in article XIII.

(3) To require the deposit in storage facilities designated by the United States Commission of any of the special nuclear material referred to in subparagraph A. 2 of this article which is not currently utilized for civil purposes in Switzerland and which is not purchased pursuant to article VII, paragraph E. (a) of this agreement, transferred pursuant to article VII, paragraph E. (b) of this agreement, or otherwise disposed of pursuant to an arrangement mutually acceptable to the parties;

(4) To designate, after consultation with the Government of Switzerland, personnel who, accompanied, if either party so requests, by personnel designated by the Government of Switzerland, shall have access in Switzerland to all places and data necessary to account for the source and special nuclear materials which are subject to subparagraph A. 2 of this article to determine whether there is compliance with this agreement and to make such independent measurements as may be deemed necessary;

(5) In the event of noncompliance with the provisions of this article or the guaranties set forth in article XIII and the failure of the Government of Switzerland to carry out the provisions of this article within a reasonable time, to suspend or terminate this agreement and require the return of any materials, equipment, and devices referred to in subparagraph A. 2 of this article;

(6) To consult with the Government of Switzerland in the matter of health and safety.

B. The Government of Switzerland undertakes to facilitate the application of the safeguards provided for in this article.

ARTICLE XIII

A. The Government of Switzerland guarantees that:

(1) The security safeguards and standards prescribed by applicable security arrangements between the Government of the United States of America by the United States Commission and the Government of Switzerland will be maintained with respect to all classified information and materials, including equipment and devices, exchanged under this agreement.

(2) No material, including equipment and devices, transferred to the Government of Switzerland or authorized persons under its jurisdiction by purchase or otherwise pursuant to this agreement will be used for atomic weapons, or for research on or development of atomic weapons, or for any other military purpose.

(3) No material, including equipment and devices, or any restricted data transferred to the Government of Switzerland or authorized persons under its jurisdiction pursuant to this agreement will be transferred to unauthorized persons or beyond the jurisdiction of the Government of Switzerland, except as the United States Commission may agree to such a transfer to another nation, and then only if the transfer of the material or restricted data is within the scope of an agreement for cooperation between the Government of the United States of America and the other nation.

B. The Government of the United States of America guarantees that:

(1) The security safeguards and standards prescribed by applicable security arrangements between the Government of the United States of America by the United States Commission and the Government of Switzerland will be maintained with respect to all classified information and materials, including equipment and devices, exchanged under this agreement.

(2) No equipment and devices transferred to the Government of the United States or authorized persons under its jurisdiction by purchase or otherwise pursuant to this agreement will be used for atomic weapons, or for research on or development of atomic weapons, or for any other military purpose.

(3) No material, including equipment and devices, or any restricted data transferred to the Government of the United States of America or authorized persons under its jurisdiction pursuant to this agreement, will be transferred to unauthorized persons or beyond the jurisdiction of the Government of the United States of America, except as the Government of Switzerland may agree to such a transfer to another nation.

ARTICLE XIV

The application or use of any information (including design drawings and specifications), material, equipment, or devices, exchanged or transferred between the parties under this agreement shall be the responsibility of the party receiving it, and the other party does not warrant the accuracy or completeness of such information and does not warrant the suitability of such information, material, equipment, or devise for any particular use or applications.

ARTICLE XV

For the purposes of this agreement:

A. "United States Commission" or "Commission" means the United States Atomic Energy Commission.

B. "Parties" means the Government of Switzerland and the Government of the United States of America, including the United States Commission on behalf of the Government of the United States of America. "party" means one of the above "parties."

C. "Atomic weapons" means any device utilizing atomic energy, exclusive of the means for transporting or propelling the device (where such means is a separable and

divisible part of the device), the principal purpose of which is for use as, or for development of, a weapon, a weapon prototype, or a weapon test device.

D. "Byproduct material" means any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material.

E. "Classified" means a security designation of "confidential" or higher applied, under the laws and regulations of either the Government of Switzerland or the Government of the United States of America, to any data, information, materials, services, or any other matter, and includes "restricted data."

G. "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, government agency or government corporation but does not include the parties to this agreement.

H. "Reactor" means an apparatus, other than an atomic weapon in which a self-supporting fission chain reaction is maintained by utilizing uranium, plutonium, or thorium, or any combination of uranium, plutonium or thorium.

I. "Restricted data" means all data concerning (1) design, manufacture, or utilization of atomic weapon; (2) the production of special nuclear material; or (3) the use of special nuclear material in the production of energy, but shall not include data declassified or removed from the category of restricted data by the appropriate authority.

J. "Source material" means (1) uranium, thorium, or any other material which is determined by the Government of Switzerland or the Commission to be source material; or (2) ores containing one or more of the foregoing materials, in such concentration as the Government of Switzerland or the Commission may determine from time to time.

K. "Special nuclear material" means (1) plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the Government of Switzerland or the Commission determines to be special nuclear material; or (2) any material artificially enriched by any of the foregoing.

In witness whereof, the parties hereto have caused this agreement to be executed pursuant to duly constituted authority.

Done at Washington in duplicate this — day of ————, 1956.

For the Government of the United States of America:

———— ————.

For the Government of Switzerland:

———— ————.

CONSTRUCTION OF BRIDGE OVER THE PANAMA CANAL AT BALBOA

Mr. JOHNSON of Texas. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2673, H. R. 9801.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 9801) to authorize and direct the Panama Canal Company to construct, maintain, and operate a bridge over the Panama Canal at Balboa, C. Z.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. KNOWLAND. Mr. President, the proposed legislation is requested by the administration, in conformity with agreements between the United States and the Republic of Panama. The President of the United States is very anxious to have action taken on the bill before he departs for Panama this evening. The bill has been unanimously reported by the Committee on Interstate and Foreign Commerce.

I ask unanimous consent that there may be printed in the RECORD, as a part of my remarks, a copy of the report of the Committee on Interstate and Foreign Commerce.

There being no objection, the report (No. 2628) was ordered to be printed in the RECORD, as follows:

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H. R. 9801) to authorize and direct the Panama Canal Company to construct, maintain, and operate a bridge over the Panama Canal at Balboa, C. Z., having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

H. R. 9801 is designed to discharge the obligation incurred by the United States under the terms of point 4 of the general relations agreement entered into with the Republic of Panama on May 18, 1942, to construct a tunnel under or a bridge over the Panama Canal at Balboa, C. Z.

The bill designates a high-level bridge as more desirable than a tunnel (estimated cost of bridge $20 million, as against $38 million for a tunnel) provides that the construction, maintenance, and operation of any such bridge and the approaches thereto should be administered by the Panama Canal Company; and that the expenses of construction, maintenance, and operation of such bridge and the approaches thereto should be treated as extraordinary expenses incurred through a directive based on national policy and not related to the operations of the Panama Canal Company.

Section 2 of the bill authorizes and directs the Panama Canal Company to construct, or to cause to be constructed, and to maintain and operate a high-level bridge, including approaches, over the Panama Canal, at Balboa, C. Z.

Section 3 authorizes the appropriation of such amounts as may be necessary to carry out the provisions of the act.

BACKGROUND OF THE BILL

The commitment to build the bridge or tunnel at Balboa was made in connection with the agreement entered into in 1942 by this country as part of the consideration for the grant by Panama of the use of defense sites within that country during World War II. Delay in implementing this agreement, the Department of State has reported, has occasioned charges of bad faith and has become a source of friction with the Republic of Panama, even though the committee has received assurances from a reliable source that the present ferry and swing bridge are adequate to handle any foreseeable future passenger and automobile traffic. The matter was taken up again, at the instance of Panama, in discussions leading to the treaty with the Republic of Panama approved by the United States Senate in July 1955. During those discussions this Government agreed to seek the required authorizing legislation and appropriations for construction of the bridge.

Enactment of this bill would seem to be desirable, therefore, as a means of improving relations between this country and the Republic of Panama.

The Panama Canal Company, in its report on the bill emphasized—

"It is considered important that a declaration such as that contained in section I be included in the proposed legislation since the construction of the proposed bridge is not necessary to the operations of the Company but, rather, is the result of national policy considerations involving general relations with Panama."

The General Accounting Office report, opposes treatment of costs of the bridge, and so forth, as extraordinary expenses not related to the operations of the canal, and recommends that all costs of maintenance, operation, and depreciation, be recovered through tolls.

This committee feels, however, that the bill should be enacted in its present form.

The official reports are appended.

There are no changes in existing law.

———

DEPARTMENT OF STATE,
Washington, July 9, 1956.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Interstate and Foreign Commerce,
United States Senate.

DEAR SENATOR MAGNUSON: I refer to your letter of July 5, 1956, in which you requested the views and recommendations of the Department relative to H. R. 9801, a bill to authorize and direct the Panama Canal Company to construct, maintain, and operate a bridge over the Panama Canal at Balboa, C. Z., which upon passage in the House of Representatives has been referred to your committee in the Senate.

The reference bill would authorize the carrying out of a commitment originally undertaken by this Government in 1942 as part of the consideration for the grant by Panama of the use of defense sites within her jurisdiction in World War II. The delay by this Government in acting upon this undertaking in the postwar years, however justifiable, has subjected this Government to charges of bad faith and the matter became a source of friction in relations with Panama. Therefore, in the memorandum of understandings reached, signed with Panama in January 1955, this Government agreed to seek the necessary authorizing legislation and appropriations for the construction of the bridge referred to in the 1942 undertaking.

It is the view of the Department that the carrying out of this commitment will remove a long-standing irritant in our relations with Panama and will contribute significantly to the improvement and strengthening of these relations. The Department accordingly recommends prompt and favorable action by the Senate on H. R. 9801.

Sincerely yours,

ROBERT C. HILL,
Assistant Secretary
(For the Secretary of State.)

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PANAMA CANAL COMPANY, *July 9, 1956.*

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Interstate and Foreign Commerce, United States Senate, Washington, D. C.

DEAR SENATOR MAGNUSON: I have your request for a report on H. R. 9801, a bill to authorize and direct the Panama Canal Company to construct, maintain, and operate a bridge over the Panama Canal at Balboa, C. Z.

The general relations agreement between the United States and Panama effected by an exchange of notes signed at Washington on May 18, 1942 (Executive Agreement Series 452, 59 Stat. 1289), contained a number of commitments on the part of the United States, most of which have been fulfilled. The agreement was related to, and was, in effect, the counterpart of, an agreement covering the lease of defense sites signed at Panama on the same date (Executive Agreement Series 359, 57 Stat. 1232). Provision for the carrying out of certain of the com-

mitments was made by a joint resolution approved May 3, 1943 (57 Stat. 74).

Point 4 of the 1942 agreement concerning the construction of a tunnel or bridge over the Panama Canal at Balboa, C. Z., is one of the few remaining commitments which have not yet been fulfilled. Point 4 of the 1942 agreement reads as follows:

"4. The construction of a tunnel or bridge to allow transit under or over the canal at Balboa.—The Government of the United States is well aware of the importance to the Government and the people of Panama of constant and rapid communication across the Panama Canal at Balboa and is willing to agree to the construction of a tunnel under or a bridge over the canal at that point, when the present emergency has ended. Pending the carrying out of this project, the Government of the United States will give urgent attention, consistent with the exigencies of the present emergency, to improving the present ferry service."

Item 5 of the memorandum of understandings reached, accompanying the recently ratified 1955 treaty with Panama, assures Panama that legislative authorization and the necessary appropriations will be sought for the construction of a bridge at Balboa referred to in point 4 of the general relations agreement of 1942.

H. R. 9801 would authorize and direct the Panama Canal Company to construct, maintain, and operate a high-level bridge over the Panama Canal at Balboa, C. Z., in accordance with the 1942 and 1955 agreements.

The cost of such a bridge is estimated at $20 million and is recommended as compared to a tunnel under the canal which would cost an estimated $38 million. The planning and execution of the project would, of course, be covered in the annual budget programs of the company.

Section 1 of H. R. 9801 would provide that the expenses of construction, maintenance, and operation of the bridge and approaches thereto should be treated as extraordinary expenses of the Panama Canal Company incurred through a directive based on national policy and not related to the operations of the Company. This language relates to the provisions in the Panama Canal Company Act (pars. (b) and (d) of section 246 of title 2 of the Canal Zone Code (62 Stat. 1076, 64 Stat. 1041)) which have the effect of excluding the amount of such expenditures from the net direct (interest-bearing) investment of the United States in the Panama Canal Company.

It is considered important that a declaration such as that contained in section 1 be included in the proposed legislation since the construction of the proposed bridge is not necessary to the operations of the Company but, rather, is the result of national policy considerations involving general relations with Panama.

The Bureau of the Budget has advised that there is no objection to the submission of this report but that it recommends that the committee consider amending the bill to provide for recovery by the Panama Canal Company, through tolls or other charges, of the costs of operation and maintenance, including depreciation, of the proposed bridge.

Sincerely,

W. M. WHITMAN, *Secretary.*

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, July 9, 1956.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Interstate and Foreign Commerce,
United States Senate.

DEAR MR. CHAIRMAN: Your letter of July 5, 1956, acknowledged July 6, requests our comments upon H. R. 9801 which provides for the construction, maintenance, and operation of a high-level bridge over the Panama Canal at Balboa by the Panama Canal Company.

At the present time the Canal Zone Government has jurisdiction over and responsibility for roads, streets, and highways in the Canal Zone. It is our view that the bridge authorized by H. R. 9801 should be constructed and maintained by the Canal Zone Government rather than by the Panama Canal Company.

Under the bill the expenses of construction, maintenance, and operation of the proposed bridge and its approaches would be treated as extraordinary expenses incurred through a directive based upon national policy and not related to the operation of the Panama Canal Company. We disagree with such a concept. The net costs of operation and maintenance of the existing ferry system are recovered through tolls collected from vessels utilizing the canal. We are of the view that the canal enterprise should be self-sustaining. The need for the bridge is a direct result of the construction of the canal bisecting the Republic of Panama and should involve no burden upon the United States taxpayers. This would be accomplished if the bridge were to be constructed and maintained by the Canal Zone Government because the Company is required to reimburse the Treasury annually for the net cost of Canal Zone Government, including depreciation. Thus the Panama Canal Company would recover through tolls and other charges all expenses relating to the new bridge.

We also recommend that the act of May 27, 1930 (46 Stat. 388, 2 Canal Zone Code 341), be repealed as of the date the high-level bridge is placed in operation. That bridge will eliminate the need for and expenses of operation of the present ferry service and probably will eliminate the need for the continued operation of Miroflores swing bridge. The Panama Canal Company operating reports indicate that the cost of operating this swing bridge together with the operating costs of the ferry system amount to approximately $700,000 annually.

We assume that the Bureau of Public Roads has or will be requested to furnish your committee with its recommendations concerning the proposed bridge and the desirability and feasibility of integrating that bridge and its approaches into the Inter-American Highway System.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

The PRESIDENT pro tempore. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

REFERENCE OF SENATE BILL 542 TO THE COURT OF CLAIMS

Mr. JOHNSON of Texas. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2679, Senate Resolution 73.

The PRESIDENT pro tempore. The resolution will be read for the information of the Senate.

The legislative clerk read the resolution (S. Res. 73) as follows:

Resolved, That the bill (S. 542) entitled "A bill for the relief of the Trust Association of H. Kempner" now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there be printed in the RECORD excerpts from the committee report.

There being no objection, the excerpts from the report (No. 2634) were ordered to be printed in the RECORD, as follows:

The purpose of the proposed legislation is to refer S. 542, a bill for the relief of the Trust Association of H. Kempner, to the Court of Claims for findings of fact and conclusions thereon sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

S. 542 authorizes and directs the Secretary of the Treasury to pay a claim to the Trust Association of H. Kempner, of Galveston, Tex., in full satisfaction of its claim against the United States for reimbursement for losses sustained by the claimant as the result of the sale of cotton by assignors of the trust association to certain mills in Germany during the years 1923 and 1924.

Senate Resolution 73 would refer S. 542 and the accompanying papers to the Court of Claims for findings of fact and conclusions thereon sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, due to the claimant from the United States.

In view of the long pendency of this matter before the Congress, and the dispute concerning the facts giving rise to the claim, the committee believes it would be advisable to refer the matter to a forum much better equipped than is the Congress to sift through the conflicting statements and make appropriate recommendations. These recommendations would then be presented to the Congress and, if the claim is determined to be valid in any amount, legislation could be introduced authorizing payment in the amount determined to be due the claimant.

On certain of these claims, the claim amounts mentioned in your letter of December 27 are 3 to 4 percent in excess of the amounts reflected by our records. This applies to the claims against Hornschuch, Kempten, Laurenz, Leutze, and Stadtbach. We assume that this discrepancy is due to a difference in the computation of interest or otherwise, but incline to the view that we should stand upon the amounts set forth in the presentation made to the United States Senate in connection with the earlier bill which we think are approximately correct, unless there is sound reason for altering the amounts therein claimed. We have, however, checked our records again in connection with these claims, and submit herein the results thereof.

Reviewing these claims in detail, as suggested by you, the following appears from our records:

1. Bayerlein: As stated by you, our claim was for $110,025.87, with interest from June 30, 1929. Judgment was obtained in the lower court for $100,830, with interest from September 11, 1931, at 7 percent. On appeal by Bayerlein during the Hitler regime, the higher court (Oberlandes-Gericht) upheld the appeal and reversed the decision of the lower court.

2. Forcheim: Our claim was for $71,471.69, with interest from June 30, 1929. On appeal

to the higher court, judgment was obtained for the full amount of the claim, which was later compromised for RM201,000, which amount was paid to the Deutsche Bank, and though promised me by Dr. Schacht the exportation of the dollars at the gold rate was denied.

3. Hornschuch: According to our records our claim was for $13,802.03, rather than $14,287.78, stated by you. As stated by you, litigation herein resulted in dismissal of this suit in the German courts on a technicality.

4. Kempten: Our records show this claim as being for $117,591.48, instead of $121,728.27. The Spinner claimed forged signatures, but no cooperation was obtainable from civil or criminal authorities.

5. Kolbermoor: Our claim was for $163,309.44, with interest from June 30, 1929, at 7 percent. After rejection by the lower court, the Supreme Court (Peichsgericht) found in our favor and remanded the case for determination of certain negligible features. Before decision by the Supreme Court on a subsequent appeal, Kolbermoor compromised the case, and paid RM290,000, the equivalent of $112,375—the compromise basis—at the gold rate of exchange to the Deutsche Bank, under agreement from the Control Office for Foreign Exchange, to transfer RM190,000 into dollars and transfer same to the credit of H. Kempner in the United States at the rate of RM10,000 per month, based on the gold rate of exchange. A total of $46,962.65, being the equivalent of RM120,000, was actually transferred to the United States for our credit at an average rate of 39.13, before remittances were stopped. The balance of RM170,000 remaining on deposit with the Deutsche Bank.

6. Kuchen: Our claims were for $39,142.91, with 7 percent interest from June 30, 1929. Suits were commenced, but a compromise was arranged on the basis of $12,489, which was to be paid into the Deutsche Bank in the form of RM31,698.01. Actual payments to the Deutsche Bank by Kuchen were only RM31,323.26, which was to be transferred to the United States in dollars at the gold mark rate in monthly installments of RM10,000. This RM31,323.26 ultimately was transferred into dollars—even though the Kolbermoor transfer was not complete—and realized $11,445.

7. Kulmbacher: Our claim was for $223,937.12, with 7 percent interest from June 30, 1929. Judgment was entered in the higher court for $211,579.47, and Kulmbacher's appeal to the Supreme Court was dismissed. Kulmbacher paid into the Deutsche Bank RM927,007.36, but no part of this amount was transferred into dollars or to the United States for our credit.

8. Laurenz: Our records show our claim was for $18,703.39, instead of the $19,432.02 mentioned by you. As in the Kempten case, the Spinner claimed forged signatures, and no cooperation was obtainable from German civil or criminal authorities, and no legal action taken.

9. Leutze: Our records show our claim was $98,462.29, in place of the $101,743.94 mentioned by you. Though suit was filed herein, Leutze arranged a compromise, and in pursuance thereof paid RM215,000 to the Deutsche Bank to our credit. No portion of this sum was converted into dollars or transferred to the United States for our credit.

10. Schoen: Our claim was for $253,206.55, with interest at 7 percent from June 30, 1929. Apparently due to lack of understanding of the nature of the futures transactions by the lawyers or the courts, the suits were rejected by the trial court and appeal refused.

11. Stadtbach: Our records show this claim to have been for $127,619.80, rather than your figure of $132,222.30, with interest at 7 percent from June 30, 1929. The trial court rendered judgment in our favor for $5,763.50; on appeal, this amount was raised to $8,911.25, and interest from August 1, 1924. In addition, another suit resulted in a judgment for RM7,836.69, with 4 percent interest from July 29, 1938. However, Stadtbach only paid into the Deutsche Bank a total of RM18,247.58 for our account.

The amount of our claim against this Spinner was reduced by the claim of Stadtbach that orders had been given to our agent which he did not transmit to us. On account of the death of our agent we were unable to disprove this claim.

These various judgments, compromises, and payments resulted in the payment to the Deutsche Bank of—

Forcheim	RM201,000.00
Kolbermoor	290,000.00
Kuchen	31,323.26
Kulmbacher	927,007.36
Leutze	215,000.00
Stadtbach	18,247.58
Total	1,682,578.20
Refunds of bonds and the like produced	45,546.69
Or a total of	1,728,124.89

The actual dollar transfers to us were:

Dollars transferred:	
Kolbermoor	$46,962.65
Kuchen	11,445.00
Total	58,407.65
Marks converted:	
Kolbermoor	RM120,000.00
Kuchen	31,323.26
Total marks converted into dollar transfers	151,323.26
Total marks not converted	1,576,801.63

In a desperate effort to finally realize something out of these unconverted marks, a portion was used as a very low exchange and barter rate of 4 to 5 cents per mark for ocean freights, barter transactions, and sales at a very low rate of exchange as follows:

Ocean freight on shipments	RM18,595.68
Barter transactions	319,243.35
Sold	750,000.00
Total	1,087,839.03
Leaving on deposit with the Deutsche Bank	488,962.00

In this calculation, certain credits of interest by the Deutsche Bank have been ignored, as well as, contra, traveling expenses of firm members paid out of such accounts while in Germany. These respective amounts were similar and were treated as offsetting one another.

In this connection, we have received advice from the Disconto Bank, Bremen, which succeeded to the Deutsche Bank accounts, that the former balances have now been revalued in deutschemarks, under which we now have a credit with the Disconto Bank of DM23,637.40 in blocked account, and a similar sum of DM23,637.40 in free account.

In presenting this data and figures it can be seen that we did not voluntarily or willingly invest funds in Germany for the sake of profit as others were doing before the war. We were practically forced by the Nazi regime out of the picture by a united and concerted effort and combination of the spinners to avoid payment resulting in a denial of justice even though as I have stated to you in person on many occasions that Dr. Schacht, then Minister of Finance and President of the Reichsbank, had promised preferential treatment and conversion of the marks into dollars at the gold mark rate. Dr. Schacht had stated to me also at that time that he could do nothing until judgments were rendered, and that I could expect little justice from the courts as then constituted. You also know that the State Department under several of our Ambassadors in Berlin were thoroughly cognizant of these claims and used every effort to be of assistance to us.

Yours truly,

D. D. KEMPNER.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution (S. Res. 73) was agreed to.

CONSTRUCTION OF THE SAN ANGELO FEDERAL RECLAMATION PROJECT, TEXAS

Mr. JOHNSON of Texas. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2651, S. 3728.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3728) to provide for the construction by the Secretary of the Interior of the San Angelo Federal reclamation project, Texas, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, S. 3728 authorizes the Secretary of the Interior to construct the San Angelo Federal reclamation project on the Concho River, a tributary of the Colorado River of Texas. The project is located in Tom Green County, in central Texas, about 200 miles northwest of Austin and San Antonio, and about the same distance southwest of Fort Worth.

It is a pleasure for me to have the opportunity to explain this project to the Senate, since it represents a substantial step forward in the reclamation program, which has contributed so much to the development of the West and to the economic stability of the country as a whole.

Texas has been a reclamation State for half a century. Its members of the Senate and the House of Representatives have consistently supported the reclamation program, both as to authorizations of new projects in the other 16 reclamation States and in securing programs for the planning, construction, and operation of reclamation developments.

Although contributing this support and having actually and potentially an extensive irrigated area, as well as potentially vast irrigable lands, the State of Texas has shared very little in authorizations and appropriations under the reclamation program. Therefore, Mr. President, it gives me great pleasure to explain the San Angelo project, which has been reported from the Committee on Interior and Insular Affairs, with the recommendation that the bill do pass.

I call attention to report No. 2608 accompanying the bill—which gives a detailed explanation of the project and the authorization.

Attached to this document is a report on the San Angelo project by the Acting

Commissioner of Reclamation, dated June 29, 1956, approved by the Secretary of the Interior, the Honorable Frederick A. Seaton, a former member of this body. This is unquestionably a favorable report on the physical, hydrological, and financial aspects of the San Angelo project.

Also attached to the report is a letter dated July 16, 1956, from the Honorable Fred G. Aandahl, Assistant Secretary of the Interior, which reiterates the favorable findings in the previous report approved by the Secretary. This report also gives considerable detail which emphasizes the favorable aspects of the proposed development. Assistant Secretary, Aandahl's letter states, and I quote:

The Bureau of the Budget has advised that there will be no objection to the submission of this report.

The people of the city of San Angelo, which will repay more than 50 percent of the cost, voted 7 to 1 in favor of the project. The city of San Angelo, through a water service corporation, will repay not only the costs allocated to the municipal water supply, but will also pay interest on this allocation. The municipal water users will also pay a substantial part of the irrigation costs beyond the ability of the water users to repay. The irrigators have indicated their willingness to pay something like $10 an acre for water service and this is recognized as a repayment.

I point with particular pride to the fact that the benefit-cost ratio of the San Angelo project, any way it is figured, ranks with or is above the average of any reclamation project that has been authorized during my service in the Senate. Over a 100-year period, the benefit-cost ratio is 2.44 to 1, and over a 50-year period, the benefit-cost ratio is 2.26 to 1. The precedents for the substantial allocations to municipal water include projects like the Santa Barbara or Cachuma in California, the Lewiston Orchards project in Idaho, and the Provo River project in Utah, which supplies supplemental municipal water for the city of Salt Lake without any interest charge.

The San Angelo project will control flash floods on the Concho River which have wreaked great damage in the past. The district engineer, of the Corps of Engineers estimates the annual benefits at nearly $400,000. Under the method used by the Bureau of Reclamation for computing cost allocations to flood control, the figure of $10,500,000 or $10,740,000 allocated to this nonreimbursable purpose is exceedingly conservative.

Ample precedent also exists for the allocation of $3,440,000 to fish and wildlife purposes. Both fish and wildlife and recreation potentials of the Concho are clearly of national significance.

With my colleague from Texas [Mr. DANIEL], who cosponsored S. 3728, I express my appreciation to the Committee on Interior and Insular Affairs, which gave thorough consideration to the San Angelo project before recommending its authorization.

The PRESIDENT pro tempore. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to construct, operate, and maintain the San Angelo Federal reclamation project, Texas, for the principal purposes of furnishing water for the irrigation of approximately 10,000 acres of land in Tom Green County and municipal, domestic, and industrial use, controlling floods, providing recreation and fish and wildlife benefits, and controlling silt. The principal engineering features of said project shall be a dam and reservoir at or near the Twin Buttes site, outlet works at the existing Nasworthy Dam, and necessary canals, drains, and related works.

SEC. 2. (a) In constructing, operating, and maintaining the San Angelo project, the Secretary shall be governed by the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto), except as is otherwise provided in this act.

(b) Actual construction of the project shall not be commenced, and no construction contract therefor shall be awarded, until a contract or contracts complying with the provisions of this act have been entered into for payment of those portions of the construction cost of the project which are allocated to irrigation and to municipal, domestic, and industrial water.

(c) In furnishing water for irrigation and for municipal, domestic, and industrial uses from the project, the Secretary shall charge rates with the object of returning to the United States over a period of not more than 40 years, exclusive of any development period for irrigation, all of the costs incurred by it in constructing, operating, and maintaining the project which the Secretary finds to be properly allocable to the purposes aforesaid and of interest on the unamortized balance of the portion of the construction cost which is allocated to municipal, domestic, and industrial water. Said interest shall be at the average rate, which rate shall be certified by the Secretary of the Treasury, paid by the United States on its marketable long-term securities outstanding on the date of this act. When all of the said costs allocable to said purpose incurred by the United States in constructing, operating, and maintaining the project, together with the said interest on the said unamortized balance, have been returned to the United States, the contracting organization or organizations which have thus reimbursed the United States shall have a permanent right to use that portion of the storage space and the project thus allocable to said uses.

(d) Any contract entered into under section 9, subsection (d), of the Reclamation Project Act of 1939 (53 Stat. 1187, 1193, 43 U. S. C. 485h (d)) for payment of those portions of the costs of constructing, operating, and maintaining the project which are allocated to irrigation and assigned to be paid by the contracting organization may provide for repayment of the portion of the construction cost of the project assigned to any project contract unit or, if the contract unit be divided into two or more irrigation blocks, to any such block over the period specified in said section 9, subsection (d), or as near thereto as is consistent with the adoption and operation of a variable payment formula which, being based on full repayment within said period under normal conditions, permits variance in the required annual payments in the light of economic factors pertinent to the ability of the irrigators to pay.

(e) Contracts relating to municipal, domestic, and industrial water supply may be entered into without regard to the last sentence of section 9, subsection (c), of the Reclamation Project Act of 1939, and such contracts may recognize the relative priorities of domestic, municipal, industrial, and irrigational uses.

(f) Upon request of a contracting organization, the Secretary may at any time and shall after payment of the reimbursable costs of the project has been completed transfer to the requesting organization, or to another organization designated by it and satisfactory to him, the care, operation, and maintenance of any project works which serve the requesting organization and do not serve any other contracting organization. The care, operation, and maintenance of project works which serve two or more contracting organizations may or shall, as the case may be, be transferred in like circumstances to an organization satisfactory to all of said organizations and to the Secretary. Any transfer made pursuant to the authority of this section shall be upon terms and conditions satisfactory to the Secretary, and the works transferred shall be operated and maintained without further expense to the United States. If the transferred works serve a flood control or fish and wildlife function, they shall be operated and maintained in accordance with regulations with respect thereto prescribed by the Secretary of the Army and the Secretary of the Interior, respectively, and upon failure so to operate or maintain them they shall, upon demand, be returned immediately to the Secretary of the Interior.

SEC. 3. The Secretary is authorized to construct minimum basic recreational facilities at the Twin Buttes reservoir and to operate and maintain or arrange for the operation and maintenance of the same. The costs of constructing, operating, and maintaining such facilities, and like costs of the San Angelo project allocated to flood control and to the preservation and propagation of fish and wildlife shall, except as is otherwise provided in this act, be nonreimbursable and nonreturnable under the reclamation laws. The Secretary shall upon conclusion of a suitable agreement with a qualified agency and subject to such conditions as may be set forth in the repayment contracts, permit said agency to construct, operate, and maintain additional public recreational facilities and parks in connection with the project to the extent determined by the Secretary to be consistent with its primary purposes and subject to terms and conditions satisfactory to him.

SEC. 4. There are hereby authorized to be appropriated for construction of the works authorized by this act $30 million plus such additional amounts, if any, as may be required by reason of changes in the costs of construction of the types involved in the San Angelo project as shown by engineering indices. There are also authorized to be appropriated such sums as may be required for the operation and maintenance of said works.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which S. 3728 was passed.

Mr. KNOWLAND. Mr. President, I move to lay the motion to reconsider on the table.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from California.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CONSIDERATION OF CERTAIN NOMINATIONS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the nominations under the heading "New Reports" on the Executive Calendar.

The PRESIDING OFFICER (Mr. HUMPHREYS of Kentucky in the chair). Without objection, it is so ordered.

The nominations will be stated.

ADMINISTRATOR OF THE FARMERS' HOME ADMINISTRATION

The Chief Clerk read the nomination of Kermit H. Hansen, of Iowa, to be Administrator of the Farmers' Home Administration.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

IN THE ARMY

The Chief Clerk proceeded to read sundry nominations in the Army.

Mr. JOHNSON of Texas. Mr. President, I ask that the nominations in the Army be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Army are confirmed en bloc.

IN THE REGULAR AIR FORCE

The Chief Clerk proceeded to read sundry nominations in the Regular Air Force.

Mr. JOHNSON of Texas. Mr. President, I ask that the nominations in the Regular Air Force be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

IN THE NAVY

The Chief Clerk proceeded to read sundry nominations in the Navy.

Mr. JOHNSON of Texas. Mr. President, I ask that the nominations in the Navy be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Navy are confirmed en bloc.

IN THE MARINE CORPS

The Chief Clerk proceeded to read sundry nominations in the Marine Corps.

Mr. JOHNSON of Texas. Mr. President, I ask that the nominations in the Marine Corps be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Marine Corps are confirmed en bloc.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be notified of the confirmation of the nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith of the confirmation of the nominations.

AUTHORIZATION OF THE PRESIDENT TO INVITE STATES AND FOREIGN COUNTRIES TO PARTICIPATE IN UNITED STATES WORLD TRADE FAIR

Mr. JOHNSON of Texas. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2654, Senate Joint Resolution 194. There are on the calendar 5 or 6 noncontroversial measures coming from the Foreign Relations Committee, and if any statement is desired in connection with them the Senator from California [Mr. KNOWLAND] will be glad to make it.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A joint resolution (S. J. Res. 194) authorizing the President to invite the States and foreign countries to participate in the United States World Trade Fair.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the joint resolution (S. J. Res. 194) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That the President of the United States is authorized, by proclamation or in such other manner as he may deem proper, to invite the States of the Union and foreign countries to participate in the United States World Trade Fair, to be held at the Coliseum, New York City, N. Y., from April 14 to April 27, 1957, inclusive, and in the Oklahoma Semicentennial Celebration to be held in various communities in the State of Oklahoma from January 1 to December 31, 1957, inclusive, especially during America's New Frontiers Exposition in Oklahoma City, June 14 through July 7, 1957, inclusive, for the purpose of exhibiting textiles, upholstery fabrics, clothing, fashions, furs, footwear, haberdashery, and clothing accessories; furniture, home furnishings and interior decorations, carpets and floor coverings, lamps and lighting fixtures; china, glassware, ceramics, leather goods, luggage and travel requisites, handicrafts, gifts, and fancy goods, jewelry, gold and silverware, flatwear, cutlery, clocks, and watches, perfumery, cosmetics and toilet articles, smokers requisites, works of art and religious articles; hardware, housewares, home electrical appliances, sewing machines, lawn, garden and light agricultural equipment, sporting goods, camping equipment, sports marine equipment and boats, bicycles and motorcycles, binoculars, photographic and cinema equipment and accessories, toys, musical instruments, radio and television equipment and electro-acoustical equipment; foodstuffs, confections, beverages and, tobacco; office equipment, business machines, typewriters, stationery, printing materials, art materials, advertising materials and specialties, books and publications; building materials and supplies, mill and factory supplies, electronic equipment, scientific instruments, precision tools, small power tools, plumbing, electrical equipment and motors, automotive accessories and parts; and basic materials; steel, aluminum, copper, brass, plastics, chemicals, rubber, petroleum products, etc.; and the promotion of travel, tourism, and transportation; and for the purpose of bringing together buyers and sellers for the promotion of foreign and domestic trade and commerce in such products and services

Mr. JOHNSON of Texas subsequently said: Mr. President, I ask unanimous consent that the Senate return to Senate Joint Resolution 194 and that the vote by which it was passed be reconsidered, so that House Joint Resolution 604 may be substituted for Senate Joint Resolution 194.

The PRESIDING OFFICER. Without objection, the vote is reconsidered.

Mr. JOHNSON of Texas. Mr. President, I now ask unanimous consent that the Senate proceed to the consideration of the joint resolution (H. J. Res. 604) authorizing the President to invite the States of the Union and foreign countries to participate in the United States World Trade Fair.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the joint resolution.

The joint resolution (H. J. Res. 604) was considered, ordered to a third reading, read the third time and passed.

Mr. JOHNSON of Texas. I now move that Senate Joint Resolution 194 be indefinitely postponed.

The motion was agreed to.

PARTICIPATION IN THE AMERICAN INTERNATIONAL INSTITUTE FOR THE PROTECTION OF CHILDHOOD

Mr. JOHNSON of Texas. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2656, Senate Joint Resolution 195.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A joint resolution (S. J. Res. 195) to amend the joint resolution providing for membership and participation by the United States in the American International Institution for the Protection of Childhood, and authorizing an appropriation therefor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the resolution (S. J. Res. 195) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That Public Resolution 31 approved May 3, 1928 (45 Stat. 487), as revised by section 1 (a) of Public Law 606, approved September 21, 1950 (64 Stat. 902), is hereby amended to read as follows: "That in order to meet the obligations of the United States as a member of the American International Institute for the Protection of Childhood, there is hereby authorized to be appropriated annually to the Department of State such sums, not to exceed $25,000 per annum, as may be necessary for the payment by the United States of its share of the expenses of the Institute, as apportioned in accordance with the statutes of the Institute."

WORLD HEALTH ORGANIZATION

Mr. JOHNSON of Texas. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2657, Senate Joint Resolution 183.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A joint resolution (S. J. Res. 183) authorizing an appropriation to enable the United States to extend an invitation to the World Health Organization to hold the 11th world

health assembly in the United States in 1958.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the joint resolution (S. J. Res. 183) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That there is authorized to be appropriated to the Department of State, out of any money in the Treasury not otherwise appropriated, the sum of $400,000 for the purpose of defraying the expenses incident to organizing and holding the 11th world health assembly in the United States. Funds appropriated pursuant to this authorization shall be available for advance contribution to the World Health Organization for additional costs incurred by the Organization in holding the 11th world health assembly outside the Organization's headquarters at Geneva, Switzerland; and shall be available for expenses incurred by the Department of State, on behalf of the United States as host government, including personal services without regard to civil-service and classification laws; employment of aliens; travel expenses without regard to the Standardized Government Travel Regulations and to the rates of per diem allowances in lieu of subsistence expenses under the Travel Expense Act of 1949; rent of quarters by contract or otherwise; and hire of passenger motor vehicles.

The preamble was agreed to.

PARTICIPATION IN THE INTERPARLIAMENTARY UNION

Mr. JOHNSON of Texas. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2659, S. 3858.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 3858) to amend the act of June 28, 1935, authorizing participation in the Interparliamentary Union.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request of the Senator from Texas?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the first section of the act of June 28, 1935 (49 Stat. 425), as amended (22 U. S. C. 276), is hereby amended to read as follows: "That an appropriation of $33,000 annually is hereby authorized, $18,000 of which shall be for the annual contribution of the United States toward the maintenance of the Bureau of the Interparliamentary Union for the promotion of international arbitration; and $15,000, or so much thereof as may be necessary, to assist in meeting the expenses of the American group of the Interparliamentary Union for each fiscal year for which an appropriation is made, such appropriation to be disbursed on vouchers to be approved by the President and the Executive Secretary of the American group."

ESTABLISHMENT OF THE NIAGARA FRONTIER PORT AUTHORITY

Mr. JOHNSON of Texas. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2660, Senate Joint Resolution 145.

The PRESIDENT pro tempore. The joint resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A joint resolution (S. J. Res. 145) granting the consent of Congress to the State of New York to negotiate and enter into an agreement or compact with the Dominion of Canada for the establishment of the Niagara Frontier Port Authority with power to take over, maintain, and operate the present highway bridge over the Niagara River between the city of Buffalo, N. Y., and the city of Fort Erie, Ontario, Canada.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Foreign Relations with an amendment, on page 1, line 5, after the word "the", to strike out "Dominion" and insert "Government", so as to make the joint resolution read:

Resolved, etc., That the Congress hereby consents to the negotiation and entering into a compact or agreement between the State of New York and the Government of Canada providing for (1) the establishment of the Niagara Frontier Port Authority substantially in accordance with the provisions of chapter 870 of the laws of 1955 of the State of New York as amended or supplemented; (2) the transfer of the operation, control, and maintenance of the present highway bridge (the Peace Bridge) over the Niagara River between the city of Buffalo, N. Y., and the city of Fort Erie, Ontario, Canada, to the Niagara Frontier Port Authority; (3) the transfer of all of the property, rights, powers, and duties of the Buffalo and Fort Erie Public Bridge Authority acquired by such authority under the compact consented to by the Congress in Public Resolution 22 of the 73d Congress, approved May 3, 1934 (48 Stat. 662), to the Niagara Frontier Port Authority; and (4) the consolidation of the Buffalo and Fort Erie Public Bridge Authority with the Niagara Frontier Port Authority and the termination of the corporate existence of the Buffalo and Fort Erie Public Bridge Authority.

SEC. 2. The right to alter, amend, or repeal this joint resolution is hereby expressly reserved.

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A joint resolution granting the consent of Congress to the State of New York to negotiate and enter into an agreement or compact with the Government of Canada for the establishment of the Niagara Frontier Port Authority with power to take over, maintain, and operate the present highway bridge over the Niagara River between the city of Buffalo, N. Y., and the city of Fort Erie, Ontario, Canada."

Mr. JOHNSON of Texas subsequently said: Mr. President, earlier today the Senate passed Senate Joint Resolution 145, granting the consent of Congress to the State of New York to negotiate and enter into an agreement or compact with the Dominion of Canada for the establishment of the Niagara Fort Erie Port Authority with power to take over, maintain, and operate the present highway bridge over the Niagara River between the city of Buffalo, N. Y., and the city of Fort Erie, Ontario, Canada.

The House has passed House Joint Resolution 549, an identical resolution.

I ask unanimous consent that the vote by which the Senate passed Senate Joint Resolution 145 be reconsidered, and that the Senate proceed to the consideration of House Joint Resolution 549.

The PRESIDING OFFICER (Mr. LAIRD in the chair). Without objection, the vote by which the Senate passed Senate Joint Resolution 145 is reconsidered; and the chair lays before the Senate a resolution coming over from the House of Representatives.

The joint resolution (H. J. Res. 549) granting the consent of Congress to the State of New York to negotiate and enter into an agreement or compact with the Government of Canada for the establishment of the Niagara Frontier Port Authority with power to take over, maintain, and operate the present highway bridge over the Niagara River between the city of Buffalo, N. Y., and the city of Fort Erie, Ontario, Canada, was read twice by its title.

Mr. JOHNSON of Texas. I ask unanimous consent for the present consideration of the House joint resolution.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution (H. J. Res. 549) was considered, ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that Senate Joint Resolution 145 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, Senate Joint Resolution 145 is indefinitely postponed.

EXPENSES OF THE PAN-AMERICAN GAMES, CLEVELAND, OHIO, 1959

Mr. JOHNSON of Texas. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the consideration of calendar No. 2661, Senate Joint Resolution 186.

The PRESIDENT pro tempore. The joint resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (S. J. Res. 186) authorizing an appropriation for expenses of the Pan-American games, to be held in Cleveland, Ohio, in 1959.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution which had been reported from the Committee on Foreign Relations with amendments, on page 1, line 5, after the figures "$5,000,000", to strike out "to the Secretary of State to be expended at his discretion" and insert "for III Pan American Games (1959). The said appropriation shall be available", and in line 9, after the numerals "1959", to insert "and shall be expended in the discretion of the organization sponsoring said games, subject to such audit as may

be prescribed by the Comptroller General of the United States", so as to make the joint resolution read:

Resolved, etc., That there is hereby authorized to be appropriated out of moneys in the Treasury not otherwise appropriated the sum of $5,000,000 for III Pan American games (1959). The said appropriation shall be available for the purpose of promoting and insuring the success of the Pan American games to be held in Cleveland, Ohio, in 1959 and shall be expended in the discretion of the organization sponsoring said games, subject to such audit as may be prescribed by the Comptroller General of the United States.

The amendments were agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

CALL OF THE CALENDAR ON MONDAY NEXT

Mr. JOHNSON of Texas. Mr. President, as in legislative session, I ask unanimous consent that on Monday, July 23, immediately after the close of morning business, there be a call from the beginning, of measures on the calendar, to which there is no objection.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I should like to announce that as soon as there is a yea and nay vote on the Hoffman nomination, the Senate will resume the consideration of the executive pay bill, the unfinished business. It is hoped we may be able to pass that bill early in the day, and then proceed to the consideration of the mutual security appropriation bill.

NOMINATION OF PAUL G. HOFFMAN TO THE UNITED NATIONS

The Senate resumed the consideration of the nomination of Paul G. Hoffman to be a representative of the United States of America to the 11th session of the General Assembly of the United Nations.

Mr. McCARTHY. Mr. President, a very important matter is being considered by the Subcommittee on Investigations. I have been requested by both the chairman and the next ranking Republican Member to be present at the meeting.

While there was unanimous consent that I might have the floor this morning, I think I am obligated to return to the Investigations Subcommittee and work with them on the matter which is now under consideration. So, notwithstanding the unanimous consent agreement, I yield the floor.

I may say to the distinguished senior Senator from Georgia, who now occupies the Chair as the President pro tempore, that I was very happy to read in the newspapers this morning of the wonderful tributo which he received last night.

The PRESIDENT pro tempore. The Chair thanks the Senator from Wisconsin.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PAYNE in the chair). Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Paul G. Hoffman to be a representative of the United States of America to the 11th Session of the General Assembly of the United Nations?

It is the Chair's understanding that the Senator from Wisconsin [Mr. McCARTHY] waived his rights to the floor, which he had.

The yeas and nays have been ordered on this question, and the clerk will call the roll——

Mr. BRIDGES. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BRIDGES. I should like to ask the Chair if the yeas and nays have been ordered.

The PRESIDING OFFICER. They have been ordered.

Mr. BRIDGES. I should like to say just a few words about Mr. Hoffman before the vote is taken.

I have known Mr. Hoffman for a long period of years. I have no personal feeling against him. My personal asssociations with him over the years have always been pleasant. However, he is now being proposed as a delegate to the United Nations, representing my country. That post, in these critical times, is a very vital one and a very important one from the point of view of my country. I think, therefore, that I have, and I think that every American citizen and every Senator has, the right to expect that there would be selected from the great reservoir of manpower and womanpower—or perhaps it would be better stated if I said humanpower—in the United States a person who is a noncontroversial figure, one who has not made statements that are open to double interpretation, as a delegate to the United Nations in whom people could have complete confidence.

During the last few years, some of Mr. Hoffman's statements and actions, for example, as an official of The Fund for the Republic, have led me to wonder what he would do on some of the great questions vital to the United States which may come before the United Nations. In a recent speech he made statements in which he refers to a new procedure by which a group of Americans having no judicial status may pass judgment on the loyalties of fellow citizens and termed them "a new form of Ku Klux Klanism." This is an indictment of our congressional and executive system of investigating persons who have questionable loyalty to the United States, or are possible security risks. I deplore this attitude on the part of a person who is proposed for this important post.

Mr. President, I shall not take the time of the Senate to go into details on which I could elaborate. My objections are not based on any personal like or dislike, but are based purely on my lack of confidence in a man who is to represent my country in a vital, critical period in world history. As a result of his own record, as a result of his own statements in the last few years I have a grave question about his fitness to represent my country in the post for which he is nominated. Therefore, when the roll is called, I shall cast my vote against the confirmation of Paul Hoffman as a delegate to the United Nations.

Mr. MONRONEY. Mr. President, I thought I had heard just about everything in the way of strange debate. I listened yesterday to the debate on the confirmation of Paul Hoffman. Mr. Hoffman has been recognized nationally and internationally as a truly great industrialist, as an able representative, both at home and abroad, of our democratic, free-enterprise capitalistic system, headed the great Studebaker Corp., was chairman of the fine progressive Committee on Economic Development, of which one of the leaders was our own colleague the Senator from Vermont [Mr. FLANDERS]; proved to be right about an expanding American economy based on our capitalistic system; and yet I heard statements made that this man was in some way or somehow now charged as being too pink or too leftish or too much of a dupe for communism to be trusted to represent these great United States in the United Nations.

One Senator who spoke against Mr. Hoffman seemed to associate him with the Stockholm peace petition, which he charged led to the conference of the Big Four at the summit. I did not know there was any Stockholm Peace Pact organization, but I do know the distinguished Senator from Georgia [Mr. GEORGE], chairman of the Foreign Relations Committee, first advanced the idea of a conference at the summit; and I certainly know no Member of the Senate would believe that the Senator from Georgia was friendly in any way or degree toward communism. Certainly, President Eisenhower's decision to go to the conference at the summit would not mean the President was duped by Communist propaganda, such as the remarks I heard yesterday on the floor would infer, if one would have carried them to their final analysis. Mr. Hoffman led our country in the development of the Marshall plan, which resulted in destroying the Communist opportunities to take, without a struggle, the cockpit of Western European civilization, by building up and strengthening the capitalistic resources of Western Europe. It caused the Communists to have their greatest reverse in history. Certainly, therefore, it is difficult to understand why anyone should follow Fulton Lewis or anybody else who would cast reflection or doubt of loyalty in any degree upon a truly great American.

I cannot understand what we are coming to when the confirmation of the man who is considered as being most responsible for President Eisenhower's decision to run for the Presidency of the

United States is fought because of radio or television speeches which happened to be made by some commentator.

It seems to me that we are approaching a point of being ridiculous when the spreading of rumors, the spreading of doubt, the spreading of fear against good Americans—in this case, against a man whose whole record dignifies him as being one of the most outstanding advocates of democracy, liberty, freedom, capitalism, and all the other things we associate with the American way of life—can result in the making of charges on this floor that the one whose nomination is under consideration is virtually a fellow traveler and/or a dupe of Communist propaganda.

Mr. President, I intend to vote for confirmation of the nomination of Paul Hoffman, because I know his record. I know of the successful fight he has made against communism—the successful fight he has made to defeat it in the true American way, namely, to relieve the conditions of hunger, chaos, unemployment which create communism.

Certainly, the only thing I know of, which could be used as the basis of a charge to be leveled against Mr. Hoffman, is the fact that he believes, as I believe, in freedom of speech under the Constitution of the United States. When the Founding Fathers declared that the United States should have freedom of speech, they meant that Americans would tolerate the views of those with whose positions they might disagree.

Certainly, Mr. President, we do not expect to hear our particular ideas echoed by everyone, if we truly believe in freedom of speech. That great guaranty—which guarantees to the Senator from Indiana [Mr. JENNER] and to the Senator from Wisconsin [Mr. MCCARTHY], and to Fulton Lewis the right of freedom of speech—also guarantees to Paul Hoffman the right of freedom of speech.

When the belief in the right of freedom of speech in the United States would be used as the basis of an effort to destroy a man—because, Mr. President, that is what the Senate would do if it were to put a veto, so to speak, on President Eisenhower's nomination of Paul Hoffman; that would destroy him; it would convict him of being a fellow traveler—I, for one, do not intend to forsake the Constitution and the guaranties it gives us in connection with our basic freedoms, regardless of whether they involve high government policy or low government policy.

Certainly no Member of the Senate should use his disagreement with Hoffman's views as a means of destroying and defeating a man who has been chosen by the President of the United States to represent the United States of America in the General Assembly of the United Nations.

Mr. KUCHEL. Mr. President, I sit in this Chamber honored to represent, in part, the State of California in the Senate of the United States. During the years that I have had the honor of serving here, I have endeavored, as an American, to be of assistance to the President of the United States, particularly in the field of foreign policy and in connection with the defense measures which he has recommended for the people of the United States.

I do not think any Member of the Senate has a greater friend in his fellow colleague from his State than I do, representing California, in the friendship I have, and which I cherish, for my California colleague, who has been honored by the Republican Members of the Senate as their leader, and who has been honored by the people of California again and again and again. I know that Members of the Senate on both sides of the aisle are particularly proud to have been able unanimously to confirm the nomination of the Senator from California, WILLIAM F. KNOWLAND, as one of the United States delegates to the General Assembly of the United Nations. I am particularly proud because even those who, on occasion, may disagree with BILL KNOWLAND, know him as one of unquestioned integrity, great ability, and solid patriotism, one who is highly qualified to represent the people of the United States in the deliberations of the United Nations.

Mr. President, I look across the aisle to where a very able and outstanding Democratic Senator from Minnesota has his seat. There have been occasions on which I have disagreed—and violently—with the junior Senator from Minnesota [Mr. HUMPHREY], but no one questions his patriotism or his Americanism, nor, indeed, his ability.

He will bring to the delegation to the United Nations his own considered judgment, acting, I am sure, in accordance with the best interests of the Government of the United States, under American foreign policy of the President of the United States.

The Senate has unanimously confirmed all the nominations to the United States delegation to the General Assembly of the United Nations except one. We are now about to vote upon the nomination by President Eisenhower of Mr. Paul G. Hoffman, of California. The nomination of Mr. Hoffman was unanimously approved by the Foreign Relations Committee.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. JOHNSON of Texas. I feel somewhat recreant for not having said anything as yet about my colleagues who have been honored by being appointed to perform this very important duty. I wish to associate myself with the fine things which my friend from California has said about the distinguished minority leader. I have never known a more honorable or better man. He is a man of fine character and generous instincts—the kind of man I would like to have as trustee for my daughters. I have great admiration for him.

The Senator from Minnesota [Mr. HUMPHREY] is one of the ablest Members of this body. He is one of the finest speakers in the land. He has a social consciousness which will enable him to make a great contribution to all freedom-loving people throughout the world.

I think the President is to be commended, and the Foreign Relations Committee is to be commended, for having men of this character and quality representing our Nation. So long as we have men of this type serving in these important positions, I shall have no fear.

I commend the Senator from California for the statements he has made. I only regret that I had not spoken earlier.

Mr. KUCHEL. I thank my friend very much.

We are about to vote on the nomination of Mr. Paul G. Hoffman, of California, to be a member of the American delegation to the General Assembly of the United Nations. As is their right, certain Members of the Senate have stood on this floor and objected to that nomination. As is their right, some have objected vigorously and violently. I do not know Mr. Hoffman very well. His views and mine do not coincide on many public questions.

I do know that he was nominated by the President of the United States who, incidentally, has been unjustly and venomously abused on too many occasions by some Americans which, I suppose, is their right.

I do know that the Foreign Relations Committee of the Senate is composed of magnificent Americans who come from both sides of the aisle. Let me read the list of members of the Committee on Foreign Relations, which unanimously approved this nomination.

First, the chairman is the distinguished Senator from Georgia [Mr. GEORGE], known affectionately as Mr. Senate.

On the Democratic side of the aisle there are THEODORE FRANCIS GREEN, of Rhode Island; J. WILLIAM FULBRIGHT, of Arkansas; JOHN SPARKMAN, of Alabama; HUBERT H. HUMPHREY, of Minnesota; MIKE MANSFIELD, of Montana; WAYNE MORSE, of Oregon; and RUSSELL B. LONG, of Louisiana.

On this side of the aisle the members are: ALEXANDER WILEY, of Wisconsin; H. ALEXANDER SMITH, of New Jersey; BOURKE B. HICKENLOOPER, of Iowa; WILLIAM LANGER, of North Dakota; WILLIAM F. KNOWLAND, of California; GEORGE D. AIKEN, of Vermont; and HOMER E. CAPEHART, of Indiana.

From that committee, after a hearing, there came the unanimous endorsement of this nomination. Like most other Members of the Senate, I have received communications denouncing the nomination of Mr. Hoffman.

From the very beginning, as I say, I have attempted to assist this administration. I go back to the early days of 1953, when one of the first recommendations by the President of the United States to represent this Nation in a country abroad was objected to by some of my brethren. I stood up and voted for confirmation of the nomination of Ambassador Bohlen to Russia. I believe the services he has performed for this Government have been of a high order.

Talk is cheap. It is easy to denounce patriotic Americans. It has been done on too many occasions. Denunciation has been made against the President of the United States, without justification. Denunciation has been made against the

Chief Justice of the United States, without justification. Members on the Senate on the Republican side of the aisle have been called "unwitting handmaidens of communism." It is easy to say such things. It is easy to make such "shotgun" charges. Speaking for myself, I place my faith in the President of the United States. I place my faith in the judgment of my colleagues upon the Senate Committee on Foreign Relations, who unanimously recommended that the Senate approve this nomination after a full hearing.

On that basis I stand ready to vote in favor of the confirmation of the nomination of Mr. Paul Hoffman to be a member of the delegation of the United States of America to the General Assembly of the United Nations, which delegation includes our devoted and patriotic friends, our colleagues from California, BILL KNOWLAND, and HUBERT HUMPHREY, of Minnesota.

Mr. SMITH of New Jersey. Mr. President, I desire to identify myself with the fine remarks made by the Senator from California with regard to this delegation, and especially the remarks about our colleagues in the Senate.

I am supporting the nomination of Mr. Hoffman, which is now before us, because of my intimate association with him in the early years of the formulation of the Marshall plan, and my familiarity with the effective work which he did at that time.

I spoke yesterday on the subject of Mr. Hoffman's nomination. Today I wish to add for the RECORD a memorandum, which I have had prepared, entitled "A Brief Outline of the Career of Paul G. Hoffman." Attached thereto is a list of the names of members of the original board of trustees of the Committee for Economic Development elected September 4, 1942; also a list of the members of the board of trustees as of May 1956. That work was one of the many distinguished accomplishments of Mr. Hoffman.

There being no objection, the statement and lists were ordered to be printed in the RECORD, as follows:

A BRIEF OUTLINE OF THE CAREER OF PAUL G. HOFFMAN

Mr. Hoffman was born in Chicago in 1891, the son of George and Eleanor Hoffman. He attended the University of Chicago before entering the automobile business as a salesman for the Studebaker Corp. in Los Angeles in 1911. After becoming sales manager he purchased the Los Angeles retail branch in 1919.

Mr. Hoffman has received 34 honorary degrees from universities and colleges, including Rose Polytechnic Institute, Valparaiso University, Indiana University, and the University of Notre Dame—all in Indiana.

He was recipient of the American Education Award in 1948.

In 1915 he married the former Dorothy Brown. The Hoffmans have 7 children—5 boys and 2 girls.

Mr. Hoffman is a veteran of World War I, having served as a first lieutenant in the United States Army. All five of his sons are veterans of World War II.

With respect to the Hoffman Specialty Co., manufacturers of brass fittings, this business was organized by Paul Hoffman's father in Waterbury, Conn. Paul Hoffman moved the company to Indianapolis in 1942. The company is undergoing a further expansion and has just completed a $600,000 plant in Indianapolis.

Business and public service experience in addition to the material previously supplied includes service as director of the Federal Reserve Bank of Chicago from 1942 to 1949; member of the Business Advisory Council of the Department of Commerce, honorary chairman of United China Relief, trustee of the University of Chicago and Kenyon College, and councilor of the National Industrial Conference Board.

Mr. Hoffman is the author of Seven Roads to Safety and Peace Can Be Won.

Mr. Paul G. Hoffman's career might well be divided in three parts; namely, business, civic, and government.

On the business side his principal activity, going back to 1919, has been with the Studebaker Corp. He began as a distributor, rose to become vice president in charge of sales, and when the company was reorganized after the depression, he became its president. His business ability is recorded in the cold statistics of rising sales and rising profits during his tenure as president of the corporation. In 12 years volume rose from $69 million to $384 million while profits after taxes rose from $2.2 million to $19.1 million. On a smaller scale he reorganized the Hoffman Specialty Co., a family business in Indianapolis, and in 10 years sales and profits more than quadrupled.

He has engaged in other business activities and today is a director of Encyclopaedia Britannica, Inc., New York Life Insurance Co., Time, Inc., and United Air Lines.

Mr. Hoffman's earliest civic activities grew directly out of his business concern with automotive transportation. While still a distributor in California he was appointed president of the Los Angeles Traffic Commission which framed a new traffic ordinance which came to be regarded as a model municipal ordinance. He organized a major highway committee, which made a privately financed survey and developed a $300 million program for a modernized street and highway system which was adopted as the official city plan.

Later he helped organize the Automotive Safety Foundation and served for 13 years as its chairman. This foundation organized and coordinated a safety campaign which was a major factor in the saving of an estimated 500,000 lives, the prevention of 17 million injuries, and the loss of $36 billion over the past 20 years.

In 1943 Mr. Hoffman helped organize the Committee for Economic Development and served as its chairman for 5 years. The educational work done by this committee in the business world is credited with a major contribution to our smooth transition from wartime to peace-time production, the maintenance of high employment, and the preventiton of serious economic dislocations.

Mr. President, I ask unanimous consent to have printed as part of my remarks at this point the original Board of Trustees of the Economic Development Corporation and its present trustees as of May 1956.

One will note from this list, of course, that it covers many of the most outstanding men of America.

In later years, Mr. Hoffman's service to education and the furtherance of the general welfare is represented by his tenure as president of the Ford Foundation from 1951 to 1953.

The most prominent aspect of Mr. Hoffman's Government career, however, came with his service as administrator of the Economic Cooperation Administration.

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Walter Williams, Under Secretary of Commerce, Department of Commerce, Washington, D. C.
Charles E. Wilson, chairman, executive committee, W. R. Grace & Co., New York, N. Y.
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Harry W. Zinsmaster, president, Zinsmaster Baking Co., Duluth, Minn.
John S. Zinsser, vice chairman of the board, Merck & Co., Rahway, N. J.

Mr. THYE. Mr. President, I intend to vote to confirm the nomination of Paul G. Hoffman. I have known Paul G. Hoffman for quite a number of years. I became acquainted with him when he was serving as chairman of the Committee for Economic Development. He served the United States well in that capacity, and helped to formulate a very strong, progressive, and healthy business economy for the United States in the postwar era.

Paul G. Hoffman and his associates did much to help establish a strong economy, and to avoid the pitfalls of depression which we witnessed in past decades following all major wars.

Paul G. Hoffman served abroad as the administrator of the Marshall plan. He was a credit to the United States in that capacity. His actions in the United States during the years since he resigned as administrator of the European post have been above reproach. He has done an able job as a business administrator, and as one of the Nation's leading business experts.

Mr. President, I do not believe we would do justice to the administration if we were to reject the nomination of Paul G. Hoffman. I commend the President for having selected him as a delegate to represent the United States at the United Nations.

Therefore I shall vote for the confirmation of his nomination.

Mr. NEUBERGER. Mr. President, I desire to state that I intend to vote for the confirmation of Mr. Paul G. Hoffman to be a member of the United States delegation to the United Nations. This is a question in which the President of the United States and the Secretary of State, as well as the Committee on Foreign Relations, are far better informed than I ever could hope to be, and I shall certainly abide by their judgment in this realm of international relations.

Mr. President, although I do not have any additional expert information to contribute to the debate, I should like to ask a question of the distinguished minority leader.

Is it the opinion of the distinguished leader of the minority that the speeches made yesterday on the floor in opposition to the nomination of Paul G. Hoffman reflect in any way upon the integrity of the President of the United States?

I should like to ask that question of the distinguished minority leader.

Mr. KNOWLAND. The Senator from Oregon will have to judge that. I was not in the Senate Chamber to hear all the speeches. I made my own position clear, that I intended to support the nomination of Mr. Hoffman.

I am a member of the Committee on Foreign Relations, which heard the testimony. I read into the RECORD a letter which Mr. Hoffman had addressed to me. I did not hear all the speeches. I have not had an opportunity to read all that was said on the subject. Therefore, I am not in a position to answer categorically the question asked by the Senator from Oregon. Any Senator is within his rights on the floor of the Senate to express his views. All of us, on both sides of the aisle, do not necessarily have to agree, and do not always agree, with the views expressed on either side of the aisle.

Mr. NEUBERGER. I thank the distinguished minority leader. I should like to explain to him and to other Members of the Senate why I asked the question.

I was much disturbed, on July 18, when the able minority leader twice said on the floor that the junior Senator from Michigan [Mr. MCNAMARA], who now occupies the chair, had made a speech which cast reflection upon the integrity of the President of the United States. If I am not mistaken, that was the fourth or fifth time the able minority leader had charged that various Democratic Members of the Senate at one time or other had made speeches which reflected upon the integrity of the President of the United States. Of course, the able minority leader was completely within his prerogative and right to say it.

However, I submit it is a rather serious thing to have the spokesman of the President of the United States in the Senate to say that another Senator has cast a reflection upon the integrity of the President of the United States.

I am a junior Senator, but in the relatively short time I have been a Member of the Senate, I have heard Members on the other side of the aisle, the Republican side of the aisle, make speeches in which they have declared, for example, that the President of the United States wished to send our jet airplanes, paid for by American taxpayers, and made with the skill of American workers, to a country which is, in effect, an enemy of the United States.

Mr. MCCARTHY. Mr. President, will the Senator yield?

Mr. NEUBERGER. I am happy to yield.

Mr. MCCARTHY. I should like to make a correction, if I may. I am sure the Senator does not intend to say that the minority leader is the spokesman of the President. If I understand the precedents of the Senate, the minority leader is the spokesman of the minority, not of the President. He is the Senate minority leader, not the President's spokesman.

Unfortunately, many people seem to think that the minority leader in the Senate is now the spokesman for the President. I believe that is entirely untrue, and I sincerely hope the minority leader does not agree with what the Senator from Oregon has said on that point.

Mr. NEUBERGER. I shall be very happy to accept the correction. I will revise my statement to say that it is a serious thing when the leader in the Senate of the party of the President of the United States indicates that another Senator, whether it be the Senator from Michigan [Mr. MCNAMARA] or any other Senator, has cast doubt upon the integrity of the President of the United States.

For example, it was said yesterday—and entirely within the prerogative of the Senator who said it—that the nominee of the President of the United States for this important position in our international affairs is the head of an organization whose "influence operates to defend Communists, to ridicule or hamstring congressional committees investigating communism, and to confuse the American people about the meaning of their fundamental constitutional principles."

It was said further:

> We are voting to approve or disapprove, as a representative of the United States, a man who has been clearly identified over many years with the softening and corruption of public opinion in the United States and the undermining of its power to meet the Communist danger.

I could read more quotations of a similar nature, but I shall not do so.

The point I am seeking to make is that it is a serious thing when a Senator is charged with casting doubt upon the integrity of the President of the United States. I desire to place in proper perspective the accusations that have been made against Senators on this side of the aisle. I desire to point to some statements which have been made on the other side of the aisle about nominees for appointment by the President to the highest positions in the country, and that no charges were made, to my knowledge, by the minority leader or anyone else that they were casting doubt upon the integrity of the President of the United States.

I was disturbed the other evening when the charge was made against a very fine and outstanding and humanitarian Democratic Senator. Therefore, I wished to place the accusations in their proper perspective.

I intend to vote to confirm the nomination of Paul G. Hoffman, a nomination sent to the Senate by the President of the United States.

AMENDMENT OF WATERSHED PROTECTION AND FLOOD PREVENTION ACT

Mr. JOHNSON of Texas. Mr. President, as in legislative session, I intend to ask unanimous consent that the Senate proceed to the consideration of the watershed protection bill which the Senator from Delaware [Mr. WILLIAMS] and the Senator from Oklahoma [Mr. KERR] tell me can be disposed of in 5 minutes.

Therefore, Mr. President, I ask unanimous consent that, as in legislative session, the Senate proceed to the consideration of Calender No. 2626, H. R. 8750.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 8750) to amend the Watershed Protection and Flood Prevention Act.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works with an amendment, to strike out all after the enacting clause and insert:

> That the Watershed Protection and Flood Prevention Act (68 Stat. 666) is amended as follows:
>
> (a) Amend the second and third sentences of section 2 to read as follows: "'Works of improvement'—any undertaking for—
>
> "(1) flood prevention (including structural and land treatment measures) or
>
> "(2) the conservation, development, utilization, and disposal of water
>
> in watershed or subwatershed areas not exceeding 250,000 acres and not including any single structure which provides more than 5,000 acre-feet of floodwater detention capacity, and more than 25,000 acre-feet of total capacity. No appropriation shall be made for any plan for works of improvement the total cost of which is estimated to be in excess of $250,000, or which includes any structure which provides more than 2,500 acre-feet of total capacity unless such plan

has been approved by resolutions adopted by the Committee on Public Works of the Senate and the Committee on Public Works of the House of Representaitves, respectively."

(b) Amend section 3 by striking out clause (2), and inserting in lieu thereof the following:

"(2) to prepare plans and estimates required for adequate engineering evaluation;

"(3) to make allocations of costs to the various purposes to show the basis of such allocations and to determine whether benefits exceed costs;"

and by renumbering clauses (3) and (4) as (4) and (5) respectively.

(c) Amend clause (2) of section 4 to read as follows:

"(2) assume (A) such proportionate share, as is determined by the Secretary to be equitable in consideration of the direct identifiable benefits, of the costs of installing any works of improvement, involving Federal assistance, which is applicable to the agricultural phases of the conservation, development, utilization, and disposal of water, and (B) all of the cost of installing any portion of such works applicable to other purposes except that any part of the construction cost (including engineering costs) applicable to flood prevention and features relating thereto shall be borne by the Federal Government and paid for by the Secretary out of funds appropriated for the purposes of this act;".

(d) Add after the word "landowners" in clause (4) in section 4, the words "or water users."

(e) Strike out the word "and" at the end of clause (4) in section 4; strike out the period at the end of clause (5) and insert in lieu thereof a semicolon and the word "and"; and after clause (5) insert a new clause as follows:

"(6) submit a plan of repayment satisfactory to the Secretary for any loan or advancement made under the provisions of section 8."

(f) Amend section 5 to read as follows:

"SEC. 5. At such time as the Secretary and the interested local organization have agreed on a plan for works of improvement, and the Secretary has determined that the benefits exceed the costs, and the local organization has met the requirements for participation in carrying out the works of improvement as set forth in section 4, the local organization shall assume responsibility for securing engineering services, including the design, preparation of specifications, awarding of contracts, and supervision of construction, in connection with such works of improvement, and in order to properly carry out such services shall retain or employ a professional engineer or engineers satisfactory to the Secretary, and the Secretary shall reimburse the local organization for the cost of the services of such engineer or engineers as is properly chargeable to such works of improvement, except that if the Secretary determines that competent engineering services are not available he may contract for a competent engineer to provide such services or arrange for employees of the Federal Government to provide such services: *Provided*, That at the request of the local organization the Secretary may advance such amounts as may be necessary to pay for such services, but such advances with respect to any works of improvement shall not exceed 5 per centum of the estimated total cost of such works: *Provided further*, That, except as to the installation of works of improvement on Federal lands, the Secretary shall not construct or enter into any contract for the construction of any structure unless there is no local organization authorized by State law to undertake such construction or to enter into such contract, and in no event after July 1, 1956: *Provided*, That in participating in the installation of such works of improvement the Secretary, as far as practicable and consistent with his responsibilities for administering the overall national agricultural program, shall utilize the authority conferred upon him by the provisions of this act: *Provided further*, That whenever the estimated Federal contribution to the construction cost of works of improvement in any watershed or subwatershed area shall exceed $250,000 or the works of improvement include any structure having a total capacity in excess of 2,500 acre-feet, the Secretary shall transmit a copy of the plan and the justification therefor to the Congress through the President: *Provided further*, That any such plan involving an estimated Federal contribution to construction costs in excess of $250,000 or containing any structure having a total capacity in excess of 2,500 acre-feet (a) which includes reclamation or irrigation works or which affects public or other lands or wildlife under the jurisdiction of the Secretary of the Interior, or (b) which includes Federal assistance for floodwater detention structures, shall be submitted to the Secretary of the Interior or the Secretary of the Army, respectively, for his views and recommendations at least 30 days prior to transmission of the plan to the Congress through the President. The views and recommendations of the Secretary of the Interior, and the Secretary of the Army, if received by the Secretary of Agriculture prior to the expiration of the above 30-day period, shall accompany the plan transmitted by the Secretary of Agriculture to the Congress through the President: *Provided further*, That, prior to any Federal participation in the works of improvement under this act, the President shall issue such rules and regulations as he deems necessary or desirable to carry out the purposes of this act, and to assure the coordination of the work authorized under this act and related work of other agencies including the Department of the Interior and the Department of the Army."

(g) After section 7 insert the following two new sections and renumber subsequent sections of the act to conform:

"SEC. 8. The Secretary is authorized to make loans or advancements to local organizations to finance the local share of costs of carrying out works of improvement provided for in this act. Such loans or advancements shall be made under contracts or agreements which will provide, under such terms and conditions as the Secretary deems appropriate, for the repayment thereof in not more than 50 years from the date when the principal benefits of the works of improvement first become available, with interest at the average rate, as determined by the Secretary of the Treasury, payable by the Treasury upon its marketable public obligations outstanding at the beginning of the fiscal year in which the loan or advancement is made, which are neither due nor callable for redemption for 15 years from date of issue. With respect to any single plan for works of improvement, the amount of any such loan or advancement shall not exceed $5 million.

"SEC. 9. The provisions of this act shall be applicable to Hawaii, Alaska, Puerto Rico, and the Virgin Islands."

SEC. 2. The amendments made by this act shall be applicable to all works of improvement and plans for such works under the provisions of the Watershed Protection and Flood Prevention Act. Any plans for works of improvement with respect to which the Secretary of Agriculture was authorized prior to the date of this act to participate in the installation of works of improvement in accordance with such plan, or any plan for works of improvement which has received prior to the date of this act the approval of congressional committees, as required by such act, need not be submitted to the congressional committees as required by the Watershed Protection and Flood Prevention Act as amended by this act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. AIKEN. Mr. President, am I to understand that the watershed bill has been called up at this time?

Mr. JOHNSON of Texas. That is correct.

Mr. AIKEN. Is the Senator from Texas asking that the Senate consider the bill at this time?

Mr. JOHNSON of Texas. The bill is before the Senate. The Senator from Oklahoma will make a brief statement on the bill, and the Senator from Delaware [Mr. WILLIAMS] wishes to offer some amendments to the bill.

Mr. AIKEN. Is it intended that the Senate shall act on the bill at this time?

Mr. JOHNSON of Texas. Yes, if that course is agreeable to the Senate.

Mr. AIKEN. I do not believe that the consideration of this subject should be taken from the Committee on Agriculture and Forestry and turned over to another committee. I wish to register my opposition to such action.

Mr. JOHNSON of Texas. The Senator from Vermont will have an opportunity to do so.

Mr. AIKEN. I did not anticipate that the bill would come up quite so soon.

Mr. JOHNSON of Texas. The Senator from Texas is trying to anticipate as much as he can. The minority leader agreed that the bill might be considered at this time. He said there were three Members on his side of the aisle who desired to be notified when the bill was called up.

Mr. AIKEN. I should like to take about 5 minutes to make a general statement in opposition to the bill.

Mr. JOHNSON of Texas. The Senator from Vermont certainly will have that opportunity. Does the Senator care to make his statement now? If so, I shall be glad to yield the floor to him.

Mr. AIKEN. Mr. President, I wish to say that the conservation of the soil and the upstream water resources of the United States is a matter which properly concerns agriculture more than any other phase of our economy.

Two years ago Congress enacted legislation providing for small watershed developments which would afford some flood control and water conservation for the upstream farming areas of the country, and encourage reforestation and other sound conservation practices.

I regret very much that in this Congress this type of legislation has been referred to the Committee on Interior and Insular Affairs instead of to the Committee on Agriculture and Forestry. I believe that is taking the matter from a committee in which it properly belongs.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. AIKEN. I have only 5 minutes.

Mr. BARRETT. It was not referred to the Committee on Interior and Insular Affairs.

Mr. AIKEN. Instead, the matters relating to the subject have been referred to a committee which has had little to do with the Watershed Act and watershed developments. I have not had an opportunity to study the bill very carefully.

I understand it virtually does away with the engineering staff of the Soil Conservation Service and requires farmers to hire private engineers not only in the construction of dams in the same watershed projects, but also for the ordinary work carried on in connection with farming, such as drainage, terracing, and so forth. It eliminates a great deal of the engineering assistance which they have received from the Soil Conservation Service, and I believe it is ill-advised to take the matter up at this time. I think, if it is enacted, it will do a great deal of harm to the upstream conservation movement. I believe the measure should never have been referred to the Committee on Interior and Insular Affairs and should not have been taken away from the Committee on Agriculture and Forestry. If it is passed and signed by the President it could mean a lessening of a great deal of the conservation work which has been promoted and encouraged during the past 2 years.

Mr. YOUNG. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I yield.

Mr. YOUNG. Mr. President, I merely wish to support the position taken by the Senator from Vermont. The bill should have gone to the Committee on Agriculture and Forestry. If it is passed, it will be a disservice to the soil-conservation program, which has accomplished a great deal of good in the past.

Mr. AIKEN. Bringing up the bill at this time has taken me by surprise. It is a matter which affects every farmer in the United States. It is a matter which could reverse the established policy of the administration to conserve soil and water resources in the upstream reaches of river systems, and it could mean reverting, again, to the big-dam system on the lower reaches of rivers where dams frequently do more harm than good, particularly as regards the people who live above them. It would be a calamity to enact this measure into law at this time as it is now written.

Mr. KERR. Mr. President, the Committee on Public Works, to which the bill was referred, reported it favorably with an amendment and recommended that the bill, as amended, be passed.

In this connection, for the committee, I send forward a perfecting amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Oklahoma will be stated.

The LEGISLATIVE CLERK. On page 4, lines 15 and 16, it is proposed, in lieu of the words "for works of improvement, the total cost of which is estimated to be", to insert the words "involving the estimated Federal contribution to construction costs."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oklahoma.

Mr. McCARTHY. Mr. President, I wonder if the Senator from Oklahoma will explain the amendment.

Mr. KERR. Mr. President, the purpose of the amendment is to make the paragraph conform to the remainder of the bill as it has been amended. In the bill there was a requirement for submission to congressional committees when the amount of the cost of the plan exceeded a certain amount, which was $250,000. It was our purpose to provide throughout the bill that the project should be submitted to the committees of the Congress if the Federal contribution to the plan exceeded $250,000, not if the total cost of the plan exceeded $250,000. All this perfecting amendment does is to make the provision on page 4, lines 15 and 16, conform to the provisions in other parts of the bill.

Mr. FLANDERS. Mr. President, may I inquire whether all Senators received a copy of the bill and the report? I think it is very unusual to consider a bill with amendments which have not been printed and distributed.

Mr. KERR. Mr. President, let me say to the distinguished Senator from Vermont that it was submitted not only to the members of the committee on the other side of the aisle, but also to the distinguished minority leader, and by him discussed with other Senators.

It was our understanding that every phase of the bill had been taken up with Members on both sides of the aisle. Certainly, if the Senator wishes a copy he may have it.

Mr. KNOWLAND. Mr. President, I merely wish to say that this bill has been on the calendar since the 16th of July. It is contained in the bound volumes which Senators have under their desks, together with the report and the amendments. I later had received notice through the regular procedure that the Senator from Wyoming [Mr. BARRETT], the Senator from Nebraska [Mr. HRUSKA], and the Senator from Delaware [Mr. WILLIAMS] were very much interested in the bill and wished to be notified when it was called up. When the majority leader made inquiry of the minority leader I told him that I had received notification by the Senators from Delaware, Nebraska, and Wyoming, and I sent word to all three that the bill was going to be called up for consideration.

So, I do not think the procedure was any different from the usual procedure. Before we approved the bill for consideration we checked with the ranking Republican Member.

Mr. AIKEN. I do not recall having been consulted at all on the bill. I am very much opposed to anything detrimental to the work in conservation which has been done in the last 2 years.

Mr. KNOWLAND. I may say to the Senator from Vermont that the bill was reported by the Committee on Public Works. I checked the bill with the ranking Republican of that committee, as I always check with the ranking Republican in the case of a bill from any other committee.

Mr. AIKEN. But is not the Committee on Agriculture and Forestry concerned with this matter at all?

Mr. KNOWLAND. The Senator from Vermont was within his rights at any time to ask that the bill be rereferred to the Committee on Agriculture and Forestry.

Mr. AIKEN. Is the Agriculture Committee to be completely ignored, and is a veto power to be given to the Corps of Army Engineers with respect to every little brook or stream in the United States?

We ought to have at least 2 or 3 hours in which to read the report and the bill before being asked to vote on it. But if it is desired to go ahead and pass the bill, then let it be passed, and let the Senate take the consequences. I think such precipitate action is unfair.

Mr. KERR. The Senator from Vermont has had the bill and the report on his desk for 4 days. The bill does not propose to do the things about which the Senator has expressed his fears.

I know of the distinguished leadership which the Senator from Vermont has given in connection with the development of upstream flood control. I say to him that the expansion provided in the bill will fortify such control within the local soil conservation districts, in accordance with the principle he has so long, so carefully, and so ably advocated.

Mr. THYE. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. THYE. I have a copy of a letter which was addressed to the Honorable DENNIS CHAVEZ, chairman of the Public Works Committee, and signed by John C. Lynn, legislative director of the American Farm Bureau Federation. In his letter to the Senator from New Mexico, Mr. Lynn says:

> As we interpret the language in section 2 (lines 14–21), no appropriations could be made for works of improvement where the total cost is estimated to be in excess of $250,000 or which includes structures providing more than 2,500 acre-feet of total capacity, until the plan has been approved by resolutions adopted by both the Senate and House Committee on Public Works. Likewise, our interpretation of section 5, lines 18–25 is to the effect that whenever the estimated Federal contribution to the construction cost of works of improvement exceeds $250,000 or includes any structures with a total capacity in excess of 2,500 acre-feet, the Secretary is required to transmit a copy of the plan and the justification to the Congress through the President.

My concern is as to whether the objections and the questions raised by the American Farm Bureau Federation are being corrected by the amendments which the Senator from Oklahoma has offered and by the amendments which are now being proposed by various Senators who are on the floor.

I most certainly have not had an opportunity to study the bill. The Senator from Vermont [Mr. AIKEN], the Senator from North Dakota [Mr. YOUNG], and I are the three ranking Republican members of the Committee on Agriculture and Forestry. I shall not be a party to destroying any part of the soil-conservation work of this Nation which has been so ably carried on under the Department of Agriculture for the past several decades. That is why I raise the

question with the Senator from Oklahoma at this time.

Mr. KERR. May I see the communication to which the Senator from Minnesota has addressed himself?

Mr. THYE. Indeed; I hand it to the Senator.

Mr. KERR. In my brief experience in Congress, I saw, for the first time, something during the hearings on the bill which I had never expected to see and had never seen before; that is, the representatives of the American Farm Bureau Federation, the Farmers' Union, and the National Grange all appeared before the committee and were unanimous in their endorsement and approval of the bill as reported by the committee.

The Senator from South Dakota [Mr. CASE] was there throughout most of the hearings, as was the Senator from Nebraska [Mr. HRUSKA], and the Senator from Wyoming [Mr. BARRETT] was in attendance during a part of the hearings.

I may say to my good friend from Minnesota that I had never before seen that situation develop, and had never expected to see it. But the three great organizations were in entire accord, harmony, and agreement in their request for the action which the committee took.

Mr. THYE. May I ask the Senator from Oklahoma if the farm organizations were all in accord with the proposal that the jurisdiction be taken from the Department of Agriculture and placed in the Department of the Interior?

Mr. KERR. Jurisdiction would not go to the Department of the Interior.

Mr. THYE. But reports must be made to the Committee on Public Works.

Mr. KERR. As to the first question asked by the Senator, with reference to the total cost, which was estimated to be in excess of $250,000, that amendment was to correct an amendment which the Senator from Oklahoma offered a while ago and which was adopted. It related to a typographical error. In one place the reference was to the total cost of $250,000; in another place the reference was to the total Federal contribution.

The purpose of the amendment is to provide the criteria to the committees of Congress the matter of the Federal contribution, not the total cost.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. BARRETT. The Senator from Vermont suggested a moment ago that the works under the bill would be administered by the Corps of Army Engineers. The Senator from Minnesota said they would be administered by the Department of the Interior. Is it not correct that the works under the bill will be administered by the Department of Agriculture?

Mr. KERR. Yes; and by the local soil conservation districts.

Mr. THYE. However, they must report back to the Committees on Interior and Insular Affairs.

Mr. KERR. No, not at all.

Mr. THYE. Then what we are endeavoring to do is to enact legislation with which members of the Committee on Agriculture and Forestry are not familiar, and without a thorough explanation of what the bill proposes.

Mr. KERR. There are Senators present who, in the event of the inability of the Senator from Oklahoma to do so, can explain to the Senator from Minnesota any part of the bill he wishes to have explained.

I now desire to yield to the Senator from South Dakota [Mr. CASE], in whom I feel certain the Senator from Minnesota has some degree of confidence.

Mr. THYE. Mr. President, I do not wish the RECORD to show that, by any stretch of the imagination, I do not have confidence in the Senator from Oklahoma, because I do.

Mr. KERR. I thank the Senator.

Mr. JOHNSON of Texas. Mr. President, I hope we may come to a vote on the bill. The Senator from Vermont [Mr. AIKEN] indicated that he wished to speak on it for 5 minutes.

The bill was cleared by the policy groups on both sides of the aisle before it was scheduled. If there had been a request that it be held up, that certainly would have been done.

The Senator from Oklahoma was called from a meeting of a committee of conference which is acting on very important administration legislation.

I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, I would be the last person to do anything which would interfere with the work of the soil conservation districts.

Mr. Donald Williams, Chief of the Soil Conservation Service, comes from South Dakota. I have great confidence in him. I have discussed the bill with Mr. Williams. I think the bill is satisfactory to him or will be with the change of the word "shall" to "may" in connection with the employment of private engineers.

Yesterday afternoon I had a telegram from Tony Krebs, who is a director of the Association of Soil Conservation Districts in my State. He raised only one question. It went to whether the engineers must be private engineers, or merely might be. He wanted the provision to be discretionary. The bill is being amended to make it discretionary. This was the precise point which I had raised in discussing the matter with other members of the committee. The Senator from Nebraska [Mr. HRUSKA] has prepared an appropriate amendment to do exactly that. To the best of my knowledge, that meets with the desires of the soil conservation districts and the Soil Conservation Service.

Mr. JOHNSON of Texas. Mr. President, there are 96 potential leaders in the Senate. I could not attempt to confer with all of them. I have conferred with at least 5 or 6 distinguished Members of the minority about the bill.

First, I have never been able to find anyone who is more reliable in the scheduling of matters for consideration and more reliable to consult with than the minority leader. After he had consulted with his staff and the other persons with whom he desired to consult, I announced, as it appears in the RECORD of July 18, 1956, at page 13256, that Calendar No. 2626, H. R. 8750, to amend the Watershed Protection and Flood Prevention Act, had been already cleared by the leadership on both sides of the aisle, that it would be scheduled for consideration, and would be called up at a mutually convenient time. That was done on the 18th of July. I refer Senators to that page of the RECORD.

I may have announced the bill 2 or 3 more times. I tried to do so, so that every Senator might be on notice. The bill is on every Senator's desk.

This morning we have scheduled for consideration the nomination of Paul Hoffman. Following the completion of action on the nomination, it is expected that the executive pay bill will be considered. That is a bill in which the administration is vitally interested. Then there is in conference the customs simplification bill, in which the administration is also very vitally interested.

Since the watershed protection bill was one of the bills scheduled, I tried to arrange for its consideration at a time when the Senator from Oklahoma [Mr. KERR], who is also a member of the Committee on Finance, could be on the floor.

I conferred with the Senator from Delaware [Mr. WILLIAMS], the Senator from Wyoming [Mr. BARRETT], the Senator from Nebraska [Mr. HRUSKA], and the Senator from California [Mr. KNOWLAND]. I hope we may be able to take action on the bill. I have no doubt that the Senate will pass it when it does act on it.

If we must, we can postpone the consideration of much proposed legislation which the Republican administration feels is very important and very necessary, and keep the Senator from Oklahoma occupied discussing the subject generally; but it will be found, when it is all over, that ample notice has been given.

Mr. AIKEN. Mr. President, will the Senator yield for a point of clarification?

Mr. JOHNSON of Texas. I yield.

Mr. AIKEN. A few minutes ago I referred to the fact that the bill required the projects to be approved by the Interior and Insular Affairs Committees of the House and the Senate. I should have said the Committees on Public Works rather than the Committees on Interior and Insular Affairs.

I believe the Senator from South Dakota has the floor. I should like to ask him——

Mr. JOHNSON of Texas. I have the floor, and I yielded 1 minute to the Senator. I understand the bill contains a provision similar to the administration's provision in the bill to construct buildings all over the country. It permits them to come before certain committees of the Congress and report to them. When the administration bill providing for the construction of post office buildings was up for consideration, there was a provision that the Public Works Committees should be informed of the sites on which it was expected to locate the buildings. This is a similar provision.

Mr. AIKEN. If the purpose is to limit the size of the projects, then I think the sponsors of the bill may be on good ground. I think the size of the projects should be limited by legislation rather

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than by asking committees to approve this project and that project, about which they know little. Otherwise, we shall get in the same trouble as we are when the Soil Conservation Service asks for a project, and the Army engineers come forward and intimate that if that project is put into effect, everybody down river will be drowned sooner or later. A committee is not in a position to determine which one of the agencies is correct. The Senator from South Dakota said that Mr. Donald Williams, head of the Soil Conservation Service, approved the bill. That was news to me, but I shall accept the Senator's statement that the conservation groups approve of the bill.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. Yesterday I received a communication from Mr. Lawrence W. Rittenoure, of Kansas, director of the National Association of Soil Conservation Districts. He indicated that he was in favor of the bill if the employment of professional engineers were made discretionary and not mandatory. I assured him it would be discretionary under the amendment which has been prepared by the Senator from Nebraska.

As to reference of projects to congressional committees, the initiative still rests with the Committee on Agriculture and Forestry. It is only after the projects reach a certain size that there is any referral to the Public Works Committee. The purpose there is to avoid overlapping and possible conflict with larger public works projects.

All projects under the act will still be initiated by the soil conservation districts and be recommended by the appropriate State committees and be reviewed by the congressional committees on agriculture. Only those where the Federal share of the cost exceeds $250,000 or where the storage exceeds 2,500 acre-feet will be also referred to the Public Works Committees. This is spelled out in the language at page 4 of the bill. I believe these provisions meet the questions which the Senators have asked.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Vermont.

Mr. AIKEN. Am I to understand that the proposed legislation does not interfere with watershed projects where the Government participation is under $250,000 or there are no dams impounding over 2,500 acre-feet? It does not interfere with any project holding back 2,500 acre-feet or under?

Mr. KERR. It does not interfere with any projects for storage holding less than 2,500 acre-feet.

Mr. AIKEN. It is only the larger projects which would be referred to the Public Works Committees. Is that correct?

Mr. KERR. Yes.

Mr. AIKEN. In regard to the hiring of engineers let us make this clear for the RECORD——

Mr. KERR. I should like the Senator from Nebraska to answer that question, because it is his amendment that we are asking the Senate to accept.

Mr. AIKEN. Is it the intention of the proposed legislation to require farmers whose work is included in the local participation to hire private engineers for grading the land or draining the land or terracing the land, or work of that kind?

Mr. HRUSKA. Mr. President, an amendment will be proposed which will not require any local organization to hire private engineers except as to those projects which will contain either municipal or industrial water uses above 5,000 acre feet. So that all the work which has been heretofore done under the Watershed Act of 1954 will continue just as it is, with the exception that each local organization will be given the discretion to hire outside engineers, if it wants to.

Mr. AIKEN. The farmer or landowner will have available the advice of the Soil Conservation Service?

Mr. HRUSKA. Not only the farmer, but the local organization. Under agreement with the Secretary of Agriculture, there will still be available the participation of the Soil Conservation Service by way of technical help and engineers, just as heretofore.

Mr. KERR. If they employ private engineering help, it must be with the approval of the Secretary of Agriculture and at his expense.

Mr. HRUSKA. The letter referred to by the Senator from Minnesota from the American Farm Bureau Federation contained objections which are being completely obviated, with one exception, and that is as to the portion referring to section 9, page 4 of the bill, which refers to projects of a certain size being referred to the Committees on Public Works rather than the Agriculture Committees. As the House bill does not contain such a provision, the question will have to be settled in conference between the two Houses.

Mr. AIKEN. If the bill is amended in accordance with the statement of the Senator from Nebraska, it will make it very much more palatable; and with the assurance that the small watershed programs which do not exceed the limits which are set forth in previous legislation are not affected, I would have no serious objection to this bill. I for one shall be very glad to get rid of the responsibility of determining whether large dams—and we have one before us now which I think will cover parts of both Oklahoma and Texas—are safe dam or not.

However, up to now I had no knowledge of the amendment to be offered by the Senator from Nebraska and my opposition was based on the original text of the bill.

If amended as proposed by the Senator from Nebraska, I will have no objection to its passage.

Mr. JOHNSON of Texas. I understood the Senator from Oklahoma and the Senator from Nebraska had worked out agreements before the bill was scheduled for consideration, and that the Senator from Oklahoma and the Senator from Delaware had a meeting of minds.

Mr. WILLIAMS. I may say to the Senator from Vermont that some of those interested in soil conservation in my State likewise had some concern over the question of the engineers. I have discussed with him the text of the amendment offered by the Senator from Nebraska. I also discussed it with the Senator from Oklahoma. Based on the assurances they gave me previously, and which they have repeated now, the people in my State connected with the soil conservation work are in agreement with the bill as it will be amended. We are assured that their interests are fully protected.

In connection with another question which I discussed with the Senator from Oklahoma, perhaps we can also clarify this to their satisfaction. The same people wanted to make sure that the work of drainage as well as other types of flood prevention, would be taken care of on an equal basis.

Mr. KERR. As a part of flood-control structures?

Mr. WILLIAMS. Yes.

Mr. KERR. That is correct.

Mr. WILLIAMS. I shall read the language which appears in the House report on a similar bill and ask this question: Am I correct that the committee in charge of this bill agree on this same interpretation? We ask this to be sure that the type of drainage in our area is fully covered on an equal basis of other flood-control projects referred to in this bill.

It is the intention of the committee that the term "flood prevention" shall be construed to mean not only land treatment and structures, such as detention reservoirs, but also drainage channels and related improvements to remove excess water caused by precipitation or overflow on flatlands.

Mr. KERR. The Senator is correct.

Mr. WILLIAMS. Am I correct that the intention of the bill is the same as that spelled out in the House report?

Mr. KERR. It is.

Mr. WILLIAMS. With that understanding and with the acceptance of the amendments of the Senator from Nebraska, which will clarify the question about the engineers, I am in complete agreement with the bill.

Mr. JOHNSON of Texas. Mr. President, may we have action on the amendment of the Senator from Oklahoma?

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. KERR] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. HRUSKA. Mr. President, to the committee amendment I submit the amendments which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendments to the committee amendment will be stated.

The LEGISLATIVE CLERK. In the committee amendment, on page 6, in line 19, after the word "services", it is proposed to strike out "shall" and to insert "in such projects as to such structures therein providing for municipal or industrial water supplies, the local organization shall, and in such projects not providing

for municipal or industrial water supplies, the local organization may."

In line 22, after the word "cost", it is proposed to strike out "of" and to insert "it may incur for."

And on page 7, in line 3, after the word "organization", it is proposed to insert "which retains or employs a professional engineer or engineers as aforesaid."

Mr. HRUSKA. Mr. President, my amendments to the committee amendment are for the purpose of clearing up the matter of the employment of engineers on watershed projects.

The practice heretofore obtaining will continue to obtain, to wit, the local organizations may resort to the personnel of the soil conservation districts for their engineering services, both in the planning stage and in the construction stage. When, however, the purpose of any of these structures goes beyond flood prevention, and includes the storage of water for municipal or for industrial purposes, then it will be required of the local organization that it retain private engineers for the purpose of the construction thereof, not for the purpose of the original planning.

That is the purpose of my amendments to the committee amendment. They also provide that when outside engineers are employed, the entire services of the engineers shall be paid for as a part of the Federal contribution; and, in addition, there shall be an advance of 5 percent for that purpose to the local organization.

The PRESIDING OFFICER. Without objection, the amendments of the Senator from Nebraska to the committee amendment will be considered en bloc.

Mr. LANGER. Mr. President, will the Senator from Nebraska yield for a question?

Mr. HRUSKA. I yield.

Mr. LANGER. What percentage of the engineers' services will be paid?

Mr. HRUSKA. The entire engineering services are a part of the Federal contribution. But when the local organization contracts for outside engineering services, the Secretary of Agriculture is authorized, on application, to advance to the local organization 5 percent of the estimated construction cost, in order to enable the local organization to get going before it obtains funds of its own.

Mr. LANGER. I thank the Senator from Nebraska.

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments offered by the Senator from Nebraska [Mr. HRUSKA] to the committee amendment.

The amendments to the amendment were agreed to.

Mr. HRUSKA. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement with reference to the general purposes of the bill, and also the purposes of my amendments.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HRUSKA

The purpose of H. R. 8750 is to amend the Watershed Protection and Flood Prevention Act which became law in 1954 (Public Law 566, 83d Cong.).

The objectives of the act are to enable local units of government to carry out those soil and water management measures of a community nature which cannot be accomplished by individual landowners or water users. It makes provision for help of Federal departmental programs of educational, technical, and financial nature.

The areas covered by its scope lie between the land treatment measures by individual landowners and the major projects on our Nation's main streams as carried out by the Corps of Engineers or the Bureau of Reclamation.

The act deals with one of the Department of Agriculture basic, and one of its most important, programs.

The place and importance of the watershed program is readily seen by considering the first 23 months record of the 1954 act. Between August 4, 1954 (when Public Law 566 became law), and July 3, 1956, the following occurred:

Forty-eight States designated State agencies or made other appropriate arrangements to handle review and approval of applications for assistance as made by local organizations.

Twenty-five States enacted 45 separate pieces of legislation to help implement this law.

Five hundred and forty-one State-approved applications for assistance were received by the Soil Conservation Service.

Several hundred additional applications are being formulated or are now before State agencies for review.

Twenty-four plans had been completed and submitted to Congress. Thirteen projects had been placed in operation. Five of these plans which required resolutions of approval by the Congress, had been reviewed and approved by the Senate and House Committees. Four additional plans were completed and in process of transmittal to the Congress and four more plans were under review by other Federal agencies.

It is estimated that more than 50 additional plans will be ready for submission to the next Congress when it convenes in January, 1957.

H. R. 8750 AMENDMENTS

Amendments to the 1954 act would include the following:

1. The act would, as recommended, permit inclusion in watershed plans works of improvements not only for flood prevention, irrigation, and drainage, but also for nonagricultural purposes such as municipal and industrial water supplies, and streamflow regulation.

2. Total capacity of any single structure that may be included in a watershed plan is increased from 5,000 acre-feet to 25,000 acre-feet, but a restriction would be retained in the law for a 5,000 acre-foot flood detention capacity. This would permit use of storage space in the structures for municipal and industrial water supplies over and above the 5,000 acre-feet.

3. The Federal Government would bear the entire construction cost of work of improvement insofar as flood prevention is concerned; local organizations would bear a proportionate share of the costs of improvements for irrigation, drainage, and other agricultural water management, and local organizations would bear all of the costs of improvements other than flood prevention, irrigation, drainage, and agricultural water management. Provision is made for the financing of such costs to the local organizations.

4. The local organizations would be permitted to employ outside engineers if they chose to do so, in order to assist in the matter of design, preparation of specifications, awarding of contracts, and supervision of construction. As to structures which include storage facilities for water or for municipal or industrial water uses, the local organization would be required to employ outside engineers. Whenever outside engineers would be retained, the cost of engineering would be a part of the Federal contribution. Provision is made for advancement of engineering costs in the amount equal to 5 percent of the estimated cost of construction.

5. Procedures of review by other agencies and for congressional approval are simplified and shortened.

6. The benefits of the amendments made by H. R. 8750 would be extended to the projects heretofore authorized under Public Law 566.

COST SHARING

One of the basic changes in the act as amended has to do with the contribution by the local organization toward the cost of building the works of improvement, or the structures. Under Public Law 566, the local organization would acquire without cost to the Federal Government land, easements, and rights-of-way, and agreed also to operate and maintain the works of improvement. In addition, the local organization would assume a part of the costs of installing any structures in accordance with determination by the Secretary of Agriculture who would consider the anticipated benefits from such improvements. This local contribution will be omitted in the act as amended.

There were some who disagreed with the wisdom of such omission. They argued that public acceptance of this program has been on the basis of local undertakings with assistance from the Federal Government rather than projects planned and built by the Federal Government itself.

There has been willingness of local communities to assume development and management responsibilities including financial contributions for the cost of the structures. The requirements to participate in this cost is wholesome and sound, it is said. In fact, success of the program is said to depend on acceptance by local communities for initiation of the project and for direct participation in its costs. The people must first believe and be convinced in their own judgment that projects are of benefit to themselves and their communities. One of the very best tests in this regard lies in their willingness to assume the costs for those benefits which are direct and which are identifiable with particular beneficiaries. This was the foundation for Public Law 566 as originally enacted.

As administered, it has proved to be equitable and fair. Of the first 30 projects approved by the Department of Agriculture, we find the following breakdown as to costs and contributions. The first item is this:

Gross cost of structures	$21,993,000
Cash cost of construction	13,825,000
Paid by local organizations	2,453,000

The amount contributed in cash by the local organizations amounted to about 17 percent of the construction costs in cash of those structures. A breakdown of the entire local contributions would consist of the following: Cash, as indicated above, $2,453,000; land, easements, and rights-of-way, estimated present worth of maintenance and operation and miscellaneous costs, $4,610,000, which is about 32 percent of the gross cost of the structure.

It will be seen from the above figures that the cash contribution of local organizations has been only about 10 percent of the gross cost of the structures.

Those who contended for elimination of cash contribution toward cost of structures, however, cited the lack of uniformity with flood-control projects which are initiated and constructed by the Corps of Engineers. The statute in that connection does not require any cash contribution from the landowners within such an area. It has been argued, therefore, that the people living

within flood projects which would be administered by the Department of Agriculture under Public Law 566 should likewise be exempted from any such cash contribution. However, in the hearings before the Senate Public Works Committee, there was testimony from the Department of the Army that since 1954 when the watershed act was passed, the Corps of Engineers has required contributions from the benefited landowners when flood-prevention projects were planned and approved. In fact, of the local flood-protection projects acted on favorably by the Board of Engineers for Rivers and Harbors from May 1954 to April 1956, local contributions totaling 23 percent of the gross cost were required. This compares favorably with 27 percent required by the Department of Agriculture on the 30 projects referred to above, when the computation is made on a comparable basis with that which was used in computing the 23 percent for the Corps of Engineers. While the Department of Agriculture computation shows 32 percent for local contribution, it included a capitalization of the costs of operation and maintenance for a period of 50 years, a factor which was not included in the 27 percent as computed on those same 30 projects by the Corps of Engineers.

In other words, by administrative action, the Corps of Engineers also strove for uniformity by requiring local contributions.

The national administration was in favor of the continuance of that principle as sound. It pointed out that the same was accepted in good grace and with great willingness by localities; it had a tendency to make the programs more efficient and successful because localities would be much more certain of their ground before venturing on such projects if they knew that they themselves had a direct stake in its success. Further, such local contributions for direct and identifiable benefits is in keeping with the spirits of the act, to wit: That such undertakings be local in character with only assistance from the Federal Government, rather than being projects which will be predominantly planned and built by the United States.

Notwithstanding all of these reasons and the position of the administration thereon, the committee conformed with the House version of the amendment, and eliminated the cash contribution of local organizations to the cost of works of improvement or structures.

ENGINEERING SERVICES FOR WORKS OF IMPROVEMENT

Engineering and technical services for the watershed act are in two general classes:

First, those services including such investigations and surveys as may be necessary to prepare plans for works of improvement, and to make such studies as may be necessary to determine the physical and economic soundness thereof, including a determination as to ratio of benefits to costs.

Second, design, preparation of specifications, awarding of contracts, and supervision of construction in connection with works of improvement, after the contract between the Department of Agriculture and the local organization had been made.

Under Public Law 566 as originally enacted, both classes of these services were rendered by the technicians and engineers in the Soil Conservation Service.

The Senate committee originally decided that since the permissible size of the structures was greatly increased (from 5,000 acre-feet to a limit of 25,000 acre-feet) it would be desirable that the local organization employ professional engineers for the second class of activity described above.

After the bill was reported out on this basis, however, it was pointed out that very likely the number of larger structures would form only a small percentage of all the structures in the plans contemplated. There seemed to be no objection to requiring outside professional engineers on those larger projects, which included storage capacity for municipal or industrial water uses. However, it was strongly felt that as to the other structures which are purely flood preventive in character and the likes of which have been envisioned by Public Law 566 as originally enacted, the technical and professional engineering services of Soil Conservation Service personnel should continue to be used.

AMENDMENT REGARDING ENGINEERS

Accordingly, an amendment was proposed which made it permissible for local organizations to employ outside engineers for any of the projects they chose. However, such outside engineers would be required only on those projects and as to structures therein which provided for storage of municipal or industrial supplies of water. This was deemed satisfactory inasmuch as if such structures were planned and built by any municipality, it necessarily would be required to employ competent professional engineering talent.

The amendments to Public Law 566 provide that the entire cost of engineering services is borne as a part of the Federal contribution. Where local organizations would employ outside engineers by choice or by the requirements set out above, advancements would be made to them to pay for such services, in an amount equal to 5 percent of the estimated cost of construction.

While I prepared and proposed the amendment for engineering services which dealt with this aspect, I want to acknowledge the assistance and cooperation of those who served with me on the committee, and particularly Senator KERR, of Oklahoma, and Senator CASE, of South Dakota. The latter, who had a great deal of experience in this field, was especially helpful in this regard.

It is felt that by and large the amendments proposed in H. R. 8750 will be helpful to the watershed program. Perhaps other amendments may be indicated as we gather more experience and as time passes on. The very fine progress made in the first 2 years of the law shows bright hope for continued advancement which will be greatly accelerated by the adoption of amendments contained in the pending bill.

The PRESIDING OFFICER. If there be no further amendment to be proposed to the committee amendment, the question is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question now is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. FREAR. Mr. President, I heard the colloquy between the senior Senator from Delaware [Mr. WILLIAMS] and the Senator from Oklahoma [Mr. KERR] regarding the drainage aspects of the bill, as they might affect the State of Delaware. I should like to associate myself with the questions asked by my senior colleague from Delaware, and I should also like to take advantage of the answers given by the Senator from Oklahoma [Mr. KERR], as they affect the State of Delaware.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H. R. 8750) was passed.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which House bill 8750 was passed be reconsidered.

Mr. CLEMENTS. Mr. President, I move to lay on the table the motion to reconsider the vote by which the bill was passed.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Kentucky [Mr. CLEMENTS] to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. KERR. Mr. President, I move that the Senate insist on its amendment to House bill 8750, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. CHAVEZ, Mr. KERR, Mr. GORE, Mr. MCNAMARA, Mr. MARTIN of Pennsylvania, Mr. CASE of South Dakota, and Mr. HRUSKA the conferees on the part of the Senate.

PAUL G. HOFFMAN

The Senate resumed the consideration of the nomination of Paul G. Hoffman to be representative of the United States of America to the 11th session of the General Assembly of the United Nations.

Mr. CASE of New Jersey. Mr. President——

Mr. JOHNSON of Texas. Mr. President, does the distinguished Senator from New Jersey desire to speak on the Hoffman nomination?

Mr. CASE of New Jersey. I do.

Mr. JOHNSON of Texas. For how long?

Mr. CASE of New Jersey. Approximately 2 minutes.

Mr. JOHNSON of Texas. Mr. President, I have talked to Senators on this side of the aisle, and I understand that no other Senator desires to discuss the nomination.

Therefore, Mr. President, I ask unanimous consent that at this time the distinguished Senator from New Jersey may speak for 5 minutes; that at the conclusion of his remarks, there be a quorum call; that when the quorum call is either concluded or the request for it withdrawn, the Senate immediately proceed to vote on the Hoffman nomination.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CASE of New Jersey. Mr. President, the President has nominated a distinguished group of citizens to serve as United States representatives or alternate representatives of the United States to the 11th General Assembly of the United Nations. The Foreign Relations Committee has unanimously approved the nominations.

I do not have the privilege of knowing all of the nominees personally. But, in addition to our own esteemed colleagues—and I warmly subscribe to the tributes which have been paid them here today—there are several with whom I am personally acquainted, and for whom I have the highest regard. Among them is Paul G. Hoffman.

I do not think anyone can know Paul Hoffman and not be impressed by his

deep devotion to the United States and all it stands for. He is a man who for many years has given generously of his time and efforts to public endeavors. His long and distinguished service in various capacities, both within and outside the Government, is too well known to labor here. Let me just point out that as head of the Economic Cooperation Administration, he headed a program which is one of the Nation's most effective weapons against communism. The sincerity of his attachment to American traditions is beyond question, to my mind. Those of us who have worked with him, as I have, know him to be a man of great largeness of spirit, a warmhearted man who has always responded generously to the call for public or civic service. He has been chosen for high public office by two Presidents of the United States. As a member of the United States delegation, he will, I am confident, serve once again with distinction and high honor.

Mr. RUSSELL subsequently said: Mr. President, I desire to make a very brief statement in respect to my position on the nomination of Mr. Paul G. Hoffman, to be a representative of this country to the United Nations. I do this in view of the fact that I did not vote on the nomination; I was called off the floor just before the vote was had. I had hoped to make this statement, in explanation of my position, just prior to the taking of the vote.

Mr. President, I wish to say that I do not question the patriotism or the integrity of Mr. Hoffman. I know of nothing that would cause me to believe that he was a Communist or that he had Communist sympathies.

However, Mr. President, I do say that Mr. Hoffman, as the administrator of the first foreign-aid program this country adopted, in my opinion set a pattern of waste and extravagance that has cost the American taxpayers millions of dollars, because we have never been able to get that program back on a strictly business basis.

He was a prodigal spender. Some of the projects which were undertaken, and the contributions this Government made to them, are almost beyond imagination. I greatly fear that as a representative of this country to the United Nations he will pursue a similar course and commit this country to almost any conceivable expenditure that may be proposed by the United Nations.

I take some comfort in the knowledge that the distinguished Senator from California, the minority leader [Mr. KNOWLAND] will likewise be a delegate to the General Assembly of the United Nations. The Senator from California is a realistic man, a tough-minded man, a patriotic man, and a two-fisted fighter. I hope and trust that the fact that he is there will protect the interests of this country.

As I have stated, I could not have voted to approve the nomination of Mr. Hoffman, not because I question his patriotism or loyalty, but merely because, from such knowledge as I have of his administration of the first foreign aid program, I am caused to doubt his capacity to represent the United States in that important international organization.

Mr. JOHNSON of Texas. Mr. President, under the unanimous-consent agreement which has been entered, I now suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JENNER subsequently said: Mr. President, I ask unanimous consent that just prior to the vote on the Hoffman nomination there be inserted in the RECORD an excerpt from page 7 of the February 1949 issue of the International Free Trade Union News, published by the Free Trade Union Committee of the American Federation of Labor.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

NO ERP AID TO CHINESE QUISLINGS

The following statement concerning American aid to China was issued on December 14, 1948, by the Free Trade Union Committee of the American Federation of Labor:

"The Free Trade Union Committee of the AFL views with consternation the declaration of Paul G. Hoffman, Economic Cooperation Administrator, that American aid to China will continue if and when the present Nationalist Government is replaced by a so-called coalition government in which Communists are included.

"If this declaration were to become the policy of our Government, the highest ideals and best interests of our Nation and the very security of the American people would be gravely jeopardized. We know of no immediate single act by our Government which would so seriously endanger our international peace.

"The civilized, freedom-loving world has had tragic experience aplenty with the policy of including Communists in so-called coalition governments. In Poland, when the self-styled Lublin (Communist) government was merged with the legitimate Polish Government in exile, we only paved the way for the Communists to take over full control of Poland, to drive the Polish people into the Soviet orbit and to destroy every vestige of Polish national independence and liberty.

"Mr. Hoffman's proposal, if translated into American policy, would turn China over to the Cominform and its masters in Moscow. If applied, this proposal would also mean, sooner rather than later, the loss of Southeastern Asia which is a treasure house of natural resources indispensable to the world-wide reconstruction and economic betterment of the peoples of Asia and all other continents. This loss would be a disastrous blow to the economic welfare of the American people and therefore to the entire European recovery program with which Mr. Hoffman is so directly associated.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Paul G. Hoffman to be a representative of the United States of America to the 11th session of the General Assembly of the United Nations? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL], the Senator from North Carolina [Mr. ERVIN], the Senator from Rhode Island [Mr. GREEN], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Washington [Mr. MAGNUSON], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

On this vote, the Senator from Texas [Mr. DANIEL] is paired with the Senator from Tennessee [Mr. KEFAUVER]. If present and voting, the Senator from Texas would vote "nay," and the Senator from Tennessee would vote "yea."

I further announce that, if present and voting, the Senator from Washington [Mr. MAGNUSON] would vote "yea."

I further announce that the Senator from Rhode Island [Mr. GREEN] is paired with the Senator from Idaho [Mr. WELKER]. If present and voting, the Senator from Rhode Island would vote "yea" and the Senator from Idaho would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The Senator from Idaho [Mr. WELKER] is necessarily absent.

The Senator from Ohio [Mr. BENDER] and the Senator from South Dakota [Mr. CASE] are detained on official business.

On this vote, the Senator from Idaho [Mr. WELKER] is paired with the Senator from Rhode Island [Mr. GREEN]. If present and voting, the Senator from Idaho would vote "nay," and the Senator from Rhode Island would vote "yea."

The result was announced—yeas 64, nays 22, as follows:

YEAS—64

Aiken	Hickenlooper	Monroney
Allott	Hill	Morse
Anderson	Holland	Murray
Beall	Humphrey, Minn.	Neely
Bennett	Humphreys, Ky.	Neuberger
Bible	Ives	O'Mahoney
Bush	Jackson	Pastore
Capehart	Johnson, Tex.	Payne
Carlson	Kennedy	Purtell
Case, N. J.	Kerr	Robertson
Chavez	Knowland	Saltonstall
Clements	Kuchel	Scott
Cotton	Laird	Smathers
Douglas	Lehman	Smith, Maine
Duff	Long	Smith, N. J.
Ellender	Mansfield	Sparkman
Flanders	Martin, Iowa	Stennis
Fulbright	Martin, Pa.	Symington
George	McNamara	Thye
Gore	Millikin	Watkins
Hayden	Monroney	Wiley
Hennings	Morse	Williams

NAYS—22

Barrett	Eastland	McCarthy
Bricker	Frear	McClellan
Bridges	Goldwater	Mundt
Butler	Hruska	Schoeppel
Byrd	Jenner	Wofford
Curtis	Johnston, S. C.	Young
Dirksen	Langer	
Dworshak	Malone	

NOT VOTING—10

Bender	Green	Russell
Case, S. Dak.	Kefauver	Welker
Daniel	Magnuson	
Ervin	Potter	

So the nomination was confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be notified of the confirmations on yesterday and today.

The PRESIDING OFFICER. Without objection, the President will be notified of the confirmations.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 849) to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystrophy, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3073) to provide for an adequate and economically sound transportation system or systems to serve the District of Columbia and its environs, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3149) to amend the Civil Aeronautics Act of 1938 in order to permit air carriers to grant free or reduced rate transportation to ministers of religion.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 277. An act for the relief of Jean Pfeifer;

S. 1627. An act for the relief of Alexander Orlov and his wife, Maria Orlov;

S. 1708. An act for the relief of Mr. and Mrs. Ernest M. Kersh;

S. 1893. An act for the relief of Harold D. Robison;

S. 2846. An act for the relief of Don-chean Chu;

S. 3150. An act for the relief of Sgt. and Mrs. Herbert G. Herman;

S. 3473. An act for the relief of Kurt Johan Paro;

S. 3579. An act for the relief of Elizabeth M. A. de Cuevas Faure;

S. 3705. An act to require periodic survey by the Secretary of Commerce of national shipbuilding capability;

H. R. 2603. An act to authorize the Commissioners of the District of Columbia to prescribe the area within which officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia may reside;

H. R. 4993. An act to authorize the Board of Commissioners of the District of Columbia to permit certain improvements to two business properties situated in the District of Columbia;

H. R. 5853. An act to amend the act entitled "An act to regulate the practice of veterinary medicine in the District of Columbia," approved February 1, 1907;

H. R. 7089. An act to provide benefits for the survivors of servicemen and veterans, and for other purposes;

H. R. 7723. An act to authorize the Secretary of Agriculture to convey certain lands in Phelps County, Mo., to the Chamber of Commerce of Rolla, Mo.;

H. R. 8149. An act to amend the first sentence of paragraph (a) of section 756 of title 11 of the District of Columbia Code, 1951 edition (paragraph (a) of section 5 of the act of April 1, 1942, ch. 207, 56 Stat. 193), relating to the transfer of actions from the United States District Court for the District of Columbia to the Municipal Court for the District of Columbia;

H. R. 9742. An act to provide for the protection of the Okefenokee National Wildlife Refuge, Georgia, against damage from fire and drought;

H. R. 9842. An act to authorize the Postmaster General to hold and detain mail for temporary periods in certain cases;

H. R. 10010. An act for the relief of Roy Click; and

H. R. 11077. An act to amend the Atomic Energy Community Act of 1955, and for other purposes.

BANKING STUDY

Mr. FULBRIGHT. Mr. President, ealier this week I joined with the Senator from Virginia [Mr. ROBERTSON], the Senator from Ohio [Mr. BRICKER], and the Senator from Utah [Mr. BENNETT] in introducing Senate Resolution 313, to provide for a study to ascertain what, if any, changes should be made in the Federal laws to improve our banking and credit facilities. The need for such a study is emphasized by the fact that there has been no comprehensive review of the banking statutes since the enactment of the Banking Act of 1935. In the past 20 years there has been a tremendous expansion in our economy and a corresponding increase in the number of new credit and financial agencies. During this period constructive banking legislation has been enacted, but these statutes have been handled on a piecemeal basis without reference to relationship of the financial and credit structure in general.

The introduction of Senate Resolution 313 has served to call attention to the need for a study of this nature. However, since we are now in the closing days of this session, it would not be possible to have the resolution passed by the Senate prior to adjournment. Therefore, the study will proceed under the authority of Senate Resolution 155, which was passed by the Senate last February. This resolution provides full authority and ample funds to carry out the inquiry until Congress reconvenes next January.

I have authorized the Senator from Virginia [Mr. ROBERTSON] to conduct this study on behalf of the Banking and Currency Committee. Thus, all members of the committee will be given an opportunity to participate in this important undertaking. I am very much interested in the inquiry, and I shall, as chairman of the committee, give the Senator from Virginia my full cooperation.

Mr. Donald L. Rogers, counsel to the committee, has been assigned to handle the staff work on this project. We expect, of course, to have the full cooperation of the Federal Reserve Board, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the Federal Home Loan Bank Board, and the Department of Health, Education, and Welfare in regard to aspects of the study which fall within their respective jurisdictions. We also intend to select a relatively small but highly competent advisory committee to assist us in evaluating the various recommendations that are presented and in preparing the final report of the study.

After the adjournment of Congress, the staff, with the help of the interested Federal agencies, will assemble the necessary background information and a general outline of the subjects to be covered. It is expected that later this fall public hearings will be held in Washington and in the financial centers such as New York, Chicago, San Francisco, and Atlanta.

We believe that the study can make an important contribution toward improving the financial and credit facilities of our country by bringing the Federal statutes up to date. We shall welcome the views and recommendations of all individuals and organizations.

CONSTRUCTION OF HEALTH RESEARCH FACILITIES—CONFERENCE REPORT

Mr. HILL. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 849) to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystrophy, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of July 19, 1956, pp. 13570–13571, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. KNOWLAND. Mr. President, I understand from the Senator from Alabama that the report is signed by all the conferees.

Mr. HILL. That is correct. The conference report is signed by all the conferees. This conference report constitutes the passage of another important health measure, authorizing appropriations for the construction of research facilities in an effort to find the cause and cure or prevention of crippling and killing diseases.

Mr. President, we are approaching the closing days of the session. Soon the 84th Congress will be another chapter

in history—another milestone in the progress of our country.

It is difficult in the course of day-by-day debate to maintain a proper perspective on what has been done and what is being done. The problems of the moment loom large and the problems and the solutions of yesterday fade into limbo.

In a sense, this is a healthy attitude. If we were content to rest upon our laurels, progress would come to a halt. If we were satisfied with the achievements of the past, there would be no gains in the present and no prospect of gains in the future.

But it is not resting upon our laurels to summarize the activities of the Congress—to place in perspective the splendid achievements.

Of these achievements, some of the brightest and most enduring are the great strides that have been made in the field of health legislation. This can truly be called a Congress with a heart—a Congress that demonstrated effectively its deep concern for the physical and mental well-being of Americans.

Recently, I undertook to summarize some of the activities of the Senate in the field of health. The results of the study, I believe, are heartening to all those who regard the battle against pain and disease as one which must be prosecuted vigorously.

The record can make all of us proud.

We have faced up to the constantly increasing threat of air and water pollution.

We have provided for fair and equitable distribution of the Salk polio vaccine.

We have moved to place new weapons into the hands of the men who stand in the frontlines of the struggle against all those diseases that kill and cripple mankind.

We have expanded the programs that bring hope to the lame, the halt, and the blind.

We provided the largest appropriation in history for the Children's Bureau and for services to crippled children.

We have made it possible to act effectively in the too-long neglected field of mental illness.

We have provided improved medical research for our veterans' hospitals.

And none of these achievements brought the long hand of the Government into the private practice of medicine. The traditional and healthy relationship of doctor and patient was not disturbed.

I would like to summarize for my colleagues and for the people the truly impressive record.

WE MUST KNOW THE FACTS

It may come as a surprise to many of our people to know that our researchers and our technicians in the field of medicine have been forced to grope in the dark for many years. They simply did not have some of the most basic facts and figures upon which they could base an intelligent attack against the ills of mankind.

We do not know—for sure—how many of our people suffer from which ailments. We do not know—for sure—the cost in lives, in time lost to industry, in suffering to families, of the various diseases.

The last statistics were collected in 1936 and they were invalid by 1937. Since then, all of our plans have been based on estimates and guesses. Those estimates and guesses have been good. But they are no substitute for accurate, precise knowledge.

This Congress has tackled that problem. It has passed legislation to establish the mechanism for a continuing Survey of Sickness. We will not only gather the facts but we will keep them up to date.

Had we done nothing else, this would have been one of the most important steps taken in many years.

HOPE FOR THE HANDICAPPED

However, this Congress realized that absence of precise knowledge was not an excuse for failure to act. The first field which I am going to review is that of rehabilitation for the physically handicapped.

This Congress voted an increase of $5 million in the funds that are used to restore to useful, productive, and happy lives those who have been handicapped by disease or injury. In addition, we extended the program through which such organizations as the Goodwill Industries, Cerebral Palsy Associations, and organizations for the blind have been able to provide training and job opportunities for the stricken.

The Senate also moved to help sightless children—wherever they may be receiving their education—to have the special books and recordings and other materials which they need. For many, this could mean the difference between a life of rich achievement and a life of idle despair.

The problems of our mentally retarded children—nearly 1½ million—were not forgotten. This Senate launched a program to help train teachers who can direct these children into useful paths of life rather than leave them in classrooms where they will learn little and hold back the progress of others.

CARE OF THE SICK

The Senate made important strides in meeting the grave shortage in hospital beds and trained personnel. We voted to extend the hospital construction program of the Hill-Burton act for another 2 years and to appropriate $125 million for its operation next year. We provided funds to set in motion the program authorized in the act to make available to all the fruits of our 10 years of experience and knowledge gained in the building and operation of hospitals and health facilities.

We inaugurated a program to provide badly needed teachers of nursing and hospital nurse supervisors. We also initiated a 5-year program for the vocational education of practical nurses. This latter program will not only prove a great boon to our hospitals and sadly overworked nurses but will also come as a great relief to those victims of chronic illness in need of nursing care not now available to them.

PROTECTING THE PUBLIC'S HEALTH

The 84th Congress took important steps to protect the community from the new hazards to health that have been created by modern technology.

First, we passed a water pollution bill. It provides $50 million a year for 10 years to help the States maintain the purity of their water supplies. It launches a 5-year research program into water pollution. And it strengthens enforcement procedures against those who would pollute our streams and lakes.

Second, we voted a decided increase in research funds for the Public Health Service to seek out the cause and control of air pollution. This was welcome news to some of our great cities where "smog" has ceased to be a somewhat grim jest and has become an actual menace.

Third, the Senate initiated a new program for advanced training in public health work. This means that our officials and public health workers will have at their disposal the knowledge needed to protect all Americans from new health menaces, such as the disposal of radioactive wastes.

THE DIRECT ASSAULT

The high point of the activities of the 84th Congress in the field of health, however, was the direct assault on the great killers and cripplers of mankind.

There are many diseases and ailments about which we know very little. Our very lack of knowledge adds to the dread with which they are regarded.

I need cite only a few—cancer, heart ailments, cerebral palsy, arthritis, and mental illness. These words represent stark tragedy in American homes and among American families.

In the 84th Congress, committees of both branches called in the greatest men of medicine in these fields. They were questioned at length about what could be done, what should be done, and what might be done.

The verdict was unanimous. Three things were needed.

First, funds for research workers.

Second, the provision of more laboratories and research facilities to relieve the serious shortage of research facilities.

Third, the provision of a reservoir of scientific knowledge upon which the research workers could draw.

Let me give you just one example of the many steps which Congress took in this direction.

There is no more tragic or serious illness afflicting humanity than mental sickness. One out of every two hospital beds in this country is occupied by a victim of a mental ailment. The taxpawers lay out directly more than $1,850,000,000 a year to cope with the problem.

The cost is increasing at an estimated rate of $100 million a year. No electronic adding machine could possibly calculate the cost in ruined lives and heartbreak.

Congress authorized a 3-year study of the problem and authorized an appropriation of $1¼ million. The Senate also voted to provide money for experiments in new ways of managing our mental institutions and more effective means of mobilizing our trained experts.

Finally, the 84th Congress authorized the greatest and most imaginative research program ever conceived into the causes and cures of mental illness. It almost doubled the money recommended by the Budget Bureau for this vital inquiry—from $18 million to more than $35 million.

This story can be repeated in practically every major field of disease—in cancer, heart ailments, arthritis, tuberculosis, and many others. Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks a table summarizing the health appropriations of this Congress.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Health items—Department of Health, Education, and Welfare

Item	Fiscal year 1956		Fiscal year 1957	
	Estimates	Appropriations	Estimates	Appropriations
National Heart Institute	$17,278,000	$18,978,000	$22,106,000	$33,396,000
National Cancer Institute	22,238,000	24,828,000	32,437,000	48,432,000
Mental Health Institute	17,501,000	17,751,000	21,749,000	35,197,000
Tuberculosis	6,000,000	6,000,000	6,375,000	6,625,000
Arthritis and Metabolic Diseases	8,740,000	10,740,000	13,345,000	15,885,000
Venereal Disease Control	3,000,000	3,500,000	3,640,000	4,140,000
Communicable Diseases	4,400,000	5,250,000	5,210,000	5,210,000
Dental Health Institute	2,136,000	2,136,000	2,971,000	6,026,000
Neurology and Blindness	8,111,000	9,861,000	12,196,000	18,650,000
Microbiology activities	6,645,000	7,580,000	9,799,000	13,299,000
Total 10 items	96,499,000	106,624,000	129,328,000	186,860,000

DENTAL RESEARCH

Mr. HILL. All of our health problems do not have the dramatic impact of cancer, polio, or heart disease. Nevertheless, there are some forms of illness which take a frightful toll.

It has been estimated that 98 percent of our people suffer from dental disease at some time in their lives. This does not make headlines but it does make for misery, for loss of efficiency and for strain on the family budget.

This Congress more than doubled the administration's request for research funds into dental disease. This was not an arbitrary action but represented the best thinking of outstanding experts, including representatives of the American Dental Association, on funds that could be profitably used in research.

In addition, the 84th Congress voted funds to construct the National Institue of Dental Research which will take its place beside the other great institutes of health at Bethesda.

A RESERVOIR OF KNOWLEDGE

I do not want to leave this part of my remarks without calling attention to an act of incalculable value. It was the vote by the Senate to create the National Library of Medicine—the greatest reservoir of scientific knowledge in the world.

Under this project, our men of science—the men who create the "magic bullets" against the ailments of mankind—would have the medical knowledge of the ages at their fingertips. They would have access to the results of experiments performed hundreds of miles away—and it will be up to date. America's men of medical science, working wherever they may choose and as the creative individuals they are, will function as a great scientific team welded together by a constant interchange of knowledge, ideas, and inspiration. Time will prove that in authorizing the construction of our National Library of Medicine, the Senate has advanced the health of the American people by decades.

HOPE FOR OUR CHILDREN

This discussion would not be complete without a reference to one of the most important steps in the medical field in many decades. It is the discovery and development of the Salk polio vaccine—the culmination of years of research.

Every parent has felt the breath of terror that accompanies the word "polio." Every parent has prayed for a God-given shield that will protect our children from this scourge.

The announcement of the polio vaccine was greeted as a deliverance from fear. And this Congress moved to make the rejoicing a reality. We made it possible for every State in the Union to guarantee that no child need do without the protection regardless of economic circumstances.

For this, America's parents sleep more easily at night.

THAT MEN MAY LIVE

Mr. President, I have made these remarks not out of a spirit of boasting, but out of a quiet pride for this Congress.

The measures and the acts that I have discussed today rarely made headlines. Most of them wound up as an incidental reference in a column of figures attached to a wire service story.

But we are not here to create headlines and spend all of our time in controversy. We have been elected to serve the American people—to so conduct ourselves that men and women and children may live better and more secure lives.

The work that we have done on arthritis may not stir the emotions of those who constantly search for supercharged "issues." But it will bring comfort to millions afflicted by this crippling and little understood disease.

The steps we have taken to rehabilitate the handicapped may not bring cheering throngs into the streets. But they open up new vistas and opportunity to those who were heretofore condemned to a drab, monotonous life as a burden upon their families.

The action we have taken for those who suffer from mental illness may not command columns of newspaper space. But it holds forth the promise of salvaging the most precious of all natural resources—the human mind.

This has been quiet work, unspectacular work. But I view it—as do my colleagues—with a sense of satisfaction that is abiding and will never fade.

This has been a Congress that thought about the people and tried to do something for them. I do not mean people in the mass—an abstract bundle of votes but human beings who were suffering and in need.

This Congress did not fail them and in history it can well go down as the Congress with a heart.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

EXECUTIVE PAY ACT OF 1956

The Senate resumed consideration of the bill (H. R. 7619) to adjust the rates of compensation of the heads of the executive departments and certain other officials of the Federal Government, and for other purposes.

The PRESIDING OFFICER. The committee amendment strikes out all after the enacting clause and inserts a complete substitute. In such cases, under the precedents of the Senate, the substitute is considered as original text for the purpose of amendment, and is subject to amendment in two degrees.

An amendment to the original text would have precedence over an amendment to the substitute.

Amendments to the original text or to the committee substitute will have precedence over a vote on the substitute itself.

INCREASE IN LIMIT OF EXPENDITURES BY THE COMMITTEE ON THE JUDICIARY IN STUDY OF JUVENILE DELINQUENCY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 2566, Senate Resolution 303.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A resolution (S. Res. 303) increasing the limit of expenditures for conducting a study by the Committee on the Judiciary of juvenile delinquency in the United States.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the resolution.

Mr. JOHNSON of Texas. Mr. President, I agreed not to call up the resolution without giving notice to the distinguished Senator from North Dakota and the distinguished Senator from Louisiana.

I see that both those Senators are now on the floor, and the Senator from North Dakota [Mr. LANGER] is prepared to answer any questions.

I yield the floor, Mr. President, so that the Senator from Louisiana may receive recognition.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. ELLENDER. Mr. President, I merely wish to point out to the Senate that when we consider the resolution which supplied $55,000 earlier this year to the Juvenile Delinquency Subcommittee, I was under the impression that the final report would be made and that that would be the end of this already prolonged investigation. As a matter of fact, yesterday I again consulted the CONGRESSIONAL RECORD to refresh my memory and to find the colloquy between myself and the Senator from Tennessee [Mr. KEFAUVER], which indicates that the amount which was provided would be ample to continue the investigations proposed at that time, and also to prepare the final report.

Mr. President, I wish to point out that when the distinguished Senator from Tennessee stated that so far as he was concerned the amount of $55,000 would be sufficient, there was objection voiced by the distinguished Senator from North Dakota [Mr. LANGER], who said he would not feel himself bound by the statement made by the distinguished Senator from Tennessee.

I have here a letter addressed to the distinguished Senator from North Dakota [Mr. LANGER] signed by the Senator from Tennessee [Mr. KEFAUVER] to the effect that the investigations which were contemplated when the $55,000 were provided were completed, that the reports upon them were made, and that there is remaining from the $55,000 appropriation the sum of $24,000.

Now it turns out, as in all other cases, that there is a little investigation which must be made in Wisconsin, and also one in Missouri, which will require more money.

I call the attention of Senators to the fact that when the original resolution to authorize an investigation of juvenile delinquency was considered in 1953, the distinguished former Senator from New Jersey, Mr. Hendrickson—who proposed the investigation—indicated it would not continue ad infinitum, as it now appears will be the case. At that time, the Senate provided a specific amount in order to conduct the juvenile-delinquency investigation. The record shows that Senator Hendrickson said he hoped to complete the investigation with the $75,000 which was made available for that purpose. But what has happened in the meantime? The year following, Mr. Hendrickson came before the Senate and asked for $175,000 more with which to make reports.

Then the subject matter was taken over by the distinguished Senator from Tennessee [Mr. KEFAUVER]. He began to hold hearings.

Up to the present the Senate has spent for an investigation which was not to have cost more than $75,000, the sum of $433,000 of the taxpayers' money. What have we got out of it? Reports on top of reports, studies on top of studies, merely to bring attention to the problem.

Mr. President, I contend that we have had enough investigations of juvenile delinquency. Now is the time for us to act; not to merely continue investigating the problem. It is a matter which should be settled more or less on a local level with full cooperation from the States. The problem will never be solved merely by continuing to bring it to the attention of the people.

I express the hope that the Senate will reject the resolution to continue this work. In my humble judgment, the $24,000 remaining is sufficient. The $30,000 which is requested would be used merely to keep a few employees at work and to conduct hearings in two places, as I understand; namely, in Wisconsin and in Missouri. I believe that the amount of money which still remains would be ample to do the necessary work which remains.

Mr. President, I ask unanimous consent that I may have printed at this point in the RECORD, first, the colloquy which occurred between the former Senator from New Jersey, Mr. Hendrickson, and myself when a similar resolution was first considered in 1953; and, second, the colloquy between the Senator from Tennessee [Mr. KEFAUVER] and myself when he made his plea this year—that is, at this session—for the $55,000 which was to have completed the study.

There being no objection, the colloquies were ordered to be printed in the RECORD, as follows:

[From the CONGRESSIONAL RECORD of June 1, 1953]

STUDY OF JUVENILE DELINQUENCY IN THE UNITED STATES

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Senate Resolution 89, Calendar No. 314.

There being no objection, the Senate proceeded to consider the resolution (S. Res. 89) to study juvenile delinquency in the United States, which had been reported from the Committee on the Judiciary with amendments, and subsequently from the Committee on Rules and Administration with additional amendments. The amendments of the Committee on the Judiciary were, on page 2, after line 4, to insert a new section, as follows:

"SEC. 2. The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate, to hold such hearings, to require by subpenas or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and, within the amount appropriated therefor, to make such expenditures as it deems advisable. The cost of stenographic services to report hearings of the committee or subcommittee shall not be in excess of 40 cents per hundred words. Subpenas shall be issued by the chairman of the committee or the subcommittee, and may be served by any person designated by such chairman.

"A majority of the members of the committee, or duly authorized subcommittee thereof, shall constitute a quorum for the transaction of business, except that a lesser number to be fixed by the committee, or by such subcommittee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony."

In line 25, to change the section number from "2" to "3", and on page 3, line 4, to change the section number from "3" to "4."

The amendments were agreed to.

The additional amendments of the Committee on Rules and Administration were, on page 2, line 3, after the word "violating", to insert "Federal"; on page 3, line 3, after the word "than", to strike out "March 1" and insert "January 31", and in line 9, after the word "exceed", to strike out "$50,000" and insert "$44,000", so as to make the resolution read:

"Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized and directed to conduct a full and complete study of juvenile delinquency in the United States. In the conduct of such investigation special attention shall be given to (1) determining the extent and character of juvenile delinquency in the United States and its causes and contributing factors, (2) the adequacy of existing provisions of law, including chapters 402 and 403 of title 18 of the United States Code, in dealing with youthful offenders of Federal laws, (3) sentences imposed on, or other correctional action taken with respect to, youthful offenders by Federal courts, and (4) the extent to which juveniles are violating Federal laws relating to the sale or use of narcotics.

"SEC. 2. The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate, to hold such hearings, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and, within the amount appropriated therefor, to make such expenditures as it deems advisable. The cost of stenographic services to report hearings of the committee or subcommittee shall not be in excess of 40 cents per hundred words. Subpenas shall be issued by the chairman of the committee or the subcommittee, and may be served by any person designated by such chairman.

"A majority of the members of the committee, or duly authorized subcommittee thereof, shall constitute a quorum for the transaction of business, except that a lesser number to be fixed by the committee, or by such subcommittee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony.

"SEC. 3. The committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest date practicable but not later than January 31, 1954.

"SEC. 4. For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to employ upon a temporary basis such technical, clerical, and other assistants as it deems advisable. The expenses of the committee under this resolution, which shall not exceed $44,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee."

The additional amendments were agreed to.

Mr. ELLENDER. Mr. President, may we have an explanation of the resolution?

Mr. HENDRICKSON. Mr. President, I shall gladly explain this resolution. It authorizes a study of juvenile delinquency, its causes, and contributing factors, throughout the country by a subcommittee of the Committee on the Judiciary. The purpose of the study is to suggest in a report to be submitted to the Senate not later than January 31, 1954, such legislation as may be found to be appropriate.

Mr. ELLENDER. Could the Senator inform us as to whether any such investigation has been conducted in the past?

Mr. HENDRICKSON. There is none pending at this time.

Mr. ELLENDER. Was any such investigation ever made in the past by this body?

Mr. HENDRICKSON. Not to my knowledge.

Mr. ELLENDER. Will the Senator tell us what will be the scope of the investigation?

Mr. HENDRICKSON. It will be primarily to furnish leadership in this field so as to stimulate some activity in the States. In my own State of New Jersey, for example, since the introduction of this resolution, the agency having jurisdiction of this subject has offered to the Senate the services of one of the best criminologists in the country to aid in the investigation. I think we can save a portion of the committee-approved appropriation because of the voluntary aid we shall receive from the States and from the Department of Justice and other agencies of the Federal Government. I look for cooperation all along the line.

Mr. ELLENDER. Is it the Senator's view that the appointing of a subcommittee to investigate the subject will cause the States to follow suit and to assist in the project?

Mr. HENDRICKSON. I feel very definitely that that is the case, Mr. President. I also feel that we have the responsibility of taking some leadership in this field.

Mr. ELLENDER. Is it the purpose of the proposed subcommittee to hold hearings, or simply to gather statistics?

Mr. HENDRICKSON. To hold some hearings; a limited number of hearings. Of course, the subcommittee has not as yet been created. I cannot tell what the subcommittee may do; but, assuming that I may be honored with membership on the subcommittee, I certainly would want to hold hearings. The initial hearings would be attended by appropriate representatives of the Department of Justice and appropriate representatives of the States whose participation may be desired.

Mr. ELLENDER. Would the Senator not say that the investigation would deal primarily with the gathering of statistics?

Mr. HENDRICKSON. No, Mr. President. Statistics will be an important factor, but I think we shall receive some very informative material which will enable us to develop a program at the national level which will aid the States in developing their own individual programs.

Mr. ELLENDER. Mr. President, will the Senator from New Jersey yield further?

Mr. HENDRICKSON. I yield.

Mr. ELLENDER. I notice on page 4 of the report that a proposed budget was made up. Is that on a yearly basis?

Mr. HENDRICKSON. No. It runs from the time of the adoption of the resolution to January 31, 1954. The Committee on Rules and Administration amended the original resolution which provided for an appropriation of $50,000. The amount was reduced to $44,000.

Mr. President, it is my hope that if I may have the privilege of serving on the subcommittee, we shall not use all of the $44,000, because I think we shall receive aid from agencies of the States and from agencies of the Federal Government, which will make unnecessary the employment of all the contemplated personnel.

Mr. ELLENDER. Mr. President, I will say to my distinguished friend from New Jersey that I shall be the most surprised man in the United States if such a thing shall occur, because, as a rule, every dollar appropriated is expended.

The Senator assures us that the amount of money being sought will be used for the employment of the persons indicated on page 4 of the report, up to January 31, 1954.

Mr. HENDRICKSON. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the resolution as amended.

Mr. ELLENDER. Mr. President, will the Senator from New Jersey yield further?

Mr. HENDRICKSON. I gladly yield.

Mr. ELLENDER. Can the Senator give us any assurance that the subcommittee will complete its work on or before January 31, 1954?

Mr. HENDRICKSON. I can give assurance, with the understanding, of course, that I shall be a member of the subcommittee—if I have the good fortune to be a member of it—that I shall insist that we complete our work by the time mentioned.

Mr. ELLENDER. I am sure the Senator will recall that some time ago, when we were considering resolutions providing money for the Judiciary Committee of the Senate, it was pointed out that that committee leads all other committees in the amount of money used for investigation purposes, and my recollection is that the amount was in excess of half a million dollars.

Mr. HENDRICKSON. I am aware of that fact, and I share the feeling of the distinguished Senator from Louisiana with respect to such expenditures. If the Senator will look over my record while serving on the Committee on Rules and Administration, he will find that I insisted again and again on cuts in such appropriations.

Mr. ELLENDER. Since the Senator from New Jersey is the author of this resolution I have no doubt that he will be appointed a member of the subcommittee. I hope so; and I hope he will come to the Senate next year without a request for more funds.

Mr. HENDRICKSON. I sincerely hope that I shall be able to come before the Senate and report exactly the result which the Senator from Louisiana wishes.

Mr. HENDERSON subsequently said: Mr. President, earlier in the session this afternoon the Senate adopted Senate Resolution 89. At the time of the adoption of the resolution I had intended to make a formal statement on that measure. However, the resolution was adopted as a result of colloquy between the distinguished Senator from Louisiana and myself.

Therefore, I ask unanimous consent that my formal statement on the resolution be printed in the RECORD at an appropriate place, in connection with that colloquy.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

"STATEMENT BY SENATOR HENDRICKSON

"I rise today in support of Senate Resolution 89, authorizing a full and complete study of juvenile delinquency.

"It was back on March 4 when I first addressed the Senate concerning this study of one of the grave problems facing this Nation of ours today.

"On March 4, the same day upon which I made my brief remarks, I introduced Senate Resolution 89, directing the Committee on the Judiciary or a duly authorized subcommittee thereof, to make this inquiry to determine the nationwide extent and character of juvenile delinquency, its causes and contributing factors.

"The resolution, in part, calls for a review of present Federal statutes dealing with youthful offenders, correctional action taken with respect to youthful delinquents by Federal courts, and a study of the extent to which juveniles are violating narcotics laws.

"When I first discussed before this body the thoroughly disgraceful story of the rotten roots that are gradually tearing at the sturdy trunk of our most priceless heritage—our youth—I recall having referred to juvenile delinquency as the fifth horseman of doom.

"Since that time, through the medium of our daily newspapers, which are depicting a true and ever more grisly tale of increasing incidence of child crime, we who are concerned with this momentous problem have heard the rising crescendo of hoofbeats from that self-same fifth horseman.

"The Committee on the Judiciary, of which I am proud to be a member, has approved this resolution, as has the Committee on Rules and Administration.

"I believe that the staggering figures, the latest available, as correlated by our Federal Bureau of Investigation, have in no small way pointed up to my responsive and responsible colleagues the need for such an inquiry.

"The newspapers tell only the most sensational part of the story of child crime.

"True enough, the accounts are startling to parents concerned with the spreading problem.

"The recent police raid on a teen-age fraternity 'smoker' here at which obscene motion pictures were displayed is sensational news.

"The 15-year-old New Jersey boy whose father taught him to rob and to murder makes a stark story.

"But I am convinced from a reading of the latest FBI figures that the headlines merely reflect a small part of what is happening to our society—to all levels of our society—which can countenance and enable such tragic events to transpire.

"Please permit me to touch upon merely a part of what the FBI found to be the facts concerning the incidence of child crime in these United States of America.

"Of the more than 1,100,000 arrests reported by 232 cities with populations exceeding 25,000, 147,632, or 13.3 percent, were boys and girls under 21 years of age.

"These youths accounted for 37.2 percent of the robbery arrests, 46.9 percent of the larcenies, 61.7 percent of the burglaries, and 68.6 percent of the auto thefts in the cities.

"More than 13 percent of all auto theft arrests were children who were less than 15 years of age, Mr. President.

"In our very midst, here in the District of Columbia, the Washington Criminal Justice Association reported that in 1952 there was an increase of 60.5 percent in delinquent acts committed by juveniles.

"The pattern is the same throughout the cities of our land. The results of an Associated Press survey made in 1952 showed that about a million children get into trouble each year, and if the total increases only in proportion to the child population, the police will have to handle 1,420,000 child cases in 1960. Heaven help us and our civilization, Mr. President, if the present trend continues.

"That this trend is continuing is known to all too few people. Surely, some parents see the problem. Welfare agencies do. However, too few people are bothering to take a second look at this situation.

"To root the problem out at its core; to alert local authorities to the methods of combating this evil, and where those methods might be falling short; to establish the menace firmly in the public mind for the problem it is—these worthy purposes, Mr. President, constitute part of the scope of this study we are proposing today.

"Since the resolution was introduced, my office has received many expressions of support from agencies such as the American Public Welfare Association, from interested church groups, from State officials and criminologists, and from juvenile and domestic relations court judges.

"These good proponents of my resolution have expressed a variety of reasons for their support. Witness what the Honorable Libby E. Sachar, judge of the juvenile and domestic relations court of Union County, N. J., had to say. Judge Sachar called it a very important piece of legislation, since we have not had a nationwide estimate of the true picture of delinquency for many years. There is no accurate record of the number of delinquents in the United States.

"'I should consider this a great service in terms of having authentic figures and a true estimate of the situation.'

"Commissioner Sanford Bates of our New Jersey Department of Institutions and Agencies, a top-ranking student of criminology, advises me of his belief in the need for stimulation of 'real sacrifice and effort on the part of our parents, our social agencies, our politicians, and our local leaders.'

"I feel that the work of the subcommittee would provide just such stimulation by throwing an effective spotlight on the situation and alert presently disinterested parties right down to the family level of their responsibilities and what they can do in the way of correction.

"The Honorable Harry W. Lindeman, judge of the juvenile and domestic relations court of Essex County, N. J., called the resolution proper and timely. Judge Lindeman wrote: 'I have been greatly concerned during this past year with gangs of the older teen-age boys. When 14- to 17-year-old children take it upon themselves to settle fancied wrongs by use of guns, knives, brass knuckles, auto wrenches, and broken bottles, and when students are beaten and cowed into paying tribute as the price of being left alone, when groups of students of one school prey on students of another to preserve a superior social status or athletic prowess, and when constituted authority is pushed around by junior mobsters, and when citizens are mugged and robbed by gangs of boys seeking an easy dollar, then it is about time for the community and the Nation to map out an overall strategy of action to combat this unhealthy trend.'

"These are just a few of the expressions of support which have been forthcoming since the resolution was introduced. Those who deal with the problem have given of their assurances that this study is a necessary one. I now call on the Senate of the United States to agree to give such expert opinion a forum for their ideas, so that we may correlate what has been done; determine what remains to be done, and supply the responsible agencies throughout our country with an overall study."

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

The resolution (S. Res. 89), as amended, was agreed to.

[From the CONGRESSIONAL RECORD of March 19, 1956]

STUDY OF JUVENILE DELINQUENCY IN THE UNITED STATES

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calandar No. 1411, Senate Resolution 173, relating to the so-called Kefauver special committee for the study of juvenile delinquency in the United States.

The PRESIDING OFFICER. The clerk will state the resolution by title for the information of the Senate.

The CHIEF CLERK. A resolution (S. Res. 173) to conduct a study of juvenile delinquency in the United States.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the resolution (S. Res. 173) to conduct a study of juvenile delinquency in the United States, which had been reported from the Committee on Rules and Administration with amendments, on page 2, line 11, after the word "the", where it appears the first time, to insert "prior", and in line 21 after the word "exceed", to strike out "$150,000" and insert "$110,000", so as to make the resolution read:

"*Resolved*, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate insofar as they relate to the authority of the Committee on the Judiciary to conduct a full and complete study of juvenile delinquency in the United States, including (a) the extent and character of juvenile delinquency in the United States and its causes and contributing factors; (b) the adequacy of existing provisions of law, including chapters 402 and 403 of title 18 of the United States Code, in dealing with youthful offenders of Federal laws; (c) sentences imposed on, or other correctional action taken with respect to, youthful offenders by Federal courts, and (d) the extent to which juveniles are violating Federal laws relating to the sale or use of narcotics.

"SEC. 2. For the purposes of this resolution, the committee, from February 1, 1956, to January 31, 1957, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

"SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1957.

"SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $110,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee."

The PRESIDING OFFICER. The clerk will state the first committee amendment.

The first amendment was, on page 2, line 11, after the word "the", where it appears the first time, to insert "prior."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment was, in line 21, after the word "exceed", to strike out "$150,000" and insert "$110,000."

Mr. KNOWLAND. Mr. President, I understand an additional amendment is to be offered at this point.

Mr. KEFAUVER. Mr. President, in a discussion with the distinguished Senator from Louisiana [Mr. ELLENDER], the distinguished Senator from North Carolina [Mr. ERVIN], and the distinguished Senator from Nebraska [Mr. HRUSKA], I have been informed that the amendments I am about to offer are acceptable.

The PRESIDING OFFICER. Is there objection, first, to the committee amendment just stated?

Mr. KNOWLAND. Mr. President, I wanted to make certain, from a parliamentary standpoint, that there would be no problem involved in treating the committee amendment as though it were an original part of the bill, so that the amendment to be proposed by the Senator from Tennessee will be entirely in order.

The PRESIDING OFFICER. The Senator from Tennessee may proceed.

Mr. KEFAUVER. On page 2, line 7, it is proposed to strike out "February" and insert in lieu thereof "March."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. KEFAUVER. On page 2, line 21, it is proposed to strike out "$110,000" and insert in lieu thereof "$55,000."

The $55,000 will be in addition to the amount which was spent by the committee, under the resolution, for the month of February, $5,000 having been expended at that time. So the total amount the committee will have had under the amendment will be $50,000.

The PRESIDING OFFICER. Without objection, the committee amendment as amended is agreed to.

Mr. KNOWLAND. Mr. President, my understanding is that in line with the other amendment which has been offered, or which is to be offered, the work of the committee will be concluded with this amount. Is that the understanding?

Mr. KEFAUVER. I have written to the senior Senator from Louisiana a letter which sets forth my position. The letter states that, so far as I am concerned, the work of the committee will be continued by a subcommittee of the Committee on the Judiciary with its regular staff. I personally do not expect or intend to ask for special appropriations next year.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. ELLENDER. As I understood the Senator in his conversation with me, the amount which is now proposed would complete the study. Is that correct?

Mr. KEFAUVER. That is correct. There are on the agenda further investigations and additional reports which will be filed and which it is expected will be completed this year.

But I wish to make it clear that of course I cannot speak for any other Member of the Senate or the Committee on the Judiciary. The field of juvenile delinquency is an important one, and other matters might arise. But the agenda we now have, the investigations which are scheduled, and the reports to be filed, are expected to be completed this year.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter dated March 15, 1956, addressed to me by the distinguished Senator from Tennessee.

Mr. MORSE. Mr. President, may we have the letter read?

The PRESIDING OFFICER. The letter will be read by the clerk for the information of the Senate.

The Chief Clerk read as follows:

MARCH 15, 1956.

Hon. ALLEN J. ELLENDER,
United States Senate,
Washington, D. C.

DEAR SENATOR ELLENDER: This will confirm our telephone conversation of Saturday morning concerning Senate Resolution 173 to extend the work of the Subcommittee To Investigate Juvenile Delinquency.

I have talked with the other members of the subcommittee, Senator HENNINGS, Senator DANIEL, Senator LANGER, and Senator WILEY, and they have agreed to go along with the request for $60,000, less one-twelfth for the money expended in February, making a total of $55,000, effective March 1, 1956.

As I told you, as chairman, I will not seek an extension of time nor appropriation for this subcommittee next year, but will advise the Judiciary Committee that the delinquency matters should be handled with the regular staff after we have finished the necessary hearings, reports, and legislation that are before the subcommittee this year, and submit our final report and recommendations.

With kindest regards, I am

Sincerely,

ESTES KEFAUVER,
Chairman.

Mr. MORSE. Mr. President, I should like to address myself to the Senator from Tennessee for just a moment about the problem, because I think we are all looking forward to the report of his committee on juvenile delinquency.

In my opinion we expect much of the committee, and we have a right to expect much of it. I am certain that our expectations

will not be found wanting. In fact, I commend the Senator from Tennessee for the tenacity he has demonstrated in pursuing this very important study.

It has been my observation, however, that too frequently after a special committee has done a great piece of work and reported to the Senate, there is a tendency for the report of such a committee to be placed on file and to gather dust. Then in a few years the problem to which the committee directed its attention remains unsolved, and the investigation procedure must be started all over again.

So I should like to have from the Senator from Tennessee his answer to this question: Am I correct in my understanding that although his subcommittee is supposed to go out of existence, so far as the conducting of a special study on juvenile delinquency is concerned, it is not contemplated by the Committee on the Judiciary that its standing subcommittee, which would have jurisdiction over the subject matter of juvenile delinquency will cease its interest in pursuing the leads which the Senator's special committee report will give to the Committee on the Judiciary and to the Senate?

Mr. KEFAUVER. The Senator is entirely correct.

Mr. ELLENDER. Mr. President, we are confronted by a demand—and I say "a demand," because that is what it boils down to—by the distinguished Senator from North Dakota for another $30,000 to keep this subcommittee in being so as to enable the employees who are now on the payroll of the committee to continue their work. I do not see any good which will come from any further investigations of this problem. As I have stated, the Senate has spent on this investigation up to now $433,000. There is $24,000 remaining, and the resolution calls for $30,000 more. The total amount which this investigation will have consumed—if this request is approved—will be almost a half million dollars for an investigation which was not to have cost more than $75,000 when it was first proposed in the Senate.

The Senate now has an excellent opportunity to rid itself of an investigating subcommittee. I hope and pray that the Senate will reject the resolution.

Mr. LANGER. Mr. President, there is no man for whom I have greater admiration and respect than the senior Senator from Louisiana [Mr. ELLENDER]. I have admired the various fights he has made to save the taxpayers of the United States large sums of money. There is no doubt at all that he has saved them, at various times, very large sums, running into hundreds of thousands of dollars.

The situation relative to the Subcommittee To Investigate Juvenile Delinquency is simply that the subcommittee asked for $105,000. The Committee on the Judiciary considered the matter very fully and, by unanimous vote, raised the amount for which the subcommittee asked to $150,000.

The request then went before the Committee on Rules and Administration, which conducted a full and complete investigation. Various members of the Subcommittee on Juvenile Delinquency appeared at that hearing and produced records. The Committee on Rules and Administration, by a unanimous vote, reported a resolution asking for $110,000. When the resolution was considered by the Senate, the amount was reduced, at the request of the Senator from Louisiana [Mr. ELLENDER] to $55,000.

The subcommittee employs, altogether, 12 persons, including all the investigators. We have already filed 2 reports, which have been ordered to be printed. There has been a widespread heavy demand for these reports. Parent-teachers' associations and clergymen from all over the country have asked for copies of the reports, and have used them.

In addition, the American Legion and the Amvets also became interested in the matter. Finally, all the other organizations composed of veterans of World Wars I and II and of the Korean war became interested in the subject.

When we got into the work, we found it was very much larger in scope than was originally anticipated. We found, for example, between the United States and Mexico—to consider this one item first—2,000 acres of land which are claimed by both Mexico and the United States. I went there to see that land. I went at the request of Protestant and Catholic organizations. What did I find there? I found something which has plagued the State Department for more than 100 years. I found that upon the 2,000 acres of land, on which there are a large number of shacks, there occurs almost every kind of law violation which can be conceived of, including narcotics.

The boundary line of those 2,000 acres between Mexico and the United States consists of two barbed wires. Law enforcement there is almost impossible. I appointed a committee, and we held a hearing. When we came back, we took up the matter with the State Department. The State Department suggested that we leave the matter alone for a while.

A few years ago a commission was appointed, and the Chief Justice of the Court of Canada was the judge. He decided in favor of Mexico. The United States refused to be bound by his decision. The result has been that between the United States and Mexico a problem exists which absolutely defies description.

A short time later, Judge Donovan, of St. Paul, Minn., rendered a decision, with which I feel certain every Senator is familiar, dealing with the black market in babies. He sent to the penitentiary some of the persons who appeared before him. Judge Donovan called upon the committee to investigate juvenile delinquency to make a full and complete investigation of the black market in babies.

Mr. President, I never could have believed that the situation which developed there could have existed in the United States of America. We found that women who had served terms in the penitentiaries had homes from which babies were being sold in the black market.

We found that four lawyers in the city of Chicago were trafficking in this business.

We found that unwed mothers, shortly after pregnancy, went to those lawyers and bargained to sell their babies at from $2,500 to $5,000 each.

In Miami, Fla., we discovered a headquarters in this black market baby business. It is fair estimate to say, from all the evidence adduced, that approximately 25,000 babies were being sold in the black market each year.

Let us take the matter of pornographic literature. The amount my distinguished friend from Louisiana has mentioned, nearly half a million dollars, has been spent; and in my opinion, it is the best money the United States has spent in years and years.

In Baltimore we found one outfit which had a diagram of the places which were dealing in pornographic literature. We found it to be a $150 million business. We found that there were branches of the Baltimore business in New York; and in New York man after man pleaded the first, and in some instances, the fifth amendment. They would not let the committee have their income-tax returns, and they would not testify where they got their pornographic literature.

We went to Houston, Tex. We went to my own State of North Dakota. A man by the name of Levine had three places from which pornographic literature had been distributed, not only to high-school boys, but to boys in the seventh and eighth grades. Levine was arrested, and I am glad to say was sent to the penitentiary by a Federal judge in the State of North Dakota.

The committee considered the question of correctional institutions. We consulted members of the Supreme Court with respect to getting their opinion as to whether additional courts should be created to deal with the matter of juvenile delinquency. That question is now under consideration.

We went to Alaska. I know that if my good friend the Senator from Louisiana, for whom I have the deepest affection, had been in the Aleutian Islands with us, and had seen the terrible juvenile delinquency situation existing there, he would be speaking now, not in opposition to the $30,000 appropriation, but he would be asking for $100,000. The situation is terrible. A report, which has not been published, but which has been prepared, goes into detail. We have to get the approval of the report from the Judiciary Committee. It is in the process of being submitted now, together with two other reports which are ready to be submitted to the Judiciary Committee. In addition, we are in the course of preparation of two other reports.

I might say that on a previous occasion I took up the matter of Indian juvenile delinquency in North Dakota.

This is one committee which does not get many headlines. It may be for that reason that some Senators are not as familiar with the problem as are Senators who are active in the committee.

We learned that at Fort Yates, N. Dak., 50 Indian juveniles who were in jail were using a common toilet. The situation in that jail was described by the chairman of the committee, the Senator from Tennessee [Mr. KEFAUVER], as the worst he had ever seen in his life. We took the matter up with the Indian Office. I am happy to report that $50,000 has been spent at Fort Yates in North Dakota to build a better jail.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. MANSFIELD. I am delighted that the distinguished Senator from North Dakota has given us a résumé of the activities of the committee of which he is an honored member. I am especially glad that he has brought to the attention of the Senate the situation of the Indians, because the Senator from Louisiana has mentioned that these matters should be settled at the State and local level. As a matter of fact, the Indians are supposed to be wards of the Federal Government. If they are on reservations, we can take care of them, but there are Indians living off the reservations in Billings, Butte, Havre, Mont., and a large aggregation of them on Hill 57 and Mount Royal outside of Great Falls, Mont. These landless Indians, who are not affiliated with any tribe, are being tossed back and forth by the Bureau of Indian Affairs in Washington and by the local authorities in the State. The result is that an undue burden has been placed on the counties, municipalities, and States in looking after the Indians.

The Bureau of Indian Affairs, in my opinion, is deliberately shirking its responsibilities in regard to these Indians, because they are not affiliated with any tribe. It is a social problem. Delinquency is rampant. I think we are not doing our duty when we ignore the first citizens of our country, the people from whose ancestors we took this continent. I certainly hope something will be done along the lines of Indian rehabilitation, especially for the landless Indians who are not affiliated with any tribes.

I have been informed that when the Senator appeared before the Committee on Rules and Administration, it was his intention to look into the Montana situation to see if something could not be done to give the Indians who live in city dumps on Hill 57 and Mount Royal in the vicinity of Great Falls, some stability and to put the burden where it belongs so far as their welfare is concerned.

Mr. LANGER. I thank the Senator. I might say it is the intention of the senior Senator from North Dakota, who is the ranking minority member of the committee, to go to the State of Montana, and I should like to take with me the two distinguished Senators from Montana.

Mr. President, let us consider the question of the Indian children who are not going to school. I call attention to the fact that the attorney general of New Mexico testified that thousands of Indian children, some of them 16 years old, and some of whom could not talk English, were not going to school. The present distinguished Governor of Arizona, the former majority leader of the Senate, Governor McFarland, testified that in the State of Arizona today 8,000 Indians of school age were not attending school. The distinguished senior Senator from Arizona [Mr. HAYDEN] can testify to that fact.

We discussed the situation of the Papago Tribe, located about 100 miles from Tucson, where the hospital had burned in 1947. The head of the Board of Health of the State of Arizona testified that of every 100 children born to that tribe, 17 of them died bfeore they were 1 year old. Forty-two percent of them died before they were 6 years old. Fifty-two percent of them died before they were 17 years old.

When the situation was brought to the attention of the Senators from Arizona, the two Senators from that State [Mr. HAYDEN and Mr. GOLDWATER] got together and offered an amendment to the supplemental appropriation bill providing nearly $2 million, with the result that a hospital is being built today. If it had not been for the Juvenile Delinquency Subcommittee, that death rate would still be going up. Not only that, but the death rate from tuberculosis among those Indian children is 30 times what the death rate is for the white people.

Mr. President, I could talk on this matter for hours, because it is very close to my heart, but I have stated the situation in substance.

Mr. ELLENDER. Mr. President, I was rather amused by what the distinguished Senator from North Dakota, as well as the distinguished Senator from Montana, said. All of us are acquainted with the situation with regard to the Indians. We have taken care of many of them. But I make the point that the evils referred to cannot be cured merely by exposing them.

Up to now we have had 30 hearings on juvenile delinquency—14 during the 83d Congress and 16 during the 84th Congress. One report was made during the 83d Congress, and 7 reports were made during the 84th Congress.

All we have obtained are reports on top of reports, following hearings on top of hearings.

Mr. President, in order to deal with this difficulty, something other than hearings must occur. We shall never deal with the difficulty merely by exposing it. I do not know of any legislation that has resulted from any of the hearings, although that was the reason for the original investigation.

Mr. LANGER. I may say that 17 bills are pending.

Mr. ELLENDER. They have been pending, but they have never been considered by the Senate. Certainly enough testimony is now on hand to make it possible for action to be taken by the committee on the pending bills.

My point is that the subcommittee holds hearings and makes reports; but when the bills designed to correct the evils complained of are before the committee, the committee takes the position that it must hold hearings over and over again. As the distinguished Senator from North Dakota has said, legislation has been proposed. However, it is still in the committees.

Mr. President, I say it is just a waste of the time of Senators and it is an unnecessary expense to continue these hearings.

As I have pointed out on many occasions, the Senate has been increasing the appropriations for investigations by many, many thousands of dollars each year. Last year, as I remember, the Senate spent in the neighborhood of $1,900,000 for special investigations. This year the expenditure will amount to $2,189,583.38. Of that huge sum, the Judiciary Committee spent $917,666.69, the RECORD reveals that the Judiciary Committee has spent almost half of the total amount the Senate has from year to year been making available for its special investigations. I think it is time to stop some of them, and the juvenile delinquency investigation in particular should be brought to a close without the appropriation of a single additional penny.

Mr. KNOWLAND. Mr. President, will the Senator from Louisiana yield, so that I may address an inquiry to the Senator from North Dakota?

Mr. ELLENDER. Certainly. Mr. President, I yield the floor.

Mr. KNOWLAND. Mr. President, I know of the great interest the Senator from North Dakota [Mr. LANGER] has constantly had in the matter of juvenile delinquency, particularly in respect to the Indian investigation, which he feels very deeply that he would like to continue, and that it should be continued, and that the reports should be made available to the Senate and to the country.

As the Senator from North Dakota has quite correctly pointed out, when there was colloquy on this subject with the distinguished Senator from Tennessee on the floor of the Senate on March 19, 1956—as appears at page 5029 of the CONGRESSIONAL RECORD—a commitment was made by the Senator from Tennessee that if the resolution then pending—which called for $55,000—was adopted, that would make it possible for the work to be completed, and it would be completed. But, as the Senator from North Dakota has pointed out, he himself made his views clear at that time, and stated that he would not feel personally bound by such an arrangement.

I would be prepared to support the Senator's resolution if he would agree to an amendment to strike out "$85,000" and insert "$80,000." That would allow the Senator $25,000 with which to carry on that work and, I hope, to bring it to completion and to develop the facts which he feels that it is very important to develop.

Mr. LANGER. Mr. President, let me say that my heart is very, very sad; but I reluctantly accept the amendment. It is better to get $25,000 for these poor, poor, neglected and starved Indians, than to get nothing.

Mr. KNOWLAND. Mr. President, I offer the amendment, and I wish to thank the Senator from North Dakota.

Mr. LANGER. Mr. President, I wish to thank my friend, the Senator from California, for being willing to have at least that amount made available.

The PRESIDING OFFICER. The amendment of the Senator from California will be stated.

The LEGISLATIVE CLERK. On page 1, in line 6, after the word "exceed", it is proposed to strike out "$85,000", and to insert in lieu thereof "$80,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California.

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the resolution, as amended.

The resolution (S. Res. 303), as amended, was agreed to, as follows:

Resolved, That Senate Resolution No. 173, agreed to on March 20, 1956, be amended by striking out in section 4, lines 21 and 22, "Expenses of the committee, under this resolution, which shall not exceed $55,000" and inserting in lieu thereof the following: "Expenses of the committee, under this resolution, which shall not exceed $80,000."

TRANSPORTATION SYSTEM FOR THE DISTRICT OF COLUMBIA AND ITS ENVIRONS—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, the distinguished Senator from Michigan [Mr. McNAMARA] has a conference report which he wishes to have the Senate consider. I understand that all the papers in connection with the conference report are now at the desk; and I ask the Senator from Michigan to submit the report.

Mr. McNAMARA. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3073) to provide for an adequate and economically sound transportation system or systems to serve the District of Columbia and its environs, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read, for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of July 19, 1956, pp. 13571–13576, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. KNOWLAND. Mr. President, I think a brief explanation should be made, for the RECORD, of what the conference report provides regarding the District of Columbia transit problem.

Mr. McNAMARA. Mr. President, the conference report merely sets forth the criteria under which the Commissioners of the District of Columbia are authorized to enter into an agreement with a private operator, for the operation of a transit system in the District of Columbia.

The report further authorizes the Commissioners of the District of Columbia, in the event the pending contract does not reach completion, to deal with other private operators. The report sets forth almost nothing else of consequence. It anticipates that the contract pending between the Capital Transit Co. and the so-called Chalk group will take effect approximately on August 15.

I hope that statement supplies the necessary information.

Mr. President, I move the adoption of the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

ADDITIONAL FUNDS FOR THE COMMITTEE ON RULES AND ADMINISTRATION

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 2457, Senate Resolution 306, providing additional funds for the Committee on Rules and Administration.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the resolution.

Mr. ELLENDER. Mr. President, as I understand the resolution, it provides for an additional $100,000 with which to carry on investigations, should there be any contest in the elections.

Mr. JOHNSON of Texas. That is my understanding.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 306) was agreed to, as follows:

Resolved, That Senate Resolution 176, agreed to February 17, 1956, is hereby amended as follows:

In section 4, strike out "$50,000" and insert in lieu thereof "$150,000."

APPOINTMENT OF FEDERAL HIGHWAY ADMINISTRATOR IN BUREAU OF PUBLIC ROADS AND ONE ADDITIONAL ASSISTANT SECRETARY OF COMMERCE—DISCHARGE OF A COMMITTEE—CHANGE OF REFERENCE

Mr. JOHNSON of Texas. Mr. President, an authorization bill (S. 4164) to provide for the appointment of a Federal Highway Administrator in the Bureau of Public Roads, one additional Assistant Secretary of Commerce, and for other purposes was referred to the Committee on Post Office and Civil Service on July 3. I call the attention of the Senate to the Reorganization Act of 1946, which establishes the jurisdiction of the Committee on Public Works over all measures relating to roads and post roads.

The Committee on Public Works has worked hard and long on the Federal Aid Highway Act, which recently became law. It is believed that the program should be carried forward under competent administration and supervision.

Therefore, I move that the Committee on Post Office and Civil Service be discharged from the further consideration of Senate bill 4164, and that it be referred to the Committee on Public Works, in order that that committee may consider the questions the bill involves.

The bill provides for the employment of a Federal Highway Administrator in the Bureau of Public Roads and for one additional Secretary of Commerce, and has some other purposes.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. DOUGLAS. Do I understand correctly that this is a proposal to create more assistant secretaries?

Mr. JOHNSON of Texas. It is not a proposal by the Senator from Texas to create them; it is a proposal by the Senator from Kansas [Mr. CARLSON] to provide for the appointment of a Federal Highway Administrator in the Bureau of Public Roads and also for the appointment of an additional Assistant Secretary of Commerce.

The bill was originally referred to the Committee on Post Office and Civil Service, but it was thought that the Committee on Public Works, which has a deep interest in the matter, should have jurisdiction over the bill, and the chairman and the other members of that committee have asked me to request that the bill be referred to their committee. I understand that that is agreeable to the distinguished Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President, when the bill was referred to the Committee on Post Office and Civil Service, naturally we proceeded to act on it but if matters will be expedited by having the bill referred to the Committee on Public Works, we have no objection to its rereferral.

Mr. JOHNSON of Texas. As I understand, an amendment will be offered to delete certain provisions from this bill.

Mr. JOHNSTON of South Carolina. I so understand.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. CARLSON. As the chairman has stated, this section of the bill deals with the creation of new positions because of the new highway legislation, recently passed. It was included in the bill only to get action. I certainly have no objection to having the bill referred to the Committee on Public Works.

The Government has been spending half a billion dollars a year for road construction throughout the Nation. For the next 2 years it will be spending $3 billion. I sincerely hope that early action will be taken. I have no objection to the rereferral of the bill.

The PRESIDING OFFICER. The question is on the motion of the Senator from Texas that the Committee on Post Office and Civil Service be discharged from the further consideration of Senate bill 4164, and that the bill be referred to the Committee on Public Works.

The motion was agreed to.

MEETING OF THE COMMITTEE OF THE JUDICIARY FROM 3 TO 5 P. M. TODAY, FOR THE PURPOSE OF CONSIDERING CERTAIN BILLS

Mr. EASTLAND. Mr. President, I send a proposed unanimous-consent agreement to the desk and ask that the clerk read it.

The PRESIDING OFFICER. Without objection, it will be read by the clerk.

The Chief Clerk read as follows:

I ask unanimous consent that the Senate Committee on the Judiciary be authorized, upon call by the chairman, to meet during the session of the Senate from 3 p. m. to 5 p. m., on the afternoon on Friday, July 20, 1956, for the purpose of considering only the bills which were listed on page 13498 of the CONGRESSIONAL RECORD of yesterday, July 19, when unanimous consent was granted the Judiciary Committee to meet this morning. The said bills are to be called up and considered in the order designated by the chairman and any amendments thereto shall be germane within the judgment of the chairman of the commitee. Any other bills, nominations or motions can be considered by unanimous consent of the committee.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

SUPPLEMENTATION OF FEDERAL RECLAMATION LAWS—CONFERENCE REPORT

Mr. ANDERSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5881) to supplement the Federal reclamation laws by providing for Federal cooperation in non-Federal projects and for participation by non-Federal agencies in Federal projects. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. GORE in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of June 12, 1956, pp. 10096–10098, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. WATKINS. Mr. President, I wish to make an observation and to ask some questions of the Senator from New Mexico with respect to the conference report.

I was one of the conferees on this measure. I also had a bill which would have authorized the same type of program. There were a number of other bills, and eventually we worked out the committee bill. Is that correct?

Mr. ANDERSON. That is correct.

Mr. WATKINS. The committee bill merged the best features of all the bills presented, and this is the measure which finally went to conference. Substantially the same provisions are in the conference report as were in the bill when it passed the Senate.

Mr. ANDERSON. The Senator from Utah had a bill, the Senator from Nevada [Mr. BIBLE] had a bill, and the Senator from Wyoming [Mr. BARRETT] had some suggestions to make. We worked them over and came out with a bill containing those provisions.

Mr. WATKINS. It was a bipartisan effort.

Mr. ANDERSON. It was a bipartisan effort, in which we all joined.

Mr. WATKINS. Under the circumstances, it had to do with the passage of the watershed amendment. Does the Senator from New Mexico see any possible conflict between the two measures?

Mr. ANDERSON. No. The small projects bill will be chiefly utilized in the reclamation States. The other bill will be utilized in the remaining areas of the country. The two bills are more or less companion measures. The small projects bill should be passed, because it is very essential to the Western States.

Mr. WATKINS. The Poage bill, so-called, is applicable all over the United States, is it not?

Mr. ANDERSON. That is correct.

Mr. WATKINS. Mr. President, I should like to say, if I may, that this bill marks a period of great progress in reclamation and water development not only in the West, but throughout the United States. For many years the people of the West have desired this kind of legislation so that small projects which are not under consideration by the Bureau of Reclamation may receive some attention. Many of them are difficult to have built. They require long-term financing and it is difficult to get the money. That is one reason why the people wanted legislation to take care of the smaller projects which would have an overall effect which is very important to the economy of the West.

I am very happy that the small projects bill has been reported and is now before the Senate for final approval. I think a splendid job was done, particularly by the Subcommittee on Reclamation and Irrigation, and I am happy to have been associated with the distinguished Senator from New Mexico in working out the program.

Mr. ANDERSON. We were all very happy to have the Senator from Utah associated with us.

Mr. BARRETT. Mr. President, I wish to join in commending the Senator from New Mexico. This is a very important measure to all the States in the West. Under the provisions now in the conference report, it is applicable to the reclamation States in the West; is that correct?

Mr. ANDERSON. That is correct.

Mr. BARRETT. The bill provides that local organizations shall pay not to exceed 25 percent of that part of the costs which are allocable to nonreimbursable items.

Mr. ANDERSON. That is correct.

Mr. BARRETT. I think it is a splendid piece of legislation and will do a great deal for the development of the West.

Mr. BIBLE. Mr. President, I simply wish to associate myself with the remarks just made. I think this is a splendid piece of legislation.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. DOUGLAS subsequently said: Mr. President, earlier in the day the eminent Senator from New Mexico [Mr. ANDERSON] called up a conference report on the Small Projects Reclamation Act. At the time the conference report was agreed to, I was not on the floor, although I had given notice that I wished to be notified when the conference report was brought up. Through an unavoidable error, that was not done. The Senator from New Mexico is perfectly innocent in the matter. He should in no sense be blamed for it. But the truth is that the conference report was agreed to with a very small attendance of Senators on the floor, and I did not have an opportunity to inquire about the bill as I had hoped to do.

I have had a private conversation with the Senator from New Mexico. I am now delighted to see that he has just come on the floor. I would appreciate it if, out of order, I might have the opportunity to ask some questions of the Senator from New Mexico with particular reference to the 160-acre limitation provision.

Is my understanding correct that when the small projects reclamation bill passed the Senate, it included an amendment, sponsored by the Senator from Illinois, which provided that the present 160-acre limitation should be continued?

Mr. ANDERSON. That is correct; that provision was in the bill, and the conference report preserved the 160-acre principle as to all new land.

Mr. DOUGLAS. The wording, however, which the Senator from Illinois inserted, was eliminated; is not that true? I do not find it in the bill as it has come back from conference.

Mr. ANDERSON. I think the exact language which the Senator from Illinois placed in the bill was eliminated, but I am certain when I say to him that on all new land which will be brought in by the Small Projects Act the 160-acre limitation will apply.

Mr. DOUGLAS. That is, land which previously had not received irrigation water?

Mr. ANDERSON. Land which never had been irrigated. As to land which has been irrigated previously, of course, Congress has had a fairly consistent practice of not applying the 160-acre limitation to such tracts.

I call the attention of the able Senator from Illinois to the fact that in some cases there has been an attempt to limit the acreage. In this particular instance, for his information, I may say that if the area exceeds 160 acres, then there must be a special payment of interest, beyond the 160 acres, during the entire period, at the rate which the Government is paying for its money, so long as that money is furnished. That will tend to discourage the use of this type of water on supplemental land. That applies to everything over 160 acres.

Mr. DOUGLAS. I thank the Senator from New Mexico for that statement. This is at least an improvement over some procedures.

But is not the term "supplemental water" frequently abused? Is it not true that as to certain land, notably in the Central Valley of California, water will be pumped from subsurface deposits, and then when water is brought out through the irrigation ditches, that water is said to be supplemental water, and the water is then brought down from the mountains through the irrigation ditches, freed from the 160-acre limitation? In this way the taxpayers' money is used to help big and not small farmers.

Mr. ANDERSON. I am not able specifically to answer the question. I believe more water is used as surface water, perhaps, in the Central Valley project than anywhere else; but the problem in the Central Valley project is sometimes to get rid of excess water, not to acquire new water.

I must say to the Senator from Illinois that the problem of the Central Valley project in California has been extremely complex; it is not like anything else in the United States. But I point out to him that in some of the legislation which has been passed, provision was made that the water might be supplied without interest up to 480 acres. In the case of the Big Thompson project, in Colorado, there was no restriction whatever on supplemental water; the area could go up to 2,000 acres, if that was desired.

Mr. DOUGLAS. That provision, I might say, was adopted over the objection of the Senator from Illinois.

Mr. ANDERSON. It was the will of Congress; but I point out to the Senator that we have come a long way toward meeting his objection. We have come from the several thousand acres provided in the Big Thompson to 480 acres in the San Luis; and from the 480 acres in the San Luis, we came to 160 acres in this bill. The bill meets exactly the 160-acre limitation.

Mr. DOUGLAS. But on supplemental water one can go up to 480 acres in this bill provided he pays the interest.

Mr. ANDERSON. In this bill he will start to pay interest at 160 acres, whereas in the San Luis project there was an exemption up to 480 acres. No interest was paid up to 480 acres. So the bill is as close to a 160-acre limitation as it can come and still recognize supplemental water rights.

Mr. DOUGLAS. The 160-acre limitation, which was placed in the original Reclamation Act by Senator Newlands, of Nevada, and which was approved, as I remember it, by President Theodore Roosevelt, is basic to our water policy; namely, that the Government should make these expenditures in order to build up small farms rather than huge farms.

Mr. ANDERSON. Precisely; but I may say to the Senator from Illinois that the original Reclamation Act was related to areas in regions where the climate was extremely favorable, and 160 acres was sufficient for a farm. But in the areas at higher levels, where there is a short growing season and a rather limited time in which to grow a crop, the Bureau of Reclamation itself has recognized that the 160-acre limitation is not workable.

Mr. DOUGLAS. The regions at higher altitudes, having short growing seasons, are the regions in which probably there should be no irrigation projects. They are regions which grow forage crops, and in some cases fruits; but they do not have the high yields per acre of the low altitudes in the Salt River Valley, the Central Valley, and the Imperial Valley.

I have noticed that the reclamation advocates are always willing and anxious to extend the 160 acres, but are never willing to contract it. In the low altitudes, where citrus fruit is grown, one can make a very good living on 20, 30, or 40 acres.

The so-called 160-acre limitation—which is really a 320-acre limitation, because a man's wife also will be given 160 acres—provides riches beyond dreams of avarice for those in the lush valleys I have mentioned. Nevertheless, there is never any proposal to reduce the acreage limitations in those areas. No; the proposal is to extend the acreage limitation, wherever that can be done. The principle of flexibility works only one way.

I should like to ask one final question. There is a water shortage not merely in the so-called irrigation States, but there is also a great water shortage all over the country, and many authorities, such as Professor Sears, now of Yale, formerly of the University of Oklahoma, and who is a great geographer and an expert on climate, maintains that a much larger increase in agricultural production can be obtained by irrigating the Middle West than by irrigating the Southwest; and that the added yield from 5 or 6 inches more water in Illinois would be far more effective than would 12 inches of water on the barren sands of New Mexico.

Mr. ANDERSON. I would say to the Senator from Illinois that that statement is perfectly correct, and that is probably why the delta of the Mississippi, one of the richest of all the farmlands in the world, has turned to irrigation.

Mr. DOUGLAS. Does the bill confine itself to the irrigation States, or does it permit the small irrigation projects to be constructed in States to the east of the so-called irrigation area?

Mr. ANDERSON. I can answer the Senator in this way: There were two bills, this bill and the Poage bill. The provisions were contained at one time in one bill. Then it was deemed undesirable to pass it in that form, because one agency administers the provisions of the law for the so-called irrigation States, and the Poage bill was passed for the other States. The bill passed the Senate this morning.

Mr. DOUGLAS. Has it passed the House?

Mr. ANDERSON. It has passed the House.

MEMBERSHIP AND PARTICIPATION BY THE UNITED STATES IN THE AMERICAN INTERNATIONAL INSTITUTE FOR THE PROTECTION OF CHILDHOOD

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from the further consideration of House Joint Resolution 664 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, the Committee on Foreign Relations is discharged from the consideration of House Joint Resolution 664, which will be read by title.

The joint resolution (H. J. Res. 664) to amend the joint resolution providing for membership and participation by the United States in the American International Institute for the Protection of Childhood and authorizing an appropriation therefor was read twice by title.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution (H. J. Res. 664) was considered, ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that Senate Joint Resolution 195 be indefinitely postponed.

The PRESIDING OFFICER. Senate Joint Resolution 195 is indefinitely postponed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed, without amendment, the following bills of the Senate:

S. 1777. An act to amend the Interstate Commerce Act in order to authorize common carriers to carry a disabled person requiring an attendant and such attendant at the usual fare charged for one person;

S. 2572. An act to authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes; and

S. 3832. An act to provide for the disposal of the Government-owned synthetic rubber research laboratories at Akron, Ohio.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 5337) to amend the provisions of the Perishable Agricultural Commodities Act, 1930, relating to practices in the marketing of perishable commodities.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7225) to amend title II of the Social Security Act to provide disability insurance benefits for certain disabled individuals who have attained age 50, to reduce to age 62 the age on the basis of which benefits are payable to certain women, to provide for continuation of child's insurance benefits for children who are disabled before attaining age 18, to extend coverage, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COOPER, Mr. MILLS, Mr. GREGORY, Mr. REED of New York, and Mr. JENKINS were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2182) for the relief of the city of Elkins, W. Va.

The message further announced that the House insisted upon its amendment to the bill (S. 3903) to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase the amount authorized to be appropriated for purposes of title II of the act, and for other purposes, disagreed to by the Senate; agreed to the

conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COOLEY, Mr. POAGE, Mr. GRANT, Mr. HOPE, and Mr. ANDRESEN were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 86) authorizing the conferees on H. R. 1774, abolishing the Verendrye National Monument, N. Dak., to consider certain additional Senate amendments.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 5435. An act to amend further the Federal Civil Defense Act of 1950, as amended, to authorize the Federal Civil Defense Administration to procure radiological instruments and detection devices, and for other purposes;

H. R. 11969. An act to require certain safety devices on household refrigerators shipped in interstate commerce;

H. R. 12170. An act to remove the present $1,000 limitation which prevents the Secretary of the Navy from settling certain claims arising out of the crash of a naval aircraft at the Wold-Chamberlain Airfield, Minneapolis, Minn.; and

H. J. Res. 549. Joint resolution granting the consent of Congress to the State of New York to negotiate and enter into an agreement or compact with the Government of Canada for the establishment of the Niagara Frontier Port Authority with power to take over, maintain, and operate the present highway bridge over the Niagara River between the city of Buffalo, N. Y., and the city of Fort Erie, Ontario, Canada.

The message also announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 254. Concurrent resolution authorizing the printing of additional copies of House Reports Nos. 2240, 2241, 2242, 2243, and 2244, current session;

H. Con. Res. 261. Concurrent resolution authorizing the printing of additional copies of the hearings on civil defense for national survival held during the current session by a subcommittee of the Committee on Government Operations;

H. Con. Res. 262. Concurrent resolution authorizing the Joint Committee on Atomic Energy to print 40,000 additional copies of the hearings of the Research and Development Subcommittee on Progress Report on Research in Medicine, Biology, and Agriculture Using Radioactive Isotopes; and

H. Con. Res. 263. Concurrent resolution authorizing additional copies of the hearing on Labor-Management Problems of the American Merchant Marine.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 3498. A bill to extend authority of the American Battle Monuments Commission to all areas in which the Armed Forces of the United States have conducted operations since April 6, 1917, and for other purposes; and

H. R. 9801. An act to authorize and direct the Panama Canal Company to construct, maintain, and operate a bridge over the Panama Canal at Balboa, C. Z.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H. R. 5435. An act to amend further the Federal Civil Defense Act of 1950, as amended, to authorize the Federal Civil Defense Administration to procure radiological instruments and detection devices, and for other purposes; to the Committee on Armed Services.

H. R. 11969. An act to require certain safety devices on household refrigerators shipped in interstate commerce; to the Committee on Interstate and Foreign Commerce.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The concurrent resolution (H. Con. Res. 254) authorizing the printing of additional copies of House Reports Nos. 2240, 2241, 2242, 2243, and 2244, current session, was referred to the Committee on Rules and Administration, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Un-American Activities, House of Representatives, 10,000 additional copies each of House Reports Nos. 2240, 2241, 2242, 2243, and 2244, current session, all of which are reports on the Communist conspiracy.

The concurrent resolution (H. Con. Res. 261) authorizing the printing of additional copies of the hearings on civil defense for national survival held during the current session by a subcommittee of the Committee on Government Operations, was referred to the Committee on Rules and Administration, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Government Operations not to exceed 3,000 additional copies of each part of the hearing held by the Subcommittee on Military Operations, Committee on Government Operations, during the current session relative to civil defense for national survival.

The concurrent resolution (H. Con. Res. 262) authorizing the Joint Committee on Atomic Energy to print 40,000 additional copies of the hearings of the Research and Development Subcommittee on "Progress Report on Research in Medicine, Biology, and Agriculture Using Radioactive Isotopes," was referred to the Committee on Rules and Administration, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed with illustrations for the use of the Joint Committee on Atomic Energy 40,000 additional copies of the hearings held by the Research and Development Subcommittee of the said joint committee during the 84th Congress entitled "Progress Report on Research in Medicine, Biology, and Agriculture Using Radioactive Isotopes."

The concurrent resolution (H. Con. Res. 263) authorizing additional copies of the hearing on Labor-Management Problems of the American Merchant Marine, was referred to the Committee on Rules and Administration as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Merchant Marine and Fisheries, House of Representatives, 1,000 additional copies of the hearing held by said committee during the current Congress, first session, relative to labor-management problems of the American merchant marine.

EXECUTIVE PAY ACT, 1956

The Senate resumed the consideration of the bill (H. R. 7619) to adjust the rates of compensation of the heads of executive departments and of certain other officials of the Federal Government, and for other purposes, which had been reported from the Committee on Post Office and Civil Service with an amendment to strike out all after the enacting clause and insert:

TITLE I—BASIC COMPENSATION FOR HEADS OF EXECUTIVE DEPARTMENTS AND OTHER FEDERAL OFFICIALS

SEC. 101. This title may be cited as "Federal Executive Pay Act of 1956."

SEC. 102. The annual rate of basic compensation of each of the offices or positions listed in this section shall be $25,000.

(1) Secretary of State.
(2) Secretary of Treasury.
(3) Secretary of Defense.
(4) Attorney General.
(5) Postmaster General.
(6) Secretary of the Interior.
(7) Secretary of Agriculture.
(8) Secretary of Commerce.
(9) Secretary of Labor.
(10) Secretary of Health, Education, and Welfare.

SEC. 103. (a) The annual rate of basic compensation of each of the offices or positions listed in this subsection shall be $22,500.

(1) Director, Bureau of the Budget.
(2) Comptroller General.
(3) Director, Office of Defense Mobilization.
(4) Under Secretary of State.
(5) Deputy Secretary of Defense.

(b) The annual rate of basic compensation of each of the offices or positions listed in this subsection shall be $22,000.

(1) Secretary of the Army.
(2) Secretary of the Navy.
(3) Secretary of the Air Force.

SEC. 104. The annual rate of basic compensation of each of the offices or positions listed in this section shall be $21,000.

(1) Commissioner, Internal Revenue.
(2) Director of Central Intelligence.
(3) Director, Federal Bureau of Investigation.
(4) Administrator, Federal Civil Defense Administration.
(5) Administrator of General Services.
(6) Administrator of Housing and Home Finance Agency.
(7) Administrator of Veterans' Affairs.
(8) Director, International Cooperation Administration.
(9) Director, United States Information Agency.
(10) Governor, Farm Credit Administration.
(11) President, Export-Import Bank of Washington.
(12) Under Secretary of the Treasury.
(13) Under Secretary of the Treasury for Monetary Affairs.
(14) Deputy Postmaster General.
(15) Under Secretary of Interior.
(16) Under Secretary of Agriculture.
(17) Under Secretary of Commerce.
(18) Under Secretary of Commerce for Transportation.
(19) Under Secretary of Labor.
(20) Under Secretary of Health, Education, and Welfare.

SEC. 105. The annual rate of basic compensation of each of the offices or positions listed in this section shall be $20,500.

(1) Chairman, Civil Aeronautics Board.
(2) Chairman, Civil Service Commission.
(3) Chairman, Council of Economic Advisers.
(4) Chairman, Federal Communications Commission.
(5) Chairman, Board of Directors, Federal Deposit Insurance Corporation.
(6) Chairman, Federal Maritime Board.
(7) Chairman, Federal Power Commission.
(8) Chairman, Board of Governors, Federal Reserve System.
(9) Chairman, Federal Trade Commission.
(10) Chairman, Foreign Claims Settlement Commission.
(11) Chairman, Home Loan Bank Board.
(12) Chairman, Interstate Commerce Commission.
(13) Chairman, National Labor Relations Board.
(14) Chairman, National Mediation Board.
(15) Chairman, Railroad Retirement Board.
(16) Chairman, Renegotiation Board.
(17) Chairman, Securities and Exchange Commission.
(18) Chairman, Subversive Activities Control Board.
(19) Chairman, Board of Directors, Tennessee Valley Authority.
(20) Chairman, United States Tariff Commission.
(21) Comptroller of the Currency.
(22) Assistant Comptroller General.
(23) Deputy Administrator, Federal Civil Defense Administration.
(24) Deputy Administrator of Veterans' Affairs.
(25) Deputy Director, Bureau of the Budget.
(26) Deputy Director, Central Intelligence Agency.
(27) Deputy Director, Office of Defense Mobilization.
(28) Deputy Director, United States Information Agency.
(29) Deputy Under Secretary, Department of State (3).
(30) Director, Federal Mediation and Conciliation Service.
(31) First Vice President, Export-Import Bank of Washington.

SEC. 106. (a) The annual rate of basic compensation of each of the offices or positions listed in this subsection shall be $20,000.

(1) Administrator, Bureau of Security and Consular Affairs, State Department.
(2) Administrator of Civil Aeronautics.
(3) Administrator, Commodity Stabilization Service.
(4) Administrator, Rural Electrification Administration.
(5) Administrator, Small Business Administration.
(6) Administrator, St. Lawrence Seaway Development Corporation.
(7) Administrator, Wage and Hour Division, Department of Labor.
(8) Archivist of the United States.
(9) Assistant Directors, Bureau of the Budget (2).
(10) Assistant Postmasters General (5).
(11) Assistant Secretaries of Agriculture (3).
(12) Assistant Secretaries of Commerce (3).
(13) Assistant Secretaries of Defense (9).
(14) Assistant Secretaries of Health, Education, and Welfare (2).
(15) Assistant Secretaries of Interior (3).
(16) Assistant Secretaries of Labor (3).
(17) Assistant Secretaries of State (10).
(18) Assistant Secretaries of Treasury (3).
(19) Assistant Secretaries of Air Force (4).
(20) Assistant Secretaries of Army (4).
(21) Assistant Secretaries of Navy (4).
(22) Associate Director, Federal Bureau of Investigation.
(23) Chairman, Military Liaison Committee, AEC, Department of Defense.
(24) Commissioner, Community Facilities, Housing and Home Finance Agency.
(25) Commissioner, Federal Housing Administration.
(26) Commissioner of Patents.
(27) Commissioner, Public Housing Administration.
(28) Commissioner, Urban Renewal Administration.
(29) Counselor of the Department of State.
(30) Deputy Administrator, Housing and Home Finance Agency.
(31) Deputy Administrator, General Services Administration.
(32) Deputy Director, Central Intelligence Agency.
(33) Director, Administrative Office of the United States Courts.
(34) Director, Bureau of Prisons.
(35) Director, National Advisory Committee for Aeronautics.
(36) Director, National Science Foundation.
(37) Director, Selective Service.
(38) Federal Highway Administrator.
(39) Fiscal Assistant Secretary of the Treasury.
(40) General Counsel, National Labor Relations Board.
(41) Governor of Alaska.
(42) Governor of the Canal Zone.
(43) Governor of Hawaii.
(44) Governor of Guam.
(45) Governor of the Virgin Islands.
(46) Librarian of Congress.
(47) President, Federal National Mortgage Association.
(48) Public Printer.
(49) Special Assistant to the Secretary, Department of Health, Education, and Welfare.
(50) Under Secretary of the Army.
(51) Under Secretary of the Navy.
(52) Under Secretary of the Air Force.
(53) Legal Adviser, solicitor, or general counsel of an executive department (excluding Department of Justice).
(54) Members of boards and commissions (excluding chairmen):

Civil Aeronautics Board (4).
Civil Service Commission (2).
Council of Economic Advisers (2).
Board of Directors, Export-Import Bank of Washington (3).
Federal Communications Commission (6).
Federal Deposit Insurance Corporation (1).
Board of Governors of Federal Reserve System (6).
Federal Maritime Board (2).
Foreign Claims Settlement Commission (2).
Federal Power Commission (4).
Federal Trade Commission (4).
Home Loan Bank Board (2).
Interstate Commerce Commission (10).
National Labor Relations Board (4).
National Mediation Board (2).
Railroad Retirement Board (2).
Renegotiation Board (4).
Securities and Exchange Commission (4).
Subversive Activities Control Board (4).
Board of Directors, Tennessee Valley Authority (2).
U. S. Tariff Commission (5).

(b) The annual rate of basic compensation of each of the offices or positions listed in this subsection shall be $19,000.

(1) Commissioner, Indian Claims Commission (3).
(2) Commissioner, United States Court of Claims (12).

SEC. 107. The annual rate of basic compensation of each of the offices or positions listed in this section shall be $17,500.

(1) Administrator, Agricultural Research Service, Department of Agriculture.
(2) Administrator, Bonneville Power Administration.
(3) Administrator, Farmers' Home Administration.
(4) Administrator, Soil Conservation Service, Department of Agriculture.
(5) Assistant Director, Administrative Office of the United States Courts.
(6) Associate Director, Federal Mediation and Conciliation Service.
(7) Chief Assistant Librarian of Congress.
(8) Chief Forester of the Forest Service, Department of Agriculture.
(9) Chief of Staff, Joint Committee on Internal Revenue Taxation.
(10) Commissioner of Customs.
(11) Commissioner, Federal Supply Service, General Services Administration.
(12) Commissioner of Narcotics.
(13) Commissioner of Public Buildings Service.
(14) Commissioner of Public Roads.
(15) Commissioner of Reclamation.
(16) Commissioner of Social Security.
(17) Commissioner, United States Court of Claims (12).
(18) Deputy Administrator, Small Business Administration (2).
(19) Deputy Administrator, St. Lawrence Seaway Development Corporation.
(20) Deputy Commissioner, Internal Revenue.
(21) Deputy Public Printer.
(22) First Assistant Commission of Patents.
(23) Manager, Federal Crop Insurance Corporation, Department of Agriculture.

SEC. 108. Except as otherwise specifically provided in this title, the chairman or other head of each independent board or commission in the executive branch shall receive, during the period of his service as chairman or other head of such board or commission, annual basic compensation at a rate which is $500 more than the annual rate of basic compensation prescribed by this title for the other members of such board or commission.

SEC. 109. Section 105 of title 3 of the United States Code is amended to read as follows:

"§ 105. Compensation of secretaries and executive, administrative, and staff assistants to President.

"The President is authorized to fix the compensation of the 6 administrative assistants authorized to be appointed under section 106 of this title, of the Executive Secretary of the National Security Council, and of 8 other secretaries or other immediate staff assistants in the White House Office, as follows: Two at rates not exceeding $22,500 per annum, 3 at rates not exceeding $21,000 per annum, 7 at rates not exceeding $20,000 per annum, and 3 at rates not exceeding $17,500 per annum."

SEC. 110. The annual compensation for each of the offices established by section 1 (d) of Reorganization Plan Numbered 7 of 1953, effective August 1, 1953 (67 Stat. 639) shall be established by the Secretary of State at a rate not more than $19,000.

SEC. 111. Section 2 of Public Law 565, 79th Congress, approved July 30, 1946 (60 Stat. 712), is amended by striking out "$12,000" and inserting in lieu thereof "$15,000".

SEC. 112. Section 527 (b) of the Mutual Security Act of 1954, approved August 26, 1954 (Public Law 665, 83d Cong.) 68 Stat. 832)) is amended by striking out "$15,000 per annum" and inserting in lieu thereof "$19,000 per annum."

SEC. 113. (a) The compensation schedule for the General Schedule contined in section 603 (b) of the Classification Act of 1949, as amended, is amended by striking out:

"GS–17..... 13,975 14,190 14,405 14,620
GS–18..... 14,800"

and inserting in lieu thereof:

"GS–17.. 13,975 14,190 14,405 14,620 14,835
GS–18.. 16,000."

(b) The rates of basic compensation of officers and employees to whom this section applies shall be initially adjusted as follows:

(1) If the officer or employee is receiving basic compensation immediately prior to the effective date of this act at a scheduled rate of grade 17 or 18 of the General Schedule, he shall receive a rate of basic compensation at the corresponding scheduled rate in effect on and after such date;

(2) If the officer or employee, immediately prior to the effective date of this section, is in a position in grade 17 of the General Schedule and is receiving basic compensation at a rate between two scheduled rates of such grade, he shall receive a rate of basic compensation at the higher of the two corresponding rates in effect on and after such date;

(3) If the officer or employee, immediately prior to the effective date of this section, is in a position in grade 17 of the General Schedule and is receiving basic compensation at a rate which is in excess of the maximum scheduled rate of his grade as provided in this section, he shall continue to receive such higher rate of basic compensation until (i) he leaves such position, or (ii) he is entitled to receive basic compensation at a righer rate by reason of the operation of the Classification Act of 1949, as amended; but when such position becomes vacant, the rate of basic compensation of any subsequent appointee thereto shall be fixed in accordance with such act, as amended.

SEC. 114. The Postal Field Service Schedule in section 301 (a) of the act of June 10, 1955 (Public Law 68, 84th Cong.) is amended by striking out:

"18.... 12,500 12,800 13,100 13,400 13,700 14,000 14,300
19.... 13,600 13,900 14,200 14,500 14,800
20.... 14,800"

and inserting in lieu thereof:

"18.... 12,800 13,100 13,400 13,700 14,000 14,300 14,600
19.... 14,000 14,300 14,600 14,900 15,200
20.... 16,000."

SEC. 115. Section 3 of the act of January 3, 1946, as amended (38 U. S. C. 15b), is hereby amended as follows:

(a) The last sentence of section 3 (b) is amended to read: "During the period of his service as such, the Chief Medical Director shall be paid a salary of $17,800 a year."

(b) The last sentence of section 3 (c) is amended to read: "During the period of his service as such, the Deputy Chief Medical Director shall be paid a salary of $16,800 a year."

(c) That portion of section 3 (d) which precedes the proviso is amended to read: "Each Assistant Chief Medical Director shall be appointed by the Administrator upon the recommendation of the Chief Medical Director and shall be paid a salary of $15,800."

SEC. 116. (a) The first section of the act approved August 1, 1947 (61 Stat. 715; Public Law 313, 80th Cong.), as amended, relating to salary limitations on research and development positions requiring the services of specially qualified scientific or professional personnel in certain departments and agencies, is amended by striking out "$10,000" and "$15,000" and inserting in lieu thereof "$12,500" and "$19,000", respectively.

(b) Section 208 (g) of the Public Health Service Act, as amended (42 U. S. C. 210 (g)), relating to salary limitations on research and development positions requiring the services of specially qualified scientific or professional personnel in the Public Health Service is amended by striking out '$10,000" and "$20,000" and inserting in lieu thereof "$12,000" and "$19,000", respectively.

SEC. 117. The salary amendments contained in section 116 shall not affect the authority of the Civil Service Commission or the procedure for fixing the pay of individual officers or employees under the statutes therein amended; except that the existing rate of basic compensation of any officer or employee to whom such section applies which is less than a rate of $12,500 per annum shall be increased to such rate on the effective date of this title.

SEC. 118. Section 12 of the act of May 29, 1884, as amended (21 U. S. C. 113a), relating to salary limitation on technical experts or scientists for research and study of foot-and-mouth disease and other animal diseases, is hereby amended by striking out "$15,000" and inserting in lieu thereof "$19,000."

SEC. 119. The last paragraph under the heading "Contingent Expenses of the Senate" in the Legislative Appropriation Act, 1956, is amended by striking out so much thereof as reads "the basic compensation of one employee of each such committee may be fixed at any rate not in excess of $8,460 per annum" and inserting in lieu thereof "the basic compensation of two employees of each such committee may be fixed at any rate not in excess of $8,460 per annum."

SEC. 120. The gross rate of compensation of the Legislative Counsel of the Senate shall be $17,500 per annum.

SEC. 121. This title shall take effect at the beginning of the first pay period commencing after June 30, 1956.

TITLE II—PROVISIONS RELATING TO ORGANIZATION OF CIVIL SERVICE COMMISSION

SEC. 201. (a) The first section of the act entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883, as amended (5 U. S. C., sec. 632), is amended by inserting immediately after the first paragraph thereof a paragraph as follows:

"The term of office of each such Commissioner shall be 6 years, except that (1) the terms of office of the Commissioners holding office on the effective date of this paragraph (including the term of office of an individual appointed to fill any vacancy in the Commission existing on such effective date) shall expire, as designated by the President, one at the end of 2 years, one at the end of 4 years, and one at the end of 6 years, after such effective date; (2) any Commissioner appointed to fill a vacancy occurring prior to the expiration of the term of his predecessor shall be appointed for the remainder of such term; and (3) upon the expiration of his term of office a Commissioner may continue to serve until his successor is appointed and has qualified."

(b) Such first section of such act of January 16, 1883, is further amended by adding at the end thereof the following paragraph:

"In addition to designating a Chairman of the Commission from time to time, pursuant to section 1 of Reorganization Plan No. 5 of 1949, the President shall from time to time designate one of the Commissioners as Vice Chairman of the Commission. During the absence or disability of the Commissioner designated as Chairman, or in the event of a vacancy in the office of such Commissioner, the Commissioner designated as Vice Chairman shall perform those functions of the Chairman which were transferred to the Chairman by the provisions of section 2 (a) (2) to 2 (a) (6), inclusive, of such Reorganization Plan. During the absence or disability of both the Commissioner designated as Chairman and the Commissioner designated as Vice Chairman, or in the event of vacancies in the offices of both such Commissioners, the remaining Commissioner shall perform such functions. During the absence or disability of all three Commissioners, or in the event of vacancies in the offices of all three Commissioners, the Executive Director shall perform such functions; but the Executive Director shall at no time sit as a member or acting member of the Commission."

SEC. 202. (a) This section and section 201 (b) shall take effect on the date of enactment of this act.

(b) Section 201 (a) shall take effect on March 1, 1957.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. (a) The President shall hereafter appoint, by and with the advice and consent of the Senate, a General Counsel of the Post Office Department, a General Counsel of the Department of Agriculture, a General Counsel of the Department of Health, Education, and Welfare, a General Counsel of the Department of the Army, a General Counsel of the Department of the Navy, and a General Counsel of the Department of the Air Force.

(b) The existing office of Solicitor of the Post Office Department and the existing offices of General Counsel of the Department of Agriculture, the Department of Health, Education, and Welfare, the Department of the Army, the Department of the Navy, and the Department of the Air Force, shall be abolished effective upon the appointment and qualification of the General Counsels of such respective departments provided for by subsection (a) or April 1, 1957, whichever is earlier.

SEC. 302. Section 505 of the Classification Act of 1949, as amended, is amended by striking out "subsections (c), (d), and (e)" in subsection (b) and inserting in lieu thereof "subsections (c), (d), (e), and (f)"; and by adding at the end of such section a new subsection as follows:

"(f) The Director of the Administrative Office of the United States Courts is authorized to place a total of four positions in the Administrative Office of the United States Courts in grade 18 of the General Schedule. Such positions shall be in addition to the number of positions authorized to be placed in such grade by subsection (b)."

SEC. 303. (a) The positions of seven Directors of Commodity Offices, Commodity Stabilization Service, Department of Agriculture, shall be in grade GS–16 of the General Schedule established by the Classification Act of 1949, as amended. Such positions shall be in addition to the number of positions authorized to be placed in such grade by section 505 (b) of such act.

(b) The positions of three Deputy Administrators of the Agricultural Research Service, Department of Agriculture, shall be in grade GS–18 of the General Schedule established by the Classification Act of 1949, as amended. Such positions shall be in addition to the number of positions authorized to be placed in such grade by section 505 (b) of such act.

SEC. 304. (a) Notwithstanding any other provision of law, order, or regulation, the head of the Bureau of Public Roads in the Department of Commerce shall be a Federal Highway Administrator appointed by the President by and with the advice and consent of the Senate. The Administrator shall receive basic compensation at the rate prescribed by law for Assistant Secretaries of executive departments and shall perform such duties as the Secretary of Commerce may prescribe or as may be required by law.

(b) The term "Commissioner of Public Roads" as used in all laws, orders, and regulations heretofore enacted, issued, or promulgated shall be deemed to mean "Federal Highway Administrator" on and after the date of enactment of this act.

(c) Notwithstanding the provisions of subsection (b) hereof there shall be a Commissioner of Public Roads in the Bureau of Public Roads who shall be appointed by the Secretary of Commerce, and perform such duties as may be prescribed by the Federal Highway Administrator.

SEC. 305. The paragraph under the heading "General Provisions" under the appropriations for the Post Office Department contained in chapter IV of the Supplemental Appropriation Act, 1951 (64 Stat. 1050; 31 U. S. C. 695), is amended by striking out "the receipt of revenue from fourth-class mail service sufficient to pay the cost of such service" and inserting "that the cost of

fourth-class mail service will not exceed by more than 10 percent the revenues therefrom."

TITLE IV—CIVIL SERVICE RETIREMENT

SEC. 401. The Civil Service Retirement Act of May 29, 1930, as amended, is amended to read as follows:

"Definitions

"SECTION 1. Wherever used in this act—

"(a) The term 'employee' shall mean a civilian officer or employee in or under the Government and, except for purposes of section 2, shall mean a person to whom this act applies.

"(b) The term 'Member' shall mean the Vice President, a United States Senator, Representative in Congress, Delegate from a Territory, or the Resident Commissioner from Puerto Rico and, except for purposes of section 2, shall mean a Member to whom this act applies.

"(c) The term 'congressional employee' means an employee of the Senate or House of Representatives or of a committee of either House, an employee of a joint committee of the two Houses, an elected officer of the Senate or House of Representatives who is not a Member of either House, the Legislative Counsel of the Senate and the Legislative Counsel of the House of Representatives and the employees in their respective offices, an Official Reporter of Debates of the Senate and a person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties, a member of the Capitol Police force, an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate, and an employee of a Member if such employee's compensation is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives.

"(d) The term 'basic salary' shall not include bonuses, allowances, overtime pay, or salary, pay, or compensation given in addition to the base pay of the position as fixed by law or regulation: *Provided*, That the term 'basic salary' shall not include military pay for persons who enter upon active military service after the effective date of this act: *And provided further*, That for employees paid on a fee basis, the maximum amount of basic salary which may be used shall be $10,000 per annum. For a Member, the term 'basic salary' shall include, from April 1, 1954, to February 28, 1955, the amount received as expense allowance under section 601 (b) of the Legislative Reorganization Act of 1946, as amended, and such amount from January 3, 1953, to March 31, 1954, provided deposit is made thereon as provided in section 4.

"(e) The term 'average salary' shall mean the largest annual rate resulting from averaging, over any period of 5 consecutive years of creditable service, a Member's or an employee's rates of basic salary in effect during such period, with each rate weighted by the time it was in effect.

"(f) The term 'fund' shall mean the civil-service retirement and disability fund created by the act of May 22, 1920.

"(g) The terms 'disabled' and 'disability' shall mean totally disabled for useful and efficient service in the grade or class of position last occupied by the employee or Member by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on his part within the 5 years next prior to becoming so disabled.

"(h) The term 'widow,' for purposes of section 10, shall mean the surviving wife of an employee or Member who was married to such individual for at least 2 years immediately preceding his death or is the mother of issue by such marriage.

"(i) The term 'widower,' for purposes of section 10, shall mean the surviving husband of an employee or Member who was married to such employee or Member for at least 2 years immediately preceding her death or is the father of issue by such marriage. The term 'dependent widower,' for purposes of section 10, shall mean a 'widower' who is incapable of self-support by reason of mental or physical disability, and who received more than one-half his support from such employee or Member.

(j) The term 'child,' for purposes of section 10, shall mean an unmarried child, including (1) an adopted child, and (2) a stepchild or recognized natural child who received more than one-half his support from and lived with the Member or employee in a regular parent-child relationship, under the age of 18 years, or such unmarried child regardless of age who because of physical or mental disability incurred before age 18 is incapable of self-support.

"(k) The term 'Government' shall mean the executive, judicial, and legislative branches of the United States Government, including Government-owned or controlled corporations and Gallaudet College, and the municipal government of the District of Columbia.

"(l) The term 'lump-sum credit' shall mean the unrefunded amount consisting of (1) the retirement deductions made from the basic salary of an employee or Member, (2) any sums deposited by an employee or Member covering prior service, and (3) interest on such deductions and deposits at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter compounded annually to December 31, 1956, or, in the case of an employee separated or transferred to a position not within the purview of this act before he has completed 5 years' service or a Member separated before he has completed 5 years of Member service, to the date of the separation or transfer. The lump-sum credit shall not include interest if the service covered thereby aggregates 1 year or less, nor shall it include interest for the fractional part of a month in the total service.

"(m) The term 'Commission' shall mean the United States Civil Service Commission.

"(n) The term 'annuitant' shall mean any former employee or Member who, on the basis of his service, has met all requirements of the act for title to annuity and has filed claim therefor.

"(o) The term 'survivor' shall mean a person who is entitled to annuity under this act based on the service of a deceased employee or Member or of a deceased annuitant.

"(p) The term 'survivor annuitant' shall mean a survivor who has filed claim for annuity.

"(q) The term 'service' shall mean employment which is creditable under section 3.

"(r) The term 'military service' shall mean honorable active service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States, but shall not include service in the National Guard except when ordered to active duty in the service of the United States.

"(s) The term 'Member service' shall mean service as a Member and shall include the period from the date of the beginning of the term for which the Member is elected or appointed to the date on which he takes office as a Member.

"Coverage

"SEC. 2. (a) This act shall apply to each employee and member, except as hereinafter provided.

"(b) This act shall not apply to the President, to any judge of the United States as defined under section 451 of title 28 of the United States Code, or to any employee of the Government subject to another retirement system for Government employees.

"(c) This act shall not apply to any Member or to any congressional employee until he gives notice in writing, within 6 months after the date of entrance into the service, to the officer by whom his salary is paid, of his desire to come within the purview of this act.

"(d) This act shall not apply to any temporary congressional employee unless such employee is appointed at an annual rate of salary and gives notice in writing, within 6 months after the date of entrance into the service, to the officer by whom his salary is paid, of his desire to come within the purview of this act.

"(e) The Commission may exclude from the operation of this act any employee or group of employees in the executive branch of the United States Government, or of the District of Columbia government upon recommendation by its Commissioners, whose tenure of office or employment is temporary or intermittent, except that no employee shall be excluded under this subsection after he shall have had more than 12 months' continuous service.

"(f) This act shall not apply to any temporary employee of the Administrative Office of the United States Courts, of the courts specified in section 610 of title 28 of the United States Code; and the Architect of the Capitol and the Librarian of Congress are authorized to exclude from the operation of this act any employees under the office of the Architect of the Capitol and the Library of Congress, respectively, whose tenure of employment is temporary or of uncertain duration.

"(g) Notwithstanding any other provision of law or any Executive order, this act shall apply to each United States Commissioner whose total compensation for services rendered as United States Commissioner is not less than $3,000 in each of the last 3 consecutive calendar years (1) ending prior to the effective date of the Civil Service Retirement Act amendments of 1956 or (2) ending prior to the first day of any calendar year which begins after such effective date. For the purposes of this act, the employment and compensation of each such United States Commissioner coming within the purview of this act pursuant to this subsection shall be held and considered to be on a daily basis when actually employed; but nothing in this act shall affect, otherwise than for the purposes of this act, the basis, under applicable law other than this act, on which such United States Commissioner is employed or on which his compensation is determined and paid.

"Creditable service

"SEC. 3. (a) An employee's service for the purposes of this act including service as a substitute in the postal service shall be credited from the date of original employment to the date of the separation upon which title to annuity is based in the civilian service of the Government. Credit shall similarly be allowed for service in the Pan American Sanitary Bureau. No credit shall be allowed for any period of separation from the service in excess of 3 calendar days.

"(b) An employee or Member shall be allowed credit for periods of military service prior to the date of the separation upon which title to annuity is based; however, if an employee or Member is awarded retired pay on account of military service, the period of service upon which such retired pay is based shall not be included, unless such retired pay is awarded on account of a service-connected disability incurred in line of duty or is awarded under title III of Public Law 810, 80th Congress, except that for purposes of section 9 (c) (1), a Member (1) shall be allowed credit only for periods of military service not exceeding 5 years, plus any military service performed by the Member upon leaving his office, for the purpose of performing such service, during any war or national emergency proclaimed by the President or declared by the Congress and prior to his final separation from service as Member and (2) may not receive credit for military service for which credit is allowed for the purposes of

retired pay under any other provisions of law. Nothing in this act shall affect the right of an employee or a Member to retired pay, pension, or compensation in addition to the annuity herein provided.

"(c) Credit shall be allowed for leaves of absence granted an employee while performing military service or while receiving benefits under the Federal Employees' Compensation Act of September 7, 1916, as amended. Except for a substitute in the postal service, there shall be excluded from credit so much of any other leaves of absence without pay as may exceed 6 months in the aggregate in any calendar year.

"(d) An employee who during the period of any war, or of any national emergency as proclaimed by the President or declared by the Congress, has left or leaves his position to enter the military service shall not be considered, for the purposes of this act, as separated from his civilian position by reason of such military service, unless he shall apply for and receive a lump-sum benefit under this act.

"(e) The total service of an employee or Member shall be the full years and 12th parts thereof, excluding from the aggregate the fractional part of a month, if any.

"(f) An employee must have completed at least 5 years of civilian service before he shall be eligible for annuity under this act.

"(g) An employee or Member must have, within the 2-year period preceding any separation from service, other than a separation by reason of death or disability, completed at least 1 year of creditable civilian service during which he was subject to this act before he or his survivors shall be eligible for annuity under this act based on such separation. Failure to meet this service requirement shall not deprive the individual or his survivors of any annuity rights which attached upon a previous separation.

"(h) An employee who (1) has at least 5 years' Member service and (2) has served as a Member at any time after August 2, 1946, shall not be allowed credit for any service which is used in the computation of an annuity under section 9 (c).

"(i) In the case of each United States Commissioner who comes within the purview of this act pursuant to section 2 (g) of this act, service rendered prior to, on, or after the effective date of the Civil Service Retirement Act amendments of 1956 as United States Commissioner shall be credited for the purposes of this act on the basis of one three-hundred-and-thirteenth of a year for each day on which such United States Commissioner renders service in such capacity and which is not credited for the purposes of this act for service performed by him in any capacity other than United States Commissioner. Such credit shall not be granted for service rendered as United States Commissioner for more than 313 days in any 1 year.

"Deductions and deposits

"SEC. 4. (a) From and after the first day of the first pay period which begins after December 31, 1956, there shall be deducted and withheld from each employee's basic salary an amount equal to 7 percent of such basic salary and from each Member's basic salary an amount equal to 8 percent of such basic salary. From and after the first day of the first pay period which begins after June 30, 1957, an equal sum shall also be contributed from the respective appropriation or fund which is used for payment of his salary, pay or compensation, or in the case of an elected official, from such appropriation or fund as may be available for payment of other salaries of the same office or establishment. The amounts so deducted and withheld by each department or agency, together with the amounts so contributed, shall, in accordance with such procedures as may be prescribed by the Comptroller General of the United States, be deposited by the department or agency in the Treasury of the United States to the credit of the fund. There shall also be so credited all deposits made by employees or members under this section. Amounts contributed under this subsection from appropriations of the Post Office Department shall not be considered as costs of providing postal service for the purpose of establishing postal rates.

"(b) Each employee or Member shall be deemed to consent and agree to such deductions from basic salary, and payment less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all regular services during the period covered by such payment, except the right to the benefits to which he shall be entitled under this act, notwithstanding any law, rule, or regulation affecting the individual's salary.

"(c) Each employee or Member credited with civilian service after July 31, 1920, for which, for any reason whatsoever, no retirement deductions or deposits have been made, may deposit with interest an amount equal to the following percentages of his basic salary received for such service:

	Percentage of basic salary	Service period
Employee	2½	Aug. 1, 1920, to June 30, 1926.
	3½	July 1, 1926, to June 30, 1942.
	5	July 1, 1942, to June 30, 1948.
	6	July 1, 1948, to Dec. 21, 1956.
	7	After Dec. 31, 1956.
Member for Member service.	2½	Aug. 1, 1920, to June 30, 1926.
	3½	July 1, 1926, to June 30, 1942.
	5	July 1, 1942, to Aug. 1, 1946.
	6	Aug. 2, 1946, to Dec. 31, 1956.
	8	After Dec. 31, 1956.

"(d) Each employee or Member who has received a refund of retirement deductions under this or any other retirement system established for employees of the Government covering service for which he may be allowed credit under this act may deposit the amount received, with interest. No credit shall be allowed for the service covered by the refund until the deposit is made.

"(e) Interest under subsection (c) or (d) shall be computed from the midpoint of each service period included in the computation, or from the date refund was paid, to the date of deposit or commencing date of annuity, whichever is earlier. The interest shall be computed at the rate of 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter compounded annually. Such deposit may be made in one or more installments.

"(f) Under such regulations as may be prescribed by the Commission, amounts deducted under subsection (a) and deposited under subsections (c) and (d) shall be entered on individual retirement records.

"(g) No deposit shall be required for any service prior to August 1, 1920, for periods of military service or for any service for the Panama Railroad Company prior to January 1, 1924.

"Mandatory separation

"SEC. 5. (a) Except as hereinafter provided, an employee who shall have attained the age of 70 years and completed 15 years of service shall be automatically separated from the service. Such separation shall be effective on the last day of the month in which such employee attains the age of 70 years or completes 15 years of service if then beyond such age, and all salary shall cease from that day.

"(b) Each employing office shall notify each employee under its direction of the date of such separation from the service at least 60 days in advance thereof: *Provided*, That subsection (a) shall not take effect without the consent of the employee until 60 days after he has been so notified.

(c) The President may, by Executive order, exempt from automatic separation under this section any employee when, in his judgment, the public interest so requires.

"(d) The automatic separation provisions of this section shall not apply to any person named in any act of Congress providing for the continuance of such person in the service, to any Member, to any congressional employee, to the Architect of the Capitol or any employee under the office of the Architect of the Capitol, or to any employee in the judicial branch within the classes made subject to the Civil Service Retirement Act of May 29, 1930, as amended, by the act of July 13, 1937.

"(e) In the case of an officer or employee of The Alaska Railroad, Territory of Alaska, or an officer or employee who is a citizen of the United States employed on the Isthmus of Panama by the Panama Canal Company or the Canal Zone Government, the provisions of this section shall apply upon his attaining the age of 62 years and completing 15 years of service on the Isthmus of Panama or in the Territory of Alaska.

"Immediate retirement

"SEC. 6. (a) Any employee who attains the age of 60 years and completes 30 years of service shall, upon separation from the service, be paid an annuity computed as provided in section 9.

"(b) Any employee who attains the age of 55 years and completes 30 years of service shall, upon separation from the service prior to attainment of the age of 60 years, be paid a reduced annuity computed as provided in section 9.

"(c) Any employee the duties of whose position are primarily the investigation, apprehension, or detention of persons suspected or convicted of offenses against the criminal laws of the United States, including any employee engaged in such activity who has been transferred to a supervisory or administrative position, who attains the age of 50 years and completes 20 years of service in the performance of such duties, may, if the head of his department or agency recommends his retirement and the Commission approves, voluntarily retires from the service, and be paid an annuity computed as provided in section 9 (1). The head of the department or agency and the Commission shall give full consideration to the degree of hazard to which such employee is subjected in the performance of his duties, rather than the general duties of the class of the position held by such employee.

"(d) Any employee who completes 25 years of service or who attains the age of 50 years and completes 20 years of service shall upon involuntary separation from the service not by removal for cause on charges of misconduct or delinquency, be paid a reduced annuity computed as provided in section 9.

"(e) Any employee who attains the age of 62 years and completes 5 years of service shall, upon separation from the service, be paid an annuity computed as provided in section 9.

"(f) Any member who attains the age of 62 years and completes 5 years of member service, or who attains the age of 60 years and completes 10 years of member service, shall, upon separation from the service, be paid an annuity computed as provided in section 9. No member or survivor of a member shall be entitled to receive an annuity under this act unless there shall have been deducted or deposited the amounts specified in section 4 with respect to his last 5 years of Member service.

"Disability retirement

"SEC. 7. (a) Any employee who completes 5 years of civilian service and who is found by the Commission to have become disabled shall, upon his own application or upon application by his department or agency, be retired on an annuity computed as provided in section 9. Any Member who completes 5 years of Member service and who is found by the Commission to have become disabled shall, upon his own application, be retired on an annuity computed as provided in section 9.

"(b) No claim shall be allowed under this section unless the application is filed with the Commission prior to separation of the employee or Member from the service or within 1 year thereafter. This time limitation may be waived by the Commission for an individual who at the date of separation from service or within 1 year thereafter is mentally incompetent, if the application is filed with the Commission within 1 year from the date of restoration of such individual to competency or the appointment of a fiduciary, whichever is the earlier.

"(c) Each annuitant retired under this section or under section 6 of the act of May 29, 1930, as amended, unless his disability is permanent in character, shall at the expiration of 1 year from the date of such retirement and annually thereafter, until reaching age 60, be examined under the direction of the Commission. If the annuitant fails to submit to examination as required under this section, payment of the annuity shall be suspended until continuance of the disability is satisfactorily established.

"(d) If such annuitant, before reaching age 60, recovers from his disability or is restored to an earning capacity fairly comparable to the current rate of compensation of the position occupied at the time of retirement, payment of the annuity shall cease (1) upon reemployment by the Government, (2) 1 year from the date of the medical examination showing such recovery, or (3) 1 year from the date of determination that he is so restored, whichever is earliest. Earning capacity shall be deemed restored if in each of 2 succeeding calendar years the income of the annuitant from wages or self-employment or both shall equal at least 80 percent of the current rate of compensation of the position occupied immediately prior to retirement.

"(e) If such annuitant whose annuity is discontinued under subsection (d) is not reemployed in any position included in the provisions of this act, he shall be considered, except for service credit, as having been involuntarily separated from the service for the purposes of this act as of the date of discontinuance of the disability annuity and shall, after such discontinuance, be entitled to annuity in accordance with the applicable provisions of this act.

"(f) No person shall be entitled to receive an annuity under this act and compensation for injury or disability to himself under the Federal Employees' Compensation Act of September 7, 1916, as amended, covering the same period of time. This provision shall not bar the right of any claimant to the greater benefit conferred by either act for any part of the same period of time. Neither this provision nor any provision in such act of September 7, 1916, as amended, shall deny to any person an annuity accruing to such person under this act on account of service rendered by him, or deny any concurrent benefit to such person under such act of September 7, 1916, as amended, on account of the death of any other person.

"(g) Notwithstanding any provision of law to the contrary, the right of any person entitled to an annuity under this act shall not be affected because such person has received an award of compensation in a lump sum under section 14 of the act of September 7, 1916, as amended, except that where such annuity is payable on account of the same disability for which compensation under such section has been paid, so much of such compensation as has been paid for any period extended beyond the date such annuity becomes effective, as determined by the Department of Labor, shall be refunded to the Department of Labor, to be covered into the Federal Employees' Compensation Fund. Before such person shall receive such annuity he shall (1) refund to such Department the amount representing such commuted payments for such extended period, or (2) authorize the deduction of such amount from the annuity payable to him under this act, which amount shall be transmitted to such Department for reimbursement to such fund. Deductions from such annuity may be made from accrued and accruing payments, or may be prorated against and paid from accruing payments in such manner as the Department of Labor shall determine, whenever it finds that the financial circumstances of the annuitant are such as to warrant such deferred refunding.

"Deferred retirement

"SEC. 8. (a) Any employee who is separated from the service or transferred to a position not within the purview of this act after completing 5 years of civilian service may be paid an annuity beginning at the age of 62 years computed as provided in section 9.

"(b) Any Member who is separated from the service as a Member after completing 5 years of Member service may be paid an annuity beginning at the age of 62 years, computed as provided in section 9.

"Computation of annuity

"SEC. 9. (a) Except as otherwise provided in this section, the annuity of an employee retiring under this act shall be (1) the larger of (A) 1½ percent of the average salary multiplied by so much of the total service as does not exceed 5 years, or (B) 1 percent of the average salary, plus $25, multiplied by so much of the total service as does not exceed 5 years, plus (2) the larger of (A) 2 percent of the average salary multiplied by so much of the total service as exceeds 5 years, or (B) 1 percent of the average salary, plus $25, multiplied by so much of the total service as exceeds 5 years: *Provided*, That the annuity shall not exceed 80 percent of the average salary: *Provided further*, That the annuity of an employee retiring under section 7 shall be at least (1) 40 percent of the average salary or (2) the sum obtained under this subsection after increasing his total service by the period elapsing between the date of separation and the date he attains the age of 60 years, whichever is the lesser, but this proviso shall not increase the annuity of any survivor.

"(b) The annuity of a congressional employee retiring under this act shall, if he so elects at the time his annuity commences, be (1) 2½ percent of the average salary multiplied by his military service and service as a congressional employee, not exceeding a total of 15 years, plus (2) 1½ percent of the average salary multiplied by so much of the remainder of his total service as does not exceed 5 years, plus (3) 2 percent of the average salary multiplied by so much of the remainder of his total service as exceeds 5 years: *Provided*, That the annuity shall not exceed 80 percent of the average salary. This subsection shall not apply unless the congressional employee (1) has had at least 5 years' service as a congressional employee, (2) has had deductions withheld from his salary or made deposit covering his last 5 years of civilian service, and (3) has served as a congressional employee during the last 11 months of his civilian service: *Provided further*, That the annuity of a congressional employee retiring under section 7 shall be at least (1) 40 percent of the average salary or (2) the sum obtained under this subsection after increasing his service as a congressional employee by the period elapsing between the date of separation and the date he attains the age of 60 years, whichever is the lesser, but this provision shall not increase the annuity of any survivor.

"(c) The annuity of a Member retiring under this act shall be an amount equal to—

"(1) 2½ percent of the average salary multiplied by the total of his Member and creditable military service;

"(2) 2½ percent of the average salary multiplied by his total years of service, not exceeding 15, performed as a congressional employee prior to his separation from service as a Member, other than any such service which he may elect to exclude;

"(3) 1½ percent of such average salary multiplied by so much of his total service, other than service used in computing annuity under clauses (1) and (2), as does not exceed 5 years, performed prior to his separation from service as a Member, and other than any such service which he may elect to exclude; and

"(4) 2 percent of such average salary multiplied by his total service, other than service used in computing annuity under clauses (1), (2), and (3), performed prior to his separation from service as a Member, and other than any such service which he may elect to exclude.

In no case shall an annuity computed under this subsection exceed 80 percent of the basic salary that he is receiving at the time of such separation from the service, and in no case shall the annuity of a Member retiring under section 7 be less than (A) 40 percent of the average salary or (B) the sum obtained under this subsection after increasing his Member service by the period elapsing between the date of separation and the date he attains the age of 60 years, whichever is the lesser, but this provision shall not increase the annuity of any survivor.

"(d) The annuity as hereinbefore provided, for an employee retiring under section 6 (b) or 6 (d), shall be reduced by one-twelfth of 1 percent for each full month not in excess of 60, and one-sixth of 1 percent for each full month in excess of 60, such employee is under the age of 60 years at date of separation.

"(e) The annuity as hereinbefore provided shall be reduced by 10 percent of any deposit described in section 4 (c) remaining unpaid, unless the employee or Member shall elect to eliminate the service involved for purposes of annuity computation.

"(f) Any employee or Member retiring under section 6, 7, or 8 may at the time of retirement elect a reduced annuity, in lieu of the annuity as hereinbefore provided, and designate in writing his wife or husband to receive an annuity after the retired individual's death computed as provided in section 10 (a) (1). The annuity of the employee or Member making such election, excluding any increase because of retirement under section 7, shall be reduced by 2½ percent of so much of the portion thereof designated under section 10 (a) (1) as does not exceed $2,400 and by 10 percent of so much of the portion so designated as exceeds $2,400.

"(g) Any unmarried employee or Member retiring under section 6 or 8, and found by the Commission to be in good health, may at the time of retirement elect a reduced annuity, in lieu of the annuity as hereinbefore provided, and designate in writing a person having an insurable interest in the employee or Member to receive an annuity after the retired individual's death. The annuity payable to the employee or Member making such election shall be reduced by 10 percent of an annuity computed as provided in section 9 and by 5 percent of an annuity so computed for each full 5 years the person designated is younger than the retiring employee or Member, but such total reduction shall not exceed 40 percent.

"(h) The annuity as hereinbefore provided, for an employee who is a citizen of the United States, shall be increased by $36 multiplied by total service in the employ of either the Alaska Engineering Commission or the Alaska Railroad in the Territory of Alaska between March 12, 1914 and July 1, 1923, or in the employ of either the Isthmian Canal Commission or the Panama Railroad Company on the Isthmus of Panama between May 4, 1904, and April 1, 1914.

"(i) The annuity of an employee retiring under section 6 (c) shall be 2 percent of the average salary multiplied by the total service: *Provided*, That the annuity shall not exceed 80 percent of the average salary.

"Survivor annuities

"SEC. 10. (a) (1) If a Member or employee dies after having retired under any provision of this act and is survived by a wife or husband designated under section 9 (f) such wife or husband shall be paid an annuity equal to 50 percent of so much of an annuity computed as provided in subsections (a), (b), (c), (d), and (e) of section 9, as may apply with respect to the annuitant, as is designated in writing for such purpose by such Member or employee at the time he makes the election provided for by section 9 (f).

"(2) An annuity computed under this subsection shall begin on the first day of the month in which the retired employee dies, and such annuity or any right thereto shall terminate upon the survivor's death or remarriage.

"(b) The annuity of a survivor designated under section 9 (g) shall be 50 percent of the reduced annuity computed as provided in subsections (a), (b), (c), (d), (e), and (g) of section 9 as may apply with respect to the annuitant. The annuity of such survivor shall begin on the first day of the month in which the retired employee dies, and such annuity or any right thereto shall terminate upon the survivor's death.

"(c) If an employee dies after completing at least 5 years of civilian service, or a Member dies after completing at least 5 years of Member service, the widow or dependent widower of such employee or Member shall be paid an annuity equal to 50 percent of an annuity computed as provided in subsections (a), (b), (c), and (e) of section 9 as may apply with respect to the employee or Member. The annuity of such widow or dependent widower shall begin on the first day of the month after the employee or Member dies, and such annuity or any right thereto shall terminate upon death or remarriage of the widow or widower, or upon the widower's becoming capable of self-support.

"(d) If an employee dies after completing 5 years of civilian service or a Member dies after completing 5 years of Member service, or an employee or a Member dies after having retired under any provision of the act, and is survived by a wife or by a husband who is incapable of self-support by reason of mental or physical disability and who received more than one-half of his support from such employee or Member, each surviving child shall be paid an annuity equal to the smallest of (1) 40 percent of the employee's or Member's average salary divided by the number of children, (2) $600, or (3) $1,800 divided by the number of children. If such employee or Member is not survived by a wife or husband, each surviving child shall be paid an annuity equal to the smallest of (1) 50 percent of the employee's or Member's average salary divided by the number of children, (2) $720, or (3) $2,160 divided by the number of children. The child's annuity shall begin on the first day of the month after the employee or Member dies, and such annuity or any right thereto shall terminate upon (1) his attaining age 18 unless incapable of self-support, (2) his becoming capable of self-support after age 18, (3) his marriage, or (4) his death. Upon the death of the wife or dependent husband or termination of the annuity of the child, the annuity of any other child or children shall be recomputed and paid as though such wife, dependent husband, or child had not survived the employee or Member.

"Lump-sum benefits

"SEC. 11. (a) Any employee who is separated or transferred to a position not within the purview of this act after he has completed 5 but less than 20 years of service, and any Member who is separated after he has completed 5 but less than 20 years of Member service, shall upon application therefor be paid the lump-sum credit. Any employee who is separated or transferred to a position not within the purview of this act before he has completed 5 years' service, and any Member who is separated before he has completed 5 years of Member service, shall be paid the lump-sum credit. The receipt of payment of the lump-sum credit by the individual shall void all annuity rights under this act, unless and until he shall be reemployed in the service subject to this act.

"(b) Each present or former employee or Member may, under regulations prescribed by the Commission, designate a beneficiary or beneficiaries for the purposes of this act.

"(c) Lump-sum benefits authorized under subsections (d), (e), and (f) of this section shall be paid in the following order of precedence to such person or persons surviving the employee or Member and alive at the date title to the payment arises, and such payment shall be a bar to recovery by any other person:

"First, to the beneficiary or beneficiaries designated by the employee or Member in a writing received in the Commission prior to his death;

"Second, if there be no such beneficiary, to the widow or widower of the employee or Member;

"Third, if none of the above, to the child or children of the employee or Member and descendants of deceased children by representation;

"Fourth, if none of the above, to the parents of the employee or Member or the survivor of them;

"Fifth, if none of the above, to the duly appointed executor or administrator of the estate of the employee or Member;

"Sixth, if none of the above, to other next of kin of the employee or Member as may be determined by the Commission to be entitled under the laws of the domicile of the individual at the time of his death.

"(d) If an employee or Member dies (1) without a survivor, or (2) with a survivor or survivors and the right of all survivors shall terminate before claim for survivor annuity is filed, or if a former employee or Member not retired dies, the lump-sum credit shall be paid.

"(e) If all annuity rights under this act based on the service of a deceased employee or Member shall terminate before the total annuity paid equals the lump-sum credit, the difference shall be paid.

"(f) If an annuitant dies, any annuity accrued and unpaid shall be paid.

"(g) Any annuity accrued and unpaid upon the termination (other than by death) of the annuity of any annuitant or survivor annuitant shall be paid to such person. Any survivor annuity accrued and unpaid upon the death of any survivor annuitant shall be paid in the following order of precedence, and such payment shall be a bar to recovery by any other person:

"First, to the duly appointed executor or administrator of the estate of the survivor annuitant;

"Second, if there is no such executor or administrator, payment may be made, after the expiration of 30 days from the date of death of such survivor annuitant, to such next of kin of the survivor annuitant as may be determined by the Commission to be entitled under the laws of the survivor annuitant's domicile at the time of his death.

"Additional annuities

"SEC. 12. (a) Any employee or Member may, under regulations prescribed by the Commission, voluntarily contribute additional sums in multiples of $25, but the total may not exceed 10 percent of his basic salary for his creditable service from and after August 1, 1920. The voluntary contribution account in each case shall be the sum of such unrefunded contributions, plus interest at 3 percent per annum compounded annually to date of separation or transfer to a position not within the purview of this act or, in case of an individual who is separated with title to a deferred annuity and does not claim the voluntary contribution account, to the commencing date fixed for such deferred annuity or date of death, whichever is earlier.

"(b) Such voluntary contribution account shall be used to purchase at retirement an annuity in addition to the annuity otherwise provided. For each $100 in such voluntary contribution account, the additional annuity shall consist of $7, increased by 20 cents for each full year, if any, such employee or Member is over the age of 55 years at the date of retirement.

"(c) A retiring employee or Member may elect a reduced additional annuity in lieu of the additional annuity described in subsection (b) and designate in writing a person to receive after his death an annuity of 50 percent of his reduced additional annuity. The additional annuity of the employee or Member making such election shall be reduced by 10 percent, and by 5 percent for each full 5 years the person designated is younger than the retiring employee or Member, but such total reduction shall not exceed 40 percent.

"(d) Any employee or Member who is separated from the service before becoming eligible for immediate or deferred annuity or who transfers to a position wherein he does not continue subject to this act shall be paid the voluntary contribution account. Any employee or Member who is separated from the service after becoming eligible for a deferred annuity under section 8 may elect to receive, in lieu of additional annuity, the voluntary contribution account, provided his separation occurs and application for payment is filed with the Commission at least 31 days before the commencing date of annuity.

"(e) If any present or former employee or Member not retired dies, the voluntary contribution account shall be paid under the provisions of section 11 (c). If all additional annuities or any right thereto based on the voluntary contribution account of a deceased employee or Member terminate before the total additional annuity paid equals such account, the difference shall be paid under the provisions of section 11 (c).

"Reemployment of annuitants

"SEC. 13. (a) Notwithstanding any other provision of law, an annuitant heretofore or hereafter retired under this act shall not, by reason of his retired status, be barred from employment in any appointive position for which he is qualified. An annuitant so reemployed shall serve at the will of the appointing officer.

"(b) If an annuitant under this act (other than (1) a disability annuitant whose annuity is terminated by reason of his recovery or restoration of earning capacity, or (2) a Member retired under this act) hereafter becomes employed in an appointive or elective position subject to this act, annuity payments shall be discontinued during such employment and deductions for the retirement funds shall be withheld from his salary. If such annuitant performs actual fulltime service for a period of at least 1

year, his right to future annuity shall be determined upon the basis of the law in effect at the time of termination of such period of employment and service performed during such period shall be credited for such purpose. If such annuitant does not perform actual fulltime service for a period of at least 1 year, his annuity payments shall be resumed in the same amount and amounts deducted from his salary during such period of employment shall be returned upon the expiration of such period. If an annuitant under this act (other than (1) a disability annuitant whose annuity is terminated by reason of his recovery or restoration of earning capacity, or (2) a Member retired under this act) hereafter becomes employed in an appointive or elective position not subject to this act, annuity payments shall be discontinued during such reemployment and resumed in the same amount upon termination of such employment.

"(c) If a Member heretofore or hereafter retired under this act hereafter becomes employed in an appointive or elective position, annuity payments shall be discontinued during such employment and resumed in the same amount upon termination of such employment: *Provided*, That if such retired Member takes office as Member and gives notice as provided in section 2 (c), his service as Member during such period shall be credited in determining his right to and the amount of his subsequent annuity.

"Payment of benefits

"SEC. 14. (a) Each annuity is stated as an annual amount, one-twelfth of which, fixed at the nearest dollar, accrues monthly and is payable on the first business day of the month after it accrues.

"(b) Except as otherwise provided, the annuity of an employee shall commence on the first of the month after separation from the service, or on the first of the month after salary ceases provided the employee meets the service and the age or disability requirements for title to annuity at that time. The annuity of a Member or of an elected officer of the Senate or House of Representatives shall commence on the day following the day on which salary shall cease provided the person entitled to such annuity meets the service and the age or disability requirements for title to annuity at that time. The annuity of an employee or Member under section 8 shall commence on the first of the month after the occurrence of the event on which payment of the annuity is based.

"(c) An annuity shall terminate on the last day of the month preceding the month in which death or any other terminating event provided in this act occurs.

"(d) Any person entitled to annuity from the fund may decline to accept all or any part of such annuity by a waiver signed and filed with the Commission. Such waiver may be revoked in writing at any time, but no payment of the annuity waived shall be made covering the period during which such waiver was in effect.

"(e) Where any payment is due a minor, or a person mentally incompetent or under other legal disability, such payment may be made to the person who is constituted guardian or other fiduciary by the law of the State of residence of such claimant or is otherwise legally vested with the care of the claimant or his estate: *Provided*, That where no guardian or other fiduciary of the person under legal disability has been appointed under the laws of the State of residence of the claimant, payment may be made to any person who, in the judgment of the Commission, is responsible for the care of the claimant, and such payment shall be a bar to recovery by any other person.

"Exemption from legal processes

"SEC. 15. (a) None of the moneys mentioned in this act shall be assignable, either in law or equity, or be subject to execution, levy, attachment, garnishment, or other legal process.

"(b) Notwithstanding any other provision of law, there shall be no recovery of any payments under this act from any person when, in the judgment of the Commission, such person is without fault and such recovery would be contrary to equity and good conscience; nor shall there be any withholding of recovery of any moneys mentioned in this act on account of any certification or payment made by any former employee of the United States in the discharge of his official duties unless the head of the department or agency on behalf of which the certification or payment was made certifies to the Commission that such certification or payment involved fraud on the part of such employee.

"Administration

"SEC. 16 (a) This act shall be administered by the Commission. Except as otherwise specifically provided herein, the Commission is hereby authorized and directed to perform, or cause to be performed, any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect.

"(b) Applications under this act shall be in such form as the Commission shall prescribe, and shall be supported by such certificates from departments or agencies as the Commission may deem necessary to the determination of the rights of applicants. The Commission shall adjudicate all claims under this act.

"(c) Questions of dependency and disability arising under this act shall be determined by the Commission and its decisions with respect to such matters shall be final and conclusive and shall not be subject to review. The Commission may order or direct at any time such medical or other examinations as it shall deem necessary to determine the facts relative to the disability or dependency of any person receiving or applying for annuity under this act, and may suspend or deny any such annuity for failure to submit to any such examination.

"(d) An appeal to the Commission shall lie from any administrative action or order affecting the rights or interests of any person or of the United States under this act, the procedure on appeal to be prescribed by the Commission.

"(e) Fees for examinations made under the provisions of this act, by physicians or surgeons who are not medical officers of the United States, shall be fixed by the Commission, and such fees, together with reasonable traveling and other expenses incurred in connection with such examinations, shall be paid out of the appropriations for the cost of administering this act.

"(f) The Commission shall publish an annual report upon the operations of this act.

"(g) The Commission is hereby authorized and directed to select three actuaries, to be known as the Board of Actuaries of the Civil Service Retirement System. It shall be the duty of such Board to report annually upon the actuarial status of the system and to furnish its advice and opinion on matters referred to it by the Commission, and it shall have the authority to recommend to the Commission and to the Congress such changes as in the Board's judgment may be deemed necessary to protect the public interest and maintain the system upon a sound financial basis. The Commission shall keep or cause to be kept such records as it deems necessary for making periodic actuarial valuations of the Civil Service Retirement System, and the Board shall make such valuations at intervals of 5 years, or oftener if deemed necessary by the Commission. The compensation of the members of the Board of Actuaries, exclusive of such members as are in the employ of the United States, shall be fixed by the Commission.

"Civil service retirement and disability fund

"SEC. 17. (a) The fund is hereby appropriated for the payment of benefits as provided in this act.

"(b) The Secretary of the Treasury is hereby authorized to accept and credit to the fund moneys received in the form of donations, gifts, legacies, or bequests, or otherwise contributed for the benefit of civil-service employees generally.

"(c) The Secretary of the Treasury shall immediately invest in interest-bearing securities of the United States, such currently available portions of the fund as are not immediately required for payments from the fund, and the income derived from such investments shall constitute a part of the fund.

"(d) The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of public-debt obligations for purchase by the fund. Such obligations issued for purchase by the fund shall have maturities fixed with due regard for the needs of the fund and bear interest at a rate equal to the average rate of interest computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt that are not due or callable until after the expiration of 5 years from the date of original issue; except that where such average rate is not a multiple of one-eighth of 1 percent, the rate of interest of such obligations shall be multiple of one-eighth of 1 percent nearest such average rate. Such obligations shall be issued for purchase by the fund only if the Secretary of the Treasury determines that the purchase in the market of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States on original issue or at the market price, is not in the public interest.

"Short title

"SEC. 18. This act may be cited as the 'Civil Service Retirement Act'."

Members of faculty of Naval Academy

SEC. 402. (a) On and after the effective date of this title persons employed as members of the civilian faculties of the United States Naval Academy and the United States Naval Postgraduate School shall be included within the terms of the Civil Service Retirement Act, and on and after that date the act of January 16, 1936 (49 Stat. 1092), as amended, shall not apply to such persons.

(b) In lieu of the deposit prescribed by section 4 (c) of the Civil Service Retirement Act, an employee who by virtue of subsection (a) is included within the terms of such act shall deposit, for service rendered prior to the effective date of this title as a member of the civilian faculty of the United States Naval Academy or of the United States Naval Postgraduate School, a sum equal to so much of the repurchase price of his annuity policy carried as required by the act of January 16, 1936, as amended, as is based on the monthly allotments which were registered with the Navy Allotment Office toward the purchase of that annuity, the deposit to be made within 6 months after the effective date of this title. Should the deposit not be made within that period no credit shall be allowed under the Civil Service Retirement Act for service rendered as a member of the civilian faculty of the United States Naval Academy or of the United States Naval Postgraduate School subsequent to July 31, 1920, and prior to the effective date of this title. If the deposit is made, such service shall be held and considered to be service during which the em-

ployee was subject to the Civil Service Retirement Act.

Retroactive application of certain benefits

SEC. 403. The amendment approved September 30, 1949 (Public Law 310, 81st Cong.), to section 4 (b) of the Civil Service Retirement Act of May 29, 1930, as amended, insofar as it relates to the amount of the reduction in the annuities of officers and employees who elect to receive reduced annuities under such section, shall take effect as of April 1, 1948, but no increase in annuity shall be payable by reason of such amendment, to those who retired on or after July 1, 1948, and prior to October 1, 1949, for any period prior to the first day of the first month which begins after the effective date of this title.

Continuation of prior rights

SEC. 404. Except as otherwise provided, the amendments made by this title shall not apply in the case of employees or Members retired or otherwise separated prior to its effective date, and the rights of such persons and their survivors shall continue in the same manner and to the same extent as if this title had not been enacted.

Vice President

SEC. 405. The notice required by section 2 (c) of the Civil Service Retirement Act may be given, by any person holding the office of Vice President on the effective date of this title, at any time within 15 days after such effective date, and in the case of any such person service performed in such office shall be considered service during which he was subject to such act for the purpose of section 3 (g) thereof.

Future salary increases to include increases to annuitants

SEC. 406. It is the policy of the Congress that whenever in the future any general adjustment is made in the salaries of Government employees, corresponding adjustments should be made in the annuities of retired employees.

Forfeiture of annuities of persons remaining outside United States to avoid prosecution

SEC. 407. The act entitled "An act to prohibit payment of annuities to officers and employees of the United States convicted of certain offenses, and for other purposes," approved September 1, 1954 (68 Stat. 1142), is amended by adding at the end of section 2 thereof a new subsection as follows:

"(c) In any case in which, after the date of enactment of this subsection, any person under indictment for any offense within the purview of the first section of this Act willfully remains outside the United States, its Territories, and possessions, for a period in excess of 1 year with knowledge of such indictment, no annuity or retired pay shall be paid, for any period subsequent to the end of such 1-year period to such person or to the survivor or beneficiary of such person, on the basis of the service of such person, as an officer or employee of the Government unless and until a nolle prosequi to the entire indictment is entered upon the record or such person returns and thereafter the indictment is dismissed or after trial by court the accused is found not guilty of the offense or offenses charged in the indictment."

Effective date

SEC. 408. This title shall take effect on January 1, 1957.

Short title

SEC. 409. This title may be cited as the "Civil Service Retirement Act Amendments of 1956."

TITLE V—ADDITIONAL SCIENTIFIC AND PROFESSIONAL POSITIONS

SEC. 501. (a) Subsections (a) and (b) of the first section of the act of August 1, 1947 (61 Stat. 715; Public Law 313, 80th Cong.), as amended, are amended to read as follows:

"(a) The Secretary of Defense is authorized to establish and fix the compensation for not more than 275 positions in the Department of Defense and not more than 50 positions in the National Security Agency, each such position being established to effectuate those research and development functions, relating to the national defense, military and naval medicine, and any and all other activities of the Department of Defense and the National Security Agency, as the case may be, which require the services of specially qualified scientific or professional personnel.

"(b) The Chairman of the National Advisory Committee for Aeronautics is authorized to establish and fix the compensation for, in the headquarters and research stations of the National Advisory Committee for Aeronautics, not to exceed 60 positions in the professional and scientific service, each such position being established in order to enable the National Advisory Committee for Aeronautics to secure and retain the services of specially qualified personnel necessary in the discharge of the duty of the Committee to supervise and direct the scientific study of the problems of flight with a view to their practical solution.

"(c) The Secretary of the Interior is authorized to establish and fix the compensation for not to exceed 10 positions of a professional or scientific nature in the Department of the Interior, each such position being established in order to enable the Department of the Interior to effectuate those research and development functions and activities of such Department which require the services of specially qualified professional or scientific personnel.

"(d) The Secretary of Commerce is authorized to establish and fix the compensation for not to exceed 35 positions of a professional or scientific nature in the Department of Commerce, each such position being established in order to enable the Department of Commerce to effectuate those research and development functions and activities of such Department which require the services of specially qualified professional or scientific personnel."

(b) Nothing contained in the amendment made to such act of August 1, 1947, by subsection (a) of this section shall affect any position existing under authority of subsection (a) of the first section of such act of August 1, 1947, as in effect immediately prior to the effective date of such amendment, the compensation attached to any such position, and any incumbent thereof, his appointment thereto, and his right to receive the compensation attached thereto, until appropriate action is taken under authority of subsection (a) of such first section of such act of August 1, 1947, as contained in the amendment made by subsection (a) of this section.

(c) Subsection (c) of the first section of such act of August 1, 1947, as amended, is hereby redesignated subsection (e) of such first section.

(d) Section 3 of such Act of August 1, 1947, as amended, is amended to read as follows:

"SEC. 3. (a) Each officer, with respect to positions established by him under this act, shall submit to the Congress, not later than February 1 of each year, a report which sets forth—

"(1) the number of such positions so established or in existence during the immediately preceding calendar year,

"(2) the name, rate of compensation, and description of the qualifications of each incumbent of each such position, together with the position title and a statement of the functions, duties, and responsibilities performed by each such incumbent, except that nothing contained in this section shall require the resubmission of information required under this paragraph which has been reported pursuant to this section and which remains unchanged, and

"(3) such other information as he deems appropriate or which may be required by the Congress or a committee thereof.

"(b) In any instance in which any officer so required to submit such report may find full public disclosure of any or all of the above-specified items to be detrimental to the national security such officer is authorized—

"(1) to omit in his annual report those items with respect to which full public disclosure is found by him to be detrimental to the national security,

"(2) to inform the Congress of such omission, and

"(3) at the request of any congressional committee to which such report is referred, to present all information concerning such items."

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I hope the Senator from South Carolina [Mr. JOHNSTON] will make a statement explaining the bill.

Mr. JOHNSTON of South Carolina. Mr. President, H. R. 7619, which passed the House during the closing hours of the first session of the 84th Congress, related only to the pay of certain Federal officials.

The committee amendment strikes out all of the bill after the enacting clause and substitutes therefor a new bill greatly more comprehensive than the House bill.

Title 1 of the bill increases the rates of pay for the heads of executive departments and other Federal officials.

Title 2 of the bill relates to the organization and management of the Civil Service Commission.

Title 3 of the bill relates to the establishment and classification of a number of positions in the executive departments. Also, title 3 contains a section relating to the affairs of the Post Office Department.

Title 4 of the bill relates to civil-service retirement.

Title 5 authorizes the establishment of additional scientific positions in several departments of the Government.

Mr. President, title 1 of the bill establishes a new pay structure for top officials of the Government. The new structure provides $25,000 for Cabinet positions; $22,500 for a small number of officials outside the Cabinet who, nevertheless, participate in Cabinet meetings or have other unusual responsibility; $22,000 for the Secretaries of the armed services; $21,000 for Under Secretaries and comparable positions; $20,500 for the chairmen of boards and commissions and positions of comparable responsibility; $20,000 for members of boards and commissions and for Assistant Secretaries; $19,000 for two groups of commissioners—Indian Claims Commissioners and Commissioners of the United States Court of Claims—who are of a semijudicial nature; $15,000 may be paid

to representatives and alternates to UNESCO.

The rates of pay of grades 17 and 18 of the Classification Act are adjusted to conform with the general pay pattern.

The rates of pay of the three highest grades of the Postal Field Service are similarly adjusted.

The salaries of the top medical men of the Veterans' Administration are raised.

The ceiling is raised on salaries which may be paid to a limited number of scientific personnel engaged in research and development activities.

This title of the bill also provides for the adjustment in the pay of isolated positions here and there in the Federal service.

Mr. President, title 2 of the bill, which relates to the organization of the Civil Service Commission, provides—

First, that the term of each Civil Service Commissioner shall be 6 years, except that the terms of the present three Commissioners shall be 2, 4, and 6 years, respectively, in order to establish the tenure of the Commissioners on a proper rotation basis.

Secondly, it is provided that the President shall, from time to time, designate a Chairman and Vice Chairman of the Commission, who shall, in order, be responsible for the administration and function of the Civil Service Commission. In the absence of both the Chairman and Vice Chairman, the third Commissioner would become the responsible head of the Commission. On rare occasion, when all three Commissioners might be absent, the Executive Director would be the responsible head of the Commission.

At present, the Executive Director is responsible for the operation of the Commission. In the absence of the Executive Director, the Assistant takes over, and in his absence, the Second Assistant, and so forth.

This is not a good situation. The Commissioners do not now possess the responsibility that they should have in order to do an effective job. The bill provides that the redelegation of responsibility to the Commissioners shall take effect on the date of enactment of the bill.

Mr. PASTORE. Mr. President, will the Senator yield for an observation?

Mr. JOHNSTON of South Carolina. I yield.

Mr. PASTORE. I must leave the floor, and before doing so I wish to say to the Members of the Senate that it was a privilege for me to serve with the Senator from South Carolina and with the ranking member of the committee, the Senator from Kansas [Mr. CARLSON] and with every member of the committee. The subject under consideration by the Senate received thorough study by the subcommittee. The conclusions arrived at were not quickly or easily reached, but only after a very analytical and exhaustive, and extensive, and thorough study of all the phases of the subject.

I wish to take occasion to congratulate the chairman and every member of the subcommittee for the fine work they did on the pending bill, as well as to congratulate the members of the staff of the committee.

The pay increases provided in the bill are sorely needed. I believe they reflect the prestige of the important positions in the Government service. The bill will do much to keep up and raise the morale of our Government employees in the higher echelon.

A short time ago we did something for the benefit of the rank and file Government employees. Today we are doing something for officials in the upper echelon, who have been neglected for a long time—perhaps for too long a time.

Again I wish to say that the Senate ought to be appreciative of the fine work which was done by the distinguished chairman of the committee. I hope the Senate will show its appreciation by voting favorably on the bill.

Mr. JOHNSTON of South Carolina. Mr. President, I thank the junior Senator from Rhode Island, and I wish to add one thing to what he has said. It is that as a member of the full committee he worked a great deal with us on the subcommittee. His help was very beneficial to us in arriving at our final conclusions, which are contained in the pending bill. I wish to thank him for his patience and his attention to the subject.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. KNOWLAND. I should like to have additional information, because, frankly, I have not come to any final conclusion on the provisions of the bill which relate to the Civil Service Commission. For the benefit of the legislative record I should like to ask the distinguished chairman of the committee whether, in regard to the particular section which has been added, any testimony was taken before the committee.

Mr. JOHNSTON of South Carolina. I will say to the Senator from California that the committee had been making a study of that subject for the past 2 years, as the ranking minority member of the committee will bear me out. Likewise, a very thorough study was made by the House committee. I might say that the Senate appropriated additional money to our committee for the purpose of making that study.

Mr. KNOWLAND. I should like to ask the Senator another question, and I ask it without any partisanship at all, because the situation I am about to describe would apply whether the administration was Republican or Democratic.

I suppose the thought behind the enactment of the present law was that, since the Executive is charged with the administration of the executive branch of the Government, he should be free to appoint the members of the Civil Service Commission and to remove them at his pleasure. I wonder whether the distinguished chairman could discuss that subject.

Mr. JOHNSTON of South Carolina. I should like to say to the Senator from California that that provision has not been changed; the President still has the right to make the appointments. I shall be glad to go into that a little later.

Mr. KNOWLAND. Will the Senator go into it for the benefit of the record? I should like to have him develop the difference between the law as it now stands and what the law would be under the proposed amendment which the committee is offering, which would provide for a staggered term arrangement. In a good many commissions of a supervisory or semijudicial nature, that system works well. Inasmuch as the committee proposes to make a basic change in what has been the law under both Democratic and Republican administrations, I hope the Senator will explain that feature of the bill.

Mr. JOHNSTON of South Carolina. I shall be glad to do so a little later. I shall go into it more fully.

Mr. President, title 3 of the bill contains a number of miscellaneous provisions primarily related to the establishment and classification for pay purposes of isolated positions here and there in the Federal service.

Under present law, the general counsels of 7 of the 10 executive departments are appointed by the President by and with the advice and consent of the Senate. The bill provides that the other three general counsels be appointed in the same manner. The three departments are: Post Office Department, Agriculture Department, and Department of Health, Education, and Welfare.

Additionally, the bill provides that the general counsels in the Departments of the Army, Navy, and Air Force be appointed by the President by and with the advice and consent of the Senate.

The bill authorizes the allocation of the four existing positions in the administrative office of the United States courts to grade 18.

The bill authorizes the allocation of the seven existing positions of Director, Commodity Offices, Commodity Stabilization Service, Department of Agriculture, to grade 16.

The bill authorizes the allocation of three existing positions in the Agriculture Research Service, Department of Agriculture, to grade 18.

The bill authorizes the creation of a new position in the Department of Commerce to head up the new public roads program. The title of the position is that of Federal Highway Administrator.

Also in title 4 of the bill is a provision relating to the postal service.

Section 305 of the bill contains a provision recently approved in the Senate, which appeared in S. 1292. It provides that the difference between fourth-class mail income and estimated fourth-class mail cost can be as much as 10 percent before the Postmaster General is required to request changes in parcel-post rates before the Interstate Commerce Commission.

This provision provides the Postmaster General with a little leeway in the matter. It avoids the necessity of his going to the Interstate Commerce Commission every time there is an adjustment in pay or other legislative action which has an effect on expense in the Post Office Department.

Mr. President, title 4 of the bill embodies S. 2875, the retirement bill which

was approved in the Senate on May 23, 1956.

Title 4 is the same as S. 2875 with a few minor modifications. I am confident the modifications will be found to be completely acceptable not only to the Members of the Senate, but also to the administration.

Furthermore, I am in a position to state that they will be acceptable to the rank and file of our loyal, hardworking, and devoted Federal employees, who have such a vital interest in the matter.

Briefly, the modifications made by this bill in S. 2875 are as follows:

First, S. 2875 would have permitted optional retirement at any age upon completion of 30 years or service.

This bill restores the provision of present law which requires that the employee must have attained the age of 55 before he can so retire.

Secondly, S. 2875 provided automatic survivorship benefits without penalty of one-half of the first $2,400 of the retiring employee's earned annuity.

The bill, as amended, reinstates the provision of present law which requires that an employee elect survivorship benefits, and it reestablishes a penalty when such an election is made.

Under present law the penalty is 5 percent on the first $1,500 of the employee's earned annuity, and 10 percent on any amount in excess thereof.

Under the bill, as amended, the penalty is 2½ percent of the first $2,400 of the employee's earned annuity, and 10 percent on any amount in excess thereof.

Third—and closely related to the above provision—under present law when an employee elects survivorship benefits, he must do so on the full amount of his earned annuity.

The bill, as amended, permits an employee to designate the portion of his earned annuity he desires used for such a purpose. For example, if an employee should retire with an earned annuity of $2,500, his situation might be such that in the event of his death $900 would be adequate income for his surviving widow.

Accordingly, he would set aside the first $1,800 of his annuity for survivorship purposes, and he would be penalized 2½ percent on only the $1,800. He would take no penalty on the amount in excess thereof, and his widow would receive no benefit therefrom.

Mr. President, these constitute the principal changes in S. 2875 made by the bill. In total, they reduce the estimated cost of S. 2875 by well over $100 million a year. They go far toward meeting every objection to the bill voiced by the administration. Yet they in no way emasculate the worthy and desirable features of the bill.

Mr. President, title 5 provides for the establishment of additional scientific positions in the Department of Defense, the National Security Agency, the National Advisory Committee for Aeronautics, the Department of the Interior, and in the Department of Commerce. The establishment of these positions was approved by the House. The House enacted H. R. 11040 b for this purpose.

It was clearly established in the public hearings held in the House and in the Senate on this bill that these positions are necessary for the defense of this Nation, for progress in the field of medicine, science, and in the interest of our national welfare.

Mr. President, H. R. 7619 was unanimously approved by the Post Office and Civil Service Committee. This was done after consideration of its various component parts by several subcommittees. Public hearings were held on most of its provisions.

All of its provisions have been thoroughly considered over a long period of time. It is a needed bill, it is a good bill, and it should be enacted into law without material change.

Mr. President, if the Senator from California will listen, I wish to give the information requested.

The Post Office and Civil Service Committee of the House of Representatives, after a survey and study extending over a period of 4 years, recommended that the term of office of the Civil Service Commissioners be placed on a staggered basis, with a fixed term of 6 years. Reference is made to pages 4, 5, 52 and 53 of the attached House Report No. 1844, 84th Congress.

The Civil Service Commission is the only major permanent operating Commission or Board of the Federal Government in which the members do not have fixed terms of office. Attached is a tabulation of the Boards and Commissions showing the number of members and terms of office, the provision for designation of the Chairman and Deputy Chairman, and the legislative authority under which they were constituted.

Due to the very purpose and nature of the Civil Service Commission, its activities and policies must at all time be held above partisan political consideration and they must be exempt from pressure insofar as is possible. This pressure may be political; it may be from Members of Congress, from other Government officials, from employee groups, from business interests, or from various other sources. The organization of the Civil Service Commission as it is now constituted lends itself to pressure from all sources.

It will be noted from the attached table that the Commission is also the only major Commission or Board of the Federal Government where a line of succession to the chairmanship is to a civil service employee and not to another member. Under the present organization of the Commission, the line of succession to the Chairman extends from the Chairman to the Executive Director and from him down to the lowest messenger. The other two Commissioners, appointees of the President and confirmed by the Senate, can succeed only to the chairmanship after the lowest and last employee of the Civil Service Commission is absent, probably gone to the ballgame.

The charge has been made that the provisions of title II would disturb the operations and activities of the Civil Service Commission. It has also been stated that its present organization is based on the recommendations of the Hoover Commission. This charge is unsupported.

The provisions of title II would in no way disturb either the organization of the Civil Service Commission as recommended by the Hoover Commission or its operations and other activities. On the contrary, they will greatly strengthen the management of the Commission and the effectiveness of its programs, with the benefits extending throughout the entire Government, by providing for continuity of top-level leadership of the Commission on a sound and permanent basis.

The provisions of title II do not disturb the present law which make the Commissioners subject to removal at the pleasure of the President.

The present Commissioners can also remain in office, at the will of the President, without reconfirmation by the Senate. The President will designate one Commissioner for each of the 2-, 4-, and 6-year starting terms of office.

The two Commissioners, other than the Chairman under present organization, have no recognition either in the management or operations of the Commission and very little in the establishment of policy and relationships to the Congress and other departments of Government. If this condition is to continue to exist, we might as well abolish the 3-member Commission and establish a 1-member system for the entire operation of the merit system of the Federal Government.

I ask unanimous consent to have printed at this point part of the report of House Civil Service Committee above referred to.

There being no objection, the report is as follows:

THE COMMISSION

Present organization of the Commission: Existing law provides for 3 Civil Service Commissioners, not more than 2 of whom may be of the same political party. The Chairman of the Commission and the other 2 members are appointed by the President, by and with the advice and consent of the Senate. Generally, upon change in administration an entirely new Commission is appointed.

In 1953 the Chairman of the Civil Service Commission was assigned the additional responsibility of the newly created position of Personnel Adviser to the President. The present incumbent of the chair has served in the dual capacity of Chairman of the Civil Service Commission and Personnel Adviser to the President for most of his term of office.

The division of responsibility of the Civil Service Commission between the Chairman and the full Commission under Reorganization Plan No. 5 of 1949, in practice has not materially reduced the responsibility of the Chairman. A large measure of responsibility for management of the Civil Service Commission has been delegated to the Executive Director of the Commission, particularly since the beginning of the dual role of the Chairman. The two members of the Commission exercise little or no management control. As noted elsewhere in this report, in the absence of the Chairman the Executive Director is the operating head of the Commission.

Chairman of the Civil Service Commission and Personnel Adviser to the President: The present dual office of Personnel Adviser to the President and Chairman of the Civil Service Commission in some respects has operated as a deterrent to the effective discharge of the full responsibility of the Commission. In the judgment of the committee

the disadvantages of the dual role far outweigh the advantages. Occupancy of these two high offices by one individual at the same time may subject him to pressures and special concerns of individual administrative officials. Time and effort urgently needed in the direction of the affairs of the Civil Service Commission undoubtedly tend to be diverted to extraneous matters which at best are only indirectly related to the mission of this important agency. The chairmanship of the Civil Service Commission is a full-time job which requires the undivided attention of the incumbent—just as the management of other agencies requires the attention of the titular heads thereof. See recommendation (2), page 53.

Commission meetings: The Civil Service Commissioners held 26 formal meetings during the calendar year 1955, and a number of other, informal, meetings to take up special problems, such as budget estimates, as they arose. There is no firm policy of holding meetings on a specific day each week, although it was stated that generally there was an effort to set aside each Wednesday for a meeting of the Commissioners.

The bulk of the work requiring Commission attention is handled individually by the Commissioners by referring staff files from one Commisisoner to another for notation and decision. The formal minutes of the Commission are made up not only from the formal meetings but from decisions as indicated on these files that are referred to the individual Commissioners without any formal meeting. In practice, the schedule of meetings is worked out by the Executive Secretary to the Commission, who endeavors to arrange the meetings on Wednesdays. This has been the custom in the Commission for a good many years past. However, because of other appointments and obligations, it is frequently necessary to select another time for a Commission meeting.

In the judgment of the committee, at least one regular, formal weekly meeting of the Civil Service Commission would contribute materially to improvement in the management and operations of the Commission. See recommendation (2), page 53.

RECOMMENDATIONS

* * * * * *

(d) Continue the present requirement that not more than two Civil Service Commissioners be of the same political party and that the Chairman and members of the Commission be appointed by the President with the advice and consent of the Senate.

Consideration also should be given to the inclusion in such legislation, among other matters, of provisions to—

(a) Achieve for the Civil Service Commission greater independence of action, continuity of top management, and freedom from outside influence or domination through the establishment of 6-year, overlapping terms of office for Civil Service Commissioners, such terms to be placed in effect on a staggered basis, beginning with the first day of a specific calendar year, by the appointment of (i) one Commissioner to a term expiring at the end of 2 years, (ii) one Commissioner to a term expiring at the end of 4 years, and (iii) one Commissioner to a term expiring at the end of 6 years—the term of any Commissioner appointed thereafter to expire at the end of a 6-year period, or multiple thereof, after the prescribed expiration date of one of the original terms;

(b) Require that at least one Civil Service Commissioner have served 5 or more years in the classified civil service;

(c) Establish a firm line of succession for the office of Chairman of the Civil Service Commission whereunder (i) in the absence of the Chairman the other majority Commissioner shall act as Chairman, (ii) in the absence of the Chairman and the other majority Commissioner the minority Commissioner shall act as Chairman, and (iii) in the absence of the Chairman and both other Commissioners the Executive Director shall act as Chairman;

(d) Spell out in affirmative language that the decisions and determinations of the Civil Service Commission authorized by law or order are final and conclusive on the executive agencies and enforceable by legal proceedings in any instance in which the Commissioners, by a majority vote, shall determine and certify that such action is necessary in the public interest; and

(e) Authorize the Civil Service Commission (1) to require an explanation of reasons for any failure to make an appointment from a certificate or list of eligibles furnished by the Commission at the request of an appointing authority and (ii) if, in the judgment of the Commission, the facts warrant to direct abolishment of any position (A) for which a certificate or list of eligibles has been furnished upon request and to which no appointment has been made from such certificate or list (or by promotion or transfer) within such time as the Commission may prescribe or (B) for which two or more certificates or lists of eligibles have been furnished upon request and to which no appointment has been made from any such certificate or list or by promotion or transfer.

(2) THE COMMISSION

(a) The office of Chairman of the Civil Service Commission is a full-time job and should comprise no special duties and responsibilities, as personnel adviser to the President or otherwise, which are above and beyond those normally found in the relationship of the head of an independent agency to the Chief Executive.

(b) The Civil Service Commission should establish a firm policy of holding formal meetings at least once each week to consider and determine matters of policy and problems requiring the attention of the Commissioners.

(c) Greater emphasis should be placed upon the staff and advisory capacity of the Commission in its dealings with other agencies.

Mr. CARLSON. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. First, I have some perfecting amendments which I send to the desk.

Mr. DOUGLAS. Mr. President, before the Senator from South Carolina yields the floor, I should like to ask him a few questions.

Mr. CARLSON. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CARLSON. Mr. President, I have here a copy of a letter written by the Chairman of the Civil Service Commission to Representative MURRAY, chairman of the Committee on Post Office and Civil Service of the House of Representatives. I ask unanimous consent that the letter may be made a part of the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., July 3, 1956.

The Honorable TOM MURRAY,
Chairman, Committee on Post Office and Civil Service, House of Representatives, United States Congress.

DEAR MR. MURRAY: This is in reply to your letters of March 19 and March 22, 1956, requesting the Commission's views on H. R. 9998 and H. R. 10041, identical bills "To amend the first section of the Civil Service Act of January 16, 1883, as amended, so as to provide for 6-year terms of office for members of the Civil Service Commission, and for other purposes."

These bills would provide for fixed overlapping terms of office for Civil Service Commissioners and establish a different line of succession for the office of chairman.

The Commission is opposed to the enactment of these bills.

The present organization is working very well. It is based on a recommendation made in 1949 by the Commission on Organization of the Executive Branch (the first Hoover Commission). In our opinion, our organization is effective and logical and has provided a satisfactory framework for the exercise of the Commission's responsibilities.

In reviewing the entire matter, we have come to the conclusion that the method of appointment of Commissioners should not be changed. Commissioners should continue to serve at the pleasure of the President without having fixed terms of office established by law. In addition, we believe that the separation of operations from policy and appellate functions should be continued. This logically calls for the Executive Director's acting in the absence of the Chairman of the Commission for purposes of continuity of operations. Since the time of the other two Commissioners is spent on policy and appellate functions, they cannot be expected to be familiar with day-to-day operations.

Reorganization Plan No. 5 has worked too well to date to discard it without further trial. In the course of this further trial, responsible executive branch officials will give continuous thought to any needed changes in the Commission's structure and functions.

The Bureau of the Budget has advised us that there is no objection to the submission of this report to your committee, and that enactment of this legislation would not be in accord with the President's program.

By direction of the Commission.

Sincerely yours,

PHILIP YOUNG,
Chairman.

Mr. JOHNSTON of South Carolina. Does the Senator from Georgia wish to ask me a question?

Mr. RUSSELL. Mr. President, I desire to obtain the floor in order to present amendments to the bill. If the Senator from Illinois [Mr. DOUGLAS] wishes to interrogate the Senator in reference to something which has already been covered, I shall be glad to wait.

The PRESIDING OFFICER. The amendments offered by the Senator from South Carolina [Mr. JOHNSTON] will be stated.

The LEGISLATIVE CLERK. In the amendment of the committee, on page 24, line 5, it is proposed to strike out:

(32) Deputy Director, Central Intelligence Agency.

On pages 24 and 25, renumbered paragraphs (33) to (54) as (32) to (53), respectively.

On page 25, line 5, after "executive" insert "or military."

On page 27, lines 13 and 14, strike out:

(17) Commissioner, United States Court of Claims (12).

On page 27, renumber paragraphs (18) to (23) as (17) to (22), respectively.

On page 32, line 4, strike out "$12,000" and insert "$12,500."

On page 71, line 22, insert before the period a colon and add *"Provided fur-*

ther, That this subsection shall not apply to a Member appointed by the President of the United States to a position not requiring confirmation by the Senate."

On page 44, before the semicolon in line 7, insert the following: "or to construction employees or any other temporary, part-time, or intermittent employees of the Tennessee Valley Authority."

The PRESIDING OFFICER. If there is no objection, the amendments offered by the Senator from South Carolina will be considered en bloc.

Mr. CARLSON. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CARLSON. I understand these are the amendments that have been discussed; is that a fact?

Mr. JOHNSTON of South Carolina. We did discuss them.

Mr. MONRONEY. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. MONRONEY. These amendments do not include the civil-service retirement portion of the bill, do they?

Mr. JOHNSTON of South Carolina. No. These are merely technical amendments.

Mr. DOUGLAS. Mr. President, will the Senator from South Carolina yield for a question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. DOUGLAS. Am I correct in my understanding that under this bill the members of the Cabinet are to receive salaries of $25,000 a year?

Mr. JOHNSTON of South Carolina. That is correct. The House provided for that in its bill, and we have it in our bill. The salary is now $22,500.

Mr. DOUGLAS. The Under Secretary of State and the Deputy Secretary of Defense are to receive salaries of $22,500, is that correct?

Mr. JOHNSTON of South Carolina. That is correct.

Mr. DOUGLAS. And the Secretaries of the Army, Navy, and Air Force are to receive salaries of $22,000?

Mr. JOHNSTON of South Carolina. That is correct.

Mr. DOUGLAS. There are several Under Secretaries referred to on page 20 of the bill, such as the Under Secretary of the Interior, the Under Secretary of Agriculture, the Under Secretary of Commerce for Transportation, the Under Secretary of Commerce, the Under Secretary of Labor, the Under Secretary of Health, Education, and Welfare, who are to receive salaries of $21,000.

Mr. JOHNSTON of South Carolina. That is correct.

Mr. DOUGLAS. And are there not a number of Deputy Under Secretaries included in the bill? Does not every Under Secretary have one or more deputies?

Mr. JOHNSTON of South Carolina. Perhaps.

Mr. DOUGLAS. Will they not receive increases?

Mr. JOHNSTON of South Carolina. Perhaps.

Mr. DOUGLAS. Are two new grades put in, 17 and 18?

Mr. JOHNSTON of South Carolina. No.

Mr. DOUGLAS. Are the numbers in grades 17 and 18 increased?

Mr. JOHNSTON of South Carolina. In some instances.

Mr. DOUGLAS. So, the deputies will probably be placed in grade 17 or grade 18. There are deputy secretaries and undersecretaries in virtually every department of Government. Then there are deputies to the deputies, or deputies to the undersecretaries. They will probably be in grades 17 and 18, will they not?

Mr. JOHNSTON of South Carolina. They will remain in whatever grade classification they may be in at the present time.

We have made some few increases in the bill with reference to grades 17 and 18.

Mr. DOUGLAS. The bill probably would upgrade grade 18 persons. In other words, the deputies to the deputies and the deputies to the under secretaries are not forgotten?

Mr. JOHNSTON of South Carolina. No.

Mr. DOUGLAS. That is very reassuring to these functionaries. I notice that on page 23 a number of assistant secretaries are also given increases.

Mr. JOHNSTON of South Carolina. To make that clear, everyone in grade 18 is increased from $14,800 to $16,000, under the bill.

Mr. DOUGLAS. That will be good for them, if not for the taxpayers.

On page 23, under "assistant secretaries," I find 5 Assistant Postmasters General, 3 Assistant Secretaries of Agriculture, 3 Assistant Secretaries of Commerce, 9 Assistant Secretaries of Defense, 2 Assistant Secretaries of Health, Education, and Welfare, 3 Assistant Secretaries of the Interior, 3 Assistant Secretaries of Labor, 10 Assistant Secretaries of State, 3 Assistant Secretaries of the Treasury, 4 Assistant Secretaries of the Air Force, 4 Assistant Secretaries of the Army, 4 Assistant Secretaries of the Navy.

If my arithmetic is correct, that is a total of 53 assistant secretaries whose pay is to be increased to $20,000.

Mr. JOHNSTON of South Carolina. That is correct.

Mr. DOUGLAS. If every one of the 53 assistant secretaries has a deputy assistant secretary, what will happen to the 53 deputy assistant secretaries?

Mr. JOHNSTON of South Carolina. Their salaries will not be changed unless they are already in grade 18. If they are already in grade 18, their pay will be increased from $14,800 to $16,000.

Mr. DOUGLAS. Is it not probable that almost all the deputies to assistant secretaries are in grade 18 now?

Mr. JOHNSTON of South Carolina. There are only 176 in the entire Government.

Mr. DOUGLAS. Could we have a breakdown of the number of deputies to the assistant secretaries and the deputies to the under secretaries?

Mr. JOHNSTON of South Carolina. For the information of the Senator from Illinois, in grades 17 and 18 there are only 178 officials in the entire Government.

Mr. DOUGLAS. Does the Senator mean that there are not more than 178 deputies to under secretaries or deputies to assistant secretaries? That is reassuring. I thought the number probably ran into many hundreds.

Can the Senator from South Carolina inform us how many more under secretaries, deputy secretaries, assistant secretaries, deputy under secretaries, and deputy assistant secretaries there are now than there were 3½ years ago?

Mr. JOHNSTON of South Carolina. The committee did not go into that in this classification.

Mr. DOUGLAS. I think that would be an extremely important answer to have.

Mr. JOHNSTON of South Carolina. Their salaries will not be touched at all.

Mr. DOUGLAS. But large increases are being handed down?

Mr. JOHNSTON of South Carolina. Not in the bill. There are 662 only.

Mr. DOUGLAS. The salaries of the deputy secretaries go up; the salaries of the under secretaries go up; the salaries of the assistant secretaries go up; the salaries of deputy under secretaries who are in grade 18 go up; and the salaries of deputies to assistant secretaries who are in grade 18 go up.

My question is how many more deputy secretaries, under secretaries, assistant secretaries, deputies to under secretaries, deputies to deputy under secretaries, and deputies to assistant secretaries are there now than there were 3½ years ago? We have been proliferating officialdom, to use a large word, all around. One cannot go downtown without bumping into a deputy; and he does not wear a sheriff's badge, either.

Mr. JOHNSTON of South Carolina. I should imagine their number has increased; and my rough guess would be that their number has about doubled.

Mr. DOUGLAS. I believe the Department of Defense used to have nine civilians in the top positions. Now there are 32 secretaries, under secretaries, assistant secretaries, deputies to deputies, and deputies to assistant secretaries. Perhaps I have missed some of them.

Mr. JOHNSTON of South Carolina. I agree with the Senator from Illinois to a very large extent; but the committee did not go into that question in this bill.

Mr. DOUGLAS. But the positions have been created by this administration under their efficiency program to reduce the number of governmental employees. Does not the Senator think it would be a good subject for the Committee on Government Operations to look into? Would it not be well for that committee to ascertain the number of assistant secretaries, assistants to assistant secretaries, deputies to assistants, and deputies to deputies the Government now has on its rolls?

Mr. JOHNSTON of South Carolina. For the information of the Senator from Illinois, the committee has not made a study of that question up until this time, but we intend to make such a study.

Mr. DOUGLAS. I think it would be very helpful.

The PRESIDING OFFICER. The question is on agreeing to the amendments en bloc, submitted by the Senator from South Carolina (Mr. Johnston).

The amendments were agreed to.

Mr. RUSSELL. Mr. President, I have an amendment in the nature of a substitue for Title V of the proposed legislation. Title V of the bill as reported by the committee has in essence the same provisions as H. R. 11040, which has passed the House. It provides for the creation of some 275 additional professional grades in the highest pay brackets. Most of them are within the Department of Defense.

I have made some study of this question, and, in my opinion, Congress would not be justified in creating that many positions in that high category at this time. I am therefore offering an amendment as a substitute for title V of the committee amendment.

The PRESIDING OFFICER (Mr. LAIRD in the chair). Does the Senator desire to have the amendment read in full?

Mr. RUSSELL. It is agreeable to me to have the amendment printed in the RECORD, rather than have it read.

The PRESIDING OFFICER. Without objection, the amendment will be printed in the RECORD.

Mr. RUSSELL's amendment to the committee amendment is as follows:

On page 81, beginning in line 19, strike out down to and including line 10 on page 85, and in lieu thereof insert the following:

"SEC. 501. (a) Subsections (a) and (b) of the first section of the act of August 1, 1947 (61 Stat. 715; Public Law 313, 80th Cong.), as amended, are amended to read as follows:

"'(a) The Secretary of Defense is authorized to establish and fix the compensation for not more than 120 positions in the Department of Defense and not more than 25 positions in the National Security Agency, each such position being established to effectuate those research and development functions, relating to the national defense, military and naval medicine, and any and all other activities of the Department of Defense and the National Security Agency, as the case may be, which require the services of specially qualified scientific or professional personnel.

"'(b) The Chairman of the National Advisory Committee for Aeronautics is authorized to establish and fix the compensation for, in the headquarters and research stations of the National Advisory Committee for Aeronautics, not to exceed 20 positions in the professional and scientific service, each such position being established in order to enable the National Advisory Committee for Aeronautics to secure and retain the services of specially qualified personnel necessary in the discharge of the duty of the Committee to supervise and direct the scientific study of the problems of flight with a view to their practical solution.'

"(b) Nothing contained in the amendment made to such act of August 1, 1947, by subsection (a) of this section shall affect any position existing under authority of subsection (a) of the first section of such act of August 1, 1947, as in effect immediately prior to the effective date of such amendment, the compensation attached to any such position, and any incumbent thereof, his appointment thereto, and his right to receive the compensation attached thereto, until appropriate action is taken under authority of subsection (a) of such first section of such act of August 1, 1947, as contained in the amendment made by subsection (a) of this section.

"SEC. —. Section 505 (b) of the Classification Act of 1949, as amended (69 Stat. 179; 5 U. S. C., sec. 1105), is amended to read as follows:

"'(b) Subject to subsection (c), (d), and (e) of this section, a majority of the Civil Service Commissioners are authorized to establish and, from time to time, revise the maximum number of positions (not to exceed 1,215) which may be in grades 16, 17, and 18 of the General Schedule at any one time, except that under such authority such maximum number of positions shall not exceed 329 for grade 17 and 126 for grade 18. The United States Civil Service Commission shall report annually to the Congress the total number of positions established under this subsection for grades 16, 17, and 18 of the General Schedule and the total number of positions so established for each such grade.'"

Mr. RUSSELL. Mr. President, I shall describe very briefly what the proposed substitute will do. In the Department of Defense at the present time 45 of these professional positions are authorized. The committee proposal allows 180 additional positions. The amendment which I propose allows 75 additional positions.

The National Security Agency, Mr. President, which is one of the most important agencies of our Government, although it is not referred to very often, and I think this is the first time it has ever appeared in any bill which has come before the Congress—the Agency was created by Executive order—does not at the present time have any of these scientific and professional positions in the higher grades. The Agency had requested 50 positions. My suggested amendment proposes 25 additional positions.

The reason the amendment provides a higher percentage of such positions for that Agency than it does for some of the other agencies is the peculiar nature of the work which is done by the National Security Agency. The work is of such a nature that when a man leaves the Agency, the training he has received in the Government does not in any way help him obtain a position in private employment.

The National Advisory Committee for Aeronautics at the present time has 10 such positions, and it has requested 50 positions. That is provided in the committee amendment. The amendment which I propose doubles the number the Advisory Committee has at the present time, and allows it 10 additional professional positions. The Advisory Committee proposes to promote 10 persons presently employed by them, and, thereafter fill the 10 positions in the lower grades by employing new personnel.

The committee proposes to give to the Department of Commerce 35 additional scientific positions. I have discussed this matter with the Secretary of Commerce. Of course, he would like to get the 35 professional positions, but he has stated to me, within the hour, that his greatest need is in the so-called supergrades, GS–16, 17, and 18; that he needs the positions in those categories to assist him in the administration of the tremendous highway program which was recently adopted by the Congress. The amendment I have proposed allows 15 positions in the higher grades, or the supergrades, to the Department of Commerce.

The essential difference between the provisions of H. R. 11040, as found in title V, and the substitute I propose is that the number of high-grade positions is reduced from 275 to 145.

I may say, with respect to these scientific grades, it is very difficult to recruit personnel for those grades all at one time.

I do not think my amendment would injure any of these agencies in the slightest degree. The next Congress can examine into the needs of the agencies and ascertain whether it is necessary to create this large number of scientific and professional positions.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. SALTONSTALL. I should like to add a word to what the Senator from Georgia has said about the amendment. I know the departments would like to have more of the high-grade positions, but representatives of the Defense Department have discussed the matter with the Senator from Georgia and with me. While they would like to have more of the high-grade positions, I believe the amendment of the Senator from Georgia will be very helpful to the Department of Defense as well as the Department of Commerce. The Secretary of Commerce has also talked to me.

I hope the amendment of the Senator from Georgia will be accepted by the committee.

Mr. JOHNSTON of South Carolina. Mr. President, I should like to say that the House bill is before the Senate. Hearings were held on the House bill. A question was raised as to how many of the high-grade positions should be created. For that reason, I informed those concerned that I thought we ought to take the matter up with the Committee on Armed Services, and especially with the chairman of the committee.

Mr. RUSSELL. I appreciate that.

Mr. JOHNSTON of South Carolina. The Senator suggested that the proposals be put in the bill. Then when it reached the floor he would offer his amendment clarifying the matter, as he thought it ought to be.

So far as I am concerned, and I think the committee felt that way about it at the time, I shall be glad to accept the amendment.

Mr. CARLSON. Mr. President, reserving the right to object—and I shall not object—before the amendment is accepted I should like to make a statement.

It is understood that Senator RUSSELL would propose to amend title V of H. R. 7619 to reduce the numbers of scientific and professional positions proposed by the act. Title V would increase the number of scientific and professional positions now authorized for certain departments and agencies engaged in scientific research and development. While this title reads as though the heads of the departments and agencies concerned have a wide open authority to establish positions and rates of pay under it, this is not the case nor would it be appropriate. The situation with regard to the

control of positions under this title is as follows:

While the positions authorized to be established under the title are for the use of the specific agencies named, before they can be established and appointments made to them the department or agency must have the approval of the Civil Service Commission of the rate of pay which it proposes for each position and of the qualifications of each individual which it proposes to appoint to such positions. In fact the control of pay fixing and appointment is tighter in the case of these positions than is the case when positions are established under the Classification Act. Title V does not authorize any increase in the number of so-called supergrade positions under the Classification Act. It deals solely with scientific and professional positions for which the Congress initially authorized limited numbers of such positions in Public Law 313 on August 1, 1947. Authorization of the additional positions provided in title V is essential to the scientific research and development work conducted by the Federal Government if our Government is to keep abreast and ahead of the demands made on it in this field.

The bulk of the positions covered by title V are in three critical areas:

The Department of Defense for the use of the Army and Navy, and Air Force in their scientific and professional research and development programs in a variety of fields ranging from guided missiles to the field of medicine.

The National Security Agency.

The National Advisory Committee for Aeronautics whose research in the aeronautical field is basic to the continued development of our aircraft industry. Its research and development work is made available not only to the Army, Navy, and Air Force, but also to the private industrial concerns in the aircraft field.

The authorization of these positions can in no way be termed a raid on the Treasury or a political maneuver to secure more high-paid jobs for political purposes. Each individual who has been approved for appointment under the present authorizations for such positions which would be increased by title V has been an outstanding scientist or professional man in his field of work. The departments and agencies who have the special authorities which are being increased under title V have in no instance abused the authority or used it improperly since they have first received authorization for appointments and pay fixing in 1947.

To reduce the number of scientific and professional positions proposed to be authorized by title V would be failing to recognize our critical need for advanced work by the Federal Government in the fields of basic research and applied science.

I appreciate the work the Senator from Georgia has done. It is a real problem to determine the number of personnel that each agency should have in the super positions. There is a great demand for them. In many instances—in fact, I should say in most instances—their employment is justified. We have tried, as I know the Senator from Georgia has tried, to take care of the agencies at this time.

I did not hear the number the Senator from Georgia suggested for the Department of Defense.

Mr. RUSSELL. The number suggested for the Department of Defense is a total of 120. At the present time the Department has 45 super positions. The proposed amendment would allow them 75 additional positions in this category.

Mr. CARLSON. I should like to say to the Senator from Georgia that the senior Senator from Virginia [Mr. BYRD] visited with me and stated he was greatly concerned about the National Advisory Committee for Aeronautics, and he told me he had discussed with the Senator from Georgia the number of super positions needed in that agency. As I understand, that agency now has 10 such positions, and would receive 10 additional under the proposed amendment. Is that correct?

Mr. RUSSELL. The Senator is correct. I may say that the Senator from Virginia has discussed this matter with me on two occasions, and urged increases in the authorization for the National Advisory Committee for Aeronautics. But, in my opinion, if we double the number that agency now have, and they are permitted to fill the 10 old positions—because they will be recruiting 10 new men to fill the lower grades which have been vacated for the higher grades—that should suffice to allow the agency to pursue its activities.

Mr. CARLSON. The National Advisory Committee for Aeronautics had requested 60 such positions. As I understand, all the positions which were to be filled would be filled by moving up to those grades persons presently employed by the agency. The amendment will give the agency 20 of those super positions. Is that correct?

Mr. RUSSELL. The agency will have 20 of the highest professional grade positions recognized by existing law. As the Senator has stated, the agency proposes to fill the top positions by promotion; but, as the Senator well knows, when the agency does fill those positions by promotion, that does not automatically abolish the lower positions which are occupied by those who will be promoted. Additional personnel will fill the vacancies created by the promotion of personnel to the 10 additional scientific and professional grades.

Mr. CARLSON. In conclusion, I wish again to commend the Senator from Georgia for the work he has done on the matter. I know he has worked earnestly and sincerely in trying in an effort to protect the interests of the Government. There is great demand by private industry for scientists and other personnel in various Government agencies. While we can never expect to meet private industry salaries, we can, in every way possible, by granting salary increases and fringe benefits, encourage employees to stay with the Government when we need them.

If it develops by next January that a sufficient number of positions have not been made available to take care of the interests of the Government, I am sure the Senator from Georgia, and I know the Senator from Kansas, will try to protect those interests.

Mr. RUSSELL. If it develops that this number of positions is not sufficient to meet the needs of the agencies, I shall favor action by Congress to increase the number so as to enable the departments to meet their needs.

Mr. DOUGLAS. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. DOUGLAS. First, I wish to congratulate the Senator from Georgia for his work in cutting out a large number of the high-salaried positions, which apparently are grossly excessive in number.

I have made a rough calculation; and I think his amendment to the committee amendment will save several million dollars. He deserves a great deal of credit for paring down the excessive estimates by the executive departments.

Mr. RUSSELL. I thank the Senator from Illinois.

Mr. DOUGLAS. I have been seeking for some time to obtain information on this question. There are approximately 13 Under Secretaries, 2 Secretaries, and then there are some Deputy Under Secretaries. There are 53 Assistant Secretaries, 21 of whom are in the Defense Department. I am seeking to ascertain how many deputies to Deputy Secretaries and Under Secretaries and how many deputies to Assistant Secretaries there are in the Government.

Mr. RUSSELL. Mr. President, the Senator from Illinois must seek his information at a source that is wiser and has more information than does the Senator from Georgia. I doubt very much that in the Government service there is any living human being who could answer that question offhand.

Mr. DOUGLAS. Does the Senator from Georgia think there is any computing machine which could add up the total?

Mr. RUSSELL. Some remarkable electronic computing machines have been developed in the past few years.

Mr. DOUGLAS. Does the Senator from Georgia think it would be necessary to use an electronic computing machine in order to arrive at the answer to my question?

Mr. RUSSELL. Of course, figures in regard to some of the other executive departments have been available. I myself am more familiar with the Department of Defense than I am with some of the other departments and agencies.

Mr. CARLSON. Mr. President, in connection with that point will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield.

Mr. CARLSON. The Senator from Illinois is an eminent statistician and economist; but I do not want him to state on the floor of the Senate that this amendment to the committee amendment will save hundreds of millions of dollars.

Mr. DOUGLAS. I said millions of dollars.

Mr. CARLSON. The fact is that the committee amendment provides for an increase from a maximum of $15,000 to a maximum of $19,000.

Mr. DOUGLAS. But when additional positions are created and when men already in the Government service are moved into the new positions, it is necessary for others to occupy the positions the men promoted have vacated.

Mr. CARLSON. At any rate, the Senator from Georgia has stated the number; and I point out that the difference is the difference between $15,000 and $19,000.

Mr. RUSSELL. Mr. President, I appreciate the statement of the Senator from Kansas. In some instances, I think the difference might be somewhat greater.

Mr. President, I make no claim that the saving this amendment to the committee amendment will effectuate will pay off the public debt or result in some other great accomplishment; the saving will be a rather modest one. However, I was brought up in a rather Spartan household, and it seems that I waste a great deal of time in the Senate in trying to save a few dollars here or a million dollars there. In view of the tremendous Government operations which now are going on, the saving which will result from this amendment to the committee amendment will be almost infinitesimal. However, when I see that I can save a few dollars for the national Treasury, my instinct tells me I should do what I can to do so.

Mr. DOUGLAS. Mr. President, will the Senator from Georgia yield further to me?

Mr. RUSSELL. I yield.

Mr. DOUGLAS. Perhaps the adding machine the Senator from Georgia has at his disposal will not permit him to state the total number of Deputy and Assistant Secretaries for the entire Government; but can he state the number for the Department of Defense?

Mr. RUSSELL. I cannot answer that question. I know that during World War II there was a total, I believe, of 8 Secretaries and Assistant Secretaries in the various defense agencies; and in January 1953, when the present administration came into power, there were 17 Secretaries and Asssitant Secretaries in the Department of Defense; and as of today there are 30. A bill which has been passed by the House of Representatives, and on yesterday was in the Senate Armed Services Committee—where it was tabled—would have created three additional Secretaries.

Of course, I am sure it is only coincidental; but I was interested to observe that in testimony given before the Congress some 2 years ago, the Secretary of Defense testified there were 33 vice presidents of General Motors Corp.; and if the committee had reported the bill to which I have just referred, and if the bill had been passed, there would have been 33 Secretaries and Assistant Secretaries of the Defense Department.

Mr. DOUGLAS. Does the Senator from Georgia remember what the late Fred Allen had to say about the numerous vice presidents of broadcasting companies? The remarks were very caustic and well deserved. I think Mr. Allen would have equal fun with the number of these deputies, assistants, and so forth.

Mr. RUSSELL. I am afraid that I am not familiar with that particular historical incident.

Mr. President, I ask that the question be put on the adoption of my amendment, which proposes a substitute for title V of the committee amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Georgia [Mr. RUSSELL] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. JOHNSTON of South Carolina. Mr. President, to the committee amendment, I submit the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER (Mr. GORE in the chair). The amendment to the committee amendment will be stated.

The CHIEF CLERK. In the committee amendment on page 28, between lines 19 and 20, it is proposed to insert the following:

SEC. 110. (a) The Surgeon General of the Public Health Service shall receive such compensation, in addition to his pay and allowances under the Career Compensation Act of 1949, as amended, as will make his compensation equal to $20,000 per annum, in addition to such allowances.

(b) The Deputy Surgeon General of the Public Health Service shall receive such compensation, in addition to his pay and allowances under the Career Compensation Act of 1949, as amended, as will make his compensation equal to $19,000 per annum, in addition to such allowances.

(c) The Director, National Institutes of Health, the Chief, Bureau of Medical Services, and the Chief, Bureau of State Services, of the Public Health Service, shall each receive such compensation, in addition to his pay and allowances under the Career Compensation Act of 1949, as amended, as will make his compensation equal to $17,500 per annum, in addition to such allowances.

Renumber succeeding sections.

Mr. JOHNSTON of South Carolina. Mr. President, the purpose of the amendment is to adjust the rate of compensation of five top doctors who are responsible for administration of the United States Public Health Service.

The committee unanimously agreed to adjust the rate of compensation of the top position; that is, the position of the Surgeon General of the United States. After this action had been taken, certain technical problems which developed made it necessary to leave the position out of the bill as it was reported. These technical problems have now been resolved, and it has been determined that, in addition to adjusting the pay of the Surgeon General, as a matter of equity the rate of pay of four additional positions should be adjusted. The matter has been discussed with members of the Committee, and meets with approval of the members of the committee.

When we were discussing the matter in the committee, at one time we thought that perhaps the ones in these positions might continue to receive the salaries attaching to their ranks in the military services—for instance, the salary of brigadier general, and so forth. For that reason, we thought that perhaps we should not interfere with the existing arrangements. However, we have found that that is not true. For that reason, we believe the salaries should be adjusted in the way proposed.

Mr. CARLSON. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CARLSON. If I correctly understand the amendment, I think it will increase the salary of the Surgeon General of the United States and 3 or 4 other positions in the Department of Health, Education, and Welfare.

Mr. JOHNSTON of South Carolina. That is true.

Mr. CARLSON. I think the RECORD should show that in the case of the Surgeon General, who is a member of the military forces of the United States, and who draws a certain salary as a member of the United States Army, even though he will receive the increased salary proposed by the amendment, his salary will revert to his previous salary when he leaves his present position.

Mr. JOHNSTON of South Carolina. Yes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Carolina [Mr. JOHNSTON] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. RUSSELL. Mr. President, I desire to address a question to the Senator from South Carolina. On page 35 of the committee report, I notice it is stated that a change is made in the status of a number of legal officers of the Government, including that for the Department of Agriculture, that for the Department of the Army, that for the Department of the Navy, and that for the Department of the Air Force. Will the Senator tell us briefly why that change was made, and the effect of it?

Mr. JOHNSTON of South Carolina. In general terms, we made a study of the subject, the subcommittee and the staff working together, and we came to the conclusion that the salaries for the officials referred to should be increased in the amounts indicated. The committee was unanimous.

Mr. RUSSELL. Is there anything to prevent the creation of two higher positions when this provision is enacted? Can the grade at present occupied by the General Counsel of the Department of the Army be filled by another appointment?

Mr. JOHNSTON of South Carolina. No; it cannot.

Mr. RUSSELL. The Senator is confident of that?

Mr. JOHNSTON of South Carolina. I am confident of that. That question was raised, and we were told that it could not be.

Mr. RUSSELL. The Senator is confident that that language applies only to the offices of these individuals, and does not increase the total number of positions in these departments?

Mr. JOHNSTON of South Carolina. That is entirely correct.

Mr. RUSSELL. Can the Senator tell us how many positions in the so-called super grades—16, 17, and 18—are created by this bill?

Mr. JOHNSTON of South Carolina. I should say not more than a dozen.

Mr. RUSSELL. I notice on page 36 that when we increase the grade of Deputy Administrators of the Agricultural Research Service to grade GS–18, we say that "Such positions shall be in addition to the number of positions authorized to be placed in such grade by section 305 (b) of such act." Does that mean that the grades now occupied by those positions, which are either 16 or 17, can be filled by new appointments?

Mr. JOHNSTON of South Carolina. No; they cannot.

Mr. RUSSELL. That relates only to the three new deputies?

Mr. JOHNSTON of South Carolina. There are no new grades.

Mr. RUSSELL. On page 80 I find an interesting statement, with which I have no violent disagreement, but I was rather curious as to its significance. I refer to section 406, in the retirement provisions of the bill, I believe. That section reads as follows:

SEC. 406. It is the policy of the Congress that whenever in the future any general adjustment is made in the salaries of Government employees, corresponding adjustments should be made in the annuities of retired employees.

Was that provision in the retirement bill as it passed the Senate?

Mr. JOHNSTON of South Carolina. It was in the retirement bill. That is a statement of policy.

Mr. RUSSELL. I feel somewhat bound by our action in supporting the retirement bill.

I thank the Senator from South Carolina for the consideration he has shown me.

Mr. CLEMENTS. Mr. President, on behalf of the senior Senator from New Hampshire [Mr. BRIDGES] and myself, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Kentucky will be stated.

The CHIEF CLERK. Beginning with line 19 on page 30, in the committee amendment, it is proposed to strike out down to and including line 4 on page 33.

On page 33, line 5, it is proposed to strike out "Sec. 121" and insert "Sec. 119."

Mr. CLEMENTS. Mr. President, it is the belief of the sponsors of this amendment that the matters covered in these two sections of the bill should be considered in the legislative bill, and for that reason we offer the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky for himself and the Senator from New Hampshire [Mr. BRIDGES] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. CLEMENTS. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Kentucky will be stated.

The CHIEF CLERK. On page 52, lines 18 and 19, in the committee amendment, it is proposed to strike out "attains the age of 55 years and."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky to the committee amendment.

Mr. KNOWLAND. Mr. President, may we have an explanation of the amendment?

Mr. CLEMENTS. Mr. President, this is similar to the amendment adopted by the Senate in connection with a previous bill. This amendment would permit retirement after 30 years' service, but the retirement allowance would be adjusted downward, depending upon the age of the person so retired.

Mr. CARLSON. Mr. President, I have discussed this amendment with the senior Senator from Kentucky. While I opposed a similar amendment which was previously before the Senate, the Senate voted to include it in the bill. Therefore I think we should take it to conference.

Mr. JOHNSTON of South Carolina. Mr. President, I was on the floor when a similar amendment was agreed to on a previous occasion, and I favored the amendment. The only reason we did not keep it in the bill was that we thought perhaps it would be more likely to meet the approval of the House if it were not in the bill. We shall be glad to take the amendment to conference.

Mr. CLEMENTS. Let me say to my friend, the chairman of the Committee on Post Office and Civil Service, and to the ranking minority member [Mr. CARLSON], that I am delighted to have them take the amendment to conference. However, when they go to conference I hope they will give consideration to the fact that this question has been previously voted upon by the Senate, which expressed itself by a vote of 46 to 36 in favor of the amendment. I hope they will take that fact into consideration when they are discussing this subject in conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. CLEMENTS] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. DOUGLAS. Mr. President, may I inquire whether the Senator from South Carolina will yield to me for some further questions.

Mr. JOHNSTON of South Carolina. I yield to the Senator from Illinois.

Mr. DOUGLAS. Do I correctly understand that on the White House staff there are now 12 administrative assistants to the President?

Mr. JOHNSTON of South Carolina. The Senator is correct.

Mr. DOUGLAS. Does the Senator from South Carolina remember that when the executive staff of the President was first established under the administration of Franklin D. Roosevelt, 7 assistants were provided for, at a salary of only $10,000.

Mr. JOHNSTON of South Carolina. I believe that is correct.

Mr. DOUGLAS. Does the Senator from South Carolina remember the heated objections from the other side of the aisle at that time to the creation of that number of positions of administrative assistant in the office of the President?

Mr. JOHNSTON of South Carolina. There was some discussion.

Mr. DOUGLAS. There was quite bitter discussion, was there not?

Mr. JOHNSTON of South Carolina. That is true.

Mr. DOUGLAS. Now there are 12, and the administration wants 3 more, or a total of 15.

Mr. JOHNSTON of South Carolina. That is true.

Mr. DOUGLAS. So there will be twice as many assistants as President Roosevelt had, at greatly increased salaries; is that not true?

Mr. JOHNSTON of South Carolina. I agree with the Senator from Illinois.

Mr. DOUGLAS. I am also intrigued by the fact that two of the new positions which are to be created are two "Deputy Assistants to the Deputy Assistant" to the President.

Mr. JOHNSTON of South Carolina. That is true. The same thought was running through my mind.

Mr. DOUGLAS. In other words, we have not only Deputy Under Secretaries and Deputies to Deputies to Assistant Secretaries, but we have Deputy Assistants to the Deputy Assistants to the Assistant Secretaries. Would the Senator say that this was a government by deputation?

Mr. JOHNSTON of South Carolina. We do not wish to criticize anyone for not being on the job all the time. One must have assistants when he is absent.

Mr. DOUGLAS. May I ask if it is not the function of the Deputy Assistants to the President, the Assistants to the President, and the Deputy Assistants to the Deputy Assistant to ride herd on the various Government departments, and therefore ride herd on the Deputy Secretaries and Assistant Secretaries, the Deputies to the Deputy Secretaries, the Deputies to the Under Secretaries, and the Deputies to the Assistant Secretaries? Is not that their function?

Mr. JOHNSTON of South Carolina. The Senator is correct.

Mr. DOUGLAS. To see that there is proper coordination between the Assistants and the Deputies to the Assistants.

Mr. JOHNSTON of South Carolina. That is true.

Mr. DOUGLAS. Does the Senator remember the debate in connection with the WPA, when the WPA proposal was nearly wrecked when someone discovered that there were supervisors of supervisors?

Mr. JOHNSTON of South Carolina. I remember that discussion.

Mr. DOUGLAS. It nearly killed the WPA.

Mr. JOHNSTON of South Carolina. That is correct.

Mr. DOUGLAS. But here we have Deputy Assistantants and Assistants riding herd on Secretaries, Under Secretaries, Deputy Secretaries, Assistant Secretaries, Deputies to Under Secretaries, and Deputies to Assistant Secretaries.

Is that not true?

Mr. JOHNSTON of South Carolina. Yes.

Mr. DOUGLAS. Apparently their work has become so onerous that it is now necessary to create deputy assistants to deputy assistants. Would the Senator from South Carolina inform the Senate whether there are deputy assistants to the deputy assistants to the deputy assistants in the Office of the President? In other words, do the deputy assistants to the deputy assistants have deputies who in turn act for them?

Mr. JOHNSTON of South Carolina. I have not investigated that situation. That might be so.

Mr. DOUGLAS. It might be an interesting subject for investigation. Does not the Senator from South Carolina believe that this business has gone to far?

Mr. JOHNSTON of South Carolina. There is no doubt about that.

Mr. CASE of New Jersey. Mr. President, I call up my amendment.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. In the committee amendment on page 28, after line 19, it is proposed to insert a new section, as follows:

SEC. 113. (a) Except as provided in subsection (b) of this section, the compensation of the Commissioners of the District of Columbia shall be at the rate of $17,500 each per annum.

(b) The Engineer Commissioner, appointed from the Corps of Engineers, shall receive an annual compensation which, when added to any compensation he receives as an officer of the United States Army, will equal the compensation authorized for a Commissioner by subsection (a) of this section.

Mr. CASE of New Jersey. The pending amendment is a very simple one. Its purpose and effect is to raise the compensation of the District of Columbia Commissioners from their present salary of $14,620 to $17,500. There are 3 Commissioners—2 civilian Commissioners and 1 engineer Commissioner. In the case of the latter he would be paid the difference between his Army compensation and $17,500.

The amendment has been approved unanimously by the members of the Committee on the District of Columbia, and I understand that the leadership on both sides and the chairman of the Committee on Post Office and Civil Service have no objection to it.

Mr. JOHNSTON of South Carolina. The salaries of the Commissioners were not included in the pending bill. However, I believe that the District of Columbia Commissioners should receive this increase to $17,500.

Mr. CASE of New Jersey. I believe the increase could very equitably be much higher, but I am satisfied that at the present time this is the best we can do. Therefore I urge the adoption of the amendment.

The PRESIDING OFICER (Mr. GORE in the chair.) The question is on agreeing to the amendment offered by the Senator from New Jersey [Mr. CASE] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. JOHNSON of Texas. Mr. President, the chairman of the Committee on Public Works asked me to have a bill rereferred. I did not understand that his request included the striking of certain provisions from the pending bill. After consultation with the Senator from South Dakota [Mr. CASE] and the Senator from Tennessee [Mr. GORE], I believe I should offer an amendment to strike from the pending bill the subject matter in the bill which was rereferred; otherwise there would be no use of rereferring the bill, because the subject matter would have been taken care of in the pending bill.

Therefore, Mr. President, I offer an amendment to strike line 13 of page 24, which reads "(38) Federal Highway Administrator;" and to strike section 304 of the bill, beginning at line 23 on page 36, down to and including line 16 on page 37.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. JOHNSON] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. JOHNSON of Texas. I should now like to ask a question of the distinguished chairman of the committee. As I understand, the amendment which has been adopted by the Senate will completely take care of the situation complained of by the Committee on Public Works. Is that correct?

Mr. JOHNSTON of South Carolina. So far as I know, it will take care of it.

Mr. JOHNSON of Texas. I am doing this without any prejudice to what the committee may do about it. It is a subject which that committee wishes to consider. At the same time I desire to make it abundantly clear that I have no personal feeling in the matter. I am acting on behalf of the chairman of the Committee on Public Works. I appreciate the attitude of my friend, the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that the sections of the bill be renumbered.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill is open to further amendment.

Mr. DIRKSEN. Mr. President, I offer an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. In the committee amendment on page 19, it is proposed to strike out line 24, and to insert after line 12 the following: "The Administrator of Veterans' Affairs."

Mr. DIRKSEN. The purport of the amendment is to provide for the transposition of the Administrator of Veterans' Affairs from one section to another, to put him in a slightly higher class. Very properly he belongs along with the Secretary of the Navy, the Secretary of the Army, and the Secretary of the Air Force. Such a provision was carried in the Senate version of the bill in 1955. However, in the pending bill he is dropped into another category.

Mr. President, the amendment I have offered would transfer the Veterans' Administrator to a higher pay bracket. I think the bill has been well constructed. It is on the basis of responsibility, so, certainly, the Administrator of Veterans' Affairs should be included in the next higher bracket.

He is in charge of the veterans' hospitals with a caseload of more than 113,000 bed patients. At last report there were 181,287 civilian employees on the rolls of the Veterans' Administration. When it comes to money that agency is the fourth largest, because the appropriation for it is in excess of $4 billion. The veterans and dependents on the rolls today number more than 3½ million. Veterans' Administrator is looking after 25,000 vocational cases. The Administrator is administering a program which includes 784,000 GI's for benefits under the GI bill. He is also administering a loan program involving 4,480,000 loans with an aggregate total of $33 billion. In addition to all this, there are in force at least 5,600,000 national life insurance policies and some 400,000 World War II insurance policies. It is a tremendous operation, and I believe, on the basis of size and responsibility, the Administrator should be moved into the next highest bracket and should be given that additional prestige and recognition.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. JOHNSTON of South Carolina. The subcommittee gave a great deal of study to this question. They felt that the Administrator should not be placed on a higher list, but should be held to the $21,000 salary. I think all the members of the committee were unanimous in that belief. It gets the bill out of gear, so to speak, if we place the Administrator in a higher bracket and leave the Commissioner of Internal Revenue, and other officials of that class, where they are. So, we classed them all together, which we thought was correct.

I hope the Senate will see fit to reject the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DIRKSEN] to the committee amendment.

The amendment to the amendment was rejected.

Mr. BRIDGES. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from New Hampshire to the committee amendment will be stated.

The CHIEF CLERK. In the committee amendment it is proposed, on page 26, after line 11, to insert the following new section (3) under section 106 (b): "Assistant to the Director of the Federal Bureau of Investigation."

Mr. BRIDGES. Mr. President, we have a Director of the Federal Bureau of Investigation and an Associate Director. Then we have Assistant to the Director. My amendment applies to the Assistant to the Director, whose work is done very competently. The person occupying this post is an outstanding individual with whom I think Members of Congress have come in contact with

and of whom they have a very high opinion. I certainly think he is one of the most capable officials in Government.

I think that, by and large, the committee has done an excellent job, and I wish to commend the distinguished chairman of the committee and the members of the committee for their excellent work, and I certainly would not offer this amendment if this were not an unusual situation. I think this is an unusual situation, because of the responsibility of the job, because of the high type of man who holds the job, and because of the respect in which he is held by committees of the Congress of the United States come in contact with him.

I hope my amendment will be accepted.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Hampshire [Mr. BRIDGES] to the committee amendment.

Mr. JOHNSTON of South Carolina. Mr. President, this is another amendment which might get the bill out of gear. The position is not even in the executive pay bill; it comes under the Classification Act. He would be in grade 18. He is receiving a promotion from $14,800 to $16,000. There are many persons who hold positions of the same type in the Government. If we place this man in a higher position the others should be placed in higher positions. So, much as I like this man and the work he is doing, I do not think, personally, I could agree to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Hampshire [Mr. BRIDGES] to the committee amendment.

The amendment to the amendment was rejected.

Mr. BRIDGES. Mr. President, I submit another amendment which I ask to have read.

The PRESIDING OFFICER. The amendment offered by the Senator from New Hampshire to the committee amendment will be stated.

The CHIEF CLERK. In the committee amendment on page 28, line 17, it is proposed to strike out "seven" and insert in lieu thereof "eight."

On page 28, line 18, it is proposed to strike out "three" and insert in lieu thereof "two."

Mr. BRIDGES. In effect, the amendment would create one more assistant on the White House staff at a higher rate, in lieu of one at a lower rate.

The purpose of the amendment is to place the salary of the Secretary to the Cabinet at a higher rate level than he now has. The Cabinet is composed of the closest associates of the President in the executive branch of the Government, and the Secretary to the Cabinet carries on his shoulders great responsibilities. He is the chief liaison officer between the President and the Cabinet. His position is as important a position as there is on the general White House level. This official is responsible for the preparation of the Cabinet agenda and to determine those items to be recommended to the President for Cabinet discussion.

I think the position is filled competently today by a man of outstanding ability. I hope the amendment will be agreed to.

Mr. JOHNSTON of South Carolina. Mr. President, I am sorry that I cannot agree to accept the amendment. The committee has already advanced the rate of pay of three positions at $17,500 in the President's office. I feel that that is sufficient at this time. Under the circumstances, I ask the Senate to reject the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Hampshire [Mr. BRIDGES] to the committee amendment.

The amendment to the amendment was rejected.

Mr. JOHNSON of Texas. Mr. President, if no other Senator desires to offer an amendment to the bill, I shall suggest the absence of a quorum, because the Senator from Oregon [Mr. MORSE] wishes to offer one final amendment before the bill shall be passed.

Mr. MONRONEY. Mr. President, before the Senator from Texas suggests the absence of a quorum, I should like to propound a question to the chairman of the committee.

The retirement features which are included in the committee amendment include the same rate of contribution for the retirement of Members of Congress as did the retirement bill which passed earlier with the Williams amendment, do they not?

Mr. JOHNSTON of South Carolina. They are the same.

Mr. MONRONEY. I wanted to be certain that there had been no inadvertent change.

Mr. JOHNSTON of South Carolina. They remain the same.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I suggested the absence of a quorum so that my friend, the Senator from Oregon, could come to the floor to offer an amendment he desired to offer before the Senate took final action on the bill. As soon as action has been taken on the amendment and then on the bill, it will be my purpose to move that the Senate proceed to the consideration of the mutual security appropriation bill, on which there will be a limitation of the time for debate.

The Senate will remain in session late this evening in the hope that some action can be had on at least several amendments to the bill.

Mr. MORSE. Mr. President, I offer an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Oregon to the committee amendment will be stated.

The CHIEF CLERK. In the committee amendment on page 33, it is proposed to strike out lines 5 and 6 and insert in lieu thereof the following:

SEC. 121. (a) Except as provided in this section, this title shall take effect as of the first day of the first pay period which began after December 31, 1955.

(b) Retroactive compensation or salary shall be paid by reason of this act only in the case of an individual in the service of the United States (including service in the Armed Forces of the United States) or the municipal government of the District of Columbia on the date of enactment of this act, except that such retroactive compensation or salary shall be paid (1) to an officer or employee who retired during the period beginning on the first day of the first pay period which began after December 31, 1955 and ending on the date of enactment of this act for services rendered during such period and (2) in accordance with the provisions of the act of August 3, 1950 (Public Law 636, 81st Cong.), as amended, for services rendered during the period beginning on the first day of the first pay period which began after January 31, 1955, and ending on the date of enactment of this act by an officer or employee who dies during such period. For the purposes of this subsection, service in the Armed Forces of the United States, in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the Federal Government or the municipal government of the District of Columbia.

(c) For the purpose of determining the amount of insurance for which an individual is eligible under the Federal Employees' Group Life Insurance Act of 1954, all changes in rates of compensation or salary which result from the enactment of this title shall be held and considered to be effective as of the first day of the first pay period which begins on or after the date of such enactment.

Mr. MORSE. Mr. President, in essence, the amendment provides for retroactive pay for 6 months. I invite the attention of the Senator from South Carolina, the able chairman of the committee, while I ask him a question or two.

The amendment has been very carefully prepared by the legislative counsel. It is an amendment, which has been considered from the standpoint of all the technical problems which I happen to know were discussed in committee in regard to retroactivity. It is an amendment which I think is just and equitable.

I should like to ask the chairman of the committee a question or two about the history of the bill. Am I correct in my understanding that the subject matter of the bill is the same as the subject matter of the bill which was sought to be passed on the floor of the Senate in the closing hours of the last session of Congress?

Mr. JOHNSTON of South Carolina. It is.

Mr. MORSE. Is it not true that at that time there were many Senators who wanted the bill passed? It had been passed a matter of an hour or two previously by the House of Representatives on the closing night of the session, and strong representations had been made

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to the Senate by the House leadership for passage of the bill by the Senate that night. Is not that correct?

Mr. JOHNSTON of South Carolina. That is true. The committee, if the Senator from Oregon will recall, quickly held a session and reported the House bill, with a few minor amendments, but the Senate committee did not have time to hold any hearings or to make a formal report.

Mr. MORSE. The Senator will recall there were a considerable number of objections expressed on the floor of the Senate—and the CONGRESSIONAL RECORD will show them—by colleagues of mine, because of the fact that the Senator from South Carolina, as committee chairman, when asked a question about it, very frankly told us that his committee had not had time to conduct hearings on the bill.

Mr. JOHNSTON of South Carolina. That is true.

Mr. MORSE. The Senator will recall that I held the floor that night in opposition to the bill, because I felt, as did a considerable number of my colleagues, who expressed themselves in the RECORD at that time, that the bill should be subjected to hearings, because of its complexities which were perfectly clear to us as we came to examine the bill on the floor of the Senate. At that time I said I felt we ought to be perfectly fair to the employees, and when the bill was brought up in the next session of Congress and hearings were held—and we hoped it would be disposed of very early in the next session of Congress—I would urge that the increased pay should be made retroactive. Does the Senator recall that?

Mr. JOHNSTON of South Carolina. I recall the Senator's making a statement similar to that.

Mr. MORSE. Mr. President, I make this statement about the history of the bill because I believe the employees are entitled to the equity I am pleading for this afternoon, for if in the closing hours of the session there had not been objection to the bill providing increased pay for employess would have been passed. But the bill came to the floor of the Senate without any committee hearings having been held on it, I think within the last 4 or 5 hours of the closing day of the last session of the Congress and objection was raised. The Senator agrees with me on that; does he not?

Mr. JOHNSTON of South Carolina. I agree with the Senator in his statement.

Mr. MORSE. I assume that, although there have been some changes made in the bill which was submitted on the last day of the last session, the general framework of the bill remains pretty much the same. Is that correct?

Mr. JOHNSTON of South Carolina. I would say in most instances it is the same.

Mr. MORSE. One of the last efforts of the last evening of the last session was to get the executive pay bill passed, but some of us felt that, in accordance with proper parliamentary procedure in the Senate of the United States, a bill of such magnitude ought to be subjected to hearings. How right we were, because when Congress reconvened, at its next session, the bill came before the committee headed by the able Senator from South Carolina; here we are in the closing days of the present session, and we find the bill before us, but now having had extensive and prolonged hearings. We were quite right that night when we said the executive pay bill should not be passed without hearings, as the very record made by the committee demonstrates. The group who objected to the pay bill that night thought it would be exceedingly unwise to pass it under the conditions prevailing at the time its consideration was proposed.

I think we were right in another matter, Mr. President, when, in our plea for time to have hearings at the beginning of the next session of Congress, we made the statement that we thought, in fairness to the employees, we ought to support the principle of retroactivity when the bill was ultimately considered. One of the arguments made on the floor of the Senate, as the RECORD will show, was that if we stopped the bill that night we would do an injustice to employees of the executive departments who would otherwise have obtained an increase in salary unless the pay increases were made retroactive. That statement is true today. So we should make certain that injustice is not done by providing retroactivity.

I have gone into this matter with counsel, and I am advised the amendment I have submitted is a sound amendment from the standpoint of the legal problems involved. I submit it is a sound amendment so far as the equities are concerned; and I think, in justice to the employees, in view of the record we as the Senate ourselves have made on this matter, we owe it to them.

I was always of the opinion that in the last session of Congress it was unfortunate that the administration did not attempt to obtain action on the bill early enough in the session so our committee could have held hearings. Our able chairman, as I recall it very distinctly—and I am willing to let the record speak for itself—said, on that last night of the session, that the bill had not been brought before the committee in time to have hearings on it. I recall saying that, of course the responsibility for that was the administration's. But now the responsibility is ours to do justice for these employees.

Mr. President, I am asking for 6 months of retroactivity. I think it is only fair and proper. I am submitting my amendment on two grounds.

First, the bill should have been in shape, based on hearings, so that it could have been passed at the session of Congress. I think the employees concerned have been done an injustice because of delay by the Senate, the delay having been caused in the first instance, in my opinion, by the failure of the administration to get the bill to Congress in time for it to have due consideration. But that is over the dam. Now we have a problem in connection with a bill on which there have been adequate hearings. It is a good bill in most particulars, as I understand, although I have not had the time to make as careful a study of it as I should like. But the committee seems to be pretty much in agreement that it is a fair bill.

Therefore, in the second place, we ought to take care of the retroactive equities, which I think these employees deserve. The retroactivity does not go back far—only 6 months. It goes back to December 31, 1955.

I submit the amendment on the basis of its obvious justice and fairness to these employees.

Mr. MONRONEY. Mr. President, I am forced to oppose the amendment of the distinguished senior Senator from Oregon, principally on the ground that the best way I know to kill the bill before the Senate in the closing hours of the session and the increases the bill provides for the Cabinet members, under secretaries, secretaries, and other high executives of this great Nation of ours, would be to burden the bill with retroactivity.

I know we legislate for groups and not for persons, but I do not believe that the chances for the House's approval and the signature of the President would be enhanced by providing a $12,500 bonus for persons in high salary brackets who are not severely in need.

It was the fault of the administration, I assure my distinguished colleague, that last year the bill came before the Congress in the closing days of the session. The committee had been asking for a bill to be submitted. Again, the Congress could have considered the bill in January, had the administration been ready to send a bill for the appropriate committee to consider.

Frankly, I do not like retroactivity. Once we start making salary increases retroactive, where are we to draw the cutoff line? Consider persons who receive the meager sum of $60 a month in social security benefits. Bills affecting such persons sometimes are pending for 2 or 3 years. Yet the only practical way to enact such legislation is to base the beginning of the benefits on the passage of the bill.

Only once have we deviated from that course and provided retroactivity. I supported such action because twice we saw the President, at the insistence of the Postmaster General, veto the overwhelming action of both Houses in giving the poorly paid postal workers increased pay. If the President vetoed the action of both Houses, not once, but twice, in the case of a bill which provided increases for men making between $2,500 and $3,000 a year—persons who were in desperate need of an increase to pay grocery bills and rent—what would happen to the pending bill?

In this case we are dealing with retroactivity for distinguished executives of our Government, including such persons as Charles Wilson, formerly the president of General Motors Corp. We are also dealing with the pay of Secretary Weeks, another millionaire, the Secretary of Commerce. We are dealing with the pay of many other men who accepted their present Government positions at personal sacrifice to themselves, I must say.

However, when we try to hew to the line of retroactivity when we deal with

$25,000-a-year salaries for the top executives, in my opinion we are dealing with a matter so dangerous that I think it would be likely to jeopardize enactment of the bill itself.

The pending bill is not the same as the one which came before the Senate on the closing day of the last session. The bill now before the Senate covers well over 100 pay increases which were not even mentioned in the bill which was before the Senate on the last day of the last session. Are we going to provide for 6 months' retroactivity, along the line of a bonus of $10,000 or $11,000, in the case of such positions? I think we must draw the line. We are dealing with the public funds, and we must be careful.

Mr. PASTORE. Mr. President, will the Senator from Oklahoma yield to me?

The PRESIDING OFFICER (Mr. COTTON in the chair). Does the Senator from Oklahoma yield to the Senator from Rhode Island?

Mr. MONRONEY. I yield to my distinguished colleague on the committee.

Mr. PASTORE. Will not the distinguished Senator from Oklahoma agree that the committee considered this particular aspect of the bill, and devoted quite a number of hours to discussing it, and was of the opinion that this measure is somewhat different from the vetoed postal pay bill of last year, which contained a retroactive clause. In this case we are dealing not only with pay increases, but also with adjustments. I believe that, after all, sufficient equity is provided by the bill if passed as it now stands, and if it is made effective as of the date of its passage.

As the Senator from Oklahoma has already pointed out, in this case we are dealing with the salaries of those who occupy the top echelons, those who make the policies. They look to the White House for their benefits. The White House assumed that responsibility last year, but not in time. However, that was not our fault.

This year I again raised, before the committee, the point that no scientific analysis had been made of the relationship between some of these positions. Because of the failure to make such an analysis, much hard work had to be done by our very diligent and alert staff. We devoted hours and hours of consideration to the matter, and we judged each group in relation to the others, so that no inequity would be done to any individual or any group of individuals within the categories specified in the bill. All that has been done.

I am afraid that if now we deal with the feature the Senator from Oregon [Mr. MORSE] has raised, and which we have fully discussed, much as I appreciate the noble motive of my friend, the Senator from Oregon, I am afraid we would be doing an impractical thing; and, rather than help, I am afraid it might jeopardize the chances of having the bill signed by the President.

Mr. KNOWLAND. Mr. President, will the Senator from Oklahoma yield to me?

Mr. MONRONEY. I yield.

Mr. KNOWLAND. I rise to support the position of the committee in not including retroactive features in the bill.

I certainly hope the amendment of the Senator from Oregon will be rejected. I think it would be an unsound practice to make the bill retroactive; I think there is no necessity for doing so. In my opinion, the Congress is being equitable and reasonably generous by means of the provisions of the bill as reported and as amended up to this time on the floor.

I certainly hope the amendment of the Senator from Oregon to make the provisions of the bill retroactive will be rejected.

Mr. MONRONEY. I thank the Senator from California.

Mr. MORSE. Mr. President, will the Senator from Oklahoma yield to me?

Mr. MONRONEY. I yield to my distinguished colleague.

Mr. MORSE. I wish to make another brief statement.

First, I should like to ask the chairman of the committee whether the bill now before the Senate provides for any increases in the salary brackets, over and above those provided in the bill which was before the Senate on the last evening of the last day of the last session; and if there are in the pending bill any such increases in salaries, I wish to ask whether the committee voted for any of them because of the fact that they would be made at a time later than when they would have been made if the Congress had enacted the bill at the last session. In other words, in fixing the salaries which are provided by the pending bill, did the committee take into account the fact that the Senate did not act on the other bill at the last session?

Mr. JOHNSTON of South Carolina. No, we did not take that into consideration; that is my answer to the Senator's question. I cannot speak for every member of the committee; that point was not discussed with them.

Mr. PASTORE. Mr. President, on that point will the Senator from South Carolina yield to me?

Mr. JOHNSTON of South Carolina. I yield.

Mr. PASTORE. Is it not a fact that if the bill of last year had been enacted, it would not have done as much equity as will be done by the pending bill, because the pending bill is a great improvement over last year's bill; and when many of the persons affected examine the pending bill, they will thank God that the Congress did not pass the other bill.

Mr. MORSE. Does the Senator from Oklahoma agree with that opinion?

Mr. MONRONEY. I do.

Mr. MORSE. Does the Senator from South Carolina, the chairman of the committee, agree with that opinion?

Mr. JOHNSTON of South Carolina. I do. After the studies were made, some improvements have been made, and some of the jobs have been moved from one class to another.

Mr. MORSE. I believe there is no doubt—and I do not think any Member of the Senate can deny—that if I had not held the floor for several hours during the last night of the last session of Congress, so as to block passage of that bill, it would have been passed then, even though hearings had not been held on it.

Therefore, I find myself in this position: At that time I also said that I would make a fight for retroactivity, after hearings had been held, because I thought the employees were entitled to retroactivity. At that time I said that I thought we should not attempt to pass such a bill when hearings had not been held on it.

Thereafter I received a good many calls from my friends in the Departments downtown. If any Senator on the other side of the aisle thinks I do not have many friends there, he is mistaken.

Many of my friends began to call me, thereafter. They asked, "What did you mean by blocking our pay increase? We are not responsible for the fact that the administration did not get the bill to Congress in time for hearings to be held. We think the bill is a good one."

I explained to them that I thought a very important procedural matter which should be protected was involved. I said to them, "I want you to know that I will fight for retroactivity for you, because I think you are entitled to it."

So I wish to point out that I am morally obligated to those persons to fight for retroactivity, because I am the one who prevented them from receiving this pay increase many, many months ago.

I do not draw the distinction that my friend, the Senator from Oklahoma, draws between the high paid and the low paid persons on the Government payroll. After all, regardless of whether they are high paid or low paid—and many of them are not getting very much pay, let me say—they are entitled to fair pay for the service they render.

The committee has decided that the bill as reported by it provides for fair pay for the services rendered. If the bill which was before the Senate on the closing day of the last session of Congress provided for fair pay—I refer to the bill which did not reach the committee in time for hearings to be held—then this amendment should be agreed to. That is why I am pressing for adoption of the amendment.

Because of the confidence I have in him and the reliance I have placed on him from time to time, I should like to hear from the ranking minority member of the committee, the Senator from Kansas [Mr. CARLSON]. I should like to know what his position on this matter is.

Mr. MONRONEY. I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I had expected to take the floor to make a few observations on this subject.

We are getting into the same situation in which we were on the closing night of the first session of the 84th Congress. The distinguished Senator from Oregon [Mr. MORSE] had the floor at that time, and he courteously yielded to me. The history he has given to us this afternoon is exactly correct.

I should like to read for the record the statement which I made through the courtesy of the Senator from Oregon, who at that time said he would be glad to yield to me provided he did not lose the floor. I said, on August 3, 1955:

Mr. CARLSON. Mr. President, I ask unanimous consent that the Senator from Oregon may yield to me for a few minutes, without losing his right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARLSON. I appreciate the courtesy of the Senator from Oregon.

I sincerely hope that an executive pay bill can be approved at this session of Congress. Congress has voted increases in pay for Members of Congress. We have voted increases in pay for the legislative branch of the Government. We have voted increases totaling $700 million for the salaried employees of the Government. Congress has voted increases of $200 million for the postal employees of the Nation, and $300 million for the classified workers of the Government.

Now we are asked in the closing hours of this session to vote $1,500,000 for increases in pay for the executive branch of the Government. Frankly, I do not think it is fair to ask the executive branch of the Government to operate on their present basis.

I sincerely hope the distinguished Senator from Oregon will permit us to proceed at this time with the bill. I do not think there would be any difficulty in approving the proposed legislation, because the Senate might take the House bill, adopt it with some amendments, send it back to the House, and I am advised the House would accept it.

The distinguished Senator from Oregon and the distinguished Senator from Georgia are absolutely correct when they say there were no hearings. The bill came to the Senate on July 15. It was not the fault of the chairman of the Committee on Post Office and Civil Service, or of the ranking minority member, or of any other member. Frankly, I wish the bill had come to the Senate before that date, but that is the situation.

The President sent a letter to the Committee on Post Office and Civil Service and asked for the proposed legislation. We have tried to comply with that request, and I sincerely hope the Congress will not adjourn without passing the bill. I thank the Senator for yielding.

And so, Mr. President, we now find ourselves in almost the exact situation with respect to time. I still feel very strongly that this Congress should have acted upon the legislation last July. But the fact remains that no action was taken and the inequities created cannot be cured nor alleviated through a reasonable retroactive clause. I sincerely urge the prompt passage of this legislation which is long overdue.

Mr. MORSE. Mr. President, I may say jocularly that since my last comment a couple of my colleagues have been ribbing me a little as to whether or not I am making a plea for a little retroactive pay for my opponent in the forthcoming campaign. That does not make any difference. I think he has it coming to him; and after November I think he is going to need it.

I still think I am making a sound argument on the equities, and from the standpoint of justice to these employees. I was responsible for the fact that they did not get a bill on the last night of the previous session. I will do exactly the same thing again as I did that night, because I think the committee has demonstrated the soundness of my position by the fact that long hearings were required. Extensive hearings were required to draft an acceptable bill. That shows how right I was in insisting on hearings.

I shall ask for a vote on my amendment, because I feel that I am morally committed to do so. I think it is a sound and just amendment. I submit the amendment.

Mr. MONRONEY. Mr. President, as I have previously stated, the final enactment of the bill will be endangered if this amendment is included.

In the second place, we shall be establishing a policy of retroactivity when we vote for retroactive pay for Cabinet members and top-salaried people. Such a policy would rise to plague us, and would cost the Government hundreds of millions of dollars in retroactive pay for those top-salaried employees. The only time retroactivity should ever be considered by the Senate is when our lowest paid employees have been discriminated against for many months because of a Presidential veto of legislation previously passed by the House and Senate.

Let us not do anything to set a pattern of retroactivity, or we shall be picking up 1 or 2 years' back salary.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE] to the committee amendment.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MORSE. Mr. President, I should like to ask the chairman of the committee a question on another subject.

It is reported to me that the Comptroller of the Currency, who is covered by this bill, receives not only his full salary, but a full pension by reason of a former Federal position held by him. I am advised that the committee was requested to look into this subject. If so, I should like to know, first, what it found, and, second, what it proposes to do to deal with the situation.

Mr. JOHNSTON of South Carolina. He does draw retirement pay. It is not from the Federal Government. It is from the Federal Reserve. It does not come from the Government.

Mr. MORSE. Does the Senator feel that it is sound and fair to provide him with that pension—that is what it is—and also the full salary provided in the bill?

Mr. JOHNSTON of South Carolina. We felt that the salary was for the position, and not necessarily for the man. He may leave the position tomorrow, or some other time. If the position did not carry the proper salary, special legislation would be required in the case of a new occupant of the position.

Mr. MORSE. When the Senator says the Comptroller of the Currency is receiving a pension from a retirement fund, does he mean that he is receiving it as the result of a former Federal position which he held?

Mr. JOHNSTON of South Carolina. It was a position with the Federal Reserve Bank. The money does not come from the Government.

Mr. MORSE. It does not come from the Treasury of the United States?

Mr. JOHNSTON of South Carolina. It does not come from the Treasury of the United States.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. DOUGLAS. Is it not a fact that while the expenses of the Federal Reserve Banks are deducted from their earnings, the major portion of the residue is turned over to the Federal Government? So in effect the pension paid to this man by the Federal Reserve System diminishes the amount of the residual sums which otherwise would be turned over to the Government; and therefore most of it, in effect, comes from diminished revenues of the Federal Government?

Mr. JOHNSTON of South Carolina. The Senator from Illinois is entirely correct; but the retirement system would have to be changed if anything were to be done about the situation. We are not dealing with the retirement law at this time.

Mr. MORSE. Mr. President, will the Senator further yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. MORSE. Are there instances of employees covered by the bill who are collecting pensions or retirement income from Federal sources as a result of previously held Federal positions, and who are now collecting salaries from the Federal Government?

Mr. JOHNSTON of South Carolina. There may be a few. Military retirement pay, of course, is exempted.

Mr. DOUGLAS. Is it not true that a large number of retired generals have been appointed to administrative positions? Are they drawing their military retirement pensions as well as their salaries?

Mr. JOHNSTON of South Carolina. My recollection is that there are about 15 of them in that category at the present time. There are in the Government service at the present time about 15 former military officers who are drawing pensions.

Mr. DOUGLAS. I saw a list the other day, and while I did not make a precise count, it seems to me that there were somewhere between 50 and 100 retired generals and admirals who had been appointed in the last 3 or 4 years to administrative positions or to commissions. It may be that not all of them are drawing retirement pay.

Mr. JOHNSTON of South Carolina. It will be necessary to exempt them from the law, I will tell the Senator, and to let them draw their pay, because Congress enacted that law.

Mr. MORSE. Mr. President, I call this matter to the attention of the chairman of the committee, the Senator from South Carolina, the Senator from Rhode Island, and the Senator from Oklahoma, because if I understand the situation correctly—and it has been represented to me to be the fact—I am disturbed by what I consider to be an unfairness.

Let us consider the social-security system, and the case of an old man or an old woman who wishes to earn a little money, in addition to the small payment he or she gets from the social-security system, perhaps to the extent of $40 or $50 a month for cutting the lawn or the raking of leaves in a neighbor's yard. Under existing law, that amount of money must be deducted from the social-security payments. We have been fight-

ing for some time to try to make provision so that these old people, in addition to receiving the little pittance of social-security payments may earn and keep a few extra dollars over and above what they receive from the social-security system.

I understand from the Senator from Illinois—and he has confirmed what I previously understood—that there are in the Government employ a group of people, some of them retired generals or retired admirals, who apparently are in the employ of the Government and are receiving, in addition to their pay, retirement benefits from the Federal Government. Now we are about to increase their salaries substantially because they have been called back into Government service for some administrative work.

I cannot square the justice of our handling those two classes of employees, the one class that receives social-security payments, and the other the class of high-paid Government employees, who are allowed to collect their full salary and in addition collect their retirement pay. I should like to have an explanation of the equities involved in that kind of situation.

Mr. PASTORE. The Senator, of course, does not make a good point. However, he must realize that we are dealing with the Federal Retirement Act and also with certain positions, not with individuals. If we had gone into every individual case, I will say to the Senator, we would not have a bill before the Senate today. However, I call the attention of the Senator to section 13 (b) at page 70 of the bill, which reads:

(b) If an annuitant under this act (other than (1) a disability annuitant whose annuity is terminated by reason of his recovery or restoration of earning capacity, or (2) a Member retired under this act) hereafter becomes employed in an appointive or elective position subject to this act, annuity payments shall be discontinued during such employment and deductions for the retirement fund shall be withheld from his salary.

And so forth. Therefore, we do take care of most of those people. There may be some indivduals who are getting some retirement pay under another system.

We did not go into all of these phases, but they should be looked into thoroughly. If we had undertaken to go into all of them, the pending bill would not be on the floor today; we would not have an executive pay bill.

We could not look into every situation, because it would involve a tremendous study; but at some time in the future such a thorough study should be made, particularly with respect to the military people who are receiving retirement pay and are also drawing salaries in positions with the Government. Such a study should be undertaken. We did not go into it thoroughly, not because we were derelict in our duty but because it was not intimately related to the work we were concerned with in connection with the pending bill.

Mr. MORSE. Mr. President, I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President, we did not have this problem to this great extent until after the Second World War, when officers of the military forces were turned loose, so to speak. They are now getting jobs with the Government, and in some positions they can draw their salary and also their retirement pay for their military service. I believe we should look into this matter very thoroughly and stop paying them both retirement pay and their salaries. I believe we all agree to that. Frankly, I believe we are employing too many military men in civilian positions in the Federal Government.

Mr. MORSE. I yield to the Senator from Illinois.

Mr. DOUGLAS. I agree with what the Senator from Oregon has said. When the social-security bill was under consideration a few days ago I offered an amendment to the public assistance feature of the bill, to permit people on public assistance to earn up to $50 a month without having such money deducted from their old-age assistance payments.

I was deeply disappointed that the administration, through HEW, vigorously opposed my proposal. I only wish that they would be one-half so zealous in getting at the double payments to the high-paid administrators, who are retired military officers, as they were in opposing the proposal to allow a poor man or a poor woman on old-age assistance to keep $50 of earned income.

SEVERAL SENATORS. Vote! Vote!

Mr. MORSE. Mr. President, I merely wish to say, in conclusion, that I thank the Senator from Illinois. As has been pointed out, it is a very important principle concerning which we ought to be consistent in the enactment of legislation. It would be a non sequitur for me to take the position that because a wrong was done somewhere else in connection with other legislation, we ought to perpetrate a similar wrong in the pending bill.

However, I believe it is important that the Senate be informed of this principle, and ought to be a little more careful in protecting the interests of the people who need the money most. When we are making the fight for the old people and for the disabled people trying to obtain some increases in their pension benefits, let us keep in mind an hour such as this when we proceeded to vote salary increases to Government officials and employees who are already in the high-paid brackets in the Government service.

I am in favor of the proposed increases in the pending bill, because in this instance we are going to get good return for the expenditure.

In view of the general pay scale we have adopted, including the congressional pay scale, the employees whose salaries will be increased by the bill are entitled to them.

I close by saying that we have a long way to go in Federal legislation before we do justice to those who are receiving social-security benefits and those who are disabled. Much has been said about the great job we were supposed to have done because we established a 50-year age limit for disability in the bill the Senate passed the other day.

In my judgment the fact that we establish any age limit at all is a shocking thing, because when a fellow citizen under social security is disabled, he ought to get disability benefits immediately. If at age 38 he is disabled, and has a wife and three children, for example, he should not have to wait until he is 50 before he can get disability benefits. He ought to get them the next day, if social security is to carry out the social conscience on which it is supposedly premised.

That has no relation to the question of whether we should do justice on the pending bill. However, I wish to point out that we ought to be careful to apply the same standard of equity when we are dealing with those who are in the low-pay class that we apply when we are dealing, as we are today, to those in the high-pay class.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 7619) was read the third time and passed.

Mr. JOHNSTON of South Carolina. Mr. President, I move that the Senate insist upon its amendment, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JOHNSTON of South Carolina, Mr. PASTORE, Mr. SCOTT, Mr. CARLSON, and Mr. JENNER conferees on the part of the Senate.

RENEWAL OF LICENSE TO USE CERTAIN LAND IN ST. MARYS FALLS CANAL PROJECT, MICHIGAN

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2693, House bill 8047.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 8047) granting authority to the Secretary of the Army to renew the license of the Ira D. MacLachlan Post, No. 3, the American Legion, Sault Ste. Marie, Mich., to use a certain parcel of land in St. Marys Falls Canal project.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Texas. Mr. President, I understand the bill has been cleared with the Senator from Oregon [Mr. MORSE].

Mr. MORSE. Mr. President, the Senator from Texas is correct, but I wish to make a brief statement concerning the bill, because it could become a very close question, so far as protecting the Federal interest is concerned. But I think it is adequately protected in the bill because of the equity.

What we are dealing with is a piece of Federal property on which a Federal building was located. It was leased in 1930 to an American Legion post. The American Legion post occupied the building. The building burned down, but, under the lease, the post had the obligation to replace the building. The original building was valued at $7,000, and the building which the American Legion post built to replace the original building cost $18,000. There is quite a difference in value.

This is a transaction which goes back to 1930. In 1930 it was the policy of the Federal Government to grant leases for this type of use without any rent being paid, but with a requirement on the part of the lessee to keep the buildings in repair and to replace them in case they were destroyed.

So, as I have studied the mathematics of the case, I would say that the Federal Government could not possibly lose if this bill were enacted into law, because of the great difference in the value of the building which the Legion has placed on the property and that of the original building. The Federal Government would still be ahead.

Mr. President, I make this statement so that no one can say in the future that MORSE let something get by that violated the Morse formula. I shall never do that. In this instance the Federal Government is the one which has the advantage.

Mr. President, I have no objection to the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 8047) was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN LAND TO THE STATE OF TEXAS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent for the immediate consideration of Calendar No. 2691, Senate bill 3356.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3356) to direct the Secretary of the Navy or his designee to convey a 240 55/100-acre tract of land situated near the city of Grand Prairie in Dallas County, Tex., to the State of Texas.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. MORSE. Mr. President, this is another one of the bills thoroughly in line with the policy we have followed, because the Federal interest is the advantage it obtains from the National Guard training which will result from the use of the property.

I have no objection.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services with an amendment, on page 7, line 9, after the word "now", to strike out "exist, including but not restricted to a public road easement heretofore granted along the west boundary of said airport and four additional tract easements for roadway purposes heretofore committed by the Secretary of the Navy and proposed to be granted in favor of Dallas County, Tex.," and insert "exist," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Navy or his designee is authorized and directed to convey by quitclaim deed, without consideration, to the State of Texas all right, title, and interest of the United States, except as retained in this act, together with all buildings, improvements thereon, and all appurtenances and utilities belonging or appertaining thereto, in and to two hundred forty and fifty-five one-hundredths acres of land situated in Dallas County, Tex., out of the McKinney and Williams survey, abstract numbered 1045 and the Elizabeth Gray survey, abstract numbered 517, near the city of Grand Prairie, and having been acquired in fee simple by the United States of America by declaration of taking filed August 4, 1942, in the United States District Court for the Northern District of Texas, Dallas Division, in the case of United States against 274.3 acres of land, Lou Foote, et al., civil numbered 699; and by declaration of taking filed October 20, 1943, in the aforesaid court in the case of the United States against 6.84 acres of land, Herman Waldman, et al., civil numbered 840, and said two hundred forty and fifty-five one-hundredths-acre tract of land being the major portion of the Grand Prairie Airport, formerly designated, outlying field numbered 26803, United States Naval Air Station, Dallas, Tex., being more particularly described as follows:

First tract: Beginning at the northeast corner of the W. C. May survey, abstract numbered 890, said corner being a Bois D'Arc fence corner post, being the upper L corner of the E. Gray survey, abstract numbered 517, and running thence north 89 degrees 26 minutes west along the south line of the said E. Gray survey, being also the north line of said W. C. May survey, 1,111.0 feet to a spike set in the centerline of a bridge over branch for southwest corner of the said E. Gray survey being also at the southeast corner of the Tapley Holland survey, abstract numbered 644, from which a 1½-inch iron pipe bears south 89 degrees 26 minutes east 20 feet; thence north 0 degree 22 minutes 30 seconds east along the centerline of a 40-foot road locally called Twelfth Street Road at 2,123 feet, a jog in said road right-of-way increasing its width to 60 feet, at 2,529.1 feet a stake set for the northwest corner of the E. Gray survey and the southwest corner of the McKinney and Williams survey, abstract numbered 1045, continuing on said course and with the centerline of Twelfth Street and along the west line of said McKinney and Williams survey to a total distance of 4,113.95 feet to a ¾-inch iron pipe set in the centerline of said Twelfth Street on the south line of Jefferson Avenue, from which a cedar fence corner post bears north 81 degrees 39 minutes 30 seconds east 30.2 feet; thence north 81 degrees 39 minutes 30 seconds east along the south line of Jefferson Avenue 1,936.48 feet to a point of circular curve; thence on a curve to the left having a radius of 2,864.93 feet through a central angle of 17 degrees 02 minutes a distance of 851.66 feet to ¾-inch iron pipe, being the northwest corner of Indian Hills addition to the city of Grand Prairie, Texas, as recorded in the Dallas County records; thence south along the west line of said Indian Hills addition 2,117.6 feet to a ¾-inch iron pipe at the southwest corner of said addition in the south line of the McKinney and Williams survey, being also the north line of the E. Gray survey; thence north 89 degrees 34 minutes west along the north line of said E. Gray survey, 63.13 feet to a 1¼-inch iron pipe; thence south 0 degree 33 minutes 30 seconds west along the Old Turn Row 2,683 feet to a 3-inch cedar stake set in the east and west fence on the south line of the E. Gray survey; thence north 89 degrees 34 minutes 30 seconds west along the said south line of the E. Gray survey, 1,557.3 feet to a Bois D'Arc fence corner post of the lower L corner of said E. Gray survey; and thence north 0 degree 02 minutes west along the east line of the W. C. May survey and with old fence lines 138.4 feet to the place of beginning and containing 273.64 acres of land, of which 159.83 acres are located in the E. Gray survey and 113.81 acres are located in the McKinney and Williams survey, except that portion of land containing 40.3 acres and more particularly described as follows:

Beginning at the northwest corner of the Indian Hills addition (abstract 1045) to the city of Grand Prairie, Texas, as recorded in volume 7, page 368, of the plat records of Dallas County, Texas; said corner being in the south right-of-way line of Jefferson Avenue, and being the northwest corner of lot 1, block A of said Indian Hills addition; thence in a southwesterly direction along the south right-of-way line of Jefferson Avenue, and along a circular curve to the right having a central angle of 17 degrees and 2 minutes and a radius of 2864.93 feet a distance of 851.66 feet to the point of tangency for said curve; thence south 81 degrees 39 minutes 30 seconds west 721.14 feet to a ¾-inch iron pipe for corner; said corner being in the south right-of-way line of Jefferson Avenue; thence south 08 degrees 20 minutes 30 seconds east 330.0 feet to a point for corner; thence in a southeasterly direction 2016.45 feet to a 1¼-inch iron pipe for corner; said corner being the northwest corner of the Indian Hills Park addition (abstract 517) to the city of Grand Prairie, Tex., as recorded in volume 17, page 365, of the plat records of Dallas County, Tex.; and the northwest corner of lot 17, block 9, of said Indian Hills Park addition; thence south 89 degrees 34 minutes east along the north line of lot 17, block 9, of said Indian Hills Park addition 63.13 feet to the southwest corner of the Indian Hills addition (abstract 1045), said point being the southwest corner of lot 22, block U, of the said Indian Hills addition; and thence north along the west line of said Indian Hills addition (abstract 1045) 2,117.6 feet to the point of beginning.

Second tract: All that land lying and being in Dallas County, Tex., and embracing all of blocks Y, 86, 87 and 88 of Dalworth Park and roadways and alleyways within and adjacent thereto, as filed for record in volume 1, pages 546 and 547 of the plat records of Dallas County, Tex., and more particularly described as follows:

Beginning at the southeast corner of block 87 of Dalworth Park, said point being designated on the ground by a one inch iron pipe, from whence a one-half inch pipe bears south 0 degree 22 minutes 30 second west 60 feet; thence north 89 degrees 37 minutes 30 seconds west along the north line of Galveston Street 600 feet to the southwest corner of block 88 of Dalworth Park; said point being designated on the ground by one inch iron pipe from whence a three-fourth inch iron rod bears south 0 degree 22 minutes 30 seconds west 60 feet; thence north 0 degree 22 minutes 30 seconds east along the east line of Fourteenth Street 424 feet to the northwest corner of block Y of Dalworth Park, said point being designated on the ground by a one inch iron pipe; thence north 81 degrees 28 minutes 30 seconds east along the south line of Jefferson Avenue and being also the north line of blocks Y and 86 of Dalworth Park, 668.04 feet to a point in the west line of the 273.8 acre tract of land acquired by the United States Navy from Lou Foote, et ux., by declaration of taking August 4, 1942; thence south 0 degree 22 minutes 30 seconds west along the west line of the present Grand

Prairie Field (Lou Foote tract) 527.36 feet to a point for a corner; thence north 89 degrees 37 minutes 30 seconds west along the extension of the north line of Galveston Street 60 feet to the place of beginning, containing 7.21 acres, more or less.

SEC. 2. The conveyance of the above-described two hundred forty and fifty-five one-hundredths acre tract of land shall be subject to all outstanding easements and rights-of-way for public roads and highways, railroads, water lines, sewer lines, telephone and telegraph lines, power lines, and such other utilities which now exist.

SEC. 3. All mineral rights, including oil and gas, in the lands authorized to be conveyed by this act shall be reserved to the United States.

SEC. 4. The conveyance of the property authorized by this act shall be upon condition that such property shall be used primarily for training of the National Guard and the Air National Guard and for other military purposes, and that if the State of Texas shall cease to use the property so conveyed for the purposes intended, then title thereto shall immediately revert to the United States, and in addition, all improvements made by the State of Texas during its occupancy shall vest in the United States without payment of compensation therefor.

SEC. 5. Nothing in this act shall be construed to prevent the State of Texas from leasing or otherwise permitting to the Civil Air Patrol (CAP), an auxiliary of the United States Air Force, the use of a portion of said premises conveyed to the State.

SEC. 6. The conveyance of the property authorized by this act shall be upon the further provision that whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this act is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made thereon by the State of Texas, for the duration of such state of war or such emergency. Upon the termination of such state of war or such emergency plus 6 months such property shall revert to the State of Texas, together with all appurtenances and utilities belonging or appertaining thereto.

SEC. 7. In executing the deed of conveyance authorized by this act, the Secretary of the Navy or his designee shall include specific provisions covering the reservations and conditions contained in sections 2, 3, 4, 5 and 6 of this act.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXCHANGE OF CERTAIN LAND BETWEEN THE CITY OF EL PASO, TEX., AND THE UNITED STATES GOVERNMENT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent for the immediate consideration of Calendar No. 2692, House bill 5519.

The PRESIDING OFFICER. The bill willl be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 5519) to authorize and direct the Secretary of the Army to convey certain tracts of land in El Paso County, Tex., to the city of El Paso, Tex., in exchange for certain lands to be conveyed by the city of El Paso, Tex., to the United States Government.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, this is a bill which involves the transfer of property. In my opinion, the Federal Government is really making a good bargain not only because the properties exchanged are of equal value, but because the airport which will result will be of great advantage to the Federal Government in terms of national security. The airport will receive military planes which will use the airport when they need to use it. Judging from the accidents which are occurring lately, because of the lack of adequate maintenance, we should have more airports at which planes can land in an emergency.

Mr. President, I have no objection.

There being no objection, the bill (H. R. 5519) was considered, ordering to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN LAND TO THE STATE OF TEXAS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent for the immediate consideration of Calendar No. 2694, House bill 9081.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 9081) to direct the Secretary of the Army to convey 3 acres of land to the State of Texas.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, this is another National Guard transfer which I think completely complies with the Morse formula, and I have no objection.

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

CITY OF ELKINS, W. VA.—CONFERENCE REPORT

Mr. O'MAHONEY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2182) for the relief of the city of Elkins, W. Va. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings pp. 13723–13724, CONGRESSAONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. O'MAHONEY. Mr. President, the bill passed the Senate and the House amended it. In conference the House withdrew its objection to the Senate bill and agreed to the Senate measure. The conference report has been approved in the House, and we are approving what we have already done for the relief of the city of Elkins, W. Va.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

MUTUAL SECURITY APPROPRIATIONS, 1957

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to consideration of Calendar No. 2619, House bill 12130.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. JOHNSON of Texas. Mr. President, we are operating under a unanimous-consent agreement, providing for 1 hour on amendments and 6 hours on the bill. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. Mr. President——

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Montana [Mr. MANSFIELD] may offer his amendment to the pending bill notwithstanding the fact that the committee amendments have not been acted on.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment of the Senator from Montana will be stated.

The LEGISLATIVE CLERK. On page 3, line 14, it is proposed to strike out "$10,000,000" and insert in lieu thereof "$15,500,000."

The PRESIDING OFFICER. How much time does the Senator yield himself?

Mr. JOHNSON of Texas. The Senator has 30 minutes.

Mr. MANSFIELD. I yield myself 5 minutes.

First, Mr. President, I ask unanimous consent that the Senator from New York [Mr. LEHMAN] may be associated with me in offering the amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, the amendment seeks to raise the amount in the United Nations Technical Assistance Fund from $10 million, as allowed by the Appropriations Committee, to $15,500,000, as requested by the administration and authorized by both the House Foreign Affairs Committee and the Senate Foreign Relations Committee. This is the same amount as was appropriated for contributions for the U. N. calendar year 1956. There was no controversy regarding the U. N. technical assistance program in either the authorized committee reports, discussions, or the floor debate. Both the authorizing committee reports strongly supported the program.

The proposed U. N. calendar year 1957 contributions to the central UNTA fund, as in 1956, is 50 percent of the total contributions. If contributions of host countries to local projects are counted, the United States contribution is 16 percent of the calendar year 1957 program. The United States percentage of the central fund used to be 60 percent in 1950, and has dropped during the years to 50 percent. The current program employs 1,360 experts in 92 countries. Since the beginning of the program, more than 5,000 experts from 77 countries have worked in the program.

It is my understanding, on the basis of some research, that four citizens of the Soviet Union are working in the United Nations Technical Assistance Program. I might add this is the first program in which the Soviet Union itself has made any contribution of any significance.

So I hope the Senate in its wisdom would see fit to agree to the restoration of the fund, which was approved by the House Foreign Affairs Committee and the Senate Foreign Relations Committee, and about which there was no objection at the time the mutual security bill was being considered on the floor.

Mr. President, I shall withhold the remainder of my time.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the minority leader.

Mr. KNOWLAND. For the sake of the record, I think it should be pointed out why the Appropriations Committee did not restore the $5 million which had been requested by the administration. It certainly was not because the Appropriations Committee is opposed to technical assistance, because, as the distinguished Senator from Montana knows, in the mutual-aid bill for our own technical assistance, the so-called point 4 program, there are substantial sums provided, and we have, over a period of years, in our bilateral agreements, provided for technical assistance. It is not because there is opposition to technical assistance for the United Nations fund; and it is certainly not because of such a sum as $5 million in the bill approximating $4 billion.

The PRESIDING OFFICER. The time of the Senator from Montana has expired.

Mr. MANSFIELD. I yield myself 5 additional minutes.

Mr. KNOWLAND. I shall protect the Senator if he runs out of time, by yielding him time.

The basic reason is that the Senate of the United States, on occasion after occasion, has established the policy that we believe the agencies of the United Nations should not be calling upon the United States to provide more than 33⅓ percent of the cost of these activities.

Even the distinguished Senator from Arkansas [Mr. FULBRIGHT], and other Senators who have been stanch supporters of the United Nations, and who have been supporters of the various activities of that organization, have felt that we should be directing the attention and the efforts of the executive branch of the Government toward bringing the contributions by the United States down to the 33⅓-percent level.

So I think that, for the record at least, and for our associates both in that organization and abroad, and for the people of the United States, it should be realized that we are merely trying to have the Appropriations Committee bring the item in conformity with what had been demonstrated to be the policy and the sentiment of the Congress of the United States.

Mr. MANSFIELD. Mr. President, if the Senator will yield, I want to support wholeheartedly what the distinguished minority leader has said, because every statement he has uttered is based on fact. It has been the thesis in Congress that, so far as the U. N. and its affiliated and its subsidiary organizations are concerned, the United States contribution should get down to the one-third limitation as quickly as possible. It just happened that on yesterday the Secretary of State, Mr. Dulles, was asked by the press about his position so far as the restoration of funds was concerned. As I recall the transcript of testimony, as it appeared in the New York Times, he expressed the hope that the Senate would restore the fund to $15.5 million, an increase of $5.5 million over the Appropriations Committee figure; and he also said that we should work toward what the distinguished minority leader has brought out—a gradual decline in the amount appropriated by the Government to the United Nations technical-assistance program, and other programs, to the extent of 33⅓ percent. I would hope that the distinguished minority leader, with his great influence, would see fit to use it to help increase to $15,500,000 the amount provided by us this year for the technical-assistance program. And I hope that action will be taken, as a result of representations already made in the Appropriations Committee and as a result of the vigorous representations which all of us hope will be made this year in the General Assembly of the United Nations, where the distinguished minority leader will, along with the distinguished Senator from Minnesota [Mr. HUMPHREY], represent this country. Mr. President, I think that when two men of such outstanding caliber are connected, are joined, in this matter as delegates to the U. N., much can be done to achieve the objective which all of us desire to have achieved. So I sincerely hope that the distinguished Senator from California, with his great influence, will do what he can this year to give this proposal a chance.

Mr. KNOWLAND. Mr. President, if the Senator from Montana will yield to me, I shall yield myself 5 minutes from the time available to our side, so the time I use will not be taken out of the time available to the Senator from Montana.

Mr. MANSFIELD. I yield.

The PRESIDING OFFICER. The Senator from California is recognized for 5 minutes.

Mr. KNOWLAND. Mr. President, it seems to me that this matter should be thoroughly understood.

In the first place, the United States has carried very heavy burdens since the close of World War II. As the distinguished Senator from Montana is well aware, by means of various forms of mutual aid, we have provided—and it has been in the interest of our own country, as well as in the interest of the countries we have been trying to help—an estimated $50 billion or more. The pending bill calls for approximately $4 billion. In large part, this has been made necessary by the fact that we have attempted to build in the world a system of collective security. We have attempted to rehabilitate the war-torn world, and we have made very great contributions.

We are one of the 70 member nations of the United Nations. In view of the fact that 95 percent of the burden of the Korean war, in terms of resources support, was provided by the United States; and in view of the further fact that of the United Nations members who supplied armed forces during the Korean war, the United States supplied 90 percent of the manpower; and in view of the further fact that we have carried very heavy burdens, it seems to me that in this one field of technical assistance the other 69 member nations of the United Nations should be able to contribute sufficient funds so that the United States, in turn, in conformity with the policy established by the Congress, might keep its contribution to this agency at the 33⅓-percent level, which under all the circumstances it seems to me the other nations should not expect us to exceed. As a matter of fact, I think that in the course of years we should even be able to reduce our contribution below 33⅓ percent; and I think that opinion has been expressed by other Members of this body.

But for the present, it seems to me to be a reasonable objective not to have the United States contribute, in connection with subordinate agencies of the United Nations, 50 percent of the cost of the total program. I do not think we should expect the United States to contribute 50 percent of the total.

Mr. MANSFIELD. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. MANSFIELD. There is little fault that I can find with what the distinguished Senator from California has said, although I do not agree with him entirely.

I should like to point out that we should consider the United Nations tech-

nical assistance program in a somewhat different light from the programs of the other subsidiary organizations of the United Nations.

As I understand, in 1950, the United States contribution, percentagewise, to the United Nations technical assistance program was 60 percent. Since that time it has dropped to 50 percent.

Mr. KNOWLAND. In how many years?

Mr. MANSFIELD. In 6 years it has dropped to 50 percent.

If local contributions are considered, the United States percentage would be approximately 16 percent. I believe that the contribution of 50 percent—without taking into account local contributions—by the United States is justified, because the program supplements the United States bilateral programs having the same objectives. However, we should keep in mind that in the case of this particular subsidiary organization, if we consider what the host governments contribute, then we find that the United States contribution, instead of being 50 percent, amounts, I repeat, to approximately 16 percent.

Mr. KNOWLAND. Mr. President, in what the Senator from Montana has said, so far as he has gone, of course he is quite correct. However, I think there is an additional factor which both the Senate and the country should understand, namely, that United States dollars are convertible everywhere in the world, whereas in many cases the contributions made by the other nations, which are "picking up part of the check," are not convertible—even though, as in the case of the Soviet Union, many such countries are reputed to have large stocks of gold. So, Mr. President, in the case of the Iron Curtain countries their contributions can be spent only within the Iron Curtain. In the case of the technical assistance they render—for instance, the training of technicians—instead of having them trained where they can best be trained, there exists a pressure or leverage to have them sent into the Soviet Union for training, and there they can be indoctrinated by the Soviets. That situation exists because the Soviet Union will not allow such currencies to be convertible, whereas in the case of the coin of the realm which can be expended anywhere in the world, there are very few nations which are making a contribution comparable to that being made by the United States.

Mr. MANSFIELD. Mr. President, I cannot disagree with the Senator from California. What he has said only proves that both of us are correct.

AUTHORIZATION FOR SENATOR KNOWLAND TO ACCEPT THE AWARD OF THE CROSS OF GRAND COMMANDER, ROYAL ORDER OF THE PHOENIX

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. Mr. President, I wish to ask unanimous consent that, notwithstanding the unanimous-consent agreement which has been entered into, I may now introduce a bill and request its immediate consideration.

Will the Senator from California yield to me for that purpose?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. Then, Mr. President, I ask unanimous consent to introduce the bill which I send to the desk; and I wish to request its immediate consideration, notwithstanding the unanimous-consent agreement presently in effect.

Mr. President, for the benefit of the Senator from California, whom I have not consulted about this matter—although I always consult him about matters of this kind—let me say that my request is not made for the purpose of immobilizing him; but I must leave the Chamber, and I wish to have action taken on this bill very promptly, just as we have taken very prompt action on other measures of a similar nature.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the bill (S. 4255) to authorize the Honorable WILLIAM F. KNOWLAND, United States Senator from the State of California, to accept and wear the award of the Cross of Grand Commander of the Royal Order of the Phoenix, tendered by the government of the Kingdom of Greece, was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That the Honorable WILLIAM F. KNOWLAND, United States Senator from the State of California, is authorized to accept the award of the Cross of Grand Commander of the Royal Order of the Phoenix, together with any decorations and documents evidencing such award. The Department of State is authorized to deliver to the Honorable WILLIAM F. KNOWLAND any such decorations and documents evidencing such award.

SEC. 2. Notwithstanding section 2 of the act of January 31, 1881 (ch. 32, 21 Stat. 604; 5 U. S. C. 114), or other provision of law to the contrary, the named recipient may wear and display the aforementioned decoration after acceptance thereof.

Mr. JOHNSON of Texas. Mr. President, I am informed by the authorities of the State Department that this is the usual measure in a situation of this kind.

Earlier in the year the Senate passed a very similar measure in the case of the Speaker of the House of Representatives, Mr. RAYBURN, of Texas.

I am told that the bill is drawn in accordance with the precedents in like matters.

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). Is there objection to the request of the Senator from Texas for the present consideration of the bill?

There being no objection, the bill (S. 4256) was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. The bill has been passed; and the Senator from California may wear about his neck the Cross of the Grand Commander of the Royal Order of the Phoenix—which, like the proverbial bird, will enable him to rise from the ashes. [Laughter.] The Chair prays that it may not be an albatross.

MUTUAL SECURITY APPROPRIATIONS, 1957

The Senate resumed the consideration of the bill (H. R. 12130) making appropriations for Mutual Security for the fiscal year ending June 30, 1957, and for other purposes.

Mr. LEHMAN. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield.

Mr. LEHMAN. Mr. President, I rise to speak in favor of an amendment which I am cosponsoring along with my distinguished colleague, the junior Senator from Montana [Mr. MANSFIELD]. This amendment is to increase the amount of the appropriation to the United Nations technical aid program to $15,500,000.

I wish to emphasize, Mr. President, that the amount we are asking the Senate to appropriate is the amount that was authorized by Congress. It is the amount the administration requested. It is the amount that both the Senate Foreign Relations Committee and the House Foreign Affairs Committee reported. Again, it is the amount that both Houses of Congress authorized a few short weeks ago.

The amount may seem small to some of us, after voting billions of dollars for some programs. But the effect of this cut is enormous. The decrease of $5,500,000 is one-third of the total authorization. It means a 20 percent cut in the whole program. Since the money contributed by the United States is matched by the other participating nations, the loss to the program is doubled. This means that the loss in operating funds to the program will be $11 million.

I am aware, Mr. President, that the basis on which this cut was made was the so-called principle that the United States will not contribute more than one-third to any United Nations' program. The $10 million recommended by the Appropriations Committee does in fact represent that fraction of the total United Nations budget for this purpose.

But, Mr. President, should we gouge out our eyes with this rule of thumb? Should we cripple a vital program which is so very much in our own interests in order to give emphasis to a statistical ratio? Shall we let a rule be our master, or shall we be the master of the rule?

I think it is a good idea for the United States to insist on greater contributions by other countries to United Nations programs. But we are not dealing with a theory, but with a fact. This coming year's technical aid program is already budgeted. Our Government committed us to contribute $15,500,000 to the technical aid program. This was done, as I understand, when the United Nations budget was made up some months ago. Our Government, of course, makes its commitments subject to the action of Congress in appropriating the necessary funds. Nevertheless there is a moral obligation on our part to support our Government's commitments. There is no program that, costing so little, means so much in the eyes of the world as this particular program—and no commitment which in the eyes of the world is a

more significant one than the commitment to contribute to the United Nations technical aid program.

If we cut this figure by $5,500,000 we shall be cutting one-third out of our contribution and one-fifth out of the whole program. It will cripple the program. It will expose us to great criticism in the chancelleries of free nations and it will furnish grist to the Soviet propaganda mill. Above all, it will slow down a very vital program which is helping to build conditions of peace and stability in the world.

Mr. President, the United Nations organization was in the beginning an American idea. It is today an American ideal. The $5 million that we propose to save by cutting back on our Government's commitment to the United Nations will, I believe, be the most costly $5 million we ever saved. It will be at the expense of our professed devotion to the United Nations. Our fine words of brief in the U. N. will be measured against our act of parsimony in crippling this vital U. N. program.

Some of my colleagues may want to know why we have to give funds to the United Nations when we have our own technical aid program. The report of the Senate Foreign Relations Committee answers that question. It says that the two programs supplement, rather than duplicate, each other.

For my friends on the other side of the aisle who may not wish to take the word of the committee report, I only have to point to the hearings. There the representative of the administration's State Department told how important the U. N. program was to the United States. Before the Senate Appropriations Committee, Mr. Francis Wilcox, Assistant Secretary of State, said that "every effort has been made to avoid any duplication or overlapping." The two programs are very carefully coordinated in the field and in the headquarters at New York.

Among the advantages of the U. N. program to the United States is that some nations do not want to accept bilateral aid but are willing to take advice and assistance from the United Nations. Because of that, the U. N. can often bring about results which are in the United States' national interest but which the United States cannot bring about alone. Also, our participation in the multilateral U. N. program has important political advantages to the United States. It shows the world that we are willing to work together with other nations to improve the standard of living in the underdeveloped nations.

Mr. President, I have received many communications from citizens and organizations in my State in favor of the pending amendment. I have heard from high-ranking officials in the State Department. This is not a partisan matter, of course. I am here appealing for support of the administration's position on this matter.

The PRESIDING OFFICER. The 5 minutes of the Senator from New York have expired.

Mr. LEHMAN. Mr. President, will the Senator from Montana yield me 2 additional minutes?

Mr. MANSFIELD. I yield 1 additional minute to the Senator from New York.

Mr. LEHMAN. I would like to see us contribute more rather than less to the United Nations technical aid program. I think it might be an excellent idea for us to give greater emphasis to the UN technical aid program and perhaps somewhat less to our bilateral technical aid program. But that question is not before us. The question here is merely the maintenance of the present program at its presently scheduled level.

Therefore, Mr. President, I urge all my colleagues to support the pending amendment to the mutual security appropriations bill. For the good of the Nation's foreign policy, I ask Senators to give the U. N. technical aid program the full authorization of $15,500,000. This may be the cheapest bit of good will we have purchased all session.

Mr. President, yesterday the New York Times printed an editorial which strongly urged the restoration of this cut. I ask unanimous consent that this editorial be inserted in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FOREIGN AID'S STEPCHILD

When the clock ticks off adjournment for this election-year session of Congress there may be time for sober afterthoughts about the erratic handling of appropriations for the United Nations technical assistance program over the last 3 years. The pattern is one which would induce nervous prostration in any businessman devoted to sound principles of operation and planning. Unfortunately, what is affected in this instance is the day-to-day lives of millions of the world's ill-nourished, ill-clothed and poorly sheltered.

In 1954 the administration's request for funds for the program was obliterated. Months passed and a new Congress met before public disapproval and official embarrassment brought remedial action. Meanwhile, cutbacks made imperative on operations already in progress entailed dismissals of personnel, abandonment of urgently necessary plans and indefinite delays on commitments made to governments.

Last year false hopes burgeoned that a new era of steadfast support was at hand. Congress approved without incident the figure of $24,000,000 stipulated by the administration—for a period of 18 months. It included $15,500,000 for the 1956 calendar year.

The woefully inadequate program seemed at last to be picking up momentum, inspiring dreams of the possibility of long-term planning. Of 76 participating governments, 32 increased their 1956 pledges over 1955, and 6 others pledged for the first time. The budget reached an all-time high of $28,940,563.

This past week, as the deadline for action neared, these happy prospects appeared to be shattered. House and Senate concurred in cutting to $10,000,000 the $15,500,000 request submitted. Since other nations normally merely match United States contributions, the loss to the program will actually be $11,000,000.

Whether the cut stands or is restored by last-minute adoption of the Mansfield amendment offered on Monday, the psychological impact will remain. So will the fact that legislative capriciousness makes an unsteady platform from which to preach international good will.

Mr. MANSFIELD. I yield 5 minutes to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, when this question was before the Appropriations Committee, and when the bill was before us for markup, there was actually no formal action by way of a rollcall on this proposal. I am quite sure that, along with the Senator from Massachusetts [Mr. SALTONSTALL], I reserved the right to take individual action with respect to this item, because I was very much interested in it.

The program was established through the leadership of this country back in 1950. I think its accomplishments have been rather impressive.

At one time or another some 5,000 technical experts have been provided, from at least 77 countries. As I recall, there are at present 1,360 technicians on the multilateral program. Ten thousand fellowships for study abroad have been awarded. Of course, that is in the interest of good public relations and good foreign relations.

I wish to emphasize what the distinguished Senator from Montana has said. To be sure, at one time we did contribute 60 percent of the amount pledged. Our contribution had dropped to 50 percent, and I utter the hope now that we can bring it in line with the formula we sought to work out in the Appropriations Committee several years ago.

If we reduce it summarily at this time, there will be some dismay in foreign quarters. There will be some misunderstanding, and certainly we shall weaken the negotiatory powers and the negotiating hands of our people in the subsidiary organizations meeting in Geneva at the present time. If this cut is permitted to stand, it will be equivalent to taking 550 experts off the rolls for a year. It would be equal to the entire amount which has been budgeted for the Middle East. The amount involved here is nearly 70 percent of the entire amount which has been allocated to the Food and Agricultural Organization.

The projects which have been carried on under this program are rather technical in nature; and it is my information that at least 80 percent of the projects are in that category. The net result will be that we shall diminish, in some degree, these technical projects, but along with that, we shall probably chop off every new project which may be underway.

At the outset, some years ago, I was not too happy about this program, but after getting around the world a few times I discovered some circumstances and conditions which brought me into line. I find that there are sensitive countries which are a little alarmed about taking aid directly from the United States technical program. The reason is this: They are within the orbit or the periphery of the Soviet Union. In some cases they have a common border with Red China. So they are afraid to accept aid from us directly, but they would accept it from the United Nations, because the Soviet Union is a component member, and it has been making contributions, even though they have been small.

It is because of the countries which must be sensitive about their integrity and well-being, and which must be

thinking constantly about their self-defense, that the aid in this category must be multilateral. Those countries cannot easily accept aid on a bilateral basis. I should be reluctant, indeed, to see those countries cut off, when there is an opportunity to keep them in the orbit of the free world, and particularly in the orbit of the United States.

If this reduction stands, it will be a propaganda weapon, I am sure, in the hands of the Soviet Union. If it must be related over at Geneva that the Congress of the United States has, by its final action, reduced this appropriation by $5,500,000, I do not quite know in what persuasive light our own delegates and representatives can present the situation to the entourage which has been assembled from all parts of the world. There will be some explaining to do, of course.

Coming in the middle of these programs, such a cut would not put our country in too good a light. If the amount involved were of astronomical proportions, the situation might be different, but today we are dealing with $5,500,000. That was the original request. That was the authorization carried in the bill which had the approval of both the House and Senate.

To be sure, an authorization does not mean that the Congress must appropriate up to the authorization. However, because of the peculiar circumstances in this particular kind of operation, I believe that the cut should be restored. I hope that the amendment offered by my distinguished colleague from Montana [Mr. MANSFIELD] will receive the approbation of the Senate.

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the distinguished Senator from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. President, I rise to speak on this amendment because I have had some experience with the subject, having been a delegate to the United Nations Assembly from the United States 2 years ago.

I agree with everything the Senator from California has said about the strenuous efforts which should be made to reduce our percentage participation in the various United Nations programs to one-third. Strenuous efforts were being made in that direction when I was a delegate. The Senator from California [Mr. KNOWLAND] and the Senator from Minnesota [Mr. HUMPHREY] will be our two representatives during the coming year. They will have the same problem before them.

Mr. President we have two kinds of technical assistance programs. We have the bilateral program, which is costing us in the neighborhood of $140 million a year. We also have the multilateral program, which we instigated because we felt the program would be sounder if we could so operate it that all the nations in the United Nations could participate in helping underdeveloped countries.

Mr. President, I have made quite a thorough study of the subject of economic and technical assistance and I believe it is one of the most important parts of our foreign policy. It is vitally important that all of us gain an understanding of the underdeveloped nations and of their aspirations for freedom, independence, and self-determination.

It has been and continues to be my opinion that we should continue to move toward the one-third participation, but that it would be too fast to do it all at once. At the beginning our contribution was about 60 percent. We have moved our contribution down to around 50 percent. In other words, we are moving toward our objective.

With new nations having been admitted last year, and as more nations come in, there will be more than ever a chance for increased participation by other nations and in that way our percentage contribution will be reduced.

I have made a study also of what the percentage actually would be, if we considered what the recipient countries are contributing themselves. I find that if we considered their participation in their own welfare, and considered all the contributions made to this U. N. program our share would be somewhere around 17 percent. It would be as low as that.

The same problem came up with the children's fund, where the contributing countries, whom we are trying to get to contribute to the fund, came in and participated, and in that way made our percentage very much less.

Therefore I feel that in cases like this we are justified in going slowly in arriving at the 33⅓ percent, which we all desire. In this instance, when we are concerned with only $5,500,000, it seems to me, in light of the shock that this proposed cut would cause in the other nations who are participating with us, that it will not pay for us to cut this amount so drastically, particularly from a psychological standpoint.

If the United States is to continue to develop a program designed to assist the underdeveloped countries toward a better standard of living and toward fulfillment of their aspirations, we cannot afford, in any way, to recede from our wholehearted support and backing of this United Nations technical assistance program.

Any failure by the United States to encourage and embrace the potentialities of this program will be most disillusioning and discouraging to the peoples of the world, who have so enthusiastically embraced it.

I am told by our representatives at the UN, that these countries are already very much discouraged, not because of the amount involved, but because of the fact that we seem to be receding from the enthusiastic support we have given to the multilateral approach.

Let me add this further word. The way for us to contribute less and less of the total is for us to get more and more nations into this operation. The multilateral approach is making it more and more important for all the nations of the world to work together on these matters, and in that way get away from the idea that Uncle Sam is doing all of it. I believe it is very important that we restore the amount, and I support wholeheartedly the amendment of the Senator from Montana.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I yield.

Mr. JOHNSON of Texas. I fully share the sentiments expressed by the able Senator from New Jersey.

Mr. SMITH of New Jersey. I thank the Senator.

Mr. JOHNSON of Texas. He has made a very splendid statement, with which I should like to be associated. I realize that our contribution has been a higher percentage of the whole than we would like to have it. However, we have made progress in reducing that percentage, and I have every reason to believe that we will make even greater progress in that direction in the weeks ahead.

I think that this is very important work. The money is a very small amount, but I hope that the Senate will go along with the amendment of the Senator from Montana, so ably supported by one of the ranking members of the Committee on Foreign Relations, the Senator from New Jersey.

Mr. SMITH of New Jersey. I thank the majority leader for his kind words.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from New Hampshire.

Mr. BRIDGES. I have listened very attentively to the statements of my colleagues in urging the Senate to appropriate more money for this item. In years past I have been one of those who have supported the item of technical assistance. I have supported it in the past, and I support it again this year.

However, I point out that we have been engaged in trying to bring the United States contribution to U. N. activities down to 33⅓ percent. It seems to me that when we contribute 33⅓ percent, we are certainly contributing our bit to a mutual project to which most of the nations belong.

That has nothing to do with whether we approve the project. Of course we are in favor of it. We have been in it for some time. It is accomplishing results.

However, each time when anything like this happens, as the distinguished chairman of the Committee on Appropriations, the Senator from Arizona [Mr. HAYDEN], knows, we hear it said, "Well, let us bring the contribution down to 33⅓ percent on the other items, but let us exempt this one."

At other times the argument is made—and this is an even more frequent one; I have heard it made time and time again—"Let the item go through as it is this year, in the hope that next year we may be able to bring it down to the lower figure." Those are the two lines of argument which are put forward every time an attempt is made to cut the amount.

I grant that those who are favorable to this item are very sincere, and I grant that the work that is done is worth while. I have supported it in the past, and I shall continue to support it. However, we are confronted with the question of whether we will exempt this item and apply a reduction to other items, and then express the wishful hope that it will be reduced next year.

It has been said that the amount has been reduced from 60 to 50 percent. That is very slow progress, Mr. President. That is a reduction of 10 percent in 6 years.

I believe we should let the amount stand as provided by the House. That is a fair amount.

Let us see what Russia contributes. The U. S. S. R. contributes 3.7 percent against a 50-percent contribution by the United States.

Let us see what Great Britain contributes. She contributes 8.3 percent.

Let us see what some of the other nations contribute. Red Poland contributes not 1 percent, but six one-hundredths of 1 percent.

What about Bulgaria? She contributes five one-hundredths of 1 percent.

Let us see what some of the other countries contribute. Some of them contribute one-hundrdedth of 1 percent. I am not going to pursue this argument any further. Apparently the Senate is drifting in one direction. However, I will say very frankly that we must make a stand somewhere. I hope the Senate will retain the House figure, and that we will not indulge in the wishful and hopeful thinking that a reduction will be made during the next 12 months. On that basis, if we have been able to reduce the amount by only 10 percent in 6 years, the reduction next year will be so small that it will take the next quarter of a century to get our contribution down to 33⅓ percent.

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). The Chair regrets to inform the Senator from New Hampshire that his time has expired.

Mr. KNOWLAND. Mr. President, I yield 2 additional minutes to the Senator from New Hampshire.

Mr. BRIDGES. The only thing I wish to say further is that we must consider our fiscal problems. In committee we have weighed the matter, and I believe the committee recommendation should be backed up. If we make an exception in this case, we might well make it in other cases also. The adoption of this amendment will certainly open the door.

SEVERAL SENATORS. Vote! Vote!

Mr. MANSFIELD. Mr. President, I yield the remainder of my time to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Montana has 4 minutes remaining.

Mr. HUMPHREY of Minnesota. Mr. President, the arguments on this very needed and well-deserved appropriation have been made rather conclusively. I believe we ought to keep in mind one very critical situation in our foreign policy. The Soviet Union has shifted to an economic penetration of the world with its experts and technicians and scientists and by means of cultural exchanges. Their efforts are backed up, of course, by powerful military forces.

We in the United States have attempted to build a strong defense system, through mutual assistance and through our military defenses. We have also created a splendid program of technical and scientific assistance throughout the world. It is a program which is rather indigenous to our way of life. The county agent and the home demonstrator and other men like that are a part of our American way of life and familiar to all of us. Their work has been extended throughout the world by the point 4 program, in which the United States is cooperating with the recipient nations.

As was pointed out earlier, the technical assistance program was authored by the United States, and sponsored by the United States, and inspired by our leadership.

Last year we contributed to this program $15½ million. Of course, Mr. President, I recognize the logic of the argument made by the minority leader a while ago, that this is a contribution which is disproportionate as compared with that of other nations, and that we should get it reasonably balanced, at say 33 or 35 percent. But every project which would be stopped by this cut in the appropriation would be a project planned by some country in the backward and underprivileged areas of the world, where the aid is most urgently needed. Some of those countries are on the border of the Soviet, and the Soviet is constantly trying to move in with its economic penetration.

Mr. KNOWLAND. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY of Minnesota. I yield.

Mr. KNOWLAND. I will take the time out of that remaining to my side.

The distinguished Senator from Minnesota is making a very fine argument on the merits of technical assistance. I do not differ with him on that question at all. I think it is a good program, and I should like to see it expanded, but I should like to see all the member nations of the United Nations carry a little more of the burden. However, considering the fact that we have before us a bill which provides for an appropriation of $4 billion, primarily devoted to helping other nations defend themselves or to rehabilitate themselves economically, or to help with technical assistance on a bilateral basis, and a very large part of our national defense is in helping to defend the free world, would it seem unreasonable to the Senator from Minnesota that the other 69 member nations of the United Nations might be called upon to increase their contributions to make up this large sum? I do not think we differ as to the merits of the work, but we have had testimony that the economic recovery of Europe has been such that it is in a better condition than it was prior to World War II. So, with the heavy burdens we carried in Korea and the heavy burdens we are carrying now is it asking too much that, among them, they dig up this money?

Mr. HUMPHREY of Minnesota. I think there is much merit in the Senator's argument, but I wish to say, with equal candor, that at this particular time, when the program of technical assistance has been already completed and the projects are outlined for next year, this cut should not be made at this time. The appropriation for mutual security contains $3 billion for military assistance, at the very time that we hear from the Pentagon, the White House, and the State Department that there may be some rather drastic cuts in our manpower, and possibly some changes in terms of our command in the Pacific, and some reductions in our commitments to the North Atlantic Treaty Organization.

Mr. KNOWLAND. I wonder if the Senator feels that there is a psychological value in showing that this country is not picking this particular item for a cut. Speaking for myself alone, I would be prepared to vote for an amendment restoring $5,500,000 to the technical assistance fund, with the proviso that of that amount the contribution by the United States would not be more than 33⅓ percent. That would provide encouragement; there would be no cut in the dollar amount, but it would be noted that Congress was reaffirming its prior statement, which I think is reasonable. It would show that we are not being pennywise and pound foolish, but that we expect that our contribution will not exceed 33⅓ percent. It might give a little incentive for the other nations to make up the difference.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. KNOWLAND. I yield 2 additional minutes to the Senator from Minnesota.

Mr. SPARKMAN. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY of Minnesota. I yield.

Mr. SPARKMAN. Is it not true that when we take into consideration the efforts of other nations, the participation of the United States is actually cut to 19 percent?

Mr. HUMPHREY of Minnesota. To about 16 percent, as the Senator from Montana [Mr. MANSFIELD] pointed out.

Nothing would please me more than to see an expansion of the technical-assistance program. Every time the Soviet Union makes one of its grandstand plays we should call her bluff.

I know what the Senator from New Hampshire [Mr. BRIDGES] is going to say. He will say that for every dollar they put up we put up $5 or $6.

Mr. BRIDGES. More than that, I think.

Mr. HUMPHREY of Minnesota. I do not care to emulate the Soviet Union. I want to see our own American standards maintained.

I would say, in conclusion, that the United Nations International Children's Emergency Fund has done more good in terms of building a solid basis of a stable society than has almost any other program I can think of. We are talking about winning the great struggle against world communism. World communism in many areas is being fought by employing means to eradicate poverty and disease, to improve technical knowledge, and improve economic conditions.

I think it can be fairly said that never did so much come from so little as has come from this program. Never did so many countries benefit from such a small fund. More than 31 territories and countries have had the benefits of the program. There have been benefits in improved standards of living and improved economic conditions. I think it is more important that those things happen than that we receive credit for them. We should try to persuade other nations to step up their contributions. We should ask them to do better.

I trust that my friend from New Hampshire is not encouraging the Soviet to contribute more. I like it better the way it is, where the vast majority of technicians are Americans and the emphasis is on our own foreign policy.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. SALTONSTALL. I listened to the amendment suggested by the Senator from California. It is my understanding that the United Nations program is made up on a calendar year basis. What I would suggest would be to go along with the Senator 100 percent, if he would modify his amendment to provide that in making up the 1957 program the United States share shall not be more than one-third. That would give the United Nations time in which to prepare their 1957 program, and would not handicap the activities which are now in progress.

Mr. KNOWLAND. I shall be glad to modify my suggested amendment, because in the memorandum of amendments which the Committee on Appropriations prepared, on page 40 there is this statement:

> That the calendar year 1957 program will not be approved until late in 1956. It is estimated that the justification of the 1957 program should be similar to that shown in 1956.

So what I would propose would be an amendment to the amendment offered by the Senator from Montana [Mr. MANSFIELD], in which he raises the amount to $15,500,000. I would suggest language as follows:

> *Provided*, That for the 1957 program and thereafter, the contribution of the United States shall not exceed 33⅓ percent.

That would not bring about a reduction in the current program, as to which the United Nations says it has made some commitments, although I do not believe commitments should be made until they have the approval of Congress. But if our negotiators at Geneva would be embarrassed, I think this would solve the problem. It would restore the entire amount for this year; but certainly in advance of the calendar year 1957 Congress would again be reiterating a policy which has been adopted by substantial votes in the Senate year after year, namely, that the other nations should bring their contributions into adjustment with the 33⅓ percent contribution of the United States. Mr. President, I offer this proposal as an amendment.

Mr. MANSFIELD. Mr. President, I must regretfully oppose the amendment of the Senator from California.

Mr. JOHNSON of Texas. How much time does the Senator from Montana desire?

Mr. MANSFIELD. Two minutes.

Mr. JOHNSON of Texas. I yield 2 minutes to the Senator from Montana.

Mr. MANSFIELD. I do not oppose the amendment because I think the idea behind it is not sound; it is sound. But it is very hard to imagine that some of the programs which have been under way for some weeks, months, and even years can now be reoriented and revamped in time to meet a situation of this kind.

If the Senator wants to press that particular amendment to the one I originally offered, I should like to have him add something to this effect: "*Provided*, That the base to be determined as the percentage shall include all Government contributions to the technical-assistance program, including those made by the host governments locally in their support of the technical-assistance projects, as well as those made to the central fund."

If the Senator would agree to accept that addition to his amendment, then, of course, there would be a contribution on the part of this Government of something approximating 16 percent.

Mr. KNOWLAND. I can only reiterate what I said earlier. I think we are prepared to go a substantial distance of the way. The Committee on Appropriations, after consideration of the matter, and for the reasons previously stated, cut the amount to $10 million. I am proposing that it be increased to $15 million. I am proposing that there be no dislocation of the commitments which are presently being undertaken for the current calendar year.

But we are also proposing that the other nations be served notice now, so that there will be no further commitments made, that we shall not exceed 33⅓ percent from 1957 on. There is ample time for the other nations to start picking up a fair share of the burden.

As I pointed out before, I do not think the picture is quite correct, because when we speak of what their contributions are within their own countries, it should be remembered that they have a primary responsibility to their own people to do the things which it is for the benefit of their own people they should do.

Furthermore, the contributions which the United States makes is in currency which is negotiable all around the world, while the contributions of most of the other countries, particularly the Iron Curtain countries, is not negotiable in our areas.

I shall be prepared not only to support the amendment I have suggested, but also to make every effort to support it in conference, because I think the amendment is within the policy of Congress. Otherwise, I should like to have at least a vote on the amendment which I have proposed.

Mr. MANSFIELD. I think the Senator from California is perhaps drawing the line too fine, because we are dealing with a fiscal year beginning July 1, 1956, so far as our appropriation is concerned, and are contemplaing the placing of our fiscal year in relation to the calendar year 1956, which is the fiscal year for the United Nations.

I seriously hope that the Senator will not press his amendment at this time but would consider placing strong enough language in the conference report to indicate that if at this time next year something has not been done, then Congress intends to take drastic action, and to take it immediately.

Only yesterday the Secretary of State, who is the mouthpiece for the administration in the field of foreign policy, expressed the hope that Congress would restore the funds from $10 million to $15,500,000.

Mr. KNOWLAND. That will be done under the amendment I have suggested.

Mr. MANSFIELD. He also expressed his hope and anticipation that it would not be long before Congress would reduce the contributions of the United States to all of the subsidiary organizations of the United Nations to 33⅓ percent.

Mr. KNOWLAND. That is what would be done under the amendment I am proposing.

Mr. MANSFIELD. That is true; but it is being done too abruptly and sharply. Why not do it next year? Let us state our policy in black and white; and then next year, if it has not been complied with, let us do something about it.

Mr. KNOWLAND. Frankly, I do not go along with the mañana doctrine. Year after year I have heard the Senator from Louisiana [Mr. ELLENDER] rise in the Senate and make a plea to bring this amount down to a least 33⅓ percent. I have heard the distinguished Senator from Arkansas [Mr. FULBRIGHT]—and there is no Senator who is more interested in international affairs and in the exchange of students, I think, than the Senator from Arkansas—argue in favor of cutting the amount down to 33⅓ percent. I have heard other Senators on both sides of the aisle make the same plea.

Year after year we have established the policy; year after year it has been urged. It seems to me that it is now time for action. It is for us to reestablish our policy. It can be done by the amendment I have offered.

The amendment would restore the entire amount which was requested of the committees by the administration. We are not proposing to embarrass the United Nations by having the cut applied this year, while the meetings are in progress in Geneva; but we are again serving notice that in 1957 they should bring themselves into conformity. We are merely asking the other members of the United Nations Organization, comprised of 70 members, to be prepared to pick up their fair share of the check. I do not think that is an unreasonable request on the part of the American Congress or on the part of the American people.

Mr. MANSFIELD. I wonder if the Senator from California would be suggestive to the idea that what might be done this fiscal year would be to cut the contribution from 50 percent to 45 percent. Then next year, if no indication is shown on the part of the United Nations to conform, the amount will be cut down 33⅓ percent, or approximately that amount. Then we could step in.

Why not make the reduction a little less sharp this time and allow 45 percent, thereby acting on our own initiative and reducing the amount, during the period of 1 year, by 5 percent?

Mr. KNOWLAND. They say they have made some commitments. I do not believe anyone in the executive branch, in the light of what Congress has defined time and time again shall be the policy, should have made another 50 percent commitment. But they say

they have done so. By restoring $5,500,000, we will let them keep that commitment, if indeed that commitment has been made, despite the warnings by Congress to the contrary.

Mr. MANSFIELD. For fiscal 1957?

Mr. KNOWLAND. For fiscal 1956. They have said in their own report to the committee that the program for their fiscal 1957 will not be made until late in 1956. So we shall be serving notice on them now, before they make up their succeeding calendar of arrangements, that they shall not exceed a program costing more than 33⅓ percent.

I think that is a reasonable request, and I think it can be taken to conference on that basis. We will have both protected our present commitments and also the dignity of the Senate and of Congress. Time and time again Congress has fixed the policy which it has desired these organizations to follow, so far as the contributions of the United States are concerned.

Mr. MANSFIELD. Am I to understand that on the basis of the amendment proposed by the distinguished minority leader for 1957, the sum would be restored to the original amount authorized by both the House and the Senate when the authorization bill was considered this year?

Mr. KNOWLAND. That is correct.

Mr. MANSFIELD. Fifteen million and five hundred thousand dollars.

Mr. KNOWLAND. That is correct.

Mr. MANSFIELD. For fiscal 1957 so far as we are concerned, or calendar 1957 so far as the UNTA is concerned. In other words, then, they will have to come before Congress a year from now, and to justify a continuation of the program, they will have to cut the figure from 50 percent down to approximately 33⅓ percent.

Mr. KNOWLAND. They will have to cut the United States contribution down. They do not have to reduce the program. All they have to do is sell the very good program to the other 69 members of the United Nations.

Mr. JOHNSON of Texas. Mr. President, I hope the Senator from Montana will accept the modification of the amendment.

Mr. MANSFIELD. Speaking personally, I shall be glad to accept the modification of the amendment.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. SALTONSTALL. I have listened to the Senator from Montana. I hope we are not misunderstanding each other. The Senator from Montana said there would be $15,500,000 for fiscal 1957. That is correct. But if I understand the amendment of the Senator from California to the Senator from Montana's amendment, the program for the United Nations is made on a calendar year basis and so from now until December 31 they have time to get up their proposal for the calendar year 1957.

Mr. MANSFIELD. All I wanted to say is that the minority whip has stated far better than I could what I intended to state—that there is that distinction between the United States fiscal year and the United Nations calendar year, which is their fiscal year, too.

Mr. KNOWLAND. The fact of the matter is that, of course, we are dealing with our own appropriation bill, which we are now considering, in 1956, but on the so-called 1957 appropriation bill for the fiscal year 1957. The bill will cover the current program, on which commitments have been made. We shall be able to fully live up to our commitments. The Department has said that it will not be until late this year that they will make up the calendar 1957 program for the United Nations. It will not affect the one presently under consideration.

Mr. MANSFIELD. But, to repeat and nail this discussion down, if I may, this appropriation, so far as we are concerned, applies from July 1, 1956 to June 30, 1957, inclusive.

Mr. KNOWLAND. So far as the appropriation bill is concerned.

Mr. MANSFIELD. So far as the United Nations Technical Assistance Program is concerned, it is from January 1, to December 31, 1957—the calendar year, which is their fiscal year.

Mr. KNOWLAND. Their fiscal year and their calendar year run simultaneously. They are the same.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. Do I understand it is the purpose of the Senator's amendment to propose $15,500,000 appropriations for the United Nations Technical Assistance Fund for fiscal 1957, with the understanding that in the future appropriations shall not exceed 33⅓ percent of the total contributions?

Mr. KNOWLAND. That is correct, and to serve notice now that that is our policy.

Mr. JOHNSON of Texas. I think that is good.

Mr. ELLENDER. Mr. President, will the Senator yield to me?

Mr. KNOWLAND. How much time does the Senator from Louisiana desire?

Mr. ELLENDER. Three or four minutes.

Mr. KNOWLAND. I yield three minutes to the Senator from Louisiana.

Mr. ELLENDER. I believe the distinguished Senator from California is being very liberal, indeed, in the amendment he has offered. This matter has been before our committee every year since I have been on the committee, or since the program has started.

We started out furnishing more than 65 percent of the total cost of the program. Today the contribution has been reduced to 50 percent. We gave warning 2 years ago that the United States contribution should be reduced to one-third.

The Senate well remembers that a few months ago efforts were made to increase the contribution for the Food and Agricultural Organization and the International Labor Organization. The Senate went on record as being in favor of providing more funds, but percentagewise our contribution would remain as it presently is. In other words, as I recall the figures, the International Labor Organization desired $1½ million more than they had, and at that time we were contributing 21 percent of the amount. The Senate wrote into the bill that an increase in funds would be made available, but our contribution would remain the same percentagewise. In other words, we invited other countries to support the program.

We have been dealing with this matter for the past 4 or 5 years. We have reduced United States contributions from 65 to 50 percent. We have warned other nations time and again that we expected to bring the United States contribution down to 33⅓ percent.

As I have said, I believe the suggestion made by the Senator from California is liberal, indeed.

I should like to suggest that, in addition to the technical assistance program, to which the United States is furnishing at the moment 50 percent of the cost, we have our own technical aid program we are providing for in the bill. I think we are going haywire. I think we ought to act with reason, and get our friends in the United Nations to provide their just share of the contribution.

Mr. KNOWLAND. Mr. President, I have sent to the desk my amendment to the amendment of the Senator from Montana. I ask that it be stated. I think it is in conformity with the understanding I had with the Senator from Montana and other Senators.

The PRESIDING OFFICER. The amendment of the Senator from California to the amendment of the Senator from Montana will be stated.

The LEGISLATIVE CLERK. On page 3, line 14, it is proposed to strike out the semicolon, and add a colon and the following: *"Provided*, That the United States contribution to the 1958 calendar year program shall not exceed 33.33 percentums of the United Nations program."

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time on the amendment.

Mr. KNOWLAND. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment of the Senator from Montana, on page 3, line 14, as modified by the amendment of the Senator from California.

The amendment, as modified, was agreed to.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. As I understand, no action has been taken on the committee amendments, and the bill will be read for committee amendments. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. HAYDEN. Mr. President, I ask unanimous consent that the committee amendments to the mutual security appropriation bill for 1957 be considered and agreed to en bloc, and that the bill as thus amended be considered as original text for the purpose of amendment; provided, that no point of order against an amendment shall be considered to have been waived by reason of this agreement.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. RUSSELL. Mr. President, I regret very much feeling restrained to object to any request of the Senator from Arizona, but, in my opinion, the Senate should have a record vote on each item of increase recommended by the Committee on Appropriations. Therefore, I object.

Mr. SPARKMAN. Mr. President, will the Senator from Arizona yield for a question?

Mr. HAYDEN. I yield.

Mr. SPARKMAN. I wish to ask the Senator from Arizona a question, in order to clear up a matter. There is one item in the bill that pertains to ocean freight. The House allowed $1,400,000, and the Senate allowed $3 million which is in keeping with the authorization bill, as reported by the Foreign Relations Committee and as passed by the Senate.

Some question has been raised, as a result of the statement made in the Foreign Relations Committee report, on this item. The Senator may remember we considered a $14 million item dealing with ocean freight, and a $3 million item in the same paragraph, and we removed the $14 million item because it related to the shipment of surplus commodities, which were being taken care of in the agricultural appropriation bill. But then we changed the $1,400,000 to $3 million, and in explanation it was said there would be an increase in surplus commodities which would be made available to the various voluntary agencies, and therefore we were increasing the item.

Some persons have received from that the idea that we intended the increase to be limited to use for the shipment of surplus agricultural commodities. Of course, that was not the intention, I am sure, of either the Foreign Relations Committee or of the Senate when it authorized it.

I wish to ask the Senator from Arizona if that is his interpretation—namely, that the full $3 million can be used for all shipments of that nature?

Mr. HAYDEN. Probably the best way to answer the question is to read from page 10 of the report of the Senate committee:

> Ocean freight, voluntary relief shipments: This appropriation is used to pay costs of ocean freight on shipments of relief supplies collected by United States voluntary agencies from their members for distribution overseas to those in need.
>
> The appropriation request for fiscal year 1957 is $1,400,000, a decrease of $600,000 below 1956. The authorization act authorized an appropriation of $3 million for fiscal year 1957 and the committee recommends that this full amount be provided.

There is no earmarking.

Mr. SPARKMAN. And the surplus commodities constitute only one of many factors in that connection; do they not?

Mr. HAYDEN. Yes, one of many; that is all there is to it.

Mr. SPARKMAN. I thank the Senator from Arizona.

Mr. HAYDEN. Mr. President, I move that the bill be read for amendment, and that the committee amendments be first considered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will state the first amendment of the committee.

The LEGISLATIVE CLERK. On page 2, in line 4, after the numerals "124", it is proposed to insert "to remain available until June 30, 1958"; and in line 5, after the amendment just above stated, it is proposed to strike out "$1,735,000,000" and insert "$2,300,000,000."

Mr. ELLENDER. Mr. President, to the committee amendment, I submit the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The LEGISLATIVE CLERK. In the committee amendment on page 2, in line 5, it is proposed to strike out "$2,300,000,000," and to insert in lieu thereof "$1,735,000,000."

The PRESIDING OFFICER. How much time does the Senator from Louisiana yield to himself?

Mr. ELLENDER. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 10 minutes.

Mr. ELLENDER. Mr. President, a moment ago the distinguished Senator from Arizona [Mr. HAYDEN] attempted to have all the committee amendments agreed to en bloc, with the understanding that the bill as thus amended would be considered as the original text, for the purpose of amendment.

However, since there was objection, and since many of us desire to at least attempt to have a vote taken on the amounts voted by the House of Representatives, I have offered an amendment which would strike out the amount recommended by the Senate committee and insert the amount voted by the House, plus $1. If my amendment is rejected, then, as I understand the parliamentary situation, it will be in order for me to submit another amendment proposing a smaller cut in the amount recommended by the Senate committee.

Mr. President, I shall not discuss the issues involved at great length. When the authorization bill was before the Senate, I pointed out in great detail the reasons why I believe the amounts then proposed to be authorized, and now the amounts proposed to be appropriated, for military assistance should be reduced.

The House committee studied in detail the needs of the military-assistance program. I have before me figures which show that the amount of money on hand, unexpended, and available for use, in connection with the Military Assistance Program, is $4,992,900,000. That was the unexpended balance as of July 1 this year. Mr. President, of that huge sum of money, over $2,500,000,000 is the unexpended balance available for the NATO countries in Europe; an unexpended balance of one-half billion dollars is available for other countries of Europe, and for countries of Africa; $1,162,000,000 is the unexpended balance available for Asia; in the case of Latin America, the unexpended balance is $38,600,000; in addition, an unexpended balance of $604 million which has not yet been allotted on a by-country basis, is available for military aid.

That money is left over from earlier appropriations; it is available for expenditure. I have already stated for the RECORD what was said with respect to the transferability of these funds. The administrators of this program said that until the military hardware is actually delivered if it is found necessary to change the designation of recipient countries, so as to allocate to other areas the hardware or the money previously destined for the countries of Europe, that can be done.

Mr. President, as I pointed out during the debate on the authorization bill, the industrial progress made in the countries of Western Europe is far beyond the expectations, I am sure, of any of us when we originally voted for the Marshall plan. I am satisfied that if when this program began, we had stated to our friends across the seas: "We are going to assist you to the extent necessary in order to increase your industrial production to 25 percent or 26 percent above that prior to World War II," they would have been more than satisfied. Mr. Paul Hoffman—the original ECA Administrator—stated, when the Marshall plan was before the Appropriations Committee in 1951—and he said it unequivocally—that if we could increase the industrial production of the countries of Western Europe by 25 percent, we could halt our flood of assistance.

Let me state to my friends what the situation is today. For the countries of Western Europe, the 1955 index of industrial production averaged 164 percent of prewar. In other words, the NATO countries of Western Europe, whom we have been assisting so nobly and so liberally have increased their industrial production 64 percent, when measured by the 1938 yardstick. Mr. President, it is my contention that those countries are now well able to help share this burden of preserving the freedom of the free world.

My amendment would simply restore the amount voted by the House of Representatives, plus $1; that is all it would do. I think that amount should be more than ample. With the amount proposed by my amendment—in other words, the amount voted by the House, plus $1—the administrators of the military assistance program will have in their hands almost $7 billion available for expenditure this year.

Mr. President, in the light of past events, in the light of the great progress which has been made by the countries of Western Europe, it is my considered judgment that the amount I am suggesting is ample.

Let me go through the list of some of the Western European countries to show the increase in industrial production which some of these nations have achieved. Take Italy, which is included among the European countries which will receive some of the military aid carried in this bill. Industrial progress in Italy had advanced to 176 percent of prewar in 1955; Turkey's had increased to

253 percent of prewar; Greece, 179 percent, and Austria 193 percent. Of course, Austria would not receive any of the military assistance this bill proposes but Austria has received a great deal of economic aid. Like the other countries which received this aid, her recovery is virtually complete.

Mr. McCARTHY. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question.

Mr. McCARTHY. I have a great respect for the knowledge of the Senator from Louisiana on the subject of appropriations. I think he has a better grasp of that subject than almost any other Senator.

Mr. ELLENDER. I thank the Senator for the compliment.

Mr. McCARTHY. I listen with a great deal of interest to what he says. I wonder if the Senator has consulted Mr. Dulles and asked for an explanation as to why the Department wants a much larger appropriation, even though there is still $5 billion available.

Mr. ELLENDER. Of course, I have my own ideas on that subject. The Senator knows that for the past 2 years we have refused to extend further economic aid to Western European countries, particularly France, England, and others. But, this economic aid has been continued in a different form through the military program—under the offshore procurement program.

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.

Mr. ELLENDER. I yield myself 5 more minutes.

The only difference between the offshore procurement program and the original economic aid program is that no counterpart funds are generated via offshore procurement. But American dollars are used to assist industry in France, in England, and even Canada. Imagine that, Mr. President. Offshore procurement—economic aid—to Canada.

Mr. McCARTHY. In other words, even though the Congress has voted to cut economic aid to certain areas, it is being continued by subterfuge.

Mr. ELLENDER. The Senator is exactly correct.

Since industrial production has increased to record levels in those countries, despite the fact that we have still on hand and unspent, almost a third of the amount appropriated to date, I think it must be obvious that things have certainly been made better in those areas, and that further aid—economic or pseudoeconomic, military or civil—can be terminated. Further, as I have already indicated, inasmuch as the administrators of the program can transfer undelivered equipment from one area to another, it strikes me that they can well afford to lop off four or five hundred million dollars, which is the reduction I am seeking, and make up any deficiency in Asia by transfers from the equipment now earmarked for Europe.

Mr. McCARTHY. Mr. President, I think the Senator's speech is of sufficient importance that many more Senators should be present. Will the Senator from Louisiana yield to me so that I may ask unanimous consent to suggest the absence of a quorum without the time being charged to the Senator from Louisiana?

The PRESIDING OFFICER. Does the Senator from Louisiana yield for that purpose?

Mr. ELLENDER. I yield for that purpose.

Mr. McCARTHY. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the time being charged to the Senator from Louisiana.

The PRESIDING OFFICER. Is there objection to the request?

Mr. JOHNSON of Texas. Mr. President, I did not hear the request.

Mr. McCARTHY. I asked unanimous consent that the Senator from Louisiana might yield to me in order that I might suggest the absence of a quorum, without the time being charged to him.

Mr. JOHNSON of Texas. Let us not start that practice. I have time in opposition to the amendment. Let us share equally the time required for a quorum call. In all likelihood fewer Senators would be present after the quorum call than are present now. There is a pretty good attendance of Senators at this time.

Mr. McCARTHY. If the distinguished majority leader thinks that a quorum call would not increase the attendance of Senators I shall be glad to withdraw my request.

Mr. ELLENDER. Mr. President, I have quite a few amendments to offer. I could speak until 12 o'clock tonight, if I wished to do so, but I do not care to do so. I am well aware that the Senate is in the last days of the session.

I shall continue——

Mr. JOHNSON of Texas. The Senator has ample time on the bill. There are 6 hours on the bill, and the time required for the quorum call could be charged equally to both sides.

Mr. ELLENDER. It is not merely a question of talking. If Senators could be present to listen and understand, they might vote the way I shall vote. I know that there is no possibility of compelling Senators to remain in the Chamber. I appreciate the suggestion of my good friend, the Senator from Wisconsin.

Mr. JOHNSON of Texas. If the Senator from Louisiana will permit it, we can at least make an attempt to see if a quorum call will result in increased attendance of Senators.

Mr. President, I ask unanimous consent that I may be permitted to suggest the absence of a quorum, the time to be charged equally to both sides.

Mr. ELLENDER. Does the Senator mean from time on the bill?

Mr. JOHNSON of Texas. From time on the bill.

Mr. McCARTHY. The reason I suggested the absence of a quorum was that I have heard the Senator from Louisiana in the Appropriations Committee, and have been impressed by the fact that he has a great grasp of this particular problem, and I thought other Senators should be present to hear him.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCARTHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Louisiana has 17 minutes remaining.

Mr. ELLENDER. I yield myself 5 more minutes.

I hope that the Senators present will take cognizance of what I have heretofore stated. I have pointed out that the industrial production of the countries of Western Europe is in excess of 160 percent of prewar. This has come about through the various programs that we have undertaken with our taxpayers' money.

I do not regret that we took that course in 1948. I am sure that any Senator who cast his vote in favor of assistance to our friends across the seas, particularly in Western Europe, did so in the hope that by increasing the industrial and agricultural capacity of those countries, they would be in a position where they could not only carry their own loads but assist us in other areas as well.

But, it has not worked out that way. We are not only carrying our own load at home, in Southeast Asia, and practically throughout the Near East, but we are also burdened with about 40 percent of the NATO obligations of the countries of Western Europe as well. Still, we are being asked to do more—we are being asked to increase this program.

Senators may have noticed in recent weeks that efforts are being made by our allies to reduce their budgets for military expenditures, particularly in Britain. I understand that British arms cuts may ultimately total as much as a billion and a half dollars. France has done likewise. Italy is following the same path, yet we are being asked, notwithstanding the position taken by those countries, to increase our foreign-aid military appropriations by a billion and a quarter dollars—over and above the amounts appropriated last year—in order, I assume, to pay for these arms cuts in European budgets by filling the gap with American dollars.

I repeat that we have on hand and unspent now $5 billion in arms aid money which can be used wherever it may be necessary. The two-billion-plus dollars in unexpended funds which are presently earmarked for Europe need not be used in that area. Part of that amount can be used in the Near East, in Africa, in Asia, or elsewhere, if the administrators of the program so desire. The countries that we have so liberally assisted and which have fared so well industrially, should be willing at least to carry a little more of their load.

I have already given the figures on industrial increases. They average 164 percent of prewar, with respect to Western Europe.

Belgium—which is included in this program—is better off than we are. That country has increased its agricultural

production by 150 percent of prewar. In our own country, agricultural production has increased over prewar by only 127 percent.

It is true that the debts of those countries have increased, but, Mr. President, so has ours. Actually, they are now better off than they have ever been, and certainly as well off as we are.

Mr. President, I feel that my time is about to expire. However, for the benefit of Senators who may not have been here at the beginning of my remarks, let me indicate what my amendment would do. As Senators know, the executive branch request for authorization for military assistance was $3 billion. It was cut to $2,300,000,000 in the authorizing legislation. The House has appropriated $1,735,000,000. That is the figure I am asking the Senate to appropriate.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. ELLENDER. I am glad to yield for a question.

Mr. DWORSHAK. The Senator has been consistent in his opposition to the wasteful expenditure of much of the $60 billion which have been expended by our Government since the end of World War II on military and economic aid. The Senator from Louisiana has made several trips to all sections of the globe and has made personal checks and investigations of many of the programs.

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.

Mr. ELLENDER. I yield myself 5 more minutes.

Mr. DWORSHAK. In the light of that extensive experience and in the light of his contacts with this program for several years, both under a Democratic administration and a Republican administration, I should like to ask the Senator if it is not true that if this misnamed mutual aid program has been successful—and it has been to a large extent in rehabilitating the economies of the nations receiving the aid—it would seem unnecessary and indefensible at this time to increase the appropriations for military aid, because in the light of the alleged success of the program, should it not necessarily be true that the countries we have aided should be in a strong position now to assume a greater share of the responsibility of maintaining a defense against Communist aggression?

Mr. ELLENDER. That is the real burden of my argument. The reason why we made such extensive and costly efforts to assist them in the dark days following World War II was to put them in a position where they could carry their own load.

As I said, we are carrying not only 40 percent of their NATO obligations, plus all of our own global defense program, but we are carrying the whole load in Southeast Asia.

When I make that statement, I do not mean to imply that the South Koreans are not carrying their share of the defense program in Korea; neither am I charging that on Formosa the Nationalist Chinese people are not carrying their fair share of the burden. The point I am trying to drive home is that those people whom we have assisted in Western Europe and in other parts of the world, and who have, with our help, bettered their economic status to the extent that I have indicated, have as much at stake as we have.

It will be to their ultimate benefit and advantage for them to assist us in this military and economic aid program, because if we continue spending at our present rate, Mr. President, we are going to bring to our own shores the very thing we are fighting against. If initiative in this country is destroyed, the light of freedom inevitably will be extinguished not only in our country, but throughout the world.

Mr. President, I feel every Senator should know that for every $100 million we add to the foreign-aid appropriation for fiscal year 1957 the income tax payments of 250,000 average American families will be required in order to pay the cost. I have used an average of 3⅓ persons per family, and an average income per family of $4,173, which would result in a tax of $390 per family.

Mr. President, if the amendment which I am proposing should prevail the resultant saving will be equal to the income-tax payments of more than a million and a half families in this country whose income averages $4,173 and whose annual Federal income tax amounts to $390.

What I am trying to do is to save a few hundred million dollars, all of which will eventually be reflected in reduced tax payments by our people.

How much more time do I have remaining, Mr. President?

The PRESIDING OFFICER. The Senator from Louisiana has 7 minutes remaining.

Mr. ELLENDER. I shall reserve that time, Mr. President.

Mr. HAYDEN. Mr. President, I yield myself 5 minutes.

What this bill does has been very well expressed by the committee in its report, an excerpt from which I wish to read into the RECORD:

> The House allowed $1,735,000,000 in new funds and specifically reappropriated $195,500,000 of unobligated prior year funds. The authorizing legislation included authority for the appropriation of $2,225,000,000 for military assistance which together with $75 million previously authorized for infrastructure totals $2,300,000,000.
>
> The committee recommends an appropriation of $2,300,000,000, the full amount of the authorization and in addition the committee recommends language included by the House continuing $195,500,000 of unobligated balances from prior years. The amount of new funds recommended by the committee is $565 million in excess of the House bill and $700 million under the budget estimate.
>
> Language has been included in the bill making the funds for military assistance available until June 30, 1958.

The reasons for making this kind of an appropriation were very well stated by Admiral Radford in his testimony before the Appropriations Committee when he said:

> This military-aid program is designed to generate and maintain forces to add to the security of the United States. In other words, this is a self-serving program all around the world. We are not helping people just for the pleasure of helping them. We are helping them because we need their military strength just as they need ours.

Mr. THYE. Mr. President, will the Senator from Arizona yield at that point?

Mr. HAYDEN. I yield.

Mr. THYE. Mr. President, the distinguished chairman of the Appropriations Committee has very clearly outlined specifically what is in this mutual security bill. We are getting more for dollars appropriated for this program because of the cheaper manpower, for instance, in Korea, which has an excellent army, as well as the manpower which has been developed in the European armies allied with us under the Mutual Security Act. For that reason we must bear in mind that what we are endeavoring to do is to maintain military strength in the cold-war period which we are standing as a free people allied with other free peoples in resisting Communist efforts, whether through ideology or by infiltration, to undermine and destroy the Nation.

Through our mutual security program we have obtained strength from the support we have received from other nations allied with us, which most certainly helps us to maintain bases in foreign countries without which, if war should come, we would be too far distant from the heart of the enemy country.

Mr. HAYDEN. The bases which the Senator mentions are surrounded by friendly people. They are primarily defended by the men of those nations. In other words, if we should get into trouble it would not be American soldiers only who would be fighting and dying, but soldiers of other countries as well.

I should like to bring out one other point. The United States military expenditures for all forms of national defense, the Army, Navy, and Air Force, during the past 2½ years, have been as follows:

We have spent on our own Armed Forces $93,500,000,000. For North Atlantic Treaty forces, where most of our military assistance money has gone, we have spent $5,900,000,000. If we put the two sums together, we find we have spent 94 percent on our own forces, and 6 percent on our allies.

On the other hand, what have they done?

The expenditures derived from the budgets of the North Atlantic Treaty nations amounts to $30,300,000,000. Our foreign military assistance, as I stated before, amounts to $5,900,000,000, which means that the other nations have put up $6 out of their treasuries to $1 put up by the United States. Any businessman who could get 2 for 1 for his money would be happy. We are getting 6 to 1 for our own national defense.

Mr. SALTONSTALL. Mr. President, will the Senator from Arizona yield 5 minutes to me?

Mr. HAYDEN. Mr. President, I yield 5 minutes to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, I should like to make a very brief statement in connection with what the chairman of the committee has said.

The Senator from Louisiana seeks to reduce military assistance by $565 million.

The Senate committee has recommended $2,300 million. The House figure was $1,735 million. The amendment of the Senator from Louisiana would reduce the Senate Committee figure to the House amount, with the exception of one dollar.

If Senators will refer to page 4 of the committee report, they will note that the largest proportion of the money goes to Asia. The next largest proportion goes to Europe; then to the Near East and Africa, and finally to a nonregional program, with a small amount for Latin America.

If the cut recommended by the Senator from Louisiana should prevail it would mean that no money would be available for the NATO organization and NATO countries. Programs planned for Korea, Turkey, Taiwan, Pakistan, Japan, Greece, Iran, and Vietnam total approximately $1,500 million. Other costs which must first be met total an additional $255 million. Therefore, if the amendment should prevail, nothing would be available for Europe.

The argument is made that all this money cannot be used in a year, and that a very substantial amount of unexpended balances remains. I call attention to the fact that the unexpended balances in 1956 were reduced by $400 million, and that the unexpended balances have been taken into consideration in the proposed program for 1957.

The program for 1957 contemplates expenditures of $2,900 million. As Mr. Hollister pointed out, actions already taken and to be taken will bring the expenditures substantially above the $2,500 million estimate. Therefore, if the appropriation is reduced, it will be necessary to give up or substantially curtail our programs in NATO countries, or to cut down programs in the Far East.

We rely on what we have done to help Turkey and South Vietnam to enable them to help us. The same is true of Formosa, or Taiwan, as it is called, of Japan, and of Korea. If we cut down on those programs as substantially as the proposed reduction would require, then all we have done in the past will, to a great extent, have been wasted, because, while we are furnishing arms, we are also training men. So, for the time being, we must continue to furnish arms if the people in those countries are to be of assistance to us.

I hope the amendment of the Senator from Louisiana will not prevail.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. SALTONSTALL. If I have time, I yield.

Mr. McCARTHY. Does the Senator believe the United States should continue to supply military aid to Yugoslavia, after Tito has said, "We will march arm in arm with Russia in war and in peace"?

Mr. SALTONSTALL. I believe we have left that decision to the discretion of the President. I think the amendment concerning Yugoslavia will be called up shortly. I shall be glad to join in debate with the Senator from Wisconsin on that question based on the provisions in the authorization bill which leave the matter to the President's discretion and require the making of a report to Congress. Under the provisions in the authorization bill, I think it is safe for us to give aid to Yugoslavia.

Mr. McCARTHY. Mr. President, will the Senator further yield?

Mr. SALTONSTALL. Certainly.

Mr. McCARTHY. I know the Senator from Massachusetts has much confidence in the President. I have a great deal of confidence in the Senate at times. When the Senator urges that money be appropriated for Yugoslavia, I simply wonder whether he himself wants to notify those who administer the bill that the United States should not give aid to a country whose dictator says, "We are in favor of Leninism. We will march arm in arm with Communist Russia in war and in peace."

I simply wonder what the Senator's attitude is. I do not believe that question should be ducked by saying, "We will let someone else decide the question." Each Senator represents in part a sovereign State. We are spending the money of the people. I think the people of my State and the people of the Senator's State of Massachusetts should know how we feel about spending money for the benefit of a Communist country.

I think the Senator from Massachusetts should answer my question.

The PRESIDING OFFICER. The time of the Senator from Massachusetts has expired.

Mr. SALTONSTALL. May I have 30 seconds in which to answer the question?

Mr. JOHNSON of Texas. I yield 30 seconds to the Senator from Massachusetts.

Mr. SALTONSTALL. As I said a moment ago, I expect that subject to be debated. I am perfectly willing, as one Senator, to give all the money which is provided in the bill into the hands of the President and to let him send some to Yugoslavia under the conditions expressed in the authorization bill.

I know the Senator from Wisconsin does not agree with me in that view; so we must agree to disagree.

Mr. THYE. Mr. President, will the Senator yield 1 minute to me?

Mr. HAYDEN. I yield 1 minute to the Senator from Minnesota.

Mr. THYE. I associate myself with the remarks of the distinguished Senator from Massachusetts. In order to save time, I shall not endeavor to say what my impressions are, because the Senator from Massachusetts, relative to the appropriations to Asia for military assistance, so ably stated them that I could not state them any better myself. Therefore, I wish to be associated with the Senator from Massachusetts in his remarks relative to the military assistance which we are granting, not only to Korea, but also to Vietnam, Thailand, and the other countries in the Indochina area.

SAM H. RAY—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Wyoming as much time as he may need in which to submit a conference report.

Mr. O'MAHONEY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1637) for the relief of Sam H. Ray. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1637) for the relief of Sam H. Ray, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: Strike out the figures "$5,000", and insert in lieu thereof "$7,500", and the Senate agree to the same.

JOSEPH C. O'MAHONEY,
OLIN D. JOHNSTON,
ARTHUR V. WATKINS,
Managers on the Part of the Senate.

HAROLD D. DONOHUE,
E. L. FORRESTER,
WILLIAM E. MILLER,
Managers on the Part of the Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. O'MAHONEY. Mr. President, the Senate amended a House-passed bill by reducing the amount from $10,000 to $5,000. In conference, both sides agreed upon the amount of $7,500. It is a minor matter.

I move that the conference report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. HUMPHREYS of Kentucky in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore.

S. 3073. An act to grant a franchise to D. C. Transit System, Inc. and for other purposes; and

H. A. 5337. An act to amend the provisions of the Perishable Agricultural Commodities Act, 1930, relating to practices in the marketing of perishable agricultural commodities.

MUTUAL SECURITY APPROPRIATIONS, 1957

The Senate resumed the consideration of the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes.

Mr. ELLENDER. I yield 5 minutes to the distinguished Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I think I understand the pending amendment. It is virtually the House figure of $1,735,000,000, on page 2 of the bill.

I rise in support of the amendment and I desire to make my position clear. I understand—I am so advised by the sponsor of the amendment, and I think it is beyond question—that there is provided in this item of the bill, money for Yugoslavia and other countries that are not at the present time showing, in my judgment, friendliness and the right attitude toward the free world. I cannot vote to give money to such countries. I cannot tax our people, and to spend indiscriminately, as I regard it, the money thus raised to supply arms to countries which are not, in truth and in spirit, our allies, and which would not be on our side, fighting with us, if the chips were down.

They have not only indicated that by their action; they have repeatedly stated their neutralism, and one of them, Yugoslavia, has gone so far as to say recently that she will march arm in arm or shoulder to shoulder with the Communists both in war and in peace.

I cannot vote to contribute a dollar of the taxpayers' money to any nation or government which, at this hour, takes such an attitude. I do not know what attitude other nations may take 10 years from now, or at some other time; but so long as we do not have reasonable assurance that a country is with us against a potential enemy, I cannot vote to strengthen that country's military power, at the risk of fighting the very force we create or help create—a force to be used against us if a real crisis should come.

I wish to thank the distinguished Senator for yielding me this time, and I sincerely compliment him upon offering the amendment.

While I have the floor, I may state further that I cannot support the bill so long as it indiscriminately provides money to those countries as to which we do not know whether they are on our side, or as to which we have no assurances, or as to which there is no reason apparent at this time why we could expect them to be allied with us in the event of another world struggle.

Mr. DIRKSEN. Mr. President, I believe I have been recognized for 10 minutes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 10 minutes.

Mr. DIRKSEN. I am quite sensible of the controversial nature of the whole foreign-aid program. It is evident in the press, it is evident over the radio, and it is also evident in letters which come to the desks of Members of the House and Senate. I feel, however, that in approaching this question I do have the responsibility of exercising an independent judgment; and that I seek to do, in the face of a highly controversial issue.

I am of the opinion that the greatest duty any administration has, indeed, I regard it as a sacred duty, is to keep the country at peace. This afternoon I had occasion to examine a few figures which indicate that, even as of now, there are 130,000 veterans in our hospitals, there are 3½ million veterans and their dependents on the Nation's compensation rolls; we have hospitals scattered all over the country, and they are manned by 178,000 civilian workers.

I think back, and, by interpolation, conclude that in the wars which have confronted this country, more than 600,000 young Americans have lost their lives. I think of the million and a half or more who were wounded. Then I think of the immeasurable concomitants—the agony, the bruised hearts, and the dislocation of our economy.

All these considerations fortify the conclusion that the foremost and the prime consideration of any administration is to keep the country at peace.

That presupposes the question, From what source may danger come? I think Admiral Radford summed it up very well in committee: "Whether it is immediate or remote, you have a global danger on the one hand and, on the other hand, a peripheral danger." The global danger is the Sino-Soviet bloc operating not only in the Pacific and Europe, but doing their best, by economic penetration and infiltration, to further the doctrine of Leninism and to destroy the free capitalistic system of this country, if they can. That is what is referred to as the global danger.

When we consider the question from the standpoint of manpower and material resources, certainly they have those on their side. I saw a figure recently indicating there were in the whole Pacific orbit on the Communist side probably 175 million able-bodied men between the ages of 14 and 50, as against some 49 million on the side of the free world. So the manpower balance is on the other side.

The essential military and critical material reservoirs are outside the domain of our own country. So, in case of a global war, we must necessarily depend upon the Armed Forces of this country, and particularly on our Strategic Air Command.

It is not my intention, however, today to talk about global conflict. I desire to talk about the other matter, namely, the danger of being sucked into global war through a peripheral conflict.

I remember very well, as a student, the headlines which appeared in June, 1914, when a very obscure student by the name of Princip murdered the Archduke of Austria as he was coming down the mountainside in his carriage at Sarajevo. That was only a small beginning, but before the end, we were drawn into a world conflict, and the cost was enormous.

I think it can be said that World War II began as a peripheral struggle, because, first of all, of certain meetings at Munich. There was the hope that, at long last, peace had been achieved. Then there were declarations of war, one way and another, and in a short time the Panzers and Stukas were going across the boundaries of Poland; and in a little while we were in that gigantic conflict.

Then, in our generation, came Korea. I recall the headlines when General Hodge and his troops were withdrawn from Korea. The story was that 500 officers and men were to be left there. It was only a year later that we found ourselves sending troops to Korea, and before we got through that sanguinary struggle, more than 33,000 men came back to this country in wooden boxes, and 107,000 carried the marks of that conflict on their bodies. That came about as a result of a peripheral struggle. Not too much attention was paid to it; but, little by little, we were sucked into that conflict.

So the program that is before the Senate today does not deal essentially with global war. That is the business of grand strategy. That is the business of the Army, the Navy, the Air Corps, and the Marine Corps. But in this case we are dealing with the avoidance of peripheral conflict which could very well draw us into global conflict. That is the essential reason for the mutual security program and for the bill presently before us.

Mr. President, during the course of the hearings I took special pains to ascertain how the program is set up.

In the first place, there is a meeting of all the military leaders, to see what must be done in the interest of the security of our country. That matter is also refined by the National Security Council. Then our so-called military assistance groups go into the field; they go to the various countries and ask the leaders there to evaluate the situation and ascertain what is needed in order to bring those countries effectively into the orbit of the free world, what is needed to help build up their defensive forces for the very purpose of avoiding peripheral struggles and for the purpose of energizing initial resistance. I think the program in its outlines is quite that simple.

So a tremendous amount of effort and a tremendous amount of refining go into the figures and the distribution of the funds and the functions which are included in the pending bill.

Now my friend, the Senator from Louisiana [Mr. ELLENDER], wishes to cut back to the amount voted by the House of Representatives, plus $1, the amount the Senate Appropriations Committee has voted.

I think I should point out that, in the first instance, this amount was rather materially cut. The President requested

$3 billion. In the authorization bill, that was cut to $2,225,000,000. That means that the Congress, in making the authorization, reduced by $775 million the ceiling for these funds. But that was not the end of the story. The House of Representatives reduced the appropriation for this purpose to $1,735,000,000; in other words, a cut of another $490 million.

So in the Senate Appropriations Committee, we were dealing with a reduction from $3 billion to $1,735,000,000, or a cut of $1,265,000,000. I would defy the most astute and capable administrator—whether civilian or military—to distribute such a cut and still preserve an efficient and effective program in the interest of the defense of the United States of America.

The fact of the matter is that $1,500,000,000 of this money will go to Korea, Vietnam, Turkey, the Philippines, Pakistan, Greece, and Iran. If that part of the program were kept intact, there would not be a dollar for advanced weapons; and there would not be a dollar for the European program; and there would scarcely be any money for the fixed charges, which amount to approximately $250 million.

Regardless of the number of troops we may have abroad or the number of civilians we may have abroad, when we operate on the basis of lead time and on the basis of a pipeline, there are certain fixed charges which go with the program; and they are rather close to one-quarter of a billion dollars.

I could think of nothing more wasteful than such a cut as that proposed, which is made on the basis of sheer guesswork.

Following the careful study and the carefully prepared figures which have been submitted by those who have been dealing for a long time with this matter and those who are trained in military tactics in global terms, I submit that such a reduction certainly would not be conducive to the defense of the United States of America.

Mr. President, today the picture is not a very happy one. I suppose there are several hundred thousand ROK troops in Korea. They must be supported; they must have weapons and supplies and defense support. I am delighted that they can be kept in uniform and kept intact, and that their training can continue, in an area where there is an armistice, although at the present time it is rather slender and rather tenuous.

I had a chance to observe it when I was there a few years ago. I also had a chance to observe the situation in Taiwan. I know something about the airfields that are being built up and down the coast of mainland China. I saw all the photographs which had been taken by the reconnaissance details. I was on Quemoy very soon after it was shelled. The shelling is constantly in progress. I have taken note of the efforts being made by Chou En-lai and his advisers to capture Formosa, whether or no. Of course, today Formosa is one of our defensive bastions in the Pacific. The people there are confined to a very small area, but they are definitely on our side. I can think of nothing better for our country and its security than to embrace the opportunity to use the troops of another country, troops already organized. However, they must be supplied. Those countries are not industrial countries. They have never been schooled or skilled in the business of manufacturing industrial supplies. So, Mr. President, weapons must be placed in the hands of those troops, and those countries must receive the kind of defense support which will enable them to support and maintain their own defense.

I remember my visit with the Prime Minister of Vietnam, now the head of state of that country. I went out to inspect the troops. I was there when the Senator from Texas [Mr. DANIEL] was there. In my judgment he did a superb job. They are trying to provide a defense establishment against the Red horde above the 17th parallel, against the forces which obtain their supplies from Red China and from the Soviet Union. The least we can do in connection with our defensive periphery in the Pacific is to help those troops stand on the side of the free world. Proportionately, those countries ask very little from us, because their own contributions are sizable, indeed, not only in terms of manpower, but also in terms of the percentage of their total budgets which they devote to their defensive budgets.

Mr. President, what would be the effect of a very substantial cut in the military assistance program funds? First, it would have a very bad tactical effect. Either certain parts of the program would have to be eliminated entirely, or the program would have to be reduced all along the line. I have no doubt that in that event, the military leaders would have to go into the field and obtain new advice from their leaders there. To reduce the program in line with the cut proposed by my very genial friend, the Senator from Louisiana—a cut from $2,300,000,000 to the amount the Senator from Louisiana has proposed—is no easy undertaking. Furthermore, a very substantial study would be involved before such a reduction could be applied to the program.

I think that such a cut, if made, would have a tremendously unfavorable psychological effect on the world. Such a cut, if made, would indicate that, at long last, the United States was relaxing in a very big way, almost to the point of threatening the defensive establishments and the security of the other countries that have contributed to our security. In my judgment, the psychological impact would be enormous; and the other countries would be fully justified in saying, "If the United States makes this cut when it is in an almost excellent position"—as we seek to interpret the ferment behind the Iron Curtain—"and if the United States is going to relax, why should we take the stand on freedom's defensive line?"

Another effect might be to eliminate almost entirely the advanced weapons program. Recently we have seen in the newspapers some items regarding an estimate, as made by Admiral Radford—an estimate which he said was speculative and in the advanced stage—about a substantial reduction in the manpower strength of our armed forces. Of course, the whole idea behind it is that it would be offset by the very best of weapons. In this program it was hoped to go ahead with some of the best scientific talent in the world, to go forward with an advanced weapons program. Must it be eliminated? That would almost be the effect of the amendment before us at the present time.

I do not know how effectively to distribute this cut. It seems to me that this kind of curtailment would be more wasteful than anything else, because of the fixed charges inevitably involved in a program of this kind, quite aside from its dimensions.

In this whole program we, of course, have been making an effort to secure strategic bases everywhere in the world. An airplane is as good as nothing, no matter what its speed, no matter what its bomb load, unless there is a base from which it can operate. There must be a place for one of these corsairs of the sky to start, and there must be a place to which it can repair, not only for fuel, but for additional bomb loads. We have procured effective bases in many areas of the world as a result of this program. Are we now to relax, when we are in this position, and more advantageously situated than we have been for a long time? I think to do so would be pennywise and pound-foolish.

I conclude this brief observation by saying that, after listening to high level testimony day after day for a long time, from men who have been trained in the business for a lifetime, I prefer to take their evaluation and their judgment in this respect.

One thing further, and then I shall conclude. Some months ago I asked Admiral Radford to give me a letter with respect to what he thought would be the impact of a very substantial cut upon our own military program. He said in writing, to be quoted anywhere—and I think his letter is in the file somewhere—that if we were to undertake to pursue that course, it could mean only that we would have to augment our own military establishment.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. HAYDEN. I yield 1 additional minute to the Senator from Illinois.

Mr. DIRKSEN. I read from the letter from Admiral Radford, dated February 7, 1956. He says:

> My answer is as follows: The military aid program is part and parcel of the United States Defense Department program. This fact may not have been too apparent when the program of furnishing military supplies and training to our allies was in its infancy. Now, however, it is clear that the expenditures abroad in support of our alliances do not differ in purpose, scope, or objective from our own military expenditures. I can assure you that were it not for the strength which has been generated in the past 6 years by our allies—and in most instances made possible by our military aid programs—the requirements of our own defense program would be much larger.

I prefer to stand by this program. I think it has been expertly and skillfully handled. I think it receives its military direction from the best military minds at the command of our country today. So

I trust that the amendment offered by my distinguished friend from Louisiana will be voted down.

Mr. JOHNSON of Texas. Mr. President, I yield 30 minutes on the bill to the Senator from Georgia [Mr. RUSSELL].

Mr. RUSSELL. Mr. President, I do not think I shall consume that much time, but such time as I do not consume may be yielded back.

I fail to find any justification anywhere in the proposal to start increasing foreign aid appropriations, after they reached a leveling-off period in 1953, and have come down from that year until this.

The arguments which are made each year in favor of these appropriations, and of the increases which are requested this year, might well have been played from a phonograph record of the arguments in connection with the first program which was ever submitted to the Congress. We were told then that this program was necessary in order to mobilize allies who would fight by our side. There was painted the same gruesome picture of the sickness and suffering which have been brought to America through our participation in two great World Wars and in the Korean war. If I had had the slightest opinion that increasing these appropriations would enable us to avoid war, there would be no ceiling to which I would not go in the appropriation of funds, if such appropriations would really contribute to the prevention of war and the preservation of world peace. There is nothing in the history of any of these appropriations, or in the bill before us today, that would justify such a conclusion.

This program originated as an economic aid program, to rehabilitate the countries of Europe which were so badly damaged by World War II. We finally rehabilitated those countries. We have exceeded the objective we sought, that of bringing their economies up to their prewar level. We have now embarked upon this military-aid program.

I favor a military-aid program of reasonable proportions. I would even vote for a military-aid program of the same size as that provided by the Congress for the fiscal year 1956. In the face of the facts of life as we know them today, every argument in favor of increasing these appropriations fails.

Admiral Radford, Chairman of the Joint Chiefs of Staff, has been cited as an authority for the reasons for increasing these appropriations, to increase the military strength of the free world. Yet when the story was published that he favored decreasing the Armed Forces of the United States by some 800,000 men, Admiral Radford did not deny it. He says that the changes in warfare and nuclear weapons make such large forces unnecessary. But I assert today that practically all the appropriations which have been made heretofore, and those included in this bill for military assistance, are for weapons which are only a slight improvement over those used in World War II.

Why is it a good thing from the standpoint of the national defense to reduce American military strength because of new weapons, but at the same time to increase the military assistance we extend to those who are associated with us?

I point out further that this program tends more and more to be a continuation of economic aid. Congress has said, "We are going to cut down on economic aid." Therefore, it has been given some new names. In this bill it is called development assistance. The item for development assistance has been increased by the Senate Appropriations Committee from $70 million to $293 million, for economic aid. Wrapped up in every line of the military program there are items which are really economic aid. What is offshore procurement, which costs millions of dollars, other than economic aid? When we give a contract to one of our associates to build ships which are not suited to atomic warfare, and which cost vast sums of money, that is a form of economic aid, although it is called military aid. We have contracts with at least three of the countries associated with us in NATO, for the construction of large numbers of airplanes with American dollars, to be constructed abroad. It is called purely military aid, but it is a form of economic aid. Those countries vie with one another in their effort to secure such contracts.

Mr. President, we are gradually weakening the military strength of the free world by continuing to increase the military appropriations. Why do I say that? There are countries in the world with a proud record of military history. They are nations like France and nations like Western Germany. They are failing to rearm because of their dependence upon us. The countries associated with us are becoming more and more dependent upon American dollars and upon American resources.

Mr. President, people who make no effort to help themselves will not help us very much, even if we give them the means to do so, when the hour of crisis comes.

To show the way this program has been conducted until this year, I point out that in the fiscal year 1953, Congress appropriated $6,011,900,000. In that year, let me say, many of the Senators who sponsor the increases this year were calling it a Democratic giveaway program. They were assailing it as waste by a Democratic administration.

When they assume office, it suddenly becomes the epitome of statesmanship to increase the appropriations by $2 billion for the fiscal year 1957.

Mr. President, it all goes to show what changes are wrought in the minds of able men by a change in political adminstrations.

For the fiscal year 1955 Congress appropriated $2,804,500,000. The trend was down. For the fiscal year 1956 we did not reduce it much. We appropriated $2,703,500,000, which was a modest reduction from the preceding year.

Mr. President, I had hoped that the proposed appropriation this year might be slightly reduced. Instead of that, the administration requests an increase of $2 billion. So far as I have been able to ascertain, and in the light of the vast carry-over, such an increase is not justified.

We have neither a legal nor a moral responsibility to continue to increase the program.

We are told that we have been committed to this appropriation, and that it would be a breach of faith and would frighten our allies and associates if we did not allow these vast increases this year. Who is authorized to commit the Congress of the United States to any program of this nature in advance? Where or when has Congress said to anyone, "Go forth and promise all that you feel you want to promise, and answer every international question that arises by promising American aid; and we will follow along and meekly appropriate the money in order to keep faith with all the promises you make"?

There is nothing in our form of government which permits any official of the executive department, from the President on down, to promise in advance what Congress will do. When we follow that theory with servility, we relinquish the power of the purse, which is one of the proudest possessions any parliamentary body can have.

This year Congress authorized $4,115,000,000. For the first time that I can recall since this program has come into being, we are asked to appropriate, in the bill reported to the Senate, the full amount of the authorization. Oh, there was a little decrease of some seven or eight million dollars, but that has been made up on the floor.

I was astounded to hear Senators in the Committee on Appropriations saying, "How much can we appropriate for this item? What is the top authorization?" They spoke almost in sorrow because they could not appropriate more than the authorization allowed.

I ask, Mr. President, where is reason in this land of ours? How long is this tremendous burden to be affixed to the backs of the American taxpayers under the guise of military aid? A large proportion of it is really a means of supplementing the treasuries of the nations which are associated with us in the various agreements all over the earth. It can but lead to our eventual destruction.

Mr. President, it is said by some, who say it very frankly, that the purpose of this program is to bring the standard of living of the rest of the world up to the standard we enjoy. I say that that effort can never succeed; but we may succeed in dragging the standard of living of the American people down to the level of the rest of the world.

Mr. President, for my part, I do not propose to participate in such a program.

For several years I have endeavored to reduce the program to proportions which were somewhat reasonable. When we were able to effect a reduction—inasmuch as I favor some kind of program—I would vote for the total authorization or the total appropriation.

I have finally decided that, when I did not believe in a program of that magnitude, I was stultifying myself by voting for the entire amount. Therefore, henceforth, I intend to vote against the entire authorization and against the

entire appropriation, unless it is brought down to some kind of reasonable size.

Figures mean very little in this country today. Men speak of billions of dollars as glibly as they speak of millions. In this program, since the end of hostilities in Europe, since Americans had so generously given of their blood and natural resources and dollars and created a debt which is perhaps twice as large as the debts of all the other countries of the world combined we have furnished through appropriations for foreign aid, both expended and unexpended, the sum of $62,400,000,000.

That is sixty-two thousand million dollars. Perhaps stating it that way will make a little more impression than saying $62 billion.

How much does that amount to? According to the most recent census figures, there are 167,858,000 people living in the United States today. That means that every person in the United States has contributed $371 to the program, and that the average family of 5 has had taken from it by the Federal tax collector $1,855, which has gone into this program.

Oh, it is said that it is only approximately $4,200,000,000 we are asked to appropriate. That means $24 for every American, from the babe who is still in its swaddling clothes to the aged man who has one foot in the grave and who is exempt from taxes. That means that $24 is taken from every American. That is what the bill means. It means $120 to every family of 5 in this land.

That is what is taken by the tax collector and sent to all parts of the world to pay for the imaginary and visionary schemes which are embraced within this measure.

We have heard talk about reducing taxes. The Senate had a great to-do about the effort to reduce taxes in the amount, I believe, of $20 for each taxpayer. Here we casually, and with little debate, and with only a handful of Senators on the floor, appropriate a sum that will run as high as $35 or $40 for each taxpayer, to go into some of the chimerical schemes which are conceived by those who operate this program.

I would if I could discuss other aspects of the program.

Mr. President, I wish I could give to the Senate full information concerning the American dollars wrung from American taxpayers to pay for arms which are stored in German stocks today awaiting the time when West Germany will keep its commitment to produce an army to provide for its defense. Unfortunately, the sum is classified.

Mr. President, the Senate does know, however, that this year, as a part of this scheme whereby we meet every challenge or demand made upon us by our allies by putting a burden on American taxpayers, we have reduced to almost nothing the amount of deutschemarks which the Germans contribute to us to help maintain our forces in West Germany to defend the people of West Germany. We know that the Russians have armed forces in East Germany that could overrun West Germany more quickly than the North Koreans overran the South Koreans. We maintain armed forces in West Germany to enable West Germany to found a republic which we hope will endure, while our State Department, against the advice of the military, is making it more difficult for us. What have these deutschemarks been used for? They have been used to pay labor for maintaining equipment for the benefit of the German people. That burden is now being transferred to the backs of the American taxpayers.

I often wonder how long, O Lord, how long will the American people consent to seeing this program stepped up by leaps and bounds as a result of our failure to have a foreign policy worthy of our great Nation. We should be able to give some better answer, somewhere along the line, to the problems that arise over the world than to say, "We promise you two or three hundred million dollars of tax money," and then someone comes before the next Congress and says, "We are committed to this," because some ambassador or the Secretary of State or someone else has promised these dollars before Congress has authorized them. Then the whip is put to our backs and we are told, "The promise has been made. Therefore, you have got to appropriate whatever has been promised."

It makes us a servile group groveling at the feet of the executive branch of the Government.

Mr. CURTIS. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. CURTIS. The distinguished Senator from Georgia has made some very sound and profound statements about this program, and I commend him for it.

There are some resulting evils which are dangerous to our country. One of them is that so long as we have the program of spending and giving away money abroad there is not much chance to have a program of frugality in the domestic affairs of our Government, because certain groups are going to say, "If such and such a foreign country receives X dollars, why can we not have the difference?" And they usually get it. That is one evil.

Mr. RUSSELL. If the Senator will permit me, I have thought of that a thousand times. We appropriate vast sums of money, and there is not a Member of this body who does not pick up letters saying, "If you appropriate so much for foreign aid, you should do something for the people at home."

Mr. CURTIS. The second point I would suggest is that as this goes on and on, the economy of this country becomes dependent upon it, the economies of the recipient countries become dependent upon it, and the chances of curtailing expenditures become harder and harder each year.

I would not be so foolish as to suggest that the spending of dollars abroad does not do some good. It would be impossible to do it without doing some good. But the point is that if our sole dependence on world leadership is Uncle Sam's checkbook, we had better look at his bankbook.

Mr. RUSSELL. The Senator from Nebraska could not be more correct. The program has proceeded for so long that there are many groups in this country which have a vested interest in it, namely, those who administer it and the bureaucrats who go about trying to expand it. We have even reached the stage where those who are stationed overseas, both in the Army and in the State Department, fight with each other over securing funds, just as the heads of departments in Washington fight with each other to secure funds for the administration of our domestic affairs. It is placing us in a position from which we will never be able to extricate ourselves. If we do not somewhere along the line show the fortitude at least to hold these appropriations at a level and not continue to increase them by billions of dollars as lightly as we would take a drink of water, we shall be in a bad situation.

Mr. President, I yield back the remainder of my time.

Mr. SYMINGTON. Mr. President, will the distinguished Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. SYMINGTON. How can we face up to the fact this administration has refused to give enough money to our own military services for the proper maintenance and operation of our military forces, to the point where some of the leading military commanders in our Defense Department have testified that, as a result there have been more accidents and more deaths. Why this unwillingness on the part of this administration to give adequate money for the maintenance of our own planes and other equipment, to keep them in proper shape. Now, under those circumstances, can Members of this body vote military aid for countries such as Yugoslavia?

Mr. RUSSELL. I cannot speak for other Senators. I can only say to the Senator from Missouri that I do not propose to do so.

Mr. STENNIS. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. STENNIS. Mr. President, I wish to commend the Senator from Georgia for his terse, clear, factual explanation of the figures with reference to mutual aid spending and his impressions with reference to this military program. I think the Senate ought to be impressed and that the people of the Nation should be impressed with the fact that the Senator from Georgia is very familiar with the program, since he was one of those who helped to start it and one of those who knows what it is doing. He has appraised the program as it is now and has projected it into the future as he sees it. It has been very impressive to me, and I feel that it is impressive to others.

It is not natural for the Senator from Georgia to be an alarmist, and he is not inclined to throw out scare-clouds of any kind, but he feels impelled to give his conclusions to us, and I know it has been unpleasant for him to do so. My feelings coincide with his.

I have reached the conclusion, with all due deference to the other nations involved, that the money is so easy to get from us year after year it is actually causing them to defer their military programs rather than to speed them up. I believe that so long as we continue lavishly to throw out billions of dollars,

that will continue to be their attitude and will be the trend of our program.

I believe we must wake up to these facts. We are not realizing the situation. We are postponing every year the time when things will get better. I have voted for these appropriations every year with the expectation that things would be better by the next year.

I have been examining the figures, thinking we were really reducing our military aid from year to year. In 1 year we dropped from $7.2 billion to $6.1 billion; in the next year, to $4.7 billion; in the next year to $2.8 billion; and last year to $2.7 billion.

But when we examine the amount we have spent, we find it has been going up, because we have not used up the reserves in the pipeline.

This makes me realize more and more that we shall have to call a halt. I think, with all deference to other nations, that the power to call a halt rests with those who have the power to appropriate the money. My feelings in this matter are becoming stronger and stronger.

Mr. RUSSELL. I thank the Senator from Mississippi. I completely share the views he has expressed.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. DWORSHAK. I recall that the junior Senator from Georgia has been a member of the Committee on Appropriations for many years, including the period since 1948, when the Marshall plan was initiated. In the early years of the foreign-aid program, the junior Senator from Georgia vigorously and consistently demand the efficient administration of the program. He criticized the softness which was displayed on many occasions in the administration of the program by a Democratic executive department.

It may be said to the credit of the Senator from Georgia that he has maintained the same consistent position in being critical of the Republican administration, because the record shows that there has been as much inefficiency and waste in the administration of the foreign aid program during the past 3 years as there was under the preceding administration. Is that not true?

Mr. RUSSELL. Mr. President, in my opinion, there has been no change in policy; no tightening up of expenditures. I appreciate the Senator's absolving me of partisanship. I should have perhaps pointed out that I have sought to reduce the appropriations to reasonable levels in Democratic administrations, and that I have been highly critical of some types of projects for which American funds were spent. I have before this time, on the Senate floor, been critical of our ambassadors in their foreign policy of pitting themselves one against another to see who could get the most money for himself to be used in the country in which he was located.

Mr. DWORSHAK. As a member of the Committee on Appropriations and as the chairman of the Committee on Armed Services, the Senator from Georgia, I feel certain, realizes that increasingly heavy demands have been made for greater appropriations for the administration of the misnamed Mutual Security Program; and that instead of strengthening the countries which have been the recipients of billions of dollars over the past 8 or 9 years, we are witnessing a gradual decline in the ability of many of those nations to contribute militarily to the aid of the free nations of the world.

As a result of this soft policy and our failure to insist upon an equitable participation by those countries in the so-called mutual defense programs against Communist domination, we are now confronted with the peculiar situation that countries in South America, which were not included in the program in its early years, are now demanding that the United States share its lavish distribution of dollars with those countries, to demonstrate that we are friendly to them, so long as we contribute money to countries like Yugoslavia and India, and other countries throughout the world. So, in fact, we are actually weakening the defense of the free nations, instead of strengthening them.

Mr. RUSSELL. The more we make those countries completely dependent on us, to that extent we weaken their will to resist. That, in my opinion, is largely responsible for the widely discussed increase in neutralism which is sweeping over western Europe and other areas of the world today.

Mr. SYMINGTON. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The time of the Senator from Georgia has expired.

Mr. JOHNSON of Texas. I yield 2 minutes to the Senator from Georgia.

Mr. SYMINGTON. I congratulate the Senator from Georgia for his typically wise and thorough observations on this particular matter. It is one I have tried to study for years, to the best of my ability, and one on which my position is changing at least until we have a long overdue reappraisal.

I received from the senior Senator from New Jersey [Mr. SMITH] a letter which I believe he sent to all Senators requesting that this administration bill be supported. In the letter in question, he pointed out, perhaps inadvertently, that $6,800,000,000, or 17 percent of a 10-year program, was actually, as of now, in the pipeline. Never have I seen such a percentage of a total program in a pipeline, either in private business or in government. It is almost unbelievable.

I ask the distinguished Senator from Georgia, a great authority in this field, if he does not believe that there might be a hiatus for just 1 year, so that this pipeline situation could be straightened out, in order to determine whether the American taxpayer could be helped to the extent of action taken as the result of a businesslike investigation.

Mr. RUSSELL. A hiatus might in some small areas defeat some of the minor purposes of the program; but if Congress did not appropriate one dollar this year, adequate funds already are available and already appropriated to run a successful program for 2 years.

Mr. SYMINGTON. I thank the Senator from Georgia. The point he has expressed so well is the point I was trying to make.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. How much time remains on the amendment?

The PRESIDING OFFICER. The Senator from Louisiana has 5 minutes remaining. All time of the opposition has expired.

Mr. ELLENDER. Mr. President, I sincerely hope the Senate adopts the amendment I have proposed. I was somewhat amused when the distinguished junior Senator from Illinois was speaking a while ago and said that our allies would be disappointed if we did not continue to give them as much as we have given in the past, or some words to that effect.

If this amendment should be agreed to, the amount of our contribution for military assistance will be almost three-quarters of a billion dollars more than Congress allowed for the same purpose last year. To my mind, this is more ample. Now is the time for us to at least stabilize and gradually reduce this program. We cannot afford to increase it. It seems that whenever we go into a program of this kind, we are always sucked in for more than we have bargained for.

I can well remember how the British, during World War II, were crying aloud: "Give us the tools. We have the men. The tools are all we need."

I shall never forget the statement which Prime Minister Churchill made over the radio when Singapore fell. He said, "Singapore has fallen, but we have America on our side today."

Before that time our allies were crying only for the implements of war. They said tools were all they wanted. But everyone knows that we ended up carrying most of the economic burden, spilling much of the blood, and by occupying, with our own troops, almost two-thirds of the line in Western Europe.

As I pointed out a moment ago, I am sure that all of us originally voted for economic aid in the hope that we could place our Western European friends on their feet and, by so doing, they would be in a position to help us carry this enormous burden.

As I pointed out a moment ago, through our assistance, agricultural production in the countries of Western Europe has increased an average of 126 percent over prewar. In the case of industrial development, as I indicated a while ago, the average for the countries of Western Europe in 1955 was 164 percent of prewar.

Yet, with all of that improvement, Mr. President, we are now being asked today, not to reduce or even continue this program on a stable basis, but increase it. As the Senator from Georgia [Mr. RUSSELL] has just pointed out, it does not make any sense that, when things are so much better in Western European countries, we should continue to increase the amounts of aid over those we provided last year.

Mr. President, even if my amendment is adopted—and its adoption would

mean that the amount suggested by the House be adopted—we would still be providing over $700 million more for military aid than we appropriated last year. In addition, we now have in the pipeline over $5 billion; and that amount, as I said, can be shifted from one area of the world to another up until the time it is actually delivered.

The fact is that Western Europe is so much better off now than it has ever been. That area has in the pipeline today $2,687,400,000, and that whole amount could be transferred to southeast Asia if our planners saw fit to do so.

The PRESIDING OFFICER (Mr. HUMPHREYS of Kentucky in the chair). The time of the Senator from Louisiana has expired.

Mr. ELLENDER. Will the Senator yield me 2 or 3 minutes?

Mr. SALTONSTALL. I yield the Senator from Louisiana 2 minutes on the bill.

Mr. ELLENDER. I desire to make one final point. If my amendment instead of the Senate committee proposal, is adopted, it will mean a saving to our taxpayers of $565 million. What does that mean? Let me tell the Senate.

Mr. President, the median income of American families, averaging 3.3 persons, is $4,173. Considering the usual exemptions and deductions, the average tax on that amount of income amounts to $390. If we divide $390 into the $1½ billion my amendment proposes to save, we have the number of American families whose income tax could be put to more beneficial uses than what appears to be an almost endless attempt on the part of our planners to fill foreign ratholes.

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.

All time on the amendment has expired.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, on the question of agreeing to the amendment of the Senator from Louisiana to the committee amendment, I ask for the yeas and nays.

Mr. ELLENDER. I join in the request for the yeas and nays, Mr. President.

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, will the Chair state the pending question?

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. ELLENDER] to the committee amendment, on page 2, in line 5. The amendment will be stated.

The CHIEF CLERK. In the committee amendment on page 2, in line 5, it is proposed to strike out "$2,300,000,000" and to insert in lieu thereof "$1,735,000,001."

Mr. ELLENDER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Louisiana will state it.

Mr. ELLENDER. On this question a vote "yea" will be a vote to substitute the amount voted by the House of Representatives, plus 1 dollar; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Georgia will state it.

Mr. RUSSELL. A Senator who is opposed to the figure reported by the Senate committee will vote "yea", in favor of the figure voted by the House of Representatives, plus 1 dollar; is that correct?

The PRESIDING OFFICER. Will the Senator from Georgia restate his parliamentary inquiry?

Mr. RUSSELL. Mr. President, I inquire whether Senators who oppose the large amount of increase reported by the Senate Appropriations Committee, and who desire to retain the figure voted by the House of Representatives, will vote "yea" on this question.

The PRESIDING OFFICER. That is correct.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. Senators who desire to sustain the action of the Senate Appropriations Committee will vote "nay" on this question; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. The Senator from Louisiana [Mr. ELLENDER] has offered to the committee amendment an amendment providing for only $1 in addition to the amount voted by the House of Representatives; is that correct?

The PRESIDING OFFICER. That is correct.

The question is on agreeing to the amendment of the Senator from Louisiana [Mr. ELLENDER] to the committee amendment.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL], the Senator from Rhode Island [Mr. GREEN], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Montana [Mr. MURRAY], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

On this vote the Senator from Texas [Mr. DANIEL] is paired with the Senator from Tennessee [Mr. KEFAUVER]. If present and voting, the Senator from Texas would vote "yea" and the Senator from Tennessee would vote "nay."

I further announce that if present and voting, the Senator from Rhode Island [Mr. GREEN], the Senator from Montana [Mr. MURRAY], and the Senator from West Virginia [Mr. NEELY] would each vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate, on official business as a member of the American Battle Monuments Commission.

The Senator from Colorado [Mr. MILLIKIN] and the Senator from Idaho [Mr. WELKER] are necessarily absent.

On this vote the Senator from Idaho, [Mr. WELKER] is paired with the Senator from Colorado [Mr. MILLIKIN]. If present and voting, the Senator from Idaho woudl vote "yea" and the Senator from Colorado would vote "nay."

The result was announced—yeas 42, nays 46, as follows:

YEAS—42

Anderson	Gore	McCarthy
Barrett	Hill	McClellan
Bible	Hruska	Monroney
Bricker	Humphreys, Ky.	O'Mahoney
Byrd	Jackson	Robertson
Case, S. Dak.	Jenner	Russell
Chavez	Johnston, S. C.	Scott
Clements	Kerr	Smathers
Curtis	Laird	Stennis
Dworshak	Langer	Symington
Eastland	Long	Williams
Ellender	Magnuson	Wofford
Ervin	Malone	Young
Frear	Mansfield	
Goldwater		

NAYS—46

Aiken	Fulbright	McNamara
Allott	George	Morse
Beall	Hayden	Mundt
Bender	Hennings	Neuberger
Bennett	Hickenlooper	Pastore
Bridges	Holland	Payne
Bush	Humphrey, Minn.	Purtell
Butler	Ives	Saltonstall
Capehart	Johnson, Tex.	Schoeppel
Carlson	Kennedy	Smith, Maine
Case, N. J.	Knowland	Smith, N. J.
Cotton	Kuchel	Sparkman
Dirksen	Lehman	Thye
Douglas	Martin, Iowa	Watkins
Duff	Martin, Pa.	Wiley
Flanders		

NOT VOTING—8

Daniel	Millikin	Potter
Green	Murray	Welker
Kefauver	Neely	

So Mr. ELLENDER's amendment to the committee amendment was rejected.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the Ellender amendment was rejected.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. RUSSELL. Would not an amendment which would increase this appropriation by one more dollar be in order?

Mr. ELLENDER. Certainly. I have another amendment to increase it by $200 million.

The PRESIDING OFFICER. Such an amendment would be in order after the disposition of the motion to reconsider.

The question is on agreeing to the motion of the Senator from California [Mr. KNOWLAND] to lay on the table the motion of the Senator from Texas [Mr. JOHNSON] to reconsider the vote by which the Ellender amendment was rejected.

The motion to reconsider was laid on the table.

Mr. ELLENDER. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Louisiana will be stated.

The CHIEF CLERK. On page 2, line 5, it is proposed to strike out "$2,300,000,000" and insert in lieu thereof "$1,925,000,000."

Mr. ELLENDER. Mr. President, I do not expect to argue this proposal at great length. However, I am hopeful that Senators will remain in the Chamber for a little while.

The purpose of the amendment is to increase for military aid the House figure by $200 million. The House amount is $1,735,000,000, and the amendment I propose would increase that sum to $1,925,000,000. I believe that amount is more than liberal. We would provide by this amendment almost a billion dollars more than was voted for the same item last year.

As I pointed out during debate this afternoon on my amendment which was just defeated by a few votes, last year we voted $1,022,000,000 for military assistance; this amendment would reduce the amount recommended by the Senate Appropriations Committee, but would still represent an increase of almost three-quarters of a billion dollars more than the amount of money we appropriated for similar aid last year.

For the benefit of Senators who are present, as I pointed out earlier in the debate, at the moment we have, in unexpended funds for this purpose—that is, for military assistance—$4,992,900,000. That represents materials now in the pipeline—material which can be shifted from one area to another, until such time as actual deliveries are made.

I do not need to review all the various figures, but today the countries of Western Europe are better off than they have ever been. Industrial production in Western Europe for 1955 was at 164 percent of prewar production. As I have indicated, through the aid we have made available to the countries of Western Europe, since 1948, their industrial capacity has increased by 64 percent over the 1938 average. Their agricultural production has increased to 126 percent of prewar. It is my contention that those countries are now well able to help us carry a little bit of the load.

Mr. President, I ask unanimous consent that tables showing the increase in industrial production of Western European countries as a whole, and their agricultural and industrial production individually, be printed in the RECORD at this point in my remarks.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Index of industrial production—OEEC countries combined

Year	Index 1950=100	Index 1938=100
1938	84	100
1948	80	95
1949	92	110
1950	100	119
1951	109	130
1952	110	131
1953	116	138
1954	127	151
1955	138	164

Comparison of pre- and post-war agricultural and industrial production in selected countries

Country	Industrial production (1938=100)	Agricultural production (Prewar=100)
	1955	1954–55
Italy	176	121
Turkey	253	156
Greece	179	126
Switzerland	139	119
Austria	193	105
Germany	145	123
Denmark	170	130
Netherlands	175	134
Belgium	150	127
France	147	125
United Kingdom	157	135
Portugal	[1]	126
Spain	[2] 141	104
Egypt	[1]	115
Syria	[1]	203
Lebanon	[1]	175

[1] Not available.
[2] Based on 1950=100.

Sources: OEEC Statistical Bulletin, November 1955, and January 1956. ICA and Department of Agriculture estimates.

Mr. ELLENDER. As I pointed out also, in the case of Europe, we have $2,687,400,000 in unexpended balances for military aid as of July 1 of this year. That is material in the pipeline. Until that amount is delivered, it can be shifted from one area of the world to another.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. PASTORE in the chair). Does the Senator from Louisiana yield to the Senator from South Carolina?

Mr. ELLENDER. I yield.

Mr. JOHNSTON of South Carolina. We have helped them to such an extent until it has really hurt us in the sale of our agricultural products. Is that not correct?

Mr. ELLENDER. Of course. That is on the economic side.

Mr. JOHNSTON of South Carolina. Yes.

Mr. ELLENDER. We have increased their agricultural production to the point where we have lost many of our markets.

However, that deals only with the economic aspect. What I am trying to point out is that we have today, ready for use if necessary in any part of the world, in the pipeline, over $5 billion, which can be spent for military assistance.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. ELLENDER. By giving them the amount that I am now suggesting, it will provide as much military aid as they had last year.

As I pointed out a little while ago, we would still provide by my amendment almost a billion dollars more than was made available last year. I yield to the Senator from South Dakota.

Mr. MUNDT. Mr. President, I should like to say, first of all, as one who has served with the distinguished senior Senator from Louisiana on the Committee on Appropriations for many years, that I wish to commend him publicly for his continuing efforts in the direction of economy.

I speak as one who has just voted against an amendment, and as one who has voted against a number of other cuts, because I thought they were too severe. I want our mutual assistance program to have the money it vitally needs to preserve the peace—but I am also one who believes some cuts in the proposed figure are both possible and desirable. However, I do believe there is considerable merit in the argument the Senator makes, that a little tightening of the belt along the line might result in a program that will be equally effective and which can gradually work toward a period when other countries can assume a greater share of their burden.

I am wondering whether the Senator from Louisiana would consider modifying his amendment to call for a cut which would leave the figure at $2 billion even, in which case I assure him I will support him, and I know of 1 or 2 other Members on my side who will go along with a cut of that size.

Mr. ELLENDER. Mr. President, to be frank and candid, it was my original intention to do just that. The reason why I substituted the present figure was to put in the bill the amount the House authorized. That is $1,925,000,000.

Mr. President, I modify my amendment by striking the figure "$1,925,000,000" and inserting in lieu thereof the figure "$2,000,000,000."

The PRESIDING OFFICER. The Senator modifies his amendment accordingly.

Mr. MUNDT. I thank the Senator.

Mr. ELLENDER. With the amount my modified amendment proposes, the administrators of the program will have in excess of $7 billion they can spend next year for military aid. The fact that this amount can be transferred from one area to another, in my humble judgment, makes it more than ample.

Mr. President, I am not going to repeat all the arguments which I advanced previously. I do hope the Senate will adopt the amendment.

Mr. KNOWLAND. Mr. President, I rise in opposition to the amendment. I make a plea to Members on both sides of the aisle to realize fully the implications of the amendment.

The program which has been recommended by the President of the United States—and I emphasize the fact that this deals with the military phase of the program alone—based on the recommendations of the Joint Chiefs of Staff, called for $3 billion for the military aspects of the mutual-defense program.

What we would do if we were to adopt the pending amendment in my judgment, would be to undermine the military aspects of the program.

In the Republic of Korea we have a cease-fire arrangement, not peace. On one side of the line of demarcation there are an estimated 650,000 or 700,000 Chinese Communists and North Korean Communist troops, facing on the southern side of that line approximately 450,000 or 500,000 troops of the little Republic of Korea and of the United States and United Nations command.

We have in the program a provision for the support of the Republic of China on Formosa, facing the mainland of China, where the Chinese Communists during the past few months have been building up jet airfield after jet airfield, extending from Shanghai in the north to Canton in the south, at a time when

the representatives of the Chinese Communist Government have been making threats that they will take not only the island of Formosa but the offshore islands as well, by force if necessary.

We have in the bill a program for the Republic of Vietnam, which is the key to southeast Asia, where President Diem has been carrying on his effort to bring freedom to the people of Vietnam.

This covers the military aspect of the program, I remind the Senators.

The distinguished Senator from Louisiana has mentioned the fact that there is material in the pipeline. That is correct. But those allocations have already been programed, and they are necessary for carrying out the military aspects of the program.

All of this is being done in the interest of mutual security.

In my judgment, we should not provide so much as a penny's worth of this program if it were not mutually beneficial to the United States in the protection of our vital interests. I submit there is a heavy responsibility upon Congress, and upon the Senate this evening, not to undermine a program which might encourage, on the other side of the line, acts of aggression against Korea, against the Republic of China, in southeast Asia, or anywhere else in the world.

The original program recommended by the administration, based upon the unanimous recommendation of the Joint Chiefs of Staff, who are the professional group charged with the military defense of this country, was $3 billion. That is what they felt was necessary for this program. We have already acted adversely on that recommendation for the Committee on Appropriations has cut the figure down to $2,300,00,000.

I submit, Mr. President, that in the normal course of events, in the legislative program of the Congress, the bill will have to go to a conference with the House of Representatives, and in the conference a figure will be arrived at which will be somewhere between the Senate figure and the House figure.

I plead with the Senate not to make this reduction from the military aspects of the program, because it would do great damage to our own vital national defense interests.

Mr. MALONE. Mr. President, will the Senator from California yield time to me?

Mr. KNOWLAND. Mr. President, I yield half an hour to the Senator from Nevada.

WORLDWIDE COMPETITION FOR UNITED STATES MARKETS FINANCED THROUGH FOREIGN AID

Mr. MALONE. Mr. President, in my remarks of July 18 on the Senate floor I said that we are financing worldwide competition for our own markets and doing it with our own taxpayers' dollars.

If the directors of a private corporation were to use the stockholders' money to finance 47 low-wage competitors, I think the stockholders would hold a meeting and I doubt if the directors responsible would work there any more.

If the directors also equipped the competitors with the most advanced tools, machinery, and equipment and gave them the money to buy or develop their own raw materials, I think the stockholders probably would bring along a couple of psychiatrists to look the directors over before they were thrown out.

If the directors also had paid out good company money to hire expert engineers and technologists to show the competitors how to out-produce and out-sell the company, the stockholders might also bring along several strong guards and straitjackets.

STOCKHOLDERS' DOLLARS SQUANDERED ABROAD

And if the directors had then sold the company's goods in the markets they had lost at prices far below production cost and at or lower the prices of the competitors they had financed, the stockholders would just give up, say the directors were crazy, and elect a new board of directors.

Mr. President, I might say at this point that that is what I think the Congress of the United States is. It is a board of directors for the people of the United States, and that is what I am talking about.

What I have described above is precisely what has happened to the stockholders of America with respect to foreign aid.

PEACETIME AID NOW EXCEEDS AID TO ALLIES IN TWO WORLD WARS

Mr. President, peacetime aid to foreign countries since World War II has cost the taxpayers more than all our war aid during two world conflicts.

Great Britain and our other World War I allies, which include two that fought against us in World War II, left the stockholders of America holding the sack for $17 billion. We are still holding it.

Foreign aid in World War II, including $10.7 billion to Soviet Russia and $1.3 billion to countries which are now Soviet satellites, set our stockholders back another $41 billion. That is a total of $58 billion.

Our peacetime aid, we are told, now totals $65,172,000,000. Some of it we call economic aid and some of it we call military assistance, but, Mr. President, there is no war on.

MILITARY AID READILY TURNED TO COMPETITIVE PEACETIME USES

A foreign plant that can build war planes can build commercial planes. A factory that can build tanks can readily be converted to produce trucks and automobiles. A manufacturer who can make parts for war equipment can make parts for other machines or the machines themselves. A mine producing metals or a plant producing chemicals for war uses can produce them for peacetime uses. Any going-concern industry is part of the economy.

Most of the war material these foreign plants are producing with American taxpayers' money is obsolete anyway, but the plants are there, the machinery is there, and trained labor is there ready to go to work making goods to compete against our own industries at any time.

Most of our foreign aid, however, has gone for peaceful uses to begin with. It has gone to finance foreign resource development, irrigation, reclamation and foreign power development; agricultural development and industrial development, in other words to build up competition against us in both our domestic market and in our former foreign markets.

UNITED STATES IS DUMPING GROUND FOR FOREIGN SURPLUSES CREATED BY OUR OWN TAX DOLLARS

We not only provide our potential competitors for our markets with the facilities, raw materials, machinery and equipment, but we supply them with technical assistance and management experts. We even provide them this assistance in several different ways, directly, through the United Nations technical assistance program, through the international food and agricultural organization, the international labor organization and other one-world agencies.

When we have developed production to the point in any country where they have exhausted their own market, created a surplus, and become exporters of a given commodity themselves we do one of two things.

We invite them to dump their surpluses in our own market by lowering or removing the tariffs.

Or we reduce prices on the commodities we wish to export below the prices our own consumers pay, and compel the taxpayers or shareholders in our Nation to make up the difference so that our producers can continue to produce.

BARE SUBSISTENCE WAGE RATES ENABLE FOREIGN COMPETITORS TO UNDERSELL UNITED STATES

There always is a difference to be made up if we are to meet the world price and sell abroad because these countries we are aiding keep their wage rates at rock bottom levels which may be only 10 percent to 40 percent of ours.

We make up the difference on foreign industrial goods by lowering tariffs, reducing the valuations on their goods exported to the United States or accepting fictitious values, and by foreign aid.

We make up the difference on agricultural products by buying up the bulk of basic farm commodities, paying a parity or support price, and then selling them, or trying to sell them, on the world market at a price far below what our own stockholders and consumers have to pay.

SHIP FARM PRODUCTS TO CUBA AT WORLD PRICES; BUY CUBAN SUGAR AT LOW WORLD PRICE

Mr. President, as a case in point, when the sugar bill was before the Senate Finance Committee, I asked a simple question of a State Department official as to the price we received for agricultural products we sold to Cuba, when he said they wanted to buy more sugar from Cuba so they would buy more grain from us.

I asked him about the trade, whether it was the support price or the world price that Cuba paid for the grain. Of course, it was the world price. I asked what price we paid for sugar when it was sold to us by Cuba, whether it was the world price or the support price, and the answer was that it was the support price. Of course the world price is always lower than the support price. So we are whipped both ways.

The State Department thought that was profitable foreign trade—it simply divides the wealth.

We have to make up the difference on agricultural products, or our farmers would go broke. They are not in a good position now, and we must maintain our agriculture or face national economic disaster.

FOREIGN AID USED TO INCREASE FOREIGN FARM PRODUCTION

We have to do that because we have built up, through foreign aid, the agricultural resources of foreign nations to the point where they now have substantial surpluses which they must export themselves. And agriculture in foreign countries enjoys lower labor, machinery, fertilizer, and other costs than does any farmer in the United States.

Having used the stockholders' money to build up agriculture in foreign countries, the directors now seek more of their dollars to enable us to meet foreign low-cost competition in the world markets we once enjoyed.

The directors put a tax bite on the farmer for foreign aid and then put a tax bite on him to meet the competition that aid has cost him. It is a vicious circle.

Mr. President, we have been squandering the taxpayers' money around the world to increase foreign production of foods and fibers, to open up new foreign farm acreage through irrigation and reclamation, and to build foreign TVA's.

INDIA, EGYPT, AFRICA BENEFIT FROM UNITED STATES FARMERS TAX DOLLARS

We have spent millions in this endeavor in India, Afghanistan, Pakistan, Egypt, and other African and mideast areas; in Cambodia, Laos, Vietnam and other east Asia countries; in the United Kingdom, the Netherlands, and the French colonies; and in the mother countries of these colonies themselves, to increase their agricultural production. Now this production is competing against our own, as I shall presently bring out. The chickens are coming home to roost.

In addition to the $2,525,000,000 authorized by the Senate Foreign Relations Committee for military assistance, which was $400 million under the administration request but $600 million above the House authorization, the bill would provide $1,167,700,000 for defense support.

What is defense support?

DEFENSE SUPPORT MERELY ANOTHER NAME FOR ECONOMIC AID

Defense support is economic assistance designed ostensibly to enable a country to support a larger military establishment than would otherwise be possible. Actually it is extended to some countries which receive no military assistance at all.

The Senate report states:

> In these countries such as particularly Pakistan and Iran, the purpose is in fact more economic than military.

The report continues:

> So far as the practical effect of the assistance is concerned, it does not make very much difference whether it is called defense support or development assistance.

It merely sounds better and makes the aid more palatable to call it military support, than it does to call it economic aid.

INDIA GETS $80 MILLION JACKPOT IN NEW FOREIGN AID BILL

Next we have development assistance which totaled $243 million in the authorization bill. This is to aid the Near East, Africa and Asia to develop such projects as irrigation surveys, grain elevators, power developments which can pump water for irrigation or supply energy for industries, and roads to link agricultural producing areas with markets.

Eighty million of this will go to India, and $63 million to Egypt, Jordan, Libya, and other Near East and African areas, most of which are either neutral or flirting with the Kremlin.

The $243 million includes $100 million for the Middle East and Africa, to be expended by the President as he chooses.

UNITED STATES TECHNICIANS TO BOOST FOREIGN FARM PRODUCTION

The authorization bill as reported by the Senate provided another $157,500,000 for technical cooperation, to be divided between 44 countries and overseas territories of the empire-minded nations. Of this $31,828,000 is to be spent on expanding agriculture and natural resources, $15,836,000 on industry and mining, $7,411,000 on transportation, $3,233,000 on labor, with health and sanitation, education, public administration, community development, social welfare and housing making up the remainder.

The program provides that we will send 4,389 American technicians abroad and bring 5,731 foreign trainees to the United States to be trained in American skills and methods so they may become as smart as we are and increase the production of agricultural and other commodities in their home countries.

We also are contributing $15.5 million to the United Nations technical assistance program and $3 million to the international food and agricultural organization, which has its headquarters in Rome, Italy.

MORE UNITED STATES DOLLARS FOR FOREIGN FARM EXPANSION; FEWER MARKETS FOR UNITED STATES PRODUCTS

Having made these contributions to the economic agricultural development of foreign countries, it is necessary to provide funds to finance the export and sale for foreign currency of surplus agriculture commodities of the United States, which have largely been made surplus by the foreign agricultural production we have built up by previous foreign aid. As we pour more taxpayers' dollars into foreign agricultural expansion, we naturally have fewer and smaller foreign markets for our own farm commodities, and our exports of these commodities has consequently been dropping.

As Senate report 2273 puts it:

> The reason for this declining trend lies in the continuing shift in emphasis of the mutual-security program from Europe to Asia. The less developed countries, now recipients of the greater part of United States assistance, are largely agricultural, and some of them are themselves looking for markets for their own agricultural production.

In other words, Mr. President, we have put them in the farm export business so they may compete against our own farm products.

The report continues:

> These countries, moreover need aid for other purposes which cannot be made through surplus commodities. Inasmuch as the emphasis of the aid program will remain on underdeveloped areas, there will be fewer opportunities to use agricultural commodities.

So we are cutting off our own foreign market for our farm products.

NEVADA YOUNGEST COTTON-PRODUCING STATE

Mr. President, I shall cite a few examples of what has occurred, and I will use as my first example cotton.

Some of my colleagues may not be aware that the senior Senator from Nevada represents a cotton-producing State. We would like to produce more cotton than we do, but our allocation is very small compared to the acreage of many States.

Nevada is perfectly willing to compete with the other cotton-producing States, and it would be much happier if there were a substantial world market left in which all such States could compete.

The world market for domestic cotton is gone. It has been destroyed by free trade and foreign aid, particularly the latter.

COTTON EXPORTS 7 MILLION BALES PER YEAR BEFORE TRADE AGREEMENTS ACT

Prior to the passage of the 1934 Trade Agreements Act, exports of cotton for 14 years had averaged more than 7 million bales a year. We have not had a 7-million bale year since that act was passed.

The all-time peak in cotton exports was in 1926, when 11,281,000 bales were shipped abroad, more than five times out 1955–1956 exports.

During the depression years of 1930, 1931, 1932, and 1933 our cotton exports totaled 7,048,000, 8,989,000, 8,647,000, and 8,366,000, respectively. This was, of course, before the free trade theory was adopted, and before foreign aid commenced.

Mr. President, the exporters got full pay for this cotton. The taxpayers of America did not make up the difference.

COTTON EXPORTS DROP SHARPLY SINCE GATT, TRADE ACT, FOREIGN AID

Now let us examine what has happened to our cotton exports under free trade, GATT and foreign aid.

In the 1951–52 season we exported 5,515,000 bales; 1952–53 exports were 3,048,000 bales; 1953–54 exports 3,761,000 bales; those in 1954–55 were 3,446,000 bales, and for the 1955–56 year ending July 31 they will be 2,200,000 bales, according to the Agriculture Department.

Of the 1954–55 exports 43 percent were Government-financed under the International Cooperation Administration, Export-Import Bank, or Public Law 480 enabling support commodities to be disposed of abroad for foreign currencies. During the 1955–56 season about 80 percent will be so financed.

Foreign countries, Mr. President, always, without exception, value their currencies in terms of the dollar, and we take their valuation. Therefore, there was another hitch taken in the belt of the taxpayer.

UNITED STATES COTTON TO SELL AT OR BELOW WORLD PRICE AFTER AUGUST 1

During the year beginning August 1, all of our exported cotton will be sold at or under the world price, which is approximately 8½ cents per pound below the support price. Section 23 of Public Law 540, the Soil Bank Act, or farm bill, explains this export sales program for cotton.

In effect, the program provides that export cotton cannot be sold at a price of more than 25 cents, and the Agriculture Department says it may have to go below that.

The present support price on Middling fifteen-sixteenths is now around 33½ cents per pound, but will be reduced under the flexible support program to around 31 cents.

UNITED STATES TEXTILE INDUSTRY TO PAY MORE FOR COTTON THAN FOREIGN COMPETITOR

The American textile manufacturer, therefore, will have to pay more for his cotton than will his foreign competitor, but he already has been dealt successive blows by the State Department and GATT through tariff reductions, and again this week by Congress' enactment of the so-called Customs Simplification Act, which I opposed. This differential in the cost of raw materials is just another cost he will have to bear if he survives.

Right now our interest is in disposing of our surplus cotton, and not in liquidating the American textile industry, as is being done, so I will proceed on the matter of raw cotton. Cotton exports, we should remember, were among those we were expected to increase—but did not—when we passed the 1934 Trade Agreements Act.

FOREIGN COTTON PRODUCTION INCREASES AS FOREIGN AID GOES TO PRODUCING AREAS

Why have we now found it necessary to make these concessions to foreigners in order to export any cotton at all?

The answer lies, partly, with foreign aid. As we pour taxpayers' dollars into foreign countries, they expand their cotton acreage and production.

In the 5-year period of 1945–49, foreign cotton production averaged 13.6 million bales. In the 1950–54 period, foreign production rose to an average of 21.5 million bales annually. The upward trend since 1950 has continued at a rate slightly higher than 1 million bales annually. Production for the 1955–56 season is expected to exceed 25 million bales.

With all the development and technical assistance our foreign competitors will be provided in this bill, production should go still higher.

MIDEAST, AFRICAN PRODUCTION MORE THAN DOUBLE PREWAR OUTPUT

Cotton production in Iran, Syria, Iraq, Turkey, and Afghanistan, all of which have received foreign aid in the past, and which will receive more foreign aid under this bill, has increased from a 470,000-bale average in the 1934–38 period to 1,129,000 bales in 1950–54 and 1,377,000 bales in 1955–56.

India and Pakistan production declined from an average of 5,168,000 bales in the 1934–38 period to 4,684,000 bales per annum in 1950–54, but has bounded back to 5,300,000 bales in 1955–56.

Africa, excluding Egypt, has increased its cotton production from a 891,000-bale average in 1934–38 to 1,467,000 bales in 1950–54, and 2,050,000 bales in 1955–56.

Mexico does not receive foreign aid, but does have an investment climate that seems to attract American investment. It has increased its cotton production from an average of 317,000 bales annually in the 1934 to 1938 period to 1,333,000 bales per annum from 1950–54, and to 2,050,000 bales in 1955–56.

COMMUNIST PRODUCTION UP 3 MILLION BALES SINCE BEFORE THE WAR

The Iron Curtain countries also have increased their production from a 6,131,000 bale average in the 1934–38 period to 7,759,000 per annum in the 1950–54 period, and to 9,355,000 bales in 1955–56.

Total foreign production increased from 14,200,000 bales in 1934 to 18,800,000 bales in 1940 and to 25,500,000 bales in 1955, or an increase of 11,300,000 bales.

Egypt, the only country in the world which allocates its cotton acreage with the exception of the United States, is the only country in the world which has suffered a decline in production, which may be one reason it is so eager to build the Aswan Dam with our dollars or Russian rubles. United States production has increased from an average of 12,712,000 bales in the 1934–38 period to 14,092,000 in that of 1950–54, and 14,663,000 in 1955–56, while our exports have declined.

Now let us take a look at the world export picture. Here we have some interesting facts prepared by the International Cotton Advisory Committee in Washington. Its last review of the world situation in cotton is the April-May, 1956, issue.

FREE WORLD EXPORTS GAIN WHILE UNITED STATES EXPORTS FOR YEAR AMONG LOWEST ON RECORD

Free world exports for 1955–56 were estimated to total 8,200,000 bales, a gain of a million bales over the previous year. In contrast, the review states that "from the viewpoint of United States cotton exports, the 1955–56 season is likely to be one of the worst on record."

Export records for major cotton producing countries for the August through January period of the 1954–55 season and those of the 1955–56 season were compared.

I ask unanimous consent to have printed in the RECORD a table prepared by the International Cotton Advisory Committee showing this comparison.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Cotton exports

[1,000 bales]

Country	August through January	
	1954–55	1955–56
United States	1,990	742
Mexico	881	1,317
Brazil	562	315
Egypt	545	777
Pakistan	184	329
Peru	191	[1] 230
Sudan	106	275

[1] Preliminary.

MEXICAN, PAKISTAN, EGYPTIAN COTTON EXPORTS BOOM

Mr. MALONE. The committee reports that exports from Mexico during the first half of the season had already passed last season's total, and for the full season will set a new record for this country.

For the first time in history—

It adds—

Mexico may ship as much cotton as the United States.

The report continues:

Cotton endorsed for shipment from Pakistan for the first 6 months of the season was over double the comparable 1954–55 figure. Pakistan has received $205 million in foreign aid.

Egyptian type cottons have been in very heavy demand and exports this season are expected to increase substantially in Egypt, Sudan, and Peru.

Egypt's trading position this season has been favorably affected by more extensive exports to the Communist countries. Egypt has received some $41 million in United States foreign aid, and is scheduled to receive $3.8 million more under the pending bill.

Over the first 7 months of the season, exports to these (the Communist) countries were significantly higher than during the whole of last season and sales are continuing.

Over the first 7 months of the season, exports to these countries from Egypt were already some 328,000 bales against a quarter of a million for the entire 1954–55 season.

Pakistan's exports to the Communist bloc have been exclusively to China—

Red China, that is—

India has exported a sizable volume of cotton to China this season.

INDIA NOW WORLD'S SECOND LARGEST COTTON TEXTILE EXPORTER; JAPAN FIRST

Mr. President, India has received $400 million under previous foreign-aid bills, and many millions more through other giveaway schemes. She is slated to receive another $80 million through the bill we are considering today.

India, incidentally, Mr. President, has become the world's second largest exporter of cotton piece goods. Japan is first. The United Kingdom is third. The United States is in fourth place.

American industries have gone to Japan, have invested in the foreign mills, and are shipping goods to this country under virtually free trade arrangements, resulting in the shutting down of American textile plants.

The PRESIDING OFFICER. The time of the Senator from Nevada has expired.

Mr. MALONE. Mr. President, I ask the distinguished Senator from California whether I may have an additional 20 minutes.

Mr. KNOWLAND. Mr. President, I regret that, under the time schedule, I do not have that much time to yield. I yield an additional 5 minutes to the Senator from Nevada.

The PRESIDING OFFICER (Mr. BIBLE in the chair). The Senator from Nevada is recognized for an additional 5 minutes.

Mr. MALONE. I lost 5 minutes in the uproar on the floor.

COTTON PIECE-GOODS EXPORTS FOR SEVEN NATIONS GIVEN

Mr. President, I ask unanimous consent to have printed in the RECORD a table, prepared as the same source as the previous table, and showing cotton piece-goods exports in 1954 and 1955.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Cotton piece-goods exports

[Million square yards]

Country	1954	1955
United States	605	542
India	861	773
Japan	1,278	1,139
United Kingdom	637	555
Federal Republic of Germany [1]	230	[2] 240
France [1]	538	[2] 400
Italy [1]	108	101

[1] 1,000 quintals.
[2] Partly estimated.

JAPANESE TEXTILE EXPORTS DOUBLE THOSE OF UNITED STATES

Mr. MALONE. Mr. President, it will be noted here that cotton piece goods exports by all the above-listed countries except the Federal Government of Germany have declined. In the case of the United States, they have declined by 63 million square yards in just 1 year.

They have even declined 8 percent in Japan. The reason, as given in this report, is that there has been a development "of excess capacity in the Japanese textile industry." The report adds that, as a result, "stocks of cotton goods have been reduced appreciably and textile prices have risen." Japan's exports, however, are still double those of the United States and lead the world, with India second. Mr. President, I may say that most of those exports are coming to the United States of America.

UNITED STATES PRINCIPAL IMPORTER OF JAPANESE COTTON GOODS; IMPORTS ALMOST TRIPLED IN PAST YEAR

Japan has received $2,518,000,000 in foreign aid.

Mr. President, much has been made by proponents of freer trade of the fact that in the 1954–55 season, the United States exported 653,000 bales of cotton to Japan, of its 3,446,000 bale export total. This was the lowest export amount since 1948–49.

Japan's total imports from all countries was 2,046,200 bales, Mexico, Brazil, and Pakistan being her next heaviest suppliers in that order. The United States, in turn, was the greater importer of Japanese cotton textiles, taking 140,300,000 square yards off her hands in 1955, almost triple the amount during the previous year. Indonesia and Thailand were Japan's second and third largest textile markets, respectively.

JAPAN CUTS COTTON PURCHASES FROM UNITED STATES

During the 1955–56 season, the Department of Agriculture first thought the Government had arranged with Japan to take 650,000 bales, part of it to be paid for in foreign currency. Japan, however, has accepted only 450,000 bales.

Mr. President, there are some other interesting facts in this review prepared by the International Cotton Advisory Committee.

Western Europe last season imported 300,000 bales of cotton from behind the Iron Curtain.

Mr. President, what is the outlook for future cotton production in the foreign countries to which we shall continue foreign aid under the bill now before us?

Nigeria, which increased its production from an average production of 48,000 bales in 1945–49 to 180,000 bales in 1954–55, has set an increased production goal of 720,000 bales. Uganda, Tanganyika and the Sudan, all in British Africa, are increasing production rapidly.

INDIA PLANS DOUBLING COTTON OUTPUT UNDER 5-YEAR PLAN

Turkey, Syria, Iran, and Israel all have cotton acreage and production expansion plans. India and Pakistan have vigorous programs for expansion of their cotton production. India plans to increase production to 5.8 million bales by 1961, under her latest 5-year plan—more than double her production of 2.6 million bales in 1949–50, and 1.5 million bales more than last year. Pakistan plans to increase her ouptut to 2.5 million bales, from her present 1.4 million. We, through our foreign aid, are helping them to do it. The pending proposed legislation will help them to do it.

UNITED STATES COTTON ACREAGE LOWERED; FOREIGN FREE WORLD ADDS 3 MILLION ACRES A YEAR

Meanwhile, America's cotton export program declines. Our cotton acreage is reduced—from 28,400,000 acres, in 1934, to an allotment of 17.4 million acres now. Parity supports for our cotton have been lowered, which will mean a reduction of about 2½ cents per pound. Average yield per acre in the United States would have to be lowered to less than 300 pounds per acre, to limit production to the marketing quota of 10 million bales.

In contrast to the 2,400,000 acreage reduction imposed on United States cotton growers since 1954, free world acreage outside the United States has increased 3 million acres a year for the last 2 years. Foreign aid has helped these nations achieve that increase. Yet foreign aid goes on. If we do not give it in this bill, the International Bank for Reconstruction and Development will. We started it with $3 billion, some years ago. It has just loaned $80 million to Rhodesia, in British Africa, for power development.

DEMOCRATIC WHIP YIELDS TIME TO NEVADA SENATOR

The PRESIDING OFFICER. The time yielded to the Senator from Nevada has expired.

Mr. MALONE. Mr. President, does the distinguished Senator from California have any more time that he can yield to me?

Mr. KNOWLAND. Under the allocations, I have no additional time now to yield.

Mr. MALONE. Mr. President, I suggest the absence of a quorum.

Mr. KNOWLAND. Mr. President, the calling of the roll, following the suggestion of the absence of a quorum, would merely take time. I am not prepared to yield time from the time available on the bill.

Mr. MALONE. Perhaps time will be yielded to me by the other side.

Mr. President, I suggest the absence of a quorum.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the time required for the quorum call not be charged to the time available to either side, under the unanimous-consent agreement.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLEMENTS. Mr. President, I yield 15 minutes on the bill to the Senator from Nevada.

Mr. MALONE. I thank the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Nevada [Mr. MALONE] is recognized for 15 minutes, on the bill.

THE TRADE AGREEMENT HOAX IN 1934

Mr. MALONE. Mr. President, in 1934 the big argument in 1934, was that exports were declining—and they had declined from 11,281,000 in 1926 to 8,366,000 bales in depression-ridden 1933—and that the reason was that our tariffs were too high. So we lowered the tariffs and cotton exports declined still further. We lowered them again in 1947 and they declined still further. We lowered them again last year and again they declined.

So that argument was out the window. A new argument had to be invented to lower tariffs further and to continue foreign aid.

The next argument was that there was a terrible dollar shortage, which was the reason exports of basic commodities were declining. We would have to give them the dollars to buy our goods. So we voted foreign aid.

DOLLAR SHORTAGE DISAPPROVED

Gold and short-term dollar assets of foreign countries in the so-called free world then totaled $15 billion. Now it is up to $31.4 billion and is increasing at a rate of $2 billion a year. Actually, Mr. President, there never was a dollar shortage and there is none now. There is enough gold and dollar reserves in these foreign countries now to buy up all of our surplus commodities if they chose to do so. Obviously, they do not.

The dollar shortage was just another catchword or phrase invented to mulch American taxpayers of their money and send it to foreign countries. There are two ways to have a dollar shortage. We all can have it by spending more money than we earn. The second method only a nation can have, and that is to fix the price on its currency higher than the market price in terms of dollars, so that no one will buy it except the silly Congress; and we have proceeded to do that for 10 long years.

Mr. President, I commend to the attention of the Senate a recent publication by the Department of Agriculture, Competitive Position of United States

Farm Products Abroad, dated March 1956.

EMPIRE PREFERENCES USED TO CURB UNITED STATES FARM IMPORTS

It states that since the 1930's preferential tariff arrangements have become important in many foreign countries and territories, and adds:

The most important of these arrangements are the empire preferences granted to each other by members of the British Commonwealth, but those between France and members of the French Union, as well as those between Portugal and her overseas territories are also important.

The Department then refers to the increases in dollar earnings of these foreign countries, which I referred to above, and states:

These dollar earnings have risen because of much larger United States imports, greater spendings by United States tourists and soldiers abroad, increased United States Government expenditures for overseas troops and military installations, and gold reserves have been increased by a larger flow of newly mined gold.

Mr. President, we have foot soldiers in 73 nations. If a war started tomorrow, in a week they would all be dead or on the way to the salt mines, because we could not get them home or feed them.

UNITED STATES-AIDED NATIONS TIGHTEN RESTRICTIONS ON IMPORTS OF UNITED STATES PRODUCTS

The report continues:

As agricultural production expanded in the importing countries, political pressures developed in these countries for maintaining controls (originally imposed for balance-of-payments reasons) as a means of protecting their producers against comeptition from imports. These restrict exports of United States agricultural products to a number of important markets.

At the same time, strong vested interests developed in the maintenance and further expansion of preferention, bilateral, and regional trading arrangements among the non-dollar countries.

Industries in the countries which are major importers of agricultural products have found assured markets in agricultural exporting countries under the shelter of these arrangements. Some of these countries claim that their ability to maintain and expand sales abroad (particularly manufactured goods) depends on continued preferential treatment for the agricultural products imported from their partners under terms of these arrangements.

REPORT LISTS OTHER FOREIGN SCHEMES TO LIMIT UNITED STATES SALES

Mr. President, all of these countries to which we are extending foreign aid seem to have their own partners, and we are not among them, despite the $65 billion in foreign aid we have poured out.

The report continues:

These arrangements have improved the competitive positions of a number of countries which export agricultural products, particularly Turkey, Greece, Argentina, Brazil, French overseas territories, and British Commonwealth areas.

Mr. President, the report refers also to special credit and exchange arrangements between these foreign countries, subsidies, preferential treatment, currency devaluation, export bonuses, and so on. Most other countries also maintain price supports in the same manner that we do, and the Department admits that there is widespread use of state trading monopolies to regulate trade in grain, tobacco, dairy and livestock products and fats and oils. These are the countries to which we are voting billions in foreign aid.

What has happened to cotton exports also is happening to grain, with wheat and rice the most important among food grains and corn among the coarse grains.

EXPORTS OF UNITED STATES FOOD GRAINS, RICE, ALSO SUFFER

Grain exports averaged annually the product of 30,030,000 acres during the first 5-year period following World War II, we are told, but the product of 21,887,000 acres in 1954–55.

All of our grains are being offered in world markets at competitive prices, substantially below United States support levels in most cases. The United States still is the leading exporter of wheat, 29 percent, although more than half moves out under special Government programs, and at prices substantially lower than the support price.

Canada supplied 27 percent of the world export market, Argentina 14 percent, Australia 10 percent, followed by France, Russia, Uruguay, French North Africa, Turkey, Sweden, and Syria, with France challenging Australia for fourth place.

PRICE SUPPORTS ON WHEAT HIGHER IN MANY COUNTRIES THAN IN UNITED STATES

Mr. President, I ask unanimous consent to have printed in the RECORD a table prepared by the Department showing price supports for the 1955–56 wheat crop in 33 specified countries, and which shows that in 23 of these countries the support price is higher than our own. Could it be that through the foreign aid we have been extending through the years to at least 17 of these foreign nations, we have been contributing to higher support prices than we pay our own wheat producers?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 3.—*Price supports for the 1955–56 wheat crop in specified countries*

	Price per bushel (dollars)
United States	2.03
Canada	1.40
Argentina	1.18
Australia	1.46
France	2.64
Turkey	2.91
Uruguay	2.51
Algeria	2.64
Morocco	2.56
Tunisia	2.64
Syria	2.20
United Kingdom	2.31
Norway	3.43
Ireland	2.06
Belgium	2.56
Germany	2.73
Switzerland	4.03
Spain	2.86
Italy	3.05
Yugoslavia	2.99
India	1.53
Iran	1.43
Sweden	2.21
Mexico	[1] 2.05
Brazil	2.85
Egypt	[2] 1.98
Japan	2.59
Portugal	2.86
Austria	2.63
Chile	2.49
Finland	4.04
Greece	2.84
Pakistan	1.34

[1] October 1955 guaranty. Price advances as the season progresses.

[2] Support price for soft wheat. The support price for hard wheat is $2.08.

ASIATIC RICE PRODUCERS UNDERCUT UNITED STATES

Mr. MALONE. Mr. President, I shall touch only briefly on the problems of our rice exporters. States the Department report:

Asian countries are now offering rice from 1956 crops at prices below United States prices in virtually all Asiatic deficit producing countries, especially in Japan. * * * Further adding to the problems confronting United States rice exporters is the continued difficulty in moving surpluses into export channel in the face of numerous and intricate impediments to trade imposed by givernments in most of the rice-importing countries, and in the face of special subsidies and other aids granted to exporters by governments of most competing surplus-producing countries.

Almost 65 percent of the world's exports (5.5 million tons) in 1955 was moved by competing exporting countries under special government-to-government agreements, including barter deals. In addition, 92 percent of all the rice moving into international trade is subject to some degree of control by governments of the importing countries.

Yet, Mr. President, we not only supply the importing countries with millions of dollars to buy their food from other foreign countries, but are spending other millions to aid the exporting countries to expand their production.

FOREIGN TOBACCO PRODUCTION NOW THREE TIMES PREWAR AVERAGE

Mr. President, I turn now to a commodity which is, as it should be, one of our most important export crops—tobacco.

Tobacco exports in 1955 were about 19 percent above 454 million pounds exported in 1954.

That would seem to present a picture much brighter than those we have been discussing. But does it?

The Department of Agriculture tells us this:

Increased United States exports in 1955 were due largely to sales for foreign currencies under the Public Law 480 program.

Further on it states:

The most important hindrance to larger United States exports is the widespread and growing use of discriminatory trade barriers.

United States production of flue-cured tobacco in 1955, under Department preliminary figures, was set at 1,514,043,000 pounds; that of burley at 506,990,000 pounds, that of Maryland at 35,700,000 pounds.

The Agriculture Department reports that foreign production of flue-cured totaled 1,212 million in 1955 or 3 times the 1935–39 average, and 55 percent above the 1947–51 levels. Foreign burley production increased from 23 million pounds prewar to 95 million pounds in 1955. Foreign production of oriental or Turkish type tobacco increased from 344 million pounds in the prewar period to 575 million pounds in 1955.

EUROPE BUYING LESS TOBACCO FROM UNITED STATES; MORE FROM AFRICA, INDIA

Western Europe, which takes about 75 percent of our tobacco exports, in 1954 bought only 42 percent of its tobacco from the United States, while in the 1947–51 period it bought 50 percent.

What caused this decline?

This is the Department's answer:

The decline has occurred chiefly because of: (1) Larger supplies of cigarette tobaccos from Rhodesia, India, Canada, Turkey, and Greece; (2) preferential import duties; (3) discriminatory bilateral trading arrangements; and (4) increased domestic production in Europe.

All of these suppliers, with the exception of Canada, are beneficiaries of our foreign aid program.

UNITED STATES SHARE IN IMPORTANT FOREIGN TOBACCO MARKETS REPORTED

Mr. President, I ask unanimous consent to have printed in the RECORD a short summary on the United States share of total tobacco imports in important world markets, as given on pages 49, 50, and 51 of the above-referred-to report:

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

United Kingdom: The United States share of our most important market, the United Kingdom, declined from 75 percent in 1935–39 to 51 percent in 1954. This decline was due mainly to increased shipments from southern Rhodesia, India, and Canada, because of preferential duties (about 21.5 cents less per pound), long-term guaranteed purchase agreements with southern Rhodesia, the United Kingdom policy of limiting dollars for importing tobacco and, to some extent, foreign prices that are lower than those for United States leaf. The United States share in the United Kingdom market is likely to continue to decline as output in Commonwealth areas increases further.

Western Germany: The United States now supplies a larger share of Western Germany's imports (now the second-largest United States customer) than before World War II. This share, however, has declined sharply from 54 percent in 1947–51 to 41 percent in 1954. Western Germany's domestic production of flue-cured and burley has increased greatly. But most of the decline in the United States share of total consumption has been due to increasing imports of Oriental leaf from Greece and Turkey. The larger imports from these two countries are, to some extent, due to lower prices but are also partly in response to efforts to increase German exports of manufactured products to these areas.

Netherlands: The United States share of imports by the Netherlands (third most important United States foreign customer) declined from 50.2 percent in 1947–51 period to 37 percent in 1953 and 1954. Most of this shift was due to increased imports of dark tobaccos from Indonesia and Brazil.

Australia: The United States share of Australia's tobacco imports (fourth largest United States market) declined from 97.7 percent prewar to 64.2 percent in 1954 as a result of increased competition from southern Rhodesia and Canada. Lower prices, lower import duties on Rhodesian leaf, and the fact that purchases from southern Rhodesia are for sterling, are chiefly responsible for this shift.

Philippines: Since World War II, the Philippines has been the fifth largest importer of United States leaf. Unless, however, there is a change in Philippine tobacco legislation, imports from the United States will be drastically reduced in the future. This legislation provides that tobacco can only be imported if the Government issues a certificate of deficiency in domestic production.

The same legislation provides for very high price-support levels on production of flue-cured leaf, and guarantees the purchase of total production regardless of quality. Largely because of these laws, output of flue-cured tobacco in the Philippines rose from 2.4 million pounds in 1953 to 15.5 million in 1955. The 1956 crop is estimated at 33 million pounds. The import duty of 60 cents per pound, which went into effect January 1, 1956, will also further deter purchases from the United States. The full duty rate of $2.40 per pound will become effective progressively over the next few years.

UNITED STATES NOW IMPORTS MORE RED MEAT THAN IT EXPORTS, REVERSING HISTORIC PATTERN

Mr. MALONE. Mr. President, this report goes into similar detail on our other farm exports, butter, poultry products, meat, lard, wool, fats and oils, and so forth. I wish I might have the time to go into each one of them, but this is a long day, we are near the close of this second session of the 84th Congress, and I know that many of my colleagues are eager to vote and have made up their minds well in advance of this debate.

I think I should touch briefly, however, on the export problem as it pertains to meat and meat products.

Except for lower priced cuts of pork and beef, little United States meat is exported, although some activity continues in the so-called variety meats and offal products.

In Western Europe, which once was considered our best foreign market for meat products, meat production has increased steadily and is now 24 percent higher than prewar.

The United States, once a large meat exporter, has now become a net importer of red meat. Some European countries are now exporting double the amount of meat they did before the war, while imports into Europe have declined greatly.

AMERICAN CATTLE, SHEEP INDUSTRY STIFLED BY IMPORTS

So far as the cattle industry and the sheep industry are concerned, there will never be any stability until the Congress has the guts to take back its constitutional responsibility to regulate the foreign trade and the national economy.

Shipments of live beef come in by the shipload. In that way the price can be regulated by imports, not by production. Then the American market does not belong to Americans. There is no apparent effort to get back to that constitutional principle.

As a matter of fact, so far as wool is concerned, no one in his right mind will put any money in the sheep business, because of the difference in the cost of production as between Australia and the United States. In Australia it is possible to produce a sheep unit, which is a ewe and a lamb, for 20 percent of the cost in the United States.

In that way the sheep business is utterly destroyed, and will remain so until Congress takes back its responsibility.

The same is true of textiles and tobacco and cotton, and 5,000 other products which I would discuss if I had the time to do today.

HOW FOREIGN COUNTRIES CURB UNITED STATES MEAT IMPORTS

What has put the freeze on imports from the United States? The Department of Agriculture tells us, under the subhead "Barriers to Exports":

In several European countries, Latin America, as well as Canada imports are limited by high tariffs, taxes, import quotas, exchange controls, dollar shortages, and inspection regulations. Restrictions are imposed by several countries on pork products from the United States.

Bilateral trade agreements, subsidies, and protectionist measures to encourage costly domestic production are also resorted to by many countries.

FOREIGN NATIONS PROTECT OWN FOREIGN MARKETS; DIVIDE UNITED STATES MARKETS THROUGH GATT

Mr. President, we lose through the goodness of our hearts by allowing 34 foreign nations, with the United States making 35 nations—and with each nation having 1 vote—to divide our markets under GATT. The other countries are simply protecting their own markets. I hope that in due time we will have the gumption on the floor of the Senate—and I hope it will begin in January 1957—so that instead of going to the Committee on Finance and calling in the Chairman of the Tariff Commission and asking him to make a 9-month investigation to find out what is the matter with textiles, we will take back our responsibility.

Everyone knows what is the matter with the textile market in this country. The trouble lies with imports from Japan, where our American producers have invested in the construction of plants, built with money taken from the taxpayers of America. In that way our markets are being flooded with goods produced by cheap labor.

In other words, we are merely displacing American labor and American investments with foreign cheap labor and foreign investments.

FOREIGN NATIONS RETAIN, INCREASE, TRADE BARRIERS WHILE UNITED STATES LOWERS TARIFFS 70 PERCENT

Mr. President, what the Department is talking about is foreign countries. The United States has, of course, reduced tariffs 70 percent since 1934 under the trade-agreements program. It is not reciprocal as the evidence from the Department of Agriculture attests above. Other countries have retained their same old trade barriers; many of them have increased them.

The Department lists, for example, factors which restrict the sale of American farm products in the British Commonwealth countries. They include:

First. Competition from production in one or more of the dominions.

Second. Widespread use of production incentives, including subsidies, without limitation on acreage or volume production.

Third. Use of a coordinated system of trade policies—especially lower import duties on products originating with the commonwealth—to discourage competition from noncommonwealth sources of supply.

BRITISH BOARDS EXERCISE MONOPOLY OVER IMPORTS, EXPORTS

Foreign exchange controls still exclude or greatly limit the imports of United States products—

The report continues.

Empire tariff preferences for products originating in the British dominions or territories still tend to exclude or handicap products from noncommonwealth areas. Since 1948 there has been no significant reduction of the margin of preferences for products originating in the commonwealth, and in several instances the preferences have been increased. Marketing boards, having a monopoly over imports and exports, promote intracommonwealth trade even though commonwealth prices may be higher than those of noncommonwealth suppliers.

Mr. President, the senior Senator from Nevada has made that statement on the floor of the Senate many times during the 10 years he has served in this body. This time it is not he who is making that statement, but the Department of Agriculture. It is the first honest presentation of the facts of foreign trade that I have witnessed emanating from the department of our Government.

Every year we have a foreign-aid bill. Every year officials from the State Department and from whatever agency is handing out our dollars to foreign countries, appears before the Senate Committee on Foreign Relations.

I am not a member of that committee. If I were I think I might ask them a few questions. Oh, I might ask that the Department of Agriculture appear and present some concrete facts, such as those revealed in this report.

BRITISH BUYING LESS UNITED STATES COTTON, FRUITS, VEGETABLES THAN BEFORE WORLD WAR II

Here is a departmental comment on our trade in agricultural commodities with the United Kingdom:

The United States share of United Kingdom imports of agricultural products, especially cotton, fruits, vegetables, and tobacco is well below prewar.

This despite the fact that the United Kingdom has been the principal beneficiary of both our peacetime foreign aid and our wartime assistance.

The demand for United States products in the United Kingdom is strong—continues the report—

But United States competition in the market is limited by the subsidization of domestic production and the trade barriers mentioned above.

British Africa also comes in for attention in the report. That is where a considerable amount of the foreign aid we are voting on today is intended to go.

Programs in progress in British Africa call for increased production on fiber and foodstuffs for export and of foodstuffs for domestic use. Increased production of crops in competition with United States agricultural exports is now being emphasized in many African areas.

NEW FOREIGN AID PROGRAM TO INCREASE AFRICAN COMPETITION

Mr. President, we are financing it. This bill intends to keep on financing this increased competition with United States agricultural exports being "emphasized in many African areas."

Exports of South African deciduous fruits set a new record volume for 1954–55, with 87 percent going to the United Kingdom. Exports of oranges from South Africa increased from 93.5 thousand tons in 1938 to 144,000 tons in 1953, principally to the United Kingdom. Exports of canned fruit from South Africa, principally from the United Kingdom, have increased from 2,000 tons in 1938 to 42,200 tons in 1953, of which slightly less than one-third is peaches and one-fourth is pineapples.

Mr. President, our foreign aid is financing much of the import competition against our farm products. We are being very gracious when we call it competition. When countries produce foreign goods, and then bar American products, it is not competition, it is monopoly.

BRITAIN, FRANCE TAKE AMERICAN TAXPAYERS FOR A RIDE

Britain, France, all of Europe's empire-minded nations, have been taking the American taxpayer and the Congress of the United States on a long, long ride.

When we do not lend to the mother-countries, we loan to the colonies. When we loan to the Colonies they not only shut off their markets to our goods but so does the mother country because it can then import the products from the Colonies and not from the United States.

So we put our own producers or millions of our production acres out of business unless we tap the American taxpayer to make up the difference between the domestic price and the foreign price. Even if we make up that difference and sell our agricultural products at the world price, foreign countries block off our products with restrictions.

FOREIGN AID INCREASING ENMITY AMONG NATIONS, NOT AMITY

We are not only building up competition against ourselves but competition and cutthroat competition between the nations we are aiding. When we finance expanded cotton acreage in one country or technical assistance in growing cotton in one country, another country attempting to find a market for its own surplus cotton becomes an enemy instead of a friend of the United States.

How many friends have we made in India with our half a billion in handouts? How many friends have we made in Indonesia; in Egypt, in Africa, and the Middle East? We are making enemies, not friends.

We are making enemies of foreign agricultural producers also when we attempt to dump our farm products or barter them off for foreign minerals. When we unload wheat, or cotton, or corn, or any other surplus farm commodity on a foreign country as a free gift paid for by our taxpayers, we force the foreign producers' prices down. How would we like it, Mr. President, if Soviet Russia would suddenly try to dump some of her cotton surplus or her wheat surplus or any other farm surplus on the United States? Of course, we would not permit her to do that.

Or would we? Sometimes I am not sure that we would not permit Russia to do that. Perhaps, under a fluctuating foreign policy, we might.

EXCHANGE OF FARM PRODUCTS FOR FOREIGN MINERALS HARMS BOTH MINING INDUSTRY AND AGRICULTURE

Section 22 of the Agricultural Adjustment Act prohibits such practices. We protect our basic agricultural producers by quotas. If we did not there would be an uprising and many of our Members would be out looking for another job.

Then how can we expect the farmers and agriculturists in other countries to welcome our efforts to give away our farm products in exchange for minerals and metals? The simple fact is that they do not. So this program is a sham. It makes enemies, not friends. It has hurt, not helped our farm, livestock, and dairy producers. It is destroying many of our minerals producers. It is putting miners out of work. By cutting down on acreage it also is putting farmhands out of work and liquidating many farms. The American consumer, whatever his occupation, is the best and only sure market for our farm products. If we take away his job we take away our market.

At the beginning of my address, Mr. President, I said that if the directors of a private corporation did or sanctioned the things this foreign-aid bill proposes and previous foreign-aid bills have done, the stockholders would rise and change their board of directors.

AWAKENED CITIZENRY WILL CHANGE DIRECTORS WHEN AWARE OF 22-YEAR SELLOUT OF NATION'S ECONOMY

When our people wake up and when the stockholders of this Nation wake up and realize what the board of directors, the Congress of the United States, has been doing to this Nation for 22 years, with the division of our cash and markets—$65 billion in cash since World War II—and dividing our markets with the low-wage nations of the world, while we are living on a war economy, I have an idea there will be some new faces in Congress.

EDITORIAL CALLS FOR END OF AID TO TITO

I ask unanimous consent to have included in the RECORD at this point an editorial published in the New York Journal-American of July 13, 1956.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LET'S END IT

The people in our Government who have the power to continue bolstering the Tito regime in Yugoslavia with American money have now announced the release of $13 million in counterpart funds for the support of housing projects in 11 Yugoslavian cities.

The so-called counterpart funds come into being through the complicated financial hocus-pocus, whereby the money of countries receiving American assistance, gift, or

loans, is set aside for our use within those countries.

No matter how the thing is juggled, the money comes out of the resources of the American taxpayers, and the hole it leaves is in their pockets.

It apparently means nothing to the people who have done this thing that the Tito Government is once more in full alliance with Soviet Russia, and will be on the Communist side in any future war.

It apparently means less to them that the $1 billion we have already given Tito will be used against us in such a war, and that any additional American funds put in his hands will go the same way.

It would be interesting to know who these people are, and we think the American people are entitled to know. The announcement that the American Government has done such a thing is too broad.

Who is it in the Government that has such power, and such unconcern and even open contempt for American security that the power is used to the detriment and peril of our country?

The Congress has substantially cut the new authorizations for foreign aid, largely in consequence of its disapproval of past aid to Yugoslavia, with particular expression of its disapproval of any additional aid.

The American people are shocked and outraged that we have pursued our folly in this matter so far and at such cost in the past, and that we continue to persist in the same folly.

Neither the Congress nor the people should any longer be content with broad anouncements in this field that are little better than concealment.

Let there be a naming of names, and a placing of responsibility, to the immediate end that the country may know who is to be held accountable for this disservice to America, and to the ultimate end that our pursuit of folly will terminate.

SENATOR RECALLS 1948 WARNING ON FOREIGN AID

Mr. MALONE. Mr. President, in 1948 when the Marshall plan was first sprung on an unsuspecting public, I said on this Senate floor that—there is never any difficulty in privately financing production or processing plants when there is a market for the product.

The administration was flooding the Nation with this propaganda that all we had to do was increase the production capacity of the European nations.

I said that they were already overbuilt for their own consumption—that if we financed greater production capacity either they would have to sell to us or to our potential enemies.

Any industrial engineer could have advised Congress of this well-known and indisputable fact.

Mr. President, through this $4 billion gift we are continuing to divide the wealth of our taxpayers while the 34 foreign nations at Geneva continue to divide our markets among them and we are living on a war economy. I think it is high time that the Members of this Congress go home and find out what the folks think of what they are doing—the folks who are still making a living the hard way and paying the backbreaking taxes.

The PRESIDING OFFICER. The time of the Senator from Nevada has expired.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed, without amendment, the bill (S. 4256) to authorize the Honorable WILLIAM F. KNOWLAND, United States Senator from the State of California, to accept and wear the award of the Cross of grand commander of the Royal Order of the Phoenix, tendered by the Government of the Kingdom of Greece.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3820) to increase the borrowing power of Commodity Credit Corporation.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6376) to provide for the hospitalization and care of the mentally ill of Alaska, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9593) to simplify accounting, facilitate the payment of obligations, and for other purposes.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6040) to amend certain administrative provisions of the Tariff Act of 1930 and to repeal obsolete provisions of the customs laws; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COOPER, Mr. MILLS, Mr. GREGORY, Mr. REED of New York, and Mr. JENKINS were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 258) accepting without cost to the United States copies of the recording "Pledge of Allegiance to the Flag" and providing for distribution of such copies, in which it requested the concurrence of the Senate.

ANNOUNCEMENT OF CURRENT ATOMIC BOMB TESTS IN THE PACIFIC

Mr. ELLENDER. Mr. President, I yield 5 minutes to the Senator from New Mexico [Mr. ANDERSON].

Mr. ANDERSON. Mr. President, this morning the newspapers carried an interesting statement to the effect that the Chairman of the Atomic Energy Commission announced the results of the current atomic bomb tests in the Pacific. The announcement was carried in the newspapers without any indication as to whether it was an official announcement of the Atomic Energy Commission.

Since the Chairman of the Commission is the spokesman of the Commission, I would assume that it was an official announcement of the Commission.

It is always interesting to read these things in the newspapers, and never have an opportunity to find out about them, regardless of the law that provides that the Atomic Energy Commission shall keep the Joint Committee on Atomic Energy fully and currently informed.

So far as I have been able to find out, no member of the Joint Committee on Atomic Energy has heard one word about this. The Joint Committee has been trying to find out the results of these bomb tests in the Pacific; but no member, so far as I know, knew a thing about this statement when it was released to the press. A copy of the statement got to the Joint Committee on Atomic Energy about noon today, approximately 18 hours after its release to the press. I think that is too bad.

I can only say that it is things like that that bring upon the Atomic Energy Commission the sort of attack that was contained in the report on the supplemental appropriation bill in the House of Representatives.

The Joint Committee on Atomic Energy was set up so that Congress could be constantly advised as to what was going on. I think it was too bad, a short time ago, that programs were announced and things were done without any consultation whatever with members of that group.

I have been particularly disturbed at the possibility that members of the Commission themselves might not have known that this statement was being made. I believe it would be proper to have a hearing, if time permits, to find out if all members of the Commission were advised that this statement was being made.

I say that no member of the committee was advised. It would certainly be interesting to find out if all members of the Commission were so advised.

I think it would also be very much of interest to examine the last paragraph of the Chairman's statement, which reads:

> We are convinced that mass hazard from fallout is not a necessary complement to the use of large nuclear weapons.

That is a most interesting statement to the members of the committee; and I am sure it is of equally great interest to the scientists of this country.

I say that because if the Atomic Energy Commission, and the Chairman of it, are convinced that mass hazard from fallout is not a necessary complement to the use of large nuclear weapons, then perhaps we ought to have some new policy stated to us by the Atomic Energy Commission itself.

We have had a statement on fallout hazard, which was issued in February 1955, entitled "The Effects of High Yield Weapons." So far as I know, that announcement of policy has never been either repudiated or canceled.

It seems to me that if the Atomic Energy Commission has learned something in these new tests which they are not in a position to communicate to the Joint Committee, but which they can frankly announce to the public in a short paragraph like that, then we might be informed of it, and a new statement on fallout hazards ought to be issued to replace the one issued in February 1955.

The earlier statement on fallout hazard attracted a great deal of attention around the world. It certainly stirred up some people in Japan. My information is that it stirred up some people in Germany, in Belgium, in France, and in

other areas like that, who saw the possibility of fallout resulting from atomic warfare between two opponents, perhaps separated by those areas, who might drop bombs, and that the fallout might drift back and forth across some of those countries in a very dangerous fashion.

If we have discovered that that is not true, if there is no mass hazard from fallout, then I think it is time the people of the world knew about it. I think it is even time the Joint Committee on Atomic Energy, which is supposed to know about these things, might learn about them.

The PRESIDING OFFICER. The time of the Senator from New Mexico has expired.

Mr. ELLENDER. Mr. President, I yield 3 additional minutes to the Senator from New Mexico.

Mr. ANDERSON. Mr. President, I would also invite attention to the fact that this so-called atomic power race and the number of kilowatts to be developed seem to be stirring up a little interest. There was a statement issued a few days ago by the Whaley Eaton Service, which has been doing an extremely fine job of keeping abreast of these questions. That service, for July 10, noted several deductions. First, it said that Great Britain has cut capital costs per kilowatt for nuclear power stations by almost half.

It also said that other technical advances promise to make a significant reduction in operating costs. It further stated that the first central electricity authority stations are likely to be twice as large in output as those contemplated when the 10-year program was laid down, but that their cost will be no greater. Great Britain's coming atomic power stations are expected to produce twice as much power as the existing Calder Hall Station at no extra cost.

It also pointed out that these developments mean that last year's nuclear energy White Paper is already completely out of date, and that Great Britain is the only country in the world in a position to build economic power-producing reactors.

I do not know whether that is of any interest to the people of this country, but I think it should be. It would be too bad if the reactors which are being built would develop atomic power long before we even started to build one. I think it lends emphasis to the vote which the Senate took several days ago in saying that we wanted to try some new types. Most people recognize that the plants now under construction offer no promise of producing economical power, when we are building at Shippingport a plant which is calculated to produce electricity at a cost of 52 mills, when it must be obvious that electricity generated from coal and gas costs 7 or 8 mills at the most. But Great Britain is starting to produce economical power. The conference which was held at Vienna was told that British industrial groups are now in a position to quote firm prices and give a guaranty of output efficiency, plus a guaranty to time scale in the erection of atomic powerplants. I think Congress should not lose sight of that possibility.

MUTUAL SECURITY APPROPRIATIONS, 1957

The Senate resumed the consideration of the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. President, I feel very much concerned that we are asked to cut $300 million more from the military program, when we are told by our Chiefs of Staff that the money is needed to take care of the situation in the world today.

I am also much concerned about the expression "foreign aid giveaway." There is no such thing in this military program as any foreign-aid giveaway. It is for the security of the United States of America and our allies abroad. Equipping our allies is vital to the security of the United States of America.

As the Senator from California pointed out earlier in the debate, $3 billion, in round numbers, was asked for the military program. A $2 billion appropriation which is now asked for would mean that a third of the military program has to be eliminated. It means that such vital and critical areas as Korea, Formosa, and Vietnam, where we have native troops dong the work that our boys otherwise would have to do, would be deprived of aid. If we do not realize that it is part of our own defense, I am afraid we are losing our perspective. I challenge those who want to cut the amount any further. We have already cut it from $3 billion to $2,300 million.

In Korea the ROK's are working under our instructions and with our equipment, and they need to be sustained if we do not want to lose Korea and threaten Japan and the entire Far East.

In Vietnam we have an army which is being trained and equipped against a possible invasion from North Vietnam or Red China. If Communist forces are allowed to take over the rest of Vietnam, we will lose all of Indochina.

In critical areas in the Far East we are training native troops with modern weapons, and we cannot continue to do so if a cut is made in this appropriation.

Mr. JOHNSON of Texas. Mr. President, will the Senator from New Jersey yield for a moment?

Mr. SMITH of New Jersey. I yield.

Mr. JOHNSON of Texas. Mr. President, may we have the yeas and nays ordered on the amendment?

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from New Jersey has 2 minutes remaining.

Mr. SMITH of New Jersey. Mr. President, the point has been made that beyond these emergencies—and I do not see any way to avoid them—we have $5 billion in the pipeline. At the session of the Senate just before we adopted the authorization bill, I inserted into the RECORD a very careful study of unexpended balances. There was less than $200 million not definitely committed, less than we had in years past. We cannot rely on funds in the pipeline. We have got to have a new appropriation if we are going to carry on our responsibility in connection with the security of the United States by giving our allies equipment and supplies.

I add my voice to that of the Senator from California, our minority leader, in saying that we must maintain the $2,300 million and vote against a further cut of $300 million.

Mr. KNOWLAND. Mr. President, I am prepared to yield back the remainder of our time if the Senator from Louisiana is prepared to yield back his time.

Mr. ELLENDER. I wish to make a statement, first.

Mr. KNOWLAND. Then I withhold my offer.

Mr. ELLENDER. Mr. President, on the last vote taken by the Senate my amendment lost by four votes. Senators have the opportunity at this time to vote for an increase over what it voted for the last time. The amount of money we would make available through this amendment will be a billion dollars more than was made available in last year's appropriation.

When Senators say, or insinuate, that we are not giving as much now as we did last year, they should know better.

Mr. ANDERSON. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. ANDERSON. Did the Senator from Louisiana say that if we put this cut into operation there will still be a billion dollars more available than was available last year?

Mr. ELLENDER. That is correct.

Mr. ANDERSON. Should we cry about that?

Mr. ELLENDER. That is what I should like to know. Senators have been crying about it. Instead of $2 billion, they want to make the amount $2,300,000,000.

Mr. President, Senators will have an opportunity to vote on this matter. The issue is a clean-cut one, and I am sorry that I had to modify the amendment as I did. I wish we had been able to adopt the amendment which was originally placed before the Senate—the amendment to restore the House figure.

I hope the Senate will vote favorably on the amendment.

The PRESIDING OFFICER. Is the Senator from Louisiana prepared to yield back the remainder of his time?

Mr. ELLENDER. I yield back the remainder of my time.

Mr. JOHNSON of Texas. Mr. President, I will yield the remainder of my time on the amendment, since the Senator from Louisiana has done likewise.

I ask unanimous consent that I may suggest the absence of a quorum, with the time for the quorum call being charged to neither side; and that when either the order for the quorum call has been rescinded or a quorum has been developed, the Senate proceed to a vote on the pending amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Has the Senator from Louisiana yielded back his time?

Mr. ELLENDER. I have yielded back my time, with the understanding that all

debate on the amendment has been completed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, with the understanding that when the quorum has been developed or when the order for the quorum call has been rescinded, the Senate will immediately proceed to vote on the pending amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The question is on agreeing to the amendment of the Senator from Louisiana.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. May we again have the amendment stated?

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 2, line 5, in lieu of "$2,300,000,000", it is proposed to insert "$2,000,000,000."

Mr. JOHNSON of Texas. As I understand, Mr. President, the amendment would reduce the appropriation recommended by the committee from $2,300,000,000 to $2 billion.

The PRESIDING OFFICER. The Senator's statement is correct.

Mr. ELLENDER. It increases by $265 million the figure approved by the House.

The PRESIDING OFFICER. The Senator is correct.

The question is on agreeing to the amendment of the Senator from Louisiana [Mr. ELLENDER]. On this question the yeas and nays having been ordered, and all time having been yielded back, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ERVIN (when his name was called). On this amendment I have a pair with the senior Senator from Montana [Mr. MURRAY]. If he were present and voting, he would vote "nay"; if I were permitted to vote, I would vote "yea." I therefore withhold my vote.

Mr. MONRONEY (when his name was called). On this vote I have a live pair with the senior Senator from Tennessee [Mr. KEFAUVER]. If he were present and voting, he would vote "nay"; if I were permitted to vote, I would vote "yea." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. KERR. I have a pair with the senior Senator from West Virginia [Mr. NEELY]. If he were present and voting, he would vote "nay"; if I were permitted to vote, I would vote "yea." I therefore withhold my vote.

Mr. MANSFIELD. I have a pair with the senior Senator from Rhode Island [Mr. GREEN]. If he were present and voting, he would vote "nay"; if I were permitted to vote, I would vote "yea." I therefore withhold my vote.

Mr. McCARTHY (after having voted in the affirmative). I have a pair with the senior Senator from Michigan [Mr. POTTER]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." Therefore, I withhold my vote.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL], the Senator from Rhode Island [Mr. GREEN], the Senator from Kentucky [Mr. HUMPHREYS], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Montana [Mr. MURRAY], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

If present and voting, the Senator from Texas [Mr. DANIEL] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission, and his pair has been previously announced.

The Senator from Idaho [Mr. WELKER] is necessarily absent.

The Senator from Ohio [Mr. BRICKER] and the Senator from Arizona [Mr. GOLDWATER] are detained on official business.

If present and voting, the Senator from Arizona [Mr. GOLDWATER] and the Senator from Idaho [Mr. WELKER] would each vote "yea."

The result was announced—yeas 37, nays 44, as follows:

YEAS—37

Anderson	Gore	Robertson
Barrett	Hill	Russell
Bible	Hruska	Schoeppel
Byrd	Jackson	Scott
Capehart	Jenner	Smathers
Case, S. Dak.	Johnston, S. C.	Sparkman
Chavez	Langer	Stennis
Clements	Long	Symington
Curtis	Magnuson	Williams
Dworshak	Malone	Wofford
Eastland	McClellan	Young
Ellender	Mundt	
Frear	O'Mahoney	

NAYS—44

Aiken	Fulbright	Martin, Iowa
Allott	George	Martin, Pa.
Beall	Hayden	McNamara
Bender	Hennings	Millikin
Bennett	Hickenlooper	Morse
Bridges	Holland	Neuberger
Bush	Humphrey, Minn.	Pastore
Butler	Ives	Payne
Carlson	Johnson, Tex.	Purtell
Case, N. J.	Kennedy	Saltonstall
Cotton	Knowland	Smith, Maine
Dirksen	Kuchel	Smith, N. J.
Douglas	Laird	Thye
Duff	Lehman	Watkins
Flanders		Wiley

NOT VOTING—15

Bricker	Kefauver	Potter
Daniel	Kerr	Welker
Ervin	Mansfield	
Goldwater	McCarthy	
Green	Monroney	
Humphreys, Ky.	Murray	
	Neely	

So Mr. ELLENDER's amendment to the committee amendment was rejected.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the amendment to the committee amendment was rejected be reconsidered.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion to lay on the table the motion of the Senator from Texas.

The motion to lay on the table was agreed to.

Mr. ELLENDER. Mr. President, I offer an amendment to the committee amendment on page 2, line 5, to strike out $2,300,000,000" and insert in lieu thereof "$2,100,000,000."

The PRESIDING OFFICER. The amendment to the committee amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 5, it is proposed to strike out "$2,300,000,000" and insert in lieu thereof "$2,100,000,000."

Mr. ELLENDER. On this amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. O'MAHONEY. Mr. President, I have not had an opportunity——

Mr. ELLENDER. Mr. President, I yield 5 minutes to the Senator from Wyoming.

Mr. O'MAHONEY. I thank the Senator from Louisiana.

Mr. President, I have not had an opportunity to express my opinion about this matter. I have voted for both of the amendments offered by the Senator from Louisiana. I have done so, first, because we are dealing with military expenditures. There was recently released a statement that under this program there are being sent to Marshal Tito several hundred jet planes which are already under contract as a result of appropriations heretofore made—and this in spite of the fact that Marshal Tito recently returned from a visit to Moscow.

There is no person in the State Department, there is no person in the Defense Department, there is no person in the administration, there is no person in the Appropriations Committee who can explain why the United States Government is sending jet planes to Yugoslavia.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. SMITH of New Jersey. We are not sending jet planes to Yugoslavia at this time, as I presently expect to explain.

Mr. O'MAHONEY. The Senator from New Jersey says we are not, but I have seen reports that we are, and I have seen the Senate vote down an amendment to require the administrators of the program to tell the truth to the authorized committees of the Senate. I see no reason why any Member of Congress who is sworn to defend the United States should be voting money for military purposes to satellites or near satellites of Soviet Russia. I am willing to give wheat; I am willing to give other agricultural commodities; I am willing to give technological aid. But to give military power at the very moment when we pretend to be working for world peace, is beyond my understanding.

We know now that the people of Iceland have elected an administration which has been opposed to the establishment of American airbases in Iceland. We know that the airbases we have built in North Africa are now in danger of being taken away from us. How we can be willing to put blindfolds on our eyes, in view of what is happening to the

world, and to vote military power to governments which we do not know will be our allies a week hence, is beyond my understanding.

In the Senate Appropriations Committee an amendment was submitted by the Senator from Arkansas [Mr. McCLELLAN] and myself, providing—as a limitation upon this appropriation—that it would be the duty of the officers and employees administering this money to report, by answering the questions asked by authorized committees of the Congress; and when, upon report of such committees, the Congress by joint resolution should send to the General Accounting Office a report that a refusal to answer such questions had been made, the appropriation would be cancelled by the General Accounting Office.

Mr. President, why should we vote money for military aid to foreign countries whom we do not know to be our allies?

Let us not vote in blindness; let us not vote in folly.

Let us vote only when the elected representatives of the people of the United States know for what purpose the military equipments that we send are going to be used.

Mr. President, I hope the amendment of the Senator from Louisiana to the committee amendment will be adopted.

Mr. DOUGLAS. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. Certainly.

Mr. DOUGLAS. I should like to ask the able Senator from Wyoming whether we shall not have a chance to deal with those issues later on. I understand there is a resolution——

Mr. O'MAHONEY. How can we deal with them later on?

Mr. DOUGLAS. Just a moment, please.

Mr. O'MAHONEY. I anticipate the Senator's question.

Mr. DOUGLAS. Is it not true that there will be an amendment cutting off aid to Tito? I supported such an amendment the last time. I intend to support such an amendment this evening. Similarly, the amendment of the——

Mr. O'MAHONEY. The Senator——

Mr. DOUGLAS. Just a minute, please.

Mr. O'MAHONEY. The Senator from Illinois is taking my time.

The VICE PRESIDENT. The time yielded to the Senator from Wyoming has expired.

Mr. ELLENDER. Mr. President, I yield 3 additional minutes to the Senator from Wyoming.

The VICE PRESIDENT. The Senator from Wyoming is recognized for 3 additional minutes.

Mr. O'MAHONEY. I thank the Senator from Louisiana.

Mr. BENDER. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. Just a minute, please; I wish to use this time myself.

Mr. President, I cannot possibly vote to grant this military aid, without knowing how it is going to be used, upon the prospect that an amendment against aid to Yugoslavia may be adopted later on. I can consider these amendments only as they are before us. I cannot guess about the future.

Mr. ANDERSON. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield.

Mr. ANDERSON. The Senator from Wyoming knows that when the amendment to cut off aid to Tito is brought up, many Senators will say, "Oh, the Senate cannot handle the matter in this way. The Senate should have voted to reduce the amount of the authorization or the overall amount of the appropriation, if it wished to do that." And under those circumstances, we would get nowhere again.

Mr. O'MAHONEY. That is correct.

Mr. President, the Congress is the parliamentary body governing the United States. Members of Congress make the laws and the appropriations. Yet we would be voting the money blindly. Who does not know that?

The Senator from Arkansas [Mr. McCLELLAN], the chairman of the Committee on Government Operations, will testify how the agents of the Government have appeared before his committee and have refused to answer. How they equivocated and backed away! They do not tell the Congress of the United States, the representatives of the people, how they are going to spend this money; and we learn, after the fact, what has been done.

Mr. President, I think it is a shocking development that we should be willing to cast our votes now upon hope—hope which has been deferred.

There is already $6 billion in the pipeline. The administration has asked for $4,900,000 more. The amount has been cut down by the House of Representatives. Yet Senators would do their best, by securing pairs with absentees, to bring about the casting of a majority vote for this military expenditure.

Mr. President, we work for peace. But we cannot obtain peace by placing arms in the hands of foreign peoples, whose use of those arms we are not able to dictate.

Mr. President, I hope the amendment of the Senator from Louisiana to the committee amendment will be adopted.

Mr. ELLENDER. Mr. President, I wish to point out to the Senate that on the first amendment I submitted to the committee amendment, I proposed to reinstate the amount voted by the House of Representatives. That would have made a difference of a little over half a billion dollars in the amount voted by the Senate Appropriations Committee.

By means of my second amendment to the committee amendment—and my second amendment was just defeated—we sought to make this appropriation for foreign military assistance $2 billion—in other words, to increase by $265 million the amount voted by the House of Representatives.

The pending amendment to the committee amendment would increase by $365 million the amount voted by the House of Representatives, and would be only $200 million below the amount of the Senate committee amendment.

Mr. President, I do hope that the Senate will vote in favor of this amendment to the committee amendment.

Mr. RUSSELL. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. RUSSELL. Mr. President, I wish to commend the distinguished Senator from Louisiana very heartily for the efforts he has made to get a realistic appropriation made. I have supported each and all of his amendments, and I shall support this one.

I commend him for the way in which he has carried on this fight, despite the fact that it is very evident that a majority of the Senate is panting in its anxiety to vote for the last dollar that has been authorized in this case. If that occurs, it will be the first time the Senate has ever voted for the full amount of the authorization.

Mr. President, I commend the Senator from Louisiana, but I hope he will not offer too many amendments. Let our colleagues go back to their constituencies and tell them of their achievements at this session of the Congress. When they do, and when their constituents ask, "Were you able to get us a tax reduction this year?" those Senators will have to reply, "Oh, no; we could not get you any tax reduction."

Then when their constituents ask, "Well, if we are paying these high taxes, I am sure you have brought down the staggering national debt which will be placed on our children and on our children's children."

But those Senators will then have to reply, "Oh, no; we had to increase the limitation on the national debt which will be passed on to your children and your children's children."

Then their constituents will ask them, "Well, what did you do?" Each one of those Senators will have to reply, "I followed the administration and the leadership. I voted to give away $24 for you and $24 for every one of your children and $24 for your wife—a total of $120 for your family of five."

So I ask the Senator from Louisiana not to deny our colleagues the high privilege of going back to their constituencies and saying to them that they voted for a pig in a poke, at the cost of $24 to every person in the United States, including every child in the cradle and every old man with a foot in the grave; and then our colleagues would have the privilege of saying to their constituents, "Of course, under those circumstances we did not succeed in lowering your taxes or in decreasing the national debt."

Mr. President, I commend the Senator from Louisiana; but I ask him not to make things too trying for Senators who oppose him. Instead, let them have an opportunity—before they wake up—to go home and tell their constituents of the great effort they have made. [Applause.]

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. President, let me say to the Senator from Georgia that in the past 36 months, no American has lost his life by enemy gunfire on some battlefield. I think when we go home and make our report to the mothers and fathers, and to the young men who, to the number of 17 million, served in a war

that was not of our making, this argument will commend itself to our constituents.

I rose only for the purpose of dissipating an error. I ask the Chairman of the Appropriations Committee [Mr. HAYDEN] whether I have his permission to read the last three lines of the letter addressed to him by the Secretary of State on the 19th of July.

Mr. HAYDEN. Certainly.

Mr. DIRKSEN. There is no point in reading all of this letter. I read the last three lines, for the particular edification of my friend and associate, the distinguished Senator from Wyoming [Mr. O'MAHONEY]:

> To give you some idea of what that might entail in the military field, I may say that during 1955 no jet fighter planes were sent to Yugoslavia, while in 1956 there have been only two planes shipped.
>
> Sincerely yours,
>
> JOHN FOSTER DULLES,
> *Secretary.*

Mr. KNOWLAND, Mr. RUSSELL, and Mr. O'MAHONEY addressed the Chair.

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. KNOWLAND. Mr. President, I have been recognized to make a brief statement.

The fact of the matter is that the original recommendation of the Joint Chiefs of Staff, of the National Security Council, and of the President of the United States with respect to this military item which we are discussing was $3 billion, which they believed was essential for the mutual defense of our own country and those associated with us in systems of collective security. This deals with the military aspects of the program.

Who are the allies to whom the bulk of these funds are programed?

First, the Republic of Korea, where today there is only a cease fire in existence, with more than 600,000—estimated at 800,000—Chinese Communists and North Korean Communists north of the line of demarcation, being held by the Republic of Korea and our own forces, and the forces of those associated with us, to the extent of 500,000 along a truce line, a cease-fire line.

Next, the Republic of China, along the Formosa Straits, where, as I pointed out earlier, Chinese Communists have been acknowledged to have built a whole series of jet airstrips, running from Shanghai down to Canton, threatening to use them at some time of their own choosing.

In Southeast Asia there is Vietnam, where Premier Diem is fighting with his back to the wall to build a system of freedom in that country, to prevent the Communist forces of Ho Chi Minh from coming down from North Vietnam.

Then there is Turkey, which has been a stout ally in the Middle East, whose soldiers stood shoulder by shoulder with our own men at the time of the Korean operation. The Turks had sent one of the largest contingents.

Pakistan is an important part of the program in that area of the world.

The bulk of these goods will go to those allies. I pointed out earlier that even if we appropriate the full amount recommended by the Committee on Appropriations, we still must go to conference with the House of Representatives.

We are all interested in the solvency of the Government, but we are equally interested in the national security of our country. It was the testimony before our committee of the responsible military officials who are charged with the defense of our country from a professional point of view, that if we had not this collective system of defense in the world, we would be spending not $4 billion under this appropriation bill, but perhaps $8 billion or $10 billion in trying to build a fortress America, with all the rest of the world, perhaps, behind the Communist Iron Curtain.

If this program is purely a program to aid someone else, there is no justification for our voting a single penny. The justification for this program, among men of good will on both sides of the aisle who recognize the problem confronting us in the world of a serious Communist menace, is that it is for our mutual protection. That has been the basis of the recommendation of the Joint Chiefs of Staff, the National Security Council, and the President of the United States.

I plead with my colleagues not to make the proposed reduction in the item dealing with our collective security. I wish to pay tribute, as I have done publicly and privately, for the fine support, both in the matter of authorization legislation and in the foreign policy program, to the able leadership of the distinguished Senator from Georgia [Mr. GEORGE], who has rendered such outstanding service to this country.

In this matter there should be no center aisle. It is true that there are Members on my side of the aisle who honestly differ. There are Members on the other side of the aisle who honestly differ. But I can say to the Senate that it is the considered judgment of the President of the United States, who certainly has had as widespread experience in matters dealing with the vital security interests of this country as any other living man, and it is the unanimous recommendation of his Joint Chiefs of Staff, men who are selected to give their best professional advice, that this amount is needed for our Mutual Security program.

I hope the amendment of the Senator from Lousiana will be defeated.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. RUSSELL. Did not the President and all the Joint Chiefs of Staff, the Secretary of State, and everyone else, urge us not to cut off aid to Yugoslavia?

Mr. KNOWLAND. That is correct.

Mr. RUSSELL. And yet the Senator favors cutting it off?

Mr. KNOWLAND. I do.

Mr. RUSSELL. He should permit us a little leeway in dealing with these other matters.

Mr. KNOWLAND. I will say to the distinguished Senator that men may honestly differ on that subject. There is no money in this particular item for jets for Yugloslavia or for heavy military equipment for Yugoslavia. That material is in the pipeline; but I have an amendment which I hope will reach that program. However, in the item we are discussing there are no funds for Yugoslavia.

Mr. RUSSELL. In other words, that represents one of our previous mistakes.

Mr. KNOWLAND. Speaking personally, I should say that the Senator is correct.

Mr. RUSSELL. Was it not the Senator from Georgia who initially opposed aid to Yugoslavia?

Mr. KNOWLAND. Yes; and I think the Senator from California had opposed it in the past.

Mr. ELLENDER. Mr. President, I yield myself I minute in order to make a correction in the statement of the distinguished Senator from California. I do not think it was intentional. However, I desire to point out to the Senate that if the amount proposed by the Committee is adopted, there will be some money for Yugoslavia. I have the figures in my possession, but I cannot give them out. The amount is classified.

Mr. O'MAHONEY. Mr. President, I desire to make a comment to my distinguished and pleasant friend from Illinois [Mr. DIRKSEN], who waved in front of him a letter from Secretary Dulles saying that there have not been shipped to Tito more than a few planes in 1955 or 1956.

That is no answer to my charge. My charge lies in the words of the minority leader, the Senator from California, who says he is going to offer an amendment to make it impossible to ship from the pipeline the jets which have been contracted for Yugoslavia. So I appeal from the letter of the Secretary of State to the amendment of the Senator from California to prove my point, that the jets will be on the way unless we stop them; and the best way to prevent repetition of the mistake which the Senator from California would like to correct is to cut these appropriations for military aid to nations which may or may not be our allies.

Mr. ELLENDER. Mr. President, I yield 2 minutes to my distinguished colleague.

Mr. LONG. Mr. President, in 1949 I had the honor of serving as chairman of a subcommittee of the Committee on Post Office and Civil Service.

At that time we had a very able staff assistant, who had served as an assistant in the Veterans' Administration. He helped draft the Reclassification Act of 1949, which is now the basic law with respect to all Federal employees—their pay, their status, and everything involving their employment. He is a very able man.

That young man today is employed in the Philippines with a major American corporation. He came to me and asked that he have some chance to participate in this study of foreign aid. He said that all the money we are spending in the Philippines is making us a laughing stock there; that we are spending our money to make a joke out of America.

For example, he points out things that happened. We sent some jeeps. As Senators know, a jeep can traverse the most primitive kind of highways. The jeeps were supposed to carry doctors to administer help to sick people. So the

jeeps were shipped there. Who drives the jeeps? The county politicians drive them. There are very few doctors driving jeeps in the Philippines. But we sent jeeps to be driven by doctors, who would help sick people.

Then we sent tractors and tractor plows. However, we did not send the gasoline and the oil. So, he said, as a man who works in the Philippines, he watches a team of oxen pull a tractor plow across the fields, while the tractor rusts. These are typical of many items in our foreign aid program. In many ways it is the silliest thing the mind of man has ever invented.

Here we go again, with $4 billion more for the pipeline, to be given to other countries. Item after item has been received, but with no thought, no study, no nothing. Much of it is just a matter of appropriating money and giving it to other nations. In some respects we are just throwing it away. If those who have received the $20 billion worth of weapons we have given them would maintain those weapons properly they would not need $5 billion more. In many respects we are just throwing money away, giving it away, wasting it.

It would seem that some Senators wish to expend our funds as rapidly as they can. Apparently we are not listening to anyone. We are not studying the question.

If anyone proposes that the subject be studied, it is suggested that the administration appoint 4 or 5 people, or a few businessmen, who do not know what the whole thing is about, to travel abroad and take a little look, and be briefed.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG. Will my colleague yield me 1 more minute?

Mr. ELLENDER. I yield 1 more minute to my junior colleague.

Mr. LONG. To any colleague who has not been briefed, I would suggest that he get briefed. He will be told what he is supposed to find, which is exactly what they have said all the time. Anyone who gets briefed does not have to work to find out anything for himself.

He is briefed. He has it. There it is. I say to my colleagues, "It is all wrapped up for you, and you come back all briefed with a report, which is exactly what they handed you in the first place. It is not necessary to do even so much as 5 seconds of work."

So here we are. It appears that the majority of this body is prepared to vote to give the whole thing away at $5 billion a throw.

Thank God, there are a few Senators who go forth, look and learn for themselves and say, "My friends, do not throw it all away. Let us do a little economizing."

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ELLENDER. I yield 5 minutes to the Senator from New Mexico.

Mr. ANDERSON. Mr. President, I did not think that the day would ever come when I would get into a debate in trying to cut down on mutual aid. But I recall that it has been a long time since we first started on this program. I believe that I am one of the few men in this Chamber who sat in the Cabinet meeting when we started the program of Greek and Turkish aid.

I remember the very able senior Senator from Michigan, Arthur Vandenberg, saying, when the proposal was made that we could carry on with other things, "No, I will take this one step at a time. I am not sure that we will ever give aid beyond Greece and Turkey.'

Any attempt which was made at that time to commit so much as a nickel beyond that aid was resisted by Senator Vandenberg as vigorously as he could.

I say to Senators frankly that I have in public and in private praised him as one of the truly great men of this Nation; and what I have said just now is no reflection upon him, because in my book he was a great and fine American, who did a magnificent piece of work. I only say that away back then he was cautious when it was suggested that this aid program might go on.

Mr. President, I was in Paris as chairman of the Combined Food Board at the Paris cereals conference, when the Marshall plan was being announced to the nations of the world. At that time assurances were to be given that for a brief time we could extend some help to other countries of the earth, and give them a little bit; and then the aid was to taper off gradually, and in a very few years we would be through with it.

That was in 1947. Here we are planning how much further we are going to go year after year after year.

I started tonight to vote for the amendment of the Senator from Louisiana, because I thought we had gone far enough. I voted the other night in favor of the amendment offered by the Senator from New Hampshire [Mr. BRIDGES] to cut off aid to Tito. Why should I not?

As chairman of the Food Board, I had been asked by UNRRA to help send some materials to Yugoslavia, particularly wool. That was years and years ago. I was asked to help send wool to Tito, so that the Yugoslavs could weave it into garments for their children. It was a hard battle to send that wool to Tito, who was a Communist; but we sent the wool, finally, for the poor children of Yugoslavia.

Every pound of that wool was woven into fancy dress uniforms for his army, so that he could parade them back and forth in front of the American troops in the corner of Italy where he was surrounding them at the time.

Do Senators think it is not time some day to call a halt to supplying aid to that individual, when he announces that the Reds are going to stay together from here on out?

I hope that a few Senators, before they vote on this amendment, will consider how they voted on some proposals to extend social security. Some of them voted against some proposals because they involved a few million dollars more than the Treasury could stand. Oh, the Treasury can stand aid for Tito, but it cannot stand aid for grandma, as the Senator from Louisiana [Mr. LONG] pointed out. Grandma may get along as best she can, so long as Tito has a new plane to fly to Russia. I say to Senators, "Go home and tell that to a few people, and then compare it with some of the other things which have been taking place." This is the time to get so-called mutual aid on a decent basis. Let us not make it impossible for some Members of the Senate to vote for this bill. Let us try to put it in such shape that it will represent a decent adjustment.

Year after year after year this program has been in effect, although those who planned it thought it would be all over in 4 years. There are men on the floor tonight who made statements as to when it would stop, and statements that they would not vote for any more large foreign aid bills. Yet, year after year it has been going on. Some day we will have to cut it down. I hope this is the time. The amendment offered by the Senator from Louisiana, by any standard, is a sensible amendment, and it should be adopted by the Senate.

Mr. ELLENDER. Mr. President, I yield 5 minutes to the Senator from Indiana.

Mr. CAPEHART. Mr. President, I almost feel like shouting "hallelujah" because on this floor for 12 years I have been pleading with Senators to take a good look at the whole proposition of foreign aid.

Not many days ago I appeared before the Committee on Foreign Relations and asked them to adopt any kind of amendment which would appropriate any amount of money they wished to appropriate to our own military, to spend as our military thought best.

I said, whether it was $1 billion, $2 billion, $4 billion or $5 billion, I was willing to turn the protection of my country over to the military. I said I was opposed to appropriating any money for national-defense purposes except to our own military people because they know best whether we should have bases outside the United States, and they should decide what we should do.

Mr. President, I tried very hard to get that kind of amendment adopted by the committee. I can stand on the floor tonight and say that I am one who has never voted in favor of any so-called giveaway. Therefore I feel like shouting "Hallelujah!" I am glad to see Senators on the other side of the aisle getting religion. I am delighted to see them coming around to the same conclusion that many of us have held on this side of the aisle for many, many years, when we have said, "Stop, look, and listen." The other day before the Committee on Foreign Relations I offered an amendment providing not to give away money, but to lend money on long terms; yes, that we lend money to these nations and give them an opportunity to pay it back some day.

I have never been against helping our allies. I have been against the method of helping them. I have always wanted to turn over the money to our own military authorities to spend. I wanted to make loans. Think what it would mean today if all the money we gave to Western Europe—and I think it did a lot of good—were returning to us at the rate of $500 million a year in repayments. How wonderful it would be if the billions

of dollars we gave away were now coming back, even if only at the rate of $500 million a year.

I am delighted that Senators on the other side of the aisle are coming to my way of thinking. But where were they when we gave away approximately $91 billion since World War II ended? Why have they changed their minds all at once? Is it because we have a new President? Is it because they are seeing the light? I hope it is because they are seeing the light, and I think that must be the reason.

But, Mr. President, let us loan the money and get it back some day. Let us appropriate to our own military the money we are going to appropriate for military defense.

Mr. LONG. Mr. President, will the Senator from Indiana yield?

Mr. CAPEHART. I yield.

Mr. LONG. Does not the Senator realize that the dollars we gave to nations in Europe we could have loaned and could have made them pay back? We could have loaned money again and again, but we kept giving the money, and it is not coming back to us. We keep giving it and giving it out of our own pockets.

Mr. CAPEHART. If the Senator from Louisiana remembers, I introduced a substitute for the original Marshall plan, which would have accomplished that very thing. I think it received 29 favorable votes.

Mr. President, I grew up in southern Indiana, in a good old Methodist section, where they held revivals, and I say hallelujah tonight because Senators on the other side of the aisle are getting religion. They are coming around to sound thinking. I congratulate them upon that fact. The unfortunate part of it is that they did not so many years ago. If they had, the story would be different tonight.

Mr. KNOWLAND. Mr. President, I yield 3 minutes to the Senator from Minnesota [Mr. THYE].

Mr. THYE. Mr. President, what we have before us this evening in this bill is a committee recommendation submitted to the Senate. It is not only the recommendation of President Eisenhower, but of the Joint Chiefs of Staff, Secretary Dulles, the Under Secretary of State, Under Secretary Allen, and the Ambassador to Yugoslavia. All this testimony is to be found in the committee hearings. Every one of them supported a larger appropriation than that recommended by the committee.

Mr. President, if we review what has been accomplished by mutual security appropriations it will be found that a great deal of good has been done. I was a Member of the Senate when we appropriated and made available assistance to Greece and Turkey.

I was a Member of the Senate when we went through the debate on the North Atlantic Treaty Organization. What would be the situation today if we had not assisted France, Italy, and England when their own legislative bodies were threatened with a majority of Communist members? What would have been the situation in the South Pacific today had we not given aid in that section of the world? What would be the situation in Korea today if it were not for the ROK troops?

Mr. President, far more security is obtained by the amount we are appropriating in the mutual security bill than if we put the money into our own military defense in the United States.

We have confidence in the Joint Chiefs of Staff, and we know they recommended more than is in this bill. President Eisenhower, one of the greatest military leaders in the world, has recommended more than is in this bill.

Think well before we cast our votes, or we may be instrumental in helping to bring about a nuclear war. If that should come, God help us all.

Mr. KNOWLAND. Mr. President, I yield 3 minutes to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, I intend to vote for the bill for the reason that I have tried to keep before me during the past 8 years the fact that we have saved the lives of our boys by building up other nations to help our security here in the United States.

Let us never forget, in spite of some of the arguments we have heard tonight, that this bill is an effort to help save the sons of American parents, our own neighbors and friends.

Mr. ELLENDER. Mr. President, I yield 1 minute to the Senator from Wyoming [Mr. O'MAHONEY].

Mr. O'MAHONEY. Mr. President, I wished to ask a question of the Senator from Minnesota [Mr. THYE]. The Senator knows my respect and admiration for him. His argument a few moments ago was a challenge to us to trust the President and his Joint Chiefs of Staff. Does the Senator from Minnesota not know—does not every Senator on this floor know—that the Joint Chiefs of Staff from Admiral Radford down are now in disagreement over our own military policy? If they are now in such disagreement as they are over the reduction of our Armed Forces by 800,000 men, why should we take their advice to contribute military aid to foreign nations who may turn out to be our enemies?

Mr. THYE. Mr. President, I would say to my distinguished friend that I am a member of the Appropriations Committee and have sat through military hearings. The only disagreement is that they want more money, not less.

Mr. O'MAHONEY. For foreign countries.

SEVERAL SENATORS. Vote! Vote!

Mr. ELLENDER. Mr. President, I yield back the remainder of my time.

Mr. KNOWLAND. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the amendment offered by the Senator from Louisiana [Mr. ELLENDER] to the committee amendment. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. On this vote I have a pair with the senior Senator from Rhode Island [Mr. GREEN]. If he were present and voting, he would vote "nay"; were I permitted to vote, I would vote "yea." I therefore withhold my vote.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Rhode Island [Mr. GREEN], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], and the Senator from North Carolina [Mr. SCOTT] are absent on official business.

On this vote, the Senator from Texas [Mr. DANIEL] is paired with the Senator from Tennessee [Mr. KEFAUVER]. If present and voting, the Senator from Texas would vote "yea," and the Senator from Tennessee would vote "nay."

The Senator from West Virginia [Mr. NEELY] is paired with the Senator from North Carolina [Mr. SCOTT]. If present and voting, the Senator from West Virginia would vote "nay," and the Senator from North Carolina would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The Senator from Idaho [Mr. WELKER] is necessarily absent.

If present and voting, the Senator from Idaho [Mr. WELKER] would vote "yea."

The result was announced—yeas 42, nays 44, as follows:

YEAS—42

Anderson	Frear	McClellan
Barrett	Goldwater	Monroney
Bible	Gore	Mundt
Bricker	Hill	O'Mahoney
Byrd	Hruska	Robertson
Capehart	Jackson	Russell
Case, S. Dak.	Jenner	Schoeppel
Chavez	Johnston, S. C.	Smathers
Clements	Kerr	Sparkman
Curtis	Langer	Stennis
Dworshak	Long	Symington
Eastland	Magnuson	Williams
Ellender	Malone	Wofford
Ervin	McCarthy	Young

NAYS—44

Aiken	Hayden	Martin, Pa.
Allott	Hennings	McNamara
Beall	Hickenlooper	Millikin
Bender	Holland	Morse
Bennett	Humphrey, Minn.	Neuberger
Bridges	Humphreys, Ky.	Pastore
Bush	Ives	Payne
Butler	Johnson, Tex.	Purtell
Carlson	Kennedy	Saltonstall
Case, N. J.	Knowland	Smith, Maine
Cotton	Kuchel	Smith, N. J.
Dirksen	Laird	Thye
Douglas	Lehman	Watkins
Duff	Martin, Iowa	Wiley
Flanders		
George		

NOT VOTING—10

Daniel	Mansfield	Scott
Fulbright	Murray	Welker
Green	Neely	
Kefauver	Potter	

So Mr. ELLENDER's amendment to the committee amendment was rejected.

The PRESIDING OFFICER. The question now is on agreeing to the committee amendment on page 2, line 5, to strike out "$1,735,000,000" and insert in lieu thereof "$2,300,000,000." [Putting the question.]

Mr. RUSSELL. Mr. President, I demand the yeas and nays on the adoption of the committee amendment. I want the RECORD to contain full proof of the votes of all our colleagues.

The yeas and nays were ordered.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. If the committee amendment is adopted will that foreclose the offering of amendments to cut off aid to Yugoslavia? Will it foreclose the amendment previously offered by the Senator from Wyoming [Mr. O'MAHONEY]?

The PRESIDING OFFICER. The Chair is informed that it will cut off amendments to this particular amendment only.

The yeas and nays have been ordered on the committee amendment on page 2, line 5, to strike out "$1,735,000,000" and insert in lieu thereof "$2,300,000,000," the clerk will call the roll.

The legislative clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL], the Senator from Rhode Island [Mr. GREEN], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Montana [Mr. MURRAY], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

On the vote, the Senator from Texas [Mr. DANIEL] is paired with the Senator from Tennessee [Mr. KEFAUVER]. If present and voting, the Senator from Texas would vote "nay," and the Senator from Tennesse would vote "yea."

I further announce that the Senator from Rhode Island [Mr. GREEN], the Senator from Montana [Mr. MURRAY], and the Senator from West Virginia [Mr. NEELY] would each vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The Senator from Idaho [Mr. WELKER] is necessarily absent.

If present and voting, the Senator from Idaho [Mr. WELKER] would vote "nay."

The result was announced—yeas 50, nays 39, as follows:

YEAS—50

Aiken	Hayden	Millikin
Allott	Hennings	Morse
Beall	Hickenlooper	Mundt
Bender	Holland	Neuberger
Bennett	Humphrey, Minn.	Pastore
Bridges	Humphreys, Ky.	Payne
Bush	Ives	Purtell
Butler	Johnson, Tex.	Saltonstall
Capehart	Kennedy	Schoeppel
Carlson	Knowland	Scott
Case, N. J.	Kuchel	Smith, Maine
Cotton	Laird	Smith, N. J.
Dirksen	Lehman	Sparkman
Douglas	Martin, Iowa	Thye
Duff	Martin, Pa.	Watkins
Flanders	McNamara	Wiley
Fulbright		
George		

NAYS—39

Anderson	Frear	Mansfield
Barrett	Goldwater	McCarthy
Bible	Gore	McClellan
Bricker	Hill	Monroney
Byrd	Hruska	O'Mahoney
Case, S. Dak.	Jackson	Robertson
Chavez	Jenner	Russell
Clements	Johnston, S. C.	Smathers
Curtis	Kerr	Stennis
Dworshak	Langer	Symington
Eastland	Long	Williams
Ellender	Magnuson	Wofford
Ervin	Malone	Young

NOT VOTING—7

Daniel	Murray	Welker
Green	Neely	
Kefauver	Potter	

So the committee amendment was agreed to.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BUTLER, from the Committee on Interstate and Foreign Commerce, with amendments:

S. 3955. A bill to authorize research by the Fish and Wildlife Service to determine methods of, and to provide for grants to the States to assist approved research or other projects for, control or extermination of sea nettles and jellyfish in marine waters of the United States (Rept. No. 2701).

By Mr. O'MAHONEY, from the Committee on the Judiciary, without amendment:

H. R. 2128. A bill to authorize the extension of patents covering inventions whose practice was prevented or curtailed during certain emergency periods by service of the patent owner in the Armed Forces or by production controls (Rept. No. 2704);

H. R. 6110. A bill to incorporate the National Music Council (Rept. No. 2705);

H. J. Res. 317. Joint resolution designating the week of November 16 to 22, 1956, as National Farm-City Week (Rept. No. 2702); and

H. J. Res. 396. Joint resolution to establish a national motto of the United States (Rept. No. 2703).

By Mr. O'MAHONEY, from the Committee on the Judiciary, with amendments:

H. R. 9348. A bill to amend the act entitled "An act incorporating the Archeological Institute of America" to increase the value of real and personal property that such institute may hold (Rept. No. 2706).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 2915. A bill for the relief of Peter Panos (Rept. No. 2707);

H. R. 1971. A bill for the relief of Leila Park (Rept. No. 2708);

H. R. 2121. A bill to provide for the relief of certain members of the Armed Forces who were required to pay certain transportation charges covering shipment of their household goods and personal effects upon return from overseas, and for other purposes (Rept. No. 2709);

H. R. 2325. A bill for the relief of Joseph Santo (Rept. No. 2716);

H. R. 2712. A bill for the relief of Emanuel Mathes (Rept. No. 2717);

H. R. 3561. A bill to further amend the act of January 2, 1942, entitled "an act to provide for the prompt settlement of claims for damages occasioned by Army, Navy, and Marine Corps forces in foreign countries" (Rept. No. 2718);

H. R. 3882. A bill to require the registration of certain persons who have knowledge of or have received instruction or assignment in the espionage, counterespionage, or sabotage service or tactics of a foreign government or foreign political party, and for other purposes (Rept. No. 2719);

H. R. 5417. A bill to amend section 1721, title 18, United States Code, relating to the sale or pledge of postage stamps (Rept. No. 2720);

H. R. 6081. A bill for the relief of Patricia May Stevens (Rept. No. 2721);

H. R. 6247. A bill to amend subdivision a of section 66—unclaimed moneys—of the Bankruptcy Act, as amended, and to repeal subdivision b of section 66 of the Bankruptcy Act, as amended (Rept. No. 2722);

H. R. 6403. A bill to amend title 18, entitled "Crimes and Criminal Procedure," of the United States Code, to provide a criminal sanction for the embezzlement or theft of the property of Indian tribal organizations (Rept. No. 2723);

H. R. 7121. A bill to validate payments of mileage made to United States Army and Air Force personnel pursuant to permanent change of station orders authorizing travel by commercial aircraft, and for other purposes (Rept. No. 2724);

H. R. 8617. A bill to validate certain payments made to members and former members of the naval service (Rept. No. 2725);

H. R. 8971. A bill for the relief of Hamazasp Psakian, Mrs. Varsenick Psakian, and Nune Nona Psakian (Rept. No. 2726);

H. R. 9029. A bill for the relief of John L. Hughes (Rept No. 2727);

H. R. 9314. A bill granting the consent of Congress to the States of Illinois and Wisconsin to enter into a compact relating to interstate public-school districts where an educational community extends into both such States (Rept. No. 2728);

H. R. 9956. A bill to amend subdivision e of section 58, Notices, of the Bankruptcy Act, as amended (Rept. No. 2729);

H. R. 10111. A bill to amend sections 657 and 1006 of title 18 of the United States Code in order to include certain savings and loan associations within its provisions (Rept. No. 2730);

H. R. 11636. A bill to amend chapter 3 of title 18, United States Code, relating to animals, birds, and fish (Rept. No. 2731);

H. R. 11653. A bill to increase the fees of witnesses in the United States courts and before United States commissioners, and for other purposes (Rept. No. 2732);

H. R. 11706. A bill for the relief of Kim Chung Hi (Rept. No. 2733);

H. R. 11821. A bill for the relief of Esterlee Hutzler Weinhoeppel (Rept. No. 2734);

H. J. Res. 511. Joint resolution granting the consent of Congress to the States of New York, New Jersey, and Connecticut to confer certain additional powers upon the Interstate Sanitation Commission, established by said States pursuant to Public Resolution 62, 74th Congress, August 27, 1935 (Rept. No. 2735); and

H. J. Res. 661. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens (Rept. No. 2736).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 2786. A bill for the relief of Yi Nyong Suk (Rept. No. 2710);

S. 3476. A bill for the relief of Ljerka Zagar (Rept. No. 2711);

S. 3908. A bill for the relief of Peter Jocher Webb (Rept. No. 2712);

S. 4197. A bill to waive the $1,000 limitation on the authority of the Secretary of the Air Force and the Secretary of the Navy with respect to the settlement and payment of claims arising out of the crash of a United States Air Force airplane at Minneapolis, Minn., on June 5, 1956, and a United States Navy airplane at Minneapolis, Minn., on June 9, 1956 (Rept. No. 2713);

S. 4236. A bill to waive the $1,000 limitation on the authority of the Secretary of the Air Force and the Secretary of the Navy in the settlement of claims arising out of the crash of a United States Air Force aircraft and a United States Navy aircraft near Wold-Chamberlain Air Field, Minneapolis, Minn., on June 5, 1956, and June 9, 1956, respectively (Rept. No. 2714);

H. R. 5274. A bill extending to the Commonwealth of Puerto Rico the power to enter into certain interstate compacts relating to the enforcement of the criminal laws and policies of the States (Rept. No. 2737); and

H. R. 11207. A bill for the relief of Cyrus B. Follmer (Rept. No. 2738).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 2627. A bill for the relief of Hermengildo V. Santos and his son, Felipe Cruz Santos (Rept. No. 2715);

H. R. 3062. A bill for the relief of Paul H. Sarvis, Sr. (Rept. No. 2739);

H. R. 10092. A bill for the relief of the former shareholders of the Goshen Veneer Co., an Indiana corporation (Rept. No. 2740);

H. J. Res. 662. Joint resolution for the relief of certain relatives of United States citizens (Rept. No. 2741);

H. J. Res. 680. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens (Rept. No. 2742).

H. J. Res. 681. Joint resolution to waive the provision of section 212 (a) (6) of the Immigration and Nationality Act in behalf of certain aliens (Rept. No. 2743); and

H. J. Res. 683. Joint resolution for the relief of certain aliens (Rept. No. 2744).

AMENDMENT OF ACT OF SEPTEMBER 3, 1954—AMENDMENTS

Mr. CARLSON submitted amendments, intended to be proposed by him to the bill (H. R. 6888) to amend the act of September 3, 1954, which were ordered to lie on the table and to be printed.

HOUSE BILL REFERRED

The bill (H. R. 12170) to remove the present $1,000 limitation which prevents the Secretary of the Navy from settling certain claims arising out of the crash of a naval aircraft at the Wold-Chamberlain Airfield, Minneapolis, Minn., was read twice by its title and placed on the calendar.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, July 20, 1956, he presented to the President of the United States the following enrolled bills:

S. 277. An act for the relief of Jean Pfeifer;

S. 1627. An act for the relief of Alexander Orlov and his wife, Maria Orlov;

S. 1708. An act for the relief of Mr. and Mrs. Ernest M. Kersh;

S. 1893. An act for the relief of Harold D. Robison;

S. 2846. An act for the relief of Don-chean Chu;

S. 3073. An act to grant a franchise to District of Columbia Transit System, Inc., and for other purposes;

S. 3150. An act for the relief of Sgt. and Mrs. Herbert G. Herman;

S. 3473. An act for the relief of Kurt Johan Paro;

S. 3498. An act to extend authority of the American Battle Monuments Commission to all areas in which the Armed Forces of the United States have conducted operations since April 6, 1917, and for other purposes;

S. 3579. An act for the relief of Elizabeth M. A. de Cuevas Faure; and

S. 3705. An act to require periodic survey by the Secretary of Commerce of national shipbuilding capability.

RECESS TO TOMORROW, SATURDAY, AT 10 A. M.

Mr. JOHNSON of Texas. Mr. President, I have conferred with the minority leader.

We have had a rather long day; and it does not appear to me that we shall be able to complete our action on this bill at a reasonable hour this evening.

All Members have been very cooperative. We have had several yea-and-nay votes, and we probably shall have several more before action on the bill is finished.

Mr. President, if acceptable to the Senate and agreeable to all Senators, I shall move that the Senate stand in recess until tomorrow, at 10 o'clock.

So, Mr. President, unless some Senator wishes to address the Senate or make an insertion in the RECORD, I so move.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and (at 9 o'clock and 11 minutes p. m.) the Senate took a recess until tomorrow, Saturday, July 21, 1956, at 10 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate July 20 (legislative day of July 16), 1956:

DIPLOMATIC AND FOREIGN SERVICE

Cavendish W. Cannon, of Utah, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Morocco.

Christian M. Ravndal, of Iowa, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ecuador.

MISSISSIPPI RIVER COMMISSION

Rear Adm. H. Arnold Karo, Director of the Coast and Geodetic Survey, to be also a member of the Mississippi River Commission, vice Rear Adm. Lee Otis Colbert.

UNITED STATES MILITARY ACADEMY

Col. Charles H. Schilling, O23707, for appointment as professor of military art and engineering, United States Military Academy, effective August 1, 1956, under the provisions of Public Law 449, 79th Congress, and section 520 of the Officer Personnel Act of 1947.

IN THE ARMY

Brig. Gen. George William Hickman, Jr., O16420, United States Army, for appointment as the Assistant Judge Advocate General of the Army, as major general, Regular Army, and as major general (temporary), Army of the United States, under the provisions of sections 208 (c) and 308, Army Organization Act of 1950, section 249, Selective Service Act of 1948 and section 515 (c), Officer Personnel Act of 1947.

The following-named officer under the provisions of section 504 of the Officer Personnel Act of 1947 to be assigned to a position of importance and responsibility designated by the President under subsection (b) of section 504, in rank as follows:

Maj. Gen. Ridgely Gaither, O15970, Army of the United States (brigadier general, U. S. Army), in the rank of lieutenant general.

The following-named officers for appointment in the Regular Army of the United States to the grade indicated under the provisions of title V of the Officer Personnel Act of 1947:

To be major generals

Maj. Gen. Joseph Howard Harper, O15083, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. Peter Conover Hains, 3d, O15657, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. Lawrence Russell Dewey, O15575, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. Richard Givens Prather, O15698, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. Robert Milchrist Cannon, O16163, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. William Thaddeus Sexton, O15777, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. Raleigh Raymond Hendrix, O15897, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. John Murphy Willems, O16176, Army of the United States (brigadier general, U. S. Army).

Maj. Gen. Edward Joseph O'Neill, O15952, Army of the United States (brigadier general, U. S. Army).

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of subsection 515 (c) of the Officer Personnel Act of 1947.

To be major generals

Brig. Gen. Paul Alfred Disney, O17004, Army of the United States (colonel, U. S. Army).

Brig Gen. Robert Highman Booth, O18093, Army of the United States (colonel, U. S. Army).

Brig. Gen. Louis Watson Truman, O18755, Army of the United States (colonel, U. S. Army).

To be brigadier generals

Col. Bruce Douglas Rindlaub, O17513, United States Army.

Col. Paul Goodrick Hollister, O29547, United States Army.

Col. Irvin Louis Allen, O29810, United States Army.

Col. George Waite Coolidge, O17599, United States Army.

Col. Richard Allen Risden, O19278, United States Army.

Col. Thomas Ralph Yancey, O42256, Army of the United States (lieutenant colonel, U. S. Army).

The officers named herein for promotion as Reserve commissioned officers of the Army under the provisions of the Reserve Officer Personnel Act of 1954, Public Law 773, 83d Congress.

To be major generals

Brig. Gen. Harold Arthur Doherty, O2270961, National Guard of the United States.

Brig. Gen. Frank Edwin Fraser, O222901, National Guard of the United States.

Brig. Gen. Joseph Ward Henry, O1293051, National Guard of the United States.

Brig. Gen. John Jacobson, Jr., O102326, National Guard of the United States.

Brig. Gen. Fred William Makinney, O998010, National Guard of the United States.

Brig. Gen. Daniel Joseph Manning, O307848, United States Army Reserve.

Brig. Gen. Thomas Murray Mayfield, O168963, United States Army Reserve.

Brig. Gen. John Martin McGreevy, O278060, National Guard of the United States.

Brig. Gen. Edward Josephus McGrew, Jr., O265015, United States Army Reserve.

Brig. Gen. Richard King Mellon, O902002, National Guard of the United States.

Brig. Gen. Joe Nickell, O246192, National Guard of the United States.

Brig. Gen. Maxwell Evans Rich, O323746, National Guard of the United States.

To be brigadier generals

Col. Frederick Henry Garber, O385526, Artillery, National Guard of the United States.

Col. Frank Smith Hummel, O225597, Artillery, National Guard of the United States.

Col. Clark Hungerford, 0171068, Transportation Corps, United States Army Reserve.

Col. Franklin Martin Kreml, O909816, Transportation Corps, United States Army Reserve.

Col. Everette Herbert Qualls, O216229, Transportation Corps, United States Army Reserve.

The officers named herein for appointment as Reserve Commissioned Officers of the Army under the provisions of the Armed Forces Reserve Act of 1952 (Public Law 476, 82d Congress), as amended:

To be major generals

Col. Albert Dermont Sheppard, O190904, United States Army Reserve, Retired Reserve.

Col. J. J. Bethurum Williams, O5202, Regular Army, retired.

PROMOTIONS IN THE REGULAR ARMY

The following-named officers for promotion in the Regular Army of the United States under the provisions of sections 502 and 510 of the Officer Personnel Act of 1947. All officers are subject to physical examination required by law.

To be colonels, Medical Corps

Aronson, Roland S., O29206.
Avner, Saul L., O41701.
Bambace, Felix S., O56797.
Blair, John D., O41736.
Bonsignore, Marco R., O29237.
Bruce, Charles O., O20542.
Byrne William H., O29244.
Cameron, Joseph M., O29180.
Canada, Charles C., O29257.
Carow, Theodore M. O20527.
Carpenter, George R., O51147.
Cavenaugh, Robert LaT., O20090.
Conrad, Harold A., O39654.
Dehne, Ernst O56790.
Dietrich, Sterrett E., O58681.
Domke, Delmar E., O22788.
Draper, William B., O29176.
Duke, Raymond E., O20110.
Faison, Thomas G., O29254.
Fenton, Bryan C. T., O20088.
Glass, Albert J., O29247.
Gordon, James H., O29227.
Goyette, Edwin M., O20530.
Hanson, Lawrence B., O56783.
Hirschmann, Victor R., O20081.
Hoagland, Robert J., O20516.
Inman, James G., O41734.
Iseman, Joseph W., O39651.
Jastremski, Bruno, O20526.
Jobe, Louis H., Jr., O22777.
Kelley, Robert R., O20984.
Kendrick, Douglas B., Jr., O20511.
Lerro, Santino J., O20540.
Mantell, Louis K., O20035.
Marx, Ralph L., O22262.
McBurney, Harold S., O29248.
McCoy, George W., Jr., O19685.
Meador, Clark B., O20395.
Mitchell, Charles H., O41731
Moseley, Charles H., O20402.
Mowrey, Fred H., O19687.
Naimark, Max, O19303.
Orth, Gottlieb L., O20509.
Paden, Paul A., O20981.
Pappas, James P., O21017.
Peterson, Donald B., O20535.
Salley, Colvin W., O29205.
Scheele, Andrew F., O21475.
Shiflet, Albert W., O20507.
Simmons, James Q., Jr., O41720.
Spaulding, William L., O19704.
Strode, John T. B., O19709.
Stryker, William B., O19691.
Taber, John H., O20987.
Taylor, Harlan H., O58748.
Thomas, Lucius G., O19688.
Van Auken, Howard A., O20096.
Van Valin, James C., O20080.
Van Wagoner, Frank H., O20095.
Wernitznig, Edward R., O20505.
Williams, Raymond McK., O20399.
Zimmermann, Edward A., O29230.

To be colonel, Medical Service Corps

Belanger, Gerard A., O19383.
Blasingame, Floyd J., O51175.
Bunn, Ralph W., O41762.
Bynum, Robert M., Jr., O39649.
Cannon, Alfred R., O41725.
Coddington, Harvey W., O29316.
Fletcher, Maurice J., O41727.
Freeman, Monroe E., O56826.
Galvin, James D., Jr., O29263.
Hage, Gunnar H., O29313.
Karpen, Raymond J., O41764.
Kuhn, Ludwig R., O41752.
Pennepacker, Russell O., O52005.
Quarton, Reginald R., O39663.
Reed, Kenneth H., O29203.
Richhart, Earl A., O29210.
Schlaak, Melvin V., O29253.
Stoltz, Ray E., O29225.
Taylor, Harold W., O39661.
Tennies, Leslie G., O41715.
Wintersteen, Joseph O., O51168.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of sections 502 and 508 of the Officer Personnel Act of 1947. All officers are subject to physical examination required by law:

To be first lieutenants

Carey, Milton G., O68333.
Cole, William W., O73304.
Connolly, William J., O68963.
Connors, James P., O73307.
Cooper, Hamilton A., O73308.
Cowley, John F., Jr., O73310.
Damon, James A., Jr., O73314.
Donahue, Robert J., O73318.
Dunn, James F., Jr., O73320.
Galliher, Kay D., O73332.
Gillespie, John T., O73335.
Graham, James A., Jr., O66945.
Harlan, John R., O73342.
Heath, Arthur M., O73501.
Imhoff, Maximilian, O73347.
Jordan, Donald R., O73351.
Leszczynski, Joseph J., O73366.
Mays, Robert, E., O73372.
McKay, William L., O73374.
Mountain, Benjamin, O73379.
Thomas, Giles R., Jr., O73413.
Ton, James G., O73417.
Woolaver, Philip A., O73432.

To be first lieutenant, Women's Army Corps

Ellis, Janet M., L463.

To be first lieutenant, Medical Service Corps

Radke, Myron G., O73479.

The following-named officer for promotion in the Regular Army of the United States, under the provisions of section 107 of the Army-Navy Nurses Act of 1947, as amended, subject to physical examination required by law.

To be first lieutenant, Army Medical Specialist Corps

Beitzel, Barbara A., J83.

APPOINTMENTS IN THE REGULAR ARMY

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.), section 201, title II, Public Law 365, 80th Congress, as amended by Public Law 497, 84th Congress, Public Law 759, 80th Congress, and Public Law 36, 80th Congress, as amended by Public Law 37, 83d Congress, and Public Law 294, 84th Congress:

To be captains

Horton, Warren H., JAGC, O1117881.
Marubayashi, Stanley T., MC, O4014036.
Sandison, Richard L., MSC, O1848912.

To be first lieutenants

Arrieta-Pla, Jose R., MC, O1924879.
Didlock, Mary E., ANC, N901397.
Duncan, Tommye J., AMSC, J100290.
Ekberg, Helen I., ANC, N804852.
Galloway, Marie E., ANC, N900100.
Greene, Hazel L., Jr., MSC, O2050490.
Huntsman, Howard A., Jr., MSC, O995793.
Kressler, Alta, ANC, N797604.
Pritchard, Mary L., ANC, N900190.
Simons, Elizabeth A., ANC, N804339.
Smith, Roy R., MSC, O1941537.

To be second lieutenant

Capitolo, Phillip G., MSC, O4019462.
Carroll, Elizabeth A., ANC, N902098.
Evans, Billy W., MSC, O2272437.
Glenn, Dwight W., MSC, O4004858.
Hubert, Alexander A., MSC, O2271540.
Knox, Alice I., ANC, N902127
Larson, Arnella J., ANC, N902483.
Nichols, Glennadee A., ANC, N901488.
Piper, Donald R., MSC, O4002504.
Russell, James L., Jr., MSC, O2270349.
Stiles, Peter W., MSC, O4006300.

The following-named officers for appointment, by transfer, in the Regular Army of the United States, without specification of branch, arm, or service, in the grades specified:

To be captain

Newbold, William M., O37588.

To be first lieutenants

Lewis, Alfred E., O70406.
McDonald, Billy A., O71939.

The following-named persons for appointment in the Medical Corps, Regular Army of the United States, in the grade of first lieutenant, under the provisions of section 201, title II, Public Law 365, 80th Congress, as amended by Public Law 497, 84th Congress, subject to completion of internship:

Schoenfeld, Jay B.
Tidmore, Thomas L., Jr., O4043600.

The following-named person for appointment in the Dental Corps, Regular Army of the United States, in the grade of first lieutenant, under the provisions of section 201, title II, Public Law 365, 80th Congress, as amended by Public Law 497, 84th Congress, upon receipt of DDS degree:

Gerhard, Roy C., O2089481.

The following-named person for appointment in the Regular Army of the United States, in the grade of first lieutenant, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Congress):

Butler, Elbert L., Jr., O1876460.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.):

Davis, Warren L. — Holt, Richard L.
Delandro, Donald J. — Siegel, Lewis A.
Herms, Alfred M. — Whaley, Cole B., Jr.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 20 (legislative day of July 16), 1956:

UNITED NATIONS

Paul G. Hoffman, of California, to be a Representative of the United States of America to the 11th session of the General Assembly of the United Nations.

ADMINISTRATOR OF THE FARMERS' HOME ADMINISTRATION

Kermit H. Hansen, of Iowa, to be Administrator of the Farmers' Home Administration.

IN THE ARMY

To be retired

Gen. Alfred Maximilian Gruenther, O12242, Army of the United States (major general, U. S. Army), to be placed on the retired list in the grade of general under the pro-

visions of subsec. 504 (d) of the Officer Personnel Act of 1947.

The following-named officers to be assigned to positions of importance and responsibility designated by the President (sec. 504 of Officer Personnel Act of 1947) to rank as lieutenant general:

Maj. Gen. Emerson Leroy Cummings, O15500, United States Army.

Maj. Gen. Francis William Farrell, O12784, United States Army.

Maj. Gen. John Francis Uncles, O14914, United States Army.

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of subsec. 515 (c) of the Officer Personnel Act of 1947:

To be major generals

Brig. Gen. Evan McLaren Houseman, O17307.

Brig. Gen. Robert William Porter, Jr., O18048.

To be brigadier generals

Col. Roy Norman Walker, O29112.
Col. Philip Frederick Kromer, Jr., O18030.
Col. Alden Pugh Taber, O18134.
Col. Frederick Dwight Atkinson, O18169.
Col. John Clement Monahan, O38706.
Col. Frederick William Ellery, O18725.
Col. George Thigpen Duncan, O18878.
Col. William Mackentyre Thames, Jr., O29846.
Col. Robert Campbell Tripp, O18972.
Col. James Hilliard Polk, O19028.
Col. Sherburne Whipple, Jr., O19130.

IN THE REGULAR AIR FORCE

The following-named officers for promotion in the Regular Air Force under the provisions of secs. 502 and 509 of the Officer Personnel Act of 1947, as amended, and sec. 107 of the Army-Navy Nurses Act of 1947, as amended; to the rank indicated. All officers are subject to physical examination required by law.

MEDICAL CORPS

To be major

Carter, Billy June, 20520A.
Park, Oakley Knox, 20823A.
Smith, Edward Patrick, Jr., 20825A.
Goggans, Walter Houseal, 20828A.
Miller, Richard Kewenige, 20830A.
Bear, Stanley Herman, 20826A.
Borders, James Lane, 21424A.
Tenney, Alonzo Cass, 21425A.
Troxell, John Robert, 21682A.
Spencer, W. B., 21683A.
Karmany, William Hummel, 21724A.
Stonehill, Robert Berrell, 21684A.
Barnum, Ferdinand, 22544A.
Whitehouse, Wesley Clay, Jr., 22545A.
Foley, Francis Edward, 19543A.
Payne, John William, 19544A.
Hessberg, Rufus Rosendale, Jr., 24647A.
Myers, Paul Walter, 21761A.
Shugart, Richard Tatum, 21843A.
Spiegel, Frederick Sigfried, 21842A.
Gilliland Jack Melvin, 21844A.

DENTAL CORPS

To be majors

Walker, Frederick Eugene, 19823A.
LaVere, Arthur Michael, 19824A.
Tomey, William Hayes, 19825A.
McNutt, John Howard, 19822A.
Armstrong, Russell Herion, 19911A.
Doran, Arthur Samuel, 19960A.
Cole, Thomas Robert, 19959A.
Michalik, Walter James, 20007A.
Feldmann, Earl Edwin, 20008A.

VETERINARY CORPS

To be majors

Kuhn, Ulysses Simpsen Grant, 3d 19012A.
Fremming, Benjamin DeWitt, 19013A.

NURSE CORPS

To be majors

Keso, Frieda Emily, 21913W.
King, Helen Hadley, 21918W.
Ward, Patricia Inez, 21930W.
Wiggins, Mary Louise, 20975W.
Ardoin, Elena Mary, 21949W.
Reed, Eleanor R., 20982W.
Cosma, Helen Rose, 20983W.
Upshaw, Esther Long, 20924W.
Ottoy, Suzanne Marie, 21957W.
Waters, Mary Hulda, 21027W.
Gates, Mary Templeton, 21055W.
Patterson, Mary A., 20996W.
Reppak, Mary Jean, 20941W.
McGibboney, Sadie Lee, 22462W.
Duey, Jane M., 21059W.
Fussell, Ruth Elizabeth, 21108W.
Michalka, Pauline Theresa, 22011W.
Bakutis, Alice Rose, 22026W.
Quintini, Audrae A., 21123W.

LINE OF THE AIR FORCE

To be captains

Hocker, James Snyder, 28165A.
Caulfield, James Edward, 28028A.
Rutherford, William Fain, 28166A.
Abrams, Carl Robert, 28167A.
Achee, Carl Edward, 28029A.
Nabers, James McSwain, 28168A.
Stanley, Russell Alfred, 28030A.
King, J. T., 28169A.
diDonato, Louis Vincent, 28031A.
Gray, Prichard Edwin, 28170A.

MEDICAL CORPS

To be captains

Earle, Jack Landis, 27991A.
Thorpe, James Hancock, 28134A.
Lindall, Dale Regnar, 27992A.

DENTAL CORPS

To be captain

Stephens, Belton Shaw, 27997A.

CHAPLAIN

To be captains

Monsen, Ralph Robert, 28155A.
Goetz, Charles Theodore, 28000A.
Haney, Paul Stephen, 28156A.

(NOTE.—Dates of rank of all officers nominated for promotion will be determined by the Secretary of the Air Force.)

IN THE NAVY

John C. Zimmerman (Naval Reserve Officers' Training Corps) to be ensign in the Navy, subject to qualification therefor as provided by law.

Yorke G. Jacobson (civilian college graduate) to be lieutenant in the Medical Corps of the Navy, subject to qualification therefor as provided by law.

The following-named Reserve officers to the grades indicated in the Medical Corps in the Navy, subject to qualification therefor as provided by law:

To be commander

Virgil E. Seibert

To be lieutenant commander

Jesse A. Browers

To be lieutenants

Robert A. Brown	Don C. Higgins
Lewis N. Cahill	John H. Mazur
David E. Cowan	Paul D. Mozley
Robert W. Frazier	Bernabe G. Ostolaza
Rafael Garces-Rivera	Edward C. Sacher
James L. Glass, Jr.	Robert A. Smith

The following-named (civilian college graduates) to the grades indicated in the Dental Corps of the Navy, subject to qualification therefor as provided by law:

To be commander

Joseph F. Taggard

To be lieutenant

Lloyd B. Chaisson

The following-named Reserve officers to the grades indicated in the Dental Corps of the Navy, subject to qualification therefor as provided by law:

To be captain

George R. Reynolds

To be commander

Lee P. Sharp

To be lieutenant commander

"J" Weir Mitchell

To be lieutenants

Ethan C. Allen	Robert A. Gaston
Marion M. Black, Jr.	Harry S. Riley

To be lieutenant (junior grade)

Joseph S. Tramontana

The following-named officers for appointment to the grade indicated in the line in the Navy, subject to qualification therefor as provided by law:

FOR TEMPORARY APPOINTMENT

To be lieutenants

Wayne H. Atkin	Howard A. Hill
Charles A. Aus	William B. Kalmus
James A. Babbitt, Jr.	Charles L. Mann, Jr.
Charles G. Batten	Ernest R. Nordtvedt
Carl Blaskowsky	John E. O'Drain
Daniel T. Bridge	Raymond E. Paul
William R. Bryant	Harmon E. J. Stanch
Bufford R. Brymer	Robert J. Stinner
Herbert J. Burrows	James J. Sullivan
William C. Green	Richard T. Thomas
Robert F. Gregg	Lawrence E. Traynor
Warren C. Hamm, Jr.	Bernard W. Welch
Charles T. Hampton	

To be lieutenants (junior grade)

Reece L. Andrews	Jack R. Gunter
Warren E. Aut	Arnold J. Hyman
Walter F. Baker	Ralph S. Larson
Charles B. Beuris	James W. McKinster
John A. Byrne, Jr.	Gary A. McMahill
Alan S. Cabot	George W. Milam
John F. Dempsey	Don G. Primeau
David R. Giblett	John F. Sauers

FOR PERMANENT APPOINTMENT

To be lieutenants

Calvin C. Dudley
Jason P. Law
George D. Murdoch

To be lieutenants (junior grade)

Wayne H. Atkin	Kenneth E. Hammond
Charles A. Aus	Charles T. Hampton
David W. Ayers	Byron R. Higgins
James A. Babbitt, Jr.	Raymond F. Higgins
Charles G. Batten	Howard A. Hill
Reo A. Beaulieu	Lawrence G. Holt
Edward J. Belinski	Richard B. Howe
Carl Blaskowsky	Roswell L. Howell
Daniel T. Bridge	Marcel B. Humber
Kenneth R. Brown	Burris Jenkins III
William R. Bryant	Forrest R. Johns
Bufford R. Brymer	Thomas E. Jones
William C. Burke	William B. Kalmus
Herbert J. Burrows	William N. Kelt
John A. Campbell	Leonard Kleeman
Robert J. Carlin	Thomas J. LaBeau
Winfred G. Carter	Robert McN. Loftus
Hayward F. Cayting	John C. Loucks
Fred T. Chalmers	John H. McKay
Edmond J. D'Arville	Gerald A. McKenna
Gordon J. Dey	James D. McLuckie
James F. Donovan	James C. MacKinnon, III
Jack R. Douglas	
George DeV. Ellis, Jr.	Charles L. Martin, Jr.
John E. Elmore	Jack L. Marriott
Dan E. Fenn	James K. Martin
James J. Fimian	George W. Mau, Jr.
Robert W. Freeman	Clifford D. Moran
Millard T. Gardner III	Dean R. Morford
George C. Gatje	Norman A. Nelson
Felix P. Gigliotti	James A. Newcomb
Robert H. Glaves	Robert B. Newton
Jimmy O. Gold	Richard L. Nichols
Frank O. Goodwin, Jr.	Ernest R. Nordtvedt
Robert F. Gregg	John T. O'Der
William C. Green	John E. O'Drain
Webster Griffith	Bernard J. O'Rourke
Warren C. Hamm, Jr.	Raymond E. Paul

Walter R. Petersen
Lawrence Phillips, Jr.
Robert L. Rasmussen
Phillip D. Richardson
David L. Self
James E. Service
Howard W. Smith
Herman A. Spanagel, Jr.
Harmon E. J. Stanch
Harold F. Stevens
Donald E. Stine
Robert J. Stinner
Donald J. Stromme
James J. Sullivan
John F. Sweeney
Richard T. Thomas
George I. Thompson
Lawrence E. Traynor
Barrie K. Trebor-MacConnell
David A. VanHorssen
Donald E. Vaden
John E. Wasson
Robert H. Weeks
Bernard W. Welch
Robert L. Williamson
Doyne R. Willis, Jr.
Jon C. Woodyard
Richard A. Zick

To be ensigns

Reece L. Andrews
Warren E. Aut
Walter F. Baker
Charles B. Beuris
John A. Byrne, Jr.
Alan S. Cabot
John F. Dempsey
David R. Giblett
Jack R. Gunter
Arnold J. Hyman
Ralph S. Larson
James W. McKinster
Gary A. McMahill
George W. Milam
Don G. Primeau
John F. Sauers
Ned H. Shows
Warren H. Winchester

The following-named officers for appointment to the grade indicated in the line in the Navy (engineering duty), subject to qualification therefor as provided by law:

FOR TEMPORARY APPOINTMENT

To be lieutenant

William T. Hale.

FOR PERMANENT APPOINTMENT

To be lieutenant

Robert A. Dauber.

To be lieutenant (junior grade)

William T. Hale.

The following-named officers for appointment to the grade indicated in the line in the Navy (aeronautical engineering duty), subject to qualification therefor as provided by law:

FOR TEMPORARY APPOINTMENT

To be lieutenant (junior grade)

Leroy B. Keely.

FOR PERMANENT APPOINTMENT

To be ensign

Leroy B. Keely.

The following-named officers for appointment to the grade indicated in the line in the Navy (special duty, communications), subject to qualification therefor as provided by law:

FOR TEMPORARY APPOINTMENT

To be lieutenant

John S. Jennings.

FOR PERMANENT APPOINTMENT

To be lieutenants (junior grade)

John S. Jennings.
Alan C. Patureau, Reserve officer.

The following-named officers for permanent appointment to the grade indicated in the line in the Navy (special duty, law), subject to qualification therefor as provided by law:

To be lieutenant (junior grade)

Henry S. Palau

To be ensign

Lee R. Grogan

The following-named women officers to the grade indicated in the line of the Navy, subject to qualification therefor as provided by law:

FOR TEMPORARY APPOINTMENT

To be lieutenants (junior grade)

Mary A. Collins
Barbara G. Ellis
Henrietta R. Lanier
Lida J. McDonough

FOR PERMANENT APPOINTMENT

To be lieutenants (junior grade)

Barbara J. Deerkop
Marabelle Dowler
Nancy G. Hollenbeck

To be ensigns

Mary A. Collins
Barbara G. Ellis
Henrietta R. Lanier
Lida J. McDonough

The following-named officers for appointment to the grade indicated in the Medical Corps in the Navy, subject to qualification therefor as provided by law:

FOR TEMPORARY APPOINTMENT

To be lieutenants

Carter E. Carlton, Jr.
Thomas S. Dunn, Jr.
Elgar P. Ellis, Jr.
Vernon H. Fitchett
James D. Gross
Ralph A. Heising
Max C. Karrer
James W. Ledwith
Clinton J. McGrew, Jr.
Robert L. Mullin
Fred R. Portney
Charles U. Shilling
Martin F. Sokoloff
Robert C. Thomas
Alexander G. Webb, Jr.
Morton D. Willcutts, Jr.
John R. Williams, Jr.
Bernard S. Yurick

FOR PERMANENT APPOINTMENT

To be lieutenants (junior grade)

Carter E. Carlton, Jr.
Thomas S. Dunn, Jr.
Elgar P. Ellis, Jr.
Vernon H. Fitchett
James D. Gross
Ralph A. Heising
Max C. Karrer
James W. Ledwith
Clinton J. McGrew, Jr.
Robert L. Mullin
Fred R. Portney
Charles U. Shilling
Martin F. Sokoloff
Robert C. Thomas
Alexander G. Webb, Jr.
Morton D. Willcutts, Jr.
John R. Williams, Jr.
Bernard S. Yurick

The following-named officers for appointment to the grade indicated in the Dental Corps in the Navy, subject to qualification therefor as provided by law.

FOR TEMPORARY APPOINTMENT

To be lieutenants

Earl M. Carson
Russell A. Grandich
James W. Hays
Harry C. Pebley

FOR PERMANENT APPOINTMENT

To be lieutenants (junior grade)

Earl M. Carson
Russell A. Grandich
James W. Hays
Harry C. Pebley

The following-named officers for appointment to grade indicated in the Medical Service Corps in the Navy, subject to qualification therefor as provided by law:

FOR TEMPORARY APPOINTMENT

To be lieutenant

Donald E. Still

To be lieutenant (junior grade)

Warren R. Sanborn

FOR PERMANENT APPOINTMENT

To be lieutenant

Richard B. Taliaferro, Jr.

To be lieutenant (junior grade)

Donald E. Still

To be ensigns

Kenneth H. Dickerson
Warren R. Sanborn

The following-named officers for appointment to the grade indicated in the Supply Corps in the Navy, subject to qualification therefor as provided by law:

FOR TEMPORARY APPOINTMENT

To be lieutenants

William C. Fanelty
Jesse R. Hill, Jr.

To be lieutenants (junior grade)

Richard D. Christenson
Charles A. Hawkins
John W. Horrigan, Jr.
Brian K. Lewis
William H. Riordan

FOR PERMANENT APPOINTMENT

To be lieutenants

Charles M. Schoman, Jr.

To be lieutenants (junior grade)

Joe A. Allinder, Jr.
William M. Bledsoe
Russell M. Brown
Nathan N. Burlingham
Walter E. Conner
Lawrence J. Costello
William C. Fanelty
William J. Hennessy
Jesse R. Hill, Jr.
Donald K. Howe, Jr.
Charles C. Hubbard
William E. Kenealy, Jr.
John F. Kenny
Fred A. Kling
Marvin H. Lewis
Gardiner Marek
Frank J. Pokorny, Jr.
Ralph W. Price
Thomas L. Schanz
George W. Stewart III

To be ensigns

Richard D. Christenson
Charles A. Hawkins
Brian K. Lewis
John W. Horrigan, Jr.
William H. Riordan

Mildred L. Odom, Reserve officer, for appointment in the Supply Corps in the Navy in the permanent grade of ensign and in the temporary grade of lieutenant (junior grade), subject to qualification therefor as provided by law.

The following-named officers for appointment to the grade indicated in the Chaplain Corps in the Navy, subject to qualification therefor as provided by law:

FOR TEMPORARY APPOINTMENT

To be lieutenant

Normand A. Richard

FOR PERMANENT APPOINTMENT

To be lieutenant

Alan R. Gibbons

To be lieutenants (junior grade)

Walter B. Feagins, Jr.
John T. Goad
Homer E. Keen, Jr.
Stanford E. Linzey, Jr.
Normand A. Richard
Carl E. Ruud

The following-named officers for permanent appointment to the grade indicated in the Civil Engineer Corps of the Navy, subject to qualification therefor as provided by law:

To be lieutenants (junior grade)

Warren H. Anderson
Edward F. Callahan, Jr.
Joseph A. D'Emidio
Richard H. Schellhardt
Bobby E. Stultz

The following-named officers for appointment to the grade indicated in the Nurse Corps in the Navy, subject to qualification therefor as provided by law:

FOR TEMPORARY APPOINTMENT

To be lieutenants

Daisy Evans
Gretchen S. Hill
Pauline J. Kuenzi

To be lieutenant (junior grade)

Joanne P. Smith

FOR PERMAMENT APPOINTMENT

To be lieutenants

Dorothy I. McShea
Josephine M. Polignone

To be lieutenants (junior grade)

Daisy Evans
Gretchen S. Hill
Pauline J. Kuenzi

To be ensign

Joanne P. Smith

Telofil Dmoch, for permanent appointment to the grade of chief warrant officer, W-4, in the United States Navy, subject to qualifications therefor as provided by law.

The following-named officers to the grade indicated in the United States Navy for temporary service, subject to qualifications therefor as provided by law:

To be chief warrant officer, W-2

Charles D. Albers
Roderick E. Bookout
William C. Faus
Camden E. Greene
William D. Lankford
Dean W. Larrick
John R. Melton
Dave Nicholson
Gilbert H. Orr
John V. Patterson, Jr.
Hans J. Petersen
Walter H. Routledge
Leslie B. Ware
George K. Wolfes

IN THE MARINE CORPS

The following-named Marine Corps Reserve officers for permanent appointment to the grade indicated in the Marine Corps, subject to qualifications therefor as provided by law:

To be second lieutenants

John J. Caldas, Jr.	David H. Murch
Donald S. Carr	John A. Schuyler
William G. Ficere, Jr.	Lionel V. Silva
Robert A. Freeman	Gordon D. Strand
Donald J. Hatch	Everett L. Tunget
Richard B. Hohman	Norman H. Vreeland
Brian C. Kelly	Dwayne E. T. Wilson
James A. McCarty	

The following-named Marine Corps officer for permanent appointment to the grade indicated in the Marine Corps, subject to qualifications therefor as provided by law:

To be chief warrant officer, W–3

Cedric A. Fevurly

HOUSE OF REPRESENTATIVES

FRIDAY, JULY 20, 1956

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Eternal and ever-blessed God, through Thy grace and power our forefathers gained the freedom and the liberties which we now enjoy as a priceless heritage.

Grant that we and all succeeding generations may preserve and perpetuate those blessings in righteousness and in honor.

We humbly acknowledge that again and again, in our domestic affairs and foreign relations, we find it necessary to make decisions which seem to involve tremendous risks.

God forbid that we should ever hesitate or be afraid to take the adventurous ways of faith and follow Thy leading.

Inspire us daily to wait upon the Lord and be of good courage for where Thou dost guide Thou wilt provide.

Hear us in the name of the Captain of our Salvation. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles:

H. R. 5519. An act to authorize and direct the Secretary of the Army to convey certain tracts of land in El Paso County, Tex., to the city of El Paso, Tex., in exchange for certain lands to be conveyed by the city of El Paso, Tex., to the United States Government;

H. R. 8047. An act granting authority to the Secretary of the Army to renew the license of the Ira D. MacLachlan Post, No. 3, the American Legion, Sault Sainte Marie, Mich., to use a certain parcel of land in St. Marys Falls Canal project;

H. R. 9081. An act to direct the Secretary of the Army or his designee to convey a 3-acre tract of land situated about 6 miles south of the city of San Antonio, in Bexar County, Tex., to the State of Texas;

H. R. 9801. An act to authorize and direct the Panama Canal Company to construct, maintain, and operate a bridge over the Panama Canal at Balboa, Canal Zone.

H. J. Res. 549. Joint resolution granting the consent of Congress to the State of New York to negotiate and enter into an agreement or compact with the Government of Canada for the establishment of the Niagara Frontier Port Authority with power to take over, maintain, and operate the present highway bridge over the Niagara River between the city of Buffalo, N. Y., and the city of Fort Erie, Ontario, Canada;

H. J. Res. 604. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the United States World Trade Fair to be held in New York, New York, from April 14 to April 27, 1957, and in the Oklahoma Semi-Centennial Celebration to be held in various communities in the State of Oklahoma from January 1 to December 31, 1957; and

H. J. Res. 664. Joint resolution to amend the joint resolution providing for membership and participation by the United States in the American International Institute for the Protection of Childhood and authorizing an appropriation therefor.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 11947. An act to amend and extend the Renegotiation Act of 1951.

The message also announced that the Senate insists upon its amendments to the foregoing bill, and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD, Mr. GEORGE, Mr. KERR, Mr. MILLIKIN, and Mr. MARTIN of Pennsylvania to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 3903) entitled "An act to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase the amount authorized to be appropriated for purposes of title I of the act, and for other purposes"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. JOHNSTON of South Carolina, Mr. HOLLAND, Mr. AIKEN, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5881) entitled "An act to supplement the Federal reclamation laws by providing for Federal cooperation in non-Federal projects and for participation by non-Federal agencies in Federal projects."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 849) entitled "An act to provide assistance to certain non-Federal institutions for construction of facilities for research in crippling and killing diseases such as cancer, heart disease, poliomyelitis, nervous disorders, mental illness, arthritis, and rheumatism, blindness, cerebral palsy, tuberculosis, multiple sclerosis, epilepsy, cystic fibrosis, and muscular dystrophy, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2182) entitled "An act for the relief of the city of Elkins, W. Va."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3073) entitled "An act to provide for an adequate and economically sound transportation system or systems to serve the District of Columbia and its environs, and for other purposes."

THE SUPPLEMENTAL APPROPRIATION BILL, 1957

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on H. R. 12138, the supplemental appropriation bill, 1957.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

SECOND SUPPLEMENTAL APPROPRIATION BILL, 1957

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight tonight to file a privileged report on the second supplemental appropriation bill, 1957.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. TABER. Mr. Speaker, I reserve all points of order on the bill and I ask unanimous consent that the minority may have until midnight tonight to file minority views upon the bill and that the report be printed with the majority report.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CITY OF ELKINS, W. VA.

Mr. FORRESTER. Mr. Speaker, I call up the conference report on the bill (S. 2182) for the relief of the city of Elkins W. Va., and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2759)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2182) entitled, "An Act for the relief of the city of Elkins, West Virginia," having met, after full

and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment and agree to the same.

E. L. FORRESTER,
HAROLD D. DONOHUE,
WILLIAM E. MILLER,
Managers on the Part of the House.

PRICE DANIEL,
JOSEPH C. O'MAHONEY,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2182) entitled "An Act for the relief of the city of Elkins, West Virginia", submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

When this proposed legislation passed the Senate it provided:

"That the city of Elkins, West Virginia, is hereby relieved of all liability to repay to the United States the sum of $75,000 (plus any interest which may have accrued thereon), which amount represents a loan made to such city by the United States on April 5, 1943, through the Reconstruction Finance Corporation. In the settlement of the accounts of any certifying or disbursing officer of the United States full credit shall be given for all amounts for which liability is relieved by this Act."

The House amended the bill to read as follows:

"That all of the Airport Revenue Bonds issued by the city of Elkins, West Virginia, presently held by the Reconstruction Finance Corporation and amounts due thereon or in connection therewith, are hereby transferred to the Civil Aeronautics Administration, together with all the functions, rights, powers, and records of the Reconstruction Finance Corporation relating to the said bonds. All receipts and recoveries hereafter with respect to said bonds shall be covered into the Treasury as miscellaneous receipts.

"SEC. 2. In the settlement of its accounts the Reconstruction Finance Corporation shall receive full credit for the said bonds and all amounts due thereon or in connection therewith."

In the committee of the conference it was agreed that the House would recede from its amendment.

E. L. FORRESTER,
HAROLD D. DONOHUE,
WILLIAM E. MILLER,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON THE JUDICIARY

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until midnight tonight to file committee reports on the bill S. 3879 and other bills.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

WASHOE RECLAMATION PROJECT, NEVADA AND CALIFORNIA

Mr. ENGLE submitted a conference report and statement on the bill (S. 497) to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, I offer a motion.

The SPEAKER. The Chair does not desire to recognize the gentleman from Michigan for that purpose.

Mr. HOFFMAN of Michigan. To offer that motion? Can I be recognized later?

The SPEAKER. The Chair will pass on that later.

Mr. HOFFMAN of Michigan. Well, I will renew it at various times then. I thank the Chair.

VERENDRYE NATIONAL MONUMENT, N. DAK.

Mr. ENGLE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the concurrent resolution (S. Con. Res. 86) authorizing the conferees on H. R. 1774, abolishing the Verendrye National Monument, N. Dak., to consider certain additional Senate amendments that were inadvertently omitted from the official papers.

CALL OF THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 107]

Bailey	Edmondson	Nelson
Bell	Gathings	O'Hara, Minn.
Burleson	Gordon	Passman
Carnahan	Gwinn	Powell
Chatham	Hébert	Scudder
Dague	Hoffman, Ill.	Thompson, La.
Davidson	Kelley, Pa.	Thornberry
Davis, Wis.	Lane	Walter
Dawson, Ill.	McDowell	Wickersham
Eberharter	Morrison	

The SPEAKER. On the rollcall 401 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

VERENDRYE NATIONAL MONUMENT, N. DAK.

The SPEAKER. The Clerk will report the Senate concurrent resolution (S. Con. Res. 86).

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That the conferees on H. R. 1774, in addition to the Senate amendments already pending before them, be authorized to consider the following amendments:

"(3) Page 1, line 6, strike out all after 'permits' down to and including 'site' in line 8.

"(4) Page 1, strike out all after line 8 over to and including line 5 on page 2.

"(5) Page 2, strike out lines 6 to 20, inclusive."

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AGRICULTURAL TRADE, DEVELOPMENT, AND ASSISTANCE ACT OF 1954

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 3903) to amend the Agricultural Trade, Development, and Assistance Act of 1954, with House amendments thereto, insist on the House amendments and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? The Chair hears none, and appoints the following conferees: Messrs. COOLEY, POAGE, GRANT, HOPE, and AUGUST H. ANDRESEN.

CIVIL RIGHTS

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 627) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 627, with Mr. FORAND in the chair.

The CHAIRMAN. When the Committee rose on yesterday, the Clerk had read through section 103 of the bill. Are there any further amendments to the section?

Mr. SMITH of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we have spent a great deal of time on this bill. I think everybody has pretty well had an opportunity to express their views. I am going to suggest that we proceed with more celerity from now on than we have. I had some discussions with the leadership, which I take the floor now in order to verify, and to see if it is agreeable to the Committee so that we may proceed with this matter more rapidly.

My understanding is that we will confine our amendments to meritorious amendments and that, if it is agreeable to the committee, the debate on these amendments will be limited to 5 minutes for and 5 minutes against; that at the conclusion of the consideration of the bill by the Committee of the Whole the Committee will rise and that the vote will be deferred until Monday.

I think it will enable us to get along with business much more rapidly, with the forward look to adjournment next week, and in the meantime we will be able to clean up a good deal of the business that has to be done before the House adjourns.

May I ask the gentleman from New York if that statement conforms to his understanding?

Mr. CELLER. That is entirely correct, and it is a very creditable arrangement. The gentleman from Virginia participated to a measurable degree in reaching that agreement.

Mr. SMITH of Virginia. May I ask the minority leader if that meets with his approval?

Mr. MARTIN. I will say that I have consulted with the gentleman from New York [Mr. KEATING], and we are both agreeable. We do not subscribe to the meritoriousness of the amendments to be offered, but the procedure is fine.

Mr. SMITH of Virginia. My suggestion does not request approval of any amendment.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Iowa.

Mr. GROSS. Now, does that mean that a Member must offer an amendment in order to secure any time at all on this bill?

Mr. SMITH of Virginia. I have stated the situation as I understand it to be and agreed upon, and I hope the gentleman from Iowa will agree to it, because we have a lot of things that have to be done before we can adjourn.

Mr. GROSS. Does that include pro forma amendments?

Mr. SMITH of Virginia. Yes, that includes pro forma amendments. There will be no pro forma amendments, and I take, if necessary, the gentleman from New York will move to close debate on each amendment after 10 minutes discussion.

May I ask the majority leader if that meets with his approval?

Mr. McCORMACK. The answer is, yes.

Mr. SMITH of Virginia. Mr. Chairman, while I am on my feet, may I suggest something that I am sure the chairman of the committee intends to do and that is to ask unanimous consent that all Members have permission to extend their remarks at this point in the RECORD.

Mr. CELLER. Mr. Chairman, I make that unanimous consent request.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. SHELLEY. Mr. Chairman, I rise in unqualified support of H. R. 627, which, I am advised, embodies all four of the rather moderate proposals made by the Attorney General in the field of civil rights. It is my understanding that these provisions would create a sorely needed Commission on Civil Rights to make a study of alleged violations of the right to vote; permit the appointment of a new Assistant Attorney General, which would permit the creation of a division in the Justice Department to handle civil-rights cases which must now be handled by a very small section in the Criminal Division; provide civil remedies for those who have their right to franchise interfered with; and permit the Justice Department to initiate civil actions on behalf of aggrieved parties whose civil rights have been denied.

This bill, of course, is a far more moderate proposal than the much broader one offered on February 2, 1948, by President Truman. I had the pleasure of playing a leading role in the fight for passage of the so-called Truman bill on the floor of the House and only regret that it was not enacted into law at that time. I have always felt that had this legislation been passed in 1948, the country would have been much closer at this point toward the achievement of what has recently been termed "the great American idea of equality under law." I also feel that enactment of this legislation would have aided the United States considerably in the past 9 years in the heroic struggle in which we have been engaged with the forces of international communism. Adequate protection afforded by the defeated Truman bill of all constitutional guaranties would not only have assured all of our people of equal justice under law, but would have effectively silenced Red charges that minority groups in this country are universally treated as second-class citizens.

In this regard, too, I was distressed to hear some of the opponents of this bill charge that the so-called civil-rights bill was inspired by domestic Communists, fellow-travelers, and their dupes. I was saddened by these charges because I thought at the time that they revealed an immense ignorance of the real nature of communism and Communist theory and tactics. Without going into this matter more thoroughly at this point, I feel that it is sufficient to pose the question here if, as has been generally acknowledged alleged ill-treatment of minorities in this country has afforded the Communists a major propaganda weapon against the United States in the cold war, why would domestic Communists be sponsoring legislation which would correct the situation? In other words, Mr. Chairman, why should the Reds shoot down one of their most effective propaganda weapons? I think the answer is obvious and one which need not be debated by this body.

Mr. Chairman, I wonder if the United States can continue to develop respect abroad for our form of government and our American way of life if we continue to permit the disenfranchisement of so many of our citizens simply on the basis of color alone? I believe that it is of paramount importance that we recognize that we are dealing with, and trying to win over to our side throughout the world, millions of other people who cannot help but look with suspicion on a country which imposes artificial barriers to full citizenship.

Mr. Chairman, we claim to represent the free world. We point with pride to the principles of freedom, liberty, and equality contained in our Constitution. We spend millions of dollars every year in order to persuade the world that the message contained in these documents offers a greater chance for a better life than the false dogmas proclaimed by the teachings of Marxist-Leninism. Yet, Mr. Chairman, our very actions betray our words. The fact that a few States in the country fail to subscribe to the tenets of the Constitution and the Declaration of Independence makes a mockery of our position abroad. Our diplomats are embarrassed almost daily by reports of harassment of colored citizens or visitors to this country. This situation is causing our message of freedom, equality, justice, and liberty to ring hollow in the ears of the world. This is, indeed, a shame, Mr. Chairman, because it is a winning and forceful message and one which might restore sanity to the world.

Mr. Chairman, I feel that passage of this bill would not only strengthen the United States by restoring faith in the principles upon which this country was founded—but it would go a long way toward helping us win the day in the greatest struggle in which mankind has ever been engaged.

Mr. SHUFORD. Mr. Chairman, I take this opportunity to again state my opposition to the pending so-called civil rights bill, H. R. 627. In my opinion it is an unnecessary and dangerous measure and one that will destroy the civil rights of the American people. It will take from the several States rights guaranteed them under the Constitution and subject the citizens of those States to unwarranted and unconstitutional Federal supervision. I cannot support legislation I feel will not be in the best interest and for the general welfare of our country.

I do not here undertake to discuss in detail the provisions of H. R. 627. That has already been magnificently done and I cannot improve upon the remarks of my colleagues.

I shall vote against this injurious legislation, and it is my fervent hope that it will not be enacted.

Mr. HERLONG. Mr. Chairman, I was certainly shocked yesterday to hear the remarks of the minority leader in opposition to the motion to strike the enacting clause of this bill. When he angrily pointed his finger at those of us from the South and said in effect to the members of his party that if they voted with southern Democracy they would rue it every day until—when?—until the next election. The next election, the Alpha and Omega, of the politician, and I don't use that word in its generic sense.

Now I am a normal human being, and I don't like to be pointed at. Much less do I like to be pointed at in anger and scorn. It may be said today that inasmuch as the remarks of the minority leader were made in obvious haste and anger, he did not really mean what he said. There is an old Latin maxim, "In ira veritas"—much truth is spoken in anger—which aptly describes the situation. We know, too, that when a witness on the stand answers hastily you can be pretty sure that he is saying what he really believes, whereas if he ponders a question at length before answering, you may well be cautious as to the truth of his reply.

So now we know what he really thinks about southern Democracy. Does he feel the same way about southern Republicanism? I note the southern Republican members voted with the southern Democrats on this issue. Are they to be read out of the party? Or are we to assume that they are going to be forced to vote for this so-called civil-rights legislation?

I heard a Member say the other day that when he campaigned for office he freely stated to his people that he was a man who had the courage of his convictions. He said that this bill was where he was really having an opportunity to prove his claim to himself. The gentleman from New York [Mr. MILLER] certainly has demonstrated courage of the highest order—and while, if most northerners feel about the South as the minority leader has demonstrated that he does, a pat on the back of the gentleman from New York [Mr. MILLER] coming from a southerner might not be appreciated and might not help him with his folks back home, I believe, however, that most people appreciate and honor courage of the type that the gentleman from New York has demonstrated. A man with that type of courage can never really lose regardless of the outcome of any vote.

To paraphrase the minority leader, it may well be that he will rue the remarks that he made yesterday, not just "every day until the next election," but long afterward. This is not a threat. I stand here as one who has from time to time voted the same way as the minority leader when I believed he was right. If I were to be the kind of person that he is asking the members of his party to be, I would say that I could never again vote with him, but I expect to continue to vote as I have in the past on each issue on the basis of its merits as I find them to be regardless of how anyone else votes. We have seen some sorry spectacles in these last few years, and I think the gentleman from Mississippi [Mr. WHITTEN] put it very succinctly the other day when he said that probably one of the greatest arguments for the election of a Democrat as President of the United States was so the Republicans in Congress would have the courage to vote their own convictions.

Mr. RILEY. Mr. Chairman, the United States has always been the mecca of those who love freedom. The early settlers came to this country seeking individual freedom. The Revolutionary War was fought to maintain this freedom and to preserve the dignity of the individual. In order to maintain this individual freedom and prevent the establishment of a dictatorial and all-powerful governing body the United States adopted a unique system of government. The major authority of this Government would remain in the individual States so that the Government could be kept as close to the people as possible. Only those specific functions which could not be properly rendered by the States were ceded to a Central Government. This Central Government was further divided into the legislative, executive, and judicial branches. Each branch was assigned certain prerogatives and each one was designed to be a check on the other, with the individual States and the people acting as a check on all three branches of this Central Government.

Under this system the Government of the United States developed and created an atmosphere of opportunity and individual rights which have become the envy of the world. People from every nation on earth have sought entry into the United States in order to enjoy the privileges and opportunities which we provide under our system of government. No other nation today provides as many privileges and as many opportunities as does the United States. Under our system every citizen has prospered more than he could have prospered in any other country.

In recent years a philosophy has been growing in our country which if implemented would change the functions of government, which have been highly successful, to other functions of government, which in other nations have proven unwise and a restriction on human liberty. In other words, in spite of the fact that we have three times within the last half century gone to war to preserve our liberties and our ideals we are slowly and surely, in peace time, adopting a form of government which has failed to meet the needs of an enlightened and progressive mankind. In short we are in the process of substituting failure for success.

This so-called civil rights bill, which is before us, and which is in my opinion a misnomer, is one of these bills which if enacted into law would change our form of government. It has been proven through the ages that you cannot legislate the conscience of men or their beliefs. This bill before us would put police and dictatorial powers into the hands of a very small group with no redress for those who are accused.

This is an absolute reversal of the American system which was designed to give freedom of speech, freedom of assembly, freedom of thought, and freedom of worship to every citizen.

I recall that after World War I Germany started out as a Republic, but gradually Hitler and his cohorts assumed dictatorial powers over the labor organizations of Germany, then over the educational systems of Germany, and finally over the religious institutions of Germany. Now I ask you in all sincerity what has a man left when he has lost control of his labor, or his right to choose his own vocation, and to help establish the policies under which he works, and when he has lost his right to choose his education, and when he has lost his right to choose his religion?

This bill is but a continuation of a policy to centralize all authority in the Federal Government, and instead of providing individual rights, it will tend to destroy them. I am sure that this legislation, if enacted, will deprive even those whom it purports to aid, of many of the rights and privileges which they have heretofore enjoyed. We sing of America as the land of the free and the home of the brave.

Let us keep it that way by defeating this iniquitous legislation.

Mr. ABBITT. Mr. Chairman, as I stated on the floor of this House during general debate on this bill, I am unalterably opposed to this legislation. In my opinion, if this legislation becomes law it will be the beginning of the end of our democracy. This bill deprives not only the States of their sovereignty but takes from the individual citizen the rights and privileges guaranteed to them under our Constitution.

Clearly, it is an unconstitutional invasion of the rights of our people, but unfortunately, there is no hope that the Supreme Court, as presently constituted, will protect the constitutional guaranty of our people. So long as the Court follows sociological views of foreign-born sociologists who have communistic leanings there is no hope for relief from that arm of the Federal Government.

When the very foundation stone of our Constitution is being threatened it is time for the elected representatives of the people to forget partisan politics and to vote for the preservation of this great country of ours and the continuation of constitutional government.

It is true that this legislation is aimed at the South and our very way of life but I predict that sooner than we think it will be used to harass minority groups in all sections of the country. It is an entering wedge of totalitarian government and the emasculation of the Bill of Rights.

Mr. Chairman, I plead with the Members of this House to vote down this legislation.

Mr. VANIK. Mr. Chairman, 4 days of debate have taken place on the Civil Rights Act of 1956. Numerous amendments have been made and only a few have been adopted. I have consistently supported the bill as it has been reported out of committee. The distinguished Judiciary Committee very carefully considered every aspect of this legislation, and I am confident of its deliberations. My only regret is that the civil rights bill as reported out is not stronger and that vast untouched areas of civil rights were not included and made part of this legislation.

Those who oppose this legislation cannot complain that it was not given a full and impartial hearing. The opponents to this bill have consumed most of the time that was provided in the debate. No effort was made to cut off or unduly limit the right of any Member of the House to express himself or to present any amendment that he may have seen fit with respect to this legislation.

There are many of us who support the bill who are aware of its inadequacies and of the many necessary and desirable things that should be done that this bill cannot do. We support this legislation in the form it is presented by committee because it regrettably represents the maximum we believe can be achieved this year. A future Congress will have the responsibility of eliminating the poll tax and of insuring that discrimination does not persist in commerce, in employment, in housing, in schools, in recreation in any form anywhere in our society.

The gentlemen of the South have argued that this legislation will tear down the fabric of their society. If discrimination and prejudice is the fabric of this society, it is well that it be removed. If it is traditional in this society that people be segregated by caste, it is well that that fabric be destroyed.

I believe that this legislation and the broader development of civil and human rights legislation which will be enacted no later than the next Congress will result in a rebirth of the South in which

all people can live and work side by side. When costly and wasteful prejudice and bitterness is dissolved, the South will grow to an extent never before realized, building an economy which today is believed unattainable. People are the Nation's greatest asset whether they are in the North or the South and regardless of their color. They are most productive when they are happy, when they feel a sense of security—living and working among their fellowmen. Prejudice, bias, and unfair laws should not be permitted to make some men feel lesser than others.

This is not a regional conflict that we discussed today—it is not a conflict between the North and the South—it is a conflict which the South has within itself. They tell us that with the passing of time this difference will cease to exist and we of the North hold fast to our position that a single moment is too long for prejudice and discrimination.

This very complete debate has served a very useful purpose. It has pointed up the great gap that exists between northern and southern thinking on this subject. It has also displayed the great work that lies ahead to reconcile the minds of men to an understanding that equal justice cannot be kept from the American people regardless of race, religion, national origin or economic status. Democracy has made tremendous strides since the beginning of this Nation, but it is making even greater strides today—and we want every part of America to keep up the pace.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Louisiana.

Mr. BROOKS of Louisiana. With reference to the agreement about offering no pro forma amendments, does that mean that no Member will be allowed to strike out the last word or the last two words?

Mr. SMITH of Virginia. That is my understanding.

Mr. BROOKS of Louisiana. I have not yet taken time in the course of this debate, but I certainly should like to be given some time—at least 5 minutes.

Mr. SMITH of Virginia. We are trying to accommodate ourselves to the situation and the desire of all Members to complete the business of the House so that we may adjourn.

Mr. BROOKS of Louisiana. Why not incorporate in that agreement some understanding that a Member who has not spoken would be given 5 minutes?

Mr. SMITH of Virginia. I am afraid we cannot do that. Let me in conclusion, Mr. Chairman, express the hope that all Members, in view of our desire to finish our business, will cooperate with us by not forcing any rollcalls during the day.

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman.

Mr. JONES of Missouri. With respect to the offering of amendments and what the gentleman said about offering only meritorious amendments, who is to decide whether an amendment is meritorious?

Mr. SMITH of Virginia. The Member who is offering the amendment has perfect freedom to offer any amendment he desires. In order to carry out our program and facilitate adjournment of the Congress I expressed the hope that we will have offered only meritorious amendments.

Mr. JONES of Missouri. If the gentleman will yield further for one question, will everyone who has an amendment to offer be given the opportunity to offer that amendment without shutting off debate?

Mr. SMITH of Virginia. I hope so.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman.

Mr. DIES. When the gentleman was referring to meritorious amendments, he had in mind that Members would not offer dilatory amendments?

Mr. SMITH of Virginia. That is correct.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from New York.

Mr. KEATING. Mr. Chairman, in view of the questions put by various Members, I wonder if the gentleman would restate the understanding, that if some untoward event should happen, it is the understanding that debate on the bill will be finished today?

Mr. SMITH of Virginia. That is our understanding, yes; and as rapidly as possible, as rapidly as we can get along with it, so that we may dispose of the business that is waiting on the desk.

Mr. CELLER. Mr. Chairman, I rise to state that if the amending process is indulged in to too great an extent I think I shall have to move to invoke cloture on each section. But, of course, I shall not do that if Members are reasonable in the offering of amendments.

Mr. SCOTT. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Pennsylvania.

Mr. SCOTT. Just for the sake of understanding, it is also part of this agreement that the House will vote on this bill on Monday?

Mr. CELLER. That is correct.

Mr. SCOTT. I thank the gentleman.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Indiana.

Mr. HALLECK. I wonder if it would not expedite matters if the gentleman would ask unanimous consent to have the bill considered as read and open for amendment at any point?

Mr. CELLER. Mr. Chairman, I shall consider that.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Iowa.

Mr. GROSS. Did the gentleman from New York say that he would invoke cloture?

Mr. CELLER. I said that I would move to invoke cloture.

Mr. BURDICK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time because I am not sure just what is being put over on this House. I am afraid they are fixing up an end run around my side of the line and I am getting ready for it.

I have not taken any of the time of this House. I sat for months on the Committee of the Judiciary and listened to this bill and I certainly would like to have about 5 minutes.

There is just one thing to this bill, and that is all there is to it. You have all the law you need. The Constitution provides for civil rights, and the amendments to the Constitution provide for them. The Supreme Court has spoken on that subject. What else do you want?

When this bill first came before the Judiciary Committee it was based upon the Constitution of the United States and it was based upon something else, too. It was based upon the Charter of the United Nations, because they are going to take authority conferred by the United Nations in order to put this bill over. I am one of those who believe that the Constitution of the United States is as perfect as men can make it, and if it is not, we can change it as time goes on. I do not approve of reaching out into some document that has been engendered by some foreign country. We have this Constitution. It is here, and it is ours.

Yesterday I observed the doctor from Texas, Dr. DIES, operate on this bill. He cut out all the vital organs, and yet the victim had strength enough to get up and thank him for it, when he was done.

If you can figure out how to proceed with the rules that the doctor has prescribed, you will accomplish more than I think the Supreme Court can do.

There are just two ways that you can enforce this law. I know because I was selected as the attorney in North Dakota to enforce the prohibition law. The judge was not for it. The jury was not for it, because many times they turned the defendant loose on the ground of insufficient evidence. There was plenty of evidence when the jury retired but when they got through they said there was none.

Finally I said:

The 18th amendment is a bad arrangement, because it is creating disrespect for all law.

Being in charge of the prosecutions for the Federal Government, I announced that, that the 18th amendment ought to be repealed. I immediately got a wire from Brother Hoover. He said I had embarrassed him by that statement, and I ought to resign. Now, you did not know that I had been thrown out of office.

I thought things over. With the prices there were at that time, with wheat 26 cents, cattle 2 cents, and hogs no price, I was not particularly fond of being associated with the gentleman that asked me to resign, so I resigned. Then the campaign came on and I went out and asked him to resign, because I was very much more embarrassed than he ever was. The voters of the State assisted me, and

we got him in position where he did resign, but it took 100,000 votes against him to do it. If anyone is tried under this law in the South, they will be tried by a southern jury. You cannot take them to Russia yet. Maybe you will after a while. But, they will be tried in the South. Then, if public sentiment in the South is as strong in the support of their institutions as the desire for liquor was in my State—and I think it is stronger—you are going to enforce it in one of two ways. First, the people will change their opinions and that will be done by the people of the South and not by the people of the North. They are the ones who will change their opinion on that. The second way is to enforce it by force of arms. Well, about 100 years ago, we had an example of that. We do not want another. I say to you this bill will not accomplish what the people think it will. But here is my position exactly.

I think this act is a futile effort if not a purely political one, but the Attorney General wants it and says that, through it, he can enforce the opinion of the Supreme Court. The administration leaders want it, and hence my attitude is to give them the law, not wishing to put my judgment up against the opinion of the administration but, at the same time, believing that this law willl not accomplish what is claimed for it. There is a vast difference between equality before the law and social equality. We have never had social equality in this country and never will. The people reserve the right to fraternize with people of their choice, and no law will force them to do otherwise. The Washington social registister here in Washington selects its own company. I do not belong to it and don't want to, but if I did want to and the membership said no, I never could become a member. In that event, would I ever think of going to court to enforce social equality?

Mr. CELLER. Mr. Chairman, I ask unanimous consent that the bill in its entirety be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. GROSS. Mr. Chairman, I object.

Mr. DIES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIES: On page 21, line 9, strike out the words "the allegations" and insert in lieu thereof the following: "allegations in writing."

Mr. DIES. Mr. Chairman, I will only take a moment in order to conserve time. I first want to say I am sure the distinguished gentleman who preceded me was facetious in his statement about the amendments which were adopted yesterday. Those amendments do absolutely nothing but insure a fair trial. They provide for the right of counsel and that the accused shall be furnished in advance with information of the allegations. There is nothing in those amendments that could unduly hamstring the enforcement of this law. The amendment I propose at this time simply says that the allegations must be in writing. It seems to me we should require such allegations to be made in writing.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield.

Mr. CELLER. I have no objection to that amendment.

Mr. DIES. That is fine.

Mr. SCOTT. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield.

Mr. SCOTT. There is no objection on this side to the amendment.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield.

Mr. COOLEY. Even with the gentleman's amendment, is there any way possible under this bill for a citizen to acquire and to have a trial by jury?

Mr. DIES. Not under the commission—this is just an investigation.

Mr. COOLEY. That is what I mean.

Mr. DIES. No, he does not have any trial by jury.

Mr. COOLEY. He can be investigated and snooped upon and accused and he will never have a chance to face his accusers.

Mr. DIES. No, under the rules that we adopted yesterday, he is given ample safeguards and protection.

Mr. COOLEY. But not a trial by jury.

Mr. DIES. Not a trial by jury, but he is entitled to a fair hearing. This is not a trial. This is the investigation by the commission.

Mr. COOLEY. But the commission does have the power of contempt; does it not?

Mr. DIES. That is true.

Mr. COOLEY. A man can be incarcerated for contempt; can he not?

Mr. DIES. If he refuses to obey a subpena.

Mr. COOLEY. That is right.

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman yield for a question.

Mr. DIES. I yield.

Mr. WILLIAMS of Mississippi. The gentleman's amendment requires that these allegations be put in writing. Does he think also that these allegation should be sworn to?

Mr. DIES. Well, I thought of that, but many of the allegations may be in the form of magazine or newspaper articles, and if you put the word "sworn" in there you may create an onerous burden. So I erased the word "sworn" and just put in "in writing."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. DIES].

The amendment was agreed to.

Mr. DIES. Mr. Chairman, I have 2 or 3 other amendments that are short, and if I might offer them en bloc it might save some time.

Mr. KEATING. Reserving the right to object, Mr. Chairman, may we hear what they are?

Mr. CELLER. Reserving the right to object, with reference to offering them en bloc——

Mr. DIES. I did not mean en bloc. I want to offer one amendment after the other, and take about a minute on each amendment.

The CHAIRMAN. The gentleman from Texas desires to offer an amendment.

Mr. DIES. I offer an amendment, Mr. Chairman.

The Clerk read as follows:

Amendment offered by Mr. DIES: On page 21, line 11, after the word "vote" insert the following: "Or that certain persons in the United States are voting illegally."

Mr. DIES. Mr. Chairman, our Committee on Immigration some years ago conducted an investigation.

Mr. CELLER. Mr. Chairman, I have no objection to that amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. DIES].

The amendment was agreed to.

Mr. RICHARDS. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. RICHARDS: On page 21, line 16, after the word "laws" insert "and rights reserved to the States and the people."

Mr. KEATING. Mr. Chairman, I make the point of order that the amendment offered by the gentleman from South Carolina is not germane.

The CHAIRMAN. Does the gentleman from South Carolina desire to be heard on the point of order?

Mr. RICHARDS. Mr. Chairman, I think it is patently germane, because in the subsection it seeks to amend, you provide for the collection of information and you provide for studies in regard to equal protection of the laws under the Constitution. And if that section itself means what it says, then I am sure the provisions of the 10th amendment of the Constitution itself would warrant a study and investigation to see how those provisions are applied under the Constitution that is mentioned.

Mr. COLMER. Mr. Chairman, I desire to be heard on the point of order.

The CHAIRMAN. Has the gentleman from South Carolina concluded?

Mr. RICHARDS. I have concluded, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Chairman, I contend that this amendment is germane, not only for the reasons stated by the gentleman from South Carolina but in line with the ruling of the Chair on yesterday on another amendment, where the Chair differentiated between the labor amendment and the age amendment, in that the Chair ruled that the matter was within the province and jurisdiction of that particular committee. Therefore, consistent with that argument and that ruling yesterday, I submit this amendment is germane.

I submit that if the rights of the people because of color, race, religion, or national origin are to be studied by this Commission, certainly the commission if it has authority under the Constitution and the statutes to make that study, has the right to study the question of whether the civil rights guaranteed by the Constitution of the United States are being violated in this law.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I yield.

Mr. WILLIS. Beyond that, under this part the Commission is required to appraise all the laws and policies of the United States with regard to the equal protection of the law, and now we propose to add the 10th amendment.

The CHAIRMAN. The Chair will hear the gentleman from New York [Mr. KEATING] briefly.

Mr. KEATING. Mr. Chairman, the part of this section which is sought to be amended here has to do with the equal protection of the laws provision of the Constitution, no other part of the Constitution.

It is true that amendments to the Constitution come under the jurisdiction of the Judiciary Committee, but the parallel between the ruling of yesterday and this amendment does not follow. The amendment offered by the gentleman from South Carolina would bring in a part of the Constitution which is not in any way under the purview of this section. It would be like trying to change the prohibition amendment under the Constitution in this bill. It has to do with an entirely different part of the Constitution, and it is not germane to the consideration of this bill.

Mr. TUMULTY. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. The Chair is prepared to rule.

The gentleman from South Carolina offers an amendment to which the gentleman from New York [Mr. KEATING] makes a point of order. The Chair has examined the language of the bill and also the language of the amendment.

In the opinion of the Chair the amendment is perfectly germane and, therefore, the Chair overrules the point of order.

Mr. RICHARDS. Mr. Chairman, I have a similar amendment to section 3. In the interest of expediting proceedings I ask unanimous consent that the two may be considered together.

Mr. DINGELL. Mr. Chairman, I object to that.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. RICHARDS: Page 21, line 19, after the word "laws", insert "and the rights reserved to the States and the people."

Mr. KEATING. Mr. Chairman, I make a point of order against the amendment on the ground that it is not germane.

The CHAIRMAN. The Chair must overrule the point of order on the same ground that he overruled the previous point of order.

Mr. KEATING. As I understood, consideration of the second amendment was objected to.

The CHAIRMAN. The Chair had not yet put the request.

The gentleman from South Carolina asks unanimous consent that the two amendments may be considered en bloc. Is there objection? [After a pause.] The Chair hears no objection.

The gentleman from South Carolina is recognized.

Mr. RICHARDS. Mr. Chairman, everyone here, of course, is familiar with the 10th amendment to the Constitution, one of the essential pillars of the Bill of Rights which reads:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

The object of these two amendments is to give the same degree of assurance at least that that very important part of the Constitution of the United States, and abuse of that provision, if it exists, should be studied by this so-called commission. If you are going to study whether or not people are equally protected by the laws under the Constitution I think it may be well for this Congress to point out that this reservation of powers to the States considered so important by our forefathers is still important today and believed in by some of us at least. I urge that these two amendments will be adopted.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. I yield to the gentleman from Georgia.

Mr. FORRESTER. I want to congratulate the gentleman on his amendment and I would like to say to him that anyone who wants to talk about civil rights certainly ought to support his amendment because I consider this the rights reserved to the States or to the people to be the most fundamental of all our civil rights. This is the particular thing that brought about the compact of the States, and made the United States. That is why you have a Constitution. So I hope every one will agree that it is time to study once again the bedrock of our civil liberties. I doubt seriously any member of that Commission will have any intimate knowledge concerning this precious principle but it would probably be highly beneficial to them to try to learn something.

Mr. RICHARDS. I thank the very able gentleman from Georgia.

Mr. CELLER. Mr. Chairman, I rise in opposition to the pending amendment and do so to make the following statement: The pending amendment concerns the relationship between the Federal and the State Governments. I do not think it is necessary to put this amendment in the bill.

In 1953 the Congress authorized the setting up of a commission known as the Intergovernmental Relations Commission to study the very import of the amendment offered by the gentleman from South Carolina. In 1955 a very exhaustive, cogent, and excellent report was rendered by the Intergovernmental Relations Commission. That committee made some very valuable recommendations.

This study would be simply a duplication of what that Commission has already done and has reported to the Congress. If the amendment is agreed to I would suggest for purposes of legislative history and interpretation that the commission set up by this bill should simply adopt the recommendations of the Intergovernmental Relations Commission. I do not see how they could do any more than that because of the many months of toil of the members of that Commission.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Louisiana.

Mr. WILLIS. Is it not a fact also the Truman Commission investigated the very subject of this bill? If the gentleman's argument is sound that this proposal should not be investigated because the job has been done before, by the same token the gentleman should withdraw this bill.

Mr. CELLER. I think the Truman Commission goes back quite a number of years. Much water has gone over the dam since.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New York.

Mr. KEATING. I concur entirely in what the gentleman from New York said. This particular amendment involves a study which is most desirable, and, as he said, it has already been made. If further studies can be made certainly I would favor it because the relationship between the Federal Government and the State governments is very important. However, I call the attention of the Members to the fact that if this commission got bogged down in this investigation they might not ever get to the investigation of the essential factors set forth in this bill. Therefore, it is very important that the pending amendment be defeated.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Louisiana.

Mr. WILLIS. Here is a serious suggestion. The Commission under this proposal is required to make a study and to collect information and to appraise the laws and policies of the United States with respect to the equal protection of the law. Now, that has to do with individuals. On the other hand, this amendment here has to do with the rights reserved to the States. Here is an opportunity for an objective commission; not for one commission to investigate one matter, the rights reserved to the people, and then for another commission to investigate another matter, the rights under the equal protection of the laws clause. But, here they would be afforded an opportunity to balance the study. And, I repeat, if the idea of a study having been made is an objection to this amendment, then it should be an objection to the entire bill.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Georgia.

Mr. FORRESTER. I would like to say to the gentleman that since a study has been made in this case that you refer to we have had the Steve Nelson, where the Court held that the State had preempted the field and that the State could not legislate on sedition. We had other cases which we believe were ruled on simply by judicial fiat, because there is nothing in the Constitution, there is no statute to authorize it, and I know of no subject under our Constitution that would be of more value than for a State to determine whether or not a State in these United States is in the situation that they cannot even legislate for their own protection.

Mr. CELLER. I will say to the gentleman from Georgia that preemption by the Federal Government is nothing new. The supremacy clause of the Constitution requires that where Congress actually preempts in any field by using language directly or indirectly for that purpose, State legislation in the given field is not appropriate. This is what the Court held in the Steve Nelson case is entirely different.

Mr. FORRESTER. I will say to the gentleman, however, that it is by judicial fiat, and that is what we want to avoid.

Mr. CELLER. How can the recommendation of a commission prevent or hamstring or tie up a court? You cannot do that.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New York.

Mr. KEATING. Furthermore, the effect of the Steve Nelson case would be overcome by the bill that has been reported out of our committee and is now awaiting action right here in the Congress.

Mr. CELLER. That is correct.

Mr. FORRESTER. The gentleman knows that that is not correct.

Mr. KEATING. And which I favor, incidentally.

Mr. CELLER. I think the bill reported by the House limits it to cases of sedition.

Mr. KEATING. It does.

Mr. CELLER. I say that is what it does.

Mr. Chairman, I move that all debate on these amendments do now close.

The CHAIRMAN. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Debate has just been closed.

The question is on the amendments offered by the gentleman from South Carolina [Mr. RICHARDS].

The question was taken; and on a division (demanded by Mr. KEATING) there were ayes 94, noes 61.

Mr. KEATING. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. RICHARDS and Mr. CELLER.

The Committee again divided; and the tellers reported that there were—ayes 94, noes 106.

So the amendments were rejected.

Mr. BROOKS of Louisiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROOKS of Louisiana: On page 21, line 8, strike out section 103 (a).

Mr. BROOKS of Louisiana. Mr. Chairman, the purpose of this amendment of course is to strike out the duties of this Commission. This amendment does not strike out the duties under subsection (b) but it does strike out all of the duties under subsection (a), and to that extent will nullify the work of the Commission.

I had in mind at the time this amendment was drawn that I would speak in reference to the amendment that was just presented and just declined by the House of Representatives. To my mind, if this Commission is going to function, it should certainly have to consider the work as suggested by the amendment offered by the gentleman from South Carolina, to study the operation of the 10th amendment to the United States Constitution. That amendment, Mr. Chairman, is the most important amendment to our Constitution. I do not believe that our Constitution would ever have been adopted had that amendment not been submitted along with the original Constitution. That amendment is one that protects the people themselves against the usurpation of Government, and in these days when Government is getting so large and so comprehensive and so all-consuming and all-controlling, it seems to me proper and right that we should have that amendment written into this bill. With that amendment out, I think that subsection (1), (2), and (3) of section 103 (a) ought to be likewise stricken out of the bill. I think the purposes of this bill are wrong. I would not agree to the bill even with the amendment in it, I will be frank to tell you, but I do urge the adoption of this amendment.

Mr. Chairman, I am against this bill because it is a social and political monstrosity. It is not necessary and will do no good. Our statute books are filled with a host of social and civil-rights laws passed during the last 100 years which have not been enforced and cannot be enforced because of the nature of our body politic and our society in this country. This will add to the list another law, if this should be passed, which is not workable and will do no good and will be a constant irritant to the people of the Southern portion of this great country.

The first section provides for the establishment of a Civil Rights Commission to be appointed by the President. This is nothing new. During the time I have served in Congress this proposal in one form or another has come up for consideration by the people of the country and every one is well aware of its objectives and of the procedure suggested. During the course of the last two administrations, this suggestion was worked out by the setting up of a committee of this sort with a similar name. It was supposed to operate and to guarantee protection of civil rights in this country and of course it immediately turned its face to the South and began to agitate the question of race relations.

These committees or commissions accomplished nothing whatsoever and they ran their usual course and ceased to exist.

In the history of this country we have had a host of proposals on race relations. In the wake of the Civil War, many bills of this type were put on the statute books. Some of them are still there and clutter up our legal records. In recent years, each session of Congress produces some such proposals. We first had the so-called Force bill which was agitated for many years. It was followed by the antilynching bill, the anti-poll-tax bills, the Federal employment practices bill, and now the civil-rights bills. There are a number of these before the Congress at this time. All of these matters were conceived in politics and were dedicated to political ends. They all failed and they should have failed. You cannot legislate social morals.

This bill under consideration is broad—broad beyond all reason. It has no protection for those persecuted in the course of any hearing of proceeding. It gives the powers of the Government to those who would abuse and villify and hurt our best citizens and would thrust a barbed dart into the heart of the South.

Mr. KEATING. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment, of course, strikes out the duties of the commission which the gentleman from Louisiana, who is opposed to the bill, has been quite frank in saying that that is its effect. If you favor this commission and want part I of the bill, you must, of course, vote against striking out the duties. It would completely nullify and emasculate the first part of this bill, and I am opposed to it.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on this amendment cease now.

Mr. KEATING. Could I inquire of the gentleman if he shares my views?

Mr. CELLER. I certainly do. This would destroy the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. BROOKS].

The amendment was rejected.

Mr. CELLER. Mr. Chairman, I renew my unanimous-consent request that the bill in its entirety be considered as read and be open for amendment at any point.

Mr. JONES of Missouri. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. JONES of Missouri. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES of Missouri: On page 21, line 12, after the word "religion", insert "political affiliation."

Mr. KEATING. Mr. Chairman, I make a point of order against the amendment, but I will be happy to reserve the point of order, if the gentleman would like to have me do so.

Mr. JONES of Missouri. I would like the gentleman to make his point of order. I would like to speak to the point of order.

The CHAIRMAN. The gentleman from New York will state the point of order.

Mr. KEATING. Mr. Chairman, I make the point of order that this amendment is not germane to this bill. The prohibition against discrimination on the grounds of color, race, religion,

and natural origin is envisioned within the terms of the bill now and it says nothing about political affiliations. We do not want to change the entire character of this commission, as it is set up here, by providing that they are to get into an investigation of how people vote and why. It would involve, or at least could involve, investigation of the so-called Communist Party and other subversive groups. It completely changes the character of the bill. It is not within the purview of either this section or the title of the bill in any way, it seems to me.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri.

Mr. JONES of Missouri. Mr. Chairman, I think it is apparent to anyone, if they read the bill, that it says it is to investigate the allegation that certain citizens of the United States are being deprived of their right to vote. I will take that up first—that is being deprived of their right to vote because of their political affiliation. In some sections of the country, where we have primaries and there is only one party, we have people who are excluded from the right of expressing their views on the people who are to represent them.

For instance, in the district I represent at this time there is not a candidate for a Representative in Congress on the Republican ticket. Therefore, I think the Republicans in that district should have an opportunity to come into the Democratic primary to vote to say who is going to represent them; to express a preference. I think that part is well recongnized, that political affiliation is something that excludes some people from the right of franchise in this country.

Another reason why this amendment is germane is that the people are being subjected to unwarranted economic presure by reason of political affiliation. In my State of Missouri at this time people are being thrown out of office as members of ASC county committees to which they were elected because of their political affiliation. That is the only reason they are being thrown out of office. Their character is being hurt by the fact that they are being thrown out of office. I say that is unwarranted economic pressure.

Referring to the gentleman's reference to the Communist Party getting into this, the so-called Communist Party is not recognized as a political party in the United States.

Mr. CELLER. Mr. Chairman, a point of order. I make the point of order that the gentleman is not speaking on the point of order and the germaneness of the amendment.

Mr. JONES of Missouri. Certainly I am, because political affiliation is the thing that is causing this discrimination in the voting, and in the economic political pressure. The gentleman from New York [Mr. KEATING] brought up the fact that Communists may be brought into this, and that is why I am still speaking. The Communist Party is not recognized as a political party at all. I am not trying to protect the Communists any more than the gentleman from New York. I am trying to protect all citizens. I think that political affiliation is certainly germane to this amendment, both from the standpoint of voting and economic pressure.

Mr. GROSS. Mr. Chairman, I would like to be heard on the point of order.

I call attention to section 101 (b) of the bill, which provides:

> The Commission shall be composed of six members who shall be appointed by the President by and with the advice and consent of the Senate. Not more than three of the members shall at any one time be of the same political party.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule.

The gentleman from Missouri offered an amendment to which the gentleman from New York makes a point of order.

The Chair has examined both the language of the amendment and the language of the bill and finds, for the reason that the word "sex" was germane yesterday, "political affiliation" is germane to the section that the gentleman has offered his amendment, and the Chair overrules the point of order.

Mr. JONES of Missouri. Mr. Chairman, I think this objection raised by a point of order is indicative of the spirit in which the proponents are bringing this bill to the floor. They are trying to ride through on the statement that this is a civil-rights bill. To me, this is no more a civil-rights bill than for a fellow to go out to the barnyard and bring in a dish and tell me it is ice cream because it came from a cow. In other words, it does not look like ice cream, it does not smell like ice cream, and I am not going to eat it because you label it ice cream.

Another thing, these people who are trying to force this bill through are trying to appeal to you merely on the ground that you are for civil rights. I have talked to innumerable people who have apologized to me, saying, "We know it is not civil rights, but we cannot go back home and say we voted against civil rights."

It is a bill that will take away your civil rights. This part of the bill reminds me of an experience I had a few years ago. I was driving through a small town where they had a "Stop" sign that they were using to increase the revenue of the village. So when I came to the stop sign I stopped. Then I started on my way, and a country policeman blew his whistle. He walked over slowly toward the car. I stopped. He said, "Young man, did you see that sign?" I said, "Yes, sir." He said, "What did it say?" I said, "It said stop." I said, "What about it?" He said, "Well, it says stop, and that means stop." I said, "I did stop." He said, "Yes; but you almost did not stop." That is just what this bill is. If we had a thought, if someone thought we were about to do something then we would be stopped and they would call you, and you would be harassed with the allegation: "You are about to do something; we have read your thoughts."

I hope, Mr. Chairman, that those people who have been misled into believing that this is a civil-rights bill have been convinced by the eminent lawyers of this House—they have at least convinced me. While I am no lawyer and cannot understand a lot of your legal phraseology, I think I can read and understand the English language—I know that this bill as I read it will not protect civil rights in any one instance but will take away some of the rights we now have. But if you are going to have the bill, for goodness' sake, put it in proper order and include political affiliation, which, in many places, is just as much an excuse to be deprived of your voting rights and just as much to be subjected to unwarranted economic pressure as any of these other things.

I hope the amendment will be adopted.

In closing, I want to say that while I intend to vote against this monstrosity, I know that I can truthfully say to the world that I have not voted against or done anything which would interfere with the voting rights of any qualified voter of this Nation.

Mr. QUIGLEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am not so naive as not to believe, as the gentleman from Missouri suggests, that there are people in this country who are deprived of the right to vote, and I agree that there may be persons subjected to unwarranted economic pressure because of their political affiliation in some instances. However, I think we have to recognize this amendment for what it is: It is one further attempt to clutter up the bill, to so burden the Commission which the bill proposes to set into operation, that it will for all practical purposes be prohibited from performing its function of completing this investigation within the 2-year time limit imposed by the bill.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. QUIGLEY. Yes, I shall be glad to yield to the gentleman from New York.

Mr. KEATING. I share entirely the views expressed by the gentleman from Pennsylvania. If we allow this Commission to start investigating whether some Republican or some Democrat is denied his right to vote because he happens to be a Republican or a Democrat, or that he is subjected to some economic pressures by reason of that fact, undoubtedly, as the gentleman from Pennsylvania says, this Commission could take evidence along those lines; but again it is a complete change in the character of this bill.

The amendment is advanced in the utmost of good faith, but advanced by one who is frank in his opposition to the measure; and, like all these other amendments, it should be viewed with suspicion when they are advanced by such a source.

I hope the amendment will be defeated.

Mr. QUIGLEY. I would point out to the members of the committee that if this amendment is adopted this Commission would end up being the final judge of elections in every precinct, in every voting district, in every 1 of the 48 States throughout the country, and the whole purpose intended to be accomplished by this bill will very quickly go down the drain, because the Commission would not have time to function and do the job it ought to do.

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield?

Mr. QUIGLEY. I yield.

Mr. JONES of Missouri. Is not that exactly the purpose of some people? Is not that exactly what they would like to see happen? They would like to see some Commission regulate the whole country and make everybody that held office subservient to them.

Mr. QUIGLEY. It is not for me to judge the motives or to judge the purpose of any Member who supports or approves this bill. I know the reasons why I support it; others must assume responsibility of their own decision.

But I do say, however, that I object to this amendment because it just clutters up the RECORD, clutters up the work of the Commission and will keep it from functioning in the way some of us hope that it will.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. JONES].

The question was taken; and on a division (demanded by Mr. JONES of Missouri) there were—ayes 52, noes 92.

So the amendment was rejected.

Mr. CELLER. Mr. Chairman, I renew my unanimous consent request that the bill be considered as read and that it be open to amendment at any point in the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The remainder of the bill follows:

Powers of the Commission

SEC. 104. (a) Within the limitations of its appropriations, the Commission may appoint a full-time staff director and such other personnel as it deems advisable, in accordance with the civil service and classification laws, and may procure services as authorized by section 15 of the act of August 2, 1946 (60 Stat. 810; 5 U. S. C. 55a), but at rates for individuals not in excess of $50 per diem.

(b) The Commission may accept and utilize services of voluntary and uncompensated personnel and pay any such personnel actual and necessary traveling and subsistence expenses incurred while engaged in the work of the Commission (or, in lieu of subsistence, a per diem allowance at a rate not in excess of $12).

(c) The Commission may constitute such advisory committees and may consult with such representatives of State and local governments, and private organizations, as it deems advisable.

(d) All Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its functions and duties.

(e) The Commission, or on the authorization of the Commission any subcommittee of two or more members, may for the purpose of carrying out the provisions of this act, hold such hearings and act at such times and places as the Commission or such authorized subcommittee may deem advisable. Subpenas for the attendance and testimony of witnesses and/or the production of written or other matter may be issued over the signature of the Chairman of the Commission or of such subcommittee, and may be served by any person designated by such Chairman.

(f) In case of contumacy or refusal to obey a subpena, any district court of the United States or the United States court of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

Appropriations

SEC. 105. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this act.

PART II—TO PROVIDE FOR AN ADDITIONAL ATTORNEY GENERAL

SEC. 111. There shall be in the Department of Justice one additional Assistant Attorney General, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall assist the Attorney General in the performance of his duties, and who shall receive compensation at the rate prescribed by law for other Assistant Attorneys General.

PART III—TO STRENGTHEN THE CIVIL RIGHTS STATUTES, AND FOR OTHER PURPOSES

SEC. 121. Section 1980 of the Revised Statutes (42 U. S. C. 1985), is amended by adding thereto two paragraphs to be designated "Fourth" and "Fifth" and to read as follows:

"Fourth. Whenever any persons have engaged or are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs first, second, or third, the Attorney General may institute for the United States, or in the name of the United States but for benefit of the real party in interest, a civil action or other proper proceeding for redress, or preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

SEC. 122. Section 1343 of title 28, United States Code, is amended as follows:

(a) Amend the catch line of said section to read,

"§ 1343. Civil rights and elective franchise"

(b) Delete the period at the end of paragraph (3) and insert in lieu thereof a semicolon.

(c) Add a paragraph as follows:

"(4) To recover damages or to secure equitable or other relief under any act of Congress providing for the protection of civil rights, including the right to vote."

PART IV—TO PROVIDE MEANS OF FURTHER SECURING AND PROTECTING THE RIGHT TO VOTE

SEC. 131. Section 2004 of the Revised Statutes (42 U. S. C. 1971), is amended as follows:

(a) Amend the catchline of said section to read, "Voting rights."

(b) Designate its present text with the subsection symbol "(a)."

(c) Add, immediately following the present text, three new subsections to read as follows:

"(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate.

"(c) Whenever any person has engaged or is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b), the Attorney General may institute for the United States, or in the name of the United States but for the benefit of the real party in interest, a civil action or other proper proceeding for redress, or preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"(d) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

Mr. JONES of North Carolina. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES of North Carolina: On page 22, strike out all of lines 13 through 18.

Mr. JONES of North Carolina. Mr. Chairman, this is a simple amendment and what it actually does is to strike out lines 13 to 18, inclusive, on page 22. That section of the bill reads as follows:

The Commission may accept and utilize services of voluntary and uncompensated personnel and pay any such personnel actual and necessary traveling and subsistence expenses incurred while engaged in the work of the Commission (or, in lieu of subsistence, a per diem allowance at a rate not in excess of $12).

The Committee by its vote on yesterday clearly indicated it desired to have an investigation of the so-called civil rights situation in our country. If you are going to have such an investigation then it should be fair and impartial.

I say to you, Mr. Chairman, if you allow this Commission to accept the services of volunteers from groups in this country that have been agitating for this sort of legislation for some time, you will not have a fair and impartial investigation of civil rights. When this measure was before the Committee on the Judiciary of the House for hearing, those who appeared to testify in behalf of it consisted of some of the well known pressure group organizations of this country, such as the Americans for Democratic Action, the American Civil Liberties Union, and any number of other organizations, all standing there ready and willing, and who actually did testify to the great need for this investigation.

You know and I know that the very minute this Commission is established the ADA will have a flock of volunteers standing ready and willing to volunteer their services, and to assist the Commis-

sion. There is nothing in the law that would prohibit the Commission from hearing those witnesses if they desire to testify. But this bill provides that they would be actual employees of the Commission itself. The section says: "The Commission may accept and utilize services of voluntary and uncompensated personnel," to assist in the study of civil rights in this country. Now, it provides that they shall be uncompensated, but it provides further that they shall be paid all of their traveling and subsistence expenses. There is no ceiling on that. The other provision in the bill says that in lieu of all travel and subsistence the Commission may pay $12 per day.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. JONES of North Carolina. I yield to the gentleman from Illinois.

Mr. YATES. Is there any intention on the part of the gentleman in offering this amendment that the Commission should not be allowed to accept the services of such voluntary organizations, or is the gentleman objecting to the compensation to be paid to such people?

Mr. JONES of North Carolina. I do not believe that the Commission should be authorized to accept their services as employees. They can come in and testify as witnesses and present their views, but this authorizes the Commission to employ them on a subsistence basis.

Mr. YATES. Is there not a provision like this for the WOC's in the Department of Commerce now?

Mr. JONES of North Carolina. I do not think it is exactly like that.

Mr. YATES. The compensation they receive usually is $1 a day and their traveling and per diem expenses.

Mr. JONES of North Carolina. But they are carrying out the laws of this Congress.

Mr. YATES. But the Commission would be carrying out a law of the Congress at that time, would it not?

Mr. JONES of North Carolina. The Commission would be making a study of civil rights, and these groups have all taken their positions. As to some of the groups from the South, you would certainly object to that.

Mr. YATES. I would not. I would think that the Commission would have the right to hire any group whose services it needed, with respect to what their views may be. I would think the groups in the South would have the opportunity to have their voices heard.

Mr. JONES of North Carolina. They can employ them as staff members, but this is on the basis of accepting voluntary services and paying them for it.

Mr. SCOTT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this Commission will be a bipartisan commission. It is an entirely justified assumption that this Commission will be composed of responsible citizens from both parties, whose instructions and whose duty and responsibility will be to investigate the matters which are comprised within the language of this bill. These members also will require Senate confirmation, and it is to be expected that the other body would be extremely careful in considering the qualifications of the membership nominated by the executive. There is, of course, also the right of the Commission and the duty of the Commission, in accepting volunteers, to accept them from such groups and organizations as it sees fit from whatever points of view or purposes may be involved in the determination of their acceptance. There is also the element of the funds authorized here. The Congress will have the right to appropriate money which would be used, if the Congress saw fit, for the purpose of paying the per diem allowances, and if the Congress did not see fit, the denial of those funds.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I yield to the gentleman from Georgia.

Mr. FORRESTER. As I recall, the gentleman said that this Commission would be bipartisan. Now, can the gentleman give me any assurance that any particular section which I represent, or from the entire South would be represented on that Commission?

Mr. SCOTT. I could not give the gentleman any assurance that any individual of the section which I represent would be on the Commission, but I would assume that the Commission would be representative geographically, and from other aspects, in keeping with the spirit of the bill, which is to reduce misunderstanding and to promote good will throughout the country and throughout all sections.

Mr. FORRESTER. If the gentleman will let me observe right here, under the Truman Commission my section was not represented at all.

Mr. SCOTT. Of course, I am not responsible for what the Truman Commission did.

Mr. FORRESTER. And we expect better treatment.

Mr. SCOTT. I would certainly expect better treatment under this administration.

Mr. FORRESTER. Mr. Chairman, I should like to ask the gentleman whether he could give us any assurance that this Commission would not do as the Truman Commission did, use certain volunteer services; and the gentleman will find in the hearings, with which I am sure he is familiar, that the groups that were used as voluntary agencies were the National Lawyers Guild, the NAACP, the American Civil Liberties Union, and so forth. Can the gentleman assure us that they will not be the groups who will be used here?

Mr. SCOTT. I think the gentleman would be entitled to the reassurance that this administration would be extremely careful to see that persons of diverse views are recognized and if volunteers are accepted, that persons of diverse views will be used.

Mr. FORRESTER. Then the gentleman thinks that I should believe in fairies.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I yield to the gentleman from New York.

Mr. KEATING. To answer the query of the gentleman from Georgia [Mr. FORRESTAL], of course, I cannot speak for the President of the United States. I am very confident that he would not name anybody who was connected with the National Lawyers Guild to such a Commission.

Mrs. BLITCH. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I yield to the gentlewoman from Georgia.

Mrs. BLITCH. Mr. Chairman, I would ask the gentleman if division of this Commission by parties would in any way mean that different trends of thought, different thinking would be represented on the Commission? Would not the gentleman say that this fight that is going on here today is not exactly a party-against-party fight? You could choose Members from both parties and still have only one viewpoint on the Commission.

Mr. SCOTT. I would answer the question of the gentlewoman from Georgia by saying that I would expect that different viewpoints, different opinion, different ideologies would be recognized.

Mrs. BLITCH. Why?

Mr. SCOTT. And I would also add if the gentlewoman from Georgia [Mrs. BLITCH] were included on that Commission she would be by far the most beautiful member.

Mrs. BLITCH. Mr. Chairman, will the gentleman yield further.

Mr. SCOTT. I yield to the gentlewoman.

Mrs. BLITCH. The gentlewoman from Georgia refuses to be disarmed by the gentleman's reference to her personally; but, in view of his remark, she is even further alarmed by the lack of gravity exhibited by the proponents of this bill. Surely the gentleman would not say that beauty is a requirement of the membership of the proposed Commission in order to bring civil rights to the people of these United States?

Mr. SCOTT. We have added sex and, of course, there are considerations of beauty to be taken into account.

Mrs. BLITCH. The gentlewoman from Georgia is indeed dismayed that the gentleman from Pennsylvania insists on treating, with what certainly borders on levity, a question of such serious import to the individual liberties of all the people of the United States.

Mr. SCOTT. I agree; I think beauty of mind and beauty of purpose should also be included.

Mrs. BLITCH. Mr. Chairman, would not the gentleman say that it is an appalling indictment of the Members of this House that this legislation was ever permitted to reach this floor?

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. CELLER. Mr. Chairman, I move that all debate on this amendment do now cease.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. JONES].

The question was taken; and on a division (demanded by Mr. JONES of North Carolina) there were—ayes 59, noes 83.

So the amendment was rejected.

Mr. CELLER. Mr. Chairman, I offer an amendment, to correct certain typographical errors.

The Clerk read as follows:

Amendment offered by Mr. CELLER: On page 25, at the beginning of line 1, insert the word "the"; and on page 24, line 6, between "Additional" and "Attorney" insert the word "Assistant."

The amendment was agreed to.

Mr. HUDDLESTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HUDDLESTON: On page 24, line 17, strike out all of section 121 of the bill from page 24, line 17, to page 25, line 11, inclusive.

Mr. HUDDLESTON. Mr. Chairman, I rise in opposition to H. R. 627 and in support of my amendment to strike section 121 from this bill. I oppose the entire bill for the reasons which have been so ably stated by its opponents in the course of this debate. Of particular concern to me, however, is this section 121 of part III.

As many of you know, I represent the Ninth Congressional District of Alabama. This district comprises Jefferson County and the city of Birmingham. Birmingham is recognized throughout the country as the industrial center of the Southeastern States. With a population of over 600,000, we play a vital role in the industrial economy of this country. In fact, we produce 9 percent of the total iron and steel production of the country and, believe it or not, 80 percent of the cast-iron pipe. My district is one of the few economically integrated districts in the Nation. I have 60,000 members of organized labor numbered among my constituents and I also have the management for that labor located in my district.

Because of the tremendous industrial and manufacturing activity in the Ninth District of Alabama, I, as its Representative, have a great deal in common with many of the northern Congressmen on my side of the aisle who represent labor districts in northern cities and also many of the Members on the other side of the aisle who count among their constituents sizable segments of the industrial management of this country.

It is my contention that section 121 of part III applies to labor-management relations just as it applies to race relations and, if you will bear with me for a few moments, I would like to explain to you why I have this view.

Section 121 reads as follows:

SEC. 121. Section 1980 of the Revised Statutes (42 U. S. C. 1985), is amended by adding thereto two paragraphs to be designated "fourth" and "fifth" and to read as follows:

"Fourth. Whenever any persons have engaged or are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs first, second, or third, the Attorney General may institute for the United States, or in the name of the United States but for benefit of the real party in interest, a civil action or other proper proceeding for redress, or preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

You will note that this section refers to paragraphs first, second, and third of title 42, United States Code, section 1985, and adds paragraphs fourth and fifth. In order to better understand what I am talking about, let me read paragraph three of the existing law, title 42, United States Code, section 1985. It says, among other things:

If two or more persons conspire for the purpose of depriving any person of the equal protection of the laws or of equal privileges and immunities under the laws, the party so injured or deprived may have an action for the recovery of damages.

As you will see, paragraph 3 makes no mention of race, creed, color, or national origin. It is not intended that the benefits of this section should be extended only to those who have been deprived of the equal protection of the laws because of race, creed, color, or national origin. In fact, beginning in 1877, the Supreme Court—in what have been called the Granger cases—applied the 14th amendment and statutes enacted pursuant thereto to all "persons," including corporations. In the case of *Yick Wo* v. *Hopkins* (118 U. S. 356 (1886)), the Court, acting through Chief Justice Waite, settled once and for all the question of the extent of the 14th amendment and of the existing civil-rights laws, using these words in the opinion:

These provision, i. e., equal protection of laws, are universal in their application, to all persons within the territorial jurisdiction without regard to any differences of race, of color, or of nationality.

It is a common misconception among our people that the 14th amendment and the present civil-rights laws apply only to those who have been deprived of the equal protection of the laws because of race, color, or national origin. But this is not so. They apply to all persons and all persons are protected by them. This even includes corporations which have been defined, for the purposes of the 14th amendment and civil-rights statutes, as "persons."

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOYLE. Mr. Chairman, I rise in opposition to the amendment.

Mr. HUDDLESTON. Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

Mr. KEATING. Mr. Chairman, reserving the right to object, and I shall not object unless this is not in accord with the agreement entered into, my understanding was that there were only 5 minutes to be allowed on both sides. I do not like to object to the gentleman having a full opportunity to be heard.

Mr. BOYLE. This is in violation of the agreement as I understand it.

Mr. KEATING. I am not going to object to anyone having a chance to be heard on this bill on either side.

Mr. WILLIS. Mr. Chairman, I was going to move to strike out the appropriate number of words in order to enable me to ask a few questions of the author of this amendment. This is a very serious and a most important amendment, and that is the reason I should like to have 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama to proceed for 5 additional minutes?

Mr. WILLIS. Mr. Chairman, I do not want to be in violation of the rules but I asked to strike out the appropriate number of words.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

Mr. BOYLE. Mr. Chairman, since the gentleman's request is in violation of the agreement, I will have to object.

The CHAIRMAN. Objection is heard.

Mr. HUDDLESTON. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. HUDDLESTON moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. HUDDLESTON. Mr. Chairman, you will note that in paragraph 3 of the present title 42, United States Code, section 1985, the term "equal protection of the laws" is used. Just what does this phrase mean? The Supreme Court long ago in the case of *Barbier* v. *Connolly* (113 U. S. 27 (1885)), defined it as the protection of equal laws. It requires—and I quote—"that equal protection and security should be given to all under like circumstances in the enjoyment of their personal and civil rights."

Based on what I have said before, I am sure that you will agree that the term "equal protection of laws" is not limited to race relations only. It embraces all other personal and civil rights which have been extended to the people in this country by the Constitution and also by the laws of the United States.

Now I get down to one of the major reasons why I oppose section 121 of part III of this bill and why I have offered the amendment to strike this section out. As I have said, the term "equal protection of the laws" applies to all laws of the country which extend rights and privileges to citizens and other persons. The rights which I have particular reference to are those which were initially spelled out in the Wagner Labor Relations Act and later in the Labor-Management Relations Act of 1947, otherwise known as the Taft-Hartley Act. These rights appear in title 29, United States Code, section 157. With your indulgence, I would like to read this section:

RIGHT OF EMPLOYEES AS TO ORGANIZATION, COLLECTIVE BARGAINING, ETC.

Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, and shall also have

the right to refrain from any or all of such activities.

The first set of rights were extended by the Wagner Act and the right to refrain from activities first mentioned was extended by the Labor-Management Relations Act of 1947.

It is my contention that these rights conferred by the Wagner Act and the Labor-Management Relations Act of 1947 are included within the meaning of the term "equal protection of the laws." These are "laws" of this country .

Section 121 of part III of H. R. 627 extends to the Attorney General the authority to intervene in case of acts or practices which would give rise to a cause of action pursuant to the existing civil rights laws. In other words, if two or more persons conspire to deprive another of equal protection of the laws, the Attorney General may institute a civil suit. He can do this without the consent of the alleged aggrieved party and even over his strenuous objection.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. I yield.

Mr. WILLIS. I have been following the argument of the gentleman, and I suggest this is a most serious amendment and a very meritorious one. As I understand the trend of the argument of the gentleman, it is this, that section 121 of the bill, page 24, provides for a remedy whenever a cause of action arises pursuant to section 1980 of the Revised Statutes.

Mr. HUDDLESTON. That is right.

Mr. WILLIS. The Revised Statutes provide that whenever there is a conspiracy with intent to deny any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing or attempting to enforce the right of any person or class of persons to the equal protection of the law. What the gentleman is pointing out is that a situation will eventually arise in a labor organization where allegations may be made that someone in the office of a union is said to have conspired with a member of that union to deprive someone in the union of equal protection of the law.

Mr. HUDDLESTON. That is correct.

Mr. WILLIS. And that is a very, very serious thing. It is presented in this legislation.

Mr. HUDDLESTON. Yes. It is my contention that those provisions extending certain benefits to the members of the working class segment of our population are subject to the provisions of the civil rights statutes, paragraph 3 of the existing civil rights law. By enacting section 121 into this bill we are extending to the Attorney General the right to intervene in labor-management relations, a field which has traditionally been excluded from politics.

To proceed—the Attorney General is given by this section 121 the authority to intervene in matters involving violations of the rights extended and conferred by the Wagner Act and the Labor-Management Relations Act of 1947. As I have quoted from these acts above, the right to join a labor organization is one of these rights. Also, is the right to refrain from joining a labor organization. These are only two of the rights which are conferred on employees and employers by these acts and if persons are deprived of these rights by others, they are denied the equal protection of the laws.

You can see what the result would be. All cases of complaints on behalf of a company against a union or a union against a company would be subject to intervention by the Attorney General. By giving the Attorney General this power, the bill, in effect, circumvents the National Labor Relations Board, which has a statutory jurisdiction over labor-management relations, and gives the Attorney General concurrent jurisdiction with the Board.

Section 121 puts labor-management relations into the middle of politics. Instead of the Government being the umpire, as it presently is, the bill would actually make it a party-litigant. A politically minded Attorney General could use section 121 of this bill to destroy either union or management, depending upon what would best serve the interests of the administration of which he is a part.

Let me give you an example. If an employee is fired for allegedly joining a labor union, he has a right guaranteed by the Wagner Act and as such, is deprived of his equal protection of the laws. The Attorney General could sue the company for this deprivation and have the unlimited resources of the country at his disposal.

On the other hand, if a union allegedly violated the rights of employees to refrain from joining labor organizations, as granted in the Labor-Management Relations Act of 1947, they will have been deprived of their equal protection of the laws. The Attorney General could file suits against the union, even without the consent of the alleged aggrieved employees, under the provisions of section 121 of this bill.

These rights, which I have mentioned, are protected by the National Labor Relations Board as are all other rights and privileges guaranteed by the Wagner Act and the Labor-Management Relations Act of 1947.

By plaguing either company or union with suits, the Attorney General could destroy or bankrupt either or both. This double-edged sword which is created by section 121 of this bill, could be used to persecute and hamstring labor or management, depending on what best suited the administration in power at that time. H. R. 627 is a dangerous law in many respects and I feel that one of the most important of these is the effect which section 121 will have in putting labor-management relations into politics.

In my humble opinion, the Members of Congress from the North and West would do well to give careful consideration to the arguments I have presented. I believe that these arguments have force and substance and that this bill will have a serious effect on our traditional concept of labor-management relations. Who knows but that, if this bill is approved in the House, and then in the Senate, and signed into law by the President, a year or so from now those who are presently supporting it may come back into Congress crying for its repeal. I wouldn't be at all surprised.

The CHAIRMAN. The time of the gentleman from Alabama [Mr. HUDDLESTON] has expired.

Mr. KEATING. Mr. Chairman, I rise in opposition to the preferential motion.

We are not concerned with the amendment offered by the gentleman but with his preferential motion to strike the enacting clause. It is the same motion which was made by the gentleman from New York [Mr. MILLER] on yesterday. All those who favor the legislation should, of course, vote against this motion.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Alabama [Mr. HUDDLESTON].

The motion was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Alabama [Mr. HUDDLESTON].

Mr. BOYLE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the previous amendment offered by the gentleman from Alabama was voted down in substance when the gentleman from Louisiana [Mr. WILLIS] offered an amendment which would have struck out three sections of the bill.

Mr. WILLIS. That is not quite accurate.

Mr. BOYLE. Whether or not that observation is completely and totally accurate, his amendment would have struck section 121 or part III from the bill. Part III supplements title 42, United States Code, section 1985.

The attempt to liken this particular section to the Wagner Act or the Taft-Hartley Act is not quite accurate, because this section, commonly called the Ku Klux Klan Act, and designated part III, adds two new subsections providing additional remedies to the Attorney General giving the right to bring a civil action or other proper proceeding for relief to prevent or redress acts and practices which would give rise to a cause of action under the three subsections of 1985. This subsection is designed to provide a new remedy to secure rights presently protected. It is not intended to expand the rights to give him such necessary rights as he would need in carrying out the congressional intention of this act.

If you are going to recognize civil rights, and if you are going to recognize the need for the protection of those civil rights, then I submit these two sections are most important to see that the legal machinery is set up to carry out and protect those rights.

Mr. QUIGLEY. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I yield to the gentleman from Pennsylvania.

Mr. QUIGLEY. It is not very often that I have the pleasure of being able to agree with the distinguished Attorney General of the United States, but I am in full accord with him in this particular now before us. The only way the Attorney General can now move into this

particularly difficult field is under the criminal statutes, and one of the recommendations he submitted to our committee on the occasion of his appearance before us was that the Department be given a civil remedy so that the Attorney General could proceed in this very difficult area to try to work out these problems in the civil side of the court rather than to make criminals out of many otherwise prominent and respectable people in their communities; and I think when we use the civil remedy approach rather than the criminal law approach, and as we get away from the stigma of the criminal law, I think we are making an important step forward.

I agree with the gentleman wholeheartedly that if the amendment offered by the gentleman from Alabama is adopted it would take out of this bill what I consider to be the only provision of the bill which is of real value and of merit.

I join with the gentleman in opposing the amendment.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I yield to the gentleman from New York.

Mr. KEATING. I concur wholeheartedly in what was said. This is a very important provision of this bill. To eliminate it would destroy a very important part.

There has been considerable discussion about the use of the phrase "about to engage." These are well recognized words in Federal statutes. This phraseology has been used repeatedly when injunctive relief is sought. The purpose is to prevent the harm being done before it is done.

Mr. QUIGLEY. Mr. Chairman, I ask unanimous consent that all debate on this amendment do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. HUDDLESTON].

The amendment was rejected.

Mr. POFF. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POFF: On page 25, line 7 through line 11, strike out all the language, lines 7 through line 11.

Mr. KEATING. Mr. Chairman, I make a point of order against the amendment that we have already considered a similar amendment. I would be glad to reserve the point of order if the gentleman wishes to be heard.

Mr. POFF. Mr. Chairman, I would like to be heard on the point of order.

Mr. Chairman, as I understand the rules of the House, a point of order would not lie inasmuch as the amendment which was just offered went to the whole section titled 121 and, having been rejected by the committee, my amendment which goes only to a portion of that title would be in order.

The CHAIRMAN. Does the gentleman from New York desire to press his point of order?

Mr. KEATING. Mr. Chairman, the gentleman's amendment seeks to strike one of two paragraphs which we have just voted not to strike from the bill. I assume, since we have passed upon that matter and have refused to strike the amendment, that this amendment would not be in order.

The CHAIRMAN. The Chair is prepared to rule.

The amendment which the gentleman from Virginia offers seeks to strike out only a portion of the section while the previous amendment was to strike out the entire section.

The Chair overrules the point of order.

Mr. POFF. Mr. Chairman, my amendment is one which I earnestly believe will be acceptable to truly temperate men on both sides of this controversial issue. It is purely juridical and should be entirely unemotional.

The language my amendment would strike begins on line 7, page 25, and reads as follows:

The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

It has long been a rule of case law that a litigant has no standing in the Federal court until he has first pursued and exhausted all administrative remedies available to him. This rule was applied and the plaintiff's complaint was dismissed by the United States Court of Appeals, Fifth Circuit, in the cases of *Cook et al.* v. *Davis* (178 F. 2d 595); *Bates et al.* v. *Batte et al.* (187 F. 2d 142); *Peay et al.* v. *Cox, Registrar* (190 F. 2d 1932); *Mills et al.* v. *Woods et al.* (190 F. 2d 201); and *Davis et al.* v. *Arn et al.* (199 F. 2d 424).

This rule of laws is grounded in the principle of the sovereignty of the individual States. It recognizes that the individual States have the jurisdiction and the responsibility to administer the internal laws passed by their legislatures. In administering these laws, the States necessarily have the authority to create administrative agencies which are empowered by the legislature to issue and enforce administrative regulations. These regulations establish the administrative procedure which must be followed by the individual citizen who feels that his legal rights have been abridged or denied.

These administrative agencies and these administrative rules and regulations reach into every field of jurisdiction with which the State and its localities are vested, including health, sanitation, police protection and education.

The Supreme Court in its public-school decree instructed the States to proceed with all deliberate speed. Several Southern States have proceeded and others are proceeding, with all deliberate speed, to develop specific and detailed plans. Some of these plans contain school enrollment regulations which are not based on race, creed, or color. These plans also contain a system of administrative appeals culminating in an appeal as a matter of right to the State courts. That appeal procedure is available to the parents of every pupil who feels himself aggrieved by the action of the local school authorities.

The language of this bill, against which my amendment is directed, would completely and utterly nullify the administrative appeal procedure these plans provide. Thus, these plans, developed at the express mandate of the Supreme Court, could never receive a court test to determine whether or not they comply with the Court's decree.

If this amendment is adopted, it will not mean that an aggrieved party will not have access to the Federal courts. It will only mean that he must first pursue and exhaust all administrative remedies available to him. If the amendment is not adopted, Federal court dockets, already heavily overburdened, will be swamped with frivolous and vexatious cases which otherwise could have been settled out of court by administrative action.

I hold in my hand a newspaper cartoon showing black smoke issuing from a window in the first story of a building. The window is labeled "The South" and the smoke is labeled "Encroachments on States' Authority." Looking from a second story window at the smoke below are two men labeled "Other States." The title of the cartoon is "Just Another Sectional Problem." Members from other States may consider the problem before us today entirely sectional and confined to the South. But Federal encroachment on States' authority is not sectional in its ultimate effect. The fire downstairs, if not quenched, will finally consume the upstairs, too. Indeed, the flames already are leaping up the staircase.

I respectfully urge everyone who would protect, preserve, and perpetuate this one small segment of States rights to support this amendment.

Mr. MURRAY of Illinois. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Virginia [Mr. POFF].

Mr. Chairman, the amendment of the gentleman for Virginia, if adopted, will put the individual whom this bill seeks to assist in obtaining or enforcing his civil rights on a procedural merry-go-round. Under present law it is true in most cases before one can go into a Federal district court to enforce a right he must exhaust adequate State and administrative remedies. Let me explain what that entails. It is Federal rights, not State rights, that we are talking about in this bill. If this amendment is adopted a person before he can go into a Federal district court to effect his Federal constitutional right must apply first to a State trial court if State law provides a remedy. He must then go to the State supreme court or State appellate court and he must then seek certiorari from the United States Supreme Court. If State law provides more than one remedy, he must thus exhaust all. Each State remedy might have procedural pitfalls that prevents an inquiry by the court into the violation of his right.

All this section does is to permit a man to go into a Federal district court immediately after his rights are violated

and not have to go through a maze of State procedures.

We have in Illinois an individual who for about 9 years tried to exhaust his State remedies in seeking a hearing upon the question of whether his constitutional rights were violated. In his most recent proceeding, the United States Court of Appeals in effect said to him, "You have got to go back to the State courts and exhaust another remedy." We certainly cannot expect these people to wait 9 or 10 years before they are able to go to a Federal district court and enforce their rights, which is what can happen if this amendment is adopted.

Mr. SCOTT. Mr. Chairman, will the gentleman yield?

Mr. MURRAY of Illinois. I yield to the gentleman from Pennsylvania.

Mr. SCOTT. I think the gentleman is correct. Certainly, with regard to the exhausting of administrative remedies, the Supreme Court did say in Lane against Wilson that there was no requirement that a party exhaust State judicial remedies before resorting to a Federal court for relief pursuant to a Federal civil rights statute.

However, the requirement of exhausting administrative remedies could be so used as to defeat the entry into the Federal court by establishing so many new State administrative remedies that you could not live long enough to exhaust them.

Mr. MURRAY of Illinois. That is true and a most cogent point. Is it not correct that there are decisions that indicate that before a person can go to a Federal district court he must also exhaust available State judicial remedies?

Mr. SCOTT. In certain other instances.

Mr. MURRAY of Illinois. And the section which the amendment seeks to strike will make it clear that in the enforcement of a Federal right, a person can go immediately into the Federal district court.

Mr. SCOTT. The gentleman is correct.

Mr. FLYNT. Mr. Chairman, will the gentleman yield?

Mr. MURRAY of Illinois. I yield to the gentleman.

Mr. FLYNT. Will the gentleman from Illinois explain to the committee what right the man in Illinois was deprived of, to which the gentleman referred a minute ago? Was that a Federal right or a State right?

Mr. MURRAY of Illinois. It was a Federal right, he claimed he was deprived of whether or not his contention was true has not been decided yet. The individual was held in the State court pursuant to a State conviction and he filed a petition for habeas corpus in the Federal district court claiming that his State conviction was the result of a denial of a Federal constitutional right. The Federal district court refused to inquire into his claim until he exhausted State remedies. When he went into the State court, he found that the procedural aspects of State remedies apparently available were in fact inadequate to test his contention. Yet he had to exhaust each one of these apparent adequate remedies before he could go into a Federal district court.

Mr. FLYNT. Does the gentleman mean to tell us that the State of Illinois deprived a man of any civil rights he might have had?

Mr. MURRAY of Illinois. The State of Illinois never deprives a man of any civil rights. The gentleman is an excellent lawyer as are many other gentlemen who oppose this legislation. I am certain that they can see procedural difficulties in the enforcement of the rights of an individual. If we require the exhaustion of State remedies before access to the Federal district court. If the State provided a remedy, and we were assured that the individual would secure a fair and speedy remedy and adequate relief, I would concur that to maintain our historic balance between State and Federal authority on individual right to exhaust State remedies before access to a Federal court. Unfortunately I have found even in Illinois that State remedies are many times neither adequate or available even though they appear to be.

Mr. CELLER. Mr. Chairman, I move that all debate on this amendment and all amendments thereto do now cease.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. POFF].

The question was taken; and the Chairman being in doubt, the Committee divided and there were—ayes 60, noes 86.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. POFF and Mr. CELLER.

The committee again divided, and the tellers reported that there were—ayes 81, noes 109.

So the amendment was rejected.

Mr. FRAZIER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FRAZIER: On page 24, beginning at line 6, strike out all of part II through line 14.

Mr. ELLIOTT. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield to the gentleman.

Mr. ELLIOTT. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD immediately following the remarks of the gentleman from Tennessee [Mr. FRAZIER].

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. FRAZIER. Mr. Chairman, there is no justification for the creation of a Civil Rights Division in the Department of Justice headed by an Assistant Attorney General.

I know from experience that for years and years there has, and now exists in the Department of Justice a Civil Rights Section just as competent to do this work as the new division, and to which section the Attorney General has the right and can assign as many or as few of his highly paid attorneys as he so desires. With this section already established why burden the taxpayers with the creation of another division?

You already have in the Department of Justice headed by the Attorney General, 1 Deputy Attorney General, 7 Assistant Attorneys General, 1 Solicitor Attorney General. Stationed right here in Washington in the Department of Justice are 893 lawyers. You have 94 United States attorneys in the United States. You have 622 assistant United States attorneys. This makes a total of 1,609 attorneys already available to handle cases in the civil-rights area. To say nothing of the innumerable attorneys in every department of the Government.

There is less reason for the creation of an Assistant Attorney General to head the Civil Rights Division than any other section in the Criminal Division of the Department. For instance, last year there were 1,700 criminal prosecutions involving juvenile delinquency. There were 3,413 criminal prosecutions involving stolen automobiles. There were 8,500 criminal prosecutions involving frauds and thefts. There were 1,017 cases involving the violations of the Selective Service Act.

If this new Division is set up how many assistants to the Assistant Attorney General will be required? Mr. Maslow, general counsel, American Jewish Congress, testified this Division should have at least 50 lawyers. And of course each of those lawyers would have to have his staff and clerical help.

How many cases come before the Department of Justice and the FBI in the so-called civil-rights area. Mr. Olney, head of the Criminal Division, Department of Justice, testified just a few months ago that during the fiscal year 1955 there were 224 cases referred to the Criminal Division involving civil rights. These included not only racial cases but cases involving other matters. During the first 6 months of this year there were only 58 cases referred.

Mr. Hoover, who is head of the FBI, testified before the Committee on Appropriations during this session of Congress in regard to the number of cases which came before the Department of Justice and the FBI in this area.

Mr. Hoover testified that during the fiscal year 1955–56 there were 1,275 complaints in the category of civil rights of which 1,060 did not go beyond preliminary investigation and were thrown out. Which left, according to Mr. Hoover's testimony, 115 full investigations resulting in 20 indictments and 4 convictions during fiscal year 1955.

With all that talent, they could find only 20 cases worthy of prosecution and were able to secure convictions in but 4 cases.

Mr. QUIGLEY. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield.

Mr. QUIGLEY. Not taking issue with any of your statistics, does not the gentleman agree that the recommendation of the Attorney General incorporated in this bill was to create a new civil remedy, and it is with that new civil remedy in mind that the Attorney General made the second recommendation that there

should be a subsection in the Department with an appropriate head and appropriate staff?

Mr. FRAZIER. Of course, I agree that that is what the Attorney General wants, and that is what we do not want.

Mr. QUIGLEY. Does that not nullify his statistics about the very few cases involving criminal rights? He wants to get away from the criminal section and get a civil remedy.

Mr. FRAZIER. Of course, that is what the Attorney General wants. There is no possible way on earth for you or me or anyone else to determine how many instances the Attorney General is going to go into and investigate in the civil rights field.

The CHAIRMAN. The time of the gentleman from Tennessee [Mr. FRAZIER] has expired.

Mr. ELLIOTT. Mr. Chairman, the omnibus civil-rights bill now before us is the rawest kind of political bid for the Negro vote. Every Member of Congress, whether for the bill, or against it, recognizes it as such. In my judgment, millions of Negroes will resent having this bill dangled before them as bait with which to trap their votes in the forthcoming elections.

I have regularly attended the debates on this bill ever since they started several days ago and no one even claims or asserts that this bill has any chance of passage whatsoever. It is recognized, even by its most ardent advocates, as being altogether an effort to get votes. If the bill passes here, and I hope it will not, everyone knows that it has not the slightest chance of passing the United States Senate.

Let us examine its political background. There is no secret about it. You have heard it from the highest and most distinguished leaders of the Republican Party in the United States House of Representatives. They all say that this is the Eisenhower bill, that the President wants it passed.

On yesterday, we heard the minority leader of the House the gentleman from Massachusetts [Mr. MARTIN], the former Speaker of the House, say to his Republican colleagues:

> I want to tell the Republicans in this House if they follow the southern democracy in the defeat of this bill, they will seriously regret it.

Again, the gentleman from Massachusetts said in reply to the gentleman from Texas [Mr. DIES]:

> Why, my friend, this bill has been jockeyed into the position where the one group who will be blamed for the defeat of this bill, if it is defeated * * * is the Republican Party. Those are the real facts.
>
> I just want to point out to the Republicans not to fall into this trap. * * * If you scuttle this bill, you will be scuttling a bill which has been favored by the President of the United States. You will be scuttling a bill that has been formulated by the Attorney General.

Mr. Chairman, I submit that there is no higher authority than that which I have quoted to illustrate the interest of the Republican Party in the passage of the bill before us.

However, this bill is bad.

In it, we are asked to create a Commission on Civil Rights to be composed of six members appointed by the President.

I ask you whether or not this sounds like a Commission that has been well thought out in advance. Why, Mr. Chairman, there is not a single safeguard in the appointment of this Commission. There is no mention of the qualifications, other than political, that members of this Commission shall have. Operating in the most sensitive field of human affairs, the relationships of the races, one that has been stimulated to sensitivity almost beyond the imagination by a series of Court decisions, including the school decisions, this Civil Rights Commission from ought that appears in this bill would have no qualifications whatsoever. Should the Commission be made up of distinguished lawyers and judges, or educators, or ministers? If so, there is nothing in the bill that says so. Should the South, where the bulk of the Negro population is located, be represented on this Commission? There is nothing in the bill that says so.

Then the bill proceeds to state the duties of the President's Commission on Civil Rights. It says that the Commission shall investigate the allegations that certain citizens of the United States are being deprived of their right to vote, or are being subjected to unwarranted economic pressures by reason of their color, race, religion, or national origin. If such a Commission is to be set up and if it is to make such investigations, then why should the scope of its investigations be limited to those people who have allegedly been deprived of only those rights which have been specifically mentioned? There are many other rights and their are many allegations from time to time of their violation. We do not live in Utopia. We are not perfect.

The answer to that is easy. It is that this bill is a bald approach to the Negro vote in the forthcoming elections. That is its purpose and nothing more.

The Commission is required by the bill to report only to the President of the United States. There is no congressional connection with and no congressional control over the exercise of the powers and the proceedings of this Commission. I for one am not going to give the broad powers in this bill to any commission and Mr. Chairman, I have just begun to describe the shortcomings of this bill. There are many more, some much worse than the ones I have thus far mentioned.

Another very objectionable feature of the bill, as I see it, is the power vested in the Commission to accept and utilize services of volunteers and uncompensated personnel.

The Members of this House know that there are organizations in this country dedicated, it appears, to the creation of racial discord and unrest. They stir up civil strife and hatred, and I shudder to think what might happen if members of such organizations were to volunteer, and the Commission were to accept their services. It would create trouble all over this country. Apparently, there is no limit on the Commission's powers. It is given the power to set up a multitude of advisory committees and is authorized to consult with such private organizations as it deems advisable. Even all Federal agencies are directed to cooperate fully with the Commission.

The Congress is called upon to give this Commission the power of subpena—a power that is seldom used by the Congress of the United States and almost never used by its own committees. The subpenas may be served by any person designated by such Chairman. The bill provides that if a citizen refuses to obey a subpena, that the district courts of the United States are at the beck and call of the Commission to require the "person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof."

In other words, the naked power granted this Commission would enable its subcommittees to rove over this country stirring up strife and discord and discontent, and then being the instrumentality through which people who refuse to cooperate are put in jail.

The bill goes much further. It provides for an additional Assistant Attorney General.

That is not all. Listen to this—the Attorney General is given the broad power to institute in the name of the United States "for the benefit of the real party in interest, a civil action," or other proceeding "for redress, or preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order." This extraordinary power granted to the Attorney General of the United States comes into play—and listen to this, Mr. Chairman—"whenever any persons have engaged or are about to engage in any acts or practices which would give rise to a cause of action pursuant to the first 3 paragraphs of section 1980 of the revised statutes."

Now, I feel certain that no Attorney General has ever been granted such broad powers as would enable him to bring such actions as I have described when, in his judgment, any persons were "about to engage" in certain acts. In other words, to bring this suit, the Attorney General, or one of his multitude of lawyers, must believe that some person is "about to engage" in some practice, and then, as I read this proposed law, the Attorney General does not even have to have the consent of the person in whose alleged interest the action is brought. This statute gives the Attorney General the authority to bring lawsuits for private individuals without their consent and thus goes further than any similar statute ever enacted in the United States.

Mr. Chairman, I want to leave these thoughts with the Membership of the House with reference to this matter: What have we done and what do we propose to do with the real opportunities for America's citizens as embodied in legislation now before the Congress? A very few weeks ago now, there was before this House a bill to provide a program of school buildings and classrooms for the school children of America, white and colored, and I will say to the

Chairman that had the leaders and gentlemen on my left shown as much interest in that bill as they profess to show in the bill before us, we might very well now have been on the road to a program of building a half million classrooms for 15 million American school children.

Every American citizen deserves an opportunity to own a home. The old folks of this country are entitled to adequate shelter. Public housing serves a great need for persons of low income, for the disabled and for those who otherwise must live under slum conditions, and yet, Mr. Chairman, the Housing bill languishes as yet unacted upon.

In 50 congressional districts in America, there are pockets of unemployment eating like a cancer on the economic body. Yet, there appears to be no effort to pass a bill providing civic rehabilitation and reemployment for these areas. I am interested, and have always been interested, in legislation that would bring opportunities to every American citizen. I regret that we must spend the closing days of this session on such a useless bill.

The bill before us will cause strife and trouble, and hatred, and discord and discontent and distrust among the people of this Nation. It should not be enacted. It should be defeated while we turn our efforts to more constructive endeavors.

Mr. KEATING. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it was very clear from the testimony by the Attorney General that there has been a great increase in the work of what is now a section, and that it would be anticipated there would be additional work, some of it arising out of the passage of this legislation, in the civil field. He pointed out the recent participation by the Department of Justice as a friend of the court in a civil suit to prevent, by injunction, the unlawful interference with the efforts of the school board in a town in Arkansas to eliminate racial discrimination in the school, in conformity with the Supreme Court's decision.

There are bound to be additional cases arising under this and other legislation of a civil character apart from any criminal procedure, but that is not alone the reason, perhaps it is not the essential reason for the creation of a separate commission in the Department of Justice.

At the present time the Civil Rights Section is in the Criminal Division of the Department of Justice, and one of the reasons why I personally look upon this bill as a moderate approach and a constructive approach to the problem of civil rights is because of the stress laid by the Attorney General in the utmost sincerity on the fact that many of these cases do not lend themselves to criminal prosecution; the persons involved, the natural defendants in many instances, are prominent public officials or others whom we normally do not think of as being in the criminal category, and it seems entirely inappropriate that the Civil Rights Section should be a part of the Criminal Division of the Department any more than they should be under the Claims Division or some other division with an entirely separate function.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. ROOSEVELT. Is it not also true that while it is true for the reasons the gentleman has pointed out that very few actual cases may have been prosecuted and convictions resulted, it is also true that in the year 1950 between 12,000 and 15,000 complaints reached the Department. They were, of course, completely overwhelmed and could not accommodate them properly. Therefore there is a distinct need.

Mr. KEATING. I am sure the administration of this law or other laws relating to civil rights would be greatly improved and strengthened by the creation of a new division.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Georgia.

Mr. FORRESTER. I would like to get some information from the gentleman from New York, and I am sure if I cannot get it from him I cannot get it from any Member of the House, because I know of no Member of this body who is in more intimate touch with the Department of Justice than the gentleman from New York. You talk about furnishing an Assistant Attorney General. Will the gentleman tell the House how many assistants to the Assistant Attorney General would be required under this law?

Mr. KEATING. I cannot answer the gentleman; I do not have the responsibility for the administration of the Department of Justice. I will say this to the gentleman, that the Congress has the eventual control over that by virtue of the purse strings, and if the Attorney General seeks to load up the Department with unnecessary personnel I assume Congress will not approve it.

Mr. FORRESTER. Was it not stated in the record that he would want at least 50 or more assistants to the Assistant Attorney General?

Mr. KEATING. I do not know that that is in the record. If the gentleman tells me categorically that it is I would not dispute him, for the gentleman is a very honorable Member.

Mr. FORRESTER. I appreciate that. I know the gentleman would tell me if he knew, but I will say to the gentleman that he will find in the record that Mr. Maslow, I believe, of the Jewish Congress, testified that a minimum would be fifty and probably more.

Mr. KEATING. I do not know what Mr. Maslow may have said. After all, the ultimate responsibility for it would rest with the Attorney General, not some witness.

Mr. FORRESTER. And that is why I asked the gentleman to tell me and measure up to his responsibility.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on this amendment do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. FRAZIER].

The question was taken; and on a division (demanded by Mr. CELLER) there were—ayes 49, noes 89.

So the amendment was rejected.

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 24, strike out all of lines 1 through 5.

Mr. GROSS. Mr. Chairman, all my amendment would do would be to strike out the appropriation of any unappropriated funds to finance this program which gives almost unbridled authority to a few people. I do not know whether there is anyone on the floor of the House today who can tell me whether there are any unappropriated funds left in the Treasury. From the way this Congress has been spending money, I doubt it.

Now, Mr. Chairman, I want to ask a question or two. The report accompanying this bill is one of the most unusual I have ever seen come from a committee. I find in the report not a single statement from the Budget Bureau, the President or anybody else in support of this specific legislation. Moreover, I find no statement from President Meany of the AFL-CIO or no statement from Walter Reuther, president of the United Auto Workers. There are several thousand AFL-CIO, and United Electrical Union members, in the district which I have the honor to represent.

Will the chairman of the Judiciary Committee, the gentleman from New York [Mr. CELLER], tell me whether Mr. Meany or Mr. Reuther or any representative of the AFL-CIO appeared before your committee in behalf of this bill—not any other bill but the one before us today?

Mr. CELLER. I have before me a rather hefty volume of many, many people who appeared before the committee on this bill and similar bills.

Mr. GROSS. On what bill?

Mr. CELLER. On this and similar bills involving civil rights.

Mr. GROSS. Did the gentleman hold any hearings on this bill, as amended?

Mr. CELLER. Yes, we did.

Mr. GROSS. Did any representative of the AFL-CIO appear before your committee in behalf of this bill and the language contained therein? That is what I want to know.

Mr. CELLER. The hearings were before a subcommittee. I was not present at all the hearings. I am trying to run down the index here to find out.

Mr. GROSS. He cannot say whether the gentlemen I have mentioned or their representatives appeared before his committee. Was there any representative of the American Bar Association who appeared in behalf of the language contained in this bill?

Mr. CELLER. Would it make any difference to the gentleman if Mr. Meany approved the bill or disapproved the bill?

Mr. GROSS. I will say to the gentleman that I have sent a wire to Mr. Meany and a wire to Mr. Reuther asking their position on the bill presently before

the House. As yet I have had no word from them. But, certainly, if they or their representatives were interested in this bill, they would have come before your committee.

Mr. CELLER. It would be a sorry state of affairs if the Congress could not legislate until they had heard——

Mr. GROSS. Wait a minute. The gentleman knows that that is not an answer to the question I asked.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Florida.

Mr. HALEY. I might say to the gentleman, if he has examined the hearings, that I think they had less hearings on this bill than on any bill that has been before the Congress of the United States in the past 25 years, affecting 25 million people.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Georgia, a member of the Judiciary Committee.

Mr. FORRESTER. I would like to say to the gentleman that, of course, there were no hearings. That is what I have been complaining of.

Mr. GROSS. That is enough. I appreciate the gentleman's answer and thank him.

The gentleman from New York [Mr. KEATING] has disappeared. I wanted to ask him the same question that I asked the other gentleman from New York [Mr. CELLER].

Mr. FORRESTER. Mr. Chairman, will the gentleman yield further?

Mr. GROSS. Yes, go ahead, since he is not here.

Mr. FORRESTER. I would like to say to the gentleman with reference to the bill we have before us that the Attorney General appeared before the full committee and made a statement, and in about a matter of a minute his bill was voted out. If the gentleman calls that a hearing, then you had a hearing; otherwise, no.

Mr. GROSS. And is that the only statement that appears in this report? Is that true?

Mr. FORRESTER. That is exactly right.

Mr. KEATING. Mr. Chairman, did the gentleman have a question he wanted answered?

Mr. GROSS. Yes. I will ask you the same question: What is the position of the AFL–CIO on this legislation?

Mr. KEATING. I have no idea about that. I am not their spokesman.

Mr. GROSS. Were they invited to appear before your committee?

Mr. KEATING. I think they were.

Mr. GROSS. To testify on this bill?

Mr. KEATING. I think they ap-

the AFL-CIO on this legislation?

Mr. GROSS. Of the language in this bill?

Mr. KEATING. No.

Mr. GROSS. That is what I thought.

Mr. KEATING. Some other bill.

Mr. GROSS. Let me ask the gentleman another question.

Mr. KEATING. I am sure, if the gentleman wants to get their views, he will find they favor this legislation.

Mr. GROSS. I have been told that the American Bar Association does not appear before the Judiciary Committee unless invited. Now, did the American Bar Association favor this legislation?

Mr. KEATING. The gentleman is wrong. The American Bar Association frequently asks to appear.

Mr. GROSS. Just a moment. Did the American Bar Association testify in connection with the language contained in this bill?

Mr. KEATING. It is not my recollection that they did.

Mr. GROSS. I did not think so.

Mr. Chairman, I reiterate that this proposed legislation would give almost unbridled authority to a few people in Government to regulate the lives and activities of millions of our citizens. It seems most unusual that the leaders of the great labor organizations were given no opportunity to testify on the specific provisions of this bill; that the American Bar Association is not recorded as having had anything to say on a measure of such sweeping legal ramifications.

I was deeply impressed by the statement made yesterday by the gentleman from New York [Mr. MILLER], himself an attorney and a member of the Judiciary Committee, who asserted that any attorney would be disbarred from practice if he attempted to do some of the things that would become legal under the terms of this proposal but restricted to the use of the United States Attorney General.

Unquestionably there is a need for civil rights legislation and I would support a well-considered bill to improve and implement present laws on that subject. The record of this debate clearly shows that this is hastily drawn, poorly considered and dangerous legislation.

It is reported that the Attorney General has issued a legal opinion which holds it to be the right of the Federal Government at any time to cancel any contract with any agency, public or private, which permits discrimination on the basis of race, creed, color or national origin.

Moreover, the gentleman from Illinois [Mr. BOYLE], a member of the Judiciary Committee, and a supporter of this bill, had this to say during general debate:

> The Attorney General under present law, if he wanted to avail himself of the legislation on the books and wanted to exhaust all its possibilities and handle it well, could at the present moment institute almost all of the actions spelled out in this bill before us.

Mr. Chairman, this is a political bill; not a bill to improve and protect civil and constitutional rights. It is an open secret that there will be no vote on this bill today nor will there be a vote tomorrow, even though the House will be in session. Why has the vote been put over until Monday? Because the bill, under this delaying action, will probably not even go to the other body until Tuesday. Does anyone contend, with a straight face, that with adjournment of Congress only a matter of a few days, this legislation will meet any other fate in the other body than a quiet burial—a burial without benefit of clergy?

I reiterate that this is a political bill. It is not designed to become law in this session of Congress and the American people ought to know the truth.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. ROOSEVELT. Mr. Chairman, I rise in opposition to the amendment.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from New York.

Mr. CELLER. I wanted to state for the edification of the gentleman from Iowa that Mr. William H. Oliver, co-director of the fair practices and anti-discrimination department, UAW-CIO, accompanied by Paul Sifton, national legislative representative, UAW-CIO appeared before the subcommittee of the Committee on the Judiciary in connection with several of the many bills, all similar, appertaining to civil rights, and in favor of the import of the bill now before us.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Iowa.

Mr. GROSS. Will the gentleman say that they testified to the bill as it is presently before the House?

Mr. CELLER. No, not specifically; I would not say word for word, but the principle is similar in all those bills that were before the subcommittee.

Mr. ROOSEVELT. Mr. Chairman, in order that the record may be very clear, I call the attention of the House to the fact that the AFL did appear before the Senate Committee on the Judiciary on civil rights on May 25, 1956, on this specific bill, and that is a part of the record. And I will be very happy, for the information of the gentleman from Iowa, to read or to put that into the record, as I obviously will not have time to read it. The AFL-CIO are for this bill, and every Member of this House, I believe, received a letter from Mr. Reuther of the CIO asking their attendance on the floor in support of the bill. So, I think there is no secret where organized labor stands on this bill.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. ROOSEVELT. I yield.

Mr. GROSS. Let me say to the gentleman that I have received no such letter.

Mr. ROOSEVELT. Well, I cannot explain the Post Office Department, of course. I know it was given general distribution.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Georgia.

Mr. FORRESTER. Does the gentleman say that there was such a letter made a part of the record with the House Committee on the Judiciary?

Mr. ROOSEVELT. No, I do not. I said this statement was delivered by the representative of the AFL before the Senate Committee on the Judiciary, on exactly the same bill.

Mr. FORRESTER. Well, I am glad the gentleman straightened that out, because I was at all of those meetings

and I knew it never occurred in the House Committee on the Judiciary.

Mr. ROOSEVELT. That is correct.

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I am always happy to yield to my great liberal friend from Mississippi.

Mr. WILLIAMS of Mississippi. Inasmuch as this legislation is admittedly directed at the people of the Southern States, both white and colored, is it not a fact that nobody appeared before the committee to represent the people who will be affected, who are the targets of this legislation?

Mr. ROOSEVELT. Mr. Chairman, may I first say that I do not think that is generally admitted. I would not admit it myself. I think the question should be directed to the committee because I am not a member of the committee.

Mr. BOYLE. Will the gentleman yield?

Mr. ROOSEVELT. I yield to my good friend and member of the committee.

Mr. BOYLE. Nobody appeared before our committee to justify some particular legislative viewpoint. We thought this was an area that needed some help, and this is an honest effort and an intelligent effort, I submit, to arrive at an honest, fair, workable piece of legislation. In answer to the distinguished gentleman from Iowa [Mr. GROSS] I would say that Mr. Oliver did appear on behalf of the AFL-CIO and his testimony is to be found at page 311 of the hearings.

Mr. GROSS. Mr. Chairman, will the gentleman yield to me?

Mr. ROOSEVELT. I am always happy to yield to my friend from Iowa.

Mr. GROSS. Would the gentleman also put in the record the statement of the American Bar Association in support of this legislation?

Mr. ROOSEVELT. I do not have such a statement so, naturally, I cannot put it in the record.

Mr. BOYLE. Mr. Chairman, would the gentleman yield further?

Mr. ROOSEVELT. I yield to the gentleman from Illinois.

Mr. BOYLE. I talked with the President of the American Bar Association and he said as a matter of policy he did not want to submit anything for the purpose of the record. The fact that he happens to come from Georgia or some southern State did not, I am sure, have anything to do with his lack of desire to submit a declaration of policy for the record.

Mr. FOUNTAIN. Mr. Chairman, would the gentleman yield to me for the purpose of asking the gentleman from Illinois [Mr. BOYLE] a question?

Mr. ROOSEVELT. I yield to the gentleman from North Carolina.

Mr. FOUNTAIN. I should like to ask the question if a single representative, public official, local or State, of any State in the Union appeared before the gentleman's committee with respect to this particular bill or any other legislation of this nature.

Mr. BOYLE. The question is rather broad. I would have to go through these three volumes to answer it categorically. My opinion at the moment is that no one individual in that category did, but I want to assure the gentleman that nobody was precluded from appearing. The hearings were set after due and proper notice and all persons desiring were accorded an opportunity to be heard if they wanted to avail themselves of the opportunity.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. CELLER. Mr. Chairman, I move that all debate on the pending amendment and all amendments thereto do now close.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GROSS].

The question was taken; and on a division (demanded by Mr. CELLER) there were—ayes 59, noes 90.

So the amendment was rejected.

Mr. HOFFMAN of Michigan. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOFFMAN of Michigan. How does a Member get the floor now, or any time before adjournment?

The CHAIRMAN. I know of no adjournment.

Mr. HOFFMAN of Michigan. I cannot offer an amendment now?

The CHAIRMAN. The Chair is not aware of any adjournment agreement.

Mr. HOFFMAN of Michigan. Is there a gentleman's agreement?

The CHAIRMAN. Not to the knowledge of the Chair.

Mr. TUMULTY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TUMULTY: On page 27, line 9, add a new subsection:

"(e) *Provided*, Nothing in this act shall affect the private schools in the United States, its Territories, or in the several States or Territories."

Mr. CELLER. Mr. Chairman, I make a point of order against the amendment.

Mr. TUMULTY. Will the gentleman withhold the point of order so that I may make a statement?

Mr. CELLER. I reserve the point of order, Mr. Chairman.

Mr. TUMULTY. I thank the gentleman very much.

Mr. Chairman, I know it is late to rise to address you at this time in this guise, but truthfully my eyes are sore from reading the small print in this bill. They are sorely affected by it.

I have been waiting around for the past couple of days to get some answers to some questions. I listened with great interest to the speech of the gentleman from New York [Mr. POWELL]. On page 13176 of the RECORD he said:

This legislation—

Meaning the legislation at hand—

comes much too late, it is too weak for the job that should be done and carries in its language dangerous loopholes which could be used in the wrong hands to hurt those whom we are trying to help.

In addition, on the same page he stated:

It is filled with dangerous loopholes as has been charged.

He further stated:

It is conceivable that it might be used against trade unions conducting boycotts of firms or products which they deem to be unfair to organized labor.

He said that he was really voting for it as a symbolic gesture.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. TUMULTY. I yield.

Mr. CELLER. The gentleman is quoting from a man who should have been in this Chamber throughout this debate but who has seen fit to travel away from this Chamber and is now in Europe. This distinguished gentleman from New York, I firmly believe, had a stern duty to remain here throughout this debate.

Mr. TUMULTY. Mr. Chairman, I admire that statement. But with a bill as dangerous as this, with all the loopholes that this has, with a bill that can be described as loose as Mamie Stover, why would he go off and expect us to do his work for him? That is what I want to know.

As a member of the legislature I voted for civil rights in New Jersey. I voted for his amendment to the school aid bill. Unfortunately, because of it the schools of this country suffer.

The other day a gentleman identifying himself as for this bill called me from the Chamber and said, "You ought to be ashamed of yourself for associating with the southern Members on this bill." I said, "We associate with them when they have the prayer here at the beginning of the session and I have a duty to argue the merits of this bill."

I want to know fairly and honestly, on the level, are you really trying to help these people, or is this a fight that somebody starts and then takes a junket to Europe and forgets about? I feel there is no reason why I should stay here and do the difficult work when he should be here. Mainly because of his absence, I expect to vote against this legislation.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. TUMULTY. I am very happy to yield.

Mr. HAYS of Ohio. Does not the gentleman think, in view of the fact that the gentleman from New York [Mr. POWELL] offered the amendment which was used as a vehicle by the Republicans to kill the school bill, and that bill, I think, would have done the minorities a lot more good than this one, that it would be a good idea that we just postpone voting on this bill until he gets back?

Mr. TUMULTY. That is a splendid idea. I think the Committee should rise and wait until he returns and explains what he meant by that speech.

To speak seriously just for a moment, this is very important. That is something which involves a very important matter. We cannot legislate love. If we could, there would be no divorces. We have to work this problem out together in a spirit of friendship and respect for each other. This is a bill which is reprehensible to anybody who knows anything about law. It gives absolute and capricious power to the Attorney General to do anything he wants. I think

we should get together and in a spirit of friendship resolve this problem, but not until this thing is done.

There are too many people making a career out of this sort of business, who are more interested in drawing an audience, getting applause or whatever they get, or getting Members, but who do not really care about the people they are fighting for. I happen to care for them and I am willing to fight for them. But I am not going to fight for them by going through the pretense of doing something and then going back and, knowing I have done nothing, saying, "Boys, I am your friend." Knowing as I speak I have done nothing. "When I am with you I am with you. When I am against you I am against you."

I hope my words carry overseas to where Mr. POWELL is now staying, so that they might call him back.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. TUMULTY. I yield.

Mr. CELLER. Does the gentleman withdraw his amendment?

Mr. TUMULTY. I shall be very happy to withdraw the amendment, Mr. Chairman.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

Mr. JONES of North Carolina. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES of North Carolina: On page 23, line 6, after the word "advisable" strike out the balance of line 6 through line 24.

Mr. JONES of North Carolina. Mr. Chairman, I shall take only a moment or two to explain this amendment. If you will turn to page 23 on line 6, after the word "advisable" you will find my amendment strikes out the balance of the page. In effect, the amendment strikes out the subpena power. The bill, as it is written, creates a Commission and confers upon that Commission the power of subpena. In addition to conferring that power, it also provides for the punishment for the failure to appear in obedience to the subpena. If this power is given to the Commission the chairman or a chairman of one of the subcommittees would have the power and authority to order any person within the United States to appear and testify, produce any records, open books, and so forth for the Commission. If an individual citizen refuses to obey that order, then under this bill, as it is now written, a member of the Commission can go to the Attorney General and request the individual be ordered by the Federal district court to obey the subpena. If the person then still refuses to come in and testify, he can be cited for contempt and punished. My amendment strikes out that power from the bill. I think it is a good amendment and should be adopted.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JONES of North Carolina. I yield.

Mr. GROSS. On page 26, subsection (b), there is this language:

No person, whether acting under color of law or otherwise—

What does this "under color of law" mean? Does that have anything to do with racial color?

Mr. JONES of North Carolina. I believe that means acting under color of law or under some authority of law or pretended authority of law or apparent authority of law and so on.

Mr. GROSS. That is not something the lawyers have hatched up on this committee?

Mr. JONES of North Carolina. It is not my language, let me say to the gentleman.

Mr. Chairman, I urge the adoption of the pending amendment.

Mr. KEATING. Mr. Chairman, I rise in opposition to the amendment.

Mr. BOYLE. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. BOYLE. May I say to the gentleman from Iowa who just put that question that that is the very language of the Hatch Act, if he wants to know.

Mr. KEATING. It is a very common expression in the law. It is what we lawyers call a word of art.

Mr. Chairman, I would like to finish this point first, and then I will yield to the gentleman.

Mr. Chairman, this subpena power is normal in the case of these executive commissions that have been created by statute, as I understand it. It is a power which a congressional committee has. It is, of course, not used in every instance, but it is essential to a thorough and complete inquiry that the commission have the power of subpena so that a reluctant witness can be forced to come in and testify even if he does not want to. It is not a very satisfactory investigation if the only people who are called before you are those who want to come because they have some ax to grind. It is necessary in the conduct of any efficient, thorough, impartial investigation to be able to force the attendance before the Commission of those witnesses that the Commission feels should testify.

I hope the amendment is defeated.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on this amendment now cease.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

The amendment was rejected.

Mr. FORRESTER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FORRESTER. Mr. Chairman, there are many commonplace things occurring in a lifetime. Just a few things occur that are mountaintop experiences. I suppose that is what makes them stand out in our memories and insures them immortality. One of those experiences of my life has been the observation of the members comprising the legal profession of the North, South, East, and West. After 30 years' experience as a Georgia lawyer and 6 years service as a member of the House Judiciary Committee, I will always remember how that ordinarily members of the legal profession divide on the question of party, but in the final analysis lawyers revert to that which they believe to be the law.

I will never forget the stunning rebuke by the House Judiciary Committee to the Attorney General McGrath, who wanted to appear in executive session with our committee. It was tantamount to a request to enter the jury room and discuss his case while the jury was deliberating on its verdict. I helped administer that rebuke to that Attorney General, who was a member of my political party.

Another, when members of the House Judiciary Committee rose up and told the present Attorney General that under no circumstances would they give him the power that he insisted upon, which would make him lawyer, judge, jury, and hangman in the wiretapping legislation.

The outstanding memory of all, however, was the action yesterday of one of the great lawyers of this House and a ranking member of the House Judiciary Committee, the gentleman from New York [Mr. MILLER]. For courage and statesmanship his action has never been surpassed. It was in the finest and highest traditions of his profession. To those who would minimize and to those who would threaten, let me say the ethics of the legal profession transcend the loyalty to any political party and anyone who assaults that standard, though he be the leader of a political party, cannot hope to win. The gentleman from New York [Mr. MILLER] yesterday wrote his name for all time in the illustrious pages of history reserved only for the great. In one bound, he arrived at a place that some, though they spend a lifetime in Congress, will never attain. His reasoning against H. R. 627 is unassailable, and this statement is proved by the fact that none of the lawyers on the House Judiciary Committee challenged anything he said. I might add that he wanted to do a great service not only to his country, but to his profession, and he knew, as we also know, that the powers which the Attorney General requested are not only dangerous, but the socializing of the legal profession in the civil-rights field. To the bench and bar, I say that no longer would a private practitioner or lawyer represent a plaintiff in the civil-rights field for a fee if the Attorney General's wishes prevail, for that right would have been preempted by the Government. So, as a lawyer, and in common with that profession, this House is proud of BILL MILLER. The country needs his services for years to come, and I have the idea that the members of his profession and the good people of his district will see that our common country will be furnished with his services.

Mr. WHITTEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITTEN: On page 25, after line 6, insert a new section:

"Fourth—subsection (a). Whenever any private individual believes the Attorney General or any representative of the Federal Government has engaged or is about to engage in any acts or practices authorized in this act, such private individual many institute for

the real party in interest a civil action or other appropriate proceeding for redress, or preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person."

Mr. KEATING. Mr. Chairman, I make the point of order that the amendment is not germane.

Mr. WHITTEN. Will the gentleman reserve his point of order?

Mr. KEATING. I will reserve the point of order.

Mr. WHITTEN. Mr. Chairman, this amendment which has been presented, would attempt to give to the people of the country somewhat the same rights that this act would give to the Attorney General.

Part 3, section 121 provides as follows:

Whenever any persons have engaged or are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs first, second, or third, the Attorney General may institute for the United States, or in the name of the United States but for the benefit of the real party in interest, a civil action or other proper proceedings for redress, or preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

I do not mean to belabor the meaning of that section. It has been discussed quite thoroughly here. I think it is generally agreed that under that section the Attorney General could file suit in the Federal Court with or without the consent, or even against the wishes of the individual who he thought was aggrieved or was about to be aggrieved or his rights jeopardized. That suit would be against certain private individuals, yet the cost for filing the suit would be borne by the United States, but the citizens who were parties defendant would be liable for their costs, attorney's fees, and things like that.

The amendment which I offer here would give that same right to the private citizen, using the same language that is included in the bill. Whenever a citizen saw that the Attorney General, or any representative of the Federal Government, was about to engage in any action, which would bring people into court as parties defendant, then that individual could go into a Federal court, with the Federal Government standing the cost, so that at least such private individual would be in a position of equality before the court.

With regard to the point of order which has been made, I would like to address myself to that for a moment.

This bill is broad enough to make this amendment germane, and I refer to its title as follows:

To provide means for further securing and protecting the civil rights of persons within the jurisdiction of the United States.

I would respectfully submit that if this bill gives the right of the Department of Justice to file suit against individuals in the United States against the wishes of the party plaintiff for causes of action or for anticipated acts because he believes they are "about to engage," thereby making other citizens parties defendant then I respectfully submit that an amendment that would permit that citizen himself to take action to enter the court first as a complainant when he could foresee action was going to be taken against him or others in the same forum. Certainly that would be acting in line with protecting his rights, and to authorize such action by private citizens would be clearly within the title of the bill which reads: "To provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States". How could there be any question but that protection should be given to American citizens under the terms of this bill who might be pulled into court because some Attorney General had anticipated that they were about to engage in something toward which they had made no overt act? Why should not some right be given to that man who could foresee that the Attorney General was going to take action against him, however unwarranted? Under my amendment, the private individual would appeal to the same Federal court. He would be authorized to ask the court to—"Please get these Federal men out of Washington off of me. They admit I have not yet done anything, but Mr. Brownell, I have reason to believe, feels that I am about to engage in something that I have no idea of doing and therefore, if it please the court, I would like to have an injunction or a restraining order against Mr. Brownell because the minute Mr. Brownell files such a charge against me my business will suffer. I am in private business. He accuses me of trying to do something unfair to the labor in my shop."

I say this bill is far removed from offering any real protection for civil rights. As I said yesterday, the greatest danger to civil rights is the power you give the Attorney General under the terms of this bill, but if you must pass this bill, I respectfully submit you should permit the citizen to protect himself by going into court first, on equal terms, as my amendment would provide, instead of having to wait until he was brought into court on complaint of his Government on what might be a basis wholly unfounded.

Mr. KEATING. Mr. Chairman, I insist on my point of order.

Mr. Chairman, we are here seeking to amend section 1980 of the Revised Statutes. The first three sections provide for certain remedies in cases of interference with a United States officer in the performance of his duty. That is the first paragraph. The second paragraph, interference with a court officer, or the obstruction of justice; and in paragraph 3, a conspiracy to deny the equal protection of the laws or to prevent the exercise of voting rights.

In the section that we are seeking to add here it is attempted to give the right to the Attorney General to institute the same kind of suit which the individual could bring now under paragraphs 1, 2, and 3.

What the gentleman from Mississippi is seeking to do, as I read his amendment, is to give a cause of action to an individual against the Attorney General. Perhaps we should broaden, extend, or consider the statutes relating to the liability of a public official for not doing his duty, or going beyond the scope of his duty. These are statutes on our books having to do with the violation of duty by a public official and the right of those injured thereby. But that has nothing to do with the legislation we are considering here today. Therefore, the amendment offered by the gentleman is not germane to the bill.

The CHAIRMAN. Does the gentlemen from Mississippi desire to be heard?

Mr. WHITTEN. Mr. Chairman, I would like to point out to the Chair that under the terms of the bill all the American citizen, a private individual, can do would be to stand by until he became a party defendant to an action by the Attorney General. I respectfully submit that in a bill the purpose of which would be to give the Attorney General certain rights of action and under which the private individual could only be the defendant and would have to stand by until sued or go into court as a defendant, certainly it would be in order to amend such a bill to permit the private citizen not to have to wait until he is made a party defendant, but to authorize him the choice of entering the court voluntarily to protect himself. If he is suable and subject to being brought into court, he should in all fairness, and I think under the rules of the House, my amendment is in order for clearly he should be permitted to have the bill amended so that he might go into court first prior to having these charges brought against him.

My amendment does not say that a restraining order shall issue automatically, it does not say that the court shall issue an injunction, but when the private individual is about to be brought into court on the basis this bill authorizes, he shall have the right to go into court in his own behalf and ask that the court issue such orders as will protect his interest.

I submit it is clearly germane and clearly in line with the intent of this act. May I go further and say it certainly is absolutely essential, if we are to pass this bill in its present form that we give some means for the party who would be a party defendant or might be under the terms of the bill, to go into court first, where the issues might be heard on a fair basis and become the complainant in an effort to prevent these anticipated actions by the Attorney General.

The CHAIRMAN (Mr. FORAND). The Chair is prepared to rule.

The gentleman from Mississippi [Mr. WHITTEN] has offered an amendment, to which the gentleman from New York [Mr. KEATING] has made the point of order of germaneness.

The Chair has examined the language of the bill and also the language of the amendment and comes to the conclusion that the language of the amendment is merely a reversal of the medal of the language as appears in the bill and for that reason concludes that the amendment is germane and, therefore, overrules the point of order.

The question is on the amendment offered by the gentleman from Mississippi [Mr. WHITTEN].

The question was taken; and on a division (demanded by Mr. CELLER) there were—ayes 65, noes 89.

So the amendment was rejected.

Mr. DAWSON of Illinois. Mr. Chairman, I move to strike out the last word.

Mr. KEATING. Mr. Chairman, a parliamentary inquiry. I have repeatedly said that I favor everyone having a full opportunity to be heard. I simply raise this question, whether this is in accordance with the agreement that has been made or not. If it is not, I have no objection.

Mr. CELLER. Mr. Chairman, if the gentleman will yield. I will say it is not in accord with the agreement, and I think if the gentleman cares to wait until he can get into a debate on one of the amendments, it would be more appropriate.

The CHAIRMAN. The agreement is that there will be no pro forma amendments offered.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois be recognized.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DAWSON of Illinois. Mr. Chairman, ladies and gentlemen of the House. Certainly I do not wish to break any agreement that has been made. I shall only take a very few moments of your time to say a word in behalf of our beloved colleague, the gentleman from New York, ADAM CLAYTON POWELL. He is not present here with us now. The reason for his absence I do not know. But, in these trying times, I can recall an instance when he was sent by the Government on a mission of grave importance to our Government. Though I do not believe that any of his colleagues meant to speak against him, to speak in a facetious manner, because of the subject matter before us, but I say that in his absence the subject matter before us certainly does not depend upon the presence of one individual, and I hope that the lack of his presence here will not in any way militate against the subject matter before us, because we all know of his deep and sincere interest in civil rights.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. DAWSON of Illinois. I yield to the gentleman from Ohio.

Mr. HAYS of Ohio. I would just like to say that the gentleman from Illinois [Mr. DAWSON] is one of the finest people that I have ever had the pleasure of meeting in my career. I have often told him, and he knows that I have said numerous times that I thought he should go abroad on some of the trips that his committee has made, because I think he would make many, many friends for America and strengthen our position around the world, and I submit to this Committee that the speech that he has just made is further proof of the magnificence of his character.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I offer an amendment.

Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WILLIAMS of Mississippi. I have two amendments, each of which are identical in nature. They take the same language out of two places in the bill; they relate to each other. I ask unanimous consent that the two may be considered en bloc.

The CHAIRMAN. The gentleman can offer the 2 as 1 amendment, because the bill is open to amendment at all points. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIAMS of Mississippi: Page 24, line 21, and on page 26, line 19, after "engaged", strike out "or are about to engage."

Mr. WILLIAMS of Mississippi. Mr. Chairman, this is perhaps the broadest delegation of authority on any individual that this Congress has ever made. This bill, in my opinion, does not do justice to the dignity or the prestige of the greatest deliberative body in the world. But, inasmuch as you are speeding this legislation through the House in order to reach the stop light in the other body, I think perhaps it is well that we should attempt to remove as many bugs from the legislation as possible.

Mr. Chairman, the language that I would seek to strike from this bill is that which gives the Attorney General the right to go into court and sue an individual citizen when he feels that citizen is about to engage in any attempt to do something in violation of the bill. Under the bill as it is written, if I understand it correctly, a person may be liable civilly for damages even though he may never commit an overt act. If this language is removed from the bill—"or about to engage"—it will at least require the performance of an overt act by an individual before he may be made liable for prosecution in a civil suit. If these words are left in, as has been explained on the floor on previous days, the Attorney General may use his own discretion, arbitrarily to haul anyone into court in any part of the United States and make him subject to a suit for damages for something he may have never done or never thought of doing.

My amendment removes the thought-control or mind-reading language from this bill. I think, Mr. Chairman, that this amendment certainly should be adopted. With the present language left in the bill, an Attorney General of the United States will have more power and more authority than any of Hitler's henchmen ever had during all of the days of the Gestapo.

I should like to say one more thing in closing; that if this language is left in the bill we had better tack a rider on it that will provide for the United States, leasing a piece of land at least the size of the State of Texas in order to build a penitentiary big enough to hold all of the people who would be incarcerated under its provisions.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment. The gentleman from Mississippi has made no real discovery in pouncing on these words. That language has been used most frequently in many statutes that we have passed. It seeks to prevent serious action; it seeks to preclude action before dangerous action starts.

In title 50, United States Code Appendix, section 2154, we have a section of the Defense Production Act which we passed and one of the general provisions has to do with enforcement of that legislation. Section 2156 (a) reads as follows:

Whenever in the judgment of the President any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any provision of this act, he may make application to the appropriate court for an order enjoining such acts or practices, or for an order enforcing compliance with such provision.

I draw attention of the Committee again to part 4 of the Defense Production Act having to do with price and wage stabilization. There was a section pertaining to actions for violations which reads as follows:

SEC. 2109. Actions for violations.—(a) Injunctions. Whenever in the judgment of the President any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any provision of section 405 of this title, he may make application to any district court of the United States.

I draw the attention of the Committee again to title 50, United States Code Appendix, section 1896 (b) concerning the enforcement of the Housing and Rent Act. This section reads as follows:

Whenever in the judgment of the President any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any provision of this act, or any regulation or order issued thereunder, the United States may make application to any Federal, State, or Territorial court—

And so forth. There are many, many more sections of the statutes to which I could draw your attention, but I draw your attention finally to section 7 (a) of the Veterans' Emergency Housing Act of 1946, which deals with the enforcement of that legislation. Section 7 (a) read as follows:

Whenever in the judgment of the expediter any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any provision of section 5 of this act, he may make application to the appropriate court.

So I maintain there are scores of similar statutes having similar language. Those words have often been interpreted by the courts and in legal nomenclature that are called "words of art." Their meanings have been cleared many times by the courts. They have a definite, succinct meaning. There is no doubt that can be cast upon these words because of many court interpretations and clarifications.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Louisiana.

Mr. WILLIS. This is a very important amendment. I wonder if the gentleman would object if I should ask after

his remarks to strike out the appropriate number of words so that the record may be clarified on the statutes from which the gentleman has quoted?

Mr. KEATING. I may say that I have no objection provided I have the opportunity to answer the gentleman.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that after the gentleman from Louisiana expresses his views the gentleman from New York [Mr. KEATING] may have 5 minutes to reply.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. WILLIS].

Mr. WILLIS. Mr. Chairman, the gentleman from New York has quoted from 4 statutes using the words "engage" or "about to engage." I had a pencil and as he read from these 4 statutes I made a note of exactly the words involved. In each case the statute provides for relief on the part of the President or administrative officer in cases where the person in each instance has engaged or is about to engage in the violation of a particular law. So the violation is of the law under consideration, and that law is specifically spelled out. The word "attempt" does not appear in the statutes read from. The bill before us, however, goes much further, because in this instance a person gets in trouble when he has engaged or is about to engage in an attempt to threaten or coerce or to intimidate.

When the statute provides that when a person has engaged or is about to engage in doing a particular thing, that is one thing, but when the statute punishes a person when he engages or is about to engage in an attempt to threaten, for instance, then it is striking at the rules of evidence. You have a lesser amount of evidence to offer and you are reducing the type and amount of evidence necessary to make out a case. So I say the statutes quoted from do not come anywhere near comparing with the language in this bill, which not only says that you are in trouble when you have engaged or are about to engage in doing a specific act—and stop there—but reaches out into a situation where you are about to engage in an attempt to do something. So the bridge is very, very much wider and there is no comparison between the statutes quoted from, which are usual, and the one we now have before us.

Mr. DOWDY. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield.

Mr. DOWDY. It has occurred to me, if there should not be something in the legislative history on this bill to show that there is going to be required proof of an overt act of some kind or at least proof of a conspiracy. I think that point should be developed probably while the gentleman has the floor, that there would have to be an overt act before this would come into operation.

Mr. WILLIS. Under the present statutes, under the present law, if you are about to engage in doing something specific, there has to be involved an overt act and you must prove an overt act.

Here the statute would permit you to read a man's mind and says that you are subjected to punishment when you are about to engage in an attempt to do something, which is vastly different and involves no overt act. Whereas, under the statute read from, proof of an overt act is required.

Mr. DOWDY. I thank the gentleman. That is a point I thought should be developed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KEATING. Mr. Chairman, there has been much made of these words "about to engage in" and so forth, and the chairman of the committee has cited the statutes on the books wherein this Congress has repeatedly passed legislation providing those words. In the Housing Act particularly, it is left to the judgment of the housing expeditor as to whether a person is about to engage in—and so forth. Certainly, if we can properly leave to the housing expeditor the determination of such a question, we can leave it to the Attorney General of the United States who would have to make a finding before he could proceed under section 4. The fourth section has two types of civil reliefs. This is something which is stressed by the Attorney General. It is one reason why this is a constructive approach to this civil rights problem. The Attorney General can go into court to bring an action for damages or for injunctive relief before the damage is done. Certainly, it will be much more constructive if the Attorney General in large measure proceeds under this section for injunctive relief before the damage is done. If the words are stricken out, it would only apply to a case where persons have already engaged in acts or practices which would give rise to a cause for action. It would not give to the Attorney General the right to step into a situation which he envisions requires injunctive relief and preventing it before the harmful acts are done and before the rights of the people involved have been violated.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. VORYS. The gentleman has spoken about the Attorney General stepping in. I think we want to remember that nothing is going to happen unless the court steps in and finds the facts true that the Attorney General has presented.

Mr. KEATING. That is quite true. It is necessary to go to court to obtain relief, of course.

Mr. VORYS. I want to ask the gentleman this question. Suppose the Attorney General had sworn evidence that 50 Ku Klux Klan uniforms were in a man's house and that a notice had gone out to 50 people to assemble at that man's house on a certain night, and proceed to a certain man's house to tell him not to vote, would that not be a case of being "about to engage in an attempt to intimidate"?

Mr. KEATING. I think the gentleman has presented a very carefully thought out, factual situation. It brings it right home to us. Certainly it would be foolish for us to legislate if we were going to provide that the only remedy which the Attorney General could take would be to sue for damages after the act had been committed. He should be able in such a situation as the gentleman has so well delineated, to step in in advance to prevent the harm from being done.

Mr. VORYS. It seems to me that the court should have the power to step in before such an attempt to intimidate started. I believe this amendment would take away that power.

Mr. KEATING. That is right. It should be again brought out, particularly for the benefit of those Members who are not lawyers, that when we speak of the Attorney General time and again doing this or that, it must be remembered that he must bring these actions into court. He has no power to start these things or to hold anyone liable for damages if they had done it. He must go to court and prove his case. If he is unable to prove his case, then the defendant will proceed.

Mr. VORYS. One other point. If the Attorney General appeared in court with some of the evidence that has been talked about, that he did not like the sneer on a man's face, or did not like the look in his eyes, obviously no judge would issue an injunction on such evidence.

Mr. KEATING. He would be thrown out of court so fast you could not see him.

One amendment was adopted in our committee, and it was a good one. It is found on page 25, lines 4 to 6, saying that in any proceeding hereafter the United States shall be liable for costs the same as a private person. So that if someone is hailed into court unjustly by the Attorney General, he has a right to hold the United States for costs, just as you would hold a private individual.

The CHAIRMAN. The time of the gentleman from New York [Mr. KEATING] has expired.

Mr. DOWDY. Mr. Chairman, I ask unanimous consent that the gentleman have an additional minute so I may ask him a question.

Mr. KEATING. I will yield the floor.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DOWDY. The gentleman had stated to him a hypothetical case concerning the Ku Klux Klan, of which he made a straw-man for his statement. Actually, the hypothesis stated a criminal case of conspiracy, and the complete proof. It was not a case of "about to attempt to do something," but a complete criminal conspiracy.

What I want to ask is for the gentleman to give me an example of an overt act which would demonstrate that a person is "about to engage in an attempt to do something."

Mr. KEATING. In the first place, that talk about "attempt" does not apply at all to one of the sections the gentleman is seeking to amend. It only applies to section 12, page 36. It does not apply to the other at all. It does not have anything to do with it.

Mr. DOWDY. Well, I would like to have some statement in the RECORD about an overt act "to intend to do something."

I do not think it is intended that the Attorney General could read a man's mind and say, "You are about to do something and therefore you can be sent to the penitentiary."

Mr. KEATING. In order to get a conviction in any criminal case you must have an overt act.

Mr. DOWDY. That is just my point. In this bill, provision is made for action by the Attorney General against a person he thinks may be about to do something. It is thought control, pure and simple, and gives the Attorney General the authority to decide what a person is thinking. An American citizen has a right to be protected from such thought control, and certainly has a right to expect more of his elected representatives than the purport of this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. WILLIAMS].

The question was taken; and on a division (demanded by Mr. YATES) there were—ayes 51, noes 71.

So the amendment was rejected.

Mr. DOYLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOYLE: Page 23, line 10, after the period insert the following: "Notwithstanding anything to the contrary in this bill contained, the Commission shall not constitute or appoint any subcommittee of less than two members, to be one member from each of the political party affiliations."

Mr. CELLER. Mr. Chairman, I make a point of order against the amendment on the ground that it is already taken care of in the Dies amendment.

Mr. DOYLE. I beg to disagree with the distinguished gentleman. If he will read section 101 of the Dies amendment, he will find it expressly provides otherwise. The gentleman from Texas [Mr. DIES] has authorized me to state that he consents to my amendment because his amendment provides that there can be as few as one member of the Commission functioning.

Mr. Chairman, my amendment is made necessary because there is a direct conflict in language on a substantial provision of the bill as it now stands before this House. This is true, for in section 101 of the amendments submitted by the gentleman from Texas [Mr. DIES] on yesterday, and which amendments were adopted, in subdivision (a) thereof, it expressly authorizes less than three members of the Commission to sit as a subcommittee provided the majority of the Commission so authorizes. This means that as few as one member of the Commission could officially act as a full subcommittee. And then, in the original printed text of the bill itself, as submitted to us by the Judiciary Committee, on page 23 in lines 1 and 2, it expressly provides that the subcommittee may be of 2 or more members. You will clearly see, therefore, that in Mr. DIES amendment, adopted in the whole committee, it provides that one Commission member may be a subcommittee, while in the bill itself it provides that the subcommittee shall be of two or more members of the Commission. Therefore, my amendment is necessary to settle this direct conflict at present existing, and to resolve it in favor of the text of my amendment which provides that no subcommittee shall consist of less than two members. This requirement, therefore, makes it crystal clear that no subcommittee of less than two members can be appointed.

Mr. Chairman, my amendment is in full accord with the express provision of the Doyle resolution, which was unanimously approved last year by this legislative body, and which resolution thus adopted made a positively clear requirement that no investigative committee of this House could consist of less than two committee members. This is a given pattern to follow.

I think the distinguished gentleman from New York [Mr. CELLER], the chairman of the full Judiciary Committee, and the ranking member on the minority side of that committee [Mr. KEATING], and also the gentleman from Texas [Mr. DIES] have approved my amendment.

And now, another point in my amendment is fundamentally sound and appropriate, because the Commission itself as constituted in this bill, consists of an equal number of members of each political party affiliation. Therefore, I know you will agree with me, that the bill as finally written should also provide that any subcommittee of the Commission should likewise consist of an equal number of members of each political party; and, if there be only two members of any such subcommittee, then that one member from each political party affiliation shall constitute said committee.

And, since you have so generously and so promptly unanimously approved my important amendment this day, I wish to sincerely and emphatically again state, that I recognize it as of utmost importance that American citizens of any color, any race, any religion, or any national origin, shall have available and reasonable opportunity and encouragement to register to vote. And, having registered to vote, to likewise have every reasonable and fair opportunity and encouragement to vote. In this connection, I display to you here this very substantial booklet issued recently by the American Heritage Foundation of No. 11 West 42d Street, New York 36, N. Y., entitled "A Progress Report on the National Non-Partisan Register and Vote Campaign for 1956." I read from its important pages as follows:

We simply must make every American realize that each person, each vote, is important. The campaign breaks naturally into three phases. Phase 1, stimulating early registration and voting in the primary elections, State by State, starting in the early spring. Phase 2, encouraging the voter to become informed on candidates and issues, during the summer and early fall. Phase 3, picking up late registrations and getting out the vote with an all-out campaign right up to November 6.

You will here see a full page given to the subject of registration, and on that page I read to you:

We have taken our clue from the famous old hymn, "When the Roll Is Called Up Yonder, I'll Be There." It boils down to this, "Is your name in the book?" This was used very successfully in a local Red Cross drive in Kentucky several years ago. We think it is a good motivator because it gives folks such a virtuous feeling as well as a fear of being left out.

And next to that page, you see in big black print:

You can't vote if you are not registered.

This campaign, Mr. Chairman, to have American citizens register should make it of great interest to us Members of Congress this very day, as we are considering this bill which I conceive of as being primarily directed to preserving and protecting the right of American citizens to register and vote. For, of course, as this booklet states in other pages, if citizens are not registered they simply cannot vote November 6, nor any other time. Therefore, Mr. Chairman and my colleagues, I urge that all of us in our respective congressional districts, go back thereto, and do our deadlevel best to see to it that every American citizen in our respective congressional districts not only has the right to register, but has a real honest-to-God opportunity to register. It may be embarrassing or inconvenient for some of us to do this; but, it should be more embarrassing to us as American Congressmen to face the fact that so few, percentagewise, of the American citizens actually register, or actually vote. It may be that you and I, in our respective congressional districts, are at least indirectly careless or indifferent to the fact that in 1954, 57.5 percent, or a little more than one-half of our beloved country's potential voters, did not vote. Furthermore, even in 1952, when nearly 12 million more Americans voted than ever before, 37.3 percent, or more than one-third of the adult citizens of our beloved Nation, did not vote.

My colleagues, I ask you how can an American citizen who by force of surrounding conditions; or by reason of unjust voting registration regulations or rules; or, by reason of being discouraged in registering; or by reason of any other arranged or existing conditions do not register; I ask you, how can we expect such people who are refused or denied reasonable opportunity or cooperation in registering to feel that they are actually American citizens? I believe that any person who deliberately or designedly undertakes to make it impossible or hard or difficult for an American citizen to register to vote, is doing an actual disservice to the constitutional form of government of our great Nation as set up by our forefathers. They envisioned a representative form of constitutional government. How can an American citizen feel that he has any representation in Congress if he does not have a fair and practical opportunity to register, so that he also can thus participate in the affairs of his Government? Of course he cannot be a part of representative government, if he is denied a voice by reason of being deprived or refused opportunity of registering and voting.

And so, I plead with you, all of my fellow United States Congressmen, to not longer do less than our fullest duty to make this Congress of ours as truly representative as possible. We cannot do that, in my humble judgment, if we de-

liberately or intentionally or otherwise, refuse and neglect to make our United States Congress as representative of all the American citizens as possible, regardless of race, creed, color, religion or national origin. In saying this, I do not limit my thinking to any particular geographical section. I mean all over our Nation.

And now, just a word about voting. I feel that not only is there an official as well as a personal responsibility upon myself and upon every Member of Congress to make our constitutional form of government as strong as possible, by seeing to it that as many adult citizens register to vote as possible; but I feel it is likewise our opportunity and our personal obligation to further uphold the Constitution of the United States by definitely aiding and assisting in any effort in our respective States and congressional districts to have as many citizens register and vote as possible. Yes; I recognize the difficulties which some of you will say exist in your respective districts or in your respective States. I apply to my own self the obligation of doing more than I have ever done before to see to it that as many citizens as possible of my congressional district and of my native State of California not only register to vote but actually vote.

In this connection, I know the record already shows that I have frequently spent considerable effort and considerable of my own personal funds to aid in registration and voting campaigns. I shall increase that effort, because I shall put more practice into my own actions of what I am now asking and urging you to do.

I do not have further time now to speak on this important subject, but I call your attention to page 13547 of yesterday's CONGRESSIONAL RECORD wherein appears some of my thoughts on this subject.

And now, this booklet I have received from the American Heritage Foundation on the back page thereof, as you will see, is listed the names and designations of 99 organizations, civic, service, fraternal, educational, religious, farm, business, industrial, and trade, who have joined in this magnificent and worthwhile and important nonpartisan campaign through our Nation to encourage American citizens to register and to vote this 1956 election. Let me just read a few of them from this back page:

American Automobile Association, American Bar Association, American Dental Association, American Hotel Association, American Jewish Committee, American Legion, American Medical Association, Association of National Advertisers, Benevolent and Protective Order of Elks, Brotherhood of Railroad Trainmen, Catholic War Veterans, Fraternal Order of Eagles, General Federation of Womens Clubs, Holy Name Society, Investment Bankers Association, Kiwanis, Lions International, Loyal Order of Moose, League of Women Voters, National Association of Life Underwriters, National Association of Manufactures, National Association of Retail Grocers, National Congress of Parents and Teachers, National Council of Catholic Men, National Council of Negro Women, National Educational Association, National Grange, National Farmers Union, National Retail Credit Association, National Savings and Loan League, Optimist International, United States Junior Chamber of Commerce, Veterans of Foreign Wars of the United States.

Mr. Chairman, these are but some of the 99 important organizations on this page, with more to follow.

And here you will see on this page, an executive proclamation by the distinguished Governor of the State of Massachusetts, he having been a distinguished Member of this very legislative body for several terms. He issued a special proclamation supporting this program. You will all know his name as Christian A. Herter, a very distinguished American.

From the facts brought out in this debate, and which facts and debate have forced to my attention more than ever before how imperative it is that all American citizens, regardless of race, creed, color, religion, or national origin, do register and do also vote. I intend to exert myself more than ever before in a fuller performance of my constitutional duty as a United States Congressman, to exert a sincere and vigilant effort to see to it that as many American citizens as possible, have not only the right to register and the right to vote, which of course they now have, but that they do so. This is the inherent natural and legal right and obligation of every American citizen of voting age.

God gave our beloved Nation for a blessing to all mankind, within its borders, and God does not distinguish between the colors of the skin or race or creed or station in life. I would feel very uncomfortable if I did not so believe. I recongize every Member is entitled to his own opinion and belief. I respect such differences of sincere opinion.

Mr. CELLER. Mr. Chairman, I withdraw the point of order.

I have no objection to the gentleman's amendment.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. DOYLE. I yield to the gentleman from New York.

Mr. KEATING. As I understand the gentleman's amendment he is simply seeking to make this section conform with these rules which we have already attached to the bill. His amendment would correct some inconsistencies of the present wording of lines 6 to 10 on page 23.

Mr. DOYLE. That is correct, I may say to the gentleman.

Mr. KEATING. I have no objection to the gentleman's amendment.

Mr. DOYLE. The other point is that it expressly provides that there shall be a bipartisan subcommittee, at least one member from each political party. That is new.

Mr. KEATING. I think it should be that way.

Mr. BENNETT of Florida. Mr. Chairman, will the gentleman yield?

Mr. DOYLE. I yield to the gentleman.

Mr. BENNETT of Florida. I approve the gentleman's amendment.

Mr. Chairman, I am opposed to this legislation.

It attempts to control by law the thinking in men's minds. Admittedly, some laws may have some effect in inspiring better thought; but a law which comes as this one does, in large part motivated by purely political considerations and by ill will toward nonconforming thinkers, would have little chance of inspiring anyone, even if it were enacted. Further, its administration, if enacted, would lead to a witch hunt atmosphere in which there would be a slowing down of the cooperative and friendly spirit now generally prevailing where large numbers of white people and colored people live happily in the same cities and communities.

The tragedy of this debate is that we are consuming this valuable time and energy for a bill which everyone admits has no chance of being enacted, while there are many things that could be done to help colored people and to increase good will and bring about better conditions for all.

Regardless of differences of opinion on segregation in schools and the recent Supreme Court decision thereon, the vast majority of all white Americans in the South and elsewhere have a sincere affection and respect for Americans of the Negro race. We acknowledge the important role played by members of this race in developing our Nation and in protecting the freedoms with which all Americans are blessed.

We believe that the Federal Government has a peculiar obligation to the members of the Negro race, arising out of American history. The United States Constitution as framed in 1787 recognized the institution of slavery and provided for the importation of slaves for 20 years thereafter. It did so because this was an element in the agreement of the Colonies to join the federated nation. In a number of ways the Federal Government recognized and supported the institution of slavery, by means of the fugitive slave acts and various other legislation. However, when, by action of the Federal Government, the institution of slavery was abolished, the Federal Government did not and has not accepted its responsibility to help educate and elevate the members of this race, most of whom are descended from those who were brought into this country in accordance with Federal recognition and support of slavery.

These are some of the things we could consider:

EDUCATION

Federal legislation should be enacted to provide school construction assistance to the States based upon their Negro populations. Such legislation should provide safeguards designed to make certain that members of the Negro race receive the benefit thereof regardless of whether or not they may attend segregated or integrated schools.

HOUSING

Either by Presidential action or by legislation, a substantial portion of the remainder of the $200 million special assistance fund provided by title II, Public Law 560, 83d Congress, should be made available immediately for Negro housing. Present efforts to provide housing for Negroes are very inadequate. An additional $200 million

should be added to this special assistance fund and earmarked for Negro housing.

HEALTH

Federal legislation could be enacted to grant medical scholarships to an appropriate number of competitively selected members of the Negro race who are financially unable to attend medical schools. This will help Negroes to obtain medical assistance not now available in sufficient quantity.

ECONOMIC

A special study could be made by Congress, either by a standing or special committee, of means of achieving better economic opportunities for Negroes by voluntary methods which, unlike the bill before us, would be consistent with good relations between the races.

When I first came to Congress in 1949, I introduced a bill to assist in the construction of schools for colored people, whether the schools be integrated or not. I have reintroduced and worked for such legislation in each successive session of Congress, including the present one. Personally, I am opposed to having integrated schools but the purpose of the legislation I have introduced is to help the colored people and not to force on them and upon society generally any particular idea of social freedom or compulsion. It is my belief that legislation to help Negroes should give the help without strings attached.

Whatever may be the outcome of the legislation now before us, we should all pledge our best efforts to assist American Negroes to progress and develop, as it was intended for all mankind by a benevolent and just Providence. We should pledge ourselves to find and employ ways to foster a greater spirit of unity, understanding, and regard between all Americans of all races and in all sections of our country. The best thinking and best efforts of all Americans could have no better objectives.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The amendment was agreed to.

Mr. DOYLE. Mr. Chairman, may I use the balance of my 5 minutes?

The CHAIRMAN. The gentleman's amendment has been agreed to. The time of the gentleman has expired.

Mr. UDALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. UDALL: Page 26, line 16, after the word "possession", insert "or delegate to any convention of any political party which selects candidates for any of the offices mentioned in this section."

Mr. UDALL. Mr. Chairman, I have not trespassed on the time of the House during this entire debate and I speak now only to make an appeal. It is my hope that something constructive may come from our discussion here during the past week.

It is obvious that this legislation, even if the House passes it, will be stillborn. We know that because of certain characteristics of the other body, this bill will not be considered there during this session of Congress.

It has been insinuated throughout this debate that the Members are politically motivated in their voting on this legislation. Now I believe this matter of voting rights, the last section of the bill, is the real crux of this bill. I think I speak for many Members of the House when I say that there are quite a number of us who are very sincerely and deeply disturbed about the right to vote. I do not think there is any moderate position, or any compromise position on this issue. Voting is perhaps the most precious right our people have.

I happen to come from a district where I have the largest American Indian population of any congressional district in the entire country, almost 100,000 of them. Until 8 years ago those people did not have the right to vote. So I do have some appreciation of the disadvantage they were put to. I heard one of their leaders not long ago tell a group of Indians this: "So long as you people do not exercise your right to vote, those who make the laws of Arizona will ignore you, and those who enforce the laws will not respect your rights."

I think I can say to you here, therefore, that this matter of voting rights is something of paramount importance. A person is not a member of the body politic, he is not a citizen unless he has that right. Unless persons qualified are permitted to vote the whole process of justice can be degraded.

I should like today to make this plea to my colleagues from the Southland, that as far as they are concerned, the way to defeat this type of legislation is to eliminate these restrictive practices. There have been facts presented here, the gentleman from Michigan [Mr. DIGGS] presented some the other day that have not been controverted. He stated that in certain areas there is repression and that voting rights are denied. So I would say to my colleagues from these States that the way to solve the problem is for them to use their influence to see that these injustices are corrected.

Mr. Chairman, I would like to see a statement, a manifesto if you want to call it that, by our colleagues deploring the practices of some of the people in some of these States. I believe if Members of Congress were to use their influence in those areas and stop these practices we would really have no reason for bringing legislation of this kind before the Congress.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. ABERNETHY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ABERNETHY: On page 22, line 14, after the word "personnel" insert a period and strike all of the remainder of subsection (b).

Mr. YATES. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. YATES. Mr. Chairman, the gentleman's amendment is almost exactly like that offered by the gentleman from North Carolina [Mr. JONES]. The committee, having already rejected that amendment, this amendment is not in order.

Mr. ABERNETHY. The gentleman said "almost like it."

Mr. YATES. Mr. Chairman, I asked the gentleman from North Carolina [Mr. JONES] when he yielded to me as to whether his amendment was directed to the question of voluntary groups and whether he objected to the voluntary groups being consulted by the Commission, or whether he objected to the compensation. The objection was to the compensation. I submit that is the purpose of the gentleman's amendment as well.

The CHAIRMAN. Does the gentleman from Mississippi [Mr. ABERNETHY] desire to be heard on the point of order?

Mr. ABERNETHY. I certainly do, Mr. Chairman.

The amendment offered by the gentleman from North Carolina [Mr. JONES] struck out the entire section (b) which eliminated authority of the Commission to utilize the services of voluntary and uncompensated personnel as well as the authority to pay them. My amendment simply goes to that part of the section which permits the Commission to pay these people $12 per day.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule.

The gentleman from Mississippi [Mr. ABERNETHY] offers an amendment, to which the gentleman from Illinois [Mr. YATES] interposes a point of order. The amendment offered by the gentleman from Mississippi strikes out part of a paragraph. The amendment offered by the gentleman from North Carolina struck out the entire paragraph.

In the opinion of the Chair, the amendment offered by the gentleman from Mississippi is an entirely different type of amendment, to wit, that only part of the paragraph is stricken. The Chair must hold that the amendment is in order and, therefore, the Chair overrules the point of order.

Mr. ABERNETHY. Mr. Chairman, I would particularly like to have the attention of the chairman of the committee and the ranking minority member from New York. I believe that after a moment or two, if I can be heard, you will accept this amendment, although there appears to be some sort of an agreement to accept no amendments, even though they might be worthy.

I differ with my friend, the gentleman from North Carolina [Mr. JONES] in regard to the authority of the Commission to accept the services of voluntary uncompensated personnel. I am of the opinion that if the Commission wishes to accept and utilize the services of any citizen or any group of citizens, it would have the lawful right to do so. And I take the position that it would have that right even though there was no language of this kind or character in the bill.

Now, the thing that I object to and the thing that concerns and disturbs me is the fact that the Commission is given the power to pay these people, whomever they may be, the sum of $12 per

day, 7 days a week, 365 days per year. The average per capita annual income in the United States is about $1,850. This bill would permit the Commission to pay to these volunteers, whomever they are, the sum of $4,380 per person per year, or almost $4,400. That is more than twice the average annual per capita income, and it actually approaches if not equals the average family income in these great United States.

Mr. Chairman and members of the committee, this provision is nothing more or less than a monetary solicitation from the Commission for these volunteers to come forward, saying to them, "Help us out and we will pay you a reward in cash dollars of $4,400 per year." Unquestionably it will mean that there will be scores and hundreds and undoubtedly thousands of people who would welcome a position with the Commission at $4,400 per year. And, if it should so be, Mr. Chairman, that these people are affiliated with some particular organization and if that organization be such that it is capable of exercising extraordinary political pressure—such exist in my section of the country as well as in yours; there are many of them of every kind and character—they then will put the pressure upon the Commission to hire their volunteers. To this pressure the Commission will very likely yield. It will be beseiged by thousands of people. There will be applications on the Commission's doorstep and in its mail every morning from volunteers throughout this land who have never had an income of $4,400 per year, but they will be able to squeeze it out of the Commission by pressuring it to put them on the payroll. They will say to the Commission, "I want a job; I have some information to give you; I want to help you out, and if you do not help me out, I will make trouble for you." Another trouble about it is this: It has the danger of compensating a man for something that he ought to reveal to the Commission without compensation, and the cash pay has the danger of influencing the truthfulness of the statements of these volunteers.

I think this is a dangerous provision. I do not think the first two lines in the subsection constitute any particular danger, because I think the Commission will have the right to utilize the services of volunteers anyway. But it is another matter when you pay them, and it is definitely still another matter when they insist on getting compensation for their voluntary services.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SCOTT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I shall not repeat what I have already said in reference to a very similar amendment offered by the gentleman from North Carolina [Mr. JONES] although I believe it is apposite and proper to apply those same comments here.

The gentleman's reasoning would include, of course, Saturdays and Sundays and holidays and he arrives at potential maximum amount of salary of a putative employee of $4,475. Actually this is a per diem of not to exceed $12 which would amount at most to about $3,000 if someone were fully employed every day of the week except Saturdays, Sundays and holidays. And such a person would be expected to travel from his home and back and support himself in Washington or whatever other headquarters the Commission might establish or to which it might move.

For those reasons it is essential that the Commission, if it accept unpaid volunteer assistance be authorized to do as has been done in every other instance, be given authority to pay the travel expenses of people from Portland or Peoria or New Orleans or San Francisco, to Washington for the purpose of performing these accepted services.

This provision is one for the payment of travel and subsistence expenses, or in lieu thereof not to exceed $12 a day. Therefore the amendment, in my opinion, should be defeated.

Mr. YATES. Mr. Chairman, would the gentleman yield?

Mr. SCOTT. I yield to the gentleman from Illinois.

Mr. YATES. Does not the gentleman from Mississippi [Mr. ABERNETHY] fail to draw a distinction between people who are hired as regular staff employees and those who are hired only on a temporary basis and are paid on a per diem basis?

Mr. SCOTT. Yes. I thought that the gentleman from Mississippi had not drawn that distinction. If the gentleman from Mississippi has other comments, I should be glad to yield to him at this time.

Mr. ABERNETHY. Is it not a fact that if this language were eliminated from the bill, the Commission would still have authority to hire any personnel it saw fit to hire and pay them under the terms of the bill? Is it not a fact that they have the authority to hire regular personnel?

Mr. SCOTT. If the Commission wished to establish such a permanent staff, and such a staff which might be under those circumstances bigger or more unwieldly than they would need by comparison with this method of procedure which would authorize them to hire a comparatively small staff and utilize volunteer unpaid personnel.

Mr. ABERNETHY. Does the gentleman think it is wise to hold out a reward to people to come in and seek employment? Does the gentleman not believe that would encourage people to apply for positions with the Commission who otherwise would not apply?

Mr. SCOTT. I would say to the gentleman that in view of the cost of hotel accommodations and meals in Washington, they are not offering very much of a temptation.

Mr. ABERNETHY. They might not be stationed in Washington.

Mr. YATES. Mr. Chairman, would the gentleman yield?

Mr. SCOTT. I yield to the gentleman from Illinois.

Mr. YATES. As a matter of fact, is it not to the interest of the Commission when it is created to be able to have members of the NAACP, members of the ADA, members of the American Civil Liberties Union, who have been carrying on this fight for civil rights and for civil liberties all these years come to Washington, and have authority in the Commission to pay their travel expenses?

Mr. ABERNETHY. Is it the object of this bill to pay the NAACP and the ADA representatives? Is that the object of the bill?

Mr. SCOTT. I would say to both gentlemen who have asked me to yield that I think any organization, including organizations from any section of the country, representing any view who have an idea or a method that would be of assistance to contribute, which would make this Commission more effective and which would help accomplish the purposes of the Commission, ought to be available to the Commission for its selection.

Mr. ABERNETHY. Does the gentleman contemplate, referring to what the gentleman from Illinois had to say, that all of the people or some of the people connected with the NAACP or the ADA and others would be applying for positions under this particular section of the bill?

Mr. YATES. It is not an application for a position, is it? It is a question of whether or not they should be entitled to consult with them.

Mr. SCOTT. I have no idea and cannot contemplate at this time who might apply or who might be retained.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. ABERNETHY].

The question was taken; and on a division (demanded by Mr. SMITH of Virginia) there were—ayes 52, noes 80.

So the amendment was rejected.

Mr. FOUNTAIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FOUNTAIN: On page 21, line 13, after "origin" insert the following: "*Provided, however,* That no such investigation will be made upon the allegations of a Communist or upon the allegations of any person or persons not loyal to the United States Government."

Mr. FOUNTAIN. Mr. Chairman, I believe this is a good amendment. It will eliminate another of the "bugs" in this untimely piece of legislation. I think the amendment is self-explanatory, but for emphasis I would like to read it.

Please turn to page 21, line 13. After the word "origin" this amendment seeks to insert the following language:

Provided, however, That no such investigation will be made upon the allegations of any Communist or upon the allegations of any person or persons not loyal to the United States Government.

You will note under the subheading "Duties of the Commission," section 103 (a) says "the Commission shall—(1) Investigate the allegations that certain citizens of the United States are being deprived of their right to vote or being subjected to unwarranted economic pressures by reason of their color, race, or religion or national origin," and then in subparagraphs 2 and 3 the Commission is commanded to do other things. As the distinguished gentleman from Texas [Mr. DIES] has already stated on the floor of this House, this section makes

mandatory investigation by the Commission of allegations made, regardless of what source they may come from. Mr. DIES pointed out the strong likelihood that many unreliable people, including members of the Communist Party, persons disloyal to this country, and others like them, who, for the purpose of harassing our citizens and carrying out their common design to divide us, to aline us against each other and to destroy us from within, would undoubtedly make unwarranted and unfounded allegations against loyal and patriotic Americans, accusing them of violating certain rights of individuals "because of color, race, religion, or national origin."

This amendment simply means that known Communists, and there is a list of most of them available, and persons known to be disloyal to our country, cannot make such allegations and expect them to be investigated. Surely if a person is not a known Communist or is not otherwise known to be disloyal to this country, he is presumed to be a loyal and patriotic American. It will be contended if this amendment is adopted that the Commission will have the responsibility of investigating the accusers to determine whether or not they are loyal Americans before making the investigation of their allegations. I don't think this is true, but I do believe it will prompt the Commission to scrutinize all allegations carefully and to make a reasonable effort to determine whether or not the persons making them can be relied upon.

If the Commission has complaints from a Communist, it should not rely upon those complaints alone. It should be forced to rely upon loyal patriotic American citizens. It is bad enough to open the door to our own law-abiding citizens and voluntary organizations which are loyal to this country and invite them to make unwarranted, unsworn allegations against their fellow citizens before a Federal Agency delving into matters which for so long have been handled exclusively by the sovereign States.

Not having heretofore spoken on this bill, I should like to make a few other observations and comments. I do not question the sincerity of any of the proponents of this bill who have sincere convictions that it is wise and proper legislation. I have been impressed by the eloquent arguments which have been made, including the very eloquent argument of the distinguished gentleman from New York [Mr. MILLER] who yesterday showed the courage of his convictions, without regard for his political future, when he initiated action which, had it carried, would have resulted in the defeat of this legislation. In the presence of his bewildered and amazed minority leader, the former Speaker of this House, who opposed the move he made, he showed the courage of a statesman. As the distinguished gentleman from New York in effect said yesterday, I say to you today—in the name of love and brotherhood, of understanding and good will, do not pass this legislation.

If we will only stand by our honest convictions with respect to this legislation, the time will surely come when all of our people, in every section of the country, will hail us for having preserved the liberty, the freedom and the sovereignty of the States of this Union. None of us opposing this legislation condone the deprivation of any person of his constitutional rights. We simply insist that this is not a matter to be handled by the Federal Government.

I would not agree with the assumption, but should we assume for sake of argument that this legislation is constitutional and even meritorious, it is unwise and untimely at this time, coming so soon after the school segregation decision of the Supreme Court which has burdened the people of this Nation, and particularly the people of the South, with responsibilities and problems, the like of which they have not experienced since the bloody days of the Civil War. While there may be extremists here and there, our people are trying to solve this problem as best they can; that does not appear to be enough for some of you. You are not satisfied. You want to increase our already seemingly impossible-to-solve problems.

Let me say this to you. Our people in the South are a tolerant people. They are a good people. The South is known as the Bible Belt. They love and respect their brothers of whatever race and they are working together with understanding hearts in an effort to reach an amicable solution to the many mutual problems facing them. Our people can be influenced. They can be persuaded. They can be reasoned with, but I say to you in all sincerity that they cannot be driven. You have heard it said, "You can lead a horse to water, but you cannot make him drink."

I therefore sincerely urge those of you who have been making on the floor of this House irrational and inflammatory remarks about them, what they are doing, or what they are not doing, to cease such remarks and instead, to extend to them the right hand of fellowship in recognition of our mutual responsibilities and opportunities. If you do, you will find that in the spirit of the Christ who died to save us all, they will join men of good will of all races in an effort to solve their mutual problems. At this particular time, we need not more Federal laws on this subject, but more wisdom, mutual respect, and understanding. This legislation, my colleagues, will do irreparable damage. It can accomplish no good. It is untimely. It is unwise. I urge you to defeat it. In any event, adopt this amendment. It will reduce many of the unnecessary and unjust allegations and complaints which this legislation will otherwise permit.

Mr. SCOTT. Mr. Chairman, the purpose of this amendment is undoubtedly laudable. The gentleman knows everybody, all Members of this body, are opposed to communism. We all know it is an evil, despicable conspiracy against the rights of free men. We want to fight it intelligently. We want to fight it in a way which will give strength to our attack rather than to confuse and to weaken the approaches which we make in defense of freedom. This amendment would accomplish nothing more than to raise the question in the case of every witness called before this Commission whether he is or he is not a Communist, and every witness would be required to purge himself of the suspicion written into this bill, if this amendment were to prevail, that such a witness is a Communist because this amendment would require the witness to disprove that he is a member of the Communist Party. Therefore, this amendment has no purpose other than to confuse the issue.

Mr. GREEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I yield.

Mr. GREEN of Pennsylvania. Besides the communistic tinge, it also says "loyalty to the United States Government."

Mr. SCOTT. Yes, the gentleman is entirely right. Every witness would have to prove also his loyalty to the Government of the United States. It would be imposing a loyalty oath besides casting the shadow and taint and suspicion of communism on every witness who appears.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I yield.

Mr. YATES. I sought to ask the gentleman from North Carolina to yield, and he refused to yield. I wanted to ask him the question whether in his definition of "loyalty" under his amendment, whether those people who have openly stated their opposition to the decisions of the Supreme Court are disloyal.

Mr. SCOTT. Any person called as a witness would have to establish his loyalty to the United States, to the Constitution, and to the decrees rendered by a judicial body, and the acts enacted by a legislative body. I submit that is something about which no man ought to be asked and which no legislature ought to enact.

Mr. FOUNTAIN. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I yield.

Mr. FOUNTAIN. If the Attorney General knows that a man is a Communist or a member of the Communist Party, if he knows that a person is disloyal to the United States, I think it is presumed that we are loyal people until we are found otherwise, he should not make an investigation based upon the allegations of those people, even if he has to make some inquiry.

Mr. SCOTT. The gentleman's amendment has nothing to do with the Attorney General. This deals with the Commission. The Commission does not know and has no way of finding out who is a Communist until that person is examined. Frequently we do not know until we go to the Supreme Court whether or not people are Communists or whether they have certain beliefs or not.

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I yield.

Mr. WILLIAMS of Mississippi. I think I understand what is running through the gentleman's argument and what he is working to. There is no way

of telling who is a Communist or disloyal until they can investigate him.

Mr. SCOTT. Of course the gentleman is as wrong about that as he has been about so many other things.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. FOUNTAIN].

The question was taken; and on a division (demanded by Mr. FOUNTAIN) there were—ayes 58, noes 82.

So the amendment was rejected.

Mr. DORN of South Carolina. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DORN of South Carolina: On page 25, immediately after line 21, insert the following:

"SEC. 123. Nothing in this act or in the amendments made by this act shall be construed as conflicting with any laws of the Federal Government or of the several States, Territories, and possessions of the United States, relating to Indians or Indian affairs."

Mr. DORN of South Carolina. Mr. Chairman, I think this legislation raises grave doubts about and possibly invalidates many of the Federal and State statutes concerning American Indians.

As you know, there are Federal statutes providing a minimum of a $1,000 fine for selling whisky on an Indian reservation, and a lesser fine for other peoples and other sections of the country.

There are peculiar statutes pertaining to Indians and Indian territories that might open a whole field for investigation by the Attorney General because of discrimination.

I would like to yield at this point to the distinguished and able gentleman from Florida [Mr. HALEY], chairman of the Subcommittee on Indian Affairs.

Mr. HALEY. As a matter of fact, under the present bill that we are considering we may be taking away rights of Indians in this country that are guaranteed them by treaty entered into by the very party that is now trying to pass this bill.

Mr. DORN of South Carolina. That is exactly right, I might add.

Mr. HALEY. And we might further be put in the position of prosecuting people who stand in the relationship of a ward of the Federal Government.

Mr. DORN of South Carolina. The gentleman is exactly right.

Mr. SISK. Mr. Chairman, will the gentleman yield?

Mr. DORN of South Carolina. I yield to the gentleman from California.

Mr. SISK. My record has been pretty much unanimous here voting against amendments to the bill, but I might say to the gentleman I am going to support his amendment because I think it is equitable, I think it is fair, and as a member of the Subcommittee on Indian Affairs, of which the distinguished gentleman from Florida is chairman, I would certainly be concerned about anything that would affect their treaty rights.

It is my hope that this amendment will be adopted.

Mr. DORN of South Carolina. I thank the gentleman from California. His State is affected by this amendment.

I might say there are Federal statutes against selling arms to the Indians notwithstanding the fact that the Constitution of the United States says that the citizens shall have the right to bear arms, but there are particular statutes pertaining to the American Indians which prohibit the sale of arms to these people, and there are many other statutes; you get into a very involved situation.

I hope the gentleman from New York will accept this amendment.

Mr. FERNANDEZ. Mr. Chairman, will the gentleman yield?

Mr. DORN of South Carolina. I yield to the gentleman from New Mexico.

Mr. FERNANDEZ. What about the statutes we have and the recognition we have giving preference to Indians on work on the reservations?

Mr. DORN of South Carolina. This legislation might possibly invalidate that. Then I understand there are certain special laws in the gentleman's State and in that area of the country.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. DORN of South Carolina. I yield.

Mr. CELLER. I cannot see how the section the gentleman seeks to amend in any way directly or indirectly interferes with any rights that Indians may have. This has to do with civil cases under title 28, and they have no relationship whatsoever to Indians or Indian affairs, so the amendment is quite irrelevant.

I think the gentleman is conjuring up a lot of ghosts under the bed that do not exist. I think the amendment is totally unnecessary and would clutter up this bill. For that reason I oppose it.

Mr. DORN of South Carolina. I disagree with the gentleman. It will only protect an unusual situation and a gallant segment of the American population. The American Indian is the original American, and certainly the gentleman from New York should want to protect him.

I hope the amendment will be adopted.

Mr. Chairman, ladies and gentlemen of the House, I was shocked yesterday to see the Republican leadership in this House blandly place this Eisenhower civil-rights bill on a purely political basis. I was further shocked and amazed to see the Republican leadership in substance threaten Republican Members of this House with political pressure from the high command if they did not support this legislation. We knew all along that it was a political bill designed for political advantage and brought to the floor of this House at the psychological time before the national conventions of both political parties are to meet. Yes, this is the Eisenhower civil-rights bill as presented to the Judiciary Committee by Herbert Brownell. I must say that there is a difference in Eisenhower, the General, and Eisenhower, the politician. As the Commander of the Army in Europe and as a witness before a committee of Congress, he advocated one thing but as a politician and candidate for reelection, he is taking a different course. There is even a difference between Eisenhower as a candidate in 1952 and Eisenhower, the President. Candidate Eisenhower declared on the steps of the State capitol in Columbia, S. C., that he was in favor of States rights and a minimum of Federal authority. But as President and supporter of this bill, he seeks to take away the sovereign rights of the States.

During this debate, the name of the great Abraham Lincoln has been mentioned by the Republican leadership of this House. I would like to remind my colleagues that there was little difference between Abraham Lincoln, the candidate, and Lincoln, the President. Lincoln believed in certain principles and ideals. Among them was the preservation of the American Union and the abolition of slavery. Abraham Lincoln did not waver, he did not vacillate. He accomplished the preservation of the Union and the elimination of slavery. He promoted unity in the interest of the common welfare. He did not advocate any measure which would promote disunity as this civil-rights bill does today. Lincoln's idealism and love for America as a whole was in direct contrast to the Republican leader who followed him, Thad Stevens, of Pennsylvania. Stevens sacrificed unity and the common good for political expediency. William E. Borah, the great Republican of Idaho, declared on the floor of the Senate that Thad Stevens was perhaps the most complete master of the House of Representatives that history recalls. Senator Borah quoted Stevens as saying that certain States were to be readmitted to the Union "only when the Constitution has been amended so as to secure the perpetual ascendency of the party of the Union"—the Republican Party. Senator Borah quoted Stevens further:

The conquered people have no right to appeal to the courts to test the constitutionality of the law. The Constitution has nothing to do with them or they with it.

Oh, my friends, these words of Stevens might be quoted today in support of this bill which would usurp the rights of our people and might destroy the sovereign States. We honor Lincoln today as a statesman but we look upon Stevens as the politician who injured his country and very nearly destroyed his party.

Mr. Chairman, I might add that there was no difference between Col. Teddy Roosevelt, the dashing military officer, and candidate Roosevelt and President Roosevelt. He was one and the same at all times, a defender of the rights of the people of this country and one who constantly fought for the common good of all of the States and all of the sections of our common country.

Since coming to the Congress of the United States, it has been my privilege to know many great Republicans who labored in the traditions of Lincoln and Roosevelt, who repudiated the cheap political philosophy of Thad Stevens. I well remember during the airpower controversy, the late great and able Kenneth Wherry, of Nebraska called and asked that I come before his committee to witness for a great Air Force to meet the Communist threat. He did not call me as a Democrat but as an American. Ken Wherry thought of America first and his party secondly.

I knew and admired Robert A. Taft, of Ohio and respected him as a man, as a candidate and as the distinguished leader

of his party. In all of his love for the Republican Party, at any time he would have foregone his title as "Mr. Republican" for that of "Mr. America." Yes, ladies and gentlemen of the House, this is a sectional bill. This is a political bill but it would endanger the basic liberty of the people in every State and in every section. The late Hon. William E. Borah said this type of legislation was a sectional bill in his great speech on the floor of the United States Senate January 7, 1938. I wish more of my friends on the left would follow the lead of Lincoln, Teddy Roosevelt, Taft, Wherry, and William E. Borah and help us defeat this bill in the name of freedom, constitutional Government, States sovereignty and individual liberty. In that courageous address on the floor of the Senate, William E. Borah said, and I quote:

> The progress, the development, and the advancement of the South, including the last 70 arduous years, her history from Washington and Jefferson down, rich with the names of leaders, orators, and statesmen; her soil, her sunshine, her brave and hospitable people, her patient and successful wrestling with the most difficult of all problems, are all a part of the achievements of our common country and constitute no ignoble portion of the strength and glory of the American democracy. I will cast no vote in this Chamber which reflects upon her fidelity to our institutions or upon her ability and purpose to maintain the principles upon which they rest.

I do pay tribute today to that small group of Republicans in this House who do adhere to and have the courage to carry on the principles and ideals of great Republican leaders of the past.

Now, ladies and gentlemen of the House, I come to the main point of my remarks today. One of the principal arguments used by advocates of this civil rights bill is that we should pass it because Russia is criticizing us for discrimination. A speaker representing a minority group recently told an Atlanta, Ga., audience that the real motive behind this Supreme Court decision of May 17, 1954, was that the Court felt that that decision should be rendered because of Communist criticism of discrimination in the United States. In other words, Mr. Chairman, the main point in that Supreme Court decision was not sociological or psychological, as we were led to believe at the time, but the real reason for the decision was that the Supreme Court is trying to mold America and change our Constitution in such a way as to be satisfactory to the Communists. If you will read the speeches of many contemporary Americans on this subject, you will find they are advocating a change in the American way of life to suit this foreign atheistic ideology. This is fallacious reasoning, indeed.

This thinking is permeating every phase of American endeavor today. In the field of foreign affairs, we have heard Paul Hoffman, Harold Stassen, John Foster Dulles, Dean Acheson, Truman, and Eisenhower declare time and time again that we must counteract this Russian propaganda that America discriminates against minorities. In other words, they are unwittingly advocating a change in our American way of life because Russia does not like America as instituted by the Founding Fathers. We are changing our form of government through the back door. These men are advocating such legislation as this not because it is right but because the Communists are criticizing America. We are backing into a welfare state while professing altruisms. We are adopting the very things we profess to oppose.

If this theory is continued, we will soon abolish freedom of the press, the free enterprise system and the Bill of Rights. Suppose we pass this bill and do everything else that Communist Russia says we must do to be acceptable before the world. Then, may I ask, will we be acceptable to the Russians? I say, ladies and gentlemen, they then will criticize America for having freedom of worship and even for believing in God. We cannot appease Russia or create permanent peace in the world by adopting their philosophy.

Now, my colleagues, I was shocked to see this same thing put down in black and white on page 5 of this committee report. When the majority report was written, they just had to write into it that American leadership of the free world was being threatened by a lack of adherence to the ideals of equality under law.

In considering civil rights, in considering foreign policy, in considering domestic policy, we should be motivated by one thing and one thing only—is it right or wrong, or is it in the interest of the American people whom we represent. I might add that foreign Minister Shepilov recently suggested that before Russia can reach an agreement with America on disarmament, that we should muzzle the press and the radio. What are we going to do about that? In order to further appease Russia, in addition to passing this civil rights bill, are we going ahead and muzzle the American press, abolish freedom of speech on the radio and on television? I say again, we cannot predicate the future of America upon Russian criticism but only upon the fundamental principles and ideals that made this country great and upon our own Constitution that we have sworn to defend and protect.

I can tell you that there is fear today in the hearts and minds of the little average American—not so much fear of communism as it is a fear of Washington, D. C. Already our people are worrying night and day about next year's income tax. They have so many blanks and papers to fill out that they are never sure of the outcome. They live in fear today of a knock on the door and Federal agents going over their books. We have centralized government to the point where our people in the sovereign States live in fear of innumerable Washington agencies, bureaus, and the Department of Justice. People who have done their best to be good citizens and loyal Americans are afraid of this vast Washington gestapo.

I talked with a good sheriff of a local county not long ago, one who has been faithful, honest and fearless in the discharge of his duties. He has served as sheriff for many, many years. In offering for reelection he confided to me that he had many misgivings about doing so. He said he did not know where his authority began and where it ended in the light of this Supreme Court decision, civil rights agitation, boycotts, and unrest. He said he had lived a good life and did what he thought was right and he did not want to spend his remaining years in a Federal prison.

I have heard the same story from prominent and capable men who would like to serve on boards of education. I have heard the same fear expressed by members of the State legislature, State senators, members of city councils, and local mayors. They could perform their duties and know where they stood under our old Constitution as we have known it. But with the Court writing legislation and amending laws, our people today are fearful and do not know where their authority begins and where it ends. This civil rights bill, if passed, will only aggravate this fear of Washington, create confusion, disunity and ill feeling among our loyal American people.

Thomas Jefferson and George Washington placed emphasis on the individual. They wrapped around him the Declaration of Independence, the Constitution and the Bill of Rights. The Government was only the agent of the people, created to serve and protect them. But today our local people are being harassed by a powerful central Government. Our people are being educated and trained to look to Washington, which is the beginning of the welfare state and ultimately, dictatorship.

The late Henry Grady, of Georgia, the great editor of the Atlanta Constitution, walked down Pennsylvania Avenue in Washington upon one occasion and was carried away with enthusiasm upon seeing the National Capital. Mr. Grady said that he thought of the Army and the Navy, the Congress, and the Treasury, and all that was gathered here in Washington. He said:

> Surely here in Washington is lodged the ark of the covenant of our country. Here is the beginning of our power and the end of our responsibility.

A few days later Henry Grady visited a rural home in Georgia where he saw the children of a rural farmer milking the cows and working on the farm. The farmer owned his land, was master of his land and master of himself. Grady had dinner with this farmer and he noticed that after dinner, the farmer called the family to their knees and pulled down a well-worn Bible. Henry Grady changed his mind after seeing this sovereign and independent citizen and said that the ark of the covenant is not lodged in Washington but in the homes of the American people. Grady said that America was not stronger than these citizens who made up the smallest unit of democracy. He was the source of our strength and power as a Republic. Grady went further and said:

> The citizen standing in the doorway of his own home with his family gathered around his hearthstone will save the Republic when the drum tap is futile and the barracks are exhausted.

We can put the responsibility where it belong by voting down this civil-rights

bill. The responsibility is with the individual, his attitude, his moral and spiritual understanding, his education, and his brotherly understanding.

The late Booker T. Washington, the greatest Negro America ever produced, spoke to the National Education Association in Madison, Wis. He said:

Brains, property, and character for the Negro will settle the question of civil rights. The best course to pursue in regard to the civil rights bill in the South is to let it alone. Let it alone and it will settle itself.

Good school teachers and plenty of money to pay them will be more potent in settling the race question than many civil rights and investigating committees.

Booker T. Washington had the only real permanent answer to this problem. Real civil rights cannot be legislated here in this House. Brotherly love, mutual trust and respect, fidelity and honor must come from the individual. Let us defeat this bill, protect the rights of our sovereign States, local governments, and preserve the liberty of all Americans.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina.

The question was taken; and on a division (demanded by Mr. DORN of South Carolina) there were—ayes 59, noes 67.

Mr. DORN of South Carolina. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. CELLER and Mr. DORN of South Carolina.

The Committee again divided, and the tellers reported that there were—ayes 66, noes 81.

So the amendment was rejected.

Mr. McCARTHY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCARTHY: On page 24, line 21, after the word "whenever", strike out "any persons" and insert: "any person or persons."

Mr. McCARTHY. Mr. Chairman, those of us who intend to vote for this bill and who anticipate that it will be passed do not look forward to that accomplishment with any great sense of victory over any persons either in this House or in this country. The problem of justice with which we are trying to deal in this action today is not one which can be laid to the blame of any persons living today or to any one person or group of persons who have lived in this country in the past. It has grown up over a long period of time. It is an injustice and an evil problem which has been passed on to Americans living today, an historical demonstration of the truth of the biblical statement that the injustices of the fathers are visited upon the children. Some of us, of course, have tolerated this injustice; some of us may have aggravated it. And I suppose that none of us can say that he has done as much as he could have done in trying to eliminate or to reduce this injustice and this evil.

The gentleman from Texas [Mr. DIES] made a special point of charging that in our action here we are willing to justify the methods that we purpose on the basis that the end and the purpose we were seeking is good. He is right in part. The end and purpose which we are seeking here is good. What we are trying to do is to eliminate, at least in some measure, a condition which denies to citizens of this country the basic and fundamental civil right, namely, the right to vote, without which all our civil rights have little or no meaning, as has been recognized in this country from the days preceding the revolution. But the gentleman from Texas is wrong in saying that we attempt to justify improper means because the end and purpose is right. Most of us realize that these are dangerous methods and means. We would like to lay down clear procedures and definitions without any fringes of uncertainty or obscurities. We cannot do that. The methods which we are proposing here today are the best that we can devise. Some Members have proposed other complicated methods which will surely prove ineffective. Others have said we need no methods; that we need do nothing about this. We are deciding to use the best methods we can devise, means proportionate to the end. We are aware of the risk. We realize that if these devices are used improperly, great harm will follow. If we discover that the evil which results from this effort is greater than the evil which we are attempting to eliminate, then this Congress will surely take action to reverse what it has done today or propose some alternative. We need to keep in mind, in the closing moments of this debate, that membership in the Congress of a democratic society does not make political life and political action simple and easy for us, but that it imposes special personal obligations upon us, as representatives of the citizens of a free country. We must keep in mind at all times that what we are trying to do in this democracy is to establish a political order which is based upon justice but also upon freedom. That we seek to establish an external and objective order of justice, but also an internal and subjective order, a society ordered in justice, understood and accepted by every citizen. We cannot always wait to have justice understood and accepted by all citizens. Sometimes we must push forward, taking risks and engaging in uncertain action in order that we may make some progress—some advance—in our efforts to establish that order of justice. This is the kind of action we are taking today.

Mr. KEATING. Mr. Chairman, I rise in opposition to the amendment.

Mr. McCARTHY. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

Mr. KEATING. Mr. Chairman, I object and I do so simply for the purpose of saying this.

We have just heard a very fine statement by the gentleman from Minnesota [Mr. McCARTHY]. I take it he does not press his amendment or he would not have signified his desire to withdraw it.

I understand we are almost on the last of the amendments to be offered and this will be the last opportunity to say a few words. I appreciate the wide difference of opinion which is held in this body on this legislation. I can think of no issue which could arouse stronger emotions. At times there has been some evidence of that in this debate. On the whole, however, considering the inherent explosive character of this question, the presentation of arguments here has been singularly free from personalities or recriminations on those other reactions which we might regret tomorrow.

I can say this for myself, that I vigorously support this legislation. I feel it will strengthen our great country both at home and abroad. The dictates of my conscience compel me to favor this measure and back it to the hilt. But I recognize that there are sectional elements involved, that there are many of my colleagues whom I deeply respect and dearly love who disagree with me on this issue. I particularly express my gratitude to those who differ with me over the considerate manner in which they have received the arguments which I felt impelled to advance.

I am grateful to my chairman for the high level of debate in which he has engaged. If in the heat of argument I have given offense to any Member, I am truly sorry. And I leave this debate with nothing but the finest of friendly feelings for every Member.

The CHAIRMAN. The question is on the unanimous-consent request of the gentleman from Minnesota to withdraw his amendment. Is there objection?

There was no objection.

Mr. CELLER. Mr. Chairman, I move to strike out the last word.

I want to express my gratitude for the graciousness and the kindness of the membership in this debate as that graciousness and kindness were directed toward me. I feel also a sense of gratitude to the distinguished gentleman from New York [Mr. KEATING] for working in a most cooperative spirit with me on this important legislation.

I tried hard, as much as I could, to pour the oil of calm upon a few troubled spirits and I think with the assistance of those who cooperated with me, we have measurably succeeded.

In my many years in this House I have learned the following: I have learned silence from the talkative. I have learned tolerance from the intolerant. I have learned justice from the unjust. I have learned kindness from the unkind.

It is strange, but I am grateful to these teachers. And I want to state in the course of this debate there has been tolerance, there has been kindness, and there has been a splendid degree of objectivity. I am very glad, however, we come to the end of the day and the end of this bill.

Mr. COLMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLMER: On page 23, lines 14 and 15, after "Columbia", strike out "within the jurisdiction of which the inquiry is carried on."

Mr. COLMER. Mr. Chairman, at the conclusion of this debate I am taking these few moments to join with those

who have already expressed their approval of the high plane upon which this most controversial bill has been conducted.

Notwithstanding the fact that it is generally conceded that the bill is aimed at my section of the country and that it is brought to the floor of this House with the dubious objective of being used as campaign fodder in the approaching November elections, those of us who have opposed it have dispassionately endeavored to expose as fully as possible in the limited time that we have had the real dangers embodied in the proposal to the liberties of all of the people of all sections of our great common country.

It has been perfectly obvious from the beginning that the leaders of the NAACP, the AFL-CIO and the ADA have conducted a strenuous campaign and indulged in the usual pressure tactices to force the passage of this proposed legislation. But as the debate has progressed and the dangers to the liberities of all of our citizens have been exposed, it has become most apparent that your minds, yes, your very souls have been increasingly troubled. I know from the expression on your faces and from personal contacts that many of you are deeply concerned over this proposal. In fact, many of you will be tempted to vote for this iniquitious measure on the theory only that it will be killed, in fact not even considered, by the other body. There are many who have suggested that if the vote were taken by secret ballot that it would not get 10 percent of the votes. When the gentleman from Texas [Mr. DIES] on yesterday, in addressing the House, asked those who believed it would become law at this session to stand, not one single Member of this House arose to his feet.

I happen to be one of those Members of this House who subscribe to the doctrine that we in the House have a joint responsibility with the Members of the body at the other end of the Capitol. I believe it is our sworn duty to face up to our own responsibility. Therefore, I am requesting you to do a little soul searching in the intervening hours before we vote on this bill on Monday. It is relatively immaterial whether you or I return to the Halls of this Congress in 1957. If we are defeated because of our votes here there will be others to take our place. At the most we have but a few more decades to serve and live. The important thing is whether this glorious young Republic and its institutions, the creation of the minds and patriotism of the Founding Fathers, shall survive. Of equal importance to you and me is whether we are honest with ourselves. Whether we have the courage and patriotism to be forthright even to the extent of risking our political future is important. Such high order of courage was exhibited on this floor on yesterday by the gentleman from New York [Mr. MILLER] and the gentleman from New Jersey [Mr. TUMULTY].

With no desire to appear dramatic in closing, may I read you a little anonymous poem which expressed the sentiment that I am trying to convey:

When you get what you want in your struggle for pelf,
And the world makes you king for a day,
Just go to the mirror and look at yourself
And see what that man has to say.

It isn't your father or mother or wife
Who judgment upon you must pass,
The one whose verdict counts most in your life
Is the one staring back in the glass.

He's the one you must satisfy beyond all the rest,
For he's with you right up to the end;
And you have passed your most difficult test
If the man in the glass is your friend.

You may be one who got a good break—
Then think you're a wonderful guy;
But the man in the glass says you're only a fake
If you can't look him straight in the eye.

You may fool the whole world down your pathway of years,
And get pats on the back as you pass;
But your final reward will be heartaches and tears
If you've cheated the man in the glass.

Mr. DURHAM. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DURHAM. Mr. Chairman, I am opposing this measure, not on the basis of constitutional objections primarily, though I feel such objections are perfectly valid, but I will leave to those Members who are constitutional authorities the statement of the case from that standpoint.

My opposition is based on my deep conviction that you cannot successfully legislate social changes without repercussions which produce worse results than the situation you are trying to remedy if you make this kind of approach. If this bill should be enacted into law, I think we would face the amazing situation that by legislating to protect the minorities, we would have actually legislated against the majority. I do not see how we can reasonably think that we have made any great social and economic advance through the enactment of this legislation. Rather it seems to me, we are in gravest danger of invading the sovereign rights of our several States and creating a new Federal Commission, an additional Attorney General, and a new division in the Department of Justice—with broad powers to reach down into our States and subpena our citizens and bypass and virtually do away with local remedies for violations of civil rights.

This measure embodies the broadest concept of civil rights that has ever been brought to this body for deliberation. It opens up a whole field for investigation by allegations and offers a field day for informers. It is alien to the foundations of our Government and our national institutions as our forefathers conceived them, and I can see no good which could possibly accrue from this legislation but rather countless injustices, inconveniences, and encroachments of the Federal Government on the powers reserved to the respective States and the people.

There are many obnoxious features to this bill, and they have been ably pointed out by opponents of the measure in the 2 days' debate in this House, but I would certainly like to speak of my personal abhorrence of the provision for the so-called commission to accept and use the services of voluntary and uncompensated personnel, and the reference to persons "about to engage" in any acts or practices contrary to the act. This latter provision could bring about the most vicious type of thought control, raised to the nth degree, since the Attorney General could think that he thought that some citizen or group of citizens were thinking of engaging in any such acts or practices. Further than that, the Attorney General is empowered to file actions for individuals without the consent of the plaintiffs and without regard to existing local remedies.

I can actually conceive of a situation arising whereby a person's involuntary facial expression might be construed as meaning that the person was about to engage in an attempt to threaten. I don't believe that any Gestapo practices ever went any further than this ridiculous possibility.

I oppose this measure wholeheartedly, I believe it violates more civil rights than it protects, and if enacted into law I am convinced the disastrous results implicit in its amazing provisions will be felt not only in the Southern States, which are no doubt its primary target, but in all the 48 States of this Union.

Mr. RIVERS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, while everybody is thanking everybody else for the high plane on which this debate has been conducted, I want to thank you for delaying our execution until Monday, the Republicans on my left and the Democrats on my right who are so minded. You know and I know this bill is directed at my people and at my institutions. But one of these days it may be your turn. You cannot tell who will occupy the Attorney General's position. You cannot tell who may be President of the United States. There is a possibility and it is not beyond the realm of possibility that somebody may be nominated at some convention whereby the election may be held in the House of Representatives. Then you cannot tell who may be President of the United States. It may be RIVERS. Would that not be a terrible thing for you? Yes, it may even be JIM EASTMAN who some of you people have been maligning. You cannot tell. I want to remind you of one thing. The mills of the gods grind slowly, but brother they grind, and your day may be next. I have listened to this debate and I have heard people talking about the voting conditions. I would like for you who are interested to know that in my State anybody who has sense enough to write his name can vote, and there are a lot of those people—you would be surprised—who do have that much sense. Anybody can vote in my State, as much

as they can in any other State. You do not have to pay 5 cents. We are not intolerant. The man who served the longest as speaker of the House of Representatives of South Carolina and who is now the speaker is an orthodox Jew. Not a man in South Carolina could beat him. You have not explored those possibilities in your headlong struggle to destroy my people and our institutions and discredit us before the rest of the world. I am just leaving these things with you before the dying days of this terrible concoction and it is a concoction which would turn the stomach of anybody who is interested at all in the Constitution of the United States.

Mr. DORN of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield.

Mr. DORN of South Carolina. I would like to say to my distinguished colleague from the lower section of South Carolina——

Mr. RIVERS. Which is the best.

Mr. DORN of South Carolina. But I served under the great Speaker of the House, Solomon Blatt, in 1939 and 1940.

On my last trip to South Carolina, I was informed that that great elder statesman, the Honorable Bernard Baruch, of New York City, who has lived there for more than 50 or 60 years and who amassed a great fortune on Wall Street in that great city cannot belong to many, many of the civic and private clubs in New York City. But, he has never been denied entrance in any club in the city of Charleston or the city of Columbia, S. C.

Mr. RIVERS. That is right.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. RIVERS. Mr. Chairman, I ask unanimous consent to proceed for 2 more minutes.

Mr. AUCHINCLOSS. Mr. Chairman, I object.

Mr. RIVERS. I thank you for letting me talk at all.

Mr. COLMER. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection?

There was no objection.

On motion of Mr. CELLER, and by unanimous consent, all debate was closed on the committee substitute, as amended.

The CHAIRMAN. The question is on the committee substitute, as amended.

The committee substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 627) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, pursuant to House Resolution 568, he reported the same back to the House with an amendment adopted in Committee of the Whole.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that further proceedings on this bill be postponed until Monday.

The SPEAKER. Is there objection?

There was no objection.

HOUR OF MEETING ON MONDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow, Saturday, it adjourn to meet at 11 o'clock on Monday.

The SPEAKER. Is there objection?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 4256. An act to authorize the Honorable WILLIAM F. KNOWLAND, United States Senator from the State of California, to accept and wear the award of the Cross of Grand Commander of the Royal Order of the Phoenix, tendered by the Government of the Kingdom of Greece.

LEGISLATIVE PROGRAM FOR TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I would like to announce the program for tomorrow. The point of order bill will be taken up.

The flood disaster insurance bill will be brought up.

The bill increasing exemptions for movie taxes will be brought up.

Mr. MARTIN. This is for tomorrow?

Mr. McCORMACK. This is for tomorrow.

Mr. MARTIN. Is there anything further for tonight?

Mr. McCORMACK. Nothing of a legislative nature.

The SPEAKER. There are two conference reports to be taken up.

Mr. McCORMACK. There are two conference reports and perhaps some unanimous-consent matters.

Also tomorrow H. R. 10433, training personnel in the fishing industry.

Those bills will be on the program for tomorrow.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. HALLECK. A rule has been granted on the atomic reactor bill. That is a measure that has passed the other body and many people think it is of great importance and that action on that is necessary before action can be had on certain other matters. I am wondering when the gentleman will schedule that bill for consideration.

Mr. McCORMACK. That is being scheduled for Tuesday.

Mr. ALLEN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. ALLEN of Illinois. When does the gentleman intend to schedule the public works bill for consideration?

Mr. McCORMACK. I will make an announcement tomorrow for next week's program. That will probably be one of the bills that will be taken up under suspension of the rules on Monday.

Mr. ALLEN of Illinois. Will the gentleman bring that up next week?

Mr. McCORMACK. I think I can announce with confidence that that bill will be brought up under suspension of the rules on Monday. That is the quickest way to get action on that bill.

HOSPITALIZATION AND CARE OF THE MENTALLY ILL OF ALASKA

Mr. O'BRIEN of New York. Mr. Speaker, I call up the conference report on the bill (H. R. 6376) to provide for the hospitalization and care of the mentally ill of Alaska, and for other purposes, and I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. GROSS. Mr. Speaker, reserving the right to object, will the gentleman assure us that he will take some time to explain this conference report and will be willing to answer some questions concerning the report?

Mr. O'BRIEN of New York. Yes.

Mr. GROSS. I just wanted that assurance.

Mr. McCORMACK. Will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. McCORMACK. If there are any rollcalls tomorrow, the rollcalls will go over until Monday.

Mr. MARTIN. What time will the House convene tomorrow?

Mr. McCORMACK. At 12 o'clock.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. O'BRIEN]?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2735)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6376) to provide for the hospitalization and care of the mentally ill of Alaska, and for other purposes, having met, after full and free conference, have agreed to recommend

and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate and agree to the same with a further amendment as follows:

Amend the first sentence of section 302 (a) so as to read:

"SEC. 302. (a) Within two hundred and ten days after the date of enactment of this Act, the Secretary of the Interior, with the concurrence of the Governor of Alaska, may either (i) assign all of his rights and duties under contract numbered 14-04-001-81, entered into on June 18, 1953, between the Secretary of the Interior on behalf of the United States, and the Sanitarium Company of Portland, Oregon, to the Territory of Alaska, such assignment to become effective on the two hundred and tenth day after the date of enactment of this Act, or (ii) terminate the said contract in accordance with the terms thereof."

And the Senate agree to the same.

LEO W. O'BRIEN,
ED EDMONDSON,
EDITH GREEN,
JOHN R. PILLION,
Managers on the Part of the House.

HENRY M. JACKSON,
ALAN BIBLE,
WILLIAM R. LAIRD III,
THOMAS H. KUCHEL,
BARRY GOLDWATER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on amendments of the Senate to the bill (H. R. 6376) to provide for the hospitalization and care of the mentally ill of Alaska, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report.

H. R. 6376, as reported by the House, contained three titles. Title I contained detailed hospitalization and commitment procedures, title II contained the land and monetary grants necessary to implement the act, and title III contained miscellaneous provisions pertaining to the existing contract and appropriation of funds.

H. R. 6376, in title I, as reported by the Senate, gives authority to the Territory of Alaska to enact such laws on the subject of mental health as it may deem appropriate. This action would vest in the people of Alaska responsibility in the field of mental health comparable to that of the several States and the other Territories of the United States. In conference, the Senate version of title I was accepted in the anticipation that the Legislature of the Territory of Alaska will act to modify existing commitment, hospitalization, and treatment procedures for Alaska's mentally ill.

Both versions of title II of H. R. 6376 are identical in substance but with a minor change in wording. The House-passed bill provided that the monetary returns realized from the land grants would be administered by the Territory of Alaska as a public trust for the hospitalization and care of the mentally ill in Alaska. The Senate-reported bill specifies that these returns shall be applied to meet the necessary expenses of the mental-health program in Alaska. The managers on the part of the House accepted this Senate amendment which broadens the use of the revenues for use of the Alaska mental-health program rather than for the hospitalization and care of the mentally ill in Alaska.

Title III of H. R. 6376, as reported by the House, is considerably different in section 301 (b), in wording, but not in context from the Senate-reported bill. The Senate language recognized the desirability of providing a limited transition period between the effective date of the act and the time when the Territory must assume full responsibility for the implementation of the Alaska mental-health program. In recognition of this possibility, and to allow time for the Alaska Legislature to amend existing law governing care and treatment of Alaska insane, the Senate version fixes the mandatory transfer date on the 210th day after enactment of H. R. 6376. The House managers—particularly in view of agreement to delete the commitment provisions—have agreed to this Senate amendment to the House-passed bill.

Section 302 (a) of the Senate-passed bill deals with the existing contract between the Secretary of the Interior and the Sanitarium Co. of Portland, Oreg., in which the mentally ill of Alaska are now being treated at Federal expense. This section provided that the Secretary shall, within 30 days after the enactment of the bill, either assign the contract to the Governor of Alaska with his concurrence, or terminate the contract in accordance with its terms. Assignment would take effect on the 210th day after the effective date of the act. The existing contract provides for termination upon 6 months' notice. The conferees amended section 302 (a) to extend the time that the Secretary shall assign the contract to the Governor of Alaska or to terminate it from 30 to 210 days. This extension of time will permit the arrangement of the necessary transfer details. Prior to the acceptance of this amendment, letters of approval were obtained from the Departments of the Interior and Health, Education, and Welfare. These reports are included as appendixes to this statement of managers.

Section 302 (b) of the Senate-reported bill provides that 210 days after the date of the enactment of this act the unexpended balances of appropriations available to the Department of the Interior for the care of the Alaska insane shall be transferred to the Governor of Alaska to be used primarily in the administration of all laws pertaining to the Alaska insane. It also provides that for the remainder of the fiscal year ending June 30, 1957, additional funds are authorized to be appropriated to the Secretary of the Interior for transfer to the Governor of Alaska as are necessary for the case of the Alaska insane. Since the House conferees saw the importance of this amendment in order to be assured that the mentally ill would be properly cared for during fiscal year 1957, they agreed to this Senate amendment.

Subsection 302 (c) provides that costs of transporting patients to a hospital outside of Alaska shall continue to be paid by the Department of Justice until July 1, 1957. The House conferees agreed to accept subsection 302 (c) which provides this transportation.

Finally, the House managers agreed to and accepted the amendment whereby the Senate substituted new language for the title of the bill as follows:

"An act to confer upon Alaska autonomy in the field of mental health, transfer from the Federal Government to the Territory the fiscal and functional responsibility for the hospitalization of committed mental patients, and for other purposes."

In all other respects the conference committee agreed to the minor changes adopted in the Senate-passed bill.

LEO W. O'BRIEN,
ED EDMONDSON,
EDITH GREEN,
JOHN R. PILLION,
Managers on the Part of the House.

APPENDIX

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
July 11, 1956.

Hon. HENRY M. JACKSON,
Chairman, Territories Subcommittee, Committee on Interior and Insular Affairs, United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: This is in response to your letter of July 2, 1956, advising us of the conference agreement on H. R. 6376, the Alaska mental health bill, subject to the concurrence of this Department and the Department of the Interior concerning two amendments to section 302 (a) of the bill agreed to by the conferees.

Section 302 (a) of the bill, which would be amended by the conference amendments, relates to the authority of the Secretary of the Interior to assign to the Territory or to terminate the existing contract with Morningside Hospital for the care and treatment of mental patients committed from Alaska. Inasmuch as this, so far as the Federal Government is concerned, is entrusted solely to the Secretary of the Interior, we would defer to the views of the Interior Department as to the acceptability and workability of the conference amendments. We understand that that Department has no objection to the amendments and we therefore likewise concur.

We are gratified to know that this will make unnecessary another meeting of the conferees and will thus expedite passage of the bill which is very much needed by the people of Alaska.

Time has not permitted us to obtain the advice of the Bureau of the Budget in connection with this report.

Sincerely yours,
M. B. FOLSOM, *Secretary.*

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., July 12, 1956.

Hon. HENRY M. JACKSON,
Chairman, Territories Subcommittee, Committee on Interior and Insular Affairs, United States Senate, Washington, D. C.

MY DEAR SENATOR JACKSON: This will reply to your letter of July 2, in which you request the comments of this Department on the proposed action of the conferees with respect to H. R. 6376, the Alaska mental health bill. The conferees have agreed to the Senate amendment, except that section 302 (a), the section which as reported by the committee would have required the Secretary of this Department either to assign or terminate the current hospital contract within 30 days, would be amended to authorize such an assignment or termination within 210 days.

This Department has no objection to the proposed action of the conferees.

Sincerely yours,
WESLEY A. D'EWART,
Assistant Secretary of the Interior.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield me 10 minutes?

Mr. O'BRIEN of New York. I yield 10 minutes to the gentleman from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Speaker, I may not use the 10 minutes, but I want to inform the House that the conference report on the Alaska mental health bill that is now before us is quite different from the bill we passed in the House. There has been a great deal of nonsense pro and con on this mental health bill that has kept Members of the

House greatly agitated. Much of the propaganda does not have an ounce of truth in its fabric.

In the past I have had some objections to the bill; I had some in the House, although I think the bill we passed in the House was a much better bill than we have here in this conference report. I did not sign the conference report.

The conferees took out the section on commitment procedures. I am sure my colleagues understand that the mentally ill for many years have been taken care of at an institution in Portland, Oreg. The cost of their care is about $6 a day at the present time. It used to be $4.

For several years Alaska has sent their mentally ill to the hospital in Portland. The commitment has been lax—patients have not been treated very well. Mentally ill patients are held in jail until a plane load can be gathered for the trip to Portland, Oreg. The House Committee on Territories worked hard and earnestly to develop some good commitment procedures. The gentleman from New York [Mr. O'BRIEN] made a magnificent statement when the bill was before the House calling attention to the need of commitment procedures. We adopted them. They were needed and it was the one strong compelling force that gave the bill merit.

In the Senate they took out all commitment procedures. There is no commitment procedure in this bill at all except we say to the Alaska legislators that they may adopt some commitment procedures, but what they are we do not know. They need not adopt any. The Alaska legislature can take the $12.5 million and thumb their nose at Congress.

The other reason I objected to the bill is because it carries $6½ million for the next 10 years to help the mentally ill; we are paying for it now. That is not too bad, but there is an additional $6 million to build a mental hospital in Alaska to care for the mentally ill. In the first place, the $6 million is not being matched at all by Alaska. It seems to me we should not proceed with them any differently than with other areas under the Hill-Burton Act where the States or other groups put up funds themselves. But the people of Alaska are not paying 1 thin dime towards the building of this institution.

They now have about 350 inmates at the institution in Portland and they are being cared for at a cost of about $6 a day. I have visited this institution. While it is not the best in the world the patients do get pretty good treatment; and Portland, Oreg., of course, has an ideal climate for the mentally ill.

As I say, there are two things in this bill to which I object: No commitment procedures. They must continue with the same old archaic and worn-out procedures they have had in the past, and I foresee no change in it at all except that the legislators may adopt some commitment procedures.

Second. They do not match any of the money we make available to them. The $6 million will not build a very large hospital in Alaska. The experts who appeared before us said that that would build a hospital for approximately 250 people and the requirement is for a hospital for 400 patients. This $6 million will not be enough to complete the needed hospital requirements.

I am sure the people of Alaska will not thank us for passing a bill that will cause them to pay $30 or $35 a day to take care of their mentally ill in Alaska with all the new trappings they have to have. They are getting care now for $6 a day in Portland, Oreg.

Mrs. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. I think that the gentleman will remember my questions at the time when this legislation was originally before the House. I wonder if the gentleman could tell me if the provision that a million acres of land be given, has been removed from the present bill?

Mr. MILLER of Nebraska. No; the million acres of land is still in the bill, and I see no particular objection to that. We have heard cries from all over the country to the effect that we were building a little Siberia up in Alaska to send people there who do not think as we do. I do not give very much credence to those statements. The Congress in the past has given many millions of acres of land to the States for school purposes, for hospital purposes, and for various reasons. The million acres of land will be used by the Territory of Alaska. Out of some 375 million acres there are only involved about a million acres and this is in order to take care of their mentally ill when they do get a hospital, although I doubt very much that this will be sufficient to give them very much revenue for the care of the mentally ill.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from California.

Mr. McDONOUGH. I appreciate the statement of the gentleman from Nebraska [Mr. MILLER] being a member of the committee and familiar with the original bill as well as the conference report. Does the gentleman from Nebraska agree with me this is of such a controversial nature, and due to the fact the House was not fully aware of its contents when it was before us in the first instance, that at this time there should be a rollcall to determine whether or not it should be approved?

Mr. MILLER of Nebraska. I have had 6 or 8 Members ask for a rollcall. I presume that Members who want to stay here for the next 30 minutes will have a chance to vote on the conference report.

Mr. DIES. It was announced that there would be no rollcalls this afternoon.

Mr. McDONOUGH. Not this evening. Tomorrow.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from California.

Mr. HOSMER. Will the gentleman explain whether this is a million acres of land in total? Is it a maximum which the Territory could obtain, or just what does it amount to?

Mr. MILLER of Nebraska. I am not sure that it is spelled out in the bill. It does seem to me that we ought to have commitment procedure and (2) we should not give the Territory of Alaska or any State outright money where they do not put up one single dime. That thing is wrong in principle and, of course, I am not objecting to that. We ought to send this back to the committee and let it rest for another year. No harm will be done and we will save some money and we will have a chance to look at this matter again when the heat, the controversy, and the wave of emotions have passed over. We can then think a little more clearly.

Mr. FENTON. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from Pennsylvania.

Mr. FENTON. What are the rules for commitment at the present time?

Mr. MILLER of Nebraska. In the bill passed by the House they are very high and they are very complicated rules. We spent several days in going over them. They were adopted by the American Psychiatric Association.

Mr. FENTON. In Alaska?

Mr. MILLER of Nebraska. They have no particular rules in Alaska and would not have under this bill. I doubt very much whether the legislature would adopt any.

Mr. FENTON. How are they committed now?

Mr. MILLER of Nebraska. They are committed by the court, and under rather crude proceedings, the sheriff takes them down to Portland. The need for commitment procedure was the reason for the bill in the first place. No one advanced any other reason that we must have a hospital in Alaska except that we must have commitment procedure. This bill does not contain any commitment procedure.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from Iowa.

Mr. CUNNINGHAM. Much has been made in letters which I have received from people who are opposed to this bill that, if enacted, the governor of any of the 48 States could upon his own order commit a citizen of that State to this mental institution in Alaska without any further trial.

Mr. MILLER of Nebraska. That is a distorted idea of the facts and there is no basis for it.

Mr. CUNNINGHAM. Is it true that citizens of the various States, the 48 States, could be committed to this institution, and, if so, under what procedure?

Mr. MILLER of Nebraska. Just as they do in the States now. For instance, a citizen of Nebraska or Iowa might be in Alaska and become mentally ill and he could be sent back here.

Mr. CUNNINGHAM. Could they be transferred from Iowa or Nebraska up there now?

Mr. MILLER of Nebraska. If they are citizens of Alaska, yes.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from Iowa.

Mr. GROSS. I should like to ask the gentleman from Nebraska if quite an important change was not made in section 302 of the bill? It states that within 210 days the Secretary of the Interior, with the concurrence of the Governor of Alaska, may either, first, assign all rights and duties under contract No. 1404–01–81, entered into on June 18, 1953, between the Secretary of the Interior, and so on. Why was "shall" changed to "may"?

Mr. MILLER of Nebraska. I do not know. That was done in the other body, and it was not in the House bill. This bill is an entirely different bill than the one we passed.

Mr. GROSS. Does not the gentleman think that was an important change in the bill, and that therefore this bill ought to go back for further consideration to the Interior Committee and come back to the House next year?

Mr. MILLER of Nebraska. That is my considered judgment.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Is it not true that since 1912 Alaska has been forbidden by law from establishing commitment procedures?

Mr. MILLER of Nebraska. I think the legislature could automatically delegate that power, and apparently in this act they may enact some commitment procedure. This Congress should keep the responsibility of adopting good commitment procedures and not "pass the buck" to Alaska.

Mr. THOMPSON of New Jersey. Is it not a fact that this bill, if passed, will lift that restriction in order to enable the Alaska Legislature to establish some modern, reasonable commitment procedures?

Mr. MILLER of Nebraska. I do not think it is clear in the bill at all, sir. I am a doctor, and I have studied it very carefully and sat in on all of the hearings, and I have read the conference report, and I do not think that is so. Alaska may or may not adopt commitment procedures.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from California.

Mr. HOSMER. I would like to ask the delegate from Alaska a question with respect to the million acres of land that is specified in the bill. Will you describe the procedure and whether or not it is contiguous land and inform the House just what that situation amounts to?

Mr. BARTLETT. The procedures under the land grant section of the bill are comparable to those adopted in other bills before this House previously to convey land to Alaska. It is not necessary that the Territorial government take a block of 1 million acres in 1 block. They can take as many acres as they desire, with a minimum size of about 5,000 acres, and it is my best judgment that the Territory would never, if this bill is enacted into law, take 1 million acres at one crack.

Mr. HOSMER. And that acreage would not be for the purpose of a hospital site, either a small one or a gigantic hospital site, but for the purpose of obtaining revenues either from the sale or lease or other use of the land for the purpose of supporting the hospital, is that correct?

Mr. BARTLETT. The gentleman has put his finger on the proposition. After the bill was passed by the House, a lot of people around the country got the idea somehow—I do not know how—that the inmates of this institution would be placed on this million acres of land. Of course, that is not the case, and the gentleman is absolutely correct when he says the land is to be transferred so that the Territorial government will have revenue to carry out the mental health program.

Mr. HOSMER. One more question. In the selection of the land or the assignment of the land to the Territory is there any protection of the general interests of the people of the United States in the public domain?

Mr. BARTLETT. There very definitely is. The bill spells out that the Territorial government cannot take lands except those that are vacant and unappropriated. That means, of course, among other things, that the Territorial government could not go into the national forests; it could not go into sections that had been reserved by the Federal Government for special purposes. It would have to go on public domain land which is not appropriated or reserved. Nothing could be taken from any withdrawn area.

Mr. HOSMER. The gentleman says that this is not 1 million acres of contiguous land; that the Territory would not take 1 million acres in one lump, but gradually as it might need it; that it would take it away for the purpose not of the hospital site or location but for the purpose of revenues for the operation and investment in the hospital; and that fourth, the public interest would be adequately protected.

Mr. BARTLETT. I give that categorical assurance.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from California.

Mr. MILLER of California. Is not this a provision similar to those that have long existed in the grants of school lands in the West where one section of land in each township was given to the Western States for educational purposes; and that is still going on, those school lands are still being disposed of.

Mr. BARTLETT. Mr. Speaker, in answer to the gentleman from California I would say that he is right. But it can be narrowed down even further, because in respect to 5 Western States, grants of land were specifically made for mental health programs, and actually in the case of 2 of those States, the proportion of land granted to the whole area of the State was larger than in respect to the land to be conveyed under the bill before us.

Mr. MILLER of California. In the West we speak of our land-grant colleges. Isn't that where they originally got their start?

Mr. BARTLETT. This is all in accordance with our system of Government since we started. Land has been given to railroads. We started this with the Northwest Ordinance away back when and gave land grants to local governments for public purposes. This is in furtherance of that tradition.

Mr. TUMULTY. Mr. Speaker, will the gentleman from New York yield?

Mr. O'BRIEN of New York. I yield to the gentleman from New Jersey.

Mr. TUMULTY. May I say to the gentleman from New York that when the bill originally passed I received quite a few letters raising objection to the commitment procedures and other matters. I personally was not convinced of any merit in the objections and so advised those people. But since the bill has been amended, I must say that even those objections have been met. I think the gentleman from New York and the committee should be complimented for their patience and for their concern and for the results which they have produced. I thought the gentleman should know that.

Mr. O'BRIEN of New York. I thank the gentleman. And I might say that with the amendment that we accepted, there is no possibility—in fact, there never was—that any person could be hauled out of his home in the States to a Siberian camp in Alaska. I should like, in a moment, to deal with that at a little greater length. But I can assure any Member of this House who has received a communication expressing fear that any person in this country could be hauled up to Alaska, that he can vote for this bill in its present form without any doubts whatsoever.

Mr. MILLER of Nebraska. Mr. Speaker, would the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman.

Mr. MILLER of Nebraska. Was not the original purpose of the bill to have some commitment procedures set up? The gentleman based all his arguments and the Department of Health, Education, and Welfare based all their arguments on the great need of commitment procedure. That was the first and the only reason they gave. A secondary reason was that it was a hospital.

Mr. O'BRIEN of New York. If the gentleman will bear with me, in a few minutes, I shall answer that question.

At this time, Mr. Speaker, I yield 5 minutes to the gentleman from Utah [Mr. DAWSON], a member of the committee.

Mr. DAWSON of Utah. Mr. Speaker, I simply want to inform this body that this bill has received a lot of attention by our committee. Some of us spent 3 weeks this last summer in Alaska going into this matter there. And I will say to the Members if they could have gone along with us and seen the terrible conditions we found up there in regard to commitment of mental patients from Alaska down to Oregon, they would agree with us that something should be done and needed to be done.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. DAWSON of Utah. I yield.

Mr. MILLER of Nebraska. The gentleman is not maintaining that this bill corrects the procedures, because there is nothing in the bill about the procedures?

Mr. DAWSON of Utah. The bill as it passed the House did have commitment procedures in there, which I felt were very desirable. It was a model act prepared by the American Psychiatric Association, one which, incidentally, is in effect in my State. It is recognized as a model act. I happen to have had the privilege of serving as State Welfare Commissioner in charge of mental hospitals in my State. I saw the act work after it was in effect and I saw it before. I tell you that it has worked out beautifully. I only wish other States had it. However, the Senate saw fit to strike out the commitment procedures because of the adverse publicity that has been stirred up around the country over this bill. So I can simply say this, that those of you who believe in giving a little autonomy to the Territory of Alaska and letting them go ahead and attempt to work out their own commitment procedures certainly should not object.

Some may say, "Perhaps they are going to adopt some laws up there you may not approve of." My answer is this: The Legislature of the Territory of Alaska cannot pass any law that is not subject to veto by the Congress, so we will still have an opportunity to overrule them if they adopt some measures up there with which we are not in accord.

Certainly the least we can do for those people up there is give them the right to solve some of their own problems. That is what the Senate amendment does. It strikes out the commitment procedures these people object to and gives the Territory the right to adopt its own procedures.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. DAWSON of Utah. I yield to the gentleman from Iowa.

Mr. GROSS. If these commitment procedures were as good as the gentleman says they are, and perhaps they are, what good is this bill without the commitment procedures the gentleman says are so good? How can the Territory of Alaska put them in?

Mr. DAWSON of Utah. The bill does two things. In the first place, it gives a million acres of land in Alaska for the purpose of setting up a trust fund to help construct hospital facilities so that they can carry on their own mental-health program just as you do in the State of Iowa.

In the second place, it provides there will no longer be this system of transporting these patients down to Morningside in Oregon. It gives the Secretary of the Interior the option of transferring this contract to the people in Alaska or to terminate it entirely. What we are doing is giving these people a chance to solve their own problems up there. Those of you who have been down here arguing against statehood for Alaska and Hawaii ought to be in favor of this procedure. All you are doing is giving them up there the right to solve their own problems. If you do not give them this opportunity, you are going to have it right in your lap here in Congress, and we as a committee are again going to have to go up there and tell them how to solve these local problems.

Mr. PILLION. Mr. Speaker, will the gentleman yield?

Mr. DAWSON of Utah. I yield to the gentleman from New York.

Mr. PILLION. We have heard a great deal about this 1 million acres to be allotted to the Territory. Can the gentleman tell us what the current market value may be of 1 million of the very best acres in Alaska?

Mr. DAWSON of Utah. Of course I cannot answer that question. It depends on where they are selected. If they go down on the coastal area, in the Juneau area, they have some pretty valuable land there. A million acres of land in Alaska taken as a rule are not very valuable. There has been some complaint made that perhaps they might go up there and take some land that has been set aside for the Navy. I think the gentleman from New York raised that question. The bill provides that they shall not get into withdrawn areas, so all this area is withdrawn.

Mr. PILLION. Excluding that oil reserve, and with regard to the rest of the land in Alaska, does the gentleman think the Territory of Alaska would not take the very best lands available?

Mr. DAWSON of Utah. Certainly, you can be sure they will select the very best land they can get.

Mr. PILLION. Assuming that they do select the best land they can get in Alaska, can the gentleman tell us what the possible current market value of those lands might be?

Mr. DAWSON of Utah. I could not answer the gentleman's question. I do not know the market value. But I can say this. It is costing us at the present time approximately $1 million a year to care for the mental patients we ship down to Morningside Hospital in Portland. This bill provides that for the first few years we will continue to give them $1 million. Then the amount will gradually be decreased until at the end of 10 years we will be contributing nothing, and the Territory will carry on the program from there.

Mr. PILLION. And the Government would then be relieved of that differential?

Mr. DAWSON of Utah. That is right. The gentleman must understand this. The Government owns 99 percent of all the land area in Alaska and Alaska has no way whatever of supporting a mental health program without giving them some of these lands to get it set up.

Mr. PILLION. I agree with the gentleman. All I am trying to find out is what we are giving to Alaska for the purpose and how much we are giving to them for the purpose of maintaining these institutions and I am trying to compare that with the amount it is costing us today.

Mr. DAWSON of Utah. The Government will continue to own over 90 percent of the land even after we give them the million acres.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. DAWSON of Utah. I yield.

Mr. MILLER of Nebraska. Does the gentleman not agree that the outright gift of $6 million to build the hospital is not enough to build more than a 300 bed hospital, which is not large enough. Second, ought there to be some matching funds as is now required under the Hill-Burton Act?

Mr. DAWSON of Utah. I do agree with the gentleman. In the first place, they have underestimated the cost of this program. I know comparing the the cost with some of our States, I think it is underestimated.

Mr. MILLER of Nebraska. And the Federal Government will be expected to take up the gap?

Mr. DAWSON of Utah. Permit me to finish answering the gentleman's question. The Territory of Alaska, when they do get on their feet, at the end of a 10-year period certainly will have to come in as the rest of the States do under the Hill-Burton Act and match these funds.

Mr. MILLER of Nebraska. Of course, they come in under the Hill-Burton Act now and they have received a great deal of money in Alaska under the Hill-Burton Act, and matching funds under the Hill-Burton Act, but not on this particular hospital.

Mr. DAWSON of Utah. But they will after they get set up in business at the end of 10 years.

The SPEAKER. The time of the gentleman has again expired.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, 3 years ago, as a member of the House Interior and Insular Affairs Committee, I participated in hearings in connection with the hospitalization and care of the mentally ill in Alaska. I know something of the need for facilities in Alaska for the care of the mentally ill.

However, as the distinguished gentleman from Nebraska [Mr. MILLER], ranking minority member of the committee and a doctor, has said, this bill was practically rewritten by the other body and in conference until it is a far cry from the legislation originally approved by the House.

I now take exception to the elimination of the commitment procedures and I regret exceedingly that the bill continues to provide that the Federal Government give Alaska 1 million acres of land and $6 million for the construction of a hospital.

This conference report ought to be rejected and proper legislation approved by Congress at the earliest moment in the next session of Congress.

Mr. MULTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, I want to take this moment to congratulate our colleague from New York [Mr. O'BRIEN] and the members of this committee, who together with him have labored long and hard to bring to this House the very best possible legislation on this very difficult problem. None of us pursue our work with the expectation of thanks or gratitude for the job, no matter how well done. At the same time, no matter how strongly one may disagree with the result of the legislation we produce, we should not be abused.

Most of our colleagues have learned to disagree with one another but to do so agreeably. Unfortunately, some of our citizens have not yet learned that important lesson.

Our distinguished colleague, Mr. O'BRIEN, is entitled to, and has received on this floor today, an expression of gratitude from all of his colleagues, including those who disagreed with him.

Unfortunately, some of our citizens have seen fit to heap abuse upon him and upon others of us. The best we can say for them is that they are misguided.

Some of that abusive literature found its way into the CONGRESSIONAL RECORD of July 18, 1956, by an insertion in the RECORD, at page 13427, by our colleague from California [Mr. JACKSON].

I ought not to dignify it with any attention. I refer to it only because the insertion contains only half the story about one of the many crackpots who have written Members of Congress on this subject. If our colleague [Mr. JACKSON] had asked to see the communication which brought forth my response, I am sure he would never have made the insertion in the RECORD.

For the benefit off all interested, I set forth, in full, the contents of the postcard I received, as follows:

DEAR MR. MULTER: If and when the so-called mental-health bill passes the Senate, it will be then possible for super-patriots (not citizenship-collecting swine) to nail for good the vast Democratic Party homosexual membership with charges of mental disorder in a door-to-door one-street campaign. Do all you can to get this bill passed. Adlai, and a vast array of Democratic bigwigs and legislators will be exposed with United States Government approval.

C. MOTE, Jr.

I am sure my colleagues will agree that I very properly responded, as follows:

DEAR MR. MOTE: Your post card of March 14, 1956, has been received.

As soon as the mental-health bill is signed into law by our Republican President, after it has been passed by a Democratic Congress, I will make a special request that the first bed be reserved for you.

Yours very truly,

ABRAHAM J. MULTER.

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, first, may I say what a privilege it has been to work with the gentleman from New York, the very able, the very distinguished chairman of the committee which has been working on this legislation for almost a year and a half now. The time and effort he has spent, the unlimited patience, his sincere interest have been appreciated by all of us throughout the many months that we have worked on this bill.

Mr. Speaker, the gentleman from Nebraska, who has opposed this bill throughout the committee hearings, in the conference, and today on the floor, and who opposed an audit of the books of Morningside Hospital, the gentleman from Nebraska would have us believe that everything is fine at Morningside Hospital. This is not so. Much has been said about my city of Portland, and in my opinion there is no more beautiful city in the United States; I will fight for the people of my district, for their rights, for their industries, for their payrolls, for their future. But I cannot and I will not defend Morningside Hospital as an ideal place to send the mentally ill of Alaska. It is not. In my opinion, the care of the patients has been neglected, has been sacrificed for the profit that could be made.

And at this time I would insert in the RECORD an article which appeared in the Portland Oregonian on Wednesday, July 11, of this year. It spells out in accurate detail what has been happening at Morningside.

GAO FINDS BOOKS ERR AT HOSPITAL

(By A. Robert Smith)

WASHINGTON (Special).—An audit of the books of Morningside Hospital, Portland, by the United States General Accounting Office has disclosed that the sanitarium company made twice the profit it reported to Congress last year and that its owner and president, Wayne W. Coe, has diverted substantial sums from company accounts for the personal use of himself and family.

The GAO report was sent to Congress accompanied by a letter from United States Comptroller General Joseph Campbell, an appointee of President Eisenhower, in which he suggested that the Treasury Department and its Internal Revenue Service "make a careful review of the Federal income-tax returns of the sanitarium company and its president, Mr. Wayne W. Coe."

PERSONAL OUTLAY NOTED

Campbell said the GAO audit "disclosed a number of significant instances where expenditures of a capital nature and personal expenses of the company president were charged to business expenses of the sanitarium company. These items were claimed as deductions from income on the company's income-tax returns."

"The examination also disclosed certain deficiencies in the administration of contract provisions for the Secretary of the Interior by the office of territories," Campbell told Congress.

EDITH GREEN SPONSORS BILL

The report detailing the GAO findings was released Tuesday by the House Interior Committee, which ordered the investigation last July after approving the Alaska mental health bill. Representative EDITH GREEN, Democrat, of Oregon, sponsor of the mental health bill, called for the audit after hearings brought out that in more than 50 years of operating under Government contracts the company's books had never been audited by the Federal Government.

Morningside Hospital, located at 10008 Southeast Stark Street, is run by the sanitarium company as a mental institution which handles principally patients from Alaska, inasmuch as the Territory has no mental facilities of its own. It also serves the United States Public Health Service and Multnomah County to a lesser extent. The bulk of the company's income stems from Government contracts for patient care.

Details of an audit of the books of Morningside Hospital were made public Tuesday by the House Interior Committee in Washington.

The report said:

"Mr. Coe's personal expenses that were charged to company expenses included: (1) Travel expenses of Mr. and Mrs. Coe to South Africa and Mexico, (2) expenses of operating company automobiles used exclusively by the Coe family, (3) premiums on Mr. Coe's personal life-insurance policies, (4) wages of domestic help at the Coe residence located 10 miles from the hospital (at 1997 Southwest Carter Lane, Portland), (5) household expenses, such as clothing, food, dry cleaning, utilities, and repairs at the Coe residence and at the Coe beach property located about 100 miles from the hospital (at Gearhart), (6) insurance on the Coe residence, the Coe beach property, and the Coe ranch in eastern Oregon (at Stanfield), and (7) architect fees and construction costs of a flower room and a plant room at the Coe residence."

TOTAL REACHES $231,413

The report put the total of these expenses at $231,413 for the 19-year period from 1936 through 1954. GAO said in addition, during this period Coe drew $473,500 in salary as president, $332,437 in company profits, and $6,458 from sale of company livestock for which he retained the proceeds—making a total income of $1,043,808.

Before releasing the GAO report, the House committee several weeks ago sent Coe a copy and invited him to testify in his own behalf. In a reply received by the committee Monday, he said: "I cannot see how an appearance before your committee at this time would serve any useful purpose."

As for the matter of his personal expenses charged to company funds, Coe explained as follows: "I am not sure whether the auditors realized that in certain types of businesses, notably prisons and mental hospitals, certain key positions receive, in addition to regular salaries, living and household expenses on the theory that these persons are actually on call 24 hours each day. This is an accepted practice and is general throughout the country."

GAO REFERS TO CODE

The GAO report on this point declared: "Generally, the Federal internal revenue code does not allow a corporation to deduct such personal, living or family expenses as business expenses in computing corporate taxable income. In our opinion the items in question do not constitute business expense."

GAO said the sanitarium company's profits over the 19-year period were $821,406, rather than $403,234—a figure Coe reported to Congress last year, upon request, as net profit from 1936 through 1953. Coe at that time also told Congress that the company's average net profit over the years was "a little over 1 percent." The GAO report found that profits averaged 26 percent, ranging from a low of 7.5 percent to a peak of 43.8 percent.

During the past 19 years when Wayne Coe was receiving a personal return of over $1 million from the operation of Morningside Hospital, he cut corners by inadequately staffing the mental institution, the Accounting Office concluded.

PROCEDURE CRITICIZED

In its report to Congress, GAO declared:

"The Morningside Hospital staff does not include nor has an inadequate number of employees in several important professional positions recommended by authorities on mental health. These include a psychiatric social worker, a dietitian, additional registered nurses, and hydrotherapists."

Nothing that the contract which the hospital company has with the Interior Department for Alaskan patients does not specify the minimum staff requirements, the report recommends that Interior amend the contract to require Morningside to employ professional staff as recommended by "recognized authorities."

GAO was also critical of the procedure used for burying deceased. Investigators "found some evidence of the burial of 2 bodies in 1 grave."

"The president of the cemetery explained that in those burials they dig a deeper grave and bury the second body above the first or dig a wide grave and bury the bodies side by side; but he added that the burial of 2 bodies in 1 grave is seldom done," the report said.

GAO said that "in our opinion the remains of deceased patients are not 'interred decently' as required by the contract because of the location of the graves, the absence of outer cases, and the quality of the grave markers."

RELIGIOUS SERVICE LACKING

Burials are handled currently by Miller & Tracey mortuary, Portland, which the report said receives $75 each for interment, the amount allowed Morningside under its Government contract. In 1952, Interior's medical officer stationed at Morningside, Dr. George F. Keller, reported after a visit to the cemetery that the caretaker told him "there was never any religious service" and that "they used to save them up and bring them out 4 and 5 at a time." At that time, interment was being handled by Colonial mortuary, Portland.

The current contract held by the sanitarium company with Interior runs until 1958. It provides for the Government to pay $184 per month per patient. The figure was reached in negotiations between Coe and Interior officials in 1953, after Coe originally asked $210 as a base rate. GAO recommended that hereafter Interior "should carefully consider the nature and extent of (1) operating expenses, (2) capital improvements to be made, and (3) margin for profit and risk to be allowed under any new contract."

The audit of the hospital accounts had its genesis in a disclosure made during congressional hearings last year on Representative EDITH GREEN'S Alaska mental health bill. It was that when the contract came up for renewal in 1953, Coe refused to agree to a provision which gave Interior the right to have the company's books audited. When Interior agreed to delete the clause Coe signed the contract.

The committee later asked GAO to audit the books. GAO, in its report, said its investigation was "restricted by the absence of cash books and journals for the period prior to 1946, the absence of paid checks and bank statements prior to 1950, and the absence of invoices prior to 1955, except for invoices for professional services for 1954 and part of the repair, maintenance and construction invoices for 1950 through 1954."

PRACTICES APPROVED

Wayne W. Coe obtained control of the Sanitarium company March 15, 1935, when he purchased 598 of the company's 600 shares from his mother, Mrs. Elsie Ara Coe, who was the sole heir to the company's property when her husband and its founder, Dr. Henry Waldo Coe, died in 1927. Dr. Coe founded it in 1899. His will provided that each of his three sons, Wayne W., George C., and Earl A. Coe receive 16⅔ percent per annum of the net profits. GAO said each brother has received $91,113 under this part since 1936.

GAO said that shortly after gaining control of the company, Coe brought up the issue of personal expenses at a board of directors meeting. The minutes of that December 31, 1936, meeting show that "Wayne W. Coe called the attention of the directors to the fact that it had been his practice to draw or avail himself of a few perquisites from the hospital and this practice for the past and future was duly approved by a motion regularly put and passed."

"Mr. Coe advised us," GAO reported, "that the minutes of the December 31, 1936, meeting of the board of directors, the sanitarium company, relating to 'perquisites' covered his views as to the propriety of charging expenditures of a personal nature to company accounts."

Among the itemized perquisites discovered by GAO were:

Trip to South Africa, return via Europe, $4,281; trip to Mexico, $696; miscellaneous travel, $8,525; life-insurance premiums, $36,763; wages of gardeners and domestics at Coe residence, $24,925.

In connection with Coe's three residences, he charged "such items as fuel, light, water, garbage service, plumbing and electrical repairs, dry cleaning, plants and flowers, groceries, meat, dry goods and clothing," the report said. It added:

"Other expenses were for company automobiles used exclusively by the Coe family, purchases in Victoria and Vancouver, British Columbia, doctor bills, drugs, veterinary fees for dog, and fishing equipment."

GAO limited its detailed audit of Coe's personal expenses to the years 1953 and 1954, although some major items, such as the 1951 trip to Africa, were noted for other years. It estimated other personal expenses from 1936 through 1952 at $130,000—a figure which the report said Coe agreed was "reasonable."

Mr. Speaker, I have in my files numerous letters about the slave labor camp, about the lack of adequate professional staff, about the absence of plain decent care for the mentally ill who have been confined at Morningside Hospital. And in spite of enormous profits the owner of the hospital has made, he has said there is not enough money.

Mr. Speaker, it is my contention that the people of Alaska are entitled to better treatment than they are receiving. For 50 years by Federal statute we have prevented Alaska from caring for their own mentally ill.

This legislation would turn over to them the responsibility for establishing an integrated mental health program; it further provides the necessary financial grants to make this possible.

I hope that the reports next year and in the years to come will not show that we have neglected the welfare of the mentally ill, in order ot allow one person to make enormous profits. I hope that the record will never again show that we have allowed a situation to exist wherein even a minimum number of doctors, nurses, social workers, and other professional people have not been hired, so that those in charge could make more money. It is a sad day when we sacrifice human welfare for the almighty dollar. And we have sacrificed it for far too long. This bill is absolutely necessary. Fifty years of neglect cannot be corrected in 1 day nor in 1 year. But we can make a start. I urge the adoption of the conference report.

Mr. O'BRIEN of New York. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I yield to the gentleman from California [Mr. HOSMER].

Mr. HOSMER. I just ask the gentleman to yield to state that although this million acres up there is not being designed or contemplated for a concentration camp, I still believe the bill as it came out of conference is not adequate to accomplish the purpose because it was more or less drafted in the heat of emotionalism that was drawn up over the issue. I believe a delay of 6 months or so, until such time as a more carefully drafted proposal might be put together, one probably less expensive and more adequate, would not be fatal to the interests of the United States or the people of Alaska.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. ROONEY. Is not this legislation part of the administration's dynamic program?

Mr. O'BRIEN of New York. Yes. I was about to explain that the bill, as it passed this House, had the support of the Eisenhower administration. The conference report, as it is before the House now, has the support of the Eisenhower administration—not only the support but the solid, enthusiastic support of the Eisenhower administration. So we do not have here a question of civil rights, which might divide parties or sections. We have a case of human rights in which politics has no part whatsoever, although I respect the dissenting views of the gentlemen who have spoken here today. It has not been easy, Mr. Speaker, to stand as an advocate of this administration legislation. The price has been heavy in terms of work and personal abuse such as I have never experienced in all my life. Because I agree with the President of the United States, with the Department of the Interior, with the Department of Health, Education, and Welfare, with the American Medical Association, with the National Federation of Women's Clubs and many other organizations, and especially with the people of Alaska, that the latter should be freed from an evil system which treats sick people as criminals, I and you, by indirection, who support this legislation, have been labelled traitors, Communists and other unspeakable names.

Mr. Speaker, if I did not believe firmly in the cause which this bill represents, I would have stepped aside long ago. But I have willingly made myself a target so I could have a small part in bringing this legislation to its present point.

I am proud that not a single vote so far has been cast against the idea of this legislation, in either House of the Congress.

I shall not belabor the Members of this House at this stage of an expiring session, by holding up again the dark and ugly picture of what now exists in Alaska and, Mr. Speaker, exists by mandate of the Congress itself. Let me say only

that by Federal law we make it necessary that the mentally ill of that great Territory of ours are treated as criminals, charged with the crime of being mentally ill, tried by unlearned juries, convicted, and then jailed until the United States marshal, who hates the task we have given him, has the time to take that sick person, who may be a child or an elderly woman, often in company with hardened criminals, 2,000 miles away from his or her loved ones to a private hospital in Oregon, operated at an enormous profit. I ask if any Member of this House would tolerate for 5 seconds any member of their family being subjected to that?

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. MILLER of Nebraska. The gentleman is not maintaining that there is any commitment procedure that changes it in any way whatsoever, nor do we know that there will be any changes. We had a good bill in the House, but this bill, put together in the emotional range that went over the country is not a good bill. The gentleman is making a good statement but he is not speaking to the bill. It does away with jails and sheriffs.

Mr. O'BRIEN of New York. When the gentleman says I am not speaking to the bill, I suggest a description of what we are trying to cure is pertinent to the bill, and I shall answer the gentleman. I heard his point when he raised it originally, and I shall answer him when I arrive at that point in my statement.

Some of you know that for attempting to erase these stains from our national honor, we have been attacked, and I say "we" advisedly. We have been accused of treason by a certain doctor in Los Angeles who has employed "experts" to lobby among us for a price. We have been charged with being party to a Communist plot under which your friends and neighbors could be taken from their homes in the dead of night and spirited off to a Siberian camp in Alaska. That is one reason these committal provisions are out of this bill, because while certain people for indefensible reasons circulated these charges, other people who are only confused believed them. I say to the distinguished gentleman from Nebraska [Mr. MILLER] that when we passed this bill last January in the House, with these fine procedures to which he is so wedded, we also provided in that bill that any and all of those procedures could be rewritten, every line, every comma, every period by the Legislature of Alaska. So now we suggest only that we go in the front door instead of the back door and permit that great Territory, which wants the task, which wants the obligation, to write its own committal provisions.

May I say and predict that when the legislature of the Territory of Alaska convenes, it will adopt the very provisions we have deleted from this bill. Any public official in that Territory who permitted for one unnecessary minute this jailing of sick people to continue would be drummed out of public office.

Mr. DIES. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. DIES. Of course there is not any basis for this propaganda we have received that people in the United States could be committed to Alaska. I know there is no basis for it, but I want the gentleman to state that for the RECORD.

Mr. O'BRIEN of New York. I state that positively and sincerely.

If any of the things which have been charged were true I would have had no part in this legislation. My only concern, I say to the gentleman from Texas, is that some good people in our country have been misled by the tossing around of this million acres. They have painted for us a picture of a huge hospital. Let me tell you that for $6,500,000 you cannot build a huge hospital in Alaska.

Mr. DIES. Will the gentleman explain what this land will be used for, and if sold whether the proceeds are to be used for the hospital or what will be done with it?

Mr. O'BRIEN of New York. The primary reason for the land grant is to give the Territory of Alaska a tax base. As the gentleman knows, 99.5 percent of the land in Alaska today is owned by the Federal Government. The 1 million acres, and it sounds like a lot were we to place that million acres in the State of Rhode Island, constitutes only .27 of one percent of the Territory of Alaska.

Mr. DIES. Will that be deeded to the mental hospital?

Mr. O'BRIEN of New York. No; it will not. The revenue from the sale, or rental, or whatever may be done with the land will be used to finance in part this mental health system.

Mr. DIES. Who will handle the land? Who will administer the land and decide whether it is to be sold, leased, or rented?

Mr. O'BRIEN of New York. The Governor and the Legislature of Alaska, just as any State might do if it were given a grant of public land for school, hospital, or any other purpose.

Mr. DIES. We are simply offering the land to the Legislature of Alaska and they will have control over the land.

Mr. O'BRIEN of New York. That is exactly correct.

Mr. DIES. But they have to use the proceeds for the mental hospital.

Mr. O'BRIEN of New York. They have to use it for their mental-health system. That was provided because we believed that it is just as important to prevent or cure mental illness as it is to put people in the hospital after they become insane.

I am going to try to answer a point brought up by the gentleman from Nebraska earlier in the discussion.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN of New York. I wish first to answer a point the gentleman raised earlier. The gentleman said this would not be sufficient money to provide for the 400 patients now being taken care of in Morningside. Actually the number is about 360 patients, and I tell this House that many of these patients arrive 2,000 miles away from their homes only to be found to be alcoholics. And they are kept there at Government expense.

I would think that Alaska, given this autonomy, would eliminate from mental institutions this type of person and also eliminate people who can be cured by early treatment.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Would not the gentleman say, notwithstanding the commitment procedures are not before us in this bill that certainly the power has been given under this legislation to the Legislature of Alaska if and when it chooses to do so to reform its commitment procedures?

Mr. O'BRIEN of New York. I think from my own observation, from the voluminous testimony we received that Alaska wants above everything else to reform these procedures; that Alaska is sick and tired of the dead hand of a Federal law which says, "You must jail your sick."

It will be done immediately Alaska gets this authority.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield further?

Mr. O'BRIEN of New York. I yield.

Mr. THOMPSON of New Jersey. Would not the gentleman say further that even until the laws in Alaska are changed and under the present commitment procedures it certainly would be better to have the hospital in Alaska rather than in a private profit-making ill-run institution 2,000 miles distant?

Mr. O'BRIEN of New York. I would say to the gentleman that if the institution to which he referred was the Waldorf Astoria there would still be a crying need for this legislation because children have been ripped away from their families, wives from their husbands, and sent down to Morningside. No wonder they say in Alaska: "Inside, outside, Morningside."

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. I want to inquire of the gentleman if this Congress would have any control or the right to pass upon any commitment procedures that might be adopted by the legislature of Alaska?

Mr. OBRIEN of New York. The answer is that Alaska is still a Territory, Alaska is still bound by the Constitution of the United States, and the Congress still has control of a Territory.

Mr. MILLER of Nebraska. Then the Congress here would be indirectly responsible for rules and regulations adopted by the legislature of Alaska?

Mr. O'BRIEN of New York. I would think and hope that Congress would keep a continuous eye on what is done in Alaska.

Mr. MILLER of Nebraska. The gentleman spoke about alcoholics that appear sometimes in Portland. I think that is true, but I may say to the gentleman also that every mental institution in the country has alcoholics, it is nothing new, and there will be nothing new in it 50 years from now.

Mr. O'BRIEN of New York. The big difference is this, may I say to the gentleman from Nebraska: If a man turns up at the Poughkeepsie State Hospital

in my State as an alcoholic and does not belong in that institution, it is a much simpler matter to send him home than it is from Portland, Oreg., to Fairbanks, Alaska, which is 2,000 miles away.

I have one final thing to say on this subject. I say that the attacks which have been made on this legislation, not in this House but by people on the outside, have challenged the integrity of Congress itself. We have been told that no hearings were held on this bill. We held hearings from January to July and then went to Alaska for more hearings.

At the height of this bilge which has poured over the Capitol, with full awareness of the charges, the Senate held hearings which fill a thick volume, then passed the bill unanimously. I have no concern about the hate publications which have entered into this fight. My only concern is that we at this 11th hour, on the excuse of more study, another 50-year deep freeze, will not say: "Oh, let us wait a little while."

If we yield, Mr. Speaker, we are admitting that these charges are true, that this legislation was rigged up by devious schemes. I say to the Members of the House and I say to those who have made these charges, that we obtained a rule on this bill in January. Every Member of the House was on notice and could have come here and attacked these provisions. But, may I say, there was no such attack, because these terrible things only existed in the feverish imagination of certain people.

Mr. MILLER of Nebraska. But the bill we are considering now is not the bill we had up in the House in January. The gentleman brings back a bill here that is an entirely different bill, with no commitment procedure. This is a purely slung-together bill, it does not have any rhyme or reason in it to me, as a medical man. I hope we can take a little more time next year. I am for it; I would like to see a sensible bill adopted, but this is not the bill.

Mr. O'BRIEN of New York. I respect the gentleman's position as a medical man. I will say that this legislation does appeal to a number of medical men and I have seen no challenge of it by the American Medical Association.

Mr. WILLIAMS of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. I have received quite a number of letters and have been contacted, I am sure, by people who have been under the influence of this propaganda that the gentleman speaks about. On the basis of his argument, I am quite convinced that these charges are probably groundless. However, I am wondering if the gentleman might tell the House, if he knows, what the motives are of the people who have stood up such a tremendous propaganda campaign against this bill.

Mr. O'BRIEN of New York. I thank the gentleman for his question, and I am in a position where I must only guess what the motives are.

Mr. WILLIAMS of Mississippi. I am at a loss to understand, myself.

Mr. O'BRIEN of New York. But I think one motive is this. There is a certain group in our society, in our Nation, which is opposed to any advancement whatsoever in the field of mental health, who would, if they had the chance, tear down the mental health hospitals we have in our several States and would consider the ideal way to treat sick people is to return to the village madhouse.

Mr. WILLIAMS of Mississippi. Can the gentleman see the profit motive in there?

Mr. O'BRIEN of New York. I would not like to charge that, because there is only one group which could profit by the defeat of this conference report, and that is the group which is running Morningside Hospital. The profit there has been very substantial. It is a profit which has been made on the caring for sick people. That is legal, but, as I say, I am not interested in those profits.

May I say briefly, Mr. Speaker, that there is no question of credit here. I have said that this is an administration bill. It bears the name of the gentlewoman from Oregon. I have fought for it as best I could. But, this did not start at this session; it began before I came to Congress. For example, the distinguished gentleman from Pennsylvania [Mr. SAYLOR] fought long and hard for this legislation and secured its passage through this House in the 83d Congress.

Mr. ROGERS of Texas. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from Texas.

Mr. ROGERS of Texas. I want to say to the House that we are deeply indebted to the gentleman from New York and the members of his subcommittee who have worked so hard on this legislation. We are indebted also to those who served on this committee of conference. These people have been attacked in a most vicious way here, as well as other members of the Interior Committee, of which I am a member, and I certainly hope that the Members of this House will not be guided by what some hotheads on the outside said, but will meet the responsibility of this mental health problem in Alaska as it has been met by the gentleman from New York and the Members who have served with him.

Mr. O'BRIEN of New York. I thank the gentleman.

Mr. DAWSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from Utah.

Mr. DAWSON of Utah. I just want to add my word of commendation to the chairman of this committee. I do not know of any chairman of any committee that I have had anything to do with that has been more patient, more understanding of this problem than the chairman of this committee has. He has been absolutely impartial, nonpolitical and has given everybody a chance to be heard. And, I am surprised that he has maintained the patience he has.

Mr. O'BRIEN of New York. I thank the gentleman.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I would like to join in the comment of the gentleman from Utah. There has been no more diligent Member of this House in this session of the Congress than the gentleman who is now speaking in the well of the House, Mr. O'BRIEN. He has done a masterful job. He has taken abuse that most people would have rebelled at. He has been maligned by people who have ulterior motives, and the best thing this House can do to establish its own integrity and stand up for the Members who are willing to stand on the firing line and be counted is to overwhelmingly adopt this report and allow the people of Alaska to establish their own commitment procedures and to see to it that the loved ones in Alaska are given the kind of treatment and to the same extent that the people in every State get.

Mr. SISK. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman.

Mr. SISK. May I say to the gentleman that I want to join in every word uttered by the gentleman from Pennsylvania [Mr. SAYLOR]. I want to pay tribute to my distinguished chairman, the gentleman from New York [Mr. O'BRIEN], for the excellent job that he did. As a member of the committee I know of not only the hours but the days and weeks and even months that have been spent in hearings, and of the advice and testimony received from Dr. Overholser and many of the most eminent mental authorities in America today. I think it is an excellent bill and I agree with the gentleman from Pennsylvania [Mr. SAYLOR] that the bill should receive the unanimous vote of this House.

Mr. BARTLETT. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the Delegate from Alaska.

Mr. BARTLETT. Mr. Speaker, I want to say that the gentleman from New York [Mr. O'BRIEN] has the gratitude of the people of Alaska for what he has done for us and my own personal gratitude will be lasting.

Mr. O'BRIEN of New York. I thank the gentleman.

Mr. JONAS. Mr. Speaker, would the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Speaker, I should like to say to the gentleman that I have received a great deal of mail on this subject, too. I read the Senate hearings with great care and was enabled to answer the questions satisfactorily, I thought.

I am not opposed to the Territory of Alaska being permitted to handle its problem in this field. My only concern about the bill as it is now written is with respect to the 1 million acres of land. I understand that under the terms of the bill the Territory itself is permitted to select the land. It strikes me that is being just a bit on the liberal side.

Does not the gentleman think that the United States Government ought to have something to say about where the land should be that is selected and should we not be given the right to come to an agreement with the Territory?

Should we not consider it together, pick out the 1 million acres together instead of just allowing the donee to make the selection without any strings attached?

Mr. O'BRIEN of New York. Mr. Speaker, may I answer the gentleman in this way: In the first place, the 1-million-acre figure came into being on a motion in our committee by the gentleman from Nebraska [Mr. MILLER], who has led the fight against this bill. Originally the figure was one-half million acres.

May I say further that the statehood bill for Alaska which came within 48 votes of passage in this House gave the Territory of Alaska 103 million acres. I have no concern about the possibility of Alaska becoming rich. The University of Alaska was given 100,000 acres, and my last information was that they got barely enough out of it to equip a basketball team.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

Mr. MILLER of Nebraska. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. The motion of the gentleman is not in order. The Senate has already adopted this conference report.

The question is on the conference report.

The question was taken; and on a division (demanded by Mr. MILLER of Nebraska) there were—ayes 130, noes 16.

So the conference report was agreed to.

A motion to reconsider was laid on the table.

CUSTOMS SIMPLIFICATION BILL OF 1956

Mr. COOPER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6040) to amend certain administrative provisions of the Tariff Act of 1930 and to repeal obsolete provisions of the customs laws, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. COOPER, MILLS, GREGORY, REED of New York, and JENKINS.

COMMODITY CREDIT CORPORATION BORROWING POWER

Mr. SPENCE. Mr. Speaker, I call up the conference report on the bill (S. 3820) to increase the borrowing power of Commodity Credit Corporation, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2772)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3820) to increase the borrowing power of Commodity Credit Corporation, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"INCREASE IN BORROWING AUTHORITY

"SECTION 1. (a) Section 4 (1) of the Commodity Credit Corporation Charter Act, as amended (15 U. S. C. 714b (1)), is amended by striking out '$12,000,000,000' and inserting in lieu thereof '$14,500,000,000.'

"(b) Section 4 of the Act of March 8, 1938, relating to the Commodity Credit Corporation, as amended (15 U. S. C. 713a-4), is amended by striking out '$12,000,000,000' and inserting in lieu thereof '$14,500,000,000.'

"AMENDMENT TO PENAL PROVISIONS

"SEC. 2. Subsection (c) of section 15 of the Commodity Credit Corporation Charter Act, as amended (15 U. S. C. 714m (c)), is amended to read as follows:

"'LARCENY; CONVERSION OF PROPERTY

"'(c) Whoever shall willfully steal, conceal, remove, dispose of, or convert to his own use or to that of another any property owned or held by, or mortgaged or pledged to, the Corporation, or any property mortgaged or pledged as security for any promissory note, or other evidence of indebtedness, which the Corporation has guaranteed or is obligated to purchase upon tender, shall, upon conviction thereof, if such property be of an amount or value in excess of $500, be punished by a fine of not more than $10,000 or by imprisonment for not more than five years, or both, and, if such property be of an amount or value of $500 or less, be punished by a fine of not more than $1,000 or by imprisonment for not more than one year, or both.'"

And the House agree to the same.

BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,
ALBERT RAINS,
JESSE P. WOLCOTT,
RALPH A. GAMBLE,
HENRY O. TALLE,
Managers on the Part of the House.

ALLEN J. ELLENDER,
OLIN D. JOHNSTON,
SPESSARD L. HOLLAND,
GEORGE D. AIKEN,
MILTON R. YOUNG,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3820) to increase the borrowing power of Commodity Credit Corporation, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause and inserted a substitute amendment. The conferees have agreed to a substitute for both the Senate bill and the House amendment.

INCREASE IN BORROWING AUTHORITY

Both the Senate bill and the House amendment contained provisions increasing the borrowing authority of the Commodity Credit Corporation from the present ceiling of $12 billion. In the case of the House amendment the increase in borrowing authority provided was $2 billion as contrasted to the $2.5 billion provided for in the Senate bill. The House Banking and Currency Committee reported its bill (H. R. 11132) dealing with Commodity Credit Corporation prior to enactment of the Agricultural Act of 1956. That act requires the Commodity Credit Corporation to make the cash redemption of certificates issued to producers cooperating in the new soil-bank program. Provision was made for the use of Commodity Credit Corporation funds in advance of appropriations until June 30, 1957, to finance operations of the soil-bank program. The Senate bill, which was reported after enactment of the soil-bank legislation, included an allowance of an additional $500 million increase in Commodity Credit Corporation borrowing authority, largely for the purpose of initially financing the soil-bank operations. The conference substitute retains this provision of the Senate bill.

PENAL PROVISIONS

The House amendment contained provisions making two changes in the penal provisions of the Commodity Credit Corporation Charter Act. One of these would make it a Federal offense to willfully steal or convert property mortgaged or pledged to a lending agency—such as a private bank—under a program of the Commodity Credit Corporation. The other change would reduce from a felony to a misdemeanor offenses involving property of a value of $500 or less in order to facilitate the prosecution of relatively minor violations and thus facilitate policing of such violations. No similar provision was included in the Senate bill as the Senate had previously passed another bill (S. 3669) containing identical provisions. The conference substitute retains these provisions of the House amendment.

BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,
ALBERT RAINS,
JESSE P. WOLCOTT,
RALPH A. GAMBLE,
HENRY O. TALLE,
Managers on the Part of the House.

The conference report was agreed to.

A motion to reconsider was laid on the table.

PENSIONS TO WIDOWS OF SPANISH-AMERICAN WAR VETERANS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 2867) to increase the monthly rates of pension payable to widows and former widows of deceased veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, which was unanimously reported by the Committee on Veterans' Affairs.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. MARTIN. Reserving the right to object, Mr. Speaker, and I am not going to object, will the gentleman explain the increases in the bill?

Mr. O'HARA of Illinois. This increases the pensions of the widows of Spanish-American War veterans from approximately $54 a month to $75 a month. There are only a handful left of these poor old women. I speak with

a great deal of feeling because they are widows of the men I served with in the war over half a century ago.

Mr. MARTIN. I withdraw my reservation of objection, Mr. Speaker.

Mrs. ROGERS of Massachusetts. Reserving the right to object, Mr. Speaker, I should like to compliment the gentleman on the wonderful work he, as the last Spanish-American War veteran in the House, has done in getting this bill passed. The bill was reported out of the committee unanimously.

Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks at this point in the RECORD on the pending bill.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 8 of the act of May 1, 1926, as amended by section 3 of the act of March 1, 1944 (58 Stat. 107), as amended (38 U. S. C. 364g), is amended to read as follows:

"SEC. 8. The rates of pension payable to widows and former widows under the provisions of section 2 of this act, as amended, are hereby increased to $75 monthly."

SEC. 2. Section 1 of the act of June 24, 1948 (62 Stat. 645; 38 U. S. C. 3641), is amended by deleting the words: "authorized by section 4 of the act of August 7, 1946 (Public Law 611, 79th Cong.), as amended by the act of July 30, 1947 (Public Law 270, 80th Cong.)", and inserting in lieu thereof the following: "prescribed by section 8 of the act of May 1, 1926, as amended by section 3 of the act of March 1, 1944 (58 Stat. 107), as now or hereafter amended (38 U. S. C. 364g)."

SEC. 3. This act shall be effective from the first day of the second calendar month following its enactment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HON. WILLIAM F. KNOWLAND

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4256) to authorize the Honorable WILLIAM F. KNOWLAND, United States Senator from the State of California, to accept and wear the award of the Cross of Grand Commander of the Royal Order of the Phoenix, tendered by the Government of the Kingdom of Greece.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Honorable WILLIAM F. KNOWLAND, United States Senator from the State of California, is authorized to accept the award of the Cross of Grand Commander of the Royal Order of the Phoenix, together with any decorations and documents evidencing such award. The Department of State is authorized to deliver to the Honorable WILLIAM F. KNOWLAND any such decorations and documents evidencing such award.

SEC. 2. Notwithstanding section 2 of the act of January 31, 1881 (ch. 32, 21 Stat. 604; 5 U. S. C. 114), or other provision of law to the contrary, the named recipient may wear and display the aforementioned decoration after acceptance thereof.

Mr. McCORMACK. Mr. Speaker, it is a pleasure to me to make this unanimous-consent request for the consideration of this bill relating to the distinguished Republican leader of the United States Senate, Senator KNOWLAND. This is typical of America. It is a pleasure to me because of the fine admiration I hold for him and the equally fine feeling of friendship. In my opinion, he is one of the great Americans of this day and age.

Mr. McDONOUGH. Mr. Speaker, I want to join in the remarks of the majority leader. I think this is a much deserved honor for a distinguished native of the State of California. We are very happy to know that this award has been granted to him.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. JUDD. I am curious to know why the name of our colleague, the gentleman from New York [Mr. TABER], was not included. I happen to know that he received the same honor.

Mr. McCORMACK. If that is so, we can very quickly take care of that. I am calling up the bill that passed the other body.

Mr. JUDD. I thank the gentleman.

GENERAL LEAVE TO EXTEND

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that all Members who may desire to do so may extend their remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SIMPLIFYING ACCOUNTING AND FACILITATING THE PAYMENT OF GOVERNMENT OBLIGATIONS

Mr. DAWSON of Illinois. Mr. Speaker, I call up the conference report on the bill (H. R. 9593) to simplify accounting, facilitate the payment of obligations, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2726)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9593) to simplify accounting, facilitate the payment of obligations, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That (a) the account for each appropriation available for obligation for a definite period of time shall be closed as follows:

"(1) On June 30 of the second full fiscal year following the fiscal year or years for which the appropriation is available for obligation, the obligated balance shall be transferred to an appropriation account of the agency or subdivision thereof responsible for the liquidation of the obligations, in which account shall be merged the amounts so transferred from all appropriation accounts for the same general purposes; and

"(2) Upon the expiration of the period of availability for obligation, the unobligated balance shall be withdrawn and, if the appropriation was derived in whole or in part from the general fund, shall revert to such fund, but if the appropriation was derived solely from a special or trust fund, shall revert, unless otherwise provided by law, to the fund from which derived: *Provided*, That when it is determined necessary by the head of the agency concerned that a portion of the unobligated balance withdrawn is required to liquidate obligations and effect adjustments, such portion of the unobligated balance may be restored to the appropriate accounts: *Provided further*, That prior thereto the head of the agency concerned shall make such report with respect to each such restoration as the Director of the Bureau of the Budget may require, and shall submit such report to the Director, the Comptroller General, the Speaker of the House of Representatives, and the President of the Senate.

"(b) The withdrawals required by subsection (a) (2) of this section shall be made—

"(1) not later than September 30 of the fiscal year immediately following the fiscal year in which the period of availability for obligation expires, in the case of an appropriation available both for obligation and disbursement on or after the date of approval of this Act; or

"(2) not later than September 30 of the fiscal year immediately following the fiscal year in which this Act is approved, in the case of an appropriation, which, on the date of approval of this Act is available only for disbursement.

"(c) For the purposes of this Act, the obligated balance of an appropriation account as of the close of the fiscal year shall be the amount of unliquidated obligations applicable to such appropriation less the amount collectible as repayments to the appropriation; the unobligated balance shall represent the difference between the obligated balance reported pursuant to section 1311 (b) of the Supplemental Appropriation Act, 1955 (68 Stat. 830; 31 U. S. C. 200 (b)), and the total unexpended balance. Collections authorized to be credited to an appropriation but not received until after the transfer of the obligated appropriation balance as required by subsection (a) (1) of this Act, shall, unless otherwise authorized by law, be credited to the account into which the obligated balance has been transferred, except that any collection made by the General Accounting Office for other Government agencies may be deposited into the Treasury as miscellaneous receipts.

"(d) The withdrawals made pursuant to subsection (a) (2) of this section shall be accounted for and reported as of the fiscal year in which the appropriations concerned expire for obligation. The withdrawals described in subsection (b) (2) of this section shall be accounted for and reported as of the fiscal year in which this Act is approved.

"SEC. 2. Each appropriation account established pursuant to this Act shall be accounted for as one fund and shall be available without fiscal year limitation for payment of obligations chargeable against any

of the appropriations from which such account was derived. Subject to regulations to be prescribed by the Comptroller General of the United States, payment of such obligations may be made without prior action by the General Accounting Office, but nothing contained in this Act shall be construed to relieve the Comptroller General of the United States of his duty to render decisions upon requests made pursuant to law or to abridge the existing authority of the General Accounting Office to settle and adjust claims, demands, and accounts.

"SEC. 3. (a) Appropriation accounts established pursuant to this Act shall be reviewed periodically, but at least once each fiscal year, by each agency concerned. If the undisbursed balance in any account exceeds the obligated balance pertaining thereto, the amount of the excess shall be withdrawn in the manner provided by section 1 (a) (2) of this Act; but if the obligated balance exceeds the undisbursed balance, the amount of the excess, not to exceed the remaining unobligated balances of the appropriations available for the same general purposes, may be restored to such account. A review shall be made as of the close of each fiscal year and the restorations or withdrawals required or authorized by this section accomplished not later than September 30 of the following fiscal year, but the transactions shall be accounted for and reported as of the close of the fiscal year to which such review pertains. A review made as of any other date for which restorations or withdrawals are accomplished after September 30 in any fiscal year shall be accounted for and reported as transactions of the fiscal year in which accomplished: *Provided*, That prior to any restoration under this subsection the head of the agency concerned shall make such report with respect thereto as the Director of the Bureau of the Budget may require.

"(b) In connection with his audit responsibilities, the Comptroller General of the United States shall report to the head of the agency concerned, to the Secretary of the Treasury, and to the Director of the Bureau of the Budget, respecting operations under this Act, including an appraisal of the unliquidated obligations under the appropriation accounts established by this Act. Within thirty days after receipt of such report, the agency concerned shall accomplish any actions required by subsection (a) of this section which such report shows to be necessary.

"SEC. 4. During the fiscal year in which this Act becomes effective, and under rules and regulations to be prescribed by the Comptroller General of the United States, the obligated balance of the appropriation account for payment of certified claims established pursuant to section 2 of the Act of July 6, 1949 (63 Stat. 407; 31 U. S. C. 712b), shall be transferred to the related appropriation accounts established pursuant to this Act and the unobligated balance shall be withdrawn.

"SEC. 5. The obligated balances of appropriations made available for obligation for definite periods of time under discontinued appropriation heads may, upon the expiration of the second full fiscal year following the fiscal year or years for which such appropriations are available for obligation, be merged in the appropriation accounts provided for by section 1 hereof, or in one or more other accounts to be established pursuant to this Act for discontinued appropriations of the agency or subdivision thereof currently responsible for the liquidation of the obligations.

"SEC. 6. The unobligated balances of appropriations which are not limited to a definite period of time shall be withdrawn in the manner provided in section 1 (a) (2) of this Act whenever the head of the agency concerned shall determine that the purposes for which the appropriation was made has been fulfilled; or in any event, whenever disbursements have not been made against the appropriation for two full consecutive fiscal years: *Provided*, That amounts of appropriations not limited to a definite period of time which are withdrawn pursuant to this section or were heretofore withdrawn from the appropriation account by administrative action may be restored to the applicable appropriation account for the payment of obligations and for the settlement of accounts.

"SEC. 7. The following provisions of law are hereby repealed:

"(a) The proviso under the heading 'PAYMENT OF CERTIFIED CLAIMS' in the Act of April 25, 1945 (59 Stat. 90; 31 U. S. C. 690);

"(b) Section 2 of the Act of July 6, 1949 (63 Stat. 407; 31 U. S. C. 712b), but the repeal of this section shall not be effective until June 30, 1957;

"(c) The paragraph under the heading 'PAYMENT OF CERTIFIED CLAIMS' in the Act of June 30, 1949 (63 Stat. 358; 31 U. S. C. 712c);

"(d) Section 5 of the Act of March 3, 1875 (18 Stat. 418; 31 U. S. C. 713a); and

"(e) Section 3691 of the Revised Statutes, as amended (31 U. S. C. 715).

"(f) Any provisions (except those contained in appropriation Acts for the fiscal years 1956 and 1957) permitting an appropriation which is limited for obligation to a definite period of time to remain available for expenditure for more than the two succeeding full fiscal years, but this subsection shall not be effective until June 30, 1957.

"SEC. 8. The provisions of this Act shall not apply to the appropriations for the District of Columbia or appropriations to be disbursed by the Secretary of the Senate or the Clerk of the House of Representatives.

"SEC. 9. The inclusion in appropriation Acts of provisions excepting any appropriation or appropriations from the operation of the provisions of this Act and fixing the period for which such appropriation or appropriations shall remain available for expenditure is hereby authorized."

And the Senate agree to the same.

WILLIAM L. DAWSON,
ROBERT E. JONES,
JOE M. KILGORE,
CLARENCE J. BROWN,
CHARLES R. JONAS,
Managers on the Part of the House.

JOHN F. KENNEDY,
THOMAS A. WOFFORD,
NORRIS COTTON,
Managers on the Part of the Senate.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9593) to simplify accounting, facilitate the payment of obligations, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The conference substitute is the same as the bill as it passed the House, except in two minor respects. The House report contained a provision that the head of the agency shall make a report with respect to restorations as the Director of the Budget may require. The corresponding provision of the Senate amendment required that such report be made to the chairmen of the Committees on Appropriations of the Senate and the House of Representatives and to the Comptroller General of the United States and to the Director of the Bureau of the Budget. The conference substitute provides that such report be submitted to the Director of the Budget, the Comptroller General, the Speaker of the House of Representatives, and the President of the Senate.

The House bill postponed the transfer of the obligated balances during the fiscal year following the fiscal year in which this act becomes effective. The conference substitute provides that such transfer shall be made during the fiscal year in which the act becomes effective.

WILLIAM L. DAWSON,
ROBERT E. JONES,
JOE M. KILGORE,
CLARENCE J. BROWN,
CHARLES R. JONAS,
Managers on the Part of the House.

Mr. DAWSON of Illinois. Mr. Speaker, there have been no requests for time and I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

STILL FURTHER MESSAGE FROM THE SENATE

A still further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7619. An act to adjust the rates of compensation of the heads of the executive departments and of certain other officials of the Federal Government, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSTON of South Carolina, Mr. PASTORE, Mr. SCOTT, Mr. CARLSON, and Mr. JENNER to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1637), entitled "An act for the relief of Sam H. Ray."

EXPLANATION OF VOTE JULY 20, 1956

Mr. POLK. Mr. Speaker, on last Wednesday, July 18, on rollcall No. 103, a vote on House Concurrent Resolution 265, expressing the sense of Congress against admission of the Communist regime in China as the representative of China in the United Nations, I was unavoidably detained by a long-distance telephone call and did not reach the floor of the House until after the rollcall vote had been concluded. Had I been present, I would have voted for House Concurrent Resolution 265. On previous occasions I have voted for similar resolutions, and I believe I am as strongly opposed to official recognition of communistic China as any Member of the House.

MUSICAL RECORDINGS OF PLEDGE OF ALLEGIANCE TO FLAG

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Con. Res. 258) accepting with-

out cost to the United States copies of the recording, Pledge of Allegiance to the Flag, and providing for distribution of such copies, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the Congress hereby accepts, without cost to the United States, from the American Society of Composers, Authors, and Publishers, approximately 24,500 copies of the recording, Pledge of Allegiance to the Flag, approximately 22,000 copies of which shall be for the use of the House, and approximately 2,500 copies of which shall be for the use of the Senate.

The Clerk of the House of Representatives is authorized to receive, store, and distribute to each Member of the House of Representatives (including each Delegate from a Territory, and the Resident Commissioner from Puerto Rico) 50 copies of such recording. The Secretary of the Senate is authorized to receive, store, and distribute to each Senator 25 copies of such recording.

The copies of such recording shall be distributed by each Member of the House of Representatives and each Senator, for use for nonprofit purposes, to radio and television stations located within his constituency, and to such other persons, groups, organizations, and institutions, as he deems appropriate for the purpose of providing the widest possible dissemination of such musical composition.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield.

Mr. MARTIN. Is this the first time in history that anybody gave anything to the Government?

Mr. FRIEDEL. It could be, but I do not think so. This provides for these free records of the song, Pledge Allegiance to the Flag.

Mr. MARTIN. I know this is free and that is what amazes me.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON HOUSE ADMINISTRATION

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 563) to provide additional funds for the expenses of the study and investigation authorized by House Resolution 262, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the further expenses of conducting the studies and investigations authorized by House Resolution 262 of the 84th Congress, incurred by the Committee on House Administration, acting as a whole or by subcommittee, not to exceed $10,000, in addition to the unexpended balance of any sums heretofore made available for conducting such studies and investigations, including expenditures for the employment of experts, special counsel, clerical, stenographic, and other assistants, and all expenses necessary for travel and subsistence incurred by members and employees while engaged in the activities of the committee or any subcommittee thereof, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

Mr. HOSMER. Reserving the right to object, Mr. Speaker, will the gentleman explain what this resolution does?

Mr. FRIEDEL. I yield to the gentleman from Ohio [Mr. HAYS].

Mr. HAYS of Ohio. This is for the Subcommittee on Printing, which is conducting a study which was authorized by the House in the last session, and at that time asked and budgeted $75,000. The Committee on House Administration felt that $65,000 might be used. We hope that we can do it, but this is in case of some unexpected expense. That is all the money the entire Committee on House Administration has had and some of the regular expenses of the committee have been paid out.

Mr. HOSMER. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

INVESTIGATION BY COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 566 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the expenses of the studies and investigations to be conducted pursuant to House Resolution 118 by the Committee on Merchant Marine and Fisheries, acting as a whole or by subcommittee, not to exceed $25,000, including expenditures for the employment of investigators, attorneys, and experts, and clerical, stenographic, and other assistants, and all expenses necessary for travel and subsistence incurred by members and employees while engaged in the activities of the committee or any subcommittee thereof, shall be paid out of the contingent fund of the House on vouchers authorized and signed by the chairman of such committee and approved by the Committee on House Administration.

SEC. 2. The chairman with the consent of the head of the department or agency concerned is authorized and empowered to utilize the reimbursable services, information, facilities, and personnel of any other departments or agencies of the Government.

SEC. 3. The official committee reporters may be used at all hearings held in the District of Columbia, if not otherwise officially engaged.

Mr. LECOMPTE. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield.

Mr. LECOMPTE. Would the gentleman tell us when this resolution was before the Committee on House Administration?

Mr. FRIEDEL. It was before the subcommittee and the full committee and was passed unanimously.

Mr. LECOMPTE. When?

Mr. FRIEDEL. On July 9.

Mr. LECOMPTE. I understood there was not going to be any more legislation this afternoon. I thought there would be no more business today. I do not object to this bill.

Mr. FRIEDEL. I do not know anything about any agreement.

Mr. LECOMPTE. Is this the last resolution you have?

Mr. FRIEDEL. I have one more.

Mr. LECOMPTE. I suppose the Committee on Merchant Marine and Fisheries made a showing for this additional money?

Mr. FRIEDEL. Yes, they did. Four members of the committee were present. Both sides were represented.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING ADDITIONAL FUNDS FOR EXPENSES OF STUDY AND INVESTIGATION AUTHORIZED BY HOUSE RESOLUTION 35

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 595 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the further expenses of conducting the studies and investigations authorized by House Resolution 35 of the 84th Congress, incurred by the Select Committee on Survivor Benefits, not to exceed $1,500, in addition to the unexpended balance of any sums heretofore made available for conducting such studies and investigations, including expenditures for the employment of experts, special counsel, clerical, stenographic, and other assistants, and all expenses necessary for travel and subsistence incurred by members and employees while engaged in the activities of the committee, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDERS VACATED

Mr. REUSS. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. METCALF], who had a special order today, may have that order vacated, and on Tuesday, July 24, after any other special orders he may address the House for 60 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. REUSS. And on my own behalf, Mr. Speaker, I ask unanimous consent that the special order I had for today may be vacated and that on Tuesday next, following the gentleman from Montana [Mr. METCALF], I may address the House for 30 minutes.

The SPEAKER. Is there objection?

There was no objection.

SOCIAL SECURITY

Mr. RHODES of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RHODES of Pennsylvania. Mr. Speaker, I am extremely gratified at the recent Senate action on the social-security bill passed by the House last year. Time and again over the years I have been privileged to serve in this body I have taken the floor of the House to plead the cause of our senior citizens, who are not adequately sharing in the abundance of our Nation.

The decision of the Senate to restore the disability provisions and to authorize the lower retirement age for women, previously eliminated from the bill by the Senate Finance Committee, has opened the way for the enactment of a social-security bill making substantial improvements in the present law.

I personally feel that some of the Senate provisions are improvements over the House provisions and hope that they are accepted by the House conferees. I refer to the increase in the old-age assistance grants to the needy aged, blind, and disabled and also to the provision permitting old-age assistance recipients to earn up to $50 a month before the need test is applied.

The House provision permitting all women to retire at age 62 at their full pension seems to me much more fair and desirable than the Senate provision making percentage differentiations between the amounts of pensions received by widows, working women and wives who wish to retire at age 62.

Mr. Speaker, the opposition to the social-security bill by the Eisenhower administration is clear proof of its lack of concern for the needs and problems of the average American citizen. When Health, Education, and Welfare Secretary Folsom opposed this bill before the Senate Finance Committee he was speaking as a member of President Eisenhower's Cabinet and was stating the official position of the Eisenhower administration on this issue.

H. R. 7225 does not go as far as I personally feel is necessary to adequately deal with the economic problems facing our aged population. I have introduced legislation to reduce the retirement age for men to age 62 and for women to age 60. Our increasingly automated industrial economy makes lower retirement ages for our working people inevitable. Another of my bills would permit the payment of benefits to totally and permanently disabled persons immediately upon certification of their disability, not at age 50 or at age 65 as is now required. It seems obvious that when the head of a family suffers a permanent disability, his family is in need of benefits at that time, not 10, 20, or even 30 years later. I was pleased to note that the senior Senator from Georgia, who offered the age 50 disability amendment, made this same argument before the Finance Committee and on the Senate floor.

Despite some shortcomings, H. R. 7225 is an important step forward in improving and liberalizing the social-security law. I trust that the most liberal provisions of the House and Senate versions of the bill will be adopted by the conferees and that the bill is speedily enacted into law.

BALER AND BINDER TWINE

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MARSHALL. Mr. Speaker, a recent release from the Executive Office of the President should be of concern to every Member of the House, and especially to those representing agricultural areas. It is a foreboding of still higher costs for American farmers at the very time the administration professes belated interest in farm income.

The press release announces a hearing to be held on a petition proposing restrictions on the importation of baler and binder twine for the use of the American farmer.

Many will recall the severe shortages of this vital material which drove the price to $15 a bale in 1951. In response to pleas from throughout the country, Congress promptly removed the duty on imports and ensured the farmer a proper supply of baler and binder twine at reasonable prices. Since then prices have dropped as low as $8 a bale and an adequate supply has always been available. It was the express intention of an overwhelming majority of the House and Senate that the American farmer should have the benefit of an unrestricted supply.

Now, as the result of a section of Public Law 86 of this Congress, intended to meet the growing concern of the petroleum industry, some cordage manufacturers are seeking import restrictions for alleged impairment of national security.

It should be noted that the bill as passed in the last session places responsibility for inaugurating such action upon the President. It clearly says:

> Whenever the Director of the Office of Defense Mobilization has reason to believe that any article is being imported into the United States in such quantities as to threaten to impair the national security, he shall so advise the President, and if the President agrees that there is reason for such belief, the President shall cause an immediate investigation to be made to determine the facts.

If the law is being obeyed, it follows that the President has decided that the import of baler and binder twine may be impairing our national security and has approved hearings to consider restrictions.

From the standpoint of national security, Mr. Speaker, the facts actually prove the opposite. They show that adequate imports of baler and binder twine best serve the national security.

Much of the twine currently imported comes from Mexico, Canada, and Cuba. Some of the Canadian imports come from wholly owned subsidiaries of American companies. It was from these neighboring free nations that essential supplies of rope and twine came to our country during World War II.

It is conceded that in any emergency period our own facilities cannot supply our needs, even for defense purposes. We must, therefore, have a ready source from our free neighbors. Any restrictions now would certainly limit that source.

One interesting fact is that the industry petition—which, incidentally, is not supported by all manufacturers—is aimed at farm twine rather than rope. Yet it is rope supplies during a war period upon which they base their case. They say they need to control the twine market in peacetime in order to be in a position to provide rope in wartime. American farmers are asked in effect to bear the higher cost of producing their goods as a kind of direct subsidy to the cordage industry. It appears that the case based on twine would not fall under the meaning of the law passed last year, so the rope argument is used merely as a legal subterfuge to restrict farm twine supplies.

Realizing that American farmers are relying on the imports of baler and binder twines, which are about 50 percent of domestic production, we can see the effect of restrictions. The supply will certainly diminish and the price will increase. This increase will be borne by the American farmer already burdened by ever-increasing costs and still declining income.

Modern agriculture cannot operate without baler and binder twines so essential to mechanical harvesting of American farm products. Domestic production of this twine has never been able to meet farm needs in peacetime, much less in wartime.

If the Executive Office of the President is unaware of these facts, I hope my colleagues will join me in impressing upon the officials concerned the very real effect such action could have on farmers. To increase the profits of 1 or 2 companies at the expense of agriculture surely cannot go unheeded. Has not agriculture suffered enough during the past few years. After what has been done to prices, it surely is not necessary to take steps to further increase costs.

INCREASE OF VETERANS' PENSIONS AND COMPENSATION

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rise again today to implore the House and the Senate not to adjourn until we have passed legislation for the forgotten men and the forgotten women of the pension class. That legislation should be passed. We passed some of it today, for the Spanish-American War widows, and the House passed a modest pension bill for World War I veterans, an increase in compensation of the service-connected and certain other veterans. They are still to be passed by the Senate.

I sit here day after day and hear millions and billions of dollars appropriated, yet very little for the veterans.

PAST PERFORMANCE OF INCUMBENT CONGRESSMEN

Mr. BROWNSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include editorials.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BROWNSON. Mr. Speaker, there is more to political support of a party's philosophy or a President's program than statistics.

At this time of the year it is a popular pastime to issue dope sheets, giving the past performances of incumbent Congressmen in regard to their percentage of support of the President. These carefully manipulated percentages can be twisted and distorted to arrive at almost any foregone conclusion by varying the dates included to select the most favorable ones, by comparing House votes on one set of issues with Senate percentages on an entirely different series of votes, and by dragging out a cloudy crystal ball to determine what President Eisenhower favors in the area of minor legislation and what he does not. You can prove that black is white or wrong is right if you try hard enough and are willing to confuse the voters with complex prepackaged percentages.

I am much more impressed with the editorial approach to a Congressman's support of the issues in which his own constituents are particularly concerned and in which his own constituents are vitally interested than I am in a numbers game which seeks to determine the percent of blind loyalty in support of any small facet of the President's overall legislative program. I commend to your attention two important portions of the editorial page of the Indianapolis Star for Wednesday, July 18. This page is edited by able Jameson Campaigne; the paper is edited by the respected Robert P. Early and published by Eugene C. Pulliam. The first item is a thoughtful letter of query from an admittedly confused voter. The second item is a fine editorial particularly of interest to those of us in the legislative branch of the Government since it stresses the importance of the Congress—a fact which is overlooked by many editorial writers and columnists today. In the belief that this measured editorial approach to the matter of Presidential support and an analysis of the issues is more sound than a purely statistical analysis, under unanimous consent, I ask that the contents of the letter to the editor from "The People Speak," and the editorial "Here's Why, Mr. Piatt," may be printed at this point:

THE PEOPLE SPEAK

EVEN OUR PUBLIC OFFICIALS ARE NOT ALWAYS 100 PERCENT RIGHT

To the EDITOR OF THE STAR:

I am wondering and I admit a bit confusedly over one of the Star's recent editorials. In this editorial it was stated that the President was against Federal aid to education and the Federal control that logically parallels it. However, it has come to my attention through the headlines of several papers including the Star that the same was on the President's list of measures to be given top priority before the adjournment of the current session of Congress. It is also one of the measures that he has promised to campaign vigorously this fall for in his fight for reelection. What has brought about the President's change of policies?

His decision to use this as a campaign issue also stimulates still another question mark. The platform adopted by Republican-nominee-for-Governor Handly has promised rigorous disapproval of the Federal-aid question. One might well wonder just which party is split on its policies from the facts that are currently screaming from the headlines of all newspapers.

I am a stanch Republican and I intend to stay that way, but I am also opposed to the Federal aid question, and it might well prove a cause for cogitation when it's time to go to the polls this November. Perhaps I have not acquired all the facts and there is a very plausible explanation for the confusion that this has given me. If so, I would be very glad to hear it and have my faith reinstated in the Republican Party, for which I have the highest regard. I would also like to add that I concur with your current fight against NEA and the Federal aid question. You have my heartiest applause and I only hope that you win out.

S. S. PIATT.

YEOMAN, IND.

HERE'S WHY, MR. PIATT

In a letter to the editor on this page today S. S. Piatt asks us to explain what he considers to be a confusing and inconsistent position which The Star has taken toward the Eisenhower administration. He notes that we vigorously opposed Federal aid to education, that the President has offered a limited Federal aid program, yet we say we support the Eisenhower administration in the coming election. How come?

It's a good question. In answer, first let us say that politics is "the art of compromise." No voter and no newspaper editor can expect any politician to follow in every respect the views which the citizen or editor holds individually. We do vigorously oppose Federal aid to education because we are certain that once education is subsidized by the Federal Government it will inevitably be controlled by the Federal Government. We also oppose the Eisenhower administration's huge foreign aid program with its indiscriminate giveaways and its failure to use American taypayers' money to further the direct interests of the American people. We oppose some other policies of the Eisenhower administration whenever we believe they increase the centralized power of the Federal Government, weaken the sovereignty of the States and the people, waste American resources, tax our people too heavily, or follow foreign policies that do not accord with what we believe to be the basic traditions of American freedom.

But these are not the only issues on which the Eisenhower administration has taken a stand. There are other issues on which the Eisenhower Administration has taken a directly opposite stand from its Democratic or New Deal opponents. There is the issue of public power. On this the Eisenhower administration has reversed the trend toward more and more federally owned electric power projects. There is the issue of corruption in Government. The Eisenhower administration has cleaned most of it up, is ever watchful to eliminate any that may remain, is quick to fire those discovered using their position of public trust for private profit.

There is the issue of subversion in Government. The Eisenhower administration has, under constant sniping, done a good job of eliminating and screening possible subversives. There is the issue of getting Government out of business. The Eisenhower administration has made a start on returning to private hands some of the Government business ventures that mushroomed under the two Deals in competition with free enterprise. The Eisenhower administration has abolished direct price and wage controls. It has attempted to provide a more flexible farm price-support program and to get rid of the unmanageable surpluses produced by rigid price supports under the two Deals.

On all these issues we stand with Eisenhower. Most of his potential Democratic opponents oppose the policies and methods which the President has asserted in these fields. How could we support these Democrats when they do, and when they also support federalized education and even greater foreign aid?

What is the alternative? If the President is renominated, as seems certain, we cannot turn to most of the probable Democratic candidates for an alternative on the few issues over which we disagree with the President. They offer no such alternative.

There is another important point in this political question that needs mentioning. The greatest controlling influence in American politics is Congress. Congress has control of the money and Congress makes the laws. There are many individual candidates here in Indiana who do support the position we and Mr. Piatt believe in in regard to Federal aid to education, for instance. Senators JENNER and CAPEHART oppose it. All nine Republican Congressmen voted to recommit the Federal aid bill, which effectively killed it for this session. The two Democrats were for Federal aid.

The same is true in foreign aid where Congressmen BROWNSON, ADAIR, BEAMER, CRUMPACKER, HARVEY, WILSON, and BRAY all opposed the $4,900,000,000 program of the administration.

So, because politics is "the art of compromise" we suggest to Mr. Piatt and others who are puzzled over these questions to look at them this way: First look at the overall record and positions of opposing candidates. If both Republican and Democratic candidates for President, for instance, favor a foreign policy position you oppose, choose the lesser of two evils. But where you are given a real choice on some issues like public power or states rights—and you will be, it seems—you can vote affirmatively for your candidate.

But just as important, vote for Members of Congress who support the main political positions in which you believe. For it is Congress that really determines how far and fast or how slowly and carefully your Government goes in any direction.

Politicians, to paraphrase Lincoln, can please some of the people all of the time and all of the people some of the time, but they cannot please all of the people all of the time. The best we can do as voters and citizens is to support those who please us more often than their opponents.

A CELEBRATED PEACE MEETING

Mr. HAYS of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS of Ohio. Mr. Speaker, not long ago there was a great deal of fanfare in the press about a celebrated peace meeting—or you might call it an armistice of sorts.

I do not refer to international peace, a subject dear to the hearts of all my colleagues on both sides of the aisle I am sure, but to a meeting designed to bring a greater measure of amity and

fair play to our domestic politics in this campaign year of 1956.

A meeting, if you will, designed to erase smearing and defamation from the campaign speeches of both political parties.

The "peace" conference to which I refer was, of course, the celebrated discussion between the Republican national chairman, Mr. Hall, and the Democratic national chairman, Mr. Butler.

These two gentlemen got together—I believe it was before a television audience—and agreed, in effect, that they would do all in their power to prevent mud slinging by campaign speakers of both parties.

Mr. Speaker, I am sure that this pledge of truth and fair play was warmly applauded by the American people. All fair minded people have been outraged in recent years by the loose talk and character assassination employed by certain well-known political figures.

It is not necessary for me to call the roll. There have been many examples, including a speech in which the Democratic Party was called the party of treason, therefore branding every member of the Democratic Party, including myself, and in fact every voter who supported the Democratic ticket, as a traitor to his country.

I will not bore you with other painful recollections of the recent—or I might better say—the checkered past.

I had hoped that the gentlemen's agreement between Chairmen Hall and Butler would clear the atmosphere of this and other examples of campaign fallout to infect the minds of the voters.

As a Democrat who has fought against below-the-belt political tactics, I was willing to forgive and forget, so that the 1956 campaign might be waged on a truly objective scale—on the issues, that is—without the billingsgate that some individuals, having nothing else to stand upon, deem essential in politics.

And I had hoped that Republican spokesmen who traffic in such talk would be contrite for past offenses and really meant to abide by the Queensbury rules this year.

I also had hoped that the advertising geniuses of Madison Avenue, who are handsomely paid to think up catchy slogans for the Republicans and abuse for the Democrats, might be retired from the arena.

But, Mr. Speaker, I have been sadly disillusioned.

Perhaps it was too much to expect, since the Republican Party depends so much on advertising.

Since the discussion between Chairmen Hall and Butler at least two things have occurred which indicate to me that the Madison Avenue boys are still in there calling signals in the huddle.

Both are aimed at former President Harry Truman, who has recently been paying his own way through Europe to win friends for the United States.

The printer's ink was still damp on newspaper stories about Len Hall's promise to keep the campaign clean when radio commentator Drew Pearson reported that Hollywood was coming out with a "bombshell" movie, called The Boss, which digs up the corpse of the old Pendergast political machine.

Mr. Speaker, let it not be inferred that I am defending political machines of the past or present. I have never belonged to one, I have always been against them and I am happy to say that political bosses no longer have any real voice in the Democratic Party. In fact, the only real bosses who are on the political scene at present are the oil billionaires, private power magnates and others who dominate the opposition party.

If Hollywood were abreast of the times it would be coming out with a movie about these contemporary bosses in our politics, without dredging up the ghosts of yesteryear.

One of the characters in this "boss" movie is cleverly patterned after former President Truman. Note: This character is not the boss in the picture, but is part of his political machine.

By a strange coincidence, the movie will be released for showing in theaters in August, about the time of the national conventions. I cannot prove that the Republican National Committee or the Madison Avenue crowd contrived this curious timing of a film against the Democrats, but I am about to make a suggestion to the House which may enable us to find out who is behind it.

Another unfair campaign attack on Truman and the Democrats is contained in this pamphlet I hold in my hand, which recently was sent to many Members of the House, and no doubt is enjoying wide circulation elsewhere. It is a pamphlet plugging a book called The Truman Scandals.

Singularly enough, this book also is being release for sale coincident with the 1956 campaign.

The pamphlet advertising it, which I have here, was put out by an outfit called Human Events, which is supposed to be a newsletter, but it looks more like a Republican propaganda mill to me.

The back page is a dead giveaway.

It names 60 Americans who have endorsed the Human Events propaganda sheet and the implication is that these 60 Americans also recommend the book vilifying the Truman administration of some years back.

Let us see who some of these individuals are.

I see the name of the late and distinguished Senator from Ohio, Robert A. Taft, but I seriously doubt that Bob Taft, if alive, would have endorsed this book. He was against campaign muckraking and mudslinging. In fact, I think it is an insult to Taft that his name is being exploited posthumously in a book-selling scheme.

I do not see any small-business spokesmen mentioned, but there are a number of big-business men and oil producers whose pocketbooks always are open to any Republican cause.

Here is H. R. Cullen, the well-known Texas billionaire. Also, the steel magnate, Ben Moreel, oilman, J. Howard Pew, Edgar Queeny, of Monsanto Chemical, and Robert E. Wood, of Sears, Roebuck.

Hollywood apparently is not satisfied to leave well enough alone by putting out a movie assailing the Democrats in this campaign year; several movie stars are named among the well-wishers of the Human Events outfit and its book against the Democrats.

I see the name of Adolphe Menjou and that well-known cheerleader at Republican rallies, George Murphy.

Mr. Speaker, I am sure that every Member of this body is anxious to keep the campaign clean, but none of us is so naive as to believe that this is possible unless there is some machinery to keep it clean.

The same applies to atomic disarmament. We have learned that it cannot be done without an effective inspection and policing system.

So, Mr. Speaker, I respectfully suggest a solution to keep the 1956 election campaign free of politico-active fallout.

I intend to ask the chairmen of the elections committees of both Houses to keep a subcommittee, together with a competent staff, in session from now until the November elections to make immediate investigations and reports on all flagrant cases of smearing, fabrication, insidious propaganda, and character assassination by either party.

We might make a good beginning by investigating and exposing the forces behind this moving picture, The Boss, and this anti-Truman, anti-Democratic book, the Truman scandals, about to be published. The only way to keep the campaign clean is to make an on-the-spot exposé of all smears, from whatever source, and let the chips fall where they may. The time to expose the smear artists is before the election, not afterward, when they are no longer answerable to the voters at the polls.

REPRESENTATIVE SHEEHAN, DEFENDER OF JUSTICE FOR POLAND

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. SHEEHAN] is recognized for 5 minutes.

Mr. SHEEHAN. Mr. Speaker, on April 26, 1956, the Associated Press reported that the Communist-dominated Polish Government was going to start a new investigation of the infamous Katyn Forest massacre of Polish soldiers during World War II.

As a freshman Republican Congressman in early 1951, I introduced House Resolution 282, calling for a congressional investigation of the Katyn Forest massacre. After some weeks had elapsed and the Rules Committee—to which this resolution had been referred—was being deluged with mail and telegrams asking for this investigation, one of the Democrat Members then introduced a similar resolution which was passed in lieu of mine. I was named a member of the committee created by the resolution which was to conduct an investigation of the facts, evidence, and circumstances of the Katyn Forest massacre.

Before and since being elected to Congress, I have been most interested in Poland's fight for freedom. Therefore, on April 26, 1956, the same day as the Associated Press reported that the present Government of Poland was going to launch its own investigation of the Katyn

Forest massacre, I wrote to the United States Information Agency (Voice of America) Radio Free Europe, and the Central Intelligence Agency, calling to the attention of each the practical advantages that could be taken of the current denunciations of Stalin in Poland, by telling the Polish people that our select investigating committee, after a thorough and exhaustive investigation, had determined that Stalin and the Soviet NKVD (Soviet Secret Police) were responsible for the massacre of the Polish officers and intelligentsia during World War II. I felt this would be a means of again informing the Polish people of the true nature of their Communist-dominated rulers; and of the intent of the Russian rulers, who have subjugated their own people in the same manner in which they are trying to subjugate the Polish nation and deprive it of its freedom.

I followed this up on May 8 with a speech in the House of Representatives, telling the House that I had sent a cablegram to Josef Cyrankiewicz, Prime Minister of the Polish People's Republic, indicating my willingness to go to Poland to "elaborate upon and substantiate the facts and conclusions reported by our investigating committee."

On May 9, the day after my speech in Congress, Mr. Pawel Jankowski, private secretary to the President of the Republic of Poland, thanked me for this new proof of my efforts on behalf of the liberation of Poland when he wrote me as follows:

MAY 9, 1956.

The Honorable TIMOTHY P. SHEEHAN,
Congressman, 11th District Illinois,
Chicago, Ill., U. S. A.

DEAR CONGRESSMAN SHEEHAN: I have heard with great pleasure in today's Russian broadcast of the VOA (Washington) the news of your speech and telegram sent to Mr. Cyrankiewicz, the present leader of the Communist regime in Warsaw.

May I send you my very best thanks for this new proof of your untiring endeavors to locate the responsibility for the awful crime perpetrated on the Polish disarmed officers.

In your first letter to me of July 19, 1951, you said: "I am striving to do all I can to help right the wrongs done to Poland."

Your subsequent activities have proved that the Poles have in you a staunch defender of justice for Poland. It is a case for repeating the old English proverb: "A friend in need is a friend indeed."

I would be much obliged if you could kindly let me have the full text of your last speech concerning the Katyn Forest massacre.

If you would decide to have a special copy of it printed, I would like to be able to distribute some 100 of them among our representatives all over the world.

My address is: c/o Polish Government in Exile, 43 Eaton Place, London, S. W. 1, England.

Thanking you in anticipation,
I am,
Yours sincerely,

PAWEL JANKOWSKI.

The Chicago Tribune in its editorial of May 14, commented on my action as follows:

Representative SHEEHAN (Republican, Illinois), has cabled Premier Cyrankiewicz of the Communist Polish People's Republic urging that a thorough investigation be made by his government of the Katyn Forest massacres, carried our during World War II by Josef Stalin's NKVD. Approximately 15,000 Polish officers and civilian leaders were murdered in those butcheries, as a congressional inquiry instigated by Mr. SHEEHAN revealed.

It will be interesting to see whether the Illinois Republican's civilly worded message is acted upon. Mr. SHEEHAN wrote that he was prompted by the recent change in attitude, both in Russia and Poland, toward the late Stalin, who has disappeared from the pedestal of Soviet esteem, if not from his tomb in Red Square. Some of the multitude of crimes for which he was responsible are now being admitted by the successors to his bloody regime.

The mass slaughter committed in the Katyn Forest was one of the arch misdeeds of the war, and the Poles naturally feel it more keenly than others. If their Communist leaders now dare to disclose to them how horrible it was, credit for challenging them to do so will belong to Representative SHEEHAN.

On June 5, Mr. Theodore C. Streibert, Director of the United States Information Agency (Voice of America) wrote me as follows:

JUNE 5, 1956.

The Honorable TIMOTHY P. SHEEHAN,
House of Representatives.

DEAR MR. SHEEHAN: Thank you for your recent letter inquiring as to the use made by the Voice of America of the cable which you sent to the Prime Minister of the Polish People's Republic, offering help to the Polish Government in any new investigation of the Katyn forest massacre.

The Voice of America reported extensively on your offer in its newscasts of May 8 and 9, beamed to Poland and East European countries. I am enclosing copies of the VOA news stories relating to your offer to the Polish Premier.

We appreciate your writing to us on this matter, and feel that your action in this regard proved to be of definite usefulness in our overseas information program.

Sincerely yours,

THEODORE C. STREIBERT,
Director.

Mr. Speaker, it is fully apparent that my speech of May 8 proved to be of great usefulness and served as a most valuable vehicle in our attempts to bolster the spirit of freedom in Poland and in the other countries behind the Iron Curtain.

RELAXATION OF TRADE RESTRICTIONS ON THE IMPORTATION OF CERTAIN ITEMS

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. HENDERSON] is recognized for 30 minutes.

Mr. HENDERSON. Mr. Speaker, since I have been a Member of Congress, representing the 15th District of Ohio, I have been opposed to the relaxation of trade restrictions on the importation of many items which compete with the production of American industry. I have appeared before committees of Congress opposing measures which would have as their effect the destruction of some of the industries in my district. I opposed H. R. 1, and H. R. 5550, because many industries cannot withstand the competition from the low-wage countries which are producing articles at a ridiculously low figure.

My colleagues have asked me why I have taken the attitude that I have in this field. So that I can answer them factually, I have contacted the potteries, ceramic tile factories, and glass industries in my district, and asked them to furnish me data on the effect of unbridled foreign competition upon their industries. I learned much from the thoughtful replies which I have received. I want my colleagues in Congress to know the story.

In the case of handmade glassware, such as is produced by the Cambridge Glass Co., the answer is strikingly clear. Competing foreign manufacturers in our domestic market have seized a tremendous advantage because of the vast differential in comparative wage scales.

Handmade means just that—it means produced by hand. It means glassware which cannot be produced by machine. It is impossible to reduce the work force and find more efficient ways of producing handmade glassware any more than you can speed up the production of oil paintings. In the field of handmade glassware then, this American industry can only be preserved by protective tariffs.

The Cambridge Glass Co. closed its doors 2 years ago largely because of its inability to meet the devastating foreign competition. There was a tremendous display of sentiment when the announcement was made. It meant the end of an era in Cambridge. Great was the feeling. The firm which purchased the assets of the company embarked upon a new program and permitted former employees to subscribe for shares in an effort to reopen the plant. At the present time, I am happy to say that the Cambridge Glass Co. is operating, but in order to do so, the employees have made great economic sacrifices to preserve this important component of the handmade glassware industry—a company which was able to survive the ravages of the great depression, but which was stricken a telling blow by national policies designed to create or enhance the prosperity of other lands. Optimism is high that the factory can continue, but the obstacles are great, and some pending legislation, if enacted, would erect even more formidable obstacles.

In the field of pottery, the prospects for improved economic conditions are very bleak, indeed. The argument is sometimes advanced by exponents of free trade that the difficulty of the American potteries lies in their allegedly inefficient operation, that by finding new methods and more efficient procedures the American pottery could survive.

In response to that argument let me suggest that in the past 20 years, enough potteries have discontinued operations that only the efficient ones could remain. There is, after all, a limit to efficiency. It cannot make up the tremendous wage differential we find between the salary of the American potter and a Japanese. One pottery executive in southeastern Ohio, addressing himself to this point, had this to say:

Foreign imports, especially Japanese imports, have almost ruined our business, since we are manufacturers of small novelties and artware, and the foreign competition is very

heavy in this field. American designers must be paid at skilled labor rates, and these items produced in the United States must bring a good price, but the same are taken to foreign countries and produced at much lower cost because of the cheap labor, and the tariff and freight are not high enough to protect the American market. Unless an American design is world patented, it will be reproduced within 3 to 6 months by foreign potteries and placed on the American market at a much lower price than the American product. The American public does not know whether the American manufacturer has copied the Japanese item or the Japanese copied the American item. One item in particular which originated in our plant and was of strictly American design, in less than 6 months was being manufactured in Japan and shipped to this country.

* * * In 1945 our plant employed 250 people. Now we have work for 5 people besides ourselves. Most of the employees whom we had to lay off were not old enough to obtain social security benefits, but were too old to learn new jobs in other industries. They had worked in potteries all their lives, and many of them have had, and are having, considerable difficulty in finding employment. For the year 1945 we paid income tax on a profit of $111,159.46, for the year 1946 the profit was $55,423.95, for the year 1947 the profit was $2,291.27; since then we have been operating at a loss. That is the effect imports have had on our business.

Customers who formerly bought large quantities of pottery from us now call at our plant and order about 5 percent of their former requirements. They tell us frankly that, because of price, they are buying Japanese goods.

Hoping that the import situation would change * * * during the last 10 years (we have) thrown all of our assets into this plant, in order to save it. Like our former employees, we are no longer young enough to obtain new jobs. Since we have not made a profit for a number of years, we have no income on which to pay self-employment tax; therefore, we will not be eligible for social security benefits for our old age. We no longer have enough capital left even to make necessary repairs on our equipment or the roof of our plant.

Another company officer had this to say:

Art pottery may be defined as any fired, glazed, clay product whose prime purpose is decorative rather than utilitarian. In this classification is found vases, planters, figurines, and novelties.

To make art pottery that is salable, a product must be created, designed, modeled, manufactured, and presented to the trade, usually at trade shows, before full scale manufacture is entered into. When presented to the trade, prices and discounts must necessarily be quoted. In many instances the product or line, doesn't sell and the considerable time, money, and effort that has been put into it is wasted. When it does sell, however, it is quickly picked up by an importer who airmails the product, design, or entire line to Japan for duplication. This importer has no difficulty in learning the selling price. Within a very short time, therefore, a manufacturer of art pottery finds himself with a salable line competing against the identical line made in Japan but selling for a fraction of the American manufacturer's price.

Design patents are of little help. The laws are so loosely drawn, and the interpretation is so liberal that they provide little protection. The cost of such design patents and the time it takes to have a patent granted usually makes such a procedure too expensive to undertake until the product or line has been market-tested at the trade shows. This is especially true of the small art potteries which make up over 90 percent of the industry. Once the line has been presented to the market, and picked up by an importer, it is too late. There are, of course, always the notable exceptions to this rule but this is the usual practice.

The importer and his Japanese associates have a sure thing. The line is salable and every American buyer wants to but at the lowest price. The price is low because Japanese labor will work for less than 15 cents per hour; the American workman gets 10 times as much and more.

In art pottery, the cost of the raw material is negligible. It is labor that constitutes approximately 75 percent of the cost, with raw materials and overhead accounting for the other 25 percent. When we realize that Japanese labor is only one-tenth as expensive as American labor it is obvious why the art pottery industry protests the imports.

The manufacture of art pottery cannot be mechanized; it is a handicraft industry. Attempts have been made to produce art pottery by mechanical methods but the ware did not sell. Art pottery products are considered "wants" in the market place rather than "needs," and depend upon the impulse appeal to the consumer in order to sell. The only way to give the consumer the type of products she will buy is through the use of hand crafts that are centuries old.

The Japanese do not have a reputation for being creative; they are known as imitators. If the Japanese were restricted to Japanese designs and products there would be no problem. The problem is created when American ideas and creations are reproduced by cheap child labor and used to undersell the American product in American markets. Surprisingly enough, it is not the Japanese economy which is benefitted but rather the American importer who reaps large profits.

Perhaps a word about Japanese methods of manufacturing art pottery is in order. These plants, for the most part, are old and run down. Their manufacturing facilities are antiquated and dangerous. There is no emphasis on industrial safety such as exists, by law, in American factories. The prevalence of silicosis among employees is rife. Safety devices are considered an expensive luxury.

Child labor is an accepted part of the manufacturing process. Whole families are employed, on a contract basis, to decorate ware which is a hand operation. For this they receive a mere subsistance. Every operation is designed to produce merchandise at an extremely low price which is the only marketing factor they have to offer.

The disparity between the price at which the Japanese factory sells the ware to the American importer, and the price at which it is sold in the American market is shocking. Even so, it is still below the price that an American manufacturer would have to ask.

The American art pottery industry is fighting for survival for the reasons outlined above. The only agency which can save it is the American Government which, incredulously, through the International Cooperation Administration and the pursuit of an irresponsible tariff policy is helping to destroy it.

The foregoing remarks apply to the art pottery industry and do not necessarily apply to the dinnerware industry, which is having problems of its own.

The only solution to this problem is the enactment of protective tariff laws. This will make it impossible for the "fast buck" boys to exploit Japanese labor in the process of destroying American industry, to the enrichment of a relatively few individuals.

A stoneware factory officer told me this story:

Although our particular field, which is stoneware, has not felt the foreign trade competition as much as dinnerware, there are a few items in our line which have been hurt tremendously due to the imports.

To give you an example, a few years ago we manufactured a 13-inch spaghetti bowl which was a very good item and we maintained a production on this item year in and year out of about 150,000 pieces per year.

The Japanese potteries in particular copied this item and brought it into the United States which retailed in the chainstores for just a few cents more than our cost quoted the same chains.

Our production on this item now is around 45,000 pieces per year, so you can see what tremendous effect that this one particular item has done in our business. Consequently, in view of these items coming in, it was necessary for the buyers to strike this item from their listing and this has retarded sales tremendously.

By the same token we had two other items similar to the spaghetti bowl, an 11-inch size and a 14-inch size and now, just recently, I find that the chainstores have these other two items in their listing from the import Japanese manufacturers, so as you can see our spaghetti bowl business is almost nothing at this time.

As you know our business is very small compared to other pottery industries in this locality or even in the East Liverpool area, so if this competition in foreign trade is doing this to us, what would it do to the larger factories.

It seems that when the domestic pottery manufacturers come up with a good item, it is not very long until the foreign trade has copied it and put it into the United States much, much cheaper than we can produce it.

I hope this will give you some idea of the material you need to point out to the congressional committees just what the United States pottery manufacturers are up against.

Another company, a well-known maker of dinnerware, reported that sales were off 36 percent this year; that it produced 25 percent less in 1955 than it had in 1947. The report also stated that in 1954, 23 members of the United States Pottery Association showed a loss of $1,107,882. The report concluded with the following paragraph:

So you can see, in both production and profits, the industry is heading the wrong way. We just cannot meet Japanese competition. The situation is steadily getting worse.

A maker of novelty planters explained that the deluge of imports had knocked out one of his small lines completely, forcing his plant to turn to an operation for which it was not suited. The final result was the cessation of operations. This manufacturer stated in summary:

I am not objecting to tariff rates, if they are fixed so that we in America can put our product on the store shelves at an equal price to the imports, and then let the American public decide for itself which novelty planter it will choose.

A rather large manufacturer of pottery sent me a lengthy report which I would like to quote in part, for it tells the story more graphically than any words of mine could. It is as follows:

A review of your Washington records will show that along with glass we head the list of industries depressed while the Nation as a whole enjoys its greatest prosperity.

It is because we cannot sell our wares in competition with nations paying low wage scales and permitted to undersell us in our own domestic market.

As further proof that imports are our major problem it can be said that the pottery market in this country during the war was

such that many new factories developed in all parts of the Nation to take care of the expansion caused by the sudden stoppage of imports. Now that the fighting war is over a very large number of those newly developed potteries are falling by the wayside as a direct result of the rapid development of imports.

In commenting upon the fact that efficiency alone will not solve the problem, this manufacturer said:

Our owners decided to rebuild around the idea that conveyors, kilns, etc. would be constructed for medium size ware instead of the miniatures which were already flowing into this country from Japan, etc., and it's a good thing we did because many of the smaller plants which specialized in small size ware have now been vacated.

However, the procession of imports has now advanced beyond miniatures to middle size wares and surely all in the pottery business are hurt in one way or another.

I have heard, but do not have figures to support the claim, that more people in our Nation will benefit by exports than are hurt by imports and that therefore our legislators should welcome reciprocal trade agreements in the interest of serving a majority. This presupposes that some industries in this country have to be sacrificed.

I emphatically disagree that a cure lies in the destruction of a minority group.

It seems to me that the proper answer is in doing whatever we can to raise the standard of living in all countries or to prevent wars so long as all our people share in the effort which can properly be accomplished through the intelligent use of Federal funds that belong to all of us.

But I have not yet found myself able to agree that martydom of certain industries is advisable, necessary, or fair.

Our employees are as much entitled to the benefits of their way of life in this Nation as though they were part of an industry exporting its product and we should not be legislated out of business through low tariffs or other trade agreements which could happen because we are small in number.

On or about 1932 there came into existence the NRA headed by General Johnson. Our industry sent representatives to Washington to help set up a code for clay products and we sought protection against imports at that time. We were told to stay and present our case, but in his opinion did not represent a large enough segment of the population to get favorable results. He was right. We could have stayed at home so far as results were concerned.

But we are now another generation and another even greater effort should be made to correct what we believe to be an injustice.

Our particular company is of medium pottery size employing an average of 200 people and the toughest job we have is the never-ending search for new and different lines of ware as the only partial solution to a continued existence in one of the most competitive lines of endeavor. Casualties are very great and insufficient tariff protection must be a principal cause or we would not flourish during wars when imports are retarded or stopped altogether.

One manufacturer in southeastern Ohio pointed to the drastic differential which exists between Japanese pottery workers and the prevailing wages in the United States. For an 8-hour day, he stated, Japanese workers would receive approximately $1.60. The American worker would receive approximately $15 per day or nearly 10 times as much. What we are trying to equate here are two ways of life. The American standard of living has increased because our people receive wages which afford them the opportunity to buy the goods and services which our economy offers. It cannot continue to maintain its position with such competitive invasions as we see so graphically illustrated here. Efficiency, inventiveness, and initiative are imperative in the American economy. They have been the hallmarks of the American competitive position. Here, however, we have something which I view as insidiously unfair and dangerous to our way of life.

The hard economic realities of this situation point to the piecemeal economic dismantling of the domestic pottery, art glass, and tile industries if the present tariff policies are not changed. There is little other choice since we cannot and shall not consider the reduction of our wage standards to those of the "bowl of rice" subsistence which workers in some other nations stoically accept. This is competition not alone of products in the marketplace, but more basically of cultures and economic ideologies.

Manufacturers of ceramic tile also are feeling the effect. The President of one company, which converted from artware to tile, wrote to me as follows:

It would be difficult for us to write as strong a letter as we would need to to adequately describe to you the tremendous hardship the imports have placed us under in our industry. They have completely put us out of the artware business and seeking a port in the storm, we went out to refinance our business in a small way to enter the manufacture of wall tile.

We are now running up against the same stone wall, as Japanese, Spanish, Italian, and French tile is being laid down in this country cheaper than we can possibly manufacture it. There was a shortage of wall tile for some time, but it is slowly being picked up by the imports, and this product will also be a surplus commodity in the very, very near future, as imports are multiplying monthly.

We are completely at a loss and like many others in our industry, may be forced out of business or into bankruptcy. We certainly will cooperate with you in every way possible in anything you might be able to do to help this situation.

The president of Mosaic Tile Co., Mr. Roy E. Jordan, Jr., in a recent address before the National Tile Contractors Association declared:

The steady increases in ceramic tile imports made by low-cost foreign labor is a definite threat to the long-range prosperity of the domestic title industry if permitted to continue unchecked.

The ceramic title industry today, he pointed out, is an important segment of the construction industry which is so vital to the well-being of our national economy.

While emphasizing that the domestic industry is strong and expanding, Mr. Jordan said:

We cannot ignore the potential damage which the increased imports can cause to our industry.

This spokesman for the industry stated that current tariff regulations were wholly inadequate to cope with the situation, and added:

We in the industry expect Congress to take a hard look at the unprecedented foreign tile imports with a view of taking corrective action.

His evaluation of the present situation continued, pointing out that tile imports, although negligible until 1950, began a dramatic increase that year that went from 1.48 percent to 8.66 percent of domestic sales in 1955.

It is disconcerting to domestic producers to note that in 1954 imports were 5,358,000 square feet and in 1955 the total rose to 16,258,000 square feet—

He said.

Mr. Jordon recently returned from an inspection tour of the European ceramic tile industry, including West Germany. He noted that about 12 plants in West Germany produced 170 million square feet of tile last year. This was 90 percent of the total production in the United States. In 1955, some 50 United States factories produced 190 million square feet of ceramic tile. Plants here, however, are relatively smaller than West German factories, he indicated.

Continuing his remarks, he stated:

The consumption of tile per capita there is about three times that of the United States, while the population is only about one-third of ours. The West German tile is expected to increase production by 30 to 50 percent by early 1957.

Mr. Jordan went on to point out that the West German tile industry is largely preoccupied with rebuilding its own country and only about 5 percent of its tile is exported anywhere. The volume of ceramic tile imported by the United States in 1955 came primarily from Japan, Spain, Mexico, the United Kingdom, and Italy.

The pottery, tile, and glass industries have been severely affected by low tariff policies, but I should like to point out that the production of coal, another former principal source of income in southeastern Ohio, has also suffered greatly because of the importation of residual fuel oil.

The forced exodus of coal miners from our mining communities may be principally ascribed to oil imports. That such a process should occur has wreaked great personal hardship to our mine workers. I do not wish to minimize what this hardship has meant in either personal or economic terms. However, in an even larger sense, it may be calamitous, since our industrial strength is dependent upon coal to support the factories and utilities which are the sinews of America's military might. Should we have need to mobilize our economic forces, the closed mines and the decimation of our groups of skilled workers will constitute a problem of paramount gravity.

In evaluating these disturbing economic developments, it has been alarming to me to hear the theory advanced that by some process of planned economic osmosis, workers in plants displaced by competition from abroad will be absorbed in other industries in other communities. It is even suggested that the Federal Government might lend assistance in this process. In other words, it is envisioned that the full exercise of the Federal authority could create a situation akin to a gigantic chess game in which many of our established industrial

facilities and the people and communities which depend upon them could be the pawns. This kind of governmental "noblesse oblige" after the creation of economic conditions necessitating it, would be repugnant to me.

If it is now believed that the Federal Government must minister to great domestic ills created by our tariff policy, then it would seem to me that our tariff policy itself must receive greater study. I believe the Congress should eliminate the necessity for such contrived largesse through the enactment of legislation which will protect and enforce our domestic industrial strength on which the freedom of so much of the world has been dependent for almost two decades.

Our policies must stimulate the prosperity of the free world, but let us not forget that it is America's industrial arsenal which has defeated tyranny in two world wars and stands today as the ultimate bastion of world security against Communist aggression.

I must emphasize that this situation is of broad concern in my congressional district. Employers and employees alike have registered their alarm. Organized labor is in full accord with management on the consequences of a trade policy which is not a question of abstract argument. They see around them the positive results in the shape of economic hardship. When H. R. 1, the Reciprocal Trade Act extension, was being considered I received the following petition signed by more than a thousand men and women in the 15th district:

To Hon. John E. Henderson, Representative From Ohio:

Whereas the Congress of the United States is currently considering a measure to extend the Reciprocal Trade Agreements Act and permit reduction of tariff restrictions on pottery, glass, and residual oil; and

Whereas the manufacture of pottery and glass is a very vital source of income in southeastern Ohio, as well as the source of millions of dollars in revenue for the Government; and

Whereas the existing low tariff has already proven most disastrous to the economy of Roseville, Crooksville, Cambridge, Newark, Lancaster, and other pottery communities in this section; and

Whereas any further reduction of this tariff would spell utter ruin for pottery and glass industries, as they cannot compete on a free-trade basis with countries producing pottery and glass who pay a wage of less than one-fourth of the American standard.

Therefore, we the undersigned (1) pottery and glass manufacturers and employees; (2) suppliers, transportation companies, wholesale, and retail dealers, jobbers, and their salesmen and employees, all incident to the manufacture and sale thereof; (3) tradespeople and employees, whose income and livelihood is dependent thereon; (4) property owners, taxpayers, and all others who would suffer untold loss from the ruin of the principal industry in this section of Ohio, do hereby humbly petition you, our representatives to heartily oppose this measure, and thus preserve these American industries for the American people.

I have attempted here to demonstrate the dimensions of this problem which is so boldly etched in the economy of southeastern Ohio. Certainly, the problem does not evaporate when we cross the borders of the seven counties which compose the 15th Congressional District of Ohio. It is, I believe, an issue which despite our unparalleled national prosperity, must be faced squarely.

I shall not minimize the difficulty of accomodating our foreign policy to our domestic economic requirements. Nor shall I subscribe to the belief that the alternative choice here is so dangerous or disagreeable that we should lay to rest several of our domestic industries in sacrifice. We must and can surmount this problem and we must start by assessing it honestly. We are dealing with both an economic and human problem of great proportion. Our tariff policies need overhauling and should receive that attention now both by the Tariff Commission and the Congress.

UNESCO—COMMUNISM AND MODERN ART

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. Dondero] is recognized for 30 minutes.

Mr. DONDERO. Mr. Speaker, there appeared in the July 1956 issue of the Arts magazine an editorial written by its publisher, Jonathan Marshall, which is part of the organized broad united-front movement for cultural freedom demanded of Communist Party members and allied so-called progressives by the leading cultural functionary of the Communist Party, V. J. Jerome, whose directional pamphlet calling for this front entitled "Let Us Grasp the Weapon of Culture" landed him in the Federal penitentiary at Lewisburg, Pa., after being convicted of conspiring to teach and advocate the overthrow of this Government.

Marshall's editorial is entitled "Dondero, Dallas, and Defeatism" and while attacking me for my exposure of the use of art as a weapon by the Communist Party to gain control of one of the most vital fields of cultural communication in our Nation, it is in reality another example of the determined effort to organize left pressure to influence our State Department against the best interests of our Government in its effort to combat anti-American, pro-Soviet impressions abroad.

The American Federation of Art has organized exhibitions for our State Department through its United States Information Agency, including the canceled "Sport-in-Art" show. The action by the United States Information Agency in withdrawing its sponsorship of this exhibition was a blow to the Communist conspiracy as the violent antagonistic reaction in the Communist and Communist-influenced press proved.

NEW SETBACK FOR LEFT CULTURALISTS

Just recently the United States Information Agency stopped the exhibition "20th Century American Painters" which had been destined to misrepresent our culture in another of these determined drives by the American Federation of Art to force acceptance of its monopoly of radical culturalists at the expense of the American taxpayer.

Statements to the effect that 10 of the 100 artists included had pro-Communist leanings which had been reported in the New York Times of June 21, 1956, was incorrect.

A list of the artists—94 to be exact—has been sent me by Mr. Theodore C. Streibert, Director of the United States Information Agency. It included many more than 10 individuals with Communist and Communist-front records.

In the New York Times report the American Federation of Art indulged in the typical left device of hiding behind the banner of cultural freedom with which it hoped to impress unenlightened citizens, and unwary Government officials and brought forth its hypocritical resolution of October 1954 which states that art "should be judged on its merit as a work of art and not by the political or social views of the artist."

This is just balderdash. Freedom of art to this organization means freedom to continue to control art for the benefit of the radical, Communist, and venal cliques it claims as representative of American art.

RED STOOGES DO NOT MAKE GOOD UNITED STATES CULTURAL AMBASSADORS

How does Max Ernst, German dadaist, who in 1920 arranged an antiart exhibit in Cologne, Germany, with an entrance through a public urinal to an exhibition where the first exhibit, a young girl dressed in white as for her first communion, was reciting obscene poems, become representative of our culture? This vulgarian, now living in the United States, described by Communist Paul Eluard, as a fellow member of the French Communist Party is typical of the Marxist surrealists, whose brawling "unmorality" is typical of these cultural vermin. Yves Tanguy, a French surrealist now in the United States and his wife were also included in this proposed exhibition.

Tanguy and Ernst, as surrealists, subscribe to the ideology of communism, which is the totalitarian thought control that this Government is attempting to combat through these exhibitions.

Andre Breton, surrealist spokesman, manifesto maker, and radical Marxist, has this to say of the surrealists:

I would like you to believe that no effort has been spared from the very beginning (of the surrealist movement) to discourage those who could not subscribe to a fundamental and indivisible scheme of propositions which I shall now briefly restate.

1. Adhesion to the theory of dialectical materialism—

(Ideology of communism—)

which the surrealists adopt in all its points: supremacy of matter over thought: adoption of Hegelian dialectic as the science of the general law of movement applied to the exterior world as well as human thought; the materialistic conception of history * * *; the necessity of social revolution as the final expression of the antagonism which is apparent at a certain stage of their development between the material productive forces of society and the existing yield of production (class struggle).

These surrealists, regardless of the asthetic doubletalk modern art publicists employ to cloak the subversive aims of the movement, are an effective part of the fifth column of the Communist world conspiracy.

I come now to two more of the artists selected by the American Federation of

Art to represent us, Robert Gwathmey and Philip Evergood. These two are practically Communist functionaries. Both are contributing editors to the official Communist cultural publication Masses and Mainstream. Both have records in the files of the House Committee on Un-American Activities that prove conclusively that they have actively aided anti-American, pro-Soviet propaganda for years.

Says Communist Paul Robeson of Gwathmey's painting:

> In the coming years when, we all hope, true equality and the brotherhood of man will be a reality, Gwathmey's paintings will have earned him the right to feel that he has shared in the shaping of a better world.

Another brainwashed Marxist selected as a representative artist of this free republic is Max Weber, Communist Party member.

I quote from the first paragraph from the 10-page record of the red affiliations of Max Weber compiled by the House Committee on Un-American Activities:

> Mr. Weber, a member of the board of directors of the organization (National Council of American-Soviet Friendship) from 1949 to 1953 was identified as a member of the Communist Party by Louis Budenz. (Report and order of the Subversive Activities Control Board, February 7, 1956, docket No. 104-53, p. VII.)

This rabid Communist, Max Weber, pioneer promoter of so-called modern art in the United States of America signed a statement published in the Communist Daily Worker, April 28, 1938, page 4, which called upon American liberals to support the verdict of the Moscow trials by which Stalin liquidated his internal opposition. It said:

> We call upon them (American liberals) to support the efforts of the Soviet Union to free itself from insidious internal dangers.

Max Weber, abject follower of the Soviet propaganda line is not the only so-called artist whose work was to have been included in this exhibition that supported Stalin's gruesome blood purges of 1937-38. Not only did Philip Evergood support this Communist method of demotion but abstract painter, Stuart Davis, gave his approval of it. Stuart Davis was an initiator of the officially cited "Communist created and controlled" American Artist's Congress and has been active in supporting Communist and Communist-front activities for decades.

SOLDIERS IN RED ART BRIGADE

The American Federation of Art made quite a radical roundup in this contemplated exhibition. It was to include Jack Levine, supporter of Communist and Communist-front organizations and illustrator for Communist New Masses and later Masses and Mainstream. The Brooklyn Museum owns a large cartoon by Levine entitled "Welcome Home." This is called "Superb satire" in Whitney Museum's catalog of its Jack Levine retrospective exhibition honoring this left-wing propagandist.

Levine describes this painting of the return of a brigadier general thus:

> And no matter how commanding and impressive a general, he will be chewing. His wife, however smart and fashionably turned out, will be chewing. Everybody in the general's party will be chewing, as a gesture of kinship with the lower orders of mankind. What is more absurd than an august gathering abstractedly chewing their cuds * * * my thesis, that armies are a continuation of class snobbery.

When an artist puts his talents to the use of the Communist conspiracy as Levine has done, he ceases to be free.

Indignation should mount against the American Federation of Art when Jacob Lawrence's work is selected by it to represent our culture abroad. Lawrence, secretary of Red-dominated Artists Equity Association is another Communist-promoted Red fronter and propagandist for causes aiding the Soviet Union.

In Dallas, Tex., indignant citizens resolved to give notice to their local museum that as a recipient of taxpayers' and art patrons' funds it had a responsibility to the community and to our society to guard against the organized drive by the Communist conspiracy to use art as a weapon.

Ben Shahn, notorious Red photographer and so-called artist was one of the individuals with decades of pro-Soviet propaganda activity included in the American Federation of Art-selected exhibition "Sport in Art" to which the Dallas citizenry objected when they learned that it was to be shown in the Dallas Museum.

In the Bulletin, summer 1947, of the Museum of Modern Art it states:

> Revolutionary art school * * *. Announcement of the John Reed Club school of art, listing Ben Shahn on its faculty.

This school is described by Walter Steele, of the National Republic in hearings, before a special Committee on Un-American Activities in these words:

> The John Reed Club is a revolutionary organization composed of artists and writers. * * * This club * * * is a section of the International Union of Revolutionary Writers. The aim of this school is to produce revolutionary art as well as revolutionary artists.

In 1936 Ben Shahn signed the call of the American Artists Congress cited a "Communist created and controlled" organization.

In the Daily Worker, December 10, 1952, Shahn is listed as a signer of an appeal to President Truman requesting amnesty for leaders of the Communist Party convicted under the Smith Act. Among the other Communist and subversive listings of Ben Shahn I find Spanish Refugee Relief Campaign, subversive; National Council of American-Soviet Friendship, subversive; New Masses, Communist publication; Masses and Mainstream, Communist publication; sponsor of the Cultural and Scientific Conference for World Peace, report; sponsor American Continental Congress for Peace, pro-Soviet conference aimed at consolidating anti-American forces throughout the Western Hemisphere; Progressive Citizens of America; Arts, Sciences and Professions Council, signer in defense of Communist cases.

Ben Shahn is listed as a sponsor of the Federal fine arts program of the New York State art division of the National Council of the Arts, Sciences, and Professions. This is Communist V. J. Jerome's favorite organization which has recently been termed "subversive" by Attorney General Herbert Brownell, Jr. It immediately voted to dissolve.

The late John Sloan, notorious Red painter, was a sponsor of this Red organization's program, as are Paul Cadmus, Philip Evergood, Lyonel Feininger, Gwathmey, Max Weber, Levine, I. Rice Pereira, and Ad Reinhardt. All of them are in this proposed exhibition arranged by the American Federation of Art. Peter Blume, another leftwinger selected by this organization, is listed as a director of the red National Council of Arts, Sciences, and Professions. In fact over 2 score of these 94 names, supposedly representative of 20th century American painters, have been listed as sponsors, directors, contributors of this subversive organization which has for years been the chief cultural pro-Soviet propaganda agency in this country.

Why send their untrue Marxist expressions of our culture around the world as reflecting the best in American art?

IS COMMUNISM A DOUBLE-DEALER?

I have noticed the name of the late Louis Eilshemius on many of the lists of art auctions arranged to benefit Communist and Communist-front causes. It would be interesting to know what art dealer is dividing his fee with the Communist conspiracy.

Louis Eilshemius, who died in 1941 in a ward at Bellevue Hospital surrounded by a group of Red artists and collectors dominated by pro-Soviet artist David Burluik, art writer for the Communist publication Russky-Golos, now in Russia at the express invitation of the Soviet Union of Writers, is also a selectee of the American Federation of Art.

The discovery of egocentric Eilshemius as a potential collectors' item has been attributed to Marcel Duchamp, one of the founders of the antiart "dada" group in New York in 1919 and later member of the Marxist surrealists. This person gained stature in the modern art movement when he sent a public latrine to the New York "Independents Exhibition" in 1917. His fame also rests on a photograph he signed of the Mona Lisa on which he drew a mustache, an imperial and the initials of an obscene remark.

Says one of the admirers of this nauseating careerist in an issue of a magazine called View dedicated to Duchamp, pioneer of modern art:

> But make no mistake, these are no innocent games, the humor of Duchamp is gay blasphemy; this usurping of the masterpieces privileges by the pun is aimed at destroying its prestige more effectively than any thesis could do.

The photograph of the Mona Lisa signed by Duchamp is in the collection of his comrade surrealist, Matta Echqurren, from Chili. I do not know whether the latrine artily photographed by the dealer in radical art, Alfred Stieglitz, is in the Arensburg collection in California, or the Societe Anonyme, Museum of Modern Art collection at Yale University, or whether it is in the artist's own collection waiting to be sold to the highest bidder.

I do know that three more so-called geniuses discovered by dealer and promoter of the radical "isms", Marcel Duchamp, were to have been part of the State Department's proposed "20th Century American Painters" exhibition. They are Jackson Pollock, Robert Motherwell and William Baziotes.

The proteges of another dealer in left art, the late immortalizer of the latrine, Alfred Stieglitz, are on this list sent me from the United States Information Agency. Among them I find his widow, Georgia O'Keefe, Arthur Dove, John Marin, Marsden Hartley, and the aforementioned Communist, Max Weber.

Stieglitz and Weber were closely associated. Weber lived for a time at 291, the Stieglitz Gallery, which was located in New York City. Waldo Frank, chairman of the officially cited "Communist and subversive" League of American Writers is described in the Communist publication, International Literature, published in Moscow as being "loyal enough" to the party.

In stilted Marxist language he says of Alfred Stieglitz:

> The antithesis in Stieglitz is therefore his refusal of the bourgeous-capitalist world [and] * * * an integral person like Stieglitz cannot truly live except in an integral society; hence his positive acts are a rebuke of the world, call forth a constant negative from the world, and are, above all, an implicit cry for a different world—a new world—in which the integral man may live.

He further elucidates:

> In a word, a Communist society which (as Marx said) will be the beginning of a human culture, because [as Marx neglected to explain] in such a society alone, true persons can live. * * * This fact makes manifest the share in their labors of Alfred Stieglitz, whose life is an art form of the true person, whose work is a method for the creating of true persons.

That the Communist Party recognized the value to it of these labors of Alfred Stieglitz is well brought out in an obituary article at the time of his death, in the official Communist cultural publication, New Masses, August 6, 1946. It states:

> In this America, which will surely be won, Alfred Stieglitz will be revered as one of the great engineers who helped to build its soul.

Transplanted European subversive art cliques, or their American imitators, should not expect to be accepted as American art.

COMMUNIST BLIGHT ON AMERICAN ART

The Whitney Museum in New York has honored Max Weber with a retrospective show. Lloyd Goodrich wrote a book about him. The Communist New Masses bestowed on him its New Masses cultural award. Emily Genauer, crusading publicist for modern art, wrote in 1947 that certain paintings by Weber "are as fine as anything that has ever been done by an American artist." Masses and Mainstream, Communist publication, hails Weber as "one of the pioneers of modernism in American art."

But obviously Max Weber is not happy. The United States is not a Soviet Republic. Having misplaced his loyalty to the service of the false and synthetic ideology of communism, he is obliged to be a disintegrator. This must be tiresome but like Stieglitz he has labored and used what ability he possesses toward establishing world socialism the goal of the Communist conspiracy.

Max Weber, the modernist, said to the Red American Artists Congress:

> A truly modern art is yet to come, but not until the new life is here, and not before the eminent emancipation of mankind that we envisage. * * * From obscurity and vagary to the opulent light of the very heavens we must turn.

Marxist evaluators in key positions on art publications and newspapers who are dishonestly using their criticism to aid the Communist world conspiracy to transform our society to the socialist state dreamed of by Reds like Paul Robeson and Max Weber are a menace not only to a free press, but have blighted the normal fulfillment of our cultural development.

CUBISM AND COMMUNISM

To claim that officialdom of international communism has not used modern art and its practitioners as a weapon is false and untrue.

I quote from an account of the death of the pioneer French cubistic painter Fernand Leger:

> Leger's funeral, held in his village studio, where a half dozen of his cubist pictures, on easels, were placed like mourners behind the flowers around his bier, was held under the auspices of the Communist Party, of which he was a member. The funeral oration was given by Etienne Fajon, secretary of the party, which, Fajon said, Leger had "loved with all his heart and served with all his might."

What influences supporting the United Nations were responsible for this Communist cultural disintegrator Leger to be selected for painting a mural for the walls of the Assembly Hall of the General Assembly Building of the United Nations in New York?

UNESCO BUILDING TO BE DECORATED BY COMMUNIST PICASSO

It is later than we think when United States taxpayers' funds contribute to so-called art by Picasso, the Communist art-faker, and to part of the band of Marxist surrealists such as Alexander Calder, Henry Moore, Jean Arp, Joan Miro, and to Isamu Noguchi, red-fronter, who have all received commissions to decorate the headquarters building of the United Nations Educational, Scientific, and Cultural Organization now under construction in Paris.

Information I have received from the State Department brings out that the United States is paying at present 30 percent of the UNESCO budget. For 1956 the United States is contributing $3,152,574 to UNESCO. It is estimated that the United States will pay about $2,100,000 toward the new headquarters building in Paris.

These surrealists were selected by a committee of art advisors which included Sir Herbert Read, a British spokesman of the surrealist organization. This pro-Red knight of the British Empire describes these decorators in these terms:

He—

The surrealist—

> Is therefore revolutionary, but not merely a revolutionary in matters of art. He begins with a revolutionary attitude in philosophy, with (to be precise) that revolutionary conception for which Marx was responsible, and which may be perhaps summarized in two propositions:
>
> (1) That no theory is valid that does not envisage a practical activity based on that theory, and (2) that the object of philosophy is not to interpret the world but to transform it. Beginning from such a standpoint, the super-realist is naturally a Marxian socialist, and generally claims that he is a more consistent Communist than many who submit to all manner of compromise with the aesthetic culture and moral conventions of this last phase of capitalist civilization. * * * The surrealists entirely rely for the bringing about of the liberation of man upon the proletarian revolution.

A further elucidation of surrealism is given by the benighted knight of Marxism, the brainwashed brainwasher, Sir Herbert Read. I quote:

> But everywhere the greatest obstacle to the creation of this new social reality is the existence of the cultural heritage of the past, the religion, the philosophy, the literature and the art which makes up the whole complex ideology of the bourgeois mind. * * * The super-realistics (surrealists) who possess very forceful expositors of their point of view, realize this very clearly, and the object of their movement is therefore to discredit the bourgeois ideology in art, to destroy the academic conception of art. Their whole tendency is negative and destructive.

Five of these six so-called artists Picasso and Miro, the chiselers, Arp and Moore, and Alexander Calder, are included in this Marxist antiart movement which is strict in its demand for adherence to Karl Marx's theory of dialectical materialism.

These six antiartists were given the designation "top artists" on the front page of the New York Times by Aline Saarinen, modern art publicist, in her dispatch from Paris, June 13, 1956, hailing these commissions. It would be interesting to know if Mrs. Saarinen, wife of the modern architect, Eero Saarinen, served in an advisory capacity as a member of the American section of the International Association of Art Critics which made nominations for the committee of art advisors of UNESCO? She obviously shares with Read a joint enthusiasm for these self-proclaimed destroyers of Western democratic culture.

A Soviet art authority, A. Y. Arosev, describes the role of art in relationship to world communism as follows:

> Our conception of art is based upon the principles of Marxist-Leninist philosophy.
>
> Art * * * plays the role of a specific weapon. * * * By the sheer logic of social evolution that is impelled by the struggle of classes, it (art) either tends toward a revolutionary change of the existing social order or serves the interests of its maintenance and consolidation.

I have delivered six speeches before this House in which I have turned the spotlight of truth on the use by world communism of art in the United States

as an instrument or weapon to effect "a revolutionary change of the existing social order" of non-Communist countries. My interest has been primarily related to communism's masked cultural attack upon this United States Government and our society.

Art within the Soviet borders and its satellites is no longer a weapon of destruction but rather an instrument serving "the interests of its"—the U. S. S. R.'s—"maintenance and consolidation."

Sir Herbert Read, the surrealist promoter, says:

Surrealism is a negative art, as I have said, a destructive art; it follows that it has only a temporary role; it is the art of a transitional period.

And like George Hugnet, French surrealist writer, he agrees that—

Socially surrealism desires the liberation of men, and devotes itself to this end by all the means in its power: Unremitting defeatism, demoralization, and aggressiveness.

To these Red supporters of Karl Marx—whose so-called art, and so-called art criticism, is cultural, moral, and political infection, the decorations to adorn the UNESCO building in Paris will represent a triumph against reason, patriotism and the "bourgeois God" as red Read describes the Creator, and against classicism in art which he describes as "the intellectual counterpart of political tyranny."

Should the United States taxpayer be expected to pay any part for the selection by the International Association of Art Critics and Herbert Read for his antisocial partners to be lifted to official worldwide recognition as artists?

WHITTAKER CHAMBERS WARNS OF WORLD FORECLOSURE BY COMMUNISM

It is truly later than we think when Whittaker Chambers, who has traveled through the confusing maze of communism deceptions to arrive at truth, has this to say:

The 20th Congress—

Twentieth Congress of the Soviet Communist Party—

met at what Communists suppose to be an ultimate or penultimate stage of this century's history. It met to register the general line of a new tactic whose end result, if successful, would foreclose that stage of history in a world wholly Communist, or on the point of becoming so.

This warning behooves those determined to upset the Communist foreclosure of men's minds, lives and destiny to recognize the ever-changing, sometimes diametrically opposite tactics of these world schemers working for world socialism they expect to control.

The planned process of western cultural disintegration, the antithesis stage of communism in action, is hailed by the Russian-educated Communist Jack Chen, Chinese correspondent of the Daily Worker, in these words:

At the point where typically bourgeois art descends step by step from the truest vision of reality that it attained, and disintegrates in the realms of fantasy, in cubism, constructivism, expressionism, and surrealism, it is there that Socialist ideology and its art bound up with the great progressive labor movement carries human vision forward again to realism, reintegrates it, and advances to social realism, to a truer vision of the world and to greater heights of art and humanist aspiration.

Socialist realism, the art being developed since approximately 1932 in the Soviet Union, is the synthesis stage of dialectical materialism (communism) in action.

This follows Lenin's 1919 dictum:

All the culture left by capitalism must be taken and socialism built with it. All science, technology, all knowledge and art must be taken. Without this we shall not be able to build the life of a Communist society.

DEFENDERS AND PROMOTERS OF COMMUNISM'S FIFTH COLUMN

A glib denial of the close tie-up of so-called modern art with communism is often brought forth by the publicists and promoters of the disintegrating "isms" in a vain attempt to protect varied interests.

I have been attacked by Carey McWilliams, Communist Party member, and accused of using the same adjectives in describing so-called modern art as those used by Stalin and Hitler. Obviously his motive in attacking me was an attempt to protect the Red art movement so important to the Communist conspiracy.

I have also been attacked by modern art publicists and promoters such as Alfred Barr, Jr., and Rene d'Harnoncourt, directors of the Museum of Modern Art.

They are vainly attempting to protect the same thing that McWilliams is protecting, mainly the thoroughly discredited and subversive so-called art and antiart movements and the careers of the highly publicized leading exponents of these destructive art manifestations.

THE SOCIETE ANONYME, MUSEUM OF MODERN ART, 1920

In the June 1956 issue of Facts Forum News there appears an article by Rene d'Harnoncourt in which he attempts to defend modern art by false and spurious reasoning and the misrepresentation of the facts.

By adroit innuendo and deceit he attempts to give the impression that I had claimed Wassily Kandinsky, Russian abstract painter and founder of Moscow's Institute of Art Culture in 1920, had been in the United States. I made no such statement as the editors of Facts Forum can easily ascertain by referring to my speech delivered before this House August 16, 1949, entitled "Modern Art Shackled to Communism."

And furthermore d'Harnoncourt requotes a misquote from one of my speeches. The paragraph attributed to me by Mr. d'Harnoncourt is not contained in my speech. It is a paragraph containing an opening sentence of one of my paragraphs and without an indication of the fact that a column containing seven paragraphs has been skipped, it ends up with a portion of a paragraph on the next page.

Since the Museum of Modern Art has written my office for copies of my speeches I see no reason for Mr. d'Harnoncourt to repeat a misquote from a previous article.

Another twisted fact in this article by the director of the Museum of Modern Art is this. He states:

The Societe Anonyme was not first organized as the Museum of Modern Art. In order to clarify its purpose it added the words "museum of modern art" as a parenthetical subtitle to its name.

I will quote Miss Dreier, one of the three radicals who founded the Societe Anonyme, Museum of Modern Art in 1920. She says:

And then there was the Societe Anonyme, which had the courage to establish the first Museum of Modern Art in 1920. This group truly tried to bring some kind of order out of all this chaos and confusion into which the Armory Show had cast this country, and through their organization called the Societe Anonyme, Museum of Modern Art, startled everyone by deliberately calling themselves a museum, when all they possessed in 1920 were two rented rooms on the third floor front at 19 East 47th Street.

The title "Museum of Modern Art" was not a parenthetical subtitle of the Societe Anonyme, Museum of Modern Art, 1920, as d'Harnoncourt erroneously states. It was capitalized and part of the title of the organization, as photostats in my possession prove.

FACTS ABOUT MODERN ART

The late Katherine S. Dreier, one of the organizers of the Societe Anonyme, Museum of Modern Art, 1920, was not culturally or politically naive. She was a radical with knowledge of the revolutionary meaning of the so-called art she was falsely promoting in this country as "progressive."

She says:

The Dadaists are the Bolshevists in art, distinguishing the word "bolshevism" from Soviet, in other words, the group who believe in destruction to prepare the ground for construction.

This statement is damning proof of the destructive purpose behind this first Museum of Modern Art, when coupled with the fact that Miss Dreier's other cofounders of her sinister organization, Marcel Duchamp and Man Ray, were 2 of the 3 organizers of the Dada group in this country.

In 1948 I find Miss Dreier, along with Rockwell Kent, Max Weber, Philip Evergood, Robert Gwathmey, Milton Avery, William Zorach, Ben Shahn as a sponsor of the Federal fine-arts program of the subversive National Council of the Arts, Sciences, and Professions, the slithering Red organization lauded by V. J. Jerome.

Miss Dreier's organization included besides the dadaists, the cubists, Italian futurists, German Der Blaue Reiter, the Stieglitz group, and the Burliuk Valyet—the Jack of Diamonds—all of which were groups dedicated to organized cultural disintegration. Kandinsky, Paul Klee, Fernand Leger, Miro, Ozenfant, Gorky, Burlink, Joseph Stella, Max Weber, William Zorach are but a few of the radicals and Communists promoted by this organization.

MODERN ART IN THE SOVIET UNION

Mr. d'Harnoncourt states:

Ever since the Communist Party leadership has concerned itself seriously with art,

modern art has been officially declared to be anathema to Communist society.

This is untrue. In the first place the leadership of the Communist conspiracy has always concerned itself seriously with art even prior to the Russian Communist revolution of October 1917. And so-called modern art, the art of the isms, was given official Soviet power and prestige in Russia immediately after the revolution.

Says an art writer in discussing the Mexican Communist Diego Rivera's experiences in Paris before the Russian revolution:

It was during his cubistic period that Rivera was introduced into the company of a group of Russian painters. * * * Indulging the revolutionary passion for manifestos, the Russians in Paris drew up a collective resolution somewhat after this fashion. "We must give art to the masses as industry must be made to provide goods for everybody in a socialist society, so must art be made to give itself to the workers." Rivera speculated about this resolution. In the back of his mind he was amused by the thought of stupid Russian peasants gaping at the cubistic canvases which the young revolutionary painters proposed to take home to them, but he phrased his ultimate dissent in tactful Marxist terminology. * * *

The Marxist theoreticians did not object to Rivera's criticism but they asked for examples of the kind of art he meant. * * * He refused an invitation to go to Russia on the spot and paint cubistically there.

An invitation to visit and work in the Soviet Union is told of by Rivera in an article "What Is Art For" in the Modern Monthly, June 1933. He says:

In the year 1919 Ilya Ehrenburg (Russian Goebels), working for the Soviet Government, was able to slip through the blockade that surrounded Russia at that time, and come to Paris bringing invitations from Sternburg, Commissar of Art, to Picasso, Lezier, and myself. We were invited to Moscow to work with the group then called "the Social Decorators" who were guided by the traditions of futurism, and cubism which were dominant in Paris.

Evidently more disintegrators were needed in Russia.

Elsewhere this Mexican Communist Diego Rivera traced a general outline of his career in which he told of his association with Leon Trotsky and other revolutionaries in Paris before the Russian revolution. He stated in those days his communistic friends believed that for purposes of political propaganda it was sufficient to give the masses the type of art that was then being produced in Paris; that is, futurism, cubism, and the other antiart movements designed to destroy what their originators sneeringly called bourgeois Western culture.

The late Katherine Dreier has this to say regarding the use of radical art by the Russian Communist Government:

It was the same in Russia and therefore it was but natural that that strong and vigorous mind among the painters, Kandinsky was chosen by the Soviet Russian Government to establish museums throughout all the smaller towns.

LIQUIDATION OF RUSSIAN CLASSIC ART AND TRADITIONAL ARTISTS

This art situation prevailing in the Soviet Union in the early 1920's is described by an art writer Ivan Narodny, International Studio, March 1923, in an article entitled "Art Under the Soviet Rule." He says:

Because the artists were classified as belonging to the bourgeois class, they were called the enemies of the proletariat. The Soviet leaders demanded that they should come to their commissars and swear allegiance to communism on pain of being outlawed. The intelligentsia as a whole ignored the new dictatorial rules. But there was a class of unsuccessful and eccentric artists, most of them amateurs or utopian bohemians who called themselves cubists, futurists or expressionists and spoke with disdain of their successful academic colleagues as the "black hundred" of conventionalism. They rushed immediately to the offices of the new functionaries and offered their services. For them the Bolshevik political program was a counterpart of their aesthetic dogma, condemning everything indiscriminately if it had any standards of the past. This flattered the rabid leaders of communism and they received the converts with open arms, appointed to powerful positions as art commissars, heads of museums, etc., which at once gave them unlimited power. They became feared functionaries of the revolutionary government. * * * The more eccentric a composition was the better it suited the Soviets. This was called international or proletarian art.

Rene d'Harnoncourt, spokesman for the Museum of Modern Art, is attempting to use a false thesis when he states that—

Modern painting was, and still is, banned in Russia.

As a matter of fact, so complete was the dominance of the cubists, futurists, constructivists, abstractionists that Narodmy states in 1923:

All the well-known prerevolutionary artists of Russia are famished paupers at home, have died of misery or have left the country.

This is cultural vandalism and indirectly murder masking as international art. The martyred artists of Russia were not the modernists but the traditionalists and classicists.

D Harnoncourt titles his unfactual article in Facts Forum magazine "Modern Art and Freedom." What is free about the ruthless destruction of the art and artists of a nation by a band of cultural revolutionary experimenters who used so-called modern art as a weapon in their mad drive for power?

OFFICIAL SOVIET BINGE OF THE "ISMS"

The Museum of Modern Art directed by D'Harnoncourt has in its collection 12 paintings, and several prints by Wassily Kandinsky, who in 1920 founded the Institute of Art Culture in Moscow.

Painting and music—

Said Kandinsky—

are clearly headed for a complete change from the realistic to the non-objective plane or, in other words, from the logical to the illogical.

Kasimir Malievich, Communist and Russian suprematist, said:

Fine art is banished. The artist-idol is a prejudice of the past. Suprematism presses the whole of painting into a black square on a white convan.

The late Katherine Dreier has this to say of Kasimir Malievich:

After the revolution, he found himself in power to introduce his ideas of aesthetics into life and to win friends for it.

Peggy Guggenheim tells of a deal she made with Alfred Barr, of the Museum of Modern Art, in her banned book, Out of this Century. She says:

Finally Barr gave me a Malevitch, of which he had 13 in the cellar, for an Ernst.

By this maneuver the Museum of Modern Art exchanged a Russian Communist painting for one by Max Ernst, a German-born Communist. Now the American Federation of Art wants to send a Max Ernst abroad as representative of American art.

Since so many of our so-called art critics are Marxists, and since by the very acceptance of that brainwashing philosophy they are unable to be objective scholars I feel the general American public, which these Marxist cultural evaluators have been endeavoring to influence, should know more of the truth of the binge of the "isms" under Soviet rule.

In his book, Stalin, by Nikolaus Basseches, he says:

Actually before the revolution those literary and artistic, and in some measure those scientific circles that had not been recognized by society in the past, had joined in the Russian revolution. As they had not been able to make their way under the old social order, they stood for a new one—for the revolution. They sought recognition as innovators; they were out to revolutionize art, and thought they would be able to attain their ends through the revolution. * * *

In architecture and in music the most extreme tendencies in the West were regarded as just extreme enough to serve as the starting point in Russia. LeCorbusier was considered to be the architect for the industrial age; his functional style was regarded as an expression of the materialist conception of art. * * *

These tendencies were regarded as revolutionary. Their leading representatives had long been members of the Communist Party, and considered themselves to represent revolutionary art. For years, with state support, they had attacked classical art and literature, setting them down as behind the times and incompatible with the revolution. * * *

In some respects they were for years all-powerful. The old art and traditional artists suffered severely at their hands.

This era of Soviet history, when cubism, futurism, expressionism, abstractionism, constructivism, and suprematism were hailed as revolutionary, as proletarian, and used by the Bolsheviks to destroy traditional and classic art which they regarded as representative of an obsolete aristocratic culture, is conveniently misplaced by Rene de'Harnoncourt and other publicists for the secondhand destructive antiart isms of the Russian revolution. For years the Museum of Modern Art has been administering artificial respiration to these secondhand isms by publicizing them as "modern" and "progressive" and their leaders as "men of genius."

SOVIET ART NOW IN SYNTHESIS STAGE OF SOCIAL REALISM

Many of the inexpert art authorities of the so-called modern art movement emphasize and reiterate time and time

again that within the Soviet Union and its satellite states the official party line calls for social realism, the realistic art interpretation of socialism.

As I have stated previously: The Communist art that has infiltrated our cultural front is not the Communist art in Russia today—one is the weapon of destruction, and the other is the medium of controlled propaganda.

No one knows this better than the Soviet art authorities. Very keenly does the Marxist cultural theoretician understand the use and destructive power of the disintegrating art distortionists. They went through it and Soviet art is now suffering from it. As Jack Chen says:

But there was * * * a really shattering break from which Russian art is suffering even today. The first years in art after October were dominated by the left, the futurists, the constructivists, suprematists, the abstract painters, and the Cezannists, Mayakovsky, Tatlin, Malivich, the artists of the Jack of Diamonds group. The break with the past was bitter. Even the study of anatomy was exiled from the art schools. This conscious break with the bourgeois realist tradition and with Tzarist feudal art lasted from 1918 'til 1924. As a result a whole generation of artists left the art schools without the basic equipment for realist painting.

They—

The Soviet artists—

are fully conscious of the high achievement that is expected of Soviet artists. But, while sanely listing their successes, they do ask that account be taken of the serious difficulties with which the art here—

Soviet Union—

is faced—difficulties which impatient sympathizers abroad tend to ignore. They have in mind a more fundamental difficulty—the loss of a realist tradition.

OUR CLASSIC AMERICAN TRADITIONS IN ART ARE THE NATION'S HERITAGE

Top secret data desired by the Soviets was filched by the convicted spies, Julius and Ethel Rosenberg, and turned over to Russia. They paid with their lives.

Here again the Leninist directive to seize all science, technology, all knowledge and art to build the life of a Communist society was put into evil practice by these traitors.

Let us safeguard our culture from traitorous attacks from enemies of freedom. The priceless heritage of our art and culture must be protected for future generations and not be ruthlessly destroyed by so-called art manifestations that have been consciously designed to disintegrate cultural standards and have proven to have been an effective means of destruction.

THE RIGHT TO COUNSEL

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. THOMPSON] is recognized for 30 minutes.

Mr. THOMPSON of New Jersey. Mr. Speaker, recently the New York Times carried an account of a controversy between Assistant Attorney General William F. Tompkins and the Cleveland Bar Association. According to United Press correspondent Robert F. Coll, Mr. Tompkins described as "dupes of the Communists" bar groups that raised funds to defend persons on trial for violating the Smith Act.

The Cleveland Bar Association's president, Eugene H. Freedheim, strongly denounced Mr. Tompkins' statement as a challenge of the right to counsel:

The defense of an unpopular cause is not an easy task. Those who perform such tasks are acting in the highest and best American tradition, and they should be thanked and not blamed for keeping alive in the United States the constitutional tradition that every man should have a fair trial. * * * The Justice Department is the last branch of our Government which should attack the bar for doing its patriotic duty.

Following a meeting with members of the Cleveland Bar Mr. Tompkins issued a statement asserting that—

He never challenged the right of any defendant, however unpopular, to counsel.

He did not use the word "dupes" in his talk with Mr. Coll.

He did not criticize the Cleveland Bar Association directly or indirectly.

He intended merely to note that the first Smith Act defendants had had their own lawyers, but recent ones had relied on court-appointed counsel.

On this note a satisfactory termination of the dispute is reported. But within this dispute are to be found many of the elements of a problem that has become a serious aggravation to our lawyers and our courts. And if a satisfactory solution is not soon found this problem must inevitably become a subject for congressional consideration.

We have assumed for years that in the United States it is a constitutional tradition that every man should have a fair trial. From this assumption we accepted without thought of challenge the right of any defendant, however unpopular, to counsel.

Until a few years ago most Americans, lawyers and laymen alike, thought the right of an accused to counsel in a serious criminal case was unquestionably a part of the Bill of Rights.

HISTORICAL BACKGROUND

Knowledge and understanding of a traditional right is rooted in its history. Though many American legal traditions stem from English common-law rules, this cannot be said of the right to counsel. Originally, in England, a prisoner was not permitted to be heard by counsel upon the general issue of not guilty on any indictment for treason or felony. The practice of English judges, however, was to permit counsel to advise with a defendant as to the conduct of his case and to represent him in collateral matters and as respects questions of law arising upon the trial—Chitty, Criminal Law, fifth American edition, volume I, pages 406–407. However, the great English common-law judges acknowledged a legal tradition which prohibited the accused assistance of counsel in questions of fact. Blackstone commented on the unhumanity of the rule "that no counsel shall be allowed a prisoner on trial, upon the general issue in any capital crime, unless some point of law shall arise to be debated," contending that it appeared to be inconsistent "with the rest of the humane treatment of prisoners by the English law."—volume 4, Blackstone, Commentaries, page 355. In 1695 the rule was relaxed by statute to the extent of permitting one accused of treason the privilege of being heard by counsel—volume 7, Will. III, chapter 3, section 1. The rule forbidding the participation of counsel stood, however, as to indictments for felony, until 1836, when a statute accorded the right to defend by counsel against summary convictions and charges of felony—volumes 6 and 7, Will. IV, chapter 114, sections I and II.

American colonies rejected this harsh common-law rule that one accused of felony is not entitled to representation by counsel. Penn's charter of privileges, granted to the inhabitants of Pennsylvania and territories, October 28, 1701, declared that "all criminals shall have the same privileges of witnesses and council as their prosecutors." In South Carolina, as early as 1731, every person charged with treason, murder, felony, or other capital offense was allowed to make full defense by counsel learned in the law—act of August 20, 1731, Grimke, South Carolina Public Laws, 1682–1790, section XLIII, page 130. Virginia, by an act of 1734 declared that in all trials for capital offenses the prisoner upon his petition to the court should be allowed counsel—Hening's Statutes at Large, volume 4, page 404. The 1777 Session Laws of North Carolina, chapter 115, section 85, provided:

Every person accused of any crime or misdemeanor whatsoever shall be entitled to counsel in all matters which may be necessary for his defense, as well to facts as to law.

In the Delaware declaration adopted September 11, 1176, article 14, reads:

That in all prosecutions for criminal offenses, every man hath a right * * * to be allowed counsel.

An early commentator and compiler of laws in Connecticut, though writing expressly for Connecticut, has in reality expressed the thinking and judgment of the colonists universally with respect to the common-law rule and the right to counsel:

We have never admitted that cruel and illiberal principal of the common law of England that when a man is on trial for his life, he shall be refused counsel, and denied those means of defense, which are allowed, when the most trifling pittance of property is in question. The flimsy pretense that the court are to be counsel for the prisoner will only heighten our indignation at the practice: For it is apparent to the least consideration, that a court can never furnish a person accused of a crime with the advice, and assistance necessary to make his defense. This doctrine might with propriety have been advanced, at the time when by the common law of England, no witnesses could be adduced on the part of the prisoner, to manifest his innocence, for he could then make no preparation for his defense. One cannot read without horror and astonishment, the abominable maxims of law, which deprived persons accused, and on trial for crimes, of the assistance of counsel, except as to points of law, and the advantage of witnesses to exculpate themselves from the charge. It seems by the ancient practice, that whenever

a person was accused of a crime, every expedient was adopted to convict him and every privilege denied him, to prove his innocence.

* * * * *

Our ancestors when they first enacted their laws respecting crimes, influenced by the illiberal principles which they had imbibed in their native country, denied counsel to prisoners to plead for them to anything but points of law. It is manifest that there is as much necessity for counsel to investigate matters of fact, as points of law, if truth is to be discovered.

The legislature has become so thoroughly convinced of the impropriety and injustice of shackling and restricting a prisoner with respect to his defense, that they have abolished all those odious laws, and every person accused of a crime, is entitled to every possible privilege in making his defense, and manifesting his innocence, by the instrumentality of counsel, and the testimony of witnesses. (Swift, A System of the Laws of Connecticut. Windham, John Byrne, 1795–1796, vol II, pp. 398–399.)

Logically the right to counsel found its way into the constitutions of the revolutionary States. At the time of the adoption of the Federal Constitution rejection of the common-law rule as to counsel had been written into no less than 12 of the constitutions of the Original Thirteen States.

RIGHT TO COUNCIL IN THE SIXTH AMENDMENT

The sixth amendment reflected the same intent and purpose that the provisions of the State constitutions were aimed at. All were designed to do away with the rules which denied representation, in whole or in part, by counsel in criminal prosecutions—*Betts* v. *Brady* (316 U. S. 455, 466).

When the sixth amendment guaranteed to every defendant the right in all criminal prosecutions to have the assistance of counsel for his defense, it was generally understood to mean that in Federal courts the defendant in a criminal case was entitled to be represented by counsel retained by him. It was not assumed that this constitutional privilege comprised the right of a prisoner to have counsel assigned to him by the court if, for financial or other reasons, he was unable to retain counsel. The sixth amendment was not regarded as imposing on the trial judge in a Federal court the duty to appoint counsel for an indigent defendant—Holtzoff, The Right of Counsel under the sixth amendment. New York University Law Quarterly revised, volume XX, 6. The amendment is "the declaration of a right in the accused, but not of any liability on the part of the United States"—*Nabb* v. *United States* (1 Ct. Cl. 173 (1864)).

In practice some of the Federal courts assigned counsel when a case involved a serious offense, if the defendant was not represented by counsel of his own choice, unless he expressly stated that he wished to conduct his own defense. On the other hand, some district courts did not appoint counsel for a defendant who appeared without an attorney, unless the defendant affirmatively and expressly requested that a lawyer be designated to represent him. It was common practice not to assign counsel for a defendant desiring to plead guilty.

It is clear that the Federal courts never thought they were required by the sixth amendment to appoint counsel for indigent defendants at any time before *Johnson* v. *Zerbst* (304 U. S. 358), in 1938. In that case the Supreme Court reversed a constitutional doctrine without overruling any of its own precedents. It proceeded to enunciate a doctrine which was new only in that the proposers of the counsel provision of the sixth amendment obviously intended nothing so broad, and in that a long-standing, though informally held, interpretation of the counsel provision was thrust aside. By judicial pronouncement the Supreme Court made the law conform to a practice or custom which had grown up in many of the Federal district courts, and then enlarged its scope—Beaney, The Right to Counsel in American Courts, 1955, page 77.

Justice Black summarized the Court's conclusions as follows:

If the accused, however, is not represented by counsel and has not competently and intelligently waived his constitutional right, the sixth amendment stands as a jurisdictional bar to a valid conviction and sentence depriving him of his life or his liberty. A court's jurisdiction at the beginning of trial may be lost in the course of the proceedings due to failure to complete the court—as the sixth amendment required—by providing counsel for an accused who is unable to obtain counsel, who has not intelligently waived his constitutional guaranty, and whose life and liberty is at stake. If this requirement of the sixth amendment is not complied with, the court no longer has jurisdiction to proceed. The judgment of conviction pronounced by a court without jurisdiction is void, and one imprisoned thereunder may obtain release by habeas corpus (304 U. S. at 468).

STATE COURTS AND THE RIGHT TO COUNSEL

There is evidence that in only seven States: California, New York, Indiana, Georgia, Nevada, New Mexico, Nebraska, has the State constitutional provision been given an interpretation comparable to that which the United States Supreme Court gave to the sixth amendment provision in Johnson against Zerbst. The original State constitutional provisions were designed primarily to abrogate the English common-law rule which in effect denied the right to appear with counsel on felony charges, rather than to create the broad duty of furnishing counsel in every State criminal trial.

The question concerning the right to counsel with respect to the States is whether due process of law demands that in every criminal case, whatever the circumstances, a State must furnish counsel to an indigent defendant. Is the furnishing of counsel in all cases dictated by natural, inherent, and fundamental principles of fairness? The answer to the question may be found in the common understanding of those who have lived under our system of law. By the sixth amendment the people ordained that, in all criminal prosecutions, the accused should "enjoy the right to have the assistance of counsel for his defense." The Supreme Court has construed the provision to require appointment of counsel in all cases where a defendant is unable to procure the services of an attorney, and where the right has not been intentionally and competently waived—Johnson against Zerbst, cited supra. Though this amendment lays down no rule for the conduct of the States, the question can be raised whether the constraint laid by the amendment upon Federal courts expresses a rule so fundamental and essential to a fair trial, and so, to due process of law, that it is made obligatory upon the States by the 14th amendment.

To Justice Roberts, the constitutional and statutory provisions of the colonies and States prior to the inclusion of the Bill of Rights in the national Constitution, and the constitutional, legislative, and judicial history of the States to the present demonstrate that "in the great majority of the States, it has been the considered judgment of the people, their representatives and their courts that appointment of counsel is not a fundamental right, essential to a fair trial. On the contrary, the matter has generally been deemed one of legislative policy. In the light of this evidence, we are unable to say that the concept of due process incorporated in the 14th amendment obligates the States, whatever may be their own views, to furnish council in every case—*Betts* v. *Brady* (316 U. S. 455, 471).

POWELL V. ALABAMA

Before the Scottsboro case—*Powell* v. *Alabama* (287 U. S. 45)—in 1932 a person accused of crime in a State court had no right to counsel guaranteed by the Federal Constitution. There the Supreme Court ruled squarely that due process includes the right to counsel.

The fundamental character of the right in question, rather than traditional and historical usage, is the essential criterion in determining due process. Is this right required by "the fundamental principles of liberty and justice which lie at the base of all our civil and political institutions?"—(*Hebert* v. *Louisiana* (272 U. S. 312, 316). It is clear that the right to the aid of counsel is of this fundamental character. In its most elemental sense due process clearly embraces the concept of a fair hearing, and in this country at least that has always included representation by counsel—Fellman, The Federal Right to Counsel in State Courts, 1951 (Nebr. L. Rev., 31: 18).

In the opinion in Powell against Alabama, cited above, Justice Sutherland made no attempt to bring the provisions of the 6th amendment within the meaning of the due process of law clause of the 14th amendment. Instead, he based the Court's ruling on a consideration of what he deemed to be a fair hearing on a criminal charge and declared that in the circumstances of this particular case the assistance of counsel was essential to a "hearing" as intended by the 14th amendment. He reasoned:

The right to be heard would be, in many cases, of little avail if it did not comprehend the right to be heard by counsel. Even the intelligent and educated layman has small and sometimes no skill in the science of law. If charged with crime, he is incapable, generally, of determining for himself whether the indictment is good or bad. He is unfamiliar with the rules of evidence. Left without the aid of counsel he may be put on trial without a proper charge, and convicted upon incompetent evidence, or evi-

dence irrelevant to the issue or otherwise inadmissable. He lacks both the skill and knowledge adequately to prepare his defense, even though he have a perfect one. He requires the guiding hand of counsel at every step in the proceedings against him. Without it, though he be not guilty, he faces the danger of conviction because he does not know how to establish his innocence. If that be true of men of intelligence, how much more true is it of the ignorant and illiterate, or those of feeble intellect. If in any case, civil or criminal, a State or Federal court were arbitrarily to refuse to hear a party by counsel, employed by and appearing for him, it reasonably may not be doubted that such a refusal would be denial of a hearing, and, therefore, of due process in the constitutional sense. (*Powell* v. *Alabama*, cit. supra, at p. 59.)

But the decision of the Scottsboro case did not turn upon the fact that the benefit of counsel would have been guaranteed to the defendants by the provisions of the sixth amendment if they had been prosecuted in a Federal court. The decision turned upon the fact that in the particular situation laid before the court in the evidence, the benefit of counsel was essential to the substance of a hearing—Justice Cardozo in *Palko* v. *Connecticut* (302 U. S. 319, 327).

It was not the intention of the Supreme Court in the Powell decision to require States to observe all the rules which prevail in Federal courts. With careful precision Justice Sutherland defined the scope of the decision in this minimal rule:

All that it is necessary now to decide, as we do decide, is that in a capital case, where the defendant is unable to employ counsel, and is incapable adequately of making his own defense because of ignorance, feeblemindedness, illiteracy, or the like, it is the duty of the court, whether requested or not, to assign counsel for him as a necessary requisite of due process of law; and that duty is not discharged by an assignment at such time or under such circumstances as to preclude the giving of effective aid in the preparation and trial of the case. To hold otherwise would be to ignore the fundamental postulate, already adverted to, "that there are certain immutable principles of justice which adhere in the very idea of free government which no member of the Union may disregard." (*Holden* v. *Hardy* (169 U. S. 366, 389); (*Powell* v. *Alabama* (*cit. supra*, at p. 71).)

FAIR TRIAL RULE

On the basis of Justice Sutherland's reasoning "it seemed only a matter of time before it would be extended to include virtually all criminal proceedings."

The expected did not happen. In 1942, in *Betts* v. *Brady* (316 U. S. 455), a Maryland trial court refused to appoint counsel at the request of an indigent defendant charged with robbery. The refusal to appoint counsel was not a denial of due process in this noncapital case, said the Supreme Court, because the issue had been simple, the defendant mature, and the trial fair. The effect of this fair-trial rule was to make the question of appointment one to be decided on a case-by-case basis after an examination of the totality of facts. Under the rule, appointment was necessary only if the defendant had certain characteristics or if unusual circumstances or a complicated charge made an adequate defense without counsel impossible. By emphasizing the fairness of the trial, an additional test was suggested.

This fair-trial doctrine has proved difficult to apply. So many variables are included within its ill-defined limits that it has failed to provide adequate guidance for State trial courts and has confused State and Federal courts called upon to review alleged denials of the right to counsel—Beaney, The Right to Counsel in American Courts, 1955, pages 229–230.

METHODS OF PROVIDING COUNSEL

Besides the difficulties inherent in determining the necessity of appointment, there is to be considered methods of providing counsel. Three possibilities exist: by appointment from the private bar, establishment of legal-aid bureaus, and creation of the office of public defender.

The outstanding example of providing counsel by the traditional method of appointment from the bar is the New Jersey plan. Probably this is a logical historical sequence. Prior to the Revolution New Jersey had no statutory provision related to the right to counsel. It followed the English rule—Preston W. Edsal, editor, Journal of the Courts of Common Right and Chancery of East New Jersey, Philadelphia, American Legal History Society, 1937, page 130. The Constitution of 1776 guaranteed that "all criminals shall be admitted to the same privilege of witnesses and counsel, as their prosecutors are, or shall be entitled to"—New Jersey Constitution 1776, paragraph XVI. This was implemented and broadened by an act of 1795 that not only authorized, but required the courts in cases of indictment "to assign to such person if not of ability to procure counsel, such counsel, not exceeding two, as he or she shall desire"—New Jersey Acts of the General Assembly, 1791–96, page 1012. "As late as 1800 it seems that only in New Jersey, by statute, did the accused enjoy a full right to retain counsel, and to have counsel appointed if he were unable to afford it himself"—Beaney, in the work cited, page 21.

Under the leadership of Chief Justice Vanderbilt, the lawyers of New Jersey have recently established a system of appointment which represents what has been described as "the most ambitious effort to date to retain the traditional system."

The plan originated in 1948 in Essex County. Under it the entire bar participates as counsel to indigent defendants in criminal matters, in rotation, with supplemental aid in interviewing witnesses and other detailed work from qualified law students or law clerks residing in the county acting as juniors—Robert K. Bell, legal aid in New Jersey. American Bar Association Journal, 36:357. Following the success of the plan in Essex County and the favorable report of a committee appointed by the Chief Justice to study the plan, the New Jersey Supreme Court adopted, January 1, 1953, a new rule "which points in the direction of a more intelligent and systematic utilization of the bar."

These are the key sections:

(d) Where an indigent person convicted of crime desires to take an appeal, or to institute proceedings to correct an illegal sentence or for a writ of habeas corpus, the trial court or the appellate court on his application and on a showing of reasonable doubt may assign an attorney or counsellor-at-law, as may be appropriate, to represent him. Assignments for these purposes and for the purpose of having preliminary reviews made to determine the existence of reasonable doubt may be made from habeas corpus advisory committees organized by the junior section of the State bar association.

(e) As far as practicable all assignments of attorneys or counsellors-at-law shall be made from the members of the county bar in alphabetical rotation from a master list to be maintained by the senior county judge, except in cases of murder and assignments made under paragraph (d) hereof. Law clerks and law students residing in the county shall be assigned to them, wherever possible, to act as clerks in the investigation and preparation of assigned matters. Counsel serving under paragraph (d) hereof shall be given credit for such service on the master list. In cases of murder counsel shall be assigned by the court specially and shall be allowed reasonable compensation.

(f) Counsel serving by assignment of court and under rule 3: 97–9 on matrimonial matters or serving under rule 1: 16–4 (f) shall be given credit for such service on the master list. (New Jersey Supreme Court, rule 1: 12–9.)

Appointments are made in noncapital cases in rotation from an alphabetical roster providing equitable distribution of labor. It is estimated that assignment of any one man will not occur more frequently than once in 10 months and that trials will not be necessary oftener than once in 2½ years.

William M. Beaney has indicated some of the criticisms leveled at the New Jersey plan. The plan represents lawyer and bar interests more than it does defendant interests. Not all lawyers are competent in the criminal field, nor are all suitable as trial lawyers. The infrequency of appointment will not lead to the creation of experienced defenders, and the experienced prosecutor will still be at an advantage. In short, the form of the right to counsel is observed without an equal concern for its substance, and this defeats the fundamental purpose of extending the right to counsel to indigents, namely, to answer the claim for equal justice under the law. The New Jersey plan does not achieve that goal, although it is a substantial advance over the haphazard system of appointment at present in effect in most States.

Legal aid societies are to be found in a variety of forms. The New York Legal Aid Society receives support from public contributions and from members of the bar. Law firms contribute on behalf of all members on an annual basis. Funds are budgeted for criminal and civil functions. In Philadelphia, the voluntary defenders' office is financed by the Community Chest.

The New York organization makes a greater use of voluntary assistance. In Philadelphia the burden is borne by a permanent staff.

The principal objection to legal aid organizations is financial. In depressions funds decreased and service must be curtailed at a time when it is often more necessary than ever.

This is the method supported by the American Bar Association. Some of the advantages of this method of aiding the indigent defendant are persuasive. This plan enlists the enthusiastic support of the more idealistic members of the bar. It aids defendants more efficiently and effectively by creating a permanent staff of experienced criminal and trial lawyers, who have investigative and clerical services not often made available to the private attorney assigned as defense counsel. Politics takes no part in the work of legal aid organizations.

On the other hand, the public defender plan for providing counsel for indigents has enthusiastic support in many areas. This method originated in 1913 in Los Angeles County, Calif. Today it operates on a statewide basis in California, Connecticut, Illinois, Mississippi, Nebraska, and Virginia. The plan is also in operation in Indianapolis, Providence, St. Paul, St. Louis, and Tulsa.

The public defender is a public official with a staff of assistants and clerks to enable him to defend indigents accused of crime.

The public defender system has been termed a regrettable remedy, and denounced as a system bearing "a striking and disturbing similarity to totalitarian procedure"—Judge Edward J. Dimock, The Public Defender: A Step Toward a Police State?, American Bar Association Journal, 42: 219. There has been vociferous attacks by a certain segment of the criminal bar. William M. Beaney found:

> More substantial objections arise from the fear that the public defender, as a public official, will not be motivated by concern for the defendant's plight but will tend to establish a friendly and "workable" relationship with the judge and, more important, with the prosecutor's office. The standard arguments of the critics which proved decisive in defeating the proposal for a public defender when this was urged at Cleveland in 1931 emphasized the tendency of public defenders to harden toward all defendants' stories because of the volume of cases and the resulting lack of enthusiasm, and the unhealthy relationship which would develop between prosecutor, judge, and public defender. (Beaney, op. cit., pp. 218–219.)

CONCLUSION

Regardless of the fitness of the system employed, the States must undertake widespread reform of their existing practices respecting counsel. The importance of this problem cannot be understated. The criminal jurisdiction of our Federal courts has grown impressively and in relation to increased Federal activities. Complicating the problem are the separate criminal procedures of 48 States.

The United States Supreme Court has the duty of supervising the criminal procedure of the lower Federal courts and it has assumed the task of checking State-court decisions involving criminal trials and testing their validity by the due process clause of the 14th amendment. The fair trial doctrine has proved difficult to apply. So many variables are included within its ill-defined limits that it has failed to provide adequate guidance for State trial courts and has confused State and Federal courts called upon to review alleged denials of the right to counsel. Beaney, opere citato, page 230.

Clearly, the best method of getting improved and uniform rules of procedure to govern the right to counsel is by statute and rules of courts.

But lawyers are professionally obligated to contribute to a solution of the problem. Under the ethical canons of his profession "a lawyer assigned as counsel for an indigent prisoner ought not to ask to be excused for any trivial reason, and should always exert his best effort in his behalf—Canon, volume 4.

President Truman in 1951, covered the situation in an earnest warning:

> The bar has a notable tradition of willingness to protect the rights of the accused. It seems to me that if this tradition is to be meaningful today, it must extend to all defendants, including persons accused of such abhorrent crimes as conspiracy to overthrow the Government by force, espionage, and sabotage. Undoubtedly, some uninformed persons will always identify the lawyer with the client. But I believe that most Americans recognize how important it is to our tradition of fair trial that there be adequate representation by competent counsel. Lawyers in the past have risked the obloquy of the uninformed to protect the rights of the most degraded. Unless they continue to do so in the future, an important part of our rights will be gone.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House following the legislative program and any special orders heretofore entered, was granted to:

Mr. DEANE, for 20 minutes, on Monday next.

Mrs. ROGERS of Massachusetts, for 5 minutes, on today.

Mr. HESELTON, for 20 minutes, on tomorrow and on Monday.

Mr. THOMPSON of New Jersey, for 30 minutes, today, and to revise and extend his remarks.

Mr. VANIK, for 10 minutes on Monday, and 10 minutes on Tuesday next.

Mrs. ROGERS of Massachusetts to vacate her special order of 5 minutes for Saturday, July 21.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. DODD.

Mr. RODINO in two instances.

Mr. CORBETT.

Mr. PILLION.

Mr. PASSMAN (at the request of Mr. BROOKS of Louisiana).

Mr. DONOHUE in two separate instances, in each to include extraneous matter.

Mr. WALTER and include an address he delivered to the American Legion Convention.

Mr. VANIK, and to include extraneous matter.

Mr. DOYLE. Mr. Speaker, during the afternoon in my presentation of my amendment to the civil-rights bill I did not have time to read quotations from a booklet published by the American Heritage Foundation. I did receive from the committee the privilege to revise and extend my remarks.

I now ask unanimous consent to include in my remarks made this afternoon during the debate certain quotations from the American Heritage Foundation.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BETTS.

Mr. TOLLEFSON in two instances and to include extraneous matter.

Mr. HAYS of Ohio.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 5337. An act to amend the provisions of the Perishable Agricultural Commodities Act, 1930, relating to practices in the marketing of perishable agricultural commodities; and

H. R. 9801. An act to authorize and direct the Panama Canal Company to construct, maintain, and operate a bridge over the Panama Canal at Balboa, C. Z.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 3073. An act to grant a franchise to D. C. Transit System, Inc., and for other purposes; and

S. 3498. An act to extend authority of the American Battle Monuments Commission to all areas in which the Armed Forces of the United States have conducted operations since April 6, 1917, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that Committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 2603. An act to authorize the Commissioners of the District of Columbia to prescribe the area within which officers and members of the Metropolitan Police Force and the Fire Department of the District of Columbia may reside;

H. R. 4493. An act to authorize the Board of Commissioners of the District of Columbia to permit certain improvements to two business properties situated in the District of Columbia;

H. R. 5566. An act to terminate the existence of the Indian Claims Commission, and for other purposes;

H. R. 5853. An act to amend the act entitled "An act to regulate the practice of veterinary medicine in the District of Columbia," approved February 1, 1907;

H. R. 7380. An act to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities;

H. R. 7723. An act to authorize the Secretary of Agriculture to convey certain lands in Phelps County, Mo.; to the Chamber of Commerce of Rolla, Mo.;

H. R. 8149. An act to amend the act of April 1, 1942, so as to permit the transfer of an action from the United States District Court for the District of Columbia to the

municipal court for the District of Columbia at any time prior to trial thereof, if it appears that such action will not justify a judgment in excess of $3,000;

H. R. 9742. An act to provide for the protection of the Okefenokee National Wildlife Refuge, Georgia, against damage from fire and drought;

H. R. 9842. An act to authorize the Postmaster General to hold and detain mail for temporary periods in certain cases;

H. R. 10010. An act for the relief of Roy Click; and

H. R. 11077. An act to amend the Atomic Energy Community Act of 1955, and for other purposes.

ADJOURNMENT

Mrs. GREEN of Oregon. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 23 minutes p. m.) the House adjourned until tomorrow, Saturday, July 21, 1956, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

2073. Under clause 2 of rule XXIV, a letter from the Acting Secretary of the Treasury, transmitting a report covering claims paid during the 6-month period ending June 30, 1956, on account of the correction of military records of Coast Guard personnel, pursuant to section 207 (e) of the Legislative Reorganization Act of 1946, as amended by Public Law 220, 82d Congress, was taken from the Speaker's table, and referred to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ENGLE: Committee of conference. S. 497. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California; without amendment (Rept. No. 2834). Ordered to be printed.

Mr. MOSS: Committee on Post Office and Civil Service. H. R. 6353. A bill to further the economic and efficient operation of the business of the Post Office Department by the expansion of the existing research and development program of such department and the establishment of a postal service automatic equipment program, and for other purposes; with amendment (Rept. No. 2837). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of Alabama: Committee on Public Works. H. R. 12025. A bill to provide for a President's Advisory Commission on Presidential Office Space; with amendment (Rept. No. 2838). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. S. 3266. An act to authorize officers of the Coast and Geodetic Survey to act as notaries in places outside the United States; without amendment (Rept. No. 2839). Referred to the House Calendar.

Mr. BONNER: Committee on Merchant Marine and Fisheries. S. 4011. An act to amend section 650 of title 14, United States Code, entitled "Coast Guard," relating to the Coast Guard supply fund; without amendment (Rept. No. 2840). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of Alabama: Committee on Public Works. S. 4116. An act to increase the membership of the Senate Office Building Commission; without amendment (Rept. No. 2841). Referred to the House Calendar.

Mr. O'BRIEN of Illinois: Committee on Ways and Means. H. R. 4392. A bill to amend the Internal Revenue Code of 1954 to provide a special method of taxation for real-estate investment trusts; with amendment (Rept. No. 2842). Referred to the Committee of the Whole House on the State of the Union.

Mr. KEAN: Committee on Ways and Means. H. R. 10622. A bill to amend section 2011 (c) of the Internal Revenue Code of 1954; with amendment (Rept. No. 2843). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLATNIK: Committee on Public Works. S. 4099. An act granting the consent of Congress to the Pittsburgh Plate Glass Co. for the construction of a dam on the North Branch of the Potomac River; without amendment (Rept. No. 2844). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRIEDEL: Committee on House Administration. House Concurrent Resolution 258. Concurrent resolution accepting without cost to the United States copies of the recording Pledge of Allegiance to the Flag and providing for distribution of such copies; without amendment (Rept. No. 2845). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 563. Resolution to provide additional funds for the expenses of the study and investigation authorized by House Resolution 262; without amendment (Rept. No. 2846). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 566. Resolution to provide funds for the Committee on Merchant Marine and Fisheries; without amendment (Rept. No. 2847). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 595. Resolution to provide additional funds for the expenses of the study and investigation authorized by House Resolution 35; without amendment (Rept. No. 2848). Ordered to be printed.

Mr. CANNON: Committee on Appropriations. H. R. 12350. A bill making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes; without amendment (Rept. No. 2849). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Colorado: Committee on the Judiciary. S. 3879. An act to supplement the antitrust laws of the United States, in order to balance the power now heavily weighted in favor of automobile manufacturers, by enabling franchise automobile dealers to bring suit in the district courts of the United States to recover compensatory damages sustained by reason of the failure of automobile manufacturers to act in good faith in complying with the terms of franchises or in terminating or not renewing franchises with their dealers; with amendment (Rept. No. 2850). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Miss THOMPSON of Michigan: Committee on the Judiciary. H. R. 12073. A bill for the relief of William C. Brady and Joyce Brady; with amendment (Rept. No. 2830). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. Senate Concurrent Resolution 84. Concurrent resolution favoring the suspension of deportation in the cases of certain aliens; without amendment (Rept. No. 2831). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 267. An act for the relief of Ellen Kjosnes and Unni Kjosnes; with amendment (Rept. No. 2832). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2916. An act for the relief of Mrs. Aliberta Bernard; with amendment (Rept. No. 2833). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3196. An act for the relief of Helen Mar Stanger, with amendment (Rept. No. 2835). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3255. An act for the relief of Amin Habib Nabhan, with amendment (Rept. No. 2836). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALBERT:

H. R. 12323. A bill to provide for the renewal of certain grazing leases of Federal land in the Lake Texoma, Denison Dam project area, Oklahoma and Texas; to the Committee on Public Works.

By Mr. BROYHILL (by request):

H. R. 12324. A bill authorizing the conferring of appropriate degrees by the District of Columbia Teachers College on those persons who have met the requirements for such degrees, and for other purposes; to the Committee on the District of Columbia.

By Mr. HAYS of Ohio:

H. R. 12325. A bill to constitute certain libraries as designated depositories of Government publications; to the Committee on House Administration.

By Mr. HINSHAW:

H. R. 12326. A bill to amend section 502 of the General Bridge Act of 1946 and for other purposes; to the Committee on Public Works.

By Mr. McMILLAN:

H. R. 12327. A bill to provide that the compensation of the Commissioners of the District of Columbia shall be at the rate of $17,000 each per annum; to the Committee on the District of Columbia.

By Mr. WIDNALL:

H. R. 12328. A bill to extend and amend laws relating to the provision and improvement of housing and the conservation and development of urban communities, and for other purposes; to the Committee on Banking and Currency.

By Mr. BERRY:

H. R. 12329. A bill to authorize the Secretary of the Air Force to acquire certain real property in the vicinity of Ellsworth Air Force Base, Rapid City, S. Dak.; to the Committee on Armed Services.

By Mr. DOLLIVER:

H. R. 12330. A bill to provide for the issuance of a special postage stamp in honor of Kate Shelley and other women of the United States associated with American railroading; to the Committee on Post Office and Civil Service.

By Mr. MURRAY of Illinois:

H. R. 12331. A bill to amend the Internal Revenue Code of 1954 to exempt golf club dues and membership fees from the tax on club dues; to the Committee on Ways and Means.

By Mr. SMITH of Mississippi:

H. R. 12332. A bill to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CANNON:

H. R. 12350. A bill making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes.

By Mr. QUIGLEY:

H. J. Res. 694. Joint resolution proposing an amendment to the Constitution of the United States to repeal the 22d amendment thereto; to the Committee on the Judiciary.

By Mr. COOPER:

H. J. Res. 695. Joint resolution to suspend the application of certain Federal laws with respect to personnel employed by the House Committee on Ways and Means in connection with the investigations ordered by House Resolution 331 and House Resolution 606, 84th Congress; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN of California (by request):

H. R. 12333. A bill for the relief of Pioneers, Inc., a corporation, and Jess M. Ritchie, individually, and as an officer of said corporation; to the Committee on the Judiciary.

By Mr. BOYLE:

H. R. 12334. A bill for the relief of Arthur Lebovitz; to the Committee on the Judiciary.

By Mr. BROYHILL (by request):

H. R. 12335. A bill for the relief of Gertrude T. Bridges; to the Committee on the Judiciary.

By Mr. DAVIS of Wisconsin:

H. R. 12336. A bill for the relief of Mrs. Natalija Djurovic Bogojevich; to the Committee on the Judiciary.

By Mr. GAMBLE:

H. R. 12337. A bill for the relief of Oleg K. Onatzevitch and Inna P. Onatzevitch; to the Committee on the Judiciary.

By Mr. HEALEY:

H. R. 12338. A bill for the relief of Bessie Yu (nee Huang); to the Committee on the Judiciary.

H. R. 12339. A bill for the relief of Agnes Chung (nee Chan) and Chung Yin Own; to the Committee on the Judiciary.

H. R. 12340. A bill for the relief of Lucina Lee; to the Committee on the Judiciary.

H. R. 12341. A bill for the relief of Jeanette J. Wong (also known as Tsi Ping Wang) and Kwei Yang Wang (nee Chang); to the Committee on the Judiciary.

H. R. 12342. A bill for the relief of Dr. Bao Jen Chern; to the Committee on the Judiciary.

By Mr. HYDE:

H. R. 12343. A bill for the relief of Morris B. Wallach; to the Committee on the Judiciary.

H. R. 12344. A bill for the relief of Julian H. McWhorter; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H. R. 12345. A bill for the relief of Claudic Diaz Torres; to the Committee on the Judiciary.

By Mr. JUDD:

H. R. 12346. A bill for the relief of Sophia Kwang Huang; to the Committee on the Judiciary.

By Mr. KEAN:

H. R. 12347. A bill for the relief of Kendall Leroy Simmonds; to the Committee on the Judiciary.

By Mr. YOUNG:

H. R. 12349. A bill for the relief of Marion L. Barstow; to the Committee on the Judiciary.

By Mr. SHEEHAN:

H. R. 12348. A bill for the relief of Eugenia Dlugopolska; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1199. By Mr. BAUMHART: Petition of the Associated Farmers of Huron County, Ohio, transmitting a proposed resolution from the Fitchville Memorial Post, No. 729, concerning the Agricultural Adjustment Act; to the Committee on Agriculture.

1200. By Mr. HAYS of Arkansas: Petition of W. A. Bruce, president, Health Freedom League of Arkansas, Inc., expressing objection to artificial fluoridation of public drinking water; to the Committee on Interstate and Foreign Commerce.

1201. By the SPEAKER: Petition of the city clerk, Chicago, Ill., requesting the enactment of pending legislation to safeguard the lives and property of air travelers, particularly the bill, S. 2972, now pending before the Congress; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

The Clergy in Civil Defense

EXTENSION OF REMARKS
OF

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, July 20, 1956

Mr. RODINO. Mr. Speaker, the need for active participation by the clergy in civil defense activities should be obvious to cleric and layman alike, but efforts expended by religious and related groups in this truly vital field have been limited to a potentially disastrous degree. At first glance, this deplorable condition might appear the fault of the Federal Civil Defense Administration; such an impression, however, is erroneous. The Federal Civil Defense Act of 1950 specifically, and repeatedly, placed primary responsibility for effectuating civil defense upon the States and local political subdivisions. The national agency cannot order anyone to do anything. It can only advise and recommend. In the field of religion it has offered a comprehensive plan for the integration of religious aspects into State and local civil defense programs.

To coordinate its own recommendations, as well as to receive and evaluate the suggestions of interested citizens, the FCDA in February of 1955 established a Religious Affairs Office, headed by a clergyman. The new group has met several times with the National Religious Advisory Committee to the FCDA, an organization first set up in February 1951, to work out a religious-activities program which can be integrated into civil defense systems at State and local levels. It is hoped that a pattern acceptable to civil defense officials and clergymen alike will be realized. Thus far, the State and local civil defense units have given pitifully meager attention to the role the clergy should assume in our struggle to preserve America's identity.

Some of the basic responsibilities in the preattack phase of civil defense which the clergy must accept, it seems to me, are these:

First, the ministers, priests, and rabbis must strive to instill in their congregations recognition of the need for all to maintain their composure and resolution under the most trying circumstances. Second, they must inculcate a sense of responsibility in our people and, at the same time, clothe them with spiritual security. Such goals can perhaps best be attained through personal ministration to both families and individuals.

A third responsibility of the clergy in the preattack period is to encourage the enlistment of volunteers for civil-defense services, while assigning members of their own organization to serve as chaplains to the various components of the local civil-defense systems, such as the warden, rescue, and fire-fighting units. A fourth responsibility is that of planning and arranging the role of clergymen both in the mutual-aid compacts which most of the States have already negotiated and in the mobile-support programs which constitute one of the more important aspects of such compacts.

A fifth, and perhaps most vital, service to be assumed by the clergy is the affording of material assistance and spiritual comfort alike to those of us who have to evacuate to reception centers in response to warnings of anticipated or actual air attacks. Whether the threat materializes or not, people massed at designated points of refuge would be less than human if an awful thread of fear did not run through them, one and all. It must be a primary responsibility of the clergy to prevent this apprehension from developing into catastrophic panic.

In this many faceted program to impart courage and faith, children, of course, must receive a large measure of attention. The shadows of fear which already are clouding their impressionable minds could be largely dissipated through the establishment, among other expedients, of regular programs of religious education. The children should be taught that God's saving grace envelops all mankind; but that He expects them to help themselves through mutual cooperation and by instant response to the instructions of their parents, their teach-

ers, both clerical and lay, and the civil authorities.

Should Providence decree that we must endure the ordeal of a nuclear war, the responsibilities of our spiritual leaders will, of course, be enormously magnified. They will be called upon to administer rites for the seriously injured, the dying, and the dead. They will have to comfort and counsel the bereaved, the confused, the homeless. They must extend pastoral care and counseling to all whose fears and anxiety leave them emotionally disturbed. Inasmuch as terror, grief, guilt, and hostility will all be manifested, the clergyman must be more than a dispenser of Scripture; he must be prepared to exhibit sympathetic understanding of human foibles, feelings, and aberrations. Should the inevitable tensions not be alleviated, the home front could easily disintegrate, and the war be lost. There could be no worse disaster: America as we know it would be no more.

Assuming that the clergy will be successful in helping to maintain public morale in general, its members will have many other important, if tangential, functions to perform. They will help in the referral of individuals to appropriate professional services, such as emergency welfare and health units. They will build and equip temporary places of worship. They will help families, groups, and institutions prepare to receive the wounded and the evacuated. They will present themselves at first-aid stations, hospitals, and morgues.

For the clergy to be effective in the performance of thier manifold duties, detailed plans for the integration of their services must be worked out now by State and local civil defense units acting in concert with religious advisory committees. Among the more important matters to be considered are these: First, ecclesiastical authorization of assignments of clergymen in the overall aspects of civil defense; second, their transportation to places of special need in times or both war and peace; and third, their inclusion in practice drills and exercises.

America's survival will depend in no small measure upon how well the soldiers of God carry out the many missions they must assume.

Dr. Ray W. Gifford, Jr.

EXTENSION OF REMARKS
OF
HON. JOHN R. PILLION
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, July 20, 1956

Mr. PILLION. Mr. Speaker, I am informed that Dr. Ray W. Gifford, Jr., is being released from active Navy duty on August 1, 1956, with the rank of lieutenant commander. He will resume his duties as consultant in medicine at the Mayo Clinic.

I know that many Members like myself who have had the occasion to consult with him on medical matters deeply regret his leaving his position as assistant attending physician to the Capitol physician's office.

I have been very impressed with the patience, thoroughness, and all-around competence of his diagnosis, treatment, and medical care.

Dr. Gifford is a member of the permanent staff of the Mayo Clinic and is an associate member of the American College of Physicians. We have been fortunate in having his background and experience available to the Members of Congress.

His departure from the staff of the Capitol physician's office will be a loss to Congress and I am certain that every Member of Congress who has been his patient will join in this expression of gratitude for a job well done and best wishes for the future.

Uprising in Poznan, Poland

EXTENSION OF REMARKS
OF
HON. THOMAS J. DODD
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Friday, July 20, 1956

Mr. DODD. Mr. Speaker, the uprising in Poznan, Poland, has electrified the free world.

Thus far, the Government of the United States has failed to take full advantage of this great opportunity presented by the Polish patriots.

We have offered to supply free food, but we have done no more.

When the uprising in East Germany took place June 17, 1953, we also offered food and did no more.

Obviously, we have failed to develop a dynamic program which will meet these situations as they arise.

We appear to stand paralyzed today in the face of Communist aggression as we have stood for several years.

I have today sent a telegram to the Secretary of State in which I ask him to take stronger steps to help the Poznan people.

In my telegram, I suggest that the United States demand the release of the names of those who will be tried for participation in the revolt, and I have also suggested that the United States demand that Western observers be present at any trials which may be held.

These are definite and concrete things that we can offer to do.

An alert administration should think of many more opportunities which this situation presents to the cause of freedom in the world.

My telegram to Secretary of State Dulles reads as follows:

HON. JOHN FOSTER DULLES,
Secretary of State,
Washington, D. C.:

I respectfully urge that our Ambassador to the United Nations bring to the attention of the United Nations Security Council the uprising in Poznan, Poland. I particularly urge that our Ambassador impress upon the representatives of Communist Poland in the United Nations that the United States and the free world will watch with great interest the way in which the brave men and women of Poznan are treated by the Communist Government of Poland. I specifically urge that the United Nations institute an investigation of continued Communist oppression in Poland. I respectfully call to your attention a recent statement by General Bor concerning the Poznan revolt. General Bor suggests that we should demand the release of the names of those who will be tried for participation in the revolt, and he also suggests that we demand that Western observers be present at any trials that may be held. I respectfully urge that you accept both of these recommendations made by General Bor.

THOMAS J. DODD,
Member of Congress.

Postal and Federal Employees Retirement and Annuities

EXTENSION OF REMARKS
OF
HON. HAROLD D. DONOHUE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Friday, July 20, 1956

Mr. DONOHUE. Mr. Speaker, in the confusion and hurry toward adjournment of the Congress, I earnestly hope vitally needed revision and improvement of the currently outdated retirement and annuity setup for faithful postal and other Federal employees will not be passed over and forgotten.

Our Federal employees form a large and important part of our population. The service they render is fundamental and essential to the Nation.

As I have said on many an occasion in this House, the best insurance against any misguided reception of false Communist propaganda by our Government employees is to wisely and practically extend to them equitable salary, retirement, and annuity treatment.

It is only ordinary practical common sense and recognition of the facts of life that if our faithful postal workers and Government employees are encouraged by a reasonable salary and retirement system to meet their family obligations and face the future with a certain confidence. Then there will be no doubt of their loyalty as good Americans and their repudiation of Communist propaganda temptation.

Mr. Speaker, I think it is of importance to remind this House that the last major revision of the Federal employees' retirement and annuity system was made in 1948. I do not believe it is necessary to remind the House that the cost of living and major changes in the pension and retirement systems of our commercial and industrial businesses have changed considerably since that date. The comparable systems within Federal Government employment have fallen far behind and are now completely outmoded.

In realization of existing deficiencies, there is legislation pending before the Congress to increase the present inadequate annuities by at least 20 percent, to reduce the permissible retirement age of those with 30 years of service without unjust penalty, to liberalize survivor benefits for widows and children of Federal employees by lowering the penalty

percentages and raising the maximum to which they are applicable to a figure in accord with the reality of our modern economic conditions. In comparison with competitive private business, there is little incentive for competent individuals to enter Government employment when there is no reasonable assurance that a surviving wife and children will not be granted some assistance in case of death. It would also seem but simple justice to me to make any liberalized benefits applicable to those presently retired following long years of loyal, faithful, efficient service, and I hope that such action will be taken when we consider this legislation.

Legislation to sensibly liberalize the retirement benefits and annuities of our postal and Federal employees while at the same time improving the overall financial soundness of the civil-service retirement fund is ready to be acted upon. The present setup is antiquated and far behind similar systems in the competing employment field of private enterprise. Our loyal and faithful Government employees are at the mercy of the Congress, unlike the employees of private business. It is the duty of the Congress to encourage Federal employment of persons of competence and character.

These good objectives in the national interest can be accomplished by the enactment of this legislation to sensibly increase Federal retirement benefits. I most earnestly urge the leadership to bring this legislation before the Congress now, so that we can act upon it in fairness and in justice to all our faithful Government employees.

Civil Rights Legislation

EXTENSION OF REMARKS
OF
HON. OTTO E. PASSMAN
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Friday, July 20, 1956

Mr. PASSMAN. Mr. Speaker, I have obtained a leave of absence to be in Louisiana in my congressional district on official business until Saturday and, for this reason, I probably will not be present to vote upon the final passage of H. R. 627, commonly known as the civil rights bill.

I want you to know, however, that I am violently opposed to the enactment of this measure by the Congress of the United States.

If enacted, it would create a new department for the Justice Department staffed with several hundred attorneys whose sole purpose would be, under this act, to handle free of charge civil-rights cases against our people.

Parties on the other side of any civil-rights controversy are not provided in any way with financial or legal help in defending these actions.

In addition to this, the bill would set up a Commission on Civil Rights to be appointed by the President of the United States. We have had these commissions in many instances and they have not worked and they are not good. My people do not want any such arrangement and I vigorously oppose this provision.

There are other provisions in the bill to which I also object most vigorously. Generally speaking, the bill is not good and I want no part of it. I hope it is defeated by the House of Representatives and returned to the calendar to die a musty death.

Special Federal Aid to Schools

EXTENSION OF REMARKS
OF
HON. THOR C. TOLLEFSON
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Friday, July 20, 1956

Mr. TOLLEFSON. Mr. Speaker, on July 7, just 2 days after the House of Representatives rejected the measure providing for Federal assistance to school construction, the Members approved without a dissenting vote a measure authorizing $378 million for aid to schools located in districts which are overburdened by Federal activities. The measure extends to June 30, 1958, Public Laws 815 and 874 of the 81st Congress.

During World War II the Federal Government engaged in a tremendous number of defense activities which brought large numbers of defense workers and military personnel into new areas. Many of these people were housed in Federal housing projects and were not required to pay property taxes for support of the public schools to which they sent their children. The impact upon school districts was terrific. In some cases the enrollment was doubled and tripled, and in one instance that I know of the enrollment was increased 500 percent.

The residents of the various school districts throughout the Nation, although bonding and taxing themselves to the limit permitted by State laws, could not provide sufficient school classrooms, facilities, teachers, and supplies to take care of their increased school enrollments. Congress recognized the responsibility of the Federal Government in the matter and passed legislation which provided for Federal financial assistance to those schools which were most seriously affected by the impact of Federal activities. This assistance continued on a year-to-year basis after the war because many of the Federal activities continued. In the 81st Congress legislation was approved which authorized Federal assistance for a 2-year period. It was extended in 1952 and 1954. This Congress extended the legislation for another 2 years during which it is expected that the Federal impact will continue to be felt in many areas. Although many millions worth of Federal aid was distributed prior to 1950 I do not have the figures. Since 1950, appropriations for school construction in impacted areas has amounted to $609 million. For current school expenses the appropriations have totaled an almost equivalent amount. The present legislation would add another $378 million for construction purposes and for maintenance and operation.

I am sure that the people of the Sixth Congressional District of Washington will be interested to know how this special Federal aid to schools has affected them. The Office of Education has supplied me with figures showing the amount of Federal funds which have been paid to impacted school districts in our area. The following table shows the amounts of Federal funds which have been allocated since 1950 for school-construction purposes in my congressional district:

Renton School District No. 403	$2,812,270
South Central School District No. 406	641,092
Clover Park School District No. 400 (Tacoma)	1,802,341
Franklin Pierce School District No. 402 (Parkland)	536,560
Kent School District No. 415	558,796
Milton School District No. 105	11,239
Lake Washington School District No. 414 (Kirkland)	739,393
Issaquah School District No. 411	217,068
Highline Public School District No. 401	2,463,362
Peninsula School District No. 401 (Gig Harbor)	132,304
Bellevue School District No. 405	666,302
University Place School District No. 83 (Tacoma)	98,648
Pierce County School District No. 404 (Eatonville)	28,281
Steilacoom School District	27,758
Federal Way School District No. 210 (Redondo)	430,034
Auburn School District No. 408	558,849
Mercer Island School District No. 400	$124,173
Tacoma School District No. 10	1,255,170
Bethel School District No. 403 (Spanaway)	489,663
Woodland School District No. 33	35,000
Total for construction	13,678,373

The following table shows the amounts of Federal funds which have been allocated for assistance to school maintenance and operation costs in the sixth district:

Renton School District No. 403	$1,201,427
South Central School District No. 406	307,857
Clover Park School District No. 400 (Tacoma)	725,122
Franklin Pierce School District No. 402 (Parkland)	236,939
Kent School District No. 415	174,670
Lake Washington School District No. 414 (Kirkland)	130,336
Issaquah School District No. 411	65,697
Highline Public School District No. 401	907,924
Peninsula School District No. 401 (Gig Harbor)	70,457
Bellevue School District No. 405	115,402
University Place School District No. 83 (Tacoma)	36,196
Pierce County School District No. 404 (Eatonville)	21,573
Steilacoom School District	18,032
Federal Way School District No. 210 (Redondo)	135,431
Auburn School District No. 408	190,780
Tacoma School District No. 10	783,495
Bethel School District No. 403 (Spanaway)	80,208
Woodland School District No. 33	1,590
Total for maintenance and operation	5,203,136
Total for construction	13,678,373
Grand total	18,881,509

The last figure above represents not only the largest amount of Federal funds allocated to any of the six congressional districts in the State of Washington for school construction, maintenance, and operation in federally affected areas, but practically the most which has been allocated to any congressional district in the Nation.

Poll Results

EXTENSION OF REMARKS
OF
HON. ROBERT J. CORBETT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, July 20, 1956

Mr. CORBETT. Mr. Speaker, in 1939 while a Member of the 76th Congress, I began to ascertain the thoughts of the citizens of my district by means of a written questionnaire. Since that time, while a Member of this body, I have conducted at least two such polls each session. The response of the people has always been excellent.

We send one questionnaire to each family that is included on the lists of permanently registered voters. My district, northern metropolitan Pittsburgh, has over the years been fairly equally divided between Republicans and Democrats. Likewise, it is properly classified as industrial and residential with considerable farming and coal mining included. Economically, it ranges from very wealthy to poor. Ethnically it is extremely varied.

Enough answers are always received to constitute a referendum. These replies keep me well informed of what my people are thinking on many vital national issues. They also serve as an excellent antidote for false information advanced by pressure groups. We find the results most interesting and informative. I trust my colleagues and anyone else who studies them will find them the same.

Herewith I include the results of the poll just completed and the one which was finished in February of this year:

POLL RESULTS, JULY 1956

1. Do you favor any increase in the number of qualified immigrants we will permit to enter the United States annually? Yes, 27 percent; no, 73 percent.

2. Should the Federal Government use every means short of force to guarantee equal rights and privileges to all citizens? Yes, 75 percent; no, 25 percent.

3. Would you favor increasing veterans' pensions and compensation payments and liberalizing eligibility requirements? Yes, 42 percent; no, 58 percent.

4. Do you favor Federal financial aid for school-construction programs? Yes, 73 percent; no, 27 percent.

5. Do you object to the proposed increase of letter mail to 4 cents and airmail to 7 cents? Yes, 29 percent; no, 71 percent.

6. Do you object to receiving advertising matter through the mail? Yes, 54 percent; no, 46 percent.

7. Do you believe that magazines and newspapers should be delivered by the Post Office Department at something less than cost? Yes, 12 percent; no, 88 percent.

8. Do you believe our civilian-defense program is woefully inadequate? Yes, 77 percent; no, 23 percent.

9. Are you pleased with the new pay-as-you-go Federal highway program? Yes, 87 percent; no, 13 percent.

10. A sizable budget surplus is apparent. Would you prefer a personal income-tax reduction to a reduction of the national debt? Yes, 45 percent; no, 55 percent.

11. If you are inclined to vote for Eisenhower, are you satisfied with NIXON for Vice President? Yes, 84 percent; no, 16 percent.

12. If you are inclined to vote for Stevenson or Harriman, would Kefauver suit you for Vice President? Yes, 85 percent; no, 15 percent.

POLL RESULTS, FEBRUARY 1956

1. Is a tax cut more appealing to you than a balanced budget? Yes, 15 percent; no, 83 percent; no opinion, 2 percent.

2. If a budget surplus is apparent, would you prefer a tax cut to debt reduction? Yes, 29 percent; no, 68 percent; no opinion, 3 percent.

3. Should the United States resist with arms Communist aggression anywhere the people attacked desire help? Yes, 52 percent; no, 38 percent; no opinion, 10 percent.

4. Should the $25 billion interstate-highway program be financed with a combination of increased use taxes and bonds? Yes, 67 percent; no, 22 percent; no opinion, 11 percent.

5. Would you object to paying 4 cents, instead of 3-cent postage, for nonlocal first-class mail (ordinary letter)? Yes, 26 percent; no, 73 percent; no opinion, 1 percent.

6. Do you think we are moving with satisfactory rapidity to establish full civil rights for everyone? Yes, 80 percent; no, 15 percent; no opinion, 5 percent.

7. Do you think we are going too far, too fast with the reclamation and irrigation program? Yes, 25 percent; no, 59 percent; no opinion, 16 percent.

8. Do you believe that the proposed $4½ billion foreign-aid program should be cut 25 percent or more? Yes, 77 percent; no, 16 percent; no opinion, 7 percent.

9. Should the Government encourage and guarantee private health-insurance programs? Yes, 47 percent; no, 47 percent; no opinion, 6 percent.

10. Do you agree that the administration's farm price-support program is an improvement over previous programs? Yes, 70 percent; no, 15 percent; no opinion, 15 percent.

11. Eisenhower says our defense preparations are adequate. Do you agree? Yes, 68 percent; no, 19 percent; no opinion, 13 percent.

12. Do you believe that Eisenhower can and should stand for reelection? Yes, 64 percent; no, 22 percent; no opinion, 14 percent.

Federal Aid to States for School Construction

EXTENSION OF REMARKS
OF
HON. JACKSON E. BETTS
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, July 20, 1956

Mr. BETTS. Mr. Speaker, I should like to express briefly my views with respect to the recent consideration of legislation which would provide Federal assistance to the States for school construction. I voted against this measure because of my conviction that our public schools should always be financed and controlled by the smallest governmental body capable of satisfactory performance. My record of 10 years' service in the Ohio Legislature clearly evidences my interest and concern for our schools, and my voting record there will indicate my support of a sound and forward-looking school program.

No evidence was brought before this House that the States have adjusted tax and debt limits or adjusted property valuations so as to provide adequately for their own needs. I am proud, though, of our record in Ohio, which shows that in the 1951–55 period 97.5 percent of all proposed school levies were approved by the voters.

By the provisions written into this bill, Ohio would pay in each year nearly $7 million more than received back in grants. To my way of thinking, it was unfortunate that the so-called Gwinn amendment was not adopted. Under this amendment 1 percent of all Federal revenue collected within a State would be paid to the treasurer of the State for school purposes. Unlike the other two proposals, the funds of the Gwinn amendment would be free of any Federal bureaucratic control.

In the entire area of Federal encroachment into the affairs of the people and local government, certainly education should stand out as a bulwark in the defense of a free people protecting themselves from an omnipotent Federal Government. It is high time for more do-it-yourself on the home front. It will save time, money, and personnel, while preserving human pride and dignity.

Proposals for a Foreign Service Academy

EXTENSION OF REMARKS
OF
HON. PETER W. RODINO, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Friday, July 20, 1956

Mr. RODINO. Mr. Speaker, a consideration of ways to improve our Foreign Service is perhaps more necessary today than at any time during our history. It is well known that the friendship of foreign nations cannot be purchased by material goods or by money—and this has never been the purpose of any aid program of the United States; however, such friendship can be gained through well-trained Foreign Service personnel, those possessing an intimate knowledge of the country in which they are stationed. To provide for an adequate number of such people I propose the establishment of a Foreign Service Academy.

To best represent the United States abroad our Foreign Service officers require an educational background considerably wider than what is afforded by the normal undergraduate training. A successful representative of our country should be not only better educated than the average university training affords with respect to the world outside the borders of the United States, but he should also have an exceptional understanding of his own country. He should

be better equipped than the average college graduate in all those things which contribute to his ability to observe and interpret a foreign environment, in the things that appeal to the eye and ear—architecture, applied arts, industrial processes, methods of agriculture—in all those things, in other words, that make up the outward expressions of custom, tradition, and belief. The Foreign Service officer should have sufficient experience with real scholarship, in the genuine academic sense, to understand at least the meaning of that concept, and to distinguish an unscholarly and unsound bit of intellectual work from a scholarly and sound one.

As the Army, Navy, and Air Force have recognized that special training and education are necessary to develop the qualities needed in officers of the Armed Forces, so also have some of the Members of Congress felt that there is a need for a similar program to train our diplomats for the duties required in preserving the peace.

Others feel that the analogy between the armed services and the Foreign Service is not strong enough to warrant a similar academy for the latter, as the Army, Navy, and Air Force have a need for highly specialized and highly technical personnel, while the qualifications for a Foreign Service officer are much more general. A Foreign Service applicant should possess, the opponents of an academy hold, a wide cultural background and training in the liberal arts, which the average university can better provide.

A number of bills to set up a Foreign Service Academy were filed in the House in 1954, and some during the first session of the present—84th—Congress. No action has been taken on any of these bills. The State Department, whose responsibility it would be to set up such an academy, has gone on record against it, saying:

> In taking this position the Department has stressed that it did not imply any lack of appreciation of the importance of preservice training in foreign relations. Rather, it has been the judgment that this preparation could be accomplished in any of the colleges and universities throughout the United States.

Recognizing the need for encouraging interested and capable young men and women to enter this field, the State Department, on the advice of its special study committee, has recommended that, to help recruit personnel for the Foreign Service, at least 470 training scholarships be provided for juniors and seniors in the schools of higher learning. Requiring congressional approval, this plan would cost about $2 million a year.

Bills to implement the recommendations were introduced during the first session of the 81st Congress. They were titled "Foreign Service Scholarship Program" and were designed to provide the Foreign Service "with a more constant flow of qualified candidates representing the different segments of American life." Candidates for the program would be chosen from all the States after passing examinations prescribed by the Secretary of State. The successful recipients would be enlisted into a 2-year training program at the end of their sophomore year at college. They would be offered a Federal grant of $900 a year to permit them to complete their studies at an accredited institution of higher education of their own choice. In return for this they would be required to agree to serve in the Foreign Service for a period of 4 years.

The Foreign Service Journal of December 1955 contains an article by David Felix entitled "Three Suggestions for Strengthening the Foreign Service," which contains some of the views of people within the Foreign Service. It states, in part:

> A properly conceived Foreign Service Academy would be of enormous value. It could serve as a leader to other universities in demonstrating the need for training of a kind they do not provide in normal circumstances. The Academy should be built around a 2-year post-graduate course, later to be extended to 3 years, for persons intending to enter the Foreign Service. It should, of course, be accredited to give post-graduate degrees. Its basic function would be to fill the gaps left by the inadequacies of the typical American university education. It could, thus, correct the deficiency in the case of an over-specialized student by giving him a broader grounding, while permitting the student with a typical liberal arts training to achieve an effective command in a useful field.
>
> The Foreign Service Academy graduates, ideally, should be specialists in one field relevant to their work in, for example, economics, law, administration, or political science. They would, moreover, be well-balanced culturally, with a firm background in philosophy and history. One of the most important weaknesses to be corrected would be in the field of languages. We could expect of a 2-year academy course that it would give its graduates a complete speaking and writing command of one foreign language and the ability to read one other language. A 3-year academy course could require complete command in two languages.
>
> More important than specific details of learning would be the general influence of the Academy on its graduates. It is infinitely more important that our foreign-service personnel learn to think and generalize well than that they learn details. The primary function of the Foreign Service Academy would be to train intelligent leaders.
>
> Study in the area of interest of a candidate can be a valuable aid to him. The Academy should establish rules sufficiently flexible to permit candidates to spend a year of their Academy enrollment time in a foreign university. Academy examination could insure the effectiveness of the foreign study.

Arguments presented against the establishment of a Foreign Service Academy have been that such a school would tend to develop a one-way mind, whereas recruiting from a nationwide selection of universities would bring in a better representation of national views and attitudes. It has also been feared that an Academy would tend to build up an undemocratic caste system.

On the other hand, those in favor present equally strong arguments, saying that such a school would provide a steady stream of recruits into the lowest rank of the Service; that it would provide the opportunity for qualified young people of limited means to receive the education and training necessary to prepare for the Service; and that it would assure a curriculum adequately tailored to provide an education suitable to the needs of the service.

Especially today with such stress and emphasis on international affairs the urgent need for such a program is more than amply supported. It is my fervent hope that this matter may be given the attention and consideration it deserves in the next Congress.

Farm Housing

EXTENSION OF REMARKS
OF
HON. WAYNE L. HAYS
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, July 20, 1956

Mr. HAYS of Ohio. Mr. Speaker, some people are apparently getting the impression that the housing bill reported by the Banking and Currency Committee is nothing more than a bill to expand the public housing program. Nothing could be further from the truth. I do not propose this morning to debate the merits pro and con of public housing. What I do want to emphasize is that the public housing section of H. R. 11742 is but a small part of what is truly a general omnibus housing bill. And more particularly, I would like to emphasize that it is just as much a farm housing bill as it is a public housing or urban housing bill.

Too many of our city dwelling colleagues seem to think that cities have a monopoly on housing problems. Those of us from farm districts know otherwise.

Actually, the farm housing problem is every bit as serious, if not more acute than the urban housing problem. The 1950 census showed 20 percent of farm houses were so dilapidated that they needed major repairs or needed to be completely replaced. The percentage of urban homes in this category was considerably lower. Mr. Speaker, the farm housing problem was bad enough back in 1950 when farm income was close to 100 percent of parity. With the sad deterioration in net farm income over the past 3 or 4 years, many farmers have found it even more difficult to improve the quality of their farm housing.

Section 701 of the bill would extend title V of the Housing Act of 1949 to provide for a 5-year farm-housing program.

Specifically, the bill would authorize, first, $450 million for direct farm-housing loans to be available during a 5-year period; second, an additional $10 million for contributions by the Secretary of Agriculture to prevent defaults in payments on loans for potentially adequate farms, and third, an additional $50 million for grants and loans for improvements and repairs to keep houses safe and sanitary and also to encourage family-size farms.

These programs would make farm housing credit available on liberal terms and at a low cost to our farmers. It would supplement and not supplant the insured farm-loan program under the

Bankhead-Jones Act. Insured loans under the Bankhead-Jones Act are helpful in the farm-housing field but they do not meet all of the need by any means. Just to give one example, Bankhead-Jones Act loans are restricted to economic family-sized farms, whereas loans under title V of the Housing Act of 1949 are not.

Actually, the bill does not provide a new loan authority. Instead it renews the increased loan authority which has accumulated since the title V loan program was launched in 1949.

The sad fact is that despite consistent congressional action each year, the administration has made the title V farm housing loan program meaningless through failure to implement it. I think this is a typical example of the present administration's failure to show any real concern over the problems facing American farmers.

Those of us who are deeply concerned with improving farm housing hope that by placing the program on a long-term basis we can induce a change of attitude on the part of the administration so that the title V program can really do its needed job.

As I see it the Rules Committee's tabling action was a blow not only against public housing but against farm housing, college housing, military housing, and just about any kind of housing you want to name. We need the farm-housing legislation in the bill just as we need many of the other sections and I deeply hope that the Rules Committee will reconsider its action.

A Brief Report to the People of the Sixth District of Washington

EXTENSION OF REMARKS
OF
HON. THOR C. TOLLEFSON
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES

Friday, July 20, 1956

Mr. TOLLEFSON. Mr. Speaker, Congress has acted upon many major bills during the session which is now rapidly approaching adjournment. All of them merit comment, but I would like to report on only a few of them for the benefit of my constituents.

NATIONAL DEBT

Inasmuch as money is eventually involved in most of these bills it is perhaps fitting that mention first be made of our present fiscal situation. As all members know, our national debt amounts to almost $274 billion. At the end of the fiscal year, ending July 1, administration economies made possible a surplus of revenues over expenditures to the extent of about $2 billion, which has been applied toward a reduction of that debt.

APPROPRIATIONS

With the exception of supplemental appropriations we have now acted upon all appropriation bills for the fiscal year starting July 1, 1956. These bills add up to a total of approximately $66 billion. I believe my people will be interested in knowing where this money is to be spent during the next 12 months.

The greatest expenditures will be made by the Department of Defense. The appropriations for this Department total almost $35 billion, with the Air Force getting $16.5 billion of it. The Air Force got about $800 million more than Secretary Wilson said he could spend, but Congress insisted that he use it to speed up airplane construction.

An expenditure related to defense spending is the interest payment on our national debt which is largely the result of wartime spending. The annual interest payment on the debt amounts to $7 billion, or slightly over 10 percent of our entire annual appropriations.

Another such related expenditure is that for veterans' payments, hospitalization, pensions, and so forth. This comes to over $5 billion per year. If pensions for World War I veterans are approved, this figure will increase.

Foreign aid programs will account for about $3.5 billion. Agriculture programs will receive $2 billion. The operation of all other departments of Government account for the balance of the funds appropriated.

In other words, preparing for defense and spending for past wars costs the United States taxpayer about $50 billion annually, whereas the ordinary business of Government costs about $16 billion.

REVISED FARM PROGRAM

The newly passed farm legislation merits some mention in this report. For the first time, Congress approved the so-called soil bank proposal. After one Presidential veto of a farm bill, Congress passed a revised measure which received the approval of the White House. Amongst other things, it sets up an acreage reserve program by authorizing the Secretary of Agriculture to compensate farmers for reducing their 1956 to 1959 acreage of basic commodities, feed grains, and so forth, at the Secretary's discretion; land thus retired from production could be put to no other use. The objective of the bill was to cut down overproduction and to assist in the reduction of our multibillion dollar surplus agriculture stocks which were depressing farm prices and farm income.

HIGHWAY LEGISLATION

On June 26, Congress completed action on the biggest road-building program in United States history. The highway measure as accepted by the President (who had requested it) will result in the expenditure of about $33 billion for highway construction during the next 13 years. It will be financed through increased taxes upon highway users. Federal taxes on gasoline, diesel, and other motor fuels will be increased from 2 cents up to 3 cents per gallon. Taxes on tires will go from 5 cents up to 8 cents a pound. Manufacturers' taxes on trucks, buses, and truck trailers are increased from 8 percent to 10 percent. Together with other tax increases it is anticipated that revenues will be increased by about $15 billion over the life of the act.

The State of Washington will receive over $400 million under the bill. Whereas the State has received under previous highway legislation about $13 million a year, it will hereafter receive about $40 million per year. The increased funds will do much to expand and improve the State's highway system.

Federal funds allocated for State primary and secondary highways, together with urban extensions thereof, must be matched equally with State funds. The Government is authorized to pay 90 percent of the cost of construction and improvement of the National System of Interstate and Defense Highways.

HEALTH, EDUCATION, AND WELFARE

On June 27, Congress sent to the White House an appropriation bill which contained a few dollars less than $2 billion for health, education, and welfare programs. Included in the health funds were $184 million for the National Institutes of Health research programs, concerning cancer, heart ailments, multiple sclerosis, mental disorders, polio, and other diseases. This was the highest figure ever appropriated for these purposes. The House of Representatives voted overwhelmingly for the appropriation despite the strenuous opposition of Representative CANNON, Democrat, of Missouri, chairman of the House Appropriations Committee. In support of the health programs it was pointed out that great strides had been made in the direction of finding treatments and cures for many diseases. The report of progress made through research work justifies the funds expended. Few votes gave Members as much satisfaction as votes in favor of this appropriation. Who knows but that earlier research programs may have helped the President survive his heart attack.

An additional $90 million has been appropriated for research programs in hospitals and universities.

FEDERAL AID TO EDUCATION

The House of Representatives on July 5 rejected a bill to give Federal aid to States for school construction. An amendment by Representative POWELL, Democrat, of New York, to bar aid to States which did not comply with the Supreme Court's antisegregation decree was one reason for the rejection. Another reason was the opposition of many Members to the general principle of Federal aid to education.

The President had urged, and it was pointed out during debate on the measure, that the bill before the House did not provide general Federal aid to education but only provided temporary school construction assistance to meet the urgent school classroom shortage throughout the Nation.

The proposed measure provided for Federal aid to the States at a rate of $400 million per year for 4 years. It was anticipated that this aid would help the States regain the ground they had lost during the war years in meeting classroom requirements. The House rejection doomed this legislation for this Congress.

SPECIAL SCHOOL AID

On July 7 the House passed a bill to extend to June 30, 1958, two laws providing Federal aid to certain school districts overburdened by Federal activities. The bill provided an estimated

$378 million in Federal assistance to so-called federally impacted areas. The funds can be used for both construction and operation purposes. They are to be distinguished from the funds sought to be authorized in the school construction bill which the House had rejected 2 days earlier. At a later date I shall give a more detailed report on Federal funds for schools in federally impacted areas.

SOCIAL SECURITY

As of this date, both Houses of Congress have approved bills which amend the Social Security Act. They do not yet have White House approval. The amendments mark an historic expansion of protection and retirement benefits for American families. Although in slightly different form, the bills permit qualified women to start drawing retirement payments at age 62 instead of 65. This marks the first time that the age 65 retirement deadline has been broken since social security started in 1935.

Another milestone was reached when both Houses agreed that totally disabled persons covered by social security could receive benefits starting at age 50. Almost from the outset of the act, backers have tried to get disability payments written into the law. Under the disability plan, an estimated 250,000 persons would start drawing payments averaging $75 a month in the first year.

Both bills extend coverage to an additional 200,000 persons, mostly professional. Included would be 110,000 lawyers and 65,000 dentists. Doctors and osteopaths at their own request are not included. Fifty-five million persons are now covered by social security.

The new bills call for increased tax payments by both employer and employee up to one-half of 1 percent.

Absurdity of the Joint Economic Report on Domestic Watch Industry

EXTENSION OF REMARKS

OF

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 20, 1956

Mr. DONOHUE. Mr. Speaker, recently there came across my desk a copy of the report of the Joint Economic Committee, published and transmitted to the Congress on July 18, 1956, and titled "Defense Essentiality and Foreign Economic Policy." This report on such a profound subject attempted to use the watch industry as a case study example.

In the beginning of this amazing report, it is stated that the hearings of the Committee were initiated in review of a wide range of considerations affecting our foreign economic policy and further states that during the course of such hearings, limited attention was given to the argument that trade restrictions may be required for reasons of national defense. Just how extraordinarily limited such attention was is not too frighteningly apparent until we come to part IV of the report, reciting conclusions and recommendations, and which is subdivided into two hearings, one of which is watches.

When we reach that part of the report, it becomes frightening, indeed, to read such emphatically decisive and pretentiously expert pronouncements, founded upon "limited attention" that are unsubstantiated contradictions of the recorded findings, based upon exhaustive evidence and study, of such authoritative governmental units and agencies as the Department of Commerce, the Office of Defense Mobilization, and the Preparedness Subcommittee of the Senate Committee on Armed Services, of the 83d Congress, and, indeed, even the President himself.

Among the more strikingly absurd generalities star studding the watch part of this report, and backed up by not one shred of testimony or evidence, are such gems as these:

> Importation can stimulate the ingenuity and efficiency of the watch industry; watches are not likely to be produced in this country in any war in which Switzerland is cut off from us (because) it is likely then that factories in both countries would be destroyed.

And finally—

> The 1954 decisions on watches by the Department of Commerce, the Interdepartmental Committee of the Office of Defense Mobilization, and of the President were not accompanied by completely developed analyses of defense essentiality.

The first statement quoted above is as fantastic as anything out of fairyland. It is an established statistical fact that imports have cut the very heart out of our domestic watch industry, to the extent that employment is down now to fewer than 5,000. Competition is so unequal that our domestic firms, one after another, have been forced to use movements manufactured by cheaper Swiss labor.

The second statement of the report outlined above is even more fantastic than the first in its unwarranted and unfactual projection of prophecy about any future war. In this vague and pointless wordage, it is difficult, indeed, to try to determine the meaning of the writer or writers. If it means anything at all, it would seem to be a predestined resignation from and abandonment of our own traditional ingenuity if anything unfortunately happened to the Swiss watch industry. If this language approaches anywhere near the substance of argument, it is, indeed, an appeal to American practicality and wisdom, in the interest of our own self defense, to begin to plan the placing of our essential domestic watch manufacturing units under bombproof shelter.

However, the most astounding paragraph of all the absurdities contained in this part of the report pertaining to domestic watch manufacturing is the last one quoted above. The casualness, amounting to unwitting effrontery, with which evidence studies and factfindings conducted and determined by the most responsible units of the Federal Government, including the President, are dismissed, with a not too subtle implication of carelessness on their part, is rather shocking to anyone concerned with serious study and factual reporting. If these observations were not contained in an official congressional committee report, they could, perhaps, best be shrugged off as verbiage of indifferent consequence and unworthy of comment.

However, since the language can only be interpreted as a direct attack against our domestic watch manufacturers and their employees, and the report might accidentally fall into the hands of some unwary and unknowing readers, it appears necessary to remind ourselves of a few essential facts.

The decision of the President of the United States to apply tariff protection for the preservation of domestic watch manufacturing as an essential industry was founded upon exhaustive analyses and factual recommendations made by the most responsible units of the executive department under his command, as well as some congressional units. A listing of them includes such authoritative agencies as the United States Department of Labor, the Chairman of the Munitions Board, the United States Department of Commerce, the National Resources Planning Board, the United States Department of Defense, the United States Tariff Commission, and the Preparedness Subcommittee No. 6 of the United States Senate Committee on Armed Services of the 83d Congress. All of these responsible agencies of Government, after long study and critical examination of factual evidence, promulgated their common judgment that the domestic watch manufacturing industry was essential to our adequate national defense. With justifiable confidence and trust in these separate departments of Government, the President made his determination in the national welfare.

Mr. Speaker, if the callousness and carelessness of this watch report, with respect to our adopted principle of trade restriction where necessary to preserve essential American industries, did not emanate from an official source, most of us would be inclined to disregard it entirely. However, in these unhappy times of international tension and domestic uncertainty, it seems but a part of our patriotic duty to keep reminding ourselves that if we are going to continue to promote economic growth and progress abroad, while preserving it here, we had better constantly concentrate our attention upon the things that produced the economic growth and progress in this blessed Nation.

If we are going to fall victim to the temptation of abandoning our traditional Christian philosophy of high wages, good working conditions, fair trade practices, and established rules against economic monopoly, then we shall neither be competent to lead the free world in peaceful achievement, nor shall we be worthy of the sacrifices and struggles that gave us our heritage. The foolish destruction of the confidence of the American people in the justice and wisdom of their own Government agencies will be the first step in our own disintegration. It is the duty of us all to guard against that catastrophe wherever and whenever it seems required.

Address Delivered by Francis E. Walter, Representative in Congress, 15th District, Pennsylvania, at the 38th Annual Convention of the American Legion, Department of Pennsylvania, Convention Hall, Philadelphia, Pa., on July 20, 1956

EXTENSION OF REMARKS

OF

HON. FRANCIS E. WALTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 20, 1956

Mr. WALTER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address:

ADDRESS DELIVERED BY FRANCES E. WALTER, REPRESENTATIVE IN CONGRESS, 15TH DISTRICT, PENNSYLVANIA, AT THE 38TH ANNUAL CONVENTION OF THE AMERICAN LEGION, DEPARTMENT OF PENNSYLVANIA, CONVENTION HALL, PHILADELPHIA, ON JULY 20, 1956

I would like to take the opportunity offered by this great occasion to talk to you about a matter of great importance, which is now before the Congress.

Even at this very late hour when everybody in Washington seems to be eager to see the Congress adjourn and go home in order to do some work on mending of political fences, I sincerely hope that the legislation I wish to discuss with you today will be enacted into law before we go to Chicago and to San Francisco, as the case may be, to nominate presidential candidates.

The thing I have in mind is a bill which I have introduced in order to restore good sense to the laws governing the United States Government's power to dismiss civilian employees when their employment is deemed to be detrimental to the interests of the national security of this Nation.

The purpose of my bill is to protect the United States Government from foreign infiltration by Communist agents through the hole opened by the Supreme Court of the United States. Also, it would serve to remind the Supreme Court of the United States of the place it occupies in the Government of this Nation and of the impropriety to develop a strange forgetfulness of the wording of articles I, II, and III of the Constitution of the United States.

Realizing the clear and present danger which the international Communist conspiracy and its methods of penetration present to the United States, the Congress enacted, in 1950, a law designed to protect the United States Government from infiltration of disloyal employees. The President has implemented that law in an Executive order and as you well know, the so-called security and loyalty program as it affected employees of the United States Government has, since its inception, been under a constant and sharp attack by the Communists, their allies, and their dupes.

One rather enterprising employee of the Department of Health, Education, and Welfare by the name of Kendrick M. Cole has agreed to become the tool of those who want to wreck this program, and after having been dismissed from Federal employment because of his questionable activities and associations he has taken his case to the courts.

He was turned down by a Federal district court and by a Federal court of appeals. He went to the Supreme Court of the United States and there he won a victory which represents one of the most stunning defeats for the United States Government.

A divided Supreme Court of the United States, with 6 Justices in the majority and 3 dissenting—Justices Clark, Reed, and Minton—has invaded the powers of the Congress and of the President of the United States and has mutilated the law of 1950 and the President's Executive Order No. 10450 of 1953. This unconstitutional action of the judiciary branch took the form of a decision (*Cole* v. *Young*), which, in effect, amends the law by adding to it just four words. Four words which, in limiting the scope of the law, open the entire United States Government to the infiltration of our mortal enemies.

In plain words, the law—the act of August 26, 1950—is applicable to "any civilian officer, or employee" of the United States. What it meant was simply that every civilian officer and employee who has the privilege of being employed by the United States Government must be without a peradventure of doubt loyal to the United States and not associated with any subversive organization.

To the words "any civilian officer, or employee" the Supreme Court has added four words, "in a sensitive position," thus providing that out of the 2,300,000 civilians who hold Government jobs, only one-fifth must be loyal Americans and the remaining four-fifths could keep their Federal jobs although their loyalty to the United States is questionable and although they may remain under Communist discipline.

Obviously, such preposterous thought never occurred to the Congress and it never occurred to the President of the United States that such was the intent of Congress in enacting the 1950 law.

The legislative history of that law is exceptionally clear, as legislative histories go. Reports filed by committees of the Senate and of the House of Representatives, and the debate held on the floors of both Houses of Congress, prove without a scintilla of doubt that the law was meant to apply to every executive agency, not only to the "sensitive" ones—and to every Federal employee, not only to those who hold "sensitive" positions.

No Member of the House and no Member of the Senate contradicted when those statements were made. In fact, no contradiction could have been voiced for there probably is no one in the Congress who believes that there is in the entire Federal Government one job which could be offered to a person whose loyalty to the United States is doubtful.

As Justice Clark—with whom Justices Reed and Minton joined—stated in his dissenting opinion, "the janitor may prove to be in as important a spot security-wise as the top employee in the building".

But let's not stop at janitors—look at the Tennessee Valley Authority. TVA supplies power for the most important of our atomic plants. An electrician in a TVA power plant is not classified as a "sensitive" employee. He certainly could not be so classified under the Supreme Court's ruling, and yet look at the extent of damage to our security that he could do. Think of the staggering blow that could be dealt to our atomic work if that electrician would simply throw a switch to cut off the power at a moment chosen by those under whose discipline he remains.

As a matter of fact, think of what a charwoman could find in an office that she is hired to clean after everybody else had left. And think about the nonsensitive file clerk who moves freely around offices where highly classified documents are stored.

The Supreme Court of the United States said in *Cole* v. *Young*, leaning over backward in order to misread and misinterpret congressional and presidential intent that all that was intended is to protect from subversive infiltration only those activities of the Government that are directly concerned with the protection of the Nation, and not those which contribute to the strength of the Nation "only through their impact on the general welfare." It clearly follows that the Supreme Court of the United States would not mind at all if agencies or parts of them, such as the services protecting the Nation's health and welfare, the education of our youth, agencies in charge of interstate and foreign commerce, mailing rooms, archives, certain communication rooms, etc., would become "honeycombed with subversives," if I may quote once more Justice Clark.

If we permit the decision of the Supreme Court of the United States to stand, we would simply open what Mr. Churchill so aptly called our "soft underbelly" to agents of the Communist conspiracy, who from that soft spot, skillfully worming their way upward, could easily reach the very nerve center of the Nation. In addition to that, if we do nothing about this decision, we would condone the Supreme Court's attempt to invade that area of Government which, under the Constitution, is reserved to the Congress and the President.

The 3 dissenting Justices were quite outspoken in that regard, actually accusing their 6 colleagues responsible for the Cole decision of raising a question as to the constitutional power of the President to authorize dismissal of executive employees whose further employment he believes to be inconsistent with national security.

In reading the Supreme Court's decision in the Cole case, I cannot help but feel that I was right several months ago when in reading another of our Supreme Court's decision, I felt that the illustrious Justices dwell in ivory towers with windows shut tight and shutters drawn, carefully looking away from the mortal danger facing our freedom—the freedom which our laws are designed to protect and not to help destroy.

There is something uncanny in the stubbornness of some of our courts, including the Supreme Bench, with which they refuse to appraise properly the true meaning of the new skin that the Soviet leopard has now clothed itself. They refuse to see the same old spots on the leopard's skin, thus aiding and abetting the Soviet's effort to confuse and disarm the free world by stressing their peaceful intentions while intensifying their attempt to conquer through infiltration rather than through an open attack. It could be that the Supreme Court is not afraid of the danger of Soviet infiltration through actions of the Communist conspiracy because some of our Justices have shortsightedly accepted the opinion of the Fund for the Republic, the opinion which maintains that the Communist Party is nothing else but a political party of the United States just as is the Democratic Party or the Republican Party. That opinion was clearly and unequivocally stated in the report of the Fund for the Republic, dated May 31, 1955, a report for which Mr. Robert M. Hutchins, the Fund's president, must accept responsibility.

In spite of congressional findings made in two legislative enactments, the Internal Security Act of 1950 and the Communist Control Act of 1954, where on the basis of irrefutable proof it was found that "the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States"—Mr. Hutchins and his research specialists arrived at the opposite conclusion.

What the Congress found is, of course, of little interest to the Fund for the Republic and I wish therefore to invite their attention to a most recent pronouncement coming from a source to which they might want to give more credence. I have in mind a major pronouncement printed in the official organ of the Communist Party of the Soviet Union, Pravda, just a few days ago, on July 16, 1956.

On that day, Pravda sounded a warning to the free world in general and to the United States in particular. Said Pravda:

"One should remember that among people who are insufficiently mature politically and

excessively credulous, there may be some who would fall for the contention that international connections of Communist parties became superfluous. The consolidation of international connections is a historical necessity both for the working class parties of the lands of socialism and for the Marxist parties of all capitalist countries."

If you strip that Marxist "gobbledegook" of its dialectical embellishments and if you translate it into plain English, it simply means that Communist parties of both the captive and the free nations remain but a foreign branch or an arm of the Soviet Union. Accordingly, to treat persons disloyal to the United States because of their adherence to the international Communist conspiracy simply as persons who disagree with us on certain political issues, just as anyone of you, or I, myself, would disagree with a Republican or with a Democrat, is simply a case of suicidal folly.

Mr. Hutchins, of course, and some of the occupants of our Supreme Bench do not agree with that. However, in judging whether or not Communists and their sympathizers are agents of the Soviet Union and of the international Communist conspiracy, I prefer to accept Pravda's expert word rather than that of Mr. Hutchins. I feel today as if I should be making an award to you because after all it is you who are leading the fight to win the cold war in which it is my privilege to make some contribution. The things that are being done today by the committee of which I happen to be chairman are merely those things which have been of interest to our great organization for so long a time. I say with all the sincerity at my command it is you who should be receiving the award today because you have been steadfast in this cold war and I am sure that by your remaining steadfast we are going to win it, despite the opposition we find from many places today.

SENATE

SATURDAY, JULY 21, 1956

(Legislative day of Monday, July 16, 1956)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

Rev. Lawrence D. Folkemer, Ph. D., pastor, Lutheran Church of the Reformation, Washington, D. C., offered the following prayer:

Great God, our Father, as we draw on to the close of another session of this body, continue to guide and uphold us in Thy purpose. If what has been planned and accomplished here be in accordance with Thy will, maintain it by Thy power; if anything has been said or done contrary to Thy will, bring it to noneffect.

Grant us perspective that we may see beyond our acts to their meaning and significance; grant us forgiveness that we may learn to cast out any bitterness, small-mindedness, or selfish aims; grant us faith that we may pursue with confidence and courage the course that, under Thee, we have set before us. Be a real presence in the midst of the deliberations of this day, a presence which not only comforts and assures, but which calls out from each of us the best that is within us.

Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, July 20, 1956, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed a bill (H. R. 2867) to increase the monthly rates of pension payable to widows and former widows of deceased veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H. R. 2867) to increase the monthly rates of pension payable to widows and former widows of deceased veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, was read twice by its title and referred to the Committee on Finance.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business, and take up nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

REPORTS OF A COMMITTEE

Mr. HILL, from the Committee on Labor and Public Welfare, reported sundry nominations in the Regular Corps of the Public Health Service, which were ordered to be placed on the Executive Calendar.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

DEPARTMENT OF STATE—INTERNATIONAL COOPERATION ADMINISTRATION

The Chief Clerk read the nomination of Walter K. Scott, of Maryland, to be Deputy Director for Management of the International Cooperation Administration, in the Department of State.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

DIPLOMATIC SERVICE—CAVENDISH W. CANNON

The Chief Clerk read the nomination of Cavendish W. Cannon, of Utah, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Morocco.

Mr. BENNETT. Mr. President, before the nomination of Mr. Cavendish W. Cannon is confirmed, I should like to remind my colleagues in the Senate that he is one of Utah's most distinguished sons. He has risen through all the ranks of diplomatic service, and in 35 years has become one of our senior career officers, with an established reputation for being able to take care of some of our trouble spots. In his last three assignments he has been in Yugoslavia and in Greece. I think it is a great tribute to the ability of Mr. Cannon that he has been assigned to open our embassy in the new nation of Morocco.

I am sure that the nomination will be confirmed, and I am confident my colleagues in the Senate will be as proud of the services Mr. Cavendish will render as his fellow citizens of the State of Utah have always been proud of the fine record he has made.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the nomination of Cavendish W. Cannon to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Morocco?

The nomination was confirmed.

DIPLOMATIC SERVICE—CHRISTIAN M. RAVNDAL

The Chief Clerk read the nomination of Christian M. Ravndal, of Iowa, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ecuador.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

SUPREME COURT, TERRITORY OF HAWAII

The Chief Clerk read the nomination of Masaji Marumoto, of Hawaii, to be Associate Justice of the Supreme Court, Territory of Hawaii.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES ATTORNEY

The Chief Clerk read the nomination of Roger G. Connor, of Alaska, to be United States attorney for the district of Alaska, division No. 1.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES MARSHAL

The Chief Clerk read the nomination of Ralph W. Gray, of Massachusetts, to be United States marshal for the district of Massachusetts.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk proceeded to read sundry routine nominations in the Diplomatic and Foreign Service.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the routine nominations in the Diplomatic and Foreign Service be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be immediately notified of the nominations confirmed today.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be the usual morning hour for the presentation of petitions and memorials, the introduction of bills, and the transaction of other routine business, subject to the usual 2-minute limitation on statements.

The VICE PRESIDENT. Without objection, it is so ordered.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

H. R. 10679. A bill granting the consent of Congress to the establishment by the States of Mississippi and Arkansas of a bistate commission to investigate the possibilities of constructing a railroad bridge across the Mississippi River (Rept. No. 2745).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, without amendment:

S. 2709. A bill to provide for standby authority for priorities in transportation by merchant vessels in the interest of national defense, and for other purposes (Rept. No. 2746).

By Mr. KENNEDY, from the Committee on Labor and Public Welfare, with amendments:

S. 3616. A bill to amend the Railroad Retirement Act of 1937 to provide increases in benefits, special disability determinations for railroad employees, and for other purposes; and to amend the Railroad Unemployment Insurance Act (Rept. No. 2747).

Mr. HILL subsequently said: Mr. President, the distinguished Senator from Massachusetts [Mr. KENNEDY] has today reported from the Committee on Labor and Public Welfare the bill (S. 3616) to amend the Railroad Retirement Act of 1937 to provide increases in benefits, special disability determinations for railroad employees, and for other purposes; and to amend the Railroad Unemployment Insurance Act. I ask unanimous consent that the names of myself, and Senators HUMPHREYS of Kentucky, SMITH of New Jersey, IVES, PURTELL, GOLDWATER, BENDER, and ALLOTT may be added to the list of sponsors of the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL FUNDS FOR COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. HILL, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 320) providing additional funds for the Committee on Labor and Public Welfare, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946 and in accordance with its jurisdictions under rule XXV of the Standing Rules of the Senate, the Committee on Labor and Public Welfare, or any subcommittee thereof, is authorized from August 1, 1956, through January 31, 1957, (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis such technical, clerical, and other assistants and consultants as it deems advisable; and (3) with the consent of the head of the department or agency concerned, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 2. The expenses of the committee under this resolution, which shall not exceed $30,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

REPORT ON ADMINISTRATION OF THE FEDERAL EMPLOYEES' SECURITY PROGRAM (S. REPT. NO. 2750)

Mr. JOHNSTON of South Carolina. Mr. President, pursuant to Senate Resolution 20, 84th Congress, 1st session, and Senate Resolution 154, 84th Congress, 2d session, I wish to submit to the Senate the report with conclusions and recommendations on the investigation into the administration of the Federal employees' security program conducted by a subcommittee of the Senate Post Office and Civil Service Committee. This report is one of the most detailed ever submitted to Congress regarding the Federal employees' security program. The report in itself will prove most helpful in guiding Congress on any legislation it may write to strengthen the program.

The vital information contained in this report should guide Members on both sides of the aisle to greater achievements in preparing a security program which will both protect our Government from subversives and, at the same time, free good and loyal civil servants from the threat of ever again being falsely accused. We should and must write from our findings a security program that will stand solid in the future years, holding the confidence of both the American people and those who must function under the program.

In submitting this report and statement, I wish to express my sincere thanks to the other members of the subcommittee who devoted their time and effort to the long hearings and studies which went into the investigation that resulted in this report. I wish to thank the senior Senator from West Virginia [Mr. NEELY], who was a member of the subcommittee during most of our investigation, the junior Senator from Oklahoma [Mr. MONRONEY] who has been most helpful, and the distinguished Senator from Kansas [Mr. CARLSON].

I wish to include as part of my remarks a statement regarding the report which I have prepared and which I believe will be of interest and value to the Members of the Senate.

I ask unanimous consent that this statement be printed in the RECORD at this point.

The VICE PRESIDENT. The report will be received and printed; and, without objection, the statement will be printed in the RECORD.

The statement is as follows:

STATEMENT BY SENATOR JOHNSTON OF SOUTH CAROLINA

The report is the most comprehensive document ever issued on the subject of loyalty and security programs. It is a veritable storehouse of information on every phase of the current program under Executive Order 10450, and efforts made by the Government since 1940 to deal with subversives and security risks. It is copiously documented so as to provide the Senate and House, and those working on the security program, with references heretofore unavailable.

Should there be any feeling on the part of anyone that the committee has been soft on the Communist issue, they are respectfully referred to the portion of the report that deals with the Communist menace. Fundamentally the committee recognizes the responsibility of the Federal Bureau of Investigation to protect the internal security of the Nation but recognizes that the present world situation requires the application of the following principles:

1. Disloyal persons should not be permitted to work for the Federal Government.

2. More than ordinary checks and investigations must be made as to employees working in sensitive positions in sensitive agencies.

However, the committee urges that legislation to deal with the problem give equal concern to the questions of national security and individual rights.

The committee believes that the Senate and the Congress do not want anything to do with subversive risks; by the same token they do not want to be a party to undermining the morale of the Federal Government employees or the character and reputation of any single loyal employee.

Much of the criticism of the security program under Executive Order 10450 relates to the application of the program prior to the decision of the Supreme Court on June 11, 1956, in the case of *Cole* v. *Young*. The evidence before the committee discloses clearly that the blanket extension of Public Law No. 733 to all agencies of Government, sensitive and nonsensitive, was an unwarranted assumption of power by the executive department. The Supreme Court has recorded its views as the same.

Pending the enactment of legislation, the principles of which are outlined in the recommendations of the committee, the Nation should be made to understand that Public Law No. 733 and Executive Order 10450 apply to the sensitive positions in the departments and agencies designated by the Congress. And, as the Supreme Court has pointed out, there is "no want of substantive authority to dismiss employees on loyalty grounds" under the Lloyd-LaFollette and Veterans' Preference Acts as amended.

The conclusions and recommendations of the committee are attached.

PART XIV. CONCLUSIONS

1. International communism, a theory as dangerous as it is evil, and a philosophy which is the very antithesis of democratic precepts, remains, as in the past, a serious threat to this or any other free nation. The situation today is the same as when the Congress enacted the Subversive Activities Control Act of 1950, wherein the legislative

branch of the Government made the following (among several other) findings:

"There exists a world Communist movement which, in its origins, its development, and its present practice, is a worldwide revolutionary movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in the countries throughout the world through the medium of a worldwide Communist organization."

2. While the price of liberty is eternal vigilance and all loyal citizens must be expected to be alert to espionage, sabotage, etc., the fundamental duty for protecting the internal security of the United States rests with the Federal Bureau of Investigation. Ample appropriations have been made by the Congress for this purpose.

3. Under the present situation it seems that the following principles must prevail with reference to employees of the Federal Government:

(a) Disloyal persons should not be permitted to work for the Federal Government.

(b) More than ordinary checks and investigations must be made as to employees working in sensitive positions in sensitive agencies.

4. In carrying out these principles the objective must be kept in mind at all times. The purpose of a security program for Federal Government employees is to protect the national security as the Congress intended when it enacted Public Law 733. The purpose should never be to circumvent the rights of Federal employees as provided from time to time by the Congress under the civil-service system.

5. National security and individual rights are of equal concern to the Congress and it is believed that a system can be devised that will assure the protection of the national security and as well the dignity and human rights of the Federal employee.

6. The scrambling of the three categories of loyalty, security, and suitability under one general classification of security risks has brought about endless confusion. Perhaps the presently accepted viewpoint of what the term "security risk" includes was never intended by the framers of the program. Nevertheless, the public and press generally associate any person accused, terminated, or resigned under the present security program as being of the disloyal class even though the true cause may have been only one of suitability.

7. The publication by the Civil Service Commission of the numbers of so-called security risks eliminated from the Federal payroll has caused much confusion, first because of the generally accepted assumption that all were disloyal persons, and, secondly, because actually only a small percentage of those carried were actually terminated pursuant to the order.

8. It is unfortunate that the problem of security of our Nation, and particularly the relationship thereto of the Federal employees, has been injected into the field of politics. No doubt the way in which the numbers published by the Civil Service Commission were given out, or interpreted, caused much of the confusion.

Had there been no publication of numbers or had the numbers when published explained their true significance the public would not have been treated to political mudslinging that has occurred in the past. The committee believes that good Republicans and good Democrats do not want anything to do with subversive risks; by the same token neither wants to be party to undermining the morale of the Federal Government employees or the character and reputation of any single loyal employee.

9. The blanket extension of the provisions of Public Law 733 to all departments and agencies of the Government, whether sensitive or not, was an unwarranted extension of the law. When considering the enactment of Public Law 733, the Congress gave consideration to making the law applicable to all departments and agencies but decided to limit its application. However, the Congress made provision in the law for extension beyond the departments and agencies mentioned, as the President might "from time to time deem necessary in the best interets of national security." But there was apparently no thought of blanketing all departments and agencies under one program.

10. The length of time during which employees have been suspended before clearance and restoration has been far too long and the expense to the Government in reimbursing for the period suspended has been exorbitant. For the period May 28, 1953, to June 30, 1955, there were 416 cases of suspended employees who were restored to duty; the average period of suspension was 5 months and 5 days; and the total back pay amounted to almost a million dollars.

11. Failure of Executive Order 10450 to provide for the hearing of appeals outside the department or agency is a definite weakness in the program and should be corrected.

12. Public Law No. 733 is mandatory in the matter of requiring the suspended and reinstated employee's reimbursement money to first have deducted therefrom any interim net earnings of the employee. Since the employee is put to great legal expense and during suspension is handicapped to secure employment suitable to his normal career, it would seem advisable to permit suspended employees that are restored to duty to receive full back pay without such deduction of outside earnings.

13. While many well-qualified and well-meaning witnesses have recommended that the Government be required to furnish counsel to accused or suspended employees the problem is not as simple as propounded and the analogy with military service not on a parallel. There remains, however, a moral obligation upon the Government to reimburse a suspended employee for legal fees paid out when the case results in establishing the accused employee's innocence and restoration to duty.

14. There is need for comprehensive and adequate legislation by the Congress to cover the subjects of disloyal persons in Government and the employment of persons occupying sensitive positions in sensitive agencies.

15. While all department and agency heads appeared, or made provision for an assistant acceptable to the subcommittee to appear, when subpenaed, the committee cannot pass by lightly the contention made by several department heads that they are not subject to the power of subpena of the Senate for their personal appearance. In the view of the committee all Federal personnel, no matter of what rank or how appointed, must make personal appearance before a duly authorized Senate committee when subpenaed so to appear. The question of immunity, or the confidential nature of material sought, may raise other questions, but of the right to demand a personal appearance as demanded by a subpena, there can be no question.

16. The interpretation placed upon the President's directive by departments and agencies, as to disclosures to be made to the congressional committees by the executive departments and agencies, is such as to force the Congress to legislate in a vacuum. Each department or agency head is the arbiter of what he should disclose, and in some instances disclosures were made when they reflected credit on the department or agency or discredit on a committee witness. The investigation conducted by this subcommittee has been needlessly delayed and stymied because of refusal by various departments and agencies to disclose names and files vital to an understanding of the problem. Even a soldier when captured in war is permitted to give his name, rank, and serial number to the enemy. The subcommittee was refused even the names requested.

PART XV. RECOMMENDATIONS

1. Since the recent decision of the United States Supreme Court that the term "national security" as used in Public Law No. 733 is used in a definite and limited sense and relates only to those activities which are directly concerned with the Nation's safety, as distinguished from the general welfare, it is recommended that the Congress enact legislation, in the light of this decision, to cover the subjects of disloyalty and security. In the meantime, and pending the enactment of such legislation, it is suggested that the executive department of the Government amend Executive Order No. 10450 to limit its application to sensitive positions in the 11 agencies listed in Public Law 733, and to the Panama Canal Zone which seems to have been properly included within the provisions of Public Law No. 733 by the findings and publication of Executive Order No. 10237.

2. Disloyal persons should not be permitted to work for the Federal Government. However, as the Supreme Court has pointed out there is no want of substantive authority to dismiss employees on loyalty grounds under the Lloyd-LaFollette and Veterans' Preference Acts (as amended). Since the 12 sensitive agencies still have the power to suspend employees in sensitive positions the only problem presented is the loss by the head of a nonsensitive agency of his authority to summarily suspend.

3. That the Congress enact legislation to govern the dismissal or suspension of Government employees accused of disloyalty or as security risks in sensitive positions, and set forth clearly the criteria and appeals procedure to be followed as it has previously legislated as to the dismissal of employees for the efficiency of the service in the Lloyd-LaFollette and Veterans' Preference Acts (as amended). And, that upon the enactment of a legislative program covering the questions of disloyalty and security risks in sensitive positions, the existing Executive orders on the subject be abrogated and none further issued which in any way abrogates the rights of civilian employees of the Federal Government as set forth by congressional enactment.

The committee suggests that the new legislation cover the following points in as clear and concise language as possible:

(a) Provision for the establishment of a system for the handling of charges of disloyalty in all departments and agencies of the Federal Government with proper safeguards for accused employees, and an appellate procedure outside the department or agency where employed.

(b) Provision for establishment of a system for the handling of charges of risk in sensitive positions in sensitive departments or agencies. The Congress to specify the sensitive departments and agencies by name and to provide for transfer of accused to nonsensitive work during pendency of action. Safeguards of the rights of accused risks should be included and provision made for an appellate procedure outside of the agency.

(c) A declaration reaffirming the congressional intent that all other dismissals of Federal employees of a suitability nature must be in accordance with the Lloyd-LaFollette and Veterans' Preference Acts (as amended) or as otherwise directed by the Congress.

(d) The legislation envisaged in paragraphs (a) and (b) above should, as to both charges of disloyalty and risk, carefully set forth the

criteria and procedure to be followed, bearing in mind the following points:

(1) The purposes of a loyalty and security program.

(2) Protection of the national security, and at the same time be as fair as possible to the Federal employee.

(3) Details as to the transfer to nonsensitive positions in the case of alleged risks in sensitive positions.

(4) Details as to the content of charges, the makeup of initial hearing boards in the agency, and an appellate procedure entirely outside the department or agency where accused is employed.

(5) Authorization of the power to subpena witnesses to hearing boards and the appellate agency.

(6) Details as to the questions of multiple jeopardy, burden of proof, presumption of guilt, guilt by kinship, and similar matters.

(7) A specification as to the makeup and use of the so-called Attorney General's list of subversive organizations.

(8) A specification of the instances when, and only when, unidentified informers and witnesses may be used in hearings against Federal employees charged with disloyalty or as a security risk. A requirement that confrontation must be made except as the Congress shall delineate.

(9) Temporary, trial, and probationary employees be entitled to the same procedures as permanent or indefinite appointees.

(10) That applicants for Federal employment, where derogatory information of a disloyal or security nature is the only impediment to Federal employment be provided with a hearing procedure in the Civil Service Commission, and right of appeal, in order to clear their records.

(11) A system of scaling the security standards to the sensitivity of the position occupied or to be occupied.

(12) Establishment of a method whereby those employees, or applicants, who, in the past under Executive Order 10450, have been dismissed, resigned, or refused employment, under the allegation or assumption that there existed derogatory information in their files, might through proper hearing be accorded the opportunity to clear their records.

(13) Proper safeguards surrounding the handling of actual suspensions of persons alleged to be security risks, such as prevention of the long delays that have occurred in the past between the date of suspension and final determination.

(14) Provision that an employee, who has been suspended and later cleared and restored to duty, is entitled to reimbursement for suspended period without a deduction of any interim earnings outside of Government.

(15) Some provision be made to reimburse an employee, who has been suspended and is later cleared and restored to duty, in part or whole, for expenses incurred in defending the charges of either being disloyal or a security risk.

4. That the Civil Service Commission cease the issuance of any further so-called consolidated reports on agency operations under the Federal employee security program.

5. In light of the difficulty encountered by the subcommittee in the matter of securing documents which are the proper subject of a congressional investigation, with a view to new or amendatory legislation, it is recommended that steps be taken by the several committees to provide a test in the courts to determine the respective powers of the Congress and the executive agencies.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN (by request):

S. 4263. A bill for the relief of Nicola Accettura; and

S. 4264. A bill for the relief of Ljubischa Nikolich; to the the Committee on the Judiciary.

By Mr. MURRAY (for himself and Mr. MANSFIELD) (by request):

S. 4265. A bill for the relief of Constantinos G. Diapoulis; to the Committee on the Judiciary.

By Mr. MONRONEY (for himself and Mr. KERR):

S. 4266. A bill to provide for the renewal of certain grazing leases of Federal land in the Lake Texoma, Denison Dam project area, Oklahoma and Texas; to the Committee on Interior and Insular Affairs.

By Mr. KNOWLAND:

S. J. Res. 200. Joint resolution to authorize the Secretary of Commerce to sell certain war-built vessels; to the Committee on Interstate and Foreign Commerce.

RESOLUTION

Mr. MORSE submitted a resolution (S. Res. 319) creating a Standing Committee on Veterans' Affairs, and defining its jurisdiction, which was referred to the Committee on Rules and Administration.

(See resolution printed in full when submitted by Mr. MORSE, which appears under a separate heading.)

AMENDMENT OF INTERNAL REVENUE CODE RELATING TO GRAIN-STORAGE FACILITIES—AMENDMENT

Mr. FREAR submitted an amendment, intended to be proposed by him, to the bill (H. R. 9083) to amend the Internal Revenue Code of 1954 to extend the period for amortization of grain-storage facilities, which was ordered to lie on the table and to be printed.

MUTUAL SECURITY APPROPRIATION BILL, 1957—AMENDMENTS

Mr. ELLENDER submitted amendments, intended to be proposed by him, to the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes, which were ordered to lie on the table and to be printed.

Mr. McCARTHY submitted an amendment, intended to be proposed by him, to House bill 12130, supra, which was ordered to lie on the table and to be printed.

OPPOSITION TO DISCRIMINATORY ACTION AGAINST CERTAIN CITIZENS—ADDITIONAL COSPONSOR OF RESOLUTION

Mr. DIRKSEN. Mr. President, I ask unanimous consent that if the resolution (S. Res. 298) opposing discriminatory action against United States citizens because of religious faith or affiliation, submitted by the Senator from New York [Mr. LEHMAN], for himself and other Senators is reprinted at any time, my name may be added as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MARTIN of Pennsylvania:

Address intended to be delivered by him before American Legion of Pennsylvania in Philadelphia, Pa., on Saturday morning, July 21, 1956.

RECORDING OF "PLEDGE OF ALLEGIANCE TO THE FLAG"

Mr. HAYDEN. Mr. President, the House has passed House Concurrent Resolution 258, accepting, without cost to the United States, copies of the recording, "Pledge of Allegiance to the Flag," and providing for the distribution of such copies. It is principally a House matter and concerns distribution among House Members. I have conferred with the Committee on Rules and Administration and with the minority and majority leaders.

I ask unanimous consent that the concurrent resolution be taken from the table and considered at this time.

The VICE PRESIDENT. The concurrent resolution will be stated by title.

The LEGISLATIVE CLERK. A concurrent resolution (H. Con. Res. 258) accepting without cost to the United States copies of the recording, "Pledge of Allegiance to the Flag," and providing for distribution of such copies.

The VICE PRESIDENT. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (H. Con. Res. 258) was considered and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That the Congress hereby accepts, without cost to the United States, from the American Society of Composers, Authors, and Publishers, approximately 24,500 copies of the recording, "Pledge of Allegiance to the Flag," approximately 22,000 copies of which shall be for the use of the House, and approximately 2,500 copies of which shall be for the use of the Senate.

The Clerk of the House of Representatives is authorized to receive, store, and distribute to each Member of the House of Representatives (including each Delegate from a Territory, and the Resident Commissioner from Puerto Rico) 50 copies of such recording. The Secretary of the Senate is authorized to receive, store, and distribute to each Senator 25 copies of such recording.

The copies of such recording shall be distributed by each Member of the House of Representatives and each Senator, for use for nonprofit purposes, to radio and television stations located within his constituency, and to such other persons, groups, organizations, and institutions, as he deems appropriate for the purpose of providing the widest possible dissemination of such musical composition.

RECORD MADE BY EISENHOWER ADMINISTRATION IN FIELD OF RECLAMATION

Mr. BENNETT. Mr. President, I wish to call the attention of my colleagues in the Senate to the remarkable record made by the Eisenhower administration

in the field of reclamation. It is reflected in part by the momentous announcement made on July 15 by Secretary of Interior Fred A. Seaton that 10 new starts will be undertaken by the Bureau of Reclamation during the next fiscal year.

The fact that there are 10 new starts is impressive, but a mere recital of figures does not accurately portray the vast scope and sheer magnitude of the projects involved, particularly the upper Colorado River storage project.

The best answer to the occasionally heard lament that the Eisenhower administration is not favorable to reclamation is provided by the splendid record of achievement made during the past 3½ years as evidenced by the recent announcement of the Department of Interior. I ask unanimous consent that it be included in the RECORD following my remarks.

There being no objection, the announcement was ordered to be printed in the RECORD, as follows:

NEW STARTS TO BE UNDERTAKEN PROMPTLY WITH RECLAMATION APPROPRIATIONS

A $174 million Bureau of Reclamation construction program for the new fiscal year beginning July 1 including 10 new starts, will be initiated as promptly as possible with funds made available when the President signed the public works appropriation bill, Secretary of the Interior Fred A. Seaton said today.

In addition to important new starts—including features of the Colorado River storage project—construction will be active throughout 16 Western States on 60 projects or units already underway.

The new starts include 7 new projects or units of projects and start of construction on powerplants on 3 projects which are already underway. Programing details for the year's construction work will be completed at a meeting of regional directors with the Commissioner's staff in Denver, Colo., starting Monday, July 16, Commissioner of Reclamation W. A. Dexheimer said.

A total of $144,225,500 in new funds was appropriated by the Congress for construction and rehabilitation. This will be combined with an unobligated balance of approximately $29 million to give the Bureau a construction program of approximately $174 million for fiscal 1957. This compares with a program of approximately $161 million during the fiscal year which closed June 30.

Of the programed funds, $28,012,000 are earmarked for the 10 new starts as follows: Ventura project, California, $6,400,000; Washita project, Oklahoma, $500,000; Talent Division, Rogue River project, Oregon, $2,400,000; Collbran project, Colorado, $1 million; Colorado River storage project, $13 million, with three new starts this year, including $9,325,000 for Glen Canyon Dam in Arizona, $1,300,000 for Flaming Gorge Dam in Utah, $800,000 for Navaho Dam in New Mexico, and $1,575,000 for preliminary work on the participating irrigation units; remaining power facilities on the Colorado-Big Thompson project, Colorado, $443,000; powerplants of the Weber Basin project, Utah, $1,299,000; Fremont powerplant, Glendo unit, Missouri River Basin project, Wyoming, $2,980,000.

Contract award for the first of the new starts to be undertaken has already been authorized. This is for the Casitas Dam on the Ventura project, in California.

A total of 57,900 kilowatts of generating capacity is involved in new hydroelectric plants to be placed under construction this year. In addition, the Glen Canyon and Flaming Gore Dams of the Colorado River storage project will have an ultimate capacity of 1 million kilowatts, although work will not be started on the powerplants at these dams this fiscal year.

Commissioner Dexheimer said the bulk of the water distribution facilities to be completed this year will add a supplemental supply of water to existing irrigated lands. The Palisades Dam on the Snake River will start storing water this year to serve 650,000 acres of irrigated land in the Snake River Valley in Idaho with a supplemental supply.

Rehabilitation of the Middle Rio Grande project in New Mexico as a water conservation measure will enhance the supply to the 45,000 acres of that project. About 120,000 acres of dry farmland will have water available to start irrigated farming.

This fiscal year will also see the installation of 85,500 kilowatts of hydroelectric generating capacity. This capacity which will go on the line this fiscal year is all located at Palisades Dam on the Snake River near the Idaho-Wyoming border. This largest earthfill dam ever constructed by the Bureau of Reclamation is nearing completion and power will go on the line from the first of its four 28,500-kilowatt-capacity generators about December 1, 1956. The powerplant will have an ultimate capacity of 114,000 kilowatts.

Palisades Dam and Reservoir, with storage capacity of 1,400,000 acre-feet, is also responsible for most of the supplemental water service to be supplied this fiscal year for the first time. Water stored at Palisades will provide a supplemental supply for 650,000 acres of land in the Snake River Valley.

Other facilities will provide the following water service for irrigated land by June 30, 1957; Central Valley, Calif., 4,000 acres supplemental; Foster Creek division, Chief Joseph project, Washington, 300 acres full supply and 100 acres supplemental; Columbia Basin project, Washington, 47,000 acres full supply; Eden project, Wyoming, 3,400 acres full supply; Gila project, Arizona, 12,000 acres full supply; Middle Rio Grande project, New Mexico, 45,000 acres now presently irrigated to receive entire supply from works rehabilitated by the Bureau of Reclamation; North Side pumping division, Minidoka project, Idaho, 22,100 acres full supply; Missouri River Basin project, 15,000 acres full supply; Weber Basin project, Utah, 2,000 acres supplemental; Kennewick division, Yakima project, Washington, 10,700 acres full supply and 4,600 acres supplemental; Pine River project, Colorado, 4,300 acres full supply; and Yuma project, Arizona, 300 acres full supply.

The Missouri River Basin project acreage is broken down as follows: Bostwick division, Nebraska-Kansas, 900 acres full supply; Frenchman-Cambridge division, Nebraska, 1,000 acres full supply; Hanover-Bluff unit, Wyoming, 7,400 acres full supply; Kirwin unit, Kansas, 2,600 acres full supply; Sargent unit, Nebraska, 3,100 acres full supply.

ORDER FOR RECESS TO 10:30 A. M. ON MONDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today it stand in recess until 10:30 o'clock a. m. on Monday.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I should like to announce the proposed legislation which I expect the Senate to consider shortly.

I am advised that the Senate Public Works Committee has reported S. 4228, a bill to create an advisory commission on executive office space; and the distinguished minority leader has indicated very great interest in early action on that proposed legislation. As soon as the report is available, I shall schedule it for consideration of the Senate.

In addition, Mr. President, we have the following bills to be considered:

Calendar No. 2623, Senate bill 3911, to amend the Federal Deposit Insurance Act to provide safeguards against mergers and consolidation of banks which might lessen competition unduly or tend unduly to create a monopoly in the field of banking.

I ask the clerks to take notice of this announcement, so they may see if they have the bills available. We shall perhaps call that bill up for consideration later in the day. I understand that bill may be controversial.

Calendar No. 2448, Senate bill 4183, to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes.

There is some controversy over that bill.

Calendar No. 2547, Senate bill 4059, providing for price reporting and research with respect to forest products.

Calendar No. 2575, Senate bill 2648, to encourage the discovery, development and production of tin in the United States, its Territories and possessions.

Calendar No. 2627, Senate bill 3914, to amend sections 801, 802, and 1102 of the Civil Aeronautics Act of 1938, as amended.

Calendar No. 2629, Senate bill 863, to govern the control, appropriation, use, and distribution of water.

Calendar No. 2653, Senate bill 3725, to provide for increases in the annuities of annuitants under the Civil Service Retirement Act of May 29, 1930, as amended.

All of those bills may be controversial.

Calendar No. 2662, Senate bill 1636, to require the use of humane methods in the slaughter of livestock and poultry in interstate and foreign commerce, and for other purposes.

Calendar No. 2664, H. R. 9918, to authorize the Secretary of the Interior to negotiate and execute a contract with the Riverside Irrigation District, Ltd., of Idaho, relating to the rehabilitation of the district's works, and other matters.

Calendar No. 2665, H. R. 8474, to quiet title and possession with respect to certain real property in the State of Alabama.

Calendar No. 2666, House bill 9591, to amend the act of August 31, 1954 (68 Stat. 1037), relating to the acquisition of non-Federal land within the existing boundaries of any national park, and for other purposes.

Calendar No. 2668, Senate bill 4221, to amend the International Wheat Agreement Act of 1949.

Calendar No. 2670, Senate bill 4215, to amend the act of July 15, 1954, authorizing the sale of certain vessels to Brazil.

Calendar No. 2671, Senate bill 3831, to provide for the establishment of a fish hatchery in the State of West Virginia.

Calendar No. 2672, House Joint Resolution 613, to authorize the vessel operations revolving fund of the Department of Commerce to be used for expenses in connection with the chartering of merchant ships under jurisdiction of the Secretary of Commerce.

Calendar No. 2675, Senate bill 3827, to authorize the construction of a shellfish research laboratory and experiment station in the Chesapeake Bay area.

Calendar No. 2676, Senate bill 4012, to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada.

Calendar No. 2677, House bill 11554, to amend certain provisions of title XI of the Merchant Marine Act, 1936, as amended, to facilitate private financing of merchant vessels in the interest of national defense, and for other purposes.

Calendar No. 2678, Senate bill 1256, to provide for the appointment of additional circuit and district judges.

Calendar No. 2682, House bill 604, to provide port of entry and related facilities on the Alaska Highway at the Alaska-Canadian border in the territory of Alaska, and for other purposes.

Calendar No. 2683, House bill 8226, to amend section 1 of the act of March 4, 1915, as amended (48 U. S. C., sec. 353).

Calendar No. 2684, House bill 10946, to provide for the disposition of surplus personal property to the Territorial government of Alaska until December 31, 1958.

Calendar No. 2685, House bill 11024, to amend the act entitled "An act relating to the compensation of commissioners for the Territory of Alaska," approved March 15, 1948 (62 Stat. 80), as amended by the act of July 12, 1952 (66 Stat. 592, 48 U. S. C. 116a).

Calendar No. 2686, H. R. 4096, to provide for the disposal of public lands within highway, telephone, and pipeline withdrawals in Alaska, subject to appropriate easements, and for other purposes.

Calendar No. 2695, H. R. 9699, to provide for the conveyance to the State of Oregon of the land known as the Clackamas National Guard target range, Clackamas, Oreg.

Calendar No. 2696, H. R. 9970, to provide for the disposition of the Stockton Air Force Station and the Stockton Annex, California.

Calendar No. 2697, H. R.4090, to amend the Communications Act of 1934, to require the installation of an automatic radiotelegraph call selector on cargo ships of the United States.

Calendar No. 2699, H. R. 6024, to withdraw and restore to its previous status under the control of the Territory of Hawaii certain land on Oahu, T. H.

Calendar No. 2700, H. R. 7552, to amend secs. 220 and 221 (d) of the Hawaiian Homes Commission Act, 1920.

Calendar No. 2701, H. R. 7887, to authorize the Commissioner of Public Lands to sell public lands under certain circumstances without public auction.

Calendar No. 2702, H. R. 7888, to authorize the Commissioner of Public Lands to sell public lands located at Weliweli, Island of Kauai, to certain claimants.

Calendar No. 2703, H. R. 7891, to authorize and direct the exchanges and sales of public lands within or adjacent to the district of Puna, T. H. for the relief of persons whose lands were destroyed by volcanic activity.

Calendar No. 2704, H. R. 7893, to amend sec. 73 (i) of the Hawaiian Organic Act.

Calendar No. 2705, H. R. 9265, to amend the Hawaiian Organic Act relating to the audit of government accounts.

Calendar No. 2706, H. R. 7890, to authorize the Commissioner of Public Lands to sell certain lands at Kaneohe Bay, Oahu.

Calendar No. 2707, H. R. 11522, to implement section 25 (b) of the Organic Act of Guam by carrying out the recommendations of the Commission on the Application of Federal Laws to Guam.

Calendar No. 2708, H. R. 11090, concerning gifts of securities to minors in the District of Columbia.

Calendar No. 2709, S. 3416, relative to employment for certain adult Indians on or near Indian reservations.

Calendar No. 2710, S. 3414, to provide for the advancement of Capt. Edward J. Steichen, U. S. Naval Reserve (retired), to the grade of rear admiral on the Naval Reserve retired list.

Calendar No. 2711, House bill 10432, to amend further the Federal Civil Defense Act of 1950, as amended, to authorize the Administrator to pay travel expenses and per diem allowances to trainees in attendance at the National Civil Defense Staff College, and for other purposes.

Calendar No. 2712, House bill 11613, to authorize the loan of naval vessels to the Governments of the Federal Republic of Germany, Greece, Portugal, Spain, and friendly Far Eastern nations, and for other purposes.

Calendar No. 2713, House bill 6794, to authorize certain members and former members of the Armed Forces of the United States to accept and wear decorations and supporting documents conferred upon them by the Government of the Philippines.

Calendar No. 2714, House bill 7290, to authorize female Reserve officers of the Army or Air Force appointed as nurses or women medical specialists to be members of the Army National Guard of the United States or Air National Guard of the United States, as appropriate.

Calendar No. 2715, S. 4075, to provide for the appointment of certain officers in the grade of rear admiral in the Retired Reserve to the grade of vice admiral in the Retired Reserve.

Calendar No. 2716, House bill 11677, to provide for the advancement of Maj. Gen. Hanford MacNider, United States Army Reserve (retired), to the grade of lieutenant general on the retired list.

Calendar No. 2521, House bill 7049, to revise, codify, and enact into law title 10 of the United States Code entitled "Armed Forces," and title 32 of the United States Code entitled "National Guard."

Calendar No. 2526, House bill 9260, to amend title III of the Servicemen's Readjustment Act of 1944, as amended, and for other purposes.

Calendar No. 2622, H. R. 12034, to authorize the Secretary of the Interior to execute a contract with the Tule Lake Irrigation District, Calif., and for other purposes.

Calendar No. 2631, House bill 9810, to provide for the conveyance of certain land of the United States to the State of Indiana.

Calendar No. 2648, House bill 9038, to amend title 28 of the United States Code to provide that the Commonwealth of Puerto Rico shall be treated as a State for purposes of district court jurisdiction based on diversity of citizenship.

Mr. President, I may say it is unlikely that we shall consider all of these measures. Our leadership group has cleared these measures for consideration by the Senate. It is my understanding that the distinguished minority leader has cleared all of the measures on this list. If there are any of them he has not cleared, we shall withhold action on them until we have an understanding.

In the closing days of the session, I wish to give as much notice as I can to each Senator regarding the bills and other measures to be considered. But obviously it is impossible always to have all the hearings and all the reports on minor bills and other measures which have been reported, and have them considered during the last few days.

I hope that each Senator who has objection to measures which are on the calendar, and who wishes to be notified when they are brought up, will register his objection with either the majority leader or the minority leader; and we shall certainly attempt to accommodate such Senators and to suit their convenience, if possible.

It is impossible for me to contact each of the other 95 Senators and inquire about each of these measures. But each Senator does have notice, when he refers to the calendar and my statement in the RECORD; and each Senator is given as much additional notice as possible.

The conferees have agreed to the report on the social-security bill, and the report is now being drafted.

I understand that soon we shall have a conference report on the customs simplification bill.

Some other important measures are in conference—such as the First Supplemental Appropriation bill, on which the conferees are meeting at 10:30 this morning.

It had been thought that it might be possible, so far as the Senate is concerned, to conclude our business for this session perhaps this evening. I was not one who was that optimistic; but some of the leaders of the House, and even some in the Senate, expressed the thought that that might be possible. Obviously it is going to be necessary for the session to continue into next week. How many days we shall have to meet next week, I do not know; that will depend largely on the House of Representatives.

The Senate is waiting on the House of Representatives to pass the second supplemental appropriation bill. I am informed that the House of Representatives does not expect to take up the second supplemental appropriation bill until the Atomic Reactor bill is acted upon. I had hoped that we might get the second supplemental appropriation bill this week, so that the Senate Appropriations Committee could give proper

and due consideration to it, and report it to the Senate. Obviously, Congress cannot adjourn until that appropriation bill has been passed by both Houses and sent to the White House; and that bill is what we are waiting on at this time.

The Senate has met at 9:30 a. m. practically every day this week, and the sessions have lasted until late in the evening, every evening but one. I realize the trials and burdens that such a schedule places not only on Senators, but particularly on the very loyal and very efficient staff we have. I apologize to them for asking them to come back to work today, Saturday. It is equally trying on the majority and minority leaders.

Today, I think there will be some speeches on the mutual security bill; and we shall spend some time on the bill. We shall pass some of the measures I have outlined. But I do not anticipate that on today we shall take final action on the mutual security appropriation bill, if for no other reason than that there will be several amendments; and, in addition, the Appropriations Committee will be meeting this morning, in conference; and the Appropriations Committee will meet this afternoon to mark up the other appropriation bill.

Mr. President, on Monday we shall have a call of the calendar, and then we shall resume consideration of the mutual aid appropriation bill.

As soon as the House acts on the second supplemental appropriation bill, it will be reported to the Senate as promptly as possible, and will be called up in the Senate, together with the measures I have announced or any other measures which may be reported and on the calendar.

Again I wish to notify each Senator that if there is any proposed legislation to which he particularly objects, and on which he wishes to be heard, and about which he wishes to be notified, if he is on the other side of the aisle and will notify the minority leader, the minority leader has a way of notifying me very quickly. If such Senator is on my side of the aisle and if he will notify me, then we shall try to thresh out the problems and agree upon a time for consideration of the measure.

On today there may be votes on some amendments to the mutual security appropriation bill. But if any considerable number of amendments is offered—as perhaps has been indicated—I doubt that we shall take final action on the bill today.

Mr. ELLENDER. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. Mr. President, I yield to my friend the Senator from Louisiana.

Mr. ELLENDER. I regret that I was not in the Chamber when the Senator from Texas began his statement. Do I correctly understand that the Senate may not complete action on the mutual security appropriation bill today?

Mr. JOHNSON of Texas. That was my statement.

Mr. ELLENDER. The Senator from Texas knows that I had planned——

Mr. JOHNSON of Texas. The Senator had hoped that it would be possible to take final action on the bill on Friday. The Senator from Texas had assured the Senator from Louisiana that there would be no vote on the bill on Friday.

Before I permitted a vote to be taken on it, I talked to the Senator from Louisiana. I knew that he had other very important business; and I asked him whether we should not have a vote in accordance with my statement.

As usual, I understand that the Senator from Louisiana put the business of the Senate ahead of other business. If we could drive through and reach a vote this afternoon, it would be perfectly acceptable to the Senator from Texas. However, the Senator from Texas has talked with members of the Appropriations Committee. The Senator from Arizona [Mr. HAYDEN] has a conference scheduled at 10:30 with the House conferees. At 2:30 there is to be a markup of the first supplemental bill in the Senate Committee on Appropriations.

The majority leader has talked with other Members of the Senate. The Senator from Indiana [Mr. JENNER] has a speech of an hour and a half to make today. The Senator from Utah has a 30-minute speech to make today, on the time allotted to the bill. We could remain in session until late in the evening. So far as the Senator from Texas is concerned, he will attempt to accommodate the Senator from Louisiana, but other Senators feel that inasmuch as the Appropriations Committee will be tied up, we should not try to act on all the amendments today.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. ELLENDER. I wonder if the Senator would consider allowing the final vote on the pending measure to go over until Tuesday. The calendar is to be called on Monday. I presume that the entire day will be taken up Monday in the consideration of bills on the calendar.

Mr. JOHNSON of Texas. So far as the Senator from Texas is concerned, he would be agreeable to that suggestion. However, he wishes to make it abundantly clear that he needs to consult with other Senators. He will consult with them, and if we can reach some kind of agreement, I think it would probably be a desirable arrangement to postpone the vote on final passage until Tuesday.

There is no Senator, including the majority leader and minority leader, who must be here at 9:30 and remain until the adjournment bell at night, who has worked harder or produced more results than has the Senator from Louisiana. He asks very few favors. He permitted the bill to come up Friday when he was assured that it could be disposed of this week.

I understand the situation. I ask the Senator from Louisiana to give me 30 minutes, so that I can "touch some bases." Then I shall propose a unanimous-consent agreement.

Mr. ELLENDER. I have four amendments to offer. They could be considered en bloc. If the four amendments were considered separately, it would mean that I would consume 2 hours in presenting them. I wish the distinguished leader would consider the following suggestion: If the 4 amendments can be considered en bloc, inasmuch as they involve the same issues, if I could obtain unanimous consent to have 40 or 45 minutes, instead of 30 minutes, I think that would expedite the matters.

Mr. JOHNSON of Texas. If I may have the attention of the minority leader, the Senator from Louisiana has four amendments. He would like to have them considered en bloc. As the proponent of the amendments, he would be entitled to half an hour on each amendment, or a total of 2 hours. He would like to obtain a unanimous-consent agreement to permit the 4 amendments to be considered en bloc, and to have an hour to each side on the 4 amendments en bloc. Is that agreeable to the minority leader?

Mr. KNOWLAND. Yes; that is agreeable to me.

Mr. CHAVEZ. Mr. President——

Mr. JOHNSON of Texas. One further question, if I may.

The Senator from California is aware that I made a commitment that there would be no vote on the bill on Friday, in order to accommodate certain Senators. I was relieved of that commitment, because Senators desired to go along with me. I wonder if it would be agreeable if we could obtain unanimous consent to permit a vote on the four amendments of the Senator from Louisiana en bloc on Tuesday, immediately after the morning hour.

Mr. KNOWLAND. I should like to explore that idea, I will say to the majority leader, and the Senator from Louisiana. I am sure that both distinguished Senators are as mindful as I am, or as anyone else is, that we are moving toward adjournment.

Obviously, this bill, when it passes the Senate in its final form, must go to conference. I am a little concerned. There are a number of speeches scheduled on the bill, which I hope will be disposed of today. I am hopeful that we may get the voting phases out of the way on Monday.

Mr. ELLENDER. Mr. President, I wish it understood that I did not ask that the amendments which I intend to propose be not voted on today. I am ready to proceed now, and have a vote on the four amendments. It is only the vote on final passage that I would like to have postponed until Tuesday.

Mr. KNOWLAND. Have the amendments of the Senator been printed, and are copies available?

Mr. ELLENDER. No; they have not. However, in a nutshell, the four amendments deal with defense——

Mr. KNOWLAND. That is, defense support and development assistance?

Mr. ELLENDER. That is correct. I am seeking by the four amendments to reduce all those items by 10 percent. That amounts to $117 million. That is all that is involved.

Mr. JOHNSON of Texas. I think we can reach an understanding. I understand that the Senator would prefer to have the yea-and-nay vote on final passage taken on Tuesday instead of Monday, in order that he may be free on Monday.

Mr. ELLENDER. If I must be present on Monday, I can be present.

Mr. JOHNSON of Texas. But the Senator would prefer Tuesday.

Mr. ELLENDER. If it is possible to arrange it. As I say, I am ready to proceed with the consideration of the four amendments en bloc and vote upon them today.

Mr. CHAVEZ. Mr. President, I should like to ask if the amendment with respect to Yugoslavia is included among the four amendments of the Senator from Louisiana?

Mr. JOHNSON of Texas. It is not.

Mr. CHAVEZ. Will that amendment be voted upon today?

Mr. JOHNSON of Texas. I think not. It will depend upon what arrangements we can arrive at with respect to the Tuesday vote.

Mr. CHAVEZ. Will the vote on the Yugoslavia amendment come prior to the Tuesday vote on the four amendments?

Mr. JOHNSON of Texas. If we can work out an arrangement to vote on the amendments on Tuesday, we shall try to have such an agreement adopted. The minority leader has indicated that he would like to explore that idea.

Mr. CHAVEZ. The Yugoslavia amendment is extremely important.

Mr. JOHNSON of Texas. Most Senators feel that way.

Mr. CHAVEZ. I think that amendment should be voted upon before the Senate votes on the four amendments of the Senator from Louisiana.

Mr. JOHNSON of Texas. That is entirely up to the author of the amendments. The Senator from California [Mr. KNOWLAND] is very well versed in parliamentary procedure. He is very deeply interested in the Yugoslavia amendment, and I am sure he will fully protect himself.

Mr. CHAVEZ. It is not a matter of protecting the Senator from California——

Mr. JOHNSON of Texas. The Senator from California is the authority of the amendment.

Mr. CHAVEZ. I might vote for it, but I should like to vote on it before voting on the other four amendments.

Mr. JOHNSON of Texas. I am sure the Senator from California will bring it up at the most propitious moment.

Mr. WILLIAMS. Mr. President, the majority leader has just announced that there will be a call of the calendar on Monday.

Mr. JOHNSON of Texas. An order to that effect was entered yesterday.

Mr. WILLIAMS. He has also pointed out how difficult it is for all Members of the Senate to obtain copies of the bills and reports, even with the full cooperation of the membership of the Senate.

I wish to call attention to a situation which perhaps the majority leader can help us clear up.

In the CONGRESSIONAL RECORD for Tuesday, July 17, in the Daily Digest, it is stated that the Senate Committee on Interstate and Foreign Commerce had ordered reported favorably, without amendment, House bill 11122, the purpose of which was to promote development and rehabilitation of the coastwise trade, and to encourage the construction of new vessels. As nearly as I can understand from reading the RECORD, this is a companion bill to Senate bill 3877, which was overwhelmingly defeated by the Senate a few days ago. I was very much opposed to that bill, and took part in defeating it. At that time I described it an indirect raid on the Treasury, to give several million dollars for the benefit of one company. The Senate agreed with me, and that bill was sent back to the committee.

My understanding at the time was that it would not come up again. However, as nearly as I can understand from reading the RECORD, this is the same bill back here again. For 5 days I have been trying to get a copy of the bill as reported by the Senate and have been unable to get it, notwithstanding the fact that I was told by the committee that the bill was ordered reported last Monday. It has not been sent to the desk, and therefore we are unable to obtain a copy of the bill. Some one has this in their pocket and for some unexplained reason holding it.

I wish to cooperate with the majority leader, but we cannot cooperate unless we can read bills and read reports. We cannot read them if they are going to be kept in the pocket of a member of a committee and sprung on the Senate at the last minute.

We had such a situation this week, when the majority leader by motion had a bill considered by the Senate. That bill was actually passed by the Senate before a copy of it had been received from the Printing Office. The clerk at the desk could not read the bill except by title. That is certainly, we must all agree, a poor way to legislate. It is also an indication of our failure to recognize our responsibility to the American people, when we pass a bill which is not available for study by our fellow Senators.

I do not want that to happen in this instance. Some member of the Committee on Interstate and Foreign Commerce certainly has that bill in his pocket.

If he does not want to send the bill to the desk, and makes the statement that that bill has merely been reported by the committee to save someone's face, and he does not have any intention of calling it up, let him so state and I am satisfied.

On the other hand, if it is intended to consider the bill, I must insist that the bill be sent to the desk today, in order that it may be available to all Senators. Therefore, I am hereby serving notice that unless the bill is sent to the desk today, I advise Senators now that at the call of the calendar on Monday, I shall object to every bill on the calendar which comes before the Senate from the Committee on Interstate and Foreign Commerce. I shall do that unless the bill to which I have referred is printed and made available today.

I am not taking any chances. I do not intend to take the chance that this giveaway bill will be called up at the last minute, without any of us having a chance to read it, or to have that bill offered as an amendment to another bill reported by the committee.

Perhaps that is not the intention. However, I am perfectly within my rights in taking the action I have indicated, after trying to get a copy of a bill which was reported 5 days ago by the committee. I do not intend to take any chance that anyone will call that bill up and ask for action on it at the last minute.

I shall withdraw this objection, which I am now placing en bloc to all bills reported by the Committee on Interstate and Foreign Commerce within 5 minutes after that bill goes to the desk.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I wish to make a brief reply to what the Senator from Delaware has said. The Senator, of course, has the right to do what he says he will do. However, if the Senator from Delaware will give the majority leader the number of the bill, the majority leader will give the Senator from Delaware assurance that that bill will not be passed by the Senate unless and until the Senator from Delaware has had a chance to have it printed and to read it.

Mr. WILLIAMS. The point is that this bill is——

Mr. JOHNSON of Texas. What is the number of the bill?

Mr. WILLIAMS. It is H. R. 11122.

Mr. JOHNSON of Texas. H. R. 11122.

Mr. WILLIAMS. That is correct. According to the RECORD it was ordered reported at the meeting of the Committee on Interstate and Foreign Commerce on Monday, and it was reported without amendment. It is a House bill. If it was reported without amendment, there certainly can be no excuse that the clerks of the committee have had extra work to do on it and in preparing the report on the House bill.

There must be some other reason for holding the bill. If we need to defeat it again there is no doubt in my mind but that it can be done—and it will be defeated the next time in such a manner that I venture to say it will not be revived for a long time.

All the committee member needs to do is walk down to the desk and present the bill. As I said before, if at any time prior to the adjournment of the Senate tonight that bill is presented at the desk, I shall withdraw the objection which I am here planning en bloc on all bills from that committee. If the bill is to be carried around in the pocket of a member of the committee, I will not take the chance that it will be offered as an amendment to any other bills reported by the committee and which may be considered on Monday on the call of the calendar. This bill is a steal and I do not intend to let it pass.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I should like to reply to the Senator from Delaware, but I will be glad to yield to the Senator from Oregon, if he wishes.

Mr. MORSE. No, no.

Mr. JOHNSON of Texas. I will say to the Senator from Delaware that I will give him my assurance that that bill will not be considered, either on the calendar call or by motion unless and until the

Senator from Delaware has had ample opportunity to see it and to study it.

The Senator from Texas has done that in the case of every bill in which any Senator has been interested, if the Senator from Texas was informed of such interest.

We had a situation this week in which one of the employees of the Senate raised the question about the report not being available. The Senator from Texas has served in both branches of Congress for a good many years. He realizes that in the closing days of the session there will be many minor bills to which no objection is offered. In many cases they are bills which were introduced weeks before, were considered by the committee, and to which the committee did not add amendments. Such bills have been considered on the floor when reports were not available.

At the time I made a motion to consider that bill, I was informed that all the bills on my list had reports available. Unfortunately, the Printing Office that morning had not sent the report to the Senate. There was no objection to the bill. It was unanimously reported by the committee. Notice had been given that the bill would be called up, and that notice was in the RECORD. No Member on either side of the aisle had any objection to it. The report was here within the hour.

However, an employee of the Senate sought to make it clear that a report on the bill was not available. We knew that. The bill was here. It had been reported without any change. We had a duplicate copy of something that had been available for weeks. The Senator from Texas does not apologize for that action. If the Senator from Delaware, the Senator from California, or any other Senator, after the Senator from Texas gave due notice that he would call up the bill, had made a statement such as the Senator from Delaware is now making, that bill would never have been brought up.

Mr. WILLIAMS. The Senator from Delaware is not asking the Senator from Texas to apologize. I am merely stating my position regarding this bill which is being held in the pocket of some committee member.

Mr. JOHNSON of Texas. I understand.

Mr. WILLIAMS. The point I am making is that with the Printing Office loaded down with work, it is almost impossible to get copies of a bill unless they are promptly reported.

Mr. JOHNSON of Texas. I am not so sure that a 5-day lapse is the fault of the Printing Office. The Senator from Texas will look into this particular matter.

Mr. WILLIAMS. It is not the fault of the Printing Office, because the bill has not been sent to the desk where the Printing Office can get it. If the bill will be sent to the desk today, I can go to the desk and look the bill over. It will be on our desks Monday. In that way we can all get an idea of what is in the bill. If that bill is to be carried around in some Senator's pocket until Monday and is then sprung on us on Tuesday or Wednesday, we will not have time to study the bill. I do not intend to let this bill get through either the front door or the back door.

Mr. JOHNSON of Texas. Does the Senator from Delaware accept the assurance of the Senator from Texas that the bill will not be sprung on him in the closing days of the session without his being given ample notice and without his having a copy of the bill? I am willing to give that assurance to the Senator from Delaware.

Mr. WILLIAMS. I accept that assurance, but I also repeat the assurance that I gave the Senator from Texas that I shall object to all bills unless this bill, H. R. 11122, is made available.

Mr. JOHNSON of Texas. I cannot give the Senator assurance that I can get the bill out of the pocket that it is in. However, I can assure the Senator that the majority leader will not move its consideration or let it be passed on the call of the calendar unless and until the Senator from Delaware has had ample opportunity to study it, and until he tells me that he has had such opportunity.

Mr. WILLIAMS. The Senator from Delaware wants that opportunity over the weekend. I repeat that unless that bill is sent to the desk today I shall object to every bill reported from the Committee on Interstate and Foreign Commerce when the Senate has its call of the calendar on Monday.

Mr. JOHNSON of Texas. The Senator from Delaware is within his rights to do so.

Mr. MORSE. Mr. President, the Senator from Delaware and I had a discussion about the bill to which he now refers. If the bill, which is supposedly a House bill, reported by the Committee on Interstate and Foreign Commerce, is a bill which has the same practical effect as the bill we have already defeated in the Senate, I repeat on the floor what I have assured the Senator from Delaware, that it will be thoroughly debated before the Senate adjourns. I say that because if the bill is what the Senator from Delaware points out to me it is, then it is an unconscionable steal from the taxpayers of the United States. I do not propose to sit in silence during the closing days of the session and have that kind of injustice done to the taxpayers.

If, however, it is not the same kind of a bill, and if the objections which the Senator from Delaware made to the Senate bill are corrected in the House bill, that is a different matter. However, I quite agree with the Senator from Delaware that if any Senator wants that bill to be considered and passed by the Senate, he had better get it to the desk, unless he is willing to have it debated for a long time.

Mr. JOHNSON of Texas. I do not think there is any implication in what the Senator from Oregon has said that the majority leader wants to pass any such bill without an ample opportunity to consider it. I have no interest in the bill or in any other specific bill which comes from the committee headed by the distinguished Senator from Washington [Mr. MAGNUSON]. I do not know where the bill is. I do not know why it has not been reported. It has never been brought to my attention. The minute it was brought to my attention I assured the Senator from Delaware that it would not be considered without giving him an ample opportunity to study it.

Mr. MORSE. There is not the slightest intimation in anything I have said which even remotely involves the Senator from Texas. I had a conference with the Senator from Delaware, in which he told me the situation, which he has so ably explained on the floor of the Senate. I told him that if the facts bear him out, we will have a thorough analysis of that bill whenever it comes before the Senate.

Mr. JOHNSON of Texas. The Senator from Oregon is aware of the assurance I gave to the Senator from Delaware. The same assurance applies to the Senator from Oregon and to all other Senators.

Mr. MORSE. I never need any assurance from the majority leader.

Mr. WILLIAMS. Mr. President, I am not criticizing the Senator from Texas. I realize the many problems he has confronting him, and I thought that if I made this record this morning, some time during the day the bill could be sent to the desk. I am asking the majority leader to cooperate so that we can all examine the bill. Certainly that is a reasonable request.

Mr. JOHNSON of Texas. I shall cooperate with the Senator from Delaware and with any other Senator in seeing that no proposed legislation is brought before this body until there is an ample opportunity to review it.

Mr. WILLIAMS. I am very much concerned that the bill is being kept in someone's pocket, and I am determined that it shall not pass.

This is one New Deal giveaway proposal that I intend to defeat. I did it once and if they want to bring the bill up again I think I can assure them in advance that the next results will be even more disastrous.

NOMINATION OF MISS MARGARET E. SMITH TO BE POSTMASTER AT MONTREAT, N. C.

Mr. SCOTT. Mr. President, in the 1st session of the 84th Congress—on August 2, 1955—the Senate upheld the action of the Committee on Post Office and Civil Service in its adverse report on the nomination of Miss Margaret E. Smith as postmaster of Montreat, N. C.

At that time, I stated that I was opposed to the confirmation of the nomination of Miss Smith to be postmaster of Montreat on the grounds that she was personally obnoxious to me.

I should like to take this opportunity, Mr. President, to withdraw that part of my statement in which I referred to Miss Smith as being personally obnoxious to me. I assure the Senate that I intended no personal affront in my statement. As a matter of fact, she is not only a very fine lady, but also is highly respected in her community.

Therefore, Mr. President, I ask unanimous consent that the RECORD show that my statement of August 2, 1955, is withdrawn.

The VICE PRESIDENT. Without objection, it is so ordered.

CONSERVATION OF NATURAL RESOURCES

Mr. NEUBERGER. Mr. President, I ask unanimous consent to include in the body of the CONGRESSIONAL RECORD a most effective article about conservation of natural resources by William E. Bohn in the July 2, 1956, issue of the New Leader. The article pays tribute to one of the truly great women of our time, Mrs. Cornelia Pinchot, widow of Gifford Pinchot, founder of our national forest system. The article describes Mrs. Pinchot's testimony before the Senate Interior Committee, of which I have the privilege to be a member, in support of legislation commemorating the founding of the conservation movement in the United States.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRESERVING OUR NATURAL HERITAGE

(By William E. Bohn)

The CONGRESSIONAL RECORD is still my favorite journal. You go reading along, following the doings of the Senate or the House. One Senator or Representative after another rises to speak about this or that—and you have in your mind's eye a picture of either Chamber with a thin sprinkling of the orator's colleagues listening to his eloquence.

Then, suddenly, you are jerked wide awake. Color, emotion, drama leap from the page. Perhaps Senator MCCARTHY attacks the Supreme Court. Or Senator MCNAMARA speaks for the unemployed of Michigan. Maybe DICK NEUBERGER or WAYNE MORSE opens up about the Hells Canyon Dam. Possibly DOUGLAS or HUMPHREY says a few sharp words about the situation of the farmers. Or some undistinguished and not very bright statesman betrays the parochial quality of his mind and his vocabulary. At any rate, you have found here in this closely printed, unillustrated and dull-looking journal the lively stuff of history and human nature.

So last night I was dozing over the RECORD of June 13. It was getting late, and I was ready to call it a day. And then suddenly there came before me an old friend, one of the most wonderful women this country has produced. No youthful and sparsely covered female exhibited in the pages of Life or Look could have aroused keener interest. This star attraction was Mrs. Gifford Pinchot—and she was on the pages of the RECORD because she had just testified before the Interior and Insular Affairs Committee of the Senate.

This may not seem exciting to you, but it was to me. Mrs. Pinchot is a striking person, tall and straight with deeply marked features and vivid red hair—at least her hair used to be red. I have not seen her in many a year. I would not dare to guess her age. The encyclopedia tells me that Gifford Pinchot was born in 1865 and died in 1946. It seems just the other day that I talked with him while Mrs. Pinchot sat proudly by. Now he has been gone for 10 years.

But his lady appeared before that Senate committee and spoke in her deep contralto about the conservation of natural resources. I know that she said exactly what the old forester-governor would have said had he been there. When I thought of the work which those two people had done together through their long life and then pictured her going on alone to speak for them both, it seemed to me that it would be difficult to contrive a more affecting or dramatic scene.

Our whole Federal system designed to preserve and utilize our natural wealth—soil, forests, waterways, minerals—was started by two Republicans, Theodore Roosevelt and Gifford Pinchot. It is well that young people should be reminded that there were Republicans of that sort in those days. They were terrific men, full of ideas and energy.

On June 13, Senator ARTHUR WATKINS, a member of the Interior and Insular Affairs Committee, made an enlightening statement before the committee about the work these men did and how they went about it. Among other things, he explained that our conservation movement really got started in a big way at a conference of State Governors in 1908. It was this meeting which gave the cause of conservation the needed push and definitely made it a part of the American economy. Now the members of the Senate concerned about further development of this great cause propose to hold another Governors' conference in 1958 to celebrate the golden anniversary of the earlier one. It was in the hearings on this proposal that Mrs. Pinchot was called to contribute her ideas.

There are, of course, powerful reasons for holding a second great meeting on the subject of preserving and developing our continental heritage. In every part of the country, there are self-centered people who try to nibble at the edges of the conservation provisions. There are men and companies—great and powerful groups—who are constantly trying to get hold of forest reserves, national parks, waterways, or mineral resources in order to strip them for quick profits. Scientific advances require that we expand our protective and developmental measures rather than cut them down. The whole problem of wealth utilization and development must be thought through anew.

Mrs. Pinchot projected the scope of the whole idea in ringing words:

"Beyond the preservation of the forests, beyond the reclamation of the soil, beyond the various techniques of land and flood control, over and above and back of all these stands the philisophy of conservation, the philosophy that informs and polarizes and directs action throughout. Conservation to Gifford Pinchot was never a vague, fuzzy aspiration. It was concrete, exact, dynamic—the application of science and technology to our material economy for the purpose of enhancing and elevating the life of the individual. * * * To Pinchot, you see, man himself is a natural resource, the basic and primary resource for whose material, moral, and spiritual welfare the conservation doctrine is invoked."

SENATOR WILEY APPEALS FOR SMALL-BUSINESS BILL

Mr. WILEY. Mr. President, within a few days, this Congress will end.

Unfortunately, it may go home without action on one of its most important bills, H. R. 1840, the vital equality of opportunity bill.

That bill lies buried thus far in the Senate Judiciary Committee. It lies buried despite the strenuous efforts of others and myself to get the committee to agree on a time in which to vote on it.

Unfortunately, we, the bill's supporters have not succeeded thus far. It is my hope and prayer that somehow we may yet succeed.

I personally strongly favor this bill. Along with my colleagues on the Judiciary Subcommittee on Monopoly, I voted for it on July 7. Today, 14 days later, the full committee still has not placed the bill on its agenda.

I appeal again to my colleagues to do so now—today—so that we can report the bill to the full Senate, and so that the Senate can pass it.

Why has this bill not been permitted to come to a vote?

Surely, my Democratic brethren who control the Judiciary Committee and the full Senate realize that the Democratic Party is supposed to be pledged for the small-business man.

Surely, they realize that the Democratic Party is supposed to be the enemy of monopoly and trusts.

So, is my own party, the Republican Party.

So, I say as a Republican and as an American, let both parties quit all their big talk and get down to cases.

Quit weeping for the small-business man and start doing something for him. Permit this bill, H. R. 1840, to come up for a vote. Do not let it die. Do not let it be buried in committee.

I have served in the Senate for 17½ years, and I have a record of not simply talking against monopoly, but fighting against it.

As an extension of that unceasing battle, I appeal now for this bill.

I send to the desk a statement on it. I append the texts of wires and letters which have poured in to my office.

I ask unanimous consent that this material be printed at this point in the body of the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

LET US HELP THE LITTLE FELLOW

From all over my State small-business men have written, telegraphed, and telephoned to me stating as follows:

"We are with you, Senator WILEY, in your all-out fight to pass H. R. 1840, the equality of opportunity bill. We must have this legislation if we are to stay in business. We are grateful for your battle to protect the little fellow and we are hoping and praying that you and other supporters of the bill succeed in pushing it through."

This sample quotation which I cite is not exaggerated. It is a faithful reflection of th thinking of small-business men throughout Wisconsin, and, I am sure, the rest of the Nation.

A wide-open loophole now unfortunately exists in the law; a loophole through which some greedy big businesses can drive small business to the wall.

If we genuinely believe in protecting small business, then we must enact this bill.

It passed the House of Representatives by an almost unanimous vote of 393 to 3.

But, barring a last-minute miracle, it may die now in the Senate Judiciary Committee.

TOO MUCH LIP SERVICE, TOO LITTLE ACTION

Without reflecting on any of my colleagues or on anybody downtown, I reiterate that there is entirely too much of a tendency to give only lip service to small-business men, but not to follow through on constructive action for them.

Everybody says he is "for small business" the way everybody is "for motherhood, little children, and against sin."

But when it come ot a showdown, when it comes to a vital bill without which small business may perish, the question is—will we in the Congress stand up and be counted, or will we let this good bill die, because, in part, of a last minute logjam of hundreds of other bills?

I do not believe in giving lip service. I believe that if we mean what we say, and say what we mean, we will enact this bill.

We will write a clear legislative history inside committee and on the floor of the Senate so that there is no shadow of a doubt as to

what we mean, so that no one will inadvertently be hurt by the bill except any greedy monopolist, and so that the little fellows will be helped by the bill.

MY ASSURANCES TO BADGER ASSOCIATIONS

Not long ago, I was happy to address the Retail Gasoline Dealers Association of Wisconsin at their convention in Wausau. I assured them, as I had previously assured their able executive secretary, Adrian Brown, that I was for them in this fight until we achieved victory.

I have written similarly to Fred Laufenburg, executive secretary of the Wisconsin Bakers Association, to Jennings Murphy, secretary of the Wisconsin Pharmaceutical Association, Fred Wienke, executive secretary of the Wisconsin Retail Food Dealers Association, and other spokesmen for small-business men.

These executive secretaries have written to me encouraging messages of support, and their memberships have as well.

Similar expressions have come from the Food Brokers Association, from the Wisconsin Canners Exchange, and from many other fine groups.

They are the voice of grassroots Wisconsin. It is a voice that must be heard.

MESSAGES PRINTED IN RECORD

Very shortly the texts of these messages to me will be printed in the RECORD.

In the instance of communications from organizations, I am including the full text, as well as the name and address of the sender.

However, in the instance of individuals, I am, of course, respecting the confidence in which they wrote and have deleted their name so as to assure their continuing privacy.

I do not believe, of course, in disclosing a man's name if he is writing to me in an individual capacity, unless he specifically requests me to do so.

THE SPIRIT OF SMALL BUSINESS

Now, let me say this about small business.

As we well know, the independence and initiative of the small competitive businessman is the greatest driving force in America. It beat in the hearts of our pioneer forefathers, as each man hewed out his own living in the forest of early America.

It was symbolized in the Declaration of Independence and in the Revolutionary War which successfully severed our ties to foreign monopolies granted by a foreign sovereign.

Ever since, and in spite of the growing size of the country, the small-business man has been striving to keep his independence. He has been striving to keep alive the spirit of freedom which has made him prefer to go into business for himself.

WE DON'T WANT ALL BIG CORPORATIONS

It is not as easy now as it once was for a man to succeed in business. Productive as is the assembly line method of production, it is not the answer to all of our problems.

We do not wish the entire country to be composed of giant corporations operating giant assembly lines.

It is all well and good for the employees of big corporations to have a steady job and unions, and for enlightened management to continue to negotiate with unions for better wages and standards of work for the employees.

But, one great safeguard for the employee is that he can, in a pinch, quit and either go into business on his own or take a job with some small-business man in a field not dominated by a giant corporation.

As long as we have small-business men in America, we can maintain our free system of private initiative and competition.

Our American competitive system protects freedom. It is the lifeblood of commerce. It assures efficiency and the production of better products at lower prices for the benefit of the consumers, as well as for the benefit of the producers and distributors and workers.

However, ruthless and unfair competition can be utterly destructive.

WE NEED LAW TO REGULATE COMPETITION

Competition, no more than any other activity, cannot be left completely free from the control of general principles of our law. This control must not be at the whim of men, but only through the enforcement of definite rules of fair competition.

SUPREME COURT DOES NOT MAKE LAW; CONGRESS DOES

I know that the United States Supreme Court in 1951 decided that the "good faith" meeting of a competitive price was an absolute defense to charges of price discrimination. But this court decision was merely an interpretation of what that court regarded to have been the intent of Congress in writing a specific bill, the Robinson-Patman Act.

It was not—I repeat, it was not, a decision as to what was best for the country. That was, for a future Congress to decide. And, I think the Congress should decide that not even meeting a competitive price can justify a substantial lessening of competition, for competition is the lifeblood of the American way of life.

THREE JUSTICES DISSENTED IN 1951 CASE

We must, therefore, restore the rules of competition to what they were prior to the 1951 Supreme Court decision. I am sure that the Justices of the Supreme Court did their level best in that decision to arrive at the proper interpretation of congressional intent.

However, I cannot overlook the fact that there was a dissent filed in that case by three Justices of the Court—Reed, Vinson, and Black. Now, I believe that H. R. 1840 will make quite clear what our congressional intent is and that the bill should, therefore, be passed.

OUR SUBCOMMITTEE ACTED UNANIMOUSLY

The bill, I repeat, was so enthusiastically received in the House of Representatives that it passed by an almost unanimous vote of 393 to 3.

Although we here in the Senate might immediately have voted out and passed that bill upon the basis of the record in the House, the Senate Judiciary Committee decided to hold hearings upon the bill.

In those hearings every interested segment of our economy was represented and extensive and expert testimony was heard.

The subcommittee which heard and carefully studied this testimony then reported the bill favorably to the full committee. That subcommittee report was by an unanimous vote—including my own vote.

"CLOSED—FOR RENT" SIGNS WILL APPEAR

Now, the time is long overdue for the full committee to act.

If it does not act, the bill will die this year.

What will that mean? It will mean that many a small business will close its doors. On many a grocer's or baker's or druggist's or gas dealer's display window will appear the sign:

"Closed—For Rent."

There will be heartbreak and pain and despair in many a home.

A once-thriving small-business man will be out in the cold.

I say, that must not happen. I say, it is hard enough for a little fellow to compete with a big chainstore on the basis of fair competition, and it is impossible if the big fellow resorts to unfair competition.

WE NEED INDEPENDENTS IN EACH COMMUNITY

I say, I do not want the towns and cities of my State or any other State to be deprived of the warm, personal services of our independent, local druggists, our gasoline dealers, our food dealers. I don't want to lose the services of these men as independent spokesmen in our chambers of commerce, on our school boards, in our veterans' organizations, our fraternal groups, and other groups.

I don't want them to have to fold up and simply become hired employees, if they still prefer to remain independent.

Here now, is the voice of Wisconsin and of all America speaking for S. 11 and H. R. 1840 and responding to the messages of support which I had previously sent.

LETTERS FROM NATIONAL ORGANIZATIONS

NEW YORK, N. Y., *July 17, 1956.*

Hon. ALEXANDER WILEY,
Senate Judiciary Committee:

Many thanks for your letter of the 16th, we certainly appreciate your interest. You may be sure we will keep pushing. What we need on the committee is more WILEYS.

THE NATIONAL SUGAR BROKERS ASSOCIATION.

NATIONAL CANDY WHOLESALERS ASSOCIATION,
Washington, D. C., July 17, 1956.

Senator ALEXANDER WILEY,
United States Senate, Committee on the Judiciary, Senate Office Building, Washington, D. C.

DEAR SENATOR WILEY: Many thanks for sending us, with your letter of July 11, the copy of your address before the Retail Gas Dealers Association. And may we take this occasion to tell you how much we appreciate the strong stand that you take on behalf of S. 11 (H. R. 1840). We believe that your interest in small business is outstanding, and we're certainly going to tell the members of our association in your State of your fine support. At the same time, feel free to utilize our comments in any way you wish in your campaign for reelection.

Sincerely yours,

C. M. MCMILLAN,
Executive Secretary.

DETROIT, MICH., *July 6, 1956.*

Senator ALEXANDER WILEY:

Price discrimination practices are destroying the prosperity of the retail petroleum industry and every year these practices are depriving thousands upon thousands of individual retailers of their earnings, savings, and businesses themselves.

These price discrimination practices are a result of the Supreme Court decision in the Standard Oil "Detroit" case weakening the Robinson-Patman Act and permitting the meeting competition defense to result in the substantial lessening of competition and tendency to create a monopoly.

After 5 years, we believe the evidence is overwhelming that this destruction of small business should be brought to an end. H. R. 1840 preserves the meeting competition defense in all cases including those of individual competitive injury excepting where there is a substantial lessening of competition or tendency to create a monopoly.

For the sake of the thousands of service station operators who will fail in business or be driven into bankruptcy by these vicious price discrimination practices in the next year we sincerely request your favorable action on the bill which will correct this condition now.

CAH B. HAWLEY,
President, National Congress of Petroleum Retailers, Inc.

UNITED FRESH FRUIT AND VEGETABLE ASSOCIATION,
Washington, D. C., July 5, 1956.

Hon. ALEXANDER WILEY,
United States Senate,
Washington, D. C.

DEAR SENATOR WILEY: This organization, representing more than 2,900 producers and distributors of fresh fruits and vegetables in all the States, is vitally concerned with

and heartily supports H. R. 1840 in the form in which it passed the House 393 to 3. We urge you to assist in securing its approval by the Committee on the Judiciary and its enactment by the Senate.

Our industry is largely comprised of small-business men. They appreciate the firm stand you have taken on behalf of small business. If further proof were needed that the Robinson-Patman Act should be strengthened by outlawing unjustified price discrimination tending toward monopoly, it is provided by the testimony in your record that a majority of the Federal Trade Commission warned that the act is seriously weakened by present loopholes in the law and that H. R. 1840 should be approved.

We understand that claims have been made that this bill prevents uniform delivered pricing and the absorption of freight presently permitted by law. This false assumption is unjustified as your hearing record will show.

Small business needs the protection of this bill. We respectfully urge that you use your great influence with the Committee to assure its approval and its passage by the Senate.

Sincerely,

ALAN T. RAINS,
Executive Vice President.

NATIONAL ASSOCIATION
OF RETAIL GROCERS,
Chicago, Ill., July 6, 1956.

Hon. ALEXANDER WILEY,
Senate Judiciary Committee,
United States Senate,
Washington, D. C.

DEAR SENATOR WILEY: Enclosed herewith is a copy of a press release by the National Association of Retail Grocers opposing the amendment proposed by Senator CAPEHART to S. 11.

We are sending this to you so that you will be advised of our position on this amendment.

The release speaks for itself, and we earnestly request that you oppose this amendment and support either S. 11 as now written, or H. R. 1840 as it passed the House.

Sincerely,

HENRY J. BISON, Jr.

NATIONAL ASSOCIATION OF RETAIL GROCERS OPPOSES CAPEHART AMENDMENT TO S. 11

The Natonal Association of Retail Grocers announced today its unalterable opposition to the amendment to S. 11 proposed by Senator Capehart. The Senator's amendment would remove completely the meeting competition defense to a charge of price discrimination, and make it applicable only to manufacturers of food, drugs, confections, and cosmetics.

Spokesman for the association said, "We have never advocated doing away with the meeting competition defense entirely. We support S. 11 as now written because it would disallow the meeting competition defense only in cases where the Federal Trade Commission is able to prove the effect of the discrimination is a tendency to create a monopoly. Senator Capehart's amendment would go far beyond this by removing the defense of meeting competition regardless of the severity of the injury."

"The effect of Senator Capehart's proposed amendment to S. 11 is to make the bill totally unworkable and destructive to the competitive enterprise system. Singling out food and drug manufacturers, as the Senator's amendment does, is subject to serious constitutional objections as being unreasonable class legislation," the NARGUS representative stated.

Spokesman for the association said: "We think Senator Capehart's amendment is subject to such serious objections that if it is adopted we will oppose the bill. Passage of S. 11 as now written, or H. R. 1840 as it passed the House, is urgently needed to protect competition from substantial injury by means of price discriminations. Independent food market operators believe in competition and ask only for a fair chance to compete. Discriminations substantially injuring competition or tending toward a monopoly rob them of this chance."

LETTERS FROM WISCONSIN ORGANIZATIONS

SHEBOYGAN, WIS., *July 12, 1956.*

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

Entire membership Retail Gasoline Dealers Association of Sheboygan County, appreciates the support you have given to "equality of opportunity" bill. This bill is vitally important to small business. Urge your continued support. Many thanks for work you have already done on this.

JACK H. KALMAN.

MILWAUKEE, WIS., *July 9, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

Congratulations. Thank you for your efforts in getting H. R. 1840 through antitrust subcommittee without amendments. Will appreciate your influence in getting same through full committee and on Senate floor.

FRED B. WIENKE,
Executive Secretary, Wisconsin Retail Food Dealers Association.

WISCONSIN BAKERS ASSOCIATION, INC.,
Milwaukee, Wis., July 12, 1956.

The Honorable ALEXANDER WILEY,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: Thank you for your letter of July 10.

We sincerely hope you will be able to bring bill S. 11 up for vote at the next full meeting of the Judiciary Committee and from there to the Senate floor. We agree with you 100 percent that it should be brought to the floor without amendments.

The bakers in your home State are very much concerned and are anxious for an early passage of the bill.

If there is anything we can do at this end, please let us know.

Sincerely yours,

FRED H. LAUFENBURG,
Executive Secretary.

MANITOWOC, WIS., *July 12, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

Your continued support of bill H. R. 1840, the equality of opportunity bill, is urgently requested. We know of your untiring efforts to promote the welfare of small business and the service-station operator in particular and wish to commend you for them. Bill H. R. 1840 will plug up the loopholes in the Robinson-Patman Act and give us an even break.

Respectfully yours,

CARL H. MEYERS,
Chairman, Manitowoc County Retailers.

WAUSAU, WIS., *July 20, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

Glad to see H. R. 1840 passed the House June 11. Would like to see you vote favorably on this bill. Thanks very much. Doing a good job.

PHILLIP A. SPATZ,
Chairman of the Board, Marathon County Retail Food Dealers Association.

APPLETON, WIS., *July 11, 1956.*

Senator ALEXANDER WILEY,
Washington, D. C.:

Please keep up with your continuing help on equality of opportunity bill H. R. 1840. Small business needs your support at this time.

APPLETON AUTOMOTIVE SERVICE ASSOCIATION.

WAUSAU, WIS., *July 11, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

The retailers of Marathon County were very happy to hear that your subcommittee unanimously recommended for passage the "equality of opportunity" bill H. R. 1840. We urge you to continue the fight for passage.

MARATHON COUNTY RETAILERS,
LAWRENCE ZANDER.

MILWAUKEE, WIS., *July 12, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

We urge your continued fight for passage of H. R. 1840, which small business needs to survive.

MILWAUKEE COUNTY RETAILERS,
O. V. HANSEN.

EAU CLAIRE, WIS., *June 25, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

Several hundred small-business men in our area are watching progress of equality of opportunity bill, S. 11. We urge your support to get the bill out for Senate vote and for a favorable vote for the bill.

WALTER KOPPLIN,
Vice President, Wisconsin Retail Food Dealers Association.

MILWAUKEE COUNTY
PHARMACISTS' ASSOCIATION, INC.,
Milwaukee, Wis., May 28, 1956.

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: Our association urges your support to vote in favor of bill H. R. 11.

H. R. 11 is intended to eliminate good faith as a defense for hidden rebates, concealed allowances, special discriminatory prices, etc., extended to selected retailers.

This bill must be enacted to protect the system of small independent retail business from the predatory operations in the direction of unbridled abuses of money power (big business) in distribution.

The system of small independent business is essential to the welfare of all America.

We are in need of your immediate support. Milwaukee County Pharmacists' Association has a membership of 430.

Sincerely yours,

ERNEST R. C. DRUSCHKE,
Secretary.

MILWAUKEE, WIS., *June 30, 1956.*

Senator ALEXANDER WILEY,
Senate Judiciary Committee,
Washington, D. C.:

Associated Grocers, Inc., of Milwaukee, Wis., representing better than 100 independent retailers, sincerely urge and solicit your cooperation to support bill H. R. 1840.

TOM L. BILLINGTON,
General Manager, Associated Grocers, Inc.

MADISON, WIS., *June 28, 1956.*

Hon ALEXANDER WILEY,
United States Senate,
Washington, D. C.:

We of the Sylvester Wholesale Grocery Co., and our 150 retail members strongly urge

passage of H. R. 1840 without amendments. Many independent-business men will suffer and many will be forced out of business if price discrimination is allowed by blocking this bill.

SYLVESTER CO., INC.,
W. W. KJEVERUD, *Manager.*

MILWAUKEE RETAIL MEAT DEALERS' ASSOCIATION,
April 20, 1955.

Hon. ALEXANDER WILEY,
United States Senate,
Washington, D. C.

DEAR SENATOR: On behalf of our 350 members I urge you to support Senate bill No. 11 when it comes up in the Senate.

Thanking you for your kind consideration, I remain,

H. F. KOERBLE,
Secretary.

WISCONSIN CANNERS' EXCHANGE,
Oconomowoc, Wis., June 12, 1956.

Senator ALEXANDER WILEY,
Senate Building,
Washington, D. C.

MY DEAR SENATOR: We do hope that you will vote bill H. R. 1840 which was passed by the house 393 to 3 the other day. If we small canners and businessmen are going to exist we will need support from your office at this time. Over 28 small canners have sold out or closed their doors during the past 2 years. Many other small concerns are also in trouble as perhaps you know from reading your mail.

Wishing you success and lots of good luck, we remain,

Very truly yours,

E. E. KINKEL.

LETTERS FROM INDIVIDUAL WISCONSIN BUSINESSMEN

From Milwaukee, a food broker writes:

"Your special report to Wisconsin small-business men on equality of opportunity and other issues was carefully read.

"We heartily agree with you on all these items and want to take this opportunity of thanking you for your support on the equality of opportunity bill.

"You can rest assured that the writer will give you his full support in the coming election. We are for you.

"Kind personal regards."

From Milwaukee, a pharmacist writes:

"Just a few lines to let you know that we are working for you in our neighborhood. We are highly appreciative of all that you have done during your terms of office, for the small-business man, of which we are, in every sense of the word.

"We appreciate, also, your work on the St. Lawrence Waterway, and all that it will mean to the untold future generations who will live in the Midwest.

"You have our vote, especially after the terrible injustice done to you by the so-called Republican Party in our State. We will vote according to our feeling of loyalty to you, and not as dictated to by that gang.

"Yours very cordially."

From a small-business man in Plymouth:

"Your special report came today and we were happy to note that you will favor legislation regarding the small-business man, whom we can assure you is having a hard time these days. We, for example, are being forced to sell out. We just cannot keep on with this big chain stuff all around us.

"Also are glad you are for the completion of the St. Lawrence Waterway, according to the Wiley seaway law.

"We are and always have been with you in elections, and won't fail you now. We drive about 20 miles to be able to vote for you.

"We also appreciate past favors you have done for us."

A telegram from Milwaukee merchants:

"Keep up the grand work on H. R. 1840."

From Milwaukee florists:

"You're doing a fine job on H. R. 1840. Continue so the small-business man can survive."

From a small-business man in Deerfield:

"I would like to add my wishes to that of many others that you help. Get bill S. 11 out of committee so we can get the Robinson-Patman bill back in working condition again.

"You might be interested in comments we hear in the store about you and Davis. The majority seem to favor you in this Senate race because of your loyalty to Ike."

From a food broker in Milwaukee:

"We certainly wish to thank you for your efforts in aiding to get bill H. R. 1840 (equality of opportunity) out of the subcommittee on Saturday. Your followup was wonderful and most thoughtful.

"We understand that Congress plans to adjourn in 2 weeks. Now, we hope that the bill can be gotten out of the full committee. We've heard that some large lobbies are really working hard to let it die in the full committee. What can you do to aid in getting it out of this full committee?"

From Kenosha:

"I am a small-business man, since getting out of service for 3 years and would like to stay in it in the future."

From a food broker in Milwaukee:

"I know you are a friend of the Robinson-Patman Act, and I hope that you will be helpful in getting S. 11 reported favorably out of the Senate Judiciary Committee."

From a small-business man in Clintonville:

"Speed action on this most important bill. Keep up the good work. With kindest regards and the best of luck."

From a baker in Winnebago County:

"On behalf of our 75 employees we join the Wisconsin Bakers Association in urging your support of bill S. 11. The discriminatory practices common with chain store bread sales have reduced the number of licensed bakeries in this State from over 1,200 in 1940 to less than 600 today.

"We sincerely believe that passage of this bill is a step in the right direction in saving the small bakery operators and protecting the bread-consuming public of all Americans."

From a food broker in Milwaukee:

"We are among the small-business firms vitally interested in H. R. 1840, the passage of which is imperative to the survival of every man and woman in so-called small-business groups.

"There has been and continues tremendous pressures by so-called big business not only to defeat the bill but to amend or modify it sufficiently to leave a loophole sufficient to permit a defeat of the intent and purpose of the bill.

"We look forward to and shall appreciate your direct and aggressive efforts to report out favorably H. R. 1840 promptly and in its present form."

From Beloit:

"Being of the smallest of small businesses, it is gratifying to know that some Senators are still interested in us.

"Thanking you for your letter and wishing you success, I remain."

From Merrill:

"I certainly hope there is something that can be done for the small-business man, because we are just about to the end of the rope. I have 16 years of long hours in my little grocery store; unless there is some changes made I will be forced to close before another winter comes. The corner grocery is fast disappearing; the chain stores and big supermarkets have the monopoly on just about all the business in our town. Here is hoping you and some of the other level-headed Senators and Congressmen will be able to do something for us."

REFUGEE RELIEF ACT MUST BE AMENDED TO ASSIST WAR ORPHANS

Mr. NEUBERGER. Mr. President, as this session of Congress rapidly draws to a close, the urgency for amending the Refugee Relief Act becomes greater and greater. The Refugee Relief Act and our refugee program expire at the end of this year, and unless prompt action is taken, many thousands of refugee quotas will go unused.

Mr. President, last May 3 I testified before the Refugee Subcommittee of the Senate Judiciary Committee in support of legislation to permit reallocation of unused quotas from countries where they are not needed, to countries where they have been exhausted and are needed. I understand that thousands of refugee quotas authorized for Germany, Austria, and The Netherlands are going unused, while quotas for hard-pressed areas in Italy, Greece, and the Far East have long been oversubscribed.

President Eisenhower has given full support to the reallocation of quotas and the Senate Refugee Subcommittee has reported favorably Senator LANGER's bill, S. 3574, but the bill has not been reported as yet by the Senate Judiciary Committee.

Because of the urgency of the situation, the distinguished senior Senator from Utah [Mr. WATKINS] has proposed a number of amendments to H. R. 6888, the so-called sheepherders bill, to permit the reallocation of unused quotas under the Refugee Relief Act. These amendments also contain much-needed improvements to our general immigration laws.

Mr. President, I am wholly in accord with the proposals offered by the Senator from Utah and I hope that the Senate will have an opportunity to consider these proposals promptly.

Mr. President, I have received a number of telegrams and messages from the people of Oregon in support of reallocation of unused quotas under the refugee relief program, and I shall ask unanimous consent that they appear in the RECORD following my remarks.

The Senate Judiciary Committee, within the last few days, has reported favorably the bill by the distinguished senior Senator from North Dakota, [Mr. LANGER] S. 3570, to extend the provisions of the Refugee Relief Act as it applies especially to orphans. This bill extends the time for issuing visas under section 5 of the Refugee Act from December 31, 1956, to December 31, 1959, and would increase the number of visas authorized in section 5 from 4,000 to 9,000. This bill follows closely the provision of my bill, S. 3753, and deserves, in my opinion, the full support from the Congress.

The situation with regard to orphans is particularly difficult. Let me read a cablegram I received several days ago from Mr. Harry Holt of Creswell, Oreg., who is now in Korea helping many hundreds of American families adopt Korean war orphans.

SEOUL, *July 19, 1956.*

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.:

Orphan quota filled. Over 400 Korean-American orphans being processed for adoption in Seoul at present time. Many housed in crowded, unsanitary conditions. Also, about 400 left in rural areas coming to Seoul every day. Approved homes for all of these children waiting in America. Raising quota to include these children will save many lives, and I believe will promote international goodwill.

HOLT.

I was advised yesterday by the Refugee Relief Administration of the Department of State that only 356 visa numbers remain to be allocated of the 4,000 orphan quotas originally provided.

A telegram yesterday from Coquille, Oreg., tells the plight of one American family.

COOS BAY, OREG., *July 20, 1956.*

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.:

Please make every effort to have action taken on the Refugee Act of 1953. There are many like us who have their child adopted and find the quota already filled and cannot have them brought in.

Sincerely,

A. L. GOBRINGE.

COQUILLE, OREG.

In Korea alone many hundreds of orphans are now in the adoption process who will never get to the United States unless the orphan quota is enlarged.

Many of these orphans should be the direct responsibility of our people and Government since they were fathered by American military personnel. The some 1,500 American-Korean orphans fathered by our military personnel are not accepted by the Koreans; they are mistreated and humiliated. The same is true of some 4,000 GI babies left in Japan by our army of occupation. The numbers of mixed-blood orphans in Japan and Korea have been reduced by the orphan section of the refugee relief program and 300 orphan visas have been issued in Seoul, Korea, and 1,400 orphan visas issued in Tokyo, Japan.

Harry Holt, of Creswell, Oreg., has symbolized to me the Biblical Good Samaritan by his good deed in adopting and bringing to his fine home eight small children of mixed blood from Korea. I had the honor and privilege of sponsoring legislation in the Senate last year which allowed Mr. Holt to bring these children into the United States. But Mr. Holt has not stopped there; he is helping hundreds of American families to make arrangements for these Korean war orphans and he is now in Korea, his third trip this year, making these arrangements.

Our country has always helped the poor and downtrodden, and certainly there can be no nobler aim than to help thousands of unfortunate orphans who are born into such a bleak environment and whose futures are so clouded.

Mr. President, in the struggle between the Communist world and the free world, our country's symbol as a haven to the oppressed must remain clear. I can think of no more important subject than legislation designed to give fair and just treatment to the people of the world in the fields of immigration and refugee relief. While our country spends many billions in the fields of mutual aid, we can strike a blow for freedom by permitting the reallocation of unused refugee quotas and by permitting admittance of 5,000 additional war orphans.

Mr. President, I ask unanimous consent that the telegrams which I have referred to and those from persons in my State in support of the Watkins amendment may be printed at this point in the body of the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

EUGENE, OREG., *July 20, 1956.*

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.:

Urgent Refugee Act 1953 must be extended. We, like many others, have child adopted at Korea. Can't bring home unless extended. Please help us.

Thank you.

WILLIAM J. and EVA BAILEY.

CRESWELL, OREG.

PORTLAND, OREG., *July 19, 1956.*

Senator RICHARD L. NEUBERGER,
Washington, D. C.:

Strongly urge your full and active support of and/or introduction of amendments reallocating Italian visas on H. R. 6888, sheepherders bill. All Italians in Oregon watching results.

FRANK LEMMA.

PORTLAND, OREG., *July 19, 1956.*

Hon. RICHARD NEUBERGER,
Senate Office Building,
Washington, D. C.:

Please support amendment to sheepherders bill or alternative. Those in pipeline be admitted.

ANDREW FAZIO.

PORTLAND, OREG., *July 19, 1956.*

Senator RICHARD L. NEUBERGER,
Washington, D. C.:

Would highly appreciate your introduction and/or support of Refugee Relief Act amendments on sheepherders bill, H. R. 6888, or at least that those in pipeline be admitted.

EUGENE G. CECCHINI.

PORTLAND, OREG., *July 19, 1956.*

Hon. RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.:

Please pass H. R. 6888, sheepherders bill, amended, to permit unused German, Austrian, and Dutch quotas under Refugee Relief Act of 1953 to be reallocated to Italians and Greeks, or in alternative, that those in pipeline to be admitted.

REV. J. M. MCMAHON,
Catholic Resettlement.

PORTLAND, OREG., *July 19, 1956.*

Hon. RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.:

Please pass H. R. 6888, sheepherders bill, amended, to permit unused German, Austrian, and Dutch quotas under Refugee Relief Act of 1953 to be reallocated to Italians and Greeks or in alternative that those in pipeline be admitted.

JOHN JADRESIC,
Secretary, Central Committee Croatian Peasant Society of Pacific Coast.

PORTLAND, OREG., *July 19, 1956.*

Hon. RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.:

Urge you to introduce and/or support sheepherders bill (H. R. 6888) amendments, permitting unused German, Austrian, and Dutch quotas under Refugee Relief Acts 1953 to be reallocated to Italians and Greeks. Thank you.

G. JOSEPH COLISTRO,
Your constituent.

PORTLAND, OREG., *July 19, 1956.*

Hon. RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.:

Please amend and pass H. R. 6888 to permit reallocation of unused refugee quotas to Italians and Greeks.

MIKE CELIC,
Secretary, Croation Fraternal Union.

PORTLAND, OREG., *July 19, 1956.*

Hon. RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.:

Appreciate support of H. R. 6888 as amended to permit reallocation of unused refugee quotas to Italians and Greeks.

ERNEST M. JACHETTA,
Oregon president, American Committee on Italian Migration.

MUTUAL SECURITY APPROPRIATIONS, 1957

The VICE PRESIDENT. If there be no further routine business, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes.

Mr. KNOWLAND. Mr. President, I am prepared, under the unanimous-consent agreement previously entered into, to yield to the distinguished Senator from Indiana [Mr. JENNER] an hour and a half which I had agreed would be yielded to him in opposition to the bill.

The VICE PRESIDENT. The Senator from Indiana is recognized.

Mr. JENNER. Mr. President, in order to cooperate in the closing days of the session I have consented to make my remarks at this time. I do not think it will make a great deal of difference.

Mr. President, the people of the United States have erected a monument at Yorktown to the heroes who fought the closing battle of the War of Independence.

This monument was struck by lightning in 1942, and the head of the Goddess of Victory was demolished.

That was 14 years ago and the monument to our national independence has not yet been repaired.

The statue of victory is still headless.

In the same period the United States has given away more than $100 billion to the governments of other countries.

Nearly half of that amount was given during World War II.

My State's share of the cost of this gift under our foreign aid program is $1,500,000,000 plus. This year, taking the House figure in the pending bill which the Senate insists on raising, it will be more than that amount. The House has provided for this year $700 million more than was appropriated last year.

Eden is on his way to Russia; France is playing its little game of tricks; Nasser and Tito have a meeting at some place on the Mediterranean, and Dulles says everything will be all right in a few

years. Peaceful coexistence is all about us. We are getting ready to cut back our armies of defense. Yet, we have to spend $700 million more this year than we spent last year. Those are the House figures. When the Senate gets through with the bill the amount will probably be increased by another half a billion dollars.

We can pass over those war-time gifts to other nations, though I am not convinced that they were spent for military essentials alone.

It is too early to carry on that debate.

We do not yet have the facts we need.

Let us confine our attention to the other half of the hundred billion dollar fund.

Since the end of World War II, we have given away over $50 billion to some 60 foreign nations.

Most of this was used for outright gifts.

A small part of it was loans but loans on political terms, like those after World War I.

What is $50 billion?

How can we grasp what it means?

Spruille Braden, formerly Ambassador to Argentina, and Assistant Secretary of State, has made an interesting estimate of what this gift means to our country.

Secretary Braden added the assessed valuation of all the property, real and otherwise, in the 13 largest cities of this country—New York, Chicago, Philadelphia, Los Angeles, Detroit, Baltimore, Cleveland, St. Louis, Washington, San Francisco, Boston, Houston, and Pittsburgh.

The total was almost exactly the grand total of what we have given to foreign countries in gifts or nonbusiness loans, since the end of the war alone.

Can Senators imagine the excitement and anger which would arise in this country if some gigantic clam-shell bucket were to scoop up the entire physical and financial wealth of New York and Pittsburgh and Detroit, and eight other cities, and if gigantic cranes were to lift this vast treasure up into the air and deposit our cities, bodily, across the ocean, in Europe, Asia, the Near East, and Africa.

But that is almost literally what we have given away to other nations since 1945, over and above the 47 billions we gave away under wartime lend-lease.

Would anybody be so foolish as to say these gifts to foreign countries did not leave a hole in our economy?

In most of the years since the end of World War II, our Government has operated with a deficit.

Foreign-aid expenditures have, therefore, been financed out of borrowed money.

We are borrowing money to pay the interest on our foreign-aid borrowing.

That is added to the total debt, and we must go on compounding interest payments on our foreign aid far into the future.

So the Senators need not think that someday they will stop foreign aid. They may stop the appropriations and the authorizations, but the payment for foreign aid will continue into the generations unborn.

The American people pay for gifts to other nations from borrowed money in one final form—the decline in the value of our dollar.

Our prewar dollars have shrunk to about 50 cents, and all the workers in nonexpanding industries, the retired schoolteachers and policemen, owners of bonds and mortgages, and many other silent, unorganized groups in our country pay a most unjust share of this seepage of value from American money.

So I ask—what did we accomplish by giving away the equivalent of 13 great American cities, and condemning many of our most productive citizens to heavy economic loss?

Representative MARTIN DIES briefly summarized the balance sheet of foreign aid in the House debate on the mutual defense authorization bill.

During the decade or more in which we have given away the equivalent of 13 huge American cities, in order, as we said, to stop the Communist advance, the Soviet leaders have expanded their power from rulership over 200 million people to rulership over 900 million people.

Is that not pitiful? I heard one Senator say yesterday, "I have always kept in my mind the lives of our boys."

I heard another Senator say yesterday, "We must pass this bill. Do we not know that the North Koreans are violating the truce; that they are rearming; that they are building airfields?"

Mr. President, what has happened to a great moral, Christian nation to cause it to stand idly by and wring its hands when a bandit nation is breaking its word? I say we are getting pretty low—pretty low.

During the decade or more in which we have given away the equivalent of 13 huge American cities, in order, as we said, to stop the Communist advance, the Soviet leaders have expanded their power from rulership over 200 million people to rulership over 900 million people.

So we did not buy much, did we?

Our foreign policy operation of the last decade is in the red on two counts—we have denuded our economy of wealth valued at over $50 billion, and we have seen about 700 million free human beings forced behind the Iron Curtain that hides the most bestial terrorism ever practiced by rulers of civilized nations.

I should like to take the time, today, to review the thousand-and-one silly projects for which Harold Stassen and many other great experts have been giving away our money, for what we might call the foreign aid "follies."

Do Senators want to hear some of them?

Noble speeches made by our foreign-policy spokesmen give very little clue to the foolish projects the people of other countries see carried out in our name.

Congress passed a road construction bill which provided the payment of taxes to build the roads. We said, "Americans, you are going to pay as you ride." But what are we doing overseas?

Our people are working and paying taxes to build roads from Cairo to Alexandria in Egypt while Nasser visits Tito in his Mediterranean retreat. Ha! Ha!

I cannot explain to my people, who are going to be taxed for every inch of the new roads in Indiana, why we owe Nasser anything.

We are paying for improvement of the port of Alexandria and Egypt's inland waterways but we do not know of any way to pay improvements of Indiana's lake ports except to do it ourselves.

We are giving Egypt machine shops, welding and forging shops, foundries, marine shops, handling and transportation machinery, warehouses, offices, plants, floating docks and toolrooms, but we have no diplomatic policy for countering Soviet intrigue in Egypt or the Near East.

It is the American foreign policy I am talking about.

In India we are supporting a variety of welfare projects for increasing food production and eradicating diseases. Ha!

At first sight, this seems the kindly thing to do, and Americans hate to hear of human suffering.

But the British carried on splendid programs of sanitation and disease prevention for over a hundred years.

The result was greatly to increase the population of India—without giving her the political and industrial skills to keep so many people alive.

American private industry managed the Tata Steel Works in India and taught Brahmans, Mohammedans, and Untouchables to work together without conflict.

It is not progress but reaction to put Government welfare ahead of the practical skills of expanding private industry, which Americans can do so much better than anyone else.

In Cambodia our taxes were used to build a 120-mile highway to the Gulf of Siam.

The King of Cambodia has just announced his allegiance to Moscow.

In Thailand we have given our tax funds for roads, railroads, ports, telecommunications, airfields, naval bases, and training camps.

We have built a 200-mile road.

We dig wells and carry on irrigation.

We even sprayed the houses of Bangkok with DDT. "Shoo, fly; don't bother me!"

But the shameful surrender of North Vietnam at Geneva in 1955 made Thailand far more vulnerable to military attack, and did more harm than we could ever undo by welfare spending.

In Israel we are teaching the refugees from Europe industrial and managing skills.

If that is not carrying coals to Newcastle, what is?

Liberia has rich resources of iron and minerals. They need labor, and we spend American money to train their workers. Why? It is usually a part of the cost of industrial, mining, and extracting operations to pay for training of their workers. The Senator from Nevada [Mr. MALONE] who is a mining engineer knows that is a part of the cost.

American corporations have always done it.

If we pay for the training of workers in a country rich in raw minerals, we are

simply making a contribution to the net profits of the owners of the resources.

Members of Congress were shocked at statements of Mr. Hollister, the director of the International Cooperation Administration, on the schemes for which the money was being spent.

He said:

These include the $20 million Nuclear Research Center in the Philippines, harnessing the Mekong River to control floods; provide transport and bring power to Laos, Cambodia, and Vietnam; building roads between India and Nepal, and Afghanistan and Pakistan; and constructing piers to help India ship iron ore to Japan.

Let us go on with the "American foreign policy follies."

We sent to Spain, as deputy director of our foreign aid program, one of Broadway's outstanding theatrical producers, who was also a successful real estate operator and composer of songs such as The Moon Is Blue.

He may be an able man, but imagine the industrial giant, America, sending a theatrical producer to strengthen Spain, potentially our best military base in Europe.

In Italy, Communists are very powerful in the industrial north, but have been slow to make inroads in the south. We are devoting our funds to road-building, land reclamation, drainage, and irrigation, powerplants, sewage systems, and housing in the south.

These plans will greatly increase the value of the large land-holdings in southern Italy.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. JENNER. I decline to yield. I have a limited time in which to speak, and I have much to say, because when we talk about the silliness of this program all over the world, it takes a long time to cover it.

The projects are very similar to the spectacular public works program carried out by Mussolini, but Mussolini probably had ways to collect the gains in taxes. We do not.

We have also transferred large amounts of American capital from American employment to create employment abroad by offshore procurement of articles with foreign aid funds.

We are training government technicians for many of these receiving governments.

I shall pass over the question of whether we really want to indoctrinate the rest of the world with the bureaucratic government we have enjoyed in the last 20 years, rather than the strictly constitutional government of earlier years.

But I call attention to the large amount of information supplied to Congress by the General Accounting Office, showing how the International Cooperation Administration has not yet set up efficient systems for financial control of its own funds. But we are going to other continents to tell other people how to do it.

HOW IS IT TEACHING OTHER NATIONS?

In Pakistan we were asked for a simple moving-picture outfit, costing about $20,000.

This would have paid for developing and printing the pictures, constructing the building, and training people for the work.

The Pakistani intended to mesh modern mass communication facilities with the traveling bands of singers who go from village to village making up songs about current news.

Our officials said, "Oh, no; you can't." They wanted something quick.

So they bought one developing machine, which cost twice as much as the entire Pakistan project, including buildings and everything else.

It will develop in 1 day more film than the Pakistani can produce in 1 year.

This is the "American foreign policy follies." Talk about a theatrical production. We have a funnier one here than anyplace else I have ever seen.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. JENNER. I decline to yield at this time. I have a limited time to speak. I am talking about the "American follies." It takes a lot of time to cover that. Remember, it has gone on for 10 years.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The Senator has 70 minutes remaining to him.

Mr. JENNER. Seventy minutes. It is now 11:09.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. JENNER. I yield.

Mr. MALONE. Does the Senator know what Will Rogers said when someone asked him where he got his jokes?

Mr. JENNER. No, but I would be interested in knowing, because he was a pretty clever man.

Mr. MALONE. When Will Rogers was asked that question, he said all he did was to watch the way the Congress acted, and then report its actions.

Mr. JENNER. That is true, but the saying is not funny in Indiana. It is costing my people $117 million this year.

Mr. MALONE. It has now gone past the funny stage.

Mr. JENNER. Why do we have this everincreasing emphasis on big, showy, impractical projects, which teach dependency and not enterprise to the people of undeveloped countries? The reason is simple, Mr. President. This is always the outcome, when governments have easy money to spend.

The United States was once an undeveloped country. No one brought us welfare projects to dig our wells, cut roads through the forests, lay railroads, or build planes. We had to do everything the hard way.

What was the result?

We learned independence, self-reliance, careful management of capital, unlimited ingenuity with tools and machinery, the habit of continuous improvement.

This American foreign-aid-follies racket has become an international blackmail game. One country says, "If you don't give it to us, we will go communistic."

Then the Communists say to them, "We will give you more than you are getting from America."

And now they are getting from both.

Mr. President, many persons will ask, "How could we give such help to undeveloped nations quickly?"

Even there we have an answer. Our own American Army, when it took over responsibility for Government and relief in occupied areas, made a magnificent record of teaching people self-reliance. In Korea, our occupation Army took over the enterprises run by the Japanese, and traded them to the rich landowners, in return for land. Thus, they accomplished two things: They obtained land to give to small farmers, without confiscation; and they put the wealthy landowners to work building up, by private enterprise, the industries Korea needed.

There is an American way to help other people. But no international "do-gooders," with unlimited easy money, are ever going to permit us to use it.

Today, waste of easy money is not merely a tax problem. We must never forget that we are talking about the security of the United States in a difficult, dangerous, and uncertain world.

The United States has spent about $1 billion in military grants to build airbases in Iceland. Recently, the Iceland Parliament voted to ask the Americans to leave Iceland, but, of course, to continue to pay for the operation of the bases. And of course we will do it. The voters of Iceland ratified their decision at the polls.

Mr. President, Iceland is the anchor of the NATO line for defense of Western Europe. To lose Iceland is much like losing one end of the Brooklyn Bridge, and saying airily, "Well, we still have the rest." [Laughter.]

We are giving aid to Tito. Before long, there will be before the Senate an amendment in regard to our giving aid to Tito. Some say, "We will cut off the equipment aid." In other words, they want to stop the 390 new, modern jet airplanes which are already in the pipeline, on the way. Mr. President, I am not a gambling man; but I will lay odds of 10 to 1 that this silly Senate will give Tito the 390 jets. If the Senate does not do it directly, it will do it indirectly; or else some bureaucrat downtown will do it, and then will lie like hell about it. [Laughter.]

We are giving aid to Tito so secretly that Members of Congress cannot get the facts. Our military aid to Tito is a secret in this bill. On yesterday I received a letter stating that not one jet plane for Tito is included in the bill. But why did not that gentleman say that the jet planes are in the pipeline? In addition, we are told there is another secret fund.

Mr. President, I ask the Senate, what earthly excuse can there be to keep secret our aid to Tito?

The Communists in Moscow know about every plane and tank that is promised to Tito, if they do not know it beforehand through their espionage in this country.

Whom are we trying to fool when we say, "Oh, no; the American Congress and the American taxpayers must not know how much military aid we give Tito."

Is it due to the enterprise of the press that we have just learned we are giving Tito 390 modern jets?

How many have we given away to free China?

We are building a new road through the heart of Yugoslavia. Of course, that is for "peaceful" purposes. But would not that autobahn be convenient if, by chance, the Soviet Union started its armies and tanks moving westward? Or, Mr. President, do you suppose the Soviet armed forces would detour around the road that we, that is the "American follies," built for Tito and Yugoslavia?

We have been giving Tito wool, cotton, coal, fertilizer, fats, and oils. We even pay for the ocean transportation of what we give. We are contributing to the cost of college education in Yugoslavia.

Now we are told by our officials that we must continue to give our money and our military secrets to Tito, in spite of his recent pilgrimage to Moscow, and his promise of eternal friendship with the Soviet regime, because we have a billion-dollar investment there.

If that argument holds, then we ought to give to the Soviet Union 12 times as much military aid as we give to Yugoslavia. We have an investment of $12 billion of lend-lease money the Soviet Union received in wartime; so, of course, we should send another 12 billions down the same rathole—to protect our investment.

We are told Tito has agreed with Moscow that he will send back—to Soviet justice—the Titoists in other satellite nations who sought refuge in Yugoslavia after they were condemned by the Cominform.

Lest we forget, Mr. President, the Tito whose smiling pictures now fill our papers, is the same Tito who hid safely in Moscow until the Germans were defeated in Yugoslavia by a popular uprising, and then returned to his country to execute our friend, Mihailovitch, who helped turn Serbia from the German to the Allied side.

Mr. President, one might think that once in a while we would accidentally make a mistake in our own favor. But we never do.

He is the same Tito who served as a Kremlin agent in the Spanish Civil War, and may well have taken part in the seizure of passports from the American volunteers and the execution of those who protested too much.

At the time when Tito announced his divorcement from the Kremlin, I was warned that his severance from communism was a fiction. I am sure other Members, and officials of the executive branch, had the same information.

Mr. President, there are too many people in the executive branch of the Government today who have a vested interest in the errors of the past. I have found that politicians will make a thousand and one excuses for what they did rather than ever to admit that they were wrong.

By his dramatic break with the Kremlin, Tito was able to get from the West the military and other strategic goods which Moscow could not furnish.

Now he can funnel his knowledge to the Kremlin, in return for the industrial equipment they did not have to give away a few years ago.

There never was a period, even the shortest period, in which it made sense to give Tito economic aid.

Giving him secret military weapons is, to me, folly that borders on treason, somewhere in our foreign-policy planning.

Let me repeat. Giving him secret military weapons is, to me, folly that borders on treason, somewhere in our foreign-policy planning.

Recently, the press reported how our Korean allies are being effectively disarmed, because we are making them use now obsolete arms and equipment, while the Communists are moving the best new planes, atomic weapons, and skilled fighting men into North Korea, in open violation of the armistice.

That is one of the excuses for the foreign-aid program. It is said that the Communists are violating the truce, and moving modern weapons and equipment into Korea.

Any boy old enough to have seen a western movie, knows that if some secret collaborator gives the bad men good weapons, while the sheriff is using an old gun, the sheriff will lose every fight, until he wakes up to the betrayal and, gets himself the best gun he can get.

What kind of foreign policy is it, to pretend that an armistice agreement is being observed when it is not?

Or to let our brave allies become increasingly weaker, because our foreign policymakers will not admit the enemy is lying, and is everyday becoming increasingly stronger?

I could go further, Mr. President, and ask what is the proper punishment for those officials in our Government who accepted an agreement for a neutral nation's commission, and then permitted the choice of Poland and Czechoslovakia as neutrals? How silly can we become?

Or for those who would compound the original felony by pretending the Communists are honest?

Is it possible our foreign policy officials are so stupid they believe the Koreans can defend themselves against Communists who put faster planes, speedier weapons, and more pilots on the battleground than our friends are allowed to have? No, it is not possible.

But remember, it is American fighting men who hold the corridor along which the Communists will probably invade, when they are ready.

It is time for us here in Congress to admit that the structure of American security through gifts to foreign countries is unsound.

It is time for us here in Congress to begin, what we should have begun long ago, to build a firm foundation under our foreign and military policy.

The foreign-aid program rests on an unsound foundation because it is a package deal.

It is designed to wrap up in one package, tied in pretty paper with bright colored ribbons, separate parcels which our people would never buy one by one.

It is said that this program has been recommended by the President, by the Joint Chiefs of Staff, by this man, or that man. It is a package deal. Let me explain it, if Senators have not taken the time to dig into it.

Our so-called mutual security program wraps our military defense in the Pacific, in a bundle so large and imposing that we will not notice how every dollar we give for the armed strength of free Korea, free China, free Vietnam, and the Philippines, is neatly locked into the United Nations, by the Mutual Security Act, itself.

Mr. DWORSHAK. Mr. President, will the Senator yield for a question?

Mr. JENNER. I will yield, if the Senator will be brief. I have a great deal of ground to cover.

Mr. DWORSHAK. I do not think the Senator from Indiana should be so caustic in his criticism of the mutual aspects of this co-called security program. When Assistant Secretary Robertson, of the State Department, appeared before the Appropriations Committee, he referred to the fact that the Southern Koreans have an army of about 700,000 trained men. He stated that if we did not give them all the money they wanted, it would necessarily follow that we would have to send 700,000 young Americans to displace the 700,000 South Korean soldiers.

At that point I asked him whether there was any cooperation on the part of our free allies in providing security in Korea. After considerable hesitation and a great deal of reluctance, he finally said, "We have a handful of U. N. forces there."

So the Senator from Indiana should recognize that, as we assume almost the entire responsibility not only in South Korea, but everywhere else, we have assurances from the Assistant Secretary of State that our great allies in the United Nations have a handful of forces, or token military personnel, in South Korea.

Mr. JENNER. We had assurances that the Chinese were "agrarian reformers," but I question some of those assurances.

Let me continue with the explanation.

Every policy decision is, therefore, subordinated to Security Council policies.

We can make only such military moves, in the last analysis, as have the approval of the Soviet Union.

If we spent all the wealth of the United States on military aid to the free nations of Asia, we could not give one iota of help to true freedom, because we must tell our allies they may use the money for marching soldiers, but they must never let their soldiers go near the enemy.

Free Chinese fighting men must stand and watch the enemy assemble mountainous supplies of tanks and planes and ships, for an offensive attack on their homeland, but never make a move to break up the invasion.

We remember how someone in the State Department would not let our forces cross the Yalu in Korea, to bomb enemy airbases, though the refusal cost us many precious lives.

Sometimes, I call this policy of giving our Asian allies military playthings, but not permitting them to use our help for any military purpose, the policy of the hickory limb.

All of us remember the old verse:

Mother may I go out to swim?
Yes, my darling daughter,
Hang your clothes on a hickory limb
But don't go near the water.

Perhaps some Senators noticed the interesting item in the hearings that our Government wishes to set up a GI bill of rights, with medical care and other benefits, for free Chinse soldiers too old to fight.

Yes, yes, that is our policy to defend America.

Let us spend American money freely for all the soldiers of the world who are too old to fight, but nothing for landing ships for the free Chinese to reach the mainland, and prove how widespread is the popular resistance to Red China.

Let us ask ourselves this question: What would happen to a Soviet official who proposed keeping the Communist satellite armies on a leash, while Soviet wealth was gaily handed out to allied soldiers too old to fight?

Our so-called mutual security program wraps our military defense in Western Europe in a pretty bundle called NATO which makes a fine military display at SHAPE, but is in fact a supranational agency with political and economic, as well as military, powers and governing machinery.

NATO's military strength rests on nations with powerful fifth columns which are constantly eroding their nation's sovereignty, and slanting their policies, to help the Soviet Union, as the Communist fifth column undermined France before Hitler.

NATO's real aims are hidden in the stratosphere, but the guiding influences in NATO are not able, or willing, to effect the rearming of Germany.

The Geneva conferences apparently fitted NATO into precisely detailed plans for the coming mutual-security alliances with the Soviet Union, which will be publicized, after the Communist empire has dutifully carried out certain rituals to prove how peace loving it is.

Where is the defense for America in that hidden agreement?

Our so-called mutual-security programs wrap up another pretty bundle—the giving of billions to those nations which will not join free Asia in readiness to fight for freedom.

This serves the double purpose of telling the Asians that we admire neutralism, and telling the brave Asian fighters for freedom that they would have been better off if they had been neutralists.

The rash of conflicting statements on neutralism put out by our foreign-policy planners has cost us more, than a generation of foreign-aid spending could repair.

The Pakistan Prime Minister was educated in an American college in Pakistan.

His Government well understands the threat from Soviet diplomacy.

But his people, though firmly anti-Communist, urge him to accept the invitation to visit Moscow.

They say, "If you go to Moscow, the American State Department will send its officials running, to bring gifts to us."

Now we hear that foreign nations are deliberately setting out to get aid both from the Soviet Union and from the United States.

They will not only be able to send the bids higher, but they figure that neither the Soviet Union nor America will dare withdraw the aid, if both are involved.

That is like the argument we heard about Yugoslavia and Tito. We were told that we could not stop aid, because we had a billion dollar investment there, and therefore must go on with aid to Tito.

And our foreign-policy planners tell us they are so clever only they can understand the intricacies of international relations, and Congress must dutifully accept whatever they put before us.

I will not waste your time with the foolish argument that we must keep up this foreign-aid spending, because communism stems from poverty, and we can easily overcome it by welfare.

Communism is a disease which attacks the ambitious, the overeducated, the bored, the idle rich.

Any Senator who does not believe it should read the records of our committees.

The strongest resistance to it comes from self-respecting workers in factories, farms, and other productive enterprises.

But there is more than waste of our people's earnings in this doctrine.

All nations are threatened with a fearful danger from the rapid population increase facing the world.

There has never been any repeal of Malthus' law that population, when it starts to rise, grows by leaps and bounds in geometric ratio.

The danger used to be food supply.

Today, it is the supply of land.

The "population explosion" which accompanied the peace and prosperity of the last century caused plenty of national rivalry for "living space," and ended in two world wars.

But the earlier population explosion spread out into the empty spaces of the Western Hemisphere.

The population explosion now facing us is taking place in Asia where people are already pitifully overcrowded on the land.

The possibilities are fearful to contemplate.

Every responsible statesman is deeply concerned.

Those who imagine this approaching crisis can be met by more sanitation and welfare are guilty of unpardonable frivolity.

The United States is too powerful in this sorely beset world of today to let itself be represented by stupidity, sentimental ignorance, or the doctrine of "after us the deluge."

The hatred and violence of communism will be helped, not hindered, by the crisis rapidly building up from the world's rapid population growth.

Still another bundle in the foreign-aid package includes these mysterious Presidential funds for use anywhere and anyhow.

One Presidential fund for $100 million is available with no restraints whatever.

Moreover, the President's authority under section 401, to shift $50 million of mutual security funds from one use to another, "without regard to the requirements of this act, or any other act for which funds are authorized by this act," was raised to $150 million.

In addition to vast powers, exercised, of course, by subordinates, a statement by the President that he has expended these funds and that it "is inadvisable to specify the nature of such expenditures," is sufficient accounting for their use.

We know perfectly well, whatever the magazine writers may say, that President Eisenhower cannot make all the decisions on all the problems now assigned to him, personally, by Congress.

Decisions must be made almost entirely by his staff.

All devices for appropriating money to the President, instead of appropriating it to any agency whose powers and duties are fixed by Congress, are transfers of legislative power from elected representatives to nonelected officials in the executive branch, who already have too many powers we cannot see.

The Members of the Senate and House who undertook to check on our foreign-aid spending have performed a great service for the other Members of Congress, and for the people for whom we act.

The evidence of their hard work can be found in the debates on this year's bills in the House and the Senate.

But all we know, Mr. President, that the Members of Congress can barely see the outer fringes of this crucially important activity of our Government.

A curtain of fog covers nearly everything the executive agencies are doing in this field.

The Senate hearings on the authorization bill alone runs to 1,083 pages.

Altogether, Senate and House hearings on both authorization and appropriation bills will total nearly 4,000 pages.

But how much information do we actually find?

Every time a member of the Senate Foreign Relations Committee came close to a really important issue of policy, before the Government witnesses replied the words "off the record" were interposed.

The same is true of all the committee hearings.

This magic formula does not apply to military secrets alone. Not at all.

When Senators are told that other nations are paying a part of the cost of military budgets, and then they learn that the contributions of the other governments come from counterpart funds, that is, from the sale of American goods we gave to those governments, and they try to pursue the question, we see the magic word "deleted."

How fantastic it is that a Member of this body has had to travel around the world, year after year, to find out what is being done with the taxpayers' money.

Then he prepares a comprehensive speech and cannot deliver it, but Senators who have the time, may go to the

Senate Appropriations Committee, and read a copy.

For years now, in connection with foreign aid bills, Members of Congress have worked long and hard, trying to improve this clause or that, to take out this or that useless provision.

I admire these Members for their devotion to their duty, but all we have in the end, by that method, is a thing of shreds and patches.

The Bible says one cannot grow figs from thistles.

It says that a house built upon sand cannot stand.

There has never been an example of the failure of that law.

There is only postponement of the collapse which makes death and devastation more widespread.

There is no possibility that we can make a sound foreign policy and military policy upon the present foundation, because the foundation is unsound.

We can repair the leaks and the cracks in the walls, but they will reappear next year and every years, because the foreign-aid program rests on ground which is sinking beneath our feet.

Our so-called mutual-security package includes, then:

First. A program for equipping the armed forces of free Asia, which is hogtied by delicate lines of control leading through the provisions of the Mutual Security Act to the United Nations Security Council.

Second. A program for a supranational agency—NATO—which subsidizes the budgets of Western European countries which are none too eager either to stand up to Soviet Russia, or to let Germany do it.

Meanwhile, our own security is subject to the influence of their fifth columnists, in the invisible meetings of the NATO Council, whose reports Congress is not permitted to see.

Third. A program for Socialist-neutralist countries which have never supported free Asia, satellite Europe, or the United States, at any crucial stage of the Communist advance.

Fourth. Mysterious entities called President's funds which are under no congressional limits or restrictions of any sort.

What aim or purpose they are to meet has never been seriously stated.

Fifth. A miscellany of grants to various international activities, mostly duplicating work our Government is also carrying on.

Where is the military security for the United States in that hodgepodge?

At various times I have pointed out on the Senate floor the astonishing, but almost unnoticed, change which has taken place since 1940 in that part of the executive branch dealing with foreign and military affairs.

There is no hope that Congress can shift our present fantastic spending programs to sound foreign and military policies, until we understand the far-reaching effect of this complete administrative transformation.

We in the Congress are making laws and granting appropriations to the historic State Department, which guided our foreign policy within the limits set by the Constitution and the statutes.

But we do not have that constitutional State Department any more.

We do not have the Military Establishment which we used to have, when the Cabinet department heads were the President's top advisers and administrative aides.

The State Department of Secretary Hull held firmly to the great tradition of our Secretaries of State, from the founding of our Republic.

This distinguished foreign policy establishment was transformed into something new and strange, when Harry Hopkins became the dominant influence on policymaking in wartime.

American foreign policy was shifted from diplomacy to spending with the Lend-Lease Act of April 1941, which enabled the administration to set up emergency agencies in the foreign field, modeled on the emergency welfare spending agencies of the thirties.

These included Foreign Operations Administration, OWI, OSS, and the rest. On and on they go.

"Oh," they say, "our military Chiefs of Staff have said so-and-so."

But let us see what they can say and how they can say it. They are hog-tied, under our foreign policy.

This new management group in foreign affairs promptly took over the direction of higher military policy.

By means of the combined boards, especially the combined Munitions Assignment Board, it was soon raised to international status, so that Congress could not subpena its Chairman, Mr. Hopkins, and ask embarrassing questions.

I need only point out to you, Mr. President, that this strange new growth, outside and above our Constitution, was carried out—

First. Under the war powers.

Second. By administrators who had learned, in the relief and welfare agencies of the thirties, how to use emergency funds as grants of unlimited legislative power.

Third. By agency staffs in which active leadership was taken by Alger Hiss, Harry D. White, Owen Lattimore, Lauchlin Currie, Frank Coe, Harold Glasser, Solomon Adler, and a long list of other people whose records have been brought out in sworn testimony before the Senate Subcommittee on Internal Security and the House Committee on Un-American Activities.

These staff members in Government were, as you know, continuously advised by officials of the Institute for Pacific Relations, whose wartime activities have been reported in detail by the Senate subcommittee.

I need not tell you, Mr. President, that these men were engaged in something vastly more important than making individual jobs for themselves.

They were engaged in building an administrative network within our Government, but not under our Constitution, which could exercise, through spending powers which Congress would never have granted them, and the Constitution would not have permitted.

This wild growth of governmental functions in the United States was never submitted to the people, submitted to the courts, or properly submitted to Congress with the information necessary for full congressional examination.

The policy of guiding international affairs through spending—instead of diplomacy—was continued during the 11 postwar years, under cover of a series of continuous emergencies.

Dean Acheson, who succeeded Mr. Hopkins as guide and manager of international power through the use of public money, worked out the Marshall plan and its successors, in order to continue emergency spending—which means spending not controlled by Congress.

Mr. Acheson also incorporated into the State Department most of the personnel of the emergency agencies working in foreign affairs, after dismissing Secretary Byrnes' security officer, Mr. J. Anthony Panuch, with 10 minutes' notice.

Foreign policymaking spread outward into new superagencies like the National Security Council, secret agencies like CIA, and a network of international agencies like U. N., NATO, GATT, and the rest, all of them well-insulated against the influence of Congress.

This complex of agencies, whose power derived from spending rather than from statutory organization and duties, defined by Congress, still firmly controls our military policy.

The role of our military men has been subtly changed from advising the American people on what measures are needed for national security to that of advising the foreign policymakers on how to achieve the ends they seek.

They have silently replaced national security with collective security under the United Nations.

But the United Nations is not anti-Communist.

It does not pretend to be.

It is a neutralist.

A military policy tied in to U. N. collective security must be a military policy acceptable to the Soviet Union and, therefore, to Red China.

This is where the right of our flyers to cross the Yalu was buried.

This is where our aid to the Nationalist Chinese forces has been held down to defensive equipment only.

This is where any move on our part to give effective military force to the free world will die of suffocation.

Our military strategy is under the complete dominion of foreign policy-planners who are committed to supernationalism, to one-worldism, to collaboration with the collectivist trends of the moment, and to appeasement of the Soviet Union.

I said, in discussing the Foreign Aid Bill of 1955, that our military policymaking is carried on by means of an administrative monstrosity.

I repeat, Mr. President, that Congress will never recapture its constitutional responsibility for foreign and military policy until it demolishes this administrative complex and reestablishes the historic State Department whose authority rests on its loyal adherence to American

principles, and its use of the dignified method of diplomacy, instead of the vulgar method of foreign spending.

Congress will never reestablish its responsibility for making a policy to safeguard America, until it separates foreign policymaking from military policymaking, and makes them both responsible to the Congress and the American people.

Members of the House Committee on Foreign Affairs discussed the possibility of separating military aid from economic aid.

Representative SELDEN, of Alabama, said:

> Most of the witnesses failed to present any substantial reason for the procedure now being followed.

Secretary Dulles said such a change would be impossible.

Why?

Because the giving of large sums of money to other nations causes economic and social complications and, apparently, only the staff of the State Department is competent to deal with anything so complex.

The poor Defense Department and the Members of Congress would be hopelessly bogged down in efforts to understand international economic or social problems.

Obviously, the military policy of a nation must be in harmony with its foreign policy, but it is equally obvious that the military establishment cannot be dominated by the foreign policy establishment.

The military program must be designed to go into effect instantly if diplomatic measures fail, or a hostile nation will deliberately revert to methods of compulsion.

It is cardinal to any real security of the United States that our military establishment must not be tied to errors in foreign policy.

Its role is to compensate for possible errors in diplomatic policy.

To tie military policy and operations to the State Department, or to any other agency dominated by foreign policy planners, like the National Security Council or the CIA, is equivalent to fastening the braking mechanism of an automobile to the steering wheel, so that it can operate only as the steering wheel moves.

The forces operating on our governmental organization since 1940, which have made the military establishment a technical agency for carrying out policies laid down by the internationalists, must be removed from power over our national destiny.

Only Congress can remove them.

It is, I agree, a cardinal principle of our form of government that the military establishment is to operate under what has usually been called the civil power.

As I have pointed out at length, this phrase is misleading or perhaps deliberately twisted from its original meaning.

The historic meaning of the phrase is that, under a government of laws, the military establishment must likewise operate under the law.

In a country where citizens are sovereign, the major policy guidance of the military must come from those who are elected by the citizens to speak for them.

There is nothing whatever in this doctrine to justify the Hopkins-Acheson policy of putting the professional military staff under another group of nonelected professional officials.

The State Department, like the military, is responsible for taking its overall direction from elected officials.

The Constitution gives to Congress the sole authority to make the change from the methods of diplomacy to the methods of war, in our dealings with other nations.

The President and the executive branch have full power and responsibility for carrying out the policy selected, but the right to invoke war remains with Congress.

It is sheer nonsense to argue that the executive must have the war power because we learn faster about new wars by radio than we did by sailing vessel and horseback. That only means Congress must act faster.

Limited government and the rule of law require that the right to use the Nation's human strength and economic resources for war must rest with the Congress as the people's representatives.

The power to turn the Nation from the method of diplomacy to the method of war is the primary sovereign power.

The Constitution-makers gave that power to Congress alone, because they knew from bitter experience of many centuries that the power to make war can never be trusted to men in power, in any form of government.

The powers given to Congress in the Constitution can never be taken away from us. They can only be cravenly surrendered.

Likewise, the duty to safeguard the Nation against threat by maintaining the Military Establishment in fighting trim is given to Congress through the power to raise and support armies.

The provision that no appropriation for the Armed Forces shall be for a longer terms than 2 years is specifically designed to insure that each incoming Congress shall be able to reestablish its authority over the Armed Forces, in spite of the advantage held by an executive branch in continuous operation.

There is no slightest possibility that our country can give untrammeled military support to the truly anti-Communist countries, under any kind of appropriation, so long as we continue—by our inaction—the present administrative monstrosity which puts the Military Establishment under foreign policymakers who serve international interests, and not the security of the United States.

We cannot, by any appropriation, give encouragement to the people of the satellite countries, where unarmed men have twice in the last few years walked hand in hand into the fire of tanks, to fight for liberty.

We cannot, by any appropriation, help the countries on the see-saw of neutralism to get rid of the Soviet fifth column which is propagandizing their people to trust in peaceful coexistence.

We are, on the contrary, being rapidly booby-trapped into giving even more funds to the soft neutralist countries, in the vain hope that that will slow down the Communist advance.

Mr. President, let me tell you just one thing; this fantastic complex cannot stand still. It must, by its very nature, keep in constant motion.

While Congress is kept busy discussing the details of spending, where is our country drifting?

In the quiet that followed the end of the Korean shooting, we could not, at first, detect any movement on the international chessboard.

The Berlin Conference of February 1954, the mysterious campaign of Dien Bien Phu, and the Geneva Conference of 1954, where Chou En-lai helped partition Vietnam, while we stood by, were the first warning that the subtle plans to guide American policy to a supernational one world on a collectivist model were again being put into effect.

In 1955, the trend of appeasement reached the carefully planned climax of the meeting at the Summit, the Geneva Foreign Ministers Conference after the Summit meeting, and the meetings between an American ambassador and a Red Chinese of ambassadorial rank, while the fiction that we did not recognize Red China was carried on.

Austria accepted the Soviet demand that she give up her power to defend herself.

We saw the outlines of the new program of neutralization, by which a belt of defenseless states were to surround the Soviet satellites from Sweden, around the Mediterranean and the Near East to India, Indochina, and perhaps to Japan, all carved from the free world.

Neutral Austria thrust a military barrier between Germany and Italy, and Cyprus set an effective barrier between Greece and Turkey.

What of 1956? Most of the neutralist nations have made their submission to Moscow. The members of the NATO alliance are not far behind.

Beginning with the 20th party congress, the Soviet Union has changed its spots from a Stalinist dictatorship to something which looks, every day, more and more like a law-abiding government.

At this very moment, Tito is meeting with Nasser to plan the next steps in the whitewashing of communism, and Nehru will soon join them.

The satellite nations are all going to sever their relations with the Soviet Union.

They are going to imitate Tito, and be showered with praises by the U. S. S. R.

Finally, the Soviet Union itself is going to put aside international revolution, and become "national communism."

Bits and pieces of the dialogue are fed into the papers every day.

Even Churchill talked of admitting the Soviet Union to NATO.

The collaborators are preparing the way by saying our only enemy is international communism.

Until recently, we were told our enemy was not communism at all, but "Russian nationalism."

Today, the cue is to denounce "international communism."

Thus, they prepare our minds for accepting the new order.

We will be told the economic or political system within a nation is not our concern.

As the Soviet Union changes before our eyes into a "national state," with a socialist government looking much like Britain, we shall be asked to meet her half way with our professions that there is nothing really wrong with communism or neutralism.

There is no slightest possibility that we can protect the security of the United States, or help nations which love freedom, if we ignore the perfectly planned moves by which the one-worlders are leading us to military impotence.

I have no choice but to vote against the Foreign Aid bill.

Certainly, I have no wish to reduce, by one dollar, the funds required to help free Korea, free China, and free Vietnam to maintain the armed forces needed to withstand Communist attack.

I am willing to help any other nation whose people, like those of Turkey or Guatemala, have been willing to risk their lives to avoid Communist conquest.

I cannot vote for the present bill, as I have been unable to vote for all other so-called foreign-aid bills, because I must protest against the package deal in which the military aid provided is completely enmeshed in invisible controls leading to a predetermined end.

Such military aid cannot add effectively to the defense of free nations against communism. It can never protect the United States. And the United States is the client I have to serve.

The entire package program is designed, I repeat, to hide the steps by which the various nations on the world chessboard are moved ever nearer to a complete rapprochement with communism, in which the free nations of Asia will be allowed to die on the vine, Red China will move into the United Nations, and NATO—which includes the United States—will join in a "security pact" with the Soviet Union, while Germany becomes part of a vast neutralist zone in Europe and Asia, headed by Tito, with the help of Nehru and Nasser.

In my opinion, Mr. President, we are moving, by carefully planned steps, to the end of the independence of our country.

It is irresponsible to offer destructive criticism of any policy, without indicating the lines along which a better policy may be found.

There are $7 billion or more of unspent funds, sufficient to continue the activities covered by this bill for 2 to 3 years. It has been estimated by the manager of the bill in the House of Representatives that there is already enough money appropriated to last this program for 33 months. Mr. President, I implore the Members of the Senate to listen to my words. The Congress will be in session again in 5 months. If something is found to be radically wrong with the program, it can be corrected then. In the meantime, let us look after the security of our own country.

At least $5.6 billion are in the military pipelines, of which $3 billion are for military assistance to Europe.

House Members pointed out in debate that these commitments were made to equip the nonexistent armed forces of Germany, and the promised forces of NATO nations which have been diverted to Algeria, or elsewhere, or which will vanish as the term of conscription is reduced and military budgets are cut back, in the general atmosphere of appeasement.

There remain, at most, barely 5 months until Congress reassembles. Any serious need for funds could be quickly met by the new Congress.

The Senator from Montana [Mr. MANSFIELD] has proposed an interim study by the Foreign Relations Committee of the foreign-aid program. I shall fully support that study, and I believe it will furnish much valuable information; but it does not meet all the problems involved in the deliberately confusing "package deal." Much difficult work remains to be done.

We are coming to the end of the legislative session, and I shall not propose other fundamental recommendations at this time.

We must turn our attention to the electoral contest, in which we report to the voters on our stewardship, and they give their verdict on the work which their officials have carried on, with the resources and the honor of the United States.

The Members of Congress will assemble next January, with a new mandate from the sovereign people. I hope that in every State and congressional district in the United States the voters will carry on, in both parties, a great debate on this question of foreign aid, which may well be the question of American survival in this dangerous world.

For my part, I hope the voters will demand an end of these vast spending programs, which act as a screen to hide our descent to soft collectivist internationalism.

I hope the next Congress will have a mandate from the voters to end internationalism by way of big spending, and to return to a truly American foreign policy, put into effect by diplomacy, and a truly American military policy, ready to protect us if diplomacy fails.

Thus, we can set out on a new path to safeguarding America, and strengthening all other nations which truly love liberty.

Mr. PAYNE. Mr. President, I ask unanimous consent that at this time I may suggest the absence of a quorum, without having the time required for the quorum call charged to either side.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). Is there objection?

Mr. CAPEHART. Mr. President, before the quorum call is had, will the Senator from California yield 2 minutes to me?

Mr. KNOWLAND. I yield 2 minutes to the Senator from Indiana.

Mr. PAYNE. Mr. President, I am willing to withhold my request.

The PRESIDING OFFICER. The senior Senator from Indiana is recognized for 2 minutes.

Mr. CAPEHART. Mr. President, first, I wish to congratulate my colleague [Mr. JENNER] on his speech.

I also wish to state that the Foreign Relations Committee is going to make a study of foreign aid. I am a member of the Foreign Relations Committee; and, of course, I shall participate in that study. My best judgment is that when the study is finished, we shall reach just one conclusion, namely, that all military expenditures in foreign countries should be handled by our own military authorities; and that all foreign aid should be in the form of loans, even though in some instances—and there may be some—the loans may be made on the basis of being repaid in the currencies of the foreign countries concerned.

For many years I have been advocating that policy. I continue to advocate it, as I stated last night, and as I have told the Foreign Relations Committee.

Although I shall have an open mind in connection with the study which will be made by the Foreign Relations Committee regarding this matter, I shall particularly watch and concentrate upon this specific thought, which I have had from the very beginning, namely, that the military authorities of the United States should handle all military matters, whether in the United States or anywhere else in the world; and that we should never give away money, but instead, we should make loans; that we should be generous in making loans, insofar as the terms are concerned, and, in many instances, insofar as repayment is concerned—possibly in respect to having the loans repaid in the currencies of the foreign countries concerned.

If we proceed on that basis, I think the United States will be better off as a Nation, and I believe the other nations will feel much better about our program. Furthermore, in my opinion we shall do better in our efforts to promote worldwide harmony and peace, if we proceed on that basis. I believe that will be the end result of the study the Foreign Relations Committee will make, and I believe it will be the end result of the recommendations the administration will make next year. My best judgment is that that will be the recommendation the Congress will make, and that the Congress will take such action, next year, and in the years to come.

The PRESIDING OFFICER. The time yielded to the Senator from Indiana has expired.

Mr. JOHNSON of Texas. Mr. President——

Mr. PAYNE. Mr. President, I had requested unanimous consent that at this time there be a quorum call, without having the time required for it charged to either side, under the unanimous-consent agreement. However, I am perfectly willing to withdraw that request, either on behalf of the majority leader or on behalf of the minority leader.

Mr. JOHNSON of Texas. Mr. President, I shall make the point of the absence of a quorum as soon as I finish an announcement I wish to make.

The PRESIDING OFFICER. The Senator from Texas is recognized.

ANNOUNCEMENT REGARDING CONSIDERATION OF CONCURRENT RESOLUTION ON ADMISSION OF COMMUNIST REGIME IN CHINA TO THE UNITED NATIONS

Mr. JOHNSON of Texas. Mr. President, I should like to make an announcement for the information of the Senate, and to include with the list of bills and other measures which I announced earlier today, Calendar No. 2744, House Concurrent Resolution 265, expressing the sense of Congress against admission of the Communist regime in China as the representative of China in the United Nations. That measure was reported on July 20 by the Senator from Georgia [Mr. GEORGE], from the Foreign Relations Committee.

If the plans of the leadership are carried out, it is expected that we shall move to proceed to the consideration of that concurrent resolution sometime on Monday, and that there will be a yea-and-nay vote on the question of agreeing to the resolution. I should like all Members to have advance notice of it.

MUTUAL SECURITY APPROPRIATIONS, 1957

The Senate resumed the consideration of the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I send a proposed unanimous-consent agreement to the desk which I ask to have read. It is submitted on behalf of myself and the minority leader.

The PRESIDING OFFICER. The proposed unanimous-consent agreement will be read.

The legislative clerk read as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That the unanimous-consent agreement on H. R. 12130, the Mutual Security Appropriation Act, 1957, be modified in the following respects, namely: That the residue of the committee amendments to the said bill be agreed to en bloc, with the exception of those relating to the paragraphs for defense support and development assistance, beginning on page 2, line 14, and extending down to and including line 7 on page 3; that with respect to these amendments it shall be in order on Tuesday, July 24, 1956, following the conclusion of morning business, for the Senator from Louisiana [Mr. ELLENDER] to submit 4 amendments thereto, said amendments to be considered and voted on en bloc; that debate thereon shall be limited to 1 hour, to be equally divided and controlled by Mr. ELLENDER and the majority leader, respectively; that following the vote on the said amendments, the committee amendments in the said paragraphs, whether amended or not, shall be voted upon en bloc without further debate.

Ordered further, That no amendment shall be received that has not been submitted prior to the adoption of this agreement, and no vote on any amendment shall be had on Monday, July 23, 1956.

The PRESIDING OFFICER. Is there objection to the unanimous-consent agreement?

Mr. O'MAHONEY. Mr. President, reserving my right to object, merely for the purpose of enlightenment, do I correctly understand that this modification means that there will be no votes today upon any amendment?

Mr. JOHNSON of Texas. That is correct.

Mr. O'MAHONEY. And that there will be no votes on Monday?

Mr. JOHNSON of Texas. That is correct.

Mr. O'MAHONEY. And that on Tuesday the Senator from Louisiana [Mr. ELLENDER] will be permitted to offer the amendments which are described as occurring on pages 2 and 3 of the bill and that they will be voted on en bloc on Tuesday?

Mr. JOHNSON of Texas. That is correct.

Mr. O'MAHONEY. And that thereafter any committee amendments which have not been disposed of will be acted upon; and thereafter those amendments which have heretofore been submitted will be acted on?

Mr. JOHNSON of Texas. That is correct; the Knowland amendment, the O'Mahoney amendment, the McCarthy amendment, the McCellan amendment, and any other amendments which have been submitted.

Mr. O'MAHONEY. Those amendments will be taken up following the disposal of the Ellender amendments and the remaining committee amendments. Is that correct?

Mr. JOHNSON of Texas. That is correct.

Mr. O'MAHONEY. I have no objection.

Mr. BENNETT. Mr. President, I should like to ask the majority leader a question. Is there then any time allowed on the bill itself?

Mr. JOHNSON of Texas. Yes.

Mr. BENNETT. Six hours?

Mr. JOHNSON of Texas. No; we have used some of the time on the bill.

Mr. BENNETT. Minus whatever we have used. Is that correct?

Mr. JOHNSON of Texas. That is correct.

Mr. HOLLAND. Mr. President, reserving the right to object—and I shall not object—what is the program the distinguished majority leader has in mind for Monday in the event this agreement is entered into?

Mr. JOHNSON of Texas. The program consists of many noncontroversial bills which we hope to consider, so that Senators who are not interested in them may go ahead with other plans.

The PRESIDING OFFICER. May the Chair ask the majority leader to speak louder?

Mr. JOHNSON of Texas. The Senator from Texas cannot yell; he is speaking as loud as he can. The Senator from Texas has announced a number of bills. He announced them yesterday and today. They are in the RECORD. They have been cleared by both policy groups. Most of them are relatively noncontroversial, and they are not expected to provoke much, if any, debate. It is not expected that they will keep us here very late today or need yea and nay votes.

Mr. HOLLAND. Then am I to understand that it is the intention of the leadership to lay aside the pending measure until Tuesday?

Mr. JOHNSON of Texas. That is correct. Of course, if some Senators wish time on the bill, as the Senator from Indiana [Mr. JENNER] did this morning, we will be glad to yield time to him on the bill. However, we will not expect to have any votes on the bill.

Mr. HOLLAND. And any time that was yielded would apply against the time on the bill under the unanimous-consent agreement?

Mr. JOHNSON of Texas. That is correct.

Mr. HOLLAND. There is no abandonment of the time limitations in the unanimous-consent agreement. Is that correct?

Mr. JOHNSON of Texas. The Senator is correct.

Mr. HOLLAND. I thank the Senator.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. HUMPHREY of Minnesota. I regret that I did not hear the statement as to the amount of time which was being reserved for discussion of the amendments submitted by the Senator from Louisiana [Mr. ELLENDER] which are to be considered en bloc.

Mr. JOHNSON of Texas. The same time as is now provided in the agreement—1 hour.

Mr. HUMPHREY of Minnesota. One hour to each side?

Mr. JOHNSON of Texas. No; 30 minutes to each side.

Mr. HUMPHREY of Minnesota. I understand that those amendments, en bloc, affect several provisions of the bill.

Mr. JOHNSON of Texas. I believe that is correct.

Mr. KNOWLAND. That is correct.

Mr. JOHNSON of Texas. There is no problem about time. We have time running out of our ears. The Senator from Louisiana originally thought he would want an hour on his amendments, but on considering the matter he decided that 30 minutes would give him ample time. We have an hour and 10 minutes on the bill remaining to our side which will probably be yielded back.

Mr. HUMPHREY of Minnesota. I wanted to make sure about that because I oppose the amendments of the Senator from Louisiana. This is a very important matter, and I did not want to

be foreclosed from the opportunity to object to cutting any items of economic aid.

Mr. JOHNSON of Texas. The Senator from Texas opposes them, the Senator from California opposes them, and other Senators are opposed to them. We felt that we would need only 30 minutes. In addition, we have an hour and 10 minutes on the bill within our control.

Mr. HUMPHREY of Minnesota. I thank the Senator.

Mr. KNOWLAND. I wonder whether we might have stated by the clerk the amendments which are now pending to the bill.

The PRESIDING OFFICER. Without objection, the clerk will read the amendments that are at the desk.

Mr. FREAR. Mr. President, as I understand, we have not yet entered into the agreement. Is that correct?

The PRESIDING OFFICER. That is correct. The Senator from Delaware is reserving his right to object.

The LEGISLATIVE CLERK. An amendment intended to be proposed by Mr. KNOWLAND, for himself and for Mr. BRIDGES and for Mrs. SMITH of Maine, identified as "7-18-56—A."

An amendment intended to be proposed by Mr. O'MAHONEY, for himself and Mr. MCCLELLAN, identified as "7-12-56—D."

An amendment intended to be proposed by Mr. O'MAHONEY, for himself and Mr. MCCLELLAN, identified as "7-17-56—A."

Amendments ordered to be printed and to lie on the table, numbering four, intended to be proposed by Mr. ELLENDER.

An amendment intended to be proposed by Mr. MCCARTHY, on page 6, lines 3 and 4, relating to aid to Yugoslavia.

An amendment intended to be proposed by Mr. HAYDEN, to make a technical change in the bill, in the form of a procedural amendment.

Mr. FREAR. Reserving my right to object—and I shall not object—I should like to ask the majority leader regarding his plans concerning Calendar No. 2472, H. R. 9083. Is that bill on his agenda?

Mr. JOHNSON of Texas. Several Senators have asked to be notified before that bill is called up. I have no plans to call it up. Three Senators on the minority side have indicated an interest in it. I shall be glad to talk to the Senator from Delaware about it to see if we can work out a satisfactory arrangement.

Mr. FREAR. With that assurance, I have no objection.

Mr. HUMPHREY of Minnesota. I should like to ask another question of the majority leader. As I understand, the unanimous-consent agreement would in no way preclude a Senator from the opportunity of offering an amendment to the section in the bill relating to the Middle East and Africa in connection with a special authorization?

Mr. JOHNSON of Texas. It would not now, but it would after the agreement is entered into.

Mr. HUMPHREY of Minnesota. I want to serve notice that I am preparing an amendment in that connection.

Mr. JOHNSON of Texas. Then I withdraw the agreement, if the amendment has not been prepared.

Mr. HUMPHREY of Minnesota. It is a very simple amendment. I am opposed to deleting the special authorization for the Middle East and Africa.

Mr. JOHNSON of Texas. If the Senator will hand his amendment to the clerk at the desk it can be considered. If he will send the amendment to the desk it will be included. We wanted to avoid a great number of amendments being offered later.

Mr. HUMPHREY of Minnesota. I will be happy to send my amendment to the desk. It would merely restore lines 6 and 7 on page 5. I send the amendment to the desk.

The PRESIDING OFFICER. The amendment intended to be proposed by the Senator from Minnesota will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 5, it is proposed to restore lines 6 and 7.

Mr. HUMPHREY of Minnesota. That is correct.

The PRESIDING OFFICER. The Chair suggests that the same objective could be obtained by rejecting the committee amendment. The Senator's amendment is to a committee amendment. All he need do is to request that the committee amendment be disagreed to when it comes before the Senate.

Is there objection to the unanimous-consent request propounded by the Senator from Texas?

Mr. AIKEN. Mr. President, reserving the right to object, may we have the proposed unanimous-consent agreement reread?

The PRESIDING OFFICER. The unanimous-consent request will be restated.

The legislative clerk again read the proposed agreement.

The PRESIDING OFFICER. Is there objection?

Mr. AIKEN. Mr. President, why is it limited to the Senator from Louisiana [Mr. ELLENDER]?

Mr. JOHNSON of Texas. Mr. President, it is not limited to any Senator. We wanted to be sure we would have a vote on the bill, because it has to go to conference. Any Member who desires to offer an amendment can send it to the desk.

The Senator from Louisiana had four amendments, which would take 4 hours to discuss. After consultation, he agreed he would offer them en bloc, so that only 1 hour would be consumed. Under the present agreement, there would be 4 hours granted instead of 1. The majority leader is anxious to get a vote on the bill sometime on Tuesday so that is can be acted upon by the other House.

Mr. AIKEN. Why is the vote to be had on Tuesday and not today, as we expected it to be?

Mr. JOHNSON of Texas. Because there are some Senators who want each committee amendment to be voted on by rollcall vote. The Appropriations Committee is meeting in conference on the supplemental bill. It is meeting this afternoon at 2 o'clock for a markup. Some of the members of that committee would not be present if the bill were acted on today, including the Senator from Louisiana [Mr. ELLENDER]. We thought such an agreement as this would suit the convenience of all Members and would expedite action.

Mr. AIKEN. I am seeking information as to the reasons for this maneuvering.

Mr. JOHNSON of Texas. There is no maneuvering.

Mr. AIKEN. I did not mean that in any bad sense, I will say to the Senator. I know of no reason for objecting to this request. I had simply hoped that the matter might be cleared up earlier.

Mr. JOHNSON of Texas. That is why we came into session today.

Mr. O'MAHONEY. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. O'MAHONEY. Mr. President, I wish to ask another question of the Senator from Texas. I am prompted by the question of the Senator from Vermont to ask the Senator from Texas whether there would be any objection to a modification of the request so that amendments to be presented and acted upon on Tuesday might be eligible for presentation on Monday. Under the unanimous-consent request, as I understand, any amendment that is offered before this agreement is made will be eligible for consideration.

Mr. JOHNSON of Texas. We expected to vote on the bill today. We hoped we could, and I think we could if we had an adjournment of the Appropriations Committee——

Mr. O'MAHONEY. I am not going to make any objection, but I wish the RECORD to show clearly that if there is any Senator, who is absent this morning, who had in his mind to offer an amendment to the bill, he will be cut off by this agreement.

Mr. JOHNSON of Texas. That is correct. For that reason, we have had quorum calls to notify Senators. We followed the regular procedure. Senators have had the same notice they would receive if we were going to vote on the final passage of the bill at this time.

Mr. President, I send to the desk a proposed modification of the proposed unanimous-consent request, which I understand is necessary.

The PRESIDING OFFICER. The modification will be stated.

The LEGISLATIVE CLERK. It is proposed to modify the unanimous-consent request so as to read as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That the unanimous-consent agreement on H. R. 12130, the Mutual Security Appropriation Act, 1957, be modified in the following respects, namely: That the residue of the said amendments to the said bill be agreed to en bloc, with the exception of the amendment on page 5, lines 6 and 7, and those relating to the paragraphs for defense support and development assistance, beginning on page 2, line 14, and extending down to and including line 7 on page 3; that with respect to the amendments in the two paragraphs indicated, it shall be in order on Tuesday, July 24, 1956, following the conclusion of morning business, for the Senator from Louisiana [Mr. ELLENDER] to submit four amendments thereto, said

amendments to be considered and voted on en bloc; that debate thereon shall be limited to 1 hour, to be equally divided and controlled by Mr. Ellender and the majority leader, respectively; that following the vote on the said amendments, the committee amendments in the said paragraphs, whether amended or not, shall be voted upon en bloc without further debate.

Ordered further, That no amendment shall be received that has not been submitted prior to the adoption of this agreement, and no vote on any amendment shall be had on Monday, July 23, 1956.

Mr. JOHNSON of Texas. Mr. President, I accept that modification.

Mr. ANDERSON. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. ANDERSON. Mr. President, I am not trying to delay matters, but many Members have asked me with reference to a hearing on the nomination of Mr. D'Ewart. The Senate will be in session on Tuesday and there will, again, be no hearing on the nomination. I wonder if there is any possibility that the majority leader and the minority leader together will try to work out a time for it.

Mr. JOHNSON of Texas. I shall be glad to go into the matter with the Senator. It has no relation to this unanimous-consent request.

Mr. ANDERSON. I grant that.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement as modified? The Chair hears none and the agreement, as modified, is entered.

The amendments agreed to en bloc under the agreement are as follows:

On page 2, line 5, after the word "which" to strike out "$60,000,000" and insert "$75,000,000"; in line 9, after "103 (a)", to strike out "(2)" and insert "section 104", and in line 11, after the word "until", to strike out "June 30, 1957" and insert "June 30, 1958";

On page 3, line 9, after "304 (b)", to strike out "$135,000,000" and insert "$140,500,000".

On page 4, line 8, to strike out "$2,000,000" and insert "$1,800,000";

On page 4, line 23, to strike out "$1,400,000" and insert "$3,000,000";

On page 5, line 5, after "411 (b)", to strike out "$34,145,000" and insert "$33,045,000";

On page 5, after line 20, to insert:

"An amount equal to 25 per centum of the funds appropriated for the fiscal year 1957 for purposes of title I (chapter 3), title III, and section 403 of the Mutual Security Act of 1954, as amended, shall remain available until September 30, 1957."

The amendment was agreed to.

The next amendment was, under the subhead "General Provisions", on page 7, line 16, after "Sec. 105.", to strike out "Not" and insert "Except for the appropriation entitled "Special Presidential Fund", not";

On page 8, after line 2, to strike out:

"SEC. 107. None of the funds contained in this Act shall be used to carry out the purposes of section 13 of the Mutual Security Act of 1956."

And on page 8, after line 5, to insert:

"SEC. 107. The Congress hereby reiterates its opposition to the seating in the United Nations of the Communist China regime as the representative of China, and it is hereby declared to be the continuing sense of the Congress that the Communist regime in China has not demonstrated its willingness to fulfill the obligations contained in the Charter of the United Nations and should not be recognized to represent China in the United Nations. In the event of the seating of representatives of the Chinese Communist regime in the Security Council or General Assembly of the United Nations, the President is requested to inform the Congress insofar as is compatible with the requirements of national security, of the implications of this action upon the foreign policy of the United States and our foreign relationships, including that created by membership in the United Nations, together with any recommendations which he may have with respect to the matter."

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEES TO FILE REPORTS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that committees may have permission to file reports during the recess or adjournment of the Senate until midnight tonight.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 497) to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5265) to exempt certain additional foreign travel from the tax on the transportation of persons.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 7619) to adjust the rates of compensation of the heads of the executive departments and of certain other officials of the Federal Government, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MURRAY of Tennessee, Mr. MORRISON, and Mr. REES were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 11947) to extend and amend the Renegotiation Act of 1951.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

H. R. 5519. An act to authorize and direct the Secretary of the Army to convey certain tracts of land in El Paso County, Tex., to the city of El Paso, Tex., in exchange for certain lands to be conveyed by the city of El Paso, Tex., to the United States Government;

H. R. 8047. An act granting authority to the Secretary of the Army to renew the license of the Ira D. MacLachian Post, No. 3, the American Legion, Sault Ste. Marie, Mich., to use a certain parcel of land in Saint Marys Falls Canal project;

H. R. 9081. An act to direct the Secretary of the Army or his designee to convey a 3-acre tract of land situated about 6 miles south of the city of San Antonio, in Bexar County, Tex., to the State of Texas;

H. J. Res. 549. Joint resolution granting the consent of Congress to the State of New York to negotiate and enter into an agreement or compact with the Government of Canada for the establishment of the Niagara Frontier Port Authority with power to take over, maintain, and operate the present highway bridge over the Niagara River between the city of Buffalo, N. Y., and the city of Fort Erie, Ontario, Canada; and

H. J. Res. 664. Joint resolution to amend the joint resolution providing for membership and participation by the United States in the American International Institute for the Protection of Childhood and authorizing an appropriation therefor.

PRESIDENT'S ADVISORY COMMISSION ON PRESIDENTIAL OFFICE SPACE

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2734, S. 4228.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 4228) to provide for a President's Advisory Commission on Presidential Office Space.

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the Senator from Texas.

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, the purpose of S. 4228 is to establish a commission composed of seven members to study the problem of providing more adequate office space for the White House office and the other agencies of the Executive Office of the President, and to report to the President within 6 months such findings and recommendations as deemed appropriate. The Commission would cease to exist 30 days after submission of its final report.

The Commission is to be composed of seven members as follows: two Senators appointed by the President of the Senate; two Representatives appointed by

the Speaker of the House of Representatives; and three persons appointed by the President of the United States from the executive branch or from private life.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That there is hereby established a commission to be known as the President's Advisory Commission on Presidential Office Space (hereinafter referred to as the "Commission"). It shall be the duty of the Commission (a) to study the problem of providing more adequate office space for the White House Office and the other agencies of the Executive Office of the President, and (b) within 6 months after the approval of this act, to report to the President such findings and recommendations as it deems appropriate.

SEC. 2. (a) The Commission shall be composed of seven members as follows:

(1) Two Senators appointed by the President of the Senate;

(2) Two Representatives appointed by the Speaker of the House of Representatives;

(3) Three persons appointed by the President of the United States from the executive branch or from private life.

(b) A vacancy in the Commission shall not affect its powers but shall be filled in the same manner as the original appointment was made.

(c) The Commisison shall elect a Chairman and a Vice Chairman from among its members.

(d) Commission members appointed from the Congress and the executive branch shall serve without additional compensation. Commission members appointed from private life shall receive $50 per diem when engaged in the performance of Commission duties. All Commission members shall receive reimbursement for necessary traveling and subsistence expenses incurred by them in the performance of Commission duties.

(e) Within the limits of its appropriations, the Commission is authorized to appoint such personnel, without regard to the civil-service laws and the Classification Act of 1923, as amended, and to make such expenditures as, in its discretion, it deems necessary.

(f) The Commission is authorized to request and secure the advice or assistance of any Federal agency. Any Federal agency furnishing advice or assistance to the Commission may expend its own funds for this purpose, with or without reimbursement from the Commission, as may be agreed upon between the Commission and the agency.

(g) Thirty days after the submission of its final report the Commission shall cease to exist.

SEC. 3. Appropriations to the President for "Expenses of management improvement" shall be available for necessary expenses of the Commission, and there are hereby authorized to be appropriated such additional sums as may be necessary for such expenses.

MANAGEMENT OF RED LAKE INDIAN FOREST AND SAWMILL

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2625, S. 3787.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 3787) relating to the management of the Red Lake Indian Forest and Sawmill.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs with an amendment, on page 2, line 14, after the word "employ", to insert "with the consent of the tribal council," so as to make the bill read:

Be it enacted, etc., That the 17th paragraph of section 9 of the act of May 18, 1916 (39 Stat. 123, 137), is hereby amended to read as follows:

"The Red Lake Indian Forest shall be administered by the Secretary of the Interior in accordance with principles of scientific forestry that will encourage the production of successive timber crops for the benefit of the Indians of the Red Lake Band, and he is hereby authorized (a) to harvest, sell, and manufacture such marketable timber from any tribal lands within the Red Lake Indian Reservation as he may deem to be advisable and, if the timber is the growth of Red Lake Indian Forest, in keeping with the foregoing principles, (b) to establish nurseries and otherwise provide for the reforestation of said lands, (c) to construct and operate sawmills and other facilities for the manufacture into marketable products of the timber harvested from said lands, (d) to purchase, harvest, and manufacture such additional timber standing on or severed from any other lands, including lands outside the reservation, as in his opinion may contribute to the profitable operation of such sawmills and other facilities as a tribal enterprise, subject to such limitations on expenditures as may be prescribed in annual appropriations acts, and (e) to employ, with the consent of the tribal council, such persons and use such means as he may find necessary to carry out the purposes of the foregoing provisions. Any proceeds derived from sales of timber or timber products under this paragraph may be expended in payment of the expenses of any of the activities authorized by this paragraph, including construction expenses."

SEC. 2. The fourth paragraph of section 8 of the act of June 30, 1919 (41 Stat. 3, 14) is hereby amended by striking out the proviso.

Mr. JOHNSON of Texas. Mr. President, the purpose of S. 3787 is to amend the act of May 18, 1916 (39 Stat. 123, 137), to authorize the Red Lake Indian Forest to be administered in a manner that will give full effect to the principles of scientific forestry by permitting the sale and manufacture of such merchantable timber as may be deemed advisable in order to encourage the production of successive timber crops.

The restrictions in the 1916 act on the type of timber that may be harvested are in conflict with present-day principles of scientific forestry. Many of the trees in the forest are partially defective, suppressed, subject to windthrow, or for other reasons are not desirable as components of the reserve stand. A large amount of merchantable timber in the forest has not reached maturity, but it should be removed in order to comply with good silvicultural practices.

While the 1916 act authorizes the construction and operation of sawmills to manufacture lumber from the timber on the Red Lake Indian Forest, there is no authority to purchase timber from other sources. There are only about 20 million board-feet of timber on the reservation available for harvesting. At the present cutting rate of 5 million board-feet of sawlogs annually, it will be necessary to shut down the tribal sawmill within a few years unless an augmented supply of non-Indian timber is made available. Therefore, S. 3787 authorizes the purchase of additional timber from off-reservation sources to contribute to the profitable operation of the sawmill as a tribal enterprise.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill (S. 3787) was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF TITLE III OF THE SERVICEMEN'S READJUSTMENT ACT OF 1944

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2526, H. R. 9260.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 9260) to amend title III of the Servicemen's Readjustment Act of 1944, as amended, and for other purposes.

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Labor and Public Welfare with amendments on page 1, line 5, after the word "amended", to insert "(A) by striking out '10' the first time it appears in the fourth sentence and inserting in lieu thereof '11', (B)"; on page 2, line 3, after the word "and", to strike out "such section 500 (a) is further amended" and insert "(C)"; on page 5, line 14, after the word "unpaid", to insert "and has assumed by contract all of the obligations of the veteran under the terms of the instruments creating and securing the loan"; in line 21, after the word "amended", to insert "(A) by striking out '10' the first time it appears in subsection (1) and inserting in lieu thereof '11', and (B)"; and on page 6, after line 2, to strike out:

(10) Section 501 is amended by adding at the end thereof the following:

"(d) Notwithstanding any other provision of this title, where a contract for the purchase of residential property has been entered into before July 25, 1957, and on that date approval of a loan for the purchase of such property is being processed by the Administrator, then such loan may be guaranteed pursuant to the provisions of this title if such approval is granted and the loan is closed on or before July 25, 1958."

And, in lieu thereof, to insert:

(10) Section 500 is amended by adding at the end thereof the following:

"(g) Notwithstanding any other provision of this title, if a loan report or an application for loan guaranty relating to a loan under this title has been received by the Adminis-

trator on or before July 25, 1958, such loan may be guaranteed or insured under the provisions of this title on or before July 25, 1959."

Mr. JOHNSON of Texas. Mr. President, the distinguished junior Senator from New York reported the bill from the Committee on Labor and Public Welfare. I wonder if he would be so kind as to make an explanation of the bill for the information of the Senate.

Mr. LEHMAN. I am happy to do so.

Mr. President, the bill, with committee amendments, amends title III of the Servicemen's Readjustment Act of 1944.

The termination date of the loan guaranty program for World War II veterans would be extended for 1 year, from July 25, 1957, to July 25, 1958. In addition, the bill provides that notwithstanding the termination date of July 25, 1958, any loan which is being processed by the Administrator on that date may be guaranteed if on or before July 25, 1959, approval is granted and the loan is closed.

The bill would amend existing law to permit the restoration of entitlement, at any time prior to January 31, 1965, where the property subject to the initial use of entitlement was taken by a governmental agency for public use, destroyed by natural hazard, or otherwise disposed of for compelling reasons without fault on the part of the veteran.

The bill would amend existing law to permit the restoration of entitlement used for a home loan by a veteran who is in the military service and who disposes of his home because of a transfer on military orders. Under present law, the home loan entitlement cannot be used more than once.

The bill would add a new subsection to existing law to require that a veteran applicant for a loan to purchase, construct, or repair, alter, or improve a home, certify, both at the time he applies for the loan and at the time a loan is closed, that he occupies or intends to occupy the property as his home. At the present time, the veteran must so certify only at the time he applies for the loan.

The bill would add a new provision to existing law to permit a veteran obligor on a current loan to be released from liability to the Administrator on account of such loan when he disposes of residential property securing the loan obligation to a transferee who qualifies from a credit standpoint and has assumed full liability for the repayment of the unpaid balance of such loan.

Appropriate sections of title III would be amended to clarify the Administrator's responsibility with respect to appraisals.

The most important provision of this bill is the extension of the GI loan guaranty program for 1 year.

The present loan guaranty program for World War II veterans is due to expire on July 25, 1957.

The Veterans' Administration has underwritten more than 4,700,000 loans made to veterans by private lending institutions. More than 4,400,000 were made for the purchase or construction of homes, 225,000 were business loans, and another 70,000 were made in connection with farming activity. The dollar volume of closed loans is nearly $36 billion with a VA guaranty of about $19½ billion. More than 1 million of these loans have been paid in full, and it is estimated that the outstanding loan balances total about $26 billion, on which the Government's contingent liability amounts to approximately $14 billion.

The repayment record which our veterans have maintained is excellent. The VA has been called upon to pay a total of 41,600 claims, which represents less than 1 percent of all loans closed. In the case of home loans, the VA has been called upon to pay claims on about one-half of 1 percent of the cases. This fine record is a tribute not only to the individual veterans, but demonstrates the care with which the loans were made by the private lending institutions and the diligent manner in which they were serviced.

More than 11 million veterans have not yet participated in this program. Yet there can be no doubt that many of them need homes and, if given more time to improve their financial resources, would take advantage of the relatively favorable terms under the GI program to purchase homes. It is worth noting that because financing on GI terms has been more difficult to obtain in small towns and rural areas than in metropolitan areas, a smaller proportion of veterans in the outlying areas have had an opportunity to take advantage of their privileges under the Servicemen's Readjustment Act to purchase homes.

The program has played an increasingly important role in the total housing picture. Last year, homes financed with VA-guaranteed mortgages constituted 30 percent of total housing starts. An abrupt cutoff of this program at this time would undoubtedly result in a reduction in home building at a time when housing activity has already declined considerably.

Such a severe and sudden shock to the Nation's home-building activity must be avoided. The committee therefore recommends that the veterans' loan guaranty program be extended for at least 1 year beyond the present expiration date, and that the VA should be authorized to guarantee loans during the year following the termination date, if the veteran's application was received on or before that date.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 9260) was read the third time, and passed.

EXECUTION OF CONTRACT WITH THE TULE LAKE IRRIGATION DISTRICT, CALIFORNIA

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2622, H. R. 12034.

The PRESIDING OFFICER (Mr. SCOTT in the chair). The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 12034) to authorize the Secretary of the Interior to execute a contract with the Tule Lake Irrigation District, California, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BIBLE. Mr. President, H. R. 12034, introduced in the House by Representative ENGLE, of California, authorizes the Secretary of the Interior to execute a repayment contract with the Tule Lake Irrigation District of the Klamath project in northern California. This legislation is the result of many years of negotiations between the Bureau of Reclamation and the settlers on the Tule Lake division of the Klamath reclamation project.

The contract authorized provides for full repayment of the Federal cost of constructing the irrigation works to serve the Tule Lake district. The payments will be made from construction charges and from net revenues received from the lease of Federal lands in the project area now credited to the district, as well as from miscellaneous credits. No writeoffs of construction charges are authorized and in effect the legislation will have the effect of providing increased returns to the Federal Treasury.

The Interior Department approves the bill.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 12034) was ordered to a third reading, read the third time, and passed.

ABOLITION OF VERENDRYE NATIONAL MONUMENT, N. DAK.—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, I understand the distinguished Senator from Nevada [Mr. BIBLE] desires to call up a conference report, on which there will be some discussion.

Mr. BIBLE. Mr. President, I am very happy to do so.

I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1774) to abolish the Verendrye National Monument, and to provide for its continued public use by the State of North Dakota for a State historic site, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1774) to abolish the Verendrye National Monument, and to provide for its continued public use by the State of North Dakota for a State historic site, and for other purposes having met, after full and free conference,

have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 3, 4, and 5.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same.

ALAN BIBLE,
WILLIAM R. LAIRD III,
W. KERR SCOTT,
GEORGE W. MALONE,
FRANK A. BARRETT,
Managers on the Part of the Senate.

WAYNE N. ASPINALL,
GRACIE PFOST,
STEWART L. UDALL,
E. Y. BERRY,
CRAIG HOSMER,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. BIBLE. Mr. President——

Mr. MORSE. Mr. President, does the chairman of the conferees wish to make a statement first?

Mr. BIBLE. I wish to make a brief statement concerning the conference report. The report comes from the Committees on Interior and Insular Affairs of the Senate and the House of Representatives. The conference report is unanimous. It deals with the disposition of the Verendrye National Monument in North Dakota. The House version provided that the national monument should be conveyed to the State of North Dakota without charge, to be used for recreational purposes and as a State monument.

The other provisions of the bill provided that if the ground were no longer used for those two purposes, the title would revert to the United States Government.

During the course of the history of the proposed legislation, and in the Senate, it was amended so the land would be disposed of by the General Services Administration. Inquiry there indicated there would be some value placed upon it.

After studying the relative merits of the House and Senate versions of the bill, the conferees felt the House version was preferable. The Senate conferees receded from certain Senate amendments, and the House conferees receded from the disagreement of the House to one Senate amendment.

I directed the attention of the senior Senator from Oregon [Mr. MORSE] to this particular piece of proposed legislation, because I knew of his interest in the Morse formula.

The conferees were unanimous in recommending the action I have indicated.

Mr. MORSE. Mr. President——

Mr. BIBLE. I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I shall oppose the conference report. It is a clear violation of the Morse formula. Therefore, it is unfair to every Senator who, ever since 1946, has complied with the Morse formula. I have consistently applied the formula without a single exception, including every time proposed legislation involved land in the State of Oregon.

At the present time in the State of Oregon there are forces which are very much exasperated with me because I refused to support a move on their part to give a piece of property to a city in the State of Oregon which would like to have it for park purposes.

There are some special features involved in the pending bill. True, the butte could not be worth very much, but as of this hour it belongs to all the taxpayers of the United States. As of this hour it is Federal property. It is a national monument. If the General Services Administration, as the Senate bill provided, should be authorized to take jurisdiction over it, certain preference clauses would apply, first, to Federal agencies that conceivably might want the property for Federal use. I do not know what in the world the use would be; but, theoretically, preferences would apply if the Senate bill were passed.

I am objecting to the conference report because there is involved the principle which I have tried to support since 1946. Whatever the property may be worth, it belongs to all the taxpayers of the Government. If there were a bill in the Senate today which provided for the appropriation of money to establish a State park in North Dakota, I do not think I would have to argue very much to support my contention. Such a bill would not pass the Senate. If Congress should ever start appropriating money to establish parks for States, cities, or localities, it can readily be seen what the drain on the United States Treasury would be.

Because the property concerned is a national-monument butte in North Dakota does not change the fact that it is Federal property. If it is worth $1, the present proposal amounts to the same thing as a proposal to pass an appropriation bill to give $1 to the State of North Dakota. I do not know where we shall draw the line, if once we begin to make such exceptions.

I fully appreciate the position of the Senate conferees, and I think they know the great admiration in which I hold them. But I cannot support such a conference report, because when it is boiled down to its essence, we find that there is an effort to use Federal property of value, for the establishment of a State park. I have no objection to having the property continue as a national monument; I have no objection to supporting it as a national monument. But I shall not begin to support in the Senate, bills to give to States Federal property, for park purposes, because in that event we might just as well give the States the cash. Of course we know the Senate would never pass an appropriation bill to give the States the cash.

Whatever this property may be worth—and I do not know what it is worth—in my judgment North Dakota should pay 50 percent of its fair market value, in accordance with the Morse formula.

Mr. President, I point with some pride to the fact that this rather stubborn insistence on my part, during my service in the Senate of the United States, has saved the taxpayers of the United States in excess of $500 million. I think that is an important saving.

However, the most important thing is the principle involved. If I had not insisted on that principle, I think much of the property of the Federal Government would have been placed in a grab bag, to be dipped into by the States and to be grabbed off by them, under the leadership of the various Members of the Congress.

Mr. President, an additional important point involved is that my insistence on the application of the Morse formula has stopped the making of certain concealed contributions to campaign funds, in that if Federal property were given free to the States, there would be a tendency, in at least some instances, to make concealed contributions to the campaign funds of the Members of Congress involved.

Mr. President, I know I shall be defeated in my effort in connection with the pending conference report. Since 1946, there have been a few occasions when I have encountered such a situation as that presented by this conference report. When the bill comes back to the Senate in the form of a conference report, of course, I realize that one Member of Congress cannot defeat the report. But if I find that a practice is being developed in connection with such matters, and if I ever believe that an effort is being made to circumvent this principle to which I have adverted by having the Senate vote in favor of the Morse formula, but subsequently having the conference report omit it, I shall stop supporting, on the unanimous-consent calendar, any Senate bill which involves the transfer of Federal property, until first a corresponding House bill containing provision for the Morse formula is passed. In that event, the bill passed by the House will contain a provision that the taxpayers of the United States will receive at least 50 percent of the fair market value of the property. In that connection, I shall endeavor to have the Senate act on the companion Senate bill last. That procedure will mean that such a provision will be contained in the Senate bill, after the same provision has been included in the companion House bill which has been passed. In that event, in the conference the Morse formula could not be omitted.

Mr. BIBLE. Mr. President, I wish to assure my good friend, the Senator from Oregon, that in this case there is no intent to devise a means of circumventing the provision about which he feels so keenly, and which he has consistently supported. We felt that in this case, inasmuch as the State of North Dakota would use the property for park purposes, enactment of the House version of the bill was justified.

Mr. MORSE. I understand that point of view, but I completely disagree with the objective. Every time during the last 10 years when some Senator has tried to have Federal property donated free, for use as a State or city park, the same argument has been made, namely, that the land would be used only for park purposes. My answer to that argument

is to ask, why should the Federal Government donate any Federal property for State or city park purposes? Why should the Federal Government finance the park program of a State or city? I do not know why the United States Government should do so. If the people of a State want a State park, they should buy one; they should pay for it. That happens to be a State function.

I am always amused when in the Senate of the United States I find some Members, great States' righters, who are perfectly willing to dip into the Federal Treasury, to get a free park for their States.

Mr. President, for years I have made this argument, ad infinitum. Only seldom have I lost in my effort, although apparently today I shall lose.

I repeat that I give notice that in the future I shall watch very carefully the approach to this matter by means of conference reports.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

SOCIAL SECURITY FOR FARMERS

Mr. CAPEHART. Mr. President, I ask unanimous consent to have printed in the body of the RECORD, as a part of my remarks, a statement I have prepared in regard to House bill 7225.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CAPEHART

I do not want to take up the time of the Senate so I ask that a brief statement of mine, relative to H. R. 7225, the bill to extend social security to the farmers, be inserted in the RECORD.

I have offered, and it has been accepted, an amendment to H. R. 7225, relating to the extension of social security to the farmers.

My amendment provides briefly that the social-security benefits be extended not only to the farmers but to the managers of farms. In effect, it is only a clarifying amendment. The extension of social security to the farmers means only that by virtue of certain payments they themselves make they are entitled to the same social-security benefits which other people receive.

My amendment provides or makes clear that these privileges are extended not only to people who are actually working on the farms, but to those who own them and those who are the managers of them. I think it is eminently fair and the Senate has agreed with me.

In the adding of the words "or the management of the production" after the word "production" on line 20, page 30, of H. R. 7225, the congressional intent behind this section will be more clearly set forth. The present reading of this portion of the amendment, (2) section 211 (a) (1), does not make it sufficiently clear that this amendment is intended to include under social-security coverage those farm owners having an arrangement whereby another individual (who may be called a partner or tenant) performs the physical labor connected with the livestock and/or crops while the farm owner himself participates with this other individual in the management of the farm through his planning of such considerations as crop and livestock production and marketing.

The Senate Finance Committee in its report No. 2133 to accompany this bill correctly interpreted the legislative intent behind this section but admitted that it is only "contemplated" that the committee's interpretation is the one that will be applied by those in the Social Security Administration whose duty it is to administer the legislation. The addition of the words "or the management of the production" will insure that the true legislative intent is carried into effect. There should be no question but that, in the correct phrasing of the Senate Finance Committee:

"In any case in which the owner or tenant establishes the fact that he periodically advises or consults with * * * (the) individual (who performs the physical work) as to the production of the commodities and also establishes the fact that he periodically inspects the production activities on the land he will have presented * * * (sufficient) evidence of the degree of participation contemplated by the amendment (and accordingly will be eligible for social-security coverage). (Also), if the owner or tenant * * * establishes the fact that he furnishes a substantial portion of the machinery, implements, and livestock used in the production of the commodities or that he furnishes, or advances, or assumes financial responsibility for, a substantial part of the expense involved in the production of the commodities * * * he will have established the existence of (a degree of participation sufficient to qualify him for social-security coverage)."

In short, by inserting the words "or the management of the production" after the word "production" on line 20, page 30, of H. R. 7225 there can be no doubt but that the legislative intent here is to include under social-security coverage those farm owners who either engage in physical work relating to the farming activities or (and I emphasize "or") participate to a material degree in the management decisions of the farm.

PREVENTION OF CITIZENS OF QUESTIONABLE LOYALTY FROM ACCEPTING EMPLOYMENT IN THE UNITED NATIONS OR OTHER INTERNATIONAL AGENCIES OR ORGANIZATIONS

Mr. CAPEHART. Mr. President, I ask unanimous consent to have printed at this point in the body of the RECORD, as a part of my remarks, a statement I have prepared in regard to Senate bill 782, which I introduced on January 27, 1955.

There being no objection, the statement was ordered to be printed in the RECORD, as follows

STATEMENT BY SENATOR CAPEHART

I rise to discuss S. 782 which I introduced on January 27, 1955, which was approved by the Internal Security Subcommittee of the Senate Judiciary Committee on April 19, 1955, and which was approved with perfecting amendments by the full Judiciary Committee on May 31 of this year.

The purpose of this bill is to prevent United States citizens of questionable loyalty from accepting any office or employment in or under the United Nations or any other international agency or organization.

Stated very simply, S. 782 provides that before a citizen of the United States is employed by the United Nations, he must submit to a security check by the Attorney General. If the Attorney General finds evidence that the employment of a given person involves reasonable possibility of danger to the security of the United States, he would then issue a written denial together with a statement of his reason for such denial and forward it to the United Nations or other interested international agencies concerned.

The bill recognizes, of course, that such a denial would not bar the United Nations from hiring the applicant but the bill at the same time would make it unlawful for the applicant thereafter to accept a United Nations job.

Another section of the bill provides for the filing of statements by each United States citizen who was on the date of enactment employed in any manner under the United Nations or any other international agency. The statement would bear the fingerprints of the employee and contain such information as the nature of his employment, the duration of his employment and also the information required of new applicants as set forth in section 1 of the act.

Mr. President, I believe the reason for this legislation is best set forth in the report No. 2188 of the Judiciary Committee printed on June 5 of this year.

On page 2 of that report the committee says:

"The hearings of the Senate Internal Security Subcommittee which resulted in the original recommendation for this legislation related to the presence of American citizens working at the Secretariat or in special agencies of the United Nations who might be Communists. At these hearings the subcommittee heard a number of witnesses who were officials of the Secretariat of the United Nations and who invoked the constitutional privilege against self-incrimination, when asked about their participation in Communist activities. In addition, the subcommittee put into the record evidence that some of these and certain other United Nations officials were involved in the Communist conspiracy. All of the witnesses called were United States citizens. Many were former officials or employees of the United States Government. As a direct result of its investigation, the Internal Security Subcommittee recommended that legislative safeguards be established to prevent future employment by international organizations, located in this country, of American nationals of questionable loyalty to the United States.

"The legislation is an implementation of the recommendations of the Senate Internal Security Subcommittee and seeks to guarantee by statute that only American citizens of unquestioned loyalty will be employed by the United Nations or any other international agency or organization."

The committee further says on page 4 of the report:

"The committee believes that the enactment of this legislation is necessary in the interest of the internal security of the United States. It is necessary particularly because the seat of the United Nations is located in the United States. The United States has a special concern for the loyalty of its own nationals who are employed by an international organization. The committee further believes that the time has come for legislation which will provide for a positive security check on all present and prospective American employees of the United Nations and other international agencies or organizations. "The committee recognizes that the Congress cannot regulate employment in the United Nations organization, but it regards as essential to the security of the United States that any American citizen with subversive tendencies be known to our own Government and be reported to the United Nations agency by which he is employed; and that future employment by international agencies or organizations of Americans of questionable loyalty to their country be prevented if possible. In view of present world conditions, the committee believes that the purposes of the legislation herein proposed are meritorious and of greatest importance and therefore recommends favorable consideration of this bill, as amended."

That covers the general provisions of S. 782 with the exception of section 3, which sets forth the criminal penalties for violation.

ADDRESS BY ADLAI STEVENSON AT THE WALTER GEORGE FAREWELL DINNER

Mr. MURRAY. Mr. President, I ask unanimous consent to have printed in the RECORD, following my remarks, the address delivered by Gov. Adlai Stevenson at the WALTER GEORGE farewell dinner at the Mayflower Hotel last Thursday evening.

Governor Stevenson's remarks were indeed a moving tribute to our illustrious and world-renowned colleague, the senior Senator from Georgia [Mr. GEORGE], and I commend the address to all who were not fortunate enough to hear it.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY ADLAI E. STEVENSON AT THE WALTER GEORGE FAREWELL DINNER, WASHINGTON, D. C., THURSDAY, JULY 19, 1956

It is a very great honor to join tonight in this moving tribute to a noble American, a leader of democracy, our beloved friend.

It is one of the grand features of this occasion that we look tonight not only back over a great man's illustrious record of distinguished service to his country, but forward with him too toward a new horizon of his opportunity.

Even for those of us who have never been admitted to that august club it will be hard to imagine the United States Senate without WALTER GEORGE. His name will long endure among those great Senators whose lives have given full meaning to the separation of powers prescribed by our Constitution.

To look at this milestone we mark tonight in terms of WALTER GEORGE'S leaving the Senate is to recall too Tennyson's line: "The old order changeth yielding place to the new and God fulfills himself in many ways" and then the line that is too often forgotten: "Lest one good custom should corrupt the world."

But it has been part of WALTER GEORGE'S service that it has not been marked by any one good custom. The world has been his concern but no less the single individual. Indeed it has been given few men to achieve such eminence to the fields of both domestic and foreign policy.

For many years as chairman of the Finance Committee, Senator GEORGE played a sober and judicious part in the Nation's economic discussions. His last fight on the Hill has been to set up a program of social security benefits for disabled persons.

In recent years as ranking Democrat and then as chairman of the Foreign Relations Committee he has done what he could to through unremitting cooperation and loyal support to give the President of the United States an opportunity to conduct an independent and creative foreign policy.

His intervention and his counsel have consistently brought about moderation, restraint, and flexibility in situations which have too often inclined in the direction of hectoring, saber rattling, and rigidity. WALTER GEORGE has been a voice for peace and his party is proud of him because we Democrats are dedicated to the cause of peace.

And now this man who is in so many ways younger than any of us is about to move on to great new opportunities as the President's personal ambassador to the North Atlantic Treaty Organization.

It is no secret, except perhaps in certain official circles in Washington, that NATO is in a bad way. NATO was an epoch-making conception. It played an indispensable role in building western unity and strength. In doing so it helped to frustrate the Soviet design and to force the switch in Soviet policy from military intimidation to social and economic blandishment.

But while the Soviet Union responding in part to the challenge of NATO has fundamentally reconsidered its foreign policy in the last 3 years, we have not.

For all the turmoil in the Soviet oligarchy the new face which expansive communism wears to the world makes communism more beguiling than it has been since 1919. The era of peaceful competition places a new premium on social and economic policies. And behind the outstretched Soviet hand there remains the dark shadow of mounting nuclear strength. Yet while the conditions of international life have undergone tremendous changes our policy has remained stubbornly obstinately inflexible. And now from Iceland to Japan our whole structure of military alliances is under acute strain.

The Soviet achievement in nuclear weapons has undermined the old strategic basis of NATO. The Soviet strategy of amiability has weakened its political foundations. We need to rethink NATO as we need to rethink every other aspect of our foreign policy. And we rejoice that the administration has called on WALTER GEORGE'S far-sighted wisdom for the reconstruction of our Atlantic alliance. What we have in NATO is only in part—and ultimately perhaps its less important part—a military pact. What we have here is the potential voice and organism of the Atlantic community.

There is today no more inspiring challenge than the search for more effective unity among the free nations of the West. And surely there is no American more capable of expressing to the nations of the Atlantic community our profound hope for ever more intimate collaboration and ever more firm understanding.

We salute, you, Sir, as you embark now on a new undertaking. You are armed with our hopes. You will be guided by our prayers for peace. And you will, we trust, find a sustaining force in the realization of a grateful people's affection for a man whose place in our history is measured equally by his place in our heart.

PROPOSED CREATION OF A SENATE COMMITTEE ON VETERANS' AFFAIRS

Mr. MORSE. Mr. President, I am submitting a resolution amending the permanent rules of the Senate, which would not become effective until the opening of the 85th Congress, but which I wish to place before Senators and the public now, so that attention and consideration may be given it before next year. The resolution creates a permanent, standing Senate Committee on Veterans' Affairs, to have jurisdiction over bills, resolutions, and all other Senate matters dealing essentially with veterans and their problems.

This is not a new idea. In 1946, when it reported its bill reorganizing Congress, the LaFollette-Monroney Committee on Congressional Reorganizaiton called for a Veterans' Committee for the Senate. Both bodies were to have a Veterans' Committee, under the committee system recommended by the La Follette-Monroney group; but provision for the Veterans' Committee for the Senate was stricken out on the Senate floor.

Subsequently, resolutions have been offered to establish a Veterans' Committee in the Senate committee system. In the 82d Congress, I joined with 35 other Senators in sponsoring a resolution to create one. No action was taken, although our resolution had the endorsement of the VFW, the American Legion, the Disabled American Veterans, and AMVETS. Similar resolutions have been submitted in the 83d Congress and in the current Congress.

I believe our experience this year makes it desirable to emphasize again the anomaly which gives the House of Representatives a head start in the initiation and consideration of veterans' legislation, and which hampers Senators in exploring the many problems brought to our attention by veterans, and in giving the study it warrants to the veterans' legislation that is introduced here or that comes to us from the House. Every Member of this body appreciates the situation I am talking about. All of us know that, for all practical purposes, the Veterans' Affairs Committee in the House is where veterans' bills start through the legislative process, just as tax bills start in the House Ways and Means Committee. But, unlike tax bills, there is no compelling reason why veterans' bills should have to commence in the House; the reason they do is that the House is organized to handle them, but the Senate is not.

Let us take a look at the parliamentary situation today with reference to measures affecting veterans—and I know that other Members have been notified by their constituents, as I have, of the wide interest in these bills at home. The pension bill passed by the House on June 27 is one of the most significant bills to be acted on by the 84th Congress. It would substantially affect the incomes of 797,000 veterans who would be eligible to receive a considerable pension if it became law, and its effect upon the budget of the United States, now and in the future, is manifest. I personally believe that the pensions authorized in the bill are justified and deserved, but what is the outlook that this body, or any Member of it, will have an opportunity to go into the merits of the bill this year, to weigh its consequences and to pass judgment on it? Very poor. H. R. 7886 was referred to the Finance Committee, and its chairman stated that he did not believe the committee would have time to consider it before adjournment. I can understand that. It is no reflection upon the hard-working Finance Committee, its members, or its staff when I point out that the bill should not have gone to the Finance Committee. We should have had a Veterans' Affairs Committee in the Senate to which the bill could have been referred. The Finance Committee is composed of men who are already among the busiest Members of the Senate, with responsibility for all tax legislation, including social security, tariffs and foreign-trade measures, in addition to internal revenue matters. Most of its time has been taken up at this session with the important road bill, and the social security and customs simplification bills we have just passed.

I think it is regrettable, but there is no way of avoiding the charge which is in

letters which come to us daily, that the effect of the course of action on this pension bill has been to bottle it up in the Finance Committee. If we had had a Veterans' Affairs Committee, the bill would have been submitted to the committee early, there would have been hearings on the bill, and the Senate would have been able to take considerate and independent action on it.

I raise the question whether or not it is fair to veterans that the Senate should be so poorly equipped that their legislation must give way to other matters? How can we explain away the implication that veterans' legislation is of secondary importance, to be dealt with only if time permits? We have the same situation now, with the compensation bill adopted by the House on July 12, a measure raising compensation for men with service-connected disabilities. We Senators are going to have to write to the thousands of war-crippled veterans and their families who are vitally interested in H. R. 12038 and tell them that because the Senate has no machinery to give it expeditious attention, it will die without further action this year.

Another part of the national policy toward veterans about which I am deeply concerned and about which many young men attending college under the GI bill have written me, is the education and training available to veterans of the Korean war. The GI bills have been the most successful veterans' program since the post-Civil War policy of giving a preference to veterans under the Homestead Act. But men cannot provide for a family—and a great many of them are parents—and still attend school to catch up on the education and training lost while in service when their subsistence allowances are too low to enable them to stay in school.

We have bills in the Senate treating this problem, but like other bills relating to the education and training features of the GI bill, they are in the Committee on Labor and Public Welfare, a committee already burdened with legislation affecting labor and general health and welfare matters. Also in the Senate Committee on Labor and Public Welfare are the bills sponsored by myself and other Senators to extend the GI bill so that young men presently in service may be eligible for benefits when they get out.

Before I talk about these bills, I wish to make further comment about the Korean veterans. There is not the slightest justification for not giving to the Korean veterans every single advantage which was given to World War II veterans. They were in a ghastly war in Korea. They were in a war which resulted in thousands of deaths and thousands of wounded American boys. I think the Korean veterans are entitled to exactly the same benefits as are the veterans of World War II.

Let us look at the benefits which we have provided for the veterans of World War II, not from the standpoint of the moral values involved—though they are priceless, and we owed those values to World War II veterans—but from the standpoint of economic features.

In my judgment, the benefits for which we appropriated with respect to World War II veterans by the various GI bills proved to be a very sound economic investment.

Take the asset column. What do Senators think it is worth to America to have college-trained veterans as a result of the GI bill of rights for World War II veterans? The great advantage which that legislation gave to the veterans will accrue to the Treasury of the United States. How? As a result of the education they have obtained, they are in a much better position to make an economic living than they would have made had it not been for such benefits.

Because of those benefits and the increased income they are now able to earn, they will pay over the years in taxes into the Treasury of the United States many times the cost of the GI bill.

I am a little out of patience with the few we hear now and then who say, "What price patriotism? Are you trying to put a price tag on patriotism when you vote these benefits for veterans?"

My answer is that we cannot put a price on the service those men performed for their country when the life of the Nation itself was at stake. Whatever economic benefits we have voted to our World War II veterans in the various GI bills of rights will be returned to the American taxpayer many times over because of the increased taxpaying ability those veterans will have as a result either of the educational training or the technical training they have been able to take advantage of under the GI bill of rights.

But, Mr. President, we are derelict in our duty as Senators, and in our moral obligation to those veterans, in not seeing to it that the legislation which has been pending with regard to the Korean veterans is passed by Congress. Apparently that cannot be done before adjournment; but January is coming. The veterans are entitled to a standing Senate Committee on Veterans' Affairs, and early in the next session of Congress all the legislation involving veterans not acted upon at this session of Congress should be referred to such a committee so that early in the next session some action may be obtained.

In my judgment there is not a Member of this body who would rise today and say that he would not vote for such legislation if it were brought to the floor of the Senate. We ought to get it to the floor of the Senate. These veterans are entitled to that kind of service from their Senators. I say that we should have such a standing committee, in order that this kind of legislation may have expeditious handling.

Also, in the Committee on Labor and Public Welfare are bills, as I pointed out, to extend further rights to the veterans. Congress amended the President's termination order to provide that the boys entering the armed services prior to the cutoff date should remain eligible, but those who entered the service after that date should not be.

That means that when next February 1 rolls around, men will be coming out of service without entitlement to any education and training benefits, a situation that we are going to hear plenty about and which we should anticipate now by passing one of these bills.

Not only are these bills put aside by our committees because of the press of other business, but legislation on a subject that should be handled as a unit is divided up and parceled out to several committees. The fact is that the bills amending the GI bill of rights, which was a single piece of legislation when it was enacted in 1944 and also when a parallel bill was enacted for Korean veterans, is split at least three ways, going to the Committees on Banking, Finance, or Labor, depending upon which section of the law it affects.

These are only the major measures affecting veterans which are doomed to die in Senate pigeonholes this year. The 22 million American citizens who have left civilian life to defend the Nation in time of war, and their 60 million dependents, are not well served by a Senate which cannot give attention to their problems and to the legislation introduced to treat these problems.

Members are handicapped in their study of veterans bills by our failure to provide ourselves with the proper staff and organization; we are handicapped in the consideration of them by the lack of an orderly procedure for their review. This body needs a committee where veterans bills may be referred for analysis by a competent staff, for hearings, and for consideration as a regular order of business.

Mr. President, I speak with some experience with this subject matter, because in the 80th Congress I was chairman of the Subcommittee on Veterans Affairs of the Committee on Labor and Public Welfare. I know the time it takes to conduct the careful hearings which have to be conducted on veterans' legislation. I am proud of the record our subcommittee made in the 80th Congress in connection with veterans' affairs. We devoted a great deal of time to the work of the committee, and we reported a series of pension bills. What I said then I repeat now, that we ought not to have a subcommittee, but that we ought to have a standing committee, on veterans' affairs, because the work of my Subcommittee on Veterans' Affairs, when I was chairman of it in the 80th Congress, convinced me that we were dealing with a legislative subject matter which was deserving of a permanent standing committee in the Senate.

I do not call upon the Senate to establish a new committee to take up new business or to open a new field of congressional inquiry. The issues of veterans' pensions, housing, education, and loans are with us right now; the bills and resolutions have been introduced; in many instances the House has acted on them and the Senate has not. The same questions will come before us next session, and they will continue to come before us until we take them up. I believe that can be done most effectively by a Senate committee that will have a unified perspective on veterans' problems, the staff to prepare them properly, and the opportunity to give them attention. I urge that veterans' organizations give some thought to this proposal between now and January. And I ask that

Senators who have previously advocated its creation join me in pushing for it.

The Senate will not meet its responsibility in this field of legislative activity, in my judgment, until a Veterans' Affairs Committee is established.

I send the resolution to the desk and ask for its appropriate reference.

The resolution (S. Res. 319) creating a Standing Committee on Veterans' Affairs, and defining its jurisdiction, submitted by Mr. MORSE, was referred to the Committee on Rules and Administration, as follows:

Resolved, That effective at the beginning of the first regular session of the 85th Congress, rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out subparagraphs 10 through 13 in paragraph (h) of section 1;

(2) striking out subparagraphs 16 through 19 in paragraph (l) of section 1;

(3) inserting in section 1 after paragraph (o) the following new paragraph:

"(p) Committee on Veterans' Affairs, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pensions of all wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care, and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life.

(4) striking out section 4 and inserting in lieu thereof the following:

"(4) Each Senator shall serve on 2 standing committees and no more; except that not to exceed 19 Senators of the majority party, and not to exceed 7 Senators of the minority party, who are members of the Committee on the District of Columbia, the Committee on Government Operations, the Committee on Post Office and Civil Service, or the Committee on Veterans' Affairs may serve on 3 standing committees and no more."

CONVEYANCE OF CERTAIN LAND TO THE STATE OF INDIANA

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2631, H. R. 9810.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 9810) to provide for the conveyance of certain land of the United States to the State of Indiana.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments on page 1, line 10, after the word "fair", to insert "appraised", and on page 2, line 1, after the word "General", to insert "upon an independent appraisal."

Mr. BIBLE. Mr. President, the purpose of the proposed legislation, as amended, is to provide for the conveyance of approximately 6 acres of land of the United States in Vigo County, Ind., to the State of Indiana, upon the payment by the State of the fair market value of the property as determined upon an independent appraisal.

The State of Indiana desires the property which is proposed to be conveyed for the construction and maintenance on it of a State police barracks.

The Department of Justice advises that such use of the property by the State of Indiana would not interfere and would be consistent with the Government's use of adjoining property, and the Department is in accord with the enactment of the proposed legislation.

Mr. MORSE. Mr. President, I congratulate the committee on following the Morse formula. I hope it will stand up in conference.

Mr. BIBLE. I understand the Senator's consistent stand on the Morse formula. I am happy the bill meets that formula.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

TREATMENT OF PUERTO RICO AS A STATE FOR CERTAIN PURPOSES

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2648, H. R. 9038.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 9038) to amend title 28 of the United States Code to provide that the Commonwealth of Puerto Rico shall be treated as a State for the purposes of district-court jurisdiction based on diversity of citizenship.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BIBLE. Mr. President, the proposed legislation would amend title 28 of the United States Code so as to provide that the Commonwealth of Puerto Rico shall be treated as a State for purposes of district-court jurisdiction based on diversity of citizenship.

H. R. 9038 fills an obvious gap in the law resulting from the change in status of Puerto Rico from a Territory to a Commonwealth. The gap exists in section 1332 of title 28 of the United States Code. This section confers jurisdiction on the district courts in diversity of citizenship cases to States, Territories, and the District of Columbia.

In 1952 Puerto Rico acquired a new constitution. This constitution refers to the Commonwealth of Puerto Rico. Prior to 1952 there was no doubt that Puerto Rico was a Territory and accordingly was included in section 1332 of title 28. However, since the new constitution refers to the Commonwealth of Puerto Rico, there is doubt of its inclusion. This bill removes the doubt.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 9038) was ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN LANDS IN THE STATE OF NEVADA

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideraiton of Calendar No. 2676, S. 4012.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 4012) to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, line 6, after the word "than", to strike out "ten" and insert "five"; at the beginning of line 9, to insert "as of the date of approval of this Act"; on page 2, line 1, after the word "patent", to insert "or patents"; on page 3, line 12, after the word "the", to strike out "ten" and insert "five"; in line 15, after the word "the", to strike out "pro rata"; in line 17, after the word "conveyance", to insert "or conveyances"; and after line 21, to insert:

SEC. 4. If the State of Nevada purchases under this act any lands which are subject to a lease, permit, license, or contract issued under the Mineral Lands Leasing Act of February 25, 1920 (41 Stat. 437), as amended (39 U. S. C., sec. 181 and the following), it shall be required to purchase all the lands subject to that lease, permit, license, or contract which are included within the boundaries of the lands described in section 1. The purchase of lands subject to a lease, permit, license, or contract shall neither affect the validity nor modify the terms of the lease, permit, license, or contract in any way, or affect any rights thereunder, except that the State shall assume the position of the United States thereunder, including any right to rentals, royalties, and other payments accruing on or after the date on which the purchase by the State becomes effective, and any right to modify terms or conditions of such leases, permits, licenses, or contracts.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior shall issue to the Colorado River Commission of Nevada acting for and in behalf of the State of Nevada, upon the payment by the State of Nevada into the Treasury of the United States, not more than 5 years after the Secretary has notified the State of the purchase price, of an amount equal to the fair market value as of the date of approval of this Act of the lands to be conveyed as determined by the Secretary upon the appraisal of those lands, a patent or patents to the following described lands, situated in the State of Nevada and comprising approximately 126,775 acres:

(1) All of south half, township 23 south, range 63 east, with the exception of the fol-

lowing areas: east half section 22; four 5-acre tracts located in section 26 and described as follows: South half southeast quarter northwest quarter northwest quarter, north half northeast quarter southwest quarter northwest quarter, north half southwest quarter northeast quarter northwest quarter and south half southwest quarter northwest quarter northwest quarter; and those portions of the northeast quarter section 23; and north half section 24, within the Lake Mead National Recreation area.

(2) Fractional sections 25 and 36, township 23 south, range 63½ east.

(3) All of sections 27, 28, 29, 30, 31, 32, 33 and 34, township 23 south, range 64 east.

(4) Fractional sections 31, 32, 33, 34 and 35, township 23½ south, range 64 east.

(5) All of southeast quarter of township 24 south, range 62 east.

(6) All of township 24 south, range 63 east.

(7) All of township 24 south, range 64 east, except sections 1, 12, 13, 24, 25 and 36.

(8) All of township 25 south, range 62 east.

(9) All of township 25 south, range 63 east.

(10) All of sections 1, 2, 3, 4, 5 and 6, township 25 south, range 64 east.

(11) All of sections 1, 2, 11, 12, 13 and 14, township 26 south, range 62 east.

(12) All of northwest quarter, township 26 south, range 63 east.

All range references contained in the foregoing refer to the Mount Diablo base and meridian.

SEC. 2. The Colorado River Commission of Nevada, acting on behalf of the State of Nevada, is hereby given the option, which may be exercised at any time during the 5-year period provided in the first section of this act, of having patented to it a portion of the described area upon payment of the appraised value thereof: *Provided*, That no such purchase shall be for less than 10,000 acres.

SEC. 3. The conveyance or conveyances authorized by this Act shall be made subject to any existing valid claims against the lands described in the first section of this act, and to any reservations necessary to protect continuing uses of those lands by the United States.

SEC. 4. If the State of Nevada purchases under this act any lands which are subject to a lease, permit, license, or contract issued under the Mineral Lands Leasing Act of February 25, 1920 (41 Stat. 437), as amended (30 U. S. C. sec. 181 and the following), it shall be required to purchase all the lands subject to that lease, permit, license, or contract which are included within the boundaries of the lands described in section 1. The purchase of lands subject to a lease, permit, license, or contract shall neither affect the validity nor modify the terms of the lease, permit, license, or contract in any way, or affect any rights thereunder, except that the State shall assume the position of the United States thereunder, including any right to rentals, royalties, and other payments accruing on or after the date on which the purchase by the State becomes effective, and any right to modify terms or conditions of such leases, permits, licenses, or contracts.

Mr. BIBLE. Mr. President, the pending bill will allow the Colorado River Commission of Nevada, acting for and in behalf of the State of Nevada, to purchase from the Federal Government approximately 126,775 acres of land. This acreage lies in a contiguous body in Eldorado Valley, an area in southern Nevada some 25 miles southeast of Las Vegas. The purpose of such purchase would be to make the area available for large industrial development.

S. 4012 provides that the purchase price of the lands will be equal to the fair market value as determined by the Secretary of the Interior upon appraisal. The State is given an option over a 5-year period to purchase the land in segments of not less than 10,000 acres.

The Federal Government now owns some 60 million acres of land in the State of Nevada which comprise 87.5 percent of the total area of the State. The amount of land comprehended in S. 4012 amounts to only 0.002 percent of the land under Federal ownership in Nevada.

I see my genial friend from Oregon on the floor, and I am happy to advise him that the bill provides that the Government shall purchase the land on the basis of the fair market value as determined by the Secretary of the Interior, upon appraisal.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. MORSE. It makes me just as happy that the Morse formula is complied with as it makes the Senator from Nevada happy so to advise me.

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments were agreed to.

The bill (S. 4012) was ordered to be engrossed for a third reading, read the third time, and passed.

FOREST PRODUCT PRICE REPORTING AND RESEARCH

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2547, Senate bill 4059.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 4059) providing for price reporting and research with respect to forest products.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BIBLE. Mr. President, I announce that it is not the intention of the leadership to proceed with this bill at this time. I have simply taken action to make it the unfinished business of the Senate.

Mr. MORSE. Mr. President, will the Senator from Nevada yield?

Mr. BIBLE. I yield.

Mr. MORSE. Mr. President, I am advised that the Senator from Missouri, who is detained, would like the courtesy of a quorum call.

Mr. BIBLE. I had been advised of that, and I intended to suggest the absence of a quorum.

Are there any Senators, at this time, who desire to speak or to make insertions in the RECORD? If not, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Bridges	Douglas
Bennett	Chavez	Eastland
Bible	Cotton	Ellender
Bricker	Dirksen	Frear
George	Humphreys, Ky.	Murray
Goldwater	Johnson, Tex.	Russell
Gore	Knowland	Schoeppel
Green	Langer	Scott
Hayden	Lehman	Smith, N. J.
Hennings	Malone	Sparkman
Hickenlooper	McNamara	Stennis
Hill	Monroney	Thye
Holland	Morse	Watkins
Humphrey, Minn.	Mundt	Wiley

The PRESIDING OFFICER. A quorum is not present.

RECESS TO MONDAY AT 10:30 A. M.

Mr. JOHNSON of Texas. Mr. President, pursuant to the order previously entered, I move that the Senate stand recess.

The motion was agreed to; and (at 2 o'clock and 10 minutes p. m.) the Senate took a recess, the recess being under the order previously entered, until Monday, July 23, 1956, at 10:30 a. m.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 21 (legislative day, July 16), 1956:

DEPARTMENT OF STATE

INTERNATIONAL COOPERATION ADMINISTRATION

Walter K. Scott, of Maryland, to be Deputy Director for Management of the International Cooperation Administration, in the Department of State.

DIPLOMATIC AND FOREIGN SERVICE

Cavendish W. Cannon, of Utah, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Morocco.

Christian M. Ravndal, of Iowa, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ecuador.

To be consuls general of the United States of America

Edward Poor Montgomery, of the District of Columbia.
Charles P. O'Donnell, of Illinois.
Robert C. Martindale, of California.
H. Gordon Minnigerode, of Alabama.

To be Foreign Service officers of class 1, consuls, and secretaries in the diplomatic service of the United States of America

W. Park Armstrong, Jr., of New Jersey.
Leland Barrows, of Kansas.

To be Foreign Service officers of class 2, consuls, and secretaries in the diplomatic service of the United States of America

J. Paul Barringer, of Pennsylvania.
Edward W. Doherty, of Virginia.
Max McCullough, of Texas.
Robinson McIlvaine, of Pennsylvania.
Marc J. Robinson, of Massachusetts.
William J. Sheppard, of Kansas.
Charles C. Steele, of Maryland.
Howard Trivers, of Maryland.
Leonard Unger, of Maryland.
Leonard Weiss, of Illinois.
George F. Wilson, of California.

To be Foreign Service officers of class 3, consuls, and secretaries in the diplomatic service of the United States of America

Konrad Bekker, of Kentucky.
Joseph J. Chappell, of Georgia.
Edward N. Cooper, of Ohio.
James M. Flanagan, of the District of Columbia.
Paul W. Hallman, of Virginia.
Mrs. Ruth Mason Hughes, of the District of Columbia.
John W. McDonald, Jr., of Virginia.
Walter J. Mueller, of Connecticut.
Thomas E. Nelson, of Washington.
Alfred Reifman, of Maryland.
John F. Rieger, of the District of Columbia.

Warren A. Silver, of the District of Columbia.
Joseph John Sisco, of Maryland.
Roy L. Wade, of Texas.

To be Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America

John A. Bailey, of Virginia.
Charles K. Bevilacqua, of Pennsylvania.
George W. Caldwell, Jr., of Florida.
John D. Doerr, of Florida.
Miss Sara G. Falkener, of North Carolina.
Norman W. Getsinger, of Michigan.
Robert C. Hayes, of Maryland.
Thomas R. Hodel, of Connecticut.
Gordon D. Johnson, of California.
W. J. Lehmann, of the District of Columbia.
Miss Leocade Leighton, of Massachusetts.
Jesse D. McElroy, Jr., of Georgia.
Roland F. Moores, of Ohio.
John L. Neese, Jr., of the District of Columbia.
Hugo V. Newell, of Illinois.
Robert Person, of Virginia.
Vladimir P. Prokofieff, of Virginia.
Lewis M. Purnell, of Delaware.
Miss Helen W. Rose, of Minnesota.
Gustav A. Sallas, of the District of Columbia.
Manuel Sanchez, of Florida.
William B. Snidow, of Virginia.
W. Davidson Tenney, of Maryland.
Vernon B. Zirkle, of Virginia.

To be Foreign Service officers of class 5, vice consuls of career, and secretaries in the diplomatic service of the United States of America

Miss Marion E. Anderson, of Connecticut.
Miss Faith V. Andrus, of California.
Hyman Bloom, of the District of Columbia.
S. Lees Booth, of Virginia.
John A. Brogan III, of New York.
Hubert H. Buzbee, Jr., of Alabama.
Harold T. Christie, of New York.
Fred A. Durling, of New York.
Miss Jean L. Farr, of Massachusetts.
Clifford J. Glennon, of Utah.
Seymour S. Goodman, of Virginia.
Albert W. Jessee, of California.
William Kelley, of Florida.
Leslie A. Klieforth, of California.
Malcolm Lawrence, of Maryland.
Orville M. Lewis, of Virginia.
Theodore L. Lewis, of New York.
Copeland H. Marks, of Vermont.
Miss Teresa Offie, of Pennsylvania.
Miss Mary W. Oliverson, of Oklahoma.
Joseph E. O'Mahony, of New York.
Neil L. Parks, of Maryland.
Miss Elizabeth Rice, of Florida.
Regulo Rivera, of California.
Mrs. Helen E. Sheehy, of Arkansas.
Miss Lucy A. Shults, of New York.
Miss Cora M. Smith, of Vermont.
Fred A. Somerford, of Maryland.
Marcel van Essen, of New York.
Robert D. Yoder, of Pennsylvania.

To be Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America

Philip M. Allen, of New York.
William M. Beck, of Illinois.
Melville E. Blake, Jr., of California.
Harry A. Cahill, of New York.
Paul F. Canney, of Massachusetts.
Frank C. Carlucci, of Pennsylvania.
R. Dabney Chapman, of Virginia.
Robert G. Cox, of New Mexico.
Edwin G. Croswell, of Ohio.
Allen C. Davis, of Tennessee.
John C. Dorrance, of California.
Robert A. England, of Connecticut.
Maynard W. Glitman, of Illinois.
Carl J. Grip, of California.
Walter V. Hall, of Virginia.
Lambert Heyniger, of New York.
George Borman High, of Illinois.
Donald R. Jones, of Alabama.
George F. Jones, of Texas.
Miss Carol P. Kane, of Ohio.
Edward E. Keller, Jr., of California.
Thomas F. Killoran, of Massachusetts.
William E. Knepper, of Kansas.
Peter W. Lande, of Massachusetts.
Larry E. Lane, of Texas.
John K. Laumer, of Florida.
Herbert Levin, of New York.
Alan Logan, of California.
Stuart H. McIntyre, of Oregon.
Melvin M. Marcus, of Michigan.
Richard B. Moon, of Missouri.
Richard H. Morefield, of California.
Don A. Morgan, of Oregon.
Beauveau B. Nalle, of Virginia.
Charles R. O'Hara, of Maryland.
Arthur C. Piambeck, of Illinois.
David R. Raynolds, of Connecticut.
Robert F. Rogers, of California.
Bernard J. Rotklein, of Minnesota.
Jackson L. Smith, of Florida.
Thomas W. M. Smith, of Massachusetts.
Franklyn E. Stevens, of California.
Edward J. Streator, Jr., of New York.
Thurston F. Teele, of Massachusetts.
George H. Thigpen, of the District of Columbia.
Francis Hugh Thomas, of Pennsylvania.
Donald R. Toussaint, of California.
Edward T. Walters, of Missouri.
Charles L. Young, of Michigan.

To be consuls of the United States of America

Gilbert F. Austin, of Washington.
William K. Braun, of Ohio.
John P. Coffey, of Illinois.
Frederick N. Cromwell, of Arizona.
Edwin C. Kirkland, of Florida.
Nathan R. Meadows, of Massachusetts.
Robert L. Nichols, of Massachusetts.
Nicholas Ruggieri, of Rhode Island.
Benjamin L. Sowell, of Maryland.

Carleton B. Swift, Jr., of the District of Columbia, to be a consul and a secretary in the diplomatic service of the United States of America.

Peter M. F. Sichel, of the District of Columbia, to be a consul of the United States of America.

To be secretaries in the diplomatic service of the United States of America

Charles D. Hyson, of New York.
Richard G. Weitzel, of Pennsylvania.

To be vice consuls of the United States of America

Harold Lloyd Goodall, of West Virginia.
Clifford A. Rajala, of Michigan.
John R. Rogers, of Virginia.
Robert T. Shaw, of Virginia.

Carleton C. Brower, of California, to be a Foreign Service officer of class 6, a vice consul of career, and a secretary in the diplomatic service of the United States of America. (This nomination is submitted for the purpose of correcting an error in the nomination as submitted to the Senate on June 4, 1956, and confirmed by the Senate on June 14, 1956.)

To be Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America

Sheldon Applebaum, of New York.
Richard D. Christiansen, of Michigan.
Stephen H. Rogers, of New York.
William Watts, of Massachusetts.
David S. Lusby, of Arizona.
Ernest A. Nagy, of Ohio.

SUPREME COURT, TERRITORY OF HAWAII

Masaji Marumoto, of Hawaii, to be associate justice of the Supreme Court, Territory of Hawaii; term of 4 years.

UNITED STATES ATTORNEY

Roger G. Connor, of Alaska, to be United States attorney, District of Alaska, division No. 1; term of 4 years.

UNITED STATES MARSHAL

Ralph W. Gray, of Massachusetts, to be United States marshal for the District of Massachusetts for the term of 4 years.

HOUSE OF REPRESENTATIVES

SATURDAY, JULY 21, 1956

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou who hast created us and revealed Thyself as the guiding intelligence, may we appreciate more fully how wonderful and sacred it is that daily we may enter into counsel and companionship with the God of infallible wisdom.

We penitently confess that we so frequently take counsel with our fears and personal desires and place our confidence solely in human ingenuity.

Wilt Thou bless us as we continue to pray and labor for that glorious day of prediction when nations shall learn war no more and men shall beat their swords into plowshares and their spears into pruning hooks.

Deliver us from all cynical and despondent tempers of mind as we think of that prophecy and may we never be tempted to feel that universal peace is merely an illusion and a forlorn hope.

Inspire us with the rapture of the forward look and the courage to believe that the time is coming when men and nations shall be organized into a league of friendly minds and hearts.

Hear us in the name of the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment bills and a concurrent resolution of the House of the following titles:

H. R. 9038. An act to amend title 28 of the United States Code to provide that the Commonwealth of Puerto Rico shall be treated as a State for purposes of district court jurisdiction based on diversity of citizenship;

H. R. 12034. An act to authorize the Secretary of the Interior to execute a contract with the Tule Lake Irrigation District, California, and for other purposes; and

H. Con. Res. 258. Concurrent resolution accepting without cost to the United States copies of the recording "Pledge of Allegiance to the Flag" and providing for distribution of such copies.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 8750. An act to amend the Watershed and Protection and Flood Prevention Act.

The message also announced that the Senate insists upon its amendment to the foregoing bill, and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CHAVEZ, Mr. KERR, Mr. GORE, Mr.

McNAMARA, Mr. MARTIN of Pennsylvania, Mr. CASE of South Dakota, and Mr. HRUSKA to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 3356. An act to direct the Secretary of the Navy or his designee to convey a 240.55-acre tract of land situated near the city of Grand Prairie, in Dallas County, Tex., to the State of Texas;

S. 3728. An act to provide for the construction by the Secretary of the Interior of the San Angelo Federal reclamation project, Texas, and for other purposes;

S. 3858. An act to amend the act of June 26, 1935, authorizing participation by the United States in the Interparliamentary Union;

S. J. Res. 183. Joint resolution authorizing an appropriation to enable the United States to extend an invitation to the World Health Organization to hold the 11th World Health Assembly in the United States in 1958; and

S. J. Res. 186. Joint resolution authorizing an appropriation for expenses of the Pan American games to be held in Cleveland, Ohio, in 1959.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1774) entitled "An act to abolish the Verendrye National Monument, and to provide for its continued public use by the State of North Dakota for a State historic site, and for other purposes."

FEDERAL EXECUTIVES PAY ACT OF 1955

Mr. MURRAY of Tennessee. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7619) to adjust the rates of compensation of the heads of the executive departments and of certain other officials of the Federal Government, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? The Chair hears none, and appoints the following conferees: Messrs. MURRAY of Tennessee, MORRISON, and REES of Kansas.

SAM H. RAY

Mr. FORRESTER submitted a conference report and statement on the bill (H. R. 1637) for the relief of Sam H. Ray.

DR. ARTHUR H. COMPTON

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 647) to provide for the reappointment of Dr. Arthur H. Compton as Citizen Regent of the Board of Regents of the Smithsonian Institution.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which will occur by the expiration of the term of Dr. Arthur H. Compton, of St. Louis, Mo., on September 20, 1956, be filled by the reappointment of the present incumment for the statutory term of 6 years.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WASHOE RECLAMATION PROJECT, NEVADA AND CALIFORNIA

Mr. ENGLE. Mr. Speaker, I call up the conference report on the bill (S. 497) to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 2834)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 497) to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House and agree to the same with an amendment as follows: In lieu of the language inserted by the House amendment, insert the following:

"That, for the purposes of furnishing water for the irrigation of approximately 50,000 acres of land in the Carson and Truckee River Basins, Nevada and California, providing drainage service to approximately 31,000 acres of land therein, firming the existing water supplies of lands under the Truckee River storage project and the Newlands project, controlling floods, providing hydroelectric power, development of fish and wildlife resources, and for other beneficial purposes, the Secretary of the Interior is authorized to construct, operate, and maintain the Washoe reclamation project consisting of two principal reservoirs at the Stampede and Watasheamu sites, together with other necessary works for the impounding, diversion, and the delivery of water, the generation and transmission of hydroelectric power, and the drainage of lands. The dam at the Stampede site shall be so constructed as to permit its ultimate enlargement to a height at which the reservoir will have a capacity of approximately 175,000 acre-feet.

"SEC. 2. (a) In constructing, operating, and maintaining the works authorized in section 1 of this Act, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 389, and Acts amendatory thereof or supplementary thereto) except as is otherwise provided in this Act.

"(b) Any contract entered into under section 9, subsection (d) of the Reclamation Project Act of 1939 (53 Stat. 1187, 1193; 43 U. S. C., 1952 edition, sec. 485h) for payment of those portions of the costs of constructing, operating, and maintaining the Washoe reclamation project which are properly allocable to irrigation and drainage and which are assigned to be paid by the contracting organization may provide for the repayment of the portion of the construction cost of the project assigned to any project contract unit or, if the contract unit be divided into two or more irrigation or drainage blocks, to any such block over a period of not more than fifty years, exclusive of any permissible development period, or as near thereto as is consistent with the adoption and operation of a variable payment formula which, being based on full repayment within the period stated under normal conditions, permits variance in the required annual payments in the light of economic factors pertinent to the ability of the organization to pay: *Provided*, That any contract for a supplemental water supply for irrigation under this Act may omit provisions complying with the third sentence of paragraph (a) of section 46 of the Act of May 25, 1926 (44 Stat. 649) if such contract, in lieu of such provisions, provides that the pro rata share of the irrigation allocation which is attributable to furnishing irrigation benefits, in each particular year, to land held in private ownership by any one owner in excess of one hundred and sixty irrigated acres, shall be returned with interest determined in accordance with subparagraph (c) of this section, except that such payment for the excess lands shall not exceed an amount equal to the increased payment capacity of the excess lands, as determined by the Secretary of the Interior, resulting from the supplemental water supply.

"(c) Notwithstanding any other provision of law to the contrary, all net revenues derived from the sale of commercial power from the Washoe reclamation project shall be applied, first, to the amortization of that portion of the cost of constructing the project which is allocated to commercial power with interest on the unamortized balance thereof at the average rate (which rate shall be certified by the Secretary of the Treasury) paid by the United States on its marketable long-term securities outstanding on the date of this Act, and thereafter to the amortization of that portion of the cost of constructing the project which is allocated to irrigation but which is beyond the ability of the contracting irrigation organizations to repay as provided above, including interest that would have been paid by the irrigators on that portion of the irrigation allocation attributable to furnishing irrigation benefits to excess lands which is not repaid under section 2 (b) above: *Provided*, That the Secretary, prior to the delivery of project water supplies, shall have entered into a contract or contracts with an organization or organizations as defined in paragraph 2 (g) of the Reclamation Project Act of 1939 (53 Stat. 1187) which have the capacity to levy assessments upon all taxable real property located within their boundaries to assist in making repayments.

"(d) Water users in Alpine County, California, shall have the opportunity to contract for project water made available by the Watasheamu Reservoir before such project water is offered for the development of any new land in Nevada. Should any such project water be contracted for by Alpine County water users, then in that event such users shall be permitted to exchange such water for existing rights to natural flow or stored water of the West Carson River.

"(e) The use of waters of the Little Truckee River solely for the generation of electric power by the Washoe project shall not impair or preclude the appropriation of such waters in the future for beneficial consumptive use within the Little Truckee River watershed in California to the same extent as such waters may be presently available for such appropriation in the State

of California: *Provided*, That if and when an interstate compact covering the distribution and use of the waters of the Truckee and Carson Rivers is approved by the Legislatures of the States of California and Nevada and is consented to by Congress, the operation of the Washoe reclamation project shall be in conformance with such compact, and the foregoing restriction shall not apply.

"SEC. 3. The Secretary is authorized to investigate, plan, construct, operate, and maintain minimum basic facilities for access to and for the maintenance of public health and safety and the protection of public property on, lands withdrawn or acquired for the development of the Washoe project, to conserve the scenery and natural, historic, and archeologic objects, and to provide for public use and enjoyment of the same and of the water areas created by this project by such means as are consistent with its primary purposes. The Secretary is authorized to withdraw from entry or other disposition under the public land laws such public lands as are necessary for the construction, operation, and maintenance of said minimum basic facilities and for the other purposes specified in this section and to dispose of such lands to Federal, State, and local governmental agencies by lease, transfer, exchange, or conveyance upon such terms and conditions as will best promote their development and operation in the public interest. The Secretary is further authorized to investigate the need for acquiring other lands for said purposes and to report thereon to the Committees on Interior and Insular Affairs of the Senate and House of Representatives, but no lands shall be acquired solely for any of these purposes other than access to project lands and the maintenance of public health and safety and the protection of public property thereon without further authorization by the Congress. All costs incurred pursuant to this section shall be nonreimbursable and nonreturnable.

"SEC. 4. Facilities shall be provided for the development of the fish and wildlife resources of the project area including facilities to permit increased minimum water releases from Lake Tahoe and restoration of the Pyramid Lake fishery. The cost of such facilities, including operation and maintenance, shall be nonreimbursable. The cost to the Federal Government of constructing these facilities shall not exceed $2,000,000. This amount shall not include the cost of measures undertaken, pursuant to section 2 of the Act of August 14, 1946 (60 Stat. 1080, 16 U. S. C. 661a), to mitigate damages to fish and wildlife resources occasioned by the Washoe project as authorized by section 1 of this Act.

"SEC. 5. There is hereby authorized to be appropriated for construction of the Washoe reclamation project the sum of $43,700,000 plus such amounts, if any, as may be required by reason of changes in construction costs as indicated by engineering cost indices applicable to the types of construction involved therein and, in addition thereto, such sums as may be required to operate and maintain the project: *Provided*, That the appropriation of funds for the construction, operation, or maintenance of facilities authorized by section 4 of this Act shall not be from the reclamation fund."

And the House agree to the same.

CLAIR ENGLE,
WAYNE N. ASPINALL,
A. L. MILLER,
Managers on the Part of the House.

CLINTON P. ANDERSON,
ALAN BIBLE,
GEORGE W. MALONE,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on amendments of the House to the bill (S. 497), to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report:

The conference committee agreed on language which results in two changes in the House-passed bill. The first change is the addition of a provision which requires that the organization contracting with the Secretary of the Interior for repayment of project costs must have the capacity to levy assessments upon all taxable real property located within the boundaries of the organization. We believe that this is a desirable provision in the legislation. The construction and operation of reclamation projects contribute materially to the economy of the area where they are located. All the people in the area benefit from these developments, not just the direct project beneficiaries. We believe it appropriate in recognition of these indirect benefits that small assessments be levied upon all taxable real property within the boundaries of the organization to assist in repayment of project costs. This provision was not deleted by the House committee—the committee acted on the House bill, which did not include this provision.

The other change adopted by the conference committee to the House-passed bill relates to project excess lands. The Senate-passed bill exempted lands receiving supplemental water under the Washoe project from the excess lands provisions of reclamation law. The House-passed bill retained such excess lands provisions but provided an alternative procedure which the organizations could follow if they desired water service to lands without compliance with excess lands provisions. This alternative procedure would require that interest be paid on the pro rata share of the irrigation allocation attributable to furnishing irrigation benefits to excess lands receiving supplemental water. Such a procedure would remove the subsidy from serving excess lands. The Senate conferees expressed the belief that the House language would require payments from excess lands greater than the additional payment capacity resulting from the supplemental water supply. They pointed out that the high elevation of the lands, the short growing season, and the type of crops grown in the area limited the capability of the lands and the financial returns therefrom. In recognition of these facts, the conference committee agreed upon substitute language which retained the House provision for interest payment on excess lands but qualified the provision by limiting such payment to an amount equal to the increased payment capacity of the excess lands resulting from the supplemental water supply. The determination as to the increased payment capacity of the excess lands would be made by the Secretary of the Interior. That part of the cost attributable to serving supplemental water to excess lands which the Secretary determines to be in excess of the increased payment capacity of such lands would have to be repaid with interest from power revenues. It is the intention of the House conferees that the Federal taxpayers shall be made whole with respect to the cost to the Federal Government attributable to serving excess lands and that the repayment of such costs should come from project revenues.

CLAIR ENGLE,
WAYNE N. ASPINALL,
A. L. MILLER,
Managers on the Part of the House.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EXEMPTION OF CERTAIN TRAVEL FROM TAX ON TRANSPORTATION OF PERSONS

Mr. COOPER. Mr. Speaker, I call up the conference report on the bill (H. R. 5265 to exempt certain additional foreign travel from the tax on the transportation of persons, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2749)

The committee of conference on the disagreeing votes of the two House on the amendment of the Senate to the bill (H. R. 5265) to exempt certain additional foreign travel from the tax on the transportation of persons, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That subsections (a) and (b) of section 4261 of the Internal Revenue Code of 1954 (relating to the tax on transportation of persons) are amended to read as follows:

"'(a) Amounts paid within the United States: There is hereby imposed upon the amount paid within the United States for taxable transportation (as defined in section 4262) of any person by rail, motor vehicle, water, or air a tax equal to 10 percent of the amount so paid.

"'(b) Amounts paid outside the United States: There is hereby imposed upon the amount paid without the United States for taxable transportation (as defined in section 4262) of any person by rail, motor vehicle, water, or air, but only if such transportation begins and ends in the United States, a tax equal to 10 percent of the amount so paid.'

"SEC. 2. Section 4262 of the Internal Revenue Code of 1954 (relating to exemptions from tax on transportation of persons) is amended by striking out subsection (a) and by redesignating subsections (b), (c), (d), (e), and (f) as subsections (a), (b), (c), (d), and (e), respectively. Such section, as so amended, is renumbered as section 4263. Section 6421 (d) (2) of such Code (relating to definition of 'tax-exempt passenger fare revenue') is amended by striking out '4262 (b)' and inserting in lieu thereof '4263 (a)'.

"SEC. 3. Part I of subchapter C of chapter 33 of the Internal Revenue Code of 1954 is amended by inserting after section 4261 the following new section:

"'SEC. 4262. Definition of taxable transportation.

"'(a) Taxable transportation; in general: For purposes of this part, except as provided in subsection (b), the term "taxable transportation" means—

"'(1) transportation which begins in the United States or in the 225-mile zone and ends in the United States or in the 225-mile zone and;

"'(2) in the case of transportation other than transportation described in paragraph (1), that portion of such transportation which is directly or indirectly from one port or station in the United States to another port or station in the United States.

"'(b) Exclusion of certain travel.—For purposes of this part, the term "'taxable transportation'" does not include that portion of any transportation which meets all 4 of the following requirements:

"'(1) such portion is outside the United States;

"'(2) neither such portion nor any segment thereof is directly or indirectly—

"'(A) between (i) a point where the route of the transportation leaves or enters the continental United States, or (ii) a port or station in the 225-mile zone, and

"'(B) a port or station in the 225-mile zone;

"'(3) such portion—

"'(A) begins at either (i) the point where the route of the transportation leaves the United States, or (ii) a port or station in the 225-mile zone, and

"'(B) ends at either (i) the point where the route of the transportation enters the United States, or (ii) a port or station in the 225-mile zone; and

"'(4) a direct line from the point (or the port or station) specified in paragraph (3) (A), to the point (or the port or station) specified in paragraph (3) (B), passes through or over a point which is not within 225 miles of the United States.

"'(c) Definitions: For purposes of this section—

"'(1) Continental United States: The term "continental United States" means the existing 48 States and the District of Columbia.

"'(2) 225-mile zone: The term "225-mile zone" means that portion of Canada and Mexico which is not more than 225 miles from the nearest point in the continental United States.'

"SEC. 4. (a) Part I of subchapter C of chapter 33 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new section:

"'SEC. 4264. Special rules.

"'(a) Payments made outside the United States for prepaid orders: If the payment upon which tax is imposed by section 4261 is made outside the United States for a prepaid order, exchange order, or similar order, the person furnishing the initial transportation pursuant to such order shall collect the amount of the tax.

"'(b) Tax deducted upon refunds: Every person who refunds any amount with respect to a ticket or order which was purchased without payment of the tax imposed by section 4261, shall deduct from the amount refundable, to the extent available, any tax due under such section as a result of the use of a portion of the transportation purchased in connection with such ticket or order, and shall report to the Secretary or his delegate the amount of any such tax remaining uncollected.

"'(c) Payment of tax: Where any tax imposed by section 4261 is not paid at the time payment for transportation is made, then, under regulations prescribed by the Secretary or his delegate, to the extent that such tax is not collected under any other provision of this subchapter—

"'(1) such tax shall be paid by the person paying for the transportation or by the person using the transportation;

"'(2) such tax shall be paid within such time as the Secretary or his delegate shall prescribe by regulations after whichever of the following first occurs:

"'(A) the rights to the transportation expire; or

"'(B) the time when the transportation becomes subject to tax; and

"'(3) payment of such tax shall be made to the person to whom the payment for transportation was made or to the Secretary or his delegate.

"'(d) Application of tax: The tax imposed by section 4261 shall apply to any amount paid within the United States for transportation of any person unless the taxpayer establishes, pursuant to regulations prescribed by the Secretary or his delegate, at the time of payment for the transportation, that the transportation is not transportation in respect of which tax is imposed by section 4261.

"'(e) Round trips: In applying this part to a round trip, such round trip shall be considered to consist of transportation from the point of departure to the destination, and of separate transportation thereafter.

"'(f) Transportation outside the northern portion of the Western Hemisphere: In applying this part to transportation any part of which is outside the northern portion of the Western Hemisphere—

"'(1) If the route of such transportation leaves and reenters the northern portion of the Western Hemisphere, such transportation shall be considered to consist of transportation to a point outside such northern portion, and of separate transportation thereafter.

"'(2) If such transportation is transportation by water on a vessel which makes one or more intermediate stops at ports within the United States on a voyage which begins or ends in the United States and ends or begins outside the northern portion of the Western Hemisphere, a stop at an intermediate port within the United States at which such vessel is not authorized both to discharge and to take on passengers shall not be considered to be a stop at a port within the United States.

For purposes of this subsection, the term "northern portion of the Western Hemisphere" means the area lying west of the 30th meridian west of Greenwich, east of the International Date Line, and north of the equator, but not including any country of South America.'

"(b) Section 4261 (d) of the Internal Revenue Code of 1954 (relating to payment of tax imposed on transportation of persons) is amended by striking out 'The' and inserting in lieu thereof 'Except as provided in section 4264, the'.

"(c) The first sentence of section 4291 of the Internal Revenue Code of 1954 (relating to cases where persons receiving payment must collect tax) is amended to read as follows: 'Except as provided in section 4264 (a), every person receiving any payment for facilities or services on which a tax is imposed upon the payor thereof under this chapter shall collect the amount of the tax from the person making such payment.'

"SEC. 5. The table of sections for part I of subchapter C of chapter 33 of the Internal Revenue Code of 1954 is amended by striking out

"'Sec. 4262. Exemptions.'

and inserting in lieu thereof

"'Sec. 4262. Definition of taxable transportation.

"'Sec. 4263. Exemptions.

"'Sec. 4264. Special rules.'

"SEC. 6. The amendments made by this Act shall apply to amounts paid on or after the first day of the first month which begins more than sixty days after the date of the enactment of this Act for transportation commencing on or after such first day."

And the Senate agree to the same.

JERE COOPER,
W. D. MILLS,
NOBLE J. GREGORY,
DANIEL A. REED,
THOMAS A. JENKINS,
Managers on the Part of the House.

HARRY F. BYRD,
ROBT. KERR,
By HARRY F. BYRD,
GEO. A. SMATHERS,
E. D. MILLIKIN,
RALPH E. FLANDERS,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5265) to exempt certain additional foreign travel from the tax on the transportation of persons, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

EXISTING LAW

In general, existing law imposes a tax on amounts paid in the United States for the transportation of persons where the transportation begins and ends within the northern portion of the Western Hemisphere. With respect to transportation of persons any part of which is outside the northern portion of the Western Hemisphere, existing law provides that so much of the transportation as constitutes transportation between one port or station in the United States, Canada (except Newfoundland), or Mexico, and another port or station within such area, shall be taxable. However, in the case of transportation by water on a ship on a voyage which begins or ends in the United States and ends or begins outside the northern portion of the Western Hemisphere, if such ship makes one or more intermediate stops at ports within the United States, Canada, or Mexico, no part of the transportation is considered to be from one such port to another such port if the ship is not authorized both to discharge and to take on passengers at any such intermediate port.

In the case of amounts paid outside the United States for the transportation of persons, existing law provides that the tax will apply only in the case of transportation which begins and ends in the United States.

THE HOUSE BILL

Under the House bill, in the case of payments made in the United States the tax on the transportation of persons would, in general, apply only to domestic transportation. The definition of "domestic transportation" in the House bill included all transportation which begins and ends in the United States, except—

(1) That portion of such transportation which is outside the United States in any case where the route of the transportation passes through or over a point at least 200 miles from the nearest boundary of the United States (determined as provided in the bill); and

(2) Round-trip transportation between a point within the United States and a point outside the United States (except as specified below).

The definition of "domestic transportation" also included transportation (payment for which is made within the United States) between any port or station within the United States and any other port or station within the United States (excluding transportation described in paragraph (1) above), which is part of transportation to or from a point outside the United States.

The House bill provided an exemption from tax on transportation between United States ports where (1) the transportation is by ship on a voyage which begins or ends in the United States and ends or begins outside the United States, (2) such ship makes one or more intermediate stops in the United States, and (3) the ship, in stopping at such intermediate port, is not authorized both to discharge and to take on passengers.

In the case of payments made outside the United States, the amount would be taxable only if the transportation begins and ends in the United States and only to the extent the amount would be taxable if the payment had been made in the United States.

THE SENATE AMENDMENT

The Senate amendment struck out all after the enacting clause of the House bill

and inserted new text. Under the Senate amendment the tax would be imposed on—

(1) The amount paid within the United States for "taxable transportation of persons."

(2) The amount paid without the United States for "taxable transportation of persons," but only if such transportation begins and ends in the United States.

Under the Senate amendment the term "taxable transportation of persons" was defined as transportation that begins in the United States or at any point in Canada or Mexico not more than 225 miles from the continental United States and ends in the United States or at any point in Canada or Mexico not more than 225 miles from the continental United States. Accordingly, no tax was imposed on any part of transportation which began or ended outside the United States and the 225-mile area.

The Senate amendment excluded from the term "taxable transportation of persons"—

(1) That portion of transportation to or from the Territory of Alaska or the Territory of Hawaii which—

(A) is outside the United States;

(B) is not transportation between ports or stations within the continental United States or that portion of Canada or Mexico within 225 miles of the continental United States; and

(C) is not transporation between ports or stations within the Territory of Alaska or the Territory of Hawaii.

(2) Transporation any part of which is outside the northern portion of the Western Hemisphere.

The Senate amendment also added two new sections to the code, one providing special rules relating to administrative matters, and one providing an assessable penalty for failure to pay the tax on transportation of persons within the time prescribed for such payment.

Both the House bill and the Senate amendment made necessary technical and clerical amendments to the code.

Neither the House bill nor the Senate amendment changed the rate of the tax on transportation of persons.

THE CONFERENCE AGREEMENT

Under the conference agreement, the House recedes with an amendment the text of which is a substitute for both the House bill and the Senate amendment.

Section 1: The first section of the conference substitute amends subsections (a) and (b) of section 4261 of the Internal Revenue Code of 1954. Subsection (a) is amended to impose the tax upon the amount paid within the United States for taxable transportation (as defined in the new sec. 4262 of the code) of any person by rail, motor vehicle, water, or air. The rate of tax under existing law (10 percent) is not changed.

This section also makes conforming changes in section 4261 (b) of the 1954 code. As so changed, the tax will be imposed upon the amount paid outside the United States for taxable transportation of any person, but only if such transportation begins and ends in the United States.

Section 2: Section 2 of the conference substitute makes changes in section 4262 of the code (relating to exemptions from the tax on transportation of persons).

Subsection (a) of section 4262 (relating to transportation any part of which is outside of the northern portion of the Western Hemisphere) is deleted. The language of this subsection is rendered unnecessary by reason of other provisions contained in the conference substitute, including the new section 4264 (f) of the code added by section 4 (a) of the conference substitute.

Section 2 of the conference substitute also redesignates subsections (b), (c), (d), (e), and (f) of section 4262 as subsections (a), (b), (c), (d), and (e), respectively, and such section is renumbered as section "4263". No substantive changes are made in the provisions which remain in section 4263.

The last sentence of section 2 of the conference substitute makes a conforming change in a cross reference to the present section 4262 (b).

Section 3: Section 3 of the conference substitute adds a new section 4262 to the code defining "taxable transportation" for purposes of the tax on transportation of persons.

Section 4262 (a) defines taxable transportation to mean—

(1) transportation which begins in the United States, or in that portion of Canada or Mexico which is not more than 225 miles from the nearest point in the continental United States (defined in the conference substitute as the "225-mile zone"), and ends in the United States or in the 225-mile zone; and

(2) in the case of any other transportation, that portion of such transportation which is directly or indirectly from one port or station in the United States to another port or station in the United States.

Section 4262 (b) excludes from the definition of "taxable transportation" that portion of any transportation which meets all 4 of the following requirements:

(1) such portion is outside the United States;

(2) neither such portion nor any segment thereof is directly or indirectly—

(A) between (i) a point where the route of the transportation leaves or enters the continental United States, or (ii) a port or station in the 225-mile zone, and

(B) a port or station in the 225-mile zone;

(3) such portion—

(A) begins at either (i) the point where the route of the transportation leaves the United States, or (ii) a port or station in the 225-mile zone, and

(B) ends at either (i) the point where the route of the transportation enters the United States, or (ii) a port or station in the 225-mile zone; and

(4) a direct line from the point (or the port or station) specified in paragraph (3) (A), to the point (or the port or station) specified in paragraph (3) (B), passes through or over a point which is not within 225 miles of the United States.

Section 4262 (c) (1) defines the term "continental United States," for purposes of section 4262, to mean the existing 48 States and the District of Columbia. Section 4262 (c) (2) defines the term "225-mile zone," for purposes of section 4262, to mean that portion of Canada and Mexico which is not more than 225 miles from the nearest point in the continental United States.

The term "United States" as used in the sections of the code amended or added by the conference substitute is defined by section 7701 (a) (9) of the code to mean the States, the Territories of Alaska and Hawaii, and the District of Columbia.

Under section 4262 (a) taxable transportation is defined as including the transportation that begins in the United States or the portion of Canada or Mexico within 225 miles of the continental United States (the 225-mile zone) and ends in the United States or in the 225-mile zone.

Transportation that begins in the United States or in the 225-mile zone and ends outside such area, transportation that begins outside the United States or the 225-mile zone and ends inside such area, and transportation that begins and ends outside the United States and the 225-mile zone are included within the term "taxable transportation" only to the extent that transportation is directly or indirectly from one port or station in the United States to another port or station in the United States. That is, transportation from London to New York, to Montreal, to Seattle, to Tokyo would be included within the definition of "taxable transportation" on the portion between New York and Seattle. If payment was made in the United States, the New York to Seattle portion would be taxable. However, if payment for such transportation was made outside the United States no part of it would be taxable since it is not transportation which begins and ends in the United States.

Under subsection (b) of section 4262 certain transportation is excluded from the term "taxable transportation" if all four tests set forth in that subsection are met.

Transportation from the continental United States to Alaska and Hawaii will be partially exempt from tax under this provision. For example, a non-stop trip from Seattle to Juneau would contain a portion that is outside the United States and that satisfies the requirements of section 4262 (b), since it is between the point where the route leaves the continental United States and where it enters Alaska, and a direct line from the point of leaving the United States to the point of entering the United States passes through a point which is not within 225 miles of the United States. In computing the amount paid for taxable transportation in such case the portion of the route which is within the United States before the carrier leaves the United States (the portion in Washington) and the portion within the United States after the carrier enters the United States (the portion in Alaska) will be determined in the manner to be prescribed in regulations issued by the Secretary or his delegate.

In the case of transportation from, for example, New York to Edmonton, to Vancouver, to Hawaii, the entire portion from where the carrier leaves the United States en route to Edmonton to where it enters the United States in Hawaii would be outside the United States. However, the segment between the point where the route leaves the United States and Vancouver would be indirectly between a point where the route leaves the continental United States and a station within the 225-mile zone (Vancouver is inside the 225-mile zone). The portion between the point where the carrier leaves the United States to Edmonton cannot be considered as an exempt portion since such a portion must end at a point where the route enters the United States or a port or station within the 225-mile zone (Edmonton is outside the 225-mile zone). Therefore, the only part of the transportation which can satisfy paragraphs (1), (2), and (3) of section 4262 (b) is the portion between Vancouver and where the route enters the United States in Hawaii. Since a direct line from Vancouver and such point will pass through a point which is not within 225 miles of the United States, this portion of the transportation satisfies the requirements of paragraph (4) and is excluded from the definition of taxable transportation.

If 2 portions of any transportation are outside the United States but there is transportation inside the United States between such portions (whether or not the carrier stops in the United States), the 2 must be considered separately and one of the portions may be fully taxable although the other is wholly or partially exempt. For example, in the case of transportation from Windsor to Fairbanks with stops at Minneapolis and Calgary, the parts between Windsor and Minneapolis and between Minneapolis and Calgary would be fully taxed. However, the portion from Calgary (assuming Calgary is the last stop in the 225-mile zone) to the Alaskan boundary would be nontaxable. The segment between the boundary of the continental United States and Calgary cannot be excluded by reason of paragraph (2) of section 4262 (b).

Under subsection (c) of section 4262, whether any point in Canada or Mexico is not more than 225 miles from the continental United States is to be determined by measuring the distance from such point to the nearest point on the boundary of the continental United States.

In most cases it will be evident whether or not a destination is within or without 225 miles from the United States. In any instance in which it is not apparent whether a port or station is within or without 225 miles of the United States the exact distance may be computed mathematically by such methods as the Andoyer-Lambert formula. It is contemplated that the Secretary or his delegate will make this computation for major cities and will publish the determinations.

It is contemplated that the Secretary of the Treasury or his delegate will prescribe regulations for computing the amount subject to tax in cases where the amount paid for transportation includes both taxable and nontaxable portions. Such regulations may require computations to be made by reference to local fares.

Section 4: Section 4 of the conference substitute adds a new section 4264 to the code, providing special rules relating to the application and payment of the tax.

Section 4264 (a) continues without substantive change a provision now contained as a part of section 4291 of the code.

Section 4264 (b) provides a special rule for collection of the tax where an unused ticket or order (or portion thereof) purchased for nontaxable transportation is presented for refund and, as a result of the use of only a portion of the transportation purchased in connection with such ticket or order, liability for payment of the tax has been incurred. In such cases the person making the refund is required to deduct from the amount refundable, to the extent available, the amount of the tax due. If the refund due on the unused ticket or order (or portion thereof) is less than the amount of the tax due, the person redeeming such unused ticket or order (or portion thereof) is required to make a report to the Secretary or his delegate as to the remainder of the tax due.

Subsection (b) applies, for example, if a carrier receives for redemption a ticket purchased in the United States for transportation from Calgary to Edmonton which the purchaser bought for use in conjunction with a ticket for nonstop transportation from Seattle to Calgary, and the person applying for the refund does not show that the tax on the Seattle-Calgary ticket has been paid or that the Seattle-Calgary ticket has been redeemed. The carrier, before making the refund for the unused ticket, is required to deduct from the amount refundable the tax applicable to the amount paid by the purchaser for the taxable transportation from Seattle to Calgary and to report the tax so collected in the manner prescribed by regulations. In the event that the refund due on the Calgary to Edmonton ticket is less than the amount of the tax due on the amount paid for the transportation from Seattle to Calgary, the carrier should not make any refund to the purchaser but should apply against the outstanding tax the entire amount refundable and should notify the Secretary or his delegate of the passenger's name and address and the amount of tax remaining uncollected.

Section 4264 (c) provides special rules for payment of the tax where the payment for the transportation is (1) subject to tax at the time such payment is made but no tax is paid at that time, or (2) not subject to tax at the time such payment is made but because of some subsequent event becomes taxable. In such cases the person paying for, or the person using, the transportation must pay the tax to the person from whom the transportation was purchased, or to the Secretary or his delegate. Such payment must be made within the time prescribed by regulations after whichever of the following first occurs: (a) The rights to the transportation expire, or (b) the time when the transportation becomes taxable transportation.

This subsection is not intended in any way to relieve the person receiving a payment for taxable transportation of persons from his duty under section 4291 of collecting the tax at the time such payment is received by him.

The provisions of section 4264 (c) do not apply in any case where the tax is collected in the manner provided in subsection (a) or subsection (b) of section 4264 (or in other provisions of subchapter C of chapter 33).

The following examples illustrate the application of section 4264 (c):

Example 1: A purchases in Canada a ticket for his transportation from Detroit to San Francisco, but fails to pay the applicable tax at the time he makes the payment for such ticket. Since under section 4261 (b) the transportation was taxable at the time purchased by A, he must, within the time specified by the regulations after the date of such purchase, pay the applicable tax to either the person from whom he purchased the ticket or to the Secretary or his delegate.

Example 2: B purchases in New York a round-trip ticket for transportation between New York and London, with a stopover in Montreal. After arriving in Montreal B decides not to continue his trip to London but to return to New York. B is liable for the tax with respect to the amount paid for his transportation from New York to Montreal and return. B's transportation became taxable transportation at the time he began his return trip to New York and, within the time specified by the regulations after such event occurred, B must pay the applicable tax to either the person from whom he purchased the ticket or to the Secretary or his delegate, unless within such time he has applied for a refund on the unused portion of the transportation from which the tax should be deducted.

If in example 2, B had not returned to New York but had remained in Montreal, he would not be required to pay any tax until the time specified by the regulations after the date on which his right to use the remaining portion of the ticket expired.

Under section 4264 (d) any amount paid within the United States for transportation of any person is presumed to be fully taxable unless the taxpayer establishes at the time of payment for the transportation, pursuant to regulations prescribed by the Secretary or his delegate, that the transportation is wholly or partially not transportation subject to tax. This may be established, for instance, by the purchase of a ticket for transportation part or all of which is not "taxable transportation" or is transportation not subject to tax. It may also be established by furnishing the carrier or any agency receiving payment for transportation which, considered by itself, is taxable transportation, a ticket or order covering additional transportation which establishes that the transportation, or a part thereof, is not taxable transportation.

Section 4264 (e) provides in effect that a round trip consists of two separate trips, i. e., one trip from the point of departure to the destination and a second trip in returning from the destination. A round trip is intended to include certain journeys in which the same routing is not followed on the return trip from the specified destination to the original point of departure as was taken on the going trip (sometimes referred to as "circle trips"). In the case of a cruise (i. e., transportation to no set destination but with one or more intermediate stops en route), the point farthest from the point of departure will be regarded as the destination for purposes of applying the term "round trip." However, the rules of "open jaw" transportation, discussed below, apply if the cruise ends at a point other than the one at which it began.

"Open jaw" transportation (transportation from the point of departure to a specified destination and transportation from that point to a point other than the original point of departure) will be considered as transportation from the original point of departure to the specified destination and separate transportation from that point to the final destination if the distance between the points of the "open jaw" does not exceed the distance of the shorter segment traveled. For example, a trip from New York to New Orleans via Panama would be considered as transportation from New York to Panama and separate transportation from Panama to New Orleans, so that both segments of the trip would be nontaxable. On the other hand, a trip from New York to Miami via Bermuda would be considered as transportation from New York to Miami and would be taxable.

Section 4264 (f) contains two special rules which apply to transportation if any part thereof is outside the northern portion of the Western Hemisphere. The northern portion of the Western Hemisphere is defined in this subsection (as in existing law) to mean the area lying west of the 30th meridian west of Greenwich, east of the international date line, and north of the Equator, but not including any country of South America.

The first special rule provides that if the route of such transportation leaves and reenters the northern portion of the Western Hemisphere, such transportation shall be considered to consist of transportation to a point outside such northern portion, and of separate transportation thereafter. Thus transportation from New York to Caracas, Venezuela, to San Francisco would be considered to consist of transportation from New York to Caracas and separate transportation from Caracas to San Francisco. In effect, such transportation will be considered to be two trips, and the taxability of any segment of such transportation will be tested accordingly.

The second special rule contained in section 4264 (f) for transportation any part of which it outside the northern portion of the Western Hemisphere provides that if such transportation is transportation by water on a vessel which makes one or more intermediate stops at ports within the United States on a voyage that begins or ends in the United States and ends or begins outside such northern portion, a stop at an intermediate port within the United States at which such vessel is not authorized both to discharge and to take on passengers shall not be considered to be a stop at a port within the United States. Thus, if a vessel's voyage is from New York to Boston to London, and at Boston the vessel is not authorized both to take on and to discharge passengers, the stop at Boston is not considered to be a stop for tax purposes and the segment of the transportation from New York to Boston en route to London is not taxable. This special rule continues the exemption presently contained in subsection (a) of section 4262 of the code (renumbered "4263" by the conference substitute), modified to conform to the new tax base provided by the conference substitute.

Section 5: Section 5 of the conference substitute makes conforming changes in a table of sections.

Section 6: Section 6 of the conference substitute provides that the amendments made by the bill shall apply to amounts paid on or after the first day of the first month which begins more than 60 days after the date of enactment of the bill for transportation commencing on or after such first day.

JERE COOPER,
W. D. MILLS,
NOBLE J. GREGORY,
DANIEL A. REED,
THOMAS A. JENKINS,
Managers on the Part of the House.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD on the conference report just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objction.

Mr. COOPER. Mr. Speaker, I would like to call up for consideration of the House the conference report on H. R. 5265.

The conference committee on H. R. 5265, a bill exempting certain foreign travel from tax on transportation of persons, have unanimously agreed on a substitute for both the House and Senate bills. This bill will make three major changes in present law.

First, under present law, transportation to the Caribbean area, Central America and Canada is completely taxable if payment is made in the United States. Under the conference bill, transportation to these areas will generally only be taxed on the portion to the last port or station in the United States. For example, a passenger going from Washington to Mexico City by way of Miami would not be taxed on the portion paid for the transportation between Miami and Mexico City. Under present law, he would be taxed on the full amount. This is basically the way these trips were treated under the House bill. However, trips to the portions of Canada and Mexico that are within 225 miles of the United States will continue to be fully taxed. This limitation is necessary to avoid administrative difficulty and discrimination among competing carriers.

Second, on transportation from one point in the United States to another point in the United States the full amount is taxable under present law unless some part of the transportation is outside the northern portion of the Western Hemisphere. This discrimination is particularly acute in the case of trahsportation to Alaska and Hawaii, since the carrier must, in those cases, go far outside the United States. Under the conference bill, transportation from one point in the United States to another point in the United States will not be taxed on the portion outside the United States if a direct line from the point where the route of the transportation leaves the United States to the point where the route of the transportation enters the United States passes through a point more than 225 miles outside the United States. The exemption under this provision will not extend to the portion of the transportation between the boundary of the continental United States and a stop in the 225-mile zone or to the portion between two stops and the 225-mile zone.

Thus, the rule in the conference bill will apply uniformly to all transportation that meets the requirements specified in the bill. The benefit of the provision is not limited to trips to Alaska and Hawaii but can also extend to other transportation.

Third, in the case of transportation that ends outside the northern portion of the Western Hemisphere the portion of the trip to the last port or station in Canada, Mexico, or the United States is generally taxed under present law. Under the conference bill, the tax on these trips is limited to the portion from the last station in the United States. Thus, a passenger going to South America by way of Mexico City will no longer be taxed on the portion of his trip between the last stop in the United States and Mexico City.

In addition to these major changes, there are a number of provisions that will simplify the administration of the transportation tax. These provisions were contained in the Senate bill and are continued in the conference bill.

This legislation is an effective good will gesture toward the friendly nations in Central America and the Caribbean area. While the bill will result in a revenue loss of about $17 million a year, it should do much to encourage Americans to visit this rapidly growing and developing area.

If this bill is enacted this month, it will become effective on October 1, so that the tourists this fall and winter will receive the benefits of this relief.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD on the conference report just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objction.

Mr. REED of New York. Mr. Speaker, the conference agreement on H. R. 5265 represents a tremendous accomplishment. This bill which I sponsored in the last session is designed to remove a serious discrimination against travel to Canada and the Caribbean area. Such travel has been subject to the Federal 10 percent excise tax on the transportation of persons while similar transportation into other parts of the world outside of the United States has been exempt. My bill removes this discrimination and extends a similar exemption into this area. I believe that my bill will be of great benefit to our friends in the Caribbean area with whom it is so important that we continue to strengthen our ties.

AMENDMENT OF THE RENEGOTIATION ACT

Mr. COOPER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 11947) to amend and extend the Renegotiation Act of 1951, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 4, line 3, after "month", insert "during."

Page 7, line 5, strike out "fourth" and insert "fifth."

Page 9, after line 3, insert:

"(c) The second sentence of section 105 (c) of such act (50 U. S. C., App., sec. 1215 (c)), is amended by striking out 'then upon the expiration' and inserting in lieu thereof 'then, in the absence of fraud or malfeasance or willful misrepresentation of a material fact, upon the expiration.'"

Page 9, line 4, strike out "(c)" and insert "(d)."

Page 9, lines 4 and 5, strike out "(a) and (b)" and insert "(a), (b), and (c)."

Page 9, line 9, strike out "1953," and insert "1953."

Page 9, line 10, strike out "or" and insert ", or."

Page 9, line 11, strike out "1956," and insert "1956."

Page 10, line 22, strike out "Exemption" and insert "Articles and services."

Page 11, strike out lines 8 to 21, inclusive, and insert:

"'(2) Classes of articles: The provisions of this title shall not apply to amounts received or accrued in a fiscal year under any contract or subcontract for an article which (with respect to such fiscal year) is an article in a standard commercial class of articles.

"'(3) Applications: Paragraph (1) (B) or (C) and paragraph (2) shall apply to amounts received or accrued in a fiscal year under any contract or subcontract for an article or service only if—

"'(A) the contractor or subcontractor at his election files, at such time and in such form and detail as the Board shall by regulations prescribe, an application containing such information and data as may be required by the Board under its regulations for the purpose of enabling it to make a determination under the applicable paragraph, and

"'(B) the Board determines that such article or service is, or fails to determine that such article or service is not, an article or service to which such paragraph applies, within the following periods after the date of filing such application:

"'(i) in the case of paragraph (1) (B) or (C), 3 months;

"'(ii) in the case of paragraph (2), 6 months; or

"'(iii) in either case, any longer period stipulated by mutual agreement.'"

Page 11, line 22, strike out "(2)" and insert "(4)."

Page 12, lines 12 and 13, strike out "aggregate receipts or accruals in such fiscal year and the preceding fiscal year are" and insert "receipts or accruals in such fiscal year, or of the aggregate receipts or accruals in such fiscal year and the preceding fiscal year, are."

Page 14, line 14, strike out "title." and insert "title;" and

"'(G) the term "standard commercial class of articles" means, with respect to any fiscal year, two or more articles with respect to which the following conditions are met:

"'(i) at least one of such articles either is customarily maintained in stock by the contractor or subcontractor or is offered for sale in accordance with a price schedule regularly maintained by the contractor or subtractor,

"'(ii) all of such articles are of the same kind and manufactured of the same or substitute materials (without necessarily being of identical specifications),

"'(iii) all of such articles are sold at reasonably comparable prices, and

"'(iv) at least 35 percent of the aggregate receipts or accruals in the fiscal year by the contractor or subcontractor from sales of all of such articles are not (without regard to this subsection and subsection (c) of this section) subject to this title.'"

Page 14, strike out all after line 14 over to and including line 2 on page 15 and insert:

"'(5) Waiver of Exemption: Any contractor or subcontractor may waive the exemption provided in paragraphs (1) and (2) with respect to his receipts or accruals in any fiscal year from sales of any article or service by including a statement to such effect in the financial statement filed by him for such fiscal year pursuant to section 105 (e) (1), without necessarily waiving such exemption with respect to receipts or accruals in such fiscal year from sales of any other

article or service. A waiver, if made, shall be unconditional, and waiver may be made without the permission of the Board for any receipts or accruals with respect to which the contractor or subcontractor has previously filed an application under paragraph (3)."

Page 15, line 3, strike out "(4)" and insert "(6)."

Page 15, line 4, strike out "Paragraph (1)" and insert "Paragraphs (1) and (2)."

Page 15, after line 14, insert:

"SEC. 10. Section 107 (c) of such act (50 U. S. C., App., sec. 1217 (c)), is amended by striking out 'subject to the Classification Act of 1949 (but without regard to the civil-service laws and regulations)' and inserting in lieu thereof 'subject to the Classification Act of 1949 and the civil-service laws and regulations.'"

Page 15, line 15, strike out "10" and insert "11."

Page 15, line 21, strike out "11" and insert "12."

Page 16, line 14, strike out "12" and insert "13."

Page 16, line 18, strike out "13" and insert "14."

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD on the bill H. R. 11947.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, H. R. 11947, the bill to extend and amend the Renegotiation Act of 1951, has been adopted by the Senate with amendments.

The principal amendment in the Senate bill goes to the treatment of classes of articles for purposes of obtaining the standard commercial article exemption. The House bill provided language to exempt a class of articles where the entire class was identical in every material respect to a standard commercial article, and that sales in the class as a whole were at least 35 percent nonrenegotiable. However, the House bill was subject to the interpretation that the contractor had to isolate sales records on at least one article in the class in order to establish that it was a standard commercial article. This requirement might have proved impracticable in some situations. For example, in the metal industries sales records are not available for each different size, shape, and thickness of product.

Under the Senate amendments, it will be possible to obtain the exemption for such a class of articles provided that the class of articles meets the 35-percent test, the articles in the class are of the same kind, made of the same or substitute materials, all are sold at reasonable comparable prices, and at least one of the articles is either cataloged or stocked by the contractor. This will make it unnecessary to isolate sales records on any individual article in the group.

This problem, under the House bill, was brought to the attention of the House by the gentleman from Pennsylvania [Mr. SIMPSON]. The gentleman offered a specific amendment on this point, and withdrew it on the understanding that language was being prepared for inclusion in the Senate bill. This amendment will completely meet the problem that the gentleman raised.

A similar problem dealt with in the Senate amendments is the matter of the waiver of the standard commercial article exemption. This problem also arises from the fact that many contractors will not have sales records for each type of article. Provision of a waiver of the exemption would avoid any possibility of the contractor being forced to produce sales records of individual articles in order to take any exemption to which he may have been entitled.

In connection with the 35 percent test for the standard commercial article exemption, an amendment originally made by your committee required that the contractor show that 35 percent of his sales were nonrenegotiable for the current and preceding fiscal year combined. A Senate amendment allows the contractor the option of applying the 35-percent test on the sales of the current fiscal year alone, or on the sales of the current and preceding fiscal years combined.

The remaining Senate amendments were primarily technical. They provide that the financial statement required of contractors be filed on the first day of the fifth month following the close of the fiscal year instead of the fourth month. They also provide that under certain circumstances the Board would have a period longer than 3 months for processing exemption applications for standard commercial articles. In addition, the employees of the Renegotiation Board were specifically made subject to civil service laws and regulations.

Since these amendments serve in carrying out the provisions of the House bill, I urge that the Senate amendments be accepted by the House.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD on the bill H. R. 11947.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, H. R. 11947, which extends the Renegotiation Act of 1951, has passed the other body with certain amendments. These amendments are entirely acceptable and I agree that the House should concur without delay.

The distinguished chairman of the Committee on Ways and Means [Mr. COOPER] has already explained the Senate amendments in detail. It will be recalled that my distinguished colleague on the committee, the gentleman from Pennsylvania [Mr. SIMPSON], offered an amendment in the House when the bill was under consideration here, but withdrew it on the understanding that the problem would be resolved in the other body. I am glad to report that one of the Senate amendments completely meets the particular problem to which Mr. SIMPSON'S amendment refered. He is to be congratulated for bringing this matter to the attention of the Congress.

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD on the bill H. R. 11947.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS. Mr. Speaker, I believe that H. R. 11947, extending the Renegotiation Act of 1951, is a great improvement over the existing law. In particular, I am convinced that the increased exemption for small business will go far to relieve this vital segment of our economy from the unnecessary burden represented by the renegotiation process.

Mr. Speaker, I join in asking the House to concur in the Senate amendments.

DESIGNATING CERTAIN LIBRARIES AS DEPOSITORIES OF GOVERNMENT PUBLICATIONS

Mr. HAYS of Ohio. Mr. Speaker, on behalf of the Committee on House Administration, I ask unanimous consent for the immediate consideration of the bill (H. R. 12325) to constitute certain libraries as designated depositories of Government publications.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) each of the libraries named in subsection (b) of this section is hereby constituted a designated depository of Government publications, and the Superintendent of Documents is authorized and directed to furnish Government publications to each such library in accordance with the provisions of law relating to designated depositories of Government publications.

(b) Kent State University, Kent, Ohio; Lake Erie College, Painesville, Ohio; University of Bridgeport, Bridgeport, Conn.; Louisiana College, Pineville, La.; William Penn College, Oskaloosa, Iowa; Chicago Evangelistic Institute, University Park, Iowa.

SEC. 2. Libraries constituted as designated depositories of Government publications by this act shall be in addition to libraries and institutions constituted as designated depositories of Government publications by or pursuant to any other law of the United States.

SEC. 3. This act shall take effect on the first day of the second calendar month which begins after the date of its enactment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EISENHOWER CIRCUS TAKES OFF

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an article.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. McCARTHY. Mr. Speaker, those of us who were recently distressed to

learn that the Ringling Brothers and Barnum and Bailey bigtop had come down for the last time, and that several other major circuses had been taken off the road, can take some consolation from reports that the Republican campaign circus is leaving its rehearsal quarters and is about to go on the road.

An article written by Mr. Alistair Cooke and printed in the Manchester Guardian Weekly discusses the significant event. The article, in part, follows:

[From the Manchester Guardian Weekly of July 19, 1956]

EISENHOWER CIRCUS TAKES OFF

(By Alistair Cooke)

NEW YORK.—Until President Eisenhower announced that he would run again, we had to pretend, as a matter of historical accuracy, that the supreme commanders on both sides were unkown, and that the battle plans were hardly sketched out. Last week's news from Gettysburg exploded this hypocrisy.

The following day the National Citizens for Eisenhower put on in Madison Square Garden a "rehearsal" of their campaign circus which was about as impromptu as the planning of D-day. A 30-ton tractor caravan called Eisenhower's Bandwagon led a cavalcade of ranch wagons, teams of balloon technicians, "Ike-jeeps," and fleets of cars. Over the invasion fleet floated an Army surplus barrage baloon bearing the single word "Ike." It is only 1 of 16 that will hover in the autumn skies. They are inflated with helium, which has claim to be called a strategic gas and can be preempted by the Air Force's national-defense needs. Ike's jubilant citizens confided that since November they had been stealthily hoarding all the surplus helium they could get their hands on.

A week ago, Mr. Leonard Hall, the Republican national chairman, spent almost an hour telling the press about the party's campaign plans which, if they had been dreamed up since the Tuesday before, would be a staggering tribute to the Republicans' ability to improvise a blitz. Mr. NIXON is "absolutely" to be the dictated running mate. The campaign will cost $7 million. It will start about September 15 and will run for 6 weeks. The President will make 5 or 6 television speeches for which he will fly to different regions of the country. Representative CHARLES HALLECK, of Indiana, an old favorite of the President, will be the man to make the speech at the San Francisco convention putting Ike's name in nomination.

The interesting possibility that a State or two might be allowed, for form's sake, to nominate a favorite son or otherwise to support the illusion that the convention will be an open parliament with the right of free decisions, was crisply disposed of by the announcement that the President had agreed to fly to San Francisco to accept the renomination. Notice is hereby given that the Republican Convention is to be a Pompey's triumph, a colorful formality that will not require the delegates even to take a vote. The hero will be "chosen" by acclamation.

This is good news to everyone except the San Francisco hotel managers and shopkeepers, who had been promised about $2 million in revenue from the carousing delegates and their wives, who bend themselves at such times to a shopping spree. Indeed, the only snag in the Republican arrangements is the grouse of the San Franciscans that the convention may be all over in 3 days. The Republican National Committee, however, has already given its confidential promise that the ceremonies will be tricked out with tenors, drum majorettes, fashion shows, and all the other beguilements that have mercifully vanished since 1948 in deference to the impatience of television viewers.

In short, it seems that the humble workers in the Republican ranks have been on the parade ground with their battle dress under their arms all the time. They knew, if we didn't, that the battle would commence, but like Sam Small they wanted to have the word from the Duke of Wellington himself.

THE CIRCUS

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, I do not know anything about this Republican circus to which the gentleman previously referred because I am not consulted about any campaign plans. But that if true is all right, for it lets me attend to my own business, do a little campaigning on my own. But I noticed one thing, the Democratic campaign circus is not folding up. Even though it seems to be a sorry show—one the people seem to ignore. Over in the Committee on Government Operations the other day, it was announced that permission for the chairman of the committee, on the suggestion of the majority of the subcommittee, to file reports after we adjourn would be given. Well, that is—how about that? After we get all through here and go home, some Democrats proposed to prepare political propaganda and have it printed as a public document. Then it can be franked out. They are doing it without any previous circus at all—just pull it out of their own hats. Every day—going on for weeks—they have held hearings in the interest of socializing the Government—I call it—they say it is just giving the little fellow everything he needs without any cost. I do not complain about Republicans getting their circus off the road. We have very capable candidates who have demonstrated their ability and trustworthiness. If you want a circus instead of an informative campaign I do not care. I do not think you ought to use the taxpayers' dollars to put on your circus and show. Put it on the road after we go away and we will not have any chance to answer.

The SPEAKER. The time of the gentleman from Michigan has expired.

PARLIAMENTARY INQUIRY

Mr. HOFFMAN of Michigan. Mr. Speaker, a parliamentary inquire.

The SPEAKER. The gentleman will state the parliamentary inquiry.

Mr. HOFFMAN of Michigan. Mr. Speaker, can a regular or select committee of the House authorize its chairman to file, subsequent to adjournment sine die, with the Clerk for printing as House documents reports which are approved by a majority of the members of the committee, if such reports do not purport to represent the views and conclusions of the entire membership?

The SPEAKER. That is something the Chair would certainly have to take under advisement and it would take some time.

Mr. HOFFMAN of Michigan. Mr. Speaker, begging your pardon for asking for further recognition, but that question came up last week. It is coming up again on Tuesday and the committee should have some authoritative source or answer on it. That is a serious proposition. I am not asking it facetiously. I am asking it as a matter of policy. I would be content with an opinion from the Parliamentarian.

The SPEAKER. The Parliamentarian does not make decisions in the House. The Parliamentarian makes them outside of the House.

ENACTING CERTAIN PROVISIONS NOW INCLUDED IN THE DEPARTMENT OF DEFENSE APPROPRIATION ACT AND THE CIVIL FUNCTIONS APPROPRIATION ACT

Mr. VINSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. VINSON. Mr. Speaker, I understand that a rule has already been agreed to making in order the consideration of the bill H. R. 7992; is that correct?

The SPEAKER. That was adopted on July 10.

Mr. VINSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7992) to enact certain provisions now included in the Department of Defense Appropriation Act and the Civil Functions Appropriation Act, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 7992, with Mr. DEANE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Georgia [Mr. VINSON] will be recognized for 30 minutes, and the gentleman from Missouri [Mr. SHORT] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Georgia [Mr. VINSON].

Mr. VINSON. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the purpose of the bill under consideration is to enact by substantive legislation those legislative provisions which have been recurring in defense appropriation bills.

The bill contains 33 sections. Twenty-nine of those sections were taken directly from appropriations bills and, so far as I know, there should be no controversy whatsoever over their approval. Most of them have been considered on more than one occasion by the Appropriations Committee, and have been approved by both the House and the Senate. In view of that fact, I assume that those 29 sections are just as acceptable to the Members today as they have been in the past.

The committee added two sections which are not contained in previous appropriations bills. The first of these is section 10. The second is section 27. I shall advise you fully about each of them.

At the present time, officers of the regular components of the Armed Forces cannot be detailed for law training at civilian universities. Section 10, of H. R. 7992, would permit a limited number of regular officers to receive such training. The maximum limitation for any given year would be 15 for the Army, 5 for the Navy, 15 for the Air Force, and 10 for the Marine Corps. This makes a maximum of 45 officers who could be detailed for law training during any 1 year.

If the maximum number were detailed during the 3-year period required for a legal education, it would be possible that a maximum of 135 legal officers could be receiving legal training during the third year after this program became effective.

I recognize that there are many who feel that an adequate number of law graduates can be obtained from civilian graduates of law schools. And, to be perfectly frank, I want to say that at least one of the services, the Air Force, has no intention of utilizing this authority if it is granted. If there are those among you who feel strongly persuaded that this authority should not be granted, I can only suggest that you have the opportunity to bring the matter to an issue during the present consideration of the bill.

The other exception which I have mentioned is included in the provisions of section 27 of the bill.

All of you recall that the Appropriations Committee included section 638 in the general provisions of the fiscal 1956 Defense appropriations bill. That section prevented the Department of Defense from transferring to private enterprise any commercial type activity performed by civilian employee of the Department of Defense, unless such transfer was first approved by the House and Senate Committees on Appropriations.

I oppose that section when the fiscal 1956 Defense appropriations bill was debated on the floor of the House, on May 11 and 12, 1955. But a majority of the Members voted to retain the section. As a result, throughout fiscal 1956 the Department of Defense was required to report all of its proposed transfers to the Appropriations Committees.

While I am sure it was not intended by the authors of the language of section 638, a strick legal interpretation of the language required the Department of Defense to report commercial activities which were being performed by only one civilian employee of the Department of Defense. So it was quite onerous to both the Defense Department and the Appropriations Committees.

When the House Appropriations Committee was considering the Defense appropriations bill for fiscal 1957, earlier this year, it decided to repeat the same provisions that had appeared in section 638 in the bill of the previous year. So it included a section 633, which was identical in language.

Then, on May 8, 1956, Mr. MAHON appeared before the House Committee on Rules to request a rule waiving points of order on the fiscal 1957 Defense appropriations bill. By his own count there were more than 50 legislative items in that bill.

In an effort to protect the jurisdiction of the House Committee on Armed Services, I appeared before the Rules Committee on that same day in opposition to a rule waiving points of order. On that question I advised the Rules Committee that the House Armed Services Committee had under consideration the same bill which we are now considering, and that the Committee would soon report a bill which would enact these legislative provisions, making it wholly unnecessary for them to be improperly included in an appropriations bill. But the Rules Commmittee overruled my request and granted a closed rule.

The next day, May 9, 1956, the House Armed Services Committee approved this bill, H. R. 7992, including section 27.

This section would require the Secretary of Defense to report to the Congress whenever he desires to transfer any commercial or industrial type activity which has been in operation for more than 3 years, and involves the employment of more than 10 civilian employees of the Department of Defense.

Generally speaking, the procedure provided in section 27 is parallel to that which the Congress has provided for action on reorganization plans and also the disposal of the Government-owned synthetic rubber plants.

I think there is no question as to the constitutionality of this approach to the question.

So the committee approved this bill, including section 27, on May 9, 1956. The following day, May 10, 1956, the fiscal 1957 defense appropriations bill, including the controversial section 633, was under consideration by the House. The gentleman from Illinois [Mr. ALLEN] moved to strike section 633, which motion was agreed to by the House.

I wanted to give this chronology of events to the Members so that everyone thoroughly understands the current situation. I want to further say that after the committee reported this bill on May 9, it has given no further consideration to any phase of the bill. With 20 members being present, and 2 voting by proxy, the bill was reported without a dissenting vote. Since the committee has taken no action to rescind the action which it took on that date, I want to advise the Members that I will support the bill as reported.

When I appeared before the Rules Committee to request a rule on this bill, the gentleman from Illinois [Mr. ALLEN] served notice that he would move to strike section 27 when the bill was presented for consideration by the House. If that is still his intention, the issue will be joined and the House can work its will.

While I fully recognize the controversial nature of section 27 of the bill, I hope that that section will not obscure the more important objective of this legislation.

The House Armed Services Committee is trying to protect its jurisdiction.

The committee reported a similar bill, H. R. 2821, which passed the House in the 82d Congress, but failed of enactment because no action was taken in the Senate. So we are trying again, because it is simply impossible for the committee to properly discharge its responsibility if we are going to permit the Department of Defense to legislate in appropriations bills, when it suits their convenience and meets with the approval of the Appropriations Committees. This is a practice which must be stopped.

While this bill relates only to the jurisdiction of the House Committee on Armed Services, it embodies a principle which is of overriding importance to every standing legislative committee of the House. It has been my experience that if the legislative committees are not vigilant in the exercise of their jurisdiction, some other agency will exercise it for them.

So, I hope that this legislation will receive your overwhelming approval and that such action will set a pattern for similar action of the other legislative committees of the House.

Mr. RAINS. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield.

Mr. RAINS. Why not use the lawyers they take into the service without educating others already in? Why not use them in the field in which they are trained rather than make privates out of them?

Mr. VINSON. I am not going to get into any argument with my colleague on that provision. If he does not want this section in, let him offer an amendment and let the House work its will. I am just stating the case as it appears.

In the past, until a prohibition was put into the appropriation bill, a small group of officers were permitted to go to law school.

Mr. DEVEREUX. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Maryland.

Mr. DEVEREUX. Speaking to the point that was brought up by the gentleman from Alabama, actually those lawyers who go into the service, qualified lawyers, stay for a matter of only 2 years, and it is rather difficult to get them well oriented in such a short length of time so that they could serve a useful purpose in the service.

Mr. VINSON. It has been my experience and that of a number of outstanding lawyers I have known, that when the matter went to the Judge Advocate General's Office they refused to renew their category because they said they did not need them once they had served their 2-year stretch.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield.

Mr. CURTIS of Missouri. I simply want to state that I think it is a good suggestion and I intend to offer an amendment on this very point. I agree completely with the gentleman from Alabama, and so does the American Bar Association.

Mr. VINSON. Did I understand that the gentleman from Missouri will move to strike it out?

Mr. CURTIS of Missouri. I am not going to strike them all out, I am going to leave in 5 for the Marine Corps because I understand they have a very special situation to deal with.

Mr. VINSON. To be frank with the committee and with the House, with my distinguished colleague from Missouri and my colleagues on this side, I find myself constrained to go along with them. Nevertheless, this is a committee bill and it is proper for me to present the bill as the committee voted it out.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield.

Mr. HOSMER. I think the gentlemen who are opposing this provision are perhaps overlooking the fact that in a number of instances you will have positions that can and should only be filled by professional military service officers. But those positions also require for their best execution a knowledge of the law. That is exactly what these take care of.

I am a Naval Reserve officer, I am a lawyer. And when I went to enlist in 1940 they told me that lawyers were a dime a dozen, which is exactly true. But at the same time they are not a dime a dozen when it comes to particular phases of the work. Take, for instance, the man who heads up a rocket research center and has many contractual matters to deal with. It is a great advantage to him in his work to have legal training.

Mr. VINSON. I have but 15 minutes and cannot yield further.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from South Carolina.

Mr. RIVERS. Activities that had been in existence for a certain period of time.

Mr. VINSON. Yes, that is right, activities that had been in existence for a certain period of time.

Mr. ALLEN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Illinois.

Mr. ALLEN of Illinois. I propose to offer an amendment to strike section 27 from the bill when we get that far in the consideration of the bill.

Mr. VINSON. I am compelled at this point to say that I shall respectfully urge the House not to agree to the gentleman's amendment and I hope the Members will not agree to his amendment.

Mr. ALLEN of Illinois. The gentleman from Georgia in 1955 introduced the same amendment which I am going to introduce.

Mr. VINSON. I just stated that.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from South Carolina.

Mr. RIVERS. I just want to make it plain that the chairman now is behind the provision in this bill which guarantees the right to the Committee on Armed Services, when a resolution is introduced by some Member, to look into the need for any installation which is proposed to be transferred by somebody in the Department of Defense, on the ground that the Constitution imposes on the Congress the directive to create and maintain an adequate Army, Navy, and Air Force. And, you cannot do that if somebody whittles away and whittles away and whittles away at some installations that have been there from time immemorial.

Mr. VINSON. I thank the gentleman.

Mr. SHORT. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the proposed legislation as amended contains 33 sections. The House Committee on Armed Services adopted eight of these amendments. Most of them involve relatively small matters. In most respects this proposed legislation conforms almost altogether with the bill passed in the 82d Congress by the House of Representatives, but failed of enactment in the Senate at the close of a busy session.

It can be stated, I think, that the proposed legislation conforms to the wishes both of the House Committee on Appropriations and the House Committee on Armed Services. Mr. Chairman, as you know, we do not always agree, but in view of the fact that both of these committees have indicated their disapproval of authorizing language appearing in appropriation bills and, as the chairman of our committee, the gentleman from Georgia [Mr. VINSON] has already pointed out, this has caused the House a great deal of delay and unnecessary work and differences of opinion in days gone by, the purpose of this proposed legislation as we have amended it is to enact into permanent law numerous legislative provisions which have heretofore appeared in appropriation acts.

The enactment of the bill, of course, will give legislative authorization to these items and will preclude the raising of points of order on every appropriation bill that we bring to the floor of the House. Since it is favored by both the Committee on Appropriations and the Committee on Armed Services and will assist us in the future to act more expeditiously and economically, I think the bill should be passed.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield to the gentleman from Louisiana.

Mr. BROOKS of Louisiana. Mr. Chairman, I may allude to the provision, section 27 on page 14 which has been discussed by my chairman, the gentleman from Georgia. I have read that provision very carefully. I should like the gentleman's opinion in reference to my observation on it. It seems to me this is a well-settled method of handling matters of this sort as a result of the reorganization program which the Congress approved for a number of years. It seems to me also that it is a constitutional method, to ask that matters of this sort be referred back to the United States Congress for consideration and action in the event it desires to disapprove.

What is the gentleman's opinion on that?

Mr. SHORT. I am inclined to agree with my friend from Louisiana. In fact, I think we have already adopted that policy and applied practically the same principle in the disposal of our synthetic rubber plants. That is my understanding.

Mr. BROOKS of Louisiana. And it has all been acceptable to the executive branch of the Government.

Mr. SHORT. It has. I think this is the orderly and the proper manner in which to handle it.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield to the gentleman from South Carolina.

Mr. RIVERS. Mr. Chairman, I want to say to my distinguished friend from Missouri that the reason we feel that we have a right to review the question of these installations being transferred from the military to some civilian activity is that the Constitution imposes on the Congress the duty of maintaining a military force. Of all the executive branches of the Government, we are singled out by the Constitution, and directed to create and maintain an adequate military.

Mr. SHORT. After all, it is up to us to decide; the responsibility and the duty are ours and we may not shirk them.

Mr. RIVERS. Yes. And we have the right to review these proposals, as we are the legislative committee. The Committee on Appropriations did not have the authority, but we of the legislative committee do.

Mr. SHORT. I quite agree with the gentleman. I wish to say here that I think because of the insistence of our very distinguished and able chairman, the gentleman from Georgia [Mr. VINSON] in years gone by, on the Congress holding a tight rein and maintaining a firm control over these huge expenditures by the executive departments, the taxpayers of our Nation have been saved millions and hundreds of millions of dollars.

Mr. WIER. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield to the gentleman from Minnesota.

Mr. WIER. Getting back to the reference to this bill as the point-of-order bill, I am just a little confused on the question of point of orders that are raised on appropriation bills. Why is it necessary to put this into law, when there are three committees involved in points of order, the Rules Committee, the Armed Services Committee, and the Appropriations Committee? If it is true that the Appropriations Committee and the Armed Services Committee have arrived at a solution, what happens to the Rules Committee, that usually brings in rules waiving points of order on appropriation bills?

Mr. SHORT. All committees at all times are under the rules of the House. Of course the Rules Committee can waive points of order.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield to the gentleman from Georgia.

Mr. VINSON. The purpose of this is to keep the Rules Committee from having to grant special rules waiving points of order. We want to enact into law those items that have been appearing

year after year in the appropriation bills. Therefore, the Appropriations Committee will come in with a clean bill without any legislation in it.

Mr. WIER. Does this mean that by this procedure you are changing the rules of the House?

Mr. VINSON. No; not at all. We are protecting the rules of the House.

Mr. Chairman, there is no request for further time on this side of the aisle.

Mr. SHORT. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Chairman, I take this time to get clarification on section 27 (a). When the gentleman from Missouri [Mr. SHORT] was explaining it, I do not believe he said, and I want to be sure he did not say, that the administration and the executive department are in favor of this. Am I right?

Mr. VINSON. If the gentleman will permit me, the department was never consulted about it, but we are following the same principle that applied in connection with the Reorganization Act. This is committee action.

Mr. CURTIS of Missouri. As I understand, the administration is very strongly opposed to this. The House worked its will on it once, and here we have it back again to vote on all over again.

Mr. VINSON. The gentleman's statement as to the attitude of the administration is the first information I have that they have expressed any opinion pro or con. I know it was sound on reorganization, I know it was sound when we sold $700 million worth of synthetic rubber plants. Therefore, we thought we would be on sound ground if we said to the Department of Defense, "When you decide to transfer any of these installations just notify Congress and let Congress work its will, do what it wants to do about it. If it does not like it, it must be brought to the floor of the House and debated."

Mr. CURTIS of Missouri. Maybe the Department of Defense have not said anything because you have not given them a chance to comment on this specific thing, but they certainly have previously opposed this and President Eisenhower in a message last year opposed this very principle. I think they are dead right on it, that this is wrong.

Mr. VINSON. The information of the gentleman from Missouri is the first information I have, but the House knows what this provision is. Let the House work its will and do what is proper about this matter. As far as I am concerned, I will abide by the decision of the House, but I do say that we are on sound ground on the procedure, and the proper way to run the Department is to give the Congress in the well of the House an opportunity to say whether or not this or that installation should be closed up.

Mr. CURTIS of Missouri. I am very jealous of the prerogatives of Congress, but I think in this instance this is very definitely a place where Congress is going beyond its prerogatives. I think it is improper. The House did work its will on this matter, and this is just a further attempt to come back to get the House to change views that it previously expressed.

Mr. SHORT. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Chairman, if I may have the attention of my good friend, the gentleman from Missouri [Mr. CURTIS], you seem to be disturbed about this idea that when the House once has passed on a proposition or a bill, it should not be brought back. Of course, in section 514 and 515 of Jefferson's Manual, you will find something of that kind to the effect that you should not bring it back. But here the other day we established a different precedent. Do you not remember about that Tanker bill, H. R. 11122? It came up on the Consent Calendar. There was some objection. It came up on suspension. It was defeated. The gentleman handling the bill said that he would get a rule. The Speaker was in the Chair. He must have heard that because the CONGRESSIONAL RECORD shows he made a statement on the situation. Shortly thereafter, instead of getting a rule, up the bill came again on the Consent Calendar. It went through on unanimous consent. When the gentleman on the other side twice asked for unanimous consent to bring it back that was after it had passed—you remember—first, the gentleman who is chairman of the Committee on Merchant Marine and Fisheries, he objected, and then another gentleman objected. So, it did not come back. Here yesterday when I presented a motion to authorize the Clerk most respectfully to ask the other body to send it back, the Speaker refused to recognize me for that purpose. I have never been able to get that motion up since and no one else seems to be interested. Two of the gentlemen on that side phoned me this morning and said, "Why do you not bring it up?" I have a copy of that motion that some of you gentlemen over there are welcome to use and might want to operate on that with me. But I do not know why I should keep it up. You should not be worried. We just established this new and to my mind unsound practice.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. CURTIS of Missouri. I will continue to worry about these procedures and I will continue to call them to the attention of the House.

Mr. HOFFMAN of Michigan. You will?

Mr. CURTIS of Missouri. Yes.

Mr. HOFFMAN of Michigan. I hope you do.

Mr. CURTIS of Missouri. I did not say that I was surprised because I have seen that done, particularly in these closing days of the session where these kinds of tactics are resorted to. I think it is about time it ceased. I think those who have the responsibility of leadership in this House ought to be very, very careful about indulging in that kind of procedures. I want to say to the gentleman, I thank him for bringing this other matter to our attention.

Mr. HOFFMAN of Michigan. Is that a fact? You have a brother who lives in my district. Drop him a line about that. Now on this bill, if I may have the attention of the gentleman from Georgia, the father of all wisdom on these military matters.

Mr. VINSON. No, that is not so at all.

Mr. HOFFMAN of Michigan. As I recall it, this administration for the first time in a long, long time started to get the Government out of business along certain lines.

Mr. VINSON. That is correct.

Mr. HOFFMAN of Michigan. Then the House turned that down by rejecting the Phillips amendment some time ago; is that right?

Mr. VINSON. That was in 1955. Then in 1956——

Mr. HOFFMAN of Michigan. I don't remember the exact years. It is so far back.

Mr. VINSON. In 1955, they had a provision in the appropriation bill—section 638. The House, when I offered an amendment to strike it out, turned it down.

Mr. HOFFMAN of Michigan. For the first time, in a long, long time, the House did not go along with you. That was a mistake; was it not?

Mr. VINSON. That is right.

Now then, in this bill in 1956, they put the same thing in and the House agreed to it.

Mr. HOFFMAN of Michigan. And the President vetoed it; did he not?

Mr. VINSON. No.

Mr. HOFFMAN of Michigan. What did he veto?

Mr. VINSON. No.

Mr. HOFFMAN of Michigan. All right; go ahead.

Mr. VINSON. Now we are trying to make a compromise. We are trying to say here that whenever the Government wants to get the Department of Defense out of business on any of these installations, commercial enterprises or transfer them to private industry, they must submit it to the Speaker and to the Vice President, and then lay it before the respective committees and then all the Members of the House. Then a Member of the House has a right, within 60 days, to disapprove, and if the House agrees with that Member, then it stays in business. If it does not agree, then it goes into effect.

Mr. HOFFMAN of Michigan. Then this is sort of a compromise?

Mr. VINSON. Exactly.

Mr. HOFFMAN of Michigan. An effort to get at what the President wanted partially, and still retain the authority of the House.

Mr. VINSON. Exactly.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. JONAS. This bill does not apply just to operations like these great rubber plants. It applies also to all small operations maintained by the Defense Department, even those that employ 10 or fewer men and have been in existence for 3 years.

Does not the gentleman think it is going too far to ask Congress to pass on matters of that insignificant import?

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. VINSON. Mr. Chairman, I yield the gentleman 5 minues.

Mr. HOFFMAN of Michigan. I thank the gentleman. I might vote with him.

Mr. JONAS. Does not the gentleman think it is going too far to ask the Defense Department to come here and have Congress approve every plan before it can transfer an activity of such insignificance?

Mr. VINSON. May I say in reply to that, I venture to say there would not be a session of Congress when a half dozen resolutions would be introduced. When we get the facts from the Department, I am satisfied the Department will have been on such firm ground that the committee would say the Department is doing the right and proper thing.

Mr. JONAS. Would it not be better to have some requirement——

Mr. VINSON. We have enough requirements. We say more than 10 men must be employed, and it must have been running for 3 years.

Mr. JONAS. It cannot be transferred until after 60 days have expired.

Mr. VINSON. Yes. If it is a large industry, in your district for instance, employing two or three hundred men, you would want an opportunity to be heard. There are great yards all over this country, great installations, where civilian employees are employed, and the Members of Congress are not given a right or an opportunity to be heard. This gives every Member an opportunity to be heard.

Mr. JONAS. Something has been said about our constitutional responsibility with reference to the Defense Department. Congress does not act affirmatively when these installations are created.

Mr. RIVERS. Yes, they do.

Mr. JONAS. In what respect?

Mr. VINSON. We appropriate the money.

Mr. JONAS. But we do not pass on individual items such as barber shops, dry cleaning plants and other commercial-type installations such as would be affected by this bill.

Mr. RIVERS. The committee does pass on all construction. We have to approve the acquisition.

Mr. JONAS. I am not talking about big installations requiring expensive construction.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. VINSON. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. HOFFMAN of Michigan. And Mr. Chairman, I yield it back again.

Mr. SHORT. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, I simply want to clear the atmosphere of as much of the smoke as I can. The real analysis of this section 27 is this: It is intended to place a roadblock in the way of the Federal Government going out of business. Anyone who wants the Federal Government to go out of business and to have the material supplied by private industry instead of the Government operating it, will be against this roadblock. They have tried this roadblock before and we have turned it down. They have simply brought it back under a new guise. They say the same program was in effect in connection with the disposal of the rubber plants, and so forth. It is simply a new guise for the same roadblock. They say that the Constitution places upon Congress the responsibility of providing an Army and Navy and supporting them.

Why, of course, it does. There is no argument about what the Constitution provides. But when we have provided for an Army and Navy and provided for the support of that Army and Navy then the Constitution certainly does not say that we, the Congress, shall tell that Army and Navy how to operate and shall tell them where they shall get their supplies and all the other things.

That is the situation we are facing. Do we want the Government to get out of business whenever possible when private industry can supply those materials at less cost than the Government has been supplying them? That is the whole question. If we do we will strike section 27; if we do not we will keep section 27 in the bill.

Mr. SHORT. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I am sure that neither my good friend from Missouri [Mr. CURTIS] nor the gentleman from Illinois [Mr. MASON] want to charge the House Committee on the Armed Services with resorting to trickery or tactics that are unfair.

Mr. MASON. Certainly not.

Mr. SHORT. Or with bringing a measure in here under disguise in the closing hours of a session. Certainly we all realize that much bad and often vicious legislation is passed in the closing days of a hectic session of Congress, and I think we all should be alert and put on the brakes to stop that nefarious sort of thing.

But I do want the House to be reminded that the Committee on the Armed Services adopted this amendment on May 9 of this year.

Mr. CURTIS of Missouri. And held it from then until now.

Mr. SHORT. They took action in the Appropriations Committee the following day, the 10th of May.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. I am talking solely of section 27 (a). The matter was voted down by the House on the 10th of May, yet here it comes in another bill. Why do you bring it back again in the closing days of the session in another bill that has to do with a lot of other matters? That is my point. It has been voted down once.

Mr. SHORT. The committee acted the day before on it. This provision has been modified.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield.

Mr. HARDY. If the gentleman from Missouri will look at the record for the day on which the appropriation bill was considered and we were discussing a similar provision—it was not, of course, an identical provision—the gentleman will observe that a great deal of comment was made to the effect that the House Armed Services Committee had just the day before agreed on a section to take the place of this particular section and to improve the section; and it was on that basis that a great many Members of the House struck that provision from the appropriation bill.

Mr. SHORT. The gentleman is correct.

Mr. CURTIS of Missouri. On that again will the gentleman yield?

Mr. SHORT. I yield.

Mr. CURTIS of Missouri. I do not question the gentleman's statement; I question his assigned reason why Members voted against the provision. The real issue in this thing is getting the Government out of these facilities.

I will say another thing, this bill was reported on May 14, and here we have been sitting around here for weeks doing nothing. Why do we wait until virtually the end of the session to bring it up?

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield.

Mr. VINSON. Immediately I went to the Rules Committee, obtained a rule, and I regret to say that I do not know the setup in the matter of calendaring bills for consideration.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

The gentleman from Georgia has 10 minutes remaining and the gentleman from Missouri has 10 minutes remaining.

Mr. VINSON. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Chairman, I do not think there should be so much confusion about this section 27 here. Let us look at this realistically.

In the first place you have a 3-year limitation existence on each facility in here as to the operation time, whatever that may be. If a facility operates for 3 years it is usually a permanent installation of some kind and an indication that the Federal Government is going to be there for a long time. We have a great deal of money invested in schools and other auxiliary facilities in some of the impacted areas. Under the operation of the proposed dispersal policy that is being talked about by the Defense Department and other departments affecting installations and facilities all through this country, an individual or the community has very little opportunity to be heard if and when a facility is all of a sudden shut down or moved, if somebody in the executive branch decides overnight they want to take it someplace else or move it to some other part of the country. If somebody in the Government decides overnight he wants to pick up something and move it to some other part of the country, this provision in section 27 will give us time to look at this action in a fair way. I think Congress has always acted in accordance with the best security of our country. We should look at this pretty carefully before removing it from this bill. We have time after time had such matters called to our attention by individual Congressmen in our committee which has taken up a great deal of time. We have

heard complaints from all over the United States. This, I think, will give the Congress at least a chance to look at this thing. There is no monkey business about it at all. It is just common procedure that we should adopt, in my opinion. There is nothing that is radically wrong with it. Most every time you limit somebody's action in the departments downtown here somebody will holler. We are just simply trying to protect the American taxpayers and also protect the national defense and I believe this provision will do just that and should be adopted as permanent law.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. DURHAM. I yield to the gentleman from Louisiana.

Mr. BROOKS of Louisiana. May I say this provision, it seems to me, will assist the Department considerably in getting them out of the private enterprise type of business.

Mr. DURHAM. Certainly.

Mr. BROOKS of Louisiana. Our committee is in favor of this sort of action. Where business has been established, we do not want to have precipitate action taken. The provision we write in here more than anything else is important and is a stipulation for a delay of 60 days before any action is taken by the Department. During that time the Congress can do whatever it wants.

Mr. DURHAM. The economy of a lot of people is affected. You have schools, you have the local communities, and everybody else that will be affected. I think the Congress should protect the citizens of this country against somebody ordering an establishment to move out to some other location or shut up entirely, thereby disrupting the whole economy of a local community. That is what this is a protection against.

Mr. SHORT. Mr. Chairman, I yield 2 minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I shall speak only to one point in this matter and that has to do with our national defense and the safety of the people who fight for us. I have lived through 3 wars. I was overseas in World War I. I saw men blown to pieces by defective munitions. I do not want to ever see that again. In World War II I saw the same thing. In the Korean war we know the same thing happened.

Mr. Chairman, we have our Military Establishments. They know how to manufacture these munitions of war. They save lives. Also they get their contracts performed rapidly. When you farm them out all over the country, they often come back and cannot be accepted, thereby losing valuable time.

We passed a bill making the Fourth of July safe. This is a bill making our military safe; it will protect the men who fight for us and it will protect our national defense. With all the strength that is within my being I urge that you leave section 27 in this bill. To do otherwise would result in murder.

Mr. MASON. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Illinois.

Mr. MASON. What has the manufacture of paint and what has the manufacture of rope got to do with the safety of our boys when they are fighting?

Mrs. ROGERS of Massachusetts. A very distinguished former Member of the House was recently poisoned by arsenic in paint.

The CHAIRMAN. The time of the gentlewoman from Massachusetts has expired.

Mr. VINSON. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Chairman, it is true that many of us in the House over a period of months have been watching the progress made with respect to proposed assistance to Egypt in the building of the proposed Aswan Dam. As I understand from press reports, the Secretary of State has apparently decided that our Government will not cooperate in the construction of that dam. The Secretary deserves to be complimented for assuming this position.

There are many of us who have supported a limited foreign-aid program and who have sought to help the administration wherever possible in implementing that program from the standpoint of the national defense and the welfare of the United States; but it seems to me, as it has seemed to me all the time, that the Aswam Dam and assistance to Egypt for the construction of the Aswan Dam were not in the best interest of the United States. I am unalterably opposed to the project. I hope that the final decision will stand and that our Government will not cooperate in the construction of this dam.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I think the gentleman will remember that 3 or 4 weeks ago I made a speech on the subject in which I said that this matter should be seriously considered. With the representatives of the Kremlin going in and making offers and then we outbidding them, they will simply leave and say, "See, we got it done for you."

Mr. MAHON. I think we ought to encourage the administration to stand pat in not going along with the Aswan Dam.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. I would like to join with the chairman of my subcommittee on this matter. I, too, supported the President's foreign-aid program, but certainly the Secretary of State, as the gentleman from Texas points out, is to be complimented on this strong point taken in connection with the matter the gentleman refers to.

Mr. MAHON. I thank the gentleman. I am willing for our Government to help other people when such efforts also promote our welfare and defense. But we have no business undertaking to underwrite even in part the proposed gigantic Aswan Dam in Egypt.

We cannot afford to subsidize Egypt to go into the cotton business in further competition with the American cotton farmer. Let there be an end to our gestures toward assistance to Egypt on this venture.

Mr. SHORT. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES. Mr. Chairman, I certainly hope that the amendment proposed by the gentleman from Illinois will not prevail. It is the duty of the Congress of the United States to provide for the defense of this Nation. Year after year I have seen the military departments come before our committee and stress the urgency of different installations, and a year after that they are closed. I remember the discussion we had about Austria, after we had visited there, and spent millions of dollars, and even at that moment they were formulating plans to turn it all over to the Austrians. Just this week we heard of the situation in Japan. And, I cautioned the committee during the public works hearings even this year that we certainly ought to look into that matter very, very carefully before we spent millions and millions of dollars for purposes of no avail.

Mr. Chairman, I believe that the formula of Hoover Commission reports should be followed in this instance. We should examine all of these cases one by one and not let the military department operate in a willy-nilly fashion, because spread throughout this entire Nation and throughout the world are monuments of the mistakes which they have made. Let them come to us. If they have a good case, we will support them; if they have a bad case, we will not sustain them.

Mr. VINSON. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. SHEPPARD].

Mr. SHEPPARD. Mr. Chairman, that is about all the time I will need to express my views in connection with this legislation. I am in complete sympathy with what the committee is attempting to do; in fact, it is somewhat overdue. I have always believed, and I still believe, that there is a distinct line of demarcalative committee and the appropriations tion between the functions of the legiscommittee. It is my thinking, insofar as appropriations bills pertain, that they, the military, should have all of the legislative requirements concluded before they put their budget together for the purpose of our committee consideration. In other words, all too often that we find permissive requests within appropriations bills, and further after we appropriate funds that have been requested through the President's budget and justified by the respective military branches, and said appropriations get over to the Pentagon Building, they do a second-budget guessing, and we find that the money is being used for some other purpose. I can see no reason, under the present circumstances, why there should not be a definitive development in the orderly budget procedures and when the

military make this effort and appear before the Committee on Appropriations and have a definitive understanding of what they want and the Congress supply the funds requested, said funds should be used as justified. As of 10 days ago I wrote a letter to the Secretary of the Navy, because that is the limit of my jurisdiction, whereby I cautioned him that if all his presentations coming up in the next fiscal year budget are not cleared of legislative requirements, they would not get a quarter for it and I hope the Members of the House will support that opinion.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman.

Mr. GROSS. Mr. Chairman, I want to commend the gentleman for his statement and for writing the letter to which he has referred. I wish other chairmen of Subcommittees on Appropriations would take the same action.

Mr. VINSON. Mr. Chairman, may I say in that connection that I want to take this opportunity to compliment the gentleman from California [Mr. SHEPPARD] because during the years that he has been chairman of the Subcommittee on Appropriations for the Navy Department he has sought as diligently and with as much determination as possible to keep legislation out of his phase of the appropriation bill.

Mr. SHEPPARD. I thank the gentleman very much and I intend to exert the same efforts in the future.

Mr. VINSON. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, I rise in support of section 27 (a) and the following sections because I think we have lost sight of the fact that the taxpayer is entitled to a break where the Government can do some of this work more efficiently than can private industry. I have in mind particularly that certain facilities that must be maintained in isolated defense installations of this country where facilities normally associated with great urban centers are not present and cannot be secured. I believe that the safeguards in the bill are sufficient to meet any of the requirements that the advocates of private industry want for their protection, particularly small business.

Mr. SHORT. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois, [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, I think on every single issue that has been before this House in the 6 years I have been a Member I have followed the gentleman from Georgia [Mr. VINSON] and the gentleman from Missouri [Mr. SHORT]. Both of them know the high esteem in which I have held them in these matters concerning which they both had superior knowledge by reason of their position on the committee on Armed Forces. Reading a report does not give us all the information. I have always followed them as closely as I could because I believed in both of them.

I have opposed them before on this one single issue of section 27. I think it is wrong for us as a legislative body to tell the executive department what they should or should not abolish. Within the Military Establishment itself, for the efficiency of that establishment I think only the military and the executive department are able to tell us what they do not need.

I do not think anybody is going to be fooled who reads this record. They will say this, that every Congressman who has a Federal installation which the Secretary says is not now necessary, will be pressured from home and he will run to this committee and ask their assistance to keep that installation from being transferred to private enterprise. We know as a practical matter that is what is going to happen in the case of every single establishment anyone in the executive department asks to transfer. You are not going to get these unneeded and unused establishments abandoned unless the executive department can say, "We no longer need these and upon the advice of the military they are abandoned." It just is not going to work out any other way as a practical matter. For that reason I am opposed to section 27. I was opposed to it in 1954 and I was opposed to it in 1955.

Now you are attempting to put it back in this legislation because of this one thing: There are Members who have these establishments in their districts and are fearful that such establishments are going to be transferred to private enterprise. All of us have that to contend with under either a Democratic or Republican President. But if we are going to have efficiency in our military, we are going to have to allow the military and the Executive to decide when they do not need these establishments.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from South Carolina.

Mr. RIVERS. Say the gentleman had an installation in his district that was being run by the Government and was transferred somewhere else, and his constituency came to him and said, "This plant here is being transferred to private ownership for the highest price. We want you to do something about it." Would he make an effort to stop it?

Mr. SPRINGER. When I came here in 1951 there was such a thing, and I did not object to the transfer to private enterprise when the information was laid before me that it was justified by the military.

Mr. RIVERS. At least you would have a place to go if you were not going to make any effort to stop the transfer. If you were not going to pay any attention to it, that is a different matter. The gentleman says he had a case just like the one I suggested?

Mr. SPRINGER. Yes.

Mr. RIVERS. If the gentleman were going to Congress or to the Department in defense of an installation, where would he rather go, if he were going?

Mr. SPRINGER. Never at any time where there has been suggested a transfer of a service to private enterprise have I objected, provided it was the general practice to do the same at other installations where that type of work was being performed. I have encouraged transfer of services to private enterprise when it could be done more economically.

Mr. RIVERS. I do not have any disagreement with that.

Mr. HIESTAND. Mr. Chairman, I rise in support of the statement of the gentleman from Illinois [Mr. SPRINGER].

There are a great many Members who agree with us that the Executive must continue to have the responsibility for operating or discontinuing the operation of each and every branch of the administration.

We have legislated that the Federal Government should, as a principle discontinue and get out of the business of competing with its tax-paying citizens.

Section 27 of this bill would in effect reinstate the veto power of the Congress over the Defense Department's effort to comply with the principle laid down by the representatives of the people.

Section 27 should be stricken from this bill and I compliment the gentleman from Illinois on his statement.

Mr. SHORT. Mr. Chairman, I yield the balance of my time to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Chairman, most of us on the Armed Services Committee supported this bill, and I must say frankly that I was one of them. Our committee took such action one day previous to the time the House voted on this same feature of the bill. At that time, those of us on the Armed Services Committee thought the committee provision would prove to be a vast improvement over the practice being followed by previous action and pattern set by the Appropriations Committee. Therefore, in committee, we wholeheartedly supported this provision, section 27, in the bill. Now I find myself in this position of having voted for the elimination of this particular item from the appropriation bill at the time it came before the House, which was one day after the Armed Services Committee took action on this proposal. I think, therefore, those of us who voted for this provision in the Armed Services Committee and then in the House on the next day voted to completely eliminate the almost identical item from the Defense Department appropriation bill are consistent in the pattern of again here today voting to eliminate this particular section 27 from the bill. We had no way of knowing nor anticipating in the Armed Services Committee what the House might do in voicing its opinion the following day to delete this section.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I think the gentleman's position in supporting section 27, if he were to support it, is consistent with his previous vote because the gentleman knew that this was reported out. He was one of the members of the committee that voted it, and he would prefer this in preference to section 633 of the appropriation bill. Furthermore, I am satisfied that a number of Members voted to strike out section 633 with the knowledge that this bill had been reported out with section 27 in it.

Mr. AREND. I have serious doubts that many Members of the House knew that our committee took the action on this item on the day we acted on the floor of the House by a record vote. I repeat, by a rather substantial majority on a record vote we eliminated this portion of the bill. While this revision in the bill as reported by our Armed Services Committee is a vast improvement over what we previously had to contend with, the complete elimination as now here proposed is the best and in my opinion, the proper manner to handle the situation.

Mr. BATES. Mr. Chairman, will the gentleman yield?

Mr. AREND. I yield to the gentleman from Massachusetts.

Mr. BATES. The impression has been somewhat given that only those who have installations in their districts are interested in section 27. May I advise the committee that I have no installations in my district, but as a member of the House Committee on Armed Services I believe it is my responsibility to see what the military do with such projects as these.

GENERAL LEAVE TO EXTEND

Mr. VINSON. Mr. Chairman, I ask unanimous consent that all Members may have 5 legislative days to insert their remarks in the RECORD on this bill.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. REUSS. Mr. Chairman, section 27 of H. R. 7992 repeals section 638 of the act of July 13, 1955. Section 638 holds up for 90 days any proposed discontinuance by the Defense Department of a commercial-type enterprise, and allows the Appropriations Committee of either the House or Senate to veto the transfer by resolution. This House on May 10, 1956, voted out of the Defense Department appropriation bill a similar provision. In order to permit the Defense Department to conduct its operations in such a way that there will be the maximum saving of taxpayers' dollars consistent with the national security, there is no need to hold up a Defense Department decision for as long as 90 days, or to submit it to the veto of a committee, unchecked by the vote of the entire House or Senate.

If the Defense Department were following the proper criterion on whether or not to continue a business-type activity—which method of operation will contribute most to saving taxpayers' dollars consistent with the national defense?—there would be no justification for even the minimum clogs which section 27 imposes upon the Defense Department's freedom of action. These clogs are merely a 60-day wait, and the opportunity of the full House or Senate to veto. Unfortunately, there has come to my attention during the debate on section 27 conclusive evidence that the Defense Department has not espoused this vital criterion of dollar-saving. On February 8, 1955, the Defense Department issued Directive 4100.15, on the subject of Commercial and Industrial-Type Facilities. In essence, it directs that the Defense Department give up any business-type facility except where certain criteria exist. Among these criteria are the lack of any private facilities sufficient to meet the need, the need for training personnel in a government facility, and the danger of releasing secret data if a private facility is used. Unhappily, the most important criterion of all—which method of operation, on balance, saves the most taxpayers' dollars?—is entirely omitted from the directive.

That this vital element of cost is being neglected by the Department of Defense is made clear in a newsletter by the National Association of Businessmen, Inc., 910 17th Street NW., Washington 6, D. C., for February 1955, wherein it is said:

"The Department of Defense has just issued a new directive to all branches of the armed services, eliminating cost as a factor in perpetuating competitive business operations or starting new ones."

This philosophy of the Department of Defense disregards the taxpayers' interest in having the Department utilize that method of operation, public or private, which is most efficient, consistent with the national security. As long as the Department adheres to the philosophy that cost is of no importance, there can be no assurance that the Department will not give up a highly efficient governmental operation in favor of a private operation which is much costlier to the taxpayers. The House Merchant Marine and Fisheries Committee quite properly exercises surveillance over disposition by the Department of the Interior of oil and gas leases in the national wildlife refuges. This extraordinary congressional jurisdiction was necessitated by the Department of the Interior improvident disposition of these leases. Similarly, as long as the Department of Defense disregards the cost factor in its disposition policy for commercial-type enterprises, the extraordinary congressional jurisdiction envisaged by section 27 is needed.

The CHAIRMAN. All time has expired.

The Clerk will read.

Mr. MASON. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After a pause.] One hundred and forty-nine Members are present, a quorum. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That, (a) under regulations to be prescribed in the same manner as regulations prescribing the quantity and kind of clothing to be issued to enlisted members of the Armed Forces, prisoners released from military confinement facilities may, upon each termination of confinement by parole or completion of sentence, be furnished suitable civilian outer clothing and an amount of money not to exceed $25.

(b) Section 13 of the act of February 16, 1909 (ch. 131, 35 Stat. 622), subsection (c) of section 2 of the act of June 15, 1943 (ch. 125, 57 Stat. 153), and that part of the act of March 3, 1909, under the heading "Bureau of Navigation," which appears on page 756, volume 35, Statutes at Large, and which reads as follows: *"Provided further*, That the Secretary of the Navy is hereby authorized to furnish naval prisoners upon discharge suitable civilian clothing in case, and only where, said discharged prisoners would otherwise be unprovided with suitable clothing to meet their immediate needs," are hereby repealed.

SEC. 2. Under regulations prescribed by the Secretaries of the military departments, applicants for enlistment and registrants called for induction under the Universal Military Training and Service Act, whether or not accepted, persons in military custody not in a pay status, and, in emergencies, supernumeraries, may be furnished with subsistence, quarters, and supplies and services required for health and personal necessity, and a monetary allowance in lieu of subsistence may be paid to such applicants and registrants.

SEC. 3. (a) Section 303 (e) of the Career Compensation Act of 1949 (ch. 681, 63 Stat. 813), is amended by inserting therein after the phrase "discharged prisoners," the phrase "persons discharged for fraudulent enlistment, or for reason of minority."

(b) The clause immediately preceding the proviso in subsection (a) of section 501 of the Career Compensation Act of 1949, which was added by section 244 of the Armed Forces Reserve Act of 1952 (ch. 608, 66 Stat. 494), is amended by striking out the word "enlisted", so that the clause will read as follows: "and additionally, in the discretion of the Secretary concerned, members of the above services shall be entitled to rations in kind, or a portion thereof, when the instruction or duty period or periods concerned total 8 or more hours in any 1 calendar day;".

(c) The second sentence of section 1 of the act of September 24, 1945 (ch. 385, 59 Stat. 536), and the act of March 7, 1942 (ch. 159, 56 Stat. 140), are hereby repealed. Section 3 of the act of September 24, 1945 (ch. 385, 59 Stat. 537), is amended by deleting the phrase ", subsistence, and transportation" wherever it appears.

SEC. 4. The second proviso in the third paragraph of section 125 of the National Defense Act of June 3, 1916 (ch. 134, 39 Stat. 216; 10 U. S. C. 1393), as last amended by section 53 of the act of October 31, 1951 (ch. 655, 65 Stat. 728), is amended to read as follows: *"Provided further*, That when an enlisted member is discharged for bad conduct, undesirability, unsuitability, inaptitude, or otherwise than honorably or is interned or discharged as an alien enemy, all uniform outer clothing in his possession shall be retained for military use, and suitable civilian outer clothing and, when necessary, an overcoat, may be issued to such enlisted member under regulations prescribed in the same manner as regulations prescribing the quantity and kind of clothing to be issued to enlisted members of the Armed Forces."

Mr. VINSON (during the reading of the bill). Mr. Chairman, I ask unanimous consent to dispense with the further reading of H. R. 7992; that it be printed in the RECORD in its entirety and be open for amendment at any point.

Mr. MASON. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

(The Clerk continued the reading of the bill.)

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, my only purpose is to clear up an uncertainty in my own mind about this bill. My recollection is that the administration wanted to get the Government out of business—that is just a broad statement. A bill to do that was introduced by me and after amendment passed by the House. Then when an appropriation bill came along, the Phillip's amendment was in it. Is that right?

Mr. VINSON. I will say to the gentleman from Michigan, if I may state it in my own words, in 1955 a provision known

as section 638 was put in the appropriation bill saying, in effect, that no installation could be transferred or closed out unless it was approved by the Appropriations Committees of the House and Senate. That was kept in the bill. I tried to strike it out and the House did not agree. Then, in this year, 1956, the same language was put in the appropriation bill, which was known as section 633. The gentleman from Illinois [Mr. ALLEN] made a motion to strike it out and it was stricken out on a rollcall vote. That took place one day after we had reported this modified method of dealing with the proposition. Chronologically those are the facts in the case.

Mr. HOFFMAN of Michigan. Section 27 in this bill goes part way with the administration's effort to discontinue the Department in business.

Mr. VINSON. Exactly. It gives the House an opportunity, if any Member wants to bring it before the House, it gives the House an opportunity to say whether they agree with the conclusion of the Department of Defense.

Mr. HOFFMAN of Michigan. That is to say, the administration may renew its effort to get the Government out of some business, and then the House can veto that within 60 days.

Mr. VINSON. That is exactly it.

Mr. HOFFMAN of Michigan. It is better than nothing.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. MASON. We passed a military construction bill in this House, and there was a provision in that bill that tied strings to the executive department in their handling of the provisions of that bill. The President vetoed that bill because we tied strings to it. Then the bill came back to us and we promptly passed it again without those objectionable features.

Mr. HOFFMAN of Michigan. That is right.

Mr. MASON. These objections practically have the same effect.

Mr. HOFFMAN of Michigan. I dislike to disagree with my friend, but, as I understand it, this is what the President wants, as long as it is subject to 60 days' veto by the House. This veto business when given to the House does not amount to much.

Mr. VINSON. The Department of Defense has a right to close down any installation any time it sees fit. This merely refers to an installation that is being transferred from the Department of Defense to private industry.

Mr. HOFFMAN of Michigan. And we can stop that within 60 days, if we want to?

Mr. VINSON. Exactly.

Mr. HOFFMAN of Michigan. I am still confused as to what authority the President will have if this amendment is adopted.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. MASON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, all I am doing this for is to notify the chairman of the committee that I now withdraw any objection to considering the bill as read, because the gentleman from Illinois [Mr. ALLEN] is here to take his own place and do what he wants to do about section 27.

Mr. VINSON. Mr. Chairman, I renew my request.

Mr. CURTIS of Missouri. Reserving the right to object.

Mr. TABER. Mr. Chairman, I think this bill had better be read. I object.

The Clerk read as follows:

SEC. 5. (a) The Secretaries of the military departments are authorized to pay such amounts (not exceeding $25 in any one case) as they may by regulations prescribe, to civil officers or other persons, as rewards for apprehending and securing or delivering a member of the Armed Forces absent without authority, a deserter, a straggler, or any person who has escaped from military custody, arrest, or confinement, including those in violation of parole from military installations; and to any such civil officer or other person an additional sum in direct reimbursement of expenses and payment for services necessarily incurred in maintaining the health of or in apprehending, securing, or delivering such persons to military control.

(b) Section 22 of the act of August 2, 1946 (60 Stat. 856), is amended by striking out the words "for the apprehension and delivery of deserters, stragglers, and prisoners and".

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to ask a question or two concerning section 5 (a). I understand that an award of $25 will be paid for the apprehension of a deserter, straggler, or any persons who may escape military custody. What I am concerned about is the last 5 or 6 lines in this paragraph: "and to any such civil officer or other person an additional sum in direct reimbursement of expenses and payment for services necessarily incurred in maintaining the health of or in apprehending, securing, or delivering such persons to military control."

Is there any estimate as to how much that would cost in addition to the $25?

Mr. VINSON. May I say to the gentleman you have been voting for this ever since you have been here. This same provision has been in every appropriation bill for the last 7 or 8 years. All I am trying to do now is to put it into permanent law.

You will find in the report on page 8 a complete explanation about what is involved in this section. Every year the Appropriations Committee writes every one of these sections back into the bill. The Committee on the Armed Services today is trying to make those sections permanent law so they will not have to be written into the bill year after year.

Mr. GROSS. In view of the experience with this provision of the law, let me ask the gentleman how much money is paid out annually beyond the $25 reward offered for apprehension?

Mr. VINSON. I am sorry I cannot answer the question either pro or con. It is a minor matter.

Mr. SHEPPARD. If the gentleman will yield, our experience so far has been that the cost is about equal, about $25. Some are higher, some are lower, but the average is about that.

Mr. VINSON. Mr. Chairman, will the gentleman yield further?

Mr. GROSS. I yield.

Mr. VINSON. Let me say to the House there are probably only three controversial items in this bill. Everything in this bill represents legislative provisions made by the Appropriations Committee. They say this language must be in the substantive law if they are to deal intelligently with certain elements of appropriations, that if authority is not provided in a statute like this they have to come before the Rules Committee and get a rule waiving points of order against their being included in the appropriation bill.

So I ask my colleague from New York, a member of the Committee on Appropriations, to permit the bill to be inserted in the RECORD and to be open to amendment, because he himself has been bringing every one of these items in here from time immemorial.

Mr. TABER. If the gentleman will yield, I do not think it would take more than 5 minutes to read the bill.

Mr. VINSON. All right.

Mr. TABER. If the Clerk reads the bill I think we will get along faster.

The Clerk read as follows:

SEC. 6. Under such regulations as they may prescribe, the secretaries of the military departments are authorized to provide, from any applicable appropriations available to the department concerned, for the care, maintenance, subsistence, pay, allowances, clothing, housing, and transportation of prisoners of war, other persons in custody whose status is determined by the secretary concerned to be similar to prisoners of war, and persons detained in custody pursuant to Presidential proclamation or Executive order.

SEC. 7. The duties of the Librarian at the United States Military Academy may be performed by a retired officer ordered to active duty for such purposes.

SEC. 8. Such military personnel as may be detailed for duty with departments or agencies not a part of the Department of Defense on a reimbursement basis may be employed in addition to the numbers otherwise authorized and appropriated for.

SEC. 9. Section 212 of the act of June 30, 1932 (47 Stat. 406), as amended by section 3 of the act of July 15, 1940 (54 Stat. 761), shall not apply to military personnel on the retired lists of the Army and the Air Force on duty at the United States Soldiers' Home.

SEC. 10. (a) The Secretaries of the military departments are authorized to expend out of appropriations available to such departments for military functions for construction or maintenance such amounts as may be required for minor construction (except family quarters), conversion of and extensions to existing structures, and improvements, at facilities of the department concerned; but the cost of any project authorized under this section which is not otherwise authorized shall not exceed an amount specified in the appropriation act concerned.

(b) Section 26 of the act of August 2, 1946 (60 Stat. 854), is hereby repealed.

With the following committee amendment:

On page 5, line 20, strike lines 20 through 25, inclusive, and on page 6, strike lines 1 through 6, inclusive, and insert the following:

"SEC. 10. (a) The number of officers of the Regular components of the Armed Forces detailed each year to commence training in law at civilian institutions shall not exceed the following numbers: Army, 15; Navy, 5; Air Force, 15; and Marine Corps, 10.

"(b) Section 623 of the Department of Defense Appropriation Act, 1956, approved July 13, 1955, is repealed."

Mr. CURTIS of Missouri. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CURTIS of Missouri. Is it necessary to read the whole of section 10 before it is open to amendments? The amendment has to be read in full. Is that correct?

Mr. TABER. Yes.

The CHAIRMAN. Section 10 has been read, and the amendment has been read.

Mr. TABER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. TABER. I make the point of order against the amendment to section 10 which reads as follows:

On page 5, line 20, strike lines 20 through 25, inclusive, and on page 6, strike lines 1 through 6, inclusive, and insert the following:

"SEC. 10. (a) The number of officers of the Regular components of the Armed Forces detailed each year to commence training in law at civilian institutions shall not exceed the following numbers: Army, 15; Navy, 5; Air Force, 15; and Marine Corps, 10.

"(b) Section 623 of the Department of Defense Appropriation Act, 1956, approved July 13, 1955, is repealed"—

On the ground that the amendment is not germane to the matter sought to be stricken.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Georgia.

Mr. VINSON. May I say to the gentleman that the Armed Services Committee has jurisdiction under the rules of the House over any legislation in this or any other form if it relates to the Department of Defense. This deals with certain specific statutes. It does not make any difference whether they originated in the Appropriations Committee or they are something new that we are writing in. We are well within our jurisdiction when we deal with this particular subject matter.

Mr. TABER. Mr. Chairman, this bill is entitled "A bill to enact certain provisions now included in the Department of Defense Appropriation Act and the Civil Functions Appropriation Act and for other purposes."

The provisions in section 10, paragraphs (a) and (b) are not germane. In addition to that, the amendments are not germane to the language stricken out. The same argument applies to paragraph (b). That language is not at all germane to the original language in paragraph (b).

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Georgia.

Mr. VINSON. The language that we are striking out was in the negative on this proposition. We say it should be in the affirmative, that they should have the right, and we ask the privilege of writing a law giving them that authority. Mr. Chairman, I am perfectly willing for the Chair to rule so that we can make time.

Mr. TABER. Mr. Chairman, section 10 (a) of the bill as originally proposed provides as follows:

The Secretaries of the military departments are authorized to expend out of appropriations available to such departments for military functions for construction or maintenance such amounts as may be required for minor construction (except family quarters), conversion of and extensions to existing structures, and improvements, at facilities of the department concerned; but the cost of any project authorized under this section which is not otherwise authorized shall not exceed an amount specified in the appropriation act concerned.

The new section 10 that is offered in place of that reads:

The number of officers of the Regular components of the Armed Forces detailed each year to commence training in law at civilian institutions shall not exceed the following numbers: Army, 15; Navy, 5; Air Force, 15; and Marine Corps, 10.

How could that latter language be germane to the part stricken out?

The CHAIRMAN (Mr. DEANE). The Chair is ready to rule.

The Chair has read the original bill and the amendment. The gentleman from New York [Mr. TABER] has made a point of order against the amendment with reference to its germaneness to section 10 (a) and section 10 (b) of the bill.

The Chair rules that language is not germane and, therefore, sustains the point of order.

Mr. THOMPSON of New Jersey. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Chairman, section 10 of H. R. 7992 is an attempt to authorize the three services to send a limited number of officers—45 in all—to law school at the expense of the taxpayers.

It should be noted that there is no requirement in the bill that once trained in the law, the officer must devote the rest of his career to legal duties. Actually, section 10 is designed to permit the line officer in the Navy or the field officer in the other two services to obtain legal training and then rotate in and out of legal duties. This was the procedure in the Navy prior to 1955. The study made by the Hoover task force showed that the Navy obtained but 40 percent utilization of the legal training thus afforded. Why? Because it is traditional for the line officer to return to sea duty upon completion of the law training. Thereafter he returns for a tour of legal duty as expedient. Interestingly enough the task force studies showed that all officers sent to law school were from the Academy and that very few abandoned the line for the law. The task force found that this type of training cost upward of $6,200 per year per officer and this provided he was not above the rank of lieutenant or its equivalent. This does not take into consideration the fact that the taxpayers have already spent over $25,000 per officer to put him through the service Academy. Section 10, if passed, will commit over $270,000 per year to this program.

Section 10 of the proposed bill contravenes the will of the Congress as expressed in the past two appropriation bills. The Appropriation Acts of 1955 and 1956 specifically prohibit such expenditures.

It is evident to those who have read the committee report that, contrary to estblished procedure, section 10 was not submitted for departmental comment. As a result neither the Army, Navy, Air Force, or the Department of Defense have had an opportunity to comment on this section. If the responsible heads of the services had been consulted this section would have received strenuous opposition.

The Army has its own corps of lawyers and they cannot use an officer who became a lawyer under this program unless he transferred to the legal corps.

I am told that even before the Appropriation Acts of 1955 and 1956 imposed the restriction on legal training, the Air Force had abandoned the part-time lawyer concept.

This leaves us with the Navy. Now although the Honorable Mr. VINSON emphasized the need for legal talent, I fear that both he and Admiral Nunn, the then Judge Advocate General of the Navy—who was present at the hearings—overlooked the fact that since 1947, Navy career lawyers, known as law specialists, have been functioning. These lawyers obtain their education, including their legal education, at their own expense. They devote all of their time to law. And, I am told, there is a regular recruiting program in effect that offers a career to the young man fresh out of law school.

The Hoover Commission had something very definite to say about this very matter. I note that although Admiral Nunn attended the hearings, he did not see fit to appraise the Committee of the Hoover Commission report recommendations, of the position of the Department of Defense, and of the position of the American Bar Association. May I read recommendation 19 from the Hoover Commission report on legal services and procedure.

There should be no program affording an undergraduate legal education to officers of the Army, Navy, or Air Force. Should the need exist, Marine Corps officers not above the rank of first lieutenant (permanent or temporary) may be so trained. Each such Marine Corps lieutenant must contractually agree to remain on active duty in the Marine Corps for not less than 5 years after completion of law training and to seek admission to the bar. If admitted, he should serve only as an officer-attorney in the Marine Corps.

The procurement program in the Army and Air Force appears adequate. If the Navy needs more lawyers, then let us get H. R. 6172 out of Armed Services Committee. This bill introduced by the Honorable Mr. VINSON would establish a legal corps in the Navy comparable to the corps now in existence in the Army.

I am pleased that the point of order of the gentleman from New York was sustained. This matter should be the subject of legislation.

The Clerk read as follows:

SEC. 11. Appropriations for military functions for construction authorized by law for the Department of Defense may be expended without the making of sketch plans and detailed cost estimates by the Administrator of General Services required by section 3734, Revised Statutes, as amended (40 U. S. C. 267), and land and interests therein for such authorized construction may be acquired and construction prosecuted thereon prior to approval of title by the Attorney General as required by sections 355 and 1136, Revised Statutes, as amended (40 U. S. C. 255; 10 U. S. C. 1339).

SEC. 12. The Secretaries of the military departments, under such regulations as they may prescribe, are authorized to provide for the furnishing, without reimbursement, of utility services for buildings on military reservations used by nationally recognized private welfare organizations.

With the following committee amendment:

On page 7, line 4, after the word "for", insert "welfare and recreation activities on military reservations and."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 13. The Secretaries of the military departments are authorized, under such regulations as they may prescribe, to provide ammunition for military salutes at institutions and Government establishments to which the issue of arms for salutes is authorized.

SEC. 14 (a) Section 3 of the act of May 28, 1928 (45 Stat. 786), is amended to read as follows: "For the incidental expenses of the National Board for the Promotion of Rifle Practice, including books, pamphlets, badges, trophies, prizes, and medals, to be expended for such purposes, such sums as may be necessary are hereby authorized to be appropriated annually.".

(b) Subparagraph (e) of the paragraph headed "Ordnance Equipment for Rifle Ranges for Civilian Instruction," of the act entitled "An act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1925, and for other purposes," approved June 7, 1924 (43 Stat. 510), is hereby amended to read as follows:

"(e) Maintenance of the National Board for the Promotion of Rifle Practice, including provision for the necessary expenses thereof and of its members: *Provided*, That travel expense of members of the Board shall be paid in accordance with the Standardized Government Travel Regulations, as amended."

SEC. 15. (a) The Secretaries of the military departments are authorized, out of any appropriation available therefor, to provide for expenses for travel and subsistence of officers and students of the other American countries and other expenses deemed necessary for inter-American cooperation.

(b) The second clause of section 38 of the act of August 2, 1946 (60 Stat. 857), is hereby repealed.

SEC. 16. (a) Under such regulations as they may prescribe, the Secretary of the Army and the Secretary of the Air Force are authorized to consider, adjust, determine, and pay in an amount not more than $1,000, where accepted by the claimant in full satisfaction and final settlement, any claim for damage to, or loss of, real or personal property, arising from authorized field training of units of the National Guard or Air National Guard, either caused by a member or employee of the National Guard or Air National Guard, acting within the scope of his employment, or otherwise incident to such authorized field training, notwithstanding the fact that such units are not on active Federal duty during such training.

(b) A claim may be settled under subsection (a) only if—

(1) it is presented in writing within 2 years after the incident out of which it arises;

(2) it is substantiated as prescribed in regulations of the appropriate Secretary; and

(3) the damage to, or loss of, property was not caused in whole or in part by a negligent or wrongful act of the claimant, his agent, or his employee.

(c) The provisions of subsection (a) shall not be construed to create a right of action against the United States Government for any claimant.

SEC. 17. (a) The third paragraph of section 90 of the National Defense Act of June 3, 1916 (39 Stat. 205), as amended (32 U. S. C. 42), is further amended by striking out the words ", not to exceed 15 for any 1 pool," and adding the following at the end of the paragraph: "Personnel of the National Guard may be employed as such caretakers in a civilian capacity without regard to their military rank.".

(b) The fourth paragraph of section 90 of the National Defense Act of June 3, 1916 (39 Stat. 205), as amended (32 U. S. C. 42), is hereby repealed.

SEC. 18. Under regulations prescribed by the Secretary of the Army or the Secretary of the Air Force, respectively, travel expenses at the same rates as authorized by law for military personnel on active duty may be paid to appropriate National Guard or Air National Guard commanders while inspecting units in compliance with National Guard regulations, when specifically authorized by the Chief of the National Guard Bureau.

SEC. 19. (a) Within the limits of amounts specifically provided in appropriations made therefor, the Secretary of Defense and the Secretaries of the military departments are authorized to provide for all emergency and extraordinary expenses arising in the department concerned or any of their subordinate bureaus or offices in the District of Columbia or in the Defense Establishment at large but impossible to anticipate or classify, and when so specified in an appropriation such funds may be expended on the approval or authority of the Secretary concerned and for such purposes as he may deem proper, and his determination thereon shall be final and conclusive upon the accounting officers of the Government and he may make a certificate of the amount of such expenditures as he may think is advisable not to specify and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expanded.

(b) Section 6 of the act of August 2, 1946 (60 Stat. 853), is hereby repealed.

SEC. 20. The Secretary of Defense and the Secretaries of the military departments are authorized to provide for the payment, out of appropriations available therefor, of amounts erroneously collected from military and civilian personnel under their jurisdiction, or from States, Territories, or the District of Columbia or members of the National Guard or Air National Guard units thereof.

SEC. 21. Subsection (b) of section 303 of the Army and Air Force Authorization Act of 1949 (64 Stat. 325) is amended by striking out the words "unless otherwise", and in lieu thereof inserting "when so", so that such subsection will read as follows:

"(b) Moneys appropriated to the Departments of the Army, Navy, or Air Force for procurement of technical military equipment and supplies, the construction of public works, and for research and development, including moneys appropriated to the Department of the Navy for the procurement, construction, and research and development of guided missiles, which are hereby authorized for the Department of the Navy, shall remain available until expended when so provided in the appropriation act concerned."

SEC. 22. Appropriations of the Department of Defense shall be available for advance payments made (a) in compliance with the laws or regulations of foreign countries, (b) for rent in foreign countries for such periods as may be necessary to accord with local custom, (c) for payment of tuition, (d) for insurance of official motor vehicles in foreign countries, when required by the laws of such countries, (e) for expenses, determined by investigating officers to be necessary in accord with local custom, of conducting investigations in foreign countries incident to matters relating to the military departments, (f) for losses incident to termination of grazing permits or licenses, as authorized by the act of July 9, 1942 (ch. 500, 56 Stat. 654), as amended (43 U. S. C. 315q), or (g) for rentals of, or options to rent, land in connection with field maneuvers.

SEC. 23. The Secretary of the Army is authorized, under such regulations as he may prescribe to provide for the care and maintenance of (a) that portion of the congressional cemetery to which the United States has title and the graves of those buried therein, (b) soldiers' plots, monuments in the United States, and Confederate burial places under the jurisdiction of the Department of the Army, (c) the Surrender Tree Site in Cuba, and (d) graves used by the Army for burials in commercial cemeteries, and for the purchase of flags for decorating graves in national and post cemeteries. Only one approach road to any national cemetery may be kept in repair by the United States.

SEC. 24. Section 2 of the act of August 2, 1946 (60 Stat. 853, 857), is hereby repealed.

SEC. 25. (a) The Secretaries of the military departments under such regulations as they may prescribe are authorized to pay rewards, not to exceed $500 in any one instance, for information leading to the discovery of missing Government property under the jurisdiction of the respective departments, or the recovery thereof.

(b) The third clause of section 38 of the act of August 2, 1946 (60 Stat. 858), is hereby repealed.

SEC. 26. The first sentence of section 4 of the act of July 16, 1952 (66 Stat. 725), is amended by inserting the words ", and appropriations available for research and development may be used," after the word "provide", so that such sentence will read: "Any contract of the military departments for research or development, or both, may provide, and appropriations available for research and development may be used, for the acquisition or construction by, or furnishing to, the contractor of such research, developmental, or test facilities and equipment as may be determined by the Secretary concerned to be necessary for the performance thereof."

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we are now coming to one of the controversial features of this bill. I want to compliment the committee for inserting section 27 in the bill.

Reference has been made to the recent veto of the President. That, of course, has no application, as I see it, to the provisions of section 27. The veto related to an affirmative act of Congress in delegating powers and then calling for approval by the legislative committees. This language in one form or another has been passed in other bills, and certainly there is nothing objectionable to it from any constitutional angle.

A year ago section 638 was put into the appropriation bill and remained in that

bill. We know the history of section 633 in the Department of Defense appropriation bill for the fiscal year 1957. By a close vote it was stricken out of the bill.

However, I am satisfied that there are many Members who voted to strike section 633 from the bill with the knowledge that section 27 was contained in the point-of-order bill and that they were going to vote for section 27 in the point-of-order bill. There is no question in my mind because a number of Members came to me afterward and told me that they voted to strike out section 633 with the knowledge that this bill had been reported out the day before. Everybody in the House knew about this bill being reported out. Everybody in the House knew about section 27 being in the pending bill. It was referred to on numerous occasions during the debate on the elimination of section 633 from the Department of Defense appropriation bill.

In the appropriation bills, out of over 30-odd activities engaged in and which were referred to the appropriate committees in the House and Senate only 4 or 5 were disapproved. One of them was the Rope Walk in the Boston Navy Yard, which has been in existence since 1830. The other one was another building up there, a chain shop, which has been in existence since 1800. So, two of the four or five activities have a historical background going back to the early days of our country. It might interest Members of the House to know that last year the General Services Administration undertook a new policy of letting out contracts for the servicing of some of our Federal buildings, or buildings in which Federal agencies were located. Prior to that the work was done by Federal employees, the women doing the cleaning and the men doing the ordinary service work that goes with a building of any kind, whether Federal or private.

Last year, in three cities of the country, as I understand it, the General Services Administration made a contract with an outside company to do the servicing and ordinary maintenance. One of the buildings concerning which they made a contract was the United States Veterans' Building in Boston, which is completely federally occupied. The contractor bid $5,700 per month for the maintenance or for the cleaning and the work necessary in connection with that activity. I understand there has been considerable difficulty in connection with the operation of the contract during the past year. At that time they let a number of Federal employees go who had been doing the cleaning jobs and work of that kind. I understand that this year the lowest bid was $11,700 per month, and that General Services is going back on July 1 to do the cleaning by Federal employees because they have estimated they can save $30,000 per year.

Last year they let a number of employees go who were federally employed. This year they are going to let 60 or 70 employees go who are employees of a private company. But the important thing in that case is that the Federal Government, the agency involved, feels that they can save $30,000 a year if the cleaning work and work of that kind is done by the Federal Government itself; that they can do it under the lowest bid submitted for the coming fiscal year, going one way last year and another the next fiscal year.

Section 27 is a sound protection. It preserves the dignity of Congress and enables us to have a voice in the determination of these activities which go back through the years. It does not interfere with the Defense Department so far as future activities are concerned. They have complete control over that. They can do it administratively and by contract.

Mr. Chairman, I hope the Committee of the Whole will vote to keep section 27 in the bill.

Mr. HOSMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOSMER: Page 13, line 23, add a new section 27, as follows:

"SEC. 27. (a) The number of officers of the regular components of the Armed Forces detailed each year to commence training in law at civilian institutions shall not exceed the folowing numbers: Army, 15; Navy, 5; Air Force, 15, and Marine Corps, 10.

"(b) Section 623 of the Department of Defense Appropriation Act, 1956, approved July 13, 1955, is repealed."

Mr. TABER. Mr. Chairman, I make the point of order that this amendment is not germane to the bill. The bill relates to points of order. This is not an item that would have been subject under the rules of the House to a point of order. It is a provision whereby without other action by the House it would permit the Department to go ahead and spend money. It is an elaborating proposition, and it practically constitutes an appropriation. Under the circumstances it is not only not germane but it constitutes an appropriation by a committee not authorized by law to bring in such a proposition.

Mr. HOSMER. Mr. Chairman, I realize that all the gentleman has said is true with regard to the former section 10, but this bill is for stated and other purposes. This subject is under the legislative cognizance of the Congress of the United States. Therefore, it is a subject that is cognizant with respect to this bill and therefore germane.

The CHAIRMAN. The Chair is prepared to rule.

The gentleman from California has offered an amendment to add a new section on page 13 after section 26, to which the gentleman from New York has made a point of order as not being germane.

The Chair has examined the amendment offered by the gentleman from California and finds it to be germane. The point of order is overruled.

Mr. HOSMER. Mr. Chairman, I have reintroduced this matter into the discussion today because I think it is an important one. I mentioned earlier in the day that a background of law is needed in Navy work without necessarily using it to be practicing as a lawyer. There are a number of assignments on which the services can put their line officers, and on which they can only put their line officers trained in trade schools, but still assignments on which a legal background is very necessary in the proper execution of their duties. This allowance of 15 officers per service per year certainly does nothing more than take care of that.

Even without that reason, all of you know, who are members of the law profession, and even if you are not, that it is said with respect to people here in the House of Representatives who are members of the profession, "Well, it is a help to have a legal background." It is a help in the Congress and it is a help, certainly, to have a legal background in the service, particularly, where by necessity, the training, background, and experience of officers during their junior years is somewhat narrow and concentrated. This gives them a broader background, a matter about which complaints have been made with respect to military officers, as they require such background in their senior years of duty on assignments requiring a broader knowledge. It is said that the backgrounds of service officers and their training and their knowledge is not broad enough by reason of their limited fields of education at the service academies. Here is an opportunity to give that background to them and create a small nucleus of men legally trained within the services.

Also, take this matter of incentive to career officers. A lot of officers do not want to go to Cal. Tech and MIT and be engineers. Some want to be in the Navy and be engineers. But maybe others want to be lawyers, and be in the Navy. They can and should have the opportunity to be lawyers in the Navy. That incentive should be given to them just as well any other incentive that we provide in order to keep career professional people in our armed services.

Take the scientific analogy again. If you send Army officers and Navy officers and Air Force officers to California Tech or MIT or other places for technical training in engineering, why should not you likewise send them to professional schools for technical training in the law? If it can be said that we can get good lawyers on the outside, so it is true in the same way that good engineers could be obtained on the outside. Yet we encourage officers to go to engineering schools. The same encouragement should apply as to law schools.

The real reason that this amendment is being objected to is the fact that a lot of members of the law profession who served in the Navy during the war stayed in the Navy afterwards. Some of them feel that a reservist or a former reservist will never be made the Judge Advocate General of the United States Navy or the Air Force or the Army. I just want to call your attention to the fact that this week the Secretary of the Navy reached down the list and picked out a former Reserve officer, a captain, Chester Ward, and appointed him to be the Judge Advocate General of the United States Navy. Approval of that appointment is under consideration in the other body at this time. Not only did Secretary Thomas pick a nontrade school officer, but he picked a man competent enough to have been the dean of a law school, I believe it was Georgetown Law School here in Washington, D. C., from which

he went on active naval duty in the early 1940's. Before entering the law, Captain Ward in the late twenties and early thirties enlisted as a cadet in the naval air arm and was able to become a commissioned naval flier in those difficult days.

There is only one other point I want to make. On a number of occasions the Navy, the Army, and the Air Force need the services of a lawyer but do not need a full-time lawyer. So, if you get an officer of the trade school variety trained also as a lawyer and have him available for such an assignment, principally to carry out his usual duties, but also take care of the legal duties incidentally involved, you thereby save the expense of assigning of a separate full-time legal officer there for a part-time job.

I just want to relate one little experience of my own. I was an attorney at the time I entered the naval service. In 1942 I was sunk in the South Pacific on the S. S. *President Coolidge*. At the time I was serving as her armed guard gunnery officer. The skipper of the ship was hailed before a high military commission to be assessed as to his responsibility for the loss of the ship, which had run onto two of our own mines. I happened to be one of the few lawyers around in that area of the South Pacific. I was in a survivors' camp waiting for transportation back to the States. They were able to assign me to duty as the captain's defense counsel because I happened to be there, otherwise unoccupied with pursuing the war to victory. They did not have to take any legally trained officer from his assignment in carrying on his other duties in the war to take care of this matter. As things turned out, it did not hurt the captain either, as he was acquitted.

It is just plain commonsense to have men with legal training in, around, and about the professional branches of the armed services. Legal training gives them added mental discipline and it permits them to contribute varied abilities and skills which are needed and necessary to round out total capabilities of our professional armed services officers as a group. Adoption of this amendment would permit the services to give to their career people an additional incentive to stay in the service, and have their skills kept immediately available for the defense of the Nation.

Mr. RAINS. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield.

Mr. RAINS. The gentleman mentioned a very interesting matter in the discussion a moment ago. He related about the Secretary of the Navy reaching back and picking out a captain and recommending him to be the Judge Advocate General of the Navy. Does the gentleman know that in doing so, he picked a man who had twice been passed over by the Selection Board and is turning down the Vice Admiral who is now the Acting Judge Advocate General who was picked by every board all the way up?

Mr. HOSMER. And the gentleman well knows, in answer to that statement, that there is considerable difference between selection for promotion and selection for the specific billet. Captain Ward, as to promotion, was in competition with a lot of other officers, with and without special qualification, who had more sea duty than he had, because Captain Ward had been on shore duty in his very important post on Admiral Stump's staff. It was a nonrelevant selection, insofar as his legal qualifications are concerned. Ward's abilities as a lawyer are outstanding. If the selection for promotion to admiral had been on that basis alone, he would have been the first one selected. In short, selection for promotion and selection as Navy JAG are two separate and different things. As to the latter, he was picked for JAG because he is outstanding, the Navy's finest.

The CHAIRMAN. The time of the gentleman from California has expired.

(By unanimous consent, Mr. HOSMER was granted 1 additional minute.)

Mr. RAINS. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield.

Mr. RAINS. If I am not mistaken, Captain Ward has just been selected as rear admiral.

Mr. HOSMER. Well, it is automatic in connection with this new assignment.

Mr. VINSON. He was not a rear admiral.

Mr. HOSMER. But he would be a rear admiral on the confirmation of his selection, which is one of the happiest selections I have ever seen for that post, and is in line with the other fine selections that Secretary of the Navy Thomas has been making.

Mr. VINSON. When Captain Ward is approved by the Senate, that automatically makes him a rear admiral, but the selection board passed him over.

Mr. HOSMER. That is exactly what I said. But the fact that he is not a rear admiral as of this minute is no reflection on his abilities.

Mr. VINSON. I make no intimation of that sort.

Mr. HOSMER. I know him personally, and he is one of our very fine, excellent, capable naval officers. We ought all to be proud of his appointment.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. VINSON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 15 minutes.

Mr. THOMPSON of New Jersey and Mr. MILLER of Maryland objecetd.

Mr. RAINS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I just came in this morning when the distinguished chairman was discussing this subject, and did not realize I was going to get into a matter that is as important as that raised by the gentleman who just preceded me. The subject was not raised by me. I would like to say, first of all, that the statement made by the gentleman from California is further evidence of the fact that his amendment and the provision providing for further legal training for men in the military services is a waste of money and is not a sound policy. But I must address my remarks to the matter that was raised about the Judge Advocate General of the Navy. It so happens that the Acting Judge Advocate General of the Navy is my constituent in Alabama. He has a very distinguished record in the Navy, not only as a lawyer but in combat as well. He was selected by the Selection Board all the way up. The Secretary of the Navy is now reaching back and recommending for appointment a captain who was passed over by the Navy Selection Board. If the Selection Board is to select men who are to fit into these various posts in the Army and the Navy, I am at a loss to understand why the Secretary of the Navy would recommend a man who had been passed over by that Board, in preference to a man now Acting Judge Advocate General, who was selected and approved ever step of the way. There is no answer to that, because that is the plain, simple truth. So that leads me to think that you must be a graduate of either Annapolis or West Point before you can be appointed to these various positions, and that this amendment would be utilized only to send graduates of the military and naval academies to law schools, and continue to pass by good lawyers already available.

Some of the best lawyers I have ever known are not in the military service. The military could get the best lawyers in this country. So I, for one, believe that it is time for this Congress to strike this amendment and to see to it that the good lawyers in the ordinary walks of life who are trained in the law are chosen.

It is ridiculous to think you can take a man who is not a lawyer, send him to law school for 3 or 4 years, and that he will be as good a lawyer as one who has graduated and maybe has had 5, 10, or 15 years experience.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. RAINS. I yield.

Mr. SPRINGER. May I say to the gentleman, and I want to say admirably so, when the junior Senator, a Democrat from Missouri, I should say the gentleman from the other body who was the Secretary of Air, at the time the Air Force was separated from the Army, reached down and chose a lieutenant colonel from my home town who happened to have been a former Republican mayor of Urbana, Ill., and made him Judge Advocate General with the rank of major general, and he is there today.

I do not think it is true that all of these men are selected merely on the basis of politics. For 7 or 8 years that man was the head of the legal division at Wright Field and had the responsibility of contracting for all of the airplanes during the war. They picked a gentleman who in my opinion had qualifications. He was no Regular Army man at all, yet he is Judge Advocate today. He has done such an outstanding job, he has been there since 1948.

Mr. RAINS. If the gentleman will forgive me, I did not say that it was politics, and I do not say that the man who is being recommended for Judge Advocate of the Navy is not competent. I merely said that the Navy is foregoing the usual selection practices, violating it

in this instance. And the fact that some Member of the other body maybe violated it, does not change the picture one bit.

Mr. SPRINGER. I say he did not violate it but on the contrary made an admirable selection for Judge Advocate General of the Air Force.

Mr. MILLER of Maryland. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this particular matter probably should not be brought up in a bill of this sort which is designed to prevent legislative repetition in appropriation bills, and not as I conceive it to create new legislation which does not now exist. But it is before us and I think I would be lax in my duty if I did not present the view of many of us who have had a long background of experience with this particular question.

This comes up indirectly in connection with language used in appropriation bills, and I think we should keep our minds on the fact that cost factors are one of the fundamental considerations in connection with appropriation bills.

Admittedly we need educated men in the services, but we do not want to spend money unnecessarily. It has been said before our committee that it costs over $110,000 to educate a jet pilot. I do not know what it costs to educate a line officer in the Navy, or in the Army, or in the Air Force but I do know that we are spending a vast amount of taxpayers' money to educate and train soldiers, sailors, and airmen.

Where is the economy in taking one of those professionally competent officers, and if he is not a success where he is it would not be desirable to experiment with him, and start him in a new specialty, Why should we take those men who are trained and badly needed and transfer them to a new profession at the taxpayers' expense, taking them off the decks of ships, out of the air or away from an Army regiment and send them to college to study law? When the individual has graduated the service would not have much of a lawyer, as many of us know who have practiced law. It takes practical experience as well as a law school course to make a good lawyer. One has to learn to be a lawyer in the frontlines, so to speak, by actual practice just as to become a skilled ship's officer one must serve on a ship.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Maryland. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. I may say that the figures which I have seen show that for sending an officer through the Service Academy costs about $25,000. This bill would cost another $6,500, approximately, to send an officer of the rank of lieutenant in the Navy or below to a law school. So that the total cost would then be about $35,000.

Mr. MILLER of Maryland. That is correct.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Maryland. I yield to the gentleman from Florida.

Mr. SIKES. Mr. Chairman, I want to associate myself with the statement that my distinguished colleague is making in objection to this amendment. We have had this matter before us many times in the Appropriations Committee. We have frowned on the practice of training men at West Point or Annapolis at a cost of about $25,000, giving them the most advanced specialized training they can possibly have to be military career officers, then sending them away to law school to learn to be lawyers. The question of military background has been injected into this debate. The statement has been made it is desirable to have a military background for some of the lawyers in the departments. The truth of the matter is there are literally thousands of trained lawyers who have a military background, who served for a number of years in the military services and who know the military services well and, further, many of them want to get back into the military service. There is no justification for training men by the Department to be legal officers.

Mr. MILLER of Maryland. I agree with the gentleman.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Maryland. I yield to the gentleman from California.

Mr. HOSMER. Mr. Chairman, I want to go along with the gentleman's argument that the business of being a military officer is limited in the case of the Navy to seamanship, in the Air Force principally to running airplanes, and in the Army to carry guns. But that is not all of the function or the limitation, perhaps I should say, of our military officers today. Also they are diplomats and a hundred other things.

Mr. MILLER of Maryland. I am rather familiar with the service, having been in the Reserves for 37 years. I appreciate the gentleman's argument, but I do not agree with him.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Maryland. I yield to the gentleman from Massachusetts.

Mr. WIGGLESWORTH. Mr. Chairman, I want to express my entire accord with the remarks which the distinguished gentleman from Florida [Mr. SIKES] has just made.

As the gentleman knows, our Subcommittee on Appropriations for the Armed Services has considered this subject year after year. For a number of years we have excluded all funds for this purpose because of the fact that there are available in all three branches of the services an abundance of legal talent already.

I am opposed to the amendment.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

(By unanimous consent (at the request of Mr. MILLER of Maryland) he was allowed to proceed for 5 additional minutes.)

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Maryland. I yield to the gentleman from Michigan.

Mr. FORD. Mr. Chairman, may I reemphasize what has been said by a number of Members here in reference to this point; namely, that the services can get, and have gotten, an adequate number of trained legal people to do the jobs that they require. It seems to me that you are diluting your trained military personnel by getting them into specialized fields such as law.

We would be much better off from a military point of view to have our military people concentrate in that area and let us draw from the Reserve ranks, from the outside, the legal talent, and others of a specialized nature.

Mr. MILLER of Maryland. The gentleman is correct. There is a great backlog of trained people in this field, men who have been successful in both fields, in the services and in the law. Lawyers who have had an ample service background are available and are willing to carry on.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Maryand. I yield to the gentleman from New York.

Mr. TABER. Is it not a fact that when you take a man who has been devoting his life to doing something else, and who has reached the age of 40 or 45 or maybe 50, and send him to law school, he does not take hold too well, while a young fellow who goes to law school learns law from the ground up? You need a man who has had legal experience, and you can get lots of them in the armed services all the way through.

Mr. MILLER of Maryland. That brings me to one point I would like to make before I yield, and that is that there is a very adverse factor to career incentive involved in this. Whether what these gentlemen have touched on, whether preference is given to old regulars from West Point or Annapolis, is not the point. It cannot be denied, however, that young lawyers have the feeling that that is what happens. I know that the Army is very anxious to get young lawyers to make the Army a career, and I think probably the same thing is true of the other services. And there is certainly no incentive to attract young men into the service as professional lawyers, and soldiers or sailors at the same time, if they feel that once they get to the middle grades, major or maybe lieutenant colonel or commander that they are at the end of the rope, and that has been, to my personal knowledge, a great detriment to incentive for lawyers to seek service careers.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Maryland. I yield to the gentleman from Michigan.

Mr. FORD. I think it should be pointed out that, if this provision is adopted, you are going to take so many from the three branches, the Army, the Navy, the Air Force, and the Marine Corps. It will cost at least $12,000 to $15,000 per man per year plus the loss of a competent military man in the job for which he was originally trained.

Mr. MILLER of Maryland. That is absolutely true.

Mr. DEVEREUX. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Maryland. I yield to the gentleman from Maryland.

Mr. DEVEREUX. I think what the gentleman from Maryland has said has a great deal of merit. However, perhaps

our thinking is colored somewhat by existing circumstances, having just finished one of the great World Wars and the Korean conflict. We had to get a very great number of competent men that could be detailed to that legal branch. Now, what would your proposal be to carry it on in the future? How would we go about obtaining those men?

Mr. MILLER of Maryland. My proposal would be just the reverse of what is proposed here. I would make it attractive to young and well-trained lawyers, if they did not already have it under the selective service or the Reserve programs, to get their military indoctrination and then go on and become judge advocates, having that as a secondary part of their training, when that situation becomes necessary. The basic military understanding they should certainly be able to acquire in a year or two of active military service. They should not have to go to law school at the taxpayers' expense.

Mr. DEVEREUX. Should we not then logically carry through that we can get young businessmen and bring them in and not send them to business school or get young scientists, able and qualified in electronics and not send them to school?

Mr. MILLER of Maryland. I think that might be true in the basic professions. Of course, when you get into the question of research and development and advanced ultrascience, I do not think the two questions are applicable. I do not know that we have plenty of lawyers that are well trained in the military arts.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Maryland. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Since the Navy has a separate Supply Corps, a separate Medical Corps, perhaps the solution is a separate Legal Corps.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. THOMPSON of New Jersey. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMPSON of New Jersey to the amendment offered by Mr. HOSMER: After the words "Marine Corps, 10", delete the period and substitute therefor a semicolon and add thereto the following: "*Provided*, That officers so trained shall thereafter perform legal duties only in their respective services."

Mr. THOMPSON of New Jersey. Mr. Chairman, I am opposed to the gentleman's amendment. However, I have offered an amendment to his amendment so that if by some chance it does pass at least then these officers who are taken out of their military duties and sent to law schools at the taxpayers' expense will subsequently spend their full time at legal duties rather than be alternated back and forth on sea duty.

I have had 8 years of active service in the Navy. I am a lawyer. I have seen the present legal corps, and with all due respect to perfectly competent military officers they make rather humpty-dumpty legal officers, with only 7 or 8 weeks of training at Newport on the Rules of Procedure.

The gentleman from Georgia, the distinguished chairman of the committee, has the solution to this in a bill which he introduced last year to set up a separate legal corps for the Navy. It is perfectly obvious and has been for a number of years that you have to be a Naval Academy graduate to become the Judge Advocate General. I have no objection to this. But I think if they are going to have a competent legal corps they should have a separate corps, as does the Army. I think it is an absolute waste of money to take an officer who is a wonderfully trained Regular line officer, a Naval Academy graduate, and then 7 to 10 years after his graduation send him to a law school, then bring him back and, whether or not he passes any State or Federal bar association set of rules or requirements, give him legal duties for awhile and send him off to sea again. How can he compete professionally with a Reserve officer, for instance, who is on active duty and who has had 15 years of experience in the practice of the law? Obviously, those of us who are lawyers know that the way to learn to practice law is to do it, to try cases, to draw pleadings, and to stay with it. These officers simply cannot do it. They are, in a sense, legal specialists, for which the Navy now has a separate designation. But they are put at a disadvantage in the selection to the rank of captain or to flag rank. Obviously, a man who has had straight military line service has a much better opportunity of selection than does the fellow who has been drawn out of his career, sent to a law school, practiced law in the Navy for a while and then sent back to sea duty.

The enactment of the bill by the chairman of the committee, the gentleman from Georgia [Mr. VINSON] would take these people out of competition with each other, and would set up what the Navy has long needed, a separate legal corps. I think I would much rather see this whole proposition defeated and the bill of the gentleman from Georgia passed. However, if it is to be adopted, then in heaven's name let us be sensible and amend it so that following this training in a law school of regular officers at the taxpayers' expense, from that time forward let us say they are Navy lawyers and that is the only duty that they shall perform.

I, too, have been pulled out of places to represent officers and enlisted men in courts-martial, because I happened to be available, during the war when I was out in the Pacific, and I volunteered in many cases to represent defendants in courts-martial. I might say, without saying that I am a great lawyer because, indeed, I am not, I found it much easier to try cases against these part-time lawyers than I do against full-time lawyers in my private practice in New Jersey.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman.

Mr. BROOKS of Louisiana. I want to say that I spent 4½ months working on the writing of the Code of Military Justice. I found then that the Navy took a very strong position to the contrary of that which the gentleman has just expressed.

Mr. THOMPSON of New Jersey. I know that.

Mr. BROOKS of Louisiana. I do not mean that I personally disagree with the gentleman.

Mr. THOMPSON of New Jersey. I know how strong the Navy's objection to this has been, and I know how strong Admiral Nunn's opposition was because obviously they want to keep this thing in the lodge. That is all right with me. But if they are going to do it, let us see that they have good lawyers for judge advocates.

The CHAIRMAN. The question is on the amendment of the gentleman from New Jersey [Mr. THOMPSON] to the amendment offered by the gentleman from California [Mr. HOSMER].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment of the gentleman from California [Mr. HOSMER] as amended.

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. PELLY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we are just about to come to section 27 (a). Prior to disposing of the last amendment, the distinguished majority leader made a very strong case for referring the elimination of various activities in the military installations to Congress before their transfer. I rise to support him out of my own experience.

Mr. Chairman, at one time I was the manager of a firm that had a mimeograph agency, and I used to think it would be well for private enterprise and my firm if more Government facilities would let out to private enterprise various service work. In particular, I have in mind a case when our school board maintained its own repair facilities for mimeographs. I made an analysis as to what our firm would have to charge the school board for repairing mimeographs, and then I found out what the school board was paying. It was sending its own repair men around servicing the various school machines, and giving much better service at a much lower cost than our firm could furnish. I never went to the school board and asked for that work.

Last summer I was in the city of Bremerton, where the Puget Sound Naval Shipyard is located. One of the members of an office-equipment firm there spoke to me as congressional Representative of that district and said that he had been requested to bid on the typewriter-repair work. He said that he did not have the facilities nor did any other office-supply firm in that community to do that work, that he did not desire to put in a big investment, yet the Navy was pressing him to do it because it did not want to send the work out of the community to some other city, which was obviously, of course, not practical from the Navy yard's point of view because the service would have been very poor and

also because the expense would have gone up. As it was the Navy was doing the repair work cheaper than any outside firm could have done.

I investigated these matters and found that in many instances the criteria that the military uses in trying to send out work to private enterprise does not include the factor of economy at all. I know of a chronometer-repair facility in the Puget Sound Naval Shipyard. There are no other such repair facilities around that area, yet through a certain ideological stubborness it seems that the military top leadership thinks now it should dispense with some of its various activities and facilities in military reservations. I have talked to the members of the Armed Forces about it. I know they have no desire to build up their own empires, but they do desire service.

You take an autombile-repair facility. You can take automobiles and the greasing and oiling of them by mechanics for our armed services, and then at other times at odd hours repair and maintain them, and in the meanwhile people can be using those very cars. Yet if you let them out to private enterprise they have to go out on schedule and the cost goes up, and other automobile equipment is needed for use while the work is being done.

All in all, out of my experience, I believe that it is well that the military should justify to Congress where it wants to eliminate some of the facilities and services that have historically been performed in military establishments.

Mr. Chairman, I support the position of the distinguished majority leader, and urge that the committee amendment to add section 27 (a) be adopted.

The Clerk read as follows:

SEC. 27. Section 638 of the act of July 13, 1955 (69 Stat. 321), cited as the "Department of Defense Appropriation Act of 1956," is hereby repealed.

With the following committee amendment:

Page 13, at line 23, strike out section 27 and insert:

"SEC. 27. (a) Prior to the transfer by contract of any commercial or industrial-type operation which has been performed by the Department of Defense for a period of 3 consecutive years or more and in which more than 10 civilian personnel are employed at the specific activity concerned, the Secretary of Defense shall file with the President of the Senate and the Speaker of the House a report setting forth the details of the proposed transfer. Upon the expiration of 60 days of continuous session of the Congress following the filing of said report, the Secretary of Defense is authorized to proceed with the proposed transfer unless during such period either House shall adopt a resolution of disapproval, as hereinafter provided in this section, of the proposed transfer described in said report. For the purposes of this section, continuity of session shall be considered as broken only by adjournment of the Congress sine die; but in the computation of the 60-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than 3 days to a day certain.

"(b) The provisions of this section are enacted by the Congress:

"(1) As an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in such House in the case of resolutions (as defined in subsection (c)); and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

"(2) With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

"(c) As used in this section, the term 'resolution' means only a resolution of either of the two Houses of Congress, the matter after the resolving clause of which is as follows: 'That the _____ does not favor transfer of _____, as recommended by the Secretary of Defense, that has been for a period of 3 consecutive years or more performed by more than 10 civilian personnel of the Department of Defense,' the blanks therein being filled with the name of the resolving House and the operation proposed to be transferred.

"(d) A resolution with respect to a transfer shall be referred to a committee (and all such resolutions shall be referred to the same committee) by the President of the Senate or the Speaker of the House of Representatives, as the case may be.

"(e) (1) If the committee to which has been referred a resolution with respect to a transfer has not reported it before the expiration of 10 calendar days after its introduction, it shall then (but not before) be in order to move either to discharge the committee from further consideration of any other resolution with respect to such transfer which has been referred to the committee.

"(2) Such motion may be made only by a person favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same transfer), and debate thereon shall be limited to not to exceed 1 hour, to be equally divided between those favoring and those opposing the resolution. No amendment to such motion shall be in order, and it shall not be in order to move to reconsider the vote by which such motion is agreed or disagreed to.

"(3) If the motion to discharge is agreed to or disagreed to, such motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the same transfer.

"(f) (1) Where the committee has reported, or has been discharged from further consideration of, a resolution with respect to a transfer, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of such resolution. Such motion shall be highly privileged and shall not be debatable. No amendment to such motion shall be in order and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

"(2) Debate on the resolution shall be limited to not to exceed 2 hours, which shall be equally divided between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to, or motion to recommit, the resolution shall be in order, and it shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

"(g) (1) All motions to postpone, made with respect to the discharge from committee, or the consideration of, a resolution with respect to a transfer, and all motions to proceed to the consideration of other business, shall be decided without debate.

"(2) All appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to a transfer, shall be decided without debate.

"(h) Section 638 of the act of July 13, 1955 (69 Stat. 321), cited as the 'Department of Defense Appropriation Act, 1956,' is hereby repealed."

Mr. TABER. Mr. Chairman, a point of order. I make a point of order against the amendment on the ground that it is brought up on a bill which has been reported from the Committee on Armed Services, whereas the provisions relating to the operations concerned therein are under the jurisdiction of the Committee on Government Operations. Also, that it contains rules and amendments to rules relating to the operation of the House of Representatives that are the prerogative of the Committee on Rules.

I call the attention of the Chair at this point especially to paragraph (b), line 20 on page 14, as follows:

(b) (1) As an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in such House in the case of resolutions—

Then it goes on with a page and a half of rules and regulations relating to procedure, that are the prerogatives of the Committee on Rules. An amendment of this kind is not in order to this bill, and it contains provisions which are only in order when brought in by the Committee on Rules.

The CHAIRMAN. Does the gentleman from Georgia [Mr. VINSON] desire to be heard on the point of order?

Mr. VINSON. Mr. Chairman, I do.

With reference to the invasion of the jurisdiction of the Committee on Rules, I respectfully submit that the Committee on Rules granted a special rule for the consideration of this bill. As to the invasion of the jurisdiction of the Committee on Government Operations, may I say that the language we are using here is the identical, same language we used in the synthetic-rubber case. The mere fact that some other committee has a method of presenting certain matters to the House does not mean that you are invading the jurisdiction of that committee if other committees use the same formula. Here is a formula set out that is a good formula. Does the gentleman from New York [Mr. TABER] contend that no committee of Congress can use that formula except the Committee on Government Operations? Of course, Mr. Chairman, to argue that is absurd.

Mr. TABER. Mr. Chairman, I call the attention of the Chair to the fact that the rule under which this measure is being considered related only to matters which are in the bill, and not the amendment of any rule to the bill that might be offered.

The resolution reads:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7992) to enact certain provisions now included in the Department of Defense Appropriation Act and the Civil Functions Appropriation Act, and for other purposes.

There is nothing about waiving points of order, or anything of that character.

Mr. McCORMACK. May I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman from Massachusetts.

Mr. McCORMACK. I respectfully call the Chair's attention to the language in the amendment: "Prior to the transfer by contract of any commercial or industrial type operation which has been performed by the Department of Defense."

Matters relating to the Department of Defense, under the jurisdiction of the Committee on Armed Services there is where primary jurisdiction lies.

The mere fact that in reporting out a bill the committee having primary jurisdiction included provisions which, by themselves, might be referred to another committee does not make the action of the committee having primary jurisdiction subject to a point of order.

This is a point of order bill relating to the Defense Department. That bill belongs to the Committee on Armed Services. The Committee on Armed Services reported the bill out. The particular section in question relates to the Department of Defense. If this particular section were offered as a bill by itself it probably would be referred to the Committee on Armed Services. It is primarily under the jurisdiction of the Committee on Armed Services. As I understand the rules that does not preclude the Committee on Armed Services reporting out a bill or committee amendment which, if separated from the primary purpose of the bill, might go to another committee.

The language of the amendment is simply incidental to the action taken by the Committee on Armed Services with reference to another matter which primarily comes under its jurisdiction.

I respectfully submit that the point of order should not lie.

Mr. ALLEN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Of course I yield.

Mr. ALLEN of Illinois. I would state that the gentleman would be right if he came in with a clean bill, but this is an amendment to the bill; consequently I do not believe the gentleman's argument applies.

Mr. McCORMACK. That argument falls to the ground. I will concede that a committee amendment has no greater standing from a parliamentary point of view than an amendment offered by a Member from the floor, but an amendment is germane to the bill if it falls within the authority of the committee having primary jurisdiction to consider it.

Mr. ALLEN of Illinois. I would agree with the gentleman if it were a clean bill; but this is not an original clean bill, and I do not think the rule is what the gentleman contends.

Mr. McCORMACK. My contention is that the whole bill relates to the Department of Defense. The subject matter is germane to the whole bill, and the amendment itself shows that the primary duty relates to matters within the Department of Defense. The other part of the committee amendment is incidental to the carrying out of the intention of the Committee on Armed Services on the matter over which they have jurisdiction.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman.

Mr. BYRNES of Wisconsin. I wish the gentleman would address himself to that aspect of this amendment which relates to setting up special rules of procedure, special rules of the House and procedures by which it is to be guided.

Does the gentleman contend that the Rules Committee can come in with an amendment providing for a change of the rules of the House and have jurisdiction over that subject matter?

Mr. McCORMACK. If the committee has primary jurisdiction over a subject matter I contend that the committee would have the authority to carry out any incidental matters and that the committee acts upon the primary purpose of this amendment which relates to the Department of Defense. The Committee on Armed Services has jurisdiction, and the point of order raised by the gentleman from New York does not address itself to the jurisdiction of the committee; it is totally incidental.

Mr. FORD. Mr. Chairman, I should like to make an additional point of order against the inclusion of this provision. According to the title of the bill, it is a bill "to enact certain provisions now included in the Department of Defense Appropriation Act and the Civil Functions Appropriation Act, and for other purposes."

I respectfully refer the Chair to the fact that section 638, and I believe section 633, neither one, are now included in any appropriation act. For that reason it seems to me that the inclusion of section 27, the committee amendment, would not fall within the provisions included in the title of the bill.

Mr. VINSON. Mr. Chairman, may I say that the record shows when this bill was reported on May 14, 1956, the act of July 13, 1955, was in effect.

Mr. FORD. Mr. Chairman, may I reply to the statement of the chairman of the Committee on Armed Services by saying that he may be correct chronologically, but this is a committee amendment and it was not included in the bill at the time it was introduced.

Mr. VINSON. That may be true, but it was included at the time it was voted out. It does not have to be included when it was originally introduced. It was included when the committee had finished as the result of hearings.

Mr. Chairman, I call attention to the fact that section 27, 638 of the act of July 13, 1955, was in effect. It was a living section on May 14 when we wrote this amendment.

Mr. FORD. Mr. Chairman, at the time this amendment, section 27, page 14, and subsequent pages, is before the House the basic law is no longer applicable.

Mr. BOW. Mr. Chairman, I make a further point of order against the amendment. The amendment attempts to change the rules of the House. A change of the rules of the House cannot be made in the Committee of the Whole, it must be made by the House itself.

The CHAIRMAN [Mr. DEANE]. The Chair is prepared to rule.

The gentleman from New York [Mr. TABER] has made a point of order as to the germaneness of section 27, which runs through line 22, page 17.

The gentleman from Georgia [Mr. VINSON] has contended that the amendment is germane.

The gentleman from Michigan [Mr. FORD] makes an additional point of order against the particular section and refers to the title of the bill and the descriptive matter.

A still further point of order is made by the gentleman from Ohio [Mr. Bow].

The Chair finds that similar legislation has come from various committees in the past. The title to a bill is simply descriptive.

The Chair rules that the amendment is germane and is in order and, therefore, overrules in each instance the points of order that have been made.

Mr. ALLEN of Illinois. Mr. Chairman, I rise in opposition to the committee amendment.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Georgia.

Mr. VINSON. Mr. Chairman, I ask unanimous consent that all debate on section 27 and all amendments thereto close in 40 minutes after the gentleman from Illinois has consumed his 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FORD. Mr. Chairman, if the gentleman will yield, I ask unanimous consent that the time allotted to me be yielded to the gentleman from Illinois, Mr. SPRINGER.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ALLEN of Illinois. Mr. Chairman, my good friend, the majority leader, the gentleman from Massachusetts, [Mr. McCORMACK], rightfully said that this is a controversial bill, as evidenced by so many Members on the floor here. That in itself shows that this bill is extremely important.

Mr. Chairman, you know we talk about private enterprise. Now we come in with an amended bill which would not permit an agency of the Government to eliminate inefficiency and extravagance. In regard to my good friend, the gentleman from Georgia [Mr. VINSON], chairman of the Committee on Armed Services, I am sure that all of you will well remember back in 1955 when he offered a similar amendment as that contained in section 27 to eliminate the continuation of Government being pitted against private industry, which compelled, Mr. Chairman, continued inefficiency and wasteful businesses which the Government is engaged in.

Now, Mr. Chairman, I am not going to take my 5 minutes. I know that you will all recall on May 10 of this year, just

2 short months ago, the House on a roll call vote of 222 to 156 struck this very same language from an appropriation bill which it was considering. I offered the amendment at that time, because I thought it was ridiculous for the Defense Department to be forced to come before a House committee to obtain permission to stop certain expensive operations which conflicted with private enterprise and which the Department could well do without, both for reasons of economy and efficiency. In that instance the Department of Defense would have been forced to come before the Committee on Appropriations; but the House in its wisdom declined to sustain such unwise procedure and struck the language from the bill.

This bill now before us seeks to do the same thing, but changes only the committee before which the Department of Defense must appear from the Committee on Appropriations to the Committee on Armed Services. I think the strong position taken by the House on May 10, 1956, in supporting my amendment to stop this type of procedure will be confirmed here when you will vote down the amendment and stop any further attempts to saddle cumbersome and unwise rules on the Department of Defense whose functions are so important to every person in the free world at this time.

Mr. Chairman, I hope that we will continue to operate along lines of free enterprise instead of having the Government doing work which should be done by private enterprise.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. O'NEILL] for 2 minutes.

Mr. BOLAND. Mr. Chairman, I ask unanimous consent, in view of my colleague's knowledge of this particular problem which affects his area so deeply, to yield the time to him that has been allotted to me.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. O'NEILL. Mr. Chairman, I should like to associate myself with the majority leader, the gentleman from Massachusetts [Mr. McCORMACK], in the remarks he made, and as well with the gentleman from Washington [Mr. PELLY].

I wonder if the gentleman from Illinois [Mr. ALLEN] has any Federal installations in his district because, surely, if he has or if he had had, he would not be in opposition to this section.

I, too, am in favor of private enterprise. I think we are all for private enterprise in this Congress, but let me give you some example of what takes place in a Government installation.

For example, at the Boston Navy Shipyard recently there was a layoff of some 27 painters. We have there approximately 80 painters. They work for the most part on the huge ships that come in and in periods of idleness or of letdown of work, it is customary for them to do the maintenance work, the painting in the yard. But a contract was let to a private firm that came in and painted some 12 or 14 buildings in the yard during a customary period when things were slack at the yard and 27 men were laid off, some of whom had been employed in the yard for as long as 18 years. The consequence was not merely cutting off 27 men, but what happens is this. These 27 employees have seniority rights and have what we know as bumping privileges. One man may have been a painter for 18 years and he has the right to go to some other comparable department where he thinks he can do the work and eventually he bumps another man who may have had only 16 years. The man with 16 years of experience goes out and bumps another man who has had only 12 years until finally in this process, just because a private contractor came in and did a job in the yard maybe 100 or 200 or 300 men become dislocated from their jobs, jobs that they were doing and ultimately 27 men at the bottom of the ladder are knocked off. A month later you need employment and you are hiring men at the yard again. That is just one instance.

I saw an instance about 6 months ago in the Boston Navy Yard where one of the huge overhead cranes capable of lifting tons and tons of steel was out of order. One of the cables snapped. Here is a yard employing 10,000 men, with all kinds of mechanics and all kinds of machinists in the yard, but they were not allowed to repair that machine because private enterprise had to do the work. So the riggers, the men who needed the steel, the men who operated the crane, had to do something else or had to go to some other part of the yard and be used in some other occupation because private enterprise required that they send out to a firm and have that firm come in and repair the crane. There were probably 100 men in the yard who could have done that work.

I want to know, when we are going along with free enterprise, how silly can we get?

You have heard the remarks of the gentleman from Washington. I thought they were very well taken. The gentleman from Massachusetts [Mr. McCORMACK] spoke to you about the rope walk up in Boston, an institution in effect since 1837.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Chairman, may I say first of all I have plenty of military installations in my district, but how long they will remain after my taking this position, I do not know.

I want to direct the Committee's attention to some fallacious arguments that have been advanced. First, a great deal has been made about this being similar to the Reorganization Act and the manner in which we handle the Hoover Commission proposals. The subject matter is completely different. The Reorganization Act has to deal with administrative setups in the executive department and has nothing to do with substantive matters. The matter before us is an issue that has to do with the substantive matter of what particular operations are going to be closed down or not closed down. The two are completely different and there is no comparison. One is administrative procedure, the other substantive decision.

Secondly, I would say this: If the proponents of this are so eager for it, so objective in their eagerness, why did they not permit the members of the Department of Defense to come before the committee and give the other point of view? The committee completely closed them out.

The administration has been strongly opposed to this to the extent that President Eisenhower in a message to the Congress last year pointed out this very thing as in his opinion being a usurpation by Congress of executive powers. I think he is absolutely right.

The third fallacious argument is reference to the rubber plants. We are not talking about very complicated and costly installations like rubber plants, we are talking about small installations in competition with small business all over the country. The Small Business Committees of both the House and Senate have had experience with this matter.

Reference was made to military installations that have been built foolishly. I think the gentleman from Massachusetts [Mr. BATES] referred to that. He well knows he talked about military installations and not commercial and industrial types of operations, which are referred to here in this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Chairman, section 27 simply provides an orderly procedure for getting the Government out of business. It does not keep the Government in business.

A great deal of interest has been expressed this afternoon for private business. I concur in that. I think it is proper. But I suggest, Mr. Chairman, that we also have an interest in orderly and proper operations of Government and in the sound utilization of the money we appropriate for the Government. We appropriate $34 or $35 billion every year for the Military Establishment; we have a responsibility to the people who elected us to see that this money is wisely spent.

We have a responsibility to be certain we do all we can to insure the maintenance of good and adequate defense. Finally we have a responsibility for the facilities we have built at great cost and to the people who work there, who have developed the skills needed to operate and maintain defense activities.

May I point out, Mr. Chairman, that the experience already had in operating during the last fiscal year under substantially similar language was a satisfactory one. It worked no hardship on anybody. Undoubtedly it did save the Government some money.

I want to submit to you that not all transfers of Government activities to private business are good or desirable. We seek to insure a proper screening process. I know of one instance, Mr. Chairman, where an effort was made to turn over a Government operation that was appraised at more than a million dollars to a private concern for less than

half that much and in addition the private firm would be paid more for carrying on the same operation than it was costing the Government. Is that the sort of thing the House wants? Is it desired that Congress not have any check whatever on the activities of the other branches of Government? I want to tell you, Mr. Chairman, without this section, the Congress could be condoning one of of the biggest giveaways of all time.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, the provisions in section 27 of this bill would prevent the Government of the United States from getting rid of activities which it cannot afford to carry out. I do not recall a single instance in my experience where there has been any abuse of that privilege. On the other hand, I can recall case after case where it was costing the Government three times as much to do the job as it would cost to let out the work to be done by private enterprise. I do not feel we ought to tie the hands of the Department of Defense against cleaning up their structure. Rather, we should encourage them to go ahead and clean up their structure and get rid of the activities which are not paying. These people who have special interests in their district, I suppose, it is natural for them to speak up for them. I have a great big setup in my district, but I have never gone to the front to keep anything in their hands which could be turned out to private enterprise which was paying out or which could possibly be paying out, and I never will. I hope this amendment will be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. WINSTEAD].

Mr. WINSTEAD. Mr. Chairman, if I understand this provision, it will not prohibit the military from making any transaction unless this Congress takes positive action to prohibit it. I have no military installation in my district at present. The most surprising part of this debate to me is the arguments of the very men whom I have tried to follow for the 14 years that I have been in this House, and who have begged and pleaded that we maintain as much of the power of the Congress and the exercise of those rights in the Congress to quit delegating that power and authority to the executive branch of the Government and the bureaus—and I cannot see the argument on this provision. I dare say to you that should the administration change in less than 12 months or 2 years, the same leaders in opposition to this provision will be begging some of us on this side of the aisle to restrict the Executive and slow down bureaucracy and keep the rights that the Congress has to exercise. As far as I am concerned, I do not believe anyone can justify the statements made that this would slow down free enterprise. I believe the military will go ahead and negotiate everything that they would negotiate anyway with any degree of justice. They only have to justify what they do, and this Congress is going to uphold them.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, how many of those who were here in the 82d Congress recall the Bonner subcommittee and subsequently, in the 83d Congress, the Harden subcommittee? That Subcommittee on Government Operations spent months on this very question that we are going into today. That report was adopted unanimously, as I recall it, by every single Member on both sides of the aisle, that the Government was operating a great many businesses and several hundred services which might better be performed by private enterprise.

Why is that true? In the first place, we are putting out capital in the form of these installations to do the job. That is one expenditure. In the second place, when we do that we do not get back anything in taxes, because the Government installation does not pay taxes. Now, you come further, and the military personnel is doing this work which should be done by civilian personnel; so you are paying for the services which could be performed cheaper and better by civilian personnel or private industry.

Now let us get down to the hub of this question. If we are going to assume that these funds will be used for these duties, then why do we not give the executive department the opportunity to get rid of them? You say, "No; we are going to put a hinge on this and bring it back to the Congress."

Let me ask you, by the speeches that have been made by people this afternoon, if there is going to be any disposition by anybody who has one of these installations in his district to allow any business operated by any Government installation to be transferred to a private industry? The only way you will get this done is by Executive action, in just one commitment, and that is when they determine that this could be done more economically by private enterprise.

How much do you think is going to be accomplished? How many services do you think the Government will be able to get rid of? Just how futile do you think the Pentagon is going to believe this job is when they know they have to come back to the Armed Services Committee to get it through the Congress? There will not be much enthusiasm on the part of people to vote to transfer an installation to private enterprise when they know that next year they may be in the same position and will have to have their back scratched, too. That is just the practical situation as to what will happen if you retain this section. I do not believe there is any politics in this. I think you will have to repeal section 27 or it is not going to be done.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. HARDY].

Mr. HARDY. Mr. Chairman, the gentleman from Illinois [Mr. SPRINGER], who just preceded me, mentioned the fact that I was chairman of a Government Operations subcommittee during the 81st and 82d Congresses. He further correctly stated that the subcommittee of which I was then chairman investigated a great many activities of the military departments and found that there were many business-type activities that could and should be eliminated. My position with respect to that has not changed, but I will say to him right now that there have been instances of business-type operations conducted by the Navy in my own district that I have helped to have discontinued so that private business could be used. I shall continue to do that, but I do not condone any action which would precipitate the abolition of business-type activities indiscriminately just in the name of private enterprise. In fact, I know of cases where private enterprise will be injured by doing that. Neither will I condone abolition of the performance by civilian employees of military establishments of functions which will be more expensive to the taxpayers if performed under contract. This amendment will provide an orderly procedure to get the Government out of business. Every Member of this House will have an opportunity to object to any proposal by the military which ought not to be adopted. If it is a good proposal, it will be recognized as such by the committee. Anyway, whenever one of these projects reaches the floor, the Congress has a right and an obligation to vote it up or down. I do not believe a majority will vote against the transfer by the military of any functions within the scope of this amendment when such transfer is in the overall best interest of our country. That is the position I have always held, and that is the position that I hold now. It is as a matter of good business procedure that we ought to adopt this amendment.

The CHAIRMAN. The gentleman from Ohio [Mr. BROWN] is recognized.

Mr. BROWN of Ohio. Mr. Chairman, I rise in opposition to the proposed amendment offered by the Committee on the Armed Services.

In addition to what the gentlemen from Illinois [Mr. SPRINGER and Mr. ALLEN] have said, I would like to point out that the Hoover Commission, an arm of this Congress, and a task force of that Commission, nonpartisan all the way, went into this matter very thoroughly. Both found we have something like 2,500 different governmental business operations in direct competition with private enterprise, and have some $15 billion of Government money invested in these various Government activities which could just as well be invested in arms, munitions, planes, and other things we need for our defense.

This Congress, just a few months ago, fixed a policy on this matter my refusing to write into law authority for interference on the part of the legislative branch with the right of the executive branch to close and to get rid of these business operations of Government in competition with private enterprise. Now comes again, by this method, an attempt to negate what we did just a few months ago. It is something that should not be done.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. My time is limited, but I must always yield to the gentleman from Georgia.

Mr. VINSON. I would like to state to the distinguished gentleman from Ohio that the committee adopted this amendment 2 days before the House acted.

Mr. BROWN of Ohio. Yes, but the committee also adopted another amendment to another bill which was rejected by Congress just this past spring, too. Nevertheless, despite the fact Congress has acted upon this question then, we are now being called upon in the closing days of the session to pass upon it a second time. I hope the position of the executive branch, and of the Hoover Commission and of its task force, as well as that of the Congress, will be upheld by this House voting down this amendment.

The CHAIRMAN. The gentleman from North Carolina [Mr. JONAS] is recognized.

Mr. JONAS. Mr. Chairman, I am not going to discuss the constitutional question that is involved, namely, as to how far Congress can invade the Executive field, although that would be an interesting subject of discussion; but there are two points I would like to make before the debate closes. The first one has not been emphasized much here today.

There has been great fear expressed on the floor today by various Members that if the committee amendment is not adopted the Defense Department will close some big shipyard or some other great military installation in this country. As a matter of fact, this amendment, if agreed to, will not prevent the Defense Department from closing down anything that it has a right to close down. But if we accept the amendment without change we will be forcing the Defense Department to come to Congress with a report and wait 60 days before taking final action to dispose of a barber shop if it has 10 men working in it and has been operated 3 years; and they would have to come here before they could transfer to civilian operations a dry-cleaning plant or any other commercial-type enterprise in this country.

This amendment confers veto power in Congress over plans of the Defense Department to get the Government out of purely commercial-type business enterprises—even down to insignificant operations of the sort I have described.

I think it is ridiculous to require the Defense Department to come here with such reports and await the action of Congress before it can transfer such activities to the private taxpaying business firms that are already in existence and are fully qualified to perform the services or provide the materials. I might not oppose the amendment if some distinction could be drawn in it between installations that are substantial and involve large numbers of persons and the small commercial-type enterprises that exist in every community in this country and that are operated by private citizens. Most of these enterprises are operated by small-business men who have the ability to perform the services in question and I believe we should encourage the Government to get out of competition with the small businesses instead of making it harder to do so.

The CHAIRMAN. The Chair recognizes the gentleman from Maryland [Mr. DEVEREUX].

Mr. DEVEREUX. Mr. Chairman, the gentleman who just preceded me, I am afraid, is somewhat erroneous with respect to closing down a barber shop, a pressing establishment, and that sort of thing. They are usually run by civilians operating in the post exchange.

Mr. Chairman, going ahead and speaking a little bit about the amendment itself, I am not inclined to try to tie the hands of the Defense Department in the operation of their normal duties. However, I must say that I do not have complete confidence in their judgment in some instances. Therefore, I suggest it is proper and correct to bring these matters before the Congress and if they can be justified, certainly we will go along with them. There is no reason in the world why they should not see the light of day. I will cite one particular instance I know of personally that happened in connection with a signal depot, where it was a commercial type of operation. The Army in its judgment and wisdom, so-called, moved it away, far away, up into the mountains of Pennsylvania. The civilian employees who were engaged there would not move. The Army now finds itself at a loss now to produce nearly as well or anywhere near as well as they did when it was located close to a big electrical center. Of course, I refer to Baltimore. Therefore, I am firmly convinced that if the Defense Department has a good case they can bring it before the Congress and if it is sound it will be agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, in my opinion, section 27 is simply a roadblock in the way of the Federal Executive Department, of course, the military group, to prevent them from getting rid of uneconomic activities that never should have been with the Federal Government.

If you are not willing to trust the armed services to cut off and slough off on these things but you are willing to trust your armed services to carry on great operations in wars and military installations, then, it seems to me, you are not very logical.

Mr. ALLEN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. MASON. I yield to the gentleman from Illinois.

Mr. ALLEN of Illinois. I understand that there will be no rollcall votes today in the House; but in the event that this amendment prevails I expect there will be a rollcall vote on Monday, and I propose that we have a record vote on Monday on this proposition to see who is for private enterprise and who is against.

Mr. MASON. I think that is a good idea because we ought to separate the sheep from the goats on this. As far as the point that was raised that some of us who have always opposed giving authority to the executive department is concerned, in this instance we are stepping into the executive department and infringing on its authority in these matters.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. MASON. I yield to the gentleman from Indiana.

Mr. HALLECK. Apropos of what the gentleman from Illinois [Mr. ALLEN] has just stated, if the committee amendment does not prevail then, of course, that is the end of it as far as this legislation is concerned?

Mr. MASON. That is right.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Chairman, there are a great many facets to this problem that we have before us, and I am thinking more of the people who are benefited by these installations than I am about the principle that is involved in the matter of transfer to private enterprise. What I am thinking about is this. I know there are 2 or 3 or more locations out in my part of the country where they built these stations, and then the local businessmen and other people came in and built homes and they built stores and shopping places and all those various things. Well, if a man at the Pentagon could cut them off at the pockets without any warning, it would really be criminal, because they depend on the installations that were erected there; to return to them at least a sufficient amount to repay them for the investment which they have made and also for the service they have rendered to the persons who are stationed at the station. I realize that this is a situation which is not strictly in accordance with the specific language in the bill, which provides for the turning over to private enterprise a function or operation which was being carried on by the Government. My thought is that such persons should have an opportunity to protest in case it is decided by the military to eliminate or transfer the station completely to another location.

I also believe that functions which are of a private enterprise nature should be transferred from the military to some business which could handle the job. The law says that it should be done by contract, with which I am in complete accord. But coming back to my first point which was a little beyond the technical terms of the statute I think such persons should have the privilege to appear before the Armed Services Committee and present their claims and grievances.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from New Jersey.

Mr. CANFIELD. Does not section 27 refer to transfer by contract? I see nothing about the closing down of facilities in this section. It refers to transfer by contract.

Mr. JOHNSON of California. Yes, but the point is that the people who are hurt when the installation goes out of existence are those people who have spent their money on the reliance that that installation would remain, which funnels into the local economy a whole lot of

money. And, we want to give these people some protection. Perhaps we should slightly change the language so as to give the group that is affected adversely by the transfer of a function to private enterprise and also give an opportunity to private enterprise which has provided facilities and services for the persons employed by the military station. This proposal is a sort of auxiliary civilian control of the military. The President, a civilian, is the Commander in Chief of the military and all the Secretaries are civil employees in control of the various military groups. Under this act with slight change in the wording or with administration of the situation as indicated above our plan to permit aggrieved persons to come to Congress and its appropriateness to air their grievances when changes are made, is an indirect civilian control, in that the Congress and its committees give certain persons a right to protest and air their grievances and possible financial losses due to the present kind of administration of such situations.

The CHAIRMAN. The Chair recognizes the gentleman from Maryland [Mr. MILLER].

Mr. MILLER of Maryland. Mr. Chairman, I think it might be of interest in considering this present section to refer to the experience that we had under the language of paragraph 638 in the appropriation for the previous fiscal year. Admitting what has been said by my colleague, the gentleman from Maryland [Mr. DEVEREUX], about much of the housekeeping work being done by post exchanges and what-not, nevertheless the committees of the House and of the Senate were subjected to requests to close down such places as shoe-repair shops, watch-repair shops, small service stations, and items of a housekeeping order. Dozens and dozens of those little matters which may be properly cared for by the local post base or station commander, certainly caused a great deal of clerical expense and worry in bringing such items to two committees of the Congress before a shoe-repair shop could be closed down somewhere. Now, it is perfectly true that the services need housekeeping facilities of all sorts, and sometimes have to supply the personnel in places where the commercial setup is inadequate but it is a mistake when such installations as laundries, bakeries, meat-cutting shops, and the like have to be referred to two committees of the Congress before the Defense Department, or one of its branches, can close down matters that have no real economic significance one way or the other. I had thought of offering an amendment to this section. It is true that there may be some merit in considering cases that involve a big industry, but certainly we should trust the Department to handle this kind of housekeeping. I think this matter is probably best left out of this bill altogether.

The CHAIRMAN. The Chair recognizes the gentlewoman from Illinois [Mrs. CHURCH].

Mrs. CHURCH. Mr. Chairman, I find it very difficult at the moment not to fall into the error of thinking that I have been magically asleep for about 2 months and have just awakened and am still listening to a debate held on the floor of the House on the 10th of May, because, except for some slight differences in mechanics, we are having the same argument, with the same principles involved, by the same participants, except that many on this fair Saturday afternoon unfortunately are not here to participate in the debate.

I was interested in the fact that the very wise and kindly chairman of the Committee on Armed Services said that this bill had been reported out, just about the time that the House took sound and courageous action on May 10, in striking out section 633 from the Defense Appropriation Act.

I would like to say to that chairman, to whom we all feel free to go for counsel and assistance, and always receive it, that if I were willing to give this authority of approval or disapproval to anybody, I would rather leave it in the hands of the Committee on Armed Services than throw it open to the entire membership. Not that I do not trust the membership, but I think that the Committee on Armed Services knows better than we do whether contemplated action is necessary or wise; and we would, moreover, be freed from much unnecessary and perhaps unwelcome pressure.

I can imagine no Member of the House who could very easily refuse to introduce a resolution—it would be such a simple thing to do—against the closing down of any activity within his own area. I think that the Committee on Armed Services, to refer briefly to what the gentleman from Maryland [Mr. MILLER] has just said, would find himself surrounded with more proposals to consider, rather than less. And I would remind the committee that on May 10, I listed some of the multitudinous activities which we are seeking to turn back to private industry.

We are not here dealing with major questions of whether or not great military installations shall be moved, or removed, or built into being. We are asking merely that those operations which are now being carried on by Government, the major part being little operations, be taken over by private enterprise, if such action would be in the interest of Government economy and efficiency.

I think it is ridiculous that we should ask the Committee on Armed Services of the House, which has so much responsibility and which carries it so ably and so devotedly, to sit down and consider, for instance, whether or not a dry-cleaning operation should be removed from a given installation. If we cannot trust the Department of Defense and the people who are responsible for the safety of our country to decide whether or not dry cleaning should be done, or laundry should be done—and I introduced a bill to eliminate both those "governmental" processes, so I know where they exist—or whether these should be eliminated, without going back to a Member of the House, no matter what we think our wisdom may be, I hold that we show a lack of sufficient confidence in our Department of Defense. If we insist that the House come into this picture rather than even to entrust the problem to the Committee on Armed Services, we, too, are taking a great deal upon ourselves. I personally would rather see us adopt once more the courage and the judgment that we showed on May 10 when we in fact struck section 633 entirely from the bill.

I personally hope that this section will be stricken also from the present bill and that opportunity will once more be given to take Government out of unjustifiable, unnecessary, extravagant, and inefficient competition with private enterprise.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, all this provision seeks to do is to provide an orderly way to let the Government divest itself from those functions that belong to private business if, in the judgment of the Congress they can make out a good case for so doing.

There is no question that much has been done to get the Government out of private business, and rightfully so. But there are cases, as has been explained by those people who are more competent than I or perhaps more competent than many of the speakers here today, where the Government should do the work rather than private industry. All this amendment does is to give the Department of Defense the authority to do it, but it requires that we, the Congress, take a look at it beforehand. That is not new. All real estate transactions in the Defense Department must come back to the Congress of the United States to be approved. And I do not think that any Members of the House would want to remove that authority from the Committees on Armed Services of both Houses. It became necessary to initiate this procedure to review the transfer of real estate, because we found it necessary to put a brake on the Department of Defense in the interest of economy and efficiency.

I believe that efficient Government operation will be served by the adoption of the amendment provided for in section 27.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. BENNETT].

Mr. BALDWIN. Mr. Chairman, will the gentleman yield?

Mr. BENNETT of Florida. I yield to the gentleman from California.

Mr. BALDWIN. I should like to express my support for the committee amendment, section 27. I hope very much the Committee of the Whole will adopt it.

Mr. BENNETT of Florida. Mr. Chairman, in approaching this matter I do not think we should consider that we are simply handling the same matter that was in the appropriation bill. At that time we were not considering the protections in this particular piece of legislation against abuses that might occur. This legislation would require the Department of Defense to report to the entire Congress, not to just one Member or one committee of Congress. It would go to the Congress itself. It would be referred to the House Committee on

Armed Services and the House would have to pass upon it.

It is a good thing, in my opinion, to have this report made by the Department of Defense. It will let us keep in touch with the situation to see whether they are taking the proper initiative in getting rid of such businesses as should be turned over to private industry.

The procedures set out in this bill require the utmost scrutiny. At the present time the Department of Defense can abolish any organization it desires. There is no real scrutiny given to that by the public. If such steps are brought to Congress and go through the committees of Congress they will be given very close scrutiny by the country as a whole.

Further, this a tried procedure, one that worked out with regard to the disposition of the rubber industry. Nobody criticizes the way in which the rubber industry was disposed of. This is a tried and proven procedure, a way in which we can do this thing effectively.

There is one other thing that has not been mentioned yet, that is, the question of the morale of the people involved in these industries. In my home town there are thousands of civilians working for the Federal Government in the O. and R. Department. At the present time they think the Department will be moved thousands of miles from Jacksonville. Obviously that has something to do with their morale. This is important because when morale is low efficiency will also be low, and eventually the more competent employees will move to private employment, thus reducing the efficiency in the work being done. This is wasteful of tax dollars. This uncertainty should be removed.

I hope the bill will pass in the form recommended by the committee.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. VINSON] to close debate on the amendment.

Mr. VINSON. Mr. Chairman, at the outset of my remarks I stated that this bill was reported to the House before the House acted on the annual appropriation bill. In reporting it out we were confronted with section 638, that later on was deleted from the appropriation bill.

Mr. Chairman, I think the Committee thoroughly understands this matter. I have nothing further to say than I have already commented on.

Mr. Chairman, I ask that we have tellers on this amendment.

The CHAIRMAN. The question is on the committee amendment, section 27. The gentleman from Georgia [Mr. VINSON] has asked for tellers.

Mr. DEVEREUX. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DEVEREUX. As I understand the situation, an "aye" vote is to retain this section 27 (a)? Is that correct?

The CHAIRMAN. The gentleman is correct.

The question is on the committee amendment.

Tellers were ordered, and the Chairman appointed as tellers Mr. PRICE and Mr. ALLEN of Illinois.

The Committee divided; and the tellers reported that there were—ayes 101, noes 89.

So the committee amendment was agreed to.

The Clerk read as follows:

SEC. 28. All the authority conferred upon the Secretary of Defense or the Secretaries of the military departments by this act may, unless otherwise expressly prohibited by statute, be delegated by them to such persons in the department concerned and to such extent as they may deem proper, with or without authority to make successive redelegations, except for the authority conferred in section 19 and the authority to prescribe or approve regulations.

With the following committee amendment:

Page 18, line 6, insert:

"SEC. 29. Without regard to section 67 of the National Defense Act, obligations for training of units designated for early deployment under mobilization plans and for installation, maintenance, and operation of facilities and antiaircraft defense, are herewith authorized.

"SEC. 30. Whenever he deems such action to be necessary in the interest of national defense, the President may exempt appropriations, funds, and contract authorizations available for military functions under the Department of Defense, from the provisions of subsection (c) of section 3679 of the Revised Statutes, as amended.

"SEC. 31. Vessels under the jurisdiction of the Department of Commerce, the Department of the Army, the Department of the Air Force, or the Department of the Navy may be transferred or otherwise made available without reimbursement to any such agency upon the request of the head of one agency and the approval of the agency having jurisdiction of the vessels concerned.

"SEC. 32. There is herewith authorized to be made available appropriations of the Department of Defense for reimbursement to the Post Office Department for payment of costs of commercial air transportation of military mail between the United States and foreign countries.

"SEC. 33. There is herewith authorized to be made available appropriations to provide furnishings, without charge, in other than public quarters occupied by military or civilian personnel of the Department of Defense on duty outside the continental United States or in Alaska, upon a determination, under regulations approved by the Secretary of Defense, that such action is advantageous to the Government."

Mr. FLOOD. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. FLOOD to the committee amendment: Page 18, strike out line 24 and all that follows down through line 3 on page 19, and insert in lieu thereof the following:

"SEC. 32. The Secretary of Defense is authorized to provide for the commercial air transportation of military mail between the United States and foreign countries either (1) by the method of direct payment to air carriers for such transportation, and for all purposes of such method military mail shall be deemed to be property, or (2) by the method of reimbursing the Post Office Department for such transportation. The Secretary shall provide for such transportation of military mail by whichever of the two methods will result in the lesser expenditure by the Department of Defense."

Mr. TABER. Mr. Chairman, I reserve a point of order against the amendment.

Mr. FLOOD. Mr. Chairman, I ask unanimous consent to speak for 5 additional minutes and to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Chairman, this amendment is not as alarming as it sounded when you heard it read. As a matter of fact, the first thing this amendment does is to maintain the status quo of this problem as it is now. The second thing, and the only time the second thing comes into play—mark this—the only time the new matter of the amendment comes to issue is if and when the Department of Defense can save money. At no other time. In view of the nature of this amendment, I would like to think that my beloved and distinguished friend, the gentleman from Georgia [Mr. VINSON], in view of the subject matter of the amendment, after I explain it, would accept the amendment.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield.

Mr. VINSON. I would be glad if the Committee on Appropriations, which has had this matter before it, would be present to inform the House about it, more than I know about it. As a matter of fact, I understand it has been before the gentleman's subcommittee several times.

Mr. FLOOD. No. That is not true. If this had been before the subcommittee, I am a member of that committee, and under no circumstances at this time on this bill would I be presumptuous enough to do this.

Mr. VINSON. I beg the gentleman's pardon.

Mr. FLOOD. This amendment has never been before the subcommittee, or any committee. As a matter of fact, I am following in the footsteps of more distinguished and learned gentlemen on this problem, from the left, the gentleman from Massachusetts [Mr. HESELTON], the gentleman from New Jersey [Mr. HAND], the gentleman from New Jersey [Mr. CANFIELD].

This deals with $12,700,000. I know it is hard to hold the interest of this body on chickenfeed like perhaps $15 million, but it does have some value. Let me show you what this does.

You all know this problem. This deals with APO mail. What I want to do is this: In 9 cases out of 10 there is no problem and money cannot be saved because the weight and the volume of the APO mail is not there; therefore I have no objection to the use of the Post Office Department by the Defense Department to carry the mail.

This House and the Congress time and again has said that it wants the Department of Defense to carry all APO mail, and that makes sense. The way the situation is today if the Department of Defense called upon the Post Office Department to carry mail it costs the taxpayers 53 cents on the average, 53 cents. Under this amendment the same service can be done by the same or any other

carrier for less than half that amount. What in the world is the matter with that?

Let us consider this further. We demand the same kind of service, the same speed, the same quality, the same everything at less than half the cost and only when that is true as a fact, no other time. This comes up only on the run to Germany and the Far East. Down to Brazil they will carry 1,500 pounds a month. There is no problem, you cannot save any money doing any other way or any better than they are now doing there would be no sense in trying to, but when you carry half a million pounds of mail a month to Frankfurt and the same amount or more to the Far East then you are talking about half a million dollars. Let me show you how this works.

The CAB sets the mail rate and who carries it, and the CAB has a regulation. Now, mark this, the Department of Defense can carry you or that chair at 25 cents a pound, but a letter costs 53 cents because the CAB has held that APO mail is not property—APO mail is not property, but passengers and cargo are property and since passengers and cargo are property we pay 25 cents, and since mail is not property, we pay 53 cents. How do you figure that out? Nobody yet has been able to.

So this amendment simply says that mail is property, that for this purpose mail is property just like passengers, just like cargo and, therefore, the Department of Defense has the handcuffs taken off and can do business directly with any airline that wants to carry the mail. The Department of Defense does do business directly with shipping companies and carries it at the price I am telling you about but the minute you fly it, it costs twice as much. Why in the world is that? Simply because CAB says so.

This amendment making mail property permits the Secretary of Defense to do business directly with an airline, any airline that qualifies and is certified and carries airmail.

The President's Commission on Aeronautics, on air problems, approves of this idea. Let me read you what the Postmaster General said. The Postmaster General agrees with me. That surprises me and it will surprise him, I guess, but it is true.

> I would like to point out that the Post Office Department does not interpret the reimbursement amendment as restricting your authority in any way and does not preclude the Department of Defense from making direct arrangements with commercial air carriers for the transportation of APO mail.

The Postmaster General does not want any part of this job, the Post Office Department does not want to have anything to do with it. This being so, I ask you to make mail property. I ask you to permit the Secretary of Defense to so consider this. There is no prohibition in any law, there is no basic law, there is no organic law, to prevent the Secretary of Defense from doing this as a matter of fact. This is clarifying language and there is no reason why it should not be clarified. According to the estimate of the gentleman from Massachusetts [Mr. HESELTON] you will save between $8,000 and $11,000 a day by this very simple process.

If a girl friend down in Texas wants to send a letter to her boy friend in Frankfurt, who is in the Army, and you say for morale purposes we want you to fly that letter there, it is good for morale, she puts a 6-cent stamp on that. The Post Office Department takes it to New York. They are through with it. The Army then takes over. They can fly it on MATS for nothing, and if MATS is going that way. Or they can put it on a ship directly by contract with the ship at 23 cents. But if they fly it, they have to send it back to the Post Office and it comes out at 53 cents.

Mr. Chairman, the purpose of my amendment is to permit the Department of Defense to save the American taxpayers $8,000 per day.

I now propose to insert in the point of order bill, H. R. 7992, a provision covering the changed situation with regard to commercial air transportation of Army Post Office mail between the United States and foreign countries.

The wording of the provision which I propose for insertion in the legislative bill is somewhat different from section 629 of the 1957 appropriations bill for the Department of Defense, H. R. 10986, because of the fact that the Defense Department has been interpreting this legislative provision—which was section 634 in the 1956 appropriation—as restricting them to the method of reimbursement to the Post Office Department.

The Civil Aeronautics Board establishes the rates which the Post Office Department shall pay for transportation of mail, although the Civil Aeronautics Board has no such authority over traffic of the Defense Department.

Consequently, the restrictive interpretation of the language proposed for section 629 of the appropriations bill ties the Defense Department to reimbursing the Post Office Department at the very high CAB rate of 53 cents a ton-mile, whereas the Department of Defense could obtain service directly from commercial airlines at rates as low as 25 cents per ton-mile, thus bringing about a saving of over 50 percent.

Permitting the Army Post Office to move APO mail on commercial airlines at the low freight rates of approximately 25 cents per ton-mile would be in accord with the recommendations of the General Accounting Office on page 66 of its report to Congress of April 9, 1956, which states:

> We believe that the airlines should be able to carry mail at rates and yields that are closely related to those of freight.

My proposed change in wording also will permit the Defense Department to carry out, at least the military mail part of the recommendation on page 30 of the General Accounting Office report of April 9, 1956, which reads:

> We believe it important that the Congress direct the Department of Defense to transfer, wherever possible, military mail, cargo, and passengers to United States certificated air carriers.

According to page 877 of the Federal Budget, the Defense Department, if restricted solely to this reimbursement method, is expected to have to spend $12,700,000 in 1957. This amount involved is therefore sufficiently large to warrant an amendment in the interest of economy

The purpose of my change in wording is to permit the Defense Department to obtain commercial air service for Army Post Office (APO) mail at charges below those set by the Civil Aeronautics Board.

The distinguished gentleman from Massachusetts [Mr. HESELTON] estimated—CONGRESSIONAL RECORD, June 24, 1954—that liberating the Defense Department to deal directly with commercial airlines by contract, charter, special exemption, or otherwise, whenever charges lower than those set by the CAB—for which reimbursement to the Post Office is required—are obtainable, as my proposed provision would do, would save the Defense Department approximately $8,000 per day.

I am advised that the Defense Department makes direct payments to ocean shipping lines for transportation of Army Post Office mail, and there is no reason why the same system cannot be applied to air transportation.

It should be remembered that approximately 2 years ago the Congress expressed the intent that responsibility for payments for commercial air carriage of Army Post Office—APO—mail between the United States and foreign countries should rest with the Department of Defense and not the Post Office Department.

Reference is made to statements of intent by Senator BRIDGES, floor manager of the post office appropriation and Senator KENNEDY—CONGRESSIONAL RECORD, volume 100, part 5, page 6538—and the same statement of intent on the part of the House by Congressman CANFIELD, who was managing the bill for the House Committee on Appropriations and Congressman HESELTON — CONGRESSIONAL RECORD, volume 100, part 5, page 6840. Subsequently the Defense Department expressed to Senator Ferguson, at the time of the Defense appropriation, which had already passed the House and was coming up on the Senate floor, its doubts as to its specific authority to reimburse the Post Office Department in cases where the Defense Department tendered APO mail back to the custody of the Post Office Department. As a result, Senate amendment 35 was inserted in the 1955 Defense appropriation—CONGRESSIONAL RECORD, volume 100, part 6, pages 8445-8446—which is the same language that reappears as section 629 of the appropriations bill, to which I am objecting, and for which I am proposing a differently worded provision in our legislative bill, H. R. 7992.

My interpretation of the legislative provision which I am proposing for H. R. 7992 agrees with the interpretation expressed by Postmaster General Summerfield in his letter of July 9, 1954, to the Secretary of Defense:

> I would like to point out that the Post Office Department does not interpret the reimbursement amendment No. 35 as restricting your existing authority in any way, or precluding your Department from making direct arrangements with commercial air car-

riers for the transportation of such mail, or from moving it on the Military Air Transportation Service.

It is because Senate amendment No. 35, repeated as section 629 of the 1957 appropriations bill, has been misinterpreted as being restrictive that it is necessary to reword the provision, as my amendment would do, in the legislative bill.

Still later there was a case before the CAB in docket 6489 holding that APO mail is not property within the meaning of the Civil Aeronautics Act and that therefore the property tariffs filed by 2 companies to carry this traffic at 25 cents per ton-mile had to be rejected. My amendment would obviously remove this alleged obstacle to saving money.

I am advised that a number of methods exist which, if properly pushed by the Department of Defense, could surmount any legal difficulties, which may be thought to exist, to the transportation of APO traffic at rates below those for United States mail and that the result would obviously be reduction in the expenditures of the Army Post Office on this item. A number of justifications for a lower rate have been suggested, among them the fact that APO traffic represents two-way loads for the airline carrying it, whereas United States international airmail is largely one-way traffic with the return loads being given to foreign-flag airlines by foreign postal administrations. It has also been pointed out that contract or charter agreements could be devised for the sake of lower rates for APO traffic. There have been additional suggestions that exemption orders such as have been issued in the past for military traffic, or special authorizations for the carriage of APO traffic, could be secured, if the Defense Department pushed the case at the CAB and elsewhere.

I am not going to suggest what particular method should be used to secure a lower rate on commercial air transportation of APO mail, but I do propose the Defense Department use the method which most reduces its expenditures.

I do not think we want to use soldier mail as a device to subsidize a few favored airlines at unnecessarily high rates.

If we attempt to encourage growth of a civil airlift reserve by transferring military air traffic to commercial air carriers, we ought to, at the same time, take the necessary steps to make sure that this is accomplished without unreasonable expense to the Department of Defense.

At present, the Defense Department is able to secure commercial air transportation for passengers and cargo at around 25 cents to 30 cents a ton-mile. It is illogical for the Defense Department to go on spending 53 cents a ton-mile for the shipment of inanimate sacks of soldier mail.

The Congress has provided that, for example, a letter from a girl in Texas to her soldier boyfriend stationed in Frankfurt, Germany, can be addressed to APO 858, c/o Postmaster, New York, N. Y. This letter bears only a 6 cent domestic air mail stamp instead of the normal United States-international airmail postage stamp of 15 cents, so that when the Post Office has flown this letter from Texas to New York and delivered it to the postmaster, the 6 cents has been used up. The postmaster in New York then turns the letter over to the Postal Concentration Center run by the Army. What happens then is up to the Army.

The Post Office Department delivers mail to the various APO offices in our country such as New York and San Francisco, and the responsibility from there on rests with the Defense establishment—

CONGRESSIONAL RECORD, May 19, 1954, quoting Congressman CANFIELD as floor manager for the Committee on Appropriations.

If the Army ships that letter by boat, the Army pays the shipping line directly. If the Army chooses to have that letter flown, it is the view of the Post Office Department that air delivery is a "fringe benefit" of the soldier, and the Army must pay the bill. If the Army chooses, it can fly that letter on MATS. If the Army wants to turn the letter over to the custody of the Post Office Department, the Army will have to reimburse the Post Office Department at the high CAB rate of 53 cents per ton-mile. There also are other additional methods, however, which the Defense Department can employ to secure lower charges than this 53 cents for flying this letter from the airlines who are now flying this traffic or from other United States flag commercial airlines. I believe we should direct the Defense Department to use all possible methods to secure lower commercial charges.

The Congress has further provided that for morale or other reasons the Defense Department may have that letter flown from New York to Frankfurt, Germany, but the Congress has made it clear that the Department of Defense will have to pay the freight.

It behooves us to see that the freight which the Defense Department pays is the lowest possible consistent with prompt delivery.

It is fair to say that on most APO channels—example: only 1,600 pounds a month, channel 8 to Brazil—it is not worthwhile for the Army to make special arrangements and they are probably better off turning their few APO sacks over to the custody of the Post Office Department and reimbursing the Post Office for the commercial air trip to Rio.

But on channel 30 to Europe, for example, the volume of APO mail is some 480,000 pounds a month, and on channel 34 to Japan and Korea, the volume is as much or more. The huge return loads, back to the States, from these areas, are all sorted, sacked, and loaded on to commercial planes entirely by the Army.

The Post Office Department does not even see this return-haul APO mail, coming from soldiers stationed overseas to their families and friends in the States until after it has arrived in this country. The Post Office never has custody of it. The Army handles the whole thing. So why payment for this return haul APO mail should be made by Army via Post Office at an artifically high rate is something no one has explained yet. Here are two places where special arrangements for such large loads can be made, and should be in the interests of economy.

For example, suppose the APO loads to Frankfurt and back for 1 month totaled 450,000 pounds. At present the Army is paying 53 cents per ton-mile—$1.06 per pound New York City-Frankfurt, Germany—or a total of $477,000—to commercial airlines via reimbursing the Post Office—for that 1 month.

But if, instead of using the Post Office reimbursement methods, the Army pushed special arrangements to pay the airlines directly, and if the Army had to pay for APO traffic no more than they are paying for passengers and cargo—around 25 cents per ton-mile—50 cents per pound to Frankfurt—this airline bill for the month would be only $170,000.

The saving in the Army expenditures on this one channel for this 1 month would thus be $225,000, or $8,400 per day.

Additional savings are possible on the large volume now moving to the Far East.

This is enough of a saving to warrant our committee's attention, and therefore I say we should take the handcuffs off the Pentagon and push them into making this saving.

I think this amendment carries out the wish of Congress that the Defense Department make use of the lowest charge obtainable on any commercial air carrier for shipments of Army Post Office—APO—mail between the United States and foreign countries and should also, as the wording of my amendment is intended to do, thoroughly clarify the fact that the Defense Department has the necessary authority to do so.

CONCLUSION

Therefore, instead of limiting the Defense Department to the method of reimbursing the Post Office at the high rates set by the Civil Aeronautics Board, as sec. 32 of H. R. 7992 now before us would do, we in the Congress should give the Defense Department the alternative of dealing directly with commercial air carriers, whenever a reduction can be made in Defense expenditures on this item.

In conclusion, this amendment to section 32 of H. R. 7992 would permit the Defense Department to save up to $8,000 per day on commercial air shipments of APO mail. I hope that all friends of the American taxpayers will support this amendment.

The CHAIRMAN. The gentleman from New York will state his point of order.

Mr. TABER. Mr. Chairman, I make the point of order against the amendment offered by the gentleman from Pennsylvania on the ground, first, that it relates to payment for air transportation of mail, and to methods of handling matters within the Post Office Department, two subjects which are entirely within the jurisdiction of two other committees, and not within the jurisdiction of the Committee on the Armed Services, to wit, the Committee on Interstate and

Foreign Commerce, and the Committee on Post Office and Civil Service.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. FLOOD] desire to be heard on the point of order?

Mr. FLOOD. I do, Mr. Chairman.

Mr. Chairman, let me say that on page 18 of the bill before the committee is section 32. That section is in the Appropriation Act for the Department of Defense for 1957. The same language in section 32 is in the Appropriation Act for 1956. That is what has caused the trouble.

This deals not with matters before the Post Office Department; this deals with the Department of Defense, it deals with problems in the Department of Defense, it deals only with persons who can be covered by the Department of Defense. These other committees can make exceptions if they wish, but this matter is exclusively within the purview of the Appropriations Act. This is not new language. It is merely amendatory language to language which has been in appropriation bills for the last two fiscal periods.

The fact that it concerns mail is because it is the action of this body as a Congress, which directed that the defense mail be used through the Department. The existence of the Department of the Post Office is purely parenthetical and has no connection with the Department of Defense. As a matter of fact, the CAB does not rule on the Department of Defense but it can rule on the Post Office Department.

Mr. TABER. Mr. Chairman, I would like to call attention to one thing, that if there had been anything of this kind in an appropriation bill, it would have been subject to a point of order. It would not be an item that they would have had jurisdiction over.

Mr. FLOOD. I just want to add this word in reply to what my friend from New York said. While it may be academic, if my amendment is not germane and if this point of order is sustained, then the entire section of this bill is likewise not germane; likewise completely out of order.

The CHAIRMAN. The Chair is prepared to rule.

The gentleman from Pennsylvania [Mr. FLOOD] has offered an amendment to strike section 32 which reads:

> There is herewith authorized to be made available appropriations of the Department of Defense for reimbursement to the Post Office Department for payment of costs of commercial air transportation of military mail between the United States and foreign countries.

The amendment offered by the gentleman from Pennsylvania [Mr. FLOOD] reads:

> The Secretary of Defense is authorized to provide for the commercial air transportation of military mail between the United States and foreign countries—

With further language. It appears from the reading of the amendment offered by the gentleman from Pennsylvania [Mr. FLOOD] that it is germane, and the point of order is overruled.

Mr. VINSON. Mr. Chairman, the Committee on Armed Services has not sufficient information to advise the House on this matter, as we have not made a study of it, but will be happy to say that the distinguished chairman of the subcommittee on appropriations, [Mr. MAHON], of Texas, is fully qualified to present views in opposition to this amendment, which he will now ask permission to do.

Mr. MAHON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would not say that I am fully qualified to discuss this issue, but I think I can bring it into a little clearer focus. I regret to rise to oppose the amendment offered by the gentleman from Pennsylvania.

Mr. Chairman, we have been discussing from time to time throughout the year the status of the Military Air Transport Service. We are spending hundreds of millions of dollars on this service, and there are some controversial features in connection with it. Now, as I understand it, the Department of Defense, in its own airplanes, can take all the mail overseas it wishes to take. The way the mail is handled now is through commercial carriers by contract, and the law provides, as I believe you already understand, that rates are fixed in negotiation between the Civil Aeronautics Board and the Post Office Department.

Under the present law the Civil Aeronautics Board has the jurisdiction to fix rates for the transport of mail, and what the amendment seeks to do is to take from the CAB the right to fix the rates for the transport of this type mail. Now, that decision is quite clear, and, as pointed out by the gentleman from Pennsylvania, mail is not considered as cargo. So, the Defense Department has to comply with the regulations of the law with respect to that matter.

Two years ago the rate per ton mile was 84 cents. It is now, I believe, about 50 cents a ton mile. The gentleman from Pennsylvania said it could be as low as 23 cents. In a memorandum prepared for me by the Department of Defense it is stated that the Department does not believe that the rate could go to the low rate of 25 cents per ton mile, but that is a question of opinion.

The Department of Defense, in a memorandum supplied me, says the following:

> Such a proposal would increase administrative costs substantially to the Department of Defense by duplicating the existing functions, personnel and facilities of the Post Office Department now used in negotiation and execution of contracts with commercial airlines. That is to say, it would be necessary for the Department of Defense to establish a separate unit or organization, hire personnel and prescribe procedures for an activity now being carried on by the Post Office Department.

For the carrying of this mail in 1955 the Department of Defense paid a lump sum of $6 million. In 1956 the amount paid was around $12 million by all the services. The estimate for 1957 is just slightly above that figure.

What would happen if the amendment is adopted is this. If the Department of Defense contracts with these nonscheduled carriers—and I assume that is the object here, to help the nonscheduled carrier or to help the regular commercial carrier, but more particular the nonscheduled carrier—if a contract is made to carry the mail at a lower rate by some other carrier than the carrier who is now performing this service he will not get this money, he will lose that revenue and that difference has got to be made up through a subsidy or otherwise.

The Northwest Airlines in the Pacific have no subsidy. TWA has no subsidy. Pan American does have a small subsidy. But this reduction of business, this reduction of income from the major airlines, officials of the Government tell me—and it is perfectly logical—would result in reducing their income and bringing about a situation in which subsidies would perhaps have to be offered or other arrangements made. So I think probably with the Department of Defense having as much business as it does have, this $35 billion annual operation, it might be well to let the Post Office Department and the CAB handle this matter of mail transportation. That was my feeling. I realize that there is room for differences of opinion.

Mr. HAND. Mr. Chairman, would the gentleman yield?

Mr. MAHON. I yield to the gentleman from New Jersey.

Mr. HAND. Is there anything wrong in inviting this freer competition so that the Government might save money on transportation of this mail which has been estimated to be in excess of $10,000 or $11,000 per day?

Mr. MAHON. As to the likelihood that the Government would save money, I do not think the gentleman from Pennsylvania [Mr. FLOOD] expects that the Government would necessarily save money. The Department of Defense is just one branch of the Government. It might save some money. But the repercussions upon postal rates and upon the CAB would be such that we probably would not save much money, if any at all. Traditionally, we let the postal department, handle the mail and set the rates.

Mr. HAND. That is just a hypothesis. We are not sure that would be the result. But we are sure that the Department of Defense would save money.

Mr. MAHON. We are sure now that air carriers are getting $12 million a year for carrying this mail that they would not get if it were contracted out to the nonscheduled carriers. How you would make up that deficit is something that we would have to determine.

Mr. HAND. It seems to me that the gentleman's amendment should be considered favorably, should be adopted.

Mr. FLOOD. Mr. Chairman, would the gentleman yield?

Mr. MAHON. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. The gentleman is making a very fine statement. But, as the gentleman from New Jersey [Mr. HAND] has pointed out, that is exactly my point. As the gentleman always does, he has made it much clearer than I have. That is exactly the point. It is a question of mathematics. If you fly 450,000 pounds of mail to Frankfurt at 53 cents a pound, it would cost you $477,000. If you fly it at 25 cents, it would cost you $170,000.

Therefore, in 1 month, you save $225,000 and with 30 days in the month that is $8,400 a day. Even I can figure that out.

Mr. MAHON. The gentleman, I think, is seeking to make the point that instead of spending about $12 million a year on this mail we would probably spend through the Department of Defense about half that amount.

Mr. FLOOD. That is about right.

Mr. MAHON. I think that is highly questionable. I have been in touch with the Post Office Department and with the officials of the CAB and of the Department of Defense. It seems to me that this is such a highly technical and controversial point that the Committee on Armed Services or the Committee on Interstate and Foreign Commerce should have exhaustive hearings to determine whether or not the officials of the Government are right in saying that in the long run it would cost more money to adopt the gentleman's amendment.

Mr. VINSON. Mr. Chairman, in view of the statement made by the gentleman from Texas and in view of the fact that this matter should have thorough study, I ask that the amendment be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. FLOOD] to the committee amendment.

The amendment to the committee amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. DEANE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 7992) to enact certain provisions now included in the Department of Defense Appropriation Act and the Civil Functions Appropriation Act, and for other purposes, pursuant to House Resolution 526, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Mr. BOW. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BOW. The Committee has adopted an amendment which changes the rules of the House. My parliamentary inquiry is this: Is it proper at this time to again interpose a point of order against the report of the Committee on the ground that the rules have been changed in the Committee of the Whole?

The SPEAKER. The Committee of the Whole has reported an amendment. The Chair would be forced to hold that the point of order comes too late and will not lie at this time.

Is a separate vote demanded on any amendment?

Mr. ALLEN of Illinois. Mr. Speaker, I request a separate vote on section 27.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment on which a separate vote is demanded.

The Clerk read as follows:

SEC. 27. (a) Prior to the transfer by contract of any commercial or industrial-type operation which has been performed by the Department of Defense for a period of 3 consecutive years or more and in which more than 10 civilian personnel are employed at the specific activity concerned, the Secretary of Defense shall file with the President of the Senate and the Speaker of the House a report setting forth the details of the proposed transfer. Upon the expiration of 60 days of continuous session of the Congress following the filing of said report, the Secretary of Defense is authorized to proceed with the proposed transfer unless during such period either House shall adopt a resolution of disapproval, as hereinafter provided in this section, of the proposed transfer described in said report. For the purposes of this section, continuity of session shall be considered as broken only by adjournment of the Congress sine die; but in the computation of the 60-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than 3 days to a day certain.

(b) The provisions of this section are enacted by the Congress:

(1) As an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in such House in the case of resolutions (as defined in subsection (c)); and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

(c) As used in this section, the term "resolution" means only a resolution of either of the two Houses of Congress, the matter after the resolving clause of which is as follows: "That the _____ does not favor transfer of _____, as recommended by the Secretary of Defense, that has been for a period of 3 consecutive years or more performed by more than 10 civilian personnel of the Department of Defense," the blanks therein being filled with the name of the resolving House and the operation proposed to be transferred.

(d) A resolution with respect to a transfer shall be referred to a committee (and all such resolutions shall be referred to the same committee) by the President of the Senate or the Speaker of the House of Representatives, as the case may be.

(e) (1) If the committee to which has been referred a resolution with respect to a transfer has not reported it before the expiration of 10 calendar days after its introduction, it shall then (but not before) be in order to move either to discharge the committee from further consideration of any other resolution with respect to such transfer which has been referred to the committee.

(2) Such motion may be made only by a person favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same transfer), and debate thereon shall be limited to not to exceed 1 hour, to be equally divided between those favoring and those opposing the resolution. No amendment to such motion shall be in order, and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

(3) If the motion to discharge is agreed to or disagreed to, such motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the same transfer.

(f) (1) Where the committee has reported, or has been discharged from further consideration of, a resolution with respect to a transfer, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of such resolution. Such motion shall be highly privileged and shall not be debatable. No amendment to such motion shall be in order and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

(2) Debate on the resolution shall be limited to not to exceed 2 hours, which shall be equally divided between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to, or motion to recommit, the resolution shall be in order, and it shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

(g) (1) All motions to postpone, made with respect to the discharge from committee, or the consideration of, a resolution with respect to a transfer, and all motions to proceed to the consideration of other business, shall be decided without debate.

(2) All appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to a transfer, shall be decided without debate.

(h) Section 638 of the act of July 13, 1955 (69 Stat. 321), cited as the "Department of Defense Appropriation Act, 1956," is hereby repealed.

The SPEAKER. The question is on the amendment.

Mr. ALLEN of Illinois. Mr. Speaker, may I advise the majority leader that on Tuesday or whenever this bill is taken up again I expect to ask for the yeas and nays on this amendment.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the further consideration of the bill be postponed until Tuesday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SUPPLEMENTAL APPROPRIATION BILL, 1957

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House on the bill H. R. 12138, the supplemental appropriation bill for 1957, may have until midnight tonight to file a conference report.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

INSURANCE AGAINST FLOOD DAMAGE

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 617) providing for the consideration of S. 3732, a bill to provide insurance against flood damage, and

for other purposes, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, upon the adoption of this resolution, it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3732) to provide insurance against flood damage, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Banking and Currency now in the bill, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. O'NEILL. Mr. Speaker, at the conclusion of my term of 30 minutes, I will yield 30 minutes to the gentleman from Illinois.

Mr. Speaker, House Resolution 617 makes in order the consideration of S. 3732, a bill to provide insurance against flood damage and for other purposes.

The resolution provides for an open rule and 1 hour of general debate. It also makes in order the consideration of the substitute amendment recommended by the Committee on Banking and Currency now in the bill, and the substitute shall be considered under the 5-minute rule as an original bill.

The bill provides for an experimental program to provide insurance and reinsurance against losses resulting from damage to or destruction of real or personal property due to floods occurring within the United States, its Territories and possessions, and Puerto Rico. The property covered may be owned privately or by a State or local government and agencies thereof.

The bill also provides for an additional form of protection against flood loss by means of a program of federally guaranteed and Federal direct loan contracts designed to provide a line of credit to finance any subsequent flood losses.

The Housing and Home Finance Administrator is authorized to appoint a Commissioner to assist him in carrying out the provisions of the bill. The Administrator is required to compute a schedule of estimated rates to be computed on the basis of the risks involved and which, if collected, would be sufficient to produce enough to pay all claims for probable flood losses over a reasonable period of years. In addition, he will determine the type of property and location of property which may be covered by insurance and reinsurance and the nature and limits of loss or damage in any area.

Loans are to be made only with respect to amounts exceeding the first $500 of the amount of the flood loss. The face amount of insurance policies issued under the bill cannot exceed $250,000 per person and cannot exceed $10,000 for any dwelling unit. This same limit is provided for loan contracts.

The face amount of insurance policies and reinsurance agreements outstanding at any one time under the bill cannot exceed $3 billion. This amount may be increased, with Presidential approval, by additional amounts not to exceed $2 billion in the aggregate. The face amount of all loan contracts outstanding shall not at any one time exceed $2 billion. This amount may also be increased with Presidential approval by an amount not to exceed $500 million in any fiscal year.

The Administrator is authorized to establish a disaster insurance fund, a disaster reinsurance fund, and a disaster loan fund. He may borrow from the United States Treasury up to $500 million, and more if approved by the President. All administrative expenses of the Federal Government under the programs provided by the bill are to be paid out of appropriations made by the Congress for that purpose.

Annual reports are required and the annual report for the calendar year 1961 must contain the Administrator's opinion and fidings as to the advisability of withdrawing Federal financial aid for insurance policies to be issued after June 30, 1962.

I urge the adoption of House Resolution 617 so the House may proceed to the consideration of this bill.

Mr. Speaker, this legislation is before the House because of the flood that happened in the northeast section of the country in 1954. I recall September 21, 1938, when the first of the hurricanes struck the northeast, a huge cyclonic storm, spawned in the subtropics, with powerful howling winds, massive tides, and torrential rains, leaving in its wake half a billion dollars worth of damage. This was considered at that time to be a freak and could never happen again, but in 1944 the northeast section was again hit, and in 1954, the first being the hurricane, Carol, causing a billion dollars worth of damage, hit the northeast region of this Nation. All electric power, the lifeblood of a modern community, had ceased to flow. A half million men were out of work. Two thousand men were put to work repairing the electric and water systems and literally digging themselves out of the disaster. Hardly had the community struggled through Hurricane Carol when on September 10, 1954, Hurricane Edna struck with tremendous force, with tremendous tides, and winds up to 135 miles per hour. Although people were ready and had made what preparation they could, it again took its toll, and the damage was exceedingly heavy, with hundreds of thousands of people suffering severe losses, and industry suffering terrific financial losses.

At that time, between Hurricane Carol and Hurricane Edna, the members of the Massachusetts delegation met in Boston. At that time we appointed a special committee to work with the Federal authorities, under the chairmanship of Congressman PHILBIN. The committee was composed of Congressman PHILBIN, Congressman DONOHUE, Congressman BOLAND, Congresswoman ROGERS, Congressman HESELTON, and Congressman WIGGLESWORTH. They did a tremendous job in going all through the area that had been stricken. They came out with a program making recommendations that have already gone through this Congress with regard to the dam sites, that should be included in the appropriation bill this year. They also recommended to this Congress an insurance bill, such insurance as of this type. It is my honest opinion that this bill does not go far enough. It is not sufficient. We should have a stronger bill than this. We should have a general disaster bill. Annually, since 1932, the torrential rains in this country have cost the homeowners and industry about a half billion dollars a year. How much further damage is caused by the cyclones and fire, I do not know, but I do believe that this is good legislation, because it opens the door and will put on the books a statute which will be further amended in the years to come, that will take care of this great problem.

I urge the adoption of House Resolution 617, so that the House may proceed to the consideration of the bill.

Mr. DIES. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield.

Mr. DIES. I know nothing about this bill. I am asking for information. Does the Government issue insurance and also reinsure?

Mr. O'NEILL. As I understand the bill, it does. It invites private industry to come in and participate.

Mr. DIES. You mean the Government issues a contract to the property owner, an insurance policy, and collects a premium?

Mr. O'NEILL. I will say "yes," but Mr. SPENCE can answer far better than I can. I know the answer is "yes." Furthermore, the House and Home Finance Administrator is authorized to appoint a Commission, and this Commissioner is required to compute a schedule of rates which, if collected, would be sufficient to produce enough to pay all the claims for flood losses over a period of years.

Mr. DIES. No one would have any benefit unless they paid the premium on a policy?

Mr. O'NEILL. That is correct, yes.

Mr. PHILLIPS. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield.

Mr. PHILLIPS. I will ask the same question which the gentleman from Texas asked, except in a little more detail. I confess I have not yet been able to read the report, but has anyone set up a rate, or anything of that kind?

Mr. O'NEILL. I will yield to the gentleman from California [Mr. McDONOUGH], to answer that.

Mr. McDONOUGH. In answer to the gentleman from California [Mr. PHILLIPS] the rates are a matter of consideration. That is a subject to be gone into and developed by the Commissioner. He will have to determine whether the rates will require a high premium or a medium premium.

Mr. PHILLIPS. If the gentleman will yield further, let me ask another question: Is it intended that the rates charged for the insurance shall cover the entire loss? I mean would this be a self-supporting insurance program?

Mr. McDONOUGH. No, the rates will not cover the entire loss; as a matter of fact the total amount anyone can realize in the maximum is very small.

Mr. PHILLIPS. I do not mean the entire loss to the householder. I mean, is the entire cost to the Government to be underwritten by the premiums to be charged?

Mr. McDONOUGH. It is a matter that experience will have to determine after it has been in operation long enough to know how many people will participate.

Mr. PHILLIPS. This is a rather important question. I am familiar with the problem of crop insurance. It failed at the start on that one point, that there was no way in which we could get money enough through premiums to carry crop insurance. Our fear is that we will never be able to have insurance premiums which will carry this program. I feel that we are in on this proposition to the extent of several billions of dollars a year when it is really rolling.

Mr. McDONOUGH. If the gentleman from Massachusetts will yield I may say to the gentleman from California [Mr. PHILLIPS] that the committee looked at that part of the bill very seriously and we concluded that we have no way of determining whether the premiums will even approximate the losses until after we have had experience to know how many people will come into the program and buy the insurance.

Also, two protections are given under this bill: You can buy the right to a loan or you can buy insurance.

Mr. PHILLIPS. At the same time that we are being asked to vote here for a tremendously expensive venture with no calculation as to what it will cost, I am concerned as a member of the Appropriations Committee.

Mr. McDONOUGH. Let me emphasize again that this is an experimental program and a costly program, but we hope it can be worked out satisfactorily.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from Indiana.

Mr. HALLECK. I might say solely as I have been able to understand this matter, and I have tried to pay some attention to it, it is my impression that the bill as it passed the other body carried certain provisions that I think would have done something to quiet the fears of some of us, including the gentleman from California, as to just what ultimately may be involved here—for instance, as the bill passed the other body there was a limitation of 40 percent on the subsidy to be paid by the Federal Government.

Mr. O'NEILL. That is correct. That is in this bill.

Mr. HALLECK. In the second place, as the bill came from the other body there was a requirement for full participation. That has been eliminated. In other words, as far as I am concerned, this bill as it is presently before us is too vague and does not carry safeguards.

As far as I am concerned I just could not support the bill in its present form. Whether it can be corrected on the floor or whether we can correct it in conference is another question, but I certainly want to emphasize that as far as I am concerned this bill with the safeguards removed, in my opinion, if it were to become law as written would take us much too far in what surely is an experimental operation but which can turn out to be a very burdensome operation.

Mr. O'NEILL. With regard to the changes between the Senate bill and the bill pending before the House I refer the gentleman from Indiana to the gentleman from Kentucky.

Mr. HAND. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield.

Mr. HAND. I would like to say to my minority leader that so far as the so-called subsidy is concerned, this bill does contain on page 29 the provision that no insurance policy shall be issued for a fee of less than 60 percent of such estimated rate. I think that is either the same or much the same as the Senate provisions.

Mr. HALLECK. I must say that my information on the subsidy arrangement is that there is no such limitation in respect to owner-occupied units, and, of course, that will be the maximum part.

Mr. DIES. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from Texas.

Mr. DIES. Is it proposed to establish a revolving fund that is to be administered by the Home Finance Corporation?

Mr. O'NEILL. Yes.

Mr. DIES. How much money will be appropriated for the revolving fund?

Mr. McDONOUGH. The obligation on the part of the Government shall not exceed $3 billion. You can anticipate a flood disaster, and a number of them over a few years, and we will not assume any more liability than $3 billion. That is the maximum.

Mr. O'NEILL. The face amount of the insurance policies and reinsurance agreements outstanding at any one time cannot under this act exceed $3 billion. This amount may be increased with the approval of the President by further amounts not to exceed $2 billion in the aggregate. The amount may be increased by Presidential authority to a total amount not to exceed $5 billion in any fiscal year.

Mr. DIES. The Government establishes a revolving fund that cannot exceed $3 billion?

Mr. O'NEILL. That is correct.

Mr. DIES. Then it issues insurance policies to cover loss from floods?

Mr. O'NEILL. That is correct.

Mr. DIES. Any other disasters?

Mr. O'NEILL. No.

Mr. DIES. Just from floods. No one can tell us how much premium will be required?

Mr. O'NEILL. No. As I have already said, it is in the experimental stage and actuarially they have not come up with a set figure. That will have to be figured out in the future.

Mr. DODD. Mr. Chairman, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from Connecticut.

Mr. DODD. I suppose a private insurance company would have to do the same thing before going into a new field. It is a type of insurance that is not available from private sources?

Mr. O'NEILL. That is correct. I have checked into flood and tide damage to homes in my particular area and I was told by people when asked why they did not have flood control insurance that it would cost from $500 to $800 to insure a thousand-dollar piece of property.

Mr. BOLAND. One of the reasons why private insurance companies do not go into it is they are afraid one disaster would wipe them out. Every time we have a disaster in the United States there is always a lot of talk of what ought to be done in relation to insurance, but nothing is ever done. It would seem to me that the Committee on Banking and Currency of the House deserves the commendation of the membership of the House for bringing in this report because this is the first real attempt to wrestle with this problem. There are some questions which I presume will be answered when we get into the Committee of the Whole on actual cost. But it would seem to me we ought to adopt the rule, go into the Committee of the Whole and debate the matter so the Members can know what is in it.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. O'NEILL. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. If through a hurricane there is a high tide from the ocean, would that be considered damage?

Mr. O'NEILL. This is flood control insurance. I imagine it would include tidal waves or overflow because of torrential rains.

Mr. WALTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, unless one experiences the ravages of a flood, it is difficult to realize the myriad of kinds of losses that are suffered by the owners of property. It is understandable why private insurance companies have not provided insurance in these kinds of losses heretofore, but recent events have indicated the necessity for insurance in this field. The rates would be prohibitive but for governmental participation. To those who oppose anything that puts the Government in competition with private business, and I am one of them, I feel that the 5-year trial period provided for offers entire safeguards against an invasion of a field in which private enterprise can adequately operate.

Wealthy corporations and individuals can survive a major loss such as a flood causes but for the small-business man and people of moderate circumstances a flood means the irrecoverable loss of his all with little or no chance for a fresh start. During the trial period provided

for in the bill those charged with administering the program and the Congress can and will make whatever adjustments experience indicates are necessary Those of us who have studied this problem and who have attempted to bring about a solution thereof are well pleased with the bill that is now before us and I hope it will be enacted into law.

Mr. SEELY-BROWN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. SEELY-BROWN. Mr. Speaker, I rise in support of the Federal Flood Insurance Act of 1956. The provisions of this bill have been clearly set forth, and I shall, therefore, not take up the time of the House in a discussion of the case for the bill, and the background of the bill, in the remarks which I shall make today. I do, however, want to take this opportunity to congratulate those Members of both Houses of the Congress who have given so much of their time over the past months, who have given so unselfishly of their strength, and energy, and wisdom, and have worked so diligently in the task of devising an operable flood-insurance proposal. Our own senior Senator from Connecticut, PRESCOTT BUSH, is the author of the bill under consideration, which resulted in a melding of ideas evolved in the course of the study made of the subject of flood insurance.

This measure has my wholehearted support because I firmly believe it will form a great public service for the people of the United States by making available indemnity against flood damage to real and personal property. Flood damage is the only damage or hazard against which a person cannot buy some kind of insurance. Private insurance companies do not write flood insurance on real or personal property; they have stated repeatedly that they cannot now offer the insurance and do not expect to do so within the foreseeable future. Since this situation exists, I feel we are amply justified in considering legislation of the type now before the House.

As we all know, Mr. Speaker, exhaustive hearings have been held on this general subject. Our President's deep concern with the need of flood indemnity was set forth in his statement at Bradley Field, near Hartford, Conn., at the time he personally came to our State to view the flood damage of last year. Also, he reiterated this concern in his state of the Union message when he advocated the undertaking of an experimental program of flood-damage indemnities. The bill under consideration today provides for operation of a nationwide pilot-plant program of flood insurance and reinsurance, with the buyer of flood insurance paying 60 percent of the estimated cost, and the Federal Government paying the remainder, plus the administrative expenses.

It is not necessary at this time again to recount the sad experience of flood victims. As far back as our records go, this country has been intermittently plagued with floods. No State has escaped their devastation, although in particular areas their impact has been more pronounced at one time than at another. I am particularly familiar, from firsthand observation, of the terror and devastation caused by the floods which visited the northeastern section of our country last year. In the six Northeastern States affected, 167 persons were killed and more than 5,000 were injured. Property damage was more than a half billion dollars. That estimate is conservative, since it includes only the direct damages. The immense additional losses—losses represented by the interruption to business activities, the time lost while men and organizations concentrated their entire energies on rebuilding, and absence of wages due to unemployment caused by the floodwaters—are not included in that figure. Almost the most tragic flood losses, apart from loss of life and personal injury were those in which families of small or moderate means lost all of their worldly possessions in a flood. Homeowners lost their mortgaged homes to the flood, but still owed the money due on the mortgage. In some cases the savings of a lifetime were wiped out in one swift rush of angry waters.

I do not mean to pretend that this program of flood insurance, as provided in the bill, meets entirely the problem of floods in this country, but the insurance and reinsurance programs it authorizes will make a helpful start toward the solution. Insurance proceeds would come at the time they are most needed, relieve the insured's other assets from pressure, maintain his credit, and give him an immediate source of funds for the repair of flood damage.

Mr. Speaker, I cannot emphasize too strongly my feeling that a program of flood indemnity is necessary. I hope all of my colleagues will join in my support of this measure—which provides a program that will make it possible for potential flood victims the Nation over to purchase some peace of mind protection, knowing that if they are unfortunate enough to be affected by flood damage, they will at least be assured of the financial means of repairing that damage.

Mr. ALLEN of Illinois. Mr. Speaker, it is Saturday afternoon, 20 minutes to 5, and we are presented with a $3 billion bill. Personally, I will vote to adopt the rule, but inasmuch as this is a $3 billion bill it might be better to decide it at some other time than at 5 o'clock on Saturday afternoon.

Mr. O'NEILL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. COOPER). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON RULES

Mr. DELANEY. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file several privileged reports.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the request of the gentleman from New York?

There was no objection.

TAX ON ADMISSIONS

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 616 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, upon the adoption of this resolution, it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 9875) to amend the Internal Revenue Code of 1954 to provide that the tax on admissions shall apply only with respect to that portion of the amount paid for any admission which is in excess of $1. That after general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means, and said amendments shall be in order, any rule of the House to the contrary notwithstanding. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN], and yield myself such time as I may desire.

Mr. Speaker, House Resolution 616 makes in order the consideration of the bill (H. R. 9875) to amend the Internal Revenue Code of 1954 with regard to the tax on admissions.

The resolution provides for a closed rule and 1 hour of debate on the bill.

Under present law general admissions are free of tax if the charge is 50 cents or less. This bill provides that no tax is to be imposed on a general admission for which the charge is $1 or less, or in the case of season or subscription tickets, if the amount which would be charged for a single admission is $1 or less.

This exemption does not apply to admissions to horse or dog racing tracks, charges for the permanent use or lease of boxes or seats, sales outside of the box office in excess of the established price, sales by proprietors in excess of the regular price, or to amounts paid with respect to cabarets.

It is estimated that the enactment of this bill will result in a revenue loss of approximately $70 million a year when fully effective.

It is believed that this exemption will assist motion-picture theaters and other places of amusement who have experienced serious economic problems within the last few years.

The committee report complies with the Ramseyer rule and I urge the adoption of House Resolution 616.

Mr. ALLEN of Illinois. Mr. Speaker, I know of no opposition to this rule or to the bill itself.

I reserve the balance of my time.

Mr. DELANEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. COOPER). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TRAINING OF FISHING INDUSTRY PERSONNEL

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 612, making in order the bill H. R. 10433, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 10433) to promote the fishing industry in the United States and its Territories by providing for the training of needed personnel for such industry. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. O'NEILL. Mr. Speaker, House Resolution 612 makes in order the consideration of H. R. 10433. The resolution provides for an open rule and 1 hour of general debate.

At the present time there is an insufficient number of trained men to assure the future of commercial fisheries. To encourage the education and training of persons in this field the bill, H. R. 10433, authorizes an appropriation not in excess of $550,000 a year for grants to public and nonprofit private universities and colleges to train personnel, including scientists, technicians, and teachers needed in the fishing industry.

In addition, section 3 of the Vocational Education Act of 1946 is amended to authorize $375,000 for vocational education in the fishery and distributive trades.

The committee report complies with the Ramseyer rule.

I urge the adoption of House Resolution 612.

I yield 30 minutes to the gentleman from Illinois.

Mr. ALLEN of Illinois. Mr. Speaker, I have no requests for time on this side.

Mr. GROSS. Mr. Speaker, would the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman.

Mr. GROSS. Was not this bill called up previously? Was it on the Consent Calendar or under suspension?

Mr. McCORMACK. If the gentleman would permit, it was under suspension of the rules.

Mr. GROSS. And it was withdrawn?

Mr. McCORMACK. No; it failed. The vote was 254 to 133. It failed by about 3 votes of getting a two-thirds vote.

Mr. GROSS. And now it comes back under a rule?

Mr. McCORMACK. Which is perfectly all right.

Mr. GROSS. Oh, yes.

Mr. HOFFMAN of Michigan. Mr. Speaker, reserving the right to object——

The SPEAKER pro tempore. There is nothing before the House to which the gentleman may reserve the right to object.

CALL OF THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. ALLEN of Illinois. Mr. Speaker, I should be glad to yield to the gentleman.

Mr. HOFFMAN of Michigan. I do not want any time.

The SPEAKER pro tempore. The gentleman from Michigan makes the point of order that a quorum is not present. The Chair will count. [After counting.] A quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 108]

Abbitt	Donovan	McDowell
Adair	Dorn, S. C.	McMillan
Alexander	Doyle	Machrowicz
Anfuso	Eberharter	Mack, Ill.
Ashley	Edmondson	Magnuson
Auchincloss	Ellsworth	Mason
Ayres	Engle	Meader
Bailey	Fallon	Miller, Nebr.
Barden	Fino	Miller, N. Y.
Barrett	Fogarty	Mollohan
Bass, N. H.	Frelinghuysen	Morano
Bass, Tenn.	Fulton	Morgan
Beamer	Gamble	Morrison
Becker	Garmatz	Murray, Ill.
Bell	Gary	Nelson
Bennett, Mich.	Gathings	O'Hara, Minn.
Bentley	George	Osmers
Blatnik	Gordon	Passman
Bolton,	Green, Pa.	Patman
Frances P.	Griffiths	Powell
Bolton,	Gwinn	Preston
Oliver P.	Hays, Ark.	Priest
Bosch	Hays, Ohio	Radwan
Bowler	Healey	Reece, Tenn.
Boykin	Hébert	Rhodes, Pa.
Boyle	Henderson	Richards
Bray	Herlong	Riehlman
Brooks, Tex.	Hiestand	Robeson, Va.
Broyhill	Hillings	Robsion, Ky.
Buckley	Hinshaw	Roosevelt
Burdick	Hoffman, Ill.	Sadlak
Burleson	Holifield	Scott
Burnside	Holland	Scrivner
Byrne, Pa.	Holtzman	Scudder
Carnahan	Jackson	Seely-Brown
Cederberg	James	Sheehan
Celler	Johansen	Shelley
Chatham	Judd	Short
Chiperfield	Kean	Siler
Chudoff	Kearney	Simpson, Pa.
Clevenger	Kee	Smith, Va.
Cole	Kelley, Pa.	Smith, Wis.
Coudert	Kelly, N. Y.	Staggers
Crumpacker	Keogh	Taylor
Dague	King, Pa.	Thomas
Davidson	Kirwan	Thompson, La.
Davis, Tenn.	Klein	Thornberry
Davis, Wis.	Knox	Udall
Dawson, Ill.	Knutson	Van Pelt
Derounian	Lane	Wainwright
Diggs	Lankford	Wharton
Dingell	Latham	Wickersham
Dollinger	Long	Williams, N. J.
Dolliver, Iowa	Lovre	Wilson, Ind.
Dondero	McCarthy	Withrow
Donohue	McConnell	Zelenko

The SPEAKER pro tempore. On this rollcall 261 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

Mr. DELANEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to and a motion to reconsider was laid on the table.

DISPENSING WITH CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PRIVATE CALENDAR

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order to call bills on the Private Calendar on Thursday of next week.

Mr. HALLECK. Mr. Speaker, reserving the right to object, are we to understand that there is no prospect for adjournment before Thursday?

Mr. McCORMACK. I cannot see it.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN. Mr. Speaker, I take this time to secure the program for next week.

Mr. McCORMACK. Mr. Speaker, on Monday three District bills will be called up for consideration:

H. R. 11968, involving the purchase of gun mountings and gun carriages.

H. R. 12327, involving increased compensation for the District Commissioners, and

H. R. 3015, to establish a Workmen's Compensation Act for the District of Columbia.

Also on Monday there will be a call of the bills on the Consent Calendar.

The following bills will be called up under suspension of the rules:

S. 3958, Health Amendments Act of 1956.

H. R. 12080, omnibus rivers and harbors and flood control projects.

S. 3879, automobile dealers, bring suit for damages.

S. 1644, Federal Construction Contract Act—subcontractors.

H. R. 9065, increase benefits, railroad retirement bill of 1937.

S. 3391, transportation of migrant farm laborers.

H. R. 6586, Philippines, Foreign Claims Settlement Commission.

S. 3481, amend Foreign Service Act of 1946, as amended.

H. R. 5894, amend, United Nations Educational, Scientific, and Cultural Organization; provide funds and gifts.

H. R. 12033, appropriation Pan American games, Cleveland.

S. 2569, basic authority for the State Department.

S. 3116, participation in International Fairs and Festivals.

House Joint Resolution 659, authorization—appropriation—World Health Assembly.

S. 3430, create National Library of Medicine.

H. R. 8384, marketing orders—cranberries for processing.

H. R. 11833, agriculture, Great Plains conservation program.

H. R. 11682, Department of Agriculture Organic Act.

Of course, we will probably have another suspension day during the week. I am giving the number of all of these bills. I realize probably all of them cannot come up for consideration, but they will be in order for consideration if we get a suspension day later on in the week.

Mr. MARTIN. Mr. Speaker, may I ask the gentleman what happened to the civil rights bill?

Mr. McCORMACK. Well, of course, that rollcall comes up Monday. That is understood without being mentioned. That is the first order of business, and I thank the gentleman for making the inquiry.

There will be eight contempt proceedings called up on Wednesday.

For the balance of the week the program is as follows:

H. H. 12061, Atomic Energy Commission. That is the civilian atomic power bill.

H. R. 12350, second supplemental appropriation bill, 1957.

H. R. 11742, Housing Act of 1956.

H. R. 8000, amending section 610 of the Civil Aeronautics Act of 1938.

H. R. 3, State laws, establish rules of interpretation.

S. 3338, if a rule is reported, relating to rates on certain Federal projects.

H. R. 8902, reinvestment of proceeds from the sale of property; air carriers.

H. R. 7726, to construct the Crooked River Reclamation Project.

H. R. 7435, to construct the Farwell unit, Nebraska.

H. R. 11799, relating to the Fair Labor Standards Amendments Act of 1956.

H. R. 12050, to amend the Atomic Energy Act.

H. R. 9743, Atomic Energy Commission, Public Utility Holding Company Act.

H. R. 11709, increase authorization of appropriation, Atomic Energy Commission.

H. R. 4054, marketing facilities, perishable commodities. That has been partially through the Committee of the Whole.

H. R. 412, to construct the Fryingpan-Arkansas project.

H. R. 12227, to amend the Tariff Act of 1930, import duties on wool.

It does not necessarily follow that these bills will be called up in the order I have stated them. Then, of course, there is the usual reservation about conference reports, and any further program will be announced later.

Mr. MARTIN. I thank the gentleman.

Mr. BUDGE. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Idaho.

Mr. BUDGE. Could the distinguished majority leader advise me why the bill H. R. 8750, to authorize the Little Wood River project in Idaho, on which a rule was granted July 12, is not on the list of suspensions?

Mr. McCORMACK. I am unable to advise the gentleman now.

Mr. BUDGE. Would the gentleman advise me at some later date? Can I expect any action on the bill?

Mr. McCORMACK. I am very glad the gentleman called the bill to my attention, and I will discuss it with him.

Mr. BUDGE. I would appreciate the gentleman's consideration of it.

Mr. McCORMACK. All the gentleman has to do is come and talk with me. No Member has any hesitancy in talking with me.

Mr. BUDGE. If the gentleman will recall, I just discussed the matter with him about 15 minutes ago.

Mr. McCORMACK. Now, wait a while. Let us get the record right. The gentleman was talking with the minority leader when I happened to be in close proximity, and you had the number of the bill on a slip of paper. I made a certain observation to you, did I not?

Mr. BUDGE. Yes, and I recall the gentleman's observation.

Mr. McCORMACK. All right. Why do you not follow the observation?

Mr. BUDGE. I have attempted to.

Mr. McCORMACK. Well, that is fine.

Mr. Speaker, since having the colloquy with the gentleman from Idaho [Mr. BUDGE] in relation to the bill (H. R. 7850) to construct and operate Little Wood River reclamation project, I have looked into the matter and since a rule has been granted on this bill I am including it in the program for next week.

FEDERAL FLOOD INSURANCE ACT OF 1956

Mr. SPENCE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3732) to provide insurance against flood damage, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 3732, with Mr. WILLIS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. SPENCE. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this is a bill to provide insurance against damage by flood. This is a pioneer bill whose operation will be in unexplored territory.

I have a peculiar interest in the bill because my district in Kentucky borders the Ohio River for 250 miles, and in the last 90 years there have been 45 major floods along that river. The one in 1937 caused damage which was estimated by the Army engineers to be $1,200,000,000.

I know the apprehension and the fear of the people living along that treacherous and unpredictable river. I am hopeful that we can obtain some insurance for them that will relieve those fears and will in some manner compensate them for the damages they sustain.

The gentleman from Massachusetts [Mr. O'NEILL] made a very clear and convincing statement in regard to the bill when the rule was considered. Some of the Members expressed apprehension in regard to the limits of the insurance stated in the bill—$5 billion for direct insurance and $2 billion under the provision for loans. That does not mean an appropriation and that does not mean actual cash. This refers to a potential liability that will never occur. Some private insurance companies now have insurance outstanding greatly in excess of the figures contained in the bill. In New England there is the factory group of insurance companies which has outstanding insurance in excess of $50 billion. This bill does not contemplate the invasion of private enterprise. We have endeavored to get the insurance companies to go into this field. They will not go. The only way the people can obtain insurance that will protect them and give them peace of mind is by the Government entering this field. The Government will assume 40 percent of the cost of the insurance. There is a provision in the bill that would give the Administrator discretion to make the Government contribution higher than the 40 percent in the high-cost areas such as those along the Ohio River. However, I feel even with this provision that the rate will not be low enough to justify the people I represent to purchase the insurance.

The actuarial experience there is bad, but the actuarial experience in the Eastern States is not so bad. I think probably in the Eastern States the rates will be low enough to justify the purchase of the insurance.

This is a meritorious bill, for I know what insurance will mean to people who are the victims of flood disaster. The program will not cost anything like the amount which some of the Members have feared. The potential liability of all insurance companies is great. This is an experimental program. It is one that might result in great good to our people. It is a program that could bring them a sense of greater security and peace of mind.

I hope we will pass this bill and from experience through the years work out a program that will operate without cost to the Government and furnish insurance with premium payments within the reach of all who need insurance.

Mr. WOLCOTT. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. NICHOLSON].

Mr. NICHOLSON. Mr. Chairman, I do not mind the gentleman from Indiana or the gentleman from Texas getting up and asking about the provisions of this bill. This bill is not going to set the world on fire. It is not going to hurt anybody in the United States, in my opinion.

I think we have brought forth the best we could do with the hearings we have held, some sort of skeleton of a bill that the insurance companies and we and anyone interested can look into and bring out some kind of a proper measure that will not hurt the Government or the insurance companies, either.

Our experience with hurricanes on Cape Cod and in other parts of Massachusetts is that we never had one, and if we did, it was a hundred or more years ago, until 1928. We had one then and thought that was the last one. But we had another one in 1944. Those two were enough to last us for another hundred years.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. NICHOLSON. I yield to the gentleman from Louisiana.

Mr. BOGGS. I come from a section of the country where we have had hurricanes for a long time. I do not see how this legislation could conceivably hurt the insurance companies. The insurance companies will not write insurance on this type of damage.

Mr. NICHOLSON. That is just why we passed this bill with some Government promise in back of it that they would help out the insurance companies if they needed it. I am not an insurance man, but I say that with two hurricanes in a hundred years no insurance company could lose too much money if they had enough premiums to pay for it. But that is beside the question. When we have one of these hurricanes you people all over the United States start crying about what a terrible thing it is, but all we get is tears. The President sent us word he would do everything under the sun to help us.

Mr. DODD. Mr. Chairman, will the gentleman yield?

Mr. NICHOLSON. I yield.

Mr. DODD. Is it not a fact that the President came to Hartford and suggested this type of legislation?

Mr. NICHOLSON. I did not know that, but I would not be surprised.

Mr. DODD. I know—I was there.

Mr. WOLCOTT. Mr. Chairman, will the gentleman yield?

Mr. NICHOLSON. I yield.

Mr. WOLCOTT. Just for the purposes of a correction, the gentleman from Connecticut said the President came to Hartford and suggested this type of insurance. It is not my understanding that the President at Hartford, or anywhere else, ever suggested this type of insurance.

Mr. PHILLIPS. That is correct.

Mr. DODD. Mr. Chairman, will the gentleman yield to me?

Mr. NICHOLSON. I yield.

Mr. DODD. I was at the meeting at Bradley Field along with several Members of the House from the New England area. Some Members of the other body were also present. We discussed flood insurance with the President. He said he thought it was a good idea and, after a conference, he made a statement recommending that we adopt some legislation of this kind.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield?

Mr. NICHOLSON. I yield.

Mr. PHILLIPS. Just so we may have a complete understanding of what the situation was, the President did say, just as anybody would say, "Would it not be good if we had insurance against this?" But, did the President ever recommend a bill as loosely drawn as this with a provision in the bill to reduce the amount of the premium, something I have never heard of in any insurance-policy provision. When I go to buy or ask for insurance on my house, I say, "Well, look Mr. Agent, I cannot pay that much," no agent has the right to reduce my specific, individual insurance. That is in this bill. I am not saying that insurance is not good, Mr. Chairman.

Mr. NICHOLSON. All we are asking for is an opportunity to have this act put on the statute books so that we may be able to do something about it. The gentleman from Louisiana says they have hurricanes down in Louisiana; well, they probably do, but they do not have them like we have.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. NICHOLSON. I yield.

Mr. MULTER. I would like to correct the statement made a moment ago about the insurance premium. The Administrator would have no right to reduce the premium on any policy once it is issued. He is going to make the rates apply to each class of policy and once the policy is issued—that is the rate.

Mr. PHILLIPS. That is not what it says in the bill.

Mr. MULTER. I suggest that the gentleman read the bill again.

Mr. PHILLIPS. I will read it to you.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. NICHOLSON. I yield.

Mr. BOGGS. I am no longer a member of the Committee on Banking and Currency. I had the pleasure of serving on that committee for many years, and it was my observation then and I have no reason to change my mind, that it was a very fine committee and one which considered legislation very thoroughly. It seems to me that what the situation here is that in the case of floods, principally floods, and, of course, what you are talking about in this bill, I presume, are the floods caused by hurricanes as well as by other acts of nature, that in such cases as that there is no way to write insurance with the private insurance companies; is that not so?

Mr. NICHOLSON. What I am trying to say is that we will not be writing any insurance next year on this year. All we are trying to do is to get something on the statute books so that we can get together, with the commission that is formed, and the insurance companies, and see if they can form some plan. We do not know whether they can or not. Certainly, this is sort of a shot in the dark what we are trying to do now because it is something new and something that has never been done before. We cannot do like Hiawatha, you know—grow up overnight and jump full grown out of a tree.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. NICHOLSON. I yield.

Mr. BOLAND. What the gentleman says is exactly right. This is an experiment. After the rates have been established by the Administrator, or after the Housing and Home Finance Administration establish the rates, then it will be determined exactly how many people will purchase the insurance, and if enough people purchase the insurance, and if it is spread over a great number of people, of course, the rate will be lower and the subsidy which the United States Government will pour into this will be lowered too. There has to be a subsidy here. We are not going to have any flood insurance at all unless the Federal Government steps in with a subsidy, and that is precisely what this bill provides for.

Mr. NICHOLSON. Mr. Chairman, I know that the people of New England want something done and this probably is the best we can do now. It is not very much, but it is a start.

Mr. MARTIN. Mr. Chairman, will the gentleman yield?

Mr. NICHOLSON. I yield.

Mr. MARTIN. I want to bring out the fact that I believe it is well known and well recognized so far as the position of the President is concerned that he is for legislation of this type.

He believed that there should be some flood insurance. He has not endorsed any particular bill at this time but he does want some legislation. Is that not the way the gentleman understands it?

Mr. NICHOLSON. The gentleman is correct and that is all we want; just some legislation. We do not expect to get something for nothing and do not expect anyone to hand out all these millions and billions that have been spoken of.

Mr. PATTERSON. Mr. Chairman, will the gentleman yield?

Mr. NICHOLSON. I yield.

Mr. PATTERSON. We are not asking for something for nothing; in fact, New England asks for very little.

Mr. SPENCE. Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut [Mr. DODD].

Mr. QUIGLEY. Mr. Chairman, will the gentleman yield for a consent request?

Mr. DODD. I yield to the gentleman.

Mr. QUIGLEY. On behalf of my colleague from Rhode Island [Mr. FOGARTY] I ask that he may extend his remarks following those of the gentleman from Connecticut [Mr. DODD].

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DODD. Mr. Chairman, the time at my disposal this late in the afternoon does not permit me to say very much about this very important subject. I want to make clear my own remarks

about the President's interest in this kind of legislation. I agree with the minority leader that the President has not offered this specific legislation. But, remember that the President said, or my recollection is that he said, it would be a good idea to have legislation on this matter. I remember this because I suggested this kind of legislation to the President in our meeting and he said he thought I had a good idea.

Mr. MARTIN. I know he is very hopeful to have legislation on the subject.

Mr. DODD. I come from a State where we have many great home insurance offices. I have been working on this business of flood insurance for about two years. I started on it after the disastrous flood and hurricane of 1954. I have talked with a great many people whom I believe are well qualified in this field and got the best advice I could.

I think the committee has come up here with a good bill. I do not think it is letter perfect. It is extremely difficult to write legislation of this kind. But we are faced with recurring disasters on a very wide scale. There were floods in Maryland only last night with six people drowned. I do not know what the property loss will be, but I fear it will be large. We have had floods in the Far West, we have had floods over the Middle West, we have floods in the South, so this is not just a New England problem at all.

If the private insurance companies could write this kind of insurance on a profit basis they would certainly do it, but they are not able to do it.

In the New England floods of last year we suffered an enormous loss of money and life. I think the important thing to remember is that we the people of the United States are paying for it anyway. This is actually so. The Federal Government had to go in there and spend millions of dollars in one way or another to try to get these people who were wiped out back on their feet. It is not an easy situation to handle. You cannot disregard a disaster area, you cannot ignore the people who have been flooded out, you cannot say to them: "It is just too bad; you lost your home, many of your people lost their lives, but we cannot do anything about it."

Now we come forward with a plan to try to meet in an equitable way the severest effects of these disasters.

How much it will cost we do not know, but we do know from past experience that a very essential consideration is to get this coverage on a broad basis. If you have people in the New England area only subscribing to it that is a narrow base. If you have the people in the Ohio Valley participating in it the base has been broadened, and then if you bring in the people of the Far West and the South you have a really broad base and some chance of bringing the premiums down to a reasonable level.

Mr. Chairman, after the terrible destruction of last year's August flood, a great number of people in Connecticut and other Northeastern States were most anxious to purchase some form of flood or disaster insurance to protect their economic well-being in the event of another flood.

There was obviously a large market for flood insurance, but private insurance companies were unable to offer the necessary protection due to the enormous risk factor.

Less than 2 months after last August's disaster, another devastating flood struck the same area, and again no insurance was in effect to lessen the terrible loss suffered by so many homeowners and businessmen through no fault of their own.

It is apparent that private citizens and private enterprise cannot for long sustain such great economic losses without it having an extremely detrimental effect on the overall economic condition of some of the Nation's most productive areas. However, private insurance companies are not to be considered delinquent in failing to offer insurance contracts that would cover floods or other natural disasters. Private insurance institutions, although sympathetic to the needs of the country, cannot accept risks that might bring about bankruptcy and destroy the protection against other losses presently being given existing policyholders.

It is not the nature of Americans to be content with the mere hope that in the event of disaster the Government will furnish relief. It is rather their nature to sustain their economic position by insuring against loss by paying a fair and reasonable premium rate for insurance protection.

Now that it is apparent that private enterprise will not be able to undertake a program of either flood or natural disaster insurance and the recent floods have pointed out the great need for such protection, it is clearly the responsibility of the Federal Government to meet the need of its people by undertaking a disaster insurance program.

The risk factor involved with flood insurance or disaster insurance cannot be accurately determined at this time due to the lack of adequate actuarial information. Due to the imponderable risk factor, private insurance companies are reluctant to offer a flood insurance policy to the public, and if they were willing to accept the risk it is realized that the premium rate might necessarily be prohibitive.

Because the Federal Government is obligated to promote the general welfare of its people, it does not work under the same criteria as private insurance institutions do. When the Government undertakes a program such as disaster insurance it obviously would not be doing so with the intent of making a profit. Rather than hoping to make a profit, the Government in meeting a need of its people would expect to expend reasonable funds to meet that need.

The problem, however, is how much money should the Government spend on a disaster insurance program, or whether or not in promoting the general welfare, Federal funds could be better spent on flood prevention measures. Of course, as more flood prevention measures are put into effect the risk factor will be diminished, and when the risk is lowered to a reasonable degree, it can be expected that private insurance institutions will be able to offer flood or disaster insurance policies in the same way that they presently offer life or fire insurance.

The problem is basically to find a solution to the problem of how the Federal Government can offer some degree of economic protection against natural disasters to all its people and still do so without expending large Federal subsidies.

It must be realized that no panacea to this problem will be found. When a disaster such as a flood strikes, a great economic loss is inevitable. It is my belief that this bill will furnish a means by which that loss can be equitably shared. This bill cannot be expected to solve all the problems, but it is hoped that it will furnish the legislative means by which many of the problems can be lessened.

Mr. MACDONALD. Mr. Chairman, will the gentleman yield?

Mr. DODD. I yield.

Mr. MACDONALD. I want to compliment the gentleman for the fine speech he is making and ask unanimous consent that I may extend my remarks following those of the gentleman from Connecticut.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PATTERSON. Mr. Chairman, will the gentleman yield?

Mr. DODD. I yield to my colleague from Connecticut.

Mr. PATTERSON. Are we not just trying to set up some kind of schedule or program that we can follow in order to give a little more security of life to people in a district like mine which the gentleman knows so well?

Mr. DODD. Yes. The gentleman's district was very badly damaged.

Mr. PATTERSON. Mr. Chairman, it would be useless for me to cite the urgent need for Federal disaster insurance; for I am sure that every Member of this House is fully aware of the millions of dollars in property losses suffered in the flood disasters of last August and October, and the more recent floods that occurred in California.

In my district—the Naugatuck Valley of Connecticut which was the worst hit of all flood-devastated areas—there were many persons who had worked hard for many years to earn and own a home, only to see the fruit of their labor float pathetically down the turbulent rivers. They had no insurance on their homes, and hence in many cases the savings of a lifetime vanished overnight by a single stroke of nature. The reason was that they had no insurance on their homes, because flood insurance is not obtainable from private insurance companies. In sharp contrast, without difficulty a person can obtain insurance from private insurers against losses incurred by fire and certain other disasters, but not against floods.

Therefore, in areas such as the Naugatuck Valley and other flood hazard areas, even after a devastating flood there is initial reluctance on the part of homeowners to rebuild their homes because they live in constant fear that a similar tragedy may strike any time without warning.

Now I realize that the foremost necessity for protection against losses incurred by floods is not a flood insurance plan, but rather a foolproof flood control plan that would protect our citizens against future floods. With this there would be no need for flood insurance. This, of course, is presently being worked out by our engineers with the support of the Congress, State, and local officers; but unfortunately, such a flood control plan cannot be put into operation overnight, and may require a number of years before becoming a reality.

Therefore, in the meantime it is the duty of this Congress to afford our citizens with protection against flood devastation until persons in flood hazard areas are certain that floods will not occur in the future.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. DODD. I yield to the gentleman from South Carolina.

Mr. RIVERS. I and those from my section of the country are very deeply impressed by the presentation the gentleman from Connecticut is making, and also by the great amount of work he has done on this subject.

Mr. DODD. I am very grateful to my friend who has been most helpful on this and many other problems.

Mr. FOGARTY. Mr. Chairman, I am more than just pleased to have the opportunity to lend my support to the passage of this bill, S. 3732, the Federal Flood Insurance Act of 1956.

During my time in Congress I have frequently talked to Members who represent districts which have known the disastrous effects of rampaging flood waters. I have made known to them my sympathy for the sad plight of their constituents and I have offered to help in any way that I could. However, not until the hurricane borne floods of 1955 struck my State did I gain a full appreciation of the stark horror which they can and do leave in their wake.

Why, in one city in my State there is a stream which for years has been crossed and recrossed daily by thousands of people. Scarcely an individual ever took the time to grace this meandering river with a side glance. It had never bothered anyone as it wended its way down to the sea.

Then, during the dark of night it rose beyond heights ever dreamed of by any of the people of the city and it struck old and young alike—old people and young people, old property and new property—in a nightmarish frenzy which almost succeeded in wiping out the entire center of a substantial industrial city.

In its wake it left such economic chaos that no one who dispaired would have been criticized. But with indomitable will these people, with traditional New England stick-to-itiveness rebuilt homes and their highways; their mills and their shops. The passage of this bill today, in my mind, serves a double purpose. The Congress can say to these great people, "We admire and respect you for what you have done in the face of adversity." And the Congress also can say "We want to do what we can to make certain others do not have to suffer the economic distress which was yours."

I think this bill is a step in the right direction. The insurance and reinsurance provisions of the legislation are particularly to my liking, especially the House Banking and Currency Committee's amendment which would make insurance available at special rates to homeowners who could not afford to pay the rates otherwise chargeable under the bill.

This legislation has been subject of careful study by committees on both sides of the Capitol. It is a compromise admittedly, but a compromise that is worthy of our sincere support, I urge its passage.

Mr. MACDONALD. Mr. Chairman, today the House begins consideration of S. 3732, a bill providing for insurance against flood damage. I want to take this opportunity to commend highly the excellent work of the House Banking and Currency Committee. They together with the Senate Banking and Currency Committee have compiled an impressive and invaluable record which has furnished the Congress and the American people with the facts needed to enact an intelligent, workable Federal flood-insurance program. A program which, while providing adequate protection against the economic rigors of flood loss, will nevertheless be completely consistent with the principles of our American free enterprise system. I also want to congratulate the Democratic leadership of the House for scheduling this legislation, as I have felt for some time that flood insurance deserved to rank high on the list of priority legislation before the 84th Congress adjourned.

Before discussing the merits of the bill I would like to say that all of my colleagues, I am sure, are well aware of the reasons behind this proposed legislation. I am sure you remember that last year the unprecedented flooding of cities and towns in the northeastern area of our country caused great personal suffering and enormous property losses. While damages have been estimated to run as high as $2 billion, only between 5 and 10 percent of the losses caused by those floods were covered by flood insurance. Obviously, the absence of flood-insurance coverage inevitably hinders the ability of a stricken area to recover. People cannot easily rebuild their ravaged homes. Businesses and factories are not speedily put back into full production. Economic activity is slowed down and the natural growth and progress of the economy is seriously impeded. And, let us never forget, when the productive capacity and economic well-being of one section of the Nation is thus dislocated, all of us ultimately suffer.

It is my belief that the events that have transpired in the last year have only served to highlight and dramatize the self-evident fact that a Federal flood-insurance program is sorely needed throughout the length and breadth of the United States. Under the present conditions, the insurance industry is apparently unable to provide adequate flood insurance at reasonable rates. I am not criticizing the insurance industry. There are excellent reasons why the prudent management of existing insurance funds and reserves militates against the development of flood insurance by private industry. Risks of loss by flood are in many respects far more difficult to estimate than risks of loss by fire. The absence of sound actuarial data and experience records, the primary difficulty of providing adequate initial reserves, the relatively heavy expense of engineering surveys with reference to flood risks, the lack of prospect of early profit—these, and many more sound business reasons, have been advanced, and justifiably so, by insurance companies to explain their inability to operate in the flood-insurance field.

But the outstanding and undeniable fact of cardinal significance to all of us is that at the present time indemnification for flood losses is either highly inadequate or totally nonexistent. The American people are not now sufficiently protected from the catastrophic consequences of flood losses. Here, obviously, is a situation which we cannot continue to tolerate without great damage to the welfare of our people. Here is an area in which the Federal Government must assume its proper responsibilities in promoting the general welfare.

Mr. Chairman, I need not remind the Members of this House that the problem of flood insurance is not a new subject of congressional concern. In fact, as you well know, there exists a valuable backlog of practical experience in the area of Federal insurance and reinsurance programs. I am referring, of course, to war-damage insurance, maritime war-risk insurance, and crop insurance. Moreover, the merits of a national system of flood insurance have been recognized for a long while. As early as 1939, Dr. Gilbert F. White, then secretary of the Water Resources Committee, later the National Resources Planning Board, in a report stated that—flood insurance offers a practicable means for stabilizing economic life in flood plains in which neither complete protection nor permanent evacuation are desirable or immediately practicable. Indemnification of flood losses is not obtainable generally in the United States, and it would be difficult to establish. Requiring wide distribution of risks, long-term contracts, and continued stimulation of interest, it probably never would be conspicuously profitable or suitable for private financing without governmental aid. It has great merit, nevertheless, as a substitute for the haphazard system of private liquidation and public-relief subsidy by which flood losses now are absorbed.

We in the hard-hit New England area are particularly apprehensive about the continuing threats which the prospect of more rampaging floods hold to the economic life of our community. To our way of thinking, prevention of floods is—much more valuable and important than insurance against floods. Yet we are acutely conscious of the agonizing State of double jeopardy in which we live.

I sincerely hope that this Congress will approve S. 3732 which provides for an

experimental program to provide insurance and related forms of financial protection against flood losses. The bill authorizes the Housing and Home Finance Administrator, first, to issue Government insurance policies against property losses due to flood; second, to reinsure flood loss policies issued by other insurers, and, third, to make contracts with private individuals and business concerns assuring them, in the event of any subsequent flood loss, of a line of credit to assist in restoring or replacing damaged or destroyed property.

The substitute amendment adopted by the House Banking and Currency Committee differs from the bill passed by the Senate in four major respects:

First. The Administrator would have discretionary authority to offer insurance at special reduced rates to homeowners who could not afford to pay the rates otherwise chargeable under the bill.

Second. The insurance and reinsurance programs authorized by the bill would be supplemented by a loan-contract program to provide an assured line of credit to potential flood victims.

Third. The States would not be required to contribute to the insurance reserve fund established under the program.

Fourth. Responsibility for administering the program would be vested in the Housing and Home Finance Administrator, rather than an independent Federal flood-insurance commissioner.

Mr. Chairman, I reemphasize my strong feelings that the basic principles and objectives of this legislation are just and reasonable. The need for its enactment is most urgent. It is the duty of Congress to face up to this need and to act accordingly, without further delay. The Federal flood-insurance program set forth in the measure now before us is intended to blaze the trail and establish the actuarial and other experience needed to show, if it can be shown, that flood-risk insurance can be offered by private companies on a commercially feasible basis. At the same time the bill recognizes the need to control within reasonable limits the financial risk to which the Government will be exposed. This has been done by making this program an experimental one, with strict limits on the amount of insurance that can be written and the amount of coverage any individual, corporation, or Government entity can acquire from the Federal Government.

In conclusion, Mr. Chairman, let me say that if this Federal flood-insurance problem is to be met, without heavy Federal subsidies, increased relief expenditures, and continued loss of homes, productive facilities, and morale, Congress must enact the measure that is now before the House.

Mr. TALLE. Mr. Chairman, I ask unanimous consent that the gentleman from Connecticut [Mr. SADLAK] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SADLAK. Mr. Chairman, it is hoping too much to expect unanimity to the proposal before us at this time, namely, S. 3732, to provide insurance against flood damages, and for other purposes; my bill is H. R. 8277. However, there will or should be very little disagreement with section 2 of this Federal Flood Insurance Act of 1956 in which are contained the findings and declaration of purpose. This section, especially subsection (a), provides undisputable basis for the need of the action which is contemplated by this proposal.

Unfortunately, the impetus to seeking favorable action along the lines of today's proposal for us in Connecticut was provided only a short time ago in 1955 when havoc was wrought by unusually heavy rains that were a concomitant of hurricanes that did not wreak their customary damage to life and property from winds of high velocity, but rather through the overflooding of rapidly filling small brooks and streams which force the banks could not withstand. However, neither Connecticut nor New England nor its immediate neighboring States, nor the far western States have a history of disasters of this type. The pattern has, in the nature of things for reasons as yet undetermined, brought this unprecedented flood of small streams following a hurricane to these areas.

Engineering protective works, now in their initial stages, designed against a repeat disaster in the previously affected areas cannot be completed for some years to come. Therefore a recurrence, and we hope we shall never again be visited by like storms, could meantime cause very large loss of life and serious damage which could not be withstood by individual home owners and industry.

This bill, in addition to the protection that it can provide to the participants, can be the forerunner of private sponsorship with a minimum of Government participation.

I urge the favorable passage of this legislation.

Mr. WOLCOTT. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. CANFIELD].

Mr. CANFIELD. Mr. Chairman, it is my distinct recollection that after President Eisenhower flew over the northeastern part of our country following the disastrous floods of last year, he expressed his deep concern over their awfulness. He indicated very pointedly that he saw therein a Federal responsibility. He followed up his statement by recommending to the Congress legislation of the character we are now considering. I introduced a bill with other Members of the House in the first week of the current session of the Congress.

Mr. WOLCOTT. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Michigan.

Mr. WOLCOTT. I may say to the gentleman that I have conferred with him on several occasions, especially after he introduced his bill. I know his deep sense of responsibility to his people and his area. The committee, I am sure, can join with me in saying that we are very grateful to the gentleman for the contribution he has made in making it possible to get this bill up today for consideration.

Mr. CANFIELD. I appreciate very much the gentleman's statement. The bill introduced by myself was similar to the bill introduced by the distinguished gentleman from Michigan [Mr. WOLCOTT]. I am glad to note that in the bill before us there are 31 sections identical with those in my bill.

Mr. Chairman, as a nation, we cannot longer afford to withhold some degree of economic protection from our citizens who live and earn their livelihood in the flood areas. And since the private insurance companies, after careful analysis, find it impossible at this time to justify the writing of some kind of indemnity against floods, the Government feels obliged—however reluctantly it may do so—to assume the burden of providing a method whereby flood victims may be indemnified.

During the past few years—and especially in the course of the late summer and autumn of 1955—we have witnessed the tragic destruction of lives and property in widely separated portions of our country. Hurricanes and unexampled rainstorms have wrought havoc in hundreds of communities, brought ruin to thousands of individuals, and, directly or otherwise, disrupted the economy of millions of Americans. The combined forces of wind and water, unpredictable in their fury and points of incidence, can no longer be regarded as freakish hazards peculiar to certain regions of limited extent. They must be thought of as a nationwide menace—for they threaten, almost without exception, every State in the Union. And not a single State, in justice to its citizens, can properly ignore the existence of the menace.

Now I repeat that the Federal Government has turned to the legislative experiment, for experiment it will be, with reluctance. We would prefer to let the insurance industry cope with the problem. But private underwriters, after the most thoughtful analysis, have concluded that flood insurance cannot at this time, and under the present circumstances, be written on a self-sustaining basis. They are, however, interested and cooperative.

We respect the judgment of the private carriers. We admire their prudence. But the insurance industry has not solved the problem. It has, instead, clarified the course that must be followed: Since private industry cannot properly and soundly take on the job now, Government must take it on. For the job must be done, and we dare not longer postpone it. The season of winds and rain, of flood and destruction, is close at hand—last night's storm was a gentle warning of what may soon follow. Let us pray and hope that we may be spared more violent weather this year. But let us also face our deep responsibility to provide a measure of indemnity for the victims of nature's unpredictable fury.

Mr. Chairman, it should be emphasized that this bill authorizes the Administrator to provide Federal assistance for flood insurance by issuing direct Federal insurance policies or by reinsuring policies issued by other insurers. The

bill provides for a continuing study of the feasibility of having private insurance companies take over the insurance programs under the bill, either with or without Federal aid. I cannot help but feel the time will come when private enterprise will be able to go a long way in meeting this serious problem.

Mr. CRETELLA. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Connecticut.

Mr. CRETELLA. I want to associate myself with the remarks of the gentleman from New Jersey [Mr. CANFIELD]. He has done a remarkable job on this legislation.

I also want to call the attention of the House to this: Someone made the statement that authority did not vest in the Administrator to reduce these fees. Here we find this language on page 29:

Provided, That no insurance policy shall be issued for a fee less than 60 percent of such "estimated rate," except that reduced fees may be established for insurance on any classification of owner-occupied dwelling units if the Administrator determines that without such reduction the owners of such dwelling units as a class could not afford to pay the fees chargeable for such insurance.

Mr. Chairman, we have before us today a bill which is of urgent importance to the people of Connecticut, the rest of New England, and those of other sections of the country which are and have been hard hit by floods.

Since the August and October floods of 1955 in Connecticut, my State has gone forward with a dynamic program for the rehabilitation of her stricken citizens and the replacement of homes and personal property. Private organizations have been giving their best efforts, and assistance was also offered and well received from as far away as Spain.

But no matter how well any State meets the crises of such disasters, she is not able to fully bear the gigantic costs of rehabilitation in floods of such exceptional force and magnitude.

I pointed out to the Banking and Currency Committee, which studied disaster insurance legislation, in consideration of my bill, H. R. 8248, for Federal flood insurance, and the Bush-Lehman bill, that disaster relief among the various States is far from uniform, and that some States in need of assistance face constitutional barriers prohibiting such aid to her stricken residents.

A practical solution to the problem of meeting with such disasters is the bill before us today, S. 3732, for a Federal insurance program. One of the salient features of such a bill is that while it provides insurance to individuals and families who have lost their property and possessions, the bill actually would save the Government millions annually in tax losses. In 1952, for example, taxpayers deducted over $367 million from their individual returns as unreimbursed losses due to floods and other disasters. This is besides the loss of corporate and excise taxes of companies and businesses washed out and the loss of various taxes to stricken States.

The only answer to flood insurance lies with participation by the Federal Government. It has been proven that private insurance companies are unwilling to assume the risks of this program by themselves. I concur strongly in the fundamental concept that the Government should do for the people only what they individually or collectively cannot do better for themselves. This is such a case, clearly pointing to the obligation of the Federal Government to step in and provide assistance to those needing it as it has been doing in so many other instances in the form of public works aid, Federal crop insurance, bank deposit insurance, veterans' life insurance, and the like. It is obvious that insurance has gained wide usage in many Federal programs.

It is highly possible that this Government pilot program will show flood-risk insurance can be offered in the future by private insurance companies on a commercially feasible basis. S. 3732 is purely an experiment. It is a cautious program limiting the risk to which the Government will be exposed. It limits the amount of funds available and the amount of coverage any individual or company can acquire. There is a loss deductible clause of $100, plus 5 percent of the rest of the claim. The premium rate and the terms of any policy issued by private companies on the basis of Government reinsurance are made subject to the approval of the Housing and Home Administrator.

The total face value of the insurance to be written is $3 million or $5 million with the approval of the President. Actually this ceiling is not exorbitant in terms of the damages caused by floods. In both 1954 and 1955 flood damage exceeded $800 million.

Although I am strongly in favor of the general intent of this legislation, and the help it would give to the stricken, there is at least one feature to which I had objected but which of course would not cause me to vote against the entire bill. This deals with the provision that reduced fees may be established for insurance on any classification of owner-occupied dwellings if the Administrator determines that without such deduction the owners could not afford to pay the standard rates. This provision of the bill is at the expense of the tenant who can ill afford to sustain losses to his personal property and belongings. It is an unfair provision and one which could cause all sorts of difficulty and confusion if the Government were to pay up to 100 percent of the premium rate for the owner-occupant group.

This flood insurance and reinsurance bill is a practical answer to a perennial problem. It is a simple matter of the Federal Government working hand in hand with private enterprise to provide a measure of aid for the thousands of families victimized each year by the ravages of turbulent, destructive, and disease-laden flood waters.

I hope the Members of the House will vote overwhelmingly for this bill. It is a bill which the people in my State of Connecticut and other States need so urgently for the protection and security of themselves, their families and their property. I trust that the House committee amendments have not so weakened the bill as to make it unworkable but that if it passes, and I trust that it does, a satisfactory and workable compromise may be agreed upon in conference.

Mr. SPENCE. Mr. Chairman, I yield 4 minutes to the gentleman from North Carolina [Mr. FOUNTAIN].

Mr. FOUNTAIN. Mr. Chairman, I should like to say at the outset, within the brief time I have, that the Committee on Banking and Currency will not, I am sure, contend that this is a perfect piece of legislation. To the contrary, it probably has imperfections. We did the best we could, however, under difficult circumstances. No one should minimize the problem of formulating a practical program, but our committee, as well as the Senate Banking and Currency Committee, was confronted with overwhelming evidence of a desperate need for a program of Federal insurance against the risk of flood damage, because we were convincingly told by private insurance companies that they were not interested. They contended that flood insurance is impractical as a commercial proposition, that the virtual certainty of loss by flood, its catastrophic nature, and problems of making this line of insurance self-supporting prevent them from prudently engaging in this field of insurance. They say they could be bankrupt before sufficient funds were accumulated.

In spite of these facts, none of the witnesses were able or willing to give our committee any tangible suggestions for this legislation to enable us to make its provisions and their effect unmistakably clear. If you go through this bill carefully, you will find many provisions which are not to your liking, as they are not all to my liking, but they involve decisions which cannot now be made, which must await the actuarial and other experience needed to show how the program will operate, what its cost will be, what the public should be required to pay, and, if it can be shown that flood-risk insurance can be offered by private companies on a commercially feasible basis. Our committee did not find from any source information which would enable us to write all of its provisions so that we would know the result to expect. Without any history of experience in this vast field, we were compelled to do what ordinarily none of us like to do, and that is, vest in the Administrator of the program much administrative discretion and authority.

At the same time, the committee has recognized the need to control within reasonable limits the financial risk to which the Government will be exposed. This has been done by making this program an experimental one with strict limits on the amount of insurance that can be written and the amount of coverage any individual, corporation, or Government entity can acquire from the Federal Government.

If the experiment fails, I believe members of our committee would be the first to propose repeal of the law. If the Administrator gets proper cooperation from experts in the insurance field, we

believe this program has a good chance to become a workable program, through necessary legislative amendments from time to time. I am sure all of us hope, after the Government has blazed the trail, that private companies will take the entire program over. But, I do believe that this piece of legislation is a step in the right direction. I believe it will encourage private insurance companies to come in, and participate more actively.

I should like to invite your attention to section 17 beginning on page 37, which indicates the intention of the committee in this legislation—that the Government will do everything it can to encourage participation by private insurance companies.

Beginning on page 37, with section 17, we find the following language:

> The Administrator shall also undertake a continuing study of participation by private insurance companies in the programs authorized by this act, in order that the protection it authorizes can be provided, whenever practicable, through insurance policies issued by private insurance companies and reinsured with the Administrator, in lieu of providing such protection through insurance policies issued in the name of the Administrator.
>
> (c) The Administrator shall undertake a continuing study of the feasibility of having private insurance companies take over, with or without some form of Federal financial support, the insurance programs authorized by this act.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. FOUNTAIN. I yield to the gentleman from Louisiana.

Mr. BROOKS of Louisiana. I will say that the gentleman is making a very fine statement. I want to say further that I am very glad the Congress has seen fit to take up this matter. It is giving proper recognition to a most serious problem that has faced this country since its foundation. Now we are giving it the proper recognition it should receive.

Mr. FOUNTAIN. I thank the gentleman. I think it is universally recognized that throughout history floods have constituted perhaps the greatest natural disaster to man. They continue to strike widespread areas of our country with devastating impact. Notwithstanding vast losses involved, there nowhere exists in the economy of our country any method by which victims of floods can substantially retrieve their losses. Some of you may feel that your State is not or will not be involved. But it is like the mighty King, Death. No one knows where it may next strike. Floods are not confined to any particular State or group of States. Exactly where floods may strike in a given year is a matter of conjecture, but statistics show that, in spite of all our flood-control projects, losses will occur annually somewhere within the United States.

The gentleman from Indiana [Mr. HALLECK] objected to our striking from the bill, as it came to us from the Senate, the so-called Knowland amendment which called for State participation on a 50–50 basis beginning after June 30, 1959. I am frank to say that it was somewhat difficult for me to conclude at this point that the States should not be required to participate. However, after making some investigation I concluded in my own mind, at least, until we have had experience with the program, that there are very few States, after taking care of their own public responsibilities, following the devastation of a major flood, which could possibly afford to contribute to the flood insurance fund any substantial amount. Anyway, if 3 years of experience should eradicate such a necessity, then necessary amendments could be effected. In my opinion that provision would exclude many States from taking part in the program, certainly not until after they amended their constitutions. My own State of North Carolina has already made a thorough survey of its needs following the 1954–55 hurricanes. It has determined that many more millions must be spent to protect public properties in the future and to repair damages that will follow our continuing floods. Let me give you an example of what the 1944–55 hurricane damages were in my State: To agriculture—crops, livestock, farm buildings, $184 million; forestry—tree damage, $4 million; fisheries—capital equipment, $4 million; and other private damages, $112 million; public damages—State and local public facilities, public utilities, churches, and private schools, $24 million.

While this legislation may be to some extent a leap in the dark, it is a leap in which the public is demanding that we take. It seems to me that during the next 3 years, based on actual experience, the Administrator will be in a position to know what amendments or additional legislation to suggest, or whether or not the program is workable.

We must, it seems to me, take this first step by passing this legislation.

Mr. WOLCOTT. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Chairman, early in this session of Congress I introduced a bill designed to provide Federal disaster insurance. I am very happy that we are able to take action in that field this afternoon, and I hope that after proper consideration under the 5-minute rule we can send an approved bill to the Senate in order that it may be enacted into law before adjournment.

I have been greatly interested in this legislation because of the unprecedented flooding of cities and towns in New England last autumn, involving great personal suffering and enormous property loss, estimated at over $1 billion, a very small percentage of the loss being covered by insurance.

Testifying before the Senate Committee on Banking and Currency, Gen. Robert J. Fleming, Jr., division engineer, Corps of Engineers, United States Army, characterized the damage done in New England as almost indescribable.

> I was the deputy chief of staff of an Army Corps in Europe—

He said—

> which was given the job of mopping up the Ruhr, in the Ruhr pocket, after the surrender of that German Army group, and one of our jobs, of course, was to restore essential public facilities. Outside of the piles of rubble which were left around on the streets from the bombing of buildings, the damage which this storm did in New England in 2 days to public facilities is just as great as we did by 3 years of bombing in the Ruhr. It is almost indescribable.

As the committee report points out, the damage caused by floods is a national problem, calling for national solution. It is not confined to any particular State or group of States. The average annual damage from floods amounts to several hundred millions of dollars.

This legislation should be enacted into law because at present, insurance against flood damage is practically unobtainable from private insurance companies.

It should be enacted into law because the need for insurance in this field is urgent.

It should be enacted into law because home owners and businessmen may be completely wiped out with little or no warning, and they should be given the opportunity to protect themselves against the financial losses involved.

The proposed legislation would enable people to pool their risks and to meet substantial losses from a common fund rather than compelling them to rely upon emergency relief.

It would also provide funds to restore property lost or damaged without the necessity of heavy borrowing.

The proposed legislation authorizes the Housing and Home Finance Administrator, first, to issue Government insurance policies against property losses due to flood, second, to reinsure flood loss policies issued by other insurers, and third, to make contracts with private individuals and business concerns assuring them, in the event of any subsequent flood loss, of a line of credit to assist in restoring or replacing damaged or destroyed property.

There is specific precedent for the proposed flood insurance program in other legislation referred to on page 4 of the committee report.

The proposed legislation will fill a much-needed gap in existing protection for our people against catastrophe. It can mean much to the country as a whole.

It has been approved in principle by the President. It has been approved by the Senate. I hope that the House will give its approval also at this time.

Mr. WOLCOTT. I yield 5 minutes to the gentleman from Pennsylvania [Dr. FENTON].

Mr. FENTON. Mr. Chairman, first of all I want to express my appreciation to the Committee on Banking and Currency of their action in bringing forth this type of legislation. I do not think it need be argued here that such a bill is in the interest of the people of the United States. I am certainly very happy to support the proposed legislation S. 3732, for which a rule was granted. I am not going to take up very much time. I think we all know the necessity for this particular piece of legislation, but I should like the attention of the chairman for the purpose of clearing up some questions in my mind.

I have read the debate on S. 3732 when it took place on the floor of the Senate on

May 10, 1956, which is quite extensive. In the definition of floods, in this bill it includes:

> Floods includes any flood, tidal wave, wave wash, or other abnormally high tidal water, deluge, or the water component of any hurricane or other severe storm, surface landslide due to excess moisture, and shall have such other meaning as may be prescribed by regulation of the Administrator.

Can the chairman indicate to me just what "surface landslide due to excess moisture" means and includes? I ask this question simply because several other bills were introduced in the House, and under definitions "natural disaster" would include among other things "land subsidence due to an underground cave or manmade subterranean excavation."

Does the definition in S. 3732, "Surface landslide due to excessive moisture," include "land subsidence due to an underground cave or manmade subterranean excavation"?

Mr. SPENCE. I do not think so. It was put in to rule out subsidence.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. FENTON. I yield to the gentleman from New York.

Mr. MULTER. Incidentally, the suggestion for that particular method and that language came from the gentleman's side of the aisle in committee.

Mr. FOUNTAIN. Mr. Chairman, will the gentleman yield?

Mr. FENTON. I yield to the gentleman from North Carolina.

Mr. FOUNTAIN. As I understand, the insurance companies were unwilling to give us a definition of "flood," so we worked it out the best way we could.

Mr. FENTON. We have in the anthracite coal-mining communities a situation in which our property owners are unable to secure insurance due to the mineral rights that are owned by others than the property owners. Consequently, in many communities in the anthracite-producing area hundreds of homes are damaged by mine cave-ins which are beyond the control of the individual property owners. Their homes, in which their life earnings are placed, are in constant danger from mine subsidence.

As many of you know, the anthracite mines are plagued with a very high amount of water already in the mines. When we have excessive storms of flood proportions such as occurred last August, you can well understand how this situation is greatly aggravated. At any moment during high, excessive water the coal barriers—such as we have—may give way and cause a cave-in or mine subsidence to pull down our homes and create great damage.

In one community in my district it has resulted in over a million dollars of property loss during the last flood together with loss of life.

I think the legislation before us is certainly welcome at this time.

Mr. Chairman, I understand that an amendment was offered in committee for surface landslides. Surface landslides due to excess moisture was the only amendment that was considered, and that was the amendment that was accepted by the committee. Do I understand, Mr. Chairman, that it does not include subsidence from mining operations? Is that correct?

Mr. SPENCE. It does not include that.

Mr. FENTON. I thank the gentleman for his information and I regret that the bill does not include "land subsidence due to an underground cave or manmade subterranean excavation."

I will support an amendment for the inclusion of such a proposal.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from Rhode Island [Mr. FORAND].

Mr. FORAND. Mr. Chairman, unless you have lived through a flood or a hurricane you cannot appreciate what an ordeal it is.

You read about it and see pictures of it and your sympathies are aroused, but to use the vernacular, "You ain't seen nothing."

Mr. Chairman, I tell you from personal experience, it is a nightmare. Your morale goes to bits and your spirit leaves you. You feel for the moment that the end of the world has come.

That, in a few words, is what happened to us in Rhode Island last August and again in October. It had also happened on several occasions in the past. In 1954 the southern part of the State was hit badly. In 1955 it was the northern part that suffered.

I have here a booklet that records the 1954 hurricane disaster in Rhode Island, and a sheet of pictures of the 1955 flood. Fortunately, we of New England are a hardy type of people. We soon regained our composure and set out to reestablish our homes and our businesses, hoping that, without too much delay, the Federal Government, the only agency able to do so, would take the necessary measures to control flood damage in the future and establish a program of Federal disaster insurance, at reasonable rates, so that those who may in the future be the victims of natural disasters may be compensated, to a degree, for their losses and be enabled to rehabilitate their homes and their businesses rather than have to seek public relief.

Private insurance companies will not issue policies against flood or other water damage. It is, therefore, the responsibility of the Federal Government to do it, in view of the fact that natural disasters know no geographical lines.

When I speak of natural disasters, I mean floods, hurricanes, earthquakes, duststorms, tornadoes, cyclones, and so forth, when the President proclaims a disaster and orders that the facilities of the Government be used to bring relief.

As an example of the need of disaster insurance let us take the city of Woonsocket, in my district, that was hard hit by the 1955 floods.

In the social district of the city hundreds of families had to leave their homes, which were badly damaged and in many instances ruined. Much of the furniture in these homes was carried away by the raging water or so badly damaged that it was no longer fit for use. Part of a large cemetery was washed away; caskets floated in the streets. Many of the caskets were broken to bits and human bones were everywhere.

Many families whose entire life savings were wiped out were left in debt and faced with starting life anew with the help of friends, because the insurance they carried did not cover flood damage.

Woonsocket has a population slightly in excess of 50,000 with 120 industrial firms providing employment for 11,000 workers.

In the 1955 floods 34 of these firms, employing over 6,000 workers, more than half of the city's work force, were victims of flood damage.

The losses to these firms ranged from a few thousand dollars to a maximum of $750,000.

The aggregate damage to industrial firms—including real estate, machinery, and inventories—was estimated at $4,500,000.

Commercial losses, while more widespread and involving a far larger number of individual firms, were lower in dollar value but equally devastating. Nearly 200 commercial firms, many of them small owner-operated businesses and a great majority comprising retail stores, were reduced to almost total loss.

In many instances, accumulations of a lifetime of hard work were entirely wiped out. Losses to these businessmen ranged from a few hundred dollars to well in excess of $100,000 in a few instances. While no exact figures are available these losses are estimated to aggregate in excess of $2 million.

These amounts do not seem large when we think of the billions in our national budget but I assure you, ladies and gentlemen, that in view of the serious economic situation that has existed in Woonsocket for the past few years, due to the depressed conditions of the textile industry, the loss of some six or seven million dollars of property in this area is a most severe loss.

Disaster insurance to communities of this type is really a must if we are to avoid ghost towns.

I am sorry that the bill now before us is limited to flood damage. I shall support it, however, because it is a start, a step forward on a program that the Federal Government must develop and carry on.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from North Carolina [Mr. DEANE].

Mr. DEANE. Mr. Chairman, I commend the committee on bringing to the House this flood-insurance bill. In the early days of the session I introduced the bill H. R. 7883, to provide such insurance. It is needed. The American people, I believe, feel a very deep sense of gratitude to the Members on both sides of the aisle for their faithful work in bringing this bill to the floor for action.

Mr. SPENCE. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. Mr. Chairman, as chairman of the Massachusetts delegation, Committee on Flood Prevention and Rehabilitation, as well as for myself personally, I wish, in the first instance, to thank the distinguished chairman of

the committee [Mr. SPENCE] and his entire committee for reporting this salutary measure to the House.

I may say that it is another of many evidences this membership has had of the unflagging interest and superlative devotion to duty of the illustrious gentleman from Kentucky, who is so highly esteemed by this House.

I do not propose to discuss the technical provisions of the bill because this has already been done very ably by preceding speakers. It is pertinent to note, however, that it permits Government insurance policies against property losses due to flood, the reinsurance of flood loss policies issued by other insurers, and contracts with private individuals and business concerns, assuring them of credit assistance in restoring or replacing damaged or destroyed property.

The committee has done an unusually fine job because this question is exceedingly difficult and complex and requires the kind of prudent, experimental approach which the committee has provided in the bill. It will relieve many flood victims of the necessity of turning to charity for relief during the time that current flood control projects are being constructed. It will also offer protection to other persons, who may not live within areas protected by existing or pending flood control projects and, as our experience shows, no one can ever be certain where these great disasters will strike.

There are ample precedents for legislation of this kind as applied to flood insurance, because the Congress has already provided many other forms of insurance for various classes and activities of our citizens.

The present bill represents an important start in a field of public protection, which is most essential to the welfare of the American people.

This House, with its membership from all parts of the country, can virtually take judicial notice of the fact from its own experience that one can never foretell where frightful floods and disasters may strike. One day it may be the Northeast; another it may be the Southwest or the west coast or the South, leaving trails of devastation and suffering far beyond the capacity of the local and State governments to cope with. It is then that the Federal Government must take effective action, as it has in so many instances, to try to bring relief and effect rehabilitation.

This measure represents, in a sense, efforts of this Congress to fill in wide gaps in our overall program of helping stricken individuals, communities, and States, which may become victims of great natural disasters.

It is not an elaborate or sweeping measure. In fact, it is quite constricted. It marks merely a start in formulating some means by which our afflicted fellow citizens may be to some extent redeemed from poignant suffering and loss of their worldly belongings.

The program is moderate and uniform as reported by the committee. The bill has wisely eliminated a provision which called for State participation in the risk. It has added provisions for loans, or loan guaranties, for those not covered by flood insurance. It would authorize the House and Home Finance Agency to administer the program and flood insurance policies are limited as to total coverage to $5 billion. It is pertinent to note that those insured under the plan would pay 60 percent of the rate estimated to be necessary, except that the rate could be less than that in special cases for owner-occupied dwellings with the Federal Government making up the difference.

In last year's floods in my district and area, hundreds of dwellings were damaged or destroyed. Many of them were swept off their foundations and tumbled into raging torrents and totally lost. In most instances, these were modest homes, the homes of honest, working people without means or resources to rebuild. Public agencies as well as private institutions had to step in to help these afflicted people. If this bill is enacted, it will greatly assist future disaster victims to replace their damaged or destroyed homes.

The bill has wide and strong support. The American people are behind it. It will serve a long existing need. It will further the efforts of Congress to render maximum possible assistance to flood disaster sufferers. It will supplement the other very helpful measures, which this Congress has already provided, to help relieve and rehabilitate stricken communities and areas, and to provide to the greatest extent possible various forms of protection against the recurrence of disastrous floods, which from time to time afflict and ravage various parts of the Nation.

The other body has already passed a similar measure and, with all my heart, I urge the House to enact this bill now so that a conference can be held before adjournment, and final action can be taken on this very meritorious and urgently needed legislation.

Mr. WOLCOTT. Mr. Chairman, I yield 3 minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I thank the gentleman very much. I thank the distinguished chairman of the Banking and Currency Committee [Mr. SPENCE] and the gentleman from Michigan [Mr. WOLCOTT] for bringing this bill out. I want to remind ranking minority Members of something, I think, they may have forgotten. The President said in Connecticut and again later that the Congress should get together in special session in order to give us relief. I remember it especially because I begged and urged a special session because I felt the sympathy of the Members would be with us more if the session came immediately after the floods. We, in the Merrimack Valley, are sitting on a volcano, as the chief of engineers of the northeastern division, General Flemming, said only the other day. We need desperately a dam at Hopkinton in New Hampshire on the Merrimack River. But, up to this day the State of New Hampshire has not been willing to sign a compact with Massachusetts that would give us that relief. I was in Maine during the Edna flood and I helped to bail water out of a house for 5 hours. While there was no loss of life, there was much damage. There was damage at Lowell, Mass., in both floods. There we have a bad situation because of the Concord River which flows into the Merrimack River at Lowell. The Merrimack River was not so bad this time. If we should have a flood in Concord and in the Merrimack at the same time, there would be very little safety for Lowell and the surrounding area. This insurance bill is vital to us and I may say also it is an insurance bill that may affect every one of the Members practically all over the Nation. It is not just for New England. This is just a pattern or trial insurance bill for the Nation. Mr. Chairman, I want to express my deep gratitude to the chairman of the committee, to the gentleman from Massachusetts [Mr. PHILBIN] and all the New England Members and the author of the bill. My deepest sympathy goes to those in New England—Rhode Island and part of Connecticut and certain sections of Massachusetts—the last who have been so terribly and so grievously hurt, where there was so much loss of life.

Mr. CANFIELD. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. CANFIELD. The gentlewoman is a great humanitarian. I am sure she recalls after these floods, editors of the great newspapers all throughout the country through their editorial articles said that this is a matter which has to be met on a Federal level and it was a matter of Federal responsibility. I am sure the gentlewoman recalls that.

Mrs. ROGERS of Massachusetts. Yes; the gentleman is always on the alert, and they, too, urged an immediate special session of the Congress. We must make up for lost time, and I agree with the gentleman that the President asked for flood insurance. It was in his message to Congress on the state of the Union.

The CHAIRMAN. The time of the gentlewoman has expired.

Mr. SPENCE. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, I do not relish taking the time of the House at this late hour, but this is a bill which was heard for a period of 13 days by the Committee on Banking and Currency and it would seem to me there ought to be some discussion of it.

I want to compliment the gentleman from North Carolina for the very fine, frank, clear statement he has made. This indeed, as he phrased it, is a leap in the dark; I think "a step in the shadows" would be a little more appropriate.

Mr. Chairman, I rise to urge the Congress to pass this bill. The Committee on Banking and Currency deserves to be complimented as does the Rules Committee in clearing for action this Federal Flood Insurance Act of 1956.

There is no need for me to document on this floor the devastation that has been repeatedly wrought by torrential rains, and water-swollen streams and rivers that have overtopped their banks to bring disaster to life and property. The hearings of the committee indicate

the monumental damage that floods have occasioned in all sections of this country. And in my section of New England we have had terrible and tragic flood experiences over a long period of years. Last year, we were visited by two disasters within the space of a few months that hit a new high in damages to our homes, factories, public highways, and bridges, and left wide areas almost completely destroyed. Only those who have been wiped out can fully realize the heart-rending and back-breaking task of recovery from such disasters.

Our Federal Government in cooperation with State and local authorities is moving ahead to control floods. In this session of the Congress we appropriated for flood control purposes the largest amount that New England has ever received. It implements a program of major importance designed to give protection from the ravages of surging and uncontrolled waters. I know that the people of New England are grateful for this action and will come to appreciate it more and more as this energetic program bears full fruit.

But, Mr. Chairman, time and tide and rampaging waters await no man. No one can tell when any section of this land will be struck by destructive waters. We hope and pray that they will not occur. But come they might. And once again, people suffer. We should not and cannot remain pious and inactive until adequate flood protection works are completed. So, Mr. Chairman, the necessity for this legislation.

A system of Federal flood insurance is necessary to meet the almost insoluble problems that devastation entails. The damage caused by flood is a national problem calling for national solution. That solution embraces, in part, some kind of insurance. The proposal now before us is an approach in the right direction.

Mr. Chairman, as in all cases, when the urgency has passed and the tragedy dims with the passage of time, complacency rules. We are prone and wont to forget the unpleasant memories. When the disaster is staring us in the face and is fresh in our minds, all kinds of solutions and proposals crop up. I ask this Congress today to recollect the disasters caused by floods and recall for a moment the terrible losses to life and property. By passing this bill and enacting it into law, we can, to some degree, cushion the impact of those whose losses are great. We can help them to recover.

Mr. Chairman, hit or miss relief of physical distress and bankruptcy that follows a flood can be avoided by a system of insurance. Our goal is to assure economic stability to those who are the victims of floods. The Federal Flood Insurance Act of 1956, although not the complete answer to the problem, will greatly assist in pointing the way or, as the committee report states, "blaze the trail."

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from California.

Mr. McDONOUGH. The gentleman seems familiar with the situation in New England. I wonder if any consideration has ever been given to the creation of a flood-control district like we have in California? In Los Angeles we have a flood-control district where we are assessing ourselves at the rate of 22 cents per hundred of assessed valuation to build flood-control protective works in order to prevent loss of private property. That is in addition to any aid we may get from the Federal Government. As a matter of fact the record will show that over the years we have spent $1.50 for every dollar we have received from the Federal Government.

Mr. BOLAND. I think that is true of several sections of this country; specifically I know it is true in the case of Hartford, Conn., which is the one city that has spent more money on local flood-control works than any other city of comparable size in the country. I compliment the city for it.

Mr. McDONOUGH. That has been done over the years.

Mr. WOLCOTT. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. PHILLIPS].

Mr. PHILLIPS. Mr. Chairman, I am in favor of insurance for any emergency for which insurance can be written. My intention was to question some of the details of this bill, and to point out, in the form in which, in my opinion, it is drawn, it will probably produce more headaches for the committee that is bringing it out than any other bill they have ever had.

I was going to draw on the experience which the Committee on Agriculture has had in the agricultural areas with a somewhat similar bill. That bill is given as a precedent by this committee in the report. It actually is no precedent at all unless it were a precedent to vote "no" on this bill.

It is 6 o'clock on Saturday evening. I shall attempt to prepare some questions over the weekend and submit them to the committee for answer as to what the bill purports and intends to do. So I will take only a little time to refer again to the right given the Administration to reduce premiums.

On page 29 of the bill it is stated:

> No insurance policy shall be issued for a fee less than 60 per centum of such "estimated rate," except that reduced fees may be established for insurance on any classification of owner-occupied dwelling units if the Administrator determines that without such reduction the owners of such dwelling units as a class could not afford to pay the fees chargeable for such insurance.

The same thing appears in the report at page 8, where it is stated that the committee adopted an amendment giving the Administrator authority, in his discretion, to establish reduced fees for insurance on any classification of owner-occupied homes if he determines that without such a reduction the owners of these houses as a class could not afford to buy the insurance.

One of the questions I will ask is this: Are you going to require that there shall be broad coverage in order to create a fund which will meet the situation? Are you going to do what we did in the crop insurance program, make it possible for some people, just as they were about to lose their crops, to come in and take out insurance? Are you going to require an entire flood area to be designated a disaster area, to take insurance? I find nothing in here about that. You can have no sound insurance without that.

I will ask something else: Are you going to permit people to go into areas which are known to be flood areas, where at periodic intervals floods come and wash away whatever is in the path, while in the interval between the floods the people build houses? Under those circumstances are you going to require the Federal Government to underwrite the houses and the damage to the houses built by people in areas where there are known floods?

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. PHILLIPS. I yield to the gentleman from Massachusetts.

Mr. BOLAND. I want the gentleman to ask these questions. I think the questions can be answered and I think they can be answered satisfactorily. I think every river is entitled to its bed, it is entitled to overflow its banks. This bill provides for assuming some responsibility.

Mr. PHILLIPS. We have rivers out our way where, when you fall in, you get up and dust yourselves off, except about once in every 10 years, then we may have flood conditions.

Mr. SPENCE. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, I ask unanimous consent that all Members may have the privilege of extending their remarks immediately following my address.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MACK of Washington. Mr. Chairman, the bill now under consideration by the House is known as the Federal Flood Insurance Act of 1956. It provides that the Federal Government shall cooperate with private insurance companies in working out a program that will make the insurance of private property against flood damage feasible and practicable. I am in agreement with that type of a program.

I point out, however, Mr. Chairman, that the best and most desirable flood insurance the people of our river valleys can have lies in the building of protective works that will prevent floods. It is far wiser and better that we take steps to prevent floods than that we pay insurance damage to those whose property are damaged or destroyed by floods. In the long run preventing damage will be far cheaper than paying for it.

During my 10 years in the Congress, I have been a member of the House Public Works Committee, which has jurisdiction over the authorization of flood-control projects.

The United States Army engineers each year have come before our committee and testified that economic damage done by floods in this country averages $500 million a year. These engineers further have testified that if Congress would spend $5 billion to provide needed

flood-control works that this $500 million annual loss would be almost entirely and permanently prevented. If the Federal Government can obtain $500 million a year in benefits from prevented floods at a cost of $5 billion then the Government will be making 10 percent interest on its $5 billion investment.

When the Government can borrow money for less than 3 percent and make savings of 10 percent a year on that borrowed money, it seems to me, as a businessman, that then borrowing money to build flood protective works is a good investment.

I hope that the next Congress and the next administration, when the new year opens, will come forth with a great constructive flood-control program, just as this administration did recently on highways, to solve the flood-control problem of the Nation which, according to the engineers, is creating an average annual economic loss of half a billion dollars.

Flood control is not a partisan matter. For the slowness with which flood-control work has progressed throughout the Nation during recent years, both parties are to blame.

In the lower Columbia River Valley a disastrous flood that did $104 million in damages occurred in 1947. Mr. Angell, then a Representative of the State of Oregon, and I secured the inclusion in the omnibus flood-control bill the authorization for a group of flood-control projects, mostly dikes, estimated to cost $22 million. The United States Army engineers estimated that by the expenditure of the $22 million in Federal money that the entire lower Columbia River Valley would be assured for all time to come complete protection against damage from any future flood.

In the light of the testimony of the United States Army engineers that the expenditure of $22 million would guarantee against any repetition of a $104 million it seemed to me the spending of this $22 million would be a good and worthwhile investment.

The delegation from Washington State, including both Republicans and Democrats, was never able to get one single dollar during the Democratic Truman administration for these lower Columbia River Valley flood-control projects. Likewise, in the first 3 years of the Eisenhower Republican administration we the Republicans and Democrats in Congress were unable to get any money to start these projects.

In this year's public works appropriation bill we did get a tiny, trivial $17,000 to start one flood-control project along the lower Columbia. The $17,000 for works which ultimately will cost $22,000,000 is only a drop in the bucket. However, I do hope it is a straw that indicates perhaps money will be forthcoming in the near future for these desperately needed and urgently desired lower Columbia flood-control preventive works which I am convinced would be a good investment.

Recently, I wrote the Director of the Budget and asked that he recommend the expenditure of $10,000,000 next year on lower Columbia flood-control projects. This $10,000,000, if granted, would get projects started that will safeguard from future floods the cities of Washougal, the downstream sections of Vancouver, Ridgefield, Kalama, Woodland, Kelso, Longview, and the rich agricultural area behind them and also the very important agricultural areas of Puget Island which lies in the middle of the Columbia River in front of the town of Cathlamet.

The Columbia River flood of 1947 did flood damages estimated at $104,000,000. The expenditure of $22,000,000 will prevent for all time a repetition of a disaster of that kind. A start should be made on these important flood-control preventatives not later than next year.

Mr. DONOHUE. Mr. Chairman, in realization of the practically unanimous sentiment of the House concerning the vital necessity of enacting an adequate program of Federal flood insurance, and in consideration of this late Saturday hour, I have no intention of prolonging my remarks.

As one who, over these past several years, has repeatedly appeared before the various House committees in advocation of sensible flood-control and flood-insurance legislation, my convictions on this important subject are well known and widely recorded.

The people of my State and regional area are only too well and too unfortunately acquainted with the terrible hardships and appalling human tragedies following the wage of disastrous and overwhelming floods. They share in and sympathize with, from their hearts, the personal and financial sufferings and burdens that have affected the people of so many other areas throughout the country.

My people and all these people very well appreciate that neither the individual sufferer nor the burdened State can alone or together survive and recover from the devastating impact of flood destruction. They realize the necessity and exhort reasonable assistance from the Federal Government, as the source of the resources of all the people, to help alleviate the otherwise overpowering and suffocating damage of flood disaster. Flood damage, as we all know, hits with paralyzing effect, first, those ordinary homeowners who lose their homes by flood but still owe the mortgage debt on their homes; and secondly, diligent businessmen, whose credit is so impaired by flood loss as to make it practically impossible for them to recover and resume business operations. We all realize further that Federal disaster grants are not now generally available for individuals as such, and private insurance companies cannot handle the situation.

While this bill is not proclaimed to be a perfect solution by any means, it is a humane and democratic step to avert real human tragedy and preserve business and employment opportunities which otherwise would be irreparably lost. It is admittedly an experiment and will be continuously scrutinized for correction and improvement in its application and operation. It is unquestionably in the interest of all Americans and it will be a concrete demonstration that this legislature is primarily concerned about the sufferings and disasters that affect our own American people so tragically. I earnestly hope that every Member will grant this flood insurance legislative proposal his most conscientious consideration and that it will be approved without further delay.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Texas.

Mr. DIES. I understood someone to say this afternoon that the total cost of this would be $3 billion. That astonished me, it shocked me. I wonder if I heard that right. What are the facts about the cost of this bill?

Mr. MULTER. I did not hear that statement. If anybody undertook to say what this bill would cost I would say he is a prophet. He would need to know how many disasters will occur, how much damage will be caused and to what extent that damage was insured. There are limitations to the extent of the maximum amount of insurance that may be written and the maximum amount of money that may be loaned under this program. The amount of insurance issued would be the maximum amount that the Government can lose on the program. The amount of premiums or fees it will take back, that will be charged for insurance may be added to the maximum authorized face amount of the insurance. How much the premiums or rates or fees will be, nobody can tell until the program gets under way. The Administrator will be required to work out the terms of the policies and the fees to be charged.

Mr. DIES. Is there any limit to the loss of the Government?

Mr. MULTER. Yes, there is a limit to the loss.

Mr. DIES. What is that?

Mr. MULTER. The limit to the loss is the limit of the amount of policies and contracts that may be sold under this program, less the amount of rates and fees and premiums that may be taken in, with an initial maximum, however, of $3 billion on the insurance program. I think it is $2 billion, with the provision that the President may extend it by another half billion dollars if he so sees fit on the amount that may be loaned. In the first instance, it is $3 billion of insurance and $2 billion of loans. If every dollar of the loans is lost because of failure to repay, the loss will be $2 billion. The insurance program could conceivably lose $3 billion less the first $100 of each loss and less 5 percent of the balance of the loss to the extent of the face amount of the policy.

Now, that is the maximum that you can lose. Of course, it must be measured by the amount of damage done, and that is further limited by the face amount of the policies, none of which can exceed $250,000 damage to any one person and for no one dwelling in excess of $10,000. Every policy must include a loss-deductibility clause.

Mr. DIES. Do I understand the gentleman correctly that no one can estimate the loss but that in no event can the loss exceed $3 billion?

Mr. MULTER. Less the amount of rates and premiums collected, because nobody can get this for nothing.

Mr. DIES. I understand.

Mr. MULTER. That is the maximum, that is the limit.

Mr. DIES. That is the limit of total loss, $3 billion?

Mr. MULTER. Yes. That is maximum insurance loss.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from South Carolina.

Mr. RIVERS. If we lose everything on this, everything, would it be as big as the foreign-aid bill this year?

Mr. MULTER. No; it would not be.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from North Carolina.

Mr. BONNER. I realize the gentleman's time is limited and the time for debate is limited, but I merely want the RECORD to show that I appeared before the great Committee on Banking and Currency, and in the record, from page 265 to page 370, I testified in behalf of a bill of this nature that I presented to the committee. I commend the committee and the members of the committee for the serious consideration they have given to this legislation. This legislation is necessary and steps should be taken to put it into effect immediately. I thank the gentleman.

Mr. MULTER. Twenty-four other Members of this House appeared before this committee, and we are grateful to the gentleman from North Carolina and to them for the aid and assistance that they gave to us in attempting to write this experimental bill.

I want to emphasize that it is an experimental bill. We are going into this with our eyes wide open as to the risks we may take, yet groping in the dark for the proper formula. The insurance companies would not help us do the job. Incidentally, I did not say that the gentleman from California could not read. I merely suggested that he should read the bill. While he interprets the provisions differently than I do, I say to him that the administrator, calling upon all the experience that can be made available to him, in calling upon every agency of Government for assistance, and if the insurance companies will help, with their aid, he will then write the rules and regulations and policies and contracts. This is merely a general outline of principles to be followed.

Mr. WOLCOTT. Mr. Chairman, I have no further requests for time.

Mr. SPENCE. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. SIEMINSKI].

Mr. SIEMINSKI. Mr. Chairman, this magnificently motivated measure aims to save our people from being wiped out in a washout. It would give them cash to rebuild their lives and restore their possessions to the extent damaged by water and wind.

Passage of the bill will force collateral action in self-preservation. We are told that a thousand year cycle of floods is soon to burst upon us in the next 40 years, plus or minus the year 2000.

Micro reading of breezes before they burst into big winds enables forest rangers to cut firelines to control fires and keep them from damaging millions upon millions of dollars of valued timber owned by Uncle Sam.

Uncle Sam is scheduled to invest $20 billion in projects designed to protect the levies and property of our people from damage by water and wind.

It is hoped these projects will be completed in the next 40 years. By the year 2000, plus or minus, scientists tell us a thousand-year cycle of floods will be upon us. The $20 billion worth of projects ought to stand us in good stead.

Benjamin Franklin connected lightning with electricity and the lightning rod resulted. There are some in the field of thermonuclear dynamics who believe that we can parry a deluge, that a tornado can be short-circuited, that a hurricane can be harnessed and that in time man will more fully control his destiny against the havoc of nature in its madcap flights.

If this bill passes, it will intensify the race of man to whip his environment in order to save himself.

Under unanimous consent, Mr. Chairman, I now insert an article that more fully covers a background that more clearly points out the need for protective action encompassed in the spirit of the measure now before us.

The article points out, I think, that particular care should be taken against the ravages of nature by those especially who, in the years ahead, will lay out highways, utilities, rail lines and factory sites. They should avoid, we are told, as much as possible, building in the flood plains.

The article below tells a story, I trust, that should be of interest to our planners:

PUT A FLOOD ROD ON THE DELUGE AND SAVE $20 BILLION?

(Extension of remarks of Hon. ALFRED D. SIEMINSKI, of New Jersey, in the House of Representatives, Monday, July 18, 1955)

Mr. SIEMINSKI. Mr. Speaker, we are told that 10 million people live in the flood plains of the United States. This represents 7 percent of our population and 3 percent of our land.

Flood plains are the spillways nature has reserved to itself when its cup runneth over.

We are told that $20 billion will have been spent when our flood-control projects become current.

In a book entitled "Floods," recently published by the Princeton University Press, Authors Hoyt and Langbein tell us that nature has a possible deluge scheduled for the flood plains, come the turn of the century.

The question is, Do we continue to settle and develop the flood plains and, like Noah, ride out the big wash when it comes, or, can the Congress build a flood rod, in effect like a lightning rod, to parry damage when the deluge strikes? The book offers many interesting observations.

In page 11, of chapter 1, entitled "Flood Problems," the authors state:

"It is inevitable that some future Congress or Congresses will recognize that a sound approach to floods must be broader than flood protection alone, and they will find it is in the national interest that the following be done: (a) States, river communities, and conservation districts should foster wise use of valley lands and discourage obstruction of rivers and their flood plains. (b) River communities should encourage organization of well-trained, alert rescue squads. (c) Flood-forecasting services should be recognized as an essential part of flood management and be appropriately supported. (d) The collection and dissemination of information concerning flood damage should be systematized and coordinated. (e) In order to foster local adjustments and to shift some of the burden of taxation for flood protection from those who receive no direct benefit, our policy should be modified to require those who receive direct benefits from flood-control projects to share equitably in the costs. (f) Citizens should be encouraged to establish local districts or other types of administrative bodies for the purpose of meeting local problems on a local basis. (g) Loans and grants and other forms of relief, whether by Federal or semiofficial organizations, should be so awarded that they will not encourage imprudent occupancy of flood plains. (h) An equitable system of flood insurance should be developed to discourage misuse of flood-hazard lands. (i) We should adopt only such programs and practices for flood protection as are demonstrated to be measurable, effective, and economically sound. (j) Finally, social, economic, and political activities in connection with relief, as well as strictly agricultural programs such as improvement of crop yields, should be recognized as such and should not be disguised as parts of flood-protection or flood-management plans.

In the prologue, on page 3, the following appears:

"PROLOGUE

"Land of Canaan, c. 2957 B. C.: Vast flood, probably centered around Ur on the Euphrates, subsides. Noah and family are reported safe. Word has just been received that the deluge resulting from 40 days and 40 nights of continuous rainfall has abated. Floodwaters are reported to have greatly exceeded 15 cubits. Lands have been inundated for 150 days. All living creatures have been drowned, except Noah, his immediate family, and the animals 'two by two,' who rode to safety in a homemade ark and finally have come to rest on Mount Ararat.

"Egypt, XXIII Dynasty, c. 747 B. C.: Floods follow droughts. Pharaoh has just reported that whole valley of the Nile is turned into an ocean, temples are full of water, and men look like waterfowl. Apparently embankments are not high or strong enough to confine floodwaters in normal channels. Present catastrophe well illustrates vagaries of nature, for it is recalled another Pharaoh complained: 'For 7 years the Nile has not risen. There is no grain, the fields are dry, no man buries his neighbor, everyone flees, to return no more, the children weep, the young men faint, the old men wither. Their legs have lost their strength; with folded arms they crouch on the ground.' (Emil Ludwig, The Nile.)

"Mississippi River near mouth of Arkansas River, March 10, 1543: De Soto's expedition in search of gold and silver delayed a month by Mississippi River flood. Garcilaso de la Vega reports party stranded when river overflowed wide level ground and rose to top of cliffs in an immense flood. There was nothing to stop inundation.

"Richmond, Va., May 27, 1771: James River on a rampage. Worst flood and disaster at Richmond since settlement in 1637. City virtually destroyed and 150 people reported drowned.

"Kansas City, Mo., July 1951: Floodwaters of Kansas River roll into Missouri River and into history as new flood marks are set. Previous alltime records of stage and discharge are greatly surpassed. Manhattan, Topeka, and Kansas City are inundated again following rains of unusual duration and intensity. Loss of life may exceed 50. Property damage may approach $1 billion. President and Red Cross ask for money to meet emergency; New Deal and Fair Deal

Senators ask for valley authorities; commentators would divert floodwaters into drought-stricken Southwest; conservationists clamor for more conservation measures; engineers promptly revise their plans upward; and funds are requested to complete authorized projects and to build bigger and better ones.

"Somewhere in the United States, year 2000 plus or minus: Nature takes its inexorable toll. Thousand-year flood causes untold damage and staggering loss of life. Engineers and meteorologists believe that present storm and flood resulted from a combination of meteorologic and hydrologic conditions such as may occur only once in a millennium. Reservoirs, levees, and other control works which have proved effective for a century, and are still effective up to their design capacity, are unable to cope with enormous volumes of water involved. This catastrophe brings home the lesson that protection from floods is only a relative matter, and that eventually nature demands its toll from those who occupy flood plains."

In the preface, we read this: "Floods have been many things to many people, and so forth."

"PREFACE

"Floods have been many things to many people. To Noah and his people the deluge was a manifestation of a wrathful God. To the Pharaohs 16 'ells' on the Nile gage meant wafa—a period of abundance, a contented people, and above all, a freedom to tax without fear of unrest. To the 500 million people of the Far East floods have made plains and deltas on which to subsist in spite of a lifelong threat of death by drowning. In the United States they probably stimulate more interest among more diverse groups than any other natural phenomenon.

"To the reporters and editors of the daily press they are dramatic news.

"To those caught in the swirling mudladen waters they represent days and nights of terror.

"To Red Cross workers, National Guard units, or citizens hurriedly pressed into service to carry sandbags or to contribute money, food, and clothing, or to provide shelter for the homeless, they represent a call to action, a summons that is gladly met.

"To hydrologists floods mean the immediate translation of measurements of rain, snow, wind, and ground conditions into forecasts of river stages and their widespread dissemination by radio, telephone, and the press. If the danger is overestimated, the forecasting service may be discredited; if it is underestimated, the result is added damage and loss of life.

"To river engineers floods mean measurements of stages and volumes under the worst possible conditions; the study of ways to reduce damage; and the design, construction, and operation of extensive dikes, levees, floodwalls, channels, dams, and reservoirs—protective works which must not fail but which must function effectively to the limits of their designed capacity.

"To farmers they mean erosion and loss of topsoil on barren or newly planted sidehill fields, and inundation and flooding of crops on valley bottom lands.

"To conservationists the gullied fields and loss of valuable topsoil indicate a need for improved land-use practices and measures to increase infiltration and retard erosion.

"To legislators and constitutional lawyers floods have often represented a peg on which to hang measures and practices apparently designed not so much to reduce flood damage as to stabilize the economy, promote the general welfare, or in some instances just curry political favor.

"To journalists they provide material for magazine articles which in many instances have been deplorably misleading.

"To water users, especially in the West, they mean recharged ground water and the filling of storage reservoirs.

"To city and State planning boards and commissions they represent a need for rules and regulations whereby flood-hazard lands may be appropriately utilized.

"To statisticians they mean a series of events among which they look in vain for the alchemy of cyclic variations.

"To insurance executives they represent almost the only loss or damage that apparently cannot be profitably underwritten.

"To bankers they reflect the size and suitability of loans.

"To political scientists and economists they may present a picture of management or mismanagement which can only be corrected by more Federal control, more regional authorities, or more State and local participation, depending on the point of view.

"To some people floods may be only a source of inconvenience; to others they may be an immediate danger; to all of us as citizens they are a natural phenomenon on which we will have spent some twenty or more billion dollars under our present flood-control policy.

"In this volume we have tried to present some facts and fundamentals for the increasing number who are directly concerned with flood problems. We also hope that the book will be of general interest, because everyone of us, at least as a taxpayer, is indirectly concerned and affected by floods.

"WILLIAM G. HOYT,
"United States Geological Survey (Retired).

"WALTER B. LANGBEIN,
"United States Geological Survey.

"JUNE 1953."

To those who might be interested in a further followup of the topic, the table of contents appears as follows:

"CONTENTS

	Page
"Preface	V
"Acknowledgments	VII
"Prologue	3
"1. Flood problems	5
"2. Why we have flood problems (flood plains, rainstorms, thunderstorms, hurricanes, maximum rainfalls, snow, ice jams)	12
"3. Life history of a flood (on the land, in the channel, analyzing floods, where floods occur, when floods occur, flood magnitude, flood frequency, how floods are measured, maximum flood discharge)	35
"4. Damage from floods	77
"5. Man's adaptation to floods (zoning, insurance, forecasting, relief and rehabilitation)	91
"6. Protection through the control of water (dikes and levees, channel improvements, diversion of flood waters, reservoirs, land-use practices)	138
"7. Floods and the Constitution	162
"8. Our present flood-control policy (in the channel, on the land)	169
"9. Basin problems, projects and plans (New England, the middle Atlantic region, the South Atlantic, and eastern gulf streams, the Ohio River Basin, exclusive of the Tennessee River Basin, the Tennessee River Basin, the Great Lakes-St. Lawrence River region, the upper Mississippi River Basin, the lower Mississippi Basin, and its alluvial valley tributaries to the lower Mississippi from the Southwest, the Missouri River Basin, the Red River of the North, the western Gulf of Mexico, the Pacific Southwest, the Pacific Northwest)	187
"10. Flood history (before 1900; since 1900; floods by streams)	331
"Bibliography	433
"Index	445"

Mr. SPENCE. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Mr. Chairman, I am thoroughly in favor of this bill, and I am equally aware that it is an experimental thing. But, it is of extreme importance to not only the people of the State of New Jersey, but to the people of all other States.

It was my privilege to introduce a bill, H. R. 7979, on this subject which was referred to committee on the opening day of this session of Congress. The stimulus for this legislative proposal came not only from the calamitous experience suffered by my district and the State of New Jersey, as well as their neighbors in Pennsylvania, New York, Connecticut, Rhode Island, and Massachusetts during the floods of last August, but also from the testimony, which your friends of the Senate Banking and Currency Committee were able to gather in hearings held in the disaster area during November 1955.

Prior to my testimony before that committee in New York City, I received many letters urging me to do whatever possible to interest the Congress in providing better protection for our citizens against the capricious impact of natural disasters. Newspaper comment in my district was overwhelmingly favorable to the prospect of congressional action to establish sound insurance, at reasonable rates, against the unpredictable ravages of nature. The bill which I introduced in January was designed primarily to provide a broad basis of discussion of this general problem. On February 6, 1956, I introduced H. R. 9074 which restricts itself to the specific question of flood insurance. In my opinion, all the types of major calamity against which H. R. 7979 attempts to provide indemnity should be investigated with a view to legislation. But the most pressing need for legislation at this time is in the matter of property damage resulting from floods.

Certainly nothing that has happened since the harrowing experience of our northeastern neighbors in contending with that inappropriately named visitor, Hurricane Diane, has given cause for even the normal receding of alarm which generally ensues when disasters sink into history. Our usual sense of well-being during the Christmas season was disturbed this year by the news of the devastating floods in California, Oregon, and Nevada. From all over the country a feeling of great sympathy went out to these new flood victims, not only because of the cruel timing of the disaster, but also because millions of Americans have experienced for themselves the heartbreak and financial ruin which attend these unpredictable catastrophes.

Surely there can be no doubt that floods—whether attendant upon hurricanes and other storms, or upon the annual changing of the seasons—constitute a problem of national proportions. Our ever energetic Corps of Engineers and the Bureau of Reclamation have devoted scores of years to providing better control of our waterways to prevent floods. The United States Weather Bureau does what it can to warn us of impending natural disasters. Many Federal agen-

cies and bureaus have been delegated under Public Law 875 to help alleviate the suffering in disasters by providing equipment, housing, loans, unemployment benefits, tax assistance, and money grants to State and local governments. There is no question that the United States Government has played an important role in both the prevention of and recovery from the catastrophic blows of nature. The tragedy is that even the tremendous scientific and financial resources available to our Government cannot in any way guarantee protection of our citizens against the staggering loss of lives and possessions which accompany major storms or other natural disasters. This problem is one in which the classic requirements for governmental activity under our democratic system can be met—that is to say, the Government can do for the citizens what they could not otherwise do as well for themselves. Americans are not able to do at all for themselves in contending with the ravages of nature, not only insofar as prevention is concerned, but, just as importantly, in the matter of indemnity from the losses which they are constrained to suffer. With regard to floods, the private insurance companies of America are unable to write insurance against fixed property damage, because, in the areas where such policies might be purchased, the virtual certainty of loss, and its tremendous nature, would make the premium rates of any self-sustaining program far higher than property owners could pay. This is the considered opinion of the American Insurance Association, which reiterated on January 10, 1956, its stand, following a study of the flood damage occurring last year in the Northeastern States. Private insurance coverage for many types of natural catastrophes is obtainable at least for fixed location properties, because the incidence of the disaster is less certain than in the case of floods. But where an abnormal flow of water is possible (even though the inhabitants of the area themselves do not always realize it in advance), property insurance companies cannot venture without either pricing themselves out of the market or risking a financial disaster hard on the heels of a natural one. The same situation applies when we consider the possibility of damage from radioactivity, or the unthinkable devastation of a future war.

During the 82d and 83d Congresses sound legislative proposals on the subject of flood insurance were introduced with the strong backing of President Truman. However, even though the Members of Congress from the areas most recently affected by floods were anxious to act upon them, the dead hand of inertia and fear of new undertakings by our Federal Government prevented the kind of insurance program which would be so salutary today in the areas of the latest disasters. The most up-to-date estimates of damage caused by the December floods in California, Oregon, and Nevada are set by the Corps of Engineers at $107.3 million. Yet even this staggering loss is only 23 percent of the loss sustained by the Northeastern States last August, as estimated by the Federal Civil Defense Administrator. The past year has been the most expensive on record in the matter of flood damage, but it must not go down in history like the previous most expensive year, 1951. That was a year which prompted Congress to stir a bit under the consciousness of a national problem, but it failed to take effective action. The American Insurance Association report of December 1955 warns us that the Northeastern States have not yet experienced the greatest possible floods due to rainfall, nor the greatest storm tides. I see no reason to presume that other regions can safely assume that the worst lies behind them. Even if the scope of these disasters should steadily diminish, the insistent need for a Federal program to provide insurance would remain.

In view of the reluctance of our private insurance companies to enter the field of flood insurance, and in the face of the constantly repeated demonstrations of the need to protect our people and our economy from flood losses, the problem narrows down in my mind to one of method and the amount of necessary governmental action. The new bill which I have introduced presents a workable program for achieving the most pressing objective in disaster protection, while providing for a continuing study of the feasibility of extending the coverage to other forms of catastrophe included in my original proposal.

Under my revised bill, a Commissioner of the Federal Flood Insurance Administration, which is to be a constituent unit of the Housing and Home Finance Agency, would be appointed by the President subject to Senate confirmation. Authority to make policy decisions regarding Federal flood insurance and reinsurance would be vested in the Commissioner, and his administration would be subject to the Government Corporation Control Act. The Commissioner is directed to provide insurance against flood loss to real and personal property owned privately or by State and local governments in the United States, its Territories and possessions and Puerto Rico. The bill sets a policy limit of $10,000 on 1- to 4-family residences, including contents, and $100,000 on any other single piece of real or personal property in a single location. Private insurance companies can then be encouraged to issue policies covering risks above these limits and Federal reinsurance will be made available to them. No Federal insurance or reinsurance policies are to be issued if coverage is available at reasonable rates from other public or private sources, nor will it be issued on property violating flood-zoning laws. The Commissioner will establish premium rates based on a consideration of risks, as well as administrative expenses and the need for reserves, but the rates must be set at levels which the average property owner can afford to pay.

The financing of this program will be through premiums, salvage proceeds and borrowing from the United States Treasury not to exceed $1.5 billion unless approved by the President. The total liability of the Commissioner under insurance and reinsurance is not to exceed $1 billion in the first year nor $3 billion after July 1, 1958. The Commissioner will make an annual report and, in the year 1961, he is to specifically consider whether the Federal insurance program could be partially or totally turned over to private companies. If the Federal program continues after that year, a redetermination will be made regarding its continuance every 5 years.

The program set forth in S. 3732 is not nearly as extensive as the bill I originally proposed, but it makes what I consider a highly necessary and sound approach to the most pressing problem—providing against disastrous economic loss from floods. Other types of disaster insurance should be considered in separate legislation without undue delay. In the absence of any private agencies for helping the people who face the danger of flood losses, and considering the geographic and financial scope of the problem, I see no alternative to action by the Federal Government. The plan embodied in this bill is both financially feasible and also respectful of the need for solving our problems through private efforts whenever such efforts can achieve our purposes as well as the Government can. I therefore urge this program most urgently upon your committee.

Mr. SPENCE. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. HAGEN].

Mr. HAGEN. Mr. Chairman, the distinguished gentlewoman from Massachusetts has made a reference to a figurative volcano in Massachusetts. We have literal extinct volcanoes in California, and with them are associated earthquakes. I am sure the other Members of the California delegation, including Mr. TEAGUE, Mr. PHILLIPS, Mr. ENGLE, and others, join me in wondering why some provision is not made in this proposed legislation for insurance against earthquake damage. I know of my own knowledge that the cost of such insurance from a private carrier is prohibitive.

I should like to ask the distinguished chairman of the committee or some member of the committee what consideration, if any, was given to insuring against types of disaster other than floods, including earthquake disaster.

Mr. SPENCE. We considered it, but we did not think it was desirable to put it in the bill. If we could have gotten some private enterprise to participate we might have done it. They did not want any part of it, so we did not put it in the bill.

Mr. HAGEN. I understand there is a directive or a paragraph which will act as a direction to this Commission or this body to study the application of this bill to other forms of disaster, and that that will be done. That is half a loaf, but may be of some help.

The CHAIRMAN. All time having expired, the Clerk will read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the "Federal Flood Insurance Act of 1956."

Mr. SPENCE. Mr. Chairman, I move the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WILLIS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 3732) to provide insurance against flood damage, and for other purposes, had come to no resolution thereon.

TAX ON ADMISSIONS

Mr. COOPER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 9875) to amend the Internal Revenue Code of 1954 to provide that the tax on admission shall apply only with respect to that portion of the amount paid for any admission which is in excess of $1.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 9875, with Mr. BROOKS of Louisiana in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. COOPER. Mr. Chairman, I ask unanimous consent that all Members desiring to do so may extend their remarks in the RECORD on this bill just prior to the passage of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. KING], the author of the bill.

Mr. KING of California. Mr. Chairman, I introduced H. R. 9875 on March 12, 1956. This bill has as its purpose the exemption from the Federal admissions tax, of admissions of $1 or less. As originally introduced, the bill would have provided that the Federal admissions tax would be applied only to that amount in excess of $1. The Committee on Ways and Means gave consideration to H. R. 9875 and agreed to an amendment which would provide that the tax on admissions would be applied to the full amount of paid admissions if in excess of $1.

Under present law general admissions are free of the Federal excise tax if the charge is 50 cents or less. As in the case of the present 50 cent exemption, the $1 exemption applies only to admissions up to the level of the exemption, and does not affect admissions for which the charge exceeds the level of the exemption. Thus, under the bill as amended, the tax on an admissions price of $1.50 would be 15 cents, that is, it would be based upon the entire $1.50 and not merely the portion of the charge in excess of $1.

I am certain we are all aware that television is believed to be the primary cause for the difficulty faced by the motion-picture industry and other similar industries. While the exemption of $1 or less for admissions to motion-picture theaters, and other places of amusement, will not remove the competitive problem presented by the advent of television, it is believed that it will better enable these industries to adjust their long-range plans to the new competitive situation.

As will be recalled, the Excise Tax Reduction Act of 1954 provided the 50-cent exemption. It was a well-known fact at that time and today that the admissions tax constitutes a special hardship in the case of small theaters. In order to meet the rising costs in small communities, as well as neighborhood theaters in larger communities, theaters have had to raise their prices above the 50-cent level and by so doing could not take advantage of the relief intended to be given under the Excise Tax Reduction Act of 1954. By raising the exemption to $1 for admissions it is hoped that H. R. 9875 will accomplish the result sought in the previous act of 1954 of preserving our motion-picture theater industry.

Because rising operating costs confronting America's small theater owner today have precluded these entrepreneurs from realizing the benefits that Congress intended they should have as early as 1953, the motion-picture theater industry today is in worse condition than it was in 1953. It is estimated that more than one-half of all the theaters are in trouble. I am informed that 5,500 of these theaters are operating in the red and that 5,400 of them are operating at approximately the breakeven point. Since January of this year 1,073 theaters have closed.

We are all aware of the vital part that the community theater plays in the social and recreational activities of the cities and villages of our Nation. In addition to providing a recreational outlet, the theaters of the Nation also render substantial community service by making their facilities available for public meetings and other activities.

In view of the depressed economic condition presently existing in the theater industry, I believe that I can correctly express the opinion that Congress would not today impose the present admissions tax on the theaters if such tax were not already in existence. If I am correct in this belief it seems indefensible to continue the tax.

For these reasons I believe the tax relief that would be afforded by H. R. 9875 to the motion-picture industry and to other industries subject to the admissions tax is fully warranted.

I urge my colleagues to join with me in supporting this meritorious legislation.

Mr. REED of New York. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H. R. 9875 provides that no tax is to be imposed on a general admission for which the charge is $1 or less. Primarily, this bill is designed to give further tax relief to the motion-picture theater industry.

It is estimated that the enactment of this bill will result in a revenue loss of approximately $70 million a year when fully effective. The Department of the Treasury and the Bureau of the Budget oppose the enactment of this bill because of this substantial revenue loss.

I do not question the seriousness of the economic problems which confront the motion-picture theater industry. I assume that the tax exemption provided by this bill will, in most cases, not be passed on to the theater customers but will be retained by the theater owners. Therefore, I assume that enactment of this bill will serve to ameliorate the economic plight of these operators. On the other hand, there a number of other tax situations which are deserving of the consideration of this Congress. Irrespective of the merits of the motion-picture problem, it seems to me very unfortunate and, indeed, discriminatory to ignore the just demands of other taxpayers for similar assistance in their economic difficulties.

Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Chairman, I support this legislation because I think, as the gentleman from California stated, the industry involved here is a very sick industry. The cause of the sickness is not, of course, the tax itself, but certainly we should not be burdening the industry with a tax of this kind while it is in such a sad state of affairs.

However, I would call attention to two other matters that I think are crying for attention. I think it is regrettable that the committee did not see fit to consider them. As long as we were giving relief at least to this industry, I think we should have gone one step further and approved the bill as originally introduced by the gentleman from California, because certainly the legitimate theater and other forms of entertainment in that line are suffering the same effects as the movie industry from the advent of television. Also, I would call attention to another industry, Mr. Chairman, which I think cries for attention and that is in the entertainment field. But, in this case the industry itself is being affected primarily because of the tax itself—I refer to the carbaret tax. I am convinced that that tax is not a revenue producing measure today, but is a deterrent to the employment of musicians and entertainers. What we are doing by the continuance of that tax, I am convinced, is denying musicians and entertainers an opportunity for employment. An effort was made in the committee to include that along with the bill, but regrettably that was not done. I hope, however, Mr. Chairman, that the committee will see fit—I know it is too much to expect that it will be done this year at this late date, but I do hope the committee early in the next session will give consideration to the industry affected by the carbaret tax, and also give consideration to the plight of these other aspects of the amusement industry that are affected by the amusement tax such as the legitimate theater, concerts, and other areas of the entertainment field.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield.

Mr. McDONOUGH. I am very happy to know that the gentleman is interested in reducing the excise tax. But you

have confined your remarks to the entertainment field. What about the excise tax on women's purses, cosmetics, and transportation and telephone calls?

Mr. BYRNES of Wisconsin. What I have tried to point out is that in the particular areas that I am talking about, the tax is either a terrific burden on the industry as such, and is holding the industry down such as in the entertainment field so far as the employment of musicians and so forth are concerned who are just not being employed because of the tax, and the industry itself is in very difficult straits. That cannot be said in the other industries that the gentleman has mentioned.

Mr. COOPER. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. WIER].

Mr. WIER. Mr. Chairman, I want to associate myself with the comments made by the gentleman from Wisconsin [Mr. BYRNES]. I think he has expressed the sentiments and views that I have with respect to the entire entertainment field.

Mr. COOPER: Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, I want to associate myself with the remarks made by my colleague, the gentleman from California [Mr. KING], the author of the bill.

Mr. COOPER. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Chairman, I want to associate myself also with the remarks made by the preceding speakers. This is a very much needed piece of legislation and is very timely.

Mr. REED of New York. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS. Mr. Chairman, there is absolutely nothing in this bill more than is stated in its title and I am going to read it again. Here is what it says:

To amend the Internal Revenue Code of 1954 to provide that the tax on admissions shall apply only with respect to that portion of the amount paid for any admission which is in excess of $1.

In other words, it applies only to admissions over $1. The price of admission has to be over $1. It does not deal with any admission below $1 which heretofore was affected by the tax.

Though this matter was not approved unanimously by the committee, generally the committee approved this and I think the country will approve.

Mr. REED of New York. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. HOLT].

Mr. HOLT. Mr. Chairman, I want to go on record as favoring this legislation very strongly. I represent the district which makes more motion pictures in Hollywood than any other district. The industry itself has recovery greatly from the competition of television, but the small-business men who operate the theaters are having a difficult time of it. I want to compliment the Committee on Ways and Means for reporting out this legislation and I want to associate myself with the remarks of my colleague, the gentleman from Wisconsin [Mr. BYRNES], and I agree with him that it is too bad that legislation could not be reported out by the committee which would eliminate the cabaret tax as well.

First. There are a total of 19,200 motion picture theaters in the United States. These are divided into 14,600 four-wall theaters and 4,400 drive-ins. Of these theaters 53 percent are now paying about $80 million annually in Federal taxes and the other 9,000 theaters pay no admission taxes because their top ticket prices are 50 cents or less.

Second. The taxpaying theaters, 10,200, may be divided into 4 economic groups:

A. This group consists of 4,700 theaters—2,000 of these are operating at a profit of only 2 or 3 percent of their net gross—1,500 are breaking even and 100 are in the red.

B. The next group consists mainly of suburban theaters of a total of around 2,800. Only 800 of these are profitable at this time. About 1,000 are losing an average of $100 a week and the balance, as I understand it, are about breaking even.

C. This group consists of 2,600 theaters which are mostly circuit owned or operated and they are the first run pictures in the big towns. Some of these are making money and some are in the red, and some are just about breaking even.

D. In this group, 100 theaters are still paying taxes—they are the large city houses most of which charge over $1 admission at all times. These theaters are carrying other circuit owned theaters.

I might say that this condition of the theaters has developed during a period of record breaking prosperity and profits for every other major industry.

While it would appear that the Government would lose taxes in the amount of $80 million, in reality only $48 million would be lost and the balance of $32 million would return to the Government through increased corporation taxes.

Elimination of this tax would save small theaters over the country and therefore I advocate such elimination.

This loss will be borne not only by the theater operator, but by his employees and all firms and services with which he does business, and also by the community in which he operates.

Another item is that there is a decline in real estate values and of course a loss made necessary by the transformation of the building from a theatre to another type of rental.

Information supplied the committee indicates that motion picture industry conditions are now worse than in 1953 when the committee took action. It has been stated that more than half of all the theaters presently are faced with economic problems, since 5,500 are operating in the red while another 5,400 are operating at or near the break-even point.

As in 1953, television is believed to be the primary cause for the difficulty faced by the motion-picture and other similar industries. While the exemption of $1 or less for admissions to motion-picture theaters and other places of amusement will not remove the competitive problem presented by the advent of television, it is believed that it will better enable these industries to adjust their long-range plans to the new competitive situation.

Mr. SADLAK. Mr. Chairman, a reduction of admission taxes by amending the Internal Revenue Code of 1954 is not a new request as contained in H. R. 9875, the pending measure, but is actually a repeat request, an appeal made in behalf of business enterprises that are suffering ill effects due to the continuation of the excise tax.

When the problem with which we are again concerned today was vividly presented to the Committee on Ways and Means and the Finance Committee some 3 years ago, a recommendation was made to move the 20 percent detrimental tax. This was the medicine our patient needed and required. The relief, however, was denied because many other industries were experiencing like symptoms and difficulties attributable to the same cause, namely, excise taxes which had been imposed as a war measure to help bring in defense funds. Subsequently partial relief was provided by the Congress and it was most welcome giving succor and hope that such partial relief would provide sufficient momentum to successfully carry on the business.

To me, the problem is analogous to a sick patient visiting his doctor who, after making a thorough examination to ascertain the nature of the ailment, prescribes medicines to effect a complete cure and not merely to provide partial recovery. With the theater owners particularly, the complete prescription had to be revised but then it was hoped that the smaller dosage would at the same time adduce a psychological reaction that would resolve itself somehow in the complete beneficial relief that could not be prescribed in the first instance.

Mr. Chairman, statistics today indicate a continuation of theater closing and these in themselves confirm the need of the original relief. That, in effect, is the purpose of the pending bill which provides that the tax on admissions shall apply only with respect to that portion of the amount paid for any admission which is in excess of $1.

I know this beneficial relief is urgently needed and I recommend the adoption of H. R. 9875.

Mr. MARSHALL. Mr. Chairman, It is my purpose to commend the Committee on Ways and Means for bringing this bill up for consideration by the House. The movie industry needs the enactment of this legislation. It is faced with competition that did not exist when the admissions tax was originally adopted. It is also discriminatory against large families and people of low incomes who rely upon the movies as their source of entertainment and relaxation.

The movie theaters and people of my district are very much in favor of this legislation. We all join in thanking Mr. King of California and the committee for making this legislation possible. I unhesitatingly support it.

Mr. RILEY. Mr. Chairman, I am in favor of H. R. 9875 to relieve all Federal admission taxes over $1. I believe the

public as a whole approves of this measure, and I am sure that this legislation will prove of benefit to small business; particularly picture shows, baseball games and other wholesome entertainment.

Mr. RIVERS. Mr. Chairman, I am very happy to associate myself with the provisions of H. R. 9875. The author—the distinguished gentleman from California [Mr. KING] is to be congratulated for bringing relief to those in this Nation who can only afford entertainment costing less than $1. This bill helps the fine people of small means.

Mr. PRICE. Mr. Chairman, I am glad to see this bill under consideration this afternoon.

Last year I gave my support to legislation calling for the repeal of the Federal tax on admissions to theaters and was sorry to see it die under a veto by President Eisenhower. I sincerely hope this measure will not suffer a similar fate.

This bill provides for repeal of the Federal tax on admission of $1 or less and will give needed relief to thousands of movie theaters throughout the country.

The movie theater is a great influence in our community life and it is important that we contribute what we can to its preservation. This relief will, I feel, save many theaters from serious economic pressure that today threatens their operations.

I feel this bill will have almost unanimous support and it is worthy of such. There are only a few days remaining of this session of the 84th Congress, consequently I hope we will rush this legislation along to final action.

Mr. LAIRD. Mr. Chairman, I am happy to support this legislation this afternoon. I wish to associate myself with the remarks of the gentleman from Wisconsin [Mr. BYRNES] as regards the present cabaret tax. I regret that the House Ways and Means Committee did not take action to provide reductions of this tax.

Mr. ELLIOTT. Mr. Chairman, I rise in support of the bill H. R. 9875, to amend the Internal Revenue Code so as to provide that tax will not be collected on admission charges of $1 or less.

This bill is passed primarily to try to relieve in some degree the plight of the motion-picture shows of America. Five thousand five hundred picture shows are now operating in the red; another 5,400 are operating at or near the break-even point.

Picture shows were suddenly faced with a very competitive situation with the advent of television. Television must have its right to grow and develop in accord with the free-enterprise system which has made America the great and bounding Nation it now is. However, the picture show must be given a reasonable opportunity to continue to exist, too. It must have time to adjust itself to the competition of television. This bill will help to give it that opportunity.

When I vote for this bill I am thinking not of the picture-show owners and operators alone, but of the hundreds of thousands of people who find their principal, or at least a part, of their recreation in viewing motion pictures. The wholesome entertainment provided by most movies must continue to be available to the average citizen, and his children. It cannot be available if the picture shows continue to go broke.

Mr. DURHAM. Mr. Speaker, I want to voice my approval of the bill H. R. 9875, to amend the Internal Revenue Code of 1954 to provide that the tax on admissions shall apply only with respect to that portion of the amount paid for any admission which is in excess of $1. I am glad that the great Ways and Means Committee of the House has taken cognizance of the predicament of the theater industry and has afforded it a measure of relief through this legislation.

I know from my correspondence and from talks with motion theater people in my district and State that the industry is greatly in need of this consideration. We owe much to the theater industry in the way of entertainment and relaxation, for long before television and even before radio was perfected, the movies provided a fine entertainment and recreation channel. In recent years, especially, the movies have provided some very excellent educational and documentary films. The industry made a fine contribution to the war effort and to our national defense in the war and postwar years. Our young men in the service found wholesome and educational entertainment in the movie houses throughout the country in their leave periods.

The small-business people who operate the theaters in our cities and towns are having a struggle to survive, and I believe the elimination of this tax will enable many of them to keep in business. The relief which we formerly gave in the Excise Reduction Act of 1954, when the tax was lifted from admissions of 50 cents or less, has been inadequate for the survival and successful operation of our movie theaters, and I sincerely hope that we can take this remedial action in the House today in behalf of the industry.

The CHAIRMAN. Under the rule the bill is considered as having been read for amendment.

(The bill reads as follows:)

Be it enacted, etc., That paragraph (1) of section 4231 of the Internal Revenue Code of 1954 (relating to imposition of tax on admissions) is amended to read as follows:

"(1) General: A tax of 1 cent for each 10 cents or major fraction thereof of the amount paid for admission to any place, including admission by season ticket or subscription; except that the tax imposed under this paragraph on the amount paid for admission shall apply only—

"(A) with respect to that portion of the amount paid for any admission which is in excess of $1, or

"(B) in the case of a season ticket or subscription, with respect to that portion of the amount paid therefor which is in excess of $1 multiplied by the number of single admissions to which such ticket or subscription entitles the holder or subscriber.

The tax imposed under this paragraph shall be paid by the person paying for such admission."

SEC. 2. The amendment made by the first section of this act shall apply only with respect to amounts paid on or after the first day of the first month which begins more than 10 days after the date of the enactment of this act for admissions on or after such first day.

The CHAIRMAN. The Clerk will report the committee amendment which appears in the bill.

The Clerk read as follows:

Committee amendment: Page 1, line 3, strike out all of line 3, the balance of page 1, and lines 1 to 12 inclusive on page 2, and insert in lieu thereof the following:

"That paragraph (1) of section 4231 of the Internal Revenue Code of 1954 (relating to imposition of tax on admissions) is amended by striking out '50 cents or less' each place it appears and inserting in lieu thereof '$1 or less.'"

The committee amendments were agreed to.

Mr. COOPER. Mr. Chairman, there are no further committee amendments to be offered.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BROOKS of Louisiana, Chairman of the Committee of the Whole House on the State of the Union reported that that Committee, having had under consideration the bill (H. R. 9875) to amend the Internal Revenue Code of 1954 to provide that the tax on admissions shall apply only with respect to that portion of the amount paid for any admission which is in excess of $1, pursuant to House Resolution 616, he reported the same back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed.

The title of the bill was amended to read: "A bill to amend the Internal Revenue Code of 1954 to provide that the tax on admissions shall apply only if the amount paid for the admission exceeds $1."

A motion to reconsider was laid on the table.

AMENDING CERTAIN ADMINISTRATIVE PROVISIONS OF TARIFF ACT OF 1930

Mr. COOPER submitted the following conference report and statement on the bill (H. R. 6040) to amend certain administrative provisions of the Tariff Act of 1930 and to repeal obsolete provisions of the customs laws:

CONFERENCE REPORT (H. REPT. No. 2868)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6040) to amend certain administrative provisions of the Tariff Act of 1930 and to repeal obsolete provisions of the customs laws, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 13.

That the House recede from its disagreement to the amendments of the Senate num-

bered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 and agree to the same.

JERE COOPER,
W. D. MILLS,
NOBLE J. GREGORY,
DANIEL A. REED,
THOMAS A. JENKINS,
Managers on the Part of the House.

HARRY F. BYRD,
WALTER F. GEORGE,
By HARRY F. BYRD,
ROBERT S. KERR,
EUGENE D. MILLIKIN,
EDWARD MARTIN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6040) to amend certain administrative provisions of the Tariff Act of 1930 and to repeal obsolete provisions of the customs laws, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment corrects a date in the short title and omits language with respect to the effective date which is covered in Amendment No. 12. The House recedes.

Amendments Nos. 2, 3, 4, 5, 6, 10, and 12: These amendments deal with the valuation procedure and except for Amendment No. 10 are technical or conforming amendments. The House bill provided that the new valuation procedures, based primarily on export value, would become effective on and after the 30th day following the date of enactment with respect to all imported articles subject to ad valorem rates of duty. The Senate amendments limit the application of the new provisions as follows: The Secretary of the Treasury would make public a preliminary list of the imported articles which he shall have determined, after such investigation as he deems necessary, would have been appraised under the new formula at average values which are 95 (or less) percent of the average values at which such articles were actually appraised during the fiscal year 1954. Domestic interests would then have 60 days in which to present to the Secretary reasons for belief that other articles should be added to the list. If their claims should be substantiated after investigation by the Secretary, he would add such articles to the list. The Secretary would then publish a final list and the articles specified on the list would be appraised on the current Tariff Act formula, based primarily on foreign or export value, whichever is higher. In other words, if under the new formula the value for customs purposes (not the tariff duty) would be reduced by 5 percent or more, appraisal would continue to be made as at present. The final list is required to be transmitted promptly, with explanatory data, to the chairmen of the Committee on Ways and Means of the House and the Committee on Finance of the Senate. The House recedes.

Amendments Nos. 7, 8, and 9: The House bill provided that the report of the Secretary of the Treasury on the Antidumping Act, provided for in section 5, should be made within 1 year after the effective date of the act. These amendments provide that the report shall be made within 6 months after the date of enactment. The House recedes.

Amendment No. 11: This amendment provides that the State of New Mexico shall hereafter constitute a separate customs collection district with headquarters either in Deming or Columbus, N. Mex., and such additional ports of entry as the Secretary of the Treasury may deem necessary. The House recedes.

Amendment No. 13: This amendment strikes out the proviso in paragraph 219 of the Tariff Act of 1930 which provides that cylinder, crown, and sheet glass, imported in boxes, must be packed in units containing 50 square feet or multiples thereof, as nearly as sizes will permit, and that the duty shall be computed thereon according to actual weight of glass. The Senate recedes.

JERE COOPER,
W. D. MILLS,
NOBLE J. GREGORY,
DANIEL A. REED,
THOMAS A. JENKINS,
Managers on the Part of the House.

Mr. COOPER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H. R. 6040) to amend certain administrative provisions of the Tariff Act of 1930 and to repeal obsolete provisions of the customs laws, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the statement.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD on the conference report.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, it will be recalled that during the 1st session of the 84th Congress, the House of Representatives acted favorably on H. R. 6040, the Customs Simplification Act of 1955. The Senate has recently completed action on this legislation and in so doing adopted five substantive amendments to the House bill.

The House-Senate conferees on H. R. 6040 accepted four of these amendments and deleted the fifth from the bill. The amendment deleted by the conferees would have repealed those provisions of paragraph 219 of the Tariff Act of 1930 which required that certain glass imported in boxes must be packed in units containing 50 square feet or multiples thereof. This amendment was opposed by the domestic glass industry and was deleted to permit more deliberate consideration of the proposal.

The other Senate amendments that were accepted in conference may be described as follows:

I. ALTERNATIVE VALUATION

The Senate Finance Committee added a new section 6 designed to "prevent the application of section 2, the valuation procedures, to those articles which the Secretary finds to be reduced in value by 5 percent or more under section 2." As may be recalled, section 2 of the House bill would revise the standard for valuation of imports by eliminating the "foreign value" thus making "export value" the single basis wherever it can be determined. The new section added by the Senate finance amendment in effect provides for an alternative method of valuation by retaining in the law the present method as such alternative. This is by far the most important Senate amendment. This amendment is stated in the Senate report to be a Treasury Department amendment.

Under this amendment, the following procedure is contemplated: (a) The Secretary of the Treasury would prepare and make public a preliminary list of imported articles which, after investigation, would be reduced by 5 percent or more in value under section 2 of the bill (based on a 1954 appraisal); (b) domestic manufacturers, producers, or wholesalers, would then have 60 days to suggest additional items; (c) the Secretary would then cause such investigation as he deems necessary as to these additional items; (d) a final list would be prepared and published in the Federal Register; (e) 30 days following publication, all imports not listed would be valued under the procedures in section 2 of the bill, while all articles on such list would be continued under the valuation in effect before enactment of the bill.

A Senate Finance Committee amendment further provided that, after a period of about 1 year, a new list would be prepared, eliminating articles then found to be reduced by less than 5 percent, and adding other articles which would be reduced by 5 percent or more; similarly, third and fourth lists would be prepared after a year's experience with each preceding list, and each list, as it was made final, would be sent to the chairmen of the Ways and Means Committee and the Finance Committee.

The Senate Finance Committee report states that the reason for the alternative valuation provision was "to prevent any sudden material change in valuation." The report also stated that section 2 of the bill would be used in about 90 percent of the cases at time of issuance of the first list, and that the percentage would increase with each succeeding list.

A floor amendment to this committee amendment was adopted eliminating the additional lists contemplated in the Senate Finance amendment. The amendment was adopted because it was maintained that too much discretionary authority would be lodged in the Secretary with respect to the addition to or the elimination from the subsequent lists, and that no provision was made for hearings, or appeal, or for disclosure of the basis for his decisions.

Senate amendment No. 10 is the principal amendment relating to this change.

II. REPORT ON ANTIDUMPING ENFORCEMENT

The House bill contained a provision requiring the Secretary of the Treasury's report on antidumping enforcement and legislation to be submitted to the Congress within 1 year after the effective date of the act.

A Senate Finance Committee amendment provides for submission of the report within 6 months after date of enactment.

Senate amendments Nos. 7, 8, and 9 refer to this change.

III. NEW CUSTOMS COLLECTION DISTRICT

A Senate floor amendment added a new section 7 to the bill providing that the State of New Mexico shall hereafter constitute a separate customs collection district, with headquarters either in Deming or Columbus, N. Mex., and such additional ports of entry as the Secretary may deem necessary.

Senate amendment No. 11 relates to this.

IV. EFFECTIVE DATES

The effective date of the House bill was date of enactment.

A Senate Finance Committee amendment provides that the act shall be effective on the day following enactment, except that section 2 shall be effective only as to articles entered, or withdrawn from warehouse, for consumption on or after the 30th day following the publication of the final list provided for in section 6 (a) of this act.

Section 3 shall be effective as to entries filed on or after the 30th day following the date of enactment of this act.

Mr. Speaker, it is my view that the simplification of customs procedures that will be provided by the adoption of H. R. 6040, as agreed to by the conferees, will do much to bring about an improvement in the handling of goods by the Bureau of Customs and will provide greater certainty with respect to valuation so that greater certainty will exist with respect to the application of duties on imports.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point on the conference report.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, I believe that the conference agreement on H. R. 6040, the Customs Simplification Act of 1955, represents a very satisfactory and workmanlike job.

With one exception, which I will describe in a moment, the Senate amendments were acceptable to all concerned. Certainly, the basic provisions of the bill represent a victory for President Eisenhower of major proportion.

One amendment added by the other body would have seriously affected the domestic glass industry. This floor amendment would have repealed those provisions of paragraph 219 of the Tariff Act of 1930 which requires that certain glass imported in boxes must be packed in units containing 50 square feet or multiples thereof. It was discovered that this amendment, if adopted, would have disrupted the traditional packaging practices of the domestic industry, would have forced radical changes in its traditional statistical methods, and would have interferred with the standard methods of compensation within the industry. In view of this threatened impact upon our important glass industry, I objected strenuously to this amendment. I am glad to report to the House that the Senate conferees receded with respect to this particular amendment. As a result, I am glad to urge the prompt adoption of the conference agreement.

IMPORT DUTIES ON WOOL

Mr. COOPER, from the Committee on Ways and Means, reported the bill (H. R. 12227) to amend certain provisions of the Tariff Act of 1930 relative to import duties on wool, which was read a first and second time and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

RESOLUTION OF INQUIRY RE CERTAIN TAX CLAIMS

Mr. COOPER, from the Committee on Ways and Means, reported the resolution (H. Res. 475) of inquiry regarding settlement of tax claim in case against American Distilling Co., which was read a first and second time and, with the accompanying papers, referred to the House Calendar and ordered to be printed.

AMENDING CERTAIN PROVISIONS OF LAW RELATING TO THE ESTATE TAX

Mr. COOPER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6595) to amend certain provisions of law relating to the estate tax, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, lines 4 and 5, strike out "November 11, 1935, and before January 30, 1940" and insert "February 10, 1939."

Page 1, strike out lines 10, 11, and 12.

Page 2, line 15, strike out all after "1949" down to and including "1953" in line 17.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, as you will recall, in 1949 the Supreme Court decided the Church and Spiegel cases. These cases materially changed the principles of law governing estate planning and, because they had not been anticipated, worked hardship in many cases.

In 1949 the Congress provided relief from the effects of the Church and Spiegel cases. However, the relief provided in the so-called Technical Changes Act of 1949, as amended, applies only to cases which were not barred on January 16, 1949, the date of the decision in the Church case. As it passed the House, H. R. 6595 would have reopened cases involving persons dying after November 11, 1935, the date of the decision of the Supreme Court in Helvering against St. Louis Union Trust Co., and before January 30, 1940, the date of the Supreme Court decision in Helvering against Hallock.

In substance, the Senate amendments do not vary the provisions of the House bill, except that the House bill applied to persons dying after November 11, 1935, and before January 30, 1949, whereas, under the Senate amendments, the bill will apply only to persons dying after February 10, 1939, the effective date of the 1939 code.

The treatment accorded under the bill is consistent with the rules adopted by Congress in 1949 which granted refunds in closed cases of decedents dying after enactment of the 1939 code where the decedent retained only a 5-percent reversionary interest in the property transferred.

Since the Senate amendments do not affect the substantive principle of the bill, I suggest that they be accepted by the House.

Mr. REED of New York. Mr. Speaker, I also urge that the House concur in the Senate amendments to H. R. 6595, a bill to amend certain provisions in the estate tax.

TARIFF COMMISSION

Mr. COOPER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 12254) providing for the extension to March 1, 1958, the time in which the Tariff Commission is directed to complete its study and report thereon with respect to recommendations for simplifying our tariff strructure as provided in Public Law 768 of the 83d Congress.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 101 (c) of the Customs Simplification Act of 1954 (Public Law 768, 83d Cong.) is amended by striking out "2 years after the enactment of this act" and inserting in lieu thereof March 1, 1958".

With the following committee amendment:

Page 1, line 6, strike out "March" and insert "'March'."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, it will be recalled that subsection (a) of section

101 of the Customs Simplification Act of 1954, which became Public Law 768 of the 83d Congress, directed the Tariff Commission to make a complete study of all the provisions of the customs laws of the United States under which imported articles may be classified for tariff purposes and to submit to the President and to the Chairman of the House Committee on Ways and Means and to the Chairman of the Senate Committee on Finance by not later than September 1, 1956, a proposed revision and consolidation of these laws to accomplish the simplification purposes prescribed in the original legislation. The Tariff Commission has informed the Congress that it would not be possible to comply with the time limitation of September 1, 1956 prescribed by Public Law 768 and has requested an extension of the period allowed for completing the studies and submitting the reports required. H. R. 12254 would grant the additional time by extending to March 1, 1958 the date by which such studies must be completed and the reports submitted.

In requesting this additional time, the Tariff Commission indicated that among the reasons necessitating the requests were the fact that the membership and personnel of the Tariff Commission had been preoccupied with peril point and escape clause proceedings and lending technical assistance in connection with tariff negotiations and the fact that the magnitude and importance of the study and report required by Public Law 768 entailed a study that cannot be completed within the time allowed. Another reason for the extension is to permit full and adequate hearings by the Tariff Commission in connection with the study.

The Committee on Ways and Means was unanimous in urging the enactment of H. R. 12254.

AMENDING INTERNAL REVENUE CODE OF 1939 AND 1954 WITH RESPECT TO FOREIGN TAX CREDIT FOR UNITED KINGDOM INCOME TAX PAID

Mr. COOPER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 7643) to amend the Internal Revenue Code of 1939 and the Internal Revenue Code of 1954 with respect to foreign tax credit for United Kingdom income tax paid with respect to royalties and other like amounts, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 131 (e) of the Internal Revenue Code of 1939 (relating to the foreign tax credit) is hereby amended by adding at the end thereof the following new sentence: "For the purposes of this section, the recipient of a royalty or other amount paid as consideration for the use of, or for the privilege of using, copyrights, patents, designs, secret processes and formulas, trademarks, and other like property, and derived from sources within the United Kingdom of Great Britain and Northern Ireland, shall be deemed to have paid any income, war-profits, and excess-profits taxes paid to the United Kingdom with respect to such royalty or other amount (including the amount by which the payor's United Kingdom tax was increased by inability to deduct such royalty or other amount) if such recipient elects to include in its gross income the amount of such United Kingdom tax."

SEC. 2. Section 905 (b) of the Internal Revenue Code of 1954 is hereby amended by adding at the end thereof the following new sentence:

"For the purposes of this subpart, the recipient of a royalty or other amount paid as consideration for the use of, or for the privilege of using, copyrights, patents, designs, secret processes and formulas, trademarks, and other like property, and derived from sources within the United Kingdom of Great Britain and Northern Ireland, shall be deemed to have paid any income, war-profits and excess-profits taxes paid to the United Kingdom with respect to such royalty or other amount (including the amount by which the payor's United Kingdom tax was increased by inability to deduct such royalty or other amount) if such recipient elects to include in its taxable income the amount of such United Kingdom tax."

SEC. 3. The amendment made by the first section of this act shall apply for all taxable years beginning on and after January 1, 1945, as to which section 131 of the Internal Revenue Code of 1939 is the applicable provision. The amendment made by the second section of this act shall apply with respect to taxable years beginning after December 31, 1953, and ending after August 16, 1954, the date of enactment of the Internal Revenue Code of 1954.

With the following committee amendment:

Page 3, line 3, strike out "1945" and insert "1950."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

Mr. COOPER Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, the provisions of H. R. 7643 will extend to royalty income from United Kingdom sources the tax treatment accorded dividend income from such sources as a consequence of the income-tax convention with Great Britain.

Under the tax laws of Great Britain the standard rate income tax imposed upon corporate profits is treated as if it were a tax on the corporation's shareholders. Thus, when dividends are distributed the corporate distributee recovers the tax previously paid by it by withholding, and the shareholder includes the amount of taxes withheld in his taxable income for purposes of computing his personal-tax liability.

While the British regard their basic corporate tax as a tax on the shareholder, the Supreme Court in the case of Biddle against Commissioner has held that a United States stockholder receiving dividends from a British corporation is not considered to have paid the corporate taxes by which the dividends were reduced and is, therefore, not entitled to a foreign tax credit for such taxes. The effect of the Biddle decision was overcome as to dividends by our tax convention with the United Kingdom under which British corporate taxes on dividends paid to United States shareholders are considered to have been paid by the shareholder. In effect, this allows a foreign-tax credit for the taxes paid and prevents double taxation.

The tax convention also provides that royalties paid by a British corporation to a United States taxpayer are not subject to the British corporate tax unless the taxpayer has a permanent business establishment in the United Kingdom. This was also provided to prevent double taxation. But in cases where the United States royalty recipient has a permanent business establishment in the United Kingdom no relief from double taxation is available under the tax convention because of the holding in the Biddle case, mentioned above, which operates to deny a foreign-tax credit.

H. R. 7643 overcomes the Biddle decision as to royalty income and will give United States royalty recipients who have permanent business establishments in the United Kingdom the same tax relief accorded to dividend recipients under the income-tax convention, thus avoiding double taxation on such income.

The bill was reported unanimously by the Committee on Ways and Means. I urge its adoption by the House.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, H. R. 7643, introduced by my distinguished colleague on the Ways and Means Committee, Mr. SIMPSON, of Pennsylvania, amends the Internal Revenue Code of 1954 with respect to the foreign-tax credit for United Kingdom income tax paid with respect to royalties and other like amounts.

The chairman [Mr. COOPER] has explained in detail the provisions of the bill. It was reported unanimously by the committee and I recommend its adoption by the House.

REDEMPTION BY THE POST OFFICE DEPARTMENT OF CERTAIN UNSOLD FEDERAL MIGRATORY-BIRD HUNTING STAMPS

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5256) to provide for the redemption by the Post Office Department of certain unsold Federal migratory-bird hunting stamps, to clarify the requirements with respect to the age of hunters who must possess Federal migratory

hunting stamps, with Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, after line 17, insert:

"SEC. 3. (a) Hereafter such quantity of migratory-bird hunting stamps, not sold at the end of the fiscal year for which issued, as determined by the Postmaster General to be (1) required to supply the market for sale to collectors, and (2) in suitable condition for such sale to collectors, shall be turned over to the Philatelic Agency and therein placed on sale. Any surplus stock of such migratory-bird hunting stamps may be destroyed in such manner as the Postmaster General shall direct.

"(b) The fourth sentence of section 2 of the act of March 16, 1934, as amended (48 Stat. 451; 16 U. S. C., sec. 718b), is hereby further amended to read as follows: 'Such stamps shall be usable as migratory-bird hunting stamps only during the fiscal year for which issued.'

"(c) The first and second provisos in the paragraph under the heading 'Migratory Bird Conservation Fund' in the act of June 28, 1941 (55 Stat. 356; 16 U. S. C., sec. 718i) are hereby repealed.'"

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

AMENDING THE WATERSHED AND PROTECTION AND FLOOD PREVENTION ACT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8750) to amend the watershed and protection and flood prevention act, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. COOLEY, POAGE, GRANT, HOPE, and AUGUST H. ANDRESEN.

CREDIT FACILITIES AVAILABLE TO FARMERS

Mr. COOLEY (at the request of Mr. ALBERT) submitted a conference report and statement on the bill (H. R. 11544) to improve and simplify the credit facilities available to farmers, to amend the Bankhead-Jones Farm Tenant Act, and for other purposes.

NUCLEAR-POWERED MERCHANT SHIP

Mr. BONNER submitted a conference report and statement on the bill (H. R. 6243) authorizing the construction of a nuclear-powered merchant ship to promote the peacetime application of atomic energy, and for other purposes.

VETERANS' ADMINISTRATION HOSPITAL PROGRAM

Mr. AVERY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. AVERY. Mr. Speaker, during the recess following the 1st session of the 84th Congress it was my privilege to visit 15 hospitals located in the West and South of this country, operated by the Veterans' Administration for the care of our disabled veterans. I was very much impressed with this operation and the magnitude of it.

On any given day there are approximately 114,000 veterans hospitalized in Veterans' Administration hospitals throughout the country or in contract hospitals which have agreed to furnish services to veterans because of their service-connected disabilities. At the same time there are usually pending in any given day over 20,000 applications for admission because of a non-service-connected disability.

This hospital program also generally includes a program of domiciliary care of which there are approximately 16,000 members taken care of each day in the year.

During the current fiscal year we will spend just under $663 million for the operation and administration of our 174 Veterans' Administration hospitals. In addition, medical administration will cost nearly $21 million, and over $82 million will be spent on outpatient care. I think, based on my experience in visiting these hospitals and as a member of the Subcommittee on Hospitals of the Committee on Veterans' Affairs, that no better use of our tax funds can be made than the care of our sick and needy veterans. Comparing these amounts with other expenditures for Government operations, the total sum is not excessive.

I am happy also to have played a part under the leadership of the chairman of the Committee on Veterans' Affairs, in securing additional funds for the renovation, modernization, and in some cases the new construction of needed hospitals. In the current fiscal year we are spending $21½ million more for this purpose than we did in the last fiscal year, and the hospital program is in much better shape today than it has been in many years past. This can be a source of gratification and pride to us all.

All of this is brought into focus by a letter which I received only a few days ago and which was totally unsolicited—a letter expressing the deep appreciation and gratitude of the family of a veteran who recently died in the Veterans' Administration hospital at Fargo, N. Dak. It pays more eloquent tribute than I can to the doctors and nurses of that hospital and, in fact, to the doctors and nurses of the entire hospital system. It is a tribute well merited, in my opinion, but all too often not received after medical personnel have done all in their power for a suffering veteran.

The letter follows:

LEAVENWORTH, KANS., *July 10, 1956.*

Hon. WILLIAM H. AVERY,
House of Representatives,
Washington, D. C.

DEAR BILL: I believe you are a member of the committee concerning Veterans Administration hospitals. Therefore, I think it is fitting and proper that I should write you concerning my brother's death.

While vacationing at Fargo, N. Dak., my brother Jim, a casualty of World War II, became ill and was taken to the Veterans' Administration hospital at Fargo. Jim was operated on for appendicitis and while peritonitis had set in the operation was successful until an old heart ailment as the result of the war took him from this life.

According to my sister-in-law who is a nurse the whole staff at this VA hospital were wonderful and worked very hard up to the last in an effort to save Jim's life and I doubt if he would have received better medical attention at any of our highly rated private hospitals than he received at Fargo.

A Doctor Jordan performed the operation, a heart specialist attended Jim and all the other doctors who assisted performed magnificently in their efforts to save the life of a veteran. The nurses also were efficient and scrupulous in the performance of their duties. Other than Doctor Jordan I do not know the names of the staff.

My brother was a total stranger to them all but nevertheless the staff at the Fargo VA hospital certainly exemplified the great interest in a veteran that you folks back in Congress expect to be taken. Our family will always feel grateful to that staff at the Fargo hospital.

Sincerely,

ED LARKIN.

LONG RANGE NONDEFENSE DOMESTIC MINERAL PROGRAM

Mr. BERRY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, I feel that I would be remiss in my duties as a Member of Congress from the Midwest if I did not call attention to the House the fact that President Eisenhower has signed S. 3982, which was amended by the Interior Committee in the House, to make a more workable and realistic bill.

The law provides for the extending of assistance to domestic mines producing tungsten, asbestos, acid grade fluorspar, and columbite-tantalite, and will enable these basic industries to survive until the executive agencies have developed a long-range domestic minerals program.

This administration has demonstrated its appreciation of the problem and the need for a long-range nondefense domestic mineral program in order to assure the continued production of mineral raw materials essential to the peacetime economy of the United States, and certainly essential to any wartime economy. The President's Cabinet Committee on Mineral Policy in its report dated November 30, 1954, pointed to the

need of a long-range domestic minerals program. The President subsequently authorized the Department of Interior to determine and recommend such a program. The Secretary of Interior, the Honorable Fred A. Seaton, recently stated that the Department will develop a long-range domestic minerals program for the consideration of Congress.

Until such time as such program is developed by the executive branch and considered by Congress, it is in the national interest that we continue the development of our domestic mines rather than permit the influx of these basic raw materials from foreign sources of supply which are bound to spell destruction to our domestic mining industries.

As President Eisenhower has indicated, it would be foolhardy to let our strategic mining industry die—to waste the investment that the Federal Government has made—to scatter the technical talent which is so necessary to such a complex undertaking. Not only must we stockpile material, but we must stockpile the elements of production.

Many experts also feel that we will soon see a greatly expanded use of these minerals in our own domestic industry. Since the beginning of World War II, and I am sorry to say until the present, our Government has succeeded by various means in bringing about a tremendous expansion in the production of minerals and metals from foreign sources of supply. During this 14-year period our domestic mining industry has been relegated to the role of playing second fiddle to our foreign minerals programs.

Since 1941 we have poured billions of dollars into the exploration, development and exploitation of mineral deposits in foreign countries creating many new mines and expanding others. We enriched the treasuries of foreign mining companies through World War II purchase contracts and incentives. We built defense plants at the site of foreign deposits and later disposed of them at a fraction of their cost, foreign-aid programs, liberal loans, investment guaranties, technical assistance, long-range purchase contracts under the authority of the National Stockpiling Act and the Defense Production Act and other outright subsidy programs, to say nothing of the added assistance to foreign production and importation through tariff reductions.

Our greatly expanded needs during World War II and the Korean war made it necessary to stimulate production. We did not, however, take the necessary steps to strengthen and sustain our own domestic mining industries. Unfortunately, certain shortsighted proponents of our foreign minerals program in the executive agencies and elsewhere had their day, resulting in a complete disregard and indifference to our domestic deposits and the needs and welfare of the domestic mining industry.

It is, of course, a known fact that our domestic industry cannot compete with foreign industry when mine labor in the United States is earning $20 per day as compared with $2 per day in many of the foreign countries.

Without adequate compensatory or equalizing measures, which must be provided by the Federal Government, little or no tungsten, asbestos, fluorspar, columbite-tantalite, mica, beryl, chromite or any of these other mineral deposits can be produced in the United States. Without such measures, either in the form of a tariff or a compensatory subsidy payment, domestic production and their needed payrolls will be lost to the economy of this country.

This law provides interim assistance to the domestic mining industry until such time as an over-all long-range program can be developed. It is wise legislation. It again brings to the attention of the Nation the fact that our national economy is based upon the production of raw materials, and that the foundation of the wealth of the Nation is only the new wealth that comes from our mines, our fields, and our production.

VETERANS' LEGISLATION

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, it looks as if we will not adjourn on Wednesday. That will give plenty of time for both bodies to pass our veterans' legislation which is so badly needed. We must stay in session until it is passed.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House following the legislative program and any special orders heretofore entered was granted to:

Mr. MADDEN, for 30 minutes, on Monday next.

Mr. HESELTON, for 20 minutes on Tuesday, July 24.

Mrs. ROGERS of Massachusetts, for 5 minutes on Monday.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. MULTER and to include extraneous matter.

Mr. VAN ZANDT.

Mr. FEIGHAN and to include extraneous matter.

Mr. HARRISON of Virginia.

Mr. FORD.

Mr. COOPER and to include a press release issued by him today giving the results of the agreement of the conferees on the Social Security Act.

Mr. POLK (at the request of Mr. ALBERT).

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3356. An act to direct the Secretary of the Navy or his designee to convey a two hundred forty and fifty-five one-hundredths-acre tract of land situated near the city of Grand Prairie, in Dallas County, Tex., to the State of Texas; to the Committee on Armed Services.

S. 3728. An act to provide for the construction by the Secretary of the Interior of the San Angelo Federal reclamation project, Texas, and for other purposes; to the Committee of Interior and Insular Affairs.

S. 3858. An act to amend the act of June 28, 1935, authorizing participation by the United States in the Interparliamentary Union; to the Committee on Foreign Affairs.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 5265. An act to exempt certain additional foreign travel from the tax on the transportation of persons;

H. R. 5519. An act to authorize and direct the Secretary of the Army to convey certain tracts of land in El Paso County, Tex., to the city of El Paso, Tex., in exchange for certain lands to be conveyed by the city of El Paso, Tex., to the United States Government;

H. R. 6376. An act to confer upon Alaska autonomy in the field of mental health, transfer from the Federal Government to the Territory the fiscal and functional responsibility for the hospitalization of committed mental patients, and for other purposes;

H. R. 8047. An act granting authority to the Secretary of the Army to renew the license of the Ira D. MacLachlan Post, No. 3, the American Legion, Sault Ste. Marie, Mich., to use a certain parcel of land in St. Marys Falls Canal project;

H. R. 9081. An act to direct the Secretary of the Army or his designee to convey a 8-acre tract of land situated about 6 miles south of the city of San Antonio, in Bexar County, Tex., to the State of Texas;

H. R. 9503. An act to simplify accounting, facilitate the payment of obligations, and for other purposes;

H. J. Res. 549. Joint resolution granting the consent of Congress to the State of New York to negotiate and enter into an agreement or compact with the Government of Canada for the establishment of the Niagara Frontier Port Authority with power to take over, maintain, and operate the present highway bridge over the Niagara River between the city of Buffalo, N. Y., and the city of Fort Erie, Ontario, Canada;

H. J. Res. 604. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the United States World Trade Fair to be held in New York City, N. Y., from April 14 to April 27, 1957, and in the Oklahoma semicentennial celebration to be held in various communities in the State of Oklahoma from January 1 to December 31, 1957; and

H. J. Res. 664. Joint resolution to amend the joint resolution providing for membership and participation by the United States in the American International Institute for the Protection of Childhood and authorizing an appropriation therefor.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 47 minutes p. m.), under its previous order, the House adjourned until Monday, July 23, 1956, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

2074. Under clause 2 of rule XXIV, a letter from the Secretary, Smithsonian Institution, transmitting a report showing that one tort claim was paid by the Smithsonian Institution during the fiscal year 1956, pursuant to section 404 of the Federal Tort Claims Act (28 U. S. C. 2673) was taken from the Speaker's table and referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FORRESTER: Committee of conference. H. R. 1637. A bill for the relief of Sam H. Ray (Rept. No. 2851). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. House Joint Resolution 647. Joint resolution to provide for the reappointment of Dr. Arthur H. Compton as citizen regent of the Board of Regents of the Smithsonian Institution; without amendment (Rept. No. 2852). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. H. R. 12325. A bill to constitute certain libraries as designated depositories of Government publications; without amendment (Rept. No. 2853). Ordered to be printed.

Mr. MURRAY of Tennessee: Committee on Post Office and Civil Service. S. 2875. An act to revise the Civil Service Retirement Act; with amendment (Rept. No. 2854). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee on Banking and Currency. S. 256. An act to eliminate cumulative voting of shares of stock in the election of directors of national banking associations unless provided for in the articles of association; without amendment (Rept. No. 2855). Referred to the House Calendar.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 12185. A bill to provide that withdrawals or reservations of more than 5,000 acres of public lands of the United States for certain purposes shall not become effective until approved by act of Congress; without amendment (Rept. No. 2856). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. House Joint Resolution 685. Joint resolution to authorize the Secretary of Commerce to sell certain war-built vessels; with amendment (Rept. No. 2857). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 12303. A bill to provide for the establishment of a fish hatchery in the State of West Virginia; without amendment (Rept. No. 2858). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. Senate Joint Resolution 187. Joint resolution to extend the operation of the Emergency Ship Repair Act of 1954; without amendment (Rept. No. 2859). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLATNIK: Committee on Public Works. H. R. 11720. A bill creating the city of St. Francisville Bridge Commission, defining the authority, power, and duties of said commission; and authorizing the commission and its successors and assigns to construct, maintain, and operate a bridge across the Wabash River at or near St. Francisville, Ill., and Knox County, Ind., to purchse and operate a ferry at such location, and for other purposes; with amendment (Rept. No. 2860). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 606. Resolution to amend House Resolution 331 of the 84th Congress; without amendment (Rept. No. 2861). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 618. Resolution for consideration of H. R. 11742, a bill to extend and amend laws relating to the provision and improvement of housing and the conservation and development of urban communities, and for other purposes; without amendment (Rept. No. 2862). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 619. Resolution for consideration of S. 3481, an act to amend the Foreign Service Act of 1946, as amended, and for other purposes; without amendment (Rept. No. 2863). Referred to the House Calendar.

Mr. CANNON: Committee of conference. H. R. 12138. A bill making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes. (Rept. No. 2864). Ordered to be printed.

Mr. BONNER: Committee on Merchant Marine and Fisheries. House Joint Resolution 666. Joint resolution to authorize the Secretary of Commerce to sell one war-built cargo vessel, and for other purposes; with amendment (Rept. No. 2865). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOPER: Committee of Conference. H. R. 6040. A bill to amend certain administrative provisions of the Tariff Act of 1930 and to repeal obsolete provisions of the customs laws (Rept. No. 2866). Ordered to be printed.

Mr. COOPER: Committee on Ways and Means. House Resolution 475. A resolution of inquiry regarding settlement of tax claim in case against American Distilling Co.; without amendment (Rept. No. 2867). Referred to the House Calendar.

Mr. COOPER: Committee on Ways and Means. H. R. 12227. A bill to amend certain provisions of the Tariff Act of 1930 relative to import duties on wool; with amendment (Rept. No. 2868). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee of conference. H. R. 11544. A bill to improve and simplify the credit facilities available to farmers, to amend the Bankhead-Jones Farm Tenant Act, and for other purposes (Rept. No. 2869). Ordered to be printed.

Mr. BONNER: Committee of conference. H. R. 6243. A bill authorizing the construction of a nuclear-powered merchant ship to promote the peacetime application of atomic energy, and for other purposes; without amendment (Rept. No. 2870). Ordered to be printed.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 12116. A bill to provide for the conveyance of the Maritime Administration reserve shipyard at Wilmington, N. C., in exchange for certain lands to be conveyed by the North Carolina State Ports Authority to the United States, and for other purposes; with amendment (Rept. No. 2871). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. McCARTHY:

H. R. 12351. A bill to amend sections 1231, 272 and 631 of the Internal Revenue Code with respect to iron ore royalties; to the Committee on Ways and Means.

By Mr. O'NEILL:

H. R. 12352. A bill to amend the Annual and Sick Leave Act of 1951, to increase the annual and sick leave which may be earned and accumulated by officers and employees of the Federal Government; to the Committee on Post Office and Civil Service.

By Mr. PERKINS:

H. R. 12353. A bill to amend the Agricultural Adjustment Act of 1938 with respect to the waiving of requirements with respect to the time of filing of applications for review of determinations of acreage allotments; to the Committee on Agriculture.

By Mr. THOMAS:

H. R. 12354. A bill relating to clerk hire of Members of the House of Representatives; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CURTIS of Massachusetts:

H. R. 12355. A bill for the relief of Carlos Arribe Prieto; to the Committee on the Judiciary.

By Mr. DODD (by request):

H. R. 12356. A bill for the relief of Salvatore LeTerra; to the Committee on the Judiciary.

By Mrs. KEE:

H. R. 12357. A bill for the relief of Mrs. Ursula Gertrud Ilse Vest; to the Committee on the Judiciary.

By Mr. McCARTHY:

H. R. 12358. A bill to authorize the Honorable WAYNE L. HAYS, the Honorable WALTER H. JUDD, the Honorable JOHN J. ROONEY, and the Honorable JOHN TABER, Members of the House of Representatives to accept and wear the award of the Cross of Grand Commander of the Royal Order of the Phoenix, tendered by the Government of the Kingdom of Greece; to the Committee on Foreign Affairs.

By Mr. PATTERSON:

H. R. 12359. A bill for the relief of Helen Koutroumanis and minor children; to the Committee on the Judiciary.

By Mr. RUTHERFORD (by request):

H. R. 12360. A bill for the relief of Francis A. Arenz; to the Committee on Ways and Means.

By Mr. WILSON of California:

H. R. 12361. A bill for the relief of Manuel Santana; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H. R. 12362. A bill for the relief of Mrs. Theresa Kotar; to the Committee on the Judiciary.

By Mr. ALLEN of California (by request):

H. Res. 620. Resolution providing for sending the bill H. R. 12333 and accompanying papers to the United States Court of Claims; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Address by Hon. Edward Martin of Pennsylvania

EXTENSION OF REMARKS
OF
HON. EDWARD MARTIN
OF PENNSYLVANIA
IN THE SENATE OF THE UNITED STATES
Saturday, July 21, 1956

Mr. MARTIN of Pennsylvania. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address I intended to deliver before the American Legion of Pennsylvania in Philadelphia this morning.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

It is always a pleasure and an inspiration to meet with my comrades of the American Legion.

Let me assure you again, as I have in the past, that I deeply appreciate the high honor of addressing this convention of the department of Pennsylvania.

I am happy to be here today because the American Legion represents the spirit and the will to build a better America, to defend freedom in peace as in war, and to sustain the sacred ideals of our national faith.

The American Legion keeps alive the heroic tradition of American fighting men whose courage and sacrifice preserved our liberty and independence.

In all recorded history there is no more inspiring story than that which relates the toil, sacrifice, and heroism that built America.

It is a glorious story of victory produced by a people whose hearts and minds were aflame with the spirit of liberty and independence.

It is the story of those courageous patriots who met here in Philadelphia, 180 years ago, and pledged their lives, their fortunes, and their sacred honor, to establish a new nation. For the first time in all the world government recognized the divine origin of man's inalienable rights to "life, liberty, and the pursuit of happiness."

The story of America is the story of George Washington, Benjamin Franklin, Thomas Jefferson, and Abraham Lincoln.

It is the story of Lexington, Bunker Hill, Valley Forge, Yorktown, Gettysburg, Chateau Thierry, the Argonne, the Normandy beaches, Iwo Jima, and the frozen hills of Korea.

It should be told and retold, over and over again, in our schools and colleges, in meetings of fraternal and patriotic organizations, in labor meetings, political rallies and every other place where Americans assemble to discuss the welfare of our country.

It is therefore most appropriate, in a meeting such as this, to consider the situation confronting the United States today.

The course of history has placed upon the American people the responsibility for peace and progress in the world.

The United States stands as the one strong barrier against the Communist conspiracy to dominate and enslave the entire world.

We must not allow ourselves to be lulled into a false sense of security by the mask of friendliness now worn by the masters of the Kremlin.

We must not lower our guard just because the Soviet propaganda has taken a new turn.

We must not deceive ourselves into thinking that the Communists have abandoned their unholy ambition to destroy all human freedom.

Since the end of World War II we have learned by tragic experience that the Red dictators look upon compacts and agreements as mere scraps of paper.

Not once since diplomatic recognition was extended to them by the United States have they honored the terms of any agreement.

The Communists talk peace but the record denies their words. They have sabotaged every effort for peace and they will continue to do so.

Wherever there is tension in any part of the world, wherever there is unrest or strife, we find Communist agents stirring up hatreds, fanning the flames of disruption and subversion. We find them conspiring in the political and economic spheres to destroy the hopes and aspirations of those who believe in peace, justice and freedom.

No, my fellow Americans, the fundamental objectives of communism have not changed. The denunciation of Stalin has not restored them to international respectability. The bloody hands of the Soviet gangsters still reach out for more innocent victims to be crushed under cruel tyranny and dictatorship.

I place no confidence whatever in the so-called doctrine of peaceful coexistence. So long as communism conspires behind the Iron Curtain for the destruction of all human liberty we are not free from danger.

For my own part I would demand more substantial proof of their honorable intentions—not in words but in deeds.

Has one nation, conquered by the mass murders of Stalin, been restored to its rightful place of freedom?

Have the people of Poland, Czechoslovakia, and other countries held in Communist captivity been granted the right of free elections to decide their form of government?

The United States recognizes the Baltic States as independent republics, but their courageous people are still ground down under Communist terrorism.

A united Germany could make a great contribution to world progress but Soviet policy bars the way.

It is plain that the Communists have no intention of backing up their gestures of world friendship with any act of decent regard for the principles of civilized intercourse between nations.

I have discussed one phase of the international situation, but it is just as important to be constantly alert against the dangers of Communist influence here at home.

The American Legion battles against communism and does a good job. It believes that loyal Americans should fight disloyalty with every legal weapon at our command.

You are all familiar with the recent decision of the United States Supreme Court which held that the Federal Government has exclusive jurisdiction in the field of sedition and subversion.

This decision struck down laws enacted in 42 States and Territories under which those guilty of subversion could be prosecuted and punished by the State.

We may not agree with the findings of the Supreme Court but its decision must be accepted as coming within the framework of the Constitution.

I have the highest regard for the Court, but I believe that each State should have the right to combat sedition within its borders. I believe each should have the right to punish not only those who seek forcible overthrow of the State, but also those who would overthrow the Nation by force.

Because that is my belief I was glad to join in sponsoring a bill in the Senate that would restore to the States the right to prosecute those who conspire to destroy the Government of the United States or the State. It would plug up the hole made by the Supreme Court decision in the dike protecting our internal security. It will provide us with a powerful and effective weapon against those who would undermine the structure of American freedom.

Every loyal American knows that the United States is the one power on earth that can rally free men in resistance to tyranny and the preservation of human liberty.

Therefore, I say we must never be diverted from our most sacred responsibility. We must never deviate from our plainly marked path of patriotic duty and that is to keep America sound, strong, prosperous, and at peace.

To meet the desperate challenge of the atomic age we must build up every element of our national strength. Not military strength alone, but the strength and power of a strong, stable, expanding economy, supported by the highest moral and spiritual standards.

I would like to direct your attention to some of the dangers that threaten America.

First. Big government and government doing things that we should do for ourselves.

The vast expansion in the size and cost of government at all levels is leading us away from the ideals of the Founding Fathers. The people are constantly demanding more and more services. Under that pressure Government has become involved in too many functions in which it does not properly belong. The result has always been excessive taxation and the steady flow of power from the hands of the people into centralized government control.

Second. Too much private and public debt. Never before in the history of the world have any people owed so much as we owe today. It should be a matter of deep concern to every one of us that the American people now owe a total of more than $658 billion, an increase of $51 billion in a single year. During 1955 the increase in the Federal debt was only one-half of 1 percent, but State and local debt rose 15 percent, and private debt increased 13 percent.

It is time to give heed to the warning that more nations have been destroyed by debt and taxes than by invading armies.

Third. Moral decay among the people. Great armies and great navies will not maintain a Nation's strength where the moral courage and patriotic fervor of its people are permitted to decay. Every student of history knows that great nations of the past have gone down to destruction when the moral fiber of the people was undermined by greed and corruption.

Fourth. Too little interest in government. Unfortunately there are too many misguided Americans who do not understand and do not appreciate the real meaning of America.

They do not seem to realize that our system of free government places upon each citizen an equal share of responsibility for our security and our progress.

Good citizenship is the basis of patriotism. That is why I am constantly urging every individual to take a more active, intelligent, patriotic part in government.

I bring these dangers to the attention of this great organization of veterans because your patriotic service entitles you to leadership in civic responsibility.

I am fully aware of the many activities in which the Legion works for better Ameri-

canism. I am proud that the Legion is a powerful influence for the kind of patriotism that builds the strength of our country. I congratulate the Legion on its loyal, vigorous, and determined dedication to our country and our flag.

We pray that America may never turn away from its historic mission—to defend liberty, to oppose oppression, to stand against injustice and to support the aspiration of all men of good will for a world of peace.

We hope and pray for the day when all nations will lay down their arms and live in brotherhood under God.

But until that happy day dawns we must be prepared to defend the God-given freedom that we hold sacred.

Eternal vigilance is still the price of liberty.

The 1956 Amendments to the Social Security Act Are an Adaptation of the Philosophy of the Townsend Plan as Enunciated Over the Years by Dr. Francis E. Townsend

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, July 21, 1956

Mr. VAN ZANDT. Mr. Speaker, last year we passed here in the House a social security bill by a vote of a little better than 10 to 1. The Committee on Ways and Means, or at least the majority on that committee, held that public hearings were not necessary in the course of their preparation of that bill. Since our action in passing that bill, H. R. 7225, the Senate Committee on Finance has held extensive public hearings on it.

The Senate debated and amended the Finance Committee's version of the bill and approved it. The legislation after being referred to the conference committee composed of Senate and House Members has been returned to the Senate and House for final action. The debate in the Senate—a privilege we have not been accorded in the House on social-security amendments—proved to be, I think, by far the most exhaustive and effective consideration of social security we have yet had in the Congress. I feel that every Member of the House should read the entire proceedings of the Senate on H. R. 7225 with great care.

The recent debate on the social-security amendments in the Senate shows that whenever the problem of social security is granted the opportunity for reasonable debate in Congress, it proves itself to be an unchallengeable cause and liberalism toward it prevails. This truth about social security must henceforth be recognized. We have not yet anywhere near completed the work that must be done by Congress on social security.

Mr. Speaker, I am constrained to point out a few truths that should be recognized squarely and fully. In their general import, the amendments we passed here in the House last year and those just passed in the Senate—after extensive debate—amount to clear recognition and acceptance of principles first embodied and fully defined in the Townsend plan. Time and experience are making it unanswerably clear that progress toward perfecting our national social-security system requires adoption—however slowly, however reluctantly, however piecemeal, as the case may be—of the principles of the Townsend plan.

Dr. Townsend envisaged the general abolition of poverty in this country with economic freedom and independence as the final reward in life for the American citizen. We have far to go, yet, before realizing that happy and sound goal; but, right now, here in Congress, we are breaking through the wall of obstruction to great progress in that direction. The studies and debates of recent date clearly show that in no other direction can we move if we are ever going to create the kind of fully just and adequate social-security system the American people want and deserve to have.

Personally, I am proud today, that over 17 years ago, in 1939, as a Member of this House, I stood up to be counted, along with some 100 other Members, as then voting for the Townsend plan. I prize my membership in this group designated by Dr. Francis E. Townsend as "The 101 Immortals of the 76th Congress." I feel firmly that the status of social-security development today emphatically stamps as entirely sound the views of this problem which I had then adopted and espoused. Today, many indeed, from all quarters and walks of life, as represented here in Congress, are lining up to support those principles. Honest and candid recognition of this truth could well serve to hasten greatly the day when economic freedom and independence will be the final reward in life for Americans through a fully adequate and just national social-security system. And, there is no other road of any kind toward that goal.

Mr. Speaker, I welcome the opportunity, as this Congress draws to its close, to vote in favor of the conference report on H. R. 7225 as it reaffirms my vote in the House last year for these pending amendments to our social-security system. I only wish they were more liberal than they are. I pray that the future holds opportunities for me to support and vote for the needed further changes necessary to change the present poverty and despair, with which most of our aged, disabled, and bereaved live, into the freedom, security, and independence that should be their just lot.

Dr. Ray W. Gifford, Jr.

EXTENSION OF REMARKS
OF
HON. JAMES G. POLK
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Saturday, July 21, 1956

Mr. POLK. Mr. Speaker, I wish at this time to say a few words in commendation of Dr. Ray W. Gifford, Jr., who for the past 2 years has served as Assistant Capitol Physician.

Dr. Gifford came to this position while serving on active duty with the United States Navy where he holds the rank of lieutenant commander, and with the completion of his active-duty assignment within the next few days he will return to his former position as consultant in medicine at the Mayo Clinic, Rochester, Minn.

It was my privilege to become acquainted with Dr. Gifford soon after he came on duty here. Because he and his good wife are natives of Ohio, although not from the district I have the honor to represent, I have given special attention to the outstanding service he has rendered as Assistant Capitol Physician.

During the several years I have been in Congress, I have had some opportunity to observe the medical service rendered by the Capitol Physicians' Office. In all that time I have never known such thorough conscientious, painstaking, and efficient medical care as has been given by Dr. Gifford. I believe it is significant that during 1 of his 2 years on duty here no Member of either the House or the Senate passed away. This was widely noted in the press at the time because normally there are several deaths each year in the Congress.

I know that all Members who have had occasion to consult with Dr. Gifford will sorely miss him. Always patient, considerate, and understanding, a keen diagnostician, he embodies all those characteristics we think of when we speak of a person being "a good doctor."

Many Members of Congress have expressed their regret that he is leaving us. Only a few weeks ago a Member told me he would be dead had it not been for the medical diagnosis and treatment prescribed by Dr. Gifford.

The Mayo Clinic is to be congratulated upon having the services of this fine, outstanding physician.

For Dr. Gifford, his fine wife and two lovely daughters, I am sure all Members of Congress wish the best of health, happiness, and success as they return to their home in Rochester, Minn.

Home Research Foundation, Inc.

EXTENSION OF REMARKS
OF
HON. GERALD R. FORD, JR.
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Saturday, July 21, 1956

Mr. FORD. Mr. Speaker, it is my privilege to report to the House that in early August 1956 ground will be broken at Lake Progress, just outside of Grand Rapids, Mich., for a unique and advanced facility for displaying the best that the home-building and home-furnishings industries have to offer the American people. Owned and operated by Home Research Foundation, Inc., this Homestyle Center will present for the first time in the world, display homes designed to present total environmental living. This was a subject which was presented with great interest to those women attending the recent Women's Housing Congress.

Home Research Foundation, Inc., is an independent nonprofit organization, in-

corporated under the laws of Michigan. The foundation was established to provide facilities for research and study of all living requirements within the American home and to encourage continuing improvements in the standards thereof.

Homestyle Center, a project of Home Research Foundation, is a display center for 50 homes to be built on an 80-acre site, on the outskirts of Grand Rapids, Mich. It is a permanent, comprehensive, self-generating facility for the display of better solutions to home living needs, and includes a program of integration of technical and research groups with the professions, manufacturers, associations, and all interests concerned with the evolution of the home and its environment. Home Research Foundation and Homestyle Center were conceived to fulfill a need in the constant striving for improvement of the American standard of living. The technical transition that has occurred within the home field in recent years has introduced an entirely new area of constructural design, building materials, construction techniques, and consideration of tastes and standards in furnishing and equipping the home.

The objectives of Homestyle Center are to, first, gather all available research, technology, information and talent for the study of how to better solve home-living needs; second, combine the talents of outstanding architects, interior designers, landscape architects, engineers, industrial designers and builders in the development of better homes to be constructed at the center; third, select, utilize and display only the better ideas, materials, products, equipment, furniture, furnishings, and appliances presently available or in experimental development; fourth, serve as an information, reference and display center where all those interested in the home field may study and compare the most comprehensive display of homes ever built; fifth, serve as a continuing and permanent research, evaluation and information facility for the consistent advancement of home-living standards.

The program of Homestyle Center has been formulated after 3 years' study and preparation. It is planned to be opened for public view and display in the spring of 1957, at which time 25 of the homes will have been completed, out of the total of 50 homes which are to be eventually displayed. The remaining 25 homes will be built, in approximately equal portions, during the following 3-year period.

After the first 50 homes have been constructed, 5 to 10 homes will be removed each year and replaced; by new designs. In this manner, Homestyle Center will be permanently self-perpetuating its program to raise home living standards.

Each home will be furnished under the auspices of outstanding interior decorators, with better furnishings and appliances selected from those available from the Nation's industry or especially designed for the project. The furniture and furnishings will be as diverse and comprehensive as are the home designs. All homes will be redecorated and refurnished annually and appliances and furnishings will be replaced as better and newer models are designed and marketed. In addition to the presentation of presently marketed products, use will be made of experimental categories as research and study prototypes.

Professional membership of the Builder and Home Furnishing Industries have long recognized the need for a focal point, an integration center for the efforts of the two fields. It has been through the encouragement of these national professional groups and the technical assistance and counsel of such organizations as the National Association of Home Builders that the Home Research Foundation, Inc., and its initial project, Homestyle Center, are a reality.

I am extremely proud, as the Representative of the community which is pioneering in this endeavor, to bring the Homestyle Center to the attention of the Congress and the American people.

Civil Rights Bill

EXTENSION OF REMARKS
OF
HON. BURR P. HARRISON
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Saturday, July 21, 1956

Mr. HARRISON of Virginia. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I insert an article of mine which appeared in the weekly newspapers in my District on the subject of civil rights.

The article follows:

Commenting on the President's civil-rights bill last week, a Valley newspaper (the Staunton News-Leader) said: "It is unbelievable that the Eisenhower administration is behind this iniquitous measure, but it is."

The measure was first proposed in the President's state of the Union message in January. It was sent to the Congress by the Attorney General in April. Several weeks ago, the language of the bill was approved by the President in a message to the NAACP. The new alliance of New Deal Democrats and Republicans in support of it was brought into focus in the House Committee on Rules. Representative LEO ALLEN of Illinois, Republican leader of the committee praised the bill, after which Representative RAY MADDEN, a New Deal Democrat from the highly industrialized racial melting pot of Gary, Ind., said: "I have voiced the sentiments that my friend, LEO ALLEN, has stated. In fact, it is getting so I do not know whether I am following Leo, or Leo is following me any more."

The President's personal endorsement was pointed up last week at Gettysburg. He was quoted as saying he had asked Congress for "very little" in the way of civil-rights legislation, but this little he expected to obtain.

The "very little" includes authorization of $12-a-day expense money for volunteer informers on alleged civil-rights violations; invasion of long-settled State authority over voting laws, and by-passing of State courts at the whim of the Attorney General of the United States. The most preposterous provision would give free legal service to help an agitator, malcontent, or screwball hail into a Federal court, without right of jury trial, any citizen accused by the complainant of having engaged in, or—in the incredible language of the proposed statute—being "about to engage in" a violation of a claimed civil right.

Judge HOWARD W. SMITH, of Virginia, chairman of the Committee on Rules, questioned Chairman EMANUEL CELLER, of the House Judiciary Committee, a New Deal Democrat from Brooklyn, N. Y.:

"Mr. SMITH. I don't find anything in this bill that requires the individual who is trampled on to make this complaint, and the Attorney General just hops out himself at the instance of some civil organization and brings these suits against people.

"Mr. CELLER. I think you are correct in that. * * * There is nothing to prevent the Attorney General to bring action of his own accord whether he consults with the individual or not * * *.

"Mr. SMITH. Now, NAACP observes something they don't like and say that John Doe has had his civil rights violated. NAACP can go to the Attorney General under this bill and ask the Attorney General to institute a suit?

"Mr. CELLER. I think that is possible under this bill."

Congressman E. L. FORRESTER, of Georgia, pointed out that complaints of economic pressures would be investigated only "if it is because of race, color, religion, or national origin. If you are so unfortunate that your forefathers fought in the Revolution, and helped win this country and helped write our Constitution, none of this is for you. You are to be pursued, instead of being protected."

I might add that if economic discrimination bears on you because you are a woman, or because you are over 40, there will be no free lawsuits brought in your behalf.

Neither the Congress, nor the President, nor the Republican Party, nor the Democratic Party, appears to be much concerned by recent Supreme Court decisions that a State may not discharge a Red schoolteacher, or prosecute one who plots the overthrow of its government; nor may the Government of the United States dismiss a disloyal employee. In other words, if you are a Red, the law will coddle you, but it may move against you with fearful vengeance if you are a citizen of one of the States of the late Confederacy and subscribe to the laws and customs of your State.

Our Surplus Foods as a Potent Weapon For Peace

EXTENSION OF REMARKS
OF
HON. MICHAEL A. FEIGHAN
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Saturday, July 21, 1956

Mr. FEIGHAN. Mr. Speaker, the Agricultural Trade Development and Assistance Act of 1954 has some very constructive provisions which are little known to the people of the United States.

I speak of those provisions of the law which authorize the use of our surplus agricultural commodities to assist needy people in foreign lands.

The law provides that our surplus foods may, under certain conditions, be transferred by the Government to friendly governments for the use of persons in need. It also provides authority for the transfer of surplus foodstuffs to American voluntary agencies, together with funds to cover the ocean transportation costs of moving these foods to

foreign countries. It is this latter authority which is unique and which, I believe, opens the way to the accomplishment of a great deal of good throughout the world.

Last fall, during an inspection of the refugee problem in the Far East, I had the opportunity to see first hand the manner in which the American voluntary agencies were taking advantage of this law to advance American prestige in Asia. It is a well-known fact that a long series of Communist aggressions and tyrannies, instigated by the Russian despots, have caused great human sufferings among the people of Asia. In particular, I refer to the Communist wars of aggression against China, Korea, and Vietnam. Millions of people have perished through the Communist aggressions and millions more suffer the privations of being exiled from their native lands because the Communists are in occupation of them.

It is a little known fact to the people of the United States that the self-help projects of the International Cooperation Administration, many of which are carried out under the leadership of the American voluntary agencies, have accomplished a great service in easing the suffering of millions of victims of Communist aggression. The people of Asia who have had an opportunity to see these projects in operation know about them and shall never forget the good that has been done to help them and their fellow Asians.

I had an opportunity to observe these self-help projects in operation in Korea, Formosa, Hong Kong, Macao, and Vietnam. In my report to the Committee on the Judiciary covering my inspection trip to the Far East, I had this to say about that work:

> That the United States International Cooperation Administration is deserving of commendation for sponsoring and advancing self-help projects for refugees in the Far East such as low-cost housing and for the child-feeding program in Hong Kong.

The child-feeding program in Hong Kong has been made possible by the authority granted in Public Law 480, which we are about to act upon. American surplus food has made possible the feeding of never less than 25,000 and as many as 40,000 children each day in the Crown Colony of Hong Kong. These are the children of refugees from communism and for the vast majority of them, the only food they get each day is that provided by the one meal per day per child plan which the American agencies have developed. I found that this program had the universal support as well as commendation of all elements of the population in Hong Kong. The British officials were very proud of the program and told me that it would be a terrible tragedy if circumstances ever made it necessary for us to stop that program. The Chinese welfare workers told me that this program spelled the difference between life and death for many children who came from large refugee families and where the father could barely earn enough to provide a small place for the family to sleep, but never enough food for all the members of the family. I could not help but think as I observed this program in operation that if the American people could see, first hand, the great good that is being done by using the bounty of our agricultural surpluses, they would demand that similar programs be started wherever there was such a crying need.

I discussed with American voluntary leaders and American Government officials in the Far East the question of making further use of our agricultural surpluses in critical areas of need in the Far East. There was unanimous agreement that everything possible should be done to further that objective. This led me to make the following conclusion in my report to the Committee on the Judiciary:

> That there is an abundance of opportunity in the Far East for the productive use of United States surplus agricultural commodities which would in no way disturb normal commercial markets.

I feel that the use of our surplus commodities for bettering the lot of the refugees from communism in Vietnam, and in Macao, would bring further credit to United States interests in the Far East. In free Viet-Nam there are over 800,000 refugees from communism. The Government of President Diem has done a remarkable job of providing emergency care and assistance for these victims of Communist aggression. But from my own personal observation, I can say that additional good can be done among these friends of freedom by using our surplus agricultural commodities.

There is a similar situation in Macao where over 30,000 Chinese victims of Communist aggression are practically stranded because there is no economic opportunity for them in this small colony. These people are proud and industrious. I was told that they would not accept charity, that they begged for work, but I was also assured that our surplus agricultural commodities would be welcome by the American voluntary agencies working with these good people because they knew where the need was greatest and where the greatest amount of good could be accomplished. The child-feeding programs and other programs utilizing our agricultural surplus commodities in Korea have been a grand success. There the victims of Communist aggression have learned that we Americans are unselfish in the use of the wonderful bounty with which our country has been blessed. However, I was informed that there was still a great need in Korea for programs utilizing our surplus foods and that these programs would be necessary for some time to come.

On Formosa the possibility exists for establishing a supplemental food program which would have practical advantages for as many as 300,000 people. I should like to point out that the leaders of the Republic of Free China have done a remarkable job in striving for the goal of a balanced economy and, insofar as possible, a self-sufficient economy on Formosa. However, there are still areas in which a supplemental food program would advance the cause of freedom among the people living on Formosa.

It has been said by people in a position to know the facts that one-half of the people of the world go to bed hungry. Unfortunately all the nations of the world do not have the great facilities for the production of food that we here in the United States have. In some countries the food requirements of the population greatly exceed the ability of that nation to earn foreign credits through which the needed food might be purchased. In many of these countries, programs utilizing our surplus foods would be most welcome and certainly would fill a crying need.

Until we, in cooperation with other nations, are able to work out plans whereby all countries will be able to satisfy all the food requirements of their people, we should be putting our surplus food products to work for the cause of peace.

It is a certain fact that programs such as those which have been developed by the American voluntary agencies using our surplus foods, develop bonds of friendship and understanding with the people of foreign countries. It is well for us to remember that bonds of friendship are necessary if we are ever to have understandings between people and that we will never have a just and lasting peace until we do attain a warm understanding between all the people of the world.

I think it will be of interest for Members of the House to know which of the American voluntary agencies are carrying out these successful programs in the Far East. Those agencies are the Catholic Relief Services of the National Catholic Welfare Conference, the Lutheran World Federation, Church World Services of the National Council of the Churches of Christ, and the Aid Refugee Chinese Intellectuals, Inc.

A significant amendment to Public Law 480 is that which will permit our Government to transfer directly to friendly governments our surplus agricultural commodities. This provision should broaden the positive activities now under way for the use of our surplus agricultural commodities to benefit needy people.

I sincerely hope that the International Cooperation Administration will do everything it possibly can to advance additional programs which will utilize our agricultural surpluses for the benefit of friendly people in foreign lands. In commending the American voluntary agencies for the substantial contribution they have made to the spiritual and material strength of the free world, I also express the hope that they will continue the present programs and will establish many new ones in those parts of the world where they are aware of the great need that exists.

United States participation in and contribution to a wide range of products to assist victims of Communist aggression has proven, in my judgment, to be one of the soundest investments made by the American people.

Chairman Jere Cooper of the Committee on Ways and Means Announces Conference Agreement on H. R. 7225, the Social Security Amendments of 1956

EXTENSION OF REMARKS
OF

HON. JERE COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Saturday, July 21, 1956

Mr. COOPER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement:

The Honorable JERE COOPER, Democrat, Tennessee, chairman of the Committee on Ways and Means, announces the agreement of the House and Senate conferees on H. R. 7225, the Social Security Amendments of 1956. A summary of the principal provisions of the conference agreement follows:

I. COVERAGE

(a) *Self-employed professional groups*

The conferees agreed to the Senate version which excluded from coverage physicians and osteopaths. This provision is effective for taxable years after 1955. Both the House and Senate bills extended coverage to other professional groups.

(b) *Farm operators and share farmers*

Two-thirds of farm operators gross income where it is $1,800 or less would be considered as net income for social security purposes.

Where farm operators gross income is over $1,800 they may report either their actual net income, or, if their net income is less than $1,200, they may report $1,200 as their net income. The optional method of reporting would be made available to farmers who are on an accrual basis of accounting.

This provision would be effective for taxable years after 1956.

Rentals would be credited as self-employment income where the owner or tenant of the land participates materially with the individual working the land in the production or the management of the production of an agricultural or horticultural commodity. Share farmers would be covered as self-employed persons.

(c) *Ministers*

Ministers outside the United States would be covered if they serve a congregation predominantly made up of United States citizens even though their employer may not be a United States employer.

(d) *Agricultural workers*

Agricultural workers would be covered if (1) they are paid $150 more or in cash wages in a calendar year by one employer, or (2) they perform agricultural labor for an employer on 20 days or more during the calendar year for cash wages computed on a time basis.

Such laborers who are recruited and paid by a crew leader would be deemed to be employees of the crew leader if the crew leader is not by written agreement designated to be an employee of the owner or tenant and if such crew leader is customarily engaged in recruiting and supplying individuals to perform agricultural labor. Under the above circumstances, the crew leader will be deemed to be self-employed.

Agricultural workers from any foreign country who are admitted to the United States on a temporary basis would be excluded from coverage.

Persons producing or harvesting gum resin products would be excluded from coverage.

(e) *State and local employees*

Florida, Georgia, New York, North Dakota, Pennsylvania, Tennessee, Washington, Wisconsin, and Hawaii would be authorized at their option to cover those persons now members of a State retirement system who wish to be covered, provided that the new employees are covered compulsorily. The same treatment would be authorized for political subdivision retirement systems of the States.

Florida, Georgia, Minnesota, North Dakota, Pennsylvania, Washington, and Hawaii at their option would be authorized to cover employees who are paid wholly or partly from Federal funds under the unemployment compensation provisions of the Social Security Act either by themselves or with other employees of the Department of State in which they are employed. In such situations, the referendum provisions must be complied with.

Florida, Minnesota, Nevada, New Mexico, Oklahoma, Pennsylvania, Texas, Washington, and Hawaii would be authorized at their options up until July 1, 1957, to include employees of public school districts who are under teachers' retirement systems but who are not required to have teachers' or school administrators' certificates (for example, school custodians) in the States OASI agreement without a referendum and without including the certificated employees who are under teachers' retirement system.

Florida, North Carolina, Oregon, South Carolina, and South Dakota would be allowed to give coverage to policemen and firemen subject to the same conditions that apply to coverage of other employees who are under State and local retirement systems, except that where the policemen and firemen are in a retirement system with other classes of employees, the policemen and firemen may at the option of the State hold a separate referendum and be covered as a separate group.

(f) *Employees of nonprofit organizations*

Such employees would be allowed coverage by being listed on supplemental lists and where they did not concur in the initial coverage certificate of a nonprofit organization provided such lists are filed by January 1, 1959.

Where a nonprofit organization employs an individual after 1950 and before the enactment of H. R. 7225 and the organization failed to file a valid waiver certificate although it believed that it had done so, such individual will be permitted to receive credit for his employment by filing a request with the Internal Revenue Service if at least part of the OASI taxes were paid and not refunded prior to the enactment of H. R. 7225.

Where a nonprofit organization filed a valid waiver but an employee's name was not on the list of names of those which are submitted and who are listed for coverage, such an employee can get credit for employment on which taxes were paid and not refunded prior to the date of enactment of H. R. 7225 upon request to the Internal Revenue Service.

(g) *Federal employees*

TVA employees would be given social security coverage upon their submitting to the Secretary of the Department of Health, Education, and Welfare for approval an integrated plan (which integrates their present system with social security) and upon the approval of such plan by the Secretary. Coverage was also extended to employees of Federal Home Loan Banks. This coverage at the discretion of these groups could be effective as of January 1, 1956. There are approximately 11,000 TVA employees and 200 Federal Home Loan Bank employees.

(h) *Citizens of the United States employed by foreign subsidiaries of American corporations*

Such persons would be covered where a domestic corporation owns not less than 20 percent of the voting stock of the foreign subsidiary (at present a domestic corporation must own 50 percent of such stock).

(i) *Insured status*

Persons covered in 1956 would be deemed fully insured if all but 4 (but not less than 6) of the quarters after 1954 and prior to the later of (1) July 1, 1957, or (2) the quarter of death or attainment of retirement age (whichever first occurs) are quarters of coverage. Five years may be dropped out in computing average monthly wages in all cases regardless of the number of quarters of coverage. This provision would be effective after enactment of H. R. 7225.

A provision would be added primarily for persons who are first covered in 1956. Such individuals who become entitled to benefits or who die in 1957 and who have at least six quarters of coverage after 1955 would be permitted to have a starting date of December 31, 1955, and a closing date of July 1, 1957, in those cases where these dates would yield a higher benefit.

II. BENEFITS FOR PERMANENTLY AND TOTALLY DISABLED PERSONS

The conferees for the most part accepted the Senate version of this provision.

A separate trust fund and a separate tax would be provided for these payments.

Members of the Christian Science Church or other churches which rely on spiritual healing and who refuse rehabilitation services would be deemed to have done so with good cause.

The conferees deleted the provision of the Senate bill whereby individuals who refuse to undergo surgical or medical services in connection with rehabilitation would have been deemed to have done so with good cause.

Dependent disabled children would be given benefits if such children are permanently and totally disabled and have been so disabled since before they reached age 18.

Disability benefit payments will begin in July 1957.

III. RETIREMENT AGE FOR WOMEN

The conferees accepted the Senate version with an amendment making the change effective in November 1956. Widows and surviving dependent mothers would be given full benefits at age 62. Working women and wives would be given reduced benefits if they begin to draw them between age 62 and 65. Working women would receive 80 percent of their full benefit should they retire at age 62. If they delay retirement they would be given five-ninths of 1 percent for each month's delay up to age 65. Wives would be given 75 percent of their full benefits should they begin to receive benefits at 62. For each month's delay up to age 65 they would receive twenty-five thirty-sixths of 1 percent. Should a woman accept a reduced benefit, this benefit would continue to be payable and it would not be increased upon their reaching age 65.

IV. SUSPENSION OF BENEFITS FOR CERTAIN ALIENS WHO LIVE IN THE UNITED STATES

The Senate version, whereby payments to persons not a citizen or national of the United States would have their benefit payments suspended if they leave the United States, was accepted with amendments. The amendments would make the provision inapplicable if such a person has been a resident of the United States for 10 years or has paid contributions for 10 years or where there is a reciprocal treaty under which the country to which such person goes pays benefits to United States citizens under their program. The Senate version was also

amended so as to provide that a person would have to be outside the United States for 6 months (instead of 3) before his payments would be suspended.

V. FORFEITURE OF BENEFITS FOR PERSONS CONVICTED OF CERTAIN CRIMES

The Senate version would have terminated an individual's benefits if he is or has been convicted of treason, sedition, sabotage, espionage, or certain other crimes under the Internal Security Act. The conferees amended this provision so as to provide that benefits could be terminated by a court in such cases. This provision applies only to the person involved and is not applicable to dependents or survivors.

VI. EXCLUSION FROM COVERAGE OF PERSONS LISTED BY THE SUBVERSIVE ACTIVITIES CONTROL BOARD

Employees of organization listed by the SACB would be excluded from old-age and survivors insurance coverage.

VII. FINANCING

A separate trust fund would be established for the disability benefits program. Social-security taxes would be increased effective January 1, 1957, by one-fourth of 1 percent for each the employee and employer, making the rate 2¼ percent on each. The self-employment tax would be increased from 3 to 3⅜ percent, effective January 1, 1957. These increases would also be made in each of the scheduled increases now contained in the law. The interest rate on United States obligations in which a trust fund is invested would be determined by using the average rate of interest paid on interest-bearing obligations of the United States which are not due or callable until after the expiration of 5 years from the date of original issue.

VIII. PUBLIC ASSISTANCE AMENDMENTS

(a) *Matching formula*

The matching formula for old-age assistance, aid to the blind, aid to the permanently and totally disabled, and aid to dependent children at the present time for the first 3 of these programs is four-fifths of the first $25 of a State's average monthly payment and one-half of the next $30, up to a maximum of $55. The maximum amount matchable for these 3 programs would be increased from $55 to $60 and the formula would be changed so as to provide matching of four-fifths of the first $30 and one-half of the next $30 up to a maximum of $60. The aid to dependent children formula is presently four-fifths of the first $15 of a State's average monthly payment plus one-half of the next $15 up to a maximum of $30 for an eligible adult and for the first child. Each additional child is subject to a maximum of $21. The amount matchable would be increased by $2.

The increase in cost over present law for the first year amounts to $98 million for aid to the blind, aid to the permanently and totally disabled, and old-age assistance and $48 million for the first year for aid to dependent children. The conferees deleted the "pass-along" provision from the Senate bill.

(b) *Medical care*

A new program would be added whereby the Federal Government would match on a 50–50 basis State expenditures on vendor payments in behalf of public-assistance recipients needing medical care up to a maximum determined by multiplying $6 per month times the number of adults and $3 per month times the number of children. This program will cost $65 million in the first year.

The conferees deleted the Senate provision providing that the Federal Government would share in the amount by which the maximum possible Federal matching of cash payments exceed the amount actually matched by the Federal Government.

(c) *Administrative costs*

Under present law there is separate dollar-for-dollar matching in costs for the administration of the public-assistance programs. The conferees accepted the Senate amendment which makes explicit that the restoration of receipients of public assistance to self-support or self-care is a program objective and that the strengthening of family life is an objective in the program of aid to dependent children.

(d) *Requirements for approval of State plans*

A requirement would be added to the effect that a State plan for public assistance to be approved must contain a description of services, if any, which a State provides for self-support or self-care. The Senate provision to the effect that in determining need a State could disregard up to $50 in earned income was deleted. The conferees also deleted the Senate provision requiring that there be no discrimination based on sex in determining need.

(e) *Research and demonstration projects*

Five million dollars would be authorized for fiscal year 1957 for grants to States, public and nonprofit organizations for paying part of the cost of research and demonstration projects on prevention and reduction of dependency.

(f) *Training grants for public assistance personnel*

Five million dollars would be authorized for fiscal year 1957 for allotment to States on a variable basis to pay to institutions of higher learning for the training of public welfare personnel, etc. The Federal share would be 80 percent.

(g) *Definition of a needy child*

Provisions relating to aid to dependent children would be amended so as to delete the requirement of school attendance for children between the ages of 16 and 18. The persons eligible for payments under the ADC program would be broadened to include first cousins, nephews, and nieces. Parents and other relatives would be made eligible for payments in Puerto Rico and the Virgin Islands.

(h) *Ceilings on grants to Puerto Rico and the Virgin Islands*

The ceiling on Federal matching for the Virgin Islands would be raised from $160,000 to $200,000, and on Puerto Rico from $4,250,000 to $5,312,500.

(i) *Child welfare programs*

The authorization for child welfare programs would be increased from $10 to $12 million a year.

(j) *Commission on Aging*

The Senate provision establishing this Commission was deleted.

Elimination of Cumulative Voting by S. 256

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, July 21, 1956

Mr. MULTER. Mr. Speaker, the following is my testimony before the House Banking and Currency Committee, on July 20, 1956, in opposition to the enactment of S. 256, to eliminate the right of national-bank stockholders to vote cumulatively:

S. 256 TO ELIMINATE CUMULATIVE VOTING OF SHARES OF STOCK IN THE ELECTION OF DIRECTORS OF NATIONAL BANKING ASSOCIATION

HOUSE OF REPRESENTATIVES,
COMMITTEE ON BANKING AND CURRENCY,
Washington, D. C., July 20, 1956.

The committee met at 10:20 a. m., in room 1301, House Office Building, Hon. BRENT SPENCE (chairman) presiding.

Members present: Messrs. SPENCE (presiding), BROWN, RAINS, MULTER, BARRETT, O'HARA, FOUNTAIN, Mrs. GRIFFITHS, Messrs. VANIK, HOLLAND, HEALEY, WOLCOTT, GAMBLE, TALLE, KILBURN, WIDNALL, BETTS, MUMMA, MCVEY, HIESTAND, NICHOLSON, and BOLTON.

The CHAIRMAN. We have met this morning to hear the members who want to be heard. How many members have requested to be heard?

The CLERK. The Honorable ABRAHAM J. MULTER, Mr. Chairman.

STATEMENT OF HON. ABRAHAM J. MULTER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

The CHAIRMAN. Mr. MULTER, you better identify yourself.

Mr. MULTER. I am ABRAHAM J. MULTER, Representative from the 13th District of New York. I appreciate the opportunity extended me, Mr. Chairman, by you and the members of the committee, to testify on this important bill this morning.

The CHAIRMAN. We are glad to have your views, Mr. MULTER.

Mr. MULTER. Thank you.

I am authorized to state on behalf of the following Members that they are all opposed to this bill: VICTOR L. ANFUSO, CHARLES A. BUCKLEY, LESTER HOLTZMAN, JAMES J. DELENEY, EUGENE J. KEOGH, EDNA F. KELLY, EMANUEL CELLER, JOHN J. ROONEY, ARTHUR G. KLEIN, IRWIN D. DAVIDSON, HERBERT ZELENKO, SIDNEY A. FINE, ISIDORE DOLLINGER, JAMES A. HEALEY, LEO W. O'BRIEN, BYRON ROGERS, of Colorado, DANTE FASCELL of Florida, SIDNEY YATES, of Illinois, JOE L. EVINS, of Tennessee, JAMES ROOSEVELT, of California, WAYNE HAYS, of Ohio.

There are other Members who have indicated to me their opposition to this bill and have indicated that they will be heard from on the floor. Many of these Members whose names I read indicated if they could possibly get out of their other commitments for this morning they will come in here and ask to be heard. If they do, Mr. Chairman, I have no objection, as they do enter the room, to their being invited to testify promptly as they come in.

I will be very happy to step aside so as to give them the opportunity to be heard.

Now it should be of interest to note that our colleague, Congressman HAYS, is chairman of the board of a national bank, having been elected as such ever since the organization of the bank, by a majority of the stockholders, and nevertheless he takes the very strong position that it would be a very serious mistake to repeal this provision of the National Banking Act and deprive minority stockholders of the right to representation on the board which they could not have without cumulative voting.

With the permission of the chairman, I have taken the liberty to call for the correspondence file in the committee room on this bill. I have it in front of me. I haven't had an opportunity to go through it letter by letter. The letters begin with a date in 1955 shortly after the bill was introduced on the Senate side. With the committee's permission I will go through them at a subsequent time and add to the record a tabulation of the number of letters you have in favor of the bill and the number that you have against the bill.

From my cursory observation I think they run about 10 to 1 against the bill. The op-

position letters come from stockholders of national banks, they come from insurance companies—I am talking now about the opposition—they come from finance companies, a treasurer of a college, lawyers, investment brokers, and the like. I think in almost every instance the proponent of the measure, according to this correspondence folder, is an officer of a national bank.

The CHAIRMAN. Will you tell me why there is such an unanimity of opinion—the independent bankers have been fighting the big fellows and they unanimously, both the independent bankers organizations endorsed the bill.

Mr. MULTER. Mr. Chairman, with all due respect, I challenge that statement, as made by the representative of the American Bankers Association on behalf of the Independent Bankers Association. Mr. Chairman, not the statement that you made. I do not for 1 minute doubt that they have told you that they are for the bill, but what I say to you, Mr. Chairman, is that they are not telling the truth when they say to you, either the American Bankers Association or the Independent Bankers Association, that their banks that are members are unanimously for this. There are letters in this file that is part of your record to the contrary, and there are letters in my files from national bank officers who are not in favor of this bill, but are very strongly opposed to it.

The CHAIRMAN. I am referring to no letter they wrote me. I am referring to the action the Independent Bankers took at a convention where they unanimously endorsed this bill and I have a copy of the resolution. You don't deny that and it is in the record.

Mr. MULTER. If you say you have such a resolution, of course, I won't deny it.

I haven't seen it, sir. I have read every bit of testimony that was adduced on Monday morning before I arrived. I have been in this room ever since that time whenever any testimony was offered. I may have missed it, but I have not seen any such resolution.

The CHAIRMAN. It was inserted in the record. You will find it in the record if you will read it.

Mr. MULTER. I have no desire to dispute with you, Mr. Chairman, the accuracy of any statement you make, but obviously your statements on this subject must be hearsay just as some of mine are.

The CHAIRMAN. I am only stating the actual fact.

Mr. MULTER. The fact of the matter is, Mr. Chairman, if we wanted to determine the true feeling here of the people who are concerned—and it is the stockholders—oh, yes; somebody testified here that the directors of the banks are trustees for the depositors. Has there been a suggestion made from any of those people that the depositors for whom these directors are trustees should be represented on these boards? Of course, not. The majority stockholders don't want any part of that. Those stockholders who are opposed to this cumulative voting provision and want this bill enacted do not want that.

Do you know what we are actually doing here? We are asking the men who owe their jobs to the majority stockholders to come before you and tell you they don't want those jobs any more. That is what it amounts to when you take their testimony that this is a bad law and that a bill should be enacted to repeal the cumulative voting provision. What you are doing is, you are asking those men dependent on the majority for their jobs to come here and testify against their employers and themselves. It is like asking us to vote ourselves out of office.

Now, if you really want to find the sentiment of the stockholders, then you will direct a survey to be made by FDIC and the Comptroller of the Currency, or one of them, and let them find out from the stockholders. Let this committee supervise the kind of questionnaire they will send to stockholders. You don't have to send them to a quarter of a million stockholders throughout the country, but you can send out a sample survey as they conduct all polls, to a good sampling of the 250,000 or more stockholders in national banks and find out how they feel about this. I am certain that most of the stockholders, including majority stockholders who are not bank officers, will say to you that they are in favor of this provision being continued. Now that must be the sentiment of the country, because each year you will find more and more State legislatures considering requiring cumulative voting. Some have it as a permission provision already.

You heard the American Bankers Association representative say to you here that the States are overwhelmingly for permissive as against mandatory cumulative voting. He said that in spite of the fact he sat in this very room, as the Comptroller of the Currency testified and he heard Mr. Gidney say there are 17 States that have permissive provisions for cumulative voting and 16 States have mandatory provisions for cumulative voting. Yet, in his opinion the sentiment is overwhelmingly for permissive. Now, do you want to make it permissive? Then, let's write a good bill. Do these majority stockholders need some protection? In some cases they may. But because a bank president occasionally, or some other bank officer, steals money from the bank and is sent to jail for it, we don't say we are going to abolish all bank presidents or all bank officers. And because there is an occasional bad man among those who seek election to a board of directors as a minority director, is no reason why we should deprive all of the others of their rights as given to them by this statute.

Now, you were told at the first session—and I wasn't here because I didn't know it was being called. I would have been here had I known about it. I would have loved to have had an opportunity to examine Mr. Gidney, the Comptroller of the Currency, on this subject. He referred to the situation in New York City where Mr. Giannini was elected to the National City Bank. I will tell you about that situation. Mr. Burgess, the Under Secretary of the Treasury, if you called him, could tell you about it. He was a vice president of the National City Bank at the time it happened. Mr. Giannini had originally organized the Bank of Italy. It later became the Bank of America, and the talk in the big banking circles around New York City was that there was no room for a "wop" bank. I quote the word "wop."

They tried to get him out of New York banking circles. They finally bought him out and after the deal was closed, he found that they stuck into his agreement of sale that although he got National City Bank stock in exchange for the sale, as part of the consideration for his sale, that he couldn't have representation on the board and he had to get along without representation on the board until 1933 when the National Banking Act was changed and they enacted this provision for cumulative voting.

Do you think they waited for him to exercise his rights under the cumulative voting provision? Of course, they didn't. The very next year they invited him to join the board and from that time Mr. Giannini, as long as he wanted to serve on that National City Bank board, sat by invitation and election by the majority and never was called upon to use his cumulative voting rights under this act.

Now, there have been some other statements that have been made in connection with this bill which I think require some explanation. I would like to add to the record, Mr. Chairman—I don't think it is necessary to do it at this point, unless you so desire—the letters, telegrams, and excerpts from periodicals and newspapers which have been submitted to me in connection with this matter.

May I say to you, sir, and to this committee, that in 1955, I received but one letter, or one communication supporting S. 256. All of the others were opposed to it. This year I received two letters supporting S. 256. All of the others were opposed to it. With your permission, Mr. Chairman, after the conclusion of the testimony, I would like to add to the record those letters and communications and excerpts that were sent to me—and they were sent to me entirely unsolicited.

May I read to you this one telegram which has come to me unsolicited. It is a copy of a telegram sent to our chairman. It is dated July 18, 1956. It reads as follows, and it is addressed to me at the House Office Building.

"For your information following is text of telegram to chairman, House Banking Committee, today:

" 'With the thought of being helpful to you in your consideration of S. 256, I would like to make the following suggestions:

" 'In place of the 7 words "if the articles of association so provide," insert 7 words as follows: "unless prohibited by the articles of association."

" 'This change would provide a fair way of insuring the opportunity of expression for shareholders of national banks who do not now enjoy the protection of the proxy rules of the Securities and Exchange Commission. Lacking this protection, the Senate version would severely handicap shareholders in any effort to recover the cumulative voting right. On the suggested wording the cumulative voting right will continue until shareholders vote for change. Thus, the Congress would be spared the onus of depriving shareholders of an existing voting right. I am neither for nor against mandatory cumulative voting. I am sending copies of this telegram to Representative KEATING and MULTER and Senators IVES and LEHMAN of my State.' "

Signed Morris A. Schapiro. He is the president of M. A. Schapiro & Co., Inc., 1 Wall Street, New York City. He has been in that business for 29 years. He deals exclusivaly in national bank stocks and in bank stocks. He has as much interest on behalf of management as he has on behalf of stockholders because they both repeatedly call upon him to dispose of for them, the stock that becomes available from time to time, either by a stockholder who wants to retire or liquidate his holdings, or from estates of deceased stockholders. Obviously it is necessary that such stock be discretely offered for sale so as not to disturb the market. There isn't the same kind of trading in bank stock as there is on the exchanges and it is necessary to discretely offer such stock. If a man dies leaving a large block of bank stocks, if you dump that on the market you depress the price and cause a loss. But, if you call on men like this Mr. Schapiro or his firm to handle it, he feeds it out into the market in small lots and they do not take a loss.

They will first call on management and ask them if they want to acquire additional stock. They will call on majority stockholders and minority stockholders and tell them it is available. If they turn it down, they then look for an outside market for it. That is where they run into trouble many times.

If you permit some of the minority stockholders to come before this committee who have asked to be heard and who have been advised there wouldn't be time to hear them, you will find in any number of instances—and there are two State banks in the vicinity of Congressman KILBURN's district—where the majority stockholders would not let the minority stockholder have any representation, and tried to force him to sell his stock at less than book value.

Now, there are as many abuses on one side as the other; but, because somebody on the inside tries to take advantage of somebody on the outside, we are not going to say there should be no insiders. Also, just because there are a few bad fellows on the outside,

let's not restrict the good fellows who are on the outside.

I started to say if this committee wants to do its full job and its proper job, you must do one of two things. You must either approve the principle of House Resolution 303, which I introduced on July 7, 1955, which calls for a thorough study of the Banking Act, the Federal Savings and Loan Insurance Act, the Federal Deposit Insurance Act, and the Federal Reserve Act or appoint a subcommittee to do that. Then we can take out of the law the little things that hurt and put into the law the things that are necessary in order to protect the depositors, the stockholders, and the general public.

Now, we have been told by the sponsors of this bill of the necessity of protecting all of those. Not one of them has come forward with an idea as to how you will do it, except to say, "Let's change this law."

Now, let me say this to you, Mr. Chairman, and my colleagues on the committee—and I say this deliberately, after having thought about it very carefully: The introduction and attempt to pass this bill, to my mind, appears to be part of a pattern—a deliberate design to weaken the banking structure of the country for the benefit of the insiders. It is just one more bill nicking away at the National Banking Act, which was improved in 1933 in order to protect everybody who needed protection and having due consideration for all those who have their money invested in national banks.

It wasn't so long ago that this committee was urged to, and did, in response to that urging by the Treasury and FDIC and the Comptroller of the Currency, extend the limitations, and took off the restrictions and gave wider latitude to national banks in the making of mortgage loans.

You then had another bill which you pushed through here on the question of lessening the number of examinations required by the Comptroller of the Currency, also sponsored by the Comptroller of the Currency, FDIC, and the Treasury Department.

Mr. MUMMA. Did it weaken the national banks when the law allowed them to take mortgages which were mostly in turn guaranteed by the Federal Government?

Mr. MULTER. Mr. MUMMA, they needed no legal authority for the taking of FHA-guaranteed mortgages. I am talking about the conventional mortgages. The bill we passed here, voted out here and passed on the floor over my opposition, which had nothing to do with guaranteed mortgages, allowed them to make larger, bigger, and more mortgage loans, conventional mortgage loans, to the extent of $6 billion, sir.

Mr. MUMMA. Even the majority of conventional mortgage loans are safe, and especially when they require systematic and methodical paying off.

Mr. MULTER. They are safe in a conservative market, they are safe in a rising real-estate market, they are safe for independent investors, but they are not safe for banks beyond certain restrictions and limitations. Whether that limitation should be 5 percent of their assets or 10 percent, I am not going to argue with you now, but what I want to point out is, that over my objection this committee passed out and the Congress approved a bill which, according to the financiers, according to the banks, according to the Secretary of the Treasury, would pour and did pour another $6 billion of national bank money into the mortgage market at a time not when the market was tight; but at a time when the Secretary of the Treasury was telling this Congress, "We've got to take steps to prevent any more inflation," and the Federal Reserve Board was telling us, "We have to take steps to stop inflation," and you poured another $6 billion into the market by that bill.

Mr. MUMMA. Money must have been scarce, the way we boosted up FNMA.

Mr. MULTER. The situation has changed very much in the last 2 years since we passed that bill.

That was the second in this pattern that I am talking about. The third was the lifting of restrictions for extending the residence requirements of national bank directors. And I say to you, this is another bill nicking away at the National Banking Act. One more step, the fourth step, to weaken that law. And next year, you are going to get some more. You already have a bill in here, I think, to let these national banks go into the investment banking business.

I say to you that what you are doing is tearing down the structure of the banking system, of the dual banking system, and particularly of the national banking system. You are whittling away, at the request of the Treasury Department and of the Comptroller of the Currency—both of them big bankers—and of FDIC, which today is controlled by the Comptroller of the Currency—it does his bidding—we sat here twice while the Chairman of the FDIC came before this committee and pretended to represent to this committee that he was talking for the Board of the FDIC, and the Comptroller of the Currency, one of his codirectors on that board, sat in this room while he testified and pretended to say he was talking for the Board. In both instances he was talking for himself and Mr. Gidney and had not even consulted the third member of the Board. It is quite unimportant that in one instance the third member would have agreed with the opinions they offered here and in the second instance would have disagreed. The point of the matter is that those gentlemen came here and misrepresented the fact as to what was the FDIC Board's opinion.

If you want to know more about how FDIC is not operating, or is operating improperly, I will tell it to you.

Mr. MUMMA. I get telegrams saying, "32,000 members of such and such an organization want you to do so and so." The president of the organization just assumes that as his authority, does he not?

Mr. MULTER. Well, he hasn't the right to do it. Of course, we get such wires. And from our experience here as legislators, we get to know, and we get to the point where you can almost feel when the thing comes in, "This man is talking through his hat; this man is just kidding us."

While the other man we know is sincerely presenting his story and the merits of the controversy.

We can tell the honest lobbyist and the fellow who is trying to put something over.

I appreciate the lobbyist who comes in and fairly and frankly discusses it, says, "this is my interest, I am for or against this bill, these are my reasons, and these are the reasons the other fellow offers."

We will get more information in a minute from him than we will from the other fellow. The latter makes our work twice as hard. After he tells us something we must do a complete research job to determine the facts.

The CHAIRMAN. How would increasing the distance be whittling away the provisions of the National Bank Act? There are many Kentuckians who might want to be a director in a bank in Ohio. It is just across the river and some of them live probably more than 50 miles away. Now, what inherent danger would there be in permitting these people to be directors in a bank? I can't see the great importance of that. And what inherent danger would there be in providing that there should be 3 examinations every 2 years, if the FDIC found it was practical and advisable, instead of 4? Do you think there is inherent danger in both of those measures?

Mr. MULTER. Yes; I do, and I stated my views very fully before this committee both in the brief examinations that we had at public hearings, and before this committee in executive session.

Now, the very men who have sent you letters here and some of them who have testified here, representing the banks in favor of this bill—one of them you heard here the other day say there was a fellow outside his State who wants to get on his board and will get on by cumulative voting. You will probably recall I asked him what his position was on that bill as to the distance within which directors must reside in order to qualify. He didn't even know what I was talking about.

There is enough bad about this bill, Mr. Chairman, without our rehashing the things that were bad about the bills passed over my objection. Those things are on the record. This committee in its wisdom saw fit to vote out the bills and the House and the other body saw fit to pass them and they are now law. All I can do is say to you gentlemen that I will be back here again one of these days and say to you, "I told you so."

Mr. MUMMA. I was going to bring up the point of the residence of the director. The largest bank in my community was held by a family that had few heirs. It happens that the greater percentage of the stock is now owned by heirs who live in Boston and Baltimore. Should they be deprived of the right of representing their interests in the bank by reason of their residence?

Mr. MULTER. Only to the extent that the law provided and I think the law provided at that time—I will get it for you.

Mr. MUMMA. Do you think as a matter of law they should be allowed to represent their interests, which represents several life times of thrift and work?

Mr. MULTER. Yes. That is why I want cumulative voting continued as a matter of right. The law, if amended by this bill will not let those people be represented on the board.

Mr. MUMMA. It does now, doesn't it?

The question I was raising is, were you advocating they be deprived of their right by reason of their residence a certain number of miles away?

Mr. MULTER. The law provided before we changed it that one-fourth of the directors may live outside of the State. You changed it to one-third. Do you think that helped your people?

Mr. MUMMA. Yes. It didn't deprive them in that particular case.

Mr. MULTER. They had the same privilege, before.

Mr. MUMMA. I understand you say it is wrong for somebody that far away to be a director.

Mr. MULTER. They could still have come within the one-fourth rule. You have 20 directors on your board. Five of them could have lived outside the State.

Now, this provision changed that so that one-third, now, can live out of the State. But the objection I directed myself to was that all of the other directors, instead of being required to live within 50 miles, now may live within 100 miles.

Mr. MUMMA. I don't agree with you.

Mr. MULTER. Of course, I don't expect all the members of the committee to agree with me on these things, but I say it was bad and it was just another nick in the statute which we enacted in 1933.

Mr. NICHOLSON. I understood that this proposition on banks was something of a protection for the bank. Other businesses, for instance, some railroad, some manipulator of the stock gets in there and gets elected president and doesn't own any shares of stock and doesn't know anything about the railroad. He gets a $100,000 salary. What do you think about that?

Mr. MULTER. And the witness you addressed your question to the other day said it was exactly the same and he was lying in his teeth when he said it. The director you were

talking about didn't have to own any qualifying shares. But the National Banking Act requires he must own qualifying shares in his own right. And Mr. BURDICK has a bill in here that he must own it in his own right and it must be his without any option requiring him to sell it, as happens in many of these big banks. They pick John Jones to put him on the Board. John Jones doesn't have any qualifying stock, so they sell it to him. They take his check and they never deposit it. They take at the same time an agreement that they will return to him his check if and when he resigns or is forced out as a director and they then take back his stock in exchange. Do you think that complies with the laws requiring him to own qualifying shares in a national bank?

Mr. MUMMA. Is there any difference between a bank and Montgomery Ward?

Mr. MULTER. Oh, yes, unless Montgomery Ward is authorized to carry on a banking business.

Mr. NICHOLSON. They carry a big reserve.

Mr. MULTER. It is their own money. It is profits accumulated over the years, in order that the men who were drawing the big salaries and bonuses all through the years, instead of taking the profits and going into a higher tax bracket, they let it accumulate there, so that when they sell their stock they can take a capital gains and pay only a 25-percent tax. That is proper. There is no requirement in commercial and industrial corporations for directors to be stockholders or that its officers meet Government agency approval.

Bear in mind, that minority stockholders of national banks can only elect a minority of the board. In no instance has cumulative voting every brought about the election of a majority. The instances that Mr. Gidney and some of these other people put in the record here before you of the possibility of a minority stockholder or stockholders by cumulative voting electing a majority of the board may be theoretically and mathematically correct. It has never happened and it cannot happen.

Mr. NICHOLSON. You don't agree that if somebody gets control of Montgomery Ward who doesn't know anything about selling goods, gets to be president and chairman of the board of directors and takes off all the gravy there is from the stockholders and leaves the company in a pretty bad situation, you don't believe in that, do you?

Mr. MULTER. Mr. NICHOLSON, I don't believe that should be permitted and it can't happen with banks with proper supervision. I say to you if that kind of a situation can happen in any of these banks, these bankers should come forward and say so frankly and let's write a bill which will give them protection against that.

Now, there isn't a single instance where a minority of a board has been able to wreck a corporation or a railroad or a bank. All of the wreckings of the banks all through those days when the banks were being closed up and ever since was accomplished by directors elected by majority stockholders. The banks that have been closed up by FDIC and the Comptroller of the Currency were not controlled by any minority directors. None of them had directors on them put there by cumulative voting. They were majority controlled and the board of directors of the majority controlled and they kept the story to themselves about thir manipulations and bad investments.

Take the situation in New Jersey they skipped over here so lightly. The situation that just occurred in Illinois, that nobody yet has talked about here at any length. Do you think those banks could get away with that kind of manipulation and that kind of embezzlement and that kind of thievery if there was an alert minority director sitting on the board? Of course not. The responsibility for that misconduct is on those fellows who don't want minority representation on the board. Not because they may cause trouble but because they keep light on all things they want kept behind closed doors or under the table where no light will be shed on them.

Mr. RAINS. Let me ask the gentleman a question: I assume you are more interested in the people who put their money in the bank. After all, that is our responsibility, isn't it, rather than worrying about what some man may make as a minority stockholder?

Mr. MULTER. Mr. RAINS, we are interested, and this committee is charged with the duty of supervising these agencies and the operations of these agencies.

Mr. RAINS. For what purpose?

Mr. MULTER. To make sure they do what the law has set these agencies up to do. To make sure these banks are run properly, not solely for profit but in the interests of the community, for the convenience and to meet the needs of the community, to protect the depositor and the stockholder. We didn't set up an FDIC to guarantee deposits to the extent of $10,000 for the benefit of the stockholder. We did that for the benefit of the public.

Mr. RAINS. Isn't it a fact that you name that first, but isn't it first the responsibility to see that the depositor's money is safe? That is what a bank is really for, isn't it, not to make money for some stockholder.

Mr. MULTER. That is the philosophy written into the banking law and it is a good philosophy, but up until the time of the rewriting of the National Banking Act in 1933 and the time of the enactment of FDIC there were very few bankers who ever had any interest in the public. They were interested in getting as much money as they could out of a debtor-creditor relationship and then using that for their private profit. When the banks closed up in the depression days the Congress in its wisdom said, "We've got to stop this kind of business." We then enacted these laws.

Mr. RAINS. But that is not what I am trying to get at, Mr. MULTER. Is your real concern in this bill worry that the deposit won't be safe, or are you worrying because some individual who bought stock in the bank to make money won't be able to make the money off the stock? Which are you more concerned about?

Mr. MULTER. I am more concerned about the depositor and his money, but I am also concerned about the investor who owns the stock in these banks across the country—and let me call your attention to the fact, and I am sure you will agree with me—that there is more money in the aggregate invested in industry and in banking of this country by minority investors—by the small investors—than the big investors.

Take any of your big banks and you will find—and many of the medium-sized banks—and what will you find? Maybe 10 percent of the stock is owned by management. The rest is owned by—some of their friends and the rest is diversely held throughout the country by small investors. Don't they need protection?

Mr. RAINS. That is true in any corporation, of course, but the main thing I am interested in is whether or not this bill is going to endanger the depositors of money.

Mr. MULTER. I think it will.

Mr. RAINS. The people who are interested in breaking down cumulative shares is some automobile man or someone like that so he and his friends can lend that money out the way they want to instead of the way the banks want to lend it. Is that true or not?

Mr. MULTER. There have been some such instances, but I say to you, sir, they are in the minority. One such instance was referred to in the testimony here on Monday morning and then they steered clear of it. They gave the example of a bank in New York where the father-in-law wanted to put the son-in-law—the father-in-law acquired a large amount of stock in the bank and wanted to put his son-in-law on the board.

You were told that in order to stop that, the management sold out to another bank. I think the committee should know what that situation was. They were talking about the Nassau County National Bank. That bank, at the time this man was invited, the father-in-law was invited to become a member of the board and he suggested the son-in-law instead, at that time they were negotiating for a sale of the bank stock and they were negotiating for the sale of the bank stock while they were trying to force this man to sell his stock. They were trying to buy up minority stock interests because they were negotiating to sell that stock to another bank, the Franklin National Bank at a sum almost twice its book value. They didn't want any outsider like this minority stockholder, to know about it. When they finally closed the deal it wasn't to avoid minority representation of this young lawyer on the board, it was to take their profit of almost twice the amount of the book value of the stock when they sold out to the Franklin National Bank. A part of the sale required certain of the management to be continued as part of the management of that bank as a branch of the larger bank.

Mr. BROWN. I have always been under the impression that one reason we had so many failures in the banks in the twenties and thirties, was because they paid out too many dividends. Is that true?

Mr. MULTER. You say that there have been some banks who paid out too much in dividends?

Mr. BROWN. I think that is one of the things that contributed to the failures of the banks in the twenties and the thirties, that they paid out too many dividends. As Mr. RAINS says, people should be more interested in the depositors than in the people trying to make money.

Mr. MULTER. Mr. BROWN, you may know of such instances, but what I know of the banking situation in New York City—and I lived through it in those days; I represented banks in those days as a lawyer.

Mr. BROWN. So did I.

Mr. TALLE. Mr. Chairman——

Mr. MULTER. Let me answer Congressman BROWN's question, please.

Mr. TALLE. A point of information. Are there any more witnesses to be heard this morning?

The CHAIRMAN. No more witnesses.

Mr. MULTER. May I now answer Mr. BROWN's question?

The CHAIRMAN. You may answer Mr. BROWN's question.

Mr. MULTER. From what I know of those banks, Mr. BROWN, there were some instances where excessive dividends were paid, but the main reason most of them became insolvent is that they were overloaded with bad loans, they were overloaded with mortgage loans and when the depression hit us and they called their loans, they couldn't collect. They had to go in and foreclose on a business which had to be sold out under the hammer at auction for maybe 10 cents on the dollar. They had to go in and acquire large apartment houses and office buildings that were overvalued when they placed their mortgage. It was a favorite trick of the banks that were forced out of business in those days for someone to go in because he knew a director on the loan committee, to go in when a building was bought—take an arbitrary figure of $100,000—bought for $100,000. The appraiser would appraise it for $200,000 and give him $130,000 or $140,000 in a mortgage. Of course, they had to go broke.

Mr. BROWN. Under such situations they certainly shouldn't have paid out so many dividends.

Mr. MULTER. Under those situations, of course, they shouldn't have paid any dividends and it is the duty of FDIC and the

Federal Reserve Board and the Comptroller of the Currency to make sure that the dividend rate is a proper rate. It is his duty to see to it that at all times the capital, the undivided profits, and the surplus is maintained in proper proportion to the amount which they owe, and the amount they owe is mainly what they owe their depositors. If the FDIC, the Federal Reserve Board and the Comptroller of the Currency are doing their job, before they let any bank pay out any dividends, they should make sure its capital structure is good and sound. They should require the banks to take part of their profits and add it to their surplus and undivided profits accounts before they pay dividends. That is to make sure the banks continue to remain sound.

Mr. RAINS. One other question, Mr. MULTER. A moment ago you said there was nothing to be worried about in the minority stockholders—and frankly you and I know the minority stockholders don't now run the banks.

Mr. MULTER. Mr. RAINS, I don't think I meant to say there was nothing to be worried about so far as any of the minority stockholders were concerned.

Mr. RAINS. You don't contend, then, that minority stockholders now operate the banks?

Mr. MULTER. No, they don't.

Mr. RAINS. If they don't, when they have the privilege to do it, what is the excitement about this? They are not utilizing the opportunities they now have, are they?

Mr. MULTER. I am sorry, I haven't made myself clear.

Minority stockholders now under cumulative voting can and do get themselves elected to boards of directors, but only as a minority of the directors. Even though a minority, even though only 1 out of 20, they become the watchdog of the treasury, they become the watchdog of the directorship, they become the watchdog of the bank, for the benefit of all stockholders and all depositors.

Now, take this instance of Mr. Brody who testified here. A fine, upstanding gentleman. Absolutely nothing wrong with him. Nobody ever pointed a finger at him. For years they kept him off the bank and then they invited him to join.

Mr. RAINS. Did that hurt the investor or the depositors in that bank because they kept him off?

Mr. MULTER. Yes, it did.

Mr. RAINS. I am not really concerned about him.

Mr. MULTER. Yes, it really hurt the bank and the depositors. It didn't hurt the depositors as such, but it certainly hurt the rest of the stockholders because you know what the directors did after he came on the board? They increased their dividend rate by 77 percent. Was it an improper increase? Did they do it just to satisfy him? He only had one vote. Did the Comptroller of the Currency complain about the increase? Did the Federal Deposit Insurance Corporation complain or the Federal Reserve? Of course not, because it was a proper increase. Look at the figures that were submitted not by Mr. Brody but by the representative from the bank who testified here, and see if you wouldn't raise a question as to whether their dividend policy was good or bad before Mr. Brody joined the directorship.

The CHAIRMAN. The hearing will be discontinued because we are going into executive session.

SENATE

MONDAY, JULY 23, 1956

(Legislative day of Monday, July 16, 1956)

The Senate met at 10:30 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, we thank Thee for the sweet refreshment of sleep, restoring the frayed edges of care, and for the beckoning glory and the fresh vigor of a new day and a new week. Across all its toiling hours, O Thou Great Companion of our pilgrim way, keep our hearts with Thee, as in perplexing and disturbing times we face social problems which to solve tax our utmost.

In all the responsibilities of statecraft, we pray that Thou wilt teach Thy servants in this Chamber to be truly Thy ministers in public affairs, testing all decisions by their own conscience. Facing the rampant forces of darkness now loose in the world, may we never falter as we bear in our hands the commission of Him who is our captain in the fight to make men free, and as He sends us forth to proclaim to the captives the opening of prisons to them that are bound, and to proclaim the day of justice of our God, we ask it in His name and in His spirit. Amen.

CALL OF THE ROLL

The VICE PRESIDENT. As a quorum was not present on Saturday when the Senate recessed under a previous order, the roll will be called for the purpose of developing a quorum.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Bennett	Byrd
Allott	Bible	Capehart
Anderson	Bricker	Carlson
Barrett	Bridges	Case, N. J.
Beall	Bush	Case, S. Dak.
Bender	Butler	Chaves
Clements	Ives	Mundt
Cotton	Jackson	Murray
Curtis	Jenner	Neely
Dirksen	Johnson, Tex.	Neuberger
Douglas	Johnston, S. C.	O'Mahoney
Duff	Kefauver	Pastore
Dworshak	Kerr	Payne
Eastland	Knowland	Purtell
Ervin	Kuchel	Robertson
Frear	Laird	Russell
Fulbright	Langer	Saltonstall
George	Lehman	Schoeppel
Gore	Long	Scott
Green	Magnuson	Smith, Maine
Hayden	Malone	Smith, N. J.
Hennings	Mansfield	Sparkman
Hickenlooper	Martin, Iowa	Stennis
Hill	Martin, Pa.	Symington
Holland	McCarthy	Thye
Hruska	McClellan	Watkins
Humphrey, Minn.	McNamara	Wiley
	Millikin	Williams
Humphreys, Ky.	Monroney	Wofford
	Morse	Young

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL], the Senator from Louisiana [Mr. ELLENDER], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The Senator from Vermont [Mr. FLANDERS] and the Senator from Arizona [Mr. GOLDWATER] are absent on official business.

The Senator from Idaho [Mr. WELKER] is necessarily absent.

The VICE PRESIDENT. A quorum is present.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Saturday, July 21, 1956, was dispensed with.

REPORTS OF COMMITTEES SUBMITTED DURING RECESS

Pursuant to the order of the Senate of July 21, 1956,

The following reports of committees were submitted on July 21, 1956:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 1783. A bill for the relief of Mary Palanuk (Rept. No. 2749); and

H. R. 1739. A bill for the relief of William J. Bohner (Rept. No. 2748).

By Mr. HILL, from the Committee on Labor and Public Welfare, without amendment:

H. R. 4127. A bill to exempt courses leading to standard college degrees offered by nonprofit educational institutions of higher learning from the provisions of section 227 of the Veterans' Readjustment Assistance Act of 1952 prohibiting the enrollment of eligible veterans under that act when such courses have been in operation for less than 2 years (Rept. No. 2756).

By Mr. HILL, from the Committee on Labor and Public Welfare, with amendments:

H. R. 11695. A bill to extend until June 30, 1958, the programs of financial assistance in the construction and operation of schools in areas affected by Federal activities under the provisions of Public Laws 815 and 874, 81st Congress, and to make certain other changes in such provisions (Rept. No. 2753).

By Mr. MURRAY, from the Committee on Labor and Public Welfare, without amendment:

H. R. 9547. A bill to amend sections 401 and 701 (e) of the Federal Food, Drug, and Cosmetic Act so as to simplify the procedures governing the prescribing of regulations under certain provisions of such act, and for other purposes (Rept. No. 2752).

By Mr. MURRAY, from the Committee on Labor and Public Welfare, with amendments:

S. 4211. A bill to encourage and assist the States in the establishment of State committees on education beyond the high school, and for other purposes (Rept. No. 2751).

By Mr. LEHMAN, from the Committee on Labor and Public Welfare, with amendments:

S. 1494. A bill to authorize the Administrator of Veterans' Affairs to convey to the village of Central, in the State of New Mexico, certain lands administered by the Veterans' Administration facility at Fort Bayard, N. Mex. (Rept. No. 2755).

By Mr. McNAMARA, from the Committee on Labor and Public Welfare, without amendment:

S. 2599. A bill for the relief of John J. Griffin (Rept. No. 2762);

S. 3438. A bill for the relief of Joanne Lea (Buffington) Lybarger (Rept. No. 2757);

H. R. 1952. A bill for the relief of Clarence Christensen (Rept. No. 2764);

H. R. 4899. A bill for the relief of Helmut Klestadt (Rept. No. 2763); and

H. R. 8008. A bill for the relief of Mrs. Warren D. Cooper and her son, Teddy Devere Cooper (Rept. No. 2760).

By Mr. McNAMARA, from the Committee on Labor and Public Welfare, with an amendment:

S. 1355. A bill for the relief of William Luke Phalen (Rept. No. 2761); and

S. 3230. A bill for the relief of John R. Hill (Rept. No. 2759).

By Mr. McNAMARA, from the Committee on Labor and Public Welfare, with amendments:

S. 2647. A bill for the relief of Martha A. McDermott Stothard (Rept. No. 2758).

By Mr. ERVIN, from the Committee on Interstate and Foreign Commerce, with amendments:

H. R. 11122. A bill to promote the development and rehabilitation of the coastwise trade, encourage the construction of new vessels, and for other purposes (Rept. No. 2754).

ASSISTANCE TO STATES IN CONTROL AND TREATMENT OF JUVENILE DELINQUENCY (S. REPT. NO. 2765)

Mr. LEHMAN, from the Committee on Labor and Public Welfare, reported an original bill (S. 4267) to provide for assistance to and cooperation with States in strengthening and improving State and local programs for the diminution, control, and treatment of juvenile delinquency, which was read twice by its title and placed on the calendar.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Committee on Armed Services was authorized to meet during the session of the Senate today.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized, upon call by the chairman, to meet during the session of the Senate from 10:30 a. m. to 12 noon on Monday, July 23, 1956, for the purpose of considering only the following bills in the order designated by the chairman and amendments thereto which are germane, in the judgment of the chairman of the committee: S. 3571, S. 3574, H. R. 9424, H. R. 1840, H. R. 10949, H. R. 3661, H. R. 6870, H. R. 781, H. R. 6716, H. R. 6332, H. R. 2383, H. R. 7500, H. R. 5888, H. R. 5649, S. 3026, S. 3284, H. R. 4642, S. 1868, H. R. 1953, H. R. 7074, H. R. 7835, H. R. 4506, H. R. 5809, S. 703, S. 966, H. R. 1189, S. 384, H. R. 2342, H. R. 6126, H. R. 3728, H. R. 3073, H. R. 8298, S. 721, S. 1561, S. 1539, S. 157, H. R. 3365, H. R. 4637, and that other bills and motions may be considered by unanimous consent of the committee.

The VICE PRESIDENT. Without objection, it is so ordered.

ATTENDANCE OF SENATOR DIRKSEN AT MEETINGS OF COMMITTEE ON THE JUDICIARY—PERSONAL STATEMENT

Mr. DIRKSEN. Mr. President, there appeared in a column of a Washington newspaper yesterday a statement to the effect that certain members of the Senate Committee on the Judiciary had absented themselves or had agreed to absent themselves from a meeting in order to retard any action on the civil rights bill. That statement certainly is a complete departure from the truth.

I had the record of the Committee on the Judiciary examined this morning. I have not missed a full meeting of that committee since the 14th of May. Sometimes, under great difficulty I returned to the committee to be present. So the newspaper story is made out of whole cloth. I think it is a poor commentary upon the author of the column, whose name I shall not mention. There is a sense of charity about it, but it seems to me it is the license, rather than freedom of the press when there is such a complete departure from the truth.

I wish the RECORD to show that since the 14th of May I have not missed a full meeting of the Senate Committee on the Judiciary, and that, notwithstanding the onerous work of the Committee on Appropriations, I have been in attendance at almost every one of the hearings by the Judiciary Committee on the civil rights issue.

I am amazed that, without verification, the Washington Post and Times-Herald should have printed a story such as it did, no matter what the source or the name of the column might be.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there be the usual morning hour for the presentation of petitions and memorials, the introduction of bills, and the transaction of other routine business, subject to the usual 2-minute limitation on statements.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

APPOINTMENT TO NATIONAL MEMORIAL STADIUM COMMISSION

A letter from the Secretary, Board of Commissioners, District of Columbia, reporting, pursuant to law, that Fred A. Smith had been appointed by the Board of Commissioners as a member of the National Memorial Stadium Commission, vice former Commissioner John Russell Young; to the Committee on the District of Columbia.

REPORT ON SETTLEMENT OF CERTAIN CLAIMS DUE TO CORRECTION OF MILITARY RECORDS

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a report covering claims paid during the 6 months' period ended June 30, 1956, on account of the correction of military records of Coast Guard personnel (with an accompanying paper); to the Committee on the Judiciary.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Acting Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the city council of the city of Chicago, Ill., favoring the enactment of legislation to provide for the inspection of luggage aboard airplanes, with a view to discovering explosives or other dangerous or harmful devices; to the Committee on Interstate and Foreign Commerce.

A letter in the nature of a petition from the American Federation of the Physically Handicapped, Inc., Washington, D. C., signed by Paul A. Strachan, president, relating to the enactment of Senate bill 1777, permitting severely handicapped, who require an attendant, to ride on common carriers at half fare; ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEHMAN, from the Committee on Labor and Public Welfare, with amendments:

S. 728. A bill to provide for assistance to and cooperation with States in strengthening and improving State and local programs for the control of juvenile delinquency (Rept. No. 2766).

By Mr. GREEN, from the Committee on Rules and Administration, without amendment:

S. J. Res. 180. Joint resolution to provide for the reappointment of Arthur H. Compton as Citizen Regent of the Board of Regents of the Smithsonian Institution (Rept. No. 2767);

S. Res. 312. Resolution increasing the limit of expenditures for hearings before the Committee on Armed Services;

S. Res. 315. Resolution authorizing an increase in expenditures for the Committee on Foreign Relations;

S. Res. 318. Resolution to print additional copies of Senate Document No. 83, 84th Congress, 1st session, entitled "Critical Materials";

H. Con. Res. 254. Concurrent resolution authorizing the printing of additional copies of House Reports Nos. 2240, 2241, 2242, 2243, and 2244, current session;

H. Con. Res. 261. Concurrent resolution authorizing the printing of additional copies of the hearings on civil defense for national survival held during the current session by a subcommittee of the Committee on Government Operations;

H. Con. Res. 262. Concurrent resolution authorozing the Joint Committee on Atomic Energy to print 40,000 additional copies of the hearings of the Research and Development Subcommittee on "Progress Report on Research in Medicine, Biology, and Agriculture Using Radioactive Isotopes"; and

H. Con. Res. 263. Concurrent resolution authorizing additional copies of the hearing on labor-management problems of the American merchant marine.

By Mr. GREEN, from the Committee on Rules and Administration, with amendments:

S. Res. 320. Resolution providing additional funds for the Committee on Labor and Public Welfare (Rept. N. 2768).

INTERIM REPORT ENTITLED "THE TELEVISION INQUIRY" (S. REPT. NO. 2769)

Mr. MAGNUSON. Mr. President, from the Committee on Interstate and Foreign Commerce, pursuant to Senate Resolutions 13 and 163 authorizing investigations of certain problems relating to Interstate and Foreign Commerce, I submit an interim report entitled "The Television Inquiry—Allocations Phase." I ask unanimous consent that the report may be printed, together with the individual views of the Senator from Connecticut [Mr. PURTELL], the Senator from North Carolina [Mr. ERVIN], the Senator from South Carolina [Mr. WOFFORD], and the Senator from Texas [Mr. DANIEL].

The VICE PRESIDENT. Without objection, the report will be received and printed, as requested by the Senator from Washington.

REPORTS ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON of South Carolina, from the Joint Select Committee on the Disposition of Executive Papers, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ERVIN (for Mr. SMATHERS) (by request):

S. 4268. A bill to preserve the Key deer and other wildlife resources in the Florida Keys by the establishment of a National Key Deer Refuge in the State of Florida; to the Committee on Interstate and Foreign Commerce.

By Mr. CHAVEZ:

S. 4269. A bill to exempt from duty certain nickel products; to the Committee on Finance.

(See the remarks of Mr. CHAVEZ when he introduced the above bill, which appear under a separate heading:)

By Mr. HILL:

S. 4270. A bill to authorize and direct the Secretary of the Army or his designee to convey certain property located in the vicinity of Montgomery, Montgomery County, Ala., to the State of Alabama; to the Committee on Armed Services.

By Mr. CLEMENTS:

S. 4271. A bill to provide that the Secretary of the Interior shall investigate and report to the Congress as to the advisability of establishing the burial site of the grandfather of Abraham Lincoln as a national monument; to the Committee on Interior and Insular Affairs.

By Mr. LEHMAN:

S. 4272. A bill for the relief of Ping-Kwan Fong;

S. 4273. A bill for the relief of Stephanie Pfeiffer Semper; and

S. 4274. A bill to amend section 13 of title 35 of the United States Code so as to permit public libraries to exchange copies of specifications and drawings of patents supplied to them under the provisions of such section for copies of specifications and drawings of patents of foreign countries; to the Committee on the Judiciary.

By Mr. HENNINGS:

S. 4275. A bill providing for the making of payments to the States and their political subdivisions in lieu of taxes with respect to certain real property owned by the United States or its agencies; to the Committee on Government Operations.

By Mr. MANSFIELD (by request):

S. 4276. A bill for the relief of Isabella Abrahams; to the Committee on the Judiciary.

By Mr. DOUGLAS (for himself and Mr. HUMPHREY of Minnesota):

S. J. Res. 201. Joint resolution to urge the admission into Communist-occupied Poland of official observers for the purposes of reporting to the entire world the circumstances surrounding the forthcoming trials of the patriots of the Poznan uprising, the validity of the charges, the trial proceedings and the justice of the verdicts; to the Committee on Foreign Relations.

(See the remarks of Mr. DOUGLAS when he introduced the above joint resolution, which appear under a separate heading.)

WITHDRAWAL OF RUSSIAN TROOPS FROM, AND FREE ELECTIONS IN, THE BALTIC STATES

Mr. DOUGLAS. Mr. President, on behalf of the Senator from Minnesota [Mr. HUMPHREY] and myself, I submit a resolution requesting the President and the American delegation to the United Nations to seek two things: First, the withdrawal of Russian troops from Germany, Poland, the Baltic States, and all the countries of Eastern and Southeastern Europe. Secondly, free elections in those countries.

We should never forget that under the Yalta agreement the Polish provisional government was pledged to permit free and unfettered elections on the basis of universal suffrage and the secret ballot. This pledge has been violated.

In the campaign of 1952 the Republican Party pledged itself to a program of liberation. That pledge has not been carried out. I think it is about time we used our influence in the United Nations, and by other means, to see that Russia withdraws her troops and that free elections are provided in those countries.

I ask unanimous consent that the resolution be printed in the body of the RECORD at this point and appropriately referred.

The VICE PRESIDENT. Without objection, the resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the RECORD.

The resolution (S. Res. 321) favoring the withdrawal of troops of the Soviet Union from captive countries and the holding of free elections in certain European countries, submitted by Mr. DOUGLAS (for himself and Mr. HUMPHREY of Minnesota) was referred to the Committee on Foreign Relations, as follows:

Whereas pursuant to the agreement entered into at the Yalta conference, the Polish Provisional Government was pledged to the prompt holding of free and unfettered elections on the basis of universal suffrage and secret ballot; and

Whereas the Polish Government has refused to discharge its obligations under such pledge, although it has been repeatedly reminded of such obligations by the Governments of the United States and Great Britain; and

Whereas the Soviet Government has consistently refused to support or participate in any action designed to bring about compliance by the Polish Government with its pledge; and

Whereas until such pledge is fulfilled, harmonious relations between the Governments of Russia and Poland and the free nations of the world will continue to be jeopardized; and

Whereas the agreement at Yalta also reaffirmed the right of liberated European peoples generally to create democratic institutions of their own choice, endorsed the restoration of sovereign rights and self-government to those peoples who had been forcibly deprived of them by the aggressor nations, and pledged the Governments of the United States, Great Britain, and Russia to assist these peoples to form interim governmental authorities pledged to the earliest possible establishment through free elections of governments responsive to the will of the people and to facilitate the holding of such elections; and

Whereas, the charter of the United Nations provides that it is the purpose of all signatories to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms for all and the General Assembly has called upon all nations to promote these freedoms; and

Whereas, the government of the Soviet Union and the satellite governments, which it has imposed upon its captive countries, have consistently ignored and violated the principles and agreements listed above and have refused to allow free and fair elections in Poland, Czechoslovakia, the Eastern Zone of Germany, Hungary, Rumania, Bulgaria, and Albania; and

Whereas, the Soviet Union has also forcibly and against the will of the people and in violation of their rights of self-determination incorporated the territory of the nations of Lithuania, Estonia, and Latvia into the Soviet Union; and

Whereas, the Soviet Union has maintained elements of its occupation military forces in the captive countries to assist in the denial to those peoples of the foregoing rights and freedoms and has utilized those forces to put down and brutally to suppress any popular expressions of desire by these peoples for the enjoyment of such rights; and

Whereas, the new propaganda offensive of the Soviet Union is calculated to create an impression of devotion to peace and to democratic principles of self-determination, but is in fact contradicted and exposed by the continuing denial of free and fair elections and the maintenance of her occupation forces in captive countries, contrary to her pledges; and

Whereas action by the Soviet Government to bring about fulfillment of such pledges would do much to restore the confidence of the free nations in the sincerity of the expressions of such government with respect to her peace aims and in her faithfulness in keeping international agreements: Therefore be it

Resolved by the Senate, That—

(1) It is the sense of the Senate that the occupation forces of the Soviet Union in all captive countries should be immediately withdrawn in accordance with the foregoing principles and undertakings.

(2) It is also the sense of the Senate that free and fair elections should immediately be held in Poland, Czechoslovakia, the eastern zone of Germany, Hungary, Rumania, Bulgaria, and Albania and, after their separation and liberation from the Soviet Union, in Lithuania, Estonia, and Latvia, in accord-

ance with the agreements made at the Yalta conference and in accordance with the undertakings of all signatory nations under the United Nations Charter.

(3) The Senate requests the President (a) to communicate this resolution to the United States representative to the United Nations with a request that the substance thereof be brought before the General Assembly of the United Nations for appropriate action and (b) in all other available and appropriate ways to call upon the Soviet and satellite governments to restore the freedoms and grant the rights previously pledged to these captive peoples.

EXEMPTION OF CERTAIN NICKEL PRODUCTS FROM TARIFF DUTY

Mr. CHAVEZ. Mr. President, I introduce, for appropriate reference, a bill to exempt from duty certain nickel products.

There have been recent proposals, due to necessity, of having strategic metals, mainly nickel, to amend the Tariff Act inasmuch as there is no opposition from American political sources as nickel, in very minute quantities, is produced in the country and it is strategically needed in the steel and other industries. Recently, the Senator from Louisiana [Mr. LONG] submitted an amendment to the Tariff Act to remove the tariff from nickel concentrates, and so forth. Congressional sources on the House side are prepared to introduce similar legislation to include all basic nickel products. The present tariff on nickel, over a period of years, has been reduced and now amounts to 1½ cents a pound. The principal producer of nickel is Canada. To some extent Cuba also produces nickel. The amount of revenue raised has dwindled so much over the years and is now so minute, whereas the need for nickel is so great that the passage of this proposed legislation is justified.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 4269) to exempt from duty certain nickel products, introduced by Mr. CHAVEZ, was received, read twice by its title, and referred to the Committee on Finance.

OFFICIAL OBSERVERS AT TRIAL OF CERTAIN POLES AS A RESULT OF THE POZNAN UPRISING

Mr. DOUGLAS. Mr. President, on behalf of the Senator from Minnesota [Mr. HUMPHREY] and myself, I introduce, for appropriate reference, a joint resolution which proposes that our Government shall send observers to the trial of workers of Poznan who will shortly be subjected to trial by the Communist Government of Poland. Either our Government should send observers or we should try to see that the Polish Government permits the free world to send observers, so that they may judge whether or not a free trial is being granted.

Mr. President, both Senate Resolution 321, submitted by me today, and this joint resolution are extremely important. I have been deeply disappointed by the attitude of the State Department and the administration, in these closing days of the session, in trying to head off any movement looking toward the liberation of these countries, which, it seems to me, is a direct violation of the pledges of 1952, and really against the interests of the free world. I hope that their very decided opposition will abate in these closing days, and that action may be forthcoming.

I ask unanimous consent that the joint resolution be printed in the RECORD.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S. J. Res. 201) to urge the admission into Communist-occupied Poland of official observers for the purpose of reporting to the entire world the circumstances surrounding the forthcoming trials of the patriots of the Poznan uprising, the validity of the charges, the trial proceedings, and the justice of the verdicts, introduced by Mr. DOUGLAS (for himself and Mr. HUMPHREY of Minnesota), was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Whereas the Communist regime now in control of Poland seized power by use of terroristic methods and with the active support of the Red army and the Russian secret police in violation of solemn agreements entered into by the United States and other powers with the Union of Soviet Socialist Republics; and

Whereas the Polish Communist regime does not represent nor is it responsive to the will of the Polish people and has installed the Russian police state system, thus spreading fear and terror among all the people; and

Whereas that Communist regime has engaged in a ruthless, inhuman exploitation of the Polish workers in order to support the elite class of communism and to pay required tribute to the Russian overlords; and

Whereas that regime is attempting to destroy the centuries-old culture, traditions, religion, folklore, and even the language of the Polish people; and

Whereas the Polish people have for centuries struggled for their national independence and freedom and in recent years have continued to resist all efforts of the Communists to change their traditional allegiance to God and country; and

Whereas a long series of Communist abuses, crimes, and inhumanities caused the demonstration and uprising of thousands of Polish patriots in Poznan on June 28, 1956, causing acts of heroism and bravery which shall forever be emblazoned upon the pages of man's historic struggle for liberty, and resulting in the brutal suppression, ruthless killing, and imprisonment of hundreds, if not thousands, of those patriots by mechanized Communist forces; and

Whereas the suppression of news and essential details of the heroic uprising of the Polish patriots caused by the Communist police-state has prevented the people of the free world from having access to all the true facts, including the many acts of heroism, the names of those who led freedom's cause, as well as the many unprovoked acts of terror and reprisal carried out against the Polish people, and the names of all those so involved; and

Whereas the Soviet and Polish Governments have falsely sought to blame the United States Government or its agents and vaguely defined alien and hostile sources for these courageous uprisings; and

Whereas the public prosecutor of the Communist regime now in control of Poland has indicated that as many as 323 of the Polish patriots who took part in the Poznan uprising will soon be brought to trial; and

Whereas justice to the individuals charged, the fullest possible protection of the Government of the United States against false accusations, and the essential informing of the people of the world concerning the operation of Communist procedures for justice require that every proper effort be made to secure complete information on the evidence presented at the forthcoming trials, the procedures followed, the judgments entered, and the penalties imposed: Now, therefore, be it

Resolved, etc., That it is the sense of the Congress that the interests of humanity, as well as the cause of a just and lasting peace, would be served best through the presence in Poland of official observers of the free world during all such trials of persons involved in the Poznan uprising in order that a complete and factual report of the circumstances surrounding the trial, the validity of the charges, the trial proceedings, and the justice of the verdicts may be made known to the entire world.

The President and the Secretary of State are respectfully urged to request permission of the Government of the Union of Soviet Socialist Republics and of Poland for the admission of such official observers into Communist-occupied Poland.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HUMPHREY of Minnesota. I am very privileged and honored to join with my colleague from Illinois in sponsoring Senate Resolution 321 and the joint resolution (S. J. Res. 201) which he has just introduced. As the Senator knows, the rebellion in Poland offered an opportunity to the United States and the other free nations to call to the attention of the world the abuses of the Communist system, and particularly as they fall upon the working people—the very working people who, under the theory of the Communist system, are supposed to benefit.

If our Government finds itself unwilling to send its own personal representatives to the trials, I hope at least our delegation to the United Nations will insist upon a United Nations representative, because those trials may be very much like the ones which took place in eastern Germany following the uprising in Berlin, when many hundreds of persons were summarily sent to labor camps, and a number were executed.

It is very important that the people of Poland know that the Government of the United States is going to do everything it can to see that the processes of justice are followed, rather than the processes of administrative tyranny, which is all too often the picture in the alleged judicial procedures of the satellite and Communist countries.

I commend the Senator from Illinois. I wish to say I think these resolutions will offer a ray of hope to those brave people. I think our State Department should welcome these resolutions. I shall do everything I can to see they are speedily concurred in by this body.

Mr. DOUGLAS. I thank the Senator from Minnesota, but is the Senator aware that previous efforts along this line have been fought with bitterness and with all the strength at the command of the State Department?

Mr. HUMPHREY of Minnesota. I am. I know that in all too many instances,

there has been opposition. But again I wish to call attention to the fact that these resolutions go to the heart and core of the problem, and that the least we can do to the patriots of Poland is to assure them that the Government of the United States believes in justice under law and in free elections.

It is for those things that the Soviet Government, under the charter of the United Nations, is supposed to have given its word—a word which it has violated in and out.

The VICE PRESIDENT. The Chair calls attention to the fact that the Senate is proceeding under a 2-minute limitation, in connection with morning business.

Mr. HUMPHREY of Minnesota. I thank the Chair.

ALLEVIATION OF EXCESSIVE UNEMPLOYMENT IN CERTAIN ECONOMICALLY DEPRESSED AREAS—AMENDMENTS

Mr. FULBRIGHT submitted amendments, intended to be proposed by him, to the bill (S. 2663) to establish an effective program to alleviate conditions of excessive unemployment in certain economically depressed areas, which were ordered to lie on the table and to be printed.

PROTECTION OF CIVIL RIGHTS OF CERTAIN PERSONS WITHIN JURISDICTION OF THE UNITED STATES—AMENDMENT

Mr. GOLDWATER submitted an amendment, intended to be proposed by him, to the bill (H. R. 627) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, which was referred to the Committee on the Judiciary and ordered to be printed.

PROMOTION OF DEVELOPMENT AND REHABILITATION OF THE COASTWISE TRADE—AMENDMENTS

Mr. WILLIAMS submitted amendments, intended to be proposed by him, to the bill (H. R. 11122) to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT OF MERCHANT MARINE ACT, 1936—AMENDMENT

Mr. WILLIAMS submitted an amendment, intended to be proposed by him, to the bill (H. R. 11554) to amend certain provisions of title XI of the Merchant Marine Act, 1936, as amended, to facilitate private financing of merchant vessels in the interest of national defense, and for other purposes, which was ordered to lie on the table and to be printed.

DESIGNATION OF LOCK AND DAM ON BLACK WARRIOR RIVER, ALA., AS THE JOHN HOLLIS BANKHEAD LOCK AND DAM—REPRINT OF SENATE REPORT NO. 1728

Mr. HILL. Mr. President, the bill (S. 2424) designating lock and dam No. 17 on the Black Warrior River, Ala., as the John Hollis Bankhead lock and dam has passed the Senate, but the accompanying report refers to the wrong John Hollis Bankhead in paragraph 5. The report refers to John Hollis Bankhead, "who so ably served his State and country in the United States Senate from 1931 to 1946." The report should read: "Who so ably served his State and country in the United States House of Representatives from 1887 to 1907 and in the United States Senate from 1907 to 1920."

To correct the legislative history and intent of S. 2424, the Senate Parliamentarian suggests that a star print of the report be made to make the correction.

Mr. President, Report No. 1728, contains in part incorrect information, and I ask unanimous consent that a star print of the report be made to make the legislative history and intent of S. 2424 clear and accurate.

The VICE PRESIDENT. Is there objection to the request of the Senator from Alabama? The Chair hears none, and it is so ordered.

PRINTING AS A SENATE DOCUMENT OF COMPILATION OF CONGRESSIONAL INVESTIGATIONS OF COMMUNISM AND SUBVERSIVE ACTIVITIES

Mr. McCLELLAN. Mr. President, on behalf of the Committee on Government Operations, I ask unanimous consent to have printed as a Senate document, an index and summary entitled "A Compilation of Congressional Investigations of Communism and Subversive Activities," covering a period from 1918 to 1956, and that 2,750 additional copies be printed for use of the Committee on Government Operations.

The VICE PRESIDENT. Without objection, it is so ordered.

SUSPENSION OF RULE XXVI, PARAGRAPH 2, FOR THE SECOND SUPPLEMENTAL APPROPRIATION BILL

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that paragraph 2 of rule XXVI, which provides that all reports of committees, and so forth, shall lie over 1 day for consideration, be waived in the case of House bill 12350, the second supplemental appropriation bill of 1957.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

My Mr. WILEY:

Radio address delivered by him with reference to major undone tasks in the 84th Congress and failure to reform election laws.

ORDER FOR RECESS TO 10:30 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today it stand in recess until tomorrow at 10:30 a. m.

The VICE PRESIDENT. Without objection, it is so ordered.

AUTHORIZATION TO COMMITTEE ON FOREIGN RELATIONS TO FILE REPORT DURING ADJOURNMENT OF THE CONGRESS

Mr. HUMPHREY of Minnesota. Mr. President, I ask unanimous consent for permission for the Committee on Foreign Relations to file a report of the Subcommittee on Disarmament during the adjournment of the Congress. This subcommittee was created pursuant to Senate Resolution 93 of the 84th Congress, and continued by Senate Resolutions 185 and 286. A second interim report is in preparation, and is expected to be ready for publication in early August.

This request has been cleared with the committee.

The VICE PRESIDENT. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and it is so ordered.

PERMISSION TO FILE REPORT ON S. 4205 AFTER ADJOURNMENT OF CONGRESS

Mr. JOHNSTON of South Carolina. Mr. President, because of the accumulation of conference reports and other pressing matters, I ask unanimous consent on behalf of the Judiciary Committee that, in the event the staff is unable to complete the report on S. 4205, "The World War II Damage Claims Settlement Act of 1956," prior to the date of adjournment, the same may be filed within 15 days after adjournment.

The VICE PRESIDENT. Without objection, it is so ordered.

SALES OF SET-ASIDE QUANTITIES OF WHEAT

Mr. HUMPHREY of Minnesota. Mr. President, during the discussion of the International Wheat Agreement, I called to the attention of the Senate the fact that the Department of Agriculture was selling, out of the set-aside stockpile, quantities of wheat which were not being replaced. There was some question on the part of other Senators as to whether or not this was really taking place. I have examined into the situation, and I now ask unanimous consent to have printed at this point in the RECORD a statement I have prepared concerning this matter.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

WHEAT SET-ASIDE

The 1954 Farm Act authorized a defense set-aside or stockpile of 400 million bushels to 500 million bushels of wheat.

Secretary Benson placed 400 million bushels in this set-aside on September 15, 1954, and on March 30, 1955, another 100 million bushels.

As I understand it, the original law made no provision for reducing or replenishing the defense set-aside. Its significance lay largely in (a) providing for a stock in event of emergency and (b) providing for a disregard of quantities in the stockpile in computing price supports under the flexible or variable formula program.

Public Law 480 made provision for taking quantities out of the wheat set-aside. As of April 30 this year, the CCC financial report showed the composition of the set-aside to be 383,623,096 bushels. It had been reduced by 90,615,291 bushels through the sale or barter program to develop new or expanded markets under title I of Public Law 480. It had been further reduced by 25,761,613 bushels under title II of Public Law 480 which provides for disaster or other relief shipments to foreign countries in the form of either wheat or flour.

The CCC report as of June 30 is soon available and will show a further reduction.

In his recent announcement of the 1957 support price for wheat, Secretary Benson was called upon to make a supply computation which revealed that if he had followed the formula strictly the price support would have been 77 percent of parity, somewhat lower than the $2 support he announced which works out at 82½ percent of parity.

In his release giving the statistical background, the Secretary indicated that 225 million bushels would be in the set-aside as of July 1, 1957.

THE STEEL STRIKE

Mr. HUMPHREY of Minnesota. Mr. President, I rise to address myself to a matter of deep and continued concern for all Americans. I refer to the strike in the basic steel industry, which is now going into its fourth week. I realize that all Americans have been following the developments in this strike carefully and with alert interest. Many citizens in my State are among the 650,000 employees of the steel industry who have not had the benefits of a contract since June 30 and who therefore have not been employed since that date. Other thousands of our citizens in Minnesota work in allied industries whose welfare is directly related to continued production of steel. The lifeblood of the Nation itself depends upon a fully functioning maximum producing steel industry.

Members of the Senate will recall that for more than 4 years I served as a member of the Senate Labor and Public Welfare Commitee. During a large part of that time I was chairman of the Subcommittee on Labor and Labor-Management Relations. There is one inescapable conclusion that I have drawn as the result of that experience, and as a result of an intimate awareness of labor relations as mayor of the city of Minneapolis prior to serving in this body. The conclusion is that the key to the solution of labor-management problems lies in the real collective bargaining. There is no doubt in my mind that the same solution applies to the current labor-management dispute in the steel industry.

I know the members of the United Steelworkers of America. Many of them are my friends. I know the president of the United Steelworkers of America, Mr. David J. McDonald, a distinguished, responsible American labor statesman. I know that the union itself—its membership and its leadership—is responsible and dedicated to the public interest. I know of their willingness to sit down to the collective bargaining table and arrive at a solution which will restore stability to the industry. I am confident of their awareness of the fact that agreement is arrived at only on the basis of mutual give-and-take, and that a settlement of the current dispute is possible in the near future if that same willingness and awareness shall be manifested by the representatives of the steel industry.

I am confident that a just and equitable settlement of the strike will take place shortly. My plea, Mr. President, is that the settlement take place now, without unnecessary further delay. We have every right to expect that the leadership of the steel industry will now sit down, recognizing its responsibilities to the Nation, and help to bring a speedy end to the steel strike.

I am pleased to notice, therefore, the news in this morning's press that peace talks will be resumed in New York tomorrow.

Mr. KNOWLAND. Mr. President, the steel strike has been going on for a considerable period of time. It seems to me if there ever was a time in the history of our country that called for industrial statesmanship on the part of both labor and management, now is the time. If the strike continues, it will not only do great damage to both labor and management in the steel industry, but it will be bound to have a chain reaction which will adversely affect all other segments of American industry.

It is ultimately bound to have, and I think it is already having, an adverse effect upon small-business men all over the country who are dependent to a considerable extent on the payrolls not only of the steel industry, but the payrolls of the railroads and the coal industries, which have already suffered repercussions because of the steel strike.

Both labor and management should keep in mind that no group has the right to strangle the economic life of 165 million Americans and, by so doing, endanger the whole free world.

BOONE COUNTY, MO., AGRICULTURAL STABILIZATION COMMITTEE

Mr. HUMPHREY. Mr. President, on July 12 the Department of Agriculture rendered a decision on the appeal of three former members of the Boone County, Mo., Agricultural Stabilization Committee who had been summarily removed from office last fall.

These men are farmers. They had been elected by their neighbors to hold office. They had been removed or kicked out of office by the Missouri Agricultural Stabilization Committee, appointed by the Secretary of Agriculture. The charge against them was "obvious manipulation" of wheat yields to enable certain farmers to avoid paying the proper marketing quota penalties.

In other words, these farmers were called crooks by the ASC committee; they were said to be irresponsible; that they had manipulated the marketing quotas, according to the State ASC committee, to suit an illegal purpose. That is what the charge said. The charge was brought initially by the Missouri ASC committee, which itself had been indulging in questionable administrative practices. Those administrative practices have been under consideration by a subcommittee of the Committee on Agriculture and Forestry. The facts to which I have referred were known to officials of the Department of Agriculture. Yet the Department had apparently accepted the charge against Boone County committee at face value.

One high administrative official of the Department of Agriculture told the State committee that if the charge was true, the committee ought to be fired.

The charge was repeated by no less a personage than the Secretary of Agriculture, Mr. Benson, himself. In response to an inquiry made by the distinguished junior Senator from Missouri [Mr. SYMINGTON], the Secretary said the committee had been removed for—and I am quoting the Secretary—"obvious manipulation" of wheat yields.

Mr. President, get the picture: These farmers were charged with malpractice, with "obvious manipulation"—in other words, with being crooks—by a State committee known by the Department to have been engaged in practices of a questionable and irregular nature. A high administration official concurs, indirectly, in the dismissal, saying that if the charges were true, the county committee should be fired. Even the Secretary of Agriculture had lent the prestige of his name and his office to repeating the charge.

But no one had investigated to see if the charge was true or false, despite the fact that the two Senators from Missouri [Mr. HENNINGS and Mr. SYMINGTON] had both asked that the charge be investigated.

Can any Senator imagine the Secretary of Agriculture permitting the use of his name in repetition of a serious charge against an elected farmer committee, without having first made a careful examination of the facts?

This farmer committee was, however, persistent. It insisted upon presenting its case, and following the appeal procedure. It was not awed by the name of a Cabinet official. It went to its own expense in making an appeal to Washington. It employed an attorney. The appeal was heard. The decision, so apparent when the facts were examined, has been reached; it is a decision which completely vindicates the farmers of the Boone County committee.

The decision is that the farmer committee is not guilty as charged. The

State committee is wrong; not the elected farmer committee. The Secretary of Agriculture was wrong in his comment about "obvious manipulation."

All the background of this case has come out in testimony before the subcommittee of the Committee on Agriculture and Forestry which has been looking into elected farmer committee system and seeing what has been happening to it.

Together with other Members of the Senate, I have met the farmers of the Boone County committee. They appeared before our subcommittee. They are fine men. They have been unjustly accused. They have been grossly abused. Their reputations have been soiled in the eyes of the public, which does not know them. The accusations against them have given a black eye to the farmer committee system of administering farm programs. Furthermore, they have been forced to go to considerable expense of time and money in trying to get their names cleared.

My purpose in rising today, Mr. President, is simply to explain this set of circumstances. As chairman of the subcommittee which investigated the case, I want to do all I can to make certain that the acquittal of these farmers of the charge made against them receives as much public attention as did the accusation against them.

I have talked at length with these fine men. The 3 men have been in the farm program for 10 or 15 years. They were the victims of outright political chicanery. Their names were blackened. Their reputations were stained by a charge from the State committee appointed by the Secretary of State, and then, Mr. President, by the Secretary himself.

So far as I can determine, the Department of Agriculture has made no public announcement of the decision, which found the men not guilty. On appeal they were found to be guiltless. I wish to give public notice of the fact that those men were acquitted, and that the charges were untrue and unfounded.

Our subcommittee has spent many hours in its investigation of the farmer-committee system. In most States we found many misunderstandings and a few irregularities. In Missouri we found administrative excesses which were shocking in their extent, character, and duration. In Washington, I regret to say, we have found an indifference toward the rights of elected farmer committees and the rights of individuals, even on the part of Secretary of Agriculture Benson. I say this is an appalling situation.

The Boone County case is only one illustration, as will be seen when our committee report comes out this week, because in that report there are many other such instances. I am sure, if they can be appealed, despite the heavy cost involved, vindication will come to those who have been accused.

I only cite these facts for the RECORD, Mr. President, because what has been said concerns three men, who traveled all the way to Washington. I have sought to bring out the facts concerning the three farmers of the Boone County committee in Missouri who have been under charges of obvious manipulation, which is, in a sense, a criminal charge. They have been found not guilty. The evidence concerning the charges were found to be unworthy. The charges were found to be totally false. I am glad those 3 persons have been vindicated. I hope the people of Missouri will hear the good news, so those farmers will not have to be facing their neighbors, as they have been during the past year, under the cloud of charges which have proved to be unfounded. They have done a good job, and they are to be commended.

RENEWED APPEAL AGAINST ICC SERVICE ORDER 914

Mr. WILEY. Mr. President, I have previously publicly appealed on the floor of the Senate for reconsideration by the Interstate Commerce Commission of its unfair and discriminatory service order No. 914, which penalizes Great Lakes shippers, in relation to treatment accorded to shippers on other coasts.

I was pleased to hear today from the distinguished port director of the city of Milwaukee, the honorable Harry C. Brockel, advising that the city, through its harbor board and association of commerce, has jointly petitioned the ICC for reconsideration of service order No. 914.

I believe that this petition represents a most constructive presentation of our case against this biased ICC order.

I should like to renew my appeal to the ICC to alter its position before further damage is done.

I send to the desk the text of Mr. Brockel's letter, and attached petition. I ask unanimous consent that they be printed in the body of the CONGRESSIONAL RECORD.

There being no objection, the petition and letter were ordered to be printed in the RECORD, as follows:

CITY OF MILWAUKEE,
BOARD OF HARBOR COMMISSIONERS,
Milwaukee, Wis., July 20, 1956.

(Commissioners: Arthur J. Skelding, president; Daniel W. Hoan, vice president; William E. Coakley, Ray Markey, Frank H. Ranney. Municipal port director, H. C. Brockel; civil engineer, Richard G. Krahn; superintendent, John Wagner; port traffic representative, Robert K. Jorgensen.)

Hon. ALEXANDER WILEY,
United States Senate,
Washington, D. C.

DEAR SENATOR WILEY: This letter will serve to bring you up to date on recent developments in connection with ICC Service Order No. 914, restricting Great Lakes ports to 2 days' free time allowance for interchange of rail cars carrying export cargo consigned to ocean carriers. By service order No. 912, the ICC provided 6 days' free time allowance at all seaboard ports, but in a separate action ordered rail lines serving Milwaukee, Green Bay, and Chicago not to grant free time allowances in excess of 2 days.

The city of Milwaukee through the Harbor Board and the Milwaukee Association of Commerce has jointly petitioned the Interstate Commerce Commission for reconsideration of service order No. 914, with public hearings to afford interested parties an opportunity to testify. A copy of our petition to the ICC is enclosed.

The Chicago Regional Port Commission and ocean terminals at Chicago have filed a complaint with the ICC, naming eastern rail carriers as defendants. We assume that the Milwaukee petition and the Chicago complaint may be consolidated for hearing in a single proceeding. We also anticipate that other complaints and petitions will emanate from other lake ports, from the Great Lakes Harbors Association, from the Great Lakes Commission, and other sources; or that these groups may intervene in any proceeding which may be docketed by the ICC.

We very much appreciate your interest and your support in these significant proceedings and will keep you informed of developments.

Very truly yours,

H. C. BROCKEL,
Municipal Port Director.

INTERSTATE COMMERCE COMMISSION SERVICE ORDER No. 914

Joint petition by the Board of Harbor Commissioners, city of Milwaukee, and the Milwaukee Association of Commerce for Reconsideration and Public Hearing.

Board of Harbor Commissioners, city of Milwaukee: Walter J. Mattison, city attorney, by Harry G. Slater, first assistant city attorney, and Robert K. Jorgensen, port traffic representative, registered practitioner, room 710, City Hall, Milwaukee, Wis.

Milwaukee Association of Commerce: By H. W. Gehrke, manager, transportation department, registered practitioner, 611 North Broadway, Milwaukee, Wis.

Dated at Milwaukee, Wis., July 16, 1956.

Comes now the Board of Harbor Commissioners, city of Milwaukee, by its attorneys, Walter J. Mattison and Harry G. Slater, and comes now the Milwaukee Association of Commerce, by its authorized representative, H. W. Gehrke, and respectfully petition the Interstate Commerce Commission for reconsideration and public hearing of service order No. 914, which prohibits the granting of more than 2 days' free time on cars loaded with freight for export at Great Lakes ports for transfer to overseas vessels, and to thereafter adopt and enter a new report and order in accordance with its judgment upon facts of record.

In this behalf, your petitioners respectfully represent that the aforesaid service order, is prejudicial, unduly discriminatory, and disadvantageous to petitioners and the public which they represent; and in this connection respectfully request consideration of the following facts:

First, the Congress of the United States has declared the cities located on the Great Lakes to be seaports with the legislation that authorized the St. Lawrence Seaway project. The Maritime Commission reinforced this decision by declaring the Great Lakes as essential trade route No. 32, putting these Great Lakes ports on the same basis with other foreign trade routes, thus making the Great Lakes-St. Lawrence Seaway the fourth seacoast of the United States.

Second, at all other seacoast ports in the United States, at least 6 days' free time is allowed for the interchange of cars containing export freight. Such free-time regulations have been published by rail carriers with the approval of the Interstate Commerce Commission. It is our understanding that it has been a long-established practice to allow such liberalized demurrage rules, as compared to domestic practice, so that freight moving to the various seacoasts for export movement may have reasonable flexibility in meeting steamship schedules.

Third, the railroad lines serving the west bank Lake Michigan ports of Milwaukee, Chicago, and Green Bay, in April 1956, voluntarily revised their tariffs to provide for 7 days' free time on railroad cars carrying export freight for interchange to ocean vessels, and later revised these schedules to provide for 6 days' free time to conform with service order No. 912 of the Interstate Commerce Commission. This service order is in effect at the present time at all other ports except those on the Great Lakes.

Fourth, since 1946, to the present date, the tonnage of overseas export traffic at the port of Milwaukee has increased over 3,000 percent, and the number of ocean vessel sailings has increased over 2,000 percent. Overseas export shipments via the port of Milwaukee has originated from as far east as the Ohio Territory, as far south as Oklahoma, and as far west as the Rocky Mountains. Cargoes have been routed through the port of Milwaukee from 120 cities located in 18 surrounding States. In 1946, just two scheduled lines operated in the Great Lakes trade. This season, 1956, Milwaukee is served by 16 major shipping companies, which operate 20 services to almost 100 overseas ports of call located in the Scandinavian countries, the United Kingdom, Western and Northern Europe, the Mediterranean, and the Caribbean areas.

Fifth, in many instances carloads of export cargoes coming from major producing points in the Midwest area, considered hinterland to the port of Milwaukee, must be unloaded from cars to storage, to prevent demurrage from accruing, thus incurring additional handling expenses to the shipper. These added expenses would not be incurred if there were available similar free-time allowances at the port of Milwaukee as are granted and now in effect at other seaboard and competing ports.

Service order No. 914 places shippers using the port of Milwaukee as a gateway to overseas destinations, in a disadvantageous and prejudicial position. It will continue to place a burden and a hardship on the port of Milwaukee and the shipping public using the export shipping facilities at the port of Milwaukee.

Wherefore your petitioners respectfully request that the Interstate Commerce Commission reinstate the several railroad tariffs, which published regulations allowing 6 days' free time at west bank Lake Michigan ports; evidence to be adduced at the time of public hearing, in accordance with recitations herein.

Wherefore your petitioners also respectfully pray that Interstate Commerce Commission service order No. 914 be reconsidered and modified, and that further public hearing be ordered for the purpose of receiving evidence to be presented by the petitioners and such other parties as may desire opportunity to be heard, all in accordance with rule No. 101, the general rules of practice for the Interstate Commerce Commission, at a place convenient to all interested parties.

Dated at Milwaukee, Wis., July 16, 1956.

Respectfully submitted.

WALTER J. MATTISON,
City Attorney, City of Milwaukee.
By HARRY G. SLATER,
First Assistant City Attorney.
BOARD OF HARBOR COMMISSIONERS,
CITY OF MILWAUKEE,
By ROBERT K. JORGENSEN,
Port Traffic Representative,
Registered Practitioner.
MILWAUKEE ASSOCIATION OF COMMERCE,
By H. W. GEHRKE,
Manager, Transportation Division,
Registered Practitioner.

The PRESIDING OFFICER (Mr. PAYNE in the chair). Is there further morning business? If not, morning business is closed.

THE CALENDAR

The PRESIDING OFFICER. Under the unanimous-consent agreement entered on Friday last the call of the calendar for the consideration of unobjected-to measures is now in order.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection it is so ordered.

The call of the calendar will proceed.

BILLS AND OTHER MEASURES PASSED OVER

The bill (S. 636) to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes, was announced as first in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 3653) to amend the Tariff Act of 1930 to provide for the free importation of amorphous graphite was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

The joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States relating to the legal effect of certain treaties and other international agreements was announced as next in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. The joint resolution will be passed over.

The bill (S. 924) to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon claims of customs officers and employees to extra compensation for Sunday, holiday, and overtime services after August 31, 1931, and not heretofore paid in accordance with existing law, was announced as next in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1574) to provide for payments by the Secretary of the Interior to owners of non-Federal water use facilities for hydroelectric power benefits realized by the United States therefrom, and for other purposes, was announced as next in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3457) to authorize the Secretary of the Treasury to convey certain property to the county of Pierce, State of Washington, was announced as next in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. The bill will be passed over.

The joint resolution (S. J. Res. 39) proposing an amendment to the Constitution of the United States relative to equal rights for men and women was announced as next in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. The joint resolution will be passed over.

The resolution (S. Res. 250) prohibiting the introduction of bills or joint resolutions by two or more Senators jointly was announced as next in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 374) to provide for extension and suspension in certain cases, of statutes of limitation on false swearing by Government employees with respect to subversive activities and connections was announced as next in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3617) to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities was announced as next in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 782) to prevent citizens of questionable loyalty to the United States from accepting any office or employment in or under the United Nations, and for other purposes, was announced as next in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6888) to amend the act of September 3, 1954, was announced as next in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3143) to establish rules of interpretation governing questions of the effect of acts of Congress on State laws was announced as next in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3704) to authorize the acquisition of the remaining property in square 725 and the property in square 724 in the District of Columbia for the purpose of extension of the size of the additional office building for the United States Senate or for the purpose of addition to the United States Capitol Grounds, was announced as next in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4112) to amend the Atomic Energy Act of 1954, as amended, and for other purposes, was announced next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2167) to make certain changes in the administration of the Panama Canal Company, and for other purposes was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 10184) to authorize the Secretary of the Treasury to convey property to the county of Pierce, State of Washington, was announced as next in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. The bill will be passed over.

INCREASE OF SALARIES OF CERTAIN EXECUTIVES OF THE ATOMIC ENERGY COMMISSION—BILL PASSED OVER

The bill (S. 4162) to amend the Atomic Energy Act of 1954 to increase the salaries of certain executives of the Atomic Energy Commission was announced as next in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. ANDERSON. Mr. President, will the Senator who objected withhold his objection for a moment, until I can ask a question?

Mr. ERVIN. Certainly.

Mr. ANDERSON. Is objection made because the bill is not proper calendar business?

Mr. ERVIN. Yes.

Mr. ANDERSON. On that basis, I can understand the objection. Passage of the bill was recommended by the Joint Committee on Atomic Energy, on the basis that the bill would not be brought up until the other salary adjustments had been made.

Mr. ERVIN. Yes.

Mr. ANDERSON. I recognize the correctness of the objection, if it is based on that ground.

Mr. ERVIN. It is based on that ground. I may state to the Senator from New Mexico that, personally, I am in favor of the bill.

Mr. ANDERSON. I thank the Senator from North Carolina.

BILLS PASSED OVER

The PRESIDING OFFICER. The next measure on the calendar will be stated.

The bill (S. 4183) to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes, was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 9083) to amend the Internal Revenue Code of 1954 to extend the period of amortization of grain-storage facilities was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 7049) to revise, codify, and enact into law title 10 of the United States Code entitled, "Armed Forces," and title 32 of the United States Code entitled "National Guard," was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4059) providing for price reporting and research with respect to forest products, was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2643) to promote the common defense by encouraging maximum development of low-cost electric energy from all sources of power, including atomic energy, and for other purposes, was announced as next in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4205) to provide funds to pay nationals of the United States who have war-damage claims against Germany and Japan without additional direct appropriations therefor and to amend the Trading With the Enemy Act and the War Claims Act of 1948, as amended, was announced as next in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2648) to encourage the discovery, development, and production of tin in the United States, its Territories and possessions, was announced as next in order.

Mr. ERVIN and Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2663) to establish an effective program to alleviate conditions of excessive unemployment in certain economically repressed areas, was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 11002) to regulate and license pawnbrokers in the District of Columbia, was announced as next in order.

Mr. ERVIN and Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

The joint resolution (S. J. Res. 179) to authorize and direct the Secretary of Agriculture to quitclaim certain property in Coahoma County, Miss., to the Home Demonstration-Club of Rena Lara, Miss., Inc., was announced as next in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. The joint resolution will be passed over.

The bill (H. R. 3210) to authorize the State of Illinois and the Sanitary District of Chicago, under the direction of the Secretary of Army, to test, on a 3-year basis, the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes, was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes was announced as next in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. This bill is the unfinished business, and it will be passed over.

JEAN GOEDICKE

The bill (S. 2354) for the relief of Jean Goedicke was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Jean Goedicke, of Casper, Wyo., is relieved of liability to pay to the United States the sum of $628.25, representing the amount of rentals owed by the said Jean Goedicke as lessee of certain Federal lands under an oil and gas lease (Buffalo O38682) issued to her on August 1, 1945, as a result of her failure to file a timely surrender of such lease due to a misunderstanding as to her responsibilities under such lease.

BILLS PASSED OVER

The bill (S. 3911) to amend the Federal Deposit Insurance Act to provide safeguards against mergers and consolidation of banks which might lessen competition unduly or tend unduly to create a monopoly in the field of banking, was announced as next in order.

Mr. ERVIN and Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3914) to amend sections 801, 802, and 1102 of the Civil Aeronautics Act of 1938, as amended, was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 863) to govern the control, appropriation, use, and distribution of water was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

RELIEF OF CERTAIN ALIENS

The resolution (H. J. Res. 650) for the relief of certain aliens was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 615) for the relief of certain aliens, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 10, after the name "Yolanda", to insert "Kreis Krzysztof"; on page 3, line 2, after the name "Lamont", to strike out Georgina Mercedes Llera,"; in line 4, after the name "Smith", to insert "and"; and in the same line, after the name "Nishizawa", to strike out "and Kreis Krzysztof."

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read the third time.

The joint resolution was read the third time and passed.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 649) for the relief of certain aliens, which had been reported from the Committee on the Judiciary with amendments, on page 1, at the beginning of line 3, after the enacting clause, to strike out: "That, for the purposes of the Immigration and Nationality Act, Haseep Milhem Esper and Carolina M. Gomes shall be deemed to be nonquota immigrants.

"SEC. 2. For the purposes of sections 101 (a) (27) (A)" and, in lieu thereof, to insert "That, for the purposes of sections 101 (a) (27) (A); on page 2, at the beginning of line 20, to change the

section number from "4" to "3"; and on page 3, at the beginning of line 1, to insert:

SEC. 4. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Grazialla Valencic, shall be held and considered to be the natural-born alien child of Mrs. Anna Maria Winskoski, a citizen of the United States.

SEC. 5. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Emmanuel, Kleanthi, and Gianoula Manos, shall be held and considered to be the minor natural-born alien children of John Manos, a citizen of the United States.

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read the third time.

The joint resolution was read the third time and passed.

WAIVER OF CERTAIN SUBSECTIONS OF THE IMMIGRATION AND NATIONALITY ACT

The Senate proceeded to consider the joint resolution (H. J. Res. 651) to waive certain subsections of sec. 212 (a) of the Immigration and Nationality Act in behalf of certain aliens, which had been reported from the Committee on the Judiciary with amendments, on page 1, at the beginning of line 3, after the enacting clause, to strike out: "That, notwithstanding the provisions of section 212 (a) (4), (9), and (17) of the Immigration and Nationality Act, Lawrence Edward Noonan may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

"SEC. 2. Notwithstanding the provisions of section 212" and insert "That, notwithstanding the provisions of section 212 (a)"; on page 2, at the beginning of line 6, to change the section number from "3" to "2"; at the beginning of line 18, to change the section number from "4" to "3"; on page 3, after line 15, to strike out:

SEC. 5. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Marianne Koch Everson may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

And, in lieu thereof, to insert:

SEC. 4. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Marianne Koch Everson, Frieda Painter-Luenenschloss, and Maja Veara may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

And, on page 4, at the beginning of line 3, to change the section number from "6" to "5."

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read the third time.

The joint resolution was read the third time and passed.

DR. MILAN GAVRILOVIC

The bill (S. 1669) for the relief of Dr. Milan Gavrilovic was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Dr. Milan Gavrilovic shall be held and considered to have been lawfully admitted to to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

DUK CHANG CHO

The bill (S. 3597) for the relief of Duk Chang Cho was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Duk Chang Cho, shall be held and considered to be the natural-born alien child of M. Sgt. and Mrs. Francis M. Bradshaw, citizens of the United States.

JOAN F. ROBY

The bill (S. 3736) for the relief of Joan F. Roby was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of paragraphs (9) and (12) of section 212 (a) of the Immigration and Nationality Act, Joan F. Roby may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act. This act shall apply only to grounds for exclusion under such paragraphs known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

LINA GERTRUDE MATTINGLY AND HER CHILDREN

The bill (S. 3737) for the relief of Lina Gertrude Mattingly and her children, Ellen Anna, Vincent, and Deannia Maria was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of sections 212 (a) (9) and 212 (a) (12) of the Immigration and Nationality Act, Mrs. George D. Mattingly (Lina Gertrude Yakumeit Mattingly), wife of Sgt. George D. Mattingly, a citizen of the United States, and her three minor children, Ellen Anna, Vincent, and Deannia Maria, may be admitted for permanent residence in the United States if otherwise admissible under the provisions of that act: *Provided*, That this act shall apply only to grounds for exclusion under such paragraphs known to the Secretary of State or the Attorney General prior to the date of enactment of this act.

BERTA CABRERA VIGIL FROHLICH

The bill (S. 3751) for the relief of Berta Cabrera Vigil Frohlich was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (12) of section 212 (a) of the Immigration and Nationality Act, Berta Cabrera Vigil Frohlich may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

MARY BARME

The Senate proceeded to consider the bill (S. 3459) for the relief of Mary Barme and her two minor children, Steran Barme and Dinah Barme, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 8, after the word "fees", to strike out "Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Mary Barme and her two minor children, Steran Barme and Dinah Barme, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MR. AND MRS. DAVID LIU

The bill (S. 3533) for the relief of Mr. and Mrs. David Liu was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Mr. and Mrs. David Liu shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

Amend the title so as to read: "A bill for the relief of Mr. and Mrs. David Liu."

The title was amended, so as to read: "A bill for the relief of Mr. and Mrs. David Liu."

PATRICK K. Y. YIP AND HIS WIFE

The Senate proceeded to consider the bill (S. 2129) for the relief of Patrick K. Y. Yip and his wife, Loretta Y. F. Hsu Yip, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 4, after the name "Yip", to strike out "and his wife, Loretta Y. F. Hsu Yip,"; in line 8, after the word "visa", to strike out "fees" and insert "fee"; in line 9, after the word "such", to strike out "aliens" and insert "alien"; and at the beginning of line 11, to strike out "the required numbers" and

insert "one number"; so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Patrick K. Y. Yip shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Patrick K. Y. Yip."

WILLIAM C. BRADY

The Senate proceeded to consider the bill (S. 2823) for the relief of William C. Brady, which had been reported from the Committee on the Judiciary with amendments, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, William C. Brady and Joyce Brady shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees: *Provided*, That in the case of William C. Brady, he shall be required to comply with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided further*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of William C. Brady and Joyce Brady."

PRIORITY OF DEBTS OWED BY A BANKRUPT

The bill (H. R. 256) to amend the Bankruptcy Act with respect to the priority of debts owed by a bankrupt to workmen, servants, clerks, and certain salesmen was considered, ordered to a third reading, read the third time, and passed.

LAURA OLIVERA MIRANDA

The bill (H. R. 1639) for the relief of Laura Olivera Miranda was considered, ordered to a third reading, read the third time, and passed.

MARIA PINTOS AND HER DAUGHTER

The bill (H. R. 4152) for the relief of Maria Pintos and her daughter, Eugenia Pintos, was considered, ordered to a third reading, read the third time, and passed.

RUPERT WALTL

The bill (H. R. 10088) for the relief of Rupert Waltl was considered, ordered to a third reading, read the third time, and passed.

NIKOLAI E. KHOKHLOV

The Senate proceeded to consider the bill (H. R. 10984) for the relief of Nikolai E. Khokhlov, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 7, after the word "and", to strike out "section 212 (a) (28) of the said act shall be inapplicable in the case of such alien" and insert "his past membership in the classes defined in section 212 (a) (28) of the said act of which the Attorney General has knowledge prior to the date of the enactment of this act shall not hereafter be a cause for his exclusion from the United States."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (S. 3725) to provide for increases in the annuities of annuitants under the Civil Service Retirement Act of May 29, 1930, as amended, was announced as next in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. The bill will be passed over.

SLAUGHTER OF LIVESTOCK AND POULTRY

The Senate proceeded to consider the bill (S. 1636) to require the use of humane methods in the slaughter of livestock and poultry in interstate and foreign commerce, and for other purposes, which had been reported from the Committee on Agriculture and Forestry with an amendment, to strike out all after the enacting clause and insert:

That the Congress finds that the use of humane methods in the slaughter of livestock and poultry prevents needless suffering; results in safer and better working conditions for persons engaged in the slaughtering industry; brings about improvement of products and economies in slaughtering operations; and produces other benefits for producers, processors, and consumers which tend to increase the orderly flow of livestock and poultry and their products in interstate and foreign commerce. It is therefore declared to be the policy of Congress to provide for study and research into improved methods of slaughter to encourage acceptance and use of such methods by slaughterers, to the end that livestock and poultry shall be slaughtered only by humane methods.

SEC. 2. The Secretary of Agriculture is authorized and directed to appoint an Advisory and Research Committee on Humane Slaughter of Livestock and Poultry, to be composed of 10 members, of whom 1 shall be an officer or employee of the Department of Agriculture designated by the Secretary, 2 shall be representatives of national organizations of slaughterers; 1 shall be a representative of the trade-union movement engaged in packinghouse work; 1 shall be a representative of the general public; 2 shall be representatives of livestock growers; 2 shall be representatives of national organizations of the humane movement, and 1 shall be a person familiar with the requirements of the Jewish religious faith with respect to slaughter.

SEC. 3. The committee shall advise the Secretary on matters concerned with humane methods of slaughter and shall conduct a study of methods of slaughter of livestock and poultry, including means and methods of handling prior to slaughter, with the objective of improving and bringing about acceptance of more efficient and more humane methods of handling and slaughter and bringing such methods to the attention of slaughterers. The Department of Agriculture shall assist the committee with such research personnel and facilities as the Department can make available.

SEC. 4. The committee member who is an officer or employee of the Department of Agriculture shall receive no additional compensation for service rendered under this act. Other members shall receive such compensation, not in excess of $50 for each day of service, as the Secretary shall prescribe.

SEC. 5. The committee shall, within two years after the enactment of this act, submit to the Secretary for immediate transmittal to the Congress a full and complete report of its study and operations, together with its recommendations for legislative and administrative action. The committee shall report and make specific recommendations on the adoption by the industry of humane methods of slaughtering, including the following:

(1) in the case of livestock, rendering such livestock insensible before bleeding or slaughtering, by mechanical, electrical, chemical or other means determined by the Secretary to be rapid, effective, and humane;

(2) in the case of poultry, instantaneous severing of the head from the body or, if poultry is otherwise cut or stuck, by first rendering such poultry insensible by mechanical, electrical, chemical, or other means determined by the Secretary to be rapid, effective, and humane;

(3) in either of the above cases, slaughtering in accordance with the practices and requirements of the Jewish religious faith by a qualified slaughterer, commonly called a schochet, authorized to engage in such slaughtering by an ordained rabbi of the Jewish religious faith.

The committee shall also, from time to time, submit to the Secretary for immediate transmittal to Congress such interim reports and recommendations as it deems fit.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to establish an Advisory and Research Committee on Humane Slaughter of Livestock and Poultry."

Mr. NEUBERGER subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD, at the point where Senate bill 1636 was considered favorably this morning, my testimony before the Senate Committee on Agriculture and Forestry in support of that bill.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR RICHARD L. NEUBERGER, OF OREGON, BEFORE THE SENATE SUBCOMMITTEE ON AGRICULTURE, ON S. 1636, TO REQUIRE THE USE OF HUMANE METHODS IN THE SLAUGHTER OF LIVESTOCK AND POULTRY

Mr. Chairman, thank you for this opportunity to present my views on the proposed legislation to require the use of humane methods in the slaughter of livestock and poultry.

I am very glad to appear before this distinguished committee to testify on this subject. Many matters which we deal with in the Senate have to do with the economic and social justice and welfare for our citizens. This bill concerns the justice and welfare of the meat animals raised on our Nation's farms and ranches. It is my opinion that the present methods of slaughtering livestock conform to the jungle laws of savagery and not to the moral standards of our civilization.

The eighth amendment of our Constitution (VIII) prohibits infliction of cruel and unusual punishment upon our citizens. Why do we subject our animal friends to such cruel and inhumane treatment? These animals are not only our friends, but the foundation of our abundant agricultural economy. In my opinion, there is no reason why meatpackers cannot slaughter meat animals by humane methods. If the farmers of this Nation humanely treat their farm animals, throughout the period of their growth and handle them to avoid injury and fear, why is it necessary to subject these animals to such primitive and cruel treatment for the few moments before they are killed and transformed into meat and meat products?

Mr. Chairman, I have talked with many of the men who work in slaughterhouses, both in my own State and elsewhere in the Nation. These men, so far as I have been able to observe, are among the strong and zealous opponents of some of the inhumane methods presently employed in slaughterhouses. They rebel against inflicting pain upon helpless animals, which form the meat products of the Nation and thus support the jobs on which these men are dependent. But the workers in slaughterhouses are not in control of those plants. They must follow superior orders. They cannot institute new methods of slaughter—perhaps methods that might be slightly more expensive—unless their employers so dictate and decide. Once or twice I have had members of the butcher workers union observe to me, "We realize that cruel ways of slaughter will only hurt the meat industry and promote vegetarianism among Americans. We believe that every possible humane method of killing should be used by slaughterhouses, just as soon as it is developed."

I have emphasized this point, Mr. Chairman, because it is my firm and definite opinion that the men working in our slaughterhouses are, in the main, among the foremost advocates of adopting every available humane device for cushioning and quelling any possible pain inflicted upon the animals, which are slaughtered to stock the tables and markets of America.

Do these painful methods of bludgeoning, shackling, and sticking of our livestock need to be continued to be used in the United States? Are these archaic methods necessary in a country that has produced such magnificent technological advances and obtained such an opulent standard of living? The methods used by most meatpackers are as archaic and cruel as the methods employed by the barber in his treatment of human beings a hundred years ago. Medical science has since devised many chemicals and instruments for alleviation of illness and suffering in both people and animals. These developments of modern science have been used for many decades by our doctors and veterinarians.

Cannot the engineers and scientists employed by the meatpacking industry develop humane methods for the slaughter of livestock? The answer is that a few of the progressive packers have developed and are using methods that are not only humane but have proved to be more efficient than those commonly employed.

The George A. Hormel Co. developed in 1953 anesthesia for hogs. Hogs are put under with a dose of carbon dioxide before being shackled and stuck. The Meat Inspection Division of the Department of Agriculture has approved this method.

Since 1953, the Hormel Co. has continued to experiment and has recently adopted a technique which does away with the shackling of hogs. The April 14, 1956, issue of the National Provisioner has an article on this subject which gives additional evidence that these modern methods are not only painless to hogs but profitable to any packing company which employs them. Says the article:

"Elimination of the major positive factor contributing to internal ham bruising, a significant increase in blood recovery and an appreciable productivity increase for the hog stick-bleeding operation are the principal advantages of a new hog-bleeding technique developed by George A. Hormel & Co., Austin, Minn.

"As installed at Hormel's Fremont, Nebr., plant, pleasanter and safer working conditions for hog dispatching personnel, reduction in the noise level normally associated with shackling and bleeding, elimination of shackles and precision butchery on the part of the sticker are some other plus factors for this new hog sticking-bleeding method."

Other progressive meatpackers have adopted humane techniques for the killing of cattle. The captive bolt pistol has long been available to the industry. Yet only a small minority of packers have made use of this inexpensive method. I would like to refer to an article in the National Provisioner of March 12, 1955, which describes further technological progress. The Seitz Packing Co., in St. Joseph, Mo., has developed a technique which gives:

"Greater efficiency and safety in the knocking operation, better bleeding with a resultant better carcass appearance, consistently fool-proof stunning and a lessening of the knockers' physical effort are the major advantages claimed with the new cattle-stunning technique. Using floodlights temporarily to blind the animal and a captive bolt pistol, the cattle are stunned while they are quiet and relaxed."

Many modern and humane killing methods have been developed and adopted by some progressive meatpackers which have proven to lower costs and provide higher profits to these meatpackers. These practices have reduced bruising losses, increased labor efficiency, reduced the danger to workers as well as providing a humane death to livestock. Yet the majority of meatpackers have not adopted these humane methods which are readily available to the industry. That the vast majority of meatpackers have not installed humane methods available to them at very low cost is the major reason why I feel that this legislation is needed.

Several European countries including Great Britain, Denmark, Holland, Norway, Ireland, and Sweden have adopted laws which restrict and prohibit the inhumane slaughter of livestock and poultry. England and Denmark have adopted laws which restrict and prohibit the bleeding and slaughter of animals which have not been made unconscious.

Mr. Chairman, I would like to call the committee's attention to those groups who are opposing this amendment. They are all representatives of meatpackers. Why are they opposing this bill? I think that it has been ably demonstrated that the processes of humane killing developed and put into effect by members of their own industry have reduced costs and increased dividends to stockholders of meatpacking firms. I am inclined to believe that the representatives of meatpackers oppose this bill because of their habitual opposition to all Federal and State legislation which may in the slightest degree restrict their operations even though it may be of vital interest to the public welfare.

I would like the committee to consider this expression in connection with an editorial in the National Provisioner of March 1955. The National Provisioner is the leading trade journal for the meatpacking industry and considered by most people in the industry as the able spokesman for the meat industry on most matters. This editorial gives further evidence of the industry's misguided position and refers to this bill in particular. It states that:

"During the next few years the meatpacking industry may face a controversy with which it will be difficult to deal from the standpoints of logic and reason. It may be forced to talk about aspects of its business from which, understandably, it has shielded the public.

"We refer to the campaign which has apparently started among 'humane' societies in the United States to promote new methods of slaughtering livestock. The aim of the program is to force the substitution of European or other slaughtering practices for those now generally employed in United States plants.

"The American Meat Institute reports that the humane societies, under the auspices of the American Humane Society and the Association for the Prevention of Cruelty to Animals (the two groups have about 600 local chapters), are working on a propaganda campaign, have drawn up a bill outlawing present American practices and have gained the interest of a sponsor in Federal legislation to outlaw present slaughter procedures in favor of European electrical stunning or captive bolt methods.

"It is reliably reported that the American Humane Society has interested Senator HUMPHREY in a bill, which would end in 5 years the bleeding of slaughter animals before they are electrically or mechanically stunned. The AHS bill, which is now in the hands of congressional legislative draftsmen, would thus allow the industry 5 years to abandon present methods in favor of others.

"While there may be no action on the legislation during the current session of Congress, the question will arise repeatedly in coming years. All meatpackers should be prepared to discuss the industry's case calmly and persuasively—for it may well come down to the local level—without giving the impression that they are unreasonably resisting a proposal which will have strong sentimental appeal for many."

In the April 14 issue of the National Provisioner of 1956, the editorial position has changed somewhat. It concludes that humane slaughtering is good business and strongly implies that the old-fashioned attitudes of many of the meatpackers are not in tune with their own interests. It further implies that the industry has been very slow in developing humane efforts of killing animals particularly when it is to their own economic advantage to do so.

In conclusion, Mr. Chairman, it is my opinion that the meatpacking industry has been remiss in the development and adoption of humane methods of slaughtering the Nation's livestock. The meat inspection laws promulgated by the Department of Agriculture under laws passed by the Congress of the United States specify the necessary height of the rail in which animal carcasses move through slaughtering plants. We have

also passed laws to prohibit inhuman cruelty to animals on their way to market. I can see no reason why the Congress should not specify humane standards of killing livestock and poultry, in order to comply with the moral standards of decency and humaneness which are so much a part of the great heritage of the United States.

Mr. NEUBERGER. Mr. President, I should like to add, very briefly, that the passage of the proposed legislation to require humane methods of slaughtering in packing plants is a forward and enlightened step, which will have the support of the people of our Nation, no matter where they may live. I wish to commend the chairman and members of the Committee on Agriculture, and, in particular, the Senator from Minnesota [Mr. HUMPHREY], for formulating, drafting and introducing the proposed legislation in the Senate. Why should livestock slaughtering be accompanied by suffering, if this can be avoided?

JOINT RESOLUTION PASSED OVER

The joint resolution (H. J. Res. 642) to authorize and direct the Secretary of Agriculture to quitclaim certain property in Coahoma County, Miss., was announced as next in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. The joint resolution will be passed over.

NEGOTIATION OF CONTRACT WITH THE RIVERSIDE IRRIGATION DISTRICT, LTD., IDAHO

The bill (H. R. 9918) to authorize the Secretary of the Interior to negotiate and execute a contract with the Riverside Irrigation District, Ltd., of Idaho, relating to the rehabilitation of the district's works, and other matters, was considered, ordered to a third reading, read the third time, and passed.

QUIET TITLE AND POSSESSION OF CERTAIN REAL PROPERTY, ALABAMA

The bill (H. R. 8474) to quiet title and possession with respect to certain real property in the State of Alabama was considered, ordered to a third reading, read the third time, and passed.

ACQUISITION OF NON-FEDERAL LAND WITHIN BOUNDARIES OF ANY NATIONAL PARK

The bill (H. R. 9591) to amend the act of August 31, 1954 (68 Stat. 1037), relating to the acquisition of non-Federal land within the existing boundaries of any national park, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. BARRETT. Mr. President, I move that the title be amended so as to read: "An act to amend the act of August 31, 1954 (68 Stat. 1037), relating to the acquisition of non-Federal land within the Cape Hatteras National Seashore Recreational Area."

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming.

The motion was agreed to.

BILL PASSED OVER

The bill (S. 4243) to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products was announced as next in order.

Mr. ERVIN. Over.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF INTERNATIONAL WHEAT AGREEMENT ACT OF 1949

The bill (S. 4221) to amend the International Wheat Agreement Act of 1949 was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 2 of the International Wheat Agreement Act of 1949, as amended, is amended by inserting before the parenthesis at the end of the first sentence thereof the following: "and the Agreement (International Wheat Agreement, 1956) further revising and renewing the International Wheat Agreement for a period ending July 31, 1959, signed by Argentina, Australia, Canada, France, Sweden, the United States, and certain wheat importing countries."

SEC. 2. Reference in any law to the International Wheat Agreement of 1949 shall be deemed to include the Agreement (International Wheat Agreement, 1956) revising and renewing the International Wheat Agreement for a period ending July 31, 1959.

SALE OF CERTAIN VESSELS TO BRAZIL

The bill (S. 4215) to amend the act of July 15, 1954, authorizing the sale of certain vessels to Brazil was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of Congress entitled "To authorize the sale of certain vessels to Brazil for use in the coastwise trade of Brazil", approved July 15, 1954 (68 Stat. 481), is amended by inserting before the period at the end thereof a comma and the following: "except that, upon recommendation of the Maritime Administrator, and with the approval of the Secretary of Commerce, any such vessel may carry bulk grain and coal cargo while en route from the United States directly to Brazil after purchase hereunder for use thereafter only in the coastwise trade of Brazil."

ESTABLISHMENT OF FISH HATCHERY, WEST VIRGINIA

The Senate proceeded to consider the bill (S. 3831) to provide for the establishment of a fish hatchery in the State of West Virginia, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment, at the beginning of line 3, to strike out:

That in order to provide fish to stock the waters of the national forests within the State of West Virginia, the Secretary of the Interior shall establish, equip, operate, and maintain a fish hatchery within such State.

And, in lieu thereof, to insert:

That the Secretary of the Interior is authorized to establish, construct, equip, operate, and maintain a new fish hatchery in the State of West Virginia.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is authorized to establish, construct, equip, operate, and maintain a new fish hatchery in the State of West Virginia.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARTERING OF MERCHANT SHIPS

The joint resolution (H. J. Res. 613) to authorize the vessel operations revolving fund of the Department of Commerce to be used for expenses in connection with the chartering of merchant ships under jurisdiction of the Secretary of Commerce was considered, ordered to a third reading, read the third time, and passed.

RESOLUTION AND BILL PASSED OVER

The resolution (S. Res. 316) favoring the establishment of an international food and raw materials reserve was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 3827) to authorize the construction of a shellfish research laboratory and experiment station in the Chesapeake Bay area was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

PRIVATE FINANCING OF MERCHANT VESSELS—BILL PASSED TO FOOT OF CALENDAR

The Senate proceeded to consider the bill (H. R. 11554) to amend certain provisions of title XI of the Merchant Marine Act, 1936, as amended, to facilitate private financing of merchant vessels in the interest of national defense, and for other purposes, which had been reported from the Committee on Interstate and Foreign Commerce, with an amendment on page 2, line 7, after the word "balance", to insert "of the principal amount."

The amendment was agreed to.

Mr. WILLIAMS. Mr. President, I have an amendment to offer to this bill.

Mr. ERVIN. Mr. President, inasmuch as the chairman of the committee is not present, I suggest that the bill go to the foot of the calendar for the time being. I do not know what his reaction will be to the amendment of the Senator from Delaware.

Mr. WILLIAMS. That is agreeable to me. Senators will remember that on Saturday I stated that I would object to all similar bills unless House bill 11122 were reported by the committee and made available to Senators. Later on Saturday copies of that bill were made available, and I notified the calendar committee that I would withdraw my objection to these bills en bloc.

The PRESIDING OFFICER. Without objection, the bill will be passed to the foot of the calendar.

BILLS PASSED OVER

The bill (S. 1256) to provide for the appointment of additional circuit and district judges was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3593) to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

SALE OF CERTAIN WAR-BUILT TANKERS — JOINT RESOLUTION PASSED TO FOOT OF CALENDAR

The joint resolution (S. J. Res. 177) to authorize the Secretary of Commerce to sell certain war-built tankers was announced as next in order.

Mr. WILLIAMS. Mr. President, I ask that the joint resolution go to the foot of the calendar, to enable me to consult with the chairman of the committee, and perhaps clear up any objections.

The PRESIDING OFFICER. The joint resolution will be passed to the foot of the calendar.

PORT OF ENTRY FACILITIES ON THE ALASKA HIGHWAY

The bill (H. R. 604) to provide port of entry and related facilities on the Alaska Highway at the Alaska-Canadian border in the Territory of Alaska, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

RESERVATION OF SCHOOL LAND GRANTS IN ALASKA

The bill (H. R. 8226) to amend section 1 of the act of March 4, 1915, as amended (48 U. S. C., sec. 353), was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. KNOWLAND. Mr. President, may we have an explanation of the bill?

Mr. BIBLE. Mr. President, H. R. 8226 would permit the reservation to the Territory of Alaska of public lands in Alaska allotted for school purposes, even though the said lands were subject to a Federal mineral lease, or previously had been withdrawn and the withdrawal lifted.

As the Members of the Senate know, under a 1915 act, sections 16 and 32 in each surveyed township in Alaska are set aside for public school purposes. In the Tanana Valley section 33 is set aside for the university. However, if the lands were mineral in character, or if they had been appropriated by the Federal Government for another use, then the school reservation could not attach.

In the 82d Congress, we amended the 1915 act to provide that the fact that school section lands were mineral in character would not defeat the reservation to the Territory, and that the school reservation would attach to appropriated lands if the appropriation were subsequently extinguished.

Subsequent to the enactment of the 1952 act, a series of court decisions and administrative opinions based on them held that the existence of an appropriation on the land at the time of the survey forever defeated the school grant, even though the appropriation is subsequently extinguished. That is, the 1952 act did not take care of those cases where the withdrawal was extinguished prior to the date of the act, but subsequent to acceptance of the survey. H. R. 8226 would correct this situation.

Under existing law, the existence of a Federal mineral lease on a school land section in Alaska would prevent attachment of the school reservation. The first provision of H. R. 8226 would place Alaska in the same position as the States with respect to school land sections on which a Federal mineral lease has been issued.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

DISPOSITION OF SURPLUS PERSONAL PROPERTY

The bill (H. R. 10946) to provide for the disposition of surplus personal property to the Territorial government of Alaska until December 31, 1958, was considered, ordered to a third reading, read the third time, and passed.

COMPENSATION OF COMMISSIONERS FOR THE TERRITORY OF ALASKA

The bill (H. R. 11024) to amend the act entitled "An act relating to the compensation of commissioners for the Territory of Alaska," approved March 15, 1948 (62 Stat. 80), as amended by the act of July 12, 1952 (66 Stat. 592, 48 U. S. C. 116a), was considered, ordered to a third reading, read the third time, and passed.

DISPOSAL OF PUBLIC LANDS IN ALASKA

The Senate proceeded to consider the bill (H. R. 4096) to provide for the disposal of public lands within highway, telephone, and pipeline withdrawals in Alaska, subject to appropriate easements, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, line 11, after the numeral "3", to strike out "Public lands" and insert "Lands."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AMENDMENT OF HAWAIIAN ORGANIC ACT RELATING TO THE LEGISLATURE OF THE TERRITORY OF HAWAII

The Senate proceeded to consider the bill (H. R. 8837) to amend certain sections of the Hawaiian Organic Act, as amended, relating to the Legislature of the Territory of Hawaii which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 2, line 1, after the word "of", to strike out "1954" and insert "1956"; in line 2, after the word "of", to strike out "their present terms" and insert "the terms for which they were elected"; in line 6, after the word "of", to strike out "1956" and insert "1958"; and on page 14, line 12, after the numeral "8", to strike out "This act shall take effect upon its approval but shall not change the composition of the legislature with respect to any special session of the legislature of said Territory which may be called prior to the first Monday in November in the year 1956." and insert "Subsection (a) of section 7 of this act shall take effect upon the approval of this act. The remainder of this act shall first take effect with respect to the 30th Legislature of the Territory of Hawaii and apply to each legislature thereafter. The 28th and 29th legislatures of said Territory shall continue to be governed by the same provisions of said Organic Act which were in effect prior to the approval of this act except that portion of section 55 of said Organic Act which is deleted by subsection (a) of section 7 of this act."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

EXEMPTION FROM TAXATION OF CERTAIN PROPERTY OF THE NATIONAL ASSOCIATION OF COLORED WOMEN'S CLUBS, INC.

The bill (S. 4044) to exempt from taxation certain property of the National Association of Colored Women's Clubs, Inc., in the District of Columbia was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the real estate described as lot No. 78 in square No. 178, situated at 1601 R Street NW., in the city of Washington, D. C., owned by the National Association of Colored Women's Clubs, Inc., is hereby exempt from all taxation so long as the same is owned and occupied by the National Association of Colored Women's Clubs, Inc., and is not used for commercial purposes, subject to the provisions of sections 2, 3, and 5 of the act entitled "An act to define the real property exempt from taxation in the District of Columbia," approved December 24, 1942 (56 Stat. 1091; D. C. C., secs. 47–801b, 47–801c, and 47–801e).

MAINTENANCE OF PUBLIC ORDER IN CONNECTION WITH PRESIDENTIAL INAUGURAL CEREMONIES

The Senate proceeded to consider the joint resolution (H. J. Res. 667) to provide for the maintenance of public order

and the protection of life and property in connection with the Presidential inaugural ceremonies, which had been reported from the Committee on the District of Columbia with an amendment on page 2, line 16, after the word "the", to strike out "standing" and insert "standing."

The amendment was agreed to.

Mr. BIBLE. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 7, line 3, it is proposed to strike out ""Sec." and insert "Sec."

On page 7, line 14, strike out "President-elect."" and insert "President-elect."

Mr. BIBLE. Mr. President, the purpose of the amendment is to correct two typographical errors.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. BIBLE].

The amendment was agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

CONVEYANCE OF CERTAIN LAND TO THE STATE OF OREGON

The Senate proceeded to consider the bill (H. R. 9699) to provide for the conveyance to the State of Oregon of the land known as the Clackamas National Guard target range, Clackamas, Oreg., which had been reported from the Committee on Armed Services with amendments, on page 2, line 20, after the word "without", to strike out "charge, except as indicated below" and insert "payment of any kind", and on page 3, line 2, after the word "thereto", to strike out the colon and "*Provided, however*, That the United States shall be responsible during the period of such use for the entire cost of maintaining all of the property so used, and shall pay a fair rental for the use of any structures or other improvements which have been added thereto without Federal aid."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

DISPOSITION OF STOCKTON AIR FORCE STATION, CALIF.

The Senate proceeded to consider the bill (H. R. 9970) to provide for the disposition of the Stockton Air Force Station and the Stockton Annex, Calif., Sharpe General Depot, Calif., which had been reported from the Committee on Armed Services with an amendment, on page 1, line 7, after the word "approximately", to strike out "ninety-six and eighty-five" and insert "one hundred and eighteen and forty-four."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

INSTALLATION OF AUTOMATIC RADIOTELEGRAPH CALL SELECTOR ON CARGO SHIPS

The Senate proceeded to consider the bill (H. R. 4090) to amend part II of title III of the Communications Act of 1934, so as to require the installation of an automatic radiotelegraph call selector on cargo ships of the United States carrying less than two radio operators, and for other purposes, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment, to strike out all after the enacting clause and insert:

That the Federal Communications Commission, the United States Coast Guard, and the Federal Maritime Administration are hereby authorized and directed, acting jointly, (1) to make a full and complete study and investigation with respect to the need for installing automatic radiotelegraph call selectors on cargo ships of the United States carrying less than two radio operators, and other such safety devices, and the feasibility thereof, (2) to report to the Congress at the earliest practicable date, but not later than March 1, 1957, and (3) to include in such report their recommendations, if any, for necessary legislation.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to provide for a study by the Federal Communications Commission, the United States Coast Guard, and the Federal Maritime Administration with respect to the need for automatic radiotelegraph call selectors and other such safety devices on certain cargo ships of the United States."

SALE OF CERTAIN LAND IN ALASKA

The bill (H. R. 5488) to authorize the sale of certain land in Alaska to Gilbert Henkens, Jr., star route, Mile 17½, Anchorage, Alaska, was considered, ordered to a third reading, read the third time, and passed.

RESTORATION TO PREVIOUS STATUS OF CERTAIN LAND ON OAHU, HAWAII

The bill (H. R. 6024) to withdraw and restore to its previous status under the control of the Territory of Hawaii certain land at Kaakaukukui, Honolulu, Oahu, T. H., was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF HAWAIIAN HOMES COMMISSION ACT, 1920

The bill (H. R. 7552) to amend sections 220 and 221 (d) of the Hawaiian Homes Commission Act, 1920, was considered, ordered to a third reading, read the third time, and passed.

SALE OF CERTAIN PUBLIC LANDS WITHOUT PUBLIC AUCTION

The bill (H. R. 7887) to authorize the Commissioner of Public Lands to sell public lands under certain circumstances without public auction was considered, ordered to a third reading, read the third time, and passed.

SALE OF PUBLIC LANDS AT WELIWELI, ISLAND OF KAUAI

The bill (H. R. 7888) to authorize the Commissioner of Public Lands to sell public lands located at Weliweli, island of Kauai, to certain claimants was considered, ordered to a third reading, read the third time, and passed.

EXCHANGE AND SALE OF PUBLIC LANDS WITHIN THE DISTRICT OF PUNA, T. H.

The bill (H. R. 7891) to authorize and direct the exchanges and sales of public lands within or adjacent to the district of Puna, T. H., for the relief of persons whose lands were destroyed by volcanic activity was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF HAWAIIAN ORGANIC ACT

The bill (H. R. 7893) to amend section 73 (i) of the Hawaiian Organic Act was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF HAWAIIAN ORGANIC ACT RELATING TO AUDIT OF GOVERNMENT ACCOUNTS

The bill (H. R. 9265) to amend the Hawaiian Organic Act relating to the audit of Government accounts was considered, ordered to a third reading, read the third time, and passed.

SALE OF CERTAIN LANDS AT KANEOHE BAY, OAHU

The Senate proceeded to consider the bill (H. R. 7890) to authorize the Commissioner of Public Lands to sell certain public lands at Kaneohe Bay, Oahu, to certain persons, which had been reported from the Committee on Interior and Insular Affairs with an amendment, on page 1, line 3, after the word "provision", to strike out "of section 3."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

APPLICATION OF FEDERAL LAWS TO GUAM

The Senate proceeded to consider the bill (H. R. 11522) to implement section 25 (b) of the organic act of Guam by carrying out the recommendations of the Commission on the Application of Federal Laws to Guam, which had been reported from the Committee on Interior and Insular Affairs with amendments,

on page 1, at the beginning of line 3, to strike out "That (a) section 101 (a) (1) of the Federal Seed Act (53 Stat 1275; 7 U. S. C. 1561 (a) (1)), is amended by inserting immediately after the word "Hawaii," the word "Guam,"."; in line 7, after the word "That", to strike out "(b)" and insert "(a)", and in the same line, after the amendment just above stated, to strike out "Section" and insert "section"; on page 2, at the beginning of line 1, to strike out "(c)" and insert "(b)"; in line 11, after the numeral "3", to insert a comma and "and by substituting a comma for the period at the end of such subsection (a) and adding the following words "and the word 'State' means any State of the United States, the District of Columbia, any Territory of the United States, Puerto Rico, Guam, or the Virgin Islands.";"; on page 3, line 12, after the word "word", to insert "Guam,"; after line 12, to strike out:

SEC. 7. Subsection (a) of section 8 of the act of September 2, 1937 (50 Stat. 917), as amended (16 U. S. C., sec. 669g-1), is further amended to read as follows:

"(a) The Secretary of the Interior is authorized to cooperate with the Alaska Game Commission, the Division of Game and Fish of the Board of Commissioners of Agriculture and Forestry of Hawaii, the Commissioner of Agriculture and Commerce of Puerto Rico, the Governor of the Virgin Islands, and the Governor of Guam, in the conduct of wildlife restoration projects, as defined in section 2 of this act, upon such terms and conditions as he shall deem fair, just, and equitable, and is authorized to apportion to said Territories, Puerto Rico, the Virgin Islands, and Guam, out of money available for apportionment under this act, such sums as he shall determine, not exceeding $75,000 for Alaska, not exceeding $25,000 for Hawaii, and not exceeding $10,000 each for Puerto Rico, the Virgin Islands, and Guam, in any 1 year, which apportionments, when made, shall be deducted before making the apportionments to the States provided for by said sections; but the Secretary shall in no event require any of said cooperating agencies to pay an amount which will exceed 25 percent of the cost of any project. Any unexpended or unobligated balance of any apportionment made pursuant to this section shall be available for expenditure in the Territories, Puerto Rico, the Virgin Islands, or Guam, as the case may be, in the succeeding year, on any approved project, and if unexpended or unobligated at the end of such year is authorized to be made available for expenditure by the Secretary of the Interior in carrying out the provisions of the Migratory Bird Conservation Act."

On page 4, after line 19, to insert:

SEC. 7. Subsection (a) of section 8 of the act of September 2, 1937 (50 Stat. 917), as amended, is further amended (i) by inserting the words "the Governor of Guam," immediately following the words "the Commissioner of Agriculture and Commerce of Puerto Rico,", (ii) by inserting the word "Guam," immediately following the words "Puerto Rico," where such words appear for the second time in such subsection, (iii) by inserting the word ", Guam," immediately following the words "not exceeding $10,000 each for Puerto Rico", and (iv) by inserting the word "Guam," immediately following the words "Puerto Rico," in the second sentence of such subsection.

On page 5, after line 5, to strike out:

SEC. 8. Section 12 of the act of August 9, 1950 (64 Stat. 430, 434; 16 U. S. C., sec. 777k), is amended to read as follows:

"SEC. 12. The Secretary of the Interior is authorized to cooperate with the Alaska Game Commission, the Division of Game and Fish of the Board of Commissioners of Agriculture and Forestry of Hawaii, the Commissioner of Agriculture and Commerce of Puerto Rico, the Governor of the Virgin Islands, and the Governor of Guam, in the conduct of fish restoration and management projects, as defined in section 2 of this act, upon such terms and conditions as he shall deem fair, just, and equitable, and is authorized to apportoin to said Territories, Puerto Rico, the Virgin Islands, and Guam, out of money available for apportionment under the act, such sums as he shall determine, not exceeding $75,000 for Alaska, not exceeding $25,000 for Hawaii, and not exceeding $10,000 each for Puerto Rico, the Virgin Islands, and Guam, in any 1 year, which appointments, when made, shall be deducted before making the apportionments to the States provided for by this act; but the Secretary shall in no event require any of said cooperating agencies to pay an amount which will exceed 25 percent of the cost of any project. Any unexpended or unobligated balance of any apportionment made pursuant to this section shall be available for expenditure in the Territories, Puerto Rico, the Virgin Islands, or Guam, as the case may be, in the succeeding year, on any approved project, and if unexpended or unobligated at the end of such year is authorized to be made available for expenditure by the Secretary of the Interior in carrying on the research program of the Fish and Wildlife Service in respect to fish of material value for sport or recreation."

On page 6, after line 13, to insert:

SEC. 8. Section 12 of the act of August 9, 1950 ((64 Stat. 434), as amended, is further amended (i) by inserting the words "the Governor of Guam," immediately following the words "the Commissioner of Agriculture and Commerce of Puerto Rico,", (ii) by inserting the word "Guam," immediately following the words "Puerto Rico," where such words appear for the second time in such subsection, (iii) by inserting the word "Guam," immediately following the words "not exceeding $10,000 each for Puerto Rico,", and (iv) by inserting the word "Guam," immediately following the words "Puerto Rico," in the second sentence of such subsection.

On page 10, line 12, after the word "inclusive", to insert "as amended", and in the same line, after the amendment just above stated, to strike out "and" and insert "and,"; and on page 14, after line 14, to insert:

SEC. 25. The Library Services Act (Public Law 597, 84th Congress, 2d sess." 70 Stat. 293) is amended—

(a) in subsection (a) of section 4 by inserting "each to Guam and" after "$10,000";

(b) in subsection (a) of section 6 by inserting "and of Guam" after "Virgin Islands";

(c) in subsection (c) of section 6 by inserting "Guam," after "Puerto Rico,"; and

(d) in subsection (a) of section 9 by inserting "Guam," after "Puerto Rico."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

GIFTS OF SECURITIES TO MINORS IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (H. R. 11090) concerning gifts of securities to minors in the District of Columbia, which had been reported from the Committee on the District of Columbia with amendments, on page 7, line 14, after the word "custodian", to strike out "In the alternative, the custodian may petition the United States District Court for the District of Columbia (holding a probate court) for permission to resign and for the appointment of a successor custodian."; on page 8, after line 7, to strike out:

"SEC. 8. At any time or times when there is no duly acting custodian the legal representative of the last acting custodian or any adult members of the minor's family or a guardian or a next friend of the minor may petition the United States District Court for the District of Columbia (holding a probate court) for the appointment of a successor custodian.

The beginning of line 15, to change the section number from "9" to "8"; after line 17, to insert:

SEC. 9. The next friend or legal representative of a minor, in whose behalf securities are held by a custodian under this act, or the minor in his own right, no later than 1 year after reaching 21 years of age, shall be entitled to maintain an action in the United States District Court for the District of Columbia against such custodian or his estate, for an accounting and delivery of the securities and unexpended income, in the event of the death, inability or neglect to act of such custodian.

On page 9, after line 2, to strike out:

SEC. 10. The custodian shall not be required to account to the minor or to any other person for his acts and proceedings unless such custodian, his legal representative, the minor, a parent of the minor, the legal representative or next friend of the minor or a successor custodian shall petition the court for such an accounting no later than 1 year after the minor attains the age of 21 years or dies before attaining the age of 21 years.

After line 10, to strike out:

SEC. 11. The United States District Court for the District of Columbia (holding a probate court) may remove the custodian for cause.

At the beginning of line 14, to change the section number from "12" to "10", and on page 10, at the beginning of line 22, to change the section number from "13" to "11."

The amendments were agreed to.

Mr. BIBLE. Mr. President, I send to the desk a perfecting amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 7, line 23, after the word "shall", it is proposed to strike out the word "became" and insert "become."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. BIBLE].

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

EMPLOYMENT FOR CERTAIN ADULT INDIANS

The Senate proceeded to consider the bill (S. 3416) relative to employment for certain adult Indians on or near Indian reservations, which had been reported

from the Committee on Interior and Insular Affairs with amendments, on page 2, line 6, after the word "agreements", to strike out "within" and insert "with", and in line 7, after the word "governmental", to strike out "agency, corporation, association, or person" and insert "agency, or with any private school which has a recognized reputation in the field of vocational education and has successfully obtained employment for its graduates in their respective fields of training, or with any corporation or association which has an existing apprenticeship or on-the-job training program which is recognized by industry and labor as leading to skilled employment.", so as to make the bill read:

Be it enacted, etc., That in order to help adult Indians who reside on or near Indian reservations to obtain reasonable and satisfactory employment, the Secretary of the Interior is authorized to undertake a program of vocational training that provides for vocational counseling or guidance, institutional training in any recognized vocation or trade, apprenticeship, and on-the-job training, for periods that do not exceed 24 months, transportation to the place of training, and subsistence during the course of training. The program shall be available primarily to Indians who are not less than 18 and not more than 35 years of age and who reside on or near an Indian reservation, and the program shall be conducted under such rules and regulations as the Secretary may prescribe. For the purposes of this program the Secretary is authorized to enter into contracts or agreements within any Federal, State, or local governmental agency, or with any private school which has a recognized reputation in the field of vocational education and has successfully obtained employment for its graduates in their respective fields of training, or with any corporation or association which has an existing apprenticeship or on-the-job training program which is recognized by industry and labor as leading to skilled employment.

SEC. 2. There is authorized to be appropriated for the purposes of this act the sum of $3,500,000 for each fiscal year, and not to exceed $500,000 of such sum shall be available for administrative purposes.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADVANCEMENT IN RANK OF CAPT. EDWARD J. STEICHEN, UNITED STATES NAVAL RESERVE (RETIRED)

The bill (S. 3414) to provide for the advancement of Capt. Edward J. Steichen, United States Naval Reserve (retired), to the grade of rear admiral on the Naval Reserve retired list was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That Capt. Edward J. Steichen, United States Naval Reserve (retired), shall be advanced on the Naval Reserve retired list to the grade of rear admiral effective as of the date of enactment of this act in recognition of his invaluable services on behalf of the United States and the United States Navy through outstanding contributions in the science of photography.

SEC. 2. Nothing contained in this act shall be deemed to increase the retired or retirement pay received by the said Capt. Edward J. Steichen and no other benefits shall accrue to him by virtue of the enactment thereof.

TRAVEL AND PER DIEM ALLOWANCES TO TRAINEES IN CIVIL DEFENSE

The Senate proceeded to consider the bill (H. R. 10432) to amend further the Federal Civil Defense Act of 1950, as amended, to authoize the Adminstrator to pay travel expenses and per diem allowances to trainees in attendance at the National Civil Defense Staff College, and for other purposes, which had been reported from the Committee on Armed Services with an amendment, on page 2, after line 6, to insert:

SEC. 2. There is hereby authorized to be appropriated not to exceed the sum of $100,000 annually for the purpose of carrying out the provisions of this act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

LOAN OF NAVAL VESSELS TO CERTAIN GOVERNMENTS

The Senate proceeded to consider the bill (H. R. 11613) to authorize the loan of naval vessels to the Governments of the Federal Republic of Germany, Greece, Portugal, Spain, and friendly Far Eastern nations, and for other purposes which had been reported from the Committee on Armed Services with an amendment, to strike out all after the enacting clause and insert:

That the act of August 5, 1953 (67 Stat. 363), is amended by striking out the words "December 31, 1956" in section 4 (c) and inserting the words "June 30, 1957" in lieu thereof.

Mr. ERVIN. Mr. President, at the request of the distinguished Chairman of the Committee on Armed Services, the Senator from Georgia [Mr. RUSSELL] I send forward an amendment as a substitute for the committee amendment, just stated.

The PRESIDING OFFICER. The Chair understands the Senator's amendment to be a substitute for the committee amendment. Is that correct?

Mr. ERVIN. That is correct.

The PRESIDING OFFICER. The amendment offered by the Senator from North Carolina to the committee amendment will be stated.

The LEGISLATIVE CLERK. In the committee amendment on page 2, it is proposed to strike out lines 19 through 22 and insert in lieu thereof the following:

That (a) the first sentence of section 4 (a) of the act of August 5, 1953 (67 Stat. 363), is amended by inserting immediately after "Far Eastern" the words "or European."

(b) Section 4 (c) of such act is amended by striking out "December 31, 1956" and inserting in lieu thereof "December 31, 1957."

(c) Section 5 of such act is amended by striking out "respective Governments under the Mutual Security Act" and inserting in lieu thereof "recipient Governments under the Mutual Security Act of 1954, as amended, or provided by the recipient Governments under reimbursable provisions of such act."

Amend the title to read: "An act to extend the time limit within which naval vessels may be loaned to friendly Far Eastern nations and to authorize the loan of naval vessels to friendly European nations."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Carolina to the committee amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

DECORATIONS AWARDED TO MEMBERS AND FORMER MEMBERS OF THE ARMED FORCES BY THE GOVERNMENT OF THE PHILIPPINES

The bill (H. R. 6794) to authorize certain members and former members of the Armed Forces of the United States to accept and wear decorations and supporting documents conferred upon them by the Government of the Philippines was considered, ordered to a third reading, read the third time, and passed.

FEMALE RESERVE OFFICERS

The bill (H. R. 7290) to authorize female Reserve officers of the Army or Air Force appointed as nurses or women medical specialists to be members of the Army National Guard of the United States or Air National Guard of the United States, as appropriate was considered, ordered to a third reading, read the third time, and passed.

APPOINTMENT OF CERTAIN OFFICERS TO THE GRADE OF VICE ADMIRAL IN THE RETIRED RESERVE

The Senate proceeded to consider the bill (S. 4075) to provide for the appointment of certain officers in the grade of rear admiral in the Retired Reserve to the grade of vice admiral in the Retired Reserve, which had been reported from the Committee on Armed Services with amendments, on page 1, line 5, after the word "in", to strike out "the Medical Corps of"; in line 9, after the numerals "1947", to strike out "as amended, which authorizes the promotion of certain officers who prior to their retirement were specially recommended for performance of duty in combat" and insert "as amended", and on page 2, after line 2, to insert:

SEC. 2. No increase in retired pay shall accrue by virtue of an appointment to the grade of vice admiral made under the authority in section 1 of this act.

So as to make the bill read:

Be it enacted, etc., That the President is authorized to appoint to the grade of vice admiral in the Retired Reserve any officer who served on active duty in the Naval Reserve during World War II in the grade of commodore and who upon retirement was promoted to rear admiral under the provisions of section 412 (a) of the Officer Personnel Act of 1947, as amended.

SEC. 2. No increase in retired pay shall accrue by virtue of an appointment to the

grade of vice admiral made under the authority contained in section 1 of this act.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ADVANCEMENT OF MAJ. GEN. HANFORD MacNIDER TO THE GRADE OF LIEUTENANT GENERAL ON THE RETIRED LIST

The Senate proceeded to consider the bill (H. R. 11677) to provide for the advancement of Maj. Gen. Hanford MacNider, United States Army Reserve (retired) to the grade of lieutenant general on the retired list, which had been reported from the Committee on Armed Services with an amendment, on page 1, line 3, after the name "MacNider", to strike out "United States Army Reserve (retired)" and insert "Army of the United States (retired)".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act to provide for the advancement of Maj. Gen. Hanford MacNider, Army of the United States (retired), to the grade of lieutenant general on the retired list."

JOINT RESOLUTION PASSED OVER

The joint resolution (S. J. Res. 174) providing for a study of the possibility and desirability of establishing a University of the Americas was announced as next in order.

Mr. ERVIN. Over, Mr. President.

The PRESIDING OFFICER. The joint resolution will be passed over.

ESTABLISHMENT OF FISH HATCHERY AT CEDAR BLUFF RESERVOIR, KANSAS

The Senate proceeded to consider the bill (S. 3809) to provide for the establishment of a new fish hatchery at Cedar Bluff Reservoir, Kans., which had been reported from the Committee on Interstate and Foreign Commerce with an amendment, on page 1, after line 5, to insert:

The Secretary is authorized to make appropriate arrangements or agreements to use for fish hatchery and related purposes not to exceed 4,000 acre-feet annually of the water supply of the Cedar Bluff Reservoir: *Provided*, That any shortages in the water supply from such reservoir shall be shared proportionately to the requirements of the several purposes served: *Provided further*, That an appropriate part of the cost of the Cedar Bluff Dam and Reservoir shall be allocated to fish and wildlife purposes and such part of the cost shall be nonreimbursable and nonreturnable.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to construct, equip, maintain, and operate a new fish hatchery at Cedar Bluff Reservoir in Kansas.

The Secretary is authorized to make appropriate arrangements or agreements to use for fish hatchery and related purposes not to exceed 4,000 acre-feet annually of the water supply of the Cedar Bluff Reservoir: *Provided*, That any shortages in the water supply from such reservoir shall be shared proportionately to the requirements of the several purposes served: *Provided further*, That an appropriate part of the cost of the Cedar Bluff Dam and Reservoir shall be allocated to fish and wildlife purposes and such part of the cost shall be nonreimbursable and nonreturnable.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TRANSFER OF RIGHT, TITLE, AND INTEREST IN AND TO CERTAIN INVENTIONS

The bill (H. R. 4635) to authorize the Secretary of the Interior to transfer to Robert T. C. Rasmussen, the right, title, and interest of the United States, in foreign countries, in and to certain inventions was considered, ordered to a third reading, read the third time, and passed.

ELMA AGNES GIBSON HOLLINGSWORTH

The bill (H. R. 8068) for the relief of Elma Agnes Gibson Hollingsworth was considered, ordered to a third reading, read the third time, and passed.

ESTATE OF WILLIAM EDWARD WINE

The bill (H. R. 9947) for the relief of the estate of William Edward Wine was considered, ordered to a third reading, read the third time, and passed.

P. R. COX

The bill (H. R. 10983) for the relief of P. R. Cox was considered, ordered to a third reading, read the third time, and passed.

MR. AND MRS. HERMAN E. MOSLEY

The Senate proceeded to consider the bill (H. R. 1420) for the relief of Mr. and Mrs. Herman E. Mosley, as natural parents of Herman E. Mosley, Jr., which had been reported from the Committee on the Judiciary with amendments, on page 1, line 7, after the word "of" where it appears the first time, to strike out "$5,579.25" and insert "$5,000", and on page 2, line 2, after the word "Act", to strike out "in excess of 10 percent thereof."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. BIBLE. Mr. President, I ask unanimous consent that the votes by which the amendments to House bill 1420 were ordered to be engrossed and the bill was ordered to a third reading, read the third time, and passed, be reconsidered.

The PRESIDING OFFICER. Without objection, the votes were reconsidered. The bill is before the Senate and is open to amendment.

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senate reconsider the vote whereby the amendment relating to attorney's fees was agreed to and that that amendment be rejected.

The PRESIDING OFFICER. Without objection, the vote is reconsidered. The question is on agreeing to the committee amendment on page 2, line 2.

The amendment was rejected.

The PRESIDING OFFICER. The question is on the engrossment of the first committee amendment, and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

INCORPORATION OF THE BOYS' CLUBS OF AMERICA

The bill (S. 4184) to incorporate the Boys' Clubs of America was announced as next in order.

Mr. ERVIN. Mr. President, my information is that Senate bill 4184 was introduced by the Senator from Illinois [Mr. DIRKSEN], and that Calendar No. 2725, Senate bill 4200, was introduced by the Senator from New Mexico [Mr. ANDERSON].

Mr. ANDERSON. Mr. President, I would appreciate having my name shown as a cosponsor of the bill offered by the Senator from Illinois [Mr. DIRKSEN]. There are two identical bills, one of which was introduced by the Senator from Illinois and the other by myself. I ask unanimous consent that Senate bill 4184 be considered, and that Senate bill 4200 be indefinitely postponed.

Mr. DIRKSEN. It is agreeable to me, Mr. President.

The PRESIDING OFFICER. Without objection, the name of the Senator from New Mexico will be added as a cosponsor of Senate bill 4184. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 4184) to incorporate the Boys' Club of America, which had been reported from the Committee on the Judiciary with an amendment, on page 5, line 4, after the word "provide", to insert "Each member of the corporation shall have the right to one vote on each matter submitted to a vote at all meetings of the members of the corporation.", so as to make the bill read:

Be it enacted, etc., That the the following persons: Herbert Hoover, New York, N. Y.; William E. Hall, New York, N. Y.; Albert L. Cole, Pleasantville, N. Y.; James A. Farley, New York, N. Y.; Albert C. Wedemeyer, New York, N. Y.; Matthew Woll, New York, N. Y.; Jeremiah Milbank, New York, N. Y.; Stanley Resor, New York, N. Y.; James B. Carey, Washington, D. C.; J. Edgar Hoover, Washington, D. C.; Lewis L. Strauss, Washington, D. C.; Gen. Robert E. Wood, Chicago, Ill.; Frederic Cameron Church, Boston, Mass.;

H. Bruce Palmer, Newark, N. J.; Edgar A. Guest, Detroit, Mich.; Nicholas H. Noyes, Indianapolis, Ind.; George A. Scott, San Diego, Calif.; E. E. Fogelson, Dallas, Tex.; Ernest Ingold, San Francisco, Calif.; Jesse Draper, Atlanta, Ga.; Julius Epstein, Chicago, Ill., and their successors, are hereby created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be, by the name of the Boys' Clubs of America (hereinafter referred to as the corporation) and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

COMPLETION OF ORGANIZATION

SEC. 2. A majority of the persons named in the first section of this act are authorized to complete the organization of the corporation by the adoption of a constitution and bylaws, not inconsistent with this act, and the doing of such other acts (including the selection of officers and employees in accordance with such constitution and bylaws) as may be necessary for such purpose.

PURPOSES OF THE CORPORATION

SEC. 3. The purposes of the corporation shall be to promote the health, social, educational, vocational, and character development of boys throughout the United States of America; to receive, invest, and disburse funds and to hold property for the purposes of the corporation.

CORPORATE POWERS

SEC. 4. The corporation shall have power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the business of the corporation may require;

(5) to adopt, amend, and alter a constitution and bylaws, not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take by lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm or individual and to hold any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(8) to transfer, convey, lease, sublease, encumber and otherwise alienate real, personal or mixed property; and

(9) to borrow money for the purposes of the corporation, issue bonds, therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject in every case to all applicable provisions of Federal and State laws.

PRINCIPAL OFFICE: SCOPE OF ACTIVITIES: DISTRICT OF COLUMBIA AGENT

SEC. 5. (a) The principal office of the corporation shall be located in New York City, N. Y., or in such other place as may be later determined by the board of directors, but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States, Territories, and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

MEMBERSHIP

SEC. 6. (a) Eligibility for membership in the corporation and the rights, privileges, and designation of classes of members shall, except as provided in this act, be determined as the constitution and bylaws of the corporation may provide. Each member of the corporation shall have the right to one vote on each matter submitted to a vote at all meetings of the members of the corporation.

(b) Each organization which is a member of the corporation as provided in the constitution thereof shall be entitled to all the benefits of incorporation under this act, but such benefits shall cease immediately either upon its resignation from the corporation, or in the event that its membership in the corporation is canceled or otherwise terminated by the board of directors, as provided in the constitution of the corporation.

BOARD OF DIRECTORS: COMPOSITION, RESPONSIBILITIES

SEC. 7. (a) Upon the enactment of this act the membership of the initial board of directors of the corporation shall consist of the present members of the board of directors of the Boys' Clubs of America, the corporation described in section 16 of this act, or such of them as may then be living and are qualified members of said board of directors, to wit: Hoyt Ammidon, New York, N. Y. Wendell W. Anderson, Detroit, Mich.; Sewell L. Avery, Chicago, Ill.; Richard E. Berlin, New York, N. Y.; Arthur T. Burger, Boston, Mass.; Hendry S. M. Burns, New York, N. Y.; John L. Burns, New York, N. Y.; Peter Capra, New York, N. Y.; James B. Carey, Washington, D. C.; Colby M. Chester, New York, N. Y.; Frederic C. Church, Boston, Mass.; Albert L. Cole, Pleasantville, N. Y.; Carle C. Conway, New York, N. Y.; Donald K. David, New York, N. Y.; Morse G. Dial, New York, N. Y.; Robert W. Dowling, New York, N. Y.; Kempton Dunn, New York, N. Y.; Gilbert D. Eaton, Oakland, Calif.; Julius Epstein, Chicago, Ill.; James A. Farley, New York, N. Y.; Horace C. Flanigan, New York, N. Y.; E. E. Fogelson, Dallas, Tex.; Philip G. Geiger, Pawtucket, R. I.; M. Preston Goodfellow, Washington, D. C.; J. Peter Grace, Jr., New York, N. Y.; John S. Griswold, New York, N. Y.; Powell C. Groner, Kansas City, Mo.; Edgar A. Guest, Detroit, Mich.

William Edwin Hall, New York, N. Y.; Robert B. Heppenstall, Pittsburgh, Pa.; William Edwin Hill, New York, N. Y.; Allan Hoover, New York, N. Y.; Herbert Hoover, New York, N. Y.; J. Edgar Hoover, Washington, D. C.; Arthur Huck, New York, N. Y.; Austin S. Igleheart, New York, N. Y.; Ernest Ingold, San Francisco, Calif.; Edward Ingraham, Bristol, Conn.; Gordon Jeffery, Toledo, Ohio; Frank R. Jelleff, Washington, D. C.; Grant Keehn, New York, N. Y.; James S. Kemper, Chicago, Ill.; Maj. William G. Kiefer, Louisville, Ky.; Philip Le Boutillier, New York, N. Y.; Philip Le Boutillier, Jr., Toledo, Ohio; James A. Linen, New York, N. Y.; John D. Lockton, New York, N. Y.; Fred Loock, Milwaukee, Wis.; David I. McCahill, Pittsburgh, Pa.; Charles P. McCormick, Baltimore, Md.; Everett McCullough, Wichita Falls, Tex.; Ira McGuire, Muncie, Ind.; Charles R. Messier, Newark, N. J.; Jeremiah Milbank, New York, N. Y.; Theodore G. Montague, New York, N. Y.; W. R. Nicholson, Jr., Philadelphia, Pa.; Nicholas H. Noyes, Indianapolis, Ind.; Harry L. Olden, Cincinnati, Ohio; Frank Pace, Jr., New York, N. Y.; August K. Paeschke, Milwaukee, Wis.; H. Bruce Palmer, Newark, N. J.; Richard S. Perkins, New York, N. Y.; Samuel P. Pryor, New York, N. Y.; Stanley Resor, New York, N. Y.; Capt. E. V. Rickenbacker, New York, N. Y.; Victor F. Ridder, New York, N. Y.; Frederic E. Schluter, Trenton, N. J.; George A. Scott, San Diego, Calif.

Irving J. Scher, Milwaukee, Wis.; Grant G. Simmons, New York, N. Y.; P. C. Spencer, New York, N. Y.; Clifford L. Strang, Tonawanda, N. Y.; Edward K. Straus, New York, N. Y.; Lewis L. Strauss, Washington, D. C.; Kenneth C. Towe, New York, N. Y.; Maxwell M. Upson, New York, N. Y.; Virgil P. Warren, Atlanta, Ga.; Albert C. Wedemeyer, New York, N. Y; Morgan W. Wheelock, New York, N. Y.; J. Dugald White, New York, N. Y.; Myron A. Wick, Jr., Stamford, Conn.; Alfred G. Wilson, Detroit, Mich.; William S. Wilson, New York, N. Y.; Matthew Woll, New York, N. Y.; Gen. Robert E. Wood, Chicago, Ill.; Gordon J. Wormal, Santa Barbara, Calif.; E. A. Wright, Detroit, Mich.; Paul S. Young, Schenectady, N. Y.; William Ziegler, Jr., New York, N. Y.

(b) Thereafter the board of directors of the corporation shall consist of such number as may be prescribed in the constitution of the corporation, and the members of such board shall be selected in such manner (including the filling of vacancies), and shall serve for such terms, as may be prescribed in the constitution and bylaws of the corporation.

(c) The board of directors shall be the managing body of the corporation and shall have such powers, duties, and responsibilities as may be prescribed in the constitution and bylaws of the corporation.

OFFICERS: ELECTION AND DUTIES OF OFFICERS

SEC. 8. (a) The officers of the corporation shall be a chairman of the board of directors, a president, one or more vice presidents (as may be prescribed in the constitution and bylaws of the corporation), a secretary, and a treasurer, and one or more assistant secretaries and assistant treasurers as may be provided in the constitution and bylaws.

(b) The officers of the corporation shall be elected in such manner and for such terms and with such duties as may be prescribed in the constitution and bylaws of the corporation.

USE OF INCOME: LOANS TO OFFICERS, DIRECTORS, OR EMPLOYEES

SEC. 9. (a) No part of the income or assets of the corporation shall inure to any of its members, directors, or officers as such, or be distributable to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation in amounts approved by the board of directors of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan or advance to an officer, director, or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

NONPOLITICAL NATURE OF CORPORATION

SEC. 10. The corporation, and its officers and directors as such, shall not contribute to or otherwise support or assist any political party or candidate for public office.

LIABILITY FOR ACTS OF OFFICERS AND AGENTS

SEC. 11. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 12. The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

BOOKS AND RECORDS: INSPECTION

SEC. 13. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any authority under the

board of directors; and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 14. (a) The financial transactions shall be audited annually by an independent certified public accountant in accordance with the principles and procedures applicable to commercial corporate transactions. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such audit shall be made by the corporation to the Congress not later than March 1 of each year. The report shall set forth the scope of the audit and shall include a verification by the person or persons conducting the audit of statements of (1) assets and liabilities, (2) capital and surplus or deficit, (3) surplus or deficit analysis, (4) income and expense, and (5) sources and application of funds. Such report shall not be printed as a public document.

USE OF ASSETS ON DISSOLUTION OR LIQUIDATION

SEC. 15. Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets, if any, of the corporation shall be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto.

TRANSFER OF ASSETS

SEC. 16. The corporation may acquire the assets of the Boys' Clubs of America, a corporation organized under the laws of the Commonwealth of Massachusetts, upon discharging or satisfactorily providing for the payment and discharge of all of the liability of such corporation and upon complying with all laws of the Commonwealth of Massachusetts applicable thereto.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 17. The right to alter, amend, or repeal this act is expressly reserved.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Calendar No. 2725, Senate bill 4200, will be indefinitely postponed.

EXEMPTION FROM TAXATION OF CERTAIN PROPERTY OF THE AMERICAN INSTITUTE OF ARCHITECTS

The Senate proceeded to consider the bill (H. R. 11489) to exempt from taxation certain property of the American Institute of Architects in the District of Columbia, which had been reported from the Committee on the District of Columbia with amendments, on page 1, line 9, after the name "New York", to strike out "to" and insert "shall", and on page 2, line 1, after the word "purposes", to insert "or for the general business activities of said institute subject to the proviso that said institute shall maintain the said Octagon House and outbuildings as historical buildings which shall be preserved for their architectural and historical significance, which buildings shall be accessible to members of the general public without charge or payment of a fee of any kind at such reasonable hours and under such regulations as may, from time to time, be prescribed by said institute."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

OCCUPATION OF CERTAIN QUARTERS BY MEMBERS OF THE ARMED FORCES

The Senate proceeded to consider the bill (H. R. 5731) to permit members of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service, with dependents, to occupy inadequate quarters on a rental basis without loss of basic allowance for quarters which had been reported from the Committee on Armed Services with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of any other law, members of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service, with dependents may occupy on a rental basis, without loss of basic allowance for quarters, public quarters under the jurisdiction of any of the uniformed services, which have been determined to be inadequate under the provisions of this act, notwithstanding under the provisions of this act, notwithstanding that such quarter may have been constructed or converted for assignment as public quarters.

SEC. 2. The Secretaries of the Army, Navy, and Air Force for the respective military departments, the Secretary of the Treasury for the Coast Guard when the Coast Guard is operating as a service in the Treasury Department, the Secretary of Commerce for the Coast and Geodetic Survey, and the Secretary of Health, Education, and Welfare for the Public Health Service, hereafter referred to as the Secretaries, are each authorized to designate for occupancy on a rental basis those public quarters which he determines to be inadequate under the standards established pursuant to section 5 thereof.

SEC. 3. The Secretaries are each further authorized, subject to standards established pursuant to section 5 hereof, to lease inadequate public quarters to personnel of any of the mentioned services for occupancy by them and their dependents.

SEC. 4. (a) All public quarters determined to be inadequate pursuant to section 2 of this act shall, prior to July 1, 1959, either be altered or improved so as to qualify as public quarters, or be demolished or otherwise disposed of: *Provided*, That there may be excepted from the requirements of this section such inadequate public quarters as the respective Secretary shall determine, subject to the standards established pursuant to section 5 hereof, to be urgently needed because there is a shortage of housing located within a reasonable proximity and available at suitable rentals, but such exceptions shall be reviewed and redetermined at least annually.

(b) For such time as the Secretary concerned shall determine, there may be excepted from the requirements of subsection (a) of this section, public quarters which are inadequate for reasons of size alone under such criteria as the said Secretary shall prescribe pursuant to standards authorized by section 5 of this act.

SEC. 5. The provisions of this act shall be administered under regulations approved by the head of the executive department concerned, and such regulations shall be uniform as far as practicable.

SEC. 6. The respective Secretaries shall report to the Committees on Armed Services of the Congress not later than March 1, 1957, and annually thereafter, the number of inadequate public quarters exempted under the provisions of section 4 (b) thereof, the criteria utilized, and the progress being made to eliminate inadequate housing.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AUTHORIZATION FOR FLIGHT INSTRUCTION DURING RESERVE OFFICERS' TRAINING CORPS PROGRAMS

The Senate proceeded to consider the bill (H. R. 5738) to authorize flight instruction during Reserve Officers' Training Corps programs, and for other purposes, which had been reported from the Committee on Armed Services with amendments, on page 2, line 1, after the words "of the", to insert "Army and the Secretary of the"; in line 8, after the word "Force", to strike out "units."." and insert "units, respectively."; after line 12, to strike out:

SEC. 3. Section 22 (b) of the act of March 4, 1925 (43 Stat. 1276), as amended (34 U. S C.. 821), is further amended by deleting the words "who suffer disability, including members."

And in lieu thereof, to insert the following:

SEC. 3. Section 22 of the act of March 4, 1925 (ch. 536, 43 Stat. 1276), as amended (34 U. S. C. 821), is further amended by—

(1) deleting in subsection (b) the words "who suffer disability, including members"; and

(2) adding at the end thereof the following new subsections:

"(c) The courses of theoretical and practical naval training prescribed for members of the Naval Reserve Officers' Training Corps may include flight instruction.

"(d) The Secretary of the Navy may, for a period of 4 years after the effective date of this amendatory act, provide, or contract with civilian flying or aviation schools or educational institutions to provide, such personnel, aircraft, supplies, facilities, and instruction as are necessary for flight instruction of members of the Naval Reserve Officers' Training Corps."

On page 3, after line 14, to strike out:

(1) Any member who is injured in line of duty, or who dies, while engaged in military training, including flight instruction, under—

And insert:

(1) Any member who suffers disability or death from an injury incurred in line of

duty while engaged in flight instruction, under—

On page 4, after line 5, to strike out: "or while traveling performing authorized travel to or from that military training by Government vehicle or aircraft."

On page 4, after line 7, to strike out: (2) Any member who is injured in line of duty, or who dies, while traveling to or from, or while attending—

And insert:

(2) Any member who suffers disability or death from an injury incurred in line of duty while performing authorized travel to or from, or while attending—

After line 23, to strike out:

(3) Any member who dies while hospitalized or while undergoing treatment for an injury, disease, or illness covered by clause (1) or (2).

On page 5, at the beginning of line 8, to strike out "(1) or"; after line 19, to strike out:

(c) All determinations as to line of duty and as to whether an injury, disease, or illness is the proximate result of the performance of military training by the member concerned, or of his travel to or from that military training, shall be made by the military department concerned, and review of all such determinations shall be made by the Secretary of that department.

And insert:

(c) Subject to review by the Secretary of Labor, the Secretary of the military department concerned, under regulations to be prescribed by him, shall determine whether an injury, disease, or illness was sustained, or contracted, in line of duty and was the proximate result of the performance of military training by the member concerned, or of his travel to or from that military training.

On page 6, line 20, after the word "person", to strike out "who is injured, or who contracts a disease or illness while traveling to or from, or"; on page 7, after line 19, to strike out:

(g) The coverage provided by this section under the Federal Employees' Compensation Act constitutes the exclusive remedy against the United States of a member of the Reserve Officers' Training Corps of the Army, Navy, or Air Force, and of the survivors of any such member, for injury, illness, disease, or death occasioned by that member's participation in military training, his travel to or from that military training by Government vehicle or aircraft, which is hereby authorized, or his travel to or from, or attendance at, a summer camp or cruise.

And on page 8, line 12, after the word "of", to strike out 'the Air Force and the Secretary of the Army" and insert "each military department."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

CONVEYANCE OF TRACT OF LAND TO THE STATE OF TEXAS

The Senate proceeded to consider the bill (S. 3783) to direct the Secretary of the Navy or his designee to convey a 2,477.43-acre tract of land, avigation and sewer easements, in Tarrant and Wise Counties, Tex., situated about 20 miles northwest of the city of Fort Worth, Tex., to the State of Texas, which had been reported from the Committee on Armed Services with amendments, on page 9, line 22, after the word "act", to insert "including preservation of the aviation potential of the property"; and on page 10, line 23, after the word "act", to insert "and such other terms and conditions, including joint use by the Government on a noninterference basis, not inconsistent with the provisions of this act, as the Secretary of the Navy deems necessary in the interest of the United States", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Navy or his designee is authorized and directed to convey by quitclaim deed, without consideration, to the State of Texas all right, title, and interest of the United States, except as retained in this act, together with all buildings, improvements thereon with related personal property, all appurtenances, runways, and utilities belonging or appertaining thereto, of the former United States Marine Corps Air Station, Eagle Mountain Lake, Tex., as shown on maps on file with the Department of the Navy, Bureau of Yards and Docks, in and to a 2,235.97-acre tract of land out of and comprising lands acquired by the United States in condemnation proceedings in civil actions numbered 432, and numbered 461, in the United States District Court for the Northern District of Texas, Fort Worth division, and judgments rendered therein by said court as recorded in the deed records of Tarrant County, Tex., on January 21, 1943, in volume 1548, page 452; February 11, 1943, in volume 1552, page 348; May 10, 1943, in volume 1566, page 347; and May 11, 1943, in volume 1567, page 73; also judgment rendered and deed recorded on March 1, 1956, in volume 204, page 107, in the deed records of Wise County, Tex.; plus an additional 241.46 acres of land with avigation easements conveyed to the United States by the Tarrant County Control and Improvement District 1, through exchange of lands made December 21, 1954, the deeds being recorded on March 16, 1955, in volume 2837, page 195; volume 2836, page 581, and volume 2837, page 183, of the deed records of Tarrant County, Tex. The complete 2,477.43-acre tract of land, the avigation easements, and a sewer easement, to be conveyed to the State of Texas are more particularly described as follows:

Beginning at a concrete monument which is the southeast corner of the former United States Marine Corps Air Station, Eagle Mountain Lake, Tex., which monument is south 0 degrees 18 minutes east 3,900 feet from the southeast corner of the P. H. Pope survey; thence north 0 degrees 18 minutes west 10,407.4 feet to a coner in the south right-of-way line of the C. R. I. and P. Railroad for the most easterly northeast corner of this tract; thence north 63 degrees 15 minutes west 1,990.9 feet to the Wise and Tarrant County line, for the northerly corner of this tract; thence north 89 degrees 20 minutes west 4,766.3 feet along the boundary of Wise and Tarrant Counties, to the west line of the Dewees and the east line of the C. R. Huff survey; thence north 0 degrees 30 minutes west, along the east line of the C. R. Huff survey, a distance of 646 feet to a point; thence north 38 degrees 16 minutes east, 1,338 feet to a point; thence along the arc of a curve, concave to the right, having a radius of 930.34 feet, a distance of 1,196 feet to the west right-of-way line of the C. R. I. and P. Railroad; thence north 54 degrees 17 minutes west, 185 feet along said right-of-way line to a point; thence south 89 degrees 20 minutes west 654 feet to a point; thence south 38 degrees 16 minutes west 1,741 feet to a point on the east line of the C. R. Huff survey; thence north 0 degrees 30 minutes west, along said east line of the Huff survey, 40 feet to a point; thence south 38 degrees 16 minutes west 967 feet to a point on the north boundary line of the former United States Marine Corps Air Station, said boundary being identical with the Wise and Tarrant County line, and north 89 degrees 20 minutes west 606 feet from the southwest corner of the C. R. Huff survey; thence westerly along the Wise and Tarrant County line north 89 degrees 20 minutes west 3,467.9 feet, to a concrete monument, for the northwest corner of the T. Harvey survey; said concrete monument being set at elevation 649 feet on the east shore of Eagle Mountain Lake; thence along the east shore of Eagle Mountain Lake with the contour line of elevation 649 feet the following courses and distances:

South 0 degrees 15 minutes west 660.4 feet;
South 38 degrees 51 minutes east 559 feet;
South 72 degrees 42 minutes west 192 feet;
South 88 degrees 23 minutes west 212 feet;
North 48 degrees 35 minutes west 223 feet;
North 50 degrees 05 minutes west 370 feet;
South 75 degrees 25 minutes west 172 feet;
North 37 degrees 51 minutes west 181.5 feet;
North 84 degrees 42 minutes west 119 feet;
South 3 degrees 39 minutes east 321 feet;
South 50 degrees 18 minutes west 304.7 feet;
South 37 degrees 18 minutes east 654.9 feet;
South 15 degrees 31 minutes west 289 feet;
South 11 degrees 50 minutes east 425.5 feet;
South 67 degrees 20 minutes west 111 feet;
South 25 degrees 47 minutes west 261 feet;
South 20 degrees 45 minutes east 199.4 feet;
South 26 degrees 56 minutes east 246.6 feet;
South 83 degrees 10 minutes west 325 feet;
South 31 degrees 24 minutes west 326 feet;
South 16 degrees 39 minutes east 220 feet;
South 63 degrees 44 minutes west 244 feet;
South 7 degrees 52 minutes west 232 feet;
South 24 degrees 42 minutes west 196 feet;
South 22 degrees 34 minutes west 278 feet;

Thence south 23 degrees 13 minutes west 58 feet to a ¾-inch iron pipe for the southwest corner of area "A" of the Tarrant County Water Control and Improvement District Numbered 1, the O. T. Funk survey; thence leaving the contour of elevation 649 feet, south 66 degrees 25 minutes east 1,729.8 feet to a 1-inch iron pipe; thence south 3 degrees 35 minutes west, 2,369 feet to a 1-inch iron pipe in the south line of the D. T. Flores survey; thence north 89 degrees 40 minutes west 280 feet to a point; thence south 25 degrees 40 minutes east 1,701.95 feet to an iron pipe; thence north 89 degrees 00 minutes east 426.6 feet to an iron pipe; thence south 63 degrees 50 minutes east, 599 feet to an iron pipe; thence south, 550 feet to a point; thence east 1,020 feet to an iron pipe; thence north 305 feet to a ¾-inch iron pipe in the north line of the D. T. Flores survey; thence south 89 degrees 40 minutes east, 3,044.17 feet along the north line of the D. T. Flores survey passing the northeast corner of the D. T. Flores survey and the west line of the W. G. King survey Abstract Numbered 900, to a 1-inch iron pipe for corner; thence south 55 degrees 00 minutes east 834.43 feet with a line parallel to the Texaco pipeline and distant 100 feet in a southwesterly direction from the centerline of said pipeline, to an iron pipe; thence south 2,074.73 feet to an iron pipe for the most easterly southeast corner of area "D" section Numbered 1 of the Tarrant County Water Control and Improvement District Numbered 1, in the O. T. Funk survey; located in the south property fence of the former United States Marine Corps Air Station and the south line of the W. G. King survey, said corner being north 89 degrees 00 minutes east 2,101.80 feet from the centerline of the Newark-Dido paved road; thence north 89 degrees 0 minutes east 4,321.6 feet along the south line of the W. G. King survey and the T. Chubb survey to the point of

beginning, containing in all 2,477.43 acres more or less, 8.89 acres being located in Wise County, and 2,468.54 acres in Tarrant County, Texas.

Avigation easements: Being perpetual avigation easements for the full unobstructed passage of aircraft over and through the air space above glide angle situated in Tarrant and Wise County, Texas, contiguous to the ends and in direct continuation of the runways of the former Marine Corps Air Station, Eagle Mountain Lake, and being more particularly described in deed from the Tarrant County Water Control and Improvement District Numbered 1, dated December 21, 1954, and recorded March 16, 1955, in volume 2,837, page 195, of the deed records of Tarrant County, Texas.

Sewer easement: An easement for a sewer over a strip of land 25 feet wide, being a 12½ feet on each side of described centerline and its meanders situated in Wise County, Texas, within the J. W. Dewees survey and being within the same tract of land conveyed from R. L. Donald and others, to W. M. Fleming on December 18, 1939, recorded on January 5, 1940, in volume 1416, page 111 of the deed records of Tarrant County, Texas, and being more particularly described as follows: Beginning at a point that is south 89 degrees 20 minutes east 1,671.5 feet from the intersection of the Tarrant-Wise County line with the centerline of the Newark-Dido Road. Said point of beginning being on the Tarrant-Wise County line, thence north 32 degrees 02 minutes east 365.5 feet to a point; thence north 74 degrees 06 minutes east 900.0 feet to a point; thence south 87 degrees 12 minutes east 963.0 feet to a point; thence south 53 degrees 41 minutes each 537.0 feet to a point; thence south 37 degrees 13 minutes east 278.4 feet to a point in the Tarrant-Wise County line, said point being north 89 degrees 20 minutes west 319.8 feet from a concrete monument at the intersection of the Tarrant-Wise County line with the west right-of-way line of the C. R. I. & P. Railroad, and being described in a judgment of the United States District Court for the Northern District of Texas, Fort Worth division on the third day of May, 1943 in civil action numbered 432 and recorded May 4, 1943, in volume 1567, page 73, of the deed records of Tarrant County, Texas.

SEC. 2. All mineral rights, including oil and gas, in the lands authorized to be conveyed by this act shall be reserved to the United States.

SEC. 3. The conveyance shall be subject to all outstanding easements and rights-of-way for public roads and highways, railroads, water lines, sewer lines, telephone and telegraph lines, oil pipelines, and such other utilities as now exist.

SEC. 4. The conveyance of the property authorized by this act shall be upon condition that such property shall be used primarily for training of the National Guard and the Air National Guard and for other military purposes, and that if the State of Texas shall cease to use the property so conveyed for the purposes intended, then title shall immediately revert to the United States, and in addition, all improvements made by the State of Texas during its occupancy shall vest in the United States without payment of compensation therefor.

SEC. 5. Nothing in this act shall prevent the State of Texas from disposing of or salvaging buildings and improvements now located on the land to be conveyed, or leasing, licensing, or granting easements into and on the lands and improvements, except that the exercise of such rights shall not impair the use of the lands and improvements for the purpose set forth in section 4 of this act, including preservation of the aviation potential of the property, and that any revenues derived from such disposal, salvaging, leasing, licensing, or granting of easements shall be expended solely by the State of Texas for the protection, maintenance, and operation of the facility as a training center.

SEC. 6. The conveyance of the property authorized by this act shall be upon the further provision that whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this act is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made thereon by the State of Texas, for the duration of such state of war or of such emergency. Upon termination of such state of war or of such emergency plus 6 months such property shall revert to the State of Texas, together with all appurtenances and utilities belonging or appertaining thereto.

SEC. 7. In executing the deed of conveyance authorized by this act, the Secretary of the Navy or his designee shall include specific provisions covering the reservations and conditions contained in sections 2, 3, 4, 5, and 6 of this act and such other terms and conditions, including joint use by the Government on a noninterference basis, not inconsistent with the provisions of this act, as the Secretary of the Navy deems necessary in the interest of the United States.

SEC. 8. The cost of any surveys necessary as an incident to the conveyance authorized herein shall be borne by the State of Texas.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS AND RESOLUTIONS PASSED OVER

The bill (S. 3570) to increase the number of visas authorized to be issued to eligible orphans under the Refugee Relief Act of 1953, and for other purposes, was announced as next in order.

Mr. BIBLE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3957) to amend the act authorizing the exchange and amendment of certain farm units in order to limit the time during which applications may be made under such act, was announced as next in order.

Mr. PURTELL. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 281) relative to the conservation and development of land and water resources was announced as next in order.

Mr. PURTELL. Over, Mr. President.

The PRESIDING OFFICER. The resolution will be passed over.

USE OF STORAGE SPACE IN THE HULAH RESERVOIR, OKLA.

The bill (H. R. 8940) relating to the use of storage space in the Hulah Reservoir to provide water for the city of Bartlesville, Okla., was considered, ordered to a third reading, read the third time, and passed.

USE OF STORAGE SPACE IN THE BUFORD RESERVOIR, GA.

The bill (H. R. 8265) relating to the use of storage space in the Buford Reservoir for the purpose of providing Gwinnett County, Ga., a regulated water supply was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN LAND TO THE CITY OF LEWISVILLE, TEX.

The Senate proceeded to consider the bill (H. R. 10423) to provide for the conveyance of 18.8 acres of land within the Garza-Little Elm project to the city of Lewisville, Tex., for sewage disposal purposes.

Mr. ERVIN. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from North Carolina will be stated.

The LEGISLATIVE CLERK. On page 1, line 8, after the word "pay", it is proposed to insert "50 percent of."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Carolina.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PROTECTION OF SHORES OF PUBLICLY OWNED PROPERTY

The bill (H. R. 11861) to amend the act entitled "An act authorizing Federal participation in the cost of protecting the shores of publicly owned property," approved August 13, 1946 was considered, ordered to a third reading, read the third time, and passed.

CONSTRUCTION OF BUILDING FOR THE UNITED STATES COURT OF CLAIMS

The Senate proceeded to consider the bill (S. 3445) to provide for the construction, equipment, and furnishing of a building for the United States Court of Claims, and for other purposes, which has been reported from the Committee on Public Works with an amendment to strike out all after the enacting clause, and insert:

That the Architect of the Capitol is hereby authorized and directed (a) to construct, equip, and furnish on lots 805, 806, 807, and 808 in square 107 in the District of Columbia, for the use of the United States Court of Claims, a fireproof building containing a courtroom, hearing rooms, offices, and such other accommodations, facilities and appurtenances, including connections with public utilities and any other necessary incidental items, as may be approved by the Chief Judge of the United States Court of Claims, in accordance with plans to be prepared by the Architect of the Capitol and approved by the Chief Judge of the United States Court of Claims, and (b) to provide for the demolition and removal as expeditiously as possible of any existing buildings or other structures on, or constituting a part of such site.

SEC. 2. The exterior design of the new building shall be subject to the approval of the Commission on Fine Arts.

SEC. 3. (a) The United States Court of Claims shall continue to occupy its existing buildings (located at the northeast corner of

17th Street and Pennsylvania Avenue NW., on lot 800 in square 167 in the District of Columbia) until the new building constructed under section 1 of this act is ready for occupancy, at which time the Director of the Administrative Office of the United States Courts shall provide for the moving of such court and its equipment and property into the new building.

(b) The Architect of the Capitol, with respect to section 1 of this act, and the Director of the Administrative Office of the United States Courts, with respect to subsection (a) of this section, are hereby authorized, under the direction of the chief judge of the United States Court of Claims, to enter into contracts and to make such other expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this act.

SEC. 4. Upon completion of the new building and its occupancy by the United States Court of Claims, the Architect of the Capitol, under the direction of the Chief Judge of such court, shall have charge of the structural and mechanical care of the new building, including the care and maintenance of the grounds and the supplying of mechanical furnishings and mechanical equipment for such building. All other services and duties required for the operation, domestic care, and custody of the building and its equipment, including assignment and control of space, shall be under the exclusive direction and control of such court.

SEC. 5. Upon the removal of the United States Court of Claims from its existing buildings to the new building constructed under this act, jurisdiction and control over such vacated buildings shall be transferred to the General Services Administration.

SEC. 6. All real property designated in section 1 hereof owned by the United States shall, upon request of the Architect of the Capitol, made with the approval of the chief judge of the United States Court of Claims, be transferred to the jurisdiction and control of the Architect of the Capitol without reimbursement or transfer of funds.

SEC. 7. There are hereby authorized to be appropriated not to exceed $3,500,000 for the purposes of section 1 of this act, and such sums as may be necessary for the purposes of section 3 of this act.

SEC. 8. This act may be cited as the "Court of Claims Building Act of 1956."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DISPOSAL OF FEDERALLY OWNED PROPERTY AT OBSOLESCENT CANALIZED WATERWAYS

The Senate proceeded to consider the bill (H. R. 7596) to provide for the disposal of federally owned property at obsolescent canalized waterways, and for other purposes, which had been reported from the Committee on Public Works with an amendment, on page 2, line 5, after the word "dams", to insert a colon and *"Provided,* That the provisions of this section shall not be effective with respect to the Big Sandy River, Ky., and the Rough River, Ky., pending and until a determination has been made by the Secretary of the Army that the project structures and appurtenances including real property will not be required in connection with any improvements for navigation or other allied purposes under consideration in surveys of the Big Sandy River and Rough River now authorized."; and on page 3, line 4, after the word "areas", to insert a colon and *"Provided,* That in lieu of preparing dam No. 3 on the Big Sandy River for abandoning, such funds may be expended for modification of the lock and restoration for said dam either as a movable or fixed type dam but not to exceed $50,000, contingent upon local interests furnishing such additional funds as may be necessary and agreeing to accept the property and take over operation and maintenance of the said structure."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

GEOPHYSICAL INSTITUTE IN THE TERRITORY OF HAWAII

The joint resolution (H. J. Res. 643) to provide for an investigation of the need for a geophysical institute in the Territory of Hawaii was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF SECTION 104, TITLE 4, UNITED STATES CODE

The bill (H. R. 11254) to amend section 104, title 4, United States Code was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF HOMESTEAD ALLOTMENTS TO INDIANS IN ALASKA

The bill (H. R. 11696) to authorize the conveyance of homestead allotments to Indians, Aleuts, or Eskimos in Alaska was considered, ordered to a third reading, read the third time, and passed.

ADMISSION OF COMMUNIST REGIME IN CHINA TO THE UNITED NATIONS

The concurrent resolution (H. Con. Res. 265) expressing the sense of Congress against admission of the Communist regime in China as the representative of China in the United Nations was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, I do not think there is any opposition to the consideration of this concurrent resolution. I have discussed it with the distinguished minority leader several times. It is our purpose to ask for the yeas and nays, which we shall do following the completion of the call of the calendar.

Mr. KNOWLAND. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. KNOWLAND. Mr. President, I wish to join with the majority leader. I am strongly in favor of the resolution, but this is a concurrent resolution which was adopted by the House by a vote of 391 to 0, and it was unanimously reported by the Senate Committee on Foreign Relations, so I feel that in order to give the judgment of the Senate a chance to be expressed it should be done by a yea-and-nay vote.

I thank the minority leader.

Mr. JOHNSON of Texas. Mr. President, I have no objection to anything the Senator has said; in fact, I agree with everything he has said, except that he is anticipating that I am going to be the minority leader.

Mr. KNOWLAND. My apologies to the majority leader. [Laughter.]

NATIONAL TRANSPORTATION WEEK

The joint resolution (S. J. Res. 197) authorizing the President to proclaim the period from October 22 to 27, 1956, as National Transportation Week was considered and agreed to, as follows:

Resolved, etc., That the President of the United States is requested and authorized to officially proclaim the period from October 22, 1956, to October 27, 1956, as National Transportation Week, and to issue a proclamation inviting the people of the United States to observe such period, with appropriate ceremonies and activities, as a tribute to the men and women who, night and day, move goods and people throughout our land.

BILL PASSED OVER

The bill (S. 4247) to authorize Canadian vessels to be employed in the coastwise transportation of coal to Ogdensburg, N. Y., was announced as next in order.

Mr. PURTELL. Over by request.

SAFETY DEVICES ON HOUSEHOLD REFRIGERATORS SHIPPED IN INTERSTATE COMMERCE—BILL PASSED TO FOOT OF CALENDAR

The bill (H. R. 11969) to require certain safety devices on household refrigerators shipped in interstate commerce was announced as next in order.

Mr. PURTELL. Over by request. I am very much in favor of the bill, but I have been requested to ask that it go over.

Mr. SPARKMAN. Mr. President, may I inquire of the distinguished Senator from Connecticut if it would be possible to let the bill go to the foot of the calendar; or is some Senator who is not in attendance today asking that it go over?

Mr. PURTELL. As I said, I am very much in favor of the bill; I know it is a measure which is needed.

Mr. SPARKMAN. I know of the Senator's feelings about the bill, because we have discussed it.

Mr. PURTELL. However, I have been requested to ask that it go over. I shall be glad to ask that it go to the foot of the calendar, and then try to have the matter straightened out before the call of the calendar has been finished today.

Mr. SPARKMAN I appreciate the Senator's cooperation.

The PRESIDING OFFICER. Without objection, the bill will be passed to the foot of the calendar.

EXTERMINATION OF SEA NETTLES AND JELLYFISH IN MARINE WATERS

The Senate proceeded to consider the bill (S. 3955) to authorize research by the Fish and Wildlife Service to determine methods of, and to provide for grants to the States to assist approved research or other projects for, control or

extermination of sea nettles and jellyfish in marine waters of the United States which had been reported from the Committee on Interstate and Foreign Commerce with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior is authorized and directed (1) to conduct exploratory research for the purpose of developing methods for the extermination or control of sea nettles and jellyfish, (2) to make available to interested State and local governments, public and private agencies, and organizations the results of such research, and (3) to prepare and publish, to the extent he deems it practicable, reports of such research together with appropriate recommendations with regard to methods for the extermination or control of sea nettles and jellyfish. The authority conferred by this act shall terminate on July 1, 1961.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize exploratory research by the Secretary of the Interior in connection with methods of control or extermination of sea nettles and jellyfish in marine waters of the United States."

NATIONAL FARM-CITY WEEK

The joint resolution (H. J. Res. 317) designating the week of November 16 to 22, 1956, as National Farm-City Week was considered, ordered to a third reading, read the third time, and passed.

ESTABLISHMENT OF NATIONAL MOTTO OF THE UNITED STATES

The joint resolution (H. J. Res. 396) to establish a national motto of the United States was considered, ordered to a third reading, read the third time, and passed.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the committee report on House Joint Resolution 396, which was just passed, be printed at this point in the RECORD.

There being no objection, the report (No. 2703) was ordered to be printed in the RECORD, as follows:

The Committee on the Judiciary, to which was referred the joint resolution (H. J. Res. 396), to establish a national motto of the United States, having considered the same, reports favorably thereon without amendment and recommends that the joint resolution be agreed to.

PURPOSE

The purpose of the joint resolution is to establish "In God we trust" as the national motto of the United States.

STATEMENT

At the present time the United States has no national motto. The committee deems it most appropriate that "In God we trust" be so designated as our national motto.

The phrase "In God we trust" has received official recognition for many years. It was authorized to be placed on certain coins by the act of March 3, 1865 (13 Stat. 518). Further permissive authorization for inscribing "In God we trust" on coins was given in the Coinage Act of February 12, 1873 (17 Stat. 427). The first mandatory requirement for the use of this motto on certain coins was in the act of May 18, 1908 (35 Stat. 164). Last year Public Law 140 was enacted by the Congress making the use of "In God we trust" mandatory on all currency and coins of the United States.

Further official recognition of this motto was given by the adoption of the Star-Spangled Banner as our national anthem. One stanza of our national anthem is as follows:

"O, thus be it ever when free men shall stand
Between their lov'd home and the war's desolation!
Blest with vic'try and peace may the heav'n rescued land
Praise the power that hath made and preserved us a nation!
Then conquer we must when our cause it is just,
And this be our motto—'In God is our trust.'
And the star-spangled banner in triumph shall wave
O'er the land of the free and the home of the brave."

In view of these words in our national anthem, it is clear that "In God we trust" has a strong claim as our national motto.

It will be of great spiritual and psychological value to our country to have a clearly designated national motto of inspirational quality in plain, popular accepted English. The committee recognizes that the phrase "E pluribus unum" has also received wide usage in the United States. However, the committee considers "In God we trust" a superior and more acceptable motto for the United States. Accordingly, the committee recommends favorable consideration of House Joint Resolution 396.

BILL PASSED OVER

The bill (H. R. 2128) to authorize the extension of patents covering inventions whose practice was prevented or curtailed during certain emergency periods by service of the patent owner in the Armed Forces or by production controls was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

INCORPORATION OF NATIONAL MUSIC COUNCIL

The bill (H. R. 8110) to incorporate the National Music Council was considered, ordered to a third reading, read the third time, and passed.

Mr. WILEY subsequently said: Mr. President, with reference to Calendar No. 2752, H. R. 8110, I happened to be in the Judiciary Committee at the time it was passed this morning, and I should like to say that this bill, after passage by the House on May 21 of this year, was considered and favorably reported by the Senate Subcommittee on Federal Charters, Holidays and Celebrations of which the junior Senator from Wyoming [Mr. O'MAHONEY] is chairman and the junior Senator from Texas [Mr. DANIEL] and the senior Senator from Utah [Mr. WATKINS] are members.

The Senate Judiciary Committee has favorably reported the bill.

The charter is in appropriate form and would give national recognition and appropriate corporate powers to the National Music Council. This is an outstanding organization, of many years standing, which acts as a focal point for stimulating the enjoyment of music. Other art forms have already received such national recognition. And music, as an art enjoyed by all, should have a similar opportunity to bring its sponsors together into a national organization.

INCREASE IN VALUE OF REAL AND PERSONAL PROPERTY HELD BY THE ARCHAEOLOGICAL INSTITUTE OF AMERICA

The Senate proceeded to consider the bill (H. R. 9348) to amend the act entitled "An act incorporating the Archaeological Institute of America," to increase the value of real and personal property that such Institute may hold which had been reported from the Committee on the Judiciary with an amendment at the beginning of line 4, to strike out "Archeological" and insert "Archaeological."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to amend the act entitled 'An act incorporating the Archaeological Institute of America' to increase the value of real and personal property that such institute may hold."

PETER PANOS

The bill (S. 2915) for the relief of Peter Panos was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Peter Panos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien, as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

LELIA PARK

The bill (H. R. 1971) for the relief of Lelia Park was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF CERTAIN MEMBERS OF THE ARMED FORCES FOR TRANSPORTATION CHARGES OF HOUSEHOLD GOODS

The bill (H. R. 2121) to provide for the relief of certain members of the Armed Forces who were required to pay certain transportation charges covering shipment of their household goods and personal effects upon return from overseas, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

YI NYONG SUK

The Senate proceeded to consider the bill (S. 2786) for the relief of Yi Nyong Suk, which had been reported from the Committee on the Judiciary with an

amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of section 212 (a) (12) of the Immigration and Nationality Act, Yi Nyong Suk, the fiance of Lt. James F. Brown, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Yi Nyong Suk is coming to the United States with a bona fide intention of being married to the said Lt. James F. Brown and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Yi Nyong Suk, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event the marriage between the above-named persons shall occur within 3 months after the entry of the said Yi Nyong Suk, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Yi Nyong Suk as of the date of the payment by her of the required visa fee. The exemption provided for in this act shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LJERKA ZAGAR

The Senate proceeded to consider the bill (S. 3476) for the relief of Ljerka Zagar, which had been reported from the Committee on the Judiciary with an amendment, in line 5, after the word "of", to strike out "age." and insert "age, and the assurances heretofore filed on her behalf by the prospective adoptive United States citizen father shall be held and considered to meet the requirements of section 5 (b) of said act. Any application for a visa filed on her behalf pursuant to section 5 (a) of such act may be considered and processed notwithstanding the death of her prospective United States citizen adoptive father.", so as to make the bill read:

Be it enacted, etc., That, for the purposes of section 5 (a) of the Refugee Relief Act of 1953, Ljerka Zagar shall be held and considered to be under 10 years of age, and the assurances heretofore filed on her behalf by the prospective adoptive United States citizen father shall be held and considered to meet the requirements of section 5 (b) of the said act. Any application for a visa filed on her behalf pursuant to section 5 (a) of such act may be considered and processed notwithstanding the death of her prospective United States citizen adoptive father.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PETER JOCHER WEBB

The Senate proceeded to consider the bill (S. 3908) for the relief of Peter Jocher Webb, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 10, after the word "Act," to insert a colon and "*Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (1) of the Immigration and Nationality Act, Peter Jocher Webb may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PAYMENT OF CLAIMS ARISING OUT OF CRASHES OF AIR FORCE AND NAVY PLANES

The Senate proceeded to consider the bill (S. 4197) to waive the $1,000 limitation on the authority of the Secretary of the Air Force and the Secretary of the Navy with respect to the settlement and payment of claims arising out of the crash of a United States Air Force airplane at Minneapolis, Minn., on June 5, 1956, and a United States Navy airplane at Minneapolis, Minn., on June 9, 1956, which had been reported from the Committee on the Judiciary with an amendment, on page 2, after line 18, to insert:

SEC. 3. No part of the amounts awarded under this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

So as to make the bill read:

Be it enacted, etc., That the $1,000 limitation contained in the first section of the act of July 3, 1943, as amended (31 U. S. C. 223b), shall not apply with respect to claims arising out of the crash of a United States Air Force airplane near Wold-Chamberlain Air Field, Minneapolis, Minn., on June 5, 1956, and the crash of a United States Navy airplane near Wold-Chamberlain Air Field, Minneapolis, Minn., on June 9, 1956.

SEC. 2. With respect to claims filed as a result of the airplane crashes described in the first section of this act, the Secretary of the Air Force and the Secretary of the Navy shall, within 30 months after the date of the enactment of this act, transmit to the Congress a report setting forth—

(1) each claim settled and paid by the Secretary of the Air Force or the Secretary of the Navy, as the case may be, with a brief statement concerning the character and equity of each such claim, the amount claimed, and the amount approved and paid; and

(2) each claim submitted which has not been settled, with supporting papers and a statement of findings of facts and recommendations with respect to each such claim.

SEC. 3. No part of the amounts awarded under this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. THYE. Mr. President, the bill would permit settlement of claims for damages incurred in Air Force and Navy accidents at the Wold-Chamberlain Airport, Minneapolis, Minn.

I visited the scene of the crashes. Following my return to Washington on June 29, 1956, and after a conference with the Attorney General, I introduced a bill, S. 4140.

Also, on July 3, 1956, I introduced S. 4165, to provide relief for those who had suffered not only property damage, but whose families had lost their children, or whose families had been completely wiped out.

After some discussion of the question, I learned that it would be simpler to remove the $1,000 limitation which existed with respect to both the Air Force and the Navy relative to the settlement of such claims.

I then introduced a bill, S. 4238.

I learned that my colleague, the distinguished junior Senator from Minnesota [Mr. HUMPHREY], had introduced a similar bill to remove the $1,000 limitation which exists with respect to both the Navy and the Air Force.

Last week the House passed H. R. 12170, which had been introduced by Representative JUDD, of Minnesota. That bill provided only for the lifting of the $1,000 limitation with respect to the Navy; no mention was made of the Air Force accident, in which a mother and her daughter were killed when a plane struck their car on the highway.

Therefore, I suggest that the Senate adopt either the Humphrey-Thye bill as an amendment to the bill introduced by Representative JUDD, and passed by the House, so as to include the Air Force with the Navy, or that the Senate accept an amendment I have prepared to the bill. Whichever is simpler, I recommend.

Mr. ERVIN. Mr. President, I thank the distinguished Senator from Minnesota for his statement. There are now three bills relating to the subject matter, in part.

I ask unanimous consent that the name of the senior Senator from Minnesota [Mr. THYE] be added as a cosponsor of Senate bill 4197, and that the House bill 12170 be considered and amended by striking out all after the enacting clause and inserting in lieu thereof the provisions of Senate bill 4197.

Mr. THYE. That meets with my approval, Mr. President. I think, then, the bill will not have to go to conference; but may go immediately to the President.

Mr. ERVIN. I ask unanimous consent also that Calendar No. 2761, Senate bill 4238, be indefinitely postponed.

The PRESIDING OFFICER. Without objection the name of the senior Senator from Minnesota [Mr. THYE] will be added as a cosponsor of Senate bill 4197. Is there objection to the present consideration of Calendar No. 2762, H. R. 12170? There being no objection, the Senate

proceeded to the consideration of (H. R. 12170) to remove the present $1,000 limitation which prevents the Secretary of the Navy from settling certain claims arising out of a crash of a naval aircraft at Wold-Chamberlain Airfield, Minneapolis, Minn.

The PRESIDING OFFICER. Without objection, the amendment striking out all after the enacting clause and inserting the text of Senate bill 4197 is agreed to.

The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The PRESIDING OFFICER. Without objection, Senate bill 4197 and Senate bill 4238 are indefinitely postponed.

Mr. HUMPHREY of Minnesota. Mr. President, I want to express my deep appreciation to the chairman of the Judiciary Committee and to the majority leader for having acted so promptly and effectively in bringing before the Senate my bill to permit the Secretaries of the Navy and the Air Force to receive and settle the rightful claims of the victims of the unfortunate crashes of military aircraft at Wold-Chamberlain Field on June 5 and June 9 of this year.

Passage of this legislation toward which Senator THYE, Congressman JUDD, and I have been working ceaselessly since the middle of June, will permit the early settlement of well over $200,000 in claims resulting from these disastrous crashes. Thirteen deaths were involved, including nine children, and there were numerous injuries and severe property damage. It will be most reassuring to the survivors of the crashes to know that the Government will now be able to act promptly on their claims, thus avoiding the time consuming and expensive process of filing suit against the Government.

The law provides that the Secretaries of the three armed services are permitted to receive and settle claims under the Military Claims Act of July 3, 1943, but only up to the amount of $1,000. Now the Secretaries of the Navy and Air Force may act to settle in full the claims of the victims of the June 5 and June 9 crashes, whether or not an individual claim exceeds $1,000.

Mr. President, at this point I ask unanimous consent to have printed in the RECORD my letter to the Judge Advocate General of the Navy dated July 5, 1956, asking for his comments on an earlier bill which had been introduced and which I felt might be too cumbersome to administer.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 5, 1956.

The JUDGE ADVOCATE GENERAL,
Department of the Navy,
The Pentagon, Washington, D. C.
(Attention Capt. Rawdon Libby.)

DEAR SIR: I am enclosing for your attention a copy of S. 4140, introduced in the Senate on June 29, 1956, providing for the settlement of claims resulting from the crash of a United States Navy plane at Minneapolis, Minn., on June 9, 1956.

My understanding is that under the War Claims Act, the Secretary of the Navy is limited to receiving and settling claims only up to $1,000.

The question arises as Mr. Connell of my office pointed out to you earlier this week, whether this proposed legislation will cover both the War Claims Act and the Federal Tort Claims Act. The basic question, of course, is whether the proposed legislation will give the Navy sufficient authority to make a fair settlement with certain of the individuals involved in the subject crash who have suffered tremendous personal and property losses.

I should appreciate a reply at your earliest convenience.

Sincerely yours,

HUBERT H. HUMPHREY.

Mr. HUMPHREY of Minnesota. Mr. President, the reply of the Judge Advocate General confirmed my apprehensions about the earlier bill, and made suggestions for a new type of bill which would permit the Navy to act more quickly. I ask unanimous consent at this point to have printed in the RECORD a letter from the Judge Advocate General dated July 13, 1956.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE NAVY,
OFFICE OF THE JUDGE ADVOCATE GENERAL,
Washington, D. C., July 13, 1956.

Hon. HUBERT H. HUMPHREY,
United States Senate,
Washington, D. C.

MY DEAR SENATOR HUMPHREY: Receipt is acknowledged of your letter of July 5, 1956, enclosing a copy of S. 4140 introduced in the Senate on June 29, 1956, providing for the settlement by the Secretary of the Navy or his designees of claims resulting from the crash of a United States Navy plane near Wold-Chamberlain Air Field in Minneapolis, Minn., on June 9, 1956. You request the views of this office as to the sufficiency of this proposed legislation to authorize the Navy to make fair settlements with certain of the individuals involved in the subject crash who have suffered tremendous personal and property losses.

Since your letter was received in my office, this matter has been the subject of several telephone conversations between Mr. Connell of your office and Commander Reese and others in my office. To review briefly what has already been said: the War Claims Act to which your letter refers, otherwise known as the Military Claims Act, is the act of July 3, 1943, as amended, which was made applicable to the Navy by the act of December 28, 1945 (31 U. S. C. 223b and d). Claims of the type arising out of this aircraft crash at Minneapolis are normally settled under this act and its implementing regulations. As you have indicated, however, the administrative settlement authority of the Secretary of the Navy under the Military Claims Act is limited to those claims which do not exceed $1,000. Meritorious claims in excess of $1,000 may in accordance with this law be certified by the Secretary of the Navy to the Congress. Such claims are normally included in a deficiency or supplemental appropriation bill. As is to be expected under this law, claims which do not exceed $1,000 are expeditiously settled and paid by the Secretary of the Navy or his designees while those in excess of $1,000 must be certified to the Congress for appropriation prior to payment. This congressional processing of claims entails necessary delays and, of course, such claims lie dormant while the Congress is not in session.

The proposed bill, S. 4140, has been reviewed in my office and it is our view that its enactment would enable the Secretary of the Navy or his designees to make fair and equitable settlements to all the individuals involved in this subject crash. On the other hand, however, as Mr. Connell was advised, it is believed that the same objective could be accomplished, and with less trouble and delay, by a simple modification of the above-referred-to Military Claims Act to remove the $1,000 limitation upon the Secretary of the Navy's administrative settlement authority insofar as claims arising out of the aircraft crash at Minneapolis on June 9, 1956, are concerned.

Since appropriations are already available for the payment of claims cognizable under the Military Claims Act, the removal of the $1,000 limitation in this case would enable the Navy to go ahead under existing law and regulations to receive, adjudicate and promptly pay all claims arising out of this incident.

As a matter of information, a few of the smaller claims arising out of this incident have already been paid. All other claims, of course, will be expeditiously handled as soon as received. On the basis of information received from the field, however, it is not anticipated that any of the larger claims involving destroyed homes, personal injury or death will be presented in the very near future inasmuch as these claimants require more time in order fully to explore, itemize and document their losses.

You may be assured that the Navy meanwhile will continue to render all reasonable and proper aid and assistance to the claimants in this case.

Sincerely yours,

W. R. SHEELEY,
Rear Admiral, USN, Acting Judge Advocate General of the Navy.

Mr. HUMPHREY of Minnesota. Mr. President, on July 10 and 11, nearly identical bills were introduced in the House of Representatives and the Senate, with the exception that the Senate bill waived the $1,000 limitation in the case of the Air Force crash victims, as well as the Navy case, and required a report by the respective Secretaries as to the disposition of the several claims within 30 months after the bill became law.

Following passage by the House of Representatives of Congressman JUDD'S bill, the Judiciary Committee of the Senate acted on my bill, and then proceeded to substitute the language of my bill for the language of the House bill, which once again made possible the speedy passage of the desired legislation toward which Senator THYE, Congressman JUDD, and I had been working since the time of the crashes.

Once again, I wish to thank my fellow Senators for their cooperation in speeding this necessary and humane piece of legislation.

HERMENGILDO V. SANTOS AND HIS SON

The Senate proceeded to consider the bill (S. 2627) for the relief of Hermengildo V. Santos and his son, Felipe Cruz Santos, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Hermengildo V. Santos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of his last entry, upon payment of the required visa fee. Upon the granting of permanent

residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Hermengildo V. Santos."

JOSEPH SANTO

The bill (H. R. 2325) for the relief of Joseph Santo was considered, ordered to a third reading, read the third time, and passed.

EMANUEL MATHES

The bill (H. R. 2712) for the relief of Emanuel Mathes was considered, ordered to a third reading, read the third time and passed.

SETTLEMENT OF CLAIMS FOR DAMAGES BY AIRCRAFT IN FOREIGN COUNTRIES

The bill (H. R. 3561) to further amend the act of January 2, 1942, entitled "An act to provide for the prompt settlement of claims for damages occasioned by Army, Navy, and Marine Corps forces in foreign countries," was considered, ordered to a third reading, read the third time, and passed.

REGISTRATION OF CERTAIN PERSONS TRAINED IN FOREIGN ESPIONAGE SYSTEMS

The bill (H. R. 3882) to require the registration of certain persons who have knowledge of or have received instructions or assignment in espionage, counterespionage, or sabotage service or tactics of a foreign government or foreign political party, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF SECTION 1721, TITLE 18, UNITED STATES CODE, RELATING TO SALE OR PLEDGE OF POSTAGE STAMPS

The bill (H. R. 5417) to amend section 1721, title 18, United States Code, relating to the sale or pledge of postage stamps was considered, ordered to a third reading, read the third time, and passed.

PATRICIA MAY STEVENS

The bill (H. R. 6081) for the relief of Patricia May Stevens, was considered, ordered to a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 6595) to amend certain provisions of law relating to the estate tax.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 5256) to provide for the redemption by the Post Office Department of certain unsold Federal migratory-bird hunting stamps and to clarify the requirements with respect to the age of hunters who must possess Federal migratory-bird hunting stamps.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 8750) to amend the Watershed-Protection and Flood-Prevention Act, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COOLEY, Mr. POAGE, Mr. GRANT, Mr. HOPE, and Mr. A. H. ANDRESEN were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6040) to amend certain administrative provisions of the Tariff Act of 1930 and to repeal obsolete provisions of the customs laws.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 7643. An act to amend the Internal Revenue Code of 1939 and the Internal Revenue Code of 1954 with respect to foreign-tax credit for United Kingdom income tax paid with respect to royalties and other like amounts;

H. R. 9875. An act to amend the Internal Revenue Code of 1954 to provide that the tax on admissions shall apply only if the amount paid for the admission exceeds $1;

H. R. 12254. An act to provide additional time for the Tariff Commission to review the customs tariff schedules;

H. R. 12325. An act to constitute certain libraries as designated depositories of Government publications; and

H. J. Res. 647. Joint resolution to provide for the reappointment of Dr. Arthur H. Compton as Citizen Regent of the Board of Regents of the Smithsonian Institution.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

S. 849. An act to amend the Public Health Service Act, so as to provide for grants-in-aid to non-Federal public and nonprofit institutions for the constructing and equipping of facilities for research in the sciences related to health;

S. 1777. An act to amend the Interstate Commerce Act in order to authorize common carriers to carry a disabled person requiring an attendant and such attendant at the usual fare charged for one person;

S. 2163. An act for the relief of the city of Elkins, W. Va.;

S. 2572. An act to authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes;

S. 3832. An act to provide for the disposal of the Government-owned synthetic rubber research laboratories at Akron, Ohio;

S. 4256. An act to authorize the Honorable WILLIAM F. KNOWLAND, United States Senator from the State of California, to accept and wear the award of the Cross of the Grand Commander of the Royal Order of the Phoenix by the Government of the Kingdom of Greece;

H. R. 5265. An act to exempt certain additional foreign travel from the tax on the transportation of persons;

H. R. 6376. An act to confer upon Alaska autonomy in the field of mental health, transfer from the Federal Government to the Territory the fiscal and functional responsibility for the hospitalization of committed mental patients, and for other purposes;

H. R. 6595. An act to amend certain provisions of law relating to the estate tax;

H. R. 9038. An act to amend title 28 of the United States Code to provide that the Commonwealth of Puerto Rico shall be treated as a State for purposes of district court jurisdiction based on diversity of citizenship;

H. R. 9593. An act to simplify accounting, facilitate the payment of obligations, and for other purposes;

H. R. 11947. An act to extend and amend the Renegotiation Act of 1951;

H. R. 12034. An act to authorize the Secretary of the Interior to execute a contract with the Tule Lake Irrigation District, California, and for other purposes; and

H. J. Res. 604. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the United States World Trade Fair to be held in New York City, N. Y., from April 14 to April 27, 1957, and in the Oklahoma Semicentennial Celebration to be held in various communities in the State of Oklahoma from January 1 to December 31, 1957.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were read twice by their titles, and referred as indicated:

H. R. 7643. An act to amend the Internal Revenue Code of 1939 and the Internal Revenue Code of 1954 with respect to foreign tax credit for United Kingdom income tax paid with respect to royalties and other like amounts;

H. R. 9875. An act to amend the Internal Revenue Code of 1954 to provide that the tax on admissions shall apply only if the amount paid for the admission exceeds $1;

H. R. 12254. An act to provide additional time for the Tariff Commission to review the customs tariff schedules; to the Committee on Finance.

H. R. 12325. An act to constitute certain libraries as designated depositories of Government publications; and

H. J. Res. 647. Joint resolution to provide for the reappointment of Dr. Arthur H. Compton as Citizen Regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

REPEAL OF CERTAIN PROVISIONS OF THE BANKRUPTCY ACT

The bill (H. R. 6247) to amend subdivision (a) of section 66, unclaimed moneys of the Bankruptcy Act, as amended, and to repeal subdivision (b) of section 66 of the Bankruptcy Act, as amended, was considered, ordered to a third reading, read the third time, and passed.

CRIMINAL SANCTION FOR EMBEZZLEMENT OR THEFT OF PROPERTY OF INDIAN TRIBAL ORGANIZATIONS

The bill (H. R. 6403) to amend title 18, entitled "Crimes and Criminal Procedure," of the United States Code to provide a criminal sanction for the embezzlement or theft of the property of Indian tribal organizations was considered, ordered to a third reading, read the third time, and passed.

VALIDATION OF PAYMENTS OF MILEAGE MADE BY AIR FORCE PERSONNEL

The bill (H. R. 7121) to validate payments of mileage made to United States Army and Air Force personnel pursuant to permanent change-of-station orders authorizing travel by commercial aircraft, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

VALIDATION OF CERTAIN PAYMENTS TO FORMER MEMBERS OF THE NAVAL SERVICE

The bill (H. R. 8617) to validate certain payments made to members and former members of the naval service was considered, ordered to a third reading, read the third time, and passed.

HAMAZASP PSAKIAN AND OTHERS

The bill (H. R. 8971) for the relief of Hamazasp Psakian, Mrs. Varsenick Psakian, and Nune Nona Psakian was considered, ordered to a third reading, read the third time, and passed.

JOHN L. HUGHES

The bill (H. R. 9029) for the relief of John L. Hughes was considered, ordered to a third reading, read the third time, and passed.

COMPACT BETWEEN ILLINOIS AND WISCONSIN RELATING TO PUBLIC SCHOOL DISTRICTS

The bill (H. R. 9314) granting the consent of Congress to the States of Illinois and Wisconsin to enter into a compact relating to interstate public school districts where an educational community extends into both such States was considered, ordered to a third reading, read the third time, and passed.

NOTICES OF THE BANKRUPTCY ACT

The bill (H. R. 9956) to amend subdivision (e) of section 58, Notices of the Bankruptcy Act, as amended, was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF TITLE 18, UNITED STATES CODE, TO INCLUDE CERTAIN SAVINGS AND LOAN ASSOCIATIONS—BILL PASSED TO FOOT OF CALENDAR

The bill (H. R. 10111) to amend sections 657 and 1006 of title 18 of the United States Code in order to include certain savings and loan associations within its provisions was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. KNOWLAND. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. An explanation has been requested of Calendar No. 2778, House bill 10111.

Mr. ERVIN. Mr. President, I suggest that the bill go to the foot of the calendar, since the chairman of the committee is not present.

The PRESIDING OFFICER. The bill will be passed to the foot of the calendar.

AMENDMENT TO UNITED STATES CODE RELATING TO ANIMALS, BIRDS, AND FISH

The bill (H. R. 11636) to amend chapter 3 of title 18, United States Code, relating to animals, birds, and fish was considered, ordered to a third reading, read the third time, and passed.

INCREASE IN FEES OF WITNESSES IN UNITED STATES COURTS

The bill (H. R. 11653) to increase the fees of witnesses in the United States States courts and before United States commissioners, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

KIM CHUNG HI

The bill (H. R. 11706) for the relief of Kim Chung Hi was considered, ordered to a third reading, read the third time, and passed.

ESTERLEE HUTZLER WEINHOEPPEL

The Senate proceeded to consider the bill (H. R. 11821) for the relief of Esterlee Hutzler Weinhoeppel, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert in lieu thereof:

That the act entitled "An act for the relief of Mrs. Esterlee Hutzler Weinhoeppel," approved August 24, 1954 (68 Stat. A196), is amended by striking out the following: "*: Provided further*, That failure to establish permanent residence in the United States within a period of 18 months following the enactment of this act shall result in the divestiture of United States citizenship acquired by Mrs. Esterlee Hutzler Weinhoeppel under this act."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

NEW YORK, NEW JERSEY, AND CONNECTICUT INTERSTATE SANITATION

The joint resolution (H. J. Res. 511) granting the consent of Congress to the States of New York, New Jersey, and Connecticut to confer certain additional powers upon the Interstate Sanitation Commission was considered, ordered to a third reading, read the third time, and passed.

WAIVER OF CERTAIN PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT

The joint resolution (H. J. Res. 661) to waive certain provisions of the Immigration and Nationality Act was considered, ordered to a third reading, read the third time, and passed.

EXTENSION OF POWER TO ENTER INTO CERTAIN INTERSTATE COMPACTS BY PUERTO RICO

The bill (H. R. 5274) extending to the Commonwealth of Puerto Rico the power to enter into certain interstate compacts was considered, ordered to a third reading, read the third time, and passed.

The title was amended so as to read: "A bill extending to Alaska, Hawaii, the Commonwealth of Puerto Rico, the Virgin Islands, and the District of Columbia the power to enter into certain interstate compacts relating to the enforcement of the criminal laws and policies of the States."

CYRUS B. FOLLMER

The Senate proceeded to consider the bill (H. R. 11207) for the relief of Cyrus B. Follmer, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 1, after the word "Act", to strike out "in excess of 10 per centum thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PAUL H. SARVIS, SR.

The Senate proceeded to consider the bill (H. R. 3062) for the relief of Paul H. Sarvis, Sr., which had been reported from the Committee on the Judiciary with amendments, on page 2, line 2, after "June 21,", to strike out "1953; and Paul H. Sarvis, Sr., shall not be liable for any transportation, loading, or warehouse storage charges which may have accrued on or after such date with respect to such five thousand pounds of seed: *Provided*, That no part of the amount appropriated in this act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000." and insert "1953."; and after line 14, to insert:

SEC. 2. The acceptance of the sum authorized to be paid by the first section of this act by the said Paul H. Sarvis, Sr., shall constitute a sale by him to the Commodity

Credit Corporation of all his right, title, and interest in and to such seed; and Paul H. Sarvis, Sr., shall not be liable for any transportation, loading, or warehouse storage charges which may have accrued on or after such date with respect to such five thousand pounds of seed.

SEC. 3. No part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act for the relief of Paul H. Sarvis, Sr., and for other purposes."

FORMER SHAREHOLDERS OF GOSHEN VENEER CO.—BILL PASSED TO FOOT OF CALENDAR

The bill (H. R. 10092) for the relief of former shareholders of the Goshen Veneer Co. was announced as next in order.

Mr. DOUGLAS. Mr. President, in view of the sum of money involved in the bill, some $279,000, I think there should be an explanation of the bill.

The PRESIDING OFFICER. An explanation is requested of Calendar No. 2788, House bill 10092.

Mr. JOHNSON of Texas. Mr. President, I ask that the bill go to the foot of the calendar. The chairman of the committee is not present.

The PRESIDING OFFICER. The bill will be placed at the foot of the calendar.

CERTAIN RELATIVES OF UNITED STATES CITIZENS

The Senate proceeded to consider the joint resolution (H. J. Res. 662) for the relief of certain relatives of United States citizens, which had been reported from the Committee on the Judiciary with amendments, on page 2, line 3, after the word "Act", to insert a colon and "*And provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act:"; in line 11, after the name "Hsieh", to insert "Mario Infantino"; in line 13, after the name "Medic", to insert "Yeup Yeon Micuch"; and in line 14, after the name "Ordonez", to insert "Hedwig M. Perrine."

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

WAIVER OF CERTAIN PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT

The Senate proceeded to consider the joint resolution (H. J. Res. 680) to waive certain provisions of the Immigration and Nationality Act, which had been reported from the Committee on the Judiciary with amendments, on page 1, at the beginning of line 3, to strike out

That, notwithstanding the provision of section 212 (a) (1) of the Immigration and Nationality Act, Elda Mondillo may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

SEC. 2. Notwithstanding the provision of section 212 (a) (4) of the Immigration and Nationality Act, Maria Di Benedetto and Mrs. Jerry A. Hackler may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act: *Provided*, That suitable and proper bonds or undertakings, approved by the Attorney General, be deposited as prescribed by section 213 of that act.

And, in lieu thereof, to insert:

That, notwithstanding the provision of section 212 (a) (1) of the Immigration and Nationality Act, Maria Di Benedetto and Elda Mondillo may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited in each case as prescribed by section 213 of the said act.

On page 2, at the beginning of line 17, to change the section number from "3" to "2"; in line 18, after the numeral "(9)" to insert "and (12)"; on page 3, at the beginning of line 14, to change the section number from "4" to "3"; on page 4, at the beginning of line 1, to change the section number from "5" to "4"; at the beginning of line 3, to strike out "Mrs. Anneliese Martin (nee Fesslmayer),"; at the beginning of line 10, to strike out "Dickerson" and insert "Dickson"; at the beginning of line 13, to change the section number from "6" to "5"; on page 5, at the beginning of line 10, to change the section number from "7" to "6"; at the beginning of line 16, to change the section number from "8" to "7"; at the beginning of line 21, to change the section number from "9" to "8"; on page 6, at the beginning of line 3, to change the section number from "10" to "9"; and at the beginning of line 9, to change the section number from "11" to "10."

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

WAIVER OF CERTAIN PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT

The Senate proceeded to consider the joint resolution (H. J. Res. 681) to waive the provisions of the Immigration and Nationality Act, which had been reported from the Committee on the Judiciary with amendments, on page 2, line 3, after the word "Act", to insert a colon and "*Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act:"; in line 9, after the name "Welland", to strike out "and", and in line 10, after the name "Dall'Osteria", to strike out "Blakeslee." and insert "Blakeslee, and Dr. Lewis de Huszovszky."

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 683) for the relief of certain aliens, which had been reported from the Committee on the Judiciary with amendments, on page 2, line 15, after the word "children", to strike out "Spiridon" and insert "Spyridon"; on page 4, at the beginning of line 7, to strike out "Pender and Mrs. Pender, citizens" and insert "Pender, a citizen"; on page 5, line 6, after the word "child", to strike out "Panorea" and insert "Panoraea"; and on page 6, after line 23, to insert:

SEC. 27. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Yumi Mense, shall be held and considered to be the natural-born alien child of Mr. Alfred L. Mense, a citizen of the United States.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

CONSTRUCTION OF BRIDGE ACROSS THE MISSISSIPPI RIVER

The bill (H. R. 10679) granting the consent of Congress to the establishment by the States of Mississippi and Arkansas of a bi-State commission to investigate the possibilities of constructing a railroad bridge across the Mississippi River was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 2709) to provide for standby authority for priorities in transportation by merchant vessels in the interest of national defense, and for other purposes, was announced as next in order.

Mr. PURTELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF RAILROAD RETIREMENT ACT PROVIDING INCREASES IN BENEFITS

The Senate proceeded to consider the bill (S. 3616) to amend the Railroad Retirement Act of 1937, to provide increases in benefits, and for other purposes, which had been reported from the Committee on Labor and Public Welfare with an amendment, to strike out all after the enacting clause and insert:

That (a) section 3 (a) of the Railroad Retirement Act of 1937 is amended by striking out "2.75," "2.07," and "1.38" and inserting

in lieu thereof "3.04," "2.28," and "1.52," respectively.

(b) So much of section 3 (e) of such act as precedes *"Provided, however"* is amended to read as follows: "(e) In the case of an individual having a current connection with the railroad industry, the minimum annuity payable shall, before any reduction pursuant to section 2 (a) 3, be whichever of the following is the least: (1) $4.55 multiplied by the number of his years of service; or (2) $75.90; or (3) his monthly compensation:".

SEC. 2. (a) Section 5 (h) of the Railroad Retirement Act of 1937 is amended by striking out "$30," "$160," and "$14" wherever they appear and inserting in lieu thereof "$33.00," "$176," and "$15.40," respectively.

(b) Section 5 (1) (10) of such act is amended by striking out "40," "10," "$14," "$33.33," "$25," and "$13.33" wherever they appear and inserting in lieu thereof "44," "11," "$15.40," "$36.66," "$27.50," and "$14.66," respectively.

SEC. 3. All pensions under section 6 of the Railroad Retirement Act, all joint and survivor annuities and survivor annuities deriving from joint and survivor annuities under that act awarded before July 1, 1956, and all annuities under the Railroad Retirement Act of 1935 are increased by 10 percent.

SEC. 4. The amendments made by the first section of this act and by subsection (a) of section 2 shall be effective only with respect to annuities (not including annuities to which section 3 applies) accruing for months after June 1956. The amendments made by subsection (b) of section 2 shall be effective only with respect to annuities accruing for months after June 1956 and lump-sum payments (under section 5 (f) (1) of the Railroad Retirement Act of 1937) in the case of deaths occurring after June 1956. Section 3 shall be effective only with respect to pensions due in calendar months after July 1956 and annuities accruing for months after June 1956.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend the Railroad Retirement Act of 1937 to provide increases in benefits and for other purposes."

WILLIAM J. BOHNER

The bill (H. R. 1739) for the relief of William J. Bohner was considered, ordered to a third reading, read the third time, and passed.

MARY PALANUK

The bill (S. 1783) for the relief of Mary Palanuk was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That notwithstanding any statute of limitations, lapse of time, or any prior adjudication of this claim by any court of the United States, jurisdiction is hereby conferred upon the United States District Court for the District of North Dakota to hear, determine, and render judgment in the claim of Mary Palanuk, arising out of the death of James Palanuk, on December 25, 1947, under a policy of national service life insurance issued on the life of the said James Palanuk by the Veterans' Administration. In the adjudication of such claim the said James Palanuk shall be held and considered to have filed timely application for waiver of premiums under said policy of national service life insurance on the ground of total disability for the period August 25, 1945, to December 25, 1947, date of death. Such suit may be instituted at any time within 1 year after the date of enactment of this act: *Provided, however*, That nothing contained in this act shall be construed as an inference of liability on the part of the United States Government.

ESTABLISHMENT OF STATE COMMITTEES ON EDUCATION

The Senate proceeded to consider the bill (S. 4211) to encourage and assist the States in the establishment of State committees on education beyond the high school, and for other purposes, which had been reported from the Committee on Labor and Public Welfare with amendments, on page 1, line 8, after the word "adults", to strike out "and"; on page 2, at the beginning of line 1, to insert "and the impact of the military services on youth"; in line 11, after the word "levels", to insert "including the possibility of coordinating compulsory military service with established programs of institutions of higher education"; on page 3, line 12, after the word "School", to insert "which committee insofar as practicable shall be composed of educators and educational administrators fairly representative of the large and small universities and colleges and geographically representative of the Nation."; and on page 4, after line 12, to insert:

SEC. 6. The President's Committee on Education Beyond the High School shall make its final report in writing to the President and to the Congress no later than December 31, 1957.

So as to make the bill read:

Be it enacted, etc., That the Congress hereby finds and declares that the impending great increases in enrollment in higher education institutions, the great national need for increased numbers of scientists, engineers, teachers, technicians, nurses, and other trained personnel, the rapid changes in conditions which necessitate additional education for many adults, the dependence of the national security on the research and advance preparation provided by educational institutions, and the impact of the military services on youth, combine to make it imperative that immediate stimulus be given to planning and action throughout the Nation which will meet adequately the needs for education beyond the high school.

SEC. 2. (a) To encourage and assist each State to provide for a State committee on education beyond the high school, composed of educators and other interested citizens, to consider educational problems beyond the high school and to make recommendations for appropriate action to be taken by public and private agencies at local, State, regional, and Federal levels, including the possibility of coordinating compulsory military service with established programs of institutions of higher education, there is hereby authorized to be appropriated the sum of $800,000. Sums appropriated pursuant to this section shall be allotted to the States on the basis of their respective populations according to the latest figures certified by the Department of Commerce except that no State's allotment shall be less than $7,500.

(b) The Commissioner of Education shall pay its allotment to each State which, through its Governor or other State official designated by the Governor, undertakes to accept and use the sums so paid exclusively for the purposes set forth in subsection (a), including the expenses of studies and conferences, and to have its State committee on education beyond the high school make a report of its findings and recommendations to the Commissioner for the use of the President's Committee on Education Beyond the High School. Sums appropriated pursuant to this section shall remain available until June 30, 1958, and any such sums remaining unpaid to the States or unobligated by them as of that date shall be returned to the Treasury.

SEC. 3. (a) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1957, and the fiscal year ending June 30, 1958, such sums as the Congress may determine, for the administration of this act and the expenses of the President's Committee on Education Beyond the High School which committee insofar as practicable shall be composed of educators and educational administrators fairly representative of the large and small universities and colleges and geographically representative of the Nation.

(b) Persons (other than those whose travel expenses are payable from allotments under section 2 (a)), while away from their homes or regular places of business at conferences called by the President's Committee, and members of the Committee, while attending conferences or on other business of the Committee away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U. S. C. 73b-2) for persons in the Government service employed intermittently.

(c) The Secretary of Health, Education, and Welfare is authorized to appoint, without regard to the civil-service laws, an executive director for the President's Committee at a salary to be fixed by the Secretary, but not in excess of $14,000 per annum.

SEC. 4. The Commissioner is authorized to accept funds, equipment, personal services, and facilities donated for purposes of this act and to use the same in accordance with such purposes.

SEC. 5. For the purposes of this act, the term "State" includes the District of Columbia, Alaska, Hawaii, Puerto Rico, and the Virgin Islands.

SEC. 6. The President's Committee on Education Beyond the High School shall make its final report in writing to the President and to the Congress no later than December 31, 1957.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF FOOD, DRUG, AND COSMETIC ACT TO SIMPLIFY PROCEDURES

The bill (H. R. 9547) to amend sections 401 and 701 (e) of the Federal Food, Drug, and Cosmetic Act so as to simplify the procedures governing the prescribing under certain provisions of such act, and other purposes, was considered, ordered to a third reading, read the third time, and passed.

EXTENSION OF PROGRAMS OF FINANCIAL ASSISTANCE IN THE CONSTRUCTION OF SCHOOLS

The Senate proceeded to consider the bill (H. R. 11695) to extend until June 30, 1958, the programs of financial assistance in the construction and operation of schools in areas affected by Federal activities under the provisions of Public Laws 815 and 874, 81st Congress, and to make certain other changes in such provisions, which had been reported from the Committee on Labor and Public Welfare with amendments, on

page 5, line 8, after the word "sale", to insert "or transfer"; on page 14, line 13, after the word "year", strike out "following the sale" and insert "in which occurred the sale or transfer", and in line 16, after the word "sale", to insert "or transfer."

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HILL. Mr. President, I am advised by the Department of Health, Education, and Welfare, that there should be a renumbering of one section, and I therefore offer the following amendment: On page 10, after line 25, insert the following new subsection:

(d) Subsection (c) of section 3 of such act is amended by striking out "subsection (c) (2)" and inserting in lieu thereof "subsection (c) (4)."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alabama [Mr. HILL].

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which Calendar No. 2801, House bill 11695, was passed be reconsidered.

Mr. HILL. Mr. President, I move to lay the motion to reconsider on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama to lay on the table the motion of the Senator from Texas.

The motion to lay on the table was agreed to.

DEVELOPMENT OF COASTWISE TRADE AND CONSTRUCTION OF NEW VESSELS—BILL PASSED OVER

The bill (H. R. 11122) to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes, was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, I ask that the bill go over, in accordance with the agreement I had with the Senator from Delaware [Mr. WILLIAMS] some time ago.

The PRESIDING OFFICER. The bill will be passed over.

Mr. WILLIAMS. Mr. President, with reference to Calendar 2802, House bill 11122, I wish to file a permanent objection to that bill being considered on a call of the calendar.

I also send to the desk two amendments to the bill, which I shall call up when and if the bill comes before the Senate for consideration. There will also be other amendments which will be offered at the time.

The PRESIDING OFFICER. The amendments will be received and printed, and will lie on the table.

Mr. WILLIAMS. This is the bill which was defeated once by the Senate by an overwhelming vote. It was a bill which was accurately described at the time as an attempt to give a $20 million windfall for the benefit of one company—a tax exempt benefit, in that the bill provides that this company will not even have to pay income tax on this $20 million bonus.

Originally these ships were purchased from the Government about 10 or 15 years ago at a cost of about $800,000 each.

The bill would force the Government to buy the ships at a cost of $1,600,000 each from the same company.

In addition, the bill provides for tax exemption on the $20 million, in that the company would not have to pay income taxes on that amount. The bill also contains certain other provisions which were designed to benefit this favored company.

Mr. President, the bill passed the House of Representatives under rather peculiar circumstances, which will be discussed at the appropriate time.

As I have said, a similar bill was overwhelmingly rejected by the Senate 2 weeks ago, and I am confident it is a bill which will be overwhelmingly rejected again if it is brought up. It is nothing less than an inexcusable attempt to give a $20 million windfall to one company. We defeated it once and we can defeat it again if the proponents dare to bring it up.

Mr. ERVIN. Mr. President, this bill has never been voted on by the Senate. Upon my motion, the bill was recommitted to the Senate Committee on Interstate and Foreign Commerce, to the end that that committee might have an opportunity to pass on the amendments which the Maritime Administration desired to have made to the bill. After the bill was recommitted, I obtained from the Maritime Administration a statement with respect to that matter, and those amendments were explained to the members of the Senate Committee on Interstate and Foreign Commerce.

I regret that I was not on the floor of the Senate on Saturday, when the Senator from Delaware made a statement indicating that he thought someone was trying to suppress action on the bill.

I wish to say I have been informed that the delay in reporting the bill to the Senate was occasioned merely by the fact that the committee staff was largely overburdened with work, and it was necessary to write a report to accompany the bill, and the report was not completed until Saturday.

Every Senator has a right to his own opinion with respect to the merits or demerits of proposed legislation. I have the opinion that this proposed legislation will be beneficial to the United States and will promote the national defense. The Senator from Delaware disagrees with my view, as he is entitled to do.

But, Mr. President, since so much has been said about the bill, I ask unanimous consent that there be printed at this point in the body of the RECORD the committee report, so that it may be read by the Members of the Senate, and so that they can appraise in their own ways the conflicting positions taken by various Senators with respect to the bill.

There being no objection, the report (No. 2754) was ordered to be printed in the RECORD, as follows:

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H. R. 11122) to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

H. R. 11122 is a companion bill to S. 3877 and passed the House on the Consent Calendar July 16, 1956.

The Senate bill (S. 3877) was reported favorably with amendments by your committee on July 3, 1956. After some discussion on the floor of the Senate, the bill was recommitted to your committee on July 13, 1956, on motion by the reporting Senator for further consideration of amendments suggested by the Department of Commerce and the Bureau of the Budget.

The amendments suggested by the Bureau of the Budget were set out in a letter dated July 6, 1956, and publicized on the floor of the Senate on July 11, 1956. Such amendments were never sent to your committee for consideration, and its first knowledge thereof was when they were publicized on the floor of the Senate. Further, the covering letter from the Bureau of the Budget stated that the memorandum on the suggested amendments had been transmitted to the "House leadership." On July 13, 1956, in answer to an oral request, an official of the Bureau of the Budget advised that the memorandum in question had been sent to the White House.

In any event it appears that on July 6, 1956, only the Bureau of the Budget, the White House, the Maritime Administration, and possibly the addressee of the letter and memorandum in question had knowledge of the recommendations. No member of your committee, which has jurisdiction in this field, knew of their existence until July 11, 1956. This is pointed out since our hearings were held June 13 and our report submitted July 3, 1956. We will comment on all of the suggested amendments later in the report.

The amendments to H. R. 11122 by your committee are merely of a typographical nature and correct some errors made in the placing of punctuation. No substantive amendments to the House bill, as passed, were made by your committee.

PURPOSE OF THE BILL

The bill is designed to encourage the construction of a new-type vessel, commonly referred to as the lift-on, lift-off type combination dry cargo-tanker and to promote the development and rehabilitation of the coastwise trade. It authorizes and directs the Secretary of Commerce to charter (for 5 years or longer) certain war-built tankers, presently located in the Government laid-up fleet, to qualified applicants as expressed in the bill and determined by the Secretary of Commerce, for use in the United States domestic coastwise trade. The charter hire for each tanker shall be $150,000 per year plus other considerations required by the terms of the bill. These include:

1. Installation of an upper deck in accordance with the requirements of paragraph 1 (F) 1 of the bill and in accordance with plans and specifications approved by the Secretary of Commerce and by the Secretary of the Navy.

2. Construct in a United States shipyard one dual-purpose cargo-tankship containing the requirements of paragraph 1 (F) 2 for each 2 tankers chartered.

3. Restrict the operation of the new cargo-tankship to the United States domestic coastwise trade for a period of 10 years after its construction.

4. Restrict the operation of each chartered tanker to the United States domestic coastwise trade during the life of the charter.

5. Permit operation of the new cargo-tankship and the chartered tanker in any trade if such operation is for the account of any department or agency of the United States and is approved by the Secretary of Commerce.

6. Redeliver each chartered tanker to the United States in good operating condition, including class, ordinary wear and tear excepted.

7. Agree to other terms and conditions the Secretary of Commerce deems necessary to protect the interests of the United States.

In this regard, the committee feels that the public hearing disclosed two provisions which the Secretary of Commerce should include in every charter executed under the authority contained in this bill. The first is that the charterer insure the vessel at his own expense during the life of the charter and such insurance coverage should include the undepreciated cost (that is, cost less depreciation) of the required deck installation. This is an obligation of the United States to the charterer if the charter is terminated prior to expiration for any reason not the fault of the charterer. Thus, if the vessel becomes a constructive or actual total loss without the charterer being at fault, the United States would be reimbursed for the undepreciated (cost less depreciation) deck installation cost from the insurance proceeds, which in turn would be paid to the charterer. Referring to the remaining insurance, the United States should be the assignee of all insurance and, in the event of actual or constructive total loss of the vessel, would distribute the proceeds between the United States and the charterer as their interests may appear. The second provision which should be incorporated into each charter is that the Secretary during a national emergency may terminate the charter upon such notice as the Secretary of Commerce may determine. Further, along this same vein, that the vessels shall be made available to any department or agency of the United States when required to meet the needs of the United States which cannot be met by commercial interests, or to meet emergency requirements short of full mobilization as determined by the Secretary of Commerce.

The language contained in the charter should be so phrased to insure that the tankers are restricted to the coastwise trade during the life of the charter and should not indicate that the charterer may bid for governmental accounts in competition with unrestricted commercial operators and employ the tankers in other than the coastwise trade for Government accounts. Sections 1 (f) (3) and 1 (f) (4) are inserted for the convenience and pleasure of the Government, not the applicant.

Section 2 of the bill permits the charter of tankers only in pairs or multiples of two.

Section 3 enumerates the obligations of the United States. The Government must, at its own expense, place each tanker chartered in good operating condition, including class, before it is chartered. Also, if the charter is terminated for any reason not the fault of the charterer, "the United States shall pay to the chrrterer the depreciated cost of the deck installation" * * * which "shall be depreciated at the rate of 20 percent per annum." Lest there be a semantic question arising from the terminology "depreciated cost" and "undepreciated cost," for the purpose of section 3 (b) of the bill, both terms have the same interpretation and meaning. They mean "construction cost less depreciation." Thus, if the charter is canceled at the end of 2 years and the charterer is faultless, the United States shall pay to the charterer 60 percent of the cost of the deck installation, the remaining 40 percent having been depreciated or used by the charterer.

Section 4 of the bill provides the trade-in provisions and credit allowances extended to the charterer by the United States. The bill permits the trade in of two dry-cargo vessels for an allowance of credit against the purchase price of a new cargo-tank ship as described in section 1 (F) 2 but not against the charter hire for a chartered tanker in section 1 (e). The credit allowance shall be paid by the Secretary of Commerce direct to the United States shipbuilder on terms and conditions approved by the Secretary. The dry-cargo vessels traded in must comply with the eight enumerated requirements of section 4 to be eligible for trade-in and credit.

The dry-cargo vessels shall be traded in and title thereto passed to the United States and the credit allowance shall be fixed by the Secretary of Commerce at the time of the execution of the shipbuilding contract for the new cargo-tank ship and such credit allowance shall be not less than the world market value of the dry-cargo vessel for operation under foreign registry. The scrap value and the depreciated value based upon a 20-year life need not be considered as is now required by section 510, Marchant Marine Act of 1936. Outstanding mortgage indebtedness to the United States shall reduce the credit allowance and discharge the mortgage. In addition, section 4 permits the rechartering of the traded-in dry-cargo vessel after the United States has taken title and during the time the new cargo-tank ship is being constructed at the specified charter hire rate limited only by the time of delivery of the new cargo-tank ship.

Section 5 of the bill explains the tax basis of the new cargo-tank ship.

Section 6 limits the execution of all charters of tankers under the bill to 2 years after the date of enactment of the act. The committee desires to point out that the "charter" referred to in section 6 refers to the tanker charter of section 1 (a) and not the dry-cargo charter of section 4 (a). It is contemplated that the building of the new cargo-tank ships may be extended over a 5-year period and the charter of certain dry-cargo vessels traded in is permitted until such cargo-tank ship is delivered. It is also contemplated, as was brought out at the hearing, that all tanker charters must be executed within 2 years after the enactment of the bill, and the construction contract for the new cargo-tank ship must be executed and approved at the time the tanker charters are executed (that is, signed). In response to questioning on this point, Admiral Ford, Deputy Maritime Administrator, said:

"I would think that when he (applicant) comes in to charter these vessels that he would at that time be able to sign a building contract for each vessel in return for the two chartered vessels."

In answer to the question, "In other words, it is your interpretation that no building contract would be signed after a 2-year period? It would have to be signed within that 2-year period?" Admiral Ford answered: "I would say so; yes."

Later, at the hearing, testifying on the same point, Mr. Malcolm McLean, chairman of the board of Waterman Steamship Corp. and its coastwise affiliate, Pan-Atlantic Steamship Corp., a possible applicant under the bill, stated:

"I interpret that to mean the bill provides for a 2-year period. Anybody who can't act and get the program within that 2-year period will not be able to do so."

With respect to the 2-year period, the following questions and answers are pertinent:

"Then at the time you charter these ships from the Maritime Administration, do you anticipate that you would have the construction contract prepared or executed, or approved within that 2-year period for these new cargo carriers?

"Mr. McLEAN. Yes, sir.

"So as a practical matter * * * you would have chartered all 20 ships and have contracted for all 10 new cargo ships within a 2-year period.

"Mr. McLEAN. If we hadn't actually let the contract for the ships we would have traded in two of our C–2 vessels. And we would lose our vessels if we didn't build the ships.

"What I was getting at was this: Do you interpret that last section as meaning that you have executed the contracts, or that you merely have the contracts approved, or discussed at the end of the 2-year period?

"Mr. McLEAN. I mean that a contract will have had to be entered into with the Government to charter the vessels and to build."

Later testimony indicated that the building program itself would extend over a 5-year period but that all tanker charter contracts and cargo-tank ship construction contracts must be executed within a 2-year period. This is not true of the dry-cargo charter as it is optional with the charterer as to whether he desires these vessels and conceivably he could charter two dry-cargo vessels under section 5 at any time prior to delivery of the new cargo tank ship.

The Department of Commerce now has 39 tankers under its jurisdiction in the laid-up fleet—17 of which are type T2–SE–A2, which are the speedier and more desirable ships. The Navy has been allocated 10 of these tankers by the Secretary of Commerce for use and has expressed the need of the additional 7 to solve a pressing logistic problem which now confronts it. The bill, as introduced, contained the names of these 17 tankers plus 3 others of type T2–SE–A1, which are 2½ knots slower ships. The bill has been amended to eliminate the 20 tankers by name and enlarging the category to all tankers under the jurisdiction of the Secretary. The committee feels that the Secretary of Commerce is in a better position to effect the actual allocation of the tankers between the Navy and any applicants under the bill. Therefore it suggests that the matter of allocation be worked out administratively rather than through legislation and that the Secretary be fair and reasonable in evaluating the factors involved prior to allocation.

A great deal of testimony has been offered with regard to the cost elements in the bill, namely the charter hire rate of the tankers and the trade-in allowance of the dry-cargo ships. It is true that the tanker charter hire figure may be somewhat low at current market rates and it is equally true that the trade-in allowance is somewhat higher than existing Maritime Administration policy, but not higher than existing law permits. The committee does not agree with the opponents to the bill who say that both figures conceal a subsidy to the applicant. Such opponents must recognize that one of the immediate purposes of the bill is to encourage the construction of new vessels. Each new cargo-tank ship built hereunder will cost approximately $10 million. In addition, the bill contains a safeguard that the new ships must be contracted for within 2 years which places a potential applicant under the bill in a position whereby he must act within a 2-year period, even though the building period may be longer and his personal financial risk will certainly be spread out over a much longer period. In addition, the applicant is entering into a relatively new field, the economics of which are yet to be truly evaluated. The applicant is pioneering in a sense, and pioneering is always a risky and unpredictable venture. Today, in addition to courage, pioneering requires capital and efficient operation.

The charter hire in the amended bill has been fixed at $150,000 per vessel per year. On the basis of a 5-year charter this will return to the Government $750,000 in charter hire. This represents more than 60 percent of the domestic market value for T–2 tankers which have recently been sold or

offered for sale. In addition to the charter hire of $750,000, the charterer must install, at his expense, on the chartered tanker an upper deck which is estimated to cost at least $200,000 per vessel, making the total charter hire and deck installation cost to charterer $950,000 per vessel.

The bill provides that the trade-in allowance shall be the foreign market value of the vessel traded in. This is estimated to be about $1,600,000 per vessel at the present time. Again the trade-in of two obsolete vessels there must be constructed one new 32,000-ton supertanker which will cost approximately $10 million. This tanker is restricted to operation in the coastwise trade for 10 years and no allowance for national defense features because of the 18-knot speed will be granted (in some cases recently the Government has paid as much as $1 million for excess speed and this expense will be saved with respect to the new tankers required to be built under this bill). This savings, coupled with the amount of charter hire obtained by the Government for each two chartered tankers ($1,500,000) more than eliminates the difference in the domestic market value of the vessel traded in and the foreign market value.

As a practical matter, the committee is cognizant of the fact that this new cargo-tank ship represents the placing into operation of an idea that maritime men have been discussing for years, but upon which no positive action has been taken. The industry itself is one where new ideas and techniques should be welcomed and lauded as they are much more the exception than the rule. Discussion of a new idea merely takes time. Adapting and perfecting it takes time, money, and ingenuity. Placing it into commercial operation in competition with accepted and proven methods of operations requires faith, ability, and risk. Under this bill, the charterer of each two tankers will have an initial capital investment of at least $10 million in a vessel whose commercial and economic competence has not been established. Depending upon many factors, which are impossible to evaluate at this time, the venture could be a failure as well as a success. In addition, the charterer has chartered for 5 years, possibly longer, two tankers at a fixed charter-hire rate. Whether this rate will work to his advantage or disadvantage over a 5-year period is another elusive question which is well within the realm of conjecture. It is another calculated risk which he must assume in a widely fluctuating market. The dry-cargo vessels traded in are still another insoluble. By today's rates and standards the trade-in price is somewhat high primarily due to existing Maritime Administration policy. On the basis of supply and demand, it is normal. Who is to say that the value of 10 dry-cargo vessels will not continue to increase as ships of this class continue to age without being replaced? Lastly the failure of the applicant to fulfill his building contract results in the complete forfeiture of his traded-in vessels without reimbursement. Every vessel owner realizes the enormity of such a gamble, no matter what the trade-in allowance. Under this bill, an applicant must produce or lose his ships. There is no intermediate area.

The Government, on the other hand, is well protected under the provisions of the bill. The vessels to be built willl fill a gap in the American merchant marine fleet, not only from the standpoint of number but by adding a new type of vessel, which we do not have. The new construction will aid our ailing shipyards; the traded-in vessels will augment our reserve fleet and the converted tankers will afford $750,000 charter hire per ship in addition to the cargo decks, which will become the property of the United States. Lastly, the new cargo tank ships and converted tankers will be available to Government agencies and the military in time of emergency. This factor, coupled with the inestimable value such ships will have as a part of the American merchant marine not only from the standpoint of utility and service but from the even greater concept of stimulus to an industry by the actual implementation of new techniques. Such implementation will be of benefit to the industry as a whole if only to encourage others by example.

AMENDMENTS

The bill as introduced named the tankers that could be chartered under its provisions. The Maritime Administration suggested changing the bill so that any vessel under the jurisdiction of the Secretary of Commerce could be chartered. The billl, as recommended, would allow the charter of any tanker under the Secretary's jurisdiction.

Under existing law dry-cargo vessels under specified circumstances can now be chartered. When Admiral Ford testified, he requested this amendment to open the bill to all vessels and to "eliminate the naming of the ships specifically" (p. 6, Senate committee hearings on S. 3877, June 13, 1956).

Your committee felt that by not specifying the name of the tankers the Maritime Administrator would have greater flexibility in the allocation of these vessels so this amendment was made. However, the committee did not feel it necessary to open the entire reserve fleet to charter to accomplish the purposes of the bill.

The proposed maritime amendments would have the effect of writing a new intercoastal shipping law. This committee does not say that thought should not be given to such a project, but such legislation should be introduced on its own merit and proper hearings held.

The bill as introduced and as recommended required that these tankers be chartered for not less than 5 years. The Maritime Administrator suggests that the period be such as might be set by the Secretary of Commerce, his only reason being that other applicants might wish a shorter charter.

Your committee rejected this amendment since under this bill the charterer will be required to make extensive and expensive alterations to the chartered vessels. He must at his own expense install a cargo deck on each of these tankers which has been estimated to cost approximately $200,000 per ship. It should be remembered that this legislation contains a novel and original idea designed to improve coastwise shipping, which will result in new tanker/cargo vessels and a revival of that trade. It would, we believe, be unfair to set a charter period shorter than that in the bill and thereby possibly deprive those willing to take the risks inherent in this legislation from the opportunity of recouping their investment.

Another amendment suggested by the Maritime Administration, which was also rejected, was to allow a charterer to make such modifications in the vessels as the Secretary of Commerce might approve. It was stated in the hearings before the committee that some charterers might desire to make modifications other than the deck modifications required by this bill. We must again emphasize that the purpose of the legislation is to encourage the construction of new ships and to revive the coastwise trade by the adaptation of the most effective modern means such as the combined cargo tankship proposal. It is a package proposition. To allow other changes in vessels that might be of a traditional or minor nature would not fit into the overall plan.

The Maritime Administration recommended that the chartered vessels and the new vessels be allowed to operate in the intercoastal trade as well as the coastwise trade. Admiral Ford, Deputy Maritime Administrator, in his testimony stated:

"The bill would restrict the operation of the vessel to the United States coastwise trade except that it could be operated in any other trade for the account of any agency or department of the United States. If the operation of the vessels in the coastwise trade should become unprofitable, this provision might cause the charterer to default, since, with the exception noted, it prevents the operation of the vessel in any trade except the coastwise trade. This might prevent the construction of the new vessels."

Again your committee must repeat that the purpose of the legislation is to revive the coastwise trade. We must emphasize that if a charterer does default, the United States, which would already hold the title to the trade-in vessels would not be required to pay the shipyards building the new ships the credit allowance of the world market value on the new construction. In other words, if the charterer defaults and the new vessel is not built, the United States retains title to the trade-in vessels and is not obligated to pay the shipyard the credit allowance. In short, the United States receives the two dry-cargo vessels free of cost if the charterer defaults. We quote from the testimony at the hearings of Malcolm McLean, chairman of the board of Waterman Steamship Corp. and its coastwise affiliate, Pan Atlantic Steamship Corp.:

"To show our good faith—and I don't know where it is specifically spelled out in such form that you can see it right here—if we charter these tankers and trade in our C–2 vessels, if we should fail to build the tankers, in case of a steel strike or a terrific calamity, we lose our vessels, we lose $3,200,000 on every two ships we charter. So we are putting up $3,200,000 as good-faith money to show that we carry forth this program."

The charterer under this bill would be taking comparatively heavy risks and we believe the United States is well protected in the whole plan.

Another suggested amendment from the Maritime Administration was that the trade-in provision of the bill be amended so that the trade-in price would be determined under section 510 of the Merchant Marine Act. Under existing law the Maritime Administration, in determining a fair and reasonable trade-in value of a vessel, must take into consideration (1) the scrap value of the vessel in both the American and in foreign markets, (2) the depreciated value based on a 20-year life, and (3) the market value for operation in the world trade or in foreign or domestic trade of the United States.

This scrap value would undoubtedly represent the lowest value of the vessel. Its market value in foreign or domestic trade would be its highest value. The depreciated value for a stated 20-year period would be somewhere between the other two. This bill, in effect, instructs the Administrator to apply the highest valuation permitted under existing law. It seems to your committee that our Government should not expect its citizens to sell their property to it at less than its going value, especially when the trade-in allowance is going into a new vessel which will enhance the American merchant fleet. Lest there be some confusion on this point, the committee points out that the credit allowance goes to the shipyard and not the charterer. In addition, the acquisition by the Government of the applicant's dry-cargo vessels will upgrade the reserve fleet and permit the disposal of less desirable vessels now in the fleet.

The point has been raised that these vessels were sold some years back at values considerably below the world market. The committee respectfully points out that this was Government policy at that time, arrived at after due deliberation and consideration by both the executive and legislative branches of the Government. This was shortly after the termination of the last World War and our merchant marine had to have vessels to resume our national policy of free trade and to reestablish a privately owned merchant marine. Your com-

mittee believes that the Congress knows the necessity of a strong merchant marine not only for the economic welfare of the United States but as an important arm of defense in time of emergency as well. Besides, with the great increase in the cost of building new ships, not only in the United States but throughout the world, the value of existing ships has risen substantially, particularly in times of peak demand.

The last suggested amendment was to authorize the determination of the charter rate under section 5 of the Merchant Ship Sales Act of 1946 rather than 15 percent of the statutory sales price of the vessel under the Merchant Ship Sales Act of 1946, depreciated to the date of the charter. The bill as introduced would have resulted in an average charter hire of approximately $120,000 per vessel per annum. As amended, the rate of hire is fixed at $150,000 per annum per vessel. This is substantially higher than the charter hire which would have been received under the bill as introduced, and somewhat less than that recommended by the Maritime Administration. Admiral Ford stated in his testimony:

"The Secretary of Commerce now has limited chartering authority under section 5 of the Merchant Ship Sales Act of 1946, as amended. Charters for operation in domestic trade are made under that section at the rate of 8½ percent of the unadjusted statutory sales price or of the floor price, whichever is higher, with an additional 6½ percent, if earned, and with a recapture provision at such rate as appears reasonable under the circumstances.

He also stated:

"The adjusted statutory sales price without regard to floor price of a tanker in the reserve fleet selected at random is approximately $790,000; its floor price is approximately $1,500,000; and its unadjusted statutory sales price is approximately $2 million."

By the Maritime Administration's own figures, the unadjusted statutory sales price of a tanker is approximately $2 million, which is the higher figure between the unadjusted statutory sales price and the floor price. Eight and one-half percent of $2 million amounts to $170,000 basic charter hire per vessel per annum which is $20,000 more than required in the amended bill, which, in turn, is $30,000 more than suggested in the original bill. It is true that no provision is made for an additional 6½-percent charter hire if earned nor is there a recapture "provision at such rate as appears reasonable under the circumstances." However, as additional consideration for a charter rate of $150,000 per vessel per annum, the charterer must agree to—

"(a) A 5-year term which, based on any recent comparable period, will undoubtedly be made up of deep valleys, as well as peaks of profitable employment;

"(b) the restriction of the chartered vessels to the coastwise trade, except when operated in other trades for the account of a department or agency of the United States;

"(c) the obligation to install at his own expense the special cargo deck, estimated to cost around $200,000, upon each tanker chartered, a feature strongly desired by the Navy;

"(d) the obligation to construct costly new high-speed cargo tankships within the 5-year period; and

"(e) restriction of the new vessels to the domestic coastwise trade for a period of 10 years after their construction, except when operated in other trades for the account of a department or agency of the United States."

The committee feels that such considerations more than offset the obligations incurred under existing law.

Again quoting from Mr. McLean's testimony at the hearing:

"It hasn't been but a little over a year since there were a hundred ships laid up. The tanker people were crying about no business, and three ships that we got we paid $800,000 apiece for the first two. One of them was laid up and didn't run for a year and a half. The other we bought from Ludwig, of the National Bulk Carriers. We paid $775,000 for one and $787,500 for the other. The other we paid $1,275,000 for, recently. It hasn't been long since tankers were a drug on the market."

Under the amended bill the Government would receive $750,000 charter hire for each tanker over the 5-year charter, yet less than 18 months ago Mr. McLean bought two tankers for approximately the same price. The time element involved spells out quite clearly the peaks and valleys of the business. If prices fall during the next 18 months, the charterer will still be paying $150,000 per tanker per annum even though he might be able to charter the identical ship on the open market at a much lower rate.

McLean also said:

"Speaking for my company, I know that should the terms of charter hire specified in the bill or should the trade-in allowance prescribed in the bill be substantially changed as recommended by the Maritime Administrator, then we could not and would not be able to comply with the other provisions of the bill.

"Our program under the bill contemplates the expenditure of a very substantial amount of our own money and in order to build new vessels and provide expansion of the new service we have recently started, we can only do so much, and if the bill only changes existing law so as to in effect provide for the charter of tankers, our company, for one, will not be able to participate."

It is obvious if the charter hire is placed at too high a figure as to be unsound, there would be no applicants under the bill and no new ships would be built.

One premise must be kept in mind in regard to the entire bill; it is simply that as a business proposition, and in order to secure the financing and loans necessary in such a project, the charterer must be in a position to be able to ascertain definitely just what his obligations and his rights are. The committee cannot conceive of a private lending institution supporting this program if the obligations incurred thereunder by the charterer were subject to fluctuation and to administrative decisions during the term of the construction and the chartering contracts. The public interest will be served not only from the standpoint of lower freight rates and improved service but by the addition of new vessels to the American merchant marine. In summing up, McLean stated:

"Senator, we have an earnest, sincere, good program here. It is good for the public, and it is good for the Government, and it is good for us. It is good for labor. It will serve 75 percent of the people of the United States in one way or another, in freight rates and actual service.

"If we take a 400-mile radius and run it from Maine, a 400-mile radius of all the ports all the way to Portland, Oreg., and Tacoma, Wash., we will serve 75 percent of the field."

The foregoing comments relate to the amendments to the bill proposed by the Maritime Administration. The proposals of the Bureau of the Budget, as we understand them from the CONGRESSIONAL RECORD of July 11, 1956 (p. 11168 et seq.), are aimed at the charter hire rate and the trade-in rate.

Since the same points were raised by the amendments suggested by the Maritime Administrator, we do not deem it necessary to repeat our reasons for rejecting them, other than the following:

The memorandum stresses the difference between the sales price of the vessels when they were originally sold by our Government and the trade-in allowance under the bill. This difference in figures is set by the memorandum at $650,000 and that amount is called a hidden subsidy.

Under existing law, the Government is authorized to accept ships at a trade-in value of not less than the world market, as the bill provides. The Maritime Administration has not done this. Despite its great importance the coastwise maritime trade is practically nonexistent today. The bill is designed to revive that trade, and it would force the administration to take action.

The memorandum as reproduced in the CONGRESSIONAL RECORD states that the charter hire rate of $150,000 per annum in the bill is $75,000 below the figure as it would be set under existing law. This figure is also characterized as a "hidden subsidy."

Earlier in this report we have set out figures indicating that the charter rate under existing law would be in the neighborhood of $170,000 per year. Whatever the figure may be, these matters were considered by the House committee and a figure of $150,000 was selected. Your committee agrees with that amount. As previously stated, this $150,000 is higher than the amount contained in the original bill and lower than figures used by the opponents to the measure. Again we must say that operators taking advantage of this legislation are running heavy risks, that the Government is well protected and that new ships and new ideas will result for the coastwise trade.

This bill is for the improvement of the coastwise trade. It is to get new vessels. It would help move freight—and freight must be moved.

The various letters and reports are attached.

There are no changes in existing law.

We urge that the bill do pass.

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, June 14, 1956.

Hon. WARREN C. MAGNUSON,
Chairman, Committee on Interstate and Foreign Commerce,
United States Senate.

DEAR MR. CHAIRMAN: Reference is made to your letter of May 18, 1956, enclosing a copy of S. 3877, 84th Congress, 2d session, entitled, "A bill to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes" and inviting our comments thereon.

S. 3877 would authorize the Secretary of Commerce to charter, in multiples of 2, 17 named T2–SE–A2 tankers, 3 named T2–SE–A1 tankers, and such other T2–SE–A1 and T2–SE–A2 tankers as may be applied for. All of the vessels named in the bill are war-built vessels. The charterer would be required to have constructed, in a United States shipyard, one new cargo-tankship for each two tankers chartered. The bill would also authorize the charterer to trade in two war-built dry-cargo vessels in exchange for an allowance of credit to be applied upon the cost of each new cargo-tankship constructed. It would permit the owner of the trade-in vessel to charter it from the Government for any period of time until delivery of the new cargo-tankship.

Inasmuch as the bill proposes to grant authority to the Secretary to charter any T2–SE–A1 and T2–SE–A2 tankers in the reserve fleet for which an application therefor may be received, no purpose is perceived in identifying 17 T2–SE–A1 and 3 T2–SE–A2 tankers by name. At the present time, there are only 17 T2–SE–A2 and 18 T2–SE–A1 tankers in the reserve fleet. The Secretary of Commerce, in a letter dated June 6, 1956, agreed to the permanent transfer of 10 of the T2–SE–A2 tankers to the custody of the Department of the Navy. Also, we have been informed by representatives of Maritime that the Department of the Navy has indicated an intention to request transfer of the remaining seven. In addition, legislation has

been introduced for the sale of certain of the tankers named in the bill. We have reference to House Joint Resolution 632 and House Joint Resolution 633.

The actions contemplated by the bill in respect of charters and trade-in of vessels parallel similar actions authorized by the Merchant Marine Act, 1936, and by the Merchant Ship Sales Act of 1946. However, the terms and conditions under which these actions would be authorized in the bill differ in various respects from those specified in the above acts.

Under the bill, the charter-hire rate for any tanker chartered would be 15 percent per year of the tanker's statutory sales price computed as of the date of charter in accordance with the provisions of section 3 (d) of the Merchant Ship Sales Act of 1946, but without regard to the floor price fixed by that section. This differs from the charter provision of the 1946 act in that the statutory price on which the charter hire rate is based cannot be less than the floor price. The significance of the difference is evidenced by the fact that the statutory sales price of a T2–SE–A2 tanker, computed in accordance with the bill, would be approximately $845,000, while the floor price would be approximately $1,600,000. Stated another way, the proposed deletion of the last two sentences of section 3 (d) results in a charter hire of approximately $127,000 per annum while section 3 (d) without such deletion would require charter hire of approximately $240,000 per annum. Charters made under the terms of the Merchant Ship Sales Act of 1946, require that the charter hire agreements contain provisions for additional charter hire in accordance with section 709 (a) of the Merchant Marine Act, 1936. However, the bill does not require that such provisions for additional charter hire be included in the charter hire agreements.

S. 3877 would require the Government to bear the cost of breaking out and laying up and of placing each tanker chartered in good operating condition, including class. It has been the policy of the Administrator to require the charterers to bear such costs initially and to take such costs into account in the determination of additional charter hire. These costs would be substantial if major bulkhead and repair work is required to place a tanker in good operating condition, including class, since Maritime representatives have estimated that the cost per vessel for breaking out and laying up would be approximately $200,000, and for major bulkhead and repair work, approximately $750,000. If the charter hire is approximately $127,000 per annum, and major bulkhead and repair work was involved, the charter hire over the 5-year period would not cover the Government's costs. However, the vessel would be returned to the reserve fleet in a considerably improved condition.

The bill would authorize the trade-in of two war-built dry-cargo vessels for each new cargo-tankship constructed. The allowance of credit on each trade-in vessel would be an amount not less than the fair market value of a comparable vessel if sold for operation under foreign registry or flag. This formula constitutes a significant deviation from that provided in section 510 (d) of the 1936 act, which states that the allowance shall be the fair and reasonable value as determined by the Administrator, with consideration to be given to (1) the scrap value, (2) depreciated value, and (3) market value. In other words, the formula in the bill removes the administrative discretion to determine the fair and reasonable value of a trade-in vessel and requires the world market value to be considered a "floor" on the trade-in allowance. No "ceiling" is provided. The effect of the formula in the bill is clearly shown by a recent agreement for the trade-in of 7 war-built dry-cargo vessels on which the trade-in value was determined to be $950,000 per vessel while the foreign market value was reported to be approximately $1,300,000. We believe that the trade-in allowance provisions of this bill should be the same as those of section 510 (d) of the 1936 act.

Section 1 (f) (2) of the bill provides that the undepreciated cost of the required deck installation shall be recovered by the charterer if the charter is terminated prior to the end of its 5-year term for any reason not the fault of the charterer, or if the vessel becomes a constructive or actual total loss. Such a requirement would appear equitable if the Government terminates the charter prior to its normal expiration and receives the benefit of the upper deck installation. However, we perceive no valid reason for requiring the Government to act as the charterer's insurer of the undepreciated cost of the deck in event of the total loss of the vessel.

Section 1 (f) (3) provides that the chartered vessels are restricted to coastwise trade unless, with approval of the Secretary of Commerce, it operates for the account of any department or agency of the United States in another trade. It is noted that no such exception is provided in section 3, respecting the new cargo-tankships to be constructed.

The declared purposes of the bill are to assist coastwise trade and promote construction of new vessels. This is a matter of national policy for consideration by the Congress. We believe, however, that insofar as may be compatible with the accomplishment of the purposes of the bill, the terms and conditions should be consistent with those specified in existing legislation authorizing the same types of activities.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

DEPARTMENT OF THE NAVY,
OFFICE OF THE JUDGE ADVOCATE GENERAL,
Washington, D. C., June 12, 1956.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Interstate and Foreign Commerce,
United States Senate,
Washington, D. C.

MY DEAR MR. CHAIRMAN: Your request for comment on S. 3877, a bill to promote the development and rehabilitation of the coastwise trade, to encourage the construction of new vessels, and for other purposes, has been assigned to this Department for the preparation of a report thereon expressing the views of the Department of Defense.

S. 3877 would authorize the Secretary of Commerce to bareboat charter to United States citizens 17 named T2–SE–A2 and 3 named T2–SE–A1 tankers now in the national-defense reserve fleet. It is further provided that the tankers must be chartered in pairs or in multiples of 2 and that, for every 2 chartered, the charterer must agree to have constructed, in United States shipyards, 1 dual-purpose cargo-tankship of not less than 32,000 tons deadweight. If all 20 vessels were chartered, therefore, the charterers would be obliged to contract for the construction of 10 new vessels. In addition, each charterer would be required to install, at his own expense, on each vessel chartered, an upper deck for the carriage of cargo containers.

The Department of Defense supports this bill in principle because it would result in a substantial amount of construction work for private shipyards in the United States and would thereby provide a substantial addition to the mobilization readiness of these shipyards.

There are, however, some technical deficiencies apparent in the bill. Section 11 of the Merchant Ship Sales Act of 1946, as amended (50 U. S. C. App. 1743) provides in part "* * * Unless otherwise provided by law, all vessels placed in such reserve [national-defense reserve fleet] shall be preserved and maintained by the Commission for the purpose of national defense. A vessel placed in such reserve shall in no case be used for any purpose whatsoever except that any such vessel may be used for account of any agency or department of the United States during any period in which vessels may be requisitioned under section 902 of the Merchant Marine Act, 1936, as amended (46 U. S. C. 1242), and that any such vessel may be used under bareboat charter entered into pursuant to authority vested in the Secretary of Commerce on July 1, 1950, or granted to the Secretary of Commerce after such date." This provision of law makes it evident that the intent of Congress, in creating the national-defense reserve fleet, was to assure the availability of vessels in this fleet to the United States for purposes of national defense.

The foregoing is in part implemented by the memorandum of agreement between the Department of Defense and the Department of Commerce dated July 1, 1954, which states that "Ships of the MSTS operating nucleus fleet which are replaced or no longer required by MSTS will be placed in the national-defense reserve fleet for preservation and would be available to MSTS for use in an emergency."

The national-defense reserve fleet currently contains 35 T2 tankers but this number is subject to continuous change due to a combination of factors:

(a) Tankers received from United States citizens under authority of section 510, Merchant Marine Act, 1936 (trade-in and build program);

(b) Tankers placed in the reserve by MSTS; or

(c) Tankers transferred to MSTS from the national-defense reserve fleet.

In the light of current procedures, it is believed that the wording of the bill, insofar as it specifically names the tankers to be made available for charter may be too restrictive. The changing composition of the reserve as described above precludes practical implementation if the list of vessels to be available is confined to those named in the bill. The actual ships authorized for charter should be resolved by the Maritime Administration and the applicant with the approval of the Secretary of the Navy in each instance. Accordingly, it is recommended that the bill be amended to authorize the Secretary of Commerce to charter T2 tankers to citizens of the United States, without naming vessels or specifying any particular categories of T2 tankers; and further, that provisions be included that the actual tankers chartered will be agreed upon by the Maritime Administration and the charterer subject to the determination of the Secretary of the Navy in each instance that removal of the vessel from the national-defense reserve fleet will not adversely affect the national defense.

In addition, in order to preserve the concept of maintaining the national-defense reserve fleet for national defense, a provision should be included in the bill that the vessels shall be made available to the Department of Defense when required to meet military logistic needs which cannot be met by commercial interests or to meet emergency requirements short of full mobilization. Such a provision would permit the Department of Defense to support private operation of these vessels as opposed to Government operation.

The legislation should also provide a requirement that the Department of the Navy approve plans for the construction of cargo decks or other proposed conversion to insure that such conversion would not adversely affect the national-defense characteristics of the vessels.

Lastly, the bill should be amended to permit the newly constructed ships to be em-

ployed in other than the domestic coastwise trade when operated for the account of any department or agency of the United States.

Subject to incorporation of the foregoing recommended changes to the bill, the Department of the Navy, on behalf of the Department of Defense, favors enactment of S. 3877.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

There has been insufficient time to obtain advice from the Bureau of the Budget as to the relationship of this report to the program of the President.

For the Secretary of the Navy:

Sincerely yours,

W. R. SHEELEY,
Rear Admiral, United States Navy,
Assistant Judge Advocate General of the Navy.

STATEMENT BY CLARENCE G. MORSE, MARITIME ADMINISTRATOR, ON BEHALF OF THE MARITIME ADMINISTRATION AND THE DEPARTMENT OF COMMERCE, BEFORE THE COMMITTEE ON MERCHANT MARINE AND FISHERIES, HOUSE OF REPRESENTATIVES, ON H. R. 11122, JUNE 11, 1956

Gentlemen, H. R. 11122 would authorize and direct the Secretary of Commerce, during the 2 years after enactment of the bill, to bareboat charter to citizens of the United States 20 named T2 tankers, in pairs or in multiples of 2, for charter periods of at least 5 years, for use exclusively in the United States coastwise trade except that with the approval of the Secretary of Commerce such vessels may be operated in any other trade for the account of any department or agency of the United States, at annual charter rates of 15 percent of the statutory sales price of the vessels determined under section 3 (d) of the Merchant Ship Sales Act of 1946, but without regard to the floor price of the vessels of 50 percent of their domestic war cost. The bill further provides that the Secretary shall, at the expense of the United States, place each tanker in good operating condition, including class, before it is chartered. The charters would be subject to the following conditions:

(1) The charterer shall, at his own expense and under plans and specifications approved by the Secretary of Commerce, install on the chartered tankers an upper deck suitable for the carriage of cargo containers having an aggregate capacity of not less than 1,000 tons gross weight.

(2) If the charter is terminated, prior to expiration of the charter period, for any reason not the fault of the charterer, or if the vessel becomes an actual or constructive total loss, the United States shall pay to the charterer the cost of such deck installation less depreciation at the rate of 20 percent per annum.

(3) When redelivered to the United States, the chartered vessel shall be in as good operating condition, including class, as when delivered to the charterer, ordinary wear and tear excepted.

(4) The charterer agrees that for each 2 tankers chartered to him he will cause to be constructed in a United States shipyard 1 tankship of not less than 32,000 deadweight tons, equipped with an upper deck suitable for the carriage of cargo in containers, and having a speed of at least 18 knots, and further agrees that, for a period of 10 years after its construction, the vessel shall be operated only in the United States coastwise trade.

(5) For each dual purpose tankship he constructs, the charterer may trade in to the United States, for an allowance of credit, 2 dry cargo vessels which are not less than 1,500 gross tons each, not less than 12 years old, war-built as defined in section 3 (b) of the Merchant Ship Sales Act of 1946, in class as to hull and machinery satisfactory to the Secretary of Commerce on the date of their physical delivery to the United States, which have been documented under the laws of the United States for at least 3 years immediately preceding their physical delivery to the United States, and which have been owned by the charterer or by a United States citizen affiliate under common ownership with such charterer for not less than 3 years immediately preceding the date of their physical delivery to the United States. The allowance for the dry-cargo vessel shall be fixed, on the date the tanker charter is entered into, at an amount not less than the fair market value for operation under foreign registry on that date, which shall be reduced for use of the traded-in vessel at the rate of 15 percent per annum of the statutory sales price thereof under section 3 (d) of the Merchant Ship Sales Act of 1946. No gain shall be recognized to the charterer or its affiliate on the trade-in of the vessels and there shall be a compensating adjustment of the basis of the new vessel for gain or loss and for depreciation.

(6) Such other terms and conditions as the Secretary of Commerce deems necessary to protect the interests of the United States.

The bill would provide a means of obtaining construction of up to 10 new dual-purpose tankers, would aid in rehabilitating the domestic coastwise trade, and would aid in upgrading the national defense reserve fleet. The bill, however, is too narrow in its application and several of its provisions, including the charter rate and trade-in provisions, are not satisfactory. We recommend that consideration be given to amendments hereinafter proposed.

The Department of Commerce now has 35 T2 tankers under its jurisdiction in the laid-up fleet, including the 20 tankers named in the bill. Of the 20 tankers named in the bill, the Navy has requested the permanent transfer to it of 10 of the T2–SE–A2 tankers because it cannot at present charter tankers at reasonable rates. The bill would not permit the chartering of dry cargo vessels in the laid-up fleet as an inducement to the building of new vessels for the domestic trade. Lines 7 through 10, on page 1, and lines 1 through 5, on page 2, should, therefore, be stricken out and a comma and the following substituted therefor: "notwithstanding the provisions of section 11 of the Merchant Ship Sales Act of 1946, as amended, and section 510 (h) of the Merchant Marine Act, 1936, as amended, to bar boat charter to citizens of the United States vessels under his jurisdiction". Line 14, page 2, should be amended by striking out the word "tankers" and substituting the word "vessels". Line 15, page 2, should be amended by inserting after the word "coastwise" the words "or intercoastal".

Section 1 (c) should be amended by striking out of line 14 the words "tankers eligible for charter" and substituting therefor the words "vessels for which he has applied".

Since some applicants might want to charter a vessel for a period of less than 5 years, the bill should be amended by striking out the language contained in section 1 (d) and substituting therefor the following:

"Each charter made under authority of this Act shall be for such period as the Secretary of Commerce shall determine."

The charter rate provided in the bill is 15 percent per year of the statutory sales price of the vessel under the Merchant Ship Sales Act of 1946, without regard to the floor price. The statutory sales price of a tanker under the 1946 act is 87½ percent of the prewar domestic cost of a tanker of that type, with certain adjustments including a reduction of 5 percent per annum for depreciation from the date of delivery of the vessel by the builder to date of charter, but the price cannot be reduced by these adjustments below the floor price which is 50 percent of the domestic war cost of vessels of the same type. The adjusted statutory sales price, without regard to the floor price, of a tanker in the reserve fleet selected at random is approximately $790,000; its floor price is approximately $1,500,000; and its unadjusted statutory sales price is approximately $2 million.

The Secretary of Commerce now has limited chartering authority under section 5 of the Merchant Ship Sales Act of 1946, as amended. Charters for operation in domestic trade are made under that section at the rate of 8½ percent of the unadjusted statutory sales price or of the floor price, whichever is higher, with an additional 6½ percent, if earned, and with a recapture provision at such rate as appears reasonable under the circumstances. The charter rate provisions in the 1946 act are in our opinion reasonable. The bill should be amended, therefore, by striking out the language contained in section 1 (e) and substituting therefor the following:

"The charter hire for any vessel chartered under this act shall be determined under section 5 of the Merchant Ship Sales Act of 1946, as amended."

Section 2 of the bill would require the United States to pay the cost of placing the vessels in good operating condition, including class. Some vessels in the reserve fleet are in poor condition and would require extensive repairs, including bulkhead work. The Emergency Ship Repair Act of 1954 directed the Secretary of Commerce to formulate and carry out a program, not exceeding $25 million, of repairing, modernizing, and converting such merchant-type vessels in the national defense reserve as may be necessary to provide an adequate and ready reserve fleet of merchant-type vessels. The purposes of this act were to upgrade the national defense reserve fleet and to place work in shipyards so as to aid in maintaining a proper mobilization base. The bill, H. R. 11122, would serve the same purposes. The cost of this work, therefore, may be considered a proper charge to the United States. Part and perhaps all of this cost would be offset by the charter hire earned under the bill. Section 2 should be amended to strike out the words "tanker eligible" and substituting the word "vessel."

The bill would require the charterer to place skeleton decks on the chartered vessels. From an engineering standpoint, the fitting of skeleton decks on T2–SE–A1 and T2–SE–A2 type tankers is known to be feasible and practical. It may be, however, that not all applicants would want to make this modification of the vessel, and that they would desire to make other modifications. The bill should be amended, therefore, by striking out the language in section 1 (f) (1) and substituting therefor the following:

"The charterer may, at his own expense, make such modifications of the vessel as the Secretary of Commerce approves."

The bill would require the United States to pay the charterer the cost of the skeleton deck depreciated at the rate of 20 percent per annum, if the vessel should become an actual or constructive total loss or if the charter is terminated without the fault of the charterer. The bill also provides that the Secretary of Commerce can place in the charter such conditions as he deems necessary to protect the interests of the United States. Under this provision, we contemplate that two conditions would be placed in the charter—a requirement that the charterer, at his own expense, insure the vessel, and that the Secretary during a national emergency may terminate the charters on such notice as he shall determine. The insurance would be assigned to the United States and, in the event of actual or total constructive loss of the vessel, would be distributed between the United States and the charterer "as their interests may appear." This would be taken care of in the charter. On the other hand, if the United States terminates the charter before the end of the charter period, it seems reasonable to pay

the charterer the depreciated cost of the improvement. The bill should be amended, therefore, by striking out the language contained in section 1 (f) (2) and substituting therefor the following:

"If the Secretary of Commerce terminates the charter prior to expiration of the charter period, the United States shall pay the charterer the depreciated cost of any capital improvement he has, with the consent of the Secretary of Commerce, made to the vessel. For the purposes of this subsection, the capital improvement shall be depreciated on a straight-line basis over the period of the charter remaining after the capital improvement is completed."

The bill would restrict the operation of the vessel to the United States coastwise trade except that it could be operated in any other trade for the account of any agency or department of the United States. If the operation of the vessels in the coastwise trade should become unprofitable, this provision might cause the charterer to default, since with the exception noted, it prevents the operation of the vessel in any trade except the coastwise trade. This might prevent the construction of the new vessels. Line 18, page 3, should be amended by striking out the word "tanker" and substituting therefor the word "vessel." Lines 21 and 22, of page 3, should be amended by striking out the words "if such operation is for the account of any department or agency of the United States." This would permit operation of the vessels in any other trade with the approval of the Secretary of Commerce.

Section 1 (f) (4) should be amended by striking out the word "tanker" in line 24, page 3, and substituting the word "vessel."

Section 3 of the bill requires the charterers to agree to construct new tankers. Since some applicants may desire to construct some other type of vessel, the section should be amended by striking out the first three sentences and substituting therefor the following:

"Each applicant for a charter under this act shall agree that, within a period to be determined by the Secretary of Commerce, he will cause to be constructed in the United States shipyards a vessel or vessels with utility value not substantially less than that of the vessels chartered to him under this act, and that for a period of 10 years after completion of construction, such new vessel or vessels, except with the approval of the Secretary of Commerce, shall not be operated in any trade other than the United States coastwise or intercoastal trade."

The trade-in provisions of the bill are substantially the same as those contained in section 510 of the Merchant Marine Act, 1936, except—

(1) The bill would fix the trade-in price of the vessels at their world market value for operation under foreign registry, whereas under section 510, scrap value, depreciated value based on a 20-year life, and market value for use in world trade or in the foreign or domestic trade of the United States must be considered in arriving at the trade-in price of the vessels;

(2) The bill would fix the charter hire for use of the traded-in vessels at the rate of 15 percent of the statutory sales price of the dry-cargo vessels, whereas section 510 provides that the charter hire shall be the reasonable value of the use.

The provisions of section 510, with respect to trade-in vessels, are in our opinion reasonable, and in our opinion should govern the trade-in of vessels under the bill. The bill should be amended, therefore, by striking out sections 4 and 5 and renumbering section 6 as section 4.

We favor the objective of the bill in the interest of rehabilitating domestic ocean-going shipping, and recommend consideration of the amendments herein proposed. Due to the urgency of the matter, we have presented these comments without securing the final advice of the Department of Commerce or the Bureau of the Budget as to the relationship of H. R. 11122 to the program of the President.

Mr. WILLIAMS. Mr. President, I should like to clear the RECORD to this extent: It is true, as the Senator from North Carolina has pointed out, that the bill was recommitted to the Senate committee on motion of the Senator from North Carolina to recommit the bill.

However, in order that there may be no misunderstanding, let me point out what is known to every Member of the Senate, namely, that the vote was taken on the motion of the Senator from North Carolina to recommit the bill, only by virtue of the fact that I withdrew my own motion, out of deference to the Senator from North Carolina; and there was no question in the mind of any Member that if there had been a vote by the Senate on the bill, the Senate would have overwhelmingly rejected it. I am confident that it will be rejected again if an attempt is ever again made to bring up the bill.

As one Member of the Senate I am determined that no company, regardless of where it may be located, shall get a $20 million tax-exempt windfall, at the expense of the taxpayers of the United States. This scheme cannot be justified in the interest of the national defense or on any other basis, I am strongly opposed to passage of the bill.

Mr. ERVIN. Mr. President, I am not a prophet or the son of a prophet, and I make no prediction as to what will happen to the bill when and if it is considered by the Senate. But I wish to give assurance to the Senator from Delaware that, as a member of the Democratic calendar committee, I will certainly object to passage of the bill on the Consent Calendar.

Mr. WILLIAMS. I thank the Senator from North Carolina.

Mr. ERVIN. And I will never take any action in respect to passage of the bill without notifying the Senator from Delaware in advance of such action, so that he may be present.

The PRESIDING OFFICER. Objection has been heard, and the bill will be passed over.

The next measure on the calendar will be stated.

CONVEYANCE OF CERTAIN LANDS TO THE VILLAGE OF CENTRAL, N. MEX.

The Senate proceeded to consider the bill (S. 1494) to authorize the Administrator of Veterans' Affairs to convey to the village of Central, in the State of New Mexico, certain lands administered by the Veterans' Administration facility at Fort Bayard, N. Mex., which had been reported from the Committee on Labor and Public Welfare with amendments, on page 1, after the enacting clause, to strike out:

That the Administrator of Veterans' Affairs is authorized and directed to convey to the village of Central, in the State of New Mexico, without compensation, all right, title, and interest of the United States in and to certain land constituting a

And insert:

That, subject to section 2 of this act, the Secretary of Agriculture is authorized and directed to sell, at market value as determined by him, and to convey to the village of Central, in the State of New Mexico, for the purpose of residential and business development, the following described lands, formerly

On page 3, after line 18, to insert the following new section:

SEC. 2. The conveyance authorized by this act (1) shall provide that the described land shall not be used in a manner incompatible with the proper and effective operation of the Veterans' Administration hospital at Fort Bayard, N. Mex., and, if it shall ever be used in such manner, the title to such property shall revert to the United States, which shall have the immediate right of reentry thereon, provided that such reversion shall terminate in the event the Veterans' Administration ceases operation of the hospital, (2) shall protect existing valid rights, (3) shall reserve rights-of-way for existing facilities such as roads, telephone lines, pipelines, electric power transmission lines, or other facilities or improvements in place, and shall reserve such easements for roads as the Secretary of Agriculture finds necessary to assure access to lands of the United States or to meet public needs, (4) shall reserve to the United States all mineral rights, including gas and oil, in the land so conveyed, and (5) may contain such additional terms, conditions, reservations, and restrictions as may be determined by the Secretary of Agriculture or the Administrator of Veterans' Affairs to be necessary to protect the interests of the United States.

So as to make the bill read:

Be it enacted, etc., That, subject to section 2 of this Act, the Secretary of Agriculture is authorized and directed to sell, at market value as determined by him, and to convey to the village of Central, in the State of New Mexico, for the purpose of residential and business development, the following described lands, formerly part of the Fort Bayard Military Reservation, Grant County, New Mexico, comprising approximately fifty-eight and thirty-one one-hundredths acres situated in the north half of the south half of the southeast quarter of section 34, township 17 south, range 13 west, and in the north half of the south half of section 35, township 17 south, range 13 west, New Mexico principal meridian, more particularly described by metes and bounds as follows:

Beginning at a point located at the intersection of the south right-of-way line of United States Highway 260 and the south boundary of the Fort Bayard Military Reservation, from which the Fort Bayard Military Reservation 1-mile marker bears north 89 degrees 59 minutes east, 30.65 feet distant;

Thence along the south right-of-way line of United States Highway 260 as follows:

First, along a circular curve to the left, the radius being 1,332.5 feet and the long chord being 1,078.87 feet in length and bearing north 58 degrees 47 minutes west;

Thence along a transition curve to the left, the long chord being 287.83 feet in length and bearing north 86 degrees 48 minutes west;

Thence north 38 degrees 38 minutes west, 1,067.69 feet;

Thence along a circular curve to the left, the radius being 8,494.42 feet and the long chord being 2,364.46 feet in length and bearing south 83 degrees 18 minutes west;

Thence south 75 degrees 18 minutes west, 1,309.49 feet to a point of intersection of the south right-of-way line of United States Highway 260 and the south boundary of the Fort Bayard Military Reservation;

Thence leaving said right-of-way, along the south boundary of the Fort Bayard Military Reservation as follows:

North 89 degrees 17 minutes east, 654.26 feet to the Fort Bayard Military Reservation 2-mile marker;

Thence north 89 degrees 59 minutes east, 2,629.20 feet to the Fort Bayard Military Reservation 1½-mile marker;

Thence north 89 degrees 59 minutes east, 2,610.00 feet to the point of beginning.

SEC. 2. The conveyance authorized by this Act (1) shall provide that the described land shall not be used in a manner incompatible with the proper and effective operation of the Veterans' Administration hospital at Fort Bayard, New Mexico, and, if it shall ever be used in such manner, the title to such property shall revert to the United States, which shall have the immediate right of reentry thereon, provided that such reversion shall terminate in the event the Veterans' Administration ceases operation of the hospital, (2) shall protect existing valid rights, (3) shall reserve rights-of-way for existing facilities such as roads, telephone lines, pipelines, electric power tranamission lines, or other facilities or improvements in place, and shall reserve such easements for roads as the Secretary of Agriculture finds necessary to assure access to lands of the United States or to meet public needs, (4) shall reserve to the United States all mineral rights, including gas and oil, in the land so conveyed, and (5) may contain such additional terms, conditions, reservations, and restrictions as may be determined by the Secretary of Agriculture or the Administrator of Veterans' Affairs to be necessary to protect the interests of the United States.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex."

EXEMPTION OF COURSES LEADING TO COLLEGE DEGREES FROM THE PROVISIONS OF THE VETERANS' READJUSTMENT ASSISTANCE ACT OF 1952

The bill (H. R. 4127) to exempt courses leading to standard college degrees offered by nonprofit educational institutions of higher learning from the provisions of section 227 of the Veterans' Readjustment Assistance Act of 1952 prohibiting the enrollment of eligible veterans under that act when such sources have been in operation for less than 2 years was considered, ordered to a third reading, read the third time, and passed.

JOANNE LEA (BUFFINGTON) LYBARGER

The bill (S. 3438) for the relief of Joanne Lea (Buffington) Lybarger was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of any benefits payable to, or on account of, the surviving children of deceased individuals under (a) the Railroad Retirement Act, or (b) any law conferring benefits upon the survivors of veterans of World War I, the minor child, Joanne Lea (Buffington) Lybarger, of Albuquerque, N. Mex., shall be held and considered to be the "child" of Alvin Earl Lybarger who died on October 28, 1953, the said Alvin Earl Lybarger having cared for such child since her birth and having instituted proceedings to adopt such child which were pending at the time of his death.

MARTHA A. McDERMOTT STOTHARD

The Senate proceeded to consider the bill (S. 2647) for the relief of Martha A. McDermott Stothard, which had been reported from the Committee on Labor and Public Welfare with amendments, on page 1, line 3, after the word "sections", to strike out "18" and insert "15"; in line 9, after the word "injury", to insert "alleged to have been"; and on page 2, line 5, after the word "benefits", to insert "except reimbursable medical expenses", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of sections 15 to 20, inclusive, of the Federal Employees' Compensation Act, as amended (5 U. S. C. 768–770), the Secretary of Labor is authorized (1) to consider any claim filed within 1 year after the date of enactment of this act by Martha A. McDermott Stothard, of Aurora, Colo., for compensation for disability resulting from an injury alleged to have been sustained by her in 1945 while performing services as an employee of the Department of the Army, Fitzsimons Army Hospital, Denver, Colo., and (2) to award to the said Martha A. McDermott Stothard any compensation to which she would have been entitled had such claim been filed within the time and in the manner provided by such sections. No benefits except reimbursable medical expenses shall accrue under this act for any period prior to the date of its enactment.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN R. HILL

The Senate proceeded to consider the bill (S. 3230) for the relief of John R. Hill, which had been reported from the Committee on Labor and Public Welfare with an amendment, on page 2, line 4, after the word "sections", to insert a colon and *"Provided*, That no benefits shall accrue for any period prior to the enactment of this act except such medical expenses as may be found to be reimbursable", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of sections 15 to 20, inclusive, of the Federal Employees' Compensation Act, as amended (5 U. S. C. 765–770), the Secretary of Labor is authorized and directed (1) to consider any claim filed within 1 year after the date of enactment of this act by John R. Hill, of Canton, Miss., for compensation for disability resulting from an injury sustained by him on February 4, 1947, while in the performance of his duty as a fire prevention engineer, Department of the Army, at Vienna, Austria, and (2) to award to the said John R. Hill any compensation to which he would have been entitled had such claim been filed within the time and in the manner provided by such sections: *Provided*, That no benefits shall accrue for any period prior to the enactment of this act except such medical expenses as may be found to be reimbursable.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. WARREN D. COOPER AND HER SON

The bill (H. R. 8008) for the relief of Mrs. Warren D. Cooper and her son, Teddy Devere Cooper, was considered, ordered to a third reading, read the third time, and passed.

WILLIAM LUKE PHALEN

The Senate proceeded to consider the bill (S. 1355) for the relief of William Luke Phalen, which had been reported from the Committee on Labor and Public Welfare with an amendment, to strike out all after the enacting clause, and insert:

That sections 15 to 20, inclusive, of the Federal Employees' Compensation Act, as amended, are hereby waived in favor of William Luke Phalen of Bridgeport, Conn., and his claim for compensation for disability resulting from pulmonary tuberculosis alleged to have been contracted while in the performance of his duties as a clerk with the Post Office Department, Postal Transportation Service, Boston, Mass., shall be considered and acted upon under the remaining provisions of such act in the same manner as if claim had been timely filed, if such claim is filed within 90 days after the date of the enactment of this act: *Provided*, That no benefits except medical expenses shall accrue by reason of the enactment of this act for any period prior to its enactment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN J. GRIFFIN

The bill (S. 2599) for the relief of John J. Griffin was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of Labor is authorized and directed (1) to consider any claim filed within 60 days after the date of enactment of this act by John J. Griffin, of Charlestown, Mass., for compensation under section 5 (a) (21) of the Federal Employees' Compensation Act for facial disfigurement resulting from an injury sustained by him on August 15, 1941, while he was employed by the Department of the Navy as a laborer in the Boston Navy Yard, Boston, Mass.; and (2) to award to the said John J. Griffin any compensation to which he would have been entitled had he elected to make application for such compensation within the time provided therefor in section 303 (d) (1) of the Federal Employees' Compensation Act Amendments of 1949.

HELMUT KLESTADT

The bill (H. R. 4899) for the relief of Helmut Klestadt was considered, ordered to a third reading, read the third time, and passed.

CLARENCE CHRISTENSEN

The bill (H. R. 1952) for the relief of Clarence Christensen was considered, ordered to a third reading, read the third time, and passed.

DIMINUTION, CONTROL, AND TREATMENT OF JUVENILE DELINQUENCY—BILL PASSED OVER

The bill (S. 4267) to provide for assistance to and cooperation with States in strengthening and improving State and local programs for the diminution, control, and treatment of juvenile delinquency, was announced as next in order.

Mr. BARRETT. Over.

Mr. LEHMAN. Mr. President, let me inquire what Senator objected. Was the Senator from Wyoming?

Mr. BARRETT. Yes.

Mr. LEHMAN. I wonder whether the Senator from Wyoming will withhold his objection for a moment.

Mr. BARRETT. Very well.

Mr. LEHMAN. I merely wish to point out that the bill is an extremely important one, and was reported unanimously by the members of the Committee on Labor and Public Welfare. A few days ago we had a meeting, and no objection whatsoever was raised to the bill.

I hope very much, therefore, that the Senate will see fit to pass the bill at this time.

Mr. BARRETT. Mr. President, I appreciate everything the Senator from New York has said. As I indicated earlier, a request was made that at this time we ask that the bill go over. I am sure the Senator from New York appreciates the fact that the calendar committee acts as spokesman for other Members.

Mr. LEHMAN. Mr. President, inadvertently the names of the members of the Committee on Labor and Public Welfare who joined in sponsoring the bill do not appear on the printed copy of the bill. Therefore, I ask unanimous consent that there be added, as cosponsors of the bill, the names of the Senator from Alabama [Mr. HILL], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Michigan [Mr. MCNAMARA], the Senator from Kentucky [Mr. HUMPHREYS], the Senator from New Jersey [Mr. SMITH], the Senator from New York [Mr. IVES], the Senator from Connecticut [Mr. PURTELL], the Senator from Ohio [Mr. BENDER], and the Senator from Colorado [Mr. ALLOTT].

The PRESIDING OFFICER. Without objection, it is so ordered.

Objection has been made to consideration of the bill, and it will be passed over.

The Senate will now proceed to the consideration of bills which were passed to the foot of the calendar, the first being Calendar No. 2677, House bill 11554.

Mr. PURTELL. Mr. President, may we have a list of the measures passed to the foot of the calendar, in order that we may refer to them more readily?

PRIVATE FINANCING OF MERCHANT VESSELS—BILL PASSED OVER

The PRESIDING OFFICER. According to the list the Chair has before him they are: Calendar No. 2677, House bill 11554; Calendar No. 2681, Senate Joint Resolution 177; Calendar No. 2747, House bill 11969; Calendar No. 2778, House bill 10111; and Calendar No. 2788, House bill 10092.

Is there objection to the present consideration of Calendar No. 2677, House bill 11554, a bill to amend certain provisions of title XI of the Merchant Marine Act, 1936, as amended, to facilitate private financing of merchant vessels in the interest of national defense, and for other purposes? As the Chair understands, this is the bill to which the Senator from Delaware wished to offer an amendment.

Mr. WILLIAMS. Mr. President, I have no objection to the consideration of the bill, if the committee has no objection to my amendment.

Mr. KNOWLAND. Why not bring the bill up on motion later?

Mr. WILLIAMS. I can explain the amendment very briefly. I do not think there will be any objection to it.

Mr. ERVIN. Mr. President, inasmuch as the chairman of the committee is not present, I suggest that the bill go over. I do not know what his attitude would be toward the amendment of the Senator from Delaware.

The PRESIDING OFFICER. The bill will be passed over.

The title of the next measure passed to the foot of the calendar will be stated.

SALE OF CERTAIN WAR-BUILT TANKERS—JOINT RESOLUTION PASSED OVER

The CHIEF CLERK. A joint resolution (S. J. Res. 177) to authorize the Secretary of Commerce to sell certain war-built tankers.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. WILLIAMS. Mr. President, may we have an explanation of the joint resolution?

The PRESIDING OFFICER. An explanation is requested of Senate Joint Resolution 177.

Mr. WILLIAMS. The chairman of the committee is not present.

Mr. JOHNSON of Texas. Mr. President, I ask that the joint resolution be passed over.

Mr. WILLIAMS. I ask that it be called on the next call of the calendar. There may not be any objection to it.

The PRESIDING OFFICER. Without objection, the joint resolution will be passed over until the next call of the calendar.

The next measure passed to the foot of the calendar will be stated.

SAFETY DEVICES ON REFRIGERATORS—BILL PASSED OVER

The CHIEF CLERK. A bill (H. R. 11969) to require certain safety devices on household refrigerators shipped in interstate commerce.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PURTELL. Mr. President, I objected previously, by request. I am not in a position to withdraw the objection at this time. I have discussed the matter with the distinguished Senator from Alabama. He understands the situation. I should like to see the bill passed on the call of the calendar. The request was made that it be passed over. I am sure that it could be taken up on motion later. The distinguished Senator from Alabama understands that I am not in a position to withdraw the objection.

Mr. MANSFIELD. Mr. President, as I understand, the objection is only temporary, and the bill can be considered on the next call of the calendar.

Mr. PURTELL. I should like to make it clear that I have been requested to object to the consideration of the bill on the call of the calendar. I have so objected. I suggest, however, that the bill be taken up on motion, at which time I shall be happy to support the bill. I am very much in favor of it. However, I do not anticipate that it will be taken up on motion today.

The PRESIDING OFFICER. The bill will be passed over.

INCLUSION OF CERTAIN SAVINGS AND LOAN ASSOCIATIONS WITHIN THE PROVISIONS OF TITLE 18, UNITED STATES CODE

The PRESIDING OFFICER. The clerk will state the next measure which was passed to the foot of the calendar, being Calendar No. 2778, House bill 10111.

The CHIEF CLERK. A bill (H. R. 10111) to amend sections 657 and 1006 of title 18 of the United States Code in order to include certain savings and loan associations within its provisions.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. ERVIN. The distinguished minority leader asked for an explanation when the bill was first called.

Mr. KNOWLAND. I have no objection to the consideration of the bill, but I should like an explanation.

Mr. ERVIN. The purpose of the proposed legislation is to bring State-chartered savings and loan institutions whose deposits are insured by the Federal Savings and Loan Insurance Corporation within the protection of section 657 of title 18, United States Code, which provides criminal penalties for embezzlement and other types of defalcation; and within the protection of section 1006 of title 18, United States Code, which provides criminal penalties for the making of false entries and other types of fraudulent or unauthorized conduct.

Section 657 of title 18, United States Code, and section 1006 of title 18, United States Code, apply to persons connected with savings and loan associations authorized or acting under the laws of the United States, but do not apply to persons connected with savings and loan associations chartered under State or local law and insured by the Federal Savings and Loan Insurance Corporation. The proposed legislation would amend these sections to make them apply to persons connected with such savings and loan associations.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

SHAREHOLDERS OF THE GOSHEN VENEER CO.—BILL PASSED OVER

The bill (H. R. 10092) for the relief of former shareholders of the Goshen Veneer Co. was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. BIBLE. I ask that the bill be passed over. There is no Senator present to explain the bill. Possibly it can be passed on the next call of the calendar.

The PRESIDING OFFICER. The bill will be passed over.

CONSTRUCTION OF SHELLFISH RESEARCH LABORATORY

Mr. PURTELL. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 2675, Senate bill 3827.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 3827) to authorize the construction of a shellfish research laboratory and experiment station in the Chesapeake Bay area.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PURTELL. Mr. President, I offered objection when the bill was first called, because I then had no information as to the attitude of the Government agencies concerned. I understand that since that time the distinguished Senator from Maryland [Mr. BUTLER] has made inquiry, and is able to inform the Senate that he has agency approval.

Mr. BUTLER. That is correct. I can assure the Senate that the Department of the Interior has orally approved the bill and that written approval will follow.

The PRESIDING OFFICER. Is there objection to the present consideration of Calendar No. 2675, Senate bill 3827?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment, in line 8, after the word "area", to insert "on lands to be donated or made available without cost to the United States", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior, through the Fish and Wildlife Service, is authorized and directed to provide for the construction and equipping (including the provision of dock or other necessary facilities) of a shellfish research laboratory and experiment station in the Chesapeake Bay area, on lands to be donated or made available without cost to the United States, and for such purpose there is hereby authorized to be appropriated an amount not to exceed $250,000.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SHAREHOLDERS OF THE GOSHEN VENEER CO.

Mr. CAPEHART. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 2788, House bill 10092.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 10092) for the relief of former shareholders of the Goshen Veneer Co.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. DOUGLAS. Mr. President, I believe we should have a very thorough explanation of the bill. It authorizes an appropriation of $295,000. As the bill left the House, the figure was much smaller. I believe the amount was at least trebled as the bill went through the Senate committee. I think we should have a very thorough discussion.

Mr. CAPEHART. Mr. President, I know something about the bill. It has been pending for a number of years.

What happened was that during World War II the War Department absolutely wrecked this institution, which at that time was worth about $1 million. It was owned by one family. The subject matter has been in and out of Congress for a number of years. The House has passed the bill authorizing an appropriation of $295,000. The Senate Committee on the Judiciary reported it unanimously, as I understand. All I know about the case is that the amount is much too low.

Mr. DOUGLAS. I wonder if the Senator from Indiana is correct in his statement that the House approved the payment of $295,000. I invite attention to several Senate committee amendments. On page 1, line 8, the sum is increased from $2,250 to $8,858.66; in line 10, the amount of $21,000 is increased to $82,639.91; on page 1, line 11, the amount is increased from $8,250 to $32,468.66; on page 2, line 1, the amount is increased from $8,250 to $32,468.66; in line 2, the amount is increased from $22,500 to $88,542.42.

There are certain other amendments. At the moment I am not quite certain what they mean.

It is obvious that the Senate committee has greatly increased the figure which the House approved, and I shall reluctantly be compelled to object to the consideration of the bill.

The PRESIDING OFFICER. The bill will be passed over.

That concludes the call of the calendar.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, earlier in the day I announced that the Senate would consider Calendar No. 2744, House Concurrent Resolution 265, expressing the sense of Congress against admission of the Communist regime in China as the representative of China in the United Nations. However, the Senator from Montana [Mr. MANSFIELD] has a speech to make, and he will proceed with it as soon as the unfinished business has been laid before the Senate.

Later in the afternoon the Senate will consider House Concurrent Resolution 265. The Senator from Montana has been very cooperative with the leadership, and he will now proceed with his speech, which will probably take 30 or 40 minutes to deliver.

FOREST PRODUCT PRICE REPORTING AND RESEARCH

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 4059) providing for price reporting and research with respect to forest products.

REVIEW OF FOREIGN POLICY—IX, THE UNITED STATES AND THE SOVIET UNION

Mr. MANSFIELD. Mr. President, this is the ninth in a series of discussions on foreign policy problems which have been undertaken during this session of the Senate. On previous occasions I have taken up some of the foreign policy issues which seem to me to be important in southeast Asia, North Africa, the Middle East, the Western Hemisphere, the African Continent, in Europe, and in the Far East. Today I propose to discuss the problems between the United States and the Soviet Union.

Any attempt to set forth and analyze the problems of United States foreign policy requires a spirit of responsibility and humility. I have tried to be responsible. Humility comes automatically when one tries to be constructive in dealing with the momentous issues we face.

I hope, Mr. President, that my comments may be of service to my colleagues and to others who may read these papers regardless of their political views. These have not been political speeches. There has been no attempt to find fault with the present administration. Indeed, I have sought to encourage the administration in those efforts and policies which seem to promise success. But neither have I tried to soft-pedal critical judgments in those cases in which criticism has seemed justified.

In earlier reviews I have from time to time commented on the subject of Soviet-American relations. In every area—Europe, Asia, Africa, and South America—the conflict of interest between the Soviet Union and the free world, including the United States, is apparent. In some places, like Vietnam, the issues have been drawn in blood. In other areas, such as central Africa, Soviet influence and the issues arising therefrom are still shrouded in shadow.

The relations between the United States and the Soviet Union have been explored on this floor day to day—almost from hour to hour. Not a legislative day passes without several hundred words about the Soviet Union going

into the CONGRESSIONAL RECORD. Not a press conference can be held by the President, the Secretary of State, or the Chairman of the Joint Chiefs without questions about the Soviet Union. The American people have every reason to think they know a great deal about the intentions, the actions, and even the drinking habits of Soviet leaders. But is this vast outpouring of words about Soviet matters sufficiently factual? Is it accurate?

We must not forget that we lack many of the usual tools for verifying what is said about the Soviet Union. Scholars and writers and ordinary visitors from other countries cannot even yet travel freely in the Soviet Union and see what they want to see. Furthermore, the subject of communism is highly charged with emotion. Communist Party members and fellow-travelers, on the one hand, and some anti-Communist speakers on the other hand, talk about communism with such fanatical fervor that they thoroughly confuse fact and fancy. Clichés and meaningless slogans fill the air and distort reality beyond recognition.

Despite the danger of relying on this profuse output about communism and the fact that the people of Russia have never known freedom and have always been governed by one or more dictators, I do believe that Soviet society and the Soviet state have undergone significant changes in recent years. Some rather remarkable changes have taken place since the death of Stalin and we may expect more. In the light of the sweeping generalizations about what goes on behind the Iron Curtain and in the light of some known facts, it seems essential to me, Mr. President, for the American people and their elected officials to maintain a healthy attitude of inquiry about the Soviet Union.

There is a great danger that we may become overconfident about the correctness of views based on emotion and random facts. The danger is heightened by our past success. For the past 10 years, especially, we have been able to say "I told you so," about the aggressive nature of Soviet intentions and about the tyranny of Communist dictatorship. The detailed revelations of Khrushchev about Stalin provide the climax of these successes. We were not amazed; we knew it all the time.

Mr. President, just because we were right once we must not become smug and complacent. At this particular moment in history, especially, we must keep an alert watch on events and trends in the Soviet orbit. This is no time for wishful observation. It is occasion for scholarly skepticism. Let us remember the wisdom expressed by Buttercup to the captain of Her Majesty's Ship *Pinafore:*

> Things are seldom what they seem,
> Skim milk masquerades as cream;
> Highlows pass as patent leathers;
> Jackdaws strut in peacock's feathers.

On the other hand, Mr. President, we cannot wait forever. As Senators we must do our utmost to understand the Soviet Union, its policies and their significance in terms of our own national interest—short range as well as long range.

Mr. President, from the short-range point of view the central fact of the present situation is that the changes in Russia since the death of Stalin give no evidence whatever of a change in the basic objectives of communism. Khrushchev, Bulganin, and Shepilov still seek to overturn, by fair means or foul involving the least risk to Soviet security, all the free governments in the world and to subject their citizens to Communist domination.

At the moment, the Communist leaders appear to believe that the use of atomic weapons would be too risky. Militarily, we seem to be experiencing a pause while they seek to accumulate a decisive stockpile of intercontinental missiles. During this pause we have seen all manner of tactical changes designed to convince the United States and other non-Communist nations that revolutionary zeal has mellowed and that we need not trouble to maintain our defenses.

In my review of European problems I noted that: "The changes add up to a vast effort to push the interests of Soviet communism not by the crude tactics of a Stalin but by the traditional techniques of diplomacy, trade, and exchange." I pointed out that the new Soviet tactics present a terrible danger to freedom because their appeal is so inviting. We are invited to take it easy. It is too early to tell whether we shall do so. The President has the money now to build a stronger Air Force. Whether he will use it wisely or not remains to be seen.

Although the calming effect of the Soviet peace offensive is serious here at home, Mr. President, I fear it much more abroad. We in the United States Congress will continue to support an adequate Defense Establishment. Because we have a high standard of living, it will be easier for us to continue to carry such a burden than it will be for most of our allies. In some countries which have had less experience with Soviet techniques, however, there has been and will continue to be a pronounced tendency to accept Communist statements at face value. The wolf has put on sheep's clothing, and, unfortunately, nothing we can say will convince some people that the wolf is not a sheep.

Mr. President, I turn now to what seem to me to be the two most fundamental long-range questions with serious implications for United States-Soviet relations. These questions may seem to be academic, but I believe the attitude we take may have most important consequences for future generations of Americans.

The first question is whether it is true that the threat from the Communist bloc will continue to be the most important danger facing the United States.

This question arises not because of any doubt about the seriousness of the current hostile intentions of the leaders in the Kremlin but because we must not ignore other dangers from abroad which threaten the American way of life. Although there is no doubt but that the gravest threat to basic human freedom is to be found in the totalitarian philosophy and movement fostered and financed by the Soviet dictatorship, we might well ask whether this will always be so. What about 20 years from now? What I ask is whether—independent of the Communist effort to subvert our freedom—there are other problems which may in time assume comparable importance and about which we should be concerned now.

Mr. President, I have in mind, for example, the danger to the United States from the world revolution against poverty and backwardness—a revolution which might be captured by totalitarianism or grow on toward freedom. The magnitude of this upheaval and its potential danger to us is not adequately appreciated in this country. It is understandable that we have been absorbed in raising our defense and that of other countries against communism, because these other forces are not yet sufficiently dramatic in their threat to put us on guard. We tend to concentrate on the military threat which emanates from the Soviet Union. The threats arising from the world revolution against poverty are more subtle—more difficult to comprehend. We are intensely aware that the Soviets could drop atomic bombs on us tomorrow, but it is hard for us to see what grief the far-away native of Africa could cause us.

More than half the people of the world, Mr. President, have been sitting in the bleachers since the dawn of modern civilization. The political and economic struggles characteristic of man's advancement have been carried on without their participation. These hundreds of millions have no substantial armies; they operate no propaganda machines; they are not absorbed in nuclear research. Rather, they are devoting all their energy to the desperate business of finding food and shelter. They know little of the outside world. They have never heard of political doctrines and the problem of balancing payments.

These people are now, however, beginning to look up. They have seen their first airplane. They are beginning to demand some of the food and shelter which, by their primitive standards, exist in such abundance in the "civilized" world.

Although some 500 million people have recently received independence, most of them hardly know what to do with it. Nevertheless, their representatives are coming half way around the world to meetings at the United Nations. Communications of every kind are stretching out into the farthest corner. Vivid pictures—sometimes distorted pictures—of how others live are being passed around. Desires for a better life born of this glimmering of knowledge are coming to the surface. Political and social demands are finding expression. This new nationalism with its new leaders in new countries demand signs of progress.

We must understand that there is nothing we can do to stop this revolution. We cannot put steam back into the boiler. It is important to realize, however, that this steam may be put to good use or to bad use. It is equally important to realize that to a large ex-

tent this revolution is, up to the present time, largely independent of the struggle between the Soviet Union and the free world. The terminology of the cold war is absolutely meaningless to hundreds of millions of people who see no danger and no relevance for them in the cold war. And, in this connection, we must realize that the philosophy of neutralism is not necessarily an attempt to straddle the fence and get the greatest possible advantage from both the United States and its allies on the one hand and the Communist bloc on the other hand. Much of the attitude arises because millions of people are just not interested in the cold war because they are fully absorbed in the overwhelming tasks of making a new life for themselves.

This vast stirring in the underdeveloped countries is a fact which we must take into account. Whether the outcome will be good or bad for us we cannot tell. If we can help economic development take place under conditions of relative peace and democracy I think there is no doubt that this would be a wonderful thing for the United States. Our standards of living would go up, because we know that if the economy of the United States is to continue to expand, our foreign trade must continue to expand. But if we fail to appreciate the relevance to our national security of this struggle for a better life that goes on among the developing nations, we may be sure that the Soviet Union will not overlook the opportunity.

While I have emphasized that the revolution against hunger and underprivilege is in danger of capture by communism, our concern must not—indeed, it should not—be motivated principally by concern with what may happen if the Communists control it to their own selfish ends.

Regardless of Communist competition in these newly developing areas there are many matters in which the United States has a vital and abiding interest. Take, for example, the dependence of this Nation upon foreign sources of raw materials.

There is no need to recite material by material. It is enough to say, for example, that the United States uses two-thirds of the world's production of oil, and yet we have less than one-tenth of the world's people. It is enough to point out that the African native struggling to get enough to eat lives in a land to which we look for uranium ore for our benefit and protection. Elsewhere as we look around the world we see that many of the raw materials we need most come from countries whose standard of living is farthest from our own. Uranium from the Belgian Congo, rubber from New Guinea, tin from Java, manganese from India, tungsten from Bolivia, and oil from Iraq and Saudi Arabia.

Mr. President, suppose, regardless of Soviet action, these sources of vital supplies were suddenly cut off? Suppose that prices of raw materials from foreign sources should double? Suppose that the underdeveloped countries should vote against positions advocated by the United States in the United Nations? Suppose that an organized group of nationalist leaders in the Middle East decided to cut off oil supplies to Europe and to the United States?

Mr. President, these things are not impossible. There are enormous forces behind the drives toward better living standards and toward strong nationhood in many foreign areas. The question is whether these drives will go forward peacefully, rationally, and without unacceptable social distress.

The whole problem, of course, is aggravated by efforts of Communist parties everywhere to turn this turmoil to their own advantage. But the economic and social revolution I am talking about will proceed whether or not it is accompanied by Communist subversion. These problems present a separate series of potential difficulties—not necessarily Communist-inspired—which might arise from extreme nationalism.

I do not say that this means we should stop worrying about communism. I do say, however, that we must not be so intent on meeting the Soviet threat that we overlook these other hazards which would threaten our security even if communism were to perish tomorrow. We cannot focus our attention on Soviet-American relations alone. We must be aware of dangerous that stem from non-Communist revolutionary objectives.

One of the dangers we face resulting from over-concentration on communism as a military and economic threat is that we may win the battle but lose the war. Take the case of the foreign-aid policies of the United States.

The foreign-aid program of the United States grew as an anti-Communist program. When the Communists undertook subsidized guerrilla warfare in Greece, the United States responded with the Greece-Turkey aid program. The Marshall plan was developed only when it appeared that the Communist parties in France and Italy and other European countries might overthrow democratic governments. Our military-assistance program was expanded after the Communists demonstrated their aggressive intentions in Korea.

In marked contrast to these anti-Communist measures was the point 4 program. It was approved on June 5, 1950, 2 weeks before the Communists launched their attack on the Republic of Korea. The Act for International Development, as amended, stated the congressional conviction that "The peoples of the United States and other nations have a common interest in the freedom and in the economic and social progress of all peoples." It is stated to be the policy of the United States "to aid the efforts of the peoples of economically underdeveloped areas to develop their resources and improve their working and living conditions." It is clear, therefore, that despite our overwhelming concern with the Communist threat, both Democratic and Republican administrations have not altogether neglected the objective of helping the underdeveloped countries of the world. Strange as it may seem, it is the technical assistance program which year after year has grown and has, for the most part, survived congressional cuts applied to military and economic assistance. I suggest one reason may be that this program of technical assistance comes closer to meeting the feelings of most Americans than vast outpourings of military and economic assistance.

Mr. President, I believe the American people realize that communism is only part of the threat. I believe much of the public opposition this year to continued foreign aid stems from a realization that too much of the aid program has been justified as anti-Communist and not enough has been justified as pro-people. In short, the public believes the program is out of balance. The military aspects have been overemphasized to the detriment of that portion of the program which is to assist underdeveloped countries.

It does not seem to me that the executive branch has had its ears close enough to the ground in the United States to understand that the American people appreciate the significance of the Soviet entry into the foreign assistance field. The Russians seem to realize the importance of paying tribute to the unsatisfied demands for a better life which are arising in Africa, Asia, and Latin America. Notwithstanding the lack of consumer goods, the Soviet Union is nevertheless devoting a substantial portion of its national product to a purely nonmilitary aid program. I am not one, Mr. President, who thinks that the Soviet Union will renege on its promises of aid.

In summary of this point, which I have perhaps labored too long, let me say that the Soviet threat, militarily and economically, must continue to have our attention. But we must not so concentrate on the Soviet Union that we hypnotize ourselves into believing that if the Soviet Union would only go away, our troubles would be over.

Mr. President, closely related to the danger of overconcentration on the Soviet Union as the source of all trouble is the danger of underconcentration on the potentiality of change. Just as there is a tendency for some to believe that all danger stems from the Soviet, there is also a tendency on the part of some to believe that the Soviet Union cannot change from within and that therefore the only outcome of the present state of affairs is for the ultimate destruction of either the Soviet system or our own system.

If one believes there is no hope for change in the Soviet system, his whole approach to a series of practical, day-to-day problems is conditioned. There would be no reason, for example, to encourage American students to go to Russia or Russian students to come here. There would be no reason to permit—not to say promote—visits to this country of members of the Communist Party or of trade and farm delegations. If there were not hope that the Soviet Government might some day change its objectives there would no point in encouraging exchanges of people or broadcasting the Voice of America to Russia.

If, on the other hand, one believes there is a chance of evolution toward a more reasonable policy in Russia then he must view exchanges of persons and other cultural relations very differently,

for each communication with a Soviet citizen is an opportunity to educate, to puncture some of the hard dogma which has been crammed into the minds of Russian people over the past 39 years.

Mr. President, our national policy with respect to the Soviet Union is not inflexible on this possibility of change. Our military policy assumes the worst. We are prepared to defend ourselves against the strongest blows the Soviets might strike. We cannot take the chance of being wrong in guessing about future activities of the Soviet leaders, no matter how peaceful they may sound today. Yet at the same time we maintain diplomatic relations. We talk to the Russians at the United Nations. President Eisenhower went to Geneva. General Twining visited the Soviet Union. We do spend considerable sums of money to project our voice behind the Iron Curtain.

In short, Mr. President, our policy is to take adequate precautions in case the cold war turns hot. At the same time we are doing what we can to encourage change within the Soviet system.

The truth is that nobody really knows what will happen. No responsible student of Soviet affairs would attempt to say how many years it might be before we could trust the Russian leaders, if ever. The answer to such a question depends on too many factors. It depends on events inside the Soviet Union on which we have little or no information and over which we have no control. It depends on events outside the Soviet Union in China, in India, and in the United States. Certainly the future of our relations with the Soviet Union depends in part on what we do and on what the Soviet leaders guess we will do.

Under these circumstances, Mr. President, I must confess that it was with some mystification that I read on July 11, 1956, that Secretary of State Dulles undertook to answer the unanswerable question. We were told:

> It is not a matter for this year or next year, but I believe this second postwar decade in which we are will see these new forces take charge of the situation and that we can really hopefully look forward to a transformation of the international scene.

It would be hard to concoct a statement better calculated to lull the American people into a false sense of security.

Mr. President, I consider this kind of talk from the Secretary of State as not being fully responsible, and as based upon wishful thinking. Certainly there are possibilities that changes may occur in the Soviet Union which would be beneficial to us. But I am afraid that it is extravagant beyond measure to attempt to set any date now for the completion of the Communist reformation.

It seems to me, in fact, that one sure way to increase the danger of another war would be for the United States to become complacent and relax its defenses. So long as we are strong; so long as the Soviet leaders estimate that the chance for successful aggression is doubtful, then we have a fair chance of avoiding war. If we ever start calculating how many years we have to go until we can rest, we will have started down the road to extinction.

Even if America stays strong, Mr. President, we cannot rule out the possibility of atomic war. Although the Soviet Union for the moment appears to be ruled by a collection of dictators, the Communist system may breed another single dictator. If such a man should have the personality of Hitler, with impulses to suicide, it could mean the end of the human race.

It is necessary, however, Mr. President, to balance against this gloomy picture some of the factors which indicate that we may be entering into a period of intense competition with the Communist countries without a world war. The Soviet system might evolve toward, or erupt into, something with which we could live. I have no intention of trying to predict if or when such a period may arise.

There are hopeful factors, however, one of which is that the Soviet leaders now know that the United States will fight military aggression. President Truman's historic decision in Korea should have settled any Communist doubts on that score. While the Soviet leaders know that we will fight aggression, they also must know that the United States would not attack the U. S. S. R. They know that for a number of years, when we had the atom bomb and they did not, we did not attack. As a consequence of this unwritten understanding and of the mutual deterrent force of stocks of destructive weapons on both sides, we have, for the moment at least, reached a military stalemate. As long as this stalemate exists there is opportunity to promote a rationality of dealings—a rationality which has heretofore been sadly lacking on both sides.

Another hopeful element, as we look to a peaceful future, is that the monumental irrationality represented by Stalin may have died with the man. Clearly, we must be aware of the danger that it will arise in another all-powerful individual, but for the moment the one-man dictator is dead.

Another element that favors a settlement of issues short of war is the fact that with each passing year the revolutionary zeal of communism ebbs a little. Each year Marxist theory is further from the daily reality of communism in Russia. The classless society of Marx does not exist in the modern industrial state which is rising in the Soviet Union. The Communists have found it necessary, in the operation of their industrial machine, to adopt the wage incentives which all industrial countries have found to be essential. The difference between the highest and the lowest salary brackets in the Soviet Union is somewhat greater than in the United States. The Soviet Union is not a classless society, and it never will be. The accumulation of private capital in the Soviet Union is increasing and becoming significant. Rich parents can pass on their wealth and advantages to their children. The Soviets are now discovering that slave labor is not as efficient as free labor, and the population of the Soviet slave-labor camps is declining.

We may also find hope in the fact that since the death of Stalin intellectuals in the Soviet Union have known much greater freedom. Scientists have been unshackled. Higher education has been stepped up and broadened. Soviet leaders appear consciously to be trying to become scientific leaders of the world. It seems to me obvious that the Soviet leaders cannot allow scientific freedom of inquiry in some areas of knowledge without opening up such freedom in other areas. As the Communists themselves have often said, man cannot erect permanent barriers against the flow of ideas.

Finally, Mr. President, there has been a slow but steady trend toward an increase in respect for law and order as an essential ingredient in modern industrial society, where predictability and the absence of arbitrary decision is essential for the economy to function.

Mr. President, these factors provide us with hope—a glimmer of hope—but not much more. The Communist Party still controls and pervades every facet of Soviet life. The leadership of the party remains so strong that it can destroy a god—Stalin—and apparently get away with it.

It is within the context of the two broad and complex problems I have discussed—first, that we must not overlook other problems because of overconcentration on communism, and second, that we must not ignore the possibility of encouraging peaceful change in the Soviet Union, that our policies toward Russia must be formulated. And I might add that it is always at this point that the going gets rough for the commentator who finds criticism easy, but construction hard.

Mr. President, it seems to me that we have spent too much of our energy in the past few years in tearing down the obstacles to peaceful and democratic growth that communism has put forward, and not enough energy in building up the positive values of freemen living in a free society. It is not enough to talk of instant retaliation, to lecture on the immorality of neutralism, and to cast ourselves in the role of the most anti-Communist nation on earth. These things are negative.

I believe that most Americans are aware of the danger of negativism in foreign policy. Indeed, the mail I receive, the newspapers I read, the speeches I hear on the Senate floor indicate that a far-reaching review of the bases of our foreign policy is underway. This uneasiness about American foreign policy seems to have reached into most corners of American life. Unfortunately it seems not yet to have seeped into the thinking of the Department of State. While virtually every commentator and authority on foreign policy is worried about American foreign policy, the Department of State still seems most concerned about Soviet foreign policy.

I do not deny, Mr. President, that the military commander must constantly be aware of the potential tactical moves of his enemy. But wars are not won by parrying thrusts. Wars are won by initiative—by mobilizing the resources of a nation and pressing relentlessly toward a goal. Our relationship with the Soviet Union will never be on a sound basis so long as we permit ourselves constantly to be forced into a defensive stance,

whether it be on such relatively minor matters as the exchange of persons or such major matters as reacting to Soviet proposals to limit the testing of nuclear weapons.

It may seem trite, Mr. President, to suggest that our actions as a nation in this world should be rooted in the concepts of right and wrong which stem from our religion and our form of government. It is when our officials defer to expediency and rely on words instead of deeds that our stature as a nation suffers.

Edwin Markham has a verse which sets the standard for this Nation:

So came the captain with the mighty heart;
And when the judgment thunders split the house,
Wrenching the rafters from their ancient rest,
He held the ridgepole up, and spiked again
The rafters of the home.

Mr. President, the time has come for this Nation in its dealings with the world at large and the Soviet Union in particular to proceed steadfastly on the course our fathers charted—a course which, in over a century and a half, led us from insignificance to the position of the mightiest Nation on earth. Americans cannot understand, and foreigners do not respect, an American foreign policy that meanders and twists and moralizes, depending on the latest statements of the Kremlin or the last visitor in Washington.

But Americans do understand, and foreigners will respect, a foreign policy based upon recognition that the self-evident truths set forth in our Declaration of Independence are applicable to all men, not just Americans. These truths, that "all men are created equal," that governments derive their "just powers from the consent of the governed," that the people have a right "to alter" or to "abolish" governments destructive of these ends, and that the foundations of government are to be based upon such principles as the people deem "most likely to effect their safety and happiness"—these truths, Mr. President, are at the root of the very forces which today require this Nation to respond with sympathy to the economic and social revolution that is underway in much of the world. If we pursue these ends our policy will be positive and we need not fear the future.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed a bill (H. R. 627) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, in which it requested the concurrence of the Senate.

CIVIL RIGHTS OF PERSONS WITHIN JURISDICTION OF THE UNITED STATES—REFERENCE OF BILL TO COMMITTEE ON THE JUDICIARY

During the delivery of Mr. MANSFIELD's speech,

The PRESIDING OFFICER (Mr. HILL in the chair). The Chair lays before the Senate the bill (H. R. 627) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, which will be read the first time by title.

The clerk read the bill by title.

The PRESIDING OFFICER. Without objection, the bill will be read the second time and referred to the appropriate committee.

The Chair hears no objection.

The bill was read the second time and referred to the Committee on the Judiciary.

THE BRIONI COMMUNIQUE

Mr. SMITH of New Jersey. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of an official translation from Serbian of the communique issued following the meeting of President Tito of Yugoslavia, President Nasser of Egypt, and Prime Minister Nehru of India at Brioni on July 20, 1956; and also, in connection therewith, an editorial entitled "The Brioni Communique," published in the New York Times of July 21, 1956, which endeavors to interpret the communique.

There being no objection, the communique and the editorial were ordered to be printed in the RECORD, as follows:

BRIONI COMMUNIQUE

I

In the course of the visit to Yugoslavia of the President of the Egyptian Republic, Gamal Abdel Nasser, and the Prime Minister of India, Jawaharlal Nehru, talks took place on July 18 and 19, 1956, on Brioni, between President Josip Broz Tito, President Nasser and Premier Nehru.

During the talks, which were conducted in an atmosphere of cordiality and friendship, a detailed exchange of views took place on questions of mutual interest.

II

The three heads of government reviewed developments in the international sphere since they met each other separately 12 months ago. The similarity in their approach to international questions has led to close cooperation between them and they noted with satisfaction that the policies which their countries pursued have contributed to a certain extent toward the lessening of international tension and to the development of relations between nations based on equality.

III

Recent developments and contacts and talks between leaders of different lands which follow differing policies have contributed to a better understanding of the others' views and to a growing recognition of the principles of peaceful and active coexistence. The three heads of government consider that these contacts and exchanges of opinion should continue and be encouraged.

IV

Last year's conference in Bandung laid down certain principles which should govern international relations. The three heads of government reaffirm these 10 principles which they have always supported.

They realize that conflicts and tension in the world today have led to fears and apprehensions in the present time and for the future. As long as these fears and apprehensions dominate the world no firm basis for peace can be established.

At the same time it is difficult to remove quickly these fears and apprehensions and progressive steps will have to be taken for their removal. Every step helps in lessening tension and is therefore to be welcomed.

V

The division of the world today into powerful blocks of nations tends to perpetuate these fears. Peace has to be sought not through division but by aiming at collective security on a world basis and by enlarging the sphere of freedom and by ending the domination of one country over another.

VI

Progress toward disarmament is essential in order to lessen fear of conflict. This progress must be made in the first place in the framework of the United Nations and should include both atomic and thermonuclear weapons and conventional armaments and also adequate control of the implementation of agreements which have been made.

Explosions of weapons for mass-destruction even for experimental purposes must be suspended since they contain possible dangers to humanity in polluting the atmosphere which affects other countries and large peace-loving areas regardless of frontiers, and they are violations of international morality. Fissionable material must in future be used only for peaceful purposes and its further use for war purposes must be prohibited.

The three heads of Government are deeply interested in full and equal international cooperation in the field of the peaceful use of atomic energy. Such cooperation should be organized in the framework of the United Nations and all countries must be represented in proposed international agencies.

VII

The intensification of efforts to quicken developments of underdeveloped areas in the world constitutes one of the main tasks in establishing a permanent and stable peace among nations. In this connection, the three heads of Government recognized the importance of international economic and financial cooperation and consider that it is necessary and desirable that the proposed special United Nations fund for economic development be constituted and made capable of acting effectively.

VIII

In the course of their talks the three heads of Government emphasized the great importance of removing embargoes and obstacles to the normal flow and extension of international trade.

IX

The three principal areas of tension and possible conflict are Central Europe, the Far East of Asia, and the Middle East region between Europe and Asia.

The problems of the Far East cannot be solved adequately without the full cooperation of the People's Republic of China. The three heads of government express their belief that the People's Republic of China should be represented in the United Nations. They also consider that those countries which have applied for membership and are qualified in accordance with the charter should be admitted to the United Nations.

X

The problems of Central Europe are intimately linked with the problem of Germany. This important question must be settled in conformity with the desires of the German people by means of agreement reached by peaceful negotiation.

XI

In the Middle East, conflicting interests of the big powers have added to the difficulties of the situation. These problems should be considered on their merits, safeguarding the legitimate economic interests but basing solutions on the freedom of the peoples concerned. The freedom and good will of the peoples of these areas are essential not only

for peace but also to safeguard legitimate economic interests.

The situation in Palestine is particularly one of danger to world peace. The heads of government support in this respect the resolution of the Bandung Conference.

XII

The three heads of government considered the situation in Algeria, which in their opinion not only is of great importance but requires urgent attention both from the viewpoint of the basic rights of the peoples of Algeria and also from the viewpoint of consolidating peace in that part of the world.

Believing as they do that colonial domination is completely undesirable and that it is injurious both to those who rule and to those who are ruled they must express their sympathy for the desire of the people of Algeria for freedom. They recognize that there are in Algeria a significant number of people of European descent whose interests should be protected but this should not come in the way of recognition of the legitimate rights of Algerians.

They warmly support all efforts directed toward finding a just and peaceful settlement and especially toward ending violent conflicts in this area and toward negotiations. A cease-fire and negotiations between the interested parties should lead to a peaceful settlement of the problem.

XIII

The three heads of government realize that the problems of the world cannot be settled all at once and it is necessary with patience and good will to persevere in attempts to reach settlements. However, it is essential to make all efforts to create an atmosphere of peace and to act in agreement with the basic principles of the Charter of the United Nations.

[From the New York Times of July 21, 1956]

THE BRIONI COMMUNIQUE

When Prime Minister Nehru arrived in Yugoslavia for his talks with Marshal Tito and General Nasser he said wearily to the correspondents: "It really is extraordinary that we cannot meet in a friendly way without you gentlemen attaching the highest importance to it." The implication is that this was to be just a cozy little old home week in a pleasant Yugoslav resort.

The communique on this friendly meeting has now appeared. It has obviously been watered down on some issues, such as the unification of Germany. It has employed more than the average share of clichés and catch phrases and has used some ironic circumlocutions such as the statement that these chiefs of state favored ending the domination of one country over another. They didn't say which countries, but they are obviously against sin.

But the fact remains that these are responsible chiefs of state. Two of them are outright dictators and Nehru is still the constitutional but unchallenged leader of the second most populous country in the world. They can commit their countries to policies, and they did so. If we attach the highest importance to what they allowed to be published on their behalf we are using merely commonsense. At the same time free men need not be bemused by the spate of words that come out of Brioni. The words are soft. The policies and commitments are hard, whenever the three felt that they could afford to take a position.

According to the two dictators and the leader there are three critical areas, the Far East, the Middle East and Western Europe. Their recommendation on the Far East is simple. First, there should be immediate admission of Red China to the United Nations, and second, there should be an immediate removal of embargoes and obstacles to the normal flow and extension of international trade. There are some phrases about the United Nations in the document and they are a bit hollow, when what these men are really agreed on is aid and comfort to the still unpurged aggressor against the United Nations itself.

In the case of the Middle East, the recommendation, somewhat speciously disguised, is no less emphatic. Big powers—again not named—are held responsible for having added to the difficulties of the situation. But the support of the conferees goes to the Bandung resolution adopted in April of last year by the Asian-African bloc. It will be remembered that Israel was conspicuously excluded from that supposedly Asian conference and that the resolution supported the Arab position with full sympathy. General Nasser may have wanted something even stronger than that from Mr. Nehru, but what he got was plenty.

Similarly, the play for the Arabs was conspicuous in the fact that the conferees plumped for the immediate freedom of Algeria. This is to be obtained by a cease-fire and prompt negotiation and the safety of the non-Algerian is to be protected. But the communique obviously could not, or dared not, go into any details as to how this desirable consummation was to be reached.

Likewise, in the case of Germany, it was agreed that the whole question should be settled by means of agreement reached by peaceful negotiation. No word about a free vote, although the German people are supposed to do the negotiating and settling.

On the question of disarmament and nuclear weapons the lip service is again plausible. The problem should be settled through the United Nations, and there should be adequate control of the implementation of agreement. Just what control is not suggested, but in the meantime it is agreed that there should be an immediate ban of any further tests of nuclear weapons and a complete prohibition upon any further use of fissionable material for war purposes.

There is quite a bit of talk about peaceful and active coexistence between the free and the slave worlds. There is emphasis upon the close cooperation of the conferees and their contribution to a lessening of tensions through the similarity of approach to international questions. If there is a real similarity of approach between a democratic India, a Communist Yugoslavia, and a dictatorship-ridden Egypt, there is reason to have concern both for the meaning of words and for the extraordinary bedfellows that international politics can make.

No, the free world will have to attach the highest importance to the Brioni communique, despite Mr. Nehru's modesty. It should be put on its guard against strange combinations of forces that may be plausible on the surface but that could be sinister in their ultimate effect.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WASHOE RECLAMATION PROJECT, NEVADA AND CALIFORNIA—CONFERENCE REPORT

Mr. BIBLE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 497) to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings, pp. 13825–13826, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. KNOWLAND. Mr. President, I understand from the distinguished junior Senator from Nevada [Mr. BIBLE] that the conference report on the Washoe project was agreed to by all the conferees.

Mr. BIBLE. That is a correct statement, Mr. President; and my distinguished colleague, the senior Senator from Nevada [Mr. MALONE], likewise is in accord with the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. BIBLE. Mr. President, I ask unanimous consent to have printed in the RECORD following the approval of the conference report a brief statement on the development, and certain features of the conference report.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BIBLE

The Washoe project is primarily a development of the limited water resources of an important segment of Nevada to provide irrigation water to supplement existing supplies and to provide a full supply to productive lands in the Carson Valley and the Empire, Dayton, and Fort Churchill areas. In addition the project will firm up existing water supplies for the Truckee River storage and Newlands reclamation projects. Drainage systems will also be provided for lands now irrigated or affected by irrigation in the Carson Valley and under the Truckee River storage project in Truckee Meadows.

The project plan contemplates bringing only 5,100 acres of new land under irrigation. The area to be benefited by supplemental service and firming up of water supplies is 110,360 acres. This includes 70,000 acres in the Newlands project, named for the father of the reclamation law of 1902—the distinguished Senator from Nevada, Francis G. Newlands. The area to receive supplemental irrigation and drainage service includes 30,900 acres.

Hydroelectric power totaling 28,000 kilowatts will be installed at dams on the project. This power is valuable for peaking purposes and the output of more than 90 million kilowatt-hours annually will be sold at 9 mills per kilowatt-hour. While this rate is higher than on most reclamation projects, there is a market for the output for peaking purposes at this rate.

The power investment will be amortized in 50 years at an interest rate of 2.5 percent. Surplus power revenues will aid in repaying irrigation construction costs beyond the ability of the water users to repay.

The total cost of the project authorized is $43,700,000 including a $2 million nonreimbursable allocation to fish and wildlife purposes. The Senate Committee on In-

terior and Insular Affairs in its report on S. 182 expressed the opinion that the nonreimbursable allocation to flood control should approximate $8 million partly because of recent flood damages in the area.

I desire to recognize the splendid cooperation and public spirit of the landowners and other citizens of the area, both in the urban and rural areas, who have cooperated with us in getting the project organized.

In view of the colloquy on the Senate floor between the Senator from New Mexico [Mr. ANDERSON] and the Senator from Illinois [Mr. DOUGLAS] regarding excess land provisions of H. R. 5881 (pp. 13659-60 of the CONGRESSIONAL RECORD of July 20), I feel a statement is appropriate with respect to the excess land provisions of S. 497 as agreed to by the conferees.

First, I desire to go on record commending the cooperative spirit of the House conferees, chairman ENGLE and Representatives ASPINALL and MILLER. The chairman of the Senate conferees, the Senator from New Mexico [Mr. ANDERSON] and my colleague from Nevada [Mr. MALONE] were likewise cooperative.

A conference was held on the disagreeing amendments between the House and Senate.

The House conferees accepted the Senate requirement for a conservancy district to be formed in the area which would be authorized to contract for the repayment of the construction costs of the Washoe project.

As passed by the Senate, S. 497 exempted lands receiving supplemental water from the excess land provisions of the reclamation law. The House version required payment of interest on the land held in single ownership above 160 acres, and this was accepted by the Senate conferees after much discussion.

The report of the managers on the part of the House in the last sentence of their report on page 13836 of the CONGRESSIONAL RECORD of July 20 states in connection with excess land interest costs:

"It is the intention of the House conferees that the Federal taxpayers shall be made whole with respect to the cost to the Federal Government attributable to serving excess lands and that the repayment of such costs shall come from project revenues."

The Senate conferees agree that the Secretary of the Interior will have the responsibility of making the interpretation of the language agreed on in the conference report with respect to payments of interest on construction costs attributable to excess lands. However, for the record, the Senate conferees, for the purpose of clarification, state that their intention is that net power revenues shall pay the interest on the excess land costs that would have been paid by the irrigators of such lands had they had the ability to make full payment of such cost and interest annually.

THE TRUCKEE-CARSON PROJECT

Mr. BIBLE. Mr. President, I now yield to my distinguished colleague, the senior Senator from Nevada.

Mr. MALONE. Mr. President, there are three areas covered by the bill. First, there is the Truckee Meadows Conservation District, surrounding Reno; second, the Newlands project, surrounding Fallon; and third, the Carson Valley project, surrounding Carson City, Gardnerville, and Minden.

There have been 2 disastrous floods in that area in 5 years. This project will alleviate at least 80 percent of that danger.

Next year, 1957, in the 85th Congress I will introduce legislation for river improvement on the Truckee and Carson project for flood control in connection with the Truckee-Carson project.

I join with my colleague [Mr. BIBLE] in the statement he has already made for the RECORD.

Mr. President, I ask unanimous consent to insert in the RECORD at this point a description of the Truckee-Carson—Washoe—project.

There being no objection, the description was ordered to be printed in the RECORD, as follows:

DESCRIPTION OF WASHOE PROJECT

The Washoe project would provide irrigation water to supplement present supplies and to provide a full supply to lands in Carson Valley and the Empire, Dayton, and Fort Churchill areas. In addition during dry cycles it would firm existing supplies of the Truckee River storage and Newlands reclamation projects. Drains would be provided for lands in Carson Valley and under the Truckee River storage project in Truckee Meadows. Hydroelectric energy would be generated to meet urgent local needs and to provide a portion of the repayment revenues. Project reservoirs would provide stream regulation that would materially lessen flood damage. Benefits to recreation and public health would be created. The project would variously affect fish and wildlife with the net effect to be determined by final structural designs and operating criteria. The preservation and propagation of these resources, one of the purposes of the project, will be assured to the greatest extent possible through the contingent cooperation of the Bureau of Reclamation with the Fish and Game Commissions of California and Nevada, and with the Fish and Wildlife Service.

PLAN

The Washoe project would be integrated with the existing Truckee River storage and Newlands projects. It would also be coordinated with and dependent on the Truckee River Channel improvement that was proposed by the Corps of Engineers and authorized in the Flood Control Act of 1954 with the provision that the authorization would not become effective unless and until the Washoe reclamation project had been authorized.

In the Truckee River Basin the Stampede Reservoir would be built to a capacity of 126,000 acre-feet on Little Truckee River. Reservoir water would be discharged through the Stampede tunnel and Calvada penstock to the 20,000 kilowatt Calvada powerplant on the Truckee River. Below the powerplant the water would be regulated at the 226-acre-foot Calvada Reservoir. It would then flow in the Truckee River Channel and through existing facilities to meet and supplement established rights and to replace some of the Carson River water now used on the Newlands project for use higher upstream. On lands of the Truckee River storage project in Truckee Meadows deep drains would be installed and wells would be constructed to relieve artesian pressure.

In recognition of the important recreational potential at the Stampede Reservoir the recommended plan of development includes minimum basic recreation facilities on a nonreimbursable basis, provided local interests agree to assume operation and maintenance of the completed facilities, for protection and accommodation of the visiting public at the reservoir.

In the Carson River Basin the Watasheamu Reservoir on the East Fork of the Carson River would be constructed to a capacity of 115,000 acre-feet. The reservoir would regulate flood flows now running to waste and some water now used by the Newlands project which would be replaced by Washoe project water from the Truckee River. Releases from Watasheamu Reservoir would pass through the 8,000-kilowatt Watasheamu powerplant at the base of the dam. The water would then be regulated at the Dressler diversion dam and afterbay that would impound 1,040 acre-feet. At the dam some water would be diverted into the potential Carson Canal that would serve new lands along its course in Carson Valley and that would also deliver water to the West Fork of Carson River for distribution by existing canals diverting from that stream. Some water bypassing Dressler division dam, together with return flows reaching the stream, would be diverted to lands in Carson Valley and in the Empire, Dayton, and Fort Churchill areas. The remaining flows passing Dressler Dam would continue on to the Lahontan Reservoir of the Newlands project. The existing Allerman Canal in the Carson Valley would be enlarged and extended. Some new laterals would be constructed and existing laterals would be improved and extended as necessary. Systems of main drains would be installed in Carson Valley.

PRINCIPAL AGRICULTURAL PRODUCTION

Alfalfa, grain, pasture—dairy cows and beef.

SUMMARY—WASHOE PROJECT, NEVADA AND CALIFORNIA

Average annual increase in irrigation supply (acre-feet):

For Carson Valley, Empire, Dayton, and Fort Churchill areas	68,300
For existing Truckee River storage project	[1] 2,600
For existing Newlands project	[1] 1,700
Total	72,600

[1] Supply to be reserved for use in dry cycles.

Land area served (acres)

Project subarea	Full irrigation service land	Supplemental irrigation service land	Supplemental irrigation and drainage service land	Total
Carson Valley	5,100	19,990	18,170	43,260
Empire, Dayton, and Fort Churchill areas	----	6,300	----	6,300
Newlands project	----	70,000	----	70,000
Truckee River storage project (Truckee Meadows)	----	14,070	12,730	26,800
Total	5,100	110,360	30,900	146,360

POWER

Installed capacity (kilowatts)	28,000
Average annual project generation (kilowatt-hours)	95,871,000
Average annual reduction in existing generation (kilowatt-hours)	4,500,000
Average selling rate (mills per kilowatt-hour)	9

FLOOD CONTROL

Annual reduction in flood damages	$288,000

COSTS

Construction costs	$43,700,000
Annual operation, maintenance, and replacement cost	[1] $210,540

[1] Exclusive of fish and wildlife operations.

EXPRESSION OF CONGRESS AGAINST ADMISSION OF COMMUNIST CHINA TO THE UNITED NATIONS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 2744, House Concurrent Resolution 265.

The PRESIDING OFFICER. The concurrent resolution will be stated by title, for the information of the Senate.

The CHIEF CLERK. A concurrent resolution (H. Con. Res. 265) expressing the sense of Congress against admission of the Communist regime in China as the representative of China in the United Nations.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, on the question of agreeing to the concurrent resolution, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. KNOWLAND. Mr. President, House Concurrent Resolution 265 was adopted by the House of Representatives on July 18 by a yea and nay vote of 391 to 0. It was reported from the Senate Committee on Foreign Relations unanimously on July 20.

The concurrent resolution is brief. It reads as follows:

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that its previous expressions should be and are hereby reemphasized that the Communist regime in China should not be admitted to membership in the United Nations or any of its specialized agencies as the representatives of China; and

That the Congress hereby expresses its conviction that such admission would gravely injure the United Nations and impair its effective functioning in accordance with the aims, principles, and provisions of the United Nations Charter.

The concurrent resolution sets forth the sense of Congress that its previous expressions on this question should be reemphasized. Several times the Senate has gone on record in this regard.

The Chinese Communist regime committed an act of aggression in Korea. It has been in violation of the terms of the cease-fire agreement. The United Nations itself has gone on record as declaring the Chinese Communist regime to be the aggressor.

Red China is still holding American civilians contrary to their express promise at the time of the negotiations during the Geneva conference last November.

The pending concurrent resolution has bipartisan sponsorship in both the House and in the Senate. In the House it had not only the support of the able majority leader, Mr. MCCORMACK and other Democratic Representatives, but also of the Republican minority leadership.

In the Senate, as I have already pointed out, it has the unanimous support on both sides of the table of the Committee on Foreign Relations, and it has the support of the distinguished majority leader of the Senate, who has cooperated fully, as he has in past expressions of the sense of the Senate in this regard.

I hope the concurrent resolution will again be unanimously adopted by the Senate, and that we will make it clear to the whole world that the position of the United States is reiterated very emphatically by the Congress.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. I hope and I believe the Senate will adopt the resolution unanimously. It is important that the Senate make clear to the world its unaltered opposition to membership of Communist China in the United Nations.

Although we have done it in the past, I do not believe that we lose anything by reiterating that position over and over again, and as forcibly as we can.

Mr. KNOWLAND. I also wish to say, while the distinguished Senator from Arkansas [Mr. MCCLELLAN] is on the floor, that no Senator played a more important part than he did in connection with resolutions of this kind. I am glad he is on the floor at this time.

Mr. MCCLELLAN. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. MCCLELLAN. I have just come into the Chamber. I was going to ask the Senator if the pending concurrent resolution is the same or substantially the same as the one the Senate adopted in January 1951, as I recall the date.

Mr. KNOWLAND. In wording it is not precisely the same. In tenor and principle, it is the same, with the same reiteration of the position of the Senate.

Mr. MCCLELLAN. I believe when we previously adopted such a resolution, we also called on the United Nations to declare Red China an aggressor.

Mr. KNOWLAND. Yes. Of course, that was during the time of the Korean war.

Mr. MCCLELLAN. That is correct. Both resolutions were adopted at the same time.

Mr. KNOWLAND. The Senator is correct.

Mr. MCCLELLAN. We declared at that time it was the sense of the Senate that Red China should not be admitted to membership in the United Nations. We have reiterated that position once before. I join with both of our distinguished leaders on the floor in saying that we ought to reiterate our position over and over again, and in that way let the world know that we are opposed to letting an outlaw shoot his way into the society of nations.

Mr. KNOWLAND. I thank the Senator from Arkansas for his observation. It is extremely important that the Senate take action at this time. I hope the concurrent resolution will be agreed to unanimously, or at least by an overwhelming vote. I say that because at the United Nations there are groups which say that after our national elections in November the Communist powers, including the Soviet Union and its satellites and some of the so-called neutralists, who, of course, include India and Yugoslavia, and who have been constantly urging the admission of Communist China into the United Nations, will make a major attempt to have Red China admitted at that time. It is important that there be no misconception as to what the sentiments of the American Congress, as representatives of the American people, are in that regard.

Mr. MCCLELLAN. I appreciate that statement of the minority leader. I wish to take this occasion to say that so long as we continue almost indiscriminately to spend billions of dollars in aid to other countries, and so long as we are confronted with the possibility of what the Senator suggests being done by a number of countries we are now aiding, it is important that Congress adopt the resolution, so as to put nations on notice that the American people are opposed to the admission of Red China into the United Nations.

I might say it is very difficult for me to vote for an expenditure of taxpayers' money to help nations who want the friendship of, and want to admit on an equal basis, as a peace-loving country and peace-loving people, Red China, which is nothing in the world more than an outlaw in our civilization.

Mr. KNOWLAND. Before I yield to the senior Senator from Wisconsin [Mr. WILEY], the ranking minority member of the Committee on Foreign Relations, I will say that our action will demonstrate to the whole world the overwhelming support which Congress gives to this expression; that the party line does not divide us on this issue, but the representatives of the people in both Houses of Congress are overwhelmingly of this opinion, and that the countries indicated by me can proceed at their peril.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. WILEY. Will the Senator tell me how many times previously the Senate has voted unanimously on similar resolutions?

Mr. KNOWLAND. I should say that we have voted on this subject, although the wording of the resolutions may have been different, at least four times, and perhaps more.

Mr. WILEY. The minority leader believes, as I am sure every other Senator does, that it is in the interest of the United States that Communist China be not admitted to the United Nations.

Mr. KNOWLAND. I will say that it goes beyond that. I believe it is in the interest not only of the United States but it is in the interest also of the United Nations that Communist China be not admitted. To admit Red China would undermine the moral position of the United Nations as a world organization.

Mr. WILEY. I should like to ask another question. Is it not the Senator's conclusion also that, if the United Nations should admit Red China, or should act contrary to the concurrent resolution, it would have a very serious effect on the American viewpoint as to the value of the United Nations?

Mr. KNOWLAND. I fully concur in what the Senator says. I hope that the

members of the United Nations recognize that fact. After all, there is no peace in Korea, but merely a cease fire. If the United Nations were to admit Communist China to membership, with Red China still declaring that it was not the aggressor in Korea and that the United Nations itself was the aggressor, it seems to me that it would stultify the whole organization. Certainly it would be hard for the United Nations to maintain its self-respect if it were to admit Communist China.

Mr. WILEY. Is it not the Senator's conclusion also that it was Communist China which fought the United Nations forces in Korea, with the result that it cost the lives of approximately 40,000 American youth and about 100,000 American wounded?

Mr. KNOWLAND. The Senator is absolutely correct. In addition to the 40,000 American dead and more than 100,000 wounded, the Red Chinese inflicted a million casualties upon the little Republic of Korea, which was the victim of the aggression.

Mr. WILEY. Is there anything today which would indicate that Communist China—and I am also including the Kremlin—has changed its philosophy in any way or its general attitude in relation to world conditions and world affairs?

Mr. KNOWLAND. I believe that the general objectives of world communism today are what they have always been. It is the destruction of human freedom everywhere in the world. I believe Communists change their tactics from time to time, but their long-term strategy is never changed.

As the Senator well knows, from time to time Mao Tse-tung and Chou En-lai send out radio broadcasts from Peiping in the form of threats against the Free Republic of China on the Island of Formosa. At the same time Red China is in violation of the Korea armistice and in violation, through its agent, Ho Chi-Minh, of the terms of the agreement entered into relative to Indochina.

Mr. WILEY. When the Senator speaks of human freedom and of the Communist philosophy, I assume he means that the Communist philosophy is in direct opposition to our economic concepts, our religious concepts, and our political concepts.

Mr. KNOWLAND. All of them, combined.

Mr. WILEY. I thank the distinguished Senator from California, and I agree fully with his conclusions.

RECOGNITION OF COMMUNIST CHINA—STATE DEPARTMENT COMMITMENTS

Mr. MALONE. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. MALONE. Does the distinguished minority leader remember that in 1949 England, Canada, and the United States held a three-nation conference here on several important matters?

Mr. KNOWLAND. In what year?

Mr. MALONE. In 1949. The Senate Chamber was being repaired and we sat in the old Supreme Court Chamber. I said on the floor at that time that there had been an agreement between the United States State Department, Canada, and England, to do two things vital to our economy: One was that the pound should be devalued, and the other was to follow England in the recognition of Communist China. Both were bitterly denied, but the pound was almost immediately devalued. There was however, so much objection concerning the recognition of Communist China that, while England and most of the members of her Commonwealth nations did recognize Communist China—we did not follow her lead as had been agreed upon but many believe has only been deferred.

I now ask the distinguished Senator if he does not believe there is a preponderance of sentiment in the State Department today in favor of recognizing Communist China and when the vote is taken in the United Nations recognizing her our State Department will then say, "Communist China is in, and all we can do is to go ahead and see how it works out"—just as they have been saying since the State Department deliberately lost China in 1948.

The pressure from the State Department has continually been for more trade with Communist China with eventual recognition.

Mr. KNOWLAND. I may say to the Senator that I would not deny that in some official and unofficial quarters there is sentiment in that regard. I can say to the distinguished Senator that I have made personal observations and have heard discussions, and I am assured that that is not the policy of Secretary of State Dulles or Under Secretary Hoover or Assistant Secretary Robertson, who is in charge of our far-eastern affairs. It is not the policy of this administration, though I cannot guarantee to the Senator, and would not attempt to do so, that there are no persons within the Government departments who may hold contrary views.

To the best of my knowledge and belief, that is not the policy of the executive branch of the Government; and I hope the Congress of the United States will serve overwhelming notice on everyone, at home and abroad, that that is not the policy of the legislative arm of the Government of the United States.

Mr. MALONE. If the Senator will further yield, I should like to ask if it is not a fact that there are plenty of votes in the United Nations today to recognize Communist China with this country perfunctorily voting against it.

Mr. KNOWLAND. No. I will say to the Senator that while I recognize the danger, and that I think such an effort will be made, if the question should come up in the Security Council, of course, as the Senator knows, it would be subject to veto. At least, that is the point of view. There are some who claim a veto would not be applicable. When the matter comes up in the General Assembly, it will take a two-thirds vote to seat Communist China and to unseat the Republic of China. While I cannot, of course, give any guaranty regarding the United Nations Organization, I am not quite so pessimistic as is the Senator from Nevada, and I believe there is an opportunity for the admission of Communist China to be prevented. Certainly, as one of the delegates of the United States to the General Assembly, I shall do everything possible, with my associates, in that body to prevent the seating of Communist China.

Mr. MALONE. The Senator will have everything but a vote. I did not understand that the Senator has a vote on the recognition of Communist China in his new position. How many votes does Great Britain have in the United Nations?

Mr. KNOWLAND. Great Britain, as Great Britain, has the same number of votes as has the United States.

Mr. MALONE. That is one vote.

Mr. KNOWLAND. That is one vote. But when we take the Commonwealth countries, each of them has a vote.

Mr. MALONE. How many are there?

Mr. KNOWLAND. I should not want to give the Senator the information without checking on it, but I would say—Great Britain, Canada, India, Pakistan, New Zealand, the Union of South Africa—probably 8 or 9 nations.

Mr. MALONE. How many votes does Russia have?

Mr. KNOWLAND. In addition to the votes of the Soviet Union and the Ukraine, Russia has votes on behalf of the satellite states.

Mr. MALONE. While we, with our 48 States, Hawaii, and Alaska have one vote. I would say further, to the distinguished minority leader that I spent 2 or 3 months behind the Iron Curtain last year, and if there is any area within those Balkan states that Russia does not control it has not yet been discovered.

Mr. KNOWLAND. I think the Senator is correct.

Mr. MALONE. Not only that, but Finland dares not make a move that might incur the enmity of Russia.

Mr. KNOWLAND. Because Finland is more or less under the gun.

Mr. MALONE. Not only under the gun but under the thumb of Russia.

How many votes do the low countries have, which have always traded with and recommended the admission of Communist China?

Mr. KNOWLAND. The low countries are the ones which are flooded—The Netherlands and Belgium——

Mr. MALONE. And Sweden and Denmark.

Mr. KNOWLAND. I have never heard Sweden and Denmark referred to as low countries. They are members of the Scandinavian bloc.

Mr. MALONE. Yes the low countries and the Scandinavian bloc, however, they all recognize Communist China, do they not?

Mr. KNOWLAND. Up to the present time a majority of the members of the United Nations still do not recognize Communist China or carry on diplomatic relations with it. There is a very strong minority, however, even some countries which have voted heretofore against the admission of Communist China into the United Nations, of which Great Britain is one. Up to this time, at least, they have voted against Communist China's admission into the United Nations. I hope they will continue to vote that way.

Mr. MALONE. They only trade with Communist China now and join with Europe and Asia in pressuring us for more liberal trade between the East and the West.

Mr. KNOWLAND. They trade with Communist China and recognize it.

Mr. MALONE. Do not all these other countries trade with Communist China, too?

Mr. KNOWLAND. I would say a very substantial number of them do.

Mr. MALONE. Is there not a clamor being set up now in the United States, through propaganda from the State Department, and other Government sources, for more liberal trade with Communist China?

Mr. KNOWLAND. Yes; there is a considerable amount of discussion going on.

Mr. MALONE. Is it not increasing?

Mr. KNOWLAND. I think the figures will show that trade has been increasing.

Mr. MALONE. Not only as to more liberal trade, but there is continual clamor for recognition of Communist China.

Mr. KNOWLAND. I do not think the clamor necessarily represents American public opinion, according to my congressional mail. If the facts were laid before the public, if it were made known to all the people that the Chinese Communists were the violators of peace in Korea, had committeed aggression, had inflicted casualties upon us, and are still holding American civilians, I think the position of the American public would be overwhelmingly in opposition.

Mr. MALONE. I am very glad that the distinguished minority leader has stood fast against the recognition of Communist China. It is recognized that public sentiment in this country is not for recognition. But Congress does strange things.

For 22 years we have been catering to all the nations of the world—free trade; the transfer of the regulation of our foreign trade—and since World War II we have distributed the wealth of this Nation, up to $65 billion in 10 years.

Four billion dollars more of taxpayers' money is about to be approved by the Congress to be distributed to foreign nations when it is well known that they are trading with China and also either directly or indirectly with Russia.

The free trade involves the division of our markets while we are living on a war economy. Does the Senator from California think public sentiment is in favor of the 1934 Trade Agreements Act transferring the constitutional responsibility of Congress to regulate our foreign trade and national economy to Geneva under the control of 34 foreign nations?

Mr. KNOWLAND. I think it was demonstrated in the Senate and in the other legislative body that there has been a changing public sentiment and a belief that there should be a review, a reexamination, and perhaps a complete readjustment in the matter of mutual aid. But that is a different question from the subject matter of the resolution.

Mr. MALONE. I do not consider it a different matter. It concerns the fact that we are distributing the wealth of the United States throughout the world including our cash and markets. We are dividing our markets with the low-wage standard of living nations of the world, while we are on a war economy.

Never in my life have I addressed a public meeting in the United States that favored this action—the division of our cash and markets with the sweatshop labor countries of Europe and Asia—when they understood what it meant. I have never understood what happens to individuals when they are elected to Congress or who are appointed as members of the Cabinet when they immediately start to distribute the wealth of this country among the nations of Europe and Asia. They undoubtedly believe that is in accordance with public sentiment. They apparently believe what they hear in Washington is public sentiment.

So while we understand that public sentiment is not favorable to the recognition of Communist China, we do not know what Congress will do or what the State Department will do when the time comes when they shall be confronted with a decision to be made in this matter. I will tell the Senator from California what I think will happen.

I think within a reasonable time—the decision has been put off since 1949—the State Department will engineer things so as to be in a position to recognize Communist China, while our representative in the United Nations is perfunctorily voting against it. It will be said then that we must try it out.

The State Department lost Nationalist China in 1948. In 1948 I spent several months in that area. While at Nanking, meeting with Generalissimo and Madam Chiang Kai-shek I requested permission to go to Peking. They tried to talk me out of it.

I said, "I did not come 10,000 miles to Nanking and not go to Peking to talk to that great northern general."

Finally I argued them into letting me have a plane, and proceeded to Peking. We landed there in the dark, without lights and the general's car met me without lights.

We drove to his camp.

He said, "Nationalist China was lost when General Marshall stopped the shipment of American ammunition for the American guns early in 1947."

He said, "We surely were whipped when General Marshall forced us to let the Communists through the pass to arm themselves in Manchuria, where the Japanese had left their munition factories."

"I have positive evidence," he said, "that at least one of those munitions factories has been moved into Russia. The Russians are operating the factory and are furnishing munitions to the Communists, who practically surround us now."

The general told me, "I have kept the railroad open from Port Arthur to Peking; but unless I can get substantial help within the next 30 or 60 days, I will be a prisoner of war."

And he was a prisoner of war since he did not get any help.

He had on a Chinese uniform without insignia. I was wearing an American uniform without insignia.

The loss of China was engineered just as the present proposed recognition of Communist China by the United Nations is being engineered.

We have distributed $65 billion of the wealth of this country in 10 years among the nations of the world. In addition, we have divided our markets with all the low-wage nations of the world. If we went off a wartime economy today, we would be heading toward a depression in 60 days.

Mr. KNOWLAND. I do not believe it is the opinion of the State Department or of the executive branch of the Government that Communist China should be admitted to the United Nations. I would be the first to express grave disappointment should that ever become the policy of the State Department, under either a Republican or a Democratic administration.

I hope that what I believe will be the overwhelming action by Congress will not only serve notice upon our associates abroad but will also serve notice upon anyone in this country who may watch and look and listen, regardless of party or regardless of position, of how the legislative arm of the Government feels in this matter.

Mr. MALONE. Mr. President I ask unanimous consent to have included in the RECORD my remarks on the floor of the Senate in 1949 on the proposed devaluation of the British pound—and the recognition of Communist China.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

It is believed by many persons that at that international conference it was agreed that in devaluing the pound sterling, the Bank of England would retain control of exchanges as they obviously have, and that the use of licenses, quotas, embargoes, and so forth, against the selling of our products within that area may be continued, and that the pound may still have a fixed value, instead of being freely interchangeable on the markets of the world in terms of the American dollar so that it is still a controlled currency.

In other words, under such an arrangement we do not yet have an American dollar standard with freely convertible foreign currencies as is necessary if the pound, franc, guilder, and so forth, is to be used for the purchase of goods in this country.

It is believed by many persons that at that international conference we have apparently agreed with England to abandon China to the Communists, and to follow England in her recognition of the Communist Government of China in order to save England's trade foothold in Hong Kong so she may continue her trading with Russia in the European area and with communistic Asia in the western Pacific.

SAD EXPERIENCE TEACHES US TO INSPECT THE FIELD OF PLANS

We have learned from sad experience that we cannot take separately the European plans which are being handed to us periodically; that each one has a significance in connection with the others; and that all of them lead to a definite objective, namely, a division of the markets of the United States with the other nations of the world, and in

the meantime having the United States make up, each year, in cash, the trade-balance deficits of all the European nations—in other words, slowly reducing our standard of living to the level of the standards of living of the other nations of the world.

Mr. SPARKMAN subsequently said: Mr. President, earlier today the Senate by unanimous vote adopted the resolution with reference to the admission of Communist China to the United Nations.

Several days ago Mr. David Lawrence published an article dealing with this subject. I believe that a portion of the article should be inserted at this point in the RECORD.

In the article Mr. Lawrence states:

Opposition to the admission of Red China to the U. N. never has been a political or partisan question in this country.

In the article Mr. Lawrence goes on to say that:

Perhaps the most forceful and explicit declaration on the subject that has ever been made came from the pen of Dean Rusk, Assistant Secretary of State for Far Eastern Affairs, in a speech delivered before the China Institute banquet in New York City on May 18, 1951. Mr. Rusk was at the time a subordinate of Dean Acheson, who was then Secretary of State under the Truman administration. What was said then can be said to be the American policy today under the Eisenhower-Dulles administration.

Then the article quotes the statement made by Mr. Rusk.

Mr. President, I ask unanimous consent that the quotation from Mr. Rusk, together with the concluding paragraph of the article, which is a comment by Mr. Lawrence himself, be printed at this point in the body of the RECORD, as a part of my remarks.

There being no objection, the excerpt from the article was ordered to be printed in the RECORD, as follows:

Perhaps the most forceful and explicit declaration on the subject that has ever been made came from the pen of Dean Rusk, Assistant Secretary of State for Far Eastern Affairs, in a speech delivered before the China Institute banquet in New York City on May 18, 1951. Mr. Rusk was at the time a subordinate of Dean Acheson who was then Secretary of State under the Truman administration. What was said then can be said to be the American policy today under the Eisenhower-Dulles administration. Mr. Rusk said:

"We cannot provide a formula to engage the unity of effort among all Chinese who love their country. But one thing we can say—as the Chinese people move to assert their freedom and to work out their destiny in accordance with their own historical purposes they can count upon tremendous support from free peoples in other parts of the world.

"It is not my purpose, in these few moments this evening, to go into specific elements of our own national policy in the present situation. But we can tell our friends in China that the United States will not acquiesce in the degradation which is being forced upon them.

POSITION

"We do not recognize the authorities in Peiping for what they pretend to be. The Peiping regime may be a colonial Russian government—a Slavic Manchukuo on a larger scale. It is not the government of China. It does not pass the first test. It is not Chinese. It is not entitled to speak for China in the community of nations. It is entitled only to the fruits of its own conduct—the fruits of aggression upon which it is now willfully, openly, and senselessly embarked.

"We recognize the National Government of the Republic of China, even though the territority under its control is severely restricted. We believe it more authentically represents the views of the great body of the people of China, particularly their historic demand for independence from foreign control. That Government will continue to receive important aid and assistance from the United States. Under the circumstances, however, such aid in itself cannot be decisive to the future of China. The decision and the effort are for the Chinese people, pooling their efforts, wherever they are in behalf of China.

"If the Chinese people decide for freedom, they shall find friends among all the peoples of the earth who have known and love freedom. They shall find added strength from those who refuse to believe that China is fated to become a land of tyranny and aggression and who expect China to fulfill the promise of the great past."

Nothing has been said since that expresses more eloquently or more exactly the American position which is that admission of Red China into the U. N. means a discouragement to freedom and an encouragement to aggression and tyranny in the world.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. Do I understand correctly that the yeas and nays have been ordered?

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Texas [Mr. DANIEL], the Senator from Louisiana [Mr. ELLENDER], the Senator from Missouri [Mr. HENNINGS], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I further announce that, if present and voting, the Senator from Virginia [Mr. BYRD], the Senator from Texas [Mr. DANIEL], the Senator from Louisiana [Mr. ELLENDER], the Senator from Missouri [Mr. HENNINGS], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The Senator from Vermont [Mr. FLANDERS] and the Senator from Arizona [Mr. GOLDWATER] are absent on official business.

The Senator from Idaho [Mr. WELKER] is necessarily absent.

If present and voting, the Senator from Vermont [Mr. FLANDERS], the Senator from Arizona [Mr. GOLDWATER], the Senator from Michigan [Mr. POTTER], and the Senator from Idaho [Mr. WELKER] would each vote "yea."

The result was announced—yeas 86, nays 0, as follows:

YEAS—86

Aiken	Green	McNamara
Allott	Hayden	Millikin
Anderson	Hickenlooper	Monroney
Barrett	Hill	Morse
Beall	Holland	Mundt
Bender	Hruska	Murray
Bennett	Humphrey, Minn.	Neely
Bible	Humphreys, Ky.	Neuberger
Bricker	Ives	O'Mahoney
Bridges	Jackson	Pastore
Bush	Jenner	Payne
Butler	Johnson, Tex.	Purtell
Capehart	Johnston, S. C.	Robertson
Carlson	Kefauver	Russell
Case, N. J.	Kerr	Saltonst. ll
Case, S. Dak.	Knowland	Schoeppel
Chavez	Kuchel	Scott
Clements	Laird	Smith, Maine
Cotton	Langer	Smith, N. J.
Curtis	Lehman	Sparkman
Dirksen	Long	Stennis
Douglas	Magnuson	Symington
Duff	Malone	Thye
Dworshak	Mansfield	Watkins
Eastland	Martin, Iowa	Wiley
Ervin	Martin, Pa.	Williams
Frear	McCarthy	Wofford
Fulbright	McClellan	Young
George		
Gore		

NOT VOTING—10

Byrd	Goldwater	Smathers
Daniel	Hennings	Welker
Ellender	Kennedy	
Flanders	Potter	

So the concurrent resolution was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3897) to improve governmental budgeting and accounting methods and procedures, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12138) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, and that the House receded from its disagreement to the amendments of the Senate numbered 16, 26, 34, 38, 45, 58, 59, 60, and 61 to the bill, and concurred therein; that the House receded from its disagreement to the amendments of the Senate numbered 4, 22, 27, 33, and 36 to the bill, and concurred therein, severally, with an amendment, in which it requested the concurrence of the Senate.

REVISION AND CODIFICATION OF LAWS RELATING TO THE ARMED FORCES

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 2521, House bill 7049. I invite the attention of the distinguished and able Senator from Wyoming [Mr. O'MAHONEY] to this request.

The PRESIDING OFFICER (Mr. FREAR in the chair). The bill will be stated

by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 7049) to revise, codify, and enact into law title 10 of the United States Code, entitled "Armed Forces," and title 32 of the United States Code, entitled "National Guard."

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments.

Mr. JOHNSON of Texas. Mr. President, I understand the Senator from Wyoming will make a brief explanation of the bill.

CODIFICATION OF MILITARY LAWS

Mr. O'MAHONEY. Mr. President, the bill under consideration is a codification of the laws dealing with the Armed Forces of the United States. It is the first complete codification that has been made of such laws in the entire history of our Government.

In the early days when the laws dealing with military forces concerned only the Army and the Navy, each of which was very small, there was no need for such a codification. During this century the United States has been engaged in so many wars and Congress has passed so many laws that it was decided, about 7 years ago, that there should be a codification, so that all persons interested in the laws affecting our armed services could find them in a single volume. Here, for the first time, therefore, Mr. President, we have a large volume—necessarily large, because it contains every primary armed services law enacted by the Congress from the beginning until this codification was completed. Of course, there had to be a cutoff date. It would be impossible at any time to codify all the laws including those of the session of Congress which enacted the codification.

But, Mr. President, I wish the RECORD to show that beginning in 1946 when the Congress authorized this codification, the work was immediately expanded and continued until this year. The task was carried out with the cooperation of a special commission appointed by the Defense Department, together with the House and Senate Committees on the Judiciary. The House committee took the initative. Those who participated as experts on law numbered in all 52, but the final task was completed by the following 10 professional codifiers: Dr. F. Reed Dickerson, of the Office of the Secretary of Defense; Col. Archibald King; Col. Alfred C. Bowman, and Lt. Col. Joseph P. Ramsay, of the Department of the Army; Lt. Col. George M. Lhamon, of the Marine Corps; Comdr. Enser W. Cole, Comdr. Katherine E. Shilling, and Lt. Comdr. Charles J. Murphy, of the Department of the Navy; and Mr. James B. Minor and Mr. Allan J. Morrison, of the Department of the Air Force. Dr. Charles Zinn was the principal expert upon this matter from the House Judiciary Committee; and Mr. George S. Green, of the legal staff of the Judiciary Committee of the Senate, did a monumental work on behalf of our committee.

The bill was passed by the House toward the end of the last session, and then was referred to our committee, where the work was rechecked; and now the bill has been reported by the vote of the Judiciary Committee.

House bill 7049, as I have said, is part of the program begun by Congress in 1946. The bill revises and undertakes to enact each of 50 titles of the United States Code. Eleven of those titles have already been revised by Congress, but none has the scope of the pending bill. The revised titles enacted by this bill are Title 10, Armed Forces, and Title 32, National Guard. They will replace the present titles 10, for the Army; 32, National Guard; 34, Navy; and parts of other titles.

Mr. President, I wish it clearly understood that no change of substantive law is included in this measure. It is a codification—that is to say, a restatement—of all the Armed Forces statutes, beginning with the earliest enactments the committee could find, and extending to modern times. No new law has been written into this measure; it is simply a restatement of existing law, with the elimination of laws which have become obsolete because the conditions to which they applied no longer exist, and changes of words made necessary in order to make the meaning clear.

As an added safeguard, section 49 of the bill specifically states that it is the legislative purpose of the bill to restate the existing law without changing it in substance. So this provision by its terms and its necessary interpretation makes it impossible to construe anything in this measure as a substantive change of law. It expresses the well-established principle of statutory interpretation that a codification bill is a continuation of the source law, without substantive change, except where Congress clearly shows intent to do otherwise. The committee report reaffirms the fact that no substantive change is intended.

The great need for the enactment of House bill 7049 arises from the chaotic conditions of present-day military law. The Armed Forces, under the jurisdiction of the Department of Defense, operate under approximately 400 general and permanent statutes, representing upwards of 1,000 separate enactments. In this great mass of law there are more than 900 dead provisions which have been expressly repealed. These provisions clutter up the United States Code and make it more difficult to find and to interpret the law on any particular subject. The live law is full of ambiguities, uncertainties, and inconsistencies. One of its most confusing features is its terminology, which varies from statue to statute and sometimes from section to section. For instance, in the Armed Forces Reserve Act and the Korean Compensation Act, the term "officer" means a commissioner officer or a warrant officer, whereas in the Uniform Code of Military Justice it means only a commissioned officer.

Mr. President, the only amendments the Senate committee has proposed are purely technical and sylistic in nature; they are amendments which must be made because of typographical errors, for example.

Because of the size of the bill and the number of amendments—all of which are set forth in the report, which is also a very large document, as may be seen—I ask unanimous consent to have printed at this point in the RECORD the text of the committee amendments, so it will be much easier for the Senate clerks to deal with them, and an explanation of them.

There being no objection, the amendments reported by the Committee on the Judiciary and the explanation were ordered to be printed in the RECORD, as follows:

On page 2, under the subhead "Part II. Personnel", to strike out "49. Miscellaneous Prohibitions and Penalties ..... 961" and insert "49. Miscellaneous Prohibitions and Penalties ..... (No present sections)"; in section 101, line 1 in subsection (3), after the word "includes", to strike out "Puerto Rico,", and in the last line, after the word "Territory", to insert "or Comomnwealth"; on page 5, to change the subsection number from "(25)" to "(26)"; to change the subsection number from "(26)" to "(27)"; to change the subsection number from "(27)" to "(28)"; to change the subsection number from "(28)" to "(29)"; to change the subsection number from "(29)" to "(30)"; to change the subsection number from "(30)" to "(31)"; in paragraph (B), to strike out "competent authority" and insert "an authority designated by the Secretary concerned"; on page 6, to change the subsection number from "(31)" to "(32)"; to change the subsection number from "(32)" to "(33)"; to change the subsection number from "(33)" to "(34)"; on page 11, under the subhead "Chapter 11.—Reserve Components", to change the section number from "270" to "273"; to change the section number from "271" to "274"; to change the section number from "272" to "275"; to change the section number from "273" to "276"; to change the section number from "274" to "277"; to change the section number from "275" to "278"; to change the section number from "276" to "280"; on page 14, to change the section number from "270" to "273"; under subsection (a), in the last line, after the word "and", to strike out "673" and insert "674"; on page 15, to change the section number from "271" to "274"; to change the section number from "272" to "275"; to change the section number from "273" to "276"; to change the section number from "274" to "277"; on page 16, to strike out "276 280. Regulations" and insert "276. Dissemination of Information"; to change the section number from "276" to "280"; under the subhead "Sec. 280. Regulations", line 4, after the word "sections", to strike out "513", and in the same line, to strike out "742"; on page 19, under the subhead "Part II.—Personnel", to strike out "49. Miscellaneous Prohibitions and Penalties ..... 961" and insert "49. Miscellaneous Prohibitions and Penalties ..... (No present sections)"; on page 20, in the last line of paragraph "(c)", to insert "(other than for duty)"; in paragraph (d), line 4, after the word "Reserve", to strike out "in" and insert "of"; under the subhead "Sec. 512. Reserve components: transfers", on page 21, at the beginning of line 5 in paragraph (a), to strike out "in" and insert "of"; in line 6, after the word "of", to strike out "such" and insert "his"; under the subhead "Sec. 591. Reserve components: qualifications", on page 28, line 7 of paragraph (a), after the word "be", to strike out "individually"; under the subhead "Chapter 39.—Active Duty", on page 32, to

change the section number from "684" to "686"; under the subhead "Sec. 672. Reserve components generally", in line 4 of paragraph (a) after the word "any", to strike out "member or unit" and insert "unit, and any member not assigned to a unit organized to serve as a unit"; at the beginning of line 3, paragraph (b), to strike out "member or unit" and insert "unit, and any member not assigned to a unit organized to serve as a unit"; under the subhead "Sec. 673. Ready Reserve", on page 33, in line 4 of paragraph (a), after the word "any", to strike out "member or unit" and insert "unit, any member not assigned to a unit organized to serve as a unit"; on page 37, to change the section number from "684" to "686"; on page 42 under the subhead "Sec. 774. Applicability of chapter", in line 1, after the word "States", to strike out "its Territories" and insert "the Territories, Commonwealths"; on page 47 under the subhead "Sec. 806. Art. 8. Apprehension of deserters", in line 2, after the word "State", to strike out "or Territory, a" and insert "Territory-Commonwealth, or"; on page 49, under the subhead "Sec. 815. Art. 15. Commanding officer's nonjudicial punishment", at the beginning of line 3, paragraph (C), to strike out "his pay for not more than one month" and insert "one month's pay"; on page 54, under the subhead "Sec. 823. Art. 23. Who may convene special courts-martial", at the beginning of paragraph (b), to strike out "When" and insert "If", and in the last line of the same paragraph, after the word "authority", to strike out "when" and insert "if"; on page 56, under the subhead "Sec. 827. Art. 27. Detail of trial counsel and defense counsel", in line 3 of paragraph (a), after the word "such", to strike out "other"; on page 64, under the subhead "Sec. 846. Art. 46. Opportunity to obtain witnesses and other evidence", at the beginning of line 8, to strike out "its Territories, and its" and insert "or the Territories, Commonwealths, and"; under the subhead "Sec. 847. Art. 47. Refusal to appear or testify", in line 3 of paragraph (b), after the word "Territories" to insert "Commonwealths"; on page 65, under the subhead "Sec. 849. Art. 49. Depositions", at the beginning of line 2 of subparagraph (1), to insert "Commonwealth"; on page 72, under the subhead "Sec. 866. Art. 66. Review by board of review", in line 4 of paragraph (b), to strike out "commissioned" and insert "commissioned"; on page 82, under the subhead "Sec. 888. Art. 88. Contempt toward officials", in line 4, after the word "Territory", to insert "Commonwealth"; on page 95, under the subhead "Sec. 938. Art. 138. Complaints of wrongs", in line 3, after the word "Secretary", to strike out "of the department"; at the bottom of the page to insert "Chapter 49—Miscellaneous Prohibitions and Penalties [No present sections]"; on page 116, under the subhead "Sec. 1210. Members on temporary disability retired list: periodic physical examination; final determination of status", in line 6 of paragraph (e), after the word "section", to strike out "1408" and insert "1208"; on page 125, under the subhead "Sec. 1332. Computation of years of service in determining entitlement to retired pay", after subparagraph (2), to strike out:

"(A) one point for each day of active service that conformed to required standards and qualifications;

"(B) one point for each attendance at a drill or period of equivalent instruction that was prescribed for that year by the Secretary concerned and conformed to the requirements prescribed by law; and."

And, in lieu thereof, to insert:

"(A) one point for each day of—

"(i) active service; or

"(ii) service under sections 316, 503, 504, and 505 of title 32 while performing annual training duty or while attending a prescribed course of instruction at a school designated as a service school by law or by the Secretary concerned;

if that service conformed to required standards and qualifications;

"(B) one point for each attendance at a drill or period of equivalent instruction, that was prescribed for that year by the Secretary concerned and conformed to the requirements prescribed by law, including attendance under section 502 of title 32; and."

On page 126, under the subhead "Sec. 1333. Computation of Years of Service in Computing Retired Pay", at the beginning of subparagraph (1) to strike out "his days of active service" and insert "the days of service credited to him under section 1332 (a) (2) (A) of this title"; in line 1 of subparagraph (2), after the word "him", to strike out "for drill, equivalent instruction, or membership"; under the subhead "Sec. 1334. Time Not Creditable Toward Years of Service", at the beginning of paragraph (b), to strike out "Except for any later period of active duty, time" and insert "Time"; on page 135, under the subhead "Sec. 1481. Recovery, Care, and Disposition of Remains: Decedents Covered," in line 1 of subparagraph (1), after the word "any", to strike out "regular member" and insert "Regular"; on page 144, under the subhead "Part III.—Training", after the word "Training", to strike out "generally" and insert "Generally"; on page 153, under the subhead "Sec. 2274. Procurement for Experimental Purposes", in line 6 of paragraph (a), after the word "or" where it appears the second time, to strike out "its Territories," and insert "the Territories, Commonwealths,"; on page 181, under the subhead "Sec. 2664. Acquisition of Property for Lumber Production", in line 3 of paragraph (d), after the letter "(a)", to insert "take and"; at the beginning of line 1, paragraph (e), to strike out "An officer" and insert "A person"; at the beginning of line 1, paragraph (f), to strike out "An officer" and insert "A person"; on page 183, under the subhead "Sec. 2668. Easements for Rights-of-Way", at the beginning of line 6, paragraph (a), to insert "Commonwealth", at the beginning of line 8, to insert "Commonwealth"; on page 184, under the subhead "Sec. 2669. Easements for Rights-of-Way: Gas, Water, Sewer Pipe Lines", in line 7 of paragraph (a), after the word "Territory", to insert "Commonwealth", in line 9, after the word "Territory", to insert "Commonwealth"; on page 201, under the subhead "Sec. 3062. Policy; Composition; Organized Peace Establishment", in line 2 of subparagraph (1), after the word "States", to strike out "its Territories" and insert "Commonwealths"; on page 207, under the subhead "Sec. 3074. Commands: Territorial Organization; Engineer Tactical Units", in line 1 of paragraph (b), after the word "States", to strike out "its Territories, its" and insert "the Territories, Commonwealths, and"; on page 210, under the subhead "Sec. 3202. Army: Officers in Certain Commissioned Grades", in line 1 of paragraph (b), after the word "than", to strike out "50 percent" and insert "one-half"; on page 215, under the subhead "Chapter 333.—Enlistments", in line 11, after the word "States", to strike out "enlistment"; on page 217, under the subhead "Sec. 3259. Army Reserve: Transfer from Army National Guard of United States", in line 1, to strike out "Under regulations prescribed by the Secretary of the Army," and insert "Under such regulations as the Secretary of the Army may prescribe"; in line 8, after the word "him", to insert "in the Army", and in line 9, after the word "service", to strike out "in the Army National Guard of the United States was" and insert "has been"; in the subhead "Sec. 3261", after the word "States", to strike out the colon and "enlistment"; on page 218, under the subhead "Sec. 3261. Army National Guard of United States", in line 3 of subparagraph (3), after the word "Reserve", to strike out "for service in the Army National Guard of the United States"; on page 224, under the subhead "Sec. 3296. Promotion lists: Promotion-List Officer Defined; Determination of Place Upon Transfer or Promotion", after subparagraph (b) (1), to strike out:

"(2) The Judge Advocate General's Corps."

After the amendment just above stated, to change the subparagraph number from "(3)" to "(2)", and at the beginning of the next line, after the amendment just above stated, to change the subparagraph number from "(4)" to "(3)"; on page 226, under the subhead "Sec. 3299. Commissioned Officers: Promotion to Captain, Major, or Lieutenant Colonel", in line 6 of paragraph (b), after the word "be" where it appears the first time, to strike out "and" and insert "that"; on page 230, under the subhead "Sec. 3305. Commissioned Officers: Promotion to Colonel", in line 10 of paragraph (a), after the word "to", to strike out "that grade" and insert "the grade of colonel"; on page 231, under the subhead "Sec. 3306. Commissioned Officers: Promotion to Brigadier General", in line 7 of paragraph (a), after the word "to", to strike out "that grade" and insert "the grade of brigadier general"; on page 232, under the subhead "Sec. 3307. Commissioned Officers: Promotion to Major General", in line 7 of paragraph (a), after the word "to", to strike out "that grade" and insert "the grade of major general"; on page 235, under the subhead "Sec. 3351. Officers: Army National Guard of United States", in line 1 of paragraph (a), after the word "being", to strike out "individually"; in line 2, after the word "service", to strike out "in"; in line 5, after the word "is", to strike out "individually"; in line 9, after the word "service", to strike out "in" and insert "as a member of"; in line 2 of paragraph (b), after the word "temporary", to strike out "individual"; in line 3, after the word "service", to strike out "in" and insert "as a member of"; in line 4 of paragraph (c), after the word "service", to strike out "in" and insert "as a member of"; under the subhead "Sec. 3352. Officers; Army Reserve: Transfer From Army National Guard of United States", in line 8 of paragraph (a), after the word "service", to strike out "in the Army National Guard of the United States was" and insert "has been"; on page 238, under the subhead "Sec. 3444. Commissioned Officers: During War or Emergency", in line 1 of paragraph (b), to strike out "A person" and insert "An officer"; on page 241, under the subhead "Sec. 3500. Army National Guard in Federal Service: Call", in line 1 of paragraph (1), after the word "or", to strike out "its Territories" and insert "any of the Territories, Commonwealths."

On page 251, under the subhead "Sec. 3633. Commissioned Officers: Forfeiture of Pay When Dropped From Rolls," in line 2, after the word "without," to strike out "leave" and insert "authority"; on page 252, under the subhead "Sec. 3638. Enlisted members: Required to Make up Time Lost," in line 2 of paragraph (2), after the word "without," to strike out "proper"; on page 270, under the subhead "Sec. 3888. Computation of Years of Service; Mandatory retirement; Regular Commissioned Officers," at the beginning of line 3, paragraph (A), to strike out "601," and insert "601"; after the amendment just above stated, to insert parentheses before and after "59 Stat. 663"; in line 3 of paragraph (B), after the word "of," to strike out "1948," and insert "1948"; after the amendment just above stated, to insert parentheses before and after "62 Stat. 361"; on page 271, in line 4 of paragraph (C), after the word "as," to strike out "amended," and insert "amended"; after the amendment just above stated, to insert parentheses before and after "53 Stat. 558"; on page 277, under the subhead "Sec. 3927. Computation of

Years of Service: Mandatory Retirement; Regular Commissioned Officers," in line 3 of subparagraph (a) (1), after "ch.", to strike out "601," and insert "601"; after the amendment just above stated, to insert parentheses before and after "59 Stat. 663"; in line 3 of subparagraph (a) (2), after the word "of," to strike out "1948," and insert "1948"; after the amendment just above stated, to insert parentheses before and after "62 Stat. 361"; in line 3 of subparagraph (a) (3), after the word "as," to strike out "amended," and insert "amended"; after the amendment just above stated, to insert parentheses before and after "53 Stat. 558"; on page 279, under the subhead "Sec. 3963. Higher Grade for Service During Certain Periods: Regular and Reserve Commissioned Officers," in line 4 of paragraph (b), after "ch.," to strike out "148," and insert "143"; after the amendment just above stated, to insert parentheses before and after "40 Stat. 879"; in the same line, after the word "female", to strike out "dietition" and insert "dietitian"; at the beginning of line 6, to strike out "805," and insert "805"; after the amendment just above stated, to insert parentheses before and after "56 Stat. 1072"; in line 1 on page 280, after "ch.," to strike out "272," and insert "272"; after the amendment just above stated, to insert parentheses before and after "58 Stat. 324."

On page 284, under the subhead "Sec. 4301. Members of Army: Detail as students, Observers, and Investigators at Educational Institutions, Industrial Plants, and Hospitals," in line 3 of paragraph (c), after the word "Guard", to insert "of the United States"; on page 291, under the subhead "Sec. 4342. Cadets: Appointment; Numbers, Territorial Distribution", in line 1 of paragraph (c), after "(1)", to strike out "(6)" and insert "(5)"; on page 292, in line 9 of subparagraph (e) (4), after the word "before", to strike out "the date prescribed by proclamation of the President, or concurrent resolution of Congress under the Joint Resolution of May 11, 1951, chapter 49, 65 Stat. 40" and insert "February 1, 1955"; on page 304, under the subhead "Sec. 4502. Industrial Mobilization: Plants; Lists; Board on Mobilization of Industrial Essential for Military Preparedness", in line 2 of paragraph (a), after the word "and", to strike out "its Territories" and insert "the Territories, Commonwealths,"; on page 305, in line 2 of paragraph (b), after the word "and", to strike out "its Territories" and insert "the Territories, Commonwealths,"; under the subhead "Sec. 4504. Procurement for Experimental Purposes", in line 5, after the word "made", to strike out "abroad or in" and insert "inside or outside"; on page 311, under the subhead "Sec. 4621. Quartermaster Supplies: Members of Armed Forces; Veterans; Executive or Military Departments and Employees; Prices", at the beginning of line 6 of subparagraph (a) (2), to strike out "Except for items of individual clothing and equipment and except for articles acquired through the use of working capital funds under sections 172–172j of title 5, sales of articles shall be at cost." and insert "Except for articles and items acquired through the use of working capital funds under sections 172–172j of title 5, sales of articles shall be at cost, and sales of individual clothing and equipment shall be at average current prices, including overhead, as determined by the Secretary."; at the beginning of line 2 of paragraph (b), to strike out "Except for articles acquired through the use of working capital funds under sections 172–172j of title 5, the" and insert "The"; in line 6, after the word "made", to insert "Activities conducted under this subsection shall be consistent with sections 172–172j of title 5."

On page 326, under the subhead "Sec. 4778. Licenses: Military Reservations; Erection and Use of Buildings; Young Men's Christian Association," in line 3, after the word "Christian," to strike out "association" and insert "Associations"; in line 5, after the word "and", to strike out "its Territories" and insert "the Territories, Commonwealths,"; on page 341, under the subhead "Sec. 5084. Chief of Naval Operations: Quarters," in line 3, after "ch.", to strike out "494," and insert "494"; after the amendment just above stated, to insert parentheses before and after "26 Stat. 806"; on page 394, under the subhead "Sec. 5589. Regular Navy and Regular Marine Corps: Officers designated for Limited Duty," in line 1 of subparagraph (a) (3), after the word "officers", to insert a semicolon; on page 395, in line 1 of subparagraph (b) (3), after the word "sergeants", to insert a comma; on page 448, under the subhead "Sec. 5861. Physical Examination," in line 4, after the numerals "5772", to strike out "or 5773" and insert "5773, or 5784"; under the subhead "Sec. 5862. Mental, Moral, and Professional Examination: Examining Boards; Board Members," in line 4 of paragraph (b), after the numerals "5772", to strike out "or 5773" and insert "5773, or 5784"; on page 455, under the subhead "Sec. 5986. Technical Institutions: Detail of Naval Officers To Promote Knowledge of Naval Engineering and Naval Architecture", in line 3 of paragraph (a), after the word "States", to insert "the Territories, Commonwealths, or possessions"; on page 466, under the subhead "Sec. 6148. Disability and Death Benefits: Naval Reserve and Marine Corps Reserve," in line 1 of subparagraph (c) (2), after "ch.", to strike out "376," and insert "376"; after the amendment just above stated, to insert parentheses before and after "50 Stat. 305"; on page 467, in line 2 of paragraph (f), after "ch.", to strike out "375," and insert "376"; after the amendment just above stated, to insert parentheses before and after "50 Stat. 305"; under the subhead "Sec. 6149. Retired Pay: Computed on Basis of Rates of Pay for Officers on the Active List," in line 2, after the word "of", to strike out "1942," and insert "1942"; after the amendment just above stated, to insert parentheses before and after "56 Stat. 359"; under the subhead "Sec. 6151. Higher Retired Grade and Pay for Members Temporarily Appointed or Promoted During World War II," in line 3 of paragraph (a), after "ch.", to strike out "320," and insert "320"; after the amendment just above stated, to insert parentheses before and after "55 Stat. 603"; in line 9, after "ch.", to strike out "320," and insert "320"; after the amendment just above stated, to insert parentheses before and after "55 Stat. 603."

On page 477, under the subhead "Sec. 6323. Officers: 20 Years," in line 4 of paragraph (c), after the word "of", to strike out "1952," and insert "1952"; after the amendment just above stated, to insert parentheses before and after "66 Stat. 485"; on page 478, under the subhead "Sec. 6324. Nurse Corps Officers: Creditable Service," at the beginning of line 6 of paragraph (2), to strike out "1947," and insert "1947"; after the amendment just above stated, to insert parentheses before and after "61 Stat. 41"; and in the same line, after "Stat.", to strike out "47" and insert "41"; under the subhead "Sec. 6325. Officers: Retired Grade and Pay," in line 4 of paragraph (b), after the numerals "5597", to insert "of this title"; after subparagraph (b) (2), to insert:

"(c) A warrant officer who retires under section 6321, 6322, or 6323 of this title may elect to be placed on the retired list in the highest grade and with the highest retired pay to which he is entitled under any provision of this title. If the pay of that highest grade is less than the pay of any warrant grade satisfactorily held by him on active duty, his retired pay shall be based on the higher pay."

On page 480, under the subhead "Sec 6330. Enlisted Members: Transfer to Fleet Reserve and Fleet Marine Corps Reserve; Retainer pay", in line 1 of subparagraph (a) (1), after the word "of" where it appears the second time, to strike out "1938," and insert "1938"; after the amendment just above stated, to insert parentheses before and after "52 Stat. 1178"; on page 490, under the subhead "Sec. 6381. Officers Retired Under Preceding Sections: Retired Grade and Pay; General Rule", in line 3 of paragraph (b), after "ch.", to strike out "141," and insert "141"; after the amendment just above stated, to insert parentheses before and after "60 Stat. 92"; on page 496, under the subhead "Sec. 6388. Regular Navy; Certain Staff Corps Officers: Computation of Total Commissioned Service", in line 8 of paragraph (a), after "ch.", to strike out "141," and insert "141"; after the amendment just above stated, to insert parentheses before and after "60 Stat. 92"; in line 3 of paragraph (c), after "ch.", to strike out "141," and insert "141"; after the amendment just above stated, to insert parentheses before and after "60 Stat. 92"; in line 2 of subparagraph (d) (2), after the word "of", to strike out "1947," and insert "1947"; after the amendment just above stated, to insert parentheses before and after "61 Stat. 41"; on page 501, under the subhead "Sec. 6396. Regular Navy; Officers in Nurse Corps: Retirement for Age or Length of Service; Retired Grade and Pay", in line 2 of subparagraph (c) (3), after the word "of", to strike out "1947," and insert "1947"; after the amendment just above stated, to insert parentheses before and after "61 Stat. 41"; in the same line, after "Stat.", to strike out "47" and insert "41"; on page 521, under the subhead "Sec. 6954. Midshipment: Number", in line 1 of paragraph (B), after the word "before", to strike out "the date prescribed by proclamation of the President or concurrent resolution of Congress under the joint resolution of May 11, 1951, ch. 49, 65 Stat. 40" and insert "February 1, 1955"; on page 532, under the subhead "Sec. 7081. Civilian Member: Definition; Exceptions", in line 4 of paragraph (b), after "ch.", to strike out "3," and insert "3"; after the amendment just above stated, to insert parentheses before and after "49 Stat. 1092"; on page 545, under the subhead "Sec. 7299. Contracts: Application of Public Contracts Act", in line 3, after "ch.", to strike out "881," and insert "881"; after the amendment just above stated, to insert parentheses before and after "48 Stat. 2036."

On page 550, under the subhead "Sec. 7308. Transfer or Gift of Obsolete, Condemned, or Captured Vessels", in line 1 of subparagraph (a) (1), after the word "Territory", to insert "Commonwealth"; on page 565, under the subhead "Sec. 7545. Obsolete Material and Articles of Historical Interest: Loan or Gift", in line 1 of subparagraph (a) (1), after the word "Territory", to insert "Commonwealth"; on page 575, under the subhead "Sec. 7652. Jurisdiction", in line 1 of subparagraph (a) (1), after the word "States", to strike out "its Territories, or its" and insert "or the Territories, Commonwealths, or"; under the subhead "Sec. 7653. Court in Which Proceedings Brought", in line 1 of paragraph (a), after the word "States", to strike out "its Territories, or its" and insert "or the Territories, Commonwealths, or"; on page 576, under the subhead "Sec. 7655. Appointment of Prize Commissioners and Special Prize Commissioners", in line 4 of paragraph (b), after the word "and", to strike out "abroad or in the United States,"; in line 5, after the word "exercise", to insert "anywhere"; on page 599, under the subhead "Sec. 8062. Policy; Composition; Aircraft Authorization", in line 2 of subparagraph (a) (1), after the word "States", to strike out "its Territories" and insert "the Territories, Commonwealths,"; on page 604, under the subhead "Chapter 831. Strength", in line 4 from the top of the page, after the word "list", to strike out "femal" and insert "female"; in line 5, after the word "commissioned", to strike out "officers." and insert "officers,"; on page 605, under the subhead

"Sec. 8202. Air Force; Officers in Certain Commissioned Grades", in line 1 of paragraph (b), after the word "than", to strike out "50 percent" and insert "one-half"; on page 611, under the subhead "Chapter 833.—Enlistments", in line 6 from the top of the page, after the word "States", to strike out ": enlistment."

On page 613, under the subhead "Sec. 8259. Air Force Reserve: Transfer From Air National Guard of United States", at the beginning of line 1, to strike out "Under regulations prescribed by the Secretary of the Air Force," and insert "Under such regulations as the Secretary of the Air Force may prescribe"; in line 9, after the word "service", to strike out "in the Air National Guard of the United States was" and insert "has been"; on page 614, in the subhead "Sec. 8261.", after the word "States", to strike out ": enlistment"; under the subhead just above stated, in line 3 of subparagraph (a) (3), after the word "Reserve", to strike out "for service in the Air National Guard of the United States"; on page 621, under the subhead "Sec. 8299. Commissioned officers: promotion to captain, major, or lieutenant colonel", in line 6 of paragraph (b), after the word "be" where it appears the first time, to strike out "and" and insert "that"; on page 627, under the subhead "Sec. 8305. Commissioned officers: promotion to colonel", in line 3 from the top of the page, after the word "to", to strike out "that grade" and insert "the grade of colonel"; under the subhead "Sec. 8306. Commissioned officers: promotion to brigadier general", in line 7 of paragraph (a), after the word "to", to strike out "that grade" and insert "the grade of brigadier general"; on page 628, under the subhead "Sec. 8307. Commissioned officers: promotion to major general", in line 7 of paragraph (a), after the word "to", to strike out "that grade" and insert "the grade of major general"; on page 631, under the subhead "Sec. 8351. Officers: Air National Guard of United States", in line 1 of paragraph (a), after the word "being", to strike out "individually"; in line 2, after the word "service", to strike out "in" and insert "as a member of"; in line 5, after the word "is", to strike out "individually"; at the beginning of line 9, to strike out "in" and insert "as a member of"; at the beginning of line 2 of paragraph (b), to strike out "individual"; in line 3, after the word "service", to strike out "in" and insert "as a member of"; in line 4 of paragraph (c), after the word "service", to strike out "in" and insert "as a member of"; on page 632, under the subhead "Sec. 8352. Officers; Air Force Reserve: transfer from Air National Guard of United States", in line 1 at the top of the page, after the word "service", to strike out "in the Air National Guard of the United States was" and insert "has been"; on page 634, under the subhead "Sec. 8444. Commissioned officers: during war or emergency", in line 1 of paragraph (b), to strike out "A person" and insert "An officer."

On page 638, under the subhead "Sec. 8500. Air National Guard in Federal Service: Call", in line 1 of paragraph (1), after the word "or", to strike out "its Territories" and insert "any of the Territories, Commonwealths"; on page 641, under the subhead "Sec. 8549. Duties: Female Members; Limitations", in line 2, after the word "title", to insert "or appointed with a view to designation under that section,"; on page 646, under the subhead "Sec. 8633. Commissioned Officers: Forfeiture of Pay When Dropped From Rolls", in line 2, after the word "without", to strike out "leave" and insert "authority"; on page 647, under the subhead "Sec. 8638. Enlisted Members: Required To Make Up Time Lost", in line 2 of paragraph (2), after the word "without", to strike out "proper"; on page 649, under the subhead "Sec. 8683. Service Credit: Certain Service as a Nurse, Woman Medical Specialist, or Civilian Employee of Army Medical Department To Be Counted", in line 2 of paragraph (3), after "ch.", to strike out "805," and insert "805"; after the amendment just above stated, to insert parentheses before and after "56 Stat. 1072"; in line 3, after "ch.", to strike out "272," and insert "272"; after the amendment just above stated, to insert parentheses before and after "58 Stat. 324"; on page 664, under the subhead "Sec. 8888. Computation of Years of Service: Mandatory Retirement; Regular Commissioned Officers", in line 3 of subparagraph (2) (A), after "ch.", to strike out "601," and insert "601"; after the amendment just above stated, to insert parentheses before and after "59 Stat. 663"; in line 3 of subparagraph (2) (B), after the word "of", to strike out "1948," and insert "1948"; after the amendment just above stated, to insert parentheses before and after "62 Stat. 373"; in line 4 of subparagraph (2) (C), after the word "as", to strike out "amended," and insert "amended"; after the amendment just above stated, to insert parentheses before and after "53 Stat. 558."

On page 671, under the subhead "Sec. 8927. Computation of Years of Service: Mandatory Retirement; Regular Commissioned Officers", in line 3 of subparagraph (a) (1), after "ch.", to strike out "601," and insert "601"; after the amendment just above stated, to insert parentheses before and after "59 Stat. 663"; in line 3 of subparagraph (a) (2), after the word "of", to strike out "1948," and insert "1948"; after the amendment just above stated, to insert parentheses before and after "62 Stat. 373"; in line 4 of subparagraph (a) (3), after the word "as", to strike out "amended," and insert "amended"; after the amendment just above stated, to insert parentheses before and after "53 Stat. 558"; on page 673, under the subhead "Sec. 8963. Higher Grade for Service During Certain Periods: Regular and Reserve Commissioned officers", in line 3 of paragraph (b), after "ch.", to strike out "143," and insert "143"; after the amendment just above stated, to insert parentheses before and after "40 Stat. 879"; in line 5, after "ch.", to strike out "805," and insert "805"; after the amendment just above stated, to insert parentheses before and after "56 Stat. 1072"; in line 6 after "ch.", to strike out "272," and insert "272"; after the amendment just above stated, to insert parentheses before and after "58 Stat. 324"; on page 678, under the subhead "Sec. 9301. Members of Air Force: Detail as Students, Observers, and Investigators at Educational Institutions, Industrial Plants, and Hospitals", in line 1 at the top of the page, after the word "Guard", to insert "of the United States"; on page 682, under the subhead "Sec. 9342. Cadets: Appointment; Numbers, Territorial Distribution", in line 1 of paragraph (c), after "(1)", to strike out "(6)" and insert "(5)"; on page 683, in line 7 from the top of the page, after the word "before", to strike out "the date prescribed by proclamation of the President, or concurrent resolution of Congress under the Joint Resolution of May 11, 1951, ch. 49, 65 Stat. 40" and insert "February 1, 1955"; on page 684, under the subhead "Sec. 9344. Selection of Persons From Canada and American Republics", after paragraph (c), to strike out:

"(d) A person receiving instruction under this section is not subject to section 9346 (d) of this title."

On page 685, under the subhead "Sec. 9346. Cadets: Requirements for Admission," after paragraph (c), to strike out:

"(d) To be admitted to the Academy, an appointee must take and subscribe to the following oath:

"'I, ------, do solemnly swear that I will support the Constitution of the United States, and bear true allegiance to the National Government; that I will maintain and defend the sovereignty of the United States, paramount to any and all allegiance, sovereignty, or fealty I may owe to any State or country whatsoever; and that I will at all times obey the legal orders of my superior officers, and the Uniform Code of Military Justice.'

If a candidate for admission refuses to take this oath, his appointment is terminated."

On page 686, under the subhead "Sec. 9351. Cadets: Deficiencies in Conduct or Studies; Effect of Failure on Successor", in line 3 of paragraph (a), after the word "the", to strike out "Academic" and insert "Academy"; on page 696, under the subhead "Sec. 9502. Industrial Mobilization: Plants; Lists; Board on Mobilization of Industries Essential for Military Preparedness", in line 2 of paragraph (a), after the word "and", to strike out "its Territories" and insert "the Territories, Commonwealths"; in line 2 of paragraph (b), after the word "and", to strike out "its Territories" and insert "the Territories, Commonwealths"; on page 697, under the subhead "Sec. 9504. Procurement for experimental purposes", in line 5, after the word "made", to strike out "abroad or in" and insert "inside or outside"; on page 702, under the subhead "Sec. 9621. Subsistence and Other Supplies: Members of Armed Forces; Veterans; Executive or Military Department and Employees; Prices", in line 5 of subparagraph (a) (2), after the word "Secretary", to strike out "Except for items of individual clothing and equipment and except for articles acquired through the use of working capital funds under sections 172–172j of title 5, sales of articles shall be at cost. Individual clothing and equipment shall be sold at average current prices, including overhead, as determined by the Secretary." and, in lieu thereof, to insert "Except for articles and items acquired through the use of working capital funds under sections 172–172j of title 5, sales of articles shall be at cost, and sales of individual clothing and equipment shall be at average current prices, including overhead, as determined by the Secretary."; at the beginning of line 2 of paragraph (b), to strike out "Except for articles acquired through the use of working capital funds under sections 172–172j of title 5," and insert "The"; in line 6, after the word "made", to insert "Activities conducted under this subsection shall be consistent with sections 172–172j of title 5."; on page 713, under the subhead "Sec. 9773. Acquisition and Construction; Air Bases and Depots", in line 3 of paragraph (a), after the word "and", to strike out "its Territories" and insert "the Territories, Commonwealths."

On page 714, in line 6 of subparagraph (c) (4), after the word "of", to strike out "its Territories" and insert "the Territories, Commonwealths"; on page 716, under the subhead "Sec. 9778. Licenses: Military Reservations; Erection and Use of Buildings; Young Men's Christian Association", in line 4, after the word "and", to strike out "its Territories" and insert "the Territories, Commonwealths"; on page 723, under the subhead "Sec. 101. Definitions", in line 1, after the word "In", to strike out "additions" and insert "addition"; on page 728, under the subhead "Chapter 3.—Personnel", to strike out "301. General Federal recognition of officers and enlisted men." and insert "301. Federal recognition of enlisted members."; after the numerals "305", to strike out "Individual"; after the numerals "307", to strike out "Individual"; after the numerals "308", to strike out "Individual"; after "315. Detail of regular", to strike out "and reserve"; on page 729, to strike out "Sec. 301. General Federal recognition of officers and enlisted men" and, in lieu thereof, to insert "Sec. 301. Federal recognition of enlisted members"; after the amendment just above stated, to strike out:

"A person may be federally recognized only as a member of a federally recognized unit or organization of the National Guard. To be eligible for general Federal recognition

as such a member, he must have the qualifications prescribed by the Secretary concerned for the grade, branch, position, and type of unit or organization involved."

And, in lieu thereof, to insert:

"To be eligible for Federal recognition as an enlisted member of the National Guard, a person must have the qualifications prescribed by the Secretary concerned for the grade, branch, position, and type of unit or organization involved. He becomes federally recognized upon enlisting in a federally recognized unit or organization of the National Guard."

On page 730, in the subhead "Sec. 305.", to strike out "Individual"; under the subhead "Sec. 305. Federal Recognition of Commissioned Officers: Persons Eligible", at the beginning of line 2, to strike out "individual"; on page 731, in the subhead "Sec. 307.", to strike out "Individual"; under the subhead "Sec. 307. Federal Recognition of Officers: Examination; Certificate of Eligibility", to strike out:

"(a) To be eligible for individual Federal recognition as an officer, a person must, in addition to being federally recognized under section 301 of this title, pass an examination for physical, moral, and professional fitness to be prescribed by the President, and subscribe to the oath of office prescribed by section 312 of this title, except as provided in subsection (d)."

And in lieu thereof, to insert:

"(a) To be eligible for Federal recognition as an officer of the National Guard, a person must—

"(1) receive an appointment with a view to filling a vacancy in a federally recognized unit or organization of the National Guard;

"(2) have the qualifications prescribed by the Secretary concerned for the grade, branch, position, and type of unit or organization involved; and

"(3) except as provided in subsection (d), pass an examination for physical, moral, and professional fitness to be prescribed by the President, and subscribe to the oath of office prescribed by section 312 of this title."

In line 3 of paragraph (c), after the word "for," to strike out "individual"; in line 1 of paragraph (d), after the word "to," to strike out "section 301 of this title" and insert "subsection (a) (1) and (2); on page 732, in line 1 at the top of the page, after the word "prescribed," to strike out "individual"; in line 4, after the word "Similarly," to strike out "individual"; in the subhead "Sec. 308.," to strike out "Individual"; under the subhead "Sec. 308. Federal Recognition of Officers: Temporary Recognition," in line 2 of paragraph (a), after the word "temporary," to strike out "individual"; in line 1 of paragraph (b), after the word "temporary," to strike out "individual"; on page 762, under the subhead "Amendment to National Security Act of 1947," at the beginning of line 2, to strike out "amended," and insert "amended"; after the amendment just above stated, to insert parentheses before and after "63 Stat. 585"; at the top of page 764, to strike out:

"AMENDMENT TO 1951 AMENDMENTS TO UNIVERSAL MILITARY TRAINING AND SERVICE ACT

"SEC. 23. Section 6 of the 1951 Amendments to the Universal Military Training and Service Act (50 App. U. S. C. 473) is amended to read as follows:

"SEC. 6. (a) The Secretary of Defense may prescribe regulations governing—

"'(1) the sale of beer, wine or other intoxicating liquor to members of the National Security Training Corps at or near any camp, station, post, or other place primarily occupied by members of that corps; and

"'(2) the sale, possession, or consumption of, or traffic in, beer, wine, or other intoxicating liquor by members of that corps at or near any camp, station, or post, or other place primarily occupied by members of that corps.

"'(b) Whoever knowingly violates a regulation prescribed under subsection (a) shall be fined not more than $1,000 or imprisoned for not more than 12 months, or both.'"

On page 764, under the subhead "Amendment to Armed Forces Leave Act of 1946", at the beginning of line 1, to change the section number from "24" to "23"; under the subhead "Amendment to Canal Zone Code", at the beginning of line 1, to change the section number from "25" to "24"; under the subhead "Amendment to act of June 25, 1938, ch. 690", at the beginning of line 1, to change the section number from "26" to "25", and in the same line, after "ch.", to strike out "690," and insert "690"; after the amendment just above stated, to insert parentheses before and after "52 Stat. 1178"; on page 765, under the subhead "Amendment to Act of July 29, 1941, Ch. 327", at the beginning of line 1, to change the section number from "27" to "26"; in the same line, after "ch.", to strike out "327," and insert "327"; after the amendment just above stated, to insert parentheses before and after "55 Stat. 607"; under the subhead "Amendment to Act of July 23, 1947, Ch. 301", at the beginning of line 1, to change the section number from "28" to "27"; in the same line, after "ch.", to strike out "301," and insert "301"; after the amendment just above stated, to insert parentheses before and after "61 Stat. 413"; under the subhead "Amendments to Act of August 1, 1947, Ch. 433", at the beginning of line 1, to change the section number from "29" to "28"; under the subhead "Reserves and National Guardsmen Who Are Federal Employees", at the beginning of line 1, to change the section number from "30" to "29."

On page 766, under the subhead "Fund for Paying Certain National Guard Officers", at the beginning of line 1, to change the section number from "31" to "30"; in line 4, after the word "States", to insert "under section 3496 or 8496 of title 10, United States Code"; under the subhead "Disbursement of Pay of Members of National Guard", at the beginning of line 1, to change the section number from "32" to "31"; on page 767, under the subhead "Militia: Retention of Ancient Privileges", at the beginning of line 1, to change the section number from "33" to "32"; under the subhead "Medals and Other Devices", at the beginning of line 1, to change the section number from "34" to "33"; on page 768, under the subhead "Bachelor of Science Degree From Merchant Marine Academy", at the beginning of line 1, to change the section number from "35" to "34"; under the subhead "Degrees for Persons Who Graduated Before Accrediting of Service Academies", at the beginning of line 1, to change the section number from "36" to "35"; on page 769, under the subhead "Payment of Officers of Corps of Engineers", at the beginning of line 1, to change the section number from "37" to "36"; under the subhead "Nitrate Plants", at the beginning of line 1, to change the section number from "38" to "37", on page 770, under the subhead "Retired Grade for Certain General Officers", at the beginning of line 1, to change the section number from "39" to "38"; under the subhead "Additional Service Creditable to Certain Regulars", at the beginning of line 1, to change the section number from "40" to "39"; under the subhead "Availability of Certain Military Appropriations", at the beginning of line 1, to change the section number from "41" to "40."

On page 771, under the subhead "Indefinite Appointments for Certain Reserves," at the beginning of line 1, to change the section number from "42" to "41"; under the subhead "Philippine Scouts," at the beginning of line 1, to change the section number from "43" to "42"; under the subhead "Real Property Transactions of Federal Civil Defense Administration," at the beginning of line 1, to change the section number from "44" to "43"; on page 772, under the subhead "Appointment of United States Military Academy Gradutes in Air Force," at the beginning of line 1, to change the section number from "45" to "44"; on page 773, under the subhead "Prohibition of Collections From Assignees, Etc.," at the beginning of line 1, to change the section number from "46" to "45"; under the subhead "Regular Warrant Officers: Deferment of Separation With Completion of 20 Years of Service or at Age 60," at the beginning of line 1, to change the section number from "47" to "46"; under the subhead "Amendment to Act of August 10, 1946, Chapter 952," at the beginning of line 1, to change the section number from "48" to "47"; in the same line, after "ch.," to strike out "952," and insert "952"; after the amendment just above stated, to insert parentheses before and after "60 Stat. 997"; on page 774, under the subhead "Suspension of Certain Sections of Title 10 and Amendments to Officer Personnel Act of 1947," at the beginning of line 1, to change the section number from "49" to "48"; on page 775, under the subhead "Saving and Severability Clauses," at the beginning of line 1, to change the section number from "50" to "49"; in the same line, after the numeral "1," to strike out "49" and insert "48"; in line 5, after the word "as," to strike out "amendments to it" and insert "superseding it to the extent of the inconsistency"; in line 3 of paragraph (b), after the numeral "1," to strike out "49" and insert "48"; in line 1 of paragraph (c), after the word "taken," to insert "and offenses committed"; in line 3, after the numeral "1," to strike out "49" and insert "48"; under the subhead "Restatement of Suspended or Temporarily Superseded Provisions," at the beginning of line 1, to change the section number from "51" to "50"; in line 2, after the word "section," to strike out "54" and insert "53"; on page 776, under the subhead "Effective Date of Uniform Code of Military Justice," at the beginning of line 1, to change the section number from "52" to "51"; under the subhead "Effective Dates of Certain Sections of Title 10 Relating to United States Air Force Academy," at the beginning of line 1, to change the section number from "53" to "52"; under the subhead "Repeal Provisions," at the beginning of line 1, to change the section number from "54" to "53"; in line 4, after the word "section," to strike out "50" and insert "49"; on page 785, under the date "March 2, 1899," in the third column, to insert "(less section 17)"; in the next line, in the sixth column, to strike out "Uncodified ———"; on page 786, under the date "February 2, 1901"; in the seventh column, after "1026a.", to strike out "1350,"; on page 815, under the date "May 5, 1950," in the third column, to strike out "1," and insert "1*"; at the bottom of the page, to insert:

"*Repeat of section 1 of the act of May 5, 1950, ch. 619, is effective on the effective date of chapter 47 of title 10, United States Code, enacted by section of this act."

On page 816, under the date of "June 19, 1951," in the seventh column, after "454," to strike out ", 473"; in the next line, in the fifth column, after "79," to strike out ", 88"; and in the fourth line, third column, after "2 (a)," to strike out ", 6."

I. AMENDMENTS

1. CHANGES TO CORRECT TYPOGRAPHICAL ERRORS

1. The analysis of part II of subtitle A of title 10 is amended by striking out the item "49. Miscellaneous Prohibitions and Penalties ..... 961" and inserting in place thereof the item "49. Miscellaneous Prohibitions and Penalties. [No present sections]."

2. Section 270 (a) (renumbered sec. 273 (a)) of title 10 is amended by striking out the figure "673" and inserting in place thereof the figure "674."

3. Subtitle A of title 10 is amended by inserting the following after chapter 47:

"CHAPTER 49.—MISCELLANEOUS PROHIBITIONS AND PENALTIES

"[No present sections]"

4. Section 866 (b) of title 10 is amended by striking out the word "commissioned" and inserting in place thereof the word "commissioned."

5. Section 1210 of title 10 is amended by striking out the figure "1408" and inserting in place thereof the figure "1208."

6. The analysis of part III of subtitle A of title 10 immediately preceding chapter 101 is amended by striking out the word "generally" in item 101 and inserting in place thereof the word "Generally."

7. Section 3352 (a) of title 10 is amended by inserting a comma after the word "prescribe."

8. Section 3963 (b) of title 10 is amended by striking out the word "dietition" and inserting in place thereof the word "dietitian."

9. Sections 4342 (c) and 9342 (c) of title 10 are amended by striking out the figure "(6)" and inserting in place thereof the figure "(5)."

10. Section 4778 of title 10 is amended by striking out the word "Association" and inserting in place thereof the word "Associations."

11. Subsections (a) and (b) of section 5589 of title 10 are amended to read as follows:

"(a) Original appointments to the active list of the Navy in the grade of ensign in the line, in the Supply Corps, and in the Civil Engineer Corps may be made from male—

"(1) warrant officers;

"(2) chief petty officers; and

"(3) first-class petty officers;

in the Regular Navy, for the performance of duty in the technical fields indicated by their warrants or ratings.

"(b) Original appointments to the active list of the Marine Corps in the grade of second lieutenant may be made from male—

"(1) warrant officers;

"(2) master sergeants; and

"(3) technical sergeants;

in the Regular Marine Corps, for the performance of duty in the technical fields in which they are proficient."

12. Section 5792 of title 10 is amended by striking out the figure "15" and inserting in place thereof the figure "16."

13. Section 5861 of title 10 is amended by striking out the words "or 5773" and inserting in place thereof the words "5773, or 5784."

14. Section 5862 (b) of title 10 is amended by striking out the words "or 5773" and inserting in place thereof the words "5773, or 5784."

15. Section 6148 (f) of title 10 is amended by striking out the figure "375" and inserting in place thereof the figure "376."

16. Sections 6324 and 6396 (c) (3) of title 10 are amended by striking out the figure "47" and inserting in place thereof the figure "41."

17. The analysis of chapter 573 of title 10 is amended by striking out the figure "8398" and inserting in place thereof the figure "6398."

18. The analysis of chapter 831 of title 10 is amended by striking out the item:

"8208. Regular Air Force: Commissioned officers on active list; female commissioned officers, other than those designated under section 8067 of this title to perform professional functions."

And inserting in place thereof the item:

"8208. Regular Air Force: Commissioned officers on active list; female commissioned officers, other than those designated under section 8067 of this title to perform professional functions."

19. Section 101 of title 32 is amended by striking out the word "additions" and inserting in place thereof the word "addition."

20. Section 307 (b) (1) of title 32 is amended by inserting a comma after the words "Army National Guard of the United States."

2. CHANGES FOR UNIFORMITY OF EXPRESSION

1. Section 510 (d) of title 10 is amended by striking out the word "in" after the word "Reserve" and inserting in place thereof the word "of."

2. Section 512 (a) of title 10 is amended—

(1) by striking out the word "in" after the word "Reserve" and inserting in place thereof the word "of"; and

(2) by striking out the word "such" before the word "participation" and inserting in place thereof the word "his."

3. Section 823 (b) of title 10 is amended by striking out the words "When" and "when" and inserting in place thereof the words "If" and "if," respectively.

4. Section 1481 (a) of title 10 is amended by striking out the words "regular member" and inserting in place thereof the word "Regular."

5. Sections 3202 (b) and 8202 (b) of title 10 are amended by striking out the words "50 percent" and inserting in place thereof the word "one-half."

6. Sections 3259 and 8259 of title 10 are amended by striking out the words "Under regulations prescribed by the Secretary of the Army" and "Under regulations prescribed by the Secretary of the Air Force" and inserting in place thereof the words "Under such regulations as the Secretary of the Army may prescribe" and "Under such regulations as the Secretary of the Air Force may prescribe," respectively.

7. Sections 3444 (b) and 8444 (b) of title 10 are amended by striking out the words "A person" and inserting in place thereof the words "An officer."

8. Sections 3633 and 8633 of title 10 are amended by striking out the word "leave" and inserting in place thereof the word "authority."

9. Sections 3638 (2) and 8638 (2) of title 10 are amended by striking out the word "proper."

10. Sections 4504 and 9504 of title 10 are amended by striking out the words "abroad or in" and inserting in place thereof the words "inside or outside."

11. Section 6325 (b) of title 10 is amended by inserting the words "of this title" after the figure "5597."

3. CHANGES TO REFLECT THE COMMONWEALTH STATUS OF PUERTO RICO

1. Section 101 (3) of title 10 is amended by striking out the words "Puerto Rico", and inserting before the period the words "or Commonwealth."

2. Sections 774, 2274 (a), 3062 (a) (1), 4502 (a), 4502 (b), 4747, 4778, 8062 (a) (1), 9502 (a), 9502 (b), and 9778 of title 10 are amended by striking out the words "its Territories" and inserting in place thereof the words "the Territories, Commonwealths."

3. Section 808 of title 10 is amended by striking out the words "or Territory, a" and inserting in place thereof the words ", Territory, Commonwealth, or."

4. Section 846 of title 10 is amended by striking out the words "its Territories, and its" and inserting in place thereof the words "or the Territories, Commonwealths, and."

5. Section 847 (b) of title 10 is amended by inserting the word ", Commonwealths," after the word "Territories."

6. Sections 849 (d) (1), 888, 2668 (a), and 2669 (a) of title 10 are amended by inserting the word "Commonwealth," after the word "Territory,", wherever it appears.

7. Section 3074 (b) of title 10 is amended by striking out the words "its Territories, its" and inserting in place thereof the words "the Territories, Commonwealths, and."

8. Sections 3500 (1) and 8500 (1) of title 10 are amended by striking out the words "its Territories" and inserting in place thereof the words "any of the Territories, Commonwealths."

9. Section 5986 (a) of title 10 is amended by inserting the words "the Territories, Commonwealths, or possessions," after the words "United States."

10. Section 7308 (a) of title 10 is amended by inserting the word "Commonwealth," after the word "Territory," in clause (1).

11. Section 7545 (a) of title 10 is amended by inserting the word "Commonwealth," after the word "Territory," in clause (1).

12. Sections 7652 (a) and 7653 (a) of title 10 are amended by striking out the words "its Territories, or its" in clause (1) and inserting in place thereof the words "or the Territories, Commonwealths, or."

13. Section 7655 (b) of title 10 is amended by striking out the words "abroad or in the United States" and by inserting the word "anywhere" after the word "exercise."

14. Sections 9773 (a) and 9773 (c) (4) of title 10 are amended by striking out the words "its Territories" and inserting in place thereof the words "the Territories, Commonwealths."

4. MISCELLANEOUS NATIONAL GUARD CHANGES

1. Section 101 (30) (B) (renumbered section 101 (31) (B)) of title 10 is amended by striking out the words "competent authority" and inserting in place thereof the words "an authority designated by the Secretary concerned."

Explanation: The term "competent authority" is defined in section 101 (1) of the Armed Forces Reserve Act of 1952 (50 U. S. C. 901 (l)) as "an authority designated by the appropriate Secretary." Since that definition has been carried into the text elsewhere in H. R. 7049, the same should be done here.

2. Sections 591 (a), 3351, and 8351 of title 10, and sections 305, 307, and 308 (including catchlines) and the analysis of chapter 3 of title 32, are amended by striking out the words "individual" and "individually", wherever they appear.

Explanation: Since officers of the National Guard receive only one kind of Federal recognition and not a special recognition in addition to the general recognition received by enlisted men, it is undesirable to have a modifier suggesting that there is more than one kind of Federal recognition of officers.

3. Sections 672 (a), 672 (b), and 673 (a) of title 10 are amended by striking out the words "any member or unit" and inserting in place thereof the words "any unit, and any member not assigned to a unit organized to serve as a unit,".

Explanation: The change conforms more closely to the wording of the source statute (sec. 233 (a), (b), and (c) of the Armed Forces Reserve Act of 1952, 50 U. S. C. 961 (a), (b), and (c)) and makes clear that there is no authority under the cited sections to order a member of a unit organized to serve as such to active duty without his consent, unless he is ordered with his unit.

4. (a) Sections 1332 (a) (2) (A) and (B) of title 10 are amended to read as follows:

"(A) one point for each day of—

"(i) active service; or

"(ii) service under sections 316, 503, 504, and 505 of title 32 while performing annual training duty or while attending a prescribed course of instruction at a school designated as a service school by law or by the Secretary concerned;

if that service conforms to required standards and qualifications;

"(B) one point for each attendance at a drill or period of equivalent instruction that was prescribed for that year by the Secretary concerned and conformed to the requirements prescribed by law, including attendance under section 502 of title 32; and."

(b) Section 1333 (1) is amended to read as follows:

"(1) the days of service credited to him under section 1332 (a) (2) (A) of this title."

(c) Section 1332 (2) is amended by striking out the words "for drill, equivalent instruction, or membership."

Explanation: Under the source statute (title III of the Army and Air Force Vitalization and Retirement Equalization Act of 1948, 10 U. S. C. 1036–1036i), members of the Army National Guard of the United States or Air National Guard of the United States are entitled to credit the service described even when it is performed in their status as members of the Army National Guard or Air National Guard (see opinion of the Judge Advocate General of the Army, JAGA, 1956/1908, February 13, 1956). The change makes this right explicit. The change in section 1333 (1) makes clear that the service described may be credited not only for the purpose of entitlement but also for the purpose of computing retired pay. The change in section 1333 (2) deletes language that is surplusage.

(5) Section 1334 (b) of title 10 is amended by striking out the words "Except for any later period of active duty, time" and inserting in place thereof the word "Time."

Explanation: The words deleted do not appear in the source statute (sec. 304 of the Army and Air Force Vitalization and Retirement Equalization Act of 1948, 10 U. S. C. 1036c) and their inclusion would make the provision too restrictive, since there may also be other exceptions.

(6) Sections 3351 and 8351 of title 10 are amended by striking out the word "in" following the words "for service" wherever they appear and inserting in place thereof the words "as a member of."

Explanation: The change conforms to the wording of the source statute (sec. 703 (b) of the Armed Forces Reserve Act of 1952, 50 U. S. C. 1113 (b)) and makes clear that a member of the National Guard is not appointed in the Army National Guard of the United States or the Air National Guard of the United States but rather as a "Reserve" for service as a member of that component.

7. The analyses of chapters 333 and 833 of title 10 are amended by striking out the word ": enlistment" in items 3261 and 8261.

Explanation: The change is necessary to conform to the changes in sections 3261 and 8261.

8. The catchlines of sections 3261 and 8261 of title 10 are amended by striking out the word ": enlistment."

Explanation: The word deleted is surplusage. It is also inappropriate since it suggests that a person enlists in the Army National Guard of the United States or the Air National Guard of the United States, when in fact he enlists as a "Reserve."

9. Sections 3261 (a) (3) and 8261 (a) (3) of title 10 are amended by striking out the words "for service in the Army National Guard of the United States" and "for service in the Air National Guard of the United States," respectively.

Explanation: The words deleted are surplusage.

10. Section 3259 of title 10 is amended by inserting the words "in the Army" after the words "held by him."

Explanation: The insertion corrects an oversight. It is necessary to conform to sections 3352 (a), 8259, and 8352 (a), which are based on the same source statute (sec. 706 of the Armed Forces Reserve Act of 1952, 50 U. S. C. 1116).

11. Sections 3259 and 3352 (a) of title 10 are amended by striking out the words "in the Army National Guard of the United States was" and inserting in place thereof the words "has been."

Explanation: The change conforms to the wording of the source statute (sec. 706 of the Armed Forces Reserve Act of 1952, 50 U. S. C. 1116).

12. Sections 8259 and 8352 (a) of title 10 are amended by striking out the words "in the Air National Guard of the United States was" and inserting in place thereof the words "has been".

Explanation: The change conforms to the wording of the source statute (sec. 706 of the Armed Forces Reserve Act of 1952, 50 U. S. C. 1116).

13. Sections 4301 (c) and 9301 (c) of title 10 are amended by inserting the words "of the United States" after the words "Army National Guard" and "Air National Guard", respectively.

Explanation: The change conforms to the wording of the source statute (sec. 127a of the National Defense Act, 10 U. S. C. 535), which refers to the Federal component and not to its State counterpart.

14. The analysis of chapter 3 of title 32 is amended by striking out the item "301. General Federal recognition of officers and enlisted men." and inserting in place thereof the item "301. Federal recognition of enlisted members."

Explanation: The change is necessary to conform the analysis of chapter 3 to the change in the catchline of section 301.

15. Section 301 of title 32 is amended to read as follows:

"§ 301. Federal recognition of enlisted members

"To be eligible for Federal recognition as an enlisted member of the National Guard, a person must have the qualifications prescribed by the Secretary concerned for the grade, branch, position, and type of unit or organization involved. He becomes federally recognized upon enlisting in a federally recognized unit or organization of the National Guard."

Explanation: The change is necessary to restrict the rule stated to enlisted members. What constitutes Federal recognition of enlisted members does not constitute Federal recognition of officers.

16. Section 307 (a) of title 32 is amended to read as follows:

"(a) To be eligible for Federal recognition as an officer of the National Guard, a person must—

"(1) receive an appointment with a view to filling a vacancy in a federally recognized unit or organization of the National Guard;

"(2) have the qualifications prescribed by the Secretary concerned for the grade, branch, position, and type of unit or organization involved; and

"(3) except as provided in subsection (d), pass an examination for physical, moral, and professional fitness to be prescribed by the President, and subscribe to the oath of office prescribed by section 312 of this title."

Explanation: It is necessary to state separately the rule respecting the Federal recognition of officers, since it differs materially from that respecting the Federal recognition of enlisted members. The change also makes clear that there is only one kind of Federal recognition of officers.

17. Section 307 (d) of title 32 is amended by striking out the words "section 301 of this title" and inserting in place thereof the words "subsection (a) (1) and (2)."

Explanation: The change is necessary to conform to the changes in sections 301 and 307 (a) of title 32.

18. Section 315 (including the catchline) and item 315 in the analysis of chapter 3 of title 32 are amended by striking out the words "and reserve."

Explanation: The change conforms to the language of the source statute (sec. 100 of the National Defense Act, 32 U. S. C. 69), which refers only to commissions in the Regular Army.

5. MISCELLANEOUS CHANGES

1. (a) The following clauses of section 101 of title 10, as listed in the left-hand column are renumbered as shown in the right-hand column:

Old number	New number
(25)	(26)
(26)	(27)
(27)	(28)
(28)	(29)
(29)	(30)
(30)	(31)
(31)	(32)
(32)	(33)
(33)	(34)

(b) The following sections of title 10, as listed in the left-hand column, are renumbered as shown in the right-hand column:

Old number	New number
270	273
271	274
272	275
273	276
274	277
275	278
276	280
684	686

Explanation: Renumbering is necessary to leave room for provisions restating already enacted laws effective after March 30, 1955.

2. Section 510 (c) of title 10 is amended by adding the words "(other than for training)" at the end thereof.

Explanation: The change is necessary to reflect the definition of the term "active duty" in section 101 (b) of the Armed Forces Reserve Act of 1952 (50 U. S. C. 901 (b)), which has been carried into the text elsewhere in H. R. 7049.

3. Section 815 (a) (1) (C) of title 10 is amended by striking out the words "his pay for not more than 1 month" and inserting in place thereof the words "1 month's pay."

Explanation: The words deleted are surplusage.

4. Section 827 (a) of title 10 is amended by striking out the word "other."

Explanation: The change conforms to the wording of the source statute (art. 27 (a) of the Uniform Code of Military Justice). The word "other" is inappropriate since trial counsel and defense counsel are not "assistants."

5. Section 938 of title 10 is amended by striking out the words "of the department."

Explanation: The words deleted are surplusage.

6. Section 2664 (d) of title 10 is amended by inserting the words "take and" before the word "use."

Explanation: The change conforms section 2664 (d) to section 2663 (b), which is based on the same source statute (act of July 2, 1917, ch. 35, as amended, 50 U. S. C. 171).

7. Sections 2664 (e) and (f) of title 10 are amended by striking out the words "An officer" and inserting in place thereof the words "A person."

Explanation: The term "officer," which is defined in section 101 (14) of title 10 of H. R. 7049 as a "commissioned or warrant officer," is inappropriate in this section since the officers referred to in subsection (a) are civilian officials.

8. Section 3296 (b) of title 10 is amended by striking out clause (2) and by redesignating clauses (3) and (4) as "(2)" and "(3)", respectively.

Explanation: The change is necessary to reflect the abolition of a separate statutory promotion list for the Judge Advocate General's Corps by section 1 of the act of August 21, 1954 (ch. 783, 68 Stat. 758).

9. Sections 3299 (b) and 8299 (b) of title 10 are amended by striking out the word "and" and inserting in place thereof the word "that."

Explanation: The change is made for clarity and to conform more closely to the source statute (sec. 509 (b) of the Officer Personnel Act of 1947, 10 U. S. C. 559c (b)).

10. Sections 3305 (a) and 8305 (a) of title 10 are amended by striking out the words

"that grade" in the third sentence and inserting in place thereof the words "the grade of colonel."

Explanation: The change removes any uncertainty as to what the words "that grade" refer to.

11. Sections 8306 (a) and 8306 (a) of title 10 are amended by striking out the words "promotion to that grade" in the second sentence and inserting in place thereof the words "promotion to the grade of brigadier general."

Explanation: The change removes any uncertainty as to what the words "that grade" refer to.

12. Sections 8307 (a) and 8307 (a) of title 10 are amended by striking out the words "for promotion to that grade" in the second sentence and inserting in place thereof the words "for promotion to the grade of major general."

Explanation: The change removes any uncertainty as to what the words "that grade" refer to.

13. Sections 4342 (c) (4), 6954 (a) (1) (B), and 9342 (c) (4) of title 10 are amended by striking out the words "the date prescribed by proclamation of the President or concurrent resolution of Congress under the joint resolution of May 11, 1951, ch. 49, 65 Stat. 40" and inserting in place thereof the words "February 1, 1955."

Explanation: The change reflects proclamation No. 3080 (Jan. 7, 1955; 20 F. R. 173), which was issued under the joint resolution of May 11, 1951 (ch. 49, 65 Stat. 40). This proclamation fixed the terminal date of the service for which persons serving in the Armed Forces after June 26, 1950, were entitled to the same medical, burial, and other benefits as persons who served in World War II.

14. The last sentence of section 4621 (a) of title 10 and the last two sentences of section 9621 (a) of title 10 are amended to read as follows:

"Except for articles and items acquired through the use of working capital funds under sections 172–172j of title 5, sales of articles shall be at cost, and sales of individual clothing and equipment shall be at average current prices, including overhead, as determined by the Secretary."

Explanation: The change is made for clarity and to conform section 4621 (a) to section 9621 (a) with respect to the pricing of individual clothing and equipment. Both sections are based on the same source statute (act of June 30, 1922, ch. 253, as amended, 10 U. S. C. 904, 1231).

15. Sections 4621 (b) and 9621 (b) of title 10 are amended—

(1) by striking out the words "Except for articles acquired through the use of working capital funds under sections 172–172j of title 5, the" and inserting in place thereof the word "The"; and

(2) by adding the following new sentence: Activities conducted under this subsection shall be consistent with sections 172–172j of title 5.

Explanation: The change preserves the effect of the source statute (act of July 5, 1884, ch. 217, 10 U. S. C. 1238) pending such time as a power, duty, or responsibility is exercised or discharged under section 411 of title IV of the National Security Act (5 U. S. C. 172j) inconsistently with the source statute.

16. Section 6325 of title 10 is amended by adding a new subsection (c) as follows:

"(c) A warrant officer who retires under section 6321, 6322, or 6323 of this title may elect to be placed on the retired list in the highest grade and with the highest retired pay to which he is entitled under any provision of this title. If the pay of that highest grade is less than the pay of any warrant grade satisfactorily held by him on active duty, his retired pay shall be based on the higher pay."

Explanation: Subsection (c) is added to section 6325 to reflect section 14 (f) of the Warrant Officer Act of 1954 (34 U. S. C. 430 (f)) as it applies to warrant officers voluntarily retiring under sections 6321, 6322, and 6323 of title 10. That provision as it applies to warrant officers retiring under sections 564, 1255, 1263, 1293, and 1305 is codified in section 1401 of that title.

17. Section 8549 of title 10 is amended by inserting the words "or appointed with a view to designation under that section" before the words, "may not."

Explanation: The change reflects the fact that the exception applies also to women Reserves who have been appointed in the Air Force with a view to designation under section 8067 but have not yet been designated under that section.

18. (a) Section 9344 of title 10 is amended by striking out subsection (d).

(b) Section 9346 of title 10 is amended by striking out subsection (d).

Explanation: The oath provided by section 9346 (d) was developed to meet a special situation, with respect to the Army, arising out of the Civil War. It never applied to the Naval Academy and has no relevance to the Air Force Academy. It is, therefore, not an "appropriate provision of law" under section 5 of the Air Force Academy Act (10 U. S. C. 1854).

19. Section 9351 (a) of title 10 is amended by striking out the word "Academic" and inserting in place thereof the word "Academy."

Explanation: The change conforms to the terminology in use at the Air Force Academy.

20. Section 109 of title 32 is amended by—

(1) striking out the period at the end of subsection (a) and inserting in place thereof the words "and State defense forces."; and

(2) inserting after the words "National Guard" in subsection (b) the words "or its State defense forces."

Explanation: The changes are made to reflect the act of August 11, 1955 (ch. 802, 69 Stat. 686).

21. (a) Section 23 is deleted.

(b) The following sections listed in the left-hand column are renumbered as shown in the right-hand column:

Old number	New number
24	23
25	24
26	25
27	26
28	27
29	28
30	29
31	30
32	31
33	32
34	33
35	34
36	35
37	36
38	37
39	38
40	39
41	40
42	41
43	42
44	43
45	44
46	45
47	46
48	47
49	48
50	49
51	50
52	51
53	52
54	53

(c) Section 50 (renumbered section 49) is amended by striking out the figure "49" wherever it appears and inserting in place thereof the figure "48".

(d) The Schedule of Laws Repealed, in section 54 (renumbered section 53), is amended—

(1) by inserting the words "(less § 17)" in the column designated "Section" (Statutes at Large), and by striking out the word "Uncodified" in the column designated "Title", opposite the entry "Mar. 2" under the year "1899";

(2) by striking out the figure "1350," in the column designated "Section" (U. S. Code), opposite the entry "Feb. 2" under the year "1901"; and

(3) by striking out the figure ",6" in the column designated "Section" (Statutes at Large), the figure ",88" in the column designated "Page", and the figure ",473" in the column designated "Section" (U. S. Code), opposite the entry "June 19" under the year "1951."

Explanation: The changes are necessary to conform to the decision not to codify or otherwise change section 6 of the 1951 amendments to the Universal Military Training and Service Act (50 U. S. C. App. 473) and section 38 of the act of February 2, 1901 (ch. 192, 10 U. S. C. 1350), in the present act.

22. Section 31 (renumbered section 30) is amended by inserting the words "under section 3496 or 8496 of title 10, United States Code," before the words "shall be paid."

Explanation: The change is made for clarity.

23. Section 50 (a) renumbered section 49 (a) is amended by striking out the words "amendments to it" and inserting in place thereof the words "superseding it to the extent of the inconsistency".

Explanation: The change eliminates any possible implication that inconsistent laws that do not expressly amend title 10 or 32 are to be treated as formal amendments to it instead of as implied amendments that are to be integrated into those titles by congressional enactment at a later date.

24. Section 50 (c) (renumbered section 49 (c)) is amended—

(1) by inserting the words "and offenses committed" after the words "Actions taken"; and

(2) by inserting the words "or committed" after the words "have been taken".

Explanation: The change makes clear that the enactment of H. R. 7049 is intended to have no effect on amenability to prosecution.

25. The Schedule of Laws Repealed, in section 54 (renumbered section 53), is amended—

(1) by striking out the figure "1" in the column designated "Section" (Statutes at Large) opposite the entry "May 5" under the year "1950" and inserting in place thereof the figure "1*"; and

(2) by inserting the following footnote:

"*Repeal of section 1 of the Act of May 5, 1950, ch. 169, is effective on the effective date of chapter 47 of title 10, United States Code, enacted by section 1 of this Act."

Explanation: The change is necessary to make the repeal of the Uniform Code of Military Justice coincide with the effective date of its counterpart in H. R. 7049, chapter 47 of title 10.

Mr. O'MAHONEY. Mr. President, I also ask unanimous consent that a statement prepared by me may be printed in the RECORD at this point. In it there are probably covered some of the statements I have already made, but, despite such repetition, I ask that the statement be printed.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR O'MAHONEY

H. R. 7049 is a bill to codify the laws relating to the military aspects of national defense. It is part of the program, begun by Congress in 1946, to revise and enact into law each of the 50 titles of the United States

Code. Eleven of those titles have already been revised and enacted by Congress, but none has the scope of the present bill. The revised titles enacted by this bill are title 10, "Armed Forces," and title 32, "National Guard." They will replace the present titles 10, "Army," 32, "National Guard," and 34, "Navy," and parts of other titles.

H. R. 7049 brings together for the first time the enormous number of laws that organize and control the Armed Forces of the United States. The bill is 819 pages long, and is the fruit of 8 years of hard work. In all, 52 civilian and military lawyers have worked on it, and several million dollars have been spent to make it as perfect a piece of legislation of this kind as it is possible to prepare.

Let me assure you at the outset that, although the language of preexisting law has been changed, wherever necessary, for uniformity, clarity, and accuracy, not a single change in substance has been made. The bill is a restatement of current law, and no pains have been spared to assure that substantive changes, intentional or unintentional, have not intruded.

As an added safeguard, section 49 of H. R. 7049 specifically states that it is the legislative purpose of the bill to restate the existing law without changing it in substance. This makes express the well-established principle of statutory interpretation that a codification bill is the continuation of its source law without substantive changes, except where Congress clearly shows its intent to do otherwise. The committee report reaffirms the fact that no substantive change is intended.

The great need for H. R. 7049 arises from the chaotic condition of present-day military law. The Armed Forces under the jurisdiction of the Department of Defense operate under about 400 general and permanent statutes, representing upward of 1,000 separate enactments. In this great mass of laws there are more than 900 dead provisions that have never been expressly repeated. These provisions clutter up the United States Code, and make it more difficult to find and interpret the law on any particular subject.

The live law is full of ambiguities, uncertainties, and inconsistencies. One of its most confusing features is its terminology, which varies from statute to statute and sometimes from section to section. For instance, in the Armed Forces Reserve Act and the Career Compensation Act the term "officer" means a commissioned or a warrant officer, whereas in the Uniform Code of Military Justice it means only a commissioned officer.

The term "Territories," which in most military laws means Alaska and Hawaii, also includes Puerto Rico and the Canal Zone in the laws affecting the National Guard. Even the term "United States" in its geographical sense has been used in various meanings.

In most laws the term "service in a Reserve component" means just what it says, but in one important law it includes service not in any component.

I am not criticizing earlier Congresses or the many draftsmen of our military laws. What we are confronted with today is the necessary accumulation of years of dealing, on a piecemeal basis, with the complicated problems of national defense. The laws under which our military forces operate have been enacted over a long period extending from 1789 to the present. They have been drawn by different draftsmen, at different times, under different conditions, and from different points of view.

The net result of this hodgepodge of live and dead law is that today it is extremely difficult to find the law on any subject, to appraise the legislative needs of the Department of Defense, and to write appropriate new laws. This impediment acts as a constant drag on the work of the Department of Defense and Congress. At a time when putting national defense on the most efficient basis is one of the Nation's foremost objectives, it would seem something less than prudent not to put our military laws in order. When, also, we consider that the cost of the entire codification project has been less than that of a single bomber or coastal minesweeper, it seems fair to ask, how else would we do so much for the Nation's defense at so little cost to the taxpayer?

It is with a great deal of satisfaction that I come before you to say that in the considered opinion of the Committee on the Judiciary the badly needed job of codifying the military laws has not only been done, but it has been done as completely, accurately, and scientifically as human effort can devise.

Work on the bill began in 1948, following the recommendation of the War Department Policies and Program Board that the military laws be codified. The Air Force joined in the work in 1949, and the Navy and Marine Corps in 1950. The drafting was done by a joint group of able military and civilian lawyers from the three military departments under the supervision of civilian lawyers in the Office of the Secretary of Defense. The National Guard was also an active participant. In the drafting of the new text and in the preparation of the supporting revision notes and tables, the codifiers exercised the highest care. Each chapter was prepared in the first instance by an experienced draftsman. A point-by-point check was then made by another experienced draftsman. Next, the chapter was submitted to the crossfire examination of a panel of 5 or 6 lawyers and military experts. Finally, it was subjected to a large number of technical and mechanical checks designed to produce complete accuracy, uniformity, and clarity.

A first draft of H. R. 7049 was completed, printed, and widely circulated in 1952 and 1953. It was circulated not only throughout the Department of Defense, but to the National Guard, the Coast Guard, the Coast and Geodetic Survey, the Public Health Service, and other interested Government agencies. In 1954, a revised draft, reflecting the comments previously received, was completed and printed, and a thousand copies were similarly circulated. Every comment that was received as a result of these two circulations was carefully evaluated. I do not think it is an exaggeration to say that no piece of major legislation has ever been subjected to more exacting tests than H. R. 7049.

In addition to its careful preparation in the Department of Defense, the bill was subjected to intensive study by the appropriate committees of the House of Representatives. The House passed the bill unanimously on the first of August last year.

H. R. 7049 has been under careful scrutiny in the Judiciary Committee of the Senate for almost a year. The committee was deeply impressed with the care and planning that have gone into the bill and with the small number of questions that the study of the bill raised. It was also struck by the fact that some of the highest praise came from the few persons who had occasion to raise any questions. One of these critics said, "On the whole, I find H. R. 7049 to constitute the finest legislative drafting I have ever seen. * * * H. R. 7049 should stand as a model for all future legislative writing in clarity, brevity, and understandability." What higher commendation could you ask than a testimonial like that from a critic of the bill? No one who heard the presentation on behalf of the bill could have failed to be profoundly impressed with the professional competence and devotion that went into the final product, and the excellence of the result.

The codifiers deserve great credit for their loyalty, imagination, and unflagging effort. They have shown the kind of painstaking professional competence that too often goes unrecognized. For this reason, I would like to commend publicly the 10 lawyers who shouldered the main load of preparing the codification bill.

Dr. F. Reed Dickerson, of the Office of the Secretary of Defense.

Col. Archibald King, Col. Alfred C. Bowman, and Lt. Col. Joseph P. Ramsay, of the Department of the Army.

Lt. Col. George M. Lhamon, USMC, Comdr. Enser W. Cole, Comdr. Katherine E. Shilling, and Lt. Comdr. Charles J. Murphy, of the Department of the Navy.

Mr. James B. Minor and Mr. Allan J. Morrison, of the Department of the Air Force.

These lawyers received valuable collaboration from many other persons in the three military departments and in the National Guard. Although there is insufficient time to name them individually, their contribution is gratefully acknowledged.

It is of the greatest importance that H. R. 7049 be enacted as soon as possible. With the continuous stream of new military laws, a work of this kind is necessarily a perishable commodity. It would be an unhappy circumstance if 8 years of highly professional work and the millions of dollars already invested in the bill were to be jeopardized by the failure to enact it at the present session.

I strongly urge the prompt enactment of H. R. 7049.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc, with the understanding that the amendments are completely technical in nature, and do not affect in any way the substance of the law itself.

The PRESIDING OFFICER (Mr. MURRAY in the chair). Is there objection to the request of the Senator from Wyoming? Without objection, the committee amendments will be considered en bloc; and, without objection, they are agreed to en bloc.

Mr. WILEY. Mr. President, will the Senator yield to me?

Mr. O'MAHONEY. I yield to the Senator from Wisconsin.

Mr. WILEY. First, I wish to compliment the distinguished Senator for his fine work in connection with this bill.

The military codification bill, H. R. 7049, 8 years in the making, has been under consideration by the Senate since August 2, 1955. During this time it has been under the scrutiny of the Subcommittee on Revision and Codification of the Committee on the Judiciary. This is a subcommittee set up to study just this kind of bill. The committee subjected the bill to such tests as it considered appropriate to establish the bill's accuracy and thoroughness. It concluded that, although military in character, H. R. 7049 had been prepared under proper civilian and professional safeguards, that it accurately reflects presently existing military law, and that there is no reason to fear that any substantive change has been made.

The committee was impressed with the urgent need to put the military laws in order, from the standpoint of both the defense effort and facilitating the work of Congress in appraising and strengthening those laws. After full study, it be-

lieves that H. R. 7049 fills this need, and fills it as well as human effort can devise.

Failure to pass the bill at this session would mean great needless expense, and a serious loss of time.

Not only was this bill carefully reviewed by the competent legal staffs of the House Judiciary Committee and of the Senate Judiciary Committee, but it was also carefully studied by the Senate subcommittee. This subcommittee is composed of my distinguished colleagues, the senior Senator from Arkansas [Mr. McCLELLAN], chairman, the junior Senator from Wyoming [Mr. O'MAHONEY], who presided at the hearings, and the senior Senator from Maryland [Mr. BUTLER]. These gentlemen are very able lawyers. The subcommittee held thorough hearings on the bill after giving 2 months' notice. However, no substantial objections were interposed. Only minor technical amendments were found necessary. This procedure, in addition to the approval by the Judiciary Committee itself, and my own personal review, has convinced me that the bill is a good one. It merely restates in orderly form the existing law with reference to the military services, which is now difficult to find. If the bill is not now passed, the process would have to be done all over again. I urge the bill's immediate enactment.

Mr. O'MAHONEY. I thank the Senator from Wisconsin, whose cooperation made it possible for us to get the bill through the Judiciary Committee very expeditiously.

I wish merely to add that during the 8 years in which the experts on codification have been going through every single statute ever passed by the Congress, not less than from $2.5 million to $3 million has been necessarily spent by the Congress. Congress has been appropriating yearly for the House committee to do the preliminary work upon this subject. The House subcommittee was satisfied; the full committee was satisfied; the House was satisfied; and I hope the bill may now be passed by the Senate.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 7049) was read the third time and passed.

WORK OF THE COMMITTEE ON RULES AND ADMINISTRATION

Mr. GREEN. Mr. President, this morning the Committee on Rules and Administration held what probably was the last regular meeting of the committee during this Congress.

Pursuant to the decisions made by the committee today, I am reporting 9 items of legislative business. This clears the committee's docket of all items which are ready for action by the Senate.

I am pleased to report that members of the committee, on both sides of the aisle, have ably cooperated with me in an endeavor to process all matters referred to the committee with a minimum of delay.

WHEAT REFERENDUM

Mr. HUMPHREY of Minnesota. Mr. President, wheat farmers from 36 States of the Nation have again shown—overwhelmingly, and for the fourth consecutive year—that they favor continuation of a farm price-support program based upon marketing quotas to help adjust production to demand.

In Friday's nationwide referendum, 87.5 percent of the Nation's wheat producers approved continuation of marketing quotas for 1957. The unofficial returns Saturday indicated that more than 228,000 wheat farmers had voted for the quotas, as compared with less than 33,000 against.

That tremendous "yes" margin shows that farmers accept their responsibility of cooperating in production adjustment. They are entitled to some assurance of fair prices in return for agreeing to cut their production.

If growers had voted down the quotas, chaos would have resulted in the wheat markets for next year, and prices would have tumbled to drastic lows. Instead, they will now be eligible for the full support prices authorized by law, whether it be the 82½ percent of parity set by Secretary Benson under his discretionary authority provided in the sliding scale act now on the books, or whether it be the 90 percent of parity many of us hope to see restored by legislative mandate next year after farmers have again spoken out in November's elections.

Whether or not they get 90 percent next year, of course, now depends on how well they guard their own interests at another ballot box in November—and whether or not they make sure they send to the White House a President who will not veto a more effective price-support program.

The overwhelming "yes" vote in Friday's referendum shows how wheat growers feel, and puts the lie to those who say farmers would rather abolish the Federal farm programs and "go it alone," at the mercy of forces beyond their own control.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the transcript of a radio broadcast I made over Midwest stations urging farmers to vote "yes" in the referendum.

There being no objection, the text of the broadcast was ordered to be printed in the RECORD, as follows:

Wheat growers of the Midwest and Northwest face another crucial decision soon. Another wheat referendum will be held Friday, July 20.

Because I am convinced that rejection of marketing quotas in this referendum would be the beginning of the end for our price support program on wheat and bring added hardship and chaos to wheat producers, I want to urge a "yes" vote in the coming referendum on the 1957 crop.

If two-thirds of all wheat farmers who vote cast "yes" votes, it could benefit the average wheat farmer in the spring wheat area at least $10 per acre.

That is the dollar and cents difference between passage and defeat of marketing quotas.

By voting "yes," farmers would at least gain breathing time in which to work for a better wheat program. By voting "no" farmers would be setting the stage for wrecking the program entirely.

I know the dilemma that confronts the farmers. Lowering of the price supports under the sliding scale makes it more difficult for farmers to willingly accept the production adjustments most of them know should be made. That is why I have consistently argued in Congress that farmers accepting quotas should have at least 90 percent of parity. We have lost this round—but the fight will go on. Yet I must warn that the fight for more effective price protection will be far more difficult if wheat growers reject quotas in this referendum.

Unless wheat growers vote "yes," they will risk their 1957 income on the chaotic conditions of a free market and unlimited production.

Even if the quotas are turned down, acreage allotments will still be in effect. Wheat growers who plant more than their allotment will receive no price supports at all, and those who stay within their allotments will be eligible for only 50 percent of parity supports.

While the alternative is not as favorable as it should be as a result of President Eisenhower's veto of the first farm bill enacted by the Senate, a "yes" vote would at least provide solid assurance to wheat producers that they would get at least 75 percent of transitional parity price-support loans on the 1957 crop—and probably more.

Before the vote, Secretary Benson will name the minimum 1957 support. It is possible that he will not put supports clear down to 75 percent of parity, but instead keep them at or near the present $2 rate we helped force them to accept for 1956 despite the veto.

Farmers showed good judgment in approving quotas by 95 percent last year. The chain reaction set up by their vote to save their program finally resulted in raising of the 1956 wheat-price-support level to 84 percent of parity, or $2 per bushel. Had there been a "no" vote last year, 1956 wheat would probably have been supported at not more than the 70 percent of parity for feed grains set by Secretary Benson.

So the difference between a "yes" and a "no" vote for 1957 quotas comes to about 74 cents a bushel.

If quotas are voted down, the wheat producers' only price assurance is the 50 percent of wheat-parity-price supports provided by existing law. And to be eligible to receive even that, growers must stay within established acreage allotments. With quotas defeated and no new wheat program, there is nothing in the international picture to keep United States wheat prices above feed-grain prices. Moreover, there is no reason to believe that very many wheat producers would stay within presently restricted acreage allotments just to be eligible for 50 percent of parity supports.

If quotas are defeated, there is no reason to believe that the market price of wheat will be above $1.05 per bushel in 1957.

While each farmer will have to figure it out for himself, the stakes are great. Another "yes" vote can give time to change the atmosphere to one that will get a better farm program for all farmers. You will be voting to continue the wheat-price-support program in the hope that Congress will still improve it next year, instead of voting to toss it into the discard. It is your chance to speak out yourself for a more effective farm program, by voting "yes" in the wheat referendum July 20.

INCREASE OF ANNUITIES OF ANNUITANTS UNDER THE CIVIL SERVICE RETIREMENT ACT

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar 2653, Senate bill 3725.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (S. 3725) to provide for increases in the annuities of annuitants under the Civil Service Retirement Act of May 29, 1930, as amended.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service with an amendment, to strike out all after the enacting clause and insert:

That section 8 (d) of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by striking out paragraph (2) and by inserting in lieu thereof the following:

"(2) In addition to the increase provided by paragraph (1), the annuity of any person who now or hereafter is receiving an annuity from the civil service retirement and disability fund shall be increased by an amount equal to three-fourths of the amount of the increase received by such person under paragraph (1).

"(3) The increases provided by this subsection, when added to the annuities of retired employees, shall not operate to increase the annuities of their survivors, except that the annuity of any such survivor who becomes entitled to annuity shall be increased by the percent provided in subsection (d) (1) of this section appropriate to the commencing date of such survivor's annuity, and by an additional amount equal to three-fourths of the amount by which it is so increased."

SEC. 2. The amendment made by the foregoing provisions of this act and the additional increases provided by such amendment shall take effect on the first day of the second month following the date of enactment of this act or on the commencing date of annuity, whichever is later, and shall terminate on the 30th day of June of any calendar year after the calendar year 1956, in which an appropriation shall not have been made to the civil service retirement and disability fund prior to July 31 of such year for specific purposes of compensating such fund for the cost, as determined by the Civil Service Commission, of increases provided by such amendment during the fiscal year ending on June 30 of the following calendar year. Upon the termination of such amendment the provision of law amended thereby shall be in full force and effect as though this act had not been enacted.

SEC. 3. Section 8 (d) of the Civil Service Retirement Act of May 29, 1930, as amended, is amended, effective as of the first day of the second month following the date of enactment of this act, by striking out the next to the last sentence in paragraph (1) thereof.

SEC. 4. The widow or widower of any retired employee mentioned in the first paragraph of section 8 (a) of the Civil Service Retirement Act of May 29, 1930, who died prior to February 29, 1948, or the widow or widower of any retired employee mentioned in the third paragraph of such section 8 (a) who died prior to April 1, 1948, if such widow or widower is not entitled to an annuity based upon the service of such retired employee under any other provision of such act and has not remarried, shall be entitled to receive an annuity equal to one-half of the annuity of such retired employee, but not to exceed $600. Any annuity granted under this subsection shall commence on the first day of the month following the month in which application therefor is filed with the Civil Service Commission, and shall cease upon the death or remarriage of the annuitant.

Mr. NEUBERGER. Mr. President, I wish to discuss the pending measure. The bill would do nothing more than assure simple justice to former Federal employees, who are now annuitants of the Federal Government and drawing Federal retirement pay.

Last year, as Senators will recall, Congress provided certain modest increases in retirement benefits for Federal employees. The program embodied in S. 3725 represents exactly 75 percent of the increases which were provided during 1955. In other words, if an annuitant received an increase last year amounting to $10 per month, he would receive, under the bill now before the Senate, three-fourths of that amount, or $7.50. His total advance under both acts would thus amount to $17.50.

I believe that increases in the cost of living, which have been analyzed by the Committee on Post Office and Civil Service, under the able chairmanship of the distinguished senior Senator from South Carolina [Mr. JOHNSTON], bear out the fact very clearly and very cogently that the retirement benefits of our former Federal employees have not kept pace with the accelerated cost of living which has occurred in recent years.

We all recognize that retired Civil Service employees and their survivors have been placed at a great disadvantage, because the money they paid into the retirement systems was in the form of dollars which, judged by the present high cost of living have greatly decreased in value.

Because of this decrease in purchasing power, S. 3725 merely represents an effort by the Committee on Post Office and Civil Service to provide some equity to these former Government employees.

I should like to point out how the legislation would be financed. During the first year that the increases are in effect, the increases would come out of the existing retirement fund. That would be done until June 30, 1957.

After June 30, 1957, the increases would not continue unless an appropriation were made by Congress. However, I should point out that the retirement increase granted last year will continue on a permanent basis and is not affected by this arrangement.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. NEUBERGER. I am happy to yield to the senior Senator from Oregon.

Mr. MORSE. First I wish to compliment my colleague for the leadership he has given the Senate in connection with this very important retirement bill.

Mr. NEUBERGER. I hope my senior colleague will include in his compliment the senior Senator from South Carolina [Mr. JOHNSTON], who has been very active in connection with this proposed legislation.

Mr. MORSE. I was about to refer to the senior Senator from South Carolina, and shall do so. However, my first comment goes to my colleague, because, after all, my colleague is the author of S. 3725. It was my privilege to join with him, along with other Senators, in sponsoring the bill.

I wish to say that the pending bill would not be before the Senate today if it had not been for the leadership we received throughout our discussion of the bill from the senior Senator from South Carolina [Mr. JOHNSTON]. I mean no flattery to him when I say that during my service with him in the Senate he has never failed, as a member of the Committee on Post Office and Civil Service, to try to work out just programs for the benefit of civil service employees, in the case of all retirement measures.

We have before us, as I understand, a modification of S. 3725, which provides that for the first year, that is next year, the increase in the retirement allowances to annuitants already in retirement will come from the existing retirement fund.

Mr. NEUBERGER. The Senator is correct.

Mr. MORSE. At the end of the coming year, if the benefits we vote today are to be continued to the annuitant—assuming that the bill is passed—it will require that next year there be an appropriation bill passed which will add to the retirement fund a lump sum of money by way of appropriations which will permit the continuation of these benefits.

Mr. NEUBERGER. The Senator is correct.

Mr. MORSE. I think it is very important, as we come to vote on the bill, to take into account what I consider to be a very serious moral obligation. It would certainly be most unfair and unjust, indeed, it might very well have some elements of legislative deception, if in voting for the bill today each one of us did not understand that by voting for the increases in the retirement benefits for next year, we are certainly raising great hopes in the breasts of these annuitants that they can continue at least to count upon our good faith in continuing the increases in some way and somehow, after they have had the benefit of them for the first year.

It would be morally unjustifiable for us to pass the bill today and give them a year's benefit under it, and then next year in effect give them what would amount to an annuity decrease. It would be like a wage decrease. Hence I believe that into the RECORD today we ought to speak to these annuitants and say—and I ask my colleague from Oregon, and I ask my friend, the Senator from South Carolina, if they do not agree with me—that if we pass the bill today the annuitants certainly can expect all of us who are now in support of the bill to do our level best to find every means available to see to it that these benefits are continued after this next year.

Mr. NEUBERGER. I will say to the senior Senator from Oregon—and I know that the chairman of our commit-

tee, who is on the floor, will speak for himself in a moment—that I can assure him that the obligation to work for adequate appropriations with which to finance the increased allowances and benefits was foremost in the minds of all the members of the Committee on Post Office and Civil Service, when the bill was reported favorably to the Senate.

I should like to point out to the senior Senator from Oregon that the members of the committee realized that we had a double obligation. First, we had the obligation to the present retired Federal employees, to try to maintain their annuity benefits somewhere on a parallel basis with the increased cost of living. Secondly, we also had an obligation to the Federal employees who are now on the Federal payroll and who are still in a contributory status. In other words, they are still paying into the fund. We had the obligation to them to keep the fund, into which they are paying a very substantial portion of their wages, actuarially sound. We realized that we could not just willy-nilly levy on the fund arbitrarily, and still be fair to those employees who are taking a substantial portion of their wages, which are not in most instances high, and paying it into the fund.

That was the situation which confronted the committee. Therefore the committee, under the distinguished chairmanship of the Senator from South Carolina [Mr. JOHNSTON], decided to do this: That we could not get this increased program started unless, for the first year, we drew upon the fund. We realized that, in effect, we had to pass this bill as an authorization before any appropriation would be forthcoming.

Therefore, to begin the program on a sound basis, it must be started by tapping the existing fund. However, because of our obligation to our present employees, it seemed to us that it was reasonable to draw upon the existing fund for only the first year's increase to the annuitant and thereafter provide for appropriations.

I believe I can say to the senior Senator from Oregon with a full and complete degree of truthfulness that this method was accepted very heartily by representatives of both the presently retired Federal employees and by the representatives of the so-called actives, who are still employed by the Federal Government, and who are in a contributory status. The leaders of all these organizations were very cooperative. I should like to ask the distinguished chairman if what I have said fairly summarizes the situation, as it existed in the committee.

Mr. JOHNSTON of South Carolina. First, Mr. President, I wish to commend the junior Senator from Oregon [Mr. NEUBERGER] for his work in getting this bill in shape to be reported by the committee. It came up after the other retirement bill was reported. The Senator has performed an excellent bill, and I think he has explained it fully to the senior Senator from Oregon. He has explained how we had to tap the fund this year with the hope that the necessary appropriation will be made next year.

Mr. MAGNUSON. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. MAGNUSON. Mr. President, I did not intend to become involved in this discussion, but about 3 weeks ago, when we had under consideration the appropriation bill, we found that the fund was away behind. Bureau of the Budget, the administration, if you please, refused to ask for sufficient money to maintain the Federal share of the fund.

Mr. JOHNSTON of South Carolina. Along that line, I should like to reply by saying that during the past 3½ years the administration has failed to the extent of more than a billion dollars to contribute the proper amount into the fund, with the result that the fund today is left in a bad condition.

Mr. NEUBERGER. Mr. President, will the Senator from South Carolina yield for a question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. NEUBERGER. As the Chairman of the Senate Committee on Post Office and Civil Service, the senior Senator from South Carolina is in a better position to have knowledge of the retirement fund than has any other Member of the Senate. Is it not correct that, under the present administration, the total contributions have fallen to a lower proportionate level than at any other period in modern times?

Mr. JOHNSTON of South Carolina. That is correct. Not only that, but during the past 4 years the administration cut the interest on the fund from 4 percent to 3 percent, automatically.

Mr. NEUBERGER. Which was to the detriment of all Federal employees, both those presently employed and those in a retirement status.

Mr. MAGNUSON. As a matter of fact, the administration refused to contribute one dime to pick up the deficit, which amounts to $463 million.

Mr. NEUBERGER. The Senator from Washington is correct.

Mr. MAGNUSON. I noticed the other day a great fanfare concerning the balancing of the budget, which is now $1,700,000,000 to the good. But the administration has failed to say that that amount of money should itself be placed into this fund.

Mr. NEUBERGER. They have drained the Federal employees' retirement fund to a very low level, to the detriment and sacrifice of Federal employees, not only those who are on the payrolls, but those who are in a retirement status.

Mr. MAGNUSON. The Federal employees pay their contributions into the fund, but the Federal Government does not.

Mr. NEUBERGER. The contributions of the employees are paid at the source. The money is taken from their paychecks, but the rich Federal Government has allowed its contribution to drop to a dangerously low level.

Mr. President, before we vote on the bill, I wish to say, as a new Member of the Senate, that this bill would not be before the Senate today if it were not for the fact that the Senator from South Carolina [Mr. JOHNSTON] has taken a keen and active interest in bringing out a bill of this kind. As author of this bill, I am grateful to him. For the action which the Senate is about to take in a few minutes, I think credit should go to the distinguished chairman of the Committee on Post Office and Civil Service.

Mr. MORSE. Mr. President, I should like to make a few remarks on this bill.

The RECORD will show that some weeks ago I discussed S. 3725, the so-called Neuberger bill, and also S. 3731, the so-called Carlson bill. In the course of my remarks I said as of that time there seemed to be, on the basis of reports which had been made to me, some little difference between the so-called active employees and the nonactive employees, those already on retirement.

Following the discussion on the floor of the Senate, representatives of the two groups came to me and said they were sure they were going to be on common ground in accepting the program. Judging from what my junior colleague has said, both the active employees and those on retirement are behind this measure.

Mr. President, I agree with my colleague that it is a very sound compromise. I do not see how we can do less, out of appreciation of the public service rendered by the active employees and those already on retirement, than to pass this bill.

Let me say, however, Mr. President, in behalf of the annuitants, that not only is it true that they are suffering a hardship because of the depreciated dollar and an increase in the cost of living since they went on retirement, but that I think they all know that we would not have a civil service retirement system today had it not been for the foresight and the hard work of Federal employees years ago who now are on retirement.

So, Mr. President, I have said to representatives of the active employees, who have been very cooperative in this matter and have worked closely with it, that, after all, we all owe a great debt and obligation to Federal employees already on retirement, because, as the result of their vision, we have a retirement system. It is only fair and equitable that we seek to bring their payments up to an amount which will take care of the losses they have suffered as the result in the increase in the cost of living and of the depreciated dollar.

I think the leadership of the organizations representing the so-called active Federal employees is deserving of high commendation, not only because of its cooperation, but because of the fact that it agreed that it is only right, proper, and fair that we should see to it that there is provided some increase in the payments to the persons already on retirement.

Mr. President, under this compromise, as the junior Senator from Oregon and the Senator from South Carolina have pointed out, the bill provides that the increased payments for the next year shall be taken out of the present retirement fund. It is not going to jeopardize the retirement fund particularly if in the next year the Government itself proceeds to pick up its own tab of indebtedness.

When we deal with fiscal matters, Mr. President, we are dealing with matters which the rank and file of our people do not have the time to consider, because they are so busy with the problems of daily living that they are not familiar with the intricacies of Federal bookkeeping.

I dare say, when we go to our respective hometowns and ask the people we meet if they know whether the Federal Government is in arrears in payments into the retirement fund, they will say, "That could not be. Our Government would not be in arrears in payments into the retirement fund."

I think it is very important that we make a record here today that it is, however, a fact. As the Senator from Washington [Mr. MAGNUSON] has just pointed out, the Federal Government is in arrears to the extent of many millions of dollars.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. JOHNSTON of South Carolina. It is in arrears to the extent of slightly more than a billion dollars. The retirement money will be needed in years to come to pay to retired employees 30 years from now.

Mr. MORSE. In private industry, where there is a joint contribution on the part of the employer and on the part of the employees into a retirement fund, if the employer were in arrears he would be promptly dragged into court, as he should be.

Our Government should live up to the same moral and legal standards that apply to private employers in connection with retirement funds. The Government must pay the money back into this retirement fund. When we had the 2 bills before us we were confronted with the bogus argument that there could not be an increase because the fund would not stand it, because the Government was in arrears too many millions of dollars. But that is not the fault of the employees. They have made their payments into the fund. As my colleague says, and as the Senator from Washington has said, they have had to make them because the payments are deducted from the Federal paychecks. The so-called deducting system is used for them. But the Federal Government has not put its share into the retirement fund.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MAGNUSON. I point to another fact about which I think the people of the country should be informed. For 2 years, under this administration, the Federal Government refused to appropriate 1 nickel to the fund.

Mr. MORSE. I am glad we have made a record of these facts. Again, I compliment my colleague [Mr. NEUBERGER], the senior Senator from South Carolina [Mr. JOHNSTON], and the Senator from Washington [Mr. MAGNUSON] for what I think is a great piece of proposed legislation.

Come next year, I shall continue my fight to make certain that the benefits which we shall vote today, if we pass the bill, will be continued. This is clearly a moral obligation. It is also very much in the public interest.

The PRESIDING OFFICER. Without objection, the committee amendment is agreed to.

Mr. CARLSON. Mr. President, I appreciate the fact that the leadership has scheduled this bill this afternoon for consideration. I wish to commend the chairman of the committee [Mr. JOHNSTON of South Carolina] for his interest and efforts and the Senator from Oregon [Mr. NEUBERGER] who conducted the hearings on the bill. I am particularly interested in this proposed legislation since it is essentially the bill I originally introduced as S. 3731, along with cosponsors, the Senator from Indiana [Mr. JENNER] and the Senator from Iowa [Mr. MARTIN]. It has my strong support since it contains provisions taken from S. 3731 which shortly after its enactment, will give annuitants an increase payable for 1 year from the Civil Service Retirement Fund, and thereafter based upon added appropriations to that fund. It also contains a provision which will give modest increases to surviving widows and dependent children. Furthermore, it provides for an extremely modest allowance for the forgotten widows of civil-service employees who had retired before the amendment of 1948 was in effect.

Mr. President, despite past efforts of Congress to liberalize benefits under the Civil Service Retirement Act, living expenses have far outrun increases in these benefits. The spread between rising cost of living and the income of retirees means only one thing: These men, women, and children are simply unable to support themselves decently on the small benefits they now receive.

Aging is universal. The problems of retired persons are real and desperate. They are confronted with reduced income, reduced health, reduced living standards, and frequently increased medical expenses.

It is within the province of Congress to accord these good people assistance. I have confidence that the Senate will act with wisdom and dispatch to that end.

Mr. MORSE. Mr. President, I wish to apologize to the Senator from Kansas for not having mentioned his name when I was discussing the work done by the Senator from Oregon [Mr. NEUBERGER], the Senator from South Carolina [Mr. JOHNSTON], and the Senator from Washington [Mr. MAGNUSON].

As the Senator from Kansas knows, I have conferred with him several times. When we had the debate on this subject several weeks ago, the Senator from Kansas was very helpful to me in discussing the matter before I made my speech that night in regard to the two bills.

I think the RECORD should show that the Senator from Kansas [Mr. CARLSON] has been exceedingly helpful in trying to work out what now appears to be, in my judgment, a very satisfactory compromise of a very difficult situation. Without his leadership, and the leadership of other members of the committee, as well, the Senate would not at this moment be in this favorable position with reference to the proposed legislation.

Mr. CARLSON. I sincerely appreciate the kind remarks of the Senator from Oregon. We discussed the measure in debate earlier. I am pleased that it has been called up this afternoon, and I earnestly hope it will be passed by the Senate.

Mr. WILEY. Mr. President, I have listened with interest to the discussion. I join with Senators who have spoken in favor of providing a little more compensation for retired employees who because of the depreciated value of the dollar, and through no fault of their own, find themselves confronted with serious economic conditions. Together with the Senator from Oregon and the Senator from Kansas, I think this bill provides something we owe to faithful retired employees of the Government. This is an obligation which the Government owes, and which must be fulfilled.

I am happy to join with other Senators in urging the passage of the bill.

Mr. LEHMAN. Mr. President, I associate myself with the sponsors of the compromise bill. I think action is being taken today which is already long overdue, action which to a certain degree will do justice to Government employees who have retired in previous years.

I am glad the Senator from Oregon [Mr. MORSE] brought up the question of the arrears of the Government in its payments into the retirement fund. To me, such a situation is quite shocking and startling.

I recall that at the time the previous bill was debated, it was said that for the year 1954 or 1955—I am not quite certain which year it was—the Government, for that 1 year, was in arrears approximately $400 million. When a period covering several years is considered the amount of arrearage must be very substantial. If that had not occurred, this question never would have arisen; there would have been sufficient money in the fund to take care of persons who had retired in previous years.

Mr. MAGNUSON. Mr. President, I am glad that before the close of the session we are making this record. We are asking for an increase this year alone to keep up the yearly payment to the fund, which will amount to $860 million. For 2 years the Government placed that amount in the fund.

This year, to make the record very clear, the Civil Service Commission asked the Bureau of the Budget for $863 million. The Budget said, "Oh, no. This is 1956. The budget will have to be balanced this year. We do not need this amount now. The Government does not have to make its payments. Let the employees make their payments."

That is exactly what happened, because the Chairman of the Civil Service Commission testified before me that he asked the Bureau of the Budget for that amount, and the Bureau of the Budget refused to grant the request.

Finally the committee included some $400 million, but the Government failed to pick up the tab, and now has a moral

obligation to pay the deficit and the interest on what should have been paid.

That is the truth, and I think the public should know it.

As the senior Senator from Oregon said, if a private employer had failed to contribute his share to a pension fund, he would be haled into court and made to do so. But the Federal Government has refused to recognize its obligation for one purpose, namely, to enable it to announce that this great administration has now balanced the Federal budget.

On Saturday the Committee on Appropriations was considering the last supplemental appropriation bill. We acceded to many requests from the administration. They were legitimate requests for items in which the Senator from New York and other Senators have been interested. I am not complaining about that. The committee, provided almost a billion dollars. The week before, however, the administration announced it had balanced the budget.

But this matter is fiscal deceit; that is what it amounts to, and the administration knows it.

Mr. JOHNSTON of South Carolina. Mr. President, when the large retirement bill was on the floor of the Senate, I placed in the RECORD exactly how much the Government had paid into the retirement fund during the last 3 years. If my memory serves me correctly, the amount was about $1,200,000,000 short of what had been paid into the fund by the employees, without counting the interest on top of that.

Mr. NEUBERGER. Some future administration will have to take a financial loss because it will have to take up the slack.

Mr. JOHNSTON of South Carolina. It will have to be paid for in the future.

Mr. NEUBERGER. Before the Senate votes on the bill, I wish to say that I agree with what has been said about the outstanding cooperation by the distinguished Senator from Kansas [Mr. CARLSON] the ranking minority member of the Committee on Post Office and Civil Service. It is always a pleasure to work with someone so courteous and fair as the Senator from Kansas.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

QUITCLAIM OF CERTAIN PROPERTY IN COAHOMA COUNTY, MISS.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2663, House Joint Resolution 642.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H. J. Res. 642) to authorize and direct the Secretary of Agriculture to quitclaim certain property in Coahoma County, Miss., to the Home Demonstration Club of Rena Lara, Miss., Inc.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. STENNIS. Mr. President, House Joint Resolution 642 provides for the conveyance of 3.17 acres of land to the Home Demonstration Club of Rena Lara, Miss., Inc. The value of the property involved is less than $1,000. It is a small remnant left over from a resettlement project.

The small remnant was reconveyed on June 8, 1954, to the Coahoma County School District, subject to reversion should it cease to be used for school purposes. On January 3, 1956, this reversionary right was exercised by the Government, very properly, the property having ceased to be used for school purposes.

The bill merely provides for the reconveyance for another purpose—a kindred purpose—of the same property. The land will be used for educational purposes by the Home Demonstration Club of Rena Lara, Miss., Inc., a very creditable, fine, forward-moving organization, which will utilize the property and improve it to the fullest degree.

Mr. MORSE. Mr. President, it is with regret and reluctance that I oppose the passage of the bill. The Senator from Mississippi and I, who are very good friends, had a discussion about it. I understand the point of view he is expressing and the equities he feels are involved in the bill.

I wish to say something about those equities, and in fairness to my record, I shall make a very brief statement, setting forth my reasons for opposing the bill.

This conveyance, in the first instance, was made at the time when there was not a Morse formula. Therefore, there is no question about the fact that when this conveyance was made in the first instance, there were no objections to the conveyance based on the principles of the Morse formula. When the conveyance was made, it was to a local organization for school purposes. But there was a reversionary clause inserted in the conveyance, which provided that the property would revert to the Federal Government in case it was no longer used for school purposes.

Mr. President, I would have objected to the conveyance in the first instance, under the Morse formula, because, as the Presiding Officer knows, I do not believe the taxpayers of the United States should be conveying or giving away Federal property to States, municipalities, and local school districts for school or other local purposes. As I have said so many times, if we do not stop doing that, we will put so-called surplus property in a grab-bag position, and each one of us in the Senate will have to keep in mind constantly what surplus property there may be in our State, so that we can find some way, by legislation, to give that property to our States.

The property is owned by all the taxpayers of the United States; and they have an interest in it, it should not be given away to the States without proper compensation. The Presiding Officer knows I have been of the opinion that adequate compensation is 50 percent of the appraised fair market value of the property, and I have proceeded on that basis since 1946.

In fairness to the Senator from Mississippi, let me make it clear that there is involved in the bill this equity: It was given in the first place for school purposes; no Morse formula existed; and the conveyance was justified. The purpose for which the reversionary interest is sought to be used is for home demonstration work, 4–H Club work, and extension work. Certainly, all those purposes are desirable; but my point is that if we are to give property to one State, we ought to give it to the other 47 States. If a little handout is to be made to Mississippi, the other States ought to have the same grants for their home demonstration and 4–H and extension work.

Nevertheless, I want to be exceedingly fair to the Senator from Mississippi. There is involved an old conveyance, and there is also involved a reversionary interest. I have the suspicion that the Congress, at the time it made the transfer in the first instance, did so because it considered it to be educational work, and the issue I have been raising now for 10 years was not raised at that time. It undoubtedly would be said that educational work is still involved; that since it is 4–H Club and home demonstration work, it is still for educational purposes. That is the equity involved in support of the position of the Senator from Mississippi. Nevertheless, I cannot escape the legal proposition that there is a reversionary interest owned by the Federal Government; and for that reversionary interest, under the doctrine implicit in the Morse formula, the Government should get some compensation.

Mr. President, I have made my point. I am perfectly cognizant of what is going to happen to me in a minute or two; but, nevertheless, I have never varied from that principle for 10 years. It it with great reluctance, therefore, that I must vote against the bill.

The PRESIDING OFFICER (Mr. LONG in the chair). The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the joint resolution.

The joint resolution (H. J. Res. 642) was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate Joint Resolution 179 is indefinitely postponed.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business, and take up nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to consider executive business.

The PRESIDING OFFICER. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

PUBLIC HEALTH SERVICE

The Chief Clerk proceeded to read sundry nominations in the Public Health Service.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the nominations in the Public Health Service be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be notified immediately of the nominations today confirmed.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

FARM PROGRAM

Mr. STENNIS. Mr. President, the economic plight of the farmer has been stated many times, but is not yet understood. It should be stated and restated many times more. The farmer is not alone involved; the fate of labor and industry are inseparably tied to the farmer's problem.

FARM INCOME

In total dollars, the realized net income of farm operators for 1953 had fallen 9.8 percent since 1946. During the same period, the national disposable personal income increased by 57.1 percent.

In 1954, the realized net income from farming dropped further to 21.2 percent under 1946. By way of contrast, net disposable personal income for 1954 had risen to 64 percent from 1946. Prices paid by farmers in March of this year were up 11 percent, as compared with the average for 1950, whereas prices received by farmers were down 9.5 percent.

HIGH LABOR COST

All mechanical equipment that a farmer uses, including tractors, plows, trucks, and other items, is manufactured with labor that is paid from $1.50 to $3.50 per hour. The price of steel averaged $53.72 per ton in 1940, as compared with $130 per ton now, and it is soon expected to go to about $140 per ton. From the time the first pound of iron ore is moved from the mine as it starts on its way to become steel shafts and wheels for a tractor until the painted product is delivered in the field, every item moves entirely in the hands of organized labor receiving excellent rates of pay, gained through effective and legal collective bargaining. A Federal law requires that every person connected directly or indirectly with a manufacturer of that tractor, including the man who sweeps the factory floor, should receive not less than $1 per hour for their labor. Think of the hundreds of hours of high-priced labor that are built into every tractor, for all of which the farmer must pay.

These same conditions and laws apply to every truck, to every plow, and to every other piece of equipment that the farmer buys. Thus, he faces an artificial level of prices shored up by force of law. The farmer has to pay these prices, not for luxuries, but for the basic tools of his trade. He did not create this condition; neither can he change it. He has to submit; he has to pay the price.

Further, virtually the same situation exists as to other necessities the farmer has to buy other than tools of his trade. When he buys a pair of shoes, he finds that they are manufactured by labor, highly organized, with an hourly wage from $1.50 to $3.50 per hour. He finds the same minimum wage applicable for even the most menial job by the most inefficient worker. For all of these hours of labor, the farmer must pay heavily when he buys the shoes. The same rule applies to virtually all other items he buys for his family. In addition to this protection that labor has, there are tariffs that apply directly and indirectly to shore up the price of virtually every manufactured product that he buys. He did not create these conditions; he cannot change them. He must pay their price or abandon his farm.

FARMER CANNOT CARRY BURDEN ALONE

We thus have two major aspects of our economy that are artificial to the extent that they are greatly influenced by Government regulations and laws. These policies doubtless aid the farmer to some extent by creating a greater demand for his product. However, these high wages, the wage and hour law for labor, and a tariff to protect manufacturers leave the farmer with burdens that he cannot carry alone. Our Government gives substantial aid to business and industry through postage rates, navigation aid, shipbuilding, Reconstruction Finance Corporation, tax amortization, and rivers and harbors improvement. Our Government also fixes rates for railroads and other services.

FARMER FORCED TO SURRENDER SOME FREEDOM

Perhaps the farmer loves his freedom better and guards it better than does any other group within our Nation. But it is idle talk of freedom for the farmer when he has to operate within a system of artificial, regulated prices for the labor and the capital that goes into the things that he has to buy. There is no such thing as freedom for him when he is bound in the economic chains of the above-mentioned policies. To cope with this, he is forced, against his wishes, to surrender a part of his freedom.

There must be some kind of a Government program to at least partly offset these artificial governmental policies that directly benefit labor, business, and industry. Otherwise, agriculture will topple and take the labor and manufacturing segments of our economy down with them.

AGRICULTURAL PROGRAM NOT A SUBSIDY

It is unfair to call our agricultural program a subsidy for the farmer. Under our present program, the price of basic crops is supported through a nonrecourse loan which carries interest at the rate of 3½ percent, and the physical commodity is rendered by the producer as collateral. When prices go up and the crop is taken out of the loan program, the storage charge and interest is paid off in full. From 1933 to April 30, 1956, the Government has actually made a net profit on cotton amounting to $180 million. This amount includes the 1 million bale export program and all other sales and barter programs for cotton.

For almost 23 years, we have had a cotton loan program with a guaranteed loan for cotton based on levels of support varying from 52 to 92½ percent of parity. By and large, that program has served us well and has worked well. It has been efficiently administered and did a good job in orderly marketing of our cotton. It brought a degree of stability to the farmer, and in the end resulted in a net profit to the Government.

NINETY PERCENT PARITY NOT ANSWER

I am satisfied that under present conditions 90 percent parity support price program for cotton is not enough to meet the demands of the time. With the acreage greatly reduced over the past 4 years, 90 percent of parity is not high enough to give cotton farmers stability of income, and is too high to adequately meet competition. With all of our American cotton grown at such a high support level, the price of American cotton is raised so high that cotton produced in foreign countries is rapidly taking and will soon take our entire foreign cotton market. Added to this is the problem for cotton that is produced by synthetics like rayon, nylon, and others. Ninety percent support program for all of our cotton places the market price of American cotton at such a high level that synthetic substitutes are gradually taking, and are certain to continue to take, our markets. These are hard, established facts, and we must meet them.

SLIDING SCALE NOT ANSWER

On the other hand, I am satisfied that the sliding scale price support system for the cotton farmer is nonworkable and will be disastrous to our farms if adhered to over the years. In the first place, if a man's production is going to be limited and controlled, he should have a certain fixed price for his product. Our farmers cannot possibly make ends meet under a program which reduces both price and acres.

Second, the scaling down or reducing of the support price for cotton will not, of itself, reduce the production of that cotton, which is supposed to be the primary purpose of reducing the price—to avoid overproduction. Under the basic Acreage Allotment Act, if a farmer fails to plant within 90 percent of his allotted acreage, we penalize him in the form of the most severe of all penalties—we condemn that acre to death, so far as the individual farmer, the county, and the State are concerned, by taking it away from him if he does not plant his allotment, or turn it back to the county committee for reallocation. How can we say, then, that we shall reduce the production of cotton by reducing the

price support; and, in the next breath, tell the farmer that if he does not plant all his allotted acres, they shall be taken away from him?

Third, the sliding scale, while assuming greater consumption at reduced levels of price support, is a stab in the dark at realistically meeting price competition. We do not have adequate guides which would indicate the optimum level of support in the domestic and export markets, and what effects such a price would have on farm income, and what increase could be expected in consumption, resulting from such a decrease in price support.

FARM INCOME BASIC CONSIDERATION

In considering a sound program for cotton, we must keep before us the primary facts that up to this time have been sadly neglected. Too much emphasis has been placed on price supports, without regard to income. The situation has come to the point where acreage allotments have reduced acres to such an extent that 90 percent or even higher support has lost its meaning in terms of income. In the case of Mississippi, our acreage has been reduced from 2,671,000 acres in 1953 to 1,600,000 acres in 1956. This represents a reduction of over 40 percent, and would require a price support of about 150 percent in 1956 to give us an estimated income equivalent to 1953, assuming the same yield and price. Stated in another way, our farmers will only receive about 50 percent of parity income for cotton in 1956, as compared to income off a larger acreage in 1953.

FAMILY-SIZE FARMER IMPORTANT

Farming is a way of life for a great many families and householders, and is not primarily a business concern. Therefore, any cotton program is unsound if it does not give special consideration to the family-size farmer, be he the 5-acre, 10-acre, 15-, 20-, 30-, 40-, or 50-acre cotton farmer. This family-size farmer, especially the small one, has been neglected by this administration and by the previous administration. He has been neglected by everyone. I want to point out to every elected official in this Congress who has any responsibility in connection with this program that if the small farmer is neglected any further, it is no one's fault except our own, and he will rise up with righteous and rightful wrath against any elected official who does not take his problem into consideration.

In the cotton-growing States east of the Mississippi River, 85.6 percent of the cotton farms were under 15 acres in 1954. In Arkansas, Texas, and Oklahoma, 48.1 percent of the cotton farms were under 15 acres. In California, Arizona, and New Mexico, 39.6 percent of the cotton farms were under 15 acres. Throughout the entire Cotton Belt, excluding California, New Mexico, and Arizona, 73.4 percent of the cotton farms were under 15 acres.

This being a program to stabilize the economy of farm producers of a basic and essential commodity, any program is unsound if it does not give special consideration to the problem and the plight of this small farmer and the family-size farm.

NATIONAL FARM PROGRAM A NECESSITY

A national farm program enacted by the Federal Government is an economic necessity. It is a necessity as an adjustment to offset the burdensome effects of other Goverment policies enacted for the direct benefit of labor and industry. The farm program is, therefore, not a subsidy, and should not be so called or considered.

I have been greatly concerned over our surplus cotton, which at the present time is the highest on record. No program can operate successfully until we reduce existing stocks. While our farmers have made great sacrifices in controlling acreage, foreign countries have greatly expanded their production to the extent that now they are producing within 2 million bales of the total foreign consumption.

I am certainly encouraged that the Department of Agriculture has finally implemented the export provision in the new farm bill, directing the Secretary of Agriculture to sell cotton at the competitive world price. On June 18, 1956, the date of the first acceptance of bids under this new legislation, 1,600,000 bales of CCC stocks were sold.

What kind of program will serve the people of the Nation best? I am satisfied that experience has taught that different commodities will require different treatment, and this is true as to different basic commodities.

A FORWARD-LOOKING PROGRAM FOR COTTON

I am convinced that the sound, long-range program for cotton must recognize three important and basic factors:

First. Prices must be supported at a level which will give special consideration to farm income, with particular emphasis on small and family-size farms.

Second. Permit sale at a price which will recognize competition of synthetic fibers and foreign cotton.

Third. Keep supply and demand in balance.

Several weeks ago, our Senate Appropriations Committee approved a resolution which I offered, requesting the Secretary of Agriculture to make a study of the various price-support programs, with the primary objective of obtaining basic information to be used as a guide in developing a better cotton program. I strongly believe that a combination domestic-export allotment plan comes closer to meeting our needs than does any other plan.

Under this program, the Secretary of Agriculture would be required to establish a national allotment based on estimated domestic consumption, plus estimated exports, with appropriate consideration to be given to the amount of surplus to be worked off each year. The domestic allotment would be apportioned to States, counties, and farms on the same basis as under the present law.

The export allotment will be on an optional basis; but additional acres planted over and above the domestic allotment would call for a graduated decrease in price support, tied directly to an increased acreage scale.

Prices would be supported on domestic allotment at a level of at least 90 percent of parity, with special consideration being given to the small and family-size farmer, and designed primarily to improve income.

All cotton would move into the free market at whatever price it would bring, with equalization payments made to farms to make up the difference between the prices received and the price-support schedule.

I am working on a draft of this proposed legislation, which I plan to introduce. I believe this is a sound and logical approach to our cotton problem in terms of recognizing farm income, competition, and balancing supply and demand.

SALE OF ASSETS OF CAPITAL TRANSIT CO.

Mr. FREAR. Mr. President, last Tuesday, July 17, after a considerable number of weeks of negotiation regarding the transfer of the assets of Capital Transit Co. of Washington to a new firm, I asked the Joint Committee on Internal Revenue Taxation for a statement of fact regarding the sale of Capital Transit Co.'s assets.

On Friday, July 20, the Senate concurred in a conference report of the two bodies, thus sending the bill concerning the Capital Transit Co. to the White House for signature. I have no doubt that the bill will be signed by the President, but the point I have in mind is that the Attorney General of the United States, and also the Commissioner of Internal Revenue, may have an interest in the sale of assets of the Capital Transit Co., because it appears that there may be created from the shell of the old Capital Transit Co., an investment company, and therefore there will be no capital gains tax realized by the Federal Government on the sale of the assets of the old corporation.

Without burdening the Senate longer, I ask unanimous consent that there may be printed at this point in the RECORD the letter I wrote to the chairman of the Finance Committee, the Senator from Virginia [Mr. BYRD], his reply, both letters dated July 21, 1956, and the memorandum from the Joint Committee on Internal Revenue Taxation, dated July 20, 1956.

There being no objection, the letters and memorandum were ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
Washington, D. C., July 21, 1956.

The Honorable HARRY FLOOD BYRD,
The United States Senate,
Washington, D. C.

DEAR SENATOR BYRD: As a member of the Senate District of Columbia Committee, I have followed the development surrounding the sale of assets of the Capital Transit Co.

My first concern in the matter is, of course, to see that the citizens of the District are provided with a sound and reliable system of public transportation. However, it has recently come to my attention that there are some disturbing undercurrents attached to the proposed transfer of the transit company, which could feasibly result in a sizable revenue loss to the United States Treasury.

It is my understanding that there is a movement afoot which proposes not to liquidate the present corporation as a result of the anticipated sale, but rather to retain the present corporate shell and organize a new structure, presumably along the lines of an

investment company. If this proposal is executed, it is conceivable that the existing net operating loss of Capital Transit Co.—estimated at $13 million—would be carried forward to the investment corporation, thus creating a situation whereby a large amount of Federal capital gains taxes could be avoided. This would not, I am sure, reflect the intent of Congress.

My membership on the Finance Committee and the peculiar revenue ramifications of this situation compel me to present this matter for your considered attention.

Sincerely yours,

J. ALLEN FREAR, Jr.

UNITED STATES SENATE,
COMMITTEE ON FINANCE,
July 21, 1956.

Hon. J. ALLEN FREAR, Jr.,
United States Senate,
Washington, D. C.

MY DEAR SENATOR FREAR: I have received and carefully noted your letter of July 21 with respect to the sale of the assets of the Capital Transit Co.

I am glad you are investigating this matter. I feel certain the Senate Finance Committee will be deeply interested in any question involving a loss of revenue by any avoidance of taxes.

With kindest regards, I am

Cordially yours,

HARRY F. BYRD.

CONGRESS OF THE UNITED STATES,
JOINT COMMITTEE ON INTERNAL REVENUE TAXATION,
Washington.

MEMORANDUM

Date: July 20, 1956.
Subject: Sale of Capital Transit Co., assets.

The Capital Transit Co. has agreed to sell its entire business, including operating assets, real estate, money, and securities, to the District of Columbia Transit System, Inc., for the sum of $9,600,000 in cash, plus $3,940,000 in deeds of trusts on the real estate conveyed. The District of Columbia Transit System, Inc., under the agreement, assumes all outstanding liabilities and obligations of the Capital Transit Co.

It would appear that the transaction has resulted in a net operating loss to the Capital Transit Co. of approximately $13 million. The May 1956, balance sheet of the Capital Transit Co. shows current assets of approximately $8 million (including cash of $7 million) and properties having an adjusted basis of $18,500,000. Thus, subtracting the $8 million in current assets from the purchase price of $13,540,000 leaves approximately $5,540,000 as having been paid for the operating assets of Capital Transit.

After the consummation of the sale, Capital Transit will have $9,600,000 in cash, $3,940,000 in 5 percent real estate mortgages, which mature in 15 years, and at least a $13 million net operating loss which can be carried forward for 5 years. The net operating loss occasioned by the sale will not be carried back to reduce taxes in the two prior years, since it is understood that the Capital Transit Co. has had net operating losses during the last 2 years because of writeoffs on street car facilities.

Under the bill, as agreed to by the conference on S. 3073, the corporate entity of Capital Transit is continued; therefore, no liquidation of Capital Transit is required. (See sec. 21 of the conference bill.) Thus, Capital Transit can continue to exist as a corporate shell with $9,600,000 in cash and $3,940,000 in real estate mortgages as assets and at least a $13 million net operating loss carry forward. Presumably, the company would invest the cash in some productive income-producing investments or business in order to take advantage of the net operating loss carry forward. If the corporation were liquidated within the 12 months following the sale of its assets, this net operating loss would not be recognized under section 337 of the 1954 Internal Revenue Code. It would seem that the present stockholders of Capital Transit would not contemplate liquidation.

Under section 382 of the 1954 code, the $13 million net operating loss of the Capital Transit Co. cannot be carried forward if the ownership of Capital Transit stock is changed by more than 50 percent in any year and if the company's business is changed. However, under section 382 the net operating loss could be availed of by an other corporation if it acquired the Capital Transit Corp, by way of a tax-free reorganization and at least 20 percent of the acquiring corporation's stock was owned by reason of the reorganization by the former stockholders of Capital Transit.

PRIORITIES IN TRANSPORTATION BY MERCHANT VESSELS IN INTEREST OF NATIONAL DEFENSE

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2794, Senate bill 2709, and I invite the attention of the Senator from Washington [Mr. MAGNUSON] to this request.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2709) to provide for standby authority for priorities in transportation by merchant vessels in the interest of national defense, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, I yield to my friend, the Senator from Washington [Mr. MAGNUSON].

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. MAGNUSON. Mr. President, this bill was introduced by me at the request of the Secretary of Commerce. The bill merely gives authority to invoke priorities in cases of emergency, in connection with ocean cargoes.

An amendment to the bill has been suggested, and I now submit the amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment of the Senator from Washington will be stated.

The LEGISLATIVE CLERK. On page 7, after line 14, it is proposed to insert:

SEC. 15. This act shall expire at the end of 5 years after enactment.

Mr. CURTIS. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. CURTIS. By means of the amendment, as I understand it the authority granted to the Secretary of Commerce will be limited to 5 years. Is that correct?

Mr. MAGNUSON. Yes, it will be limited to 5 years.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Washington.

The amendment was agreed to.

The bill (S. 2709) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That this act may be cited as the "Standby Ship Warrants Act."

SEC. 2. (a) It is the purpose of this act to provide the President with authority on a standby basis to be put into effect, whenever he finds it necessary, to carry out the obligations of the United States in connection with programs of international control of shipping, if and when such programs are required to combat aggression, or when he finds it necessary to the security of the national defense.

(b) This act shall become effective whenever the President finds and proclaims that it is necessary in order to carry out the purpose expressed in subsection (a). Whenever this act is put into operation, its operation shall terminate upon proclamation by the President to that effect, or as the Congress by concurrent resolution may provide.

SEC. 3. In order to meet promptly and effectively the requirements of military and other programs, to provide for and promote the security of the United States and that of allied or associated nations, the President may, whenever this act has been proclaimed to be in operation, and he deems it to be in the interest of national security or the maintenance of essential supplies and services, prescribe regulations, as hereinafter provided, for the issuance and revocation of warrants and governing the use of shore facilities referred to herein with respect to any vessel using or seeking to use such facilities.

SEC. 4. (a) The regulations authorized to be prescribed by this act shall be such as the President determines to be necessary or appropriate in furthering the purpose of this act, and may provide for undertakings with respect to the use of the vessel and the transportation of cargo or passengers, as may be necessary or expedient to effectuate the purposes of this act: *Provided*, That there shall be no unjust discrimination between persons or ports of the United States. In determining the "fair and reasonable maximum rate of charter hire or equivalent" and the "fair and reasonable maximum transportation charges," the President shall give due consideration to the principles of valuation under section 902 of the Merchant Marine Act of 1936, as amended.

(b) The regulations and warrants to be issued pursuant to this act and the applications for such warrants shall be in such form as the President shall prescribe.

(c) In considering applicantions for warrants the President may consider, among other relevant factors, the origin and previous operating history of the vessel, the price, terms, and circumstances under which the vessel may have been sold or transferred, the operating practices of the applicant, and whether the issuance of a warrant would aid in carrying out the purposes and objectives of the act.

SEC. 5. (a) The regulations authorized to be issued under this act may provide that, from and after the date fixed in such regulations, no vessel not holding a warrant as provided in this act and the regulations, shall be entitled to or be afforded the use of all or any of the shore facilities referred to herein. Such regulations may be made applicable to the use of any facility for loading, discharging, lightering, or storage of cargo, any facility for the furnishing of oil, coal, or other fuel, supplies, stores, or food,

or any facility for the overhauling, drydocking, reconditioning or repair of vessels. The President may except from such regulations vessels or classes or types of vessels, the control of which he determines not to be required for the purposes of this act.

(b) Vessels shall have such priority among themselves with respect to the use of said facilities as the President shall determine to be necessary or advisable in the interest of national defense or other programs in support of the security of the United States and that of allied or associated nations.

SEC. 6. Persons in the United States and its Territories and possessions, or other places subject to the jurisdiction of the United States, who shall be in the business, or otherwise capable, of furnishing any of the above-mentioned services shall, under regulations prescribed under this act, grant such priorities or withhold the use of said facilities, anything in any contract, whether heretofore or hereafter made, to the contrary notwithstanding.

SEC. 7. It shall be the policy of the United States that the authority granted herein shall be coordinated with the use of similar authority by allied or associated nations.

SEC. 8. The term "person" as used in this act shall include a corporation, partnership, association, joint stock company, joint venture, or any entity capable of entering into a contract.

SEC. 9. Nothing in this act shall be interpreted or employed to require the owner or charterer of a vessel to relinquish or transfer the manning, victualing, supplying, storing, fueling, maintaining, or repairing of his vessel to any other person or persons.

SEC. 10. (a) Nothing in this act shall be deemed to alter, amend, or repeal any of the coastwise laws of the United States, nor to impair or affect in any manner the authority of the President under the Defense Production Act of September 8, 1950 (Public Law 774, 81st Cong.).

(b) If any provision of this act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the act, and the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SEC. 11. The President may delegate the power and authority conferred upon him by this act (except the issuance and proclamations provided for hereunder) to the Secretary of Commerce and may authorize the Secretary of Commerce to redelegate any or all such authority to the Administrator of the Maritime Administration with authority to make such redelegations to other officers and employees of the Maritime Administration or the Federal Maritime Board as he may deem appropriate. The President may, in such delegation or otherwise provide for the coordination of any program undertaken under this act with other related programs of the Government, including provisions for consultation with such other officers of the executive branch of the Government as the President may determine to be necessary.

SEC. 12. The functions exercised under this act shall be excluded from the operation of the Administrative Procedure Act, as amended, except as to the requirements of section 3 thereof.

SEC. 13. Whoever willfully violates any rule, regulation, or order issued under the authority conferred herein, or refuses or fails to grant or accede to priorities provided for herein, or grants the use of facilities or furnishes supplies or services to vessel not entitled thereto, or violates this act in any other manner, shall be punished by a fine of not more than $10,000 or by imprisonment of not more than 2 years, or both. The district courts of the United States, the District Court of the Canal Zone, and the United States courts of any Territory or other place subject to the jurisdiction of the United States shall have jurisdiction over offenses committed against the provisions of this act within the respective territorial jurisdiction of said courts.

SEC. 14. No person shall be held liable for damages or penalties for any act or failure to act resulting directly or indirectly from his compliance with a rule, regulation, or order issued pursuant to this act, notwithstanding that any such rule, regulation, or order shall thereafter be declared by judicial or other competent authority to be invalid.

SEC. 15. This act shall expire at the end of 5 years after enactment.

SALE OF CERTAIN WAR-BUILT TANKERS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2681, Senate Joint Resolution 177.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The joint resolution will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (S. J. Res. 177) to authorize the Secretary of Commerce to sell certain war-built tankers.

The PRESIDING OFFICER. The question is on agreeing to the request of the Senator from Texas. Is there objection?

There being no objection, the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Interstate and Foreign Commerce, with an amendment to strike out all after the enacting clause and insert:

That (a) notwithstanding the provisions of section 11 of the Merchant Ship Sales Act of 1946, as amended, and section 510 (h) of the Merchant Marine Act, 1936, as amended, the Secretary of Commerce is authorized to sell within one year after the enactment of this joint resolution to the highest responsible bidder who is a citizen of the United States, within the meaning of section 2 of the Shipping Act, 1916, as amended, for employment on essential trade routes 3 and 4 to Cuba and Mexico, any two war-built vessels under the jurisdiction of the Secretary of Commerce, on an as is, where is, basis, provided that the Secretary of Commerce shall determine before entering into such sales that the purchaser possess the ability, experience, financial resources, and other qualifications necessary to enable it to operate and maintain the vessels in service on that portion of essential trade routes 3 and 4 between Atlantic coast ports of the United States and Cuba and Mexico and to maintain adequate service on such portion of such routes. The upset prices of the vessels shall be their sales prices computed under the Merchant Ship Sales Act of 1946, as of January 15, 1951, depreciated (after reduction for residual value) on a straight line basis for the period from January 15, 1951, to the date of execution of the contract of sale,on the basis of the portion of a 20-year useful life of the vessels remaining after January 15, 1951.

(b) Each such sale shall be on the basis of the payment by the purchaser of not less than 25 percent of the vessel sales price at the time of execution of the vessel sales contract, with the balance payable in approximately equal annual installments over the remainder of the economic life of the vessel, which economic life is to be determined by the Maritime Administration, with interest on the portion of the vessel sales price remaining unpaid at the rate of 3½ percent per annum. The obligation of the purchaser with respect to payment of such unpaid balance, with interest, shall be secured by a preferred mortgage on the vessels in form satisfactory to the Maritime Administrator.

(c) (1) Such sales shall be made upon such conditions as the Secretary of Commerce deems necessary to protect the interests of the United States.

(2) Vessels sold under this act shall be employed exclusively as dry cargo common carriers on that portion of essential trade routes 3 and 4 between Atlantic coast ports of the United States and Cuba and Mexico, until the end of their useful lives, as determined under subsection (b) of this act, or until they are replaced by new tonnage, whichever happens first. These restrictions shall run at law and in equity with the titles to the vessels and are binding upon all subsequent owners.

(d) Any contract of sale executed under authority of this act shall provide that in the event the United States shall, through purchase or requisition, acquire ownership of any such vessel, the owner shall be paid therefor the value thereof, but in no event shall such payment exceed the actual depreciated sales price under such contract (together with the actual depreciated cost of capital improvements thereon); that in computing the depreciated acquisition cost of such vessel, the depreciation shall be computed on the vessel on the schedule adopted or accepted by the Secretary of the Treasury for income tax purposes as applicable to such vessel; that such vessel shall remain documented under the laws of the United States during the remainder of the economic life of the vessel or as long as there remains due the United States any principal or interest on account of the sales price, whichever is the longer period; and that the foregoing provisions respecting the requisition or the acquisition of ownership by the United States, and documentation shall run with the title to such vessel and be binding on all owners thereof.

So as to make the joint resolution read:

Resolved, etc., That (a) notwithstanding the provisions of section 11 of the Merchant Ship Sales Act of 1946, as amended, and section 510 (h) of the Merchant Marine Act, 1936, as amended, the Secretary of Commerce is authorized to sell within 1 year after the enactment of this joint resolution to the highest responsible bidder who is a citizen of the United States, within the meaning of section 2 of the Shipping Act, 1916, as amended, for employment on essential trade routes 3 and 4 to Cuba and Mexico, any 2 war-built vessels under the jurisdiction of the Secretary of Commerce, on an as is, where is, basis, provided that the Secretary of Commerce shall determine before entering into such sales that the purchaser possesses the ability, experience, financial resources, and other qualifications necessary to enable it to operate and maintain the vessels in service on that portion of essential trade routes 3 and 4 between Atlantic coast ports of the United States and Cuba and Mexico and to maintain adequate service on such portion of such routes. The upset prices of the vessels shall be their sales prices computed under the Merchant Ship Sales Act of 1946, as of January 15, 1951, depreciated (after reduction for residual value) on a straight line basis for the period from January 15, 1951, to the date of execution of the contract of sale, on the basis of the portion of a 20-year useful life of the vessels remaining after January 15, 1951.

(b) Each such sale shall be on the basis of the payment by the purchaser of not less than 25 percent of the vessel sales price at the time of execution of the vessel sales contract, with the balance payable in approximately equal annual installments over the remainder of the economic life of the vessel,

which economic life is to be determined by the Maritime Administration, with interest on the portion of the vessel sales price remaining unpaid at the rate of 3½ percent per annum. The obligation of the purchaser with respect to payment of such unpaid balance, with interest, shall be secured by a preferred mortgage on the vessels in form satisfactory to the Maritime Administrator.

(c) (1) Such sales shall be made upon such conditions as the Secretary of Commerce deems necessary to protect the interests of the United States.

(2) Vessels sold under this act shall be employed exclusively as dry cargo common carriers on that portion of essential trade routes 3 and 4 between Atlantic coast ports of the United States and Cuba and Mexico, until the end of their useful lives, as determined under subsection (b) of this act, or until they are replaced by new tonnage, whichever happens first. These restrictions shall run at law and in equity with the titles to the vessels and are binding upon all subsequent owners.

(d) Any contract of sale executed under authority of this act shall provide that in the event the United States shall, through purchase or requisition, acquire ownership of any such vessel, the owner shall be paid therefor the value thereof, but in no event shall such payment exceed the actual depreciated sales price under such contract (together with the actual depreciated cost of capital improvements thereon); that in computing the depreciated acquisition cost of such vessel, the depreciation shall be computed on the vessel on the schedule adopted or accepted by the Secretary of the Treasury for income tax purposes as applicable to such vessel; that such vessel shall remain documented under the laws of the United States during the remainder of the economic life of the vessel or as long as there remains due the United States any principal or interest on account of the sales price, whichever is the longer period; and that the foregoing provisions respecting the requisition or the acquisition of ownership by the United States, and documentation shall run with the title to such vessel and be binding on all owners thereof.

Mr. MORSE. Mr. President, may we have an explanation of this measure?

Mr. MAGNUSON. Mr. President, this joint resolution would permit the sale of two tankers.

Mr. President, in further explanation of the joint resolution, I ask unanimous consent to have the committee report printed at this point in the RECORD.

There being no objection, the report (No. 2636) was ordered to be printed in the RECORD, as follows:

The Committee on Interstate and Foreign Commerce, to whom was referred the joint resolution (S. J. Res. 177) to authorize the Secretary of Commerce to sell certain war-built vessels, having considered the same, report favorably thereon with amendments and recommend that the joint resolution as amended do pass.

PURPOSE OF THE JOINT RESOLUTION

The purpose of the joint resolution is to provide for the sale of two war-built vessels under the jurisdiction of the Secretary of Commerce to the highest responsible bidder who is a citizen of the United States within the meaning of section 2 of the Shipping Act, 1916, as amended, possessing the ability, experience, financial resources, and other necessary qualifications as determined by the Secretary of Commerce. The vessels are to be employed on essential foreign trade routes 3 and 4 between Atlantic coast ports of the United States and Cuba and Mexico as dry-cargo common carriers.

HISTORY OF THE JOINT RESOLUTION

An American-flag company was subsidized in its operations on trade routes 3 and 4 to Cuba and Mexico from the outset of the Merchant Marine Act of 1936, and before that it received financial aid from the Government under previous maritime legislation. This operator gave up its operating-differential subsidy contract in 1953, and subsequently sold its vessels. The Federal Maritime Board, the Maritime Administration, and the Department of Commerce desire to have American-flag service on that portion of essential trade routes 3 and 4 previously served with American-flag vessels. They would welcome such service on an operating subsidy basis or on an unsubsidized basis. Part of the reluctance of the steamship companies to institute United States-flag service in the Cuban or Mexican trades can be attributed to the substantial loading and discharging problems which are attendant to these services. These loading and discharging problems include not only the high cost of handling general cargo, but also the inordinate delays which are occasioned by the time spent in port by the standard type berth operation.

One steamship company has made a detailed study of both the Cuban and Mexican services and has proposed to institute under the American flag a complete "container ship operation." The containers would be capable of handling practically all types of commodities now moving on these essential services, would have the tremendous advantage of consolidating the cargo in one convenient handling unit and would eliminate export-packaging requirements for outbound shipments. Instead of being required to handle small parcels, this company stated that it would be able to eliminate approximately 75 percent of the handling, which will result in a commensurate reduction in the handling cost and port delays. To obtain an American-flag operator on that portion of essential trade routes 3 and 4 which is not now served by American-flag vessels, the Federal Maritime Board and the Maritime Administration would favor selling to an American-flag operator two vessels on the same basis that they have sold vessels under recent legislation to accomplish special purposes after the expiration of the sales authority of the Merchant Ship Sales Act of 1936.

EXPLANATION OF THE JOINT RESOLUTION

The resolution, as amended, authorizes the Secretary of Commerce to sell within 1 year after its enactment, to the highest responsible bidder, who is a citizen of the United States any 2 war-built vessels under his jurisdiction on an as is, where is, basis. The vessels would be restricted to employment on that portion of essential trade routes 3 and 4 between Atlantic coast ports of the United States to Cuba and Mexico and to maintain adequate service on such portion of such routes. The vessels must be employed exclusively as dry-cargo common carriers on these routes until the end of their useful lives or until they are replaced by new tonnage. The restrictions will run at law and in equity with the title to the vessels and are binding upon all subsequent owners. Under the provisions of the resolution, as amended, the Secretary of Commerce must determine, prior to entering into a contract of sale for the vessels, that the successful bidder possess the ability, experience, financial resources, and other qualifications necessary to enable it to operate and maintain the vessels in service on the routes. The upset prices of the vessels shall be their sales prices computed under the Merchant Ship Sales Act of 1946 as of January 15, 1951, depreciated (after reduction for residual value) on a straight line basis from the period from January 15, 1951, to the date of execution of the contract of sale, on the basis of the portion of a 20-year useful life of the vessels remaining after January 15, 1951. The purchaser must pay 25 percent of the sales price down with the balance payable over the remainder of the economic life of the vessel at the rate of 3½ percent per annum, secured by a preferred mortgage in form satisfactory to the Maritime Administrator. The sales shall be made upon such conditions as to protect the interests of the United States.

The resolution, as amended, also contains contractual provisions to protect the United States in the event of reacquisition through purchase or requisition.

Hearings were held on the resolution and both the Department of Defense and the Department of Commerce supported the objectives of the bill. The Department of Defense testified that they had no objection to the utilization and sale of two C4–S–B2 type vessels now in the reserve fleet, and such sale would not interfere with their present logistic requirements. Admiral Good stated that there are 25 C–4's in the reserve fleet but 19 of the 25 are actually naval auxiliaries. The Navy would object to the sale of the auxiliaries but of the remaining 6 "the Navy would not oppose their withdrawal from the Maritime Reserve fleet for employment in industry." Referring to the "container ship" concept, Admiral Good stated:

"This concept of ocean transportation is of special interest to the Department of Defense, and evaluation of the method, along with commercial experience in the operation, is very desirable."

The Maritime Administration suggested certain amendments which would change the pricing formula in the resolution, as introduced, and would add certain restrictions to the employment of the vessel once the sale had been made and service had been instituted. All of the suggested amendments have been incorporated into the resolution as amended.

However, at the hearing, the Maritime Administration did not voice any objection to the "container ship" concept. Subsequent to the hearing, the committee did receive a communication from the Department of Commerce recommending the "container ship" provision be eliminated and substitute therefor the language:

"Such sales shall be made upon such conditions as the Secretary of Commerce deems necessary to protect the interests of the United States."

The Department took the position that it would take a detailed study to determine whether conversion to container ships would provide an economically feasible operation. The resolution was amended to comply with the request of the Secretary which, in effect, enlarges the authority of the Secretary under the terms of the resolution. In doing so, the committee feels that the Secretary of Commerce should take the necessary steps to determine whether the container ship concept is economically feasible but in no way does the committee wish to imply that it does not favor the container ship concept, if it is found to be economically practicable.

In the event a container ship operation is found to be feasible, the price of the vessels contemplated by this bill would be only a minor part of the capital investment necessary to institute the service proposed. It was testified that an investment of approximately $8 million would be required for the purchase of the necessary number of containers to be employed in the service. No part of this substantial investment of private capital would be subject to any Government guaranty or Government financial aid. In addition, an investment of approximately $3 million would be necessary for the reconversion of the vessels for use as container ships, and various other expenditures would be required, which would constitute

an investment of private capital in the neighborhood of $13 million.

It has been brought to the attention of the committee that the private market has been canvassed in an attempt to purchase suitable vessels to be employed in this service. The primary requirement of a container ship is that it must have sufficient cubic space available in the between decks so as to allow for the convenient stowage and movement of containers. There are only a few vessels in the present American fleet which would lend themselves to this type of operation. The vessel needed for the operation is one with a sufficient cubic capacity to carry approximately 500 containers and with a speed of not under 16 knots so as to maintain schedule requirements. It was testified that in order to obtain the necessary cubic capacity, it is virtually essential to have a ship with engines aft so that the cubic capacity in the center of the ship will be available for the carriage of containers. There are no such vessels available for purchase on the private market for use in this proposed operation.

Your committee believes that the resolution as amended will greatly promote the interests of the American merchant marine and is flexible enough to permit the prompt institution of United States-flag service on these routes, where there is presently no such service whatsoever, whether the ships be converted to container ships or remain conventional-type vessels. If the containership concept is feasible, your committee believes that all reasonable steps should be taken to encourage those with ingenuity and resourcefulness, as well as with the fitness, willingness, and ability, to try something new and different in an effort to overcome the obstacles present on trade routes 3 and 4 and, in general, to promote and execute new ideas and methods in the American merchant marine.

The departmental reports follow.

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, June 25, 1956.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Interstate and Foreign Commerce, United States Senate.

DEAR MR. CHAIRMAN: Further reference is made to your letter dated June 12, 1956, acknowledged June 13, inviting our comments on Senate Joint Resolution 177, 84th Congress, 2d session, entitled "Joint resolution to authorize the Secretary of Commerce to sell certain war-built tankers."

Senate Joint Resolution 177 would authorize the Secretary of Commerce, during a period of 6 months after its enactment, to sell the tankers *Mission De Pala* and *Mission San Antonio*, on an "as is, where is" basis, to Browning Lines, Inc., for $864,414.66 and $874,371.90, respectively, subject to the condition that the purchaser recondition the vessels in a domestic shipyard for use as container ships in the foreign commerce of the United States on trade routes 3 and 4. The sales price of each vessel would be reduced by $311 a day for the period beginning July 1, 1956, and ending with the date the contract of sale is executed and, in the event the named vessels are not available for sale, the Maritime Administrator is to designate suitable substitute vessels which are to be sold at their statutory sales prices determined under section 3 (d) of the Merchant Ship Sales Act of 1946, but without regard to the floor price fixed by that section, depreciated at $311 a day up to and including the date the contracts of sale are executed. The purchaser would be required to pay at least 25 percent of the sales price of each vessel at the time the contract of sales is executed. The balance of the sales price, secured by a preferred mortgage on each vessel, would be payable in approximately equal annual installments over the remainder of the vessel's economic life, as determined by the Maritime Administration, with interest payable at the rate of 3½ percent a year.

The contracts of sale made under the authority of Senate Joint Resolution 177, would be required to contain two provisions that would run with the title to each vessel and would be binding on all owners. Under the first of such provisions, if the Government purchases or requisitions any of the vessels, the owner would be paid either the value of the vessels or the sales price under the contract plus the actual cost of capital improvements depreciated on the basis of the depreciation schedule adopted or accepted by the Secretary of the Treasury for income-tax purposes for the vessel, whichever is the lesser. Under the second provision each vessel is to remain documented under the laws of the United States during the remainder of its economic life or as long as there is due the United States any principal or interest on account of the sales price, whichever is the longer period.

The two tankers named in the bill are war-built vessels within the meaning of that term as used in the Merchant Ship Sales Act of 1946. They are of the T2–SE–A2 tanker type with a speed of 16 knots, as contrasted with the 14½ knots of the T2–SE–A1 tanker type. They were transferred to the Navy Department in 1947, were returned by the Navy to the reserve fleet in 1954 and are presently included in the 20 tankers which S. 3877, 84th Congress, 2d session, would authorize to be chartered from the reserve fleet pending construction of certain cargo-tankerships by the charterer.

As stated above, the tankers named in the bill are classified as war-built vessels under the Merchant Ship Sales Act of 1946. With respect to the sale prices of such vessels, it should be noted that under section 3 (d) (4) of that act a war-built tanker could not be sold for less than a floor price of 50 percent of the domestic war cost of tankers of the same type if such amount was greater than the vessel's statutory sales price adjusted for war service and for depreciation to the date of sale. In the case of the *President Cleveland* and *President Wilson*, which were sold pursuant to Public Law 533, 83d Congress, 2d session, and in the case of the *Square Sinnet* and *Square Knot*, which were sold under Private Law 629, 84th Congress, 2d session, the floor prices of the vessels in question were found to be greater than the statutory sales prices adjusted for war service and depreciation to January 15, 1951, the expiration date of the sales authority under the 1946 act. Consequently, the sales prices were computed by depreciating the floor price, less a residual value, over the remainder of a 20-year vessel life. The unadjusted statutory sales price of the *Mission De Pala* and *Mission San Antonio* computed under section 3 (d) of the 1946 Sales Act, was $2,271,500. The sales prices of $864,414.66 for the *Mission De Pala*, and of $874,371.90 for the *Mission San Antonio*, which are prescribed by the present bill, were determined by deducting 1 percent for wartime service, and 5 percent per year for depreciation from the date of the vessel's delivery to June 30, 1956, from the unadjusted statutory sales price. The depreciation rate results in a daily depreciation charge of $311, the amount stated in the joint resolution for reducing the sales prices beginning July 1, 1956. However, it should be noted that application of the same method used in computing sales prices of the vessels sold under Public Law 553 and Private Law 629 to the vessels named in Senate Joint Resolution 177 would result in a sales price of $1,019,866 for the *Mission De Pala* as of June 30, 1956, and of $1,024,248 for the *Mission San Antonio*, an increase of approximately $150,000 per vessel over the sale prices stated in the present bill. The daily depreciation rate beginning July 1, 1956, would be about $334. Since the bill provides that any vessels substituted for the named vessels are also to be depreciated at the rate of $311 a day to the date of sale, it is assumed that the substitute vessels would be restricted to other T2–SE–A2 tankers, since the stated depreciation rate would not necessarily be proper for application to vessels of a different class. Needless to say, the provision of the bill directing sale of such substitute vessels at the statutory sales prices without regard to the floor price established in the last 2 sentences of section 3 (d) of the Merchant Ship Sales Act will result in price differences which may be larger or smaller than in the case of the 2 vessels named in the bill.

No sales of T2–SE–A2s in operating condition have ever been consummated. It is therefore impossible to establish a market value for these tankers based on actual sales. However, recent sales of T2–SE–A1 (14½ knot) tankers have been consummated at $1,500,000 for United States-flag operation, and $2,200,000 for foreign-flag operation. Based on such information it would appear that the present market value of the higher speed tankers named in Senate joint resolution 177 would be substantially greater than either the prices stated therein or the prices computed according to the formula previously described as having been used in recent statutory sales of other war-built vessels.

It is our understanding that no American-flag subsidized operator has been employed on trade routes 3 and 4 since December 31, 1953, when the New York and Cuba Mail Steamship Co. failed to renew its subsidy contract, and that the Federal Maritime Board considers it desirable to maintain a subsized operator on such routes. The necessity for maintaining privately owned and operated United States-flag vessels on all essential trade routes in the interest of national defense and the development of foreign commerce, was of prime concern to Congress in enacting both the Merchant Marine Act of 1936 and the Ship Sales Act of 1946. Hence, the sale of vessels from the reserve fleet to be used on trade routes 3 and 4 is in accord with the basic policy expressed in both of these acts, and would appear to be in the interest of the United States. Whether it is presently advisable to remove tankers from the reserve fleet for conversion to dry-cargo operation in such service is a matter on which we have no information and offer no comment. However, it is our opinion that the departure from previously established methods of computing the prices at which war-built vessels were sold under prior legislation has resulted in the inclusion of prices for sale of the vessels contemplated by Senate joint resolution 177 which are substantially lower than their market value. Whether such inducement is essential to institution of American-flag operated vessels on trade routes 3 and 4 would appear to be a question of national policy exclusively for determination by Congress.

Other than the foregoing we have no comments to make on the bill.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

TREASURY DEPARTMENT,
June 15, 1956.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Interstate and Foreign Commerce,
United States Senate,
Washington, D. C.

MY DEAR MR. CHAIRMAN: Reference is made to your request for the views of this Department on Senate Joint Resolution 177, to authorize the Secretary of Commerce to sell certain war-built tankers.

The bill, which would provide the terms under which the Secretary of Commerce would be authorized to sell the tankers *Mission San Antonio* and *Mission De Pala*, is not of primary interest to this Department. Accordingly, the Department has no recommendation to make on the general merits of the proposed legislation.

Very truly yours,

FRED C. SCRIBNER, Jr.,
General Counsel.

THE SECRETARY OF COMMERCE,
Washington, July 17, 1956.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Interstate and Foreign Commerce,
United States Senate,
Washington, D. C.

DEAR MR. CHAIRMAN: This is in reply to your telephone request of July 16, 1956, for the views of this Department with respect to the committee draft revision of Senate Joint Resolution 177, a joint resolution to authorize the Secretary of Commerce to sell certain war-built vessels.

The committee revision adopts substantially the amendments proposed by the Maritime Administrator when he testified on Senate Joint Resolution 177, July 3, 1956, except that it provides for the sale of 2 C4-type vessels rather than any 2 war-built vessels under the jurisdiction of the Secretary of Commerce as proposed by the Maritime Administrator. In addition, the draft revision provides for the sale of the vessels to any citizen of the United States instead of to a named purchaser, Browning Lines, Inc.

We repeat our recommendation that the bill authorize the sale of any two war-built vessels. This can be accomplished by striking out of section (a) the words "two C4–S–B2 vessels, to be designed by the Maritime Administrator" and substituting the words "any two war-built vessels under the jurisdiction of the Secretary of Commerce."

The draft revision would require that the vessels be converted for use as container ships. It would require a detailed study to determine whether conversion to container ships would provide an economically feasible operation. The language in (c) (1) should therefore be stricken out and the following substituted therefor: "Such sales shall be made upon such conditions as the Secretary of Commerce deems necessary to protect the interests of the United States."

Since there may be more than one applicant to buy the vessels, the draft revision should be amended to provide for competitive bidding with an upset price. Section (a) of the bill should be amended, therefore, by inserting immediately before the words "a citizen of the United States" the words "the highest responsible bidder who is" and by striking the word "sales" where it first appears in the second sentence of section (a) and substituting therefore the word "upset."

With the amendments herein proposed, we would have no objection to favorable consideration of the draft revision.

The Bureau of the Budget has advised that it would interpose no objection to the submission of this letter to your committee.

Sincerely yours,

SINCLAIR WEEKS,
Secretary of Commerce.

There is no change in existing law.

Mr. MAGNUSON. Mr. President, I may say, for the information of the Senate, that I have conferred with the distinguished senior Senator from Delaware [Mr. WILLIAMS], and he is in agreement with the joint resolution.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The joint resolution (S. J. Res. 177) was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "Joint resolution to authorize the Secretary of Commerce to sell certain war-built vessels."

AUTHORIZATION FOR JUDICIARY COMMITTEE TO MEET ON THURSDAY, TO CONSIDER HOUSE BILL 9424

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized, upon call by the chairman, to meet during the session of the Senate from 10:30 a. m. to 12 noon on Thursday, July 26, 1956, for the purpose of considering only the following bill and amendments thereto which are germane, in the judgment of the chairman of the committee: H. R. 9424, to amend the Clayton Act, as amended.

The PRESIDING OFFICER. Is there objection?

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. MORSE. The proposed unanimous-consent agreement would permit the Judiciary Committee to meet at the time specified to consider a specific piece of proposed legislation, as I understand. Is that correct?

Mr. JOHNSON of Texas. I understand the measure in question is the O'Mahoney antimerger bill. The committee wishes to meet on Thursday, during the session of the Senate, to consider that bill. I am not familiar with the provisions of the bill; but the Senator from Wyoming spoke to me about it several times, and the committee has requested such unanimous consent.

Mr. MORSE. My parliamentary inquiry goes to this question: Will the Judiciary Committee therefore be limited at its meeting to the consideration of that measure, and no other?

Mr. JOHNSON of Texas. It will be when it meets on the day and at the time specified in the proposed agreement. Heretofore the committee has been able, at its meetings, to consider general bills; but the committee has set aside this particular day for the purpose of the consideration of this one bill. I understand that an objection was filed, and the bill had to lie over for 1 week; and the week will expire on Thursday.

Mr. MORSE. I do not know why the Senate as a whole should limit a committee to the consideration of one piece of proposed legislation, and no other. For example, there is pending before the Judiciary Committee some very important proposed legislation in the field of civil rights. Am I to understand that under the proposed agreement the committee would not be permitted, if it wished to do so, to consider proposed civil-rights legislation?

Mr. JOHNSON of Texas. As I understand, the committee could meet for that purpose before the Senate was in session and after the Senate was in session, on Thursday. But the committee this morning requested this permission, since it could not consider the O'Mahoney bill until Thursday, because of an objection filed last Thursday by the Senator from Idaho. Under the circumstances, I understand that the Senator from Wyoming had agreed, and that there was agreement on the part of the other Members, that the committee would consider that measure on Thursday. Is that correct?

Mr. O'MAHONEY. That is correct.

Mr. MORSE. Mr. President, I have no objection; but I think the RECORD should show that I think the committee should get busy and should consider some civil-rights proposed legislation.

The PRESIDING OFFICER. Is there objection to the proposed unanimous consent agreement? Without objection, it is so ordered.

AMENDMENT OF CIVIL AERONAUTICS ACT RELATING TO TRANSPORTATION OF MINISTERS OF RELIGION—CONFERENCE REPORT

Mr. MAGNUSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3149) to amend the Civil Aeronautics Act of 1938 in order to permit air carriers to grant free or reduced-rate transportation to ministers of religion. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings, p. 13570, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. JOHNSON of Texas. Is this a unanimous report signed by all members of the conference committee?

Mr. MAGNUSON. It is a unanimous report, signed by all the members.

I may say to the Senator from Nebraska [Mr. CURTIS] that when the Senate passed the bill it was made to apply to all air carriers. The House made it apply to nonsubsidized carriers, and the conferees unanimously agreed to make the bill apply on a space-available basis for all carriers.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

CONSTRUCTION OF NUCLEAR-POWERED MERCHANT SHIP—CONFERENCE REPORT

Mr. MAGNUSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6243) authorizing the construction of a nuclear-powered merchant ship to promote the peacetime application of atomic energy,

and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings, p. 14120, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. CURTIS. Is this a unanimous conference report?

Mr. MAGNUSON. This is a unanimous conference report. I think I can tell the distinguished Senator from Nebraska in 1 minute what the situation is.

There was very little disagreement in conference. I wish the record to be clear that it was the unanimous view of the conferees that this was to be a merchant ship. The House report was a little more specific. It suggested that it be a passenger ship. The conferees agreed unanimously that it should be left up to the Atomic Energy Commission, the Secretary of Commerce, and the Maritime Board whether there should built a tanker, as has been suggested, a cargo ship, or a combination passenger and cargo vessel. That is the way the bill now stands.

Mr. CURTIS. I thank the Senator from Washington.

Mr. MAGNUSON. I may say for the benefit of the Senate that we are all pleased that the bill can be passed now.

On Saturday the Appropriations Committee, of which I am a member, placed $22 million in the supplemental bill for the Maritime Board and the Secretary of Commerce, and $22 million for the Atomic Energy Commission, to build a reactor, so more than $40 million will go into the ship. Some of the plans are now made. I think we are not too late. We received an announcement about 30 days ago that the Russians had already started on an atomic-powered icebreaker, and the Japanese announced last week that they were expecting to begin construction of a passenger atomic-powered ship.

That is why we left it up to our agencies to determine what type of ship should be built. I hope the program will proceed expeditiously, and that the ship will be gotten into the water without delay, because I do not wish to get up some morning and read in the newspaper that some atomic ship of the Russians has steamed into New York Harbor with a cargo of merchandise, ready to engage in world trade before we are in a position to do so.

The appropriation will start the program. The money is in the supplemental appropriation bill. I think we can look forward, in from 18 to 26 months, to having a good atomic merchant ship on the high seas.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

FOREST PRODUCT PRICE REPORTING AND RESEARCH

The Senate resumed the consideration of the bill (S. 4059) providing for price reporting and research with respect to forest products.

INTERNATIONAL FOOD AND RAW MATERIALS RESERVE

Mr. MARTIN of Iowa. Mr. President, the Committee on Foreign Relations, on July 18, reported an original resolution, Senate Resolution 316, expressing the sense of the Senate that the President should explore with other nations the establishment of an International Food and Raw Materials Reserve under the auspices of the United Nations. It appears on the calendar as No. 2674.

The Mutual Security Act of 1956, H. R. 11356, as passed by the Senate on June 29, contained a section 11 (d) with similar instructions to the President. I had not planned to take the time of the Senate at this late date to object to this language. Page 54 of the report of the Committee on Foreign Relations on H. R. 11356 said:

> So while the language of the proposed amendment does not make it mandatory for the President to explore the creation of a raw materials reserve, the committee hopes and expects that he will do so unless there are overriding reasons to the contrary.

I believed that if the discretion were left to the President, no great harm could result from the inclusion of section 11 (d) in the Mutual Security Act. Accordingly, I did not object to this provision when H. R. 11356 was before us.

The action of the committee in reporting Senate Resolution 316 at this time raises a number of issues which are of sufficient importance to require discussion even in these closing hours of the session. While we are sitting here in Washington, the United Nations Economic and Social Council are debating this particular proposal at Geneva. On July 12, the able United States Representative to the Council, Dr. John C. Baker, president of Ohio University, voiced the objections of the United States Government to this proposal. Mr. President, let me read a short dispatch from Geneva reported by the Associated Press:

> UNITED STATES OPPOSES PLAN FOR U. N. FOOD POOL
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> GENEVA, SWITZERLAND, July 12—The United States today opposed the establishment of a world food reserve within the framework of the United Nations. Advocates contend such a reserve would relieve emergency famine situations and counteract excessive price fluctuations.
>
> John C. Baker, president of Ohio University and head of the United States delegation to the Economic and Social Council told the Council the United States feels these problems can be met more practicably through two-way arrangements.
>
> The Council is discussing a report prepared by the U. N. Food and Agriculture Organization at the request of the General Assembly. The report examines the possibilities of such a reserve without making recommendations for action, but says the idea has serious practical limitations.
>
> The United States delegate said that none of the schemes studied for setting up food reserves attacked "the basic causes of hunger and malnutrition—poverty and general lack of economic development."

If the Senate were to adopt Senate resolution 316, we would be repudiating our delegation to the Economic and Social Council during the course of their negotiations. I do not believe for 1 minute that any of us would knowingly wish to embarrass our representatives to the United Nations in this fashion.

I might add that the position taken by Dr. Baker was not one adopted by our Government without mature deliberation. Some of the objections to the establishment of an international food and raw materials reserve were given to the Committee on Foreign Relations on May 28, 1956, by Thorsten Kalijarvi, Deputy Assistant Secretary of State; Earl Butz, Assistant Secretary of Agriculture; and Felix Wormser, Assistant Secretary of the Interior, who testified on similar resolutions, Senate Resolution 85 and Senate Resolution 86, then before the committee.

In order to understand the issues involved in this resolution, it is necessary to review the history of this proposal within the United Nations. During the Ninth General Assembly of the United Nations in the Fall of 1954, the government of Costa Rica proposed the establishment of a world food reserve in United Nations document A/2710, August 23, 1954.

The Costa Rican proposal was debated fully during that session of the Assembly. In December of 1954, the United Nations General Assembly adopted Resolution 827 (IX). This resolution directed the Food and Agriculture Organization "to prepare a factual and comprehensive report of what has been done and is being done in this connection for submission to the Economic and Social Council."

In accord with these instructions from the United Nations, the Food and Agriculture Organization made a study which was submitted by P. V. Cardon, Director General, Food and Agriculture Organization to Dag Hammarskjold, Secretary General of the United Nations, on November 26, 1955. This report by the Food and Agriculture Organization was placed on the agenda of the Economic and Social Council at the current session. So much for the background behind the dispatch which I read from Geneva.

I shall now comment on the excellent study FAO Commodity Policy Studies No. 10, Functions of a World Food Reserve, Scope and Limitations by the Food and Agriculture Organization which I commend to all my colleagues.

The report is the work of Dr. Gerda Blau, Chief of the Commodities Branch and Secretary of the FAO Committee on Commodity Problems. This report is of particular interest as the terms of reference for the FAO study were identical with those in Senate Resolution 316.

The General Assembly resolution directed that in the FAO study consideration be given to the following four main objectives:

First. Raising low levels of food production and consumption, and fighting chronic malnutrition.

Second. Relieving famine and other emergency situations.

Third. Counteracting excessive price fluctuations.

Fourth. Promoting the rational disposal of intermittent agricultural surpluses.

Senate Resolution 316 states that the purpose of the proposed reserve is to acquire and store these materials with a view to their use in—

First. Preventing extreme price fluctuations in the international market in these commodities.

Second. Preventing famine and starvation.

Third. Helping absorb temporary market surpluses of farm products and other raw materials (exclusive of minerals).

Fourth. Economic and social-development programs formulated in cooperation with other appropriate international agencies.

The principal conclusions from the FAO report, in view of the identity of the objectives of the two proposals, should be of great interest to the Senate. I hope that all Senators will study the complete report. It shows the utter impracticability of this proposal.

I shall ask unanimous consent to include excerpts from this excellent study to be printed in the RECORD at the conclusion of my remarks.

The material I shall place in the RECORD shows that the 4 proposed objectives of the reserve are completely contradictory and mutually exclusive. Let me read paragraphs 26 and 27, page 9:

26. It thus appears that 2 at least of the 4 main objectives listed in the previous chapter—i. e., the raising of the levels of production and consumption in areas of chronic malnutrition, and the prevention of undue fluctuations in world agricultural prices—require very different methods of approach and could be served through the creation of one single international agency only if within that agency entirely different financial and administrative arrangements were made for the operation of a World Food Capital Fund, on the one hand, and World Food Stabilizations Reserves on the other.

27. It is natural somehow to think of an international pool of foodstuffs serving several different functions at the same time. When it comes to thinking of an international pool of money, or credit, the differences in initial financing, modes of operation, terms of repayment, replenishment, and control required for different purposes are much more widely understood. It is generally accepted, for instance, that the financial resources and modes of operation of the International Monetary Fund (which mainly serves the function of lessening temporary disequilibria) could not automatically be combined with the use of the same funds for the different financial requirements and criteria of loan issues for long-term development purposes by the International Bank. It would be even more difficult to combine the operations of the International Monetary Fund with those of a special development fund such as SUNFED which would have to specialize on much less self-liquidating long-term loan operations than the International Bank. And the idea of a World Food Reserve serving simultaneously the functions of fighting chronic malnutrition (or development), international price stabilization, and emergency relief, might be compared, in this rough example, with that of an agency combining the functions of the World Bank or SUNFED, of the International Monetary Fund, and of the administration of the International Red Cross as well. Such a combination of functions, whilst it might not be outside the realm of administrative possibilities, would certainly not be an easy thing to achieve and in any case would require separate types of financial provisions and modes of operation for each of the three main functions (though, as will be shown later, the intermittent relief of emergency shortages might on certain conditions be established as a subsidiary function of a World Food Capital Fund).

Witnesses favoring this proposal before the Committee on Foreign Relations attempted to compare its operation with those of the World Bank. The FAO study demolishes this argument completely.

On many previous occasions I have pointed out the dangers of widespread use of international commodity agreements such as those envisaged in chapter VI of the Habana Charter for the International Trade Organization which was rejected by the Congress in 1950. I have contended that attempts to stabilize commodity markets through international action could result in serious domestic dislocations. Again let me quote from the FAO study. It says:

128. Opponents of the scheme point out, however, that full automaticity and the 'monetization' of comodity reserves could cause some harmful interference with national economic and financial policies which require a good deal of flexibility and freedom of operations, both internal and external; and that, quite apart from some weighty objections in substance, it would also be politically unrealistic to assume, under present-day conditions, that widespread acceptance could be given to any plan which would place an international authority in a position of powerful control over national monetary and economic systems (which, moreover, would have to be modified in some major respects to fit the international plan). (P. 27.)

I regret having taken so much of the Senate's time at this period but I believe I have provided sufficient evidence why President Eisenhower should not be embarrassed by the adoption of this resolution while his representatives are taking a contrary position at Geneva this month.

I ask unanimous consent to have printed at this point in the RECORD as a part of my remarks the statement on A World Food Reserve by Dr. John C. Baker, United States representative to the United Nations Economic and Social Council.

I also ask unanimous consent to have printed in the RECORD excerpts from the Food and Agriculture Organization Commodity Policy Studies No. 10—Functions of a World Food Reserve; Scope and Limitations.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

STATEMENT ON A WORLD FOOD RESERVE

(By Mr. John C. Baker, United States Representative)

Without freedom from hunger, there can be no real economic development or social progress. In recognition of the importance of the conquest of hunger to the realization of a better world, the FAO was established as the first of the wartime specialized agencies. From its beginning, it has been an outstanding performer among U. N. organizations. For 10 years, the problem of assuring the peoples of the world an adequate supply of food has commanded the almost constant attention of this organization and of the United Nations.

The report on the Functions of a World Food Reserve, which has been prepared for us by the FAO, is thus but the most recent evidence of the concern of the United Nations with this problem. The General Assembly asked for this report as an expression of the desire of member countries to see to it that all practicable steps are, in fact, being taken to deal with the world's food problems. Is an international food reserve the way to do something really constructive for the world?

Before discussing the substance of the question before us, I should like to take a moment to join with other delegations in thanking the Secretariat of the FAO for the thorough job it has done in preparing this report. Not only does it contain much useful analysis, but its comprehensive survey of developments with respect to this question since the war will, I am sure, prove extremely helpful in understanding how thoroughly the possibilities for international action in this field have already been explored. It was precisely this kind of historical review that the General Assembly had in mind, when it called for a factual and comprehensive report of what has been done and what is being done in this field.

As the report indicates, proposals for international action in this field have a long history. They include plans for an international food reserve to help meet emergency famines; for buffer stocks designed to help stabilize the prices of agricultural commodities; and measures designed to encourage production, consumption, and trade in such commodities.

Among the proposals which have been closely examined during the last 10 years, either in the United Nations or the FAO, have been the plan for a World Food Board to hold and manage stocks of food and other commodities; a plan for an inernational commodity clearing house to facilitate the international movement of food and other agricultural products through various currency arrangements; and suggestions regarding various types of nationally or internationally held reserves to meet emergency famines and other similar contingencies.

While differing in scope and in their specific objectives, and in details of financing and management, all of these schemes have certain elements in common. All of them involve, to some degree, the international management of food and other commodity stocks. All of them contemplate, in some measure, the substitution of international administrative controls for national programs and for the normal functioning of market forces. None of them was designed to attack the basic causes of hunger and malnutrition—poverty and general lack of economic development.

The FAO report relates how, over the past few years, governments acting in various international bodies have considered, analyzed and found impracticable, certainly for the time being, further international action of this kind. There is nothing in the report to indicate that any different conclusions with regard to such proposals would now be warranted. On the contrary, the study brings out the great difficulties involved in attempting to pursue the objectives suggested in General Assembly resolution 827 through the establishment of an international food reserve or buffer stocks.

Mr. President, my delegation completely agrees with the ultimate objectives which are sought in proposals of this kind. We are aware of the serious problems of undernourishment in many areas. We recognize the importance of an adequate supply of food at reasonable prices for economic and social development, and particularly for programs of industrialization. We appreciate the feeling in some countries that a greater

degree of stability in commodity prices would relieve them of difficult problems.

For these reasons, we have been ready to consider any action designed to deal with these problems which gave promise of being effective and which did not risk creating even greater difficulties than those it was designed to solve.

Thus, we are already cooperating in various ways through the United Nations and the specialized agencies in the consideration of common problems in this field, in international consultations on specific issues relating to food and agricultural commodities and in practical action programs to help member countries deal with difficult problems. All of these are aimed at bringing about, not only an expansion of world trade and a better distribution of food supplies, but also an improvement in world food production, expansion of consumption and promotion of economic development, which must provide, after all, the basic long-term solution to the world's food problems.

The readiness of the American people to help less fortunate neighbors, when they are able to do so, has a long and well-known history. In more recent years, the great productivity of our farms has enabled us to undertake more comprehensive programs using some of our surpluses for relief of distress abroad and to assist the economic development of underdeveloped countries. These programs are too well known to need description here.

We believe that such bilateral arrangements are a more practicable way of meeting these problems. In this connection, we have subscribed to the principles governing such disposal of surplus commodities which have been developed in the FAO, and we are carrying out our programs in accordance with them.

The fact that we do not believe that special international organizational arrangements are necessary to deal with these problems does not reflect any disagreement with the objectives of an international food reserve or an international food capital fund. Rather, it is our honest conviction that this particular approach to the problem is not feasible at this time. Our belief that these doubts are shared by other governments reinforces this conviction.

Let us then all continue to cooperate, as we have done in the past, within existing arrangements—in international commodity councils and study groups, in the FAO Subcommittee on Surplus Disposal, in the FAO Working Party on National Reserves Against Emergencies, in the development work of the International Bank and the United Nations technical assistance program, and in consultation on problems of mutual interest. Here are many forums in whic' we can thresh out such problems and agree on the most effective lines of action.

To sum up, Mr. President, I believe that in the United Nations and the specialized agencies we already have such arrangements for international action and for coordination of national programs as appear practicable at this time. We believe that the Council should so advise the General Assembly.

IV. Counteracting Excessive Price Fluctuations

(Excerpts from FAO commodity policy studies No. 10; functions of a world food reserve—scope and limitations)

65. The other main objective referred to by the General Assembly's Resolution and stressed in the various proposals for the establishment of a World Food Reserve is that of "counteracting excessive price fluctuations."[1]

66. This is a large subject and a very important one. It may come as a surprise to some, however, that in sharp contrast to the number of proposals which have been put forward at various times for the operation of international commodity stabilization reserves, or buffer stocks, the history of the world since the days of Joseph yields no peacetime example of any such reserves ever having been operated on an international scale for any foodstuff, or group of foodstuffs.[2]

Indeed, the only international buffer stock ever established for any primary product was a tin buffer stock which was operated in the early thirties and again from 1938 to 1939.[3] This was managed by producers only and it was of relatively small size. It is not of much value, therefore, as a precedent for considering the possible price-stabilizing functions of a World Food Reserve.

67. As in the case of an international emergency food reserve, therefore, an account of "what has been and is being done" toward counteracting price fluctuations through the operation of international reserves must be concerned primarily with explaining the main issues and reporting on major features of some past and current plans and studies rather than action.

Nature and causes of price fluctuations for agricultural products

68. It has often been pointed out that for a variety of reasons the short-term movements in the prices of primary products—and particularly of agricultural products—if left entirely to the free play of market forces, tend to be excessive and harmful to the long-term interests of both producers and consumers.

69. The fundamental reason for this is that owing to the low short-term elasticities of demand and supply, even small changes in the balance of production and consumption tend to be associated with large variations in prices; while short-term price movements in themselves—owing to the slowness of production responses to price changes—may be the cause of a fresh disturbance of the balance of production and consumption in a later period. In markets, moreover, where wide fluctuations of prices are common, the behavior of stocks may tend to exaggerate the instability of prices even further, owing to the perverse influence of speculative stock movements.[4]

70. It is also widely understood that the smoothing of excessive short-term price fluctuations is required not only in the interests of those who produce and consume the commodities concerned but also in the wider interests of world economic stability generally. Trade in primary products forms so large a part of world trade and bears so close a relation to economic development that these more general aspects must never be lost sight of. The impact of commodity instability on economic development is particularly serious for those underdeveloped countries whose economies depend in large measure on receipts from the export sales of one or few primary products. International capital available to such countries from other sources, including development loans or grants, is generally small in importance when compared with the foreign incomes from their main export products. The destabilizing influence of export price fluctuations on receipts and incomes is aggravated by the fact that changes in international commodity prices often tend to be associated with changes in the volume of trade in the same direction.

71. It is held by some that the impact of price and trade fluctuations on economic development need not be unduly large, provided that adequate international arrangements are being made for averaging out the use of export receipts over a period of years. Since, however, the funds available for development in low-income countries generally are precariously scarce, thus making it both financially and politically difficult for governments to average out returns over longer periods through internal equalization arrangements, there can be little doubt that sharp and erratic fluctuations in export receipts can cause serious interference with investment programs and economic plans.

72. Nor is this a matter of concern to producer countries alone. There is a danger that living standards everywhere will be affected if those responsible for the output of the world's main staples lack the incentive and security of stable markets, and that trade in capital goods and other manufactures will also be affected in turn. Moreover, excessive fluctuations in international food prices also have serious direct upsetting effects on the economics of importing countries and may cause disturbingly large variations in their balances of payments.

73. The question has often been asked, and particularly also in recent intergovernmental discussions, as to what fluctuations can, in fact, be described as excessive.

74. One of the United Nations experts' groups, in considering this question in their report on Commodity Trade and Economic Development,[5] referred to the following two main aspects of the concept of excessive instability: (i) frequency of changes in the direction of price movements, and (ii) amplitude of fluctuations. They pointed out that both aspects must be seen in relation to the behavior of other groups of prices (which generally tend to be more stable than those of primary products) but that there also are some absolute criteria for judging the excessive character of both frequency and amplitude of fluctuations. It was noted in this connection that such magnitudes as productivity and population usually show gradual and continuous changes; the variations in harvests, though serious for particular countries, are not often large for the world as a whole; consumption insofar as it is a function of income moves only slowly from year to year. From this, the UN experts concluded that the desirable results of price changes—the encouragement of a better allocation of economic resources—ought to be capable of achievement without violent instability, and that if prices really had to change by 15 percent or 20 percent

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[1] The General Assembly's Resolution asked whether a World Food Reserve could act as an institution combining the function of emergency relief with that of "counteracting excessive price fluctuations." Earlier in the text of the Resolution there also is a more general reference to the need for continued national action and international cooperation, "(b) to prevent unduly large short term fluctuations and to this end to promote the rational disposal of intermittent agricultural surpluses."

[2] Joseph's storage equilibrating operations in Egypt, while they were not strictly speaking international, and did have some major elements of world scale. It would not have been possible, during the lean years, to relieve the shortage by supplies from outside because "there was dearth in all lands," and "the famine was all over the face of the earth." It might be argued that it was this very character of universality, seen in relation to the concept of the universe at the time, which helped Joseph in achieving simultaneously at least three of the four main objectives usually associated with a world food reserve—namely, emergency famine relief, international price stabilization, and surplus disposal.

[3] A buffer stock of moderate size is again to form part of a new International Tin Agreement which at present, awaits ratification.

[4] Cf. FAO Commodity Policy Study No. 1: A Reconsideration of the Economics of the International Wheat Agreement, FAO, Rome, September 1952.

[5] E 2519, op. cit., paragraphs 53–54.

from year to year in order to achieve minor alterations in resource allocation, this would raise serious doubt about the effectiveness of this method of securing a desirable allocation. In explanation of the actual high degree of instability of primary commodity prices, they pointed particularly to the destabilizing influence of speculative stock movements which often tend to amplify changes in supply and demand in the market, and to the perverse influence of expectations which may make traders sell when prices are falling, and add to their stock in a rising market.

75. Mention should also be made in this connection of the additional destabilizing influence on international commodity prices which may result from the marginal character of import requirements for some primary products, especially foodstuffs. There are many importing countries who produce at home a large, or dominant, share of their total consumption requirements of food and some other agricultural products, relying on imports for the remainder. Small changes in the total consumption, or domestic production, of these countries, may thus lead to much larger percentage variations in their import requirements. If, for instance, country A consumes in 1 year 100 units of grains of which 90 units are home-produced, the remaining 10 units being imported, a 5 percent rise in the country's consumption, or a 10 percent drop in domestic production, may lead, in the absence of equalizing stockholding policies, to a rise in import requirements from 50 to nearly 100 percent.*

76. On the side of exporters, on the other hand, the proportions of exports to production of both foodstuffs and raw materials are large for quite a number of major exporting countries, and their dependence on export receipts is correspondingly great.

77. On the whole, therefore, while exporters of raw materials are likely to suffer most from changes in industrial activity, and particularly from changes in the output of capital goods which often are much more pronounced than changes in economic activity generally, the exporters of foodstuffs, though catering for a more stable level of world consumption, are affected particularly by the marginal character of their trade.

78. On balance, fluctuations in the prices of internationally traded raw materials tend to be even more pronounced than those of international foodstuff prices. This is probably due in the main not only to the marked changes in industrial activity referred to above, but also to the fact that amplifying stock changes are likely to be even greater for raw materials than for foodstuffs. As regards foodstuffs, it must also be kept in mind, however, that the elusive concept of a "world price" has been made even more elusive by the influence of national price-support systems and other national price-fixing measures which in many instances affect the quotations of so-called international market prices. The apparent greater stability, or lessened instability, of international prices of food and some other agricultural products does not, therefore, always reflect a corresponding degree of stability in terms of balanced supply and demand. Instead, it may merely veil a highly unbalanced situation of actual excess supplies (in the form of unwieldy stock accumulations) or potential excess supplies (held down by output restrictions) which cannot be absorbed at the quoted "international" prices, or in the currencies in which payment is required.

WHAT BUFFER STOCKS COULD DO

79. In considering the part which a world food reserve could play in counteracting excessive fluctuations, the analysis will first proceed on the assumption of separate international buffer stocks being operated for each of a range of eligible food commodities. In other words, the food reserve, as here envisaged, would be composed of a series of individual pools, and the operations of each pool would be concerned primarily with preventing, or moderating, excessive fluctuations in the market of the particular commodity, or commodity group, with which it was dealing. The different concept of a composite commodity reserve, operated with a view to stabilizing the composite prices of a basket of commodities, while leaving relative prices in the basket to fluctuate freely, will be considered later. In considering individual buffer stocks, it will further be assumed that stocks are both internationally owned and internationally controlled, and that membership of the intergovernmental group in control of each buffer stock would allow for balanced representation of producers' and consumers' interests.

80. A buffer stock operates by absorbing supplies in times of abundance and releasing them in times of scarcity. It thus attempts to prevent, or moderate, excessive fluctuations in prices by buying the commodity concerned when its price is relatively low and selling it when its price is relatively high.

81. The general idea of maintaining world commodity buffer stocks which could carry productive resources from periods of relative abundance to periods of relative scarcity, is an essentially sound one. The very concept of buffer stocks is but a simple application of everyday commonsense. It is applied in the housewife's larder; it is used as a means of preventing waste and of insuring steady predictable flows in both economic and physical planning by practically every community in village or town, by every factory, shop, or nation. Nearly every kind of reservoir is a buffer stock. It can be used for absorbing a continuing flow, to be released in fits and starts as needed. Or it can be used for absorbing irregular trickles, to be released in a continuing flow. As long as the outflow matches the inflow over operating periods sufficiently short to maintain the pool as a pool, there is practically no limit in principle to the various ways in which a buffer stock can operate and in which it might be useful. Why then are these advantages of the buffer-stock concept not applied in practice through the operation of international buffer stocks for foodstuffs—especially since on the international plane further important advantages could result from the general anticyclical effects of such stabilizing operations on economic activity as a whole? As will be shown in the course of this chapter, the obstacles in the way of such worldwide arrangements for commodity buffer stocks are due to a series of practical difficulties arising from international commodity market characteristics, and from problems of international management, finance, ownership, and control rather than from any fundamental weakness of the buffer-stock concept as such. Some of these obstacles are manmade and could be changed. Thus, the fact that under present circumstances the practical chances of running international stabilization reserves for a series of major foodstuffs do not appear very promising, does not in itself disprove the intrinsic value of the basic idea.

82. The situation is rather different in regard to the feasibility of combining, in one world food reserve, the functions of a buffer pool with those of international economic assistance for purposes of emergency relief or for fighting chronic malnutrition. Here we come up against obstacles of a more fundamental kind. They are more than manmade. They arise from the logical impossibility of any pool remaining a pool whilst being called upon to provide continuing outflows (whether continuous or intermittent) which are not matched, at least on average, by more or less corresponding automatic inflows. This point will become clear when it is recalled that a commodity buffer stock is not merely a store of goods. It is a pool of resources which can be held in either money or kind (and normally are being held partly in money and partly in kind). Once the initial capital has been established, outflows in kind are supposed to lead to more or less corresponding inflows in money, and vice versa. These inflows and outflows in money and kind must match sufficiently, within reasonable operating periods, to maintain the pool's resources over time. Long-term loan operations and international economic assistance, on the other hand, must be able to provide outflows which cannot be matched by automatic inflows, not in any case over periods sufficiently short to insure the maintenance of the pool's operating capital.

Effects of buffer stock operations

83. The larger a buffer stock's resources, the more effective will be its controlling influence on prices, provided that prices are allowed to respond freely to supply/demand changes in a given market and provided also that there are no other stockholders or market operators who are even more powerful financially than the international buffer stock and who can thus dominate the market by countering the buffer stock's moves (as could be done, for instance, by some strong national stockholding agency).

84. Given the buffer stock's resources, wisdom of management, and freedom of action, the influence of its operations on free market prices will depend on the responsiveness of prices to supply/demand changes for the commodity concerned.

85. A buffer stock would be a highly unsuitable instrument for influencing longer term trends in supply, demand, or prices. If, for instance, buffer stock operations were used in an attempt to stem a continuing downward price trend—which might be caused by some structural weakness for the commodity concerned, such as a chronic tendency toward excess supply, growing competition from synthetic products, or other structural changes affecting output or demand—the buffer stock would sooner or later be bound to end in failure by running out of funds and finding itself with an unwieldy accumulation of stocks which it could not unload back on the market without serious consequences.

86. A food buffer stock might be a very suitable instrument, however, for provoking, or preventing, short-term price changes through additions to, or withdrawals from, the supply available in the market. In the case of a number of foodstuffs, as mentioned earlier, small percentage changes in production or consumption tend to be associated with more than proportionate percentage changes in prices. This low price elasticity

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*That is to say, the country will need to import 15 units out of a consumption of 105, or 19 units out of a consumption of 100, as against 10 out of 100 in the previous year.

It is interesting to note in this connection that the proportions of imports to consumption tend to be much smaller for a range of internationally traded foodstuffs than for most of the raw materials entering world trade. For wheat, for instance, world imports in recent years merely accounted for about 13 percent of world consumption and for rice for 4 percent. Moreover, in the case of rice, for instance, a further element of trade instability results from the fact that the countries which import nearly all the rice they consume are these absorbing the smallest shares of world rice trade, while those accounting for very large shares of world imports, rely nonetheless for a large, or main portion of their total requirements on domestic production. In India, for instance, rice imports in 1953 accounted for less than 1 percent of the country's total consumption but absorbed 12 percent of world imports. A small change in the proportion of Indian rice imports to consumption will thus cause a very much larger change in world rice trade.

helps to strengthen the influence which buffer stock operations could be expected to exercise on free market prices.

87. Moreover, the buffer stock may also be a particularly suitable instrument for counteracting the destabilizing influence of short-term speculative stock movements; i. e., movements resulting from the fact that traders often tend to add to their stocks in a rising market and to release stocks in a falling market. Indeed, there is no other international commodity stabilization technique which can help, the way a well-managed buffer stock can, in counteracting destabilizing stock movements through the direct physical absorption, or release, of supplies available for sale at the price range which the central management authority wants to maintain. Besides, quite apart from actual open-market operations, the very existence of a financially powerful buffer stock could help to discourage destabilizing speculative stock movements.[7]

88. Through its steadying effect on prices, a buffer stock may also help to lessen the short-term disturbing influences on annual crop production plans which might be caused, despite low price elasticities, by large and sudden variations in prices.[8]

89. In addition, a buffer stock can be of material help in smoothing out the effects on the market of large variations in crop yields or other short-term supply changes due to factors beyond the producers' control.

90. If a buffer stock operates primarily with a view to lessening price fluctuations, including those resulting primarily from large world crop variations, it will not thereby necessarily have a stabilizing effect on producers' incomes. The point here is that in the absence of any counteracting buffer or control operations an extra large supply on the market will tend to depress prices and thus stimulate sales and a short crop will have the opposite effect. Thus, to the extent that price changes due to variations in crop yields[9] are compensated by corresponding changes in the volume of sales, the farmers' incomes will remain stable. They could thus be destabilized by a buffer stock management prepared to buy at higher-than-market prices in a period of abundance and to sell at lower-than-market prices in a period of shortage. As was explained earlier, however, variations in the supply of staple foodstuffs are likely to lead to more than proportionate price changes; therefore, a buffer stock which would not attempt to do too much in the way of keeping prices rigid, could still have a stabilizing effect on incomes the other way around by moderating the extreme effects of supply variations on prices. In other words, it could at least prevent incomes from falling sharply in times of abundance and from rising sharply in times of shortage.[10]

91. There are a number of important advantages which a buffer stock holds over other techniques of international commodity stabilization. It is not possible here to refer to all the various points put forward in the wide range of studies which have been made on the subject in different contexts, nor to enter into a full comparison of different forms of commodity price stabilization techniques. Some main points, however, can be summarized as follows:

92. The two main types of multilateral commodity stabilization arrangements, other than buffer stocks, are (i) international quota agreements, and (ii) multilateral long-term contracts stipulating certain rights and obligations concerning quantities traded at maximum and minimum points of agreed price ranges. A quota agreement is presently operating for part of the world sugar market, and a multilateral contract is in operation for a sector of international trade in wheat.

93. The main advantages of a buffer stock as compared with an international quota agreement have often been stated and they were summarized clearly in one of the U. N. experts' reports. While not wishing to rule out any particular type of agreement, provided that fair representation was accorded to both sides, the U. N. experts' group pointed out "that the allocation of maximum production quotas should be avoided as far as possible. These tend to freeze the geographical pattern of production and may lead to unnecessary unemployment of resources; where practicable it is better to stockpile a commodity in times of reduced demand than to limit its production. Only where surpluses cannot be dealt with by stockpiling and where the price mechanism would restore a balance between supply and demand only painfully and slowly, should restriction of output be considered." [11]

94. Moreover, a quota scheme cannot be expected to function effectively unless all major exporters (including potentially important exporters) are prepared to participate in its operation. An international buffer stock, on the other hand, could work effectively even with a more limited membership, provided that it could command sufficient resources for influencing the market in the desired direction.

95. That latter advantage of being able to function effectively despite incomplete membership also holds true for a multilateral long-term contract. In addition, perhaps the most important advantage of such a contract is that it provides for relative stability in terms of both quantities and prices of a certain guaranteed sector of world trade, while at the same time allowing full flexibility to operate in the nonguaranteed sector. Thus, it provides for a minimum degree of stability of exporters' (or exporting countries') returns and importers' (or importing countries') expenditures, while at the same time avoiding any interference with the incentives, or disincentives, of price changes on supply and demand at the margin. A buffer stock, on the other hand, as was explained earlier, by trying to determine a price range for the market as a whole through purchases for, or sales from, stock will not necessarily make for a more stable volume of trade, nor will it automatically guarantee a minimum degree of stability for a portion of exporters' receipts and importers' expenditures, while at the same time it may blunt the influence of price changes at the margin.

96. Yet, what has just been described as an advantage of the multilateral contract as compared with a buffer stock, also constitutes one of the multilateral contract's main risks, particularly for commodity markets where amplifying stocking and destocking operations may play an important part in the remaining "free" sector and where responses of output and consumption to price changes are appreciable. In such cases, sharp fluctuations of prices at the margin may entail considerable economic waste by generating the so-called cobweb effect of a succession of larger-than-necessary short-term changes in output and consumption.

97. The advantages of minimum guaranties of trading volume, incomes, and expenditure limits under a multilateral contract could be combined, however, with the general price stabilizing effects of a buffer stock by operating the latter as an adjunct of the former.

98. More generally, as was mentioned earlier the outstanding advantages of a buffer stock as against any other form of commodity stabilization technique are to be seen in the buffer stock's basic function of carrying forward from times of abundance to times of scarcity the services of available productive resources. This argument acquires added strength insofar as the fluctuations which prompt a buffer stock's operations are part and parcel of fluctuations of trade generally.

99. Having explained at some length the important advantages which could accrue from international buffer stock arrangements, it is necessary to go on to consider the question why, despite all these points in their favor, there are, in fact, no such arrangements in operation. Is it merely that governments are too shortsighted and narrowminded to take advantage of these benefits? Or are there other factors operating against the adoption of such plans?

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[7] The comments made in the course of this report in regard to possible destabilizing speculative stock movements should not by any means be taken to have any derogatory implications with respect to commodity futures markets or other forms of organized produce exchanges which can serve extremely useful functions and could, in fact, be made use of on certain conditions, by the management of international buffer stocks.

[8] A buffer stock is not likely to be a very suitable instrument, however, for bringing about substantial short-term changes in the planned production or foreseeable consumption of commodities with low price-elasticities. If, for instance, farmers' intentions to plant for such a buffer-stock commodity would be in excess of the volume which in the view of the buffer-stock management could reasonably be expected to be absorbed at current prices, the downward price change required to discourage plantings might have to be relatively large. The effects of price changes on plantings of annual crops are likely to be more limited if they affect a large group of agricultural products taken as a whole than if they merely relate to one or the other of these products: the reason being that the wider the range of annual crop commodities affected, the more difficult will it be to respond to downward price changes for these products by switching land to the output of other agricultural products. For tree crops, the influence of price changes on output is also limited, for obvious reasons. Thus, while a buffer stock can on certain conditions be a very suitable instrument for influencing prices through its open market operations or offers to buy and sell it is likely to be a much less effective instrument for influencing output and consumption through the price mechanism.

[9] A distinction must be made here between variations in crop yields, or more generally changes in yield for a given input, as against changes in the size of crops resulting from input changes. Insofar as farmers' net incomes are concerned, the argument relates to the former case and not to the latter.

[10] These comments relate to crop changes of a scale large enough to effect materially the supply as a whole in the market to which the buffer stock operations relate. The situation is different in case of a change in a country's crop, or exportable supply, large enough to be of considerable importance to the country concerned but too small to affect the market as a whole. In such a case, just as in the case of a crop yield change for any one individual producer or group of producers, it will not be possible for any compensating international buffer stock operations to be brought into play. Instead, such situations can better be dealt with, and often are dealt with, by national stabilization arrangements or other compensatory measures.

[11] Measures for International Economic Stability, report by a group of experts appointed by the Secretary General, United Nations, New York 1951; par. 71.

SOME PRACTICAL LIMITATIONS

Commodity and market characteristics

100. A buffer stock commodity must be storable, fairly homogeneous, and capable of a high degree of standardization. It must be traded in an international market of sufficient importance and sufficient inherent instability to justify the operation of an international pool. Market prices must be free to respond, at least in some measure, to additions to, or withdrawals from, the supply available in the market. No one government must be able to command so large a share of market supplies, or dominate purchases to such an extent, as to be able to counteract the operations of even a financially strong buffer stock for the commodity concerned. Demand for the commodity must not be influenced predominantly by near substitutes outside the pool.

101. The requirement of storability implies (i) reasonably high value in relation to bulk, thus ruling out commodities with high storage cost per unit, and (ii) fair keeping qualities, to avoid excessive costs of frequent rotation or of insurance against deterioration.

102. The buffer stock commodity need not be completely raw. Some mild degree of processing can on certain conditions actually improve storability or even homogeneity. A high degree of processing, on the other hand, is likely to add to difficulties of standardization by introducing more varied quality characteristics. This is one main reason why manufactured goods generally are not considered eligible for an international pool.

103. Students of the possible composition of a commodity reserve unit, by applying more or less the same criteria as those outlined above, selected the following nine foodstuffs as suitable for the kind of price-equilibrating storage operations they had in mind: Wheat, corn, rice, linseed, peanuts, coffee, tea, cocoa, sugar.[12] These foodstuffs were selected from a much longer list of food commodities entering world trade.[13] Of the categories shown in that wider list, some were excluded on grounds of lacking in homogeneity (e. g., dried legumes), on grounds of their perishable character (fresh fruit, meat, dairy products, eggs), or on grounds of their low value in relation to bulk. From the remaining commodities a selection was made primarily on grounds of relative importance in world trade.

104. Since that study was made 6 years ago, techniques and capacity of certain processes to improve the keeping qualities of perishables have been developed further and trade in some dried and frozen products has been growing. Notwithstanding such improvements, however, most of these products are still far from homogeneous. Moreover, the bulk of world trade in some of these products continues to be (i) small, and (ii) transacted between a small number of countries, with large shares of trade moving under bilateral contracts. Thus, with the possible addition of one or the other of the coarse grains or fats and oils (to which the authors of the above-quoted study also referred as possible additions to their selection), a list of about a dozen food commodities, accounting for about 10 to 12 percent of world trade, still represents the maximum range of foodstuffs which might be considered, at a first approximation, as being technically eligible for buffer stock operations.[14]

105. Actually, however, the range of food commodities for which individual buffer stocks could be operated successfully, is likely to be considerably smaller than this "first approximation" list would appear to suggest. As regards rice, for instance, while the technical difficulties of running an international buffer stock cannot be categorically declared as insuperable, closer investigation suggests that the chances of practical success of such operations might be severely limited on grounds of both standardization difficulties and the character of world rice trade which largely proceeds through bilateral arrangements.[15] In the case of sugar, while standardization creates no problem, account must be taken of the fact that an international buffer pool could operate on a limited market sector only, the so-called free market sector, and that even within that sector it would be difficult for a buffer stock to counteract the influence on the market of a widespread network of national quantitative restrictions, which prevent the volume of import demand from responding freely to price changes, at least in the short run.[16] As regards cocoa, the rather tight world supply situation, which may well continue for some years to come, would make it seem impracticable to envisage the building up of the initial stock reserve required for a buffer stock arrangement. As to coarse grains and some oils, the proposition of operating buffer stocks for some commodities in that group would not be workable if other closely related commodities were left free to act as near substitutes outside the arrangement. In regard to several commodities, notably wheat, there also is the very important consideration—to which further reference will be made later—of possible obstacles arising from the existence of powerful national stockholdings which their owners might be reluctant to internationalize by transferring them to a world buffer pool. These sketchy examples of difficulties are not meant to deny a priori the possibility of operating international buffer pools for these commodities. They do, however, indicate the manifold kinds of obstacles which would have to be overcome in an attempt to establish representative international buffer stocks for a large range of food commodities.

Finance and management

106. The intital capital required for establishing a series of buffer stocks would approximate a value of several billion dollars.[17] The major portion of the initial capital could be contributed in the form of stock but some cash, or earmarked liquid funds, would also be required to insure the necessary flexibility of operations. It would be wrong, of course, to describe the initial capital requirements as cost. It is more accurate to think in terms of initial and ultimate financial outlay. If the former exceeds the latter, the buffer stock will end up with a profit. And even if it ends up with a loss, the real sacrifice may have been less than those book losses would seem to suggest. Nonetheless, the scale of initial capital requirements is of importance in that it indicates the magnitude of the funds involved and the risk of visible failure. If things go wrong with a buffer stock, the results of failure, even though they need not be more serious in their economic consequences than in the case of any other forms of international stabilization techniques or in the absence of any, will be more visible and thus politically more awkward. This is one main reason why governments may tend to be reluctant to contribute the initial capital required for an international stabilization pool.

107. If a country makes its initial capital contribution in the form of stocks which it would otherwise have continued to hold at its own expense, as for instance stocks held under a national price support program, the real cost incurred by that country in the transfer of such stocks to an international pool may be negligible, or nil. Indeed, the transfer may mean an actual saving through shifting part of the operating costs and capital risks involved to the other governments participating in the international pool. At the same time, such transfers of national stockholdings raise difficulties of a different kind. Governments holding large stocks and thus maintaining a large measure of influence in the world market may be reluctant to relinquish these unilateral powers through the internationalization of their stocks.

108. Other complications may arise from the absence of general currency convertibility, particularly if the sources of supply for the commodity concerned are partly or wholly in hard-currency areas. In such cases a buffer pool must be able to maintain a sufficient portion of hard-currency resources in its revolving fund but these resources may be subject to constant drain. While it is possible to think of certain forms of buffer stock management which would obviate or limit these difficulties, the aspect of currency complications in the absence of general convertibility must nonetheless be recognized as one of the limiting factors which in the view

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[12] M. K. Bennett and others: International Commodity Stockpiling as an Economic Stabilizer, Stanford University Press, Stanford, Calif., 1949. The 9 foodstuffs formed part of a proposed 21-commodities unit. The original composite unit, as proposed by Benjamin Graham in World Commodities and World Currency, New York, 1944, was based on 15 commodities, including 5 foodstuffs (wheat, corn, coffee, tea, sugar). A more recent version of a composite commodity unit, as proposed by Benjamin Graham in Era of Stable Prices, World, March 1954, includes 8 foodstuffs (rice, wheat, corn, sugar, coffee, barley, peanuts, copra) in a 20-commodity total, comprising 4 other agricultural products (cotton, wool, rubber, jute) and 8 nonagricultural raw materials.

[13] An up-to-date version of such a list, showing percentages of prewar and postwar values of world trade for each category, is given in appendix II.

[14] Another possible approach for arriving at such a first approximation list is to consider the range of commodities for which futures markets are in operation. A futures market, just like a buffer stock, cannot function effectively unless the commodity traded is fairly homogeneous, and commands a large and competitive international market, with no major currency problems arising in international arbitrage. The commodity also must be habitually subject to large fluctuations, otherwise it would not be worthwhile to operate futures. Futures markets are operating for the following food commodities: Wheat, coarse grains, soya (beans, oils, and oilcake), cottonseed oil, cocoa, coffee, sugar, lard, and bacon.

[15] FAO Commodity Policy Study No. 7: The Stabilization of International Trade in Rice. A Report on Possible Measures, FAO, Rome, 1955.

[16] FAO Commodity Policy Study No. 4: Observations on an International Sugar Agreement, FAO, Rome, June 1953.

[17] The actual scale of initial capital required will depend on the degree of fluctuations in production and trade for the commodity concerned, on the degree of responsiveness of prices to supply demand changes, and on the policies which it is intended to pursue (i. e. to what extent it is intended to narrow fluctuations through the pool's operations). In any case, however, for a buffer stock to be sufficiently powerful, its capital will have to correspond to the value of several months' trade for the commodity concerned. In 1947–53, the average annual values of world trade, in billion dollars, were 1.7 for wheat, 0.6 for rice, 1.4 for sugar, 1.2 for edible vegetable oils, and 1.7 for coffee (see appendix II). Thus, without entering into any detailed discussion of factors determining the actual scale of capital requirements, it is sufficiently clear from these examples that such requirements for a series of buffer stocks for major foodstuffs would have to be expressed in terms of billions.

of many would interfere with the effective functioning of buffer stocks.

109. No problems need arise in the financing of operating costs [18] out of current transactions. Since the buffer stock is supposed to sell primarily at times when prices are high and to buy when they are low, a cautious management should be able to meet such costs out of profits. There are many difficult problems involved, however, in the actual operating decisions to be taken by the management of a buffer stock. While it would take much too long here to enter into these questions in detail, the following aspects will help to illustrate the difficulties.

110. The main task of a buffer stock manager is to counteract excessive cyclical and other short-term market fluctuations without attempting to interfere with the trend. A mistaken effort of counteracting a downward price trend might lead to serious losses and waste of resources. When changes of supplies, prices, and market conditions are studied in retrospect, these elements of cycle and trend often can be disentangled to a fair degree. To disentangle them at the time they occur, however, and to counteract the short-term movements without counteracting the trend, is a difficult task for the manager of a buffer stock who is not endowed with perfect foresight. Some automatic safety checks might be applied by not allowing the accumulation of commodity stocks owned by the pool to grow beyond a certain size. Too rigid a system of automatic checks and controls will interfere, however, with the subtle and delicate task of effective market interventions. As was mentioned earlier, one main purpose of central buffer stock operations is to counteract the destabilizing effects of excessive speculative private stock movements. If the management is fettered by automatic checks and limits which moreover make it possible for the trade to guess the buffer stock's operating policies in advance, the purpose of the buffer stock's operations may be largely frustrated. One of the main problems for the joint owners of a buffer stock, therefore, is to strike the right balance with respect to the degree of discretion allowed to its management, as regards the width of the stabilized price range aimed at, the scale of stock accumulations, and more generally the choice between the often conflicting objectives of stabilizing market interventions on the one hand and financially profitable transactions on the other. Profits cannot be despised by a management which must break even financially. Seeing, however, that the "owners" of a buffer stock, as here envisaged, would be a group of governments, it might be difficult in practice to delegate to a manager the high degree of discretion that would be required for the effective functioning of the arrangement.

Conflicting national stockholding policies

111. It is sometimes argued that the prices of some of the basic foodstuffs, which would be technically suitable for international buffer stock operations, are in effect stabilized at present by the price-support policies of leading producing countries.

112. It is true, no doubt, that such policies lessen the danger of sudden violent price declines in international markets. Stocks accumulated under national price-support programs generally are firmly held; and even though the floors which such programs attempt to maintain relate to domestic rather than foreign prices, the danger of indiscriminate dumping of surplus stocks has been lessened by the widespread acceptance of a number of safeguards in line with internationally agreed principles of surplus disposal. No doubt, the present-day situation differs from that of the early thirties when the landslide of international prices of foodstuffs and other agricultural products could reach catastrophic proportions. At the other end of the scale, the existence of large reserves held under national price-support programs also provides some indirect assurance of price ceilings, through the protection it affords against unforeseen shortages, whether local or worldwide. In some respects, therefore, governments holding large reserves at their own expense provide a public service in the interest of the world as a whole.

113. It would go much too far, however, with few exceptions, to describe national price-support programs and their effects as true economic stabilizers. Such a description can only be legitimately applied to measures which help to promote long-run equilibrium between supply and demand. National support policies, on the other hand, whatever their justifications may be on other grounds, including social and strategic considerations, often do not promote such equilibrium but, on the contrary, tend to generate supplies in excess of effective demand at the prices which the support program attempts to maintain. The very fact of stock accumulations being generated under national price support measures is a symptom of disequilibrium between supply and demand. As was mentioned earlier, the apparent greater price stability for the commodity concerned may thus merely veil a rather unbalanced state of affairs, as demonstrated by actual surpluses (in the form of stock accumulations) or potential surpluses (i. e., in cases where production is being held down by output restrictions). More will be said in the next chapter about the structural character of present-day agricultural surpluses and about the difficulties which might be encountered in the reconciliation of national stockholding policies with the effective functioning of a world buffer stock. Meanwhile, for the purpose of this general review of practical limitations of international buffer stock operations, the following three main aspects need to be kept in mind:

(i) Governments holding large national reserves may be reluctant to relinquish their unilateral powers of control over these holdings;

(ii) Once the initial operating stock capital had been established, an international buffer stock could not be expected, as part of its regular stabilizing transactions, to absorb a continuing flow of surpluses generated under national support programs;

(iii) The maintenance of powerful national reserves could interfere with the effective functioning of an international buffer stock by countering, or superseding, the effects of the latter's operations in the market.

Problems of individual commodity bargaining

114. Some other practical limitations arise from the kind of bargaining difficulties likely to be encountered in the initial governmental negotiations on international buffer stock agreements. As was stated at the outset of these comments on world food buffer stocks, the analysis presented so far assumed that the buffer stocks would be established for each commodity separately, and that membership of the intergovernmental group in control of each buffer stock would allow for balanced representation of producers' and consumers' interests. The composition of membership and weights of voting would thus differ from one buffer stock to another.

115. The postwar ethics of intergovernmental commodity consultations demand that producers and consumers (or exporting and importing governments) should have equal weight in shaping the provisions of an international commodity agreement. There can be little doubt that this postulate is fair and, indeed, essential. It may be just as well to face the fact, however, that it makes the conclusion of individual commodity agreements more difficult than during the interwar period of largely unilateral approaches by producers or by their governments. It is not easy for governments to find the very point of bargaining balance at which they want to come in—and not even at all easy, it would seem, to admit when this point of bargaining balance would, in fact, appear to have been reached.

116. In essence, a commodity agreement negotiated on the basis of equal weights of producers' and consumers' interests can be defined as a contract of mutual risk assurance. The conclusion of such a contract would be a difficult task even if there was only one type of clearly definable opposite risks to be insured against; such as insurance over a given period against the risks of excessively high money prices on the one hand and excessively low money prices on the other, with negotiations being based on a definable normal base price. In fact, however, the various risks which both parties want to insure against are much more complex than this, and agreement on the normal base or range is in itself one of the main bargaining points. Some of the many partly conflicting considerations which enter into these negotiations, are sketched out broadly in the risk table shown on page 25. As can be seen from this table, there is only one of the various factors involved which is based on an identity of interests of both parties; namely, the desire to insure against the risks of sharply fluctuating prices. There is little likelihood of opposite risks being given equal weight by both groups (exporters and importers), taken as a whole, and some of the risks listed on either side are not even opposite but unconnected.

MAIN RISKS AGAINST WHICH INSURANCE IS SOUGHT IN INTERGOVERNMENTAL COMMODITY NEGOTIATIONS [19]

From the viewpoint of producers, or exporting governments:

1. Low prices:
(a) In terms of general purchasing power.
(b) In relation to the prices of goods they buy.
2. Sharply fluctuating prices.
3. Low (or sharply fluctuating) incomes which may occur even at prices stabilized in terms of general purchasing power, because of:
(a) Short crops (or major crop variations).
(b) Inadequate (or sharply fluctuating) volume of sales, caused by: Chronic (or cyclical) lack of importers' general purchasing power or scarcity of exporters' currencies; growing competition from alternative sources of supply (of identical or related products, natural or synthetic); any other factors influencing effective demand downward.
4. Any lessening in the proportion of receipts in desirable currencies out of total receipts for their products.

Insurance against the above risks being sought at a minimum cost of interference with national production and price policies.

[18] Operating cost (which in an accounting sense forms part, together with capital losses, of the ultimate financial outlay) is composed of the cost of storage, interest, insurance, depreciation, and the in-and-out charges of rotation. There is very little reliable information available on storage costs, which differ widely for the same commodity, depending on conditions of storage and other factors. For the purposes of this very general review, it will be sufficient, however, to accept some very rough approximations, using previous calculations, in the order of about 10 percent per annum for operating costs. Some initial liquid capital would be needed, of course, to meet initial operating costs and administrative expenses.

[19] Quoted from G. Blau: International Commodity Agreements, in Progress, Unilever magazine, Autumn 1954; see also FAO document CCP 53/16, May 1953.

From the viewpoint of consumers, or importing governments:

1. High prices:

(a) In terms of general purchasing power.

(b) High import prices in terms of exports.

2. Sharply fluctuating prices.

3. The risk of physical scarcity, with special reference to—

(a) National deficiencies (e. g. internal crop failures).

(b) Strategic considerations.

4. Shortages of exportable supplies in non-scarce currencies.

Insurance against the above risks being sought at a minimum cost in terms of restrictions on the freedom to determine the volume of purchases and shifts in sources of supply; and at a minimum cost of interference with national policies.

117. It is obviously extremely difficult in practice for negotiators to make any precise calculation of all these different, and partly conflicting, risks which they want to insure against. In fact, the rather bewildering array of different considerations which all play a part in the bargaining negotiations but which defy precise evaluation, tends to lead to the other extreme. Thus, there has come to be a growing tendency by the negotiating parties to look at each individual proposed international agreement as one big speculative deal—a deal which is complicated greatly by the fact that techniques for guessing price developments for some years ahead are very inadequate—and complicated even further by some inclinations to use the very bargaining positions in the negotiations of agreements as one of the means for influencing these future price developments. The result is that the guiding concepts and motives in international commodity negotiations are often very different from those of a consistent long-term policy of international stabilization. For such a consistent policy implies that no one party can be the gainer right through. It is inherent in a system of long-term stabilization that there must be both gains and losses on either side, which can cancel out only in the long run; the common net advantage being the higher degree of stability achieved by these means.

118. As regards international buffer stock agreements in particular, it would also have to be clear from the outset in such negotiations that it would not be possible to cover risks relating to adverse trend factors which cannot be influenced by buffer stock techniques.

Need for stability in real terms

119. One main reason, it is often claimed, for the inadequacy of any attempts to stabilize international commodity markets by means of separate self-contained arrangements for individual commodities (such as the establishment of individual food buffer stocks would be), is the lack of guaranties afforded under such arrangements for meeting the postulate of stability in real terms.

120. Clearly, what matters to producers and to their governments is stability in terms of real purchasing power, not just in money terms. The same is true for consumers and particularly also for importing governments who are harassed by fluctuations in their foreign balances. If the price of one commodity is stabilized in money terms in a world where the prices of all other goods may be subject to violent inflationary or deflationary changes, the effect of this stabilizing action could actually be destabilizing in real terms.

121. One of the main reasons why this argument of the possible dangers of destabilization in real terms should not be overstated is the fact, referred to earlier, that prices of primary products tend to fluctuate more violently than those of most other categories of goods and much more violently than cost-of-living indices generally. Thus, the moderation of excessive fluctuations of money prices of primary products can also be assumed to be stabilizing rather than destabilizing in terms of general purchasing power. It is true nonetheless than the postulate of stability in real terms does create some additional risks and complications in unconnected individual commodity negotiations.

122. Complex questions also arise in such negotiations, as regards substitution and the effects of relative price changes. If, for instance, the price of wheat were stabilized in terms of money whilst prices of coarse grains were left to fluctuate freely, it might be argued that wheat prices had actually been destabilized in terms of coarse grain prices and vice versa.

123. If international commodity agreements were concluded over so wide a front as to have a powerful stabilizing effect in themselves on the general price level (if there is such a thing, or on the general value of money in international transactions, the problem of stabilization in real terms versus money terms would be lessened in some major respects. Present evidence does not lead one to conclude, however, that current methods of international bargaining on a commodity-by-commodity basis will soon lead to so large a number of international commodity agreements as to provide in themselves a strong guarantee of general price stability.

124. It is sometimes argued that the chances of concluding a large number of individual commodity agreements—and thus also the chances of attaining general stability—could be promoted if negotiations were proceeding simultaneously, and in close coordination, for quite a number of products. The aim of such negotiations would be the conclusion of a series of separate agreements, each to be operated independently, but the initial bargaining would be conducted within the framework of one big multicommodity conference, with opportunities being afforded for swapping concessions in the negotiation of one commodity agreement against advantages in another, on the lines of tariff negotiations under the General Agreement on Tariffs and Trade.[20] The idea is no doubt attractive. Once negotiations are being conducted on a more comprehensive scale, it may be easier to reach a point of bargaining balance by setting off the export interests for some commodities against the export interests for others, rather than by trying to balance exporters' and importers' interests for any one commodity. Such techniques would also carry some dangers, however, particularly from the consumers' point of view. Moreover, the technical difficulties (i. e., difficulties arising from commodity and market characteristics) which are hard to overcome even in individual commodity bargaining, would be so greatly multiplied in this kind of multicommodity negotiations as to raise serious doubts about the chances of their success. And by having staked all on such a simultaneous and interconnected approach, one would have greatly magnified the risk of failure.

[20] See U. N. Experts' Report on Commodity Trade and Economic Development, op. cit., paragraphs 178–183. Such negotiations could obviously not be restricted to foodstuffs, since their chances of success would depend on the widest possible range of promising commodities being included in the initial negotiations. Nor would it be possible in such negotiations to regard buffer stock techniques as more than one of several possible forms of international commodity stabilization techniques which might have to be selected in varying combinations, depending on the special circumstances of each of the commodities under negotiation.

MULTICOMMODITY ARRANGEMENTS

125. The risk of magnified failure is also one of the main arguments against those more ambitious commodity stabilization plans which propose to proceed not merely through the simultaneous negotiation, or co-ordinated operation, of individual agreements, but through one master agreement for a whole group of primary products. Among these ideas a good deal of attention has been given in professional discussions to the proposal to stabilize the average price level of a basket of primary commodities, by means of international buffer stock operations being conducted in composite commodity units of fixed proportions but without any attempt being made to influence the relative prices of particular commodities within the chosen group.

126. By its very nature, an arrangement of this kind must include a representative selection of both agricultural and nonagricultural primary products. Because of this, and also because of the general monetary aspects and comprehensive character of the stabilizing functions envisaged in these proposals, their full review would go considerably beyond the terms of reference of this report which deals with the functions of a world food reserve to serve more limited objectives. Since, however, the proposals for a composite commodity reserve have evoked a good deal of interest, and since, moreover, they contain a number of features which are closely relevant to the analysis presented in this report, some brief comment seems required.

127. Under the plan for a Composite Commodity Reserve, or CCR for short, the governing body of the CCR would acquire composite units (or "baskets") whenever the composite price of the unit fell below 95 percent of an agreed base value, and it would sell such units whenever their combined quotations on the market rose above 105 percent of the base. At the same time, the stockpile of composite units would be used as backing for international money "in the same way that gold now backs most currencies."[21] By linking currencies with the commodity reserve currency in the same way as they are linked with gold in the days of the full gold standard, the purchase of commodit units would automatically create money in circulation and their sale would automatically destroy it. One main advantage claimed by the advocates of this version of the Commodity Reserve Currency plan is that it makes the composite stockpile generate the money to pay for itself, in contrast to other buffer-stock schemes "which have

[21] Benjamin Graham: Era of Stable Prices, 1954, op. cit. Full scale proposals on these lines by the same author were first published in Storage and Stability, New York, 1937, and World Commodities and World Currency, New York, 1944. See also M. K. Bennett et al.: International Commodity Stockpiling as an Economic Stabilizer, Stanford, Calif., 1949. For a useful list of early writings on the subject (1932–39) by V. Goudriaan, Frank D. Graham and others, as well as references to a selection of the large volume of subsequent literature published by many authors, including those mentioned above, see UN Experts' Report on Commodity Trade and Economic Development, op. cit., page 35, footnote 17. Reference should also be made to one of the most interesting contributions on the subject, which is not included in the UN report's bibliography, namely, an article on The Objective of International Price Stability, which was published by J. M. Keynes in the Economic Journal, June-September 1943, in reply to an article A Commodity Reserve Currency, by Professor F. A. Hayek in the same issue of the Economic Journal.

no way of guaranteeing that the necessary funds will always be available." [23]

128. Opponents of the scheme point out, however, that full automaticity and the "monetization" of commodity reserves could cause some harmful interference with national ecoomic and financial policies which require a good deal of flexibility and freedom of operations, both internal and external; and that, quite apart from some weighty objections in substance, it would also be politically unrealistic to assume, under present-day conditions, that widespread acceptance could be given to any plan which would place an international authority in a position of powerful control over national monetary and economic systems (which, moreover, would have to be modified in some major respects to fit the international plan).

129. The U. N. Experts' Report on Commodity Trade and Economic Development,[24] in an attempt to meet the criticisms of full automaticity of the monetary aspects of a commodity currency standard, whilst at the same time retaining the other essential features of the plan as worthy of further consideration, suggested that more detailed consideration might be given to a somewhat less ambitious version of the earlier proposals. Their preliminary inquiry was, therefore, directed to an arrangement which would still aim at stabilizing the composite price of a group of basic commodities and which could also be expected, in the course of its operations, to create international means of payment in the form of commodity certificates (issued against the commodity units held in the reserve) but which would make the creation or destruction of money permissive only, thus leaving countries free to use their national means of credit restriction and expansion as they saw fit.[24] In rejecting the more ambitious aspects of a commodity currency standard, the U. N experts also stressed the fact, however, that any such group-stabilization does, in fact, have some important monetary aspects which cannot be left out of account in the examination of such proposals (which also leads back to the remarks made earlier in this chapter concerning the need for stability in terms of general purchasing power).

130. In considering their more modest version of the plan, the U. N. experts, in line with earlier critics of the original proposals, still saw a considerable number of possible difficulties, which they set out in the form of questions requiring further study. Was it desirable in itself to stabilize a commodity unit over a period of years, or could economic progress be expected to go faster under the stimulus of a slowly rising price level? Would it be possible to operate a commodity reserve currency system without universal convertibility of currencies? Might not the attractiveness of the scheme as an automatic stabilizing device be seriously compromised by the degree of flexibility that would have to be introduced in order to make it work in a complex and dynamic world? And so on. Some of the most serious problems which have often been pointed out in regard to such proposals and to which reference was also made in the U. N. experts' report, arise from the possible distorting effects of composite buffer stock operations on relative price movements for commodities both within and outside the group.[25]

131. On the whole, however, while views on the probable merits and demerits of such group-stabilization plans may differ, it is widely accepted that some of the major technical difficulties in the way of its operation are as yet unresolved. Because of this, and also because of the lack of political support shown so far for the far-reaching institutional changes which would be involved in even the more modest versions of a plan of this kind, it would be difficult to regard the adoption of such composite stabilization proposals as being within the realm of practical politics at this stage (though further studies on the many outstanding questions might profitably be pursued).[26]

[23] Benjamin Graham: op. cit.

[24] Op. cit., ch. 6.

[24] U. N. Experts' Report on Commodity Trade and Economic Development, op. cit., ch. 6. "It would cause too much disturbance and confusion in existing monetary relations," the experts stated, "if gold were to be either demonetized or included as a constituent in the commodity unit. In consequence, certain currencies would have to be tied jointly to gold and the commodity unit. The effects of this depend on the precise nature of the money issued in exchange for a commodity unit. If it takes the form of commodity certificates, tied to a particular group of commodities, at a particular place, these will not be competitive with gold as a means of international payment (because of the much heavier proportion of transport cost to value for commodities other than gold). An international agency could, however, issue commodity certificates which were shares in its total worldwide holdings, undifferentiated by location; it would appear likely that these would become indistinguishable from gold as a means of payment. A national agency would issue money undistinguishable from the money already in circulation in the country, and its relation to gold would be the normal relation of that national currency." Quoted from the above report, paragraph 202; the paragraph ends by stating that these various possibilities require further investigation and study.

[25] If, for instance, at the outset of a depression, a steep fall in raw material prices were to bring down the price of the composite unit below the minimum point, the management of the Composite Commodity Reserve would have to buy both raw materials and foodstuffs in the fixed proportions of the unit, although food prices might have remained at much more normal levels. The operations could thus result in undesirable price increases in a number of individual markets. The opposite might well occur at the beginning of an industrial boom. Similarly, the ratio of unit prices to the prices of commodities outside the group might be affected in ways which would not be in line with the requirements of short-term equilibrium in several markets. Besides, although composite stabilization would remove the necessity for estimating trends in individual price movements, there still would remain the need for assessing the long-term trends between the group of commodies included in the unit and goods outside the unit. In any case, the operation of the scheme probably would conflict, at least in the long run, with basic changes in the underlying conditions of supply and demand for individual commodities in the composite unit. Some advocates of the plan point out that such basic trend changes are normally slow and that, if they were recognized, it might be possible to adapt the scheme accordingly by revising the composition of the stabilized group or by modifying the weights of its components. They also point out that the danger of disequilibrating short-term effects on individual commodity markets would be lessened by the greater overall stability due to the scheme, i. e., by its powerful contracyclical effects in general, which would help to moderate excessive fluctuations in all markets.

[26] It is sometimes asked whether some elements of the plan of a Composite Commodity Reserve could not be retained, whilst at the same time abandoning the condition of sales (or purchases) of commodity units in fixed proportions. If the fixed proportions of the commodity basket's operations were dropped, however, the character of the Composite Reserve would be completely changed. Decisions concerning the proportions of individual commodities entering into the Reserve's buying and selling operations would then have to be left to the management, to be determined from case to case. Any such scheme, though apparently functioning on a multicommodity basis, would thus, in fact, be more aptly described as an arrangement for the centralized administration of a series of individual commodity buffer stocks. The Composite Commodity Reserve's main idea of automatically stabilizing the average price of a group of commodities could no longer be guaranteed and attention would have to be focused instead on the stabilization of each of the individual commodities included in the Reserve. Once this latter aim were predominant, however, the centralized management and control of what would, in fact, be a series of individual buffer stocks, would meet with considerable difficulties. The composition and relative weights of the main producing and consuming interests differ from commodity to commodity. It would be difficult to envisage any of these interests accepting a scheme for the discretionary management of buffer stock operations without some carefully weighted intergovernmental control for each of the commodities concerned. Once the feature of automaticity of operations for a group of commodities in fixed proportions is dropped, therefore, it would seem politically more realistic to aim at the operation of a series of separate individual food buffer stocks, with the management of each being responsible to an intergovernmental group which reflects the relative weights of producers' and consumers' interests for the commodity concerned—though every effort would have to be made, of course, to ensure a high degree of coordination as between the different intergovernmental groups.

SUMMARY AND CONCLUSIONS

PART 1. FUNCTIONS OF A WORLD FOOD RESERVE—A GENERAL REVIEW

Chapter I: Objectives and methods

332. The General Assembly of the United Nations, in resolution 827 (XI) on the establishment of a world food reserve, referred to the need for national and international action to meet the following four main objectives:

(i) Raising low levels of food production and consumption, and fighting chronic malnutrition;

(ii) Relieving famine and other emergency situations;

(iii) Counteracting excessive price fluctuations;

(iv) Promoting the rational disposal of intermittent agricultural surpluses.

333. Whilst special interest was expressed by the General Assembly in an inquiry into the feasibility of a world food reserve serving the second and third of these four objectives, the resolution implied, particularly when read in conjunction with the preceding debate, that the FAO report should also take account of the first and last of the above-listed aspects.

334. To facilitate comparison, chapter I presents a summary tabulation of similar objectives in various postwar plans.

335. About the importance and desirability of the four main objectives, there can be little doubt. As regards the methods of achieving them, however, the answers are not always as simple as might appear at first sight, nor can they always be found in the direction which at first would seem the

most obvious. It is of great practical importance that these issues should be understood as widely as possible. Otherwise, there may be some danger that well-meant but wrongly directed efforts will lead to frustration, as they have done at times in the past, and delay such progress as can be made.

Chapter II. The setting of the problem-pressure against the margin of subsistence

Chronic Malnutrition and Its Causes

336. The first section of this chapter illustrates the serious and widespread character of undernutrition and malnutrition[27] in many parts of the world. It points to the growing discrepancies in levels, and rates, of economic development and of real incomes per head in different areas. Attention is drawn to the effects on population growth of the dramatic changes in mortality rates as compared with prewar, and to the economic implications in countries with inadequate rates of development. While some more speculative comment is offered on long-term prospects of expanding world food supply, the main problems of direct and urgent concern in regard to the first of the four main objectives listed above are summarized as follows:

(i) The main cause of serious undernutrition and malnutrition is poverty;

(ii) The main cure against poverty is economic development.

Stocks and Flows—Some Relationships Explained

337. While much has been and is being done to promote economic development, it is equally true and even more important to state that far more will need to be done if the fight against poverty and malnutrition is to be won, or at least not lost. Reference is also made in the report to the link between stability and development.

338. It is not possible, however, to cure the world's chronic malnutrition through the establishment of a World Food Reserve which operates on a self-financing basis and which acts as a world buffer pool at the same time. The main reasons are the following:

(i) Malnutrition is a chronic problem. Its main cause is lack of consumers' purchasing power. If a world food reserve were used for fighting chronic malnutrition, it would have to subsidize the distribution of foodstuffs to poor consumers on a continuing basis and its resources would soon be depleted unless (a) the reserve were constantly replenished by gifts in money or kind, or (b) the food supplies used for supplementing chronic deficiencies could be paid for, at least in part, out of income derived from the additional development programs which the extra food supplies would help to finance in the recipient countries.

As shown in chapter V, alternatives (a) and (b), or a combination of the two, may be of great practical interest, given adequate safeguards, as a means for providing additional capital, through the use of surplus food stocks made available by well-to-do countries on special terms, or on a grant basis, for the acceleration of economic development in low-income countries. Such uses of surplus food stocks in aid of development are not, however, financially self-liquidating, not in any case over periods sufficiently short for the replenishment of a world food reserve operating on the basis of a revolving fund. Instead, the dedication of surplus food stocks to development purposes, whether in the form of additional "food capital" being contributed to a special international fund such as the proposed Special United Nations Fund for Economic Development (SUNFED) or through other channels, including bilateral arrangements, would have to be seen in the wider context of the fight against chronic poverty and the promotion of economic development through organized international assistance.

(ii) The international use of food supplies to fight chronic malnutrition thus requires methods which are almost entirely distinct from, and largely incompatible with, the types of operations which a world food reserve would have to perform for the purpose of price stabilization. To serve the latter purpose, supplies must be bought and sold in the light of changing market conditions, with a view to counteracting excessive price fluctuations both upward and downward, and on terms enabling the administrative authority to break even financially and to maintain a high degree of short-term operating liquidity in terms of both money and goods (see pt. 1, ch. IV).

Poverty and the Need for National Reserves

339. Yet, while the cure of chronic malnutrition must be sought in the promotion of economic development and permanently higher real incomes rather than in the establishment of a World Food Reserve (unless conceived as a World Food Capital Fund), the need for national reserves is greatest and the ability to maintain them lowest in countries suffering from chronic malnutrition. This again is one of the sad paradoxes of poverty which must be squarely faced.

340. An account is given in chapter II of the economic advantages that could be derived by underdeveloped countries from special facilities for building up their national reserves, particularly with reference to (i) insurance against famine and other emergencies, (ii) protection against the effects of excessive and erratic fluctuations in the prices of staple foodstuffs, and (iii) providing some "elbow room" in national planning for economic development.

341. These considerations point again to possibilities of international food surplus uses in the wider context of economic assistance. The scope for such programs, seen in the light of the principles of surplus disposal recommended by FAO, is considered further in chapter V.

342. The chapter ends by explaining the reasons why it is easier to plan for multi-purpose reserves on a national than on an international scale.

Chapter III. Famine and other emergency relief

The Threat of Famine

343. There is a close link between chronic malnutrition and famine in the sense that the latter is most likely to occur, and to reach drastic proportions, in countries where normal food supplies are precariously low. But just as critical illness differs from lingering sickness, so does famine differ from chronic malnutrition in that it is not only more acutely serious but also lesser in incidence, more localized, intermittent, and unpredictable.

344. The main requirements of famine prevention and relief are summarized in paragraph 38. The major responsibility for meeting these requirements must continue to rest with national governments. Effective advance provision for relief from outside, if needed, must also be made, however, to insure that disaster will be averted or at least mitigated.

Existing Arrangements for International Relief

345. In recent years a number of countries stricken with serious food shortages or famine have been aided by generous relief supplies donated by the Government of the United States, and by other governments and non-governmental organizations.

346. The FAO Conference, while stressing the value of such arrangements, also concluded that the need still remained for considering more permanent intergovernmental provisions and arrangements for the detection and relief of famine emergencies.

347. Both the United Nations and the FAO have taken action in recent years to insure appropriate procedures for the detection, assessment, and appeal in cases of famine and other emergencies due to natural causes.

348. In addition, the FAO Conference also asked for some detailed studies to be undertaken on ways and means whereby an emergency food reserve could be established and made available promptly to member states threatened or affected by serious food shortages or famine.

FAO Studies on a World Emergency Food Reserve

349. The main conclusions of a series of FAO experts' studies on the establishment of a World Emergency Food Reserve can be summarized as follows:

(i) In the modern world, the difficulties of relieving emergencies caused by crop failures or other natural disasters are not likely to be found in the inadequacy of physical world supplies, but rather in the technical and financial obstacles likely to be encountered in the provision of speedy relief to stricken areas.

(ii) The main problem of international relief action, therefore, is not one of having to insure the physical availability of stocks by means of advance storage; but rather to finance, to organize, and to guarantee in advance, on agreed conditions and with appropriate priority assurances, the speedy delivery to famine-stricken areas of that small portion of total available stocks which may be required for emergency relief.

(iii) Based on these general conclusions, the FAO experts took the view that the desired conditions of utmost speed and flexibility of relief operations could best be met through the establishment of an international relief fund endowed with sufficient financial resources, in credit or cash, for ad hoc purchases as and where needed, rather than through the creation of an internationally owned emergency food reserve physically established in advance. It was also noted that international ownership of relief stocks would require a central administrative apparatus considerably greater than that needed for the management of a relief fund composed of money, or credit.

350. At the same time the FAO studies were guided by the consideration that in a humanitarian relief scheme every possible effort should be made to accept and use every kind of contribution, in whatever form and however small, and that some countries likely to offer substantial contributions to a relief scheme might find it easier to pledge contributions in kind.

351. Consideration was, therefore, also given in the FAO studies to various alternative arrangements, with a view to combining the acceptability of contributions in kind with the requirements of speed, flexibility and simplicity of administration and as far as possible with the more permanent features of agreed contributions and replenishment pledges. The main provisions of these arrangements are outlined in chapter III.

352. The FAO conference, when considering the results of these studies, concluded that at the technical level, the assignment of developing workable methods for the establishment and operation of a world food

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[27] Throughout this report it is assumed that the General Assembly, in using the term "chronic malnutrition" in the context of resolution 827 (XI) intended to refer to "diets inadequate for health," which may mean either insufficient calories, i. e., not enough food, or inadequate composition of diets, i. e., the wrong kind of food, or more generally a combination of deficiencies in regard to both quantity and quality. This interpretation of the term malnutrition differs somewhat from the technical meaning of the term, as used by nutrition workers. They reserve the term malnutrition for denoting "the wrong kind of food," whilst undernutrition denotes "not enough food." See pt. 1, footnote to paragraph 4.

reserve had been fully met, and that further steps had to depend on the attitudes of governments concerning the need for action and their intentions to contribute to an international emergency pool. Because of insufficient support on either count, no action was taken. This is where the matter still rests.

Chapter IV. Counteracting excessive price fluctuations

353. This chapter starts off by explaining some of the main reasons why short-term movements in the prices of primary products—and particularly of agricultural products—if left entirely to the influence of market forces, often tend to be excessive. Some indication is given, based on recent studies, of the criteria applicable to a definition of "excessive" price fluctuations. This is followed by some explanation of the disadvantages resulting from such instability not only to producers and consumers (or exporting and importing countries) of the commodities concerned, but also to world economic conditions generally, with special reference also to effects on development.

354. For reasons briefly noted in chapter IV, fluctuations in the prices of internationally traded raw materials tend to be even more pronounced than those of international food prices. It is also pointed out, however, that the apparent lesser instability of international prices of food and some other agricultural products may merely veil a highly unbalanced situation of actual excess supplies (in the form of unwieldy stock accumulations) or potential excess supplies (held down by output restrictions) which cannot be absorbed at the quoted international prices or in the currencies in which payment is required.

What Buffer Stocks Could Do

355. In considering the part which a world food reserve could play in counteracting excessive fluctuations, the analysis first proceeds on the assumption of separate international buffer stocks being operated for each of a range of eligible food commodities. The different concept of a composite commodity reserve is considered later (see Multi-Commodity Arrangements, below).

356. The general idea of maintaining commodity buffer stocks which could carry productive resources from periods of relative abundance to relative scarcity, is an essentially sound one. The very concept of buffer stocks is sheer common sense and it is applied in many walks of life, both physical and economic. Whilst a buffer stock would not be a suitable instrument for interfering with long-term trends in supply, demand or prices, it could exercise considerable influence, on certain conditions, by provoking, or preventing, short-term price changes through additions to, or withdrawals from, the supply available in the market.

357. Buffer stock techniques also hold some advantages over other forms of international commodity stabilization. In cases where other types of arrangements, such as multilateral contracts or even quotas, would appear more suitable for achieving stated objectives, some of the advantages of buffer stock operations could still be retained, on certain conditions, by a combination of techniques.

Some Practical Limitations

358. Having noted a series of points in favor of buffer stocks, the report goes on to ask why despite all these advantages there are no such international arrangements in operation. It is noted further that the history of the world knows of no example of an international buffer stock ever having been operated in peacetime for any foodstuff or group of foodstuffs. Reference is made to a number of limiting factors, under the following headings:

359. (i) Commodity and market characteristics: From a general review of commodity and market characteristics, it is concluded as a first approximation that a list of about a dozen food commodities, accounting for around 10 percent of world trade, could be regarded as technically eligible for international buffer stock operations. Closer inspection suggests, however, that for several of the commodities included in such a "first approximation" list, the obstacles on technical grounds alone, though they should not a priori be described as prohibitive, are likely to be considerable.

360. (ii) Finance. The initial capital required for establishing a series of buffer stocks for staple foodstuffs would approximate a value of several billion dollars. Such capital does not represent "cost." Indeed, a buffer stock may end up with a profit on capital account. The scale of initial capital requirements is significant, however, in that it indicates the magnitude of the funds involved and thus the magnitude of the risk of visible failure.

361. If a government contributes to an international pool from stocks which it would otherwise have continued to hold at its own expense, the real cost of such a transfer may be negligible, nil, or minus. Governments holding large stocks and thus maintaining a large measure of influence in the world market may be reluctant, however, to relinquish these unilateral powers through the internationalization of their stocks.

362. Other complications would arise, particularly for commodities with sources of supply in hard-currency areas, from the absence of general currency convertibility.

363. Operating costs, on the other hand, need not be regarded as too great a burden, particularly also in view of the facts that (i) wisely managed buffer stock operations could be self-liquidating, and (ii) the cost of holding stocks internationally would not in any case be wholly additional in money terms, and even less so in real terms, to the costs, incurred in the absence of such buffer stock arrangements.

364. (iii) Management: The manager of a buffer stock is faced with the difficult task of having to differentiate between excessive short-term fluctuations (which should be counteracted) and reasonable short-term fluctuations, or long-term trends (neither of which should be counteracted through buffer stocks). Some automatic safety checks can be applied to limit the risk of wrong decisions. Too rigid a system of automatic checks and controls will interfere, however, with the subtle task of effective market interventions. Seeing that the joint owners of buffer stocks, as here envisaged, would be governments with partly conflicting interests, it may prove difficult to delegate to a manager the high degree of discretion that would be required for the effective functioning of the arrangement.

365. (iv) Conflicting national stockholding policies: In some respects, governments holding large reserves at their own expense provide a public service in the interest of the world as a whole. As regards international buffer stock operations, however, it must also be kept in mind that the maintenance of powerful national reserves could interfere with the effective functioning of an international buffer stock by countering, or superseding, the effects of the latter's operations in the market.

366. (v) Problems of individual commodity bargaining: The postwar ethics of intergovernmental commodity consultations demand that producers and consumers (or exporting and importing countries) should have equal weight in shaping the provisions of an international commodity agreement. Whilst this postulate is fair and, indeed, essential, it does make the conclusion of international commodity agreements more difficult than in earlier periods of largely unilateral approaches by producers or by their governments. These difficulties are set out in the form of a "risk table" which indicates the large variety of partly conflicting considerations likely to influence the positions of negotiators on each side.

367. (vi) Stability in real terms: Another reason, it is often claimed, for the inadequacy of self-contained stabilization arrangements for individual commodities (such as the establishment of individual food buffer stocks would be), is the lack of guaranties afforded under such arrangements for securing stability in terms of real purchasing power and not merely in money terms. The report, whilst giving some reasons why these difficulties should not be overstated, concludes nonetheless that they may at times be considerable.

Multicommodity Arrangements

368. The risk of magnified failure is one of the main drawbacks of those more ambitious commodity stabilization plans which propose to proceed not merely through the simultaneous negotiation or coordinated operation, of individual agreements, but through one master agreement for a large group of primary products (which by nature of the proposals would also have to include nonfood products). Mention is made in this connection of the longstanding proposals for a composite commodity reserve which would aim at stabilizing the average price level of a basket of primary commodities by means of international buffer stock operations being conducted in composite units of fixed proportions, but without any attempt being made to influence the relative prices of particular commodities within the chosen group. The report concludes that some of these proposals may deserve further study. It also points out, however, that because of unresolved technical difficulties and also because of lack of political support shown so far for the far-reaching institutional changes that would be involved in even the more modest versions of such plans, their adoption cannot at this stage be regarded as being within the realm of practical politics.

How the Chances of Concluding International Buffer Stock Arrangements Might Be Improved

369. As regards individual commodity buffer stocks on the other hand, whilst the range of eligible commodities has been found to be modest, the experiment untried, and the practical limitations severe, a more gradual approach might be feasible and ways might be found of flexible coordination of individual arrangements. Much would also depend on steps taken for the indirect support of such negotiations through creating the conditions, technical, political, and economic, that would enhance the chances of success. The following points are suggested for consideration in this connection:

First, some of the underlying technical obstacles could be lessened through determined action, both national and international, with a view to further improvements in the standardization of grades, contracts, and other market practices.

Second, every effort would have to be made to reduce the range of trading risks against which insurance is sought by means of international bargaining. Such a reduction of the "international risk bargaining area" could be brought about in various ways, notably the following:

(i) The coordinated development of national stabilization measures;

(ii) The wide-scale adoption of liberal national stockholding policies; but also

(iii) The recognition of national stock-release decisions as matters of international concern, to be governed by a generally accepted code of international behavior in these matters.

Third, further close study is needed of the effectiveness of alternative types of stabilization techniques in terms of the different types of risks against which insurance is sought on the international plane.

Fourth, apart from the above-mentioned need for the international coordination of national stockholding policies, there also is need for better insight into the possible conflicts between some existing national policies on the one hand and international buffer stock arragements on the other.

Fifth, and very importantly, it would have to be widely understood that international commodity agreements, such as the operation of international buffer stocks, could not be expected to solve too many problems. If expectations are set too high, there will be no practical followup, and even the limited results which could be achieved by such techniques will be lacking. In particular, commodity buffer stocks or other forms of individual commodity agreements could do little in themselves to solve the following problems:

(i) Chronic deficiencies of purchasing power and the structural problems arising from different levels, and rates, of economic development.

(ii) Chronic scarcities of exporters' currencies arising from the persistent and structural balance-of-payments difficulties of other countries.

(iii) The stabilization of long-term relationships between the prices of different categories of goods entering the world market (which in any case might be a very dangerous thing to do).

Sixth, there is need for a better understanding of the complicated technical, economic, and political issues which often arise in practical commodity negotiations at the brass-tacks level, and which are generally much less apparent when intergovernmental discussions are merely concerned with the enunciation of general principles. Widespread understanding of these issues would strengthen the hands of governments in international negotiations by making them more confident of political support for the conclusion of international stabilization agreements, even at the risk of some temporary concessions in terms of national policies.

Chapter V. Food surpluses and their possible uses

370. In a world of convertible currencies, the term "surplus," if it is to be meaningful as a basis for action, must mean surplus at a price. One way, therefore, of changing surplus stocks into salable stocks is to lower the price at which they are offered for sale. The insistence on price as a major element in any surplus situation should not by any means be taken to imply, however, that all disequilibria between supply and demand can automatically be solved just by leaving the market to look after itself. Indeed, the mechanism of free market prices may at times be a very inadequate instrument for regulating supply and demand, particularly for agricultural products.

The Emergence of Structural Surpluses

371. The difficulties and hardships of adjustments, it is often claimed, are among the main justifications for various forms of governmental intervention in regard to agricultural prices, production and trade, which in one way or another have been instituted in a large number of countries, both exporting and importing. Without attempting to judge the pros and cons of such interventions (which would have to be judged on the merits of each case), the report notes as a datum that national price-support policies are largely here to stay; and so are the closely linked phenomena of continuing, or recurring, stock accumulations. Such surpluses are thus of a primarily structural rather than seasonal or cyclical character. While other factors may add to the accumulation, their main cause is a structural deficiency of effective demand at the prices and currencies asked for.

Stockholding Policies in Countries Where the Surpluses Originated

372. The report presents the following three main conclusions on the functions of surplus stockholdings in the countries where these stocks originated:

(i) Liberal and wisely managed stockholdings are essential elements of a balanced economy. They are in the interests not only of the countries holding the stocks but also of other countries.

(ii) The dedication of surplus stocks to new national reserves for special purposes otherwise left uncovered may be useful, on certain conditions, not only by furthering these purposes but also by helping to relieve the immediate pressure of supplies. In particular, they may also be of help as transitional measures facilitating adjustment.

(iii) The mere segregation of surplus stocks for special purposes, unaccompanied by other provisions, cannot be expected, however, to provide any enduring solutions in those surplus situations which have no reversal of the supply and consumption trends in sight.

International Uses of Food Surpluses

373. Domestic measures of surplus disposal in the countries of origin, whilst providing major outlets, are not considered in any detail in this report because they bear a less direct relation than international uses to the issues raised by the General Assembly's resolution. In considering international uses, the report deals particularly with the following four main aspects.

374. (i) Surplus disposal and international buffer stocks. It is in periods of plentiful supply that buffer stocks must be built up. Assuming that the owners' reluctance of internationalizing, part of their national surplus stockholdings can be overcome, and that suitable ways of financing such initial contributions can be found, the utilization of surpluses could be a major factor in helping an international buffer pool to get started. For reasons outlined in chapter V, it is more difficult to see, however, how from then on an international buffer stock could provide continuing outlets for the kinds of structural surpluses with which we are here mainly concerned.

375. The answer to the question raised in the General Assembly's resolution as to possible ways through which a world food reserve could "promote the rational disposal of intermittent agricultural surpluses" therefore turns, in the case of an international stabilization reserve, on the interpretation of the word "intermittent." If, in speaking of "intermittent surpluses," it is merely intended to refer to largely random short-term supply fluctuations or to surpluses generated by a temporary recession of demand below its long-term average, the absorption of such seasonal or cyclical excess supplies should be one of the main functions of a well-run buffer stock. If, on the other hand, the "intermittent surpluses" is meant to include the kinds of structural surpluses which are the most prevalent in the world today. the answer concerning the scope of their absorption by an international buffer stock must be largely in the negative, once the initial operating stock has been established.

376. (ii) Surpluses as capital for development. Yet, it is possible to think of an entirely different kind of international food reserve which holds very interesting prospects for the use of surplus supplies in aid of additional investment in underdeveloped countries. As stated earlier, this alternative cannot be expected, however, to be self-financing, nor could the modes and timing of such operations be combined with those of commodity stabilization reserves. Instead, the use of surpluses in aid of development must be seen in the wider context of international economic assistance.

377. In reviewing in chapter V the scope and limitations of such arrangements, the analysis starts off with an explanation of the very concept of using surpluses available on special terms, or on a grant basis, in aid of development in underdeveloped countries. This explanation should hold true for all forms of international uses of surpluses for development purposes, irrespective of whether such transactions are being organized between pairs of countries (as is being done under some existing programs) or on a multilateral basis (as might be done through the medium of a World Food Capital Fund, see below).

378. It is pointed out that the number of special conditions required for insuring, by means of such transactions, the dual blessing of larger immediate consumption and accelerated development is quite large. Fortunately, however, it so happens that some of these special factors usually can be expected to exist, and indeed to form a characteristic part of, the economies of underdeveloped countries. Thus, once the conditions required for achieving the dual blessing in recipient countries are clearly understood, there should be considerable scope for the application of these methods. On the side of donor countries, the main need is for some continuity of supplies of a range of suitable commodities being made available on stated terms, which will enable potential recipient countries to plan programs with the help of these supplies for some period ahead. There will usually also be need for other forms of supplementary financing.

379. (iii) Surpluses and international emergency relief; and (iv) surpluses and national reserves in underdeveloped countries. Reference has already been made, earlier in this summary, to the desirability of providing, or earmarking, supplies for these purposes. By their nature, such transactions, which call for additional supplies being made available, also are likely to meet the conditions of minimum market interference stipulated in the FAO Principles of Surplus Disposal.

CONVEYANCE OF CERTAIN PROPERTY TO THE COUNTY OF PIERCE, WASH.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 1987, Senate bill 3457.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3457) to authorize the Secretary of the Treasury to convey certain property to the County of Pierce, State of Washington.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interstate and Foreign Commerce, with amendments.

Mr. MORSE. Mr. President, I should like to have an explanation of the bill.

Mr. MAGNUSON. The bill would authorize and direct the Secretary of the Treasury to transfer a 105-foot strip of land, consisting of 0.8085 acre, at the southern end of Browns Point Coast Guard Life Station Reservation in Pierce County, Wash. The bill contains ex-

press conditions that a fence shall be constructed at certain points, because the property will be used by the Boy Scouts for recreational activities. They are using it at the present time, and the bill, among other things, would permit them to put up a fence, so that the Coast Guard would not have to worry about it; and so forth.

Mr. MORSE. I wish to help the Boy Scouts, too, and I love them very much.

Mr. MAGNUSON. The Girl Scouts are involved, too.

Mr. MORSE. I certainly love the Girl Scouts, too, inasmuch as I am the father of three daughters. I am willing to offer an amendment to modify the bill so as to provide an appropriation for Boy Scouts and Girl Scouts from the Federal Treasury. I believe that would be a good expenditure to make.

However, I do not believe in a discriminatory approach to this subject. I do not believe that Boy Scouts or Girl Scouts should receive preferential treatment. This is not the same as the Mississippi case, which was discussed a few minutes ago. In my judgment, the Mississippi case could not be justified, so far as giving away the reversionary interest of the Federal Government in 4–H work and home demonstration work was concerned. In connection with that bill I said I would vote for an appropriation for the 4–H Club and the home demonstration work on a uniform basis in the 48 States. In that instance, a piece of property had, in the first place, been conveyed to a local governmental unit with the understanding that if it ceased using it for that purpose it would revert to the Federal Government. Here we have, in the first instance a piece of Federal property which it is proposed to transfer to a local interest group. I do not know what the property is worth. Maybe it is worth a dollar.

Mr. MAGNUSON. It is worth $513.

Mr. MORSE. I was saying that it may be worth no more than a dollar. If so, the Federal Treasury should get 50 cents under the Morse formula. In this instance the Government should get approximately $250. I believe we should insist on the Government's getting $250. I know the plight I am put in, in the closing days of the session, when I must rise on the floor and argue against a bill in regard to which the claim of minimus can be made, because, it is such a small matter, the property being worth only $513 in all, and it can be said that to vote against it would obstruct a worthwhile undertaking.

However, the fact remains that it is discriminatory legislation, in that it violates the Morse formula; therefore I cannot vote for it.

I will therefore offer my standard amendment, which Senators have voluntarily accepted in connection with scores of bills during the past 10 years in connection with similar proposed legislation, with the result that the taxpayers of the United States have been saved a little more than $500 million. That is not chicken feed. Although in this instance only $250 is involved, I believe we ought to apply the formula. Therefore I shall ask that my amendment be stated.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The parliamentarian informs the Chair that it will be necessary first to adopt the committee amendment and then the Senator's amendment may be stated.

The committee amendment will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 2, line 4, after the word "the", to strike out "sixteenth" and insert "one-sixteenth", in line 11, after the word "thence", to strike out "each" and insert "east", and after line 21, to insert:

SEC. 3. The conveyance shall contain the express conditions that the Brown's Point Improvement Club shall move and reestablish the fence on the relocated south line of the said Coast Guard reservation, and shall provide an access gate, and provide and maintain a suitable access road therefrom through that portion of the strip of land conveyed, and property owned by said club, in order to provide access from the Government property to Tonawanda Avenue, Brown's Point, and upon failure to do so in that portion of the strip of land conveyed shall revert to the United States.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to convey by quitclaim deed to the county of Pierce, State of Washington, for public use through the Brown's Point Improvement Club, incorporated and organized under the laws of the State of Washington as a nonprofit organization, the following strip of land, being a portion of the Brown's Point Coast Guard Light Station Reservation, Pierce County, State of Washington.

Beginning at Government meander corner at the southwest corner of lot 1, section 17, township 21 north, range 3 east, Willamette meridian, Pierce County, Washington, located 53.09 feet north of the centerline of Tonawanda Avenue and 580 feet due west from the one-sixteenth corner between sections 16 and 17, township 21 north, range 3 east, Willamette meridian, thence north 29 degrees 13 minutes 09 seconds west 56 feet to a point of beginning on the south boundary line of Coast Guard property, thence north 29 degrees 13 minutes 09 seconds west 120 feet to a point on the Government meander line lot 1, thence east 364 feet to a point on the Coast Guard east boundary line, thence south 105 feet along the east boundary line to a point which is 3 feet east of a concrete monument located on the Coast Guard south property line, thence west along the south property line 306 feet to the point of beginning, including any rights to contiguous tidelands not acquired by the State of Washington.

SEC. 2. The conveyance of the property authorized by this Act shall contain a condition that, in the event the property so conveyed to such county ceases to be used for public purposes, title therein shall revert to the United States.

SEC. 3. The conveyance shall contain the express conditions that the Brown's Point Improvement Club shall move and reestablish the fence on the relocated south line of the said Coast Guard reservation, and shall provide an access gate, and provide and maintain a suitable access road therefrom through that portion of the strip of land conveyed, and property owned by said club, in order to provide access from the Government property to Tonawanda Avenue, Brown's Point, and upon failure to do so in that portion of the strip of land conveyed shall revert to the United States.

The PRESIDING OFFICER. The question is an agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The amendment offered by the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. On page 2, line 19, after the words "this act", it is proposed to insert "(1) shall be subject to the conditions that the county of Pierce pay to the Secretary of the Treasury as consideration for the land conveyed an amount equal to 50 percent of its fair market value as determined by an independent appraisal of such land, and said conveyance shall reserve to the United States all mineral rights, including oil and gas in the land so conveyed, and (2)."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon.

Without objection, the amendment is agreed to.

The bill is open to further amendment.

Mr. JOHNSON of Texas. Mr. President, I invite the attention of the Senator from Washington to the statement of the Chair. Do I understand correctly that the amendment is agreed to?

The PRESIDING OFFICER. The Senator is correct.

Mr. MAGNUSON. I wanted to have a vote on the amendment. I did not understand that the Chair had called for a vote.

The PRESIDING OFFICER. The Chair had called for a vote.

Without objection, the action of the Senate in adopting the amendment is reconsidered, and the Chair will put the question again. The question is on agreeing to the amendment offered by the Senator from Oregon. [Putting the question.]

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MAGNUSON. Mr. President, there is a similar House bill on the calendar. I ask unanimous consent that the Senate proceed to the consideration of the House bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 10184) to authorize the Secretary of the Treasury to convey property to the county of Pierce, State of Washington.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MAGNUSON. Mr. President, I ask that all after the enacting clause be stricken, and that the text of the Senate bill, as amended, be substituted therefor.

The PRESIDING OFFICER. Without objection, it is so ordered. Without objection, the amendment is agreed to. The question is on agreeing to the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 10184) was read the third time and passed.

The PRESIDING OFFICER. Without objection, the Senate bill 3457 is indefinitely postponed.

Mr. MORSE. Mr. President, I wish to express my very deep regret that this violation of my cherished formula has taken place on the floor of the Senate. Anyone who finds himself in my position is confronted with the question of what parliamentary action he should take.

I have tried to cooperate with the leadership and I have tried to cooperate with the Senate. I am familiar with the fact that on a bill of this kind I will probably be overridden, but that does not make it right. Therefore I wish to say that if it becomes necessary in these closing days of the session for me to resort to my parliamentary rights in the Senate to prevent a continuing violation of the formula, I shall do so. As I said to my friend from Washington and to the majority leader, I will take my chances on my amendment. I thought my amendment would be adopted. It certainly should be adopted. I have lost the amendment. I will not lose anymore in this session of Congress.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. Has the bill been acted upon?

The PRESIDING OFFICER. Yes; the bill has been passed.

Mr. MAGNUSON. Mr. President, I did not intend to suggest anything that would not be right. I did not hear the Presiding Officer say the amendment was agreed to. I was reading a portion of the report on the bill, and that is why I asked that it be not agreed to. I would have no objection to agreeing to the amendment, but the bill would go to the House and if it contained that amendment, the House would not consider it and the bill would be lost.

I wish to assure the Senator from Oregon in this particular case that while Pierce County could pay the money, in the beginning Pierce County gave this land to the Federal Government for a lighthouse. A small portion of the tract is a beach which is used by the club and by the youngsters to whom I referred. The Coast Guard has never even claimed title to it. They did have title, but they always permitted people to use the beach. Once in a while a Coast Guard chief comes along who does not like children bathing in front of the lighthouse, and he drives them off.

I know that gentle and compassionate as is the Senator from Oregon, he appreciates the fact that as a result of the enactment of the bill, at this season of the year, children will be able to bathe and disport themselves in the clear, blue waters of Puget Sound.

Mr. MORSE. Mr. President, that little speech by the Senator from Washington is an indication of why he is held in such endearment by the people of his State. He has not kidded me a bit.

I want the leadership to know that I never felt any better physically than I do now in all my 11 years service in the Senate. Probably I need to have a little exercise for the months ahead. Therefore, I am ready to participate in that exercise if any more attempts are made against the Morse formula between now and adjournment.

I shall be very glad to keep on, trusting in my ability to use parliamentary tactics, and I shall not sit here and see any more assaults on the Morse formula.

FOREST PRODUCTS PRICE REPORTING AND RESEARCH

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which the Secretary will state by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 4059) providing for price reporting and research with respect to forest products.

DISPOSITION OF STOCKTON AIR FORCE STATION AND STOCKTON ANNEX, CALIFORNIA

Mr. MORSE. Mr. President, I wish to call attention to the action which was taken earlier today with reference to Calendar No. 2696, House bill 9970. It is a bill which pertains to the disposal of the Stockton Air Force Station and the Stockton Annex, California.

Mr. President, I was not on the floor this morning when that bill was called on the calendar, because of two emergency meetings of committees of which I am a member. One of them was a meeting of a subcommittee of the Committee on Armed Services having to do with an Air Force training school in Oregon, and the other was a meeting concerning emergency issues before the Foreign Relations Committee. I think it is only fair to myself to say that the counsel for the Maco Warehouse Co. in Stockton, Calif., an attorney by the name of Lawrence Edwards, should have the benefit of this statement in the RECORD.

Mr. Edwards submitted to me a statement in opposition to H. R. 9970, and his statement in behalf of his clients sets forth the request that the property be turned over to General Services, and that after General Services have exercised their statutory rights, in case no other governmental agency should want use of the property, the property be then put up to the highest bidder.

I checked this matter, and I want Mr. Edwards to know that even though I was not present objecting to the bill, it could have been brought up on motion; and if it could be passed on the call of the Unanimous-Consent Calendar, I think he is aware that it could have been passed on motion.

I believe, however, that Mr. Edwards' position is sound. Here is a case in which we are turning over a piece of property to a preferred grantee when that grantee might not be the one who would get the property if it were put up to bid. I do not know what the result of the bidding would be, but I think the Federal Government would have obtained more money for this particular property if there had been bidding on it than by conveying the property to a preferred grantee.

Mr. President, I think that particular legislative approach to these questions is wrong. If there is a piece of property which, in fact, is surplus, we ought to pass it over to the General Services Agency, and the General Services Agency should dispose of it in accordance with existing law. We all know what that law is. We all know that if no other Federal agency wants the property, if none of the other preference groups want the property, it should go to the highest bidder.

But that is not what this proposed legislation has done. It results in other Government agencies not even getting a chance at the property. It may be that no other Government agency wants the property; but who knows? They have not had a chance to express their desire. It also means that other parties, such as the clients of Mr. Edwards, are, in effect, ignored. I do not think that is very fair treatment.

My sense of fairness causes me to express this opposition to the procedure followed in connection with the bill. The authors of the bill had a right to follow this course of action if they so desired, but, on the other hand, I do not think it is good legislation. Had I been present I would have objected to it, but, as I have already said, it would not have done any good so far as getting action is concerned, because I was given assurance that if I did object to the bill, it would be called up on motion. So, my objection would not have stopped the passage of the bill.

My suspicion is that once again the taxpayers of the United States have lost money. Under the General Services procedure we would have received more money by reason of putting the property up for bids than we will get by picking this preferred customer and assuring him that he can get the property without the other possible purchasers having a chance to bid on it.

But that is what we may expect in the closing days of the session, Mr. President. I could not be in more than one place at once, but if I had been present my objection would not have done any more good then than now, because the bill was set to pass, and it would have been passed one way or the other.

Mr. President, I ask unanimous consent that the letter addressed to me by Mr. Lawrence Edwards may be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *July 21, 1956.*

Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.

DEAR SENATOR MORSE: In accordance with your suggestion, I herewith present a condensed statement of facts in connection with and objections to H. R. 9970.

The bill authorizes sale of approximately 250 acres of surplus United States Government real property and improvements thereon by the Secretary of the Army to the

Stockton district for industrial development, to be conveyed in fee simple (with no recapture clause) by the Secretary of the Army at a fair market value.

OBJECTIONS

1. The bill seeks to bypass the statute providing the manner and method of disposing of surplus United States Government real property (Federal Property and Administrative Services Act of 1949, sec. 203, 63 Stat.). The provisions of this act are clear and comprehensive and should control the contemplated sale. The General Services Administration would conduct said sale to the best advantage of the United States Government and in a fair competitive manner.

2. The bill is discriminatory in that it restricts the sale to one purchaser, thus eliminating all other interested citizens or organizations. This is undemocratic and not the American way of doing business.

3. The port, the selected purchaser, does not require the land as a port facility; on the contrary the port proposes to develop same for industrial sites. Any other purchaser would do likewise, as the property is ideally adapted to such use.

4. The land is fully developed for industry. Installations including fencing, hard-top, roads, railroad tracks and switches, sewers, drainage, steel water tower, all utilities and some buildings, the major ones being two large warehouses totaling 800,000 square feet, and two companion buildings of equal area equipped with roof only. They are constructed in the conventional warehouse style and include a complete automatic fire extinguisher system. The property is serviced by all three transcontinental railroads, major State highways and deep water. Interstate terminal rates prevail. With these advantages, lively competitive bidding would result if General Services Administration screened the property and conducted the sale.

5. The port has nonpreferential status.

6. The General Services Administration and the Department of Defense do not endorse but do not oppose the sale.

7. The appraised fair market value has been predetermined at $850,000, as appears in the transcript of subcommittee hearings on page 7643 on H. R. 9970 in the House of Representatives Committee on Armed Services held Thursday, May 17, 1956. Reading said testimony it appears it was agreed the appraising agency would and should be made by the Corps of Engineers; further, that said appraisal had, as stated, already been made. Major Johnson, Deputy Chief of Staff for Logistics, Department of the Army, testified as shown on page 7645 of hearings and gave the above amount as that Department's fair appraisal value. We believe competitive bidding will bring a substantially higher price. To illustrate: The fair value in the records referred to is definitely stated to be approximately $850,000. It is a fair assumption that all parties regard that as the United States Government asking price. The port is privileged to negotiate for a lower price and may succeed. The two warehouses grossing 800,000 square feet would certainly cost in excess of $2 per square foot or $1,600,000 to erect. The value of the land and installations must be added. We believe the amount arrived at sustains our contentions. Since the year 1951 the United States Government has expended large sums in rehabilitating said warehouses, so that the same are now in excellent condition and ready for occupancy.

8. We suggest the only object of the bill is to bypass General Services Administration and eliminate competitive bidding.

9. The opponents of this bill were former tenants of the United States Government, Department of the Army, having acquired a leasehold interest in the two aforementioned warehouses through competitive bidding, the said port of Stockton at that time being the low bidder with a bid of $25,000 as against our bid of $65,000 per annum. Said opponents are still interested in the property and desire a fair chance to bid for it.

10. Although written objections to said bill were duly filed with the chairman of the Senate Armed Services Committee and a hearing thereon assured, no such hearing has ever been given opponents before the members of the Subcommittee on Armed Services, apparently for the reason it was not brought up for consideration until the closing days of this session, i. e., on July 19, 1956.

Attached are:

(a) Copy of written objections filed with the Senate Armed Services and requesting hearing.

(b) Hearings of House of Representatives Armed Services Committee.

(c) Copy of the February 7, 1956, issue of Stockton Record, declaring uses to which port contemplates putting said property.

Concluding, it is our opinion there is no valid reason for evading the applicable statute for disposing of surplus property; that in doing so, it will stifle competition, deprive other citizens of their rights, and result in substantially lower returns to the United States Government.

In principle we believe it is a bad bill.

Respectfully submitted.

LAWRENCE EDWARDS,
Attorney for Maco Warehouses Co., a partnership, opponents.

NEEDED REVISION OF THE McCARRAN-WALTER ACT

Mr. MORSE. Mr. President, ever since I voted against adoption of the McCarran-Walter Act, I have supported all efforts for its revision. Along with a number of other Democratic Senators, I have cosponsored legislation aimed at establishing an immigration program that is consistent with our democratic tradition.

In addition, I opposed the restricting provisions of the Refugee Relief Act of 1953 when it was before the Senate, predicting at that time that it would have to be greatly improved in order to serve even its limited purpose.

Mr. President, thus far in this session of the Congress we have failed to act upon any of the legislation which has been proposed to remove many of the inequities in our immigration laws and to increase the arbitrary quotas set up by the Refugee Relief Act of 1953.

There is urgent need to do something about this very real problem before adjournment.

As an example of one kind of problem that would be alleviated by extension of the Refugee Relief Act, I ask unanimous consent that letters and telegrams which I have received from Oregon with regard to adoption of Korean-American orphans be printed at this point in the body of the RECORD.

There being no objection, the letters and telegrams were ordered to be printed in the RECORD, as follows:

ASTORIA, OREG., *July 20, 1956.*

Hon. WAYNE MORSE,
United States Senator,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: We are writing this letter to you, requesting that you extend the Refugee Act of 1953. We make this request because we have a partly adopted child in Korea, and we cannot bring this child home until this act is extended. We are certain that you are aware of the pitiful circumstances under which the Korean orphans are living (particularly those that are of mixed blood). They apparently have no future in their own country, since they are not accepted by the people there. We, as Christian parents, simply cannot stand idly by and see these children neglected, not only physically, but spiritually. We in our hearts, know that God loves these little children just as dearly as He loves our own two children (He does not mind at all if their skin is somewhat darker than our children's), and our hearts go out in deep sympathy to those poor little unwanted ones. We do not have too much in the way of material things to offer this adopted child, but we can certainly give her much in love, a good home and a good education, both Christian and otherwise. It is very difficult to close one's eyes to the heartbreaking situation involving these little orphans—surely they do not deserve the life which they have to face in their own country. We, therefore, are making this appeal to you, in the hope that you can help do something about it. We will be ever grateful to you for anything that you can do. May God bless you and yours—always.

Sincerely in Christ,

ROBERT BERSAGEL.
DORA BERSAGEL.

EUGENE, OREG., *July 20, 1956.*

The Honorable WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: We have in the process of adoption two Korean children and are therefore very anxious to have the Refugee Act of 1953 extended.

There are a great many in similar circumstances who would appreciate your consideration in this matter.

Respectfully yours,

Mr. and Mrs. ALAN S. HANCE.

GRANTS PASS, OREG., *July 20, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SIR: Will you please do everything in your power to extend the Refugee Act of 1953?

We have a partly adopted daughter in Korea, and cannot bring her home until this act is extended, as the quota has run out.

Thank you.

Sincerely,

Mr. and Mrs. EUGENE TAPP.

BURNS, OREG., *July 20, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: We understand that Senator Neuberger has a bill in the Senate to extend the Refugee Act of 1953 for which we are tremendously grateful. We are adopting a child in Korea but the quota has run out and we cannot bring the child home unless the act is extended.

We felt that perhaps by writing this letter we might help you and Senator Neuberger to impress Congress with the urgency of getting this bill through at once. The children in Korea suffer from malnutrition and from the standpoint of health reasons alone we are extremely anxious to get our child to Burns, where we can supply plenty of food and proper clothing. Aside from that, we are very eager to get our child as any parents would be.

If you have any suggestion as to what we might do further to help this matter along, please let us know.

Thank you for your kind attention.

Very sincerely,

ELAINE N. ROBE.
C. V. ROBE.

OSWEGO, OREG., *July 19, 1956.*
The Honorable WAYNE MORSE,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR MORSE: I understand that the American Refugee Act of 1953 is about to run out. I would very much like to urge you to do everything in your power to have the provisions of the act extended.

Many of us have already adopted, or are in the process of adopting, children in foreign countries, orphan children who are the casualties of the war, and are waiting for visas to permit them to enter the country and become a part of our families.

If the act is not extended, we will be left in the unfortunate position of parents of legally adopted children who will not be allowed to enter the country.

Please do what you can.

Sincerely,

LOIS LAESER
Mrs. Walt Laeser.

ALBANY, OREG., *July 19, 1956.*
Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: We have adopted a little Korean orphan and have filed application for her visa with the State Department. We have been informed by Harry Holt who handled the adoption for us that unless the Refugee Act of 1953 is extended we will not be able to bring her over here. We understand Senator NEUBERGER has a bill before the Senate to do this. Any efforts of yours to see that this bill is passed before Congress adjourns will be appreciated not only by us but by all the other parents who are waiting to bring their newly adopted children to this country.

Sincerely,

Mr. and Mrs. MARVIN L. GOURLEY.

CORVALLIS, OREG., *July 20, 1956.*

DEAR SENATOR MORSE: Please do what you can to extend the Refugee Act of 1953.

We have a very sweet little 3½-year-old adopted son, half-American and half-Korean, and we have applied for a 6-year-old girl and we need this refugee act extended if we are to get her.

Please help us and others like us.

Sincerely,

Mr. and Mrs. W. A. FRAZIER.

R. K. GRUBB & ASSOCIATES,
Portland, Oreg., July 20, 1956.
Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: This letter is written in the hope that something can be done about extending the Refugee Act of 1953.

We have a partly adopted child in Korea, but until the refugee act quota has been extended she will not be permitted to leave for her new home with us. You can understand our concern over this matter.

Any attention you can give to our problem will be greatly appreciated.

Sincerely,

ROBERT K. GRUBB,
HELEN V. GRUBB.

PORTLAND, OREG., *July 20, 1956.*
Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR MR. MORSE: We have an important issue which we wish to bring to your attention. We request your cooperation and support regarding and extending thereof the Refugee Act of 1953. We understand the quota has run out, delaying the entry to the United States of two Korean orphans that we are adopting. It seems this bill is all that is holding up their arrival and we are sure you understand and appreciate our feelings of concern in this matter. We sincerely believe that by giving these children the love and care they need, that the effect on other peoples would be profound and to our advantage as a Nation. We are very anxious to bring them home as quickly as possible for they need us as much as we want them. Will you please be so kind as to honor this request at your earliest possible convenience? We thank you and deeply appreciate your consideration of our problem.

Sincerely,

Mrs. MELVIN G. PETERS.

GAYLORD, OREG., *July 19, 1956.*
Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR MR. MORSE: Would it be possible to extend the Refugee Act of 1953 longer? Through the next year if possible.

We have a partly adopted child in Korea and the quota has run out; now we cannot bring her home, unless this act is extended. Please give this matter your immediate attention.

Very truly yours,

Mr. and Mrs. HENRY ROTH.

EMPIRE, OREG., *July 20, 1956.*
Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SIR: We understand that Senator NEUBERGER has a bill in the Senate to extend the Refugee Act of 1953.

We have an adopted child in Korea and as the quota has run out we cannot bring her home until this act is extended.

Please vote with Senator NEUBERGER on this issue.

Respectfully,

MAE STRATTON.
HARVEY R. STRATTON.

NEWBERG, OREG., *July 19, 1956.*

DEAR SENATOR MORSE: I understand the Refugee Act of 1953 has run out. We have an adopted child in Korea. He is all ready to come but now that the act has run out we can't get him brought to the United States unless the act is extended. We ask God that you will do all in your power to help extend the act. I know there are others who are praying that the Refugee Act will be extended.

Thank you.

Mr. and Mrs. H. R. JACKSON.

EMPIRE, OREG., *July 19, 1956.*
Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: We have completed the legal details necessary to adopt a Korean orphan, but understand that our baby cannot enter the United States until the Refugee Act of 1953 is extended.

Please help us to bring our Korean baby home by voting to extend this Refugee Act at this session of Congress.

Thank you very much.

Sincerely yours,

Mr. and Mrs. W. C. WHITAKER.

JULY 19, 1956.
Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: We are writing this letter to request that you might do all in your power to extend the Refugee Act of 1953.

My wife and I have a partially adopted Korean-American child, but since the quota has run out, we are unable to bring our child to our home in this country until this act is extended.

In view of this, we will deeply appreciate your immediate and sincere effort to have this act extended.

Very sincerely yours,

Mr. and Mrs. SHIRRIL JOHNSON.

BEAUTIFUL SAVIOR LUTHERAN CHURCH,
Portland, Oreg., July 20, 1956.
Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: This letter comes to you in behalf of the many adopted, half-adopted, and hoped-to-be-adopted Korean children who are unable to enter this wonderful country because the quota under the Refugee Act has been filled.

I'm sure you are aware of the blessed work that Mr. Harry Holt, of Creswell, Oreg., has been doing (in connection with World Vision, Inc.) in finding homes for, and bringing here the Korean-American orphans. I believe you were instrumental in getting this act started (and for this I wish to personally thank you).

Senator MORSE, is there anything that can be done to enlarge the quota of the number of refugees that can enter the United States? My wife and I are vitally interested in this because, you see, we are among those who have a half-adopted Korean orphan. We've been hoping, planning—and fervently praying—for one of these unwanted sons and daughters of pigs (as they're referred to over in Korea). But, just yesterday we received word that the quota is filled; and, unless something is done in the immediate future, it seems as though that little girl—to whom we've already given our family name and for whom we pray—will have to remain separated from the rest of her family here in this country.

Congress, we know, will soon be closing shop for a few months, but is there anything that can be done before this session is over? The Refugee Act expires the end of this year—the quota is now filled; we know that the picture is not a rosy one, and yet we know that if it is in accordance with the will of our blessed Lord and Savior, Jesus Christ, something will be done (perhaps through the gracious assistance of men like you and Senator NEUBERGER—who I believe is trying to do something) so that not only my wife and I would receive the child we're longing for, but that also many others may enter this great and glorious country of ours.

Sincerely yours,

H. A. SCHIEFELBEIN,
Pastor.

EAGLE CREEK, OREG., *July 20, 1956.*
Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SIR: We want the Refugee Act of 1953 extended. We have a child partly adopted and the quota has run out so we cannot bring her home until this act is extended.

Yours truly,

JOSEPH and DOROTHY WILSON.

LEBANON, OREG., *July 20, 1956.*

DEAR SIR: We are writing at this time to ask that the Refugee Act of 1953 be extended, as we have an adopted child in Korea of which we want very much to bring home.

Hoping you can be of assistance to the many hopeful new parents.

Respectfully,

Mr. and Mrs. T. T. SUMMERS.

LEBANON, OREG., *July 19, 1956.*

DEAR SENATOR MORSE: Will you please do all you possibly can to help get the Refugee Act of 1953 extended. We have a precious little American-Korean girl in Korea waiting to come home and unless the bill is extended we can't bring her and we do want so much

to be able to bring her soon. The quota has run out and the only way we can bring her now is to have the act extended. Many, many thanks for any assistance you can give.

Gratefully yours,
Mr. and Mrs. LLOYD APLET.

SALEM, OREG., *July 19, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: It is imperative to us that you extend the Refugee Act of 1953.

We have an adopted daughter unable to come home until you have taken care of this matter.

Please give it your immediate attention.

Respectfully,
HAMPTON C. PLATT.

CRESWELL, OREG., *July 20, 1956.*

DEAR SENATOR MORSE: Would it be asking too much to ask you to please do your best to have the Refugee Act of 1953 extended? We are in the process of adopting a little Korean girl and we want her so badly. Unless this bill is passed, we will not be able to get her over here into our home. She needs us and we need her. We are praying.

Thank you kindly.
MRS. GEORGE A. SURDAM.

MADRAS, OREG., *July 19, 1956.*

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR: Mrs. Murry and I have a partly adopted child in Korea, and we will be unable to bring him here unless the Refugee Act of 1953 is extended. We hope you will support this bill.

Sincerely,
H. T. (JEFF) MURRY.

SWEET HOME, OREG., *July 19, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SIR: Will you please do what you can to get the Refugee Act of 1953 extended.

We have adopted two Korean-American war orphans but they tell us the quota has run out and we will not be able to get them home unless this act is extended.

My husband and I have been married for 6 years and are unable to have children of our own. We have contacted local adoption agencies several times and have been turned down because there are not enough eligible children available.

As I am 36 and my husband is 39 this seems to be our last chance to obtain the children we are so desirous of having and are well able to support.

We know there are lots of others in the same boat and it seems a shame that there are so many childless couples in America longing for children when these little ones of American fathers are dying of cold and lack of food and care.

Please help us and we will be very grateful.

Very truly yours,
MRS. C. O. ALFORD.

LEBANON, OREG., *July 19, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

YOUR HONOR: We are in the process of adopting a Korean child. We understand this Refugee Act of 1953 has expired or is about to. We are very much concerned about this bill. Our friends and many others are likewise concerned.

Would you please press this bill for extension? If this act is not carried we will not be able to receive this child which is partly adopted. Our application has been accepted, but we are at a standstill under these circumstances.

Your prompt, kind attention will be greatly appreciated.

Very truly yours,
Mr. and Mrs. E. M. DENNIS.

PORTLAND, OREG., *July 20, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: We are coming to you for help to get the Refugee Act of 1953 extended. We are in the process of adopting a Korean-American child and have been notified that the quota has run out and we won't be able to bring her home until this act is extended. Adoption proceedings will soon be completed so please help us get her to America. Please accept our thanks for the help you can give. We are so grateful.

Very truly yours,
Mr. and Mrs. FRANCIS. L. BRANNEN.

JOSEPH, OREG., *July 20, 1956.*

DEAR SIR: I am writing you in regard to the Refugee Act of 1953. I understand that the quota on this act has run out and I'm asking if you will do all in your power to have it extended.

We have a child in Korea that we are adopting and we cannot bring her home until this refugee act is extended.

Will you please consider this carefully and prayerfully and help any way you can?

Not for us, and other prospective parents alone, but for the little children there who will never have a home or even a chance to survive if we do not give it to them.

Thank you so much.
Mr. and Mrs. REX GIBBS.

WOODBURN, OREG., *July 20, 1956.*

DEAR SENATOR MORSE: Two months ago we adopted a GI baby in Korea and have been anxiously awaiting her arrival, having bought bed, high chair, clothes, etc., which are all in readiness for her coming.

Please extend the Refugee Act of 1953 so she may be brought to the United States, to our home, love, and security.

Thank you.
Mr. and Mrs. ROBERT L. KOENIG.

ROSEBURG, OREG., *July 20, 1956.*

Senator WAYNE MORSE,
Washington, D. C.

DEAR SIR: Would you please help to extend the Refugee Act of 1953. Senator NEUBERGER has the bill in the Senate to do this.

We have 2 fully adopted children in Korea (GI fathers, Korean mothers). We cannot bring them home until the act is extended, because the quota has run out.

We feel that we, the American people, should feel responsible for these babies. There are so many American families who want these children, where in Korea they are outcasts.

Thank you.
Sincerely,
Mr. and Mrs. LAWRENCE LOCKWOOD.

SALEM, OREG., *July 19, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: I would like to see the Refugee Act of 1953 extended. I believe the bill is now before the Senate.

We have a partly adopted child and the quota has run out, so we cannot bring him home until the act has been extended.

Thanking you for your cooperation on this act.

I remain,
MRS. PAUL J. FERGUSON.

ASTORIA, OREG., *July 20, 1956.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: We are writing this letter to ask your support of the extension of the Refugee Act of 1953.

We have adopted a little Korean-American boy, 14 months old, and we are anxiously waiting for him to be able to come to us.

As we understand it, the quota has run out and he won't be able to come until this act is extended.

Won't you please help us with your support of this bill?

Very truly yours,
Mr. and Mrs. R. B. TRENHOLM.

PEACE LUTHERAN CHURCH,
Philomath, Oreg., July 19, 1956.

The Honorable WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR MR. MORSE: Information has reached us that the quota of the Refugee Act of 1953 has been filled.

Through Mr. Harry Holt, of Creswell, my wife and I are adopting two Korean-American orphans. Unless the Refugee Act is extended, we will be unable to obtain our children.

Any help you can give us toward that end will be deeply appreciated.

With the assurance that our elected officials are often remembered in our personal and public prayers, I am,

Sincerely yours,
PAUL W. HARTING, *Pastor.*

CASCADE LOCHS, OREG., *July 19, 1956.*

DEAR SENATOR: Would you help us get our children from Korea? We have the home and love to give them, but the quota is full. Won't you please extend the Refugee Act of 1953 before you adjourn so they can be brought in this year?

Yours,
Mr. and Mrs. WILBERT RANDOLPH.

PORTLAND, OREG., *July 18, 1956.*

HON. SENATOR WAYNE MORSE: Please do whatever you can to get the Refugee Act of 1953 extended. We have a little one partly adopted in Korea and cannot bring her home as the quota is filled.

Thanking you for your support,
Respectfully yours,
ELMER E. GRAVES.

PORTLAND, OREG., *July 18, 1956.*

Hon. SENATOR WAYNE MORSE: Please extend the Refugee Act of 1953. We have a partly adopted child in Korea. The quota has run out, so we cannot bring her home until this act is extended.

Thank you.
Respectfully,
Mrs. ELMER GRAVES.

JULY 20, 1956.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Urgent Refugee Act 1953 must be extended. We, like many others, have child adopted at Korea. Can't bring home unless extended. Please help us. Thank you.

WILLIAM J. and EVA BAILEY.
CRESWELL, ORE.

PORTLAND, OREG., *July 19, 1956.*

Senator WAYNE MORSE.

DEAR SIR: Will you please do everything in your power to have the Refugee Act of 1953 extended?

We have two Korean-American children adopted (or are in the process of adopting them) and we cannot bring them home until the Refugee Act of 1953 is extended, since the quota has run out.

Sincerely,
CHARLES and ANNA CANFIELD.

LYONS, OREG., *July 19, 1956.*
Senator WAYNE MORSE,
Washington, D. C.

DEAR MR. MORSE: We have been notified by Mrs. Bertha Holt, of Creswell, Oreg., whose husband has been bringing the American-Korean children to adoptive families that the Refugee Act of 1953 has expired.

We have a fully adopted child there that evidently cannot be brought here until this act is extended, so please take the necessary steps regarding our part in the bill which Senator RICHARD NEUBERGER has introduced in the Senate at this time to extend the act.

Thanking you sincerely,

I remain,

Mr. and Mrs. MARVIN BERRY.

DALLAS, OREG., *July 19, 1956.*
Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

We have fully adopted a Korean child. Just waiting for her to come. We have also paid her plane fare over 2 months ago.

Now we are informed that the quota for the 1953 Refugee Act is filled.

Would you please extend the act, so our child can come to us?

Yours truly,

Mr. and Mrs. W. A. GOEBEL.

PORTLAND, OREG., *July 21, 1956.*
Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

We have fully adopted a Korean orphan now in Korea which we are advised we cannot bring to our home because the immigration quota is filled. I understand our only hope in getting our child to America is through the extension of the Refugee Act of 1953. I will greatly appreciate anything you can do to help.

Please wire.

PAUL LEWIS.

PHILOMATH, OREG., *July 19, 1956.*
Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SIR: Please extend the Refugee Act of 1953, as we have a partly adopted child there and the quota has run out so we cannot bring her home until this act is extended.

Yours truly,

Mr. and Mrs. EARL HINES.

PORTLAND, OREG., *July 20, 1956.*

DEAR SIR: We urge that you work for NEUBERGER's bill to extend the Refugee Act of 1953. We have a partly adopted war orphan in Korea who will not make it otherwise.

Yours sincerely,

Mr. and Mrs. C. W. ROGERS.

NORTH BEND, OREG., *July 20, 1956.*

DEAR SIR: Please read this. I am writing to ask you to please extend the Refugee Act of 1953. I understand Senator NEUBERGER has the bill in Senate to do this.

We have a fully adopted daughter there and the quota has run out, so we cannot bring her home until this act is extended. And only God above knows how much we love and want her. So please extend the act.

Sincerely,

Mr. and Mrs. CLINT COPLEN.

SHERWOOD, OREG., *July 20, 1956.*
Mr. WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR MR. MORSE: We urgently beg you to vote for an extension to the Refugee Act of 1953. We have two partly adopted Korean children in Korea and will be unable to bring them home without this extension. Thank you.

Sincerely,

Mrs. D. H. BREWSTER.

COOS BAY, OREG., *July 19, 1956.*
Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: This letter is a personal plea for you to do your utmost in obtaining an extension of the Refugee Relief Act of 1953.

We have an adopted son, fully adopted since May 11 this year, and will be unable to bring him home until this act is extended.

This letter is not just for our own happiness but to help give a Christian home to some of the thousands of orphans from overseas.

This act can be the life or death of several thousand children yearly.

The American Congress in session now holds those lives or those deaths in every Senators' and Representatives' hands personally.

Prayerfully yours,

Mr. and Mrs. BRUCE R. SEXTON.

MILWAUKIE, OREG., *July 19, 1956.*
Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SIR: This is a letter requesting the extension of the Refugee Act of 1953. We have a partly adopted child in Korea and are therefore very interested in the extension of this act.

Thank you in advance for your consideration in this matter.

Yours sincerely,

MRS. PAUL HAGER.

BAKER, OREG., *July 19, 1956.*
HON. WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: My wife and I hope that you will lend active support to Senator NEUBERGER's bill to extend the Refugee Act of 1953. We are trying to adopt two Korean-American children, but we have been told that the quota has run out and that we cannot get them home until the act has been extended.

Keep up your good work anyway.

Sincerely,

SETH B. DENNIS.

MYRTLE POINT, OREG., *July 20, 1956.*
To the Senators:

Please see that the Refugee Act of 1953 is extended.

We have adopted two little Korean orphans, and do so want to start giving them the love and home they need so much—and as these poor little babies were fathered by our American soldiers—don't you think it is justifiable that we as true, honest Americans should do our level best to give them a chance in this country of ours, where they will have a good education, a wonderful time growing up in the peaceful surroundings, and the heritage that will be their due—as citizens of a free nation?

Please see that this act is extended.

Thank you,

Mr. and Mrs. LUKE KNOWLTON.

EUGENE, OREG., *July 20, 1956.*
WAYNE MORSE,
Washington, D. C.

DEAR SENATOR MORSE: I am writing to enlist your aid in extending the Refugee Act of 1953.

I am helping in the adoption program in Korea so am aware of the tremendous problem there, but think of the thousands of children, many of them half American, all over the world who could have homes and real parents in the United States of America if there were time and quotas to include them.

There are several hundred children in Korea alone who are partially or fully adopted but must remain there unless the act is extended.

Please use your influence in this matter, I know how you helped last year.

Yours truly,

MOLLY HOLT.

CRESWELL, OREG.

Mr. MORSE. Mr. President, it was my pleasure last session to join my colleague, the junior Senator from Oregon, in introducing a bill which permitted Mr. and Mrs. Harry Holt to bring eight of these little children to their farm in Creswell, Oreg., where they will be raised as part of their own family. Surely the other warmhearted citizens of Oregon who want to take these foundlings in and give them the advantages of home and family should not have the opportunity snatched from them by our refusal to extend the refugee relief program.

Unless we act quickly, Mr. President, our doors may be forever closed to these children who are partly American and adrift in the country of their birth.

I sincerely hope, Mr. President, that if we have time to pass legislation in violation of the Morse formula in respect to the transfer of property, we shall have time to pass some legislation for the benefit, on a humanitarian basis, of orphan children who need such legislation, if they are going to be allowed to grow up as citizens of our country and enjoy the fruits of freedom.

PROPOSALS FOR NATIONAL GENERAL STAFF SYSTEM

Mr. BRIDGES. Mr. President, recently I have become increasingly disturbed by certain matters relating to national security.

The source of my concern is the increasing pressure being generated to force the adoption of a single chief of staff and a supreme general staff over all our Armed Forces.

In my opinion these efforts constitute a grave threat to our national safety and the survival of our form of government.

This is no new issue. Repeated efforts have been made to have Congress junk our war-proven Joint Chiefs of Staff system and replace it with the Prussian type of high command.

My opposition to this alien and militaristic system is not of recent origin. It has been my privilege to serve on the Armed Services Committee and its predecessor, the Military Affairs Committee, as well as the Appropriations Committee of the Senate longer than any member of my party. In these positions I have seen this issue develop over more than two decades.

During that time I have joined with my colleagues in resolutely rejecting proposals to adopt the Prussian system in this country.

In 1946, we defeated the Collins plan—so named after its chief sponsor, Gen. J. Lawton Collins—for a single chief of staff and a supreme general staff after the Prussian pattern.

Congress rejected the same ideas when we amended the National Security Act in 1949.

So stubborn and persistent were the advocates of a Prussian-type high command that Congress wrote into the Na-

tional Security Act the most pointed and specific prohibitions against a single chief of staff and a supreme general staff.

These prohibitions against adoption of alien Prussian methods were not the result of a momentary congressional whim. I know of no issue that has been so carefully considered by Congress and its respective committees since World War II.

I know of no proposal on which Congress expressed its opposition in more pointed and unmistakable terms.

I am convinced that a new drive is on to enforce the adoption of a supreme general staff. I have already detected the same old arguments that we must discard our JCS system and adopt the supreme general staff in the interest of economy, ending controversy, getting true unification, streamlining our defense organization, and obtaining more military efficiency.

These are no new claims. Each one has been carefully considered in the past. In each instance it has been clearly evident that a supreme general staff would not only fail to provide improvements, but rather it would actually weaken and undermine every vital aspect of our national security.

I know of no proposal which, if adopted, would place our national security and form of government in greater jeopardy.

Therefore, I believe it is necessary, before the close of the present session of Congress, to speak out openly and frankly on this matter.

This campaign to establish a supreme high command, to destroy civilian control, is no mere matter of imagination. The master plan has been prepared. It actually exists.

I invite attention to the New York Times of Sunday, June 24, 1956, which printed extensive excerpts of an Army general staff plan for changes in our defense organization.

That Army general staff paper should be required reading for all those who complacently minimize this danger.

This document is nothing but a blueprint for imposing the supreme general staff system on our Nation. The advocates of the supreme general staff system now try to disguise their Prussian product.

What is the present camouflage? This time it is proposed that the military officer designated as the super chief of staff be retired prior to assuming power. We are expected to believe that by changing one person's clothes that the basic character of the entire proposed supreme general staff system would be changed.

However, this latest master plan serves one useful purpose: It is a powerful reminder that the public, Congress, and the press must be alert.

The Nation is, indeed, indebted to the New York Times for exposing these plans for Prussianism.

Because of the importance of that document, I ask unanimous consent to have it inserted, together with analytical comment, in the body of the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered. (See Exhibit A.)

Mr. BRIDGES. What we are confronted with today is a continuation of this unfortunate but stubborn effort to induce Congress and the country to accept the system which has been the trademark of Prussian and German Nazi dictatorship.

Let there be no misunderstanding about this. What is being proposed is nothing other than the Prussian-German supreme general staff system which has, as history shows, destroyed the democratic institutions of every government in which it has existed and has ultimately proved to be militarily inferior, making major contributions to the defeat of whatever nation has adopted and placed its faith in it.

What, in essence, is this proposal for a single chief of staff and a national general staff? The basic ingredients of the Prussian system are a top-level, or "joint" staff and one military person who directs the staff and is the sole or principal adviser to the nominal civilian superiors. This Chief of Staff may be an active or retired officer; he may have a full legal grant of power over the military forces, or he may legally have only the status of head of the overall staff and adviser to the Secretary of Defense and President. The details of format have little significance. All that is necessary is to abandon or bypass our Joint Chiefs of Staff system by setting up one man assisted by an overall staff and we will have a supreme general staff, after the pattern of Sharnhorst, Von Moltke, Ludendorff, and the militaristic lackeys of Hitler.

Its alien militarism cannot be hidden by a superficial camouflage of denial that it is something different.

Regardless of the label, it is still the Prussian supreme general staff system. But this system is not only bad from a purely organizational standpoint. It is inferior, and even dangerous, in terms of relative military effectiveness. Furthermore, it is antithetical to every hallowed tradition of our Government and way of life.

There is good reason for labeling this single chief of staff-supreme general staff as the "Prussian system." It was the method by which the Prussian, and later the German chiefs of staff controlled military and political policy, enslaved their nation, and goose-stepped their people along the road of militarism to national disaster.

But it would be wrong to contend that this supreme general staff system has been limited only to Prussia and Germany. Yes, this Prussian concept has been adopted by other nations. Wherever freedom has died, wherever conquest and oppression have been rampant, there will be found a variation of the Prussian-type supreme general staff.

It directed the malignant militarism of the Germany under both Kaiser and Hitler.

It was the organizational device by which Tojo and his militaristic clique ruled Japan and brought on the disaster that engulfed her.

It provided the basic military pattern supporting Mussolini's Fascist dictatorship.

It is the system in substance adopted by the Kremlin for making military power the tool of Red dictatorship within Russia and the evil militaristic brain for directing the world conquest of communism.

This Prussian system has not found this acceptance in such unsavory circumstances because of its superiority in the military sense. Actually, it is an inferior system of high command, for it has gross military inadequacies that impede instead of enhancing its nation's war effort. Rather, it has helped make dictators and in turn has been adopted by them because its inherent militarism and necessity for one-man domination makes it the handmaiden of dictatorship in all of its evil forms.

While it is historically accurate to designate the single chief of staff—supreme general staff—as the Prussian or German system, it would also be correct, in the context of current events, to term it the Communist system. In fact, this has previously been pointed out by resolution of the Veterans of Foreign Wars. I will discuss the very important VFW position later.

Because of the fundamental interest in the manner in which this country organizes its top-level defense setup, the first Hoover Commission created a special task force for the specific purpose of investigating the defense organization. As the chairman of this special task force on defense organization, former President Hoover and the commissioners appointed Mr. Ferdinand Eberstadt, of New York, who then and now, is recognized as perhaps the world's greatest authority on such problems.

Reflecting the task force's awareness of the issues posed by the controversy over whether or not we should have a Prussian-type high command in preference to our war-proven Joint Chiefs of Staff system, the Eberstadt task force of the Hoover Commission devoted its principal effort to a study and investigation of this problem.

This was no "quickie" investigation. The task force conducted its work over a period of 7 months and took the testimony of 245 witnesses. It consisted of 14 members, headed by Mr. Eberstadt. Assisting them was a military advisory committee of 9 distinguished retired officers of the Armed Forces and 9 nationally prominent citizens who served as consultants to the task force.

The resulting report of the Hoover Commission Task Force on National Security stands today as a historic and unequaled study of the manner in which our national security effort should be organized and directed.

As Members of this Senate may be aware, it was my privilege to serve as a Commissioner of the recent Hoover Commission. In the course of carrying out my duties as a Commissioner I became increasingly aware of the great work performed by former President Hoover and the Eberstadt task force of the previous Hoover Commission in connection with the matter which we are now discussing.

Actually, the Hoover Commission Task Force report on National Security Organization constitutes an intelligent and persuasive point-by-point rebuttal to every argument advanced by those who would discard our combat-proven Joint Chiefs of Staff system and substitute in its place a Prussian single chief of staff-national general staff concept.

At this tme I would like to review some of the more frequent assertions made by the advocates of a single chief of staff and a supreme general staff—which is the Prussian-type system—and at the same time also review the pertinent findings on these points by the Hoover Commission Task Force on National Security.

One of the contentions advanced by advocates of the Prussian system is that because a single military commander is placed over combat units there should likewise be a single military commander over all the Nation's Armed Forces.

The Hoover Commission Task Force demolished this argument by drawing the distinction between a single military chief of staff over the services at the seat of Government and a single military commander over military operations in the field. Unfortunately this entire issue has been clouded and confused by a failure to appreciate the vast distinction between military direction in combat and the formulation of national military policy at the seat of Government.

The task force correctly states that there is no dispute as to the need for a single person in sole command in a theater of operations. In contrast, however, there must be a continuing recognition of the completely different status and functions of those involved in top level military planning and direction at the seat of Government. Mr. Eberstadt amplified this thought by later testifying that:

> The choice in the strategic planning area lies between an organization headed by one man and a joint organization such as our Joint Chiefs of Staff. The first type of organization insures speedy action, but at the cost of a marked increase in the probability of fatal mistakes. A deliberate approach is acceptable in military planning in contrast with execution of plans where prompt action is the primary requisite.

Also the proponents of the Prussian system claim that their system will end argument and differences of opinion in the Armed Forces. I cannot accept the proposition that the absence of controversy and differences of opinion are virtues. If we are to avoid having the rubber-stamp type of civilian secretary over the military, it is essential that he have access to all the various opinions within his department.

Actually it is in the resolving of military controversy where the civilian secretary performs his most vital function. This concept of civilian control was stated precisely in the Hoover Commission Task Force report as follows:

> If a "split decision" occurs, it would, normally, imply that the issue is beyond solution by the resources of military technology and experience, and is, therefore, within the competence of civilian judgment and authority.

The report properly concludes that:

> Modern war cannot be left solely to the generals.

As the Hoover Commission Task Force so well pointed out, the resolution of interservice differences on military matters is the proper function of civilian authorities.

It must be remembered that the one real, meaningful manner by which a Secretary of Defense and the President exercise control of the military is through the function of resolving interservice differences of opinion.

Give that function to a chief of staff and civilian control over the military would cease.

Nor would the situation be changed by saying that the chief of staff's function was "advisory" only. What Secretary of Defense would, or could, repeatedly overrule the advice of a single chief of staff? As a practical matter, it just could not be done.

Let us not forget that the function of the chiefs of the great German General Staff was, also, advisory to the Emperor.

Yet, with only advisory power those chiefs of staff trampled on war ministers, reduced the Emperor to a rubber stamp, controlled a nation, and then lost their war.

Another argument advanced by proponents of the single chief of staff is that it will eliminate competition by the military services. With reference to this, the Hoover Commission Task Force states, "The appointment of a single military chief of staff as commander of our three military services might lead to a military party line with static concepts and ensuing mental unification. The dangers of one-man military control of the armed forces of a nation are illustrated by history. The case of the Third Reich is a recent example of the hazards of unilateral strategy. When military differences completely disappear military progress will cease."

This, I believe, is a most fundamental observation, for it is based upon the clear historical fact that wherever the single chief of staff system has existed it has intensified rather than reduced interservice conflict. The only aspect of controversy which would be reduced is the amount of information which the civilian superiors would obtain regarding the differences of opinion, and the degree to which the public and press would be aware of the differing opinions on which survival of the nation might well depend.

This comment by the Hoover Commission Task Force points up another fundamental danger of the Prussian concept. I completely concur with the fears of the Hoover Task Force that a single chief of staff system could well result in a military party line which, in effect, would be a Maginot-line type of thinking within the Armed Forces.

A single chief of staff would have the authority to impose his will on the military services. If that single chief of staff's decisions were wrong it would mean disaster for this Nation.

Rather than stopping interservice argument a supreme high command would enlarge and sharpen such conflict. It requires little imagination to visualize the great struggle that would take place within our armed services the moment we adopted a single chief of staff-national general staff setup. The services would well recognize the life and death nature of such a struggle as far as their assistance and contribution to national security would be involved.

The first victims would be the Navy and the Marine Corps. There is no place for a strong balanced-force Navy or a powerful Marine Corps in the supreme general staff system.

What would ensue would be a no-quarter battle between the Air Force and the Army as to which would dominate the supreme staff.

As one who is an advocate and believer in the utter necessity of air power second to none I have the most profound fear for the future of our country if a single chief of staff-national general staff system in any form should be adopted. Under such a system there is the strong possibility that our Air Force would be eventually subjected to ground-power thinking, the same type of military thought that for so long stifled and throttled the efforts of our pioneer airmen to give our country the air power it needed in the 20th century.

Whatever other reasons may exist for opposing a national general staff, headed by a single chief of staff—and those reasons are many and conclusive—I believe that as long as our Air Force is a bulwark of our national freedom against the aggression of world communism, we must not take the risk of permitting the Army General Staff to recapture, and thus by direct or indirect methods, regain control of the destiny of American air power.

I completely concur with farsighted officers of the Air Force who have told me that proposals for a supreme general staff are a trap for the Air Force. I am surprised that some prominent active and retired officers of the Air Force are assisting efforts to establish the Prussian system. By such actions they are actually baiting the trap that is being set to capture the Air Force.

The struggle inevitably resulting from adoption of a single chief of staff-national general staff system would undermine our national security.

It is not simply a matter of which service would dominate a national general staff over our armed force. In final analysis, our national security requires an Army, Navy, Air Force, and a Marine Corps. Each has its contribution to make to the protection of our Nation and the non-Communist world. No one service, nor the advocate of the philosophy of any particular service, should have control over our Armed Forces.

This is what the Hoover Commission Task Force warns against. This is the precursor of disaster that would accompany the adoption of the Prussian general staff system in this country.

As far as I am concerned, this is not a partisan service issue. The problems are too vast and the limitations of the human mind are too great to permit one man or even one service to determine our national military policy.

The only partisanship I feel in matters of national security is a partisanship for our country and our way of life.

Another contention of those who advocate the single chief of staff—supreme general staff system is that it would be

an improvement on our present Joint Chiefs of Staff in which the military service chiefs who do the top level military planning are also responsible for executing those plans.

In reply to this argument the Hoover Commission Task Force is most forceful in its belief that the Joint Chiefs of Staff should remain under the law "the highest responsible source of military advice within the national security organization." Particular emphasis is placed on the advantages of the Joint Chiefs of Staff system in which those who plan our military operations are responsible, in their role of chiefs of the military services, for the actual execution of those plans.

This view, supporting our Joint Chiefs of Staff system wherein responsibility for planning and execution is combined, finds complete support in another authoritative study of this general subject.

Following World War II the British Government conducted an examination of its defense organization, upon the conclusion of which it published the findings in a white paper on central Organization for Defense. The British white paper, like our Hoover Commission, warned emphatically against the Prussian-German system which separated planning and execution responsibility. Said the British white paper:

> The German system failed because the planning staffs of the O. K. W. were not drawn from the headquarters of the three services. The plans they produced had later to be handed to those headquarters for execution and were often found to be unrealistic. The cleavage between planning and execution set up dangerous antagonisms, and entirely nullified any theoretical advantages of the German system.
>
> It has always been a cardinal principle of the British organization that, alike in the Chiefs of Staff Committee and in the joint staffs, it should be the men responsible in the service departments for carrying out the approved policy who are brought together in the central machine to formulate it.

It must never be forgotten that the fundamental feature of our Joint Chiefs of Staff system is that it makes those who are responsible for planning also responsible for the execution of their plans. This is a sound philosophy in warfare, business, and government. It avoids the ivory tower method in which war plans are made by people who have no responsibility for carrying them out. It avoids the recriminations and confusions which characterized the war effort of Nazi Germany where the military commanders were frequently appalled by the lack of realism reflected in the order of the O. K. W.—the German Supreme Staff.

While the report of the Hoover Commission Task Force refutes the single chief of staff-supreme general staff concept in far greater detail than it is practicable to set forth at this time, I believe that the following overall conclusion reflects the forcefulness of its indictment of the Prussian-type single chief of staff-national general staff concept which we are being urged to adopt. This is what the Hoover Commission task force concludes:

> The committee (task force) does not believe that a chief of staff—a commander over all the armed services—is needed. The Secretary of Defense, and constitutionally, the President, occupy this role. This tremendous authority should not be transferred from civilian to military hands, with consequent danger to our democratic institutions. There has been much loose criticism of the war efforts of the Joint Chiefs of Staff as constituting "command by committee"; yet there can be no doubt whatsoever that in the broad field of grand strategy a meeting of several minds is far safer—and in the end more sound—than the dictates of one. The responsibilities for strategic planning and the conduct of war are soundly placed by the National Security Act upon the shoulders of the Joint Chiefs of Staff who, in turn, are under the authority, and subject to the control of, the President and the Secretary of Defense. There should be no change in this concept.

Upon completion of the Hoover Commission Task Force report on national security, it was submitted to the overall Hoover Commission which, in essence, accepted the entire task force report and endorsed the condemnation of the Prussian supreme general staff type of organization. The overall Commission submitted the task force report separately to the Congress and stated:

> The Commission is in general agreement with the conclusion and recommendations of the task force.

That was the overall conclusion.

However, there was a minority report filed which disagreed with a portion of the task force report. Unfortunately this minority report is little known at the present time. A greater knowledge of its existence and nature is essential to a complete evaluation of the present controversy.

This minority statement took issue, with concern, the task force's endorsement of the Joint Chiefs of Staff system and the accompanying task force condemnation and rejection of the single chief of staff concept. In thus disagreeing with the task force report, the majority of the Hoover Commission, and former President Hoover himself, this small minority advocated adoption of the single chief of staff system.

This minority group of the Hoover Commission which advocated the Prussian system was headed by Mr. Dean Acheson, who many will recall as Secretary of State under the Truman administration.

If there is any one subject today which should have the undivided attention of all believers in good government, it is this matter of beating back the efforts of those who prefer the methods of alien militarism to the collective wisdom of Congress and the Hoover Commission, and the crystal clear lessons of history.

There is no doubt but that one of the greatest and most beneficial organizations in current American life is the group known as the Citizens for the Hoover Commission. I believe the time has come when the Citizens for the Hoover Commission must realize the mortal threat being posed against what is perhaps the most fundamental of all the Hoover Commission's great works.

Therefore, I believe that no greater service could be performed by the Citizens for the Hoover Commission—or by all citizens who believe in good government—than for the advocates of good government to dedicate themselves to defending the Hoover Commission. This they can do by apprising the public of the present efforts which would, contrary to the Hoover Commission and its defense task force, impose the alien Prussian philosophy on the American Military Establishment.

It would be wrong, indeed, to believe that condemnation of the supreme general staff system has been limited to Congress and the Hoover Commission. Although both organizations have taken a firm and unqualified position in condemning this concept, it must also be recognized that there have been other warnings of the most authoritative nature.

I have always had a deep and abiding respect and admiration for the sincerity, dedication and unusual intelligence of the late James Forrestal, the first Secretary of National Defense. James Forrestal well understood the axiomatic fact that our national defense could not be based upon the pattern of Prussia, Germany, Red Russia or any other foreign power. He realized that we had to develop a national security organization which would be responsive to our own peculiar requirements.

To anyone who believes that our Joint Chiefs of Staff system is a failure, I commend to his attention the opinions, testimony and writings of the late James Forrestal.

Among those views of James Forrestal will be found a ringing endorsement of our Joint Chiefs of Staff system and therein also will be found a most vigorous and intelligent condemnation of the supreme general staff concept. While he said much upon this subject I would like to read a few brief quotations by James Forrestal. With respect to the Joint Chiefs of Staff, he stated:

> The conception of the Joint Chiefs of Staff has proved successful. It has been one of the great developments of the war and I think no one can gainsay the fact after a look at the captured documents of the German Wehrmacht that the Chiefs of Staff functioned more effectively.

Further, James Forrestal greatly feared the Prussian single chief of staff system which would place such vast powers in the hands of one military man. He realized that there was no one person capable of making personal decisions of such magnitude. Because a single chief of staff would have the power to make a wrong decision which could lead America to disaster, James Forrestal warned against placing such power in the hands of one individual. I believe the following warning underlines one of the fundamental and vital flaws of the Prussian single chief of staff concept. Said James Forrestal:

> The strategic decisions as to the conduct of global war are beyond the capacity of any man, even when assisted by a brilliant and competent staff.

While I do not agree with all the statements of Secretary of Defense Wilson, there is one area in which we are in agreement. I was glad to note that, in his recent address to the Air War College, Secretary Wilson served notice of his

lack of confidence in the single chief of staff—one service idea. In speaking out against this proposition he states:

> Such a program fails to recognize that it would only force differences of opinion to appear in other forms and could not in itself remove the cause for such differences of opinion. The stifling of intelligent discussion for the sake of unanimity will not guarantee the perfect answer. More importantly it is foreign to our concept of a free society.

It seems to me that in this statement Mr. Wilson demonstrates an awareness of the danger of ending honest differences of opinion, and he apparently recognizes that the possibility that present agitation for a supreme general staff is an attempt to isolate and circumvent civilian control of the military.

There have been many prominent citizens who have, purely in the interests of good government and our national security, warned against adoption of the Prussian single chief of staff-national general staff concept. Among those who have long stood in the forefront in defending American security, Congress, and the Hoover Commission against the Prussian concept has been retired Brig. Gen. Robert W. Johnson.

General Johnson is presently chairman of the board of Johnson & Johnson, the largest industrial organization of its kind in the world. He was vice chairman of the War Production Board during World War II and in that capacity rendered a great and unforgettable service to his country in helping coordinate the military and industrial might of our Nation. General Johnson has a unique and probably unparalleled combination of military, governmental, and industrial experience. Few in our country today are as highly qualified to speak on the broad aspects and implications of national security matters.

In correspondence, as well as testimony before the Congress, General Johnson has warned against the supreme general staff proposals, condemning the Prussian system not only because it is militarily inferior, but also because it would be the death knell of effective civilian control of our Military Establishment and would pose the constant threat of a national economy controlled by the military.

His testimony before the House Government Operations Subcommittee in June of 1953 constitutes a historic contribution of a better understanding of defense organization, and will stand, I believe, as one of the most pertinent, forceful and intelligent indictments of the Prussian system. I commend that statement to all those who are interested in this important problem of our national security organization.

With respect to the Prussian supreme national general staff system, General Johnson warned against its military inadequacies, stating:

> Our Nation must not unwittingly diminish its chances of survival. We must not permit the Army General Staff to achieve its goal by reorganization after Congress has refused, for a quarter of a century, to create a general staff state by legislation.
>
> It is well to remember that the Prussian single chief of staff-national general staff system does not have superior military efficiency to recommend it. Its inherent inflexibility, its susceptibility to domination, and its emphasis on ivory tower theory at the expense of realism stamps it as inferior to the American and British systems, which traditionally have been based upon joint military command.

Also, as General Johnson further states, the Prussian system "does well in the beginning, but loses its wars."

As I previously noted, another great organization which has long feared and warned against the Prussian supreme general staff advocates is the Veterans of Foreign Wars of the United States. There is no group more qualified to take an interest in the security of America and the precepts of our way of life than are those veterans who, while serving in the Nation's Armed Forces, have defended our governmental institutions on the battlefield.

The Veterans of Foreign Wars is no "Johnny-come-lately" to this issue. Repeatedly, since World War II, the Veterans of Foreign Wars have, at their annual national encampments, passed resolutions reasserting their objections to a supreme general staff concept.

These veterans recognize this system for what it is, alien and militaristic, posing the gravest dangers for our democratic institutions. It is with good reason that the Veterans of Foreign Wars have condemned the proposals by stating:

> The establishment of a supreme national general staff over military forces of any nation has inevitably led to dictatorship and destruction of constitutional freedoms; and, a supreme national general staff is an inherent part of the Communist Russian machinery for the conquest of the world.

With great collective insight and understanding the VFW states:

> Adoption of an alien and un-American system of high command (supreme national general staff) would lead to military inefficiency and destruction of freedom in this country.

Another organization which had added its voice to those opposed to the Prussian type single chief of staff system is the National Guard. Our National Guard has proven its worth in our wars of the past and is presently a vital part of our Nation's defenses. It requires little perception to see that the decentralized organization of the National Guard would stand as a constant affront to a supreme general staff organization. The National Guard could not long survive under such a system.

One of those who has clearly seen this threat to one of our oldest institutions is the Honorable B. W. (PAT) KEARNEY, Representative from New York, and a great citizen soldier, who attained the rank of major general in the National Guard and commanded a division during World War II. General Kearney is one of the most able students of the history and role of the National Guard in our national security.

In an article appearing in the National Guardsman, General Kearney warned that adoption of a supreme general staff system in this country would mean the certain destruction of our National Guard. Pointing out that the National Guard has had to fight constantly for its life against the Army General Staff's efforts to destroy it, General Kearney stated:

> Not only would a super General Staff and its single Chief of Staff be bad for the country through the loss of civilian control, but it would be bad for the military services themselves. There is no doubt that control of all our services by a super General Staff would reduce the stature, esprit de corps, and combat efficiency of the Air Force, the Navy, and the Marines. Furthermore, in my opinion, it would mean the eventual destruction of the National Guard, our citizens army.

I completely concur with General Kearney that one of the inevitable results of adopting a supreme general staff system would be the destruction of the National Guard.

The threat to freedom of information which would result from the adoption of a national general staff organization has not escaped the attention of the American press. Some of the Nation's outstanding newspapers have warned against the Prussian type organization for our Military Establishment.

One of the most recent editorials on the subject appeared on June 9 in the Deseret News, the nationally famous Salt Lake City publication, known and respected for its intelligent editorials on basic national issues. In a long editorial pointing out the fallacies and weaknesses of the single chief of staff—supreme general staff type of organization—this newspaper stated in part:

> The biggest issue of all is that of the basic form of our Defense Establishment. The squabble between our three service branches has brought on talk of junking our traditional Joint Chiefs of Staff organization for a single supreme commander and a national general staff. * * *
>
> It could be serious, and possibly, a disastrous mistake.
>
> History speaks clearly against the supreme command concept. Every major nation that has adopted it has found it led to eventual defeat.

The really amazing part of this whole matter then is not the fact that intelligent opinion recognizes the political and military dangers of a national general staff system, but rather that such a demonstrably inferior and widely condemned system is advocated with such persistency.

James Forrestal knew that there is nothing more vital to the continuation of our form of government than the great constitutional principle of civilian control of the military.

When the civilian control is lost our form of government is lost. The lesson of history is available for all who will heed it. It is a simple but powerful lesson—militarism is a fatal disease to all governments based on the dignity of man and the freedoms we cherish.

Civilian control of the military requires more than the appointment of a nominal civilian secretary. To be effective in making and carrying out military policy the civilian secretary must have access to all pertinent information relating to the vital issues which he must decide. He must have the benefit of all the pros and cons on the subject. I am sure that the reason we now have civilian control of our military is due to the

fact that we do not have a single officer sitting at the apex of our military organization who can settle interservice differences of opinion by direct command power or by "advice" to a Secretary of Defense and the President, or who can control the flow of vital information to the Secretary of Defense and the President. For the benefit of anyone who doubts that civilian control is a target of single chief of staff proposals, I will quote from the startling testimony of James Forrestal. In discussing the single chief of staff proposal of 1946 he performed a memorable service to our Nation by disclosing the most persuasive evidence that the objective of the single chief of staff concept was the destruction of civilian control of the military. Mr. Forrestal stated as follows:

• • • 'The Collins plan which, as you know, did have a single civilian secretary, with a Chief of Staff, and in my opinion would result in the isolation of the civilian charged with the responsibility for the running of the organization, which I also think was the Army's intent—in fact, Marshall quite frankly said so.

While I am sure that the administration would not permit the existing reorganization authority to be used for the purpose of creating a type of supreme general staff organization, it seems appropriate to mention the matter at this time. I am sure we will all agree that it was never the intent of Congress that the reorganization authority could be used to create an entirely new organization differing in fundamental aspects from that originally created through the normal legislative procedures. I, for one, would oppose and resent any attempt to impose, directly or indirectly, a single chief of staff—supreme general staff system by submitting the proposal in the form of a reorganization plan.

At any time and under any circumstances a single chief of staff and his supreme general staff would be dangerous to our national security.

It would be particularly dangerous today.

By splitting the atom, by crashing the sonic barrier we have made great advances in technology. By the same token, we have created new perils.

In these perilous times one basic miscalculation in defense policy could mean the defeat and destruction of our Nation. For example, a mistaken judgment on development of missiles, a wrong decision as to the importance of long-range jet bombers, a failure to understand our peculiar need for large aircraft carriers, a lack of faith in ground forces, or an inability to appreciate our need for an amphibious force in readiness, could result in an irretrievable and fatal strategic error.

The fate of America will rest on the correctness of such decisions. No one man—no superchief of staff—should be given the authority to decide such vital matters. No one man should have so much power—direct or indirect—to destroy America by his own miscalculation.

When our Nation's existence is at stake, our Nation deserves the mature and collective judgment of its responsible military leaders, the heads of the military services who comprise the time-tested, war-proven Joint Chiefs of Staff.

I believe that the fateful decisions on national security should be the right decisions, not the quickest ones.

Therefore, I herewith serve notice that as one American I will do all within my power to prevent our Nation's fate, the survival of our way of life, being placed in the hands of one man.

I will resist any and all efforts of those who would discard our Joint Chiefs of Staff system that contributed so much to victory in the greatest of all wars.

I will resist any and all efforts to replace the Joint Chiefs of Staff with the militaristic and inferior supreme general staff system of our defeated enemies.

Only defeat, disaster, and enslavement await America if, following victory, we adopt the methods of the vanquished.

EXHIBIT A

ANNOTATED EXCERPTS FROM ARMY STAFF PAPER ASKING BASIC CHANGE IN MILITARY SETUP

(Note: On 24 June 1956 the New York Times published "excerpts from an official United States Army Staff paper criticizing the 'hydrogen bomb concept' of national defense and calling for a fundamental change in the command and organization of the armed services of the United States." In an accompanying story Mr. James Reston, chief of the Washington bureau of the New York Times, stated that the "Army view was that since the problems its staff paper dealt with had not been settled, but were still under active debate in the Pentagon, there was nothing wrong with making its views known to the public."

This official Army paper concerns a matter which is of vital importance to the welfare and security of this Nation. In view of this, the plan is set forth below as it appeared in the New York Times together with annotations relating to its key points. The text of the Army General Staff plan is set forth in quotes and is single spaced. Italic has been added. The annotations have been enclosed in parentheses.)

" 'To separate them [the armed services] makes them rival services with the whole train of evils which such rivalry creates, evils which in times of peace mean contention before Congress for unbalanced appropriations, grievances and fretfulness about relative rank and rapidity of promotion and in time of war the substitution of • • • service prides for a single emotion of pride in one service.' (Annual report of the Secretary of War [Newton D. Baker], 1919.)"

(Comment: It is fitting that Newton D. Baker should be quoted as an authority for a plan to pass the control of our Military Establishment from the civilians to a General Staff. While Mr. Baker was Secretary of War he relinquished effective civilian control over the War Department. In 1916, following a long struggle for control by the Army General Staff, Secretary of War Baker directed that from thenceforth the Chief of Staff of the Army would run all activities of the War Department "speaking in the name of the Secretary of War." This was a carte blanche for the Chief of Staff and a vital victory for the Army General Staff within the War Department.

This latest plan vividly demonstrates the difficulties confronting the present Secretary of the Army, Mr. Wilber M. Brucker, in maintaining civilian control within the Department of the Army. Mr. Brucker has publicly and unequivocally expressed his opposition to the integrated single service concept. In spite of this clear expression of the views of the civilian head of the Department of the Army, his Army General Staff has prepared and published an official staff paper which is a master plan for the creation of a single service supreme general staff organization which would destroy effective civilian control of the Military Establishment. Ironically, a key point in this plan is the complete elimination of Secretary Brucker's job.)

1

"The objective of this study is to determine the most suitable organization for a thoroughly integrated Military Establishment. This objective is not a new one. Over a period of years many plans and much legislation have been advanced to 'unify' the armed services. Outwardly a measure of 'unification' has been achieved. Fundamentally the unification visualized by the Army planners who supported the National Security Act of 1947 has not been achieved.

2

"Dictionary definitions of 'unification' are of no value in studying the course of what is generally termed unification of the Armed Forces. Unification, in this latter context, means, and has meant, different things to different persons or groups.

"These meanings extend all the way from the loosest encouragement to cooperate *to a tightly-knit, vertical structure of Federal military command over, and including, all three services.*

"*Almost traditionally, the Army has oriented its views toward the latter extreme,* perhaps influenced by the doctrinal belief in unity of command. Today this unity of command exists in the person and office of Secretary of Defense and represents an accomplished objective of past Army policy. Beyond that objective, however, unification from the Army standpoint has been a failure."

(Comment: Army General Staff objective admitted to be single military commander, a monolithic command structure of an "extreme" nature. This can only be achieved by imposition of a Prussian-German type single chief of staff and a supreme general staff over the Military Establishment. It could only be achieved by destroying civilian control of the Military Establishment.)

3

"There is a definite need for thorough integration of the Military Establishment. This approach to the problem of national defense is essentially an Army one. However, the desirability of this objective has been borne out by history.

"a. The experiences of World War II with uniservice approaches to the problem of national defense had their effect upon the operations of the separate Military Establishments and the semiautonomous Army Air Corps. Significantly, World War II for this country began with a military disaster that has been traced directly to the fallacy of 'mutual cooperation.'

"(1) Due to the gravity of the Japanese crisis in the autumn of 1941, the War and Navy Departments kept their commanders in Hawaii well informed on the progress of negotiations with Japan and of the measures they should take. Here, however, were two separate service commanders: Admiral Kimmel, Commander in Chief of the Pacific Fleet, and Lieutenant General Short, Commanding General of the Hawaiian Department. Both were under orders to conduct their relations under the principle of mutual cooperation.

"This applied not only to everyday business but to the approved war plan (Rainbow No. 5) for the area. Each commander relied upon his own service department for information and each tried to keep the other informed.

"Several Important Exceptions

"None the less, there were several important and noteworthy exceptions • • •

"The existing joint plan for the defense of the Hawaiian Coastal Frontier placed the responsibility for distant reconnaissance, air

and surface, on the Navy. But for reasons not necessary to evaluate here, Admiral Kimmel decided not to institute long-range reconnaissance against air attack. This was not known to the Commanding General of the Hawaiian Department until after the attack on Pearl Harbor. Until then, General Short continued to assume that he could rely on the Navy to give him adequate warning of the approach of a hostile force.

"On the other hand, General Short failed to notify the Admiral that the Army had instituted only a limited alert, which required the Interceptor Command (including the radar) to operate only from 4 a. m. to 7 a. m. Admiral Kimmel assumed that the Army was on an all-out alert and that the radar was in full operation. This was not a breakdown of personalities, for the two commanders were close friends. It was the failure of a doctrine, 'mutual cooperation,' that had never been tested in warfare. And it is a doctrine that continues, despite this lesson, to have its supporters today."

(Comment: This is, at best, a one-sided interpretation of the Pearl Harbor tragedy. Further, the Joint Chiefs of Staff organization and subordinate command structure which we now have is completely different from that existing at the beginning of World War II. Pearl Harbor is a "straw-man." The attempted comparison is fallacious.)

"(2) Following Pearl Harbor, the files of the Joint Chiefs of Staff were filled with records of attempts by the Army, generally successful after argument, to establish unity of command among the active Army and Navy forces conducting military operations both at home and abroad. Generally, frictions over unity of command decreased in direct ratio to the distance from Washington.

"However, it was almost a year and a half following the investigation of Pearl Harbor that a paper was approved establishing broad principles to govern the exercise of unity of command in joint operations and it did not provide for unity of command as the normal method of coordination.

"(3) *Despite these advances, and after the praises showered on operational unity in Europe, the Southwest Pacific and the Pacific Ocean areas, the United States incongruously approached the final defeat of Japan with the U. S. command structure in the western Pacific surprisingly uncoordinated.*

"The offensive against Japan consisted of a two-pronged approach: [General of the Army Douglas] MacArthur's advance northwest across northern New Guinea and the Philippines; and [Fleet Admiral Chester W.] Nimitz' advance west through the Pacific Islands to Okinawa. Command difficulties became greater when the Twentieth Air Force, later to become the United States Strategic Air Force, controlled directly from Washington, was added as a third independent force in the Pacific. *Thus at one time there were five separate American Air Forces or components to be coordinated,* and on occasions both Army and Navy air elements scheduled strikes simultaneously on the same targets, completely oblivious of the other's plan."

(Comment: This is, again, a one-sided interpretation stated as a categorical fact. Such statements are subject to authoritative refutation. This is an example of trying to establish a premise by using the broad assertion and half-truth technique. Another gratuitous slur on the Air Force.)

4

"The National Security Act of 1947, passed by Congress with the intent of unifying both the administration and the strategic planning and operations of the armed services, was a compromise of traditional service roles and missions, or 'functions,' and of service concepts thereof."

(Comment: The law did intend, as stated in the Declaration of Policy of the National Security Act of 1947, amended, to provide "effective strategic direction of the Armed Forces and for their operation under unified control" * * * This has been achieved in accordance with law, by placing such authority in the Secretary of Defense, and by establishing under him unified commanders in the various theaters of operations.

The law specifically states the military departments shall be 'separately administered.' Thus, the statement that the law was passed with the intent of unifying the administration of the armed services is false. On the contrary, Congress has repeatedly rejected this concept.

The service roles and missions as prescribed by Congress were not a compromise. Congress specified, in accordance with its constitutional obligation, the basic functions for each service. Congress did not compromise with the requirements of national security. The roles and missions are as necessary, as sound, as applicable, and as responsive to defense needs and technological advancements today as they were when written into the National Security Act. The Army General Staff opposed roles and missions then because, in putting such provisions in law, Congress blocked the Army General Staff plans to take over the Marine Corps and encroach on the proper functions of the Navy and Air Force.)

"Only at the Department of Defense level of the national defense structure was true unification achieved. Further than this, unification in 1947 could not be legislated, for de facto integration of the three armed services has its basis in the assignment of roles and missions oriented toward accomplishing a specific national strategy. Therein lies the basic divergency which today divides rather than unifies the Military Establishment."

5

"A series of interservice divergencies, or differences of opinion, doctrine or 'policy,' today mitigate against effective integration of the armed services. *Most of these divergencies stem from three fundamental differences in service doctrine which must be subordinated or settled by compromise before true integration of the Military Establishment can be accomplished.* These fundamental divergencies will be discussed briefly:"

(Comment: If these divergencies are so vital and fundamental, isn't this the precise area in which civilian control should be exercised? These are matters which should be decided by the Secretary of Defense and the President rather than by a military chief of staff.)

"A. Although in apparent outward agreement to date, the Army and the Air Force are divided on the basic concept for fighting world war III. In brief, the Air Force believes in the so-called short war concept, primarily a strategic air war of massive atomic destruction in which a decision will be reached in from 30 to 60 days.

"In opposition to this concept is the fundamental Army belief that decision will not be reached, in a manner acceptable to our basic national objectives, until the effectiveness of enemy land, sea and air forces as war-making potentials of enemy power have been neutralized. The Army believes that this should be accomplished by integrated Armed Forces, which patently will require a considerably longer time period than 60 days. Basically, this is a doctrinal split of some years standing, the Air Force adhering to the 'decisiveness of air power,' * * * which the Army has never accepted as valid. None the less this divergency of honest opinion has influenced all subsidiary considerations of service roles and missions, force levels, appropriations, and the determination of basic national policy."

"Unity of Command"

"B. *A fundamental belief of the Army is the doctrine of unity of command: the mission and the responsibility given to one commander, who has authority over, and control of, all means necessary to the accomplishment of the mission.* In opposition to this belief is that advanced by the Air Force and to a lesser extent, the Navy: the doctrine of 'cooperation.' "

(Comment: Again the Army General Staff argument that a single military commander is needed over all the Armed Forces because one man has to command units in actual combat. This fails to distinguish between the requirements for command in combat and formulation of military policy at the seat of government. This contention that both situations require a single commander was condemned as false and dangerous by both the late James Forrestal and the Hoover Commission Task Force on National Security.)

"Essentially the cooperation theme states that unity of command is achieved at the theatre commander level and that subordinate forces can participate in joint action on a coequal status of cooperation. This has been an old Army-Navy issue of many years standing, although the Navy has modified its attitude considerably since World War II.

"The Air Force, however, which as the Army Air Corps touted unity of command, upon achieving independent status completely reversed its views on this issue. This divergence of views has been reflected in many subsidiary issues relating to air defense and air support of ground forces. Despite much historical evidence substantiating the validity of the unity-of-command concept, *it remains an interservice issue.*"

"Arms Development and Use"

"In many aspects of the respective service views on [weapons system development and employment] there is a correlation to the basic service split on national strategy. However, the impact of weapons system development on the roles and missions of the services is such that it stands alone as a fundamental issue of service divergency."

(Comment: It is an "interservice issue" only to the extent the Army General Staff makes it such by insisting on having its own way.)

"This divergency reaches primarily into two doctrinal fields of weapons system development and application, although there are many related subsidiary issues.

"These two fields are (1) atomic energy, and (2) guided missiles. In the first of these, military application of atomic energy, the heart of the divergency is closely related to service views on the decisiveness of air power. Atomic weapons have given substance to the Air Force doctrine that a military decision can be obtained through air bombardment alone. However, this doctrine was propounded by the air power enthusiasts long before the atomic bomb was conceived.

"This doctrine was not valid until the thermonuclear bomb was invented. Thus a valid weapon has been grafted to an invalid doctrine to give the latter some substance. But to execute this air-atomic doctrine, to the extent that a 'decision' can be achieved, requires the total destruction of an enemy nation.

"Rather than concur with the 'decisiveness' of thermonuclear destruction as a desirable course of action, *the Army takes the position that this type of decision is morally, politically and practically unjustifiable when the application of graduated, selective, politico-military force can achieve the desired national security objective without unduly risking enemy thermonuclear reaction."*

(Comment: This is an open, overt attack on the Air Force and national defense policy. Again, the Army General Staff condemnation of everything that does not accord with its views.)

"An extreme evenutality visualized by the Air Force is the possibility that guided missiles will shortly replace the manned combat aircraft as an interceptor, close-ground-sup-

port and strategic-bombardment weapon. In stark projectiton of such a concept, the Air Force can see itself reduced to a troop-carrying and logistic support service to the Army, unless it obtains control of the guided missile function of the future. As an argument for its control of guided missiles, the Air Force has adopted the position that missiles are a supplement to and replacement of Air Force manned aircraft, that missiles will be used on targets now attacked by aircraft and that therefore missiles are primarily an Air Force weapon.

"On the other hand, the Army visualizes the guided missile as a logical extension of its military arm which, by increasing the range and lethality of fire-power, will enhance the tactical and strategic mobility of ground combat forces."

"Reconciliation Is Asked"

"D. *Thus the internal stresses within the Military Establishment, which tend to divert rather than integrate the armed services, have their root in uniservice doctrines considered essential to the prosecution of individual service roles and missions.*"

(Comment: Again the attack on roles and missions. This is a broad statement that is not a categorical fact. There is no source of conflict in stautory roles and missions except that which is generated by a refusal to accept and abide by the law.)

"It is where these functions overlap, bringing divergent doctrine onto the same battlefield, that interservice divergencies become most evident.

"It is doubtful if true integration of the Military Establishment can be accomplished unless these fundamental differences can be reconciled or otherwise eliminated.

6

"[Here followed (1) a description of the service attitudes toward unification prior to the National Security Act of 1947 and (2) a critique of that act from the Army's point of view.]

"Analysis of service experience with unification since 1947 reveals four basic causes for *the lack of truly integrated operation of the Armed Forces to date:*"

(Comment: "Truly integrated operation of the armed services" is a vague and meaningless term, and gives a false impression of effectiveness of actual war effort. After all, there was unity of command in Korea, and integration of forces and effort.

"A. Divergent service doctrine on three specific fundamentals.

"B. *The nature of 'command' over the armed services as promulgated by Reorganization Plan No. 6 of 1953.*"

(Comment: Reorganization Plan No. 6 emphasized civilian "command". This is repugnant to the Army General Staff. This assertion lays basis for eliminating civilian secretaries, as this document proposes below.)

"C. *Adherence by the services to the 'Joint Chiefs of Staff concept.'*"

(Comment: A generalized indictment of the war-proven JCS system; assumes that it is bad per se for the services to adhere to the JCS system as established by law. Such a slur on the JCS is a necessary step in moving to the plan, proposed below, for junking the JCS in favor of a supreme general staff.)

"D. *Overlapping and undefined functions resulting from the tri-elemental, land-sea-air approach to the allocating of roles and missions to the separate armed services.*"

(Comment: This is factually wrong. Congress in writing roles and missions into the National Security Act *rejected* the Prussian-German tri-elemental theory and based roles and missions on the American "functional" or "balanced force" concept. This Army General Staff statement is the product of either deliberate misrepresentation or ignorance. At least until now Army General Staff cleverness has not been characterized by ignorance of essential facts and military terminology.)

"Courses of Actions Listed"

"Having isolated the deterrents to integration of the Armed Forces, it is possible to deduce certain courses of action which singly, or in combination, might provide a concept for the most suitable organization for a thoroughly integrated Military Establishment. These are:

"A. Retain present organization, but develop a common doctrine for all services.

"B. Retain present organization, but redefine the functions for the separate services.

"C. Revise the National Security Act to reorganize the Department of Defense above the military services level.

"D. Revise the National Security Act to reorganize the military services, per se, into an integrated national armed force.

"[Here followed analyses of the four courses of action with the conclusion that course (C) offered the most chance of success in achieving traditional Army unification objectives.]

"[The Army's argument in favor of this course follows.]

"This concept visualizes a military establishment organized as follows:

"(1) *An essentially military Department of Defense, organized as a joint military staff.* This department is directed by a civilian Secretary of Defense who is both a Cabinet officer and commander of the Armed Forces in the name of the President as Commander in Chief."

(Comment: To *assure* that the supreme general staff will be certain of controlling the Department of Defense, the *entire* Department is to be included in the supreme staff.)

"Directly responsive to the Secretary, as a staff affiliate, is a civilian controller and a civilian general counsel. Through these agencies the Secretary controls the legal and budgetary functions of the Department and the military services.

"(2) Directly subordinated to the Secretary of Defense is the chief of the joint staff. *The joint staff is the operating element, which in fact comprises the Department of Defense.*"

(Comment: The joint (supreme) staff becomes the Department of Defense—manpower, research, troop information and education, draft requirements, industrial requirements, procurement, etc. This would be the greatest single grant of power to the military in all modern history. The magnitude of this grant of power to the military is readily apparent when it is considered that the Department of Defense is the greatest single spending agency in the world today. The power that would accrue to the joint (supreme) staff through its direct and indirect control of the national economy which would inevitably flow from the expenditure of the defense billions is appalling to any thinking American.)

"*The chief of the joint staff is* appointed by the President with the consent of the Senate. He may be from any of the three military services, however, the office will be rotated among the three services. His tenure will be limited by statute. He may be extended for additional 2-year periods upon nomination by the President with the consent of the Senate. *Upon assuming office, he will be retired from his service* and upon completing his assignment he may no longer return to duty with any component of the military services but will continue in retirement at the full statutory pay of his office. *During his term in office, he will be, as a civilian, the military commander of the armed services, but will have no budgetary authority. He will be the military adviser to the Secretary of Defense, the President and the National Security Council.*"

(Comment: "Chief of the Joint Staff"—

1. Will be retired before taking office. By overnight change of clothes he is supposed, apparently, to become a civilian.

2. Cannot be a civilian. Under law a retired officer remains an officer. Retired officers are in the military service of the Government. This was decided by the Supreme Court in the case of *U. S.* v. *Tyler* (1882) (105 U. S. 244). There are various statutes which confirm this status of retired officers. For example, Section 1c. Title 10, United States Code provides as follows:

"(a) The Regular Army is that component of the Army which consists of persons whose continuous service on active duty in both peace and war is contemplated by law, and of persons who are retired members of the Regular Army."

Further, Article 2 (4) of the Uniform Code of Military Justice provides that:

"Retired personnel of a regular component of the Armed Forces who are entitled to receive pay" are subject to court-martial jurisdiction.

This is just another example of the ignorance or deliberate misrepresentations of those preparing this paper.

3. Is *commander* of all military forces, and the joint (supreme) staff, which includes the entire Department of Defense.

4. "No budgetary authority" A meaningless restriction. The chief of staff, as herein proposed, will control the Department of Defense (the supreme staff), and his power to set military policy, strategy requirements, manpower requirements, weapons and industrial requirements will be so great as to exert indirect control over defense budgets. He will have all the planning agencies and can produce the "facts" to support his requirements. No other agency will have a source of military information; hence no way of checking on the chief of staff's decisions.

5. Will be sole military advisor to Secretary of Defense, President, and National Security Council. Thus the civilian "superiors" will have only one viewpoint, and recommendation, and will not have any way of knowing whether there were serious military objections to what has been decided by the chief of staff. Civilian "superiors" will have only one alternative to chief of staff's position and that would be to veto it. This they could not do as they would have no alternate plan to substitute for it. This is the manner in which the chiefs of the Great German General Staff boxed in and controlled their nominal constitutional superiors.)

"2 Deputies Provided"

"(3) *The chief of the joint staff will be served by two deputies: a deputy chief of staff for plans and operations, and a deputy chief of staff for requirements.* These officers will each be of a different armed service than the chief of the joint staff and each other. They may serve for no more than 4 years in the Department of Defense after assuming deputy status and upon completion of their assignment will be retired on full pay, with the exception that they may be reappointed immediately as chief of staff of the joint staff.

"(4) *The deputy chief of staff for plans and operations will be served by three assistant chiefs of staff:* an assistant chief of staff for operations, assistant chief of staff for plans, and an assistant chief of staff for intelligence. Each of these assistant chiefs of staff will be of a different military service. They may serve for no more than 4 years in the Department of Defense after assuming assistant status and upon completion of their assignment *will be retired on full pay, with the exception that they may be reappointed immediately as a deputy or as chief of the joint staff.*

"(5) *The deputy chief of staff for requirements will be served by three assistant chiefs*

of staff: an assistant chief of staff for personnel, assistant chief of staff for logistics and an assistant chief of staff for research and development. Each of these assistant chiefs of staff will be from a different service *and will be subject to the same terms of tenure of office and retirement as the assistants for operations, plans and intelligence.*

"(6) This Department of Defense joint staff need not be wholly military but no fixed ratio of civilian appointments to military personnel should be established. The staff, however, should be predominantly military. *Throughout subordinate staff organization, the principle of integrated assignment of officers from different services to personnel spaces should be adhered to, as should a policy of rotation of specific spaces among the different services.* Officers below the assistant chief of staff level on duty with the Department of Defense joint staff should be limited to no more than 4 consecutive years of staff duty, with a *minimum 2 years duty required outside the Department before he can be reassigned for another tour. This restriction can be voided during time of war or national emergency declared by the Congress.*"

(Comment: All civilian deputy and assistant secretaries of Defense would be replaced by military officials. A really "clean-sweep" by the supreme general staff; eliminates *all* chance of Secretary of Defense having influence or in information from Department of Defense except as permitted by the chief of staff.

Also note how line of succession to higher power in the supreme staff is provided. Duty on the supreme staff becomes a new career, subject only to occasional interruptions for other duty. However, in war *and* national emergency there is no restriction on continuous duty. This closely parallels similar aspects of the great German General Staff system, which led to a permanent corps of general staff officers whose careers centered almost exclusively on general staff duty. This in turn resulted in loss of realism and increased "ivory tower" thinking.)

"No Separate Departments"

"(7) *Below the Department of Defense, there will be no separate departments of Army, Navy and Air Force per se. The directing functions of the present military departments will be absorbed into either the Department of Defense, the separate service staffs, or both.*"

(Comment: One big merger into one service, precisely what Congress has prohibited in the most unmistakable terms, complete centralization of control into the Department of Defense, which is, in fact, the supreme general staff!)

"(8) *The chief of staff of the joint staff will hold direct command over the Army, Navy and the Air Force through the Commanding Generals of the Army and the Air Force and the Chief of Naval Operations.* He will also designate and command directly the unified commanders. Forces for the unified commands will be allocated by the chief of staff and provided, on his order, by the service Commanding Generals and Chief of Naval Operations. The chief of staff of the joint staff will be responsible to the Secretary of Defense for the strategic planning and direction of the Armed Forces and for maintaining the efficiency of the Military Establishment, its state of preparation for military operations, and plans therefore."

(Comment: Chief of Staff commands the Army, Navy and Air Force through the military heads of those services. The Secretaries of Army, Navy, and Air Force are eliminated, replaced by the military. No longer will the Secretary of Defense control the military departments through their respective secretaries. Every vestige of civilian control is destroyed. Also destroyed is the Marine Corps. There is less chance of civilian control under this Army General Staff blueprint than there was in the German armed forces in the palmiest days of the great General Staff.)

"From this analysis, course of action C offers the most chance of success in achieving traditional Army unification objectives. Therefore, the most suitable organization for a thoroughly integrated Military Establishment can be achieved by revision of the National Security Act of 1947 to reorganize the Department of Defense above the military services level within the concept outlined for course of action C."

(Comment: A correct statement. What is the traditional Army General Staff Unification objective? James Forrestal knew what that objective was. He pointedly stated it was the isolation of civilian control of the military, and he further stated that General Marshall "quite frankly said so"! This plan certainly would achieve that objective.)

SUMMARY OF THE ESSENTIALS OF THE CURRENT ARMY GENERAL STAFF PLAN FOR ESTABLISHING A PRUSSIAN-TYPE HIGH COMMAND

1. Destruction of the war-proven Joint Chiefs of Staff.

2. Creation of a single chief of staff.

3. Creation of a supreme general staff.

4. Elimination of civilian Deputy and Assistant Secretaries of Defense.

5. Replace civilian Deputy and Assistant Secretaries of Defense with Deputy and Assistant Chiefs of Staff.

6. Make Department of Defense identical with the supreme general staff. Thus, the Chief of Staff and the supreme staff would control all the activities now performed by the Department of Defense. Its power would affect every home, school, and industry in the country.

7. Eliminate the civilian secretaries of the Army, Navy, and Air Force.

8. Replace the civilian secretaries of the Army, Navy, and Air Force with military officers.

9. Give Chief of Staff actual *command* over all Armed Forces.

10. Chief of Staff to have power to settle all differences of opinion in Armed Forces as to proper national military policy. Does not even have to refer basic policy questions to Secretary of Defense or President.

11. Chief of Staff displaces Secretary of Defense as real authority over Department of Defense. Chief of Staff directs Department of Defense "for" the Secretary of Defense.

12. Chief of Staff sole advisor on military matters to Secretary of Defense, President and National Security Council. Can control the information his "superiors" receive.

13. Would be able likewise to decide what information Congress should receive on national defense matters. Would be the end of effective congressional action in defense matters.

14. Would eliminate the Marine Corps.

15. Establishes system for successive promotions through the supreme staff hierarchy, and continuing rotation of individual officers to duty in the supreme staff.

16. Creates "ivory tower" in which those who make plans are not responsible for carrying them out.

17. Substitutes the Prussian-German supreme general staff system for the United States developed Joint Chiefs of Staff system.

18. Thus it would destroy civilian control of the military, prevent congressional "interference" in military matters, and destroy the war-proven JCS system, substituting in its place the high command system of the vanquished.

NOTE: *Every one of these proposed changes is contrary to the letter or spirit of the Report of the Hoover Commission Task Force on National Security.*

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. HUMPHREY of Minnesota. I have known for some time of the keen interest of the distinguished Senator from New Hampshire in the matter to which he has directed his attention. I, too, have read with increasing concern of the proposals which have been made for what I would call—I hesitate to put a label on it—but a kind of Prussianized military chief of staff system in this country. I have felt that the arrangement which now exists, of a Joint Chiefs of Staff, under a chairman, which embodies the military responsibility, over which is placed civilian responsibility and control, is much more desirable.

I am not an expert in this matter, and I do not claim to be, but like other Senators, I have discussed it with persons who have been very much concerned about it for a long period of time. I was informed that the Senator from New Hampshire might some day address the Senate on this very subject. I am happy that I am here at this moment to listen to what he has had to say. I shall read with interest all of his statement.

Mr. BRIDGES. I appreciate the comments of the Senator from Minnesota. I feel very strongly that if we are to preserve our country and have it survive over the years, we must first have civilian authority above the military authority.

Mr. HUMPHREY of Minnesota. The Senator is correct; I think that statement should be underscored.

Mr. BRIDGES. Second, we must have the collective benefit of the best military minds in the country. In the case of a great national emergency or catastrophe, involving the survival of my country, I should not want to depend on the whims of one man; I should want the benefit of the collective judgment of the top military brains of the country as they reported to a civilian authority.

Mr. HUMPHREY of Minnesota. The emphasis upon civilian responsibility and civilian authority surely needs to be underscored, especially when we have a defense program which runs into the billions of dollars, and particularly at a time of international tension.

There is a constant tendency on the part of those who are less familiar with military matters to say, "Leave it to the military." It is all right to leave it to the military provided here is preserved in the military some conflict of opinion, or at least some opportunity to have differences of opinion. But if there is to be one supreme military chief of staff, the Secretary of Defense, for all practical purposes, would be made nothing more or less than simply a figurehead. We might find ourselves in a situation in which decisions were being made which did not represent what would be best for the public policy.

The distinguished Senator from New Hampshire has focused our attention on one of the greatest problems facing our Nation today. Many of those who are proposing a change in our Joint Chiefs of Staff system apparently do not realize that such a change would do violence to the basic concepts on which this Nation is founded.

This is an issue which transcends party lines and political partisanship of any kind. It is a matter of the most fundamental importance from the standpoint of maintaining our democratic form of government.

I seriously doubt that those who so willingly condemn our Joint Chiefs of Staff system have analyzed the philosophy on which it is founded and the mechanism of its functioning. I doubt also if those who would so willingly desecrate the Joint Chiefs of Staff have ever contemplated the dangers of the supreme general staff concept which they advocate as a substitute. There is no middle ground between our American way—the Joint Chiefs of Staff system—and the Prussian way—a form of supreme general staff.

It is my firm conviction that there has never been a greater example of the inherent genius of our governmental institutions than the American-developed Joint Chiefs of Staff concept. By this method the United States has solved the great dilemma of how to keep a democratic nation militarily strong without injecting into that nation's body politic the fatal germs of militarism. Through the device of the Joint Chiefs of Staff our Nation possesses a means for strong, wise, and effective military planning at the seat of government without having to utilize the form of highly centralized supreme general staff system which is anathema to every concept of democracy.

The Joint Chiefs of Staff method provides a means by which we are militarily strong without being militaristic.

There has been much criticism of the so-called procedure by which members of the Joint Chiefs of Staff are said to wear "two hats." Those who criticize the dual status of the Joint Chiefs of Staff members—who are both members of the Joint Chiefs of Staff and the heads of the military services—would separate Joint Chiefs of Staff members from being the head of a military service. This would strike a vital blow to the Joint Chiefs of Staff concept which has proved itself in World War II—the greatest war in history—as well as in the Korean war. It must always be remembered that the unique and fundamental feature of the Joint Chiefs of Staff is that it combines authority and responsibility. The cardinal tenet of this concept is that the members of the Joint Chiefs of Staff who prepare the overall military plans for our Nation are also the service chiefs who will be responsible for carrying out those plans.

This is a simple principle, but it is a sound principle. In every walk of life the combination of authority and responsibility is an accepted and fundamental concept. Indeed, it would be not only the height of folly; it would be a blueprint for mismanagement for our Nation to change from our wise time-tested and war-proven system which combines authority and responsibility and accept a form of supreme general staff in which those who have authority are excused from being responsible for the plans which they concoct. This was a fatal fallacy of the Prussian-German system. In business it is an invitation to bankruptcy and failure. It would be a one-way road to military disaster for the United States.

There is one aspect of this issue which is to me of the most fundamental importance. History has shown that the institutions of any government, if that government is to survive crises, must be in harmony with the philosophy on which that government is based. The supreme general staff system was developed and cherished by Prussia, Imperial Germany, Nazi Germany, and the other evil dictatorships that have besmirched man's history. The supreme general staff fitted neatly into these forms of government which deny the people a voice in their government, a knowledge of what is going on in their government and effective participation in the determination of the policies of their government. The whole philosophy of the supreme general staff system—in any form—is in complete harmony with dictatorship in any form. By the same token, any form of the supreme general staff is anathema to basic principles on which democratic governments are founded. History has repeatedly demonstrated that once a nation adopts a single chief of staff, and the supreme general staff that goes with it, that act constitutes a death warrant for the principles of liberalism that nurture democracy.

Place one military man in a position where directly or indirectly he controls the day-to-day military activity of a nation and you set the stage for the inevitable tragedy in the form of the death of effective civilian control of the military.

A chief of staff is in the position to cut off his titular civilian superiors from all information which could serve as a basis for their determination of a national military policy. Without complete knowledge of differences of opinion within the military establishment, civilian authority is reduced to a meaningless status. True responsibility is only exercised by those who have complete information. In the Prussian system civilian authority is isolated from the source of information.

I need not remind Members of this Senate of the difficulty we frequently have as Members of the Senate in obtaining knowledge of matters in the Department of Defense which are of genuine importance and concern to Congress. If such is the case under the present system, it requires no highly charged imagination to realize that the establishment of a single chief of staff would further isolate Congress from the vital, important information which Congress needs to discharge its constitutional responsibilities with reference to the military services. There is no more certain way to destroy congressional authority in the field of defense matters than to adopt some form of a supreme general staff.

It must also be understood that it makes no difference what form a supreme general staff might take initially in this country. We must realize that it would never be advocated and peddled under an accurate label. To state it in another way, the moment the Joint Chiefs of Staff system is abandoned we can be certain that a form of supreme general staff will supplant it. It is the only alternative to our Joint Chiefs of Staff.

I emphasize that this, in my opinion, is no partisan political matter. The desire for sound governmental processes for the protection of our democratic form of government, and the continuation of a political atmosphere in which the principle of progressive liberalism can thrive is a vital concern to all farsighted Americans. As one example of the fact that this is not a partisan issue, I remind Senators that, as the distinguished Senator from New Hampshire has pointed out so effectively, the task force on national security of the First Hoover Commission thoroughly investigated the Joint Chiefs of Staff system and the single chief of staff-national general staff systems. The result of this investigation was a reconfirmation of faith in, and a ringing endorsement of, our Joint Chiefs of Staff concept. At the same time the Hoover Commission task force was most pointed in its warning and condemnation of a single chief of staff-supreme general staff system for this country. The lack of political partisanship is evidenced by the fact that the Hoover Commission which created this task force and which endorsed its study and accepted it in essence was appointed by President Truman.

While we are addressing ourselves to this subject, there is one matter which is a source of the gravest concern to me. I think we all have observed the machinery of government long enough to know that laws can be changed by minute and almost daily violations or deviations from the law. In the end the accumulative effect is a revision of the law through practice rather than by congressional determination.

I am particularly concerned about the growing tendency of the present Chairman of the Joint Chiefs of Staff to fill a role as spokesman of the Joint Chiefs of Staff. I have noted the increasing frequency with which the Chairman purports to speak for the Joint Chiefs of Staff. I am concerned by subtle but alarming indications that he is exerting increasing influence if not authority over the Joint Chiefs of Staff in their deliberations and their findings, and the manner in which their views are presented or even not presented, to the civilian officials of the Department of Defense and to congressional committees.

This is a tendency which must, in the interests of every fundamental concept of our Government, be stopped, and stopped at once. Every time the Chairman of the Joint Chiefs of Staff speaks for the Joint Chiefs of Staff as a body, the impression is conveyed, intentional or otherwise, that he exerts some control over the Joint Chiefs of Ctaff. Such is in violent conflict with the provisions of the National Security Act which prohibits the establishment of a single chief of staff over our Armed Forces.

The accumulative effect of such action by the Chairman would be the ultimate translation of the position of the Chairman of the Joint Chiefs of Staff into one of the de facto chief of staff. Congress

must be acutely alert to prevent the establishment of the Prussian—and now the Communist—system of high command in any form in this country.

I join with the distinguished Senator from New Hampshire in my determination to oppose by all means at my command efforts to establish by direct or indirect methods, by complete or piecemeal process, any form of supreme general staff in this country. Conversely that means that I will exert the same determination to prevent changes in our war-proven time-tested unique American Joint Chiefs of Staff system.

I hope the Senator from New Hampshire, who is a member of the Committee on Armed Services, will pursue the matter in the months ahead, when we reconvene in January 1957.

Mr. BRIDGES. I thought something should be said about the movement which is now under way; so that we would have something to tie to or point to as reaffirming the record of Congress in that direction.

Mr. HUMPHREY of Minnesota. I thank the Senator from New Hampshire.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. MANSFIELD. I compliment and commend the senior Senator from New Hampshire for raising a red flag at this time, so that those who never seem to get away from the idea of a Prussianized general staff will once again be put on warning.

I am very happy that a man of the stature of the distinguished Senator from New Hampshire has seen fit to make his remarks on the floor of the Senate this afternoon. I have been somewhat disturbed because the danger signals from the Pentagon always seem to be going up, and they never seem to know when to quit.

So, on our part, it means that we shall have to be on our guard at all times to make certain that the identity of the respective services is kept alive.

I think also, in line with the Senator's statement this afternoon, it might be well to consider the newspaper articles to the effect that a reduction of 800,000 on our Armed Forces is being considered. While I have an interest in all the services, and know that a cut of this nature would affect the Army, the Navy, and the Marine Corps, respectively, I am afraid that if the proposal were carried out as intended, the 200,000-man cut as applied to the Navy would mean, in reality, a drastic reduction in the strength of the Marine Corps, a cut below the statutory strength fixed by Congress, namely, a floor of three combat-sized Marine divisions, and three air wings.

I hope, in that respect, also, the Senator will observe the warning signs. I know that, good friend of the Marine Corps that he is, he will speak up, and speak up well.

Mr. BRIDGES. I thank the Senator from Montana.

Mr. DOUGLAS subsequently said: Mr. President, I wish to commend the Senator from New Hampshire [Mr. BRIDGES] for the very able speech he made in this Chamber a few minutes ago in opposing the proposal of the Army General Staff that a single Supreme General Staff be created for all the armed services.

As the Senator from New Hampshire pointed out, this Army staff plan was printed in the New York Times on June 24 of this year. It proposes a single Chief of Staff and a Supreme General Staff for all the armed services over which the Chief of Staff would preside. It would eliminate civilians from the positions of Deputy and Assistant Secretaries of Defense. They would be replaced by Deputy and Assistant Chiefs of Staff. The Joint Chiefs of Staff of the Department of Defense would, in effect, be made identical with the proposed Supreme General Staff. Thus, the Chief of Staff and the Supreme General Staff would control all the activities now controlled by the Department of Defense, and, in effect, the Chief of Staff would be given actual command of all the Armed Forces. He would have the power to settle differences of opinion in the Armed Forces as to national military policy, and he would not even have to refer basic policy questions to the Secretary of Defense or to the President. The Chief of Staff would become the sole adviser on military matters to the President, the Secretary of Defense, and the National Security Council, and, as such, the Chief of Staff could control the information which his superiors would receive.

Mr. President, since the article was published in the New York Times I have given a great deal of thought to this issue. It goes far beyond ordinary political issues. That is why I am glad to join the Senator from New Hampshire in opposing this matter.

The problem of the proper place for the military in our system of government was considered and debated by those who wrote the Constitution. The basic concept was that our military forces should be under civilian control. Thus, the President was made Commander in Chief, and Congress was given the responsibility of creating and maintaining our Armed Forces. The current drive of the Supreme General Staff-National General Staff proponents is aimed to override these fundamental concepts of our form of government.

I know of no greater danger to our democratic institutions than that which is threatened by this plan, which would create within our Government a military organization which has its genesis in some of history's most notorious dictatorships.

Mr. President, I may say that this idea of a supreme general staff is, in effect, copied from Prussia and from Germany, where there was one general staff dealing with such matters. As a matter of fact, they were separated from command responsibilities. They were not trained to command troops in the field, and they never did command troops in the field. They trained their own personnel for staff work, and then worked out overall strategic plans, and prescribed the duties which the components of the military forces must carry out.

Considerable literature on the German general staff has been published in recent years. It indicates that they set impossible tasks for the field forces—tasks beyond the capacity of human being to fulfill—which is naturally to be expected if the staff and planning function is separated from actual command of the men who, in blood and mud, have to carry out the orders.

In addition, instead of keeping out of politics, they went into politics. They gave at least tacit approval to the seizure of power by Hitler; and once Hitler was in power, they backed him up.

So this general staff proposal has its European analogy from very unsavory quarters; and I think the American people should stop, look, and listen before such a plan as this is put through.

It so happens that, along with others, I have long feared and warned against the danger to our free institutions which is implicit in the Prussian type supreme chief of staff—national general staff system.

The proposal that the United States adopt a top-level military organization in which one military officer would be clothed with authority to speak for all of our armed services is a mortal threat to our constitutional concept of civilian control over the military. It is inevitable that actual control of our military forces would pass from the President and the Secretary of Defense to the one person in uniform who would be the source of all information relating to our Armed Forces.

It is naive to assume that the President or the Congress would ever receive advice or information from the armed services which did not reflect the views of this single powerful military figure. In fact, we are blandly told that a supreme chief of staff would eliminate controversy and competition between the military services. This implies, of course, that a final decision on the most vital problems affecting our national military policy would be made by the supreme chief of staff rather than by the Secretary of Defense, the President, or the Congress. This harmony, however, would be gained at the expense of sound principles of democratic government and at the cost of weakening our Nation's defenses.

Major changes in our fundamental Government organizations do not usually come suddenly and with fanfare. Rather they are gradual and sometimes almost imperceptible. In a way, it is fortunate that the supreme general staff proponents have been so vocal and brazen in their advocacy of an alien military organization. We have thus received fair warning of the nature and philosophy of the change which these people are attempting.

Henceforth, every proposed change in our top-level military organization should be carefully considered by the Congress and every attempt to place increased control in the hands of a single military officer or alter our war-proven Joint Chiefs of Staff system should be resisted no matter how slight the change may be.

For we can rest assured that any such increase would be at the expense of effective civilian control of the military, and would be another step in the continuing

drive to impose on the United States a military organization which has contributed to the defeat of every nation which has tried it.

I wish to touch upon another subject. If staff work is divorced from combat and command responsibilities, plans which are drawn will not take account of the terrible strain to which men are exposed, and will impose upon them impossible tasks, resulting in great dissatisfaction within the entire military structure. I suppose that ever since the days of Hannibal there has been conflict between the line soldier and the staff soldier. The line soldier pays the penalty, with his blood and his death, for the mistakes which are made by the staff, who dwell at a safe distance from where the fighting is going on—today in bomb-proof shelters—and issue orders for the men at the front to execute. The common experience is—and the experience of the Prussian general staff bore it out—that the staff becomes gradually divorced from the problems of the common soldier; and being divorced from the problems of the common soldier, it sets for the common soldier tasks impossible of fulfillment. As a result, the casualties are multiplied.

This has been one military development of recent days. Another development in military planning was the announcement, which was gradually leaked to the newspapers, that officials in the Defense Department whether civilian or military one could not quite make certain, but probably civilian—were planning the reduction of our Armed Forces from 2,800,000 to 2 million men.

If we were to reduce our Armed Forces by 800,000, it is quite clear that we should have to withdraw a very considerable number of divisions from the Pacific, and that in all probability we should have to withdraw a considerable number of divisions from Europe.

This general announcement was followed very recently by the public statement that we were giving up our Japan command, and that the headquarters of the Asiatic forces would thenceforth be in Hawaii rather than Japan. This is a vital part of the plan, as it is unfolding.

What are to be the consequences of this plan, if it is carried out? It will leave us largely helpless, so far as probing operations by the Communists are concerned, whether those Communists come from Russia or from China. We shall not have the effective strength to check peripheral attacks by the Communist world against those nations in Asia which are either on the side of the free world or are neutral. The only weapon we would have would be the atom bomb or the hydrogen bomb.

This is a weapon which is not adapted for small wars, and which almost inevitably will destroy not merely large numbers of men in the uniforms of the opposing forces, but enormous numbers of civilians at the same time. Our horror against it is that, unlike traditional weapons, it is a weapon which kills indiscriminately. Apparently we have not yet reached the point where we can use atom and hydrogen bombs as tactical weapons alone, whose impact will be confined to the armed forces immediately in front of us. We have the problem of radioactive fallout, and all the other features as well.

Picture what would happen and let us pray that it will never happen if an atomic bomb or hydrogen bomb were used in southern Indochina, along the borders of India, along the borders of Siam, or along the borders of Pakistan, in defense of all those countries. Not only would there be a great loss of life, but the inevitable result would be to turn all Asia against us because we would be white men dropping bombs on yellow men or brown men. The result would be to stir up a race war, which would inevitably bring the yellow and brown—and probably the black—races of the world into opposition to us.

In other words, the weapon would be so deadly that careful men would not use it. If they did use it, it would mean, almost inevitably, expanding a local war into a world war. If we do not use it, and do not have enough ground forces with which, in addition to the ground forces of the nations which are friendly to us, to repel local attacks, these probing moves will succeed, and we shall see country after country, either by reason of armed attacks or threats of attack passing into the hands of the Communist world.

The great advantage of ground forces is that the resistance can be confined to the point of specific attack. We can fight a limited war without expanding the limited war into a general war.

The use of ground forces to repel aggression is like localized surgery. It is applied to the point where the infection occurs, and it is not necessary to kill—and humane soldiers will not kill—civilians. It is not necessary to carry out indiscriminate violence. It is a type of force which, if it is used to put down a revolution internally, is of a police nature, and which, if it is used to resist aggression, is of a localized nature.

Much has been said about the evils of limited warfare. Limited warfare, if that be necessary, is far better than general warfare; and resistance to aggression is better than letting the Communist world pick out one country after another for seizure and overpowering.

That is the situation so far as Asia is concerned. If we look at Europe—and we have been having difficulties with the NATO military forces in Europe—let us consider what would happen if we withdrew 4 of our 5 divisions from Europe.

We can be quite certain that under those circumstances West Germany never would rearm, and that the French probably would not rearm on any real scale.

A very disturbing editorial was published in this week's Manchester Guardian weekly, which I regard as one of the ablest British newspapers. It presents a very interesting and disturbing point of view on the subject of British armament. It implies that Britain should reduce its forces on the Continent from 5 divisions to 1 division, and that Britain should do this because it was costly for Britain to maintain 5 divisions on the Continent.

I do not know whether we got the idea from them or they from us, or whether both of us got the idea simultaneously. However, evidently something is in the wind. If that is done, how can we resist a probing operation from East Germany into West Germany? How can we help maintain the independence of Europe? I believe the ultimate consequence of this doctrine would mean the abandonment of both Asia and Europe, the loss of both of those continents to communism, the necessary withdrawal of the United States to this hemisphere, and the adoption of the doctrine of a Fortress America.

Personally I do not believe that we could ultimately maintain North and South America against a hostile world; or, to put it more accurately, I believe that we would have great difficulty in maintaining ourselves against a hostile world. I personally believe that we cannot afford to lose the 250 million Europeans who are now on the side of freedom, or the approximately 150 million people of Asia who are on the side of freedom, plus the Asiatic neutrals. Therefore, in my judgment, this is a program which would lose both Asia and Europe. I know that it will be advocated on the ground that it will save money and cut expenses. It will not save money ultimately. It may help the present administration to balance its budget, but ultimately we will have to pay for this in blood and sweat and tears, and in money, as well.

I submit, therefore, that this is a very bad mistake, and I hope that the public opinion of the country will oppose it.

Mr. SALTONSTALL. Mr. President, I have before me a release on the speech of the Senator from New Hampshire concerning the national general staff system. I desire to commend the Senator for bringing this subject so forcefully to the attention of the Senate at this time. While we may not all agree on everything that is contained in the speech, we do agree upon the principle involved.

The Senator from New Hampshire and I were members of the Armed Services Committee in 1946 and 1947, when the unification plan was put into effect. I can recall at that time very clearly the very strong feeling among the members of our committee against there being one military head of all our Armed Forces. Such a plan was opposed strenuously in the committee, because of the dangers which might arise by having one military head as opposed to one civilian Commander in Chief, the President of the United States.

The subject came up again in 1949, when amendments to the Unification Act were considered. The subject was discussed. It was not discussed so forcefully at that time as it had been previously, because the attitude in 1947 was clearly evident. We had great difficulty in putting through any plan, because of the divergent feelings of the Navy, the Army, and the then growing Air Force. We got through a compromise. That compromise was improved by the amendments of 1949. Obviously, amendments

can be made from time to time to improve the system.

I am confident that we in this body, particularly when we understand the issue, will not permit, so far as we can foresee into the future, one general head over all the military forces of the country. We believe in the principle of having one civilian head, who is the President of the United States. At the present time, the President is particularly well informed on military matters. Whether future Presidents will be so well informed on military matters, we do not know. We insist on having one civilian head over all Armed Forces. If there were to be one military head, it would be possible to have a completely divergent point of view as between the one civilian head and the one military head. In the foreseeable future, I do not anticipate that we shall permit such a situation.

Therefore, I am heartily in sympathy with the philosophy which the Senator from New Hampshire has expressed in the thoughtful and carefully prepared statement he has put into the RECORD this afternoon.

I have heard the Senator from Montana mention the desirability of military reductions. Naturally, we want to reduce our forces if we can; but what we first want to do is keep in existence sufficient forces to deter, because of our ability to attack on a moment's notice, any nation which might entertain the idea of attacking the United States.

I thank the Senator from New Hampshire for bringing the subject up at this time, so we can think it over while we are not in session.

Mr. BRIDGES. I thank the Senator from Massachusetts for associating himself with me in the objective we seek, which is keeping intact the survival of our country.

EXTENSION OF TIME FOR MAKING CERTAIN MILITARY AND NAVAL DECORATIONS

The PRESIDING OFFICER (Mr. ERVIN in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1637) to extend the time limit within which awards of certain military and naval decorations may be made, which was to strike out all ofter the enacting clause and insert:

That, notwithstanding the eighth paragraph of the subheading "Medals of Honor, Distinguished Service Crosses, and Distinguished Service Medals" under the center heading "Ordnance Department," in the act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1919," approved July 9, 1918, as amended (10 U. S.C., sec. 1409), any decoration or device in lieu of decoration which, prior to the date of enactment of this act, has been authorized by Congress to be awarded to any person for an act or service performed while on active duty in the military or naval forces of the United States, or while serving with such forces, may be awarded at any time not later than 2 years after the date of enactment of this act for any such act or service performed between June 27, 1950, and July 27, 1953, inclusive, if written recommendation for the award of the decoration or device in lieu of decoration is made not later than 1 year after the date of enactment of this act.

SEC. 2. Notwithstanding section 7 of the act of February 4, 1919 (ch. 14, 40 Stat. 1056), as amended (34 U. S. C. 360), any decoration or device in lieu of decoration which has been authorized by Congress to be awarded to any person for an act or service performed while on active duty in the naval service of the United States, or while serving with such service, may be awarded at any time not later than 2 years after date of enactment of this act for any such act or service performed between June 27, 1950, and July 27, 1953, inclusive, if written recommendation for the award of the decoration or device in lieu of decoration is made not later than 1 year after the date of enactment of this act.

SEC. 3. Nothing in this act shall be construed to decrease the period within which any decoration or device in lieu of decoration may be awarded or recommended.

Mr. STENNIS. Mr. President, I move that the Senate disagree to the amendment of the House, request a conference with the House thereon, and that the chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. ERVIN in the chair) appointed Mr. STENNIS, Mr. JACKSON, Mr. ERVIN, Mr. SALTONSTALL, and Mrs. SMITH of Maine conferees on the part of the Senate.

FOREST PRODUCT PRICE REPORTING AND RESEARCH

The Senate resumed the consideration of the bill (S. 4059) providing for price reporting and research with respect to forest products.

Mr. HUMPHREY of Minnesota. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HUMPHREY of Minnesota. Is my understanding correct that Calendar No. 2547, Senate bill 4059, is the pending business?

The PRESIDING OFFICER. The Senator is correct.

Mr. HUMPHREY of Minnesota. The bill provides for the establishment of a price reporting service for basic forest products. I shall not take too much time of the Senate, because a similar bill has been passed on two occasions. It is identical to the provision contained in the agricultural bill of 1956, first, the bill which the President vetoed, and, secondly, the bill which the President subsequently signed. However, the provision was deleted in conference because of the insistence of the House conferees, but I am glad to see the Senate has supported this particular proposal, which provides for a price reporting service for basic forest products, including but not limited to standing timber and cut forest products, such as saw logs and pulpwood.

The bill also provides that the price reports shall be made available to producers of timber products.

Furthermore, the Secretary is authorized to cooperate with State foresters and other appropriate State officials, as well as with private agencies, in making available these price reporting services.

Mr. President, I desire to make it clear that this is not a price supporting bill. It is a price reporting bill. Some States do have such agencies, but the bill would provide for the service to be coordinated through the Federal Government.

I know my good friend, the Senator from Pennsylvania [Mr. MARTIN] has different views, and I yield the floor so we may hear him in opposition.

Mr. MARTIN of Pennsylvania. Mr. President, this is the third time I have risen in the Senate this session to object to a provision in a bill that would impose a price-reporting system upon basic forest products.

Such a provision was first contained in the original farm bill, H. R. 12, as section 602. At that time I objected on the grounds that the provision was not necessary, that it was a step in the direction of establishing parity prices on forest products, and that—most importantly—no hearings had been held on the provision by the Committee on Agriculture and Forestry.

Section 602 was eliminated by the conference on H. R. 12.

When the soil-bank legislation was presented to the Senate shortly thereafter, the language of section 602 appeared again, as section 402 of H. R. 10875. I objected again for the same reasons.

The features of section 402 referring to the price-reporting system were again eliminated in conference on the soil-bank bill, although authority for the Secretary of Agriculture to make a study of price trends, within 1 year, was left in the bill.

Now, Mr. President, I find that the same provisions that were contained in section 602 and section 402 of the previous farm bills are again being presented to the Senate, in the form of a separate bill, S. 4059.

In a brief report by the Committee on Agriculture and Forestry, I note that one of the reasons in support of the bill is that such a provision was passed by the Senate on two occasions.

The report should also have added that the provisions were rejected by a conference on two occasions.

I have contacted the Agriculture and Forestry Committee and have been advised that no hearings were held on S. 4059—although 2 months or more have elapsed since the committee's deliberations on the soil-bank bill.

Mr. President, I do not know what interests are in favor of a price reporting system on forest products. I have no information to indicate that the farmers of the State of Pennsylvania would want such a service. In fact, my information is they would resist the keeping of complicated records that could serve no constructive purpose.

When this provision was first discussed in the Senate on March 16, I placed in the RECORD, in connection with my remarks, a list of sources of information on forest-products prices. Again on May 18, when the same subject was brought up, I repeated this information, and added excerpts from the earlier debate.

Mr. President, I do not want to take the space in the RECORD, nor incur the ex-

pense of repeating what I said; so I call to the attention of my colleagues what appears on page 4818 of the RECORD of March 16 and on page 8498 of the RECORD of May 18. I think it is unnecessary to take up space in the RECORD by repeating what I placed in the RECORD, but I do want my colleagues to read what appears in the RECORD.

I do not believe that at that time I included a statement from the Department of Agriculture referring to section 402 of H. R. 10875, and the amendment which I offered to strike the section out of the bill. I should like to read this explanation, which was received from Secretary Benson on May 17, 1956:

> The Secretary already has adequate authority for carrying out the activities provided for by this section. In view of the differences in quality, grade, and other factors in forest products and the differences in such products as between areas, it would be difficult to obtain data which would be sufficiently representative. Moreover, the obtaining of such information would impose reporting hardships on the trade, from whom such information would have to be obtained.

Mr. President, in view of this statement, and in view of the fact that the affected groups have not been given an opportunity to express themselves on this matter, I hope that the Senate will not pass S. 4059.

The PRESIDING OFFICER (Mr. ERVIN in the chair). The bill is open to amendment.

Mr. STENNIS. Mr. President, I rise in support of S. 4059, a bill providing for price reporting on forest products, and for research in the field of forest-products marketing as a means of increasing the returns to farmers and other owners of forest properties.

Mr. President, I shall not long detain the Senate in connection with the consideration of this bill.

Again I commend the author of the bill, the Senator from Minnesota [Mr. HUMPHREY], for the very fine work he has done over the months and even over the years.

I think the bill is one of the most important pieces of proposed legislation for forestry products, especially in the case of the small growers, which has come before the Congress.

I urge the Senate to give favorable consideration to what I regard as a far-reaching and effective measure which will prove of great value.

A continuous supply of wood products from the 489 million acres of commercial forest land in the United States is important to our national well-being. Of this total area, three-fourths is held by 4.5 million private owners. Of these, 3.4 million, or 75 percent, are farm owners, who control one-third of the total commercial forest land area. Approximately 3.9 million individuals, including farmers, hold less than 100 acres of commercial forest land each.

In the aggregate, these small landowners control one-fourth of the commercial forest land, but they have no way of knowing the market price for various kinds of standing timber or of many cut products. Their only source of information comes from the timber companies or other persons to whom they sell. The Department of Agriculture collects and publishes information on practically every farm crop except timber. There is a great need for this type of information to assist the 3.4 million small farm woodland owners to evaluate the value of their wood products.

As farmers and other small woodland owners, who now produce at a low rate when compared with government and industrial producers, get better prices for their timber, through the benefits of better price information, they will tend to value their woodlands more highly. This acts as an incentive to learn how to take better care of timber, which, in turn, increases growth, and will in the end mean a greater net profit. Thus, better price information can start an improvement cycle that can lead to increased timber growth.

In the field of research, S. 4059 provides for studies in the marketing of timber products. One important aspect of forest-product marketing that needs study is the establishment of sound, easily applied quality grades for logs, stave and veneer bolts, and other timber products. Farmers sell many other agricultural crops on the basis of grades which have been established by the Department of Agriculture. The selling of timber products on grade should also be beneficial to timber growers, but for many forest products no grading system has been established. This situation should be corrected as soon as possible.

Other research which might be conducted includes the developing of methods to increase the efficiency of the marketing and distribution processes for forest products. More specifically, studies should be made to determine more efficient practices for: (1) moving logs from stump to mill, (2) reducing logging and milling waste of usable wood, (3) using mechanical methods of handling bulky wood items, to reduce costs, and (4) binding lumber, rough staves, and other small semiprocessed wood products for cheaper unit handling with mechanical equipment.

The effect of these and other efficiencies should be to increase the net profit of timber growers and provide a uniform system of marketing. When timber growers have the benefit of selling their timber by accepted quality grades, and when they can expect a higher price for better quality timber, they will tend to produce as much as possible of the higher quality timber. This end result is desirable not only from the point of view of maximum income to the individual timber grower, but also from the national point of view of increasing the production of the higher qualities of wood that are in short supply and are needed for the national economy.

The forests of the eastern United States contain a considerable volume of almost worthless defective trees and trees of species that ordinarily are not preferred by users. Research to discover marketing and processing practices which will permit the economic removal of this relatively low quality timber is of great importance. A somewhat similar situation exists in respect to certain of the western species, whose timber quality under present utilization practices is not sufficiently great to warrant transportation to eastern markets. The removal of this relatively low quality material at even a low price would yield some immediate income to the owner, and would permit the replacement of poor trees with young timber of higher potential quality.

Mr. President, this bill would provide real assistance to our many small farm and woodland owners, and I hope it will receive the full approval of the Senate.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 4059) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That for the purposes of improving the management and use of forest resources and in order to provide farmers and other owners of small forest properties with current information on markets and prices and to aid them in more efficiently and profitably marketing forest products, the Secretary of Agriculture is hereby authorized and directed to establish a price-reporting service for basic forest products, including but not limited to standing timber and cut forest products such as sawlogs and pulpwood.

SEC. 2. The price reports made by the Secretary under section 1 shall be as to such species, grades, sizes, and other detail, and shall be made at such intervals, but at least quarterly, as he deems appropriate. Such reports shall be by State or forest regions or by such other areas as the Secretary considers advisable, and may, in his discretion, be made as to one or more areas in advance of other areas.

SEC. 3. In connection with the gathering of price information and the dissemination thereof, the Secretary is authorized to cooperate with the State foresters or other appropriate State officials or agencies, as well as with private agencies, and under such conditions and terms as he may deem appropriate.

SEC. 4. In the conduct of research activities under the act of May 22, 1928 (45 Stat. 699), and the act of August 14, 1946, title II (60 Stat. 1087), the Secretary of Agriculture is directed to conduct and stimulate research and investigations aimed at developing and demonstrating standards of quality, collecting and disseminating useful market information and developing methods for increasing the efficiency of the marketing and distribution processes for forest products as a means of increasing returns to farmers and other owners of forest properties.

SEC. 5. The Secretary of Agriculture is authorized to issue such regulations as he deems appropriate in carrying out the provisions of this act.

SEC. 6. There are hereby authorized to be appropriated for the purposes of this act such sums as may be necessary.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5299) to authorize the establishment of the Virgin Islands National Park, and for other purposes.

The message also announced that the House had passed a bill (H. R. 11548) to provide for the establishment of a new fish hatchery in the vicinity of Paint Bank, Va., in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H. R. 11548) to provide for the establishment of a new fish hatchery in the vicinity of Paint Bank, Va., was read twice by its title and referred to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, July 23, 1956, he presented to the President of the United States the following enrolled bills:

S. 849. An act to amend the Public Health Service Act, so as to provide for grants-in-aid to non-Federal public and nonprofit institutions for the constructing and equipping of facilities for research in the sciences related to health;

S. 1777. An act to amend the Interstate Commerce Act in order to authorize common carriers to carry a disabled person requiring an attendant and such attendant at the usual fare charged for one person;

S. 2572. An act to authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes;

S. 3832. An act to provide for the disposal of the Government-owned synthetic rubber research laboratories at Akron, Ohio; and

S. 4256. An act to authorize the Honorable WILLIAM F. KNOWLAND, United States Senator from the State of California, to accept and wear the award of the Cross of the Grand Commander of the Royal Order of the Phoenix by the Government of the Kingdom of Greece.

MUTUAL SECURITY APPROPRIATIONS, 1957

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of Calendar 2619, House bill 12130, the mutual security appropriation bill.

The motion was agreed to; and the Senate resumed the consideration of the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I wish to call to the attention of the Senate the possibility that the Senate will proceed to the consideration of the following measures, which have been cleared by the leadership on both sides of the aisle:

Calendar 2428, S. 4162, to amend the Atomic Energy Act of 1954, to increase the salaries of certain executives of the Atomic Energy Commission;

Calendar No. 2448, S. 4183, to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property, and for other purposes;

Calendar No. 2623, S. 3911, to amend the Federal Deposit Insurance Act to provide safeguards against mergers and consolidation of banks which might lessen competition unduly or tend unduly to create a monopoly in the field of banking.

Calendar No. 2627, S. 3914 to amend sections 801, 802, and 1102 of the Civil Aeronautics Act of 1938, as amended; and

Calendar No. 2677, H. R. 11554, to amend certain provisions of title XI of the Merchant Marine Act, 1936, as amended, to facilitate private financing of merchant vessels in the interest of national defense, and for other purposes.

I wish to announce that these bills may be considered at any time probably at the conclusion of the mutual security appropriation bill, which will be considered tomorrow under the unanimous-consent agreement previously entered.

Mr. DOUGLAS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. DOUGLAS. Mr. President, I move that the order for the quorum call be rescinded.

Mr. RUSSELL. Mr. President, I object. No motion can be made; the order for the call of a quorum can be rescinded only by unanimous consent; and I object.

The PRESIDING OFFICER. The Chair so rules.

The clerk will proceed with the quorum call.

The Chief Clerk resumed and concluded the call of the roll, and the following Senators answered to their names:

Aiken	Johnson, Tex.	Payne
Allott	Johnston, S. C.	Robertson
Clements	Lehman	Russell
Douglas	Long	Scott
Eastland	Martin, Iowa	Smith, N. J.
Ervin	Martin, Pa.	Sparkman
Hennings	McClellan	Stennis
Hill	McNamara	Williams
Holland	Murray	Young
Jackson	O'Mahoney	

The PRESIDING OFFICER. A quorum is not present.

RECESS TO 10:30 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, pursuant to the order previously entered, I now move that the Senate stand in recess until 10:30 o'clock tomorrow morning.

Mr. DOUGLAS. Mr. President, I object.

Mr. JOHNSON of Texas. Mr. President, the motion is not subject to an objection; it is a question for a majority vote.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and (at 4 o'clock and 47 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Tuesday, July 24, 1956, at 10:30 o'clock a. m.

CONFIRMATIONS

Executive nominations confirmed by the Senate Monday, July 23 (legislative day, July 16), 1956:

PUBLIC HEALTH SERVICE

The following-named persons for appointment in the grade indicated in the Regular Corps of the Public Health Service, subject to qualification therefor as provided by law and regulation:

To be surgeon

Richard L. Haines.

To be senior assistant surgeon

Norman Tarr.

To be senior assistant dental surgeon

Dale E. Smith.

To be senior sanitary engineer

Eugene L. Lehr.

To be senior nurse officer

Louise C. Anderson.

To be senior assistant dental surgeons

William D. McBride	James E. McSweeney
Norman Buckman	Kenneth T. Strauch
Robert E. Blu	Lawrence J. Stanwich

To be assistant dental surgeons

Hugh L. Henley	Victor L. Andrews, Jr.
Jerry D. Niswander	Harvey L. Weiner
S. Henry Holton, Jr.	Jackie W. Gamble
Robert N. Phillips	Clarence R. Miedema
Harold K. Packard	Thomas B. Haller
Don P. Whited	Kenneth O. King
Keith G. Winkler	Joseph J. Knoll
James R. Hull	Jerry F. Jones

To be senior assistant veterinarians

Donald M. Mason	Daniel Weiner
Gordon C. Solomon	Lawrence E. Barnes
Donald G. DeValois	Robert H. Huffaker
Joe W. Atkinson	Russell H. Thompson
Keith T. Maddy	Harvey B. Hearn

To be assistant veterinarians

Kenneth D. Quist	Gordon D. Wallace
Joe R. Held	Roy F. Kinard, Jr.
Richard A. Tjalma	George W. Beran
Daniel Cohen	Denny G. Constantine
Leonard W. Scarr	Wellington Moore, Jr.
Marlin D. Kleckner	

HOUSE OF REPRESENTATIVES

MONDAY, JULY 23, 1956

The House met at 11 o'clock a. m.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, who hast entrusted Thy servants, our President, our Speaker, and our chosen Representatives with the high vocation of leadership in the business of statecraft, grant that they may always sense the sanctity of their duties and responsibilities.

May they daily come to the sacrament of public service with clear minds and courageous hearts and be led by Thy divine spirit into new ventures of faith and new vistas of outlook as they seek to

achieve the triumph of justice and righteousness.

We pray that the blessings of peace and prosperity may be extended and become the joyous possession of all the struggling and suffering members of the human family.

Inspire us in these troublous days to be the messengers and mediators of helpfulness and hopefulness and may our personal character and conduct be to others a source of strength and encouragement.

Hear us in the name of our blessed Lord who went about doing good. Amen.

The Journal of the proceedings of Saturday, July 21, 1956, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment bills, joint resolutions, and a concurrent resolution of the House of the following titles:

H. R. 256. An act to amend the Bankruptcy Act with respect to the priority of debts owed by a bankrupt to workmen, servants, clerks, and certain salesmen;

H. R. 604. An act to provide port of entry and related facilities on the Alaska Highway at the Alaska-Canadian border in the Territory of Alaska, and for other purposes;

H. R. 1639. An act for the relief of Laura Olivera Miranda;

H. R. 1739. An act for the relief of William J. Bohner;

H. R. 1952. An act for the relief of Clarence Christensen;

H. R. 1971. An act for the relief of Leila Park;

H. R. 2121. An act to provide for the relief of certain members of the Armed Forces who were required to pay certain transportation charges covering shipment of their household goods and personal effects upon return from overseas, and for other purposes;

H. R. 2325. An act for the relief of Joseph Santo;

H. R. 2712. An act for the relief of Emanuel Mathes;

H. R. 3561. An act to further amend the act of January 2, 1942, entitled "An act to provide for the prompt settlement of claims for damages occasioned by Army, Navy, and Marine Corps forces in foreign countries";

H. R. 3882. An act to require the registration of certain persons who have knowledge of or have received instruction or assignment in the espionage, counterespionage, or sabotage service or tactics of a foreign government or foreign political party, and for other purposes;

H. R. 4127. An act to exempt courses leading to standard college degrees offered by nonprofit educational institutions of higher learning from the provisions of section 227 of the Veterans' Readjustment Assistance Act of 1952 prohibiting the enrollment of eligible veterans under that act when such courses have been in operation for less than 2 years;

H. R. 4152. An act for the relief of Maria Pintos and her daughter, Eugenia Pintos;

H. R. 4635. An act to authorize the Secretary of the Interior to transfer to Robert T. C. Rasmussen the right, title, and interest of the United States, in foreign countries, in and to certain inventions;

H. R. 4899. An act for the relief of Helmut Kiestadt;

H. R. 5417. An act to amend section 1721, title 18, United States Code, relating to the sale or pledge of postage stamps;

H. R. 5468. An act to authorize the sale of certain land in Alaska to Gilbert Henkens, Jr., star route, Mile 17½, Anchorage, Alaska;

H. R. 6024. An act to withdraw and restore to its previous status under the control of the Territory of Hawaii certain land at Kaakaukukui, Honolulu, Oahu, T. H.;

H. R. 6081. An act for the relief of Patricia May Stevens;

H. R. 6247. An act to amend subdivision a of section 66—unclaimed moneys—of the Bankruptcy Act, as amended, and to repeal subdivision b of section 66 of the Bankruptcy Act, as amended;

H. R. 6403. An act to amend title 18, entitled "Crimes and Criminal Procedure," of the United States Code, to provide a criminal sanction for the embezzlement or theft of the property of Indian tribal organizations;

H. R. 6794. An act to authorize certain members and former members of the Armed Forces of the United States to accept and wear decorations, and supporting documents conferred upon them by the Government of the Philippines;

H. R. 7121. An act to validate payments of mileage made to United States Army and Air Force personnel pursuant to permanent change of station orders authorizing travel by commercial aircraft, and for other purposes;

H. R. 7290. An act to authorize female Reserve officers of the Army or Air Force appointed as nurses or women medical specialists to be members of the Army National Guard of the United States or Air National Guard of the United States, as appropriate;

H. R. 7552. An act to amend sections 220 and 221 (d) of the Hawaiian Homes Commission Act, 1920;

H. R. 7887. An act to authorize the commissioner of public lands to sell public lands under certain circumstances without public auction;

H. R. 7888. An act to authorize the commissioner of public lands to sell public lands located at Weliweli, Island of Kauai, to certain claimants;

H. R. 7891. An act to authorize and direct the exchanges and sales of public lands within or adjacent to the district of Puna, county of Hawaii, T. H., for the relief of persons whose lands were destroyed by volcanic activity;

H. R. 7893. An act to amend section 73 (i) of the Hawaiian Organic Act;

H. R. 8008. An act for the relief of Mrs. Warren D. Cooper and her son, Teddy Devere Cooper;

H. R. 8068. An act for the relief of Elma Agnes Gibson Hollingsworth;

H. R. 8110. An act to incorporate the National Music Council;

H. R. 8226. An act to amend section 1 of the act of March 4, 1915, as amended (48 U. S. C., sec. 353);

H. R. 8265. An act relating to the use of storage space in the Buford Reservoir for the purpose of providing Gwinnett County, Ga., a regulated water supply;

H. R. 8474. An act to quiet title and possession with respect to certain real property in the State of Alabama;

H. R. 8617. An act to validate certain payments made to members and former members of the naval service;

H. R. 8940. An act relating to the use of storage space in the Hulah Reservoir to provide water for the city of Bartlesville, Okla.;

H. R. 8971. An act for the relief of Hamazasp Psakian, Mrs. Varsenick Psakian, and Nune Nona Psakian;

H. R. 9029. An act for the relief of John L. Hughes;

H. R. 9265. An act to amend the Hawaiian Organic Act, as amended, relating to the audit of government (Territorial and county) accounts;

H. R. 9314. An act granting the consent of Congress to the States of Illinois and Wisconsin to enter into a compact relating to interstate public school districts where an educational community extends into both such States;

H. R. 9547. An act to amend sections 401 and 701 (e) of the Federal Food, Drug, and Cosmetic Act so as to simplify the procedures governing the prescribing of regulations under certain provisions of such act, and for other purposes;

H. R. 9918. An act to authorize the Secretary of the Interior to negotiate and execute a contract with the Riverside Irrigation District, Limited, of Idaho, relating to the rehabilitation of the district's works, and other matters;

H. R. 9947. An act for the relief of the estate of William Edward Wine;

H. R. 9956. An act to amend subdivision e of section 58, Notices, of the Bankruptcy Act, as amended;

H. R. 10088. An act for the relief of Rupert Walti;

H. R. 10111. An act to amend sections 657 and 1006 of title 18 of the United States Code in order to include certain savings and loan associations within its provisions;

H. R. 10679. An act granting the consent of Congress to the establishment by the States of Mississippi and Arkansas of a bi-State commission to investigate the possibilities of constructing a railroad bridge across the Mississippi River;

H. R. 10946. An act to provide for the disposition of surplus personal property to the Territorial government of Alaska until December 31, 1958;

H. R. 10983. An act for the relief of P. R. Cox;

H. R. 11024. An act to amend the act entitled "An act relating to the compensation of commissioners for the Territory of Alaska," approved March 15, 1948 (62 Stat. 80), as amended by the act of July 12, 1952 (66 Stat. 592, 48 U. S. C. 116a);

H. R. 11254. An act to amend section 104, title 4, United States Code;

H. R. 11636. An act to amend chapter 3 of title 18, United States Code, relating to animals, birds, and fish;

H. R. 11653. An act to increase the fees of witnesses in the United States courts and before United States commissioners, and for other purposes;

H. R. 11696. An act to authorize the conveyance of homestead allotments to Indians, Aleuts, or Eskimos in Alaska;

H. R. 11706. An act for the relief of Kim Chung Hi;

H. R. 11861. An act to amend the act entitled "An act authorizing Federal participation in the cost of protecting the shores of publicly owned property," approved August 13, 1946;

H. J. Res. 317. Joint Resolution designating the week of November 16 to 22, 1956, as National Farm City Week;

H. J. Res. 396. Joint Resolution to establish a national motto of the United States;

H. J. Res. 511. Joint Resolution granting the consent of Congress to the States of New York, New Jersey, and Connecticut to confer certain additional powers upon the Interstate Sanitation Commission, established by said States pursuant to Public Resolution 62, Seventy-fourth Congress, August 27, 1935;

H. J. Res. 613. Joint resolution to authorize the vessel operations revolving fund of the Department of Commerce to be used for expenses in connection with the chartering of merchant ships under jurisdiction of the Secretary of Commerce;

H. J. Res. 642. Joint resolution to authorize and direct the Secretary of Agriculture to quitclaim certain property in Coahoma County, Miss., to the Home Demonstration Club of Rena Lara, Miss., Inc.;

H. J. Res. 643. Joint resolution to provide for an investigation of the need for a geophysical institute in the Territory of Hawaii;

H. J. Res. 650. Joint resolution for the relief of certain aliens;

H. J. Res. 661. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; and

H. Con. Res. 265. Concurrent resolution expressing the sense of Congress against admission of the Communist regime in China as the representative of China in the United Nations.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 7049. An act to revise, codify, and enact into law, title 10 of the United States Code, entitled "Armed Forces, and title 32, United States Code, entitled "National Guard";

H. R. 9260. An act to amend title III of the Servicemen's Readjustment Act of 1944, as amended, and for other purposes; and

H. R. 9810. An act to provide for the conveyance of certain land of the United States to the State of Indiana.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 3616. An act to amend the Railroad Retirement Act of 1937 to provide increases in benefits and for other purposes;

S. 3787. An act relating to the management of the Red Lake Indian Forest and sawmill;

S. 4012. An act to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada acting for the State of Nevada;

S. 4215. An act to amend the act of July 15, 1954, authorizing the sale of certain vessels to Brazil; and

S. 4228. An act to provide for a President's Advisory Commission on Presidential Office Space.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6243) entitled "An act authorizing the construction of a nuclear-powered merchant ship to promote the peacetime application of atomic energy, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 497) entitled "An act to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3149) entitled "An act to amend the Civil Aeronautics Act of 1938 in order to permit air carriers to grant free or reduced rate transportation to ministers of religion."

CALL OF THE HOUSE

Mr. KEATING. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 109]

Ashley	Gamble	O'Hara, Minn.
Bailey	Gordon	Patman
Bell	Gubser	Powell
Buckley	Gwinn	Scudder
Burleson	Healey	Thornberry
Carnahan	Hébert	Velde
Chatham	Hoffman, Ill.	Wickersham
Clevenger	Kelley, Pa.	Williams, N. J.
Davis, Wis.	Lane	Young
Eberharter	McDowell	
Edmondson	Nelson	

The SPEAKER. On this rollcall 400 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CIVIL RIGHTS ACT OF 1956

The SPEAKER. The unfinished business is the question of passage of the bill H. R. 627.

The Clerk read the title of the bill.

The SPEAKER. The question is on the passage of the bill.

Mr. POFF. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. POFF. I am.

The SPEAKER. The gentleman qualifies.

The Clerk read as follows:

Mr. POFF moves to recommit the bill H. R. 627 to the Committee on the Judiciary.

Mr. CELLER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Virginia.

Mr. SMITH of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 131, nays 275, not voting 26, as follows:

[Roll No. 110]

YEAS—131

Abbitt	Davis, Tenn.	Jennings
Abernethy	Devereux	Jensen
Albert	Dies	Johansen
Alexander	Dorn, S. C.	Jonas
Alger	Dowdy	Jones, Ala.
Andrews	Durham	Jones, Mo.
Ashmore	Elliott	Jones, N. C.
Barden	Elsworth	Kilburn
Bass, Tenn.	Evins	Kilday
Belcher	Fascell	Kilgore
Bennett, Fla.	Fisher	King, Pa.
Bennett, Mich.	Flynt	Landrum
Berry	Forrester	Lanham
Blitch	Fountain	Lankford
Boggs	Frazier	Long
Bonner	Gary	McMillan
Boykin	Gathings	Mahon
Brooks, La.	Gentry	Mason
Brooks, Tex.	Grant	Matthews
Brown, Ga.	Gregory	Miller, Md.
Broyhill	Gross	Miller, N. Y.
Budge	Haley	Mills
Carlyle	Hardy	Morrison
Chelf	Harris	Murray, Tenn.
Cole	Harrison, Va.	Natcher
Colmer	Hays, Ark.	Norrell
Cooley	Herlong	Passman
Coon	Hoffman, Mich.	Pilcher
Cooper	Huddleston	Poage
Cramer	Ikard	Poff
Davis, Ga.	Jarman	Preston
Priest	Sikes	Trimble
Rains	Siler	Tuck
Richards	Smith, Kans.	Tumulty
Riley	Smith, Miss.	Vinson
Rivers	Smith, Va.	Watts
Roberts	Smith, Wis.	Whitten
Robeson, Va.	Spence	Williams, Miss.
Rogers, Fla.	Steed	Willis
Rogers, Tex.	Taber	Wilson, Ind.
Rutherford	Teague, Tex.	Winstead
Selden	Thomas	Wolcott
Short	Thompson, La.	Wright
Shuford	Thompson, Tex.	

NAYS—275

Adair	Fino	Meader
Addonizio	Fjare	Merrow
Allen, Calif.	Flood	Metcalf
Allen, Ill.	Fogarty	Miller, Calif.
Andersen, H. Carl	Forand	Miller, Nebr.
	Ford	Minshall
Andresen, August H.	Frelinghuysen	Mollohan
	Friedel	Morano
Anfuso	Fulton	Morgan
Arends	Garmatz	Moss
Ashley	Gavin	Moulder
Aspinall	George	Multer
Auchincloss	Gray	Mumma
Avery	Green, Oreg.	Murray, Ill.
Ayres	Green, Pa.	Nicholson
Baker	Griffiths	Norblad
Baldwin	Gubser	O'Brien, Ill.
Barrett	Hagen	O'Brien, N. Y.
Bass, N. H.	Hale	O'Hara, Ill.
Bates	Halleck	O'Konski
Baumhart	Hand	O'Neill
Beamer	Harden	Osmers
Becker	Harrison, Nebr.	Ostertag
Bentley	Harvey	Patterson
Betts	Hays, Ohio	Pelly
Blatnik	Hayworth	Perkins
Boland	Healey	Pfost
Bolling	Henderson	Philbin
Bolton, Frances P.	Heselton	Phillips
	Hess	Pillion
Bolton, Oliver P.	Hiestand	Polk
	Hill	Price
Bosch	Hillings	Prouty
Bow	Hinshaw	Quigley
Bowler	Hoeven	Rabaut
Boyle	Holifield	Radwan
Bray	Holland	Ray
Brown, Ohio	Holmes	Reece, Tenn.
Brownson	Holt	Reed, N. Y.
Burdick	Holtzman	Rees, Kans.
Burnside	Hope	Reuss
Bush	Horan	Rhodes, Ariz.
Byrd	Hosmer	Rhodes, Pa.
Byrne, Pa.	Hull	Riehlman
Byrnes, Wis.	Hyde	Robsion, Ky.
Canfield	Jackson	Rodino
Cannon	James	Rogers, Colo.
Carrigg	Jenkins	Rogers, Mass.
Cederberg	Johnson, Calif.	Rooney
Celler	Johnson, Wis.	Roosevelt
Chase	Judd	Sadlak
Chenoweth	Karsten	St. George
Chiperfield	Kean	Saylor
Christopher	Kearney	Schenck
Chudoff	Kearns	Scherer
Church	Keating	Schwengel
Clark	Kee	Scott
Corbett	Kelly, N. Y.	Scrivner
Coudert	Keogh	Seely-Brown
Cretella	King, Calif.	Sheehan
Crumpacker	Kirwan	Shelley
Cunningham	Klein	Sheppard
Curtis, Mass.	Kluczynski	Sieminski
Curtis, Mo.	Knox	Simpson, Ill.
Dague	Knutson	Simpson, Pa.
Davidson	Krueger	Sisk
Dawson, Ill.	Laird	Springer
Dawson, Utah	Latham	Staggers
Deane	LeCompte	Sullivan
Delaney	Lesinski	Talle
Dempsey	Lipscomb	Taylor
Denton	Lovre	Teague, Calif.
Derounian	McCarthy	Thompson, Mich.
Diggs	McConnell	
Dingell	McCormack	Thompson, N. J.
Dixon	McCulloch	Thomson, Wyo.
Dodd	McDonough	Tollefson
Dollinger	McGregor	Udall
Dolliver	McIntire	Utt
Dondero	McVey	Vanik
Donovan	Macdonald	Van Pelt
Dorn, N. Y.	Machrowicz	Van Zandt
Doyle	Mack, Ill.	Vorys
Eberharter	Mack, Wash.	Vursell
Engle	Madden	Wainwright
Fallon	Magnuson	Walter
Feighan	Mailliard	Weaver
Fenton	Marshall	Westland
Fernandez	Martin	Wharton

Widnall	Wilson, Calif.	Younger
Wier	Withrow	Zablocki
Wigglesworth	Wolverton	Zelenko
Williams, N. J.	Yates	
Williams, N. Y.	Young	

NOT VOTING—26

Bailey	Edmondson	Nelson
Bell	Gamble	O'Hara, Minn.
Buckley	Gordon	Patman
Burleson	Gwinn	Powell
Carnahan	Hébert	Scudder
Chatham	Hoffman, Ill.	Thornberry
Clevenger	Kelley, Pa.	Velde
Davis, Wis.	Lane	Wickersham
Donohue	McDowell	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Kelley of Pennsylvania, against.

Mr. Patman for, with Mr. Buckley against.

Mr. Thornberry for, with Mr. Bailey against.

Mr. Burleson for, with Mr. Gordon against.

Mr. Bell for, with Mr. Scudder against.

Mr. Chatham for, with Mr. Powell against.

Until further notice:

Mr. Carnahan with Mr. Clevenger.

Mr. Edmondson with Mr. Gwinn.

Mr. Wickersham with Mr. O'Hara of Minnesota.

Mr. McDowell with Mr. Davis of Wisconsin.

Mr. Donohue with Mr. Hoffman of Illinois.

Mr. JOHNSON of California changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Messrs. COLMER and KEATING demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 279, nays 126, answered "present" 1, not voting 26, as follows:

[Roll No. 111]

YEAS—279

Adair	Byrd	Engle
Addonizio	Byrne, Pa.	Fallon
Allen, Calif.	Byrnes, Wis.	Feighan
Allen, Ill.	Canfield	Fenton
Andersen, H. Carl	Cannon	Fernandez
	Carrigg	Fino
Andresen, August H.	Cederberg	Fjare
	Celler	Flood
Anfuso	Chase	Fogarty
Arends	Chenoweth	Forand
Ashley	Chiperfield	Ford
Aspinall	Christopher	Frelinghuysen
Auchincloss	Chudoff	Friedel
Avery	Church	Fulton
Ayres	Clark	Garmatz
Baker	Coon	Gavin
Baldwin	Corbett	George
Barrett	Coudert	Gray
Bass, N. H.	Cretella	Green, Oreg.
Bates	Cunningham	Green, Pa.
Baumhart	Curtis, Mass.	Griffiths
Beamer	Curtis, Mo.	Gubser
Becker	Dague	Hagen
Bentley	Davidson	Hale
Berry	Dawson, Ill.	Halleck
Betts	Dawson, Utah	Hand
Blatnik	Delaney	Harden
Boland	Dempsey	Harrison, Nebr.
Bolling	Denton	Harvey
Bolton, Frances P.	Derounian	Hays, Ohio
	Devereux	Hayworth
Bolton, Oliver P.	Diggs	Healey
	Dingell	Henderson
Bosch	Dixon	Heselton
Bow	Dodd	Hess
Bowler	Dollinger	Hiestand
Boyle	Dolliver	Hill
Bray	Dondero	Hillings
Brown, Ohio	Donohue	Hinshaw
Brownson	Donovan	Hoeven
Burdick	Dorn, N. Y.	Holifield
Burnside	Doyle	Holland
Bush	Eberharter	Holmes
Holt	Meader	St. George
Holtzman	Merrow	Saylor
Hope	Metcalf	Schenck
Horan	Miller, Calif.	Scherer
Hosmer	Miller, Md.	Schwengel
Hull	Miller, Nebr.	Scott
Hyde	Minshall	Scrivner
Jackson	Mollohan	Seely-Brown
James	Morano	Sheehan
Jenkins	Morgan	Shelley
Johnson, Calif.	Moss	Sheppard
Johnson, Wis.	Moulder	Simpson, Ill.
Judd	Multer	Simpson, Pa.
Karsten	Mumma	Sisk
Kean	Murray, Ill.	Springer
Kearney	Nicholson	Staggers
Kearns	Norblad	Sullivan
Keating	O'Brien, Ill.	Talle
Kee	O'Brien, N. Y.	Taylor
Kelly, N. Y.	O'Hara, Ill.	Teague, Calif.
Keogh	O'Konski	Thompson, Mich.
King, Calif.	O'Neill	
Kirwan	Osmers	Thompson, N. J.
Klein	Ostertag	Thomson, Wyo.
Kluczynski	Patterson	Tollefson
Knox	Pelly	Udall
Knutson	Perkins	Utt
Krueger	Pfost	Vanik
Laird	Philbin	Van Pelt
Lankford	Phillips	Van Zandt
Latham	Pillion	Velde
LeCompte	Polk	Vorys
Lesinski	Price	Wainwright
Lipscomb	Prouty	Walter
Lovre	Quigley	Weaver
McCarthy	Rabaut	Westland
McConnell	Radwan	Wharton
McCormack	Ray	Widnall
McCulloch	Reece, Tenn.	Wier
McDonough	Reed, N. Y.	Wigglesworth
McGregor	Rees, Kans.	Williams, N. J.
McIntire	Reuss	Williams, N. Y.
McVey	Rhodes, Ariz.	Wilson, Calif.
Macdonald	Rhodes, Pa.	Wilson, Ind.
Machrowicz	Riehlman	Withrow
Mack, Ill.	Robsion, Ky.	Wolverton
Mack, Wash.	Rodino	Yates
Madden	Rogers, Colo.	Young
Magnuson	Rogers, Mass.	Younger
Mailliard	Rooney	Zablocki
Marshall	Roosevelt	Zelenko
Martin	Sadlak	

NAYS—126

Abbitt	Fountain	Passman
Abernethy	Frazier	Pilcher
Albert	Gary	Poage
Alexander	Gathings	Poff
Alger	Gentry	Preston
Andrews	Grant	Priest
Ashmore	Gregory	Rains
Barden	Gross	Richards
Bass, Tenn.	Haley	Riley
Belcher	Hardy	Rivers
Bennett, Fla.	Harris	Roberts
Bennett, Mich.	Harrison, Va.	Robeson, Va.
Blitch	Hays, Ark.	Rogers, Fla.
Boggs	Herlong	Rogers, Tex.
Bonner	Hoffman, Mich.	Rutherford
Boykin	Huddleston	Selden
Brooks, La.	Ikard	Short
Brooks, Tex.	Jarman	Shuford
Brown, Ga.	Jennings	Sikes
Broyhill	Jensen	Siler
Budge	Johansen	Smith, Kans.
Carlyle	Jonas	Smith, Miss.
Chelf	Jones, Ala.	Smith, Va.
Cole	Jones, Mo.	Smith, Wis.
Colmer	Jones, N. C.	Spence
Cooley	Kilburn	Steed
Cooper	Kilday	Taber
Cramer	Kilgore	Teague, Tex.
Davis, Ga.	King, Pa.	Thomas
Davis, Tenn.	Landrum	Thompson, La.
Deane	Lanham	Thompson, Tex.
Dies	Long	Trimble
Dorn, S. C.	McMillan	Tuck
Dowdy	Mahon	Tumulty
Durham	Mason	Vinson
Elliott	Matthews	Watts
Ellsworth	Miller, N. Y.	Whitten
Evins	Mills	Williams, Miss.
Fascell	Morrison	Willis
Fisher	Murray, Tenn.	Winstead
Flynt	Natcher	Wolcott
Forrester	Norrell	Wright

ANSWERED "PRESENT"—1

Crumpacker

NOT VOTING—26

Bailey	Burleson	Clevenger
Bell	Carnahan	Davis, Wis.
Buckley	Chatham	Edmondson
Gamble	Lane	Scudder
Gordon	McDowell	Sieminski
Gwinn	Nelson	Thornberry
Hébert	O'Hara, Minn.	Vursell
Hoffman, Ill.	Patman	Wickersham
Kelley, Pa.	Powell	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Kelley of Pennsylvania, for, with Mr. Hébert against.

Mr. Buckley for, with Mr. Patman against.

Mr. Bailey for, with Mr. Burleson, against.

Mr. Gordon for, with Mr. Bell against.

Mr. Powell for, with Mr. Thornberry against.

Mr. Carnahan for, with Mr. Chatham against.

Until further notice:

Mr. Edmondson with Mr. Scudder.

Mr. McDowell with Mr. Gwinn.

Mr. Wickersham with Mr. O'Hara of Minnesota.

Mr. Sieminski with Mr. Clevenger.

Mr. MUMMA changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

H. R. 627, THE CIVIL RIGHTS BILL—WISCONSIN LAW PROHIBITS DISCRIMINATION

Mr. SMITH of Wisconsin. Mr. Speaker, it is interesting to note that the State of Wisconsin prohibits discrimination in employment against properly qualified persons by reason of their race, creed, color, national origin, or ancestry.

Wisconsin also provides that its schools shall not exclude any person on account of his religion, nationality, or color.

Mr. Speaker, in my opinion, the question of civil rights is one for the States to protect. There is ample evidence to suspect that H. R. 627 is politically inspired. Certainly in Wisconsin the civil rights of all persons, regardless of race, color, creed, or nationality, are duly protected by State law. Hence it is not an issue there.

Mr. Speaker, at this point I am inserting the statutory provisions of the Wisconsin State law dealing with the matter of fair employment and school districts:

FAIR EMPLOYMENT

SEC. 111.31. Declaration of policy: (1) The practice of denying employment and other opportunities to, and discriminating against, properly qualified persons by reason of their race, creed, color, national origin, or ancestry, is likely to foment domestic strife and unrest, and substantially and adversely affect the general welfare of a State by depriving it of the fullest utilization of its capacities for production. The denial by some employers and labor unions of employment opportunities to such persons solely because of their race, creed, color, national origin, or ancestry, and discrimination against them in employment, tends to deprive the victims of the earnings which are necessary to maintain a just and decent standard of living, thereby committting grave injury to them.

(2) It is believed by many students of the program that protection by law of the rights of all people to obtain gainful employment, and other privileges free from discrimination because of race, creed, color, national origin, or ancestry, would remove certain recognized sources of strife and unrest, and

encourage the full utilization of the productive resources of the State to the benefit of the State, the family, and to all the people of the State.

(3) In the interpretation and application of this subchapter, and otherwise, it is declared to be the public policy of the State to encourage and foster to the fullest extent practicable the employment of all properly qualified persons regardless of their race, creed, color, national origin, or ancestry. All the purposes of this subchapter shall be liberally construed for the accomplishment of this purpose.

SCHOOL DISTRICTS

SEC. 40.51: Exclusion on account of religion, nationality, or color a misdemeanor. No person shall be excluded from any public school on account of his religion, nationality, or color. No separate school or department shall be kept for any person on account of his religion, nationality, or color. A member of any board of education who votes to exclude from any public school any child on account of his religion, nationality, or color shall be fined not more than $100 or imprisoned not less than 30 days, nor more than 6 months, or both.

CIVIL RIGHTS A LIFE-AND-DEATH MATTER

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

Mrs. SULLIVAN. Mr. Speaker, while I rise in support of this measure I am under no delusion that this so-called civil rights bill is, in fact, a bill to secure and protect the civil rights of all of our people against any encroachment. It is a modest, and one would almost say, timid, approach to the problem of protecting civil rights. As far as it goes, it may have real value. But it does not go very far.

It sets up a Commission on Civil Rights—which of course the President could set up at any time without legislation of this kind; just as President Roosevelt and President Truman set up commissions—commissions like the FEPC and also the Truman Commission on Civil Rights. It provides also for upgrading the present civil rights section in the Criminal Division of the Department of Justice into a division all by itself—and of course the President could always do that without special legislation.

These are among major proposals of this so-called civil rights bill, but they are, in my opinion, quite minor. On the other hand, if the provisions of this bill dealing with the right to vote are in fact vigorously enforced—courageously and boldly enforced—then this legislation could really achieve much good. It would be very worthwhile under those circumstances.

My point, Mr. Speaker, is that while legislation which would secure and protect the civil rights of all of our people would be extremely worth while, nevertheless we know this bill is a weak bill, and that it is primarily political in motivation. Having had nearly 4 years in which to act effectively in behalf of civil rights, and in which to recommend really effective legislation, this administration under President Eisenhower and Attorney General Brownell has waited and delayed and hesitated—and then asked just for these few crumbs of legislation.

Then, when the legislation came to the floor, it was made into a subject of great humor and levity. There is nothing funny, Mr. Speaker, about the deprivation of civil rights. Civil rights to some Americans means the right to live.

I remember the wave of revulsion which swept the Nation over the cases of cold-blooded murder of children which occurred not so long ago. I do not know whether a Division of Civil Rights in the Justice Department would have been any quicker to look into this matter than was the Civil Rights Section of the Criminal Division of the Justice Department. I know I inquired about the Justice Department's position, and I was informed that it could see no reason to even look into the Till case, for instance.

What bothers many of us, then, is not only the parliamentary pulling and hauling, and the legalistic sidestepping of responsibility, but also the will of the American people—through their elected President and his advisers—to protect people in their right not only to vote but to live.

We are told before we even vote on this bill that there is no chance of it passing the Senate this year. We are told, then, that it is largely a gesture. I am sorry that it is put on such a seemingly futile basis, made futile by the lateness of the recommendations on this legislation by Attorney General Brownell for the administration.

But if this debate in the House, and our vote on this bill, help to bring closer the realization of the need for securing and protecting the civil rights of all citizens, regardless of race, creed or color, then they will have served a useful purpose.

For, as I said, those who suffer most from the deprivation of civil rights, and we all know that occurs, are primarily concerned in the opportunity to live as Americans—with all rights, privileges and immunities thereunto appertaining.

To many of them, civil rights is not just a political issue—it is a matter, as I said, of life and death.

Mr. DODD. Mr. Speaker, I have listened with great interest to the debate on this civil rights bill.

This is a field in which I have been active and interested for a great many years.

It was my privilege to serve in the first civil rights section ever established in the Department of Justice. And I point out that this civil rights section was set up in 1939.

In those early days some pioneering work was done and some important litigation was carried on.

As a result of that work, a great number of people in the United States have been aware of this weakness in our structure in the area of civil rights and some progress has been made.

Under this bill the Attorney General will get the authority to establish a new Division in the Department of Justice.

I am in favor of granting the Attorney General this authority because I am confident that the work of the civil-rights section has grown and that it is now and has been for some time worthy of Division status in the Department of Justice.

I am frank to say that this bill leaves much to be desired. I think a much stronger bill could have been presented to this House, but since this is the bill which is before us and the only bill of this kind which we will have an opportunity to vote upon, I have no hesitancy in saying that I will vote for it.

Several years ago a Presidential Committee on Civil Rights made a valuable study of this whole problem. That Committee said:

> The future of our Nation rests upon the character, the vision, the high principle of our people. Democracy, brotherhood, human rights—these are practical expressions of the eternal worth of every child of God. With His guidance and help we can move forward toward a nobler social order in which there will be equal opportunity for all.

The action which we will take here today will be a step forward toward that nobler social order in which there will be equality for all before the law.

Mr. DONOHUE. Mr. Speaker, the ideal of equality under law has always been a great and distinctive American goal.

This bill under consideration here, H. R. 627, the "Civil Rights Act of 1956," is designed to assist in the accomplishment of this great goal by strengthening the law-enforcement functions of the Federal Government in the entire area of civil rights.

There is no doubt that the more effective enforcement of rights already guaranteed by law will go far toward expanding freedom in the United States. On the one hand, this is done by providing an additional Assistant Attorney General in charge of a new Civil Rights Division in the Department of Justice. On the other hand, the Attorney General is armed by H. R. 627 with additional civil remedies to more effectively enforce certain civil rights. This is particularly true of the right to vote. Finally, a Commission on Civil Rights in the executive branch of the Government is created to determine the precise extent to which deprivation of civil rights is being suffered.

These measures were proposed to Congress in an executive communication dated April 9, 1956, from the Honorable Herbert Brownell, Jr., Attorney General of the United States. They had been previously proposed to Congress by President Truman in his message to Congress on civil rights on February 2, 1948.

The purpose of this legislation is clear. It is to make more certain that rights guaranteed by the Constitution and laws of the United States will be enjoyed by all, regardless of race, creed, color, or national origin.

It is directed at no particular section of America. Certainly, no area of the country can claim achievement of full equality under law. The Committee on the Judiciary of the House of Representatives recognizes its distinct duty to enact wise legislation which will guarantee that the words of promise spoken by the Constitution will be fulfilled in

every corner of the Nation. It is also realized that American leadership of the free world is aided greatly by practical demonstrations of our historic commitment to the ideal of equality under law.

To shirk this high responsibility and leave the protection of Federal rights to State or local Governments would represent, at best, an unjust imposition of Federal duties on these overworked State and local law-enforcement officials and, at worst, dereliction of sworn duty to uphold and defend the Constitution of the United States. Finally, to fail to take appropriate action to provide adequate tools for the protection of rights and privileges guaranteed by the Constitution and laws of the United States would amount to gross faithlessness to the great American ideal of equality under law.

Mr. Speaker, I earnestly believe that an examination of the provisions of this proposed civil rights measure will convince any fair-minded person that it is a moderate and reasonable bill designed to first preserve and then grant increasing protection of the fundamental civil rights of every American citizen of any description.

I, therefore, sincerely hope that any temporary passions, prejudices or partisanship will be put aside today in order that we may render an historical legislative accomplishment in our own national interest and also provide a legislative inspiration to all peoples everywhere on this blessed earth.

Mr. MATTHEWS. Mr. Speaker, I am opposed to H. R. 627, the so-called civil rights bill, for many reasons.

In the first place, this measure is aimed at the Southland, that great section of the country which I have the honor to represent. It presumes that the only place in America where a citizen's civil rights are impaired is in the southern part of this country.

Another objection I have to the bill is that it specifies the only civil rights that need special consideration on the part of the Federal Goverment are those rights that are denied a citizen by reason of color, race, religion, or national origin. In this debate already we have observed that rights are denied citizens by reason of their sex and by reason of their age. I believe in many sections of the country that women, for example, are discriminated against in the matter of employment, and are not granted equal pay for equal work. I am sure that there are literally hundreds of thousands of women in America who should be given equal consideration before the law in the protection of their civil rights if we want to embark on this new program. I am also very much concerned about discrimination against citizens because of their age. One of the tragedies in American industrial life today is the fact that merely because a man reaches a certain age, he is no longer granted the right to work. Mr. Chairman, the right to make a living is one of the most precious necessities an American has. I think it is grossly unfair to assume that if we embark upon a program of broad civil rights investigation, we deny the possibility of our older people being given the privilege of this special investigation.

It is my understanding that there are a minimum of 3 million aliens in America today who are voting illegally, and there is some evidence to point out the fact that there are probably nearer 6 million aliens in America, who by reason of their dishonest suffrage are denying all honorable Americans civil rights because honest votes are being negated by those who illegally exercise the suffrage. Why then should not this so-called civil rights measure look into this field of the illegal voting of aliens in our large city areas?

I wish the American people had a chance to study thoroughly this bill under the terms of which a so-called Civil Rights Commission would have almost unheralded power. I am very much shocked to see that in the original terms of this bill, there is no procedure to safeguard the precious rights of those Americans who might be called before the Commission. Although we have now adopted an amendment to grant some rights and consideration to those who might be charged with violating the civil rights of citizens, the bill is still most distasteful to me.

It is interesting to note, Mr. Chairman, it has been pointed out that none of the officials of our 48 State governments has appeared before the House Committee on Judiciary to ask for this bill. What then is the reason for it? We have laws to protect the civil rights of our people, but now just before a national election it seems that we want to focus attention on this area of civil rights for political reasons. Of course, the paramount reason why I object to this bill is because it is an unwarranted invasion of States rights. If this measure were to pass and be enacted into law, it would mean the end of States rights. I hope with all my heart that this bill is decisively defeated as it deserves to be.

Mr. RHODES of Pennsylvania. Mr. Speaker, I am gratified at the action of the House of Representatives in passing H. R. 627, despite the volume of acrimonious debate and extravagant and emotional statements made by opponents of the bill.

But let there be no doubt as to the limited scope of this bill and the harsh realities which block its enactment into law. H. R. 627 would provide only a modest first step toward the safeguarding of the civil rights of all Americans. It would establish a 6-member, bipartisan civil rights commission, named by the President to investigate charges that citizens are being denied the right to vote, or are being subjected to unwarranted economic pressures because of their color, race, religion, sex, or national origin. It would authorize an additional Assistant Attorney General, as head of a civil rights division in the Justice Department. It would provide civil remedies for persons interfered with in their right to vote and would permit the Justice Department to initiate civil actions in behalf of persons whose civil rights are denied.

These are not unreasonable or harsh provisions. What is amazing to me is that the Congress of the United States must be called upon to legislate these safeguards and establish these agencies to deal with basic rights which, under our form of government, should be enjoyed by all citizens in every village, town, city, and State in our Nation, without reservation. However, shocking cases of violations of these basic rights in many parts of our country, makes it clear that this legislation is necessary. I regret that it does not go far enough in meeting this obvious need for action.

Civil rights legislation is far too important to be used as a pawn in partisan politics. It is an issue of vital concern to all Americans, and should be considered on its merits alone. Yet unfortunately, politics has been injected into this debate, distortions of fact have taken place, logic and reason have often been drowned out by shrill prejudice and emotionalism. For this reason, I feel that certain facts should be reemphasized.

Republicans have boasted of their record on civil rights, yet the facts show that for more than 3 years the Eisenhower administration offered no civil rights program. Finally, in this election year it presented a watered-down version of Democratic civil rights proposals, pending in committee without even an acknowledgment or reply to committee requests from the Justice Department for the administration views on these civil rights bills.

Mr. Speaker, whatever happened to the 1952 Republican civil rights platform promising Federal action toward the elimination of lynching, Federal action toward the elimination of poll taxes, and Federal legislation to eliminate discriminatory employment practices? The Eisenhower administration has failed to mention these pledges in its legislative program and has also failed to support Democratic legislation to accomplish these objectives.

Nor is this Republican doubletalk on civil rights limited to the administration in Washington. In my own State of Pennsylvania there were five separate attempts to enact Fair Employment Practices legislation in the Pennsylvania State Legislature during the period 1945-53. In every instance a Republican governor was in Harrisburg, and in 4 out of the 5 cases the Republicans controlled both houses of the legislature. During these sessions, there were seven votes in an attempt to obtain favorable action on FEPC. Democrats voted unanimously in support of FEPC with an overall total of 260–0 on these 7 votes, while the Republican overall total was 454–17 against FEPC on these same 7 votes.

I am proud to say that under the leadership of our present Democratic Governor of Pennsylvania, George M. Leader, the Pennsylvania Legislature finally passed the fair employment practices legislation. It was signed into law on October 27, 1955.

I fully support the provisions of H. R. 627, despite their shortcomings, because I am convinced that they are at least a beginning, a beginning which should have been made many years ago when President Truman's civil rights legislative program was first advanced.

Mr. Speaker, the continued violation and denial of civil rights to many of our citizens because of their race, color,

religion or national origin is a serious threat to our efforts to stem the tide of Communist imperialism in the non-Caucasian areas of the world. How can we continue to preach the blessings of freedom and democracy if these very principles are subverted in sections of our own country? How can we win the trust of these peoples of the great uncommitted areas of the world if certain citizens at home make a mockery of our beliefs in the fundamental precepts of our great democracy?

Enactment of this bill would be much applauded by the Kremlin propagandists who exploit our inadequacies in the field of civil rights. Let us put aside prejudice and narrow sectional differences and unite in the common effort to prove to the world that equal justice and fair play still prevail and apply to all citizens of our nation.

GENERAL LEAVE TO EXTEND REMARKS

Mr. KELLER. Mr. Speaker, I ask unanimous consent that all Members may have legislative days in which to extend their remarks on the civil rights bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

BROOKLYN NAVY YARD

Mr. RODINO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, Brooklyn has once again been recognized. The Navy Department has just announced that it has assigned to the Brooklyn Navy Yard the construction of the new super aircraft carrier of the Forrestal class—CVA-66—in this fiscal year's shipbuilding program. Our New York Naval Shipyard, known as the Brooklyn Navy Yard, has unique facilities for the construction of such a large carrier.

At the same time, the Navy Department announced the assignment to Brooklyn Navy Yard of the world's first conversion of an attack aircraft carrier—CVA—and a guided missile battle cruiser—CAG.

Great credit is due our distinguished colleague, the gentleman from New York [Mr. ANFUSO], the whose district the Brooklyn Navy Yard, otherwise known as the New York Naval Shipyard, is located.

My point is that [illegible] would be confirmed [illegible] under President Eisenhower [illegible] Attorney General Brownell has [illegible]

SUPPLEMENTAL APPROPRIATION BILL, 1957

Mr. CANNON. Mr. Speaker, I call up the conference report on the bill (H. R. 12130) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 5, 13, 15, 19, and 25.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 6, 8, 9, 10, 11, 12, 14, 16, 17, 18, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, and agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$83,000,000", and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert:

"The amount available in the Navy Stock Fund is hereby reduced by $51,000,000, which sum is also covered and shall be returned to the Treasury not later than December 31, 1956."

And the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$83,000,000"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 75: That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 91: That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 99: That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 100: That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 101: That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 102: That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 104: That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 106: That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 107: That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 108: That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 109: That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 110: That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 111: That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 112: That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 113: That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 115: That the House recede from its disagreement to the amendment of the Senate numbered 115, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 116: That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 117: That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 119: That the House recede from its disagreement to the amendment of the Senate numbered 119, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 120: That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 121: That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 122: That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 123: That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 124: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 125: That the House recede from its disagreement to the amendment of the Senate numbered 125, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 126: That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 127: That the House recede from its disagreement to the amendment of the Senate numbered 127, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 128: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 129: That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 130: That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 131: That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 132: That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 133: That the House recede from its disagreement to the amendment of the Senate numbered 133, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 134: That the House recede from its disagreement to the amendment of the Senate numbered 134, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 135: That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 136: That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 137: That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 138: That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 140: That the House recede from its disagreement to the amendment of the Senate numbered 140, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 141: That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 142: That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 143: That the House recede from its disagreement to the amendment of the Senate numbered 143, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 145: That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 146: That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 147: That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 148: That the House recede from its disagreement to the amendment of the Senate numbered 148, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 149: That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 150: That the House recede from its disagreement to the amendment of the Senate numbered 150, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 151: That the House recede from its disagreement to the amendment of the Senate numbered 151, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 152: That the House recede from its disagreement to the amendment of the Senate numbered 152, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 153: That the House recede from its disagreement to the amendment of the Senate numbered 153, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 154: That the House recede from its disagreement to the amendment of the Senate numbered 154, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 155: That the House recede from its disagreement to the amendment of the Senate numbered 155, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 156: That the House recede from its disagreement to the amendment of the Senate numbered 156, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 157: That the House recede from its disagreement to the amendment of the Senate numbered 157, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 158: That the House recede from its disagreement to the amendment of the Senate numbered 158, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 159: That the House recede from its disagreement to the amendment of the Senate numbered 159, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 160: That the House recede from its disagreement to the amendment of the Senate numbered 160, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 161: That the House recede from its disagreement to the amendment of the Senate numbered 161, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 162: That the House recede from its disagreement to the amendment of the Senate numbered 162, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 163: That the House recede from its disagreement to the amendment of the Senate numbered 163, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 164: That the House recede from its disagreement to the amendment of the Senate numbered 164, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 165: That the House recede from its disagreement to the amendment of the Senate numbered 165, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 166: That the House recede from its disagreement to the amendment of the Senate numbered 166, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 167: That the House recede from its disagreement to the amendment of the Senate numbered 167, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 168: That the House recede from its disagreement to the amendment of the Senate numbered 168, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 169: That the House recede from its disagreement to the amendment of the Senate numbered 169, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 170: That the House recede from its disagreement to the amendment of the Senate numbered 170, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 171: That the House recede from its disagreement to the amendment of the Senate numbered 171, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 172: That the House recede from its disagreement to the amendment of the Senate numbered 172, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 173: That the House recede from its disagreement to the amendment of the Senate numbered 173, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$18,000,000"; and the Senate agree to the same.

Amendment numbered 174: That the House recede from its disagreement to the amendment of the Senate numbered 174, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment num

to the sum proposed by said amendment, namely: $50,000; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 4, 16, 20, 26, 27, 82, 84, 86, 88, 45, 58, 59, 60, and 61.

CHASE G. CONNOR,
THOS. OF MENTON,
HARRY P. SHEPPARD (except amendment No. 20),
ARTHUR THOMAS,
MICHAEL J. KIRWAN,
W. F. NORRELL,
JAMES I. WORTHEN,
GEORGE ANDREWS,
JOHN J. ROONEY,
J. VAUGHAN GARY,
JOHN F. DORNEY (except amendment No. 86),
R. L. F. SIKES,
PRINCE H. PRESTON,
LOUIS C. RABAUT,
JOHN TABER,
R. B. WIGGLESWORTH,
BEN F. JENSEN,
H. CARL ANDERSEN,
WALT HORAN,
GORDON CANFIELD,
IVOR D. FENTON,
JOHN PHILLIPS,
FRITZ G. SCHWEIKER,
F. R. COUDERT,
CLIFF CLEVENGER,
EARL WILSON,
GERALD R. FORD, Jr.,
Managers on the Part of the House.

CARL HAYDEN,
RICHARD B. RUSSELL,
DENNIS CHAVEZ,
ALLEN J. ELLENDER,
LISTER HILL,
JOHN STENNIS,
STYLES BRIDGES,
LEVERETT SALTONSTALL,
MILTON R. YOUNG,
WM. F. KNOWLAND,
EDWARD J. THYE,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12138) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

CHAPTER I

Department of Agriculture

Amendment No. 1: Inserts heading.

Amendment No. 2: Strikes out language proposed by the Senate authorizing use of not to exceed $200,261 of unobligated balances of 1956 funds to reimburse individuals and organizations for expenses incurred in the control and eradication of the Khapra beetle.

Amendment No. 3: Appropriates $2,500,000 for eradication of the Mediterranean fruitfly as proposed by the Senate. The conferees expect that Federal expenditures for the program to eradicate the Mediterranean fruit fly will be fully matched by any State affected.

Amendment No. 4: Reported in disagreement. It is intended that the amount allowed will cover the full cost of the project.

CHAPTER II

Department of Commerce

Amendment No. 5: Restores language proposed by the House relative to the costs of maintenance and operation of the Jones Point Bridge.

Independent Office

Amendment No. 6: Appropriates $300,000 for the Advisory Committee on Weather Control as proposed by the Senate.

CHAPTER III

Central Intelligence Agency

The conference committee approves of $19,000,000, the amount allowed by the House of Representatives and the Senate for construction of the headquarters for the Central Intelligence Agency. The committee directs that the Agency make every effort to construct a building to accommodate all of its headquarters personnel within the sum provided. And directs that none of these funds be spent in such a way as to make it necessary for the Congress to authorize additional funds at a later date. The committee further directs that none of these funds be obligated or spent until the Director of Central Intelligence has obtained from the appropriate local authorities written commitments for the construction of roads, sewage-treatment plants, public transport, and other local facilities which are deemed necessary to serve the site selected.

DEPARTMENT OF DEFENSE

Department of the Army

Maintenance and Operations

Amendment No. 7: Appropriates $83,000,000 instead of $88,369,170 as provided by the Senate. The managers desire to emphasize their belief that the reductions made in deutschemark support are not justified and that more satisfactory arrangements should be made with the Republic of Germany for the support of our troops stationed in that country.

Military Construction, Army

Amendment No. 8: Inserts statutory reference.

Amendment No. 9: Provides $202,000,000 to be derived by transfer from the Army Stock Fund as proposed by the Senate instead of $193,000,000 as proposed by the House. The increase of $9,000,000 is to provide for the additional projects listed in the report of the Senate.

Reduction in Appropriation

Army stock fund

Amendment No. 10: Provides for covering reduction of currently available funds into the Treasury by not later than December 31, 1956, instead of March 31, 1957, as proposed by the Senate and immediately upon approval of the Act as proposed by the House.

Department of the Navy

Military Construction, Navy

Amendment No. 11: Inserts statutory reference.

Amendment No. 12: Appropriates $400,000,000 as proposed by the House instead of $418,000,000 as proposed by the Senate. The committee on conference is in agreement that the following projects shall be added to the program as approved by the House and contained in House Report No. 2684:

SHIPYARD FACILITIES, CONTINENTAL

Project:	Amount
Naval Shipyard, Boston, Mass	$1,072,000
Naval Shipyard, Bremerton, Wash	1,900,000
Harbor Defense Base, Norfolk, Va	500,000
Naval Shipyard, San Francisco, Calif	1,500,000
Total, shipyard facilities, continental	4,972,000

AVIATION FACILITIES, CONTINENTAL

Project:	
NAS, Glynco, Ga	170,000
NAAS, Kingsville, Tex	592,000
NAS, Memphis, Tenn	170,000
NAS, Atlantic City, N. J	371,000
NAS, Brunswick, Maine	4,977,000
NAS, Cecil Field, Fla	297,000
NAAS, El Centro, Calif	890,000
NAS, Key West, Fla	170,000
NAS, Miramar, Calif	960,000
NAS, Moffett Field, Calif	160,000
NAS, Norfolk, Va	170,000
NAS, North Island, San Diego, Calif	170,000
NAS, Oceana, Va	160,000
NAS, Quonset Point, R. I	589,000
NAS, Whidbey Island, Wash	267,000
MCAS, Beaufort, S. C	1,420,000
MCAS, Cherry Point, N. C	302,000
MCAS, El Toro, Calif	2,500,000
NAS, Patuxent River, Md	170,000
NAMTC, Point Mugu, Calif	1,862,000
Total, aviation facilities, continental	16,550,000

AVIATION FACILITIES, OVERSEAS

Project:	
NAS, Barbers' Point, Oahu, T. H	370,000
NAS, Guantanamo Bay, Cuba	3,641,000
MCAS, Kaneohe Bay, Oahu, T. H	382,000
NS, Kodiak, Alaska	714,000
NAF, Point Lyautey, P. M	231,000
NS, Sangley Point, P. I	1,821,000
AEW No. 4, classified location	1,920,000
NAS No. 2, AOA, classified location	9,193,000
Classified location—Far East aviation facilities	8,000,000
Total, aviation facilities, overseas	26,333,000

SERVICE SCHOOL FACILITIES

NTC, Bainbridge, Md	2,569,000

YARDS AND DOCKS FACILITIES, CONTINENTAL

Various locations: Rehabilitation of family housing	425,300
Grand total	46,248,300

The following project shall be deleted from the program approved by the House and contained in House Report No. 2684:

FLEET BASE FACILITIES

Navy Department, Washington, D. C	$35,000

Department of the Air Force

Operation and Maintenance

Amendment No. 13: Appropriates $10,300,000 instead of $18,628,130 as provided by the Senate. Reference is made to the statement of the part of the managers in connection with amendment No. 7.

Military Construction, Air Force

Amendment No. 14: Inserts statutory reference.

Amendment No. 15: Provides $1,228,000,000 as proposed by the House instead of $1,238,000,000 as proposed by the Senate. The projects listed in House Report No. 2684 and Senate Report No. 2680 are approved in the amounts stated with the exception of Dublin, Ga.; Hobbs, N. Mex.; and Mitchell, S. Dak. The committee of conference agrees to defer approval of appropriations for the proposed bases at Dublin, Ga.; Hobbs, N. Mex.; and Mitchell, S. Dak., in the 1957 program. However the Air Force is directed to study and survey its needs to determine whether

religion or national origin is a serious threat to our efforts to stem the tide of Communist imperialism in the non-Caucasian areas of the world. How can we continue to preach the blessings of freedom and democracy if these very principles are subverted in sections of our own country? How can we win the trust of these peoples of the great uncommitted areas of the world if certain actions at home make a mockery of our beliefs in the fundamental precepts of our great democracy?

Enactment of this bill would do much to dispel the shrill voices of the Kremlin propagandists who exploit our inadequacies in the field of civil rights. Let us put aside prejudice and narrow sectional differences and unite in the common effort to prove to the world that equal justice and fair play still prevail and apply to all citizens of our Nation.

GENERAL LEAVE TO EXTEND REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the civil rights bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

BROOKLYN NAVY YARD

Mr. ROONEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY. Mr. Speaker, Brooklyn has once again been recognized. The Navy Department has just announced that it has assigned to the Brooklyn Navy Yard the construction of the new attack aircraft carrier of the *Forrestal* class—CVA-64—in this fiscal year's shipbuilding program. Our New York Naval Shipyard, known as the know-how yard, has unique facilities for the construction of such a large carrier.

At the same time, the Navy Department announced the assignment to Brooklyn Navy Yard of the work in the conversion of an attack aircraft carrier—CVA—and a guided-missile light cruiser—CLG.

Great credit is due our distinguished colleague the gentleman from New York [Mr. ANFUSO] in whose district the Brooklyn Navy Yard, otherwise known as the New York Naval Shipyard, is located.

SUPPLEMENTAL APPROPRIATION BILL, 1957

Mr. CANNON. Mr. Speaker, I call up the conference report on the bill (H. R. 12138) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes; and I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2864)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12138) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 5, 12, 15, 21, and 35.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 6, 9, 18, 19, 25, 31, 32, 37, 40, 41, 42, 43, 44, 46, 47, 50, 54, 55, 56, 57, and agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$88,000,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert "additional projects as may be authorized by law during the Second Session of the Eighty-Fourth Congress,"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert:

"The amount available in the Army Stock Fund is hereby reduced by $357,000,000, such sum to be covered into the Treasury no later than December 31, 1956."

And the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$18,500,000"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert "additional projects as may be authorized by law during the second session of the Eighty-fourth Congress,"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert "authorizations enacted into law during the second session of the Eighty-fourth Congress"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert:

"SEC. 309. Any funds appropriated for Reserve Facilities by this or any other Act shall be used for the sole purpose for which they were appropriated."

And the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$385,000"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$632,500"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$250,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$300,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$8,000,000"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$5,900,000"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$758,100"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$92,000"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$191,520"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert "$9,000 per annum, $9,000"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53 and agree

to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$9,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 4, 16, 22, 26, 27, 33, 34, 36, 38, 45, 58, 59, 60, and 61.

CLARENCE CANNON,
GEORGE MAHON,
HARRY R. SHEPPARD (except amendment No. 20),
ALBERT THOMAS,
MICHAEL J. KIRWAN,
W. F. NORRELL,
JAMIE L. WHITTEN,
GEORGE ANDREWS,
JOHN J. ROONEY,
J. VAUGHAN GARY,
JOHN E. FOGARTY (except amendment No. 36),
R. L. F. SIKES,
PRINCE H. PRESTON,
LOUIS C. RABAUT,
JOHN TABER,
R. B. WIGGLESWORTH,
BEN F. JENSEN,
H. CARL ANDERSEN,
WALT HORAN,
GORDON CANFIELD,
IVOR D. FENTON,
JOHN PHILLIPS,
ERRETT P. SCRIVNER,
F. R. COUDERT,
CLIFF CLEVENGER,
EARL WILSON,
GERALD R. FORD, Jr.,
Managers on the Part of the House.

CARL HAYDEN,
RICHARD B. RUSSELL,
DENNIS CHAVEZ,
ALLEN J. ELLENDER,
LISTER HILL,
JOHN STENNIS,
STYLES BRIDGES,
LEVERETT SALTONSTALL,
MILTON R. YOUNG,
WM. F. KNOWLAND,
EDWARD J. THYE,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12138) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

CHAPTER I

Department of Agriculture

Amendment No. 1: Inserts heading.

Amendment No. 2: Strikes out language proposed by the Senate authorizing use of not to exceed $200,261 of unobligated balances of 1956 funds to reimburse individuals and organizations for expenses incurred in the control and eradication of the Khapra beetle.

Amendment No. 3: Appropriates $2,500,000 for eradication of the Mediterranean fruitfly as proposed by the Senate. The conferees expect that Federal expenditures for the program to eradicate the Mediterranean fruit fly will be fully matched by any State affected.

Amendment No. 4: Reported in disagreement. It is intended that the amount allowed will cover the full cost of the project.

CHAPTER II

Department of Commerce

Amendment No. 5: Restores language proposed by the House relative to the costs of maintenance and operation of the Jones Point Bridge.

Independent Office

Amendment No. 6: Appropriates $300,000 for the Advisory Committee on Weather Control as proposed by the Senate.

CHAPTER III

Central Intelligence Agency

The conference committee approves of $49,000,000, the amount allowed by the House of Representatives and the Senate for construction of the headquarters for the Central Intelligence Agency. The committee directs that the Agency make every effort to construct a building to accommodate all of its headquarters personnel within the sum provided, and directs that none of these funds be spent in such a way as to make it necessary for the Congress to authorize additional funds at a later date. The committee further directs that none of these funds be obligated or spent until the Director of Central Intelligence has obtained from the appropriate local authorities written commitments for the construction of roads, sewage-treatment plants, public transport, and other local facilities which are deemed necessary to serve the site selected.

DEPARTMENT OF DEFENSE

Department of the Army

Maintenance and Operations

Amendment No. 7: Appropriates $88,000,000 instead of $88,369,170 as provided by the Senate. The managers desire to emphasize their belief that the reductions made in deutschemark support are not justified and that more satisfactory arrangements should be made with the Republic of Germany for the support of our troops stationed in that country.

Military Construction, Army

Amendment No. 8: Inserts statutory reference.

Amendment No. 9: Provides $202,000,000 to be derived by transfer from the Army Stock Fund as proposed by the Senate instead of $193,000,000 as proposed by the House. The increase of $9,000,000 is to provide for the additional projects listed in the report of the Senate.

Reduction in Appropriation

Army stock fund

Amendment No. 10: Provides for covering reduction of currently available funds into the Treasury by not later than December 31, 1956, instead of March 31, 1957, as proposed by the Senate and immediately upon approval of the Act as proposed by the House.

Department of the Navy

Military Construction, Navy

Amendment No. 11: Inserts statutory reference.

Amendment No. 12: Appropriates $400,000,000 as proposed by the House instead of $418,000,000 as proposed by the Senate. The committee on conference is in agreement that the following projects shall be added to the program as approved by the House and contained in House Report No. 2638:

SHIPYARD FACILITIES, CONTINENTAL

Project:	Amount
Naval Shipyard, Boston, Mass	$1,072,000
Naval Shipyard, Bremerton, Wash	1,300,000
Harbor Defense Base, Norfolk, Va	300,000
Naval Shipyard, San Francisco, Calif	1,300,000
Total, shipyard facilities, continental	3,972,000

AVIATION FACILITIES, CONTINENTAL

Project:	
NAS, Glynco, Ga	170,000
NAAS, Kingsville, Tex	592,000
NAS, Memphis, Tenn	170,000
NAS, Atlantic City, N. J	371,000
NAS, Brunswick, Maine	4,977,000
NAS, Cecil Field, Fla	297,000
NAAS, El Centro, Calif	830,000
NAS, Key West, Fla	170,000
NAS, Miramar, Calif	960,000
NAS, Moffett Field, Calif	160,000
NAS, Norfolk, Va	170,000
NAS, North Island, San Diego, Calif	170,000
NAS, Oceana, Va	160,000
NAS, Quonset Point, R. I	589,000
NAS, Whidbey Island, Wash	287,000
MCAS, Beaufort, S. C	1,420,000
MCAS, Cherry Point, N. C	302,000
MCAS, El Toro, Calif	2,803,000
NAS, Patuxent River, Md	170,000
NAMTC, Point Mugu, Calif	1,682,000
Total, aviation facilities, continental	16,450,000

AVIATION FACILITIES, OVERSEAS

Project:	
NAS, Barbers' Point, Oahu, T. H	870,000
NAS, Guantanamo Bay, Cuba	3,641,000
MCAS, Kaneohe Bay, Oahu, T. H	352,000
NS, Kodiak, Alaska	714,000
NAF, Point Lyautey, F. M	221,000
NS, Sangley Point, P. I	1,821,000
AEW No. 4, classified location	1,920,000
NAS No. 3, AOA, classified location	3,393,000
Classified location—Far East aviation facilities	8,000,000
Total, aviation facilities, overseas	20,932,000

SERVICE SCHOOL FACILITIES

NTC, Bainbridge, Md	2,569,000

YARDS AND DOCKS FACILITIES, CONTINENTAL

Various locations: Rehabilitation of family housing	425,800
Grand total	44,348,800

The following project shall be deleted from the program approved by the House and contained in House Report No. 2638:

FLEET BASE FACILITIES

Navy Department, Washington, D. C	$33,000

Department of the Air Force

Operation and Maintenance

Amendment No. 13: Appropriates $18,500,000 instead of $18,626,130 as provided by the Senate. Reference is made to the statement on the part of the managers in connection with amendment No. 7.

Military Construction, Air Force

Amendment No. 14: Inserts statutory reference.

Amendment No. 15: Provides $1,228,000,000 as proposed by the House instead of $1,238,000,000 as proposed by the Senate. The projects listed in House Report No. 2638 and Senate Report No. 2580 are approved in the amounts stated with the exception of Dublin, Ga.; Hobbs, N. Mex.; and Mitchell, S. Dak. The committee of conference agrees to defer approval of appropriations for the proposed bases at Dublin, Ga.; Hobbs, N. Mex.; and Mitchell, S. Dak., in the 1957 program. However, the Air Force is directed to study and survey its needs to determine whether

or not such bases, or any one of them, are required for the Air Force program. Should the study reveal that these bases are necessary, the committee of conference agrees that the Air Force make appropriate requests for funds to the Congress through reprograming or otherwise as determined by the Secretary of the Air Force. The committee of conference expects that the Secretary of the Air Force will report his findings, if possible, by January 31, 1957, to the Appropriations Committees of Congress.

Amendment No. 16: Reported in disagreement.

General provisions

Amendment No. 17: Inserts statutory reference.

Amendments Nos. 18 and 19: Delete provision of the House exempting unit cost limitations for three units of family quarters at the United States Naval Observatory, Washington, D. C.

Amendment No. 20: Strikes out language proposed by the House and stricken by the Senate and inserts language proposed by the Senate with a clarifying amendment. The committee on conference is agreed that the intent of the House provision relating to the apportionment of funds as expressed in the House report on the bill be carried out and reiterates the statements contained in that report. Regarding funds appropriated for Reserve Facilities, Department of the Air Force, the committee on conference is agreed that the amount to be applied for such facilities shall be in the same proportion as the total amount appropriated is to the total approved program.

Amendment No. 21: Deletes provision of the Senate restricting the use of funds appropriated for Military Construction.

Amendment No. 22: Reported in disagreement.

CHAPTER V

Executive Office of the President

Bureau of the Budget

Amendment No. 23: Appropriates $385,000 for salaries and expenses instead of $375,000 as proposed by the House and $400,000 as proposed by the Senate.

Independent office

Commission on Government Security

Amendment No. 24: Appropriates $632,500 for salaries and expenses instead of $600,000 as proposed by the House and $665,000 as proposed by the Senate.

President's Advisory Commission on Presidential Office Space

Amendment No. 25: Strikes out the House proposal to appropriate $50,000 for this Commission.

CHAPTER VI

Independent offices

Federal Communications Commission

Amendment No. 26: Reported in disagreement.

General Services Administration

Amendment No. 27: Reported in disagreement.

Amendment No. 28: Appropriates $250,000 for acquisition of land, District of Columbia, instead of $150,000 as proposed by the House and $300,000 as proposed by the Senate.

Amendment No. 29: Appropriates $300,000 for expenses, general supply fund, instead of $200,000 as proposed by the House and $400,000 as proposed by the Senate.

Amendment No. 30: Inserts language relating to the acquisition of tin as proposed by the Senate and appropriates $8,000,000 instead of $8,700,000 as proposed by the Senate.

CHAPTER VII

Department of Agriculture

Amendments Nos. 31 and 32: Insert headings.

Amendment No. 33: Reported in disagreement.

Amendment No. 34: Reported in disagreement.

Independent Office

Amendment No. 35: Deletes Senate proposal to appropriate $25,000 for expenses of the National Monument Commission.

CHAPTER VIII

Department of Health, Education, and Welfare

Amendment No. 36: Reported in disagreement.

Amendment No. 37: Inserts Senate language relative to rescission of unexpended balances in lieu of House language.

CHAPTER IX

The Judiciary

Amendment No. 38: Reported in disagreement.

Funds appropriated to the President

Amendment No. 39: Appropriates $5,900,000 for the President's Special International Program instead of $4,687,400 as proposed by the House and $7,100,000 as proposed by the Senate. The conferees believe that, in allowing a larger amount for this appropriation this year, emphasis should be placed on international fairs; they also believe that participation in artistic and sporting events are of value but should be carefully scrutinized before being approved. They further direct that none of these funds should be allowed for the USIA.

CHAPTER X

Treasury Department

Amendments Nos. 40–44: Technical amendments, rearranging certain items of the bill, are agreed to as proposed by the Senate.

Federal Facilities Corporation Fund

Amendment No. 45: Reported in disagreement.

CHAPTER XI

District of Columbia

Operating Expenses

Amendment No. 46: Appropriates $308,990 for the Department of General Administration as proposed by the Senate instead of $300,000 as proposed by the House.

Amendment No. 47: Appropriates $3,200 for the Department of Occupations and Professions as proposed by the Senate.

Amendments Nos. 48 and 49: Appropriate $758,100 for Metropolitan Police instead of $695,000 as proposed by the House and $821,200 as proposed by the Senate; and provide that of the sum appropriated $92,000 shall be derived from the highway fund instead of $83,000 as proposed by the House and $100,000 as proposed by the Senate. Included in the sum allowed are funds for six automobiles.

Amendment No. 50: Appropriates $398,850 for the courts as proposed by the Senate instead of $379,250 as proposed by the House.

Amendment No. 51: Appropriates $191,520 for the Department of Public Health instead of $121,290 as proposed by the House and $261,750 as proposed by the Senate. Included in the sum allowed is $14,500 for first aid assistants for the emergency ambulance service. The balance of the funds provided is to be used to grant a salary increase to interns and residents at D. C. General Hospital effective January 1, 1957.

Amendments Nos. 52 and 53: Appropriate $9,000 for the National Guard instead of $7,500 as proposed by the House and $11,600 as proposed by the Senate; and provide that the compensation of the commanding general shall not exceed $9,000 per annum retroactive to January 1, 1956.

Capital Outlay

Public building construction

Amendments Nos. 54, 55, and 56: Appropriate (to include a detention unit) $7,922,829 as proposed by the Senate instead of $7,427,929 as proposed by the House; and provide that of the sum provided $2,110,500 shall not become available for expenditure until July 1, 1957, as proposed by the Senate, instead of $1,910,500 as proposed by the House.

CHAPTER XII

Legislative branch

Amendment No. 57: Inserts heading.

Amendments Nos. 58, 59, 60, and 61: Reported in disagreement.

CLARENCE CANNON,
GEORGE MAHON,
HARRY R. SHEPPARD (except amendment No. 20),
ALBERT THOMAS,
MICHAEL J. KIRWAN,
W. F. NORRELL,
JAMIE L. WHITTEN,
GEORGE ANDREWS,
JOHN J. ROONEY,
J. VAUGHAN GARY,
JOHN E. FOGARTY (except amendment No. 36),
R. L. F. SIKES,
PRINCE H. PRESTON,
LOUIS C. RABAUT,
JOHN TABER,
R. B. WIGGLESWORTH,
BEN F. JENSEN,
H. CARL ANDERSEN,
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GORDON CANFIELD,
IVOR D. FENTON,
JOHN PHILLIPS,
ERRETT P. SCRIVNER,
F. R. COUDERT,
CLIFF CLEVENGER,
EARL WILSON,
GERALD R. FORD, Jr.,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

Mr. CANNON. Mr. Speaker, there are a few amendments which are in technical disagreement, but there is complete harmony on the conference report. In order to save time, I append a tabular statement which is self-explanatory:

The supplemental, 1957

1. Estimates considered by House	$2,007,849,525
(a) Direct appropriations	1,222,849,525
(b) Transfers from military stock funds	785,000,000
2. Bill as passed House	1,983,589,275
(a) Direct appropriations	1,555,589,275
(b) Transfers from military stock funds	428,000,000
3. Estimates considered by Senate	2,039,364,525
(a) Direct appropriations	1,254,364,525
(b) Transfers from military stock funds	785,000,000
4. Bill as passed Senate	2,161,639,675
(a) Direct appropriations	1,724,639,675
(b) Transfers from military stock funds	437,000,000
5. Conference report	$2,128,341,875
(a) Direct appropriations	1,691,341,875
(b) Transfers from military stock funds	437,000,000

The supplemental, 1957—Continued

6. Conference report compared to—

Estimates	+88,977,350
House bill	+144,752,600
Senate bill	−33,297,800

NOTE.—Principal reason totals are above estimates and House bill is the inclusion, by the Senate of appropriations of $106,500,000 to replace deutschemark support heretofore available to Army and Air Force.

I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. May I ask the gentleman if amendment No. 36 is to be voted on separately?

Mr. CANNON. It will be voted on separately, and I shall be glad to yield time when it comes up for disposition.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield.

Mr. TABER. Mr. Speaker, this bill carries quite a bit of money, but it is going to be necessary for the military construction authorization bill to pass in some form before the biggest part of these funds will be available. What the status of that is going to be no one knows at the present time.

The total carried in this bill is close to $2 billion. I would say that two-thirds of that, maybe three-quarters, would not be used unless the other bill is passed.

I think that is all I care to say at this time.

Mr. CANNON. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY. Mr. Speaker, with regard to amendment in disagreement numbered 39, I should like to call the attention of the House to the following:

The committee in the other body in its report on this bill disapproved the use of funds for jazz bands, ballet and dance groups and similar activities, and strongly urged that greater emphasis be placed in sponsoring choral groups and miscellaneous sports projects.

The House-Senate conferees, by their action about to be presented to the House for approval with regard to amendment numbered 39, voided the Senate disapproval of the use of funds for jazz bands, ballet and dance groups and similar activities, leaving the matter of selection of activities under this program entirely in the discretion of the President.

Mr. CANNON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 4: Page 2, line 20, insert:

"Animal disease laboratories facilities

"For an additional amount for 'Animal disease laboratory facilities,' for establishment of such facilities, including construction and alteration of buildings and acquisition of necessary land by purchase, donation, or exchange, $18,915,000, to remain available until expended."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 4, and concur therein with an amendment, as follows: In lieu of the sum of "$18,915,000" proposed, insert "$16,250,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

Mr. CANNON. Mr. Speaker, I ask unanimous consent to consider en bloc those amendments which are in technical disagreement and on which the House managers will offer a motion to recede and concur, as follows: Nos. 16, 26, 34, 38, 45, 58, 59, 60, and 61.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the Senate amendments as follows:

Senate amendment No. 16: Page 9, line 9, insert ", including $1,000,000 for additional facilities to increase the water supply for Holloman Air Force Base."

Senate amendment No. 26: Page 19, line 3, insert:

"FEDERAL COMMUNICATIONS COMMISSION

"Salaries and expenses

"The limitation under this head in the Independent Offices Appropriation Act, 1957, on the authorization for land and structures is increased from '$4,200' to '$18,300', and the limitation on the amount available for expenses of travel is increased from '$118,000' to '$118,650'."

Senate amendment No. 34: Page 23, line 10, insert:

"Administrative provision

"The Forest Service is hereby authorized to construct a ski shelter in the Mount Baker National Forest, Wash., at a cost of not to exceed $40,000, without regard to any limitation on the cost of such a structure contained in any other act."

Senate amendment No. 38: Page 28, line 1, insert:

"THE JUDICIARY

"Courts of appeals, districts courts, and other judicial services

"FEES OF JURORS AND COMMISSIONERS

"For an additional amount fiscal year 1956, for 'Fees of jurors and Commissioners', $100,000, to be derived by transfer from the appropriation for 'Salaries of supporting personnel', fiscal year 1956."

Senate amendment No. 45: page 30, line 20 insert:

"FEDERAL FACILITIES CORPORATION FUND

"The amount of the Corporation's funds made available under this head under title I of the Treasury-Post Office Appropriation Act, 1957, for administrative expenses of the Corporation, is increased from $250,000 to $425,000."

Senate amendment No. 58: Page 38, line 4, insert:

"For payment to Jane R. Barkley, widow of Alben W. Barkley, late a Senator from the State of Kentucky, $22,500."

Senate amendment No. 59: Page 38, line 6, insert:

"Contingent expenses of the Senate

"Miscellaneous items: For an additional amount for miscellaneous items, fiscal year 1956, $84,000, to be derived by transfer from the appropriation, 'Salaries, officers and employees, Senate', fiscal year 1956."

Senate amendment No. 60: Page 38, line 11, insert:

"Joint Committee in Inaugural Ceremonies of 1957: For salaries and expenses of conducting the inaugural ceremonies of the President and Vice President of the United States, January 21, 1957, in accordance with such program as may be adopted by the joint committee authorized by concurrent resolution of the Senate and House of Representatives, $215,000."

Senate amendment No. 61: Page 39, line 1, insert:

"GOVERNMENT PRINTING OFFICE

"Revolving fund

"The statute reference in the third paragraph under this head in the Legislative Branch Appropriation Act, 1957, is hereby amended to read '67 Stat. 330, August 1, 1953'."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the amendments of the Senate numbered 16, 26, 34, 38, 45, 58, 59, 60, and 61.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 22: Page 12, line 16, insert:

"SEC. 311. Not exceeding $25 million of the funds available to the Department of Defense and the Coast Guard for military construction may be used for capital expenditures other than for amortization of outstanding mortgages on any housing project constructed under title VIII of the National Housing Act as in effect prior to the Housing Amendments of 1955, in accordance with section 420 of the Military Construction Act of 1956: *Provided*, That the Secretary of Defense or his designee, in acquiring such housing projects, may make purchases subject to any existing mortgage or assume such mortgage."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 22, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SEC. 310. Not exceeding $5 million of the funds available to the Department of Defense for military construction may be used for capital expenditures other than for amortization of outstanding mortgages on any housing project constructed under title VIII of the National Housing Act as in effect prior to the Housing Amendments of 1955, in accordance with applicable provisions as may be authorized by law during the 2d session of the 84th Congress: *Provided*, That the Secretary of Defense or his designee, in acquiring such housing projects, may make purchases subject to any existing mortgage or assume such mortgage."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 27: On page 14, line 20, insert the following:

"Repair, improvement, and equipment of federally owned buildings outside the District of Columbia

"For an additional amount for 'Repair, improvement, and equipment of federally owned buildings outside the District of Columbia,' $50,000, to remain available until expended."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 27, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"Repair, improvement, and equipment of federally owned buildings outside the District of Columbia

"For an additional amount for 'Repair, improvement, and equipment of federally owned buildings outside the District of Columbia,' not to exceed $35,000, to remain available until expended."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 33: Page 23, line 3, insert the following:

"Acquisition of lands for national forests

"Special Acts

"For the acquisition of forest land within the Superior National Forest, Minn., under the provisions of the act of June 22, 1948 (62 Stat. 570; 16 U. S. C. 577c–577h), as amended, $500,000, to remain available until expended."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 33, and concur therein with an amendment, as follows: After the word "expended", insert ": *Provided*, That no part of this appropriation shall be used for the acquisition of any land without the approval of the local government concerned."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 36: Page 25, line 1 insert:

"DISEASE AND SANITATION INVESTIGATIONS AND CONTROL, TERRITORY OF ALASKA

"For an additional amount for 'Disease and sanitation investigations and control, Territory of Alaska,' for the purpose of assisting the Territory in making a comprehensive survey of the need for the construction of mental health facilities, $25,000: *Provided*, That this paragraph shall be effective only upon the enactment into law of H. R. 6376, 84th Congress."

Mr. CANNON. Mr. Speaker, I move the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 36, and concur therein with an amendment, as follows: In line 5 of the amendment, delete the words "assisting the Territory in."

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. HAND].

Mr. HAND. Mr. Speaker, one of my principal objections to amendment No. 36 were to the words "assisting the Territory in." Leaving the words "assisting the Territory in," which is the language of the conference agreement, is not only completely unnecessary aid to the Territory of Alaska in merely planning this mental facility which we have been talking about for some time, but, as a matter of fact, is actually contrary to the legislative authority on which this appropriation is based.

I have not been able to obtain a printed copy of the bill, but I think I have, and accurately, section 372, subparagraph (b) which is the authority on which this $25,000 appropriation is based. It provides as follows:

Such facility shall be scheduled for construction in accordance with a comprehensive construction program developed by the Territory in consultation with the Public Health Service and approved by the Surgeon General.

When we had the language confronting us now in section 36 we not only have appropriated the $25,000 but we are seeking to strike out, or at least the conferees were, the words "assisting the Territory in" which makes the entire burden, and it is a small burden financially, the entire burden of the $25,000 starting the planning of this facility on the United States, and no part of it is on the Territory of Alaska.

Mr. Speaker, as I have said, the law on which this appropriation is based provides very definitely that the Territory shall make the comprehensive survey for their own mental health facility in cooperation with the Public Health Service. But when the conferees struck out any part of the obligation of the Territory of Alaska to help, I think the language is objectionable.

Of course, there is a great deal of controversy about the building of this facility at all. I do not think anyone objects to a mental health facility being built in the Territory of Alaska. But, there certainly is ample room for objection to the United States building it for them. It is completely unprecedented. We do not build such facilities in any other State or any other Territory, and if it be argued that the Territory of Alaska is not able to build its own facility, the refutation of that is that they have insisted for a period of years that they are fully able to assume complete statehood. Their budget is in balance, and they have a budgetary surplus, yet we are asked to build this facility. We are now being asked to even plan it for them, in contravention of the basic legislative authority which says they must plan it for themselves.

I object to the motion, Mr. Speaker; I am opposed to the motion to recede and concur, and I suggest that it be voted down.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, I am not anxious to embark the Government on the construction of this hospital, with the Government paying for it. The only thing I would be willing to do—and that is what this language will do at the present time if the motion offered by the gentleman from Missouri is adopted—would be to have an investigation, an independent survey made by the Government people rather than by the people of Alaska, as to whether or not there is need for it or whether it is justified. I am very much of the opinion that we ought to have that investigation before we proceed with appropriating money to build the hospital or to make plans for it. I do not see how we would dare go ahead in this House and appropriate money without having it investigated. If this item is voted down, I should ask the investigatory process of the Committee on Appropriations to have an independent investigation of it made before that was done. If this is allowed, I would insist upon the Public Health Service or the Department of Health, Education, and Welfare making an independent investigation with this money. It does not call for plans, because the language itself says "Making a comprehensive survey of the need for the construction of mental health facilities." Well, now, that is a little different than making plans.

Mr. Speaker, I think that is all I care to say.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, I think further explanation should be made about this problem of the mentally ill in Alaska. We have, for many years, brought most of the mental patients from Alaska to Portland, Oreg., where they have been placed in an asylum. True, they have been treated good at that asylum. The cost has been about $6 a day per patient, which is very reasonable. I have always contended, as has most everybody who has been close to this problem for many years, that it borders on criminal to bring the mental patients so far away from home to be incarcerated. Many of us long have felt that an asylum should be erected in Alaska where these mental patients could be closer to their loved ones. But, we could easily be maneuvered into a position where the taxpayers in the mainland would be called upon to pay the entire cost of this mental institution in Alaska. I feel Alaska should pay at least half of it. I do not object to spending $25,000 to investigate the need for this hospital. I should not like to see the Congress of the United States go on record obligating itself to the full cost of this mental institution.

Mr. Speaker, I should like the gentleman from Missouri, the chairman of the committee [Mr. CANNON] to please answer this question. Does the gentleman understand that if we were to permit this bill to pass as it was amended in conference, that the United States Government would be in any way obligated to pay the cost of the erection of a

mental institution in Alaska, or any part of it.

Mr. CANNON. Mr. Speaker, in response to the gentleman's inquiry I will say that the bill answers that question, if the gentleman will read the amendment proposed. It provides:

This paragraph shall be effective only upon the enactment into law of H. R. 6376, 84th Congress.

Mr. JENSEN. So the gentleman feels that it is clear that the Congress of the United States will not be obligated to pay any of the cost under present conditions until such other bill to which the gentleman has referred has been enacted by the Congress, of erecting a mental hospital in Alaska.

Mr. CANNON. The bill H. R. 6376 will govern.

Mr. JENSEN. I thank the gentleman.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri [Mr. CANNON].

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. CANNON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks in the RECORD on the conference report just agreed to.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

TO IMPROVE GOVERNMENTAL BUDGETING AND ACCOUNTING METHODS AND PROCEDURES

Mr. DAWSON of Illinois submitted the following conference report and statement on the bill (S. 3897) to improve Governmental budgeting and accounting methods and procedures, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 2872)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3897) to improve governmental budgeting and accounting methods and procedures, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"AMENDMENTS TO THE BUDGET AND ACCOUNTING ACT, 1921

"SEC. 1. (a) Section 201 of the Budget and Accounting Act, 1921, as amended (31 U. S. C. 11), is further amended by inserting '(a)' after the words 'SEC. 201.'; by changing subsection (a) to subparagraph (1); by adding after subparagraph (1) a new subparagraph '(2) at such times as may be practicable, information on program costs and accomplishments'; by changing subsections (b) through (j) to subparagraphs (3) through (11), respectively.

"(b) Section 216 of such Act, as amended (31 U. S. C. 24), is further amended by inserting '(a)' after the words 'SEC. 216.' and by adding the following new subsections:

"'(b) The requests of the departments and establishments for appropriations shall, in such manner and at such times as may be determined by the President, be developed from cost-based budgets.

"'(c) For purposes of administration and operation, such cost-based budgets shall be used by all departments and establishments and their subordinate units. Administrative subdivisions of appropriations or funds shall be made on the basis of such cost-based budgets.'

"AMENDMENTS TO THE BUDGET AND ACCOUNTING PROCEDURES ACT OF 1950

"SEC. 2. (a) The Budget and Accounting Procedures Act of 1950 is amended by inserting after section 105 thereof the following new section:

"'ACCOUNTING AND BUDGET CLASSIFICATIONS

"'SEC. 106. The head of each executive agency shall, in consultation with the Director of the Bureau of the Budget, take whatever action may be necessary to achieve, insofar as is possible, (1) consistency in accounting and budget classifications, (2) synchronization between accounting and budget classifications and organizational structure, and (3) support of the budget justifications by information on performance and program costs by organizational units.'

"(b) Section 113 of such Act (31 U. S. C. 66a) is amended by adding at the end thereof the following new subsection:

"'(c) As soon as practicable after the date of enactment of this subsection, the head of each executive agency shall, in accordance with principles and standards prescribed by the Comptroller General, cause the accounts of such agency to be maintained on an accrual basis to show the resources, liabilities, and costs of operations of such agency with a view to facilitating the preparation of cost-based budgets as required by section 216 of the Budget and Accounting Act, 1921, as amended. The accounting system required by this subsection shall include adequate monetary property accounting records as an integral part of the system.'

"(c) Section 118 of such Act is amended by inserting '113 (c)' after the words 'section 111'.

"SIMPLIFICATION OF SYSTEM FOR SUBDIVIDING FUNDS

"SEC. 3. Section 3679 (g), Revised Statutes, as amended (31 U. S. C. 665 (g)), is further amended by adding at the end thereof the following sentence: 'In order to have a simplified system for the administrative subdivision of appropriations or funds, each agency shall work toward the objective of financing each operating unit, at the highest practical level, from not more than one administrative subdivision for each appropriation or fund affecting such unit.'"

And the House agree to the same.

WILLIAM L. DAWSON,
ROBERT E. JONES,
JOE M. KILGORE,
DANTE B. FASCELL,
CECIL M. HARDEN,
CLARENCE J. BROWN,
GLENARD P. LIPSCOMB,
Managers on the Part of the House.

JOHN F. KENNEDY,
HUBERT H. HUMPHREY,
THOMAS A. WOFFORD,
STUART SYMINGTON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3897) to improve governmental budgeting and accounting methods and procedures, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The conference substitute is substantially the bill as passed by the House with the deletion of the minor amendments which the House made to H. R. 11526 as originally introduced. The provision for appropriations on an accrued expenditure basis which the House rejected remains out of the substitute.

The substitute, as in the House-passed bill, provides for budget information on program costs and accomplishments; departmental budgeting on a cost basis; synchronization of organization structure, budget classifications and accounting systems; accounting on an accrual basis; and simplification in the subdivision of appropriations or funds.

This legislation does not provide for a major overhaul of the Government's budget and accounting systems nor does it correct all of the weaknesses that have been criticized. It does, however, provide progressive forward steps on the basis of which many improvements can be made. Due to the impending adjournment it is not likely that further action can be taken in this Congress.

WILLIAM L. DAWSON,
ROBERT E. JONES,
JOE M. KILGORE,
DANTE B. FASCELL,
CECIL M. HARDEN,
CLARENCE J. BROWN,
GLENARD P. LIPSCOMB,
Managers on the Part of the House.

Mr. DAWSON of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (S. 3897) to improve governmental budgeting and accounting methods and procedures, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DAWSON of Illinois. Mr. Speaker, I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the statement.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. DAWSON of Illinois. I yield.

Mr. HOFFMAN of Michigan. Is this the bill on which the gentleman from California [Mr. LIPSCOMB] did the work?

Mr. DAWSON of Illinois. He did a very fine job, both on the bill and in conference.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, I rise to express my approval of the conference report on S. 3897. I had hoped that the managers on the part of the House would go further and accept one of the most desired parts of the Senate bill. That would have embraced the element of actual appropriations on an accrued basis which seemed to me to be the heart of the bill. However, the conferees did not see fit to adopt this proposal.

It is my understanding that the agreement between Houses provides for accounting and bookkeeping on an accrued basis and budgeting on a cost basis. These are commendable ends.

Mr. Speaker, the bill approved is one that incorporates features of the Hoover Commission and its task force on budgeting and accounting. It is a step in the right direction and points toward the opportunity of gaining the real objective of providing authorizing appropriations to be made on the basis of expenditures actually made or accrued by the various departments and agencies during any single fiscal year. In this connection, I commend to the House the following editorial from the Springfield (Mass.) Daily News of July 13, 1956:

LET'S SAVE THAT $4 BILLION

Although the bills to carry out Hoover Commission recommendations for the improvement of Federal budgeting and accounting practices received no boost when President Eisenhower issued his 14 point priority list on legislation this week, there are many Americans who consider that these bills constitute a most important piece of legislation.

Proponents of the reform say that it will save the Government about $4 billion a year. In the Senate, the measure to put the recommendation into effect was presented by Senator JOHN F. KENNEDY, Democrat, of Massachusetts; and Senator FREDERICK G. PAYNE, Republican, of Maine, and received support on both sides of the aisle. The Senate gave its approval, but the Government Operations Committee of the House has stalled two bills designed to put into effect the same changes included in the Kennedy-Payne bill.

The House bills have been presented by Representative PAUL G. ROGERS, of Florida, a Democrat, and by Representative GLENARD P. LIPSCOMB, of California, a Republican.

The estimate that the Government would save $4 billion yearly if it adopted the recommendation was made by J. Harold Stewart, of Boston, a former head of the American Institute of Accountants and the man who directed the Hoover Commission task force on budget studies.

The Hoover Commission group pointed out that private industries have effected savings of as much as 10 percent by applying close "accrual" accounting to the so-called "controllable" items of expense. Under this system, an accurate record is kept of the charges for goods and services received in a given year and that record is used for budgeting for the year ahead. Private industry does this; the Government does not.

Because the Government does not use an "accrual expenditure" system, various departments get more money than they can possibly spend during a year and have billions left over at the end of the fiscal period. In Washington, this sports is known as "squirreling", and department heads use it to hide away bundles of money for later use, oftentimes after the Congress which appropriated it is out of office.

Under the present system, only a few billions can thus be hidden in each department. For instance, when the Army's kitty for guided missiles, tanks, and ammunition swelled over the $15 billion mark, Congress noticed it and shut off new appropriations for such items until the huge reserve was reduced.

However, at the end of the fiscal year on June 30, such nest eggs hidden away by various Federal departments exceeded $50 billion.

The waste of $4 billion every year by such practices does not complete the full cost of this antiquated accounting system. When billions are being carried over from previous fiscal years, Congress has little control over the amount of money being spent in any given year. Also, Congress gets only a vague idea of how the Government agencies are being conducted. Congress doesn't know the Government's inventories, fluctuations in prices paid for goods or services or the condition of capital equipment.

The President's priority list for legislation to be acted upon before Congress adjourns includes postal-rate increases, pay hikes for top Government executives, amendments to the contract renegotiation legislation, and the Fryingpan-Arkansas project. However, no mention was made of the Hoover Commission bills to save $4 billion and to replace the antiquated accounting policies of the Government.

The Citizens Committee for the Hoover Report does not share the President's view of the legislation. The Lipscomb and Rogers measures are certainly on its priority list. In fact, the committee says that this is probably the most vital issue that will come out of the second Hoover Commission campaign.

The Hoover Commission's recommendations to reform the Post Office Department have been given scant notice, but the President has put on his priority list a bill to hike the postal rates instead.

It will be unfortunate if the Hoover Commission recommendation on sound accounting practices is given the same brushoff by the administration. It is time that the Hoover Commission work be given something other than lipservice.

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, I urge the acceptance of the conference report on S. 3897 which includes the provisions of H. R. 11526 introduced by me and passed by the House as amended. I feel that this report, if accepted by the House and the other body will lay the necessary foundation to the establishment of an annual accrued expenditures budget. It is my intention, if I am a Member of the 85th Congress, to introduce the necessary legislation to bring about this necessary reform in our governmental accounting and budgeting procedures. This recommendation of the second Hoover Commission should bring about great savings in public expenditures as well as more effective congressional control.

Mr. DAWSON of Illinois. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

VIRGIN ISLANDS NATIONAL PARK

Mr. ENGLE submitted the following conference report and statement on the bill (H. R. 5299) to authorize the establishment of the Virgin Islands National Park, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 2873)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5299) to authorize the establishment of the Virgin Islands National Park, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment with an amendment as follows: "That a portion of the Virgin Islands of the United States, containing outstanding scenic and other features of national significance, shall be established, as prescribed in section 2 hereof, as the 'Virgin Islands National Park'.

"The national park shall be administered and preserved by the Secretary of the Interior in its natural condition for the public benefit and inspiration, in accordance with the laws governing the administration of the national parks (16 U. S. C. 1, and the following).

"SEC. 2. The Secretary of the Interior is hereby authorized, subject to the following conditions and limitations, to proceed in such manner as he shall find to be necessary in the public interest to consummate the establishment of the Virgin Islands National Park:

"(a) The acreage of the national park shall be limited to a total of not more than nine thousand five hundred acres of land area, such total to be comprised of not more than fifteen acres on the island of Saint Thomas, and not more than nine thousand four hundred and eighty-five additional acres to be comprised of portions of the island of Saint John and such small islands, rocks, and cays not in excess of five hundred acres in the general vicinity thereof as may be desirable for inclusion within the park;

"(b) Tentative exterior boundary lines, to include land not in excess of the aforesaid acreage limitations, may be selected for the park in order to establish the particular areas in which land may be acquired pursuant to this Act, such tentative boundaries to be selected and adjusted as may be necessary by the Secretary of the Interior;

"(c) The Secretary, on behalf of the United States, is authorized to accept donations of real and personal property within the areas selected for the park until such time as the aforesaid total of nine thousand five hundred acres shall have been acquired for the park by the United States, and he may also accept donations of funds for the purposes of this Act;

"(d) Any Federal properties situated within the areas selected for the park, upon agreement by the particular agency administering such properties that such properties should be made available for the park, may be transferred without further authorization to the Secretary by such agency for purposes of this Act;

"(e) Establishment of the Virgin Islands National Park, in its initial phase, shall be and is hereby declared to be accomplished and effective for purposes of administration when a minimum acreage of not less than five thousand acres in Federal ownership for purposes of this Act shall have been acquired by the United States in specific areas containing such acquired lands to be designated by the Secretary; and

"(f) Notice of the establishment of the park as authorized and prescribed by this Act shall be published in the Federal Register.

"SEC. 3. There is hereby authorized to be appropriated from Federal funds a sum not in excess of $60,000 for capital improvements for said Virgin Islands National Park, and a sum of not in excess of $30,000 annually for the administration of the Virgin Islands National Park."

And the House agree to the same.

CLAIR ENGLE,
WAYNE N. ASPINALL,
JACK WESTLAND,
Managers on the Part of the House.

HENRY M. JACKSON,
ALAN BIBLE,
WILLIAM R. LAIRD III,
THOMAS N. KUCHEL,
BARRY GOLDWATER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5299) to authorize the establishment of the Virgin Islands National Park, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommend in the accompanying conference report as to the amendments to the bill:

H. R. 5299 as passed by the House differed in the following respects from the Senate-passed version—

1. A House-passed provision limited to 3 years the time within which the Secretary of the Interior might accept, acquire, or receive by exchange, lands for park purposes. The House conferees receded from this language after it was pointed out by the National Park Service that such a time limitation would invite greatly increased costs by encouraging landowners to hold out for higher prices, and would tend to foster "deals" inimical to proper park management.

2. The House-passed bill carried a flat limitation of $60,000 for capital improvements, and $30,000 annually for administration. The Senate conferees agreed to accept this language.

3. The House bill stated that the park would not exceed 9,500 acres, with a maximum of 15 acres to be acquired on the island of St. Thomas. The remaining 9,485 acres would be comprised of portions of the island of St. John and such small islands, rocks, and cays not in excess of 500 acres in the general vicinity thereof as might be desirable for inclusion in the park. The Senate conferees accepted this language and receded from the Senate amendment which would have provided for a total of 50 acres on St. Thomas, with the remaining 9,450 acres comprised of portions of St. John and small islands, rocks, and cays not in excess of 1,000 acres.

CLAIR ENGLE,
WAYNE N. ASPINALL,
JACK WESTLAND,
Managers on the Part of the House.

Mr. ENGLE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill, H. R. 5299.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ENGLE. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the statement.

The conference report was agreed to.

A motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. This is District of Columbia day. The Chair recognizes the gentleman from South Carolina [Mr. MCMILLAN], chairman of the Committee on the District of Columbia.

COMPENSATION OF COMMISSIONERS OF THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I call up the bill (H. R. 12327) to provide that the compensation of the Commissioners of the District of Columbia shall be at the rate of $17,000 each per annum, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, (a) except as provided in subsection (b) of this section, the compensation of the Commissioners of the District of Columbia shall be at the rate of $17,000 each per annum.

(b) The Engineer Commissioner, appointed from the Corps of Engineers, shall receive an annual compensation which, when added to any compensation he receives as an officer of the United States Army, will equal the compensation authorized for a Commissioner by subsection (a) of this section.

SEC. 2. The provisions of this act shall take effect on the first day of the first calendar month following the date of enactment of this act.

Mr. SIMPSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. McMILLAN. I yield.

Mr. SIMPSON of Illinois. I want to associate myself with the chairman of the Committee on the District of Columbia in introducing this bill. I do not know whether the Commissioners have asked for this increase, but I certainly think they are entitled to it.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HISTORIC GUN MOUNTINGS AND CARRIAGES FROM DISTRICT OF COLUMBIA REFORMATORY AT LORTON, VA.

Mr. McMILLAN. Mr. Speaker, I call up the bill (H. R. 11968) to permit the State of New York to purchase from the District of Columbia Reformatory at Lorton, Va., gun mountings and carriages for guns for use at historic sites and for museum display purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the State of New York is authorized to purchase from the District of Columbia Reformatory located at Lorton, Va., at fair market prices determined by the Commissioners of the District of Columbia, gun mountings and carriages for guns for use at historic sites and for museum display purposes. Receipts from sales authorized under this act shall be deposited to the credit of the working capital fund established for the industrial enterprises at the workhouse and reformatory of the District of Columbia to the same extent and in the same manner as provided for receipts from the sale of products and services of such industrial enterprises in the last paragraph under the heading "Adult Correctional Service" in the first section of the District of Columbia Appropriation Act, 1947 (60 Stat. 514).

With the following committee amendment:

Page 1, line 3, strike out "the State of New York" and insert "any State of the United States or any political subdivision of any such State."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to permit any State of the United States or any political subdivision of any such State to purchase from the District of Columbia Reformatory at Lorton, Va., gun mountings and carriages for guns for use at historic sites and for museum display purposes."

A motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, the District of Columbia Reformatory, at Lorton, Va., has developed a craft of manufacturing replicas of historic gun mountings and carriages, using prison labor to produce these items. These guns have been very much in demand by certain District and Federal agencies and the reformatory from time to time has manufactured such guns for their use.

The purpose in the bill, as originally drafted, is to permit the sale of such guns to the State of New York, which is interested in buying this item from the reformatory. Since the time the bill was introduced it develops that other States and political subdivisions might be interested in purchasing such guns in the future, and it was felt that it would be best to amend the bill so as to permit the sale of these guns to any of the other States, as well as a political subdivision thereof.

The legislation has the approval of the Commissioners of the District of Columbia.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk willl call the first bill on the Consent Calendar.

AMENDING FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

The Clerk called the bill (S. 2364) to amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes.

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMENDING PUBLIC HEALTH SERVICE ACT

The Clerk called the bill (H. R. 9048) to amend the Public Health Service Act so as to improve the mental health of the Nation through grants for special projects to develop improved methods of care, treatment, and rehabilitation of the mentally ill.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore (Mr. MILLS). Without objection, it is so ordered.

There was no objection.

FISH HATCHERY IN WESTERN OKLAHOMA

The Clerk called the bill (H. R. 221) to establish rearing ponds and a fish hatchery in western Oklahoma.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

BENEFITS TO WIDOWS OF CERTAIN FORMER EMPLOYEES OF THE LIGHTHOUSE SERVICE

The Clerk called the bill (S. 2937) to increase from $50 to $75 per month the amount of benefits payable to widows of certain former employees of the Lighthouse Service.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

VETERANS' CEMETERY IN BUNCOMBE COUNTY, N. C.

The Clerk called the bill (H. R. 10238) to authorize and direct the Administrator of Veterans' Affairs to accept certain land in Buncombe County, N. C., for cemetery purposes.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

PROHIBITING PENSIONS TO INMATES OF PENAL INSTITUTIONS

The Clerk called the bill (H. R. 10477) to prohibit the payment of pensions to persons confined in penal institutions for periods longer than 61 days.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That no pension under public or private laws administered by the Veterans' Administration shall be paid to an individual who has been imprisoned in a Federal, State, or local penal institution as the result of conviction of a felony or misdemeanor for any part of the period beginning 61 days after his imprisonment begins and ending when his imprisonment ends.

SEC. 2. (a) Where any veteran is disqualified for pension for any period solely by reason of the first section of this act, the Administrator may apportion and pay to his wife or children the pension which such veteran would receive for that period but for this act.

(b) Where any widow or child of a veteran is disqualified for pension for any period solely by reason of the first section of this act, the Administrator may apportion and pay to the children of the veteran the pension which the disqualified widow or child, as may be appropriate, would receive for that period but for this act.

SEC. 3. This act shall take effect on the first day of the second calendar month which begins after the date of its enactment.

With the following committee amendments:

On page 1, line 4, after the word "to", insert the words "or for."

On page 2, line 6, beginning with the word "apportion", strike out lines 7, 8, and 9 and insert in lieu thereof: "(1) if the widow is disqualified, pay to the child, or children, the pension which would be payable if there were no such widow or (2), if a child is disqualified, pay to the widow the pension which would be payable if there were no such child."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to prohibit the payment of pensions to persons confined in penal institutions for periods longer than 60 days."

A motion to reconsider was laid on the table.

AMENDING SECTION 21 OF THE WORLD WAR VETERANS' ACT OF 1924

The Clerk called the bill (H. R. 10473) to amend section 21 of the World War Veterans' Act, 1924, to provide for the disposition of certain benefits which are unpaid at the death of the intended beneficiary.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) paragraph (3) of section 21 of the World War Veterans' Act, 1924 (38 U. S. C. 450), is amended by striking out all that follows "or, in the event of his death," and inserting the following: "to the beneficiary first listed below:

"(A) The spouse of the deceased;

"(B) The adult or minor children (as defined in section 3 (1) (a) (d) of this act in equal parts;

"(C) The dependent mother or father (as defined in section 3 (5) of this act, or, if he has both a dependent mother and a dependent father, to them in equal shares. If there are no beneficiaries in the classes listed above, the balance so held shall revert to the Treasury to the credit of the appropriation or appropriations from which originally made.

(b) Such section 21 is further amended by adding at the end thereof the following:

"(5) Where a beneficiary dies, any funds or property in the hands of a person who is a guardian, curator, conservator, chief officer of an institution in which the beneficiary was an inmate, or person legally vested with his care or the care of his estate, which funds or property derive from payments of compensation, pension (including pension under private acts), emergency officers' retirement pay, servicemen's indemnity, or retirement pay made to such person on behalf of the beneficiary before or after the date of enactment of this paragraph by the Administrator of Veterans' Affairs shall be paid to the Administrator, who shall then pay such funds, and the proceeds of such property, to the living survivor or survivors of the beneficiary first listed in paragraph (3). If there are no beneficiaries in the classes listed in that paragraph, such funds, and the proceeds of such property, shall revert to the Treasury to the credit of the appropriation or appropriations (as determined by the Administrator of Veterans' Affairs) from which such funds, or the funds from which such property was derived, were originally appropriated."

With the following committee amendments:

On page 1, line 6, after the second "the", insert "survivor of the."

On page 1, line 9, strike out "adult or minor."

On page 2, line 1, strike out "section 3 (1) (a) (d) of this act" and insert "paragraph VI of Veterans Regulation Numbered 10, disregarding any part thereof relating to age or marital status."

On page 2, line 6, after the word "in", strike out "section 3 (5) of this act" and insert "paragraph VII of Veterans Regulation Numbered 10."

On page 2, line 9, strike out "beneficiaries" and insert "survivors."

On page 2, line 12, strike out "originally."

On page 2, line 12, after the period, insert: "Any funds in the hands of a guardian, curator, conservator, or person legally vested with the care of the beneficiary or his estate, derived from automatic or term insurance payable under said acts, which under the law of the State wherein the beneficiary had his last legal residence would escheat to the State, shall escheat to the United States and shall be returned by such guardian, curator, conservator, or person legally vested with the care of the beneficiary or his estate, or by the personal representative of the deceased beneficiary, less legal expenses of any administration necessary to determine that an escheat is in order, to the Administrator of Veterans' Affairs. Such funds shall be deposited in the Treasury to the credit of the current appropriation (as determined by the Administrator of Veterans' Affairs) from which such funds were appropriated."

On page 3, line 9, strike out "derive" and insert "were derived."

On page 3, line 15, strike out "Administrator, who" and insert "personal representative of the deceased beneficiary. Such funds, and the proceeds of such property, shall revert and be returned by the personal representative to the Administrator of Veterans' Affairs, except that before making such return the personal representative shall satisfy the claims of creditors and the expenses incident to the administration of the estate of the deceased beneficiary from such funds and such proceeds if the other assets of the estate of the deceased beneficiary are insufficient for that purpose. The Administrator."

On page 4, line 1, strike out "living."

On page 4, line 2 after "(3)" insert "living at the time the payment is made."

On page 4, line 3, strike out "beneficiaries" and insert "survivors."

On page 4, line 5, strike out "revert to" and insert "be deposited in."

On page 4, line 6, after the word "the", insert "current."

On page 4, line 9, strike out "originally."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF BUILDINGS ON TRIBAL LANDS TO INDIAN TRIBES

The Clerk called the bill (H. R. 11248) to authorize the Secretary of the Interior

to convey to Indian tribes certain federally owned buildings, improvements, or facilities on tribal lands or on lands reserved for Indian administration.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to convey to any Indian tribe, band, or group, by such means as he may deem appropriate, title to any federally owned buildings, improvements, or facilities (including any personal property used in connection with such buildings, improvements, or facilities) that are situated on lands of such tribe, band, or group or on lands reserved for the administration of its affairs, and that are no longer required by the Secretary for the administration of Indian affairs. Any tribe, band, or group to which property is conveyed pursuant to this act may dispose of such property whenever its governing body determines that the property is no longer needed for its use. If, at any time while property conveyed pursuant to this act remains in the ownership of any Indian tribe, band, or group, the Secretary of the Interior determines that such property is not being adequately maintained or properly utilized by such tribe, band, or group or that the property creates a health or safety hazard or other undesirable condition, he may declare a forfeiture of the conveyance and the title to such property shall thereupon revert to the United States. Such determination by the Secretary shall be final.

With the following committee amendment:

Page 2, following line 15, add a new section, as follows:

"SEC. 2. For the purpose of this act, the term "Indian" shall include Eskimos and Aleuts."

The committee amendment was agreed to.

Mr. ENGLE. Mr. Speaker, I offer two amendments.

The Clerk read as follows:

Amendments offered by Mr. ENGLE:

Page 1, line 3, following the word "Interior", insert the words ", at the request of any Indian tribe, band, or group."

Page 1, line 4, strike out the word "any" and insert the word "such."

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time was read the third time and passed and a motion to reconsider was laid on the table.

Mr. ENGLE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3927) to authorize the Secretary of the Interior to convey to Indian tribes certain federally owned buildings, improvements, or facilities on tribal lands or on lands reserved for Indian administration, a bill similar to the House bill just passed.

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior, at the request of any Indian tribe, band, or group, is authorized to convey to such Indian tribe, band, or group, by such means as he may deem appropriate, title to any federally owned buildings, improvements, or facilities (including any personal property used in connection with such buildings, improvements, or facilities) that are situated on lands of such tribe, band, or group or on lands reserved for the administration of its affairs, and that are no longer required by the Secretary for the administration of Indian affairs. Any tribe, band, or group to which property is conveyed pursuant to this act may dispose of such property whenever its governing body determines that the property is no longer needed for its use. If, at any time while property conveyed pursuant to this act remains in the ownership of any Indian tribe, band, or group, the Secretary of the Interior determines that such property is not being adequately maintained or properly utilized by such tribe, band, or group, or that the property creates a health or safety hazard, or other undesirable condition, he may declare a forfeiture of the conveyance and the title to such property shall thereupon revert to the United States. Such determination by the Secretary shall be final.

Mr. ENGLE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ENGLE: Strike out all after the enacting clause of the bill S. 3927 and insert the language of the House bill H. R. 11248, as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The proceedings whereby the bill (H. R. 11248) was passed were vacated and that bill was laid on the table.

AUTHORIZING CONSTRUCTION OF TWO PROTOTYPE SHIPS

The Clerk called the resolution (H. J. Res. 614) to authorize the construction of two prototype ships, and the conversion of one Liberty ship, by the Maritime Administration, Department of Commerce.

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that joint resolution be passed over without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

FURNISHING WATER SUPPLY FROM FLOOD CONTROL AND RIVER AND HARBOR PROJECTS

The Clerk called the bill (S. 2374) to authorize the Secretary of the Army to enter into contracts to furnish water for municipal water supplies from flood control and river and harbor projects.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

WORLD HEALTH ASSEMBLY

The Clerk called the resolution (H. J. Res. 659) authorizing an appropriation to enable the United States to extend an invitation to the World Health Organization to hold the 11th World Health Assembly in the United States in 1958.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. GROSS. Mr. Speaker, reserving the right to object, is there any estimate as to the cost of this international meeting to the taxpayers of the United States? Undoubtedly we will pay the entire bill.

Mr. JUDD. No. We will not pay the entire bill. If the meeting is held in the United States or some other country instead of at the regular meeting place, Geneva, whatever government invites the Assembly to be held in its country pays the difference between what it would cost to hold the meeting at Geneva and the cost of holding it elsewhere. The bill provides a total expenditure of not to exceed $400,000.

Mr. GROSS. Four hundred thousand dollars?

Mr. JUDD. Yes—not to exceed that amount. WHO has 88 members. It is one international organization about which we have heard no criticism from any source, because it works for our health as well as the health of every other nation.

When the organization was formed 10 years ago, in order to make sure that even the poorest and most distant country could send an official delegate to the annual World Health Assembly, it adopted a policy of the World Health Organization paying the travel expense to Geneva of one delegate from each country. But when it is held in some other country, as it was in 1949 in Rome, and as it was last year in Mexico City, there are additional expenses, and the country inviting the Assembly pays those additional expenses, including any additional travel for one delegate from each country.

Mr. GROSS. What will be the United States contribution to this meeting?

Mr. JUDD. Not to exceed $400,000.

Mr. GROSS. Are we going to pay the transportation costs of all delegates to this country?

Mr. JUDD. No.

Mr. GROSS. Well, what could we possibly spend $400,000 for, if they take care of any part of their own expenses?

Mr. JUDD. There would be the rental cost of the meeting place and facilities for about 3 weeks plus equipment and furniture. We would pay for special translators in five languages, and translating equipment. We would pay for transportation of WHO Headquarters personnel from Geneva to this country. None of the cost of entertainment is included.

Mr. GROSS. Who is going to pay that?

Mr. JUDD. Each country pays per diem for its own delegates.

Mr. GROSS. That does not take care of the entertainment, does it? I just wonder if we are going to have a situation repeated like the Interparliamentary Union meeting in Washington. I understand foreign delegates ate in the House dining room and walked off and and left unpaid food bills that our taxpayers had to pick up. Is that situation going to be repeated? If the meeting is held here, will the taxpayers again hold the sack?

Mr. JUDD. No. I hope the meeting will not be held in Washington, but in one of the great medical centers of our country.

Mr. GROSS. I am not going to object to this thing, but I hope the Committee on Appropriations will look over

this International Health Organization in all of its ramifications next year. We are contributing in some cases 60 percent.

Mr. JUDD. Not this one.

Mr. GROSS. I did not say this one, but in some cases we are contributing 60 or 65 percent. The minimum, I think, is about 33⅓ percent. We have administrative bureaucrats falling all over themselves in these various organizations, eating up the money we are putting into these organizations instead of improving health conditions. I hope that before this international meeting is convened the Appropriations Committee looks into the spending of this money, particularly with reference to duplication and the great number of bureaucratic administrators.

Mr. GAVIN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. GAVIN. It has not been determined whether they are coming to Washington. It is just a choice between Washington and Geneva. You know where it will be held.

Mr. GROSS. No; I do not.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. KEATING. Reserving the right to object, Mr. Speaker, and I shall not object, because I very much favor this legislation. This Health Assembly is to be held in the United States, and I share entirely the views expressed by the gentleman from Minnesota [Mr. JUDD], that it would be highly desirable to have this meeting held somewhere other than in Washington. We do have great medical centers in this country, including preeminently my own city of Rochester, N. Y., among others. I hope one of those places will be chosen as the place of assembly.

Mr. HOFFMAN of Michigan. Mr. Speaker, reserving the right to object, will the gentleman from Minnesota tell me whether any of those who speak at this meeting will receive what is known as honoraria for those speeches?

Mr. JUDD. I think not. The people will be official delegates from their own governments; they are sent over here.

Mr. HOFFMAN of Michigan. What about the local folk who talk there, I mean the people from the United States.

Mr. JUDD. I beg the gentleman's pardon?

Mr. HOFFMAN of Michigan. Is anybody from the United States to be here?

Mr. JUDD. Yes, generally our chief delegate is the head of the Public Health Service. Dr. Charles Mayo was one of our representatives to the conference in Mexico City last year. We generally send eminent doctors and specialists in the health field along with the official representatives of our health services.

Mr. HOFFMAN of Michigan. Are any to be compensated for their talks?

Mr. JUDD. I am sure not.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Chair understands there is a similar Senate resolution on the desk. Does some Member desire to substitute it for the House bill?

Mr. JUDD. Mr. Speaker, I was not supposed to be in charge of this resolution, but I ask unanimous consent that a similar Senate resolution, Senate Joint Resolution 183, authorizing an appropriation to enable the United States to extend an invitation to the World Health Organization to hold the 11th World Health Assembly in the United States in 1958, be substituted for the House resolution.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read as follows:

Whereas the 11th World Health Assembly is scheduled to be held in 1958; and

Whereas the year 1958 is considered particularly appropriate for holding the assembly in the United States since that year will mark the decennial anniversary of the entry into force of the constitution of the World Health Organization, which was originally drawn up and signed in New York City; and

Whereas the assembly and related functions will provide outstanding opportunities for the Ministers and Directors of Health of the World Health Organization's 88-member countries to view American health and medical methods in practice, and to make and renew friendships among American health and medical leaders; and

Whereas the assembly will focus public attention in the United States on the important work of the World Health Organization as an integral part of the economic and social program of the United Nations and as a constructive work contributing to better international appreciation and world peace; and

Whereas American health and medical groups and certain urban organizations have suggested arrangements to make the World Health Assembly in the United States a particularly useful professional occasion through related seminars, field trips, and social activities; and

Whereas the cost of holding an assembly in the United States would exceed the amount provided in the budget of the World Health Organization for holding an assembly in Geneva, Switzerland, the headquarters of the Organization: Therefore be it

Resolved, etc., That there is authorized to be appropriated to the Department of State, out of any money in the Treasury not otherwise appropriated, the sum of $400,000 for the purpose of defraying the expenses incident to organizing and holding the 11th World Health Assembly in the United States. Funds appropriated pursuant to this authorization shall be available for advance contribution to the World Health Organization for additional costs incurred by the Organization in holding the 11th World Health Assembly outside the Organization's headquarters at Geneva, Switzerland; and shall be available for expenses incurred by the Department of State, on behalf of the United States as host government, including personal services without regard to civil-service and classification laws; employment of aliens; travel expenses without regard to the Standardized Government Travel Regulations and to the rates of per diem allowances in lieu of subsistence expenses under the Travel Expense Act of 1949; rent of quarters by contract or otherwise; and hire of passenger motor vehicles.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider and a similar House resolution (H. J. Res. 659) were laid on the table.

AMENDMENTS TO PUBLIC UTILITY HOLDING COMPANY ACT

The Clerk called the bill (H. R. 9743) to encourage maximum development of atomic energy reactors for the generation of low cost electric power and the production, utilization, and treatment of special nuclear and other materials, and for other purposes.

Mr. CUNNINGHAM. Mr. Speaker, a 1-hour rule has been granted on this bill. I therefore ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

RELINQUISHMENT OF CONSULAR JURISDICTION IN MOROCCO

The Clerk called the resolution (H. J. Res. 657) approving the relinquishment of the consular jurisdiction of the United States in Morocco?

The SPEAKER pro tempore. Is there objection to the present consideration of the House joint resolution?

Mr. DEVEREUX. Mr. Speaker, reserving the right to object, may we have some explanation of this resolution?

Mr. WILLIAMS of New Jersey. Yes. The resolution proposes to relinquish certain extraterritorial rights we now have under treaty in Morocco. Other nations have them too, and they are relinquishing these rights in view of the new status of Morocco as an independent country. The rights extend only to the jurisdiction over private citizens in Morocco.

Mr. DEVEREUX. Under the present situation does the Foreign Affairs Committee think it a wise thing to do at this time?

Mr. WILLIAMS of New Jersey. The resolution leaves it within the discretion of the President, to act when he thinks the time is proper. It authorizes, but does not state the time.

I may say that even without this resolution, under the treaty, Morocco can serve notice of termination of these rights.

Mr. DEVEREUX. Mr. Speaker, I withdraw my reservation of objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, can the gentleman advise me whether there is any State Department report on this matter.

Mr. WILLIAMS of New Jersey. The State Department by letter requested the Congress to pass this resolution.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There was no objection.

Mr. WILLIAMS of New Jersey. Mr. Speaker, I ask unanimous consent that a similar Senate resolution (S. J. Res.

165) approving the relinquishment of the consular jurisdiction of the United States in Morocco be substituted for the House resolution.

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the present consideration of the Senate joint resolution?

There being no objection, the Clerk read the Senate joint resolution, as follows:

Whereas the laws of the United States invest the ministers and consuls of the United States in certain countries, including Morocco, with judicial authority so far as the exercise of the same is allowed by treaty with such countries and in accordance with usage in such countries; and

Whereas the consuls of the United States in Morocco are permitted to exercise jurisdiction over American nationals under the treaty between the United States and Morocco signed September 16, 1836, and the act of Algeciras signed April 7, 1906; and the exercise by custom and usage the same jurisdiction over subjects of Morocco or others who may be designated as "proteges" under the Convention of Madrid signed July 3, 1880; and

Whereas Morocco is now the only foreign country where the consuls of the United States exercise such jurisdiction; and

Whereas it is the policy of the United States to discontinue the exercise of extraterritorial jurisdiction in Morocco at such time as it becomes appropriate: Therefore be it

Resolved, etc., That the relinquishment by the President, at such time as he considers this appropriate, of the consular jurisdiction of the United States in Morocco is hereby approved and sections 1693, 4083 to 4091, inclusive, 4097 to 4122, inclusive, and 4125 to 4130, inclusive, of the Revised Statutes, as amended, are repealed effective upon the date which the President determines to be appropriate for the relinquishment of such jurisdiction, except so far as may be necessary to dispose of cases then pending in the consular courts in Morocco.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

A similar House joint resolution (H. J. Res. 657) and a motion to reconsider were laid on the table.

AUTHORIZING SALE OF CERTAIN VESSELS TO BRAZIL

The Clerk called the resolution (H. J. Res. 677) to amend the act of July 15, 1954, authorizing the sale of certain vessels to Brazil.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There was no objection.

Mr. BONNER. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 4215) be substituted for the House joint resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the Senate bill?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the act of Congress entitled "To authorize the sale of certain vessels to Brazil for use in the coastwise trade of Brazil," approved July 15, 1954 (68 Stat. 491), is amended by inserting before the period at the end thereof a comma and the following: "except that, upon recommendation of the Maritime Administrator, and with the approval of the Secretary of Commerce, any such vessel may carry bulk grain and coal cargo while en route from the United States directly to Brazil after purchase hereunder for use thereafter only in the coastwise trade of Brazil."

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider and similar House joint resolution (H. J. Res. 677) was laid on the table.

AMENDING REVISED ORGANIC ACT OF VIRGIN ISLANDS

The Clerk called the bill (H. R. 10252) to amend the Organic Act of the Virgin Islands.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the last sentence of section 24 of Public Law 517 of the 83d Congress (66 Stat. 497, ch. 558) be amended to read as follows: "The Attorney General shall, as heretofore, appoint a marshal and one deputy marshal for the Virgin Islands. The provisions of chapter 33 of title 28, United States Code, shall apply to the office of the marshal for the Virgin Islands."

SEC. 2. That wherever the term "district attorney" appears in the seventh and eighth sentences of section 27 of Public Law 517 of the 83d Congress (66 Stat. 497, ch. 558) the following term shall be substituted: "United States attorney".

SEC. 3. That the first sentence of section 26 of Public Law 517 of the 83d Congress (66 Stat. 497, ch. 558) be amended to read as follows: "In any criminal case originating in the district court, no person shall be denied the right to trial by jury if he demands it."

With the following committee amendments:

Page 1, strike out all of lines 3 to 9, inclusive, and insert the following: "That the last sentence of section 24 of Public Law 517 of the 83d Congress (68 Stat. 497, 506) be amended to read as follows: 'The Attorney General shall appoint a United States marshal for the Virgin Islands, to whose office the provisions of chapter 33 of title 28, United States Code, shall apply.' "

Page 1, line 12, and page 2, line 1, strike out "(66 Stat. 497, ch. 558)" and insert "(68 Stat. 497, 507)."

Page 2, strike out all of lines 3 to 7, inclusive, and insert the following:

"SEC. 3. That the first sentence of section 26 of Public Law 517 of the 83d Congress (68 Stat. 497, 507) be amended to read as follows: 'All criminal cases originating in the district court shall be tried by jury upon demand by the defendant or by the government.' "

Page 2, following line 7, add a new section to read as follows:

"SEC. 4. (a) The Revised Organic Act of the Virgin Islands is amended by adding at the end thereof the following new section 'SEC. 37. The Organic Act of the Virgin Islands of the United States, approved June 22, 1936 (49 Stat. 1807), as amended, and all laws and parts of laws in conflict with this act, except for the act of January 28, 1956 (70 Stat. 5), are hereby repealed.' : *Provided*, That the authority conferred upon the Secretary of the Treasury by the second proviso in section 36 of the Organic Act of the Virgin Islands of the United States (49 Stat. 1807, 1816; 48 U. S. C. 1406i) shall not terminate until 60 days following the date of enactment of this act.

"(b) Section 3 of the Revised Organic Act of the Virgin Islands (68 Stat. 497; 48 U. S. C. 1561) is amended by adding at the end thereof the following new paragraph:

" 'No political or religious test other than an oath to support the Constitution and the laws of the United States applicable to the Virgin Islands, and the laws of the Virgin Islands, shall be required as a qualification to any office or public trust under the Government of the Virgin Islands.' "

Mr. HOFFMAN of Michigan. Mr. Speaker, I rise in opposition to the committee amendment and I ask unanimous consent to proceed out of order, and to revise and extend my remarks.

The SPEAKER pro tempore (Mr. MILLS). Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, on Saturday morning last the Chudoff subcommittee of the House Committee on Government Operations held a hearing in the caucus room of the Old House Building.

Prior to that two members of the committee staff had visited some of the power company offices and asked for information. They were given all the information the company's employee, Mr. Tudor had and could produce. Later the committee issued a subpena and among other things obtained a 6-page single spaced statement which was made by the gentleman who was interviewed and which he forwarded to his superior officer based on notations which he took at the time of the interview with the committee staff members.

That statement came back under the subpena and was in the possession of the committee last Saturday. At that time it was handed to me and I read 2 or 3 of the first paragraphs aloud to the witness, Mr. Tudor. Then the committee adjourned.

Inasmuch as the testimony of the witness had been questioned as to its accuracy he had been questioned in detail as to his views of what was and was not socialism which was a word used in his testimony. This morning I ask that the statement, which was then a part of the committee files and which was made at the same time as what is called an original, the committee copy being a carbon copy obtained by subpena. I offered that statement the accuracy of which has been sworn to by the witness as part of the evidence. The offer was rejected. An appeal was taken from the decision of the Chair, and the point of order was sustained. There was one member of the majority party present. The other three members of the committee who were present voted to overrule the chairman. Votes to sustain the ruling were cast by the chairman who held proxies to sustain his decision.

Then I asked permission to read this statement. Mark you, this is a statement made by a witness at the time of the interview. It was made at the same time by the same typewriter letters which printed the original. In fact, it was an original. The only difference was that one—the top sheet—was printed by the ink on the ribbon while the carbon copy came from the carbon on a piece of paper. One purpose in offering it was to show that the

witnesses' testimony as given to the committee, which was being questioned, was accurate, or it was not accurate. Of course, he was under oath. Permission to read the statement was denied.

The result is, Mr. Speaker, we have 2 or 3 paragraphs of the statement in evidence and the rest of it out. The credibility of the witness and his bias had been called in question by his cross examination. He had been asked about his communication to his superiors and associates. His correspondence had been introduced in evidence. But when his statement as to the part he played in the production and distribution of so-called propaganda was offered as evidence it was excluded because it was not the original.

I ask, what kind of procedure is it where the committee subpenas files, gets them, puts the witness on the stand, has him give a version of what happened; questions him at length as to his economic and political views, then when there is a corroborating or disputing statement in writing made at the time, and a carbon copy, mind you, and that is offered, which tends to give weight to his testimony to have it rejected on the ground it was not the original? The statement by Mr. Tudor and which was excluded reads as follows:

JUNE 26, 1956.

About 9:40 a. m. Dorothy Conant called and told me a Mr. Perlman from Washington was here to see me. I told her I was going to be tied up all day with five schoolteachers visiting us under the observation and directed practice course offered by Arizona State College. Dorothy said he insisted on seeing me about a book, and that he was going to be in town only a few hours. Mr. Perlman came on the phone and said it was important that he see me for about half an hour; I asked him to come back at 11:15.

At 11:50 a. m., Mr. Perlman came to the fourth floor reception desk; I met him there and he showed me credentials that identified him as Arthur Perlman, Public Works and Resources Subcommittee of the Committee on Government Operations, House of Representatives. He introduced me to Mr. Miles Romney, who identified himself as being attached to the staff of the subcommittee. Since the teachers were using my office, I talked with Perlman and Romney in Lee Poe's office.

Mr. Perlman asked me if I worked on the booklets and other publications issued by the company. I told him I did do some of the writing on some of the books. Mr. Romney took from his briefcase a copy of the booklet The Federal Power Program, Its Background, Growth, and Consequences. Mr. Perlman took the book and while holding it, asked me if I ever did any writing on books concerning a Federal power policy or program. I said I did at different times do some writing on that subject. He asked if I had ever worked with a Mr. Kimball in such writings.

I said I had looked over written material with Mr. John Kimball on this subject, and that we had discussed the subject for articles in Spark and Flame and other of our company publications. He asked me if I had ever worked with Mr. Kimball in preparing a booklet on this subject for distribution to various departments.

I asked him to define "various departments"—I thought he meant within the company; he said he referred to Government departments. I said yes, I had gone over drafts of a proposed book on this subject with John. At this point, Mr. Perlman for the first time showed me the book he had taken from Mr. Romney and began firing questions regarding which paragraphs I had written, from whom I obtained information, the names and titles of people in other utility companies with whom I had worked, how much of the book John Kimball had written, if I had attended meetings of officials of the Rocky Mountain utilities to discuss this book, and many other questions. I had to tell him to slow down, I couldn't even remember the questions—let alone answer them.

He kept leaping from one question to another before I could begin to even answer the preceeding question. I interrupted him and asked to look at his credentials again. He gave them to me and I copied the wording down on a piece of note paper; I asked Mr. Romney his name and wrote it down. I asked Mr. Perlman what was the purpose of the third degree, and he assured me it was not a third degree. He said "I am merely interested in a booklet that you have information about, and I am trying to learn some of the details about its printing." I asked him if he were in the House of Representatives and a member of the Committee on Government Operations. He smiled, motioned to his credentials and said, "Of course, you don't have to tell us anything about the book, but we think you would rather tell us what you know about it—so we won't have to subpena you for your testimony."

I guess that made me forget to press him on whether or not he actually is a Member of Congress—at least I never did find out for sure.

He suggested that we get back to our discussion of the book. And he kept asking me who printed the book, who did the actual final writing and production of the book, who paid for its printing. I said I did not know the answers to any of these questions. He insisted I did, and I repeated three times that I was sorry, I could not tell him anything about who wrote it, printed it or paid for it. Mr. Perlman got a little hostile and asked me not to try to make him believe that I was so naive as to be working on a booklet about which I knew nothing. He reminded me again that he would prefer to have me tell him the full information "instead of having to subpena you."

I told him that regardless of what he thought or what he did, I could give him only one answer: I don't know who wrote, printed, or paid for the book.

Mr. Perlman handed me the book and asked me to pick out which of the paragraphs I had written. I told him I didn't write any of them. He became perturbed again and said I had just told him I had done some writing on this subject with John Kimball. I admitted saying that, but pointed out that this was not the book I had worked on. He asked me which book it was, and I said I didn't exactly remember—I have worked on several pieces and read several dozens of others on this subject. Mr. Perlman suggested I look through my files and bring him a copy of the book to which I referred.

I took from my files a copy of the United States Needs Realistic Water and Power Policies—Fair to All. (This is a statement by the Rocky Mountain Electric Utilities before the Task Force on Water Resources and Power of the Commission on Organization of the Executive Branch of the Government.) Mr. Perlman read through the book and asked me which paragraphs I wrote—which ones Mr. Kimball wrote. I told him we saw only drafts and that we had edited them and made some suggestions for the final copy. He insisted that I mark the changes and suggested corrections; I couldn't remember any of them for sure. I did not mark any passages in the book.

Mr. Perlman asked to whom we sent these changes in the drafts. I said I didn't know. That started quite a discussion about whether or not I knew what I was doing, and he didn't believe I was working in the dark on this copy. He said he couldn't conceive of me working on such a booklet without holding several meetings with officials of other companies concerning the contents of the book. I said I did not attend any such meetings. He asked if any such meetings were held; I said I imagined so, but I wasn't in on them. He asked me who did attend such meetings; I said I didn't know for sure that there were such meetings, so I couldn't know who attended them—if they were held.

Mr. Perlman went back to the red book Federal Power Program and asked me to think back and tell him how many copies of this book we bought. I said I didn't know that we had bought any, but that we had distributed some. How many? About 60 copies, I said. He said that in a large company such as this we kept pretty accurate records of our business, and asked if I agreed. I agreed. He asked if we kept records regarding this book. I said that my own file undoubtedly contained a copy of the book. He asked what else my file contained on this book, and I said probably nothing of any consequence. He asked me to get all the correspondence within our company and with other companies regarding the preparation or distribution of this book.

I couldn't find anything. I was gone to the file room for some time, and when I returned, Mr. Perlman smiled and said, "There probably is not a piece of correspondence on this subject, is there?" I admitted there sure isn't. He remarked sarcastically about how lax some companies are in their filing, and suggested that I take another look around. He reminded me that things went along much more smoothly when it was not necessary to subpena files to get information.

I asked Martha Lee if there was any of John's correspondence regarding this book in our files, and she could find nothing.

When I returned, Mr. Perlman asked me to get my file copy of Federal Power Program. I showed this to him. Stapled to it was a covering letter (reproduction of which is attached as "A"). I told him I was apparently in error when I said earlier that we distributed about 60 copies; I figured from my notations that it must have been about 400 copies. Mr. Perlman said he imagined it was at least that many.

Mr. Perlman asked me if Mr. Kimball confided in me much. I said that the nature of my work was such that I came in close contact with Mr. Kimball several times a day when he was in town, but that he did not confide in me particularly. He asked me to recall conversations we may have had following Mr. Kimball's trips to attend meetings with other Rocky Mountain utility officials. I recalled that we did talk a few times after John returned from meetings with these people, but I did not recall any conversations that came as a result of meetings for the purpose of drafting or printing either of these booklets in question.

Mr. Perlman asked me to tell him the names of the people that cropped up in our conversations (concerning Rocky Mountain utilities). I stressed that these people were not spoken of in connection with these books, but that John had spoken often of George Gadsby, Ed Naughton, Jack Corette, and someone from Colorado Public Service, whose name I couldn't remember.

Mr. Perlman asked me where I obtained my copy of Federal Power Program. I said from my own file. It is—or was it filed along with other books? Yes. Please get the entire file for us—it will save a lot of time and trouble. I went to my office and brought back the entire file marked Special Mailings.

When I returned, Mr. Perlman asked to again name the people with whom John Kimball met from time to time—"the names you just gave us before you went out of the office." Mr. Romney said that he missed one name. I named the men again, leaving out Corette because they had continually injected his name into our conversation previously. Mr. Perlman said, "There was one

more you mentioned—was it Fellows of Colorado Public Service?" I said no, I didn't know anyone by that name. He said I had named him before; I disagreed since I don't even know Mr. Fellows or if he is with Colorado. Mr. Perlman asked Romney to check back and see if I listed Fellows and Romney said he was sure I had. I said no, the one I left out was Jack Corrette.

They both pounced on this name and shot questions: what sort of a person is he, did he have an active part in the book, did I ever attend any meetings with him? I don't know Mr. Corette; I've never met him, never been at a meeting with him. Mr. Perlman asked if Mr. Corette isn't pretty active in this Federal power thing." I said I wasn't aware of it.

Mr. Perlman came back to Mr. Fellows. Wasn't he one of the people with whom Mr. Kimball met and discussed this book? I didn't know, and repeated 3 or 4 times that I had never before heard of Mr. Fellows. Mr. Perlman asked if it was not a fact that I had attended meetings in Salt Lake City and Denver with Mr. Fellows. I repeated I did not know Mr. Fellows; I had never been to a meeting in Salt Lake City and I have never been in the State of Colorado.

Mr. Perlman asked if we had a very active program on this (indicating my file on Special mailings) sort of propaganda in connection with Federal power. I said we tried to keep our employees and supervisors informed as to latest developments in this subject, and on occasion we did do some mailing to business leaders in our service area. I said we were not especially active in this sort of thing. Mr. Perlman was very much interested in the NAEC booklet "Turn on the Light" and in several memos attached to this booklet (enclosures B herewith). These were in my special mailings file.

He asked if I signed the memo marked "B-3" attached; I admitted I had, and that the views in it were my own. He asked who Don Willis is, and I explained that he is my boss. He asked what was Don's connection with Mr. Kimball and I explained Don's present and previous positions in the company. Mr. Perlman said that certainly Don would have known the background of these two books and who printed them, etc. I said I was pretty sure that Don was not in on any but the preliminary discussions of these books, and that I had had most of the discussion with Kimball on them.

Martha Lee came in and said she had located a few pieces of filing. I went out and brought to them (from Doug McGregor's file) an excerpt from a talk by John T. Kimball, December 1, 1952, "A Proposal for a National Power Policy," (they had a copy of this in an envelope which was tipped-in the inside back cover of "Federal Power Program"); I also brought them John Kimball's copy of statement to task force; and a copy of "A Statement of Electric Power Companies of the Rocky Mountain Area to the Water Resources Policy Commission Conference at Denver, Colo., June 27-28, 1950." They looked these over and returned them to me with no comment.

Along about this point Romney put down his pad and pencil (he had been sporadically taking notes of the conversation), and both Romney and Perlman asked a lot of questions that seemed to have no connection with the issues or with each other for that matter. Samples that I remember:

What is your largest generating plant? Saguaro. What is the capacity? Two hundred thousand kilowatts. How does that compare with Niagara Hudson's new plant? I don't know.

Don't you know how big that plant is? I have no idea. I've read it, I suppose, but I don't remember. Do you have any hydro plants? Not on our system; only Childs and Irving, small standbys. How do you get power from Hoover Dam and other dams on the Colorado River? I explained through U. S. B. R. and APA. Are the charts in the Federal Power Program book colored by hand? Your copy looks as though it is; my file copy is not hand colored; it is multicolored printing. Why do you suppose they hand colored some and not others? I have no idea. How many did they hand color? I don't know that "they" did hand color any other than the copy you have. Couldn't you say for sure that this was printed in Montana or Colorado? No. I couldn't say. What sort of a person is John Kimball? Was he born in Mississippi; he's not an engineer, is he; what is his mainstay in utility operations, etc.? He was born in Louisiana, he does have an engineering degree—no; maybe it's not an engineering degree; I'm not sure; his main background is sales and administration.

How hot does it get out here? How hot was it yesterday? When does the humidity go up? What do you know about the central Arizona project; think you'll ever get it through? I don't know much about the project, but I sure hope that we can find some way to work out our differences so that we can get the water we need. Are there any plans for building more dams on the Colorado? I said Glen Canyon is beyond the planning stage, and there are others that could be built or are proposed by various groups. I understand John Kimball is an operating man. What was he doing here in charge of sales and personnel? He is very capable and versatile and is thoroughly familiar with all phases of utility operations. When did he leave here? About 2 years ago. How long before he left did you go over the copy for the task force book? I really don't remember. About how long? I'd be away off if I guessed. Go ahead and guess. Was it a month, six months; how long? Probably at least a year, but I'm not sure. Mr. Perlman: "That is absolutely correct."

Getting back to your powerplant—that's a big plant, isn't it? Yes, it is. A nice modern plant? Very modern. Steam generating? Yes. What is the operating efficiency of the plant? I don't know, except that it's regarded as a very efficient plant. But certainly you know what percent of efficiency it is? I'm sorry I don't know. Well, is it 40 percent or 10 percent or what? I just couldn't say—I know very little about the operating end of our business, and I know nothing about how they figure plant efficiency. But you do know it is a very efficient plant? I'm sure it is from what our own and other engineers say.

Mr. Perlman: Did you ever go over a draft of the red book (Federal power program) with Mr. Kimball? I believe I did. What changes did you make in it? None. Do you ask me to believe that you and Mr. Kimball took this book for the purpose of rewriting it and yet made no changes in it? We didn't take it for that purpose—at least I didn't. What did you do with it? Mr. Kimball asked me to look over the draft and give him my ideas about it. Which paragraphs did you change? None of them. Why not—was it so good? I wasn't asked to rewrite or edit it—I was asked to give Mr. Kimball my reaction to it. And what was your reaction to it? I said it was fine for top people in the industry or those who were well acquainted with the issues, but it wasn't worth much for the layman. But you knew it was not going to laymen, didn't you? No, I didn't know that. You knew perfectly well who the book was intended for, didn't you? Yes, I knew it was to be submitted or presented to the Department of the Interior primarily, but those things have a way of getting wider distribution at times also. (Note: The inside front cover of the copy of "Federal Power Program" that Mr. Perlman had contained wording to the effect that it was designed for presentation to the Secretary of the Interior.)

Mr. Perlman asked me to get him a copy of "Turn on the Light." I said it was out of print, and the only copy within the company was probably my file copy. He asked where he could get a copy. I told him at NAEC Washington office (it's printed in the fly-leaf), and he said he would get a copy from Barnett—or that if he couldn't, he would write me and see if I could get a copy from Barnett.

Mr. Perlman asked me to give him my copy of the task force report. I said that it had never been released for distribution by this company or by any of the others concerned, as far as I knew; for that reason I thought I should not give him a copy. He did not press this point. He asked how many copies of this book we got and distributed. I told him we distributed it to top supervisors, to division, district, and local managers, and that we had distributed copies to local managers for release to the press, but that John Kimball received word from Denver to hold up the release and the books. They were all returned to my office and I believe John Kimball returned the books to Denver.

Mr. Perlman remarked that the company files were not in too good condition since he couldn't find much of the correspondence that he wanted. He thought my own public information files were very poorly kept. I admitted they were, but at the time I was doing most of the publicity and public information work by myself and that I had no time to keep up files the way they should. He remarked that my notes and memos should have been kept in a more business-like fashion. I agreed, but said that at the time I did all of my own secretarial work, which accounted for rough memos and pencil notes all over the booklets, etc.

He thanked me and said they had to rush off to catch a plane. I asked where they were headed from here, and he said Washington. As we left Lee Poe's office, Mr. Perlman glanced around and remarked that we had beautiful offices. He indicated Mr. Lucking's office and said it looked very lavish—"I suppose it's the president's office?" I said it was, but that while it was a very nice office it was far from lavish, that we didn't go in for plush offices in this company. Mr. Perlman asked if the president were in that he might see him for a few minutes; I said Mr. Lucking was out for the day.

They left at 1:20 p. m.

My point is this: Just how long will the House stand for rulings like that? For that kind of procedure? Just how long will members of the committee give a general proxy which enables the chairman to put them on record in committee proceedings on questions of the admissibility of evidence that may come up from time to time?

Mr. DEROUNIAN. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from New York.

Mr. DEROUNIAN. I have listened with a great deal of interest to this procedure. Does the gentleman agree with me that Mrs. Meyer of the Washington Post should write an editorial disclaiming this type of procedure? She has been against this sort of thing in the past and I am sure she will be against this.

Mr. HOFFMAN of Michigan. She is against it only when the attempt is to expose the Reds. I never read one word in the Post except once, just once in 20 years, where the Post came out in opposition to a procedure of that kind where the purpose was other than to expose Reds. There may have been many others but I just did not happen to see them.

Mr. HAYS of Ohio. Mr. Speaker, I rise in support of the committee amendment, and I ask unanimous consent to proceed out of order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS of Ohio. Mr. Speaker, I have listened with a great deal of interest to the gentleman's complaint about his treatment in the subcommittee. I am inclined to feel a little sorry for him.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield? I am not complaining about my treatment. I am complaining about the rules that were followed. I get along all right myself.

Mr. HAYS of Ohio. Anyway, I may say that a precedent was set for this kind of procedure by the so-called Reece Committee when the gentleman's party was in charge of the House. The whole committee proceeding was wrong. The chairman had proxies in his pocket and although the minority members were there, they were constantly outvoted by proxies. So, it is not anything new and it is not anything unusual; it has happened before, and I suspect it will happen again.

Now, as to the argument with the Washington Post, I do not know how long that has been going on, and I suppose there is no use for me to speak for the Washington Post. It has been going on since I have been here. But, they used to have a saying in my district that you should not argue with the newspapers, because they go to press every day. Well, I would be the last one to offer the gentleman any advice, but I would not be afraid to say that the Washington Post will be around after he and I are no longer Members of this body.

The SPEAKER pro tempore. The question is on the committee amendment.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend the Revised Organic Act of the Virgin Islands."

A motion to reconsider was laid on the table.

BELTON RESERVOIR PROJECT

The Clerk called the bill (H. R. 159) to provide for the conveyance of certain lands in the Belton Reservoir project, Texas, to former owners of such lands.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

CONVEYANCE OF TRIBAL LANDS

The Clerk called the bill (H. R. 10183) to authorize the conveyance of tribal lands from the Shoshone Indian Tribe and the Arapahoe Indian Tribe of the Wind River Reservation in Wyoming to the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Shoshone Indian Tribe and the Arapahoe Indian Tribe of the Wind River Reservation in Wyoming are hereby authorized, subject to the conditions hereinafter set forth, to convey to the United States so much of the land owned by the tribes as is required for the dam site and reservoir of Anchor Dam, a part of the Owl Creek unit, Missouri River Basin project in Hot Springs County, on Owl Creek, near Thermopolis, Wyo. This authorization is subject to the following conditions:

(1) The conveyance from the tribes shall expressly except and reserve to the tribes all minerals, including oil and gas, and mineral rights, provided that, in the exercise of the tribes' mineral rights, there shall be no interference with the construction or operation of the dam and reservoir.

(2) The conveyance, estimated at 400 acres, shall be limited to the tribal land required for the dam site and for the tribal land lying 300 feet horizontally from elevation 6,451⅒ feet, which is the maximum water surface of the reservoir.

(3) The conveyance shall be for all purposes of the Owl Creek unit and for no other purposes. In the event of the failure or abandonment of the Anchor Dam feature of the Owl Creek unit, the land conveyed by the tribes shall revert to the tribes.

(4) The United States, by written agreement with the tribes, shall provide the tribes with their pro rata share of the water storage and regulation benefits accruing from the construction and operation of the Owl Creek unit upon payment by the tribes, under appropriate contract, of their pro rata share of the annual operation and maintenance costs of the Owl Creek unit.

(5) The members of the Shoshone Tribe, and the Arapahoe Tribe shall have the nonexclusive right to fish on the lake created by Anchor Dam as if it were within the exterior bounds of the Wind River Indian Reservation.

SEC. 2. The conveyance from the tribes to the United States described in section 1 above and the written contract between the United States and the tribes described in section 1, subparagraph 4, above, shall not become effective until approved by a majority of the adult members of each of the tribes present at the respective general council meetings called by each of the tribes for the purpose.

With the following committee amendment:

Strike out all after the enacting clause and insert "That the Shoshone Indian Tribe and the Arapahoe Indian Tribe of the Wind River Reservation are authorized to convey to the United States the tribes' interests in the 388.23 acres of land that are described in section 2 of the act, subject to a reservation to the tribes of all minerals, including oil and gas, and mineral rights, which may be exercised only in a manner that does not interfere with the construction and operation of the dam site and reservoir of Anchor Dam, a part of the Owl Creek unit, Missouri River Basin project in Hot Springs County, near Thermopolis, Wyo. The conveyance shall be for a price that is mutually agreeable to the tribes and to the Secretary of the Interior, based upon the fair market value of the land. The consideration payable to the tribes pursuant to this act shall be paid out of funds appropriated for the Missouri River Basin project and shall be deposited in the Treasury of the United States to the credit and for the use of the respective tribes in accordance with the provisions of the act of May 19, 1947 (61 Stat. 102), as amended by the act of August 30, 1951 (65 Stat. 208).

"SEC. 2. The lands that are referred to in section 1 of this act are: Lots 1 and 2, section 13, northwest quarter, north half southwest quarter, west half, northeast quarter, and northwest quarter southeast quarter, section 24, township 8 north, range 1 west, Wind River meridian, Wyoming, containing 388.23 acres.

"SEC. 3. In the event of the failure or abandonment of the Anchor Dam feature of the Owl Creek unit the interest in the land acquired pursuant to this act shall be reconveyed by the Secretary of the Interior to the tribes and the title shall be held in the same manner it was held before such acquisition: *Provided*, That the purchase price paid by the United States shall be returned by the tribes.

"SEC. 4. The portion of the construction costs of the Owl Creek unit that is allocable to the irrigable lands of the Shoshone and Arapahoe Tribes of the Wind River Reservation shall be a lien against such lands, but the assessment and collection of such costs shall be deferred in accordance with the provisions of the act of July 1, 1932 (47 Stat. 564). The irrigable lands of the tribes shall be entitled to their pro rata share of the water storage and regulation benefits accruing from the construction and operation of the Owl Creek unit upon payment by the tribes, under appropriate contract, of their pro rata share of the annual operation and maintenance costs of the Owl Creek unit.

"SEC. 5. The members of Shoshone and Arapahoe Tribes shall be permitted to fish on the lake created by Anchor Dam, without a license, as if the lake were within the exterior boundaries of the Wind River Reservation, but the Indians shall be subject to all other provisions of applicable conservation laws and regulations."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ENGLE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3467) to authorize the conveyance of tribal lands from the Shoshone Indian Tribe and the Arapahoe Indian Tribe of the Wind River Reservation in Wyoming to the United States, a similar bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the Shoshone Indian Tribe and the Arapahoe Indian Tribe of the Wind River Reservation are authorized to convey to the United States the tribes' interests in the 388.23 acres of land that are described in section 2 of the act, subject to a reservation to the tribes of all minerals, including oil and gas, and mineral rights, which may be exercised only in a manner that does not interfere with the construction and operation of the dam site and reservoir of Anchor Dam, a part of the Owl Creek unit, Missouri River Basin project in Hot Springs County, near Thermopolis, Wyo. If the tribes fail to agree to such conveyance within 30 days after the date of this act, the Secretary is directed to acquire such land by eminent domain. The consideration payable to the tribes pursuant to eminent domain proceedings, if such should be necessary, shall be paid out of funds appropriated for the Missouri River Basin project and shall be deposited in the Treasury of the United States to the credit and for the use of the respective tribes in accordance with the provisions of the act of May 19, 1947 (61 Stat. 102), as amended.

SEC. 2. The lands that are referred to in section 1 of this act are: Lots 1 and 2, section 13, northwest quarter, north half southwest quarter, west half northeast quarter, and northwest quarter southeast quarter, section 24, township 6 north, range 1 west, Wind River meridian, Wyoming, containing 388.23 acres.

SEC. 3. In the event of the failure or abandonment of the Anchor Dam feature of the Owl Creek unit the interest in the land acquired pursuant to this act shall be reconveyed by the Secretary of the Interior to the tribes and the title shall be held in the same manner it was held before such acquisition: *Provided*, That the sum of the award in the eminent domain proceedings, if any, paid by the United States shall be returned by the tribes.

SEC. 4. If the Shoshone and Arapahoe Tribes make the conveyance authorized by the first sentence of section 1 of this act, no part of the construction costs of the Owl Creek unit shall be allocated to the irrigable lands of the Shoshone and Arapahoe Tribes of the Wind River Reservation or against the tribes, and the portion of such construction costs that would be so allocated except for this act shall be nonreimbursable. The irrigable lands of the tribes shall be entitled to their pro rata share of the water storage and regulation benefits accruing from the construction and operation of the Owl Creek unit upon payment by the tribes, under appropriate contract, of their pro rata share of the annual operation and maintenance costs of the Owl Creek unit.

SEC. 5. The members of the Shoshone and Arapahoe Tribes shall have the right to fish on the lake created by Anchor Dam, without a State license, but the Indians shall be subject to all other provisions of applicable conservation laws and regulations.

Mr. ENGLE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ENGLE: Strike out all after the enacting clause of S. 3467 and insert the provisions of the House bill (H. R. 10183) as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The proceedings whereby the bill H. R. 10183 was passed were vacated, and that bill laid on the table.

MIKVEH ISRAEL CEMETERY

The Clerk called the bill (H. R. 7181) to provide that Mikveh Israel Cemetery, in Philadelphia, Pa., shall be a national shrine.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Mikveh Israel Cemetery, in Philadelphia, Pa., which contains the graves of Haym Salomon and other outstanding patriots of the Revolutionary War who played important parts in the early history of the United States, is hereby declared to be a national shrine: *Provided*, That the United States shall not thereby assume any responsibility to provide for the administration, care, or maintenance of such shrine.

With the following committee amendment:

Strike out all after the enacting clause and insert "That upon compliance with the provisions of section 2 of this act, the Mikveh Israel Cemetery, located in Philadelphia, Pa., and containing the graves of Haym Salomon and other outstanding patriots of the Revolutionary War who played important parts in the early history of the United States, shall be declared to be a unit of the Independence National Historical Park: *Provided*, That the United States shall not thereby assume any responsibility to provide for the administration, care, or maintenance of said Mikveh Israel Cemetery.

"SEC. 2. This act shall become effective if and when the Mikveh Israel Congregation, through its duly authorized representatives, has executed an agreement in terms and conditions satisfactory to the Secretary of the Interior, providing for the continuing administration, care, and maintenance, without expense to the United States, of the Mikveh Israel Cemetery, whereupon said Secretary shall issue a notice declaring that said requirement has been met and that Mikveh Israel Cemetery is formally designated a unit of the Independence National Historical Park."

The committee amendment was agreed to.

Mr. MULTER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BYRNE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Speaker, I am happy to have this opportunity of saying a few words in behalf of my bill, H. R. 7181, which provides for the designation of Mikveh Israel Cemetery, within my district in Philadelphia, as a unit of the Independence National Historical Park.

This old cemetery, created about the year 1740, is some 60 by 180 feet in size and located within four city blocks of the exterior boundaries of the Independence National Historical Park. It contains the graves of a number of outstanding patriots, pioneers, and other notables of the Jewish faith who made important contributions to the history and freedom of America during the Colonial and Revolutionary period.

Perhaps the most famous person buried in the Mikveh Israel Cemetery is Haym Salomon, patriot-financier of the American Revolution, who made great personal and financial sacrifices for the cause of American independence.

Among other historic persons said to be buried in this cemetery are: Nathan Levy, whose ship, the *Myrtilla*, brought the Liberty Bell to Pennsylvania and who was the founder of the Jewish community of Philadelphia; Aaron Levy, the founder of Aaronsburg, Pa., and a benefactor of its Christian churches; Coshmon Pollock, the patriot from Georgia who fought in the siege of Savannah during the Revolution; Major Benjamin Nones, who fought in Pulaski's legion in South Carolina during the Revolution; Jacob I. Cohen, who also fought in Pulaski's South Carolina campaign; Phillip Moses Russell, a surgeon's mate with the Continental Army at Valley Forge; Joseph Phillips, Benjamin Phillips, Jacob Gratz, Abraham Mitchell, and Elias Pollock, veterans of the War of 1812; the brothers Michael and Bernard Gratz, whose pioneering led to the opening up of the Middle West; Rebecca Gratz, from whom Sir Walter Scott drew the character of Rebecca in his Ivanhoe.

I sincerely trust the House will act favorably on this bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to provide for the designation of Mikveh Israel Cemetery, in Philadelphia, Pa., as a unit of Independence National Historical Park."

A motion to reconsider was laid on the table.

AUTHORIZE CANADIAN VESSELS TO TRANSPORT COAL

The Clerk called the bill (H. R. 9874) to authorize Canadian vessels to be employed in the coastwise transportation of coal to Ogdensburg, N. Y.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That until such time as vessels of the United States shall be available to transport coal to Ogdensburg, N. Y., from other points in the United States on the Great Lakes, or their connecting or tributary waters, the Secretary of the Treasury, or such officer or employee as he may designate, is authorized in his discretion to issue annual permits to Canadian vessels to transport coal between those points notwithstanding the provisions of section 27 of the act of June 5, 1920, as amended (46 U. S. C. 883), or the provisions of any other act or regulation.

With the following committee amendment:

Strike out all after the enacting clause and insert "That until June 30, 1957, notwithstanding the provisions of law of the United States restricting to vessels of the United States the transportation of merchandise, directly or indirectly, from any port in the United States to another port of the United States, Canadian vessels may transport coal to Ogdensburg, N. Y., from other points in the United States, on the Great Lakes, or their connecting or tributary waters."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NAVY SHALL NOT BE REQUIRED TO REIMBURSE RFC

The Clerk called the bill (H. R. 7728) to provide that the Department of the Navy shall not be required to reimburse the Reconstruction Finance Corporation for the transfer of certain real property at Columbus, Ohio.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the requirements of the Federal Property and Administrative Services Act of 1949, approved June 30, 1949, as amended, or any other law, the Department of the Navy shall not be required to compensate the Reconstruction Finance Corporation for the transfer by the Reconstruction Finance Corporation to the Department of the Navy of the real property in Mifflin Township, Franklin County, Ohio, that consists of two parcels of land containing forty-two and two hundred ninety-four one-thousandths acres and sixty-five and ninety-six one thousandths acres, both more or less, together with all

improvements thereon, being the same property quitclaimed to the United States (Department of the Navy) by the Reconstruction Finance Corporation by deed dated March 29, 1951, and known as the former Lustron Plant (a portion of the property known as Plancor 18), Columbus, Ohio; and such transfer without reimbursement is ratified and approved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMEND SECTION 158 OF REVISED STATUTES

The Clerk called the bill (S. 3768) to amend section 158 of the Revised Statutes of the United States, as amended, so as to include the Department of Health, Education, and Welfare among the executive departments there listed, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, may we have a brief explanation of what is proposed to be done under this bill?

Mr. DAWSON of Illinois. Mr. Speaker, the presidential plan that set up the Department of Health, Education, and Welfare as a department left out some of the prerogatives that had been granted by law to other departments, and this merely gives to the Department of Health, Education, and Welfare those prerogatives.

Mr. GROSS. Does this mean additional expenditure?

Mr. DAWSON of Illinois. No; it does not.

Mr. GROSS. Any upgrading of any employees?

Mr. DAWSON of Illinois. It does not, sir.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) section 158 of the Revised Statutes of the United States, as amended (5 U. S. C. 1), is amended to read as follows:

"SEC. 158. The provisions of this title shall apply to the following executive departments:

"First. The Department of State.
"Second. The Department of Defense.
"Third. The Department of the Treasury.
"Fourth. The Department of Justice.
"Fifth. The Post Office Department.
"Sixth. The Department of the Interior.
"Seventh. The Department of Agriculture.
"Eighth. The Department of Commerce.
"Ninth. The Department of Labor.
"Tenth. The Department of Health, Education, and Welfare."

(b) The amendment made by subsection (a) of this section shall not be construed to make applicable to the Department of Health, Education, and Welfare, any provision of law inconsistent with Reorganization Plan No. 1 of 1953 or Public Law 13, 83d Congress, or to supersede or limit any function or authority of the Department of Health, Education, and Welfare, or any officer thereof, under any law in effect prior to the enactment of this act, or prevent or limit the expenditure of funds for any such function or authority.

SEC. 2. (a) There shall be in the Department of Health, Education, and Welfare, a General Counsel who shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate now or hereafter provided by law for assistant secretaries of executive departments. The General Counsel shall be the chief legal officer of the Department and shall perform such functions as the Secretary of Health, Education, and Welfare may prescribe.

(b) The General Counsel shall act as Secretary during the absence or disability, or in the event of a vacancy in the office, of the Secretary of Health, Education, and Welfare and of the Under Secretary and the Assistant Secretaries of Health, Education, and Welfare.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WHITNEY RESERVOIR PROJECT

The Clerk called the bill (H. R. 160) to provide for the conveyance of certain lands in the Whitney Reservoir project, Texas, to former owners of such lands.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

CONVEY CERTAIN LANDS TO NORTH KINGSTOWN, R. I.

The Clerk called the bill (S. 3195) to authorize the Administrator of General Services to convey certain lands in the State of Rhode Island to the town of North Kingstown, R. I.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of General Services is authorized and directed to convey by quitclaim deed to the town of North Kingstown, R. I., all right, title, and interest of the United States in and to approximately 3.4 acres of land, including improvements thereon, in such town. Such land, which is part of a tract formerly held by the Department of the Navy and declared surplus to the needs of such Department, is more particularly described as follows: Beginning at a point in the easterly line of Post Road which point is 100 feet northerly from a concrete bound at the northwest corner of land now or formerly of Dot Seafood Co.; thence the line runs in a northerly direction 500 feet bounded westerly by said Post Road; thence turning an interior angle of 90 degrees, 5 minutes, 20 seconds, the line runs in an easterly direction 262.74 feet; thence turning an interior angle of 96 degrees, 32 minutes, 1 second, the line runs in a southerly direction 503.27 feet; thence turning an interior angle of 83 degrees, 27 minutes, 59 seconds, the line runs in a westerly direction 320.0 feet to the point of beginning; said line being 100 feet from and parallel to the northerly line of land now or formerly of the Dot Seafood Co. and making an interior angle of 89 degrees, 54 minutes, 40 seconds with the first described line; the last three courses being bounded northerly, easterly, and southerly by land of the United States of America. The above-described tract contains 3.4 acres more or less.

SEC. 2. The conveyance authorized by this act shall be subject to the conditions (1) that the town of North Kingstown, R. I., pay to the Administrator of General Services as consideration for the land conveyed an amount equal to 50 percent of its fair market value as determined by the Administrator after appraisal of such land, and (2) that in the event the land conveyed pursuant to this act ceases to be used for public purposes all rights, title, and interest so conveyed shall revert to the United States.

With the following committee amendments:

Page 1, line 7, after the word "town", change the period to a comma, and add the following: "upon payment by said town of the fair market value of said property as determined by said Administrator after competent appraisal and upon such terms and conditions as may in the determination of said Administrator be necessary to protect the interests of the United States."

Page 2, line 20, through and including page 3, line 3, strike all of section 2.

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN PROPERTY TO CITY OF ROSEBURG, OREG.

The Clerk called the bill (S. 3316) authorizing the Administrator of General Services to convey certain property which has been declared surplus to the needs of the United States to the city of Roseburg, Oreg.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of General Services is authorized to convey by quitclaim deed to the city of Roseburg, Oreg., all right, title, and interest of the United States in and to (1) that parcel of land, together with any improvements thereon, which comprises a part of the property commonly known as the Lillie Lela Moore estate, and which is described as lots 5, 6, and 7, block 29, Douglas County, Roseburg, Oreg., and (2) that part of such estate consisting of furniture, personal effects, and jewelry which has been designated by the said Administrator as lot A personalty, such property having been devised to the United States by Lillie Lela Moore under the provisions of her will probated in 1940, and which has since been declared surplus to the needs of the United States.

Any such conveyance shall be conditioned upon—

(1) the payment by the city of Roseburg, Oreg., to the United States of a sum equal to 50 per centum of the fair market value of all such property, including the dwelling structure situated upon such land and the contents of such dwelling, based upon the highest and best use of such property at the time of such conveyance;

(2) the use of the land so conveyed by such city for public park or public recreational purposes for a period of not less than 20 years after such conveyance, and the reversion of all or any part of such land to the United States, in its then existing condition, at the option of the United States in the event that the Secretary of the Interior determines at any time during such period that such land has ceased to be used or maintained by such city for any such purpose; and

(3) an undertaking by such city that the dwelling structure situated upon such land and the contents thereof will be disposed of

by such city only to the Douglas County Historical Society.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the Administrator of General Services is authorized and directed to convey, without consideration therefor, to the city of Roseburg, Oreg., all right, title, and interest of the United States in and to the following described properties, real and personal: the dwelling house located on lot 5, block 29, in the said city of Roseburg, Oreg., together with furniture, personal effects, and jewelry stored in said dwelling house or elsewhere which has been designated by said Administrator as "lot A personalty," all of said property being a part of the estate of Lillie Lela Moore devised to the United States by said Lillie Lela Moore under provisions of her will probated in 1940 which has since been declared surplus to the needs of the United States.

"Such conveyance, in addition to being subject to such terms and conditions as may be considered by said Administrator to be necessary to protect the interest of the United States, shall be expressly conditioned upon an undertaking by the city of Roseburg, Oreg., that such dwelling house, together with said items of personal property, shall, within a reasonable period of time as determined by said Administrator, be transferred by the city of Roseburg to the Douglas County Historical Society and removed from said land without cost to the United States."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ABOLISHING THE FOSSIL CYCAD NATIONAL MONUMENT, S. DAK.

The Clerk called the bill (S. 1161) to abolish the Fossil Cycad National Monument, S. Dak., and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, effective September 1, 1957, the Fossil Cycad National Monument, South Dakota, is hereby abolished and the lands contained therein shall be administered thereafter by the Secretary of the Interior as public lands in accordance with the public-land laws of the United States: *Provided*, That prior thereto the Secretary of the Interior may, under such regulations as he determines to be appropriate, issue permits to scientific and educational institutions for the discovery, excavation, and removal of fossil cycads for scientific and educational purposes; and

That if any excavations on such lands for the recovery of fissionable materials or any other minerals should be undertaken, such fossil remains discovered shall become the property of the Federal Government.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING PUBLIC LAW 551, CHAPTER 616, 83D CONGRESS, 2D SESSION

The Clerk called the bill (S. 3556) to amend Public Law 551, chapter 616, 83d Congress, 2d session.

Mr. HOSMER. Mr. Speaker, reserving the right to object, will the chairman of the committee state what this bill is?

Mr. ENGLE. This is a bill that permits the Secretary of the Interior to turn over to local irrigation districts certain movable equipment immediately upon the completion of the project. Many of these irrigation districts would like to take over these projects immediately, but have not the money in cash to buy the equipment such as ditch cleaners, and whatnot, and, as a consequence they cannot do it. When that occurs, the Bureau has to go ahead and buy the equipment anyway, put it into operation, undertake the maintenance and operation of the district and then transfer the movable equipment under the repayment contract. This simply would permit them to do it to begin with. It puts the local people in operation of the project, as they would be anyway, and does not cost the Federal Government any extra money.

Mr. HOSMER. Mr. Speaker, I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act of July 29, 1954 (68 Stat. 580, 43 U. S. C. 499a) is amended by adding thereto a new sentence reading as follows: "In order to encourage the assumption by irrigation districts and water users' organizations of the operation and maintenance of irrigation works, the Secretary is authorized to use appropriated funds available for the project involved to acquire movable property for transfer at the time operation and maintenance is assumed under the terms and conditions hereinbefore provided."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING SUBSURFACE STORAGE OF OIL OR GAS IN RESTRICTED INDIAN LANDS

The Clerk called the bill (S. 3658) to amend the act of May 11, 1938 (52 Stat. 347) so as to authorize, by agreement, the subsurface storage of oil or gas in restricted Indian lands, tribal or allotted.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act of May 11, 1938 (52 Stat. 347), is amended by adding at the end thereof (25 U. S. C. 396d) a new section 8 as follows:

"The Secretary of the Interior, to avoid waste or to promote the conservation of natural resources or the welfare of the Indians, is hereby authorized in his discretion to approve leases of lands that are subject to lease under section 1 of this act or the act of March 3, 1909 (35 Stat. 783, 25 U. S. C. 396), for the subsurface storage of oil and gas, irrespective of the lands from which initially produced, and the Secretary is hereby authorized, in order to provide for the subsurface storage of oil or gas, to approve modifications, amendments, or extensions of the oil and gas or other mining lease(s), if any, in effect as to restricted Indian lands, tribal or allotted, and may promulgate rules and regulations consistent with such leases, modifications, amendments, and extensions, relating to the storage of oil or gas thereunder. Any such leases may provide for the payment of a storage fee or rental on such stored oil or gas or, in lieu of such fee or rental, for a royalty other than that prescribed in the lease when such stored oil or gas is produced in conjunction with oil or gas not previously produced. It may be provided that any oil and gas lease under which storage of oil or gas is so authorized shall be continued in effect at least for the period of such storage use and so long thereafter as oil or gas not previously produced is produced in paying quantities."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE SECRETARY OF THE INTERIOR TO CHARGE FOR SPECIAL SERVICES

The Clerk called the bill (S. 3926) to authorize the Secretary of the Interior to charge for special services to purchasers of timber from Indian lands.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to charge purchasers of timber on Indian lands that are held by the United States in trust, or that are subject to restrictions against alienation or encumbrance imposed by the United States, for special service requested by the purchasers in connection with scaling, timber marking, or other activities under the contract of purchase that are in addition to the services otherwise provided by the Secretary, and the proceeds derived therefrom shall be deposited to the credit of the appropriation from which the special services were or will be provided.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEVELOPING THE HOLDEN TROUT HATCHERY AT PITTSFORD, VT.

The Clerk called the bill (S. 3998) to provide for the development of the Federal fish hatchery, known as the Holden trout hatchery, at Pittsford, Vt.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior shall develop, reconstruct, equip, operate, and maintain the Federal fish hatchery, known as the Holden trout hatchery, at Pittsford, Vt., in accordance with the program established by the Fish and Wildlife Service, Department of the Interior, for the improvement of such hatchery.

SEC. 2. There is authorized to be appropriated the sum of $220,000 to carry out the procisions of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REGULATING HUNTING AND FISHING ON FEDERAL RESERVATIONS

The Clerk called the bill (H. R. 8250) to require conformance with State and Territorial fish and game laws and licensing requirements on Federal lands not subject to such laws.

Mr. ASPINALL. Mr. Speaker, at the request of the gentleman from New Mexico [Mr. DEMPSEY], I ask unanimous

consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

ESTABLISHING A NATIONAL KEY DEER REFUGE IN THE STATE OF FLORIDA

The Clerk called the bill (H. R. 10332) to preserve the Key deer and other wildlife resources in the Florida Keys by the establishment of a National Key Deer Refuge in the State of Florida.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in order to protect and preserve in the national interest the Key deer and other wildlife resources in the Florida Keys, the Secretary of the Interior is authorized to acquire title, in such manner as he shall consider to be in the public interest, including but not limited to donation, the use of donated funds, and exchange for unreserved public land or interests therein when such exchanges involve properties of approximately equal value, not to exceed 1,000 acres of the lands or interests there in townships 65 and 66 south, ranges 28, 29, and 30 east, Monroe County, Fla., as he shall find to be suitable for the conservation and management of the said Key deer and other wildlife. The properties so acquired shall constitute the National Key Deer Refuge, and shall be administered by the Secretary of the Interior in accordance with the laws and regulations relating to the national wildlife refuges, including, but not limited to, sections 4, 7, and 8 of the act of March 10, 1934, as amended by the act of August 14, 1946 (60 Stat. 1080; 16 U. S. C., 1952 edition, secs. 664, 666a, and 668), relating to the conservation of wildlife, fish, and game.

SEC. 2. In furtherance of the aforesaid purposes, the Secretary may take such action and make such expenditures as he shall find to be necessary in order to secure satisfactory title in the United States to such properties, including the payment of expenses incidental to the location, examination, and survey of such lands and the acquisition of title thereto; but no payment shall be made for any such lands until the title thereto shall be satisfactory to the Attorney General: *Provided*, That the acquisition of such lands or interests therein by the United States shall in no case be defeated because of rights-of-way, easements, exceptions, and reservations which, in the opinion of the Secretary of the Interior, will not interfere materially with the use of such properties for the purposes of this act.

SEC. 3. There is hereby authorized to be appropriated from time to time out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to effectuate the purposes of this act.

With the following committee amendment:

Page 3, line 6, following the period insert the following: "The Secretary shall not utilize more than $35,000 from appropriated funds for the acquisition of land and interests in land. For the purposes of the immediately preceding sentence, the exchange by the Secretary of lands and interests therein shall not be considered an expenditure from appropriated funds."

The committee amendment was agreed to.

Mr. BENNETT of Florida. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BENNETT of Florida: Page 2, line 3, after the word "Florida", insert "*Provided, however*, That no land shall be acquired by condemnation on any island which is traversed at any point by U. S. Highway No. 1."

Mr. BENNETT of Florida. Mr. Speaker, this is just a limiting amendment. There is some opposition to the taking of land on this particular island. In order to eliminate that opposition I have agreed to introduce this amendment and hope it will be agreed to.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. BENNETT of Florida. I yield to the gentleman from Missouri.

Mr. SHORT. Mr. Speaker, I see that this is the National Key Deer Refuge. FRANK BOYKIN has the key to all of our hearts, so I am sure there is no objection.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Florida.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RETENTION OF LANDS AROUND JIM WOODRUFF RESERVOIR

The Clerk called the bill (H. R. 11197) to provide for the retention in public ownership of certain lands around the Jim Woodruff Reservoir, Fla. and Ga., being administered by the Florida Game and Fresh Water Fish Commission.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the following-described lands of the United States in Jackson County, Fla., adjacent to the Jim Woodruff Reservoir, under the administration and management of the Florida Game and Fresh Water Fish Commission, pursuant to the general plan entered into in accordance with section 3 of the act of August 14, 1946 (60 Stat. 1080), shall be retained by the United States so long as they are used for fish and wildlife and recreational purposes by the Florida Game and Fresh Water Fish Commission.

JACKSON COUNTY

Township 5 north, range 7 west:

Section 31: East half less west half of northwest quarter of northeast quarter and west half of southeast quarter of northwest quarter of northeast quarter; north half of southeast quarter of northwest quarter, plus 5 acres in northeast quarter of northeast quarter of northwest quarter; southeast quarter of southwest quarter.

Section 32: All.

Section 30. East half less north half of northwest quarter of northeast quarter and west half of southwest quarter of northwest quarter of northeast quarter.

Section 29: All.

Section 19: East half and northeast quarter of southeast quarter; northeast quarter of southwest quarter; southeast quarter of northwest quarter.

Section 20: Southwest quarter of southwest quarter.

Township 5 north, range 8 west:

Section 36: South half of southeast quarter.

Township 4 north, range 8 west:

Section 1: East quarter; northeast corner, northwest quarter of northeast quarter, 4 acres.

Section 12: Northeast quarter of northeast quarter, less cemetery.

Township 4 north, range 7 west:

Section 5: All.

Section 6: All.

Section 7: Northeast quarter; east half and northwest quarter of northwest quarter; northeast quarter of southeast quarter; north half of northwest quarter of southeast quarter, north half of northeast quarter of southwest quarter.

Section 8: All.

Section 17: Northwest quarter of northwest quarter; northwest quarter of southwest quarter of northwest quarter.

With the following committee amendment:

The amendment is as follows:

On page 1, line 9, after the words "United States", strike out the words "so long as they are used."

On page 2, lines 1 and 2, insert a period after the word "purposes" and strike out the words "by the Florida Game and Fresh Water Fish Commission."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FISH HATCHERY, PAINT BANK, VA.

The Clerk called the bill (H. R. 11548) to provide for the establishment of a new fish hatchery in the vicinity of Paint Bank, Va.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to construct, equip, maintain, and operate a new fish hatchery in the vicinity of Paint Bank, Va.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out this act.

Mr. POFF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Speaker, by reason of the press of business presently before Congress, my statement in support of my bill (H. R. 11548) to provide for the establishment of a new fish hatchery in the vicinity of Paint Bank, Craig County, Va., will be quite brief.

The Sixth Congressional District, which I am honored to represent, lies in the western part of the State of Virginia, bordering in part on the West Virginia State line. Western Virginia and eastern West Virginia is a mountainous area, watered by numerous and vigorous streams, flush the year around. Many of these streams originate in or flow through the Jefferson, Washington, and Monongahela National Forests. At one time, their fish population was unexcelled on the North American Continent. Today, by reason of our increased population, our everexpanding interest in the sport of fishing and the increase in leisure time available to our citizens, the fish population has diminished to an alarmingly low level.

Near the little community of Paint Bank in Craig County, sportsmen and

others interested in this problem have located a site which is ideally situated and equipped by nature for a hatchery for legal-size trout for restocking purposes and fingerling warm-water fish for initial and corrective stocking. One of the critical criteria of a fish-hatchery site is the quality and quantity of the available water supply. I have personally visited this site, and I can assure the committee that it has a bountiful and, for all practical purposes, an inexhaustible supply of pure, sweet mountain water. Craig County is a rural, nonindustrial community with practically no potential for air or water pollution.

I understand that officials of the Fish and Wildlife Service of the Department of the Interior have studied this site for several years and have estimated that, if properly developed, this proposed hatchery would produce in excess of 125,000 pounds of fish each year for restocking purposes.

The total estimated cost is $746,000. This will include the cost of land purchase, easements, concrete raceways, earthen rearing ponds, pipelines, hatchery buildings—including the hatching room, cold storage and fish-food preparation area, storage area, shops, and office—quarters for permanent employees, service roads, fences, and so forth. The annual cost of operation and maintenance of the hatchery will be approximately $112,000.

According to the report of the Department of the Interior, the present hatcheries at Leetown and White Sulphur Springs, W. Va., do not have the productive capacity to fill the increased need for initial and corrective stocking of the numerous streams and farm ponds of this vast area. I trust this measure will receive favorable consideration today in order that the other body may have an opportunity to act before Congress adjourns.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOMESTEAD ENTRYMEN

The Clerk called the bill (S. 3458) to grant leaves of absence to homestead entrymen and to permit suspension of cultivation and improvement operations on homestead and desert land entries, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any person who holds a homestead entry on public lands which was allowed and subsisting on March 1, 1956, or which, based on an application on file on March 1, 1956, was allowed and subsisting on the date of approval of this act, is hereby granted leave of absence from the lands until March 1, 1959, and any person who holds a homestead or desert land entry which was allowed and subsisting on March 1, 1956, or which, based on an application on file on March 1, 1956, was allowed and subsisting on the date of approval of this act, is hereby granted permission to suspend until March 1, 1959, further operations looking to the cultivation and improvement of the lands: *Provided*, That such entryman shall forfeit no rights and shall not otherwise be excused from full compliance with the applicable public land laws by reason of such absence or of such suspension of cultivation and improvement operations: *And provided further*, That the rights of such entrymen shall not be protected by this act unless they file with the land office having jurisdiction over the area in which the land is located, (a) a notice of their intention to absent themselves from the land or to suspend cultivation and improvement operations and accompanying such notice information as to location and extent of present cultivation or improvement placed on the entry, and (b) a grant to the United States, for itself and for its lessees, licensees, and permittees, of a right to enter upon and occupy the lands which have not been prepared for cultivation or which have not had improvements placed on them, without recourse, for any purpose authorized by the public land laws, except that such grant need not include a right to construct permanent improvements on the land or to permit a substantial change in its character.

SEC. 2. Any person who on March 1, 1956, had on file a homestead or desert land application which application shall be allowed on its merits subsequent to enactment of this act and prior to March 1, 1959, shall not be required to enter upon the lands and commence residence thereon, or cultivate and improve the lands prior to March 1, 1959: *Provided*, That said person files with the land offices having jurisdiction over the area in which the land is located, (a) within 60 days after the date of allowance of his entry, a notice of his intention to delay initiation of his residence, cultivation, or improvements, and (b) at least 90 days prior to initiation of his residence, cultivation, or improvements, a notice of his intention to initiate said activity. For the purposes of the homestead and desert land laws, March 1, 1959, may be treated as the date of the entry if an actual entry has not been made prior to that date. If an actual entry is made prior to March 1, 1959, the date of such actual entry shall be the date of entry for the purposes of the homestead and desert land laws. Until an actual entry by a person subject to the provisions of this section has been made, or until March 1, 1959, whichever first occurs, the United States, for itself and for its lessees, permittees, and licensees, shall retain the right to enter upon and occupy the lands in each such entry, without recourse, for any purpose authorized by the public land laws: *Provided*, That the United States, its lessees, permittees, and licensees, shall not construct permanent improvements on the lands or otherwise substantially change such lands in their character.

SEC. 3. Notwithstanding any other provision of the desert land laws, the property right prior to issuance of patent to the lands in his desert land entry of an entryman who elects to suspend cultivation and improvement operations in accordance with section 1 of this act and of an entryman whose entry is allowed in accordance with section 2 of this act shall be a personal right, inheritable but not assignable.

SEC. 4. This act shall apply only to applications filed for, or entries made on, public lands in the continental United States, exclusive of Alaska, pursuant to the act of May 20, 1862 (12 Stat. 392; 43 U. S. C., ch.), as amended and supplemented, and pursuant to act of March 3, 1877 (19 Stat. 377; 43 U. S. C., ch. 9), as amended and supplemented. Nothing in this act shall apply to applications filed for, or entries made on, public lands pursuant to the act of June 17, 1902 (32 Stat. 388; 43 U. S. C., ch. 12), as amended and supplemented.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALBENI FALLS RESERVOIR PROJECT, IDAHO

The Clerk called the bill (S. 598) to provide for adjustments in the lands or interests therein acquired for the Albeni Falls Reservoir project, Idaho, by the reconveyance of certain lands or intertests therein to the former owners thereof.

Mr. SISK. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

MEMORIAL TO THE AMERICAN INDIAN FOUNDATION

The Clerk called the joint resolution (S. J. Res. 71) to commend the foundation known as the Memorial to the American Indian Foundation for its project to establish a permanent memorial in honor of the North American Indians.

There being no objection, the Clerk read the joint resolution, as follows:

Whereas it is fitting that there should be a permanent memorial in honor of the North American Indians, the original Americans;

Whereas there has been chartered by the State of Michigan a nonprofit corporation known as the Memorial to the American Indian Foundation for the purpose of establishing such a memorial, which will be located in the State of New Mexico; and

Whereas the establishment of such a memorial would acknowledge the contribution made to our Nation by the North American Indians: Therefore be it

Resolved, etc., That the Congress hereby commends the Memorial to the American Indian Foundation for its noteworthy project to establish a permanent memorial in honor of the North American Indians, and extends to such foundation its best wishes in carrying out such project.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UINTAH AND OURAY RESERVATION IN UTAH

The Clerk called the bill (S. 3779) to amend the act of August 27, 1954 (68 Stat. 868), with respect to the Uintah and Ouray Reservation in Utah.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 5 of the act of August 27, 1954 (68 Stat. 868), is amended by adding at the end thereof the following sentence: "New membership in the tribe shall thereafter be controlled and determined by the constitution and bylaws of the tribe and ordinances enacted thereunder."

SEC. 2. Section 8 of said act of August 27, 1954, is amended by changing the period at the end thereof to a comma and by adding the following: "but this act shall not be construed as granting any inheritable interest in tribal assets to full-blood members of the tribe or as preventing future membership in the tribe, after the date of enactment of this act, in the manner provided in the constitution and bylaws of the tribe."

SEC. 3. Section 17 of said act of August 27, 1954, is amended as follows: After "except that" delete the word "any" and insert in lieu thereof: "any corporation organized by

the mixed-blood members for the purpose of aiding in the joint management with the tribe and in the distribution of unadjudicated or unliquidated claims against the United States, all gas, oil, and mineral rights of every kind, and all other assets not susceptible to equitable and practicable distribution shall not be subject to corporate income taxes. Any."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNDER UNITED STATES GRAIN STANDARDS ACT

The Clerk called the bill (S. 1400) to protect the integrity of grade certificates under the United States Grain Standards Act.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MULTER. Reserving the right to object, Mr. Speaker, may we have an explanation of the bill?

Mr. ALBERT. Mr. Speaker, the purpose of this bill, as stated in the title, is to protect the integrity of grain certificates under the Grain Standards Act.

Under the present law inspectors, who are licensed by the Federal Government, have been subject to penalties for many years. This bill will make samplers and shippers also liable in cases involving complicity in the issuance of false certificates on grain shipped in foreign or interstate commerce. A Senate committee investigation has disclosed that in some instances samplers have taken out improper samples so as to cause the issuance of certificates which did not in fact reflect the type of grain. Also, what is referred to as "plugging" of cars and "shugging" of ships have taken place in the loading and shipment of grain.

The reason for this bill, then, is to make all of those who handle grain in foreign and interstate commerce liable to the penalties to which inspectors have been liable in previous years.

The bill is further needed to preserve the integrity of United States grain certificates to foreign purchasers of American grain.

Mr. MULTER. That is precisely what I had in mind. This will give more protection rather than less protection to the person who buys the grain relying on the certificate?

Mr. ALBERT. That is correct. That is the purpose of the bill. If grain certificates are to have integrity both within and without the United States buyers must be able to rely upon them. The bill has passed the Senate and has been recommended by the Department of Agriculture.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 9 of the United States Grain Standards Act (7 U. S. C. 85) is amended to read as follows:

"SEC. 9. Any person who shall knowingly violate any of the provisions of sections 4 or 7 of this act, or any inspector licensed under this act, or any person sampling grain for inspection under this act, who shall knowingly inspect, grade, or sample improperly any grain which has been shipped or delivered for shipment in interstate or foreign commerce, or shall knowingly give any false or incorrect certificate of grade, or shall accept money or other consideration, directly or indirectly, for any neglect or improper performance of duty, and any person who shall improperly influence or attempt to improperly influence any such inspector or sampler in the performance of his duty, or shall knowingly or willfully cause, or attempt to cause, the issuance of a false or incorrect certificate of grade under this act by deceptive loading, handling, or sampling of grain, or by submitting grain for inspection knowing that it has been so loaded, handled, or sampled, or by any other means, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $1,000, or be imprisoned not more than 1 year, or both."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELOCATION OF COMMON BOUNDARY BETWEEN ARIZONA AND CALIFORNIA

The Clerk called the bill (H. R. 11911) to authorize negotiations with respect to a compact to provide for a definition of relocation of the common boundary between Arizona and California, and for the appointment by the President of a Federal representative to the compact negotiations.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby given to the States of Arizona and California to negotiate and enter into a compact with respect to the definition or relocation of the common boundary of said States.

SEC. 2. Such consent is given upon the following conditions:

(1) A representative of the United States, not a resident of either Arizona or California, shall be appointed by the President of the United States; such representative shall participate in such negotiations and shall make a report to the President and to the Congress of the proceedings and of any compact entered into; and

(2) Such compact shall not be binding or obligatory upon either of such States unless and until it has been ratified by the legislature of each of such States and consented to by the Congress of the United States.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize negotiations with respect to a compact to provide for a definition or relocation of the common boundary between Arizona and California, and for the appointment by the President of a Federal representative to the compact negotiations."

A motion to reconsider was laid on the table.

AMENDMENT OF ADMINISTRATIVE EXPENSES ACT OF 1946

The Clerk called the bill (H. R. 11515) to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes.

Mr. CUNNINGHAM. Mr. Speaker, in view of the fact that it is estimated this bill would cost about $4,500,000 per year, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

INVESTIGATION OF KIDNAPING BY FEDERAL BUREAU OF INVESTIGATION

The Clerk called the bill (H. R. 800) to amend section 1201 of title 18 of the United States Code to authorize the Federal Bureau of Investigation to initiate investigation of any kidnaping in which the victim has not been released within 24 hours after his seizure.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection (b) of section 1201 of title 18 of the United States Code is amended to read as follows:

"(b) The failure to release the victim within 24 hours after he shall have been unlawfully seized, confined, inveigled, decoyed, kidnapped, abducted, or carried away shall create a rebuttable presumption that such person has been transported in interstate or foreign commerce."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. KEATING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, I am most gratified that this bill H. R. 800, is finally coming up for a vote today. This bill was first introduced on January 5, 1955, in the wake of a tragic kidnaping and though it is to be regretted that another dastardly crime had to take place to provide the impetus necessary to get it out of committee, at least positive recognition of the need for this legislation has been made clear.

The need for this measure arises out of the fact that since the FBI must wait out a 7-day presumptive period under present law, many vital clues may be lost or the scent grow cold before they enter the case. Even interstate cooperation between police officials may not be sufficient. Only the FBI, with its tremendous record in all crime matters and its interstate jurisdiction, can effectively curb this menace. My bill would permit the FBI to enter kidnaping cases after a 24-hour presumptive period, thus eliminating many shortcomings of the law today.

I would also like to point out that the gravity of the crime of kidnaping should be sufficient cause alone for speeding up Federal intervention. Also, we should keep in mind that the crime of

kidnaping lends itself particularly to interstate action. Many of the criminals who perpetrate these crimes operate by immediately abducting their victims across State lines. The result may be that while the FBI stands by and waits, much valuable time is lost and the chances of the victim's survival are lessened.

In connection with this subject, I had the honor to interview the distinguished Director of the Federal Bureau of Investigation, J. Edgar Hoover, last Sunday on my television program. He pointed out that the Bureau has entered 516 kidnaping cases and solved all but 2 of the major kidnapings. This is a truly fine record and augurs well for solution of many more crimes of this type if we let the FBI step in sooner.

Mr. Hoover also had some excellent words of advice as to how we can combat this menace. Here is what he said in that connection:

I think there are some very definite things that parents could do. Of course, I think that the solution of any crime, or the prevention of it, arises in the very first steps of the commission of the crime. Parents have a very definite responsibility. I would urge that the parents first call the FBI. The phone number of the FBI is on the first page of every telephone directory of this country. I would also urge that the parents caution their children not to walk or ride with strangers, that a child should cry out when he is accosted by a stranger, that children should let the parents know where they propose to go in the evening, whether it be to a theater or whatever their source of recreation, that the schools should not allow children to leave in the custody of strangers, as has often happened.

I think also the printing of the ransom note or any messages from the kidnaper should be most restricted by the parents and the persons receiving them. I think that every effort should be made to avoid publicizing the details of ransom notes, or even the details of the description of the person who has been kidnaped. I can assure you, from my experience since 1932, when the Lindbergh Statute was enacted as a Federal law, I've found the press to be thoroughly cooperative in all instances in which we've had to deal with them, if their cooperation is sought at the very beginning of a kidnaping.

That is good advice from one of the most highly respected of all living Americans. If it is followed and if also this measure before us can be voted into law, we will go a long way toward eliminating this lowest type of crime.

Mr. DEROUNIAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DEROUNIAN. Mr. Speaker, although Representative KEATING's bill, H. R. 800, is not listed as major legislation, although it remained in committee for more than a year without action, although its eventual consideration by that committee and passage by the House of Representatives today may cause little comment and no headlines in the press, it reflects reform and improvement in the United States Criminal Code, of tremendous importance.

While it is apparent my colleagues feel as I do concerning the urgent need for this legislation, perhaps its full worth has been brought home to me more strongly because the terrible story of a kidnaping is being enacted at this very moment in my congressional district. Little Peter Weinberger—you all know the story—taken from his parents on July 4, has not yet been returned, or has his kidnaper been found.

The police of Nassau County have done a fine and thorough job but no one can deny that the FBI has greater authority, through its countrywide communications and sources of information.

I am very much gratified that the House has taken favorable action on this bill.

Mr. DORN of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DORN of New York. Mr. Speaker, I rise in support of H. R. 800 sponsored by the able gentleman from New York [Mr. KEATING]. The immediate need for the enactment of this legislation amending subsection (b) of section 1201 of title 18, Unites States Code, the so-called Lindbergh law, was forcibly brought to our attention recently by the tragic and still unsolved kidnaping of the Weinberger child.

This is the latest one of those horrible events where the Federal Bureau of Investigation, with its able and efficient techniques, has been prevented by a Federal statute from taking immediate action. Though we do not know the fate of the Weinberger child, it is possible that had the FBI been able to enter the case under the provisions provided by H. R. 800 the sorrowing parents might even now have their child with them once more.

I should like to call to the attention of my colleagues an editorial of the New York Daily News for July 12, 1956, which stated:

At 3 p. m. yesterday, the tragic Weinberger kidnaping case became 7 days old. Under the Lindbergh law, the Federal Bureau of Investigation then became eligible to move in.

The FBI was barred before then, as always in such cases unless it is specifically asked to come in or there is evidence that the kidnaper has crossed a State line with the kidnap victim.

Yet J. Edgar Hoover's world-famous agency is, among other things, the Nation's No. 1 expert at solving kidnap cases. It has the experience, the equipment, the know-how, which many city or county police forces lack.

Why the Lindbergh law was originally written as it is, we don't know. But neither do we know why this statute should any longer be permitted to bar the FBI from any kidnaping case until the trail is cold and amateurs or semipros have handled, or more likely mishandled, what clues there are. In any kidnaping case, time is of the essence.

This measure seeks to cut down the time before the FBI is empowered to enter and investigate a kidnaping case by conferring Federal jurisdiction upon the expiration of 24 hours from the time the kidnaping occurred. This crippling shackle of time should be removed in the interest of protecting the lives of future victims of this heinous crime.

CONSTITUTION WEEK

The Clerk called the joint resolution (S. J. Res. 165) authorizing the President of the United States to designate the period beginning September 17 and ending September 23 of each year as Constitution Week.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the President of the United States is authorized and requested to designate the period beginning September 17 and ending September 23 of each year as Constitution Week, and to issue annually a proclamation inviting the people of the United States to observe such week in schools, churches, and other suitable places with appropriate ceremonies and activities.

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I wish to remark that the national observance of Constitution Week, as contemplated by Senate Joint Resolution 105, well may be the instrumentality of a great and wholesome revival of interest not only in the historic Convention that gave us our imperishable Constitution but also in the men, now in large part the forgotten men of history, who were the delegates to that Convention.

September 17 of 1787 was the day the 39 delegates of the original 55 remaining in the Convention unanimously voted and signed the Constitution. It is the week beginning on September 17 that would be set aside for ceremonies and conversations in the schools and in the homes reminding us of these great benefactors of our country and of mankind.

In 1936 Miss Marie Crowe, an historical researcher and author of a history of the United States used in the schools, and I collaborated in a work entitled "Who Made the Constitution?" I quote from my introduction to that work:

It has given me a real thrill to assist in the writing of this book. The door of supprise has constantly opened to me as Miss Crowe—a tireless delver into the dusty tomes of forgotten history—has laid her material before me. I presume at some time many of the facts—strange facts—engrossingly interesting facts—that Miss Crowe brings forth from her wanderings into the almost closed caverns of history I may have known. So much we do hear and read in our youth, so much on so many subjects; and so easily we forget.

And yet I wonder if I ever did know any of these things about the writing of our Constitution, of the human beings who framed it and signed it and gave it to the world, that now take me so by surprise and the thrill of a discoverer runs over me, and I say: "Why, this is a human document; these 'Fathers' were real fellows." I wonder if you ever knew. Indeed, I am fearful that we have taken it all for granted; accepted the Constitution as something handed down by the angels, and the "Fathers" as mythical creatures that lived on Mount Olympus, without ever a care or worry or a share in the ordinary trials and tribulations of the rest of us.

What we have lost in not really knowing the "Fathers." It is the human touch that

opens our eyes to see and to understand our Constitution as a human document. I presume that in my earlier years I may have heard of, possibly may have read, the intimate personal sketches of the delegates to the Constitutional Convention as they appeared, coming and going in the performance of their great and imperishable work, of their fellow delegate, Major Pierce, of Georgia; but I do not remember. I find that others with whom I have talked likewise do not remember; and I come to the conclusion that these sketches of Major Pierce—that reach out in a very close-to-you way, put your hand in that of each of the delegates, and make you really acquainted, not with a "Father," but with another human being—have never been accorded that popular recognition that they deserve. I dare say that to most readers of this book they will come as refreshingly new, as delightfully thrilling, as they did to me; and many will say, as did I, "Why has this never been called to my attention before? Why has this gold been buried?"

The impression now is strong on me that the Constitution was written by men just as human as you and I. As I peer into the stories of their lives, as I stand conversing with them through the kindly agency of Major Pierce, I feel myself closer to the spirit of the Constitution than ever before. It becomes a part of my life—a part of the present in which I live. These delegates—their prototypes I recognize among my friends, among the figures that move in humble and great places among the living of today. The delegate who spent 3 years in a debtor's prison. The delegate who took a chance on a real estate boom, and went smash. The delegate who went to the big city to make his fortune anew, and became president of a New York bank. The delegate who was expelled from the United States Senate. The two delegates who fell in duels. Yes, and the delegates who rose to great eminence, two to the Presidency, many to the the United States Senate, several to the Supreme Court of the United States. It all blends in, the rise and the fall of careers, the triumphs and reverses, the trials and the tribulations, and the joys and contentments, of humankind; they were human, these makers of our Constitution; the framework of a free government that they built is all the more the structure in which I wish to reside because human beings were the carpenters.

Yet of these human beings what had I known, or remembered? Offhand, I could not recall even the names of more than a handful of the delegates, nor the number of the delegates, nor of the signers. Washington, Franklin, Madison, yes; a few others; but the rest—who were they? I did not know. At first, I thought that this was merely a carelessness of memory on my part; but when I put the inquiry to many others, who were at least ordinarily well informed, "How many men signed the Constitution, and who were they?" I found that none could answer.

To an eminent physician, I put the question: "How many members of your profession helped in the framing of the Constitution?" and he blinked. He had never thought of it; and when I told him that there had been 3 physicians in the Convention and that of the 39 who signed the Constitution, 2 were doctors, he replied: "Why have I never known before?" After that he felt closer to the Constitution, much closer in a real personal way; had not his kind helped to make it?

To several men of Irish birth, or Irish descent, I propounded the question: "Of the 39 men who signed the Constitution of the United States how many were born in Ireland?" Strange, none of them had the slightest idea; yet, not strange either, for I had not known that of the 39, 5 had seen the light of day on the Emerald Isle until Miss Crowe laid before me the wealth of her searchings in the almost forgotten volumes of history.

I spoke to a friend of Scandinavian blood; he claimed for his kind no part in the writing of the great masterpiece of government; and was he pleased and proud—I should say justifiably—when I told him that one of the delegates, one of the signers was half a Swede on his mother's side. I thought how much closer our Constitution would be to all our good Scandinavian neighbors if they but know that one of their blood—of their kind—had had a hand in its framing.

Because this human side of the Constitution was interesting to me, I conceived that it would be interesting to others. It has been a pleasure working with Miss Crowe in putting together all the odds and ends of her research discoveries. Nothing has been left in that has not been verified. There has been no pretense attempted of fine writing. We have worked together merely to get before your eyes the matters that interested us and probably will interest you—briefly, concisely, authoritatively. Our only hope is that in the reading you will be drawn closer to the Constitution—inspired by its human touch—and to that extent made, as we have been, better Americans because better understanding of the spirit of the Constitution and better able to apply that spirit to the task of working out the problems of the present.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FREEPORT, MAINE

The Clerk called the bill (S. 3650) for the relief of the town of Freeport, Maine.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any funds in the Treasury not otherwise appropriated, to the town of Freeport, Maine, the sum of $2,500. The payment of such sum shall be in full satisfaction of all the claims of the town of Freeport against the United States for reimbursement of a portion of certain costs incurred by such town when a bridge located therein was washed out and destroyed during the hurricane of 1954: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING VOCATIONAL REHABILITATION ACT

The Clerk called the bill (S. 3875) to amend section 4 (a) of the Vocational Rehabilitation Act, as amended.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, this has something to do with the formula applied in the appropriations. As I understand it, you are keeping the same formula as the 1956 appropriation bill; is that correct? Yet, is that the same formula we applied in the 1957 fiscal year appropriation?

Mr. BARDEN. Yes. May I say it does not affect the formula. When the appropriation was made it applied some restrictions which were not contained in the authorization bill. The program was about a year late in getting started. What this bill does is to move it over and extend the time it was anticipated to operate both in the authorization and in the appropriation bill. So it does not affect the basic law other than that.

Mr. BYRNES of Wisconsin. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That clause (2) of section 4 (a) of the Vocational Rehabilitation Act, as amended (68 Stat. 655), is hereby amended to read as follows:

"(2) for planning, preparing for, and initiating, during the fiscal year ending June 30, 1955, and the fiscal years ending June 30, 1956, and June 30, 1957, a substantial nationwide expansion of vocational rehabilitation programs in the States."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROMOTING THE EDUCATION OF THE BLIND

The Clerk called the bill (S. 3259) to amend the act to promote the education of the blind, approved March 3, 1879, as amended, so as to authorize wider distribution of books and other special instructional material for the blind, to increase the appropriations authorized for this purpose, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the paragraph of section 102 of the act of March 3, 1879, as amended (20 U. S. C. 102), labeled "First" is amended to read as follows:

"First. Such appropriation shall be expended by the trustees of the American Printing House for the Blind each year in manufacturing and furnishing books and other materials specially adopted for instruction of the blind; and the total amount of such books and other materials so manufactured and furnished by such appropriation shall each year be distributed among all the public institutions, in the States and Territories of the United States, and the District of Columbia, in which blind pupils are educated. Each public institution for the education of the blind shall receive, in books and other materials, upon requisition of its superintendent, that portion of the appropriation as is shown by the ratio between the number of blind pupils in that institution and the total number of blind pupils in all of the public institutions in which blind pupils are educated. Each chief State school officer shall receive, in books and other materials, upon requisition, that portion of the appropriation as is shown by the ratio between the number of blind pupils in public institutions (in the State) in which blind pupils are educated, other than institu-

tions to which the preceding sentence is applicable, and the total number of blind pupils in the public institutions in which blind pupils are educated, in all of the States and Territories of the United States, and the District of Columbia. The ratio referred to in each of the two immediately preceding sentences shall be computed upon the first Monday in January of each year; and for purposes of such sentences the number of blind pupils in public institutions in which blind pupils are educated shall be authenticated in such manner and as often as the trustees of the American Printing House for the Blind shall require. For purposes of this act, an institution for the education of the blind is any institution which provides education exclusively for the blind, or exclusively for the blind and other handicapped children (in which case special classes are provided for the blind); the chief State school officer of a State is the superintendent of public elementary and secondary schools in such State or, if there is none, such other official as the Governor certifies to have comparable responsibility in the State; and a blind pupil is a blind individual pursuing a course of study in an institution of less than college grade."

SEC. 2. The act entitled "An act providing additional aid for the American Printing House for the Blind," approved August 4, 1919, as amended (20 U. S. C. 101), is further amended by striking out "$250,000" and inserting in lieu thereof "$400,000."

With the following committee amendment:

On page 2, line 4, after the word "States", insert a comma and on page 2, line 5, strike the first word "and", and after the word "Territories", insert ", and possessions", after the word "States", insert ", the Commonwealth of Puerto Rico" and on page 2, line 20, after the word "States", insert a comma, strike the word "and"; after the word "Territories", insert "and possessions", after the word "States", insert ", the Commonwealth of Puerto Rico."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TWO HUNDREDTH ANNIVERSARY OF ALEXANDER HAMILTON

The Clerk called the joint resolution (H. J. Res. 576) to amend the joint resolution entitled "Joint resolution to establish a commission for the celebration of the 200th anniversary of Alexander Hamilton," approved August 20, 1954.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That section 7 of the joint resolution entitled "Joint resolution to establish a commission for the celebration of the 200th anniversary of the birth of Alexander Hamilton," approved August 20, 1954, is amended to read as follows:

"SEC. 7. There are hereby authorized to be appropriated such sums, not to exceed $200,000 in addition to the sum of $145,000 heretofore appropriated, as the Congress may determine to be necessary to carry out the provisions of this joint resolution."

With the following committee amendment:

Strike out line 7 and everything thereafter and insert in lieu thereof the following:

"SEC. 7. There are hereby authorized to be appropriated such sums, not to exceed $25,000, in addition to the sum of $175,000 heretofore authorized to be appropriated, as the Congress may determine to be necessary to carry out the provisions of this joint resolution."

The committee amendment was agreed to.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "To amend the joint resolution entitled 'Joint resolution to establish a commission for the celebration of the 200th anniversary of the birth of Alexander Hamilton', approved August 20, 1954."

A motion to reconsider was laid on the table.

AMENDING SECTION 77 (C) (6) OF THE BANKRUPTCY ACT

The Clerk called the bill (H. R. 945) to amend section 77 (c) (6) of the Bankruptcy Act.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. FORD. As one member of the Committee of Objectors, I have been asked by at least 10 Members of this body to request that this bill be passed over without prejudice. Therefore, Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

CATAWBA INDIAN RESERVATION, S. C.

The Clerk called the bill (H. R. 12027) to authorize the city of Rock Hill, S. C., to acquire certain tribal lands on the Catawba Indian Reservation, S. C.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Catawba Indian Tribe of South Carolina is authorized to sell to the city of Rock Hill, S. C., a tract of approximately 49 acres of land in the Catawba Indian Reservation for a consideration mutually agreeable to the parties and to the Secretary of the Interior. The Secretary of the Interior is authorized to execute such conveyancing instrument as may be appropriate for that purpose. If a negotiated sale cannot be effected, the city is authorized to acquire the land by eminent domain proceedings in accordance with the laws of South Carolina in an action against the United States filed in the United States District Court for the Western District of South Carolina.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCORPORATING MILITARY ORDER OF THE PURPLE HEART

The Clerk called the bill (H. R. 590) to incorporate the Military Order of the Purple Heart, a national organization of combat wounded composed solely of Purple Hearters.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the following persons, to wit: Col. Walter C. Bowman, Los Angeles, Calif.; Luther G. Smith, Harrisburg, Pa.; Archie J. Bakay, Chicago, Ill.; Maj. Wilbur E. Dove, Washington, D. C.; Olin E. Teague, College Station, Tex.; Charles E. Potter, Cheboygan, Mich.; Paul H. Douglas, Chicago, Ill.; B. Carroll Reece, Johnson City, Tenn.; Errett P. Scrivner, Kansas City, Kans.; Edward Martin, Washington, Pa.; Gen. Melvin J. Maas, St. Paul, Minn.; Gen. Patrick J. Hurley, Santa Fe, N. Mex.; Gen. William A. Donovan, New York, N. Y.; Adm. John F. Ford, Hollywood, Calif.; Col. Robert M. Bringham, Arlington, Va.; Edward J. Gehl, Madison, Wis.; John Martin, Madison, Wis.; Frank A. Weber, Harrisburg, Pa.; Thomas A. Powers, Brooklyn, N. Y.; Samuel E. Burr, Jr., Washington, D. C.; Ernst L. Ihbe, Milwaukee, Wis.; Michael M. Ushakoff, Seattle, Wash.;

Stanley B. Kirschbaum, Detroit, Mich.; Lloyd E. Henry, Hyattsville, Md.; Francis J. Maguire, Gloucester City, N. J.; Clifford A. Parmenter, Long Beach, Calif.; Harry H. Dietz, Baltimore, Md.; Charles S. Iskin, Miami, Fla.; Victor N. Lukatz, Cincinnati, Ohio; John P. Hapsch, Minneapolis, Minn.; E. L. Barnhart, Phoenix, Ariz.; William J. Schroder, Pelham, N. Y.; John H. Hoppe, Distinguished Service Cross, Alexandria, Va.; John C. Reynolds, Covington, Ky.; David C. Libbin, Omaha, Nebr.; John L. Schwartz, Albuquerque, N. Mex.; George L. Hunt, Tulsa, Okla.; Henry Marquard, Elmhurst, Ill.; James C. Doyle, Boston, Mass.; Frank Heidel, Harrisburg, Pa.; John E. Schwend, Webster Groves, Mo.; Anthony Badamo, Quincy, Ill.; Joseph E. Stanger, Bridgeton, N. J.; Murray F. Lewis, Fayetteville, Ark.; Frank V. Fromme, Jasper, Ind.; Arthur Goetsch, Davenport, Iowa; Joseph Stiegler, Jr., Silver Spring, Md.; William E. Savage, Seattle, Wash.; Jack Medford, Tucson, Ariz.; Joseph Z. Kolinsky, Middletown, Conn.; Jack M. Deckard, Tampa, Fla.; Ted J. Swedo, North Chicago, Ill.; Linus Vonderheide, St. Anthony, Ind.; Joseph Earith, Sioux City, Iowa; Howell Brewer, doctor of medicine, Shreveport, La.; Clarence E. Cunningham, Lowell, Mass.;

John B. Brolsma, Minneapolis, Minn.; Joseph Richter, St. Louis, Mo.; Alfred J. Hellriegel, West Orange, N. J.; William Long, North Troy, N. Y.; Kevin J. Murphy, Bronx, N. Y.; William H. Kinsinger, Columbus, Ohio; Carl R. Carlson, Portland, Oreg.; Ray Dorris, Portland, Oreg.; James Gehas, Coatesville, Pa.; Charles J. Schowalter, Lancaster, Pa.; Aloysius J. Healy, Madison, Wis.; Charles O. Cariston, San Francisco, Calif.; Andrew Munson, Sioux Falls, S. Dak.; Col. A. Lester Henderson, Savannah, Ga.; Peter C. Mueller, Cicero, Ill.; John D. Goodin, Johnson City, Tenn.; Lars Ellefson, Billings, Mont.; W. Phil Bohnert, Indianapolis, Ind.;

Orral O. Jackson, Sioux Falls, S. Dak.; Zahnie Z. Dunlap, Tulsa, Okla.; Victor F. Kubly, Grafton, Mass.; Rev. Alfred W. Price, Philadelphia, Pa.; John T. Mullins, New York, N. Y.; Frank Cushner, Ansonia, Conn.; Col. Fairfax K. Dillon, Statesville, N. C.; Michael Thiede, Dearborn, Mich.; Robert Sobel, Phoenix, Ariz.; Ray Schulze, Yountville, Calif.; Joseph Feingold, New Britain, Conn.; Herbert McFarland, Cumberland, Md.; Arthur LaBrack, Brighton, Mass.; John W. Fitzer, Jr., Detroit, Mich.; Arthur F. D. Evans, St. Louis, Mo.; Roland C. Smith, Orange, N. J.; Charles Burkhardt, Troy, N. Y.; Hugo Engler, Ridgefield, Wash.; Douglas McKay, Portland, Oreg.; Edward Commers, Helena, Mont.; Earl D. Hooker, St. Petersburg, Fla.;

Elmer L. Dresslar, Mission, Kans.; Albert O. Rabassa, Baltimore, Md.; Michael Doohan, New Haven, Conn.; Ocea V. Phillips, St. Cloud, Minn.; Eugene McGarrigle, Brattleboro, Vt.; William Gaw, Fall River, Mass.; Uriah Lucas, Salisbury, N. C.; Joseph L. Kelley, Somerville, Mass.; Donald Lindley, Kansas City, Mo.; Percy O. Buterbaugh, Lincoln, Nebr.; Stanley C. Langcaskey, Trenton, N. J.; Alfred J. Gardner, Statesville, N. C.; Sagie Nishioka, Salem, Oreg.; Edgar Eichler, San Antonio, Tex.; H. J. Theisen,

Port Orchard, Wash.; Donald C. Collins, doctor of medicine, Hollywood, Calif.; George A. Griffiths, Las Vegas, Nev.; Wynn Riggs, Long Beach, Miss.; Frank Barrile, Dallas, Tex.; Homer Bellies, Nashville, Tenn.; William E. Guthrie, Jr., Cheyenne, Wyo.;

Louis B. Nadeau, Jr., Sanford, Maine; Gail Wirth, Denver, Colo.; Lee Kent, Wellington, Colo.; Jack Depp, Salt Lake City, Utah; Lawrence P. Thackston, Orangeburg, S. C.; John T. Clark, Union, S. C.; Joe C. Anderson, Fayetteville, Ark.; William W. Mason, Atlanta, Ga.; Joseph F. Kalias, Boise, Idaho; Daniel P. Borota, Gary, Ind.; Jerome S. Daunhauer, Ferdinand, Ind.; Robert H. Gamber, Davenport, Iowa; William Powers; Lyndon, Ky.; Col. Michael W. Glossinger, New Orleans, La.; Walter Page, Wyandotte, Mich.; Joseph C. Taylor, Youngstown, Ohio; George A. Davis, Helena, Mont.; William M. Thomas, New Rochelle, N. Y.; A. L. Shoop, Corpus Christi, Tex.; Walter Friese, Sheboygan, Wis.; Joseph W. Bentley, University, Ala.; Howard E. Hunter, Cullman, Ala.; Thomas H. McGovran, Charleston, W. Va.;

T. P. Adams, Morgantown, W. Va.; Bernard K. A. Mauer, Wilmington, Del.; Charles E. Jackson, Seaford, Del.; Edward Livingston, Atlanta, Ga.; Asher D. Williamson, Nampa, Idaho; Joseph R. F. Bernard, Springvale, Maine; Jack H. King, Meridian, Miss.; Serafino R. Visco, Las Vegas, Nev.; Marcus E. Diffenderfer, Ossipee, N. H.; William L. Soucy, Manchester, N. H.; Andrew Nomland, Grand Forks, N. Dak.; Richard W. Meyers, Rutland, N. Dak.; Stanley J. Stanlewicz, Central Falls, R. I.; James Russell, Pawtucket, R. I.; Mark D. Springer, Bellaire, Tex.; Neal E. Wood, Salt Lake City, Utah; John A. Angras, Jr., Norfolk, Va.; John E. Jones, Green River, Wyo.; Gerald E. Hood, Anchorage, Alaska; Robert S. Godfrey, Kodiak, Alaska; August K. DuVauchelle, Honolulu, T. H.; Henry B. Haina, Honolulu, T. H.; John T. Stanton, Kansas City, Kans.; and their successors, who are, or who may become active members of the Military Order of the Purple Heart, a national organization of members and honorably discharged or retired members of the Armed Forces of the United States of America, each of whom has been awarded the Purple Heart by the Government of the United States of America, for distinguished and meritorious services and for wounds received in combat against an enemy of the United States of America, and such national organization is hereby created and declared a body corporate, to be known as the Military Order of the Purple Heart.

SEC. 2. The said persons named in section 1, or their successors, and such other persons as are duly accredited delegates from any local chapter or department of the existing national organization known as the Military Order of the Purple Heart, are hereby authorized to meet and to complete or revise the organization of said corporation, by the adoption of a constitution and bylaws, the election of officers, and to do all the other things necessary to carry into effect and incidental thereto, the provisions of this act.

SEC. 3. The purposes and objects of this corporation shall be educational, fraternal, historical, and patriotic, perpetuating those principles of liberty and justice which have created the United States of America, by (1) commemorating all national patriotic holidays; (2) maintaining true allegiance to the Government of the United States of America and fidelity to its Constitution and laws; (3) preserving and strengthening comradeship and patriotism amongst its members; (4) assisting, comforting, and aiding all needy and distressed members and their dependents; (5) giving needed hospital and service rehabilitation work through its Veterans' Administration certified service offices; (6) cooperating with other civic and patriotic organizations having worthy objectives; (7) keeping alive the achievements and memory of our country's founders; (8) ever cherishing the memory of Gen. George Washington, who founded the Purple Heart at his headquarters at Newburgh-on-the-Hudson, on August 7, 1782; (9) influencing and teaching our citizenry, old and young, in a loyal appreciation of the heritages of American citizenship, with its responsibilities, rights, and privileges; and (10) preserving and defending the United States of America from all enemies whomsoever.

SEC. 4. The corporation created by this act shall have the following powers: To have perpetual succession with power to sue and be sued in courts of law and equity; to receive, hold, own, use, and dispose of such real estate, personal property, money, contracts, rights, and privileges as shall be deemed necessary and incidental for its corporate purposes; to accept gifts, bequests, legacies, and devises which will further the corporate purposes; to adopt a corporate seal; to adopt, amend, apply, and administer a constitution, bylaws, and regulations to carry out its purposes, not inconsistent with the laws of the United States or of any State; to establish and maintain offices for the conduct of its business; to establish, regulate, or discontinue subordinate State and Territorial subdivisions and local chapters; to publish a magazine or other publications, and generally to do any and all such acts and things as may be necessary and proper in carrying into effect the purposes of the corporation.

SEC. 5. No person shall be a member of this corporation unless he or she shall have been awarded the Purple Heart by the Government of the United States of America for distinguished and meritorious services and for wounds received in combat against an enemy of the United States of America.

SEC. 6. The said corporation shall have the sole and exclusive right to have and to use, in carrying out its purposes, the name "The Military Order of the Purple Heart" and the sole and the exclusive right to the use of its corporate seal, and any originally designed emblems and badges, as adopted by said corporation.

SEC. 7. The said corporation shall, on or before the 1st day of January in each year, make and transmit to the Congress or other designated governmental agency a report of its proceedings for the preceding fiscal year, including a full and complete report of its receipts and expenditures: *Provided, however,* That said financial report shall not be printed as a public document.

SEC. 8. As a condition precedent to the exercise of any power or privilege herein granted or conferred, the Military Order of the Purple Heart shall file in the office of the secretary of state of each State the name and post-office address of any authorized agent in such State upon whom legal process or demands against the Military Order of the Purple Heart may be served.

SEC. 9. The right to repeal, alter, or amend this act at any time is hereby expressly reserved through an enactment of the Senate and House of Representatives of the United States of America in Congress assembled.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BOYS' CLUBS OF AMERICA

The Clerk called the bill (H. R. 11571) to incorporate the Boys' Clubs of America.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the following persons: Herbert Hoover, New York, N. Y.; William E. Hall, New York, N. Y.; Albert L. Cole, Pleasantville, N. Y.; James A. Farley, New York, N. Y.; Albert C. Wedemeyer, New York, N. Y.; Matthew Woll, New York, N. Y.; Jeremiah Milbank, New York, N. Y.; Stanley Resor, New York, N. Y.; James B. Carey, Washington, D. C.; J. Edgar Hoover, Washington, D. C.; Lewis L. Strauss, Washington, D. C.; Gen. Robert E. Wood, Chicago, Ill.; Frederic Cameron Church, Boston, Mass.; H. Bruce Palmer, Newark, N. J.; Edgar A. Guest, Detroit, Mich.; Nicholas H. Noyes, Indianapolis, Ind.; George A. Scott, San Diego, Calif.; E. E. Folgelson, Dallas, Tex.; Ernest Ingold, San Francisco, Calif.; Jesse Draper, Atlanta, Ga.; Julius Epstein, Chicago, Ill.; and their successors, are hereby created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be, by the name of the Boys' Clubs of America (hereinafter referred to as the corporation) and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

COMPLETION OF ORGANIZATION

SEC. 2. A majority of the persons named in the first section of this act are authorized to complete the organization of the corporation by the adoption of a constitution and bylaws, not inconsistent with this act, and the doing of such other acts (including the selection of officers and employees in accordance with such constitution and bylaw) as may be necessary for such purpose.

PURPOSES OF THE CORPORATION

SEC. 3. The purposes of the corporation shall be to promote the health, social, educational, vocational, and character development of boys throughout the United States of America; to receive, invest, and disburse funds and to hold property for the purposes of the corporation.

CORPORATE POWERS

SEC. 4. The corporation shall have power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the business of the corporation may require;

(5) to adopt, amend, and alter a constitution and bylaws, not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take by lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm, or individual, and to hold any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(8) to transfer, convey, lease, sublease, encumber and otherwise alienate real, personal or mixed property and

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject in every case to all applicable provisions of Federal and State laws.

PRINCIPAL OFFICE: SCOPE OF ACTIVITIES: DISTRICT OF COLUMBIA AGENT

SEC. 5. (a) The principal office of the corporation shall be located in New York City, N. Y., or in such other place as may be later determined by the board of directors, but the activities of the corporation shall not be confined to that place, but may be con-

ducted throughout the various States, Territories, and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

MEMBERSHIP

SEC. 6. (a) Eligibility for membership in the corporation and the rights, privileges, and designation of classes of members shall, except as provided in this act, be determined as the constitution and bylaws of the corporation may provide.

(b) Each organization which is a member of the corporation as provided in the constitution thereof shall be entitled to all the benefits of incorporation under this act, but such benefits shall cease immediately either upon its resignation from the corporation, or in the event that its membership in the corporation is canceled or otherwise terminated by the board of directors, as provided in the constitution of the corporation.

BOARD OF DIRECTORS: COMPOSITION, RESPONSIBILITIES

SEC. 7. (a) Upon the enactment of this act the membership of the initial board of directors of the corporation shall consist of the present members of the board of directors of the Boys' Clubs of America, the corporation described in section 16 of this act, or such of them as may then be living and are qualified members of said board of directors, to wit: Hoyt Ammidon, New York, N. Y.; Wendell W. Anderson, Detroit, Mich.; Sewell L. Avery, Chicago, Ill.; Richard E. Berlin, New York, N. Y.; Arthur T. Burger, Boston Mass.; Hendry S. M. Burns, New York, N. Y.; John L. Burns, New York, N. Y.; Peter Capra, New York, N. Y.; James B. Carey, Washington, D. C.; Colby M. Chester, New York, N. Y.; Frederic C. Church, Boston, Mass.; Albert L. Cole, Pleasantville, N. Y.; Carle C. Conway, New York, N. Y.; Donald K. David, New York, N. Y.; Morse G. Dial, New York, N. Y.; Robert W. Dowling, New York, N. Y.; Kempton Dunn, New York, N. Y.; Gilbert D. Eaton, Oakland, Calif.; Julius Epstein, Chicago, Ill.; James A. Farley, New York, N. Y.; Horace C. Flanigan, New York, N. Y.; E. E. Fogelson, Dallas, Tex.; Philip G. Geiger, Pawtucket, R. I.; M. Preston Goodfellow, Washington, D. C.; J. Peter Grace, Jr., New York, N. Y.; John S. Griswold, New York, N. Y.; Powell C. Groner, Kansas City, Mo.; Edgar A. Guest, Detroit, Mich.

William Edwin Hall, New York, N. Y.; Robert B. Heppenstall, Pittsburgh, Pa.; William Edwin Hill, New York, N. Y.; Allan Hoover, New York, N. Y.; Herbert Hoover, New York, N. Y.; J. Edgar Hoover, Washington, D. C.; Arthur Huck, New York, N. Y.; Austin S. Igleheart, New York, N. Y.; Ernest Ingold, San Francisco, Calif.; Edward Ingraham, Bristol, Conn.; Gordon Jeffery, Toledo, Ohio; Frank R. Jelleff, Washington, D. C.; Grant Keehn, New York, N. Y.; James S. Kemper, Chicago, Ill.; Maj. William G. Kiefer, Louisville, Ky.; Philip Le Boutillier, New York, N. Y.; Philip Le Boutillier, Jr., Toledo, Ohio; James A. Linen, New York, N. Y.; John D. Lockton, New York, N. Y.; Fred Loock, Milwaukee, Wis.; David I. McCahill, Pittsburgh, Pa.; Charles P. McCormick, Baltimore, Md.; Everett McCullough, Wichita Falls, Tex.; Ira McGuire, Muncie, Ind.; Charles R. Messier, Newark, N. J.; Jeremiah Milbank, New York, N. Y.; Theodore G. Montague, New York, N. Y.; W. R. Nicholson, Jr., Philadelphia, Pa.; Nicholas H. Noyes, Indianapolis, Ind.; Harry L. Olden, Cincinnati, Ohio; Frank Pace, Jr., New York, N. Y.; August K. Paeschke, Milwaukee, Wis.; H. Bruce Palmer, Newark, N. J.; Richard S. Perkins, New York, N. Y.; Samuel F. Pryor, New York, N. Y.; Stanley Resor, New York, N. Y.; Capt. E. V. Rickenbacker, New York, N. Y.; Victor F. Ridder, New York, N. Y.; Fredric E. Schluter, Trenton, N. J.; George A. Scott, San Diego, Calif.; Irving J. Scher, Milwaukee, Wis.; Grant G. Simmons, New York, N. Y.; P. C. Spencer, New York, N. Y.; Clifford L. Strang, Tonawanda, N. Y.; Edward K. Straus, New York, N. Y.; Lewis L. Strauss, Washington, D. C.; Kenneth C. Towe, New York, N. Y.; Maxwell M. Upson, New York, N. Y.; Virgil P. Warren, Atlanta, Ga.; Albert C. Wedemeyer, New York, N. Y.; Morgan W. Wheelock, New York, N. Y.; J. Dugald White, New York, N. Y.; Myron A. Wick, Jr., Stamford, Conn.; Alfred G. Wilson, Detroit, Mich.; William S. Wilson, New York, N. Y.; Matthew Woll, New York, N. Y.; Gen. Robert E. Wood, Chicago, Ill.; Gordon J. Wormal, Santa Barbara, Calif.; E. A. Wright, Detroit, Mich.; Paul S. Young, Schenectady, N. Y.; William Ziegler, Jr., New York, N. Y.

(b) Thereafter the board of directors of the corporation shall consist of such number as may be prescribed in the constitution of the corporation, and the members of such board shall be selected in such manner (including the filling of vacancies), and shall serve for such terms, as may be prescribed in the constitution and bylaws of the corporation.

(c) The board of directors shall be the managing body of the corporation and shall have such powers, duties, and responsibilities as may be prescribed in the constitution and bylaws of the corporation.

OFFICERS: ELECTION AND DUTIES OF OFFICERS

SEC. 8. (a) The officers of the corporation shall be a chairman of the board of directors, a president, one or more vice presidents (as may be prescribed in the constitution and bylaws of the corporation), a secretary, and a treasurer, and one or more assistant secretaries and assistant treasurers as may be provided in the constitution and bylaws.

(b) The officers of the corporation shall be elected in such manner and for such terms and with such duties as may be prescribed in the constitution and bylaws of the corporation.

USE OF INCOME: LOANS TO OFFICERS, DIRECTORS, OR EMPLOYEES

SEC. 9. (a) No part of the income or assets of the corporation shall inure to any of its members, directors, or officers as such, or be distributable to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation in amounts approved by the board of directors of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan or advance to an officer, director, or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

NONPOLITICAL NATURE OF CORPORATION

SEC. 10. The corporation, and its officers and directors as such, shall not contribute to or otherwise support or assist any political party or candidate for public office.

LIABILITY FOR ACTS OF OFFICERS AND AGENTS

SEC. 11. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 12. The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

BOOKS AND RECORDS: INSPECTION

SEC. 13. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any authority under the board of directors; and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 14. (a) The financial transactions shall be audited annually by an independent certified public accountant in accordance with the principles and procedures applicable to commercial corporate transactions. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such audit shall be made by the corporation to the Congress not later than March 1 of each year. The report shall set forth the scope of the audit and shall include a verification by the person or persons conducting the audit of statements of (1) assets and liabilities, (2) capital and surplus or deficit, (3) surplus or deficit analysis, (4) income and expense, and (5) sources and application of funds. Such report shall not be printed as a public document.

USE OF ASSETS ON DISSOLUTION OR LIQUIDATION

SEC. 15. Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets, if any, of the corporation shall be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto.

TRANSFER OF ASSETS

SEC. 16. The corporation may acquire the assets of the Boys' Club of America, a corporation organized under the laws of the Commonwealth of Massachusetts, upon discharging or satisfactorily providing for the payment and discharge of all of the liability of such corporation and upon complying with all laws of the Commonwealth of Massachusetts applicable thereto.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 17. The right to alter, amend, or repeal this act is expressly reserved.

Mr. MORANO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MORANO. Mr. Speaker, as an alumnus of the Boys Club of Greenwich, Conn., and one who has benefited by its offerings, I am very happy today in urging the passage of this legislation granting a charter to this most worthwhile organization.

My experience as a Boys Club member in my early youth was so rewarding that I have always kept the memory of its wholesome and inspirational environment, pledging that one day I would contribute in some way to the organization which did so much for me.

That day came when I was elected to Congress. When the matter of appointments to the service academies came up, it seemed fitting and proper that I invite the Boys Clubs in my district to select a candidate. The first opportunity was accorded my own club in Greenwich. The second was accorded the Boys Club in Bridgeport. Both selected outstanding candidates.

I was asked by the executive director of the Boys Club of America my reasons for selecting members of the Boys Club of America as my appointments to the service academies. I replied:

I am reminded of a warm autumn evening many years ago, when as a boy ambling leisurely home from a busy day at the Greenwich Boys Club, I began reflecting how much the club meant to me, what it had done for me, and so many other boys, what it stood for. It was the Boys Club that gave me my first supervised playing, my orientation in competitive sports, and in sportsmanship. Through fun and companionship, I absorbed the spirit and dedication to high principles and respect for my community. I vowed to myself that if I ever were in a position to do so, I would try somehow to show the Boys Club how highly its alumni regard it.

And now, as a Congressman, keenly aware that we must try to pick for our service academies young men of high standards, of good training, and from an environment that teaches cooperation and self-development, I naturally turn to the Boys Club. In this way, I have fulfilled my boyhood vow, and I feel, my present responsibilities as a Congressman.

Mr. VANIK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, I am pleased to rise in support of H. R. 11571 to incorporate the Boys Club of America. The Boys Clubs throughout the Nation are doing a first-rate job of making useful citizens of the young people in the 435 communities which they serve.

In the southeast section of Cleveland, we have a very fine Boys Club operated by the Boys Club of America, known as the Boys Club of Cleveland. This organization, headed by Charles D. Conley, serves a community untouched by any other community agency. Young people are capably directed in the crafts as well as sports. The Boys Club of Cleveland is making a very important contribution to the Cleveland community.

The board of managers of the Boys Club of Cleveland includes the finest civic leaders of Cleveland. The entire community is grateful for the effort which is being made to improve fitness for citizenship responsibilities.

I urge the adoption of this legislation.

Mr. KEATING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, it is a great pleasure for me to rise in support of H. R. 11571, which would incorporate the Boys' Clubs of America. This a most worthy measure for a grand organization and deserves the unanimous support of all or us.

The record of the Boys' Clubs is, or should be, legend. They now have more than 420,000 members in well over 400 clubs in nearly 300 communities. The record shows clearly the beneficial effects of the presence of a Boys' Club in combating juvenile delinquency. Invariably, there has been a decrease in juvenile delinquency where clubs have been established.

By providing healthful recreation and experienced guidance, the Boys' Clubs offer many thousands of our youths a solution to the problems peculiar to young people growing up in a confusing world of cement, bricks, and pavements. Especially in the congested urban centers of our Nation the clubs have performed nobly.

The work of Boys' Clubs is dependent on the support and efforts of a great many people. I should like to take this opportunity to pay tribute to the many fine, public-spirited citizens who have contributed their time and money to this wonderful cause.

When one thinks of the Boys' Clubs, one thinks first, I believe, of the Hoovers—Herbert and J. Edgar. For years they have worked long, hard and loyally for this cause. Ex-President Hoover is chairman of the board of directors of the clubs, and the Director of the FBI is a member of the board. Both these men have contacted me about this particular phase of their activities and I am wholeheartedly in agreement with them as to the importance of these fine clubs.

Other members of the board of directors of the Boys' Clubs of America are James A. Farley and Gen. Albert C. Wedemeyer. That they, along with many other busy people, should be willing to devote their time and energy to this work is a wonderful thing. All of them are due a debt of thanks from all Americans for doing so much to help build a better America for the future.

I certainly feel that the many accomplishments of the Boys' Clubs of America thus far and the bright promise they hold for the days to come merit recognition in the form of an incorporating charter. If any organization in America deserves the dignity and esteem which go with this charter, this one is certainly it.

It will be a special privilege for me to cast my vote for this measure and I trust I will be joined unanimously by my colleagues from both sides of the aisle.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SESQUICENTENNIAL CELEBRATION OF ORANGE, N. J.

The Clerk called the resolution (H. Res. 543) extending the felicitations of the House of Representatives to the city of Orange, N. J., on the celebration of its sesquicentennial.

There being no objection, the Clerk read the bill, as follows:

Whereas the city of Orange in the county of Essex is observing this year the 150th anniversary of the granting of a charter by the Legislature of the State of New Jersey; and

Whereas the city of Orange has played an important role in the growth and development of Essex County, the State of New Jersey, and the Nation; and

Whereas the city of Orange has given to the Nation and the State of New Jersey many leading citizens and was an early center of industry and the arts in the nineteenth century; and

Whereas by action of the mayor and board of commissioners of such city there has been appointed a citizens' sesquicentennial committee to prepare for appropriate observance of the historic occasion when the city of Orange was partitioned from the city of Newark, November 27, 1806: Therefore be it

Resolved, That the House of Representatives hereby extends its greetings and felicitations to the city of Orange, Essex County, N. J., on the celebration of its sesquicentennial, and expresses its appreciation for the splendid services rendered to the Nation by its citizens of the city of Orange during the past 150 years.

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, reserving the right to object, and I assuredly shall not object, I wish to take this occasion to commend the distinguished gentleman from New Jersey [Mr. ADDONIZIO], whose resolution we are now voting on, for giving us this opportunity of felicitating the city of Orange and her people on this great anniversary occasion. It furnishes another evidence of the alertness of the gentleman from New Jersey to the interests of his constituents and of the Nation. In several Congresses it has been my privilege and pleasure to serve on the same committee with the gentleman. He has shown a keenness in understanding of the many measures that have come before the committee, and a tireless industry in the work of the committee, that have deeply impressed me, and I think this is a good time to give the gentleman the tribute he so richly deserves. During the exhaustive investigation of the housing situation in the Caribbean area, with especial concern for military housing so essential to the national defense, the gentleman from New Jersey served as acting chairman of the Rains subcommittee. He did an outstanding job, the national benefits from which were reflected in the military housing bill reported from the Banking and Currency Committee. We in the House indeed rejoice with the people of Orange on the attainment of the 150th birthday of a city that has an historical background that furnishes an inspiration to every American. We are glad too that Orange is in the district of a Congressman who realizes that the great heritage of our generation is in the traditions of the past and has reminded us of this 150th birthday.

Mr. ADDONIZIO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ADDONIZIO. Mr. Speaker, House Resolution 543 which we are presently

considering conveys to the city of Orange, N. J., the felicitations of the House of Representatives on the observance of its sesquicentennial.

The city of Orange, in the county of Essex, N. J., is the "mother" of that group of communities widely known as the Oranges and Maplewood, in addition to Millburn. Embracing a population approximating 210,000, this group of municipalities is one of the finest residential areas in the East and comprises one of the Nation's top consumer markets.

Orange was originally part of the city of Newark, and in the very early part of the 19th century was actually known as Newark in the Mountains. Difficulty of communications between the nonmountain and mountain parts culminated in 1806 with a strong separatist movement. It was on November 27 of that year that the work of this movement bore fruit in the adoption of an act by the New Jersey Legislature partitioning the then Orange from Newark.

In later years, as a result of diverse sectional interests, Orange became fragmented into East Orange, Orange, West Orange, South Orange, Maplewood, and Millburn, each a separate municipal entity.

Today, Orange, with a population of some 40,000 and a comparatively modest area of 2.2 square miles, still plays a "mother" role to the communities which broke away from the home hearthside. Within its confines are hospitals, churches, various types of other institutions, welfare organizations and business and industrial enterprises, whose sphere of activity transcends Orange's own borders.

The city, before and since its fragmentation, has a rich and colorful history. It has given generously of its sons to the Flag—from the French and Indian Wars to Korea. During the previous century it enjoyed a national reputation as a fashonable spa because of the mineral springs that gushed out of Orange Mountain. It was the quality of these same waters, in relation to the properties required in fashioning hats, that made Orange the Nation's leading hat-manufacturing center until the early part of the present century.

Despite the loss of the hatting industry, Orange today is the site of many and diverse manufactures marketed not only in this country but abroad. Its thriving industries turn out calculating machines, electronic parts, roller bearings, pharmaceutical products, women's garments, a nationally known brew, and a host of other items essential to our economy.

Orange is linked to names that loom large in the American scene. Among them we find Thomas A. Edison who, although technically a resident of West Orange, had much to do with Orange and its residents, as did members of his family. We can cite also the late George Huntington Hartford, a former Mayor of Orange, who founded the mercantile empire known as the Great Atlantic and Pacific Tea Co. Then there was Samuel Colgate, founder of an industry whose products are now emblazoned throughout the land.

A former leader of the old Orange Athletic Club is Alonzo Stagg, the grand old man of American football. And we can put a "Made in Orange" stamp on two sports personages of much more recent vintage—Monte Irvin, slugging outfielder of the Chicago Cubs, and "Two-Ton" Tony Galento, latterly of the top heavyweight ranks, who now appears to be carving a new career in Hollywood.

If time permitted, much more could be cited here about Orange events and personages. However, suffice it to say that the drama in Orange's past will figure prominently in its forthcoming celebration of its 150th anniversary. To prepare a suitable observance of this major milestone, a large group of civic leaders have been organized into what is known as the Orange Citizens Sesqui-Centennial Committee. This group, for operational purposes, has been broken down into about 15 subcommittees, each of which is busily working on an assigned celebration task of projects.

The main outlines of the celebration have already become apparent. Scheduled for September 26 is a gala entertainment extravaganza featuring top stars of stage and television. On October 27, there will be a giant parade including heavy military representation, many floats, marching contingents and drum and bugle corps units drawn from many parts of New Jersey. Scheduled for November 27 is a pageant-like grand finale. In between these events will be a succession of other features, many of them aimed at reviving memories of Orange's colorful past. By the time the celebration gets rolling in mid-September, a small army recruited from all segments of community life will be actively engaged in planning and executing work.

The basic objective of the celebration is to recruit the energies and talents of Orange's citizens in staging an observance that will make them aware of their city's rich heritage and, in so doing, inspire them to work more effectively for its future betterment. In other words, Orange will dip back into its corner of American history to gain the guidance and inspiration for making a better tomorrow. This, I submit, is a supremely worthy endeavor.

I am sure that every Member of Congress is proud of the district he represents. I am especially proud of having the opportunity of representing the fine citizens of the city of Orange on this the occasion of its 150th anniversary; and I urge the passage of this resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CHANGING THE NAME OF BEDLOE'S ISLAND IN NEW YORK HARBOR TO LIBERTY ISLAND

The Clerk called the resolution (S. J. Res. 114) to change the name of Bedloe's Island in New York Harbor to Liberty Island.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. DORN of New York. Reserving the right to object, Mr. Speaker, could we have an explanation of this bill?

Mr. ENGLE. Mr. Speaker, I yield to the gentleman from Arkansas [Mr. HAYS], the author of the bill.

Mr. HAYS of Arkansas. Mr. Speaker, I was requested by a group of distinguished Americans, headed by Gen. U. S. Grant III, and including such outstanding men as Joe DiMaggio, and Pierre du Pont, to introduce a companion measure to the one under consideration introduced by Senator PASTORE, of Rhode Island, to change the name of Bedloe's Island to Liberty Island. It is a part of a national movement to dramatize our American heritage, and it has the support of the gentleman from New York [Mr. ROONEY] and the gentleman from New York [Mr. KLEIN], in whose district the island is located.

Mr. Speaker, I should like to express my gratitude to the Committee on Interior and Insular Affairs for the special hearing and for favorably reporting the bill. I introduced this bill because I felt that the change could do much to bolster the aspirations of people throughout the world to attain freedom. So also could the establishment of the American Museum of Immigration at the base of the statue give new meaning and inspiration to the message of the statue, as advocated by the group to which I referred. The museum is a nonprofit organization which is now completing the organization of a national appeal similar to the one which covered the cost of building the base and erecting the statue. This public subscription to set up the museum will start on October 28, the 70th anniversary of the unveiling of the statue, and continue until Thanksgiving Day.

The island became the property of Isaack Bedloo, merchant and "select burgher" of New Amsterdam, under Dutch sovereignty. Since he joined in signing a protest of public-spirited citizens to Holland against certain intolerable conditions, it was not surprising that under English rule he retained title to the land. Bedloo is believed to have died in 1673 and the island was sold by his heirs in 1732. After this time, although still under private ownership, the island was used for various public purposes, including a beacon to warn the area of the approach of an enemy. It was not until 1877, however, that Bedloe's Island—this spelling a historical accident—was called upon to serve as a beacon for enlightening the world, when it was chosen as the site of the great French sculptor Bartholdi's Statue of Liberty. It is with a sense of the great significance of this magnificent movement in the name of liberty that I have joined in asking the Congress to change the island's name, and with no intent to slight the memory of Mr. Bedloo. I feel confident that he would deeply appreciate this gesture of affirmation of the love of liberty which motivates this movement.

I am happy to yield to my friend, the gentleman from New York [Mr. KLEIN].

Mr. KLEIN. May I say that this is entirely agreeable to me. Bedloe's Island is in my district. There is only one resident of the island, that that is Miss Liberty herself. I do not know whether she

votes Democratic or Republican, but we would like to have the name changed to Liberty Island.

Mr. DORN of New York. I withdraw my reservation of objection, Mr. Speaker, and I ask unanimous consent to extend my remarks at this time.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. DORN of New York. Mr. Speaker, I should like to offer my strong support of Senate Joint Resolution 114, the measure which changes the name of Bedloe's Island in New York Harbor to Liberty Island.

This famous and historical island which, to all of us, has signified liberty and, to the new immigrant, has been the symbol of a hope fulfilled, is deserving of a title more fitting than its present designation. What is more appropriate than the name "Liberty Island," where stands a statue signifying liberty—a statue which, of importance, was formally presented to the United States on July 4, 1884, a date which has only one vital meaning.

I believe the island, which has borne many names, should have its full designation not only in spirit but in name, so that future generations will gain the true meaning of the island which holds the Statue of Liberty—the statue so aptly called by Emma Lazarus our Mother of Exiles, who continues to welcome "your tired, your poor, your huddled masses yearning to breathe free."

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Clerk read the joint resolution, as follows:

Whereas the Statue of Liberty is to the world the symbol of the dreams and aspirations which have drawn so many millions of immigrants to America;

Whereas to all Americans the Statue of Liberty stands eternal as the symbol of the freedom which has been made a living reality in the United States for all sorts and conditions of mankind, united in allegiance to the Constitution of the United States and to the imperishable ideals of our free society;

Whereas the majestic meaning of the Statue of Liberty is to be made more brilliant by the establishment at its foot, of The American Museum of Immigration as the gift of individual Americans to the American people for all future generations;

Whereas The American Museum of Immigration will tell for all time the story of the making of this great Nation of nations by the contributions of men and women who have been coming here since the earliest times from all over the world in search of liberty;

Whereas the Statue of Liberty stands on Federal land known as Bedloe's Island, which name today has no special significance and which is the latest of a series of other names by which such island has been known in the past; and

Whereas it is meet, fitting, and proper that the Statue of Liberty, with The American Museum of Immigration at its foot, be accorded a setting most appropriate for the great shrine of the American people: Now, therefore, be it

Resolved, etc., That Bedloe's Island, which is located in New York Harbor, shall hereafter be known as Liberty Island, and any law, regulation, document, or record of the United States in which such island is designated or referred to under the name Bedloe's Island shall be held to refer to such island under and by the name of Liberty Island.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSAL OF CERTAIN FEDERAL PROPERTY IN BOULDER CITY

The Clerk called the bill (S. 514) to provide for the disposal of certain Federal property in the Boulder City area, to provide assistance in the establishment of a municipality incorporated under the laws of Nevada, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, at this time we have not received the committee report on this bill.

Mr. ASPINALL. And we have not received it either.

Mr. BYRNES of Wisconsin. I ask unanimous consent, Mr. Speaker, that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

ACQUISITION OF NAVAHO INDIAN LANDS IN CONNECTION WITH GLEN CANYON UNIT, COLORADO RIVER STORAGE PROJECT

The Clerk called the bill (H. R. 11685) to provide for the acquisition of Navaho Indian lands required in connection with the construction, operation, and maintenance of the Glen Canyon unit, Colorado River storage project.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SHUFORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

FORT RANDALL DAM IN SOUTH DAKOTA TO GRAND ISLAND, NEBR.

The Clerk called the resolution (H. J. Res. 672) to provide for a 230,000-volt line from the Fort Randall Dam in South Dakota to Grand Island, Nebr.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that this resolution may be passed over without prejudice. It will cost $8,900,000, and should not be on the Consent Calendar.

Mr. ASPINALL. I join with the gentleman in his request.

The SPEAKER pro tempore. Is the objection to the request of the gentleman from Iowa [Mr. CUNNINGHAM]?

There was no objection.

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. MILLER of Nebraska. There are several important flood-control projects that are not now in this House bill that will undoubtedly be inserted when the other body completes their hearing and takes final action on this flood-control measure. One of these projects will be the Gering Valley flood-control project. I am sure it will be in the bill that will go to conference. The Gering flood-control project does this:

Gering Valley lies in the extreme west-central tip of the State of Nebraska, in the watershed of the North Platte River, draining an area of approximately 86 square miles. The land is highly productive and fertile agricultural land, and nearly every tillable acre has been put to use in the production of sugar beets, beans, alfalfa, potatoes, small grains, and corn.

A large majority of the farms in the Gering Valley are served by irrigation facilities constructed by locally sponsored districts or units of the North Platte Valley project, which is one of the first projects constructed under the Reclamation Act of 1902. Protection of these works and the 54,846 acres of land served thereby is one of the prime objectives of the Gering Valley flood-control project.

In the past 25 years there have been 18 severe floods in this valley, with average annual damages amounting to nearly $100,000. The most disastrous flood of record occurred in 1947, when losses amounted to nearly $1.5 million. Just 2 weeks ago another flash flood damaged the Gering Valley to the extent of nearly $280,000, and any sudden heavy rains in the future will certainly bring more destruction to the lands, crops, and facilities in the area.

In 1948, the Public Works Committee of the Senate, by resolution, authorized the Board of Engineers for Rivers and Harbors to undertake a review of the flood situation, and to devise a plan for controlling the runoff waters in the Gering Valley. These studies required several years, and upon completion a report was submitted to the Chief of Engineers, Department of the Army, on September 13, 1954, which suggested construction of four small detention dams, levees, and other related works that would cost $1,104,500. This plan is now being recommended to the Congress. $1,056,000 of this amount would be the Federal Government's investment, and $48,500 would be the investment of local interests. In addition, the local interests would be required to furnish the land and easements necessary, and to perform certain other complementary work that would cost an additional $300,000, and maintain the works. I am pleased to say that the local people have performed a substantial part of their obligation, and stand ready and willing to complete their bargain. Were they financially able to do so, they would undertake all of the work required to pro-

tect their property and interests; but they have already invested more than $6 million over the years in just the irrigation and drainage works that serve their community, and substantial amounts for repairs and maintenance so they do not feel able to finance this additional expenditure without major assistance from the Federal Government.

The report of the Corps of Engineers shows that the benefit-to-cost ratio of this project is about 2 to 1. The project, in its present form, has been approved by the Bureau of the Budget.

It is my sincere hope that this extremely necessary and feasible flood-control project can be included in the Omnibus Flood Control Act this year.

SALE OF CERTAIN LANDS IN THE NATIONAL FORESTS

The Clerk called the bill (S. 1079) to provide for the sale of certain lands in the national forests.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GAVIN. Mr. Speaker, I object.

TERM PERMITS TO USE FOREST LANDS

The Clerk called the bill (S. 2216) to amend the act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497).

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the last paragraph under the heading "Forest Service" in the act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497), is amended to read as follows:

"The Secretary of Agriculture is authorized, under such regulations as he may make and upon such terms and conditions as he may deem proper, (a) to permit the use and occupancy of suitable areas of land within the national forests, not exceeding 80 acres and for periods not exceeding 30 years, for the purpose of constructing or maintaining hotels, resorts, and any other structures or facilities necessary or desirable for recreation, public convenience, or safety; (b) to permit the use and occupancy of suitable areas of land within the national forests, not exceeding 5 acres and for periods not exceeding 30 years, for the purpose of constructing or maintaining summer homes and stores; (c) to permit the use and occupancy of suitable areas of land within the national forest, not exceeding 80 acres and for periods not exceeding 30 years, for the purpose of constructing or maintaining buildings, structures, and facilities for industrial or commercial purposes whenever such use is related to or consistent with other uses on the national forests; (d) to permit any State or political subdivision thereof, or any public or nonprofit agency, to use and occupy suitable areas of land within the national forests not exceeding 80 acres and for periods not exceeding 30 years, for the purpose of constructing or maintaining any buildings, structures, or facilities necessary or desirable for education or for any public use or in connection with any public activity. The authority provided by this paragraph shall be exercised in such manner as not to preclude the general public from full enjoyment of the natural, scenic, recreational, and other aspects of the national forests."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REINSURANCE OF PUERTO RICAN COFFEE CROP INSURANCE

The Clerk called the bill (H. R. 5275) to amend the Federal Crop Insurance Act, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

FAIR TREATMENT UNDER THE SOIL BANK PROGRAM

The Clerk called the bill (H. R. 11958) to amend the acreage reserve provisions of the Soil Bank Act to permit inclusion of acreage up to 30 days prior to harvest.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MASON and Mr. H. CARL ANDERSEN objected.

DEFINING THE WORD "DETENTION" IN THE CIVIL SERVICE RETIREMENT ACT

The Clerk called the bill (S. 65) to amend section 1 (d) of the Civil Service Retirement Act of May 29, 1930, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the Senate bill?

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice. I understand the Department objected.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. FORD]?

Mr. SHORT. Mr. Speaker, would the gentleman withhold his request temporarily?

Mr. FORD. I will.

The SPEAKER pro tempore. Is the gentleman seeking recognition?

Mr. SHORT. I am, Mr. Speaker.

The SPEAKER pro tempore. The gentleman can reserve the right to object.

Mr. SHORT. Mr. Speaker, reserving the right to object, this is one of the most meritorious pieces of legislation ever offered in this Congress. The Senate passed it long ago, and the House Committee on the Post Office and Civil Service were kind enough to give us a respectful hearing. A lot of Members of the House appeared on this, the gentleman from Kansas [Mr. AVERY], the gentleman from Virginia [Mr. BROYHILL] the gentlewoman from Michigan [Mrs. GRIFFITHS], the gentlewoman from Indiana [Mrs. HARDEN], the gentleman from Washington [Mr. MAGNUSON], the gentleman from Texas [Mr. RUTHERFORD], the gentleman from California [Mr. TEAGUE], and myself; we appeared as witnesses before a subcommittee presided over by the gentleman from Virginia [Mr. ROBESON], the gentlewoman from New York [Mrs. ST. GEORGE], and the gentleman from Texas [Mr. KILGORE].

This whole legislation hinges upon the definition of the term "detention." What it does is to give employees in Federal prisions, and hospitals, and institutions, the right of retirement who perform the same hazardous duties as so-called custodial officers. A custodial officer, or a guard with a gun on a tower on a wall is not in the same danger as the so-called noncustodial officer who is locked up unarmed with these inmates in these prisons and who perform these hazardous duties.

I wonder how much longer we are going to live and serve in this body to have the Bureau of the Budget or the Civil Service Commission interpreting the laws which this Congress enacts, interpret them in the way we did not intend?

We passed a law in the 80th Congress, and I think the intent was crystal clear and unmistakable to give all these employees in these prisons all over the country the same kind of protection. I know these men and women; in fact, I have a nephew who worked in the Federal hospital at Springfield, Mo., and who is now assistant warden at Chillicothe, Ohio. Although he is not affected by this legislation, he has told me repeatedly it is time that Congress took action, that they should have taken it long before now, to correct an obvious and manifest injustice.

I do hope the gentleman will let this legislation go through.

Under my reservation of objection I would like to yield to my very good friend the gentleman from Virginia [Mr. ROBESON], chairman of this subcommittee, who listened to these hearings, and if the hard-working, overworked gentleman from Michigan could see his way clear to let this go through it would correct a very great injustice.

Mr. ROBESON of Virginia. Mr. Speaker, will the gentleman yield?

Mr. SHORT. Gladly.

Mr. ROBESON of Virginia. As chairman of the subcommittee I may say that I think anyone who listened to the evidence would be persuaded. I may say to the gentleman from Michigan that this bill was reported by the subcommittee and passed unanimously by the whole committee. The amount of money involved is not great, and it has been fully justified. This bill will correct an apparent discrimination and grievance of many people. It really does not involve a large number of people but they are scattered all over the country.

I hope the gentleman will withdraw his objection.

Mr. SHORT. And, Mr. Speaker, it is going to cost the huge sum of $150,000 a year to take care of these people who perform these hazardous duties.

The committee report tells the whole story. Listen to this statement at the middle of page 4:

Extensive hearings were held at which testimony was presented by Members of Congress, representatives of employee groups, individual employees, the Director of the Bureau of Prisons—

And the Director of the Bureau of Prisons incidentally is in favor of this—

and representatives of the Civil Service Commission. It is the opinion of the committee that the evidence presented at these hearings completely justifies the intent and purpose of this act which is to correct the inequity which exists and which it has been claimed was caused by an unreasonable and untenable interpretation of the provisions of the present law by the Civil Service Commission.

I do not want to get into an argument with the Civil Service Commission. I am like God, I love them all. But I would like to help them out in clearing up the pure intent of the Congress. They have been artificial, arbitrary, technical and cannot even understand the English language. This has to do with the simple word "detention."

Now, let this go through. I cannot argue with these conscientious objectors. Mr. Speaker, I have a conscience but at times it can be a little elastic, particularly when you get a Government agency giving a wrong interpretation and doing an obvious injustice to these employees. Now, let it go through.

Mr. MEADER. Mr. Speaker, will the gentleman yield?

Mr. SHORT. I yield to the gentleman from Michigan.

Mr. MEADER. Mr. Speaker, I have a detention farm in my district. The employees of that institution have called to my attention exactly what the gentleman from Missouri is talking about. I should like to join the gentleman from Missouri in his eloquent appeal for passage of this bill.

Mr. SHORT. The medical hospital at Springfield, Mo., one of the largest in the entire Nation, is filled with inhabitants from other States. Of course we furnish our share.

Mr. FORD. Mr. Speaker, I am sorry that I must follow the rules of the committee of objectors. One of the rules is that where there are departmental reports adverse to the legislation we have to ask that it be passed over. I am almost persuaded by the eloquence of the gentleman from Missouri and all of his colleagues but I must in good conscience maintain my stated position.

Mr. SHORT. This bill was reported some time ago.

Mr. FORD. For the protection of the gentleman and other gentlemen under the objectors rules I am constrained to ask that the bill be passed over.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

Mr. SHORT. Mr. Speaker, if my good friend from Michigan will help me persuade the Speaker to recognize someone to call it up under suspension of the rules, I think we will carry. But I shall object to the request that this bill go over. The Senate passed the bill a long time ago. It was reported unanimously by the House Committee on Post Office and Civil Service. We are all back of it, and I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, I object.

AMENDING THE UNIFORM RETIREMENT ACT

The Clerk called the bill (S. 912) to amend the act of April 23, 1930, relating to a uniform retirement date for authorized retirements of Federal personnel, and the Foreign Service Act of 1946, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first section of the act entitled "An act to provide for a uniform retirement date for authorized retirements of Federal personnel," approved April 23, 1930 (46 Stat. 253), is amended by inserting "(a)" after "That" and by adding at the end thereof the following:

"(b) (1) Notwithstanding subsection (a), the Secretaries of the uniformed services are authorized to specify an effective date for the retirement for permanent physical disability or placement on a temporary disability retired list of members of their respective uniformed services which is earlier than the date for retirement provided for in subsection (a).

"(2) For the purposes of paragraph (1)—

"(A) the term 'uniformed services' shall have the same meaning as when used in the Career Compensation Act of 1949; and

"(B) the term 'Secretaries' includes the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, the Secretary of the Treasury, the Secretary of Commerce, and the Secretary of Health, Education, and Welfare."

SEC. 2. Section 632 of the Foreign Service Act of 1946, as amended (60 Stat. 1015; 22 U. S. C. 1002), is amended by striking out "60" and inserting in lieu thereof "65."

With the following committee amendment:

Page 2, strike out lines 14, 15 and 16.

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act to amend the act of April 23, 1930, relating to a uniform retirement date for authorized retirements of Federal personnel."

A motion to reconsider was laid on the table.

INCREASING THE MINIMUM POSTAL SAVINGS DEPOSIT

The Clerk called the bill (S. 1873) to increase the minimum postal savings deposit, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 6 of the act of June 25, 1910, as amended (39 U. S. C. 756), is hereby further amended by striking out "$1" wherever it appears therein, and by inserting in lieu thereof "$5."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HIGHWAY POST OFFICE SERVICE ACT OF 1955

The Clerk called the bill (S. 2634) relating to the transportation of mail by highway post office service, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "Highway Post Office Service Act of 1955."

SEC. 2. The Postmaster General may provide highway post office service, either by contract or Government-owned motor vehicle, for carrying the mails and postal employees on routes between points where in his judgment conditions justify the operation of such service. The motor vehicles shall be especially designed and equipped for the distribution of mail en route and shall be constructed, fitted up, maintained, and operated in accordance with such specifications, rules, and regulations as the Postmaster General may prescribe.

SEC. 3. Contracts for highway post office service shall be obtained in accordance with section 3709 of the Revised Statutes as amended (41 U. S. C. 5).

SEC. 4. (a) The Postmaster General may make contracts for highway post office service for terms not to exceed 6 years.

(b) The Postmaster General may make provisions in contracts for highway post office service for increasing or decreasing the mileage, increasing or decreasing the hours of service required, or for other service changes. He may also provide in such contracts for the readjustment of compensation paid thereunder, either upward or downward to reflect such changes, and to reflect increased or decreased costs attributable to changed conditions occurring during the contract term over which the Postmaster General or the contractor have no control and which could not reasonably have been foreseen at the time the original bid was made or the proposal for renewal filed.

(c) Contracts for highway post office service may provide for the imposition or remission of fines and penalties by the Postmaster General for delinquencies in the performance of the contract. Each such contract shall contain a provision providing for its cancellation by the Postmaster General and may provide for an indemnity payment by the Postmaster General in the event of such cancellation.

(d) Contracts for highway post office service may contain such other provisions as the Postmaster General deems appropriate.

SEC. 5. (a) The Postmaster General, by mutual agreement with the holder of a contract for highway post office service, and without submitting the service for bids, may renew the contract for successive periods of not more than 6 years at the rates of compensation prevailing at the end of the preceding contract term.

(b) If the holder of a contract for highway post office service has sublet his contract in accordance with its terms and does not indicate in writing to the Postmaster General at least 90 days before the end of the contract term that he desires to renew the contract, the Postmaster General may enter into a contract with a subcontractor then performing the service, in the same manner and upon the same terms as prescribed in subsection (a) of this section, if such subcontractor has performed the service required under the contract to the satisfaction of the Postmaster General for a period of at least 6 months.

SEC. 6. Where there is no contractor legally bound or required to perform the service desired by the Postmaster General or when an accepted bidder or contractor shall fail or refuse to perform the service on a route according to his accepted proposal or his

contract the Postmaster General, without advertising, may contract for the service desired or continue the service originally contracted for in such manner and in such equipment as he may deem to be in the public interest for a term of not to exceed 1 year.

SEC. 7. The Postmaster General may require such bond or bonds as he deems necessary to protect the interests of the Government. Such bond shall be in the form and amount and contain such conditions as he may prescribe.

SEC. 8. Sections 1 and 2 of the act of July 11, 1940, entitled "An act to provide for the transportation and distribution of mails on motor-vehicle routes" (54 Stat. 756; 39 U. S. C. 505, 506) are hereby repealed.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STATUS OF REGULAR SUBSTITUTE IN POSTAL FIELD SERVICE

The Clerk called the bill (S. 3592) to provide in certain additional cases for the granting of the status of regular substitute in the postal field service.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, may I inquire from some member of the committee as to the departmental views with respect to the merits of the bill? The reports, as contained in the committee report, are on the bill H. R. 10419, and that is not the bill we are considering at this time. Are they identical?

Mr. ALEXANDER. Yes. I might say to the gentleman that the Post Office Department and the Civil Service Commission and the Bureau of the Budget testified in favor of this bill.

Mr. BYRNES of Wisconsin. The departmental report on the bill H. R. 10419 suggested that certain changes be made. Have those changes been made?

Mr. ALEXANDER. We had a number of bills before the subcommittee, and in our hearings the Senate bill which we have before us this morning was discussed, and they had no objection to the Senate bill as reported to the committee.

Mr. BYRNES of Wisconsin. And the Civil Service Commission has reported favorably on the bill in its present form?

Mr. ALEXANDER. That is correct, and the Bureau of the Budget and the Post Office Department.

Mr. BYRNES of Wisconsin. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the appointment of each employee of the Post Office Department who—

(1) on the effective date of this act and on the date of application prescribed in this section is on the rolls under an indefinite or temporary appointment in a position in the competitive civil service for which the salary is fixed by the Postal Field Service Compensation Act of 1955 (Public Law 68, 84th Cong.);

(2) during each of the 3 consecutive years ending on the date of his application, has been paid for not less than 700 hours of satisfactory work in a position or positions for which the salary is fixed by said act; and

(3) meets such noncompetitive examination standards as the United States Civil Service Commission shall prescribe with respect to the position held at the time he makes application;

shall, upon application by such employee made within 1 year after the effective date of this act to the Postmaster General, or to such officials as he may designate, and upon recommendation by the Postmaster General or his designated representative, be converted to a career appointment subject to applicable law.

SEC. 2. Any person who would meet the conditions of section 1 except for absence in the Armed Forces of the United States on the effective date of this act and is reemployed in the postal field service in accordance with United States Civil Service Commission regulations, shall, upon application made within 1 year of reemployment, have his former appointment converted in accordance with this act.

SEC. 3. This act shall not apply to positions of rural carrier and postmaster.

SEC. 4. The United States Civil Service Commission is hereby authorized and directed to promulgate regulations to carry out the provisions of this act.

SEC. 5. This act shall take effect on the 90th day following the date of its enactment.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMEND ACT OF JUNE 4, 1920, AS AMENDED

The Clerk called the bill (S. 3698) to amend the act of June 4, 1920, as amended, providing for allotment of lands of the Crow Tribe, and for other purposes.

Mr. HALEY. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

TERMINATE FEDERAL SUPERVISION OVER PEORIA TRIBE

The Clerk called the bill (S. 3968) to provide for the termination of Federal supervision over the property of the Peoria Tribe of Indians in the State of Oklahoma and the individual members thereof, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. METCALF. Mr. Speaker, reserving the right to object, this bill and the following two bills provide for termination of Federal supervision over property of several Indian tribes. I have heretofore objected to any such termination legislation unless there was full consultation and consent of the tribes. In these three bills there has been full consultation, and the bills have the consent of the appropriate tribal governmental agencies.

Therefore I withdraw my reservation of objection, Mr. Speaker.

Mr. FORD. Mr. Speaker, further reserving the right to object, I would like to point out something that pertains to this legislation. Here there are 6 members of the objectors committee, 3 on this side and 3 on the other side, and none of the Members on this side have copies of the bill. We do have copies of the report. Earlier on this Consent Calendar we were asked to approve or disapprove of a bill where we did not have a copy of the bill or the committee report. Now, I just say that the membership should know the haphazard way in which these last few days during this session are being run. I have looked over the report, and the report indicates that the legislation is all right. But, it is a very poor way to run an organization when these conditions prevail.

I withdraw my reservation of objection, Mr. Speaker.

Mr. ASPINALL. Mr. Speaker, further reserving the right to object, the objectors on this side have all of the bills and all of the reports. They were delivered to us with the exception of the one bill that was called to our attention this morning.

I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the purpose of this act is to provide for the termination of Federal supervision over the affairs of the Peoria Tribe of Indians located in northeastern Oklahoma and the individual members thereof, and for a termination of Federal services furnished to such Indians because of their status as Indians.

SEC. 2. All restrictions on the sale or encumbrance of trust or restricted land owned by members of the Peoria Tribe of Indians of Oklahoma (including allottees, heirs, and devisees, either adult or minor), regardless of where the land is located, are hereby removed 3 years after the date of this act, and the patents or deeds under which titles are then held shall pass the titles in fee simple subject to any valid encumbrance. The titles to all interests in trust or restricted land acquired by members of the tribe by devise or inheritance 3 years or more after the date of this act shall vest in such members in fee simple, subject to any valid encumbrance.

SEC. 3. (a) The Federal trust relationship to the affairs of the Peoria Tribe and its members shall terminate 3 years after the date of this act, and thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians, all statutes of the United States which affect Indians because of their status as Indians (including the act of June 26, 1936 (49 Stat. 1967), and the act of June 18, 1934 (48 Stat. 984), as amended by the act of June 15, 1935 (49 Stat. 378)) shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

(b) Nothing in this act shall affect the status of the members of the tribe as citizens of the United States.

(c) Prior to the termination of the Federal trust relationship in accordance with the provisions of this section, the Secretary of the Interior is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because

of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction. For the purposes of such program, the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or person. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

SEC. 4. (a) Effective when all claims of the tribe that are now pending before the Indian Claims Commission or the Court of Claims have been finally adjudicated, the corporate charter issued pursuant to the act of June 26, 1936 (49 Stat. 1967), is amended, is hereby revoked.

(b) Effective when all claims of the tribe that are now pending before the Indian Claims Commission or the Court of Claims have been finally adjudicated, all powers of the Secretary of the Interior or other officer of the United States to take, review, or approve any action under the constitution and bylaws of the tribe are hereby terminated. Any powers conferred upon the tribe by such constitution which are inconsistent with the provisions of this act are hereby terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and bylaws that is consistent with this act without the participation of the Secretary or other officer of the United States.

SEC. 5. Nothing in this act shall affect any claims heretofore filed against the United States by the Peoria Tribe.

SEC. 6. The Peoria Tribe shall have a period of 6 months from the date of this act in which to prepare and submit to the Secretary a proposed roll of the members of the tribe living on the date of this act, which shall be published in the Federal Register. The proposed roll shall be prepared in accordance with eligibility requirements prescribed in the tribe's constitution and bylaws. If the tribe fails to submit such roll within the time specified in this section, the Secretary of the Interior shall prepare a proposed roll for the tribe, which shall be published in the Federal Register. Any person claiming membership rights in the tribe or any interest in its assets, or a representative of the Secretary on behalf of any such person, may, within 60 days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals by the Secretary, the roll of the tribe shall be published in the Federal Register, and such roll shall be final for the purposes of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TERMINATE FEDERAL SUPERVISION OVER OTTAWA TRIBE

The Clerk called the bill (S. 3969) to provide for the termination of Federal supervision over the property of the Ottawa Tribe of Indians in the State of Oklahoma and the individual members thereof, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the purpose of this Act is to provide for the termination of Federal supervision over the trust and restricted property of the Ottawa Tribe of Indians located in northeastern Oklahoma and the individual members thereof, and for a termination of Federal services furnished to such Indians because of their status as Indians.

SEC. 2. (a) The Secretary of the Interior is authorized and directed to transfer within 3 years after the date of this act to each member of the Ottawa Tribe unrestricted title to funds or other personal property held in trust for such member by the United States.

(b) All restrictions on the sale or encumbrance by the owners of trust or restricted lands that were originally allotted to persons who were at the time of allotment members of the Ottawa Tribe, regardless of whether such owners are themselves members of such tribe, and all restrictions on the sale or encumbrance of trust or restricted land owned by members of the tribe (including allottees, heirs, and devisees, either adult or minor), regardless of where the land is located, are hereby removed 3 years after the date of this Act, and the patents or deeds under which titles are then held shall pass the titles in fee simple subject to any valid encumbrance. The titles to all interests in trust or restricted land acquired by members of the tribe by devise or inheritance 3 years or more after the date of this Act shall vest in such members in fee simple, subject to any valid encumbrance.

(c) Prior to the time provided in subsection (b) of this section for the removal of restrictions on land owned by more than one member of the tribe, the Secretary may:

(1) Upon request of any of the owners made within 2 years after the date of this act, partition the land and issue to each owner a patent or deed for his individual share that shall become unrestricted 3 years from the date of this act;

(2) Upon request of any of the owners and a finding by the Secretary that partition of all or any part of the land is not practicable, cause all or any part of the land to be sold at not less than the appraised value thereof, and distribute the proceeds of sale to the owners: *Provided*, That any one or more of the owners may elect before a sale to purchase the other interests in the land at not less than the appraised value thereof, and the purchaser shall receive an unrestricted patent or deed to the land; and

(3) If the whereabouts of none of the owners can be ascertained, cause such lands to be sold and deposit the proceeds for sale in the Treasury of the United States for safekeeping.

SEC. 3. (a) The act of June 25, 1910 (36 Stat. 855), the act of February 14, 1913 (37 Stat. 678), and other acts amendatory thereto shall not apply to the probate of the trust and restricted property of the members of the Ottawa Tribe who die 6 months or more after the date of this act.

(b) The laws of the several States, Territories, possessions, and the District of Columbia, with respect to the probate of wills, the determination of heirs, and the administration of decedents' estates shall apply to the individual property of members of the tribe who die 6 months or more after the date of this act.

SEC. 4. Prior to the transfer of title to, or the removal of restrictions from, property in accordance with the provisions of this act, the Secretary of the Interior shall protect the rights of members of the tribe who are minors, non compos mentis, or in the opinion of the Secretary in need of assistance in conducting their affairs by causing the appointment of guardians for such members in courts of competent jurisdiction, or by such other means as he may deem adequate.

SEC. 5. Pending the completion of the property dispositions provided for in this act, the funds now on deposit or hereafter deposited in the Treasury of the United States to the credit of the Ottawa Tribe shall be available for advance to the tribe, or for expenditure, for such purposes as may be designated by the governing body of the tribe and approved by the Secretary of the Interior.

SEC. 6. The Secretary of the Interior shall have authority to execute such patents, deeds, assignments, releases, certificates, contracts, and other instruments as may be necessary or appropriate to carry out the provisions of this act, or to establish a marketable and recordable title to any property disposed of pursuant to this act.

SEC. 7. Nothing in this act shall abrogate any valid lease, permit, license, right-of-way, lien, or other contract heretofore approved. Whenever any such instrument places in or reserves to the Secretary of the Interior any powers, duties, or other functions with respect to the property subject thereto, the Secretary may transfer such functions, in whole or in part, to any Federal agency with the consent of such agency, or to a State agency with the consent of such agency and the other party or parties to such instrument.

SEC. 8. (a) The Federal trust relationship to the affairs of the Ottawa Tribe and its members shall terminate three years after the date of this act, and thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians. All statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

(b) Nothing in this act shall affect the status of the members of the Ottawa Tribe as citizens of the United States.

(c) Prior to the termination of the Federal trust relationship in accordance with the provisions of this section, the Secretary of the Interior is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program, the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or person. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

SEC. 9. (a) Effective three years after the date of this act, the corporate charter issued pursuant to the act of June 26, 1936 (49 Stat. 1967), as amended, to the Ottawa Tribe of Oklahoma and ratified by the tribe on November 30, 1938, is hereby revoked.

(b) Effective three years after the date of this act, all powers of the Secretary of the Interior or other officer of the United States to take, review, or approve any action under the constitution and bylaws of the Ottawa Tribe are hereby terminated. Any powers conferred upon the tribe by such constitution which are inconsistent with the provisions of this act are hereby terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and bylaws

that is consistent with this act without the participation of the Secretary or other officer of the United States.

SEC. 10. Nothing in this act shall affect any claims heretofore filed against the United States by the Ottawa Tribe.

SEC. 11. Nothing in this act shall abrogate any water rights of the Ottawa Tribe or its members.

SEC. 12. The Secretary of the Interior is authorized to issue rules and regulations necessary to effectuate the purposes of this act and may in his discretion provide for tribal referendums on matters pertaining to management or disposition of tribal assets.

SEC. 13. All acts or parts of acts inconsistent with this act are hereby repealed insofar as they affect the Ottawa Tribe or its members. The act of June 26, 1936 (49 Stat. 1967), and the act of June 18, 1934 (48 Stat. 984), as amended by the act of June 15, 1935 (49 Stat. 378), shall not apply to the tribe and its members three years after the date of this act.

SEC. 14. If any provision of this act, or the application thereof, to any person or circumstance is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

SEC. 15. (a) The tribe shall have a period of six months from the date of this act in which to prepare and submit to the Secretary a proposed roll of the members of the tribe living on the date of this act, which shall be published in the Federal Register. The proposed roll shall be prepared in accordance with eligibility requirements prescribed in the tribe's constitution and bylaws. If the tribe fails to submit such roll within the time specified in this section, the Secretary shall prepare a proposed roll for the tribe, which shall be published in the Federal Register. Any person claiming membership rights in the tribe or any interest in its assets, or a representative of the Secretary on behalf of any such person, may, within 60 days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals by the Secretary, the roll of the tribe shall be published in the Federal Register, and such roll shall be final for the purposes of this act.

(b) No property distributed under the provisions of this act shall at the time of distribution be subject to Federal or State income tax. Following any distribution of property made under the provisions of this act, such property and any income derived therefrom by the individual, corporation, or other legal entity shall be subject to the same taxes, State and Federal, as in the case of non-Indians: *Provided*, That for the purpose of capital gains or losses the base value of the property shall be the value of the property when distributed to the individual, corporation, or other legal entity.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TERMINATION OF FEDERAL SUPERVISION OVER PROPERTY OF WYANDOTTE TRIBE OF OKLAHOMA

The Clerk called the bill (S. 3970) to provide for the termination of Federal supervision over the property of the Wyandotte Tribe of Oklahoma and the individual members thereof, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the purpose of this act is to provide for the termination of Federal supervision over the trust and restricted property of the Wyandotte Tribe of Oklahoma and the individual members thereof, and for a termination of Federal services furnished to such Indians because of their status as Indians.

SEC. 2. For the purposes of this act:

(a) "Tribe" means the Wyandotte Tribe of Oklahoma.

(b) "Secretary" means the Secretary of the Interior.

(c) "Lands" mean real property, interest therein, or improvement thereon, and include water rights.

(d) "Tribal property" means any real or personal property, or any interest in real or personal property, that belongs to the tribe and either is held by the United States in trust for the tribe or is subject to a restriction against alienation imposed by the United States.

SEC. 3. The tribe shall have a period of 6 months from the date of this act in which to prepare and submit to the Secretary a proposed roll of the members of the tribe living on the date of this act, which shall be published in the Federal Register. The proposed roll shall be prepared in accordance with eligibility requirements prescribed in the tribe's constitution and bylaws. If the tribe fails to submit such roll within the time specified in this section, the Secretary shall prepare a proposed roll for the tribe, which shall be published in the Federal Register. Any person claiming membership rights in the tribe or an interest in its assets, or a representative of the Secretary on behalf of any such person, may, within 60 days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals by the Secretary, the roll of the tribe shall be published in the Federal Register, and such roll shall be final for the purposes of this act.

SEC. 4. Upon publication in the Federal Register of the final roll as provided in section 3 of this act, the rights or beneficial interests in tribal property of each person whose name appears on the roll shall constitute personal property which may be inherited or bequeathed, but shall not otherwise be subject to alienation or encumbrance before the transfer of title to such tribal property as provided in section 5 of this act without the approval of the Secretary. Any contract made in violation of this section shall be null and void.

SEC. 5. (a) Upon the request of the tribe, the Secretary is authorized within 3 years from the date of this act to transfer to a corporation or other legal entity organized by the tribe in a form satisfactory to the Secretary title to all or any part of the tribal property, or to transfer to one or more trustee designated by the tribe and approved by the Secretary title to all or any part of such property to be held in trust for management or liquidation purposes under such terms and conditions as may be specified by the tribe and approved by the Secretary, or to distribute pro rata among the members of the tribe all or any part of such property, or to sell all or any part of such property and make a pro rata distribution of the proceeds of sale among the members of the tribe after deducting, in his discretion, reasonable costs of sale and distribution.

(b) Title to any tribal property that is not transferred in accordance with the provisions of subsection (a) of this section shall be transferred by the Secretary to one or more trustees designated by him for the liquidation and distribution of assets among the members of the tribe under such terms and conditions as the Secretary may prescribe: *Provided*, That the trust agreement shall provide for the termination of the trust not more than 3 years from the date of such transfer unless the term of the trust is extended by order of a judge of a court of record designated in the trust agreement: *Provided further*, That the trust agreement shall provide that at any time before the sale of tribal property by the trustees the tribe may notify the trustees that it elects to retain such property and to transfer title thereto to a corporation, other legal entity, or trustee in accordance with the provisions of subsection (a) of this section, and that the trustees shall transfer title to such property in accordance with the notice from the tribe if it is approved by the Secretary.

(c) Title to the tract of land in Kansas City, Kans., that was reserved for a public burying ground under article 2 of the treaty dated January 31, 1855 (10 Stat. 1159), with the Wyandotte Tribe of Indians shall be transferred or sold in accordance with subsections (a) and (b) of this section, and the proceeds from any sale of the land may be used to remove and reinter the remains of persons who are buried there, to move any monuments now located on the graves, and to erect at reasonable cost one appropriate monument dedicated to the memory of the departed members of the Wyandotte Tribe: *Provided*, That if S. 1335 or comparable legislation is enacted by the 84th Congress, any sale or transfer of such land shall be deferred until 3 months after the report required by such legislation has been submitted to Congress, during which time Congress shall decide whether to provide for the sale or disposition of the land on the basis of such report.

(d) The Secretary shall not approve any form of organization pursuant to subsection (a) of this section that provides for the transfer of stock or an undivided share in corporate assets as compensation for the services of agents or attorneys unless such transfer is based upon an appraisal of tribal assets that is satisfactory to the Secretary.

(e) When approving or disapproving the selection of trustees in accordance with the provisions of subsection (a) of this section, the Secretary shall give due regard to the laws of the State of Oklahoma that relate to the selection of trustees.

SEC. 6. (a) The Secretary is authorized and directed to transfer within 3 years after the date of this act to each member of the tribe unrestricted title to funds or other personal property held in trust for such member by the United States.

(b) All restrictions on the sale or encumbrance by the owners of trust or restricted lands that were originally allotted to persons who were at the time of allotment members of the tribe, regardless of whether such owners are themselves members of such tribe, and all restrictions on the sale or encumbrance of trust or restricted land owned by members of the tribe (including allottees, heirs, and devisees, either adult or minor), regardless of where the land is located, are hereby removed 3 years after the date of this act and the patents or deeds under which titles are then held shall pass the titles in fee simple subject to any valid encumbrance. The titles to all interests in trust or restricted land acquired by members of the tribe by devise or inheritance 3 years or more after the date of this act shall vest in such members in fee simple, subject to any valid encumbrance.

(c) Prior to the time provided in subsection (b) of this section for the removal of restrictions on land owned by more than one member of the tribe, the Secretary may—

(1) upon request of any of the owners made within 2 years after the date of this act, partition the land and issue to each

owner a patent or deed for his individual share that shall become unrestricted 3 years from the date of this act;

(2) upon request of any of the owners and a finding by the Secretary that partition of all or any part of the land is not practicable, cause all or any part of the land to be sold at not less than the appraised value thereof, and distribute the proceeds of sale to the owners: *Provided*, That any one or more of the owners may elect before a sale to purchase the other interests in the land at not less than the appraised value thereof, and the purchaser shall receive an unrestricted patent or deed to the land; and

(3) if the whereabouts of none of the owners can be ascertained, cause such lands to be sold and deposit the proceeds of sale in the Treasury of the United States for safekeeping.

SEC. 7. (a) The act of June 25, 1910 (36 Stat. 855), the act of February 14, 1913 (37 Stat. 678), and other acts amendatory thereto shall not apply to the probate of the trust and restricted property of the members of the tribe who die 6 months or more after the date of this act.

(b) The laws of the several States, Territories, possessions, and the District of Columbia with respect to the probate of wills, the determination of heirs, and the administration of decedents' estates shall apply to the individual property of members of the tribe who die 6 months or more after the date of this act.

SEC. 8. No property distributed under the provisions of this act shall at the time of distribution be subject to Federal or State income tax. Following any distribution of property made under the provisions of this act, such property and any income derived therefrom by the individual, corporation, or other legal entity shall be subject to the same taxes, State and Federal, as in the case of non-Indians: *Provided*, That for the purpose of capital gains or losses the base value of the property shall be the value of the property when distributed to the individual, corporation, or other legal entity.

SEC. 9. Prior to the transfer of title to, or the removal of restrictions from, property in accordance with the provisions of this act, the Secretary shall protect the rights of members of the tribe who are minors, non compos mentis, or in the opinion of the Secretary in need of assistance in conducting their affairs by causing the appointment of guardians for such members in courts of competent jurisdiction, or by such other means as he may deem adequate.

SEC. 10. Pending the completion of the property dispositions provided for in this act, the funds now on deposit or hereafter deposited in the Treasury of the United States to the credit of the tribe shall be available for advance to the tribe, or for expenditure, for such purposes as may be designated by the governing body of the tribe and approved by the Secretary.

SEC. 11. The Secretary shall have authority to execute such patents, deeds, assignments, releases, certificates, contracts, and other instruments as may be necessary or appropriate to carry out the provisions of this act, or to establish a marketable and recordable title to any property disposed of pursuant to this act.

SEC. 12. Nothing in this act shall abrogate any valid lease, permit, license, right-of-way, lien, or other contract heretofore approved. Whenever any such instrument places in or reserves to the Secretary any powers, duties, or other functions with respect to the property subject thereto, the Secretary may transfer such functions, in whole or in part, to any Federal agency with the consent of such agency, or to a State agency with the consent of such agency and the other party or parties to such instrument.

SEC. 13. (a) Upon removal of Federal restrictions on the property of the tribe and individual members thereof, the Secretary shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to the affairs of the tribe and its members has terminated. Thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians, all statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

(b) Nothing in this act shall affect the status of the members of the tribe as citizens of the United States.

(c) Prior to the issuance of a proclamation in accordance with the provisions of this section, the Secretary is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program, the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or persons. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

SEC. 14. (a) Effective on the date of the proclamation provided for in section 13 of this act, the corporate charter issued pursuant to the act of June 26, 1936 (49 Stat. 1967), as amended, to the Wyandotte Tribe of Oklahoma and ratified by the tribe on July 24, 1937, is hereby revoked.

(b) Effective on the date of the proclamation provided for in section 13 of this act, all powers of the Secretary or other officer of the United States to take, review, or approve any action under the constitution and bylaws of the tribe are hereby terminated. Any powers conferred upon the tribe by such constitution which are inconsistent with the provisions of this act are hereby terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and bylaws that is consistent with this act without the participation of the Secretary or other officer of the United States.

SEC. 15. Nothing in this act shall affect any claims heretofore filed against the United States by the tribe.

SEC. 16. Nothing in this act shall abrogate any water rights of a tribe or its members.

SEC. 17. The Secretary is authorized to issue rules and regulations necessary to effectuate the purposes of this act and may in his discretion provide for tribal referendums on matters pertaining to management or disposition of tribal assets.

SEC. 18. All acts or parts of acts inconsistent with this act are hereby repealed insofar as they affect the tribe or its members. The act of June 26, 1936 (49 Stat. 1967), and the act of June 18, 1934 (48 Stat. 984), as amended by the act of June 15, 1935 (49 Stat. 378), shall not apply to the tribe and its members after the date of the proclamation provided for in section 3 of this act.

SEC. 19. If any provision of this act, or the application thereof, to any person or circumstance is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MOTOR VEHICLE SERVICE EMPLOYEES, POST OFFICE DEPARTMENT

The Clerk called the bill (S. 4060) to amend section 607 of the Postal Field Service Compensation Act of 1955 to include employees in the Motor Vehicle Service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 607 of the Postal Field Service Compensation Act of 1955 is amended by inserting after the words "Postal Transportation Service" wherever they appear therein the words "and the Motor Vehicle Service." The heading of such section is amended to read as follows: "Employees in the Postal Transportation Service and the Motor Vehicle Service."

SEC. 2. As used in this section in reference to employees in the Motor Vehicle Service the term "assigned to road duty" means assignment to a Motor Vehicle Service route which is not less than 50 miles in length one way.

SEC. 3. Subsection (b) of section 605 of the Postal Field Service Compensation Act of 1955 is amended by inserting after the words "Postal Transportation Service" the words "and the Motor Vehicle Service."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADJUDICATING THE CONFLICTING CLAIMS OF THE NAVAHO AND HOPI INDIANS

The Clerk called the bill (S. 4086) to provide that the United States hold in trust for the Indians entitled to the use thereof the lands described in the Executive order of December 16, 1882, and for adjudicating the conflicting claims thereto of the Navaho and Hopi Indians, and for other purposes.

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. RHODES of Arizona. Mr. Speaker, reserving the right to object, I wonder if the gentleman from Texas has any question about the bill. I think it is a very meritorious bill. It involves the settling of a rather long dispute concerning boundaries of the Navaho and Hopi Reservations. I should like to say to the gentleman that the delegations on both sides of the Congress from the two States involved are in favor of the bill. After long and lengthy parley between these two tribal councils this method of settlement has been worked out. It seems like a particularly fair way in which to approach the matter, to allow a special three judge Federal Court to decide where this boundary should be.

Mr. ROGERS of Texas. Mr. Speaker, if the gentleman will yield, my understanding is that there were no hearings

on this bill and no report was furnished to the committee.

I think if hearings were had on this bill there would be a lot more disclosed than presently meets the eye. I feel that all interested parties, especially aggrieved Indians, should be heard.

Mr. Speaker, I am constrained to insist upon my unanimous consent request that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. RHODES of Arizona. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ROGERS of Texas. Mr. Speaker, I object.

PRIVACY OF GRAND AND PETIT JURIES

The Clerk called the bill (S. 2887) to further protect and assure the privacy of grand or petit juries in the courts of the United States while such juries are deliberating or voting.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That chapter 73 of title 18 of the United States Code is amended by adding at the end thereof the following new section:

"§ 1508. Recording, listening to, or observing proceedings of grand or petit juries while deliberating or voting.

"Whoever knowingly and willfully, by any means or device whatsoever—

"(a) records, or attempts to record, the proceedings of any grand or petit jury in any court of the United States while such jury is deliberating or voting; or

"(b) listens to or observes, or attempts to listen to or observe, the proceedings of any grand or petit jury of which he is not a member in any court of the United States while such jury is deliberating or voting—

"shall be fined not more than $1,000 or imprisoned not more than 1 year, or both.

"Nothing in paragraph (a) of this section shall be construed to prohibit the taking of notes by a grand or petit juror in any court of the United States in connection with and solely for the purpose of assisting him in the performance of his duties as such juror."

SEC. 2. The analysis of chapter 73 of title 18 of the United States Code is amended by adding at the end thereof the following:

"1508. Recording, listening to, or observing proceedings of grand or petit juries while deliberating or voting."

Mr. KEATING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD on the bill S. 2887.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, I rise in support of S. 2887, which is identical with my bill, H. R. 8546. Both measures outlaw eavesdropping on Federal juries and provide penalties of not more than $1,000 in fines and not more than 1 year in prison, or both.

I first became interested in this type of legislation last fall, when the disclosure was made that a law school research team was using recordings of jury deliberations as part of a study of the American jury system. After looking into the situation at some length, I was more than happy to introduce legislation recommended by the Attorney General to curb this practice, since his ideas and mine concurred on the problem.

There is not now any Federal law to prevent the bugging of jury rooms, but incidents such as that in Wichita indicate there is need for protective legislation. Only in this way can we provide adequate protection under the seventh amendment of our Constitution, which requires preservation of trial by jury.

The basis of our whole jury system is freedom of jurors in their thinking and deliberations about the case before them. If there is the slightest doubt in their minds that their discussions are not private and that some recording of their words is being made, it is apparent that their independence of deliberation may be threatened.

When a jury retires to consider evidence in a case, it must be free from all outside pressure. The jurors must rest easy in the assurance that nothing they say will go beyond the walls of the jury room. Any factors which might stifle their deliberations must be eliminated.

Mr. Speaker, nothing is more precious to the preservation of America as we know it, and particularly of the fine traditions of American justice, than the continuation of the integrity of our jury system and the sanctity of the jury room. The jury system is the bedrock on which our judicial structure is founded and is thus an essential in our concept of a free society. Any weakening of our jury system is undeniably a blow to the liberties of the American people.

In order to preserve the detachment of future juries, in order to retain the sacred privacy of the jury room, in order to insure the peace of mind of jurors in the days to come, we should pass the measure before us.

I think it is good, constructive legislation and deserves the support of all Members of this body.

Mr. VANIK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD on the bill S. 2887.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, when the revelation was made some time ago that the deliberations of certain Federal juries had been recorded without their knowledge, I thought it was one of the most glaring attacks ever made on the American jury system. The judge who sanctioned the study of jury deliberations certainly abused his discretion and provided the adverse party with grounds for new trial.

As a lawyer and as the former judge of a trial court, I have frequently disagreed with a jury's verdict. There are times when every judge must wonder whether a jury has fully understood its function and its serious responsibilities. However, the Court is vested with broad authority to grant a new trial or to modify a verdict on a finding that the verdict results in a miscarriage of justice or is unsupported by the evidence.

The integrity of our jury system must be preserved. The deliberations of all juries must be given the sanctity of secrecy. If the jury system is to be improved, it must be improved outside of the jury deliberation room. I urge the support of this vital legislation.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WORKING CAPITAL FUND OF NATIONAL BUREAU OF STANDARDS

The Clerk called the bill (S. 2060) to amend the act of March 3, 1901 (31 Stat. 1449), as amended, to incorporate in the Organic Act of the National Bureau of Standards the authority to use the working capital fund, and to permit certain improvements in fiscal practices.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to establish the National Bureau of Standards," approved March 3, 1901, as amended, is amended by striking out sections 7 and 8 and inserting in lieu thereof the following sections:

"SEC. 7. The Secretary shall charge for services performed under the authority of section 3 of this act, except in cases where he determines that the interest of the Government would be best served by waiving the charge. Such charges may be based upon fixed prices or cost. The appropriation or fund bearing the cost of the services may be reimbursed, or the Secretary may require advance payment subject to such adjustment on completion of the work as may be agreed upon.

"SEC. 8. In the absence of specific agreement to the contrary, additional facilities, including equipment, purchased pursuant to the performance of services authorized by section 3 of this act shall become the property of the Department of Commerce."

SEC. 2. Such act is further amended by striking out sections 11, 12, and 13 and inserting in lieu thereof the following sections:

"SEC. 11. (a) The Secretary of Commerce is authorized to accept and utilize gifts or bequests of real or personal property for the purpose of aiding and facilitating the work authorized therein.

"(b) For the purpose of Federal income, estate, and gift taxes, gifts, and bequests accepted by the Secretary of Commerce under the authority of this act shall be deemed to be gifts and bequests to or for the use of the United States.

"SEC. 12. (a) The National Bureau of Standards is authorized to utilize in the performance of its functions the working capital fund established by the act of June 29, 1950 (64 Stat. 275), and additional amounts as from time to time may be required for the purposes of said fund are hereby authorized to be appropriated.

"(b) The working capital of the fund shall be available for obligation and payment for any activities authorized by the act of March 3, 1901 (31 Stat. 1449), as amended, and for any activities for which provision is made in the appropriations which reimburse the fund.

"(c) In the performance of authorized activities, the working capital fund shall be available and may be reimbursed for expenses of hire of automobile, hire of consultants, and travel to meetings, to the extent that such expenses are authorized for the appropriations of the Department of Commerce.

"(d) The fund may be credited with advances and reimbursements, including receipt from non-Federal sources, for services performed under the authority of section 3 of this act.

"(e) As used in this act the term 'cost' shall be construed to include directly related expenses and appropriate charges for indirect and administrative expenses.

"(f) The amount of any earned net income resulting from the operation of the fund at the close of each fiscal year shall be paid into the general fund of the Treasury: *Provided*, That such earned net income may be applied first to restore any prior impairment of the fund."

With the following committee amendments:

Page 2, line 6, strike out "subect" and "adustment" and insert in lieu thereof "subject" and "adjustment", respectively.

Page 3, line 7, strike out "the act of March 3, 1901 (31 Stat. 1449)" and insert in lieu thereof "this act."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDUCATION BEYOND THE HIGH SCHOOL

The Clerk called the bill (H. R. 12237) to encourage and assist the States in the establishment of State committees on education beyond the high school, and for other purposes.

Mr. FORD. Mr. Speaker, reserving the right to object, I should like to point out that this bill, as I understand it, does go beyond the rules and regulations of the objectors committee in that it involves an appropriation of more than $1 million. I am told by the gentleman from Pennsylvania [Mr. McCONNELL] and perhaps will be told by the gentleman from North Carolina [Mr. BARDEN], that their budget request is only $800,000. But I have in my hand the official budget for this purpose for the fiscal year 1957 which indicates that the amount is $1,100,000.

Mr. McCONNELL. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Pennsylvania.

Mr. McCONNELL. Mr. Speaker, I understand that the request is for $800,000 for the States and additional sums are needed for the administrative activities of the President's Committee on the White House Conference for Higher Education. That would total more than $1 million.

Mr. McCORMACK. Mr. Speaker, would the gentleman yield?

Mr. FORD. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Mr. Speaker, I think we all appreciate the policy of the objectors committee, but in what we hope are the closing days of the Congress it seems to me that the objectors committee might make an exception where the only question involved has to do with the policy of the objectors committee. I make that observation because I think the circumstances justify it.

Mr. FORD. Mr. Speaker, there is some confusion about this. The total request is $1,100,000, with $800,000 for grants to the States and the sum of $300,000 for administrative expenses in the Washington office. Is that the understanding of the gentleman from North Carolina?

Mr. BARDEN. That is the understanding I have. The $800,000 is set out in the bill. I might say this to the gentleman, that this is in support of a committee a major part of which the President has already appointed and which has been in operation for some time through the use of some emergency fund which the President has. It has been suggested that they obtain this money from the Committee on Appropriations. At the time they presented the matter the Committee on Appropriations requested they get an authorization for it. Then the bill came to my committee. We added certain amendments to it. So now it is before this body. The amount requested was $800,000. The gentleman from Alabama [Mr. ELLIOTT] was chairman of the subcommittee that handled the bill. I will ask him if that is not correct.

Mr. ELLIOTT. I will say that the bill itself provides for an authorization of $800,000 for appropriation to States for their Committees on Education beyond the High School.

In addition the bill provides for an indeterminate amount for the President's Committee on Education Beyond the High School. The authorization does not specify an amount. It is my recollection that the President has allocated to this national committee the sum of $50,000. This, of course, will cut down on the amount of money that the committee would seek from the Congress. The bill specifically spells out the $800,000 figure for the State committees; it does not spell out the sum for the President's Committee. However, I would urge all Members of the House that we pass this bill so as to allow this undertaking to get fully and completely underway. To me, it is a fearful fact that Russia is producing many more doctors, scientists, technicians, and engineers each year than we are doing.

The hope of us all is that these committees will come up with the best possible recommendations for providing America's young brains the best possible opportunity to develop into the professional people that we need right now, and the professional people we will need in the future. To me it has always been highly regrettable that for each American boy or girl who can attend college in this country, there is another boy or girl of equal ability who cannot do so, for the reason purely and simply that he or she does not have the money to pay the costs of a college education. What a tragedy.

The growth of our young population in recent years indicates that within about 10 years there will be 3 college students for each 2 now in college; in about 15 years there will be double the number now attending college. Our society, the great American civilization constantly renews itself by the entrance of our young people into the streams of our industrial, political, business, and professional life. The question is not whether America can afford to provide educational opportunities for her young people. The question is whether she can afford not to do so.

Mr. FORD. Mr. Speaker, since the report and the statements made by the gentleman indicate that this is actually an authorization for $800,000; in other words, it is less than our $1 million limitation, I withdraw my reservation of objection.

Mr. BOW. Reserving the right to object, Mr. Speaker, I have the budget request in my hand, submitted as a supplemental appropriation to the Senate. The language of the budget request is:

For expenses of attendance at meetings, $1,100,000, of which $800,000 shall remain available until June 30.

So actually this request is for $1,100,000 for attendance at meetings. Therefore, Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. BARDEN. Will the gentleman withhold his request for a moment?

Mr. BOW. I withhold it, yes.

Mr. BARDEN. I hardly know what would happen legislatively if we have to follow the budget allocations; $800,000 is called for in this bill. The other amount is to be fixed at what the Budget thinks is necessary.

Mr. BOW. The bill provides for separate appropriations. One of them is $800,000 which comes under another section of the bill, authorizing the additional appropriation.

Mr. BARDEN. I am very flexible in this matter. I will send an amendment to the desk to cut $150,000 off this amount, if the gentleman wishes.

Mr. BOW. All right; if the gentleman has such an amendment, I will not oppose it.

Mr. BARDEN. This is not my bill. I am trying to protect your President. Your President is the one that set up the committee and put it into operation. I did not think it was very becoming of my committee to try to embarrass him.

Mr. BOW. I recognize that he is the gentleman's President also. If the gentleman has that amendment to offer, I am perfectly willing to withdraw my request.

Mr. BARDEN. I think I am a little more considerate of the gentleman than sometimes he is of me, but I thought I was carrying out my duty. However, may I say to the gentleman that all of this developed without any knowledge of the committee. It did not come to the committee until after the Committee on Appropriations refused the money, because it would have been subject to a point of order here on the floor. Then the matter came to our committee. We tried to do what I think the gentleman would have done under the circumstances. To be perfectly frank with the gentleman, I do not care whether you kill it or not.

Mr. BOW. Again I say to the gentleman, I will withdraw my request if he will offer the amendment about which he spoke.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Congress hereby finds and declares that the impending great increases in enrollment in higher education institutions, the great national need for increased numbers of scientists, engineers, teachers, technicians, nurses, and other trained personnel, the rapid changes in conditions which necessitate additional education for many adults, and the dependence of the national security on the research and advanced preparation provided by educational institutions, combine to make it imperative that immediate stimulus be given to planning and action throughout the Nation which will meet adequately the needs for education beyond the high school.

SEC. 2. (a) To encourage and assist each State to provide for a State committee on education beyond the high school, composed of educators and other interested citizens, to consider educational problems beyond the high school and to make recommendations for appropriate action to be taken by public and private agencies at local, State, regional, and Federal levels, there is hereby authorized to be appropriated the sum of $800,000. Sums appropriated pursuant to this section shall be allotted to the States on the basis of their respective populations according to the latest figures certified by the Department of Commerce except that no State's allotment shall be less than $7,500.

(b) The Commissioner of Education shall pay its allotment to each State which, through its governor or other State official designated by the governor, undertakes to accept and use the sums so paid exclusively for the purposes set forth in subsection (a), including the expenses of studies and conferences, and to have its State committee on education beyond the high school make a report of its findings and recommendations to the Commissioner for the use of the President's Committee on Education Beyond the High School. Sums appropriated pursuant to this section shall remain available until June 30, 1958, and any such sums remaining unpaid to the States or unobligated by them as of that date shall be returned to the Treasury.

SEC. 3. (a) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1957, and the fiscal year ending June 30, 1958, such sums as the Congress may determine, for the administration of this act and the expenses of the President's Committee on Education Beyond the High School.

(b) Persons (other than those whose travel expenses are payable from allotments under section 2 (a)), while away from their homes or regular places of business at conferences called by the President's Committee, and members of the committee, while attending conferences or on other business of the committee away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U. S. C. 73b-2) for persons in the Government service employed intermittently.

(c) The Secretary of Health, Education, and Welfare is authorized to appoint, without regard to the civil-service laws, an executive director for the President's Committee at a salary to be fixed by the Secretary, but not in excess of $14,000 per annum.

SEC. 4. The Commissioner is authorized to accept funds, equipment, personal services, and facilities donated for purposes of this act and to use the same in accordance with such purposes.

SEC. 5. For the purposes of this act the term "State" includes the District of Columbia, Alaska, Hawaii, Puerto Rico, and the Virgin Islands.

With the following committee amendments:

On page 2, line 2, insert "the impact of the military services on youth" and on page 2, line 12, after the word "levels" insert ", including the possibility of coordinating compulsory military service with established programs of institutions of higher education."

On page 3, line 14, after "School" add: "which committee insofar as practicable shall be composed of educators and educational administrators fairly representative of the large and small universities and colleges and geographically representative of the Nation."

On page 4, after line 15, add a new section as follows:

"SEC. 6. The President's Committee on Education Beyond the High School shall make its final report in writing to the President and to the Congress no later than December 31, 1957."

The committee amendments were agreed to.

Mr. BARDEN. Mr. Speaker, before I offer this amendment, may I ask the gentleman if I correctly understand him to predicate his withdrawal of his request on the offering of this $150,000 amendment?

Mr. BOW. That is correct.

Mr. BARDEN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BARDEN: On page 2, line 15, strike out "$800,000" and insert "$650,000."

The amendment was agreed to.

Mr. BARDEN. Mr. Speaker, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. BARDEN: On page 1, line 8, strike the word "and", and on page 2, line 2, insert the word "and" at the beginning of the line and insert a comma after the word "youth."

Mr. BARDEN. Mr. Speaker, the reason for that amendment is to make it conform exactly to the Senate bill which has already been passed by the other body, but which has not reached the House yet. Therefore, I thought it would simplify the matter of substitution when it did arrive.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from North Carolina [Mr. BARDEN].

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEVELOPMENT OF IMPROVED TRANSPORT AIRCRAFT

The Clerk called the bill (S. 2074) to extend for an additional 5 years the provisions of the act of September 30, 1950, entitled "An act to promote the development of improved transport aircraft by providing for the operation, testing, and modification thereof."

Mr. HAND. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

AMENDING WAR CLAIMS ACT OF 1948

The Clerk called the bill (H. R. 12144) to amend the War Claims Act of 1948, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I wonder if someone can tell us how much this involves?

Mr. BENNETT of Michigan. I cannot tell the gentleman exactly the amount involved, but it requires no appropriation.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph (2) of subsection (e) of section 6 of the War Claims Act of 1948, as amended, is amended by adding the following at the end thereof: "For the purposes of this paragraph, if any prisoner of war has been determined to be dead for purposes of the Missing Persons Act, as amended, and the determination was not made on the basis of evidence given by persons who had personal knowledge of the death of the prisoner of war, then the Commission may fix any date before April 22, 1953, as the date of such death, using such presumptions and evidence as the Commission may find to be reasonable, and such prisoner of war shall be presumed to have been held as a prisoner of war from the date of his capture to the date fixed by the Commission under sentence."

SEC. 2. Paragraph (3) of subsection (e) of section 6 of such act is amended by adding at the end thereof the following: "For the purposes of this paragraph, if any prisoner of war has been determined to be dead for purposes of the Missing Persons Act, as amended, and the determination was not made on the basis of evidence given by persons who had personal knowledge of the death of the prisoner of war, then the Commission may fix any date before April 22, 1953, as the date of such death, using such presumptions and evidence as the Commission may find to be reasonable, and such prisoner of war shall be presumed to have been held as a prisoner of war from the date of his capture to the date fixed by the Commission under this sentence."

SEC. 3. With respect to additional awards authorized solely by reason of the amendments made by this act, the Commission shall complete its determinations not later than 1 year after the date of enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BENNETT of Michigan. Mr. Speaker, I appreciate the action just taken by the House in approving my bill (H. R. 12144) to amend the War Claims Act to provide better treatment for dependents of servicemen who lost their lives as prisoners of war in Korea.

The bill provides that the War Claims Commission is to be authorized, where the findings of death made by the military departments are not based upon direct evidence, to fix any date falling before April 22, 1953—the date on which repatriation of American prisoners of war in Korea began—as the date of

death, using such presumptions and evidence as the Commission may find to be reasonable. For example, where no direct evidence is available to the Commission upon which to base its determinations with respect to the duration of captivity, the Commission may presume such captivity terminated by the death of such prisoner of war on April 21, 1953, or the Commission may establish any earlier date as the termination of such captivity in the light of evidence or presumptions in support of such a finding. In addition the Commission, under the bill, may make a presumption that any prisoner remained alive and in the hands of the enemy for any specified period after he was last known to be alive. The last section of the bill provides that the Commission's determinations with respect to additional awards under the bill shall be completed within 1 year.

The Commission has advised me there are approximately 300 cases where the death of the serviceman prisoner of war was based purely upon hearsay and highly speculative evidence. Under this legislation the Commission may make new findings as to the date of death, and where there is reasonable doubt involved, it is intended that the Commission shall fix the date of repatriation—April 22, 1953—as the date of death.

It is the intention of the committee that upon enactment of this bill it will be interpreted in such a way that all doubts as to the date of death of any prisoner of war in Korea shall be resolved in favor of the surviving claimants No new claims are authorized to be filed under the provisions of this bill.

AMENDING SECTION 7 OF THE WAR CLAIMS ACT OF 1948

The Clerk called the bill (H. R. 6586) to amend section 7 of the War Claims Act of 1948, with respect to claims of certain religious organizations functioning in the Philippine Islands.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, effective as of August 1, 1955, section 7 of the War Claims Act of 1948, as amended, is amended by adding at the end thereof the following subsection:

"(h) Notwithstanding the provisions of subsections (a), (b), and (c) of this section relating to eligibility, and subsection (f) relating to the time within which claims must be filed, adjudicated, and paid, the Commission is authorized to adjudicate and provide for the payment of any claim filed by any religious organization functioning in the Philippine Islands for reimbursement of expenditures incurred or for payment of the fair value of supplies used by such organization for the purpose of furnishing shelter, food, clothing, hospitalization, medicines, and medical services and other relief in the Philippines to members of the Armed Forces of the United States or to civilian American citizens (as defined in section 5) at any time subsequent to December 6, 1941, and before August 15, 1945, and to adjudicate and provide for payment of any claim by any religious organization functioning in the Philippine Islands for the loss and damage sustained as a consequence of the war to its schools, colleges, universities, scientific observatories, hospitals, dispensaries, orphanages, and other property or facilities connected with its educational, medical, or welfare work in the Philippine Islands: *Provided*, That such religious organization (1) is of the same denomination as a religious organization functioning in the United States; (2) has filed its claim in the Commission on or before October 1, 1952; (3) has received an award for war damages from the Philippine War Damage Commission under the provisions of the Philippine Rehabilitation Act of 1946, as amended; (4) has not previously received an award from the Commission under 7; (5) shall petition the Commission within 30 days from the effective date hereof for a rehearing and adjudication of its claim: *And provided further*, That (6) the Commission shall adjudicate all claims filed under this subsection not later than December 31, 1955, and shall certify such claims as may be allowed to the Secretary of the Treasury for payment out of the War Claims Fund established by section 13 of this act; (7) all payments shall be made to an organization or individual in the United States designated by the claimant, and all money thus paid shall be used for the purpose of restoring the educational, medical, and welfare facilities described hereinabove."

With the following committee amendment:

Strike out all after the enacting clause and insert "That section 7 of the War Claims Act of 1948 (50 App. U. S. C., sec. 2006) is amended by adding at the end thereof the following new subsection:

"'(h) (1) Any religious organization functioning in the Philippines and of the same denomination as a religious organization functioning in the United States which furnished relief (as described, and during the period designated, in subsection (a) of this section) in the Philippines to members of the Armed Forces of the United States or to civilian American citizens shall be compensated from the War Claims Fund (A) for expenditures incurred, or for payment of the fair value of supplies used by such organization, for the purpose of furnishing such relief and (B) for loss and damage sustained as a consequence of the war to its schools, colleges, universities, scientific observatories, hospitals, dispensaries, orphanages, and other property or facilities connected with its educational, medical, or welfare work. No payments shall be made to any organization under this subsection if such organization has received an award under subsection (a) or (b) of this section, and no payments shall be made to any organization pursuant to clause (B) of this paragraph unless such organization has received an award for war damages from the Philippine War Damage Commission under the provisions of the Philippine Rehabilitation Act of 1946, as amended.

"'(2) The Commission is authorized to receive, determine according to law, and provide for the payment of claims filed under this subsection. Each claim allowed by the Commission under this subsection shall be certified to the Secretary of the Treasury for payment out of the War Claims Fund. All payments under this subsection shall be made to an organization or individual in the United States designated by the claimant, and, in the case of claims under clause (B) of paragraph (1) of this subsection such payments shall be used for the purpose of restoring the educational, medical, and welfare facilities described in such clause.

"'(3) Claims for benefits under this subsection must be filed within 6 months after the date of enactment of this subsection. The Commission shall complete its determination with respect to each claim filed under this subsection at the earliest practicable date, but in no event later than 1 year after the date on which such claim was filed.

"'(4) Claims filed pursuant to clause (B) of paragraph (1) of this subsection shall be determined and paid upon the basis of postwar cost of replacement for the 12-month period ending October 1, 1952, as ascertained by the Commission.'"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING TITLE III OF THE PUBLIC HEALTH SERVICE ACT

The Clerk called the bill (S. 3430) to amend title III of the Public Health Service Act, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title III of the Public Health Service Act (42 U. S. C., chapter 6A, subchapter II), is amended by adding at the end thereof the following new part:

"PART H—NATIONAL LIBRARY OF MEDICINE

"Purpose and establishment of library

"SEC. 371. In order to assist the advancement of medical and related sciences, and to aid the dissemination and exchange of scientific and other information important to the progress of medicine and to the public health, there is hereby established in the Public Health Service a National Library of Medicine (hereinafter referred to in this part as the 'Library').

"Functions of the Library

"SEC. 372. (a) The Surgeon General, through the Library and subject to the provisions of subsection (c), shall —

"(1) acquire and preserve books, periodicals, prints, films, recordings, and other library materials pertinent to medicine;

"(2) organize the materials specified in clause (1) by appropriate cataloging, indexing, and bibliographical listing;

"(3) publish and make available the catalogs, indexes, and bibliographies referred to in clause (2);

"(4) make available, through loans, photographic or other copying procedures or otherwise, such materials in the Library as he deems appropriate;

"(5) provide reference and research assistance; and

"(6) engage in such other activities in furtherance of the purposes of this part as he deems appropriate and the Library's resources permit.

"(b) The Surgeon General may exchange, destroy, or otherwise dispose of any books, periodicals, films, and other library materials not needed for the permanent use of the Library.

"(c) The Surgeon General is authorized, after obtaining the advice and recommendations of the Board (established under section 373), to prescribe rules under which the Library will provide copies of its publications or materials, or will make available its facilities for research or its bibliographic, reference, or other services, to public and private agencies and organizations, institutions, and individuals. Such rules may provide for making available such publications, materials, facilities, or services (1) without charge as a public service, or (2) upon a loan, exchange, or charge basis, or (3) in appropriate circumstances, under contract arrangements made with a public or other nonprofit agency, organization, or institution.

"Board of Regents

"SEC. 373. (a) There is hereby established in the Public Health Service a Board of Regents of the National Library of Medicine (referred to in this part as the 'Board') consisting of the Surgeons General of the Public Health Service, the Army, the Navy,

and the Air Force, the Chief Medical Director of the Department of Medicine and Surgery of the Veterans' Administration, the Assistant Director for Biological and Medical Sciences of the National Science Foundation, and the Librarian of Congress, all of whom shall be ex officio members and 10 members appointed by the President, by and with the advice and consent of the Senate. The 10 appointed members shall be selected from among leaders in the various fields of the fundamental sciences, medicine, dentistry, public health, hospital administration, pharmacology, or scientific or medical library work, or in public affairs. At least six of the appointed members shall be selected from among leaders in the fields of medical, dental, or public health research or education. The Board shall annually elect one of the appointed members to serve as Chairman until the next election. The Surgeon General shall designate a member of the Library staff to act as executive secretary of the Board.

"(b) It shall be the duty of the Board to advise, consult with, and make recommendations to the Surgeon General on important matters of policy in regard to the Library, including such matters as the acquisition of materials for the Library, the scope, content and organization of the Library's services, and the rules under which its materials, publications, facilities, and services shall be made available to various kinds of users, and the Surgeon General shall include in his annual report to the Congress a statement covering the recommendations made by the Board and the disposition thereof. The Surgeon General is authorized to use the services of any member or members of the Board in connection with matters related to the work of the Library, for such periods, in addition to conference periods, as he may determine.

"(c) Each appointed member of the Board shall hold office for a term of four years, except that (A) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (B) the terms of the members first taking office after the date of enactment of this part shall expire as follows: three at the end of four years after such date, three at the end of three years after such date, two at the end of two years after such date, and two at the end of one year after such date, as designated by the President at the time of appointment. None of the appointed member shall be eligible for reappointment within one year after the end of his preceding term.

"(d) Appointed members of the Board who are not otherwise in the employ of the United States, while attending conferences of the Board or otherwise serving at the request of the Surgeon General, shall be entitled to receive compensation at a rate to be fixed by the Secretary of Health, Education, and Welfare, but not exceeding $50 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U. S. C. 73b-2) for persons in the Government service employed intermittently.

"Gifts to Library

"SEC. 374. The provisions of section 501 shall be applicable to the acceptance and administration of gifts made for the benefit of the Library or for carrying out any of its functions, and the Surgeon General shall make recommendations to the Secretary of Health, Education, and Welfare relating to establishment within the Library of suitable memorials to the donors.

"Definitions

"SEC. 375. For purposes of this part the terms 'medicine' and 'medical' shall, except when used in section 373, be understood to include preventive and therapeutic medicine, dentistry, pharmacy, hospitalization, nursing, public health, and the fundamental sciences related thereto, and other related fields of study, research, or activity.

"Library facilities

"SEC. 376. There are hereby authorized to be appropriated sums sufficient for the erection and equipment of suitable and adequate buildings and facilities for use of the Library in carrying out the provisions of this part. The Administrator of General Services is authorized to acquire by purchase, condemnation, donation, or otherwise, a suitable site or sites, selected by the Surgeon General after consultation with the Board, in or near the District of Columbia for such buildings and facilities and to erect thereon, furnish, and equip such buildings and facilities. The sums herein authorized to be appropriated shall include the cost of preparation of drawings and specifications, supervision of construction, and other administrative expenses incident to the work. The Administrator of General Services shall prepare the plans and specifications, make all necessary contracts, and supervise construction.

"Transfer of Armed Forces Medical Library

"SEC. 377. All civilian personnel, equipment, library collections, other personal property, records, and unexpended balances of appropriations, allocations, and other funds (available or to be made available), which the Director of the Bureau of the Budget shall determine to relate primarily to the functions of the Armed Forces Medical Library, are hereby transferred to the Service for use in the administration and operation of this part. Such transfer of property, funds, and personnel, and the other provisions of this part, shall become effective on the first day, occurring not less than 30 days after the date of enactment of this part, which the Director of the Bureau of the Budget determines to be practicable."

SEC. 2. This act may be cited as the "National Library of Medicine Act."

With the following committee amendments.

Page 7, lines 2 and 3, strike out the words "after consultation with" and insert in lieu thereof "in accordance with the direction of."

Page 7, line 3, strike out the words "in or near the District of Columbia."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. YATES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. YATES. Mr. Speaker, the Armed Forces Medical Library is the greatest library of its type in the world. Its collection is priceless. The data and material which it has collected are unique among libraries of this type. It is essential, therefore, that this bill be passed, for the valuable collection is housed in dilapidated and unsafe ramshackle buildings.

The bill provides for the library building to be located in a place selected by the Board of Regents. It is expected that the Board of Regents will consider every possible location where such a library should be situated, including such outstanding medical centers as the city of Chicago, the city of Boston, and the city of New York, and others. It is not expected that the Board of Regents will automatically select the District of Columbia merely because the central offices of the Public Health Service happen to be located here. It is intended that this library shall be a living institution—one that is readily available to all who seek medical knowledge and progress. It must not become a mausoleum or a tomb where the irreplaceable tracts and documents will be buried and unavailable to students of medicine.

I believe that when the Board of Regents comes to its decision, it will select the city of Chicago.

In the city of Chicago are located the headquarters of more national medical organizations than in any other city in the United States. Among these organizations are:

American Medical Association.
American Hospital Association.
American Dental Association.
American College of Surgeons, International College of Surgeons.
American Osteopathic Association.
American Academy of Dermatology and Syphilology.
American Academy of Obstetrics and Gynecology.
American Academy of Orthopedic Surgery.
American Association of Medical Record Librarians.
American Association of Nurse Anesthetists.
American College of Chest Physicians.
American College of Hospital Administrators.
American College of Radiology.
American Congress of Physical Medicine.
American Council on Pharmaceutical Education.
American Medical Women's Association, Inc.
American Society of Anesthesiologists.
American Surgical Trade Association.
American Veterinary Medical Association.
Association of American Medical Colleges.
Association of American Physicians and Surgeons, Inc.
Brain Research Foundation.
International Association of Accident and Health Underwriters.
Multiple Sclerosis Foundation of America.
Muscular Dystrophy Associations of America, Inc.
National Association of Boards of Pharmacy.
National Association of Retail Druggists, and many others.

In the city of Chicago there are accredited medical schools of high quality, such as the University of Chicago School of Medicine, Northwestern University Medical School, Chicago Medical College, University of Illinois School of Medicine, and Loyola University School of Medicine.

There are research institutes such as the Hektoen Institute of the Cook County Hospital, the Nelson Morris Institute of Michael Reese Hospital and its Psycosomatic Institute, the Otho A. Sprague Memorial Institute.

Approximately 100 hospitals are located in Chicago. These include the Cook County Hospital, the Billings Memorial Hospital, the group associated with Northwestern University which includes Passavant, Wesley, and the veterans' hospital.

The city of Chicago has a municipal tuberculosis sanitarium which is one of the largest and best recognized in the world and associated with it other institutions such as dispensaries and sanitariums.

In all of these institutions medical research is carried on of a high order and on a considerable scale.

Because of its central location the city of Chicago more often than any other city in the country welcomes conventions and assemblies of doctors, including regularly the annual meeting of the American Academy of Ophthalmology and Otolaryngology, the American Academy of Dermatology, the American Academy of Gynecology and Obstetrics, and the American Academy of Orthopedic Surgery. To these conventions come many thousands of physicians who are interested in the advancement of medical science.

So much interest has been displayed in the possible location of the National Library of Medicine where it would serve a far wider range of persons and institutions in the field of medicine than if it were located in any other city that the Medical Center has offered as a gift nine acres of ground, and similarly the University of Chicago and Northwestern University have offered to make land available in the medical centers under their jurisdiction for the building of this library.

Mr. Speaker, I urge passage of this bill.

Mr. YATES. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. O'BRIEN] may extend his remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'BRIEN of Illinois. Mr. Speaker, I favor passage of the bill to create the National Library of Medicine.

This bill is concerned with the greatest medical library in the world, which is now known as the Armed Forces Medical Library. It contains almost a million books and pamphlets. It also houses portraits and photographs of outstanding medical men, and the completeness of its periodicals makes it preeminent in the field of scientific research libraries. The need for the bill at this time is because these precious scientific books and publications are housed in extremely poor facilities in buildings which make the library susceptible to destruction by fire or storm. This bill proposes to build facilities which would provide adequate housing for the library.

No one disputes the fact that a good library building should be constructed. Such a building is imperative. The dispute arises as to where the building should be located, whether in the District of Columbia or in the city of Chicago. We think it should be located in the city of Chicago. We hope the Board of Regents will see fit to select Chicago as the new site for the library.

Chicago is the logical place to establish the National Library of Medicine for the following reasons:

First. Chicago is ideally situated geographically. It is close to the center of the country and to the center of population. It is easily accessible by railroad and its airports have the greatest traffic of any city in the country. In a few years it is anticipated that the St. Lawrence Seaway will make the city of Chicago a world port bringing visitors from all over the globe.

Second. Chicago is a center of medical education. It has five major accredited medical schools and almost 100 hospitals. The Medical Center which is well on its way to completion on the southwest side of the city, will place Chicago in the forefront of medical progress among the great cities of the world.

Third. All major medical societies are located in the city of Chicago. We now have the national offices of the American Medical Association, the American Dental Association, the American College of Surgeons, the American Hospital Association, the Association of American Medical Colleges, and many others. As of 1940, 24 national medical journals were published in Chicago, including the official journals of the American Medical Association, and other such groups. The Chicago area has more persons employed in medical and health activities than any other major metropolitan area except New York City. This is true as well, for persons employed in manufacturing drugs and medicines. The Chicago area, too, has more physicians, surgeons, and dentists in active practice than any other city except New York.

Mr. Speaker, I could continue indefinitely to list the many attainments which have given Chicago such an outstanding place in the medical world. I feel certain that when the Board of Regents makes its investigation and its determination of the place where the library should be located, it will select Chicago.

Mr. YATES. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. BOWLER] may extend his remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BOWLER. Mr. Speaker, I rise in support of this bill. It is a good bill. It has been evident for a long time that the very valuable books and documents of the Armed Forces Medical Library should be placed in adequate housing.

For some weeks a dispute has existed as to whether the new library should be located in the District of Columbia or in the city of Chicago. I, of course, am firmly of the opinion that the library should be located in Chicago because of the many advantages Chicago offers to the medical profession, to the Armed Forces, and to the people of our Nation.

I am particularly interested that it should be in Chicago because of the location in my district of the greatest medical center in our country, if not in the world. Located on the near west side of Chicago, the medical center district is an area of 305 acres, set apart by the State legislature for the expansion and development of medical institutions. It is within a few minutes' ride of the downtown loop business district, along the new Congress Expressway.

The district contains three hospitals, with 5,600 beds, including Cook County Hospital, which is the largest general hospital in the world. Within it are located 3 medical colleges, a postgraduate school of medicine, 2 dental colleges, 3 schools of nursing, a college of pharmacy, and a dozen other related institutions. More than 3,000 students are enrolled in its professional schools. Approximately 2,500 physicians come to the medical center each year for postgraduate studies. Since 1951, 15 new medical institutions have been completed within the district. Another unit is under construction at the present time, and plans have been made for additional medical facilities in the near future. This unique concentration of medical service, research, and education makes this area the foremost of all medical centers. It is the natural location for the new National Library of Medicine.

The Chicago Medical Center is under the supervision of the medical center commission. Drs. Walter H. Theobald and Karl A. Meyer are among the most distinguished men of medicine in the Nation. They are the guiding lights and dynamic force building this great center dedicated to the welfare of men, women, and children everywhere. They have foreseen the need for this library as an adjunct to the work of their dynamic medical community. They have offered to donate a valuable tract of land in the heart of the medical center, containing approximately 8½ acres, as a base for the library building. Their generosity should be noted by the Board of Regents.

Chicago is the natural location for the new National Library of Medicine. I feel certain that the board of regents, when appointed, will agree with this conclusion.

GREAT PLAINS CONSERVATION PROGRAM

The Clerk called the bill (H. R. 11833) to amend the Soil Conservation and Domestic Allotment Act and the Agricultural Adjustment Act of 1938 to provide for a Great Plains conservation program.

Mr. ASPINALL. Mr. Speaker, because of the appropriation authorized by this bill, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DEPARTMENT OF AGRICULTURE

The Clerk called the bill (H. R. 11682) to facilitate the control and eradication of certain animal diseases, to facilitate the carrying out of agricultural and related programs, to facilitate the agricultural attaché program, to facilitate the operations of the Farmers' Home Administration, the Federal Crop Insurance Corporation, and the Forest Service, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, this is a rather lengthy bill and covers a number of subjects. There is, however, no departmental report included, as a part of the committee report so we, on the "committee of objectors," are unable to determine whether this bill is in accordance with the Department's recommendation.

Mr. COOLEY. This bill has been prepared actually by the Department of Agriculture. It was submitted to us in a communication and came to the committee in the form in which it is now presented. It has the support of the Department of Agriculture. I might say that we refer to this as the housekeeping bill because through the years the Committee on Appropriations has provided appropriations for the Department of Agriculture to carry on certain activities for which authorizing legislation had been based on the organic act.

Mr. BYRNES of Wisconsin. I understand this is very similar as far as its objectives are concerned to the bill that we received last week from the Committee on Armed Services, namely, to put into the basic law some of the legislative provisions which have been incorporated in appropriations acts; is that correct?

Mr. COOLEY. That is correct.

Mr. BYRNES of Wisconsin. In that bill we ran into several items that were controversial. Can the gentleman advise us whether there are any provisions in this bill that are controversial?

Mr. COOLEY. I do not think there is any controversy about it. It was unanimously reported by our committee. I have a letter of May 25, 1956, addressed to the Speaker of the House.

Mr. BYRNES of Wisconsin. I must assume there is no objection, if it was unanimously reported.

Mr. FORD. Mr. Speaker, further reserving the right to object, I would like to ask the gentleman whether this legislation has been checked by the ranking member of the Subcommittee on Agriculture for Appropriations, the gentleman from Mississippi [Mr. WHITTEN], and the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. COOLEY. The action of that committee precipitated the necessity for this bill. They have been granting legislative authority on appropriation bills. Certainly it seems entirely proper for the legislative committee to take action pending obtaining permission of the members of the Appropriations Subcommittee on Agriculture. The gentleman from Kansas is here, and he can speak for himself.

Mr. HOPE. I do not understand why the members of the Subcommittee on Agriculture Appropriations should object to this bill, because they have been doing these things that we are trying to correct because they felt it was the proper thing to do, from an appropriation standpoint. But the authority does not exist for the provisions they have put into the appropriation bill. What we are trying to do is assist them by granting authority in legislation to continue what they have been doing. There is not an item in this bill that was not here except that it has been carried in an appropriation bill in recent years.

Mr. FORD. It is my understanding that there are at least perhaps three items which were not in the fiscal 1957 appropriation.

Mr. COOLEY. There are three items that are not legislation. That is section 8, section 12, and section 13, but all of those 3 sections are supported by the Department of Agriculture, after full and complete hearings, and approved by the membership of our committee.

Mr. FORD. Mr. Speaker, I withdraw my objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "Department of Agriculture Organic Act of 1956."

SEC. 2. Section 11 of the act of May 29, 1884, as added by the act of September 21, 1944 (21 U. S. C. 114a), and as amended, is hereby further amended to read as follows:

"SEC. 11. The Secretary of Agriculture, either independently or in cooperation with States or political subdivisions thereof, farmers' associations and similar organizations, and individuals, is authorized to control and eradicate tuberculosis and paratuberculosis of animals, avian tuberculosis, brucellosis of domestic animals, southern catttle ticks, hog cholera and related swine diseases, scabies in sheep and cattle, dourine in horses, scrapie and blue tongue in sheep, incipient or potentially serious minor outbreaks of diseases of animals, and contagious or infectious diseases of animals (such as foot-and-mouth disease, rinderpest, and contagious pleuropneumonia) which in the opinion of the Secretary constitute an emergency and threaten the livestock industry of the country, including the payment of claims growing out of destruction of animals (including poultry), and of materials, affected by or exposed to any such disease, in accordance with such regulations as the Secretary may prescribe. As used in this section, the term 'State' includes the District of Columbia and the Territories and possessions of the United States."

SEC. 3. Section 2 of the act of February 28, 1947 (21 U. S. C. 114c) is hereby amended by inserting, immediately following the word "act" where it first appears therein the following: "and section 11 of the act of May 29, 1884, as added by the act of September 21, 1944, insofar as said act relates to diseases which in the opinion of the Secretary constitute an emergency and threaten the livestock industry of the country."

SEC. 4. Funds available for carrying out the activities of the Department of Agriculture shall be available for expenses of advisory committees, including travel expenses in accordance with the provisions of section 5 of the Administrative Expenses Act of 1946, as amended.

SEC. 5. The Department of Agriculture is authorized to furnish subsistence to employees without consideration as, or deduction from, the compensation of such employees where warranted by emergency condition connected with the work under such regulations as the Secretary of Agriculture may prescribe.

SEC. 6. (a) Section 14 of the Soil Conservation and Domestic Allotment Act (as added by the act of February 29, 1936 (16 U. S. C. 590n), is amended by adding at the end thereof the following: "Payments to claimants under sections 7 to 17, inclusive, of this act may be made upon the certificate of the claimant, which certificate shall be in such form as the Secretary of Agriculture may prescribe, that he has carried out the conservation practice or practices and has complied with all other requirements as conditions for such payments and that the statements and information contained in the application for payment are correct and true, to the best of his knowledge and belief, under the penalties of title 18, United States Code."

(b) Payments of grants under sections 7 to 17 of the Soil Conservation and Domestic Allotment Act, as amended, may be conditioned upon the utilization of land with respect to which such payments or grants are to be made in conformity with farming practices which will encourage and provide for soil-building and soil- and water-conserving practices in the most practical and effective manner and adapted to conditions in the several States, as determined and approved by the State committees appointed pursuant to section 8 (b) of such act, for the respective States.

(c) Section 11 of the Soil Conservation and Domestic Allotment Act, as amended (16 U. S. C. 590k), is amended to read as follows:

"SEC. 11. All funds available for carrying out this act shall be available for allotment to the bureaus and offices of the Department of Agriculture and for transfer to such other agencies of the Federal or State Governments, or to local public agencies, as the Secretary may request to cooperate or assist in carrying out this act, and for payments to committees or associations of producers in any region or regions to cover the estimated administrative expenses to be incurred by any such committee or association in cooperating in carrying out this act: *Provided*, That the Secretary may prescribe that all or part of such estimated expenses of any such committee or association may be deducted pro rata from the payments or grants made to the members thereof: *Provided further*, That the Secretary may make such payments in advance of determination of performance: *Provided further*, That the transfer of funds for services of technicians in formulating and carrying out agricultural conservation programs, from allotments for agricultural conservation payments within a State, shall be subject to such limitations and conditions as may be provided in appropriation or other law. Funds so transferred may be placed in a single account for each State."

SEC. 7. Section 392 (b) of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 139 (b)), is amended changing the period at the end of the first sentence to a comma and adding the words "unless otherwise provided by appropriation or other law." and by changing the period at the end of the second sentence to a comma and adding the words "unless otherwise provided by appropriation or other law.".

SEC. 8. Section 606 of title VI of the Agricultural Act of 1954 (7 U. S. C. 1766) is amended by adding at the end thereof the following: "Funds available for the purposes of this act may be used for extending courtesies to representatives of foreign countries, when so provided in appropriation or other law."

SEC. 9. (a) Section 4 of the act of July 22, 1937, as amended (7 U. S. C. 1004), is hereby amended by inserting before the period at the end thereof the following: "*: Provided further*, That there may be distributed to States and Territories such amounts as may be provided in applicable appropriations, in addition to the amount otherwise distributed thereto, for loans in reclamation projects and to entrymen on unpatented public lands."

(b) When authorized by appropriation or other law, funds of the Farmers' Home Administration available for administrative expenses may be placed in a single account.

SEC. 10. Section 516 (a) of the Federal Crop Insurance Act, as amended (7 U. S. C. 1516 (a)), is amended to read as follows:

"(a) There are hereby authorized to be appropriated such sums, not in excess of $12 million for each fiscal year beginning after June 30, 1938, as may be necessary to cover the operating and administrative costs of the Corporation, which shall be allotted to the Corporation in such amounts and at such time or times as the Secretary of Agriculture may determine: *Provided*, That expenses in connection with the purchase, transportation, handling, or sale of the agricultural commodity and the direct cost of loss adjusters for crop inspections and loss adjustments may be considered by the Corporation as being nonadministrative or nonoperating expenses. The Corporation is authorized to use premium income for administrative and operating costs within limits prescribed in applicable appropriations."

SEC. 11. (a) The Department of Agriculture is authorized to acquire land, or interest therein, by purchase, exchange or otherwise, as may be necessary to carry out its authorized work: *Provided*, That no acquisition shall be made under this authority unless provision is made therefor in the applicable appropriation or other law.

(b) Appropriations for the Department of Agriculture which are available for the purchase of land may be expended for options to purchase land: *Provided*, That not to exceed $1 may be expended for each option to purchase any particular tract or tracts of land unless otherwise provided in appropriation or other law.

SEC. 12. Under such regulations as may be prescribed by the Secretary of Agriculture, funds available to the Department of Agriculture may be used for the payment of transportation expenses and per diem in lieu of subsistence expenses, in accordance with the Travel Expense Act of 1949, for travel between places of recruitment and duty, and while at places of duty, of persons appointed for temporary or seasonal services in inspection, classing or grading agricultural commodities.

SEC. 14. There is hereby established a working capital fund which shall be available without fiscal year limitation for expenses necessary, including the purchase or construction of buildings and improvements within the limitations thereon set forth in the appropriations for the Forest Service, for furnishing supply and equipment services in support of programs of the Forest Service. The Secretary of Agriculture is authorized to transfer to the fund, without reimbursement, and to capitalize in the fund at fair and reasonable values, such receivables, inventories, equipment, and other assets as he may determine, and assume the liabilities in connection with such assets, but such capitalization shall not exceed $25 million: *Provided*, That the fund shall be credited with advance payments in connection with firm orders and reimbursements from appropriations and funds of the Forest Service, other departmental and Federal agencies, and from other sources, as authorized by law, at rates approximately equal to the cost of furnishing the facilities and service.

With the following committee amendments:

Page 2, line 21, after "District of Columbia", insert "Puerto Rico";

Page 8, line 4, strike out "14" and insert "13."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE SECRETARY OF COMMERCE TO SELL CERTAIN WAR-BUILT VESSELS

The Clerk called the resolution (H. J. Res. 676) to authorize the Secretary of Commerce to sell certain war-built vessels.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the present consideration of the resolution?

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That (a) notwithstanding the provisions of section 11 of the Merchant Ship Sales Act of 1946, as amended, and section 510 (h) of the Merchant Marine Act, 1936, as amended, the Secretary of Commerce is authorized to sell within 1 year after the enactment of this joint resolution, to a citizen of the United States, within the meaning of section 2 of the Shipping Act, 1916, as amended, for employment on essential trade routes 3 and 4 to Cuba and Mexico, two C4–S–B2 vessels, to be designated by the Maritime Administrator on an as, where is, basis, provided that the Secretary of Commerce shall determine before entering into such sales that the purchaser possesses the ability, experience, financial resources, and other qualifications necessary to enable it to operate and maintain the vessels in service on that portion of essential trade routes 3 and 4 between Atlantic coast ports of the United States and Cuba and Mexico and to maintain adequate service on such portion of such routes. The sales prices of the vessels shall be their sales prices computed under the Merchant Ship Sales Act of 1946, as of January 15, 1951, depreciated (after reduction for residual value) on a straight-line basis for the period from January 15, 1951, to the date of execution of the contract of sale, on the basis of the portion of a 20-year useful life of the vessels remaining after January 15, 1951.

(b) Each such sale shall be on the basis of the payment by the purchaser of not less than 25 percent of the vessel sales price at the time of execution of the vessel sales contract, with the balance payable in approximately equal annual installments over the remainder of the economic life of the vessel, which economic life is to be determined by the Maritime Administration, with interest on the portion of the vessel sales price remaining unpaid at the rate of 3½ percent per annum. The obligation of the purchaser with respect to payment of such unpaid balance, with interest, shall be secured by a preferred mortgage on the vessels in form satisfactory to the Maritime Administrator.

(c) (1) Such sales shall be made upon condition and agreement that the purchaser recondition the vessels satisfactory to the Secretary of Commerce in a domestic shipyard for use as container ships.

(2) Vessels sold under this act shall be employed exclusively as dry cargo common carriers on that portion of essential trade routes 3 and 4 between Atlantic coast ports of the United States and Cuba and Mexico, until the end of their useful lives, as determined under subsection (b) of this act, or until they are replaced by new tonnage, whichever happens first. These restrictions shall run at law and in equity with the titles to the vessels and are binding upon all subsequent owners.

(d) Any contract of sale executed under authority of this act shall provide that in the event the United States shall, through purchase or requisition, acquire ownership of any such vessel, the owner shall be paid therefor the value thereof, but in no event shall such payment exceed the actual depreciated sales price under such contract (together with the actual depreciated cost of capital improvements thereon); that in computing the depreciated acquisition cost of such vessel, the depreciation shall be computed on the vessel on the schedule adopted or accepted by the Secretary of the Treasury for income tax purposes as applicable to such vessels; that such vessel shall remain documented under the laws of the United States during the remainder of the economic life of the vessel or as long as there remains due the United States any principal or interest on account of the sales price, whichever is the longer period; and that the foregoing provisions respecting the requisition or the acquisition of ownership by the United States, and documentation shall run with the title to such vessel and be binding on all owners thereof.

With the following committee amendments:

Page 1, line 8, between the word "to" and "a", insert "the highest responsible bidder who is."

Page 2, line 1, delete the comma after the word "as" and insert "is,".

Page 2, line 9, delete the word "sales" and insert in lieu thereof the word "upset."

Page 3, line 7, delete the words "container ships," and insert in lieu thereof the following: "lift-on-lift-off ships, roll-on-roll-off ships, or other container-type ships designed primarily for the handling and carriage of consolidated cargo shipments."

The committee amendments were agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSENT CALENDAR

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it be in order for the Consent Calendar to be called on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AMENDING SECTION 2 OF HOUSE RESOLUTION 331 OF 84TH CONGRESS

Mr. BOLLING. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 606.

The SPEAKER. Is there objection?

Mr. SMITH of Wisconsin. Reserving the right to object, and I will not, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

FORCED RETIREMENT LAWS INHUMAN

Mr. SMITH of Wisconsin. Mr. Speaker, there is a growing conviction that forced retirement at a certain age is a dreadful prospect for thousands of people. It is evident that there is need for reconsideration of existing laws on the subject of employment and retirement for elderly people.

It is my view, Mr. Speaker, that retirement at 65 years of age should be on an optional basis, depending entirely upon the physical and mental condition of each individual. It is unfair to arbitrarily fix an age limit and say when you

reach the age of 65 years, you are no longer needed. It would be wiser to say to the individual, "If you have employment and if you can continue to work profitably, by all means do so." Many who are forced out of jobs at that age would continue to work and this would add another 10 years or more to their lives.

Under present laws and regulations, experienced men are automatically retired from their jobs, and in many cases against their will. Society assigns them to the human scrap heap. This is a tragic situation for many hundreds of people. Not only does it work a hardship upon the individuals but it also deprives a progressive society of valuable manpower. In times of great emergency and in periods of war, age is not frowned upon so long as individuals can make a contribution to the national effort. Why then do we scrap these individuals in peacetime? It makes little sense.

Mr. Speaker, there is another important argument in this situation and it is that by forcing retirement at 65 when the individual can still work, it throws a considerable burden upon the social-security funds. Each day the situation grows more acute as more people reach the 65-year-old category. This, indeed, imposes an increased burden upon the taxpayers. This should be of some concern.

Recently, Mr. Speaker, the 20th Century Fund reported that only 9 percent of the people retiring at the age of 65 did so voluntarily. Employer age policies force 56 percent to quit. Illness or accident cause another 26 percent to retire. Many of these people become morose and unhappy. Many feel they are unneeded and unwanted and without sufficient benefits to provide a reasonable standard of living, they worry about their livelihood. They do not want to become a burden to their families or society. Yet we all recognize that social-security benefits must be considered only as supplemental to other sources of income. In this connection, there is a misconception about the purpose of social-security benefits. It is that the elderly people have a right to expect that these funds will provide an ample and adequate living existence for them. This is not the purpose of the present law.

It is interesting to note that there are now 14 million people in the 65 and older age group. By 1975, it is expected to reach 21 million. As our life span increases, Mr. Speaker, it seems to me that we must consider and review our retirement policies accordingly.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The Clerk read the resolution, as follows:

Resolved, That section 2 of House Resolution 331 of the 84th Congress, authorizing the Committee on Ways and Means to conduct thorough studies and investigations of all matters coming within the jurisdiction of such committee, is amended by inserting on page 1, line 8, after the word "within" the words "or without."

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDING CIVIL SERVICE RETIREMENT ACT OF MAY 29, 1930

Mr. ROBESON of Virginia. Mr. Speaker, I ask unanimous consent to return to the consideration of Calendar No. 768, the bill (S. 65) to amend section 1 (d) of the Civil Service Retirement Act of May 29, 1930, as amended. I think the grounds of objection have been clarified.

The Clerk read the title of the bill.

Mr. FORD. Mr. Speaker, I thought we had completed the call of the Consent Calendar.

Mr. ROBESON of Virginia. I had asked unanimous consent for the consideration of this bill.

Mr. FORD. Mr. Speaker, I may say that when this bill was called on the Consent Calendar I objected to it in the utmost sincerity.

If now the gentleman wishes to call it up by consent after the consultation with the leadership on both sides I will not object to its being done, but if this is simply a request to return to the Consent Calendar I must object to it.

Mr. ROBESON of Virginia. I had understood, Mr. Speaker, there was no objection now to the bill.

The SPEAKER. The Chair cannot recognize the gentleman if there is objection, and there is.

The Chair recognizes the gentleman from Arkansas.

HEALTH AMENDMENTS ACT OF 1956

Mr. HARRIS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3958) to improve the health of the people by assisting in increasing the number of adequately trained professional and practical nurses and professional public health personnel, assisting in the development of improved methods of care and treatment in the field of mental health, and for other purposes, as amended.

The Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "Health Amendments Act of 1956".

TITLE I—GRADUATE TRAINING OF PROFESSIONAL PUBLIC HEALTH PERSONNEL

Traineeships

SEC. 101. Title III of the Public Health Service Act (42 U. S. C., ch. 6A, subch. II) is amended by adding after section 304 the following new section:

"Traineeships for professional public health personnel

"SEC. 305. (a) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1957, and for each of the next 4 fiscal years, such sums as the Congress may determine, to cover the cost of traineeships for graduate or specialized training in public health for physicians, engineers, nurses, and other professional health personnel.

"(b) Traineeships under this section may be awarded by the Surgeon General either (1) directly to individuals whose applications for admission have been accepted by the public or other nonprofit institutions providing the training, or (2) through grants to such institutions.

"(c) Payments under this section may be made in advance or by way of reimbursement, and at such intervals and on such conditions, as the Surgeon General finds necessary. Such payments to institutions may be used only for traineeships, and payments under this section with respect to any traineeship shall be limited to such amounts as the Surgeon General finds necessary to cover the cost of tuition and fees, and a stipend and allowances (including travel and subsistence expenses) for the trainee.

"(d) The Surgeon General shall appoint an expert advisory committee, composed of persons representative of the principal health specialties in the fields of public health administration and training, to advise him in connection with the administration of this section, including the development of program standards and policies. Members of such committee who are not otherwise in the employ of the United States, while attending meetings of the committee or otherwise serving at the request of the Surgeon General, shall be entitled to receive compensation at a rate to be fixed by the Secretary of Health, Education, and Welfare, but not exceeding $50 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U. S. C. 73b–2) for persons in the Government service employed intermittently.

"(e) The Surgeon General shall, between June 30, 1958, and December 1, 1958, call a conference broadly representative of the professional and training groups interested in and informed about training of professional public health personnel, and including members of the advisory committee appointed pursuant to subsection (d), to assist him in appraising the effectiveness of the traineeships under this section in meeting the needs for trained public health personnel; in considering modifications in this section, if any, which may be desirable to increase its effectiveness; and in considering the most effective distribution of responsibilities between Federal and State governments with respect to the administration and support of public health training. The Surgeon General shall submit to the Congress, on or before January 1, 1959, a report of such conference, including any recommendations by it relating to the limitation, extension, or modification of this section.

"(f) Except as otherwise provided in this section, nothing contained in this section shall be construed as authorizing any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the personnel or curriculum of any training institution."

Effective date

SEC. 102. The amendment made by this title shall become effective July 1, 1956.

TITLE II—ADVANCED TRAINING OF PROFESSIONAL NURSES

Traineeships

SEC. 201. Title III of the Public Health Service Act (42 U. S. C., ch. 6A, subch. II) is amended by adding after section 305 (added by sec. 101 of this act) the following new section:

"Traineeships for advanced training of professional nurses

"SEC. 306. (a) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1957, and for each of the next 4 fiscal years, such sums as the Congress may determine, to cover the cost of traineeships for the training of professional nurses to teach in the various fields of nurse training (including practical nurse training) or to serve in an administrative or supervisory capacity.

"(b) Traineeships under this section shall be awarded by the Surgeon General through grants to public or other nonprofit institutions providing the training.

"(c) Payments to institutions under this section may be made in advance or by way of reimbursement, and at such intervals and on such conditions as the Surgeon General finds necessary. Such payments may be used only for traineeships and shall

be limited to such amounts as the Surgeon General finds necessary to cover the costs of tuition and fees, and a stipend and allowances (including travel and subsistence expenses) for the trainees.

"(d) The Surgeon General shall appoint an expert advisory committee, composed of persons from the fields of nursing and nurse training, hospital administration, and medicine, to advise him in connection with the administration of this section, including the development of program standards and policies. Members of such committee who are not otherwise in the employ of the United States, while attending meetings of the committee or otherwise serving at the request of the Surgeon General, shall be entitled to receive compensation at a rate to be fixed by the Secretary of Health, Education, and Welfare, but not exceeding $50 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U. S. C. 73b–2) for persons in the Government service employed intermittently.

"(e) The Surgeon General shall, between June 30, 1958, and December 1, 1958, call a conference broadly representative of the professional and training groups interested in and informed about the advanced training of professional nurses, and including members of the advisory committee appointed pursuant to subsection (d), to assist him in appraising the effectiveness of the traineeships under this section in meeting the needs for professional nurses in teaching, administrative, and supervisory positions and in considering modifications in this section, if any, which may be desirable to increase its effectiveness, including possible means of stimulating State participation in the administration and financing of advanced training of professional nurses through Federal matching grants to States for the support of traineeships or related training activities, or otherwise. The Surgeon General shall submit to the Congress, or on before January 1, 1959, a report of such conference, including any recommendations by it relating to the limitation, extension, or modification of this section.

"(f) Except as otherwise provided in this section, nothing contained in this section shall be construed as authorizing any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the personnel or curriculum of any training institution."

Effective date

SEC. 202. The amendment made by this title shall become effective July 1, 1956.

TITLE III—PRACTICAL NURSE TRAINING

Amendments to Vocational Education Act

SEC. 301. The Vocational Education Act of 1946, as amended (20 U. S. C. 15i–15m, 15o–15q), is amended by inserting:

"TITLE I—VOCATIONAL EDUCATION IN AGRICULTURE, HOME ECONOMICS, TRADES, AND INDUSTRY, AND DISTRIBUTIVE OCCUPATIONS"

immediately above the heading of section 1 of such act, by changing the words "this act" wherever they appear in such act to read "this title", and by adding immediately after section 9 the following new title:

"TITLE II—VOCATIONAL EDUCATION IN PRACTICAL NURSE TRAINING

"Authorization of appropriations

"SEC. 201. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1957, and for each of the next 4 fiscal years a sum not to exceed $5 million, for grants to States with State plans to extend and improve practical nurse training approved pursuant to section 203.

"Grants to States for extension and improvement of practical nurse training

"SEC. 202. (a) From the sums appropriated for any fiscal year pursuant to section 201, each State shall be entitled to an allotment of an amount bearing the same ratio to such sums as the total of the amounts apportioned under title I and the act of March 18, 1950 (20 U. S. C. 31–33), to such State for such year bears to the total of the amounts so apportioned to all the States for such year. The allotment to any State under the preceding sentence for a fiscal year which is less than $10,000 (or, in the case of the Virgin Islands, which is less than $5,000) shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotments to each of the remaining States under the preceding sentence, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being thereby reduced to less than that amount.

"(b) The amount of any allotment to a State under subsection (a) for any fiscal year which the State certifies to the Commissioner will not be required for carrying out the State plan (if any) approved under this title, shall be available for reallotment from time to time, on such dates as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for such year. Any amount so reallotted to a State shall be deemed part of its allotment under subsection (a).

"(c) From each State's allotment under this section for any fiscal year, the Commissioner shall pay to such State a portion of the cost of carrying out the State plan approved under this title. To the extent permitted by the State's allotment under subsection (a) for any fiscal year, the portion of the cost of carrying out the State plan paid under this section shall be 75 percent of each cost in the case of the fiscal year ending June 30, 1957, and the fiscal year ending June 30, 1958, and 50 percent of such cost in the case of each of the next three fiscal years.

"State plans

"SEC. 203. (a) To be approvable under this title, a State plan to extend and improve practical nurse training shall—

"(1) designate the State board as the sole agency for the administration of the plan or for the supervision of administration of the plan by local educational agencies;

"(2) provide that the individual supervising the functions of the State board under the plan shall be a registered professional nurse or shall have the consultative services of a registered professional nurse available to him;

"(3) show the plans, policies, and methods to be followed in extending and improving practical nurse training under the State plan, and in administering and supervising the administration of the plan, and provide such accounting, budgeting, and other fiscal methods and procedures as are necessary for the proper and efficient administration of the plan;

"(4) contain minimum qualifications for teachers, teacher-trainers, supervisors, and directors; and

"(5) provide that the State board will make such reports, in such form and containing such information, as the Commissioner may from time to time reasonably require to carry out his functions under this title, and comply with such provisions as he may from time to time find necessary to assure the correctness and verification of such reports.

"(b) The Commissioner shall approve any plan which he finds fulfills the conditions specified in subsection (a) of this section.

"(c) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of the State plan approved under this section, finds that—

"(1) the State plan has been so changed that it no longer complies with a requirement of subsection (a) of this section; or

"(2) in the administration of the plan there is a failure to comply substantially with such a requirement; the Commissioner shall notify such State agency that no further payments will be made to the State from its allotments under section 202 (or, in his discretion, that further payments will not be made to the State for parts of the State plan affected by such failure), until he is satisfied that there will no longer be any such failure. Until he is so satisfied the Commissioner shall make no further payments to such State from its allotments under section 202 (or shall limit payments to parts of the State plan in which there is no such failure).

"(d) (1) If any State is dissatisfied with the Commissioner's action under subsection (c) of this section, such State may appeal to the United States court of appeals for the circuit in which the State is located. The summons and notice of appeal may be served at any place in the United States.

"(2) The findings of fact by the Commissioner, unless substantially contrary to the weight of the evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action. Such new or modified findings of fact shall likewise be conclusive unless substantially contrary to the weight of the evidence.

"(5) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in title 28, United States Code, section 1254.

"Method of making and computing payments

"SEC. 204. The method of computing and paying amounts pursuant to section 202 shall be as follows: The Commissioner shall, prior to the beginning of each calendar quarter or other period prescribed by him, estimate the amount to be paid to each State under the provisions of such section for such period; and shall pay to the State, from the allotment available therefor, the amount so estimated by him for such period, reduced or increased, as the case may be, by any sum (not previously adjusted under this section) by which he finds that his estimate of the amount to be paid the State for any prior period under such section was greater or less than the amount which should have been paid to the State for such prior period under such section. Such payments shall be made in such installments as the Commissioner may determine.

"Administration

"SEC. 205. (a) In carrying out his duties under this title, the Commissioner shall—

"(1) make studies, investigations, and reports with respect to matters relating to practical nurse training;

"(2) cooperate with and render technical assistance to States in matters relating to practical nurse training; and

"(3) disseminate information as to the studies, investigations, and reports referred to in paragraph (1) and other matters relating to practical nurse training.

"(b) The Commissioner is authorized to make rules and regulations governing the administration of this title and to delegate to any officer or employee of the Office of Education such of his powers and duties, except the making of rules and regulations, as he finds necessary.

"Advisory committees

"SEC. 206. (a) The Commissioner is authorized to appoint an advisory committee or committees to advise him on matters of general policy in connection with the administration of this title.

"(b) Members of any such committee who are not otherwise in the employ of the United States, while attending meetings or conferences of their committee or otherwise serving at the request of the Commissioner, shall be entitled to receive compensation at a rate to be fixed by the Secretary of Health, Education, and Welfare, but not exceeding $50 per diem including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U. S. C. 73b–2) for persons in the Government service employed intermittently.

"Effect on other laws

"SEC. 207. Nothing in this title shall in any way affect the availability for practical nurse training of amounts paid the States under the Act of February 23, 1917 (39 Stat. 929), as amended and extended, or title I of this Act, as amended and extended.

"Reports

"SEC. 208. The Commissioner shall include in his annual report a full report of the administration of this title.

"Authorization of appropriations for administration

"SEC. 209. There are hereby authorized to be included for each fiscal year in the appropriations for the Department of Health, Education, and Welfare such sums as are necessary to administer the provisions of this title.

"Definitions

"SEC. 210. For purposes of this title—

"(a) The term 'Commissioner' means the Commissioner of Education.

"(b) The term 'practical nurse training' means training of less than college grade which is given in schools or classes (including field or laboratory work incidental thereto) under public supervision and control and is conducted as part of a program designed to fit individuals, engaged in or preparing to engage in employment as practical nurses, for such employment. The term includes also training of a similar nature, which is of less than college grade and is given and conducted as provided above, designed to fit individuals engaged or preparing to engage in other health occupations in hospitals or other health agencies, for such occupations. In addition, the term includes vocational guidance in connection with any such program and the in-service training of teachers, teacher-trainers, supervisors, and directors for any such program, but does not include courses which have only incidental relationship to the specialized training needed by an individual for useful employment as a practical nurse or in such other health occupations.

"(c) The term 'practical nurse' means a person who is trained to care for subacute, convalescent, and chronic patients under the direction of a licensed physician or under the supervision of a registered nurse, or to assist a registered nurse in the care of acute illness.

"(d) The term 'located educational agency' means a board of education or other legally constituted local school authority having administrative control and direction of public secondary schools in a county, township, independent, or other school district, or having such control and direction over vocational education in such schools.

"(e) The term 'State' includes Alaska, Hawaii, the Virgin Islands, Puerto Rico, and the District of Columbia.

"(f) The term 'State board' means the State board of vocational education, or the State board primarily responsible for the supervision of public elementary and secondary schools, as designated in the State plan.

"(g) The cost of administration of a State plan for practical nurse training may not include any portion of the cost of the purchase, preservation, erection, or repair of any building, or buildings or the purchase or rental of any land."

TITLE IV—EXTENSION OF THE HOSPITAL SURVEY AND CONSTRUCTION ACT

SEC. 401. The first sentence of section 621 of the Public Health Service Act is amended by striking out "seven" and inserting in lieu thereof "nine".

SEC. 402. Section 651 of such act is amended by striking out "two" and inserting in lieu thereof "four".

TITLE V—MENTAL HEALTH

Special project grants

SEC. 501. Section 303 of the Public Health Service Act (42 U. S. C. 242a) is amended to read as follows:

"Mental health

"SEC. 303. (a) In carrying out the purposes of section 301 with respect to mental health, the Surgeon General is authorized—

"(1) to provide training and instruction and to establish and maintain traineeships, in accordance with the provisions of section 433 (a);

"(2) to make grants to State or local agencies, laboratories, and other public or nonprofit agencies and institutions, and to individuals for investigations, experiments, demonstrations, studies, and research projects with respect to the development of improved methods of diagnosing mental illness, and of care, treatment, and rehabilitation of the mentally ill, including grants to State agencies responsible for administration of State institutions for care, or care and treatment, of mentally ill persons for developing and establishing improved methods of operation and administration of such institutions.

"(b) Grants under paragraph (2) of subsection (a) may be made only upon recommendation of the National Advisory Mental Health Council. Such grants may be paid in advance or by way of reimbursement, as may be determined by the Surgeon General; and shall be made on such conditions as the Surgeon General finds necessary."

Technical amendment

SEC. 502. The heading of section 304 of such act (42 U. S. C. 242b) is amended to read: "Mental health study grants."

Effective date

SEC. 503. The amendments made by this title shall become effective July 1, 1956.

The SPEAKER. Is a second demanded? [After a pause.] The Chair hears none.

Mr. HARRIS. Mr. Speaker, the bill before the House contains five titles. The first three titles are designed to increase the supply of public health specialists, certain categories of professional nurses, and trained practical nurses.

Title IV would extend for an additional 2 years the Hospital Survey and Construction Act, which expires on June 30, 1957.

Title V would authorize the Surgeon General to conduct investigations experiments, and demonstrations in the field of mental health.

I shall discuss briefly these different titles.

TITLE I

Title I is intended to stimulate the training of more professional public health personnel. It would authorize the Surgeon General to make traineeship awards either directly to individuals or through grants to training institutions. The program is a 3-year program and is designed to supplement the training activities currently being carried on in this field by State and local governments. Existing training programs give attention primarily to the training of personnel already employed by these governments. The proposed traineeship program is aimed primarily at individuals who are willing to enter the public health field and is designed to encourage additional persons to take up public health work as a professional career.

The cost of the program during the first year is estimated at approximately $1 million. During the second and third years, it is likely to require the expenditure of $2 million annually in order to make available 500 traineeships at an average cost of $4,000 each.

The legislation provides for a report to the Congress after the program has been in operation for over 2 years, in order to enable Congress to determine the desirability of discontinuing the program or continuing it unchanged or adopting a new Federal-State matching-grant program, either independent of or as a part of the general public health grant-in-aid program which has been in operation for many years.

TITLE II

Title II provides a traineeship program to increase the number of professional nurses who are qualified to teach in schools of nursing and others who are qualified to fill key administrative and supervisory positions in hospitals and public health agencies. The Surgeon General is authorized to make Federal grants for a 3-year period to training institutions which would select individuals qualified to receive traineeship awards.

As in the case of title I, the Surgeon General would report to the Congress after the program has been in operation over 2 years on the effectiveness of the program, in order to give Congress an opportunity to determine the desirability of continuing the program, discontinuing it, or modifying the same by adopting a program of Federal-State matching grants.

The cost of the program during the first year would be approximately $2 million. During the second and third years, the cost would increase, but no specific estimates have been submitted by the Department of Health, Education, and Welfare.

TITLE III

Title III would authorize a 5-year program of grants to the States earmarked for the purpose of paying part of the cost of practical nurses' training conducted in accordance with State plans approved by the Commissioner of Education. The program would utilize existing vocational education organizations in the various States and localities.

The State allotment provisions of title III would establish a statutory allotment formula geared to the existing allotment

provisions of the Vocational Education Act of 1946.

For the first 2 years of the program at least one State dollar of matching funds would be required for every three Federal grant dollars. For the remaining 3 years dollar for dollar matching would be required as in existing vocational educational grant programs.

The annual cost authorized by this title is $5 million for a 5-year period.

TITLE IV

Title IV would extend the Hospital Survey and Construction Act, which would otherwise expire on June 30, 1957. A survey made among States shows that there is a backlog of over 2,000 projects. The present act authorizes a maximum annual appropriation of $150 million. The 1953 amendments authorize an additional total annual appropriation of $60 million for the construction of diagnostic or treatment centers, chronic disease hospitals, rehabilitation facilities, and nursing homes.

The proposed 2-year extension is desirable at this time in order to assure continuity of the program while Congress will be a a better position to review and reappraise the entire program during the next Congress.

TITLE V

Title V extends the present authority of the Public Health Service to award research and training grants upon recommendation of the National Advisory Mental Health Council. The proposed special project grants are designed to support investigations, experiments, and demonstrations in the field of mental health with particular emphasis on projects designed to improve the operation and administration of State institutions for the care or treatment of the mentally ill. Such grants would enable the institutions to conduct experimental programs and to adapt to their own needs the new advances which have been made in combating mental illnesses.

The cost of the program during the first year was estimated at $1½ million and the budget request for this amount was contained in the President's Budget document for fiscal 1957. However, it is planned that the cost of this program will come out of general appropriations made in current appropriation bills for the Public Health Service.

Mr. FOGARTY. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to my distinguished friend [Mr. FOGARTY], chairman of the Health Subcommittee on Appropriations and who has always shown great interest and sympathy for these programs.

Mr. FOGARTY. I thank the gentleman.

My only purpose in rising is to establish the legislative intent with regard to title V which provides authority for making special project grants in the field of mental health. I notice that this title does not establish a new section in the Public Health Service Act but amends section 303, which, of course, is the simple and logical way of handling the matter. However, this will make funds already appropriated in the Department of Health, Education, and Welfare Appropriation Act, 1957, technically available for this new program of special project grants.

In my opinion it was the intention of Congress that the appropriation already made was for mental-health programs authorized at the time the appropriation was enacted. So I would like to inquire if it is the intention of the Committee on Interstate and Foreign Commerce that funds already appropriated be diverted for this new program or is it the intention this program be in addition to the mental-health programs already authorized?

Mr. HARRIS. It was the understanding of the committee that additional funds would be requested by the administration as was stated in the President's budget document for fiscal 1957.

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ROBERTS. Mr. Speaker, I appreciate this opportunity to address the House on the omnibus health bill, which has been approved by the Interstate and Foreign Commerce Committee, of which I am privileged to be a member. The intent of this legislation is to contribute to the Nation's health and general well-being.

Over the years, the United States has been enjoying a steady improvement in its health. In 1954, 1,481,000 American men, women, and children died; 45 percent of whom were under 65 years of age. This represents a 19-percent decline in our mortality rate from 1937 to 1954. The impressive drop in our death rate is partially due to the improved standard of living, better nutrition, better housing, increase in income, but most striking, it is due to the availability of more and better medical care for more people. Dramatic as this 19-percent decline in the death rate has been, there is still a shocking need for more hospitals with more beds, and for more trained personnel to administer to the medical needs of our rapidly increasing population.

In addition to the increased need for physical care, there is the challenge of mental illness which must be met. Today, slightly more than one-half of the hospital beds in the country are occupied by mental patients. It is estimated that 1 out of every 12 persons will spend some part of his life in a mental hospital. Here again, because of improved techniques and greater scientific knowledge, more patients can be helped and restored to society, but it is dependent upon this improved medical care being available to those in need, and available at a cost these persons can afford. The enactment of the legislation before us today, can do much to help improve the facilities and care for the patients in need of physical care and for those in need of mental care.

The omnibus bill, S. 3985, contains five titles, each designed to improve the health of the American people. The programs envisioned would increase the supply of health personnel and health facilities, and improve the methods by which the health services are furnished.

Title I of the bill provides for increasing the supply of adequately trained public health specialists which are urgently needed by local State and Federal public health agencies. There is a severe shortage of trained public health personnel at this time. This is caused by the growth in population and because of the research discoveries which offer new methods of providing public health protection. Because of the tensions under which the world now lives and the ever-present potential of atomic war, it is only sensible to be reasonably prepared to meet any catastrophic event. Public health personnel would be invaluable in performing and directing such public health measures as decontamination, air-polution programs, and disposal of radioactive waste products. Since 1947 when we trained about 900 of these people a year, this program of training has lagged until we now train only about 500 a year. Title I will correct this situation.

Titles II and III of the omnibus health bill are concerned with the shortage of nurses throughout the Nation. It is estimated that we need over 50,000 profession and practical nurses to properly take care of the needs of our sick, our lame, blind, and aged. The great need in the professional nurses' training program is to train nurses so they are qualified to teach and train other nurses, and to increase the number of nurses who would be qualified to fill important administrative and supervisory positions. In 1955 only about 600 graduate nurses completed advanced training which would qualify them to teach in schools of nursing, and only about 400 completed the advanced training necessary to qualify them to perform administrative and supervisory functions. This program is very much in need of assistance which can benefit the Nation in a more efficient direction of nursing services and in better care for the patients.

I am sure that most members of the House are aware of the need for increasing the number of practical nurses. The increase in the number of hospitals, and in the number of nursing homes, call upon the services of practical nurses. Practical nurses are also in demand in the chronic disease hospitals and in institutions for the mentally ill. The present demand for practical nurses far exceeds the number graduating from this 1-year training course. It is anticipated that title III would be of invaluable assistance to most of our States which are presently engaged in programs to help communities solve the shortage in medical personnel by increasing the number of practical nurses and relieving professional nurses to handle more serious medical requirements.

Title IV of the omnibus health bill would extend for another 2 years the hospital and medical facilities survey and construction act, so well known to us as the Hill-Burton Act. This program has been very successful in enabling the country to build more hospitals, but there is still a great need for it to be continued. Surveys submitted by the States show there is a demand of $1,879,627,000 for 2,050 projects during the fiscal years 1957,

1958, and 1959. The Federal share of the total cost of these projects would amount to in excess of $757 million. As the appropriations for the fiscal year 1956–57 amount to $125 million, this leaves a future need for Federal funds at approximately $632 million. I personally know of towns and cities which have already spent great sums of money, and have signed agreements, for the building of needed hospitals, clinics, homes for the chronically ill and other helpless people, depending on the extension of this act. Should it not be extended, it would work a great hardship and injustice upon these towns and cities. Title IV would extend the present program exactly as it is, for another 2 years. I personally feel the past success of this program and the continued need for it, should be good reason for Congress approving this legislation.

Title V of the health bill is to aid States in solving mental illness problems. In addition to research and training grants which the Surgeon General is now authorized to make, it would make "special project grants" available for the support of investigations, experiments, and demonstrations in the field of mental health. Its emphasis would be upon projects designed to improve the operation and administration of State institutions for the care or treatment of the mentally ill. The results of such pilot studies and experiments would benefit all States, yet, only several States would need to perform the basic research and incur the expense. Because of the already heavy strain on State budgets in just providing for the mentally ill, they have been reluctant to conduct such expensive experiments. Yet, the need for experimentation and research in the methods of operation and administration of State mental hospitals is just as greatly needed as research into methods of diagnosis and treatment of the mentally ill. The funds provided for in title V could be used to develop such new programs as outpatient care, and day care for the mentally ill to reduce the strain on the hospitals. With over half of the Nation's hospital beds filled with mentally ill persons, it is certainly appropriate for the Federal Government to give this serious national problem attention.

Mr. Speaker, I sincerely hope that the House will approve this omnibus health bill before us today. If it is approved, I personally believe that it will stand as one of the major legislative accomplishments of this 84th Congress, enacted in behalf of the entire Nation.

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WOLVERTON. Mr. Speaker, it is the purpose of the 5 titles of this bill to improve the health of the American people by providing 5 programs designed to increase the supply of health personnel and health facilities, and to improve the methods by which certain health services are furnished. The specific purposes of the 5 titles are as follows:

Title I: Increase the supply of public health specialists by establishing a 3-year Federal program providing graduate traineeships for physicians, engineers, nurses, and other professional health personnel;

Title II: Increase the supply of professional nurses who are qualified to teach in the various fields of nurse training—including practical-nurse training—or to serve in an administrative or supervisory capacity by establishing a 3-year Federal program providing advanced training to professional nurses;

Title III: Increase the supply of trained practical nurses by establishing a 5-year program of Federal matching grants to States for expanding and improving vocational educational training programs for practical nurses;

Title IV: Supply additional needed hospital and related health facilities by extending for 2 additional years the Hospital Survey and Construction Act which otherwise would expire on June 30, 1957; and

Title V: Support investigations, experiments, and demonstrations in the field of mental health—with particular emphasis on projects designed to improve the operation and administration of State institutions for the care or treatment of the mentally ill—by authorizing the Surgeon General to make special project grants for such purposes.

With reference to title I: Traineeships for professional public-health personnel.

The purpose of title I of the bill is to secure an increased supply of adequately trained public-health specialists. Such specialists are urgently needed by public-health agencies—Federal as well as State and local.

The present shortages of public-health personnel have resulted partly from the growth in population and partly from research discoveries which offer new methods of providing public-health protection and thereby increases the need for additional personnel.

The Department of Health, Education, and Welfare estimates that the cost of the traineeship program during the first year will be approximately $1 million. The financial needs of the program during the second and third years would increase.

With reference to title II: Advanced training of professional nurses.

At the present time there is a great demand for additional nurses qualified to teach the increasing number of young people graduating from high schools who are willing to enter the nursing profession. One of the principal bottlenecks which stands in the way of expanding the enrollment of professional nursing schools is the shortage of qualified nurse-teachers. This shortage will increase as our population increases and the demand for nurses will remain unmet because potential nurses cannot find nursing schools sufficiently staffed to be able to accept them as students.

The Department of Health, Education, and Welfare estimated that the cost of the traineeship program for graduate nurses during the first year would be approximately $2 million. The Department further indicated that the cost of this program during the second and third years is expected to increase. The amount of the needed increase has not as yet been determined.

With reference to title III: Practical nurse training.

Increasing the supply of trained practical nurses is one of the most effective means of supplementing the services of professional nurses. Practical nurses are needed not only in the general hospitals but also in our 9,000 nursing homes. The recent large increase in the number of nursing homes has added greatly to the demand for the services of trained practical nurses. Even more important perhaps is the need for trained practical nurses in our chronic disease hospitals and in institutions for the mentally ill. Although the number of trained practical nurses has increased steadily in the last few years it has not nearly kept pace with the demand.

Title III contains a specific appropriation ceiling. Appropriations could not exceed $5 million annually, and the program is authorized for 5 years.

With reference to title IV: Extension of Hospital Survey and Construction Act, as amended.

The amendments to title VI of the Public Health Service Act which would be effected by title IV of this bill would extend for 2 additional years the hospital and medical facilities survey and construction program, which would otherwise expire on June 30, 1957.

I am convinced that this highly successful program—which has done so much to stimulate the construction of hospitals, public health centers, and related medical facilities—should be continued; for the unmet needs for such facilities is still great in all parts of the Nation.

The Hospital Survey and Construction Act authorizes an annual appropriation of $150 million for the construction of public and other nonprivate hospitals. The 1953 amendments to the act authorize an additional total annual appropriation of $60 million for the construction of diagnostic or treatment centers—$20 million; chronic-disease hospitals—$20 million; rehabilitation facilities—$10 million; and nursing homes—$10 million.

With reference to title V: Mental health.

The principal purpose of title V of the bill is to extend the present authority of the Public Health Service so as to provide an additional means of stimulating improvements in the important field of mental health. In addition to his present authority to award research and training grants, the Surgeon General would be authorized, upon the recommendation of the National Advisory Mental Health Council, to make "special project grants" for the support of investigations, experiments, and demonstrations in the field of mental health, with particular emphasis on projects designed to improve the operation and administration of State institutions for the care or treatment of the mentally ill. These special project grants would enable State

institutions to conduct experimental programs and to adapt to their own particular needs and circumstances the new advances in the care and treatment of the mentally ill which are being developed through more basic research studies.

In the President's budget document for fiscal 1957, provision is made for the later submission of a budget request of $1,500,000 for special mental health project needs.

This bill is entitled to have the full support of Congress.

Mrs. FRANCES P. BOLTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. It there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. FRANCES P. BOLTON. Mr. Speaker, I rise in support of S. 3958.

If we agree that more nurses are needed then there must be an increase of teachers, administrators, supervisors, to teach more students. This bill proposes subsidies for such graduate training.

S. 3958 is very definitely an emergency measure which seeks to meet this need in schools of nursing and related hospitals; and on that basis I strongly support it.

Everyone is agreed that the United States needs 50,000 more nurses right now, and will need still more tomorrow. The shortage of nurses is not decreasing and as more hospitals are built the relative shortage will increase. Unless something very fundamental is done, the situation will continue to grow worse.

To my regret, I can find nothing in S. 3958 which will accomplish anything fundamental or basic to meet this ever increasing problem.

Providing enough Federal money to subsidize certain segments of nursing education will not give the answers to two fundamental questions, namely: Why do not more girls choose nursing as a career; and why do so many girls who have chosen nursing leave it to go into other occupations?

Today the numbers entering the profession are only barely sufficient to fill the vacancies caused by those forsaking it.

As you know, for many years I have been seeking the answers to these questions; and it was in the hope of getting these answers, and developing constructive courses of action that would really solve and not merely ameliorate the nursing shortage, that I introduced my bill House Joint Resolution 485, for the establishment of a National Commission on Nursing Services.

On June 13, 14, and 15, the Subcommittee on Health and Science of the Interstate and Foreign Commerce Committee held hearings upon H. R. 11549 introduced by Mr. PRIEST, providing for Federal aid to nursing education, and my own bill House Joint Resolution 485, providing for a Presidential Commission to study nursing services.

May I take this opportunity to commend the subcommittee upon its careful consideration of the testimony presented at these hearings; and in particular, I wish to express to the subcommittee my appreciation of the attention that was devoted to consideration of the testimony on behalf of House Joint Resolution 485.

The subcommittee reported favorably upon H. R. 11549 and, as you know, its provisions have been incorporated in S. 3958.

The committee acted unfavorably upon my bill, and there is no mention of it in the report before you. I am not too unhappy about that, however, because the testimony on House Joint Resolution 485 occupied nearly one-half of the time of the hearings, and the impact of this testimony must have made a deep impression upon the committee. For the committee's report states, and I quote:

> The committee feels that basic and comprehensive changes are needed in the programs designed to increase the supply of health personnel and health facilities and to improve the method by which health services are rendered, if services of high quality are to be "available more generally to our people at a cost which they can afford to pay. The committee, through its Subcommittee on Health and Science, expects to conduct, at the earliest opportunity, an investigation and study of what changes are needed, and hopes to begin such study before the convening of the 85th Congress.

I sincerely hope that the committee, as its report suggests, will go forward with such a study before the convening of the 85th Congress.

I can interpret the above-quoted paragraph from the committee's report only as indicating that the committee has realized that far broader measures are required than those contained in S. 3958; that a searching inquiry is necessary, in order to determine what such measures should be; that they lie in the main outside of and beyond the realm of Federal aid; and that the subject can best be approached from the standpoint of nursing care, which because of its ramifications will of necessity bring within the focus of study all aspects of patient care.

Now let me get back to S. 3958.

Of course the enactment of this bill is imperative.

We need more professional public health personnel.

We need traineeships for the advanced training of professional nurses.

And of course we need more practical nurses. No one realizes more thoroughly than I the splendid work done by the practical nurses, and their basic contribution to the health of the Nation. But if we increase the number of practical nurses, we certainly must increase the number of trained registered nurses in proportion, because the practical nurse must work under the supervision of a professional nurse. Such supervision is a protection not only to the patient but to the doctor on the case as well.

The fact is that what we need most of all are thousands upon thousands of well trained bedside nurses, right now. I am talking about the rank and file registered nurse, who is the backbone of the nursing profession.

Do Federal grants as set up in S. 3958, as essential as they may be, represent any actual solution to this or to other aspects of the nursing dilemma?

There is a basic question as to the most constructive form of Federal aid.

All too often, in recent years, it has been assumed that a difficulty could be solved by the expenditure of taxpayers' money; whereas the causes that led to the difficulty were deeply imbedded in practices and methods.

Under such circumstances it seems to me that the most constructive form of Federal aid would lie not in the form of subsidies, but in utilizing the facilities of the Federal Government to effect a meeting of the best brains in the Nation, on behalf of a solution of the difficulty. That is what led me to the concept of a National Commission on Nursing Services.

What are the basic causes of the shortage of nurses? Why are not more girls going into the profession? Why are so many girls who have gone into the profession leaving it? One hospital administrator said that the nurses graduated from its nursing school remained an average of only 9 months. Should we go on indefinitely spending Federal money to teach nurses, only to have them go into some other occupation?

What about nurses' compensation? If low pay by comparison to other occupations is what is causing so many nurses to leave the profession, where is the money coming from which will permit their pay to be raised to a level which will make nursing attractive to them?

What about better utilization of existing nursing skills? One witness at the hearing testified that so much of the time of qualified nurses is spent in record-keeping, care of utensils, care of apparatus, and housekeeping, that the nurse had little time left in which actually to nurse the patient.

I do not think you can find a factory in the United States today in which part of the time of a skilled machinist is used to sweep the floor, or to keep inventories in the stockroom. But although hospital methods of utilization of nursing skills are improving, there are still to be found throughout the country many hospitals in which skilled nurses are expected to spend a large portion of their time taking care of linen, supervising the upkeep of utensils, keeping apparatus in repair, writing records, and doing various things which have no direct relation to the bedside care of patients.

The problems of nursing compensation and utilization of nursing skills are problems of hospital administration. Most hospitals operate under a deficit financing system. They exist in the main through the use of taxpayers' money, or through contributions of philanthropic individuals.

Their system of administration therefore bears little relationship to that of the normal business enterprise. Hospital administrators deserve due sympathy for the dilemma in which they are placed. But what happens to the nurses as a result of this situation? And what is the answer with respect to nursing and patient care?

Does it lie in subsidies? Or does it lie in developing, in hospital administration, a type of efficient operation and utiliza-

tion of personnel similar to that long since developed in industry?

What about the relationship between the doctor and the nurse? Nurses are being called upon to do more and more things in the medical field, in some cases actually illegally.

These are just a few of the questions involved in securing adequate care of the sick. Important as it is at this moment to implement the training of additional teachers, supervisors and administrators, through Federal grants, as proposed in S. 3958, this can in no way be expected to solve the broad problem.

The nursing picture is very complex. It is a composite having to do with compensation, education, hospital administration, attitudes of the medical and other health professions, methods of hospital financing, and many other factors.

The three major related professions, nursing, medicine and hospital administration, realize this and recognize that something should be done about it. But there is absolutely no agreement, within or among them, as to what course of action should be taken to remedy the situation.

It was for that reason, after long study, that I introduced House Joint Resolution 485 proposing the establishment of a Presidential Commission to study this entire picture on behalf of the public interest—that is, on behalf of the person who gets sick and needs a nurse.

The Commission I recommend would, and I quote from the bill, "gather by scientific methods authoritative data related to problems of the patient and the public in securing adequate nursing care and make recommendations to the President with respect to ways and means of solving such problems."

In short, I am trying to get down to basic causes. The difficulty is one which has arisen over the years through methods, procedures and practices, within the nursing, hospital administration and medical professions, which modern conditions are rendering obsolete.

We cannot cure the nursing dilemma simply by the expenditure of taxpayers' money. It can be solved only by constructive measures arrived at by agreement among the nursing, hospital administration, and medical professions in association with representatives of the public who view the problem from the standpoint of the potential patient.

In view of past experience, I do not believe that any such agreement can be reached unless these professions are brought together under the sponsorship of an agency dedicated to the care of the patient and the public, which can act as a catalytic agent and reduce areas of disagreement to areas of agreement. I suggested a Presidential Commission for this purpose because I think the Office of the President would give the findings of a commission national prestige, nationwide attention, and carry enough weight to lead to remedial action of a really constructive nature.

May I review briefly the attitude of the three major professions concerned—namely, the medical, hospital administration, and nursing professions—toward my bill, House Joint Resolution 485, in the hearings before the Science and Health Subcommittee.

The American Medical Association filed a statement in support of House Joint Resolution 485.

The American Hospital Association presented testimony in opposition to House Joint Resolution 485. Their stand was that they favored a commission for the study of nursing services, but instead of a Presidential commission they wanted what they termed a so-called free commission, set up along lines established by the Mental Health Act of 1955.

In short, the AHA said they wanted the Congress of the United States to turn over some of the taxpayers' money to a group set up among and by the hospital, nursing, and medical professions, who would establish a Commission, with minority representation for the public and/or the patient, to study distribution of nursing personnel, the financing of nursing education, and the requisites of nursing education.

It is my contention, Mr. Speaker, that such a free Commission would study nursing problems chiefly from the standpoint of the professions concerned, rather than from the standpoint of the patient who is sick and in need of nursing care. There have been many such professional studies made in recent years, but little, if any, action toward remedying the nursing shortage has resulted.

However, if all of the studies which have been made, and those which are now under way, were correlated and analyzed by a group whose primary consideration was the welfare of the patient, I am convinced that constructive action would automatically follow.

The American Nurses Association officially opposed any form of Commission to study nursing services, and has voiced particular objection to a Presidential commission such as I proposed in House Joint Resolution 485. However, at its national convention in Chicago in May, the house of delegates, after the facts with respect to my bill and its purposes had been presented on the floor, passed a resolution recommending to the Board of Directors of the ANA:

> That the ANA should take the initiative in seeking the assistance of the related professions and the public in the development of a comprehensive study on a scale commensurate with the problems of the patient or the public in securing adequate health care.

By passing this resolution the ANA has agreed to the need of a study such as I have proposed, and to the principle of a Commission.

Now just a few words as to titles IV and V of S. 3958.

Yes, we need more hospitals. But I have in my files examples, from all over the country, of hospitals which have had to close some of their wards because they could not get enough nurses. What good will it do to build more hospitals, if there are not enough nurses to staff them?

Yes, we need more intensive study of mental health. But above all, we need more skilled nurses to care for the mentally ill. At present the number of patients per nurse is appalling.

Mr. Speaker, in conclusion I would like to emphasize once more the serious attention given to this whole question by the Health and Science Subcommittee of the Interstate and Foreign Commerce Committee. It is truly in line with tradition.

At the hearings the members of this subcommittee questioned the witnesses at great length, and gave evidence of the fact that they were deeply concerned about the problem of the nursing shortage.

I am therefore hopeful that this subcommittee, as suggested by the report of the committee as a whole, will indeed make an exhaustive study of those matters affecting adequate care of our sick. This is a tremendous undertaking, but one that should bring almost immeasurable results.

But whether or not the committee actually makes the study suggested in the report, I can assure you that the problem will present itself over and over again until the causes of these personnel shortages are brought into the light, thoroughly understood and done away with. It was to this end that House Joint Resolution 485 was conceived. Something of this nature must be done if solutions are to be found and acted upon.

The SPEAKER. The question is on the motion to suspend the rules and pass the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to extent my remarks in the RECORD just prior to the vote on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

CERTAIN PUBLIC WORKS ON RIVERS AND HARBORS

Mr. DAVIS of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 12080) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The Clerk read the bill as follows:

Be it enacted, etc.—

TITLE I—RIVERS AND HARBORS

SEC. 101. That the following works of improvement of rivers and harbors and other waterways for navigation, flood control, and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and supervision of the Chief of Engineers, in accordance with the plans and subject to the conditions recommended by the Chief of Engineers in the respective reports hereinafter designated: *Provided*, That the provisions of section 1 of the River and Harbor Act approved March 2, 1945 (Public Law No. 14, 79th Cong., 1st sess.), shall govern with respect to projects authorized in this title; and the procedures

therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto, shall apply as if herein set forth in full:

Navigation

Salem Harbor, Mass.: Report of the Board of Engineers for Rivers and Harbors, dated June 19, 1956, at an estimated cost of $1,100,000;

Boston Harbor, Mass.: House Document No. 349, 84th Congress, at an estimated cost of $720,000;

New York Harbor, N. Y.: Senate Document No. 45, 84th Congress, at an estimated cost of $1,678,000;

Baltimore Harbor and Channels, Md.: Division engineer's report, dated June 15, 1956, at an estimated cost of $25,816,000;

Herring Creek, Md.: House Document No. 159, 84th Congress, at an estimated cost of $110,000;

Betterton Harbor, Md.: House Document No. 333, 84th Congress, at an estimated cost of $78,000;

Morehead City Harbor, N. C.: Senate Document No. 54, 84th Congress, at an estimated cost of $1,197,000;

Escambia River, Fla.: Report of division engineer dated May 4, 1956, at an estimated cost of $31,000;

Gulfport Harbor, Miss.: Senate Document No. 123, 84th Congress, maintenance;

Pass Cavallo to Port Lavaca, Tex.: House Document No. 131, 84th Congress, at an estimated cost of $413,000;

Matagorda Ship Channel, Port Lavaca, Tex.: House Document No. 388, 84th Congress, at an estimated cost of $9,944,000;

Freeport Harbor, Tex.: House Document No. 433, 84th Congress, at an estimated cost of $317,000;

Mississippi River between Missouri River and Minneapolis, Minn., damage to levee and drainage districts: House Document No. 135, 84th Congress, at an estimated cost of $2,476,000;

Mississippi River at Alton, Ill., commercial harbor: House Document No. 136, 84th Congress, at an estimated cost of $246,000;

Mississippi River at Alton, Ill., small-boat harbor: House Document No. 136, 84th Congress, at an estimated cost of $101,000;

Mississippi River at Clinton, Iowa, Beaver Slough: House Document No. 345, 84th Congress, at an estimated cost of $241,000;

Mississippi River at Clinton, Iowa, report on damages: House Document No. 412, 84th Congress, at an estimated cost of $147,000;

Mississippi River between St. Louis, Mo., and lock and dam No. 26: Report of the Board of Engineers for Rivers and Harbors, dated June 19, 1956, at an estimated cost of $5,802,000;

Minnesota River, Minn.: Plan contained in the report of the Chief of Engineers, dated November 16, 1953, at an estimated cost of $2,539,000;

Ohio River at Gallipolis, Ohio: House Document No. 423, 84th Congress, at an estimated cost of $66,000;

Licking River, Ky: House Document No. 434, 84th Congress, maintenance;

Two Rivers Harbor, Wis.: House Document No. 362, 84th Congress, at an estimated cost of $66,000;

Saint Joseph Harbor, Mich: Senate Document No. 95, 84th Congress, maintenance;

Toledo Harbor, Ohio: House Document No. 436, 84th Congress, at an estimated cost of $859,000;

Irondequoit Bay, N. Y.: House Document No. 332, 84th Congress, at an estimated cost of $1,938,000;

Port Townsend Harbor, Wash.: House Document No. 418, 84th Congress, at an estimated cost of $387,000;

Douglas and Juneau Harbors, Alaska: House Document No. 286, 84th Congress, at an estimated cost of $1,394,000;

Dillingham Harbor, Alaska: House Document No. 390, 84th Congress, at an estimated cost of $372,000;

Naknek River, Alaska: House Document No. 390, 84th Congress, at an estimated cast of $19,000;

Beach erosion

State of Connecticut, Area 9, East River to New Haven Harbor: House Document No. 395, 84th Congress, at an estimated cost of $12,000;

Fire Island Inlet, Long Island, N. Y.: House Document No. 411, 84th Congress, at an estimated cost of $2,724,000;

Asbury Park to Manasquan, N. J., in accordance with the plan and subject to the conditions for that portion of the shore of New Jersey as recommended by the Chief of Engineers in his report on the shore of New Jersey from Sandy Hook to Barnegat Inlet, House Document No. 361, 84th Congress, at an estimated cost of $1,677,000;

Manitowoc County, Wis.: House Document No. 348, 84th Congress, at an estimated cost of $50,000;

Fair Haven Beach State Park, N. Y.: House Document No. 134, 84th Congress, at an estimated cost of $114,000;

Hamlin Beach State Park, N. Y.: House Document No. 138, 84th Congress, at an estimated cost of $404,000;

San Diego County, Calif.: House Document No. 399, 84th Congress, at an estimated cost of $289,000.

SEC. 102. That the Secretary of the Army is hereby authorized to reimburse local interests for such work done by them, on the beach erosion projects authorized in section 101, subsequent to the initiation of the cooperative studies which form the basis for the projects: *Provided*, That the work which may have been done on these projects is approved by the Chief of Engineers as being in accordance with the projects hereby adopted: *Provided further*, That such reimbursement shall be subject to appropriations applicable thereto or funds available therefor and shall not take precedence over other pending projects of higher priority for improvements.

SEC. 103. That pending fulfillment of the conditions of local cooperation for the Gulf Intracoastal Waterway, Algiers Canal, as authorized by the River and Harbor Act of March 2, 1945, appropriations heretofore or hereafter made for maintenance of rivers and harbors may be used for a period of not to exceed 2 years for operation of the railroad bridge over Algiers Canal;

SEC. 104. That there is hereby authorized a comprehensive project to provide for control and progressive eradication of the water hyacinth, alligator weed, and other obnoxious aquatic plant growths from the navigable waters, tributary streams, connecting channels, and other allied waters in the States of North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas, in the combined interest of navigation, flood control, drainage, agriculture, fish and wildlife conservation, public health, and related purposes, including continued research for development of the most effective and economic control measures, at an estimated additional cost for the expanded program over that now underway of $1,350,000 annually for 5 years, of which 75 percent, presently estimated at $1,012,500, shall be borne by the United States and 25 percent, presently estimated at $337,500, by local interests, to be administered by the Chief of Engineers, under the direction of the Secretary of the Army in cooperation with other Federal and State agencies in accordance with the report of the Chief of Engineers, published as House Document No. —, 84th Congress: *Provided*, That local interests agree to hold and save the United States free from claims that may occur from such operations and participate to the extent of 25 percent of the cost of the additional program: *Provided further*, That Federal funds appropriated for this project shall be allocated by the Chief of Engineers on a priority basis, based upon the urgency and need of each area, and the availability of local funds.

SEC. 105. That for preliminary examinations and surveys authorized in previous river and harbor and flood-control acts, the Secretary of the Army is hereby directed to cause investigations and reports for navigation and allied purposes, to be prepared under the supervision of the Chief of Engineers in the form of survey reports, and that preliminary examination reports shall no longer be required to be prepared.

SEC. 106. That the improvement of Apalachicola Bay, Fla., authorized by the River and Harbor Act of 1954, in accordance with the recommendations of the Chief of Engineers in House Document No. 156, 82d Congress; and the improvement of Apalachicola Bay, Fla., channel across St. George Island, authorized by the River and Harbor Act of 1954, in accordance with the recommendations of the Chief of Engineers in House Document No. 557, 82d Congress, are hereby modified to provide that the Secretary of the Army shall reimburse local interests for such work as they may have done upon the projects insofar as this work shall be approved by the Chief of Engineers and found to have been done in accordance with the projects adopted by the act of 1954: *Provided*, That reimbursement shall be based upon the reduction in the amount of material which will have to be removed to provide project dimensions at such time as Federal dredging of the channels is undertaken: *Provided further*, That such reimbursement shall be subject to appropriations applicable thereto and shall not take precedence over authorized Federal improvements of higher priority.

SEC. 107. That the Federal project structures, appurtenances, and real property of the Upper Fox River, Wisconsin, shall be disposed of in accordance with the provisions of this section: *Provided*, That all or any part of the right, title, and interest of the United States to any portion of the said property may, regardless of any other provision of law, be conveyed, upon such terms and conditions as may be advisable: *Provided further*, That the State of Wisconsin offers to take over said property under the terms and conditions hereinafter prescribed, the Secretary of the Army is hereby authorized to convey by quitclaim deed to said State without monetary consideration all such right, title, and interest of the United States in said property and the United States shall thereafter have no further obligations with respect to the property so conveyed. In consideration of the State accepting such conveyance and assuming responsibility for said property, there is hereby authorized to be expended from appropriations hereafter made for civil functions administered by the Department of the Army toward the work of placing the project facilities in a condition suitable for public purposes, not to exceed $300,000. The Chief of Engineers is authorized to enter into agreements with the duly authorized representatives of the States with respect to the details of the work to be performed and transfer of the property. If the State fails to present a satisfactory offer within 2 years after the date of enactment of this act, said property may be disposed of pursuant to the provisions of existing law and upon such terms and conditions as may be determined to be in the public interest: *And provided further*, That after acceptance of said property by the State of Wisconsin, the Federal laws, other than the Federal Power Act, governing the protection and preservation of navigable waters shall not apply to the reach of the Upper Fox River, Wisconsin, above its juncture with the mouth of the Wolf River.

SEC. 108. The project for the Illinois Waterway and Grand Calumet River, Ill. and Ind. (Calumet-Sag navigation project), authorized by the River and Harbor Act of July 24, 1946, is hereby modified in accordance with the recommendations of the division engineer in his report dated May 15, 1956, insofar as they apply to existing highway bridges in part I, Sag Junction to Lake Calumet, at an estimated additional cost of $9,884,000.

SEC. 109. (a) The Secretary of the Army hereby is authorized to acquire on behalf of the United States the fee simple title in and to the lands in the lake (known as Sinnissippi Lake) created by the Government dam constructed across Rock River between Sterling and Rock Falls, Ill., and over which the United States now holds flowage rights or easement, and in and to all other lands upon which the United States has rights or easements used for the purpose of and appurtenant to the operation of the Federal project known as the Illinois and Mississippi Canal (which lake, canal, feeder, and appurtenances thereto are referred to collectively in this section as the canal) in the State of Illinois; said fee simple title to be acquired subject to the continuing right of access to Sinnissippi Lake by the riparian owners whose land adjoins and abuts said lake. Such acquisition may be accomplished by purchase, acceptance of donation, exchange, exercise of the power of eminent domain, or otherwise.

(b) The Secretary of the Army further is authorized out of appropriations hereafter made for civil functions administered by the Department of the Army, to cause the canal to be repaired and modified for the purpose of placing the same in proper condition for public recreational use other than through navigation, including (but not limited to) the repair or reconstruction of the aforesaid Government dam across Rock River; the repair or reconstruction of retaining walls, embankments, and fixed portions of the lock and dam structures, on both the feeder and the main portions of the canal; the removal of presently existing lock gates and the construction of fixed dams in lieu thereof; the repair of culverts, drainage ditches, fences, and other structures and improvements, except bridges and roads, which the United States has maintained or has been obligated to maintain; the replacement of aqueducts with inverted siphons or flumes; such other repair, renovation, or reconstruction work as the Chief of Engineers may deem necessary or advisable to prepare the canal for public recreational use other than through navigation; and the sale or other disposition of equipment, buildings, and other structures, which are designated by the State of Illinois as not suitable or needed for such use. The work of repair and modification shall be performed by the Corps of Engineers, and upon completion thereof the Chief of Engineers shall certify such completion to the Secretary of the Army. The work of repair and modification authorized in this subsection, as well as the land acquisition authorized in the preceding subsection, shall not be commenced prior to the approval by the Chief of Engineers and the responsible State representative of the agreement authorized in subsection (e) which shall include assurance from the State of Illinois that it will accept the conveyance of all right, title, and interest of the United States in and to the canal. Upon such conveyance the United States shall have no further obligation with respect to the canal.

(c) Upon the request of the State of Illinois and of any corporation owning a railroad which crosses a bridge over the canal, the Secretary of the Army is authorized to convey to said corporation, at any time before the conveyance of the canal to the State of Illinois as provided in subsection (d) of this section, all right, title, and interest of the United States in and to such bridge, and the delivery of any such bridge conveyance shall operate as a complete release and discharge of the United States from all further obligation with respect to such bridge. If the request also provides for the replacement of such bridge with a land fill, the Secretary of the Army further is authorized to permit the said corporation to make such replacement, but shall require adequate provision for culverts and other structures allowing passage of the waters of the canal and necessary drainage, and for right-of-way for necessary and appropriate road crossings.

(d) The Secretary of the Army further is authorized and directed, upon execution of the foregoing provisions of this section, to convey and transfer to the State of Illinois, by quitclaim deed and such other instruments as the Secretary may deem appropriate, without further consideration, the property of the canal; and to execute such other documents and to perform such other acts as shall be necessary and appropriate to complete the transfer to the said State of all right, title, and interest of the United States in and to the canal. Upon and after the delivery of such deed, the State of Illinois is authorized, at all times, to use such quantity of water drawn from Rock River at Sinnissippi Lake, as is adequate and appropriate to operate the canal for public recreational use other than through navigation.

(e) In the execution of the provisions of this section, the Chief of Engineers is authorized to enter into agreements with the duly authorized representatives of the State of Illinois with respect to the details of repair and modification of the canal and the transfer thereof to the State.

(f) There is hereby authorized to be appropriated the sum of $2 million to carry out the provisions of this section.

SEC. 110. The Secretary of the Army is hereby authorized and directed to cause surveys to be made at the following named localities and subject to all applicable provisions of section 110 of the River and Harbor Act of 1950:

Stave Island Harbor at South Goldsboro, Maine.

Tashmoo Pond, Martha's Vineyard, Mass.

Hammonds Cove, entrance to Locust Point Harbor, Long Island Sound, N. Y.

Currioman Bay, Va.

Tabbs Creek, Lancaster County, Va.

Wrights Creek, N. C.

Little Gasparilla Pass, Charlotte County, Fla.

Frenchman Creek, Fla.

Dredged channel, vicinity of Sunshine Skyway, Tampa Bay, Fla.

Apalachicola River Chipola Cutoff, Fla., via Wewahitchka, with a view to providing a channel 9 feet deep and 100 feet wide.

Apalachicola River, Fla., in the vicinity of Bristol and in the vicinity of Blountstown.

Streams at and in the vicinity of Gulfport, Fla.

Channel from Port Inland, Mich., to deep water in Lake Michigan.

SEC. 111. Title I may be cited as the River and Harbor Act of 1956.

TITLE II—FLOOD CONTROL

SEC. 201. That section 3 of the act approved June 22, 1936 (Public Law No. 738, 74th Cong.), as amended by section 2 of the act approved June 28, 1938 (Public Law No. 761, 75th Cong.), shall apply to all works authorized in this title except that for any channel improvement or channel rectification project, provisions (a), (b), and (c) of section 3 of said act of June 22, 1936, shall apply thereto, and except as otherwise provided by law: *Provided*, That the authorization for any flood-control project herein adopted requiring local cooperation shall expire 5 years from the date on which local interests are notified in writing by the Department of the Army of the requirements of local cooperation, unless said interests shall within said time furnish assurances satisfactory to the Secretary of the Army that the required cooperation will be furnished.

SEC. 202. The provisions of section 1 of the act of December 22, 1944 (Public Law No. 534, 78th Cong., 2d session), shall govern with respect to projects authorized in this act, and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto shall apply as if herein set forth in full.

SEC. 203. The following works of improvement for the benefit of navigation and the control of destructive floodwaters and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and the supervision of the Chief of Engineers in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein: *Provided*, That the necessary plans, specifications, and preliminary work may be prosecuted on any project authorized in this title with funds from appropriations heretofore or hereafter made for flood control so as to be ready for rapid inauguration of a construction program: *Provided further*, That the projects authorized herein shall be initiated as expeditiously and prosecuted as vigorously as may be consistent with budgetary requirements: *And provided further*, That penstocks and other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam authorized in this act for construction by the Department of the Army when approved by the Secretary of the Army on the recommendation of the Chief of Engineers and the Federal Power Commission.

Connecticut River Basin

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $13 million for the prosecution of the comprehensive plan for the Connecticut River Basin, approved in the act of June 28, 1938, as amended and supplemented by subsequent acts of Congress, and such comprehensive plan is hereby modified to include the construction of the Littleville Reservoir on the Middle Branch of Westfield River, Mass., in accordance with plans to be prepared by the Chief of Engineers.

Pantego and Cucklers Creek, N. C.

The project for flood protection on Pantego and Cucklers Creek, N. C., is hereby authorized substantially in accordance with recommendations of the Chief of Engineers in House Document No. 398, 84th Congress, at an estimated cost of $413,000.

Savannah River Basin

In addition to previous authorizations, there is hereby authorized the completion of Hartwell Reservoir, approved in the Flood Control Acts of December 22, 1944, and May 17, 1950, in accordance with the report of the Chief of Engineers contained in House Document No. 657, 78th Congress, at an estimated cost of $44,300,000.

Central and southern Florida

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $40 million for the prosecution of the comprehensive plan for flood control and other purposes in central and southern Florida approved in the act of June 30, 1948, and subsequent acts of Congress, and such comprehensive plan is hereby modified to include the following items:

The project for canals, levees, water control structures on the west side of the Everglades agricultural and conservation areas in Hendry County, Fla., in accordance with the recommendations of the division engineer in

his report dated June 6, 1956, at an estimated cost of $3,172,000;

The project for rectification of sedimentation conditions in South Fork of St. Lucie River in the vicinity of Palm City, Fla., caused by operation of the St. Lucie Canal, by removal of the entire shoal in accordance with plan A presented by the district engineer in his report dated April 27, 1956, at an estimated cost of $165,000: *Provided*, That local interests agree to maintain and operate the project upon completion.

Tombigbee River Basin

The project for flood control and related purposes on the Tombigbee River and tributaries, Mississippi and Alabama, is hereby authorized substantially in accordance with recommendations of the Chief of Engineers in his report published as House Document No. 167, 84th Congress, at an estimated cost of $19,199,000: *Provided*, That in lieu of the cash contribution contained in item (f) of the recommendations of the Chief of Engineers, local interests contribute in cash or equivalent work, the sum of $1,585,000 in addition to other items of local cooperation.

Lower Mississippi River

The project for flood control and improvement of the lower Mississippi River adopted by the act approved May 15, 1928, as amended by subsequent acts, is hereby modified and expanded to include the following items and the authorization for said project is increased accordingly:

(a) Modification and extension of channel improvement work on the main stem of the Mississippi River substantially in accordance with the recommendation of the Mississippi River Commission in its report of April 5, 1956, at an estimated cost, over that now authorized, of $219 million for construction and $4,800,000 annually for maintenance.

(b) Modification of the White River Backwater project, Arkansas, substantially in accordance with the recommendation of the Mississippi River Commission in its report of April 16, 1956, at an estimated cost, over that now authorized, of $2,380,000 for construction and $57,000 annually for maintenance: *Provided*, That the Secretary of the Interior shall grant to the White River drainage district of Phillips and Desha Counties, Ark., such permits, rights-of-way, and easements over lands of the United States in the White River migratory refuge, as the Chief of Engineers may determine to be required for the construction, operation, and maintenance of this project.

(c) Modification and extension of plan of improvement in the Boeuf and Tensas Rivers and Bayou Macon Basin, Ark., substantially in accordance with recommendation of the Mississippi River Commission in its report of October 6, 1955, at an estimated cost of $1,212,000.

(d) In addition to the previous authorization, there is hereby authorized to be appropriated the sum of $28,200,000 for prosecution of the plan of improvement for the control of Old and Atchafalaya Rivers and a navigation lock approved in the act of September 3, 1954.

(e) In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $35,674,000 for prosecution of the plan of improvement in the St. Francis River Basin approved in the act of May 17, 1950.

(f) Subparagraph (g) under the title Lower Mississippi River, section 10, of the act approved July 24, 1946, is hereby amended to read "Extension of the authorized headwater project for the Yazoo River and tributaries to include the drainage of runoff waters from the watershed of McKinney Bayou and the providing of pumping capacity additional to that now existing for said waters in the proportion determined by the Chief of Engineers is authorized in the discretion of the Chief of Engineers, at an estimated cost of $800,000."

The project for flood protection and related purposes on Bayou Chevreuil, La., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 347, 84th Congress, at an estimated cost of $547,000: *Provided*, That work already performed by local interests on this project, in accordance with the recommended plan as determined by the Chief of Engineers, may be credited to the cash contribution required of local interests.

The project for flood protection on Wolf River and tributaries, Tennessee, is hereby authorized substantially in accordance with the report of the Board of Engineers for Rivers and Harbors dated April 25, 1956, at an estimated cost of $1,932,000.

Purgatoire River Basin

The project for the Trinidad Dam on Purgatoire River, Colo., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 325, 84th Congress, at an estimated cost of $16,628,000.

White River Basin

In addition to previous authorizations, there is hereby authorized the sum of $57 million for the prosecution of the comprehensive plan for the White River Basin, approved in the act of June 28, 1938, as amended, and supplemented by subsequent acts of Congress, and such comprehensive plan is hereby modified to provide for the generation of power in conjunction with flood control at the Lone Rock Reservoir and the addition of Gilbert Reservoir for flood control, power generation, and other purposes as recommended by the District Engineer in House Document No. 499, 83d Congress.

Upper Mississippi River Basin

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $21 million for the prosecution of the comprehensive plan for the Upper Mississippi River Basin, approved in the act of June 28, 1938, as amended and supplemented by subsequent acts of Congress.

The project for flood protection on Eau Galle River at Spring Valley, Wis., is hereby authorized substantially in accordance with recommendations of the Chief of Engineers in Senate Document No. 52, 84th Congress, at an estimated cost of $6,690,000.

The project for flood protection on the Mississippi River at Winona, Minn., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 324, 84th Congress, at an estimated cost of $1,620,000.

The project for flood protection on the Minnesota River at Mankato and North Mankato, Minn., is hereby authorized substantially as recommended by the Chief of Engineers in House Document No. 437, 84th Congress, at an estimated cost of $1,870,000.

The Shelbyville Reservoir project on the Kaskaskia River, Ill., is hereby authorized substantially as recommended by the division engineer in his report at an estimated cost of $23 million.

The project for flood protection on the Root River at Rushford, Minn., is hereby authorized substantially as recommended by the Chief of Engineers, in House Document No. 431, 84th Congress, at an estimated cost of $796,000.

Great Lakes Basin

The project for flood protection on the Bad River at Mellen and Odanah, Wis., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 165, 84th Congress, at an estimated cost of $917,000.

The project for flood protection on the Kalamazoo River at Kalamazoo, Mich., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document No. 53, 84th Congress, at an estimated cost of $5,358,000.

The project for flood protection on the Saginaw River, Mich., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 346, 84th Congress, at an estimated cost of $16,085,000.

Missouri River Basin

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $200 million for the prosecution of the comprehensive plan for the Missouri River Basin, approved in the act of June 28, 1938, as amended and supplemented by subsequent acts of Congress.

The project for flood protection on the Floyd River, Iowa, is hereby authorized substantially as recommended by the Chief of Engineers in House Document No. 417, 84th Congress, at an estimated cost of $8,060,000.

The project for flood protection on the Black Vermillion River at Frankfort, Kans., is hereby authorized substantially as recommended by the Chief of Engineers in House Document No. 409, 84th Congress, at an estimated cost of $850,000.

The project for flood control on Salt Creek and tributaries, Nebraska, is hereby authorized substantially as recommended by the Chief of Engineers in House Document No. 396, 84th Congress, at an estimated cost of $13,314,000.

Ohio River Basin

The project for the Saline River and tributaries, Illinois, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report published as House Document No. 316, 84th Congress, at an estimated cost of $5,970,000: *Provided*, That in lieu of the cash contribution recommended by the Chief of Engineers, local interests contribute in cash, the sum of $233,000, in addition to other items of local cooperation.

The project for flood protection on Brush Creek at Princeton, W. Va., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document No. 122, 84th Congress, at an estimated cost of $917,000.

The project for flood protection on Lake Chautauqua and Chadakoin River at Jamestown, N. Y., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document No. 103, 84th Congress, at an estimated cost of $4,796,000.

The project for flood protection on the west branch of the Mahoning River, Ohio, is hereby authorized substantially in accordance with plans to be prepared by the Chief of Engineers at an estimated cost of $14 million.

The project for flood protection on Sandy Lick Creek at Brookville, Pa., is hereby authorized substantially in accordance with plans to be prepared by the Chief of Engineers at an estimated cost of $1 million.

Sacramento River Basin

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $17 million for the prosecution of the comprehensive plan approved in the act of December 22, 1944, as amended and supplemented by subsequent acts of Congress.

The project for flood protection on the Sacramento River from Chico Landing to Red Bluff, Calif., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 272, 84th Congress, at an estimated cost of $1,560,000.

The project for flood protection on the Eel River in the Sandy Prairie Region, California, is hereby authorized substantially in accordance with the recommendations of the Chief

of Engineers, at an estimated cost of $670,000.

Weber River Basin, Utah

The project for flood protection on the Weber River and tributaries, Utah, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 158, 84th Congress, at an estimated cost of $520,000.

San Joaquin River Basin

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $13 million for the prosecution of the comprehensive plan approved in the act of December 22, 1944, as amended and supplemented by subsequent acts of Congress.

The project for the Buchanan Reservoir on the Chowchilla River, Calif., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 367, 81st Congress, at an estimated cost of $10,900,000: *Provided*, That, prior to starting construction, assurances of repayment arrangements for the cost allocated to irrigation be obtained by the Secretary of the Interior.

The project for the Hidden Reservoir on the Fresno River, Calif., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 367, 81st Congress, at an estimated cost of $12,500,000: *Provided*, That prior to starting construction assurances of repayment arrangements for the cost allocated to irrigation be obtained by the Secretary of the Interior.

Kaweah and Tule River Basins

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $28 million for the prosecution of the comprehensive plan approved in the act of December 22, 1944, as amended and supplemented by subsequent acts of Congress.

Los Angeles River Basin

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $44 million for the prosecution of the comprehensive plan approved in the act of June 28, 1938, as amended and supplemented by subsequent acts of Congress.

Santa Ana River Basin

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $3 million, for the prosecution of the comprehensive plan approved in the act of June 28, 1938, as amended and supplemented by subsequent acts of Congress.

Columbia River Basin

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $112 million for the prosecution of the projects and plans for the Columbia River Basin, including the Willamette River Basin, authorized by the Flood Control Act of June 28, 1938, and subsequent acts of Congress, including the Flood Control Acts of May 17, 1950, and September 3, 1954.

Sammamish River Basin

The project for flood protection and related purposes on the Sammamish River, Wash., is hereby authorized substantially as recommended by the Chief of Engineers in House Document No. 157, 84th Congress, at an estimated cost of $825,000.

Territory of Alaska

The project for flood protection on Chena River at Fairbanks, Alaska, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 137, 84th Congress, at an estimated cost of $9,727,000.

SEC. 204. That, in recognition of the flood-control accomplishments of the multiple-purpose Oroville Dam and Reservoir, proposed to be constructed on the Feather River by the State of California, there is hereby authorized to be appropriated a monetary contribution toward the construction cost of such dam and reservoir and the amount of such contribution shall be determined by the Secretary of the Army in cooperation with the State of California, subject to a finding by the Secretary of the Army of economic justification for allocation of the amount to flood control, such funds to be administered by the Secretary of the Army: *Provided*, That prior to making the monetary contribution or any part thereof, the Department of the Army and the State of California shall have entered into an agreement providing for operation of the Oroville Dam in such manner as will produce the flood-control benefits upon which the monetary contribution is predicated, and such operation of the dam for flood control shall be in accordance with rules prescribed by the Secretary of the Army pursuant to the provisions of section 7 of the Flood Control Act of 1944 (58 Stat. 890): *Provided further*, That the funds appropriated under this authorization shall be administered by the Secretary of the Army in a manner which shall assure that the annual Federal contribution during the project construction period does not exceed the percentage of the annual expenditure for the Oroville Dam and Reservoir which the total flood-control contribution bears to the total cost of the dam and reservoir: *And provided further*, That unless construction of the Oroville Dam and Reservoir is undertaken within 2 years from the date of enactment of this act, the authority for the monetary contribution contained herein shall expire.

SEC. 205. In prosecuting plans and projects for navigation, flood control, and allied purposes heretofore or hereafter authorized, storage may be included in any reservoir project to be constructed by the Corps of Engineers without reimbursement to increase low flows downstream to the extent warranted at that time, or anticipated to be warranted at that time, or anticipated to be warranted during the economic life of the project, by widespread, general, and nonexclusive benefits from such increases in low flow.

SEC. 206. The Secretary of the Army is hereby authorized and directed to cause surveys for flood control and allied purposes, including channel and major drainage improvements, and floods aggravated by or due to wind or tidal effects, to be made under the direction of the Chief of Engineers, in drainage areas of the United States and its Territorial possessions, which include the following named localities: *Provided*, That after the regular or formal reports made on any survey are submitted to Congress, no supplemental or additional report or estimate shall be made unless authorized by law except that the Secretary of the Army may cause a review of any examination or survey to be made and a report thereon submitted to Congress if such review is required by the national defense or by changed physical or economic conditions: *Provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this title until the project for the proposed work shall have been adopted by law:

Hackensack River, N. Y. and N. J., including drainage and reclamation of lands.

Mills Creek, Fla.

Streams in Seminole County, Fla., draining into the Saint Johns River.

Streams in Brevard County, Fla., draining Indian River and adjacent coastal areas including Merritt Island.

Lake Pontchartrain, La., in the interest of protecting Salt Bayou Road.

San Felipi Creek, Tex., at and in the vicinity of Del Rio, Tex.

El Paso, El Paso County, Tex.

Rio Grande and tributaries, at and in the vicinity of Fort Hancock, Hudspeth County, Tex.

Little River and Cayuga Creek, at and in the vicinity of Cayuga Island, Niagara County, N. Y.

Sacramento River Basin, Calif., with reference to cost allocation studies for Oroville Dam.

Pescadero Creek, Calif.

San Gregorio Creek and tributaries, California.

Redwood Creek, San Mateo, Calif.

Streams at and in the vicinity of South San Francisco, Calif.

Streams at and in the vicinity of Burlingame, Calif.

Kellogg and Marsh Creeks, Contra Costa County, Calif.

Eastkoot Creek, Stinson Beach area, Marin County, Calif.

Rodeo Creek, tributary of San Pablo Bay, Contra Costa County, Calif.

Pinole Creek, tributary of San Pablo Bay, Contra Costa County, Calif.

Rogue River, Oreg., in the interest of flood control, navigation, hydroelectric power, irrigation, and allied purposes.

SEC. 207. In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $200,000,000 for the prosecution of the comprehensive plan adopted by section 9 (a) of the act approved December 22, 1944 (Public No. 534, 78th Cong.), for continuing the works in the Missouri River Basin to be undertaken under said plans by the Secretary of the Interior.

SEC. 208. That for preliminary examinations and surveys authorized in previous river and harbor and flood control acts, the Secretary of the Army is hereby directed to cause investigations and reports for flood control and allied purposes, to be prepared under the supervision of the Chief of Engineers in the form of survey reports, and that preliminary examination reports shall no longer be required to be prepared.

SEC. 209. Title II may be cited as the "Flood Control Act of 1956."

The SPEAKER. Is a second demanded?

Mr. DONDERO. Mr. Speaker, I demand a second.

The SPEAKER. Without objection a second will be considered as ordered.

There was no objection.

Mr. DAVIS of Tennessee. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, after several months of painstaking and thorough hearings, the Subcommittee on Flood Control recommended to the full committee title II of H. R. 12080, which authorizes the construction, repair and preservation of certain public works on rivers and harbors for navigation, flood control and for other purposes.

As chairman of that subcommittee, I shall ever be mindful of the wholehearted cooperation on the part of each of its members on both sides of the aisle. In the many years of my service, I have never seen such consistent attendance upon meetings. During many weeks these hearings were held day after day but this did not interfere with the attendance of the subcommittee. Likewise, I have never seen more patience and more thoroughness exhibited on the part of the individual members in seeking to obtain all of the facts, and I can say with great sincerity that every member approached these flood control projects in the hope that the best service may be rendered the communities most urgently involved but ever considering

the effect on the economy and the safety of the entire country.

We could have never completed our work without the able counsel and assistance of Charles Tierney, our chief counsel who is splendidly equipped in the law and on legislative matters and possesses the highest qualities of a gentleman. His assistant, Mr. Robert McConnell, was with the committee constantly and never failed to give us the benefit of his long experience and his sound judgment. Representing the so-called minority members of our committee, we looked upon him as truly representing all of us because the ravages of flood know no political party nor section of the country.

Indeed, we shall always be indebted to Mrs. Margaret Beiter, assistant chief clerk, who possesses the widest possible knowledge of all the matters which are constantly being presented to the Committee on Public Works. She is one of those fortunate people with a retentive mind and is thoroughly dedicated to the Committee on Public Works and serves unselfishly, intelligently, and well in a most important position in this Government.

During our long hearings we had the technical assistance, information and experience of the Corps of Engineers. Long known for integrity, reliability, and ability, the Corps through all of its officers continue to do a perfectly amazing job in this whole field of navigation and control of water.

The committee this year was fortunate to have Major General Itschner with us during all of our hearings. General Itschner is one of the most distinguished engineer officers we have in the service. He has served the country in time of peace and was active as a combat engineer officer in time of war. Without question he is a man of deep probity, thinks every question through and was gracious and helpful in all of the difficult presentations the committee considered. While many junior officers were present with General Itschner from time to time and many civilians, all too many to mention by name, I must express appreciation to Colonel Howard Penny and to Mr. Joseph R. Brennan. Both of these men know their responsibilities thoroughly. Often we are almost astounded at the wealth of information on all subjects possessed by Mr. Brennan.

I wish I had time to pay proper tribute to Maj. Gen. John R. Hardin, president of the Mississippi River Commission and to Mr. Val Darling, his civilian assistant on matters concerning the lower Mississippi Valley. Need I but say that General Hardin is always capable of stating an involved situation with simplicity, appropriateness, and without fear of contradiction. General Hardin never moves to a conclusion until he is entirely satisfied, and constantly we have found that no one questions his good judgment. Mr. Darling, so long charged with manifold responsibilities, has always been a favorite helper with the Subcommittee on Flood Control.

I wish that time permitted me to give the historical background of flood control and the distinguished service rendered by Hon. Will M. Whittington, of Mississippi, longtime chairman of the Committee on Public Works, and the greatest civilian authority on flood control in the United States, but this and other matters must await another time for humble recognition on my part.

I should like, however, to make a statement on the general status of the flood-control program before describing the individual projects under title II. In this I shall make frequent reference to the language contained in the report on our bill.

The active flood-control program including the major project for the lower Mississippi River but excluding multiple-purpose improvements, involves over 760 projects with a total estimated cost of $6.3 billion. Of this amount, $2.6 billion have been appropriated by Congress, leaving a total of $3.7 billion for completion. If the multiple-purpose projects which serve flood-control purposes are added, the estimated cost of the total authorized flood-control program becomes $9.5 billion, of which a total of $4 billion has been appropriated through fiscal year 1956.

The accomplishments of the flood-control program have more than justified its cost. The projects in full or partial operation are preventing flood damages of one-half billion dollars a year and in addition producing related benefits of one-fourth billion dollars a year. This total annual value of three-fourth billion dollars a year is being achieved at a cost of slightly more than $200 million a year.

The flood-control program is paying off at the rate of more than $3 from each $1 invested and this does not take into account the values which cannot be measured in monetary terms such as the saving in life and the economic security of hundreds of urban communities and farming areas.

The committee recognizes that much is still to be done in the field of flood-damage prevention. The potential flood losses in the United States in the main river valleys and the major tributaries would amount to $900 million a year if there were no flood-control works. The reduction of one-half billion dollars a year in flood damages being achieved by flood-control works now in operation still leaves a balance of $400 million of annual average loss. The projects included in this title represent a long stride along the road toward adequate protection of the lives and property of the American people from devastating floods.

The active multiple-purpose program previously authorized by Congress, which may be classified in the flood-control category as distinguished from the navigation category, consists of 40 projects which have a total cost of $3.2 billion. The total appropriation to date is $1.5 billion, leaving $1.7 billion to complete.

Hydroelectric power is an important product of a multiple-purpose program. The present installed capacity of all multiple-purpose projects of the corps is more than 4 million kilowatts. The capacity with the projects under construction or completed will be 7.6 million kilowatts.

The committee has given serious and detailed consideration to the needs of every section of the country in formulating this bill. In this connection it wishes to point out how once again its attention has been called vividly to the need for unceasing vigilance in carrying on, and keeping up to date, the flood-control program. During hearings on the last omnibus bill in 1954, the memory of the terrible Kansas River flood was still fresh in the minds of the people throughout the entire country. This year two far-removed sections of the country are still suffering from the impact of similar disasters in 1955 and 1956; the Northeast floods induced by hurricanes which occurred last fall and the west coast floods of last December and January.

The committee has given full attention to the needs of these areas and has heard testimony from the Corps of Engineers and local witnesses on possible modifications and additions in the authorized plans which would be essential in meeting any changed requirements as a result of these floods.

The committee believes that despite the availability of a backlog of authorized flood-control projects, there is constant need for review and reanalysis of the program and for the authorization of modifications and additions, not only because of the occurrence of major floods which may require changes in the engineering techniques used in the formulation of a river basin plan, but also to keep pace with technological and economic changes which may have occurred subsequent to the original approval of individual projects or basin plans.

The flood-control program must be considered as dynamic, growing and changing from time to time in accordance with the growth of the country and the accumulation of more knowledge of the behavior of streams and floods and the engineering tools needed to control them.

The committee wishes to call attention to two recent outstanding examples of the value of the flood-control program from the numerous instances which it might choose:

In connection with the hurricane floods in New England, a total of 9 completed local protection works on the Connecticut River at Hartford, Conn., Springfield, Mass., and other localities, prevented damages of about $33 million. The total Federal cost of these works was about $19 million. These works more than paid for themselves in one flood.

The flood-control project for the Sacramento River prevented damages during the December west coast floods of $19 million; its total cost is $65 million. This project has been preventing damage for more than 30 years.

The committee is impressed by the fact that the value of many of the projects in the flood-control program, as measured by the benefit-cost ratio, appears much higher when analyzed after they have been in operation than the value computed prior to their construction. The committee realizes that the Corps of Engineers bases its computation of the benefit-cost ratio for projects under study in accordance with accepted engi-

neering and economic principles, but it also realizes that the results can be no more accurate than the data upon which they are based.

In the case of benefit-cost ratios, the benefit element is based upon relatively short and incomplete records of past flood history and damage in many instances. The committee feels that the Corps of Engineers has taken, and properly so, a conservative approach in these analyses and it is highly gratified that the results of the program are showing more and more as time goes on that the Federal investment has been and will continue to be increasingly sound.

The overall cost of title II of this bill will amount to slightly over $1 billion. Would that be we could proceed more quickly with the actual appropriation of dollars to insure greater happiness and safety to our people in the assurance that year by year so many sections of the country would not be subjected to the ravages of flood causing such tremendous loss in life and property.

May we look to that day when we can use more of our tax dollars for constructive purposes when peace shall more nearly be throughout the world.

Now that some question has arisen as to the position of the Budget Bureau on many of these projects I shall discuss these objections in detail. Every omnibus bill has contained some projects not having Bureau approval. The 1954 bill contained eight.

PROJECTS FOR WHICH NO REPORT HAS BEEN RECEIVED BY THE BUREAU OF THE BUDGET

First. Salem Harbor, Mass.: This report has been favorably approved by the Chief of Engineers, is a much-needed navigation improvement, and in the opinion of the committee should be included. The report is now being prepared to go to the Bureau of the Budget. The committee believes that it is grossly unfair to deny navigation interests the possibility of authorization and early construction of this project merely because technically it has not cleared the Bureau of the Budget. The committee feels that in all likelihood, in view of the evidence presented to it, that the Bureau of the Budget will report favorably upon it. This explanation applies equally to the other projects in the following listing.

Second. Baltimore Harbor and Channels, Md.: This project has been favorably reported on by the Division Engineer of the Corps of Engineers and is now with the Board of Engineers for Rivers and Harbors for its consideration. The committee notes that the benefit-cost ratio is almost 5 to 1 and cannot conceive that any adjustments or changes could be made which would result in making the project uneconomic. Even if the costs were doubled and the benefits halved, the project would still have a benefit-cost ratio above unity.

Third. Escambia River, Fla.: This is a worthy navigation project which has the approval of the division engineer. It is now with the Board of Engineers for Rivers and Harbors for its consideration. The committee noted that the benefit-cost ratio on this project is even higher than that for Baltimore Harbor, more than 5 to 1.

Fourth. Mississippi River between St. Louis and lock and dam No. 26: The committee considered carefully extensive testimony by local interests on this matter. An extremely urgent problem exists because low flows on the Mississippi River had caused large losses to shipping interests due to their inability to use the full depth which would normally be permitted by the project. Improvement would consist of a low dam near St. Louis to increase the depth at lock No. 26 so that its full capacity could be utilized. The benefit-to-cost ratio is 5 to 1. It has received the approval of the Chief of Engineers and will be submitted to the Bureau of the Budget. As with the others, the committee cannot conceive of any change which would result in the project becoming unjustified. If it is not included in this bill, it will have to wait several years for authorization, and in the meantime there will be a loss of more than $2½ million per year to transportation interests and the consuming public.

Fifth. Illinois Waterway and Grand Calumet River—Calumet-Sag—Illinois: This item is a fair and equitable allocation of cost-sharing on this great waterway improvement, to bring the Federal and local share in the cost of highway bridges in line with legislation passed in 1952. The project was originally authorized in 1946 and in accordance with the laws concerning the operation of highway bridges existing at that time. Unless this project is included in the bill, local interests will be required to bear an unjust portion of the highway bridge cost, and since the project is under construction it will be too late to rectify the matter unless legislation is modified at this time. The report has been approved by the division engineer and has been sent to the River and Harbor Board. Again, the Committee feels that observance of a technicality concerning the time of submission of a formal report to Congress would be unfair and unjust in this case.

Sixth. Littleville Reservoir, Massachusetts: This is one of the most outstanding projects in the bill. Its inclusion has been prompted by the unprecedented devastating floods arising from the hurricanes in the Northeast of last fall. The report has been approved favorably by the division engineer and is now with the River and Harbor Board. The committee feels that this project is to all intents and purposes an emergency one. And although it hopes there will be no early recurrence of last year's terrible hurricanes, it feels it should do everything in its power to permit the prompt initiation of preventive measures such as Littleville Reservoir.

Seventh. Hendry County, Fla.: This is a much needed modification of the great central and southern Florida project and is required to permit work to go ahead in a logical and orderly fashion on other elements of the authorized project. The benefit-to-cost ratio is favorable and the report has been approved by the division engineer.

Eighth. South Fork of St. Lucie River, Fla.: This is a small project for the removal of shoals at the mouth of the St. Lucie Canal. This shoaling has been caused partially by the operation of the St. Lucie locks which are part of the authorized intracoastal waterway route across Florida. This improvement is for the benefit of all boating interests along the east and gulf coasts, and the committee does not feel it is equitable to require the small communities at the mouth of the river to suffer the damage which has been caused by this waterway improvement. The committee has therefore included this item as a matter of equity, but has provided, however, that local interests must maintain the project after its completion by the United States. The committee feels this is a fair adjustment.

Ninth. Lower Mississippi River channel improvement: This is a part of the comprehensive works for the improvement of the Lower Mississippi River, which the Federal Government undertook in 1928. The report is a result of many years of study and research, and from the testimony presented ,the committee is confident it will result in a great forward step being taken in the control of the "father of waters." A favorable report has been made by the Chief of Engineers and will be submitted to Congress after review by the Bureau of the Budget.

Tenth. White River backwater area: As with the other projects in this category, the committee has heard testimony on this project and notes it has been favorably approved by the Chief of Engineers and will be submitted to the Bureau of the Budget in the near future. The committee does not believe it should be held up for the next omnibus bill.

Eleventh. Old and Atchafalaya Rivers: This project was authorized by the River and Harbor and Flood Control Act of September 3, 1954, and is fully contained in the project report which has been submitted to Congress and printed as House Document 478 of the 83d Congress. The authorization in this bill would merely be for the appropriation of funds for the completion of the project as contemplated by Congress in its earlier authorization.

Twelfth. McKinney Bayou, Yazoo River: This is a minor item to amend previous legislation to provide authority to take care of runoff in connection with the authorized project for the Yazoo River and tributaries. The presently authorized plan, which would not do the job satisfactorily, has an estimated cost of $300,000. The new plan which would give the Chief of Engineers authority to provide for both additional pumping capacity and drainage improvements at a cost of $800,000, which represents an increase of $500,000 over that presently authorized, would be much more satisfactory according to testimony heard by the committee. The committee does not feel that it is particularly vital that a report be formally submitted to the Congress on this matter since it's simplicity is such that action can be taken on the basis of testimony of local witnesses and the Corps of Engineers. The committee has, therefore, included the item in the bill.

Thirteenth. Wolf River, Tenn.: This project was approved by the district and division engineers, by the Board of Engineers for Rivers and Harbors and by the

Chief of Engineers. It will shortly be submitted to the Congress after clearance by the Bureau of the Budget. The project will provide for much needed channel improvements in the vicinity of Memphis to protect that important urban area. In considering this project, the committee was particularly impressed by the extremely high local contribution and the fact that local interests have agreed to meet this requirement. The cost of the entire project is slightly in excess of $3 million, of which local interests must pay about $1,100,000 or more than 36 percent of the entire project cost. The committee also notes that this amount includes a cash contribution of 19 percent, amounting to $453,000, which is over and above the normal requirements in projects for the prevention of flood damage. They must also make a heavy contribution to the cost of local drainage improvements which are not a part of this project. The benefit-cost ratio is favorable. The committee is very strongly of the opinion that any project where the local interests have agreed to bear such an unusually high proportion of the project cost, which incidentally is fully in accord with the recommendations of the Chief of Engineers, should not be compelled to wait several years for the next omnibus bill merely because a formal report has not been submitted to the Congress.

Fourteenth. Shelbyville Reservoir, Ill.: The report on this matter was completed by the district and division engineers and consideration has been given to it in the Office of the Chief of Engineers in Washington. Considerable testmony was presented to the committee. The reservoir is needed to complete the control of floodwaters and for other purposes in the important Kaskaskia River Basin in Illinois. There is an authorized reservoir downstream called Carlyle Reservoir for which planning funds have already been appropriated and which will undoubtedly be under construction with appropriations from subsequent appropriations acts. In the meantime, early action is needed on authorization of the companion project for Shelbyville Reservoir because, according to the testimony heard by the committee, a complete and adequate plan for flood control as well as for water supply, navigation, and other beneficial aspects of water resource development will not be available until both reservoirs are in operation. The committee feels that it will be very unfortunate to delay the Shelbyville Reservoir project in view of the fact that the Carlyle Reservoir is now going ahead. The committee considers this matter to represent a special case and believes that inclusion of the authorization of Shelbyville is not only well justified but a matter of pressing urgency.

Fifteenth. West Branch Mahoning River Reservoir, Ohio: This is an unusual project because of the fact that although the report has not been fully completed, engineering and economic information is available which has been obtained by reason of the recent conclusion of a very comprehensive report on the entire Mahoning River Basin. Information in the latter report plus the information based on the most recent engineering and economic studies as presented in testimony to the committee has convinced the committee that there is no question on the economic justification of this project. Although the cost estimates and benefits have not been determined to the ultimate degree of refinement, information during testimony indicates that the benefit-cost ratio will be substantially above unity. One of the main purposes of this reservoir project will be to augment low flows downstream vitally needed by the great steel industry and other industrial plants in Youngstown and vicinity. Of the total cost of $14 million, local interests will be required to pay about half in return for these low-flow benefits. The committee feels sure that when the report is completed by the district and division engineers, reviewed by the Board of Engineers for Rivers and Harbors and by the Chief of Engineers and finally cleared through the Bureau of the Budget to Congress, that there will be no question about the need for and justification of this worthwhile project.

Sixteenth. Sandy Lick Creek, Brookville, Pa.: This project is in much the same category as that for the West Branch Mahoning project in the preceding item except that it involves a local protection project for the town of Brookville rather than a reservoir. The project is urgently needed and testimony before the committee indicated that although the report is not finally completed, the engineering and economics are sufficiently advanced to indicate that the project will have a benefit-cost ratio in excess of 1.3 to 1. The committee feels that it is well justified in including this item in the bill.

Seventeenth. Eel River, Calif.: The report on this project which is essentially a levee for the protection of an area subject to severe flooding along the lower reaches of the Eel River, was completed and recommended favorably by the district and division engineers and was considered by the Board of Engineers for Rivers and Harbors last month. The Board requested certain additional information of a technical engineering and economic nature prior to taking final action and for that reason the report has been delayed in its normal course of submission to Congress. Testimony indicates that the additional information involves such matters as the length of the levee and certain technicalities in connection with the evaluation of benefits. After hearing the testimony on the vital need for the project, the committee is convinced that the favorable benefit-cost ratio which it now has will be maintained when the report is finally submitted. The committee is particularly impressed with the high degree of local cooperation which is $238,000 in comparison to the total Federal cost of $670,000, which is in excess of one-quarter of the entire cost. The committee is further impressed by the fact that about 85 percent of this contribution, or $194,000 out of the total of $238,000, is in the form of cash. As with the Wolf River referred to previously, the committee believes that any meritorious project needed for vital flood protection and which carries such a high degree of local contribution should not be delayed because of the technicality regarding the submission of a formal report to Congress.

Eighteenth. Buchanan Reservoir, Calif: Although a report on this matter has not been submitted to the 84th Congress, the project is covered fully in a previously submitted report printed as House Document No. 367, 81st Congress, covering the Sacramento-San Joaquin River Basin in California. The fact that such a report has been submitted the Committee feels fully complies with the requirement of a formal report to Congress.

Nineteenth. Hidden Reservoir, Calif.: This is in the same category as item 18 above and is covered fully in House Document No. 367, 81st Congress. Both of these projects have high benefit-cost ratios—1.6 for Buchanan and 1.85 for Hidden—and in both cases the committee notes that a substantial portion of the Federal cost will be repaid by local interests for conservation use of the reservoir.

Twentieth. Oroville Reservoir, Calif.: As with items 18 and 19 above, this matter is also covered in House Document No. 367, 81st Congress. However, in this case the authorization in the bill is merely to permit the Federal Government to participate in the cost of a reservoir to be constructed by the State of California, the participation to be based upon flood-control benefits. The total cost of the reservoir, the committee understands, will be in excess of $400 million and the possible reimbursement would be in the range of $40 to $60 million. The committee considers this authorization to be perfectly sound because it carries safeguards to the Federal Government as described in the committee report on page 74. Since the reservoir will be under construction next year the committee feels that it is important to include this authorization at this time.

The amount of contribution is to be determined by the Secretary of the Army in cooperation with the State of California and will be based upon a procedure which will provide a full return in the way of flood control benefits for the amount of participation, in such a fashion that all functions in the project, flood control, navigation and others will share equitably in any benefits to be derived in excess of the costs allocated to that function.

PROJECT REPORTS NOW UNDER REVIEW BY THE BUREAU OF THE BUDGET

First. Boeuf and Tensas River and Bayou Macon, La.: This report has received complete agreement by all the reporting offices, has been approved favorably by the Board of Engineers for Rivers and Harbors and the Chief of Engineers, has received approval of the State and was submitted to the Bureau of the Budget for clearance early this month, subsequent to the date of July 2, when the bill H. R. 12080 was reported by this committee. The project has a favorable benefit cost of 4.9—unusually high. The committee does not feel it equitable to require a delay in the authorization of several years because the report has not been formally received by Congress.

Second. Water hyacinths' program: The fight against the water hyacinth along the southern Atlantic and gulf coasts has been carried on ineffectively

for some years because of the lack of a long-range program and sufficient appropriations. Such a program has now been developed and the committee feels that it is urgent that it be put in operation as soon as possible. The cost will be borne 25 percent by the States and other local interests, and 75 percent by the Federal Government. It is felt that by the end of the 5-year period, for which this program is intended, that the battle against the water hyacinth will be won. Every year it is delayed will make the problem more difficult to cope with. The eradication of this obnoxious growth is vitally important, not only for navigation, but for reasons of health as well as preservation of fish and wildlife. The committee heard extensive testimony on this problem from State officials as well as from the Corps of Engineers, and is fully satisfied that the program is justified and urgently needed. The official report in which the program is recommended by the Chief of Engineers will be transmitted to the Congress in the near future.

REPORTS HELD NOT IN ACCORD WITH THE PROGRAM OF THE PRESIDENT

First. Mississippi River at Alton, Ill.: This report is contained in printed form as House Document 136, 84th Congress—small boat harbor. This is a relatively small project for a small boat harbor with a total cost of $168,000, of which local interests will be required to contribute approximately $67,000 including a cash contribution of 19 percent, or about $23,000, toward the cost of the harbor dredging and bank protection work. In the testimony heard on this project, it was brought out that there was a difference in the recommended cash contribution between the recommendations of the Chief of Engineers and the views of the Bureau of the Budget. The Bureau of the Budget felt that the cash contribution should be greater; however, the committee considered carefully both sides of the question, and has included the item in accordance with the recommendations of the Chief of Engineers so as to make it consistent with the majority of other similar projects in this bill and in other previous bills.

Second. Morehead City Harbor, N. C.: This is contained in the printed document, Senate Document 54, 84th Congress. In this project, there is a minor difference in the recommendations of the Chief of Engineers and the views of the Bureau of the Budget. The Chief of Engineers recommended that the proposed project be dredged to a depth of 35 feet, whereas, the Bureau of the Budget recommended that the channel depth be 34 feet, and stated that the extra foot was not justified on an economical basis. The committee considered the matter carefully and has included the project on the basis of the Chief of Engineers' recommendation, feeling that ever-increasing size of modern vessels requires the matter to be viewed from a long-range policy. The extra foot of dredging may be needed in the future, and since it represents such a small cost with respect to the entire project, the committee feels that it is prudent to include the authorization at this time. As a matter of fact, the committee understands that in dredging projects of this nature, the normal consideration is to provide for so-called overdepth dredging of 1 or 2 feet, which means that the contractor in obtaining the project depth specified is required to dredge this extra amount, not only as a safeguard, but to postpone the need for future maintenance dredging. Therefore, the committee feels that the project should be authorized as it is now contained in the bill.

Third. Irondequoit Bay, N. Y.: The favorable report of the Chief of Engineers is printed in House Document 342, 84th Congress. In the testimony on this project, it was determined that the situation was similar to that on the Mississippi River at Alton, Ill. (item 1). The Bureau of the Budget was of the opinion that the amount of cash contribution should be greater than that recommended by the Chief of Engineers. In round figures, the total project cost is $3,800,000, of which local interests will be required to contribute approximately $1,900,000. The recommendation of the Bureau of the Budget would have required increasing the total local participation to about $2 million, which represents only about a 5-percent difference in the two recommendations. The committee has included the project in accordance with the recommendations of the Chief of Engineers for the same reason as for the Alton project, that is, to put it in line with a great majority of similar projects in this and other previous omnibus bills.

REPORTS CLEARED ADVERSELY BY THE BUREAU OF THE BUDGET

First. Asbury Park to Manasquan, N. J.: This is a beach erosion project which is a part of the overall plan for the protection of the shores of New Jersey, contained in House Document 361, of the 84th Congress. In this case, the Bureau of the Budget recommended unfavorably because at the time the project was under consideration. The views of the State of New Jersey were unfavorable because of the very high degree of local cost as against Federal cost. This division of cost, which is recommended by the Chief of Engineers, is entirely consistent with the beach erosion law which provides that the Federal Government may participate in such projects only to the extent of one-third of the cost of protecting publicly owned shores. Since most of the shores in question are privately owned, and result of the recommendations was, of necessity, Federal participation of a relatively small amount. However, subsequent to consideration by the Bureau of the Budget and transmission of the report to Congress, the Governor of New Jersey wrote another letter in which he expressed himself as not opposing, but rather desiring the authorization of the project, and stating that his intention was merely to point out that he did not agree with the high amount of local participation. Since the matter of beach erosion is one which is now before the Congress in connection with other legislation, the committee felt it wise to defer action on the major portion of this project. It would, however, include the section from Asbury Park to Manasquan, since the greater part of this beach area is publicly owned, and therefore, the principles of local cooperation, insofar as they prohibit Federal participation in private shores, was not involved. In view of the Governor's letter, the committee feels that the recommendations of the Bureau of the Budget have been satisfied.

UNFAVORABLE REPORT OF THE CHIEF OF ENGINEERS

First. White River Basin, Gilbert and Lone Rock Reservoirs, Ark.: These projects are contained in House Document No. 499, 83d Congress. The committee heard testimony on this matter and noted that, although a report of the Chief of Engineers was unfavorable, it was based upon a computation of the project economics which required the inclusion of certain elements on the cost side which resulted in benefit-cost ratios below unity. The committee feels that these elements of cost are artificial ones since they reflect a theoretical payment of taxes which would actually not be paid. If this artificial item were removed and if full consideration were given to the benefits of the projects, the committee finds that they would be justified. The committee has therefore included the projects in the bill and feels strongly that they should remain.

Second. Minnesota River, Minn.: The committee considered the changed conditions which have arisen since the project report was submitted to Congress in 1954. According to the testimony and as stated in the report, the project is economically favorable, but it was not recommended only because local interests were unable to meet the conditions of local cooperation specified. However, subsequent to that time, local interests have organized to form a district which is prepared to assume the costs for which they have been obligated in accordance with the project authorization. In view of this fact, the committee feels there is no longer any bar to authorization. It noted that there is a heavy movement of traffic, and the project is well justified. It considers the reason for the unfavorable report of the Chief of Engineers no longer exists and has included the project in the bill.

RECOMMENDED COST SHARING REDUCED

First. Tombigbee River, Mississippi and Alabama: This is a channel clearing and improvement project in the Tombigbee River Basin, Mississippi and Alabama. It has benefits in excess of $1,800,000 and a benefit-cost ratio in excess of 1.6. Because there are certain features of land enhancement involved in the project, the Chief of Engineers in accordance with current criteria, recommended an extremely heavy cash contribution amounting to approximately $6,300,000. This amount is in addition to more than $1 million for the normal flood control contribution from local interests for lands and rights-of-way. The committee notes from the testimony offered that floods occur as frequently as several times a year and have a blighting effect upon the agricultural production throughout the area. This project is designed to reduce flood damage on 22 separate streams in the basin. It appears from the testimony that local interests would be completely unable to

raise the cash contribution recommended in the report. If the project were to be authorized as recommended, the committee feels that the authorization would be futile. Considering the ability of local interests to pay, the committee feels it equitable in this case to reduce the cash contribution to 25 percent of that recommended or $1,585,000. This would be in addition to the contribution for lands and rights-of-way of $1,090,000 which would still result in a total of about $2,675,000 which the committee feels is the maximum requirement which should be imposed.

Second. Saline River, Ill.: This project is contained in House Document No. 316 of the 84th Congress. It is very similar to the preceding project on the Tombigbee River. It also provides for channel clearing and improvement of the main stream and certain of its tributaries at a total cost of about $6,620,000. This area has been hard hit by adverse economic conditions in recent years and the cash contribution recommended by the Chief of Engineers of $930,000 based on currrent prices is far beyond the ability of local interests to meet, particularly when added to the requirement of a contribution for the cost of lands and rights-of-way in excess of $400,000. Although the requirement for the total cash contribution in the report is based upon current practices, the committee feels that this project as well as that for the Tombigbee River should be an exception and has recommended that the cash contribution be reduced to 25 percent of that recommended, which would result in a total cash contribution of $232,500 which, when added to the cost of lands and rights-of-way, would make the total local contribution about $650,000.

REPORTS CLEARED SUBJECT TO RESERVATIONS WHICH HAVE NOT BEEN MET

First. Purgatoire River, Trinidad Dam, Colo.: This project is contained in House Document 325 of the 84th Congress. It provides for a dam and reservoir for flood control and water supply for irrigation at a total cost of $16,600,000, about half of which will be repaid by local interests for the water supply features. The committee heard extensive testimony on this matter and viewed with great interest a motion picture film showing the devastating effects of a recent flood in the city of Trinidad and elsewhere along the stream. Because of the heavy contribution required, the recommendation in the report with respect to cost sharing was based on the period of 75 years rather than 50 years. By using this repayment period, local interests will be able to meet their obligations, whereas if a payment period of 50 years had been utilized, it is doubtful if the project could be constructed at all. The committee does not feel that this is in any sense a subsidy to local interests; it merely recognizes existing conditions. The committee feels that it is properly its function to deal with realities and to make adjustments in exceptional cases which will permit the optimum development of the water resources of the United States; therefore, the committee has included this project in accordance with recommendations of the Chief of Engineers.

Second. Saginaw River, Mich.: This report is contained in House Document 346, 84th Congress. It is a comprehensive flood control and conservation improvement for a number of severely damaged areas in this important river basin. Fish and wildlife interests are also served by the project and these interests are required to bear their share of the cost. As pointed out in the committee report, page 60, the committee feels that the authorization as included in the bill will accomplish the objective of allocating the proper amount to fish and wildlife interests.

H. R. 12080—EXPLANATION OF INDIVIDUAL PROJECTS AND ITEMS. THE MATTER OF OMISSION OF THE PROVISION REQUIRING SUBMITTAL OF A REPORT TO CONGRESS PRIOR TO AUTHORIZATION OF A PROJECT

This provision was included in the 1954 omnibus River and Harbor and Flood Control Act and in previous acts going back to the 1946 Flood Control Act where it originated as a result of an amendment by the other body. As contained in the 1954 act it reads as follows:

It is hereby declared to be the policy of the Congress that the following provisions shall be observed:

No project or any modification not authorized, of a project for flood control or rivers and harbors shall be authorized by the Congress unless a report for such projects or modification has been previously submitted by the Chief of Engineers, United States Army, in conformity with existing law.

Examination of the Flood Control and River and Harbor Act of 1946 discloses an interesting fact. In the self-same bill, in spite of the language cited, there were about 50 projects or items authorized on which formal reports of the Chief of Engineers had not been submitted to Congress and assigned a document number. This number represents over 40 percent of the total of about 115 authorization items in the referenced acts. Each subsequent omnibus bill, contained a number of river and flood control projects that were authorized prior to final processing of the survey reports to the Congress. In the 1948 act there were 8, in the 1950 act there were 11 and in the 1954 act there were 8. Thus it is evident that the inclusion in the proposed 1956 bill of projects which have not been completely processed has had ample precedent.

In view of the fact that every omnibus act which contained this prohibition included in the very same act a number of authorizations which were exceptions to the provision, no useful purpose is served by continuing to perpetuate this apparent contradiction. The committee feels that the purpose of the provision is sound and has sought to follow its spirit in its deliberations. It does not feel, however, that it should be a rigid restriction to consideration of worthy projects. The 10 years of test since the 1946 act has completely proved that this provision should not be retained.

The committee feels strongly that if the provision requiring formal submission of reports prior to authorization is followed without exception, it will have taken a long—and backward—step in giving up to the executive branch of the Government an extremely important part of its function as a committee of Congress.

If there are any qualms about the possibility—and such a possibility is remote—that projects in this bill on which reports have not been formally submitted to Congress may eventually turn out to be recommended unfavorably when such reports are submitted, full control over construction will lie with the Corps of Engineers, the Bureau of the Budget, and the Congress itself with regard to appropriations.

As an illustration, the 1954 act contained eight projects on which reports had not been submitted, according to the statement by the President dated September 3, 1954, commenting on the bill H. R. 9859. With respect to these projects the President said:

Until reports on these projects have been completed and data essential to their evaluation is available, I will not request appropriations to start their construction.

Here is what happened to these projects: Reports were completed and submitted on 5 of them and these reports are now printed as documents. On 3 of these 5, an appropriation for construction was not made until after the report was submitted. On 2 of the 5, no construction appropriation has yet been made, although the reports are with Congress. Of the remaining 3 of the total of 8, the report on 1 has not been completed because of complications in the local situation and no appropriation has been made for the project. On the second the matter concerned language regarding substitution of reservoirs and no appropriation was involved. On the third, for which an appropriation has been made, the case also involved the substitution of reservoirs and the committee feels the matter is adequately covered in the information presented to it and in the reports now before the Congress.

A list of these eight projects follows:

Project	Estimated cost at time of authorization	Project document number	Date submitted to Congress	Date of construction appropriation
Big Sioux River, S. Dak	$3,430,000	H. Doc. 133, 84th Cong	Mar. 18, 1955	Fiscal year 1957.
Grays Harbor, Wash	323,700	H. Doc. 30, 84th Cong	Oct. 5, 1954	Do.
Tacoma Harbor, Wash	634,200	H. Doc. 271, 84th Cong	June 9, 1955	Fiscal year 1956.
Mandan, N. Dak	1,727,000	S. Doc. 31, 84th Cong	Mar. 18, 1955	None.
Pecos River, Tex	9,540,000	H. Doc. 339, 84th Cong	Feb. 6, 1956	Do.
Pascagoula Harbor, Miss	877,000	None	None	Do.
West River, Vt	(1)	do	do	Do.
Otter Brook Reservoir, N. H	4,800,000	New England-New York Interagency Committee report.	1955	Fiscal year 1956.
Total	21,331,900			

[1] Language only.

H. R. 12080—EXPLANATION OF INDIVIDUAL PROJECTS AND ITEMS, SECTION 205, LOW FLOW AUGMENTATION BY RESERVOIRS, BILL PAGE 33, LINE 3, REPORT PAGE 75

This section of the bill would permit a reasonable amount of storage to be provided in Corps of Engineers reservoirs to increase low flows in the streams below such projects under certain conditions and with certain restrictions. This is a much needed provision to permit the optimum development of the Nation's water resources and will correct the present situation which sometimes results in the construction of reservoirs which do not take full advantage of the streams' resources. Where the benefits are widespread and general, no contribution for the water storage would be required. It would still be required where the beneficiaries are readily identifiable. This storage provision is a natural outgrowth of the development of the water resources of a river where flood control by means of reservoir storage is required. Some reregulation of stream flows can be accomplished using flood control storage only; however, additional reservoir storage will permit greater flexibility of operations during summer droughts and war emergencies and will serve the orderly progressive expansion of our industrial potential.

During World War II, Berlin and Mosquito Creek Reservoirs in the Mahoning River Basin were constructed by order of the President with storage needed for the expansion of the steel mills and other vital industrial plants in the cities of Youngstown and Warren, Ohio. Had these dam sites been developed prior to this time without this storage, it would have been very difficult indeed for the steel mills to obtain the water needed for their war effort expansion. This situation has its counterpart in many sections of the country and in many cases, it is an interstate problem. With the growth of the country, these problems will increase.

Mr. DONDERO. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I confirm the statements made by my colleague on the committee, the gentleman from Tennessee [Mr. DAVIS].

Following the policy of Congress for many years, the Committee on Public Works brings to the floor of the House a biennial Rivers and Harbors and Flood Control Works bill.

This bill contains 85 projects: 29 for rivers and harbors, 7 for beach erosion, and 49 for flood control. Your committee desired to spread over the entire Nation the benefits that can come from these public works. The projects are distributed in 36 States. No section was omitted, no partisanship shown and it was the general and complete consensus of opinion of the Committee on Public Works that the bill as presented to the House, having the unanimous vote of the Committee on Public Works and the Corps of Engineers, ought to be adopted as presented.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Missouri.

Mr. SHORT. I merely would like to extend my congratulations to the able and distinguished gentleman from Tennessee [Mr. DAVIS], chairman of the subcommittee, and to the ranking minority member of the full committee, the gentleman from Michigan [Mr. DONDERO] for the long, hard and faithful service they have rendered in building up the strength of this Nation. They have been genuine friends of those people who believe in flood control, improvement of navigation, irrigation, and the natural utilization of all of our water and land resources. We regret that GEORGE DONDERO is retiring from the Congress but we all hope that CLIFF DAVIS will be returned for many years. I love both of them.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Connecticut.

Mr. MORANO. Mr. Speaker, I am interested in the project for the deepening of the channel of the Bridgeport, Conn., harbor, a very important city in my district. The Corps of Engineers recommended authorization of this contract but were not able to get the report up to the gentleman's committee before they wrote this bill. I understand an effort will be made to tack Bridgeport Harbor authorization on the bill when it goes to the Senate. May I hope with any reasonable assurance that the conferees on the part of the House will look with favor on that project if it is included in the Senate?

Mr. DONDERO. I am sure that as reasonable men we will give the gentleman's project every due consideration that it deserves.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Speaker, I wish to congratulate the committee on the fine work it has done in handling a very important project in my district, a flood-control project involving the deepening of a channel of the Chadakoin River at Jamestown, N. Y., which is important to the industry of that community. The project will also take care of the flood situation on Chautauqua Lake by maintaining of optimum lake level.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from New York [Mr. KEATING].

IRONDEQUOIT BAY

Mr. KEATING. Mr. Speaker, I want to join my colleague from New York in commending the committee for the very careful manner in which it has approached these problems, and to express my gratitude for the considerate and diligent attention they have given a very important project in my district. I refer to the Irondequoit Bay project.

This project has been the dream of many citizens for many years, dating back to 1888, when the opening of Irondequoit Bay was first advocated. Since that time, efforts have been made in Congress to restore the bay to its one-time prestige and usefulness, but until this time such efforts have not borne fruit. Today, we take a long step toward making these long-term dreams become a reality.

In brief, this project calls for the dredging of an entrance channel for boats, the construction of breakwalls, a mooring basin, a lift railroad bridge and a stationary highway bridge.

Completion of the project will bring benefits to the area in the form of sanitary, economic, recreational, safety improvements.

At present, the bay presents something of a pollution problem, as well as being an obvious eyesore. The abundant growth of algae, which upon decay becomes odoriferous and unsightly, poses a real pollution menace. I am told by experts that completion of this project will result in a clearing away of this filth.

Economic benefits in the form of increased property values and stimulated business activity, would far outweigh the cost.

Since Irondequoit Bay serves as a summer resort not only for Rochester but for many from the surrounding area, more than 400,000 people will benefit from increased recreational possibilities on the bay. The additional facilities for swimming, fishing, boating, picnic areas, public dockage, mooring basins, hotels and scenic beauty will do much to answer demands of an ever expanding population.

Opening of the bay will do much to cut down safety problems for boatowners and other local residents. The treacherous depths of the channel at present represent a real danger to larger boats which attempts to navigate the bay and also prevent the Coast Guard from taking the most direct route from their station to the scene of some accidents. Many boatowners who now have to moor their boats in treacherous outer waters will be able to dock in the new facilities this measure before us authorizes.

Mr. Speaker, it is important to note that local interests have repeatedly indicated their willingness to carry their share or more of the financing of the particular project which affects them. I can say unequivocally that the requirements of local cooperation will be filled correctly.

Mr. Speaker, the Irondequoit Bay project has the approval of all Government organizations who have been consulted. It has the approval of the local citizens who will not only reap the benefits but share in the cost.

A reopened Irondequoit Bay will bring sanitary, economic, recreational and safety benefits to the area. For this reason and because it has the blessing of Government experts, I urge the House to approve it as a part of the bill before it. With passage of this bill a dream of 70 years standing will be much closer to its realization.

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have permission to extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. LAIRD. Mr. Speaker, I wish to commend the Committee on Public Works for recommending legislation

which was introduced by me (H. R. 10033) pertaining to the Upper Fox Waterway in Wisconsin. The Upper Fox River is located in the congressional districts of GLENN R. DAVIS, WILLIAM K. VAN PELT, and myself. This legislation was supported by each of us in appearances before the Committee on Public Works. The House Committee on Public Works has incorporated H. R. 10033 into H. R. 12080 and it appears in the bill we are considering today as section 107. Section 107 takes the exact language of H. R. 10033 and authorizes the transfer of the Federal properties on the Upper Fox to the State of Wisconsin. The Upper Fox Waterway is an old navigation project which has been in disuse for some time insofar as commercial navigation is concerned. It is used extensively, however, by small pleasure craft and should be maintained.

The original Upper Fox project was authorized by the Rivers and Harbors Act of March 3, 1873 but only custodial maintenance has been performed since 1951. The State Conservation Commission has expressed an active interest in acquiring this project for the establishment of a wildlife and recreational area. Such a project is favored by many citizens of Wisconsin as they realize the importance of promoting the conservation potential of this area. The Corps of Army Engineers testified before the Committee on Public Works and recommended this legislation authorizing a transfer to the State of Wisconsin.

Since 1941 the Corps of Army Engineers has expended on the Upper Fox River over $1,100,000. This legislation authorizes the Corps of Army Engineers to expend $300,000 to place the Upper Fox in a condition acceptable to the State of Wisconsin.

I commend section 107 to the House today and hope that it will be approved, as it is desirable legislation. It will result in preserving an asset that should be made available to the general public. I am confident that the Wisconsin State Legislature will take favorable action in its 1957 session to accept this property on behalf of the State of Wisconsin and the Wisconsin State Conservation Commission. The State of Wisconsin has been reluctant to accept the gift of the property in its present condition and pointed out that the Federal Government has a legal obligation to place the river works in a safe condition before relinquishing title and responsibility for further maintenance.

Mr. Speaker, in this connection I ask unanimous consent to include in the record of today's proceedings a letter received from Hon. Walter J. Kohler, Governor of the State of Wisconsin, setting forth the conditions of acceptance upon which the transfer of Federal properties to the Wisconsin State Conservation Commission would be acceptable. The letter reads as follows:

OFFICE OF THE GOVERNOR,
Madison, Wis., February 28, 1956.

Hon. MELVIN R. LAIRD,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN: This letter is to supplement the recent letter that I wrote to you on the matter of the transfer of the Upper Fox River management from the United States Army Corps of Engineers to the State of Wisconsin. In that letter, I indicated that representatives from the State would meet with the Corps of Engineers and the following is the result of this meeting.

Earlier meetings led to an agreement on conditions of acceptance upon which the transfer would be acceptable and the meeting on February 1, 1956, worked out ways and means of accomplishing these conditions, herein listed below:

A. Dismantle all but the Portage lock and upper gate of Fort Winnebago lock. The Portage lock will remain as a control of water through the Portage Canal from the Wisconsin River, and part of the Winnebago lock will be used as a waste weir for the canal. The balance of the Winnebago lock will be dismantled.

B. Install gate structures for water control at the Princeton and Montello locks. There will be three 6 by 6 foot vertical lift gates at the Montello lock and five 6 by 6-foot vertical lift gates at the Princeton lock to be installed at the upper ends of the respective locks, the remaining portion of the locks to be torn down and sloped to form a channel below the gate structures. These controls are needed to manage water levels in Buffalo Lake and Lake Puckaway respectively.

C. Fill Governor Bend, Grand River, White River, Berlin and Eureka locks. An earthern dike will be constructed at the upper end of each lock and the remainder of each lock will be dismantled and graded to a 1½ to 1 slope below the dike.

D. Repair abutments on all dams except Governor Bend. This entails pointing up the masonry and bringing the abutments into good repair.

E. Face the upper sill of Grand River Dam with steel sheets piling. There is leakage at this dam and this repair will place it in good condition.

F. Removed superstructure from Grand River Dam. The present superstructure is in bad repair and serves no purpose.

G. Retain and repair flash boards on the Montello and Princeton Dams and install cable for aid in their placement and removal.

H. Remove flash boards from the White River and Berlin Dams. These boards are not needed in the operation of these dams.

I. Reconstruct a 32-foot section of the Eureka Dam to lower it 20 inches and provide walk-way and 2-inch flash board facilities. This will provide a fishway for permitting fish to migrate in the spring above this dam for spawning purposes.

J. Reconstruct the upper gates at Winnebago lock so as to serve as a waste weir for the Portage Canal.

K. Eliminate old waste weir, now in bad repair and replace it with a stone and earth dike.

L. Repair and bring into good condition boat pullovers at each dam except at Governor Bend. There is none there at present and none needed.

M. Repair or remove timber cribs at the lower end of the old lock at Portage, dependent upon conditions. The main Portage lock is concrete but portions of the old lock remain and are necessary.

N. Remove old timber wing walls above standard low water at lower end of Fort Winnebago lock and paint and repair remainder of the lock.

O. Repair existing bridge at Governor Bend and place concrete posts to prevent automobile travel over it.

The above conditions would fulfill the agreement between the Corps of Engineers and the representatives of the State of Wisconsin and put the upper Fox River system into a condition that we feel would be acceptable for the proposed transfer.

With good wishes,
Sincerely yours,
WALTER J. KOHLER,
Governor.

A restoration program to accomplish this has been developed by the Army engineers in cooperation with the Wisconsin Conservation Commission. When the objectives of H. R. 10033, incorporated into H. R. 12080 which we are considering today, are accomplished another chapter will have been written in the history of this waterway. It was first explored in 1673 by Marquette and Joliet, who paddled Indian canoes from the mouth of the river at Green Bay to Portage and thence into the Wisconsin River to the upper Mississippi. Later, as settlers arrived, men dreamed of making the stream navigable and sending steamboats carrying freight and passengers from Lake Michigan to the Gulf of Mexico via the Fox-Wisconsin-Mississippi waterway. This dream became a reality under the Rivers and Harbors Act of March 3, 1873. A series of locks and dams were constructed and for half a century paddle wheel steamers plied the river, promoting commerce and industry and contributing richly to the growth and development of the Middle West.

Your favorable action on this legislation today will alleviate the threat of floods to farmlands and communities in the heavily populated Fox River Valley and will make possible a program of development of the area for wildlife and recreational purposes.

Mr. Speaker, I ask for further unanimous consent to include in the record of today's proceedings letters received from the Wisconsin Division of the Izaak Walton League of America and the State of Wisconsin Conservation Department, both urging favorable action on this legislation. The letters read as follows:

WISCONSIN DIVISION,
IZAAK WALTON LEAGUE OF AMERICA,
Fond du Lac, Wis., April 19, 1956.

Hon. MELVIN R. LAIRD,
Member of Congress,
House of Representatives,
Washington, D. C.

HONORABLE SIR: Please be advised that the waterways committee of the Wisconsin State division of the Izaak Walton League for the upper Fox River is in favor of bill H. R. 10033. 10033.

We respectfully request your continued support of this bill.

Yours very truly,
CHARLES B. WADE,
Chairman, Upper Fox River Waterways Committee.

STATE OF WISCONSIN,
CONSERVATION DEPARTMENT,
Madison, April 6, 1956.

STATE PUBLIC SERVICE COMMISSION,
Madison, Wis.

(Attention: Mr. George P. Steinmetz.)

GENTLEMEN: We have studied carefully the bills relating to authorization for the Corps of Engineers to spend up to $300,000 on the upper Fox River if the State of Wisconsin offers to take over this property and feel that they are correct and that we are in accord with them.

Such authorization as provided by the bills is necessary to enable us to present the proposal of acceptance to our State legislature for their consideration, and we therefore feel that Congress should pass such legislation as proposed.

Very truly yours,
L. P. VOIGT,
Conservation Director.

Mr. MURRAY of Illinois. Mr. Speaker, I support H. R. 12080, the bill au-

thorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and other purposes. Particularly, I support section 108 of the bill which modifies the Calumet-Sag navigation project to the extent that $9,884,000 of the cost allocated to highway bridge alterations will be borne by the Federal Government rather than by local governments.

Under the provisions of the Truman-Hobbs Act, the Federal Government has assumed a greater degree of responsibility for bridge improvements over navigation projects than heretofore.

It is fitting that the provisions of the Truman-Hobbs Act be extended to the tax-burdened local communities in Cook County, Ill. The people of Cook County contribute taxes to the Federal Government in amounts greatly in excess of Federal benefits received.

As a result of taxes contributed to the Federal Government, local communities in Cook County have a difficult task in raising revenues to take care of local needs. They ought not to have to bear the bridge expenses of a navigation project that will benefit the entire Nation. Actually, $40,031,000 ought to be borne by the Federal Government under the Truman-Hobbs Act for bridge alterations required by the Cal-Sag project.

The amount authorized by this act—$9,884,000—applies to phase 1 of the 3 phases of the project. It is hoped that, prior to the start of parts 2 and 3 of the project, the further authorizations required for greater Federal participation will be provided for.

Mr. ABERNETHY. Mr. Speaker, I am supporting this bill. I support it because it carries many projects needed for the development of the water resources of our country and for the flood-control protection which it will provide, particularly in the Tombigbee Valley.

The history of floods in the Tombigbee Valley is long. The floods have been violent. They have been very damaging. The losses have run into millions upon millions of dollars. It seems to me, Mr. Speaker, that this particular section has long been the forgotten area in the submission of flood-control legislation.

The Tombigbee River and its tributaries serve as a water outlet for about 20 counties in northeast Mississippi and northwest Alabama. The main stem is served by 22 tributaries. The area is almost completely agricultural. The largest city is Columbus, Miss., with a population of approximately 20,000. The total population according to the last census is 594,000, of which 127,000 is urban; 319,000, farm rural; and 146,000, nonfarm rural.

Seventy-three percent of the area is in active agricultural production and has been for a century or more. Income from agriculture is approximately $75 million per year. Assuming that the average family consists of four, the average annual agricultural income is only about $936 per year. One of the principal reasons for the low income per family is the annual damage which occurs to crops as a result of flood waters along the tributaries and the main stem of the Tombigbee River.

Cotton is the principal crop. The average cotton allotment is only about 8 acres to the farm or 8 acres to the family. Because of controlled production, acreage has been cut and cut and cut until the average family allotment is now below a subsistence level. The farmers have not only been compelled to bear damaging annual floods but they have likewise been compelled to bear "floods" of acreage cuts.

The other principal crops are cattle, grain, and milk products, in the order named.

The average annual rainfall in the area is between 50 and 60 inches per year, sometimes even higher. Rainfall is often very heavy in the spring—planting time—and through the month of July. As a result of these rains, heavy floods are frequently visited upon the area at the very time when the crops are in the young development stage. Time after time I have driven through sections of the Tombigbee Valley and seen acre after acre of cotton, corn, and other crops inundated and completely washed away. It is not an extraordinary thing for the farmers to have to plant and replant their crops as often as three times a year. For the last quarter of a century they have been compelled to endure these damaging floods. The necessity for the projects as recommended in the pending bill is obvious.

In support of this project, I would like to quote from the letter from the Secretary of the Army, House Document 167, 84th Congress, 1st session, as follows:

> General floods in the basin occur on an average of once in about 10 years and are usually caused by widespread winter rainfall. Intense local rainfall produces flooding on the tributaries several times a year. Floods may occur at any time over any part of the basin, but are more frequent in winter and spring. At Columbia, flood stage on the Tombigbee River has been equaled or exceeded 87 times in 60 years of record, an average of 1.5 per year. Twenty-five of the floods were in the cropping season and five were major floods. Flooding occurs on the principal tributaries on an average of 2 to 8 times a year and on minor tributaries on an average of 5 to 14 times a year.

On page 20 of the report in section 49, the Secretary had the following to say:

> Flood-producing storms usually last from 2 to 4 days, and may center over any portion of the basin. With normal runoff conditions, about 5 to 6 inches of intense and general rainfall are usually required to produce an extensive flood. However, on many of the minor tributaries 1 to 3 inches of intense rainfall, which may occur several times a year, are sufficient to produce local floods. Winter and spring floods often cover a large portion of the basin and produce most of the major inundations, while summer storms are usually very intense over much smaller areas, producing serious local floods.

The Secretary's letter contains numerous references to violent storms which are very common in the area and particularly to the storm of February, 1948; to that of January 1949; and to the storm of March 1951, where the center of the heaviest rainfall was in the immediate community where I reside. A total of 15.07 inches was recorded, all of which fell within the period of a very short time. It completely inundated very nearly all crops in this section, drowned many cattle, destroyed highways, barns, homes and other fixtures.

The storm which occurred in the spring of 1955 was one of the most serious ever experienced. Actually, it was this particular storm which brought about numerous flash floods that resulted in this project receiving approval by the Bureau of the Budget.

In the aforesaid document, the Secretary of the Army also reported as follows:

> During the 43-year period of record, 1909–52, flood stage has been equaled or exceeded 109 times, or an average of 2.5 times a year. The majority of these floods occurred in the winter and early spring causing only slight damage. However, 37 floods occurred in the cropping season between April and November with the average frequency being less than once a year. Thus, farmers in certain parts of the flood plain can expect to lose at least part of their crops every year due to flood conditions.

Continuing, the Secretary reported further:

> The upper tributaries of the Tombigbee River, the East and West Forks, are frequently flooded. During the period of record at Fulton, Miss., on the East fork, 1929 through 1952, flood stage of 12 feet has been equaled or exceeded 194 times in the 24 years, an average of 8.1 times a year. Floods during the cropping season, April through November, have occurred 84 times, an average of 3.5 times a year.

And from section 71:

> The Tombigbee River is joined by three major tributaries, the Buttahatchie and Tibbee Rivers and Luxapallila Creek, near Columbus. Studies indicate that damaging floods of relatively short duration occur 4 to 7 times a year with about 2 floods occurring during each growing and harvesting season.

So, the necessity for a major flood-control project is most impressively set forth by the Secretary of the Army in recommending approval of the tributary projects as outlined in House Document 167.

Flood control has long been recognized as a Federal responsibility. It has been authorized by statute and accepted generally by the people of our country. I am glad that the time has at long last come when the people of the Tombigbee Valley are about to, and I hope will, receive the merited benefits under the policy of our Government to control damaging floods.

I sincerely hope that this bill will be approved in the manner and form as submitted by the Committee on Public Works.

Mr. HOEVEN. Mr. Speaker, I rise in support of H. R. 12080, the omnibus flood-control bill. The entire Floyd River Basin, which is reported in House Document No. 417, 84th Congress, is located within my district. Therefore, I have had a keen interest in the Army engineer's survey of the Floyd River and tributaries as well as a satisfactory solution to the flood control problems which have confronted my constitutents for many years. The Floyd River project is included in the bill now under consideration.

Flood control has been a perennial problem in the Floyd River basin since 1892, and since that time there have been periodic disasters of considerable

magnitude. Shortly after coming to Congress, I introduced a resolution which was adopted by the Committee on Flood Control of the House of Representatives on May 29, 1944, calling for a review of the situation existing in the Floyd River basin, with a view to determining if improvement in the interest of flood control would be feasible. Due to the fact that the United States was at war at that time, and because of the subsequent readjustment to a peacetime economy, it was not possible to begin active investigation of the Floyd River survey until June 1948. The investigation proceeded at a normal rate until it became necessary to suspend operations during the fiscal year 1950 because of inadequate funds. In view of the long period which has elapsed since the inauguration of this survey, I am immensely pleased that the project has been approved by the Committee on Public Works and is now a part of the omnibus bill.

Flood disasters have been very much in the news during the past several years. We in northwest Iowa can sympathize with the people of the east and west coast because we know from experience what an uncontrolled inundation of flood waters can do to the life of a community. On June 8, 1953, the entire Floyd River basin in northwest Iowa experienced the most disastrous flood in the basin's history. From the standpoint of both loss of human life and damage to property, this flood also ranks among the most disastrous floods of record for streams of its size in the entire Missouri River basin. The Corps of Engineers estimated the damage at approximately $25,603,000. No one will of course attempt to estimate the value of the lives lost during this disaster, a total of 14 individuals perishing in the Sioux City, Iowa area. These victims were primarily elderly people who had lived in the flood area for many years but were unable to flee their homes fast enough to escape the advancing flood waters. In the three major floods of the past 61 years in Sioux City, 45 people have been drowned. In the flood of 1892, 25 people lost their lives, 6 other lives were lost in 1926.

The damage caused by the flood of June 1953 greatly exceeded throughout the basin the damages caused by any previous flood. At Sioux City alone, a total loss of $23,185,000 was approximately 20 times the damage reported for the floods of 1892 and 1926, despite the fact that the channel had been improved since those earlier floods. Approximately 90 percent of all the damage in the Floyd Basin from the flood of 1953 occurred in the city of Sioux City. Damage was extensive and severe because of the flash character of the flood, the impracticability of adequate warning of the impending disaster, and the unprecedented depths and velocities of the flood waters within the city. In the city alone, 4,600 persons were evacuated from their homes and many others were evacuated from their places of business.

The Floyd River Basin is predominantly an agricultural area. Sioux City, however, which suffered the greatest damage in the recent flood, is the second largest city in the State and the largest city in western Iowa. It is a major industrial, commercial, and transportation center. A substantial part of the city's industrial and commercial developments and nearly all of its railroad yard facilities are concentrated within the flood plain of the Floyd River. Included are the Sioux City stockyards, major packing plants, major food and equipment manufacturing plants, large wholesale and distributing concerns, and a variety of lesser manufacturing, distribution, and service industries. Business and industrial flood damages are estimated to have been in the neighborhood of over $16 million.

Keen interest in adequate flood control in the Floyd Basin has been displayed by all individuals in the area concerned. In 1953 and again in 1954, I called public meetings at Le Mars, Iowa, for the purpose of discussing methods of flood control and ascertaining whether or not public support would be assured. Representatives of the Army engineers, Soil Conservation Service, cities and municipalities, and area farmers were encouraged to present their problems as well as their suggestions for solutions of the flood situation. At our meeting in 1954, representatives of the Army engineers presented their plans for flood control and unanimous agreement was voted.

I cannot express too strongly the need for adequate flood protection for the city of Sioux City and surrounding area.

Notwithstanding the potential flood threat to the lives and properties of the people of this area, the possibility of the recurrence of a disaster similar to that of 1953 seriously handicaps the economic expansion of Sioux City. Industrial building sites are limited in the metropolitan area, and most of them are located in the Floyd River Basin of Sioux City, which is the area which suffers the greatest flood damage. This threat is keeping industry from moving into Sioux City, and not until adequate flood protection measures are taken can the economic and commercial expansion of Sioux City be assured.

The Floyd River project has the endorsement of the city of Sioux City as well as its chamber of commerce, and its civic organizations. It also has the approval of the Floyd Valley Watershed Association which is interested in control measures in the upper valley.

May I again say that the need for flood protection on the Floyd River at Sioux City, Iowa, is urgent. I sincerely hope the House will approve H. R. 12080 promptly and that the bill may be enacted into law before Congress adjourns.

Mr. BLATNIK. Mr. Speaker, it has been 2 years since an omnibus river and harbor and flood-control law has been enacted by the Congress and during that time a number of project reports have been submitted by the Corps of Engineers to the Public Works Committee. These reports deserve early action because of the importance and urgency of the problems involved.

In addition a number of major river basin authorizations have been reduced by appropriations to a point where additional monetary authorizations are needed to carry on the comprehensive plans for flood control, navigation, and other purposes as originally approved by Congress.

Finally, several matters concerning general legislation and modifications, of previous project authorizations brought about by changed conditions have required consideration of this committee. The committee felt, therefore, that the time is appropriate to report a new omnibus bill and that a delay in enacting this legislation would have unfortunate results in the retardation of projects which are urgently needed for the protection of lives and property, for the improvement of the Nation's waterways, and for the general enhancement of the national economy.

The River and Harbor and Flood Control Subcommittees of the Committee on Public Works held extensive hearings on all matters contained in the bill. Hearings began on May 1 and continued through the month of June. Testimony was heard on individual projects, project modifications, survey investigations, and many other matters, including the need for increasing the monetary ceilings in many of the authorized comprehensive river basin plans. During this period, public hearings were held on more than 29 river and harbor projects, 7 beach-erosion projects, and 37 flood-control projects. During these hearings all witnesses who so desired had opportunities to be heard. Testimony was secured from the Corps of Engineers on all items contained in the bill. An opening statement of the Chief of Engineers, Lt. Gen. S. D. Sturgis, Jr., was presented at the beginning of hearings before the Flood Control Subcommittee and a similar statement at the beginning of hearings before the River and Harbor Subcommittee. Both subcommittees had numerous executive sessions and thoroughly discussed the items in the bill, all of which have practically the unanimous support of the members of the subcommittees concerned. The full committee met in executive sessions and gave the items in the bill the same general unanimity of support.

The total amount of monetary authorization specifically set forth in this bill for rivers and harbors is $80,604,000. This amount is broken down by major items as follows:

Navigation projects	$58,087,000
Beach erosion projects	5,270,000
Eradication of water hyacinths	5,063,000
Upper Fox River, Wis.	300,000
Calumet-Sag project, Illinois	9,884,000
Illinois and Mississippi Canal	2,000,000

The total amount of monetary authorization for flood-control projects in title II of the bill is $1,263,267,000, thus making a grand total of $1,343,871,000 authorized under the bill for rivers and harbors and flood-control projects.

I feel that it would be appropriate to make a brief statement on the general status of the navigation program. The improvement of our harbors, rivers, and canalized waterways and for the protection of our shores has kept pace with the civil-works program in general since the last omnibus bill. This work constitutes the oldest segment of the civil-works program. Included in it are 2,300 projects with an estimated cost of $4.3 bil-

lion. Appropriations through fiscal year 1956 for this phase have totaled $1.9 billion leaving $2.4 billion to complete the authorized navigation work. If the multiple-purpose projects which serve navigation purposes are added, the total estimated cost of the active authorized navigation program becomes $6.5 billion of which $2.8 billion has been appropriated through the fiscal year 1956. In addition about $1.5 billion has been appropriated by the Congress through the fiscal year 1956 for the maintenance and operation of these improvements. With respect to the geographical distribution of the funds appropriated, about 50 percent has been for the inland and intracoastal waterways, about 40 percent for the seacoast harbors, and about 10 percent for the Great Lakes.

The coastal harbors of the United States have been improved under this program to meet the demands of modern, deep-draft, oceangoing commerce. Channel depths of 35 feet prevail in harbors on the Atlantic seaboard and gulf coast and range up to 45 feet in depth as in New York harbor. On the west coast harbors and channels from 30 to 40 feet are generally available. There are 20 coastal ports which handle 10 million tons or more of cargo annually. For major coastal harbors the cost of the Federal improvements including maintenance and operation averages less than 4 cents per ton of cargo handled.

The improved connecting channels of the Great Lakes constitute the most important waterways system in this country and perhaps in the world, an importance which will be greatly augmented by the St. Lawrence Seaway now under construction. These harbors and improved channels provide the basic transportation system for the industrial Midwest. At the present time, depths of 21 feet are controlling generally for the Great Lakes harbors and connecting channels. Eleven harbors on the Great Lakes now handle 10 million tons or more annually of the commodities that move over this waterway, and in 1954, a total of 91.2 billion ton-miles of cargo was handled on this system. The cost of Federal improvement of major Great Lakes ports averages about 1½ cents per ton of cargo handled.

The inland and intracoastal waterways which have been improved by the Federal Government have a total length of over 28,000 miles. Much of this length, however, represents shallow-draft channels improved many years ago which are no longer of material importance to commercial navigation. About 80 percent of modern waterborne commerce is carried on 12 waterways with an aggregate length of 5,800 miles. These include such waterways as the Gulf Intracoastal and the lower Mississippi River with its extension up the Ohio to the Pittsburgh area and up the Illinois River to the Great Lakes system at Chicago. In 1954, traffic on our inland and Intracoastal Waterway system totaled 82.5 billion ton-miles. These waterways and the improved barges, tow boats, and other equipment of modern waterway operators, carry commodities of all kinds ranging from crude petroleum to finished automobiles. One modern tank barge will carry almost as much as 100 tank cars normally used in rail traffic. Estimates show that savings in transportation costs which are passed along to the public have been very great and that the system of inland and intracoastal waterways is returning in such benefits about $3 for every Federal dollar expended.

The program for beach erosion prevention and shore protection is relatively new in comparison to the navigation program. Federal interest stems back to 1930 when the Beach Erosion Board was established and authorized to make studies of this nature in cooperation with the States and other governmental bodies. Half of the costs of these studies is contributed by the sponsoring agency and half by the Federal Government. The scope of the studies as originally authorized was expanded by legislation after 1930 and finally in 1946 the Federal Government undertook to participate in the construction of the actual works for the protection of shores. Since the program is in its infancy, there are only 45 projects authorized by Congress and only 11 of these have had construction appropriations. The total Federal cost is about $15.7 million of which about $3.7 million has been appropriated to date leaving a balance of $12 million to complete.

Mr. Speaker, the distinguished gentleman from Tennessee [Mr. DAVIS], chairman of the Flood Control Subcommittee, will explain the provisions of title II of this bill.

I wholeheartedly and without reservation recommend that this bill be given favorable consideration. The members of the House Public Works Committee have worked long and hard to bring out a good bill. They, along with the officers and civilian personnel of the Army Corps of Engineers with whom we worked so closely, deserve great praise and commendation for their very fine efforts in behalf of this bill. In conclusion, Mr. Chairman, I urge the Members of this House to approve this bill.

Mr. JOHNSON of Wisconsin. Mr. Speaker, I am very happy to speak today in behalf of the Eau Galle River flood control project. This project was started way back in 1941. I am very glad that it is included in the omnibus rivers and harbors bill before us today. The records show that the need for adequate flood protection on the Eau Galle River is greater now than ever before.

Just last month, another flood hit Spring Valley, Wis., causing damages totaling about $100,000, including losses due to flooding of basements, erosion of bridge abutments and streets. But most of the damage was done to the retaining walls of the two creeks, Mines and Burghardt, which overflowed and spilled their waters through the streets of the town.

The project under consideration today would provide for a retarding reservoir above Spring Valley, channel enlargement of the Eau Galle River below the reservoir, and levees, channel realinement and control works on the Mines and Burghardt Creeks. This work would not only provide nearly complete flood protection at the damage center, Spring Valley, but would also greatly reduce flood damages farther downstream.

The people in Spring Valley, Elmwood, and vicinity have lived in fear of rising waters and flash floods too long. The history of the community of Spring Valley shows that flood records date back as far as 1894. They describe damages to roads, bridges, homes and business establishments. Major floods occurred in 1901, 1903, 1907, 1911, 1923 and two floods in 1942, the September flood being the worst of all. One death was directly attributed to the flood of 1934 and 2 deaths are directly attributed to the flood of September 1942. This flood almost wiped out the town.

The residents of the Eau Galle Valley had hardly recovered from a crippling flood in May of 1942 when on the night of September 17 the worst flood in the history of the river hit them. The elevation of the river, which at flood stage is 915, rose to a record high of 926 feet. Few buildings in Spring Valley escaped as the flood wave moved through the community at a height of about 9 feet above the elevation of the main business street. Nearly everything was damaged in about an hour's time.

Sixteen residences and 19 business buildings were destroyed completely. The average damaged homes and public buildings could not be reoccupied for about 30 days and many business establishments could not be operated for a much longer period. The Red Cross was called in to help, and their relief expenditures totaled about $25,000. Federal aid amounted to about $7,000. In addition, 50 convicts from the State prison worked for nearly 3 months on rehabilitation work.

The Lions International, in an article in the March 1950 issue, aptly entitled "The Town That Wouldn't be Licked," described the flood as follows:

> Shortly before 10 o'clock on the night of the 17th of September, a 16-foot wall of water swept down upon the defenseless community. Forty minutes later, there was little of beauty or hope left in the devastated slime-covered village. Engineers and newsmen agreed that the village would never rise again. But 24 hours later Spring Valley had a slogan and a plan—two slogans, as a matter of fact: "There will always be a Spring Valley" and "The town that wouldn't be licked." Spring Valley would like to forget the next 6 years. Staggering under a $6 million loss and the departure of many energetic citizens forced to leave by economic necessity, recovery was pitifully slow.

Spring Valley did recover. With real community spirit, they cleaned up, rebuilding streets, homes, business shops and beautifying the town. They worked so well that 6 years later the town was cited as one of the Nation's cleanest towns. The citizens won a national award for their accomplishments.

The people of Spring Valley do not want to give up their town and move to a safer location. The Army engineers in their survey went thoroughly into the matter of relocating the village, but costs of relocation are more expensive than flood-protection measures. Furthermore, moving one town would not prevent flood dangers to Elmwood and

the rest of the valley, both residential and agricultural.

The people of Spring Valley, Elmwood and the surrounding area desperately want the flood-control project. At the time hearings were held before the Subcommittee on Flood Control of the Public Works Committee, over 1,000 signatures on petitions were sent to me urging the project. Spring Valley has complied with all the stipulations set up by the United States Corps of Engineers as conditions for the participation of the Federal Government in the project. They have even agreed to purchase the land for the reservoir. I am told by the Corps of Engineers that this is not the customary procedure. Usually the Federal Government bears this cost. However, the people of Spring Valley are so anxious to do everything possible to carry out this project that they readily agreed to do this.

Spring Valley is a town small in numbers, but big in spirit. They have shown in the past that they can rise above hardship, but it is not right that they should live in continuous fear of disastrous floods. Right now they are working their way out of the June flood.

I sincerely hope, and I am sure my colleagues join in the hope, that there will be no more harmful floods until the proposed corrective measures can be taken. Passage of H. R. 12080 in the House and Senate in this session will be one big step toward final Federal action.

Mr. SMITH of Mississippi. Mr. Speaker, I am very proud to join in endorsing H. R. 12080, the omnibus rivers and harbors flood control bill for 1956. I regard this bill as one of the major accomplishments of the Public Works Committee, and I am proud to have had a part in writing it.

I do not think it would be wrong at this time to call attention to the fine work of the House Committee on Public Works during the past year. Under the leadership of our able chairman, Hon. CHARLES A. BUCKLEY, and the four subcommittee chairmen: Hon. GEORGE FALLON, Subcommittee on Roads; Hon. CLIFFORD DAVIS, Subcommittee on Flood Control; Hon. JOHN BLATNIK, Subcommittee on Rivers and Harbors; and Hon. ROBERT E. JONES, Subcommittee on Buildings and Grounds.

The new highway program which has just become law was written largely by the Subcommittee on Roads of the Committee on Public Works. The chief credit for the bill should be given to the able chairman of the subcommittee, GEORGE FALLON. This legislation will undoubtedly take rank among the major achievements of the Congress in constructive legislation during the past decade.

Due to the administrative policies, the work on public buildings in the last few years has been largely minimized. Under the forceful leadership of ROBERT E. JONES, of our Subcommittee on Public Buildings, however, some order is beginning to take place out of the chaos. Thanks to Mr. JONES' direction, we have for the first time some semblance of order in the public building program for the District of Columbia, with an orderly goal established toward the elimination of our unsightly temporary buildings. Chairman JONES is also making a strong fight for the geographic distribution of the post-office building program over the country. With better support from the Congress much can be accomplished along this line.

Part of the bill before us today was drafted by the Subcommittee on Rivers and Harbors, headed by Representative JOHN BLATNIK. A fine job has been done by Chairman BLATNIK in guiding this legislation. I think the outstanding achievement of Mr. BLATNIK's subcommittee during the current session has been the Water-Pollution Act, which I hope will be known in history as the Blatnik Act. Passage of this legislation is the greatest step forward toward the control of water pollution in this country that we have yet achieved. This bill, like the road bill, will rank as one of the major achievements of the 84th Congress.

The bill before us today is primarily the work of CLIFF DAVIS, the chairman of the Flood-Control Subcommittee. No Member of Congress has devoted more energy and effort in this field than he. This authorization bill makes possible some desperately needed work in many sections of the country. CLIFF DAVIS has led the fight to carry many of these much-needed programs into authorization, and our Congress owes him a great debt for the fight that he has made.

We in the Midsouth, who live in the constant threat of flood, are especially grateful to the efforts of CLIFF DAVIS in this field. The omnibus bill of 1956 is one of the best flood-control bills ever presented to the Congress. Because CLIFF DAVIS took the lead in drafting it, it is certainly no surprise that it is the best bill ever presented. One important feature of the bill is an amendment to the general flood-control law to insure provision for a domestic water supply in all new flood-control programs. An adequate water supply for the country will be one of the major necessities of the future. It is possible that this provision we are adopting today may go a long way toward eliminating various shortages in this field in the future.

Mr. CRETELLA. Mr. Speaker, I am most happy to express my support of H. R. 12080, authorizing the construction, repair and preservation of public works projects on rivers and harbors for navigation, flood control and beach erosion purposes.

I have particular reference to Area 9, that section of Connecticut including the shoreline from the East River to New Haven Harbor, in my district. There are only two projects in this area which have received the approval of the United States Corps of Engineers and the Committee on Public Works. They are Lighthouse Point Park in New Haven and Guilford Point Beach in Guilford. Lighthouse is one of the most popular places for swimming and recreation in the New Haven area. The benefit-cost ratio for this project is 1.9 to 1. It is a relatively minor project involving only $6,000 of Federal funds for the construction of a 380-foot impermeable sea groin.

Although this sum is indeed small it is totally acceptable by me if it can assure the residents of New Haven continued and adequate recreational facilities in this popular area.

The residents of the State of Connecticut have worked very diligently and arduously to protect and preserve their miles of beautiful beaches which are gradually being eroded away by the forces of nature and extremely hazardous weather conditions.

Many towns have formed beach erosion boards to initiate plans and interest for local and State cooperation in meeting with these problems.

In reference to the project at Guilford Point Beach, the benefit-cost ratio is 2.6 to 1 and it also involves a one-third Federal share of $6,000 and the construction of a 380-foot impermeable sea groin. It provides for the widening to 125 feet approximately 400 feet of beach by direct placement of sand and the construction of a 300-foot impermeable sea groin. The sand for this project is to be obtained from the Guilford Harbor navigation project which is now being undertaken and the placement of this sand will involve no cost to the Federal Govment. This is an example of the excellent cooperation and coordination of activities taken on by local interests.

There are many fine and beautiful beaches in area 9 which have been excluded from consideration by the Corps of Engineers and beach erosion boards. I refer to such beaches in the town of East Haven as Momauguin, Silver Sands, West Silver Sands and Shell Beach. All of them are excluded because they are privately owned which precludes Federal participation.

Nonetheless, the residents of this area are encouraged by the approval of the Senate Public Works Committee of a bill, H. R. 11861, which would permit Federal participation in shore protection measures to beaches of privately owned property under circumstances which involve a public benefit. It is my understanding that the Senate committee has agreed to recommend this House approved bill to save time and thereby permit possible action before adjournment of this Congress.

The people of East Haven have gone ahead in the formation of their beach erosion boards and are cooperating to a great extent with State agencies, with the thought in mind that legislation such as this, if passed, would greatly assist their plight through the participation of Federal funds.

It has become evident lately that the Connecticut shoreline appears to be in the direct path of coastal hurricanes and abnormal weather conditions. Beaches along the entire eastern seaboard have been taking a tremendous beating and the toll of erosion is evident.

Connecticut has one of the most picturesque, natural and unspoiled shorelines in the east. This beauty is in danger of being spoiled through the gradual erosion of the rocky headlands which once supplied material to the adjoining beaches.

As in all projects of this nature, the total costs mount as the work is delayed year after year, and I cannot stress too strongly the fact that these projects should be approved by Congress both in

the interest of economy to the Federal Government and the assistance which would be rendered to the area in its fight against beach erosion. I hope the House will vote overwhelmingly in favor of H. R. 12080 as reported by the committee and thereby authorize work for worthy projects such as Lighthouse Point and Guilford Point Park. Such favorable action on the part of Congress you may be assured will be welcomed and appreciated by the residents of my district who are faced with the erosion and deterioration of our recreational facilities which are so important for the health of our people.

Mr. BOLAND. Mr. Speaker, the bill now before us, H. R. 12080, includes an authorization for the construction of the Littleville Dam and Reservoir project on the middle branch of the Westfield River in Massachusetts. This authorization is predicated on bills filed by my colleagues, the gentleman from Massachusetts [Mr. HESELTON] and the gentleman from Connecticut [Mr. DODD], and on H. R. 8106 filed by me.

This project is a part of the comprehensive plan for flood control in the Connecticut River Basin. It provides for a dam and reservoir on the middle branch of the Westfield River which would control a drainage area of about 52 square miles. It would be an earth-fill dam about 151 feet high and 1,325 feet long, with a concrete spillway. Its capacity would be 23,600 acre-feet. The project would require acquisition of about 550 acres of land and 39 buildings and relocation of about 3 miles of highway and 3 miles of utilities.

Mr. Speaker, this project is one of the most important in the plan designed to give adequate flood protection to the people in western Massachusetts and along the lower reaches of the Connecticut River. In the hearings on appropriations for planned projects and construction works, I asked General Fleming, chief of the New England division, Corps of Engineers, for an appraisal of the Littleville project. He replied that it was "No. 1 on the hit parade."

Mr. Speaker, I include with these remarks a copy of the letter that I submitted to the Committee on Public Works requesting action on this project. I take this opportunity to compliment Chairman DAVIS, his subcommittee, and full Public Works Committee for their work on the proposal we are considering. I desire to express my appreciation and that of the people of my community for the favorable consideration given Littleville.

MAY 8, 1956.

Hon. CLIFFORD DAVIS,
Chairman, Subcommittee on Flood Control, House Office Building, Washington, D. C.

DEAR MR. CHAIRMAN: I want to bring to the attention of your subcommittee a matter which is of extreme importance and urgency affecting my area.

It concerns construction of the Littleville Reservoir project on the middle branch of the Westfield River in Massachusetts. The Westfield River is a tributary of the Connecticut River. Presently, there is no authorization for this project existing. I respectfully request that it be included in the omnibus bill which your subcommittee now has under consideration.

Littleville Reservoir has been recommended for construction in a report of the New England River Basins, submitted by the New England division of the United States Corps of Engineers on June 30, 1955, pursuant to section 205 of the 1950 Flood Control Act. It is one of the units in a system of flood control reservoirs recommended in a report of the New England-New York Interagency Committee. In the hearings before the Subcommittee on Public Works of the Appropriations Committee (of which I am a member) General Fleming, Chief of the New England division of the Corps of Engineers, testified that the construction of the Littleville Reservoir is an absolute essential to adequate flood protection on the Westfield River. His testimony is borne out by the devastation wrought by the floods of August 1955. The city of Westfield, a thriving community of 23,000, was severely damaged. Had the Littleville Dam been constructed and in operation, it would have reduced the damage not only to the Westfield area and surrounding communities, but all along the Connecticut River. The total estimated reduction in damage for Massachusetts and Connecticut with the Littleville Dam in operation would be more than $8 million. The estimated cost of the project is $5,500,000. The Commonwealth of Massachusetts held a public hearing with respect to its construction on January 17, 1956. Concurrence in its construction has now been expressed by the State. There is no objection to its construction.

I again reiterate the urgency of this project. The Corps of Engineers is ready to report on its status and there is no doubt but that it will be favorable. Because of its tremendous significance to the area—the marked beneficial results from its construction, the total lack of any opposition, and its absolute necessity as an integral part of adequate flood protection for the Connecticut River Basin—I respectfully request the committee to recommend its authorization in this session of the Congress. Favorable action would accelerate its construction and would greatly assist in providing flood protection to this highly populated and industrialized New England area.

Thanking you for the consideration I know you will give, and wish every good wish, I am,

Sincerely yours,

EDWARD P. BOLAND,
Member of Congress.

Mr. DONDERO. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. MCGREGOR].

Mr. MCGREGOR. Mr. Speaker, I, too, want to compliment the subcommittee. I was not a member of the particular subcommittee that handled this legislation. I am sure they have put in many hours of work in an endeavor to bring out legislation which the committee considered fair and equitable. However, I do feel it is necessary to call to the attention of the Members of the House the fact that there are a number of projects in this particular bill that do not contain the recommendation of the Army engineers in writing, nor do they contain the recommendation of the Bureau of the Budget.

Mr. Speaker, I have listened to the explanation of this bill by the distinguished chairman of the subcommittee, the gentleman from Tennessee [Mr. DAVIS], and I know he is to be complimented. But, nevertheless, I think that we should have this called to our attention. I think every single project in here has merit. But I do think, in fairness to the rule, that we have established and the precedents that we have established for a number of years and the existing laws we should recognize the fact that in this particular bill we have $415,472,000 worth of projects for which no report has been received by the Bureau of the Budget. We have $6,274,500 worth of projects now under review by the Bureau of the Budget. We have $3,381,000 worth of projects held not in accord with the program of the President. We have $1,677,000 worth of projects cleared adversely by the Bureau of the Budget. We have $87,819,000 worth of projects with unfavorable report of Chief of Engineers authorized. We have $25,169,000, recommended cost sharing reduced, and we have $32,713,000, reports cleared subject to reservations which have not been met.

In other words, Mr. Speaker, we have $572,505,500 worth of projects in this bill that has not met the standards that we have established in this Congress over a period of years. I think there are a number of these projects that have not been recommended because of technicalities, and I sincerely hope that when the bill goes to the Senate that those within the sound of my voice will still say "Let us go back to the policy of getting a recommendation from the budget and a favorable report from the Army engineers before this Congress gives authorization for construction."

Mr. Speaker, I am sure it is not the intent of this Congress to change the basic law or precedent established many years ago which includes the provision contained in the omnibus bill of 1954 expressing the policy of Congress that no project would be authorized unless a reports had been previously submitted to the Congress by the Chief of Army Engineers in accordance with existing law. This procedure is the law and will continue to be after this bill is passed.

Mr. Speaker, there have been a lot of statements relative to the proposed West Branch of Mahoning River, Ohio. My good friend Congressman MIKE KIRWAN made an excellent statement before our committee on this project and assured us that this project in no way was connected or affected the old outlawed subject of ship canal and Mike's word to me is as good as good. I think his project has real merits. I have a letter of Army Corps on the subject of this project:

DEPARTMENT OF THE ARMY,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D. C., July 17, 1956.

Hon. MICHAEL J. KIRWAN,
House of Representatives,
Washington, D. C.

DEAR MR. KIRWAN: This letter is in response to your request for a summary of available information concerning reservoir development on the west branch of Mahoning River, Ohio, to provide a preliminary indication of the results of a survey scope investigation now in progress.

Authority for the survey was provided by the House Public Works Committee by resolution on March 10, 1955. The resolution calls for a review of reports heretofore submitted on the Mahoning River Basin, Ohio, "with a view to determining if any modification of the authorized plan, particularly with reference to provision of the West

Branch Reservoir on the west branch of Mahoning River, for flood control, water conservation, and related purposes is advisable at this time."

The resolution is a direct result of the unusually compelling need for water control and conservation which exists in the Mahoning Valley, the limitations of the existing local and Federal improvements for these purposes, and the desire of local interests for additional improvements. In response, the Chief of Engineers has been assigned responsibility for survey scope investigation having as its objective the submission of definitive recommendations to Congress concerning the advisability of modification of the authorized Mahoning basin plan; the cost, benefits, and nature of modification deemed advisable; and the appropriate sharing of responsibility for modification between Federal and local interests.

Steel production and fabrication are the dominating factors in the essentially industrial economy of the main-stem Mahoning Valley. This industry, the related industrial activities and the concentrations of population it has engendered, the powerplants which serve it, the substantial flood potential of the basin, and relatively low natural stream flow during the summer and fall months, have created a water control and conservation problem among the most severe in the eastern United States.

A series of damaging floods culminating in occurrence of the record flood of 1913, provided convincing early evidence of the Mahoning Basin flood problem. Similarly, domestic and industrial water supply difficulties have been suffered over a long period—first during periods of subnormal stream flow and later, as the economy of the basin expanded, during most summer and fall seasons not favored by higher than normal flows. During World War I, local interests initiated construction of Milton Reservoir, which has been used for flood control and low-flow regulation since 1917. In 1932 they completed Meander Creek Reservoir, a sizable domestic water-supply facility, and have completed several smaller reservoirs for domestic and industrial water supply. By the advent of World War II, water use had developed to the point that even the augmented flow of the Mahoning River was used as much 35 times over the 25 mile reach between Warren and Lowellville, Ohio, resulting in river temperatures as great as 130° Fahrenheit. This led to serious industrial difficulties and intensification of a critical stream pollution problem. Partial, but by no means complete, relief was obtained by completion of Berlin and Mosquito Creek Reservoirs in July 1943 and April 1944, respectively. These are units in the comprehensive Federal program for flood control and allied purposes in the Ohio River Basin. Both are operated for flood control and low-water regulation. Mosquito Creek Reservoir also is used for direct water supply under contract with the city of Warren, and a contract is in force with the Mahoning Valley Sanitary District to permit such use of Berlin Reservoir.

Extensive study of the remaining (current) problem—having flood control, water supply, and stream pollution as its major elements—was undertaken after World War II during preparation of the recent Corps of Engineers' report on the Mahoning and Grand River Basins, Ohio. Data from that report discloses that under the present status of improvement for flood control, recurrence of the record 1913 flood would result in direct damages in excess of $28 million in the Mahoning Basin (June 1953 development, April 1956 prices). With regard to water supply and pollution control, it discloses that the yield from at least 250,000 acre-feet of additional reservoir capacity in the adjacent Grand River Basin could be used effectively to provide additional low-water augmentation in the Mahoning River. This volume is nearly twice as great as the reservoir capacity presently used for that purpose. Although the extensive flood-control and low-water regulation plan considered in the Mahoning-Grand report was not found to be justified on the basis of incremental economic analysis, the additional average annual benefits it would have provided—flood control $850,000; low-water regulation $869,600; land rental $9,000; fish and wildlife betterment $53,200; total $1,781,800 (as of June 1953 development and values), provide convincing evidence of the magnitude of the current problem.

Knowledge of the Mahoning Basin and its requirements, based on Corps of Engineers' studies extending from about 1920, leads to the positive conclusion that water control and conservation can be provided most effectively by means of reservoirs for the joint primary purposes of flood control and low-water regulation, and to the equally positive conclusion that the Eagle Creek and West Branch Valleys afford the most attractive remaining sites for significant reservoir development within the Mahoning Basin. A reservoir on Eagle Creek was authorized in 1938 as a unit in the comprehensive Federal program for flood control and allied purposes in the Ohio River Basin. Its construction has not been initiated, and studies made for the Mahoning-Grand report demonstrate that it could not be justified economically at this time. As a practical matter, therefore, consideration of additional reservoir possibilities in the Mahoning Basin may be confined to the tributary West Branch Valley.

The West Branch reservoir now under consideration will be formed by a rolled earth dam with a side-hill spillway located 10 miles along the mouth of the West Branch. It will have a gross storage capacity of 82,000 acre-feet, which will be used for flood control and low-flow regulation. The proportion of storage used for those purposes will vary with summer and winter seasons. Operation will be coordinated with the existing Berlin and Mosquito Creek reservoirs built by the Federal Government and with the locally constructed Milton reservoir. The estimated cost of the West Branch project is $14,060,000; and the project appears economically justified with a benefit cost ratio estimated at 1.14. Present indications are that the local share of the first cost will fall between 40 and 60 percent of that total.

The proposed West Branch reservoir will not be a part of or benefit any proposals which have been considered for a waterway between the Ohio River and Lake Erie. The reservoir is far to the west of the route of such a waterway, and at right angles to that route, and the purposes of the reservoir are flood control and low-flow regulation as I have indicated.

I am able to give you this definite information on the proposed West Branch reservoir, even though our report has not been completed, because of the large amount of study that we have given to this area in connection with previous investigations of the Mahoning and Grand Rivers, and because of the basic engineering and economic data thus made available.

Sincerely yours,

E. C. ITSCHNER,
Major General, United States Army, Assistant Chief of Engineers for Civil Works.

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS. Mr. Speaker, I wish to compliment those in charge of this legislation upon their fairness. I have for nearly 20 years been trying to have the banks of the Ohio River at Gallipolis, Ohio improved and made safe from the encroaching floods of that great river. This bill which we are now considering I feel sure will pass this House of Representatives in the next few minutes, and it will contain provisions that will go a long way toward the passage of final legislation providing for an appropriation to do what should be done with reference to the Gallipolis project, to which I have just referred.

Gallipolis is the third oldest city in the State of Ohio. It is the county seat of Gallia County. It is a thriving community, in which the citizenship is of the highest order.

For about 25 years the Ohio River has been gradually encroaching upon properties built and located along the river in the city of Gallipolis. The United States Army Engineers have been very cooperative in doing what they could to stay the ravages of the encroaching river. However, at this time there are five or six residences owned and occupied by some of the foremost citizens of this community that are in grave danger of being drawn into the river. The Army engineers estimate that it will only cost about $66,000 for them to furnish all the necessary repairs to render the river safe as it relates to these houses to which I have referred.

This bill before us today carries an authorization for $66,000. The Committee on Public Works, in making its report to the Congress, strongly recommends that the proper improvements be made to relieve this situation at Gallipolis, Ohio.

Mr. Speaker, I appreciate that today in the consideration of this legislation, the Congress cannot make an appropriation that will cover this sadly needed improvement. However, the action of the Congress today in passing this bill should be sufficient authority to justify the Appropriations Committee in carrying a provision in the next appropriations bill that will provide at least $66,000 for the purpose of making these improvements at Gallipolis. In doing that, they will do what should have been done previously and will do what the Army engineers have recommended, and will bring to the people of Gallipolis the treatment which they deserve and should have.

I wish to thank the committee for the assistance they have given us in our efforts to bring protection to the people of Gallipolis.

This improvement that will come from this legislation will, I hope, be the first step in a much more extensive improvement. A number of valuable properties immediately below this improvement contemplated in this legislation will also need protection. The traffic on the Ohio River has increased tremendously in the last few years, and a very useful dam crossing the Ohio River just a short distance below Gallipolis, has increased the stage of the water considerably. This increase is of great benefit to transportation, but at the same time, it causes the water of the river to rise and to encroach upon the river bank in all low places. I hope that when this authorization bill has passed, we will then be able to get the Appropriations Committee of Congress to recommend an ade-

quate appropriation to do the work that needs to be done and which is recommended under this legislation which we are passing today.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

House Resolution 585 was laid on the table.

AUTOMOBILE DEALER FRANCHISES

Mr. CELLER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3879) as amended; to supplement the antitrust laws of the United States, in order to balance the power now heavily weighted in favor of automobile manufacturers, by enabling franchise automobile dealers to bring suit in the district courts of the United States to recover compensatory damages sustained by reason of the failure of automobile manufacturers to act in good faith in complying with the terms of franchises or in terminating or not renewing franchises with their dealers.

The Clerk read as follows:

Be it enacted, etc., That as used in this act—

(a) The term "automobile manufacturer" shall mean any person, partnership, corporation, association, or other form of business enterprise engaged in the manufacturing or assembling of passenger cars, trucks, or station wagons, including any person, partnership, or corporation which acts for and is under the control of such manufacturer or assembler in connection with the distribution of said automotive vehicles.

(b) The term "franchise" shall mean the written agreement or contract between any automobile manufacturer engaged in commerce and any automobile dealer which purports to fix the legal rights and liabilities of the parties to such agreement or contract.

(c) The term "automobile dealer" shall mean any person, partnership, corporation, association, or other form of business enterprise resident in the United States or in any Territory thereof or in the District of Columbia operating under the terms of a franchise and engaged in the sale or distribution of passenger cars, trucks, or station wagons.

(d) The term "commerce" shall mean commerce among the several States of the United States or with foreign nations, or in any Territory of the United States or in the District of Columbia, or among the Territories or between any Territory and any State or foreign nation, or between the District of Columbia and any State or Territory or foreign nation.

(e) The term "good faith" shall mean the duty of each party to any franchise, and all officers, employees, or agents thereof to act in a fair and equitable manner toward each other so as to guarantee the one party freedom from coercion, intimidation, or threats of cocercion or intimidation from the other party: *Provided,* That recommendation, endorsement, exposition, persuasion, urging or argument shall not be deemed to constitute a lack of good faith.

SEC. 2. An automobile dealer may bring suit against any automobile manufacturer engaged in commerce, in any district court of the United States in the district in which said manufacturer resides, or is found, or has an agent, without respect to the amount in controversy, and shall recover the damages by him sustained and the cost of suit by reason of the failure of said automobile manufacturer from and after the passage of this act to act in good faith in performing or complying with any of the terms or provisions of the franchise, or in terminating, canceling, or not renewing the franchise with said dealer: *Provided,* That in any such suit the manufacturer shall not be barred from asserting in defense of any such action the failure of the dealer to act in good faith.

SEC. 3. Any action brought pursuant to this act shall be forever barred unless commenced within 3 years after the cause of action shall have accrued.

SEC. 4. No provision of this act shall repeal, modify, or supersede, directly or indirectly, any provision of the antitrust laws of the United States.

SEC. 5. This act shall not invalidate any provision of the laws of any State except insofar as there is a direct conflict between an express provision of this act and an express provision of State law which cannot be reconciled.

Amend the title so as to read: "An act to supplement the antitrust laws of the United States, in order to balance the power now heavily weighted in favor of automobile manufacturers, by enabling franchise automobile dealers to bring suit in the district courts of the United States to recover damages sustained by reason of the failure of automobile manufacturers to act in good faith in complying with the terms of franchises or in terminating or not renewing franchises with their dealers."

The SPEAKER. Is there a second demanded?

Mr. McCULLOCH. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. CELLER. Mr. Speaker, this bill is the automobile franchise dealers bill.

Its purpose is to supplement the antitrust laws of the United States and permit a franchised automobile dealer to sue a manufacturer of automobiles where the latter fails to act in good faith in performing or complying with any of the terms or provisions of the franchise, or in terminating, canceling, or not renewing the dealer's franchise.

The bill creates a cause of action where none previously existed, in that irrespective of the contract provisions, it grants a right of review in the Federal courts of a dispute between an automobile manufacturer and a dealer involving the good faith of the manufacturer in complying with, in terminating, or in not renewing a franchise.

We define good faith in the bill to mean the duty of each party to a franchise to act in a fair and equitable manner toward each other so as to guarantee the one party freedom from coercion, intimidation or threats of coercion or intimidation from the other party.

It must be emphasized that the great concentration of economic power in the automobile manufacturing industry has developed to a point where legislation is required to remedy the manifest disparity of economic bargaining power that exists between the franchised dealer and these monolithic automobile manufacturers.

The Senate Commerce Subcommittee on Automobile Marketing Practices and the Senate Judiciary Subcommittee on Antitrust and Monopoly have conducted extensive investigations during this Congress which have disclosed that automobile manufacturers, particularly General Motors and Ford, have used their superior power and bargaining strength with individual automobile dealers to require dealers, as a condition of doing business, to enter into one-sided provisions.

In the hearings before the Senate Antitrust Subcommittee there were many examples of the coercive power of General Motors. A dealer in Portland, Oreg., related that General Motors expressed dissatisfaction with the number of salesmen employed. He doubled his sales force and opened another used-car lot. Nevertheless, operating under the terms of a 1-year franchise, General Motors refused to renew at the expiration of the term.

Another dealer in Savannah, Ga., testified that he was forced to make a $100,000 addition to his building, to order cars with accessories, and to take advertising literature against his wishes. He, too, did not have his franchise renewed.

At Lake Orion, Mich., a dealer publicly criticized General Motors. His three franchises were not renewed.

A Mobile, Ala., dealer charged that he was ordered to construct a body and paint shop and accept cars equipped with accessories which he did not want. Great pressure had been exerted upon dealers to accept automobiles, parts, accessories, and supplies which they did not need, did not want, or did not feel their market was able to absorb.

One dealer testified that the Ford Motor Co. held up his monthly allotment of automobiles because he refused to buy seat covers from Ford because he had his own trim shop.

So one observer commented, spokesmen for manufacturers often say that there is no such thing as an entrenched and unassailable position in the automobile business. Neither is there in a horse race. But when one or two or three interests own the track, have the only means to employ the best stables and jockeys, enter more horses in the race and finally have their own people represented among the judges, the results are practically inevitable.

The exercise of coercion and intimidation by automobile manufacturers is not something new. In 1939 the Federal Trade Commission, after an extensive investigation of automobile marketing practices, stated:

> The Commission finds that motor-vehicle manufacturers, and, by reason of their great power, especially General Motors Corp., Chrysler Corp., and Ford Motor Co., have been, and still are, imposing on their respective dealers unfair and inequitable conditions of trade, by requiring such dealers to accept, and operate under, agreements that inadequately define the rights and obligations of the parties, and are, moreover, objectionable in respect to defect of mutuality; that some dealers, in fact, report they have been subjected to rigid inspections of premises and accounts, and to arbitrary requirements by their respective motor-vehicle manufacturers to accept for resale quantities of motor vehicles or other goods, deemed excessive by the dealer, or to make investments in operating plants or equipment without adequate guaranty as to term of agreement or

even supply of merchandise; and that adequate provisions are not included for an equitable method of liquidation of such investments, sometimes made at the insistence of the respective motor-vehicle manufacturer.[1]

The fact is that automobile dealers who have been subjected to economic duress and intimidation by manufacturers have been unable to obtain redress in the courts. Confronted with express provisions in the dealer's franchise, courts have been reluctant to impose a condition of good faith on the part of the manufacturer. In *Bushwick-Decatur Motors, Inc.* v. *Ford Motor Co.* (116 F. 2d 675, C. A. 2 (1940)) the court stated:

> With a power of termination at will here so unmistakably expressed, we certainly cannot assert that a limitation of good faith was anything the parties had in mind. Such a limitation can be read into the agreement only as an overriding requirement of public policy.

In *Buggs* v. *Ford Motor Co.* (113 F. 2d 618, C. A. 7 (1940)) the court stated:

> An examination of its terms, which are many, indicates that it was dictated by the manufacturer at Detroit, and drawn by its counsel with the avowed purpose of protecting the manufacturer to the utmost and granting, if any, few rights to, and the smallest possible protection of, the agent.
>
> It is one which affords some support for the wisdom and the necessity of legislation which protects the weak against a strong party in situations like the instant one.

In adjudicating disputes between manufacturers and dealers application of contract law concepts by the courts has prevented relief to the dealer. In *Ford Motor Co.* v. *Kirkmyer Motor Co.* (65 F. 2d 1001, C. A. 4 (1933) the court stated:

> While there is a natural impulse to be impatient with a form of contract which places the comparatively helpless dealers at the mercy of the manufacturer, we cannot make contracts for parties or protect them from the provisions of contracts which have been made for themselves. Dealers doubtless accept these one-sided contracts because they think that the right to deal in the product of the manufacturer, even on his terms, is valuable to them; but, after they have made such contracts, relying upon the good faith of the manufacturer for the protection which the contracts do not give, they cannot, when they get into trouble, expect the courts to place in the contracts the protection which they themselves have failed to insert.

Similarly the court in *S. B. McMaster* v. *Chevrolet Motor Co.* (3 F. 2d 469, E. D., S. C., (1925)), stated as follows:

> They are entirely within their rights in so framing their contract as to carry out their intention. The intentions of the parties in the absence of any grounds of public policy must prevail, and their intention must be gathered from the terms of the contract itself.

This bill assures the dealer an opportunity to secure a judicial determination, irrespective of the contract terms, as to whether the automobile manufacturer has failed to act in good faith in performing or complying with any of the provisions of his franchise or in terminating, canceling, or not renewing his franchise.

Recent developments in the automobile industry underscore the increasing extent of domination of that industry by the big-three automobile manufacturers. This growing domination in turn has aggravated the disparity in bargaining power between the manufacturer and his dealers.

Since World War II, production in the automobile industry has been increasingly concentrated among the three major producers: General Motors Corp., Ford Motor Co., and the Chrysler Corp. In 1946, General Motors produced 46 percent of all passenger cars; by 1954 its share of the market had increased to 52 percent, with Ford producing 31 percent and Chrysler 13 percent. In 1954 the remaining 3 independent automobile producers accounted for only 4 percent of all passenger cars produced. What is more, competition to the three major automobile producers from independents has failed to materialize in the postwar period; in fact, it has become more remote.

General Motors Corp., with assets of $6,344,722,000, sales amounting to $12,443,277,000, and net profits of $1,189,477,000, in 1955, was the largest corporation in the United States. The second largest automobile producer in the United States, Ford Motor Co., in 1955 ranked third among American industrial corporations. In 1955, Ford Motor Co. had assets of $2,585,337,000, sales amounting to $5,594,022,000, and net profits of $436,991,000. Chrysler Corp., the third ranking member of the automobile industry in 1955, ranked fifth among United States industrial organizations and had assets of $1,362,883,000, sales in the amount of $3,466,222,000, and net profits of $100,063,000.

Although automobile dealers are substantial businessmen in their local communities, in comparison with the automobile manufacturer, an individual dealer is a small-business man whose size makes it impossible for him to bargain effectively. In contrast with the economic power of each of the automobile manufacturers, the average dealer has an investment in the amount of $118,000. There are approximately 40,000 franchised automobile dealers in the United States. Roughly one-half, or 20,000, of these dealers have contracts with General Motors, while 9,000 are franchised by Ford Motor Co.

While the individual automobile dealer may be classified as a small-business man collectively the automobile-dealer group is of great importance to the economy. Franchised automobile dealers have a total investment in their businesses in the amount of more than $5 billion and employ approximately 668,000 persons.

While it is true certain developments in the automobile industry may diminish some of the abuses found to exist, this does not derogate from the necessity for legislation at this time. For one thing, the new General Motors selling agreements afford no guaranty against dealer coercion or intimidation or threats thereof by the manufacturer. Furthermore, what the automobile manufacturers do in response to congressional investigation or in contemplation of pending legislation, they can readily undo.

The record before our committee demonstrates that, in the past, gains made by dealers after investigation into market practices of the automobile manufacturers have not always been retained. This bill assures a minimum amount of protection for the dealer under the terms of any automobile franchise.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Indiana.

Mr. HALLECK. It strikes me that subsection (e) on page 4 is probably the heart of this matter. That is the subsection that defines the term "good faith." May I inquire of the gentleman whether or not that is so written as to really define "good faith" as freedom from coercion, intimidation, or threats of coercion or intimidation?

Mr. CELLER. The gentleman indicates what "good faith" means. It is limited to the duty to act in a fair and equitable manner so as to guarantee freedom from coercion or intimidation, or threats of coercion or intimidation.

Mr. HALLECK. In other words, while the words "fair and equitable" are used, speaking of the relationship between the parties, those words "fair and equitable" would be limited, as this language is contained in the bill, to "coercion and intimidation?"

Mr. CELLER. That is correct.

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Louisiana.

Mr. WILLIS. I want to compliment the chairman of the Committee on the Judiciary and the members on the other side of the aisle for the careful consideration given to this bill. Very wholesome amendments were adopted in the full committee, one embodying the redefinition of this term "good faith."

With 2 or 3 notable and sincere exceptions the entire membership of the Committee on the Judiciary, after wrestling with this problem, favor this legislation.

I again compliment the chairman and those on the other side of the aisle for going along with this legislation. As I said, with 2 or 3 very notable and very sincere exceptions, this bill comes out of the committee with unanimous approval.

Mr. QUIGLEY. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Pennsylvania.

Mr. QUIGLEY. I invite the attention of the gentleman from Indiana and any other Members to page 9 of the committee report, which states specifically:

> The term "fair and equitable" as used in the bill is qualified by the term "so as to guarantee the one party freedom from coercion, intimidation, or threats of coercion or intimidation from the other party."

Mr. BEAMER. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Indiana.

Mr. BEAMER. I wonder whether this might not act as a two-edged sword. Is it not true that under the provisions of this bill the manufacturer could also sue the dealer and perhaps thereby invoke certain penalties on him, even to disposing of the dealership at their will?

Mr. CELLER. No. The bill gives a right of action to the dealer as against

[1] H. Doc. 468, 76th Cong., 1st sess., Report on Motor Vehicle Industry, p. 1075.

the manufacturer but not to the manufacturer as against the dealer.

Mr. BEAMER. May I turn to page 5 and have this explained. I refer to lines 13, 14, and 15:

Provided, That in any such suit the manufacturer shall not be barred from asserting in defense of any such action the failure of the dealer to act in good faith.

In other words, does not that place the burden back on the dealer to prove that he has acted in good faith?

Mr. CELLER. No; that is a matter of defense. When the dealer sues the manufacturer, the manufacturer shall have the right to show, as a matter of defense, that the dealer did not act in good faith.

Mr. BEAMER. Yes; but cannot the manufacturer sue the dealer on a breach of good faith?

Mr. CELLER. He may have a right to sue the dealer under the contract, but the bill before us does not give any additional right to the manufacturer other than what he has today to sue the dealer.

Mr. BEAMER. I am raising the question only because dealers themselves seem to be confused on this.

Mr. CELLER. The gentleman can tell his dealers that beyond peradventure the bill before us does not give any right to the manufacturer to sue the dealer.

Mr. BEAMER. I thank the gentleman.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. DONDERO. Is there anything in this bill which will prohibit or deny to the manufacturers the right to terminate a contract at the end of the period for which the contract was made. For example, you make a contract with me for 2 years. The 2 years expire. Can I deny to you the right to terminate that contract, if you so desire?

Mr. CELLER. The manufacturer has the right to terminate the contract at the expiration date.

If the dealer has acted in good faith, and there is an absence of coercion or intimidation or threat of coercion or threat of intimidation by the manufacturer, then it is eminently within the right of the manufacturer to terminate or to refuse to renew the contract. Beyond this there is nothing in this act to prevent a manufacturer from setting up a new dealer provided that the establishment of the new dealer is not a device to coerce or intimidate an existing dealer.

Mr. DONDERO. In that case, would the manufacturer have the burden of proof to show that he is acting in good faith and that he is terminating the contract because of the time having expired and because he does not desire to renew the contract, perhaps, for some dislike of me, if I were the dealer and you were the manufacturer?

Mr. CELLER. No. If the manufacturer cancels a contract, then the dealer has the right under this act to sue the manufacturer. The dealer, if he can prove lack of good faith, by showing intimidation or coercion or threats thereof, then the manufacturer would be liable for damages. That is all that this bill does.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. HALLECK. As I understood the statement which the gentleman just made, the freedom from cocercion or intimidation would likewise carry over into those other sections having to do with failure to renew.

Mr. CELLER. It carries over in the matter of the defense that the manufacturer may have in the event he is sued. But, mind you, this does not give the manufacturer the right to sue, too—it gives the dealer the right to bring the action. Of course, as I said before, and I want to emphasize, there may be other rights under the State statutes or under common law whereby the manufacturer can sue the dealer. This does not give the manufacturer any additional right.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. McCULLOCH. I would like to ask the gentleman from New York this question. In view of the fact that he has said it gives the manufacturer no right to sue the dealer for the same cause that the dealer may sue the manufacturer, there is in fact no mutuality in this legislation.

Mr. CELLER. On the surface the answer might be in the affirmative. But, as I have indicated, here you have a small dealer who has to spar and fence with a huge manufacturing corporation. What chance has the dealer unless you implement his opportunities to bargain with some degree of equality? That is the very purpose of the bill, to put the dealer on a plane of equality with the manufacturer. We do not want to have continued these abuses to which dealers have been subject by harsh activity on the part of automobile manufacturing companies.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. McDONOUGH. What protection does the dealer have against the manufacturer in the event he wants to cancel out a contract? Is that a breach of good faith?

Mr. CELLER. I cannot conceive how a manufacturer could say to a dealer, "You are guilty of coercion when you cancel your contract." How can a gnat intimidate a whale? How can a minnow intimidate a sailfish? That is what it amounts to.

Mr. McDONOUGH. On the other hand, there are some manufacturers who want to keep a dealer in business because he has been doing a good business in that area, and if he should want to withdraw, then he might be charged with breach of good faith.

Mr. CELLER. Concomitantly, the manufacturer could cancel out a dealer if the manufacturer acts in good faith.

Mr. McDONOUGH. There is no provision, however, in this act, if in the event difficulties arise between a dealer and a manufacturer where good faith can be reestablished between the two.

Mr. CELLER. Do you mean by some mediation board or something?

Mr. McDONOUGH. Well, not a mediation board, but there is no assurance that good relationship will be established once they have had difficulty.

Mr. CELLER. If we pass this bill, I think the automobile companies will become a bit chastened. As a matter of fact, as a result of the hearings before various congressional committees in the last 2 years, General Motors has come forward and said, "We are willing to modify the terms of our contracts. We will now give the dealers 5-year contracts." I understand the Ford Motor Co. likewise has under consideration the amelioration of the conditions that heretofore existed. They are now in the process of granting concessions. They said, "We are now offering these wonderful terms to the dealers. Why do you need this legislation?"

Mr. McDONOUGH. The hearings have accomplished the objective.

Mr. CELLER. No. They have not, because the power to do is also the power to undo. The power to create is the power to destroy. What if we would not pass this bill, and relied upon the representations of these manufacturers, and then we find that 6 months later they changed their tune? What if they subjected the dealers to the same abuses that have existed over the years? We must nail this down by passing this legislation.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. ROGERS of Colorado. Is not the chief objective of this legisislation to prohibit coercion and intimidation that has been exercised under the contracts that have been in existence heretofore?

Mr. CELLER. That is correct.

Mr. ROGERS of Colorado. The dealer has his contract. He is obligated to do certain things. He is not compelled to enter into that contract, but the contract is drawn in all instances by the manufacturer. Hearings before our committee and the Senate committee showed that various types of pressures were exerted upon the dealers by the manufacturers.

In the bill which we are now considering there are, as I see it, several underlying factors.

First, is there a need for such legislation?

Second, do the dealers who are asking for this legislation represent the thinking of all dealers in the country?

Third, will this legislation help bring about stability and tranquility to our No. 1 industry in the country without destroying in any way the competitive aspects of the business?

Fourth, will it help cure the ills which we all know to exist in the automobile retailing industry?

These are the questions for us to ask today.

The need, in my opinion, has been apparent during the past 18 months by the committees of Congress who have thoroughly investigated the entire automobile retailing industry.

These committees have found that the automobile dealers of this country have been existing under a one-sided selling agreement with the manufacturers. They have found that this agreement has

been entirely on the side of the manufacturer. As one Member of this Congress has said, "The automobile dealer is, in truth, a vassal of the manufacturer."

There have been numerous cases in our courts wherein a dealer has sued a manufacturer for damages sustained when the franchise has been canceled. These cases show again and again how unequal the selling agreement has been.

In many instances the courts have agreed thoroughly that the dealer had been mistreated by the manufacturer and that he deserved better than he got from the car maker. But the courts have been unable to act because the dealer had signed the agreement and the inequalities had been written into the contract. "Good faith" had not been demanded either of the dealer or the manufacturer.

This measure before us now would require that good faith exist between dealer and manufacturer when a contract is signed and if that good faith is broken by the car makers the dealer has the right to sue for actual damages sustained as a result of the breaking of the contract's good faith.

Surely, the need for good faith between dealer and manufacturer and between manufacturer and dealer is the foundation upon which the prosperity of this country rests. Without good faith there can be chaos and turmoil which can plague the very economic structures of our Nation.

The Nation's new car and new truck dealers have told Congress what they wanted. Last year Senator A. S. MIKE MONRONEY and his subcommittee studying automobile marketing practices sent a questionnaire to the dealers of the country. A total of 19,113 dealers responded to this questionnaire.

Of these, 71.9 percent said that they felt the need for a congressional study or Federal legislation with regard to automobile dealers' problems in the field of automobile marketing. Only 10.4 percent said that the studies then being made and that legislation were not necessary. Seven out of ten dealers—and probably 9 out of 10 dealers—asked for this legislation or for some legislation like it.

It has been said by a manufacturer that this legislation is not needed because the evils of the industry—which all of the manufacturers admitted on the witness stands here in Congress—had been corrected.

To the men of Detroit the Congress of the United States must say now, "Well done, congratulations. But what men can do they can also undo. This legislation is not harsh; it will do you no harm; it will not end or affect in any way the present merchandising and distribution methods of the manufacturers. It will be a constant reminder that in your relationships with your dealers you must exercise good faith. Likewise, good faith must be a part of every dealer's intention when he signs a contract with you that will give him a franchise to sell your cars and trucks."

This bill will not cure every ill of the automobile retailing industry. But it will be a major step in bringing stability and tranquillity to this industry. It has the support of the dealers of the country who have been so diligent and so patient in their troubles.

I am in favor of this legislation, and I hope we can adopt it.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the distinguished majority leader.

Mr. McCORMACK. The disclosures made by the O'Mahoney subcommittee and the Celler Antitrust Subcommittee have been amazing in connection with the practices that the automobile dealers have been subjected to. Those committees have done a real public service in reporting this bill out. As a matter of fact, I cannot understand how anybody could oppose it. It is legislation that would justify a much more far-reaching bill. This bill is a very temperate bill. We all hope it will produce the desired results so that automobile dealers will not be subjected in the future as in the past to what might well be termed atheistic, capitalistic practices by certain big companies.

As far as I am concerned I strongly support the bill and I cannot see how anyone would oppose such a meritorious piece of legislation.

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, S. 3879 is a bill which deserves the support of all those interested in preserving the opportunities of small business. The bill is concise and clear. The one possible objection to it as voiced by its opponents is that it would force the franchise giver to retain a contract beyond its term against his wishes. I believe that this is fully answered by the careful wording of the bill which makes clear that this is only required where the reason for cancellation has been the resistance to coercion and intimidation by the franchise holder during the life of the contract.

Mr. Speaker, I would respectfully like to point out, however, to my colleagues that the automobile dealer is not the only franchise holder who is suffering from coercion, intimidation, and unfair business practices. I refer particularly to the plight of the gasoline dealer who, although in most cases is not as financially large as the automobile dealer, has perhaps been more beset by the tactics of his franchise grantor.

If this bill becomes law, about which I have some doubt in view of General Motors' influence on the executive branch of the Government, I shall, if elected, introduce next year legislation to include gasoline dealers under its protections. It is, indeed, a pleasure to congratulate the chairman and members of the Judiciary Committee for approving this outstanding piece of legislation and I shall hope that next year they will give favorable and sympathetic consideration to the plight of the many hundreds of thousands of other dealers and franchise holders in need of very much the same help and assistance.

Mr. McCULLOCH. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Speaker, during the past several weeks I received communications, like most of you, urging that I vote in favor of this legislation. Shortly thereafter I began receiving additional communications from others indicating they were opposed to this legislation. In both instances they were communications from automobile dealers in my own congressional district. As a result I became very interested in the justification or lack of justification for this particular bill. I made some inquiries in the other body to find out whether they had held hearings on S. 3879. I further read the debate in the other body to see what the facts were.

It came to my attention that in reality no hearings were held on this bill in the other body and that the distinguished Senator there, I believe from Wyoming, promised the Members of the other body that if they would allow the bill to go through in the other body, the House committee would hold adequate, ample hearings to justify what the other body had done.

The bill did come to this body, and the Committee on the Judiciary of this House did hold hearings; as a matter of fact, I understand they held hearings that lasted 3 or 4 days, but I have been unable to get a published copy of the hearings on this legislation until 2:15 this afternoon. It is now about 2:45 p. m. Up until that time, about 30 minutes ago, you could not get a copy of the hearings on this legislation conducted by this fine committee under the chairmanship of the gentleman from New York.

I say to you that is a terrible way to run a railroad and a very haphazard method of legislating.

Let me tell you a couple of other things that have happened here in the last few days.

Mr. SCOTT. Mr. Speaker, will the gentleman yield?

Mr. FORD. In just a minute. I am trying to point out that in the specific case of this bill no member of this committee or a Member of this body could have found out what was in these hearings before 2:15 this afternoon.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. CELLER. I may say to the gentleman that all the data was given to the Public Printer over 2 weeks ago.

Mr. FORD. That is not the fault of anyone who is not a member of the Committee on the Judiciary. The facts are that not one Member of this body who is not a member of the Committee on the Judiciary, could have found out what was in these hearings until 2:15 this afternoon.

Mr. SCOTT. Mr. Speaker, will the gentleman yield at that point?

Mr. FORD. I yield to the gentleman from Pennsylvania.

Mr. SCOTT. I asked the gentleman to yield because I am one of those who signed a minority report. I have only been able to get a copy of the minority

report within the last hour. Maybe one of the reasons is because this bill as written in the other body would also by one interpretation at least extend to farm equipment vehicle manufacturers and so forth, motorized equipment through the use of the words "and other automotive vehicles." Under this interpretation it could be extended to other situations also.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. FORD. May I say a few more words in the time that has been allotted to me. I do not pretend to be an expert on this legislation. In the first place, I could not have found out about it even from the printed hearings, for they have not been available. I think the Members of this body deserve better treatment even in the last days of a session of Congress.

As I pointed out earlier, the objectors were asked to approve on the Consent Calendar today a bill where the official objectors could not get a copy of the proposed legislation. In addition we were asked to approve two bills on the Consent Calendar where we could not get copies of the committee reports.

I repeat and reemphasize, it is a lousy way to run a railroad.

I think this deplorable situation ought to be told so that the public knows how we are operating in these closing days of this session.

I understand that the gentleman from Ohio and the gentleman from Pennsylvania, who oppose this legislation and attended the hearings as members of the committee, are going to discuss the details of it. They are fully informed. I concur with their views from what I have been able to determine.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. For the information of the gentleman, may I say that hearings were conducted in the Senate for almost a year on this matter and we conducted prolonged hearings in our own committee. If there is anything in particular about the bill that is not clearly understood or set forth, I would be delighted to answer questions in connection with it.

Mr. FORD. Mr. Speaker, we are asked to approve legislation on which we cannot get a copy of the printed hearings until 2:15. In 40 minutes you are going to decide the merit or the lack of it in connection with an important piece of legislation. It is horrible legislative procedure.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Ohio.

Mr. McCULLOCH. As a matter of fact, it is the truth, is it not, that the particular bill that came from the Senate to the House did not have any hearings whatsoever?

Mr. FORD. That is my understanding. At least, that is what the distinguished Senator from Wyoming said on the floor of the Senate.

Mr. Speaker, on the basis of the fact that it is a poor way to legislate, probably the worst example I have been able to find, I am opposed to the bill. Furthermore, I am not convinced it is for the best interest of consumers, automotive company employees, or the automobile dealers themselves. There is certainly no unanimity on this bill among the dealers themselves. When you add it all up, this bill should be defeated.

Mr. McCULLOCH. Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. Mr. Speaker, the thing that appealed to me more than any other is the provision of the bill found on page 5. As a consequence, I cannot agree with the gentleman from Massachusetts [Mr. McCORMACK] or the gentleman from New York [Mr. CELLER] that this is a relatively innocuous piece of legislation. It is probably the most important bill which we have before us in this session or during the 25 or 26 years I have been here because you are changing the concept of a rule under the Constitution that no State, even the Federal Congress, can impair the obligations of contracts. You are establishing a precedent in this bill by which the Federal Government seeks to tell a private individual that he must enter into a contract, not according to certain terms and conditions, but he must enter into a contract.

In line 12 on page 5 of the bill you will notice that a manufacturer cannot refuse to renew a franchise which has expired. In other words, what you do under this language is to compel an individual, a private individual, to enter into a contract to which the Federal Government is not a party in direct conflict to 3 or 4 provisions of the Federal Constitution.

Mr. SCOTT. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Pennsylvania.

Mr. SCOTT. Is the gentleman of the opinion that there are provisions of this bill which may probably be unconstitutional?

Mr. WOLCOTT. I am sure of that. We have never sought in the Federal Congress to compel any individual to enter into a contract. It does not make any difference whether the contract expires with bad faith charged or the color of the eyes is involved, we cannot under clear conscience and under the Constitution of the United States compel any individual to engage in a contract where the Federal Government is not a party.

Mr. McCULLOCH. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Speaker, I favor this legislation and am in difference with some of my own colleagues on this side in that regard. The Senate bill has been amended to take care of the objections interposed by the Department of Justice to the original Senate bill. There have been rather important amendments adopted for that purpose, and I want to revise and extend my remarks, if I may, to include those.

However, at this time, Mr. Speaker, I ask unanimous consent that the debate on this measure be extended 10 minutes on a side. It seems to me that it merits more discussion than is permitted under suspension of the rules.

This bill, particularly with the amendments considered and recommended by the House Judiciary Committee, is a necessary step in removing the disparity in the economic bargaining position of the automobile dealers as against the automobile manufacturers.

Mr. Speaker, I wish to point out that as the result of careful and extended hearings, the House Judiciary Committee found it necessary to adopt a number of perfecting and clarifying amendments to the bill as approved by the Senate. These amendments delineate with precision the scope of the additional right given to the dealers and at the same time remove constitutional and antitrust objections to the Senate bill.

I would like to direct the attention of the Members of the House to the amendments which accomplish these purposes.

The committee has stricken from section 1 (e) of the Senate bill a provision which would require each party to act in such a manner "so as to preserve all equities of such other party which are inherent in the nature of the relationship between such parties by such franchise." Mr. Speaker, this amendment is designed to make it absolutely clear that this legislation is neither designed to, nor will it have the effect of, sanctioning any activities which may be inconsistent with antitrust principles. To emphasize this, the committee has also added a new section to the bill which expresses positively the committee's intention that this legislation is not to derogate antitrust principles. Section 4, added by the committee, specifically states that no provision of this measure shall modify, supersede, or repeal, directly or indirectly, any provision of the antitrust laws.

This is what the Deputy Attorney General had to say concerning the "equities" language of the Senate version of this bill, in a letter to the distinguished chairman of our committee, on June 25, 6 days after Senate passage:

> Against this background it seems reasonable to conclude that the Senate committee at least intended that dealers' "equities" include some safeguard for dealers' margins of profit or investment. Section 3 would apply this standard to any terminating, canceling, or not renewing of a dealer's franchise. Any failure to renew, it seems clear, might drastically deplete a dealer's investment. Similarly, an increase in auto production might mean harder competition among dealers but a lower return for any one dealer. From this it follows that H. R. 11360, like its counterpart, as introduced in the Senate, could oblige a manufacturer, I repeat, on pain of double damages, to gear his production and distribution to preserve each dealer's profitable investment.
>
> Thus building for dealers a sanctuary from the rigors of competition seems at odds with basic principles of antitrust. It could effectively prevent manufacturers from responding with production or price changes to the stimuli of a free market. The result might be artificially to recreate as a permanent condition in the retailing of automobiles postwar shortages and prices still fresh in the minds of many. Completely frustrated would be that public interest in more and better products, as well as rival

distribution methods which competition is meant to safeguard.

Further evidence of the care with which the House Judiciary Committee considered this pending proposal is the fact that a new section 5 has been added to make it clear that this legislation shall not invalidate any provision of State law except insofar as there is an express conflict between a provision of State law and a provision of this measure which cannot be reconciled. At the present time, 15 States have in effect laws which to varying degrees regulate manufacturer-dealer franchise arrangements. Some of these States require court determination before an automobile dealer's franchise may be finally canceled by the manufacturer. As amended by the committee, this bill would not preempt State activities in this field.

Another amendment adopted by the committee makes it clear that only activities of the manufacturer after the passage of this act, involving coercion or intimidation, are subject to action. The purpose of this change is to avoid a possible construction of the Senate-passed bill which would, contrary to constitutional principles, subject a party to a franchise to liability based on past acts which were not illegal when committed.

Furthermore, in the course of hearings before our committee, concern was evidenced that the term "coercion or intimidation" might be so construed as to preclude a manufacturer from exercising normal competitive sales recommendation or persuasion. This, in turn, it was feared, would prevent manufacturers from engaging in aggressive sales campaigns with their dealers to insure growing production and distribution of automobiles. To avoid any such possibility and a concomitant impairment of the vitality of present production and distributive process in the automobile industry, the Judiciary Committee has adopted a further amendment making it clear that mere sales recommendation, persuasion, urging, or argument that is normal in competitive commercial relationships is not to be deemed by itself to constitute a lack of good faith.

There are a number of additional amendments which our Judiciary Committee has approved which further evidence the care given this bill.

The committee, for example, has added language to make it clear that each party to a franchise is required to guarantee the other party only against coercion or intimidation of himself and agents subject to his control.

In another instance, an amendment eliminates an ambiguity by restricting coverage of the bill to manufacturer-dealer relations involving passenger cars, trucks, and station wagons. In the Senate version, on the other hand, the term "other automotive vehicles" was included. How this term could be defined was far from clear. For instance, it might be interpreted to include tractors, self-propelled lawn mowers, motorcycles, motorized bicycles, and so on—fields in which there was no evidence of coercive activity.

With these and other amendments, it is my considered judgment that this bill will assure a minimum amount of protection for a dealer under the terms of any automobile franchise.

I therefore strongly urge that the membership take favorable action on the pending measure.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. FORD. Mr. Speaker, reserving the right to object——

The SPEAKER. Objection is heard.

Mr. McCULLOCH. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. CRUMPACKER].

Mr. CRUMPACKER. Mr. Speaker, I very strongly favor this legislation. I introduced the first bill on this subject more than 2 years ago, and it passed the House of Representatives at that time, went over to the other body, where they decided, instead, to hold further hearings and investigation. In the 2 years since that time I doubt that any subject in recent times has been more thoroughly investigated and been gone into in greater detail than this one has, and the charge that this bill has not received proper consideration, I think, is totally without foundation. But, my reason for favoring this legislation is not that I favor automobile dealers versus the manufacturers as such or vice versa or anything of that sort. I favor it because I think it is in the public interest, because the utter chaos which the forcing of cars on the market by manufacturers in recent years has produced in the field of automobile retailing is very much against the public interest. Various practices that have occurred and have developed, such as bootlegging, price packing, highballing, chain bird dogging, has threatened the very existence of the franchise dealer, the automobile retailer. This is important to the public. It is important to you and me as owners and drivers of automobiles, because the very status that the automobile has achieved in this country as a means of mass transportation, as a means of great utility to the entire public, is based on that automobile franchise system. As it stacks up now, the very great economic power of the manufacturers is being used to break down the franchise dealer system. Now, this is not the particular approach that I would have preferred to see used in meeting this problem, but as we stand today, this is the one piece of legislation that has any chance of being enacted into final law. And, do not be misled by the representations that the automobile manufacturers, out of the goodness of their hearts, have seen fit to correct the various evils in this field. Under extreme pressure of public opinion brought to bear on them during the congressional hearings they have made some concessions in recent months, but what they have given they can take back the minute the public pressure is removed. Unless we tie down the gains that have been made through the exposures in the committee hearings, through this legislation, what has been gained can very well be lost and lost very quickly once the Congress adjourns and we are no longer in a position to take further action.

Mr. McCULLOCH. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania [Mr. SCOTT].

Mr. SCOTT. Mr. Speaker, the best motto for this bill is Let the buyer beware, because this is a bill which the Members here, I submit, do not understand; which the members of the committee have not had proper time to consider; which the other body did not consider and had no hearings on before. This is a bill to raise the price of automobiles, and if you are going to vote for it, you may have left the consumer out on a limb. This is a bill which will breed lawsuits. This is a bill which provides ways by which the manufacturer can be coerced into the renewal of a franchise in spite of the fact that there has been no violation of any contractual agreement whatsoever. If this happens, the manufacturer will make up the cost of litigation by adding to the cost of the automobile and the consumer will suffer.

This is what this bill provides, as the distinguished chairman of the committee has said. It blazes a new path. It is an entirely new legal concept. The House is being asked to say that it is willing under suspension of the rules to create a new legal concept and to write into legislation that one party to a transaction will have the right to bring suit which is specifically denied to the other party, that here a contract means nothing, and that there can be no renewal of that contract until the present holder of the contract has the right to determine whether or not he wishes to sue the other party and carry his case through the Federal courts.

This creates an entirely new Federal cause of action. It is one which would endanger not only the automobile dealership arrangement, but it is a cause of action which gives no consideration to the right of the consumer. The bill, as drafted by the other body, had the words "other automotive vehicles" left in. And they may be put back in conference. That would have applied to farm-equipment manufacturers.

There is nothing in this bill which would prevent its being extended by similar legislation to home appliance dealers or to any other form of industrial transaction which involves the granting of a franchise.

Mr. Speaker, if you want to open up the farm equipment industry to this same kind of legislation, just pass this bill and wait until you hear from the farmers.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. SCOTT. I yield to the gentleman from New York.

Mr. CELLER. Some question has been raised about the constitutionality of this proposed legislation.

Mr. SCOTT. I think there is grave doubt of its constitutionality.

Mr. CELLER. The representative of the Department of Justice said, during the hearings on this matter, as follows:

Federal regulation of future action based upon rights previously acquired by the person regulated is not prohibited by the Constitution. So long as the Constitution authorizes the subsequently enacted legislation, the fact that its provisions limit or in-

terfere with previously acquired rights does not condemn it. Immunity from Federal regulation is not gained through forehanded contracts. Were it otherwise the paramount powers of Congress could be nullified by "prophetic discernment."

Mr. MALETZ. Mr. Bicks, is it the view of the Department of Justice that there is no constitutional objection to the pending measure?

Mr. BICKS. By the pending measure I assume you mean the Senate passed a bill providing for compensatory damages and creating a right of action only for acts committed after its passage.

Mr. MALETZ. That is correct.

Mr. BICKS. Based on existing precedent my own view is that it would be held constitutional.

In other words, he said without doubt that there is no question about the constitutionality of this bill.

Mr. SCOTT. As I recall one letter from the Department of Justice it indicated that there was reason to be doubtful of some of the phases of this bill on the matter of its constitutionality.

Mr. CELLER. Mr. Bicks, representing the Department, said that there was no constitutional objection to the bill on the part of the Department of Justice.

Mr. SCOTT. As to its antitrust provisions.

Mr. CELLER. After the amendments we adopted.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. SCOTT. I yield to the gentleman from New York.

Mr. KEATING. I think the amendments we adopted took care of the constitutional objections.

Mr. SCOTT. I hope the gentleman is right, but I have grave doubts of the constitutionality of the bill. I have supreme doubt as a lawyer and as a representative of 350,000 consumers as to the wisdom of it. Remember, no consumer testified for this bill and one consumer representative, the National Grange, firmly testified against it. You are forgetting the interest of the consumers. You are forgetting the man who is going to have to pay for the automobiles when this is done. You are forgetting the fact that each manufacturer is going to have to establish an extremely large reserve against lawsuits, the cost of which will increase the cost of automobiles and this will hurt dealers and consumers alike.

I submit that this is no way to legislate when we do not know what we are doing.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. McCULLOCH. Mr. Speaker, I should like to renew the request of the gentleman from New York previously made to extend time of debate on this important matter for 20 minutes, 10 minutes on each side. I think it is very important that we have that additional time for debate.

I ask unanimous consent that time be extended to 20 minutes for debate on this bill.

Mr. CELLER. Mr. Speaker, I join in that request.

The SPEAKER. The Chair does not join in that request, because the gentleman from Texas [Mr. RAYBURN] is going to object, if nobody else does.

Mr. BURDICK. I object, Mr. Speaker.

The SPEAKER. According to the rules of the House, 20 minutes of debate are permitted on each side.

Mr. McCULLOCH. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. CURTIS].

Mr. CURTIS of Massachusetts. Mr. Speaker, I agree that legislation is needed in this situation, but let us pass sound, proper, and effective legislation. The bill now before the House is not in that category.

There is no need to proceed in an unsound manner because there is a recognized remedy that fits this situation perfectly. That is the Federal Trade Commission law, which permits that Commission to investigate unfair trade practices, with strong powers of enforcement. A bill has already been filed in the other branch, S. 3946, by Senator MONRONEY, of Oklahoma, and others, and reported favorably out of the Committee on Interstate and Foreign Commerce, to add more powers to the Federal Trade Commission, particularly fitting this situation, making it an unfair trade practice to do some of the acts that have been complained about before our committee.

I submit that that is the proper remedy, and that the bill before us is unsound. How can you permit a person to bring suit based on a contract relationship and recover damages, not for breach of contract, but on the ground that he has been unfairly treated? Such a provision is unprecedented in American jurisprudence. If you restrict that ground only to cases where there has been coercion or intimidation, that adds nothing to the law, because a person now has the right to secure legal redress on that ground.

I wish that S. 3946 could first be acted upon, because I agree that remedial legislation should be passed at this session.

Mr. McCULLOCH. Mr. Speaker, I am sorry there is no more time allotted for the discussion of this bill. I agree with the statement that was made in the well of the House that this is one of the most far-reaching bills that has come before the House this session. It changes abruptly, if you please, the law of contracts in America.

In the hearings on this bill the users of automobiles in America were represented by only one witness, yet those who were selfishly interested, the manufacturers and the dealers, both powerful in their respective rights, took all the time for the hearing, which will clearly appear from the record which was available only a few minutes ago as pointed out by the gentleman from Michigan [Mr. FORD]. This bill will open up new fields. Its implications and its effects will be far reaching indeed. The National Grange is opposed to the bill as evidenced by the letter of Herschel Newsom, Master, as follows:

THE NATIONAL GRANGE,
Washington, D. C., July 20, 1956.

The Honorable WILLIAM M. McCULLOCH,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN McCULLOCH: We urge defeat of S. 3879, the bill to regulate the manufacturer-dealer relationship in the automobile business. We believe in preserving opportunity to earn a good living, but we must oppose legislation which impairs competition and which restricts opportunity and freedom to manage one's own affairs.

We are also very concerned over the implications of S. 3879 to our legal and economic framework. To make renewal of an expiring contract a matter for determination by judge and jury, subject to damages if one of the parties refuses to abide by the court decision, is a serious matter that needs considerable time for study and public reaction.

Our local Grange members are not yet aware of the significance of S. 3879 as the publicity on it has not been meaningful. I venture to say that when they become aware of the legal implications of S. 3879 and when the economic leverage given the dealers by this bill impinges upon them, our members will strongly react against it.

It is most unfortunate that after many years of fine and prosperous relationships, the dealers are now asking for Federal control, through broad and general language, of the contractual arrangement between dealer and manufacturer in one of America's most outstanding industries.

Respectfully yours,
HERSCHEL D. NEWSOM,
Master.

Mr. SIMPSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. McCULLOCH. I yield.

Mr. SIMPSON of Illinois. I have been an automobile dealer for 40 years. I suppose I should avail myself of rule 8 of the House of Representatives and disqualify myself as having a pecuniary interest. But the question is, Why were not the implement manufacturers and dealers included in this, and all other kinds of contractual relations covered?

Mr. McCULLOCH. I do not know, but perhaps it was felt there might be more people against it.

May I say to the gentleman from Illinois that this bill would apply with just as much logic to home appliance dealers, real estate operators, insurance agents, office equipment dealers, and all others who have similar contractual relations.

Mr. SIMPSON of Illinois. I should like to know, if this legislation becomes public law, what is to keep the automobile manufacturers from signing up dual arrangements in a town where they now have only one dealer?

Mr. McCULLOCH. There is nothing to keep them from it. This bill should be defeated.

Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks at this point in the RECORD on the pending bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ROBERTS. Mr. Speaker, I greatly appreciate this opportunity to speak in behalf of S. 3879 and H. R. 11360, the so-called automobile dealers' day-in-court bill. This legislation is of paramount interest to the many automobile dealers in my district and to all the dealers throughout the Nation. I feel that the enactment of this legislation will prove beneficial to the entire Nation—the automobile manufacturer, the automobile dealer, and the American consumer public.

The need for this legislation has developed as a result of the inequitable location of the vast economic death-dealing power solely in the hands of the automobile manufacturers. Today three

large automobile manufacturers produce 95 percent of all our Nation's cars. These cars are sold by the more than 40,000 independent local automobile dealers, truly small-business men, located from coast to coast and border to border. The average investment made by each of these automobile dealers is $118,000. The total investment of the independent franchised dealers is about $5 billion; and they employ about 667,800 persons. In contrast to these thousands of small-business men, the manufacturers—namely, the Big Three—have a total investment of $7⅓ billion and employ about 780,000 persons. Thus this industry, which is divided into two almost equal halves with respect to total investment and employment, however, is not in reality at all equal. One-half of the industry has the power to control and/or destroy the other half. The Big Three can club into submission 40,000 independent small-business men unless they play the game the way the giants call the plays.

The key to controlling the dealers, of course, is the fact that the giants can terminate a contract now on 90 days' notice—until a short while ago, it was only 30 days. In the dealer's contract with the manufacturer, the dealer is forced to relinquish practically all his rights. This gives the manufacturer the power to command obeisance; and the dealer is left with no protection and no recourse to make the manufacturer act in good faith with respect to the contract. The dealer survives only at the mercy of the manufacturer. I believe the subservient, impossible situation this type of arrangement can creat is self-evident.

The enactment of the legislation now before this House could remedy this very bad situation. The enactment of S. 3879—and H. R. 11360—would give the dealer the right to go into court and lodge a suit in the Federal district court should the dealer feel that the manufacturer has acted in bad faith with respect to their contract. The suit would not require the manufacturer to prove good-faith performance with respect to the manufacturer-dealer contract, but would require the dealer to prove the manufacturer's bad-faith performance.

The nature of the contract between the manufacturer and the dealer is by its very nature a strange one. It is not the usual situation when the independent retailer can purchase from several sources of supply. In this case, he purchases from one. The dealer is thereby the captive buyer of a giant seller who can impose economic death on a whim if he so wishes. And this can be done regardless of how long the dealer may have been in business and regardless of how much money he may have invested in the business—often building display rooms in accordance with the manufacturer's directions, and so forth. Past history shows that franchises have been revoked at the capricious whim of the producer. And in the past the courts have tossed out any such suits which have been brought to it because the manufacturer in negotiating the contract has required the dealer to sign away practically all of his rights. The legislation now before the House, if enacted, would create a cause of action in the Federal courts where none has previously existed. This bill would simply allow a dealer to maintain in court, a suit similar to that which 99.44 percent of all other businessmen in the United States can maintain in court.

I urge the House to approve S. 3879—and H. R. 11360. The enactment of this legislation will help curb monopoly; it will help preserve small businesses from being absorbed by concentrated big business which at this time holds the power of life or death over more than 40,000 independent small-business men. The big business in this case operates not only on a nationwide basis but also upon a world wide basis, but the small-business men dealers—independently financed and run—just operate locally. Certainly because of this unique combination of the interstate and intrastate activities of these two parties, the determination of good faith in such franchises and contracts is clearly within the jurisdiction of the Federal courts for determination.

The need for this judicial review for the protection of the dealers' rights became glaringly evident during the Senate investigations conducted by the Interstate and Foreign Commerce Committee and the Judiciary Committee. As a result of these congressional investigations, the automobile manufacturers have begun to mend some of their ways and have eliminated some of the abuses previously practiced. The enactment of S. 3879—and H. R. 11360—will simply assure the independent automobile dealers and the American public that this progress will not be lost when the congressional spotlight is turned off these high-handed practices.

I personally feel that the enactment of this legislation will create an era of good will and good feeling and stability in the automobile industry. It will reaffirm the American belief in the right of self-protection. I urge the committee to report this legislation in the very near future so that it may have final approval before the adjournment of Congress.

Mr. WEAVER. Mr. Speaker, and Members of the House, it has been with considerable interest that I have followed the introduction of approximately three dozen bills during the present session of Congress affecting the automobile industry in one form or another. Previous to this occasion I have appeared before committees of Congress and testified in behalf of some of the pending legislation.

I mention these facts to indicate to you that my interest in the welfare of the automobile dealers of my own congressional district, in my State, as well as throughout the Nation, is not merely a casual matter nor of recent origin with me. Not only have I gained considerable amount of information as a result of following the developments that have taken place in Congress in connection with this legislation, but I also have a personal knowledge of a great deal of the matters which have been brought to the attention of Congress because of my personal experience as an automobile dealer. I am convinced, Mr. Speaker, that this is much needed legislation and will make a marked contribution to improved conditions within the automobile industry which, of course, would have a most desirable effect upon the entire economy of our Nation.

I must say, Mr. Speaker, it is inconceivable to me how any intelligent, fair-minded person could oppose this legislation.

The history of the industry makes it apparent that such legislation is needed and needed at once. The facts are actually quite simple and may be clearly stated. The situation is this, as I know it to be and as I understand it to be. At the present time dealers are denied the right to have their day in court. Conditions have existed in the past as found by the Federal Trade Commission, in its study and report in 1939, which would have justified—had the privilege existed—in certain aggrieved cases dealers who had been damaged by the conduct of their factories, of going into court and having the merits of their case adjudicated by a free and independent tribunal.

It was hoped that as a result of the FTC study in 1939 and its report highlighting the difficulties that existed, that some action would be taken either within the industry or by the Government, to bring about the desired changes. After the lapse of 17 years, we find ourselves today in relatively the same position that we were in in 1939. So, it is apparent to any careful observer that the oft-repeated cliché of "let the industry solve its own problems within the family" is nothing in the world but a hollow phrase.

The factories have not made the changes that they could have had they desired to do so. Their failure to do so indicates a lack of desire on their part to bring about the necessary and desirable changes.

Government has done nothing about correcting these conditions. There has been no indication that the Federal Trade Commission has any intention of correcting these conditions. The Department of Justice has indicated that it is sympathetic to some of the problems of the dealers but that within the present structure of the law they are unable to do anything to help them. The Federal courts have indicated that the relationship between factory and dealer is an inequitable one as a result of the inequitable franchise which the factory has drawn and the dealer has entered into, and therefore the purpose of the present legislation as I conceived it to be, is to remove this long standing inequity.

This legislation has been supported and is presently supported by the voluntary action of dealers acting through their elected representatives in the National Automobile Dealers Association.

Quite recently a wave of opposition has developed to this legislation which has been brought about from what I have observed to be misinformation or incomplete information on the part of those opposing it. The incomplete information has resulted in interpretations being placed upon this legislation which I do not detect to be present in the wording

of the legislation. The misinformation has been brought about by confusing this bill with the language of other pending legislation before Congress and imputing to this legislation the results that might inure to the passage of other legislation.

As I have already stated, Mr. Speaker, it is inconceivable to me that any dealer who clearly understands the substance of this bill could be opposed to it and I am sure that if a thorough knowledge of this bill was had by every dealer and if every dealer in America was a free agent to express himself without fear of coercion or intimidation or arbitrary action on the part of his manufacturer that he would genuinely favor and support the legislation. Certainly that is my position and I am sure that I can say that it is the position of the dealers of my congressional district and I know it to be the sentiments expressed by the vast majority of dealers who have made their position on this bill known to me.

I urge that the House give favorable consideration to this legislation, as I am sure it will, recognizing what is just and fair, so that we may have the opportunity of seeing it become law before the adjournment of this present Congress.

Mr. QUIGLEY. Mr. Speaker, this bill has long been needed by the automobile dealers and by the manufacturers. It is a simple ground rule to help stabilize America's No. 1 industry.

For many years the relationship between automobile dealer and manufacturer has been unilateral in nature. It is strongly loaded on the side of the manufacturer.

Considerable pressure has been exerted by one manufacturer in particular during the past few weeks to keep this bill from passing in this session of Congress.

This manufacturer has deliberately confused the purposes of this measure with some of those contained in 40-odd bills related to the automobile industry which are before the Congress.

This manufacturer has deliberately confused the purposes of this measure. Why?

It is because this manufacturer wants no legislation passed during the present session of Congress. It is the desire of this manufacturer to be completely free from any Government intervention.

Free to force dealers to take unwanted cars?—is that what they want? Do they want freedom to cancel a dealer who has thousands invested in his business and who has given a lifetime in building it up? Do they want freedom to force dealers to engage in merchandising practices which are not in the best interest of the public or of the dealer? Do they want freedom to falsify automobile registrations? Do they want freedom to be able to coerce dealers into spending thousands on unneeded glass buildings?

The wording of this bill is exact. Any manufacturer can persuade, sell, advise, or argue a dealer into being the best merchant in his town. There is nothing to keep the manufacturer from having aggressive sales programs. Competition is not affected in any way.

But, this bill does insist that good faith shall exist between manufacturer and dealer and between dealer and manufacturer. If the good faith is broken and the dealer is damaged he will be able to do something that he is not presently able to do—sue his party in a Federal court and recover his damages.

The time has come when the Congress must instill in the minds of the American people its intention that the automobile industry will be stable and will be operated in the best interests of the American people. No single manufacturer nor any group of manufacturers shall dictate to dealers. If they do, if they break the good faith established when the contract is originally signed, then they shall pay the damages due. This is in the true American tradition and it is a citizenship right given to every businessman and to every American. The day must come and it must come today—because today we shall write this law since it has already been passed in the Senate by a vote of 75 to 1, with 13 other Senators being recorded as in favor of it, thus, a total of 88 to 1—and this law shall establish the underlying fact that good faith is and shall remain the basis for agreements between dealer and manufacturer.

Mr. RODINO. Mr. Speaker, one of the most repeated criticisms of the good faith bill for the automobile industry now under consideration has been that it is a bill which clamps regulations on both manufacturer and dealer.

Let me repeat again and again that this is not a regulatory bill. It regulates neither the habits of distribution nor the policies by which the manufacturer and distributor are guided in drawing up contract agreements. This is merely legislation that provides that the men who make automobiles and the men who sell them shall operate in a climate of good faith.

Unless you have been both blind and deaf to the words and printed material which have filtered through these chambers over the past few months, you have to realize that such legislation is sorely needed. Such a bill has been long needed to act as a stabilizing force in America's No. 1 industry. The endless caravan of automobile dealers who have been reeling with below-the-belt punches by manufacturers for these many years and who have had the courage to expose their experiences here in Washington should have convinced us all that a bill such as we are now considering is long overdue.

I have heard many other people speak out in opposition to this bill just because they think it is a bad precedent. They think we would be favoring the automobile industry by allowing such legislation to become law. "What do they think they are, privilege characters or something?"—I have heard them say. No—we do not think they are "privilege characters." But I will say the automobile industry is one that is unlike any other industry in this country. It is a unique industry, and as such, must be dealt with in unique fashion.

How many industries can claim 40,000 local merchants who invest an average of $118,000 into their establishment, which amounts to a total of about $5 billion. How many industries can boast of an employment list showing 667,800 persons by independent dealers and a total of 780,000 by the manufacturers—who, incidentally, have an investment totalling $7⅓ billion.

I said we must deal with the automobile industry in unique fashion. But what is unique about automobile dealers being given the same rights which practically every other competitive industry has? Legislation such as is proposed in the pending bill is needed to provide for some microscopic degree of mutuality between the two contracting parties.

If the unique element involved in the automobile industry doesn't appeal to you, let me say this—we are dealing with the No. 1 industry in America and in the entire world. And maybe you do not even think that is unique—but if that is not an important enough industry in which to legislate I do not know what industry would be.

This bill only provides that a dealer shall be given his day in court—an opportunity to sue in any Federal court for bad faith performance of a contract on the part of the manufacturer. It merely gives the dealer the right to lodge suit—not to make the manufacturer prove good-faith performance but for the dealer to prove the manufacturer's bad-faith performance of existing contracts. Some of the contracts which have existed in the past were the most one-sided contracts ever entered into by any business. Usually there is mutuality between the seller and a buyer. Usually if one is an independent retailer he has sources of supply consisting of some 2 to 10 or 20 or 100 manufacturers. This does not obtain, and cannot obtain, in the automotive industry.

The automobile dealer is a single-line merchant operating in a single purpose building and rendering service to owners of a very complicated mechanism and deal. It seems to me that the enactment of this bill would be persuasive in encouraging the dealer to render even better service.

Remember, this is a two-way bill. Although, certainly it has been shown throughout the hearings that the manufacturer has been guilty of most of the bad faith between the two parties—the dealer is held to this agreement also. It is not one that favors either side, but both the dealer and manufacturer must act in good faith toward one another. For this reason, I strongly suggest that the bill is in the public interest and should be voted into law.

Mr. DODD. Mr. Speaker, I believe this is a most important piece of legislation, and I hope the bill is adopted by this House.

I have had personal experience with respect to the automobile industry.

I have seen the most heartless and ruthless methods used by powerful automobile manufacturers with respect to automobile dealers.

This legislation is before us today because of widespread abuses; and unless we adopt this measure, the automobile dealers who are small-business men will be left unprotected at the hands of these large manufacturers.

The manufacturers have not shown any disposition to improve this bad situation and if we fail to pass this bill today, I fear that they will become more ruthless in their relationship to the dealers.

I believe we will pass this bill and as we do so serve notice that this is not the end of our interest. We shall closely watch and if more legislation is needed we can get it in another session of Congress.

Mr. Speaker, the statement which I made before the Judiciary Committee sums up my own views with respect to this measure.

It reads as follows:

It is my sincere conviction that the enactment of the legislation being considered today, S. 3879, will be a significant step forward in freeing thousands of automobile dealers from what amounts to economic bondage.

An automobile dealership represents a substantial investment, not only in money, but also in effort. It seems obvious to me that these small-business men are entitled to the protection of the law in their relationships with manufacturers, since under the present system they can be forced out of business almost at the whim of the supplier.

S. 3879 represents a fair and equitable attempt to bring at least a measure of security to the thousands of automobile dealers in the country. It is not intended to underwrite poor judgment on the part of the dealer in his business dealings, as he has been charged by opponents of the bill. But it will give him his "day in court" if he believes that the manufacturer has treated him unjustly.

Section 1 (e), the so-called good-faith portion of the bill, seems to me an excellent way to insure that all parties in any dealer-manufacturer franchise agreement will maintain high standards of business ethics. The critics of this legislation have advanced the old argument that Government should not interfere needlessly with the conduct of private business. Unfortunately, however, the automobile industry has made little or no progress in achieving better dealer relationships and, indeed, the abuses have been increasing at an alarming rate.

Many dealers have been forced to the wall by the practice of shipping unwanted cars to them—cars that cannot be absorbed in the market because of the senseless race among some manufacturers for first place in sales volume. The manufacturers have sometimes totally ignored the saturation point where a dealer cannot sell the product in legitimate commerce. Consider the plight of a dealer who can sell about 20 new cars a month at a maximum who is forced to accept delivery of 25 or 30 cars. If he refuses to accept the number of cars that the district representative of the manufacturer arbitrarily sets as his quota, his dealership can be canceled on a unilateral basis.

I think, in all fairness, that any businessman is entitled to a far better break than that. Under the provisions of the bill under discussion here today, he would at least have the chance to bring suit and possibly to recover damages.

The pressure that has been brought to bear on the country's independent automobile dealers by some manufacturers to accept more cars than they can reasonably hope to sell, has resulted in a grave deterioration in marketing techniques. To avoid bankruptcy, some dealers in desperation have resorted to shoddy service work, deceptive and dishonest advertising, and the packing of insurance and finance charges as well as the packing of the prices of cars. Automobile overproduction has led unavoidably to the practice of "bootlegging," which undermine public confidence in the entire industry.

Many dealers from my own State of Connecticut have expressed the strongest possible support for the "good faith" aspect of the bill. They feel that the enactment of this legislation will have a wholesome effect upon the automobile industry, lead to better dealer-manufacturer relationships, and ultimately be of benefit to our entire economy.

The SPEAKER. The question is on suspending the rules and passing the bill, as amended.

The question was taken; and on a division (demanded by Mr. SCOTT), there were—ayes 146, noes 45.

Mr. FORD. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and sixty-four Members are present, a quorum.

So two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

The title was amended so as to read: "An act to supplement the antitrust laws of the United States, in order to balance the power now heavily weighted in favor of automobile manufacturers, by enabling franchise automobile dealers to bring suit in the district courts of the United States to recover damages sustained by reason of the failure of automobile manufacturers to act in good faith in complying with the terms of franchises or in terminating or not renewing franchises with their dealers."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

FEDERAL CONSTRUCTION CONTRACT ACT

Mr. CELLER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1644) to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the "Federal Construction Contract Act of 1956."

SEC. 2. (a) Each executive agency shall list in the bidding or contract documents relating to each lump-sum construction contract before accepting bids or proposals with respect thereto, each major category of mechanical specialty work involved in the performance thereof.

(b) No executive agency shall award to, or enter into a lump-sum construction contract with, any prime contractor unless the name of the contractor with whom the prime contractor will contract for the performance of each major category of mechanical specialty work involved which may have been listed by the contracting executive agency in the bidding or contract documents, has been specified by the prime contractor in the bid or proposal upon which the contract is awarded or made.

(c) This section shall not prevent any prime contractor from himself performing any major category of mechanical specialty work under a lump-sum construction contract awarded to or undertaken by him if the bid or proposal referred to in subsection (b) of this section specifies that the prime contractor will himself perform such category of the mechanical specialty work.

(d) This section shall not be construed to forbid or prevent any executive agency from awarding separate or several prime or direct lump-sum construction contracts for any one construction project.

(e) No prime contractor under a lump-sum construction contract shall have any major category of mechanical specialty work involved in the performance of such construction contract as listed by the contracting executive agency in the bidding or contract documents, performed by any person other than the person named for the performance of such work in accordance with subsection (b) or (c) of this section, except in accordance with the provisions of subsection (f) or (g) of this section.

(f) If a contractor named by the prime contractor under a lump-sum construction contract in accordance with subsection (b) of this section shall fail or refuse to perform or complete the work to be performed by him in accordance with the terms of his subbid or subcontract therefor, the prime contratcor may engage a substitute or different contractor to perform such work: *Provided,* That he first submits in writing to the contracting executive agency the name of the substitute contractor.

(g) If, for any reason as determined necessary by the respective contracting agencies and not specified in subsection (f), a prime contractor under a lump-sum construction contract prefers to have any major category of mechanical specialty work on the project covered by such construction contract as to which he has named a contractor under subsection (b) hereof performed by a contractor other than the one named in accordance with said subsection (b), the prime contractor may engage such substitute contractor if (1) the prime contractor submits to the contracting executive agency in writing, the name of the substitute contractor and such information as the contracting executive agency may request as to any change in cost to the prime contratcor involved in the proposed change in contratcors; (2) the total contract price is adjusted by the net difference in cost in the event such substitution results in a lower cost to the prime contractor than that specified for such work in the construction contract; and (3) the use of such substitute contractor is permitted in writing by the contracting executive agency.

(h) This act shall not apply to the following construction contracts:

(1) Contracts to be performed outside the continental limits of the United States, which limits shall be deemed to include Alaska.

(2) Contracts in which the aggregate bid or proposal accepted by the contracting executive agency does not exceed $100,000.

(3) Any contract with specific reference to which the head of the contracting executive agency determines that the procedure prescribed herein would result in undue delay and that the public exigency will not admit of such delay.

SEC. 3. For the purposes of this act—

(1) The term "executive agency" means any executive department or independent establishment in the executive branch of the Government, including any wholly owned Government corporation.

(2) The term "construction contract" means any contract entered into by any executive agency for the erection, repair, moving, remodeling, modification, or alteration

of any bulding or structure upon real estate intended for shelter or comfort, or for production, processing, or travel, including without being limited to, buildings, bridges, tunnels and highways, but not including aqueducts, reservoirs, dams, irrigation and regional water supply projects, flood control projects, water power development projects, jetties and breakwaters or the buildings or structures incident to or included in the contract for such excluded projects.

(3) The term "mechanical specialty work" in connection with a construction contract means all plumbing, heating, piping, air conditioning, refrigerating, ventilating, and electrical work, including but not being limited to the furnishing and installation of sewer, drainage, and water supply piping and plumbing, heating, piping, air conditioning, refrigerating, ventilating and electrical materials, equipment and fixtures.

(4) The term "prime contractor" means a person having a direct contractual relationship with an executive agency for the performance of a construction contract.

(5) The term "person" means an individual, corporation, partnership, association, or other organized group of persons. All references to contractor or prime contractor shall include individuals, corporations, partnerships, associations, or other organized groups of persons who are contractors or prime contractors.

(6) The terms "lump-sum contract" and "lump-sum construction contract" mean a construction contract, whether awarded after bid or negotiated, under which the price is fixed or to be fixed by any method other than the cost-plus-a-fixed-fee method.

SEC. 4. (a) Neither this act nor compliance with the provisions thereof shall be construed to create any privity of contract between the United States Government, or any agency thereof, and any contractor, contracting with the prime contractor under any construction contract, or give any such contractor any cause of action against the United States or any agency thereof arising out of the failure of any person to comply with the provisions of this act.

(b) Nothing contained in this act shall be construed to limit or diminish any rights or remedies which the United States or any agency thereof may have against the prime contractor arising out of the construction contract, or to relieve the prime contractor of any responsibility for performance of the construction contract because of any action taken by the United States or any agency thereof to approve or accept a contractor named by the prime contractor or to permit, approve, or deny the substitution of a contractor named by the prime contractor under any provisions of this act.

(c) Nothing in this act contained shall be construed to prevent any executive agency from requiring, in its discretion, approval or acceptance by it of contractors engaged or to be engaged by any prime contractor on a construction contract or from making any other requirements it deems advisable in its discretion with respect to contractors engaged or to be engaged by prime contractors on any construction contract or from requiring any information it deems advisable in its discretion as to the cost of performance of any construction contract.

The SPEAKER. Is a second demanded?

Mr. KEATING. Mr. Speaker, I demand a second.

By unanimous consent, a second was considered as ordered.

Mr. CELLER. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. BOYLE].

Mr. BOYLE. Mr. Speaker, in the discussion of the bill, S. 1644, which is commonly called the Federal Construction Act of 1956, it might be well to tell you initially what the bill does not encompass. That is, the bill refers to no Federal contracts that are under $100,000. It refers to no contracts outside of the Territorial limits of the United States. It does not refer to the cost-plus-fixed-fee contracts, and it does not refer to those contracts which, in the opinion of the executive agency, should not come within the purview of this bill because of public emergency or any public exigency.

This bill has a history that is nonpartisan in character. In connection with the history of this bill it may be said that S. 1644 was introduced in the Senate on April 1, 1955, by the late Senator Harley M. Kilgore, the chairman of the Senate Judiciary Committee, for himself and 16 other Senators, Democrats and Republicans alike.

Two full days of hearings were held on May 12 and 18, 1955, by the Senate Judiciary Committee.

On June 21, 1955, the bill was unanimously reported to the Senate without objection from any of the 15 members of that committee.

The majority policy committee voted unanimously on Tuesday, July 26, 1955, to schedule the bill as the order of business in the Senate for the following day, July 27, 1955.

On July 27, 1955, it passed the Senate by a voice vote without a single vote being recorded against its passage and with but two amendments of a clarifying nature.

Several companion House bills were introduced prior to the adjournment of the 1st session of the 84th Congress. Sponsors in the House include Representatives LANE, Democrat, of Massachusetts; MILLER, Republican, of New York; PRIEST, Democrat, of Tennessee; WRIGHT, Democrat, of Texas; BRAY, Republican, of Indiana; and MADDEN, Democrat, of Indiana.

Extensive hearings were held by House Judiciary Subcommittee No. 2 on February 7, 8, and March 7, 1956. Representative MILLER and I are members of that subcommittee. We attended each committee session and listened attentively to all arguments.

The House Judiciary Subcommittee reported the bill favorably to the full Committee, which on June 12, 1956, voted to favorably report the measure with three minor amendments of a clarifying nature. I assume you have before you a copy of the House report, No. 2362, which I submitted to the House on June 15, 1956.

Let us examine the provisions of the bill.

This legislation simply provides that the prime contractor on Federal lump-sum construction shall state in his bid the names of the mechanical specialty contractors, if any, that he intends to engage directly as subcontractors to accomplish the major categories of mechanical specialty work.

The term "mechanical specialty work" is defined to mean all plumbing, heating, piping, air conditioning, refrigerating, ventilating, and electrical work.

In the event of default of the mechanical specialty contractor named, the prime contractor may have the work done by a substitute or different mechanical specialty contractor. There are no restrictions, in such event, on whom he may engage as a substitute. The sole requirement is that the Government be notified in writing of the name of the substitute mechanical specialty contractor.

Regardless of default by the mechanical specialty contractor originally named, the prime contractor may engage a substitute or different mechanical specialty contractor providing the Government, in writing, permits such substitution and any resultant savings are accounted for in full to the Government.

Provisions of the bill are not applicable to contracts to be performed outside of the United States and those of $100,000 or less in cases where the head of the contracting executive agency determines that public exigency warrants waiver.

The bill expressly provides the prime contractor may do the mechanical work without subcontracting if he so chooses; that the bill shall create no cause of action by a mechanical specialty contractor against the Government; that acceptance by the Government of a bid with a mechanical specialty contractor named therein or permitting or denying the substitution of any mechanical specialty contractor, shall not relieve the prime contractor of any responsibility for performance of the contract; and that executive agencies are not thereby prevented from making any other conditions with respect to any subcontractors to be engaged by the prime contractor.

Permit me to give you a description of the three House Judiciary Committee amendments.

The first amendment simply changes the title from "The Federal Construction Contract Act of 1955" to substitute "1956" for "1955."

The second amendment merely includes a specific provision that any savings resulting from switching mechanical specialty contractors after the award of the contract is to be accounted for to the Government. The provision provides a standard for use by the contracting officers. It is in line with suggestions of the interested Government agencies.

The third amendment does nothing more than restate the well-decided general law that acceptance or approval by the owner of a subcontractor does not affect the prime contractor's responsibility for performance. It was adopted by the committee because several administrative agencies stated such an amendment, while perhaps not absolutely essential, would obviate any possible legal difficulties.

Many features of similar bills before prior Congresses—S. 2907 of the 82d Congress and S. 848, H. R. 1825 and 5 companion House bills of the 83d Congress—have been eliminated from S. 1644. The major differences are: (a) S. 1644 is shorter, simpler, and clearer; (b) S. 1644 contains no provisions relating to cost-plus contracts, or with respect to the qualifications of contractors or subcontractors; (c) S. 1644 does not require the prime contractor to disclose subcontract costs in his prime bid; (d) S. 1644 has no record-keeping requirements; (e) S. 1644

has a definition of "construction contract" which is less inclusive and expressly excludes from its terms conservation and hydroelectric projects; (f) S. 1644 contains no penalty provisions.

The purposes of the bill are twofold, namely: (a) To prescribe the policy and procedure to improve existing practices in connection with the letting of lump-sum construction contracts thereby placing the awarding of such contracts on a more efficient basis; and (b) to eliminate indiscriminate shopping or peddling of subbids after the award of the prime contract in connection with Federal construction contracts.

The bill establishes procedures for Federal agencies to follow in awarding construction contracts which are in line with the practices followed by prudent private purchasers of construction. Major purchasers of construction require their prime contractors to submit the names of the mechanical specialty contractors they intend to use to perform the mechanical specialty work as a part of the prime bid. They do this first in order that they may be assured that there is active competition for the mechanical subcontracts, and, second, that they may be assured that the price to them reflects the final low price for the mechanical specialty work which makes up almost half of the total cost.

With the incentive for bid shopping eliminated by taking the profit out of such activity, the mechanical specialty contractor has assurance that his bid will not be misused and that if he is the low responsible bidder whose bid is used in preparing the prime bid he will get to perform the work. This fact alone will encourage mechanical specialty contractors who do not now bid on Government work to submit bids on Federal construction. Hence, it will give the Government the benefit of a full range of mechanical specialty bids and of greater competition in this field which in modern construction amounts to 40 percent and upward of the total cost. Moreover, since the subcontractors may assume they will be used if they submit the lowest subbid prior to the award, it will induce them to submit their final bid prior to the award. Thus, the prime bids will be based upon and will give the Government the price advantage of the lowest subcontract costs.

CONCLUSION

This legislation is fair to everyone in the construction industry and is in the best interest of the Federal Government because its enactment will enable the Government to obtain better construction at lower costs.

I respectfully urge that the bill be enacted into law under suspension of the rules.

Mr. MUMMA. Mr. Speaker, will the gentleman yield?

Mr. BOYLE. I yield.

Mr. MUMMA. Does not this bring it down to where the shopping will be done before it goes in rather than after?

Mr. BOYLE. If there is bid shopping that is where it might be.

Mr. MUMMA. There is no doubt there is. This was tried in 1936 and given up. I do not know when it was given up but this was in effect for a short time from 1936.

Mr. BOYLE. I might say this procedure is used by the Ford Motor Co., by the Chrysler Motor Co., the Colgate Palmolive Co., International Harvester Co., the General Electric Co., and many other concerns. Similar procedures have been adopted in various forms by almost 20 different States, and the testimony before the committee is the method is very wholesome and efficacious.

Mr. MUMMA. I do not know how much of their work is given out by big companies, but I know that big companies when they have faith in an engineering or contracting firm deal through that firm, and that firm works out the best deal it can with the subcontractor. I do not think you will do anything about stopping shopping around; it will be done before rather than after. I am in the building and supply business and come in contact with it very often.

Mr. BOYLE. I submit in answer to the gentleman that I put that very question to one of the Government witnesses, General Tulley. I asked him: "Do you think that this law will have the effect of firming up bids before they are submitted to the Government?" And he told me "Yes." His testimony appears on page 115 of the printed hearings before subcommittee No. 2.

Mr. MUMMA. I agree that it will firm them up, but it will not eliminate shopping on prices.

Mr. KEATING. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, in my studied opinion I am quite sure this bill will do just exactly the opposite of what the committee expects it would do.

If this bill is made law, some prime contractor will be obliged to organize a subsidiary contracting agency either under their own name or the name of some other person, because you have provisions in this contract, in my opinion, which are going to be almost impossible for the prime contractor to operate under to the end that prime contractor would be obliged to require his subcontractors to take equal responsibility with him and the prime contractor would have to put his subcontractors under bond. So in that respect it would be a detriment to the subcontractor even more than to the prime contractor. Such additional obligations on both the subcontractor and the prime contractor would be reflected in their bids. Since the Federal Government will pay more for value received on comparable contracts than it does now, the American taxpayer would of course pay the additional bill.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Iowa.

Mr. GROSS. I want to associate myself with the gentleman's statement in his opposition to this bill.

Mr. JENSEN. I thank the gentleman. I have many reasons for being against this bill. Suffice it to say that it is bad legislation and will not do the things the committee thinks it will. It will cost the Federal Government more money and will be a detriment to the subcontractors as well as the prime contractor.

Mr. HARRISON of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Nebraska.

Mr. HARRISON of Nebraska. I also want to associate myself with the gentleman's statement in opposition to this bill.

Mr. JENSEN. I thank the gentleman. We must not lose sight of the fact that the contracting business is the most hazardous business in the world, and that the average life of all contracting firms is less than 7 years. Truth of the matter is that there has been more money lost by contractors than has been gained. Mr. Speaker, this bill provides for more Federal control over our people, while I, like a great majority of the people, want less Federal control. Just how many more hundreds of thousands of Federal employees would be put on your payroll to police such a law is anybody's guess, if this bill is made law. This bill should not pass.

Mr. CELLER. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, it is difficult for me to understand how this bill will cost the Government more money.

A prime contractor invites subcontractors to bid. Then he uses the bids of the low contractor as a basis for making his bid for the prime contract. This does not interfere at all with the right of the contractor to pick his own subbidders, 2, 3, 4, or 5, for example a plasterer, a painter or a carpenter.

Here is what the bill does: If the prime contractor invites you and me and others to give a subcontract bid, and, of course, one of us is the lowest bidder, if the prime contractor gets the contract he has got to give the contract to the low subbidder.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Iowa.

Mr. JENSEN. Of course, the gentleman knows that a prime contractor must give a bond. If this bill goes through it will force all of the subcontractors to give bonds also. And, when there are requirements to give a bond, they are going to add several percent to their subcontract bids.

Mr. McCORMACK. The answer to that seems to me to be very simple, that that does not necessarily follow. There is a moral question involved here. Suppose you and I and others are subcontractors and we submit a bid and we are the low bidder to a prime contractor, are we not justified in feeling, if he gets the contract, that we should get the subcontract that he invited us to bid on? But, instead of that, he goes around shopping and he uses you and me against others. He says, "John Jones offered to make a lower bid than you for the subcontract work. Are you going lower?" It seems to me that is unfair, and the purpose of this law is to assure to the subcontractors equity and justice.

Mr. MURRAY of Illinois. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Illinois.

Mr. MURRAY of Illinois. I would like to associate myself with the remarks of our majority leader. I support this legislation, since it is in the national interest. I would like to relate the type of bad business practice it will correct. A plumbing contractor who resides in my congressional district was invited by a prime contractor to bid on a Federal construction project to be erected outside of the city of Chicago. He sent his superintendent out of town to estimate the job. He was low bidder. He was assured he would get the job by his prime contractor. He even hired additional men to take care of the job he expected to receive as a result of his low bid. He found out some time later that the prime contractor went out and secured a subcontractor who agreed to do the work at a less price, who did not go to any expense, and used his bid to estimate the job. The reduction in price did not inure to the benefit of the Government. I believe we should pass this bill to prevent this unethical practice of bid shopping. The Government in the long run will get better work at a more economical price if this bill is enacted into law.

Mr. McCORMACK. I have a friend who is a very outstanding contractor in New England. He does work nationally. He said to me that it is not only a protection to the subcontractor but a protection to the prime contractor who wants to do honorable dealing. He said, "When I submit a bid, my prime contract includes the bid given to me by the subcontractor." He said, "When other prime contractors are going around shopping afterward, they compel me to do the same thing, and that I do not want to do." So, it is not only a protection for the subcontractor, and a proper one, but it is a protection also for the honorable prime contractor, and most of them are. They are good, substantial men; honorable and trustworthy men. So, as I see it, the bill is a very fair one and it ought to pass and be enacted into law.

Mr. KEATING. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, this bill is not entirely one-sided. There is much to be said on both sides of it. However, on balance I think it is a desirable measure, because it will do much to eliminate an unfair trade practice which has arisen in connection with Federal construction projects.

Let me illustrate what I mean by that. A plumbing contractor on a Federal building spends several thousand or several hundred dollars to prepare plans and he submits a bid to the general contractor that he will do that plumbing work for $50,000. The general contractor goes ahead and submits his bid based upon that and gets the contract. Then he goes to somebody else, and this fellow says, "Well, I will do that job for $40,000." He goes back to the original subcontractor that has spent the money to get the bid in shape and says, "Now, unless you do this for $40,000, I am going to give it to somebody else." That is what is called bid shopping. This bill is designed to eliminate that.

Now, it should be made very clear that most of the reputable general contractors do not engage in this bid shopping, but there are some who do, and it is those that the bill is aimed against, because under this bill the general contractor would have to list this particular plumbing contractor, in the case I have given you, as doing the plumbing work at $50,000, and then if he wanted to give it to someone else, he could still do so, but if there was a saving on that contract, the saving would go to the Government.

There would be no incentive to him to go around and engage in this bid shopping which has been an abuse.

The argument has been made that this bill would increase the cost of Federal contracts. The general contractors and the opponents of this measure contend that it will increase the cost to the Government if this bill is passed. I have not been convinced by that argument. As a matter of fact, I think it is more likely to reduce the cost.

Mrs. ST. GEORGE. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield to the gentlewoman from New York.

Mrs. ST. GEORGE. Mr. Speaker, I want to commend the gentleman for his statement. It is extraordinarily clear, and I may say to the gentleman has changed my thinking on the bill. I was inclined to be in opposition but after hearing the gentleman define what has been going on and what this bill will correct I think I am definitely in favor of the measure. I do not know whether that is a matter of any importance, but I certainly want to thank the gentleman.

Mr. KEATING. It certainly is important to the gentleman from New York to learn that he is so persuasive, and I thank the gentlewoman for her remark.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Connecticut.

Mr. MORANO. Can the gentleman tell me where this legislation originated, whether the general contractors are opposed to it unanimously and whether the subcontractors are for or against it?

Mr. KEATING. I think this may be fairly said, that the subcontractors, the so-called mechanical specialty contractors, favor the proposed legislation in general and they represent about 40 percent of the cost of most of these projects. The general contractors by and large are opposed to the proposed legislation. Some of the Government departments have expressed opposition to the legislation. I think that fairly answers the gentleman's question.

I am the first to admit that the bill has much to be said on both sides. There was a question in my mind originally whether it was desirable legislation. I am convinced that it is and I should like the House to hear the gentleman from New York [Mr. MILLER] who has made a detailed study of this subject.

This measure has been carefully studied during each of the last three Congresses and in my opinion its enactment is desirable. It eliminates an unfair trade practice in connection with bids for Federal construction work, and from the very extensive hearings conducted by our committee, I am persuaded that both the Government and a vast majority of the contractors and subcontractors who deal with the Government would benefit. No one has come forward with any objection to this measure which appeals to me as persuasive.

In modern construction work, the so-called mechanical specialties account for about 40 percent of the cost, and sometimes more. These specialities include the plumbing, electric wiring, heating, air conditioning, and similar items requiring complex and expensive planning and installation. A practice has grown up, among a few building contractors who deal with the Government, of jobbing or shopping their subcontracts for these mechanical specialties on a competitive basis after they have been awarded the prime contracts. This puts them in an unfair bargaining position, and the resulting gain, from beating down their subcontractors, goes to enrich the contractor and is not passed on as a benefit to the Government. Many reputable contracting firms condemn this practice, and some of the important subcontractors will refuse to do business with anyone guilty of bid shopping.

S. 1644 would remedy this situation by requiring construction contractors to list the subcontractors with whom they have arranged for this mechanical specialty work. In this way, subsequent negotiations are eliminated. The prime contractors will be protected in competition among themselves, since each will be able to negotiate and determine the extent of his cost for these specialty items a sufficient time ahead of the making of his own bid so that he does not have to gamble on last minute adjustments or reductions.

The bill provides sufficient flexibility so that it will not interfere with the normal performance of these construction contracts. Contracts for relatively small construction jobs are excepted, and the prime contractor has the right to make substitutions in the event of any default by his subcontractor, and may also make substitutions, regardless of default, by agreement with the Government agency for which he is doing the work.

Many important firms in private industry require precisely this disclosure of mechanical specialty subcontractors when they let contracts for their own construction work. Also a provision similar to this has been tried and proved eminently successful in California, Massachusetts, and other States.

I hope the House will act favorably on this measure.

Mr. CELLER. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. Moss].

Mr. MOSS. Mr. Speaker, I support this legislation. It is comparable to that which has been on the statute books of the State of California for a great many years and despite repeated attempts on the part of opposing groups to convince

the legislature that it should be repealed, they have been unable to support their case by any evidence of a convincing nature. Our experience with the legislation has been a most happy one. In our State government, the responsible officials in the field of construction as I recall our legislative hearings, appeared and gave the retention of this law their wholehearted support.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. MOSS. I yield to the gentleman.

Mr. JENSEN. Does not the gentleman realize that having such a law on the statute books of the Federal Government and having such a law on the statute books of the State government are two entirely different things, that they deal with entirely different matters?

Mr. MOSS. Mr. Speaker, I respectfully disagree with the gentleman.

Mr. KEATING. Mr. Speaker, I yield 5 minutes to the gentleman from South Carolina [Mr. ASHMORE].

Mr. ASHMORE. Mr. Speaker, I think it is most unfortunate that we come here today and discuss this bill in the short time available. This is a field that will involve and has for many years involved millions and millions and hundreds of millions of dollars of the taxpayers' money. This bill has to do only with contracts made by the Federal Government. There is, as the gentleman from New York [Mr. KEATING], has stated, quite a controversy as to who is going to save money if we pass this bill, whether the Federal Government will save money or whether it will cost the Federal Government more money. The proponents of the bill say that it will save money. I say it will not save money and I give you as a reason or reasons for saying that the testimony of many, many governmental agencies who have to work with this law and who have to administer it if you pass it. Every single governmental bureau or agency in charge of Federal contracts today that was represented before the Committee on the Judiciary testified or wrote letters in opposition to this proposed legislation. That means something, because they know what its operation will do.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman.

Mr. JENSEN. I think it should be known to everybody that the life in business of a contractor is less than 7 years. It is the most critical business in the world. There is more money lost in contracting than there is gained.

Mr. ASHMORE. I thank the gentleman for his contribution. I want to say to the gentleman back here who spoke a few moments ago that in stating that bid shopping would still exist he is absolutely correct. These experts and those who are representing our Government, spending our money, money that we appropriate, say it would not eliminate bid shopping; it absolutely would not eliminate it.

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from Louisiana.

Mr. WILLIS. Under present law and practice the Government contracting officer, the Government itself, looks to one general contractor.

Mr. ASHMORE. He gives bond; yes.

Mr. WILLIS. What would happen under this bill? Would this not create a division of responsibility, where the Government would have to deal with the general contractor and all the subcontractors?

Mr. ASHMORE. That is one reason the Federal agencies gave in opposition to the bill. They said it would cost more money to administer this. They said they would have to become watchdogs, to come in and squabble, in plain country language, between the prime contractor and the subcontractor.

Mr. MUMMA. Mr. Speaker, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from Pennsylvania.

Mr. MUMMA. Is it not a fact that McShain can put his own price in for the bricklaying and the plastering, and after the bids are opened, the bill will provide, he can change them with the approval of the Government? He will certainly be able to build up a story of some kind against that.

Mr. ASHMORE. Certainly, I am convinced that he could.

Mr. BOYLE. The gentleman does not believe that, now, does he?

Mr. ASHMORE. Yes. I do not think my friend from Chicago is an expert on contracting, but these men who have been here for years are experts. I would rather take their opinion than that of my friend from Illinois.

This legislation has been here for many, many years. It was first introduced in 1930-something. Then it was passed in the Roosevelt administration and he vetoed the bill and gave very good reasons for doing so. This is practically the same legislation as the President then vetoed. I think it is certainly not incumbent upon the Government to go out and get involved in private industry. That is what we are doing. The prime contractor now operates on the same basis with his subcontractors as they operate in private industry. They are getting along all right there now. They have been for many, many years. Why should we come in and get more Government control under this bill when we need less control? I cannot understand any reason for it to save my life except to try to make it possible for one particular group to get some special benefits out of it.

This is not going to help the carpenter or bricklayer, of whom the gentleman from Massachusetts [Mr. MCCORMACK] spoke. This will certainly not help the unorganized subcontractors. They have nobody to speak for them.

Mr. BOYLE. If the gentleman will yield, I know the gentleman is the last one that would want to have a misconception left with the House here before we vote. I would respectfully and dutifully call his attention to a communication from the White House dated June 27, 1938, which indicates that the bill that was vetoed was not a similar bill at all. It had to do with allocating certain funds to subcontractors.

Mr. KEATING. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, I certainly should like to do all I can to help protect subcontractors from being treated unfairly by prime contractors. I think I have in my district as many of these smaller specialty firms as probably any Member here. But I get differing reports as to just how the bill will affect the subcontractors. It is hard to explain away the opposition of all the affected agencies of our own Government.

And some labor groups who are involved oppose the bill. I wish some of the proponents would give me an adequate answer to this statement by the Twin City Carpenters' District Council in Minneapolis and St. Paul. It says:

> Twin City Carpenters' District Council and its 11,000 members unanimously oppose S. 1644, which proposes changing methods of awarding contracts. This change would soon lead to awarding contracts directly to the subcontractors, thereby dividing the responsibility for completion, reduce competition, increase construction costs and Government liability, and add to the cost of administration.

I cannot refute those charges.

Mr. CELLER. Will the gentleman concede that he cannot get a unanimous verdict of that sort from 11,000 contractors?

Mr. JUDD. This letter is from carpenters.

Mr. CELLER. You said it was unanimous.

Mr. JUDD. You know how these things are done, whether in a labor union or a chamber of commerce or a medical society. Officials and spokesmen for the organizations write these letters; but if those spokesmen did not in general reflect the views of the members, they would not long be their spokesmen. But, instead of arguing that, I wish you would answer the statement which these men made. They are in the construction business. They are carpenters. They understand subcontracting. They say that these specific bad results would follow enactment of this bill.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. JUDD. I yield.

Mr. KEATING. The gentleman, I am sure, will find certain groups of organized labor for the bill and other groups against it. I was not familiar with that specific one.

Mr. JUDD. These are the carpenters in the construction business in my area. When I find the Department of Defense and the General Services Administration, and the Atomic Energy Commission, and the Department of the Interior, and the Comptroller General, and the Justice Department, and some labor unions who are in the construction business are all against it, I have to have some reservations. Let this bill come up under a regular rule so we can have full exploration of all these questions. If the benefits of a bill are dubious and the possible disadvantages are real, it seems to me the course of wisdom is to give it more thorough consideration than 40 minutes without opportunity to amend.

The SPEAKER. The time of the gentleman from Minnesota has expired.

Mr. CELLER. Mr. Speaker, I yield 1 minute to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, as one of the sponsors of this bill, having filed a similar bill myself, I can state that a great number of subcontractors in my district and a great number representing organized labor, and also some general contractors have endorsed this legislation. It will eliminate a practice that has helped to almost keep out of the construction field, especially in the field of Government contracts, numerous subcontractors who in the past have been the victims of the practices that this bill is trying to eliminate. I do think it is good legislation. I think it would be a great saving to the Government and give the small contractors over the country a chance to participate in the large Government construction projects. This could be classified as good legislation for small business.

I know that every subcontractor endorses it as well as most of the people connected with labor.

The SPEAKER pro tempore. The time of the gentleman from Indiana has expired.

Mr. KEATING. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, in reply to the point made by the gentleman from Minnesota [Mr. JUDD] that this might reduce competition and increase construction costs and Government liability and add to the cost, again there is an argument on both sides. But the argument that was most impressive to me was this. A subcontractor under the present system spends all of this money preparing plans and then finds himself often, after he has made a bid, left holding the bag. They claim that in the future, there will be fewer and fewer subcontractors making bids if they are not sure that they will get the bid, which in the final analysis, they should get. Therefore, it is more likely to decrease than to increase the cost to the Government, if we adopt the system set up under the provisions of this bill.

Mr. Speaker, I yield the remainder of the time on our side to a coauthor of the bill, the gentleman from New York [Mr. MILLER].

Mr. MILLER of New York. Mr. Speaker, I would be the last one to take the well of this House and speak for any legislation that was designed to create more additional Government controls over our free economic life.

In my judgment, this legislation simply adopts, upon behalf of the United States Government, a decent, logical, sensible business practice, a practice which has been followed for years by Du Pont, General Motors, Ford, and other companies.

Its purpose is twofold. One, to help small business; to help subcontractors; to defend them against the practice of bid shopping. Two, to help the Federal Government in stimulating competition among subcontractors in order that they may be interested in submitting bids on Government contracts. In other words, as the matter stands today, because of this prevalence of bid shopping and because of the fact that in some instances this specialty work comprises 40 percent of the contract to the Government and runs into millions of dollars, it costs the contractors thousands of dollars to prepare an estimate. If after they have prepared an estimate for the prime contract, if after it is used by the prime contractor in submitting his bid, if it is a fact that this subcontractor can be prevailed upon to reduce his bid because someone down the street will do it for something less, then of course we are driving them out of bidding on Government contracts. Many subcontractors who appeared before our committee said that under present rules and regulations of Government contracts they would not bid at all.

Now what does this bill do? It provides that when a man bids on a prime contract he must name the subcontractor he intends to use. He can do the work himself if he wants to. Does he have to use the man whose bid is lowest? No. If the person whom he names in the contract as submitted to the Government is unable to perform, does he have to get permission of the Government to substitute? Of course not. Only does he need to notify the Government and get permission if he wishes to substitute another contractor, and only in the event that it is for some other reason that the subcontractor is unable to perform. If that reason is that he shopped his bid and got a lower price, he must say so. If the prime contractor was able to shop around and get the work done for less than he used in submitting his prime bid, then the Government gets the benefit of the difference, and not the prime contractor.

It has been said this will cost the subcontractor more money. Why is it that every subcontractor who appeared before our committee was in favor of this legislation? It is said it will cost the Government more money because of administrative costs. Where it has been used, in Massachusetts, California, and other States, the officials of those States have testified it saved the States much money, because it created interest and competition among the subcontractors bidding on Government jobs, and it firms up the bid, and the difference between the shopping bid and the real bid redounds to the benefit of the Government and not the prime contractor.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. MILLER of New York. I yield.

Mr. JENSEN. The record will show that during the past several years there have been more bids on Federal contracts than at any time in many, many years.

Mr. MILLER of New York. As a matter of fact, the record shows exactly the opposite.

Mr. JENSEN. Oh, no; it does not.

Mr. MILLER of New York. I refer the gentleman to——

Mr. BOYLE. Page 120 shows those figures.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. CELLER. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. HAGEN].

Mr. HAGEN. Mr. Speaker, I would like to join the gentleman from California [Mr. Moss] in referring to the favorable experience we have had in California with a law of this kind. We have one of the largest construction programs of any State in the Union. There were attempts to repeal the State law, but I believe the administrators of the State construction program concluded that it would actually increase the cost of work to be done by the State because of the possibility of shoddy subcontractors getting in the program, and that it would increase the cost of supervision therefore.

This is really legislation to help small business, because these subcontractors are generally small and have a certain amount of fixed overhead, including a certain number of employees they must have at all times. In the light of their size, together with the necessities of using men on their payroll, they will be forced to take contracts at below cost in many cases without the protection of this law. Contractors who impose on subcontractors do not rebate their impositions to the Government.

Mr. JUDD. In a letter from Frank P. Durkee, Director of Public Works for the State of California, he stated that they had a California law similar to S. 1644 and that "we know of no advantage to the State which accrues by reason of this statute." Will someone please clear up this point?

Mr. CELLER. What is the date of the letter?

Mr. JUDD. I do not have the date.

Mr. CELLER. It is an old letter. We have it in the record. The situation is far different with reference to California.

The SPEAKER. The time of the gentleman from California has expired.

Mr. CELLER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, in summing up I wish to say that statements endorsing the bill were filed by many trade associations, contractors, labor union officials, and other members of the contracting industry from various sections of the country including—and I wish the gentleman from Minnesota would listen—including the International Brotherhood of Electrical Workers, AF of L; and the president of the United Association of Journeyman Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada.

There is no doubt that testimony adduced before our committee indicated that there would be great savings to the Government because there would be a widening, a great widening, of the number of bids submitted by subcontractors with the general contractor.

Presently because of the thinness of competitive bidding the Government loses. On the other hand when you have more bidders the Government will gain because you will have a reduction of cost to the Government.

In addition, all the savings that would accrue if there is a substiution of bidders will accrue to the Government and not to the prime contractors.

Certain Government departments have stated there would be considerable difficulty in administering the act. I

will say in answer that that may be true, there will be more paperwork, it will require considerable time for supervision, but against that disadvantage we will be given great aid and comfort to thousands of these subcontractors throughout the length and breadth of the Nation; and remember, the testimony was to the effect that 40 percent of the values of these contracts were involved in the subcontracts. That is a large part of all the contracts let out by the Government.

So I say, on balance, I would rather help these thousands of mechanical specialty subcontractors than to help a few bureaucrats in the Government because they fear their burdens will be more onerous.

We are told also beyond doubt that we would firm up the subcontractors' arrangements. We are told, furthermore, that we would do away with a great deal of favoritism in the allocation of these subcontracting bids, that we can do away with nepotism and all these kindred abuses that we know of in the giving out of bids of this character.

The bill would eliminate the competitive disadvantage under which the ethical general contractor presently must operate when he refuses to shop around for bids with subcontractors.

The gentleman from Massachusetts very properly spoke of a moral question involved here. I am sure you will find it of interest to observe on page 5 of the report a reflection of the opinion of the Tax Court of the United States.

In Ring Construction Corp. (8 T. C. 1070):

> There is a practice among some contractors of shopping among subcontractors after successfully bidding for a construction job in order to obtain lower subcontract prices than those previously submitted and used in making up the successful bid. Such a contractor is known as a bid-jobber or bid-shopper and there is a policy among subcontractors either not to bid with a contractor known to be such a bid-jobber or to bid so high that he, the subcontractor, can still come down on his price and get the job.

The purpose of this bill is to prescribe a procedure in connection with the letting of lump-sum Federal construction contracts and to place, it is hoped, the awarding of such contracts on a more efficient basis.

This is to be accomplished by establishing procedures for Federal agencies to follow in awarding construction contracts in line with the practices followed by many of our large corporations. In many instances corporations require prime contractors to submit the names of their mechanical specialty contractors, if any—such mechanical specialties as plumbing, heating, electrical work, and so forth—as part of the prime bid in order to assure themselves that there is active competition for the mechanical subcontracts and that the price to them reflects the final low price for the mechanical specialty work which makes up, it is estimated, about 40 percent of the total cost of all projects.

The bill is also designed to eliminate the unfair trade practice of "bid shopping" in connection with Federal construction work. Oftentimes after a contract has been awarded to a prime contractor, he goes to the mechanical specialty subcontractors and seeks to obtain a lower price on the subcontract work than that which he had originally estimated when he was preparing his original bid for submission to the Government. Once he has the contract in his pocket, so to speak, he can bring pressure to bear on the subcontractors, making them vie with each other for the work at a lower price. Any saving accrues, of course, not to the Government but to the prime contractor.

In many instances, since the specialty subcontractor has cut his bid to the bone in order to obtain the subcontract, he in turn cuts corners, thus affecting the quality and workmanship of the work. In the long run it is the Government which is the loser since it had paid a fair price to the prime contractor and it is not obtaining the quality for which it is paying.

The instant bill will result in savings to the Government in that it will make available the price advantage of a wider circle of subbidders and more competition. Under current bidding procedures the price the Government receives is, in many instances, too high. This is due to the thinness of competition, and to the fact that subbids do not reflect the final price for the mechanical speciality work. In addition, the bill specifically provides that if and when a prime contractor is permitted to substitute subcontractors after a contract has been awarded, any savings which may result from the substitution shall accrue to the benefit of the Government.

It has been urged by the opponents of this legislation that the provisions of this bill will impose additional and heavy administrative responsibilities upon the Government in permitting the substitution of subcontractors and that such burdens would offset any savings that may be effected by this legislation. However, much evidence has been presented to the committee, both by testimony and by the submission of documents, that enactment of this bill should result in substantial savings to the Government. For example, the State of California, which utilizes similar procedures, has found that substantial savings have resulted from this system. Moreover, in the case of Stewart Earl Marling against Board of Education of Baltimore County—circuit court for Baltimore County, October term, 1952—the court found that utilization of subcontractor listing procedure lowered the cost of construction to the board of education.

In addition, these construction contract requirements have been working well in the States which have adopted legislation either the same as or substantially similar to that of S. 1644. Such States as North Carolina, Arkansas, Wisconsin, Kansas, and Ohio, require mandatory separation of construction contracts into separate electrical, plumbing, heating, and general contracts. The State of Massachusetts awards one contract on the basis of separate direct bids. Statutes of the States of California and Idaho require prime contractors to list their mechanical specialty contractors in their general bids. These statutes are operating effectively to the economic benefit of each State and to the satisfaction of substantially all of the construction industry in each State.

This legislation has received the favorable endorsement of a number of trade associations, contractors, labor union officials, and other members of the contracting industry from various sections of the country, including the president of the International Brotherhood of Electrical Workers, AFL, and the president of the United Association of Journeymen Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, AFL.

Federal construction contract legisla- has been the subject of extensive study over the last several years. The subject was considered in the 82d Congress. In the 83d Congress joint hearings were held and as the result of such hearings, bills were favorably reported both in the Senate and in the House. Again, in this Congress, extensive hearings were held, and as a result, many of the features which were objected to have been eliminated. The biggest objection submitted by Government agencies relating to Government responsibility has been eliminated by the new section 4 (b) of the bill, holding the prime contractor wholly responsible for the performance of all contract work.

I feel that the present bill contains all of the provisions necessary to make this a workable and acceptable piece of legislation. I hope the House will see fit to adopt it.

Mr. KEATING. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have permission to extend their remarks at this point in the RECORD on the bill now under consideration.

Mr. SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OSTERTAG. Mr. Speaker, I favor the passage of S. 1644, and I want to associate myself with the remarks of Mr. KEATING and Mr. MILLER of New York. I have discussed this problem with many mechanical-specialty contractors, and I am satisfied that the enactment of this bill would not only lend itself to a fairer and more equitable system of awarding subcontracts for Federal Government construction but would tend to bring about savings to the Government as well.

As the committee report indicates this bill is intended to improve procedures of our Federal agencies in connection with construction contracting and to curb abuses and unfair and unethical practices of "bid shopping" that prevail in this field.

I feel that while this bill may face arguments against it, the reasoning favoring the bill in my opinion, seems to be the strongest. For these reasons, I shall support this measure.

Mr. LAIRD. Mr. Speaker, it is unfortunate that this legislation, S. 1644, has come before us today under this procedure. We are asked to suspend the rules of the House of Representatives. This procedure bars the consideration of this bill for more than 40 minutes and completely bars the consideration of sev-

eral amendments I intended to offer to improve this legislation. I shall oppose the motion to suspend the rules.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and on a division (demanded by Mr. CELLER) there were—ayes 111, noes 59.

Mr. CELLER. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 246, nays 145, not voting 41, as follows:

[Roll No. 112]

YEAS—246

Adair	Gavin	Murray, Ill.
Addonizio	Gray	Natcher
Albert	Green, Oreg.	Nicholson
Allen, Calif.	Green, Pa.	Norblad
Andresen, August H.	Griffiths	Norrell
	Gubser	O'Brien, Ill.
Anfuso	Hagen	O'Brien, N. Y.
Ashley	Hale	O'Hara, Ill.
Aspinall	Haley	O'Konski
Auchincloss	Hand	O'Neill
Ayres	Harden	Ostertag
Baker	Hardy	Patterson
Baldwin	Harris	Pelly
Barrett	Harrison, Va.	Perkins
Bates	Harvey	Pfost
Baumhart	Hays, Ark.	Philbin
Beamer	Hays, Ohio	Poage
Bennett, Fla.	Hayworth	Poff
Bennett, Mich.	Healey	Polk
Betts	Henderson	Price
Blatnik	Herlong	Prouty
Blitch	Heselton	Quigley
Bolling	Hess	Rabaut
Bolton, Frances P.	Hillings	Rains
	Hinshaw	Rees, Kans.
Bolton, Oliver P.	Holifield	Reuss
	Holland	Rhodes, Pa.
Bonner	Holmes	Roberts
Bow	Holt	Robsion, Ky.
Bowler	Holtzman	Rodino
Boyle	Horan	Rogers, Colo.
Bray	Hosmer	Rogers, Mass.
Brownson	Huddleston	Rogers, Tex.
Budge	Hyde	Rooney
Burdick	Jackson	Roosevelt
Burnside	Jenkins	Rutherford
Byrd	Jennings	Sadlak
Byrne, Pa.	Johansen	St. George
Byrnes, Wis.	Johnson, Calif.	Schenck
Cannon	Johnson, Wis.	Scherer
Canfield	Jones, Ala.	Schwengel
Cederberg	Jones, Mo.	Scudder
Celler	Karsten	Seely-Brown
Chenoweth	Kearney	Sheehan
Christopher	Kearns	Shelley
Chudoff	Keating	Short
Church	Kee	Sieminski
Clark	Kelly, N. Y.	Sikes
Cooley	Keogh	Simpson, Ill.
Coon	King, Calif.	Sisk
Corbett	Kirwan	Spence
Cramer	Klein	Staggers
Cretella	Kluczynski	Sullivan
Crumpacker	Knox	Teague, Calif.
Curtis, Mass.	Knutson	Thompson, Mich.
Davidson	Krueger	
Dawson, Ill.	Lankford	Thompson, N. J.
Deane	LeCompte	Thompson, Tex.
Delaney	Lesinski	Tollefson
Dempsey	McCarthy	Trimble
Denton	McCormack	Tumulty
Dies	McDonough	Vanik
Diggs	McDowell	Van Zandt
Dingell	McIntire	Vorys
Dodd	Macdonald	Vursell
Dollinger	Machrowicz	Wainwright
Donohue	Mack, Ill.	Walter
Donovan	Mack, Wash.	Wharton
Dorn, N. Y.	Madden	Widnall
Doyle	Mahon	Wier
Elliott	Mailliard	Wigglesworth
Engle	Martin	Williams, N. J.
Fallon	Matthews	Williams, N. Y.
Feighan	Metcalf	Wilson, Ind.
Fernandez	Miller, Md.	Withrow
Fino	Miller, N. Y.	Wolverton
Fisher	Mills	Wright
Flood	Minshall	Yates
Fogarty	Mollohan	Young
Forand	Morano	Younger
Ford	Morgan	Zablocki
Friedel	Moss	Zelenko
Garmatz	Moulder	
Gathings	Multer	

NAYS—145

Abbitt	Forrester	Mumma
Abernethy	Fountain	Murray, Tenn.
Alexander	Frazier	Passman
Alger	Frelinghuysen	Phillips
Allen, Ill.	Fulton	Pilcher
Andersen, H. Carl	Gary	Pillion
	Gentry	Radwan
Andrews	George	Ray
Arends	Grant	Reece, Tenn.
Ashmore	Gregory	Reed, N. Y.
Avery	Gross	Rhodes, Ariz.
Bass, N. H.	Gwinn	Richards
Becker	Halleck	Riehlman
Belcher	Harrison, Nebr.	Riley
Bentley	Hiestand	Rivers
Berry	Hill	Robeson, Va.
Boggs	Hoeven	Rogers, Fla.
Bosch	Hoffman, Mich.	Saylor
Boykin	Hope	Scott
Brown, Ga.	Hull	Scrivner
Broyhill	Ikard	Selden
Bush	James	Sheppard
Carrigg	Jarman	Shuford
Chase	Jensen	Siler
Chelf	Jonas	Smith, Kans.
Chiperfield	Jones, N. C.	Smith, Miss.
Cole	Judd	Smith, Va.
Cooper	Kean	Smith, Wis.
Coudert	Kilburn	Springer
Cunningham	Kilday	Taber
Curtis, Mo.	Kilgore	Talle
Dague	King, Pa.	Taylor
Davis, Ga.	Laird	Teague, Tex.
Davis, Tenn.	Landrum	Thomas
Dawson, Utah	Lanham	Thomson, Wyo.
Derounian	Latham	Tuck
Devereux	Lipscomb	Udall
Dixon	Lovre	Utt
Dolliver	McConnell	Van Pelt
Dondero	McCulloch	Velde
Dorn, S. C.	McGregor	Vinson
Dowdy	McMillan	Watts
Durham	McVey	Weaver
Ellsworth	Magnuson	Westland
Evins	Marshall	Williams, Miss.
Fascell	Mason	Willis
Fenton	Meader	Winstead
Fjare	Merrow	Wolcott
Flynt	Miller, Nebr.	

NOT VOTING—41

Bailey	Colmer	O'Hara, Minn.
Barden	Davis, Wis.	Osmers
Bass, Tenn.	Eberharter	Patman
Bell	Edmondson	Powell
Boland	Gamble	Preston
Brooks, La.	Gordon	Priest
Brooks, Tex.	Hébert	Simpson, Pa.
Brown, Ohio	Hoffman, Ill.	Steed
Buckley	Kelley, Pa.	Thompson, La.
Burleson	Lane	Thornberry
Carlyle	Long	Whitten
Carnahan	Miller, Calif.	Wickersham
Chatham	Morrison	Wilson, Calif.
Clevenger	Nelson	

So (two-thirds not having voted in favor thereof) the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Buckley and Mr. Bailey for, with Mr. Hébert against.

Mr. Patman and Mr. Gordon for, with Mr. Hoffman of Illinois against.

Mr. Powell and Mr. Kelley of Pennsylvania for, with Mr. Osmers against.

Mr. Carnahan and Mr. Bell for, with Mr. Gamble against.

Mr. Miller of California and Mr. Boland for, with Mr. Preston against.

Until further notice:

Mr. Brooks of Louisiana with Mr. Brown of Ohio.

Mr. Burleson with Mr. Davis of Wisconsin.

Mr. Morrison with Mr. Simpson of Pennsylvania.

Mr. McDowell with Mr. Clevenger.

Mr. Whitten with Mr. Nelson.

Mr. Wickersham with Mr. O'Hara of Minnesota.

Mr. PASSMAN changed his vote from "yea" to "nay."

Mr. SIKES changed his vote from "nay" to "yea."

Mr. LAIRD changed his vote from "yea" to "nay."

Mr. REES of Kansas changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

AMENDING RAILROAD RETIREMENT ACT OF 1937

Mr. HARRIS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3616) to amend the Railroad Retirement Act of 1937 to provide increase in benefits, and for other purposes.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 3 (a) of the Railroad Retirement Act of 1937 is amended by striking out "2.76", "2.07", and "1.38", and inserting in lieu thereof "3.04", "2.28", and "1.52", respectively.

(b) So much of section 3 (e) of such Act as precedes *"Provided, however"* is amended to read as follows: "(e) In the case of an individual having a current connection with the railroad industry, the minimum annuity payable shall, before any reduction pursuant to section 2 (a) 3, be whichever of the following is the least: (1) $4.55 multiplied by the number of his years of service; or (2) $75.90; or (3) his monthly compensation:".

SEC. 2. (a) Section 5 (h) of the Railroad Retirement Act of 1937 is amended by striking out "$30", "$160", and "$14" wherever they appear and inserting in lieu thereof "$33.00", "$176", and "$15.40", respectively.

(b) Section 5 (l) (10) of such Act is amended by striking out "40", "10", "$14", "$33.33", "$25", and "$13.33" wherever they appear and inserting in lieu thereof "44", "11", "$15.40", "$36.66", "$27.50", and "$14.66", respectively.

SEC. 3. All pensions under section 6 of the Railroad Retirement Act, all joint and survivor annuities and survivor annuities deriving from joint and survivor annuities under that Act awarded before July 1, 1956, and all annuities under the Railroad Retirement Act of 1935 are increased by 10 per centum.

SEC. 4. The amendments made by the first section of this Act and by subsection (a) of section 2 shall be effective only with respect to annuities (not including annuities to which section 3 applies) accruing for months after June 1956. The amendments made by subsection (b) of section 2 shall be effective only with respect to annuities accruing for months after June 1956 and lump-sum payments (under section 5 (f) (1) of the Railroad Retirement Act of 1937) in the case of deaths occurring after June 1956. Section 3 shall be effective only with respect to pensions due in calendar months after July 1956 and annuities accruing for months after June 1956.

Passed the Senate July 23 (legislative day, July 16), 1956.

The SPEAKER. Is a second demanded?

Mr. WOLVERTON. Mr. Speaker, I demand a second.

The SPEAKER. Without objection a second will be considered as ordered.

There was no objection.

The SPEAKER. Under the rules, the gentleman from Arkansas will be recognized for 20 minutes and the gentleman from New Jersey for 20 minutes.

The gentleman from Arkansas is recognized.

Mr. HARRIS. Mr. Speaker, the program for the House today calls for the consideration of H. R. 9065, a bill to

amend the Railroad Retirement Act, which was reported from the Committee on Interstate and Foreign Commerce on June 25, 1956. Last Friday the committee adopted an amendment to the reported bill which I would have offered on the floor today.

However, the Senate Committee on Labor and Public Welfare met last Saturday and reported S. 3616, with an amendment. As amended, S. 3616 is identical to the committee amendment which I would have offered today to H. R. 9065.

I have just been informed that S. 3616 passed the other body a few minutes ago. Therefore, I move that we consider S. 3616 in lieu of H. R. 9065.

I ask unanimous consent to extend my remarks in the RECORD at this point, and include therein a letter addressed to me from the chairman of the Railway Labor Executives' Association.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, before I discuss the committee amendment to H. R. 9065 which was adopted unanimously last Friday by the Committee on Interstate and Foreign Commerce, I think that it is necessary to give some background information in order to explain why such a committee amendment was necessary at this late hour in the session of the Congress.

BACKGROUND INFORMATION

The Subcommittee on Transportation and Communications of the Committee on Interstate and Foreign Commerce, of which I have the honor of being subcommittee chairman, held extensive hearings in January and March of this year on all bills to amend the Railroad Retirement Act which were referred to the subcommittee at that time. After careful consideration, the subcommittee and the entire committee approved, with amendments, H. R. 9065, which was sponsored by all the standard railway labor organizations, and reported this bill to the House on June 25, 1956. I might add that 105 Members of the House had introduced bills identical to H. R. 9065.

The bill as introduced provided, generally, for a 15-percent increase in benefits, with certain exceptions, which I shall explain later, and it also provided a means for the financing of such increases in benefits. The financing provisions consisted of two integral parts, namely, first, an increase in the contribution rate of 1 percent on employees and employers alike on each employee's compensation up to $350 a month; an increase of 2 percent on the compensation of employee representatives, and second, a provision for the exclusion of an employee's entire contribution paid under the Railroad Retirement Tax Act from gross income for Federal income-tax purposes.

Very early in our consideration of H. R. 9065, the Committee on Ways and Means adopted a resolution on March 13, 1956, expressing the sense of that committee that the Committee on Interstate and Foreign Commerce should not take any action on that provision of the bill which would exclude the railroad employee's contributions under the Railroad Retirement Tax Act from the computation of gross income for income-tax purposes—section 5 of the bill. The Committee on Ways and Means stated that this feature of the bill raised a question of general tax policy which it should consider. As we all know, that committee has legislative jurisdiction over revenue measures generally.

Bills were introduced by Congressmen GREGORY, of Kentucky, and MCCARTHY, of Minnesota, to provide for the tax exemption of railroad employee contributions, and they were referred to the Committee on Ways and Means. In the meantime, the Committee on Interstate and Foreign Commerce, in deference to the views expressed by the Committee on Ways and Means, deferred action on H. R. 9065, pending the consideration of the bills referred to the latter committee. After the elapse of some time, the Committee on Interstate and Foreign Commerce on May 1, 1956, unanimously adopted a resolution expressing its sense that the Committee on Ways and Means should give prompt consideration to the Gregory bill then pending.

Not having received a response from the Ways and Means Committee and approaching the closing days of the session, the Committee on Interstate and Foreign Commerce reported, on June 25, H. R. 9065 with an amendment, providing for the 15-percent increase in benefits, and also providing for the 1-percent increase in the contribution rate of employees and employers alike to finance these benefits, but striking from the bill the provision relating to the tax exemption of employee contributions.

In its report on H. R. 9065, House Report No. 2418, the Committee on Interstate and Foreign Commerce made it clear that the railway labor organizations which supported this bill regarded all 3 portions of the bill, namely, first, the 15-percent increase in benefits; second, the increase in contribution rates on taxable compensation by 1 percent on employees and their employers, and by 2 percent on employee representatives; and, third, the tax-exempt feature, as inseparable parts of a unified and integral program. They stated that they would not favor the enactment of the bill as reported by the Committee on Interstate and Foreign Commerce unless they were successful in getting the approval of the Committee on Ways and Means with respect to the exemption of railroad employee contributions from gross income for Federal income-tax purposes.

Now, without in any way impugning the action of the Committee on Ways and Means, the fact of the matter is that the bills dealing with the tax exemption feature failed to clear that committee when they were considered last week. We were faced with an emergency situation which had to be dealt with immediately if the retired railroad employees and their families are to receive any relief during the remainder of this year. Hence, the Committee on Interstate and Foreign Commerce adopted, last Friday, a committee amendment to the reported bill H. R. 9065 and asks for its passage by the House.

PROVISIONS OF COMMITTEE AMENDMENTS RE H. R. 9065, AS REPORTED

With certain exceptions noted below, the committee amendment to H. R. 9065, as reported, would generally increase the benefits payable under the Railroad Retirement Act by 10 percent.

EXCEPTIONS TO 10-PERCENT INCREASE

The exceptions to the 10-percent increase in benefits are as follows:

First. Retirement annuities:

When a retired employee's annuity is computed under the overall social security minimum specified in the proviso of section 3 (e) of the Railroad Retirement Act—enacted by Public Law 234, 82d Congress, 1st session, approved October 30, 1951—there would be either an increase of less than 10 percent, or no increase, in benefits, because the annuity so computed has already been increased to an amount above that which would be payable under the Railroad Retirement Act formulas, and has already received the benefit of the increases provided in the 1952 and 1954 amendments to the Social Security Act. For example, if a beneficiary under the Railroad Retirement Act were now entitled to $30 per month under the Railroad Retirement Act formula, but under the Social Security Act formula he would have been entitled to $60 a month, he now receives the $60. The 10-percent increase provided in this committee amendment would raise his annuity, calculated under the Railroad Retirement Act formula, to $33 per month. However, he would still receive the benefit of the minimum guarantee, namely, $60. On the other hand, if he were entitled to $80 under the Railroad Retirement Act formula, and by the application of the minimum guarantee now receives $85, he would receive an increase under the provisions of this committee amendment. This is so because the 10-percent increase in benefits would entitle him to $88 per month. In simple terms, where the 10-percent increase provides a beneficiary with a benefit in excess of the social security minimum, he would receive the advantage of the increase. In cases where the 10-percent increase would still leave the person's benefit below the minimum, he would not get an increase under the committee amendment.

In the case of a retired employee who has a current connection with the railroad industry and whose annuity, computed under the minimum provision preceding the proviso in section 3 (e) of the act, is an amount equal to the employee's monthly compensation, such annuity would not be increased at all because it would be contrary to sound policy to pay a retirement benefit in an amount greater than the average monthly wage on which the annuity is based.

Second. Spouse's annuities:

The committee amendment does not change the method of computing the spouse's annuity. The present law provides that the spouse shall receive an amount equal to half of the retired employee's monthly benefit, with the maxi-

mum allowable equal to the maximum spouse's benefit payable under the Social Security Act, which is presently $54.30. Hence, if a spouse is receiving, under the Railroad Retirement Act, the maximum amount of $54.30, that annuity, under the provisions of the committee amendment, would not be increased at all. If such annuity is more than $49.36 and under $54.30, the increase provided for by this committee amendment would be less than 10 percent, since it is not proposed to raise the spouse's maximum above the social security maximum of $54.30.

Last year the maximum spouse's annuity payable under the Railroad Retirement Act was $40. This maximum was increased to $54.30 by Public Law 383, 84th Congress, 1st session, approved August 12, 1955. That increase, of course, means that every spouse's annuity will be at least 10 percent greater, either through the increase of last year or the proposed increase in the committee amendment, than the amount provided by the 1951 amendments to the act.

Third. Survivors annuities:

The basic amount, which is the unit for computing survivor insurance benefits under the regular formulas, would be increased by exactly 10 percent. A similar 10-percent increase would be applicable to the Railroad Retirement Act maximum and minimum amounts related to survivor insurance benefits. However, the amount of the social security minimum guaranty which applies to such survivor benefits would remain unchanged. The effect of this limitation would be that survivor insurance benefits computed in accordance with the social security rather than railroad retirement formulas would either be not increased at all or would be increased by less than 10 percent. At present, the great majority of monthly survivor insurance benefits are computed in accordance with the social-security minimum formulas so that large numbers of such benefits would not be increased as a result of the enactment of the committee amendment. In cases where a widow's or parent's annuity is payable under the Railroad Retirement Act simultaneously with an old-age social-security benefit received by the same individual, the 10-percent increase would apply in practically all cases, since the social-security minimum seldom applies in dual benefit cases.

The insurance lump sum under section 5 (f) (1) of the act would be increased in all cases by exactly 10 percent since the social security minimum guaranty is not applicable to this type of benefit.

ESTIMATED NUMBER OF BENEFICIARIES AFFECTED BY PROPOSED 10-PERCENT INCREASE IN BENEFITS

Table 1 shows the estimated number of monthly beneficiaries of each class who would be affected, or not be affected, by the 10-percent increase proposed in the committee amendment:

TABLE 1.—*Estimated numbers of monthly beneficiaries of each type on the Railroad Retirement Board's current payment rolls July 1, 1956, who would be affected or not affected by proposed 10-percent increase in railroad retirement benefit formulas*

Type of benefit	On current payment rolls			Estimated number increased			Estimated number not increased			
	Total	Benefit computed under		Total	By 10 percent	By less than 10 percent	Total	Monthly compensation, minimum cases	Social security formula cases	Others
		Railroad formula	Social security formula							
Total	650,900	470,400	180,500	413,400	381,400	32,000	237,500	7,000	168,000	62,500
Retirement	321,000	299,000	22,000	298,000	289,000	[1] 9,000	23,000	5,000	18,000	----------
Pensioners	2,500	2,500	----------	2,500	2,500	----------	----------	----------	----------	----------
Spouses	114,000	107,000	7,000	44,000	31,000	[2] 13,000	70,000	2,000	5,500	[3] 62,500
Aged widows	153,000	55,000	98,000	59,000	52,000	[4] 7,000	94,000	----------	94,000	----------
Widowed mothers	11,400	400	11,000	800	400	[5] 400	10,600	----------	10,600	----------
Children	44,000	2,500	41,500	5,000	2,500	[6] 2,500	39,000	----------	39,000	----------
Parents	1,100	100	1,000	200	100	[6] 100	900	----------	900	----------
Survivor (option)	3,900	3,900	----------	3,900	3,900	----------	----------	----------	----------	----------

[1] Includes 6,000 guaranty cases changed to railroad formula, 3,000 minimums ($69, 4.14 times years of service) changed to monthly compensation minimums.
[2] Includes 11,500 unreduced spouse benefits over $49.36 but less than $54.30 before increase, and 1,500 guaranty cases changed to the railroad formula.
[3] Normal spouse annuity already equal to $54.30.
[4] Includes 5,000 guaranty cases and 2,000 spouse minimums changed to the regular railroad formula.
[5] Guaranty cases changed to the railroad formula.

NOTE.—No provision made for application of the disability freeze under title II of the Social Security Act.

SOURCE.—Office of Director of Research, U. S. Railroad Retirement Board, July 19, 1956.

First. Employee annuities: Of the 321,000 employee annuitants on the current payment rolls, it is estimated that 289,000 would receive the full 10-percent increase and 9,000 an increase of less than 10 percent, while 23,000 would receive no increase. The 9,000 which would be increased by less than 10 percent consist of 6,000 which are now social security minimum guaranty cases and to which the new regular retirement benefit formula would apply, and 3,000 other cases now minimums where the amount of increase would be limited to the amount of the average monthly compensation. To illustrate: Consider the case where the annuity under the regular railroad retirement benefit formula is $80, but under the guaranty provision it would be $85 per month. The Railroad Retirement Board currently pays the $85. Under the committee amendment, the present railroad retirement benefit formula of $80 would be raised to $88. Hence the actual annuity payable would be increased from $85 to $88, an increase of about 3.5 percent. Consider further the case where the Board is paying a $69 minimum annuity to an employee whose average monthly compensation is $76. The increase in this case would be from $69 to $75.90, or about 10 percent.

The 23,000 retirement annuities which would not be increased include 18,000 minimum guaranty cases and 5,000 cases in which the annuity is already equal to the average monthly compensation. The overall percent increase for the 321,000 annuities is estimated at 9.4 percent, while for the 298,000 annuities affected it would be 9.9 percent.

Second. Pensioners: The estimated 2,500 pensioners on the rolls July 1, 1956, would receive a flat 10-percent increase in their pensions.

Third. Spouses: The estimated 114,000 spouses on the rolls July 1, 1956, include 44,000 to be increased—31,000 by 10 percent and 13,000 by less than 10 percent—and 70,000 not to be increased. The great majority of the 70,000 not to be increased are wives who are already receiving the maximum of $54.30 per month.

Fourth. Survivor annuities: There were approximately 209,000 individual survivor insurance beneficiaries on the rolls on July 1, 1956, of which 151,500 are paid under the guaranty provision, 58,000 receive benefits based on the regular formulas.

It is estimated that some 55,000 survivors would receive the full 10-percent increase under the railroad survivor benefit formula. About 10,000 survivors would receive less than the 10-percent increase, while the remaining 144,500 would receive no increase.

AVERAGE INCREASE IN BENEFITS

Table 2 shows the average monthly benefits before and after the proposed 10-percent increase, by classes of beneficiaries.

Sixty-four percent of the 650,900 beneficiaries now on the retirement rolls would receive increases under this legislation. Of these, 93 percent of the retired employees will get an increase averaging $10.30 per month. Pensioners would receive an average increase of $7.80. Thirty-nine percent of the spouses would receive an increase, averaging $3.25. Thirty-nine percent of the aged widows would receive an increase of $3.75 on the average.

TABLE 2.—*Estimated numbers of monthly beneficiaries of each type on the Railroad Retirement Board's current payment rolls July 1, 1956: Number and percent affected and average monthly benefits before and after proposed 10 percent increase in railroad retirement benefit formulas*

Type of benefit	Total on current payment rolls				Total on rolls receiving increase				
	Number	Average benefit		Percent change	Number	Percent of total	Average benefit		Percent change
		Before increase	After increase				Before increase	After increase	
Total	650,900				413,400	64			
Retirement	321,000	$102.10	$111.70	9.4	298,000	93	$104.40	$114.70	9.9
Pensioners	2,500	77.80	85.60	10.0	2,500	100	77.80	85.60	10.0
Spouses	114,000	46.90	48.20	2.8	44,000	39	39.60	42.85	8.2
Aged widows	153,000	50.90	52.40	2.9	59,000	39	40.90	44.65	9.2
Other survivor insurance	56,500	46.00	46.30	.7	6,000	11	35.50	38.50	8.5
Survivor (option)	3,900	45.90	50.50	10.0	3,900	100	45.90	50.50	10.0

SOURCE.—Office of Director of Research, U. S. Railroad Retirement Board, July 19, 1956.

The individual whose benefits would not be increased comprise predominantly those who under the social-security minimum are already receiving benefits at least 10 percent in excess of the benefits that would be payable under the Railroad Retirement Act formulas and spouses who are already receiving the maximum annuity, which was increased by approximately 35 percent under the Railroad Retirement Act amendments adopted last year.

SPONSORS OF BILL

One hundred and five Members of the House of Representatives have introduced bills identical to H. R. 9065 which I introduced as chairman of the Transportation and Communications Subcommittee of your committee.

The bill H. R. 9065, as originally introduced, is supported by the Railway Labor Executives' Association which consists of the chief executives of all but one of the standard railroad labor organizations, namely: American Train Dispatchers' Association; Brotherhood of Locomotive Firemen and Enginemen; Brotherhood of Maintenance of Way Employees; Brotherhood Railway Carmen of America; Brotherhood of Railroad Signalmen of America; Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees; Brotherhood of Railroad Trainmen; Brotherhood of Sleeping Car Porters; Hotel and Restaurant Employees and Bartenders International Union; International Association of Machinists; International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers; International Brotherhood of Electrical Workers; International Brotherhood of Firemen and Oilers; International Organization Masters, Mates and Pilots of America; National Marine Engineers' Beneficial Associations; Order of Railway Conductors and Brakemen; the Order of Railroad Telegraphers; Railway Employees' Department, AFL–CIO; Railroad Yardmasters of America; Sheet Metal Workers' International Association; and Switchmen's Union of North America. The one standard railway labor organization not now affiliated with the Railway Labor Executives' Association, the Brotherhood of Locomotive Engineers, joins with the association in supporting the bill as introduced. All these organizations support the committee amendment for the 10 percent increase now before the House.

NEED FOR LEGISLATION

When the formula for computing retirement annuities was adopted in 1937, such annuities bore a reasonable relationship to current wages and to the cost of living. Since then prices have skyrocketed, and wages have not been far behind. The only increases in railroad employee retirement benefits were one of 20 percent, provided by Public Law 744, 80th Congress, in 1948, and another of 15 percent provided by Public Law 234, 82d Congress, in 1951. Even at those times it was recognized that the increases in retirement benefits were not adequate. Similarly, the formula for computing benefits for survivors of deceased railroad employees was established before the beginning of the present inflationary period. Although these benefits were set up by the amendments of July 1946, the formulas were established in 1944, when the bill was first introduced in Congress. Survivor benefits were increased by 33⅓ percent by the 1951 amendments to the Railroad Retirement Act—Public Law 234—and have not been increased since, except insofar as the application of the overall social-security minimum provided higher benefits. That is the picture we have at this time. In both cases, it has meant extreme hardship for the hundreds of thousands of persons who depend on these benefits for sustenance, and even survival. The standard railway labor organizations and many Members of Congress have been seriously concerned with the inadequacy of these benefits.

The greatest sufferers from the present high cost of living are those people who are trying to exist on a fixed income, such as pensions and annuities. They are trying to get along on a fixed number of dollars each month, and these dollars are buying less. The end result is that these people are driven to accepting greatly lowered living standards. There is little need to dwell further on the need for the increased benefits provided for by the committee amendment.

There was general agreement until recently that the Railroad Retirement System was virtually without peer among plans of its kind. However, with the passage of the 1950 and later amendments to the Social Security Act, and the gains made in the past several years by employees in many industries through the adoption of private supplemental pension plans, the Railroad Retirement System has fallen behind. Recognizing this problem, many Members of Congress have introduced bills proposing to improve the benefits under the Railroad Retirement Act, and this committee has held hearings on these bills and considered them very carefully.

COST OF BENEFITS PROVIDED FOR BY COMMITTEE AMENDMENT

The Chief Actuary of the Railroad Retirement Board estimated that the proposed increase in benefits provided in the committee amendment would cost 1.57 percent of taxable payroll on a level basis, as follows:

Item	*Additional cost (percent of payroll)*
Employee annuities and pensions	1.11
Spouses' annuities	05
Aged widows' annuities	16
Other monthly survivor benefits	01
Insurance lump sums	02
Allowance for accelerated retirement	27
Savings on residual payments	05
Total	1.57

When the Chairman of the Railroad Retirement Board reported on H. R. 9065, as introduced, he stated that the cost item of 0.33 percent of payroll as allowance for accelerated retirement, which was the estimated additional cost for this item in the chairman's report, was "a round figure based on judgment as to what effect the increase in benefits might be." This "judgment," however, was challenged by supporters of the bill as unrealistic.

The revised estimate for allowance for accelerated retirement of 0.27 percent, which applies to the committee amendment before the House, obviously, is subject to the same comment and criticism.

Translated into a dollar amount, the estimated cost of the committee amendment at 1.57 percent of payroll would be $83 million a year on a level basis, and the estimated cost at 1.3 percent—that is, 1.57–0.27—of payroll would be $69 million a year on a level basis.

The sixth actuarial valuation of the railroad retirement system estimated the total cost of the benefits payable under the present benefit structure at 14.13 percent of taxable payroll. Since the tax rates on employers and employees total only 12½ percent of such payroll, there is an estimated deficit on a level cost basis, of 1.63 percent of payroll, or about $86 million a year. It is

certain that enactment of the committee amendment would increase this deficit substantially. Nevertheless, for the reason given below, the committee feels justified in urging the House to pass the committee amendments to H. R. 9065, as reported.

COMMITTEE AMENDMENT TO THE RAILROAD RETIREMENT TAX ACT

As I stated, H. R. 9065, as reported, provided for an increase in the employees and employers contribution rate of 1 percent, and an increase in the employee representatives contribution rate of 2 percent, to finance the benefits provided for in the bill. The committee amendment deletes this taxing provision.

JUSTIFICATION FOR COMMITTEE AMENDMENT

The committee amendment would provide only a 10-percent increase in benefits compared with the 15-percent increase proposed in H. R. 9065, as introduced. The reason for this decrease is that the financing provisions contained in the bill as introduced failed to receive favorable consideration.

However, the condition of retired railroad employees and their dependents and survivors is such that it demands immediate action now. The Congress cannot adjourn without providing some measure of relief to these railroad workers and their families from the increases in the cost of living. They are looking to us for this help. We must not fail them. Your committee, therefore, favors this amendment as an emergency measure and urges the House to pass it.

Your committee is confident that proposals will be presented to the next Congress by those who are vitally concerned with maintaining a financially sound Railroad Retirement System which will adequately finance the benefits here proposed. I have a letter to that effect from Mr. G. E. Leighty, chairman of the Railway Labor Executives' Association, which I include in the RECORD at the close of my remarks:

RAILWAY LABOR EXECUTIVES' ASSOCIATION,
Washington, D. C., July 21, 1956.

Hon. OREN HARRIS,
Chairman, Transportation Subcommittee, House Committee on Interstate and Foreign Commerce, Washington, D. C.

DEAR CONGRESSMAN: I am writing with reference to H. R. 9065 and a similar measure, S. 3616 by Senator KENNEDY, of Massachusetts. As you know, these measures were introduced at the request of the Railway Labor Executives' Association and we have been active in our efforts to secure passage in both Houses of Congress.

In view of the failure of the House Committee on Ways and Means to favorably act upon one of the most important features of these bills, it would seem that their passage in this Congress is impossible.

After consultation with the leadership of both Houses and with key Members concerned with these problems, our association has agreed to a revision in the text of the Kennedy bill, S. 3616, and the Harris bill, H. R. 9065. We propose now to effectuate an interim increase in benefits as described in the Kennedy bill and the Harris bill of 10 percent. The enactment of this immediate relief for annuitants and pensioners in our system will temporarily ease their burden.

We propose at the next sessions of the Congress to recommend to your committee and to the Senate committee a new program which will contain adequate financing that will take care of the proposed 10-percent interim increase as well as the improvements to be sought next year.

You may be certain that the Railway Labor Executives' Association is vitally aware of the implications of this request and we make it only after the most deliberate and careful consideration. We feel that new factors involving the relationship between the Railroad Retirement System and the Social Security System will improve our financial picture and lessen the dangers involved in increasing benefits without immediately increasing revenues. We most certainly intend that our system be financed adequately and you have the assurances of every standard railway labor organization that we shall take every necessary action to provide sufficient revenues for these benefits in the next Congress.

We regret very much that the failure of the House Ways and Means Committee to make a definite decision on the financing aspects of the present program have made it necessary for the Congress at this point to provide this type of interim annuity relief for retired railroad workers. We are recommending this action only because of our feeling of responsibility to the hundreds of thousands of retired railroad men and women and their dependents throughout the country who are looking to this Congress for relief in their time of need. We urge your committee to adopt the proposed changes in the Harris bill in order that this relief may be forthcoming.

Sincerely yours,

G. E. LEIGHTY,
Chairman.

I urge the House to pass the committee amendment to H. R. 9065.

GENERAL LEAVE TO EXTEND

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the railroad retirement bill just passed.

The SPEAKER. Is here objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. VANIK. Mr. Speaker, I am in hearty support of this long overdue legislation to increase and extend railroad-retirement benefits.

Retirement annuities fail in their purpose if they do not maintain a reasonable relationship to the cost of living. The rising price of fixed cost-of-living factors such as housing, utility services, and local taxation in addition to services essential to the householder are driving pensioners into deficit living. In many cases, railroad pensioners have been compelled to live at a lower standard of living and to become dependent upon family and community help.

This legislation will correct some of the shortcomings of the present law. The 15 percent increase in benefits and the increase in residual lump-sum payments will help most railroad-retirement beneficiaries to keep pace in some measure with current costs.

I introduced a companion bill to H. R. 9065 and urge the adoption of this vital legislation.

Mr. CHENOWETH. Mr. Speaker, I rise in support of H. R. 9065. I want to congratulate the Committee on Interstate and Foreign Commerce on reporting this bill to the House.

I introduced a companion bill, H. R. 9542. I am very much interested in the Railroad Retirement Act, and I am anxious to increase the benefits now being paid to retired railroad employees.

I feel that the bill reported by the committee is the best solution to this problem at this time. The bill will provide for a 15 percent increase in present annuities, with certain exceptions. This increase is very much needed, and I am sure it will be appreciated by everyone affected.

It is obvious that the annuities now being paid under the Railroad Retirement Act are not adequate to meet the increased cost of living. I have been surprised at the amounts some of my retired railroad friends are receiving. This bill will be of great help to them and is a step in the right direction.

Mr. Speaker, I am happy to see this bill before the House today, and it should be passed unanimously.

Mr. POLK. Mr. Speaker, I am supporting the bill, S. 3616 to increase benefits under the Railroad Retirement Act of 1937. This bill, as has just been explained by the gentleman from Arkansas [Mr. HARRIS], is an interim legislative proposal that has been approved by the Senate and is the best compromise that can be secured on this question at this session of Congress. It provides for about a 10-percent increase in benefits. On last February 27, I introduced a bill, H. R. 9564, to amend the Railroad Retirement Act of 1937 to provide more substantial increases in benefits. Section 3 of the bill I introduced, provided that all pensions under section 6 of the Railroad Retirement Act, all joint and survivor annuities and survivor annuities deriving from joint and survivor annuities under that act, and all annuities under the Railroad Retirement Act of 1935 be increased by 15 percent. I regret very much that the bill that has passed the Senate does not provide for a 15-percent increase. However, in view of the legislative situation, I strongly urge that all Members of the House support the Senate bill under consideration here today in order that beneficiaries of the Railroad Retirement Act may receive the increases provided in this bill even though they are not as substantial as would have been provided by the bill I introduced on this subject.

Mr. PERKINS. Mr. Speaker, bills to amend the Railroad Retirement Act, including my own, and the Harris bill, H. R. 9065, which is now before the House, and others sponsored by more than a hundred Congressmen, provide for a minimum of 15 percent increase in the retirement rights of railroad workers.

This substitute bill, providing an increase of only 10 percent for retired railroad workers, is only a step in the right direction. I am supporting this bill only because it is the best that can be obtained at this time. The increase is entirely inadequate to meet the increased cost of living and bring the retired railroad workers in line with the retirement plans of other large employers. It is my considered opinion that the next session of Congress should take a more realistic approach and adopt a real retirement plan for this group which did so much of the pioneering work which

resulted in the many large corporations setting up realistic retirement programs.

Under this bill as adopted by the House today, the retired railroad worker will receive slightly more than half that of a retired employee of such firms as General Motors, General Electric and numerous other large corporations.

The Railroad Retirement Act absorbed the private retirement plans of many railway companies and the railroad worker cannot look for the reestablishment of any such plans such as other large corporations placed into operation since the Railroad Retirement Act was adopted.

Mr. CRAMER. Mr. Speaker, I am happy to see the House take affirmative action on this much-needed legislation providing for increases in benefits of railroad retirees. I have actively supported this legislation and am happy to be able to cast a vote in favor of it today.

This legislation recognizes the undisputed facts that the railroad retirees have not been provided with adequate cost-of-living increases in recent years.

The bill increases by, generally, 15 percent these benefits and will permit retirees, pensioners, spouses, aged widows, widowed mothers, children, and parents, and survivors to receive some additional benefits in these categories.

I feel confident the House will act favorably on this much-needed legislation.

Mr. POFF. Mr. Speaker, things are happening so fast in the adjournment rush that it is difficult to keep track of everything. However, as I understand the situation, all interested persons have reached mutual accord on a compromise version of H. R. 9065.

As originally introduced, this bill was designed to grant a 15-percent increase in benefits for retired railroad workers, their dependents, and survivors. Because of certain controversial provisions included in this bill and certain other provisions omitted from the bill, it became apparent that it would not receive favorable action during the closing days of the session. According to my information, S. 3616, currently before the House is identical to the compromise amendment to H. R. 9065. S. 3616, I am told, will provide a 10-percent increase in benefits without any tax increase. I suppose this is one of those cases where two-thirds of a loaf is better than none, and on that basis, I support the measure.

However, I cannot pass up the opportunity to observe that this Congress has failed to take favorable action on many bills of prime importance to the railroad worker and his family. These include bills to lower the retirement age, to establish the "5 best years" rule, to repeal the "last employer" clause, to repeal the spouse dual benefit restriction, and many other such measures.

Mr. MADDEN. Mr. Speaker, I am glad to hear the gentleman from Arkansas [Mr. HARRIS], the chairman of the Committee on Interstate and Foreign Commerce, say that this 10 percent increase to the retirement pay of railroad employees is interim and temporary legislation.

I was cosponsor of the bill calling for 15 percent increase with tax deduction for the increased cost to the beneficiary. The fact that this bill will not call for increased cost to the railroad employee helps to some extent. I hope in the next session of Congress the committee will present a bill giving the retired railroad employee sufficient increase to cover the relative increased cost of living to the retired railroad employee.

Mr. WOLVERTON. Mr. Speaker, the bill now before the House (S. 3616), to amend the Railroad Retirement Act of 1937 to provide increases in benefits, is meritorious legislation. It comes from the Committee on Interstate and Foreign Commerce by a unanimous vote in its favor.

The purpose of the bill is to increase the benefits now received by approximately 431,000 beneficiaries of the Railroad Retirement Fund. It seeks to raise the benefits by 10 percent for certain classes of beneficiaries now among the lower paid beneficiaries.

It is not my intention to go into the details of the bill as that has already been done by the distinguished gentleman from Arkansas [Mr. HARRIS], who is chairman of the Subcommittee on Transportation of the Committee on Interstate and Foreign Commerce. Suffice it to say that the bill covers certain classifications of employee annuities and pensions, spouse's annuities, aged widows' annuities, other monthly survivor benefits, insurance lump sums, increase in residual benefit formula, and allowances for accelerated retirement.

For these increased benefits there is no provision made in the legislation for any additional contribution by the employees, although it seems that such may eventually be necessary if the retirement fund is to be kept stable and secure, however, it was not deemed necessary to do so at this time but with the understanding that a study will be made in the interim between the close of this present session of Congress and the convening of the new Congress in January 1957. Assurance can be given that no such increase of contribution will be required unless it is absolutely necessary, and, it is further hoped that it can be done in such a manner as was provided in the original bill, but, which plan did not receive the approval of the Ways and Means Committee of the House. Further consideration of the subject may show justification for approving the plan as submitted or of one somewhat similar. Of course, all such is dependent on a necessity being shown to exist. The present legislation has met wide approval among railroad workers and has been endorsed by all the railroad brotherhoods and kindred organizations. In addition thereto its appeal to Members of Congress has been shown by the introduction of bills on this subject by 105 Members. Such a demonstration in favor of any piece of legislation has never come to my attention before this, in my nearly 30 years of service in this House. It indicates a need for the legislation and a willingness to support it that is unprecedented.

I also wish to express to the railroad brotherhoods and their representatives, who have worked so hard, and, overcame so many unusual obstacles, in bringing so forcibly to the attention of the committees of Congress having jurisdiction, and to the membership of Congress in general the great need that existed and the distress that would be relieved by this legislation. It has been a pleasure for me to support this legislation and a great privilege to have worked in cooperation with others of like mind who have had a sincere desire to be helpful to our railroad workers and their dependents. There is every indication that the bill will have the favorable action of the Congress and I sincerely hope it will likewise have the approval of the President.

Mr. REES of Kansas. Mr. Speaker, I support H. R. 9065 that provides for increases in benefits for those who have retired from the railroad service. I have a bill pending similar to this one except my bill provides for more liberal increases than are contained in the present proposed legislation. The benefits under this measure are justified and long past due. I hope the committee in charge of this legislation will hold hearings early next year with a view of providing equitable and additional benefits for a great segment of American citizens who have served faithfully in the great transportation service of our country.

Mr. RHODES of Pennsylvania. Mr. Speaker, I will support this bill, H. R. 9065, to amend the Railroad Retirement Act to provide an increase in annuities for retired railroad workers, their spouses, widows, and survivors. Although I feel that the 10-percent increase is inadequate I will nevertheless support the bill because I know that the question now is 10 percent or nothing.

I regret that this bill must come to the floor at this late hour with no chance to improve it. I feel that the annuity increase of 10 percent as proposed is inadequate to meet the needs of retirees and their families.

The tremendous growth in the Nation's productive power and the mounting surpluses of food and other products make it quite evident that we are not giving these retired railworkers and their dependents what they are justly entitled to and what is required to assure them a decent livelihood.

Their living standards have not kept pace with the economic growth of the country and with rising prices. The 15-percent increase in annuities which was proposed was a modest request. It will be a terrible disappointment to many thousands of these people to learn that they will get an increase of only 10 percent in their annuities from this Congress.

But in view of administration opposition to legislation of this kind, a 10-percent increase is better than some of us had hoped for. There was danger that the attempt to kill this retirement legislation by delay might succeed, despite the merit of this legislation and the untiring efforts made by union representatives of the railroad workers and by leaders and spokesmen of the National Association of Retired and Veteran Railway Employees.

Mr. Speaker, this increase will mean much to the deserving people who will benefit by the enactment of this bill.

The additional purchasing power of these folks will help many merchants and will stimulate the economy which needs to be strengthened at its base.

Those of us who have sponsored legislation to improve retirement benefits will support this bill, but will continue our efforts for more realistic adjustments in line with present-day living.

Mr. AVERY. Mr. Speaker, I urge passage of this important measure.

Railroad retirement legislation is a subject of national importance and interest. The act is an integral part of our general welfare and economy. It has been a number of years since Congress has given attention to this particular portion of the act. During the same period of time the cost of living has risen. This has caused individuals coming under the provisions of the act to be most adversely affected.

In my opinion it is necessary for Congress to take favorable action on this bill. We have a duty to periodically study Federal laws such as the Railroad Retirement Act in order that they will be in keeping with changing times and events. I sincerely hope this vital measure will pass the House today. Thousands of retired employees are faced with the dire problem of attempting to exist under the out-of-state benefit provisions of the Railroad Act.

Mr. PHILBIN. Mr. Speaker, I am in wholehearted support of this very essential measure because it will fill a great need that has existed for some time past to adjust present retirement annuities and bring them into more appropriate balance with high living costs. It will relieve many thousands of persons who depend on these benefits for sustenance and even survival. It will reduce the economic strain upon large numbers of workers and their dependents.

Increase in benefits are more than amply warranted by current cost-of-living conditions. I have been of the conviction for some time past that the retirement system should be revised to increase the benefits and extend the entitlements.

At the same time I recognize that the committee in drafting the bill was faced with the necessity of maintaining the actuarial soundness and solvency of the fund. This is of paramount importance. And it is noteworthy that the committee was able to devise a formula that protected the fund and at the same time authorized these modest, but helpful increases.

Congress must continue its studies of this vital subject-matter in order to develop maximum benefits consistent with fiscal soundness. The annuitants are entitled to be treated as generously as possible without jeopardizing the fundamental integrity of this retirement system which is admittedly one of the best of its kind in the world.

I have greatest admiration for railroad workers. They are without doubt among our very finest citizens—steady and reliable, skilled in their work, devoted to duty and possessed of those qualities of industry, integrity and patriotism, which we think represents the very best standards of loyal citizenship we have in this country.

It is with real appreciation of their worth, their contributions and the place held in their lives by their dependents that I gladly support this measure. I hope it presages further well justified consideration for them in the time to come.

Mr. MACDONALD. Mr. Speaker, I am wholeheartedly in favor of the bill now before us, namely, S. 3616, a bill to amend the Railroad Retirement Act of 1937, to provide increases in benefits.

The legislation represents the wishes of the active and retired railroad employees and their families in my Eighth Congressional District of Massachusetts. I am also happy to say that this legislation is being sponsored by the Railway Labor Executives' Association which is an association comprising practically all the standard railway organizations, both operating and nonoperating. I understand that the Brotherhood of Locomotive Engineers, also supports this legislation which means that all standard railway labor organizations representing 100 percent of the 1¼ million active railroad employees are in favor of this bill.

In brief, the purpose of this measure is to increase benefits under the Railroad Retirement Act, generally, 10 percent. This bill does not increase any annuity which is already equal to the annuitant's average monthly wage. Further, the bill before us would not increase the social-security minimum; that is, an annuity which has already been increased by reason of such minimum, to an amount above that computed under the railroad retirement formula. Finally, a spouse's annuity in an amount of more than $49.36 will be increased but not by the full 10 percent since the bill does not provide for increasing a spouse's annuity above the present maximum of $54.30.

As an overall figure, I am advised that nearly two-thirds of the railroad retirement beneficiaries now on the rolls would receive some increase in benefits up to a maximum of 10 percent under the pending legislation.

It seems reasonable therefore to provide an interim modest increase in benefits of 10 percent to participants. This is 5 percent less than the increase proposed in the bill I introduced on March 1, 1956. The reason for the smaller increase proposed in S. 3616 is that the financing features of my bill and other comparable bills have not been favorably reported. To delay a much-needed increase in benefits until the financial features are worked out would be to shut our eyes to the fact that this session of Congress is about over and that the retired railroad workers and their dependents and survivors, who look to Congress for relief, would be forced to wait at least 6 months for any increase in benefits. Everyone agrees that the extra $10 a month, on the average, which the bill proposes, would not be an incentive for accelerated retirement.

I have been assured by the Railway Labor Executives' Association that preparations are now being made to present to the Congress early next year a plan for financing the railroad retirement system in such a way as to cover adequately the cost of the benefits provided in S. 3616.

It is my hope that the Congress will pass this meritorious legislation in order that thousands of retired pensioners, widows, and other beneficiaries under the Railroad Retirement Act may receive a substantial increase in benefits.

Mr. COON. Mr. Speaker, I support this legislation to increase railroad retirement benefits. Many fine railroad workers live in the Second Congressional District of Oregon which I represent. They mostly work for the Union Pacific and the Southern Pacific. They keep the trains running which link the west coast with the east coast, and which connect the cities in the Northwest with those of the Southwest. These folks do important work. Many of them are subject to more than the usual amount of hazard on their jobs.

Railroad workers help pay for their retirement benefits, through a 6-percent deduction from the pay they receive before taxes. Employees under social security have but 2 percent deducted from their pay. Considering the differences in payroll deductions, I feel that railroad-retirement benefits compare unfavorably with social-security benefits. I have been concerned about this situation.

I am glad to have the opportunity to vote for legislation which will result in more generous retirement benefits for railroad workers. The 10-percent increase in benefits which more than 400,000 persons will receive, should prove most helpful.

The bill as passed does not grant the 15-percent increase which was proposed, but neither does it include the 1-percent increase in the payroll deduction which was proposed at the same time. I am sorry that the bill did not include provisions to lower the voluntary retirement age. I favor voluntary retirement at age 60 after 30 years of service, and after 35 years of respective of age.

Mr. BOLAND. Mr. Speaker, I certainly hope that this House today acts favorably on this bill, S. 3616, which will amend the Railroad Retirement Act of 1937 by providing for a necessary 10-percent increase in railroad-retirement benefits. I wholeheartedly support this measure, because it will give some measure of relief to thousands of elderly annuitants whose income in retirement has not kept abreast of the cost of living. These persons are entitled to more generous benefits, and this modest increase in retirement annuities, without requiring an increase in payroll taxes to cover its cost, will at least be of some help in reducing the economic strain that this group in our society has been under for some time.

Mr. WOLVERTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Speaker, I rise in support of S. 3616 and the proposed amendment to provide, with certain exceptions, a 10-percent increase in railroad retirement benefits without requiring an increase in payroll taxes to cover the cost of such an increase.

Under the provisions of S. 3616, with certain exceptions, the bill would generally increase the benefits payable under the Railroad Retirement Act by 15

percent with the provision that the cost of the bill would be paid by a 1-percent increase in payroll taxes, such an increase being deductible from gross income for tax purposes.

For months H. R. 9065, which is identical, has been the center of controversy because of the proposal to allow railroad employees to deduct the increase in payroll taxes from their gross income in filing Federal income-tax returns.

Since the House Ways and Means Committee refused to approve the proposed tax exemption, it became evident that if the Railroad Retirement Act is to be amended before the adjournment of the 84th Congress, the tax exemption would have to be deleted from the bill. The proposed amendment granting a 10-percent increase in retirement benefits without any increase in the payroll tax is the proposal offered in trying to reach a settlement of the controversy.

During the 84th Congress I introduced several bills providing across-the-board increases in railroad retirement benefits, ranging from 10 percent to 25 percent. The idea of 4 separate bills was for the purpose of offering a choice of a bill, the cost of which would be justified with respect to the financial condition of the railroad retirement fund.

My four bills which were introduced January 3, 1956, grant an increase to all recipients of retirement benefits without any exceptions.

H. R. 9065, now before us for consideration, originally provides for a 15-percent increase with certain exceptions to recipients of railroad retirement benefits. The proposed amendment would reduce the increase to 10 percent without any requirement for an increase in payroll taxes. By comparison my bill, H. R. 7990, without any exceptions would grant a 10-percent increase to all beneficiaries on the railroad retirement rolls without requiring any increase in payroll taxes.

Mr. Speaker, H. R. 9065, in its original and amended form, will benefit approximately 65 percent of the 655,000 beneficiaries now on the railroad retirement rolls. Of this number, 94 percent of presently retired railroaders will receive the proposed increase as will 42 percent of the spouses and 41 percent of the widows.

Those beneficiaries who will not receive an increase are those whose benefits are related to social security and who are now receiving benefits in excess of benefits that would be payable under the railroad retirement formula. Included in this group are spouses who are already receiving the maximum annuity which was increased by approximately 35 percent under amendments approved last year.

H. R. 9065, in its original form, had the support of railway labor organizations and it is understood that these organizations have reluctantly agreed to the proposed amendment as the best possible compromise of a difficult situation.

It is recognized that H. R. 9065, as amended, presents the only chance of amending the Railroad Retirement Act this year and in agreeing to this compromise, the spokesmen for railway labor organizations have indicated that they will urge the 85th Congress, which convenes next January, to not only further amend the act by increasing benefits but also to correct any deficit in the railroad retirement fund.

Mr. Speaker, everyone agrees, including railway labor organizations, that this compromise is only a temporary solution to the thorny problem of trying to keep the retirement fund in a solvent condition. At the moment, actuarial experts employed by the Railroad Retirement Board report that the railroad retirement program is operating at a deficit of $86 million a year. If H. R. 9065 becomes a law, the 10 percent increase granted to about 65 percent of the present beneficiaries will cost an additional $80 million, making a total annual deficit of $166 million.

This deficit of $166 million is the cause of grave concern because it is realized that the retirement fund cannot stand such increases without jeopardizing its solvency and threatening destruction to the entire railroad retirement program.

Mr. Speaker, I agree with the proposal that Congress should review the Railroad Retirement Act next January as the first order of business with the thought of liberalizing benefits so that they are commensurate with the cost of living.

Any further liberalization, however, is going to cost money and when added to the deficit I have already mentioned, which includes the cost of the proposed 10 percent increase, it means that Congress, to keep the fund solvent, will either have to increase payroll taxes or find some other source of new income.

Mr. Speaker, the railroad retirement fund at the present time has a balance of nearly $3½ billion. This amount is, however, a reserve fund and it is hoped that ultimately it can be increased to $7 billion. The fund at the present time is invested in Government bonds at 3 percent interest and as it increases, additional bonds will be purchased.

Those who conceived the Railroad Retirement Act established it on a level-cost basis, which means the income from payroll taxes exceeds the benefit payments for the first 20 years or so. Thereafter, the reverse begins to take place so that ultimately the amounts paid out in benefits will be greater than tax collections.

When the point is reached where expenditures exceed income from tax collections, the interest being earned on the reserve fund will make up the difference between income and expenditures, thus guaranteeing all future benefits to those and their dependents who are retired or will retire.

Mr. Speaker, looking at the railroad retirement program in its entirety, it has an unfounded obligation of $23 billion to the some 655,000 present beneficiaries as well as the million and a quarter employees in the railroad industry who are looking forward to retirement. It is to these groups of active and retired employees that Congress has a solemn obligation to maintain at all times the solvency of the railroad retirement fund.

In conclusion, I sincerely hope that every Member of this House will support S. 3616 so that with some exceptions thousands of retired railroad employees and their dependents will receive at least temporary financial relief.

Mr. WOLVERTON. Mr. Speaker, in view of the unanimous-consent request by the gentleman from Arkansas [Mr. HARRIS], I have no further requests at this time.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A similar House bill (H. R. 9065) was laid on the table.

REGULATION OF THE INTERSTATE TRANSPORTATION OF MIGRANT FARMWORKERS

Mr. HARRIS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3391) to provide for the regulation of the interstate transportation of migrant farmworkers.

The Clerk read as follows:

Be it enacted, etc., That section 203 (a) of part II of the Interstate Commerce Act, as amended (49 U. S. C. 303 (a)), is further amended by adding at the end thereof the following new subsections reading as follows:

"(22) The term 'carrier or migrant workers by motor vehicle' means any person, including any 'contract carrier by motor vehicle', but not including any 'common carrier by motor vehicle', who or which transports in interstate or foreign commerce at any one time three or more migrant workers to or from their employment by any motor vehicle other than a passenger automobile or station wagon, except migrant workers transporting themselves or their immediate families.

"(23) The term 'migrant worker' means any individual proceeding to or returning from employment in agriculture as defined in section 3 (f) of the Fair Labor Standards Act of 1938, as amended (29 U. S. C. 203 (f)), or section 3121 (g) of the Internal Revenue Code of 1954 (26 U. S. C. 3121 (g))."

SEC. 2. Section 204 (a) of part II of such act, as amended (49 U. S. C. 304 (a)) is amended by adding a new subsection as follows:

"(3a) Notwithstanding any other provision of section 203 (b), to establish for carriers of migrant workers by motor vehicle reasonable requirements with respect to comfort of passengers, qualifications, and maximum hours of service of operators, and safety or operation and equipment. Such requirements shall apply to any such carrier only in the case of transportation of any migrant worker for a total distance of more than 75 miles, and then only if such transportation is across the boundary line of any State, the District of Columbia, or Territory of the United States, or a foreign country. When such requirements are established, the term 'motor carrier' shall be construed to include carriers of migrant workers by motor vehicle in the administration of sections 204 (c); 205; 220; 221; 222 (a), (b), (d), (f), and (g); and 224."

SEC. 3. Section 13 (b) (1) of the Fair Labor Standards Act, as amended (29 U. S. C. 213 (b) (1)) shall not apply in the case of any employee with respect to whom the Interstate Commerce Commission has power to establish qualifications and maximum hours of service solely by virtue of section 204 (a) (3a) of the Interstate Commerce Act.

The SPEAKER. Is a second demanded?

Mr. WOLVERTON. Mr. Speaker, I demand a second.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, the bill, S. 3391, would require the Interstate Commerce Commission to establish, for carriers of migrant farmworkers by motor vehicle, reasonable requirements with respect to the comfort of passengers, qualifications and maximum hours of service of operators, and safety of operation and equipment. The bill does not set forth any specific requirements to be observed in the transportation of such workers, but leaves it to the discretion of the Commission to determine such reasonable requirements. The requirements to be fixed by the Commission would apply only in the case of transportation of any migrant worker for a total distance of more than 75 miles, and then only if such transportation is across the boundary line of any State, the District of Columbia, or Territory of the United States or a foreign country. The Committee on Interstate and Foreign Commerce, which considered this legislation, does not believe that it is necessary to regulate such transportation when the distance traveled is 75 miles or less.

NEED FOR LEGISLATION

This bill seeks to correct longstanding abuses in the transportation of migrant farmworkers by labor contractors, crew leaders, employers, and others engaged in the recruiting and furnishing of such workers. Migrant farmworkers must frequently travel long distances to or between jobs. For example, workers from Texas are sometimes transported as far away as Washington, Oregon, and Michigan; and Florida workers are transported to New York State, for temporary employment. Thousands of such migrants are conveyed by trucks or vehicles other than common carrier. Because of the absence of regulation in this area, these workers are often transported in unsafe open trucks driven by unqualified drivers. They travel under crowded, insanitary, and hazardous conditions. The vehicles used are frequently old, dilapidated, and unfit for carrying people, and afford the crowded occupants little or no protection from adverse weather conditions.

Many farmers have found the physical condition of these migrants on arrival to be such that they were unable to work. This fact has led some farmers to adopt the practice of paying for bus transportation, both in their own economic interests and as a humane practice.

Most of the transportation of these workers involves crossing State lines. A field survey conducted in 1945 by the Bureau of Motor Carriers, Interstate Commerce Commission, revealed that approximately 92 percent of the 131,174 migratory workers reported by its field representatives were transported in interstate commerce. The northward movement started in April and continued to a lesser degree through September. By the end of October, the southward movement was well underway.

Approximately 67 percent of the workers were transported in 1- or 1½-ton open stake-body trucks with tarpaulin covers. In many instances they were provided wooden benches to sit on and a lighted lantern for heat. Occasionally, workers were found riding for long distances on top of piles of their personal belongings. There were no designated rest stops en route as are required by law even for animals transported long distances.

The number of migrants transported in interstate commerce has increased since the 1945 survey by the Bureau of Motor Carriers. The present best estimate given to the committee of the number of migrant farmworkers in interstate commerce is about one quarter million, not counting the Mexican nationals employed under international agreement.

Numerous serious accidents involving the transportation of migratory farmworkers have focused the attention upon the need for adequate safety standards both for operators and equipment. The committee's particular attention was called to an accident in October 1954 at Del Rio, Tex., when a tractor-trailer cattle truck, jammed with 85 migratory workers, crashed, killing 11 men and injuring 56. The 17-year-old driver of the truck advised officers that he had fallen asleep at the wheel. Another recent incident occurred in May 1955 in the State of Colorado when a truck carrying 54 migratory workers overturned and killed 1 child and injured 20 people.

Recognition of the necessity for adequate safeguards for the transportation of Mexican agricultural workers, employed pursuant to the Migrant Labor Agreement, is indicated by the fact that the United States and Mexico have agreed, subject to ratification by an exchange of notes, to standards which correspond substantially to those recommended for State consideration by the President's Committee on Migratory Labor. The domestic migratory farmworker, however, remains unprotected from these hazards, although he is just as much exposed to them as are these Mexican agricultural workers.

The President's Committee on Migratory Labor, recognizing the need for action in this area, has drawn up suggested regulations pertaining to intrastate transportation of migrant farmworkers which have been recommended for consideration by the States. This Committee, consisting of the Secretaries of Agriculture, Interior, Health, Education, and Welfare, and the Administrator of the Housing and Home Finance Agency, is under the chairmanship of the Secretary of Labor. It was established by the President to aid the various Federal agencies in mobilizing and stimulating more effective programs and services for migrants. These regulations suggested by the Committee would provide bare minimum requirements for comfort. For example minimum seating area for each worker would be required. Seats would have to be securely fastened to the truck bed and be equipped with backrests. Requirements with respect to safety of operation are based in large part on those prescribed by the Uniform Vehicle Code of the National Committee on Uniform Traffic Laws and Ordinances. The Committee on Migratory Labor's action on transportation is an integral part of a broad program to improve the lot of migrant farmworkers.

The Committee on Interstate and Foreign Commerce held hearings on this bill on May 18, 1956. Testimony in favor of this bill was received from the Under Secretary of Labor, the Colorado Industrial Commission, the A. F. of L.-C. I. O., the National Consumers League, and others. There was no opposition to this legislation.

CONCLUSION

The committee believes that the enactment of S. 3391 will be an important step in providing for reasonable safety and comfort in the transportation of migratory farmworkers who are essential to the harvesting of the farm crops of this Nation. I urge the House to pass this bill.

Mr. Speaker, this bill is identical with a bill that was introduced in the House by our distinguished colleague from Indiana [Mr. BEAMER]. There were some differences of opinion originally, but the committee after hearing and after consideration amended the bill in order to generally meet the objections. As we have the bill before us today it is fairly unanimous and so far as I know there is very little objection to it.

Mr. WOLVERTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Indiana [Mr. BEAMER].

Mr. BEAMER. Mr. Speaker, I want to associate myself in support of this particular legislation. In fact, I submitted in the House the bill, H. R. 9836. Due to the fact that we had rather extended hearings in our committee, I think it will be found everybody supports the bill as amended by the committee. The Senate bill is submitted because it has already passed that body by unanimous consent and I understand it is the same bill that was considered by the committee.

Mr. HARRIS. The gentleman is correct, and I so stated.

Mr. BEAMER. Mr. Speaker, I should like to add also that many organizations, labor and otherwise, are supporting this measure. Appropriate remarks were made on the floor of the House when I originally submitted H. R. 9836. This is a humane and worthy contribution to labor legislation and I am proud to have had the privilege to sponsor this companion bill in the House.

Mr. HARRIS. Mr. Speaker, I yield to the gentleman from Colorado [Mr. ROGERS] such time as he may require.

Mr. ROGERS of Colorado. Mr. Speaker, I rise in support of this legislation and would like to point out that it is of great benefit to us in the West to have proper regulations in the right places for the transportation of migrant workers.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A similar House bill (H. R. 9839) was laid on the table.

SPECIAL ORDER POSTPONED

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that the special order I have for today be postponed until Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

FOREIGN SERVICE ACT AMENDMENTS OF 1956

Mr. RICHARDS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3481) to amend the Foreign Service Act of 1946, as amended, and for other purposes, with amendments.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the "Foreign Service Act Amendments of 1956."

SEC. 2. Section 411 of the Foreign Service Act of 1946, as amended, is amended by striking out the second sentence of that section and substituting in lieu thereof the following: "The per annum salaries of chiefs of mission within each class shall be as follows: Class 1, $27,500 per annum; class 2, $25,000; class 3, $22,500; and class 4, $20,000."

SEC. 3. Section 412 of such act is amended to read as follows:

"SEC. 412. There shall be 10 classes of Foreign Service officers, including the classes of career ambassador and of career minister. The per annum salary of a career ambassador shall be $20,000. The per annum salary of a career minister shall be $17,500. The per annum salaries of Foreign Service officers within each of the other classes shall be as follows:

Class 1	$14,600	$15,000	$15,400	$15,800	$16,200	$16,600	$17,000
Class 2	12,600	12,900	13,200	13,500	13,800	14,100	14,400
Class 3	10,600	10,900	11,200	11,500	11,800	12,100	12,400
Class 4	9,000	9,250	9,500	9,750	10,000	10,250	10,500
Class 5	7,400	7,650	7,900	8,150	8,400	8,650	8,900
Class 6	6,100	6,300	6,500	6,700	6,900	7,100	7,300
Class 7	5,100	5,250	5,400	5,550	5,700	5,850	6,000
Class 8	4,300	4,450	4,600	4,750	4,900	5,050	5,200
	5,350."						

SEC. 4. Section 414 (a) of such act is amended by striking out the word "six" and inserting the word "eight" in lieu thereof; and by striking out the number "6" and inserting in lieu thereof the number "8".

SEC. 5. Section 516 of such act and the heading thereto is amended by striking the words "class 6" wherever they appear therein and inserting the words "class 8" in lieu thereof.

SEC. 6. Section 517 of such act and the heading thereto is amended by striking the heading thereto and substituting in lieu thereof "Admission to classes 1 to 7, inclusive"; by striking in the aforementioned section the number "6" whenever it appears therein and inserting in lieu thereof the number "8"; by striking out in the aforementioned section the number "5" wherever it appears therein and inserting in lieu thereof the number "7"; and by striking out the word "forty" and inserting in lieu thereof the words "one hundred and seventy-five"; by inserting before the period at the end of the second sentence the following: "as a Foreign Service officer"; and by adding after the second sentence a new sentence which shall read as follows: "Notwithstanding the above provisions of this section, the limitation on the maximum number of appointments authorized herein shall not be applicable in the case of any person appointed or assigned by the Secretary of State as a Foreign Service Reserve officer and who thereafter has served in a position of responsibility in such capacity for the required period prior to appointment as a Foreign Service officer."

SEC. 7. Section 634 (b) of such act is amended by striking the words "classes 4 or 5", and inserting in lieu thereof the words "classes 4, 5, 6 or 7"; by striking the words "class 4" and inserting in lieu thereof the words "classes 4 or 5"; and by striking the words "class 5" and inserting in lieu thereof the words "classes 6 and 7."

SEC. 8. Section 635 of such act and the heading thereto and section 637 (a) of such act are amended by striking the number "6" wherever it appears therein and by inserting in lieu thereof the number "8".

SEC. 9 (a) Section 821 (a) of such act is amended by striking the word "thirty" and inserting in lieu thereof the word "thirty-five", and by inserting after the first sentence the following new sentence: "However, the highest 5 years of service for which full contributions have been made to the fund shall be used in computing the annuity of any Foreign Service officer who serves as chief of mission and whose continuity of service as such is interrupted prior to retirement by appointment or assignment to any other position determined by the Secretary to be of comparable importance."

(b) Section 821 (b) of such act is amended by striking the phrase "for the five years next preceding his retirement" and inserting in lieu thereof "as computed in accordance with subsection (a) of this section,".

SEC. 10. Section 871 of such act is amended by striking the word "thirty" and inserting in lieu thereof the word "thirty-five."

SEC. 11. Section 902 of such act is amended to read as follows:

"SEC. 902. The Secretary may, under such regulations as he may prescribe, make an allotment of funds to any post to defray the unusual expenses incident to the operation and maintenance of official residences suitable for principal representatives of the United States at that post."

SEC. 12. (a) Section 921 of such act is amended (1) by inserting "(a)" immediately after "SEC. 921.", (2) by striking out "and pursuant to appropriations therefor," and (3) by amending the proviso in the second sentence to read as follows: "*Provided,* That an amount equal to the amount expended for such services shall be covered into the Treasury as miscellaneous receipts."

(b) Section 921 of such act is further amended by adding at the end thereof the following new subsections:

"(b) The Secretary, under such regulations as he may prescribe, may authorize and assist in the establishment, maintenance, and operation, by officers and employees of the service, of non-Government-operated commissary and mess services and recreation facilities at posts abroad, including the furnishing of space, utilities, and properties owned or leased by the United States for use by its diplomatic and consular missions. The provisions of the Foreign Service Buildings Act, 1926, as amended (22 U. S. C. 292–300), may be utilized by the Secretary in providing such assistance. Commissary or mess services and recreation facilities established pursuant to this subsection shall be made available, insofar as practicable, to officers and employees of other Government agencies and their dependents who are stationed abroad. Such services or facilities shall not be established in localities where another United States agency operates similar services or facilities unless the Secretary determines that such additional services or facilities are necessary.

"(c) Notwithstanding the last paragraph under the heading 'Subsistence Department' in the act of March 3, 1911 (10 U. S. C. 1253), or the provisions of any other law, charges at any post abroad by a commissary or mess service or recreation facility authorized or assisted under this section shall be at the same rate for all civilian personnel of the Government serviced thereby, and all charges for supplies furnished to such a service or facility abroad by any Government agency shall be at the same rate as that charged by the furnishing agency to its civilian commissary or mess services or recreation facilities.

"(d) Notwithstanding the provisions of section 5 of the act of July 16, 1914, as amended (5 U. S. C. 78), the Secretary may authorize any principal officer to approve the use of Government-owned vehicles located at his post for transportation of United States Government employees who are American citizens, and their dependents, to and from recreation facilities when public transportation is unsafe or is not available."

SEC. 13. Section 941 of such act is amended to read as follows:

"SEC. 941. (a) In the event an officer or employee of the Service who is a citizen of the United States incurs an illness or injury while such person is located abroad, which requires hospitalization or similar treatment, and which is not the result of vicious habits, intemperance, or misconduct on his part, the Secretary may, in accordance with such regulations as he may prescribe, pay for the cost of treatment of such illness or injury.

"(b) In the event a dependent of a United States citizen officer or employee of the Service who is stationed abroad, incurs an illness or injury while such dependent is located abroad, which requires hospitalization or similar treatment, and which is not the result of vicious habits, intemperance, or misconduct on his part, the Secretary may, in accordance with such regulations as he may prescribe, pay for that portion of the cost of treatment of each such illness or injury that exceeds $35 up to a maximum limitation of 120 days of treatment for each such illness or injury, except that such maximum limitation shall not apply whenever the Secretary, on the basis of professional medical advice, shall determine that such illness or injury clearly is caused by the fact that such dependent is or has been located abroad.

"(c) After sufficient experience in the operation of the medical protection plan authorized in subsections (a) and (b) of this section has been obtained, as determined by the Secretary, and if he considers that the benefits so authorized can be provided for as well and as cheaply in other ways, the Secretary may, under such regulations, and for such persons, locations, and conditions as he may deem appropriate, and within the limits prescribed in such subsections, contract for medical care pursuant to such arrangements, insurance, medical service, or health plans as he may deem appropriate."

SEC. 14. (a) Section 942 (a) of such act is amended to read as follows:

"SEC. 942. (a) In the event an officer or employee of the Service who is a citizen of the United States or his dependents incur an illness or injury requiring hospitalization, not the result of vicious habits, intemperance, or misconduct, while stationed abroad in a locality where there does not exist a suitable hospital or clinic, the Secretary may, in accordance with such regulations as he may prescribe, pay the travel expenses of such person by whatever means he shall deem appropriate and without regard to the Standardized Government Travel Regulations and

section 10 of the act of March 3, 1933, as amended (68 Stat. 808, 5 U. S. C. 73b), to the nearest locality where a suitable hospital or clinic exists, and on his recovery pay for the travel expenses of his return from such hospital or clinic. If any such officer, employee, or dependent is too ill to travel unattended, the Secretary may also pay the round-trip travel expenses of an attendant or attendants."

(b) Section 942 (b) of such act is amended by inserting the words "a physician" and a comma immediately following the phrase "the services of"; and by inserting immediately following the words "a nurse" a comma and the phrase "or other medical personnel."

SEC. 15. Section 943 of such act is amended to read as follows:

"PHYSICAL EXAMINATIONS AND COSTS OF INOCULATIONS

"SEC. 943. The Secretary shall, under such regulations as he may prescribe, provide for physical examinations for applicants for employment and for officers and employees of the Service who are citizens of the United States, and for their dependents, including examinations necessary to establish disability or incapacity in accordance with the provisions of section 831, and shall provide for administering inoculations or vaccinations to such officers and employees and their dependents."

SEC. 16. (a) Foreign Service officers presently serving in the class of career ambassador and the class of career minister shall receive the salary prescribed for career ambassadors and for career ministers, respectively, by section 412 of such act, as amended.

(b) Foreign Service officers and Reserve officers in the other classes shall be transferred to the new classes established by section 412 of such act, as amended, as follows: Officers of class 1 to the new class 1; officers of class 2 to the new class 2; officers of class 3 to the new class 3; officers of class 4 to the new classes 4 or 5 as determined by the Secretary, in accordance with the second sentence of this subsection; officers of class 5 to the new class 6; and officers of class 6 to the new class 7. In accordance with such regulations as the Secretary may prescribe there shall be transferred to the new class 4 those officers of the present class 4 who either are receiving the sixth through the eighth step rates of the present class 4 or who were eligible and were recommended for promotion by the selection board next preceding the effective date of this act. All remaining officers in the present class 4 shall be transferred to the new class 5.

(c) Each officer transferred pursuant to paragraph (b) of this section shall, under such regulations as the Secretary may prescribe, receive basic salary at that one of the rates of the class to which he is transferred which shall, as nearly as possible, correspond to the salary he is receiving at the time of transfer, except that no officer shall suffer a reduction in basic salary as a result thereof.

(d) Service in a former class shall be considered as constituting service in the new class for the purposes of determining (1) eligibility for promotion, in accordance with the provisions of section 622, and (2) liability for separation, in accordance with the provisions of section 633. Officers who are transferred to new class 7 in accordance with paragraph (b) of this section shall continue to occupy probationary status pursuant to section 635.

(e) Officers transferred in accordance with the provisions of this section shall receive credit for time served in a previous class toward in-class promotion in accordance with section 625.

(f) The class and salary adjustments made pursuant to paragraphs (a), (b), and (c) of this section and the salary increases for chiefs of mission authorized by section 2 of this act shall be made effective as of the first day of the first pay period which begins after the date of enactment of this act or on the first day of the first pay period which begins after July 1, 1956, whichever shall be later.

SEC. 17. A new section 936 is hereby added to such act as follows:

"APPLICATION OF ANNUAL AND SICK LEAVE ACT OF 1951

"SEC. 936. The Annual and Sick Leave Act of 1951, as amended (5 U. S. C. 2061 and the following), shall apply to career ministers and Foreign Service officers, who are not serving as chiefs of mission or who are not serving in a position in the Department which requires appointment by the President, by and with the advice and consent of the Senate, and to Foreign Service Reserve officers who are commissioned as diplomatic or consular officers, or both, in accordance with section 524 of the Foreign Service Act of 1946, as amended, notwithstanding the provisions of section 202 (c) (1) (A) of the Annual and Sick Leave Act of 1951, as amended."

SEC. 18. Notwithstanding the provisions of this act, existing rules, regulations of or applicable to the Foreign Service of the United States shall remain in effect until revoked or rescinded or until modified or superseded by regulations made in accordance with the provisions of this act, unless clearly inconsistent with the provisions of this act.

The SPEAKER. Is there a second demanded?

Mr. VORYS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. RICHARDS. Mr. Speaker, the bill before the House has a twofold purpose: first, to make the Foreign Service attractive to capable young Americans who will find in it a challenging and engaging career abroad; and second, to improve the general administration of the Service so that the career incentive of those who enter it will remain paramount.

The Foreign Service has come a long way in the last 10 years. Despite the demands imposed on the Foreign Service in the war years, the numerical strength of the Service remained fairly constant. When I came to this House in 1933, there were 735 Foreign Service Officers. At the end of the war, there were only 820. Today the Service numbers more than 2,500 men and women.

In 1946 our committee and the State Department recognized that the Foreign Service could not discharge its enlarged responsibilities in the postwar period under the multiplicity of laws and regulations that overlay its structure. Our country needed a Foreign Service, both in quality and quantity, that was responsive to our enlarged international stature and responsibilities. The emergence of new countries meant our representation abroad had to be enlarged. Complex postwar problems in new fields, such as economic and international organization, required persons with specialized knowledge. Diplomacy, like so many other occupations in life, has a place for the specialist as well as the generalist.

It was just 10 years ago that our committee codified and rewrote the basic Foreign Service legislation. We retained the best features of earlier legislation. We incorporated new provisions that broadened the base of recruitment, the range of appointment, and the scope of examinations. The promotion system was strengthened and compensation was made more adequate.

The Foreign Service Act of 1946 stands as the cornerstone of the career Foreign Service today. I had the honor and privilege of serving on the subcommittee that drafted the 1946 act. On that subcommittee was the late lamented and distinguished chairman of the Committee on Foreign Affairs, Judge Kee, who spent long hours on the bill. The other member was the gentleman from Ohio, [Mr. VORYS]. I want to pay special tribute to him for the great contributions he made in drafting the bill and the report that accompanied it. I do not hesitate to state that he knows more about it than any living Member of Congress. For myself I am proud of the small part I played in shaping that bill.

Since its enactment our committee has maintained a continuous watch over its administration. The study missions of the committee, in their travels abroad, have sought to assess its effect in the field. In Washington we often meet with officers of the Department to bring ourselves up to date on its operation. We have only recommended amendments to the act after the necessity of such amendments has been demonstrated to be in the best interests of the United States.

This is a minor bill compared to the numerous provisions in the 1946 act. But it is an important bill for those who are serving their country in about 240 posts around the world. This is particularly true in the case of those stationed in small and difficult posts like Kuwait on the Persian Gulf or Kabul in Afghanistan or up in Laos. Nevertheless, the committee held 3 days of hearings before we even marked up the bill. We wanted to be certain that each of the amendments was necessary.

One part of this bill makes provisions for the medical treatment of the wives and children of our Foreign Service personnel. These dependents share the rigors and hazards of the officers and employees. They are exposed to diseases prevalent in many of our posts. At the present time they are not eligible for medical treatment at Government expense if they incur an illness or injury overseas. This bill would give some measure of relief. The committee put strict limits on the Government's obligation. In no case will the Government pay anything if the illness or injury results from vicious habits, intemperance, or misconduct. Further, an employee must pay for treatment of his dependents up to $35 for each illness or injury. This will take care of most of the minor ailments. The Government will not assume responsibility in excess of 120 days of hospitalization or similar care unless the Secretary of State, after professional medical advice, determines that the illness or injury is caused by the fact that the dependent is or has been located abroad.

Another section of the bill authorizes the Secretary of State to assist employees overseas to set up and operate commissary, mess, and recreation facilities. I

want to make clear that this is not putting the State Department in the food or entertainment business. At many of our smaller posts it is impossible to obtain locally food of the type and variety that our people can eat. This bill will not give our employees food. It will permit them to use Government facilities, like a room, to stock food for sale. The Government's part is limited to getting the project started and giving it limited support. This may mean advancing some funds. But ultimately the employees will repay the advance from profits derived from the sale of the food.

At many of our posts the social facilities that we have in our own homes or communities are thoroughly inadequate or completely lacking. It is important to remember that we have girls working as secretaries and clerks in these posts. They cannot go unescorted to the local movies. They often live in one room or share a small apartment so that entertaining is impossible. What we are authorizing in this bill is Government assistance to enable these people to relieve the monotony of their assignment through some recreation facilities. These will vary from place to place. At one post it may be a recreation room; at another a tennis court. Again the employees in most cases themselves will reimburse the Government through modest dues or service charges.

The committee is recommending an increase in the salaries paid to our Ambassadors. From 1857 to 1946 the salary of a top Ambassador was fixed at $17,500. In 1946 Congress raised the top salary to $25,000 for class 1 Ambassadors. This is what we pay to only 19 of our 75 Ambassadors. The rest receive between $15,000 and $20,000. These men are our principal representatives. They bear a heavy responsibility in the conduct of our foreign relations. It is an expensive assignment, so much so that we just cannot send career men as Ambassadors to many of our most-important posts like London, Paris, or Rome. The committee went into the whole matter of compensation—salary and allowances—of our Ambassadors. Even with the increases carried in this bill, we feel strongly that more adequate allowances should be given our people overseas so they can perform their jobs—not in a lavish style but in a manner commensurate with the dignity and responsibility of their position.

One other important part of this bill deals with the number of grades in the Foreign Service. Below the class of career minister there are six classes. This bill would authorize eight classes. Normally a man enters at the bottom, now class 6, and progresses upward to class 1. Under this bill he would enter in class 8. The increase in classes will offer a man more opportunities for promotion. Since the integration program started 2 years ago, it will also be possible to move a man from the departmental civil service to the Foreign Service in a more equitable manner.

Along with the addition of the two classes we are recommending adjustments of salaries so that the progression within a class and through the various classes will be more rational. Each class will have 7 salary steps except the bottom class which will have 8. In changing the officers from the present 6 to the recommended 8 classes, a man will be moved to the salary level nearest that which he is now earning. This will keep the cost of conversion to a minimum. In short, for the chiefs of mission, career ambassadors and career ministers, and some of the men in the first three classes there will be some salary increases. For the others it will be more of a salary adjustment. The overall increase is about 3 percent or $222.

Our committee gave particular attention as to how the conversion of classes would affect lateral entry officers, that is those who came in at the middle or intermediate levels from the Department or the Reserve or Staff corps. It will be necessary to split the present class 4 into the new class 4 and new class 5. That means that some officers will move back a class. Based on figures as of March 1956, the new class 4 will have 241 officers. About 58 percent of these will be prelateral entrants and about 42 percent will be lateral entrants. Of the 489 officers in the new class 5 about 61 percent would be prelateral entrants and 39 percent lateral entrants. Clearly the lateral entrants or integrated officers will not be discriminated against. Moreover, the Department intends to provide that all officers converted to the new classes 4 and 5 will be considered by the next selection board for promotion to class 3, while those in class 5 will have an opportunity to be considered for promotion to class 4.

These are some of the principal amendments contained in this bill. I am convinced that, if enacted into law, our Foreign Service will be a better Service. Almost a quarter of a century in this House has given me opportunities to see our men and women engaged in the difficult task of representing our Government abroad. They have been upon occasion, unjustly ridiculed and caricatured on this floor and by the press, while they were in distant lands carrying on for their country, usually with devoted patriotism. Our people at home have never had a real understanding of the job they are doing. Some of our citizens think these people are living a useless life of comfort abroad at the expense of the American taxpayer. I can assure you that they are not. They are devoted and loyal, hard working and self-effacing, representing our country with dignity and distinction. I admit there are some weak or ineffective individuals. But they are in a highly competitive occupation and those who cannot make the grade are weeded out. We have a right to be proud of our Foreign Service.

The administration of the Foreign Service is in competent hands. Under the direction of Loy Henderson, Deputy Under Secretary of State for Administration, an outstanding career officer with almost 35 years of experience, the Foreign Service has taken on new stature. I have confidence that Mr. Henderson's leadership will supply the Foreign Service with firmness and fairness. He has a difficult job but he is performing it with ability, zeal, and courage—and always mindful of the best interests of our country. He deserves the support of Congress and the public. The amendments in this bill will make a better Foreign Service and Mr. Henderson's task easier.

Mr. VORYS. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. SMITH].

Mr. SMITH of Wisconsin. Mr. Speaker, this legislation is long overdue. It is a very important bill, and I think it should pass this House unanimously this afternoon.

I am sure you all know that so far as matters pertaining to the State Department are concerned I have never gone overboard, but I do feel that the time has come for us to recognize the people who are out on all of the far-flung battle fronts, you might say, in the Foreign Service. We have been negligent in treating them as they should be treated, and this bill as it comes before you this afternoon is merely an attempt to strengthen and improve the Foreign Service of the United States. I know there are times when some feel that we have overextended ourselves in foreign policy matters. That is not the issue before us. The question is, having made commitments in the field of Foreign Service are we going to stand by these people who are serving abroad? We know that many of these posts are hardship posts. I have had the opportunity of visiting most of the posts throughout the world, and I want to say this on behalf of the men and women who are serving, that I have never come in contact with a group of people who are more loyal to the service of the United States than this group. These people are certainly entitled to every consideration. Most of them are able, loyal, and they are competent and hardworking. I hope the House will approve this bill without delay.

Mr. Speaker, the United States is entitled to the finest Foreign Service corps in the world. It is my conviction that approval of this bill will lift the morale of our people to a high degree. We must not fail them now as they constitute our first line of defense abroad. They are at the nerve centers in our whole diplomatic service.

I am confident you will approve this bill.

Mr. VORYS. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. ADAIR].

Mr. ADAIR. Mr. Speaker, the chairman of our committee [Mr. RICHARDS] and other members have explained provisions of this bill and spoken in support of it. I, too, will vote for it.

During my service on the Committee on Foreign Affairs, I have made two trips overseas. Twice I have visited a number of our posts in the Far East and southeast Asia. I have been in many of our posts in the Near East and south Asia. My visits have been of sufficient duration to enable me to understand something of the problems our people face, not alone in performing their work, but in the simple task of just "living." Strange foods, unsafe water, humid and oppressive climate, to say nothing of the variety of diseases to which they are exposed,

dispel any illusions that the Foreign Service is a romantic or easy career.

There are modest provisions in this bill that will not change Foreign Service careers into comfortable and easy jobs. Rather, these provisions will make life in many of the more difficult posts a bit more attractive and life a little less monotonous.

I strongly support the concept that our Foreign Service must be a professional service with advancement based upon demonstrated performance. The Foreign Service Act of 1946 contains provisions that embody this concept. The amendments to that act that are contained in this bill strengthen the merit principle. They will give encouragement to officers of limited financial means to assume more important posts without drawing upon their own resources or going into debt.

After listening to the testimony of the Deputy Under Secretary of State for Administration, Mr. Loy Henderson, I am convinced that the proposal to add two classes to the Foreign Service—that is, from 6 to 8 apart from career Ambassadors and career Ministers—will make a more rational structure. It will offer deserving men and women a more frequent opportunity for promotion and will provide job levels commensurate with the varied responsibilities of the Service.

In brief, Mr. Speaker, this is a bill that I am convinced is a further step toward developing a Foreign Service worthy of our position of world leadership.

Mr. VORYS. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, this bill makes it possible for an able man who is not rich to be a Foreign Service officer or an ambassador. There is nothing in this bill that a rich man could not provide for himself. On the other hand, this bill makes it possible for the Foreign Service to compete with private industry in attracting and retaining able men without private incomes.

We in the House have taken care of Congress, of the executive officials, of judges, of the civil service and the military since we have provided any increases for these people.

We provide in this bill increased salaries and fringe benefits, and we increase the chances for new blood in the Foreign Service by providing lateral entry for 175 from outside the State Department.

Some of our colleagues seem to delight in describing our Foreign Service as a soft, luxurious, pampered life. Let me tell you that it is a hard career, exacting, strenuous, often entailing physical hardships, always involving family hardships, far away from home. This bill ameliorates some of the financial hardships of the Service, will increase the prestige of the Service, reward those who have served with devotion, encourage the best in the younger generation to come in, or to stay in, and devote their lives to this career of service of the Republic.

Mr. Speaker, this is the culmination of the work of our beloved chairman, DICK RICHARDS, starting in 1946 to improve and strengthen the Foreign Service Act of 1946. He and I well remember the work we did together under the leadership of our former beloved member, Judge Kee. I want to pay my tribute today not only to the memory of Judge Kee, but to our chairman for what he has done, in behalf of our Foreign Service.

Mr. RICHARDS. Mr. Speaker, I yield 1 minute to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I should like to ask the chairman of the committee to what figures are the top salaries being increased?

Mr. RICHARDS. Chiefs of Mission of class 1 are increased from $25,000 to $27,500.

Mr. GROSS. At the present time they are getting $25,000?

Mr. RICHARDS. That is correct. From 1857 to 1946 they received $17,500. In the 1946 act they were raised to $25,000 and they have not had a raise since.

Mr. GROSS. So in 10 years they will have been increased about $10,000 a year?

Mr. RICHARDS. No. In this bill they will be raised $2,500.

Mr. GROSS. The salaries are being increased to a pretty good figure, I believe the gentleman will agree to that.

Mr. RICHARDS. No, I do not think so, when you take into consideration what these men do and their responsibilities and the expenses of the position they hold. A number of foreign powers, including some of the smaller ones, pay their chiefs of mission salaries and allowances more than double that paid by the United States to its chief of missions.

Mr. GROSS. The committee was satisfied that this was a substantial increase, was it not, and that this would take care of the need at the present time?

Mr. RICHARDS. We felt it would take care of the need at the present time. I would not want to speak about the future.

Mr. GROSS. Does the gentleman think this Congress ought, when we are boosting their salaries to where this bill would put them, go on allocating hundreds of thousands of dollars to the State Department for entertainment, liquor, and so forth?

Mr. RICHARDS. A certain amount of entertainment is a necessary part of the job of our Ambassadors. I do want to say this: Taking into consideration the other raises that were given to Government officials, this is a very modest raise. The raises in the bill for the chiefs of mission and the Foreign Service officers amount to less than $1 million. This covers about 2,650 officers.

Mr. GROSS. I was hopeful the gentleman would give me some encouragement that with the boosting of these salaries we could reduce the entertainment allowances—at least soften the blow of the salary increases.

Mr. RICHARDS. We examined the whole matter of allowances. Allowances not only differ at different posts, but fluctuate from year to year depending on the appropriations. An Ambassador often has expenses that cannot be paid from his allowances. It should be remembered that allowances must be vouchered and can only be used for limited purposes.

Mr. GROSS. You are also providing hospital and medical assistance through this bill, are you not?

Mr. RICHARDS. We have about $198,000 in here to take care of the medical requirements of our people throughout the world if their ailments are connected with the Service. If it is found, after investigation, that the illness or injury was not incurred in the Service, this medical assistance would not be available.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill, S. 3481?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PROVIDING CERTAIN BASIC AUTHORITY FOR THE DEPARTMENT OF STATE

Mr. RICHARDS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2569) to provide certain basic authority for the Department of State, as amended.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of State is authorized to establish, maintain, and operate passport and despatch agencies.

SEC. 2. The Secretary of State, when funds are appropriate therefor, may—

(a) provide for printing and binding outside the continental United States without regard to section 11 of the act of March 1, 1919 (44 U. S. C. 111);

(b) pay the cost of transportation to and from a place of storage and the cost of storing the furniture and household and personal effects of an employee of the Foreign Service who is assigned to a post at which he is unable to use his furniture and effects, under such regulations as the Secretary may prescribe;

(c) employ aliens, by contract, for services abroad;

(d) provide for official functions and courtesies;

(e) purchase uniforms; and

(f) pay tort claims, in the manner authorized in the first paragraph of section 2672, as amended, of title 28 of the United States Code when such claims arise in foreign countries in connection with Department of State operations abroad.

SEC. 3. The Secretary of State is authorized to—

(a) obtain insurance on official motor vehicles operated by the Department of State in foreign countries, and pay the expenses incident thereto;

(b) rent tie lines and teletype equipment;

(c) provide ice and drinking water for United States Embassies and consulates abroad;

(d) pay excise taxes on negotiable instruments which are negotiated by the Department of State abroad;

(e) pay the actual expenses of preparing and transporting to their former homes the remains of persons, not United States Government employees, who may die away from

their homes while participating in international educational exchange activities under the jurisdiction of the Department of State;

(f) pay expenses incident to the relief, protection, and burial of American seamen, and alien seamen from United States vessels in foreign countries and in the United States Territories and possessions;

(g) pay the expenses incurred in the acknowledgment of the services of officers and crews of foreign vessels and aircraft in rescuing American seamen, airmen, or citizens from shipwreck or other catastrophe abroad or at sea;

(h) rent or lease, for period of less than 10 years, such offices, buildings, grounds, and living quarters for the use of the Foreign Service abroad as he may deem necessary, and make payments therefor in advance; and

(i) maintain, improve, and repair properties rented or leased pursuant to authority contained in subsection (h) of this section and furnish fuel, water, and utilities for such properties.

SEC. 4. The Secretary of State is authorized to—

(a) make expenditures, from such amounts as may be specifically appropriated therefor, for unforeseen emergencies arising in the diplomatic and consular service and, to the extent authorized in appropriation acts, funds expended for such purposes may be accounted for in accordance with section 291 of the Revised Statutes (31 U. S. C. 107); and

(b) delegate to subordinate officials the authority vested in him by section 291 of the Revised Statutes pertaining to certification of expenditures.

SEC. 5. The Secretary of State is authorized to—

(a) provide for participation by the United States in international activities which arise from time to time in the conduct of foreign affairs for which provision has not been made by the terms of any treaty, convention, or special act of Congress: *Provided*, That this subsection shall not be construed as granting authority to accept membership for the United States in any international organization, or to participate in the activities of any international organization for more than 1 year without approval by the Congress; and

(b) pay the expenses of participation in activities in which the United States participates by authority of subsection (a) of this section, including, but not limited to the following:

(1) Employment of aliens;

(2) Travel expense without regard to the Standardized Government Travel Regulations and to the rates of per diem allowances in lieu of subsistence expenses under the Travel Expense Act of 1949, as amended (5 U. S. C. 835–842);

(3) Travel expenses of persons serving without compensation in an advisory capacity while away from their homes or regular places of business not in excess of those authorized for regular officers and employees traveling in connection with said international activities; and

(4) Rental of quarters by contract or otherwise.

SEC. 6. The provisions of section 8 of the United Nations Participation Act of 1945, as amended (22 U. S. C. 287e), and regulations thereunder, applicable to expenses incurred pursuant to that act, may be applicable to the obligation and expenditure of funds in connection with United States participation in the International Civil Aviation Organization.

SEC. 7. The exchange allowances or proceeds derived from the exchange or sale of passenger motor vehicles in possession of the Foreign Service abroad, in accordance with section 201 (c) of the act of June 30, 1949 (40 U. S. C. 481 (c)), shall be available without fiscal year limitation for replacement of an equal number of such vehicles.

SEC. 8. The Secretary of State may, when authorized in an appropriation or other law, transfer to any department, agency, or independent establishment of the Government, with the consent of the head thereof, any funds appropriated to the Department of State, for direct expenditure by such department, agency, or independent establishment for the purposes for which the funds are appropriated.

SEC. 9. The Secretary of State is authorized to enter into contracts in foreign countries involving expenditures from funds appropriated or otherwise made available to the Department of State, without regard to the provisions of section 3741 of the Revised Statutes (41 U. S. C. 22); *Provided*, That nothing in this section shall be construed to waive the provisions of section 431 of title 18 of the United States Code.

SEC. 10. Appropriated funds made available to the Department of State for expenses in connection with travel of personnel outside the continental United States, including travel of dependents and transportation of personal effects, household goods, or automobiles of such personnel shall be available for such expenses when any part of such travel or transportation begins in 1 fiscal year pursuant to travel orders issued in that year, notwithstanding the fact that such travel or transportation may not be completed during that same fiscal year.

SEC. 11. Notwithstanding the provisions of section 16 (a) of the act of August 2, 1946 (5 U. S. C. 78 (c)), the Secretary of State may authorize any chief of diplomatic mission to approve the use of Government-owned vehicles in any foreign country for transportation of United States Government employees from their residence to the office and return when public transportation facilities are unsafe or are not available.

SEC. 12. The Secretary of State, with the approval of the Bureau of the Budget, shall prescribe the maximum rates of per diem in lieu of subsistence (or of similar allowances therefor) payable while away from their own countries to foreign participants in any exchange of persons program, or in any program of furnishing technical information and assistance, under the jurisdiction of any Government agency, and said rates may be fixed without regard to any provision of law in limitation thereof.

SEC. 13. Allowances granted under section 901 (1) of the Foreign Service Act of 1946 (22 U. S. C. 1131 (1)), may include water, in addition to the utilities specified.

SEC. 14. Appropriations now or hereafter made available for allowances granted under the authority in part A of title IX of the Foreign Service Act of 1946, as amended (22 U. S. C. 1131), including an allowance for water as authorized in section 13 of this act shall be available for the payment of such allowances in advance.

SEC. 15. Appropriations to carry out the purposes of this act are hereby authorized. When so provided in an appropriation law, an appropriation made to the Department of State may remain available until expended.

The SPEAKER. Is a second demanded?

Mr. HOFFMAN of Michigan. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. RICHARDS. Mr. Speaker, this is a point-of-order bill. These items, with the exception of sections 13 and 14, have been carried in the Department of State appropriation bill for a number of years, as the gentleman from New York [Mr. ROONEY] can attest. The provisions in this bill would give authorization for items already in the 1957 appropriation bill, with the exception of the items contained in the two sections I have referred to.

Mr. ROONEY. Mr. Speaker, will the distinguished gentleman yield?

Mr. RICHARDS. I yield.

Mr. ROONEY. I should like to assure the membership of the House that with two minor exceptions there is nothing in this bill that has not been carried in the State and Justice Departments appropriation bills over many years. The staff of the appropriations committee examined this bill and with the exception of sections 13 and 14 toward the end of it, one with regard to water allowances and the other with regard to advancement of allowances, all these matters have previously been acted upon by the House. I personally have no objection to the immediate passage of the pending bill. I am confident that my colleagues and fellow members of the subcommittee on appropriations for the Department of State, including the distinguished gentleman from Ohio [Mr. BOW] would agree with these statements.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. RICHARDS. I yield.

Mr. BOW. I want to say on behalf of the minority members of the appropriations subcommittee, we are in agreement with the statement made by our chairman, the gentleman from New York [Mr. ROONEY]. We see nothing in this bill which will affect the Committee on Appropriations and we are willing to accept it.

Mr. RICHARDS. I thank the gentleman.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. RICHARDS. I yield.

Mr. HARDY. Mr. Speaker, I would like to have a little explanation of section 4 (b) with respect to the delegation of authority to subordinates. I understand that this provision has been in appropriation bills for a good many years, but I believe that section relates to certification with respect to so-called confidential funds, is that correct?

Mr. RICHARDS. That is correct.

Mr. HARDY. As I read the language, it would permit the Secretary of State to delegate to any subordinate, no matter how far down the line he might be, to make a certification with respect to a particular expenditure. In such a case it would not be vouchered and the purposes for which the expenditure was made should not be revealed.

Mr. RICHARDS. The matter of delegation of authority down the line has not gone further than to two high officials under the Assistant Secretary of State for Administration. It has not gone beyond that. Now, with respect to the confidential matters that the gentleman mentioned, there is nothing in this provision which is not known to the Committees on Appropriations. I doubt that the General Accounting Office has that information.

Mr. HARDY. There is a specific question I wanted to raise. First of all, we are talking about confidential funds. I do not know whether anybody is ever

fully advised. Perhaps, the Committee on Appropriations is advised as to the purpose for which these funds are expended—I do not know. But, certainly, it is very difficult for anybody else to find out.

Mr. RICHARDS. I can assure the gentleman that the Committee on Appropriations has that information and it could not be in better hands.

Mr. HARDY. Well, it could not be in better hands, perhaps. Except I recall one particular situation in which confidential funds were used to pay for a contract because the authorization had expired. Certainly, that is an improper use of such funds and certainly there ought not to be any difficulty in making that information available to the Congress. I am very much disturbed about the possibility that subordinates at a low level might be given the authority to conceal information from the Congress and, perhaps, subsequently bring the information to the Committee on Appropriations. I would like to have an expression from the gentleman as to the level at which this certification authority ought to be permitted to go.

Mr. RICHARDS. First, I want to commend the gentleman for the great work he has done with this committee. He has been helpful to the Committee on Foreign Affairs in the suggestions he has made as a result of the investigation he has made on the Government operations subcommittee. But, I want to assure the gentleman on the basis of the information that we have that this delegation of authority has not gone beyond two very important people under the Assistant Secretary of State for Administration.

Mr. HARDY. Would the gentleman go one step further and indicate, in his opinion, that it ought not be permitted to go below that?

Mr. RICHARDS. I would assure the gentleman that anything I can do to prevent its going beyond that will be done.

Mr. HARDY. Would the gentleman further indicate that it was the intent of his committee that this should not be delegated down to some lower subordinate?

Mr. RICHARDS. Speaking for myself, I can say that there was no intention on my part that it be delegated down beyond that. I believe that was the understanding of the committee.

Mr. HARDY. I wonder if the gentleman would permit me to make inquiry of the gentleman from New York [Mr. ROONEY], to ask him in detail if his committee gets this information as to funds, and whether or not his committee scrutinizes these expenditures carefully.

Mr. ROONEY. That has been done by the subcommittee for over 10 years, during which time I have served on the subcommittee. The committee has never had any trouble with regard to getting information. The figures have always been presented to us and laid out on the table, regardless of which party was in the majority at the time.

Mr. HARDY. I thank the gentleman.

Mr. RICHARDS. May I say further that this same language has been in the annual State Department Appropriation Act since 1946.

Mr. HARDY. I understand that, but so often these things get by us all. We do not have the time to get behind some of this stuff. I would be very much concerned if this authority was delegated to subordinate people in the State Department. I trust the gentleman will exert his best efforts to see that it is kept up in the higher levels of authority.

Mr. RICHARDS. I appreciate the gentleman's concern, and I assure him that I will work with him in that direction.

Mr. HARDY. I thank the gentleman very much.

The SPEAKER. The gentleman from Michigan is recognized.

Mr. HOFFMAN of Michigan. I would like to ask the chairman a question. Under this bill does the Secretary of State or the Bureau of the Budget or anyone present an itemized statement to the Appropriations Committee asking for money for any particular purpose, or is it just a lump sum?

Mr. RICHARDS. I do not know of any itemized statements further than what the Appropriations Committee requires. I understand they itemize the whole thing before the Appropriations Committee.

Mr. HOFFMAN of Michigan. As I understand the gentlemen from the Committee on Appropriations on both sides, they said the bill was satisfactory to them. Does that mean that the Secretary of State can go ahead and make these payments if he gets a lump-sum appropriation, or does he have to justify the various items to the Committee on Appropriations?

Mr. RICHARDS. I will yield to the distinguished gentleman from New York [Mr. ROONEY], chairman of the State Department Subcommittee on Appropriations, to answer that.

Mr. HOFFMAN of Michigan. Before you go ahead, it seems to me the Members ought to be interested in this.

Mr. ROONEY. If the gentleman will give me an opportunity to answer him, we should get along all right.

Mr. HOFFMAN of Michigan. But I want to get you some attention.

Mr. ROONEY. As far as I can detect, all the Members on the floor are alert and listening.

There is no item contained in this bill which would cost the taxpayer a dollar over and above the amounts already included in the annual supply bill for the Department of State for fiscal year 1957 already enacted into law. This point of order bill merely enacts into permanent law matters for which we have appropriated over many years, matters and paragraphs to which no Member has ever taken exception. As to the various activities of the Department of State, it is expected that in the future they will be scrutinized and appropriated for not on a lump-sum basis, but as they have been in the past and present, presented to the Appropriations Committee in a form earmarking the salaries and expenses, which is the largest item, and the various other activities of the Department of State, such as international organizations and conferences, international commissions, and so forth.

Mr. HOFFMAN of Michigan. I thank the gentleman.

As I read this bill it turns over to the Secretary of State, on page 8, when funds are appropriated—they have to go to the Appropriations Committee, and then there follows about 75 lines authorizing him to pay certain items. Of course some of them I can see all right, such as ice water and drinking water. Everybody knows when they get into a country where water is contaminated, or something, they must have those things. But there are some items in here that are rather difficult to understand in view of the great national—I understand we have a surplus now but it will not last very long.

On page 9 here subparagraph (d) reads "Provide for official functions and courtesies." Now, how much money are they going to spend? They do not tell the Appropriations Committee that; that is up to the Secretary of State, as I get it.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I would rather yield to my colleague from Ohio, if the gentleman will permit, since the gentleman from New York is in accord.

Mr. BOW. That seems to be a new way of spelling out the representation allowance which we used to have in the appropriation bills.

Mr. HOFFMAN of Michigan. Why did you change it?

Mr. BOW. We did not change it.

Mr. HOFFMAN of Michigan. Who did?

Mr. BOW. It is in this bill.

Mr. HOFFMAN of Michigan. Why, why?

Mr. BOW. You will have to ask a member of the committee.

Mr. HOFFMAN of Michigan. Wait a minute; the gentleman is a member of the committee, yet he is saying he does not know what it is about.

Mr. BOW. Yes, I do.

Mr. HOFFMAN of Michigan. Tell me.

Mr. BOW. It is the same as the old representation allowance in effect.

Mr. HOFFMAN of Michigan. What has "official functions and courtesies" got to do with last year or some other time? What is the Secretary going to do under those words "functions and courtesies?"

Mr. BOW. As I gather it, and I refer the gentleman to the committee that reported this, it permits the Secretary to provide for receptions and social activities, the same as the old representation allowance.

Mr. HOFFMAN of Michigan. What is it for, big parties, little parties, or what?

Mr. BOW. For big parties and little parties—and the Fourth of July.

Mr. HOFFMAN of Michigan. How do you get in on it? Do you have to go on a junket to Europe? I never did go on any of those junkets and I have my own idea of social functions as being something more useful, for instance, fishing.

Mr. BOW. I would suggest that there would perhaps be some fishing if the

gentleman went over and visited these people.

Mr. HOFFMAN of Michigan. Not for a minute. And now passing to page 10, subparagraph (h), "rent or lease, for periods of less than 10 years, such offices, buildings, grounds, and living quarters"—

And down in subparagraph (i), "maintain, improve, and repair properties rented or leased."

The only knowledge I have of the Secretary of State, this one or any other, is from the newspapers and I gather from what I read that their standards are altogether different than those of anybody else, they are exclusive, they have to maintain—how shall I denominate it—glitter and show—no, that is not right, you must have a big building furnished.

Mr. McDONOUGH. Decor.

Mr. HOFFMAN of Michigan. What is that?

Mr. McDONOUGH. Decor.

Mr. HOFFMAN of Michigan. Well, anyway, what I mean is "put on the dog"—put it that way, living as the Jones do; yet in every one of these countries we have been appropriating millions and billions of dollars to help the poor folks out. Then we go over and we put on the dog. Put it that way. Now, from what I have heard recently and from what I have read in the papers our boys are spending money very freely. They have been spending so much and living so high that it is offsetting a lot of Uncle Sam's generosity. So it is not conducive to good will. It is going to take a lot of "functions and courtesies" to overcome that feeling that the people of the country have about this spending.

And I recall very well that when my grandson in the Navy was over in Rome he said when he got shore leave the people were shouting at him: "Go home, Yank! Get out of here." And as I say, they seem to feel that he had more money than they did.

You are going to rent these quarters. I think they should be maintained in a proper way, but I would like to have somebody who has had to earn his living the hard way, on the farm, or in the factory, somewhere like that, instead of in the law business—I was a lawyer once—determine how much should be spent for these various "functions and courtesies."

Do you get the point I am trying to get at? These gentlemen who head the State Department and their assistants are accustomed to a different scale of life than are the people who pay the taxes and have to work for their money. For that reason, it seems to me we are going a long, long way.

There are other sections here. For instance, you are going to pay for storing the goods of these people who go abroad. Of course, that seems reasonable enough but when you remember that we pay their transportation expenses over there and if they want to we pay for the shipment of their household goods, you can see how far we are going. Now we give them a choice. If I should be unlucky enough to get employment abroad from the State Department and if I wanted to you would pay the freight on my goods. I might buy some stuff here and sell it over there if it was higher or the other way around, if it was cheaper over there. I know a young woman in the Department who went from Washington out to California. She sold her car and her household goods. The Government had paid the transportation on them. Then she came back here and got some more and she will be going pretty quick again. You are going to pay the expenses of shipping my goods over there, or I do not want to ship them over there, pay for them here and let me go over there.

The Secretary of State pays the rent and all utility costs on your apartment. They are just as well off as we are. You know, I have to maintain a home and rent another one here.

If all the folks in the State Department are going to do that, the cost is going to be high. Do you think it is right to vest so much authority to spend so many dollars in the Department of State? I suppose there will be 25 or 30 who will say "aye" and 2 or 3 over here and the ruling will be that two-thirds of the Members having voted in favor thereof the bill is passed.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Iowa.

Mr. GROSS. Now that we are writing into permanent law the transition from representation allowances to official functions and courtesies, what are they going to do with this other thing that has cropped up called hospitality allowance? That is to be found in some bills.

Mr. HOFFMAN of Michigan. Maybe that is courtesy.

Mr. GROSS. I do not know. I wonder if the gentleman can tell me.

Mr. HOFFMAN of Michigan. The gentleman is in the same difficulty I am. He has not been in the habit of spending big money. He never had big money, I assume. I never had. The gentleman has the old-fashioned idea of spending his own money. He is not one of the liberals who wants to give away the other fellow's money.

Mr. GROSS. I would like to put this all under one tent, if I could.

Mr. HOFFMAN of Michigan. Section 2 on page 11 covers travel expenses without regard to the standardized Government travel regulations. You see what it means and where we are getting? Because of the blue blood, the silk shirts and the top hats of those in the State Department, they have different ideas of spending than some of us who come from the sticks. That is why I cannot go along with this kind of business.

Mr. RICHARDS. Mr. Speaker, I yield to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS. Mr. Speaker, after all the shouting is over, this is just one more so-called point of order bill. We have had one for the armed services, and I believe for agriculture, and each has been at the request of the Committees on Appropriations of both bodies that the Bureau of the Budget and the departments should bring up these bills. I think every legislative committee here has the same feeling, and that is that we do not want to have the Committee on Appropriations legislate. The Committee on Appropriations does not want to legislate, and has, therefore, said that these things that come up year after year after year ought to be authorized through proper channels, and that is what this bill is about.

Now, the advantage of having these point-of-order bills taken care of is that when it becomes necessary for the Committee on Appropriations to have some legislation, it then stands out and can be considered on its merits, and they will not always have to be going and getting rules and getting their bills to the floor, unless there is some special reason.

Mr. ROONEY. Mr. Speaker, will the distinguished gentleman yield?

Mr. VORYS. I yield to the gentleman from New York.

Mr. ROONEY. And it follows that, although the House by its action today would be authorizing the paragraphs contained in this bill into permanent law, that the Committee on Appropriations does not necessarily have to appropriate money to implement any single one of those paragraphs; is that not correct?

Mr. VORYS. This whole bill does not appropriate one thin dime and leaves it to the Committee on Appropriations to decide whether they will bring any appropriation to the floor on any of these authorizations.

Mr. RICHARDS. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

House Resolution 619 was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. RICHARDS. Mr. Speaker, I ask unanimous consent that all Members who have spoken may revise and extend their remarks and that any other Member who may wish to do so may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

PARTICIPATION IN INTERNATIONAL FAIRS AND FESTIVALS

Mr. RICHARDS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3116) to provide for the promotion and strengthening of international relations through cultural and athletic exchanges and participation in international fairs and festivals, as amended.

The Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "International Cultural Exchange and Trade Fair Participation Act of 1956."

SEC. 2. That the purpose of this act is to strengthen the ties which unite us with other nations by demonstrating the cultural interests, developments, and achievements of the people of the United States, and the contributions being made by the United States

economic and social system toward a peaceful and more fruitful life for its own people and other people throughout the world; and thus to assist in the development of friendly, sympathetic, and peaceful relations between the United States and the other countries of the world.

SEC. 3. The President is authorized to provide for—

(1) tours in countries abroad by creative and performing artists and athletes from the United States, individually and in groups, representing any field of the arts, sports, or any other form of cultural attainment;

(2) United States representation in artistic, dramatic, musical, sports, and other cultural festivals, competitions, and like exhibitions abroad;

(3) United States participation in international fairs and expositions abroad, including trade and industrial fairs and other public or private demonstrations of United States industrial accomplishments and cultural attainments: *Provided*, That in order to appropriately represent the United States in connection with participation in the Brussels Universal and International Exhibition to be held at Brussels, Belgium, in 1958, the President is authorized to appoint or designate a Commissioner General, by and with the advice and consent of the Senate, and not to exceed two other principal representatives, who shall receive compensation, allowances, and benefits as determined by the President but not in excess of that received by a chief of mission at a class 2 post, pursuant to the Foreign Service Act of 1946, as amended (22 U. S. C. 801): *Provided further*, That no officer of the United States Government who is designated under the foregoing proviso as Commissioner General or as a principal representative shall be entitled to receive such compensation; and

(4) publicity and promotion (including representation) abroad of activities of the type provided for herein.

SEC. 4. To the maximum extent feasible (1) private individuals, firms, associations, agencies, and other groups shall be encouraged to make contributions of funds, property, and services (which shall be available to carry out this act) and otherwise to participate in carrying out this act, and (2) funds appropriated pursuant to section 5 shall be used to contribute toward meeting the expenses of activities carried out through normal private channels and by private means.

SEC. 5. There are hereby authorized to be appropriated, to remain available until expended, such sums as may be necessary to carry out this act.

SEC. 6. In carrying out this act, the provisions of title VIII of the United States Information and Educational Exchange Act of 1948 may be utilized to the extent the President deems necessary.

SEC. 7. The President is authorized to provide for all necessary expenditures involved in the selection, purchase, rental, construction, or other acquisition of exhibits and materials and equipment therefor, and the actual display thereof, including but not limited to costs of transportation, insurance, installation, safekeeping, and storage, maintenance, and operation, rental of space, and dismantling.

SEC. 8. Whenever the President determines it to be in furtherance of this act, the functions authorized hereunder may be performed without regard to such provisions of law or limitations of authority regulating or relating to the making, performance, amendment, or modification of contracts, the acquisition and disposition of property, and the expenditure of Government funds, as he may specify.

SEC. 9. The President shall transmit to the Congress reports covering each 6 months of operations under this act.

SEC. 10. (a) There is hereby created an Advisory Committee on the Arts (hereinafter in this section referred to as the "Committee"), consisting of a chairman selected by the United States Advisory Commission on Educational Exchange from among its membership and nine other members appointed by the Secretary of State. In making such appointments the Secretary of State shall give due consideration to the recommendations for nomination submitted by leading national organizations in the major art fields.

(b) The members of the Committee shall be individuals whose knowledge of or experience in, or whose profound interest in, one or more of the arts will enable them to assist the United States Advisory Commission on Educational Exchange, the President, and the Secretary of State in performing the functions described in subsection (c) of this section.

(c) The Committee shall—

(1) advise and assist the United States Advisory Commission on Educational Exchange in the discharge of its responsibilities in the field of international educational exchange under the United States Information and Educational Exchange Act of 1948 as amended with special reference to the role of the arts in such field;

(2) advise, assist, and cooperate with such Commission in the discharge of responsibilities under the cultural presentations program authorized by and financed under this act, insofar as such program contributes directly or indirectly to the objectives of the United States Information and Educational Exchange Act of 1948, as amended;

(3) advise the President in the discharge of his responsibilities under the cultural exchange program authorized by and financed under this act;

(4) advise the Secretary of State concerning cultural activities whenever the Secretary considers it necessary to enable him to formulate policies for carrying out the purposes of the United States Information and Educational Exchange Act of 1948, coordinating the exercise of its functions under this paragraph with the exercise of its functions under paragraph (1) of this subsection; and

(5) provide such other advice and assistance in carrying out this act as may be necessary or appropriate.

(d) The term of office of each of the members of the committee appointed by the Secretary of State shall be 2 years; except that the term of office of four of the members first appointed shall be 1 year.

(e) No member of the Committee shall receive any compensation for his services as such; but each such member shall be paid actual transportation expenses and paid in lieu of subsistence the per diem rates prescribed or established pursuant to section 5 of the Administrative Expense Act of 1946, as amended (5 U. S. C. 73b–2), while away from home in attendance at meetings of the committee or in consultation with officials of the Government in carrying out the duties of the Committee.

(f) Staff and secretarial services for the Committee shall be provided by the departmental staff of the United States Advisory Commission on Educational Exchange, with the assistance of the International Educational Exchange Service.

SEC. 11. The President is authorized to create such interagency committees as in his judgment may be of assistance in carrying out the purpose of this act. Such committees shall include individuals having special knowledge and experience in the field of the cultural arts as well as individuals whose knowledge and experience in other fields will assist in carrying out the program established by this act. The provisions of section 214 of the act of May 3, 1945 (59 Stat. 134; 31 U. S. C., sec. 691), shall be applicable to any interagency committee created pursuant to this section.

SEC. 12. The cultural program authorized by this act should include, to the greatest extent possible, presentations and other activities in such major art fields as: music, drama, poetry, and dance; new writing and literature; architecture, landscape architecture, city and regional planning, civic art and design, historic preservation; housing, interior design and decoration, and urban renewal and redevelopment; painting, sculpture, graphic arts, and hand arts and crafts; motion pictures and photography; and radio and television.

The SPEAKER. Is a second demanded?

Mr. VORYS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. RICHARDS. Mr. Speaker, this legislation is necessary for the United States to continue participation in international trade fairs and to help finance some of our outstanding athletes and musicians and theatrical performers abroad. This is the kind of thing that Soviet Russia has been doing for a long time and they are increasing their effort. They have been sending their exhibits to fairs in all parts of the world and their teams and artists are visiting more and more countries. The Committee on Foreign Affairs feels that the United States should give these countries an opportunity to see how we live and what we can do. This bill provides for a continuing authorization for appropriations and does not mention any specific figure. During the last 2 years $5 million a year has been spent on this program.

It was spent under the President's Fund for International Affairs. The request made to the Committee on Appropriations for the fiscal year 1957 is $9 million. Of this approximately $6 million is for trade fairs and about $3 million for cultural exchange. I am told that the amount in the appropriation bill just back from conference is $5,900,000. This bill, it should be noted, authorizes the United States to participate in the Brussels Universal and International Exhibition to be held in 1957. This is not a trade fair but an international exhibition coming within the scope of the Paris International Convention of 1928. This will be an important event with all the leading nations of the world represented. It is important for the United States to participate. The exhibits themselves will be paid for by the private exhibitors.

I sincerely hope the bill will be passed.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. RICHARDS. I yield to the gentleman from Iowa.

Mr. GROSS. Do I understand that this bill provides for the creation of a commission?

Mr. RICHARDS. That is right.

Mr. GROSS. For how long will this commission be in existence?

Mr. RICHARDS. The commission for the Brussels Fair will last for 2 years. The bill provides for the United States to send a commissioner to look after our participation in the fair.

Mr. GROSS. It provides for a nine member commission; does it not.

Mr. RICHARDS. That is a different organization.

Mr. GROSS. There are two commissions?

Mr. RICHARDS. You are referring to the Advisory Committee on the Arts.

Mr. GROSS. Then you are setting up two commissions?

Mr. RICHARDS. This bill provides for one commissioner for the International Trade Fair in Brussels, who is to be appointed by the President by and with the advice and consent of the Senate.

Mr. GROSS. Does this bill create 1 or 2 or 3 new commissions? How many new commissions are created under the terms of this bill?

Mr. RICHARDS. This bill provides for the appointment of one commission. That is the Advisory Committee on the Arts. Those people would receive no compensation but would be paid per diem under the Administrative Expenses Act. There would be no salary paid and the limit on the per diem is $15 a day.

Mr. GROSS. Seven days a week, 365 days in the year, if they want to operate on that basis?

Mr. RICHARDS. They get an expense allowance only when they incur expenses in carrying out their duties. So far as the Trade Fair program is concerned, people all over the world are going to see our exhibits. I think the money to be spent will be well spent.

Mr. GROSS. Does the gentleman have any idea how many commissions we have created in this session of Congress?

Mr. RICHARDS. I do not know.

Mr. GROSS. To say nothing of those created by past Congresses?

Mr. RICHARDS. Speaking somewhat facetiously I would say it would be somewhere under 1,000.

Mr. GROSS. A thousand probably in this session of Congress.

Mr. RICHARDS. There is only one committee authorized in this bill. I want to ask the gentleman whether or not he wants the United States to participate in these international fairs, whether or not he is willing to have our exhibits presented and for the United States to be represented. I may say to the gentleman that the Soviet Government will be represented and they will probably spend twice as much money as we will.

Mr. GROSS. The Manpower Utilization Subcommittee of which I am a member has found that in the various programs for training and educating foreigners in this country it takes an average of 1 Federal employee to wetnurse 9 of these people. How in the world are the taxpayers of the country going to be able to continue to pay bills for all these commissions and wetnurses, 1 for each group of 9 foreigners who come to this country for some kind of education and training?

Mr. RICHARDS. Of course, I was speaking facetiously when I said that we had created something under 1,000 commissions. But I want to say this to the gentleman, that I am generally with him in his desire not to create any more commissions. But the United States has a leading position in the world today and if we are going to have representatives in foreign countries and if we are going to participate in fairs, to help promote the sale abroad of the products of our farms and factories as well as to show foreign peoples what we are like, then it is as essential to do as we are suggesting, as it would be for the gentleman's hometown to participate in a county fair in Iowa.

Mr. GROSS. I only hope we do not bankrupt the United States in the process. I am afraid that is what we are out to do through all this irresponsible spending.

Mr. GREEN of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. RICHARDS. I yield.

Mr. GREEN of Pennsylvania. I wonder if the distinguished chairman of the Committee on Foreign Affairs could enlighten me and the other Members of the House in connection with the story that appeared on Saturday in the Philadelphia Inquirer, that the United States may sell more arms and jets to Israel. "F–84 Fighter Planes Being Considered, Representative SCOTT Asserts," it reads. As you read into the article, you find that it states there is a possibility that the United States may be able to get some jet planes from Italy to ship to the Israeli Government. I know that I personally and a great number of other Members of the House have been honestly and sincerely interested in getting arms to that great democracy in the Near East.

However, on the following day, on Sunday, there appeared also, not on the first page of the Inquirer but about the 16th page, an article stating that Italy would not sell jets to Israel. The article went on to say that Italy's announced policy is to withhold war materials from both Israel and the Arab States.

This concerned me vitally because as we get closer to election all the time people get a little bit jittery. I contacted a reliable source in the State Department and understand that the Congressmen that visited there were advised that there was no change in the Eisenhower policy, that they thought they had prevented war and saved the oil of the Near East. I was advised the gentlemen were concerned about the voters in the coming election and when they asked if there was any flexibility in the Eisenhower policy they were told by the Secretary—"No change." I wonder if the chairman of the Committee on Foreign Affairs can enlighten the Members of the House. Has be been so advised, or does he have any information on that?

Mr. RICHARDS. I should like to say to start with to my dear and able friend from Pennsylvania that this international fair we are talking about is to be held in Brussels, and it is not in Israel or an Arab country. But since the gentleman has propounded the question to me, I believe I should say it is not one of the prerogatives of the House of Representatives or the practice of the Committee on Foreign Affairs to inquire every day at the other end of the avenue as to whether or not there has been a change of policy in the foreign field. I have understood from talking with some of the gentlemen down there that there have been no changes of policy. As I understand the gentleman's quotation from some newspaper articles, some Members of Congress who had made inquiry said they had been informed there was a change of policy. Is that right?

Mr. GREEN of Pennsylvania. That is correct.

Mr. HAYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. RICHARDS. I yield.

Mr. HAYS of Ohio. May I say to the gentleman from Pennsylvania, and understand, I have no inside information but I am putting 2 and 2 together from what has happened in the past and from what little I know about it, but the gentleman is aware that there is going to be an election shortly. The gentleman is probably cognizant of the photographs that were taken back about 2 years ago. Numerous people ran through the White House, posed about 10 seconds, and shook hands with the Great White Father, and than had their pictures in the papers and gave out statements.

I do not know what the present foreign policy is. I sent out a questionnaire a while ago in which I asked my constituents if they approved of the foreign policy as conducted by Secretary Dulles. The majority said they did not, and a lot of them who answered wrote on the margin, "What is it?"

I remind the gentleman there is an election coming up. The two gentlemen, Messrs. SCOTT and CURTIS, who were down there and asked questions are candidates for reelection. As I further understand it, this matter is of somewhat vital interest in their districts.

May I further state that I am now and always have been in favor of selling arms to Israel with which to defend herself. I have not gotten interested recently with election coming on.

Mr. GREEN of Pennsylvania. Is it true, Mr. Speaker, that Canada was interested in shipping some planes and arms to Israel, but that on the advice of our Secretary of State the order was canceled?

Mr. RICHARDS. I cannot answer that.

Mr. Speaker, I yield to the gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Mr. Speaker, S. 3116, which would provide permanent authority for assistance in presenting American cultural and sports groups to our friends overseas, is a bill very dear to my heart. As many of you know I have followed this program very closely during the two years in which it has been conducted on an emergency basis. I have introduced legislation to put the program on a permanent basis and I am happy to see that the present bill, S. 3116, is almost identical with my proposals.

When the President first asked the Congress for funds for these activities in 1954, he wrote that he wanted these monies "to assist and encourage private musical, dramatic and other groups to go forth and demonstrate that America too can lay claim to high cultural and artistic achievements." The fact that the Congress has authorized funds for this program for the past two years reflects the deep pride which the American people have in their cultural achievements and their real desire to share them with the people of other nations.

I am sure that Americans want the people of other countries to have a well-balanced picture of us. Unfortunately we know that our scientific and technical achievements, our ability to provide for the material needs of our citizens, are better known abroad than our cultural achievements, our ability to provide for the spiritual needs of our citizens. To bring the picture into focus, we must continue to present the achievements of our creative and performing artists, for these achievements demonstrate a facet of our civilization to which we attach an importance comparable to satisfying our material needs. The presentation of these artists abroad is a potent force for increasing understanding and confidence in us as a nation. It bespeaks our maturity and offsets the envy which quite naturally surrounds our technical prowess. It is an open way to the minds and hearts of men through the universally understood language of the arts.

During the past 2 years, when the program was operating on an emergency basis, our Government has assisted 1,599 American performing artists, including some of our most distinguished individual artists as well as our leading musical, dance, and dramatic organizations, and 216 top athletes, to appear in some 330 communities throughout the free world. The phenomenal success of Porgy and Bess, which was in the President's mind when he initiated the request for this program, was climaxed a few weeks ago by their triumphal return to this country. The enthusiasm of the welcome home they received was a token of the esteem of the American people for these unofficial cultural ambassadors who had met with such overwhelming success throughout Europe and Latin America.

Other touring groups have met with similar successes. The New Orleans Philharmonic Orchestra returned to their home city early in May after a month-long tour in Latin America during which at least 40,000 persons attended their concerts in 22 cities. In Colombia editors hailed the orchestra's tour as a new step in the development of "cultural good neighborliness." In some cities, people surrounded the jammed concert hall to hear the music through the open windows and in other cities, loudspeakers were made for the concert to be broadcast in the town plaza. A Mexican critic summed up the orchestra's success by saying "You have conquered Mexico." This, I believe, is the kind of conquest of people's hearts that we can be proud of.

Our American athletes have also proved their popularity and effectiveness as good-will ambassadors. Track and field teams and swimming teams have gone to practically every part of the free world. In Afghanistan our weight-lifting team drew a crowd of 8,000 for one performance. Our tennis team that toured Southeast Asia and took part in the All-Asian Tournament at New Delhi, included Althea Gibson who has since gone on to win 14 more important tournaments in Asia and Europe. Just last week, the two-time winners of the national intercollegiate basketball championship—the San Francisco Dons—left on a tour of South America. Everywhere they go, these athletes are winning friends for us, by the strength of their own personalities and their excellent team spirit.

The effectiveness of our cultural program has not gone unnoticed. Just about a month ago a newspaper in Belgrade announced the signing in Moscow of a cultural convention between Yugoslavia and the Soviet Union. The newspaper stated that "the convention provides for a more extensive development and strengthening of relations between the Soviet Union and Yugoslavia in the fields of culture, sciences, higher education, literature, arts, physical training and sports." It is not without significance that in the year previous to the signing of this convention, six American soloists, the Robert Shaw chorale, the Dizzy Gillespie band, Leopold Stokowski, and other American performing artists had made highly popular appearances in Belgrade, while only one Russian group had played there.

I mention this incident for two reasons. First because it shows that this program is not operating in a vacuum. It has and can continue to make an important contribution to our foreign relations. And we can expect competition in this as well as in other aspects of our international affairs. The Soviet Union is already carrying on a cultural offensive in many countries of the world, often with appreciable success. The Yugoslav example is only the most recent of a long series in this stepped-up campaign. The second reason I mention this incident is that it illustrates the need for our program to be put on a permanent basis. In the past 2 years our performing artists and top athletes have made a name for themselves and us in other countries. They have created "audience demand." Everywhere there is a clamor for more of our best. As I have pointed out, we are not working in a vacuum. If we do not fill the demand, others will.

I would like to call your attention particularly to section 4 of this bill we are considering. This section calls for continued encouragement of private contributions in support of this program. The $4½ million which the Government has invested in this program over the past 2 years has been in the nature of "seed money." It has been used to underwrite losses incurred by groups whose overseas receipts cannot cover all their expenses. All of these groups, except the athletes, have gone abroad on a regular commercial basis. But the high cost of transportation and the low level of box-office receipts even to capacity houses, make it impossible for them to break even financially. This situation is likely to obtain for the forseeable future and that is why this method of cooperative public-private financing is the best means of assuring the continuation of our cultural performances abroad.

By sharing the cost, we can share our best cultural achievements with our neighbors in other countries. If we went their continued cooperation and support in international affairs, we must win their confidence in and respect for us as a people. Our performing artists and athletes are winning that confidence and respect for us. S. 3116 would enable us to continue their fine work. We cannot afford to lose by default.

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. UDALL] may extend his remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. UDALL. Mr. Speaker, S. 3116 appears to me to be a most effective means to build friendship and understanding for our country abroad. While each country of the world has developed its own particular form of cultural expression and its own type of national sport, these pursuits all have elements in common. In every country, then, there is a basic ability to understand and to appreciate the cultural and athletic accomplishments of another country. In the areas of the arts and athletics there are no language or national barriers. These activities represent an international language in themselves.

How effective a program of promoting the appearances abroad by representative American cultural and athletic projects can be in influencing foreign opinion toward the United States is illustrated by an editorial in the Ceylon Observer which stated:

> For a period of nearly a year the climate of opinion in Asia toward the United States' foreign policy in the East has been steadily and surely improving. Among the reasons for this change was * * * the visit of the numerous cultural and goodwill missions from the United States whose travel was financed by the President's fund. Anti-American feeling, which was a very live thing not long ago, underwent a noticeable change for the better.

The overwhelming success of these cultural and athletic programs and the contribution they are making to the overall program to build friendship and respect for the United States more than justifies the continuation of this program on a permanent basis.

Mr. VORYS. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, of all the programs that the United States is conducting abroad, it seems to me there are two that do the most good for the least money. One is the so-called exchange of persons program under which professors, scientists, labor leaders, journalists, students, farmers, and so on, are carefully selected and brought to this country to study our institutions, see for themselves what we are like, and make contacts with the ordinary rank and file of our people; and similar specialists from our country go to theirs.

The other program is the one we are dealing with in this bill. Under it we send abroad on exhibition tours our athletes, musicians, and artists of one sort or another, singly or in groups ranging from weight-lifting teams to symphony orchestras, to show that side of our Nation to people around the world. They have been told that in this land we are

just crude materialists, boorish, and uncouth, good at machines and not much else. They need to see that we do have a concern for culture. It impresses them more than our power.

One of the most effective parts of the program is the sending of our athletes abroad. Last fall when a study mission from the Committee on Foreign Affairs was in Asia, we ran across several of these individuals. One was Bob Mathias, the decathlon champion of the last olympic games. Literally hundreds of thousands of people, especially the impressionable youth, turned out to see him. They all knew about him, having read about him or seen him in the newsreels. Perhaps they did not know who was President of the United States, but they knew about Bob Mathias.

Harrison Dillard, the track star, from Cleveland made a trip through Africa and the Middle East and had a reception that was almost unbelievable. Sports and athletic contests constitute a common ground on which almost all peoples meet easily. It is a sort of common language. And physical prowess is admired everywhere, especially when coupled with modesty and good manners, which all these representatives uniformly exhibited.

Mr. Speaker, two of the unique pioneering contributions that the United States has made around the world, and two that were greatly needed in many old civilizations going through a rebirth, have been teamwork and good sportsmanship—the willingness to train hard in order to get into good condition; then to do your very best and, if you fail, to accept defeat without rancor; and, if you win, to take victory with dignity.

Our experts in other fields go into these countries with programs to build roads, and dams, and hospitals or to build up their armies. Our very efficiency and drive often makes us suspect. The people wonder if we do not really have some ulterior selfish motive in mind. But when our athletic heroes and musicians and our artists and so on go abroad and perform in the universal language of the arts, almost everybody understands that and it is received most favorably.

The other part of this program is our participation in various industrial fairs. Everybody here knows the value of a State or county fair where every product of the area, be it industrial or agricultural, can be exhibited in competition with the products of others.

When it comes to machinery, from television to kitchen gadgets, we can beat everybody in the world. Yet we have hardly touched this approach. The Soviets, the Czechs, even the Red Chinese have been smarter than we. They have huge pavilions in the capitals of Asia, and believe me, they are impressive. Certainly we ought to extend and expand our efforts in a field like this where we can demonstrate America at its best.

While it is not necessary, I am sure, to make a long argument in order to get this very worthy bill passed, I felt there ought to be a short explanation of the wonderful job we are doing and can do at relatively little cost when we present ourselves as we are, in ways that everybody can understand and will admire.

Mr. RICHARDS. Mr. Speaker, I yield such time as he may desire to the gentleman from New Jersey [Mr. WILLIAMS].

Mr. WILLIAMS of New Jersey. Mr. Speaker, one of the favorite charges made by the Communists against our country is that we Americans are materialists. We are, they say, not interested in cultural pursuits—we do not appreciate or encourage the creative and performing arts. So we are cultural barbarians. The bill S. 3116, reported out by the House Foreign Affairs Committee, seems to me to represent a most effective means to combat this falsehood.

We have in our country many excellent artists whose talents compare favorably with those of their counterparts in the Soviet Union or in any other country of the world. We are and should be very proud of these artists, as well as of our outstanding symphony orchestras, theatrical, and dance companies. Unfortunately, our artists and cultural groups often have not been able to afford on a regular commercial basis to cover the huge transportation costs and other expenses involved in arranging performances before foreign audiences. Consequently, many people in the world are more aware of American advancement in nuclear science and our new-model automobiles than of our cultural achievements.

A program which has been carried on by the Department of State during the last 2 years on an emergency basis has had as its objective the correction of this situation. During this period there certainly has been ample evidence that this type of program is a very practical and important one. American artists assisted by this program have gone far in proving our cultural advancement to the rest of the world. Our Embassy in Santiago, Chile, commenting on appearances there by one of our leading ballet groups, the Ballet Theater, and the musical dramatic production Porgy and Bess, pointed out:

> If Chile is typical, the United States can make no better investment in propaganda. Both attractions had a deep impact on Chilean intellectuals who are strongly influenced by Communist propaganda about the United States. * * * In the light of their reactions to these visits, it should be difficult for many Chileans to pay serious attention in the future to Communist talk of American immaturity in the arts and American materialism.

A report from Lisbon, Portugal, on performances there by the Robert Shaw Chorale and the Philadelphia Orchestra summed up their success by saying:

> The total effect is, in a word, civilized. Given an array of skeptics and some outright foes, all ready to insist upon a feverish view of America as a land of barbarians, it is priceless to have our place in civilization so simply and undeniably asserted. Whatever acquaintance we may already have established with another country is perceptibly widened by the good will and deepened by the respect which these cultural offerings arouse.

I have cited only two reports out of many, but it seems to me that they illustrate very clearly what needs to be done and what can be done if we continue this activity and put it on a permanent basis.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill S. 3116, as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

MEMBERSHIP AND PARTICIPATION BY UNITED STATES IN THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION TO PROVIDE FOR THE ACCEPTANCE OF GIFTS

Mr. ZABLOCKI. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 5894, as amended, to amend the act providing for membership and participation by the United States in the United Nations Educational, Scientific, and Cultural Organization to provide for the acceptance of gifts, and for other purposes.

The Clerk read the bill, as follows:

> *Be it enacted, etc.*, That section 5 of the act of July 30, 1946, providing for membership and participation by the United States in the United Nations Educational, Scientific, and Cultural Organization (22 U. S. C. 287q) be amended by the addition of the following: "The National Commission is further authorized to receive and accept gifts or bequests of money to carry out any of the purposes of the National Commission as set forth in this act and in the constitution of the organization. Funds so received shall be held by the Secretary of State and shall be subject to disbursement through the disbursement facilities of the Treasury Department as the terms of the gift or bequest may require and shall remain available for expenditure by grant or otherwise until expended. Gifts or bequests provided for herein shall be exempt from all taxes levied by the District of Columbia and for the purposes of Federal income, estate and gift taxes shall be deemed to be a gift to or for the United States."

The SPEAKER. Is a second demanded?

Mr. VORYS. I demand a second, Mr. Speaker.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry. Is the gentleman opposed to the bill?

Mr. VORYS. No, I am not.

Mr. GROSS. I demand a second, Mr. Speaker.

Mr. ZABLOCKI. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection? There was no objection.

Mr. ZABLOCKI. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, H. R. 5894 is a bill that amends Public Law 565 of the 79th Congress, by providing that the United States National Commission, organized under and pursuant to that law, be permitted to receive and accept gifts or bequests of money to carry out any of the purposes of the Commission, as set forth in that statute.

Mr. Speaker, contrary to the opinion of many people, this bill does not provide the acceptance of gifts directly to UNESCO. The gifts are to the United States National Commission, which by law comprises not to exceed 100 leading citizens drawn from various segments of

the American public whose function it is to advise the United States Government in matters relating to UNESCO, with the objective of improving that organization. It is a method for giving the American people some sort of voice in United States policy with respect to participation in UNESCO.

There is no appropriation required in this legislation. There is no reason why it should not be unanimously adopted. Those who question the activities of UNESCO should be the first to support this legislation because the money obtained by bequests and by gifts to the United States National Commission will be used to undertake projects in the interest of the National Commission, which could not be adequately financed by available public funds. The money could, for example, be used to conduct a thorough investigation of UNESCO activities.

I hope the bill will be passed unanimously.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield.

Mr. GROSS. How many members of the National Commission for UNESCO?

Mr. ZABLOCKI. The United States National Commission by law is not to exceed 100 members. The Commission is appointed by the Secretary of State and consists of not more than 60 representatives of principal national, voluntary organizations interested in educational, scientific and cultural matters and not more than 40 outstanding persons selected by the Secretary of State, including not more than 10 persons holding office under or employed by the United States Government, not more than 15 representatives of the educational, scientific and cultural interests of State and local governments, and not more than 15 persons chosen at large. The Secretary of State is authorized to name in the first instance 50 of the principal national voluntary organizations, each of which shall be invited to designate one representative for appointment to the United States National Commission.

Mr. GROSS. Will the gentleman tell us how many actual members there are today on the National Commission for UNESCO?

Mr. ZABLOCKI. Ninety-six members.

Mr. GROSS. No. I think the gentleman is incorrect. The last report I had, not long ago, was that there are only 44 actual members of it.

Mr. ZABLOCKI. The gentleman may be referring to some other commission. The United States National Commission actually has 96 members, and the law provides that the membership shall not exceed 100.

Mr. GROSS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I think the gentleman from Wisconsin will find that instead of there being actually 100 members of the National Commission for UNESCO—I think he will find that as of today there are a number of vacancies and there have been for some months. This Commission is not half as important as some people would like to have you believe it is.

Mr. ZABLOCKI. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. ZABLOCKI. Since this legislation has been before this body on the Consent Calendar we have taken the gentleman's request very seriously and the Subcommittee on International Organizations and Movements had extensive hearings. We have just had recent testimony that the Commission comprises 100 members and we were not advised that the Commission had more than a few vacancies. Certainly there may be some vacancies but I can assure the gentleman that there are more than 47 members today in that Commission.

Mr. GROSS. I would think there would be if it amounted to anything.

Mr. ZABLOCKI. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. No; I am sorry, the gentleman has time in his own right.

Mr. BENTLEY. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Michigan.

Mr. BENTLEY. I would like to ask the gentleman from Iowa this, although he may have been planning to bring it out in his statement: Am I correct that any gifts given to the National Commission of UNESCO are exempt from all taxes, both Federal and District?

Mr. GROSS. That is one of the questions I, too, would like to have answered, and I thank the gentleman.

Mr. BENTLEY. I think the gentleman will find if he reads the report on this legislation, and I am sure the gentleman from Wisconsin also will be interested in this observation: Any gifts to the National Commission for UNESCO for the purposes of taxation are deemed to be a gift to the United States itself. That is identifying the National Commission and the National Government for tax purposes as one.

Mr. GROSS. The bill provides, as I understand, that gifts to the Commission be tax exempt.

Mr. JOHANSEN. Would it be the gentleman's impression that under this legislation contributions could be made by the Ford Fund for the Republic to UNESCO also on a tax-free basis?

Mr. GROSS. I assume so. I do not know. That is another question I would like answered by those sponsoring this legislation.

We have had some sordid experiences with this UNESCO outfit recently, and you cannot disassociate the National Commission for UNESCO, a propagandizing outfit, from UNESCO itself.

In April 1955 an international tribunal ordered UNESCO to reinstate three American employees of that organization, who had refused to appear before a United States loyalty board, or pay them damages totaling nearly $44,000. Since the taxpayers of this country provide the bulk of the money that finances UNESCO, these disloyal characters have been unloaded upon us. Incidentally, these three are not the only American employees who appear to have had an affinity for communism. Nowhere have I read any headlines in the newspapers indicating the National Commission for UNESCO was breaking its collective back to clean out this mess. It was only about a year ago that Ambassador Lodge of the United Nations appeared before the Appropriations Committee of this House and admitted that plenty of dirt had been swept under the UNESCO rug. That was a year ago. There is no information so far as I know that they are not still sweeping dirt under the UNESCO rug.

Now here we are called upon today to authorize tax exemptions on gifts to this kind of an outfit. We already provide tax exemption for the Fund for the Republic, and I insist it is time this sort of thing stopped.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from New York.

Mr. BECKER. There is one question I would like to have satisfied in my mind: Is this going to be a tax-free bequest to UNESCO to be spent by UNESCO or to be spent by this National Commission? And what will this National Commission spend the money for? Exactly what will they spend the money for if it is going to be tax-free money?

Mr. ZABLOCKI. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman to answer the question.

Mr. ZABLOCKI. This money in the form of gifts and bequests will be to the United States National Commission, consisting of a membership of 100 men, and may I say to the gentleman from Iowa that I have checked and am informed that there are today 96 active members. The money will be used by them. They are gentlemen of high repute. To my knowledge there is not a Communist among them. I am sure the United States Chamber of Commerce and the labor organizations or any of the other participating organizations would not send as a representative anybody that is a Communist. The funds so received shall be held by the Secretary of State subject to disbursement through the Treasury Department as the terms of the gift or bequest may require and shall remain available for expenditure by grant or otherwise until expended.

Mr. BECKER. What would be the area of this Commission?

Mr. ZABLOCKI. The area may be to improve and correct the scope and activity of UNESCO, to find out about the personnel in UNESCO and to ferret out any and all undesirable individuals.

Mr. GROSS. Let me ask the gentleman from Wisconsin a question. If this is such a fine national commission, this UNESCO Commission, why has it permitted sweeping the dirt under the rug, as Ambassador Lodge said? Why has it not been interested in cleaning up that organization and keeping it clean?

Mr. ZABLOCKI. They made a number of recommendations. I can assure the gentleman that the hearings revealed that the situation has been corrected and that there is no further "dirt to be swept under the rug."

Mr. GROSS. The gentleman is saying that there are no fifth-amendment characters in UNESCO today, is that correct?

Mr. ZABLOCKI. That is according to the testimony of the gentlemen who appeared before us.

Mr. GROSS. Is the American Legion a member of the National Commission for UNESCO?

Mr. ZABLOCKI. Yes.

Mr. GROSS. The American Legion?

Mr. ZABLOCKI. I am sure a veteran organization is a member.

Mr. GROSS. I am glad the gentleman has a staff there to help him.

Mr. ZABLOCKI. Undoubtedly the gentleman does not expect me to remember all of the 100 Commission members.

Mr. GROSS. The gentleman knows, I am sure, that the American Legion in its national conventions has consistently refused to have anything to do with it and again last year voted against membership by way of a resolution. It voted against membership in the National Commission for UNESCO.

Mr. JOHANSEN. I wonder if the gentleman will permit me to direct a question to the gentleman from Wisconsin?

Mr. GROSS. Yes.

Mr. ZABLOCKI. I was checking the list to see whether the American Legion is a member of the Commission.

Mr. GROSS. The American Legion wants nothing to do with this organization until it is clean.

Mr. ZABLOCKI. I believe the American Legion should become a member to help in any cleanup.

Mr. GROSS. I repeat, the American Legion wants nothing to do with this organization until it is cleaned out and made representative of true Americanism. That is the reason I am here in the well of the House opposing this bill.

Mr. ZABLOCKI. I want to assure the gentleman that is the very purpose of the United States National Commission.

Mr. GROSS. Then why does not the Commission do something? It has had ample opportunity.

Mr. ZABLOCKI. The Commission will continue to do something.

Mr. JOHANSEN. I would like to direct a question. It speaks of financing projects in the area of the interest of the National Commission which could not be financed by public funds made available. Can the gentleman give us a specific example of the type of project referred to?

Mr. ZABLOCKI. The gentleman referred to some dirt being swept under the UNESCO rug. He has referred to fifth columnists. The National Commission having funds such as we are trying to make available would in my opinion be in a better position to investigate such charges. They cannot use the public funds to do that.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Pennsylvania, the chairman of the House Un-American Activities Committee.

Mr. WALTER. Certainly the gentleman is not seriously contending that the security officer for UNESCO has not the authority to expose the type of people the gentleman from Iowa is talking about?

Mr. ZABLOCKI. I did not so contend. The money being made available by this bill would permit them to make further and more complete investigations.

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to my friend from Michigan.

Mr. JOHANSEN. Does the gentleman from Wisconsin have in mind any other type of specific project that might be financed by these gifts, such as might come from the Ford Fund for the Republic?

Mr. ZABLOCKI. Yes, I do. I think the National Commission could make a study of some improvement in the program; the administration of the program and some of the projects, that would make UNESCO more profitable to the United States and the participating countries.

Mr. JOHANSEN. Does the gentleman imply that public funds voted for the Commission could not be used for that purpose?

Mr. ZABLOCKI. I did not imply that, but there are some projects that public funds could not be used for.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from California.

Mr. HOSMER. These gifts will be competing with other gifts, educational and charitable. In those cases I understand there is a limitation upon the amount of the gift for income-tax deduction purposes, but since these gifts to this organization would be taken as gifts to the United States, I presume there would be no limitation on the amount, and therefore it would be a more attractive gift to the donor than those to domestic charities, educational institutions, and so forth. If the author of the bill could answer that question, I would very much appreciate it. Although the purpose of this might be all right, if we are going to establish an organization that is more attractive than our own domestic charities and so forth, I think we should take a good look into it.

Mr. GROSS. Mr. Speaker, I reserve the balance of my time. Let the gentleman use his own time to answer that question.

Mr. ZABLOCKI. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I submit to the gentleman if he or I or any other American were considering making a gift to some voluntary organization, I am sure good judgment would be exercised. I am certain that the passage of this bill would not prejudice the many worthy charitable organizations in our land. I want to point out that this very organization with which the bill is concerned, the United States National Commission, is an American organization. It is comprised of 96 public-spirited members who share with many other American citizens their devotion to United States charitable and voluntary organizations.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from California.

Mr. HOSMER. With respect to income taxation, a gift to an educational institution cannot be unlimited for that purpose, but as I understand, a gift to this fund could be unlimited and have unlimited deduction from a man's income tax.

Mr. ZABLOCKI. It is the same as any other bequest.

Mr. HOSMER. This is a gift to the United Nations. I know of no limitation on gifts to the United Nations.

Mr. ZABLOCKI. This bill is concerned with gifts or bequests of money to a United States group, the National Commission for UNESCO.

Mr. GROSS. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. BECKER].

Mr. BECKER. Mr. Speaker, I would just like to take this time to recall one instance here in a letter from Herbert Hoover, Jr., one of the Assistant Secretaries of State, which does not lend itself to the statement made by the gentleman from Wisconsin about the way the money is to be handled. In his letter the Assistant Secretary says:

> The purpose of this proposed amendment is to permit the National Commission to accept gifts or bequests to carry out the purposes of UNESCO.

Now, there is not one word in here about investigating anything. There is not one word in here that says this Commission is going to find out whether UNESCO is operating or functioning the way we in the United States want it to function, or whether they are doing a good job. The purpose is to carry out the projects of UNESCO, and it so says in this letter from the Secretary of State.

Furthermore, I want to say that I am opposed to any more tax-free gifts. I think we have enough of that now. There would be more money in the Federal Treasury if we cut out these tax-free gifts.

Mr. ZABLOCKI. Mr. Speaker, I yield such time as she may desire to the gentlewoman from Georgia [Mrs. BLITCH].

Mrs. BLITCH. Mr. Speaker, I just wanted to ask the gentleman from Wisconsin this question. As to the gifts received by this Commission and the money that is spent by the Commission, who has control over how this money shall be spent? Suppose this money is spent contrary to the wishes of the people of the United States and the wishes of the people of the Congress. That is what is puzzling me.

Mr. ZABLOCKI. The bill provides that the money received shall be held by the Secretary of State subject to disbursement through the Treasury Department.

Mrs. BLITCH. But the Commission, though, controls that money; I mean it can make a claim on that money at any time.

Mr. ZABLOCKI. They can make a claim on it, but the Secretary of State and the Treasury Department have control of it, and before they release it I am sure it will be used in keeping with the law.

Mr. TUMULTY. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from New Jersey.

Mr. TUMULTY. As I understand it, the purpose of this legislation is to make tax-free gifts to this Commission and to authorize this Commission to accept this money?

Mr. ZABLOCKI. That is correct.

Mr. TUMULTY. The point that is not clear to me is this. The Commission once having received the money from the person who desires to contribute the money, the gentleman says the Commission will use it as a private body to investigate this worldwide United Nations?

Mr. ZABLOCKI. I should like to correct the gentleman. The Commission does not receive the money. The money is held in the United States Treasury; that is, it is held by the Secretary of State and disbursed by the Treasury.

Mr. TUMULTY. Then it is not a private agency as it is generally conceived to be. The money is given to a Commission, but officials of the United States Government hold the money.

Mr. ZABLOCKI. It authorizes the National Commission to receive the money and to expend it.

Mr. TUMULTY. What other private body in the United States is authorized to receive money which is held for it by the Treasury Department?

Mr. ZABLOCKI. The United States National Commission is not a private body.

Mr. TUMULTY. Then it is a public body.

Mr. ZABLOCKI. It is a quasi-governmental body, since some of its members are United States Government officials.

The Commission was established by law, and it has a distinct purpose, like certain Presidential commissions, which are advisory and consultative in nature.

Mr. TUMULTY. I thank the gentleman for the information, such as it is.

Mr. BENTLEY. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman.

Mr. BENTLEY. I should like to ask the gentleman this question. According to this bill, is the Treasury Department not required to make disbursement of this money according to the terms of the original gift or bequest of the donor; not necessarily according to the policy of this Government, but according to the terms that the donor lays down, that money has to be disbursed; is that correct?

Mr. ZABLOCKI. Yes.

Mr. BENTLEY. The bill says that the money shall be disbursed as the terms of the gift or bequest may require.

Mr. ZABLOCKI. The bill itself would be a guide to a prospective donor on any terms accompanying the gift or bequest.

Mr. BENTLEY. Who makes the terms of the gift if not the donor?

Mr. ZABLOCKI. The donor, but of course the donor would undoubtedly consult the United States National Commission in advance.

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I am glad to yield to the gentleman.

Mr. JOHANSEN. I should like to read the words of the amendment proposed here, that the Secretary of State and the Treasury shall disburse the funds as the terms of the gift or bequest may require. Who sets those terms; is it not the person making the bequest?

Mr. ZABLOCKI. The donor, in stipulating his terms, would, of course, want to fulfill the purposes for which the United States National Commission has been organized. The National Commission, in turn, would not accept the gift if the gift did not assist the Commission in achieving its objectives.

Mr. JOHANSEN. It says that having once accepted it, the Secretary of State and the Treasury Department will disburse this on the basis of the terms of the bequest, so that the conditioning factor in accepting and disbursing of it are the terms set forth in the bequest; is that correct?

Mr. ZABLOCKI. That could very well be true; yes.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman.

Mr. FEIGHAN. It appears to me to be a logical assumption that there are in contemplation bequests either by persons, firms, partnerships, corporations, or funds; is the gentleman or the committee in a position to advise the House as to what organizations or donors are contemplating giving these gifts?

Mr. ZABLOCKI. I am sure that whatever organizations or individuals are involved, they are anxious to help the United States National Commission do a good job in representing the American people and giving them a voice in matters involving United States participation in UNESCO.

Mr. GROSS. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. PHILLIPS].

Mr. PHILLIPS. Mr. Speaker, sometimes in order to understand what is going on at the present time we have to look back, we have to turn back in history. When UNESCO was first set up and we began to finance UNESCO, in spite of the fact that we appropriated a great deal of money and it came through normal Government channels UNESCO still attempted to raise funds for its own operations from people in the United States.

No matter what the gentleman from Wisconsin says, this is going to go into the hands of a Commission which will be separate from UNESCO. The report states specifically this is to be used for the purposes of UNESCO.

It was only by a great deal of rather urgent effort some years back that a very distinguished and widely known group of professional and business women in the United States were kept from going out as a project and raising money for UNESCO to use for its purposes. I see nothing in this bill, I see nothing in this proposal which does not attempt by another method to do the same thing which was prevented some years ago.

Second, I think we should look very carefully to see whether any of this money is to be used in the schools of the United States by the Commission or anyone else to attempt to impress upon the educators of the United States that UNESCO is a good institution and not what it really is. My own feeling regarding UNESCO has been for some time that the very best thing that can be said about it is that it is useless.

Mr. GROSS. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. SIMPSON].

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I rise in opposition to this bill primarily because of the exemption from the Federal income, estate, and gift taxes which is granted to individuals who might make contributions to this UNESCO fund.

Serving as I do with others on the Committee on Ways and Means and having worked as earnestly as we did this year in efforts to find areas where we might reduce taxes this year, only to find that in every single instance irrespective of the merits by which tax relief might have been justified the Treasury was being forced to oppose the reduction of taxes in those areas, I cannot now support a proposal to reduce taxes for a certain class of people for a very limited area of contribution, certainly in the absence of any evidence on the part of the Treasury wherein they ask for a reduction in that.

I think we would be foolish to grant a reduction when we have through the Committee on Ways and Means refused any tax reduction for American citizens in the areas where the reduction might have helped American business to provide jobs for our fellow citizens.

I think this subject should have been brought to the attention of the Treasury. There should be a report from the Treasury in which they come right out and say, "We favor the reduction of this tax. It will cost us so much, but we are willing to do that." But no; there is no evidence of that sort at all. Indeed, had they done so they would have done exactly contrary to what they have permitted us in the Committee on Ways and Means to recommend to you this year.

Mr. SADLAK. Mr. Speaker, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from Connecticut.

Mr. SADLAK. I submit to the gentleman there was no restriction as to the amount of the gifts, there was no limitation whatsoever on the amount of gifts that would be completely tax exempt not only from the Federal taxes but also the District of Columbia taxes.

Mr. SIMPSON of Pennsylvania. That is correct. Any American citizen, no matter how large the contribution he might want to make to this foreign agency, might do so and get an exemption.

Mr. SADLAK. In other words, it is very inconsistent to follow one policy with this organization, UNESCO, and not do it with our own citizens.

Mr. BEAMER. Mr. Speaker, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from Indiana.

Mr. BEAMER. I want to associate myself with the gentleman. I also would like to ask the gentleman, What good is UNESCO really doing?

Mr. SIMPSON of Pennsylvania. I cannot answer that question. I am as much at a loss as the other gentleman.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from California.

Mr. HOSMER. Is this not really an appropriation of an indefinite amount of money that will not be collected in the form of taxes, and for a questionable purpose?

Mr. SIMPSON of Pennsylvania. That is right. It is a contribution out of the United States Treasury as far as the tax exemption is concerned.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from Pennsylvania.

Mr. WALTER. Would not the effect of the enactment of this sort of legislation be to enable an individual to substitute his judgment as to where tax dollars should be spent for that of the Congress of the United States, that is charged with the responsibility in that field?

Mr. SIMPSON of Pennsylvania. As usual, the gentleman from Pennsylvania, with his legal training, has expressed the situation concisely and accurately.

Mr. Speaker, I am opposed to the bill, and hope it will be defeated.

Mr. ZABLOCKI. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I merely want to reiterate what I said before. I realize that many of us turn with fright as soon as UNESCO is mentioned. UNESCO has done some good. I want to repeat, this bill is not for the benefit of UNESCO, but for the United States National Commission for UNESCO which is comprised of outstanding United States citizens, typical of whom are the following: Hon. Samuel M. Brownell, Commissioner of Education, Department of Health, Education, and Welfare; Maj. Gen. Milton G. Baker, superintendent, Valley Forge Military Academy; Rear Adm. Harley F. Cope, Sr., United States Navy—retired—of the Veterans of Foreign Wars of the United States; Dr. G. Homer Durham, vice president, University of Utah; Mr. Frank L. Fernbach, of the Congress of Industrial Organizations; Mr. John D. Connors, of the American Federation of Labor; Mr. Ralph L. Goetzenberger, vice president, Minneapolis-Honeywell Regulator Co.; Mr. Ralph W. Hardy, vice president, Columbia Broadcasting System; Dr. Lewis M. Hoskins, executive secretary, American Friends Service Committee; Col. William E. Gregory, superintendent, Culver Military Academy; Mr. Leon J. Obermayer, of B'nai B'rith; Dr. F. Ernest Johnson, of the National Council of the Churches of Christ in the United States of America; Dean C. Joseph Nuesse, of the National Catholic Welfare Conference; Mr. Whitelaw Reid, chairman of the board of the New York Herald Tribune; Mr. James Tanham, of the United States Chamber of Commerce; Dean Athelstan F. Spilhaus, of the University of Minnesota; Mayor Frank P. Zeidler, of Milwaukee, and many others.

Mr. Speaker, I could mention many more of these fine gentlemen who are outstanding citizens and who are members of the Commission for whom this money would be available and which would be expended so as to improve UNESCO.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Wisconsin [Mr. ZABLOCKI] that the rules be suspended and the bill passed, as amended.

The question was taken; and (two-thirds not having voted in favor thereof) the motion to suspend the rules and pass the bill, as amended, was rejected.

PAN-AMERICAN GAMES AT CLEVELAND, OHIO

Mr. ZABLOCKI. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S. J. Res. 186) to authorize the appropriation of $5 million to be spent for the purpose of promoting the pan-American games to be held in Cleveland, Ohio.

The Clerk read the Senate joint resolution, as follows:

Be it enacted, etc., That it is hereby authorized to be appropriated, out of moneys in the Treasury not otherwise appropriated, the sum of $5 million for the III Pan American games (1959). The said appropriation shall be available for the purpose of promoting and insuring the success of the Pan American games to be held at Cleveland, Ohio, in 1959, and shall be expended in the discretion of the organization sponsoring said games subject to such audit as may be prescribed by the Comptroller General of the United States.

The SPEAKER. Is a second demanded? Does the gentleman from Ohio [Mr. VORYS] qualify?

Mr. VORYS. No, Mr. Speaker; I cannot qualify. I am in favor of the bill.

The SPEAKER. The Chair recognizes the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I demand a second.

By unanimous consent, a second was considered as ordered.

Mr. ZABLOCKI. Mr. Speaker, Senate Joint Resolution 186 is identical with the House bill H. R. 12033 introduced by the gentlewoman from Ohio [Mrs. FRANCES P. BOLTON] and which was reported out by the Foreign Affairs Committee. Identical bills were introduced by the gentleman from Ohio [Mr. FEIGHAN] and by the gentleman from Ohio [Mr. MINSHALL] and by the gentleman from Ohio [Mr. VANIK]. The Senator from Ohio [Mr. BENDER] introduced the legislation in the other body.

This resolution authorizes an appropriation to be available for the purposes of promoting and insuring the success of the pan-American games to be held in Cleveland. The pan-American games are similar to the Olympic games except that only nations of the Western Hemisphere participate. These games have been held twice before—in 1951 in Buenos Aires and in 1955 in Mexico City. The Governments of Argentina and Mexico in those instances provided substantial financial support in the organization of the games in their capital cities. The games this time are to be held in Cleveland and are for the first time to be held in the United States. I am sure there is not a Member of this body who would not want to see our relations with our pan-American sister nations improve. I am sure this would be a successful event and would be one important means of improving our relations by having these pan-American games held for the first time in the United States. I think it is a worthy measure.

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield.

Mr. PRICE. What is the nature of the $5 million expenditure?

Mr. ZABLOCKI. The $5 million expenditure is to help meet expenses which are estimated to be $13 million.

Mr. PRICE. What type of expenses?

Mr. ZABLOCKI. The committee was advised the budget would be: For capital improvement in athletic facilities, about $7,500,000; for highways and access roads to the various places where the games will be held, $1,500,000; and for the operating expenditures, $3 million.

Mr. PRICE. What does the gentleman mean by capital expenditures?

Mr. ZABLOCKI. There will have to be some facilities built in Cleveland, Ohio, in addition to the present excellent facilities.

Mr. PRICE. What type?

Mr. ZABLOCKI. A swimming pool that would meet Olympic specifications.

Mr. PRICE. $7,500,000 for a swimming pool?

Mr. ZABLOCKI. For the swimming pool and other athletic facilities.

Mr. PRICE. What are they?

Mr. ZABLOCKI. Athletic fields, an arena.

Mr. PRICE. Do they not already have one of the largest stadiums in the country?

Mr. ZABLOCKI. Cleveland has some of the finest sports facilities at the present time. To adequately conduct the pan-American games in the short period of time allotted it is necessary that the various events be held simultaneously in more than one stadium or arena. There are numerous and various facilities needed; therefore, additional facilities will have to be built. It is my understanding that there is no city in the United States except Los Angeles that has adequate athletic facilities.

Mr. PRICE. Why would they want to ask them to play these games here before they knew whether or not they had appropriate facilities to accommodate the games?

Mr. ZABLOCKI. The State auditor made the bid on behalf of the city of Cleveland for these games and undoubtedly he realized that the facilities at Cleveland were not quite adequate.

Mr. PRICE. Is the gentleman talking about Illinois or Ohio?

Mr. ZABLOCKI. I am talking about the State auditor of Ohio.

Mr. HAYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Ohio.

Mr. HAYS of Ohio. I did not intend to get into this. As a matter of fact I would like to see the games in Cleveland, and as a matter of fact Cleveland would be a good place to hold them. Since the State auditor has been mentioned I think I ought to set the record straight in that regard.

When the State auditor asked for these games he was the mayor of Columbus and he was contemplating running for State auditor. He went down to Mexico City and he extended the invitation for the games to come to Cleveland; and I will guarantee you that no one on this floor was as surprised as were the people of Cleveland when they heard that he had extended the invitation and that it had been accepted. He used that for personal publicity reasons in his campaign for State auditor.

That puts Cleveland in the position where they have accepted an invitation that was extended without their knowledge and they do not know exactly what to do about it.

That is the story about the State auditor. As I say, I just wanted the record to be straight.

Mr. ZABLOCKI. I am not aware of the internal politics in Ohio. I assure the gentleman that my interest in this bill is to promote inter-American relations and hemisphere solidarity through the holding of the pan-American games in Cleveland.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield.

Mr. HALLECK. I do not know too much about the appropriateness of Cleveland or the State of Ohio, but the invitation for these games has gone forth, and it does seem to me that this is a very important area with respect to our foreign relations having to do with our friends here in this hemisphere. We should act favorably on this. I think it would be helpful to us in great degree if this legislation could be passed and our friends and neighbors in this part of the world understand our feelings toward them.

Mr. ZABLOCKI. I thank the gentleman.

Mr. Speaker, Cleveland has a stadium with a capacity of 81,000; they have a civic auditorium with a seating capacity of 15,000; they have an arena with a seating capacity of 12,000; they have a second auditorium with a seating capacity of 2,400 to 3,200. The Cleveland Pan American Games Corp. will raise more money than is asked for in this appropriation. It is proposed that the city of Cleveland by bond issue will raise $1,500,000. The city of Cleveland also will contribute land worth $300,000. A highway bond issue by the county of Cuyahoga will provide $1,500,000, and the State of Ohio is requested to appropriate $2 million.

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield.

Mr. PRICE. Will the facilities to be constructed be of a permanent nature?

Mr. ZABLOCKI. They will be of a permanent nature.

Mr. PRICE. What happens after the games are concluded?

Mr. ZABLOCKI. They will be used for other games.

Mr. PRICE. By whom?

Mr. ZABLOCKI. By the city of Cleveland and the adjacent communities.

Mr. PRICE. I am sure the gentleman does not want this money expended purely for the benefit of the city itself. Are we to understand that any city in the United States which is successful in bringing these games to that city will be given a like appropriation to this sum of money?

Mr. ZABLOCKI. It is my understanding that every community in the United States had equal opportunity to extend an invitation for the pan-American games to be held in its respective community, the same as Cleveland did.

Mr. PRICE. Would they have a guarantee that the Government would build these facilities?

Mr. ZABLOCKI. There is no guaranty that the Government will build them now. The Government is not building them. The Commission that is handling the games will build them.

Mr. PRICE. On the strength of this appropriation?

Mr. ZABLOCKI. I do not think the invitation was made on the strength of this appropriation.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Ohio.

Mr. FEIGHAN. It appears to me that the question is very simple, whether or not we of the United States want to participate in these pan-American games, If we do they necessarily must come to some city. It has been good fortune, perhaps, that the city of Cleveland happened to be selected. I think it would be an undue burden on any city in the United States if they were to accept the entire burden of this project which, in the first instance, is good and we should have it if it will promote good will between the people of North and South America in this hemisphere. The city of Cleveland will provide 1½ million dollars and Cuyahoga County, which comprises greater Cleveland, will spend 1½ million dollars. I feel it is a worthy project and should be approved if we are in favor of pan-American games. Perhaps 3 or 4 years from now or longer if the pan-American games were to come to the United States, they would come elsewhere than Cleveland and if it would be my good fortune to be in Congress I would support any appropriation to make the pan-American games a success in any city in the United States.

Mr. RICHARDS. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from South Carolina.

Mr. RICHARDS. Mr. Speaker, let us get down basically to what we are driving at. It is not a question of whether we want to help Cleveland or some other city or whether or not some facilities used in this fair will be left there to be used by Cleveland afterwards. As a matter of fact, as has been said this is going to cost Cleveland plenty of money whether you approve this $5 million or not. From the information we get I believe it will cost them in the neighborhood of 7 or 8 million dollars additional. Of course, it is true they will take in some money, but they are going to end up in the red. No other city in this country, as I understand, has extended this invitation to the Western Hemisphere countries. Very few cities have the facilities to even begin to take care of the situation and the 2,500 athletes from the Western Hemisphere who will compete here. When you think of the great amount of money we have spent all over the world and compare it with that spent in this hemisphere, this $5 million is a small premium to pay for the benefit we are going to get out of it. It would be a great thing for the United States, it would be a great thing for our hemisphere.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Speaker, it has been brought out on the floor that there might be some possibility of the city of Cleveland being enriched by having these facilities remain after the games. I would like to point out that these installations are planned outside of the city of Cleveland, some 15 miles away from the city, on city-owned property which the city is conveying for this purpose. The real estate that is being conveyed by the city of Cleveland for this purpose is some of the most valuable real estate that it owns. It could be used for many other purposes. The facilities will be completely away from the center of the city, more than 15 miles away, and I do not believe that the Members of Congress need feel that they are building something for the city that it is not doing for itself. As has been disclosed, we have an 82,000-seat stadium, and we practically deeded it to the Cleveland Indians, on condition that they beat the Yankees in any series or bring back a pennant. My city has done a great deal to provide modern, up-to-date recreational facilities. For our own needs we have ample facilities of every kind. We are asking for help to carry out an obligation that we, as Americans, have to our South American friends. It is more than economic aid which is the general basis of our other foreign activities. I think the pan-American games are a commendable cause, and I hope every Member of Congress will approve them.

Mr. GROSS. Mr. Speaker, I yield 5 minutes to the gentlewoman from Ohio [Mrs. FRANCES P. BOLTON].

Mrs. FRANCIS P. BOLTON. Mr. Speaker, we in Cleveland are anticipating very much playing a worthwhile role in friendly understanding between the North and South Americas. As has been said here, very little has been done to bring the people of South America into contact with the people of North America. This is particularly to be emphasized today, Mr. Speaker, just after the 3 days of very wonderful conference in Panama. It seems a very fitting honor for us as a Congress to back up our whole intention of friendship and friendliness with some such action as is requested by this resolution. It seems

particularly right that we take this opportunity to do something practical so strengthening everything our President voiced at this conference.

Let me tell you what it will mean. There will be 2,600 athletes who will come up from South America to compete in these games. The rules are the Olympic rules. That will mean 2,600 fine young South Americans, with all the people who will come with them. It is very difficult to say how many South Americans will actually be in this country. They will not come just to Cleveland; they will go to many places while they are in these United States. They will see the way we live. They will see our sense of obligation to them as our neighbors.

To me it has really so little to do with Cleveland, because it has so much to do with the United States and with all those things which can mean solidarity, which mean strength in this hemisphere. And, following out the Panama conference, following up the Declaration of Panama, it would seem the most wonderful moment for us to do this, as our very eminent and distinguished chairman so well pointed out, and spend this very small amount of money for the new hemisphere when we have done so much for the rest of the world.

Mr. JUDD. Mr. Speaker, will the gentlewoman yield?

Mrs. FRANCES P. BOLTON. I yield to the gentleman from Minnesota.

Mr. JUDD. Very frequently the argument is brought up here, with certain merit, that when under our so-called foreign-aid program, we build facilities for our own armed services or other operations overseas, we are building facilities which will, of course, be left there and greatly benefit those countries.

Now, here is a case where we will be doing something for the best interests of the Western Hemisphere and of the United States, from which the city of Cleveland will be benefited through certain facilities left there.

Surely we should not refuse to do what is good for our country and the hemisphere just because it would also help the city of Cleveland.

But, is it not also true that the city of Cleveland is putting in more of its money to help our foreign policy than we are putting in of Federal money to help Cleveland?

Mrs. FRANCES P. BOLTON. Oh, yes.

Mr. JUDD. This bill is for the best interests of the whole country and the continent. It is not possible to hold these pan-American games without some benefit, as well as some cost, to the city where the games are held. Buenos Aires held them 4 or 5 years ago; Mexico City held them about 2 years ago and did a wonderful job. We certainly must do no less.

Mrs. FRANCES P. BOLTON. It would be a sad moment indeed if these games were allowed to go back to South America and they will feel we are unfriendly and we probably will not have an opportunity to have them again. It is a moment when we can really prove our friendship.

Mr. VORYS. Mr. Speaker, will the gentlewoman yield?

Mrs. FRANCES P. BOLTON. I yield to the gentleman from Ohio.

Mr. VORYS. I think we should remember, as is pointed out in the letter from the Secretary of State, that the national governments of both Argentina and Mexico provided substantial financial support in the organization of the games in their capitals. Now, when this comes to the United States the Government of the United States should do its part. The committee feels that this is a fair share for our Government to contribute to the foreign policy part of this good-will gesture to carry out the spirit of the Declaration of Panama in which the heads of these Republics joined within the past few days.

Mr. GROSS. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. MINSHALL].

Mr. MINSHALL. Mr. Speaker, the pan-American games must be regarded as much more than a series of athletic contests among 20 friendly nations. They are much more than that, for the bringing of these games to this country will give the American people an outstanding opportunity where they are host to these other nations to sell their American way of life and their culture and the many other fine attributes this country has.

I might also say that the permanent benefits that will result from these games, which will accrue to this country are far beyond a mere dollar-and-cents value. I certainly hope the House will go along with the resolution.

Mr. GROSS. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. O'KONSKI].

Mr. O'KONSKI. Mr. Speaker, I think this bill would establish a dangerous precedent. If this bill were to pass it would seem that all you have to do is invite some athletic team from some other country and then you could go to Uncle Sam and use that as a basis upon which to ask for a handout. Let me give you an illustration. We in Wisconsin, in the city of Milwaukee 2 years ago played host to the Little World Series, where there were participating baseball teams from all over the world, not merely from the Western Hemisphere. I understand some 30 nations were represented. We did not come to Uncle Sam and ask for a handout. We financed it through voluntary contributions because we believe in good will. It came from our hearts. We wanted the Little World Series there. We asked for it. We invited them to come. But we did not go to Uncle Sam and ask him to foot the bill.

Mr. Speaker, I think if we pass this bill we are setting a precedent so that whenever you invite some hockey team from Timbuktu to come over here, you could then go to Uncle Sam and ask for a handout. In my judgment it sets a dangerous precedent. I would much rather that these contributions come from the hearts of the people of America and not from the taxpayers of the United States of America. Then you will create good will.

Mrs. FRANCES P. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. O'KONSKI. I yield to the lady.

Mrs. FRANCES P. BOLTON. Mr. Speaker, I want to remind the gentleman that this is not an ordinary thing. It is on a par with the Olympic games. It is the only thing that could possibly compare with it. It cannot be compared with some little baseball games.

Mr. O'KONSKI. Mr. Speaker, I would much rather see a baseball game than the Olympic games, any time.

Mr. GROSS. Mr. Speaker, I yield myself such time as I may consume. I take this time, since I am sure the committee went into the question, to ask the gentleman from Wisconsin [Mr. ZABLOCKI] how much money we are contributing toward defraying the expenses of the Olympic games in Australia.

Mr. ZABLOCKI. We are not contributing any amount. As the gentleman knows, every time a ticket is sold to a sports event in this country, a certain part of the price of the ticket, 25 cents or 50 cents, or whatever it is, goes into a pool to promote the Olympic games in Australia. There is not any Federal money spent for that purpose.

Mr. GROSS. And public donations, public contributions are also being sought is that not true?

Mr. ZABLOCKI. Yes, sir.

Mr. GROSS. To defray the expenses of American athletes to the Olympic games.

Mr. ZABLOCKI. That is true.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I might also say, to complete the gentleman's answer that last year the House passed a bill which I introduced exempting from the admissions tax the tickets to any activity undertaken in connection with raising funds for the Olympic games. I add that merely to amplify what the gentleman has already said.

Mr. GROSS. That is all very fine, but it does not take care of this business of appropriating $5 million of the taxpayers' money to the city of Cleveland to defray a part of the expense of holding the pan-American games.

Mr. OLIVER P. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Ohio.

Mr. OLIVER P. BOLTON. Where are the Olympic games to be held?

Mr. GROSS. I said the pan-American games.

Mr. OLIVER P. BOLTON. But the Olympic games are not held here.

Mr. GROSS. They are held in Australia.

Mr. OLIVER P. BOLTON. So you do not need the facilities in this country in order to hold the games?

Mr. GROSS. Of course not, but after all, if we are making contributions to foreigners, and that is what we are doing here, this is a foreign aid handout in reverse. That is just what the gentleman from Minnesota just got through saying, or he implied that.

Mr. OLIVER P. BOLTON. The gentleman is exceedingly good in the use of words. But the actual fact is that these games will be a contribution to understanding and good will between the

countries involved; yes. And America will benefit greatly in the eyes of the countries that participate by having these visitors come here and enjoy our hospitality; yes. But otherwise it is not a contribution to foreigners.

Mr. GROSS. I am surprised someone has not contended that this $5 million handout is necessary to our national security. I am surprised somebody has not injected that into the argument up to this point.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Ohio.

Mr. VANIK. Is it not pathetic that our Olympic athletes have to be subjected to all the fund-raising activities they have to go through? Is it fair for them to have to undergo that and then meet in competition athletes who are subsidized?

Mr. GROSS. I do not think they feel they are being treated unfairly. If the Federal Government is going to appropriate tax money for this purpose, then we will have the same situation as in Russia, whose athletes who are professionals. I doubt that you want that. I am opposed to taking $5 million of the taxpayers' money to underwrite the pan-American games at Cleveland, period.

The SPEAKER. The question is, Will the House suspend the rules and pass Senate Joint Resolution 186?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

A motion to reconsider was laid on the table.

A similar House joint resolution was laid on the table.

GREAT PLAINS CONSERVATION PROGRAM

Mr. COOLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 11833) to amend the Soil Conservation and Domestic Allotment Act and the Agricultural Adjustment Act of 1938 to provide for a Great Plains conservation program.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 16 of the Soil Conservation and Domestic Allotment Act, as amended, is amended (a) by inserting "(a)" after the period following "SEC. 16," and (b) by adding the following subsection:

"(b) Notwithstanding any other provision of law—

"(1) the Secretary is authorized, within the amounts of such appropriations as may be provided therefor, to enter into contracts of not to exceed 10 years with producers in the Great Plains area determined by him to have control for the contract period of the farms or ranches covered thereby. Such contracts shall be designed to assist farm and ranch operators to make, in orderly progression over a period of years, changes in their cropping systems and land uses which are needed to conserve the soil and water resources of their farms and ranches and to install the soil and water conservation measures needed under such changed systems and uses. Such contracts shall be in effect during the period ending not later than December 31, 1971, on farms and ranches in counties in the Great Plains area of the States of Colorado, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming, designated by the Secretary as susceptible to serious wind erosion by reason of their soil types, terrain, and climatic and other factors. The producer shall furnish to the Secretary a plan of farming operations which incorporates such soil and water conservation practices and principles as may be determined by him to be practicable for maximum mitigation of climatic hazards of the area in which the farm is located, and which outlines a schedule of proposed changes in cropping systems and land use and of the conservation measures which are to be carried out on the farm or ranch during the contract period to protect the farm or ranch from erosion and deterioration by natural causes. Under the contract the producer shall agree—

"(i) to effectuate the plan for his farm or ranch substantially in accordance with the schedule outlined therein unless any requirement thereof is waived or modified by the Secretary pursuant to paragraph (3) of this subsection;

"(ii) to forfeit all rights to further payments or grants under the contract and refund to the United States all payments or grants received thereunder upon his violation of the contract at any stage during the time he has control of the farm if the Secretary determines that such violation is of such a nature as to warrant termination of the contract, or to make refunds or accept such payment adjustments as the Secretary may deem appropriate if he determines that the producer's violation does not warrant termination of the contract;

"(iii) upon transfer of his right and interest in the farm or ranch during the contract period to forfeit all rights to further payments or grants under the contract and refund to the United States all payments or grants received thereunder unless the transferee of the farm or ranch agrees with the Secretary to assume all obligations of the contract;

"(iv) not to adopt any practice specified by the Secretary in the contract as a practice which would tend to defeat the purposes of the contract;

"(v) to such additional provisions as the Secretary determines are desirable and includes in the contract to effectuate the purposes of the program or to facilitate the practical administration of the program. In return for such agreement by the producer the Secretary shall agree to share the cost of carrying out those conservation practices set forth in the contract for which he determines that cost-sharing is appropriate and in the public interest. The portion of such cost (including labor) to be shared shall be that part which the Secretary determines is necessary and appropriate to effectuate the physical installation of the conservation measures under the contract;

"(2) the Secretary may terminate any contract with a producer by mutual agreement with the producer if the Secretary determines that such termination would be in the public interest, and may agree to such modification of contracts previously entered into as he may determine to be desirable to carry out the purposes of the program or facilitate the practical administration thereof;

"(3) insofar as the acreage of cropland on any farm enter into the determination of acreage allotments and marketing quotas under the Agricultural Adjustment Act of 1938, as amended, the cropland acreage on the farm shall not be decreased during the period of any contract entered into under this subsection by reason of any action taken for the purpose of carrying out such contract;

"(4) the acreage on any farm which is determined under regulations of the Secretary to have been diverted from the production of any commodity subject to acreage allotments or marketing quotas in order to carry out the contract entered into under the program shall be considered acreage devoted to the commodity for the purposes of establishing future, State, county, and farm acreage allotments under the Agricultural Adjustment Act of 1938, as amended;

"(5) in applying the provisions of paragraph (6) of Public Law 74, 77th Congress (7 U. S. C. 1340 (6)), relating to the reduction of storage amount of wheat, any acreage diverted from the production of wheat under the program carried out under this subsection shall be regarded as wheat acreage;

"(6) the Secretary shall utilize the technical services of agencies of the Department of Agriculture in determining the scope and provisions of any plan and the acceptability of the plan for effectuating the purposes of the program. In addition the Secretary shall take into consideration programs of State and local agencies, including soil conservation districts, having for their purposes the objectives of maximum soil and water conservation;

"(7) there is hereby authorized to be appropriated without fiscal year limitation, such sums as may be necessary to carry out this subsection: *Provided*, That the total cost of the program (excluding administrative costs) shall not exceed $150 million, and for any program year payments shall not exceed $25 million. The funds made available for the program under this subsection may be expended without regard to the maximum payment limitation and small payment increases required under section 8 (e) of this act, and may be distributed among States without regard to distribution of funds formulas of section 15 of this act. The program authorized under this subsection shall be in addition to, and not in substitution of, other programs in such area authorized by this or any other act."

SEC. 2. Section 334 of the Agricultural Adjustment Act of 1938, as amended, is amended, effective beginning with the 1957 crop of wheat, by adding a new subsection as follows:

"(g) If the county committee determines that any producer is prevented from seeding wheat for harvest as grain in his usual planting season because of unfavorable weather conditions, and the operator of the farm notifies the county committee not later than December 1 in any area where only winter wheat is grown, or June 1 in the spring wheat area (including an area where both spring and winter wheat are grown), that he does not intend to seed his full wheat allotment for the crop year because of the unfavorable weather conditions, the entire farm wheat allotment for such year shall be regarded as wheat acreage for the purposes of establishing future State, county, and farm acreage allotments: *Provided*, That if any producer on a farm obtains a reduction in the storage amount of any previous crop of wheat by reason of underplanting the farm wheat acreage allotment pursuant to paragraph (6) of Public Law 74, 77th Congress (7 U. S. C. 1340 (6)), or by reason of producing less than the normal production of the farm wheat acreage allotment pursuant to section 326 (b) of this act, this provision may not be made applicable to such farm with respect to the crop of wheat for which the farm acreage allotment was established."

The SPEAKER. Is a second demanded?

Mr. HOPE. I demand a second, Mr. Speaker.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. COOLEY. Mr. Speaker, the very distinguished gentleman from Kansas [Mr. HOPE] is the author of this measure

which I am now calling up for consideration.

May I observe that the gentleman from Kansas has served with great ability, competency, and distinction in this House for many, many years. A number of bills have passed bearing his name. This is probably the last Hope bill that will be presented to the Congress of the United States because when this session ends, we will lose the valuable services of this great statesman. I know he is loved by all of us and held in high esteem by every Member of both Houses of Congress. I do not know of anyone who has devoted himself more untiringly to the public service, nor do I know of anyone who is more worthy to retire. It is our pleasure to bring this bill to the floor of the House, and it is now my pleasure to yield to the gentleman from Kansas [Mr. HOPE] to present the bill and I do so with great respect.

Mr. HOPE. Mr. Speaker——

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I yield.

Mr. COOLEY. Now that the House has expressed such great confidence in my colleague, I am quite certain that the Members will accept his views concerning this measure.

Mr. HOPE. Mr. Speaker, I am, of course, greatly moved by the kind remarks of my distinguished colleague from North Carolina and for your most generous response to what he said. The fact is I am somewhat overwhelmed, and I cannot at this moment find words to express my thanks to him and to you. I do want you to know that this will always remain one of the high spots in my life and I shall never forget this demonstration of your friendship and kindness.

Mr. Speaker, at this late hour, I do not want to take the time of the House to discuss this measure at any length, but I think I should explain it briefly before asking you to vote for it.

On January 11, last, the President sent to the Congress a message entitled "Program for the Great Plains." The area covered by that message comprises parts of 10 States with a population of 17 million people. It consists of some of the richest and most productive soil in this country. It is a great agricultural empire. But, to a greater extent than most areas it is subject to the vagaries of the weather and to recurring periods of drought. For that reason agriculture there must be carried on somewhat differently than it is in those parts of the country where the weather is consistently more humid.

The program which was submitted by the President is designed primarily to stabilize the agriculture of the area. Most of it can be carried out under existing legislation. However, it is necessary to enact the particular measure which is now before us in order to round it out.

This measure does two things. One, is to provide an amendment to the soil conservation and domestic allotment act whereby soil conservation programs can be carried out through the medium of contracts with farmers for as long as 10 years.

It differs also from the soil conservation and domestic allotment act proper in that it provides for placing entire farms in the program instead of just such part of the farm as a farmer may want to bring under it. It has some features of the soil bank program but differs from it in that its principal purpose is a change in land use rather than a reduction in agricultural production.

It is a voluntary program in every respect. It has been worked out through conferences with farmers and businessmen in the area, and by utilizing the accumulated experience of farmers, the Extension Service, the Soil Conservation Service, the Agricultural Conservation program, the Farmers Home Administration, the land grant colleges and the other Federal and State agencies including the Great Plains Council. I think it is sound and given time will be a success in every way.

The second thing this bill does is to provide that farmers who produce wheat, which is the basic crop of that area, will not be required in years of unfavorable weather to plant their acreage in order to hold their allotments. This is a sound proposal, because without legislation of this kind farmers feel they must plant their land in order to hold on to their allotments. In addition the bill will permit the maintenance of wheat history on farms where no wheat is produced because of unfavorable weather conditions.

That sums up in brief the purpose of this legislation. The people of 10 States are interested in it. It is a part of the President's program and that of the Department of Agriculture. It will bring about the best possible use of the great agricultural resources of the area.

I hope, Mr. Speaker, that the House will pass this legislation by the large majority which I believe it deserves on its merits.

Mr. HILL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HILL. Mr. Speaker, I want to speak in support of the bill that is before us. This proposed amendment to the Soil Conservation and Domestic Allotment Act will provide a tool essential to implementing a long-range program of land use adjustments and soil conservation in the Great Plains area.

The Department of Agriculture has developed an effective long-range program for the Great Plains. Its objective is to assist farmers and ranchers to develop for themselves a land-use program which will help them avert many of the hazards that come with the recurring droughts common to the region.

This program looks forward to preserving and enhancing the great productive capacity of the Great Plains. It rests on the foundation blocks of further conservation, wise use and management of the area's soil and water resources. It recognizes the fact that if the agriculture of the Great Plains is to be stable certain portions should be permanently in grasses.

The program encompasses a wide variety of assistance to farmers and ranchers in the Great Plains. It is a many-pronged approach through which the total facilities of the Department of Agriculture can be brought to bear simultaneously on the difficult problem in a coordinated manner. The heart of the program is a long-time conservation plan for individual farms and ranches through which conservation and land-use adjustments can be worked out with producers in accordance with the capabilities of their land.

The authority is already available for carrying out most of the phases of the total effort, and work is under way. The land classification work of the Soil Conservation Service has been intensified. The program of on-the-farm technical assistance in soil and water conservation through soil-conservation districts is being accelerated by the Soil Conservation Service.

The ACP cost-sharing program on those practices that are intended to bring about those land-use adjustments required for a long-range program are being accelerated and rates of payment have been made more flexible. Farm credit programs are being geared to meet the need for intermediate- and long-term credit to permit the enlargement and adaptation of farm units that are now too small or improperly organized to make the best use of resources.

Federal crop insurance is being further developed and strengthened to eventually serve as a major protective measure against crop losses in all areas suitable for arable farming. An expanded, sustained, cooperative, coordinated program of research is being developed. Educational efforts of the State extension services are being stepped up.

All of these efforts are important and helpful, but to be fully effective there is need for assuring producers of continuing cost-sharing assistance for applying soil and water conservation measures over a period of years.

Take, for example, the problem of a young farmer who is confronted with the problem of converting from straight wheat farming to a combination of wheat and grass farming. He cannot make a shift in a 1-year period. It takes a period of several years for the conversion, and he has to be able to make a living while the conversion is being made. He needs continuing assistance throughout the period of conversion.

The Department of Agriculture does not now have the authority to gaurantee producers this continuing assistance. The bill we are considering would give the Department the authority to make long-term contracts with producers assuring continuing cost-sharing assistance as they move forward in the installation of and inauguration of the various segments of the conservation plan developed for their operating unit.

This is what this young farmer needs to make the conversion because of the high cost of converting and the long period of time that is involved.

The situation might be described this way. It is like trying to drive a car down the road with the brake dragging on one wheel holding back the whole car. The logical thing to do is to get the brake released on that one wheel. The bill we

are considering will release the brake on the one wheel of the Great Plains program that is slowing up progress.

There are several features of this bill that I believe will be especially important to the farmers and ranchers of my State, Colorado. For one thing, it makes possible a continuation of the contract for applying the conservation plan to the land if there should be a change in ownership. If a man wants to sell his land, he can go ahead and sell it and the new buyer will continue with the conservation effort where the last owner left off.

It will give farmers a new opportunity to plant some trees around their farmsteads for shelter from the cold winds in the winter and for shade in the hot summer weather. It will give new opportunities for planting more of the new grasses that have been developed and are being developed for our area of the country.

This bill has many advantages for helping to protect and improve the soil resources of the Great Plains so that we can continue to supply our share of the food and fiber needs of the entire Nation. I urge that the House support this worthwhile and necessary legislation.

The SPEAKER. The question is: Will the House suspend the rules and pass the bill H. R. 11833?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AMENDING CERTAIN WOOL IMPORT DUTIES

Mr. COOPER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 12227) to amend certain provisions of the Tariff Act of 1930 relative to import duties on wool.

The Clerk read as follows:

Be it enacted, etc., That the first sentence of paragraph 1101 (b) of the Tariff Act of 1930, as amended (19 U. S. C., sec. 1001, par. 1101 (b)) is amended—

(1) by inserting after the word "foregoing" the following: "and all other wools of whatever blood or origin not finer than 46s, and hair provided for in paragraph 1102 (b)"; and

(2) by inserting before the period at the end thereof a colon and the following: "*Provided*, That a tolerance of not more than 10 percent of wools not finer than 48s may be allowed in each bale or package of wools imported as not finer than 46".

SEC. 2. The amendments made by this act shall be effective only with respect to wool and hair entered, or withdrawn from warehouse, for consumption, during the 3-year period beginning on the 60th day after the date of the enactment of this act.

Amend the title so as to read: "A bill to suspend for 3 years the import duties on certain coarse wool and hair."

Mr. REED of New York rose.

Mr. BUDGE. Mr. Speaker, I demand a second.

A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BUDGE. The committee report says the bill came from the committee by unanimous action. I am opposed to the bill and demand a second.

The SPEAKER. Is the gentleman from New York opposed to the bill?

Mr. REED of New York. I am not opposed to the bill.

The SPEAKER. The gentleman from New York does not qualify. The gentleman from Idaho qualifies.

Without objection, a second will be considered as ordered.

There was no objection.

Mr. COOPER. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, H. R. 12227, as unanimously reported by the Committee on Ways and Means, would amend the Tariff Act of 1930, as amended, so as to suspend for a period of 3 years the import duties on certain coarse wool and hair imported under both for use in the manufacture of certain cloth articles such as carpets and other floor coverings.

Paragraph 1101 (b) of the Tariff Act of 1930, as amended, provides for free entry under bond of imports of certain wools and animal hair for use in the manufacture of press cloth, camel's hair belting, knit or felt boots, heavy-fulled lumbermen's socks, rugs, carpets, or any other floor coverings. The imports for which such free entry is provided are those which, if employed for other end uses than those specified, are dutiable under paragraph 1101 (a) of the Tariff Act of 1930. The amendment that would be made by your committee's bill would permit the duty-free importation under bond of wools of whatever blood or origin not finer than 46s and hair provided for in paragraph 1102 (b) of the Tariff Act of 1930, with a proviso that a tolerance of not more than 10 percent of wools not finer than 48s may be allowed in each bale or package of wools imported as not finer than 46s. The proviso set forth in the bill is in general accord with present tolerance provisions where fineness of imported wools is relevant to their classification for customs purposes.

In considering this legislation the Committee on Ways and Means was informed that the bill would be of particular benefit to the domestic carpet industry. Unimproved wools, on account of springiness and resilience of some or all of their fibers, provide a more satisfactory and longer wearing nap on carpets and rugs than improved wools. There is very little domestic production of unimproved wools and none of camel's hair. Such domestic production of unimproved wools as does exist in the United States is largely done on Indian reservations for the making of Indian blankets and other handicraft products.

The Committee on Ways and Means was advised that within the 3-year suspension period provided by the bill there is little likelihood of the development of a domestic-wool industry that would produce grades of wool suitable for use in the manufacture of carpets. The United States carpet industry has been largely dependent upon imported wools for use in domestic-carpet production. Some of the countries that have been important producers of unimproved wools have taken measures to restrict their wool exports with a view to conserving the supplies for their domestic industries. In addition, the disruption of United States trade with Communist China—formerly an important source of our imports of unimproved wools—has considerably restricted the supplies of such wools available to domestic manufacturers of carpets. In the absence of a removal of the duty on carpet-grade wools as provided for in H. R. 12227, foreign carpet manufacturers will continue to enjoy an advantage over domestic carpet producers with the result that the United States consumption of carpets will substantially be carpets of foreign manufacture. By making the raw materials more economically available to the domestic carpet industry, we will be improving the competitive position of such industry in the domestic market and assuring the utilization of American labor in the production of such carpets.

The Departments of State, Commerce, and Treasury reported favorably to your committee on H. R. 12227.

In approving this legislation, one substantive amendment and certain necessary clerical and technical amendments were adopted. The legislation, as introduced, would have made permanent the provision of the free entry of the wools and hairs covered by the bill. The Committee on Ways and Means adopted an amendment to provide for a suspension of the applicable duty for a period of 3 years so that at the end of the period the Congress could undertake to review the experience with the suspension and determine appropriate legislative action with respect to the future.

The Committee on Ways and Means was unanimous in approving H. R. 12227, as amended.

Mr. BUDGE. Mr. Speaker, I yield 5 minutes to the gentleman from Utah [Mr. DIXON].

Mr. DIXON. Mr. Speaker, I rise in opposition to this bill, in the first place because it is premature. There have been no public hearings held on the bill. In fact, it was changed just recently to include up to grade 46 wool instead of 48. Our wool producers heard that the grade of fineness was to be extended from 40 to 48. They are very much opposed and alarmed because of that misconception. If further hearings had been held they might have been more reconciled to it when they learned that the bill had been amended to include only grade 46.

In the second place, I am opposed to the bill because foreign wool could displace from 2 to 5 percent of our coarser domestic wools. I learned, too, that on our desert lands and through the increased production of the mutton type of sheep, we are producing more of these rough wools which can go into carpets. So I do not think we should displace this local production with imported wools.

In the third place, grade 46 wool is usable for overcoats and rough apparel. If we take away the tariff on this type of wool for carpets, then the apparel people are justified in coming in to ask that we take away the tariff on their

wool. If we say "No," then we are inconsistent; if we say "Yes," then we have ruined our sheep industry. Furthermore, the bill permits 10 percent grade 48 wool which constitutes a large part of our domestic production.

In the third place, it will increase our taxes because the Government will just have to buy more wool under these incentive payment features rather than move it into consumption.

In the fourth place, it is contrary to Federal policy because our law now gives our woolgrowers an incentive for producing more wool. The reason they give our woolgrowers an incentive is, first, since 1942 the number of sheep in the United States has dropped about 45 percent, from about 49 million head to 27 million head. Second, because we have found no substitute for warmth for our wool in wearing apparel. The next wars will definitely be fought in cold countries, and our country must have warm apparel for our military. This wool is an absolute necessity for the safety of our country, and that is why the Government is offering incentive payments to the domestic woolgrowers in order that we might have a domestic supply of wool rather than run the hazard of shipping wool 5,000 to 8,000 miles from Australia, New Zealand, or South Africa at the risk of losing all our wool supply.

In the fifth place, this is not the time to meddle with our tariff structure, especially in a piecemeal fashion. The problem should be looked at as a whole. If we start to meddle with it now in this late stage of the Congress, we will have a chain reaction that might bring the whole thing down on our heads and cause serious discrimination to other industries.

Mr. Speaker, for all of these reasons I am very much opposed to the bill, the same is true of our State Wool Growers Association.

Mr. MARSHALL. Mr. Speaker, will the gentleman yield?

Mr. DIXON. I yield to the gentleman from Minnesota.

Mr. MARSHALL. I thank the gentleman from Utah, and I would like to associate myself with his very splendid statement. I, too, have found a great deal of concern among the woolgrowers in my State that this matter is brought up at this late hour without any opportunity of appearing before the Committee on Ways and Means that considered this very important matter. It is a very important matter to the sheep-growing industry of the United States. And, I again wish to thank the gentleman for his very splendid statement.

Mr. BUDGE. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. MILLER].

Mr. MILLER of New York. Mr. Speaker, unfortunately this is what happens when legislation like this is brought to the House at this late hour. I think probably some of it is prompted by the desire to help some Members of the House without realizing that at the same time you may be passing legislation which is discriminatory and which may be very harmful to other people and other districts in the country.

Now, I just had a telephone call from some people who are executives of an industry in my district which hires a lot of people and upon which industry a great number of people are dependent for their livelihoods and jobs. Now, I may be in error; I am not on the Committee on Ways and Means, and I do not profess to be an expert on this bill, but this is what I was told. In this felt industry they buy hundreds of thousands of dollars worth of wood in the foreign market, of just this type of wool, which they use in making the felt which goes in the paper machine to make paper. I am told that this wool is in short supply in the world market. And, I am told that if this legislation passes that my industry in New York will be out-bid by certain industries favored in this legislation by 15 to 20 cents a pound, because these industries will bring it in duty free, and the industry I am referring to in my district will still be paying the duty. Of course, that legislation would be most discriminatory, most unfair, and I understand it is controversial, because I understand this very bill was defeated by one vote in the Senate Finance Committee only last week.

Now, if there is an answer to that question which I raise as to its discriminatory features, I would be very glad to have some member of the Committee on Ways and Means straighten me out.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. MILLER of New York. I yield to the gentleman from Louisiana.

Mr. BOGGS. The gentleman claims, as I understood his statement, that your processor or manufacturer or whatever he is uses the identical type of wool which is covered in this proposed legislation; is that correct?

Mr. MILLER of New York. He purchases this coarse type of wool on the world market.

Mr. BOGGS. How could this legislation conceivably hurt him, then?

Mr. MILLER of New York. As far as he is concerned, he would be paying the duty, but as to the specific industries covered in the bill, it would be duty free.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. COOPER. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Speaker, I have been a protectionist all my life, ever since I have been in Congress. I have never lost an opportunity to help protect the wool growing industry of this country. Here is a situation where I think I can make the issue rather clear. We have these rug manufacturers in this country who manufacture their rugs from this coarse wool which they import from abroad. This coarse wool is not produced in this country. Already our factories are beginning to close up because they cannot get a supply of it. Where does this come from? Most of it comes from Russia. Russia sends it to England. England makes it into rugs, which come in competition with our labor here. The rates of pay of the laborers in England are infinitesimal compared with ours. So that with that cheaper labor they are able to send their products in here and we have to close our factories. I do not believe in that. I want to see our men employed in our factories.

If this were a case where it was going to hurt our woolgrowers, that would be one thing. But that is not the case. I am satisfied that this bill ought to pass. I supported it in committee.

Mr. BUDGE. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. SISK].

Mr. SISK. Mr. Speaker, I rise in opposition to this bill. I will say quite frankly I do not know very much about the bill except, as I understand from the woolgrowers in the West, they have not had an opportunity to review the latest conditions as they are affected by this bill. Certainly a suspension of import duties for a period of 3 years offers some danger to the wool producers of America. For that reason I shall certainly oppose passage of this bill.

As I understand from some of my friends who are in favor of the bill, it may be that it is good legislation. In that case I would say that in the next session of Congress they will have ample opportunity to prove that particular point. But I believe that it would not be good at this late hour to attempt to pass this type of legislation. For that reason I hope that the House will turn down this particular piece of legislation at this time.

Mr. HAGEN. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to my colleague from California.

Mr. HAGEN. I understand there were no hearings on this bill, there were no estimates made of how much it would cost the Government in loss of revenue through loss of tariff duties, or what the additional cost of the wool subsidy would be that would be created by permitting this foreign competition.

Mr. SISK. That is exactly my understanding. That is one of the reasons why there is this opposition, because of the lack of sufficient hearings and the lack of knowledge of what the result of this legislation would be.

Mr. COOPER. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. SIMPSON].

Mr. SIMPSON of Pennsylvania. Mr. Speaker, as the gentleman said who preceded me, the gentleman from New York [Mr. REED], I believe in protecting American industry. It is only rarely that I support legislation which reduces tariffs. I do it, I assure you, only after very, very careful study.

In the instance before us we are told that less than 1 percent of the particular type of wool that we are talking about here which is used in the manufacture of carpets is grown in the United States. Therefore, 99 percent of this kind of wool has to come from outside the United States. It comes to us either raw, in which case the American manufacturer has to pay a duty, and then have an American workingman work on the wool, or it comes in, as it does actually, manufactured into carpets, and it shuts down the American carpet factory here and it causes unemployment. This bill is de-

signed to correct that unemployment in the manufacturing industry of carpets here in the United States. It will not in any way cause unemployment in the sheepherding areas of the country because they simply do not grow that kind of wool here in the United States. No one can give you or give us any figures whatever that show that this type of wool is grown in any substantial quantities here in the United States. Oh, they look ahead and they say the day is coming when the present program will give us the kind of sheep that grow the kind of wool that we hope to be able to make carpets out of here in the United States. Keeping that in mind, your committee gave 3 years for that to develop.

Mr. BUDGE. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. O'BRIEN].

Mr. O'BRIEN of New York. Mr. Speaker, I hesitate to question a bill which comes from such a great committee, and unanimously. I realize that the committee wanted to help the carpet industry in his country. I should like to see the carpet industry in my State and in my area helped, but I am very much afraid, after a rather rapid reading of this bill, that we propose to help Peter and destroy Paul. I feel that this bill definitely discriminates against the felt industry. They are not permitted to bring in this wool duty free. With the limited supply, and I am told there is a limited supply of this particular wool in the world, the carpet industry will have a 17-cents-a-pound bulge on the felt industry, and the felt industry will be hard hit.

I am willing to concede that other people have given me different figures. They have told me that there is a sufficient quantity to take care of both. On the other hand, at this late part of the session we are confronted with these conflicting figures, so I do not think in our haste to help one industry we should risk destroying or hurting another.

Mr. MILLER of New York. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. MILLER of New York. Was it not indicated when I made a similar statement that this bill encompassed the felt industry? I believe the statement was made by the gentleman from Louisiana [Mr. BOGGS]. I think now it is admitted it does not cover the felt industry.

Mr. HARRISON of Virginia. Mr. Speaker, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. HARRISON of Virginia. The carpet wool has always been on the duty-free list. This companion measure has been pending nearly 2 years. I am frank to say that the objection that has been raised takes me somewhat by surprise. It is my information that there are 250 million clean pounds of this wool available. The carpet users that come under this bill will not use over 30 million pounds of it, so it will not affect the supply.

Mr. MILLER of New York. If the gentleman will yield, the gentleman will admit that the felt industry is not covered or protected by this?

Mr. HARRISON of Virginia. The felt industry is not covered by existing law. Why that is I do not know. It is very possible that the felt people can get a proper supply of this wool and the carpet people cannot.

Mr. O'BRIEN of New York. May I point out that the felt industry is not in competition in the market with the carpet industry. If this were not a limited world supply, I am very sure there would not be the current alarm in the felt industry, an alarm which has been expressed just within the hour during telephone calls by Members to people in the felt industry in their districts. If there were not a limited supply of this material, I do not think they would care how much of it the carpet industry got.

Mr. COOPER. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. FISHER].

Mr. FISHER. Mr. Speaker, I rise for the purpose of expressing my opposition to this bill. In this brief time, there is, of course, no opportunity to go into the details of the proposed legislation. I can say, however, that the National Wool Growers Association are very apprehensive about it and its effect. They requested an opportunity to be heard. That opportunity was not given to them. This legislation, if it has any merit, should have had a full hearing and the merits should be demonstrated and brought out in a hearing. In my judgment, this is not the way to legislate on a bill of this kind, controversial as it is. I think the committee should have held hearings and allowed those who are against certain features of it a chance to be heard, and show the reason why, and also for those who sponsor it to publicly show why it should be enacted. For that reason, I feel the House at this late hour of the session should certainly reject this method of legislating on this controversial piece of legislation.

Mr. BUDGE. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. DAWSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. DAWSON of Utah. The gentleman is a member of the Committee on Ways and Means. I want to ask him if the Department of Agriculture testified in favor of this bill.

Mr. CURTIS of Missouri. In executive session, they took a position opposed to the bill. I want to make the statement as a member of the Committee on Ways and Means who voted out this bill, we did not have this presentation of the felt industry before us. Why that information was not given to us, I do not know. I will assume that it was just a mistake. But, I certainly think in light of the fact that the felt industry is involved, this matter ought to be referred back to the committee so that this matter can be fully gone into.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. SIMPSON of Pennsylvania. The gentleman raises the question of the felt industry. I say this is a carpet bill. The bill was brought in for the carpet industry and the gentleman knows that. If there are other industries interested, they should bring their bill in and present it to our committee and they would get consideration.

Mr. CURTIS of Missouri. The point the gentleman is not bringing up is that when we considered this, if there was a shortage, as this industry alleges there is, this will then put them at a disadvantage. Certainly, before we take any action, we ought to have those facts before us and we should not be legislating in the dark. Certainly, as one member of the Committee on Ways and Means, I am going to change my vote and recommend to vote this bill down.

Mr. FISHER. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. FISHER. The gentleman just made a significant statement indicating that the Department of Agriculture questioned the propriety of this legislation. Will the gentleman go further and indicate whether the Tariff Commission made any departmental report on this bill?

Mr. CURTIS of Missouri. Yes, they made a report to our committee. The Department of Agriculture position was opposed to the bill. As I stated, when we reexamined it further, they said it was primarily a psychological situation. I do not feel that the Department's position is sound, and I certainly feel this other industry, the felt industry, ought to have been heard.

Mr. COOPER. Mr. Speaker, I yield 5 minutes to the gentleman from Louisiana [Mr. BOGGS].

Mr. BOGGS. Mr. Speaker, I might start off by saying that there are no carpet manufacturers in my area and so far as I know, no wool is grown there. So I believe, and I hope, that I can take an objective approach to this legislation. Let us see what is involved here. We have a carpet industry in America located primarily in areas represented by distinguished Members like the gentleman from Pennsylvania [Mr. SIMPSON], the gentleman from New York [Mr. REED], the gentleman from Pennsylvania [Mr. QUIGLEY], and many others. What is happening to these people today? Because of the world situation and primarily because of what is going on in Russia and Communist China, the British carpet industry is able to obtain these fibers at a very cheap rate. The British carpet industry then exports the manufactured carpets into the United States of America and that industry captures our domestic markets.

What does this bill propose? Certainly it does not propose to take anything away from the woolgrowers, because the American woolgrowers do not have this market today.

This market today is monopolized by the Russians, by the Chinese Communists, and by other people who raise sheep in other places in the world, but not by any American sheep grower.

What would be the net effect of the bill? It would help an American industry; it would help the carpet industry in this country; it would help American employment. It would not take 1 pound of wool away from any sheepherder or sheep grower in America. I have nothing against the woolgrowers.

Mr. DIXON. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. No; I am sorry; the gentleman would not yield to me.

Mr. DIXON. I tried to.

Mr. BOGGS. No, you did not. I have nothing against the woolgrowers, but, my goodness, if there is any agricultural commodity which is subsidized by the Government it is the wool producers. I am informed that they have a support price of about 106 percent of parity, and each one of them gets a subsidy payment from the Government, gets the Brannan plan which was rejected some years ago but was put into effect by the present administration.

Mr. BUDGE. Mr. Speaker, will the gentleman yield to me?

Mr. BOGGS. No; I am sorry; I am not going to yield right at the moment; I may yield in a minute.

My good friend from Missouri who voted for the bill in the committee says that the Department of Agriculture is opposed to this bill. Maybe it is, but I want to tell you this, it was awfully hard to find out what their position was.

My recollection is that the gentleman from Arkansas [Mr. MILLS], a member of our committee, inquired of the representative of the Department of Agriculture as to what his position was, and he said, "Well, it is psychological."

I think we have had enough of psychological decisions in opposition and that sort of thing in the last year or two.

Some member of the committee wanted to know whether the psychological effect was on the woolgrower or on the sheep. The effect may be on the Department of Agriculture. Except for the use of the word "psychological" they could not point out in what way this bill could conceivably hurt a single woolgrower anywhere in the United States of America. On the other hand, it will help tremendously in American industry.

Now, let us look at another thing. Here today the felt industry comes in.

Mr. TABER. Mr. Speaker, will the gentleman yield for a question?

Mr. BOGGS. Yes, I will be glad to yield to the gentleman.

Mr. TABER. Is the felt industry competitive at all with the carpet industry?

Mr. BOGGS. As far as I know it is not.

Mr. TABER. Therefore this would not hurt the felt industry in the least.

Mr. BOGGS. As far as I know it would not, but let me make this further observation with respect to that industry: This bill was introduced in March 1955, one year and four months ago. The felt industry had 15 months to come in and be heard, but not until late this afternoon of July 23, 1956, by virtue of a telephone conversation to a distinguished Member of this body from New York did they claim that we were about to pass a bill which discriminated against them.

Should there be discrimination I am all for correcting the discrimination, but I know that this bill is needed by the carpet industry and let us not kill it because of these objections which are invalid.

Mr. BUDGE. Mr. Speaker, I yield one minute to the gentleman from Wyoming, [Mr. THOMSON].

Mr. THOMSON of Wyoming. Mr. Speaker, I would like to be helpful to the domestic industry. I think my short record in this Congress has been consistent in this regard.

My objection is to the manner in which this bill has been brought up under a suspension of the rules when there was no opportunity given to people who were interested to come in and tell their story and no opportunity given for us to contact them. I do not know, I have not had the opportunity to find out whether this is a good bill. In reference to some of the things I am about to say, I would not like to be held to for that reason. As I understand it, there is some of this grade of wool raised in this country. They are changing the standard from 48 to 46 and that will involve substantially more wool. There is also some wool in the CCC stockpile owned by the Government.

In addition to that, I have a very strong feeling about this matter in the following respect: This industry is one of the first that got hit by a wrong foreign trade policy and I think we either stand together or fall together. I do not like to see one industry let go and we be left hanging.

Mr. BUDGE. Mr. Speaker, I yield such time as he may require to the gentleman from Ohio [Mr. HENDERSON].

Mr. HENDERSON. Mr. Speaker, I believe this bill would be harmful to the sheep growers of America. Practices of indiscriminate importation of wool have already harmed the sheep raisers in southeastern Ohio. Once sheep in great numbers roamed the hills of the counties of the 15th District of Ohio and produced a livelihood for hundreds of farmers. Today there are few such farmers and most of them are not flourishing in this period when our Nation is enjoying prosperity.

There is a heated controversy among my colleagues whether this particular bill will be harmful to the woolgrowing industry, and since these great minds in Congress do differ, I must vote against anything that might harm the sheep growers of my district. There have not been public hearings. It is brought up in the last week of a dying Congress and under suspension of the rules. And further, it opens the door for additional relaxation of tariffs on wool which can destroy the sheep raising industry. I want to see the day when this fine group of farmers in my district can enjoy a prosperous domestic wool market, not the day when they have been forced out of business by wool from abroad.

Mr. BUDGE. Mr. Speaker, I yield 1 minute to the gentleman from Nevada [Mr. YOUNG].

Mr. YOUNG. Mr. Speaker, I rise in opposition to this bill and I would like to associate myself with the remarks of the gentleman from Wyoming.

As has been pointed out, this bill was introduced a year and 4 months ago and has been pending in the Congress all that time. I think the hour is too late to give worthy consideration to a measure of this type. I know the people I represent have not had an opportunity to testify either for or against it or to make their desires known. I am sympathetic with the position of the carpet industry, but I do not think we should pass hastily a measure which is somewhat inconsistent with legislation enacted several years ago to help the important domestic wool industry.

Mr. BUDGE. Mr. Speaker, I yield 1 minute to the gentleman from South Dakota [Mr. BERRY].

Mr. BERRY. Mr. Speaker, this is probably the most important piece of legislation this House will be called upon to decide in the short space of 20 minutes.

It is far too important a matter to be given a hurried and half-considered decision. I submit to you that the House should kill this bill and then next January when we return, give full and complete hearings to the bill with every segment of the economy to be effected given an opportunity to be heard, and then, if we decide that relief should be given to the carpet industry, provide that relief on a basis that will not at the same time further ruin the wool industry in this country.

Reference has been made by the proponents of this bill to the fact that the carpet industry is in need of relief because carpet material is coming into this country duty free and that domestic industries must meet this competition. I submit to you that if the carpet industry is in need of help, and I do not doubt that it is, the proper method of granting assistance would be to impose a duty on carpeting material so that domestic industry could meet that competition and not attempt to provide relief by removing the tariff on imported wool which will only further damage a sick domestic wool industry.

The argument is made by proponents of the bill that it only applies to the lower grades of wool and only runs for 3 years. This is true. However, this is only a "foot in the door" move. There is a strong move on the part of the textile industry to remove or at least lower the tariff on all wools. This bill is a step in that direction.

Proponents contend that this bill will not affect domestically produced wools. I call your attention to page 2 of the bill. At line 1 the bill reads, "*Provided*, That a tolerance of not more than 10 per centum of wools not finer than 48s may be allowed in each bale or package of wools imported as not finer than 46s."

If the bill should pass, this would mean that 90 percent of the wools coming into this country duty free could contain 10 percent of wool not coarser than 48s. In other words, 10 percent of every bail could be sold directly to the textile industry for the manufacture of overcoats, heavier suits, sports clothes and the like. There is a vast amount of bootlegging of textile wools at the present time, should this bill pass it would put a premium on bootleg wools and it would seriously affect domestic production.

I do not have the figures on the amount of wools in the CCC stockpiles not finer than 46s, but I am advised that the CCC stockpile today contains more than 11½ million pounds 48s and they are trying

to tell you that these wools are not produced in the United States.

It is my understanding that all wools not finer than 40s now come into this country duty free. The wool industry has not fought this provision too hard in the past because it did not affect our domestic industry too much, but when they start chiseling into the finer wools, wools that can and should be produced domestically, then I say it is time to call a halt.

There are those who believe that the solution of the farm problem lies not in taking more of our land out of production, but rather in making use of that land for the production of produce we now import which could be raised domestically. One of these items is wool. If the American farmer were given tariff protection on wool the acres that could be converted into that production would be greater than we plan to idle through the soil-bank program.

I say to you, my colleagues, that today, instead of trying to take the tariff off of wool, we should be adding a higher protective tariff on all grades of wool and increasing the tariff on this coarser wool which could well be produced on the smaller farms in the East and Middle West. These kinds of sheep are hardier; they make better mutton and lamb cuts than the finer-wooled sheep.

This Congress has established a subsidized wool program with a view of increasing wool production in this country. Are we now going to tear that industry down by removing the protective tariff? Are we going to ruin that industry by chopping away what little protection we now have? Would it not be better, would it not be wiser, would it not be more logical for us to delay action on this legislation until such time as we have had an opportunity to make a thorough study of the effect such legislation will have on all segments of the economy of this country?

Proponents make the point that this bill will only be effective for 3 years and for that reason will not seriously affect the wool industry. I submit to you that 3 years of malignancy on an already sick industry is serious. The domestic wool industry is a sick industry. It has been the "whipping boy" for all kinds of international trade experiments for years. These experiments have cut the sheep population in this country in half. Do we now propose to further experiment with it? Do we propose to further bind it up in "free trade"?

I submit to you that the closing days of a session of Congress is no time to pass decision upon a matter as important to agriculture and the domestic wool industry as is proposed in H. R. 12227. I ask that the bill be killed.

Mr. BUDGE. Mr. Speaker, I yield 1 minute to the gentleman from Oregon [Mr. COON].

Mr. COON. Mr. Speaker, I rise in opposition to this legislation. I am disappointed that this bill should come to the floor of the House without proper hearings to give the industry a chance to oppose it. The industry is opposed to it.

Mr. BUDGE. Mr. Speaker, I yield myself the balance of the time on this side.

Mr. Speaker, I rise in opposition to this bill. I do not feel it should be enacted into law at this time. The Congress will be back in session in 5 months. Certainly the carpet industry has gone along for quite some time without this legislation. We have had absolutely no information given to us as to the effect of this legislation. We feel we are entitled to have hearings conducted by the committee; that the Department of Agriculture should be heard; that the Tariff Commission should be heard; and that the members of the industry should be heard, should they care to oppose this bill.

Mr. Speaker, I am sure that the industry is opposed to the bill, and they should be permitted to give their opposition to the members of the Committee on Ways and Means. I hope that the Congress at this late hour, without definite hearings, without hearing from the people who will be affected by this tariff reduction, will not pass the bill.

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANHAM. Mr. Speaker, I am in favor of this legislation and urge its passage. American woolen rug manufacturers cannot compete successfully with foreign mills who pay much lower wages and who purchase their raw wool without a tariff.

Last autumn I tried to purchase a woolen hooked rug made in America but could find none either in Washington or Atlanta. There were plenty of woolen hooked rugs but all came from Japan, where wages are about a tenth of those paid in America. And Japan can buy Chinese wool at a lower price. This again is true with English and Belgian manufacturers.

Mr. COOPER. Mr. Speaker, I yield 5 minutes to the author of the bill, the gentleman from Virginia [Mr. HARRISON], to close debate.

Mr. HARRISON of Virginia. Mr. Speaker, it is a terrible thing when a Member of Congress loses his voice on any occasion, but when a southern Democrat loses it on the day when we vote on civil rights and cannot claim he lost it for a cause, that is really bad. I hope you will bear with me as best you can.

Now, I do not understand all the excitement about this bill. In the first place, let us start out with this thought and this truthful statement, that throughout the tariff history of the United States carpet wool has always been on the free list. Now, the reason it has always been on the free list is a very simple one, and that reason is that no wool that can go into carpets is produced in the United States. Now, there is in the 1930 act a definition which until the 15th day of December 1950 was entirely satisfactory. That definition permits the duty-free entry of certain named wools without regard to either 46's or 48's or any other forties. Now, in the 17th day of December 1950, the embargo on Chinese exports was put into effect and on that day this American industry lost the right to purchase 34.5 million pounds from China. Now, where has that wool gone? Well, I will tell you where it has gone. It has gone to the merchants and the manufacturers of carpets in Great Britain and in Belgium. They buy it duty free. They make it into woven carpet and they ship it into this country under circumstances that the American industry cannot compete with. As a result of that, since the fall of China, 1 million square yards of British and Belgian cloth came into this country and in the year 1955 4.1 million came in, with the result that a year ago, with the exception of one single factor, every single member of the carpet industry was losing money. In this bill every precaution has been taken to protect the domestic grower. In the first place, none of it can come in here that does not go into carpet, because it all goes into bond and it cannot get out of bond until they pay the tariff on it. In the second place, while technically it is true that to a slight infinitesimal degree the American producer can produce up to 46's, actually none of its can be cleaned up and nothing is coarse enough to get into and be used in carpets. And, third, as against the argument that someday, somehow, it might be that American manufacturers of carpet can find a way to use American cloth, this bill contains a limitation of 3 years after which it must be surveyed again to see whether or not any injury has been done.

There was a statement made here about the attitude of the Department of Agriculture. The Department of Agriculture said that the injury to the American grower was psychological. Mr. Speaker, there is nothing psychological about the injury that is being done to the American producer of carpets by the free importation into this country of millions of Chinese and Russian carpets.

I have wool in my district, but I want the American producers who are protesting this bill treated fairly. Mr. Speaker, let us remember that no industry has ever received the money bounty and the support that has been given to that industry by this Congress.

The SPEAKER. The time of the gentleman has expired.

Mr. COOPER. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. QUIGLEY. Mr. Speaker, I am in favor of H. R. 12227 and would like to associate myself with the remarks of the gentleman from Louisiana [Mr. BOGGS] and the gentleman from Virginia [Mr. HARRISON], the sponsor of the bill. I believe in the short time allotted to them they have very well expressed the overwhelming arguments in favor of this measure. In essence these arguments are this: That H. R. 12227 would give to an important domestic industry in this country a helping hand without at the same time in any way penalizing the

wool growers of our Nation whom we all recognize as a vital part of our agricultural economy.

In the face of the tremendous and often unfair foreign competition that has long since plagued the carpet industry in this country, I believe that it is important that this Congress pass the measure now before it. For this and many other reasons that I cannot now take the time to detail to the Members, I urge you to suspend the rules and adopt H. R. 12227.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill H. R. 12227 as amended?

The question was taken; and the Chair being in doubt, the House divided, and there were—ayes 114, noes 80.

Mr. HARRISON of Virginia. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 216, nays 123, answered "present" 1, not voting 92, as follows:

[Roll No. 113]

YEAS—216

Abbitt	Fascell	Mollohan
Abernethy	Feighan	Morano
Addonizio	Fino	Morgan
Albert	Flood	Multer
Alexander	Fogarty	Mumma
Allen, Ill.	Forand	Murray, Ill.
Andresen, August H.	Ford	Natcher
	Forrester	Nicholson
Andrews	Fountain	Norrell
Anfuso	Frasier	O'Brien, Ill.
Arends	Frelinghuysen	O'Hara, Ill.
Ashley	Friedel	O'Neill
Ashmore	Fulton	Ostertag
Auchincloss	Gary	Passman
Bass, N. H.	Gathings	Patterson
Bates	Gavin	Pelly
Baumhart	Grant	Perkins
Becker	Green, Oreg.	Philbin
Bennett, Fla.	Green, Pa.	Poff
Bennett, Mich.	Griffiths	Polk
Blatnik	Gwinn	Price
Blitch	Halleck	Prouty
Boggs	Hand	Quigley
Boiling	Hardy	Rabaut
Bolton, Frances P.	Harris	Ray
	Harrison, Va.	Reed, N. Y.
Bolton, Oliver P.	Hays, Ark.	Reuss
	Hays, Ohio	Rhodes, Pa.
Bonner	Herlong	Richards
Bow	Hess	Riehlman
Boyle	Holifield	Roberts
Brown, Ga.	Holtzman	Robeson, Va.
Brown, Ohio	Hosmer	Rodino
Broyhill	Huddleston	Rogers, Fla.
Burnside	Hull	Rogers, Mass.
Bush	Hyde	Rogers, Tex.
Byrne, Pa.	Jenkins	Rooney
Byrnes, Wis.	Jennings	Roosevelt
Canfield	Johnson, Wis.	Sadlak
Carlyle	Jones, Mo.	St. George
Carrigg	Jones, N. C.	Schenck
Chudoff	Karsten	Schwengel
Church	Kean	Scott
Clark	Kearney	Seely-Brown
Colmer	Kearns	Selden
Cooley	Keating	Sheehan
Cooper	Keogh	Sheppard
Corbett	King, Calif.	Shuford
Coudert	Knox	Sieminski
Cretella	Laird	Sikes
Curtis, Mass.	Landrum	Simpson, Pa.
Dague	Lanham	Smith, Miss.
Davis, Tenn.	Lankford	Smith, Va.
Dawson, Ill.	Lesinski	Springer
Deane	McCarthy	Staggers
Delaney	McCormack	Steed
Denton	McCulloch	Sullivan
Derounian	McGregor	Taber
Devereux	McMillan	Talle
Diggs	Macdonald	Taylor
Dingell	Mack, Ill.	Thomas
Dodd	Madden	Thompson, Mich.
Dondero	Martin	
Donohue	Matthews	Thompson, N. J.
Donovan	Merrow	Trimble
Dorn, N. Y.	Miller, Calif.	Tuck
Durham	Miller, Md.	Tumulty
Elliott	Mills	Vanik
Evins	Minshall	Vorys
Wainwright	Williams, N. J.	Yates
Widnall	Williams, N. Y.	Zablocki
Wier	Wilson, Ind.	Zelenko
Wigglesworth	Winstead	
Williams, Miss.	Wolverton	

NAYS—123

Adair	Hagen	Metcalf
Alger	Hale	Miller, Nebr.
Allen, Calif.	Haley	Miller, N. Y.
Andersen, H. Carl	Harden	Moss
	Harrison, Nebr.	Moulder
Aspinall	Harvey	Norblad
Avery	Hayworth	O'Brien, N. Y.
Ayres	Henderson	O'Konski
Baldwin	Hiestand	Pfost
Beamer	Hill	Pillion
Belcher	Hinshaw	Poage
Bentley	Hoeven	Radwan
Berry	Holmes	Rees, Kans.
Betts	Holt	Rhodes, Ariz.
Bosch	Hope	Rivers
Bray	Horan	Rogers, Colo.
Brownson	Ikard	Rutherford
Budge	James	Scherer
Cannon	Jarman	Short
Cederberg	Jensen	Siler
Chelf	Johansen	Simpson, Ill.
Chenoweth	Johnson, Calif.	Sisk
Coon	Jonas	Smith, Kans.
Cramer	Judd	Smith, Wis.
Cunningham	Kelly, N. Y.	Teague, Calif.
Curtis, Mo.	Kilday	Teague, Tex.
Davis, Ga.	Kilgore	Thomson, Wyo.
Dawson, Utah	Krueger	Tollefson
Dempsey	Latham	Udall
Dies	LeCompte	Utt
Dixon	Lipscomb	Vursell
Dorn, S. C.	Lovre	Watts
Ellsworth	McDonough	Weaver
Engle	McDowell	Westland
Fenton	McIntire	Wilson, Calif.
Fisher	McVey	Withrow
Fjare	Mack, Wash.	Wolcott
Flynt	Magnuson	Wright
George	Mahon	Young
Gray	Mailliard	Younger
Gross	Marshall	
Gubser	Meader	

ANSWERED "PRESENT"—1

Heselton

NOT VOTING—92

Bailey	Edmondson	Nelson
Baker	Fallon	O'Hara, Minn.
Barden	Fernandez	Osmers
Barrett	Gamble	Patman
Bass, Tenn.	Garmatz	Phillips
Bell	Gentry	Pilcher
Boland	Gordon	Powell
Bowler	Gregory	Preston
Boykin	Healey	Priest
Brooks, La.	Hébert	Rains
Brooks, Tex.	Hillings	Reece, Tenn.
Buckley	Hoffman, Ill.	Riley
Burdick	Hoffman, Mich.	Robsion, Ky.
Burleson	Holland	Saylor
Byrd	Jackson	Scrivner
Carnahan	Jones, Ala.	Scudder
Celler	Kee	Shelley
Chase	Kelley, Pa.	Spence
Chatham	Kilburn	Thompson, La.
Chiperfield	King, Pa.	Thompson, Tex.
Christopher	Kirwan	Thornberry
Clevenger	Klein	Van Pelt
Cole	Kluczynski	Van Zandt
Crumpacker	Knutson	Velde
Davidson	Lane	Vinson
Davis, Wis.	Long	Walter
Dollinger	McConnell	Wharton
Dolliver	Machrowicz	Whitten
Dowdy	Mason	Wickersham
Doyle	Morrison	Willis
Eberharter	Murray, Tenn.	

So (two-thirds not having voted in favor thereof) the bill was rejected.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Baker.

Mr. Thompson of Louisiana with Mr. Phillips.

Mr. Brooks of Louisiana with Mr. Mason.

Mr. Willis with Mr. McConnell.

Mr. Patman with Mr. Chase.

Mr. Burleson with Mr. Gamble.

Mr. Morrison with Mr. Dolliver.

Mr. Bell with Mr. Jackson.

Mr. Thornberry with Mr. Kilburn.

Mr. Thompson of Texas with Mr. Wharton.

Mr. Bailey with Mr. Scudder.

Mr. Garmatz with Mr. Saylor.

Mr. Fallon with Mr. Reece of Tennessee.

Mr. Pilcher with Mr. King of Pennsylvania.

Mr. Vinson with Mr. Van Pelt.

Mr. Preston with Mr. Robsion of Kentucky.

Mr. Barrett with Mr. Osmers.

Mr. Boland with Mr. Crumpacker.

Mr. Kelley of Pennsylvania with Mr. Hoffman of Michigan.

Mr. Kirwan with Mr. Van Zandt.

Mr. Kluczynski with Mr. Clevenger.

Mr. Priest with Mr. Burdick.

Mr. Gordon with Mr. O'Hara of Minnesota.

Mr. Carnahan with Mr. Scrivner.

Mr. Machrowicz with Mr. Hillings.

Mr. Rains with Mr. Davis of Wisconsin.

Mr. Whitten with Mr. Cole.

Mr. Wickersham with Mr. Hoffman of Illinois.

Mr. Walter with Mr. Chiperfield.

Mr. Dowdy with Mr. Nelson.

Mr. Brooks of Texas with Mr. Velde.

Mr. HOLIFIELD, Mr. HERLONG, Mr. KNOX, Mr. GWINN, Mrs. ST. GEORGE, and Mr. SHEEHAN changed their votes from "nay" to "yea."

Mr. BERRY changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

COMMITTEE ON WAYS AND MEANS

Mr. COOPER. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight tonight to file a report on H. R. 9969 and H. R. 12152.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

CONSTRUCTION OF BRIDGES OVER THE POTOMAC RIVER

Mr. DAVIS of Georgia submitted a conference report and statement on the bill (S. 2568) to amend title I of the act entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes".

LEGISLATIVE PROGRAM

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, this concludes the suspensions for today. The House has done an unusual job. We have acted upon every suspension with the exception of one, and that is H. R. 8364, which relates to cranberries, and that is going to come up later in the week. A promise has been given to the gentleman from Massachusetts [Mr. NICHOLSON], that we bring it up under suspension later on in the week. I understand that the Canners Association has been flooding the Members with telegrams against this very meritorious bill. Of course, they have always opposed progress. I hope between now and when the bill comes up the Canners Association will get a little conscience and withdraw the telegrams and send telegrams in support of the bill.

Mr. NICHOLSON. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. You do not know how much I thank you, brother Member from Massachusetts. And, I do not understand the laughing, because this is not any laughing matter. This is taking care of the farmers, and I am surprised that anybody on the Agriculture Committee would stand up here against a farmer's bill. But we will get an opportunity to see how they vote, anyway.

Mr. McCORMACK. And I hope they are going to vote with the gentleman.

TO AMEND TITLE III OF THE SERVICEMEN'S READJUSTMENT ACT OF 1944

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9260) to amend title III of the Servicemen's Readjustment Act of 1944, as amended, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, after "amended", insert "(A) by striking out 'ten' the first time it appears in the fourth sentence and inserting in lieu thereof 'eleven', (B)."

Page 2, lines 1 and 2, strike out "such section 500 (a) is further amended" and insert "(C)."

Page 5, line 11, after "unpaid", insert "and has assumed by contract all of the obligations of the veteran under the terms of the instruments creating and security the loan."

Page 5, line 16, after "amended", insert "(A) by striking out 'ten' the first time it appears in subsection (1) and inserting in lieu thereof 'eleven', and (B)."

Page 5, strike out all after line 20 over to and including line 5 on page 6 and insert:

"(10) Section 500 is amended by adding at the end thereof the following:

"'(g) Notwithstanding any other provision of this title, if a loan report or an application for loan guaranty relating to a loan under this title has been received by the Administrator on or before July 25, 1958, such loan may be guaranteed or insured under the provisions of this title on or before July 25, 1959.'"

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mrs. ROGERS of Massachusetts. Mr. Speaker, reserving the right to object, and I do not expect to object, I should like to ask the gentleman if this is not a somewhat better bill than the bill the House passed, a little more favorable to the veterans.

Mr. TEAGUE of Texas. The House passed a bill extending the GI housing program for 6 months. This bill extends the GI housing program for a year and by a redefinition of expiration it extends it for a year and a half.

Mrs. ROGERS of Massachusetts. That is very satisfactory, I will say to the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, I am very glad that the plane bringing me from Oklahoma arrived in time to permit my vote and support for this worthwhile bill.

Several months ago, we passed most of the provisions of this legislation through the House, to meet some of the urgent needs for improvement and strengthening of our GI home-loan program.

The House bill endeavored to close the door on some of the abuses which have been the subject of much adverse publicity concerning this fine program, including the sale of entitlements to GI loans and transactions calling for under-the-table sales in excess of reasonable value.

As it now stands, the bill includes a much-needed provision extending the time that any World War II veteran may apply for a GI home loan to the date of July 25, 1958—a full year after the present expiration date—and providing that loans may continue to be processed and made under these applications until July 25, 1959.

Since millions of deserving World War II veterans are still desirous of taking advantage of the home-loan program, and have not yet had the opportunity to do so, this extension of time is manifestly needed.

It will also prevent or at least reduce a great dislocation of the home building industry which would certainly accompany a 1957 termination of this program, without provision for the greatly increased demand for loans that can be expected in the closing months.

For these reasons, I have sponsored a bill to extend this program for six years, which is probably a minimum period to take care of the probable future demand for these loans.

While I would like to see this longer extension period, I am aware that valid arguments against it do exist, and certainly recognize that a bird in the hand may be worth six in the bush.

I am very glad to have the opportunity to support this bill.

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, the home-loan guaranty program for World War II veterans will expire on July 25, 1957. For practical administrative reasons, the program actually will end on or about January 1, 1957, since no further applications can be taken after that date and still have them processed and approved prior to the termination date.

Realizing the tremendous value of this home-loan guaranty program because of its economic impact on the Nation and because of the strong impetus it has given to home construction throughout the United States for the veteran and nonveteran alike, I sought ways and means to extend the program.

The extension of the World War II veterans' home-loan guaranty program so as to eliminate the bad effects of an abrupt termination had been recommended by the Bradley Commission, the President's Commission studying veterans' problems. It also had been recommended by veterans' groups, homebuilders, labor groups, savings and loan associations, realtors, furniture and electrical-appliance manufacturers, wholesalers' and retailers' organizations.

The original intent of the Servicemen's Readjustment Act of 1944 was to provide a period in which our veterans could rehabilitate themselves, including the providing of a home for their families. That these veterans have not completely been rehabilitated is evident by the fact that about 11 million World War II veterans have not been able to avail themselves of their entitlement under the act for a guaranteed home loan.

Accordingly, on April 12, 1956, I introduced H. R. 10469, and on June 27, 1956, I introduced H. R. 11991. Both of these measures would have extended the home-loan guaranty features of the Servicemen's Readjustment Act of 1944 for a period of 3 years and, in alternative methods, would have provided for a gradual termination of that program.

Both of these bills had for their purpose the softening of the blow to our national economy as this program came to its conclusion. Many felt that the abrupt termination of the program would be too serious an impact to absorb at this time. Furthermore, the encouragement of homebuilding is a worthy objective, and it was felt that a reasonable length of time should be given to those 11 million veterans to obtain their homes.

Consideration of these two measures was not undertaken because of the thought of some Members of Congress that the entire home-loan guaranty program of the Federal Government, that is under FHA and VA, should be integrated. This obviously would entail more time and study than was available during this session of Congress.

Although I would have preferred that study, consideration, and action be taken on the 2 proposals which I introduced, I realize that there is some merit to the idea of studying and considering the consolidation of the Government's 2 home-loan guaranty programs.

Since there was not sufficient time to undertake such a study during this session and although I would have preferred action on my two measures, I am pleased to see that the Committee on Veterans' Affairs of the House and the Committee on Labor and Public Welfare of the Senate, have, in H. R. 9260, extended the termination date of the loan guaranty program for World War II veterans for an additional year, that is until July 25, 1958. In addition, the bill provides that any loan which is being processed by the Administrator on the termination date, may be guaranteed if, on or before July 25, 1959, approval is granted and the loan

is closed. This means, of course, that applications can be accepted through July 25, 1958, and the Veterans' Administration would have an additional year within which to process an application and to approve and issue a commitment.

I support the proposal in H. R. 9260 since it will extend the program and at the same time, give the Congress ample opportunity to study the measures which I introduced and the proposal to have a consolidated home-loan guaranty program.

TO AMEND SECTION 1 (D) OF THE CIVIL SERVICE RETIREMENT ACT OF MAY 29, 1930

Mr. ROBESON of Virginia. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 65) to amend section 1 (d) of the Civil Service Retirement Act of May 29, 1930, as amended.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. WILLIAMS of Mississippi. Mr. Speaker, reserving the right to object, may we have an explanation of the bill?

Mr. ROBESON of Virginia. I will say to the gentleman from Mississippi that the bill makes more clear the word "detention" that has been interpreted to the detriment of and discrimination against some of the employees of the Federal Prisons and Disciplinary Barracks.

The bill was reported out of the subcommittee unanimously and out of the full committee. I can see no reason for objection to it.

Mr. WILLIAMS of Mississippi. Mr. Speaker, the gentleman has not explained the bill. Could the gentleman tell us what is in the bill?

Mr. ROBESON of Virginia. If the gentleman is serious in his question I should be glad to explain the bill.

Mr. WILLIAMS of Mississippi. I am serious. May I ask the gentleman, was this bill introduced by the gentleman from Virginia?

Mr. ROBESON of Virginia. By no means. It is a Senate bill. I brought out the bill from the committee as chairman of the subcommittee.

Mr. WILLIAMS of Mississippi. The gentleman from Virginia supports this bill?

Mr. ROBESON of Virginia. That is correct.

Mr. WILLIAMS of Mississippi. He does not have any doubts about it?

Mr. ROBESON of Virginia. And I am surprised that the gentleman from Mississippi does not join with me in supporting the bill.

Mr. WILLIAMS of Mississippi. In view of that, Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 (d) of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding the following: "The word 'detention' as used in this subsection shall be construed to include the duties of all officers and employees in the field service of the Bureau of Prisons, Federal Prison Industries, Inc., and officers and employees of the Public Health Service assigned to such field service, and all other officers and employees of the Bureau of Prisons and Federal Prison Industries, Inc., whose duties in connection with persons in detention suspected or convicted of offenses against the criminal laws of the United States, of the District of Columbia, and the punitive articles of the Uniform Code of Military Justice, involve direct contact with such persons in their direction, supervision, inspection, training, or employment."

With the following committee amendment:

Strike out all after the enacting clause and insert: "That section 1 (d) of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding at the end thereof the following: 'The word "detention", as used in this subsection, shall be construed to include the duties of—

"'(1) All officers and employees of the Bureau of Prisons and Federal Prison Industries, Incorporated,

"'(2) all officers and employees of the Public Health Service assigned to the field service of the Bureau of Prisons or to the field service of Federal Prison Industries, Incorporated,

"'(3) all civilian officers and employees employed in the field services at Army or Navy disciplinary barracks or at confinement and rehabilitation facilities operated by any of the United States armed services, and

"'(4) all officers and employees of the Department of Corrections of the District of Columbia, its industries and utilities,

whose duties in connection with persons in detention suspected or convicted of offenses against the criminal laws of the United States or of the District of Columbia or offenses against the punitive articles of the Uniform Code of Military Justice require frequent (as determined by the appropriate administrative authority with the concurrence of the Civil Service Commission) direct contact with such persons in the detention, direction, supervision, inspection, training, employment, care, transportation, or rehabilitation of such persons.'"

The committee amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

VERENDRYE NATIONAL MONUMENT

Mr. ASPINALL submitted a conference report and statement on the bill (H. R. 1774) to abolish the Verendrye National Monument, and to provide for its continued public use by the State of North Dakota for a State historic site, and for other purposes.

NUCLEAR-POWERED MERCHANT SHIP

Mr. BONNER. Mr. Speaker, I call up the conference report on the bill (H. R. 6243) authorizing the construction of a nuclear-powered merchant ship to promote the peacetime application of atomic energy, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2870)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6243) authorizing the construction of a nuclear-powered merchant ship to promote the peacetime application of atomic energy, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That title VII of the Merchant Marine Act, 1936, as amended (46 U. S. C., secs. 1191-1204), is amended by adding at the end thereof the following new section:

"SEC. 716. There is hereby authorized to be appropriated to the Department of Commerce, Maritime Administration, and the Atomic Energy Commission, such sums as may be necessary, to remain available until expended, for the construction, outfitting, and preparation for operation, including training of qualified personnel, of a nuclear-powered merchant ship capable of providing shipping services on routes essential for maintaining the flow of the foreign commerce of the United States. The Maritime Administration, and the Atomic Energy Commission, in carrying on activities and functions under this paragraph, may collaborate with and employ persons, firms, and corporations on a contract or fee basis for the performance of special services deemed necessary by such agencies in carrying on such activities and functions. The Administration may, for the same purposes, with the approval of the Secretary of Commerce and where appropriate the Atomic Energy Commission, avail itself of the use of licenses, information, services, facilities, offices, and employees of any executive department, independent establishment, or other agency of the Government, including any field service thereof.'"

And the Senate agree to the same.

That the title of the bill be amended to read as follows: "An act to amend title VII of the Merchant Marine Act, 1936, to authorize the construction of a nuclear-powered merchant ship for operation in foreign commerce of the United States, and for other purposes."

HERBERT C. BONNER,
EDWARD J. ROBESON, Jr.,
T. JAMES TUMULTY,
THOR C. TOLLEFSON,
JOHN J. ALLEN, Jr.,
Managers on the Part of the House.

WARREN G. MAGNUSON,
JOHN O. PASTORE,
PRICE DANIEL,
JOHN M. BUTLER,
JAS. H. DUFF,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6243) authorizing the construction of a nuclear-powered merchant ship to promote the peacetime application of atomic energy, and for other purposes, submit the following statement in explanation of the effect of the action agreed

upon by the conferees and recommended in the accompanying conference report:

H. R. 6243, as passed by the House, authorized the appropriation to the Department of Commerce Maritime Administration, for the purpose of developing as speedily as possible the use of nuclear transportation power in peaceful pursuits of foreign and domestic commerce, such sums as might be necessary, to remain available until expended for the construction, outfitting, and preparation for operation, including training of qualified personnel, of a nuclear powered merchant vessel of such type, size, and speed as the Secretary of Commerce, with the approval of the President, might determine to be most appropriate. It provided that its purposes should be achieved subject to the provisions of the Merchant Marine Act of 1936, as amended, and that the Maritime Administration, in carrying on its activities and functions thereunder, might employ persons, firms and corporations on a contract or fee basis for the performance of special services deemed necessary by it, and avail itself of the use of licenses, information, services, facilities, offices and employees of any executive department, independent establishment or other agency of the Government in connection therewith.

As amended by the Senate, the bill provided that the authority granted by it would be in the form of two new paragraphs to be added at the end of section 212 (c) of the Merchant Marine Act of 1936, as amended; and deleted the language stating the purpose of the bill and the language providing that the construction, outfitting, and preparation for operation, including training for qualified personnel, should be subject to the provisions of the Merchant Marine Act of 1936, as amended. The Senate amendment further included the Atomic Energy Commission with the Department of Commerce Maritime Administration in its authorization for the appropriation of funds and the carrying on of activities and functions, and authority to collaborate with other persons, firms, and corporations for the performance of special services, and to avail itself of the use of licenses, information, etc., of other branches of the Government. The Senate amendment modified the description of the vessel as contained in the House-passed version to read "a nuclear-powered prototype merchant ship capable of providing shipping services on routes essential for maintaining the flow of foreign commerce of the United States. Finally, as amended by the Senate, there was added to the bill a paragraph granting special authority to the Maritime Administration to conduct research and experiments, to develop plans and designs, procedures, and equipment for the improvement of wharves, docks, piers, warehouses, and other port facilities used in the movement and handling of cargo, passengers, and other commerce in ports in connection with water transportation. The Senate amendment also amended the title of the bill.

The conference managers on the part of the House and Senate agreed to the bill as amended by the Senate with the following exceptions:

(1) That the authority and provisions of the bill should, for technical reasons, be incorporated as a new section in Title VII, Merchant Marine Act of 1936, as amended, instead of as an addition to Section 212 (c) of said Act;

(2) That the word, "prototype", be deleted;

(3) That the second paragraph of the bill regarding authority to conduct research and experiments, and other activities, relating to the improvement of wharves, docks, etc., was not germane to the purpose of the bill and should be deleted; and

(4) That the title of the bill, as amended by the Senate, should be further amended to conform to the changes agreed upon.

The conferees understood that in carrying out the activities and functions authorized by the bill the Atomic Energy Commission would be responsible for the nuclear reactor, and the Department of Commerce, Maritime Administration, would be responsible for design and construction of the vessel itself and all of its equipment and machinery other than the reactor. It was the contemplation of the conferees that the vessel would contain the most advanced type of reactor possible for a practical merchant ship which would be a definite step forward in the art of nuclear propulsion utilizing all experience and improvements learned to date. In other words, the reactor would not be one which has already been produced for other purposes. The project should be given the highest priority and completed as soon as is consistently possible for such an improved design. It is also hoped that most of the design details of the reactor could be unclassified in order to facilitate maximum sharing of the information.

As to the type of ship to be built, it is the belief of the managers on the part of the House that the first experimental application of nuclear power should be to a practical merchant vessel of combination passenger and cargo design. The managers on the part of the House emphasized that testimony on the bill as it was originally before the House, was predicated on that understanding.

HERBERT C. BONNER,
EDWARD J. ROBESON, Jr.,
T. JAMES TUMULTY,
THOR C. TOLLEFSON,
JOHN J. ALLEN, Jr.,
Managers on the Part of the House.

Mr. TOLLEFSON. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Washington.

Mr. TOLLEFSON. I know there is in the report reference to the type of reactor that ought to be built into the ship. Is our understanding correct that the type of reactor and powerplant shall be left to the discretion of the Atomic Energy Commission?

Mr. BONNER. That is correct. The reference is due to the fact that it was thought best not to put in this ship the reactor of the *Nautilus* type but to leave it to the discretion of the Atomic Energy Commission.

Mr. TOLLEFSON. Mr. Speaker, I think it should be made clear to the Members of the House that the conferees on H. R. 6243—the nuclear-powered merchant vessel bill—wanted to leave complete discretion to the Atomic Energy Commission as to the type of reactor which should be used in the nuclear-powered vessels authorized by this bill. You will note that the report recommends or suggests that the most advanced type of reactor be used. However, you will also note the report does not specifically state that the *Nautilus* type shall not be used. There was some thought amongst the conferees that the same kind of reactor now in the *Nautilus* should not be used in the proposed vessel. However, there was also some thought that in order to expedite the completion of this project and get the ship on the water it might be well to use some improved *Nautilus* type. The report clearly indicates that the conferees want the ship completed and afloat as expeditiously as possible.

While the vessel authorized by this bill it is not an exhibition ship as perhaps envisoned by the President's request, it is nevertheless a ship which will be capable of demonstrating our Nation's desire to utilize nuclear-power for peaceful purposes. If a combination passenger-dry cargo vessel is built it will be the object of great interest in the ports of the world, and many people will come to see it wherever it docks. Undoubtedly they will want to come aboard and examine it. The combination type merchant vessel is capable of being so constructed that there will be facilities available for the exhibition of peacetime applications of atomic energy. Pictures and exhibits could be shown on board the vessel which would point up our Nation's efforts to utilize atomic energy for peaceful pursuits. The President's objectives could, therefore, in large measure be accomplished.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON PUBLIC WORKS

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may have until midnight tonight to file sundry reports.

Mr. MARTIN. Reserving the right to object, Mr. Speaker, are there any minority reports to be filed on these bills?

Mr. BLATNIK. There are no minority reports.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

AWARD OF CROSS OF GRAND COMMANDER OF THE ROYAL ORDER OF THE PHOENIX, TENDERED BY THE GOVERNMENT OF THE KINGDOM OF GREECE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 12358) to authorize the Honorable WAYNE L. HAYS, the Honorable WALTER H. JUDD, the Honorable JOHN J. ROONEY, and the Honorable JOHN TABER, Members of the House of Representatives to accept and wear the award of the Cross of Grand Commander of the Royal Order of the Phoenix, tendered by the Government of the Kingdom of Greece.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. GROSS. Reserving the right to object, Mr. Speaker, what are the qualifications for wearing this medal?

Mr. HAYS of Ohio. I would say to the gentleman that I am not exactly sure, but I think my qualifications were that I made a speech saying that I thought the British Government should give the island of Cyprus self-determination.

Mr. SCOTT. Reserving the right to object, Mr. Speaker, may I ask the gentleman from Ohio if this comes as a reward for statesmanship?

Mr. McCORMACK. Of course, the gentleman from Ohio is not only one of the most statesmanlike Members of the House but one of the most courageous.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Honorable WAYNE L. HAYS, Representative from the State of Ohio, the Honorable WALTER H. JUDD, Representative from the State of Minnesota, the Honorable JOHN J. ROONEY, Representative from the State of New York, and the Honorable JOHN TABER, Representative from the State of New York, are authorized to accept the award of the Cross of Grand Commander of the Royal Order of the Phoenix, together with any decorations and documents evidencing such award. The Department of State is authorized to deliver to the Honorable WAYNE L. HAYS, the Honorable WALTER H. JUDD, the Honorable JOHN J. ROONEY, and the Honorable JOHN TABER any such decorations and documents evidencing such award.

SEC. 2. Notwithstanding section 2 of the act of January 31, 1881 (ch. 32, 21 Stat. 604; 5 U. S. C. 114), or other provision of law to the contrary, the named recipients may wear and display the aforementioned decoration after acceptance thereof.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REAL ESTATE INVESTMENT TRUSTS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4392) to amend the Internal Revenue Code of 1954 to provide a special method of taxation for real-estate investment trusts.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That subchapter M of chapter 1 of the Internal Revenue Code of 1954 (relating to regulated investment companies) is hereby amended by adding at the end thereof the following:

"PART II—REAL ESTATE INVESTMENT TRUSTS

"Sec. 856. Definition of real-estate investment trust.
"Sec. 857. Taxation of real-estate investment trusts and their beneficiaries.
"Sec. 858. Limitations applicable to dividends received from real-estate investment trust.
"Sec. 859. Dividends paid by real-estate investment trust after close of taxable year.

"SEC. 856. Definition of real-estate investment trust.

"(a) In general: For purposes of this subtitle, the term 'real estate investment trust' means an unincorporated trust or an unincorporated association—

"(1) which is managed by one or more trustees;

"(2) the beneficial ownership of which is evidenced by transferable shares, or by transferable certificates of beneficial interest;

"(3) which (but for the provisions of this part) would be taxable as a corporation; and

"(4) which meets the requirements of subsection (b).

"(b) Limitations: A trust or association shall not be considered a real estate investment trust for any taxable year unless—

"(1) At least 90 percent of its gross income is derived from—

"(A) dividends;

"(B) interest;

"(C) rents from real property;

"(D) gain from the sale or other disposition of stock, securities, and real property (including interests in real property and interests in mortgages on real property); and

"(E) abatements and refunds of taxes on real property.

"(2) At least 60 percent of its gross income is derived from—

"(A) rents from real property;

"(B) interest on obligations secured by mortgages on real estate;

"(C) gain from the sale or other disposition of real property (including interests in real property and interests in mortgages on real property);

"(D) dividend or other distributions on, and gain from the sale or other disposition of, transferable shares in (or transferable certificates of beneficial interest in) other real estate trusts or associations; and

"(E) abatements and refunds of taxes on real property.

"(3) The amount by which the gains from the sales and other dispositions of stock or securities held for less than 6 months exceed the losses from such sales or other dispositions is an amount less than 30 percent of its gross income.

"(4) The amount by which the gains from voluntary sales and other voluntary dispositions of real property held for less than 5 years exceed the losses from such sales and dispositions is an amount less than 30 percent of its gross income.

"(c) Rents of real estate defined: For purposes of paragraphs (1) and (2) of subsection (b), the term 'rents from real property' does not include any amount received or accrued by a hotel, inn, or lodging house from a guest, boarder, or lodger in consideration for the occupancy of a furnished room or furnished apartment or in consideration for food or refreshments or for personal services rendered.

"SEC. 857. Taxation of real estate investment trusts and their beneficiaries.

"(a) Requirements applicable to real estate investment trusts: The provisions of this part shall not apply to a real estate investment trust for a taxable year unless—

"(1) it distributes to its shareholders or holders of beneficial interests an amount not less than 90 percent of the amount by which the real estate investment trust taxable income for the taxable year exceeds the sum of its net long-term capital gain and net short-term capital gain for such year; and

"(2) the real estate investment trust complies for such year with regulations prescribed by the Secretary or his delegate for the purpose of ascertaining the actual ownership of the shares or certificates of beneficial interest of such trust.

"(b) Method of taxation of real estate investment trusts and holders of shares or certificates of beneficial interest.—

"(1) Imposition of normal tax and surtax on real estate investment trusts: There is hereby imposed for each taxable year on the real estate investment trust taxable income of every real estate investment trust a normal tax and surtax computed as provided in section 11, as though the real estate investment trust taxable income were the taxable income referred to in section 11. For purposes of computing the normal tax under section 11, the taxable income and the dividends paid deduction of such real estate investment trust for the taxable year (computed without regard to capital gain dividends) shall be reduced by the deduction provided by section 242 (relating to partially tax-exempt interest).

"(2) Real estate investment trust taxable income: For purposes of this part, the term 'real estate investment trust taxable income' means the taxable income of the real estate investment trust, adjusted as follows:

"(A) There shall be excluded the excess, if any, of the net long-term capital gain over the net short-term capital loss.

"(B) The deductions for corporations provided in part VIII (except section 248) in subchapter B (section 241 and following, relating to the deduction for dividends received, etc.) shall not be allowed.

"(C) A deduction shall be allowed for the dividends (other than capital gain dividends) paid during the taxable year computed in accordance with the rules provided in section 562.

"(D) The taxable income shall be computed without regard to section 443 (b) (relating to computation of tax on change of annual accounting period).

"(3) Capital gains.—

"(A) Imposition of tax: There is hereby imposed for each taxable year in the case of every real-estate investment trust a tax of 25 percent of the excess, if any, of the net long-term capital gain over the sum of—

"(i) the net short-term capital loss; and

"(ii) the amount of capital-gain dividends paid during the taxable year.

For the purposes of this subparagraph, the amount of dividends paid shall be computed under the rules provided in section 562.

"(B) Treatment of capital gain dividends by shareholders: A capital-gain dividend shall be treated by the shareholders or holders of beneficial interests as a gain from the sale or exchange of a capital asset held for more than 6 months.

"(C) Definition of capital-gain dividend: For purposes of this part, a capital gain dividend is any dividend, or part thereof, which is designated by the real-estate investment trust as a capital-gain dividend in a written notice mailed to its shareholders or holders of beneficial interests at any time before the expiration of 30 days after the close of its taxable year. If the aggregate amount so designated with respect to a taxable year of the trust (including capital-gain dividends paid after the close of the taxable year described in section 859) is greater than the excess of the net long-term capital gain over the net short-term capital loss of the taxable year, the portion of each distribution which shall be a capital-gain dividend shall be only that proportion of the amount so designated which such excess of the net long-term capital gain over the net short-term capital loss bears to the aggregate amount so designated.

"(c) Earnings and profits: The earnings and profits of a real-estate investment trust for any taxable year (but not its accumulated earnings and profits, shall not be reduced by any amount which is not allowable as a deduction in computing its taxable income for such taxable year.

"SEC. 858. Limitations applicable to dividends received from real-estate investment trust.

"(a) Capital-gain dividend: For purposes of section 34 (a) (relating to credit for dividends received by individuals), section 116 (relating to an exclusion for dividends received by individuals), and section 243 (relating to deductions for dividends received by corporations), a capital-gain dividend (as defined in section 857 (b) (3) (C)) received from a real-estate investment trust shall not be considered as a dividend.

"(b) Other dividends.—

"(1) General rule: In the case of a dividend received from a real-estate investment trust (other than a dividend to which subsection (a) applies)—

"(A) if such real-estate investment trust meets the requirements of sections 856 and

857 (a) for the taxable year during which it paid such dividend; and

"(B) the aggregate dividends received by such trust during such taxable year are less than 75 percent of its gross income,

then, in computing the credit under section 34 (a), the exclusion under section 116, and the deduction under section 243, there shall be taken into account only that portion of the dividend which bears the same ratio to the amount of such dividend as the aggregate dividends received by such trust during such taxable year bear to its gross income for such taxable year.

"(2) Notice to shareholders: A real-estate investment trust to which paragraph (1) applies for any taxable year shall, in a written notice to shareholders or holders of beneficial interests mailed not later than 30 days after the close of the taxable year, designate the portion of the dividends paid by the real-estate investment trust during such taxable year which may be taken into account under paragraph (1) for purposes of the credit under section 34, the exclusion under section 116, and the deduction under section 243.

"(3) Definitions: For purposes of this subsection—

"(A) The term 'gross income' does not include gain from the sale or other disposition of stock or securities or of real estate (or interests therein).

"(B) The term 'aggregate dividends received' includes dividends only to the extent that such amounts would be taken into account as dividends under paragraph (1).

"SEC. 859. Dividends paid by real estate investment trust after close of taxable year.

"(a) General rule: For purposes of this chapter, if a real estate investment trust—

"(1) declares a dividend before the time prescribed by law for the filing of its return for a taxable year (including the period of any extension of time granted for filing such return); and

"(2) distributes the amount of such dividend to shareholders or holders of beneficial interests in the 12-month period following the close of such taxable year and not later than the date of the first regular dividend payment made after such declaration,

the amount so declared and distributed shall, to the extent the trust elects in such return in accordance with regulations prescribed by the Secretary or his delegate, be considered as having been paid during such taxable year, except as provided in subsections (b) and (c).

"(b) Receipt by shareholder: Amounts to which subsection (a) applies shall be treated as received by the shareholder or holder of a beneficial interest in the taxable year in which the distribution is made.

"(c) Notice to shareholders: In the case of amounts to which subsection (a) applies, any notice to shareholders or holders of beneficial interests required under this part with respect to such amounts shall be made not later than 30 days after the close of the taxable year in which the distribution is made."

SEC. 2. Subchapter M of chapter 1 of the Internal Revenue Code of 1954 is hereby amended:

(1) by striking out the heading thereof and inserting in lieu thereof the following:

"Subchapter M—Regulated investment companies and real estate investment trusts

"Part I. Regulated investment companies.
"Part II. Real estate investment trusts.

"PART I—REGULATED INVESTMENT COMPANIES";

(2) by striking out "this subchapter" in section 852 (a) and inserting in lieu thereof "this part"; and

(3) by striking out "A capital gain dividend means" in section 852 (b) (3) (C) and inserting in lieu thereof "For purposes of this part, a capital gain dividend is."

SEC. 3. (a) The table of subchapters for chapter 1 of the Internal Revenue Code of 1954 is hereby amended by inserting "and real estate investment companies" after "Regulated investment companies."

(b) Section 11 (d) (3) of such code (relating to tax on corporations) is hereby amended by inserting "and real estate investment trusts" after "Regulated investment companies."

(c) Section 34 (d) of such code (relating to credit for dividends received by individuals) is hereby amended by adding at the end thereof the following new paragraph:

"(3) A dividend received from a real estate investment trust shall be subject to the limitations prescribed in section 858."

(d) Section 116 (c) of such code (relating to an exclusion for dividends received by individuals) is hereby amended by adding at the end thereof the following new paragraph:

"(3) A dividend received from a real estate investment trust shall be subject to the limitations prescribed in section 858."

(e) Section 243 (b) of such code (relating to deduction for dividends received by corporations) is hereby amended by adding at the end thereof the following new paragraph:

"(3) A dividend received from a real estate investment trust shall be subject to the limitations prescribed in section 858."

(f) Section 443 (d) of such Code (relating to computation of tax on change of annual accounting period) is hereby amended by adding at the end thereof the following new paragraph:

"(5) The taxable income of a real estate investment trust, see section 857 (b) (2) (D)."

(g) Section 891 of such Code (relating to doubling of rates of tax on citizens and corporations of certain foreign countries) is hereby amended by inserting "857," after "852,".

(h) Section 1504 (b) (6) of such Code (relating to consolidated returns) is hereby amended by inserting "and real estate investment trusts" after "Regulated investment companies".

SEC. 4. The amendments made by this act shall apply only with respect to taxable years beginning after December 31, 1954.

With the following committee amendments:

Page 1, line 4, strike out "investiment" and insert "investment".

Page 2, strike out lines 10 to 13, inclusive, and insert:

"(3) which (but for the provisions of this part) would be taxable as a domestic corporation;

"(4) which does not hold any property primarily for sale to customers in the ordinary course of its trade or business;

"(5) the beneficial ownership of which is held by 100 or more persons, and no 5 individuals own (directly or indirectly) more than 50 percent of such beneficial ownership; and

"(6) which meets the requirements of subsection (b)."

Page 2, after line 16, insert:

"(1) It files with its return for the taxable year an election to be a real estate investment trust or has made such election for a previous taxable year which began after December 31, 1955."

Page 2, line 17, strike out "(1)" and insert "(2)."

Page 3, line 3, strike out "(2)" and insert "(3)."

Page 3, line 18, strike out "(3)" and insert "(4)."

Page 3, line 23, strike out "(4)" and insert "(5)."

Page 4, strike out lines 3 to 10, inclusive and insert:

"(c) Rents from real property defined: For purposes of paragraphs (2) and (3) of subsection (b), the term 'rents from real property' does not include—

"(1) any amount received or accrued with respect to any real property, if the trust or association makes any expenditure which is properly allocable to such real property while rented (or to the rentals from such real property), other than—

"(A) expenditures properly chargeable to capital account;

"(B) expenditures for taxes, interest, or insurance;

"(C) expenditures for the collection of, or the accounting for, income; and

"(D) expenditures properly allocable to the entering into, renewal, or termination of any lease;

"(2) any amount received or accrued with respect to any real property, if the amount to be derived from such property depends in whole or in part on the income or profits derived by any person from such property (except that any amount so received or accrued shall not be excluded from the term 'rents from real property' solely by reason of being based on a fixed percentage or percentages of receipts or sales); or

"(3) any amount received or accrued directly or indirectly from any person, if the trust or association owns, directly or indirectly—

"(A) in the case of any person which is a corporation, stock of such person possessing 10 percent or more of the total combined voting power of all classes of stock entitled to vote, or 10 percent or more of the total number of shares of all classes of stock of such person; or

"(B) in the case of any person which is not a corporation, an interest of 10 percent or more in the business, assets, or net profits of such person.

"For purposes of paragraph (3) of this subsection, the rules prescribed by section 318 (a) for determining the ownership of stock shall apply in determining the ownership of stock, business, assets, or net profits of any person. For purposes of the preceding sentence, section 318 (a) (2) (C) shall be applied without regard to the 50 percent limitation contained therein."

Page 4, line 19, insert "investment" after "real estate".

Page 6, after line 14, insert:

"(E) The net operating loss deduction provided in section 172 shall not be allowed."

Page 6, line 16, strike out "Imposition of Tax" and insert "IMPOSITION OF TAX."

Page 7, lines 3 and 4, strike out "Treatment of Capital Gain Dividends by Shareholders" and insert "TREATMENT OF CAPITAL GAIN DIVIDENDS BY SHAREHOLDERS".

Page 7, line 6, strike out "Definition of Capital Gain Dividend" and insert "DEFINITION OF CAPITAL GAIN DIVIDEND".

Page 10, strike out lines 4 to 7, inclusive, and insert:

"(B) The term 'aggregate dividends received' includes only dividends received from domestic corporations other than dividends described in section 116 (b) (relating to dividends excluded from gross income). In determining the amount of any dividend for purposes of this subparagraph, the rules provided in section 116 (c) (relating to certain distributions) shall apply."

Page 12, line 6, strike out "companies" and insert "trusts."

Page 12, line 10, strike out "Regulated" and insert "regulated."

Page 13, after line 5, insert:

"(f) Section 318 (b) of such code (relating to constructive ownership of stock) is amended by striking out the word "and" at the end of paragraph (4), by striking out the period at the end of paragraph (5) and inserting in lieu thereof a semicolon and the word "and", and by adding at the end thereof the following new paragraph:

"'(6) section 856 (c) (3) (relating to definition of real estate investment trusts).'"

Page 13, line 6, strike out "(f)" and insert "(g)."

Page 13, strike out lines 10 to 13, inclusive.

Page 13, beginning in line 19, strike out "December 31, 1954." and insert "December 31, 1955."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD on the bill just passed, and further ask that all Members desiring to do so may extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, this meritorious legislation would provide virtually the same equitable tax treatment for real-estate investment trusts that is presently provided under existing law for regulated investment companies. The equity in granting comparable tax treatment is apparent when it is realized that real-estate trusts are organizations with investments in real estate and real-estate mortgages while regulated investment companies specialize in investments in stocks and securities. Thus, if present law accords this conduit type of tax treatment to regulated investment companies, it is only proper that similar conduit type of tax treatment should be provided for real-estate investment trusts.

The legislation as amended by the Committee on Ways and Means contains a number of safeguards to preclude this amendment to the Internal Revenue Code from becoming a means of tax avoidance.

Under the pooling arrangements available to investors under the real-estate investment trust, as under the regulated investment company, small investors can secure advantages normally available only to those with larger resources. These advantages include investment diversification, the opportunity to secure benefits of expert investment counsel, and the means of collectively financing projects which the investors could not undertake alone. It is expected that this legislation would also have the beneficial effect of providing increased investment capital for real-estate investment.

DEPLETION ALLOWANCE

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4847) preventing discrimination against fiscal year taxpayers with respect to depletion allowances and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 613 of the Internal Revenue Code of 1954 (relating to percentage depletion) is amended by adding the following:

"(d) Change in rate: In the case of a taxable year ending after December 31, 1953, which includes the effective date of a change in the rate of percentage depletion, the allowance for depletion for the taxable year shall be an amount equal to the sum of:

"(1) that portion of a tentative allowance computed without regard to such change in the rate of percentage depletion which the number of days in the taxable year before the effective date of the change bears to the total number of days in the entire taxable year; plus

"(2) that portion of a tentative allowance computed as if such change in the rate of percentage depletion were applicable for the entire taxable year, which the number of days in the taxable year on or after the effective date of such change bears to the total number of days in the entire taxable year.

The rules prescribed in this subsection shall also apply for the taxable year for which a rate of percentage depletion first applies. For the purposes of this subsection, effective date of change means 'effective date of change' as defined in section 21 (c)."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRAFFIC SAFETY PROBLEM

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. BLATNIK. Mr. Speaker, one of the most important and vital studies ever undertaken by a congressional committee is now being conducted by the Traffic Safety Subcommittee of the House Interstate and Foreign Commerce Committee under the able chairmanship of Congressman KENNETH ROBERTS, of Alabama. Chairman ROBERTS and the members of the subcommittee are to be commended for the excellent work they are doing and their very serious and effective approach to the traffic safety problem.

Mr. Speaker, it is up to Congress to provide leadership and funds for a broad program of basic research to find out what is causing traffic accidents. A problem as complex and difficult as this one is not going to be solved by nostrums or panaceas. There are big gaps in our knowledge about traffic accidents, and to date we have often worked in the dark trying to cope with them.

In testimony before the subcommittee this morning I urged that group to recommend a broad program of basic research into the Nation's traffic safety problem. Such a program has been advocated for many years by the Nation's leading safety experts but has been stymied for lack of funds.

The most recent evidence of the need for such a program is a resolution adopted last March by the research group of the Advisory Council to the President's Committee for Traffic Safety. I might point out that represented on this Committee are leading business and industry groups, highway-user organizations, and some of the top safety agencies and institutions of the Nation. Here is what the resolution said:

It is the consensus of the Research Committee that the Bureau of Public Roads should broaden its current activity in the field of traffic safety research; and further, that this expression be conveyed to the appropriate committee of Congress and that they be asked to make specific provision for this in current highway legislation, so that traffic safety research may keep pace with the contemplated acceleration in the national highway program.

As things stand, we do not know the real causes of accidents, as distinguished from circumstances cited in evidence. We need research to find out. Most of the information available today on highway accidents is incomplete or unreliable. Intensive studies of driver behavior, road design, vehicle speed and other factors are essential, if the safety program is to catch up with the rapid growth of automotive transportation.

Our present lack of information, Mr. Speaker, could be remedied by teams of trained professionals—statisticians, doctors, psychologists, police—working on the scene of accidents or in postaccident investigations. Only in some such manner can we provide the fundamental facts for getting at the causes of accidents.

To date, also, very little has been done in the way of human engineering studies, by means of which physical capabilities and limitations of drivers could be related to highway design and traffic control. This phase involves such matters as driver responses to direct conditions; the effects of fog, haze, degrees of darkness on visibility; the legibility of highway signs at different speeds and distances; the use of color in traffic signals and markings; and so on.

Moreover, we need a lot more information on driver characteristics. We need more data on the precise relationship between specific elements of road design and varying types of accidents, to the end that maximum safety can be engineered into future facilities.

Because of this serious lack of information in all these vital areas, I introduced a resolution in the Public Works Committee calling for extensive research. I am glad to say that the basic idea was recognized in an amendment to the Federal aid highway bill, introduced by MARGARET CHASE SMITH, the Senator from Maine. Section 117 of the road bill provides the sum of $200,000 for highway safety studies to be made by the Bureau of Public Roads in the Department of Commerce.

That is a step in the right direction, but only a step. Our research needs in this important field require a far broader program—a program reasonably comparable to the scale of expenditures to be made in rehabilitating our highway network. Basic research of such scope can be accomplished only if Congress provides the funds and the leadership.

By defining the basic areas of needed research, and authorizing funds to carry it out, Congress would provide a tremendous stimulus to the traffic safety movement, and would insure far more productive returns from the great public funds we are about to invest in our roads and streets.

There is no question, Mr. Speaker, but that something must be done about the tragic accident toll taken each year on our streets and highways. This year's traffic toll, if the current rate continues, will be 42,000 lives lost and nearly 1½ million injuries. This terrific toll in lives lost, bodies maimed and injured, and financial waste should be closely examined just as Chairman ROBERTS and his subcommittee are doing. As has been recently pointed out, "Only research can enable us to make further progress in traffic safety at minimum cost." But the requisite research programs will remain stymied until funds can be found to finance them. Nobody questions the need. It is lack of wherewithal that has delayed this vital program of research which should have begun long ago.

Although great strides forward have been made in traffic and highway safety programs we are still killing and maiming too many people. An even better job of cutting down the toll of life and injury could be done if we knew more about the causative factors in accidents.

In the interests of all the people throughout the Nation the Traffic Safety Subcommittee should give full consideration to the pressing need for broad research. As a result of the study now going on I am confident that our knowledge of causes of traffic accidents will be greatly increased and our ability to cut down on them enhanced thereby. It is a duty we owe to the people, Mr. Speaker, just as assuredly as we owe them a duty to provide them with good roads and streets. The good work has begun under the able leadership of Congressman PERCY PRIEST, chairman of the full committee, and of Congressman KENNETH ROBERTS and his subcommittee, but the rest of us should also take up the fight and support legislation authorizing funds for a broad program of basic research to find out the causes of traffic accidents. If such research can save one human life the expense involved, whatever it is, will have been well worth it.

SOCIAL SECURITY, H. R. 7225

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point and to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, since the social-security program was first enacted by this Congress, I have been honored and pleased to join in the almost continuous struggle to broaden and protect this most desirable and helpful measure, to make its coverage as nearly universal as practicable, and to bring its benefits into realistic balance with modern living costs and conditions.

The pending amendments for 1956, as presented in H. R. 7225, represent decided advancement in this field. To begin with, it makes clear that the old-age and survivors insurance program is designed to afford protection in some substantial measure, against loss of earned income, upon the retirement or death of the worker. Of course, the entitlements do not cover all cases that should be covered, and the benefits are not all that they should be, considering the present high cost of living. But it is significant to note that 9 out of 10 American workers can look forward to old-age and survivors insurance benefits for themselves and families in their old age, and that 9 out of 10 of the mothers and children of the Nation are assured of receiving survivors benefits if the family provider should die.

It is well that the Congress recognizes the responsibility for making improvements, changes, and betterments in this program from time to time as the need arises. Coverage for certain professional, self-employed persons, more equitable provisions for farmers and farm workers, and broader interpretation of insured status and benefit computations to give the covered groups more generous treatment, all point in the right direction.

WIDOWS' BENEFITS AT AGE 62

The provision to start widows' benefits at age 62 rather than at 65 is most salutary and long overdue. In fact, working women, wives, and dependent mothers should also have the benefit of this just provision.

BENEFITS FOR DISABLED CHILDREN

Benefits for disabled children of deceased or retired insured workers, if the child is permanently and totally disabled, is another wise and most appropriate provision which should cover those pitiable cases which arise from congenital conditions, or conditions existing since early childhood, including mental deficiency.

DISABILITY PAYMENTS AT AGE 50 IN CERTAIN CASES

Disability benefits for totally and permanently disabled persons at age 50 is still another valuable improvement which will bring immeasurable good results to many unfortunates who are unable to work and otherwise not able to maintain themselves.

Naturally, these changes have entailed a somewhat higher contribution rate in the old-age and survivors' insurance program, which will necessarily be raised periodically until 1975. Admittedly, serious problems exist in maintaining the soundness and solvency of the fund, but they can and will be met by this great Government with its huge resources and income without causing too much of a burden on any class of our American society. The results in terms of humane consideration of the veterans of industry, the disabled, and the afflicted will be well worth any expenditure which Congress may direct, and, in my opinion, these expenditures, great as they are, are well within the capacity of the Government.

I am particularly anxious to foster and support child insurance benefits for dependent children of retired or deceased workers who have become permanently and totally disabled, and, of course, for the mothers of such children. One of the most painful and difficult features of American family life, one which usually is well beyond the income and means of the ordinary family, and which also presents a real touching human problem, is in relation to those cases of children who, because of some mental deficiency or congenital condition, require constant care of their loved ones throughout their lives. Many devoted parents at tremendous sacrifice to themselves insist on caring for them in the home, even when doctors advise institutional care.

No one who has not had the opportunity to observe the heartbreaking problems which such cases present in the home can possibly envision the anxiety, the hardship, the completely exhausting character of the expense, care, and attention required to keep such children tolerably comfortable, let alone to endow them with essential medical care. I have known many mothers who have broken down completely under such pitiable burdens, and the action of our Congress in moving to help the plight of such distressed persons is just and humane recognition of our obligation to discharge their plain human duty to a class of persons who are so gravely beset.

The pending bill extends coverage to several groups excluded under current law, including self-employed professional groups, additional State and local government employees, additional American ministers of the gospel, outside the United States, whose congregations are predominantly United States citizens. Farmworkers would be covered if they receive $150 per year, or if they work 20 days or more for cash wages for one employer.

The social aspects of the bill are most impressive. In addition to making disability benefits available to permanently and totally disabled persons, for which a separate trust fund is established, benefits would be provided for disabled children, who have been disabled since before they reached the age of 18.

Widows and surviving dependent mothers would be paid benefits upon reaching the age of 62. Working women and wives could receive reduced benefits at age 62. The matching Federal benefits for the blind and aid to the permanently disabled would be increased to the rate of four-fifths of the first $30, up to a maximum of $60. The matching formula for medical care is also increased and training grants for training public assistance personnel would be authorized.

The above matching provisions are in the nature of clarifying and perfecting amendments moving in the direction of better adaptation of the social security system to the demonstrable needs of certain underprivileged or handicapped persons within our body politic. Clearly, the bill marks a distinct forward step and is amply justified, not only by the invariably appealing formula of need, but by the measure of financial capacity and governmental resources and the strength of the economic system.

The economy is now racing at breakneck speed toward a $500 billion annual product; 67 million people are employed; income and revenue are at highest peaks; and the budget is balanced. The Nation with such huge resources can well afford

to spend a modest portion of it, as this measure proposes, in taking care of its unfortunate, its afflicted, and its disabled and guaranteeing to the aged veterans of industry, agriculture, and other occupations against the hazards of advanced years, disease, unemployment, misfortune, and poverty.

One of the great things about this Nation is that it not only guarantees freedom to the individual, but that it relatively provides an equal opportunity for all. That does not mean that people will be equally successful, or equally endowed with worldly goods, because there are wide differences in native ability and origin, which are largely beyond the control of government. But it does mean that there shall be equality under the law, that each individual will receive the same degree of protection under the law, and that the Government acting, not as a benevolent despot, but as a sort of enlightened and humane manager, will assume leadership in setting up those essential legislative mechanisms, based upon the contributory principle, which will in operation provide people of the rank and file with a real sense of security in their advancing years and in times of misfortune.

The idea that such measures are socialism or communism have long since become disproved and outmoded and we can understand why. These proposals do not take away anyone's business or restrict anyone's opportunity to work, to aspire or to strive for something better in life. They do not represent intervention by the state to occupy a field of endeavor heretofore occupied by private individuals. Social security merely means what the words import—governmental supervision of a system based in large part on contributions by private individuals, which is designed in net result to relieve anxiety, provide for the unhappy contingencies of accident, disease and misfortune, and give to the American people the assurance that they will have something tangible and substantial to fall back on in time of adversity and advanced years.

Particularly gratifying to me are the provisions, which have been made for widowed women at the age of 62, and for permanently and totally disabled people at the age of 50. The adoption of these provisions is one of the great contributions which the Congress has made since social security began when I was privileged to take part in laying the groundwork for this great social advancement.

The committee and the conference have acted very wisely, as well as justly and humanely, in incorporating these provisions into the law.

I am in complete agreement with those who assert that we must keep our free enterprise economic system vigorous and healthy and that we must not do anything in Washington that would further reduce the incentive of those who desire to undertake responsibility of business and the professions on a profit-making basis. The right to make a profit is, in a very real sense, the very motivating basis of our economic system. It is the hope for gain through honest use of talents and investment of capital and hard dedicated work that inspires most Americans to assume the heavy burdens and risks of private business.

Congress must be careful not to erect higher barriers or place heavier burdens upon the ambitious and enterprising individuals and classes of our American society. The stark necessities of war, the postwar burdens of readjustment and the present dangerous conditions in the world have compelled us to maintain a huge, unprecedented peacetime taxing program. It is essential, however, for us to make every effort to reduce the current high taxes, not only by increased economy, efficiency and the elimination of waste and extravagance in government, but also by constant study of existing tax laws to modify, wherever possible, those which are oppressive and confiscatory. There is and must be a limit upon the percentage of individual income, which the Government can take. The present tax rates are altogether too high, and cannot long be continued without extremely detrimental effects upon the whole free enterprise structure, which, as I pointed out, rests upon incentive and aspiration of vigorous, able and ambitious citizens.

The appealing feature of social security is that it is, to such a large extent contributory, that those who will ultimately receive the benefits make substantial payments in order to secure future entitlements. It is with special satisfaction that I speak in behalf of this splendid bill and cast my vote for it.

I am sure that the improvements which have been made in the social security system will not only be extremely helpful to a great many people, but will be of enduring value in maintaining and strengthening the morale of the American people and the vigor and vitality of American enterprise and institutions. Social security, properly administered and humanely directed, will strengthen and protect our great economic and social order, our whole way of life—our freedom, our rights and opportunities. It will elevate public confidence in the ability of our system without radical organic change to face and conquer the living problems of all our citizens. It will provide a great buttress against the encroachment of unsound, dangerous totalitarian concepts alien to American principles and injurious to the welfare of our citizens.

SPECIAL ORDER VACATED

Mr. GRAY. Mr. Speaker, under previous order of the House, I was granted permission to address the House for 30 minutes today, but due to the lateness of the hour, I ask unanimous consent that the order be vacated.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

JOE CRONIN ENTERS BASEBALL'S HALL OF FAME

Mr. BOLAND. Mr. Speaker, today at Cooperstown, N. Y., Joe Cronin and Hank Greenberg join the ranks of immortals as their names and deeds are inscribed in baseball's Hall of Fame. This is indeed a very great and significant honor. It comes to those whose character, conduct and ability have helped to make the great game of baseball the national sport. It is an honor reserved to those who have proved their competitive talents and who have given the best that is in them to the game to which our country owes so much.

Mr. Speaker, on last Friday night at Boston's Fenway Park, New England and the baseball world joined in a magnificent appreciation tribute to Joe Cronin. President Eisenhower, Governor Herter, Mayor Hynes, Commissioner Frick, Red Sox players and fans expressed their admiration and love for a man who has been a particular credit to baseball. No more deserving person could have been the recipient of so many honors and such a great tribute. For Joe Cronin is and has been as expressed on that evening, "a man's man and every boy's idol."

Mr. Speaker, it is good that the Congress of the United States express its sentiments on events that touch the heart of the Nation. I am privileged to express this body's congratulations and best wishes to both Joe Cronin and Hank Greenberg.

PERSONAL EXPLANATION

Mr. VURSELL. Mr. Speaker, I would like to state that when the roll was called today on final passage of H. R. 627, the civil rights bill, I was called away from the floor on official business and could not return in time to answer the rollcall. Had I been present, I would have voted for the bill.

Mr. BOLAND. Mr. Speaker, when the vote was taken to suspend the rules on S. 1644, the Federal Construction Contract Act, I was unavoidably detained. At that time, I was in conference with the Veterans' Administration and a constituent on a matter of importance to him. If I had been in the Chamber at the time of the vote, I would have voted to suspend the rules. I favored the enactment of this legislation and appeared before the Rules Committee in support of a rule to bring it to the floor under the ordinary procedure.

PERSONAL ANNOUNCEMENT

Mr. McDOWELL. Mr. Speaker, due to personal business caused by a recent death in my family I was not present when the rollcall was taken this morning on H. R. 627, the civil rights bill. Had I been present I would have voted against recommittal of H. R. 627 and for the bill on final passage.

MISS CAROL MORRIS OF OTTUMWA, IOWA

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LECOMPTE. Mr. Speaker, I am at all times proud to be a Representative in Congress from the great State of Iowa—"the State of all the land" of which we sing joyfully in our Corn Song. I would be happy to talk at length about

the attributes of my native State. But I will not repeat any of the imposing statistics that attest to its greatness. You are all familiar with them. Today I want to confine my remarks to a very recent distinction bestowed on a member of the fairer sex of my State, when Miss Carol Morris, of Ottumwa, a city in the Fourth Congressional District of Iowa, which I have the honor to represent, was acclaimed as Miss Universe of 1956 at the contest held at Long Beach, Calif.

Miss Morris is the daughter of the Reverend and Mrs. La Verne Morris. This is not the first contest she has won. She represented Iowa in 1954 at the Miss America Contest at Atlantic City, and since that event all Iowans have followed her career with interest. She has been called upon to appear publicly on many occasions and wins the hearts of all by her ingratiating manner and modest conduct. Carol is wholesome and unspoiled by the honors she has won and the attention she has received. She enjoys the activities of the average girl. She is an excellent swimmer and I understand has been serving as a lifeguard at Ottumwa this summer. Carol teaches Sunday school and sings in the choir at the Davis Street Christian Church at Ottumwa, of which her father is pastor. She is a junior at Drake University where she is preparing for a career as an elementary schoolteacher.

I want to proclaim to the assembled Members of the House of Representatives that the State of Iowa is proud of Carol Morris' achievement, as I am sure the entire Nation is proud that a lovely American girl emerged the winner in this international contest. With her great charm, grace, and poise, she is typical of the womanhood of Iowa.

THE BATTLE FOR A JUST IMMIGRATION LAW

Mr. RODINO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, the battle for a just democratic immigration law must continue. I believe most firmly, and shall continue so to believe, that a revision of that act is one of my primary duties as a Congressman. To ignore the basic inequities of our immigration policy is to fail in the obligations and responsibilities of my office and to do violence to our American ideals.

I could not and will not sit by idly and permit our law to say that one man is better than another, that one nation is superior to another, or that the accident of birth shall determine a man's fate.

Can we view with complacency the unjustified and unjustifiable fact that 70 percent out of 154,000 quota numbers are allotted to northern and western European nations, and out of that 107,000 allotted to northern and western Europe, over 65,000 are allotted to one country only, and that is Great Britain? Compare that figure with such figures as against the Spanish quota of 250 annually; the Greek quota of 308; the Estonian quota of 115; the Italian quota of 5,677; the Latvian quota of 255.

It is not only the principle of inequality that is dismaying, but also the practical effect of such unbalanced distribution. Fifty-six percent of the available quota numbers remained unused from 1925 through 1952. Great Britain and Ireland do not use their allotment even up to 40 percent—in the case of Great Britain it is even less—and these visas go to waste while the low quota countries, seeking new opportunities, and with a stern courage, are willing to face life anew in a free land, wait behind closed doors.

Through the bill I have introduced, H. R. 8392, I have sought to balance the scales. I have sought a change in our immigration law which would speak for the heart of America, for its traditions of fair play, justice, and asylum, and at the same time protect the national interests of our beloved country.

My bill would permit people to enter in true proportion to the population of our country. In present terms, this would admit 250,000 a year and would change as the population proportion changes. Entry would be based, not on where a man is born, but on the worth of the individual himself, on the needs of his country, on the principle of reuniting of families, and on the need of the newcomers who face persecution in other lands.

The national origins quota system must go. To that end, I shall turn every effort, as I have done in the past. Other inequities in the law must be erased. We must do away with the distinctions between native-born and naturalized citizens so that once a person is naturalized he lives forever freely, on the same terms with the native-born citizen, and the land of his adoption asks of him no more and no less than it does of its native born.

Not only has our international prestige suffered, but so has our self-interest in this paper curtain we have placed before the less favored people of this world. This is a land of influence. This is a land whose wealth and health have grown because of the contributions of immigrants. Inbreeding is as wrong for nations as it is for families. Inbreeding emphasizes the weaknesses and rejects the vigor that new blood brings.

I wish to point also to the harsh, unnecessary clause in our Immigration and Nationality Act pertaining to deportation. It fails to protect families who have made their homes here for many, many years and has tossed aside the very principle upon which this country has been built—the principle of man's humanity to man.

May I point out Mr. Speaker, some of the confusion which exists in the present law. For example, the Department of State and the Immigration and Naturalization Service of the Department of Justice both control the entrance of immigrants into the country, and what one department may grant the other department may deny. It has happened often. An immigrant with a valid visa has been stopped at the very shores of this country and turned back by the Department of Justice, although the Department of State had already given its consent.

My bill creates a commission which would have independent authority and sole responsibility so that the immigrant does not face the United States wondering which side of the immigration split personality will be his judge and his jury. Nor can we afford to forget that any consul in a foreign country can use his discretion to deny a visa to any person and for any reason or no reason at all. Not even the President of the United States can interfere with the use of this discretion, and there is no body, no board, no commission, to review any decision made by the consul, though such decision may be arbitrary and unjust. This, likewise, would be remedied by my bill.

As has been said most aptly, "If we are to meet our responsibilities justly, we must stop daring the immigrant to get here and start inviting him to come here."

As long as I remain in public office, I shall fight against the unworthy thought that one man is good enough to be called brother and another is not, only because of his race, religion, or national origin. America's genius lies in its mixture of peoples. The cornerstone of American political and social philosophy is built on the dignity of the individual, an individual to be evaluated as an individual. This is my belief, and to that belief I am and shall remain dedicated.

THE MIDEAST CONTROVERSY

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SCOTT. Mr. Speaker, a short time ago the gentleman from Pennsylvania [Mr. GREEN] in my absence from the Chamber addressed some remarks which I have read and which I assume are critical of my interest in the Mideast controversy.

It happens I know something about that controversy, and I spend my time in Washington attending to my duties. If the gentleman from Pennsylvania [Mr. GREEN], aside from rushing down here to vote occasionally and running back to run the Philadelphia City Hall gang would pay a little more attention to his duties, maybe he would learn something about the Middle East controversy here, too.

Mr. GREEN of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. SCOTT. I yield.

Mr. GREEN of Pennsylvania. I am not interested in having the gentleman's words taken down, but if the gentleman from Pennsylvania read my remarks I do not see where he could take any objection to what I said, because everything I said was a fact. As a matter of fact, I think that I was very soft in my remarks.

The gentleman from Pennsylvania [Mr. GREEN], has as good a record as the gentleman from Pennsylvania [Mr.

SCOTT]. When the gentleman from Pennsylvania [Mr. SCOTT] was the Republican national chairman running all over the country he never heard Mr. GREEN say anything about his attendance record.

However, I do want to say this about the gentleman from Pennsylvania [Mr. SCOTT], that I talked to a gentleman from the State Department, reliable information, and he told me that you and the other gentlemen went to the State Department and told the Secretary that you were very much concerned about the Jewish vote this election because of the treatment that Eisenhower had given Israel.

Mr. SCOTT. Now, wait a minute; I would like to say to the gentleman that in my conversations at the White House there were never more than two people present, and I have sufficient confidence in the integrity of both to know that they would not have talked to the gentleman from Pennsylvania [Mr. GREEN] under any circumstances which I can conceive of.

Mr. GREEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GREEN of Pennsylvania. Mr. Speaker, when I made my remarks in the House today I did not completely cover the subject as it should have been covered, because the gentleman from Pennsylvania who is the Republican National Committee counsel and who was former Republican National Chairman, and who is attempting to kid the people in certain areas in Philadelphia that he is the great champion of Israel despite the fact that, under a Republican administration with his own President, President Eisenhower, he has not been able to attain one single thing; and the gentleman who gave me the information from the State Department told me that you and Representative CURTIS wanted to find out if there was any flexibility in the program.

Mr. SCOTT. Mr. Speaker, will the gentleman yield?

Mr. GREEN of Pennsylvania. I yield.

Mr. SCOTT. Would the gentleman be willing to tell the Members of the House who his mysterious informant is?

Mr. GREEN of Pennsylvania. I do not think it is important.

Mr. SCOTT. If it is not, then I submit that you should not rely on rumor and gossip.

Mr. GREEN of Pennsylvania. I will tell the gentleman from Pennsylvania [Mr. SCOTT] that this is not rumor and this is not gossip; and I do not think it is necessary for me to divulge to you where my information comes from, because the article that was in the Philadelphia Inquirer quoting you saying that Israel was going to get aid from the United States was repudiated next day right from Rome.

Mr. SCOTT. The article as written was correct.

THE KATYN COMMITTEE

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, when the Katyn Committee conducted its hearings in Washington, we had on the witness stand at that time a man by the name of Boris Olshansky who disappeared this week behind the Iron Curtain from western Germany. His wife testified today before the Senate Committee on Internal Security.

We expect that Mr. Olshansky will have his arm properly twisted in Moscow tonight and that we will hear from him over the Moscow Radio about midnight recanting the testimony given before the Katyn Committee in which he testified that he interviewed Stalin's private physician, Dr. Burdenko, saying that the Red NKVD was responsible for the Katyn massacre.

On pages 1939 to 1942 of the Katyn Committee hearings is the testimony of Mr. Olshansky that he appeared and testified voluntarily. I make that statement in anticipation of what may follow later today.

SPECIAL ORDER

Mr. HESELTON. Mr. Speaker, at the conclusion of the special order of the gentleman from North Carolina [Mr. DEANE] I ask unanimous consent to extend my remarks to cover what I intended to say in my special order and to include certain tabulations and other material pertinent to my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

FAREWELL ADDRESS

The SPEAKER. Under previous order of the House, the gentleman from North Carolina [Mr. DEANE] is recognized for 20 minutes.

Mr. DEANE. Mr. Speaker, instead of using this time in the closing days of the 84th Congress to make a valedictory speech after 10 years' service in the Congress, I prefer that we think together as Members of Congress about the part we can play in the remaking of men and nations, a tremendous, yet challenging and revolutionary task.

What is the answer to the friction and division in our Nation and in the world? What is the answer to hate? What is the answer to a $35 billion defense budget?

I am convinced that we will not find the answer in paper plans and by special legislation. We will find the answer when you and I accept and live absolute moral standards and make the daily guidance of God for our private and public lives a living reality.

I am thinking what would happen to a Congressman if he were absolutely honest. Someone has said:

> He is in grave danger of becoming a statesman.

Recently a young man spoke to his father who is a Member of this body and said: "Will you be a statesman who thinks of the next generation or a politician thinking about winning the next election?"

Before we can have a new nation and a new world, we must have new men. We must live a superior ideology. As we think in our hearts so is our Nation.

I recall meeting Max Bladeck. For 25 years, Bladeck was a dedicated Communist fighting the class war in the Ruhr in Germany. I heard Bladeck speak last year at a world assembly for Moral Rearmament in Caux, Switzerland. He said:

> As a Communist, I spoke in big labor meetings about peace, freedom and equality, but I did not have peace in my own home with my wife.

He left the Communist Party when he saw men and women living above class, race, party, and point of view. They had something he did not have. It was a superior ideology. They had found an answer to their own personal problems by living the absolute moral standards of Moral Rearmament and by a complete change in their own human nature.

When I think of Bladeck fighting the class war, I am reminded of what a daughter said to me:

> Daddy, you may fight for democracy in Congress, but you are a dictator at home.

Like Bladeck, I needed to change. I had to pay the price of moral change. I had to make the decision to cross out my own self-will and accept God's will in every aspect of my life.

This has been one of the most victorious years of my life because I see being born in the hearts of men of many races and creeds an overarching idea based upon absolute moral standards. This belief was confirmed in a cable sent on June 4 to Dr. Frank Buchman, who initiated Moral Rearmament, and which was signed by 20 Senators and 42 Members of the House. I quote from that cable:

> We respond to your global fight for the remaking of nations through the rebirth of man. Freedom has its ideology. Materialism will not be conquered by material means alone. Only faith can give freedom its destiny for all men everywhere. America needs this answer. It can cure materialism in West and East alike.

The challenge we face today is not the conviction and commitment of the Communists but the failure on our part to live more convincingly the real faith that built America. I recall the statement of a great American. He said: "Confusion comes from compromise, clarity comes from personal change." I do feel this is America's hour. Either we give the nations a superior ideology or we hand them over to communism through our indecision to think adequately and ideologically.

A brilliant young Burmese student studying here in America told my wife on last Saturday: "There is only one thing I do not like about America." My wife was eager to know what it was. This lady replied: "It is your materialism."

More and more economic aid, all of which I have supported, is not bringing

the answer. Since World War II, 800 million people have gone behind the Iron Curtain.

We may not wish to admit it but we are losing the world ideologically. In this world divided by hates and fears and national strife there is one force capable of answering these national problems. Mr. Speaker, let me tell you this story:

Following the adjournment of Congress last year, I joined the Moral Rearmament Statesmen's Mission and went into several countries of the Middle East, Africa, and in Europe. In every country, thousands responded to the plays and the ideology of Moral Rearmament. The statesman, the student, the ordinary man said: "This is what my country needs."

From this experience, Mr. Speaker, I am convinced that the statesman and the ordinary man can change and play his rightful part in the remaking of men and nations.

Everyone deep in his heart wants to see a new, decent world. Every man longs to give his life for something great. It will take courage. It will take sacrifice. We in this House have the unique privilege and responsibility to turn the tide of history in America and in the world.

It takes a decision of the will in your heart and mine to put our lives under the direction of God and live the answer to division, confusion, and disunity. With this superior ideology, we can build a new world if we will make that decision now.

Mr. SHEPPARD. Mr. Speaker, will the gentleman yield?

Mr. DEANE. I yield to the gentleman from California.

Mr. SHEPPARD. Mr. Speaker, I would like to pay my compliments to the gentleman from North Carolina [Mr. DEANE] for the manner in which he has conducted himself as a Member of this Congress for the 10 years that I have had the pleasure of working with him. CHARLIE, when you leave the House, I am sure you can leave it with the eternal conviction that at all times you have exercised your best judgment for the benefit of your Nation as against that of your political welfare, and I want to compliment you accordingly. I think no greater honor can be conferred upon a man than the repercussions of his own conduct and the fearlessness with which he meets opposite ideologies to his own ideas. And, I compliment you accordingly. Wherever you go and whatever you may do, I wish for you the utmost of success.

Mr. Speaker, at this point I ask unanimous consent to extend my remarks in the RECORD by including a statement on the financing of Moral Rearmament to which the gentleman has referred.

The SPEAKER. Without objection, it is so ordered.

Mr. SHEPPARD. Mr. Speaker, in the United States Moral Rearmament is incorporated under the laws of the State of New York as a nonprofit corporation. Its accounts, audited by certified public accountants, are filed each year with the Treasury Department in accordance with its obligations as a nonprofit organization.

All its workers serve without salary.

The work of Moral Rearmament is entirely supported by voluntary, unsolicited gifts. Most of its support comes from sacrificial giving of men and women in all walks of life who put as a priority the building of a new world. To that end they have accepted absolute moral standards. They give their money and time and experience. They are totally convinced that unless America and the world find and live the superior ideology of Moral Rearmament we face either atomic war or world dictatorship.

Money so given is thus freed and put into circulation to finance an ideological force that is a vital necessity. Everyone can and does have a part from the housewife and worker who give from earnings and savings to the legatee who gives his inheritance. Stenographers, Government workers, people in labor circles from their limited means have made these sacrificial gifts. One of our colleagues here in Congress found when his entire family began to live Moral Rearmament that he could balance his budget, which he had heretofore not been successful in doing, and was able to give regularly to MRA. Servicemen during the war and today give up to two-thirds of their pay. It was the terminal pay of many of these men after the war amounting to $60,000 which launched the postwar program of MRA in America.

A capital gift of $40,000 from a Virginia physician sent 150 postwar German leaders to the MRA World Assembly at Caux in Switzerland. These men, selected under the direction of General Clay and others, found at Caux an answer to the ideological vacuum in their country. At that time Communist representation on the works councils of the coal mines in the Ruhr was 72 percent. Three years later the percentage had dropped to 25 percent at which time Hubert Stein, a member of the executive committee of the German National Union of Mine Workers, speaking in America, said: "The main credit must go to MRA."

One hundred industries and a number of labor unions have made contributions to the creation of the new MRA center at Mackinac Island, Mich. Some have contributed materials, as some men have given their time and skills to produce this first ideological assembly center in the Western Hemisphere. Today every piece of material and every hour of work is paid for. There are no debts, no mortgages, and no loans.

The straightforward finances of Moral Rearmament out of the commitment of men and women has gone a long way to restoring in many around the world the faith that democracy still has within it the vitality to live and give an answer to materialism in every form.

MRA is pointing in its actual financing to a new economy that must be built if the free world is to survive, an economy based on need and not greed; an economy based on faith in the future and not fear; an economy based on Frank Buchman's statement: "There is enough in the world for everyone's need, but not for their greed. If everyone cares enough, and everyone shares enough, then everybody will have enough. Then the work and wealth of the world becomes available for all and for the exploitation of none."

Money used under God to finance a superior ideology finds its real destiny.

Mr. DEANE. Mr. Speaker, I yield to the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Speaker, I think it so very typical that our good friend, the distinguished gentleman from North Carolina, even today in his valedictory address to the House, has concerned himself not with CHARLIE DEANE, the man, or with CHARLIE DEANE, the distinguished and able public servant, but with ideals which could well be the objective of every person in the Congress and, indeed, of every person everywhere. Significantly, Mr. Speaker, I know that CHARLIE DEANE has lived true to those great ideals he has just portrayed to us. By the kind of life he has lived among us he has been an inspiration. For these reasons and for the fine influence he has had on the Congress and on the Nation we love and respect him very sincerely.

It has been a great privilege and a great pleasure, Mr. Speaker, to serve with this distinguished and able citizen. I know that I have been a better man and a truer American for the influence the distinguished gentleman from North Carolina has had upon me.

I should like to join my colleagues in wishing him godspeed and all success in everything that he undertakes. We shall miss him. We need more men like him, not fewer men like him, in the Congress.

Mr. Speaker, I ask unanimous consent to extend my own remarks and also ask unanimous consent that all Members desiring to do so may extend their remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DEANE. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. McCORMACK. Mr. Speaker, during the years that my dear friend from North Carolina, and I, have served together, there has developed between us a deep and a lasting friendship. My dear friend from North Carolina is a gentleman of deep faith and that is what we need in the world of today; faith in God, faith in country, and faith in man.

My good friend made reference to two simple words which to me are the most important words in the English language, each of four letters, one "love" and the other "hate"; love of God, love of neighbor; hatred of God, hatred of neighbor. One has an uplifting influence and the other a dividing and destructive influence.

If ever there was a man or a person that I have met who lives the faith that he believes in, my dear friend from North Carolina, CHARLIE DEANE, is that man. The gentleman from Florida [Mr. SIKES] has said that he has been an inspiration to him. The gentleman from North Carolina has been an inspiration to me. He represents everything that is honorable and trustworthy and his nobility of character will always remain in the atmosphere of this great Chamber.

The gentleman leaves here not defeated, but a victor, because he was able to overcome those human impulses and to act in accordance with the faith and

the principles he believed in. Instead of leaving here as one defeated for renomination he leaves here a victor, because he has won a victory by acting in accordance with his conscience.

So, I say to my dear friend, you and I will continue to meet, I am sure; God will allow us to meet for many years to come. Every time I look at you, every time I think of my dear friend from North Carolina, I shall be looking at one and thinking of one who to me on earth as nearly as is humanly possible, personified the spiritual truths he believed in, the principal ones being the two great commandments: love of God and love of neighbor.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. DEANE. I yield to the gentleman from Michigan.

Mr. DONDERO. Knowing that my able friend who now occupies the well will leave this Chamber at the close of this session, I want to add my tribute to him, which he richly deserves. This House and this country will lose not only an able statesman but a sterling gentleman of true character, whom we all love and admire.

While the gentleman was talking there came to my mind the words of Robert E. Lee when he bade goodby to his army at Appomattox. He said, "You will take with you that satisfaction which proceeds from a consciousness of duty faithfully performed." May I say to my good friend from North Carolina, you, too, will take with you that consciousness which proceeds from duty faithfully performed.

Mr. RABAUT. Mr. Speaker, will the gentleman yield?

Mr. DEANE. I yield to the gentleman from Michigan.

Mr. RABAUT. Tonight there comes to my attention the old saying, "Of what should a man be proud if he is not proud of his friends?" Look about you in this Chamber at this hour of half past eight and see those who remain here to pay tribute to CHARLIE DEANE. CHARLIE DEANE is a man of principle. He carries on his lips the principle that he loves and retains in his heart. He is a victim for that which he espoused. Only the pages of time will tell of his righteousness, of the things for which he stood. I salute him before my companions in Congress.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. DEANE. I yield to the gentleman from South Carolina.

Mr. RIVERS. Mr. Speaker, I am reminded in these moments as we pay tribute to our friend from North Carolina of the words in that great Shakespearean drama, the advice that Polonius gave to Laertes, and how the gentleman from North Carolina has lived that philosophy; that he is telling us how in our future days we may live that philosophy regardless of the vicissitudes and uncertainties of political campaigns. He is telling us of that great character of which he is the proud possessor. He is telling us to be true to ourselves. As Polonius said,

> This, above all: to thine own self be true,
> And it must follow, as the night the day,
> Thou canst not then be false to any man.

CHARLIE, this Congress has been a greater place to me personally because of the influence you have had on me personally, because I have had the great privilege of your association. You have impressed us all, as the distinguished gentleman from Michigan [Mr. RABAUT] has just reminded us. This is a great tribute to you, and a great tribute to us that we have lived with you. Your impression will not soon fade as you leave this Hall in which you have served so greatly in the cause we all cherish, peace on earth and peace in our minds.

Mr. HAYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. DEANE. I yield to the gentleman from Ohio.

Mr. HAYS of Ohio. Mr. Speaker, it was my pleasure when I came here almost 8 years ago to be placed on a committee with the gentleman from North Carolina who is leaving this body. I can sincerely say that there has been no one I have met in Congress or out that I think has more the courage of his convictions than the gentleman from North Carolina. I think the time will come, and in the not too distant future, when the people of his own section of the country, as well as all sections of the country, will be asking themselves the question as to how a man of his caliber could be defeated for having the courage to do the thing that he believed was right and not to do the thing he believed was wrong.

Never mind whether or not we agree or disagree with him or his position. He did what he thinks is right and he did it courageously, knowing that he was jeopardizing his seat in the House of Representatives. I say to you that that is courage of the highest order.

Mr. DEANE. Mr. Speaker, I yield to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, it has been my privilege to know and to have been closely associated with CHARLIE DEANE since he came to the House of Representatives. We will be the poorer when he leaves us. I think the impression he has made will last for some time. Like the gentleman from Michigan [Mr. RABAUT] I am struck by the fact that now, at 20 minutes to 9, this House having been in session since 11 o'clock this morning there are so many Members who have remained on the floor to bid him Godspeed. It speaks for the love and affection that he has generated amongst those who have come to know him. Charlie, our memory of you is indelibly inscribed in our hearts and I am sure will live there long after you have forgotten these Halls.

Mr. DEANE. Mr. Speaker, I yield to the gentleman from Washington [Mr. TOLLEFSON].

Mr. TOLLEFSON. Mr. Speaker, I want to thank the gentleman for the very fine statement he has made. It is in complete keeping with his fine character. I think all Members of the Congress will join in the statements made to the effect that Congress will lose one of its finest Members when the gentleman leaves these Halls. I want to assure the gentleman that the Members of this Congress will not soon forget him nor the contributions that he has made to this Congress and to the cause of peace throughout the world through his activities in MRA. It has been an honor and a privilege to have served in the House with him.

Mr. DEANE. Mr. Speaker, I yield to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Speaker, I have had the privilege of serving in the House of Representatives 10 years with CHARLIE DEANE. During that 10 years I have watched him serve on the District Committee and on the Committee on House Administration and the Committee on Banking and Currency as well as on the Committee on Appropriations. He has served earnestly, industriously and efficiently as a representative of the people of his district. CHARLIE DEANE had what was called a "safe district." CHARLIE DEANE could have been with us for another 10 years, perhaps, another 20 years, but he made a decision within the sanctity of his own conscience, which he felt should be made on the basis of his Christian belief. He took the admonition of the Great Teacher who said, "What shall it profit a man if he gain the whole world and lose his own soul." CHARLIE DEANE made his choice doing the thing that was in keeping with the highest principles of his soul. He sacrificed what could have been almost a permanent career in the Congress of the United States because of his belief. We know that a Member of the other body recently wrote a book called "Profiles In Courage" in which he paid tribute to the statesmen of the United States for the unselfish acts which they performed in the interest of the common good. Certainly, CHARLIE DEANE's name should be inscribed on the list of those men who placed their self-interest on the altar of public service and did that which was the thing their soul dictated to be right. It has been a privilege to serve in the House with you. It has been an inspiration to me and to all of us who have known you, Charlie—and we wish you well.

Mr. DEANE. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. MARSHALL].

Mr. MARSHALL. Mr. Speaker, I deem it a great privilege to have served with the gentleman from North Carolina [Mr. DEANE]. I not only served in the House with Mr. DEANE, but Mr. DEANE has also been a very valuable member of our subcommittee on appropriations for agriculture. Mr. DEANE has been sincere, honest and hard working and a man who is true to his convictions. He has set a shining example as a man who has the courage to live up to the ideals and live up to the Christian principles of a gentleman. He is not only a great Member of this body—he is a great American. I hope in the years to come that we, the friends he has made here in the Congress, will cross paths with him many, many times for all of us have become better because of the relationship and the companionship we have had with the gentleman from North Carolina [Mr. DEANE].

Mr. DEANE. Mr. Speaker, I yield to the gentleman from Iowa, [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I wish I had the words to add to the many glowing tributes that have been paid to our dear friend, CHARLIE DEANE. I heartily endorse every word that has been said.

However, to me the greatest of all tributes to our departing colleague is his own tribute in the service he has performed as a Member of this House, his own actions, his deeds, his conscientious work, his devotion to duty, which he has brought to his work here, and to the life of his colleagues.

I had the privilege over the past 10 years of serving on the calendar objectors' committee with CHARLIE DEANE. During my years here in this House I have found that the best way to get to know a colleague is to serve with him in some capacity such as on a committee. My service with CHARLIE DEANE has taught me that he is fair and honorable at all times. He is fair minded, and it has been a joy and a pleasure to serve with him.

The loss is not to him; the loss is to America and to this Congress.

I wish you well, Charlie.

Mr. DEANE. Mr. Speaker, I yield to my colleague from North Carolina [Mr. BONNER].

Mr. BONNER. Mr. Speaker, it is most gratifying to me to sit here and listen to the beautiful tributes that have been paid to my associate, the gentleman from North Carolina CHARLIE DEANE. I can testify to his splendid Christian character, and I know that those of us in the delegation are appreciative and thankful that such splendid things have been said about a most worthy gentleman.

On occasions we have differed, and on one occasion in a most controversial matter we differed. When he told me the next day that he had prayed, that he had been down on his knees trying to get the advice and guidance that he knew was right, I never admired a man so much in all my life though I took a different position.

He is of real worth, a sterling character; he has made a great contribution to this House. His faithful and loyal service, his fairness, and his respect for the other Members of the House have been an example. He has set an example to men here on earth, and he has set an example here on earth to follow in the life that will lead them to higher reward.

I admire you, Charlie. You have rendered a splendid service, and sincerely I wish you well, whatever your undertakings may be in the future, for I know whatever you do will be for good and for right.

Mr. DEANE. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Speaker, I am sure the words of a Yank can be well spoken at this time. I am pleased to join hands across this mythical border of the States. There have been bloodshed and hearts broken for years. Certainly it is the feeling, and the example, and the leadership given to us such as has been given recently by the gentleman from North Carolina which all of us on both sides of the aisle, on both sides of the great question down through generations may feel some day will be the life to which we can look and all embrace, and we all know that, Mr. Speaker, it is from such stuff as this that heroes are made. The hero is not always on the barricades baring his breast to an enemy. But your breast, my friend, has been bared to the slings and arrows of an outrageous fortune the likes of which I have never seen.

I met you when you came here 10 years ago. I have known you as a man of peace and as a man of God. Yet you sat alongside of me, in the next chair to me, all during these years on the Appropriations Committee and the subcommittee for the Department of Defense, the Army, the Navy, the Air Force, and the Marines. I have seen you fight this battle, for years, with your heart and your conscience, but you never wavered on that committee dealing with matters of death, matters of war and for your country's welfare.

On the ticker an hour ago I saw where this Congress sent to be signed a resolution saying that the future motto of our Nation is "In God we trust." Sir, you are a classic example of what that motto means to a great people and to a great nation.

Down through these years, and they have been many, this Hall well reverberated to the voice of a charlatan, a politician, a demagog; but it also has reverberated to your presence and your voice. I have listened and taken part in many of these ceremonies. You said it was not your valedictory and of course it was not. We who come from the high schools of America remember the valedictory to be the final words of farewell of the students to their colleagues and their teachers. It has always been the custom to select the first in standing in the class to give the valedictory. He can also be a person of courage.

From that sad War Between the States a great book was written, the Red Badge of Courage. Your badge is the red, white, and blue badge of courage. And I can say, Mr. Speaker, for the colleagues of my friend that we will stand when he leaves these Halls and say to each other and to you, Mr. Speaker: There goes a man.

Mr. DEANE. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, as one of a dwindling group of comparatively young men who were sworn in with the gentleman from North Carolina, 10 years ago, I can say that the gentleman's departure from this body is a personal loss to me. I got to know CHARLIE DEANE quite well, almost from the time we were sworn in together in the well of this House. From that time to this good hour his life has been a shining example of the highest quality of human morality. His service in this House has been the kind of service that congressional service ought to be.

Charlie, you may have suffered a temporary loss back at the polls, but I know that CHARLIE DEANE will go on. After all, what is a political loss compared to a moral victory, a moral victory that your speech here today gives assurance you have gained. You may be leaving the halls of this House, Charlie, but you will remain forever in the hearts of your friends.

Mr. DEANE. Mr. Speaker, I yield to the dean of my delegation the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Speaker, I would like to join with those who have paid these brief tributes and well-deserved tributes to our distinguished and beloved colleague, the gentleman from North Carolina [Mr. DEANE]. I have known him intimately and well since he came to the Congress, and I think all of us know that he has been a devoted public servant. He has dedicated his life to high ideals and lofty principles and exalted purposes. As I sat here and heard his remarks a few moments ago, I was reminded of what someone said, that a thoroughbred never cries. Apparently CHARLIE DEANE is a thoroughbred who is unwilling to cry and regard what has happened to him as a defeat. His life has been a blessing and a benediction not only to the commonwealth which he has so well represented but to the Nation and to all mankind throughout the world. When I think about political life, we are made to wonder how mysterious are the vicissitudes of human life and how frail and precarious are our best holds upon human happiness. I want to say to him that he can perhaps receive some compensation and satisfaction by the thought that when the Great Scorer comes to write against his name, He will write not that you won or lost but how you played the game. All men know that you played the game well; that you are a courageous man; that you are worthy of the faith and the confidence of the people that you so ably and well represented during these 10 long years of history making here in the House of Representatives. I have enjoyed your friendship and the friendship of your lovely wife, Agnes, and I bid you Godspeed and extend to you my cordial good wishes in the days ahead.

Mr. DURHAM. Mr. Speaker, will the gentleman yield?

Mr. DEANE. I yield to the gentleman from North Carolina.

Mr. DURHAM. Mr. Speaker, I have great admiration for my distinguished friend, Congressman DEANE from the Eighth District of North Carolina. I shall remember as long as I live the philosophy and manner embraced by CHARLIE DEANE toward his fellow men. He has always shown a willingness to compromise since becoming a Member of this body, without the loss of principle, and he has shown a willingness in giving equality of treatment to everyone with an abiding sense of fair play.

Sometimes I think the best reward we get here from our service and labors is our association with our colleagues and the friends we come to know and to love. I can say that one of the greatest compensations of my service here in Congress has been the association with and the privilege of knowing CHARLIE DEANE. I am proud to call him my personal friend. He is a Christian gentleman of

the highest order, and when the question of principle has been involved, his convictions were as brave as a lion's.

CHARLIE DEANE has a deep religious faith and he is one Member of this body who has lived his religion. At all times we have not agreed regarding our conclusions, but at such times it has never occurred to me to question the motives which led Charlie to his conclusions, or the integrity of his decision once it was made.

He has given to his district and his State a fine example of good statesmanship and good citizenship. I will personally miss him from this body, and I wish him a long and extended happy life of continued service to his Nation, and I know that many other people in North Carolina wish him the same.

Mr. SIEMINSKI. Mr. Speaker, will the gentleman yield?

Mr. DEANE. I yield to the gentleman from New Jersey.

Mr. SIEMINSKI. Mr. Speaker, it is said that our life is but a span, so frail a thing is man.

We smile through bitterness, folly, and pain because we believe that there is enough in God's promise to overbalance it all.

Charlie, your future sparkles with service to others. When the sick world cries, how can we sleep?

Your future is in the world in which we live, Charlie. You and the force for good of MRA—Moral Rearmament—have a great part to play in this world.

In the world in which we live, the world of the 3 great northern continents, and the world of 3 great southern continents, a wave begins to grow and swell. MRA can inspire and guide this wave for the greater happiness of man.

In the northern continents of America, Europe, and Asia, and in the southern continents of Africa, South America, and Australia, watchful eyes follow a line that circles the globe.

They see a belt that goes from China to Cairo, via India, thence to the Caribbean via Algiers, and from Algiers through the Panama Canal to the East Indies back to China.

Drawn tight around the globe, this belt could constrict the continents, north and south.

Drawn tight, this belt could throw white man into spasms against white man. Americans, Europeans, and Russians could slaughter each other, as they have in the past, as this growing and swelling wave pinched off the southern continents and the raw materials they contain. Cut off, Africa, Australia and South America would go by the board, as would, one believes, the northern continents. We need each other, north and south, east and west, the one and the other.

That is the challenge you face, Charlie. It is the challenge that you and the dedicated souls in MRA are prepared to meet. You are fortified to meet the challenge of the times because the times thirst for true adjustments in the conditions of man.

The world has had its share of folly, bitterness and pain. Yet it smiles, at least in places.

The world smiles and wants to smile because it believes and wants to believe that there is enough in God's promise to overbalance it all, the folly, the bitterness and the pain.

Moral Rearmament eases man's ignorance of man and thus banishes man's fear of man. MRA brings men together and thus meets a mortal need.

MRA gives man strength to walk beneath the stars to touch, if he can, the Divine that moves behind the mortal veil.

With roots that firmly grip the granite truth, MRA rids man of hate when he sends a keen ax to the root of wrong.

MRA plants the ethical impulse or uncovers it because it assumes man's infinite goodness. It does not assume the worst about human nature. MRA assumes man's capacity for judgment and his capacity for growth. To grow, we must study the conditions of man to better them and ourselves.

Like you, Charlie, and the Members of this House, MRA believes that man is strong enough, and after 40 centuries, mature and realistic enough, to listen to any man say his bit. This strength to listen helps man keep clean the glass, keep it clean of human hatred that corrodes the heart.

Bless you Charlie and your future. Think often of us, and in your prayers, ask that we remain steadfast, that we and all the people in the world, continue in the firm belief that there is tonic in the things that men do not love to hear and there is damnation in the things that wicked men love to hear.

Pray, Charlie, pray that all the people on earth, all the 2½ billion of us, hold steadfast to the belief that free speech is to a great people what winds are to oceans and malaria regions, which, as Beecher says, waft away the elements of disease and bring new elements of health. Where free speech is stopped, miasma is bred and death comes fast.

In that belief, Charlie, we can smile through bitterness, folly, and pain. In that belief does God's promise work to overbalance all.

Hurry back, Charlie. To you and to your sweet family, Godspeed.

Mr. DEANE. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. RHODES].

Mr. RHODES of Pennsylvania. Mr. Speaker, I join with my colleagues in paying tribute to the gentleman from North Carolina. He is indeed a man of high ideals and principles. No Member of the Congress has served his people, both in his district and in the Nation, more faithfully and more courageously. I take a great deal of pride in having had the opportunity to associate with a man of such fine character and to know him as a friend. I wish him Godspeed, good health and a good future. I know that passing time will bring to him the recognition he so justly deserves.

Mr. DEANE. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Speaker, it has been a privilege and an honor to serve in the House of Representatives with the gentleman from North Carolina, CHARLES DEANE. There is an old bit of verse which includes the words:

> Ask not for whom the bell tolls.
> It tolls for thee.

In the defeat of CHARLES DEANE, of North Carolina, the bell tolls a defeat for the best that is in the hearts of many men, but it also tolls a moral victory for all men.

I do not believe any man can look into the eyes of CHARLES DEANE, of North Carolina, without being conscious of a power that is present there, a power of integrity, of character, of spiritual truth.

Every man in this House who has known you, CHARLIE DEANE, is a stronger and better man for having known you.

I thank you for your friendship.

Mr. GWINN. Mr. Speaker, will the gentleman yield?

Mr. DEANE. I yield to the gentleman from New York.

Mr. GWINN. I should like to associate myself with the splendid statements of the Members concerning the life and work and high purpose of our friend and colleague from North Carolina. We shall remember you, Charlie, as of the continuing company in Thursday morning meditation. We shall think of you as one devoted to the Moral Rearmament concept that through the change of the individual mind and heart we shall achieve good for our own Nation and for the peace of the world. May God bless you in the years to come.

Mr. DAWSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. DEANE. I yield to the gentleman from Illinois.

Mr. DAWSON of Illinois. Mr. Speaker, I wish to associate myself with everything that has been said here today about our beloved friend, but somehow I do not think of this as a defeat. I am reminded of something that happened nineteen-hundred-odd years ago in the Garden of Gethsemane, when One said, "Oh, Father, if it be Thy will, let this cup pass." He drank that cup. He died on the cross, to carry out what he believed to be the admonitions of the Father.

That was not a defeat; 1,900 years after that event, men all over this world are embracing in ever-increasing numbers the life, the religion, and the thought that was set forth on that day.

The thing that CHARLIE DEANE has done is not a defeat. He lived according to his conscience. Sometime, somehow, I believe, and it is my philosophy, that when a man has done the very best he can then what happens happens for the best.

I am sure that this event that is coming into the life of our friend is just the beginning of a thing that shall encompass increasing numbers of men until there will have passed from this earth all hatred between mankind, and men, the children of God, will live together in peace, in harmony, and in love.

As you face the future, I know there is not within your bosom 1 minute of regret because you have set the example that men of the future will follow, and the world will be made better thereby.

Mr. DEANE. Mr. Speaker, the Moral Rearmament Statesmen's Mission to

which I referred earlier is now in London and comprises 400 people from 32 countries. Since the mission left the United States in June 1955 it has visited some 58 cities and capitals of the world representing 28 nations. This mission has made a contribution of historic importance to the life of many countries.

Last month 62 Members of the Senate and House of Representatives sent a cable to Frank N. D. Buchman, Pennsylvania-born founder of Moral Re-Armament, on the occasion of his 78th birthday. In it we said:

We look forward to your return to America with the world mission of MRA and "The Vanishing Island" so that this ideology can be brought to every part of this Nation and to the world.

The first assembly center for ideological training in the Western Hemisphere is now being completed at Mackinac Island, Mich. It will be the scene of a world assembly from August 24 to September 4. Members of Congress are cordially invited to attend this assembly and to visit Mackinac with their families any time possible for them to do so.

I am convinced, Mr. Speaker, that in the present crisis in the world, all the more serious because less obvious, we need to evaluate and play our part in the advance of this ideological action which is for all men everywhere.

As it will be of interest to Members of Congress to have in our official record an account of this historic mission, I include the following report of the Moral Re-Armament Ideological Mission:

SWITZERLAND

The Moral Rearmament Ideological Mission, fresh from their Asian-African journey, on October 1, 1955, launched their move through Europe from the world assembly at Caux, Switzerland.

During the Foreign Ministers Conference in Geneva, October 1955, the Journal de Geneve, one of Europe's most widely known and respected newspapers, published a special supplement on Moral Rearmament which was then presenting its plays in that city. Copies of this special supplement were sent by a representative group of Swiss leaders to the delegates of the Foreign Ministers Conference and to heads of state throughout the world. In the editorial it stated:

"Moral Rearmament has just successfully undertaken an ideological mission to the capitals of Asia; its work of reconciliation in Africa is expanding; it is doing its utmost to create the atmosphere in which the much-needed understanding between East and West can be achieved, and to proclaim an overarching ideology on which men of every color, race, and religion can unite * * *

"Heads of state and government have hastened to send us messages for this new supplement. They are evidence of the eager hopes which have been raised by the Moral Re-Armament mission wherever it has gone."

The Catholic paper, Basler Volksblatt, wrote:

"MRA certainly knows how to answer at this moment the materialism of communism and capitalism with an ideology—an ideology which with its early Christian values merits recognition and receives it."

From the Neue Zurcher Zeitung, Zurich:

"The theme of 'The Vanishing Island' is timely, and the way it is presented stands for a commitment by a movement which seeks to be regarded not just as a crusade against communism, but rather as the nucleus for an ideological remaking of the world."

Der Bund, principal daily of the Swiss capital, Berne:

"People forget that communism represents a force which threatens the world as a spiritual dynamic no less than it does as an actual political factor. The ideology of Caux is perhaps the only one strong enough effectively to reach and match the nihilistic forces."

At Berne, Mr. Max Petitpierre, President of the Swiss Confederation, and also the speakers of the two houses of the Federal Parliament, received members of the mission.

Mr. Rudolfo Olgiati, member of the executive committee of the International Red Cross, stated in an article in the Journal de Geneve:

"The aim of Moral Rearmament is to upturn the thinking and living of the world. Our way of life in Western Europe does not attract either the Communist countries, Asia or Africa. We might as well admit it; it wins nobody. Our living is far below what our faith teaches us.

"We urgently need renaissance. Nothing less is adequate. The country which is willing to come to grips with the materialism of the West will give a faith to Europe and the world."

FINLAND

President Paasikivi, who had invited the mission to Finland, attended the Helsinki premiere of "The Vanishing Island" on November 4. Receiving them in the Presidential Palace, the President said:

"The world is now going through a profound transition from one historical period to another. But it is obvious that there exists a great disturbance in men's ideas about what is right and what is wrong. The program of Moral Rearmament is to show what is right and what is wrong and to strengthen the moral principles in men's minds and lives. It is a great task."

The Prime Minister of Finland, Urho Kekkonen, and the Foreign Minister of Finland, Johannes Virolainen, saw "The Vanishing Island." With them came the Prime Minister of Burma, U Nu, who told the press at the Helsinki Airport the day he arrived from Moscow, "I believe very much in Moral Re-Armament and I back it in every way."

U Nu also attended the Finnish premiere of the African play "Freedom," which was written at Caux by Africans from all parts of that continent in the belief that Africa with the answer to racial struggle holds the keys to the hates of the world.

Eero Antikainen, president of the Finnish Trades Union Congress and vice-chairman of the Socialist Party, officially welcomed members of the mission at a special luncheon in the House of the Workers. He stated:

"MRA springs from a clear need in the world. Every honest person must admit that your point (in MRA) of starting with yourself is right."

Bishop Gulin, of Tampere and Helsinki, one of the 16 Scandinavian bishops who invited the mission to their countries, stated:

"The whole Finnish nation backs you in the work you are doing. The uniting message brought by MRA before the war is one of the reasons that Finland today is a free country."

The Finnish daily, Uusi Suomi, of Helsinki, published an eight-page MRA supplement on December 4. "Nothing has ever impacted the public mind of Finland like this before," said a Helsinki newspaperman.

SWEDEN

His Majesty King Gustav Adolphus, Her Majesty Queen Louisa and the Prime Minister, Tage Erlander, attended "The Vanishing Island" in Stockholm.

The speakers and 200 members received the mission at Sweden's Parliament—the largest and most international group to be received in its history. Johan Nilson, speaker of the upper house, said:

"Your visit is an honor to our country and Parliament. MRA is already a great influence in our country. Our aims are your aims. I want to express the gratitude of the Parliament for your visit."

The Right Reverend Helge Jungeberg, bishop of Stockholm, invited 300 clergymen and their wives to hear speakers from the mission. At the request of the president of the general assembly of the Church of Sweden, and three vice presidents, a special performance of the MRA play, "The Real News," was arranged for delegates to the assembly.

Maj. Gen. Nils Bjoerk, who commands the Swedish Army in the key northern area, said:

"Almost every one of the officers of my staff is quite clear how important this work is. With the help of my colonel, I will try to get the principles on which MRA works to as many as possible of our new recruits."

A Socialist Member of Parliament, Per Orgaard, told the audience at an MRA play:

"I am looking for a better way for my country and for myself. I have studied this work in daily life—in the mines of the Ruhr, in the docks of Hamburg, in Mackinac Island, Mich., and in Washington. This is an idea whose time has come. I believe it is necessary, not least for our country.

"It aims to (make and) create that spiritual climate without which we politicians cannot work. It is creating that confidence without which it is not possible to reach agreements and lay the foundations of peace."

NORWAY

In Oslo, Aftenposten, Norway's largest national daily, described the arrival in a 1,000-word story headlined, "Glorious Welcome for MRA."

Great crowds packed out the Norwegian premiere of The Vanishing Island and overflowed into the Trades Union Congress center for a parallel meeting. "Interest for MRA's ideological plays is enormous," commented the Oslo newspaper Vartland. In a two-column editorial Vartland wrote:

"'The Vanishing Island' comes at a time when it is urgent to have effective weapons in the ideological battle. It demonstrates how a new kind of man, through a superior ideology based on absolute standards and God's guidance, can lead to a new type of human society."

Eleven Norwegian Members of Parliament of five political parties in a combined statement said:

"Moral Rearmament will turn a new page in history. It is an ideology for the whole world. The World Mission has made a deep impression on Norway."

The officers of the Military Staff College, as part of their official course, heard the Mission. Speaking for Germans traveling with the Mission, Max Biadeck, a miners' leader from the Ruhr who had been 26 years in the Communist Party before he found in MRA a more compelling ideology, apologized for what Germany did to Norway during World War II.

The work of the Mission was continued by a Scandinavian production in Norwegian of the MRA play, "The Real News." This play opened in Oslo April 9, on the anniversary of the German invasion in 1940. Aftenposten headlined the story, "A Ninth of April With Hope."

DENMARK

Berlingske Tidende, the largest Danish paper and oldest paper of Europe, wrote of "The Vanishing Island," that it shows an ideology which can save the world from chaos and war, which can unite East and West.

"The Mission is in Scandinavia at an historic moment," declared Ole Bjørn Kraft, former Danish Foreign Minister and Chairman of NATO 1952–53. "We need a new sense of direction." The Minister of Agriculture, Jens Smoerum, told the Mission, "The idea which holds you together has a

decisive influence and has been an extremely great blessing to millions across the world."

The speaker of the Danish Parliament, Gustav Pedersen, with Cabinet Ministers and Members of Parliament, welcomed members of the Mission at a reception in the Parliament.

In the Royal Theater "The Vanishing Island" played before packed audiences. The Primate of Denmark, Bishop Fuglsang Damgaard, congratulated members of the cast of "The Vanishing Island." He told them:

"Thank you for what you have given to our country, to our people, and to our church. Your mission has been a very great blessing to our Scandinavian countries."

The Commanders in Chief of the Danish Army and Navy attended a special performance of The Vanishing Island with 700 officers and men of the Royal Guards.

During these weeks 100,000 people in the four Scandinavian countries had filled theaters to overflowing to see MRA plays. Millions more listened to radio broadcasts. More than 1,000 newspaper articles brought home to the people the significance of the mission.

Ole Bjørn Kraft, speaking in Copenhagen's Polytechnic Hall, said that Khrushchev at the recent Communist Party Congress in Moscow emphasized that coexistence in the ideological field is impossible. He said:

"What answer do we give this declaration of ideological war? The materialistic West has no answer because it springs from the same root as materialistic communism.

"The ideology of MRA is the answer. It is the only universal ideology and the only realistic ideology. Communism is not universal because it is not for everybody everywhere. Communism is not realistic because it builds on the old motives of hatred and bitterness. That will never change the world. Moral Rearmament is realistic because it deals with the essential—a change in the motives of men which is necessary if the world is really to be changed.

"Moral renaissance in the West and East is the only road to unite the nations. It will create peace and freedom, not just here or there, but for the whole world."

ITALY

On the invitation of the Italian Minister of Labor, the Moral Re-Armament World Mission presented the Italian premiere of The Vanishing Island December 27 at Sesto San Giovanni, industrial center near Milan called "Little Stalingrad" of Italy.

The left wing weekly of Sesto San Giovanni, L'Informatore, described the play under the headline—"An Idea to Win the World" and wrote:

"An exceptional play. It will lift the thinking of nations. It is an opera born to meet the needs and give an answer to the crisis of today. It will lift the thinking of an age."

Dr. Luigi Rossi, editor of L'Informatore, accepted the challenge of the four absolute standards of Moral Rearmament and committed himself to a superior ideology. He took his paper out of the Communist Party strategy and published a 10-page special edition on Moral Rearmament. It is the first Marxist paper to proclaim a moral ideology which supersedes the class struggle and answers the causes of race and class injustice in both East and West. He described the impact of the Mission in Sesto:

"Moral Rearmament came to Sesto San Giovanni with a burning fire, not the fire of an incendiary but the fire of purity. The heat of the flame was felt by the 19,000 citizens of Sesto who applauded the many repeat performances of The Vanishing Island.

"The broad mass of the workers who crammed every available corner of the theater responded with enthusiasm to the presentation on the stage of citizens of nearly every nation in the world.

"It was easy for them to grasp the finality of Moral Rearmament. The four fundamental principles of absolute honesty, absolute purity, absolute unselfishness and absolute love impress themselves on every human being. There is no political party, there is no religious confession that can set itself against them. They represent the best in humanity."

Rossi told how he had changed:

"After I had been 20 years in the clandestine Communist Party and 10 years in the open party, MRA came to my city. I changed and returned to my faith. I apologized to the priest, whom I had attacked in my paper, and today we work together for a new spirit in Sesto and all Italy.

"My paper and all my staff have understood this idea of MRA which is superior to Communism. Each week through the newspaper we bring MRA to every home in the city. Sesto San Giovanni is 80 percent Communist but its spirit is changing."

The Mission attended High Pontifical Mass on New Year's Day at Milan Cathedral. Representatives were received by Archbishop Montini afterwards.

FRANCE

At a time of acute political disunity in France, following on the elections, and at a time of growing crisis in Algeria, the Moral Rearmament Ideological Mission comprising 350 people from 30 nations was welcomed to France by Paul Bacon, Minister of Labor; Claudius Petit, member of 10 governments since the war; Senghor, leading West African deputy, and others.

Over a period of 3 weeks the Theater des Champs Elysees was filled with 24,000 people. Emile Vuillermos, the leading musical critic, wrote:

"The opening of the musical season in Paris has been marked by an event of stupendous significance. The musical technique (of The Vanishing Island) is extraordinary * * * the result is prodigious."

Gabriel Marcel, leading Catholic philosopher and writer, in a signed article in Le Figaro struck the keynote for the visit of the Mission in describing it as "a hope, perhaps even the hope." He continues:

"One fact which proves the scope of MRA is that the men in the Kremlin are troubled about it. Especially at Tashkent they make many broadcasts as a warning against a movement which is undermining the very foundations of the Communist ideology."

France Soir headlined its review, "The Vanishing Island" Last Night Gave 2,000 Parisians the Secret of Universal Peace."

The entire mission of MRA was welcomed to France at a reception in their honor at the Hotel de Ville and also at the Palace of Versailles by the President of the Assembly of the French Union, Albert Sarraut. Another official reception was given by the Minister of Overseas Territories, Pierre-Henri Teitgen, on behalf of the Government at the Ministry, who said:

"I warmly welcome you in the name of my Government and of France. You are demonstrating the new type of society and you have made the whole world your battlefront. When we see the way you live today we see how the world will be tomorrow."

The timeliness of the visit to France was underlined by the message sent by Si Bekkai, Prime Minister of Morocco, on behalf of his Government, on the eve of the settlement which brought about Moroccan independence:

"The Government of His Majesty the Sultan shares with all its heart in the work of the MRA force. It puts its trust in God and in all that MRA has succeeded in doing to unite the men of France and North Africa."

This cable was the result of the work of a man trained in Moral Rearmament, Ahmed Gessous, Moroccan nationalist leader and Director of Agriculture. Last year France and the world were amazed when they saw the photograph of El Glaoui, powerful Pasha of Marrakech, prostrating himself before the Sultan of Morocco and asking his forgiveness for that past. Telling the story behind this, Gessous said:

"A year ago Morocco was going through a very serious crisis. Terrorism was in full blast and the Moroccans had decided to get their independence by every means. Hatred was making a deeper gulf every day between the French and the Moroccans.

"At that time I went to a World Assembly for Moral Rearmament at Caux in Switzerland. Before going, I had made the acquaintance of a man who is now one of my best friends, Pierre Chavanne. He is a French settler. You can imagine the impression that Moroccans had of French settlers. When he spoke to me about MRA I received this with skepticism. But a friendship was born. Many facts each day proved to me how sincere Chavanne was. I was grateful to him for having brought me to Caux.

"There I had the opportunity to speak about the situation in Morocco. There was antagonism between the nationalists and El Glaoui, the leader of the opposition to the independence movement, whom we regarded as a traitor. At Caux I said, 'How can you mention the name of such a man without calling him the Devil.' At that moment one of the men there said, 'You are as near to God as you are to the person from whom you are most divided. Think over that thought.'

"I thought about it and concluded that I was very far from God. I listened to the inner voice and I saw that my first duty was to reestablish unity in Morocco.

"When I got back I succeeded in getting in touch with this man whom I considered a traitor to my country. I apologized, not for my convictions which remained strong and unshakable, but for the hatred and resentment I had had against him. There was an immediate reconciliation. Forty-eight hours later El Glaoui made the famous apology to the Sultan. Shortly afterward, the independence of Morocco was proclaimed.

"And that is only the beginning. Morocco has its part to play among all nations to create world peace.

"The Government of Morocco follows the work of MRA * * * and our Government wants to encourage this fight for a superior ideology. I want to say 'thanks' to Dr. Buchman who has lived such a life in service to humanity. We want to pay tribute to the work he has done and wish for the triumph of these ideas throughout the world."

His Imperial Majesty Sidi Mohamed, Sultan of Morocco, issued a "formal and firm invitation" to Dr. Buchman on his birthday, June 4 this year, to "come to Morocco and to preside here over an MRA Assembly" for the Moslem world.

GERMANY

Invited by Chancellor Konrad Adenauer and members of his cabinet, the Moral Rearmament Ideological Mission went to Bonn, Berlin, Hanover, and through the principal cities in the industrial heart of Germany—the Ruhr. Over 80,000 saw the MRA plays.

The following account of the visit of the MRA Ideological Mission to Germany was taken from the Bulletin, a weekly survey of German affairs issued by the press and information office of the German Federal Government, February 23, 1956:

"The invitation sent by the Chancellor and other German leaders to the MRA Mission said:

"'At this time of confusion in Europe we need—and all the more in a divided Germany—an ideology that brings clarity and moral power into the shaping of international relations.'

"Welcoming the MRA Mission to Bonn, Federal Minister Oberlander stressed that in this global and ideological struggle nothing could be more dangerous than neutralism and indifference:

"'We need a living democracy which knows what freedom really means—a democracy that is prepared to make sacrifices for its preservation. The decisive significance of the Ideological Mission's visit is the awareness that we in Germany do not stand alone in this struggle.'

"Numerous goodwill messages from all over the world arrived at the Federal Chancellor's office. From 34 prominent American politicians, including the Speaker of the House (Mr. SAM RAYBURN) and the President pro tempore of the Senate (Senator WALTER F. GEORGE):

"'As Members of the United States Congress we recognize the great significance of Moral Rearmament. The principles which MRA represents which are basic to all people who desire freedom, can be a decisive factor for the whole world when applied by men and women of all races, all classes and in all walks of life.'

"Thanking his well-wishers for their message the Federal Chancellor replied:

"'The presence of the Ideological Mission of Moral Rearmament in Bonn and the performances of the three ideological plays have left a deep impression. Our most cordial wishes accompany the mission to Berlin in realization of its significance at this scene of the ideological struggle for freedom.'

"Franz Neuman, chairman of Berlin's Social Democrats, affirmed that 'if we apply the principles of MRA, Berlin will not only stay an island of freedom but become a center of unity for the whole of Germany. Social Democrats unite with MRA in the great task of bringing the human element more fully into national life.'

"The speeches of many leading German personalities, including the President of the Bundestag, Dr. Eugen Gerstenmaier, expressed appreciation of the fact that during the years immediately following the war, Dr. Frank Buchman and MRA freely welcomed Germans as friends without prejudice." (End of quotation from the Bulletin.)

Thousands each night flocked from both west and east zones in Berlin in subzero temperatures to see The Vanishing Island. Those who could not get in to see the play were taken in double-decker buses to parallel demonstrations.

A leader of the June 17 uprising in East Berlin said:

"Thank you for bringing these amazing plays and the Mission. On one side is the comfortable, fat, easygoing, apathetic world. On the other is a world of force and lack of freedom. We see now there is a world force which bridges all these divisions. We will live these ideas and radiate them. We are going to tell our friends there is hope for the future."

European affairs on his recent Moscow visit, said of MRA:

"Western Germany now has full employment, yet the influence of the West on the East is totally negative. There is no positive influence. Today the struggle is ideological and in this field MRA is effective and successful."

In Lower Saxony, Minister President Hellwege spoke at a mass demonstration to 4,000 people, saying:

"The population of our land is confused today about whether we are going to be guided by the left or the right. What is needed is for political men to do the will of God. When He guides us then we will receive clarity which puts an end to the confusion of our problems. The man who loves his country gives his life to bring his nation under God's control."

The chairman of the "Committee of the Seventeenth of June," Fritz Schorn, who had led the strike in the largest plant in East Germany that day, flew especially to Hannover from Berlin to be with the MRA force on the anniversary of the uprising. On the same day two other strike leaders went to London to deliver to the MRA Ideological Mission there a message from the committee in which they expressed their decision to make Moral Rearmament their ideology. The message read:

"The former strike leaders and active participants of the June uprising in East Berlin and the Eastern Zone who now live in Berlin greet in warm brotherhood their friends of MRA in every part of the world.

"Be sure we will fight also in the future for democratic freedom and the dignity of man as we did on the seventeenth of June.

"We have decided to make your aims and your ideology ours. We want together with you to create new men in a new world. Only this way will our German Fatherland become free and united. Only so will humanity in peace achieve its full destiny."

Peter Howard, author of The Vanishing Island, broadcast from Radio Free Berlin to both East and West Germany on March 1. The following are excerpts from his broadcast, "A Renaissance that Unites East and West":

"The Communist believes in the theory of coexistence as a means to keep everybody anaesthetized while he carves up the world to his will. While the non-Communist, eager as he may be for breathing space, has to face the truth that coexistence unaccompanied by an ideology that changes men is a betrayal of freedom. Today democracy without an ideology is dead and gone.

"But there is an answer.

"A renaissance that changes the motives of West and East alike, and unites humanity in the common task of building a new type of world with a new type of man to live in it, can produce the synthesis without which civilization will destroy itself. That renaissance is already begun. It is putting hope back in the headlines and is near to world-wide recognition.

"It is the work of Moral Rearmament."

THE NETHERLANDS

The Dutch shortwave radio which broadcasts to Europe, Africa, America and Asia broadcast The Vanishing Island from the Royal Theater in The Hague. Sixty-four articles in one week in The Hague mirrored the national impact of the Mission. Nieuwe Rotterdanse Courant, daily newspaper influential in government circles, quoted the Lord Mayor of The Hague:

"We cannot remain indifferent when we understand the message your Mission is bringing to the world. There is a great readiness in this part of the world to accept this old message which is brought in a new way."

The mission was received by the Lord Mayor and city council in Arnhem City Hall. At Arnhem Oosterbeck Cemetery where Allied soldiers lay buried. Air Vice-Marshal Traill, former Air Commander of the Central Atlantic for NATO, read a message from Lt. Gen. Sir Frederick Browning, K. B. E., D. S. O., who commanded the British airborne division at Arnhem. The message read:

"Your mission today will ensure with its sacrifice and determination the kind of world for which those who lie here gave their all."

"This idea is valid for all of us," said Wereldkroniek, Dutch illustrated weekly well known in Holland, and asked:

"Isn't there in this revolution the incentive for a new approach that can win the non-white, non-western and non-Christian countries? Certainly—that is why we need MRA.

"More than once—during and after the war—we experienced that our way of living was the strongest weapon against us in the hands of those who want to enslave us. Our weakness lies in the lack of the will to live according to our doctrine.

"The conclusion is well known. We can only then speak and convince when we show our belief through the quality of our living. There is another chance. MRA points to the basis for a sound world."

GREAT BRITAIN

Against the background of the recent visit of the Russian leaders to Britain, amid a pattern of conflict and confusion in many key areas of Asia, the Middle East and Africa, Moral Rearmament has been acclaimed as a lifesaving ideology and the greatest need of the Western World. On the day that Bulganin and Khrushchev arrived in London, the London Times in a full page contributed by members of the medical profession carried the broadcast by Peter Howard over Radio Free Berlin entitled "A Renaissance That Unites East and West."

A distinguished first night audience saw the London premiere of The Vanishing Island" in the Hippodrome. It included representatives of the Cabinet, the Parliament, the diplomatic corps, the armed services, and the industrial and trade-union leadership of Britain.

At later performances there were queues up to half a mile long winding through the streets of the West End and parallel demonstrations were held.

Diplomatic representatives of the United States, the U. S. S. R., Vietnam, India, Pakistan, Yugoslavia, the Sudan, Turkey, Thailand, Ceylon, Colombia, and Nigeria were in one night's audience. During the first 2 weeks The Vanishing Island drew more than 31,000 people to the Hippodrome.

Preceding the London performances of The Vanishing Island, the MRA mission went to the industrial strongholds of Great Britain—Coventry, Sheffield, Glasgow, and Edinburgh.

Air Vice-Marshal Traill, air commander of the Central Atlantic under NATO until 1954, introduced the play in Sheffield:

"MRA is the alternative to world dictatorship or world war. Britain needs peace but she also needs an ideology. Britain must recognize MRA as a nation-saving ideology."

John McGovern, M. P. for Shettleston, Glasgow, for 26 years, said:

"Frank Buchman is the greatest living statesman of our age. MRA is the only answer to the problems in the world today."

Edwin Gooch, chairman of the British Labor Party, stated: "MRA is breaking down barriers of division all over the world and establishing the basis for permanent peace."

Dr. Buchman and the World Mission were received at the Mansion House by the Lord Mayor of London who said:

"I am impressed by the way in which responsible leaders of different classes, races, and nations are in your mission, united in a common purpose. That in itself is a significant fact in an age of division."

A luncheon in the House of Commons was given in honor of Dr. Frank Buchman. On his 78th birthday cables poured into his London home with messages from Chancellor Adenauer of Germany, Prime Minister Hatoyama of Japan, Prime Minister Bandaranaike of Ceylon, Field Marshal Pibulsonggram of Thailand, the Sultan of Morocco, and 61 Members of the United States Congress. Some of the messages in full were:

"I send you my heartfelt good wishes for your 78th birthday. May the strength of your idea, which has recently also found fresh wide recognition in Germany through the successful visit of the Ideological Mission, contribute on an ever-wider scale with the rich blessings of all toward peaceful understanding among nations.

"KONRAD ADENAUER,
"Chancellor of Germany."

"Congratulations on your birthday and the 18th anniversary of MRA. We need a superior ideology to make democracy really function. Recent events in the Japanese Parliament only prove this. The system alone will not do it. I want MRA for myself and my nation as it is the only way to secure national and international peace.

"ICHIRO HATOYAMA,
"Prime Minister of Japan."

"We respond to your global fight for the remaking of nations through the rebirth of men. Freedom has its ideology. A moral backbone gives it firmness. The spirit of God gives it life.

"Peace will not be won by prosperity. Materialism will not be conquered by material means alone. Only faith can give freedom its destiny for all men everywhere.

"America needs this answer. It can cure the materialism in West and East alike. We look forward to your return to America with the World Mission of MRA and The Vanishing Island so that this ideology can be brought to every part of this Nation and to the world. Godspeed your years." (Senators: FRANK A. BARRETT, HOMER E. CAPEHART, DENNIS CHAVEZ, CARL T. CURTIS, HENRY C. DWORSHAK, ALLEN J. ELLENDER, J. ALLEN FREAR, JR., THEODORE FRANCIS GREEN, LISTER HILL, IRVING M. IVES, OLIN D. JOHNSTON, EDWARD MARTIN, FREDERICK G. PAYNE, GEORGE A. SMATHERS, JOHN J. SPARKMAN, JOHN STENNIS, EDWARD J. THYE, ARTHUR V. WATKINS, H. ALEXANDER SMITH, ALEXANDER WILEY. Representatives: THOMAS G. ABERNETHY, LESLIE C. ARENDS, WILLIAM L. DAWSON, CHARLES B. DEANE, GEORGE A. DONDERO, CLYDE DOYLE, DANTE B. FASCELL, DANIEL J. FLOOD, CHARLES S. GUBSER, RALPH W. GWINN, EDGAR W. HIESTAND, CARL HINSHAW, DEWITT S. HYDE, DONALD L. JACKSON, JOHN JARMAN, BEN F. JENSEN, ELIZABETH KEE, CECIL R. KING, GLENARD LIPSCOMB, RUSSELL V. MACK, DON MAGNUSON, JOSEPH W. MARTIN, JR., GORDON L. MCDONOUGH, GEORGE P. MILLER, ALBERT P. MORANO, WALTER M. MUMMA, W. E. POAGE, J. PERCY PRIEST, EDWARD H. REES, GEORGE M. RHODES, HUGH SCOTT, HUBERT B. SCUDDER, HARRY R. SHEPPARD, ROBERT L. F. SIKES, RUTH THOMPSON, THOR C. TOLLEFSON, JAMES B. UTT, VICTOR WICKERSHAM, WILLIAM B. WIDNALL, JESSE P. WOLCOTT, CHARLES WOLVERTON, J. ARTHUR YOUNGER.)

"Best wishes and fondest greetings on your 78th birthday. May you live many more years and continue to give inspiration and guidance to the sincere and devoted workers for Moral Re-Armament, which is gaining increasing acceptance throughout the world.

"U NU,
"Prime Minister of Burma."

"I would like to issue a formal and firm invitation to you to come to Morocco and to preside here over an MRA assembly.

"SIDI MOHAMED,
Sultan of Morocco."

"Accept our united hearty congratulations on your birthday. We count it a privilege that the film 'Freedom,' whose birth was inspired by your devotion to Africa, should be made in our midst, and we pledge our support to carry its message to the whole world.

"THE TRADITIONAL RULERS
OF WESTERN NIGERIA."

Messages came also from Abdel Khalek Hassouna, Secretary-General of the Arab League; Ralph Torngren, Finnish Foreign Minister; General Ho Ying-chin, who accepted the surrender of the Japanese forces in China after World War II; Hisato Ichimada, Japanese Finance Minister; the Kabaka of Uganda; Archbishop Paul Yu-pin, spiritual leader of Chinese Catholics; Mrs. Vivian Mason, president of the National Council of Negro Women in the United States; Eikichi Araki, governor of the Bank of Japan and former Ambassador in Washington.

The newly elected Prime Minister of Ceylon, S. W. R. D. Bandaranaike, together with two former Prime Ministers, Sir John Kotelawala and Sir Dudley Senanayake, were guests of Dr. Buchman at his London residence, Clive House, on Berkeley Square.

Thirty-five nations were represented at a packed demonstration of 1,200 for Moral Rearmament in the East Ham Town Hall, cradle of the British Labor movement, where Moral Rearmament was first launched by Dr. Buchman in 1938.

DR. BUCHMAN HONORED BY GOVERNMENTS OF ASIA

Evidence of the effectiveness of the ideology of Moral Rearmament in meeting the needs of Asia was shown this last May when Dr. Buchman was welcomed and decorated by heads of state and governments of the Far East.

Kings, presidents, and prime ministers recognized his unique service in creating a global force trained effectively to enlist men of all classes, races, and cultures in "a positive and superior ideology that will win the world."

JAPAN

Dr. Buchman traveled first to Japan. There on May 1 he was decorated by Foreign Minister Mamoru Shigemitsu on behalf of the Emperor of Japan with the Order of the Rising Sun "in recognition of the meritorious service you have rendered this country." He was also presented with the keys to the city by the Governor of Tokyo.

Dr. Buchman had interviews, receptions, and dinners with the Prime Minister and his family, heads of the Japanese Diet, business, financial, labor, and youth organizations, a reception given by Finance Minister Ichimada. At a luncheon given for Dr. Buchman to meet top financial, business, and industrial leaders of Japan, Eikichi Araki, governor of the Bank of Japan and former Ambassador to Washington, said:

"Moral Rearmament has played a most significant role in the moral and spiritual postwar reconstruction of Japan."

After meeting with Dr. Buchman, Prime Minister Ichiro Hatoyama later said:

"We need a superior ideology to make democracy really function. Recent events in the Japanese Parliament only prove this. The system alone will not do it. I want Moral Rearmament for myself and my nation, as it is the only way to secure national and international peace."

FREE CHINA

Dr. Buchman and his party were received by President and Madame Chiang Kai-shek on their arrival in Taipei, May 3. Prime Minister O. K. Yui, on behalf of the President, conferred on Dr. Buchman the Grand Cordon of the Order of the Brilliant Star, highest honor of the Republic, in recognition of his long service and friendship to the people of China. The citation stated:

"The Government by command of the President conferred this honor in recognition of Dr. Buchman's efforts to advance the principles of human justice and morality by the reformation of human nature through the quest for divine guidance. This will contribute greatly to the cause of Free China and the free world."

Members of the party broadcast to the mainland. The President and Madame Chiang Kai-shek and leading members of the government conferred with Dr. Buchman, hearing the latest evidence of Moral Rearmament around the world.

THE PHILIPPINES

President Ramon Magsaysay received Dr. Buchman at breakfast in Malacanan Palace. He said:

"This has been the most satisfying breakfast we have had. Others load me with problems. You bring answers."

The Presidential yacht was placed at his disposal for a day's visit to Corregidor.

Dr. Buchman was awarded the Order of the Philippines Legion of Honor with Gold Medal. The citation read:

"In recognition of services he has rendered in creating and developing an atmosphere conducive to peace and unity among individuals and groups of different races and creeds. In promotion of Moral Rearmament he has initiated a revolutionary ideology based on intangible but nonetheless practical virtues destined to counteract the destructive doctrines of ugly materialism and insidious communism which threaten to undermine the foundations of democracy and the ideals of human freedom.

"As an American he has kept alive the basic values of cooperation and altruism upon which was founded the greatness and nobility of the United States of America.

"For all this and more he justly and fully deserves the honor of a leader of mankind."

Senator Roseller T. Lim said in presenting the award to Dr. Buchman:

"The coming of Dr. Buchman to the Philippines will be most fruitful not only to us but also to the peoples of the world."

VIETNAM

President Ngo Dinh Diem received Dr. Buchman and his party in Saigon on the 9th of May. In his speech of welcome he said:

"The people of Asia can welcome Moral Rearmament only with enthusiasm, because for a long time they have been awaiting from the West a change of heart. The fundamental principles of Moral Rearmament back into the relations of men and nations the moral and spiritual foundations without which no understanding among men is possible. It meets perfectly this longing of Asia."

The Foreign Minister gave a state dinner in his honor at which he said:

"The traditions of my country accord perfectly with MRA. We need to practice them to create true peace for all nations, and answer the materialism of East and West."

THAILAND

On May 11, the King of Thailand, acting through Prime Minister Field Marshal Pibulsonggram, conferred upon Dr. Buchman the Knight Grand Cross of the Order of the Most Noble Crown of Thailand in recognition of his service to Thailand and to world peace. The Prime Minister said:

"We are truly privileged to receive in this country a man who has spent his life in the cause of peace and bringing understanding to mankind. MRA is curing hate, despair, and fear and restoring self-respect to nations."

The United States Ambassador, the Ministers of Defense and Justice, and other Government officials were guests at a state dinner given by the Prime Minister.

"Nations need a faith. You are bringing that faith to life," said His Royal Highness Prince Wan Waithayakon, Foreign Minister and permanent head of the Thai United Nations delegation.

The Minister of Culture stated: "You have had marked success bringing the world an ideology superior to communism."

BURMA

Prime Minister U Nu especially returned on May 15 to Rangoon from the mountains where he was resting after the elections to welcome Dr. Buchman and spent 80 minutes with him. The President of Burma, Dr. Ba U, gave a tea for Dr. Buchman and the Foreign Minister received him for an hour. A

Rangoon University reception followed. The university rector, Dr. Htin Aung, told Dr. Buchman:

"In this home of cynical and sarcastic attitudes, Dr. Buchman and Moral Re-Armament are a magic name to the students and professors. We have come to love you."

U Nu presented Dr. Buchman with a carved ivory tusk inscribed, "With affection and esteem," and later sent to him in London by the hand of the Burmese Minister of Mines further gifts inscribed with the same message.

Evaluating this response, James Coltart, publisher of the Scotsman, national daily of Scotland, said:

"As a newsman I think the news of the century is Frank Buchman's victorious journey through Asia where he received the highest decorations from the statesmen of the Far East."

TENTH WORLD ASSEMBLY OF MORAL RE-ARMAMENT

The 10th World Assembly of Moral Rearmament is now in session at Caux-sur-Montreux, Switzerland, with representatives of 25 nations present on the opening day.

In the 10 years since the first world assembly opened at Caux, 105,000 people from 118 countries have attended the assemblies. European statesman Robert Schuman of France said of Caux, "I am accustomed to international meetings but they are very different from this assembly. Whether it is in parliament or international conferences, they normally end with great disappointment. Here we find nothing but satisfaction and a great hope."

Sixteen leading newspapers of Switzerland have published special supplements in connection with this anniversary. The Catholic journal Vaterland includes a specially written article by France's philosopher Gabriel Marcel.

Among those attending the opening of the assembly was Devadas Gandhi, son of Mahatma Gandhi, who said, "If MRA fails, the world fails."

To this assembly Dr. Fadhil al-Jamali, former Premier and Foreign Minister of Iraq, sent the following message:

"Moral Rearmament is a great unifying spiritual force for people of all religions, races, creeds, and social strata. May the next decade see a rapid growth in world understanding as it profits by the practice of the principles of Moral Rearmament."

Mr. DEANE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a report.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks in the RECORD at this point with regard to our colleague from North Carolina [Mr. DEANE].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. SHUFORD. Mr. Speaker, I have enjoyed serving in the Congress with the distinguished gentleman from the Eighth District of North Carolina, the Honorable CHARLES B. DEANE. During his service here he has worked incessantly for the promotion of the public welfare and has brought honor to the great State of North Carolina and the district he represents.

CHARLIE DEANE is a God-fearing American. By his diligent work he has distinguished himself as one of North Carolina's great citizens.

The North Carolina congressional delegation is devoted to CHARLIE DEANE and hold him in the very highest esteem.

CHARLIE DEANE has meant a great deal to me since I came to the Congress. He has been most thoughtful, considerate, and cooperative. I will miss him greatly when he retires and I look forward with pleasure to seeing him again here in Washington frequently. I wish for him and his lovely family a very happy life as he leaves his arduous duties here.

Mr. ALEXANDER. Mr. Speaker, I rise to pay tribute to my good friend and North Carolina colleague, Congressman CHARLES B. DEANE.

It has been my pleasure and privilege to serve with him in the House since I have been in Congress. I have never known a more conscientious, industrious, diligent worker than the gentleman from North Carolina [Mr. DEANE]. He is a Christian gentleman and one of the most courageous men I have ever known.

I am sorry that the gentleman from North Carolina [Mr. DEANE] is separating himself from this body, to which he has brought so much respect and esteem, and he is leaving with my sincere best wishes for success in his future undertakings.

Mr. JONES of North Carolina. Mr. Speaker, I desire to join with my colleagues in paying a tribute to the public service rendered by my good friend, Hon. CHARLES B. DEANE. While I have not always agreed with him, I have nevertheless known him as a man of deep convictions, and he has earned the respect and admiration of the Members of this House. He has worked long and hard in the interest of the people of his district and the country. We know him as a fine Christian gentleman and as a devoted public servant.

It has been a genuine pleasure to know and serve with the gentleman from North Carolina [Mr. DEANE] in the House of Representatives. I extend to him my best wishes for continued success and happiness.

Mr. BENNETT of Florida. Mr. Speaker, I know of no man of higher principle than Congressman DEANE. He is my dear friend; but more than that, he has inspired me and strengthened me and helped me in every opportunity which has occurred. I am particularly grateful to him for his stressing of absolute moral principles, his faithful adherence to God, and his firm belief in Divine guidance.

Mr. BLATNIK. Mr. Speaker, this has been one of the most moving, heartwarming, and inspiring scenes I have had occasion to witness on the floor of the House of Representatives in the 10 years I have been privileged and honored to be a Member of this distinguished body.

Here it is past 9 o'clock in the evening, after the House has been in session for over 10 consecutive hours in one of the busiest and hardest working legislative days of any in certainly the past 2 years of this 84th Congress, and we find so many colleagues, all dear friends of that splendid gentleman from North Carolina, CHARLES B. DEANE, gathered to pay tribute and honor which he has so rightfully earned and so truly deserves.

CHARLIE DEANE and I came into Congress together at the same time, 10 years ago, as Members of the 80th Congress. It didn't take us long to discover that in CHARLES DEANE we had one of the up and coming leaders in the House. And that he has certainly become. But in CHARLES DEANE we found more than that—we found a man of sincerity, deep conviction, kindliness, understanding, and a vision of Christian principles and humanity to mankind that in addition to his political leadership, gave us the even more important moral and spiritual leadership, guidance, and inspiration.

To say that I join with deepest feeling my many colleagues in the splendid tributes they pay with such eloquence and deep sincerity and warmth of heart, would be an understatement. Were it but given to me to possess equal ability to express with words that which I so deeply feel. In CHARLES DEANE I found not only a splendid colleague but it has come to be my everlasting good fortune to find in him such a wonderful friend.

So, in attempting collectively this evening to find the full measure of this fine man's stature in terms of the high respect and deep affection in which he is regarded by so many, it is most touching to note not only what is being said about CHARLIE DEANE, but how it is being said and by whom. We find our colleagues from both sides of the aisle, both Republican and Democrat; we find colleagues from the North as well as the South, from the East and from the West; from the industrial metropolitan areas and from the rural regions; we find colleagues of many different religions; and we find colleagues of different races—but Americans all in the highest and finest sense of the word—reflecting most every political, geographic, economic, social, religious and racial point of view that makes up the sum total of the way of life in this great land of ours—collectively reflecting the image and the stature of CHARLES B. DEANE.

CHARLES DEANE has shown us so clearly that it is easier to fight for one's principles than to live up to them. In his opening sentences of his splendid message delivered this evening, Charlie referred to this as his valedictory. I do hope that this is merely his "auf Wiedersehen," for I do hope, and do believe, that he will again be chosen by the good people in the Eighth Congressional District of North Carolina to serve them, their State, and their country in this House of Representatives. So, though it must be a great day for CHARLIE DEANE today, even better shall be the day for those who may still be here when CHARLIE DEANE returns to resume his labors in behalf of his fellow men as willed by Him who first gave man eternal hope that there shall be "Peace on earth, good will to men."

This evening, however, would not be complete and it certainly would not be proper were not something said of those dearest to Charlie, who have shared with him in the trials and tribulations, as well as the joys and the peace of mind and soul, as they came to the Deane family. In no small measure has the

good work of CHARLES DEANE been due to the constant sharing of the burdens and challenges by his loving wife, Agnes, a kind, understanding, devoted wife and mother—a noble woman, indeed. And their two lovely and earnest daughters and a splendid son, all joining and sharing with their father in the great work to which they are dedicated.

To you, Charlie, and to your fine family, I wish you everything, the best and continued success in all your endeavors. May your leaving be made easier by the knowledge that ever so many of your friends and colleagues will by your example and your inspiration, be made to feel compelled to exert themselves ever so more, to shoulder more of the heavy burden of responsibility which confronts all of us, to make up for your absence. Godspeed—and "auf Wiedersehen."

Mr. BOYLE. Mr. Speaker, behind the backdrop, above the Speaker's desk, the wording on the wall tonight becomes animated and alive; the words which read: "Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests, and see whether we also in our day and generation may not perform something worthy to be remembered" are a perfect valedictory of CHARLES DEANE, of North Carolina.

His conduct points up the psychological premise that as a thing is so it acts.

His defeat is testimony of his love for the good, the true, and the beautiful.

Whether history paints his picture clean and clear is of no moment.

The sum total of his activities demonstrate again what the world needs is better men and CHARLES DEANE is a wonderful contribution to that need.

Mr. CHELF of Kentucky. Mr. Speaker, inasmuch as adjournment of the House appears to be imminent, I want to take this opportunity to pay tribute to our esteemed friend and colleague, Hon. CHARLES B. DEANE, of North Carolina.

In his 10 years here in the House, Charlie has given outstanding service to his constituency and has been a selfless, loyal, devoted servant of the people of his district, his State, and the Nation. He has worked diligently and effectively in their interest and has given unstintingly of his time and energies in their behalf. I, personally know that he has been in his office early in the mornings and late at night, giving the very best of his talents and ability.

Those of us who have had the great privilege of knowing and serving with Charlie are proud to call him "friend and colleague." His warm and affable nature is a source of great pleasure to all of us and we know him as a fine Christian gentleman of rare courage. He believed in a principle and stood by it, thereby bringing about his defeat in the primary. While I, personally, did not agree with his stand, nevertheless, I admire and respect him for his belief and for sticking by his convictions. As Voltaire said: "I may disapprove of what you say but I will defend to the death your right to say it."

To CHARLIE DEANE, a true friend, a splendid, loyal citizen of North Carolina, an able legislator, and a great and fearless American, I say: "Good luck in your next endeavor and God bless you always." We all shall miss him sorely.

Mr. JONAS. Mr. Speaker, we have just listened to a remarkable farewell address by CHARLIE DEANE. I think it is one of the most significant speeches of this entire session, and wish to express to him my profound thanks for delivering one of the most important statements made in Congress in a long time.

I join Charlie in his belief that if we are to win the struggle for the minds of men around the world, we should put more emphasis upon moral and spiritual values and less upon material things. The people of the world know that the citizens of the United States enjoy the highest standard of living the world has ever known; that they possess an abundance of all of the material things that make for good living; that an automobile, a washing machine, an electric refrigerator, and a television set, are all within reach of almost every American citizen. I am not so sure they understand the reasons why we have become such a great nation, with so many material blessings, in the relatively short period of 169 years.

The reasons are not hard to find. Accident played no part in it. These reasons may all be summarized in one short phrase—the American way of life—based upon a deep spiritual faith, upon our precious heritage of individual liberty and upon our competitive or free-enterprise system.

Mr. Speaker, I should also like to add that I appreciate the opportunity I have had to serve here with CHARLIE DEANE. I have been profoundly impressed by his deep sincerity and by his determination to practice what he preaches. I do not know what he intends to do in the future but I freely predict that he will carry the same faith and determination to follow the dictates of his conscience in whatever he undertakes. I am happy to have this opportunity to commend him on a decade of fine and outstanding service to the people of his district and to his country and to wish for him long life, good health, prosperity, and happiness.

Mr. DORN of South Carolina. Mr. Speaker, CHARLIE DEANE and I came to the Congress together in 1947. Since that time CHARLIE DEANE has made an enviable record. He has been most conscientious in his duties on the floor, in committee and in handling his mail. The main thing I will remember about CHARLIE DEANE's service here and my association with him is his Christian character and adherence to moral principles and ideals. CHARLIE DEANE and his family have contributed to the moral uplifting of the entire free world. I will always be interested in him and his fine family. I wish him well.

Mr. AUCHINCLOSS. Mr. Speaker, it is always hard for any legislative body to lose the services of a man of courage and high principles and this applies especially to Congress in these perplexing times. CHARLIE DEANE is to be admired for his courage and his strength of character, characteristics which are recognized by all the gentleman's colleagues.

I met CHARLIE DEANE when he first came to Congress and we served together on the District of Columbia Committee. At that time we were making a study of home-rule legislation for the District and the calm brilliancy of his mind, together with the honesty of his character made a great impression on me. He served his people well with zeal and fidelity, and I venture to predict that his constituency will regret the loss of his services.

Of course, we all hate to separate from our friends, but I hope our paths may cross frequently in the days to come. Wherever he may be and whatever he may be doing, my warmest affection will always be with him, and I wish him and his family all the good things of life.

Mr. McMILLAN. Mr. Speaker, the Members of the House are taking this opportunity to tell the 25 Members retiring from the House how they will be missed during the next Congress, and to speak of the services they have rendered their States and the Nation.

I want to take this opportunity to speak a word in behalf of my good friend CHARLES DEANE, whose district joins mine. Mr. DEANE, we all know, is liked by every person on the floor of the House and if he has an enemy in the Congress I do not know who it could be.

Charles is one of the most likable Members of Congress I have met during the 18 years I have been here. I do hope that he and Mrs. Deane will enjoy good health and will have an opportunity to do some things they have wanted to do during the past 10 years after they return to their home in North Carolina.

I am certain that after the people of North Carolina completely review the fine record Mr. DEANE has made during his service as a Member of this body they will realize how well he has represented the State of North Carolina, the Nation, and the entire world. I am certain that CHARLES DEANE is one Member of Congress who would never knowingly do any person in the world any harm.

I consider CHARLES DEANE an excellent legislator and a gentleman of the highest character. I wish for him and Mrs. Deane all the happiness and success in the world after they return to their home in North Carolina.

Mr. ROONEY. Mr. Speaker, I was unable to be present in the House on Monday of this week when the distinguished gentleman from North Carolina, my friend, the Honorable CHARLES BENNETT DEANE, delivered his farewell address. At the time, I was engaged in a conference on an appropriation bill regarding matters in disagreement between the House and Senate.

Ever since CHARLIE DEANE was elected to this House of Representatives 10 years ago, I have admired him for his outstanding devotion to public duty. I have known of no harder working Member in the years he has served. He has always had the respect of all of us, not only for his diligence in the best inter-

ests of his constituents in the Eighth District of North Carolina, not only for his learned contributions to the deliberations of this body on the great problems of the Nation, but for his gentlemanly bearing, his affability, his many kindnesses, his true Christian spirit, and, above all, his sincerity.

It has been a high privilege to serve in this House of Representatives and on its great Committee on Appropriations with CHARLIE DEANE. I wish him Godspeed upon his return to the practice of the law. I am confident that I bespeak the wishes of every single Member of this body when I trust that Charlie, his lovely wife, his two daughters and son prosper in long good health and happiness.

Mr. TEAGUE of Texas. Mr. Speaker, I am sure that when the people of the eighth district of North Carolina take time to review the record of the Honorable CHARLES DEANE who has so ably represented them here in the Congress for some 10 years, that they will reconsider their actions.

I have always considered Mr. DEANE to be one of the ablest legislators and a gentleman of the highest character. He compiled a most enviable record in this body and it is my wish that both he and his family will enjoy good health when they return to their home in North Carolina.

In closing, it is my sincere hope that at some future time it will be my pleasure to again serve with him in this legislative body.

Mr. WOLVERTON. Mr. Speaker, it is with a feeling of deep regret that I realize our good friend CHARLES B. DEANE will leave the House of Representatives at the close of this session.

During the time that he has been a Member of the House he has demonstrated at all times an outstanding sincerity in the fulfillment of his duties. He has been extremely conscientious, with no thought other than a desire to do what is right. He has shown ability and a quality of character that is highly desirable in the membership of the House. He has had at all times the friendship of all the Members, regardless of political affiliation, because of his fine Christian character and his friendly attitude to everyone.

He goes from this House possessing the kind thoughts and the sincere wish of each of us that his future will be bright, that good health and happiness will be his in large measure, and that success may attend his efforts in all his activities.

Mr. FEIGHAN. Mr. Chairman, we will miss our colleague, CHARLIE DEANE, who will not be with us in the next session of Congress. He has ably, diligently, and zealously served the people of the Eighth District of North Carolina and the people of the United States during the past 10 years as a Member of Congress.

He was an industrious legislator, and took a keen interest in all legislation having to do with the public welfare and the advancement of our free way of life. He has an unusually keen and perceptive mind and always displayed aggressive energy in tackling troublesome issues. CHARLIE DEANE is a statesman, a man of integrity, and he is held in high esteem by his colleagues.

I join with all my colleagues in wishing CHARLIE DEANE success and the very best of good fortune in the years that lie ahead.

SECRETARY OF THE TREASURY GEORGE M. HUMPHREY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. VANIK] is recognized for 10 minutes.

Mr. VANIK. Mr. Speaker, the news that George M. Humphrey, Secretary of the Treasury, will serve as chairman of the campaign for a Republican Senator in Ohio is indeed shocking. It raises a serious question of ethics in Government when a Secretary of the Treasury of the United States Government with the great "life and death" power of his office becomes a hustler for votes.

Mr. Speaker, I do not know what special functions Secretary of the Treasury George Humphrey will perform as chairman of the Ohio committee for the election of a Ohio Republican Senator. I would suppose that one of his functions will be to direct the raising of a campaign "kitty." Current reports are to the effect that the Republican campaign in Ohio will cost $5 million. My guess is that it will cost more to buy Ohio.

Because of his training as Secretary of the Treasury of the United States, George Humphrey is perhaps the one man in Ohio who is qualified to handle the tremendous funds that will be spent by Ohio Republicans. If the Secretary of the Treasury George Humphrey, as chairman of the campaign committee of an Ohio Senator, undertakes the usual responsibilities of raising funds for his candidate, his efforts should be uniquely more successful than that of any other person. No money raiser ever had so much persuasive power by virtue of his high office for this purpose. Is it a dignified use of high office?

What concerns me is the possible application of section 602 of the Federal Corrupt Practices Act. This section embraces all officials or persons receiving any salary or compensation from the Government. This section obviously applies to any action by a Cabinet member.

If the Secretary of the Treasury in his dual capacity as chairman of a campaign committee directly or indirectly solicits or receives or is in any manner concerned in soliciting or receiving an assessment, subscription or contribution for any political purpose whatever, he is subject to the Corrupt Practices Act. It is entirely beyond my comprehension how Secretary of the Treasury George Humphrey can be chairman of an Ohio Senator's campaign committee without being concerned in any way in the solicitation or receiving of any assessment or contribution for political purposes. This case requires the immediate determination by the Attorney General of the United States who should endeavor to impartially look into this matter. It seems to me that the Secretary's conduct violates at least the spirit of the Corrupt Practices Act. If the act does not apply to the participation of a high Cabinet official in a senatorial campaign, then it should be corrected to so apply.

If one in high position is to enjoy immunity from statutes designed to produce clean elections, how can we expect any law relating to fair elections to be enforced?

Mr. MURRAY of Illinois. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield.

Mr. MURRAY of Illinois. Is it the gentleman's contention that the Secretary of the Treasury might come within the terms of section 602 of title 18, of the United States Code which provides that anybody who receives compensation from the Federal Government who is interested in any political contributions is subject to the penal provisions of the law?

Mr. VANIK. I have studied section 602 and after reading it, it seems to me that any person who receives compensation from the Federal Government in any department is subject to the provisions of this act.

Mr. MURRAY of Illinois. I think the gentleman is absolutely correct. If you examine the terms of other provisions of the Federal Corrupt Practices Act, you will notice that under section 9 of Public Law 732, 81st Congress, department heads are expressly excluded from the provisions of that act insofar as it relates to political activity. The express exclusion from the provisions of one section of the law would indicate a legislative intent to cover those officers where they are not expressly excluded in another section.

In that connection, I would like to point out to the gentleman that the Attorney General in 1902 in interpreting the provisions of the law with respect to the solicitation of political contributions held that it was a violation or expressed the opinion that it was a violation to have the name of an official on a letterhead which was sent to a Federal employee which requested a campaign contribution or suggested a campaign contribution. I do not intend to convey the suggestion that the Secretary has violated the law but the Attorney General's opinion certainly discloses that it is a legally dangerous practice for a department head to manage a political campaign during a period in which he receives compensation from the Federal Government.

Mr. VANIK. The gentleman is absolutely correct. I want to point out to the gentleman that I know of no precedent. I have endeavored to make a search, and I know of no precedent where a member of the President's Cabinet has lent himself so thoroughly and so completely to the campaign of a candidate for the United States Congress. I think it is deplorable. I think it is the sort of thing that if the law does not reach certainly the law should be revised and

amended so as to reach this particular situation, because the confidence the high office of the Secretary of the Treasury holds must be kept intact.

SPECIAL ORDER GRANTED

The SPEAKER pro tempore. Under the previous order of the House the gentlewoman from Massachusetts, Mrs. ROGERS, is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I shall take but one and ask unanimous consent that I may speak for 5 minutes tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

VETERANS' LEGISLATION

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rise again today to say that I shall do everything in my power to have the Congress remain in session until we have passed the important veterans bills that are now over in the other body.

If it is the matter of cost I certainly cannot understand it, because day after day we report out and vote millions and billions of dollars for everything under the sun.

I see great danger if we do not pass this legislation that the veterans as a class will be wiped out and they will be classed with the other civilians. Certainly there is a great difference. I deeply deplore a tendency to place veterans' groups against veterans' groups.

THE POZNAN RIOTS

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Connecticut [Mr. DODD] is recognized for 10 minutes.

Mr. DODD. Mr. Speaker, I have asked for this time to make a statement on a joint resolution which I have introduced today.

This resolution was introduced in the Senate today by Senator PAUL DOUGLAS of Illinois.

I consider it to be a most important resolution, and I have talked with Senator DOUGLAS about it. I am sponsoring it in this House.

This resolution seeks to make it possible for official observers of the free world to be admitted to Communist-occupied Poland in order to be present at all trials of persons involved in the uprising of the Polish patriots at Poznan. These official observers could provide the people of the world with a complete and factual report of the circumstances surrounding such trials, the validity of the charges, the fairness of the trial proceedings and the justice of the verdicts which may be made.

The Communist regime now in control of Poland has announced that well over 300 persons may be brought to trial for taking part in the Polish workers "bread and freedom" riots in Poznan during June 28, 29, and 30.

Unless such official observers are admitted to Communist-occupied Poland, the people of the world will never know the full facts and circumstances of the uprisings or of the Communist trials of those brave people who took part in them.

Surely, the Communist bosses of the Kremlin who claim to want peace, who claim to want justice cannot refuse this request by the Government of the United States.

Surely, the Communist bosses should not fear the presence of such official observers if the charges are true and the trial is fair.

The very least we can do, in recognition of the heroes of Poznan and to show our support for them, is to insist upon the admission of official observers for the purposes I have outlined.

The text of the joint resolution which I have introduced today reads as follows:

Joint resolution to urge the admission into Communist-occupied Poland of official observers for the purpose of reporting to the entire world the circumstances surrounding the forthcoming trials of the patriots of the Poznan uprising, the validity of the charges, the trial proceedings, and the justice of the verdicts

Whereas the Communist regime now in control of Poland seized power by use of terroristic methods and with the active support of the Red Army and the Russian secret police in violation of solemn agreements entered into by the United States and other powers with the Union of Soviet Socialist Republics; and

Whereas the Polish Communist regime does not represent nor is it responsive to the will of the Polish people and has installed the Russian police state system, thus spreading fear and terror among all the people; and

Whereas that Communist regime has engaged in a ruthless, inhuman exploitation of the Polish workers in order to support the elite class of communism and to pay required tribute to the Russian overlords; and

Whereas that regime is attempting to destroy the centuries-old culture, traditions, religion, folklore, and even the language of the Polish people; and

Whereas the Polish people have for centuries struggled for their national independence and freedom and in recent years have continued to resist all efforts of the Communists to change their traditional allegiance to God and country; and

Whereas a long series of Communist abuses, crimes, and inhumanities caused the demonstration and uprising of thousands of Polish patriots in Poznan on June 28, 1956, causing acts of heroism and bravery which shall forever be emblazoned upon the pages of man's historic struggle for liberty, and resulting in the brutal suppression, ruthless killing and imprisonment of hundreds if not thousands of those patriots by mechanized Communist forces; and

Whereas the suppression of news and essential details of the heroic uprising of the Polish patriots caused by the Communist police state has prevented the people of the free world from having access to all the true facts, including the many acts of heroism, the names of those who led freedom's cause as well as the many unprovoked acts of terror and reprisal carried out against the Polish people and the names of all those so involved; and

Whereas the Soviet and Polish Governments have falsely sought to blame the United States Government or its agents and vaguely defined "alien and hostile" sources for these courageous uprisings; and

Whereas the public prosecutor of the Communist regime now in control of Poland has indicated that as many as 323 of the Polish patriots who took part in the Poznan uprising will soon be brought to trial; and

Whereas justice to the individuals charged, the fullest possible protection of the Government of the United States against false accusations and the essential informing of the people of the world concerning the operation of Communist procedures for justice require that every proper effort be made to secure complete information on the evidence presented at the forthcoming trials, the procedures followed, the judgments entered and the penalties imposed: Now, therefore, be it

Resolved, etc., That it is the sense of the Congress that the interests of humanity as well as the cause of a just and lasting peace would be served best through the presence in Poland of official observers of the free world during all such trials of persons involved in the Poznan uprising in order that a complete and factual report of the circumstances surrounding the trial, the validity of the charges, the trial proceedings, and the justice of the verdicts may be made known to the entire world.

The President and the Secretary of State are respectfully urged to request permission of the Governments of the Union of Soviet Socialist Republics and of Poland for the admission of such official observers into Communist-occupied Poland.

H. R. 8902

Mr. HESELTON. Mr. Speaker, I have reported before that Pan American is greatly interested in and has supported vigorously this bill.

Its activity is understandable.

In the fiscal years 1951–56, of the 32 airlines still receiving subsidies from the Federal Treasury, Pan American World Airways, Inc., received $219,768,000. As of December 31, 1954, it owned 50 percent of the stock of Pan American-Grace Airways, Inc., which, during the same period, received subsidies from the Federal Treasury of $28,511,000. The 2 corporations, therefore, received a total of $248,279,000 in this 6-year period, out of $502,915,000 paid to all these 32 airlines—see tabulation, RECORD, July 18, pages 13422 and 13423.

Also, if this bill had been law during the 5 calendar years 1951, 1952, 1953, 1954, and 1955, according to a tabulation prepared by the Department of Commerce, Pan American would have received $17,288,000 in additional subsidies out of a total of $21,900,700—see tabulation, RECORD, July 18, page 13418.

It is no wonder that Pan American would like to destroy the principle of "need" which is a fundamental and essential part of existing law.

This "need" standard is not an accident or an ill-considered principle adopted by Congress. It is based upon fairness to all our airlines and a reasonable regard for the public treasury.

It has been administered with reasonable success for 18 years and no one can possibly say that it has affected adversely the remarkable growth of our airline system.

Much has been said by proponents of this legislation as to its alleged relationship to attracting capital on reasonable terms. This brings up the question as to why any carrier should receive, as it

surely would under this bill, a dollar of the taxpayer's money unless it can demonstrate by clear and satisfactory evidence that it needs such an additional subsidy from the Federal Treasury.

It should be borne in mind that the CAB already has under existing law wide discretion to permit the payment of additional subsidies upon a reasonable showing of need. But when the courts have flatly rejected the basic proposal in this bill, it should be obvious that we have it before us only because some few carriers, seeking a special and discriminatory windfall from the Federal Treasury, at the expense of the general taxpayers, find that action by Congress, in effect repealing the "need" principle, is the only method left to them by which they can legally raid the Treasury.

At this point, I want to quote briefly from the letter from Hon. Joseph P. Adams, Vice Chairman of the Civil Aeronautics Board. That letter, stating a reasoned and unanswerable opposition to this bill, is quoted in full in the RECORD of July 18, beginning at page 13421 and should be read with the letters from the Comptroller General and the Bureau of the Budget, expressing their opposition to this bill, also in the RECORD of July 18, beginning at page 13419.

The quotation is as follows:

It might be of interest to quote a paragraph from the Board's opinion in the reopened Transatlantic Final Mail Rate case (order serial No. E-10117, March 23, 1956) in answer to Pan American's plea that excess earnings should be left with it for the purchase of new equipment.

Moreover, the evidence does not establish that PAA will be left, even after its earnings are reduced by our action here, in a situation where it will not be able to attract capital on fair terms. Aside from what we have already discussed, the only real evidence of PAA's ability to raise capital is a recent debt flotation. If that loan (of $60 million at 3¾ percent payable over a period of years from 1966) does not positively establish its ability to attract capital on fair terms, it certainly is evidence of this ability which we do not find contradicted by anything else in the record.

It could also be pointed out that other major airlines have also been successful in arranging long-term financing to meet their requirements for modern and expensive equipment.

Eastern Airlines, which is not on subsidy, arranged a $90 million 20-year loan at 3¾ percent from the Equitable Life Insurance Co.

United Airlines, also off subsidy, arranged a $120 million, 25-year loan from a group of insurance companies.

American Airlines, also off subsidy, sold $75 million worth of notes to the Metropolitan Life Insurance Co., with repayment to extend from 1967 to 1996.

I have made inquiries about financing arranged by other airlines. If this becomes available before this bill reaches the floor, I shall include that data in a later special order.

We all know the substantial cash which has been generated by writing off equipment in 4 to 7 years at the most. In that connection, I am inserting certain factual material with reference to Pan American World Airways, Inc. from the most recent Moody's Transportation Manual. All of it, although given in considerable detail, has a direct bearing upon Pan American's special efforts to prevail upon this House at this late date to endorse what may well become characterized as "windfall" or "giveaway" legislation. I realize that this and a great deal more factual material presents a very considerable burden to the Members of this House and I regret that the proposal is upon our crowded schedule in these last days of this session. But I hope that some of these facts may be of assistance to some of my colleagues in evaluating the real purpose and result of this proposal.

The data from Moody's Transportation Manual follows:

Capital structure, Pan American World Airways, Inc.

Long-term debt	Rating	Amount outstanding	Times charges earned 1954	Times charges earned 1953	Interest date	Call price	Price range 1954	Price range 1932-54
Issue:								
1. 3¼ percent notes ser. to 1958	------	[1] $43,125,000	10.47	12.67	----------	-------	-------	----------
2. 3¾ percent notes ser. to 1980	------	[2] 25,200,000			----------	-------	-------	----------

Capital stock	Par value	Shares outstanding	Earned per share 1954	Earned per share 1953	Dividends per share 1954	Dividends per share 1953	Call price	Price range 1954	Price range 1932-54
Issue: 1. Common	$1	[3] 6,091,822	$1.71	$1.77	$0.80	$0.65	--------	20⅜-9¾	[4] 20⅜-6

[1] As of Dec. 31, 1954.
[2] As of May 10, 1955.
[3] Excludes 60,360 shares in Treasury.
[4] Range since 1950 for Pan American World Airways, Inc., $1 par common; range of $2.50 par shares of Pan American Airways Corp. for 1945 to 1949, inclusive, 29-6; range of $5 par shares, 1937 to 1945, inclusive, 43¼-0⅞; range of $10 par shares, 1932 to 1937, inclusive, 75⅝-12½.

HISTORY

Incorporated in New York, March 14, 1927, as Pan American Airways, Inc. On December 31, 1949, acquired assets and assumed liabilities of former parent, Pan American Airways Corp. which was incorporated in Delaware June 23, 1928, as Aviation Corporation of The Americas, and adopted present name January 3, 1950.

On June 27, 1928, pursuant to a plan of reorganization, the former parent company acquired the assets and businesses of Aviation Corporation of America and of Atlantic, Gulf & Caribbean Airways, Inc., both Delaware corporations, in exchange for 45,000 shares of the common stock of the former parent and the assumption by it of the respective liabilities of these corporations. Upon the consummation of the reorganization, the former parent became the holder of all of the issued and outstanding capital stock of Pan American Airways, Inc., which was engaged in aerial transportation between Florida and Cuba, a distance of 110 miles.

In 1947 an agreement between former parent company and Pan American-Grace Airways, Inc. was approved by the Civil Aeronautics Board whereby company charters and operates aircraft owned by Pan American-Grace Airways, Inc. over its Caribbean routes between continental United States and the Canal Zone, thus eliminating necessity for passengers to change planes when traveling to South America.

On September 25, 1950, purchased assets and assumed liabilities of American Overseas Airlines, Inc.

SUBSIDIARIES AND AFFILIATES

This is an operating company. As of January 1, 1955, 100 percent of the voting power was owned in the following subsidiaries:

Name, place of incorporation and business: Pan-American Airports Corp., Delaware; Uraba, Medellin & Central Airways, Inc., Delaware Intercontinental Hotels Corp., Delaware. See below.

As of December 31, 1954, corporation owned 50 percent of the capital stock of Pan American-Grace Airways, Inc., the other 50 percent being owned by W. R. Grace & Co.; 38 percent of capital stock of Aerovias Nacionales de Colombia (Avianca); 42 percent interest in Compania Mexicana de Aviacion, S. A.; 48 percent interest in Panair do Brasil, S. A.; also has less than a majority interest in minor foreign companies.

United States Department of Justice has filed a complaint under Sherman Act against Pan American World Airways, Inc., W. R. Grace & Co., and Pan American-Grace Airways, Inc., seeking an order to require Pan American World Airways, Inc., and W. R. Grace & Co. to divest themselves of all stock interest in Pan American-Grace Airways.

In February 1941, the CAB authorized former parent company to merge Pan American Airways companies (Nevada and Delaware), Pacific Alaska Airways, Inc. and Panama Airways, Inc.

In December 1943, company acquired a minority stock interest in Aerovias Venezolanas, S. A.

Intercontinental Hotels Corp.: A wholly owned subsidiary, developing hotel facilities outside the United States.

Corporation cooperates with local enterprise in arranging construction credits and provides design and consulting services during construction. Upon completion, it provides management services under separate agreements. Two hotels—the Carrera in Santiago, Chile; and the Grande in Belem, Brazil—have been modernized and are now operating under its management. The Reforma in Mexico City was acquired in 1951.

Hotel Victoria Plaza in Montevideo, Uruguay was opened in 1952 under company's management. The Hotel Tequendama in Bogota, Colombia, the del Lago in Maracaibo, Venezuela, and the Tamanaco in Caracas, Venezuela, were opened under company's management in 1953. In August, 1955, company took over operation of Hotel Nacional de Cuba in Havana. Company has also contracted to provide certain services in connection with construction of hotels in

Curacao and San Salvador and 100-room addition to Hotel del Lago in Maracaibo.

BUSINESS

Company and its subsidiaries are engaged in air transportation over international and foreign routes. In general, the international operations are carried on by company and internal services in foreign countries are furnished by foreign associated companies.

PRINCIPAL PLANTS AND PROPERTIES

As of June 30, 1955, company owned 125 aircraft, including 26 Boeing B-377's, 45 Douglas DC-6B's, 8 Lockheed Constellations, 26 Douglas DC-4's, 5 Convair CV-240's, 7 Douglas DC-3's, 1 B-23, 3 Douglas DC-6A's, 4 Douglas DC-7B's.

At that date, company had on order 33 4-engine Douglas DC-7B's.

Properties, other than flight equipment, spare parts and inventories, owned or operated by the company consist of rights in terminal and intermediate airports, airport improvements, hangars, passenger stations and overnight facilities, shops, radio facilities, and other ground facilities.

The principal operating or maintenance bases for international air transport are located at Miami (Fla.), New York City, and San Francisco and are operated under leases.

Other operating airport properties and terminal and other facilities are located at various points on routes operated by company, the nature and extent of company's interests and rights in which differ widely.

In August 1954 company received $13,677,000 contract in connection with Air Force missile project at Cocoa, Fla., which has to do with operation and maintenance of test center.

MANAGEMENT

Officers: J. T. Trippe, president; J. C. Leslie, vice president, administration; H. J. Friendly, vice president and general counsel; S. P. Pryor, vice president and assistant to president; W. L. Morrison, executive vice president, Latin American division; H. E. Gray, executive vice president, Atlantic division; C. M. Young, executive vice president, Pacific-Alaska Division; Franklin Gledhill, vice president; A. P. Adams, vice president, deputy to vice president, administration; W. G. Lipscomb, vice president, traffic and sales; E. Balluder, vice president; H. M. Bixby, vice president; A. A. Priester, vice president; R. B. Rdams, vice president; H. W. Toomey, vice president; H. H. Berke, vice president, supply; R. G. Ferguson, treasurer; H. P. Morris, secretary and general attorney; J. S. Woodbridge, comptroller; W. J. McEvoy, assistant vice president; J. C. Cone, assistant vice president; S. B. Kauffman, assistant vice president, engineering; W. W. Lynch, assistant vice president, communications; E. M. Goulard, assistant vice president, industry relations.

Directors: H. M. Bixby, New York; S. M. Fairchild, New York; R. V. Fleming, Washington; H. J. Friendly, New York; Franklin Gledhill, New York; Merrill Griswold, Boston; R. L. Hamill, New York; R. W. Howard, New York; D. S. Ingalls, Chagrin Falls, Ohio; Robert Lehman, New York; J. C. Leslie, New York; E. O. McDonnell, New York; M. T. McKee, Milwaukee; S. P. Pryor, New York; J. S. Rockefeller, New York; W. H. Standley Coronado, Cal.; V. F. Taylor, San Antonio, Tex.; J. T. Trippe, New York.

Auditors: Loomis, Suffern & Fernald.

Annual meeting: Fourth Tuesday in May.

Number of stockholders: December 31, 1954, 29,294.

Number of employees: December 31, 1954, 17,619.

General offices: 135 East 42d Street, New York.

Pan American Airways System

OPERATING STATISTICS

	1954	1953	1952	1951	1950	1949	1948
Revenue passengers	1,799,000	1,657,000	1,426,000	1,287,000	1,018,000	966,000	933,000
Average trip per passenger (miles)	1,270	1,216	1,267	1,221	1,235	1,233	
Revenue passenger-miles	2,285,000,000	2,015,000,000	1,807,000,000	1,572,000,000	1,257,000,000	1,191,000,000	1,156,747,000
Available ton-miles	515,514,000	447,122,000	409,470,000	348,770,000	313,060,000		
Revenue express and freight (pounds)			82,586,000	77,510,000	55,708,000	48,200,000	40,311,400
Revenue ton-miles (all classes)	319,400,000	277,544,000	256,673,000	230,009,000	187,100,000	175,300,000	165,535,533
Revenue plane-miles	67,256,000	62,009,000	60,185,000	57,305,000	53,060,000	62,060,000	61,465,215
Available seat-miles	3,713,292,000	3,199,210,000	2,894,192,000	2,552,617,000	1,994,883,000		
Revenue passenger load factor (percent)	61.5	63.0	62.4	61.7	63.0	57.5	58.4
Passenger revenue per passenger mile		$0.068	$0.069	$0.069	$0.07	$0.073	
Revenue load factor (percent)	62.0	62.1	62.7	65.9	59.8	54.5	
Cargo ton-miles flown		50,451,000	51,617,000	51,480,000	41,640,000	38,155,000	33,842,000
Cargo revenue per cargo ton-mile		$0.36	$0.357	$0.333	$0.344	$0.373	
Operation costs per available ton-mile	$0.391	$0.424	$0.452	$0.511	$0.451	$0.460	$0.475
Operation costs per available revenue ton-mile	$0.631	$0.684	$0.721	$0.707	$0.757		

COMPARATIVE INCOME ACCOUNT, YEARS ENDED DEC. 31

	1954 [6]	1953 [6]	1952 [6]	1951 [6]	1950 [6]	1949 [6]	1948 [14]
Revenue from operations: [8]							
United States mail [3]	$33,708,603	$38,838,886	$35,874,513	$33,046,829	$30,975,033	$27,266,189	$23,849,112
Foreign mail	5,558,259	5,323,980	5,425,465	5,486,666	5,527,414	5,372,341	3,956,449
Passenger revenue	148,703,624	135,230,149	123,592,534	108,618,331	87,838,035	87,286,735	86,465,176
Express and other transportation revenue	29,008,444	36,254,792	38,589,200	39,749,796	28,205,448	17,367,811	18,803,960
Total	216,978,930	215,647,807	203,481,712	186,901,622	152,545,950	137,293,076	133,074,696
Other operating revenue [4]	1,930,572	2,302,189	1,761,184	1,658,281	1,256,530	14,693,497	12,141,206
Total operating revenue	218,909,502	217,949,996	205,242,896	188,559,903	153,802,480	151,986,573	145,215,902
Operating expenses:							
Flying operations	$58,720,255	$59,662,667	$60,243,948	$52,164,253	$43,304,980	$41,085,407	$37,984,084
Direct maintenance—flight equipment	19,095,817	22,146,535	22,660,186	21,327,814	15,542,205	15,137,571	13,760,772
Depreciation—flight equipment	16,926,727	16,587,878	15,721,764	15,019,880	15,824,651	14,702,919	11,783,921
Ground operations	25,842,506	25,906,867	26,084,345	23,644,766	19,307,136	19,944,125	18,515,418
Ground and indirect maintenance	13,884,934	14,233,119	13,443,627	12,507,111	10,619,360	12,185,833	12,171,343
Passenger service	14,332,052	13,105,228	13,187,090	12,114,100	9,034,632	8,694,753	8,331,706
Traffic and sales	24,428,345	22,557,682	20,962,774	18,085,127	15,861,408	15,575,773	16,714,867
Advertising and publicity	8,727,453	7,443,381	7,132,498	6,279,225	5,972,659	5,915,283	4,657,558
General and administrative	17,665,191	18,183,799	17,700,151	15,409,737	13,090,656	12,885,417	12,622,768
Depreciation—ground equipment	2,018,593	1,777,517	1,540,535	1,746,213	1,852,493	1,798,847	1,393,838
Net operating income	17,267,629	16,345,263	6,565,978	10,200,677	3,392,300	4,060,645	7,279,626
Nonoperating income:							
Interest and dividend income	1,468,674	1,295,390	1,524,437	1,463,546	1,331,801	897,791	1,047,277
Gain on disposition of property	2,908,341	4,016,549	4,063,913	1,817,769	3,356,334	861,711	295,861
Other nonoperating income	209,707	348,266	267,035	214,114	193,938	127,888	167,027
Total income	21,854,351	22,005,468	12,421,363	13,756,106	8,274,373	5,948,035	8,789,791
Interest expense	2,094,466	1,706,544	1,177,783	1,649,027	2,085,302	933,394	564,324
Other income deductions [5]	542,588	386,280	150,315	270,882	114,627	876,273	652,607
United States income taxes	8,890,000	9,110,000	4,420,000	5,290,000	2,010,000	1,470,000	2,941,653
Foreign income taxes						179,425	40,482
Net income	10,387,297	10,802,644	6,673,265	6,546,197	4,064,464	2,488,943	4,590,726

See footnotes at end of table.

Pan American Airways System—Continued

COMPARATIVE INCOME ACCOUNT, YEARS ENDED DEC. 31—continued

	1954 [8]	1953 [8]	1952 [8]	1951 [8]	1950 [8]	1949 [8]	1948 [14]
Earned surplus, Jan. 1	35,487,379	29,766,102	24,590,942	21,118,654	19,140,680	17,899,186	14,676,623
Surplus credits [4]	1,978,328		1,573,668		974,818	283,575	620,000
Dividends	4,808,798	3,984,303	3,071,773	3,065,522	3,061,308	1,531,024	1,531,913
Surplus debits [5]		1,097,064		8,387			456,251
Earned surplus, Dec. 31	42,984,206	35,487,379	29,766,102	24,590,942	21,118,654	19,140,680	17,899,186

[1] 1949: Includes additional operating revenue, from carriage of United States mail, which company estimates should be received, $20,966,502 less reserve, $7,000,000.
1948: Includes transport and sundry service contracts with U. S. Government, $9,547,375, after deducting costs under such contracts and reserve.
[3] 1954: Revenues from transportation of United States mail are reflected herein, for year 1954, on basis of most recent rates set by CAB. Rate for Pacific services is a temporary rate, which is subject to retroactive increase or decrease. Rates for Atlantic, Latin American and Alaskan services are final rates—such rates for Atlantic service which have been open since Jan. 1, 1946 having been set by CAB by order entered Dec. 20, 1954. Company has petitioned for reconsideration of this order and has also petitioned for review of it by U. S. Court of Appeals for District of Columbia Circuit. Similar action has been taken with respect to Board's order of Dec. 20, 1954 fixing final mail rates for American Overseas Airlines, Inc. from Jan. 1, 1946 through Sept. 28, 1950, when its assets were acquired by company. Rate proceedings are also pending with respect to Latin American services for year 1952 and from Dec. 31, 1954.
Final mail rate fixed by Board with respect to Atlantic services is subject to adjustment in light of, and rates to be fixed for other services will take account of, decision of Supreme Court of United States, rendered in 1954, that, in establishing mail rates which include subsidy, Board must take into consideration not only results of services for which rates are currently being fixed, but those of all airline operations conducted by carrier. Since principles governing this have not yet been settled, it is impossible to determine whether, and, if so, how much of an adjustment will be required.
Principal effects of Board's mail rate decisions in 1954 on accounts were to increase current accounts receivable by $11,872,000 and to accrue Federal income tax of $6,173,000 on related income; to eliminate item estimated additional balance receivable for carriage of United States mail of $7,498,000 and related estimate of Federal income tax of $3,899,000; and to reduce depreciation reserves by net amount of $1,902,600. After giving effect to other appropriate adjustments, including those for deferred Federal income tax charges and credits, there was a net increase of $1,475,000 in earned surplus as a result of decisions.
Revenues for 1954 also include $20,833,841 Federal subsidy.
1950-53: See Moody's 1954 Transportation Manual for notes applicable to these years.
[4] 1952: Net credit; principal credits were: Change in depreciation reserves, $468,000; redetermination of effect of prior-year transactions in capital assets, $902,000; elimination of certain provisions for Federal income taxes, no longer required, $321,000.
1953: Company charged cost of employee's vacations in year when earned instead of when paid resulting liability $3,422,000 reduced by Federal income tax benefit of $1,779,000 charged to other current and accrued liabilities; $85,000 applicable to 1953 charged to expense and remainder, $1,558,000 was charged to earned surplus. Other credits and charges to earned surplus consist of a credit for elimination of reserve for engine overhaul, $2,156,000; net charge for reduction of mail pay to final rate for 1950 and 1951, $1,441,000 and other net charges of $454,000; also include credit for adjustment of estimated insurance costs, $584,000 and sundry net credits of $639,000. Resulting charge for related Federal income-tax adjustment amounts to $1,023,000.
1954: Credits and charges to earned surplus include those related to actions taken by CAB in connection with mail rate decisions, and sundry net credits of $503,000. Capital surplus increased $52,000 in 1954 in connection with issue of stock under terms of company's incentive stock option plan.
[8] Company only.
[9] Company and subsidiaries.
[10] 1949: Includes $465,410 net foreign exchange losses.
1948: Includes $290,235 route extension and development.
[14] Former parent, Pan American Airways Corp., and subsidiaries.
Depreciation: The policy with respect to provision and reserves for depreciation is to provide, during the estimated lives of the respective depreciable assets owned, reserves against which the investments in such assets are charged when the assets are retired from service or sold.
The rates of depreciation generally in effect for the year 1953 were as follows:

	Rates (percent)	Estimated useful life in years
Boeing Stratocruiser and Lockheed Constellations [2]	14¾	7
Convair CV-240 [2]	14¾	7
Douglas DC-3	(1)	(1)
Douglas DC-4	(1)	(1)
Douglas DC-6B [2]	14¾	7
Pratt & Whitney R-4360, TSB3G, and Wright C18BA and C18BD engines [2]	14¾	7
Pratt & Whitney R2800, CA18 engines [2]	14¾	7
Pratt & Whitney R1830-92 engines	(1)	(1)
Pratt & Whitney R2000 engines	(1)	(1)
Buildings and improvements located: [2]		
In the United States	5	20
Outside the United States	6⅔	15
Aircraft communications equipment, stations communications equipment, meteorological equipment	25	4
Hangar and shop equipment, barges and barge equipment, furniture and fixtures	10	10
Fueling and fuel storage equipment, launches, aircraft instruments, other flying equipment, hotel equipment	20	5
Aircraft propellers, automobiles, trucks and tractors	33⅓	3
Airport and airway lighting equipment	6⅔	15

[1] Fully depreciated.
[2] Except where agreements or contracts are in effect for a period shorter than the 20 or 15 years, respectively, in which event the improvements are depreciated over the lives of the agreements or contract.
[3] Depreciated over a 7-year period to a residual value of 15 percent.

Record of earnings (of former parent, Pan American Airways Corp., and subsidiaries), years ended Dec. 31

Year	Operating revenue	Cost and expenses	Operating profit	Other income and deductions (net)	Income before taxes	Income taxes	Net income	Common dividends	Common shares outstanding	Earnings per common share
1938	$15,941,091	$14,655,243	$1,285,848	[1] $1,007,196	$278,652	$231,980	$46,672	$1,052,382	$1,406,800	$0.03
1939	20,481,445	17,276,498	3,204,947	[1] 738,872	2,446,075	407,637	1,984,438		1,361,964	1.46
1940	27,010,242	21,801,080	5,209,162	[1] 1,890,113	3,319,049	1,002,731	2,256,818		1,887,355	1.20
1941	38,957,086	31,318,304	7,638,782	[1] 1,717,165	5,921,617	2,560,365	3,361,252	1,937,352	1,937,355	1.73
1942	49,108,716	42,374,431	6,734,285	[1] 902,927	5,831,358	2,051,342	3,780,016	1,937,352	1,937,355	1.93
1943	41,148,357	36,990,259	4,158,098	[1] 439,202	3,718,896	1,789,132	1,929,764	1,993,258	1,993,261	.97
1944	47,327,822	43,355,390	3,972,433	[1] 1,153,304	2,819,129	1,199,820	1,619,309	1,993,258	1,993,261	.81
1945	69,889,802	62,540,191	7,349,611	2,727,195	10,076,806	2,511,226	7,565,580	2,531,257	6,138,625	[2] 1.23
1946	113,180,251	99,825,553	13,354,697	[1] 7,664,872	5,689,825	2,706,497	2,983,328	1,536,244	6,145,082	.49
1947	142,302,325	136,792,871	5,509,454	[1] 649,325	4,920,129	1,960,079	2,960,050	1,532,898	6,145,082	.48

[1] Deduction.
[2] Includes $0.72 per share nonrecurring net profit from purchase by Chinese Government of company's 45 percent interest in China National Aviation Corp. (old).

COMPARATIVE BALANCE SHEET, AS OF DEC. 31

	1954 [13]	1953 [13]	1952 [13]	1951 [13]	1950 [13]	1949 [15]	1948 [16]
ASSETS							
Cash	$27,182,580	$23,607,800	$28,031,917	$25,578,986	$20,642,919	$18,253,044	$17,934,468
U. S. Government securities	1,998,623	2,984,063		11,951,032	11,962,150		
Receivables, net	44,316,796	37,061,327	33,105,381	30,517,343	31,841,591	21,952,865	17,736,485
Securities owned (short term)		5,958,847					
Inventories	4,761,929	5,200,602	5,612,130	5,727,724	3,773,921	4,295,016	4,453,060
Prepayments [12]	737,429	2,808,007	894,091	699,812	1,834,125		
Other current and accrued assets	492,150	581,255	688,062	435,521	430,959	441,922	
Total current assets	79,489,479	78,291,901	68,331,581	74,910,418	70,485,665	44,942,847	40,124,013
Sundry investments, etc.	6,211,847	8,246,695	8,184,814	6,071,727	4,790,645	4,420,278	4,882,989
Equipment purchase funds							22,984,552
Investments in associated companies [9]	7,957,761	6,697,262	6,723,761	6,724,771	6,238,542	4,933,251	6,243,320
Land	136,253	136,253	137,993	140,351	140,351	141,033	143,000
Buildings and airport improvements [6]	10,871,916	10,756,148	9,977,298	9,273,502	10,329,531	18,060,106	15,076,522
Flight and ground equipment [7]	97,381,339	89,950,037	81,944,880	63,415,278	73,567,596	110,017,894	74,223,460
Unfinished construction, etc.	1,742,695	1,395,591	1,943,260	2,527,597	1,044,384	1,926,181	3,999,861
Other receivables	5,607,396	6,155,070	1,826,231	3,140,124	2,224,154	1,911,498	1,721,371
Deferred charges	4,159,944	8,699,750	9,914,749	10,762,011	9,701,556	9,083,925	8,906,096
United States mail [4]		7,497,744	11,895,735	14,284,161	11,457,399	15,337,147	8,887,427
Total	214,258,630	217,826,451	200,880,301	191,249,940	198,980,063	210,774,162	187,192,652

See footnotes at end of table.

Record of earnings (of former parent, Pan American Airways Corp., and subsidiaries), years ended Dec. 31—Continued

COMPARATIVE BALANCE SHEET, AS OF DEC. 31—continued

Assets	1954 [15]	1953 [15]	1952 [15]	1951 [15]	1950 [15]	1949 [15]	1948 [15]
LIABILITIES							
Notes payable	14,750,000	11,625,000	8,455,000	12,500,000	12,500,000	5,000,000	10,000,000
Taxes, etc., collected for others							1,386,258
Accounts payable and accruals	37,017,779	38,104,087	44,647,601	35,814,694	36,001,470	16,802,201	14,970,423
Domestic and foreign income etc., taxes [4]	17,964,223	11,391,633	7,834,024	9,134,409	8,830,732	3,074,908	2,037,372
Total current liabilities	69,732,002	61,120,720	60,936,625	57,449,103	57,332,202	24,877,109	28,394,053
Notes payable	28,375,000	43,125,000	27,750,000	27,750,000	40,250,000	35,000,000	25,000,000
Deferred income [16]	2,736,622	7,528,916	8,979,744	8,453,158	8,052,329	15,666,161	13,414,182
Reserve for depreciation [7]						44,802,009	31,174,219
Other reserves [11]	1,982,565	2,058,274	4,474,959	4,062,067	3,382,895	2,381,728	2,322,056
Capital stock [3]	6,152,182	6,145,082	6,145,082	6,145,082	6,145,082	6,145,082	15,362,705
Capital surplus [17]	62,880,151	62,827,789	62,827,789	62,827,789	62,827,789	62,843,875	53,626,252
Earned surplus	42,984,206	35,487,379	29,766,102	24,590,942	21,118,654	19,140,680	17,899,186
Total capital stock and surplus	112,016,539	104,460,250	98,738,973	93,563,813	90,091,525	88,129,637	86,888,143
Less: Treasury stock [18]	584,098	466,709		28,201	128,886	82,483	
Net capital stock and surplus	111,432,441	103,993,541	98,738,973	93,535,612	89,962,637	88,047,155	86,888,143
Total	214,258,630	217,826,451	200,880,301	191,249,940	198,980,063	210,774,162	187,192,652
Net current assets	9,757,477	17,171,181	7,394,956	17,461,315	22,153,463	20,065,738	11,729,960

[1] Estimated balance receivable for carriage of U. S. mail:
1953–49: After reserve: 1953, $3,016,000; 1952–51, $9,190,000; 1950, $10,196,000; 1949, $10,484,641. Also see note 4 below and note 3 under income account.
1948: After reserve of $4,710,296 and application of $5,360,837 against related income taxes accrued.
[2] Par value: 1954–49: $1; 1948–47, $2.50.
[4] 1953–49: After deducting estimated Federal income tax applicable to U. S. mail claim, included in deferred credits, as noncurrent liability; 1953, $3,899,000; 1952, $4,635,000; 1951, $5,120,000; 1950, $4,640,000; 1949, $4,655,000.
1948: After deduction of amount ($5,360,837) equal to accrual of taxes on income from estimated additional mail pay. See note 1 above.
[6] After depreciation reserve: 1954, $13,939,439; 1953, $12,230,784; 1952, $11,284,904; 1951, $10,191,175; 1950, $9,325,396. Shown on liabilities side in 1949 and prior years.
[7] 1954–50: Deducted from asset side. See notes 6 and 9.
[8] Investments in stock of associated and affiliated companies not consolidated. Equity in their net assets was approximately, 1954, $21,000,000; 1953, $18,000,000.
[9] After depreciation reserve: 1954, $85,137,820; 1953, $78,801,742; 1952, $70,366,752; 1951, $60,290,724; 1950, $50,588,240. Shown on liabilities side in 1949 and prior years.
[11] 1954–50: Represents reserve for aircraft and engine overhaul.
[16] 1949–48: Prepayments included in deferred charges as noncurrent assets.
[13] Company only.
[14] Shares at cost: 1954, 60,360; 1953, 48,360; 1952–51, 3,070; 1950, 14,008; 1949, 8,967.
[15] Company and subsidiaries.
[16] Former parent, Pan American Airways Corp. and subsidiaries.
[17] 1949: After crediting $9,217,623 resulting from issuance by Pan American World Airways, Inc. of its stock of $1 par value per share to Pan American Airways Corp. for distribution by that company in exchange for its stock of $2.50 par value per share.
[18] 1953–49: Includes estimated liability for Federal income tax in connection with adjusted mail revenue: 1953, $3,899,000; 1952, $4,635,000; 1951, $5,120,000; 1950, $4,640,000; 1949, $4,665,000.

GENERAL NOTE

Uniform system of accounts for air carriers, prescribed by CAB, has been followed generally in the financial statements herewith. Advances by U. S. Post Office Department against collections to be made by it from other countries, for transportation of their mail by company, heretofore treated as current liabilities, have now been deducted in arriving at related accounts receivable balances stated in balance sheet herewith as at December 31, 1954, in view of favorable experience with such collections. Amount of such advances treated as current liabilities as at December 31, 1953 was $2,972,000.

Contingent liabilities: At December 31, 1954, company had commitments amounting to $58,575,000 for acquisition of airplanes, after deducting advance payments of $4,965,000. These commitments are expected to require cash of $21,500,000 in 1955.

STATISTICAL RECORD

	1954 [4]	1953 [4]	1952 [4]	1951 [4]	1950 [4]	1949 [3]	1948 [3]
Earned per share—common [1]	$1.71	$1.77	$1.09	$1.07	$0.66	$0.40	$0.75
Dividends per share—common [1]	$0.80	$0.65	$0.50	$0.50	$0.50	$0.25	$0.25
Price range:							
Common, $2.50 par						10⅝–8	
Common, $1 par	20¼–9¼	11⅝–8¼	12–9	13¼–9¾	12¼–8		11½–8¼
Net tangible assets per share	$18.39	$17.06	$16.07	$15.23	$14.67	$14.35	$14.14
Net tangible assets long term debt	$4.926	$3.411	$4.558	$4.371	$3.235	$3.516	$4.476
Net current assets long term debt	$344	$399	$267	$629	$550	$573	$469
Number of shares	6,091,822	6,096,722	6,145,082	6,142,012	6,131,044	6,136,115	6,145,082

[1] Par value: 1954–50, $1; 1949–47, $2.50 per share.
[2] Former parent, Pan American Airways Corp. and subsidiaries.
[3] Company and subsidiaries.
[4] Company only.

LONG-TERM DEBT

Bank loan: Outstanding Dec. 31, 1954, $43,125,000 evidenced by 3¼ percent notes maturing in varying installments as follows: $14,750,000 in 1955 and 1956; $10,500,000 in 1957 and $3,125,000 in 1958.

Company may not pay any cash dividends or acquire any stock unless thereafter on a consolidated basis such disbursements do not exceed net earnings after Dec. 31, 1952, but dividends may be paid out of net earned surplus accumulated prior to Dec. 31, 1952, not to exceed $4,500,000. As of Dec. 31, 1954, $25,802,000 of earned surplus was so restricted.

Company is also required to maintain working capital of not less than $12,500,000 and is to keep amount owed under the agreement below net depreciated value of unencumbered flight equipment. Loans, advances, purchase of stock, transfer of property to or investments in other corporations are limited to $5 million plus amounts received after June 30, 1953, for items of the same character.

New loan: Outstanding, May 10, 1955, $25,200,000 3¾ percent notes payable 1966–80. Loan is part of total commitment of $60 million; balance of loan will be taken down by July 1, 1956. Other details not reported.

CAPITAL STOCK

1. Pan American World Airways, Inc., common; par $1:

Authorized—10 million shares; issued and outstanding, 6,091,822 shares; in treasury, 60,360 shares; reserved for options, 302,400 shares; par $1.

Dividend record (in dollars)

Of former parent, Pan American Airways Corp.:

No par shares:	
1928–32	Nil
$10 par shares:	
1932–33	Nil
1934	0.50
1935	1.00
1936	1.60
1937	.75
$5 par shares:	
1937	.25
1938	1.00
1939–40	Nil
1941–44	1.00
$2.50 par shares:	
1945	.25
1946	.50
1947–49	.25

Dividend record (in dollars)—Continued

Of present company:

$1 par shares:	
1950–52	.50
1953	.65
1954	.80
1955 [1]	.40

[1] To June 19.

Voting rights—1 vote per share.

Dividend restrictions—See bank loan, above.

Preemptive rights—None.

Listed—New York Stock Exchange.

Purpose—Issued Jan. 1, 1950, for stock of former parent, Pan American Airways Corp., share for share.

Transfer agent—Bankers Trust Co., New York, and Crocker First National Bank of San Francisco.

Registrars—New York Trust Co., New York, and American Trust Co., San Francisco.

Dividend disbursing agent—Bankers Trust Co., New York.

Stock options: Outstanding, Dec. 31, 1954, options held by key employees on 293,650 shares at $8.37½ per share. Options on 278,000 shares expire Sept. 15, 1963, and on 23,750 shares at an earlier date. Plan terminates July 1, 1962.

Another factor is that tax amortization certificates have been of material assistance to the airline industry, as well as to other industry, which does not have the benefit of subsidies from the Federal Treasury.

Again, I hope to have available, if this bill comes before the House for decision, much more data as to the extent of such tax amortization certificates and shall include it in a future special order, if there is time to do so.

Pan American's great interest in this bill has been illustrated further within the last few days by its circulation among a number of Members of the House of a 4-page memorandum purporting to be a justification for H. R. 8902.

It recites a pious declaration that the CAB policy in this matter is "contrary to the sound development of our country's air transportation system and the long-run financial interest of the Government."

It then devotes itself to criticism of the CAB and of the opposition to this bill by the Comptroller General and the Bureau of the Budget.

A few comments can be made at this time.

The memorandum alleges:

> There is no force in the argument that the bill would permit a subsidized carrier to recover depreciation from the Government twice.

If Pan American means what it says here, it will not only not oppose the amendment suggested by the Bureau of the Budget; it will accept that amendment.

The fact is that the equipment on which capital gains would be realized has already been depreciated, and the depreciation allowance is always taken into account by the CAB in figuring a subsidized carrier's need. If the equipment's true residual value had been known, depreciation allowances would have been lower in the past, and, as a direct result, subsidy payments would have been lower. Under these facts, to let a subsidized carrier reinvest its capital gains in new equipment, without reducing the depreciation basis of the new equipment by the amount of the capital gains, would give to the carrier a double depreciation allowance.

As the Bureau of the Budget stated in its letter of July 12, 1956—RECORD, July 18, page 12188—the suggested amendment would accomplish the following as one of the major changes:

> 1. It would allow subsidized carriers to retain their capital gains for investment in new flight equipment but provide that the investment representing such gains would not thereafter be recognized in allowing depreciation and return on investment for subsidy purposes.

And, as the Comptroller General stated in his letter of July 17, 1956—RECORD, July 18, pages 12187, 12188:

> We would suggest an amendment which would enable the Government ultimately to recoup through the Board's ratemaking process that portion of the profits realized from the sale of equipment which through former depreciation allowances already might have been paid for by the Government through its award of subsidy.

I repeat that if Pan American and the few other airlines, which could receive windfalls through such double subsidy payments, regardless of any proven need, mean what is contained in this Pan American memorandum; and if there is in fact no force to the argument about double recovery for depreciation, the amendment will be accepted, because clearly none of them will be hurt by it and the Government and the taxpayers will be protected against any such possibility.

This Pan American memorandum seeks to frighten by the following dire warnings:

> Still more serious is the prospect that these carriers would feel that they have no alternative to continuing to operate with obsolescent equipment, with the higher subsidy costs which this would necessarily entail.

And—

> A policy which applies such gains in reduction of subsidy requirements could only increase the handicap of the subsidized carriers, and by depriving them of modern and efficient equipment, further postpone the day when they will no longer need subsidy.

If this was not being seriously urged upon Members of the House to induce them to vote for this preferential windfall to a few still on subsidy, it might well be dismissed as arrant nonsense and doubletalk.

The fact is, as I have already indcated, that the airlines, both subsidized and nonsubsidized, are well into a gigantic and praiseworthy reequipment program.

Since last fall the carriers have ordered more than 161 jet and 170 turboprop airliners at a cost of more than $1,500,000,000. This followed previous orders for 250 conventional piston-engine airplanes. The total commitment was over $2 billion.

A firm order for new equipment involves advance deposits and progress payments as much as 4 or 5 years before delivery. The advance outlay may amount to as much as 35 percent or more of the purchase price.

It has been predicted that most of this financing will come, as it already has in substantial part, from insurance companies.

And the record justifies the airlines' optimism in making these commitments.

In 9 years the domestic lines have increased their passenger miles from 6 billion to 20 billion.

Earnings in 1955 were 55 percent above the 1954 level.

And competent individuals, particularly among the nonsubsidized group, have stated repeatedly their confidence in the future.

Yet Pan American, by all odds the chief beneficiary of subsidies from the Federal Treasury, wants more and more of the same but has difficulty in deciding whether it should try to frighten Congress by the specter of having to operate with obsolescent equipment or by the thought of never-ending subsidies. Up in New England there used to be a saying in certain sections where independence and self-respect were regarded as virtues, "It takes a lot of weaning to get some hogs on their own feet."

This remarkable, self-serving memorandum concocted by Pan American and for Pan American primarily, under the guise of selfless interest in the "sound development of our country's air transportation system" and accompanied with copious crocodile tears shed over the plight of the Federal Treasury and the taxpayers generally, will bear a good deal more examination. I hope to be able to give it that and to report further results, if there is time to do so. If there is not, I hope what I have been able to submit in the minority report and through the special orders to date will make the alternatives clear.

It will be possible to endorse and vote for a windfall to some, which discriminates many of our airlines. Pan American urges this for obvious reasons.

Or it will be possible to see what the results are of the pending proceeding before the CAB. Pan American, knowing the adverse results of the cases in the United States Court of Appeals and the Supreme Court of the United States, opposes this. The Comptroller General, the Bureau of the Budget and Vice Chairman Adams of the CAB recommend we should have the benefit of the result of that proceeding. Our former colleague, Ross Rizley, when he was chairman of the CAB joined in this recommendation. I suggest that the advice of these competent, disinterested public officials, given to us in the discharge of their sworn duty, should be heeded.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to:

Mr. DOWDY, for July 24 to 26, on account of death in family.

Mr. VINSON, for an indefinite period, on account of illness in family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mrs. FRANCES P. BOLTON for 15 minutes on next Wednesday, Thursday, and Friday.

Mr. DODD, for 10 minutes, today.

Mr. RIVERS, for 1 hour, tomorrow.

Mrs. ROGERS of Massachusetts, for 5 minutes, on July 24.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. DAVIS of Georgia and to include newspaper items.

Mr. WALTER (at the request of Mr. McCORMACK) to extend his remarks and to include extraneous matter.

Mr. ROOSEVELT (at the request of Mr. McCORMACK) to extend his remarks and to include extraneous matter.

Mr. DAVIDSON.

Mr. POWELL (at the request of Mr. McCORMACK) to extend his remarks in three instances and to include extraneous matter.

Mr. NATCHER and to include an editorial.

Mr. SISK and include a letter regarding recreation benefits.

Mr. PILLION and to include extraneous matter.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 5256. An act to provide for the redemption by the Post Office Department of certain unsold Federal migratory-bird hunting stamps, and to clarify the requirements with respect to the age of hunters who must possess Federal migratory-bird hunting stamps;

H. R. 5881. An act to supplement the Federal reclamation laws by providing for Federal cooperation in non-Federal projects and for participation by non-Federal agencies in Federal projects;

H. R. 6243. An act to amend title VII of the Merchant Marine Act, 1936, to authorize the construction of a nuclear-powered merchant ship for operating in foreign commerce of the United States, and for other purposes;

H. R. 6595. An act to amend certain provisions of law relating to the estate tax;

H. R. 9038. An act to amend title 28 of the United States Code to provide that the Commonwealth of Puerto Rico shall be treated as a State for purposes of district court jurisdiction based on diversity of citizenship;

H. R. 11947. An act to extend and amend the Renegotiation Act of 1951; and

H. R. 12034. An act to authorize the Secretary of the Interior to execute a contract with the Tule Lake Irrigation District, California, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 849. An act to amend the Public Health Service Act, so as to provide for grants-in-aid to non-Federal public and nonprofit institutions for the constructing and equipping of facilities for research in the sciences related to health;

S. 1777. An act to amend the Interstate Commerce Act in order to authorize common carriers to carry a disabled person requiring an attendant and such attendant at the usual fare charged for one person.

S. 2183. An act for the relief of the city of Elkins, W. Va.

S. 2572. An act to authorize the interchange of lands between the Department of Agriculture and military departments of the Department of Defense, and for other purposes;

S. 3832. An act to provide for the disposal of the Government-owned synthetic rubber research laboratories at Akron, Ohio; and

S. 4256. An act to authorize the Honorable WILLIAM F. KNOWLAND, United States Senator from the State of California, to accept and wear the award of the Cross of the Grand Commander of the Royal Order of the Phoenix by the Government of the Kingdom of Greece.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills and joint resolutions of the House of the following titles:

On July 20, 1956:

H. R. 9801. An act to authorize and direct the Panama Canal Company to construct, maintain, and operate a bridge over the Panama Canal at Balboa, C. Z.

On July 23, 1956:

H. R. 5337. An act to amend the provisions of the Perishable Agricultural Commodities Act, 1930, relating to practices in the marketing of perishable agricultural commodities;

H. R. 5519. An act to authorize and direct the Secretary of the Army to convey certain tracts of land in El Paso County, Tex., to the city of El Paso, Tex., in exchange for certain lands to be conveyed by the city of El Paso, Tex., to the United States Government;

H. R. 7089. An act to provide benefits for the survivors of servicemen and veterans, and for other purposes;

H. R. 8047. An act granting authority to the Secretary of the Army to renew the license of the Ira D. MacLachlan Post, No. 3, the American Legion, Sault Ste. Marie, Mich., to use a certain parcel of land in St. Marys Falls Canal project;

H. R. 9081. An act to direct the Secretary of the Army or his designee to convey a three-acre tract of land situated about 6 miles south of the city of San Antonio, in Bexar County, Tex., to the State of Texas;

H. J. Res. 549. Joint resolution granting the consent of Congress to the State of New York to negotiate and enter into an agreement or compact with the Government of Canada for the establishment of the Niagara Frontier Port Authority with power to take over, maintain, and operate the present highway bridge over the Niagara River between the city of Buffalo, N. Y., and the city of Fort Erie, Ontario, Canada; and

H. J. Res. 604. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the United States World Trade Fair to be held in New York City, N. Y., from April 14 to April 27, 1957, and in the Oklahoma Semi-Centennial Celebration to be held in various communities in the State of Oklahoma from January 1 to December 31, 1957.

ADJOURNMENT

Mr. BOYLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 19 minutes p. m.) the House, pursuant to its previous order, adjourned until tomorrow, Tuesday, July 24, 1956, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

2075. Under clause 2 of rule XXIV, a letter from the Acting Archivist of the United States, transmitting a report on records proposed for disposal and lists or schedules covering records proposed for disposal by certain Government agencies, pursuant to the act approved July 7, 1943 (57 Stat. 380), as amended by the act approved July 6, 1945 (59 Stat. 434), was taken from the Speaker's table, and referred to the Committee on House Administration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON of Illinois: Committee of conference. S. 3897. An act to improve governmental budgeting and accounting methods and procedures, and for other purposes (Rept. No. 2872). Ordered to be printed.

Mr. ENGLE: Committee of conference. H. R. 5299. A bill to authorize the establishment of the Virgin Islands National Park, and for other purposes (Rept. No. 2873). Ordered to be printed.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 12327. A bill to provide that the compensation of the Commissioners of the District of Columbia shall be at the rate of $17,000 each per annum; without amendment (Rept. No. 2874). Ordered to be printed.

Mr. LONG: Joint Committee on the Disposition of Executive Papers. House Report No. 2875. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. OLIVER P. BOLTON: Committee on Banking and Currency. H. R. 12020. A bill to provide for the conveyance of certain real property of the United States to the city of Euclid, Ohio; without amendment (Rept. No. 2876). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. S. 3113. An act to amend section 9 (c) (2) of the Merchant Ship Sales Act of 1946, as amended; without amendment (Rept. No. 2877). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of Alabama: Committee on Public Works. S. 3881. An act authorizing the demolition and removal of certain greenhouses and other structures on square 576 west in Washington, D. C., and the construction of other facilities in place thereof, at the Botanic Garden Nursery, and for other purposes; without amendment (Rept. No. 2878). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Georgia: Committee of Conference. S. 2568. An act to amend title I of the act entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes" (Rept. No. 2879). Ordered to be printed.

Mr. MILLS: Committee on Ways and Means. H. R. 10057. A bill to provide for the free entry of certain stained glass or prefabricated panels of stained glass imported for use in the construction of a new sanctuary and auxiliary buildings for the First Presbyterian Church of Stamford, Conn.; without amendment (Rept. No. 2880). Referred to the Committee of the Whole House on the State of the Union.

Mr. MACHROWICZ: Committee on Ways and Means. H. R. 11035. A bill to provide for the duty-free entry of mosaics designed for the use of any corporation or association organized and operated exclusively for religious purposes; with amendment (Rept. No. 2881). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. S. 2093. An act to authorize the Secretary of the Army, acting through the Corps of Engineers, to undertake certain public works and grant compensation for certain property damages as a result of the construction of the Oahe, Gavins Point, and Fort Randall Dams and Reservoir projects, Missouri River; with amendment (Rept. No. 2882). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOPER: Committee on Ways and Means. H. R. 8905. A bill to amend section 4141 of the Internal Revenue Code of 1954 for the purpose of repealing the manufacturers excise tax on children's phonograph records retailing for 25 cents or less; with amendment (Rept. No. 2883). Referred to

the Committee of the Whole House on the State of the Union.

Mr. COOPER: Committee on Ways and Means. H. R. 11747. A bill to amend section 223 of the Revenue Act of 1950 so that it will apply to taxable years ending in 1954 to which the Internal Revenue Code of 1939 applies; without amendment (Rept. No. 2884). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOPER: Committee on Ways and Means. H. R. 11834. A bill to allow a charitable deduction for certain bequests; with amendment (Rept. No. 2885). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASPINALL: Committee of conference. H. R. 1774. A bill to abolish the Verendrye National Monument, and to provide for its continued public use by the State of North Dakota for a State historic site, and for other purposes (Rept. No. 2886). Ordered to be printed.

Mr. COOPER: Committee on Ways and Means. H. R. 12152. A bill to amend the Internal Revenue Code of 1954 to provide for the allowance, as deductions, of contributions to medical research organizations; with amendment (Rept. No. 2887). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DAVIS of Georgia:

H. R. 12363. A bill to amend the Civil Service Act of January 16, 1883, to provide for reports on the utilization of manpower in the executive branch of the Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FULTON:

H. R. 12364. A bill to amend the Internal Revenue Code of 1954 to exempt certain State clubs and other nonprofit organizations from the requirement of filing an annual return; to the Committee on Ways and Means.

By Mr. HARRISON of Virginia (by request):

H. R. 12365. A bill to amend the Tariff Act of 1930 to reclassify certain locks under the lock paragraph; to the Committee on Ways and Means.

By Mr. HOSMER:

H. R. 12366. A bill to provide for Federal cooperation with the State of California in the construction of the San Luis unit of the Feather River project, to authorize the Secretary of the Interior to negotiate an agreement therefor, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HYDE:

H. R. 12367. A bill authorizing the conferring of appropriate degrees by the District of Columbia Teachers College on those persons who have met the requirements for such degrees, and for other purposes; to the Committee on the District of Columbia.

By Mr. PILLION:

H. R. 12368. A bill to limit the representation of the Territory of Alaska in Congress to that now provided for by law; to the Committee on Interior and Insular Affairs.

By Mr. ROOSEVELT:

H. R. 12369. A bill to eliminate certain practices in the marketing of gasoline and other petroleum products which tend to cause destructive and unfair methods of competition; to the Committee on the Judiciary.

By Mr. SCHENCK:

H. R. 12370. A bill to amend section 313 (b) of the Tariff Act of 1930 to allow substitution of printing papers for drawback purposes; to the Committee on Ways and Means.

By Mr. UTT:

H. R. 12371. A bill to provide for Federal cooperation with the State of California in the construction of the San Luis unit of the Feather River project, to authorize the Secretary of the Interior to negotiate an agreement therefor, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DODD:

H. J. Res. 696. Joint resolution to urge the admission into Communist-occupied Poland of official observers for the purpose of reporting to the entire world the circumstances surrounding the forthcoming trials of the patriots of the Poznan uprising, the validity of the charges, the trial proceedings and the justice of the verdicts; to the Committee on Foreign Affairs.

By Mr. DIES:

H. Res. 621. Resolution to direct investigation of certain matters; to the Committee on Rules.

By Mr. WALTER:

H. Res. 622. Resolution providing for a special series of postage stamps; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COUDERT:

H. R. 12372. A bill for the relief of Joseph S. Jimenez; to the Committee on the Judiciary.

H. R. 12373. A bill for the relief of Mrs. Georgia S. Politis; to the Committee on the Judiciary.

By Mr. FALLON:

H. R. 12374. A bill for the relief of Jung Sang Jine; to the Committee on the Judiciary.

H. R. 12375. A bill for the relief of Evelyne Marie Madeleine Frederick; to the Committee on the Judiciary.

H. R. 12376. A bill for the relief of Mrs. Josefine Zapletal Grim; to the Committee on the Judiciary.

By Mrs. GRIFFITHS:

H. R. 12377. A bill for the relief of Casimiro Cortes Garcia; to the Committee on the Judiciary.

By Mr. JENKINS:

H. R. 12378. A bill for the relief of Erol Ozer; to the Committee on the Judiciary.

By Mr. MORANO:

H. R. 12379. A bill for the relief of William Luke Phalen; to the Committee on the Judiciary.

H. R. 12380. A bill for the relief of Carlo Palmieri; to the Committee on the Judiciary.

By Mr. MURRAY of Tennessee:

H. R. 12381. A bill for the relief of Mrs. Lucia Bianca Rognoni Maggia Rosa; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H. R. 12382. A bill for the relief of Mrs. Margot M. Draughon; to the Committee on the Judiciary.

By Mr. WILSON of California:

H. R. 12383. A bill for the relief of Maria del Carmen Toro de Hess; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Ninth Anniversary of Independence of Pakistan

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL, JR.
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, July 23, 1956

Mr. POWELL. Mr. Speaker, when I came back from the Bandung Conference, I announced that I would address the United States Congress each time there was an anniversary of one of the 29 participating nations in the Asian-African Conference on friendly relations with the United States.

Because Congress will not be in session at the time of the event, I wish to take this opportunity to send greetings to the people of Pakistan, President Iskander Mirza, and His Excellency Mohammed Ali, Ambassador of Pakistan on the occasion of the celebration of the ninth anniversary of independence of Pakistan, August 14, 1956.

Pakistan came into existence as the result of a struggle of a people to win a homeland for themselves in which they would be free to live their own way of life, develop their own culture, and safeguard their political and economic interests. Pakistan was founded by the indomitable will of a people determined not to be relegated forever to the unalterable position of a colony. In the words of His Excellency Liaquat Ali Khan, Prime Minister of Pakistan:

> The idea was the idea of liberty which has had its ardent followers in all climates and all countries. When our time came, its call summoned us too, and we could not hold back. * * * But this, we realize, is only the beginning of a new life. The achievement of freedom is not an instantaneous event; it is a process. The seed is planted, but before the tree can take root and grow and spread it has to be nurtured untiringly by innumerable hands.

The Prime Minister set forth the aims of Pakistan in his address to the United States Senate in 1950—truths which hold today:

> We have * * * guaranteed fundamental human rights, equality of status and opportunity, and before law, social, economic and political justice, freedom of thought, expression, belief, faith, worship and association. * * *
>
> We have pledged that our minorities shall enjoy full rights of citizenship and shall freely profess and practice their religions and develop their cultures and that their legitimate interests shall be adequately safeguarded. * * *
>
> We have kept steadily before us the principles of democracy, freedom, equality, tolerance and social justice. * * * These are articles of faith with us and by them we are irrevocably bound. They are our way of life; and no threat or persuasion, no material peril or ideological allurement can deflect us from the path we have chosen.

The aspirations that were at the back of the demand for the creation of Pakistan were, and remain, the strongest

urge of the Pakistanis. May these tenets of faith and democracy continue to guide Pakistan so that her people may prosper and attain their full contribution toward international peace and progress and happiness of mankind.

The Moravian Church

EXTENSION OF REMARKS
OF
HON. FRANCIS E. WALTER
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 23, 1956

Mr. WALTER. Mr. Speaker, this coming year, in March 1957, the Moravian Church, one of the world's great religious institutions, will celebrate its 500th anniversary. It is an event of far-reaching significance, not only to the members of that church but to all who cherish the principles of religious freedom.

The influence of the Moravians extends far beyond the Pennsylvania communities where they established themselves. It is to them that we owe the beginnings of the passion for religious freedom that led the Pilgrims and the Puritans to New England to lay the cornerstone of America's heritage of liberty.

It was in 1457 that a group of followers of John Hus, the Bohemian reformer, banded together in the little village of Kumbald to form the Unitas Fratrum—the Unity of Brethren. From this emerged the Moravian Church as we know it today. The group was animated by the teaching of John Wycliffe—the "morning star" of the Reformation—which had passed on through Hus. Each of them believed that it was his imperative duty to bring the word of Christ in the common tongue to all people. And each man, like Wycliffe and Hus, was prepared to go to prison, or even to the stake, proclaiming, "I believe that in the end that truth will conquer."

Those were days of persecution and religious war. But through their heroic courage the small band was able to maintain its faith, to grow, and to welcome the rise of other Protestant bodies. As the young church expanded beyond its original boundaries, it came to comprise three separate branches in Bohemia, Moravia, and Poland. The Encyclopedia of Religion and Ethics declares of this development:

> Yet the three remained organically one, and thus the Unitas became the earliest international Protestant church.

Throughout their history the Moravians have lived up to their noble motto, "In essentials unity, in nonessentials liberty, in all things charity."

Under the protective influence of Count von Zinzendorf, groups of the brethren began to come to America. They were missionaries rather than immigrants, for they came, inspired by their religious fervor, to spread the word of God in the New World. Upon their arrival they established schools and missions for the Indians and for the settlers already in the Colonies. They translated the Bible, the Psalms, and, equally important, school texts into the various Indian tongues and into German.

In 1742 the Moravian Seminary for Girls was opened at Bethlehem, Pa. This was the first boarding school for girls in America. Today, the Moravian educational system includes the Moravian Preparatory School, the Moravian Seminary and College for Women, Linden Hall Junior College, Linden Hall School for Girls, the Salem Academy, Salem College, Moravian College and the Moravian Theological Seminary. In this connection one should mention the name of John Comenius, a far-seeing pioneer who devised educational methods still in use throughout our schools today. It was Comenius who introduced the graded system of education and was the first to use visual aids in teaching.

In addition to their passion for religion and scholarship, the early Moravian settlers brought with them a deep love of music. A early as 1750 they established a church orchestra and later organized the Bach festivals which are held each year in Bethlehem. They also established one of the world's great musical libraries at Winston-Salem, which now contains more than 7,000 manuscripts. Among them is the earliest known copy of Haydn's Symphony No. 17.

In my own district of Pennsylvania, the towns of Bethlehem and Nazareth stand as enduring testimonials to the enterprise and the good neighborliness of the Moravians. On the occasion of this forthcoming 500th anniversary, the Nation as a whole may well acknowledge the debt it owes to the fund of moral and religious strength with which the Moravians have endowed us.

House Joint Resolution 604—United States World Trade Fair

EXTENSION OF REMARKS
OF
HON. IRWIN D. DAVIDSON
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, July 23, 1956

Mr. DAVIDSON. Mr. Speaker, I cannot let this occasion pass without expressing my feeling of sincere pride and happiness at the passage by both Houses of the Congress of my resolution to focus world attention on the United States World Trade Fair which will be held at the New Coliseum in New York City in April 1957. It was my fond hope when I introduced that legislation that some small contribution might be made to the cause of peace and understanding through world trade.

The bill is now to be presented to the President for his signature. There is no doubt in my mind that a great service will be rendered as a result of the passage of this measure. The States of the Union and the nations of the world will be invited to attend the fair and take part in it for the purpose of displaying under one roof the combined productive creativeness of the entire free world.

The most intriguing feature of the exposition is the possibility that it will cause new and strong economic ties between nations and States and that as a result new and strong friendships will be created, each contributing in some measure to better understanding and greater good will in the world. In addition, there is the possibility that the economic benefits to be derived from the fair will in the long run put many nations on their feet economically. There can be little doubt that a nation would much prefer to be economically self-sufficient, than economically reliant on others.

Mr. Speaker, I should like to add one personal note of thanks to Chairman RICHARDS and the other members of the Foreign Affairs Committee for the expeditious manner in which they brought this measure to the floor of the House for consideration and to the distinguished Senators from Oklahoma for the assistance which they gave toward prompt action in the Senate. I am very grateful to all who aided in the passage of this measure.

Alaska's Abortive Congressional Elections

EXTENSION OF REMARKS
OF
HON. JOHN R. PILLION
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, July 23, 1956

Mr. PILLION. Mr. Speaker, the Territorial government of Alaska has adopted procedures for the election of 2 United States Senators and 1 United States Representative in this fall's elections.

I introduced a bill, today, to nullify these proposed elections to nonexistent public offices.

This statement is made for the purpose of calling to the attention of the people of Alaska and the 48 States some of the salient features of this political maneuver.

These elections are in conflict with Federal law which limits the House of Representatives to 435 Members. The Territorial laws attempting to authorize the election of 2 United States Senators and 1 Representative exceed the authority granted the Territory by Congress in its organic law.

The proponents of statehood are attempting a power-politics maneuver to coerce and stampede Congress into granting statehood. They propose to usurp the power and responsibility of Congress to determine the advisability of statehood by presenting to Congress a prejudged and accomplished state of affairs, viz: 2 de facto United States Senators and 1 de facto Representative.

The proponents of statehood, no doubt, intend to use this phantom election to whip up an emotional hysteria in favor of statehood. I trust that the electorate will keep this election within its proper perspective.

In a large measure, our laws are not enacted on the basis of valid economic, mathematical, or social principles. Laws

are, generally, the product of a conglomerate compromise between a voting political majority of the House and the Senate. Due to two political evolvements, the majority voting power very often does not represent the best interests of the Nation or the will of the majority.

First. The 18th amendment, providing for direct election of Senators, has intensified the political and sectional obligations of our Senators. It has restricted their freedom to make decisions based upon the primary national welfare. States with less than 30 percent of our population are invested with a majority vote in the United States Senate.

Second. The committees of the House of Representatives are stacked with members who have a personal political self-interest in the legislation within the jurisdiction of the committees.

For example, the members of the Interior Committee of the House of Representatives from the Western States favoring irrigation, reclamation, and subsidized public power outnumber Representatives from the balance of the 48 States by a ratio of 3 to 1. Yet, the majority of votes in this committee represent States with less than 25 percent of the population. No one with any understanding of human nature or politics could expect any legislation out of this committee which did not completely satisfy the political interests of the majority votes on this committee irrespective of the national interests involved.

The imbalance of political power in the Senate and in the committees of the House accelerates our drift toward a welfare state. The principle of equality before the law is being replaced by preferential and political favoritism for minority classes over the total body of taxpayers. The welfare state is the forerunner of the police state.

Statehood for Alaska would accentuate this imbalance of power. It would, further, contribute toward sectional and minority control over the majority of the people to the deteriment of the national interest.

Next January, Congress will be confronted with ludicrous claims by Alaska that it should have statehood because it has legally elected its representatives to Congress.

Egypt Celebrates Fourth Anniversary of Independence July 23

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL, JR.
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, July 23, 1956

Mr. POWELL. Mr. Speaker, when I came back from the Bandung Conference, I announced that I would address the United States Congress each time there was an anniversary of one of the 29 participating nations in the Asian-African Conference on friendly relations with the United States. Today is the fourth anniversary of the independence of Egypt and I rise to felicitate that country.

I wish to extend sincere greetings to the people of Egypt, President Gamal Abdel Nasser, and his Excellency Ahmed Hussein, Ambassador of Egypt, on the occasion of the celebration of the fourth anniversary of Egypt, July 23, 1956.

The most important event in the history of modern Egypt occurred on July 23, 1952, when a handful of youthful patriots ousted the symbols of feudalism and proclaimed the Republic of Egypt some months later. By their actions, they opened a new era in Egyptian history. With precision and dispatch, the independence movement was led by President Nasser, who saw that Egypt had to be made strong, united, and free. Devoted to the liberation of the masses, Nasser gave the people what they seldom had—hope.

President Nasser is well aware of Egypt's No. 1 problem: the utter despondency of the Egyptian fellaheen. His proclaimed goal is to end the rule of the big landowners and to liberate the peasants from the hands of usurers. The Government aims to broaden the basis of the economy and make it less critically dependent on a single export crop; to raise the standard of living of the people, thereby bridging the wide gap between the rich and the poor. Ambitious plans in this direction have already been undertaken, but much remains to be done.

The various reform programs have been been executed with such vigor that many observers have remarked that in the brief 4 years since independence, Egypt has advanced more than at any other time in its history.

As Egypt goes forward into a new year of national life, I pray for the people and their leaders continued success and prosperity. And may the spirit of peace and sympathetic understanding serve as guides in the achievement of democratic goals and may Egypt continue to maintain her present prominent place among the free nations of the world.

Better Days for the Green River

EXTENSION OF REMARKS
OF
HON. WILLIAM H. NATCHER
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Monday, July 23, 1956

Mr. NATCHER. Mr. Speaker, the Green River Valley in Kentucky is noted for its scenic beauty, its glorious climate, fertile soil, natural resources, vast coal seams, and its abundant resources of native people.

Green River travels some 375 miles through this beautiful valley before it reaches the Ohio, and it has a number of navigable tributaries.

The Green River watershed contains 9,273 square miles. There is little timberland left in this section to slow down the flow of water during and following rains. This water reaches the streams in quantities which quickly causes them to overflow, thereby resulting in flood damage, and loss of lives. From 1943 up to the present time we have had seven floods in this section of Kentucky. Beginning in the year 1913 and extending to the year 1943 we have suffered from 5 major floods in the Green River Valley. The more serious floods occurred in the years 1913, 1937 and 1950. It is estimated that our total loss of topsoil during each year in the Green River Valley is in excess of 5 million tons.

Not only the Green River Valley will benefit from navigation and flood control projects but great benefit will also be received by the lower Ohio and lower Mississippi Valleys. According to study made by the Corps of Engineers the entire State of Kentucky with the exception of eight counties in the lower southwestern section is in the flood danger area and Kentucky has more of its entire boundary within the flood danger area than any other State in the United States.

As the direct result of our inability to utilize our vast coal resources and our lack of flood control in the valley our population decreased over 100,000 from 1940 to 1950. With all of our natural resources, transportation, navigable streams, and abundance of manpower we were losing more people per year than almost any section of our country.

We have some 13,970,000,000 tons of recoverable low cost steam coal in the Green River Valley, and this coal is located on a navigable stream. We have large steam powerplants at Madison, Ind.; Paducah, Ky.; Johnsonville, Tenn., and Colbert, Ala.—all close to this vast deposit of coal on the Green River. The Atomic Energy Commission Plant at Portsmouth, Ohio, is operated with power from the Madison, Ind., steam plant which has a capacity of 1,200,000 kilowatts. Coal required to operate this plant per annum amounts to 4,000,000 tons.

Suffering from loss of population, flood damage and with several sections of the valley declared to be in an area of chronic labor surplus it was imperative that the necessary steps be taken to correct this situation. Larger and deeper locks were necessary for the Green River. Such locks would accommodate modern barges of the size used on the Ohio and Mississippi Rivers, and our coal could move out to market. Flood control projects must be secured in order to eliminate our annual flood damage.

Beginning in the year 1954 we secured necessary appropriations to construct two modern locks and dam at Spottsville and Rumsey on the Green River and in the Second Congressional District of Kentucky. We also established and secured a canalization project for Green River beginning at the Ohio River and extending 103 miles to Rochester, Ky. Flood control projects on Rough River and Nolin River are underway and better days are ahead for the Green River Valley.

Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following editorial which appeared in the July 17, 1956, issue of the Courier-Journal, of Louisville, Ky.

The editorial is as follows:

BETTER DAYS FOR THE GREEN RIVER

A lot of people had a good time down at Calhoun last Saturday, dedicating the two new locks that will open up the lower Green River to heavy barge traffic. It was a day filled with speeches, ribbon-cutting, beauty queens, music and political handshaking, and no one seemed to mind that there were more beauty queens—31 of them, one for each county in the Green River Valley—than politicians.

There was good reason for rejoicing. For the past 20 years the valley has been in the midst of a semidepression, losing population and job opportunities while surrounding areas prospered. Along the banks of the Green River lie some of the world's largest deposits of high-grade coal, and there is plenty of water in the stream to encourage industrial use, but poor transportation has been too much of an obstacle. The old locks on the river, two of which have now been replaced with modern structures, could not accommodate Ohio River barges, and rail shipping costs put local coal operators at a disadvantage with nearby coal producers who had access to lower-cost river transport. The new locks, built to handle Ohio barge traffic, will change all this. Already, contracts have been signed for 3,000,000 tons of Green River coal each year, and more are doubtless on the way.

There was plenty of barbecue, oratory, and calliope music in Calhoun Saturday. And there was enough credit to go around, too. Certainly the Green River Valley Citizens League had reason for pride. From the day C. A. Reis first started agitating for improvement of the river, this group has never quit trying, and Saturday's celebration was largely the product of the stubborn, undiscouraged efforts of its members. Credit is due, too, to Congressman WILLIAM NATCHER and Senator EARLE CLEMENTS, both of whom fought for river-improvement appropriations in Washington, and whose efforts finally resulted in construction of the two now-completed locks.

Work on the Green is not finished, though. Other upstream locks and dams are needed. Flood control on the river will never be effected until the flood-control reservoirs on the Rough, Nolin, and Barren Rivers are finished. There is dredging and channel-straightening work to be done before the whole river is cleared for big-barge traffic. But if the people of the valley and our Representatives in Congress continue the good work, there's a better day coming for the counties along the Green River Valley.

Address of Hon. Alexander Wiley, of Wisconsin, Over Station WGN, Chicago

EXTENSION OF REMARKS

OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Monday, July 23, 1956

Mr. WILEY. Mr. President, last night it was my pleasure to deliver by transcription an address over Station WGN, Chicago.

In this address, I commented upon what I regard as the accomplishments and the shortcomings of this 84th Congress.

I ask unanimous consent that the text of my prepared address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SENATOR WILEY LISTS MAJOR UNDONE TASKS IN 84TH CONGRESS—SAYS FAILURE TO REFORM ELECTION LAWS IS SHOCKING

(Radio address by Senator ALEXANDER WILEY, Republican, Wisconsin, prepared for delivery over Station WGN, Chicago, Ill., July 22, 1956)

Answer: "The 84th Congress is drawing to a close. I would like to list for you what I regard as some of the principal accomplishments—and yes; some of the principal failures of this Congress—your Congress.

"After all, you, the people, are the employers of your public servants in Washington. You have a right to know whether they have fulfilled their responsibilities to you."

Question: "Senator WILEY, how much time is there left in the 84th Congress?"

Answer: "The answer is, probably just a few days of next week. Of course, one never can tell; perhaps the Senate or House may get caught in some last-minute delay which could carry the session beyond.

"Congress faces, however, a final August 13 deadline; that's the date of the start of the Democratic National Convention in Chicago."

CONGRESS SHOULD STAY ON JOB

Question: "How do you feel, Senator, concerning adjournment of the Congress?"

Answer: "Well, my own feeling is that Congress should stay on the job as long as is necessary. I don't want it to go home without fulfilling the needs of you, the people. And so far as I am concerned, there are definitely a tremendous number of unfulfilled needs.

"I am not, of course, reflecting upon the hard work put in by my colleagues. Actually they have, indeed, worked long and hard.

"For several days we have been meeting at 9:30 a. m. and working straight on through until midnight.

"During all those long hours we have had committee meetings; we have worked in our offices; we have met constituents. Some legislators, such as myself, have even flown back and forth to our States on Sundays. So you can see that we have been pretty busy."

LIST OF MAJOR ACHIEVEMENTS

Question: "Well, now, Senator, just how does the "busyness" reflect itself; what would you regard as the achievements of the 84th Congress? Are there many achievements?"

Answer: "I am delighted to say that there are. Congress has written a good record in many respects. Let me list our major achievements:

"PROGRESS TOWARD BETTER OLD AGE SECURITY

"In the first place, we are putting the finishing touches now on a wonderful new improvement in our social security laws.

"At last, we are providing a fair break for our old folks—for those 'whose hair has turned to silver.' We have, fortunately, lowered the eligibility age for women from 65 to 62.

"So far as I am concerned, however, we could just as well have lowered it to age 60 for women, since very few elderly women can get jobs these days at the age of 60 or even 55 or 50.

"In other words, my friends, the present old age pension laws, even with this improvement, will be far from perfect. People on pensions will still eke out an existence in many instances.

"People over the age of 72 and receiving pensions will still be limited in what they can earn—on the outside—limited to only $1,200 of extra income per year.

"But at least we have made some progress in providing a square deal for old people.

"We have brought in hundreds of thousands of new people under the social security system, and we have provided aid to the permanently and totally disabled people, crippled and unable to work for a whole lifetime."

VITAL HIGHWAY LAW

Question: "What are other accomplishments of this Congress?"

Answer: "Well, we have written the greatest public-works project in history—and that is of course, the $33 billion Federal highway program.

"It will establish a 40,000-mile Interstate Highway System, connecting most of the State capitals. Actually, even this vast new system won't prove big or modern enough for America's 65 million vehicles, our autos and trucks, and for the millions of additional vehicles that will be jamming the Nation's highways in the years up ahead."

Question: "Well, that road bill is at least a step in the right direction. Now how about other accomplishments?"

CONNECTING CHANNELS BILL

Answer: "So far as we of the Middle West are concerned, another great achievement was the passage of the Great Lakes connecting channels bill which I, for one, had long fought for.

"This channel law will complete the 2,300-mile, 27-foot Great Lakes-St. Lawrence Seaway. The overall seaway is, of course, now being built under the Wiley seaway law—a law which I am proud to say bears my own name."

Question: "And it is certainly an historic law. Well, there have been other achievements as well, Senator Wiley. What do these additional achievements include?"

FARM SEGMENT NEEDS MORE ATTENTION

Answer: "Here is one. We wrote an important extension of the Nation's farm parity law, and we have established a new soil bank for conservation purposes.

"But here, while I am on this subject, let me mention one of the shortcomings of the Congress. The fact is that Congress has not taken all the comprehensive steps needed to bolster America's great farm segment, particularly, the dairy farmer, whose income is far too low. To be sure, Congress did extend the vital school milk program. I am glad to say we also extended the program for combating the dread disease which affects dairy cattle, brucellosis—Bang's disease.

"But the fact is that the Midwest dairy farmer's and other farmers' income is still lagging far behind the rest of our population. So this, then, is one of the real shortcomings of the 84th Congress—lack of sufficient action on the farm front, despite the important farm parity law and soil bank law which we did write."

LIST OF TASKS UNDONE

Question: "Now, Senator Wiley, you have listed some of the major achievements and have touched upon one of the shortcomings on the farm front. What are some of the principal failures of the 84th Congress—some of the shortcomings—some of the things which it hasn't done, which it should have done?"

LACK OF ACTION ON SCHOOL BILL

Answer: "Quite a few, unfortunately.

"Now, of course, in the few remaining days of the session, there is always a chance that we may be able to finish up on some of the unfinished bills that I am going to mention now. But the fact of the matter is that the outlook on them is rather grim.

"Here are, however, the major undone tasks: In the first place, we failed the Nation's schoolchildren. President Eisenhower's vital proposed legislation for Federal school construction was, unfortunately, killed in the House.

"The result is that the Nation's obsolete classrooms will remain crowded. Many of our children will continue to meet in dingy, dark, often firetrap facilities.

"And the further result is that, in the years up ahead, we won't get the engineers, the technicians, and all the other specialists that we, as a Nation, need in order to combat Russian progress in mass education, particularly in military engineering."

Question: "Well, that is certainly a serious deficiency, Senator, failure to improve our Nation's schools. What else is a shortcoming?"

NO CIVIL-RIGHTS BILL

Answer: "A second failure is on the issue of America's minorities. Despite the pledges of both political parties, Congress has not written even—I mean a bill to protect America's minorities; to protect the right of all America's citizens to vote, for example, regardless of their race, creed, or color, to vote without being coerced or intimidated."

Question: "Any other failures?"

Answer: "Yes; unfortunately."

LACK OF ACTION ON VETERANS' PENSIONS

"I am thinking now of the problem of America's 22 million veterans. The Congress fortunately has enacted an important bill to liberalize death benefits for the survivors of our servicemen.

"But the fact is that the Congress has not—it has not—enacted the omnibus pension bill. The House of Representatives approved it, but it is still stalled in the Senate Finance Committee. This pension legislation is important. The American Legion, the Veterans of Foreign Wars, and other fine groups have pleaded for action on it, but there it still sits, unfortunately, in the Finance Committee."

Question: "Are there any other bills which are still stalled?"

Answer. "Yes, indeed. Regrettably, there is a major housing bill which is still tied up in the House Rules Committee. It is a bill which provides for necessary housing for the aged, for our servicemen, for liberalized home credit repair. This bill should be passed. The Senate passed it, but not the House. The bill should not die in the Rules Committee."

Question: "Well, those are four shortcomings, Senator WILEY, lack of action on schools, on rights, veterans' pensions, and housing. Any other serious failures?"

Answer: "Yes, unfortunately."

NO SMALL BUSINESS AID BILL

Question: "Consider Congress' failure to enact important antimonopoly legislation. You know, we Americans believe in competition, not monopoly, not a stifling of the little fellow. There is now a very important bill known as the equality of opportunity bill. It is favored by hundreds of thousands of small-business men throughout the Nation—by the druggist in your town; by your retail grocer; by the retail gasoline dealer; by your local bakery shop and many other specialties. This bill—equality of opportunity—means equality between big business and small business. The bill has passed the House, but it is stalled in the Senate Judiciary Committee, unfortunately. Despite my own and others' efforts, we can't get it out of committee thus far. Yet, both political parties are committed to combat monopoly, to combat trusts, and to help small-business men."

SENATOR WILEY URGES HOOVER-TYPE TAX COMMISSION

Question: "Turning to another issue, both parties have pledged tax reform, too, Senator WILEY. Is there any progress on that front?"

Answer: "No; unfortunately not. And here you have a very big issue, indeed. Why? Because taxes directly hit all 55 million taxpayers and they hit all 167 million Americans indirectly.

"But our present tax system is a mess. It is a hodgepodge, a mixed-up conglomeration of amendments and revisions. Our tax system has grown 'like Topsy', in all directions—excise taxes, gift taxes, estate taxes, income taxes, corporation taxes, and thousands upon thousands of hidden taxes."

Question: 'Well, what is the answer, Senator?"

Answer: "The answer is not simply to revise our tax system piecemeal and thereby made it a worse hodgepodge. The answer, I feel, is to set up a Hoover-type commission which would take a broad new look at all taxes. Such a commission could then come up with comprehensive recommendations for real tax reforms."

Question: "Reforms for whom, Senator WILEY?"

Answer: "Reform for every deserving group, for folks in the low-income brackets, reform particularly for small business. These days the little fellows are socked by taxes so high that small retailers can't save up enough so as to expand and so as to meet big-business competition.

"In other words, let's set up a Hoover-type tax commission to help start a long-overdue overhaul of the tax system."

Question: "Well, the lack of tax reform then is still another shortcoming of the current Congress, Senator WILEY?

"Any others you want to mention now?"

SERIOUS FAILURE TO CLEAN UP ELECTIONS

Answer: "Yes; here is another big one. I am referring to the apparent killing of the honest-election bill—the bill to reform election practices.

"This much-needed bill would have gone a great way in helping to clean up American elections. It would have established more realistic ceilings on campaign expenditures.

"It would have granted a helpful $100 in income-tax credit to civic-minded Americans who contribute to political parties. Such a tax credit would have encouraged more little people, more people of modest income, to help cover campaign costs. And that would, in turn, have lessened the influence of a handful of big contributors who today exercise far too much influence.

"This honest-election bill was sponsored by 85 Senators, including myself. Despite this fact, it looks as if this bill is going to die unless a last-minute effort is made to revive it."

A BLACK EYE ON CONGRESS

Question: "How do you feel about the bill's death?"

Answer: "I say the death of this honest-election bill is a black eye on the 84th Congress. It is a mark of shame.

"I am not criticizing any individual, because actually a lot of Senators have worked hard to revive the bill through some form of last-minute compromise, which would avoid a long-drawn-out tussle.

"But the fact is that Congress has impaired its own reputation by its failure to act on the Johnson-Knowland bill and on the earlier Hennings bill (which wisely included primaries, as well).

"Congress is thus contributing to a higher wave of cynicism among many Americans, an attitude of 'You can never believe those guys in Congress—85 Senators say they want the bill, yet the bill dies.'

"The honest-election bill was and is a must. I say, mysterious campaign contributions—unreported, unchecked, unpublicized—constitute a poison in the political life of America.

"They can result in a dark shadow on people's faith and the independence of our legislative branch.

"Everybody knows that modern campaigns cost money, big money, especially on TV. But where is the money coming from? From whom, to whom, and how? We don't know, because the present election law has more holes than Wisconsin Swiss cheese. In my own State, I can't even get the facts thus far on a mysterious reported $150,000 campaign pledge.

"Why not? Why the secrecy? Why the mystery? Why the fear of full reporting?"

Question: "Those are certainly important questions, Senator WILEY.

"Well, despite the failure to enact the honest elections bill; and despite the failure thus far to get real tax reform, would you say that the results of the current Congress are by and large seriously bad?"

Answer: "Actually not. Remember our many achievements. Remember the fact that we have improved American health during this Congress.

"We have provided appropriations to strengthen America, to strengthen our defenses. The Senate has passed an important bill to speed atomic development.

"So, while there are a lot of tasks undone, still, we can take a certain amount of satisfaction for what was accomplished.

"Take the natural-gas rate bill. Fortunately, that bill—a very bad bill—which would have jumped rates and cost Midwest and other consumers a fortune—that unfair bill was vetoed by the President."

SUMMARY

Question: "Senator WILEY, I know that if time permitted you would comment on many other phases in this connection—tasks, done and undone—worthy of our people's attention.

"But I know, too, that your comments on the subjects which you have been able to cover within this brief time have been of interest to our listeners. They have welcomed your report on the need for an honest election bill and for a Hoover-type commission on tax reform—the need for veterans' pension legislation, for more housing, for school aid, and for still further improvements in the old-age pension system."

YOUR VIEWS WELCOME

Answer: "It has been a real pleasure to address you through the courtesy of Station WGN. If my listeners have any reactions to my comments about old-age pensions, or taxes, or honest elections, or any other front, please just drop a penny postal card or a letter to Senator ALEXANDER WILEY, Senate Office Building, Washington 25, D. C.

"Thanks very much for your kind attention, and good night to you all."

A Double Standard on Civil Rights

EXTENSION OF REMARKS

OF

HON. JAMES ROOSEVELT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 1956

Mr. ROOSEVELT. Mr. Speaker, a few days ago a number of the Republican Members of this House gave the people another demonstration of the double standard on civil rights that has characterized the policies of the Republican Party for the last 3 years.

On July 5 the House of Representatives voted in favor of the Powell amendment—a civil-rights amendment to the Federal aid for education bill. I voted for that amendment; so did other Democratic Members of this House. It seemed for a while, and may continue to seem to uninformed people, that the Republican Party was supporting this civil-rights amendment. However, when the vote on the bill was taken, nearly 100 Republican Congressmen who had gotten their names on record as favoring the Powell

amendment, then voted against the Federal aid bill. They turned against the civil-rights provisions of the bill they had just recently supported.

Not one Democrat joined the 96 Republicans in this maneuver.

Let us make no mistake about it. The major opposition to that bill came from those who were opposed to its civil-rights provisions, rather than to the aid for education. As a result of the switch pulled by these 96 Republican Congressmen, the civil-rights provision of the bill, which they claimed to be for, is just as dead as the education provisions which they admit to opposing.

The Kelley bill to aid the schools, which included the Powell amendment, was defeated by a relatively small number of votes. If only 16 of the Republican Congressmen who defected on the final vote had stood by their vote on the Powell amendment, the Kelley bill would have been passed.

One who does not have the full story of the Republican record on this civil-rights issue might think that my statement and my point of view are harsh. To say that there has been a double standard by the Republicans on civil rights for the last 3 years is merely to state the facts. Let me summarize the record the Republicans have built up while they have been in office:

First. For 3½ years, Eisenhower had no legislative program on civil rights, and waited until April of an election year to present a watered-down version of Democratic civil-rights proposals.

Second. The Eisenhower administration refused to support Democratic civil-rights measures introduced by Democrats—even refused to answer requests from Congress for its views on those measures.

Third. The Eisenhower administration has abandoned three key provisions of the 1952 GOP platform.

Fourth. A majority of the GOP in the United States Congress has voted against key efforts at civil-rights progress.

Fifth. In the field of so-called administrative accomplishments on civil rights, the GOP has merely picked up where the Democrats left off in pioneering the real breakthroughs on civil rights progress.

Some illustrations from the Republican record make help to make clear how the Republican Party has approached the job of making votes out of no-policy on civil rights.

For example, here is what one highly placed spokesman for the Republicans, Vice President NIXON, had to say when he addressed a northern audience in February of this year:

> President Eisenhower's great Republican administration has registered the greatest advance for the rights of racial minorities since the Emancipation Proclamation itself * * * speaking for a unanimous Supreme Court, a great Republican Chief Justice, Earl Warren, has ordered an end to racial segregation in the Nation's public schools. (Vice President NIXON, New York, N. Y., February 13, 1956.)

However, here is another Republican point of view entirely. This one was served up to a southern audience by another spokesman for the same Republican Party.

> Republicans will campaign next November on a States' Rights platform assuring constitutional government, Charles K. McWhorter of New York, Young Republicans' national chairman declared in Jackson (Miss.) last night. (Jackson (Miss.) State-Times, May 25, 1056.)
>
> [McWhorter] opined the Republicans' record as a conservative party, moderate on civil rights, best suits the interest of Mississippians. (Jackson (Miss.) State-Times, May 25, 1956.)

Speeches aside, the record of the Republican Party for 3 long years was one of do-nothingness. The administration, in spite of its campaign promises and pledges gave no leadership and no support to the forces working for civil-rights legislation, both in and out of Congress. Even the official requests of congressional committees, in the Senate as well as the House, for advice on bills before them, got only silence.

At least, this was true for 3 years. But now we are in the fourth year of this administration, the presidential election year. Now a record must be made. Operating on the policy that it is not what you do for people that counts, but only what you do to impress them, the Republicans now begin to build what they hope will be an impressive record on this issue which was allowed to languish for 3 years. But I am sure that it will be a record of speeches and statements that the people will be offered, as in the case of the education bill, not real substance—not legislation.

Here is an example of what the record now shows on the issue of civil rights. For 3 years the administration had no recommendation to make on legislation to protect the basic American right to vote. Nine Democrats and one Republican had joined in proposing such legislation in the Senate. But the administration had neither a proposal of its own, or a recommendation to make on this one.

Congressman CELLER introduced a bill to protect civil rights on a wide front. The Department of Justice was asked for its views on this bill; the Department made no reply. It took no notice whatsoever of the bill until after the Judiciary Committee reported the bill out.

Many other bills in both Houses of Congress, got this same cold treatment from the administration—up until this year. But now, the Republicans have discovered the date on the political calendar and the civil rights issue at the same time. The election is coming up; the Republicans are out to make the election-campaign record. Legislation has been belatedly introduced, and the press releases will now really be grinding out the claims of the party that it is the Republicans—the facts notwithstanding—who are the advocates of civil rights.

In other fields of the good fight for human rights, the Republicans have moved in to claim credit where no credit at all was due them. For example, it was President Truman who initiated the abolition of segregation in the armed services and in Army post schools. Read the Republican Party press releases, and you get a clear impression, which the informed person knows is not correct, that the Republicans were responsible.

Even Supreme Court decisions are coming out with a phony Republican label stamped on them. Everyone remembers the attempt by Vice President NIXON, which I referred to earlier, to conjure up credit for the Republican Party out of the Supreme Court decision in the school integration case. This was not the first time this particular stunt had been pulled. Before that, when the Supreme Court outlawed segregation in District of Columbia restaurants, the GOP tried to make this look like a Republican accomplishment.

How any political party can claim credit for a Supreme Court decision, I do not understand. How the Republican Party could claim credit for these decisions, when the Government case had been presented to the court by Democratic appointees, I particularly do not understand.

I cannot believe that the people will be taken in by these attempts to grasp credit where the Republicans deserve no credit. The American people are not looking for press releases, campaign speeches, and statements glorifying an empty record. They want to see results—in the field of civil rights legislation as well as in other fields. Results mean votes—votes for the many civil rights bills already laid before this Congress. But votes alone are not the payoff. It is legislation laid by Congress on the desk of the President of the United States for his signature that count.

There is still time in this session to build the kind of record that counts, the kind of record that impresses people because it has substance and real accomplishment. This is the kind of record this Congress can build by adopting legislation, not by writing press releases.

If we can lay such a record before the American people, I, for one, will be perfectly willing to let the people judge. And I am sure that my pride and confidence in the Democratic Party will be strengthened when the record is completed and the judgment of the people has been made.

Liberia Celebrates 109th Anniversary of Independence

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 1956

Mr. POWELL. Mr. Speaker, when I came back from the Bandung Conference, I announced that I would address the United States Congress each time there was an anniversary of one of the 29 participating nations in the Asian-African Conference on friendly terms with the United States. Thursday, July 26, marks the 109th anniversary of the independence of Liberia and I rise to felicitate that country.

I wish to take this opportunity to extend greetings to the people of Liberia,

President William V. S. Tubman, and His Excellency George Arthur Padmore, Ambassador of Liberia, on the occasion of the celebration of the 109th anniversary of the independence of Liberia, July 26, 1956.

Liberia is politically unique. It is the one truly independent government on the old Gold Coast and one of the world's only two republics governed by the Negro race. Liberia was founded in 1822 by the American Colonization Society. She declared her independence as a free and sovereign state on July 26, 1847. Liberia has a republican form of government. Its constitution is patterned closely after that of the United States. Americans have a tender spot in their hearts for this small country which owes its existence to the initiative of some 19th century Americans who chose this spot to resettle a group of freed slaves.

In 1947 the Liberian Government developed the first concrete plan in the history of the country to map, and as far as possible, blueprint the necessary steps to expand existing services and facilities and improve the overall economy of the country in a 5-year plan.

Basic surveys were made of agricultural production, soil, and mineral resources and the country's forest lands. Detailed estimates and studies of the country's potential were made and a comprehensive program for action was drawn up. On the basis of this program, Liberia was among the first nations to submit their request for technical assistance under the United States point-four program. In 1953, in his annual message to the Legislature, President Tubman called for the extension of the 5-year program by an additional 4 years to become a 9-year development plan. The 9-year program envisions completion of the highway system; expansion of the school system; establishment of additional hospital facilities; intensified medical public buildings; development of hydroelectric power; increased agricultural extension work with emphasis on animal husbandry; greater output of agricultural, forest and mining products; and the construction of additional ports and harbors.

President Tubman has, therefore, recommended "that ways and means for the financing of the program be authorized or initiated based not on gifts or benevolence but upon the guaranty of the national resources of the country."

The Republic of Liberia—land of great contrasts between the primitive and the modern—may be the pivot on which will swing the future of Atlantic Africa. In the words of former Ambassador Simpson:

> Historically and culturally, Liberia's roots are more closely intertwined with those of the United States than any other nation in the world. The people of the United States were directly responsible for the founding of Liberia. * * * The first settlers of Liberia came from the United States.
>
> The 2 nations have helped each other in peace and in war for more than 130 years. Liberia is the only nation on the continent of Africa on which the United States has been able to rely as an ally beyond question. The United States has aided materially in the economic development of Liberia.

Liberia exercises a great interest and participation in world affairs. Very aptly stated by H. E. Henry Ford Cooper, chairman, Liberian delegation to the eighth session of the United Nations General Assembly:

> We, as Liberians, whose existence was brought into being by grinding oppression, cannot be indifferent to and uninterested in the far cry of our brethren in Africa—or in the East or West, North or South, or any portion of the universe. We owe it to our national self-respect to give all the support we can to the aspiration of those people whose only wish is to be freemen, masters of their own destinies.

Liberia has actively shouldered its responsibility in the United Nations. United Nations Day ranks in Liberia as second only to Liberian Independence Day. Liberia has not only welcomed the proposals advanced by the General Assembly with regard to specialized technical aid and assistance for many areas of the world but has participated actively in the direction of the specialized agencies of the United Nations such as UNESCO, WHO, UNICEF, FAO, and ILO.

I salute Liberia on this momentous occasion and pray for her people continued progress and prosperity.

A Program for Public Use of Flood-Control Facilities

EXTENSION OF REMARKS
OF
HON. B. F. SISK
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 23, 1956

Mr. SISK. Mr. Speaker, recently I have been looking into the need for providing public use and recreational facilities in connection with flood-control projects built by the Corps of Engineers. I have run into some facts concerning our lack of planning of such a program which are not understandable in view of the fact that the Congress appears to have repeatedly authorized it. Quite a few Members have indicated their interest in developing a modest but adequate provision for public use in connection with this construction. I hope other Members will join with us in working out this urgently needed use of our developed natural resources, and for this reason I would like to submit here a copy of a letter I have written to the Chief of the Corps of Engineers on this matter. The letter follows:

HOUSE OF REPRESENTATIVES,
Washington, D. C., July 11, 1956.

Lt. Gen. S. D. STURGIS, Jr.,
Chief, Corps of Engineers, United States Army, Gravelly Point, Va.

DEAR GENERAL STURGIS: I am writing to you because I am very much disturbed about the program to provide adequate recreational and public use facilities in connection with flood control dams and reservoirs, and other similar projects constructed by the Corps of Engineers. While my immediate concern over this matter arises from the lack of recreational facilities at projects in my own district, I am equally concerned about the entire program throughout the United States.

My preliminary inquiries into the existing situation disclosed that during the calendar year 1955 you had the perfectly astounding total of 62 million visitors at Army engineer projects. This is considerably in excess of the total number of visitors who went to all of our national parks combined during the same year, and is far greater than the number recorded in recreation areas of our forests. I found that you have 64,000 boats licensed for operation on the reservoirs created by Army engineer dams, and that this number is increasing at a rapid rate.

Some further inquiry disclosed that the Army engineers are responsible for projects of this nature in operation or under construction costing a total of $7,484,000,000. Of this tremendous sum, I find, you have spent approximately $4,500,000 for recreational facilities and that the greater portion of this sum, though charged to recreational facilities, has actually been expended on access roads which would have been built in connection with the construction and operation, but may have been constructed to higher standards to permit public use.

I consider that 1 percent of the construction cost of a project of this nature would be a reasonable amount to spend in order to afford recreational and public use of the natural resources enhanced by the project. If this percentage had been allocated on your construction, it would have amounted to more than $74 million, but the actual amount spent was less than one-sixteenth of 1 percent.

My first thought in connection with what I consider to be an urgently needed improved policy was the introduction into Congress of legislation to declare a policy for a modest but adequate provision for recreational and public use as a part of the construction cost of your projects. I also felt that in making your reports to Congress to provide the basis for authorizations, it would be a good idea to consider and estimate recreational and public use benefits.

My inquiries disclosed that it is the opinion of your organization that further or supplementary legislation is not needed. I understand that the flood control acts of 1954 and prior years contain the necessary authority and that what we need to do is to activate a program already authorized by the Congress. I want you to know that if you feel this is not the case, I will be most happy to sponsor and support necessary legislation, and I would welcome your suggestions along this line.

I would like to direct your attention to the fact that our national parks, forests, and wilderness areas are suffering from serious overloading by those who are seeking recreation. In many instances it would be more economical, faster, and more desirable for the persons who are now crowding our parks and forests to go instead to recreational areas in conjunction with nearby flood-control projects, if adequate facilities were available. I am aware of the fact that responsibility for recreational development in conjunction with flood control projects has several times been studied and reported on by commissions and boards. I understand that the last such study resulted in a vague recommendation that there is Federal responsibility for such facilities when the recreational benefits are of a national character, but that facilities should be locally provided when the benefits are deemed to be of a local character. Such a proposal involves a great deal of administrative difficulty and does not appear to me to offer a satisfactory solution of our problem. The fact of the matter is that it is well established that the Federal Government, functioning through departments such as the Secretary of the Interior, has definite responsibility in connection with recreation and wildlife when the Federal Government undertakes a water conservation project.

I see no reason why this rule should be differently applied because of a differing departmental jurisdiction.

It is my feeling that the pressure of public opinion and the overwhelming demand for adequate public uses of these projects will force recognition of Federal responsibility. I understand that it is presently the endeavor of the Corps of Engineers to interest States and local agencies such as cities and counties, to take over recreational and public usage responsibility in connection with your projects. With this I have no quarrel. I think it is entirely proper that the States and local agencies should participate, and if possible, completely administrate areas appropriate to their needs and financial abilities. I think this program could be improved if you set forth and widely publicize arrangements under which local administration could be accomplished. I suggest the possibility that after providing the initial adequate facilities as an integral part of the construction of a project, it would be entirely proper to seek matching funds or other financial participation by States and local agencies primarily benefited.

As an example of the problems we face, I would like to cite the situation surrounding the construction of Pine Flat Dam and Reservoir on the Kings River in California. The area now covered by the reservoir was a developed recreational area containing at least four campgrounds. I understand that on February 1, 1956, the Corps of Engineers transferred to the United States Forest Service the sum of $343,000 to pay the cost of relocating these facilities. To replace the former campgrounds, the Forest Service has established a single campground at Kirch Flat. This is the only public use facility developed by the Forest Service in the immediate vicinity of the reservoir, and it is some 30 miles above the dam. I am informed that the Corps of Engineers is presently examining the possibility of collecting other small appropriated funds for the Pine Flat project with the object of trying to help in meeting the public use demands at this location. People in the area tell me that beside developing access roads to the dam, the Corps of Engineers' contribution thus far has been the providing of 6 portable toilets.

Hundreds of thousands of people from the San Joaquin Valley and the entire Nation will seek to visit Pine Flat Reservoir this year. Millerton Reservoir on the San Joaquin River, a few miles to the north, already is overtaxed. I anticipate that the Corps of Engineers, the Forest Service, and my office will experience an overwhelming demand for immediate action to take care of the situation at Pine Flat.

As you know, I have recently introduced legislation which has been approved by committee, and which may result in the authorization for the Corps of Engineers to construct Hidden Dam on the Fresno River, and Buchanan Dam on the Chowchilla River. I recognize that these facilities will not have the attraction or the public usage that may be expected at Pine Flat, but they are capable of becoming major recreational assets for the people of Madera and Merced Counties. I strongly urge that in planning these facilities and estimating their cost, you make adequate provision for recreational use, and request in your construction budget sufficient funds to provide needed facilities.

I do not intend by this letter to urge extravagant or exorbitant expenditures for recreation. I am asking only for adequate facilities to care for the people who are attracted and who have the right to a proper use of these public facilities. I cannot conceive of any logic under which any department, administrative or legislative, would properly disagree with such a policy.

Very truly yours,

B. F. SISK,
Member of Congress.

The Civil Rights Bill

EXTENSION OF REMARKS
OF

HON. JAMES C. DAVIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 1956

Mr. DAVIS of Georgia. Mr. Speaker, I did not participate in the debate on H. R. 627, the so-called civil rights bill, because the task assigned to me by my colleagues opposing this absurd legislation was that of working out parliamentary procedure to prevent hasty action upon the bill, and to assure that time for ample discussion and consideration would be available.

Before the vote is taken upon this legislation, however, I want to express my views regarding it.

I opposed this legislation first, because it is unconstitutional. Second, it is absurd and ridiculous, and third, it is unnecessary.

I think the Congress understands, and I think the country understands, that this legislation was introduced for political purposes, and that it is brought up at this particular time for the political effect it is supposed to have upon the coming election.

It is an effort of the part of northern and eastern politicians to point a finger at the South and charge that the Negro is oppressed there while at the same time there is no oppression, no discrimination, and no racial antagonism whatever in the North and East.

Such is not the case. We have our share, of course, of racial antagonism in the South. Through the experience of many generations we have learned how to handle racial antagonism with the least possible friction. We were handling racial problems in the South with little antagonism or hostility until in recent years busybodies and outsiders from other sections began to agitate the situation and stir up animosities and hostilities.

Today racial problems are not confined to any one section of our country. Pride of race exists in every section of the United States. Whatever problems exist anywhere with reference to racial differences, exist in the North, East, and the West, as well as in the South.

Racial agitators in all sections of the country are succeeding in stirring up hostility and animosity between the races. Racial violence between southern white people and southern Negroes is rare indeed, and I would point out to the "holier than thou" sponsors of this piece of political legislation that segregation is just as much a fact in your own cities as it is in my section; that what you refer to as "discrimination" is practiced in your own cities, and that racial animosity and racial violence is greater in your section than it is in mine, and this is borne out by the testimony of your own people.

You need only to read the newspapers to see that racial friction is more violent in Illinois than it is in Georgia; that the determination to keep the races segregated is as strong in Michigan and Illinois as it is in Georgia or Mississippi and that in the final analysis segregation in New York City is as much a fact as it is in New Orleans, La.

Let me point out to some of the would-be reformers from New York what one of their own leading public officials said about civil rights in that State. Less than 2 months ago Senator LEHMAN—a former governor—speaking in New York City, in his and your own territory, said that Harlem is a ghetto, and is "a rebuke to us of the North." He pointed out that "Harlem is an area of poverty, congestion, substandard housing and substandard schools." He also said that the city's housing projects have been located so as to force a "pattern of segregation." I insert here a United Press news story of his speech which appeared in the Atlanta Journal-Constitution of June 4, 1956:

LEHMAN IN CIVIL RIGHTS PLEA CALLS HARLEM A GHETTO, REBUKE TO NORTH

NEW YORK, June 3.—Senator LEHMAN, Democrat, New York, said today civil rights is not exclusively a Southern problem and cited Harlem as "a glaring manifestation of the issue in the North."

LEHMAN said conditions in Harlem, a big Negro and Puerto Rican community in New York City, are "a rebuke to us of the North."

He urged Northerners "to clean up our backyard even as we press forward with our efforts to bring justice and equality to the Negroes and other oppressed minorities in the South."

"Harlem is a ghetto," LEHMAN told the Urban League of Greater New York. "Harlem is an area of poverty, congestion, substandard housing and substandard schools."

He said New York needs "residential integration." The city's housing projects, he said, have been located so as to force a "pattern of segregation."

"Residential segregation is the other side of the coin of school segregation," LEHMAN said.

LEHMAN said he would continue to fight in Congress for civil rights legislation and to urge the administration to exercise leadership in this field.

But he said if civil rights proponents are "frustrated" in Congress, they will "carry the fight" to the Democratic convention in August and to the people in the November election.

"I pledge you that I will not spare my own efforts, or withhold any influence which I can exert toward these ends," LEHMAN said.

The New York Senator said the problem of civil rights has "sharpened into a national crisis" that dominates the Nation's political life.

He said too many nonsoutherners, in Washington and elsewhere, say, "We must sympathize with the problems of the South."

What they mean, LEHMAN said, is that we must sympathize with "problems of the southern whites and particularly the problems of those southern whites who have a stake, political or economic, in the maintenance of segregation and the doctrine of white supremacy."

LEHMAN said he does sympathize with southerners who are trying to end segregation in an orderly way.

"But most of all," he said, "I have sympathy for those long-suffering individuals—Americans like you and me—who for all their lives have endured the whiplash of discrimination and segregation."

Mr. Speaker, if the Negroes of New York ever begin to ask you why you do not give them some help at home to end poverty, congestion, substandard schools, and housing, instead of fighting a sham battle against segregation in the South,

you are going to have a good deal of explaining to do.

In case any of you feel that you cannot accept Senator LEHMAN's analysis of the situation, I call your attention to an article appearing in the Christian Science Monitor on June 12, 1956, pointing out in considerable detail the treatment which Negroes get from you New York people. I insert the article at this point:

BARRIERS CONFRONT NEGRO SEEKING HOUSING IN NORTH

(By Mary Hornaday)

At the heart of the American Negro's troubles north of the Mason and Dixon's line today is poor and restricted housing.

Says the National Urban League which has worked for nearly 44 years to improve the economic and social well-being of the Nation's Negro population, "Housing is the only commodity in America, the acquisition of which is limited by race."

Alan S. Paton wrote during a survey of the "Negro in the North" for Collier's magazine, "The cry of the Negro is no longer: 'Let my people go.' It is: 'Let my people in'."

FREE CHOICE DENIED

Here in New York City, where Negroes make up about 20 percent of the Manhattan population, they are still almost completely excluded from a free choice to buy or rent homes in the open competitive market. The Protestant Council of the City of New York recently found that 22 of the city's 27 major real estate operators turn down Negro applicants for apartments, though accepting white applicants of the same economic status.

Into New York's Harlem today are crowded more than a quarter of a million Negroes from the Southern States, West Indies, and Africa. Negroes began to move into Harlem in 1901 as a result of a deflated boom in real estate. Hundreds of families deserted tenements on the West Side to move into apartments built by speculative real-estate promoters. Today Harlem contains Sugar Hill where affluent Negroes live in dignity and comparative splendor but it also contains some of the most notorious rat-ridden slums in New York.

The problem of Negro "ghettos," which are also located in the East Bronx, Brooklyn, Jamaica, and Queens, becomes increasingly difficult with the recent more rapid increase in the city's nonwhite population and the trebling of Negro income. Also, as a result of the South's recent upsurge of racial difficulties, additional pressure is being put on the white conscience to act.

RULING CIRCUMVENTED

With more wealth and a smaller proportion of Negroes, it is argued, the northern whites have an obligation to give a lead to the South by being generous and by implementing their religious and democratic principles.

It has been 8 years since the United States Supreme Court banned devices have been in principle, yet numerous devices have been employed to get around that decision. The National Urban League lists among these: withholding of credit financing from nonwhite buyers, trustee devices of holding title to blocks of individually-owned properties, private "gentleman's agreements," intimidation of brokers, protests, threats, and actual acts of violence.

For many years, the Federal Goverment itself, through its various housing agencies, was an active party to Negro discrimination but gradually it has reformed their policies at least.

Since 1950, both the Federal Housing Administration and the Veterans' Administration have ruled that mortgages they insure must establish that no restrictive covenant has been recorded subsequent to February 15, 1950. The recipient must also sign an agreement that no restriction on ownership or occupancy based on race, color, or creed will be imposed until the mortgage has been paid off.

FHA policy was recently set forth at a National Urban League meeting: "It is our sincere desire that FHA operations be color-blind, that no deviations or differentials are made which under any circumstances can be related to the racial identity of the prospective home purchaser."

MORTGAGE BARRIERS

New York State recently has taken even more stringent steps to open up new private housing to Negroes with the passage of the Metacl-Baker law putting within the scope of the State Commission Against Discrimination, discrimination in housing insured by the FHA or the Veterans' Administration.

The big challenge now is to enforce this law. The Urban League is advocating a provision in the certificate of incorporation of building firms which would enable the FHA to step in as a preferred stockholder and correct any default in compliance with the law. At least, the law will have a big educational effect.

Mortgage money from private sources for improving the housing condition of nonwhites is still highly limited in New York, despite the formation of some all-Negro mortgage companies in Harlem.

The whites here, as in other places, say they don't want to keep Negroes out just because they are black but because they have low educational and moral standards and no respect for other people's property. Negro organizations argue back that their people do not automatically make bad neighbors, but only when they are exploited by real-estate people who charge high rents that induce overcrowding.

UNIONS BUILD

Today there is no discrimination on racial grounds in any public housing project in New York City and several unions, notably the Amalgamated Clothing Workers and the International Ladies Garment Workers Union have built cooperative housing development with union funds to run on interracial lines in a special effort to break patterns of segregated housing. But there is still a great shortage of low-cost housing of both these types.

New York citizen leaders have expressed confidence that this metropolis eventually will absorb its Negro citizens as democratically and fairly as it has its other waves of immigration. There are still big obstacles standing in the way of such assimilation, but when they look out across the miles at Chicago where 93 policemen are assigned around-the-clock to guard the Trumbull Park public housing project where integration is under way and at Montgomery's and Tallahassee's bus boycotts down South, they feel they have come a long way toward this goal.

I insert here also a newspaper article from the Atlanta Journal-Constitution of June 12, 1956, reporting a speech made in Atlanta by the retiring executive vice president of the American Telephone & Telegraph Co., who has lived the last 5 years in New York City. He states:

They make a great effort to condemn segregation in the South, but New York is the most painfully racial and religious clique-minded town in existence.

I insert this newspaper article herewith:

SEGREGATION JUST AS STRONG IN NORTH, DUMAS DECLARES

Except for public transportation segregation is just as strong in New York City as any place in the South, said Hal Dumas, former president of Southern Bell Telephone and Telegraph Co. here.

Mr. Dumas was telling the Atlanta Rotary Club of his last 5 years of living in New York. He left Atlanta in 1951 to become the executive vice president of the American Telephone and Telegraph Co.

He will retire at the end of June and, following a trip to Europe, plans to return to live in Atlanta.

"They make a great effort to condemn segregation in the South," he said, "but it (New York) is the most painfully racial and religious clique-minded town in existence.

"I have never seen Negroes in many of the churches that talk down segregation; nor Negro society pictures in papers that support integration," he said.

Mr. Dumas praised Atlanta as being the finest, freest city I know anything about. He said that no other city in the Nation equals it for civic leadership and urged the group to keep it a shining light to the rest of the country.

In his description of New York, he said that it suffered from "giganticism." He said there were a lot of wonderful people, but for the most part "discourtesy is a cult and there is widespread dishonesty."

His lasting opinion of New York, he said, is "a filthy, dirty town in a continual traffic jam."

He said he felt the present mayor Robert Wagner, would do a great deal to help the world's largest city.

Mr. Dumas said that he thinks that the greatest need in New York is to develop civic support from the businessmen of the city. "As a civic entity, New York has lost its soul and is a menace to itself and the rest of the country," he said.

Mr. Dumas is a graduate of Alabama Polytechnic Institute at Auburn, Ala. He began working for the Southern Bell Telephone and Telegraph Co. in 1911 and was made president of the organization in 1943.

Prior to his departure from Atlanta, he was active in the Capital City Club, the Atlanta Rotary, Chamber of Commerce, Red Cross, Community Fund, Community Chest Drive, Boy and Girl Scout work, YMCA and YWCA, Salvation Army, National Foundation for Infantile Paralysis and many other civic organizations.

To those from Illinois whose hearts have been bleeding the last few days because of the treatment that Negroes receive in the South, let me recommend that you read a news item by James K. Sparkman appearing in the Christian Science Monitor on July 16, 1956. He quotes a Negro director of the Urban League as saying that Chicago "is the most segregated city in the North," and that Negroes in Chicago "are situated in the middle of the Nation's largest racial ghetto."

He quotes the same Negro spokesman as saying that Negroes pay 30 to 50 percent more than a white man would pay for the same housing and that:

Negroes are not only denied freedom of movement, but they are ruthlessly exploited, overcharged, overcrowded, and disproportionately forced into slum living.

I insert the article herewith:

CHICAGO NEGROES FIND OLD MANSIONS DISAPPOINTMENT

(By James K. Sparkman)

"Many of our people thought that mansions were palaces. They have found them monstrosities."

This is how Roi Ottley, noted Negro author and Chicago radio commentator, brings home the point that for Chicago Negroes, achieving sizes in homes has not proved an answer to their longings.

Mr. Ottley, along with Negro newsmen, welfare, and political leaders, is quick to say that if jobs are the incoming Negro's primary gain here, housing is his area of least progress.

Indeed, despite the visible evidence of changing home and apartment ownership, including that of many old South Side lakeshore mansions, little has been accomplished when compared with the growing problem, they argue.

Less than a month ago, Edwin C. Berry, new executive director of the reorganized Urban League, concluded from the weight of the league's study data that Chicago "is the most segregated city in the North" even though there has been progress in Negro housing.

"You and I," Mr. Berry told delegates here to a red cap union convention, "are situated in the middle of the Nation's largest racial ghetto."

"It is," he said in describing the area lying parallel to Lake Michigan south of the Loop which takes in the site of the ill-reputed Mecca flats and a hefty fraction of Chicago's 23 square miles of densely populated slums, "8 miles long by 2½ miles wide and contains more people than the entire population of Columbus, Ohio."

RESTRICTIVE DEVICE

By its nature, if not always by design, housing restrictions are "a landlord's device for controlling rents," one Negro spokesman observed here to this correspondent recently. The victimized tenant, if given poor return for his money, has little chance to flee. Said the Urban League on this subject:

"This residential segregation forced by Chicago custom means that Negroes are not only denied freedom of movement, but they are ruthlessly exploited, overcharged, overcrowded, and disproportionately forced into slum living." Although no study of Negro rents in Chicago has yet been made, Mr. Berry estimates that Negroes pay 30 to 50 percent more than would a white man for similar quarters.

Why has there been no answer to this problem—especially in an era of record home and apartment building? The causative forces are to be found deep in the nature of the steady stream of 1,000 to 2,500 Negroes which are believed settling monthly in Chicago.

(Some Negro spokesmen believe this figure should be smaller; southbound trains are daily full of Negroes, they note, who have decided they have stayed long enough in the Windy City.)

OFFICIAL ANSWER

New arrivals by and large, are least able to move into jobs with higher-than-minimum pay, and by custom in the rural South, are probably least ready to assume the full burden of close city living. It is for them that landowners divide already small apartments in rundown, share-the-bath tenements. For if horrifying drab, dark and dirty to the second generation Negro Chicagoan or middle income white citizen, a one room and kitchenette flat—with hot water available three nights a week, and heated all winter—may look good to a sharecropper family.

In answer to the silent accusation of these conditions, official Chicago gives a strong answer: The Mecca is gone, as are many blocks that were far worse than it. Abandoned autos by the tens of thousands have been hauled from vacant lots. Rubble by the scores of tons has been swept from alleys.

More important, with the excuse of wartime emergency removed, the city has condemned and wrecked the grimmest sodden wood and blackened brick eyesores. Even the harshest critic must concede that today's worst is many shades better than that of a decade ago.

If Chicago has turned its back on pilot projects which have heartened travelers to Baltimore or Philadelphia, some weight must be given the city's claim that it has indeed leavened the lump with somewhat higher standards of cleanliness.

While this series has been in preparation, the city has passed a new housing code which officials believe will have immediate and drastic effects in preventing further slum condition generating conversions of existing dwellings, and the upgrading of large segments of the city now either stagnant or in decline.

Meanwhile, Chicago can cite 14,205 public housing units now in operation as evidence that concern is given to the low-income arrival; he is not wholly at the mercy of the slum landlord.

Proof that public housing does provide a temporary refuge for the Negro is shown by two statistics: 75 percent of the public housing residents are Negroes. The average term of residence is only 2½ years.

EXPANDING THE GHETTO

By that time, the tenant has found a spot that suits him better or has boosted his income above the maximum permitted.

If the city's estimate that 200–300 units of private housing are reaching Negroes per week, an analyst may hope that an equilibrium may be reached in the visible future.

But to this Negro leaders reply hotly that adequate housing for Negroes, desirable as that is, is not the solution. "We are not eliminating the ghetto now. We are expanding it, under pressure from within," interprets Mr. Berry.

True, Chicago does have integrated housing, and it has won wide attention in the city and beyond. "You find," Mr. Ottley cautions the observer enthusiastically, "that we don't have true integration yet. When Negroes move in, two groups stay: The young idealists, and the older folk whose children have married and moved away. The middle group still has not faced up to the problem."

And the same forces that prompt rent-gouging of new arrivals from the South are to be found at the edge of the expanding Black Belt, Mr. Berry adds. "Exploiters—black and white—will come to a white family and tell them how they will lose money if they stay when Negroes move in nearby. They want the homeowner to sell too low, so that they can sell to the Negro too high."

Negro leaders are distressed at the economic loss suffered by white sellers, as at the unfair price to the Negro buyer. But within the framework of their view that all the community should insist that all Chicagoans of whatever color live up to the statutes concerning housekeeping, they express little sympathy for white families deeply troubled by advancing Negro areas.

FRICTION DECREASES

When Government actions have led to movement of Negro families into new areas (into new housing projects like Trumbull Park, for example), the results are not yet inspiring. Chicago police are still on the alert, months after initial unrest was stamped out.

Two signs, by contrast, are seen by Negro leaders as hopeful. In high income areas of several cities, Negroes well up in their professions have been accepted without great friction, and Negro spokesmen here see this as a favorable step since moneyed families they argue, set the style.

Where South Side slums have been cleared and replaced with topflight housing (as in the monumental Lake Meadows project), there is evidence that the appeal of lakeside, close-to-the-Loop living is enough to lure white families back to spots their parents fled a quarter- or half-century ago, and back to integrated living.

With all the lakeside from the Loop to Illinois Institute of Technology now slated for ultimate replacement, this could prove a powerful magnet to pull together the wedged-wide segments of the community, Negroes and white Chicagoans agree.

In such a movement, community leaders can see an end to two aspects of the present situation deplored by members of both races: discrimination on the basis of color (rather than the more understandable discrimination of home owners against poor-housekeeping newcomers), and monetary losses frequently suffered by homeowners caught in the path of a changing community. Continued success of Chicago interracial experiments, they feel, cannot fail to benefit all city residents, whether black or white.

Illinois, which today is represented in Congress by so many knights in shining armor, had a race riot in 1951, in which an International News Service story said that an anti-Negro mob of 10,000 milled about an apartment building in Cicero, Ill., a west Chicago suburb.

These 10,000 Illinois people were stirred to a mob violence pitch because a Negro war veteran undertook to move his family into an apartment building. This news item stated that Illinois National Guard men were lined up four deep holding back the crowd with guns and fixed bayonets, and that at least six persons were bayoneted by the guardsmen. The mob which began on Wednesday with 3,000 people, grew to 10,000 by Thursday. The news story on this occurrence is as follows, from the Atlanta Constitution of July 12, 1951.

SIX WOUNDED AS 10,000 BATTLE IN RACE RIOT

CHICAGO, July 12—At least six persons were bayoneted Thursday night while steel-helmeted troops and police fought to rout an anti-Negro mob of 10,000 milling about an apartment building in Cicero, west Chicago suburb.

The most seriously wounded was identified as Vincent Kaduk, 20, of Cicero, who was jabbed in the left side with a bayonet.

The others were reported to have suffered minor cuts.

Illinois National Guard men were lined up four deep holding fixed bayonets in a cordon about the building, trying to push the screaming crowd back.

Although most of the crowd had edged back to 200 feet from the building, some of the mob kept breaking through to as close as 50 feet from the troop perimeter, tossing bricks, rocks and firecrackers at the building.

Several windows that had remained intact through two pillagings Wednesday night and Thursday were broken.

Although the guardsmen were outfitted with guns, no shots were fired.

The menacing crowd, kept a block away from the building since sundown, broke through police lines as the steel-helmeted troops arrived aboard guard trucks and chartered buses.

Earlier, police routed 25 persons who broke through their lines by firing pistols into the air.

The violence stemmed from efforts of a Negro war veteran and his family to move into the apartment building. They would have been the suburb's first Negro residents.

Gov. Adlai E. Stevenson ordered 500 troops to the apartment building Thursday after vandals rampaged through the building for the second time.

An estimated 3,000 screaming jostling Cicero residents gathered outside the building Wednesday night when teen-agers and hoodlums raced into the dwelling, ransacked four apartments, and made a bonfire of the furniture.

Not a single family remained in the 12-flat structure.

Mr. Speaker, Chicago people have not become more "tolerant" since the Cicero occurrence. In 1953, 2 years later, a mob of such size as to require approximately 2,000 policemen per day staged riots at the Trumbull Park's housing project in Chicago. This resulted, as in Cicero, Ill., from efforts to forcibly integrate a Negro family into a white housing project. Eighteen months later, Police Commissioner Timothy O'Conner said that 313 policemen were assigned to the project daily, and that police details at the project have ranged to more than 1,800 men in a 24-hour period.

Michigan has pointed the finger at the South from time to time. In the 1952 Democratic National Convention, Michigan's Governor was brazen enough to say that delegates from the South should actually not be seated in the Convention of the Democratic Party.

Yet Dearborn, Mich., is far more prosegregationist than Atlanta, Ga. Dearborn's mayor boasts in newspaper interviews that not a single Negro lives in the city limits of Dearborn.

One might judge from the breast-beating of the Michigan Governor that Detroit would be a model brotherhood city, to which Negroes might come as a place of refuge from the segregated South, and be welcomed with open arms. However, the Associated Press on April 5, 1956, reported a news story to the effect that a mob of nearly 500 people in Detroit threw rocks through the windows of the home of a 70-year-old retired private policeman who had just moved in. Although this man said he and his family were white people, the word got around among the neighbors that he was a Negro, and the same sentiment manifested itself in Detroit as in Cicero and Chicago, Ill. The news item about the Detroit incident is as follows:

DETROIT MOB FORCES OUT FAMILY RUMORED NEGRO

(By Bem Price)

DETROIT, April 5.—Aged John W. Rouse bowed today to his neighbors' belief that he and his family are Negroes.

Rouse said he had decided to sell and move after a near race riot by nearly 500 people last night on quiet, tree-lined Robson Avenue in northwest Detroit. Two windows in the modest brick home were broken by rocks before police broke up the growing demonstration.

PRIVATE POLICEMAN

Rouse, a retired private policeman, insists that he and all of his family, wife, daughter, and two grandchildren, are white. The 70-year-old former watchman sold the house to the Belmont Subdivision Association for $18,500, a $2,000 profit.

Under the terms of the sale Rouse has 2 months in which to move. In the meantime he has free rent. When the sale was completed a 6-foot red-lettered sign appeared on the front lawn, reading, "Settled." It was taken down an hour later by the association. Police blocked both ends of the street, cutting off the steady stream of curiosity seekers who had been driving past.

"People think that (sign) means they're going to stay here," one member of the association said.

Mrs. Rouse, also 70, cried, "How do they know we are Negro? They haven't even seen us. We didn't even get out here until after dark Tuesday. I think there is something very wrong. I could expect something like this in a foreign country."

YOUNGSTERS PLAY

While Mrs. Rouse talked, her 2 grandchildren, a boy 7 and a girl 10, were playing with a baseball in the backyard under police protection.

"You know how children are," she said. "They don't know about things like this and I couldn't keep them in the house all day.

"I did not want them in the front yard where the other kids could make hasty remarks."

GIRLS GIGGLE

Off and on all day little girls in Bermuda shorts and long hose passed in front of the Rouse house giggling and occasionally yelling, "There's a Negro in the crowd."

Large numbers of teen-agers gathered in knots across the street from time to time while housewives sat on porches in the warm sun gossiping about the neighborhood affair.

Oddly, a reporter ranging the street could find no one who admitted having seen or known the Rouse family, but all insisted they knew they were Negro.

RACIAL UNIT

Sgt. Thomas Nickerson and Detective Ed Boggs, members of the Special Investigation Bureau which deals with racial problems, tried all day to trace the source of the rumor which set off the demonstration.

"As near as we can determine," said Boggs, "it started with the movers. One of the workmen moving furniture into the house told a boy, 'You ought to tell your folks there is a Negro moving in.' It apparently started from there."

The gray-haired Mrs. Rouse said, "I guess you know how all this started. I wish they had broken my dishes instead."

TRACE RUMOR

Boggs and the sergeant, in tracing the rumor, found it passed by word of mouth mostly from one agitated neighbor to another.

The two officers said that their investigation showed that both grandchildren were registered at birth as white. Rouse said he is part Cherokee Indian and that his wife is Scotch-Irish and French Canadian.

In Ohio a little more than a month ago, a judge in Cleveland sent a Negro woman and her children back to Alabama, although she tearfully objected. The same news story stated that a Cleveland welfare representative told the judge that if this woman and her children were allowed to remain in Cleveland, word would get back to the South and they would be flooded with similar families. The news story by Associated Press regarding this occurrence is as follows:

OHIO FEARS MIGRANT FLOOD, REJECTS MOTHER WITH EIGHT

CLEVELAND, June 8.—Because they are not eligible for relief funds in Ohio, a jobless Negro mother and her eight dependents were under a court order today to return to Livingston, Ala.

The mother, Mrs. Martha Winston, 40, objected tearfully to the ruling by Juvenile Court Judge Albert A. Woldman yesterday.

"I brought the children here because I didn't want them to grow up in the South," she said. "I won't go back South."

"Do you want your children to starve?" asked the judge as he issued the order to return to Alabama. "Do you want that little baby to die?"

"I'll do the best I can, and if that's not enough, then it's up to the Lord," the woman replied.

But today the court ordered deputies to go to the family's home in an east side slum section and put it on a bus or train for Alabama.

The dependents are 7 children—the oldest is a 17-year-old girl—and an 11-day-old infant born to the girl out of wedlock.

Between them and relief aid in Ohio is a law that only persons who have lived in Ohio a year can qualify.

Mrs. Winston and her husband separated 5 years ago. She said she came to Cleveland 4 years ago.

A local welfare representative told Judge Woldman that the Sumter County, Ala., relief organization had acknowledged the children to be legal residents of Alabama and entitled to relief there.

"If these people are allowed to remain here, your honor, word will get back to the South and we will be flooded with similar families," the welfare representative told the court.

The judge issued the exile order, but observed:

"This is a broad human problem that concerns the whole United States."

Segregationist sentiment exists in Cincinnati, Ohio, just as it does in New Orleans or Mobile. The National Association for the Advancement of Colored People, which is stirring up racial antagonism in all sections of the country, brought a suit in Cincinnati to force the Coney Island Amusement Park near Cincinnati to admit Negroes. The Ohio Supreme Court has refused to enjoin the amusement park in the case. The United Press news story regarding this incident is as follows:

TOP OHIO COURT RULES PARK CAN SEGREGATE

COLUMBUS, OHIO, April 18.—The Ohio Supreme Court Wednesday refused to issue an injunction forcing the Coney Island Amusement Park near Cincinnati to admit Negroes.

The court order had been asked by Mrs. Ethel Fletcher, a member of the National Association for Advancement of Colored People.

The case, which had been in the courts for almost 3 years, stemmed from a refusal by the amusement park to admit Mrs. Fletcher on two occasions in July 1953.

The 5-to-2 decision said that "a proprietor of a private place of amusement or entertainment has a right to admit or exclude whomsoever he chooses, until such right is changed by statute."

The northern and eastern newspapers play up every racial incident which occurs in the South. They play down and minimize the numerous racial incidents which occur in their own sections.

Even this hypocritical attitude cannot conceal the fact that there is far more racial tension and far more racial violence out of the South than there is in the South. In this good year of 1956, in spite of all the provocation on the part of the NAACP and other radicals and agitators, about the only two instances of racial violence which have occurred in the South were the Autherine Lucy incident in Tuscaloosa, Ala., and the Nat King Cole incident in Birmingham, notwithstanding all the boycotting carried on by the Negroes in Montgomery, Ala., and Tallahassee, Fla.

In the Tuscaloosa incident, the Negress Autherine Lucy who was merely a pawn of the NAACP had a few eggs and tomatoes thrown at her. There was no property damage or personal injury received. Yet this incident received about as much publicity in the Northern press as the

dropping of the atomic bomb on Hiroshima. Not only did the press squeeze the last particle of publicity from the incident; the television and radio networks outdid themselves in publicizing even the most insignificant details connected with it.

The same all-out zealous efforts were made to publicize the Nat King Cole incident, another occurrence in which neither property damage or personal injury were sustained. Another great difference in this occurrence and most of those happening in the North is that in the Birmingham incident those responsible for the law violation were properly apprehended, tried and punished by the duly constituted authorities. In contrast with the lack of racial violence in the South, there have been dozens and dozens of instances of racial violence in areas out of the South, this year, where brotherhood, fellowship, integration, and miscegenation, are supposed to reign supremely.

In New York City, where the panderers to the NAACP have even discontinued using the words "white" and "colored" on applications for driver's licenses, registration, and so forth, racial fights and racial violence are almost daily occurrences. I have in my file on this subject dozens of clippings of news items regarding racial fights and riots, nearly all of them clipped from the Atlanta, Ga., papers. There is not time or space to place more than a few samples of these news stories of racial violence in the CONGRESSIONAL RECORD today. However, to illustrate the prevalence of racial antagonism and racial violence, I insert at this point half a dozen news stories of such events occurring in New York, Missouri, Indiana, New Jersey, and even as far away as Hawaii, any one of which if it had happened in Atlanta would have kept northern city editors, reporters, and television and radio commentators up all night getting out bulletins and special stories of the eruption of racial antagonism and violence in the benighted South which "hates Negroes and deprives them of their rights." Here are the news stories and they are only a few of dozens of similar stories:

[From the Atlanta Journal of March 6, 1956]

BOY GANG HELD IN STABBING

NEW YORK, March 6.—Police rounded up six members of a teen-age Negro gang early Tuesday and charged them with the wanton stabbing of a 17-year-old white youth "for no reason at all."

Two female members of the gang also were arrested for the simultaneous and apparently unprovoked beating of two 14-year-old girls who were returning home from a church.

The stabbing victim, who was in very critical condition with four stab wounds in his stomach, was identified as Joseph Connelly.

[From the Atlanta Journal of April 25, 1956]

RACIAL FIGHTS BREAK OUT AT KANSAS CITY GAME

KANSAS CITY, April 25.—A flurry of fist fights between white and Negro boys broke out Tuesday at Municipal Stadium as the crowd was leaving after Detroit beat Kansas City 7–4.

Police headquarters said it was not called so had no report on the disturbance.

Officers directing traffic on nearby streets moved onto the playing field but by that time things had simmered down.

There was nothing to indicate what started the trouble. This is the first year white and Negro pupils have been integrated in Kansas City's public high schools and occasional fights after school hours have been reported.

It was high-school day at the stadium and the crowd of 13,963 included 8,447 youngsters dismissed from classes to see the game on special 50-cent tickets.

One spectator estimated 35 to 40 fights were going on at once but from the press box it appeared a dozen was the maximum, with about 300 participating in the general melee.

One boy had blood on his face but no serious injuries were reported. One groundskeeper was hit on the head with a rake handle.

Adults complained mass movements of youngsters through the aisles kept them from enjoying the game.

[From the Washington Evening Star of June 1, 1956]

FBI LAUNCHES PROBE OF HOLIDAY SHIP RIOTS

BUFFALO, N. Y., June 1.—Federal authorities today were conducting a "full and complete investigation" of a Memorial Day riots aboard an excursion steamer that climaxed a day of clashes between whites and Negroes at the Crystal Beach (Ont.) amusement park.

At least 50 persons were injured in the rioting at the Canadian resort, about 15 miles across Lake Erie from here, and aboard the steamship *Canadiana*.

Nine youths, both white and Negro, were arrested by Canadian authorities and two Negroes were named in assault complaints filed with a United States commissioner in Buffalo. Ages ranged from 15 to 20.

The Federal Bureau of Investigation opened its inquiry yesterday at the request of United States Attorney John O. Henderson.

GOVERNOR IS CONCERNED

State, municipal and community groups also took action.

A spokesman for Governor Harriman said he had expressed "grave concern" over the demonstrations and had ordered his office to watch developments closely.

Mayor Steven Pankow of Buffalo called a meeting of community leaders for today to discuss ways to prevent similar outbreaks in the city.

Victor Einach, Buffalo field representative for the State Commission Against Discrimination, declared that "tensions have been brewing for some time" and that a conflict was "almost inevitable." His office would conduct an investigation, he said.

Mr. Einach said it was his opinion that the disorders were the result of a complex pattern of sociological problems.

He said they included the large migration of southern Negroes into Buffalo in recent years, overcrowding and shortage of decent housing for them, increased unemployment and what he called the present wave of hoodlumism.

"Probably most significant, however," he said, "is the fact that some of the minority group have a strong chip-on-the-shoulder attitude and that some of the majority refuse to face up to the fact that racial problems exist."

NAACP SEEKS CAUSE

The Reverend Kenneth A. Bowen, president of the Buffalo branch of the National Association for the Advancement of Colored People, called on all agencies to aid in determining "what motivated this thing that we might stop it." He said his group deplored "this kind of conflagration, especially since it seems to be between racial groups."

A park official said that the trouble at Crystal Beach started in a picnic grove when 3 white youths and 3 Negro youths started fighting. He said two more Negroes and another white joined the fight.

When the 9 brawlers were placed in the guardhouse at the beach, this official said, about 300 Negroes converged on the guardhouse and threatened to free the prisoners. He said the mob dispersed when police reinforcement arrived.

After a day of disorders at the park, rioting broke out on the *Canadiana*.

[From the Atlanta Journal of June 10, 1956]

ONE DEAD, THREE HURT IN WHITE, NEGRO SAILORS' BRAWL

PEARL HARBOR, T. H., June 9.—One sailor was stabbed to death and three others injured when friction between Negro and white crewmen of the carrier U. S. S. *Lexington* erupted into a riotous brawl, the Navy disclosed Saturday.

Seaman Apprentice Johnny Green, a Negro of 2717 Drummond Street, Vicksburg, Miss., was held in the Navy Yard brig, suspected of slaying a white sailor Friday night during a cursing, slugging brawl between more than a score of white and Negro seamen.

The identity of the dead man was withheld pending notification of next of kin, the Navy said.

Three white sailors—all Texans—were treated for injuries. They were Airman G. O. Medley, 19, Fort Davis; Aviation Machinist Mate 3/c W. L. Short, 21, Austin; and N. O. Vela, 18, a seaman apprentice from Alice.

Medley and Short suffered stab wounds but were not in critical condition, the Navy said. Vela suffered a head laceration when struck by a flying beer can.

A Navy spokesman said the riot broke out Friday night outside the recreation hall on Ford Island, the naval air station in the middle of Pearl Harbor. Details of the brawl were not disclosed but the Navy said the melee apparently broke out after a series of uncomplimentary remarks passed between Negro and white *Lexington* crewmen earlier in the evening.

[From the Atlanta Journal of June 12, 1956]

THREATS FLY IN MUNCIE RACIAL TROUBLE

MUNCIE, IND., June 12.—Between 200 and 300 persons milled about this city early Tuesday shouting threats at each other in what police termed a "racial disturbance."

Nineteen were arrested, including 10 juveniles 14 to 17 years old. Nine persons, including 5 Negroes and 4 white youths, were charged with disorderly conduct and released on bond when they pleaded innocent.

Authorities said groups of youths toured sections of the city in automobiles from about 10 p. m., Monday, to 1 a. m., Tuesday. There was no report of violence, officers said. But many threats of fighting were shouted and groups congregated around Ball State Teachers College student center, the Muncie fieldhouse, and Tuhey swimming pool. The pool was closed indefinitely Saturday when tensions arose because a group of Negroes went swimming.

The demonstration came a few hours after city officials met to discuss a solution to the problem which arose when four Negroes entered the pool which in years past was used only by whites.

[From the Atlanta Constitution of July 2, 1956]

WHITE, NEGRO YOUTHS BATTLE AT NEW JERSEY DANCE

ASBURY PARK, N. J., July 1.—A series of teen-age fights which police said were between Negroes and whites ended early today with some 28 persons injured and 25 taken into custody.

Sgt. James Leone of the Asbury Park police termed the fighting which began at a

dance late last night "a near riot" and said "It was between Negroes and whites." However, he declined to describe as a race riot the battles involving about 200 persons.

The fight began at Convention Hall where about 2,700 persons, mostly teen-agers, were dancing. It spilled out into Ocean Avenue, which runs along the sea at this resort community.

The fighting raged until police from 12 Monmouth County communities, State and military police joined officers here to disperse the gathering crowd of about 75,000, most of whom were bystanders.

Joseph Redicker, one of the operators of the hall, said he could not determine the cause of the fights. He said, "They just seemed to break out."

Police themselves were unable to give the cause of the fighting.

A very good summary of the situation was given in a recent editorial from the Macon Telegraph, Macon, Ga., which was reprinted in the Atlanta Constitution on April 13, 1956. This editorial is as follows:

SOUTH ISN'T THE ONLY REGION EXPERIENCING RACIAL TENSION

The problem of harmonious relations between the races and the question of segregation versus integration are quite rapidly becoming matters for serious concern in communities outside the South.

Two recent incidents bear out this fact.

First was the report of Chicago Welfare Commissioner Alvin Rose that more than 75 percent of the 48,000 persons on that city's relief roles are Negroes and that an estimated 2,500 Negroes are migrating into Chicago each month.

This influx from the South has brought with it problems of its own because the older Chicago Negro residents do not welcome the newcomers.

These racial tensions in Chicago, now being intensified, already had exploded on various occasions in the recent past, particularly in the Trumbull Park housing project, where the first Negro family moved in August 1953. At the height of the disorders which followed 1,100 policemen, or one-seventh of the Chicago force, were assigned to the 462-family project.

The other incident was last week's mob which demonstrated in one of Detroit's white neighborhoods in protest to what it thought was a Negro couple which had bought a house and moved in. Actually the husband said he was a 70-year-old Cherokee Indian and his wife of Scotch-Irish descent. But the crowd thought they were Negroes.

The question which promptly arises is, if such protests are aroused in Detroit, a city just recently rated as the Nation's best in the field of Negro integration, how can anyone outside the South fail to understand similar protests in this region?

The important point is, of course, that expressions of opposition be kept within the bounds of established law and order. Mob action is not within those bounds.

Disorders in one region by no means justify disorders in another. Rather, they emphasize that it is the entire Nation, not solely the South or any other single region, which is confronted with the necessity for mutually amicable relations between the races.

Mr. Speaker, it is indeed regrettable that the floor of the House of Representatives must every so often serve as the forum for bowing and scraping in election years to such radical organizations as the NAACP, the ADA, and their associates. The spectacle which was presented here last week is simply a repetition of what we have had in the past, and of what no doubt, we will continue to have in the future, until the long-suffering public becomes surfeited with these political plays to appease organized minorities, and in turn do some organizing themselves, to put these radical organizations and their political sponsors out of the American picture.

This proposed legislation is absurd and ridiculous on its face. It is not only absurd and ridiculous; it is patently unconstitutional, and if it should be adopted—which it will not—it would be a blow at local self-government and the rights of the States to conduct their own local affairs.

SENATE

TUESDAY, JULY 24, 1956

(Legislative day of Monday, July 16, 1956)

The Senate met at 10:30 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, who hath taught us that only in the reach of our love is the richness of our life, may no concern for self nor ill will for others blur the goal of our glorious destiny among the nations as the instrument of Thy providence to free the earth of tyranny. To this end, our God, bless America.

Thou seest in spite of the worst things in us which we despise that in our highest hours our deepest desire is to be the true servants of Thy purpose in these volcanic times of social upheaval. Grant us the grace, O Lord, to cherish and preserve evermore the heritage that is ours through the valor and virtue of those whose record within these very halls has helped make the greatness of our Nation. Inspire us so to follow their shining example that we may not only hold our inheritance as a sacred and precious trust but by our love and labor leave it with increased luster to those who shall come after us. We ask it in the dear Redeemer's name. Amen.

CALL OF THE ROLL

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Journal of the previous day be approved without reading.

The PRESIDENT pro tempore. Because a quorum was not present when the Senate recessed yesterday under a previous order, the roll will be called for the purpose of developing a quorum.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Goldwater	McCarthy
Allott	Gore	McClellan
Anderson	Green	McNamara
Barrett	Hayden	Millikin
Beall	Hennings	Monroney
Bender	Hickenlooper	Morse
Bennett	Hill	Mundt
Bible	Holland	Murray
Bricker	Hruska	Neely
Bridges	Humphrey, Minn.	Neuberger
Bush	Humphreys, Ky.	O'Mahoney
Butler	Ives	Pastore
Byrd	Jackson	Payne
Capehart	Jenner	Purtell
Carlson	Johnson, Tex.	Robertson
Case, N. J.	Johnston, S. C.	Russell
Case, S. Dak.	Kefauver	Saltonstall
Chavez	Kennedy	Schoeppel
Clements	Kerr	Scott
Cotton	Knowland	Smith, Maine
Curtis	Kuchel	Smith, N. J.
Dirksen	Laird	Sparkman
Douglas	Langer	Stennis
Duff	Lehman	Symington
Dworshak	Long	Thye
Eastland	Magnuson	Watkins
Ellender	Malone	Wiley
Ervin	Mansfield	Williams
Flanders	Martin, Iowa	Wofford
Frear	Martin, Pa.	Young
Fulbright		
George		

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL] and the Senator from Florida [Mr. SMATHERS] are absent on official business.

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The Senator from Idaho [Mr. WELKER] is necessarily absent.

The PRESIDENT pro tempore. A quorum is present.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Monday, July 23, 1956, was dispensed with.

Mr. MARTIN of Pennsylvania. Mr. President, the Army and Navy League——

Mr. RUSSELL. Mr. President, I regret to be compelled to object, but under the unusual conditions which obtain, I must make the point of order that the unanimous-consent agreement is in effect in connection with the Mutual Security Appropriations Act of 1957, and that matters can be entered in the RECORD only by unanimous consent. I shall be glad to discuss the question with the Senator from Pennsylvania and see if there is any objection to having his matter placed in the RECORD.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Charles B. Ring, to

be postmaster at Dante, Va., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

NOTICE OF CONSIDERATION OF NOMINATIONS BY THE COMMITTEE ON FOREIGN RELATIONS

The PRESIDENT pro tempore. As a Senator, and as chairman of the Committee on Foreign Relations, the Chair desires to announce that the Senate received today the following nominations:

Henry A. Byroade, of Indiana, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Union of South Africa, vice Edward T. Wailes;

Edward T. Wailes, of the District of Columbia, a Foreign Service officer of the class of career minister, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Hungary, vice Christian M. Ravndal;

George V. Allen, of North Carolina, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Greece, vice Cavendish W. Cannon; and

William M. Rountree, of Maryland, to be an Assistant Secretary of State, vice George V. Allen.

Notice is given that these nominations will be considered by the Committee on Foreign Relations before adjournment.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed, without amendment, the following bills and joint resolutions of the Senate:

S. 1161. An act to abolish the Fossil Cycad National Monument, S. Dak., and for other purposes;

S. 1400. An act to protect the integrity of grade certificates under the United States Grain Standards Act;

S. 2216. An act to amend the act of March 4, 1915 (38 Stat. 1086, 1101; 16 U. S. C. 497);

S. 2887. An act to further protect and assure the privacy of grand or petit juries in the courts of the United States while such juries are deliberating or voting;

S. 3458. An act to grant leaves of absence to homestead entrymen and to permit suspension of cultivation and improvement operations on homestead and desert land entries, and for other purposes;

S. 3556. An act to amend Public Law 551, chapter 616, 83d Congress, 2d session;

S. 3592. An act to provide in certain additional cases for the granting of the status of regular substitute in the postal-field service;

S. 3650. An act for the relief of the town of Freeport, Maine;

S. 3658. An act to amend the act of May 11, 1938 (52 Stat. 347) so as to authorize, by agreement, the subsurface storage of oil or gas in restricted Indian lands, tribal or allotted;

S. 3768. An act to amend section 158 of the Revised Statutes of the United States, as amended, so as to include the Department of Health, Education, and Welfare among the executive departments there listed, and for other purposes;

S. 3779. An act to amend the act of August 27, 1954 (68 Stat. 868), with respect to the Uintah and Ouray Reservation in Utah;

S. 3875. An act to amend section 4 (a) of the Vocational Rehabilitation Act, as amended;

S. 3926. An act to authorize the Secretary of the Interior to charge for special services to purchasers of timber from Indian lands;

S. 3968. An act to provide for the termination of Federal supervision over the property of the Peoria Tribe of Indians in the State of Oklahoma and the individual members thereof, and for other purposes;

S. 3969. An act to provide for the termination of Federal supervision over the property of the Ottawa Tribe of Indians in the State of Oklahoma and the individual members thereof, and for other purposes;

S. 3970. An act to provide for the termination of Federal supervision over the property of the Wyandotte Tribe of Oklahoma and the individual members thereof, and for other purposes;

S. 3998. An act to provide for the development of the Federal fish hatchery, known as the Holden trout hatchery, at Pittsford, Vt.;

S. 4060. An act to amend section 607 of the Postal Field Service Compensation Act of 1955 to include employees in the Motor Vehicle Service;

S. 4215. An act to amend the act of July 15, 1954, authorizing the sale of certain vessels to Brazil;

S. J. Res. 71. Joint resolution to commend the foundation known as the Memorial to the American Indian Foundation for its project to establish a permanent memorial in honor of the North American Indians;

S. J. Res. 105. Joint resolution authorizing the President of the United States to designate the period beginning September 17 and ending September 23 of each year as Constitution Week;

S. J. Res. 114. Joint resolution to change the name of Bedloe's Island in New York Harbor to Liberty Island;

S. J. Res. 165. Joint resolution approving the relinquishments of the consular jurisdiction of the United States in Morocco; and

S. J. Res. 183. Joint resolution authorizing an appropriation to enable the United States to extend an invitation to the World Health Organization to hold the 11th World Health Assembly in the United States in 1958.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H. R. 5256. An act to provide for the redemption by the Post Office Department of certain unsold Federal migratory-bird hunting stamps, and to clarify the requirements with respect to the age of hunters who must possess Federal migratory-bird hunting stamps;

H. R. 5881. An act to supplement the Federal reclamation laws by providing for Federal cooperation in non-Federal projects and for participation by non-Federal agencies in Federal projects; and

H. R. 6243. An act to amend title VII of the Merchant Marine Act, 1936, to authorize the construction of a nuclear-powered merchant ship for operating in foreign commerce of the United States, and for other purposes.

MUTUAL SECURITY APPROPRIATIONS, 1957

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes.

Mr. HENNINGS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HENNINGS. Mr. President, the unanimous-consent agreement entered into with relation to the mutual-security appropriations for 1957 relates, at line 10 of the agreement as it was furnished Senators, that with respect to the consideration of the mutual-security appropriations bill—

it shall be in order on Tuesday, July 24, 1956, following the conclusion of morning business—

And so forth. The inquiry I should like to propound to the distinguished occupant of the chair is this:

Is it not required that precedent to the Senate considering the mutual-security appropriations bill there be morning business?

Mr. RUSSELL. Mr. President, I desire to be heard on that question.

The PRESIDENT pro tempore. The Chair is ready to respond to the inquiry of the Senator from Missouri. In view of the fact that the Senate recessed yesterday, morning business is not in order except by unanimous consent.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. DOUGLAS. Is it not true that the mutual-security appropriations bill was not considered yesterday, and that, therefore, before amendments to the bill can be considered today, there must be a morning hour?

The PRESIDENT pro tempore. The Chair will advise that the bill was before the Senate yesterday. How much consideration was given to it, of course, the Chair cannot state.

Mr. DOUGLAS. Mr. President, the RECORD will show that there was virtually no consideration given to the bill yesterday.

Mr. JOHNSON of Texas. Mr. President, the RECORD will show that it was before the Senate yesterday.

Mr. HENNINGS. Mr. President, I have a unanimous-consent request to make.

I ask unanimous consent that I be permitted at this time to submit the following resolution:

Resolved, That the Committee on the Judiciary be, and it is hereby, discharged from the further consideration of the bill, H. R. 627, to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

Mr. President, I ask for immediate consideration of the resolution.

Mr. RUSSELL. Mr. President, the resolution cannot be considered except by unanimous consent; and I object.

Mr. LEHMAN. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from New York will state it.

Mr. LEHMAN. As I understand the ruling of the Chair—and I know the Chair will correct me if my interpretation is not correct—if unanimous consent is required before the Senate can

proceed with the morning hour, or with business which is transacted in the morning hour, then, it necessarily follows that no new measure, no new motion, no new procedure can be considered during the remainder of this session if there is a single objection.

Am I correct in that statement?

The PRESIDENT pro tempore. What is the Senator's inquiry?

Mr. LEHMAN. The inquiry is whether I am correct in my interpretation of the ruling of the Presiding Officer. As I understand, it has been ruled that no business which ordinarily comes in the morning hour can be taken up and no business can be transacted in the morning hour because it requires unanimous consent. If I am correct in that interpretation, it leads me to believe that in the future, during the remainder of this session, the same procedure can be invoked and one objection will forestall the presentation of any motions, the introduction of any bills, or the transaction of any part of the business of the Senate.

I should like to have a reply from the Presiding Officer as to whether I am correct in my interpretation of the situation.

The PRESIDENT pro tempore. The situation, as the Chair understands, is that since the Senate recessed on yesterday, there is no morning hour automatically, and a motion or bill can be presented to the Senate only by unanimous consent.

Mr. LEHMAN. Mr. President, do I correctly understand, therefore, that under the ruling, because the Senate is recessed from day to day and not adjourned so as to create a new legislative day, a single objection will prevent the morning hour from being utilized, and, as a result, no new business can be transacted save by unanimous consent?

The PRESIDENT pro tempore. A single objection will prevent the introduction of bills and joint resolutions, the submission of concurrent and other resolutions, and reports of committees. That is the only ruling the Chair can make.

Mr. LEHMAN. The net result of that is—and I think we might just as well face the situation now as at any other time—that no business can be transacted during the morning hour except by unanimous consent.

Mr. RUSSELL. Mr. President, if the question is to be debated, I should like to speak for a few minutes. I make the point of order that this debate is out of order.

The PRESIDENT pro tempore. The Chair has made the only ruling he can make under the rules of the Senate.

Mr. JOHNSON of Texas. Mr. President, I should like to make a brief statement. It has been the custom each morning for the majority leader to come before the Senate and ask unanimous consent that there be a morning hour for the presentation of petitions and memorials, the introduction of bills, and the transaction of other routine business, subject, usually, to a 2-minute limitation on statements. That has been the practice from the early days of the session up until the last few days.

It is my understanding that it will be in order to move to consider any bill on the calendar—and there are many more bills on the calendar that must be completed before the Senate concludes its deliberations—as soon as the unfinished business shall have been disposed of.

But the ruling of the Chair is that new material cannot be introduced unless there is either a morning hour or unless unanimous consent is given. However, any bill on the calendar can be called up on motion at any time the majority so desires.

Mr. RUSSELL. Mr. President, as a parliamentary inquiry, I simply wish to ask if it is not true that the Senate can do almost anything by unanimous consent; but that when the rules of the Senate are invoked it is necessary to follow the rules, and that new matter can be introduced only by unanimous consent. That has been the rule of this body since its first assembly.

Mr. DOUGLAS. Mr. President, I should like to ask the majority leader, through the Chair, whether it is his intention to permit a morning hour to be held today.

Mr. JOHNSON of Texas. Objection to such a request has already been raised. If the Senator from Illinois had been attentive, he would have heard the objection.

Mr. RUSSELL. There will be no morning hour during today's session, because the junior Senator from Georgia will object. A morning hour can be held only by unanimous consent.

Mr. DOUGLAS. Mr. President, may I inquire of the majority leader, through the Chair, whether it is the intention to have the Senate adjourn tonight, so that there can be a morning hour tomorrow; or is it his intention to have the Senate recess tonight; and in the event of a recess, will he permit a morning hour tomorrow?

Mr. JOHNSON of Texas. It is the plan of the majority leader to move for a recess, or to ask that the Senate take a recess, when the Senate has concluded action on the mutual security appropriation bill.

Mr. DOUGLAS. Will the effect of that be to prevent a morning hour?

Mr. JOHNSON of Texas. The effect of that will be to prevent the introduction of bills at the last minute without following the regular procedures of the Senate.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Illinois will state it.

Mr. DOUGLAS. Does it not follow, then, that the only way to have a morning hour tomorrow is to adjourn rather than to recess at the conclusion of the business of the Senate today?

The PRESIDENT pro tempore. Except by unanimous consent. The rules of the Senate are well established. The Chair has undertaken to study the rules.

Mr. DOUGLAS. Do I understand correctly that the ruling of the Chair is that the only way to have a morning hour hereafter is by having the Senate agree to a motion to adjourn, rather than to agree to a motion to recess?

The PRESIDENT pro tempore. In the event of an adjournment, automatically there would be a morning hour on the following day.

Mr. DOUGLAS. But not if a recess were taken?

The PRESIDENT pro tempore. Not automatically. A morning hour could then be had only by unanimous consent.

Mr. LEHMAN. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. Mr. President, I do not have the floor; but I should be glad to yield to the Senator from New York.

Mr. LEHMAN. Mr. President, I ask unanimous consent that I may address a question to the majority leader.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from New York may proceed.

Mr. LEHMAN. Mr. President, in the first place, I wish to ask the distinguished majority leader whether he recalls any time during his entire career in the Senate when there was not a morning hour because of an objection. The Senator from New York does not recall any such instance.

Mr. JOHNSON of Texas. I have not done any research on the question. The majority leader is concerned with orderly procedure. The majority leader never attempts to program proposed legislation which has not been reported by a committee.

The majority leader is confronted with a number of extremely important bills, such as the customs simplification bill, the Federal pay raise bill, the retirement bill, the social security bill, and any number of other bills, including bills affecting the farmers of the country.

It was hoped that the Senate could act on all those bills and conference reports this week.

The Senate has before it the very important mutual security appropriation bill.

There are some Senators who would, without consulting the majority leader, have their own programs; and they are entitled to have them. If the Senate decides to follow individual Senators instead of following the majority leader or the minority leader, that is perfectly within the right of the Senate. The Senator from Texas will not criticize Senators who seek such a course of action.

But it is the purpose of the Senator from Texas to try to dispose of the very important mutual aid appropriation bill today. Then he hopes to get agreements on the conference report on the customs simplification bill, the conference report on the executive pay bill, the conference report on 2 or 3 farm bills; and, most important, to get an agreement on the conference report on the social security bill.

The Senator from Texas feels that if we are to get into a hassle here, the social security bill may be endangered. As the Senator will remember, the Senate adopted one far-reaching amendment by a vote of 44 to 42. If the conference report should come back to the Senate Chamber—I doubt that it would, under the circumstances, but if it

should I am very fearful that the bill would be recommitted, in the light of what is developing from hour to hour in attempts to lay aside the program of the majority leader and the minority leader, and to proceed on a single-shot, hit-or-miss basis.

Every Senator is entitled to operate within his rights, as is the majority leader. The majority leader wants to make it abundantly clear to the Senate that he has cleared his program with the minority leader and with the respective parties concerning certain proposed legislation. He has announced the program to the Senate. He is hopeful that the Senate may be able to conclude the session this weekend. He realizes that it will not be possible to conclude it unless the mutual aid appropriation bill, the social security bill, and some other bills can be passed.

A conference report on an appropriation bill is now at the desk, but it cannot be called up. We shall soon have the supplemental appropriation bill before us for consideration. The military construction bill is to be handled by the junior Senator from Georgia [Mr. RUSSELL].

All these bills have been cleared by the leadership on both sides of the aisle. They have been approved by the majority and the minority policy committees.

So far as the majority leader can control the program, the Senator from New York, all other Senators, and the country at large can be assured that he will continue, in an orderly manner, to follow orderly procedures, and not attempt, in the last week of the session, to bring up a measure which has not even been reported by a committee, and thus hold up all the other important measures behind it.

Mr. LEHMAN. Mr. President, will the Senator yield for one more question?

Mr. JOHNSON of Texas. I yield.

Mr. LEHMAN. The Senator from New York has the greatest admiration for the manner in which the distinguished majority leader has conducted the program.

Mr. JOHNSON of Texas. I thank the Senator from New York. I hope he will follow it.

Mr. LEHMAN. The Senator from New York has followed the Senator from Texas in a great majority of the cases.

Mr. JOHNSON of Texas. I thank the Senator from New York.

Mr. LEHMAN. But what I am objecting to and I am objecting because I think it is poor, inexcusably poor, legislative practice—is that a Senator is no longer permitted to present, or no longer has the opportunity to present, a motion or a bill——

Mr. JOHNSON of Texas. That is not correct.

Mr. LEHMAN. Except merely by unanimous consent. Otherwise, he cannot even bring it before the Senate.

Mr. JOHNSON of Texas. That is not correct. A Senator can make a motion. As soon as the unfinished business shall have been disposed of, the Senator from New York, if he can get recognition, can move to proceed to the consideration of any bill which has been handled in an orderly manner. He cannot reach up and get one out of the sky and say, "Here is one I have heard of, that no committee has considered or reported."

But the Senator from New York can move to consider any bill on the calendar. The Senate has been in session for more than 6 months. The Senator from New York can move to take up any bill on the calendar and have the Senate proceed to consider it.

Mr. LEHMAN. The Senator from New York cannot move to discharge a committee from further consideration of a bill which has been passed by the House and is now pending before the Senate. He is estopped from doing that.

Mr. JOHNSON of Texas. The Senator is correct when he says that in the last week of this session, with the important bills which are pending, the Senator from Texas is not going to yield to any appeals to disregard the bills which have been reported and are now pending, and the conference reports which are ready for consideration. I am not going to take the responsibility for and have the blood on my hands from the killing of the social-security bill. That is exactly what is going to happen if we continue in this manner.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Virginia.

Mr. ROBERTSON. I want emphatically to challenge the statement made by the Senator from New York concerning that he thinks it would be good legislative practice to permit any Senator to bring up any bill at any time. Having served for 14 years in the House of Representatives, where there are 435 Members, I remind the Senator that no Member of that body can bring up a bill at any time he pleases. It must be done either on a call of the Consent Calendar or on Calendar Wednesday or through the Rules Committee. That is the way the House conducts its business.

I again commend the majority leader for the way he has conducted the business of the Senate. If we follow the procedure he has outlined we shall complete our business; if not, we shall not be able to do so.

Mr. HENNINGS. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. HENNINGS. I am sure my distinguished friend, the majority leader, will agree we are under no absolute compulsion to adjourn by Saturday night.

Mr. JOHNSON of Texas. None whatever.

Mr. HENNINGS. I am sure the majority leader will agree we will not impede or interfere with any bills——

Mr. JOHNSON of Texas. If the Senator from Missouri is asking me a question, I will say we are not under any compulsion to adjourn by Saturday night, although I will say to the Senator I surmise the majority, who have it within their power to do so, would be willing and anxious, and perhaps eager, to conclude their deliberations in advance of the national convention.

Mr. HENNINGS. If I may ask one more question of the distinguished Senator from Texas, who is an expert parliamentarian——

Mr. JOHNSON of Texas. I decline to comment.

Mr. HENNINGS. If the Committee on the Judiciary should be discharged from the further consideration of House bill 627, the bill would take its place on the calendar with the other business, so that it would not impede the consideration of any other bills about which the majority leader seems to be so concerned.

Mr. JOHNSON of Texas. I have been a Member of this body for 8 years. I have served with many Senators. I have disagreed with some of them violently at times. But I have never known, during my 8 years' experience, many Senators who would even advocate discharging a committee from the consideration of a bill which the committee had had for a few hours, and taking the bill away from the agent of the Senate, in an attempt to bring it before the Senate. We have pending legislation, such as the social-security bill, the customs-simplification bill, and 2 or 3 appropriation bills. I have never known the Senate to take such action. It could be that there are some who are so enthusiastic for a cause that they would want to follow that kind of procedure. But it is not the way the Senate I have known has acted. It has not undertaken to discharge committees and consider measures hurriedly on the floor of the Senate.

Mr. HENNINGS. If the Senator from Texas will yield further—and I shall be brief—I ask the Senator whether or not, if a majority of the committee agreed to place on the calendar a bill which has been passed overwhelmingly by the House of Representatives, and which is a part of the so-called Eisenhower civil-rights program, it would in any way impede the program which the majority leader has outlined this morning?

As the Senator well knows, the subcommittee of which I happen to be chairman, reported last February, four bills which have since remained in the Judiciary Committee, and upon which hearings have been held up until the last 2 or 3 weeks. So it is not a matter of lack of consideration by the Judiciary Committee, I may say to my distinguished friend; it is a matter of getting a measure out of the committee by the only means we have to get it out of the committee.

Mr. JOHNSON of Texas. I do not need to enlighten my friend from Missouri on the question he has raised. He is an experienced and a very astute legislator. He served with dignity and effectiveness in the House of Representatives. He has been a Member of the Senate 6 years. He is familiar with the operations and procedure of this, the greatest deliberative body in the world. I do not think my friend has any thought other than that the bill to which reference has been made would impede legislation. I think he knows it would bring all legislation to a halt, as it always has when it has been brought up in the past.

Mr. RUSSELL. Mr. President, I demand the regular order.

The PRESIDENT pro tempore. The regular order is the mutual security appropriation bill, which is before the Senate.

Mr. DOUGLAS. Mr. President, may I make a request?

The PRESIDENT pro tempore. The Senator from Louisiana [Mr. ELLENDER] is recognized.

Mr. DOUGLAS. Mr. President, out of order, I ask unanimous consent to submit a resolution in behalf of myself, the Senator from Missouri [Mr. HENNINGS], and the Senator from New York [Mr. LEHMAN], and that the text of the resolution be printed at this point in the RECORD, namely:

That the Committee on the Judiciary be, and it is hereby, discharged from the further consideration of the bill, H. R. 627, to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

Mr. RUSSELL. Mr. President, pursuant to the notice I have heretofore given, I object, and I shall continue to object.

The PRESIDENT pro tempore. The Senator from Louisiana is recognized.

Mr. ELLENDER. Mr. President, I send to the desk amendments to certain committee amendments and I ask that they be stated.

The PRESIDENT pro tempore. The amendments to the amendments will be stated.

The LEGISLATIVE CLERK. It is proposed on page 2, line 16, to strike out "$71,200,000" and insert in lieu thereof "$64,100,000"; on page 2, line 22, to strike out "$170,000,000" and insert in lieu thereof "$153,000,000"; on page 2, line 22, to strike out "$882,000,000" and insert in lieu thereof "$793,800,000"; and on page 3, lines 6 and 7, to strike out "$293,000,000" and insert in lieu thereof "$278,700,000."

The PRESIDENT pro tempore. Under the unanimous-consent agreement previously entered, the amendments of the Senator from Lousiana to certain committee amendments will be considered en bloc.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. JOHNSON of Texas. The Senator from Louisiana will control 30 minutes, as the proponent of the amendments; and, as the opponent of the amendments, the majority leader, under the unanimous-consent agreement, will control 30 minutes. Is that correct?

The PRESIDENT pro tempore. The Chair understands that is correct.

The question is on agreeing, en bloc, to the amendments offered by the Senator from Louisiana to certain committee amendments.

Mr. ELLENDER. Mr. President, I yield myself 10 minutes.

The PRESIDENT pro tempore. The Senator from Louisiana is recognized for 10 minutes.

Mr. ELLENDER. The pending amendments have for their purpose, a reduction of 10 percent on each of the defense support and development assistance items incorporated in the second portion of the mutual-security bill.

If Senators will refer to page 2 of the bill, it will be noted that the Senate provided $71,200,000 of defense support funds for Europe; $170 million for Africa; $882 million for Asia, and $52 million for Latin America. By my amendments I seek to cut from the first three of those items—that is to say, the defense support appropriations dealing with Europe, the Near East and Africa, and Asia—10 percent of the amounts recommended by the Senate committee. I should like to point out that I have not proposed any reduction in the amount suggested for the defense support program in Latin America.

Mr. President, it will be noted that on page 3, lines 6 and 7, of the bill under the heading "Development assistance," I have suggested that the total for this program be reduced by $14,300,000. As to this item, it will be noted that the total amount recommended by the Senate committee for development assistance is $293 million. I am not seeking to cut in any way the $150 million for the President's fund, which is included in this overall amount. But the difference between the total of $293 million and the $150 million provided for the President's fund amounts to $143 million; and it is from that amount I am seeking to cut 10 percent.

If my amendment is adopted, and the defense support and development assistance programs are cut back as I have suggested, it will mean a saving of $126,600,000.

Mr. President, there are many reasons why the sum of $126,600,000 should be cut from the defense support and development assistance programs. First and foremost is that as of June 30, 1956, we had in the pipeline, for nonmilitary assistance in the various areas in which our aid programs operate, a grand total of $1,855,847,000. That amount represents funds which previously had been appropriated, but which, as of June 30, 1956, had not been spent. Of that sum, there remains available for expenditure in Europe $90,900,000; in the Near East and Africa, $412,400,000; in Asia, $1,215,250,000; in Latin America, $60,850,000; and for nonregional purposes $215,875,000.

Mr. President, ever since the inception of our foreign-aid program, I have pointed out to the Senate, and to the administrators of the program, that we have no sound, well-defined, balanced programs for the respective countries with which we are dealing. Instead, the individual country programs are, in too many cases, simply plunged into and improvised as time goes on; so that we have wound up with a mixture and variety of objectives and projects in each country, most of which would not stand up under the strict rules of the Senate Appropriations Committee if similar projects were being urged for construction within the United States. Why, Mr. President, not even those who came before our committee to justify the programs could tell us what specific projects will be undertaken during the ensuing year. It seems very strange, indeed, that the Senate Appropriations Subcommittee on Public Works should spend week after week, hearing hundreds of witnesses from all sections of our country compiling a record of 1,989 pages to obtain justification of the projects we included in the fiscal year 1957 public works appropriation bill, and yet our committee held only a few days of hearings on the pending $4,346,220,000 foreign-aid bill, covering less than 500 pages of printed record, many of which are completely devoid of information, since the security officers deleted almost all of the figures and much of the testimony.

Mr. President, as I have stated on the floor of the Senate on quite a few occasions, in the case of many of the projects which have been started, if economic justification had been required by the Senate at the time the appropriation was requested, the Senate undoubtedly would have turned them down. I shall not go into detail this morning, because of the limitation on debate which now prevails, but in the past I have cited many instances of that sort. As one example—in Saigon, Vietnam, our Government purchased three hydraulic dredges, at tremendous cost, with the understanding that the dredges would be owned and operated by the host government. The original agreement called for operation by the host government at its own expense, because of the fact that the facilities were to be used for recovering and rebuilding lands belonging to private individuals. But, Mr. President, what is happening in Vietnam today? Not only have we furnished the hydraulic dredges, at no cost to the local government, but we are supplying the oil with which to operate them and we are providing the funds with which to pay the labor to operate the dredges. In other words, while we started out to provide only the tools with which to do the job, we are now picking up the entire check.

The PRESIDENT pro tempore. The 10 minutes yielded by the Senator from Louisiana to himself have expired.

Mr. ELLENDER. Mr. President, I yield myself 5 additional minutes.

The PRESIDENT pro tempore. The Senator from Louisiana is recognized for 5 additional minutes.

Mr. ELLENDER. Mr. President, as I was saying, in the case of the hydraulic dredges in Vietnam to which I have referred, not only are we providing the dredges, but we are providing the oil with which to operate them and we are supplying the funds to pay the workmen who operate the dredges—and with no hope, in my humble judgment, of ever recouping a dime from the private individuals whose land is being greatly enhanced in value. That is merely one example of the many unsound and completely unjustified projects being conducted and operated at the behest of the host government, through a contract with our own Government, without, in my humble judgment, any hope of carrying out the agreement as originally entered into by the host government and by our representatives abroad.

Mr. President, we shall soon have before us a conference report on a bill which seeks to amend Public Law 480 of the 83d Congress, by increasing the amount of surplus commodities that can

be purchased or given away to our friends across the seas. Public Law 480, as we all know it, provides for the disposition of $1.5 billion of surplus agricultural goods. Under title I of the act, we sell or barter surplus agricultural commodities to foreign countries, accepting in payment therefor an equivalent amount in local currency of the purchasing country. I should like to indicate to Senators how the major portion of the $1,041,900,000 of foreign currencies that have been realized under title I of Public Law 480 has been utilized up to date. Remember that the foreign currencies generated under title I of Public Law 480 are in addition to the appropriations for foreign aid we are discussing in connection with the pending bill. Let us bear in mind that if the Congress should approve the conference report on amendments to Public Law 480 which will be before it shortly, it will mean that the President of the United States will have available up to $1.5 billion in addition to the sum which we are now appropriating. In other words, by fully utilizing title I of Public Law 480, we could acquire up to $1½ billion in equivalent foreign currency for use as designated in Public Law 480.

As I pointed out previously, we have already sold, under the provisions of title I of Public Law 480, a total of $1,041,900,000 of surplus agricultural commodities for foreign currencies. How has this billion dollars of foreign exchange been used?

For economic development, in the purchasing countries, by way of loans, $508.6 million; for purchase of goods for other countries, $22 million; for military procurement—the same program for which the Senate on last Friday voted $2.3 billions of new appropriations—$165.9 million. I remind Senators that this $165.9 million in foreign currency is over and above the dollars we appropriated in last year's bill for military aid.

The figures I have just given cover the entire program up to June 30, 1956.

The PRESIDENT pro tempore. The time of the Senator from Louisiana has expired.

Mr. ELLENDER. I yield myself 5 more minutes.

As I have just pointed out, aside from the huge amounts we have provided under the Marshall plan, UNRRA, lend-lease, and the so-called mutual security program, we have made available millions of dollars in foreign currency proceeds from the sale of surplus agricultural commodities under Public Law 480 for the purchase of goods from other countries for our friends abroad, for military procurement, and for economic development loans. Let me demonstrate to the Senate how emphasis is being placed on the utilization of these foreign currency funds, generated under Public Law 480, for the same purposes as are contemplated with respect to the defense support and the development assistance funds. For the 1956 fiscal year—that is, from July 1, 1955, through June 30, 1956—a total of $681 million of surplus agricultural products was sold to foreign governments under title I of Public Law 480. During this period military procurement, in addition to the amount of the mutual-security appropriations furnished in fiscal year 1956, amounted to $107.2 million while loans for economic development to the countries for which we are now providing funds, aggregated $355.6 million.

As I have stated, these amounts were in addition to the sums we appropriated for fiscal year 1956 under the mutual-security program. When the Senate votes for the conference report on the bill which seeks to increase the $1.5 billion authorization under Public Law 480 to $3 billion, it will mean that the President of the United States can have, in addition to the funds we are now providing, $1.5 billion for foreign currency funds which he can use for the same identical purposes, as the money provided in this bill. In other words, we have a double-barreled economic aid program.

The amount which I am seeking to cut from the bill today is very small. It is only 10 percent of the cash which we are providing for economic aid, exclusive of the so-called regional funds. The President could use surplus agricultural commodities in order to replace the 10 percent that will be cut from the bill should my amendment pass.

My amendment need not in any way curtail the economic aid program. On the contrary, if the President of the United States should utilize—as he has the power to do—the additional Public Law 480 funds which will be authorized he could have at his disposal $1.5 billion of foreign currencies, much of which could be used by the President of the United States to develop friendly foreign countries.

The PRESIDENT pro tempore. The additional 5 minutes of the Senator from Louisiana have expired.

Mr. ELLENDER. Mr. President, how much time have I left?

The PRESIDENT pro tempore. The Senator has 10 minutes.

Mr. ELLENDER. I will take 5 more minutes.

Mr. President, as I have previously pointed out to the Senate, the expenditures of billions of dollars which we have made abroad have brought to the countries of western Europe a second industrial revolution—one which has brought them to the point where their industrial economy is producing at the rate of 164 percent of prewar on an average. Yet, notwithstanding that fact, those countries are in line to receive more economic aid. Make no mistake about it—they have some aid in the pipeline. I cannot recite the figures for each country, because the document containing them has been classified. However, I can tell the Senate that the amount now in the pipeline for Europe—which is well able to take care of itself—and the amount we are now authorizing, in order to assist our friends in western Europe, is more than 20 times greater than the little, small, insignificant cut of $127 million dollars that I am talking about.

Mr. President, not only have these countries developed industrially, to a record high, but, as I pointed out, their agricultural development has increased to the point where they are reaping more bountiful harvests now than they have ever in the past. This is due almost entirely to the fact that we have been spending billions of dollars of American taxpayers' money in order to assist them. As I have stated on many occasions, I voted for the Marshall plan. I thought it was an excellent thing to do in order to put our friends on their feet, so that if the worst came, they could assist us.

However, now that they have advanced industrially and agriculturally to unprecedented heights, we are still being asked not only to assist them, but also to carry the whole load in other troubled areas of the world. There is not one dime—believe me when I say it—being spent by our Western European allies in order to assist the underprivileged peoples of Asia and the underprivileged peoples of the Near East.

Only the host countries, the countries we are assisting, are contributing. And much of their contributions is derived from counterpart funds. So far as any assistance is concerned from those of our allies in Europe who should be and actually are well able to help because of our bettering their economic life, when we go to them to ask for assistance, and knock on their door, there is nobody home. We have to carry not only, as I said, the entire worldwide military program, but also the economic aid program.

The PRESIDENT pro tempore. The time of the Senator has expired.

Mr. ELLENDER. I shall reserve 5 minutes.

Mr. KNOWLAND. Mr. President, I yield 15 minutes to the distinguished Senator from Illinois.

Mr. DIRKSEN. Mr. President, sometimes we become the victims of semantics and terminology. Long ago there were set up such categories of aid as military assistance, defense support, direct forces support, development assistance, and so forth. Had it been given to me to do, I believe I would have divided the aid program into two broad categories. One would have been economic assistance, and the other military assistance.

I make that point because what the distinguished Senator from Louisiana proposes to do in the series of amendments which are now pending and which are being considered en bloc, is to cut 3 items of defense support and 1 item of development assistance. That means that his amendments would cut defense support, which, in my judgment, is directly related to the whole military assistance program. He would cut roughly $12 million from the appropriations in four categories. One is defense support for Europe, another is defense support for the Near East and Greece and Turkey, the third is defense support for Asia, and the fourth development assistance.

With respect to defense support for Europe, the President requested $78,700,000. The authorization bill cut that amount by seven and a half million dollars. The House cut it by another seven and a half million dollars. The figure which came to the Senate committee was $15 million under the President's request. The Senate committee put back half of that, or seven and a half million dollars.

What are the facts involved with respect to defense support for Europe? Only two countries are involved. One is Spain and the other is Yugoslavia.

The Committee on Appropriations recommended $50 million for Spain, with at least half of it to be used for surplus commodities. The appropriation recommended by the committee is below the President's request so far as Yugoslavia is concerned.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I am unable to yield at this time.

Mr. ELLENDER. I know that the Senator does not want to make a misstatement.

Mr. DIRKSEN. I believe I am right in what I said.

Mr. ELLENDER. I know the Senator is wrong.

Mr. DIRKSEN. There would be left for Yugoslavia a maximum of $21,200,000 of an original request for $30 million. That amount would go for machinery and raw materials and fuel. In the original request there was an item of $20 million for cotton and for wheat. So it would be for surpluses.

If we cut defense support, we cut military assistance, because these impoverished countries have difficulty in carrying on a consistent military program over and above their economic base unless we also give them some defense support.

The Senator from Louisiana proposes to cut defense support for Europe, meaning these two countries, by 10 percent. Then he proposes to cut defense support for the Near East and Greece and Africa. The original request was for $170 million. Evidently the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs were persuaded, because in the authorization bill they honored the entire request.

The House cut the appropriation, but the Senate restored it to $170 million. Therefore the item which appears in the bill is the same item that came from the committee and the same amount which was authorized.

What are the facts about cutting defense support for the Near East and for Greece and Turkey? First, they are friendly countries. They have been in our corner and they are in a very feverish area. Let us take them one at a time.

Greece is a member of NATO. She is a member of the Balkan Pact. There is a pact among Yugoslavia, Turkey, and Greece. Are we to impair the pact and its effectiveness by reducing the defense support for an impoverished country like Greece? We get along very well with her. The present Government of Greece has been more than cooperative and favorable to the Western countries and to the United States. It has given us facilities rights in Greece. In addition to all that, the $25 million of the original authorization for Greece was earmarked for surplus commodities. We have given to Greece or will give to Greece a very substantial amount of military assistance. But how can we make military assistance effective unless some defense support is provided, so that the economy of a small rural country can sustain the military forces which are a part of NATO, a part of the Balkan Pact, and a part of the free world defense line?

I have grave doubts whether that little country could hang on without the support provided in this bill. And that goes for defense support as well as for military assistance.

The amendments of the Senator from Louisiana would also have an impact against defense support for Turkey. Our military aid for Turkey will be very substantial. We have taken pride in the fact, and the Turkish Government and people have taken pride in the fact, that they have stood in our corner. They are valliant fighting people. They sent a contingent to Korea when other nations failed to do so. Along with everything else, Mr. President, Turkey is a vital part of the so-called Baghdad Pact. We have some bases in Turkey. Turkey has a very difficult economic situation. The fevers of inflation are raging in Turkey at the present time. Shall we now undertake to cut in the very appropriation that is needed in order to sustain the economy of Turkey so that her military forces can be kept intact and made effective as a part of the entire free world?

Those are the items in the pending bill which the distinguished Senator from Louisiana proposes to cut.

Mr. President, let me allude to the defense support item for Asia. It is by far one of the largest items in the entire bill. It includes Korea, Cambodia, Laos, the Philippines, Taiwan, Thailand, and Vietnam.

All those countries are key countries in our Pacific bastion. The bulk of the assistance would go to Vietnam and to Korea. Those countries must be sustained economically if they are going to support forces that are in being.

Probably, I am not at liberty to use figures as to the number of effective troops that are on duty in Korea at the present time, or the number on duty in Vietnam. But I took a look at those countries, Mr. President, not only in 1953, but in 1955, and I know the poverty which prevails there. I know the heroic efforts they are making to hold the line of the free world at the 38th parallel in Korea and at the 17th parallel in Indochina, now referred to as South Vietnam. I think they have done a splendid job. To adopt the amendments offered by the distinguished Senator from Louisiana would, if adopted, impair the military effectiveness of those countries. I have followed through on the defense support items, and I believe they are an integral part of the whole military assistance program.

In addition to cutting defense support for Asia, the Near East, Greece, Turkey, and Europe, the Senator from Louisiana proposes also to cut the development assistance items. Those items, as is known, have been consolidated, except for the President's special fund of $100 million. It is proposed to cut that consolidated amount from $293 million to $278.7 million.

What is the purpose of the consolidated fund? It is to carry on development assistance in the Near East and Africa, in Egypt, in Israel, in Jordan, in India, in Ceylon, and in Indonesia. Then, of course, there is the Middle East contingent fund. In the Middle East we are confronted today with a Soviet chattel.

Notwithstanding the fact that there are funds in the pipeline, so to speak, notwithstanding that there are carryover funds, this has been a pretty good investment. I might even concede what the Senator from Louisiana says about certain benefits going to private individuals, but I still maintain that this has been a good investment on the part of the United States and has definitely paid off.

I listened with interest to the items the Senator mentioned a moment ago and which he raised in the committee in connection with certain dredging work being done, where some of the spoils were being put on private lands.

Mr. President, I am thinking of a program which is getting underway now for the little country of Cambodia, for the purpose of building a roadway to give them access to the Gulf of Siam. As things stand today, Cambodia has no water outlet unless it traverses the territory of Vietnam.

I should not be a bit surprised, since a long time ago I was a contractor myself, if the riparian or abutting lands should certainly receive some of the benefits. Such lands would be raised above the level of the swampy area. The land could be tilled and cultivated, and I have no doubt that their value would be somewhat enhanced. But would that be any reason for opposing that kind of a project?

So, even conceding the criticisms which have been made by the very distinguished Senator from Louisiana, to whom I pay a testimony now for his constancy, and for the fidelity of his work, the project is a good one.

I doubt whether the Senator from Louisiana missed a single hearing on any facet of the pending appropriation bill. I tried to be equally loyal in my attendance on the committee. So, between us, I think we heard most of the testimony. We are, however, in sharp disagreement on this question, as we were with respect to the cuts which he proposed in the military program.

Three of his proposed amendments go to defense support, which sustains the military effort, and the fourth amendment goes to the consolidated items of development assistance.

Mr. President, I sincerely hope that the Senate will not now embrace the amendments of my distinguished friend from Louisiana, because I think they would weaken the program and weaken the hands of the President. I hope, therefore, that by a resounding vote, the amendments will be rejected.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from Massachusetts [Mr. SALTONSTALL].

Mr. SALTONSTALL. Mr. President, I hope the amendments offered by the Senator from Louisiana [Mr. ELLENDER] will be defeated. I have the same feeling toward the Senator from Louisiana as that expressed by my colleague from Illinois [Mr. DIRKSEN]. The Senator from Louisiana is a faithful attendant at

hearings. He goes into subjects very fully, and I appreciate his opinions, but I differ with him as to what he is trying to accomplish at this time.

His first amendment would reduce the defense support for Europe by $70,175,000. The second amendment would reduce support to Greece and Turkey by $17 million. The third amendment would reduce the far eastern defense support by $38.2 million. His fourth amendment would reduce development assistance to India by $14.3 million.

We have found that the defense support item is a very important one to various countries with whom we are associated in NATO. Much of the money goes for military defense. They need development assistance and defense support in order to carry on their economic life. When we think what Spain, which is receiving $50 million of the aid to Europe, is doing for us now by way of bases and supports, it can readily be appreciated how very important defense support is.

The Yugoslavian program will be discussed later with the military.

So far as the Near East is concerned, the countries affected are Turkey, Greece, and Iran. While the figures, broken down, are secret, it can be said that the aid will go to those three countries. Most of it will go to Turkey.

When we consider what Turkey is doing today, and how much confidence we have in the Turkish military, we should think very carefully before we reduce any aid to Turkey.

Moving into Asia, in the Far East, the countries most concerned are Korea, Vietnam, and Formosa or Taiwan. We should think very carefully of what those three countries are doing. To them there should be added the Philippines and Laos. We are aiding all those countries in a military way; but because of their economic position, as we all know, particularly that of the new countries of Vietnam and Korea, defense support is as vitally important as the military aid.

Taking up the fourth amendment, which relates to development assistance, I am informed that 25 percent of that involves our agricultural surplus products. The Senator from Louisiana would cut the amount by $6,300,000, mostly from Israel, and some from Egypt, Jordan, and Lebanan.

In the Far East we are helping, through the development assistance program, to better the lives of the people, particularly by the use of American surplus agricultural products.

Lastly, the military assistance program is most important, when we consider the overall problem, especially in relation to military aid in the NATO countries and the independent countries of the freedom-loving people in the Far East.

I know that the amendments of the Senator from Louisiana are offered in good faith and are not so far-reaching as the amendments offered by him previously, but I hope, Mr. President, they will not be agreed to.

Mr. KNOWLAND. Mr. President, I yield 3 minutes to the distinguished Senator from New Jersey.

Mr. SMITH of New Jersey. Mr. President, I wish to add a word to the very able presentation made by my colleagues. As has been stated, 3 of the 4 amendments of the Senator from Louisiana relate to defense support for Europe, the Middle East, and the Far East. This defense support includes aid for Greece and Turkey, whose freedom means so much to the United States. It also includes aid for Iran, a country of great turmoil which is very important to us from the standpoint of its economic resources, especially oil.

In addition, we are providing defense support for Asia, an area of the world which is very close to my heart, because I have been there so many times and have seen the problems in those countries which are trying, to use a slang expression, to "play ball" with us and to stay with the Western Powers.

We must remember that Korea is to get $300 million for the benefit of the wonderful ROK Army, which is all that keeps South Korea and, perhaps, Japan, from being taken over by the Chinese and North Korean Communists. We cannot very well reduce our Korean support. We have a program of rehabilitation for Korea which must be followed through.

As the Senator from Massachusetts [Mr. SALTONSTALL] has said, we face problems in Formosa, where we are trying to sustain a model which will be an example to the rest of China, so far as economic development is concerned. That support is a part of the development of moral values in case trouble should occur. We shall have friends in China.

Difficult problems confront us in Vietnam, which is an ally, and where there is danger at any time of a raid from the north.

Other problems confront us in Pakistan, Laos, and Cambodia.

We also owe loyalty to the Philippines.

I wish to emphasize a matter which I think cannot be overemphasized, namely, the importance of development assistance, aid to the so-called underdeveloped countries, which is outside the realm of either military aid or defense support. These areas of the world, which are being newly developed, need to have flexibility, and we should be able to help the underdeveloped countries in their yearnings to be free, independent, and self-sustaining.

Development assistance is what I have called, in my previous remarks on the subject, the positive side of our foreign-aid program. The defensive side is military and defense support. But when we come to the positive side, we should consider what it is possible for us to do to help peoples who are seeking freedom, independence, and self-determination. If the amount in the bill is reduced, we shall be very severely limiting our resources in this field. My figures show that already these programs have been cut by 14 percent of the original administration's budget request. The amount which would be left to be appropriated after the proposed cut would be 19 percent less than the original budget request.

It seems as though we are not quite thinking through the significance of the nonmilitary aspect of the program, the uplifting and assisting of countries which are seeking freedom from exploitation from outside control and freedom from colonialism; countries which are struggling to get on their feet and achieve independence and self-determination. They are looking to us for technical and economic assistance to help them in their struggle for a democratic form of government in order to achieve those objectives which we believe mean most to the peace of the world.

I sincerely hope the amendments will be rejected. I say this with great respect for the Senator from Louisiana [Mr. ELLENDER], because I feel he is a valuable and splendid watchdog of governmental expenditures. I commend him for making his fights on the floor. However, I regret that I cannot agree with him on these particular amendments, because I feel it is very important that we preserve what we have accomplished, especially in the nonmilitary area.

Mr. KNOWLAND. Mr. President, how much time remains in opposition to the amendment?

The PRESIDING OFFICER. Seven minutes remain to the opposition.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 1873. An act to increase the minimum postal savings deposit, and for other purposes;

S. 2634. An act relating to the transportation of mail by highway post office service, and for other purposes;

S. 3616. An act to amend the Railroad Retirement Act of 1937 to provide increases in benefits and for other purposes; and

S. J. Res. 186. Joint resolution authorizing an appropriation for expenses of the Pan American games to be held in Cleveland, Ohio, in 1959.

The message also announced that the House had insisted upon its amendment to the bill (S. 1637) to extend the time limit within which awards of certain military and naval decorations may be made, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. KILDAY, Mr. DURHAM, and Mr. SHORT were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 65. An act to amend section 1 (d) of the Civil Service Retirement Act of May 29, 1930, as amended;

S. 2559. An act to provide certain basic authority for the Department of State;

S. 3116. An act to provide for the promotion and strengthening of international relations through cultural and athletic exchanges and participation in international fairs and festivals;

S. 3316. An act authorizing the Administrator of General Services to convey certain

property which has been declared surplus to the needs of the United States to the city of Roseburg, Oreg;

S. 3467. An act to authorize the conveyance of tribal lands from the Shoshone Indian Tribe and the Arapahoe Indian Tribe of the Wind River Reservation in Wyoming to the United States; and

S. 3927. An act to authorize the Secretary of the Interior to convey to Indian tribes certain federally owned buildings, improvements, or facilities on tribal lands or on lands reserved for Indian administration.

The message also announced that the House had passed the following bills of the Senate, severally with amendments, in which it requested the concurrence of the Senate:

S. 912. An act to amend the act of April 23, 1930, relating to a uniform retirement date for authorized retirements of Federal personnel, and the Foreign Service Act of 1946, as amended;

S. 2060. An act to amend the act of March 3, 1901, (31 Stat. 1449) as amended, to incorporate in the Organic Act of the National Bureau of Standards the authority to use the Working Capital Fund, and to permit certain improvements in fiscal practices;

S. 3195. An act to authorize the Administrator of General Services to convey certain lands in the State of Rhode Island to the town of North Kingstown, R. I.;

S. 3259. An act to amend the act to promote the education of the blind, approved March 3, 1879, as amended, so as to authorize wider distribution of books and other special instructional material for the blind, to increase the appropriations authorized for this purpose, and for other purposes;

S. 3391. An act to provide for the regulation of the interstate transportation of migrant farm workers;

S. 3430. An act to amend title III of the Public Health Service Act, and for other purposes;

S. 3481. An act to amend the Foreign Service Act of 1946, as amended, and for other purposes;

S. 3879. An act to supplement the antitrust laws of the United States, in order to balance the power now heavily weighted in favor of automobile manufacturers, by enabling franchise automobile dealers to bring suit in the district courts of the United States to recover compensatory damages sustained by reason of the failure of automobile manufacturers to act in good faith in complying with the terms of franchises or in terminating or not renewing franchises with their dealers; and

S. 3958. An act to improve the health of the people by assisting in increasing the number of adequately trained professional and practical nurses and professional public health personnel, assisting in the development of improved methods of care and treatment in the field of mental health, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6243) authorizing the construction of a nuclear-powered merchant ship to promote the peacetime application of atomic energy, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 9260) to amend title III of the Servicemen's Readjustment Act of 1944, as amended, and for other purposes.

The message further announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 800. An act to amend section 1201 of title 18 of the United States Code to authorize the Federal Bureau of Investigation to initiate investigation of any kidnaping in which the victim has not been released within 24 hours after his seizure;

H. R. 4847. An act to prevent discrimination against fiscal year taxpayers with respect to depletion allowance;

H. R. 6586. An act to amend section 7 of the War Claims Act of 1948, with respect to claims of certain religious organizations functioning in the Philippine Islands;

H. R. 7181. An act to provide for the designation of Mikveh Israel Cemetery, in Philadelphia, Pa., as a unit of the Independence National Historical Park;

H. R. 7728. An act to provide that the Department of the Navy shall not be required to reimburse the Reconstruction Finance Corporation for the transfer of certain real property at Columbus, Ohio;

H. R. 9874. An act to authorize Canadian vessels to be employed in the coastwise transportation of coal to Ogdensburg, N. Y.;

H. R. 10252. An act to amend the Revised Organic Act of the Virgin Islands;

H. R. 10332. An act to preserve the Key deer and other wildlife resources in the Florida Keys by the establishment of a National Key Deer Refuge in the State of Florida;

H. R. 10477. An act to prohibit the payment of pensions to persons confined in penal institutions for periods longer than 60 days;

H. R. 10478. An act to amend section 21 of the World War Veterans' Act, 1924, to provide for the disposition of certain benefits which are unpaid at the death of the intended beneficiary;

H. R. 11911. An act to authorize negotiations with respect to a compact to provide for a definition or relocation of the common boundary between Arizona and California, and for the appointment by the President of a Federal representative to the compact negotiations;

H. R. 11197. An act to provide for the retention in public ownership of certain lands around the Jim Woodruff Reservoir, Florida and Georgia, being administered by the Florida Game and Fresh Water Fish Commission;

H. R. 11571. An act to incorporate the Boys' Clubs of America;

H. R. 11833. An act to amend the Soil Conservation and Domestic Allotment Act and the Agricultural Adjustment Act of 1938 to provide for a Great Plains conservation program;

H. R. 12027. An act to authorize the city of Rock Hill, S. C., to acquire certain tribal lands on the Catawba Indian Reservation, S. C.;

H. R. 12144. An act to amend the War Claims Act of 1948, as amended;

H. J. Res. 576. Joint resolution to amend the joint resolution entitled "Joint resolution to establish a commission for the celebration of the 200th anniversary of the birth of Alexander Hamilton," approved August 20, 1954; and

H. J. Res. 676. Joint resolution to authorize the Secretary of Commerce to sell certain warbuilt vessels.

HOUSE BILLS AND JOINT RESOLUTION REFERRED OR PLACED ON CALENDAR

The following bills and joint resolution were severally read twice by their titles and referred or placed on the calendar, as indicated:

H. R. 800. An act to amend section 1201 of title 18 of the United States Code to authorize the Federal Bureau of Investigation to initiate investigation of any kidnaping in which the victim has not been released within 24 hours after his seizure;

H. R. 6586. An act to amend section 7 of the War Claims Act of 1948, with respect to claims of certain religious organizations functioning in the Philippine Islands;

H. R. 11911. An act to authorize negotiations with respect to a compact to provide for a definition or relocation of the common boundary between Arizona and California, and for the appointment by the President of a Federal representative to the compact negotiations;

H. R. 12144. An act to amend the War Claims Act of 1948, as amended; and

H. J. Res. 576. Joint resolution to amend the joint resolution entitled "Joint resolution to establish a commission for the celebration of the 200th anniversary of the birth of Alexander Hamilton," approved August 20, 1954; to the Committee on the Judiciary.

H. R. 4847. An act to prevent discrimination against fiscal year taxpayers with respect to depletion allowance;

H. R. 10477. An act to prohibit the payment of pensions to persons confined in penal institutions for periods longer than 60 days; and

H. R. 10478. An act to amend section 21 of the World War Veterans' Act, 1924, to provide for the disposition of certain benefits which are unpaid at the death of the intended beneficiary; to the Committee on Finance.

H. R. 7181. An act to provide for the designation of Mikveh Cemetery, in Philadelphia, Pa., as a unit of the Independence National Historical Park;

H. R. 10252. An act to amend the Revised Organic Act of the Virgin Islands;

H. R. 12027. An act to authorize the city of Rock Hill, S. C., to acquire certain tribal lands on the Catawba Indian Reservation, S. C.; to the Committee on Interior and Insular Affairs.

H. R. 7728. An act to provide that the Department of the Navy shall not be required to reimburse the Reconstruction Finance Corporation for the transfer of certain real property at Columbus, Ohio; to the Committee on Government Operations.

H. R. 9874. An act to authorize Canadian vessels to be employed in the coastwise transportation of coal to Ogdensburg, N. Y.; placed on the calendar.

H. R. 10332. An act to preserve the Key deer and other wildlife resources in the Florida Keys by the establishment of a National Key Deer Refuge in the State of Florida; and

H. R. 11197. An act to provide for the retention in public ownership of certain lands around the Jim Woodruff Reservoir, Fla. and Ga., being administered by the Florida Game and Fresh Water Fish Commission; to the Committee on Interstate and Foreign Commerce.

H. R. 11833. An act to amend the Soil Conservation and Domestic Allotment Act and the Agricultural Adjustment Act of 1938 to provide for a Great Plains conservation program; to the Committee on Agriculture and Forestry.

MUTUAL SECURITY APPROPRIATIONS, 1957

The Senate resumed the consideration of the bill (H. R. 12130) making appropriations for Mutual Security for the fiscal year ending June 30, 1957, and for other purposes.

Mr. KNOWLAND. Mr. President, I yield myself 5 minutes, or as much thereof as I may need.

I also pay my tribute to the distinguished Senator from Louisiana [Mr. ELLENDER], because he has been a diligent member of the Committee on Appropriations. I have been privileged to

serve with him on that committee for a great many years. He is chairman of the Subcommittee on Civil Functions for the Department of Defense. I happen to be the ranking Republican member of that subcommittee. From time to time the Senator from Louisiana and I have alternated as chairman of the subcommittee. But we have been able to work together in bipartisan cooperation for the good of the great public-works projects of the Nation.

I must respectfully differ with the distinguished Senator from Louisiana in regard to his amendments. I hope they will be rejected by the Senate.

It so happens that, in particular, the defense-support amendment of the Senator from Louisiana strikes at some of our major allies, the ones who have stood up and have been counted when the going was very rough. They include the little Republic of Korea, which, during the Korean war, supplied more than 500,000 troops, or approximately the equivalent of the number the United States had in Korea at the time. Korea suffered very heavily in casualties inflicted upon both the military and civilian population.

The reductions proposed by the amendments would strike very heavily at the Republic of China on Formosa, a country which is also on the frontline in the Far East.

I pointed out the other evening—and I reiterate my statement today—that actually in Korea there is not peace in any real sense of the word; there is in operation only a cease-fire agreement. At the present time, across the narrow cease-fire line, it is estimated that there are some 800,000 North Korean Communists and Chinese Communists. They are there in violation of the terms of the Korean armistice. At the time of the signing of the armistice, there was not a single usable airfield in North Korea. The North Koreans have now built a large number of fields and, contrary to the armistice, have brought jet planes to be operated from those fields. They have brought in a great deal of military equipment, according to all the information available to our own command and the United Nations command in Korea.

While at the present time there is only occasional firing across the Formosa channel from the mainland to the offshore islands of Quemoy and Matsu, nevertheless it goes on, and hardly a week passes when we do not read of some activity by the Communists in that area of the world. Within the past few days there was aerial activity over the island of Formosa, in which four Communist planes were shot down by planes of the Republic of China.

We know, as a result of reports from that area, that along the line from Shanghai to Canton the Communists have built up, for whatever purpose they may desire to use them, a whole series of advance airstrips. It is true that up to the present time they have not moved to those fields great numbers of airplanes, but the fields are there. They are forward bases. Planes could be moved to them overnight and be in a position to strike against the island of Formosa or the offshore islands.

As the distinguished Senators from Massachusetts, New Jersey, and Illinois have pointed out, in Southeast Asia we have some friends who are associated with us in the Southeast Asian Pact. They include the Republic of the Philippines, with whom we have had long and close relationships over the years, under the able leadership of President Magsaysay.

We have in Thailand a stout nation, which, during the Korean conflict, was the only nation on the continent of Asia, as distinguished from island nations such as the Republic of the Philippines, which sent forces to resist Communist aggression in Korea. They would be adversely affected by the amendments offered by the Senator from Louisiana.

In Vietnam there is a new republic under the leadership of President Diem. President Diem has had a most difficult problem. He took over a country which was divided as a result of the Geneva armistice. When the French left, they did not, as the United States did in the case of the Philippines and as the British did in the case of India and Pakistan, leave a trained civil force. So, in addition to facing the forces of Ho Chi Minh, he was faced with the problem of building up the whole civilian structure. He has made material progress in the intervening months. Recently, the people of Vietnam, by election, set in motion a constitutional assembly and the orderly operation of a constitutional government.

The PRESIDENT pro tempore. The time of the Senator from California has expired.

Mr. KNOWLAND. I yield to myself 1 additional minute.

Furthermore, as we consider countries across the world, the amendments of the Senator from Louisiana would adversely affect Pakistan, which is the anchor of the Baghdad Pact, and the northern tier of states facing the Soviet Union.

The United States has had no stouter ally than Turkey, which sent to Korea, during the operations there, the largest contingent of forces, outside those of the United States and of Southern Korea, of any individual country.

I include in our consideration the country of Iran, whose Shah has recently been to the Soviet Union. Despite the pleadings, and perhaps the veiled intimidations of dire consequences if he did not denounce the Baghdad Pact and his association with this country and the free world, he made it very clear that the pact was purely defensive in character, and that he did not intend to leave his country at the mercy of possible aggression.

The countries I have named would be harmed by the adoption of the amendments of the Senator from Louisiana.

The PRESIDENT pro tempore. The time of the Senator from California has again expired.

Mr. KNOWLAND. I yield myself the remaining time, one-half minute.

In those countries we support military establishments larger than their own economies could support. I submit that if those forces were not in being, instead of permitting the United States to maintain our Armed Forces on a reduced scale, we would be compelled to maintain larger forces.

Mr. THYE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. THYE. Time will not permit me to make a statement. Therefore I should like to associate myself with the distinguished minority leader and other Senators on this side of the aisle who have spoken in opposition to the amendments of the Senator from Louisiana. I think it would be a mistake to agree to the amendments.

The PRESIDENT pro tempore. All time in opposition to the amendments has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the Senator from Oklahoma [Mr. MONRONEY], and then I shall yield 5 minutes to the Senator from Louisiana [Mr. ELLENDER].

MR. STASSEN'S SUPPORT OF GOVERNOR HERTER AS REPUBLICAN VICE PRESIDENTIAL CANDIDATE

Mr. MONRONEY. Mr. President, I was much interested in the declaration yesterday by Harold Stassen of his support for Gov. Chris Herter, of Massachusetts to be the Republican candidate for Vice President.

Today it appears that Mr. Stassen, the Republican Administrator for Peace and Disarmament, will have lots of homework on peace and disarmament cut out for himself.

This exercise of freedom of speech and freedom of choice of elected officials apparently does not extend to the President's official family.

Scarcely had Governor Stassen's word of support for Governor Herter hit the newswires before "President" Hagerty issued a ukase for President Eisenhower to the extent that Governor Stassen "could not make such a statement as a member of the President's official family."

This was apparently done without even consulting "President" Adams regarding the declaration of internal war upon the Administrator for Peace and Disarmament.

President Eisenhower, according to the morning TV broadcast, backed up his loyal palace guard, however, in pantomime, on his arrival here by plane from Panama early this morning.

Peace and Disarmament Administrator Stassen got just a short, quick, and jerky handshake, according to the TV, while Vice President NIXON, clearly in favor with President Eisenhower, got several minutes of private personal conversation.

Is it not wonderful to have such a team and such an Executive that words are not longer necessary from the Chief—but we do it now in gestures, and thus the favor of the Chief and/or the disfavor of the Administrator for Peace and Disarmament can be conveyed to the loyal subjects, and maybe, sometime in the distant future, by the President himself to the press.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. DOUGLAS. What would the Senator from Oklahoma say about prospects for peace and disarmament inside the Republican Party?

Mr. MONRONEY. I think it is a full-time job and will require more than a 40-hour week.

MUTUAL SECURITY APPROPRIATIONS, 1957

The Senate resumed the consideration of the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I yield 5 minutes to the Senator from Louisiana on the bill.

Mr. ELLENDER. I may need more time.

Mr. JOHNSON of Texas. I shall yield the Senator whatever time he needs. I have yielded him 5 minutes. If he needs more time, I shall yield him additional time.

Mr. ELLENDER. Mr. President, of course, I appreciate very much the compliments paid me by the distinguished Senator from California and the distinguished Senator from Illinois. I return those compliments, for I think highly of both of these distinguished gentlemen, but I would feel even more affection for them if they could see this question my way. They have been in the Appropriations Committee. They have heard the testimony of our ambitious planners.

Mr. President, I say my amendments would in no way affect this program except to reduce the amount of money which we are being asked to appropriate for economic aid. But the important thing is that these reductions need not affect the program. As I have already pointed out, within the next 2 or 3 days we shall be called upon to provide an additional authorization of $1½ billion to sell our surplus agricultural commodities under Public Law 480, the so-called Surplus Disposal Act. This program has worked very well, particularly this year, in providing extra doses of economic aid—the so-called defense support, as it is labeled in the mutual-security program. Incidentally, Mr. President, let us not be misled by the term "defense support," because "defense support" is simply and solely a fancy name for economic aid. That is all it means. It does not mean that ammunition, weapons or any similar items, such as oil, gasoline, and so on, is made available to recipient nations; defense support is economic aid of the same variety as we poured into Europe under the Marshall plan. It is only another name for economic aid; that is all it is.

Let me say in passing that I understand that my good friend, the Senator from California, is going to submit an amendment to take away from Yugoslavia the amount which it would receive under the bill as it now stands. My amendment would cut only a measly 10 percent from the amount which Yugoslavia would get under the bill, in economic aid.

Let us consider again the surplus-disposal program under Public Law 480 to which I alluded a moment ago. During the 1956 fiscal year, Yugoslavia got by and under Public Law 480 a total of $51 million in military aid. She got also $9 million in economic aid, that is, out of money paid us for surplus commodities, and then loaned back to Yugoslavia on liberal terms. In addition, she received under the Mutual Security Act, substantial amounts for military aid, plus additional grant assistance for defense support. The same has been true of other nations. For example, no one has stated as I tried to do, in correcting my good friend, the Senator from Illinois—that we still have in the pipeline for Western Europe and countries other than Spain and Yugoslavia $100 million in unexpended funds—money that is left over from earlier appropriations and which is earmarked for France, Britain, Norway and other nations of that area. It is there; and, as I said last week, until it is actually used, it can be transferred to other areas which may need it more.

It is my proposal that we cut 10 percent from the funds in this bill for economic aid. If extra money is needed for Spain or Turkey or other deserving countries, it can be obtained in two ways—first, by transferring unexpended balances from France and other healthy West European countries to needy areas, or by using Public Law 480, by selling surplus commodities abroad and then lending the proceeds, or large portions thereof, to these countries. There is no reason why this could not be done, thus saving our taxpayers money.

Of course, our eager planners say they want dollars. They say that some of these countries cannot use surplus commodities. This year, the authorizing legislation requires that only $250 million of MSA funds be spent for surplus agricultural commodities. Last year the minimum was $300 million; in 1954 it was $350 million.

Our planners state that during the 1956 fiscal year they were able to spend $350 million for surplus commodities only by arranging so-called triangular transactions. They testified this year—with almost tears in their eyes—that $250 million was the very most they would be able to move under section 402.

Mr. President, the record is clear that even while our ICA missions claimed they were having difficulty moving surplus commodities under the mutual security program last year, a number of nations now receiving aid benefits were supplementing their section 402 grants under the Mutual Security Act with Public Law 480 purchases.

Yugoslavia is a good example. In fiscal 1956 we supplied $25 million in surplus agricultural commodities to Yugoslavia under section 402 of the Mutual Security Act. In addition, Yugoslavia bought $71.1 million in surplus agricultural commodities under Public Law 480.

What did we do with the Yugoslavian currency we received for these Public Law 480 sales, Mr. President? Here is what we did with it.

We spent $300,000 for market development within Yugoslavia, and we used $10.9 million to help pay United States obligations in that country. The remainder—nearly $60 million—was used to procure military hardware for Yugoslavia and for economic assistance loans to Yugoslavia. These items were $50.9 million and $9 million, respectively.

All I am suggesting, Mr. President, is that we reduce the economic aid items in this bill by a total of $126 million, and let this amount be supplied by transfers of unexpended balances from other, less-deserving areas, such as Western Europe, or by loans under Public Law 480. If more defense support or development assistance is required, it can be obtained from these sources, and our taxpayers and our farmers will be benefited, as well.

Mr. President, when we speak of defense support—and it has been referred to by Senators on the other side of the aisle—one would imagine that the money for defense support would be used to buy implements of war—rifles, ammunition, and so forth—or to procure clothing for troops, lubricating oils, gasoline, or similar items. However, defense support money is not used to purchase such things at all. Defense support is just another name for economic aid; that is all it is.

In addition to the amounts in this bill for defense support and development assistance, both of which are economic aid—and I repeat this now, in the hope that more Senators are now on the floor than when I began my remarks—the President will have $1,500,000 worth of surplus agricultural commodities to sell, barter, or even give away under Public Law 480, the Surplus Disposal Act of 1954.

Mr. DOUGLAS. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield for a question.

Mr. DOUGLAS. Is the Senator from Louisiana sure that the money expended under the heading "Defense support" will not go for implements of war?

Mr. ELLENDER. I am positive of it. In other words, defense support is just another name for economic aid. As the Senator from Illinois remembers, such assistance was originally called economic aid—that was before the era of fancy names. But Congress soon began to take a dim view of huge amounts for economic aid, so the men on the Washington level thought of other names, to take the place of economic aid. They began to call it defense support and development assistance. All of it is economic aid—it is the same old scheme in a brand new suit, that is all. It is used for the same purposes that the direct economic aid was used for in prior years, such as under the Marshall plan. I can assure the Senator from Illinois of that.

As I have said, this money will simply be used for such things as the purchase of nonmilitary goods—it may be flour, it may be cooking oil, or it may be some other commodity. We buy these items with dollars and give them to the host government which can sell these materials to its own people. These proceeds are counterpart funds. They are obtained by converting the goods, which we give recipient countries, into local currency. These counterpart funds are used to provide work, to build dams, and

even as local government contributions to programs which our Washington planners say are "cooperative undertakings."

The PRESIDENT pro tempore. The time of the Senator from Louisiana has expired.

Mr. ELLENDER. Mr. President, will the Senator from Texas yield to me 5 minutes on the bill?

Mr. JOHNSON of Texas. Mr. President, I yield 5 minutes on the bill to the Senator from Louisiana.

The PRESIDENT pro tempore. The Senator from Louisiana is recognized for 5 minutes on the bill.

Mr. ELLENDER. I thank the Senator from Texas.

Mr. President, the Senator from Illinois does not have to take my word for the definition of defense support. I now read from the hearings on this bill:

> Defense support is economic or nonmilitary assistance.

That is the testimony of Mr. Hollister, appearing on page 33 of the hearings on mutual security appropriations for 1957.

My good friend, the Senator from Illinois, seems to think that if my amendment is adopted, it will hurt the military program that is being carried on. However, that is simply not the case.

Mr. SALTONSTALL. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. SALTONSTALL. In further answer to the question asked by the Senator from Illinois, I suggest that he examine page 4 of the committee report, at the bottom of the page, which deals with the matter to which the Senator from Illinois has referred. The actual details can be obtained from the chairman of the committee, who has the details, but they are classified. Every Senator can look at them, but they cannot be made a part of the public record.

Mr. DOUGLAS. Does the Senator from Massachusetts propose to make an incorrect statement, then? In that connection, let me point out that on page 33 of the hearings, we find the statement:

> Defense support is economic or nonmilitary assistance.

So did the man in charge of the ICA make an error in that respect?

Mr. SALTONSTALL. No. As I understand, it is nonmilitary assistance in the form of items which bolster up a government which is devoting more than it should, from its ordinary economy, to military purposes.

Mr. ELLENDER. Mr. President, I wish to make another correction. The Senator from Massachusetts knows that we have in this bill an item called direct forces support. That amount, which is for the purchase of oil, gasoline, and similar items, is lumped with the money for the purchase of weapons under the general heading of military assistance.

Mr. SALTONSTALL. That is correct.

Mr. ELLENDER. Defense support is purely and simply economic aid.

Mr. SALTONSTALL. That is correct; I agree.

Mr. ELLENDER. It is just another name for the kind of aid we gave Europe under the Marshall plan. As I have stated, the funds are used within the particular country, to enable it to carry on projects similar to those I described a moment ago. They are also used to supplement local government budgets; that kind of aid is called "budgetary support," another fancy name.

As I have stated, out of the $1,500,000,000 that the President had available under Public Law 480 to dispose of surplus agricultural commodities, the total amount programmed for the 1956 fiscal year—just 1 year; and, Mr. President, mind you, that program has been on the statute books since 1954—was over $681,100,000. As Senators know, those surplus commodities are sold to the various countries, and are paid for by them with their own funds. Of this $681 million, $356 million was loaned back to the purchasing countries on easy, long-term credit, for economic development. It was put into their treasuries, and then used in order to carry on the same kind of work that was done when economic aid was first placed on the statute books, and which is now done under mutual-security appropriations for defense support or development assistance.

As I have said, Mr. President, calling economic aid by fancy names is another way of—I will not say another way of fooling the people, because I believe the people know about it now—but it is just another way of taking the sting out of our extending huge amounts of economic aid.

Senators know that the term "economic aid" has fallen into somewhat disrepute. When our people discover that we are being called upon to spend large sums for economic aid they get rather mad about it, because, as I have pointed out on this floor, we have spent many, many billions of dollars in order to assist our Western European allies to progress to the point where, we felt, they could assist us in other areas. The plan has not worked that way. When we ask them for a little help in carrying the free world's burdens, they refuse to help. They talk "poor mouth" and want more United States money themselves.

Let me tell the Senators now present that if this amendment is adopted, we shall save, in cash, $126 million; we shall force the President and his advisers to use more surplus agricultural commodities to replace this amount. That is what will happen.

I am sure the Senator from Minnesota [Mr. THYE] would like to see more surplus milk sold; and I am sure that all Senators from the wheat-producing States would like to see more surplus wheat sold. This is their opportunity to vote for a program which will force the President to use our surplus agricultural commodities in order to carry on the economic development about which we are speaking.

Mr. THYE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. THYE. Of course, I should like to see our surplus commodities sent abroad; but I do not wish to jeopardize either Greece or Turkey, or the Far East at this time, when we are in such a critical situation diplomatically throughout the world as we endeavor to maintain peace. Therefore, I disagree with the amendments; but, I agree that we should do everything to barter off our surplus. With respect to the amendments of my good friend from Louisiana, I disagree with him.

Mr. ELLENDER. With respect to Turkey, last year Turkey bought $15.5 million of surplus commodities under Public Law 480. I would encourage that, and so would the Senator.

Mr. THYE. So would I.

Mr. ELLENDER. But we shall never encourage it if we continue to give cash to Turkey, and let her buy whatever she wants, other than surplus agricultural commodities.

The PRESIDENT pro tempore. The time of the Senator from Louisiana has expired.

Mr. KNOWLAND. Mr. President, has all time expired?

The PRESIDENT pro tempore. All time has expired.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, has all time expired on the amendment of the Senator from Louisiana?

The PRESIDENT pro tempore. All time has expired.

Mr. JOHNSON of Texas. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDENT pro tempore. The question is on agreeing en bloc to the four amendments offered by the Senator from Louisiana [Mr. ELLENDER]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL] and the Senator from Texas [Mr. SMATHERS] are absent on official business.

I further announce that, if present and voting, the Senator from Texas [Mr. DANIEL] and the Senator from Texas [Mr. SMATHERS] would each vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The Senator from Ohio [Mr. BRICKER] and the Senator from Arizona [Mr. GOLDWATER] are detained on official business.

The Senator from Idaho [Mr. WELKER] is necessarily absent.

If present and voting, the Senator from Idaho [Mr. WELKER] would vote "yea."

The result was announced—yeas 36, nays 54, as follows:

YEAS—36

Anderson	Clements	Fulbright
Barrett	Curtis	Hruska
Bible	Dworshak	Jenner
Byrd	Eastland	Johnston, S. C.
Capehart	Ellender	Kerr
Case, S. Dak.	Ervin	Langer
Chavez	Frear	Long

Magnuson	Monroney	Stennis
Malone	Mundt	Symington
Mansfield	O'Mahoney	Williams
McCarthy	Robertson	Wofford
McClellan	Russell	Young

NAYS—54

Aiken	Hennings	McNamara
Allott	Hickenlooper	Millikin
Beall	Hill	Morse
Bender	Holland	Murray
Bennett	Humphrey, Minn.	Neely
Bridges	Humphreys, Ky.	Neuberger
Bush	Ives	Pastore
Butler	Jackson	Payne
Carlson	Johnson, Tex.	Purtell
Case, N. J.	Kefauver	Saltonstall
Cotton	Kennedy	Schoeppel
Dirksen	Knowland	Scott
Douglas	Kuchel	Smith, Maine
Duff	Laird	Smith, N. J.
Flanders	Lehman	Sparkman
George	Martin, Iowa	Thye
Gore	Martin, Pa.	Watkins
Green	McCarthy	Wiley
Hayden	McClellan	

NOT VOTING—6

Bricker	Goldwater	Smathers
Daniel	Potter	Welker

So Mr. ELLENDER's amendments were rejected.

ORDER FOR RECESS TO 10:30 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stands in recess until 10:30 a. m. tomorrow.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

SUPPLEMENTAL APPROPRIATIONS—AUTHORIZATION TO RECEIVE MESSAGE FROM THE HOUSE, REFER BILL TO COMMITTEE, AND REPORT BILL TO THE SENATE

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that notwithstanding the recess of the Senate today, the Secretary be authorized to receive a message from the House on H. R. 12350, the second supplemental appropriation bill, that it be referred to the Committee on Appropriations, and that said committee be authorized to report the same to the Senate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MUTUAL SECURITY APPROPRIATIONS, 1957

The Senate resumed the consideration of the bill (H. R. 12130) making appropriations for Mutual Security for the fiscal year ending June 30, 1957, and for other purposes.

The VICE PRESIDENT. Under the order of the Senate previously entered, the question is on agreeing, en bloc, to the committee amendments beginning on page 2, line 16, through page 3, line 7.

Mr. RUSSELL. Mr. President, may we have the yeas and nays on the adoption of the committee amendments?

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL], the Senator from Kentucky [Mr. HUMPHREYS], the Senator from West Virginia [Mr. NEELY], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

On this vote, the Senator from Texas [Mr. DANIEL] is paired with the Senator from Kentucky [Mr. HUMPHREYS]. If present and voting, the Senator from Texas would vote "nay," and the Senator from Kentucky would vote "yea."

The Senator from West Virginia [Mr. NEELY] is paired with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from West Virginia would vote "yea," and the Senator from Florida would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The Senator from Idaho [Mr. WELKER] is necessarily absent.

If present and voting, the Senator from Idaho [Mr. WELKER] would vote "nay."

The result was announced—yeas 57, nays 33, as follows:

YEAS—57

Aiken	Hayden	Millikin
Allott	Hennings	Morse
Beall	Hickenlooper	Mundt
Bender	Holland	Murray
Bennett	Humphrey, Minn.	Neuberger
Bridges	Ives	Pastore
Bush	Jackson	Payne
Butler	Johnson, Tex.	Purtell
Carlson	Kefauver	Saltonstall
Case, N. J.	Kennedy	Schoeppel
Clements	Knowland	Scott
Cotton	Kuchel	Smith, Maine
Dirksen	Laird	Smith, N. J.
Douglas	Lehman	Sparkman
Duff	Mansfield	Symington
Flanders	Martin, Iowa	Thye
Fulbright	Martin, Pa.	Watkins
George	McCarthy	Wiley
Gore	McClellan	
Green	McNamara	

NAYS—33

Anderson	Ellender	Magnuson
Barrett	Ervin	Malone
Bible	Frear	McClellan
Bricker	Goldwater	Monroney
Byrd	Hill	O'Mahoney
Capehart	Hruska	Robertson
Case, S. Dak.	Jenner	Russell
Chavez	Johnston, S. C.	Stennis
Curtis	Kerr	Williams
Dworshak	Langer	Wofford
Eastland	Long	Young

NOT VOTING—6

Daniel	Neely	Welker
Humphreys, Ky.	Potter	
	Smathers	

So the designated committee amendments were agreed to, en bloc.

On page 2, at the beginning of line 16, to strike out "$63,700,000" and insert "$71,200,000"; in the same line, after the amendment just above stated, to insert a colon and "*Provided*, That at least $50,000,000 on a grant basis shall be available for Spain, exclusive of interregional expenses: *Provided further*, That not less than one-half of the amount available for Spain shall be used for agricultural commodities"; in line 21, after the name "Africa", to strike out "$165,000,000" and insert "$170,000,000"; in line 22, after the name "Asia", to strike out "$865,000,000" and insert "$882,000,000"; in line 23, after the name "Latin America", to strike out "$35,000,000" and insert "$52,000,000"; in the same line, after the amendment just above stated, to insert "of which $15,000,000 shall remain available until June 30, 1958"; and at the top of page 3, to strike out "of which not less than $15,000,000 shall be used for assistance to Guatemala."

On page 3, line 4, after "201 (c)", to strike out "for the Near East and Africa in accordance with section 201 (a) (1), $60,000,000, and for Asia in accordance with section 201 (a) (2), $70,000,000" and insert "$293,000,000", and in line 7, after the amendment just above stated, to insert "to remain available until June 30, 1958."

Mr. HUMPHREY of Minnesota. Mr. President, at the time the unanimous consent agreement was reached, I indicated that I intended to propose an amendment on page 5 of the committee bill, lines 6 and 7, to restore the language which was stricken. The language related to the special authorization for the Middle East and Africa and to assistance authorized by section 420, up to $100 million.

In talking with the chairman of the Committee on Appropriations and with counsel for the committee, I have learned that the sum of $100 million was incorporated in the total amount indicated on page 3, under the subheading, "Development Assistance." The total figure there is $293,000,000, and includes several other items besides the $100 million.

Therefore, since the Near East and Africa fund, which was requested in the mutual-security authorization bill, has been taken care of under the language "Development Assistance," I shall not call up my amendment.

CIVIL RIGHTS

Mr. DOUGLAS. Mr. President, I ask unanimous consent, out of order, to submit a resolution for myself, the senior Senator from Missouri [Mr. HENNINGS], and the junior Senator from New York [Mr. LEHMAN], namely:

The Committee on the Judiciary be, and it is hereby, discharged from the further consideration of the bill, H. R. 627, to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

I also ask that the text of the resolution be printed at this point in the RECORD.

The VICE PRESIDENT. Is there objection?

Mr. RUSSELL. Mr. President, reserving the right to object, I do not know what time the Senator from Illinois had in which to present his request; but certainly time is available to object. I find this proposal just as obnoxious as it was about an hour ago, if not more so. I object.

Mr. KNOWLAND. Mr. President, for myself, the Senator from New Hampshire [Mr. BRIDGES], and the Senator from Maine [Mrs. SMITH], I call up the amendment designated "7-18-56-A," and ask that it be read.

The VICE PRESIDENT. Before ordering the amendment offered by the Senator from California to be read, the Chair will put the question on the committee amendment to which the Senator from Minnesota [Mr. HUMPHREY] referred, which appears on page 5, lines 6 and 7.

Mr. HUMPHREY of Minnesota. Mr. President, before that is done, if I may back up a bit, since I have time available, I should like to introduce, out of order, and in my own time, a bill for appropriate reference.

The VICE PRESIDENT. The bill will be received and appropriately referred.

Mr. RUSSELL. Mr. President, Mr. President——

The VICE PRESIDENT. The Senator from Georgia.

Mr. RUSSELL. I stand upon my rights as a Senator to hear the title of the bill read before I will consent to its introduction. Bills can be introduced only by unanimous consent.

Mr. HUMPHREY of Minnesota. Mr. President, I assure my colleagues that this proposed bill would in no way upset the orderly procedure of the Senate.

The bill relates to Indian affairs, and is a companion to a House bill introduced by Representative MARSHALL, of Minnesota, to promote the welfare of the American Indian citizens of Minnesota, and to establish a Minnesota Indian Commission.

Mr. RUSSELL. I congratulate the Senator from Minnesota upon his statement, and I commend him for it. I have no objection.

Mr. DOUGLAS. Mr. President, reserving the right to object, I may say that if objection is to be made to any proposal to discharge the Committee on the Judiciary from the consideration of the question of civil rights, so that the Senate may have a vote on that measure, and if resort is to be made to every technicality so as to prevent the Senate from registering its opinion in this matter, then two can play at that game as well as one.

Mr. HUMPHREY of Minnesota. Mr. President, I withdraw my bill.

The VICE PRESIDENT. Objection is heard.

Without objection, the committee amendment on page 5, lines 6 and 7, is agreed to.

Mr. KNOWLAND. Mr. President, I call up the amendment designated "7–18–56–A," which I offer for myself and on behalf of the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Maine [Mrs. SMITH], and ask that it be read.

The VICE PRESIDENT. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 2, line 13, before the semicolon it is proposed to insert a colon and the following: *"Provided*, That none of the funds made available for military assistance under this act, and none of the funds made available for military assistance under any prior act and remaining unexpended, shall be used to furnish military equipment to Yugoslavia except for maintenance of equipment heretofore furnished or to provide spare parts for replacement purposes."

Mr. THYE. Mr. President——

Mr. KNOWLAND. I have not yielded the floor. I desire to make a brief preliminary statement, if it be agreeable to the Senator from Minnesota.

Mr. THYE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Minnesota will state it.

Mr. THYE. Who controls the time?

The VICE PRESIDENT. The Senator from California controls the time of the proponents of the amendment; the time of the opposition is in control of the majority leader.

The Chair recognizes the Senator from California.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. As I understand, the proponent of the amendment controls the time in behalf of the amendment. The majority leader controls the time in the event he is opposed to the amendment. In the event he favors the amendment, the time is controlled by the minority leader.

Since the majority leader favors the amendment, we are left in a situation in which the minority leader would control the time on both sides.

Mr. KNOWLAND. I was about to make a statement with respect to that situation. In the first place, I have moved from the minority leader's seat to a seat in the rear of the Chamber, so as to make it clear that on this amendment I do not speak for the administration. I yield such time as would be controlled by me as the minority leader under the unanimous-consent agreement to the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL] who now occupies the minority leader's seat.

Mr. President, the Senator from Maryland [Mr. BUTLER] asked to be included as one of the cosponsors of the amendment, together with the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Maine [Mrs. SMITH].

I yield myself 10 minutes, or so much of that time as may be necessary, from the time of the proponents of the amendment, to make a preliminary statement.

I wish to make it perfectly clear that I have moved to a seat in the rear of the Chamber so that no one will be under any misconception that this amendment is offered on behalf of the administration. The Department of State and the administration are opposed to the amendment. I do not wish any Senator to vote under a misconception in that regard.

Mr. President, I think I have given more consideration to this amendment and the implication of offering it than I have given to anything else I have done in my 11 years as a Member of the Senate. I have fought on the floor for the foreign policy of the administration. I have supported the foreign policy of the Democratic administration in relation to the Greek-Turkish aid program, the mutual assistance program, the Marshall plan, and the great pacts which have been entered into both in Europe and in Asia.

I have not been unmindful of the situation which confronts me as the minority leader of the Senate in presenting the amendment. If I had not given serious, and, I may say prayerful, consideration to the subject matter, I would not be on the floor now offering the amendment.

Regardless of what may happen to the amendment, I have a deep conviction, a conviction based on principle, that the amendment is fundamentally right and should be agreed to and attached to the bill.

The Senate has engaged in considerable discussion of the Yugoslavian situation. During the consideration of the mutual security authorization bill, an amendment was offered which would have cut off technical assistance, military assistance, and all other types of assistance to Yugoslavia. That proposed amendment to the authorization bill was rejected.

Other amendments have been offered which would cut off all aid under the appropriation bill. The amendment now under consideration does not go that far.

The amendment was offered in the Committee on Appropriations and was defeated by a vote of only 11 to 10, with 2 Senators not voting at that time. One was absent, and one abstained from voting, as was his right.

What does the amendment do? It provides:

> That none of the funds made available for military assistance under this act, and none of the funds made available for military assistance under any prior act and remaining unexpended, shall be used to furnish military equipment to Yugoslavia except for maintenance of equipment heretofore furnished or to provide spare parts for replacement purposes.

In other words, it does not affect economic aid. It does not affect the supplying of a carburetor or a replacement part or a part needed for maintenance of the equipment which we may have, for better or worse, supplied to Yugoslavia heretofore.

Mr. President, we have been very generous to Yugoslavia. Since the Korean war, and only since the Korean war, we have sent approximately $500 million in foreign grants and credits to Yugoslavia.

What has been the change in the situation since the Senate of the United States last acted on an appropriation bill dealing with mutual aid? What has happened is that Dictator Tito of Yugoslavia has made a visit to Moscow, and there he said publicly—and it has been printed in the Soviet press and in the press of the free world—that he had come to a general agreement with the men of the Kremlin and would march side by side with them in peace and war.

When he returned to the outside of the Soviet borders and realized the impact his statements had upon American public opinion and opinion in the free world, an attempt was made to explain the statements away; but I submit they are there for anyone to read who desires to read, and the only implication can be that Tito has at least gotten in bed with the leaders of the Kremlin to that extent.

During the previous time in which we had given aid to Yugoslavia, there at least could be made the argument that here was a Communist country—undoubtedly so; a Marxist Communist country—but it had broken with the Kremlin and it was in danger of attack by the Soviet Union or its satellite states, and therefore we as the Congress of the United States were asked to take a calculated risk, even though it was assistance to a Communist dictatorship, to prevent that country which had broken with the Kremlin from a doctrinaire point of view, from being overrun by the men of the Kremlin in the Soviet Union.

Upon that basis, a valid argument could be made that, despite the Communist background of Yugoslavia, we would be justified in supplying military equipment to her. But, Mr. President, when Tito visited the Kremlin and issued the statements he did, it seems to me we were presented with an entirely different situation.

We have been generous to nations throughout the world. We have supplied more than $50 billion to build a system of collective security. For what purpose? For the purpose of assisting the free world maintain its freedom, because we recognize there can be no compromise between tyranny and freedom. It was for the purpose of assisting the free world to maintain a free world of freemen.

Mr. President, as I have said, when Tito goes to the Kremlin and makes his bed with the men in the Kremlin, then an entirely different situation confronts us, as contrasted with that which previously prevailed. Tito has publicly gone on record as being opposed to the collective defense systems which we have built in Asia and in Europe, and has taken a position directly contrary to the foreign policy we have been asked time and time again to support. Within the past week or two Tito has again come out publicly, along with certain of the other neutralist and Soviet powers, and said he favors the admission of Communist China into the United Nations, though the public policy of this country, which was ratified by a unanimous vote of the House and the Senate within the past few days, sets forth that the admission of Red China would be detrimental to our interests and the interests of the United Nations, because it would undermine the moral position of the United Nations. Yet Tito is going around the world attempting to gain votes in the General Assembly of the United Nations to admit Communist China into that organization.

Mr. President, he has time and again publicly backed up the demands of Mao Tse-tung and Chou En-lai, and said that, in his opinion, the island of Formosa should be turned over to the Chinese Communists. This would mean, as all freemen know, that 9½ million Chinese would be liquidated and forthwith disposed of by the ruthless men in Peking who are working hand in hand with the Kremlin.

Under all the circumstances, I for one, in good conscience, cannot vote to supply new military equipment to Yugoslavia. Tito apparently does not need it to guard himself from the Kremlin, because he has made his peace with the Kremlin. We certainly are not going to attack him, because we have only the friendliest feeling for the people of Yugoslavia.

Mr. President, I have heard the argument made that Tito had jeopardized his life in order to break away from the Kremlin at the time it was under the control of Stalin. My answer to that argument is that he may have jeopardized his life, but I recall that Mihailovich gave his life in order to try to maintain freedom in Yugoslavia.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KNOWLAND. I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from California is recognized for 2 additional minutes.

Mr. KNOWLAND. Mr. President, what will be the effect of sending arms to Yugoslavia under the situation which now exists? It will permit Tito to continue to prevent the people of Yugoslavia from ever getting their freedom, because it will put such power into the hands of the Communist dictator that the people will never be able to throw off the yoke of the oppressor.

Secondly, what will be the effect on the non-Communist countries that have large Communist parties within them? Will Mr. Togliatti, in Italy, and the equivalent Communist head in France be able to say to the electorate of Italy and France, the next time they go to the polls, "Look, there is no danger in voting for Communists. There is no danger in establishing a Communist government, because we can show you Yugoslavia. The United States not only gives Yugoslavia economic aid, but it gives Yugoslavia replacement parts, and sends Tito new jet planes and guns and howitzers, and other equipment."

What will be the effect on countries behind the Iron Curtain? If Hungary, Bulgaria, Rumania, Czechoslovakia, and Poland follow this new party line and say, "We are not dominated by the Kremlin; we are going to act independently," will it be our policy to supply military equipment to those satellite countries merely on their statement that they have broken with the Kremlin, when, indeed, they are following line for line the Soviet policy?

I think these are matters which must have the attention of the Senate and the attention of the country.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the distinguished Senator from Arkansas.

Mr. McCLELLAN. I wish to commend the Senator and those who have associated themselves with him as cosponsors of the amendment. I myself would have been most happy to join as a cosponsor. I merely wish to make this observation. There are in the pipeline some jet planes. How many are there?

Mr. KNOWLAND. I do not feel at liberty to disclose some information which has come to us in a confidential capacity.

Mr. McCLELLAN. Whether the number be 1 or 500——

Mr. KNOWLAND. There are additional jet planes in the pipeline.

Mr. McCLELLAN. Whether the number be 1 or 500, I think we can determine what we should do on this vote simply by asking ourselves one question: "Would we vote today to send those planes to Russia?" If we would not, then certainly we should vote not to send them to Yugoslavia. If Yugoslavia proposes to march side by side with Russia in time of war, then we in effect are making a contribution either directly or indirectly to Russia? Mr. President, to send these planes to Yugoslavia does not make sense. To do so is clearly against our national interest, and I shall vote against giving jet planes to either Yugoslavia or to Russia.

The PRESIDING OFFICER (Mr. BIBLE in the chair). The time of the Senator from California has expired.

Mr. KNOWLAND. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from California is recognized for 2 additional minutes.

Mr. KENNEDY. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. KENNEDY. When this question was previously before the Senate, there was a proviso that the expenditure of the money would be subject to the discretion of the President. In view of that limitation, why would not the Senator from California be willing to let this matter be handled in the same way, particularly when the President must report to the Congress within 3 months?

Mr. KNOWLAND. Mr. President, let me say to the distinguished Senator from Massachusetts that I have the highest respect and regard for the President of the United States; and he still will have that discretion, insofar as economic aid is concerned. If my amendment is adopted, the President still will have discretion insofar as the use of the funds for spare parts for replacement purposes is concerned, and the President still will have discretion as to the use of the funds insofar as maintenance is concerned. But in this instance—where, for the first time, to my knowledge, we have supplied arms and equipment which, fundamentally, have been "sold" to the American people as being for the protection of the free world and for the establishment of the collective security system—inasmuch as now we know clearly that Tito has gotten himself in line with the Kremlin, it seems to me the Congress has a responsibility which it should not pass on to the President alone. I believe that Congress should make a declaration in its own right. That is why I have offered the amendment.

Mr. KENNEDY. Do not the President and the Secretary of State desire to have that discretion left to the President?

Mr. KNOWLAND. Perhaps the Senator from Massachusetts was not in the Chamber when I began my remarks. At that time I said that the President and the State Department are opposed to my amendment, and I believe that is a clear indication that the President wishes to have full discretion left to him.

Mr. President, I yield 5 minutes to the distinguished Senator from Maine [Mrs. SMITH].

The PRESIDING OFFICER. The Senator from Maine is recognized for 5 minutes.

Mrs. SMITH of Maine. Mr. President, in speaking for this amendment, I am going to be very brief, because I think this situation calls for action, instead of words. I am awfully tired of ambiguous words that only give lip service to principle, and I am awfully tired of double talk.

I believe that it is very misleading to say that Congress should not have any voice on the Tito issue; and I deplore the

talk that we should not exercise our independent judgment, but, rather, that we should surrender our authority over the matter, and should shift our responsibility to the President.

If that be the case, then why have a Congress? Are we to become merely a rubber stamp, like the Soviet Supreme in Communist Russia? Is Congress to abdicate all to the President, as the legislative body in Yugoslavia has to Tito?

If that be the case, then just what good is our foreign aid, if it is for the purpose of fighting communism throughout the world—if it is for the purpose of trying to stop communism abroad, so that it may not take over our country and make it a dictatorship with the legislative body merely rubber stamping the orders of the Chief Executive of our Government?

I grant that in a case where the coming to a foreign-aid decision is difficult, there is justification for delegating power to the President and foreign relations experts.

But who is to say that no Member of this body is qualified to make a decision? Who is to say that every Member of this body is so lacking in knowledge and judgment that he cannot decide for himself, but has to let the President decide for him on the Tito issue?

Surely, after sitting for years on the Committees on Foreign Relations and Armed Services and on the Appropriations Subcommittees on Foreign Relations and Armed Services, the Senator from New Hampshire [Mr. BRIDGES] and the Senator from California [Mr. KNOWLAND] are not mere amateurs on this subject, and so lacking in experience and study that they are not capable of independently making a decision of this issue, instead of surrendering to the Secretary of State and the President the right to make the decision.

I am puzzled by the portion of Secretary Dulles' letter on Thursday to Chairman HAYDEN, in which the Secretary wrote:

> I have heard that a number of Senators have been disturbed by reports, some of which have appeared in the press, that the Departments of State and Defense are planning to ship a large number of jet fighter planes to Yugoslavia within the next 90 days. I can assure you that this is not the case.

I do not know what the Secretary of State calls "a large number of jet fighter planes to Yugoslavia." I recall the number he stated to the committee when he appeared before it on this bill, and I consider the number he stated to be a large number—especially a large number to send to Tito, whom we may well find using the planes against this country, if he marches side by side with Russia, as he has been quoted as saying he would do if war came.

I do know that some of the newspapers have carried news stories that nearly 400 planes are scheduled to be sent to Tito.

I regret that there are some who would have the people of our country believe that voting to cut off aid to Tito is an act of disloyalty to the President of the United States. My only comment on that, Mr. President, is that such is a sad commentary on how unrealistically some persons have come to regard the Tito issue.

Mr. SALTONSTALL. Mr. President, I rise to the point of order that the amendment of the Senator from California is in violation of paragraph 4 of rule XVI, in that it proposes the addition of general legislation to an appropriation bill.

The PRESIDING OFFICER. The Chair is advised that the point of order raised by the Senator from Massachusetts is not in order until all time on the pending amendment has either been used or yielded back, unless by unanimous consent the remaining time is waived.

Mr. BRIDGES. Mr. President, if the remaining time is yielded back, and if the point of order is made—and assuming for the moment that the Chair sustain the point of order—shall we then be back where we began, and shall we then have sufficient time, or in that event will no further time be available?

The PRESIDING OFFICER. If all time is yielded back, obviously there will be no remaining time under the control of either the Senator from California or the Senator from Massachusetts.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DIRKSEN. I should like to address my inquiry to the Senator from California, if I may: If the point of order is sustained, the Senator from California can appeal from the ruling of the Chair. In that event, if a majority of the Senate votes not to sustain the ruling of the Chair, the amendment will then be in order. However, the Senator from California could also move to suspend the rule; and the favorable votes of two-thirds of the Senators present and voting would be required in order to carry that motion.

I make this inquiry in the interest of clarity, so we may see where we shall go, insofar as the time is concerned. I am quite willing to debate the matter on its merits and to vote on it on its merits. I should like to have the situation as to the time straightened out; and I should like to address this question to the Senator from California, if I may have consent to do so.

Mr. KNOWLAND. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from California has 10 minutes remaining.

Mr. KNOWLAND. Mr. President, I yield myself 2 minutes, in order to make a brief statement at this point.

The PRESIDING OFFICER. The Senator from California is recognized for 2 minutes.

Mr. KNOWLAND. Mr. President, while from a technical point of view, the point of order may be valid, inasmuch as it is an amendment to an appropriation bill, yet the amendment applies not only to existing law, but also to previous appropriation bills; and to that extent, the amendment affects measures heretofore passed. I believe that under the rule, that is the only reason why the point of order would normally be entertained.

I believe the amendment is perfectly valid, particularly in view of the fact that half of the debate on this measure has dealt with pipeline funds, unexpended funds, holdover funds from past appropriation bills. The amendment deals with the whole general theory of foreign aid. This amendment is not an extraneous amendment, of the type we sometimes seek to guard against when we enter into unanimous-consent agreements, in order to prevent the submission to a tax bill of an amendment dealing with the construction of a dam in one of the States or the submission of a civil-rights amendment, after a limitation on time has been agreed to, so that the normal prerogative of a Senator to engage in debate would be foreclosed.

This amendment is certainly in the spirit of the entire legislative program, which deals with the subject of foreign aid. This is the only way we can get at the money in the pipeline, estimated at more than $100 million, still left for Yugoslavia, which can be used for jet planes, for howitzers, tanks, and so forth, as well as for economic aid, or anything else.

Under those circumstances, I would feel justified, if a point of order were made, in appealing from the decision of the Chair, in order to give the Senate an opportunity to vote up or down the amendment I have offered. Otherwise, we cannot affect in this bill the holdover or pipeline funds which have not yet been expended, and out of which military equipment will largely come.

Before yielding back the remainder of my time, in order to bring the parliamentary situation to a head, I should like to read a telegram which I have received.

The PRESIDING OFFICER. The additional 2 minutes of the Senator have expired.

Mr. KNOWLAND. I yield myself an additional 2 minutes.

I could have burdened the RECORD with letters and telegrams from all sections of the country and from many States of the Union. I do not care to do so. However, I have just received a telegram dated July 23, which I should like to read into the RECORD. It reads as follows:

NEW HAVEN, CONN., *July 23, 1956.*

Hon. WILLIAM F. KNOWLAND,
United States Senate,
Washington, D. C.

By direction of the executive committee of the supreme board of directors of the Knights of Columbus, I have the honor to communicate to you the following resolution adopted by that committee at meeting held June 20, 1956:

"Whereas the recent triumphal tour of the Soviet Union by President Tito, of Yugoslavia, gives added substance to longstanding doubts as to the advisability of providing military and economic aid to his regime at the expense of citizens of the United States; and

"Whereas the tyranny of Tito's dictatorship, manifested in the persecution of religion and otherwise, does not appear to differ materially from the tyranny which prevails in the Soviet Union and its captive satellites: Be it

"*Resolved*, That the executive committee of the supreme board of directors of the Knights of Columbus, representing the more than 1 million members of this society, expresses the conviction that Tito neither sympathizes with nor can be relied upon to support the

American concept of human freedom and therefore urges the discontinuance of United States aid, military or economic, to his regime."

JOSEPH F. LAMB,
Supreme Secretary, Knights of Columbus.

I am prepared to yield back the remainder of my time, in order that the distinguished Senator from Massachusetts [Mr. SALTONSTALL] may make his point of order.

Mr. SALTONSTALL obtained the floor.

Mr. O'MAHONEY. Mr. President——

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

Mr. O'MAHONEY. Will the Senator yield, in order to permit me to make a parliamentary inquiry?

Mr. SALTONSTALL. Certainly.

The PRESIDING OFFICER. The Senator will state it.

Mr. O'MAHONEY. Has the Senator from California yielded back the remainder of his time?

Mr. KNOWLAND. No. I said I was prepared to yield it back, but if the Senator has an inquiry before the point of order is made, I shall be glad to yield him some time.

Mr. O'MAHONEY. I have a comment in support of the Senator's amendment.

Mr. KNOWLAND. Mr. President, how much time have I?

The PRESIDING OFFICER. The Senator from California has 6 minutes remaining.

Mr. KNOWLAND. I will yield to the Senator from Wyoming as soon as time has been used on the other side.

Mr. SALTONSTALL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SALTONSTALL. If I make a point of order now and yield back time in opposition to the amendment, and the time of the proponents is yielded back, am I correct in understanding that, if there is an appeal from the decision of the Chair, half an hour to each side will be allowed for debate?

The PRESIDING OFFICER. The Senator has correctly stated the situation.

Mr. SALTONSTALL. Under whose control will the half hour be, under the unanimous-consent agreement?

The PRESIDING OFFICER. Under the unanimous-consent agreement, 30 minutes will be under the control of the Senator from California, and the other 30 minutes under the control of the Senator from Massachusetts.

Mr. SALTONSTALL. Then I most respectfully say to the Senator from California that I will yield some time now in opposition to the amendment, with the statement to him that I will make the point of order in due course.

I yield 5 minutes to the Senator from Georgia [Mr. GEORGE] in opposition to the amendment.

Mr. GEORGE. Mr. President, I have very little to say about this amendment. I digress to remark that this is the finest illustration of why general legislation should not be permitted on an appropriation bill. Even before we completed work on the authorization bill it was reported in the public press that the Appropriations Committee of the House had already acted, and had cut the appropriation below the authorization finally agreed upon by the conference committee. That is the reason why this amendment is clearly open to a point of order, and I hope the point of order will be made in due time.

On the merits of this question, I have very little to add to what I previously said when the same issue was before the Senate, and that is that by taking this action we very definitely, positively, and without the shred of a doubt push Yugoslavia, which today has the strongest army in Europe outside the Kremlin itself, into the arms of the Kremlin.

Yugoslavia may never go into the arms of the Kremlin if we do not adopt this kind of amendment; but if we agree to this amendment, Yugoslavia definitely will become a part of the forces of communism in Europe.

Moreover, we would lose face throughout the world. It would be said in India, it would be said all over Southeast Asia, it would be said in the Middle East, indeed, it would be said everywhere, that unless the United States can be a great imperialistic nation and decide with whom any nation to which she offers assistance shall associate on friendly terms, the United States will have nothing to do with such a nation.

We shall never bring about the peace of the world with that sort of program. If we adopt this amendment, we admit everything the Kremlin and the Communists have said about us, namely, that what we want to do is to control the thinking and the action of all men.

Last night the President directed that certain messages be sent to some of us. I have one of them in my hand. I wish to read it into the RECORD. It is dated July 23. Similar messages were sent to other Senators, as will be disclosed. The message reads as follows:

JULY 23, 1956.

DEAR SENATOR GEORGE: I appreciate the fact that the Congress by the recently enacted mutual security authorizing law gave me discretion to deal with the matter of our relations with Yugoslavia. Under that law and the discretion which Congress thereby asked me to exercise I intend carefully to review the situation in the light of recent developments and I cannot now predict what course will best serve the national interests. But so many complicated and fluid elements are involved and the relationship of this situation to our hopes for satellite independence are such that I would deplore any abrupt mandatory cutoff involving the military aspects of our Yugoslav relationship. I believe that for the Congress now to take away the Executive discretion which only a few days ago it voted would not be in the national interest.

Sincerely yours,

DWIGHT D. EISENHOWER.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. GEORGE. I yield.

Mr. MORSE. Is it not true that when we voted the President the discretion——

Mr. THYE. Mr. President, it is impossible to hear the Senator. May we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. MORSE. Is it not true that when the Senate voted the President the discretion in the mutual aid authorization bill to which the President refers in his letter, there was language in the bill for which the White House itself had in the first instance asked?

The PRESIDING OFFICER. The time of the Senator from Georgia has expired. Is additional time yielded to him?

Mr. SALTONSTALL. I yield 4 minutes to the Senator from Georgia.

Mr. GEORGE. I cannot answer the question of the Senator from Oregon. The provision was put into the authorization bill by the House of Representatives. The Senate committee in the first instance and the Senate itself acted on the provision.

Mr. MORSE. Mr. President, will the Senator yield for another question?

Mr. GEORGE. I do not have the time in which to answer the question within the 4 minutes allowed me.

Mr. MORSE. Perhaps after the Senator has finished his statement he may have time to yield for another question.

Mr. GEORGE. Yes. I simply offer this, not for the purpose of suggesting—and I do not suggest it—that the distinguished Senators who are offering the amendment have no faith in the President of the United States. I make no such suggestion, because I know that the Senator from California and the other Senators who are interested in the amendment are honorable men. They are exercising what they believe to be their better judgment. I say to Senators that if my judgment is worth anything, this is an error of judgment which ought not to be pressed upon Congress at this time.

The President has said that he recognizes his full responsibility carefully to review the situation in the light of recent events, and that he does not and cannot now predict what course will best serve the national interest. That is as far as the Chief Executive, it seems to me, can possibly go, and that ought to be satisfactory to the members of all parties.

If the Senate now adopts the amendment, it not only shoves Yugoslavia into the arms of the Kremlin and into the arms of communism, but it verifies the very charges which have been made against every effort we have made to preserve the peace of the world, to wit, that we are mere imperialists and are seeking to control countries by our aid and assistance, and that we have no worthy motives. In that case we might as well abandon the effort.

In my judgment, I cannot make it any clearer.

The PRESIDING OFFICER. The additional time of the Senator from Georgia has expired.

Mr. SALTONSTALL. Mr. President, I yield 10 minutes to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I should like to call attention to the language of the amendment, so that it will be clearly understood. It reads:

That none of the funds made available for military assistance under this act, and none of the funds made available for military assistance under any prior act and remaining unexpended, shall be used to furnish military equipment to Yugoslavia except

for maintenance of equipment heretofore furnished or to provide spare parts for replacement purposes.

That is a freeze. It will simply mean that we cannot send planes, even though they are old or obsolete; that we cannot send tanks, regardless of age, or even though we want to get rid of them because they are not modern or useful; that we cannot send signal or electronic equipment or communication equipment; that we cannot send any combat vehicles or trucks; that we cannot send any patrol vessels or minesweepers.

The amendment would limit the appropriation to replacements and repairs, and it would freeze the size of the defensive establishment of Yugoslavia as of now.

I know the argument for it. I know my distinguished friend, the Senator from California, presents it in the very best of faith. It is not a very palatable job to resist it.

When we voted, on the 9th of July, on the authorization bill, I was described editorially as one of Tito's Senators. I did not like it. I wore the uniform of this country for 2 years in a war that is a generation past. I do not like to have any editorial writer, sitting up in some tower, write about "Tito's Senators."

I believe that there is a challenge involved here, and that I would be derelict in my duty as a Senator if, on the basis of the testimony, I did not utter and did not manifest an independent judgment based upon the testimony both on and off the record.

It is said that Tito is a Communist. I have no doubt about it. Mention has been made—and I suppose this has been of great influence—that he went to Moscow and sat high on the rostrum with Khrushchev and other Soviet leaders, and that they said they would go forward arm-in-arm in peace and war.

I can understand that in the transposition of language, how sometimes a misinterpretation can arise. But other people, entertained elsewhere, have said things; and I do not know that we ought to attach too much significance to what they have said.

I remember when the distinguished Cordell Hull was Secretary of State, he came back from the Moscow conference and, in addressing a joint session of Congress, on the 18th of November 1943, said:

> I found Stalin a remarkable personality, one of the great statesmen and leaders of our age.

In the light of hindsight, that is a faulty judgment, and it probably would have been taken back.

Winston Churchill said, in the House of Commons, on the 22d of February 1943:

> In Yugoslavia we gave our aid to Tito. Every effort in our power will be made to aid and sustain Marshal Tito and his gallant band.

I could read other similar statements. President Roosevelt, in a radio broadcast on the 24th of December 1943, said to the country and to the world:

> To use an ungrammatical colloquialism, I may say that I got along fine with Stalin. * * * I believe we are going to get on well with him and the Russian people, very well indeed.

One must be very careful about how one uses words. President Roosevelt said to the Polish Ambassador—and for documentation I refer Senators to Jan Ciechanowski's book entitled "Defeat in Victory," at page 231:

> Harry Hopkins gets along like a house afire with Stalin—in fact they seem to have become buddies.

I like to be a little careful about words. Our Ambassador to Yugoslavia came before the Committee on Foreign Relations and said, "Well, that was not Tito's intention." What does one do with the translation of words from one language to another? To what extent can we attach undiminished meaning to those words? I am mindful of the fact that the statement has been made. I know that Tito has been called a Soviet puppet. However, he refused to go along, so far as others were concerned, with respect to Eastern Germany.

To be sure, he recognized Red China. So did Great Britain. So did 24 other countries in the United Nations. I hold no brief for Tito, but I believe this story has got to be told.

I have lived too long in friendly intercourse with the distinguished Senator from California not to know the great swelling, throbbing, patriotic heart he has. But we are dealing with words, not with intentions, and these words will be interpreted in the chancelleries of the world. I am afraid they will say, "The Senate this day passed a vote of no confidence in the President of the United States." Why will they say that? Others will be reading the language in the authorization act. The authorization act provides that 90 days after it becomes law, the President must submit a report to Congress on certain things before aid to Yugoslavia can continue. What are those things?

First, that there has been no change in Yugoslav policies. That is what the committee wrote into that bill on the 9th of July, 15 days ago, and not a voice was heard on this floor against the enactment of that bill. It was sanctioned by every Member of the Senate. It provided that the President must assign his reasons when he sends his report to Congress that there is no change in Yugoslav policies.

Mr. KNOWLAND. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. KNOWLAND. I think we are getting to a very basic matter which I think the Senate should clearly understand. The difficulty I find with the language is that it says "no change in Yugoslav policies." No change in what? In the policy as enunciated by Tito upon his return from Moscow? No change in his policy as to Formosa or as to the admission of Communist China into the United Nations?

If there is no change in those policies, we have, for the first time, given aid to a Communist dictatorship that is trying to disrupt our foreign policy.

Mr. DIRKSEN. Section 143 provides that, notwithstanding any other provision of law, no assistance under this title or any other title of the act or under any provision of law repealed by section 542 (a) of the act shall be furnished to Yugoslavia after the expiration of 90 days after enactment unless the President finds and so reports to the Congress, with his reasons therefor, that there has been no change in Yugoslavia policies on the basis of which assistance has been furnished to Yugoslavia in the past.

The relating point is the policies of the past.

That is No. 1.

No. 2 is that Yugoslavia is independent of control of the Soviet Union; that Yugoslavia is not participating in any policy or program for the Communist conquest of the world; and that it is in the interest of the national security of the United States to continue the furnishing of assistance to Yugoslavia under the act.

That language is as clear as crystal. It gives to the President discretion. It gives a flexibility to his authority to deal with the question as different situations arise.

It is now proposed definitely to limit that language and say we will send Yugoslavia spare parts and replacements; we can send maintenance, such as screws, bolts, and that sort of thing, but no military equipment.

What will be the answer everywhere in the world? How will the amendment be interpreted? The language in which it is couched is important. What will happen in other sections of the world?

Of course, in my judgment, there will be a rush into print and it will be said, "Senate votes no confidence in the President of the United States. Senate ties the President's hands 15 days after it gave him discretion and flexibility to deal with one of the fever spots of the world."

That is the first reason I assign why this amendment should not be adopted.

The second one is that the authority has previously been wisely used.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. SALTONSTALL. Mr. President, I yield the Senator from Illinois 5 additional minutes.

Mr. DIRKSEN. Mr. President, no equipment is provided for in the current appropriation bill. I looked it over very carefully, and there is no item of equipment. It refers to ammunition and that sort of thing. Six planes were sent in 1956. No planes were sent in 1955. Some references have been made to 378 planes. The tragedy is, Mr. President, that I cannot stand on the Senate floor today and tell what the whole story really is, as to where those planes were manufactured, where they are now, and how useful they are, or what we have been trying to do with them. That story cannot be told. I did tell it in the full committee, and I think it was very persuasive, but I am not at liberty to disclose the story in the open Senate because it is classified.

So, Mr. President, I think the conclusion is that the discretion has been heretofore wisely used by the Secretary of

State and by the President of the United States.

Mr. THYE. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. THYE. The type of planes they have received are not the kind with which a war is carried on. They are only interceptor-type planes, as I understand from all the testimony.

Mr. DIRKSEN. The distinguished Senator from Minnesota heard my complete memorandum as to what was involved, which was read to the full committee behind closed doors. It simply brushed away entirely some of the things we are seeing in print at the present time as to what the equipment is and how dangerous it would be to this country to ship it to Yugoslavia.

Mr. President, latitude and discretion are needed. They may not be used. The President stated in the letter which the Senator from Georgia read, that he wants to explore the whole matter, that he does not know the answer at this moment. We do not know what it is. So, Mr. President, he is entitled to this flexibility at a time like this.

Mr. President, the American Ambassador to Belgrade came before the committee, and I said to him, among other things:

> Mr. Ambassador, on the basis of your 3 years experience in Yugoslavia, is it your firm opinion that we should continue with this program?

Then the Ambassador, who has had a fine record in the Foreign Service, a man of great discernment and capacity, said he thought the discretionary power should continue.

Here is a wise and able man, a longtime friend of the distinguished Senator from Massachusetts [Mr. SALTONSTALL], who has been in Belgrade for 3 years. He has been on the ground. Who of us has been in Belgrade? Who of us has been there to interpret conditions?

Mr. McCARTHY. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. Let me continue for a moment.

Here is our Ambassador, with a distinguished record, saying, "I think the discretion and the authority should continue."

Mr. President, I wish to impress upon the Senate the fact that others will interpret the words, not the intention, of the distinguished Senator from California, as a vote of no confidence in the Commander in Chief of the United States.

The discretion given to the President has been wisely used, and it is needed, according to our own able and observing Ambassador. Under the circumstances, shall we now, after 15 days ago conferring upon the President discretion to explore, to make a finding, assign the reasons, and report to the Congress—shall we now tie the hands of the President of the United States?

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. KNOWLAND. Mr. President, I yield 3 minutes to the Senator from Wyoming [Mr. O'MAHONEY].

Mr. McCARTHY. Mr. President——

Mr. JOHNSON of Texas. Mr. President, if the Senator from Illinois needs some additional time, I shall yield him time.

Mr. DIRKSEN. Will the Senator give me 10 minutes?

Mr. JOHNSON of Texas. Mr. President, I yield 10 minutes to the Senator from Illinois.

Mr. DIRKSEN. I am glad to yield to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from California has yielded 3 minutes to the Senator from Wyoming.

Mr. DIRKSEN. I trust that my distinguished friend from Wyoming will permit me to proceed.

Mr. O'MAHONEY. I shall be delighted to yield to my distinguished friend from Illinois.

Mr. DIRKSEN. I am grateful to my gracious and magnanimous friend.

Mr. President, I yield 2 minutes to my friend, the junior Senator from Wisconsin.

Mr. McCARTHY. Mr. President, first, I may say that the Senator from Illinois [Mr. DIRKSEN] is one of the Members of the Senate whom I respect most highly—as highly, I think, as any Senator. So I hope the fact that I ask him questions will not be interpreted as a fight on my part.

Mr. DIRKSEN. Do not make the questions too long.

Mr. McCARTHY. The Senator was talking about the information which was given by Ambassador Riddleberger, the Ambassador to Yugoslavia, and about the high type of man he is.

I wonder if the Senator from Illinois was present in the hearings of the Committee on Appropriations when we were speaking about the shipment of 100-ton vertical and horizontal drill presses which could be used to make other machine tools necessary to construct weapons of war. Ambassador Riddleberger, who the Senator says is so positive, made an answer to the question when I asked about it. He said, "What can a little drill like this do in a war machine?"

Mr. DIRKSEN. I have no recollection that he answered in that way, but Ambassador Riddleberger's testimony is contained in the hearings. I will ask the Senator to find it, if he can.

Mr. McCARTHY. No, that testimony was corrected, and some deletions were made. I merely wondered if the Senator from Illinois was present.

Mr. DIRKSEN. I will ask the Senator from Wisconsin to find the place where the testimony was deleted. I was present; I did not hear that statement. I did not leave the committee room, I may say to my friend from Wisconsin; I was there all the while.

Mr. McCARTHY. The Senator from Illinois has an excellent record of attendance in the Committee on Appropriations, for which I give him much credit. In fact, his record, I must admit, is better than mine—considerably better. But if the Senator was there, he should remember my question. The Ambassador showed abysmal ignorance of what was being shipped to Yugoslavia.

I thought that should be made a part of the record, in view of the Senator's well-meaning statement that Ambassador Riddleberger was so well informed.

Mr. DIRKSEN. I have no objection to making Ambassador Riddleberger's testimony available for the record.

Mr. McCARTHY. Will the Senator make the Ambassador's original testimony a part of the record, and not the corrected testimony?

Mr. DIRKSEN. If the original testimony can be found, I should be delighted—more than delighted—to make it a part of the record.

Mr. McCARTHY. As I have said, the Senator from Illinois has the greatest integrity of any Senator I know. Would he take the original transcript, read it, and compare it with the corrected record?

Mr. DIRKSEN. I shall be delighted to place the original transcript in the record, if it can be obtained.

Mr. THYE. Mr. President, certain information which went into that hearing was classified. There was a specific request by the Secretary of State, Admiral Radford, and others that the record be edited, and the portions of it which were classified be deleted. Therefore, there is a part of the testimony given by Ambassador Riddleberger which could not be disclosed or placed in the public records of the Senate.

Mr. DIRKSEN. The Senator is entirely correct.

Mr. President, I have assigned three reasons why I think the amendment should be rejected. The first is that it will be interpreted as vote of no confidence in the President. The second is that the discretion has been wisely used. The third is that the material will be needed in the days ahead because of the fluid situation which prevails abroad.

The next reason I assign is that, in my judgment, if we cut this kind of aid, we will destroy the hopes and aspirations of people who still have their eyes on the stars, even though they are in thralldom and enslavement today. It is a fact that Tito jeopardized lives when he became a heretic in the eyes of Stalin and carried on an independent course. But there is a difference between communism in Yugoslavia and in the Soviet Union.

I ask my friend, the Senator from Mississippi [Mr. STENNIS], to listen. One of the questions asked by the Senator from Mississippi was, "Is it correct that the people in Yugoslavia own their own land?" The answer was, "Yes." A great point was made of that. They can own their own land, and the farmers do own their own land.

Complete freedom is not always embraced in a single step. It is necessary to pry some of the satellites loose from international communism. That is the first step.

Then comes the second step, the step of encouraging the lamps of freedom to come alight again. But to cut off the aid will destroy hope; and the people will say, "It is futile to revolt. Why revolt? The United States will abandon us. The United States will forsake us."

Mr. President, there is a ferment of liberation in the world. Consider the Poznan riots in Poland. Similar things have been happening in East Germany.

The hearts of people are rising again to the ideal of freedom and are beating against the stifling forces of enslavement. Are we now going to cut off the hopes of those people and destroy them? Oh, Mr. President, what a tragedy, what a blunder, that would be.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. KNOWLAND. What was used to put down the revolt in Poznan? Tanks. It is true, presumably, that the tanks were furnished by the Soviet Union. But the tanks could be used in Yugoslavia to put down the desires of the people of that country for freedom, as well as they could be used anywhere else where we might feel they should not be used.

Mr. DIRKSEN. The latest information I have seen is that the tanks in Poznan were manned by Soviet troops, not by Yugoslavian troops.

Tito has an army of which he is proud. I think his principal fear must necessarily be that he will be attacked by the Soviet Union. But the Senator's amendment proposes that that establishment be frozen. That would be the end of it. Nothing new could be furnished; all that could be sent would be replacements, when something gave out, such as spare parts when a tank or something else could not run. The equipment could be used only for maintenance, such as when a signal system would not work. Everything else would be frozen, and Tito would be in a desperate situation.

Mr. KNOWLAND. I fully agree that the amendment would freeze jet planes, tanks, howitzers, and military vehicles—and it is intended to freeze them.

We are both in a difficult position, and the Senate is in a difficult position, as the Senator from Illinois has pointed out, because much of the information is classified. But both of us have had access to the same information.

I feel certain that the Senator will agree with me that while the types of planes to which the Senator has referred are not necessarily the latest types of planes which we ourselves are using in our forces nevertheless they are jet planes, they are combat planes, and they happen to be planes which were secured under offshore procurement. I cannot go into that part of the matter, and I am certain the Senator from Illinois would not want anything but the full facts, so far as security would permit, but I do not think he would want to leave the impression that the planes were noncombat planes, because that is not in keeping with the facts.

Mr. DIRKSEN. My friend will remember the memorandum I read about the disposition difficulties which were encountered with respect to those planes. The Senator will remember the memorandum very well.

It is too bad that a Senator has to have his hands tied; that he must make his case under difficult circumstances, and not be able to use a confidential, authenticated document which would nail down the case.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. DIRKSEN. Mr. President, will the Senator yield me an additional 5 minutes?

Mr. GORE. I yield 5 more minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized for an additional 5 minutes.

Mr. DIRKSEN. That will give me time to make one more point. Let us not forget that Yugoslavia, Greece, and Turkey are each a part of the Balkan alliance. In this very bill there is a provision for military aid for Greece. In this very bill there is a provision for defense support for Greece. In this very bill there is a provision for military assistance—and lots of it—for Turkey. In this very bill is a provision for defense support and defense assistance for Turkey.

So, for 2 of the 3 members of the Balkan alliance we are going almost overboard with economic and military assistance. But for the third member of the alliance we say we are going to shut them off except for parts, repairs, and maintenance. What will be the effect? If the Soviet Union could then move in on Tito, what would happen to the Balkan alliance? What would happen to Greece, after all our efforts in her behalf? What would happen to Turkey, whose soldiers stood so resolutely in the valleys and on the hills of Korea beside our own soldiers and battled for the free world? What would happen to that alliance?

Now we know what the President means when he says this is a difficult matter, because if that is what we are going to do, then we shall multiply ad infinitum the problems and perplexities and difficulties of our Commander in Chief and the Secretary of State.

I should like to make one other point, Mr. President. We have been plowing a long furrow. My friend, the Senator from Wisconsin [Mr. McCARTHY], will remember the term which was used during the celebrated hearings in which the counsel from Boston participated. He said, "We have to plow a long, hard furrow." It has been a long, hard furrow. The cold war had been in process for 7 years before President Eisenhower became the occupant of the White House. Now, after he has done so much toward developing a spirit of tranquillity in so many sections of the world, that not a single young American has lost his life by enemy gunfire on a battlefield, are we going to say, "15 days ago we voted you discretion and latitude. This afternoon we are going to take it back"?

Is that the way the Commander in Chief, the President of the United States, is to pursue the golden ideal of peace? Oh, indeed not. We must encourage these other countries to break away. It is a long, hard, painful business. I have seen the haunted and disillusioned look in the eyes of people in so many areas of the world where there was no freedom and where the lamps of liberty were extinguished long ago. They are looking hopefully now. Aspirations are beginning to stir in their hearts. Are we going to deny to the President of the United States the discretion and the authority to do this job? All the bill proposes is to give him authority to make a finding and assign his reasons and report to the Congress what he has in mind, and follow the criteria which we, not he, wrote into the authorization bill, in accordance with which the appropriation bill is before us today.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. DIRKSEN. I should like to complete my statement. Then I shall try to yield.

A short time ago I read the summation in Winston Churchill's The Gathering Storm. He recapitulated all the blunders and all the mistakes we made over a period of years. Finally, he said, we could not hear the larks for guns, and then we found ourselves fighting on a battlefield not of our choosing.

Are we going to do that with our President? Not I, no matter what my political fortunes may be. As Edmund Burke said to a constituent in England a long time ago, "I must respect the opinions of my people, but when the time comes to decide, I owe to myself to put one thing over and above everything else, and that is my independent judgment."

This afternoon, the junior Senator from Illinois, having sat patiently in the committee room day after day, exercises, on the basis of the testimony, his independent judgment for what he thinks is the security and the well-being of the country for which he once fought. I resist the amendment.

The PRESIDING OFFICER. The Chair recognizes the Senator from California.

Mr. KNOWLAND. I yield 10 minutes to the Senator from Wyoming.

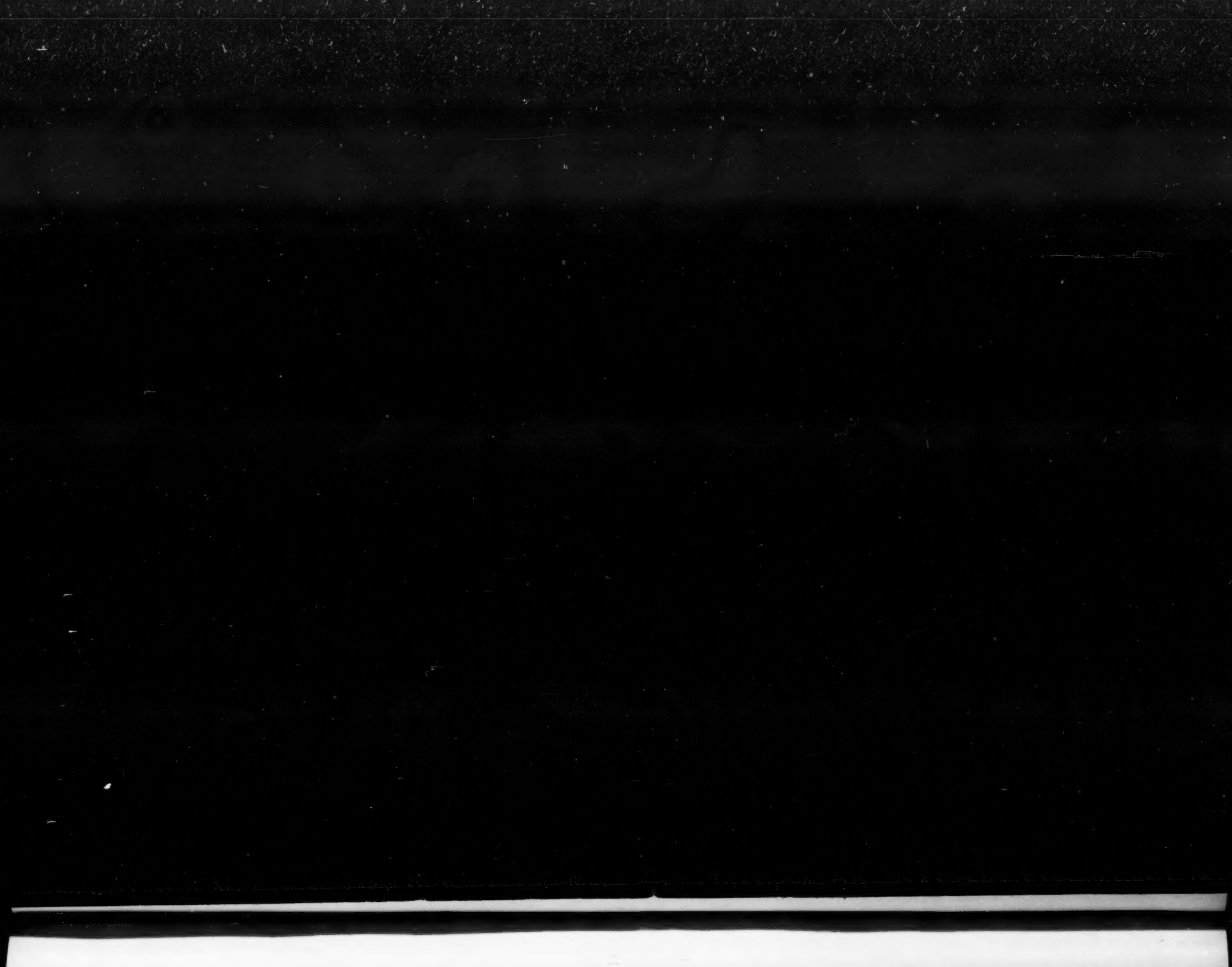
The PRESIDING OFFICER. The Senator from Wyoming is recognized for 10 minutes.

Mr. O'MAHONEY. Mr. President, I find myself obligated to make a few brief remarks upon this subject, because when the authorization bill was before this body I offered an amendment to the section of the bill dealing with aid to Yugoslavia. In the amendment which I offered I wrote language to require the President to find that Yugoslavia is not only independent of control by the Soviet Union but that Yugoslavia is not participating in any policy or program for the Communist conquest of the world.

Why did I write that language into the amendment? Because the opening sentence of the section states that—

> Notwithstanding any other provision of law, no assistance under this title or any other title, or under any provision of law repealed by section 542 (a) of this act shall be furnished to Yugoslavia after the expiration of 90 days following the date of the enactment of this section unless—

Why the 90 days? It was explained to us in committee, on the floor of the Senate, in discussion, in editorials, that the 90 days were required in order to deliver material which was already en route. Nowhere at that time was it said by anybody, speaking for the administration or



speaking for the committee, that there were jet planes en route to Yugoslavia.

Why does Yugoslavia want or need jet planes, and why should we furnish them?

The effort has been made in this debate today to make it clear that there are really no jet planes going to Yugoslavia. I hold in my hands the letter of Secretary Dulles addressed to the chairman of the Appropriations Committee, the Senator from Arizona [Mr. HAYDEN], on July 19. This was after my amendment requiring the President to certify that Yugoslavia had not changed. In the letter, which has been read on the floor, Secretary Dulles states as follows in the concluding paragraph, and I ask the Members of the Senate to listen. Remember, the Secretary is a great lawyer. He knows how to use words to set forth the facts, but, at the same time, not reveal the whole story. That is the art of the great lawyer who is an advocate. But the Secretary of State, great lawyer that he is, ought to be an advocate of all the people of the United States in the great position which he holds. This is what he wrote——

The PRESIDING OFFICER. The time of the Senator from Wyoming has expired.

Mr. KNOWLAND. Mr. President, I yield 2 additional minutes to the Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for 2 additional minutes.

Mr. O'MAHONEY. Secretary Dulles wrote:

> To give you some idea of what this might entail in the military field—
>
> This denial or this limitation—
>
> I may say that during 1955 no jet fighter planes were sent to Yugoslavia, while in 1956 only two have been shipped.

Why did he not add "and none are in the pipeline which will be shipped during the 90 days provided in the law"?

Why does he not answer that question? Until he answers that question, Mr. President, I shall vote for the amendment of the Senator from California.

Mr. KNOWLAND. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. Yes, if the Senator from California will yield me the time in which to do so.

Mr. KNOWLAND. Yes, I yield time from the time available on the bill.

Let me say that in fairness to the Secretary of State, I think the Senate should be advised that he wrote that letter based on the latest information he had at the time from the Department of Defense. Subsequently, on July 23, he addressed to the Senator from Arizona [Mr. HAYDEN] a letter in which he pointed out that he had made a mistake, and that 4 additional jets had been shipped, in addition to the 2 mentioned in the other letter.

Mr. O'MAHONEY. What about the published news story that the fact was that 380 jet planes were being shipped?

Mr. KNOWLAND. I will say to the Senator from Wyoming that I am not in a position—for reasons he understands—to discuss the details.

Mr. O'MAHONEY. Of course.

Mr. KNOWLAND. Except that I say there are planes in the pipeline.

The PRESIDING OFFICER. The 2 minutes yielded to the Senator from Wyoming have expired.

Mr. O'MAHONEY. Mr. President, will the Senator from California yield an additional minute to me?

Mr. KNOWLAND. I yield 1 minute on the bill to the Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for 1 minute on the bill.

Mr. O'MAHONEY. Mr. President, I wish to say to my friend, the Senator from California, that what he says now is only proof of the fact which I sought to point out before, namely, that we are legislating with blinders on. The operations and the method of management are not being disclosed to us because the officers and administrators of the administration will not answer the questions put to them by the Senate committees.

Mr. President, I also wish to point out that this amendment deals only with military matters. It permits the exportation of economic aid. To the exportation of economic aid, I have no objection; and I congratulate the Senator from California for the fact that his amendment does not seek to stop economic aid to the people of Yugoslavia. We should be offering economic aid to the people, not arms to the dictators.

The PRESIDING OFFICER. The time of the Senator from Wyoming has again expired.

Mr. KNOWLAND. Mr. President, because the Senator from Wyoming has used more time than I had originally allotted to him, and because I had promised time on the amendment to the Senator from New Hampshire [Mr. BRIDGES], I yield 5 minutes on the bill to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 5 minutes on the bill.

Mr. BRIDGES. Mr. President, my views on this subject are well known, because I have joined in offering the amendment.

At this time I should like to clear up some of the impressions which may have been left by the remarks of the distinguished Senator from Illinois [Mr. DIRKSEN] and the distinguished Senator from Georgia [Mr. GEORGE], for both of whom I have great respect.

It has been emphasized over and over again that when discretion was previously given to the President, our aid to Yugoslavia was shut off for a period of 6 months. Let me point out, Mr. President, that was not done as a result of action taken by the President. Instead, that shut-off occurred because of action taken last year by the Senate Appropriations Committee—directing that it be done—when, the committee found out that for 1 year, the officials of the United States Government were not allowed to inspect the end use of our military assistance to Yugoslavia. That situation had been going on, and because of weak-kneed administration of the program it was continued.

Let me read, so the RECORD will be clear, the position taken by the Appropriations Committee of the Senate:

> The committee is insistent on proper inspection of the aid sent under the mutual security program to all countries in order that the United States may be as certain as possible that United States aid is put to the use for which it was furnished. Otherwise, the committee directs that aid be withheld until the United States inspection officials are satisfied that they are permitted to make the proper inspections. Specifically, the committee has been advised that Yugoslavia has not been complying with the following provision:
>
> "Section 142 of the Mutual Security Act of 1954, as amended:
>
> "Agreements.—(a) No assistance shall be furnished to any nation under this title unless such nation shall have agreed to—
>
> "10. Permit continuous observation and review by United States representatives of programs of assistance authorized under this title, including the utilization of any such assistance and provide the United States with full and complete information with respect to these matters, as the President may require."

That is why no aid was sent to Yugoslavia for 6 months. That was due to the action of the Senate Appropriations Committee, which was endorsed by the entire Senate. Only after that was done was aid to Yugoslavia shut off. Previously, despite the provision of law I have read, the administrators of our aid program had continued, nevertheless, to send aid to Yugoslavia for about 1 year, and thus they violated the law of this land.

Mr. President, I have read the law; I have read the action which the Appropriations Committee took, and which the Senate as a whole adopted. That is why no aid went to Yugoslavia for 6 months; the credit for that should be given to the Senate, not to the administrators of the program.

I want to repeat for emphasis that for 1 year, those who administered our country's foreign-aid program allowed Yugoslavia to receive our aid, and they did not carry out the letter nor the spirit of the law.

Mr. President, I should like to discuss 1 or 2 other matters which have been mentioned during the debate.

The distinguished Senator from Georgia said that if this amendment is adopted, we shall force Yugoslavia to become a part of the forces of communism in Europe.

Mr. President, I do not believe the distinguished senior Senator from Georgia meant that, because he knows as well as any other Member of the Senate does that Yugoslavia already is part and parcel of the Communist movement. Yugoslavian policy centers on the Communist movement, and Tito reiterates it day after day. No action on our part could drive that country further into communism.

The Aswan Dam has been mentioned as an exercise of administrative discretion. I think the decision not to give aid for the construction of that dam was the best foreign-policy decision our country has made for some little time. I am gratified that our officials had the courage to take the step to shut off aid for

construction of the Aswan Dam. Once again I think the Senate Appropriations Committee rates an assist for the strong language it wrote into its report and the correspondence with Secretary Dulles, which the distinguished minority leader, as a member of that committee, inserted in the RECORD. The reaction to that announcement on the Aswan Dam indicates that Americans now hold their heads a little higher and it establishes the fact that our foreign-aid administrators can well take a second look at some of the countries we assist, rather than to be completely taken in.

The other day, when I submitted my amendment to cut off all military aid to Tito, the argument, by those opposed to the amendment, was that if we were to shut off the shipment of spare parts and the furnishing of maintenance, we would drive Yugoslavia into the Soviet orbit. Mr. President, the amendment submitted by the Senator from California [Mr. KNOWLAND] for himself, the Senator from Maine [Mrs. SMITH], myself, and other Senators avoids that argument, invalid at it was. In the present amendment we do not require that the furnishing of maintenance and the supplying of spare parts shall be stopped. Under the amendment, the United States will do what I think my friend, the Senator from Illinois [Mr. DIRKSEN], has indicated we should do. He asked whether this amendment would freeze the situation as far as Yugoslavia is concerned. I say, Yes, that is absolutely correct, this would free the Yugoslavian military machine exactly where it is as far as our equipment is concerned and would allow no further buildup of such advanced weapons of warfare as jet planes.

Mr. President, that is why I favor adoption of the pending amendment.

The PRESIDING OFFICER. The time yielded to the Senator from New Hampshire has expired.

Mr. GORE. Mr. President, I yield 10 minutes on the bill to the Senator from North Carolina [Mr. SCOTT].

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 10 minutes.

Mr. SCOTT. Mr. President, according to reports by the Associated Press, the United States delegation to the Economic and Social Council of the United Nations meeting in Geneva, has thrown cold water on proposals to establish a World Food Bank.

This is consistent with a policy of the Eisenhower administration which was expressed only recently by officials of the State Department when they testified before a special subcommittee of the Senate Foreign Relations Committee.

At those hearings, which were held in May, officials of the State Department were emphatic in their view that a World Food Bank would be needless, too difficult to administer, and in conflict with normal world trade.

These are the identical arguments that were used by the Eisenhower administration more than a year ago when members of the Senate Agriculture Committee proposed a soil bank for the farmers of this Nation.

Today the same Eisenhower administration yields to no one in laying claim to the soil bank as an election-year salvation for the farmers of America.

The soil bank theory was just as sound in 1955 as it is in 1956. It simply took a year for it to soak into the gray matter of the masters of the administration.

I should like to make it clear that I am not being critical of anyone who might disagree with the specific way a problem should be approached.

Even though the soil bank has been given the blessing of the administration, there is no absolute guaranty that it will be perfect or there will be unanimous approval throughout the land.

In the case of the soil bank, the administration has at least been willing to explore the program and find out if it will help answer some of our farm problems.

I only wish the same could be said of the proposed World Food Bank.

More than a year ago, two resolutions were introduced in the Senate calling on the executive branch of the Government to explore the possibility of establishing a World Food Bank or International Raw Materials Reserve through the framework of the United Nations or similar world organizations.

Without any apparent investigation whatever, the Eisenhower administration, through the State Department, declared with all speed and emphasis that no such program was needed to help bring about a better distribution of food and other farm products to the hungry millions of people of the free world.

Actually, the two resolutions—one offered by me and the other by the Senator from Montana [Mr. MURRAY]—were very simple.

They proposed that those nations of the free world who are blessed with abundance should pool their surpluses and make them available to less fortunate nations.

In times of shortages, the plans proposed, needy nations could make withdrawals from the surplus deposits and repay them later in cash, other raw materials, or in kind. It would be a normal, businesslike operation, like the operation of a bank from which all of us from time to time borrow money. It would be operated like the well-known blood bank, with which all of us are familiar.

We have learned—and all the world has learned—that an international bank, conceived and operated along democratic lines and principles, can and will operate successfully for the mutual benefit of all participating nations. I refer specifically and directly to the International Bank for Reconstruction and Development. This institution for the betterment of mankind and for the promotion and maintenance of peace, grew out of the Bretton Woods Conference held in July of 1944.

Today the International Bank for Reconstruction and Development has 56 members, and its balance sheet—the measure of the peaceful services it has rendered in a world torn with strife—tells a graphic story of what nations can accomplish when they work together toward a common goal.

I wish to reemphasize that the International Bank for Reconstruction and Development is not a charitable organization engaged in a giveaway program, just as the proposed World Food Bank is not designed to operate as a giveaway institution. The record shows that the International Bank for Reconstruction and Development not only pays dividends in good will among the participating nations and peoples, but also in dollars and cents. Its net cash income last year, over and above all operating expenses, ran something over $20 million. But the Eisenhower administration says that there is no need for a World Food Bank.

It is difficult for me to understand how such a conclusion was reached when the officials of the State Department know, as all of us know, that each and every night almost one-half of the free world's population goes to bed hungry.

In the flowery language of so-called diplomacy, the United States chief delegate to the Geneva conference told the other nations of the free world that the needy nations of the world could better be served through two-way agreements rather than through an international organization.

If this be true in the case of food and clothing, it should also be true in the case of all international relations. A logical conclusion from that argument would be that there is no need for the United Nations itself.

In all frankness, I cannot understand why the Eisenhower administration refuses to have any part in exploring the possibilities of a World Food Bank so long as there are hungry millions who want and need the food and raw materials which we have in abundance.

In fact, the farmers of the United States are growing poor because of an overabundant production, and, at the same time, millions of people of the free world are sniffing the false temptations of communism because they are hungry and ill clad.

Yet we, the United States, the democratic hope of all freedom-loving men, sit by and refuse to make an attempt to work out a practical system of distribution.

The Eisenhower administration begs and pleads with Congress to approve record-breaking funds for foreign aid, but the same administration refuses to consider using our vast surpluses of farm products for the same end.

In the eyes of many, we are fast becoming the greedy giant who tries to buy men's minds while the pangs of hunger gnaw their stomachs.

It is high time for us to wake up to the fact that the battle between democracy and tyranny will be settled ultimately by the hungry peoples of the world. Try as we may, we cannot choose our battleground with human nature.

If the American people knew what the attitude of the Eisenhower administration is toward a World Food Bank, they would not stand for it. It is contrary to our old-fashion sense of good business. So far as I am concerned, I intend to do what I can to see that the public will decide what attitude is right.

When the chips are down, I am confident that the people of this Nation will recognize that what is our burden of today can be a blessing for others, for someday the shoe may be on the other foot.

Mr. KNOWLAND. Mr. President, I yield 3 minutes on the bill itself to the Senator from Wisconsin.

Mr. McCARTHY. Mr. President, I thank the Senator from California. I will take only about 2 minutes at this time. I heartily support the amendment of the Senator from California. Although I do not believe it goes far enough, it does accomplish a great deal. However, I intend to offer an amendment after the pending amendment is disposed of, either favorably or adversely, to cut off all aid of every kind to Yugoslavia.

Nonetheless, I want it to be clearly understood that I do support the amendment of the Senator from California.

I may say that I will take only a few seconds on the amendment at this time, because I will take a considerable length of time on my own amendment. I do wish to say now, however, that it makes me sick way down deep inside when I hear competent Senators—and I do not question their sincerity—stand on the floor and say that unless we build up the military machine of a Communist country we will demonstrate a lack of confidence in the President of the United States, or that we might force this Communist country into the arms of communism. I may say that if Yugoslavia is not in the arms of communism now, after Tito has said, "Nothing will ever separate our two countries marching along the path of Marx, Engels, and Lenin," then there is no such thing as being in the arms of communism.

I have mentioned this several times, but unfortunately a number of people do not understand what is meant by Leninism. I should like to take another 10 seconds to explain what Tito meant when he said he is in favor of Leninism. Whereas Marx, in his 1848 manifesto, said, "We can communize the world without a bloody revolution in the United States or England," Lenin said, in 1914, "That is not true. There must be a bloody revolution in the United States and in England." Tito understands this when he says, "I am in favor of Leninism." Stalin approved it in 1947, and Tito in 1956. I thank the Senator from California very much.

Mr. SALTONSTALL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SALTONSTALL. How much time remains on the amendment, pro and con?

The PRESIDING OFFICER. No time remains on the amendment so far as the Senator from California is concerned. His time has expired. The Senator from Massachusetts has 6 minutes remaining.

Mr. SALTONSTALL. I yield the remaining 6 minutes, plus 4 minutes on the bill, with the consent of the minority leader, to the Senator from New Jersey.

Mr. SMITH of New Jersey. Mr. President, I first wish to observe that it is very difficult for me to find myself in opposition to two of the best friends I have in the Senate, namely, the Senator from California [Mr. KNOWLAND], the distinguished minority leader, and the Senator from New Hampshire [Mr. BRIDGES], the chairman of our policy committee.

The PRESIDING OFFICER. The Senate will be in order so that the Senator may be heard.

Mr. SMITH of New Jersey. I do feel, however, that it is very important to make a complete record on this subject. I welcome the debate today. I think it has been a splendid debate. However, I could not help but feel, when we reviewed all the facts on this subject, that to support the amendment would definitely be a vote of lack of confidence in the President of the United States. I will develop that point as I go along.

As I begin my remarks I ask unanimous consent to insert in the RECORD at this point in my remarks section 143 of the Mutual Security Act of 1956, which has already been read into the RECORD. That section provides for the 90-day period and provides conditions under which the President can continue aid to Yugoslavia. I wish to have it printed in the RECORD at this point for reasons of sequence. I shall not read it.

There being no objection, the section of the Authorization Act was ordered to be printed in the RECORD, as follows:

SEC. 143. Notwithstanding any other provision of law, no assistance under this title or any other title of this act, or under any provision of law repealed by section 542 (a) of this act, shall be furnished to Yugoslavia after the expiration of 90 days following the date of the enactment of this section, unless the President finds and so reports to the Congress, with his reasons therefor, (1) that there has been no change in the Yugoslavian policies on the basis of which assistance under this act has been furnished to Yugoslavia in the past, and that Yugoslavia is independent of control by the Soviet Union, (2) that Yugoslavia is not participating in any policy or program for the Communist conquest of the world, and (3) that it is in the interest of the national security of the United States to continue the furnishing of assistance to Yugoslavia under this act.

Mr. SMITH of New Jersey. I wish briefly to outline the origin of aid to Yugoslavia before I go further into a discussion of the merits of the amendment. Years ago it was my privilege to travel in Europe, and I had the opportunity to travel in the various areas of Europe which are now dangerous spots. One of those areas is the Danube Valley and the Balkan States. I have always felt, ever since World War I, that the Balkan area would be a key area in any future war.

I was very much distressed, when I went to Greece some years ago, that Yugoslavia was on the Russian side and was giving us difficulties in the Grecian picture. At that time we were aiding Greece and Turkey.

Then suddenly, after we had had those difficulties, and after Yugoslavia had been against us, and after Tito had been allied with Moscow, there was a change.

On June 28, 1948, the Cominform issued a denunciation of Tito, which signaled a complete break between Yugoslavia and the Soviet bloc.

We were suspicious then, as we are now, of Tito's real plans and intentions. We did determine at that time that we would give such aid as might be helpful to this revolt by Tito against Moscow. In 1949 and 1950 the Export-Import Bank, under our direction, extended 3 loans totaling $55 million to Yugoslavia. Then later, in 1950, Yugoslavia suffered a severe drought, and the United States extended additional money for emergency relief in that critical situation.

Because of her continuing need for assistance, military and otherwise, Yugoslavia was included in the mutual security acts beginning in 1951. I have figures showing exactly what was given to Yugoslavia in the nature of loans and grants, for the buildup of the military organization in Yugoslavia during that period. A good deal of the material is classified, and I shall not go into it now, but if any Member of the Senate wishes me to show him some of the classified information on those loans and why we made them, and what the developments were, I can show it to him privately.

Suffice it to say, in total, from July 1, 1945, to March 31, 1956, a substantial sum of money was given to Yugoslavia. The figures for military assistance are classified, but I can give them to individual Members of the Senate. We cannot talk about them publicly or for the benefit of the press.

Mr. President, another important point in this debate, which has not been answered is: What did Tito actually say on his last trip to Moscow? I have been very much troubled about that, because I have heard various interpretations. One of our witnesses before the Committee on Foreign Relations—I will not use any names—was asked the following question about what Tito had said in his speech in Moscow:

Did he say that he would march with Russia in peace and war?

The answer of the witness was "No; that Tito did not exactly say that. What Tito said was that they had been allied during the Second World War" and "As we were allied in war, so shall we be allies in peace."

In other words, Tito did not say that they would fight shoulder to shoulder. That is what Zhukov said. Those are the words that Zhukov evidently put into Tito's mouth. Tito apparently made this clear to our representatives in Moscow.

Now Tito may have tried to change what he had actually said. However, the feeling in our Embassies is that we would be moving too fast to assume that Tito had gone back to the other side, on the basis of his comments in Moscow.

In that same connection I wish to read a quotation from the State Department's bulletin of July 9, 1956, dealing with the June 27 press conference of Mr. Dulles. I wish to get this into the RECORD because it has a great bearing on what we should do now on this subject. The question was asked of Secretary Dulles:

Mr. Secretary, would you give us your assessment of Marshal Tito's visit to Moscow and whether you believe he has in any significant way changed his position vis a vis the Soviet and the West?

Mr. Dulles' answer was the following:

The question that you put is one which is receiving very close study by this Government. We have not yet come to any final assessment of what was the significance of Marshal Tito's visit to Russia. He is not yet back in Belgrade, nor have we had the opportunity to have a quiet study, with full information, as to just what took place there. I would say this, we do not believe that anything that has happened conclusively shows that Tito has gone back to any role of subserviency to the Soviet Union.

Mr. McCARTHY. Mr. President, will the Senator from New Jersey yield?

Mr. SMITH of New Jersey. I should like to finish, and then I shall be glad to yield.

I continue reading from the letter:

There is no evidence at all of that, and to my mind it would be almost incredible that he would have assumed that relationship because, after all, he risked a great deal—including perhaps the most precious thing that a man has in many respects, his own life—to maintain independence for himself and his country. Why, under present conditions, he should have given it up I can't see; nor do I find in what has been said any evidence that he did give it up.

Very strenuous efforts were made by the Soviet hosts to trap him into statements, to interpret Tito's own statements, in a sense that would give that implication. But we do not feel that there is any evidence which satisfies us so far that he has given up his independent role. And I would think it would be a very grave mistake indeed, so long as the matter at least is subject to reasonable doubt, if action were taken which would make it impossible for us to proceed on the assumption that he was still independent or to help him to maintain his independence. In other words, the verdict is not yet in. And until we have a much clearer view of the situation I would hope very much that there would be no congressional action which would foreclose the issue.

Mr. President, I shall be glad to yield for a moment to the Senator from Wisconsin. I do not wish too much time taken out of my time.

The PRESIDING OFFICER. The Senator from New Jersey has 1 minute remaining.

Mr. McCARTHY. Mr. President, I do not wish to encroach upon the Senator's time. I wonder if someone will yield half a minute to me.

Mr. KNOWLAND. Mr. President, I yield 1 minute on the bill to the Senator from Wisconsin.

Mr. McCARTHY. The Senator from New Jersey says there was doubt about what Tito said in Moscow. I assume the Senator will not question the authenticity of the New York Times story on page 2 of the June 3 edition, where Tito is quoted as saying:

We were greatly pained, but we believed that the time would come when everything separating us would be overcome and when our friendship would receive a new and still more firm foundation. This time has come, thanks to the Leninist policy of the Government and the Central Committee of the Communist Party of the Soviet Union * * * [the recent visit of Soviet leaders to Belgrade and] the courageous and far-sighted foreign policy of the collective leadership of the Soviet Union are, in my profound conviction, a guaranty that nothing of the kind will ever happen again between the two countries marching along the path of Marx, Engels, and Lenin * * *. Long live the Soviet Union. Long live the friendship between the peoples of the Soviet Union and Yugoslavia.

I wonder if the Senator questions the authenticity of that quotation, and if he does not, will he not agree that it makes little sense to talk about driving Yugoslavia into the arms of the Soviets. I did not hear the Senator from New Jersey make that particular statement, but I have heard it on the Senate floor and in committee, and, as I have said before, it makes no sense at all.

The PRESIDING OFFICER. The time of the Senator from New Jersey has again expired.

Mr. KNOWLAND. Mr. President, I yield an additional 2 minutes to the Senator from New Jersey.

Mr. SMITH of New Jersey. Mr. President, we have heard certain letters read on the floor with regard to the 90-day period and the immediate delivery of jet planes. I wish to address myself to that subject at this time. There is a sequence of letters which may take longer than the time I have been granted.

On the 19th of July 1956 Mr. Dulles wrote a letter to the Senator from Arizona [Mr. HAYDEN], and I shall read the entire letter because it has never been placed in the RECORD. Certain parts of it have been placed in the RECORD, but the entire letter never has been put into the RECORD. The letter is as follows:

JULY 19, 1956.

DEAR SENATOR HAYDEN: I have heard that a number of Senators have been disturbed by reports, some of which have appeared in the press, that the Departments of State and Defense are planning to ship a large number of jet fighter planes to Yugoslavia within the next 90 days. I can assure you that this is not the case.

As you know, the Mutual Security Act of 1956 requires the cessation of all deliveries to Yugoslavia of supplies purchased with mutual-security funds on a date 90 days after the enactment of that law, unless the President determines, in accordance with certain criteria specified by the Congress, that aid should continue. While this provision of the statute, technically speaking, does provide a legal basis for the continued transfer of United States military equipment to Yugoslavia for the next 3 months, I am very conscious of the intent of the Congress that a careful review be made of American policies toward Yugoslavia prior to undertaking any new assistance programs for that country.

The important thing at this juncture is that the executive branch be authorized by the Congress to exercise its discretion on aid questions in the very complex situation related to Yugoslavia. As I have testified, there may be sound reasons for continuing some assistance programs to Yugoslavia, and, in fact, I have pointed to the favorable circumstances that the Yugoslav Government apparently prefers to rely entirely on the United States and other Western countries as sources for its heavy military equipment.

However, these substantive considerations are secondary at the moment and will first be taken up during the studies in the executive branch directed toward providing the President with background information for his findings. The primary point now is that you and the Senate may be confident that, until the President has acted with respect to military supplies, nothing but small, routine and long-planned deliveries of mutual security supplies will be made to Yugoslavia. To give you some idea of what that might entail in the military field, I may say that during 1955 no jet fighter planes were sent to Yugoslavia, while in 1956 only two have been shipped.

Sincerely yours,

JOHN FOSTER DULLES.

The PRESIDING OFFICER. The additional time yielded to the Senator from New Jersey has expired.

Mr. KNOWLAND. Mr. President, I yield 3 additional minutes to the Senator from New Jersey.

Mr. SMITH of New Jersey. Mr. President, a few days ago the Senator from Wyoming [Mr. O'MAHONEY] made the statement in the Senate that jet fighter planes were being shipped. I rose and said I know that no jet fighter planes were being shipped at this time, and the Senator took issue with my statement.

I have been making careful inquiries about this matter, because there is confusion about it, and I think the Senate should know all the facts. I have taken the question up with the Department of State and with the Department of Defense, and have asked whether I was wrong in my statement that no jet fighter planes are being shipped at the present time.

Yesterday I received a copy of a letter sent to the Senator from Arizona [Mr. HAYDEN], which fills out the picture.

The PRESIDING OFFICER. The time of the Senator from New Jersey has again expired.

Mr. KNOWLAND. Mr. President, I yield 2 additional minutes to the Senator from New Jersey.

Mr. SMITH of New Jersey. Mr. President, I have a letter dated July 23, 1956, from Acting Secretary Herbert Hoover, Jr., to the Senator from Arizona [Mr. HAYDEN], which reads as follows:

DEAR SENATOR HAYDEN: In his letter to you of July 19 concerning the shipment of aircraft to Yugoslavia, Secretary Dulles indicated that, until the President has decided what determination he should make under section 143 of the Mutual Security Act of 1954, as amended, nothing but small, routine, and long-planned deliveries of mutual security supplies will be made to Yugoslavia. He added, to illustrate what this might entail in the military field, that in 1955 no jet fighter planes were sent to Yugoslavia while in 1956 only two have been shipped.

At the time Mr. Dulles wrote, this was the latest information available to the Defense Department in Washington. We have just received a report from the field that four additional planes, which were reconditioned in Europe, after serving in NATO, were delivered on July 18. I should like to bring this further information to your attention for the record.

Confirming Secretary Dulles' statement, I am informed by the Department of Defense that present plans do not call for shipment of additional jet fighter planes to Yugoslavia pending the outcome of the Presidential review contemplated by section 143 of the Mutual Security Act of 1954, as amended.

Sincerely yours,

HERBERT HOOVER, Jr.,
Acting Secretary.

Those are the latest figures, and they mean that in 1956 a total of six jet fighter planes has definitely been shipped. The last four were shipped by our people in the field. I am told that what happened was that one of our NATO allies asked for new planes and Yugoslavia received some of the replaced planes after they were reconditioned overseas. This transaction enabled us to meet commitments we had made to Yugoslavia for some plane deliveries, in order to fill up their divisions.

That is the situation in which we now find ourselves, and these are the latest,

most authentic facts. I wished to clarify the statement I made the other night. As a matter of fact, my statement was correct, because the planes had been shipped prior to the time I made the statement. But I do not want any misunderstanding to arise.

The PRESIDING OFFICER. The Chair regrets to inform the Senator from New Jersey that his time has expired.

Mr. SMITH of New Jersey. I should like 2 additional minutes.

Mr. KNOWLAND. I yield 2 additional minutes to the Senator from New Jersey.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I do not wish to yield now.

Mr. O'MAHONEY. But the Senator from New Jersey has used my name.

Mr. SMITH of New Jersey. I yield 1 minute to the Senator from Wyoming.

Mr. O'MAHONEY. That will be sufficient. I read from a letter written by Herbert Hoover, Jr., the Acting Secretary of State, which the Senator from New Jersey has cited. I call attention again to the carefully guarded words of the diplomat:

> Confirming Secretary Dulles' statement, I am informed by the Department of Defense that present plans do not call for shipment of additional jet fighter planes to Yugoslavia pending the outcome of the Presidential review contemplated by section 143 of the Mutual Security Act of 1954, as amended.

I call the Senator's attention to the word "present plans." The plans may be changed tomorrow. Who is the Department of Defense to tell the Secretary of State what he shall do about the negotiations? If these officials would talk in straight, open, public language, language that the man on the street could understand, there would be no doubt. But they refused to talk, and they will not answer the questions asked by the committees.

Mr. SMITH of New Jersey. I shall say only a few more words before I sit down. I said earlier that I have made a study of the Balkan area. I think it is one of the most critical areas in Europe. If it should go behind the iron curtain and into the Russian orbit, there would be nothing to prevent Russia from taking over Italy, first, and then the other Western European countries.

Since Yugoslavia broke away from Moscow, we have had a bulwark against that happening. It has been one of the greatest sources of strength for the entire NATO area.

I admit there is doubt about this matter. I admit that all deliveries should be cut off now, and remain cut off until it is determined what the situation is.

But I submit to cut off all military shipments permanently as the amendment provides, except the shipment of replacement parts, does not give the President of the United States, who is the military commander in chief, and his military staffs, the ability to appraise the situation and determine whether Tito has really gone over to the Soviet side, or whether the Yugoslavs are still maintaining their independent position with the Western group.

As I said previously, there is 1 chance in 10 that the situation can be salvaged. We must take that chance and not let it go simply because of some misinterpretation of what Tito recently said in Moscow.

Mr. LANGER. Mr. President, will the Senator from California yield me 1 minute that I may ask him a question?

Mr. KNOWLAND. I yield 1 minute to the Senator from North Dakota.

Mr. LANGER. What disturbs me is that if we give military aid to Tito now, what is there to stop the rulers of Iran, Iraq, and Pakistan from visiting Moscow, making statements similar to those which Tito has made, and then asking us to continue our military aid to them?

Mr. KNOWLAND. While I do not anticipate that any of those countries will go to the Russian side, still if a country—it might be any country the Senator might name—should get a Communist government, and went to the Soviet Union claiming that it was semi-independent, even though it had a Communist dictatorship, it could point to Yugoslavia as a precedent for our furnishing both arms and equipment.

Mr. LANGER. I agree with the Senator as to the precedent.

Mr. SALTONSTALL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Massachusetts will state it.

Mr. SALTONSTALL. Has all time on the amendment expired?

The PRESIDING OFFICER. All time of the Senator from California and all time in opposition to the amendment has expired.

Mr. THYE. Mr. President, may I have 5 minutes on the bill?

Mr. SALTONSTALL. Mr. President, if a point of order is made or if a motion is made to suspend the rule, or if an appeal is taken from the ruling of the Chair, how much debate would then be permitted?

The PRESIDING OFFICER. One hour on any of the methods which might be used.

Mr. SALTONSTALL. If the Senator from Minnesota will permit, in order that we may make headway, I should be glad to yield time to him after I have raised my point of order. We can listen to him after that time.

Mr. THYE. Mr. President, if the acting minority leader would yield me a few minutes now, I should like to make my statement so that it will appear with other statements in support of and in opposition to the amendment. All the statements will then appear at about the same place in the RECORD. But if a point of order were made now, my statement and whatever colloquy might occur would appear in the RECORD following the point of order.

Mr. KNOWLAND. Mr. President, I suggest that 5 minutes be yielded to the Senator from Minnesota.

Mr. SALTONSTALL. I yield 5 minutes to the Senator from Minnesota.

Mr. THYE. I thank the Senator from Massachusetts.

Mr. President, only the historians will be able to determine which ones of us are right on the Senate floor this afternoon. We will not be able to prove that to the satisfaction of one another by the statements we make here today.

The Committee on Foreign Relations placed within the authorization bill an amendment to the Mutual Security Act which would prevent the Administrator from doing what Congress would not approve. The committee provided a period of 90 days within which to evaluate the international situation following Tito's visit to the Soviet Union.

The President has asked that he have a period of 90 days within which to meet in conference with the leaders of other nations in an endeavor to evaluate the diplomatic situation which has arisen because of Tito's friendly expression to the Soviet Union during his personal visit to Russia.

Delegations from the United States have gone to Russia. Delegations from Congress went to Russia last year. The Iron Curtain has been lifted. At the time we became allied as a friendly nation with Yugoslavia, the curtain was down. We welcomed the friendly territory of the Yugoslavian Government so that we might stand there and use it as a listening post to determine the situation behind the Iron Curtain.

If Senators will examine the record of the hearings in the Committee on Appropriations, on page 309, they will find that Secretary Dulles said:

> Now I would like to say a word about Yugoslavia. I strongly urge upon this committee and through this committee upon the Senate that we should be allowed a certain measure of discretion still as regards Yugoslavia. That is a difficult and delicate situation. I am absolutely certain of this: First, that Yugoslavia still stands as a symbol of independence in the satellite world and that if that symbol were pulled down and if Yugoslavia went back again 100 percent into the Soviet camp, it would make it infinitely more difficult to carry out our program which seeks the liberation and freedom of the satellite countries. It would be a terrific setback to all of our hopes and all of our plans in that area.

If we turn to the next page, page 311, we find Admiral Radford's statement pleading with the committee, in much the same language, that we permit the Secretary of State and the President to evaluate the situation in Yugoslavia before we close off all our military assistance to that country.

So, Mr. President, I say only the historians will determine which of us was right this afternoon, but I am determined that I shall do my utmost to stand with the President, to stand with the Secretary of State, and to stand with the Chairman of the Joint Chiefs of Staff, who are asking that opportunity be afforded them to determine the diplomatic situation we are confronted with in that area of the world.

The PRESIDING OFFICER. The Chair recognizes the Senator from California.

Mr. KNOWLAND. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The time must be yielded on the bill, since there is no time remaining on the amendment.

Mr. KNOWLAND. I yield myself 3 minutes on the bill.

I desire to say, first of all, the matter of the discretion of the President can be carried to an extreme, and I am speaking

now of any administration, Republican or Democratic. If it were desired to give complete discretion to the President, the thing to do would be to appropriate as a lump sum the $4 billion, or whatever amount the mutual aid bill may carry, and put it in the hands of the President without any strings attached. I think a substantial argument could be made that that should be done, regardless of where the money might go, or to whom he might transfer the funds. He could use them for military equipment, for economic aid, for replacement parts, and for technical assistance. If the desire is to put complete and final authority and discretion in the hands of any President, that is the way to do it. But the Constitution also states that the Congress of the United States is the legislative arm of the Government, and under our constitutional responsibility, we take money away from the American people in taxes, and control the purse strings, and appropriate money out of the Public Treasury. In our constitutional exercise of that power do we have the right to lay down certain conditions? Of course, we do. We say a certain amount of this aid shall be economic, a certain amount of it shall be technical assistance, a certain amount shall be spent in Asia, Europe, and the Middle East, and we put restrictions on the spending. It is entirely proper that we do so, regardless of who the President might be. We have done it during the past 10 years of the mutual aid program and the Marshall plan, and we have quite properly done it in that regard.

The fact of the matter is that the amendment I have offered is the only way we can get at the more than $100 million of military and other types of equipment which are in the pipelines and which have not yet been shipped to Yugoslavia. If certain Senators do not want to impose such a restriction, they are privileged to vote against the amendment. I am not quarreling with a single Senator who wishes to exercise his judgment in that regard. There are honest differences of opinion. On this subject I happen to feel as I have indicated, but I recognize that other Senators, who are just as patriotic feel differently, and I do not quarrel with them.

Mr. THYE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. THYE. I should like to ask the Senator if it is not a fact that the Secretary of State and the President have used good judgment concerning shipment of military equipment to the Yugoslavs in the past 18 months. That certainly is a fact, is it not?

Mr. KNOWLAND. I will say to the Senator that up to the time Tito went to the Soviet Union, the President and the Secretary of State were conforming with the then law as passed by the Congress, and aid to Tito had been granted because Yugoslavia was threatened by aggression from the Soviet Union.

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. KNOWLAND. I yield myself 5 minutes on the bill. I am raising no question as to the discretion exercised by the Executive of either the last administration or the present one in expending the funds appropriated by the Congress for Tito, up to the point that Tito went to the Kremlin.

Mr. THYE. The Senator does not feel he can, in good conscience, criticize the President or the Secretary of State or Admiral Radford in any of their administrative actions concerning military aid to Yugoslavia, does he?

Mr. KNOWLAND. I have not questioned their action with respect to the whole worldwide situation, and as the Senator from Minnesota knows, I have supported the administration's program, and have stood on the floor day after day, hour in and hour out, fighting for it.

Mr. THYE. Mr. President, no one has devoted more time, study, effort, and work than has the Senator from California, the minority leader, both to this matter and other matters relating to the mutual security program. That is why I find it extremely embarrassing and difficult to be opposed to him on this question today. But I sat through all the hearings, and the Senator from California likewise did. My convictions are that the President, the Joint Chiefs of Staff, and the Secretary of State should be given a little leeway, so they may evaluate the diplomatic situation with which the world has been confronted since the Russians opened their Iron Curtain and invited Tito in. The situation in Russia is different today than it was 18 months ago. I think we had better take heed and give the President, the Secretary of State, and the Joint Chiefs of Staff a little latitude in making decisions as to what they may want to do tomorrow.

Mr. KNOWLAND. I will say to the distinguished Senator from Minnesota that, in the first place, so far as latitude is concerned, under the amendment they will have latitude with respect to economic aid. They will have latitude in furnishing replacement parts. They will have latitude in furnishing maintenance. That kind of latitude is not affected by the amendment. As the distinguished Senator from New Hampshire [Mr. BRIDGES] pointed out, the amendment puts a freeze during this period of time on the sending of additional howitzers to Communist Yugoslavia under Dictator Tito. It prevents the shipment of additional big guns. It prevents the shipment of tanks. It prevents the shipment of jet fighter planes. It prevents the shipment of bombers, be they old type bombers or jet type bombers, or whatever they may be.

To be sure, let us review the situation; but, if the amendment should be adopted, when Congress reassembles next January we shall still be able to feed the hungry people of Yugoslavia if they need food. We shall still be able, under the amendment, to give them economic aid. We shall still be able to see to it that their equipment does not rust and become useless, because we shall be able to furnish replacement parts, such as carburetors, new tires, and other needed parts.

There are some who question that the furnishing of such replacement parts is advisable. But if, after a resurvey is made, the President desires to come to the Congress and state, "I believe it is in the interest of the United States and the preservation of the free world to furnish such equipment," in the first supplemental appropriation bill which will be considered in January next year, funds can be appropriated for that purpose. We shall have an opportunity at that time to examine into the question of whether we want to do it, and whether it is a sound thing to do. But I say again, most sincerely, and I respect the distinguished Senator from Minnesota, who is my good friend, and who has served with me on the Appropriations Committee and otherwise, my own conviction is such that I cannot justify to the people of California, or the people I represent as a Senator of the United States, taking money out of our treasury and furnishing new war equipment to Dictator Tito at a time when this issue is very much in question, and until the issue has been amply clarified to the satisfaction of the Congress of the United States.

Mr. President, I yield 5 minutes to the Senator from Vermont.

Mr. FLANDERS. I thank the Senator from California. I shall need but 1 minute. On July 9, by voice and vote, I tried to prevent a shipment of war materials to Yugoslavia. Later in the debate it was determined by the vote of the Senate that the responsibility for deciding whether such material should be sent to Yugoslavia should be left to the discretion of the President. The President has accepted that responsibility. I am not an "off agin, on agin, gone agin, Finnigin." The President has accepted that responsibility, and I am not going to vote to take it away from him. I shall, therefore, oppose this amendment.

Mr. KNOWLAND. Mr. President, in the remarks I previously made, I intended to include in the RECORD an item from the New York Times of June 21, relating to the speech Marshal Tito made in the Soviet Union—a matter to which several Senators have referred. I think this additional information should be available to the Senate prior to taking the vote. In the New York Times of June 21, Marshal Zhukov is quoted as having said:

> Soviet and Yugoslav military forces fought shoulder to shoulder against German fascism. Soviet and Yugoslav military forces are struggling to maintain peace, but should war be imposed upon us we will struggle shoulder to shoulder for the benefit of mankind.

That is the Marshal Zhukov statement, which is in general conformity with the one previously attributed to Tito.

The New York Times of June 21 also says, in connection with the quotation I have just read:

> President Tito, hereby, nodded and gripped Marshal Zhukov's hand firmly.

Mr. MORSE. Mr. President, will the Senator from Texas yield 3 minutes to me?

Mr. JOHNSON of Texas. Mr. President, I yield 3 minutes to the Senator from Oregon [Mr. MORSE].

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). The Senator from Oregon is recognized for 3 minutes.

Mr. MORSE. Mr. President, I am glad that the chairman of the committee, the Senator from Georgia [Mr. GEORGE], has returned to the floor, because I think one matter should be clarified for the record, and in that connection I should like to have the attention of the Senator from Georgia. Earlier this afternoon, he and I engaged in colloquy as to what the record shows regarding the position of the White House and the action taken on the Yugoslav issue.

It will be recalled that previously in the debate it has been stated over and over again that the bill provides not only what the State Department wanted, but also what the White House wanted. I think that is beyond successful dispute. But in order to make the record perfectly clear, I ask unanimous consent to have printed at this point in the RECORD the letter submitted to the Foreign Relations Committee by the Secretary of State, under date of June 13, 1956.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, June 13, 1956.

DEAR SENATOR GEORGE: I welcome the opportunity presented by your letter of June 6 to make it clear that the Department vigorously opposes Senate bill 4001 which seeks to cut off all United States assistance to Yugoslavia.

Within the past 6 months, the executive branch of this Government, with the participation of the President, has reviewed the question of United States policy toward Yugoslavia, and both the programs now being implemented and those proposed in the mutual security bill before your committee are consonant with and in support of the national policy thus established.

During the deliberations at all levels which preceded the final formulation of United States policy in the executive branch, all of the many and frequently complicated factors which enter into United States relations with Yugoslavia were given the most careful attention. In their own independent deliberations on mutual security programs for Yugoslavia, the members of your committee, and of the entire Senate, may find helpful the following summary of the principal considerations which weighed most heavily with the executive branch in determining the final policy adopted.

It was agreed that the American attitude toward Yugoslavia had to be formulated in the context of the overall foreign policy of the United States which seeks to meet the basic challenge to American national security and economic well-being emanating from the Soviet Union. The expansionist tendencies of the U. S. S. R. have been particularly apparent in Europe, where the U. S. S. R. now sits astride the middle of the continent and has stifled all but the illusory sovereignty of a number of once independent countries in Eastern Europe. In this area, only one nation, Yugoslavia, has had both the opportunity and the steadfastness to stake its virtual existence as an independent state on a defiance of Moscow's ambitions to dominate it, and the United States can take satisfaction from its record of support for Yugoslavia during the recent years of crisis.

It is natural, of course, that the focus of attention today rests on Yugoslavia's present position, which is symbolized in part by the visit of President Tito to the U. S. S. R. In essence, however, this visit, like the widely noted trip of the Russian leaders to Belgrade in May 1955, marks an acceptance by the Soviets of the defeat of their efforts to press Yugoslavia into the satellite mold. It is no wonder, therefore, that the Kremlin is trying to gloss over the failure of its anti-Tito policies from 1948 through 1953 by assiduously wooing Belgrade and by working to undermine the manifold Yugoslav ties with the West built up since 1948.

Since the Yugoslav regime is a Communist one, it is understandable that its leaders now look hopefully to the Kremlin to rescue the U. S. S. R. and the worldwide reputation of communism from the disrepute to which the totalitarian system perfected by Stalin brought it. In that sense, the United States cannot overlook the tendencies in Yugoslavia toward rapprochment with the Soviet Union induced both by ideology and by the memories of long Communist Party collaboration prior to 1948. Also to be taken into account is the weakness of the Yugoslav economy which still requires much help from abroad and which cannot afford to pass up the relatively generous offers of credits and trade from the Soviet orbit. Finally, the Yugoslavs have welcomed and seek to take advantage of the normalization of their formely beleaguered frontiers with the neighboring Soviet-orbit countries.

None of this obscures the fact, however, that decisions on Yugoslav Government problems and policies are being made in Belgrade and not in Moscow. To be sure, many of these decisions in the foreign-policy field do not correspond with our own. This is partly understandable in the light of Yugoslavia's different geographical, economic, historical, and ideological circumstances. Yet there has been no credible evidence that President Tito wishes or is going to enter into a subservient status vis-a-vis the Soviet Union. Moreover, it is illogical that he should wish to do so, especially in view of his presently favorable international position vis-a-vis East and West, and of his record since 1948, unless dire economic necessity forces him to become overdependent on the U. S. S. R. without the alternative availability of American assistance. The Yugoslav portion of the pending mutual-security legislation is designed to contribute toward preventing that situation from arising. Its enactment would also be a sign to other West European countries, almost all of which have cordial relations with Yugoslavia, that the United States, as of the present, sees no cause for a major shift in its Yugoslav policy. Such an American judgment would coincide with the conclusions reached lately by a number of responsible West European statesmen.

It is evident that the state of United States-Yugoslav relations has important implications for Eastern as well as Western Europe. Docile as they have been in Soviet hands, the satellite chieftains cannot fail to have secretly admired Belgrade's resistance to Moscow in the cause of national independence and to be envious of Moscow's present generosity toward Yugoslavia as compared with its parsimony toward themselves. Undoubtedly, these rulers will be anxious to take advantage of whatever greater degree of independent action is permitted them by the new Soviet leadership, and it may well be useful for them to know that the United States is holding to its record of assisting nations, such as Yugoslavia, which make efforts to assert and preserve their independence.

I am aware that there is considerable criticism in this country of the system of government now prevailing in Yugoslavia. Properly speaking, the nature of another nation's regime is of no official concern to the United States Government, provided that such regime is not associated with the worldwide movement still directed from Moscow with the aim of subverting the independent states not in the Soviet bloc. Yugoslavia does not now seem to be cooperating with this phase of Soviet endeavor and, indeed, gives indications of its disapproval of the continued Soviet effort to expand its orbit and "export" its revolution. Still, I should make clear that this Government recognizes that a dictatorship prevails in Yugoslavia and that an unfortunate denial of some human freedoms still persists there. On the other hand, fairness requires that this situation be compared with the Soviet-type political conditions prevailing in Yugoslavia 8 years ago, and any such comparison will demonstrate that there have been substantial ameliorations for the average citizen brought on both by the regime's critical reexamination of some of its own tenets and practices and by the influence of its expanding official and unofficial contacts with the West.

In reviewing the elements which have entered into the recent formulation by the executive branch of United States policy toward Yugoslavia, I have to be sure, not meant to imply that this evaluation was final and definitive for the Executive. As you know, procedures are in operation within the executive branch to insure that all policies toward individual countries are kept under continuing review regarding their effectiveness and correctness, and this applies, of course, to the Yugoslav case. It is our aim to remain alert to the implications of new international developments for existing programs and, before new appropriations were obligated for Yugoslavia, the Department would in any event review the then-current situation, whether there were a congressional mandate to this effect or not. It is my hope, however, which I know the President has shared, that the Congress will not want to deprive us of the instrumentalities and funds whereby the executive branch will be enabled to pursue the flexible policy toward Yugoslavia which is needed to counter the present Soviet drive to retrieve its own failure in Yugoslavia since 1948.

Sincerely yours,

JOHN FOSTER DULLES.

Mr. MORSE. Mr. President, I wish to read 1 or 2 short pargaraphs of the letter, as follows:

I welcome the opportunity presented by your letter of June 6 to make it clear that the Department vigorously opposes Senate bill 4001 which seeks to cut off all United States assistance to Yugoslavia.

Within the past 6 months, the executive branch of this Government, with the participation of the President, has reviewed the question of United States policy toward Yugoslavia, and both the programs now being implemented and those proposed in mutual security bill before your committee are consonant with and in support of the national policy thus established.

Then, Mr. President, at the end of the letter, the Secretary of State wrote:

It is my hope, however, which I know the President has shared, that the Congress will not want to deprive us of the instrumentalities and funds whereby the executive branch will be enabled to pursue the flexible policy toward Yugoslavia which is needed to counter the present Soviet drive to retrieve its own failure in Yugoslavia since 1948.

Mr. President, when the bill was marked up in the Foreign Relations Committee, there was supplied to each member of the committee a digest of the testimony on this matter by the spokesman for the administration. At this time I wish to read what was supplied to us; and it was an accurate statement of facts, based upon the testimony of the witnesses from the executive

branch on the position of the executive branch on this issue:

The executive branch—

(1) Favors the 90-day period allowed by the Senate bill in order that the President may have sufficient time to consider the new findings that are required.

(2) Has no objection to the requirement in the Senate bill that the President report his findings to Congress with his reasons therefor.

(3) Understands the additional finding required by the Senate bill to mean that Yugoslavia is not acting as an instrument of Soviet policy for the Communist conquest of the world and has no objection to it.

Mr. President, the last point I wish to make is that the letter which the chairman of the committee read to the Senate today, which I understand came from the White House, certainly leaves no room for doubt that the President of the United States himself wants the flexible program which we voted the other evening that he should have; and therefore, of course, the President must be considered as being opposed to the Knowland amendment.

Mr. President, if there is any feeling that that is not the position of the President of the United States, then I think we owe it to the President to have a statement made at this time regarding whether that is or is not the position of the President of the United States.

The PRESIDING OFFICER. The time yielded to the Senator from Oregon has expired.

Mr. GEORGE. Mr. President, I should like to have 1 minute.

Mr. JOHNSON of Texas. Mr. President, I yield 1 minute to the Senator from Georgia.

The PRESIDING OFFICER. The Senator from Georgia is recognized for 1 minute.

Mr. GEORGE. Mr. President, I think the Senator from Oregon is entirely correct. With respect to the matters which he said were before the committee at the time when the committee voted to report the bill, I am sure the Senator from Oregon is correct. I think he is also correct in all his other statements.

Mr. SALTONSTALL. Mr. President—

The PRESIDING OFFICER. All time on the amendment has been used.

Mr. SALTONSTALL. Mr. President, will the Senator from California yield to me 5 minutes on the bill?

Mr. KNOWLAND. I yield to the Senator from Massachusetts 5 minutes on the bill.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 5 minutes on the bill.

Mr. SALTONSTALL. Mr. President, we have heard patriotic Senators make statements on both sides of the pending question. At this time I should like to speak briefly to it, and I shall endeavor to be realistic.

Mr. President, all of us realize that Tito and Yugoslavia are Communists. Although at the present time he is friendly to Russia and the Soviets, we have no knowledge that he has turned Yugoslavia back toward the Russians. In fact, there is clear indication that Yugoslavia still is an independent Communist country.

Some time ago we agreed on the sending of aid to Yugoslavia. That aid has been sent. Lately it has been greatly reduced in amount. The sending of that aid was a calculated risk. We knew Yugoslavia was Communist, but we knew that Yugoslavia was independent of Russia, when we sent the aid. That was I repeat, a calculated risk.

In my opinion, the nub of this debate is: Are we ready at this time to say that our calculated risk has gone bad? Are we ready to say that we made a bad bet, and that we must declare that our effort in that respect has been a loss? If we do that, and if at this time we cut off all aid to Yugoslavia, and if we do not give the President the right to use his discretion in this case—and such discretion is worth a great deal—then we shall force Yugoslavia to turn to the Russians, for the equipping of the Yugoslav Army, for in that situation either the Yugoslav Army will become obsolescent or it will be equipped by the Russians.

Are we to take the position that at this time all we have done for Yugoslavia is lost? Three weeks ago we voted on the authorization bill on this subject. Inasmuch as the President was, in that bill, given the discretion, subject to the 90-day period provided for, to decide whether aid should be given to Yugoslavia, then, under that measure, the President must do this:

First, find there has been no change in Yugoslavia policies on the basis of which the assistance has been furnished in the past, and that Yugoslavia is independent of control by the Soviet Union.

Second, find that Yugoslavia is not participating in a policy or program for Communist conquest of the world.

And, third, find that it is in the interest of the national security of the United States to continue the furnishing of assistance of Yugoslavia under this act.

In other words, the President must so find, and must so report to the Congress, within 90 days.

Since this debate began, we have received communications on this subject from the Department of State and from the President himself. That matter has been referred to by the Senator from Oregon [Mr. MORSE] and other Senators. As a result of those communications, our aid would practically be stopped within the 90 days.

The question is simple. Are we willing to say that our calculated risk has gone wrong, or are we willing to trust the discretion of the President of the United States, whose discretion has proved to be sound in other instances, and whose judgment and knowledge of European conditions are as fundamental as those of anyone else in the world? Are we willing to trust his discretion? He must report to Congress. Are we willing to say that our bets have gone bad, that our calculated risk is no good, and that we must stop everything?

It seems to me that is the question we must decide in this debate. I am not willing to say that our calculated risk has gone bad; and I, for one, am willing to trust the discretion of the President.

Mr. KENNEDY. Mr. President, I ask that I may have 2 minutes on the bill.

Mr. JOHNSON of Texas. I yield 2 minutes to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, after listening to the debate on the Knowland amendment, I think it would be a mistake to adopt it. The reasons I take that position are threefold.

In the first place, in my opinion, the language placed in the authorization calling upon the President to submit a report to Congress in 3 months, and requiring Yugoslavia to meet three conditions, is extremely firm. In my opinion Yugoslavia may well be unable to meet those conditions. But at least we would have a clearer picture in 3 months.

Under the stipulated conditions, we ask the President to certify that Yugoslavia is independent of control by the Soviet Union; second, that Yugoslavia is not participating in a policy for the Communist control of the world; and, third, that it is in the interest of the United States security that the United States continue aid to Yugoslavia.

I do not think anyone could say with finality that Yugoslavia would be able to meet those standards today. I do not think she may be able to do so in 3 months. But I do not think it is possible for Congress to conduct the foreign policy of the United States on a basis when none of us knows the evolution of that policy, particularly as it may concern the relationship between the Soviet Union and her satellites, and the relationship between the Soviet Union and Yugoslavia. Yet the amendment would require that the United States, without alteration regardless of changing circumstances, follow a certain course for a year.

The letter of Mr. Herbert Hoover—and I think we agree that the language could have been more precise—states that no planes will be shipped during the period the President is reviewing the policy, which will be for 3 months, and therefore no assistance will be given to Yugoslavia until the President has made a report to the Congress at the end of 3 months. It seems to me that the Congress, acting in a responsible way, has all the protection necessary to protect us from irresponsibility in this area of our foreign policy. If, after that, the President makes a finding and reports his finding to the Congress, the Congress and the President can take appropriate action. For the Congress with all of the protection of the language of the authorization not to permit the President this flexibility at this time, I believe, would be a mistake.

The PRESIDING OFFICER. The time of the Senator from Massachusetts has expired.

Mr. NEUBERGER. Mr. President, will the Senator from Texas yield me 3 minutes?

Mr. JOHNSON of Texas. I yield 3 minutes to the junior Senator from Oregon.

Mr. NEUBERGER. Mr. President, I intend to oppose the amendment which has been offered by the Senator from California. I intend to do so because,

in a matter such as this, the judgment and knowledge of the President of the United States and of the Secretary of State are far better and more expert than mine. I intend to support the President and the Secretary of State on this issue.

However, I should like to call something to the attention of our distinguished friends across the aisle. I voted with the President several weeks ago on the question of the mutual-aid authorization. Because of this, I have been receiving letters from Republicans in my State denouncing me as an alleged leftist. I am sure that if I had voted against the President, I would have received letters from the same people accusing me of not supporting our great President of the United States.

This is not the first time our friends across the aisle have tried to have their cake and eat it too. Only this morning I consulted the hearings transcript on the nomination of Wesley D'Ewart to be Assistant Secretary of the Interior. I was lectured by some of my friends across the aisle because I opposed Mr. D'Ewart, inasmuch as I disagree with him on certain vital questions of conservation.

Some of my friends across the aisle said to me, "On an appointment such as this, the President of the United States is entitled to name a person in whom he has confidence." Lo and behold, some of the same friends who thus lectured me voted against the President of the United States only recently in connection with the nomination of Paul G. Hoffman. On that particular occasion, it did not seem that the President of the United States was entitled to have someone of his own choosing, in whom he has confidence.

According to the Congressional Quarterly, during 1955 I voted with President Eisenhower 80 percent of the time on questions of foreign policy. According to the same Congressional Quarterly, one of the Republican Representatives from my State voted with President Eisenhower 25 percent of the time on foreign policy. When I got home that man criticized me for not supporting the great President of the United States.

I think it is well to have the RECORD today show—and I am glad the senior Senator from Georgia read the President's letter into the RECORD—that those of us who are opposing the amendment which has been offered by the minority leader are supporting the policies presented by the President of the United States and his Secretary of State.

Mr. HUMPHREY of Minnesota. Mr. President, will the Senator from Texas yield me 1 minute?

Mr. JOHNSON of Texas. I yield 1 minute to the Senator from Minnesota.

Mr. HUMPHREY of Minnesota. At the time of the authorization for mutual security I supported the language in the committee bill, which placed the responsibility for the final determination of aid to Yugoslavia, in the hands of the President and the Secretary of State. I have neither seen nor heard anything since that would cause me to change my mind.

While Members of Congress may feel that they have all the secret information at their fingertips, and while we may feel that we have all the national security problems immediately before our eyes, it is true that in matters of high policy, such as our relationships with a specific country, we do not get all the information. I wish we did, but we do not. I do not believe that we have had all the vital and secret information about Yugoslavia. I do not believe that we have had all the information with respect to Tito. I think the only ones who have such information are the President of the United States and the members of the National Security Council.

I cannot understand what makes the Senators on the other side of the aisle so suspicious of the President. Is there some reason why they do not trust his judgment?

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY of Minnesota. Mr. President, may I ask for an additional minute?

Mr. JOHNSON of Texas. I yield an additional minute to the Senator from Minnesota.

Mr. HUMPHREY of Minnesota. Is there any reason why our colleagues on the other side of the aisle should feel that the President's judgment in this connection would be in any way warped? After all, we have been aiding Tito until the present day. The President has asked that he be granted the right to make the decision as to whether or not continued aid to Yugoslavia is in our own national security interest.

I heard one of my colleagues say that he was not an off agin, on agin, gone agin, Finnigin, but even before the mutual-security authorization vote the President had been conducting foreign policy with Czechoslovakia. Aid had been cut off for a period of time, and then had been restored.

The simple truth is that we have not all the facts. No Senator can rightfully claim that he has seen all the facts. No member of the Foreign Relations Committee, save possibly the distinguished chairman, can rightfully say that he has witnessed all the material.

On that basis, inasmuch as the President and the Secretary of State feel that this is a matter of the highest policy, a matter of most delicate concern, and of extreme importance to our foreign relations, I think we should give the President the benefit of the doubt in this particular instance, unless, before the conclusion of the debate, someone can come forward with some new information which has not been made available to the committee. The language in the bill does not automatically grant aid to Tito. In fact, it denies and withholds such aid unless the President specifically finds that aid is of urgent importance to our own national security.

Mr. SALTONSTALL. Mr. President, I make the point of order that the amendment offered by the distinguished Senator from California proposes general legislation on an appropriation bill, and is therefore in violation of paragraph 4 of rule XVI.

Mr. KNOWLAND. Mr. President, I should like to be heard on that question. I do not intend to appeal the decision of the Chair.

The PRESIDING OFFICER. The Chair will hear the Senator from California.

Mr. KNOWLAND. Mr. President, I wish to say to the Senate and to the Presiding Officer that the subject matter of this amendment relates solely to mutual aid. The amendment does not go into any extraneous field of any type or character. In connection with the pending bill, which contains approximately $4 billion in aid, statements have been made from the very start—as was also true in connection with the authorization bill—that what we did in relation to the appropriation should be related to whatever might be in the pipeline and in unexpended balances.

Senators may honestly differ on the point as to whether an unexpended balance has been obligated for buying equipment which is needed, but for which the bill has not yet been paid. However, it is certainly germane to an appropriation bill. The technicality—and I am not going to argue it—upon which the point of order rests is that the amendment is in violation of rule XVI in that it applies not only to the pending bill, but also to the unexpended balances, to wit, the nearly more than $100 million in the pipeline for Tito and Yugoslavia, out of which jets, tanks, howitzers, and other type of equipment might come.

While I do not intend to appeal from the ruling of the Chair, I call attention to the fact that under rule XVI of the Senate I have filed notice of a motion to suspend the rule. Although a two-thirds vote is required to sustain it, I shall ask for a yea and nay vote on my motion to suspend the rule, after the Chair has ruled on the point of order.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. LEHMAN. When did the minority leader file the notice of a motion to suspend the rule?

Mr. KNOWLAND. I believe it was on the day I submitted the amendment.

The PRESIDING OFFICER (Mr. MCCLELLAN in the chair). The Chair finds that the notice was filed on July 19.

The Senator from Massachusetts [Mr. SALTONSTALL] has made a point of order against the amendment of the Senator from California [Mr. KNOWLAND] on the ground that it is general legislation on an appropriation bill.

The present occupant of the chair is informed that the precedents of the Senate and House are practically uniform that an amendment in the form of a limitation, when it applies to appropriations in some other act, is legislative.

Inasmuch as this amendment deals with funds in other acts, the Chair must sustain the point of order.

Mr. KNOWLAND. Mr. President, in accordance with the notice which I have previously filed, I now move that rule XVI be suspended for the purpose of permitting a vote to be taken on the amendment.

I urge Senators, even though they may, for their own reasons, intend to vote

against the amendment, at least to afford the Senate an opportunity to have a direct vote on the question of the amendment which I have offered. The only way that can be done is by suspending paragraph 4 of rule XVI.

The PRESIDING OFFICER. The question is on the motion of the Senator from California to suspend paragraph 4 of rule XVI.

Mr. JOHNSON and Mr. KNOWLAND requested the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. Thirty minutes of debate is allowed to each side.

Mr. KNOWLAND. Mr. President, I am prepared to yield back my time.

Mr. JOHNSON of Texas. I am prepared to yield back my time.

Mr. LEHMAN. Mr. President, will the Senator yield for a question? Will he yield 1 minute?

Mr. KNOWLAND. I yield 1 minute to the Senator from New York.

Mr. LEHMAN. Mr. President, I shall vote against the Knowland amendment, but I shall not vote against the motion of the Senator from California to suspend the rule. I do that in accordance with my view that the Members of the Senate should have a right to vote on important legislation like the pending proposal if there is no other way in which a vote can be reached on the issue in question. Members should not be estopped from voting on vital legislation. That is why we have a rule providing for the suspension of the rules. And that is why I regret the invocation of technicalities to prevent even the submission of a motion, as we saw happen earlier today, with the motion of the senior Senator from Missouri. I would not be consistent if I now voted against the suspension of the rule in order to prevent a vote on a highly important matter, when that is the only way to reach a vote on this subject. Despite my opposition to the basic proposal of the minority leader, I shall vote for the suspension of the rule.

Mr. HOLLAND. Mr. President, I wish to address a question to the Senator from California.

Mr. KNOWLAND. I yield 1 minute to the Senator from Florida.

Mr. HOLLAND. I should like to ask the distinguished Senator from California whether I am correct in my understanding that under the wording of his amendment funds which have been committed for military assistance, though they have not been expended, would nevertheless be cut off, notwithstanding the fact that our Government was committed to furnishing such assistance?

Mr. KNOWLAND. I may say to the Senator that it is correct they would have to be cut off, but only in the same way that any tentative programs we may have in other areas of the world would have to be cut off if Congress cut the appropriation by a billion dollars, for example. In such a case we would have to revise our programs. Certainly the amendment would require revision of the commitments which have been made so far as new equipment is concerned, but not in connection with replacement parts or maintenance.

Mr. HOLLAND. Mr. President, will the Senator yield for another question?

Mr. KNOWLAND. I yield.

Mr. HOLLAND. What disturbs me is this: The wording of the Senator's amendment seems to apply to all funds which remain unexpended, rather than only to funds which have not been committed. The Senator from Florida feels that under the wording of the amendment, in the event our country has committed funds under prior appropriations for military assistance to Yugoslavia, our good faith would be violated under the wording of the Senator's amendment. I will ask the distinguished senior Senator what his impression is as to that point.

Mr. KNOWLAND. I fully understand the Senator's position. However, I do not believe that any commitment can be made, even to our close allies, except subject to appropriations made by Congress. I do not believe that a commitment should be made except with the understanding that the commitment is dependent upon an appropriation from Congress and the control of the purse strings by the legislative arm of the Government.

Mr. HOLLAND. Mr. President, will the Senator from California yield further?

Mr. KNOWLAND. I yield.

Mr. HOLLAND. The point which I fear the distinguished Senator from California has overlooked is that commitments which have been made have been made under appropriations heretofore made by Congress.

Mr. KNOWLAND. The Senator is correct. However, I believe the testimony before our committee is quite clear that in the event, for example, Congress in its judgment—and let us now take an extreme example—were to cut the bill down to a billion dollars—which, of course, I would resist, as I have resisted amendments which would have cut the appropriation by a smaller sum our programs all over the world would have to be readjusted. So far as I know, even with our stanchest allies we have never entered into a type of commitment which would prevent the United States from changing the program, if a shifting in the situation required a change, or required a change in emphasis on the Far East rather than on Europe, or on Europe rather than on the Far East. That course has been consistently followed ever since we have had a mutual-aid program. There has never been one iota of testimony presented which would indicate that we have an unusual type of agreement with Tito, different from any other kind of agreement with other countries.

Mr. HOLLAND. Mr. President, will the Senator yield for one further question.

Mr. KNOWLAND. I yield.

Mr. HOLLAND. Is it the Senator's position that the administrative officers of the United States, those in the executive department, from the President on down, who act in this field, were without authority to make a firm commitment to Yugoslavia under appropriations made last year and the year before last?

Mr. KNOWLAND. No; I am merely saying that to the best of my knowledge and belief—and I have not heard any testimony to the contrary, either before the Committee on Foreign Relations or on the Committee on Appropriations, of which I am also a member; nor has such information been brought to me as minority leader of the Senate by any responsible head of the Government of the United States—there is no evidence which indicates that our Government has a type of commitment with Tito which is different from other types of allocations that have been made elsewhere in the world. I would be very much surprised if there was any such understanding.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The Senator from California has 11 minutes remaining.

Mr. MORSE. Mr. President, will the Senator from California yield me 1 minute?

Mr. KNOWLAND. Mr. President, I yield 1 minute to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 1 minute.

Mr. MORSE. Mr. President, I shall vote for the motion to suspend the rule, because I think the Senate should vote on the merits of the amendment directly and that each Member of the Senate should be recorded on the merits of the amendment.

I also wish to say that the Senator from California has extended to me, innumerable times during my almost 12 years in the Senate, one parliamentary courtesy after another, and I think he is entitled to the parliamentary courtesy I shall extend to him when I vote for the motion to suspend the rule, because I think he should have the opportunity to have a record made on the merits.

Mr. GEORGE. Mr. President, I merely wish to make this statement without any criticism of the Appropriations Committee, but out of my abundance of observation and opportunity to see things happen: I believe it would be one of the most dangerous steps this Congress could take to allow general legislation on a general appropriation bill or on any appropriation bill, unless there were really dominating reasons, such as to correct a clear mistake or to prevent some inequity. But when we put into the hands of the Appropriations Committees of the Congress the power to write general legislation in their bills, we are taking one of the most dangerous steps that a legislative body in a free country can take.

Therefore, Mr. President, I shall vote against the motion to suspend the rules.

SEVERAL SENATORS. Vote! Vote!

Mr. KNOWLAND. Mr. President, I am prepared to yield back the remainder of my time.

Mr. JOHNSON of Texas. Mr. President, I am prepared to go likewise.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to suspend paragraph 4 of rule XVI. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL] and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I further announce that, if present and voting, the Senator from Texas [Mr. DANIEL] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The Senator from Idaho [Mr. WELKER] is necessarily absent and, if present, would vote "yea."

The yeas and nays resulted—yeas 59, nays 33, as follows:

YEAS—59

Allott	Ervin	Martin, Pa.
Anderson	Frear	McCarthy
Barrett	Goldwater	McClellan
Bennett	Hennings	Millikin
Bible	Hickenlooper	Morse
Bricker	Hill	Mundt
Bridges	Hruska	O'Mahoney
Butler	Jenner	Pastore
Byrd	Johnson, Tex.	Purtell
Capehart	Johnston, S. C.	Robertson
Carlson	Kerr	Russell
Case, S. Dak.	Knowland	Schoeppel
Chavez	Kuchel	Scott
Clements	Laird	Smith, Maine
Cotton	Langer	Symington
Curtis	Lehman	Wiley
Douglas	Long	Williams
Dworshak	Magnuson	Wofford
Eastland	Malone	Young
Ellender	Martin, Iowa	

NAYS—33

Aiken	Hayden	Monroney
Beall	Holland	Murray
Bender	Humphrey, Minn.	Neely
Bush	Humphreys, Ky.	Neuberger
Case, N. J.	Ives	Payne
Dirksen	Jackson	Saltonstall
Duff	Kefauver	Smith, N. J.
Flanders	Kennedy	Sparkman
Fulbright	Mansfield	Stennis
George	McNamara	Thye
Gore	Morse	Watkins
Green		

NOT VOTING—4

Daniel	Smathers	Welker
Potter		

The PRESIDING OFFICER. Two-thirds of the Senators present and voting not having voted in the affirmative, the motion is rejected.

Mr. KNOWLAND. Mr. President on behalf of the authors of the amendment, I now desire, as I understood I have the right to do, to modify the amendment, as follows:

On line 3, after the comma, strike out beginning with the comma through the comma on line 5. The amendment would then read:

Provided, That none of the funds made available for military assistance under this act shall be used to furnish military equipment to Yugoslavia except for maintenance of equipment heretofore furnished or to provide spare parts for replacement purposes.

The amendment would be modified by striking out the language applying to prior appropriations acts and would apply to the only funds to which we now have access, which are the relatively small funds in the bill.

The amendment would still permit economic aid, maintenance, and replacement parts to be furnished out of the approximately $25 million or $30 million in the bill, but, of course, would not touch the discretionary authority of the President or the $100 million in the pipeline. It is the most that can be done under the circumstances.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, offered by the Senator from California for himself and other Senators.

Mr. SALTONSTALL. Mr. President, I shall not debate the proposal beyond saying that the issue is exactly the same with respect to the quantities in the present act and in the pipeline.

Mr. KUCHEL. Mr. President, will the Senator from California yield for a question?

Mr. KNOWLAND. I yield.

Mr. KUCHEL. What is the amount of money in the appropriation bill which is earmarked for Yugoslavia?

Mr. KNOWLAND. I believe the amount to be covered by the committee amendment now would not exceed in the neighborhood of $25 million or $30 million, as distinguished from the $130 million which it would have been possible to earmark had the rule been suspended.

Mr. KUCHEL. It applies to military aid from the new funds.

Mr. KNOWLAND. That is correct; to new and additional military equipment.

Mr. President, while there is a good attendance of Senators, I ask for the yeas and nays on the amendment, as modified.

The yeas and nays were ordered.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. AIKEN. Does the Senator from California agree with the Senator from Wyoming [Mr. O'MAHONEY], who spoke earlier in the day, that the amendment is necessary because the administration will not furnish accurate information to Congress?

Mr. KNOWLAND. No, I do not agree with that point of view. So far as I know, in the Committee on Appropriations we obtained all the information we requested. That was true also in the Committee on Foreign Relations. I have not been denied any information which I myself have requested.

Our problem has been that some of the information furnished—and I can understand the reason; and I do not disagree with the policy—was of a classified nature and could not be freely discussed on the floor. But the information has not been withheld from the committee; rather, because of its nature, it cannot be publicly discussed.

Mr. AIKEN. The Senator is correct. I believe the committees of Congress have been furnished with as full information as it is possible for the administration to give them. But when the Senator from Wyoming based his support of the amendment on the ground of no confidence in the administration, I wished to make it clear for the RECORD that the Senator from California and other Senators were not also basing their support of the amendment on the same ground.

Mr. KNOWLAND. No; that is not my own position in that regard. Neither in the Committee on Appropriations nor in other committees upon which I serve have we been denied the information which we requested.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from California, for himself and other Senators. This is not a new amendment. All time for debate on the amendment has expired.

Mr. ELLENDER. Mr. President, will the Senator from California yield me 1 minute on the bill?

Mr. KNOWLAND. I yield 1 minute on the bill to the Senator from Louisiana.

Mr. ELLENDER. To what extent will the amount of the appropriation be reduced?

Mr. KNOWLAND. If the amendment shall be agreed to, I am not certain that the appropriation will be reduced at all. It will, as a matter of policy, serve notice on Tito and the Yugoslavian Government that there is concern in the American Congress.

All of this amount, for all I know, may be used for maintenance purposes, which would be entirely within the discretion of the President.

The PRESIDING OFFICER. The time has again expired. The question is on agreeing to the amendment, as modified, offered by the Senator from California, for himself and other Senators. The yeas and nays having been ordered, the clerk will call the roll.

The Chief Clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL] and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I further announce that, if present and voting, the Senator from Texas [Mr. DANIEL] and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The Senator from Idaho [Mr WELKER] is necessarily absent, and, if present, would vote "yea."

The result was announced—yeas 50 nays 42, as follows:

YEAS—50

Anderson	Frear	McClellan
Barrett	Goldwater	Millikin
Bible	Hill	Monroney
Bricker	Hruska	Mundt
Bridges	Jenner	O'Mahoney
Butler	Johnson, Tex.	Pastore
Byrd	Johnston, S. C.	Purtell
Capehart	Kerr	Robertson
Case, S. Dak.	Knowland	Russell
Chaves	Kuchel	Schoeppel
Clements	Laird	Smith, Maine
Cotton	Langer	Symington
Curtis	Long	Wiley
Douglas	Magnuson	Williams
Dworshak	Malone	Wofford
Eastland	Martin, Pa.	Young
Ervin	McCarthy	

NAYS—42

Aiken	Flanders	Humphreys, Ky.
Allott	Fulbright	Ives
Beall	George	Jackson
Bender	Gore	Kefauver
Bennett	Green	Kennedy
Bush	Hayden	Lehman
Carlson	Hennings	Mansfield
Case, N. J.	Hickenlooper	Martin, Iowa
Dirksen	Holland	McNamara
Duff	Humphrey, Minn.	Morse
Ellender		

Murray	Saltonstall	Stennis
Neely	Scott	Thye
Neuberger	Smith, N. J.	Watkins
Payne	Sparkman	

NOT VOTING—4

Daniel	Smathers	Welker
Potter		

So the amendment, as modified, offered by Mr. KNOWLAND for himself and other Senators, was agreed to.

Mr. KNOWLAND. Mr. President, I move to reconsider the vote by which the amendment, as modified, was agreed to.

Mr. BRIDGES. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Hampshire to lay on the table the motion of the Senator from California.

The motion to lay on the table was agreed to.

Mr. BUSH subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD immediately following the vote on the Knowland amendment, a statement prepared by me.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BUSH

I opposed the Knowland amendment despite the fact that I have a profound distrust of Marshal Tito, the Communist dictator of Yugoslavia, and deeply feel that all aid to that nation should be cut off completely should it be determined that Tito has firmly allied himself with Communist Russia.

I opposed the Knowland amendment because the Senate today was not in a position to determine whether Tito has so allied himself, or whether he may yet remain independent of Communist Russia.

During the next 2 or 3 months, after the Congress has adjourned, events will help President Eisenhower to decide which side Tito will choose. The President felt it essential that he have this time.

When the mutual-security authorization bill was under consideration, I voted for a requirement that the President cut off all aid to Yugoslavia unless he determines and reports to the Congress that:

1. There has been no change in the Yugoslavian policies on the basis of which assistance has been furnished to Yugoslavia in the past, and that Yugoslavia is independent of control by the Soviet Union;

2. Yugoslavia is not participating in any policy or program for the Communist conquest of the world; and

3. It is in the interest of the national security of the United States to continue the furnishing of assistance to Yugoslavia.

The Senate received, during today's debate, positive assurances that in the 90-day period during which the President must make that determination no jet fighter planes will be sent to Yugoslavia.

I was confident that President Eisenhower, during that 90-day period, would allow the shipment of no other supplies to Yugoslavia which could be used against the best interest of the United States and her allies.

Under these circumstances I believe that the amendment would display a lack of confidence in the President. It would weaken his position in the eyes of the world. It might have the disastrous effect of driving Yugoslavia into the arms of Communist Russia while there yet remains a chance, slim as it may be, that she will retain her independence.

Mr. O'MAHONEY. Mr. President, I desire to call up my amendment identified as "7-17-56-A," which I propose on behalf of myself and the Senator from Arkansas [Mr. MCCLELLAN].

The PRESIDING OFFICER. Does the Senator desire to have the amendment stated?

Mr. O'MAHONEY. I wish to have the amendment stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the proper place, it is proposed to insert a new section as follows:

SEC. . Inasmuch as (1) the Constitution of the United States provides that no money shall be drawn from the Treasury but in consequence of appropriations made by law and that "a regular statement and account of the receipts and expenditures of all public money shall be published from time to time," and (2) section 136 of the Legislative Reorganization Act of 1946 directs each standing committee of the Senate and House of Representatives to exercise continuous watchfulness of the execution by the administrative agencies concerned of any law within the jurisdiction of such committee, and (3) certain other constitutional and statutory provisions confer functions upon the Congress relating to the expenditure of public funds, it is essential in order for the Congress to exercise its constitutional and statutory functions that it have access at all times to full and complete information concerning the expenditure of the public funds. Accordingly, all persons engaged in the expenditure of funds appropriated under this act or in the administration of the laws under which such funds are expended are required to furnish to the Committees on Appropriations of the respective Houses and to all other appropriate committees of the Congress such information as may be requested by them relating to the expenditure of such funds or to the programs or projects with respect to which such expenditures are made. In any case in which a person engaged in administering any program or project for which funds are appropriated under this act, refuses to furnish to any such committee any information requested by it concerning such program or project, and the branch of Congress appointing such committee by resolution, notifies the Comptroller General of the United States of such refusal, none of the funds appropriated by this act shall thereafter be available for obligation of such program or project unless such committee notifies the Comptroller General that the information requested has been furnished to the committee.

Mr. O'MAHONEY. Mr. President, so many Members have requested that I yield to them, in order that they may insert irrelevant matters in the RECORD, that I desire to give notice to Senators to whom I may yield, and also to other Senators, that I shall yield only 10 seconds to any 1 Senator, and that I shall yield to not more than 4 Senators, so that my time on the amendment will not be consumed by such yielding. I want Senators who are in the Chamber to know that I intend to make a few remarks which may have some real bearing on the issues which are before the Senate. I may even mention Secretary of State Dulles.

With that understanding, I yield now to the Senator from Connecticut.

Mr. BUSH. Mr. President, I ask unanimous consent to have inserted in the RECORD, at a point just following the vote last taken, a statement by me on the amendment of the Senator from California [Mr. KNOWLAND].

The PRESIDING OFFICER (Mr. STENNIS in the chair). Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, reserving the right to object, let me inquire what it is that my good friend, the Senator from Connecticut, wishes to insert in the RECORD?

Mr. BUSH. A statement of my reasons for opposing the amendment of the Senator from California.

Mr. DOUGLAS. Mr. President, I should like to have the Chair rule whether such an insertion would be a violation of the rule.

The PRESIDING OFFICER. Does the Senator from Illinois refer to the yielding of time for that purpose?

Mr. DOUGLAS. No; I ask whether the making of the insertion the Senator from Connecticut requests would be a violation of the rule.

The PRESIDING OFFICER. By unanimous consent, insertions may be made at any point in the RECORD that Senators may request.

Mr. O'MAHONEY. Mr. President, I have explicitly stated that I am yielding only for the insertion in the RECORD of irrelevant matters; I do not yield for discussion of my amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Connecticut?

Mr. O'MAHONEY. Mr. President, I wish to know the purpose for which Senators request that I yield. I shall yield only for the insertion in the RECORD of irrelevant matters. I have stated that I would yield to four Senators only, to permit them to request the insertion in the RECORD of matters irrelevant to the pending amendment. If Senators merely wish to make insertions in the RECORD, so that they may then depart to the lobbies, that is another thing.

Mr. PURTELL. I thought perhaps the Senator from Wyoming would like to have Senators remain in the Chamber, to hear his remarks.

Mr. President, I ask unanimous consent that minority views on Senate Bill 728 may be printed.

The PRESIDING OFFICER. Is there objection?

Mr. DOUGLAS. Mr. President, reserving the right to object——

Mr. BUSH. Mr. President, was a ruling made on my request?

The PRESIDING OFFICER. Let there be order in the Senate.

Mr. O'MAHONEY. Mr. President, I withdraw my consent. It is perfectly obvious that if I yield further to Senators, the purpose of the limitation upon debate, in connection with the pending bill, will be completely defeated.

The PRESIDING OFFICER. Let the Chair inquire whether there was objection to the unanimous-consent request which has been made by the Senator from Connecticut.

Mr. O'MAHONEY. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DIRKSEN. Mr. President, a point of order.

Mr. O'MAHONEY. Mr. President, I should like to proceed.

The PRESIDING OFFICER. Does the Senator from Wyoming yield, to enable the statement of a point of order?

Mr. O'MAHONEY. I do not, Mr. President.

Mr. DIRKSEN. Mr. President, at the appropriate time, I intend to submit a point of order on the amendment of the Senator from Wyoming, which clearly is subject to a point of order.

The PRESIDING OFFICER. The Senator from Illinois will be able to do so at the appropriate time.

Mr. O'MAHONEY. Mr. President, at this time I desire to discuss this amendment briefly. The amendment is an important one.

The PRESIDING OFFICER. Will the Senator from Wyoming indicate how much time he wishes to use?

Mr. O'MAHONEY. Mr. President, I yield myself 12 minutes, beginning now.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for 12 minutes.

Mr. O'MAHONEY. Mr. President, this amendment deals with one of the most important functions of the Government of the United States; namely, the independence of the legislative branch of the Government. When the Founding Fathers drafted the Constitution under which we serve, they sought to establish a government of three separate branches, the first being the legislative branch. They gave to the Congress all the legislative power contained in the Constitution. They also established the executive branch and the judicial branch.

The purpose of the amendment which I have offered is to guarantee to the Members of the Congress of the United States the right to have responses from those who will administer the huge appropriations being made by means of the pending bill. My amendment is submitted in the form of a limitation upon the appropriation. The amendment simply provides that if any of the subordinates or administrators declines to answer a question with respect to the programs or projects for which money is appropriated in this bill, or to give information requested by Congress concerning the project, the branch of Congress appointing such committee by resolution shall notify the Comptroller General of such refusal, and thereafter none of the funds appropriated shall be available for obligation under the program unless the committee notifies the Comptroller General that the information requested has been furnished to the committee. That is a limitation.

I invite the attention of Senators to the fact that when the Government began to grow so great that it was difficult to control appropriations, Congress, during the administration of President Harding, passed a Budget Act, authorizing the President to establish the Bureau of the Budget, which would recommend to Congress the expenditures which the executive branch felt it should be allowed to make. Then, because of the difficulty Congress had encountered in supervising and following expenditures, the same act created the Office of Comptroller General; and to that Office, whose head served under a 15-year appointment, was granted the power which I ask in this amendment, namely, the power to examine the expenditures made by the various agencies and determine whether or not the contracts were fairly carried out in accordance with the appropriations. That makes the amendment a limitation on an appropriation. That language will be found on page 2, lines 15 to 25. The remainder of the amendment is a preliminary recitation of the constitutional power of the legislative branch of the Government to know what the Executive is doing with the money which is appropriated.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. CASE of South Dakota. I was interested in the statement of the distinguished Senator from Wyoming about the sacredness of the right of the Congress to know about the programs for which it appropriates. I agree that Congress should maintain that right, generally speaking. But in the development of the right of Congress to obtain information, the Senator will recall that the House of Representatives has a so-called resolution of inquiry, a very highly privileged resolution which may be introduced by the lowliest Member of the House; and if it is not reported or acted upon within 7 days, as I recall, the Member may call it up as a matter of right. However, the customary wording of such resolutions of inquiry always includes a phrase something like this: "If not inconsistent with the national security." It seems to me that the language which the Senator has drafted does not include any such provision.

Mr. O'MAHONEY. No; it does not. It was not intended to do so, because I did not think it was necessary for Congress to have enacted the other provision.

When the President of the United States declines to give information with respect to the negotiation of a treaty; when he declines to give information with respect to charges which may be filed against an individual in a department, or something of that kind, there can be no question about his right to do so. However, I have before me a quotation from Thomas Jefferson, who was present at the meeting at which the first President of the United States, George Washington, set the precedent from which we have been veering broadly ever since. This is what Jefferson said:

> First, that the House was an inquest, and therefore might institute inquiries. Second, that it might call for papers generally. Third, that the executive ought to communicate such papers as the public good would permit, and ought to refuse those the disclosure of which would injure the public.

Mr. CASE of South Dakota. If the Senator will note what he has just read——

Mr. O'MAHONEY. I am sure the Senator will pardon me. What I am pointing out is that the evidence before us that we are dealing with matters in which the ruling is made, not by the President at all, but by some subordinate.

In the case of the appropriation which was made for the purchase of coal in 1954, Mr. Stassen, head of the agency which had control of the foreign-aid money, stepped out of the President's office early in October and said that a directive had been granted for him to spend money which had been appropriated by Congress for the purchase of coal in coal-producing districts in which unemployment existed.

Events show that there was no such directive. I have the letter of Mr. Hollister before me, in which he said the directive was issued December 9, 1954, and, in Mr. Hollister's words, there were only oral directions given by Mr. Stassen for the expenditure of the funds. There was not a written document governing that expenditure.

In connection with the expenditure of the appropriations which we are making, undoubtedly there will be many examples of money being expended without the knowledge of the President, for which exemption will be claimed. I merely ask that we have a check, as the constitutional fathers directed, upon the expenditure of these funds, wherever they may go.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Wisconsin.

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the RECORD a statement which I have prepared relating to the so-called King bill, which passed the House recently. It deals with theater-tax exemption.

I also ask unanimous consent to have printed in the RECORD two statements, together with a telegram, in relation to the amendment which has just been agreed to.

I also ask unanimous consent to have printed in the RECORD a statement on behalf of the Spanish-American War veterans and their wives.

The PRESIDING OFFICER. Is there objection?

Mr. DOUGLAS. Mr. President, reserving the right to object, may I ask if this material could normally be introduced into the RECORD outside the morning hour except by unanimous consent?

The PRESIDING OFFICER. The Chair is advised that unanimous consent is required to insert any material in the RECORD at any time, entirely apart from any rule on the particular subject.

Mr. DOUGLAS. I am very fond of my good friend from Wisconsin. I do not like to seem unobliging to him; but inasmuch as we have been deprived of the privilege of having a morning hour, and since attempts by several of us to bring up proposed civil-rights legislation have been objected to, I must reluctantly say that what is sauce for the goose is sauce for the gander, and that hereafter I intend to object to any such requests.

The PRESIDING OFFICER. The Chair recognizes the remarks of the Senator from Illinois as an objection, but must rule him out of order with respect to any further remarks because of the time limitation.

Mr. O'MAHONEY. Mr. President, I merely wish to point out the absolute proof, which was revealed upon the floor of the Senate this afternoon in the debate on the Knowland amendment, that not even the Secretary of State knows what is going on or will be going on with

the appropriations made under the pending bill.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. O'MAHONEY. I yield myself 3 additional minutes. This was the letter written by the Acting Secretary of State Herbert Hoover, Jr., on the 23d of July, to correct a statement in the letter written to the chairman of the Committee on Appropriations by his chief, the Secretary of State, Mr. Dulles. The Secretary of State had stated that in 1955 no jet-type planes were sent to Yugoslavia, while in 1956 only two have been supplied.

Mr. Herbert Hoover, Jr., Acting Secretary of State, says in effect, "My chief was wrong. He did not know what he was talking about. He had not been sufficiently advised by his subordinates, and he did not know what the actual record was." So Mr. Hoover says, "We have just received a report from the field that four additional planes, which were reconditioned in Europe after service with NATO, were delivered on July 18." That is, delivered to Yugoslavia.

So here we have the Secretary of State and the Assistant Secretary of State confessing that in connection with this most important matter they had to depend upon the Defense Department for information as to what they were doing. Does the Secretary of State conduct the foreign affairs of the United States for the President of the United States, or does he not? Does the Defense Department do it? Here is evidence which shows, I submit, that it is absolutely essential, unless we want parliamentary government to go down the drain—in this instance into the hands of the executive department—that this amendment, drawn with care to require a resolution to compel testimony, should be adopted.

Mr. CASE of South Dakota. Mr. President, I yield myself 3 minutes.

I invite the attention of the Senate to the fact that what is requested is unlimited authority for the Committee on Appropriations and all other appropriate committees to request information. The language offered by the Senator from Wyoming reads:

> Accordingly, all persons engaged in the expenditure of funds appropriated under this act or in the administration of the laws under which such funds are expended are required to furnish to the Committees on Appropriations of the respective Houses and to all other appropriate committees of the Congress such information as may be requested by them relating to the expenditure of such funds or to the programs or projects with respect to which such expenditures are made. In any case in which a person engaged in administering any program or project for which funds are appropriated under this act, refuses to furnish to any such committee any information requested by it concerning such program or project, and the branch of Congress appointing such committee by resolution, notifies the Comptroller General of the United States of such refusal, none of the funds appropriated by this act shall thereafter be available for obligation for such program or project unless such committee notifies the Comptroller General that the information requested has been furnished to the committee.

That is an absolute requirement. There is no conditioning or modifying of the request. In the language which the distinguished Senator from Wyoming quoted from a journal or from some writing of Thomas Jefferson, he did not place emphasis upon the clause on which I would have placed emphasis. The clause on which I would place emphasis is:

> Such as the public good will permit.

There is no such qualification proposed in the amendment of the Senator from Wyoming. The request is for whatever information the committees may request. In the illustration to which I alluded earlier in the colloquy with the Senator from Wyoming, when a resolution of inquiry, which is a very highly privileged resolution, is used in the House of Representatives, it is customary in the phraseology of it to include such language as this:

> If not inconsistent with the national security.

That is very close to what the Senator from Wyoming has omitted to emphasize in the quotation from which he read: "Such as the public good will permit." That qualifies the meaning. If such a clause were contained in the amendment, it would not be so objectionable. It seems to me that the executive department must clearly have the right to refrain from giving out information which would be inconsistent with national security.

Mr. O'MAHONEY. Mr. President, if the Senator will yield to me, I should like to say that no legislation is required to protect the constitutional power of the President. If the President should find that such information would be contrary to the public good, there is no doubt in the world that Congress would accept that adjudication. I am pointing out that in the present situation, as has been exemplified over and over again, the refusal has been based upon reasons which the President did not even know about.

Mr. CASE of South Dakota. I yield myself 2 additional minutes.

Mr. O'MAHONEY. If we were to accept the amendment suggested by the Senator, it would make the amendment legislation on an appropriation bill. I did not want to leave the amendment subject to that point of order.

Mr. CASE of South Dakota. The distinguished Senator from Wyoming says that if the matter were referred to the President and the President should speak, the information might be protected. However, I speak on this particular matter out of experience, which runs back to one of the early years I spent in the House of Representatives. It was at the time that an American ship was fired upon deep in the heart of China, on the Yangtze River. I introduced a resolution in the House of Representatives directed to the Secretary of State, not to the President. The resolution of inquiry was framed in consultation with William Tyler Page, who was, as my friend, the Senator from Illinois [Mr. DIRKSEN], will recall, one of the highly respected parliamentarians of the House of Representatives.

William Tyler Page advised me that the resolution of inquiry addressed to the Secretary of State requesting information was privileged, but that it should contain the phrase "if not inconsistent with national security."

The illustration which the Senator from Wyoming has used related to the inquiry for some information from the Secretary of State. If the Secretary of State felt that the disclosure of the information was incompatible with national security, I myself would think that he was within his rights in refusing to give it.

Although opinions may differ as to whether the disclosure of information is incompatible with the national security, under our Government, in which full faith and credit must be given among the three branches of it, in my opinion some allowance will have to be made for the judgment of the Secretary of State or of other representatives of the executive branch.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I gladly yield.

Mr. O'MAHONEY. The first precedent, set by George Washington, was established when he was presented with a resolution by the House of Representatives requesting him to lay before the House a copy of the instructions to the Minister of the United States who negotiated the treaty with Great Britain, and the documents and correspondence relative to that treaty.

Obviously, a treaty is a very different thing from the contracts which are made by subordinates in the Government with foreign potentates, with foreign governments, and with individuals in foreign governments, for spending money for which the people of the United States have paid their heavy taxes.

Mr. CASE of South Dakota. I have every sympathy with the right of congressional committees to request such information as may be necessary for meeting their responsibilities, but I think that to write into this appropriation bill a requirement that the information should be whatever the committee requests, without recognizing the proprieties as well as the principles involved of permitting the executive branch to withhold information if the giving of it would be incompatible with the national security, makes the amendment deficient.

Mr. McCLELLAN. Mr. President, will the Senator from South Dakota yield?

Mr. CASE of South Dakota. I yield.

Mr. McCLELLAN. I should like to inquire of the Senator from South Dakota if he does not recognize that a committee of the Senate or of the House, because it requested information which had been denied, could not act to stop the expenditure of the funds. The committee, under this amendment, would have to come to the House or to the Senate which appointed it, and which had jurisdiction of it, and present a resolution from the committee declaring that the information had been refused, and the Senate or the House, as the case might be, would have to adopt a resolution directed to the Comptroller General before any action could be taken to stop the funds. Thus, there is a check against any reckless or rash act of a committee, because the

committee would have to present its case to the parent body.

The Senator's remarks left the impression that a committee could simply take that action. But if information had been refused it, it would have to apply to the House or to the Senate, as the case might be, and have a resolution adopted to that effect.

Mr. CASE of South Dakota. I think, under the language of the amendment, that is correct.

Mr. McCLELLAN. So, it would not be merely the independent action of any committee that might make a determination that it needed the information which had been refused.

Mr. CASE of South Dakota. Except that the statement ahead of that in the amendment is that all persons engaged in the expenditure of the funds are required to furnish such information as may be requested of them. It does not give them the right to withhold information on the basis that its disclosure would be incompatible with the public interest.

Mr. McCLELLAN. But one branch or the other of the Congress would have to take affirmative action by adopting an appropriate resolution. Is not that correct?

Mr. CASE of South Dakota. Mr. President, may I inquire how the time stands?

The PRESIDING OFFICER. The Senator from South Dakota has used 12 minutes. He has used all the time heretofore allotted to himself.

Mr. CASE of South Dakota. Mr. President, I yield 2 minutes to the Senator from Illinois [Mr. DIRKSEN].

Mr. McCARTHY. Mr. President, I wonder if the Senator from Arkansas will yield 1 minute so that I may ask him a question.

Mr. McCLELLAN. I yield a minute to the Senator from Wisconsin.

Mr. McCARTHY. In connection with the amendment offered by the Senator from Wyoming, which I heartily endorse, may I ask the Senator from Arkansas this question: Is it not true that his committee has been hampered a great deal by the refusal of information which had nothing whatever to do with the national security?

Mr. McCLELLAN. I would say that in some instances that is correct. That was particularly true when we undertook to investigate certain transactions in Pakistan. We did not have the cooperation which the committee required in order to ascertain what had transpired. Fortunately, I think, we happened to get information outside of the agency itself, which information, when produced under oath, clearly established that collusion had been engaged in and the Government of the United States was about to make an expenditure which was not justified and which would have been terrifically extravagant based upon what was to be received in return. I think that is a statement of the facts.

Had we been compelled to rely only upon the information given us by the agency involved and by officials involved, the situation would not have been discovered. I may add that, as the Senator knows, the project was never consummated, and, thus, approximately $2 million was saved to the Government in that one instance.

Mr. McCARTHY. Am I correct in saying that that unusual public servant, Mr. Stassen, when asked for information concerning activities in which his agency was engaged, activities which had nothing to do with national security, arrogantly and arbitrarily refused to give the committee any informaiton?

Mr. McCLELLAN. He took the position that he made the decisions. Of course, we could not find out about those things without obtaining information in the possession of others. Had he been able to sustain his position and say, "I take the responsibility; you cannot investigate, and my staff cannot talk to you; we are not going to give you the records"—had he been able to sustain that position——

The PRESIDING OFFICER. The allotted time has expired.

The Senator from Illinois is recognized for 2 minutes.

Mr. DIRKSEN. Mr. President, from an administrative standpoint, the amendment seems to me to be unwieldy, completely unworkable, and frightfully involved. In addition to that, it is legislation on an appropriation bill. It contains a contingency. In addition to that, I deem it to be unconstitutional because it is an indirect veto upon executive powers and upon the authority to obligate money.

When all the time has been yielded, I shall submit a point of order.

Mr. O'MAHONEY. Mr. President, I shall say only that in my judgment, based upon the fact that Congress passed and the President signed the General Accounting Act for the express purpose of enabling the Congress to supervise and examine expenditures, the amendment is an amendment to an appropriation bill and is not legislation and is not subject to a point of order.

With that, Mr. President, since the reception for our noble senior Senator from Georgia [Mr. GEORGE], who is about to leave us, will soon begin, I yield back all my time.

The PRESIDING OFFICER. Does the Senator from California yield back the remainder of his time?

Mr. KNOWLAND. Mr. President, I was out of the Chamber temporarily. Did the Senator from Illinois make a point of order?

Mr. DIRKSEN. I did.

Mr. KNOWLAND. I shall yield back the remainder of my time, because I am quite sure a point of order does lie against the amendment offered by the Senator from Wyoming.

Mr. DIRKSEN. Mr. President, I make the point of order on the ground that the amendment is legislation on an appropriation bill, it contains a contingency, and I think it is unconstitutional.

Mr. O'MAHONEY. Mr. President, Congress has been steadily delegating away its powers to represent the people. Our Government is becoming an executive government and not a popular government. The funds which are appropriated by this bill will be expended by subordinates, and not by the principal.

As shown by the letters of Secretary Dulles and Acting Secretary Hoover, neither of them, as the heads of the Department of State, was aware of what the Department of Defense was doing, and they so confessed.

This is a limitation upon an appropriation bill; but if it is not added to the bill, it means that once more Congress will go down the road to the surrender of the legislative power granted to it by the Constitution.

The PRESIDING OFFICER (Mr. STENNIS in the chair). The Chair has advised with the Parliamentarian on the point of order made by the Senator from Illinois [Mr. DIRKSEN] against the amendment of the Senator from Wyoming [Mr. O'MAHONEY], the point of order being made on the ground that the amendment is legislation on an appropriation bill.

The amendment requires certain persons to furnish to the Committee on Appropriations certain information, which brings the amendment within the precedents of the House of Representatives under appropriations and, in the opinion of the Chair, is what is called an affirmative direction which may not be coupled with a limitation.

Upon that conclusion, the point of order, for those reasons, would be sustained as violating rule XVI, paragraph 1, the clause thereof which provides:

> The Committee on Appropriations shall not report an appropriation bill containing amendments proposing new or general legislation or any restriction on the expenditure of the funds appropriated which proposes a limitation not authorized by law if such restriction is to take effect or cease to be effective upon the happening of a contingency.

So the Chair sustains the point of order as being legislation on an appropriation bill.

Mr. McCARTHY. Mr. President, I appeal from the ruling of the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin appeals from the ruling of the Chair.

Mr. McCARTHY. On my appeal, I ask for the yeas and nays.

The PRESIDING OFFICER. The question is, Shall the decision of the Chair stand as the judgment of the Senate? On this question the yeas and nays are requested.

Mr. McCARTHY. Upon second thought, Mr. President, I understand there is to be a party for the senior Senator from Georgia [Mr. GEORGE] at 5 o'clock. The yeas and nays would take much longer than that, so I merely ask for a division.

The PRESIDING OFFICER. A division is called for. The Chair will restate the situation.

The Senator from Wyoming [Mr. O'MAHONEY] offered an amendment. A point of order was made against the amendment by the Senator from Illinois [Mr. DIRKSEN], the point of order being, allegedly, that the amendment is legislation on an appropriation bill. The point of order was sustained by the Chair.

The question now is, Shall the ruling of the Chair be sustained by the Senate? On this question, a division has been requested by the junior Senator from Wisconsin.

On a division, the point of order was sustained.

Mr. DOUGLAS. Mr. President, out of order, I ask unanimous consent——

Mr. JOHNSON of Texas. Mr. President, a point of order. Is not the Senate operating under a time limitation?

Mr. DOUGLAS. Mr. President, have I been recognized by the Chair?

I ask unanimous consent, out of order, to introduce a resolution for myself and on behalf of the senior Senator from Missouri [Mr. HENNINGS].

The PRESIDING OFFICER. The Senator's request has already been rejected.

Mr. DOUGLAS. How does the Chair know what request I am now about to make?

The PRESIDING OFFICER. The Chair is referring to a request to introduce anything out of order. The Senate is still operating under a unanimous-consent agreement.

Mr. DOUGLAS. Is it true, Mr. President, that a Senator, apparently, cannot rise in the Chamber, and open his mouth, but that an objection is made?

Mr. JOHNSON of Texas. The Senate is operating under a time limitation. Time must be yielded.

The PRESIDING OFFICER. That is the point. The Senate is operating under a unanimous-consent agreement, under which the time is controlled.

There are other amendments to be considered. Does the junior Senator from Wisconsin have an amendment?

Mr. MCCARTHY. Mr. President, I understand the majority leader desires to make a suggestion.

Mr. JOHNSON of Texas. Will the Senator from Wisconsin call up his amendment?

The PRESIDING OFFICER. Yes; under the rules, an amendment must be presented.

Mr. MCCARTHY. Mr. President, I offer an amendment and ask that it be stated.

The LEGISLATIVE CLERK. On page 6, between lines 3 and 4 it is proposed to insert the following: "*Provided*, That none of the funds made available by this act shall be used for aid to Yugoslavia."

The PRESIDING OFFICER. The Senator from Wisconsin is recognized. How much time does he allot himself?

Mr. JOHNSON of Texas. Mr. President, if the Senator from Wisconsin will yield to me, I shall allot myself 1 minute on the bill for the purpose of making an announcement.

Mr. MCCARTHY. I yield for that purpose.

Mr. JOHNSON of Texas. At the suggestion of the distinguished Senators of the minority, and with the full approval and concurrence of the Senators of the majority, the Members of the Senate have arranged a brief reception, to be held between the hours of 5 and 6 o'clock, for our beloved colleague, the President pro tempore of the Senate, WALTER GEORGE.

The reception is to be held in the Old Supreme Court Chamber.

It will be my purpose to move that the Senate take a recess at 5 o'clock, subject to the call of the Chair, so that Senators who have made their plans may attend the reception. At the conclusion of the reception, the Chair will call the Senate back into session, and at that time the Senate will proceed to consider the amendment offered by the junior Senator from Wisconsin in accordance with the unanimous-consent agreement, and for the purpose of permitting other Senators to make statements on the bill under time allotted to them for that purpose.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from South Dakota.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. JOHNSON of Texas. I have yielded, first, to the Senator from South Dakota.

Mr. MUNDT. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an article entitled "Circus TV Show Hinges on Test of Special Interest."

The PRESIDING OFFICER. Is there objection?

Mr. DOUGLAS. I must object.

The PRESIDING OFICER. Objection is heard.

Mr. BEALL. Mr. President, I ask unanimous consent to extend my own remarks in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. DOUGLAS. Mr. President, I do not hear all that the Senator from Maryland said.

The PRESIDING OFFICER. The Senator from Maryland asked unanimous consent to extend his remarks in the RECORD.

Mr. DOUGLAS. I think that is not new business.

The PRESIDING OFFICER. Without objection, it is so ordered.

[The matter referred to appears in today's RECORD.]

Mr. MUNDT. Mr. President, I should like to renew my request under the heading "Not New Business."

Mr. DOUGLAS. Mr. President, that request should be made during the morning hour. We have been refused a morning hour. I must object.

The PRESIDING OFFICER. Objection is heard.

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article——

Mr. DOUGLAS. Mr. President, I ask for a ruling of the Chair as to whether this request should not be made during the morning hour.

The PRESIDING OFFICER. The unanimous consent rule would apply at any time with reference to insertions in the RECORD. That is the only rule which applies with reference to these insertions. Unanimous consent is required. Is there objection?

Mr. DOUGLAS. This is matter which normally should be inserted in the RECORD during the morning hour.

The PRESIDING OFFICER. Customarily it is included in the RECORD at any time unanimous consent can be obtained, according to the observations of the Chair.

Mr. DOUGLAS. The Chair has not quite replied to my question. Is not this material which is inserted normally during the morning hour?

Mr. JOHNSON of Texas. Mr. President, I do not yield for all this conversation. The Chair has answered the question.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry. I am asking for a ruling from the Chair.

The PRESIDING OFFICER. The Chair rules that objection is heard. The Chair interprets the Senator's remarks as an objection. The matter may not properly be inserted in the RECORD.

RECESS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

Mr. DOUGLAS. I think that motion is debatable.

The PRESIDING OFFICER. A motion to recess is not debatable.

Mr. JOHNSON of Texas. A motion to recess is not debatable.

Mr. DOUGLAS. I move to strike out the word "recess" and substitute the word "adjourn."

Mr. MCCARTHY. Mr. President, the time for this discussion is not being taken out of my time, is it?

Mr. DOUGLAS. Mr. President, is there not a motion before the Senate?

The PRESIDING OFFICER. The Chair rules that the amendment is not in order.

Mr. JOHNSON of Texas. Mr. President, may we have a vote on the motion to recess?

The PRESIDING OFFICER. The question is, shall the Senate stand in recess subject to the call of the Chair?

The motion was agreed to; and (at 5 o'clock and 1 minute p. m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 6 o'clock p. m., when called to order by the Presiding Officer (Mr. STENNIS in the chair).

KYU LEE

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1243) for the relief of Kyu Lee, which were to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Kyu Lee, Ileana Issarescu, Maria Ileana Habsburg-Lothringen Alexandra Habsburg-Lothringen, Oscar Beregi, Margreth Leiss von Laimburg, Yvonne Rohran (Tung) Feng, Annie Fieg Hildebrand, Hazel Elizabeth Scott, Choh-Yi Ang, Christina Arutjuenjan, and Tcheng-Sui Feng shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to each alien as provided for in this section of this act, if such alien was classifiable as a quota immigrant at the time of the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

SEC. 2. For the purposes of the Immigration and Nationality Act, Modesto Padilla-Ceja and his wife, Maria Toscano-Padilla shall be held and considered to have been

lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees.

SEC. 3. The Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bonds, which may have been issued in the case of Cleopatra Vasiliadis. From and after the date of the enactment of this act, the said Cleopatra Vasiliadis shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

And to amend the title so as to read: "An act for the relief of certain aliens."

Mr. JOHNSON of Texas. Mr. President, on June 18, 1956, the Senate passed S. 1243, to grant the status of permanent residence in the United States to the beneficiary. On July 17, 1956, the House of Representatives passed S. 1243 with amendments to include the beneficiaries of 10 similar individual Senate bills. One case which has been included in S. 1243, passed the Senate to grant permanent residence in the United States to the beneficiary, but as amended provides only for cancellation of outstanding deportation proceedings.

The amendments are acceptable, and I move that the Senate concur in the House amendments to S. 1243.

The motion was agreed to.

SALVATORE DI MORELLO

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1324) for the relief of Salvatore di Morello, which were to strike out all after the enacting clause and insert:

That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Salvatore di Morello, Evelyn Levenston Harris, Margarete Emma Lewis (nee Guschman), Francesco Zammuto, Marianne Eder Dunbar, Maria (Schandl) Cote, and Zygmunt Sobota may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 2. Notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Louis Henri Stassart, Elisabeth Hollas, and Theresia Schneider may, if found to be otherwise admissible under the provisions of that act, be issued visas and admitted to the United States for permanent residence under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That suitable and proper bonds or undertakings, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

SEC. 3. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Waltraud Grete Schramm, the fiance of Frank H. Schopfer, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Waltraud Grete Schramm is coming to the United States with a bona fide intention of being married to the said Frank H. Schopfer and that she is otherwise admissible under the provisions of that act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Waltraud Grete Schramm, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Waltraud Grete Schramm, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Waltraud Grete Schramm as of the date of the payment by her of the required visa fee.

SEC. 4. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Edith Johanna Augusta Kienst may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That her marriage to her United States citizen fiance, Specialist 3c. John Anderson, shall occur not later than 6 months following the date of the enactment of this act.

SEC. 5. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Annemarie Appelt, the fiance of S. Sgt. William D. Green, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Annemarie Appelt is coming to the United States with a bona fide intention of being married to the said S. Sgt. William D. Green and that she is otherwise admissible under the provisions of that act. In event the marriage between the above-named persons does not occur within 3 months after the entry of the said Annemarie Appelt, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Annemarie Appelt, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Annemarie Appelt as of the date of the payment by her of the required visa fee.

SEC. 6. Notwithstanding the provisions of section 212 (a) (9) and (19) of the Immigration and Nationality Act, Moses Rakocinski (Rakoczynski) and Josef Kranz may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 7. Notwithstanding the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, Rosetta Ittner may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

SEC. 8. Notwithstanding the provision of section 212 (a) (25) of the Immigration and Nationality Act, Chan Lee Nui Sin may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

SEC. 9. Notwithstanding the provisions of section 212 (a) (4) and (6) of the Immigration and Nationality Act, Josephine Langton may, if found to be otherwise admissible under the provisions of that act, be issued a visa and admitted to the United States for permanent residence under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

SEC. 10. The exemptions provided for in this Act shall apply only to grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

And to amend the title so as to read: "An act to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens."

Mr. JOHNSON of Texas. Mr. President, on June 11, 1956, the Senate passed S. 1324, to waive a ground for exclusion in behalf of the beneficiary. On July 17, 1956, the House of Representatives passed S. 1324, with amendments to include the beneficiaries of 17 individual similar Senate bills.

The amendments are acceptable, and I move that the Senate concur in the House amendments to S. 1324.

The motion was agreed to.

KIYOSHI KINOSHITA

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3009) for the relief of Kiyoshi Kinoshita, which were on page 1, after line 7, insert:

SEC. 2. In the administration of section 203 (a) (1) of the Immigration and Nationality Act, Sita Koppaka Rao and her minor child, Vijayalakshmi Koppaka Rao, shall be deemed to be accompanying their husband and father, respectively, Kappaka Viswesuara Rao, to the United States within the meaning of section 203 (a) (1), if visas are issued to them at any time within 6 months after the date of the enactment of this act.

SEC. 3. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, Roberto C. Bargas and Rosenda C. Bargas, shall be held and considered to be the natural-born alien children of Sergeant Alberto Bargas, a citizen of the United States.

And to amend the title so as to read: "An act for the relief of certain aliens."

Mr. JOHNSON of Texas. Mr. President, on June 11, 1956, the Senate passed S. 3009, to provide for the admission into the United States as a nonquota immigrant of a minor child to be adopted by a United States citizen serviceman, who is married to the child's mother. On July 17, 1956, the House of Representatives passed S. 3009, with amendments to include the beneficiaries of two individual Senate bills.

The amendments are acceptable, and I move that the Senate concur in the House amendments to S. 3009.

The motion was agreed to.

PROVISION OF CERTAIN BASIC AUTHORITY FOR DEPARTMENT OF STATE

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate the amendment of the House of Representatives to Senate bill 2569, providing certain basic authority for the Department of State.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2569) to provide certain basic authority for the Department of State, which was

to strike out all after the enacting clause and insert:

That the Secretary of State is authorized to establish, maintain, and operate passport and despatch agencies.

SEC. 2. The Secretary of State, when funds are appropriated therefor, may—

(a) provide for printing and binding outside the continental United States without regard to section 11 of the act of March 1, 1919 (44 U. S. C. 111);

(b) pay the cost of transportation to and from a place of storage and the cost of storing the furniture and household and personal effects of an employee of the Foreign Service who is assigned to a post at which he is unable to use his furniture and effects, under such regulations as the Secretary may prescribe;

(c) employ aliens, by contract, for services abroad;

(d) provide for official functions and courtesies;

(e) purchase uniforms; and

(f) pay tort claims, in the manner authorized in the first paragraph of section 2672, as amended, of title 28 of the United States Code when such claims arise in foreign countries in connection with Department of State operations abroad.

SEC. 3. The Secretary of State is authorized to—

(a) obtain insurance on official motor vehicles operated by the Department of State in foreign countries, and pay the expenses incident thereto;

(b) rent tie lines and teletype equipment;

(c) provide ice and drinking water for United States Embassies and Consulates abroad;

(d) pay excise taxes on negotiable instruments which are negotiated by the Department of State abroad;

(e) pay the actual expenses of preparing and transporting to their former homes the remains of persons, not United States Government employees, who may die away from their homes while participating in international educational exchange activities under the jurisdiction of the Department of State;

(f) pay expenses incident to the relief, protection, and burial of American seamen, and alien seamen from United States vessels in foreign countries and in the United States Territories and possessions;

(g) pay the expenses incurred in the acknowledgment of the services of officers and crews of foreign vessels and aircraft in rescuing American seamen, airmen, or citizens from shipwreck or other catastrophe abroad or at sea;

(h) rent or lease, for periods of less than 10 years, such offices, buildings, grounds, and living quarters for the use of the Foreign Service abroad as he may deem necessary, and make payments therefor in advance; and

(i) maintain, improve, and repair properties rented or leased pursuant to authority contained in subsection (h) of this section and furnish fuel, water, and utilities for such properties.

SEC. 4. The Secretary of State is authorized to—

(a) make expenditures, from such amounts as may be specifically appropriated therefore, for unforeseen emergencies arising in the diplomatic and consular service and, to the extent authorized in appropriation acts, funds expended for such purposes may be accounted for in accordance with section 291 of the Revised Statutes (31 U. S. C. 107); and

(b) delegate to subordinate officials the authority vested in him by section 291 of the Revised Statutes pertaining to certification of expenditures.

SEC. 5. The Secretary of State is authorized to—

(a) provide for participation by the United States in international activities which arise from time to time in the conduct of foreign affairs for which provision has not been made by the terms of any treaty, convention, or special act of Congress: *Provided,* That this subsection shall not be construed as granting authority to accept membership for the United States in any international organization, or to participate in the activities of any international organization for more than 1 year without approval by the Congress; and

(b) pay the expenses of participation in activities in which the United States participates by authority of subsection (a) of this section, including, but not limited to the following:

(1) Employment of aliens:

(2) Travel expenses without regard to the Standardized Government Travel Regulations and to the rates of per diem allowances in lieu of subsistence expenses under the Travel Expense Act of 1949, as amended (5 U. S. C. 835–842);

(3) Travel expenses of persons serving without compensation in an advisory capacity while away from their homes or regular places of business not in excess of those authorized for regular officers and employees traveling in connection with said international activities; and

(4) Rental of quarters by contract or otherwise.

SEC. 6. The provisions of section 8 of the United Nations Participation Act of 1945, as amended (22 U. S. C. 287e), and regulations thereunder, applicable to expenses incurred pursuant to that act, may be applicable to the obligation and expenditure of funds in connection with United States participation in the International Civil Aviation Organization.

SEC. 7. The exchange allowances or proceeds derived from the exchange or sale of passenger motor vehicles in possession of the Foreign Service abroad, in accordance with section 201 (c) of the act of June 30, 1949 (40 U. S. C. 481 (c)), shall be available without fiscal year limitation for replacement of an equal number of such vehicles.

SEC. 8. The Secretary of State may, when authorized in an appropriation or other law, transfer to any department, agency, or independent establishment of the Government, with the consent of the head thereof, any funds appropriated to the Department of State, for direct expenditure by such department, agency, or independent establishment for the purposes for which the funds are appropriated.

SEC. 9. The Secretary of State is authorized to enter into contracts in foreign countries involving expenditures from funds appropriated or otherwise made available to the Department of State, without regard to the provisions of section 3741 of the Revised Statutes (41 U. S. C. 22): *Provided,* That nothing in this section shall be construed to waive the provisions of section 431 of title 18 of the United States Code.

SEC. 10. Appropriated funds made available to the Department of State for expenses in connection with travel of personnel outside the continental United States, including travel of dependents and transportation of personal effects, household goods, or automobiles of such personnel shall be available for such expenses when any part of such travel or transportation begins in one fiscal year pursuant to travel orders issued in that year, notwithstanding the fact that such travel or transportation may not be completed during that same fiscal year.

SEC. 11. Notwithstanding the provisions of section 16 (a) of the act of August 2, 1946 (5 U. S. C. 78 (c)), the Secretary of State may authorize any chief of diplomatic mission to approve the use of Government-owned vehicles in any foreign country for transportation of United States Government employees from their residence to the office and return when public transportation facilities are unsafe or are not available.

SEC. 12. The Secretary of State, with the approval of the Bureau of the Budget, shall prescribe the maximum rates of per diem in lieu of subsistence (or of similar allowances therefor) payable while away from their own countries to foreign participants in any exchange of persons program, or in any program of furnishing technical information and assistance, under the jurisdiction of any Government agency, and said rates may be fixed without regard to any provision of law in limitation thereof.

SEC. 13. Allowances granted under section 901 (1) of the Foreign Service Act of 1946 (22 U. S. C. 1131 (1)), may include water, in addition to the utilities specified.

SEC. 14. Appropriations now or hereafter made available for allowances granted under the authority in part A of title IX of the Foreign Service Act of 1946, as amended (22 U. S. C. 1131), including an allowance for water as authorized in section 13 of this act shall be available for the payment of such allowances in advance.

SEC. 15. Appropriations to carry out the purposes of this act are hereby authorized. When so provided in an appropriation law, an appropriation made to the Department of State may remain available until expended.

Mr. MANSFIELD. Mr. President, S. 2569 is a so-called point of order bill. It makes permanent law for the Department of State a number of authorizations which have been carried annually in appropriation acts. S. 2569 passed the Senate on July 28, 1955. It has now passed the House, with minor amendments.

On the assumption that the House might take such action in the closing hours of this session, the Committee on Foreign Relations on Friday, July 20, 1956, considered S. 2569 in the form in which it had been reported to the House, and decided to recommend that the Senate accept the House amendments.

It is necessary to make special reference to section 5 of the bill. Section 5 of this bill will provide basic authority for participation by the United States in international activities which arise from time to time in the conduct of foreign affairs, and which has not been authorized by the terms of any treaty, convention, or act of Congress.

In the conduct of this country's foreign affairs, it is essential that the President and the Secretary of State have sufficient flexibility in matters of this kind in order that the United States may be appropriately represented in these international activities. Heretofore this authority has been granted the Department on a year-to-year basis in its annual appropriation acts. It is recognized that the Department needs this general authority to enable it to request funds for such purposes.

It will be noted that a proviso has been added to this section by the House. It is understood that this proviso is intended to make clear that this basic authorization does not grant authority to the Department to commit funds incident to membership or participation as a member in the activities of any international organization for more than one year, unless funds are provided therefor in an appropriation act, or unless membership and participation is otherwise approved by the Congress.

This authorization will enable the Department to request funds to participate

in international activities which arise from time to time in much the same manner as in the past. It will permit continuation of the present practice of sending observers to meetings of certain international organizations in which the United States is not a member, but in which we have a definite interest. It will also permit the Department, when it is deemed desirable, to obtain the necessary authority through the appropriation process rather than in specific authorizing legislation. This is particularly true with respect to provisional international organizations and temporary international organizations in which the President and the Secretary of State deem it necessary for the United States to participate.

Mr. President, I move the Senate concur in the House amendment.

The motion was agreed to.

AMENDMENT OF FOREIGN SERVICE ACT OF 1945

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate the amendments of the House of Representatives on S. 3481, the Foreign Service Act Amendments of 1956.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3481) to amend the Foreign Service Act of 1946, as amended, and for other purposes, which were on page 3, lines 8 and 9, strike out "by deleting the second sentence of section 517." and insert "by striking out the word 'forty' and inserting in lieu thereof the words 'one hundred and seventy-five'; by inserting before the period at the end of the second sentence the following: 'as a Foreign Service officer'; and by adding after the second sentence a new sentence which shall read as following: 'Notwithstanding the above provisions of this section, the limitation on the maximum number of appointments authorized herein shall not be applicable in the case of any person appointed or assigned by the Secretary of State as a Foreign Service Reserve officer and who thereafter has served in a position of responsibility in such capacity for the required period prior to appointment as a Foreign Service officer.' "; on page 3, line 22, strike out " 'thirty-five'." and insert " 'thirty-five', and by inserting after the first sentence the following new sentence: 'However, the highest 5 years of service for which full contributions have been made to the Fund shall be used in computing the annuity of any Foreign Service officer who serves as chief of mission and whose continuity of service as such is interrupted prior to retirement by appointment or assignment to any other position determined by the Secretary to be of comparable importance.' "; on page 4, lines 2 and 3, strike out "for his highest 5 consecutive years of service" and insert " 'as computed in accordance with subsection (a) of this section,' "; on page 4, strike out line 14 over through and including line 12 on page 6, and insert:

SEC. 12. (a) Section 921 of such act is amended (1) by inserting "(a)" immediately after "SEC. 921.", (2) by striking out "and pursuant to appropriations therefor,", and (3) by amending the proviso in the second sentence to read as follows: "*Provided*, That an amount equal to the amount expended for such services shall be covered into the Treasury as miscellaneous receipts."

(b) Section 921 of such act is further amended by adding at the end thereof the following new subsections:

"(b) The Secretary, under such regulations as he may prescribe, may authorize and assist in the establishment, maintenance, and operation, by officers and employees of the Service, of non-Government-operated commissary and mess services and recreation facilities at posts abroad, including the furnishing of space, utilities, and properties owned or leased by the United States for use by its diplomatic and consular missions. The provisions of the Foreign Service Buildings Act, 1926, as amended (22 U. S. C. 292–300), may be utilized by the Secretary in providing such assistance. Commissary or mess services and recreation facilities established pursuant to this subsection shall be made available, insofar as practicable, to officers and employees of other Government agencies and their dependents who are stationed abroad. Such services or facilities shall not be established in localities where another United States agency operates similar services or facilities unless the Secretary determines that such additional services or facilities are necessary.

"(c) Notwithstanding the last paragraph under the heading 'Subsistence Department' in the act of March 3, 1911 (10 U. S. C. 1253), or the provisions of any other law, charges at any post abroad by a commissary or mess service or recreation facility authorized or assisted under this section shall be at the same rate for all civilian personnel of the Government serviced thereby, and all charges for supplies furnished to such a service or facility abroad by any Government agency shall be at the same rate as that charged by the furnishing agency to its civilian commissary or mess services or recreation facilities.

"(d) Notwithstanding the provisions of section 5 of the act of July 16, 1914, as amended (5 U. S. C. 78), the Secretary may authorize any principal officer to approve the use of Government-owned vehicles located at his post for transportation of United States Government employees who are American citizens, and their dependents, to and from recreation facilities when public transportation is unsafe or is not available."

On page 8, strike out line 23 over through and including line 3 on page 10 and insert:

SEC. 15. Section 943 of such act is amended to read as follows:

"PHYSICAL EXAMINATIONS AND COSTS OF INOCULATIONS

"SEC. 943. The Secretary shall, under such regulations as he may prescribe, provide for physical examinations for applicants for employment and for officers and employees of the Service who are citizens of the United States, and for their dependents, including examinations necessary to establish disability or incapacity in accordance with the provisions of section 831, and shall provide for administering inoculations or vaccinations to such officers and employees and their dependents."

And on page 11, line 18, strike out "class" where it appears the second time, and insert "in-class."

Mr. MANSFIELD. Mr. President, the bill passed the Senate on April 12, 1956. It was passed by the House on July 23, 1956. The following are the important amendments which the House made in the Senate version:

First. The Senate bill removed the existing ceilings contained in section 517 of the act on the number of lateral entries into the Foreign Service. The House bill restores substantially the executive branch request which would result in exempting from the ceiling of 1,250 imposed on lateral entries all lateral entries of persons given Reserve officer appointments by the Secretary who complete the required period of service prior to appointment as Foreign Service officers, and the House bill would raise from 40 to 175 the ceiling on lateral entries into the Foreign Service Officer Corps from among employees of such agencies as USIA and ICA.

Second. The Senate bill provided that in computing credit for retirement Foreign Service employees might select salaries for their highest 5 consecutive years of service. The House version makes an exception for chiefs of mission, allowing them to use the highest 5 years of service, whether or not consecutive years, in computing annuities.

Third. The Senate bill contains separate provisions on commissaries and mess services and on recreation facilities. The House bill combines these two provisions and narrows slightly the authority given to the Secretary of State.

On the assumption that the House might pass S. 3481 in the closing hours of this session, the Committee on Foreign Relations on Friday, July 20, 1956, considered S. 3481 in the form in which it has now passed the House, and the committee decided to recommend that the Senate accept the House amendments.

Mr. President, I move the Senate concur in the House amendments.

The motion was agreed to.

EXCHANGE OF EMPLOYEES OF DEPARTMENT OF AGRICULTURE AND EMPLOYEES OF CERTAIN STATE INSTITUTIONS

Mr. JOHNSON of Texas. Mr. President, I yield to my friend from Louisiana.

Mr. ELLENDER. Mr. President, some time ago the Senate passed Senate bill 1915, and the bill went to the House, where it was amended. The amendments are merely clarifying amendments. I took the matter up with the author of the bill, and he is agreeable to the amendments.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1915) to provide for further effectuating the act of May 15, 1862, through the exchange of employees of the United States Department of Agriculture and employees of State political subdivisions or educational institutions, which were: On page 3, line 15, strike out "Act." and insert "Act; and they shall also be entitled to continuation of their insurance under the Federal Employee's Group Life Insurance Act of 1954, so long as the Department continues to collect the employee's contribution from the employee and to transmit for timely deposit into the employees' life insurance fund the amount of the employee's contribution, and the Government's contribution from Department appropriations"; on page 4, line 2, strike out "Standard" and insert "Standardized"; on page 4, line 2, after

"Government", insert "Travel"; on page 5, line 3, after "SEC. 7.", insert "(a) Any State employee who is assigned to the Department without appointment shall nevertheless be subject to the provisions of sections 281, 283, 284, 434, 1902, 1905, and 1914 of title 18 of the United States Code and section 99, title 5 of the United State Code."; on page 5, line 3, after "SEC. 7.", insert "(b)"; on page 5, line 17, strike out "Travel Expense Act of 1949," and insert "as amended," and on page 5, line 18, strike out "travel, or" and insert "travel of."

Mr. ELLENDER. Mr. President, the House amendments to S. 1915 were recommended by the Civil Service Commission in its letter set out in the House committee report. These amendments would—

(1) permit Federal employees exchanged on a leave of absence basis to retain their Federal employees' group life insurance;

(2) subject exchanged non-Federal employees to the conflict of interest and similar statutes which are applicable to Federal employees; and

(3) correct references to the standardized Government travel regulations.

Mr. President, I move that the Senate concur in the House amendments.

The motion was agreed to.

INCREASED BORROWING POWER FOR COMMODITY CREDIT CORPORATION—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3820) to increase the borrowing power of Commodity Credit Corporation. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings, pp. 13765–13766, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ELLENDER. Mr. President, I move that the Senate agree to the conference report. Mr. President, S. 3820, increasing the borrowing power of the Commodity Credit Corporation, was passed by the House on Saturday with an amendment in the nature of a substitute. The House substitute differs from S. 3820 as passed by the Senate in the following respects:

First. The House substitute would increase the borrowing power to $14 billion, while the Senate bill would increase it to $14.5 billion.

Second. The House substitute contains an additional section which is identical in substance to S. 3669, which passed the Senate on January 11. This additional section amends the criminal law dealing with willful theft or conversion of property owned by or pledged to the Commodity Credit Corporation by (a) extending it to cover property pledged to secure obligations which the Corporation has guaranteed or is obligated to purchase, and (b) reducing the offense to a misdemeanor where the value of the property involved is $500 or less.

Mr. DOUGLAS. Mr. President——

The PRESIDING OFFICER. Does the Senator wish to address himself to the conference report?

Mr. DOUGLAS. Is it not true that a conference report is privileged at any moment, and, therefore, to permit it to go through is not violating the rule that routine business should be taken up in the morning hour, and should not be taken up at any other time?

The PRESIDING OFFICER. The Senator is correct.

The question is on agreeing to the motion of the Senator from Louisiana that the Senate agree to the conference report.

The report was agreed to.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Wisconsin.

Mr. WILEY. Mr. President, I renew my request to place certain matters in the RECORD.

The PRESIDING OFFICER. Request is made that certain matters be inserted in the RECORD.

Mr. DOUGLAS. Mr. President, is not this matter which normally is inserted only during the morning hour?

The PRESIDING OFFICER. According to the observations of the Chair, requests to have such matters printed in the RECORD have been made many times.

Mr. DOUGLAS. I have great fondness for the Senator from Wisconsin——

Mr. JOHNSON of Texas. Mr. President, I ask for the regular order.

Mr. DOUGLAS. I must object.

The PRESIDING OFFICER. Objection is heard.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 590. An act to incorporate the Military Order of the Purple Heart, a national organization of combat wounded composed solely of Purple Hearters;

H. R. 4392. An act to amend the Internal Revenue Code of 1954 to provide a special method of taxation for real estate investment trusts;

H. R. 11682. An act to facilitate the control and eradication of certain animal diseases, to facilitate the carrying out of agricultural and related programs, to facilitate the agricultural attaché program, to facilitate the operations of the Farmers' Home Administration, the Federal Crop Insurance Corporation, and the Forest Service, and for other purposes;

H. R. 11968. An act to permit any State of the United States or any political subdivision of any such State to purchase from the District of Columbia Reformatory at Lorton, Va., gun mountings and carriages for guns for use at historic sites and for museum display purposes;

H. R. 12080. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes;

H. R. 12237. An act to encourage and assist the States in the establishment of State committees on education beyond the high school, and for other purposes;

H. R. 12327. An act to provide that the compensation of the Commissioners of the District of Columbia shall be at the rate of $17,000 each per annum; and

H. R. 12358. An act to authorize the Honorable WAYNE L. HAYS, the Honorable WALTER H. JUDD, the Honorable JOHN J. ROONEY, and the Honorable JOHN TABER, Members of the House of Representatives, to accept and wear the award of the Cross of Grand Commander of the Royal Order of the Phoenix, tendered by the Government of the Kingdom of Greece.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles and referred or placed on the calendar, as indicated:

H. R. 590. An act to incorporate the Military Order of the Purple Heart, a national organization of combat wounded composed solely of Purple Hearters; to the Committee on the Judiciary.

H. R. 4392. An act to amend the Internal Revenue Code of 1954 to provide a special method of taxation for real estate investment trusts; to the Committee on Finance.

H. R. 11682. An act to facilitate the control and eradication of certain animal diseases, to facilitate the carrying out of agricultural and related programs, to facilitate the agricultural attaché program, to facilitate the operations of the Farmers' Home Administration, the Federal Crop Insurance Corporation, and the Forest Service, and for other purposes; to the Committee on Agriculture and Forestry.

H. R. 11968. An act to permit any State of the United States or any political subdivision of any such State to purchase from the District of Columbia Reformatory at Lorton, Va., gun mountings and carriages for guns for use at historic sites and for museum display purposes; and

H. R. 12327. An act to provide that the compensation of the Commissioners of the District of Columbia shall be at the rate of $17,000 each per annum; to the Committee on the District of Columbia.

H. R. 12080. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; to the Committee on Public Works.

H. R. 12237. An act to encourage and assist the States in the establishment of State committees on education beyond the high school, and for other purposes; placed on the calendar.

H. R. 12358. An act to authorize the Honorable WAYNE L. HAYS, the Honorable WALTER H. JUDD, the Honorable JOHN J. ROONEY, and the Honorable JOHN TABER, Members of the House of Representatives, to accept and wear the award of the Cross of Grand Commander of the Royal Order of the Phoenix, tendered by the Government of the Kingdom of Greece; to the Committee on Foreign Relations.

PROPOSED CIVIL RIGHTS LEGISLATION

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, yesterday I offered an amendment to H. R. 627, the civil rights bill, which would broaden the duties of the Commission established by that legislation as follows:

Investigate the allegations that certain citizens of the United States are being deprived of their right to vote or obtain employment, or are being subjected to unwarranted economic pressures, by reason of their color, race, religion, national origin, or membership or nonmembership in a labor or trade organization.

Mr. President, I offer this amendment because our whole system of Government and our whole system of enterprise is based upon individual rights and freedoms. Our basic writings abound with the proof of this statement, and we need only look at the Declaration of Independence to find the substance of all our freedom. The Declaration of Independence says, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness." That is not only the cornerstone of our Republic, an expression recognizing the source of our freedom as stemming from God; it also spells out our fundamental rights. The right-to-work is one of our rights. It is fundamental, for without it a man cannot retain the right of liberty or the right to pursue happiness, for both are dependent on his right to work.

The question that rises at this point is this: Is the right to a job really a basic human right, or is this right restricted to union members only? Actually there is no inherent right to a job in this country or any other country that follows our concepts of freedom. Man was created equal, our Declaration of Independence says. He was created equal because he was a free child of God, but at the point of his birth the equality ceased. The right to a job, if such a right does exist, exists only in man's determination to get a job and to keep a job, and if there are rights connected with that, then those rights are wrapped up in the expressions of a law that recognizes that a right to work, whether a man belongs to a union or not, is a basic right, expressed in our Declaration of Independence and further outlined at various places in our Constitution.

The right to work is coextensive with the right of life itself. Shakespeare said something about this, and while Shakespeare was no labor-management relations expert, nevertheless his philosophy certainly can apply. In the Merchant of Venice, he wrote, "You take my house when you do take the prop that doth sustain my house, you take my life when you do take the means whereby I live." When a man must belong to a union to obtain or retain work, then that man does not have the right to work under our concept of rights and we, in effect, if we fail to recognize that, would be living in agreement with Shakespeare's quotation, "You take my life when you do take the means whereby I live."

Mr. President, this is a matter of personal freedom that I am discussing today. It is comparable to the right to vote, the right to a speedy trial, the right to habeas corpus, and the other rights that are guaranteed under the Constitution and should be jealously guarded. You and I, Mr. President, have the duty to see that these rights and freedoms are observed and protected.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President——

Mr. McCARTHY. Mr. President, I thought I had the floor.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. STENNIS in the chair) The Senator from Texas will state it.

Mr. JOHNSON of Texas. Who has the floor?

The PRESIDING OFFICER. Before the taking of the recess, the Senator from Texas had been recognized; and when the recess was taken, he had 1 minute remaining.

Mr. McCARTHY. I do not wish to question the right of the very able majority leader to have the floor; but I agreed to yield the floor so that the Senate could attend the reception for the Senator from Georgia [Mr. GEORGE]. I do not wish to interfere with the time available to the majority leader.

Mr. JOHNSON of Texas. Mr. President, if the Senator from Wisconsin will indulge us for another 2 or 3 minutes, we shall be through.

Mr. McCARTHY. Mr. President, I shall indulge the majority leader for as long as he wishes.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. Let me inquire whether the amendment of the Senator from Arizona to the civil rights bill was permitted to be submitted by unanimous consent.

The PRESIDING OFFICER. The Chair understands that the amendment was submitted on yesterday.

Mr. DOUGLAS. Let me say that I was not then on the floor. However, it is extraordinary that permission is granted to amend a bill, when permission is not granted to bring up the bill for consideration.

The PRESIDING OFFICER. The amendment was submitted on yesterday, to be printed and to lie on the table.

THEATER TAX EXEMPTION

Mr. WILEY. Mr. President——

Mr. JOHNSON of Texas. Mr. President, I yield not to exceed 2 minutes to the Senator from Wisconsin [Mr. WILEY].

Mr. WILEY. Mr. President, in the closing days of the session, we are always confronted by a mass of significant bills which are passed by one or the other of the two Houses, but which can die for lack of time for the other House to pass it.

One such important bill is H. R. 9875, which was passed by the House of Representatives last Saturday. This bill is designed to amend the Internal Revenue Code of 1954. It will provide that the tax on admissions shall apply only with respect to the portion of the amount paid which is in excess of $1.

PRESENT EXEMPTION NOT SUFFICIENT

It will be recalled that under present law, general admissions are free of the Federal Excise Tax, if the charge is 50 cents or less.

It is now proposed that the exemption from the Federal admissions tax be placed on admissions of $1 or less. I want to point out that the $1 exemption would apply only to admissions up to the level of the exemption. I want to make it quite clear that the bill would not even affect admissions for which the charge exceeds the exemption figure.

Thus, under the bill as amended, the tax on an admission charge of, say, $1.50 would be 15 cents. In other words, the 10 percent tax would be based upon the entire $1.50, and not merely upon the portion of the charge—50 cents—in excess of the dollar.

Why did we of the Congress act in 1954 to exempt the first 50 cents from the admissions tax? The answer is very simple. We did so in order to help protect a grand industry in America—the motion picture business. But we did not help the motion picture industry enough.

So I say that now is the time to act on this further step to provide an increased measure of justice for them.

GLAD TO BE KNOWN AS FRIEND OF INDUSTRY

Mr. President, I want to say that down through the years, it has been a source of pride to me to be known as "a friend of the motion picture industry."

I HAVE BEEN GLAD TO BE ITS FRIEND

I have done so because I have felt that this industry—from the greatest studio in Hollywood to the smallest exhibitor at the grassroots—has always gallantly fulfilled every patriotic and civic obligation which has ever been presented to it. It is an industry with a heart. The producers and the exhibitors of America have helped in war and in peace, in our country and throughout the world, in our big cities and in the smallest towns.

Naturally, I have been particularly interested in the small-business men in the industry—in the small town movie exhibitor.

Long ago I had introduced legislation to wipe out the Federal wartime admissions tax. I pointed out that the motion-picture theater is a mass medium for entertainment of the American people—for 35 million of them—each and every week. Surely, today, the United States Government is not so badly off that it must squeeze the last drop of revenue out of an industry—particularly of the segment of this industry, the exhibitor, which obviously is having a tough time.

ONE-HALF OF ALL THEATERS IN TROUBLE

It is estimated that more than one-half of all the motion-picture theaters in the United States are today in financial trouble. Fifty-five hundred of these theaters are reportedly operating in the red. Fifty-four hundred are operating at just about the break-even point. Popcorn, beverages, and other concessions are just about keeping them alive.

OVER 1,000 THEATERS HAVE CLOSED IN 1956

Since January of this year alone, 1,037 theaters have closed. That is certainly a tragic figure. Mr. President, at first blush, it may not be realized just what that figure really means. But I ask my colleagues to think of the all-around role of the motion-picture theater, particularly in a small town. I ask them to think what it means to have the small town Bijou Theater, the Palace Theater, or the Grand Theater close up shop, with a "for rent" sign appearing on it. Think of that dismal "for rent" sign on a once gay and prominent structure on or just off Main Street.

I say it is a very depressing thing, particularly for a small town, to have its only motion-picture theater shut up shop, or one of its few theaters close down, or even for a neighborhood to see its only theater close. I say that our communities deserve to have their theaters remain open, wherever possible; and I say, further, that the motion-picture exhibitor, himself, is entitled to a fair break.

I say this, whether or not the exhibitor is a part of a large chain of theaters or if, in particular, he is an independent who is facing especially tough going. His costs have skyrocketed; his income is stationary or down. He is a little fellow, but he has a very difficult economic problem.

I know the theater exhibitors of my State. I have met with them in person and in many a group meeting. They are a grand group of men. I have worked with them down through the years on many a patriotic drive, whether it was for war bonds, blood donations, Red Cross, polio, or just about any other civic cause. I want to be of special help to them now.

VARIED PROBLEMS FACED BY EXHIBITORS

I do not say that an additional small exemption is going to spell the difference between success or failure for them. Obviously it may not. Obviously, the competitive impact of television, the serious problem of downtown parking space, and an assorted mass of other problems will still have to be met by exhibitors. But I say, let us give them a break. Let us assure justice for them.

GOVERNMENT SHOULD TAKE A LONG AND WISE VIEW

I am advised that enactment of this bill would result in a revenue loss of an estimated $70 million a year when fully effective. For that reason, the Department of the Treasury and the Bureau of the Budget say they are opposed to the bill, and indicate that they might suggest a Presidential veto.

But I ask: How much overall revenue will the Federal Government collect if the owner of the Bijou Theater has to close shop completely? How much revenue will the Government collect not only from that exhibitor thereafter, but from the people he employs and from the economic health which he helps generate in the community by attracting folks to the theater, and to the area where they can dine and shop?

So I say, Mr. President, let us take the long view of things. Let us take a wise step in the interest of justice for this fine group—particularly the little fellows.

It is my earnest hope, therefore, that the Senate Finance Committee will take action on this issue and will allow us enough time to pass it on the Senate floor this week. I appeal to my colleagues for this purpose.

URGENT WIRES FROM INDIVIDUALS

I have received, of course, a great many anxious messages from theater exhibitors in my State, urging this action.

I have heard, for example, from my very good friend, Mr. Ben Marcus, president of the Allied Theater Owners of Wisconsin, and from many of his fine associates.

I ask unanimous consent, however, that only a representative few of these messages be printed at this point in the body of the RECORD to indicate the urgency of this problem. Since they have communicated with me as private individuals, I will of course respect their confidence by not including their names.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

SUPERIOR, WIS., *July 23, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

The King bill is up before Senate Finance Committee; would appreciate your help on passage of this bill. We had five theaters operating year ago in Superior. Three of them are now closed. The two operating now at a loss each week. Thanking you for your help. Kindest personal regards.

MILWAUKEE, WIS., *July 20, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

Please support King bill reported favorably by the House Ways and Means Committee terminating all tax on admission tickets up to $1. Will appreciate your support of this measure.

LA CROSSE, WIS., *July 23, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

Sincerely urge your contact Senate Finance Committee in favor of King bill, H. R. 9875. Please do your best protect from amendments. This measure of utmost importance to our business. Thanks.

EAU CLAIRE, WIS., *July 23, 1956.*

Senator ALEXANDER WILEY,
Washington, D. C.:

Urge you to do everything possible to speed passage of King bill H. R. 9875, which passed the House by voice vote. Bill now before Senate Finance Committee. Regards.

GENOA CITY, WIS., *July 22, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

Please support King bill reported favorably by the House Ways and Means Committee terminating all tax on admission tickets up to $1. We will appreciate your support of this measure.

PENSIONS FOR WIDOWS AND FORMER WIDOWS OF DECEASED VETERANS OF THE SPANISH-AMERICAN WAR

Mr. WILEY. Mr. President, the Senate Finance Committee now has before it a very considerable number of veterans bills.

Included among those bills is H. R. 2867. The purpose of the bill is to increase the monthly rates of pensions payable to widows and former widows of deceased veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection.

This is not a controversial bill. It was unanimously reported from the House Veterans' Affairs Committee. It was unanimously approved by the House of Representatives.

It does not affect a vast number of people. Today, the ranks of the heroes of 1898 are relatively few in number, unfortunately; and the widows of our Spanish-American War heroes are relatively few in number. This bill would increase the pensions of the widows from $54 a month to $75 a month.

I do not think that the Government of the United States can turn down a request for an increase of a total of but $21 a month, or $5.25 per week. I do not think that we can be true to those who fought at San Juan Hill and at Manila Bay and say that the Government will deny—especially in this inflationary age—a total of $21 additional dollars per month to those whom they left behind.

On many occasions, I have met with the United Spanish War Veterans and their auxiliaries. No long ago it was my pleasure to deliver an address before the State convention of this grand organization.

I send to the desk the text of several of the appeals which have come to me from national and State leaders on behalf of these war veterans and their widows. I earnestly hope that we in the Senate will not fail them. I ask unanimous consent that the telegrams be printed at this point in the body of the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

MILWAUKEE, WIS., *July 23, 1956.*

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

With the full knowledge of your efforts on behalf of our beloved organization the membership of the Department of Wisconsin United Spanish War Veterans and its auxiliaries of your State thank you for your favorable consideration of the O'Hara bill, H. R. 2867, to increase pensions for our widows.

DOROTHY R. CHADBURGN,
Department President.

SHAMOKIN, PA., *July 23, 1956.*

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

House passed H. R. 2867 yesterday unanimously in behalf of the widows of Spanish War veterans whose age is more than 70 years. I plead with you to give them this increase.

JOHN U. SHROYER,
Past Commander in Chief, United Spanish War Veterans.

WASHINGTON, D. C., *July 23, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

O'Hara bill, H. R. 2867, to increase pensions for Spanish War widows, passed the House by unanimous vote Friday. Please use every

effort to have this bill favorably reported to the Senate and passed at an early date.

JAMES H. JOHNSTON,
Commander in Chief, USWV.
WILLIAM J. OTJEN,
Chairman, National Committee on Legislation.

MILWAUKEE, WIS., *July 23, 1956.*

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

Would appreciate if you would vote for the bill, H. R. 2867, Spanish War veterans widow pension increase.

GUY M. DULIN AUXILIARY 36,
BERTHA FRAKES,
President.

MILWAUKEE, WIS., *July 24, 1956.*

ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

Bill H. R. 2867 increasing Spanish War widows' pension allowance to $75 per month unanimously passed in the House Friday, July 20. May we urge you to support this measure in the Senate and pass same before Congress adjourns?

ALBERT J. OBENBERGER.

MILWAUKEE, WIS., *July 24, 1956.*

United States Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

Many widows of Hugh J. McGrath Auxiliary No. 2, Department of Wisconsin, send sincere thanks for your support of bill H. R. 2867.

President WILDA WOOD.

OSHKOSH, WIS., *July 24, 1956.*

Hon. ALEXANDER M. WILEY,
United States Senator,
Washington, D. C.:

Urge your support on bill H. R. 2867, Spanish War widows' pension increase.

RALPH E. CANNIFF,
Past Department Commander, United Spanish War Veterans.

FOND DU LAC, WIS., *July 24, 1956.*

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

Bill H. R. 2867, Spanish War widows' increase, has passed the House. Highly appreciated if you support this bill. Some are in dire need.

S. D. BOREHAM.

MARINETTE, WIS., *July 24, 1956.*

Senator WILEY,
Washington, D. C.:

Please expedite bill, H. R. 2867, United States Spanish War widows' pension bill, through the Senate.

SPANISH WAR VETERANS,
G. E. DENEIN.

WAUPACA, WIS., *July 24, 1956.*

Hon. ALEXANDER WILEY:

Request that you will assist in the passage of bill, H. R. 2867, Spanish War widows' pension increase.

Col. CARLL BROSIUS.

BEAVER DAM, WIS., *July 24, 1956.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

Request that you support H. R. 2867 for Spanish War widows. Please do all you can to expedite passage of this measure in Senate before adjournment.

H. C. GEITTMAN,
Past Department Commander.

KNIGHTS OF COLUMBUS OPPOSITION TO AID TO YUGOSLAVIA

Mr. WILEY. Mr. President, I have before me the text of a telegram which I received today from Mr. Joseph F. Lamb, supreme secretary of the Knights of Columbus, at New Haven. Mr. Lamb conveyed a resolution adopted by the executive committee of the supreme board of directors of that great organization, urging the discontinuation of aid to Marshal Tito's Yugoslav Communist Government.

Mr. President, this issue, on which we shall vote today, is an exceedingly significant one, in that we shall be serving notice to the world as to the future course of American foreign policy.

Mr. President, I have been, and I remain, a supporter of sound mutual security, against the Communist menace. I have been, and I remain, a firm believer in the partnership of anti-Communist nations, against the atheistic tyranny which is communism.

But, at the same time, from the very inception of the mutual-aid program, I have never believed that there was the slightest justification in excusing in the slightest the Communist government of Yugoslavia, or in pretending that its brand of communism was one bit less worse than the Soviet brand or the Peking brand.

I believe that the United States Government should avoid getting into a position where any government—particularly a Communist government—can say, "You give us financial aid, or else we will cozy up more to the Kremlin."

I do not believe in international blackmail—whether it is blackmail to force us to build a dam in a country, or blackmail of any other sort.

The American people have not forgotten the shooting down in cold blood of American flyers. The American people have never forgotten the outrageous imprisonment of Archbishop Stepinac, or the merciless repression of the forces of freedom and religion there.

I send to the desk the text of the telegram from the Knights of Columbus, and ask unanimous consent that it be printed at this point in the body of the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

NEW HAVEN, CONN., *July 23, 1956.*

Hon. ALEXANDER WILEY,
United States Senate,
Washington, D. C.:

By direction of the executive committee of the supreme board of directors of the Knights of Columbus, I have the honor to communicate to you the following resolution adopted by that committee at meeting held June 20, 1956:

"Whereas the recent triumphal tour of the Soviet Union by President Tito, of Yugoslavia, gives added substance to longstanding doubts as to the advisability of providing military and economic aid to his regime at the expense of citizens of the United States; and

"Whereas the tyranny of Tito's dictatorship, manifested in the persecution of religion and otherwise, does not appear to differ materially from the tyranny which prevails in the Soviet Union and its captive satellites: Be it

"*Resolved*, That the executive committee of the supreme board of directors of the Knights of Columbus, representing the more than 1 million members of this society, expresses the conviction that Tito neither sympathizes with nor can be relied upon to support the American concept of human freedom and therefore urges the discontinuance of United States aid, military or economic, to his regime."

JOSEPH F. LAMB,
Supreme Secretary, Knights of Columbus.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I yield 1 minute to the Senator from Arkansas [Mr. MCCLELLAN].

Mr. McCLELLAN. Mr. President, on behalf of the Committee of Government Operations, I report three bills favorably.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. Should not the reporting of bills be confined to the morning hour?

The PRESIDING OFFICER. At this time unanimous consent will be required.

Mr. McCLELLAN. Mr. President, I request unanimous consent for that purpose.

Mr. DOUGLAS. I object.

The PRESIDING OFFICER. Objection is heard.

STRENGTHENING OF INTERNATIONAL RELATIONS THROUGH CULTURAL AND ATHLETIC EXCHANGES

Mr. HUMPHREY of Minnesota. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to S. 3116 which was passed by the House on July 23, 1955. The bill, which was passed by the Senate on March 26, 1956, would authorize the continued participation of the United States, on a permanent basis, in such activities as cultural and athletic exchanges, and in international fairs and festivals.

The House amended subsection 3 of section 3, so as to authorize the United States to participate in the Brussels Universal and International Exhibition, which will be held in Brussels in 1958. The Brussels fair is not a normal trade fair, but is an international exhibition which, under the Paris Convention of 1928, is held every 6 years. Because it requires the appointment of special commissioners by the participating countries, a special provision authorizing it was deemed necessary.

On the assumption that an amendment of the kind mentioned would be adopted by the House in the closing hours of the session, the Committee on Foreign Relations, on Friday, July 20, 1956, considered S. 3116 in the form in which it had been reported to the House, and decided to recommend that the Senate accept the House amendment.

Originally, Mr. President, the executive branch intended to seek authority for the Brussels fair in a separate measure. The House, however, took the view that it should be combined with the trade fair bill, S. 3116, which is now before us.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. Is this a privileged matter which can be brought up outside the morning hour?

The PRESIDING OFFICER. The Chair so understands.

Mr. DOUGLAS. If it is a privileged matter which, under the rules of the Senate, can be brought up outside the morning hour——

Mr. JOHNSON of Texas. Of course it cannot be brought up now unless the Senator from Minnesota is yielded time.

Mr. KNOWLAND. Mr. President, let me ask what the bill is.

Mr. HUMPHREY of Minnesota. I have requested that the Chair lay before the Senate the amendment of the House of Representatives to Senate bill 3116, which provides for the promotion and strengthening of international relations through cultural and athletic exchanges and participation in trade fairs and festivals.

Mr. KNOWLAND. International fairs?

Mr. HUMPHREY. Yes.

Mr. KNOWLAND. I have no objection.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3116) to provide for the promotion and strengthening of international relations through cultural and athletic exchanges and participation in international fairs and festivals, which was on page 2, to strike out lines 13 through 15, and insert:

(3) United States participation in international fairs and expositions abroad, including trade and industrial fairs and other public or private demonstrations of United States industrial accomplishments and cultural attainments: *Provided*, That in order to appropriately represent the United States in connection with participation in the Brussels Universal and International Exhibition to be held at Brussels, Belgium, in 1958, the President is authorized to appoint or designate a Commissioner General, by and with the advice and consent of the Senate, and not to exceed two other principal representatives, who shall receive compensation, allowances, and benefits as determined by the President but not in excess of that received by a chief of mission at a class 2 post, pursuant to the Foreign Service Act of 1946, as amended (22 U. S. C. 801): *Provided further*, That no officer of the United States Government who is designated under the foregoing proviso as Commissioner General or as a principal representative shall be entitled to receive such compensation; and

Mr. HUMPHREY of Minnesota. Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to.

THE STEEL STRIKE

Mr. MURRAY. Mr. President——

Mr. JOHNSON of Texas. Mr. President, I yield 1 minute to the Senator from Montana.

Mr. MURRAY. Mr. President, after many weeks in which the vital steel industry has been at a standstill, to the detriment of labor, industry, and our country, negotiations are again underway in an attempt to settle the present steel strike.

I trust that at this time responsible leaders in the steel industry will see to it that serious negotiations are conducted, and that arbitrary, standpat, like-it-or-leave-it attitudes are put aside in the interest of the public at large.

It is hard for me to rationalize the difference in thinking in the steel industry which has taken place since the retirement of Ben Fairless. For the past several years, Ben Fairless and Dave McDonald, as leaders of management and labor, actively cooperated, not only for the benefit of their respective groups, but for the benefit of the country at large. Mr. Fairless and Mr. McDonald visited steel plants all over the Nation, and everywhere they went they inspired a spirit of cooperation which greatly increased the productive capacity of the steel industry.

So far as I am able to ascertain, Dave McDonald has approached the present steel strike in a true spirit of cooperation and negotiation. It is time for leaders of industry to do the same.

The steel industry is fortunate that it is dealing with a union such as the steelworkers, a reliable, trustworthy, and efficient group of American workers which has, under the leadership of Dave McDonald, helped to make the American steel industry one of the most productive industries of the world.

Let us hope that within the next few days responsible industry, dealing with responsible labor, will solve the present problem.

MUTUAL SECURITY APPROPRIATIONS, 1957

The Senate resumed the consideration of the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. How much time remains on the bill?

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that the time allotted for the presentation of privileged matters really should not be charged to either side; whereas the time used for speeches, when the Senator from Texas has yielded for that purpose, is charged to the time on the bill available to the Senator from Texas.

Seventy-two minutes remain for the proponents of the bill; nine minutes remain for the opponents of the bill.

Mr. JOHNSON of Texas. Mr. President, I wish to thank my friend, the Senator from Wisconsin [Mr. McCARTHY] for his graciousness and his understanding of the problem which confronts me on both sides of the aisle. I hope I have not delayed him too long. I appreciate very, very much his courtesy.

Mr. McCARTHY. Mr. President——

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. McCARTHY. Mr. President, before the Senator from Texas leaves the Chamber, I wish to say that I am always very, very glad to do anything I can to cooperate with the distinguished majority leader.

Mr. JOHNSON of Texas. Mr. President, the Senator from Texas knows that, and appreciates it.

Mr. McCARTHY. It so happens that I have some definite appointments, and that is why I have been rushing.

Mr. JOHNSON of Texas. Mr. President, if the Senator from Texas had known that, he would not have made arrangements to yield to other Senators.

Mr. McCARTHY. I understand.

ORDER OF BUSINESS

Mr. PAYNE. Mr. President, will the Senator from Wisconsin yield to me?

Mr. McCARTHY. I yield.

Mr. PAYNE. Mr. President, I ask unanimous consent that, as chairman of the Board of Visitors to the United States Merchant Marine Academy at Kings Point, N. Y., I may submit the report of the Board of Visitors, and have it printed at this point in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. LEHMAN. Mr. President, reserving the right to object, will the Senator from Maine repeat his request?

Mr. PAYNE. Mr. President, I ask unanimous consent that, as chairman of the Board of Visitors to the Merchant Marine Academy at Kings Point, N. Y., I may file the report of the Board of Visitors, and that it may be printed in the RECORD.

Mr. LEHMAN. I have no objection.

The PRESIDING OFFICER. Is there objection?

Mr. DOUGLAS. Mr. President, reserving the right to object, should not this report be made during the morning hour?

Mr. McCARTHY. Mr. President, I do not yield any time.

The PRESIDING OFFICER. A unanimous-consent request is in order at any time, but this is not a privileged matter.

Mr. DOUGLAS. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Wisconsin.

Mr. McCARTHY. Mr. President, I do not wish to cut off the right of the Senator from Illinois to ask questions relating to this unanimous-consent request.

Mr. PAYNE. I appreciate very much indeed the courtesies which have been extended by my colleague from Wisconsin. I am afraid that probably under the circumstances no colloquy could take place which would result in the objection to the request being lifted.

The PRESIDING OFFICER. Does the Senator yield for a parliamentary inquiry?

Mr. McCARTHY. I yield a minute or two to the Senator from Maine, if he thinks anything would be gained.

Mr. PAYNE. I doubt very much if, under the circumstances, anything would be gained, so I will wait until another time to file the report.

MUTUAL SECURITY APPROPRIATIONS, 1957

The Senate resumed the consideration of the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin [Mr. McCARTHY]. The Senator from Wisconsin has the floor.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. DIRKSEN. My distinguished friend from Wisconsin has advised me that he proposes to speak for 2 hours, and then use 1 hour more for collateral interpretation and explanation. I make only a very simple inquiry from him, and that is whether or not, in the aggregate, he expects to use 3 hours, or 180 minutes, at this time?

Mr. McCARTHY. I do not like to do this to the Senator from Illinois and to the Senate, but I have checked over the speech, and I find that it is about 6 hours long. I think it will take me about 2 hours to explain it when I am through.

The PRESIDING OFFICER. The Senator from Wisconsin has 30 minutes. [Laughter.]

Mr. McCARTHY. I shall require about 10 or 15 minutes.

First, let me say that I was very gratified by the tribute paid to the Senator from Georgia [Mr. GEORGE] tonight. He is a great Senator, an eminent statesman, and while I have disagreed with him vigorously on occasions, I think he has made a valuable contribution to the Senate and has rendered exceedingly valuable service to the people of the Nation. I say that despite the fact that on occasion I have very seriously disagreed with him. I think the tribute to him tonight was highly deserved.

Mr. President, I have heard Senators today talk about Tito's statement that he was marching with the Russian Communists. They questioned just what he meant by that. In passing, I should like to remark that he has never said that he was marching arm-in-arm with the United States. He has never denied, however, the statement about marching arm-in-arm with Soviet Russia.

I shall speak very briefly in behalf of my amendment. My amendment provides that all aid to Yugoslavia under this bill shall be cut off. The Knowland-Bridges amendment provided that we should cut off new military equipment under the pending bill. As I stated, I supported that amendment wholeheartedly. I think it was a step in the right direction. I think it notified the people in the satellite nations that we were not inclined to give military aid to Communist-controlled nations. But I would extend the Knowland amendment so as to cut off funds for spare parts, ammunition, and maintenance.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. McCARTHY. I yield.

Mr. LANGER. Would the Senator's amendment cut off all the aid in the pipeline, the $100 million in the pipeline, as well?

Mr. McCARTHY. Unfortunately, I cannot do that by my amendment, because if I sought to do so it would be subject to a point of order. Unfortunately, all I can do is to propose to cut off all aid under this bill. That includes funds for spare parts, for maintenance, and for ammunition—as well as for new equipment. I wish I could go a step further and cut off everything in the pipeline, but I am afraid I cannot.

Mr. IVES. Mr. President, will the Senator yield for a moment, while I insert something in the RECORD?

Mr. McCARTHY. I yield.

Mr. IVES. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the major portion of an excellent address by Mr. A. T. Spalding, vice president and actuary of the North Carolina Mutual Life Insurance Co. The address, entitled "The Impact of a Changing World on Women's Organizations Economically" was delivered on May 26, 1956, before the National Council of Negro Women, Inc., in Washington, D. C.

Mr. LEHMAN. Mr. President, I did not hear the request.

Mr. IVES. It was for an insertion in the RECORD.

Mr. LEHMAN. According to the——

Mr. McCARTHY. Mr. President, does this come out of my time? I cannot yield further.

Mr. LEHMAN. I think that request should be presented during the morning hour. Therefore I object.

The PRESIDING OFFICER. Objection is heard.

Mr. McCARTHY. I should like to give the Senator from New York time, but my time is limited.

Mr. LEHMAN. I fully understand.

Mr. IVES. I thank the Senator from Wisconsin for his courtesy.

Mr. McCARTHY. I have already devoted two lengthy addresses to the subject of aiding Tito—at the time when the authorization bill was before us. Therefore my views are already on the record, but I feel I would be derelict in my duty if I failed to make one more plea to the Senate to terminate the unrealistic and immoral policy of sending American aid to a Communist dictatorship.

After listening to the debate on the authorization bill, I am convinced that Senators who are supporting aid to Tito are doing so for 1 of 2 reasons. Either they believe that Tito is still somewhat estranged from the Soviet Union and thus that there is still a chance of keeping him on our side; or they believe, for any number of reasons, that it is unwise to oppose the President of the United States on this issue. Let me deal briefly with each of these arguments.

First, let me say that I cannot believe that more than two Members of the Senate would vote for aid to Yugoslavia if they believed that Communist Yugoslavia were firmly allied with Communist Russia. I may say that when I use the figure "two," I use that figure advisedly, and with previous information. What I cannot understand is that some Senators apparently doubt that this is the fact. I should now like to put these doubts finally to rest by reading from the statement issued by Marshal Tito on his arrival in Moscow on June 2. The accuracy of this statement attributed to Tito has never once, to my knowledge, been challenged by either Tito himself or by the supporters in this country of further American aid to Tito. Referring to the temporary break between Russia and Yugoslavia, Tito said:

> We were greatly pained, but we believed that the time would come when everything separating us would be overcome and when our friendship would receive a new and still more firm foundation. This time has come, thanks to the Leninist policy of the Government and the Central Committee of the Communist Party of the Soviet Union * * * (the recent visit of Soviet leaders to Belgrade and) the courageous and far-sighted foreign policy of the collective leadership of the Soviet Union are, in my profound conviction, a guarantee that nothing of the kind will ever happen again between the two countries marching along the path of Marx, Engels and Lenin * * *. Long live the Soviet Union. Long live the friendship between the peoples of the Soviet Union and Yugoslavia.

Now I invite any Member of the Senate to explain to me in what respect that statement falls short of being a pledge by Yugoslavia that she will be allied with Soviet Russia for all time to come. And if that is what the statement does mean, then how can any Member of this body justify sending further American aid to Yugoslavia

Mr. President, I do not like to impose on any Senator, but it is difficult to talk when a conversation is going on in the rear of the Chamber.

The PRESIDING OFFICER. The Senate will be in order.

Mr. McCARTHY. Mr. President, Tito made a number of such statements while he was in Moscow but I will not take the Senate's time to read them today. I do, however, want to insert in the RECORD a document that I have not yet referred to on this floor—namely, the formal agreement signed by the heads of the Yugoslav and Soviet Communist parties last month. This agreement was published in the June 26th issue of the Communist Daily Worker in New York. I shall read one paragraph from the document, which is illustrative of the tone and content of the remainder of it. I ask unanimous consent that the entire document be printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. McCARTHY. Mr. President, I quote one paragraph from the agreement:

> For these reasons (Yugoslav and Russian) delegations have agreed, guided by the principles of Marxism-Leninism, to a prompt mutual cooperation and exchange of views in the field of socialist scientific thought both in their mutual relations and in the international workers movement, in general.

Mr. President, I do not like to be repetitious. However, I think it might be relevant at this point to explain again for those who may not have a complete understanding of it, what is meant by Marxism-Leninism. It is very important in view of the action we are about to take.

As the Presiding Officer well knows, in 1848 Karl Marx published his "Manifesto" of the Communist Party. At that time he said that while it is necessary to communize the world, this can be done without having a bloody revolution in England or in the United States.

In 1914 Lenin—and this is where we get the difference between Marxism and Leninism—published his work in which he said that Marx was right as of 1848, but that as of 1914 conditions had changed. Lenin said that in order to communize the world, it would be necessary to have a bloody revolution in the United States and in England.

That doctrine was brought down to date by Stalin in 1947. Tito evidently approves it in 1956. Yet the Senate of the United States in the Authorization Act, voted aid to the man who says, "I am in favor of Leninism."

I shall continue to read from the agreement entered into by the Yugoslav and Soviet Communist Parties:

As regards concrete forms of cooperation between the League of Communists of Yugoslavia and the Communist Party of the Soviet Union, the delegations agreed that it should be realized by way of personal contacts, written and oral declarations and exchanges of views, through the exchange of delegations, materials, literature, as well as, when necessary, by organizing mutual meetings of party workers with a view to examining current questions of general interest, and generally, by way of constructive, comradely discussion.

Let me turn now to the other argument of the proponents of aid to Tito, namely, that in this instance the wishes of the President must be observed. I was truly amazed, Mr. President, by the number of Senators who rose during the consideration of the authorization bill and stated that they were for aid to Tito simply because the President was for aid to Tito.

The senior Senator from Georgia [Mr. GEORGE] said, "I am willing to leave it to the President."

The senior Senator from Oregon [Mr. MORSE] said:

In my opinion, this is the most difficult section of the bill * * * [but] I think the doubts should be resolved in [the President's] favor.

The Senator from New Jersey [Mr. SMITH] said:

No one knows the situation with respect to Yugoslavia better than does the President of the United States.

In any event, he is our President, our Commander in Chief. We must give him a vote of confidence right now. I maintain that for us to say at this point that we will not give the President discretion, when he is asking for it, and when he knows so much more than any of us do, is unthinkable.

I submit, Mr. President, that it is unthinkable that Congress should surrender its right to legislate. I submit that it is unthinkable that the United States Senators should abjectly abdicate from their responsibilities on the grounds that they are not as bright as the President.

The Senator from Minnesota [Mr. THYE] said:

I believe that we must stand with our President.

We must stand with the Secretary of State. Those two gentlemen have all the information at their command.

The next day, Mr. Presdent, in justifying his vote on aid to Tito, the Senator from Minnesota [Mr. HUMPHREY] said:

I thought that, at least, inasmuch as the President was as sick as he was, it might be good to give him a little expression of faith.

How on God's earth we can justify giving aid to a Communist country by pointing out that the President is sick, I simply cannot understand. I begin to think of what was said of Alice in Wonderland—"It is getting curiouser and curiouser."

Mr. President, I have considerable respect for the Senators whom I have quoted, just as I have respect for the President of the United States, but I must say that things have reached a sorry pass when the Senate of the United States is unwilling to assert its own views and abjectly defers to those of the President on the grounds that he is all-wise.

The Senator from New Jersey [Mr. SMITH] and the Senator from Minnesota [Mr. THYE] have stated that the President has more information than we have, that he knows much more about the situation than we do. This is untrue. I have sat at executive sessions of the Appropriations Committee and listened to Mr. Dulles and other Government officials explain what they claim to be justification for the administration's position. They also disclosed to the Appropriations Committee what they claimed to be were all of the relevant facts regarding the Yuogoslav situation. Some of the information, Mr. Dulles said at the time, was too secret to put even on the executive record of the committee. But I want to tell the Senate today that there is no argument for supporting aid to Tito, that there is no fact relevant to the situation, which was disclosed to our committee, that has not already been debated on the floor of the Senate. There is no secret information which justifies the administration's fantastic position. The record is all before us. We do have all the information at our command. The only thing we may not have at our command is enough courage and moral stamina to assert and stand for the right as we see it. No member of the Senate needs to ask the President of the United States whether it is moral and right and sound for the United States to send 380 jet planes to Marshal Tito. Each Member of this body can make that decision for himself. How the President of the United States proposes to justify his policy before the American people, I do not know. How the Senators who favor aid to Tito will justify that policy before the American people, I do not know either but I am quite sure that the American people will not be satisfied with the excuse that "I was for aid to Tito because Mr. Eisenhower said that he was for it."

Mr. President, in justice to President Eisenhower, I may say that his name was bandied about on the Senate floor in connection with this matter. It has been claimed that the President is in favor of aid to a Communist country. I personally do not know of any time or any place where President Eisenhower said, "I want to give aid to a Communist country."

It is true that administration witnesses, who came before the committee, urged that; but I am not convinced at this moment that the President of the United States is personally in favor of such aid. I think that Senators who claim they are voting for aid to Tito because it would be a compliment to the President should make sure of the President's personal views. Perhaps the President does personally support the fantastic position advanced by his lieutenants. But I find this difficult to believe. I prefer to think that the President of the United States personally opposes aid to a Communist country.

EXHIBIT 1

THE AGREEMENT FOR CLOSE COOPERATION BETWEEN YUGOSLAV AND SOVIET COMMUNIST PARTIES

The Daily Worker of June 26 publishes the following agreement of cooperation between the Red Yugoslav and Soviet Russian Communist Parties. This is more important in some respects than the agreement between the governments of those regimes, signed about the same time in Moscow.

The text follows:

"I. The Belgrade declaration of June 2, 1955, placed the relations between the two socialist countries on sound foundations, and the principles made public in it are finding ever broader application in their mutual cooperation.

"II. Cooperation and the general development of relations between the two countries since the Belgrade declaration, as well as the contact between the political and other social organizations of their peoples, have created favorable political conditions also for cooperation between the League of Communists of Yugoslavia and the Communist Party of the Soviet Union.

"Starting with the foregoing conclusions and taking into consideration the concrete conditions under which present-day socialist movements are developing, and in the spirit of the internationalistic principles of Marxism-Leninism, the delegations of the League of Communists of Yugoslavia and the Communist Party of the Soviet Union have agreed that it is useful and indispensable that the existing contacts between the two parties should continue and develop with the view of cooperation in the interest of the further consolidation and progress of our Socialist countries, with the view of cooperation in the international workers' movement and in numerous matters of the present-day development of socialism, and also with the view of the development of peaceful coexistence and cooperation between peoples of the whole world, irrespective of differences in their social and political system, in the interest of the consolidation of peace, freedom and independence of nations.

"In this, the representatives of the parties are governed by the consideration that the development of ties and cooperation between the League of Communists of Yugoslavia and the Communist Party of the Soviet Union, as the leading parties in countries in which the working class is in power and which have the general aim of building a complete Socialist society in their countries, of insuring the progress of humanity and a firm peace, will undoubtedly contribute to the development of further cooperation between the Federal People's Republic of Yugoslavia and the Union of Soviet Socialist Republics and to the consolidation of lasting friendship between the peoples of Yugoslavia and the Soviet Union.

"III. Abiding by the view that the roads and conditions of socialist development are

different in different countries, that the wealth of the forms of socialist development contributes to their strengthening, and starting with the fact that any tendency of imposing one's own views in determining the roads and forms of socialist development are alien to both sides, the two sides have agreed that the foregoing cooperation should be based on complete freedom of will and equality, on friendly criticism and on the comradely character of the exchange of views on disputes between our parties.

"IV. Placed on the mentioned foundations, cooperation between the League of Communists of Yugoslavia and the Communist Party of the Soviet Union will evolve primarily along the way of a comprehensive mutual study of the forms and methods of socialist development in the two countries, the free and comradely exchange of experiences and views on questions of general interest for the development of socialist practice and the promotion of socialist thought, and also on questions relating to peace, rapprochement, and linking up between nations and the progress of mankind in general.

"V. The modern material and spiritual transformation of the world, which finds expression in an enormous growth of the socialist forces, in the strengthening of national liberation movements, in increasing the role of the working class, in solving concrete questions of present-day international development, confronts the international workers' movement with a number of huge tasks. This fact also indicates the indispensability of a scientific analysis of the manifestations and fundamental material and social factors and tendencies of development in the present-day world.

"For these reasons the delegations have agreed, guided by the principles of Marxism-Leninism, to a prompt mutual cooperation and exchange of views in the field of Socialist scientific thought both in their mutual relations and in the international workers' movement in general.

"VI. As regards concrete forms of cooperation between the League of Communists of Yugoslavia and the Communist Party of the Soviet Union, the delegations agreed that it should be realized by way of personal contacts, written and oral declarations and exchanges of views, through the exchange of delegations, materials, literature, as well as, when necessary, by organizing mutual meetings of party workers with a view to examining current questions of general interest, and generally, by way of constructive, comradely discussion.

"VII. Representatives of the workers' movement of the two countries consider such mutual cooperation as a component part of all contacts with other Communist and workers parties as well as with Socialist and other progressive movements in the world.

"VIII. The League of Communists of Yugoslavia and the Communist Party of the Soviet Union consider that it is in the interests of the struggle for lasting peace and security of the people, as well as of social progress, to insure the wide cooperation of all progressive and peaceful forces, which is increasingly being manifested in the most various forms and on a worldwide scale.

"This cooperation is one of the most pressing needs of modern social development. These ties should be equal, frank, democratic, and accessible to world public opinion. They should aid mutual acquaintance and consultation on different problems of general interest and contribute to mutual understanding on the basis of a patient explanation of attitudes and views of the different sides.

"This means the freedom of action of each individual participant in that cooperation, according to the conditions of his development and in keeping with the general progressive aims to which they aspire.

"The representatives of the League of Communists of Yugoslavia and the Communist Party of the Soviet Union are convinced that cooperation between the workers' movements of the Federal Republic of Yugoslavia and the Soviet Union on the basis of the abovementioned principles and forms will serve the interests of their peoples and the interests of Socialist construction in their countries.

"They are convinced that with this they will give their contribution to a general rapprochement between Socialist and other progressive movements in the world, and this will equally serve the interests of peace in the world and the interests of general progress of mankind."

Mr. McCARTHY. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were not ordered.

Mr. BENDER. Mr. President, before we proceed——

Mr. McCARTHY. I am not asking that debate be cut off.

Mr. President, I suggest the absence of a quorum.

Mr. BENDER. Mr. President, will my good friend from Wisconsin withhold his suggestion in order that I may ask a question?

The PRESIDING OFFICER. The time of the Senator from Wisconsin has expired.

Mr. McCARTHY. Mr. President, I ask unanimous consent to have 1 additional minute. I withdraw my suggestion of the absence of a quorum.

The PRESIDING OFFICER (Mr. GORE in the chair). The junior Senator from Wisconsin asks unanimous consent that he be yielded 1 additional minute.

Mr. JOHNSON of Texas. I yield 1 minute to the Senator from Wisconsin on the bill.

Mr. LEHMAN. Mr. President, reserving the right to object——

Mr. JOHNSON of Texas. I have yielded 1 minute to the Senator from Wisconsin.

Mr. LEHMAN. I beg pardon——

Mr. JOHNSON of Texas. The Senator must be presumptuous.

Mr. LEHMAN. The Presiding Officer asked whether there was any objection.

The PRESIDING OFFICER. The junior Senator from Wisconsin asked unanimous consent that his time be extended for 1 minute. At the time the Chair was about to put the question, the senior Senator from Texas said he would yield 1 minute to the Senator from Wisconsin.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. LEHMAN. In view of the fact that the Chair stated that the junior Senator from Wisconsin had asked unanimous consent that his time be extended, I submit that the Senator from New York was quite within his rights to ask—and it was a very natural inquiry—what the question before the Senate was at that time.

Mr. JOHNSON of Texas. The Senator from New York was within his rights, but his hearing was not good, because the Senator from Texas had made the statement that he would yield 1 minute to the Senator from Wisconsin.

The PRESIDING OFFICER. The junior Senator from Wisconsin is recognized for 1 minute.

Mr. McCARTHY. Mr. President, I do not desire to use the minute.

The PRESIDING OFFICER. The time is yielded back. Does the opposition wish to use any of its time?

Mr. JOHNSON of Texas. So far as I am concerned, there are no requests for time. I will yield back my time with the understanding that the proponent of the amendment yield back the remainder of his time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the junior Senator from Wisconsin [Mr. McCARTHY].

Mr. KNOWLAND. Mr. President, out of the time on the bill, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from California is recognized for 1 minute.

Mr. KNOWLAND. The distinguished junior Senator from Wisconsin has been very helpful in the discussion of the amendment which was earlier adopted by the Senate. We had an opportunity to move to suspend the rule, but the motion failed.

I understand the position which the Senator from Wisconsin took when the authorization bill was before the Senate. The Senator's position in opposition to aid to Communist Yugoslavia and Tito, or to any other Communist country, is very clear. Under the circumstances, the Senator from Wisconsin has ably stated his case.

But I feel certain that the problem which we face concerning the parliamentary situation is such that I wonder if the distinguished Senator would not stand on the vote of the Senate, which I think was decisive. It gave an opportunity to the Senate to express itself.

We are anxious to conclude action on the bill. There is much more important proposed legislation of the administration to be considered. It cannot be acted upon until action on this bill has been concluded.

I hope the Senator from Wisconsin, in view of the situation I have suggested, will withdraw his amendment. I feel certain that the Senate has made great progress today in raising a danger signal, not only to our own country and to the administration, but to Tito and others, to the effect that the sentiment throughout the country and in Congress is very strong in this regard.

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. KNOWLAND. I yield myself 1 additional minute, so that the Senator from Wisconsin may respond.

Mr. McCARTHY. Mr. President, I am in a difficult position. I am afraid, in view of some of the votes which have been taken, that my amendment might be rejected. Of course, I do not mind losing a contest in the Senate—I have lost a number of contests before—but I am not unmindful of the effect on world opinion of the Senate's actions. I should not want the word to go forth to the satellite countries that the Senate has, in effect, voted for aid to Yugoslavia. An adverse vote on my amendment might be given that construction. On the other hand, I feel so strongly about the giving of aid of any kind to a Communist country that I can see no reason

why such aid should be given. I should like the Senators to stand up and be counted on that issue. This is why I find myself in a difficult position.

I hope the Senator from California will bear with me for another half minute.

Mr. KNOWLAND. Mr. President, I yield myself 1 additional minute on the bill, to enable the Senator from Wisconsin to conclude his statement.

Mr. McCARTHY. The American people have been told that money is being taken out of their pockets for the purpose of fighting communism. I am confident that the American people are overwhelmingly in favor of my amendment. I feel, at the same time, that the American people want me to do the wise thing with regard to the effect our actions will have on world opinion—especially in the enslaved areas of the world. The Knowland amendment, which has already passed, is a rebuff to Tito. It is little more than a rebuff, but a rebuff is better than nothing. An adverse vote on my amendment might have the effect—as regards world opinion—of undoing the rebuff.

If the Chair will bear with me for a half minute, I should like to discuss the question with the majority leader and the minority leader.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum, with the understanding that the time for the quorum call will be taken out of my time on the bill.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. McCARTHY. Mr. President, I withdraw my request for the yeas and nays. I agree with the minority leader that we should let the vote on his amendment stand as a rebuff to Tito and a rebuff to the administration. Let me say, however, that I strongly suspect that the Senators who supported the Knowland amendment, but would not support mine, are motivated by a desire to appease their anti-Tito constituents while doing no real damage to our policy of aiding Tito. They want it both ways. I do not include the distinguished minority leader in this category, for I know that he opposes all aid to Tito, even as I do. He demonstrated this by his vote on the authorization bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin [Mr. McCARTHY].

Mr. LANGER. Mr. President, I shall not object, but I wish the RECORD to show that I would have voted in favor of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin.

The amendment was rejected.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time, with the understanding that the Senator from California will yield back the remainder of his time.

Mr. KNOWLAND. I yield back the remainder of my time, and I ask for the yeas and nays on the final passage of the bill.

The yeas and nays were ordered.

Mr. McCARTHY. Mr. President, before the Senator yields back his time, will he give me 1 minute and a half?

Mr. JOHNSON of Texas. I yield one minute and a half to the Senator from Wisconsin.

Mr. McCARTHY. I wish to explain why I shall vote against the bill.

The PRESIDING OFFICER. Did the Senator from California yield time to the Senator from Wisconsin?

Mr. JOHNSON of Texas. I have yielded one minute and a half to the Senator from Wisconsin.

Mr. McCARTHY. Mr. President, I am wholeheartedly in favor of aid to Formosa, to South Vietnam, to South Korea, to Pakistan, and to certain other areas; but I simply cannot bring myself to vote for a bill which gives money to a Communist-controlled country. I want it to be very clear to all the people why I am voting against the bill.

The PRESIDING OFFICER. Does the Senator from Texas now yield back the remainder of his time?

Mr. JOHNSON of Texas. I yield back my time.

The PRESIDING OFFICER. All time has been yielded back——

Mr. MANSFIELD. Mr. President, will the Senator from Texas yield me 1 minute so that I may ask the distinguished minority leader a question?

Mr. JOHNSON of Texas. I yield 1 minute to the Senator from Montana.

Mr. MANSFIELD. Can the Senator from California tell the Senate the present status of Spain in the bill as it stands?

Mr. KNOWLAND. The status of Spain, as I understand, is that in the Committee on Appropriations an amendment was offered, and is in the bill, which provides that of the amount appropriated for that area of the world, at least $50 million shall be provided for Spain.

Mr. MANSFIELD. Does the Senator from California think that is a satisfactory solution to the question discussed by the distinguished Senator and myself?

Mr. KNOWLAND. To my knowledge and belief, it conforms to the administration's program on Spain. As I recollect, the amount requested was $44 million or $45 million. The bill increases the amount by approximately $5 million.

Mr. MANSFIELD. I thank the Senator from California.

Mr. JOHNSON of Texas. Mr. President, I yield myself 1 additional minute.

I should like to inform the Senate that the House has recommitted the atomic reactor bill and has passed the supplemental appropriation bill, for which we have been waiting. The Senate committee has acted on that bill, and the report and hearings are available. It will be the intention of the leadership to bring that appropriation bill before the Senate at least by Friday, if not earlier. I should like to inform Senators who may desire copies of the report and the hearings that they will be available, and I ask their cooperation. It is the last remaining appropriation bill that is holding up adjournment. If we can dispose of the bill and reach agreement with the House as a result of any changes we shall make, it will be possible to have a sine die adjournment resolution.

I want the RECORD to show that the leadership, after consulting with the minority leader, the ranking minority member of the committee, and other Senators, is today, on Tuesday, giving notice that we plan to take up the bill. So far as I know, there is no controversy about it. We plan to take it up Friday, if not earlier, if it suits the convenience and plans of Senators.

Mr. HOLLAND. Mr. President, will the Senator yield 5 minutes to me?

Mr. JOHNSON of Texas. I yield 5 minutes to the Senator from Florida.

Mr. HOLLAND. Mr. President, before this debate closes, I think there should be some reference in the RECORD to the understanding which the Appropriations Committee has with reference to the proposed Aswan Dam in Egypt. In the appearance before the Appropriations Committee of the Secretary of State, Mr. Dulles, that question was gone into very fully. It is my understanding, and I know it is the understanding of other members of the Appropriations Committee, that this informal agreement was reached with the Secretary of State:

First, that no funds out of prior appropriations are available for the Aswan Dam, are committed to same, or will be so used. Second, that no funds are in the appropriation for that area of the world in this bill for the Aswan Dam, and that none will be so used. Third, that relative to the President's emergency fund, which is contained in this bill and in prior legislation, no funds from that source will be used for the Aswan Dam. Fourth, that in the event there should be any desire on the part of the Executive to go forward with the Aswan Dam in the future, any move toward a commitment in that direction will be preceded by consultations and conferences between the Secretary of State and the Appropriations Committees of the two Houses of Congress. I think this is important, because, first, that proposed dam is by far the largest single project, of which I have heard, in which there was serious intent to enter into on behalf of this country. As I recall, the estimated cost is $1,300,000,000, with many thinking the ultimate cost will be as much as $2 billion.

Furthermore, in view of the recalcitrance of the present rulers of Egypt in recent months, their willingness to acquire arms from Russian satellites through the use of cotton in barter transactions, particularly in view of the fact that the United States is holding an umbrella over the cotton-producing

areas in the world, and that the very considerable surplus of cotton in the world is now in the hands of the United States, I am sure our committee felt that we were entitled to select where our funds, available for mutual assistance, should be used. We also felt that recent actions of the present rulers of Egypt were not sufficiently friendly to justify such use.

We further felt, in view of the apparent unwillingness of Egypt to participate in any way in bringing about a friendly or peaceful status in the Near East or to recognize any sense of responsibility on its part as a leader of the Arab group in working out peaceful, living arrangements with Israel, and in working with the United Nations and with our country and our allies in bringing about peace in the Middle East, that we were justified in taking that position.

There have been many comments on this subject in the press and elsewhere, but I felt that in the RECORD itself there should be preserved this brief reference to the understanding reached by the Appropriations Committee with the Secretary of State, which I am very sure the Secretary of State will honor in every respect.

I thank the Senator for yielding me time.

Mr. KNOWLAND. Mr. President, I yield myself 1 minute.

In further answer to the questions raised by the Senator from Montana, I wish to state that, to the best of my recollection, a year ago Spain received about $50 million, which is the amount provided this year in the bill. While I am not at liberty to give the breakdown of the figures, in addition to that, in our airbase program abroad, there is a considerably greater figure which will be expended for that type of operation, for United States bases in Spain.

Mr. MANSFIELD. I thank the Senator.

Will the Senator yield further?

Mr. KNOWLAND. I yield.

Mr. MANSFIELD. Is it not true that there is the strong possibility—at least there is a rather persistent rumor to the effect—that new bases are being considered in Spain and Portugal, which indicates the strategic importance of the Iberian Peninsula?

Mr. KNOWLAND. I think it has been recognized by our officials that the Iberian Peninsula—which includes both Spain and Portugal—is an important part of our defense line.

TRUST FOR CERTAIN LANDS ADJACENT TO OJO DEL ESPIRITU SANTO GRANT—CONFERENCE REPORT

Mr. ANDERSON. Mr. President, will the Senator yield to me so I may submit a conference report?

Mr. JOHNSON of Texas. I yield to the Senator from New Mexico for the purpose of presenting a conference report.

Mr. ANDERSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5712) to provide that the United States hold in trust for the Pueblos of Zia and Jemez a part of the Ojo del Espiritu Santo Grant and a small area of public domain adjacent thereto. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5712) to provide that the United States hold in trust for the Pueblos of Zia and Jemez a part of the Ojo del Espiritu Santo Grant and a small area of public domain adjacent thereto, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter inserted by the Senate amendment, insert the following:

"SEC. 3. In the administration of the lands to be held in trust by the United States pursuant to this act, together with any remaining lands comprising the Ojo del Espiritu Santo Grant, the Secretary of Agriculture, or any officer or agency of the United States hereafter administering such lands, shall make the livestock grazing capacity of the land held in trust under sections 1 and 2 hereof available to the Zia and Jemez Indians to the extent of 400 cattle units yearlong, and the remaining lands available to the non-Indians included in the provisions of the Executive Order (No. 8697) signed by the President on February 28, 1941."

And the Senate agree to the same.

CLINTON P. ANDERSON,
RICHARD L. NEUBERGER,
BARRY GOLDWATER,
Managers on the Part of the Senate.

JAMES A. HALEY,
B. F. SISK,
JOHN J. RHODES,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. ANDERSON. Mr. President, I move that the Senate agree to the conference report.

The report was agreed to.

TILLAMOOK NAVY BASE AND THE NORTHWEST TECHNICAL INSTITUTE

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield 2 minutes to my friend the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 2 minutes.

Mr. NEUBERGER. Mr. President, splendid use is being made of the Navy blimp base at Tillamook, Oreg. Under the watchful and careful eye of the Tillamook County Naval Airport Commission, since the Navy vacated the base in 1951, the area has become the scene of important and valuable activity.

Last summer, one of the old blimp hangars was turned into a vast grain storage depot by the North Pacific Grain Growers, who poured thousands of bushels of wheat and barley into its cavernous interior. There is also a use which gains the quick approval of citizens increasingly conscious of their heavy tax contributions to the Defense Establishment. The Air Force has contracted with the Northwest Technical Institute to train more than several hundred men annually in the tricky and potentially hazardous business of handling gasoline and other fuels used in modern aircraft. Tourists motoring Oregon's scenic coastal route U. S. 101 may speculate on the activity as they drive by, but any citizen of Tillamook County will tell us he is pleased to see the blimp base continuing to serve the Department of Defense. fense.

An article by Walter Matilla, in the May 27 issue of the Portland (Oreg.) Journal, describes the unique and efficient training provided by the Northwest Technical Institute.

Mr. President, I ask unanimous consent to have it included in the body of the CONGRESSIONAL RECORD, with a statement extracted from the foreword appearing in "Contract School Report, January 1951 Through December 1955," published recently by Headquarters, Flying Training Air Force. This article is appropriate, Mr. President, because the Northwest Technical Institute is a contractor operation, a very outstanding one, I might add.

There being no objection, the article and extract were ordered to be printed in the RECORD, as follows:

[From the Portland (Oreg.) Journal of May 27, 1956]

BLIMP BASE BECOMES FUEL SCHOOL—UNUSUAL TILLAMOOK SCHOOL TRAINS GASOLINE EXPERTS FOR AIR FORCE

(By Walter Mattila)

TILLAMOOK, May 26.—This community of the full milk pail which is well known for exporting its cheese to world markets is also sending out specially trained experts in handling another important fluid—gasoline—to far-flung bases of the United States Air Force the world over.

There is an individual flavor to Tillamook cheese and there is as distinctive a flavor to Tillamook instruction of Air Force military and civilian personnel in keeping gasoline and other fuel in tanks, pipes, and planes as fresh and clean as Tillamook milk.

It is claimed by Warren McMinimee, chairman of the Tillamook County Naval Airport Commission, that the Northwest Technical Institute, which is now instructing 230 airmen and Air Force employees at the old wartime blimp base, is the only school of its kind.

The institute's director, R. E. Klatt, a former Air Force education officer, explained the novelty of his school by pointing out that he not only furnished instruction for the airmen but also provided them with chow, PX, laundry, hospital, quarters, chapel, recreation, and distributed the mail.

Two secretaries of congressional committees had just dropped in to see how things were getting along under this contract system of specialized training for military personnel.

The Air Force provides airmen students at Tillamook with military commanders, including chaplain service, who drill, pay, and discipline them.

Klatt said that the Air Force does not have a school of its own for training petroleum supply and maintenance specialists. Need for this type of instruction was recently stressed in a fuel survey report to the Assistant Secretary of Defense which recommended "Proper training courses should be provided for all personnel responsible for handling petroleum products. This could be the one recommendation having the greatest effect in accomplishing the overall objective: To deliver clean, dry fuel to aircraft. The major portion of the problem is personnel training."

This report also recommended that military personnel handling petroleum products "be given grade or classification"—which means stripes, more pay, more prestige.

"It is reported," the survey concluded, "that assignment to refueling is sometimes used as disciplinary action by motor pool operators. Such practice is manifest evidence of a complete lack of the realization of the necessity for taking every precaution to deliver clean fuel." Planes don't fly well on dirty fuel.

Before the Northwest Technical Institute hands out diplomas its air force graduates must know how to check for and remove sludge from gasoline storage tanks. This is necessary every three years and special equipment, including acid-proof boots and a gas mask, are required.

The Air Force also sends its civilian petroleum handlers from large bases to the six-week school.

In addition to instruction on keeping storage tanks clean, students are taught how to transfer properly petroleum products from railroad tank cars to special trucks and finally to aircraft. Much time is given to reducing fire hazards and in fire control.

The institute has the latest equipment in the fast changing system of fuel transfer from storage to aircraft. Recently it began giving instruction on a new multiple pump setup which replaces the big tank truck. Instead a small mobile hosecraft takes over and can pour 1200 gallons a minute through two hoses into a jet or other modern aircraft.

Klatt at first taught aviation mechanics but for several years has devoted his school entirely to teaching how to keep aircraft fuel clean. In all 500 airmen have attended his school since 1952 at Tillamook.

In the meantime the Air Force has desired to add this type of instruction to a school of its own at Amarillo, Tex., but the Tillamook Naval Airport commission has defended the school in Congress. Tillamook doesn't want to have Amarillo swallow the institute.

Klatt receives tuition of $230 for each student for a six-week course. The three manuals on the petroleum supply specialist are used in the Air Force.

In the meantime the former blimp station which covers 2,000 acres of once-splendid cow pasturelands has contributed substantial payrolls to the community. It is now under lease from the Navy for $1 a year.

One of the two large blimp hangars—1,080 feet long—houses the Diamond Lumber Co. mill which employs 450. The other hangar whose 14-acre roof has been largely replaced at a cost of $50,000, has recently received its first shipments of grain for storage. Auto racing is developing on the runways and fields of concrete.

The school now employs 50 and it provides a total payroll, including those of airmen, of $45,000 a month. Earlier, when the enrollment was higher, this figure exceeded $100,000.

Before the civilian and airmen students complete their training, they are taken on special tours to cheese factories to acquaint them with the first export of Tillamook.

Klatt admits that when his graduates meet each other in distant parts of the airman's world they recall the cheese, rain, and fish.

[From Contract School Report, January 1951 through December 1955, by Headquarters, Flying Training Air Force]

FTAF LAUDS CONTRACTOR OPERATIONS IN BOOKLET

Perhaps no other single development has had greater impact on training of military skills than has contractor operations. Contract flying training has been developed into a major program by the Flying Training Air Force and today the United States Air Force is the acknowledged leader in utilization of contractor skills and resources. The many benefits of contract training—stability, economy, development and retention of instructor experience, to name only a few—insure continuation of contractor training as an integral part of the flying training program. * * * Contract training, as with all training, is not static but is continuously changing to meet the dictates of national defense. Thus, as the experience of General Arnold in pioneering the World War II contract training program was so successfully used to guide the organization and prosecution of our present contract program, review of the experience gained in the past 5 years may possibly furnish guidelines for future training departments.

NEED FOR POLITICAL DEVELOPMENT OF ATLANTIC COMMUNITY

Mr. NEUBERGER. Mr. President, evidence continues to accumulate of the growing interest in and recognition of the need for political development of the Atlantic Community. Under the leadership of its eminent chairman, the Senator from Georgia, who as Ambassador to NATO will personally assume a leading role on behalf of our Nation in this future development, the Committee on Foreign Relations has recently again held hearings on Senate Congressional Resolution 12, to have Congress call for an explanatory convention among citizens from the Western democracies which originally joined in sponsoring the North Atlantic Treaty Organization.

Under the impact of the new, less militaristic aspects of Soviet policies, the West is at last making cautious progress toward building a community of free men to transcend some of the limitations imposed on our unity by earlier national rivalries. These efforts will continue to be the most important task confronting us for many years ahead. The outcome may well determine the survival in the world of free democratic institutions as they have developed through the long history of the Western peoples, and as we know and cherish them today.

In view of the unequaled importance of this challenge, it is reassuring to see it increasingly recognized and given the widespread public discussion it demands. To bring to the attention of the Congress some of the most recent comments on the need for imagination and initiative in developing the Atlantic Community, I ask unanimous consent to include in the CONGRESSIONAL RECORD excerpts from an editorial in Life magazine of May 7, 1956, and a response by Mr. Clarence Streit, both reprinted from the June 1956 issue of Freedom and Union; an editorial in the Washington Post of July 17, 1956; an editorial in The Christian Science Monitor of July 16, 1956, called "NATO Is People," which points out the need to develop popular understanding and sense of unity within the peoples of the Atlantic area themselves; and finally a very thoughtful analysis by Mr. James J. Warburg in the Reporter magazine for June 14, 1956, entitled "Breathing New Life Into NATO," which raises some challenging and important questions of the degree of identification of the Atlantic Community with NATO, which to many people has become too rigidly and adversely identified with militarism, German rearmament, and colonialism.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From Freedom and Union, June 1956]

LITTLE STEPS OR SHOTGUN WEDDING?

Under the caption, "The 'Totality' of NATO" Life magazine on May 7, said in its lead editorial:

"The NATO Ministers are meeting in Paris at a critical point in its career. The Soviets have long sought to detroy NATO, and the closer it comes to being the means of actual German rearmament, the more they hate it. The new Soviet look, which has all but banished the fear of war from Europe, is doing more to undermine the NATO military alliance than Stalinism ever did. * * * To stem the decline * * * Secretary Dulles advanced some fresh thoughts about NATO itself. He hopes it will now grow into "the totality of its meaning."

"What is this 'totality'? Though a military alliance, NATO's charter also contains in article II an invitation to closer political and economic ties among its 15 member nations. * * * Mr. Dulles listed some of the things the NATO nations have in common: religion and morals, democracy and law, freedom of thought, private property and trade. But the question of how to turn these abstract ties into concrete links is something else again.

"At one extreme are Clarence Streit and his fellow advocates of a full Federal Atlantic 'Union of the Free.' * * * The Streit resolution (sponsored by Senator Kefauver) asks for a transatlantic convention to explore the problems of union, a cautious approach which has won it some politically responsible support. But worthy as it may be of theoretical discussion, Atlantic Union is unlikely to get further than that at a time when western civilization does not feel its back to the wall. Certainly those who fear such a union need not let it haunt their opinions of article II.

"At the other extreme are a lot of little ways to implement article II, mostly technical and economic, and mostly explored already by NATO's own council and secretariat with meager results. But this need not foreclose the further exploration that Dulles seeks. Since economic strength underlies military, there is an argument for making NATO a funnel for economic development. North Africa, for instance, needs more public and private capital than France alone can afford; and North Africa is vital to NATO's strategic boundaries."

SUGGESTS LIFE UNDERESTIMATES AMERICANS

Mr. Streit wrote the following comment to Life:

"I wish to thank you for the compliment your editorial paid me in calling the resolution for an Atlantic Exploratory Convention the 'Streit resolution,' but I must point out that this honor should go to others—notably the bipartisan group of 13 Senators and 13 Representatives that introduced this measure in Congress. If any one man deserves it, he should be Senator KEFAUVER, the chief sponsor. I did not draft this resolution. Had I done so, its basic provisions,

it is true, would have been much the same, but it would have been worded more strongly.

"Your editorial implies that Atlantic Union is 'worthy' of discussion, but adds that it is 'unlikely to get further than that at a time when Western civilization does not feel its back to the wall'—and so meanwhile the best hope lies in 'a lot of little ways' to improve NATO. Is this not a dimmer view of a great civilization than you meant to give? May I ask your readers to say whether they agree that the character of the American people is such that they would accept only half-hearted measures until it is too late to prevent disaster by adequate action, and would reject an Atlantic Union even if a convention of leading statesmen, after exploring the situation, recommended it as the surest way to prevent another world war and another depression?"

[From the Washington Post and Times Herald of July 17, 1956]

EXPLORING ATLANTIC UNITY

Republican support for the exploratory Atlantic Convention embodied in Senate Concurrent Resolution 12 is crucial if this important measure is to receive action. This is the resolution which calls upon the President to transmit to other members of NATO a proposal for a convention at which delegates would explore the possibility of more effective unity in economic, political, and military matters. In some ways such a conference would complement the work now being done by the three wise men in surveying new fields for extra military NATO cooperation; but it would be more significant in that it would include representatives from all members of NATO in frank face-to-face discussion.

Surely such a convention, which would not be binding, would help to arrest the decay within NATO and would provide an important stimulus to the sense of community. The resolution has widespread Democratic support in the Senate Foreign Relations Committee. It would carry out an idea often voiced by President Eisenhower and Secretary Dulles. A nudge from influential Republican Senators who believe in a more cohesive Atlantic community as a shield of freedom would be of great help in obtaining a favorable response.

[From the Christian Science Monitor of July 16, 1956]

NATO IS PEOPLE

The pen may be mightier than the sword; and it may be, too, that mightier than powerfully penned treaties has been that softly and oft-spoken phrase, "Once upon a time."

Who would deny that one of the most successful of 20th century roving ambassadors in the Western World has been His Excellency, Mickey Mouse? Mickey had distinguished predecessors in the medieval troubadours and more ancient bards. Even among men who had never seen each other their stories developed a unifying mutual respect and admiration.

These reflections are impelled by reports that efforts to strengthen the North Atlantic Treaty Organization against the challenge of Soviet post-Stalin diplomacy were in the hands of a cultural committee last week. The committee has not recommended an exchange of fairy tales among NATO members—though to do something like that would be not too far off the mark. It has proposed a round table to test current attitudes toward the alliance.

This is a very humble but very appropriate beginning on a task which has so far defied more ambitious approaches.

Much is being assumed about NATO, both as to the loyalty or lack of it among NATO peoples and as to its being outmoded by atomic weapons and the Soviet New Look. But what can be done depends more on what its peoples want done with it than on any circumstances external to the organization.

A round-table discussion among NATO representatives could not fail to bring out these vital facts: (1) That it was born of crisis; (2) that it accomplished its immediate purpose; (3) that it was known from the start to be weak in those departments which should insure its existence after the crisis.

The discussion would also show that while NATO was meant to be more than a military alliance, it never has been adequately presented to its peoples as a real community. And that is what it must be to endure.

It is a pity, for the materials for community building are there. They exist in the peoples themselves. They will become potent as they are exhibited and explained to the peoples. They are indeed the cultural and moral values by which Western peoples live.

Having tested the attitudes of NATO peoples toward the organization, a cultural committee therefore might well press forward to show what else the 15 NATO nations share besides a common arms burden. When they do this, even the merman of Iceland and the mermaid of Luxembourg, America's Br'er Rabbit, Britain's Tom Thumb, France's Cinderella, and a host of less expected emissaries may find a part in drawing people together and building the defenses of freedom.

Which is only another way of saying that NATO suffers from a lack of grassroots support. For many it has been an organization of technicians—a cost and a bore. Never was so important a necessity so undersold as was the need to regard NATO as a permanent part of Western life.

The first steps are being taken now. They would not have seemed either amusing or lacking in proportion if they could have been undertaken in a proper sequence. But NATO had to be ready for a crisis. That it could be made ready, even without the underpinnings which consciousness of a common cultural and moral heritage would provide, makes it all the more deserving of more complete development now.

[From the Reporter of June 14, 1956]

BREATHING NEW LIFE INTO NATO

(By James P. Warburg)

Although President Eisenhower and his Secretary of State have, until very recently, spoken with pride and satisfaction of NATO's growing strength and its successful role in forcing a change of Soviet tactics, it is now admitted that NATO is in serious trouble.

The obvious immediate cause of declining morale in the Atlantic Community is that since the Russians have stopped making threatening gestures, a certain apathy if not a sense of greater security has permeated the people of Europe, dissolving the temporary solidarity created by common fear.

That, however, is by no means the whole story. The Soviet new look has undermined the alliance's solidarity. The belated comprehension of what happens when both sides fight with atomic weapons has had an even worse effect. The more people think about it, the more irrelevant appears the effort to create a conventional shield against invasion. European nations have been asking themselve more and more frequently:

"If the threat of massive retaliation by the United States can prevent war, of what use are our puny divisions? And, if the United States fails to deter aggression, or provokes it, then Europe will be finished, no matter which side ultimately achieves victory." In addition, an increasing number of Europeans are beginning to suspect that a defensive alliance involving the rearmament of a partitioned Germany is more likely to provoke than to prevent eventual conflict.

These, too, are only partial causes of European apathy. In order to consider what remedial action might be taken, it is necessary to recognize that the major weaknesses of NATO go back to its origins. The alliance, concluded in 1949, was the result of two assumptions: that Western Europe was the primary target of Soviet expansionism and that military means would be the chosen instrument of Soviet aggression.

REARMING WEST GERMANY

It is not necessary to discuss here whether these two hypotheses were ever correct. I for one have consistently questioned their validity. Whatever may have been the original Soviet intentions, it is now clear that the primary Russian targets are Southeast Asia and the Middle East—that the Soviet aim is to outflank and undermine NATO by other than military means rather than to attack it frontally.

The Europeans have been quick to grasp the fallacy of the original premises. Yet the Europeans themselves, especially the French, are largely responsible for the misshapen nature of NATO. Originally, the North Atlantic Treaty was designed as a declaration of political and economic as well as military solidarity. Its nonmilitary aspect was, however, overshadowed by the historic decision of Canada and the United States to consider an attack upon Western Europe as an attack upon themselves. Unfortunately, this military overemphasis was increased by French insistence that the United States promise not only to fight an aggressor but to start fighting him at the eastern frontiers of Western Europe.

The United States agreed to this far-reaching extension of its commitment without facing its obvious implications. One of these was that an agreement to fight an invader in central Germany would inevitably lead to West German rearmament. The Korean war did not cause the United States to reverse its policy with respect to Germany; it merely provided the occasion for a reversal that had already become inevitable. The American demand for West German rearmament, in September 1950, caused the first wide-open cleavage in European opinion, one segment of which then and there became permanently alienated from NATO. This was true not only in the continental countries that Nazi Germany had overrun but in Britain and in Germany itself. The decision also strengthened Russian fear of NATO as a potentially offensive alliance.

At the Lisbon conference of 1952, the United States finally persuaded the European governments to accept some form of German rearmament as well as a schedule of forced-draft build-up of their own military establishments. At the same time, the alliance was extended to include Greece and Turkey, two nations traditionally hostile to each other.

The Lisbon schedule turned out to be beyond the capacity of the nations participating. As a matter of fact the goals set for 1954 have yet to be fulfilled. A cutback in promised American aid and a "stretchout" in American rearmament were followed by a general slowdown in European efforts. When the incoming Eisenhower administration ordered further reductions, adopted the "new look," and apparently placed its reliance upon "massive retaliation," the NATO wheels ground to a halt.

THE CRISIS OF 1954

An equally important reason for the slowdown was French reluctance to ratify the treaty that would authorize German rearmament. When this European Defense Community Treaty was finally rejected in August 1954, NATO faced a crisis of the first magnitude. Rapid British footwork resulted in the development of a substitute plan. Whereas the EDC treaty would have brought about a considerable degree of political and economic integration in addition to a common defense force, the Western European Union substitute provided merely for adding West Germany to a strictly military alliance. Since then, however, opposition within Germany

to NATO membership at the cost of continued partition has mounted steadily. At best, it will be 3 years before the 12 German divisions will be added to NATO. There is considerable doubt whether they will ever materialize as NATO reinforcements.

Meanwhile, France has now withdrawn the large majority of its NATO forces for duty in North Africa. The building and modernization of airfields is behind schedule. If war were to come tomorrow, there seems little doubt that Russia would enjoy not only immense superiority in ground forces but initial tactical air superiority as well. Small wonder that General Gruenther, NATO's retiring supreme commander, recently told a British audience that his organization was not yet capable of repelling an invasion.

In addition to a glaring weakness on the central front, which would invite invasion if the Russians had any intention to risk that adventure, NATO's Mediterranean flank has disintegrated, largely as a result of the Anglo-Greek quarrel over Cyprus. In the north, NATO's Icelandic base is in jeopardy because of local political opposition. These are the military facts.

The political and economic dangers facing the North Atlantic Community are even more serious. Britain, France, and Germany are its European mainstays. Britain faces bankruptcy and impotence if it loses its now seriously endangered hold on the oil fields of the Persian Gulf area. France faces decline to the rank of a third-rate power through the loss of North Africa. Germany is slowly drifting toward direct negotiation with Russia, which may well mean abandonment of military alliance with the West.

Relations between Germany and France are getting worse rather than better. The French are unhappy over losing the Saar and have angered the Germans by suggesting that disarmament take precedence over German reunification. American influence in Germany is waning because of the obvious bankruptcy of a policy that seeks to force from Russia what amounts to unconditional surrender in an all-German settlement. Britain, the traditional moderator, is too beset with its own troubles in the Middle East to devise a way out of the German impasse.

All three of our major allies are openly critical of Washington's overemphasis upon the purely military aspects of the European problem. Italy, too, does not hesitate to voice its dissatisfaction. President Gronchi recently told our Congress that NATO is out of date and the reorganization of the Western World should be the first order of business. Our good friend and neighbor, Canada, has repeatedly warned that NATO will not survive unless its political, social, and economic clauses are implemented.

BASIC ORGANIZATION

This is the background against which one must consider what remedial action should be taken. If NATO cannot survive as a purely military alliance, what else can it become? This, in turn, raises the question: Is NATO itself necessarily the instrument through which Atlantic solidarity can be revitalized?

The obvious answer is that something must be done not just about NATO but about the basic organization of the Atlantic Community.

If the organized life of the Atlantic Community is to exist only in NATO, then Atlantic solidarity is already moribund.

NATO is obsolete in every respect except that it embodies the undertaking of Canada and the United States to consider an attack upon Western Europe as an attack upon themselves. In all other respects, it bears the marks of the time when it was believed that the United States had a monopoly of atomic weapons. It is doubtful whether even later the significance of Russia's penetration of the atomic secret sank fully into the minds of the NATO planners.

If the Atlantic Community is to regain its inner solidarity and recapture the moral leadership of the world, it must present itself to the world in a garb other than that of NATO. We rightly think of the Atlantic Community as the breeding ground of freedom. We tend to forget that, in the eyes of many of the world's peoples, the Atlantic Community is also the cradle of colonialism and that it has been the breeding ground of many wars. In the view of this observer, it is neither fitting nor expedient that the vital center of Western civilization should stand embodied before the world in a military organization—especially a military organization dominated by three nations of which two have been and still are the world's greatest colonial powers. If it is to revitalize itself and its influence, the Atlantic Community must organize and be represented by an entity recognized by all the world's peoples as an instrument of progress toward greater freedom, human betterment, and lasting peace.

NONMILITARY COUNCIL

What needs to be done cannot be accomplished merely by giving NATO new jobs to do or creating a "Cabinet" charged with the consideration of political and economic problems. It can be accomplished only if the Atlantic Community breaks out of its military shell and brings into being a wholly new, nonmilitary Atlantic Council.

This new embodiment of the Western heritage would concern itself first of all with developing the political, social, and economic solidarity of the community. Secondly, the new council would seek to develop common policy with respect to other parts of the world. Third, the council would speak for the West in dealings with the Sino-Soviet orbit, instead of leaving such negotiations to be conducted by the American, British, and French Foreign Ministers.

One of the council's chief aims in such negotiations would be to achieve peace settlements and an overall security agreement, effectively enforced by the United Nations. Should it succeed in this endeavor, the need for alliances and counteralliances would eventually be eliminated. This is the ultimate goal toward which Sir Winston Churchill recently directed attention.

Meanwhile, what of NATO? The alliance would continue to exist as long as necessary but, even as such, it requires drastic reorganization. It needs a modernization of its strategic concepts and, above all, a long-overdue revision of the bankrupt Western policy with respect to Germany. Such a revision would aim at the military neutralization of a reunified Germany and the creation of the widest possible neutralized belt across central Europe.

A military neutralized Germany, excluded from NATO, would not be prevented from joining the new Atlantic Council any more than a neutralized Soviet satellite would be prevented from maintaining its close political and economic ties with the Soviet Union. Germany would not become a vacuum, cut loose from its Western moorings. It would, in every sense except that of a military alliance be a member of the Atlantic Community. Should Russia reject this proposal, the West could still proceed to admit West Germany to the new Atlantic Council, releasing it from NATO and thus placing the onus for continued partition squarely upon the Kremlin.

Finally, since membership in the new organization would require no military commitment whatever, it is quite conceivable that even such determined European neutrals as Switzerland and Sweden might be willing to join and thus to round out the Atlantic Community.

The Atlantic Community needs more than a long-overdue reorganization of NATO. It needs a wholly new instrument to express and pursue its affirmative purposes, until the day when peace is firmly established and even this new instrument can safely be dissolved into a fully functioning world organization. It is encouraging that the study committee recently appointed by the NATO Council consists of the Foreign Ministers of Canada, Italy, and Norway.

Mr. JOHNSON of Texas. Mr. President, I congratulate my friend, the Senator from Oregon, on being able to get some material into the RECORD. I wish to congratulate him on the breakthrough he has made in the effort to prevent the making of insertions in the RECORD.

AGREEMENT FOR COOPERATION BETWEEN THE UNITED STATES AND SWEDEN CONCERNING THE CIVIL USES OF ATOMIC ENERGY

Mr. JOHNSON of Texas. Mr. President, I yield one-half a minute to the Senator from Rhode Island [Mr. PASTORE].

Mr. PASTORE. Mr. President, another agreement for cooperation has been delivered to the Joint Committee on Atomic Energy, in accordance with the provisions of section 123 of the Atomic Energy Act of 1954.

I ask unanimous consent that the agreement be printed at this point in the RECORD. It is the agreement between the United States and Sweden and arrived at the Joint Committee on July 20.

The PRESIDING OFFICER. Is there objection?

Mr. LEHMAN. Reserving the right to object, will the Senator from Rhode Island explain the matter to which he has referred? Is it a matter which is a part of his remarks?

Mr. JOHNSON of Texas. Mr. President, I yield an additional minute to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for an additional minute.

Mr. LEHMAN. Is the matter a part of the remarks of the Senator from Rhode Island?

Mr. PASTORE. It is a part of my remarks. As a matter of fact, it is an agreement on international cooperation, a bilateral agreement between the Government of the United States and the Government of Sweden on the peaceful uses of atomic energy.

Mr. LEHMAN. I have no objection.

There being no objection, the agreement was ordered to be printed in the RECORD, as follows:

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., July 20, 1956.

Senator CLINTON P. ANDERSON,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR SENATOR ANDERSON: Pursuant to section 123 c of the Atomic Energy Act of 1954, there is submitted with this letter:

1. An amendment to the agreement entitled "Agreement for Cooperation Between the Government of the United States of America and the Government of Sweden Concerning the Civil Uses of Atomic Energy."

2. A letter from the Commission to the President recommending approval of the amendment.

3. A letter from the President to the Commission approving the amendment, author-

izing its execution and containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security.

Article II of the amendment would permit the Government of Sweden to have in its custody, at any one time, as a result of the agreement, up to 12 instead of 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous use of the reactors involved.

Article III (A) of the amendment would permit the transfer of limited amounts of special nuclear materials, including U–235, U–233 and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Articles I and IV of the amendment include some new provisions which are designed to clarify the responsibilities that the parties to the agreement have assumed with respect to liability for any information, special nuclear material or fuel elements transferred pursuant to the agreement.

The guaranties undertaken by the Government of Sweden in the agreement for cooperation dated January 18, 1956, will continue and will be applicable to the transactions contemplated by the enclosed amendment.

Sincerely yours,

LEWIS L. STRAUSS,
Chairman.

Enclosures: 1. Amendment to the agreement between the United States and Sweden. 2. Letter from Commission to the President. 3. Letter from the President to the Commission.

JULY 10, 1956.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the attached amendment to the agreement entitled "Agreement for Cooperation Between the Government of the United States of America and the Government of Sweden Concerning Civil Uses of Atomic Energy," dated January 18, 1956. It is also recommended that you authorize the execution of this proposed amendment by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Article II of the amendment would permit the Government of Sweden to have in its custody, at any one time, as a result of the agreement up to 12 instead of 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous use of the reactors involved. As you know, under the terms of the existing agreement, the Government of Sweden may have 6 kilograms of such material in its custody, plus such additional quantity as is necessary to permit efficient and continuous reactor operation.

The additional U–235 has been requested by Sweden to fuel a high-flux research reactor intended for construction as part of the Swedish program to develop the peaceful uses of atomic energy. Sweden has requested the additional material inasmuch as it believes that this proposed reactor cannot be fueled adequately within the 6 kilogram limitation met by the existing agreement. The Commission has reviewed the Swedish request and has concluded that the allocation of an additional 6 kilograms under agreement is a desirable step in advancing the development of the peaceful uses of atomic energy in Sweden according to the policy which you have established.

Article III (A) of the amendment would permit the transfer of limited amounts of special nuclear materials, including U–235, U–233 and plutonium, for defined research projects related to the peaceful uses of atomic energy.

You also will note that articles I and IV of the amendment include some new provisions which are designed to clarify the responsibilities that the parties to the agreement have assumed with respect to liability for any information, special nuclear material or fuel elements transferred pursuant to the agreement.

Following your approval and subject to the authorization requested, the proposed amendment will be executed by appropriate authorities of Sweden and the United States. In compliance with section 123c of the Atomic Energy Act of 1954, the agreement will then be placed before the Joint Committee on Atomic Energy.

LEWIS L. STRAUSS,
Chairman.

Enclosures: Amendment to agreement for cooperation with Sweden.

THE WHITE HOUSE,
Washington, July 13, 1956.

The Honorable LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission,
Washington, D. C.

DEAR MR. STRAUSS: Under date of July 10, 1956, the Atomic Energy Commission recommended that I approve a proposed amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of Sweden Concerning Civil Uses of Atomic Energy, dated January 18, 1956.

The Commission's letter states that article II of the amendment would permit the Government of Sweden to have in its custody, at any one time, as a result of the agreement, up to 12 instead of 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous use of the reactors involved. This additional material is desired by Sweden to fuel a high-flux research reactor which will constitute part of the Swedish program to develop the peaceful uses of atomic energy. The Commission's letter states that the provision of the additional material will represent a desirable step in advancing the Swedish program to develop the peaceful uses of atomic energy.

I also have noted that article III (A) of the amendment would permit the transfer of limited amounts of special nuclear materials for peaceful research purposes and that articles I and VI are designed to make the responsibilities of the parties to the Agreement more explicit.

I have examined the proposed amendment and I share in the belief of the Commission that the performance of the proposed amendment will serve to advance the development of the peaceful uses of atomic energy in Sweden.

Accordingly, pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, and upon the recommendation of the Atomic Energy Commission, I hereby

1. Approve the proposed amendment to the Agreement for Cooperation Concerning the Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Sweden;

2. Determine that the performance of the proposed amendment to the Agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States; and

3. Authorize the execution of the proposed amendment to the Agreement for the Government of the United States by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF SWEDEN CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America (represented by the United States Atomic Energy Commission) and the Government of Sweden;

Desiring to amend the Agreement for Cooperation Between the Government of the United States of America and the Government of Sweden Concerning Civil Uses of Atomic Energy, dated January 18, 1956 (hereinafter referred to as the "Agreement for Cooperation");

Have agreed as follows:

ARTICLE I

Article I of the Agreement for Cooperation is amended to read as follows:

"A. Subject to the limitations of Article V, the Parties hereto will exchange information in the following fields:

"1. Design, construction and operation of research reactors and their use as research, development and engineering tools and in medical therapy.

"2. Health and safety problems related to the operation and use of research reactors.

"3. The use of radioactive isotopes in physical and biological research, medical therapy, agriculture, and industry.

"B. The application or use of any information or data of any kind whatsoever, including design drawings and specifications, exchanged under this Agreement shall be the responsibility of the Party which receives and uses such information or data, and it is understood that the other cooperating Party does not warrant the accuracy, completeness, or suitability of such information or data for any particular use or application."

ARTICLE II

Article II, paragraph B, of the Agreement for Cooperation is amended (1) by adding after the phrase "by the Commission" the following: "under this Article" and (2) by deleting the words "six (6)" wherever appearing in this paragraph and substituting in lieu of each such deletion the following: "twelve (12)".

ARTICLE III

The following new Article is added directly after Article III of the Agreement for Cooperation:

ARTICLE III (A)

"Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy undertaken by the Government of Sweden, including source materials, special nuclear materials, byproduct material, other radioisotopes, and stable isotopes, will be sold or otherwise transferred to the Government of Sweden by the Commission for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear materials under the jurisdiction of the Government of Sweden, by reason of transfer under this Article, be, at any one time, in excess of 100 grams of contained U–235, 10 grams of plutonium, and 10 grams of U–233."

ARTICLE IV

1. Article VI, paragraph A, of the Agreement for Cooperation is amended by deleting the phrase "uranium enriched in the isotope U–235 leased from the Commission" and substituting in lieu thereof the phrase "special nuclear materials received from the Commission."

2. The following new paragraph is added to Article VI of the Agreement for Cooperation:

"D. Some atomic energy materials which the Government of Sweden may request the Commission to provide in accordance with

this arrangement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of Sweden, the Government of Sweden shall bear all responsibility, insofar as the Government of the United States is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the Commission may, pursuant to this Agreement, lease to the Government of Sweden or to any private individual or private organization under its jurisdiction, the Government of Sweden shall indemnify and save harmless the Government of the United States against any and all liability (including third Party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the Commission to the Government of Sweden or to any authorized private individual or private organization under its jurisdiction."

ARTICLE V

This Amendment shall enter into force on the date on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such Amendment and shall remain in force for the period of the Agreement for Cooperation.

In witness whereof, the undersigned duly authorized, have signed this Amendment.

Done at Washington, in duplicate this — day of ———, 1956.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

C. C. V., 7/6/56.
Em. 7/6/56.

FOR THE GOVERNMENT OF SWEDEN:

C. D. E., July 6, 1956.

UNION BLACKLISTING OF CIRCUS PERFORMERS

Mr. MUNDT. Mr. President——

Mr. JOHNSON of Texas. Mr. President, now that the Senator from Rhode Island has cleared the important matter which he has presented, I do not think that recognition for such purposes should be confined to Democratic Senators. Therefore, I yield to my friend, the Senator from South Dakota [Mr. MUNDT].

Mr. MUNDT. I thank the distinguished Senator from Texas.

Mr. President, I renew my request to have printed in the CONGRESSIONAL RECORD a newspaper article entitled "Circus TV Show Hinges on Fines." The article deals with some recent discussions which have been occurring in regard to blacklisting.

The PRESIDING OFFICER. Is there objection?

Mr. LEHMAN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. JOHNSON of Texas. Then, Mr. President, I yield 3 additional minutes to the Senator from South Dakota, in order that he may read into the RECORD the article to which he has referred, because I wish to be impartial in regard to the presentation of such matters; and inasmuch as the Senator from Oregon read into the RECORD the material to which he had reference, I yield to the Senator from South Dakota, to permit him to read into the RECORD the article to which he has referred.

Mr. MUNDT. Mr. President, I deeply appreciate the courtesy and cooperation of the distinguished Senator from Texas.

The article to which I have referred was published in the New York Times on July 19, and it reads as follows:

CIRCUS TV SHOW HINGES ON FINES—PERFORMERS ON "UNFAIR" LIST OF UNION MUST PAY $2,000 TO APPEAR WITH SULLIVAN

(By Val Adams)

Circus performers whose names are on the "unfair" list of the American Guild of Variety Artists for ignoring picket lines must pay a $2,000 fine before the union will permit them to appear on the Ed Sullivan television show July 29.

This was disclosed yesterday by Jackie Bright, national administrative secretary of the guild. He said he expected that the 1-hour all-circus performance over the Columbia Broadcasting System network would go on as scheduled, but added:

"It is clearly understood that any performer on AGVA's 'unfair' list will have to pay the fine before he or she goes on the show."

The new development was an aftermath of the sudden closing in Pittsburgh Monday night of the Ringling Brothers and Barnum & Bailey Circus. The next day, Mr. Sullivan and CBS announced that they would not let the circus die without its having "a grand final fling." Eleven of Ringling's big-top acts were booked for television on July 29.

Almost simultaneously the guild, which had picketed the circus all season, announced that performers who had ignored picket lines were suspended for 6 months and fined $2,000. This meant no jobs in union shows for the stranded circus employees.

SUSPENSION SUSPENDED

Both AGVA and the International Brotherhood of Teamsters had picketed the Ringling circus in an effort to be recognized as bargaining agent for the employees. The guild said it represented 57 percent of the performers.

Although AGVA insists on the $2,000 fine, Mr. Bright said the union had agreed to call off the suspension ruling while the performers appeared on the television show. He explained:

"We'll suspend the suspension for 1 hour only, 8 to 9 p. m. At 9:01 the 6-month suspension goes back on again."

Mr. Bright said the fine applied to each performer and not the circus act. Some of the acts booked by Mr. Sullivan consist of 2 and 3 persons or more.

The guild executive commented that he already had discussed the matter with Mr. Sullivan, who assured him that no "unfair" talent would be used on the television show.

Since some circus performers have expressed concern about meeting their bills, there was a question of whether they might be able to pay the $2,000 fine immediately. Mr. Bright said he thought they might be able to borrow the money or pay their fines out of fees for appearing on television.

Mr. President, I call attention to the article because recently there have been some interesting comments from prominent Americans on the subject of blacklisting. In this case, a union has blacklisted circus performers who are trying their best to earn the bread and butter they need.

Mr. President, if I may proceed for a further moment——

Mr. JOHNSON of Texas. Mr. President, I have yielded to the Senator from South Dakota.

ORDER OF BUSINESS

Mr. MUNDT. Mr. President, I ask unanimous consent to have printed in the RECORD a letter to the editor of the New York Times, from Mr. J. Harvie Williams, of the American Good Government Society.

The PRESIDING OFFICER. Is there objection?

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. Should not insertions in the RECORD normally be made during the morning hour?

The PRESIDING OFFICER. A unanimous-consent request for the making of an insertion in the RECORD is in order at any time, when a Senator is recognized for that purpose, although, as the Senator from Illinois knows, it is the custom to have a period for such insertions during the morning hour.

Mr. DOUGLAS. Mr. President, I must object to the making of insertions in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. Objection is heard.

CONTROL OF JUVENILE DELINQUENCY—AUTHORITY TO PRINT MINORITY VIEWS (S. REPT. NO. 2766)

Mr. KNOWLAND. Mr. President, I yield myself 1 minute on the bill.

The PRESIDING OFFICER. The Senator from California is recognized for 1 minute.

Mr. KNOWLAND. Mr. President, I submit the minority views on Calendar No. 2814, Senate bill 728, to provide for assistance to and cooperation with States in strengthening and improving State and local programs for the control of juvenile delinquency. I ask that the minority views be printed.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. Must not minority views on bills normally be submitted during the morning hour?

Mr. KNOWLAND. Mr. President, I may say to the distinguished Senator from Illinois—and for this purpose I yield myself an additional minute—that the majority report on this bill has been printed. I do not believe the Senator from Illinois would wish to deprive the minority of the right to submit their views and have them printed. If necessary, I shall yield myself sufficient time in which to read the minority views into the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California?

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. I ask whether the majority report and the minority views on measures are not normally submitted when committee reports are in order, and therefore normally are submitted during the morning hour.

The PRESIDING OFFICER. The Chair will state that the normal procedure is for majority reports and minority views to be contained in reports submitted to the Senate. However, in the absence of such procedure, a unanimous-consent request to have such reports or views printed in the RECORD is always in order when a Senator is recognized for that purpose.

Is there objection to the request of the Senator from California?

Mr. LEHMAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. LEHMAN. Do I correctly understand that until the minority views are printed, the bill cannot come before the Senate?

The PRESIDING OFFICER. The Chair did not so state.

Mr. LEHMAN. But do I correctly understand that until the minority views are printed, that cannot be done?

Let me ask the Senator from California whether he is requesting unanimous consent to have the minority views printed.

Mr. KNOWLAND. Yes. The majority report has already been printed. We are asking that the minority views be printed. Let me say that the minority has tried to be cooperative, regardless of the philosophical viewpoint of the Members of the majority.

Mr. LEHMAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. LEHMAN. Is it a rule of the Senate that a bill cannot be considered until all reports or views on it have been printed?

The PRESIDING OFFICER. The Chair is not advised that there is such a rule.

Mr. KNOWLAND. Mr. President, because the Senator from New York has raised a very important question, I would say that so long as I have the responsibility of being the minority leader of the Senate, I shall strenuously object to the calling up of any bill or other measure if the minority has been denied the right to submit its views in the same way that the majority has the right to submit a majority report. If I personally have to lead a fight against proposed legislation solely because the minority have been denied the right to submit their views, I shall do so.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. LEHMAN. I merely wish to say, as chairman of the subcommittee which had the bill in charge, that I feel very strongly that the minority should have the right to present its views.

Mr. KNOWLAND. I knew that the Senator from New York, with his usual sense of fairness, would take that position. I hope the Senator from Illinois will not object.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none, and the minority views will be printed as requested.

PROMOTION OF EDUCATION OF THE BLIND

Mr. JOHNSON of Texas. I yield to the Senator from Alabama [Mr. HILL].

Mr. HILL. Mr. President, I ask the Chair to lay before the Senate the amendments of the House of Representatives to Senate bill 3259.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3259) to amend the act to promote the education of the blind, approved March 3, 1879, as amended, so as to authorize wider distribution of books and other special instructional material for the blind, to increase the appropriations authorized for this purpose, and for other purpose, which were on page 2, line 4, strike out "States" and insert "States,"; on page 2, line 5, strike out "and" where it appears the first time; on page 2, line 5, after "Territories", insert ", and possessions"; on page 2, line 5, after "States", insert ", the Commonwealth of Puerto Rico,"; on page 2, line 20, strike out "States, and" and insert "States,"; on page 2, line 20, after "Territories", insert ", and possessions", and on page 2, line 20, after "United States", insert ", the Commonwealth of Puerto Rico."

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. Is this a privileged matter, which can be introduced outside the morning hour, without requiring unanimous consent?

The PRESIDING OFFICER. A message from the House of Representatives is a privileged matter, and can be laid before the Senate at any time.

Mr. HILL. Mr. President, I have conferred with the distinguished senior Senator from New Jersey [Mr. SMITH], the ranking Republican member of the Committee on Labor and Public Welfare. He and I are in full accord that these House amendments should be concurred in, and I move that the Senate concur in the House amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama [Mr. HILL].

The motion was agreed to.

AMENDMENT OF TITLE III OF PUBLIC HEALTH SERVICE ACT

Mr. HILL. Mr. President, I ask the Chair to lay before the Senate the amendments of the House of Representatives to Senate bill 3430.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3430) to amend title III of the Public Health Service Act, and for other purposes, which were on page 7, lines 2 and 3, strike out "after consultation with" and insert "in accordance with the direction of", and on page 7, line 3, strike out "in or near the District of Columbia."

Mr. DOUGLAS. Just a moment——

Mr. HILL. Mr. President, I have conferred with the distinguished junior Senator from New Jersey [Mr. SMITH], the ranking Republican member of the Committee on Labor and Public Welfare; also with the distinguished Senator from Connecticut [Mr. PURTELL], the ranking Republican member of the Subcommittee on Health Matters of the Senate Committee on Labor and Public Welfare. We are all in accord that the House amendments should be concurred in. I therefore move that the Senate concur in the House amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama [Mr. HILL].

The motion was agreed to.

INCREASED NUMBER OF ADEQUATELY TRAINED PROFESSIONAL AND PRACTICAL NURSES

Mr. HILL. Mr. President, I now ask the Chair to lay before the Senate the amendments of the House of Representatives to Senate bill 3958.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3958) to improve the health of the people by assisting in increasing the number of adequately trained professional and practical nurses and professional public health personnel, assisting in the development of improved methods of care and treatment in the field of mental health, and for other purposes, which were on page 2, line 6, strike out "after section 304" and insert "at the end of part A"; on page 2, line 9, strike out " "SEC. 305." and insert " "SEC. 306."; on page 2, line 11, strike out "four" and insert "two"; on page 5, line 1, strike out "section 305" and insert "section 306"; on page 5, line 5, strike out " "SEC. 306." and insert " "SEC. 307.", and on page 5, line 7, strike out "four" and insert "two".

Mr. HILL. Mr. President, I have consulted with the distinguished senior Senator from New Jersey [Mr. SMITH], the ranking Republican member of the Senate Committee on Labor and Public Welfare, and we are in full accord that the Senate should concur in the House amendments. I move that the Senate concur in the House amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama [Mr. HILL].

The motion was agreed to.

Mr. DOUGLAS. Mr. President——

Mr. JOHNSON of Texas. Mr. President I have agreed to yield to my friend from Washington [Mr. JACKSON] for the purpose of presenting a conference report. Then I shall be glad to yield to the Senator from Illinois.

The PRESIDING OFFICER. How much time does the Senator from Texas yield?

Mr. JOHNSON of Texas. As much time as the Senator from Washington may require.

VIRGIN ISLANDS NATIONAL PARK—CONFERENCE REPORT

Mr. JACKSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5299) to authorize the establishment of the Virgin Islands National Park, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of July 23, 1956, pp. 14008–14009, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

MUST WE HAVE WORLD WAR III?

Mr. JACKSON. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article entitled "Must We Have World War III?" written by Dr. James D. Atkinson and Col. Donovan P. Yeuell, Jr., United States Army, which appeared in the United States Naval Institute Proceedings for July 1956.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington?

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. Is this a privileged matter in the normal proceedings of the Senate, or must this be inserted during the morning hour?

The PRESIDING OFFICER. A unanimous-consent request for an insertion in the RECORD is not a privileged matter, but can be submitted at any time.

Mr. JOHNSON of Texas. Mr. President, I invite attention to the fact that the Senator from Oregon [Mr. NEUBERGER] made two insertions in the RECORD without objection.

Mr. JACKSON. I am asking to insert an item in the body of the RECORD.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I will yield, if necessary. I do not wish to yield for very long.

Mr. LEHMAN. The Senator from Texas is very much amused at the Senator from New York. The Senator from New York is perfectly willing to admit that he was asleep at the switch when he permitted the particular insertions referred to to be made.

Mr. JOHNSON of Texas. I commend the Senator for being asleep at the switch, and I commend the Senator from Oregon for being able to get his material inserted in the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MUST WE HAVE WORLD WAR III?

(By Dr. James D. Atkinson and Col. Donovan P. Yeuell, Jr., U. S. Army)

Let America look at tomorrow and consider two opposite possibilities: the United States can bring on world war III—or the United States can establish a Pax Americana. She can cause war by timidity, improvidence, and stupidity, or she can establish relative peace by boldness, prudence, and wisdom. But there will be no peace in our time through appeasement.

Unless we as a people soon begin to understand war better than we do, our acts both of omission and commission may create almost hopeless conditions—a state of affairs in which either the Communists could dictate their own terms or the world would be faced with unrestricted atomic warfare. Certainly, we cannot accept Communist terms; hence a new facet of our strategy needs to be polished up and turned toward the rest of the world.

THE PRESENT NEED TO LIMIT WAR

In December 1955 the Secretary of State emphasized the importance of preventing local aggression. In recent months each of the Joint Chiefs of Staff has focused attention on the problem of local war.

In his state of the Union message this January, the President called for flexibility in our military power.

It has become increasingly apparent over the past decade that American statesmen need to be backed by a rational military policy that tends to limit war. The extreme of pre-World War II unpreparedness is as unsound as the more recent extreme of overreliance on atomic weapons. For the first time since the United States became a great world power there is hope that a realistic military policy may be evolving. This policy can be firmly based on the lessons of history. If supported by adequate armed strength and coupled with wise and bold statesmanship, the growing tendency to stamp out local aggression may well lead to an era in which stability and relative peace will be more than the mere blandishments of wishful thinkers and demagogues.

President Eisenhower has done much to clarify popular thinking on the absurdity of a total war policy. As the President said, "The threat to our security is a continuing and many-sided one—there is * * * no single form of enemy action to which we could soundly gear all our defense preparations."

Clearly, our national policy calls for that variety of military forces which will tend to limit war rather than have it burst into a global holocaust. That we lack that variety has been evident since the reverses we suffered at the outset of the Korean war, if not before.

The heads of our Government and our Armed Forces have implied serious shortcomings in so-called conventional land, sea, and air forces. Gen. Matthew B. Ridgway, former Army Chief of Staff, put it this way: "The present United States military forces are inadequate in strength and improperly proportioned * * *." Many other responsible authorities have warned that we lack the proper types of military forces in being ready and able to move swiftly to stop trouble before it spreads.

Why should this be?

Unfortunately, the doctrine of massive retaliation was taken by many observers to mean an all-out atomic attack on an aggressor's homeland. Since a major aggressor would not be likely to take this without retaliatory action of his own, so-called massive retaliation seemed to mean a global war. This might have been all right, if the would-be aggressors believed it, for it might have restrained them from risking global war. But it was not a good meaning for us, because it would not assure that we and our allies could be guaranteed immunity from some other kind of enemy attack.

The primary purpose of our armed strength ought to be the limiting of war, not the encouragement of bigger and better wars. Yet we have done just the latter, according to many authorities. To be sure, atomic bombardment of enemy cities and warmaking resources has to be one of our capabilities, but that capability is probably the least likely to be used. We have concentrated on being able to fight an all-out atomic war, and it was essential that we do so. But the consequences of unrestricted atomic wars are so frightful that both sides probably will tend to seek less violent methods of waging the world conflict. That is why the United States now faces the urgent need to have reasonable capabilities to put out brush fires before they get out of control and, thus, to realize the real potential inherent in Mr. Dulles' "by means and at places of our own choosing."

THE CHALLENGE TO STRATEGISTS

The crux of these thoughts should be apparent. Political leaders, diplomats, and military planners are confronted with creating armed power of unprecedented flexibility. The concept of grand strategy that calls for a variety of military means is more difficult to grasp than the oversimplified and unproved notions of the Seversky and Dounet types. The forces needed for a variable strategy are likely to be more expensive to maintain than the armed strength shaped around a fixed concept of war. It is the vexing task of planners and policymakers in the field of national security to reach a reasonable compromise. In determining the types and sizes and the roles and missions of the different armed forces, the responsible officials in our Government have been heavily and naturally influenced by the great hazards of large-scale war. Now, with the growing awareness that local aggression should be checked, it is well to take stock of the current suitability of the respective armed forces to engage in limited military operations.

The very nature of local aggression establishes the type of operation that ultimately may be necessary. Since control of land, people, or both, is the usual aim of local aggression, land forces of one kind or another are necessary to counter it. Naval forces, with their incomparable strategic flexibility, are the traditional and natural kin of land forces in getting soldiers to the trouble spot and supporting them. In recent times, aviation has increased the rapidity with which land forces—in limited strength—can be moved and, within an area of limited operations and aircraft, it has assumed an unprecedented role in reconnaissance and fire support.

As in the case of general war, it is difficult to conceive of any limited war involving the United States in which her land, sea, and Air Forces would not be interdependent and mutually indispensable. During different phases of a limited war, the relative importance of the several Armed Forces would shift, but none could do its job without the help of the others. It is probable that the critical factors would be (1) the degree of celerity with which land forces sufficient to achieve specific objectives could be delivered, and (2) the effectiveness with which those forces could be sustained and supported. The requirements of limited war pose knotty problems of planning, organization, training, and logistics, to say nothing of questions of priority. The capacity to fight a big war may, or may not, include the capabilities for a variety of lesser wars.

The challenge, then, is to reach that delicate balance, that fine equilibrium which will give our statesmen the versatility to deal with a variety of threats. Obviously, there must be resolution of honest differences of professional military opinion. In reaching the inevitable compromise on military capabilities, it is the responsibility of the United States Army, Navy, and Air Force to advise the national leaders on what is best for the Nation. Upon what, then, should our strategy be premised?

THE COMMUNIST CONCEPT OF WAR

From the standpoint of Communist theory, the leaders of the Soviet Union during the past 39 years have had a preference for either limited war or unconventional warfare based on the ideas of Marx, Engels, Lenin, and Stalin, who believed that war was to be thought of primarily as an economic, diplomatic, and political struggle and only secondarily as military in nature. To be sure, armed might and violence are recognized as the shield and sword of communism, but they are logically viewed as means to the end and not as ends in themselves. Few men have understood the use of armed force better than the Communists, and even fewer have mastered so well the manipulation of force to attain political objectives.

Most significant of all Communist theories about war are the twin concepts that: (1) Time is on the side of Marxism-Leninism. (2) There will be no necessity for waging all-out war since communism will triumph throughout the entire world after a series of struggles with non-Communist states. This thesis is a recurring one and is to be found in the statements of Communist writers from 1917 down to the present day. It is highlighted, however, by recent utterances of top Soviet leaders. Kaganovich, Soviet Deputy Premier, recently stated that "the 20th century is a century of the triumph of socialism and communism" and that "we have marched and we will march forward—and only forward—to the complete victory of communism." Molotov repeated this idea when he said that "the question of recognition is the question of time."

THE PROSPECTS FOR LOCAL AGGRESSION

A glance at a schoolboy's globe illustrates the possibilities which the Communists might exploit by means of limited or unconventional warfare. As was demonstrated by the case of Guatemala, Latin America is a constant source of concern.

In the Far East, fighting may be renewed in Korea or may begin against Formosa. The Republic of the Philippines may call for American help to meet new Communist disturbances. Guerrilla fighting and other forms of unconventional warfare continue in Malaya, while in Vietnam, Laos, and Cambodia, the prospects of further aggression are ominous. Thailand is menaced by strong Communist pressure, as is Indonesia. In all of these cases the possibilities of limited war appear much more likely than a total conflagration.

From Pakistan to Turkey and Greece and down through the Near East and Africa, continuous pressures are at work—Soviet generated or otherwise—which could require limited operations in order to restore stability. For example, the Arab-Israel situation, always in a state of ferment, is now explosive, and the expressed concern of the United States Government could be interpreted as recognition of the possible necessity for military action to establish order in that quarter. The threats posed here are, however, again threats of creeping aggression, and the Soviet leaders have actually forecast their intentions for local moves. Communist Party Chief Khrushchev recently told the Turkish Ambassador to the Soviet Union that "Turkey was foolish to remain in NATO since, if there is any difficulty, Turkey will be the first to be eaten up and your friends will not be able to help you."

More recently, Soviet overtures to certain Arab states and Afghanistan fall into the familiar pattern. The British-American caveat that they may intervene by air action in the Arab-Israel dispute is not likely to concern either of the contestants, or the Communists on the sidelines. Having announced to the world that she will not initiate atomic war, the United States is likely to intervene, if she so decides, with conventional land forces supported by conventional naval and air forces. Should she become embroiled in such an area, it would presumably be to a distinctly limited extent.

Even in the NATO area, a limited war could occur, as in the case of East Germany moving forces to unite with West Germany or an action over Berlin.

The possibilities of limited aggression without the gamble of a worldwide war appear to be almost universal. And the probabilities of limited war appear to be shaping up even more strongly in specific areas.

BASIS FOR AMERICA'S STRATEGY FOR PEACE AND SECURITY

The sober truth is that the United States now stands at a great crossroads of history. The Nazis were bad enough, but they would overplay their hand. The Communist threat is more dangerous than the Nazi in the ratio of the Communist unwillingness to gamble. And the Communist skill is markedly better in all the adjuncts of limited and unconventional warfare: espionage, sabotage, fomenting of strikes and disorders, propaganda, political warfare, and localized aggression.

It would follow that the United States should, therefore, abandon the defensive in dealing politically with the Communists. Only by going over to the strategic initiative can we hope to engender a climate of relative peace. Fundamentally, this calls for the United States to pursue a positive, dynamic grand strategy.

We must alter our strategic thinking and our armed strength so as to deal with the most likely threats. We have geared ourselves largely for an unrestricted atomic war—a war which neither side stands to win, a war which, least of all for the American people, makes no sense under any circumstances. It seems axiomatic that we will not, should not, and need not set off an all-out war. And the course of history shows that, for their part, the Communists have every reason carefully to avoid it.

This is by no means an attack on the doctrine of strategic air power. Numerous authorities have exposed the fallacies of overreliance on a particular weapons system. They grant fully the indispensability of superior air forces and most would agree with Sir Winston Churchill's observation that if the H-bomb should create a "peace of mutual terror" it will have served a good purpose.

But extreme interpretations of Douhet and Mitchell have led many people in the United States to accept notions of a frightful panacea. Our present military capabilities are by no means what people would like to think. The earlier hope that an enemy could be crushed by aerial bombardment at no cost to ourselves began to lose luster with the Soviet's first atomic explosion in 1949. If that concept of winning a war ever had any merit, the present situation calls for a different outlook. Yet the United States continues to maintain a military posture rooted to a large extent in that outmoded idea.

For some strange reason, we are pretty much wedded to the irrational belief that some kind of absolute war is inevitable. As to general war, whether one accepts the strategic air power concept of a short atomic war, or whether one doubts this concept and envisages ultimately a modernized, lengthy, continental campaign, the fact remains that other possibilities exist.

The United States—and the other democracies—have tended in modern times to draw a distinct line between war and peace. This was not always so for the United States. During much of our existence we engaged in "little" wars which we approached in the way that Jefferson attacked the problem of Barbary pirates—the minimum force to accomplish the maximum political effect.

Increasingly, however, and especially since World War I, we, as well as the other democracies, have come to accept the idea that there is no middle ground between all-out peace and all-out war. We seem ready either to embrace our would-be opponents and be friends or to go to the other extreme and crush them into dust.

With the development of atomic weapons, we find that the dilemma has been heightened by an inhibition on the part of the West in reacting to localized aggression because of the fear that firm action could lead to general nuclear war. This has been compounded by a tendency toward overreliance on the part of the United States and the other free world nations on the deterrent effect of atomic superiority. We have committed the dual error of believing that our atomic arsenal gives us more power than it actually does and yet fearing the consequences of that power to an inordinate extent. Meanwhile, the Communists, taking advantage of the fears of the West as well as its capability to engage largely in one method of warfare, move ahead with justifiable confidence.

THE OBJECT OF WAR

Wars are not fought for military objectives as is a battle or a campaign, but they are waged for the political arrangements thereafter which will permit the maintenance of a viable peace. As Liddell Hart put it, "Strategy has to reduce fighting to the slenderest possible proportions." Certainly, this makes sense. One can argue that war is an inevitable part of human development, and that may very well be true. One also can point out the great contributions made to civilization by the talents produced by warfare. There is even some validity in the idea that a people needs to shed blood from time to time in order to prove its right of survival. Throughout history the word "sacrifice" has had a connotation closely related to the progress of mankind. These and other philosophical observations, are surely of great interest, but the main point is that war is a part of our lives.

We must accept the fact of war and then look at it from the standpoint of the best national interests. We should adopt a philosophy that the United States, when it must, should engage in war on its own terms and should be able and willing to wage war in such ways as to do least harm to our national well-being. For a few short years our atomic monopoly led us to believe that we had a solution to our problem. Even in the face of that monopoly, however, the Communists proceeded to challenge our national interests by gaining sway over half a billion people and a large portion of the earth's surface.

Our national policy should by no means call invariably for the application of military power to an absolute degree. National policy should be served by our strategy, not dictated or paralyzed by inflexible military capabilities—or perhaps we should say incapabilities. National policy may actually require a wide variety of applications of armed force ranging from minor police actions to the complete annihilation of an enemy.

Looking at another root of our trouble, much has been said elsewhere about the fallacy of the strategic air, short-war concept. We need only stress that the popular appeal of this great oversimplification has created attitudes that work against a proper national military posture.

Our allies also are a key part of this puzzle. Perhaps we have hoped for too much. In our military and economic assistance to them, we have extended our tendency to buy the world. With rare exceptions, our foreign aid has fallen short of its mark. Allies and friends are indispensable, but there is only so much they can do. We

should anticipate that, in all but a few cases, our allies may not be able to resist local aggression without the assistance of United States forces as well as material aid.

We cannot too often take stock of the object of war. In essence it is to further a nation's interests, which usually are either to gain more or to hold what they have. The question of war's inevitability is secondary, for it is conflict among nations with which we should concern ourselves. Conflict is ever present, and, depending upon the strength and will of the principal nations, international conflict may or may not burst into uncontrollable war. Every lesson of history and every train of logical thought and commonsense points to this conclusion: If liberty-loving peoples will stand together and act firmly against aggressors, the world conflict can be kept within manageable bounds.

THE ALTERNATIVES TO LIMITING WARFARE

What are the alternatives to a policy of readiness and willingness to engage in limited warfare whenever and wherever our honor and our interests are at stake?

Unless the United States develops fully the capability to deter or suppress aggression short of general war, any of the following may result:

1. Situations short of general war may expand into general war.

2. Continuing limited gains by the Communist bloc eventually could detract from the free world's ability to deter or win general war.

3. Repeated success in limited wars could lead to a Communist calculation that the remainder of the free world can be subdued without resorting to general war.

4. A large part of the free world might fall to local aggression, leaving the United States more or less isolated and faced with the choice of meeting Communist terms or of fighting against great odds.

THE MILITARY REQUIREMENTS FOR LIMITED WAR

The free world has land, sea, and air forces deployed about the Communist periphery, but in almost every area where local aggression might occur, the thin line of free world strength could not without reinforcement repel a determined Communist advance. Most of our allies would be hard put indeed to provide additional forces without a long period of mobilization. Comparatively speaking, the Communists are ready. The inference is that the burden falls on the United States to be able to assist our friends—materially, and with the presence of our Armed Forces. Part of this reinforcement could come from our forces now overseas, but much of it would have to come from the United States proper.

The key to the problem of limited aggression then is mobility—land, sea, and air—mobility which permits us to meet the threat as it arises and enhances our ability to reinforce more quickly than can the aggressor. We must have the capability of delivering relatively powerful forces of men and materiel rapidly to any part of the world. This is not an isolated military solution, but a realistic possibility. It is realistic technologically and economically, and it is realistic in light of the threat.

In short, the free world's strategy must meet the many-pronged threat by prudent preparation for general war; but, equally important, the free world must accept limited war as something which we are now able and willing to cope with. It seems apparent that this calls for greater armed strength than we now have.

We should not equate war with total, atomic war. We should not fear the idea of war so greatly that we neglect the most likely kinds. Neither ought we to look upon strategic air power as the equivalent of national survival or the main bulwark of national interest. Nor should we accept the notion that the use of atomic weapons on military targets must lead to unrestricted atomic war, for it is quite probable that military targets can be defined and the use of atomic weapons can be limited to the battlefield.

Another dangerous shibboleth is raised on the subject of limited war. It alleges that a big power cannot fight a little war. This is not merely nonsense—it is deadly, dangerous nonsense. If more of the major powers had been willing to engage in limited operations, the entire course of the twentieth century might have been different. Limited war has typified history's great periods of relative peace. The limiting of war should be the primary military instrument of our national policy. We should not go out of our way to fight limited wars—they are generally frustrating affairs at best—but history, logic, and our leading role in world affairs all point clearly to our responsibility to stop local outbursts and nibbling aggression. A powerful nation is no more identical with all-out war than is a strong police force equivalent to all-out crime.

President Eisenhower, with his unequaled experience as a military man and in the arena of international statesmanship, has demonstrated repeatedly his belief that war can and should be limited. His farsighted proposals for the control of atomic energy and for disarmament, have been matched by a prudent insistence that the United States maintain not only deterrent strength against a large war, but that she be prepared to stand by those who love freedom in preventing local aggression. It is in this latter role as freedom's champion that the United States must henceforth be ready to engage in limited military operations to discourage the creeping aggression which has engulfed so large a part of the world. This readiness and a stout heart are the hope of the American people—and of mankind. For, to paraphrase Pitt's advice to Britain in an hour of peril, America can save herself by her own exertions and help to save the rest of the world by her example.

PROPOSED CIVIL RIGHTS LEGISLATION

Mr. DOUGLAS. Mr. President, I ask unanimous consent, out of order, to submit a resolution reading as follows:

Resolved, That the Committee on Judiciary be, and it is hereby, discharged from the further consideration of the bill, H. R. 627, to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The PRESIDING OFFICER. Is there objection?

Mr. RUSSELL. Mr. President, reserving the right to object, I had thought that this question had practically exhausted all its headline value, but it seems it has not. I have stated heretofore that I would object, and I do object.

The PRESIDING OFFICER. Objection is heard.

ACQUISITION OF NON-FEDERAL LAND WITHIN BOUNDARIES OF NATIONAL PARKS

Mr. KNOWLAND. Mr. President, will the Senator yield to me?

Mr. JOHNSON of Texas. I yield to the Senator from California such time as he may desire.

Mr. KNOWLAND. Mr. President, on July 23, at the instance of the Senator from Wyoming [Mr. BARRETT], the Senate amended the title of House bill 9591, a bill to amend the act of August 31, 1954 (68 Stat. 1037), relating to the acquisition of non-Federal land within the existing boundaries of any national park, and for other purposes.

It has subsequently been called to his attention that there was no need for such amendment to the title of the bill, and that the title of the bill as passed by the House was correct. I therefore move that the Senate reconsider its action in this respect, and that the House be requested to return the bill to the Senate for appropriate action.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to.

JUVENILE DELINQUENCY IN ALASKA

Mr. KEFAUVER. Mr. President, will the Senator yield to me?

Mr. JOHNSON of Texas. I yield to the Senator from Tennessee.

Mr. KEFAUVER. Mr. President, I wish to submit to the Senate, from the Committee on the Judiciary, the interim report of the Subcommittee To Investigate Juvenile Delinquency, dealing with juvenile delinquency in the Territory of Alaska.

Mr. DOUGLAS. Mr. President, is this a report of a committee?

Mr. KEFAUVER. It is.

Mr. DOUGLAS. Mr. President, this should normally be submitted during the morning hour. We are not privileged to have a morning hour because of the process of recessing rather than adjourning. I must object.

The PRESIDING OFFICER. Objection is heard.

REPORT OF A COMMITTEE

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, on behalf of the Committee on Government Operations, I report three bills favorably.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. Should not these reports normally be submitted during the morning hour?

The PRESIDING OFFICER. It is customary for reports of committees to be submitted during the morning hour.

Mr. DOUGLAS. We did not have a morning hour.

Mr. McCLELLAN. I ask unanimous consent to submit the reports at this time.

Mr. DOUGLAS. Reluctantly, I must object.

AMENDMENT OF WATERSHED PROTECTION AND FLOOD PREVENTION ACT — ADMINISTRATION POSITION

Mr. AIKEN. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield to the Senator from Vermont 1 minute.

Mr. AIKEN. Mr. President, last Saturday the Senate considered House bill 8750, a bill to amend the Watershed Protection and Flood Prevention Act. At that time I was under the impression that this bill had been approved by the Department of Agriculture and the administration. I find that is contrary to the fact, so I ask unanimous consent to have inserted in the RECORD a telegram which I have received from Mr. E. L. Peterson, Assistant Secretary of Agriculture; also a copy of a letter which I have received today from the Bureau of the Budget; a copy of the report on the bill sent to the chairman of the Committee on Agriculture and Forestry on April 16 by the Department of Agriculture; also a copy of a letter addressed to the chairman of the Committee on Agriculture and Forestry by the Assistant Director of the Bureau of the Budget, Robert E. Merriam, dated May 15, 1956.

I make this request for the purpose of clarifying the position of these two agencies of Government.

The PRESIDING OFFICER. Is there objection?

There being no objection, the items referred to were ordered to be printed in the RECORD, as follows:

FORT COLLINS, COLO., *July 23, 1956.*

Senator GEORGE D. AIKEN,
Senate Office Building,
Washington, D. C.:

Department of Agriculture does not support S. 8750. Department's position set forth in my testimony during hearings and in S. 3727.

E. L. PETERSON,
Assistant Secretary, United States Department of Agriculture.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., July 23, 1956.

Hon. GEORGE D. AIKEN,
United States Senate,
Washington, D. C.

MY DEAR SENATOR AIKEN: In furtherance of our telephone conversation this morning, I am herewith submitting to you a more detailed explanation of the administration position concerning H. R. 8750, a bill to amend the Watershed Protection and Flood Prevention Act.

The Department of Agriculture, in a letter dated April 16, 1956, addressed to the chairman of the Committee on Agriculture and Forestry of the Senate (copy enclosed), submitted a proposed draft of a substitute bill (which is now in print as S. 3727) which set out the Department's recommendations in this area. It should be noted that the Department recommended against changing the cost sharing provisons of the existing law. Their position in this matter was amplified by the statement of Assistant Secretary Peterson before the Subcommittee on Conservation and Credit of the House Agricultural Committee where he appeared on February 14, 1956. An excerpt from his statement follows:

"A fourth amendment would provide, 'That the Secretary shall not require local organizations to assume any part of the construction cost of structural measures applicable to flood prevention.' We feel that this amendment defeats the concept of cost sharing presently embodied in the act which provides that, 'local organizations shall assume such proportionate share of the cost of any works of improvement involving Federal assistance as may be determined by the Secretary to be equitable in consideration of the anticipated benefits from such improvements.' In other words, cost sharing should be determined as between the local sponsors of projects and the Federal Government on the basis of the ratio of direct identifiable local benefits to total benefits. Local landowners or other benefited interests should participate in project costs to the extent of their benefits. As to projects developed thus far we have, however, fully recognized the individual peculiarities of each."

The Bureau of the Budget indicated its objections to S. 3023 (which is similar to H. R. 8750) in a letter of May 15, 1956, to the chairman of the Senate Committee on Public Works (copy enclosed).

I hope that this will clarify our views on this subject.

Sincerely yours,

ROBERT E. MERRIAM,
Assistant to the Director.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., April 16, 1956.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry,
United States Senate.

DEAR SENATOR ELLENDER: This is in reply to your request of March 7, 1956, for a report on S. 3371, a bill to amend the Watershed Protection and Flood Prevention Act.

The Department recommends substitution of the attached "draft of bill to amend the Watershed Protection and Flood Prevention Act," which has the approval of the Bureau of the Budget, for the present provisions of S. 3371 and enactment of the bill as so amended.

S. 3371 would amend the Watershed Protection and Flood Prevention Act (Public Law 566, 83d. Cong) to broaden the application of the act and permit the Department to share in the cost of providing capacity for the storage of water for various purposes; to permit the inclusion in plans for works of improvement of structures providing more than 5,000 acre-feet of total capacity if each such structure will be constructed by a local organization, does not contain more than 5,000 acre-feet of flood prevention capacity, and the construction cost of all capacity above 5,000 acre-feet will be borne by the local organization; to provide that local organizations shall not be required to assume any part of the construction cost of structural measures applicable to flood prevention; to eliminate the terminal date of July 1, 1956, after which the Department of Agriculture could not contract for installing works of improvement; to exempt from review by other Federal agencies and from transmittal to the Congress of plans involving an estimated Federal contribution to construction costs of less than $250,000; to authorize the Secretary to make long-term loans to local organizations to finance the local share of project costs; and to make the act also applicable to Hawaii, Alaska, Puerto Rico, and the Virgin Islands.

The recommended substitute draft bill would revise the definition of "works of improvement" as contained in section 2 (1) of the Watershed Protection and Flood Prevention Act to include in addition to flood prevention, "associated measures for the conservation, development, utilization, and disposal of water"; would provide that the Federal Government shall not bear, under the provisions of the act, that part of the construction cost for providing any capacity in structures for any purpose, except capacity for flood prevention, which is applicable to the production of direct identifiable benefits; would authorize the Secretary to make loans for periods of up to 50 years in amounts not in excess of $5 million on any single plan for works of improvement to local organizations to finance the local share of the costs; and would make the act also applicable to Hawaii, Alaska, Puerto Rico, and the Virgin Islands.

Broadening the application of the Watershed Protection and Flood Prevention Act and the provisions for cost sharing by the Department as proposed in the recommended draft bill will further the development and efficient use of land and water resources. Under section 2 (1), as amended, capacity for flood prevention as well as for the conservation, development, utilization, and disposal of water would be included in structures constructed under its provisions. Section 2 (2) is unchanged and provides for works of improvement for the agricultural phases of the conservation, development, utilization, and disposal of water. Under section 4 (2), as amended, the Federal Government would continue to bear such part of the construction cost for providing capacity in structures for flood prevention as the Secretary determines to be equitable in consideration of anticipated benefits, and would bear that part of the construction cost for providing capacity in structures for purposes other than flood prevention that is applicable to the production of other than direct identifiable benefits. The authorization of loans up to $5 million on any single plan for works of improvement will enable local organizations to finance their proper share of the cost of desirable improvements in certain cases where cash is not currently available. The provisions of Public Law 566 should, of course, be equally applicable to the States and to Hawaii, Alaska, Puerto Rico, and the Virgin Islands.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

EXECUTIVE OFFICE
OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., May 15, 1956.

Hon. DENNIS CHAVEZ,
Chairman, Committee on Public Works,
Senate Office Building,
Washington, D. C.

MY DEAR MR. CHAIRMAN: This will reply to your letter of February 29, 1956, requesting the views of the Bureau of the Budget with respect to S. 3023, a bill to amend the Watershed Protection and Flood Prevention Act in order that a greater number of local organizations may qualify for assistance under the provisions of such act.

S. 3023 would amend the Watershed Protection and Flood Prevention Act (Public Law 566, 83d Cong.) so as to permit the Secretary of Agriculture to plan and carry out improvements for other than agricultural purposes; to eliminate the 5,000 acre-foot limitation on the total capacity of any structure; to prohibit the Secretary of Agriculture from requiring local organizations to assume any part of the construction cost of structural measures applicable to flood prevention; to eliminate the date of July 1, 1956, after which the Secretary of Agriculture may not enter into any contract for construction; to eliminate the requirement that benefits exceed costs; to authorize the Secretary to make long-term loans to local organizations; to extend the provisions of the act to Hawaii, Alaska, Puerto Rico, and the Virgin Islands; and to broaden the application of the act in a number of other respects.

The Department of Agriculture, in its letters dated April 16, 1956, addressed to the Speaker of the House of Representatives, the President of the Senate, and the chairman of the committee on conference on H. R. 5881, submitted for consideration a "draft of bill to amend the Watershed Protection

and Flood Prevention Act." This draft was developed by the Department of Agriculture in cooperation with other interested agencies, and would enable that Department, under its established programs, to meet adequately the needs for the conservation of water resources and the expanding use of water.

The Bureau of the Budget recommends substitution of the Agriculture draft bill for the present provisions of S. 3023, and favors enactment of the bill if so amended.

Sincerely yours,

ROBERT E. MERRIAM,
Assistant to the Director.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed a bill (H. R. 12350) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following bills and joint resolution, and they were signed by the Vice President:

H. R. 256. An act to amend the Bankruptcy Act with respect to the priority of debts owned by a bankrupt to workmen, servants, clerks, and certain salesmen;

H. R. 604. An act to provide port of entry and related facilities on the Alaska Highway at the Alaska-Canadian border in the Territory of Alaska, and for other purposes;

H. R. 1639. An act for the relief of Laura Olivera Miranda;

H. R. 1739. An act for the relief of William J. Bohner;

H. R. 1952. An act for the relief of Clarence Christensen;

H. R. 1971. An act for the relief of Leila Park;

H. R. 2325. An act for the relief of Joseph Santo;

H. R. 2712. An act for the relief of Emanuel Mathes;

H. R. 3561. An act to further amend the act of January 2, 1942, entitled "An Act to provide for the prompt settlement of claims for damages occasioned by Army, Navy, and Marine Corps forces in foreign countries";

H. R. 4127. An act to exempt courses leading to standard college degrees offered by nonprofit educational institutions of higher learning from the provisions of section 22[illegible] of the Veterans' Readjustment Assistance Act of 1952 prohibiting the enrollment of eligible veterans under that act when such courses have been in operation for less than 2 years;

H. R. 4152. An act for the relief of Maria Pintos and her daughter, Eugenia Pintos;

H. R. 4635. An act to authorize the Secretary of the Interior to transfer to Robert T. C. Rasmussen, the right, title, and interest of the United States, in foreign countries, in and to certain inventions;

H. R. 4899. An act for the relief of Helmut Kiestadt;

H. R. 5417. An act to amend section 1721, title 18, United States Code, relating to the sale or pledge of postage stamps;

H. R. 5488. An act to authorize the sale of certain land in Alaska to Gilbert Henkens, Jr., star route, mile 17½, Anchorage, Alaska;

H. R. 6081. An act for the relief of Patricia May Stevens;

H. R. 6247. An act to amend subdivision a of section 66—unclaimed moneys—of the Bankruptcy Act, as amended, and to repeal subdivision b of section 66 of the Bankruptcy Act, as amended;

H. R. 6403. An act to amend title 18, entitled "Crimes and Criminal Procedure", of the United States Code, to provide a criminal sanction for the embezzlement or theft of the property of Indian tribal organizations;

H. R. 7121. An act to validate payments of mileage made to United States Army and Air Force personnel pursuant to permanent change of station orders authorizing travel by commercial aircraft, and for other purposes;

H. R. 7552. An act to amend sections 220 and 221 (d) of the Hawaiian Homes Commission Act, 1920;

H. R. 7887. An act to authorize the commissioner of public lands to sell public lands under certain circumstances without public auction;

H. R. 7891. An act to authorize and direct the exchanges and sales of public lands within or adjacent to the district of Puna, county of Hawaii, Territory of Hawaii, for the relief of persons whose lands were destroyed by volcanic activity;

H. R. 7893. An act to amend section 73 (1) of the Hawaiian Organic Act;

H. R. 8226. An act to amend section 1 of the act of March 4, 1915, as amended (48 U. S. C., sec. 353);

H. R. 8265. An act relating to the use of storage space in the Buford Reservoir for the purpose of providing Gwinnett County, Ga., a regulated water supply;

H. R. 8617. An act to validate certain payments made to members and former members of the naval service;

H. R. 8940. An act relating to the use of storage space in the Hulah Reservoir to provide water for the city of Bartlesville, Okla.;

H. R. 8971. An act for the relief of Hamasasp Psakian, Mrs. Varsenick Psakian, and Nune Nona Psakian;

H. R. 9029. An act for the relief of John L. Hughes;

H. R. 9260. An act to amend title III of the Servicemen's Readjustment Act of 1944, as amended, and for other purposes;

H. R. 9265. An act to amend the Hawaiian Organic Act, as amended, relating to the audit of government (Territorial and county) accounts;

H. R. 9918. An act to authorize the Secretary of the Interior to negotiate and execute a contract with the Riverside Irrigation District, Ltd., of Idaho, relating to the rehabilitation of the district's works, and other matters;

H. R. 9947. An act for the relief of the estate of William Edward Wine;

H. R. 10088. An act for the relief of Rupert Waltl;

H. R. 10111. An act to amend sections 657 and 1006 of title 18 of the United States Code in order to include certain savings and loan associations within its provisions;

H. R. 10679. An act granting the consent of Congress to the establishment by the States of Mississippi and Arkansas of a bi-State commission to investigate the possibilities of constructing a railroad bridge across the Mississippi River;

H. R. 10946. An act to provide for the disposition of surplus personal property to the Territorial government of Alaska until December 31, 1958;

H. R. 10983. An act for the relief of P. R. Cox;

H. R. 11024. An act to amend the act entitled "An act relating to the compensation of commissioners for the Territory of Alaska," approved March 15, 1948 (62 Stat. 80) as amended by the act of July 12, 1952 (66 Stat. 592, 48 U. S. C. 116a);

H. R. 11254. An act to amend section 104, title 4, United States Code;

H. R. 11653. An act to increase the fees of witnesses in the United States courts and before United States commissioners, and for other purposes;

H. R. 11706. An act for the relief of Kim Chung Hi;

H. R. 11861. An act to amend the act entitled "An act authorizing Federal participation in the cost of protecting the shores of publicly owned property," approved August 13, 1946; and

H. J. Res. 642. Joint resolution to authorize and direct the Secretary of Agriculture to quitclaim certain property in Coahoma County, Miss., to the Home Demonstration Club of Rena Lara, Miss., Inc.

SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 1957

The PRESIDING OFFICER. (Mr. GORE in the chair). The Chair lays before the Senate a bill coming over from the House of Representatives.

The bill (H. R. 12350) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. Is this not the second supplementary appropriation bill?

The PRESIDING OFFICER. The Senator is correct.

Mr. DOUGLAS. Has the report of the Senate committee been submitted to the Senate?

Mr. JOHNSON of Texas. We are not taking up the bill at this time. It is a House bill.

The PRESIDING OFFICER. The bill has been referred to the Committee on Appropriations.

Mr. DOUGLAS. I shall serve notice now that I will require the usual 72 hours of waiting between the submission of the report of the Senate Committee on Appropriations and action on the bill by the Senate.

Mr. JOHNSON of Texas. I will say to the Senator from Illinois that we will comply with the provisions of the Reorganization Act, which calls for 3 days.

Mr. DOUGLAS. That is 72 hours.

Mr. JOHNSON of Texas. Not necessarily.

Mr. BENDER. Mr. President——

PAN-AMERICAN GAMES

Mr. JOHNSON of Texas. I yield to the Senator from Ohio.

Mr. BENDER. Mr. President, in order to promote pan-American friendship, there was organized several years ago the Pan-American Games Congress. This organization similar to the Olympics brings together every 4 years the finest athletes in North, Central, and South America.

These games were first held in Buenos Aires in Argentina in 1951, and in Mexico City, Mexico, in 1955, and the United States has been selected for the 1959 games in Cleveland, Ohio. Like all great athletic events of the Olympic type, many special facilities must be built to

provide for the games and some $10,300,000 is required to cover the finances necessary in connection with this event. Some $7½ million would be used for the construction of new facilities.

During the past year, representatives of Cleveland have held many conferences with members of the Ohio delegation in Congress, with representatives of the White House, the State Department, and the Bureau of the Budget. Memoranda in part from officials of these organizations tell of the interest in the pan-American games.

I ask unanimous consent to have printed in the RECORD at this point a memorandum to Gov. Howard Pyle, the deputy assistant to the President, from Percival F. Brundage, Director of the Bureau of the Budget, under date of May 11, 1956.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., May 11, 1956.

Memorandum for Gov. Howard Pyle.
Subject: III Pan-American games.

In my judgment, this is the kind of inter-American activity to which the President would wish to give as much support as is appropriate. Assuming that the supervisory committee is both reliable and representative and that adequate safeguards can be enacted in any legislation authorizing Federal participation, it would seem to me that a grant of money would be feasible and something which the Congress would probably enact quite promptly. The amount would, of course, have to depend upon total cost of the games, contributions of others, and policy decision as to whether any repayment should be sought from admission fees, and similar factors.

There is no indication in your memorandum or in the supporting material as to the extent of State Department consultation. That seems to me to be the first step needed in order to make sure that the foreign policy implications are put in proper focus. Once that is done, then it would seem to me wise for the Ohio delegation to prepare a bill which would spell out, either in its own terms or in a supporting statement to be put in the RECORD at the time of introduction of the legislation, the purposes for which the Federal money could be spent. Upon introduction of this bill, the Budget Bureau would then refer it to all interested agencies for comment, and an administration point of view could be developed.

PERCIVAL F. BRUNDAGE,
Director.

Mr. BENDER. Mr. President, secondly I ask unanimous consent to have printed in the RECORD another memorandum to Gov. Howard Pyle from Henry F. Holland, Assistant Secretary of State, written on June 19, 1956.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

JUNE 19, 1956.

Memorandum for Gov. Howard Pyle.
Subject: III Pan-American games, Cleveland, 1959.

As a result of the successful holding of pan-American games at Buenos Aires in 1951 and in Mexico City last year, this event has come to have a regional significance in this hemisphere comparable to the Olympic games, after which they are patterned. United States teams participated in both the 1951 and 1955 pan-American games, which proved to be effective means by which friendly relations among the peoples of this hemisphere could be better developed.

The holding of the pan-American games in Cleveland will provide our country with an opportunity to further promote this pan-American frendship through the effective media of amateur sportsmanship. On that occasion our hospitality, our facilities, and our treatment of the many visitors from abroad, both participants in the games and spectators, will be compared with that provided by Argentina and Mexico. It is important that this comparison not be to our discredit. Not only those foreigners coming to Cleveland, but the millions who will be informed of the games by press, radio, and television will be apprised of the importance and attention which our country gives to this event.

The Department of State has for a number of months been working with the Cleveland Pan-American Games Committee in connection with that part of the committee's planning in which the Department and the Foreign Service can be helpful. It is anticipated that the Department will continue providing appropriate assistance until after these games have been held in Cleveland in August 1959. The games can make a long-term contribution to our foreign policy objectives by creating a broader understanding of the United States, its people, its democratic way of life and our recognition of the importance of our good neighbors of this hemisphere. The undertaking merits appropriate support from the Federal Government.

HENRY F. HOLLAND,
Assistant Secretary.

Mr. BENDER. Mr. President, the holding of these games in the United States is very important. As Secretary Holland said:

The games can make a long-term contribution to our foreign policy objectives by creating a broader understanding of the United States, its people, its democratic way of life, and our recognition of the importance of our good neighbors of this hemisphere.

Mr. President, Ohioans are interested in this event coming to the United States in 1959, and I have just received telegrams from James A. Rhodes, coordinator between the Pan-American Sports Congress and the Cleveland committee; from Anthony Celebrezze, mayor of the city of Cleveland; and Curtis Lee Smith, president of the Cleveland Chamber of Commerce.

I ask unanimous consent that the telegrams be printed in the RECORD at this point.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

JULY 24, 1956.

Senator GEORGE BENDER,
Senate Office Building,
Washington, D. C.:

Cleveland has agreed to be the host city for the pan-American games in 1959. All plans are being made on a strictly nonpartisan basis with unified civic and organizational support. City council has authorized submission of a $1½ million bond issue, and has offered to provide all necessary land for construction of needed new facilities. Cuyahoga County has plans for $3 million road construction and development for access to pan-American sports center. Commerce and industry will provide its share of operating funds. This is a tremendous project and Cleveland will be the showcase for the United States and we vitally need the help of the Federal Government. The past year has been devoted to careful studies and thorough planning. The letting of contracts and construction work must start soon. Any delay in allocating the maximum amount of Federal support will jeopardize the games ever being held in the United States.

Hon. ANTHONY J. CELEBREZZE,
Mayor, City of Cleveland.

COLUMBUS, OHIO, *July 24, 1956.*

Hon. GEORGE BENDER,
Senate Office Building,
Washington, D. C.:

As coordinator between the Pan-American Sports Congress and the Cleveland Committee I strongly urge immediate definite and adequate support of the pan-American games to be held in Cleveland in 1959. The future peace, friendship and commerce between the United States and every other country in the Western Hemisphere hinges upon good relationship such as those developed in the games. We are dealing with sensitive people. We must extend a gracious and cordial welcome and it must be on a scale which will enhance the prestige of the United States throughout the Western Hemisphere. The pan-American games is a United States event with Cleveland as the host city. This is not a project for any one city and the huge essential constructions will be available for many years to come by colleges AAU, military branches and others for National, State, and sectional events. As one who attended the preceding pan-American games and has worked closely with the Pan-American Sports Congress I beseech you to urge our Government to immediately allocate $5 million in support of the 1959 pan-American games. I feel the games will be withdrawn from the United States if this is not done promptly. Regards.

JAMES A. RHODES.

CLEVELAND, OHIO, *July 24, 1956.*

Senator GEORGE BENDER,
Senate Office Building,
Washington, D. C.:

Our American way of life will be on display for the future civic, political and business leaders of the Western Hemisphere during the 1959 pan-American games to be held in Cleveland. In addition to the great facilities which we now have, there must be new constructions started by the fall of this year. Time is the most important factor next to adequate funds and we earnestly request that you make a strong presentation for full support by the Federal Government. The city of Cleveland, the county of Cuyahoga, and members of the Ohio Legislature have offered support and assistance. Commerce and industry will provide operational funds and meaningful contacts with Latin-American countries. We have a deadline of August 15 to satisfy the Pan-American Sports Congress as to the interest of the United States in wanting to be the host for this great hemispheric athletic competition and our financial ability to provide adequate facilities. Cleveland views the pan-American games as an opportunity to serve the Nation. We need the backing of the Federal Government.

CURTIS LEE SMITH.

Mr. BENDER. Mr. President, the Cleveland Pan-American Committee has prepared a tentative budget for the games, which I ask unanimous consent to have printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

III PAN-AMERICAN GAMES 1959

In planning for the pan-American games III to be held in Cleveland, August 1959, the

Cleveland Pan-American Games Corp. submits the following tentative budget:

Capital improvement expenditures:	
Capital improvement and athletic facilities	$7,455,000
Land	300,000
Highways and access means	1,500,000
Parking facilities for 8,000 automobiles	800,000
Operating expenditures:	
Feeding, housing, transportation, rentals, utilities, etc.	3,000,000
Total	13,055,000
It is proposed the money will come from:	
City of Cleveland bond issue	1,500,000
Land from the city of Cleveland	300,000
Highway bond issue, Cuyahoga County	1,500,000
Request from State of Ohio (January 1957)	2,000,000
Total	5,300,000
Requested from U. S. Congress	5,000,000
Total	10,300,000

The difference, an amount of nearly $3 million, to cover operating expenses to come from ticket sales, concessions, business contributions, etc.

Cleveland already has a stadium seating 82,000 people, a public auditorium seating 15,000, an arena seating 12,000, and other auditoriums seating 2,400 and 3,200. Therefore, Cleveland asks less than matching funds for the additional facilities required for this great international event.

Mr. BENDER. Mr. President, the local committee has already spent over $10,000 from its funds for advanced planning for this great event and I want to urge the Senate to authorize an appropriation of the entire $5 million rather than $10,000 for planning. The games are to be held 3 years from August and with so many athletic facilities to be built, it is very important that construction plans be prepared at once, so that new facilities may be started at the earliest possible time. Three years is a very short time to complete all of the arrangements necessary for a great pan-American games similar to the Olympic games.

The local committee of Cleveland has complied with all of the suggestions made by Government officials with regard to safe-guarding the funds provided by the Federal Government, and have set up a nonprofit corporation under the revised code of the State of Ohio to be known as the Cleveland Pan-American Games Foundation.

The incorporators are Mr. James A. Rhodes, auditor of the State of Ohio, who is also the coordinator between the Pan-American Sports Congress and the Cleveland committee; Mr. Curtis Lee Smith, president of the Cleveland Chamber of Commerce and director general of the Cleveland pan-American games; and Mr. Randall M. Ruhlman, secretary of the Cleveland Chamber of Commerce.

The purposes for which the Pan-American Games Foundation is formed are:

(a) To carry out the 1959 pan-American games in and about the city of Cleveland, in Cuyahoga County, in cooperation with and subject to the supervision of the Pan-American Sports Organization.

(b) In carrying out the 1959 pan-American games, (i) to strengthen and tighten the bonds of union and friendship among the peoples of the Americas, (ii) to work toward the furthering and development of the Olympic ideal in accordance with the rules of the International Olympic Committee, (iii) to cooperate with the international federations recognized by the International Olympic Committee and to assist in the development of their functions, and (iv) to enforce the rules of the International Olympic Committee for the 1959 pan-American games.

(c) To plan and provide for a cultural program on subjects of interest to peoples of the Americas, to be held in conjunction with the 1959 pan-American games.

(d) To plan and provide for a Congress of Medicine specializing in sports, to be held in conjunction with the 1959 pan-American games.

All properties and funds belonging to this corporation and the net earnings, if any, after the payment of debts, necessary expenses, and obligations shall be used exclusively for the purposes herein set forth, and no property or funds belonging to or under the control of this corporation and no part of the net earnings, if any, of this corporation shall be used for or inure to the benefit of any member of trustee of this corporation or of any private individual, except that reasonable compensation may be paid for services rendered in effecting one or more purposes of this corporation.

The proper arrangements in connection with the holding of these games is so important to the United States that I urge that you appropriate the full amount of the Federal Government's share of funds required to stage the pan-American games in 1959.

This will assure the program of construction moving forward without delay.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I now yield to my friend the Senator from Maryland.

Mr. BUTLER. Mr. President, I ask unanimous consent to introduce out of order a joint resolution.

The PRESIDING OFFICER. Is there objection?

Mr. DOUGLAS. Mr. President, I must object.

The PRESIDING OFFICER. Objection is heard.

FOUNDATIONS FOR FOREIGN POLICY

Mr. JOHNSON of Texas. I yield to the Senator from Tennessee.

Mr. KEFAUVER. Mr. President, now that we have about completed action on the mutual security bill of this year it is a good time to observe that the problems which we face in the field of foreign affairs are principally based on the fact that all men are not so fortunate as we in the ease with which they can attain the satisfaction of their physical and spiritual needs. These considerations should be an integral part of our planning for the future—and of emphasis—in working out our economic relationships with other nations.

Man cannot live by bread alone, but he needs bread.

On the physical side, universally man needs enough food for his body, shelter from the elements and a place to lay his head.

On the spiritual side, man needs security from danger, he craves self-respect, love and a sense of significance.

It is the great dream of those imaginative men who founded and developed our country that they found a political framework in which a man could have both a physical and mental existence which are satisfying.

It is this double set of social standards and achievements which are our real contribution to the history of the world. We have shown that a system can be made to work which brings both economic prosperity and happiness to all of our citizens.

Other systems of government may be able to feed and clothe men; but a sense of self-respect and significance are impossible within the confines of a dictatorial straitjacket.

Circumstances and history have been kind to us. We are blessed with a plenteous land, rich in food and natural beauty. We have a long and proud history of social developments which have given us our present happy state of domestic tranquillity.

In short, we have come as close as any group of human being to achieving a heaven on earth. All is not well, but the way is before us to unlimited achievements in terms of economic and human betterment.

But mark well, my fellow Senators, this dream brought to reality can die if we are not provident. For there are unresolved problems in the world which can bring our temple crashing about our ears and bring desolation to ourselves and our children.

What is the root of these problems, how did they arise, and what shall we do about it?

In my opinion, there are two prime roots from which man's present international political problems arise.

The first fact which underlies our foreign affairs problems is that the human race is highly fertile. We can and have increased in numbers almost boundlessly. Whether Indian, American or Soviet the human race is rapidly increasing in numbers. This is the first basic fact.

The second fact is that the means of food production is lagging behind the increase in population in many crucial areas of the world.

It is obvious that food and other products of the land are necessary to human life.

The trouble spots in the globe are those in which food production lags behind the needs of the growing population to consume.

Where there is this disbalance—hunger results.

Where human beings are hungry, unrest results.

Where there is unrest, political measures will be undertaken to alleviate the most pressing of human problems—hunger, fear of death, and the uncertainty which accompany them.

These are, I believe, the deceptively simple root-causes of our foreign policy problems—however much they may be beclouded by the daily maneuvers of our opponents. Without finding a solution to these basic human needs our foreign policy will be forever built on sand.

In order for the vast, uncommitted populations of the world to have a free choice of a governmental framework in which they can continue to develop a free society they must have the opportunity to develop these institutions untrammeled by hunger, fear, and uncertainty.

In the interests of our own survival we must face up to the fact that we cannot hold out indefinitely in a world pocked by starvation.

For, only 1 man in 8 in our world is presently free, politically and economically; and 8 to 1 are too great odds on which to gamble our futures.

We and our democratic allies constitute about 15 percent of the world's population. The peoples held in Communist subjection comprise another 25 to 30 percent. Our future will be determined by what the uncommitted half of the world does.

Whether these billions of people go communistic or democratic is to a large extent, in our hands.

We have the material means to solve these problems.

We have the intelligence to attack them successfully.

We have a solid foundation of moral and religious principles to guide us.

And our efforts on behalf of a solution to these pressing problems are in our own self interest and that of our children.

We are a land overflowing with the fruits of nature and human ingenuity.

As our present administration's desperate efforts to plow under the results of our agricultural productivity testify—our big problem domestically is how to use up what we can produce so easily.

Is this not a surprising paradox? A world in which there are starving people who would be our friends and a major campaign issue this year is a so-called agricultural surplus.

I ask you, where is the imagination needed to turn our present blessing into peace and plenty for the future.

In order to achieve stability and justice in our foreign affairs and to stop the Communist menace in our lifetime and that of our children we must rededicate ourselves in thought and action to a new program.

POINT 1. ECONOMIC REALITIES

We must recognize the fact again that the only healthy foundation for our foreign policy is a world in which hunger and hopelessness have been abolished.

We need a new emphasis on the economic rehabilitation of the underdeveloped areas of the world.

In order for the underprivileged nations to achieve this better life for their people, they need a greatly expanded program of economic assistance.

But unlike the present assistance program, this new aid must be designed to meet the real needs of the people involved.

Not 1 cent should be spent that does not move toward this goal.

If we cannot muster the courage to give enough to achieve our objectives we should not give anything. For less than enough is wasted.

Now what can be done? I call on the President to call for an economic conference of all nations needing long-range economic assistance. I believe our country should take the initiative in calling such a conference.

All nations who wish to contribute to the economic improvement of the world should also be invited, including the Russians.

This conference should have three goals:

First. The long-term needs for economic development of the underprivileged areas should be reviewed and listed.

Second. The definite means of filling these needs should be planned.

The administration of such assistance on a loan or gift basis should be negotiated through the United Nations.

Such a program should be underwritten by those nations who presently enjoy economic prosperity.

Since such a development program will be very expensive, the financial burden can be much relieved if the economic aid were geared to a real disarmament program.

As a start on such a program I would suggest the following:

The President should instruct our representatives to the disarmament conferences or in the United Nations to propose that Russia join us in an immediate and mutual reduction of armament expenditures by 15 percent.

Coupled with this proposal, and to be made a binding portion of the arms reduction agreement, would be the condition that one-third of the amount saved will then be put into a pool for economic aid to underdeveloped areas.

This joint point 4 program should be administered by the United Nations in such a manner that neither the Soviet Union nor the United States could individually claim the credit for its successes or be blamed for its failures.

In this manner, the Russians will be prevented from making the sort of inroads in the underdeveloped areas which their propaganda drive is now accomplishing in the Far and Near East.

And who knows perhaps a joint endeavor of this nature administered impartially by the United Nations and combining a reduction in the tools of war with an increase in the tools of economic self-sufficiency for a third of the world, might constitute our first real advance toward peace in 10 years.

In order to extend the greatest benefits of the program to the underdeveloped nations, the first act in its implementation should be the U. N. sponsored economic conference discussed earlier which would permit the underdeveloped nations to determine the most lasting long-term benefits from the sizable economic resources which the mutual cut in armament expenditures would provide.

If the Russians refuse to go along with these proposals, they will not only stand condemned in the eyes of the world as foes of arms reduction and peace—but more important, the peoples of the underdeveloped nations will see them stripped of their pretenses and exposed as aggressors who dangle offers of economic aid only for propaganda purposes.

If they are forced to go along with us, then they will help us to accomplish a task for which there is an urgent need in terms of humanity and which will serve our own democratic purposes by strengthening the defenses of the recipient nations against the economic chaos on which communism thrives.

POINT 2

Our foreign policy goals should be clearly expressed by our Government and its representatives. We must make it known what we desire and why.

We cannot continue to present patchwork diplomacy. The whims of Mr. Dulles cannot continue to disrupt our overall goals.

We must develop the highest type of foreign service—a foreign service whose officials are not afraid to tell us the truth.

We must use the best men and brains in our land to represent us abroad and to formulate policy at home.

We must stand more and more for something—we must cease reacting to every minor wiggle and twist of Russian policy.

POINT 3. MORAL LEADERSHIP

If we are to succeed in convincing our potential friends abroad of our real and human intentions, we must be completely consistent with our moral convictions in our dealings with them.

We should not ask for special favors because we offer them aid.

We should refuse to condone colonialism in any area of the world.

We must demonstrate at home and abroad our real respect for man regardless of race or national origin.

We must guide our actions by a belief in the universal brotherhood of man.

POINT 4. MILITARY VERSUS ECONOMIC ASSISTANCE

Our present policy is about 90 percent for military aid and 10 percent for economic aid.

Since our military assistance can never hold against the Communist advance if the people behind the guns are hungry or hopeless, we should put the first emphasis on economic aid.

We should spend at least as much for ploughshares and dams as we do for planes and tanks.

These, my friends, are the outlines of what our present foreign policy is and what, by contrast, I believe it should be.

The subjects I have discussed here are by no means a complete solution. The final victory of our cause of human dignity and well-being will require the same devotion and ingenuity which have brought us to our present state.

Mr. JOHNSON of Texas. I yield again to the Senator from Tennessee.

Mr. KEFAUVER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD, at this point, a statement dealing with a report on juvenile delinquency in the Territory of Alaska, which I shall endeavor to file tomorrow from the Subcommittee To Investigate Juvenile Delinquency of the Committee on the Judiciary.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

Mr. JOHNSON of Texas. Mr. President, what is tre request?

Mr. KEFAUVER. My request is to have printed in the RECORD a statement dealing with a report from a subcommittee, which I intend to file tomorrow.

The PRESIDING OFFICER. Is there objection?

There being none, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KEFAUVER, CHAIRMAN, SUBCOMMITTEE TO INVESTIGATE JUVENILE DELINQUENCY, ON SUBMISSION TO THE SENATE OF REPORT ON JUVENILE DELINQUENCY IN THE TERRITORY OF ALASKA

I wish to file with the Senate an interim report of the Subcommittee To Investigate Juvenile Delinquency, Committee on the Judiciary, dealing with juvenile delinquency in the Territory of Alaska. I ask that 3,000 copies be printed with illustrations for use of the Judiciary Committee and the Subcommittee To Investigate Juvenile Delinquency.

Mr. President, many of the problems that affect the Territory of Alaska come under the jurisdiction of the Congress of the United States. As you know, there is pending before the Congress of the United States legislation affecting the statehood of Alaska. Some of the witnesses who submitted statements to the subcommittee pointed out that statehood for Alaska would solve some of the problems that have an impact on juvenile delinquency.

In the committee print of this report the subcommittee recommended that a new mental health bill be enacted by the Congress of the United States to correct the defects of the existing laws. At the time this was written the mental health bill had no yet been approved by the Senate Committee but such a bill has not passed both Houses of Congress. I know that the people of Alaska will be grateful to the Congress of the United States for the passage of this measure.

The Honorable B. Frank Heintzleman, Governor of Alaska, in his message to the 22d session of the Alaska territorial legislature on January 26, 1955, stated:

"Alaskans have for some time been perturbed at the increase in juvenile delinquency. While it is not as great, perhaps, as the increases reported from some of the States, it is a matter for grave concern to all of us. * * * The study made by the legislative council should be of help to you and I recommend it to your special attention when you begin to consider amendments to the juvenile code and the possible establishment of temporary detention homes or other facilities for the care of juvenile delinquents."

The above quotation from the message of the Governor hits at the very core of the Alaskan juvenile delinquency problem. Other matters which were reported to the subcommittee were whether the juvenile code is an adequate code of law to administer law and order dealing with youth, and whether there were adequate services and facilities for youth in the field of health, welfare, education, recreation and law and order.

The statements that were submitted to the subcommittee, including the exhibits that are filed in the appendix, came from the leaders in Alaska in dealing with matters affecting youth. I would like to direct special attention to appendix No. 27 which is a field report, Alaska Department of Public Welfare, covering over 50 pages of a detailed report of conditions existing in the isolated towns and villages in Alaska and the Aleutian Islands, affecting both the native and nonnative populations.

From the facts related to the subcommittee the conclusion is inescapable that there has been notable increase in juvenile delinquency in Alaska in the past 5 years; and a serious lack of necessary facilities for the prevention, care, and treatment and rehabilitation of the juvenile delinquents in the Territory of Alaska must be noted. A boy or a girl who is committed as a juvenile delinquent must either be returned to his family, which in many cases is incapable of giving the boy or girl the proper guidance and home, or he must be sent to a correctional institution outside of the Territory of Alaska and in the mainland of the United States. This, of course, is against all accepted practices of rehabilitating a juvenile delinquent. The statements submitted to the subcommittee definitely show that the Territory of Alaska has done the best it possibly can within its financial means to meet many of the facilities and services that are needed to properly care for the peoples of Alaska, and especially the youth, in view of the doubling of Alaska's population since 1950.

There is a grave problem of proper services to the Aleuts, Eskimos, and Indians in the Territory of Alaska. Testimony shows that one worker in the outlying area acts as social worker, nurse, teacher, and provides any other possible service that might be needed by the residents. Because of the vastness of the area of Alaska, its topography, its climatic condition and its 34,000-mile shoreline, means of travel are costly and very difficult thereby making needed services harder to render. It appears to the subcommittee that the Federal Government must consider appropriate Federal aid to help the Territory of Alaska to render better facilities to its people. The subcommittee makes the following recommendations in its report, which we hope will be seriously considered by the Congress of the United States.

1. That the United States Interior Department of the Federal Government confer with the Territorial government of Alaska regarding a matching-fund program with the Territorial government of Alaska to construct detention home-correctional institution facilities in Alaska so that juvenile delinquents committed under law would not be required to leave the Territory and be confined in institutions in the United States mainland.

2. That a new mental health bill be enacted by the Congress of the United States to correct the defects in the existing laws.

3. That the Children's Bureau increase the allocation of funds to aid the Alaska Welfare Department's child welfare service program to meet the needs in the Alaskan Territory.

4. That a program for increasing the facilities for youth in every category be studied jointly by United States Government and the Territorial government of Alaska for a workable solution. It is apparent that the limited resources of the Alaskan people to pay for these services and facilities requires a measure of Federal support through Federal legislation and appropriation.

5. That the Alaskan Native Service of the Indian Affairs Bureau be given a larger appropriation to meet the needs of the native population of Alaska which have no health, welfare, and law-and-order service whatsoever in certain small villages.

6. That the cooperation between Federal, Territorial, and local agencies and church-service groups begun before and during the subcommittee's inquiry in Alaska in preparation for the hearings be continued as a means of an all-inclusive and more-informed program in combating juvenile delinquency.

These recommendations must be given serious consideration by the Congress of the United States and the respective agencies of Government dealing with the Territory of Alaska and her residents.

PASSAGE BY SENATE OF BILL AMENDING RAILROAD RETIREMENT ACT OF 1937, AND BILL EXTENDING PROGRAM OF FINANCIAL ASSISTANCE TO SCHOOLS IN AREAS AFFECTED BY FEDERAL ACTIVITIES

Mr. JOHNSON of Texas. Mr. President, I yield myself such time as I may need.

Mr. President, from among the large number of bills passed on yesterday by the Senate I think it is fitting to call attention particularly to two measures which reached the floor from the Committee on Labor and Public Welfare.

I refer to the bill amending the Railroad Retirement Act of 1937 and the bill extending the program of financial assistance to schools in areas affected by Federal activities.

I am among those who have been seriously concerned about the effect of rising living costs on retired railroad workers. I have many friends among these workers. They have told me convincingly how hard it is for them to get along on fixed incomes at a time when the prices of everything they buy keep going up.

The bill the Senate passed yesterday provides an increase in railroad retirement benefits of 10 percent. That is not enough, in my opinion. But it is better than nothing. It provides some measure of relief to these retired workers until a sound and equitable plan can be worked out to finance more adequate benefits.

We have met in part at least our responsibility to the many thousands of retired railroad workers and their dependents all over the country. I consider this an accomplishment in which we are justly entitled to feel some degree of pride.

That is true also of the bill extending the programs of financial assistance in the construction and operation of schools in areas affected by Federal activities.

The need for extending the public laws authorizing this program cannot be denied. Many, many schools throughout the country continue to face the problems involved in heavy increases in school attendance as a result of defense and other Federal activities.

Serious shortages of facilities are faced by innumerable school districts as new Federal installations are established and existing installations continue to expand.

It is the established policy of the Federal Government to aid in meeting this problem. It is the definite responsibility

of the Federal Government to help meet it.

The Senate did a good job in extending this program.

Mr. President, we had a productive day yesterday and passed a large number of important measures. These two bills I have singled out for particular mention represent a type of legislation with which I, as majority leader, am proud to be associated.

Mr. President, I yield 5 minutes to the Senator from Minnesota [Mr. HUMPHREY].

ADDING TO FARM COST PRICE SQUEEZE

Mr. HUMPHREY of Minnesota. Mr. President, it is with surprise and anxiety that I call attention of the Senate today to a recent press release issued by the Executive Office of the White House. This release, dated July 10, 1956, announces a date for hearings to be held on a petition concerning proposed restrictions on the importation of baler and binder twine for the use of the American farmer, commercial twine, and rope.

I am reasonably certain that few, if any, Members of Congress have been aware that the Executive Office of the White House has for some time been studying this petition. It was presented by the Cordage Institute of America and endeavors to establish that their industry is so adversely affected by the import of cordage products that it constitutes a threat to our national security. The Cordage Institute represents some of the industrial producers of twines and rope in America.

During the first session of this Congress, the Tariff Act of 1930 was amended to provide, among other things, that—

(b) In order to further the policy and purpose of this section, whenever the Director of the Office of Defense Mobilization has reason to believe that any article is being imported into the United States in such quantities as to threaten to impair the national security, he shall so advise the President, and if the President agrees that there is reason for such belief, the President shall cause an immediate investigation to be made to determine the facts. If, on the basis of such investigation, and the report to him of the findings and recommendations made in connection therewith, the President finds that the article is being imported into the United States in such quantities as to threaten to impair the national security, he shall take such action as he deems necessary to adjust the imports of such article to a level that will not threaten to impair the national security.

As you will recall, Mr. President, section 7 was put in the bill primarily to meet the growing concern of domestic producers of petroleum products. Certainly, so far as I am aware, it was never contemplated that this section was intended to cover material which the Congress has already determined to be so essential to the American farmer that it has placed it on the duty-free list.

My colleagues from agricultural areas are well aware of the important part that baler and binder twines play in the mechanical harvesting of American farm products. Without it our farmers would be dependent on hand methods of harvesting. The domestic production of this twine has never been sufficient to supply all of our needs in peace and certainly not in wartime.

When the same individuals who are today petitioning the White House for protection against imports operated under the benefit of a protective tariff which I presume they managed to have placed on baler twine by the Customs Service, the Congress in 1951 took specific action to remove the duty and thereby ensure the farmer a proper supply of baler and binder twine at reasonable prices. During the time the duty was on baler twine, Mr. President, you will recall that two things happened: First, domestic supply and imports did not keep pace with demand to the point where farmers could get an adequate supply of this vital material; and, Second, prices for the material advanced from approximately $10 per 40-pound bale in 1947 to $15 per bale in 1951. Price inflation in the Korean war period influenced prices in part of 1952, but since the removal of the duty prices have dropped as low as $8 per bale and the farmers have had all the twine needed.

When legislation was introduced to place baler twine on a duty free basis, extensive hearings were held by the House of Representatives and the Senate. By an overwhelming majority both Houses agreed that the farmer should have the benefit of an unrestricted flow of both baler and binder twine.

In spite of this congressional intent, we now find the administration proceeding under a law which was never designed for this purpose, to undo all the constructive action taken by Congress after such careful study.

The brief on this subject submitted by the Cordage Institute alleges that our national defense is being impaired by the imports of rope and twine. This is, of course, the only way this particular law could be invoked. Yet it would take an extremely careful reading of their brief to realize that it is the imports of farm twine which is causing the concern of the industry and not the rope for military use which is discussed so broadly and freely in the brief.

Mr. President, an analysis of the volume of rope imported into this country shows that it is only 8 percent of the domestic consumption. It is quite clear that this volume is too small to worry the producers of cordage products and their friends in the administration who are so interested in the big business of America. If their own figures can be accepted as accurate, it is clear that what they are primarily worried about is imports of baler and binder twines, which are approximately 50 percent of the domestic consumption. As further confirmation that this petition is aimed at the American farmer, their brief shows clearly that the industry now has more than enough production capacity to produce the rope that the Cordage Institute itself claims is required for national defense purposes. Therefore, there is no other conclusion to be drawn than that the national security aspect, which is the only reason that they can use this law, is literally nonexistent. It follows that the reason for this petition is to protect the profits of certain members of the Cordage Institute from the sale of farm twines.

It is a fact that approximately 80 percent of the baler and binder twines produced by all American companies is the product of two of the companies. These are the Plymouth Cordage Co. and the International Harvester Co. The production of the rest of the industry is minor by comparison. It is also interesting to note that International Harvester Co. has not associated itself with this brief, and therefore, under the guise of national security, we find the interests of the American farmer being seriously jeopardized primarily to protect the interest of the one company.

The only reason for my surprise at the action being taken by the administration in this matter is that the law under which they are proceeding, requires that the President of the United States, upon recommendation of the Director of Defense Mobilization, must determine that the facts warrant an investigation of a threat to the national security caused by imports. The fact that the Office of Defense Mobilization has now directed public hearings to be held indicates that the President has made this determination. Yet even the most cursory examination of this case would show it has no merit in fact, is primarily for the interest of only one company in America, and would not only seriously affect our American farmer, but would impair to a great degree some of our basic national security policies.

We have recently, after considerable debate, enacted a bill to give aid to those countries of the free world which are supporting us in our fight against communism. We have, over the years, poured billions of dollars into the NATO structure which is designed to make the free world into one team for defense. Furthermore, we have developed a concept that the North American Continent as a whole is our arsenal to protect democracy and the nations on that continent must work together both economically and militarily to defend the continent. The administration has publicly announced this policy where Canada is concerned and, as my colleagues know, this same approach is being made with regard to our sister republic to the south and to Cuba. If this petition is approved, the immediate effect would be to restrict, if not stop, the flow of baler and binder twine from Mexico, Canada, and Cuba.

If this procedure is established for any given product, not only does it negate our basic national defense policies, but opens the gateway for further restrictions on other products that are used by our American farmer.

Yet, in the petition's stated desire to improve national security they risk hurting it in another direction. Of the 21 cordage production facilities in America, only 13 facilities produce baler and binder twines, without which our farmers cannot operate. Of these 13 production facilities, 10 are located in the critical

target areas of America. Using the petitioners' own figures, there is already a deficit in production facilities in America, and the recent history of shortages during Korea and World War II bear this out. If an atomic attack is made on the critical target areas in which 10 of the domestic producers are located, we will be even more dependent on imports from our allies on this continent.

Yet, if this petition were allowed, it would undoubtedly restrict and deny to the United States facilities which during World War II and Korea were available to us and from which imports increased during our greatest time of need.

We, in the Congress, have seen many programs cloaked with the guise of national security and have learned in substantial part to separate the authentic cases from those stemming from purely selfish interest. This particular petition is one of the most flagrant misuses of the national security slogan that I have ever encountered.

I am quite accustomed to the lack of interest displayed by the administration in our farmers, but am amazed that this administration, careless and indifferent as it has been to the needs of the farmer, would encourage the weakening of security programs which they themselves have developed and espoused.

In summation, Mr. President, I urge my colleagues to join with me in calling the attention of the White House to this further threat to our farmers and other established security programs. It would be my hope that the facts, once understood, would require that the hearings not even be held.

If, on the other hand, they are so deeply committed to their industrial interests that the hearings must be held, that the Executive Office recognize that the approval of this petition would result: First, in time of peace a lessening supply of baler and binder twines for our farmers; second, a substantial increase in the cost of the twines they can get; third, a greatly reduced and hopelessly inadequate mobilization base; fourth, an abrogation of the announced security policies where Canada is concerned which have stated that our economic and our defense plans must be coordinated for the common good and that barriers impeding the smooth flow of materials between the nations must be removed; fifth, our endeavors to establish a similar type of working arrangement with the Republic of Mexico, as well as Cuba, will be impeded; and sixth, that these unfortunate results would be brought about primarily for the purpose of increasing the profits of 1 or 2 of our domestic producers of cordage.

If, in spite of these factors, the White House approves a petition of this type, then, Mr. President, I would ask my colleagues to join with me in seeing that this situation is corrected at the earliest possible moment.

MUTUAL SECURITY APPROPRIATIONS, 1957

The Senate resumed the consideration of the bill (H. R. 12130) making appropriations for mutual security for the fiscal year ending June 30, 1957, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, how much time remains on each side?

The PRESIDING OFFICER. The proponents have 43 minutes remaining, and the opponents have 5 minutes remaining.

Mr. JOHNSON of Texas. Mr. President, I am prepared to yield back my remaining time, with the understanding that the proponents do likewise.

Mr. KNOWLAND. Mr. President, we are prepared to yield back the time remaining to us.

The PRESIDING OFFICER. All time for debate has been yielded back.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Goldwater	Martin, Pa.
Allott	Gore	McCarthy
Anderson	Green	McClellan
Barrett	Hayden	McNamara
Beall	Hennings	Millikin
Bender	Hickenlooper	Monroney
Bennett	Hill	Mundt
Bible	Holland	Murray
Bricker	Hruska	Neely
Bridges	Humphrey, Minn.	Neuberger
Bush	Humphreys, Ky.	O'Mahoney
Butler	Ives	Pastore
Byrd	Jackson	Payne
Capehart	Jenner	Purtell
Carlson	Johnson, Tex.	Robertson
Case, N. J.	Johnston, S. C.	Russell
Case, S. Dak.	Kefauver	Saltonstall
Clements	Kennedy	Schoeppel
Cotton	Kerr	Scott
Curtis	Knowland	Smith, Maine
Dirksen	Kuchel	Smith, N. J.
Douglas	Laird	Sparkman
Duff	Langer	Stennis
Dworshak	Lehman	Symington
Eastland	Long	Thye
Ellender	Magnuson	Watkins
Ervin	Malone	Wiley
Flanders	Mansfield	Williams
Frear	Martin, Iowa	Wofford
Fulbright		Young
George		

The PRESIDING OFFICER. A quorum is present.

Mr. McCARTHY. Mr. President, I suppose this might be called a point of personal privilege. I should like to speak for about half a minute.

This afternoon I may have done an injustice to some Senators when I said there was no evidence whatsoever that President Eisenhower had asked for a continuation of aid to Yugoslavia. I shall not do other than to ask unanimous consent to have printed at this point in the RECORD an article entitled "Tito Aid Cutoff Hit in Letter by Eisenhower," published in today's Washington Evening Star, and which came to my attention about 10 minutes ago. It indicates that the President personally favors aid to a Communist country. I believe that fact speaks for itself. I believe that the further fact that certain Senators favor aid to a Communist country on the grounds that the President favors aid to a Communist country also speaks for itself.

The PRESIDING OFFICER. Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TITO AID CUTOFF HIT IN LETTER BY EISENHOWER—APPEALS TO GEORGE AS GOP SENATORS TRY TO IMPOSE BAN

(By J. A. O'Leary)

President Eisenhower said today he would deplore any abrupt mandatory cutoff of military aid to Yugoslavia.

His views were contained in a letter Chairman GEORGE, of the Foreign Relations Committee read to the Senate in opposition to the move by two top Republican Senators to ban any more military equipment for President Tito.

The amendment was offered by Senate Republican Leader KNOWLAND and by Chairman BRIDGES of the Senate Republican policy committee. Senator MARGARET SMITH, of Maine, joined as a cosponsor.

Senator DIRKSEN, Republican, of Illinois, said adoption of the amendment would be construed abroad as a vote of no confidence in President Eisenhower. He said it would have this effect because Congress only a few weeks ago gave Mr. Eisenhower discretionary power to decide within 90 days whether aid should be continued or cut off.

PRESIDENT INTENDS REVIEW

The President told Senator GEORGE in today's letter that under the discretion given him in that law he intends carefully to review the situation in the light of recent developments, "and I cannot now predict what cause will best serve the national interests."

"But so many complicated and fluid elements are involved and the relationship of this situation to our hopes for satellite independence are such that I would deplore any abrupt mandatory cutoff involving the military aspects of our Yugoslav relationships," the President added.

Senator KNOWLAND left the front row desk he occupies as Republican leader and went to the back of the Chamber to argue for the ban to make it clear he was acting in his individual capacity.

JOHNSON SEES VICTORY

Senator SALTONSTALL, Republican, of Massachusetts, announced he would make a point of order against the amendment as legislation of an appropriation bill. This may bring the test vote on an appeal from the decision of the Chair.

Senate Democratic leader, LYNDON JOHNSON of Texas, predicted the ban on shipments to Yugoslavia would win before final passage of the bill.

Earlier today the Senate completed action on the figures which make up the $4.1 billion total in the bill. In a separate vote it refused to cut $126 million from the economic aid figures.

Mr. JOHNSTON of South Carolina subsequently said: Mr. President, I send to the desk a brief statement on the mutual security bill, and ask that it be printed in the RECORD immediately preceding the passage of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I believe the debate that resulted from the offering of these amendments will well serve the American people. I was most pleased to see Members of the Senate, normally not opposed to foreign aid, tightening up in their policy and speaking out against aid to Tito. As far as I am concerned, in sending Tito anything, we are furthering his international blackmail game. He will milk our cow until it goes dry and he will milk the Russian cow until it goes dry.

The same is the case for most of the other countries we are aiding. They are just milking a cow that they will lead to the slaughterhouse when it goes dry.

Those who want to keep on giving away all these billions to foreign governments should stop and think of what a ridiculous situation they are creating.

As my able colleagues have pointed out, you urge we give billions to the Titos of the world but not one cent more for poor old grandma. We're willing to make highways out of camel trails in Africa for free, but if we want to put a road from Washington to South Carolina to save lives of American taxpayers, you make them pay through the nose right on the spot.

We want to send medicine and equipment all over the world for doctors, but when it comes to a new hospital or a little medicine for the poor at home we cannot afford it. It is humanitarianism abroad but socialized medicine at home.

We throw away billions to build airports for foreign governments, but we quibble over the high costs of setting up an air traffic system at home while hundreds of Americans continue to die in unnecessary air tragedies.

We spend millions rebuilding the war-damaged buildings of former enemy countries while our Capital City lies squallering in slums and rotting temporary Government buildings that are so inadequate that we must send American Government workers home for fear of their lives when the weather becomes extreme.

While some yell socialism and waste at attempts to increase welfare programs for our aged and needy, they turn right around and vote to squander billions abroad under the name of mutual security.

There is nothing mutual about such a program. It is security for foreign governments and financial burdening for our people at home.

My people in South Carolina are struggling under a sales tax law, as are other States, to build their school system up. They labor under gasoline taxes to keep their highways among the best in the Nation.

They pay their other taxes for other State and Federal Government responsibilities and services. But I think it is going beyond the duty of a citizen to require him to continue to pay taxes that result him nothing and provide for foreign governments and people things his own Government will not furnish him.

We are reaching a sorry state of affairs when the American Government cannot afford to maintain national shrines marking the birthplace of our Nation, but can pour billions into foreign countries for tomfoolery.

Mr. JOHNSTON of South Carolina. In my own State of South Carolina they have practically abandoned Fort Moultrie and famed Castle Pinckney for purposes of economy. But they do not hesitate to construct a highway through the heart of Africa that was never used and which the jungle swallowed up in short time. I do not have the record on this before me, but I believe a good many of my colleagues remember the report printed in the CONGRESSIONAL RECORD a few years ago which brought to our attention this and many other wasteful features of our giveaway projects.

Some in the Senate are apparently unaware of the resentment that is sweeping America against continuing aid to countries that are neither here nor there with us, such as Yugoslavia. I fear you will become more aware, however, when you return home to the poor farmers which the administration cannot afford to help and the needy people some voted we could not afford to help, and the old folks whom the administration said we could not afford to help. You will find out.

I speak not without fair knowledge of the situation. I also speak as one who consistently has opposed this sort of thing and as one who sincerely grieves for those who are paying and must pay for these economic sins that are being committed here in Congress.

The PRESIDING OFFICER. The bill having been read the third time, the question is: Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Oregon [Mr. MORSE], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

On this vote the Senator from Texas [Mr. DANIEL] is paired with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Texas would vote "nay" and the Senator from Florida would vote "yea."

I further announce that, if present and voting, the Senator from Oregon [Mr. MORSE] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The Senator from Idaho [Mr. WELKER] is necessarily absent, and if present, would vote "nay."

The result was announced—yeas 60, nays 30, as follows:

YEAS—60

Aiken	Hayden	Martin, Pa.
Allott	Hennings	McNamara
Anderson	Hickenlooper	Millikin
Beall	Hill	Monroney
Bender	Holland	Mundt
Bennett	Humphrey, Minn.	Murray
Bridges	Humphreys, Ky.	Neely
Bush	Ives	Neuberger
Butler	Jackson	Pastore
Carlson	Johnson, Tex.	Payne
Case, N. J.	Kefauver	Purtell
Clements	Kennedy	Saltonstall
Cotton	Knowland	Scott
Dirksen	Kuchel	Smith, Maine
Douglas	Laird	Smith, N. J.
Duff	Lehman	Sparkman
Flanders	Magnuson	Symington
Fulbright	Mansfield	Thye
George	Martin, Iowa	Watkins
Gore		Wiley
Green		

NAYS—30

Barrett	Ervin	McCarthy
Bible	Frear	McClellan
Bricker	Goldwater	O'Mahoney
Byrd	Hruska	Robertson
Capehart	Jenner	Russell
Case, S. Dak.	Johnston, S. C.	Schoeppel
Curtis	Kerr	Stennis
Dworshak	Langer	Williams
Eastland	Long	Wofford
Ellender	Malone	Young

NOT VOTING—6

Chavez	Morse	Smathers
Daniel	Potter	Welker

So the bill (H. R. 12130) was passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. KNOWLAND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HAYDEN. I move that the Senate insist on its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HAYDEN, Mr. RUSSELL, Mr. CHAVEZ, Mr. ELLENDER, Mr. HILL, Mr. BRIDGES, Mr. SALTONSTALL, Mr. KNOWLAND, and Mr. DIRKSEN conferees on the part of the Senate.

Mr. HAYDEN. Mr. President, I ask unanimous consent that the bill be printed, with Senate amendments numbered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD subsequently said: Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement prepared by me, explaining the reasons why I voted against the foreign aid bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BYRD

As in the past, I shall always vote for the relief of people in need of food and shelter.

Since the hunger and housing emergency following World War II ceased to exist, I have advocated first tapering off and then stopping completely the so-called economic aid.

At the inception of NATO I favored appropriations for military assistance in the belief that in good faith other nations would meet their obligations to this international organization for their own defense.

As a member of the Senate Armed Services and Finance Committees I have observed our own administration of foreign aid programs abroad and I have noted reactions to them by other countries. I have talked to our military commanders overseas and to our ambassadors in Europe and the Near East. I have listened to testimony before Senate committees; I have been briefed in the Pentagon, and I have participated in White House conferences on foreign aid.

A great many aspects of foreign aid programs have influenced my votes on this bill. For this reason I shall confine my remarks to documented foreign aid vital statistics which in themselves justify the obvious lack of faith in the programs at home and their apparent ineffectiveness abroad.

There is nothing more numerous in the way of Federal figures than figures on foreign aid. Others may use foreign aid figures from the sources they choose. But I shall limit mine to those available from the President's budget document, and the official reports of the United States Treasury.

Assuming the President's budget request for fiscal year 1957, $72.5 billion would have been made available for foreign aid since the end of World War II, including $66.4 billion in direct appropriations, etc., and $6.1 billion transferred from old lend-lease funds to start the programs in 1946.

Assuming the President's budget estimate of expenditures in fiscal year 1957, total foreign aid expenditures since the end of World War II would amount to $60.8 billion.

Assuming the President's estimate of unexpended balances at the end of fiscal year 1957, cumulated unspent appropriations would total $9.7 billion after deducting annual appropriation lapses to that date.

Postwar foreign assistance, 1946–57: Summary of availability of funds, expenditures, and unexpended balances by categories, showing military assistance and economic and technical assistance appropriations and expenditures

[In billions of dollars]

	Military		Economic		Total		
	Appropriations	Expenditures	Appropriations	Expenditures [1]	Appropriations	Expenditures	Unexpended balances [2]
1946:							
Prior year funds available			[3] (6.1)		[3] (6.1)		
Current appropriations		3.0	1.7	1.4	1.7	4.4	4.4
1947	0.1	.3	9.2	8.4	9.3	8.7	3.7
1948	.3	.2	4.9	4.4	5.2	4.6	4.2
1949	.2	.3	6.7	5.7	6.9	6.0	4.9
1950	.9	.1	4.9	4.4	5.8	4.6	6.0
1951	5.7	1.0	2.9	3.4	8.6	4.4	10.1
1952	5.8	2.4	1.8	2.6	7.6	5.0	12.6
1953	4.2	3.9	1.8	1.9	6.0	5.8	12.8
Total, 1946–53:							
Appropriations	17.2		33.9		51.1		
Availability		11.2	[3] (40.0)	32.2	[3] (57.2)	43.4	12.8
1954	3.2	3.6	1.6	1.4	4.8	5.0	12.7
1955	1.2	2.2	1.6	2.0	2.8	4.2	10.4
1956 (estimated)	1.0	2.2	1.8	1.8	2.8	3.9	9.1
1957 (estimated)	3.0	2.5	1.9	1.8	4.9	4.3	9.7
Total, 1946–57:							
Appropriations	25.6		40.8		66.4		
Availability		21.7	[3] (46.9)	39.1	[3] (72.5)	60.8	9.7

[1] Includes program expenditures against which authorizations are not shown, for example, Export-Import Bank.
[2] Includes $2.5 billion in authority to borrow from Treasury unused to date by the International Bank.
[3] Availability figures include balances of prior year lend-lease funds continued available in 1946 for purposes of postwar foreign assistance.

Seventy-two and one-half billion dollars would be nearly three times the total expenditures for all Federal purposes by the United States Government from its beginning to World War I.

The one sure thing that can be said about foreign aid programs since World War II is that they have been incapable of audit. A clear indication of the confusion and lack of direction in these programs lies in the fact that in the 11 years they have been going at least 8 major agencies have been charged with foreign aid administration.

These include: (1) UNRRA, (2) Economic Cooperation Administration, (3) Mutual Security Agency, (4) Foreign Operations Administration, (5) International Cooperation Administration, (6) Institute of Inter-American Affairs, (7) Technical Cooperation Administration, and (8) Department of Defense which assumed responsibility for military aspects of foreign aid last June.

1955: International Cooperation Administration, established June 1955, assumed responsibility for economic and technical aspects of foreign assistance program. Organizationally, it is under the Department of State, but has semi-autonomous status.

Department of Defense assumed responsibility for military aspects of foreign assistance program, as of June 1955.

1953–55: Foreign Operations Administration, established August 1953, combined the functions of the Office of the Director of Mutual Security, the Mutual Security Agency, the Technical Cooperation Administration, the Institute of Inter-American Affairs and a few smaller foreign-aid agencies and assumed responsibility for a unified foreign assistance program including military, economic and technical.

1951–53: Mutual Security Agency and the Office of the Director for Mutual Security, established by Mutual Security Act of 1951 (December 30), assumed functions of Economic Cooperation Administration along with the military aspects of foreign assistance enacted in the Mutual Security Act.

Technical Cooperation Administration, Department of State, administered point 4 program, established in 1950. Transferred to FOA in 1953.

Institute of Inter-American Affairs, Department of State, administered functions of program promotion inter-American cultural and commercial relations. Transferred to FOA in 1953.

1948–51: Economic Cooperation Administration, established by Economic Cooperation Act of 1948, assumed administration of the Marshall plan or the European recovery plan. Abolished 1953, and economic functions transferred to Mutual Security Agency.

The Comptroller General of the United States, testifying before the Senate Foreign Relations Committee, May 21, 1956 (p. 768 of hearings) said:

"It should be borne in mind that the nonmilitary assistance program has experienced significant changes over the past several years in the character of its activities and in the organizational structure of its administration.

"The effect of these changes was to create successive conditions of transition which hampered development of a stable fiscal system."

Confusion, lack of direction and fiscal irresponsibility have not been confined to the top agency. They have been continuing characteristics of the system and all of its component programs, top to bottom, and beginning to end.

To start with, most foreign aid appropriations are made to the President. The President passes the money to the major foreign aid agency. The foreign aid agency transfers the funds again to some other agency or agencies who may spend the money or pass it on elsewhere. In some cases, for all intents and purposes, it has been spent by foreign governments after necessary devices were established to bypass constitutional prohibitions.

I personally came into contact with one instance where money appropriated to the President was transferred first to the foreign aid agency, and then to the State Department. The State Department used the money to pay personnel still on the Housing and Home Finance Agency payroll who actually were working overseas under direction of a foreign government.

My sympathy goes out to the Comptroller General in his efforts to trace and audit such transactions.

At present foreign aid money for economic programs, largely appropriated to the President, has been transferred through the foreign aid agency to at least 13 agencies for actual expenditure. Among others I call particular attention to the fact that foreign aid money is being spent by the Tennessee Valley Authority. Other agencies which, according to the President's budget document, are now feeding at the foreign economic aid trough include:

(1) Department of Agriculture, (2) Corps of Army Engineers, (3) International Cooperation Administration, (4) Department of Commerce, (5) Federal Communications Commission, (6) General Services Administration, (7) Department of Health, Education, and Welfare, (8) Housing and Home Finance Agency, (9) Department of the Interior, (10) Department of Labor, (11) Department of State, and (12) Export-Import Bank of Washington.

Prior to June 1955, a year ago, financing military assistance was an involved hodgepodge, too complex and inefficient for detailed description here. Instead of attempting such a description myself, I shall simply quote directly from the Comptroller General of the United States when he testified on this bill before the Senate Foreign Relations Committee, May 21, 1956 (p. 772 of hearings).

Referring to a General Accounting Office report on foreign assistance programs, submitted April 24, 1953, the Comptroller General said disclosures by Federal auditors at that time revealed "that policies and practices in effect were so irregular that the amount of obligations reported to Congress were overstated, distorted, and misleading to such an extent that the figures could not have been relied on to serve their intended purposes."

In other words, justifications presented to Congress for military assistance appropriations for fiscal years through 1954 were worthless—they were overstated, distorted, and misleading according to the Government's Comptroller General and principal independent auditor.

Mr. W. J. McNeil, Assistant Secretary of Defense (Comptroller), described the situation to the Foreign Relations Committee on May 22, 1956, (p. 873 of the hearings) as "nothing but a mess."

Since that time, Congress by riders on appropriation bills has tried to legislate fiscal responsibilities into the program. To demonstrate how much has been accomplished, I assert without fear of successful contradiction that no one in all the Federal Government of the United States can say now how much foreign military assistance money is under firm contract obligation and for what purposes.

At the moment, foreign military assistance money is flowing out in scores of programs and projects which may be summarized into the following major categories: (1) Supply of materials common to United States requirements, (2) offshore procurement, (3) Navy ship-building in the United States, (4) training of military personnel of allied nations, (5) mutual weapons development, (6) surplus agricultural commodities, (7) loans, (8) contributions to construction of facilities in other countries, (9) contributions to NATO military headquarters.

All together some $60 billion have been poured out through more than 40 principal foreign-aid programs—economic, technical and military. Among these have been:

1. Defense support: Used to bolster local economies of numerous nations in order to support their own military forces.

2. Development assistance: Used with technical cooperation projects in the form of supplies, commodities and funds.

3. Technical cooperation: Used to provide aid through programs of teaching, training and exchange of technical information.

4. Special assistance-joint control areas in Europe: Used for reconstruction projects in Berlin and technical exchange projects in Germany and Austria.

5. European migration: Used to make United States contributions for the movement of surplus populations from Western Europe.

6. U. N. refugee fund: Used to deal with the refugee problem in Western Europe.

7. Escapee program: Used to provide care for refugees from behind the Iron Curtain.

8. U. N. children's fund: Used to make United States contributions to the U. N. program for children's health and welfare.

9. U. N. relief and works agency: Used for contributions to refugees from Palestine.

10. Ocean freight charges: Used to pay freight on relief supplies donated by private individuals.

11. Ocean freight-surplus agricultural commodities: Used to pay transportation costs on commodities shipped under disaster provisions of the Agriculture Trade Development and Assistance Act of 1954.

12. President's fund for Asian economic development: Used to finance projects to benefit Asian countries.

13. Basic materials development: Used to increase production of basic materials in friendly countries.

14. Contributions to NATO: Used to finance United States share of the cost of the international staff serving the NATO Council.

15. Contributions to U. N. Korean Reconstruction Agency: Used to make contributions to assist in Korean reconstruction.

16. Korean program: Used to stabilize and rehabilitate the Korean economy.

17. Mutual defense financing, economic and technical assistance, Europe, program.

18. Defense financing, economic and technival assistance, Formosa, Cambodia, Laos and Vietnam program.

19. Mutual defense financing in France program.

20. Mutual defense financing in the United Kingdom program.

21. The production for forces support program (it is not clear, but this appears to be money for aircraft procurement in the United Kingdom).

22. The special economic assistance, India and Pakistan, program.

23. The India emergency food aid program.

24. The special economic assistance, American Republics, program.

25. The investment guaranty program: Used to provide protection for United States investors abroad against risks of inconvertibility and expropriation.

26. The UNRRA program.

27. The assistance to Greece and Turkey program.

28. The Yugoslav emergency relief program.

29. The Philippine War Damage and rehabilitation program.

30. The Displaced Persons Commission program.

31. The Institute of Inter-American Affairs program.

32. The Inter-American Highway program.

33. The Export-Import Bank loan program.

34. The RFC loan program.

35. The contributions to the International Monetary Fund.

36. The contributions to the International Bank.

37. The contributions to the International Finance Corporation.

38. The assistance to Spain program.

39. The exchange student program.

40. The relief and resettlement of refugees entering Israel program: Used to provide consumer goods and for purchasing equipment to implement long-term development projects.

41. The European Payments Union capital fund program: Used to bring into balance trade payments of European nations.

These are some, but by no means all, of the foreign-aid programs. Many are omitted; for example, all of the numerous programs which may be classified under the heading Government and Relief in Occupied Areas, are omitted. The $3.5 billion British loan is omitted, etc.

Of all the money spent by the Federal Government of the United States, including that which went to the worst of the WPA depression programs, probably none has been characterized by the fiscal irresponsibility which has attended expenditures through these foreign-aid programs. In the name of security, too many of them have by-passed the primary requirements for disclosure. By the nature of many of the programs they have been incapable of audit. Many of them have been accompanied by constitutional evasion. Practically every known device of making money available has been employed, such as direct use of the Federal debt, questionable use of foreign currencies, unorthodox obligations, financing employment and projects of foreign governments, etc.

An outstanding example of unorthodox financing is found in the British loan itself, for which there has never been an appropriation for that $3.5 billion which was charged directly into the Federal debt of the United States.

Even at present there is a great demand by the administration for the Congress to make foreign-aid appropriations available for more than 1 year. Actually, by use of the so-called "reservations" device now employed, appropriations made a year ago are actually available for expenditure until 1958.

In this connection I quote from the Comptroller General of the United States in his testimony before the Foreign Relations Committee, May 21, 1956 (p. 770 of the hearings), when he said the General Accounting Office had found numerous projects for which funds were obligated had been curtailed or canceled and funds used to finance other projects.

For years we tried unsuccessfully to find out what an agency meant when it said its funds were "obligated." Actually, in the case of foreign aid we learned that in some cases they classified funds as obligated when a project was in the dreaming stage. Effort has been made in the last 2 years to define "obligation." But whether this definition is now applicable in foreign-aid programs is extremely doubtful. For instance:

Under present procedure, foreign military assistance money is appropriated to the President. He in turn transfers it to the military defense assistance program. In the case of procurement of items which may be used by either our own military forces or those of foreign governments in NATO, MDAP places an order with the appropriate United States military department—Army, Navy, or Air Force—and then marks the money "reserved." The United States military agency involved at the same time purchases items for itself and perhaps some which may be used by NATO. At this point direct appropriations to the military department are being used to finance the order. Theoretically, at some future time when delivery is made, the military department will deliver the MDAP order to NATO and draw down out of the reserve account the actual cost of the items delivered to NATO.

This might not be so bad if it actually worked in accord with the theory. But cases have been found where used or obsolescent equipment has been shipped to NATO in lieu of the new materiel which was ordered. How much the military department drew down out of the "reserved" account probably will never be known. It may have been the price of new equipment. It may have been the purchase price of the old equipment. It may have been the cost of reconditioning the old equipment. It may have been pure fiction.

The question remains as to whether the billions of dollars now in this reserved account are obligated or unobligated. The answer obviously lies in what is to be proved at the moment. But the fact remains that in effect the reserved money invariably is treated as obligated for purposes of continuing its availability for expenditure in more than 1 year. On the other hand the budget document treats these funds as if they were obligated simultaneously with expenditure.

This is the kind of fiscal confusion and irresponsibility which at this moment, in this debate, is still puzzling both the Congress and the public.

I seriously raise the question as to whether the purposes of foreign assistance for the protection of ourselves and our allies is being defeated by our own recklessness with orderly and orthodox fiscal procedures which has been built into these programs.

I seriously doubt, in view of the recent Tito example, whether the kind of security we have purchased is worth the undermining of sound fiscal procedure, full disclosure, and proper audit in which we have indulged.

To this point I have confined my statements to the fiscal aspects of foreign aid programs.

The President of the United States has estimated that foreign-aid programs will start the new fiscal year on the first of July with $6.6 billion remaining as unspent balances in prior appropriations.

In addition to this $6.6 billion available in old appropriations, the President requested $4.9 billion in new appropriations at this time. If his request should be granted in full the total amount available for expenditure in the coming year would be approximately $11.5 billion.

At the same time the President in his budget document estimated that foreign aid expenditures in the coming year would be $4.3 billion. Frankly, I believe the expenditure estimate is high. But if we take it at face value it would mean that unexpended balances at the end of the year would total $7.3 billion.

So we have a situation where, in effect, the President is requesting an increase in unspent balances in appropriations from $6.6 billion at the beginning of the new fiscal year on July 1 to $7.3 billion at the end of the fiscal year on June 30 a year from now.

I have neither seen nor heard any justification for increasing unexpended balances for foreign aid by more than 10 percent. Actually, these balances should be curtailed sharply, and the whole program and its relationship with all other elements of our foreign policy should be realistically revised with its practical effects on American labor, American industry, and American taxpayers foremost in view.

For these I am voting against the appropriations for foreign aid.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 8905. An act to amend section 4141 of the Internal Revenue Code of 1954 for the purpose of repealing the manufacturers excise tax on children's phonograph records retailing for 25 cents or less;

H. R. 10957. An act to provide for the free entry of certain stained glass or prefabricated panels of stained glass imported for use in the construction of a new sanctuary and auxiliary buildings for the First Presbyterian Church of Stamford, Conn.;

H. R. 11035. An act to provide for the duty-free entry of mosaics designed for the use of any corporation or association organized and operated exclusively for religious purposes;

H. R. 11747. An act to amend section 223 of the Revenue Act of 1950 so that it will apply to taxable years ending in 1954 to which the Internal Revenue Code of 1939 applies;

H. R. 11834. An act to allow a charitable deduction for certain bequests; and

H. R. 12152. An act to amend the Internal Revenue Code of 1954 to provide for the allowance, as deductions, of contributions to medical research organizations.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on Finance:

H. R. 8905. An act to amend section 4141 of the Internal Revenue Code of 1954 for the purpose of repealing the manufacturers excise tax on children's phonograph records retailing for 25 cents or less;

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SAFEGUARDS AGAINST MERGERS AND CONSOLIDATION OF BANKS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2623, Senate bill 3911.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3911) to amend the Federal Deposit Insurance Act to provide safeguards against mergers and consolidation of banks which might lessen competition unduly or tend unduly to create a monopoly in the field of banking.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

REDUCTION OF MOVING-PICTURE TAXES

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Virginia.

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate Finance Committee may, before midnight tonight, report a bill reducing the tax on moving pictures.

The PRESIDING OFFICER. Is there objection?

Mr. DOUGLAS. Mr. President, should not the bill have been reported during the morning hour? Is it not normally done that way?

The PRESIDING OFFICER. The Chair cannot pass on that question.

Mr. BYRD. Mr. President, this is a bill sought to be reported by the Finance Committee, and the meeting was held at 5 o'clock this afternoon. The bill has to do with reducing certain taxes on moving pictures.

Mr. DOUGLAS. May I ask the Senator from Virginia if the Committee on Finance did not meet during the session of the Senate without the permission of the Senate?

Mr. BYRD. The members of the committee met in a conference. They again met at 5 o'clock, when the Senate recessed, and formal action was taken at that time in reporting the bill by a majority of the committee, a quorum being present.

Mr. DOUGLAS. May I ask my good friend from Virginia if the real discussion did not take place while the Senate was in session and when permission had not been given? If so, I must object to the reporting of the bill.

Mr. BYRD. I would be very much surprised if the Senator from Illinois thinks Senators cannot discuss matters with each other. The committee is always discussing such questions. Final action was taken while the Senate was in recess, when a quorum was present, and by unanimous vote. One of the few members of the committee who was not present was the Senator from Illinois.

Mr. DOUGLAS. I did not wish to impart any gloss to something that was illegal.

Mr. JOHNSON of Texas. Mr. President, there are thousands of little theaters all over the country. The bill will mean a great deal of relief for them. I hope the Senator from Illinois will permit the Senator from Virginia to file the report. The committee met while the Senate was in recess. Every State in the Union has hundreds of little theaters which would be helped by the relief afforded by the bill. We frequently file reports until midnight. Permission was received to file a report on the appropriation bill. I know the Senator would not want to deprive the Senate of the opportunity of considering legislation which is designed to bring relief to so many people.

Mr. DOUGLAS. The difficulty could be avoided if, instead of recessing tonight, the Senate would adjourn, so we could have a morning hour, when this matter could be considered. So I hope the Senator from Texas will cooperate with the Senator from Virginia. In fact, I shall move that the Senate adjourn, to reconvene in 5 minutes, so we can consider the matter.

Mr. President, I now so move that the Senate adjourn, to reconvene in 5 minutes.

The PRESIDING OFFICER. There is already a unanimous-consent agreement that when the Senate completes its business today it recess until tomorrow at 10:30 a. m.

Mr. JOHNSON of Texas. Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, I should like to see how many Members wish to have the Senator from Illinois [Mr. DOUGLAS] continue the course he has followed today. Therefore, I ask unanimous consent that, notwithstanding the order previously entered, the motion of the Senator from Illinois that the Senate stand in adjournment be held to be in order.

The PRESIDING OFFICER. Is there objection?

Mr. KNOWLAND. Mr. President, reserving the right to object—although I shall not object—I wish to say that I concur wholeheartedly in the statement made by the majority leader. I think that either we are going to have orderly procedure in the Senate, or the procedure in the Senate will be completely disrupted and the entire legislative program will be jeopardized.

I consider that a vote against the motion of the Senator from Illinois will be a vote of confidence in the leadership of the Senate—not only the majority leadership, but the minority leadership, as well. Therefore, I hope the motion will be rejected.

Mr. DOUGLAS. Mr. President, I move that the Senate now stand adjourned for 5 minutes, in order that there may be a morning hour.

Mr. CASE of New Jersey. Mr. President, reserving the right to object——

Mr. RUSSELL. Mr. President, I make the point of order that debate on a motion to adjourn is not in order.

Mr. CASE of New Jersey. Mr. President——

Mr. RUSSELL. Mr. President, I make the point of order that at this time debate is not in order.

The PRESIDING OFFICER. The question is, Is there objection to the unanimous-consent request of the Senator from Texas.

Mr. CASE of New Jersey. Mr. President, I do not intend to object——

Mr. RUSSELL. Mr. President, I make the point of order that a motion to adjourn is not debatable. Therefore, I demand the regular order.

Mr. CASE of New Jersey. Mr. President——

Mr. RUSSELL. Mr. President, I demand the regular order.

Mr. CASE of New Jersey. Mr. President, is not a unanimous-consent request before the Senate?

The PRESIDING OFFICER. That is correct.

Mr. CASE of New Jersey. Mr. President, I reserve the right to object to the unanimous-consent request.

Mr. RUSSELL. Mr. President, I understood that the unanimous-consent request had been agreed to.

Mr. CASE of New Jersey. No, Mr. President; I was on my feet and addressing the Chair when the Chair asked whether there was objection.

The PRESIDING OFFICER. That is correct; the Senator from New Jersey had addressed the Chair.

Does the Senator from New Jersey object?

Mr. CASE of New Jersey. Mr. President, I do not object to the request.

H. R. 11747. An act to amend section 223 of the Revenue Act of 1950 so that it will apply to taxable years ending in 1954 to which the Internal Revenue Code of 1939 applies;

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Mr. BYRD. The members of the committee met in a conference. They again met at 5 o'clock, when the Senate recessed, and formal action was taken at that time in reporting the bill by a majority of the committee, a quorum being present.

Mr. DOUGLAS. May I ask my good friend from Virginia if the real discussion did not take place while the Senate was in session and when permission had not been given? If so, I must object to the reporting of the bill.

Mr. BYRD. I would be very much surprised if the Senator from Illinois thinks Senators cannot discuss matters with each other. The committee is always discussing such questions. Final action was taken while the Senate was in recess, when a quorum was present, and by unanimous vote. One of the few members of the committee who was not present was the Senator from Illinois.

Mr. DOUGLAS. I did not wish to impart any gloss to something that was illegal.

Mr. JOHNSON of Texas. Mr. President, there are thousands of little theaters all over the country. The bill will mean a great deal of relief for them. I hope the Senator from Illinois will permit the Senator from Virginia to file the report. The committee met while the Senate was in recess. Every State in the Union has hundreds of little theaters which would be helped by the relief afforded by the bill. We frequently file reports until midnight. Permission was received to file a report on the appropriation bill. I know the Senator would not want to deprive the Senate of the opportunity of considering legislation which is designed to bring relief to so many people.

Mr. DOUGLAS. The difficulty could be avoided if, instead of recessing tonight, the Senate would adjourn, so we could have a morning hour, when this matter could be considered. So I hope the Senator from Texas will cooperate with the Senator from Virginia. In fact, I shall move that the Senate adjourn, to reconvene in 5 minutes, so we can consider the matter.

Mr. President, I now so move that the Senate adjourn, to reconvene in 5 minutes.

The PRESIDING OFFICER. There is already a unanimous-consent agreement that when the Senate completes its business today it recess until tomorrow at 10:30 a. m.

Mr. JOHNSON of Texas. Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, I should like to see how many Members wish to have the Senator from Illinois [Mr. DOUGLAS] continue the course he has followed today. Therefore, I ask unanimous consent that, notwithstanding the order previously entered, the motion of the Senator from Illinois that the Senate stand in adjournment be held to be in order.

The PRESIDING OFFICER. Is there objection?

Mr. KNOWLAND. Mr. President, reserving the right to object—although I shall not object—I wish to say that I concur wholeheartedly in the statement made by the majority leader. I think that either we are going to have orderly procedure in the Senate, or the procedure in the Senate will be completely disrupted and the entire legislative program will be jeopardized.

I consider that a vote against the motion of the Senator from Illinois will be a vote of confidence in the leadership of the Senate—not only the majority leadership, but the minority leadership, as well. Therefore, I hope the motion will be rejected.

Mr. DOUGLAS. Mr. President, I move that the Senate now stand adjourned for 5 minutes, in order that there may be a morning hour.

Mr. CASE of New Jersey. Mr. President, reserving the right to object——

Mr. RUSSELL. Mr. President, I make the point of order that debate on a motion to adjourn is not in order.

Mr. CASE of New Jersey. Mr. President——

Mr. RUSSELL. Mr. President, I make the point of order that at this time debate is not in order.

The PRESIDING OFFICER. The question is, Is there objection to the unanimous-consent request of the Senator from Texas.

Mr. CASE of New Jersey. Mr. President, I do not intend to object——

Mr. RUSSELL. Mr. President, I make the point of order that a motion to adjourn is not debatable. Therefore, I demand the regular order.

Mr. CASE of New Jersey. Mr. President——

Mr. RUSSELL. Mr. President, I demand the regular order.

Mr. CASE of New Jersey. Mr. President, is not a unanimous-consent request before the Senate?

The PRESIDING OFFICER. That is correct.

Mr. CASE of New Jersey. Mr. President, I reserve the right to object to the unanimous-consent request.

Mr. RUSSELL. Mr. President, I understood that the unanimous-consent request had been agreed to.

Mr. CASE of New Jersey. No, Mr. President; I was on my feet and addressing the Chair when the Chair asked whether there was objection.

The PRESIDING OFFICER. That is correct; the Senator from New Jersey had addressed the Chair.

Does the Senator from New Jersey object?

Mr. CASE of New Jersey. Mr. President, I do not object to the request.

However, I wish to state exactly my position in not objecting at this time.

Mr. President, I am wholeheartedly in support of the civil-rights program of the President of the United States. I regard it as being equally as important as all the other parts of his program, and I shall support it to the full. I regret deeply——

Mr. JOHNSON of Texas. Mr. President, may we have the regular order?

Mr. RUSSELL. Mr. President, no Member can make a speech, under the reservation of the right to object.

The PRESIDING OFFICER. It is customary for a Senator to be given at least a few minutes in which to make a statement, when the question is on agreeing to a unanimous-consent request. However, if the regular order is demanded, that ends the matter; and the question is whether any Senator objects to the unanimous-consent request.

Is the regular order demanded?

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Chair asks the Senator from Illinois to wait a minute.

Is the regular order demanded? There does not seem to be a demand for the regular order. If the regular order is not demanded, the Senator from New Jersey may continue with his statement.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Georgia will state it.

Mr. RUSSELL. Does any Senator have a right, anywhere along the line, to demand the regular order, after 15 or 20 minutes have passed?

The PRESIDING OFFICER. The regular order can be demanded at any time.

Mr. RUSSELL. Very well.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

Mr. CASE of New Jersey. Mr. President, I assure my friend that 15 or 20 minutes will not elapse before I take my seat.

Mr. President, I am not objecting, because to insist upon adjournment at this time, and thus to prevent the Senate from following the ordinary procedure on the foreign-aid bill would jeopardize final action on that bill, which is of primary importance to the welfare of the United States. I would not wish that to occur, deeply as I feel about the civil-rights bill, and strongly as I support it. I am strongly in favor of any efforts to pass that bill, and I shall support any move in that direction, including efforts to call up that bill after the foreign-aid bill and the conference report on its shall have been acted on.

The suggestion has been made that action on the conference report may be held up. I do not take that view; but if that occurs, the responsibility for it will be where it belongs, and the responsibility for holding up action on the civil-rights measure will be where everyone in the world will know it should be placed.

But it seems to me that in this case it would be an act of irresponsibility if I were to refrain from joining in the request of the Senator from Texas, so that the conference report on the mutual-security appropriation bill may finally be agreed to.

The VICE PRESIDENT. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

The question now is on agreeing to the motion of the Senator from Illinois [Mr. DOUGLAS] that the Senate now stand adjourned for 5 minutes.

Mr. MUNDT. Mr. President, on this question I ask for the yeas and nays.

The VICE PRESIDENT. The yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LAIRD (when his name was called). On this vote I have a pair with the senior Senator from Oregon [Mr. MORSE]. If the Senator from Oregon were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The roll call was concluded.

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Michigan [Mr. MCNAMARA], the Senator from Oregon [Mr. MORSE], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I further announce, if present and voting, the Senator from Texas [Mr. DANIEL] and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. POTTER] is absent by leave of the Senate on official business as a member of the American Battle Monuments Commission.

The Senator from Idaho [Mr. WELKER] is necessarily absent, and, if present, would vote "nay."

The Senator from Utah [Mr. BENNETT], the Senator from Maryland [Mr. BUTLER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Indiana [Mr. JENNER], and the Senator from California [Mr. KUCHEL] are detained on official business.

The result was announced—yeas 6, nays 76, as follows:

YEAS—6

Bender	Hennings	Langer
Douglas	Ives	Lehman

NAYS—76

Aiken	Goldwater	Millikin
Allott	Gore	Monroney
Anderson	Green	Mundt
Barrett	Hayden	Murray
Beall	Hickenlooper	Neely
Bible	Hill	Neuberger
Bricker	Holland	O'Mahoney
Bridges	Hruska	Pastore
Bush	Humphrey, Minn.	Payne
Byrd	Humphreys, Ky.	Purtell
Capehart	Jackson	Robertson
Carlson	Johnson, Tex.	Russell
Case, N. J.	Johnston, S. C.	Saltonstall
Case, S. Dak.	Kennedy	Schoeppel
Clements	Kerr	Scott
Cotton	Knowland	Smith, Maine
Curtis	Long	Smith, N. J.
Duff	Magnuson	Sparkman
Dworshak	Malone	Stennis
Eastland	Mansfield	Symington
Ellender	Martin, Iowa	Thye
Ervin	Martin, Pa.	Watkins
Flanders	McCarthy	Wiley
Frear	McClellan	Williams
Fulbright	Morse	Wofford
George	Potter	Young

NOT VOTING—14

Bennett	Jenner	Morse
Butler	Kefauver	Potter
Chavez	Kuchel	Smathers
Daniel	Laird	Welker
Dirksen	McNamara	

So Mr. DOUGLAS' motion to adjourn was rejected.

REPORTS OF COMMITTEES

Mr. KERR. Mr. President, on behalf of the Public Works Committee, I request unanimous consent to report the omnibus river and harbor, beach erosion, and flood control project bill, which was worked upon until midnight last night by the committee. The report was prepared by the staff during the day.

Mr. DOUGLAS. Mr. President, my head is bloody but unbowed. I must object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCLELLAN. Mr. President, from the Committee on Government Operations, I submit favorable reports on three bills.

The PRESIDING OFFICER. Is there objection?

Mr. DOUGLAS. I object.

REVISION OF FEDERAL ELECTION LAWS—AMENDMENT

Mr. CURTIS. Mr. President on behalf of the Senator from Arizona [Mr. GOLDWATER] and myself I send to the desk an amendment intended to be proposed by me to Senate bill 636, Calendar 629, a bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the amendment will be printed and will lie on the table.

REPORT OF A COMMITTEE

Mr. ELLENDER. Mr. President, from the Committee on Agriculture and Forestry, I ask unanimous consent to submit a report on House bill 11833, a bill to amend the Soil Conservation and Domestic Allotment Act and the Agricultural Adjustment Act of 1938, to provide for a Great Plains conservation program.

Mr. DOUGLAS. Mr. President, I must object, and call for the regular order.

PROGRAM FOR THE REMAINDER OF THE EVENING

Mr. HENNINGS obtained the floor.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield to me?

Mr. HENNINGS. I am very happy to yield to the majority leader.

Mr. JOHNSON of Texas. It is my understanding that the Senator from Missouri plans to address the Senate for 20 or 30 minutes.

Mr. HENNINGS. Certainly not in excess of 20 minutes.

Mr. JOHNSON of Texas. I should like to say for the information of Senators that I know of no business to be transacted tonight. So far as I know,

there is nothing other than the statement of the senior Senator from Missouri. At the conclusion of his statement, the leadership will move, in accordance with the order previously entered, that the Senate stand in recess until 10:30 o'clock a. m. tomorrow.

PROPOSED CIVIL-RIGHTS LEGISLATION

Mr. HENNINGS. Mr. President, only a few days remain of this session—only a few days in which we, the Members of Congress, can demonstrate to the people of the Nation, and, indeed, to the people of the world, that we, the Congress of the United States of America, are willing to put into practice principles of democracy and equality which we have long preached.

Mr. MANSFIELD. Mr. President, may we have order?

The PRESIDING OFFICER [Mr. ANDERSON in the chair]. The Senator from Missouri will suspend until the Senate is in order.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. The Senate previously adopted an order to recess until 10:30 tomorrow morning. I understand that that order was temporarily laid aside so that the distinguished Senator from Illinois [Mr. DOUGLAS] might offer his motion to adjourn. That motion having been defeated, the parliamentary inquiry is: Does the order now stand that when the Senate completes its business today it will stand in recess until 10:30 o'clock tomorrow morning?

The PRESIDING OFFICER. That is a correct statement by the Senator from California. The Senator from Missouri may proceed. The Senate will be in order.

Mr. HENNINGS. Mr. President, only a few days remain——

Mr. MANSFIELD. Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senate is not in order. Senators will please cooperate with the Senator from Missouri. The occupants of the gallery will also cooperate. The Senator from Missouri may proceed.

Mr. HENNINGS. Mr. President, only a few days remain in which we can take steps to see that constitutional guaranties of individual liberties and of equal protection under laws are not further denied or abridged anywhere within our country—only a few days in which to give redress to the grievances of thousands of our fellow American citizens who today are denied the very rights which our Constitution seeks to defend. Only a few days in which we can prove our ability to rise above petty partisan politics and to work together to support legislation which is vitally important to our country's existence, and, indeed, to the place our country occupies in the world today.

We all know, Mr. President, of civil-rights legislation which is now pending in the Senate Judiciary Committee. Several bills to strengthen Federal protection of various civil rights are now before that committee of which I am a member. Four of these bills were reported favorably by the subcommittee on constitutional rights, of which I happen to be the chairman, last February 9, almost 6 months ago. These bills, all designed to establish the protection of the basic constitutional rights of all our citizens, would—

First. Establish a civil-rights division in the Department of Justice.

Mr. MANSFIELD. Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senator from Missouri will suspend. The Senate will be in order. Senators standing in the aisles will please take their seats.

Mr. HENNINGS. I thank the distinguished occupant of the chair. I realize the hour is late and that many Senators are anxious to go home.

The PRESIDING OFFICER. The Senator from Missouri is entitled to courtesy, and the Chair will try to cooperate with him.

Mr. HENNINGS. I appreciate the spirit of the distinguished occupant of the chair and the courtesy of my friend, the distinguished Senator from Montana.

Second. Protect voting rights of all citizens in Federal elections and primaries.

Third. Provide penalties against persons taking part in lynch mobs.

Fourth. Extend to all members of the Armed Forces the same Federal protection against bodily attack which now is afforded members of the Coast Guard.

To me, that does not seem like an extreme or radical or outlandish proposal. At this point I should like to make one observation, in replying to the distinguished junior Senator from New Jersey [Mr. CASE]. I believe the majority leader this morning, in response to my question, said that, of course, if the motion to discharge the Committee on the Judiciary from further consideration of the proposed legislation were agreed to, the bill would go on the calendar of the Senate, as do all other bills which come before the Senate. Therefore, I believe the point which was made by the Senator from New Jersey was not well taken, because putting the bill on the calendar would constitute no greater impediment to other legislation than would putting other bills there and letting them remain on the calendar at the end of the session, as always happens.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. HENNINGS. I am glad to yield, although I do not wish to get into an argument about it.

Mr. CASE of New Jersey. Of course, I do not wish to either; but since the Senator mentioned my position—although I did not hear everything he said—I should like to say that I think I did understand and do understand the situation which would result insofar as the business of the Senate is concerned, in that the bill would not simply displace any other business if the motion should be agreed to. I was referring before—and in my haste perhaps I did not make my point as clearly as I should like to have made it—not so much to the immediate situation, but to the fact that if a serious move appeared to be under way, there would be a well defined threat overhanging the Senate that all business would be brought to an immediate halt, whether or not that came precisely to the point of the consideration of the particular motion the Senator from Missouri is referring to. That was my point.

Mr. HENNINGS. I may say to the distinguished Senator from New Jersey I certainly would not be a party to any effort to have the business of the Senate come to an immediate halt or, indeed, to any halt whatsoever.

Mr. CASE of New Jersey. No one would be quicker to recognize that fact than the Senator from New Jersey.

Mr. HENNINGS. I thank the Senator for his gracious comment. However, I wish to clarify the point that if the committee were discharged, the House bill would go on the calendar along with, for example, the election bill, S. 636, which has been on the calendar for about 14 months, and a great number of other measures which certainly have not impeded the business of the Senate or of Congress, or interfered with the progress of any other measure in the Senate.

In reporting favorably these four bills to the full Judiciary Committee, Mr. President, the members of the Subcommittee on Constitutional Rights, which include my esteemed colleagues, the Senator from North Dakota [Mr. LANGER] and the Senator from Wyoming [Mr. MAHONEY], felt strongly that they represented good and sound legislation and that they were a moderate and reasonable approach to the elimination of problems with which our Nation has too long been confronted.

I do not know how many Senators have had an opportunity or the time to read the report or to realize the moderation of the program which has been labeled "civil rights." As we all know, labels can be misleading and an oversimplification when we discuss proposed legislation.

As I say, we felt that they were a moderate and reasonable approach to problems with which our Nation has for too long a time been confronted, and which would in some measure, at least, not only tend to solve these problems, but to send forth word to freedom-loving peoples everywhere that we in the United States do not merely give lip service to our Constitution but that we put it into vital and living and dynamic effect.

We pointed out in our report, which accompanied our recommendation on the right-to-vote bill, that—

> The right which this legislation seeks to protect is among the most sacred rights available to our citizenry. Indeed, the free and unfettered exercise of the franchise is a fundamental tenet of our system. To permit deprivation of such rights by omission or inaction, when action is possible, is to corrode the basic premise on which this Nation rests, namely, government by consent of the governed. The action here proposed is no startling innovation. By and large it merely codifies case law and reaffirms the rulings of our Federal courts. It constitutes a moderate and reasonable approach to a problem, the existence of which is evident

in the cases cited, but which need not vex us longer in our relationship with one another.

Mr. President, it so happens that the four bills which the Subcommittee on Constitutional Rights has reported favorably were introduced by Democratic Members of the Senate, with one exception; namely, the Senator from North Dakota [Mr. LANGER]. But among other civil-rights measures now pending before the Judiciary Committee are several which have been recommended by Senators on the other side of the aisle. These measures are commonly known as the administration civil-rights program and are identical with the provisions of H. R. 627 which was debated and which passed the House on Monday. They are also similar, though perhaps less inclusive to other bills sponsored by Senators on this side of the aisle.

May I pause here for a moment, Mr. President, to consider the record of this administration with reference to the so-called Eisenhower civil-rights program in behalf of these things in which we have expressed an interest. I think it can be said quite fairly that the administration has been less than forthright in its attitude on this question. In the first place, it took the administration more than 3 years to get around to making any specific recommendations whatever for legislation in this field. Three years is a very long time, Mr. President, and it appears to me that if there was any good faith on the part of the administration in its approach to this question, it could have seen fit to make some sort of recommendations before now. Even adopting the old adage of "better late than never," the administration failed to take any action until April 1956, a few months before Congress was scheduled to adjourn, and almost 2 full months after the Subcommittee on Constitutional Rights had reported favorably measures which more than covered the recommendations of the administration. When the administration finally came up with the so-called bills, which were thereafter introduced by several highly respected Members of this body, I believe it was unpardonable and inexcusable, even without considering that these bills were weaker and less effective, that the administration waited until an election year before making any move whatsoever. I think it demonstrated a shocking disregard for the welfare of many of our fellow Americans.

In the second place, Mr. President, the administration has consistently refused to give the Judiciary Committee and the Subcommittee on Constitutional Rights any cooperation with respect to civil-rights legislation for more than a year.

In a speech which I delivered in this Chamber on April 12, I pointed out that as long ago as February 8, 1955, the Senate Committee on the Judiciary requested the Attorney General's opinion and assistance with reference to civil-rights legislation. At the time I made that speech in the Senate I placed in the RECORD letters which the Judiciary Committee and the Subcommittee on Constitutional Rights had written to the Attorney General of the United States requesting his views on many of the measures which were then and still are pending before the Judiciary Committee. At that time I also put into the RECORD replies received from the Attorney General to those requests, in due course, in regular order, and in keeping with the custom and the practice of the committee.

In many instances, of course, Mr. President, the Attorney General did not reply at all. When he was asked his opinion of this proposed legislation and asked for suggestions, when his cooperation was invited, there were no replies at all. In two instances more specifically, concerning the right-to-vote bill and the bill to establish a Commission on Civil Rights, in the executive branch of the Government, which is embodied in the House omnibus bill and is now a part of the administration's program, Mr. Brownell replied:

> Whether or not this particular measure should be enacted constitutes a question of policy concerning which the Department of Justice prefers to make no recommendations.

It is also a matter of record, Mr. President, that the so-called civil-rights program of the administration contains the very legislation which last year the chief legal officer of the Government, the adviser to the President of the United States, said "was a question of policy for the Congress to determine" and upon which the Department of Justice and the Attorney General had no recommendations whatsoever.

That correspondence is all in the RECORD, Mr. President, under its proper date and over the appropriate signatures.

Mr. President, I believe it can be left to the individual and collective judgments of Senators to determine why these matters were finally considered, to quote the distinguished Attorney General again, to constitute "good policy."

In the third place, Mr. President, this administration had at its disposal the procedure provided in the Reorganization Act of 1949, a convenient and a very easy method of creating a civil-rights division in the Department of Justice, but it completely ignored the means available to it and at hand to create that division.

Could this be because Attorney General Brownell was ignorant of the procedures under the Reorganization Act of 1949? I cannot conceive of that being possible of the Attorney General, distinguished, able, and experienced lawyer that he is.

Mr. KNOWLAND. Mr. President, will the Senator from Missouri yield?

Mr. HENNINGS. I shall be glad to yield.

Mr. KNOWLAND. Mr. President, it is my recollection that the Senator's party was in control of the legislative branch for 20 years and in many of those years had overwhelming majorities in both the Senate and the House.

Mr. HENNINGS. I shall undertake to answer the Senator, if he will be patient with me. I shall read from the Attorney General's testimony on that point. I have it here in the transcript of the testimony when I interrogated him before the committee. If the Senator will be patient——

Mr. KNOWLAND. I shall be patient.

Mr. HENNINGS. I appreciate that.

Mr. HOLLAND. Mr. President, will the Senator from Missouri yield?

Mr. HENNINGS. I yield.

Mr. HOLLAND. While the Senator from Missouri is so patient and the minority leader is also so patient, I wish to remind both of them that beginning with the 81st Congress, I, along with other southern Senators, introduced in each Congress a perfectly good bill in the nature of a proposed constitutional amendment to do away with the payment of poll taxes or any other property tax or any property qualifications as a condition for voting in Federal elections.

The group of southern Senators who introduced that proposed legislation four times varied from 9 to 12, and 18 different Senators have joined over that period of time in that good-faith effort. But I wish to remind the distinguished Senator from Missouri that we have never been able to get that good-faith effort, which is of undoubted legality while other methods are at least of a controversial and questionable nature, given action by the Judiciary Committee. That has occurred both during a Democratic administration and a Republican administration and during both Republican and Democratic control of the Congress. It has been a continuing good-faith effort on the part of the southern region which, by and large, has solved for itself, as to most of the States concerned, the troublesome question of the poll tax.

I hope the distinguished Senator, in narrating the various pending measures, has not by deliberation left out our proposed constitutional amendment.

Mr. HENNINGS. I have not. I was about to make mention of it.

Mr. HOLLAND. I appreciate the Senator's statement, because for some unknown reason the Senator from Florida and his associates have not been able to get as much as a kindly glance from many of the persons who so devotedly proclaim their interest in this field, although I notice they generally proclaim it just before the adjournment of Congress.

Mr. HENNINGS. I was about to compliment the distinguished senior Senator from Florida as I proceeded with my speech. I should prefer not to yield until I have at least disposed of it. Then I shall be glad to yield. But I am certain the Senator knows that I am one who has been for his measure constantly and consistently.

Mr. HOLLAND. That is correct. The distinguished senior Senator from Missouri is one of the few Senators, other than the introducers, who have taken that position consistently. I express my gratitude to the distinguished Senator from Missouri.

Mr. HENNINGS. I wish to compliment the distinguished Senator from Florida for having taken the lead in offering the proposed constitutional amendment.

Later in my speech I had hoped to discuss it. I hope the Senator will forgive me for not having spoken of it as soon as I might have.

I certainly do not mean to be invidious to any Senators who have labored and worked in the vineyard.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield for a question.

Mr. LEHMAN. Is it not a fact that Congress has not passed a single important piece of civil-rights legislation in the past 75 years?

Mr. HENNINGS. As the Senator well knows, the House has passed such a bill.

Mr. LEHMAN. Yes. I am talking about Congress. No such law has been enacted.

Mr. HENNINGS. I know of none.

Mr. LEHMAN. I am quite certain there is none.

I think the Senator from Missouri will agree with me, in view of the change in the point of view all over the world with regard to minority groups, and the inequity of discrimination on the ground of race, or color, or creed, we had reason to hope that this year, that at this session of the 84th Congress, not only would a bill be reported, but legislation of great importance, such as that which has been reported by the subcommittee of which the distinguished senior Senator from Missouri is the chairman, would be enacted.

Mr. HENNINGS. I thank the distinguished Senator from New York for his contribution. I may say that I, too, and others among us, joined with the Senator from New York and had higher hopes earlier this year, as well as last year, than we may perhaps be said to have presently.

I was speaking about the device—and a very easy device it is—which has been used by this administration to create, for example, the Department of Health, Education, and Welfare; to establish the Office of Defense Mobilization; to create 2 additional Assistant Secretaries of Agriculture; and to create 6 additional Assistant Secretaries of Defense.

Under this procedure, all the Attorney General had to do to create a civil-rights division, headed by an Assistant Attorney General, was to send to Congress a reorganization plan which would have gone into operation automatically unless one or the other House disapproved it by a full majority within 60 days.

If this procedure had been followed, the initiative and burden for stopping the creation of the civil-rights division would have been on those in Congress who were opposed to it.

Yet the Eisenhower administration failed to use the Reorganization Act of 1949 to bring about the creation of another post of Assistant Attorney General and a civil-rights division, although it had used the same legislation for other reorganization purposes in other departments of the Government.

As I said, both of these propositions could have been initiated and set in motion by the administration under the Reorganization Act, but the administration preferred to follow the old Army game and to "pass the buck" to Congress, rather than to take the initiative itself to protect civil rights; although when the administration really wanted to act, it was willing to use the Reorganization Act to establish a Department of Health, Education, and Welfare; to create an Office of Defense Mobilization; to create 2 additional Assistant Secretaries of Agriculture; and to create 6 additional Assistant Secretaries of Defense.

It certainly seems to me, as I am sure it must seem to other Senators, that had the administration been sincere in its now all-too-belated claim of an interest in civil rights it would have been willing to create a civil-rights division in the Department of Justice—just a step, a very small step, but one which it had the power to take and to exercise under its legal functions—and to create at least one additional Assistant Attorney General.

(At this point Mr. HENNINGS yielded to Mr. KNOWLAND, who announced the report by the Committee on Appropriations of the second supplemental appropriation bill. On request of Mr. KNOWLAND, and by unanimous consent, the announcement was ordered to be printed in the RECORD following Mr. HENNINGS' speech.)

Mr. HENNINGS. Mr. President, it seems to me to be not unreasonable to make the observation that Attorney General Brownell could have mentioned the possibility of the administration's initiating the legislative proposals by way of the Reorganization Act of 1949, if he had taken the trouble to answer my letters and those of the late Senator Kilgore, who was then the chairman of the Committee on the Judiciary, of March 22, 1955—long past a year ago; of July 17, 1955, a little more than a year ago; of December 3, 1955; and of February 24, 1956; in which we sought the Attorney General's advice on these matters.

Senator Kilgore and I both invited the Attorney General's opinion, and the opinion of his assistants, upon this vexing, troublesome problem known as civil-rights legislation. But, instead, the Attorney General chose to ignore those requests.

However, we were not content to abide by the failure of the Attorney General to respond to our invitations and to reply to our letters. We invited him on December 1, 1955, on February 24, 1956, and on February 28, 1956, and again on April 9, 1956, to present his views on civil-rights legislation before the Subcommittee on Constitutional Rights.

The Attorney General at no time indicated that he knew of or thought there was available the Reorganization Act of 1949.

On May 16, in a hearing before the Committee on the Judiciary, I inquired of Attorney General Brownell whether his Office had the power to designate an Assistant Attorney General and to charge him with the duty and the responsibility of enforcing civil rights in the United States of America. His answer was: "No. He has to go to the Congress for the authorization for a new Assistant Attorney General." It would appear, in light of the existence of the Reorganization Act of 1949, which has been repeatedly used by the administration in other matters, and of which I am most reluctant to believe the Attorney General is entirely ignorant, he must certainly have known that his answer was somewhat less than candid.

This is the record of this administration's vigorous efforts in behalf of civil rights. If I may be permitted an additional personal observation, I think it is a very dismal record, indeed.

Mr. President, Members on both sides of the aisle have been guilty of denying to a great segment of our population the protection of their rights, which long ago should have been abundantly provided for them.

I believe some Republicans and some Democrats alike must share the blame for the shameful fact that no Federal civil-rights law has been enacted since 1875, and no civil-rights bill has been approved by either House of Congress since 1950. This is the record, in spite of the continued discrimination and deprivation of the rights of our minority groups.

But no purpose can be served at this time, Mr. President, by recriminations or regrets on my part against the Republican leadership, just as it would not serve our national good for me to criticize those Democrats who have not found themselves able to back the civil-rights proposals which are now in the Judiciary Committee. Neither can I find ample justification at this late hour to maintain the position that I will support only those civil-rights proposals which have been authored by members of my party.

Rather, Mr. President, as I have said before, I think the time is long past due when we should put aside partisan politics and work together on a truly bipartisan basis to see that some civil-rights legislation is enacted before the adjournment of this session of Congress. Too long we have engaged in playing political football with the freedoms and rights of others. I think it would be a national tragedy if we should fail to show our belief in democracy for all the people by passing this proposed legislation. Certainly we shall not strengthen the thoughts of our friends abroad as to our leadership of the free world by closing our eyes to the need for the passage of these bills. It is similarly clear that the uncommitted peoples of the world, the neutral countries, are not going to be more attracted to our side if we fail to take the steps necessary to bring about the ideals which we profess in Fourth of July speeches, ceremonials, and other occasions, when we very liberally quote the Constitution and, indeed, the Bible.

At this time, Mr. President, I think the bill which has been passed by the House of Representatives, H. R. 627, has a better chance of passage during this session of Congress than the bills sponsored by some of the Democratic Senators which have been reported to the full Committee on the Judiciary by its Subcommittee on Constitutional Rights.

I have in the past pushed the legislation being sponsored by Members of my own party in the Senate for the simple reason that I feel it is more adequate and effective than that of the administration. But I am willing to go on record now, and I urge every Democratic Member of this body to support H. R. 627, passed by the House of Representatives, in a concerted effort to get some civil-rights legislation

enacted before adjournment of the 84th Congress. I hope that we shall have no trouble getting the Republican Members to support legislation which their leadership has called for.

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. HENNINGS. I shall be glad to yield to the minority leader.

Mr. KNOWLAND. I might say to the distinguished Senator from Missouri that he, the able Senator that he is, knows the rules under which the Senate functions. We do have a heavy legislative program, which has backed up and which must be acted on before Congress can adjourn sine die. When the minority leader was majority leader he had some experience in the problem of passing bills subject to prolonged debate. In my judgment, the only way it can be done is to bring up such a bill reasonably early in the session, and not during the last 3 or 4 days of the session, when there is a heavy legislative program. Certainly, the Senator from Missouri knows the rules of the Senate as well as I do, or as well as any other Member of this body does, and he knows, first of all, that in order to get a bill out of committee a motion must be made at the proper time in the legislative procedure——

Mr. HENNINGS. Mr. President, with all due respect to the minority leader, I was happy to yield for a question, but I do want to complete my statement.

Mr. KNOWLAND. I hope the Senator will not——

Mr. HENNINGS. I do not want to interrupt, but, on the other hand, I shall be very glad to have the Senator speak later, or interrogate me later. I should like to complete my statement. Perhaps it will answer some of the questions the Senator has in mind.

Mr. KNOWLAND. I would not have interrupted the Senator from Missouri except that he mentioned the position, if not the name, of the minority leader. I was trying to set the RECORD straight on the procedures which would have to be followed. A bill such as I have mentioned would be subject to three motions. All three motions would have to be passed on. Cloture would have to be applied in all three cases.

The Senator knows as well as I do that under the conditions prevailing in the Senate such proposed legislation is not likely to be passed in the last 4 days of the Senate. The Senator from Missouri knows that, and I know it, and there is no need of attempting to "kid" either the American public, or a minority group, or the press.

Mr. HENNINGS. Mr. President, I cannot yield further.

The PRESIDING OFFICER. The Senator from Missouri declines to yield.

Mr. HENNINGS. I might say that I did not mention the minority leader either by name or reference. I spoke of the leadership. By that term I am referring to the administration, the President of the United States. I also take issue with the allegation that if the proposed legislation is brought to the floor promptly, it cannot be passed promptly. I have no knowledge of that. If the Senator from California says I have knowledge of it, I can only speculate, as he speculates. And when I say further that the Attorney General did not appear to testify on the so-called administration's civil-rights program until the 9th of April, and bills were introduced thereafter, I call attention to the fact that this is in the 4th year of the present administration's tenure of office.

I find that I was in error, and that ultimately the Attorney General testified on May 16. All during that period we had been trying to get the Attorney General to come before the committee charged with this responsibility. As the distinguished Senator from Wyoming [Mr. O'MAHONEY] well knows, we had repeatedly written him letters; we had invited him to come before the committee and testify. We had exhausted every conceivable effort. After our subcommittee had, on February 22, reported proposed legislation of the same nature, ultimately—on May 16—the Attorney General appeared upon the scene and testified. As we proceeded with the consideration of this matter, I wish to read some of his testimony, if the distinguished minority leader will be patient with me.

Mr. President, in regard to adjournment, I do not mean to sound like a venerable ancient, but let me say that 22 years ago I was a Member of the House of Representatives, and every year at about this time there was a great deal of talk about adjourning and going home. It is well enough for us to go home, Mr. President, when we have completed transacting the business on which the people of the country sent us here, and to which we are required to give our attention. When we have discharged our duty, it is well enough for us to go home. But I know of no injunction laid upon us to adjourn this week or next week or the week after. I think our own convenience is of little consequence, as compared to the welfare of the more than 160 million people of the United States. I am familiar with the rush toward adjournment. After I resigned from the House of Representatives, I was not a Member of Congress for 10 years, until I became a Member of the Senate. But every year since 1935 I have heard the talk about, "We have got to adjourn and go home. Let us end the session quickly, regardless of what measures are left on the calendar and regardless of what business is left unattended to."

Mr. President, I wish to make it crystal clear that nothing I am saying or intend to say, no act on my part, and no encouragement to act given by me to any other Member is intended by me to delay, frustrate, or in any way interfere with the handling of the important social-security legislation.

As the Senator from California well knows, I have gone down the line in supporting his administration's President in the case of every vote cast on the mutual security program; and the Senator from California must know that in the Judiciary Committee I supported not only the nomination of the present Chief Justice of the United States during the very bitter battle on the question of confirming that nomination, but also in the case of the nomination of Associate Justice Harlan, I also voted for confirmation of the nomination which the President of the United States had sent to the Judiciary Committee. In fact, I have voted for the confirmation of every nomination sent by the President to the Judiciary Committee and brought before the committee; and of course that includes the nomination of Simon Sobeloff.

Concentrating our attention for a moment, Mr. President, on the provisions of H. R. 627, let us see just what it would provide. It would set up a bipartisan commission with subpena power to study invasions of civil rights; it would set up in the Justice Department a civil-rights division headed by an Assistant Attorney General; and it would permit the Department of Justice to bring civil lawsuits in cases where citizens are deprived of the right to vote, and to seek a Federal injunction against groups threatening to interfere forcibly with the right to vote. Just this, Mr. President, and no more.

Mr. President, those provisions of the bill do not seem to be radical. They seem to me not to be offensive, not to bear any taint of sectionalism. I wish to say to my southern friends, for whom I have great respect, that I believe there are, indeed, invasions of civil rights, so-called, in the North as well as in the South; I do not believe that situation is confined to any one section of the country.

I myself happen to be of southern heritage and of Confederate ancestry. I do not know that our northern brethren treat some of our minorities any better, if as well, as they are treated in many respects in the States to the south. I wish to make it abundantly clear that this measure, as I see it, is not really one of sectionalism.

Mr. President, let us consider further whether the proposals included in the bill, as passed by the House, are extreme and radical. Does it seem outrageous to seek, under our Constitution and laws, a Federal injunction against groups which threaten to interfere forcibly with the right of anyone to vote? Mr. President, that is what the bill provides.

The bill does not attempt to abolish the poll tax—a matter to which I adverted earlier in the course of my discussion with the distinguished Senator from Florida, the author of that proposed constitutional amendment. The bill says nothing about outlawing lynching—which, thank God, has declined in recent years, but which previously had been a black scourge on our Nation; and, indeed, in my own State such things have taken place. The bill does nothing to strengthen our antipeonage laws. It does not even provide criminal penalties for those who would deny a citizen his right to vote. It merely empowers the Attorney General to bring civil action in behalf of the aggrieved person.

Mr. President, the House civil-rights bill has been repeatedly described as a moderate program. I honestly believe it is less than that. It is a weak program—so weak, in fact, that the most rabid opponents of civil rights would not have to bestir themselves unduly or disturb very specific concepts, or, indeed, their consciences, in order to vote for the bill.

As I have said before in some of the colloquy in which I have engaged, labels sometimes are very unfortunate. When

people hear the phrase "civil-rights legislation," it seems to affect them in the way a red flag affects a bull; it seems to generate emotions, rather than mental activity, and many persons begin to think with their spines, instead of with their heads.

But, weak as this program is, Mr. President, I, for one, am willing to support it in a last-ditch effort to obtain bipartisan cooperation in the passage of some type of civil-rights bill. I want to see some constructive bill in this field passed before the end of this Congress, whether it be a bill or bills which the Democrats have sponsored or bills sponsored by the administration. Certainly I can offer no more. My only hope is that enough other Democrats and enough Republicans will feel the same way.

In the history of this great country of ours, Mr. President, we have demonstrated time and again the ability to drop party emphasis and to work together across party lines when the national good demanded it. This is one of those times.

In these waning days of the 84th Congress, Mr. President, let us prove by our votes for civil rights that we can rise above petty partisan politics and sectionalism, that we can hold our heads high, and can march arm in arm toward the goals of freedom and equality which our Nation has so loudly espoused over the years.

Let us prove that we cherish those ideals of our Constitution and the Declaration of Independence, written in the ink of our forefathers, and defended with their blood and their lives.

Let us prove once more that this Nation, under God, is indivisible, and that this democracy in truth is government of the people, by the people, and for the people.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks portions of the transcript of a hearing before the Committee on the Judiciary on Senate Joint Resolution 29 and other measures, on May 16, 1956, at which the Attorney General of the United States appeared. I should like to read a portion of the transcript in an effort to answer some of the questions propounded to me by the minority leader.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri? The Chair hears none, and the excerpts may be printed in the RECORD, as requested.

Mr. HENNINGS. It fell to my lot to interrogate the Attorney General of the United States, and I asked him the following questions on May 16 last:

Senator HENNINGS. Mr. Chairman, with the permission of the committee, as I happen to be chairman of the Subcommittee on Constitutional Rights, I would like very much if the Attorney General would indulge me to inquire into some of these matters.

Mr. Attorney General, this is the first time, is it not, that the Justice Department has seen fit to transmit to the Congress any suggestions as to legislation relating to civil rights or cognate matters?

Attorney General BROWNELL. We have commented on bills that were introduced, in response to requests from Congress.

Senator HENNINGS. But you have come up with no program during your 4 years, until last month, I believe, April 1, was it not?

Attorney General BROWNELL. Let me say that might lead to a very misleading answer. I know you don't mean to do so.

The program the Department of Justice has carried on in this area in the past few years I would characterize as, and I hope you would agree with me, the most vigorous in the Department's history.

Almost the first day I was down here, we had the Thompson Restaurant case, which was in the courts then, on which we filed a brief, and got a favorable result from the courts, which laid the groundwork for doing away with discrimination here in the Nation's Capital, specifically in the restaurants. I can't exaggerate the importance that has had nationwide.

Then we have had 2 years of steady litigation in the Supreme Court on school segregation, which took a great deal of time. You know the results there.

Furthermore, we worked closely with the President's Advisory Committee on eliminating discrimination in employment and contracts. We did the legal work on abolishing discrimination in the Armed Forces.

All of those things we have been active on. In addition to that, we have had great success in carrying our cases forward in elimination of peonage, stopping a revival of this Ku Klux Klan in one of the States, and as I mentioned in my prepared statement, we are now getting to the point where we are participating in some of these civil cases. I wouldn't want your question to imply we haven't been awfully busy on this.

Senator HENNINGS. You may know that I haven't any intention of being misleading. You know these were initiated in the preceding administration.

Attorney General BROWNELL. A great many of them; yes.

Senator HENNINGS. It has not been initiated, and I don't mean to bring this into the realm of politics, except to indicate perhaps insofar as being a knight in shining armor, and we welcome you, indeed, to that fold, and hope you will continue your good work in the prosecution of these good cases.

Attorney General BROWNELL. I am not here as a knight in shining armor today. I read your speech in which you pointed out your 20 years of activity in this field.

I have tried throughout my private and public life to do the same thing. I do want to say I am not here today except in my capacity to carry out the President's program, and I claim no personal credit whatsoever.

Senator HENNINGS. I just wanted it clear that many of the things that this administration has done have been initiated in preceding administrations.

Attorney General BROWNELL. I think there are men of good will in both parties, who want to see these objectives attained.

Senator HENNINGS. Certainly I can agree with you on that. If you will forgive me, I think that we should have the record clear on some things.

Attorney General BROWNELL. I agree with you on that.

Senator HENNINGS. We welcome your suggestion, for example, that there be a Division on Civil Rights in the Department of Justice. At my request on March 22, 1955, this letter was addressed to you, signed by the late Harley Kilgore, former chairman of the Committee on the Judiciary. The letter reads as follows:

"DEAR MR. ATTORNEY GENERAL: Attached herewith are copies of S. 902, S. 905, S. 906, and S. 907, concerning the protection of civil rights, amending and supplementing existing civil-rights statutes, and establishing a Commission on Civil Rights in the executive branch of the Government.

"These four bills are now pending before the Standing Subcommittee on Constitutional Rights which intends to schedule hearings on all of the above-mentioned measures within the very near future.

"Accordingly, it will be appreciated if you will submit to the committee as soon as possible individual reports on each of these measures.

"With kindest regards, I am

"Most sincerely yours,

"HARLEY M. KILGORE,
"*Chairman.*"

Now, as relates to the question of the Division of Civil Rights.

Attorney General BROWNELL. It is all in the CONGRESSIONAL RECORD if you haven't it there.

It is only because the distinguished Senator from California, the minority leader, asked a question about preceding administrations that I advert to that portion of the Attorney General's testimony.

Continuing to read from the transcript:

Senator HENNINGS. There was no reply in our records of the subcommittee, no reply from you whatever over a year ago relating to the establishment of a Commission or a Division, I should say, of Civil Rights in the Department of Justice. We have no record of your ever having replied to that request.

Attorney General BROWNELL. I hesitate to say there, but the fact is I discussed the matter with the then chairman of the committee. He was unable to get together on a hearing on the subject.

You are undoubtedly correct that there is nothing in writing in answer to that.

Senator HENNINGS. Did you want to testify on the subject?

Attorney General BROWNELL. If a hearing could have been arranged, I would have been glad to.

Senator HENNINGS. But you did not thereafter request that a hearing be held.

Attorney General BROWNELL. I discussed it with the then chairman of the committee.

Senator HENNINGS. That would be Senator KILGORE.

I don't recall that you ever discussed it with me.

Attorney General BROWNELL. I don't recall that I did.

Senator HENNINGS. These bills are lodged in the subcommittee of which I happen to be chairman.

Attorney General BROWNELL. Didn't you read the letter that came from him?

Senator HENNINGS. You will recall that last fall, we made a number of efforts to get you to testify before the Subcommittee on Constitutional Rights.

Attorney General BROWNELL. That was on a different subject.

Senator HENNINGS. On a number of subjects.

Attorney General BROWNELL. Yes.

Senator HENNINGS. You wanted to know what subject it would be, and we said it would cover a multitude of things. We were unable to persuade you to come.

Attorney General BROWNELL. I remember that.

Senator HENNINGS. Now, then, Mr. Attorney General, on July 27, 1955, some 9 months ago a letter was addressed to you as follows:

"The Judiciary Committee is herewith transmitting S. 903 for your study and report thereon in triplicate.

"To facilitate the work of the committee, it is urgently requested that your report be submitted within 20 days. The committee should be formally advised in writing if any delay beyond this time period is necessary.

"Most sincerely yours,

"HARLEY M. KILGORE,
"*Chairman.*"

On September 8, 1955, the following letter was received by the then chairman of this

committee, Senator Kilgore, which letter reads as follows:

"Dear SENATOR: This is in response to your request for the views of the Department of Justice concerning the bill (S. 903) to protect the right to political participation.

"Section 594 of title 18 of the United States Code subjects to criminal penalties persons who interfere with the right of other persons to vote in any 'election' held solely or in part for the purpose of electing a candidate for the office of President, Vice President, Presidential elector, Member of the Senate, Member of the House of Representatives, Delegate or Commissioner from a Territory or possession. As defined in section 591 of the same title, the term 'election' does not include a primary election. Section 1 of the bill would amend section 594 so as to make the section hereafter applicable to primary elections.

"Section 2004 of the Revised Statutes, formerly set forth in section 31 of title 8 of the United States Code but now contained in section 1971 of title 42, provides that all citizens of the United States who are otherwise qualified by law to vote at any election by the people in any State, Territory, etc., shall be entitled and allowed to vote without distinction of race, color, or previous condition of servitude. Section 2 of the bill would amend this section in a number of respects. First, it would extend its scope to primary elections. Second, the phrase 'previous condition of servitude' would be omitted from the enumeration of factors which are not to form the basis of discrimination and in its place the words 'religion or national origin' would be substituted. Third, a new sentence would be added to the section as follows:

" 'The right to qualify to vote and to vote, as set forth herein, shall be deemed a right within the meaning of, and protected by, the provisions of title 18, United States Code, section 242, as amended, section 1979 of the Revised Statutes (8 U. S. C. 43), and other applicable provisions of law.'

"Section 242 of title 18 imposes criminal penalties upon anyone who, under color of law, willfully subjects any inhabitant of any State, Territory, or district to the deprivations of any rights protected by the Constitution or laws of the United States. Section 1979 of the Revised Statutes (now 42 U. S. C. 1983) provides for civil liability under similar circumstances.

"Section 3 of the bill would provide that any persons violating the provisions of the first section shall be subject to suit by the party injured, or by his estate, in an action at law, suit in equity, or other proper proceeding for damages or preventive or declaratory or other relief. The section further would provide that the Attorney General may enforce the provisions of the act in the United States district courts, as defined therein. It would also provide that the district courts will have jurisdiction concurrently with State and territorial courts.

"Section 4 of the bill is a customary severability clause.

"The purpose of this bill, as stated in its title, is 'To protect the right to political participation.' This purpose is a laudable one with which the Department of Justice is in full accord. Whether this particular measure should be enacted constitutes a question of policy concerning which the Department of Justice prefers to make no recommendation.

"The Bureau of the Budget has advised that there is no objection to the submission of this report.

"Sincerely,

"WILLIAM P. ROGERS,
"Deputy Attorney General."

At that point I undertook to interrogate the Attorney General further:

So at that time, the Department of Justice had no recommendation. Would you like to look at this letter to see that it is an accurate copy?

Attorney General BROWNELL. I am sure that must be an accurate copy of the letter.

Senator HENNINGS. I'll be glad to hand it to you for your verification.

Attorney General BROWNELL. I am sure it must be accurate. If it weren't, I am sure you wouldn't be reading it.

Senator HENNINGS. I usually make sure that I have accurate copies to read from.

Senator O'MAHONEY. Would the Senator yield for a moment?

Senator HENNINGS. Yes, surely.

Senator O'MAHONEY. Does the Attorney General mean to suggest that through a letter written by Mr. William P. Rogers, it did not reflect the view of the Department of Justice at that time?

Attorney General BROWNELL. No such implication as that. Quite the contrary, Senator.

Senator O'MAHONEY. Thank you.

Senator HENNINGS. Now, then, pursuant to the letter of March 22, which I undertake to call to your attention—at that time, on the matter of the so-called right-to-vote provision, and on the so-called S. 907, which relates to protection of civil rights of individuals by establishing a Commission on Civil Rights in the executive branch of the Government—as long ago as March 22, over a year and some months or so last past, there had been at that time, until April 1, no expression from the Department of Justice upon any of this legislation.

Had there, Mr. Brownell?

Attorney General BROWNELL. I think, Senator, that letter that you read is right. I think no hearings were held, however, by the committee at which we had a chance to give oral testimony.

Senator HENNINGS. I am speaking now of the letters that were written to you asking for your advice and guidance.

Attorney General BROWNELL. As far as I know, those are the only letters on those subjects.

Senator HENNINGS. And you had no advice, and indeed you had no guidance to give this committee on that subject at that time.

Attorney General BROWNELL. I wouldn't say that, because we were never invited up to a hearing before.

Senator HENNINGS. But you didn't answer the letter.

Attorney General BROWNELL. The letters will speak for themselves.

Senator HENNINGS. If there is no letter, it can't speak for itself. There is one letter I read in which you said that is a matter for Congress to determine. The words in the letter were, "whether or not such a measure should be enacted constitutes a question of policy concerning which the Department of Justice prefers to make no recommendation."

This was as of last September 1955. At that time, you had no recommendation to make upon any of these subjects.

Attorney General BROWNELL. Congress wasn't in session then; was it, Senator?

Senator HENNINGS. Well, the committees were functioning. We had a Subcommittee on Constitutional Rights sitting here. We extended a number of invitations to you to appear before that subcommittee, up to December 1, commencing on October 15.

Now, then, on S. 908, relating to the Commission on Civil Rights in the executive branch of the Government, as indicated by the letter which I read, on September 8, on that same date, and in that same letter. This relates to S. 903. I have another letter here, also dated September 8, 1955, relating to S. 906. In both cases, on page 2, the conclusion of Mr. William P. Rogers, the Deputy Attorney General, is that "whether or not this measure should be enacted constitutes a question of policy concerning which the Department of Justice prefers to make no recommendation."

In the accompanying letter relating to S. 903, to protect the rights of political participation, you say, "whether or not this measure should be enacted constitutes a question of policy concerning which the Department of Justice prefers to make no recommendation."

Now, then, you of course are aware, Mr. Attorney General, that on December 3, 1955, I wrote to you—rather, I should say Senator Kilgore wrote at our request—the following:

"DEAR MR. ATTORNEY GENERAL: Attached herewith is a list of bills on which reports previously have been requested but, according to records of the committee, have not been received.

"It will be appreciated if every action is taken to insure the receipt of the requested reports so that these bills may be processed for presentation to the committee before the beginning of the 2d session, 84th Congress.

"With kindest regards, I am,

"Most sincerely yours,

"_____,
"Chairman."

Now, then, that was way back in December, 1955, December 3, to be exact. In an attachment to that letter are listed S. 902, S. 905, S. 907, and I should say a total of 28 bills upon which the Department of Justice had not given either the full committee or its subcommittee the benefit of its impression.

Does the Attorney General remember this correspondence?

Attorney General BROWNELL. You refreshed my recollection. I am sure that also is accurate.

Senator HENNINGS. Now, then, of course, on February 24, I had written this one:

"DEAR MR. ATTORNEY GENERAL: The Subcommittee on Constitutional Rights of the Committee on the Judiciary has scheduled a hearing on S. 902, a bill to reorganize the Department of Justice for the protection of civil rights, on March 2, 1956, at 10 a. m., in room 424 of the Senate Office Building.

"By letter dated March 22, 1955, the Committee on the Judiciary requested the views of your department on this legislation, but, as yet, no answer to the letter of March 22 has been received. Inasmuch as this measure directly concerns your department and its functions, the subcommittee hopes that you will be able to present your views on this very important matter at the scheduled hearing. If for any reason, you cannot appear on the scheduled date, would you please suggest a date and time within 10 days of that date when it would be possible for you to appear personally and present your views." Then, on February 28, 1956, I sent a telegram to you as follows:

" 'With respect to my invitation to you of February 24 to appear and testify before the Subcommittee on Constitutional Rights on Friday, March 2, with respect to bill S. 902, I respectfully wish to advise you that the hour of the meeting has been changed from 10:30 until 11:30 to permit committee members to attend the funeral services of our distinguished colleague, Senator Kilgore. The committee is exceedingly desirous of learning your views with respect to S. 902 and we are looking forward to your being with us.' "

Does the Attorney General remember any of these communications?

Attorney General BROWNELL. It sounds right to me.

Senator O'MAHONEY. Will the Senator yield for a minute?

Senator HENNINGS. I'll be glad to yield.

Senator O'MAHONEY. I direct your attention to page 5 of your statement, Mr. Attorney General. The first two sentences of the first paragraph.

"We have observed that S. 902 would also provide for a Civil Rights Division in the Department of Justice. I believe, however, that bill is more detailed than is necessary."

I have looked at both of these bills, which are in the folder of the Assistant Attorney General, Mr. Rogers, who has kindly loaned them to me, and I find that S. 3604, which is the bill you recommend, was introduced in the Senate on April 11, 1956, by several members of this committee and several other Members of the Senate, all of whom happen to be Republicans.

S. 902 was introduced February 1, 1955, by Senator HUMPHREY of Minnesota for himself, Mr. DOUGLAS, Mr. LEHMAN, Mr. MCNAMARA, Mr. LANGER, Mr. MAGNUSON, Mr. MORSE, Mr. MURRAY, Mr. NEELY, and Mr. NEUBERGER.

The first section of S. 902 deals with the exact subject of the bill S. 3604, which you endorsed. It contains 80 words, Your bill contains 69 words.

Attorney General BROWNELL. A little on the side of economy there.

Senator O'MAHONEY. A little on the side of economy.

The bill introduced in February 1955 used the words, when describing an assistant attorney general, "learned in the law." You seem to strike them out.

Attorney General BROWNELL. We do that automatically.

Senator O'MAHONEY. Well, I am sorry to see that you do it automatically.

Attorney General BROWNELL. Without legislation, that is.

Senator O'MAHONEY. You don't mean to say that you don't choose men learned in the law, do you?

Attorney General BROWNELL. I mean to say we don't have to wait for a statute to do that. We do it automatically.

Senator O'MAHONEY. Then we have the words in S. 902, "under the direction of the Attorney General."

Those also you have eliminated. In the place of those words, you substitute, "who shall assist the Attorney General in the performance of his duties."

All in all, it would seem to be the difference between 58 words and 80 words, 2 bills doing exactly the same thing, with the exception of section 2, to which I will come in a minute.

S. 902, in order that the record be made clear, section 1, reads as follows:

"Be it enacted, etc., That there shall be in the Department of Justice an additional Assistant Attorney General, learned in the law, who shall be appointed by the President and by and with the advice and consent of the Senate, and shall under the direction of the Attorney General be in charge of a Civil Rights Division of the Department of Justice, concerned with all matters pertaining to the preservation and enforcement of civil rights secured by the Constitution and laws of the United States."

The bill which you now recommend to us reads as follows:

"That there shall be in the Department of Justice, one additional Assistant Attorney General who shall be appointed by the President, by and with the advice and consent of the Senate, who shall assist the Attorney General in the performance of his duties and who shall receive compensation at the rate prescribed by law for other Assistant Attorneys General."

Now, it will be observed that among the omissions in S. 3604, the bill which you recommend, are the words contained in S. 902, with reference to the Assistant Attorney General:

"Who shall be in charge of a Civil Rights Division of the Department of Justice, concerned with all matters pertaining to the preservation and enforcement of civil rights secured by the Constitution and laws of the United States."

Will you please state to the committee why you characterized this difference as something more detailed than is necessary?

Attorney General BROWNELL. Our reference was to section 2, and we think you haven't come to that.

Senator HENNINGS. If I may interrogate just another moment on that point, Senator O'Mahoney.

Senator O'MAHONEY. I'm through.

Senator HENNINGS. Of course, Mr. Attorney General, we want to be sure in the drafting of S. 902 in the committee in which Senator O'Mahoney is a distinguished Member, we wanted to be sure that the Division in fact would be created to concern itself with matters relating to the enforcement of civil rights.

Now, in your legislation, I am unable to find any reference whatsoever to civil rights. Your bill would seem to provide for the appointment of an additional Assistant Attorney General.

Attorney General BROWNELL. Are you asking me the reason for that, Senator?

Senator HENNINGS. Yes, I am.

Attorney General BROWNELL. The reason for that is that the act under which the Department of Justice is set up does not specify any particular duties for any Assistant Attorney General.

That is, the Antitrust Division of the Tax Division or the Criminal Division. It just authorizes the Assistant Attorney General, then it is an executive function of the Attorney General to designate the scope of the work of that assistant.

Senator HENNINGS. That is very true, doubtless. And as you know, our bill relating to this matter was reported on February 9, I believe. Your suggestion came up in April. However, I would like to say this, that it is my understanding——

Senator O'MAHONEY. Excuse me——

Senator HENNINGS. If the Senator will bear with me just a moment—it is my understanding that the Attorney General has the power to designate an Assistant Attorney General and charge him with the duty and responsibility of enforcing civil rights. Is that so?

Attorney General BROWNELL. No, he has to go to Congress for the authorization for a new Assistant Attorney General. Once Congress gives him the authority, then he can designate the particular area in which he is to work.

Senator O'MAHONEY. Why should you object to Congress giving you the authority to put this Assistant Attorney General in charge of civil rights?

Attorney General BROWNELL. That is what we are asking for. We are only doing it in the orthodox way in which Congress has done it before.

Senator O'MAHONEY. It may be authorized always to follow in the footsteps of one predecessor, but Congress has the right to legislate. Congress has the right to pass a law, if it is so desired, directing the Department of Justice in the first instance without any request to appoint an Assistant Attorney General in charge of civil rights.

You don't deny that, of course?

Attorney General BROWNELL. The way it came up you asked our opinion as to which would be better form. We thought this would be better form.

Senator O'MAHONEY. I didn't ask you anything about the form. I asked you why you objected to S. 902, which designated that the work of this Assistant Attorney General should be a specific job. You objected to a bill which does not designate a specific job.

Attorney General BROWNELL. We think there is a very sound reason for that, which has been adopted by the Congress over the years. That is from time to time you eliminate getting into jurisdictional disputes between your divisions that way. The Attorney General has full authority to allocate the work as he sees fit. That very often varies. Every once in a while I transfer the——

Senator O'MAHONEY. Are you objecting to the Attorney General being subject—why can't we use the discretion and say you shall have an Assistant Attorney General in charge of civil rights?

Attorney General BROWNELL. So often in these hearings we are talking about two different things. I was talking about the way Congress has acted in the past.

Senator O'MAHONEY. I am talking about the way the Attorney General has acted in the present.

Attorney General BROWNELL. Congress has the authority to pass it your way or the way it did in the past.

Senator O'MAHONEY. You eliminated these words——

Senator JOHNSTON. If you pass it like you have it, you also set this commission up and also the Indians were given the right to contract freely like other persons in the United States. Under your bill they can do that presently.

Senator O'MAHONEY. I was asking the Attorney General——

Senator JOHNSTON. I would like to get an answer to that question.

Senator O'MAHONEY. Let me get the answer to my question first.

Mr. Attorney General, in your statement to us just a few minutes ago, you said that you believe the bill, S. 902, is more detailed than is necessary.

Now, why is it more detailed than is necessary?

Attorney General BROWNELL. Are you ready to discuss section 2? That is the one I told I meant.

Senator O'MAHONEY. I'll be ready to discuss section 2 in just a minute.

Senator HENNINGS. We can't discuss it until you come to it. It is in section 2 that I am addressing my remarks.

Senator O'MAHONEY. You then have no objection to section 1?

Attorney General BROWNELL. We prefer it without the description of the scope of the division.

Senator O'MAHONEY. You would prefer the bill not to be a directive to you and to have this Attorney General work on civil rights and civil rights alone. That is your objection?

Attorney General BROWNELL. We prefer to have it done so that the work in the whole Department, as it has been for 100 years or more, is divided as the Attorney General sees fit from time to time.

Senator O'MAHONEY. In 1956, of course, we can't do all things that were done a hundred years ago. That should be obvious to everyone.

Section 2 of the bill, the one which you now say is more detailed than you think is necessary, has the provision—I am now referring to the second section of S. 902, which reads as follows:

"The personnel of the Federal Bureau of Investigation of the Department of Justice shall be increased to the extent necessary to carry out effectively the duties of such bureau, with respect to the investigation of civil rights cases under applicable Federal law. Such bureau shall include in the training of its agents appropriate training and instructions to be provided by the Attorney General in the investigation of civil rights cases."

Now, you have already answered that question by saying that that is the section to which you objected when you said 902 went into more detail than is necessary. Do you object to the Assistant Attorney General having the assistance of the Federal Bureau of Investigation in investigating civil-rights cases?

Attorney General BROWNELL. No.

My point is rather this, Senator, if I am permitted to put it on the record. The experience in the past has been that it is advisable to try to pin down by statute investigative jurisdiction of the FBI. That has always been left to the discretion of the head of the FBI. We felt it would be advis-

able to drop this entire section 2 out because plenty of authority exists under the present law.

Senator O'MAHONEY. Then why didn't you say that back in 1955, when this bill was introduced, instead of waiting until today to say in these few vague words you have used?

Attorney General BROWNELL. I came up here today in the frame of mind to be all the help I could be today, and if I have made errors in the past, I am sorry.

Senator HENNINGS. I think it only appropriate, Mr. Attorney General, and I really mean it when I say that we are not trying to put you through the mill up here on some of these things.

Indeed, you did come out with what you heralded as a new administration civil rights program. At the time you did that, there were 3 bills that had been reported out—4 bills, indeed—by the subcommittee of this standing committee of the Senate, the Subcommittee on Constitutional Rights.

I don't think that you could or would want to say to me that I have not made consistent and protracted efforts to get your views on this legislation before this committee met.

Senator O'MAHONEY will bear witness that I did that a number of times. We put some thought into these matters. Perhaps we are not as expert or have the great legal precision or the legal craftsmen or technicians that you may have at your command, but we on the subcommittee did the best we could on this legislation to bring that out. We did bring it out way back in February.

I wrote you this letter on April 9, following up some of the other letters of 1955. If you will indulge me, I would like to read that, as indicative of the fact that the Standing Subcommittee on Constitutional Rights of this Committee on the Judiciary was not sitting here doing nothing; that we were working on this legislation; that in the preceding Congress, there were only two meetings held on that subcommittee when Senator Henderson was chairman of it, and that we immediately commenced to think about this and many other matters which I know are of sincere concern to you. I want to say, too, that I don't question your good faith. I think you believe in this sort of thing. I am satisfied you do.

Attorney General BROWNELL. Thank you, Senator.

Senator HENNINGS. But I do want to know and I think I am entitled to know why we were consistently bypassed, why our letters were ignored, why we were given no assistance of help from the Department which later unveiled with considerable publicity a new civil rights program.

Now, on April 9, I took the liberty of addressing this letter to you and I hold a copy of it in my hand.

"DEAR MR. ATTORNEY GENERAL: Before leaving for Missouri more than a week ago, I dictated a letter inviting you to appear tomorrow morning before the Senate Subcommittee on Constitutional Rights, to give your views on civil rights legislation. I find that through inadvertence, this letter was not dispatched in my absence. Notice, however, had gone to the other two Senators on the subcommittee that a meeting would be held tomorrow at 10:30 a. m. The subcommittee would appreciate very much your appearance before the House Judiciary Committee which I understand meets tomorrow morning at 12 a. m.

"Recent newspaper stories have indicated that you desire to present to Congress a three-point program on civil rights comprising proposals for a Civil Rights Commission with subpena powers, a Civil Rights Division within the Department of Justice, and a bill to protect every citizen's right to vote by providing for civil action in the Federal courts.

"You are undoubtedly aware that the subcommittee reported favorably on February 9, 1956, on four civil rights bill (1) to establish a Civil Rights Division in the Department of Justice, (2) to protect the voting rights of all citizens in Federal elections and primaries, (3) an antilynching bill, and (4) a bill to protect members of the Armed Forces against bodily attack.

"As you will recall, the subcommittee requested your views on two of these bills last year. These were S. 902—to establish a Civil Rights Division in the Department of Justice, and S. 903—to protect the rights of all citizens to political participation. You replied to our request for your views on S. 903 that since this bill concerned a matter of policy, you preferred to make no recommendation; and to our request for your views on S. 902, although this bill concerned the creation of a new division in your own Department, you had made no response up to the time the subcommittee reported the bill on February 9.

"In view of the recent statements of President Eisenhower and the newspaper reports that you will present the administrations' civil rights program to Congress, we would again like to give you the opportunity of presenting your views on this legislation. Even though these bills have been reported, we feel that your appearance and testimony would assure bipartisan support which is necessary to their enactment, and would at this time assist in their early consideration by the full Senate Judiciary Committee.

"As you also undoubtedly know, there are presently pending before the committee other civil rights legislation. The subcommittee would very much like to have your views and recommendations on this important legislation. These bills are:

"S. 904, to tighten criminal provisions relating to peonage and slavery.

"S. 905, to amend and supplement existing civil rights legislation.

"S. 906, to create a permanent Commission on Civil Rights to gather and disseminate information on developments affecting civil rights.

"S. 907, an omnibus bill incorporating the principal provisions of S. 902, S. 903, S. 904, S. 905, and S. 906.

"We are particularly interested in your recommendations concerning S. 906 to create a Civil Rights Commission since it has been mentioned in the press that this is a proposal that has administration backing. We are most desirous of having the administration's recommendations on this proposal, and feel that you as the proponent of the administration's three-point program, are in the best position to give us these views.

"I would appreciate it if you would notify me whether you will be able to appear before our subcommittee following your testimony before the House Judiciary Committee.

"Sincerely yours,

"THOMAS C. HENNINGS, Jr.,
"United States Senate."

We have no record of any reply to that letter.

Now, all of this may seem, Mr. Chairman, collateral. All of it may in some respects be subsidiary to the principal issues in some of these bills. But some of us who have been engaged in the preparation of this legislation believe that we were entitled to the assistance of the Attorney General, just as the Attorney General comes before our committee with his nominations for the Federal judiciary, for additional district judges, for various other related matters where we seek and enlist your cooperation.

But on these measures, I think it fair to say, and I think you will agree with me, that we had no cooperation.

As to your additional legislation, we can go into a great deal of detail on that, but I will not at this time take the further time of the committee on the subject except for one matter.

I understand, Mr. Attorney General, from the statement that you read that you are opposed to any penal provisions relating to any acts which would intimidate, threaten, or force any other person for the purpose of interfering with the right of such other person to vote, or vote as he may choose, or causing him by contrariwise to vote for such other person or not to vote for any candidate in a Federal election.

Attorney General BROWNELL. We are not opposed to it, Senator. I tried to point out we——

Senator HENNINGS. I understand. You are opposed to it at this time.

Attorney General BROWNELL. We think that is a matter of congressional consideration. We would not recommend it affirmatively to you at this time. We prefer to stress the civil aspects. We would not oppose it, however, if you decide to pass it.

Senator HENNINGS. You would not recommend it, but you would not oppose it.

Attorney General BROWNELL. That is right. We think more stress should be laid now on the civil remedies.

Senator HENNINGS. I don't mean to paraphrase you. When you say any act which would intimidate, threaten, or force him—you think it might be more sufficiently compensatory to him to have a money judgment than to have those who deny him that right suffer some penal punishment?

Attorney General BROWNELL. That would not represent my views.

Senator HENNINGS. I don't mean to try to represent your views, but I didn't quite grasp your philosophy on that.

Attorney General BROWNELL. We think when we see an action of this kind impending, or a course of action over a period of time, it would be much better to try to go in and get injunctive relief, to try to prevent it from happening again than to try to get penal punishment for the offender.

Senator HENNINGS. You know a group of men who are bound or determined to keep one or several persons away from the polls on a given day, and you would get an injunction against——

Attorney General BROWNELL. It very often happens that there is a good chance to do that, because when they come to register, the denial of their right to register is shown to be on the basis of color or race, and if that is so, we can move in then.

Senator HENNINGS. Your belief is that injunctive relief would be more effective than the possibility of a penal clause punishing them for such efforts?

Attorney General BROWNELL. There are, of course, some penal sections in the statute now which could be used.

I would use the same analogy that we have in the antitrust bills. There we have both the civil and criminal remedies for what we call the per se violations, the persistent or willful violations well recognized. In some instances, we use the criminal process. In others, we use the civil process.

Senator HENNINGS. I am going to conclude now.

I am sure we are all very glad that you are evidencing this interest in this very important field. I wonder if you could tell me, Mr. Attorney General, why you did not see fit to reply to these numerous requests for advice and counsel; why you didn't answer?

Attorney General BROWNELL. In order to make an answer on that, I would have to consult with my staff, because I know there was a great deal of telephoning and correspondence on it. Very often in a situation of that kind we will talk to members of the staff or the chairman of the committee. I would have to check with my own staff on that.

Senator HENNINGS. Some of these letters were written by me, and some of those wherein I listed the numbers of the bills to which you gave no answer or no guidance.

I know for a fact that you and I didn't talk about those things, nor was I called by telephone to discuss it.

Attorney General BROWNELL. That is my recollection also.

Senator HENNINGS. Then you don't remember exactly why these letters were not answered?

Attorney General BROWNELL. No, I don't, Senator.

Mr. DOUGLAS. Mr. President, will the Senator from Missouri yield?

Mr. HENNINGS. I yield.

Mr. DOUGLAS. I congratulate the Senator from Missouri for the long and heroic battle which he has put up inside the Judiciary Committee in an effort to get civil-rights measures to the floor of the Senate and for his very documented and moving speech this evening. I think the Senator from Missouri has shown that the administration was extremely tardy in entering the field of civil rights; that it refused to support bills which had been introduced by members of our party; that the Attorney General was negligent and, indeed, at times, contemptuous in his disregard of requests for information; and that when the bills were finally introduced they were pale imitations of the measures which had been already introduced by members of the Democratic Party and for which the Senator from Missouri has been working.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Missouri yield?

Mr. HENNINGS. I am about to yield the floor.

First, I wish to thank the distinguished Senator from Illinois, the distinguished Senator from Wyoming, and other Senators who have helped to develop this matter. No one has worked harder and with more sincere zeal than has my distinguished colleague from Illinois.

SECOND SUPPLEMENTAL APPROPRIATION BILL, 1957—REPORT OF COMMITTEE ON APPROPRIATIONS (S. REPT. NO. 2770)

During the delivery of Mr. HENNINGS' speech,

Mr. KNOWLAND. Mr. President, will the Senator from Missouri yield, with the understanding that my remarks will appear at the end of his speech, so that I may make a unanimous-consent request?

Mr. HENNINGS. I yield for that purpose.

Mr. KNOWLAND. Mr. President, I have been informed by the chairman of the Committee on Appropriations that the order previously entered permitted the committee to file a report during the recess of the Senate. The Committee on Appropriations is now ready to file its report. I ask unanimous consent that the earlier order be modified to permit the committee to file its report while the Senate is in session.

The PRESIDING OFFICER (Mr. ANDERSON in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. HAYDEN, from the Committee on Appropriations, to which was referred the bill (H. R. 12350) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, reported it favorably, with amendments, and submitted a report thereon, which was ordered to be printed.

NOTICE OF CONSIDERATION OF NOMINATIONS BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. GEORGE. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate received today the following nominations:

The following-named persons to be representatives of the United States of America to the ninth session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization:

Stanley C. Allyn, of Ohio;

Athelstan F. Spilhaus, of Minnesota;

Mrs. Helen C. Russell, of California;

Mrs. Elizabeth E. Heffelfinger, of Minnesota; and

Asa T. Spaulding, of North Carolina.

The following-named persons to be alternate representatives of the United States of America to the ninth session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization:

Herold Christian Hunt, of Massachusetts; and

Robert McClintock, of California.

Notice is given that these nominations are expected to be acted upon by the Committee on Foreign Relations before adjournment.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. BEALL:

Statement prepared by him relative to the forthcoming retirement of George W. Combs, of the Baltimore Sunpapers.

RECESS UNTIL 10:30 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President——

Mr. DOUGLAS. Mr. President, I ask for recognition.

Mr. JOHNSON of Texas. Mr. President, I move, pursuant to the order previously entered, that the Senate stand in recess until 10:30 o'clock tomorrow morning.

The PRESIDING OFFICER (Mr. ANDERSON in the chair). The motion is not debatable. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and (at 9 o'clock and 50 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Wednesday, July 25, 1956, at 10:30 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate July 24 (legislative day of July 16), 1956:

DEPARTMENT OF STATE

I nominate William M. Rountree, of Maryland, to be an Assistant Secretary of State.

DIPLOMATIC AND FOREIGN SERVICE

Henry A. Byroade, of Indiana, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Union of South Africa, vice Edward T. Wailes.

Edward T. Wailes, of the District of Columbia, a Foreign Service officer of the class of career minister, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Hungary, vice Christian M. Ravndal.

George V. Allen, of North Carolina, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Greece, vice Cavendish W. Cannon.

UNITED NATIONS

The following-named persons to be representatives of the United States of America to the Ninth Session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization:

Stanley C. Allyn, of Ohio

Athelstan F. Spilhaus, of Minnesota

Mrs. Helen C. Russell, of California

Mrs. Elizabeth E. Heffelfinger, of Minnesota

Asa T. Spaulding, of North Carolina

The following-named persons to be alternate representatives of the United States of America to the Ninth Session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization:

Herold Christian Hunt, of Massachusetts

Robert McClintock, of California

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Henry L. Mullins, Andalusia, Ala., in place of L. E. Brown, retired.

Jonas J. Nance, Mount Hope, Ala., in place of J. W. Smith, retired.

ALASKA

Paul G. Swanson, Chugiak, Alaska, in place of M. L. McDowell, resigned.

Victor R. Milligan, Ketchikan, Alaska, in place of P. N. Ripley, retired.

ARIZONA

Irvan W. Fleming, Ajo, Ariz., in place of R. B. Anderson, retired.

Robert L. Honea, Marana, Ariz., in place of J. E. Collins, retired.

ARKANSAS

Curtis F. Mason, Alma, Ark., in place of W. D. Patton, retired.

Ashley N. Park, De Valls Bluff, Ark., in place of James Thweatt, retired.

CALIFORNIA

Lillian M. Burrow, Betteravia, Calif., in place of P. M. Pittori, retired.

Loudon F. Hillhouse, Bijou, Calif., in place of G. J. Hickey, resigned.

Irene F. Tallis, Hilts, Calif., in place of R. E. Baumgartner, retired.

Herman J. Johnson, San Carlos, Calif., in place of M. K. Davis, retired.

Wynn K. Giles, West Point, Calif., in place of H. A. Eckert, retired.

COLORADO

Max T. Robb, Central City, Colo., in place of C. I. Parsons, retired.

CONNECTICUT

Robert M. Gates, Niantic, Conn., in place of C. A. O'Connell, removed.

Theodore D. Lindemark, Rockfall, Conn., in place of F. E. Collins, retired.

GEORGIA

Ed J. Ehrensperger, Blackshear, Ga., in place of W. R. Allen, removed.

William Madison Dewberry, Tifton, Ga., in place of O. V. Barkuloo, resigned.

IDAHO

Robert J. Krouse, Priest River, Idaho, in place of Mercedes Tremblay, deceased.

ILLINOIS

Charles H. Harker, Sr., Dunlap, Ill., in place of F. F. Colgan, deceased.

August Todd, Joppa, Ill., in place of V. M. Lauderdale, resigned.

INDIANA

James R. Williams, Elizabethtown, Ind., in place of B. L. Shepard, retired.

Alvin J. Vaal, Ferdinand, Ind., in place of Albert Seufert, removed.

Madeline L. Freeman, Griffin, Ind., in place of C. C. Gilmore, removed.

Merrill R. Dorrell, West Newton, Ind., in place of M. L. Plummer, resigned.

IOWA

Adolph L. Opsal, Armstrong, Iowa, in place of M. E. Daries, removed.

Darwin L. Hascall, Emerson, Iowa, in place of G. L. Johnson, transferred.

Martin O. Knapp, Lohrville, Iowa, in place of W. G. Strabala, deceased.

Wayne A. Stein, Newhall, Iowa, in place of E. S. Wheeler, retired.

KANSAS

Joseph W. Rush, Longford, Kans., in place of A. I. Marty, retired.

KENTUCKY

Basil G. Jackson, Gamaliel, Ky., in place of Maud Comer, retired.

James E. Morris, Neon, Ky., in place of J. M. Caudill, resigned.

LOUISIANA

Roy E. Boyd, Converse, La., in place of T. S. Heard, retired.

MASSACHUSETTS

Robert S. Caves, Wenham, Mass., in place of F. J. Lucey, retired.

MICHIGAN

Albert V. Morgan, Croswell, Mich., in place of W. D. McCaughey, removed.

Harold Stecker, Hermansville, Mich., in place of W. C. Radue, retired.

Norman F. Smith, Marlette, Mich., in place of J. S. Dunford, retired.

Jean P. Richards, Perrinton Mich., in place of M. M. Miller, deceased.

MINNESOTA

Milton J. Moxness, Montevideo, Minn., in place of A. E. Anderson, retired.

Manfred C. Folstad, Shelly, Minn., in place of H. C. Megrund, retired.

Agnes M. Quam, Watson, Minn., in place of R. M. Odegard, removed.

MISSOURI

Ralph Gravely, Bolivar, Mo., in place of J. E. Thomasson, removed.

James E. Lysinger, Lowry City, Mo., in place of B. F. Eversole, transferred.

Eugene W. Waite, Wheeling, Mo., in place of S. H. Biggerstaff, deceased.

NEBRASKA

Arthur Floyd Gowin, Hemingford, Nebr., in place of Clyde Yardley, removed.

Layton E. Baker, Neligh, Nebr., in place of K. A. Scofield, removed.

ElRoy Bartels, Tobias, Nebr., in place of A. E. Pratt, retired.

Harry F. Falke, Wahoo, Nebr., in place of C. E. Henrickson, resigned.

NEW JERSEY

Frank E. Gersie, Clifton, N. J., in place of G. A. Keenan, deceased.

NEW YORK

Alta P. Johnson, Blue Mountain Lake, N. Y., in place of W. L. Smith, resigned.

John Hobert Stear, Churchville, N. Y., in place of P. C. Hopson, resigned.

Louis I. Katz, Mountain Dale, N. Y., in place of Isidore Smith, retired.

Phyllis N. Cooley, Richburg, N. Y., in place of H. C. Conneely, retired.

Richard C. Dedell, Sherrill, N. Y., in place of J. A. Egan, removed.

Frederick J. Weigel, Tribes Hill, N. Y., in place of William Holdorf, deceased.

Stanley L. Evans, Utica, N. Y., in place of C. S. Donnelley, retired.

NORTH CAROLINA

Mary R. Titman, Lowell, N. C., in place of C. H. Hand, retired.

OHIO

Raymond C. Mote, Austinburg, Ohio, in place of Harold Montgomery, Jr., transferred.

Wilson S. Geisler, Dalton, Ohio, in place of L. D. Poorman, retired.

Virginia C. Carter, Magnetic Springs, Ohio, in place of O. M. Force, removed.

OKLAHOMA

Buster E. Barker, Boswell, Okla., in place of H. F. Craig, deceased.

Phillip J. McGee, Wetumka, Okla., in place of J. W. Nicks, resigned.

OREGON

Madalene M. Hutchison, Bates, Oreg., in place of R. M. Haskell, resigned.

PENNSYLVANIA

Margaret F. Doering, Bethayres, Pa., in place of Harold Doering, deceased.

Harold Raymond Mitchell, East Smithfield, Pa., in place of E. S. Blakeslee, retired.

Hugh H. Hart, East Waterford, Pa., in place of M. G. Kirk, retired.

Florence M. Leyerzapf, Glenfield, Pa., in place of C. A. Zahner, resigned.

Elmer E. Mower, Marcus Hook, Pa., in place of W. H. Heacock, retired.

Fred G. Hadden, Shamokin Dam, Pa., in place of M. M. Ritter, retired.

John D. Marshall, Wampum, Pa., in place of C. R. Aiken, deceased.

Marcellus J. Heppe, Wayne, Pa., in place of M. B. Rickabaugh, deceased.

RHODE ISLAND

Ralph E. Olney, Coventry, R. I., in place of J. V. O'Connell, deceased.

SOUTH DAKOTA

Leo W. Lingemann, Ethan, S. Dak., in place of L. A. Turner, retired.

Theodore Mehlhaf, Menno, S. Dak., in place of, A. W. L. Trottnow, retired.

TENNESSEE

Lewis C. Drinnon, Morristown, Tenn., in place of H. H. Horner, deceased.

TEXAS

Vernon J. Burns, Ingram, Tex., in place of J. A. Leinweber, retired.

Arthur R. Main, Petersburg, Tex., in place of L. M. Brashear, resigned.

Joy S. Morris, Rosenberg, Tex., in place of L. O. Senkel, transferred.

WASHINGTON

Howard W. Grending, Benton City, Wash., in place of O. B. Gwin, retired.

Otis K. Hill, Goldendale, Wash., in place of C. W. Allbritton, resigned.

Mary Elizabeth Morrow, Lacey, Wash., in place of A. I. Foy, retired.

Genevieve K. Simm, Metaline Falls, Wash., in place of F. P. La Sota, retired.

Arthur J. Freeborg, Moses Lake, Wash., in place of L. E. Harris, retired.

WEST VIRGINIA

Emil E. Frye, Chapmanville, W. Va., in place of D. R. Toney, removed.

WISCONSIN

Paul R. Dyer, Crivitz, Wis., in place of S. V. Wolf, retired.

John C. Pribnow, Loyal, Wis., in place of L. M. Meyer, deceased.

WITHDRAWAL

Executive nomination withdrawn from the Senate July 24 (legislative day of July 16), 1956:

POSTMASTER

Charles B. Ring to be postmaster at Dante, in the State of Virginia.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 24, 1956

The House met at 10 o'clock a. m.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

God of infinite grace and goodness, from whom cometh our help and our hope, Thou knowest how weak we are in faith and how hesitatingly and wistfully we often enter upon a new day.

May we now fervently beseech Thee to gird us with a capacity to see all our tasks in their right perspective and with courage to discharge them faithfully and without fear.

Bless us with the glad assurance that nothing can ever impede the progress and the onward march of the forces of truth and righteousness and that a day is dawning when they shall be gloriously victorious.

Hear us in the name of the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 1355. An act for the relief of William Luke Phalen;

S. 1494. An act to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.;

S. 1636. An act to establish an Advisory and Research Committee on Humane Slaughter of Livestock and Poultry;

S. 1669. An act for the relief of Dr. Milan Gavrilovic;

S. 1783. An act for the relief of Mary Palanuk;

S. 2129. An act for the relief of Patrick K. Y. Yip;

S. 2354. An act for the relief of Jean Goedicke;

S. 2599. An act for the relief of John J. Griffin;

S. 2627. An act for the relief of Hermengildo V. Santos;

S. 2647. An act for the relief of Martha A. McDermott Stothard;

S. 2709. An act to provide for standby authority for priorities in transportation by merchant vessels in the interest of national defense, and for other purposes;

S. 2786. An act for the relief of Yi Nyong Suk;

S. 2823. An act for the relief of William C. Brady and Joyce Brady;

S. 2915. An act for the relief of Peter Panos;

S. 3230. An act for the relief of John R. Hill;

S. 3414. An act to provide for the advancement of Capt. Edward J. Steichen, United States Naval Reserve (retired), to the grade of rear admiral on the Naval Reserve retired list;

S. 3416. An act relative to employment for certain adult Indians on or near Indian reservations;

S. 3438. An act for the relief of Joanne Lea (Buffington) Lybarger;

S. 3445. An act to provide for the construction, equipment, and furnishing of a building for the United States Court of Claims, and for other purposes;

S. 3459. An act for the relief of Mary Barme and her two minor children, Steran Barme and Dinah Barme;

S. 3476. An act for the relief of Ljerka Zagar;

S. 3533. An act for the relief of Mr. and Mrs. David Liu;

S. 3597. An act for the relief of Duk Chang Cho;

S. 3725. An act to provide for increases in the annuities of annuitants under the Civil Service Retirement Act of May 29, 1930, as amended;

S. 3736. An act for the relief of Joan F. Roby;

S. 3737. An act for the relief of Lina Gertrude Mattingly and her minor children, Ellen Anna, Vincent, and Deannia Maria;

S. 3751. An act for the relief of Berta Cabrera Virgil Frohlich;

S. 3783. An act to direct the Secretary of the Navy or his designee to convey a 2,477$\frac{43}{100}$-acre tract of land, avigation and sewer easements, in Tarrant and Wise Counties, Tex., situated about 20 miles northwest of the city of Fort Worth, Tex., to the State of Texas;

S. 3809. An act to provide for the establishment of a new fish hatchery at Cedar Bluff Reservoir, Kans.;

S. 3827. An act to authorize the construction of a shellfish research laboratory and experiment station in the Chesapeake Bay area;

S. 3831. An act to provide for the establishment of a fish hatchery in the State of West Virginia;

S. 3908. An act for the relief of Peter Jocher Webb;

S. 3955. An act to authorize exploratory research by the Secretary of the Interior in connection with methods of control or extermination of sea nettles and jellyfish in marine waters of the United States;

S. 4044. An act to exempt from taxation certain property of the National Association of Colored Women's Clubs, Inc., in the District of Columbia;

S. 4059. An act providing for price reporting and research with respect to forest products;

S. 4075. An act to provide for the appointment of certain officers in the grade of rear admiral in the retired Reserve to the grade of vice admiral in the retired Reserve;

S. 4184. An act to incorporate the Boys' Clubs of America;

S. 4211. An act to encourage and assist the States in the establishment of State committees on education beyond the high school, and for other purposes;

S. 4221. An act to amend the International Wheat Agreement Act of 1949;

S. J. Res. 177. Joint resolution to authorize the Secretary of Commerce to sell certain war-built vessels; and

S. J. Res. 197. Joint resolution authorizing the President to proclaim the period from October 22 to October 27, 1956, as National Transportation Week.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and joint resolutions of the House of the following titles:

H. R. 1420. An act for the relief of Mr. and Mrs. Herman E. Mosley, Jr.;

H. R. 3062. An act for the relief of Paul H. Sarvis, Sr.;

H. R. 4090. An act to amend part II of title III of the Communications Act of 1934, so as to require the installation of an automatic radiotelegraph call selector on cargo ships of the United States carrying less than two radio operators, and for other purposes;

H. R. 4096. An act to provide for the disposal of public lands within highways, telephone, and pipeline withdrawals in Alaska, subject to appropriate easements, and for other purposes;

H. R. 5274. An act extending to the Commonwealth of Puerto Rico the power to enter into certain interstate compacts relating to the enforcement of the criminal laws and policies of the States;

H. R. 5731. An act to permit members of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Services, with dependents, to occupy inadequate quarters on a rental basis without loss of basic allowance for quarters;

H. R. 5738. An act to authorize flight instruction during Reserve Officers' Training Corps programs, and for other purposes;

H. R. 7596. An act to provide for the disposal of federally owned property at obsolescent canalized waterways, and for other purposes;

H. R. 7890. An act to authorize the commissioner of public lands to sell public lands located at Kaneohe Bay, Oahu, to certain persons;

H. R. 8837. An act to amend certain sections of the Hawaiian Organic Act, as amended, relating to the Legislature of the Territory of Hawaii;

H. R. 9348. An act to amend the act entitled "An act incorporating the Archeological Institute of America" to increase the value of real and personal property that such Institute may hold;

H. R. 9591. An act to amend the act of August 31, 1954 (68 Stat. 1037), relating to the acquisition of non-Federal land within the existing boundaries of any national park, and for other purposes;

H. R. 9699. An act to provide for the conveyance to the State of Oregon of the land and improvements known as the Clackamas National Guard target range, at Clackamas, Oreg., to be used for National Guard purposes;

H. R. 9970. An act to provide for the disposition of the Stockton Air Force Station and the Stockton Annex, Sharpe General Depot, Calif.;

H. R. 10184. An act to authorize the Secretary of the Treasury to convey property to the county of Pierce, State of Washington;

H. R. 10423. An act to provide for the conveyance of 18.18 acres of land within the Garza-Little Elm project to the city of Lewisville, Tex., for sewage disposal purposes;

H. R. 10432. An act to amend further the Federal Civil Defense Act of 1950, as amended, to authorize the Administrator to pay travel expenses and per diem allowances to trainees in attendance at the National Civil Defense Staff College, and for other purposes;

H. R. 10984. An act for the relief of Nikolai E. Khokhlov;

H. R. 11000. An act concerning gifts of securities to minors in the District of Columbia;

H. R. 11207. An act for the relief of Cyrus B. Follmer;

H. R. 11489. An act to exempt from taxation certain property of the American Institute of Architects in the District of Columbia;

H. R. 11522. An act to implement section 25 (b) of the Organic Act of Guam by carrying out the recommendations of the Commission on the Application of Federal Laws to Guam, and for other purposes;

H. R. 11613. An act to authorize the loan of naval vessels to the Governments of the Federal Republic of Germany, Greece, Portugal, Spain, and friendly Far Eastern Nations, and for other purposes;

H. R. 11677. An act to provide for the advancement of Maj. Gen. Hanford MacNider, United States Army Reserve (retired) to the grade of lieutenant general on the retired list;

H. R. 11695. An act to extend until June 30, 1958, the programs of financial assistance in the construction and operation of schools in areas affected by Federal activities under the provisions of Public Laws 815 and 874, 81st Congress, and to make certain other changes in such provisions;

H. R. 11821. An act for the relief of Esterlee Hutzler Weinhoeppel;

H. R. 12170. An act to remove the present $1,000 limitation which prevents the Secretary of the Navy from settling certain claims arising out of the crash of a naval aircraft at the Wold-Chamberlain Airfield, Minneapolis, Minn.;

H. J. Res. 651. Joint resolution to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 662. Joint resolution for the relief of certain relatives of United States citizens;

H. J. Res. 667. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with Presidential inaugural ceremonies;

H. J. Res. 680. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 681. Joint resolution to waive the provision of section 212 (a) (6) of the Immigration and Nationality Act in behalf of certain aliens; and

H. J. Res. 683. Joint resolution for the relief of certain aliens.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 1637) entitled "An act to extend the time limit within which awards of certain military and naval decorations may be made"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STENNIS, Mr. ERVIN, Mr. SALTONSTALL, Mr. JACKSON, and Mrs. SMITH of Maine to be the conferees on the part of the Senate.

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 57–3.

COMMITTEE ON WAYS AND MEANS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged resolution (H. Res. 607) and ask for its immediate consideration.

The Clerk read the House resolution, as follows:

Resolved, That the further expenses of conducting the studies and investigations, authorized by House Resolution 331 and House Resolution 606, 84th Congress, incurred by the Committee on Ways and Means, acting as a whole or by subcommittee, not to exceed $300,000 in addition to amounts heretofore authorized by House Resolution 302 and House Resolution 332, 84th Congress, including expenditures for the employment of such experts, clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SERGEANT AT ARMS, HOUSE OF REPRESENTATIVES

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged resolution (H. Res. 615) and ask for its immediate consideration.

The Clerk read the House resolution, as follows:

Resolved, That the Sergeant at Arms of the House of Representatives is authorized and directed to protect the funds of his office by purchasing insurance, in the amount necessary to protect against loss with respect to such funds. Until otherwise provided by law, premiums on such insurance shall be paid out of the contingent fund of the House on vouchers signed by the Sergeant at Arms and approved by the Committee on House Administration.

With the following committee amendment:

Page 1, line 4, strike out "necessary to protect" and insert "of $250,000, providing protection."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PREPARATION OF A HISTORY OF MOMENTOUS SCENES IN THE CONGRESS SINCE THE REVOLUTIONARY WAR

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I ask unanimous consent for the immediate consideration of House Joint Resolution 689, to provide for the preparation of a history of momentous scenes in the Congress since the Revolutionary War.

The Clerk read the title of the House joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There being no objection, the Clerk read the House joint resolution, as follows:

Resolved, etc., That the Librarian of Congress is authorized and directed to commission Edward Boykin, Charlottesville, Va., for a period of 2 years, to prepare a history of momentous scenes in the Congress since the Civil War, to consist of not more than 2 volumes.

SEC. 2. There is hereby authorized to be appropriated to the Librarian of Congress the sum of $20,000, to be paid to Edward Boykin for his services in connection with the history prepared under authority of this joint resolution. From funds appropriated pursuant to the authorization contained in this section, the Librarian of Congress is authorized to advance to Edward Boykin, from time to time, such sums as such Librarian may deem appropriate.

SEC. 3. The history prepared under authority of this joint resolution shall be printed as a House document, and in addition to the usual number, there shall be printed one copy for the use of each Member of Congress and the President of the Senate.

SEC. 4. As used in this joint resolution, the term "Member of Congress" includes a Member of the Senate, a Member of, and a Delegate to, the House of Representatives, and the Resident Commissioner from Puerto Rico.

With the following committee amendment:

Page 1, line 6, strike out "Civil" and insert "Revolutionary."

Mr. LECOMPTE. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Iowa.

Mr. LECOMPTE. This provides for bringing the history up to date?

Mr. FRIEDEL. This provides for bringing the history of Congress from Revolutionary days to the present time up to date.

Mr. LECOMPTE. It contemplates employing a man by the name of Mr. Boykin to bring it up to date?

Mr. FRIEDEL. Yes.

Mr. LECOMPTE. I think this is a very fine resolution, and I believe the majority of the Members, including the leadership, are in favor of it. I am wondering if one question is in order. It appears to me that the source of the material will be largely material that belongs to the Government, possibly in the Library. Will the Government's rights to this book, to this publication, all be protected?

Mr. FRIEDEL. This is written by him personally, and the Government will be protected all the way through.

Mr. LECOMPTE. Any sales of the book will accrue to the Government?

Mr. FRIEDEL. Yes.

Mr. LECOMPTE. I have no objection.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Iowa.

Mr. SCHWENGEL. Mr. Speaker, I am interested in this bill. Was the amendment that was discussed yesterday taken care of?

Mr. FRIEDEL. Yes. It goes back from Revolutionary days up to the present time.

Mr. SCHWENGEL. I would like to say for the RECORD that I think this is a fine contribution that the gentleman has made of making known to the public the wonderful history of this great legislative body.

At this point, Mr. Speaker, I would like to extend my remarks and place in the RECORD a dissertation I have regarding the book that has recently been published by this man, a book review of Congress and the Civil War; also a brief review of the book, and an article on the gentleman in question.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, several weeks ago it was my good fortune to have the opportunity to acquire and read a book entitled "Congress and the Civil War" by Mr. Ed. Boykin, of Charlottesville, Va. This book is a monumental work on a phase of history that has been too long neglected. It is outstanding in style and the selection of subject matter. The content is excellent. It covers a most significant period in American history.

Because this book is about history and about what many have come to recognize as the greatest legislative body in the world—the Congress of the United States—and because within its covers are lessons from which all of us can benefit immeasurably today, I desire at this time to call the attention of my colleagues and to all who may read the CONGRESSIONAL RECORD—first, to a brief on the importance of reading, studying, and seeking to understand history both as citizens and as legislators; second, to a brief outline of what I consider the highlights of this excellent book on a most important period in the history of our country, and third, to place in the RECORD a very brief biographical background of the author.

Mr. Speaker, a study and understanding of history as it relates to the problems of the world and the progress and growth of our Nation is most important. To all who desire to be qualified, able, and effective citizens in our country, the understanding of at least some history is imperative. That representative government, as we know it, is a powerful ideal is acknowledged by all who are students of history. History will prove that government of the people has been a steady and certain force for the improvement of man socially and economically. That his status has improved in direct proportion to the amount of freedom he has attained for himself and for his fellow man. These freedoms are the central thought of the great goals set forth in the Declaration of Independence and guaranteed and bequeathed to posterity in our Constitution.

In 1909 Justice Hughes in his lectures on the Dodge Foundation said when he was discussing the matter of history with some students:

> His study of history and of the institutions of his country has been of little purpose if the college man has not caught the vision of democracy and has not been joined by the troth of heart and conscience to the great human brotherhood which is working out its destiny in this land of opportunity.

In that statement is expressed the challenge of a great idea; one which we have too often taken for granted and therefore, we as a people have not felt the impact nor importance of the wonderful heritage that has been handed to us by our forefathers. This may be the reason that we, as a people, and as a Nation do not always seem to understand the true philosophy of our Government as it applies to peoples rights, opportunities, and obligations. It may explain, too,

why we find it hard oftimes to make sound and right decisions in Government. In this apparent indifference toward our Government and the lack of appreciation of the great heritages that are ours, we may find an explanation to the reason why we do not always seem to select the best talent for important posts in representative government. This problem was recently called to our attention in an address made by the Honorable JOHN KENNEDY, of Massachusetts, when he was the guest speaker at Harvard University. He said, among other things:

It is regrettable that the gap between the intellectual and politician seems to be growing. Instead of synthesis, clash and discord now characterize the relations between the two groups much of the time.

Further he pointed out that:

To many universities and scholars we supply nothing but censor, investigators, and perpetrators of what has been called the swinish cult of antiintellectualism.

He continues:

It seems to me that the time has come for intellectuals and politicians alike to put aside those horrible weapons of modern internecine warfare, the barbed thrust, the acid pen, and—most sinister of all—the rhetorical blast.

He challenges us by this admonition:

Let us not emphasize all on which we differ but all we have in common. Let us consider not what we fear separately but what we share together.

In recalling some of the early history of our Nation's first great writers—Thomas Paine and Thomas Jefferson—Senator KENNEDY points out that "books were their tools, not their enemies":

This link between American scholarship and the American politician remained for more than a century. Just 100 years ago today in the presidential campaign of 1856, the Republicans sent 3 brilliant orators around the campaign circuit: William Cullen Bryant, Henry Wadsworth Longfellow, and Ralph Waldo Emerson. Those were the carefree days when the "egg-heads" were all Republicans.

He continued in his splendid address, making this significant suggestion:

I would remind both groups that the American politician and the American intellectual operate within a common framework—a framework we call liberty.

Finally he suggests:

The great potential gain for both groups would be the result from increased political cooperation.

And I might add, the great gain will come to the free world if the so-called intellectuals would extend more of a helping hand than so often a critical note that creates discord and misunderstanding. Political leaders need, of course, to recognize too that America's freedom extends to honest intellectuals as well. The present atmosphere and attitudes in many circles have tended to create schisms of suspicion and a temptation to call each other names which regrettably seems to characterize so much of political America these days.

Mr. Speaker, since the inception of our country over 10,328 different people have served as Members of this honorable body and in various ways each has made his contribution: Some were on the scene only briefly and made their contribution only by being here. Others were great giants, men of tremendous capacity, ability, and vision, and together we have built a tradition that has made our Nation and our people great in so many ways. Through this time we have built a great arsenal of freedom based upon the application of great fundamental truths—built on strength and power from spiritual and moral principles whose central theme is best described in the words "freedom" and "liberty."

There have been many attempts to write a phase of the story about the United States Congress in such books as The Power of Congress, by Charles Baird; Filibustering in the Senate, by Frank Burdette; The President, Congress, and Legislation, by Lawrence Chamberlain; and The Investigative Powers of Congress, by Julia Johnston; and many other books by various competent authors, all dealing with only 1 or 2 phases. Then there have been virtually hundreds of newspaper and magazine articles and pamphlets that deal with specific phases of Congress and altogether they make a tremendous story, but one impossible to read and understand except by special students of this field and it would be virtually impossible to resolve the conflicting versions by the different authors.

Therefore, I think it indeed fortunate that Mr. Ed Boykin has taken it upon himself to write about Congress in general. His book, Congress and the Civil War, is actually a dissertation on Congress over a 50-year period dating from 1820 to 1870.

After tremendous research and study, he has published a book with 28 chapters around which he has built a thrilling story of some of the highlights and drama of American history in Congress. The reading of it cannot help but make one more fully appreciative of the greatness and importance of our Nation as it grew from a small beginning of a few people with great ideas and ideals, and how its people and Government rose to meet the challenge of the conflicts that were theirs to surmount as they fought to stay united and grow.

Reading this book, one realizes more than ever the appeal to the passions and weaknesses of the people rather than to reason has brought us much difficulty and tended to prolong rather than solve our problems. It also shows how after each conflict it was necessary for reasonable men to sit down together and work out a solution based on commonsense.

Before I launch out on a very brief discussion of the contents of this book, I should like to list the various titles of the chapters, since they indicate the wide variety of subjects covered, most of which lead to and explain the reasons for the conflict as well as various interesting aspects of our history. They merit your special attention.

TABLE OF CONTENTS—CONGRESS AND THE CIVIL WAR

Like a Fireball in the Night.
The Magnificent Monroes Hold Court in the Nation's Dueling Capital.
Pistols on the Potomac.
King Andrew and the Spoilsmen Take Over.
Liberty and Union, Now and Forever.
Jackson Confounds the Nullifiers.
The Little Magician Clinches the Presidency.
The Senate Stages the Great Expunging Drama.
Martin the First Occupies the "Palace of the Caesars".
Congress Picks the First Miss America, But Alas!
The Little Magician Succumbs to Ogle's Magic.
Gold in California and War Below the Border.
The Muse of History Writes as Old Eloquent Dies.
Old Rough and Ready Moves in With Storm Signals Flying.
The Great Triumvirate at Armageddon.
Enter a New Political Party While Abolition Rides the Whirlwind.
Blood on the Senate Floor.
Thunder Over Washington.
The Crisis Over John Sherman, Would-Be Speaker.
State of the Union, 1861.
The South Walks Out—May God Save the Right!
Lincoln Offers Peace; Secession Marches On.
Treason in the Senate, or Nine Words to Bull Run.
Fetters for the South, Impeachment for a President.
Thaddeus Stevens Impeaches Andrew Johnson.
Impeachment Interlude.
Spectacle, Sound, and Fury.
The Moving Finger Writes—Not Guilty!

Mr. Speaker, in a letter to the author you state very effectively the importance and value of this excellent book and with your permission I herewith quote from your letter:

MR. EDWARD BOYKIN,
Charlottesville, Va.

DEAR MR. BOYKIN: The stress of matters and sickness in the family has deprived me of the opportunity of thanking you for your wonderful book, Congress and the Civil War. I did not put it down until I had read it through.

It is one of the sanest books I have ever read, and depicts the terrible times before and during the Civil War. Every time I think of the Civil War I resent it that my father had to spend 4 years of his life in a war brought on by flannel mouth agitators from the North, and demagogic so-called statesmen from the South.

I trust that both sides of the present question on segregation use more judgment than those who brought about the Civil War.

Again thanking you and with every good wish, I am,

Sincerely yours,

SAM RAYBURN.

BOOK REVIEW OF EDWARD C. BOYKIN'S CONGRESS AND THE CIVIL WAR

In view of the title of Edward C. Boykin's book, Congress and the Civil War (New York,

the McBride Co., 1955. 352 p.) one might have expected that it would be confined to the period of the Civil War. Instead, Mr. Boykin has chosen as his subject the sectional controversies leading up to and growing out of the Civil War, as reflected in the congressional debates of the time, rather than the war itself. The book opens with a review of the Missouri Compromise of 1820, by which Missouri entered the Union as a slave State, Maine entered as a free State, and slavery was to be forever excluded from the area north of 36 degrees, 30 minutes north latitude in the territories to the west of Missouri. It closes with the unsuccessful attempt of the radical Republicans to deprive Andrew Johnson of the Presidency through the impeachment process.

"This volume," states David Lindsey in the American Historical Review (April 1956), seeks to "recreate a comprehensive series of momentous scenes in the cavalcade of the national legislature between 1819 and 1868" and to "summon back * * * colorful and towering personalities" who played prominent roles in Congress. In effect, the author succeeds in doing just that. Here pass in review the struggle over adopting the Missouri Compromise, the Henry Clay-John Randolph duel, Thomas Hart Benton's fight to expunge the Senate's resolution of censure of Andrew Jackson, Representative Charles Ogle's extravagant 'gold-spoon' speech that pinned the aristocratic label on Martin Van Buren, John Quincy Adams' tenacious battle against the 'gag rule' and his death in the Speaker's room of the Capitol, the contest over the Compromise of 1850, Preston Brooks' brutal attack on Charles Sumner, the extended quarrel over electing a Speaker of the House in 1859–1860, Jefferson Davis' farewell to the Senate, Rose Greenbow's espionage intrigues, Senator Edward Baker's eloquent plea for support of Lincoln's military measures, and Thaddeus Stevens' venomous managing of Andrew Johnson's impeachment. Obviously the author has dealt with spectacular incidents in congressional history and has handled them effectively. * * * The merit of the work lies in the colorful, drama-packed scenes that the author has succeeded in recreating in a fast-moving, pungent style that catches the tense, supercharged atmosphere of the time."

"In the author's view," states James Heslin (Library Journal, December 15, 1955), "acrimonious tariff disputes, for example, were test battles for the real conflict to come. In any case, it is certainly true that, from the demise of the Federalists, who in 1820 did not nominate a candidate for the Presidency, to the bloody climax of the Civil War, this was a major era in American Government. In order to recreate a sense of the drama of these years there are descriptions of scenes in Congress and the colorful personalities—Jackson, Clay, Calhoun, Webster—who played in them. While in no way does this book attempt to render a definitive record, it is a lively and accurate account of an existing and flamboyant national legislature."

The relevant events in the unfolding sectional controversies of the time are dramatically described. The Webster-Hayne debate, President Andrew Jackson's dispute with Vice President John C. Calhoun over the attempted nullification by South Carolina of a Federal law, the disputes over the circulation of abolitionist petitions and literature, the sectional impasse caused by the Mexican War annexations and the solution of 1850, the repeal of the Missouri Compromise effected by the passage of Stephen A. Douglas' Kansas-Nebraska Act, the scenes in Washington as the South seceded, and Johnson's impeachment are among the topics covered.

Mr. Boykin has also included much material that bears only a tenuous relationship, or no relationship at all, to the Civil War. The appearance in Washington of Helena Maria America Vespucci, an Italian adventuress who sought to gain a congressional grant of land on the basis of her illustrious ancestry, adds color to the narrative, even though it has little or no bearing on the principal theme.

The book has both the merits and defects of popular history. It is cast in the form of a dramatic narrative in which the reader is constantly brought directly to the scene, be it, as it frequently is, the House or Senate Chamber, a nearby dueling ground, or the Virginia home of the aged James Madison in the middle of the night. The words of the principal characters are reported; their clothing, and even the expression on their faces is described. While Mr. Boykin may not have indisputable documentation for what John C. Calhoun, Henry Clay, and Daniel Webster said to each other around noon of January 25, 1832, in the privacy of the Vice President's office, it is not hard to imagine that he has done a pretty good and accurate job of reporting of what was probably said.

While some historians might say that such is the principal defect of popular history—it may overplay drama in history; yet his book's main advantage is immediacy and readability. In gaining this immediacy, the biographical approach is useful. That is the means by which Mr. Boykin has wisely told his story; it is narrated from the viewpoint of the leading actors in his drama. One follows them about and feels their presence as they make their speeches, discuss their plans, fight their duels, and attempt to impeach a President.

Another advantage is that the popularizer may not suffer from the timidity of the academic historian, who is frequently so overawed by the mass of documentation that can be brought to bear on almost any historical topic that he restricts himself to more manageable minor subjects. Few topics in American history are more worth informed discussion, however, than the Civil War and the controversies leading up to it. The continual stream of books on various phases of the subject indicates its importance. The Civil War, in fact, perhaps outranks even the history of the Revolution in popular favor. Certainly we have had many more books about it, about Lincoln, Lee, Grant, and the other actors. Great as was the achievement of the Founding Fathers in establishing our democratic Republic, the greatest achievement in our history was in proving that such a government can endure.

In reading this book it is easy to see that no problem put representative government so much to test as the slavery controversy. The stakes were high. A government of the people was still relatively new and untried. An unwise resort to violence rather than public opinion had brought about the defeat of revolutionary republicanism in France. The vast majority of Englishmen could not vote. Most of the European powers were governed by despotisms. Only the United States possessed stable republican institutions, and they were threatened by the violence of the slavery dispute. The wonder is that the question was successfully kept within the realm of discussion so long, that the Civil War did not come 10 or 20 or 30 years sooner than it did. Our great Civil War, indeed, represented one problem that in the end was decided by force, not discussion. Force must in fact ultimately lie behind all political authority, and perhaps it was inevitable that only force could solve in the end the problems presented by the existence of African slavery in our country. Nevertheless, despite the appeal to force, representative institutions did not die. Congress did not fail to meet during the 4 long years of war. Representative government on a national scale was able to meet the threat posed by a denial of its own sovereignty. If the Civil War and Reconstruction Congresses were the occasional victims of extremists and fanatics, the basic reason was that the southerners had walked out in 1861 and left the field free to their opponents.

Mr. Speaker, this book in my opinion, is the best book of this type about the history of Congress that has ever been written. I commend it with enthusiasm to every Member of Congress. No student of American history should miss availing himself of the first opportunity to read it. This book should be on the shelf, as a ready reference, for every teacher of American history in our country. Every librarian in every library in our Nation should arrange to have a copy or copies of it on their shelves, where it might be made available to every citizen of our great land. Those who read and study it will be thrilled by it, and they will be better students of history and therefore better citizens.

Finally, I would like to suggest to those who are worried about foreignisms infiltrating into our country to read history and you will find more adequate ways to fight them and possibly even find reasons to be less concerned.

To those who are concerned because of lack of loyalty and patriotism to our way of life—do what you can to see that the lessons learned and taught by our forefathers are a part of our educational system today.

To those who seek to solve all questions in the legislative halls and are sometimes impatient—seek to understand history and you will know that what comes gradually comes more surely.

Let us, as a people, spend more time reviewing the great drama of American history and in that reading place high on your priority list Ed Boykin's latest book, Congress and the Civil War.

The reading, studying, and understanding of the history and the development of our country can and will make better citizens, and undergird our way of life and assure posterity that we have one Nation—so well stated by Webster:

Liberty and union, now and forever one and inseparable.

Let us then, ever seek to recover, hold on to, and promote the faith of our fathers.

BRIEF BIOGRAPHICAL SKETCH OF EDWARD BOYKIN

Edward Boykin, whose ancestry dates back to 1678, and who has two relatives, FRANK BOYKIN and DAN FLOOD who are Members of this Congress, was born in historic Petersburg, Va. He attended Hampden-Sydney College, Virginia, and spent 3 years as a cadet at the United States Military Academy. After West Point, his first job was as a reporter on the famous New York Evening Journal where within 2 years he was promoted to the job of city editor.

After 6 years on the New York Journal, Mr. Boykin became impatient with the newspaper business and, though he loved it, decided to set new goals for himself. He had attracted the attention of the great inventor, Thomas A. Edison, during his editorial career and, eventually, accepted a position with Mr. Edison's company as public relations manager in charge of sales promotion. He

moved up to sales manager and then director for one of the large divisions of the inventor's varied interests.

After his years with Mr. Edison's organization, Mr. Boykin joined the staff of one of the leading advertising agencies in New York where he soon was rated as a capable, successful advertising man.

His years as writer, editor, and advertising man cultivated Mr. Boykin's interest in American history. He found time, along with his many other activities, to write and have published six books on American historical subjects. At the same time he wrote two historical plays, Lee of Virginia and Gentleman Unafraid. His Lee play was presented before sell-out audiences in the famous Barter Theater at Abingdon, Va. Gentleman Unafraid was a musical about West Point in Civil War time, written in collaboration with Oscar Hammerstein II, Jerome Kern and Otto Harbach. Mr. Boykin's books include: Congress and the Civil War, Living Letters From American History, the Wisdom of Thomas Jefferson, the Autobiography of George Washington, First American History Quiz Book, Second American History Quiz Book, Famous American Documents and Letters, Shrines of the Republic.

Mr. Boykin is at the moment completing 2 new books, 1 to be published in January by Rinehart & Co., New York; the other to appear in the spring and published by Funk & Wagnalls.

As a radio personality he has conducted various successful national programs based on American history. He originated and conducted for 10 years the celebrated Americana Quiz. It was through this program he earned the title "Radio Professor of American History." He also originated and conducted the successful Your Washington program based on the history of the National Capital. At the same time he acted as master of ceremonies for the National Radio Forum formerly aired on the old Blue network.

Mr. Boykin's permanent home is at Charlottesville, Va., though he spends considerable time between Jefferson's hometown and Washington, D. C.

In 1943 Mr. Boykin was selected to head the Thomas Jefferson Bicentennial Commission in Washington and more recently to hold the directorship of the National Capital Sesquicentennial Commission.

Mr. Speaker, this very brief biography of Mr. Boykin's activities should establish him as one of America's eminent historians and his latest contribution, Congress and the Civil War, will add immeasurably to his already outstanding record.

GENERAL LEAVE TO EXTEND

Mr. RIVERS. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks on House Joint Resolution 689 concerning the commissioning of Edward Boykin to prepare a history of the Congress.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "To provide for the preparation of a history of momentous scenes in the Congress since the Revolutionary War."

A motion to reconsider was laid on the table.

A HANDBOOK FOR AMERICANS

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up Senate Concurrent Resolution 79 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Subcommittee on Internal Security of the Committee on the Judiciary 75,000 additional copies of Senate Document No. 117, A Handbook for Americans.

Mr. HAYS of Ohio. Mr. Speaker, I yield to the gentleman from Iowa [Mr. LECOMPTE].

Mr. LECOMPTE. Mr. Speaker, may I submit a question? This is a Senate resolution which provides for the printing of material for a committee of the Senate. It does not provide any copies for the House.

Mr. HAYS of Ohio. The gentleman is correct. As the gentleman will recall the Committee on House Administration reported this resolution out and asked me to submit it to the House on the basis that we had nothing to do with its contents, and we neither approved nor disapproved. It is a matter of comity between the House and the Senate. This is a copy of a similar resolution that passed some time ago that wound up in the courts in a lawsuit.

Mr. LECOMPTE. If we observe the principle of comity very clearly, why, we are pretty near under compulsion to give the other body what they need for their committees. And, I assume there is no question about there being any opposition to this resolution. That would be the very essence of comity, as I understand it.

Mr. HAYS of Ohio. That is correct.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. TABER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 114]

Bailey	Eberharter	Nelson
Bass, Tenn.	Fernandez	O'Hara, Minn.
Bell	Gamble	Patman
Blitch	Gordon	Pilcher
Brooks, La.	Gray	Powell
Brooks, Tex.	Gubser	Preston
Burleson	Gwinn	Priest
Celler	Hébert	Prouty
Chatham	Hoffman, Ill.	Richards
Christopher	Kelley, Pa.	Scudder
Clevenger	Lane	Sieminski
Cretella	Long	Thompson, La.
Davidson	McDonough	Thornberry
Davis, Wis.	McDowell	Vinson
Dawson, Ill.	Machrowicz	Whitten
Diggs	Magnuson	Wickersham
Dowdy	Morrison	

The SPEAKER. On this rollcall 380 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ENACTING CERTAIN PROVISIONS NOW INCLUDED IN THE DEPARTMENT OF DEFENSE APPROPRIATION ACT AND THE CIVIL FUNCTIONS APPROPRIATION ACT

The SPEAKER. The unfinished business is further consideration of the bill H. R. 7992, which the Clerk will report by title.

The Clerk read the title of the bill.

The SPEAKER. The question is on the committee amendment on which a separate vote was demanded. The Clerk will read the amendment on which a separate vote was demanded.

The Clerk read as follows:

Page 14, line 1:

"SEC. 27. (a) Prior to the transfer by contract of any commercial or industrial-type operation which has been performed by the Department of Defense for a period of 3 consecutive years or more and in which more than 10 civilian personnel are employed at the specific activity concerned, the Secretary of Defense shall file with the President of the Senate and the Speaker of the House a report setting forth the details of the proposed transfer. Upon the expiration of 60 days of continuous session of the Congress following the filing of said report, the Secretary of Defense is authorized to proceed with the proposed transfer unless during such period either House shall adopt a resolution of disapproval, as hereinafter provided in this section, of the proposed transfer described in said report. For the purposes of this section, continuity of session shall be considered as broken only by adjournment of the Congress sine die; but in the computation of the 60-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than 3 days to a day certain.

"(b) The provisions of this section are enacted by the Congress:

"(1) As an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in such House in the case of resolutions (as defined in subsection (c)); and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

"(2) With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner

and to the same extent as in the case of any other rule of such House.

"(c) As used in this section, the term 'resolution' means only a resolution of either of the two Houses of Congress, the matter after the resolving clause of which is as follows: 'That the -------- does not favor transfer of ----------, as recommended by the Secretary of Defense, that has been for a period of 3 consecutive years or more performed by more than 10 civilian personnel of the Department of Defense,' the blanks therein being filled with the name of the resolving House and the operation proposed to be transferred.

"(d) A resolution with respect to a transfer shall be referred to a committee (and all such resolutions shall be referred to the same committee by the President of the Senate or the Speaker of the House of Representatives, as the case may be.

"(e) (1) If the committee to which has been referred a resolution with respect to a transfer has not reported it before the expiration of 10 calendar days after its introduction, it shall then (but not before) be in order to move either to discharge the committee from further consideration of any other resolution with respect to such transfer which has been referred to the committee.

"(2) Such motion may be made only by a person favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same transfer), and debate thereon shall be limited to not to exceed 1 hour, to be equally divided between those favoring and those opposing the resolution. No amendment to such motion shall be in order, and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

"(3) If the motion to discharge is agreed to or disagreed to, such motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the same transfer.

"(f) (1) Where the committee has reported, or has been discharged from further consideration of, a resolution with respect to a transfer, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of such resolution. Such motion shall be highly privileged and shall not be debatable. No amendment to such motion shall be in order and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

"(2) Debate on the resolution shall be limited to not to exceed 2 hours, which shall be equally divided between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to, or motion to recommit, the resolution shall be in order, and it shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

"(g) (1) All motions to postpone, made with respect to the discharge from committee, or the consideration of, a resolution with respect to a transfer, and all motions to proceed to the consideration of other business, shall be decided without debate.

"(2) All appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to a transfer, shall be decided without debate.

"(h) Section 638 of the act of July 13, 1955 (69 Stat. 321), cited as the 'Department of Defense Appropriation Act, 1956,' is hereby repealed."

Mr. KILDAY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KILDAY. This vote is on the adoption of the committee amendment; is that correct?

The SPEAKER. That is correct.

Mr. KILDAY. And the vote is to retain section 27 as reported by the committee and as printed in the bill; is that correct?

The SPEAKER. That is correct.

Mr. ALLEN of Illinois. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ALLEN of Illinois. Anyone opposed to this amendment would vote "no"; is that correct.

The SPEAKER. That is correct.

Mr. ALLEN of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 201, nays 185, not voting 46, as follows:

[Roll No. 115]

YEAS—201

Abbitt	Forand	Multer
Abernethy	Forrester	Murray, Ill.
Addonizio	Fountain	Murray, Tenn.
Albert	Frazier	Natcher
Allen, Calif.	Garmatz	Norrell
Andrews	Gary	O'Brien, Ill.
Anfuso	Gathings	O'Brien, N. Y.
Ashmore	Grant	O'Hara, Ill.
Aspinall	Green, Oreg.	O'Neill
Baldwin	Green, Pa.	Passman
Barden	Gregory	Pelly
Barrett	Griffiths	Perkins
Bates	Hagen	Pfost
Bennett, Fla.	Hale	Philbin
Blatnik	Haley	Price
Blitch	Hardy	Quigley
Boggs	Harris	Rabaut
Boland	Harrison, Va.	Rains
Bolling	Hays, Ark.	Reuss
Bowler	Hays, Ohio	Rhodes, Pa.
Boykin	Hayworth	Richards
Boyle	Healey	Riley
Bray	Herlong	Rivers
Brown, Ga.	Holifield	Roberts
Buckley	Holland	Robeson, Va.
Burnside	Holmes	Rodino
Byrd	Holtzman	Rogers, Colo.
Byrne, Pa.	Huddleston	Rogers, Fla.
Cannon	Hull	Rogers, Mass.
Carlyle	Ikard	Rogers, Tex.
Celler	Jennings	Rooney
Chelf	Johnson, Calif.	Roosevelt
Christopher	Johnson, Wis.	Saylor
Chudoff	Jones, Ala.	Schwengel
Clark	Jones, Mo.	Scott
Colmer	Karsten	Seely-Brown
Cooley	Kee	Shelley
Cooper	Kelly, N. Y.	Sikes
Curtis, Mass.	Keogh	Sisk
Davidson	Kilday	Smith, Miss.
Davis, Ga.	King, Calif.	Smith, Va.
Davis, Tenn.	Kirwan	Spence
Dawson, Ill.	Klein	Staggers
Deane	Kluczynski	Steed
Delaney	Knutson	Sullivan
Dempsey	Landrum	Thomas
Denton	Lanham	Thompson, N. J.
Dies	Lankford	Thompson, Tex.
Dingell	Lesinski	Trimble
Dodd	McCarthy	Tuck
Dollinger	McCormack	Tumulty
Donohue	McMillan	Udall
Dorn, N. Y.	Macdonald	Vanik
Dorn, S. C.	Mack, Ill.	Walter
Doyle	Madden	Watts
Durham	Magnuson	Wier
Edmondson	Mailliard	Wigglesworth
Elliott	Marshall	Williams, Miss.
Engle	Matthews	Williams, N. J.
Evins	Merrow	Willis
Fallon	Metcalf	Wilson, Calif.
Fascell	Miller, Calif.	Wilson, Ind.
Feighan	Mills	Winstead
Fisher	Mollohan	Wolverton
Flood	Morgan	Young
Flynt	Moss	Zablocki
Fogarty	Moulder	Zelenko

NAYS—185

Adair	Fulton	Nicholson
Alexander	Gavin	Norblad
Alger	Gentry	O'Konski
Allen, Ill.	George	Osmers
Andersen, H. Carl	Gross	Ostertag
	Gubser	Patterson
Andresen August H.	Halleck	Phillips
	Hand	Pillion
Arends	Harden	Poage
Auchincloss	Harrison, Nebr.	Poff
Avery	Harvey	Polk
Ayres	Henderson	Prouty
Baker	Heselton	Radwan
Bass, N. H.	Hess	Ray
Baumhart	Hiestand	Reece, Tenn.
Beamer	Hill	Reed, N. Y.
Becker	Hillings	Rees, Kans.
Belcher	Hinshaw	Rhodes, Ariz.
Bennett, Mich.	Hoeven	Riehlman
Bentley	Hoffman, Mich.	Robsion, Ky.
Berry	Holt	Rutherford
Betts	Hope	Sadlak
Bolton, Frances P.	Horan	St. George
	Hosmer	Schenck
Bolton, Oliver P.	Hyde	Scherer
	Jackson	Scrivner
Bosch	James	Selden
Bow	Jarman	Sheehan
Brown, Ohio	Jenkins	Short
Brownson	Jensen	Shuford
Budge	Johansen	Siler
Burdick	Jonas	Simpson, Ill.
Bush	Jones, N. C.	Simpson, Pa.
Byrnes, Wis.	Judd	Smith, Kans.
Canfield	Kean	Smith, Wis.
Carrigg	Kearney	Springer
Cederberg	Kearns	Taber
Chase	Keating	Talle
Chenoweth	Kilburn	Taylor
Chiperfield	Kilgore	Teague, Calif.
Church	King, Pa.	Teague, Tex.
Cole	Knox	Thompson, Mich.
Coon	Krueger	
Corbett	Laird	Thomson, Wyo.
Coudert	Latham	Tollefson
Cramer	LeCompte	Utt
Crumpacker	Lipscomb	Van Pelt
Cunningham	Lovre	Van Zandt
Curtis, Mo.	McConnell	Velde
Dague	McCulloch	Vorys
Dawson, Utah	McGregor	Vursell
Derounian	McIntire	Wainwright
Devereux	McVey	Weaver
Dixon	Mack, Wash.	Westland
Dolliver	Mahon	Wharton
Dondero	Martin	Widnall
Donovan	Mason	Williams, N. Y.
Ellsworth	Meader	Withrow
Fenton	Miller, Md.	Wolcott
Fino	Miller, Nebr.	Wright
Fjare	Miller, N. Y.	Yates
Ford	Minshall	Younger
Frelinghuysen	Morano	
Friedel	Mumma	

NOT VOTING—46

Ashley	Eberharter	O'Hara, Minn.
Bailey	Fernandez	Patman
Bass, Tenn.	Gamble	Pilcher
Bell	Gordon	Powell
Bonner	Gray	Preston
Brooks, La.	Gwinn	Priest
Brooks, Tex.	Hébert	Scudder
Broyhill	Hoffman, Ill.	Sheppard
Burleson	Kelley, Pa.	Sieminski
Carnahan	Lane	Thompson, La.
Chatham	Long	Thornberry
Clevenger	McDonough	Vinson
Cretella	McDowell	Whitten
Davis, Wis.	Machrowicz	Wickersham
Diggs	Morrison	
Dowdy	Nelson	

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Cretella against.

Mr. Thompson of Louisiana for, with Mr. Scudder against.

Mr. Vinson for, with Mr. Hoffman of Illinois against.

Mr. Bailey for, with Mr. Nelson against.

Mr. Brooks of Louisiana for, with Mr. Gamble against.

Until further notice:

Mr. Preston with Mr. Davis of Wisconsin.

Mr. Pilcher with Mr. O'Hara of Minnesota.

Mr. Patman with Mr. Gwinn.
Mr. Bell with Mr. McDonough.
Mr. Burleson with Mr. Broyhill.
Mr. Diggs with Mr. Clevenger.

Mr. VAN ZANDT changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

MILITARY AND NAVAL DECORATIONS

Mr. KILDAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1637) to extend the time limit within which awards of certain military and naval decorations may be made, with amendments of the House thereto, insist on the amendments of the House, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. KILDAY]? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. KILDAY, Mr. DURHAM, and Mr. SHORT.

CIVILIAN ATOMIC POWER ACCELERATION PROGRAM

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 611 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 12061) providing for a civilian atomic power acceleration program. After general debate, which shall be confined to the bill, and shall continue not to exceed 2 hours, to be equally divided and controlled by the vice chairman and ranking House minority member of the Joint Committee on Atomic Energy, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN], and yield myself such time as I may consume.

Mr. SMITH of Virginia. Mr. Speaker, this rule makes in order with 2 hours of general debate the consideration of the atomic reactor bill with which you are all familiar, at least by name.

I understand it is quite a controversial subject, and I am sure the House will want to listen very carefully to the general debate of 2 hours which will follow the adoption of the rule. The hitch in the bill is that there is violent disagreement between the Atomic Energy Commission which is opposed to the construction of these reactors, and the Congressional Joint Committee on Atomic Energy which promotes this bill and is in favor of it.

I have been unable to learn the merits of it, and I think you will be unable to learn the merits, because none of us are scientists. But I had entertained the fond hope up to now that with all the money we had devoted to the Atomic Energy Commission we had at least employed all of the best scientists in the world and that they knew what they were doing. I find myself, and I expect you will find yourself in the very embarrassing position, however, of having to decide this dispute between the scientists and the Members of Congress. I am very unhappy about it myself. I listened to a great deal of it in the Rules Committee.

I think we were placed in a very unfortunate position, and I am extremely disturbed and disappointed that this rift has occurred between our scientists and our statesmen. I do not know how you will settle the proposition, but that, briefly, as I understand it, is the story that is before us. These gentlemen who know more about the subject than I will doubtless undertake to explain it to you in detail.

Mr. Speaker, House Resolution 611 makes in order the consideration of H. R. 12061. The resolution provides for an open rule and 2 hours of general debate on the bill.

The bill provides for an accelerated atomic power demonstration program to be conducted by the Atomic Energy Commission under the research and development provisions of section 31 of the Atomic Energy Act of 1954. This program will be supplementary to other reactor development programs.

The bill authorizes and directs the Commission to proceed with the construction, under contract, of large-scale power reactors of the size under consideration for plants designed to generate electric energy in industrial and commercial quantities.

It also directs the Commission to proceed with the development of smaller-scale reactors designed for the advancement of reactor technology. These would be constructed under contract with private industry and it is expected they will be located at atomic energy sites.

The Atomic Energy Commission is also given the responsibility of conducting a program of international atomic energy cooperation and assistance in the design, construction, and operation of power reactors.

The Commission is further authorized to construct, own, and operate supporting facilities necessary for the projects initiated in this bill.

Four hundred million dollars is authorized to finance the program over a 5-year period.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 15 minutes to the gentleman from New York [Mr. COLE].

Mr. COLE. Mr. Speaker, it seems to me well at the very outset to have a rather clear and definite understanding of what this bill is and what it is not. There has been a good bit of misinformation and misrepresentation and misunderstanding about the bill. I support the rule; I supported the bill as it was reported by the Joint Committee.

The purpose of the bill is to accelerate the reactor development program of this Government. The purpose in accelerating our reactor program is to make certain that we maintain our leadership throughout the world in this field of atomic energy.

Mr. Speaker, the bill was written by the Joint Committee.

It might be well for us now to have a synopsis of the background of the development of the peacetime uses of atomic energy. Notable in the field of the nonmilitary use of the atom is atomic energy as a source of heat which will generate electricity. That furnace in which the heat is generated by nuclear fission is called an atomic reactor.

The first atomic energy law passed in 1946 authorized the Commission by contract to engage in research and experimental operations for the purpose of determining the nonmilitary uses of atomic energy. This authority lay dormant for the most part until about 3 years ago. The reason it lay dormant was because all of our energies, our resources, our scientific personnel and our industrial power were needed in the weapons field. But when the time came that our weapons stockpile was reasonably adequate, the Commission felt free to devote some of its thought and energies and public funds to the nonmilitary field of atomic energy.

Along in 1952, under the leadership of the Chairman of the Commission, Mr. Gordon Dean, and with some impetus added to the movement by the Joint Committee under the leadership of the gentleman from North Carolina [Mr. DURHAM], the Atomic Energy Commission embarked on what was called a 5-year reactor program. In that program the Commission undertook to develop one different type of reactor in each of the succeeding 5 years, so that at the end of 5 years at least five of the many possible types of reactors could be under way. It is to be expected that the types of reactors selected by the Commission were the ones thought by the scientists as being the most likely of success from the standpoint of economical operation and cost of operation.

The first reactor under that program is now under construction and will be completed and generating electricity next year. It is located out near Pittsburgh, Pa., at a place called Shippingport. That is one of the 5-year reactor power projects.

In 1954 we modified rather substantially the atomic energy law. We rewrote it completely, but we did retain that section which was in the earlier law authorizing the Commission to engage in research operations. That section is now identified as section 31 of the present atomic energy law.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. COLE. I yield to the gentleman from Indiana.

Mr. HALLECK. The gentleman has referred to the plant at Shippingport, Pa. May I inquire as to whether or not that is a plant that has been developed by Westinghouse and the Duquesne Power & Light Co.?

Mr. COLE. The gentleman is correct. It is a project in which the Duquesne Power & Light Co. is contributing something like $5 million and the Westinghouse Co., which is the company engaged to build the plant, is contributing something like $2 million toward the construction of the plant. In other words, the Shippingport project is a joint operation, with Government funds used by the Commission and private funds of the utility and the manufacturing concerns. It is that sort of collaboration or teamwork which I feel should be continued and encouraged.

Mr. HALLECK. Do I understand that as the result of that cooperative action it is expected that electrical energy will be generated there next year?

Mr. COLE. That is correct. And that reactor, I think, we can point to with great pride as being the first full-scale large type of reactor ever built in the world, any place, irrespective of the spurious claims of the Soviets and our British friends abroad.

Mr. MORANO. Mr. Speaker, if the gentleman will yield, I just wanted to ask if that electrical energy so generated will be sold and, if so, who gets the money for it.

Mr. COLE. The electricity which will be generated at Shippingport, Pa., will be distributed by the utility electric company called the Duquesne Power & Light Co., and that is the company that has put up $5 million toward its construction.

In the Atomic Energy Act of 1954 we not only retained the authority in the Commission by contract to engage in these very laudable and desirable experimental projects, but we at the same time made it possible for private capital to apply for a license to the Commission and, through using private or non-Federal capital, to embark in research and developmental projects.

Since the law was enacted just about 2 years ago, it took sometime for the Commission to set up its regulations and procedures, required by that act, so that along in January 1955 the Commission was ready to send out invitations to all the companies and utilities and manufacturing companies in the country inviting them to come in and submit proposals for projects and developments in reactor operations. The date of those invitations was to close in April. Some protest was made by the Joint Committee and others that this was too short a time, so the Commission renewed the invitations and extended the period of time.

So, as a net result of this course of action by the Commission under section 31, first of the original atomic energy law, and of the Atomic Energy Act of 1954, we now have a total of reactor projects under way in varying stages of completion amounting to, I think it is, 13. Eight of them are actually underway and approval has been granted by the Commission. Five more are still under consideration by the Commission. Therefore, we do have a total of 13 power-reactor projects under way now, some by the Government through the Commission's authority, and some under private auspices through license from the Commission. The total investment of those reactor projects is something around $400 million; that is, the share of private or non-Federal participation. I think in my own mind that this is a most commendable progress in the development of the peacetime application of atomic energy, when you consider that the law which made it possible for private participation has been in existence substantially only a year and a half. It was necessary for the utilities and the industrial concerns interested—none of whom were allowed information prior to 1954 regarding reactors—that was all classified secret—so these companies had to first hire the needed scientists and the scientists had to go to the Commission to learn about the various types of possible reactors, all of which has taken considerable amounts of time. So that, in substantially a year and a half time we have a program aggregating 13 reactors and a total investment of non-Federal funds of about $400 million and generating a total kilowatt production of nearly 1 million kilowatts.

About a year ago there was introduced in the Senate by the Senator from Tennessee, Mr. GORE, a bill to require the Commission to engage in the construction of power reactors immediately. Those reactors were to be scattered throughout the country. The bill directed that the reactors be located in sparsely settled areas where electric energy was not available or if available, at a high rate of cost. That bill was strenuously protested by some Members. It was most objectionable to some because it clearly and unquestionably put the Commission and the Government in the business of generating electricity through the use of atomic energy and under the guise of research and development. It put the Federal Government in the business of public power. The joint committee had hearings on that bill beginning in January. Although hearings were not particularly on that bill, the hearings which started in January were of a nature which was of interest and application to that bill. They started in January and we concluded them about 6 weeks ago.

I should report that the joint committee engaged as its adviser and consultant in the joint committee's deliberations of this problem the most outstanding nuclear reactor scientist in this country, and admittedly the most prominent scientist in the entire world in this field, Dr. Walter Zinn. He was an adviser to the committee. He gave his testimony and his testimony indicated he felt there were other areas of reactor demonstration which the Commission could profitably encourage.

Speaking for myself, realizing the great stature which that scientist has in this field, I could not reject his advice or protest or object to this bill designed as it is to accelerate the reactor development program. So the committee rewrote the bill from beginning to end.

As it is now written, this bill authorizes and directs the Commission to embark on a program of reactor construction of large type reactors. Those would be reactors generating electricity in the area of 75,000, 100,000, 150,000 kilowatts. The bill requires that those reactors be located at existing Government production facilities and that all of the energy generated by those reactors will be used by the Commission.

The bill further authorizes and directs the Commission to embark on a program of construction of smaller type reactors, in the area of 10,000, 20,000, 50,000 kilowatts capacity. Although the bill does not specifically require that these reactors are to be built at Government facilities, the report indicates that such is the intent and at the proper time I shall offer an amendment, which I feel confident will be adopted, requiring that these smaller reactors be built at Government facilities.

As I have indicated, the Commission now has authority to do everything that this bill authorizes and directs them to do—ample authority. All it lacks and needs is the money.

The position of the Commission is that it has consulted the scientists in the reactor field of atomic energy. It feels that the program that is now underway is an orderly, sensible approach to a goal which the Commission is as anxious to achieve as any of us ardent atomic-energy advocates. So the Commission has opposed the bill prinicipally because of that portion of it which directs that the Commission shall embark on this program willy-nilly, irrespective whether the reactor project is a sensible, sound one or not.

The Commission is also apprehensive, as it very properly should be, that if it is forced into this new accelerated program it might jeopardize seriously the weapons production program and the reactor program which I have just described to you, because of the great shortage of scientists in this field.

The bill directs that these projects be carried out under section 31 which, as I have indicated, authorizes the Commission to use participation by private or non-Federal capital. I am advised by some counselors that because of certain expressions in the report accompanying this bill there is some doubt as to whether private participation will be allowed under the program.

I propose to offer an amendment to clarify that and make it possible for private participation. I also propose to offer an amendment which will make certain that this new accelerated program will not substantially interfere with existing programs either in the weapons field or the power-reactor field.

On the question of the judgment of Congressmen in the atomic-energy field versus the judgment of the scientists, as the distinguished gentleman from Virginia has very pointedly indicated, I am sure that all of the members of the joint committee admit their fallibility in this field and acknowledge that we must rely on the advice of the scientists. Of course, the Atomic Energy Commission has been

relying on the scientists from the very beginning.

One day late last week I received a letter from the Chairman of the Atomic Energy Commission which I should like to read to the House for the information it contains. It is dated July 19, and directed to me:

DEAR MR. COLE: Responding to your inquiry just received, it is true that I have extended invitations to a group of the most experienced reactor specialists in the country to meet in Washington for the purpose of evaluating our reactor development program.

Those invited include:

Dr. W. Zinn, former head of our Argonne Laboratory.

Dr. A. M. Weinberg, Oak Ridge National Laboratory.

Dr. A. Greninger, Hanford Operations, Richland, Wash.

Dr. E. P. Wigner, Princeton University.

Dr. Harvey Brooks, Harvard University.

Dr. Clark Williams, Brookhaven National Laboratory.

Dr. H. Worthington, E. I. Dupont Co.

Dr. N. Hilberry, Argonne National Laboratory.

Dr. D. K. Froman, Los Alamos Scientific Laboratory.

Mr. Clark Center, Union Carbide & Carbon Co.

All of them are admittedly the outstanding scientists in this field.

Now I return to the letter:

I have extended the invitation to this distinguished group in order to obtain from them, at first-hand, their current views on the future of nuclear reactor prospects in the United States.

As you know, the Commission staff and the Commission itself, with the exception of one member, believe that each reactor concept which has reached a stage warranting the expenditure of substantial sums for large-scale development either is now in process as a specific research project, is in the design stage or is actually under construction. As other concepts reach a stage warranting large-scale development the Commission intends to take action to insure such development.

There have been assertions, however, to the effect that we have overlooked certain opportunities despite our close contact with this question. Therefore, I propose to ask these very competent gentlemen for their most deliberate opinion.

The advice, recommendations, or conclusions of this distinguished group of scientists will be laid before the Commission for prompt consideration. I am confident that the Commission will accord great weight to such recommendations. Should it develop that this group finds there are other areas in reactor design or concept which are not now being pursued at all or are being pursued with insufficient vigor at this time, I am confident that the Commission will act expeditiously without impairment of our present reactor or weapons program.

If funds from private industry or public power bodies are not forthcoming, in whole or in part, after reasonable time for invitation and negotiation. I will, as I have previously stated on a number of occasions, then recommend that the Commission resort to the use of public funds to the extent necessary.

Naturally, I will also advise the Joint Committee promptly of the conclusions reached by the Commission.

Sincerely yours,

LEWIS L. STRAUSS.

So it is apparent that the Commission is ready to expose its current reactor program to the scrutiny of the experts in this field, and it is indicated that if the experts find that the current program is deficient, the Commission itself will embark on a program to fill those deficiencies irrespective of whether this bill is adopted or not.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield?

Mr. COLE. I yield.

Mr. SMITH of Virginia. Mr. Speaker, I was going to say first the gentleman is making a very informative speech and one which I am sure the House is deeply interested in and would like to have him complete. I yield 5 additional minutes to the gentleman, if he can use the additional time.

Mr. COLE. I appreciate the gentleman's offer very much but I think I have covered the field as fully as I had thought that I would want to cover it at this time, but I would be happy to yield for any questions.

The SPEAKER. The gentleman is recognized for 5 additional minutes.

Mr. DIES. Mr. Speaker, will the gentleman yield?

Mr. COLE. I yield.

Mr. DIES. If the Commission is ready and willing to embark upon this new field, what is the necessity for this legislation?

Mr. COLE. I tried to indicate in my remarks I feel this legislation is not necessary; that the Commission now has the authority to do everything that this bill intends to cover.

Mr. DIES. I understood the gentleman was one who helped to prepare the bill and that he was in favor of it.

Mr. COLE. I did help to prepare the bill because I am in favor of accelerating and stepping up the program if there is any area in which greater progress is needed. I am not going to allow myself to be in the position of resisting legislation which has as its purpose the acceleration and stepping up of the program and not give heed to the advice of such an outstanding expert as Dr. Zinn.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. COLE. I yield.

Mr. HALLECK. As I understand it, the bill provides that these reactor plants that would actually be expected to produce electrical energy would be built at places where the AEC now has installations.

Mr. COLE. That is correct.

Mr. HALLECK. And would that include say Portsmouth, Ohio; Paducah, Ky.; and Oak Ridge, Tenn., where power is now used in the TVA area by the AEC?

Mr. COLE. Those are among the areas or locations where these reactors might be located, but it is not limited to those areas.

Mr. HALLECK. I wonder how many other areas there might be?

Mr. COLE. Well, the Commission's production facilities are not only those that are producing the nuclear and special nuclear materials such as plutonium, and enriched uranium, but also fabricating plants where the fuel elements are fabricated.

Mr. HALLECK. I have just one other question or rather a suggestion. The gentleman has spoken of the proposals advanced by some that the Federal Government should subsidize not only the experimental work in connection with the development of atomic energy and atomic energy power, but likewise should continue to stay in the business, which would be public power from the use of atomic energy. I understood the gentleman to say he is opposed to any such program as that. I just want to throw out this suggestion as something that we might think about. If that is the way we feel generally, we do not want the Federal Government to get into this business in perpetuity generating and selling the power. Then, what would be wrong with putting some sort of provision in this bill in the event it passes, and as a matter of fact as it stands now, I am not going to support it, if it should pass—what would be wrong with putting a provision in the bill or a requirement that within some reasonable time these reactors, if they prove to be successful, would be sold by the Federal Government so that they would then go into the hands of people who would be operating in the competitive enterprise system for the production, generation, and sale of the power?

Mr. COLE. First, let me say, as the gentleman from Indiana has indicated, this matter of having the Commission embark upon a program of reactor demonstration projects can be a Trojan horse—it can be a wolf in sheep's clothing, it can be a vehicle through which the Federal Government is being put in the atomic power business, a proposal with which I am in violent opposition and it is incumbent upon all of us to be constantly alert to see that this does not and cannot happen. It is my view that this bill prevents that from happening. So far as the suggestion which the gentleman from Indiana made regarding a proposal that these reactors be required to be sold at the end of 5, 10 or 15 years, I would have no objections to it, but it would be rather academic and ineffective because, I am sure, there is no person in the world who would be willing to buy these reactors 5 or 10 years from now. These reactors are going to be obsolete 5 years from now. The most we expect from the money we put into the reactors are the lessons which we learn from them and they are not for the purpose of producing economic electrical power. I doubt if a proposal like that would be really effective other than to indicate the attitude of the Congress that the Commission is not to continue in the business of generating electricity—and with that as the purpose, I would have no objection.

Mr. HALLECK. If it were adopted, then it would be valuable, because then there is not any question about it. All you have to do is read the newspapers. Many of the most ardent proponents of this legislation are saying that as of today it is part of the public power development program.

Mr. COLE. I would be happy to support such an amendment.

Mr. PHILLIPS. Mr. Speaker, will the gentleman yield?

Mr. COLE. I yield.

Mr. PHILLIPS. The gentleman has said frankly and honestly that this bill is not necessary for the considered pro-

gram of the Atomic Energy Commission into whose hands we placed this authority less than 2 years ago. Is it not a fact that of the five members of the Atomic Energy Commission, four are opposed to this bill, and one of them, a minority member, has appeared to change his position in the last 6 months and is the only one of the Commission in favor of this so-called crash program?

Mr. COLE. I cannot comment about the reversal of position of a member of the Commission. However, it is true that four members of the Commission are opposed to this bill. One member is in support of it.

The SPEAKER. The time of the gentleman from New York [Mr. COLE] has again expired.

Mr. SMITH of Virginia. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. COLE. I said the Commission has authority to do everything that this bill authorizes. That is not quite correct. There is no authority for the appropriation of funds for the Commission to carry out whatever program it might want after the group of scientists make their recommendations. So it would be necessary for the Congress to pass legislative authorization, authorizing the appropriation of funds, but from the standpoint of authority of the Commission functions there is no necessity for this legislation.

Mr. PHILLIPS. Will the gentleman yield further? There is authority to the extent that the Commission has requested funds. This bill goes beyond the Commission's request and offers them $400 million additional, which they do not want.

Mr. COLE. I think that is correct.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. COLE. I yield.

Mr. VORYS. Can the gentleman tell me why it was felt necessary to take away the conduct of foreign affairs and international negotiations from the President of the United States, as provided in the Constitution, and turn it over to the Atomic Energy Commission?

Mr. COLE. That is a relatively large subject. I assure the gentleman I could not answer it in the short time that is left to me. That should be dealt with in the general debate.

The SPEAKER. The time of the gentleman from New York has again expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Speaker, I think we should look at this problem very carefully, because if you will take the trouble to get the hearings of the Joint Committee on Atomic Energy, which took place on May 24–May 29, of this year, you will find that the author of this bill, Senator GORE, came before the joint committee, and the basic reason which he gave for this crash program was that Russia had developed some plans whereby they were going to produce more kilowatts of power by nuclear methods than were presently on the boards of the planning of the Atomic Energy Commission. The only basis for this bill in the first instance was to get the Atomic Energy Commission in the business of producing public power. The Chairman of the Atomic Energy Commission has made a statement before the joint committee. He has made a statement, which appears in the record before the House Committee on Appropriations, to the effect that private industry is willing to construct plants covering every concept of reactor which the Commission believes it is feasible to go forward with at this time; and he further stated that if there was any evidence that any program which the scientists found feasible, and he could not find any private utility to come forward and join with the Atomic Energy Commission in completing that plan, he would be the first one to come before Congress and ask for Federal funds.

That testimony has not been controverted by any one person. You heard the letter which the gentleman from New York [Mr. COLE] read from the Chairman of the Atomic Energy Commission stating that he had called upon the finest scientists in the country to join with him on Friday of last week to examine the entire program of the Atomic Energy Commission to determine whether or not they were using every available means which had been found promising for the production of power. That has not been controverted.

I sincerely hope that the Members of the House will not accept this bill. This is more than experiment. I thing you should look at the motive. Remember that in 1954 this House passed the bill under which the Atomic Energy Commission is now acting, and less than 11 months after that bill was passed Senator GORE introduced the bill which is the forerunner of the bill which you are now going to be asked to consider. Everybody, including the Atomic Energy Commission, concedes that building a reactor is a job that cannot reasonably be accomplished in less than 3 or 4 years, yet within 11 months the proponents of public power say we think we might find a way.

It is this danger of injury to the defense phase of atomic development that I think the Members of the House should pay particular attention to. This danger was pointed to by the Chairman and no one has controverted. The statement of Admiral Strauss, the Chairman of the Atomic Energy Commission, is to the effect that if the crash program, which is provided in this bill, is carried forward and the members of the Atomic Energy Commission are directed to build the enormous reactors, it might well interfere with the military use of atomic energy and the development of atomic energy for defense.

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. Not at this time.

The Atomic Energy Commission has made the statement that there are not now enough scientists to carry forward our defense research—if this bill goes through—the key personnel upon which they are going to have to rely for the enforcement of this program, for the actual carrying out of the defense program, will be weakened. I therefore urge you to vote against the bill when it is before the full committee.

Mr. SMITH of Virginia. Mr. Speaker, I yield 10 minutes to the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Speaker, we are today bringing before you H. R. 12061, a bill proposing to undertake an accelerated atomic power program. It is one of the few bills which has been brought out of this committee without full and complete agreement between the committee members, the Atomic Energy Commission, and the administration in control of the executive branch of the Government since the beginning of the program in 1946.

First, I want to thank the Members of this body for the confidence you have placed in, and for the support you have given to, this committee, which, as you know, was set up by act of Congress in 1946. Those of us who were appointed to this committee knew at the time of appointment that we were facing something new and practically unexplored and something that had been born in the throes of war. Primarily, we were facing a vast field of scientific endeavor—the releasing of energy of an unknown potential power.

Actually, mankind has faced this problem of dealing with released energy for hundreds of years, since the first knowledge of the release of energy was acquired—whether the energy came from coal, oil, or from other sources, because as we all know there are many different ways to release energy. Mankind has had to struggle with the control of that energy for the benefit of humanity at all stages of human development, since any form of energy released without control can be destructive.

Up until recently, this committee has been concerned primarily with developing atomic energy for security and for military purposes. I think all members of our committee realized the tremendous task of translating this power into our everyday life for the benefit of humanity when we embarked on that effort in 1954 in the passage of H. R. 9757.

The 1954 act provided for increased private participation in the program but recognized that continued Government support of the program would be necessary. That act, in my opinion, embodied a sound approach and should be continued and supported by the Congress, but since the enactment of H. R. 9757 into Public Law 703, many problems have been brought to light which we could not foresee at that time. Now today, we are face to face with the problems of a competitive world in the development of atomic energy for electric power purposes. Our country has been known as the leader in atomic energy development throughout the world. This position of prestige is nothing new in our history here in America. We have faced the problems we are trying to meet in this bill before you in the development of our railroads, of electric power, and in the great industrial growth of our vast airplane industry. I could point out many other instances which are similar to the situation we face here today in seeking to enact this measure into law.

In the past we have developed these industries through Government assistance, and then private enterprise has

taken over and completed the development to the fullest extent and certainly to the benefit of the people. I believe wholeheartedly in private enterprise—as I am sure my colleagues in this House realize—but many times in the history of our country there have been undertakings which have not proved to be economically feasible for private enterprise to develop in the initial stages. I do not believe we would have ever had the great development of our airplane industry in this country if the Government had not set up the basic research tools, such as the wind tunnels and engine-testing facilities. Now today, we can enjoy a great industry in the hands of private enterprise, employing thousands and thousands of people throughout our land.

The problem we are facing here today in connection with this bill is somewhat similar to that we faced not many years ago with regard to the airplane industry. I would not support this bill if I felt that these reactors we are requesting were not in the same category as was the infant airplane industry of former years. Through the means provided in this measure we can build prototype reactors to the end that private enterprise can come in and be the beneficiary of what the Government finds can be done through these reactors in the way of providing nuclear power. This is nothing more than basic research equipment. It is my considered opinion and judgment that unless we who are responsible here today approve this measure, we are going to find ourselves not in the lead in the development of atomic power but rather taking second or perhaps even third place in the world. It is possible that we will be faced here today with many arguments as to the type of approach taken in this measure we are bringing before you, but when you are face to face with a problem of such magnitude and of such vast implications for the whole world, I hardly think that we can take any other approach than that recommended as the best judgment of those who have dealt with the problems of atomic energy since its inception. I am thoroughly convinced, after being closely connected and associated with the reactor program since the first reactor was built here in the United States, that we must build a reactor of large kilowatt capacity. Certainly, we have learned many things from the research-type of reactors, but we have demonstrated to you and to the world that we can build reactors of large-producing capacities, such as the Hanford and the Savannah River types.

I want to emphasize that this bill provides that the accelerated atomic-power program is to be conducted by the Commission under the research and development provisions of section 31 of the act of 1954. The program is entirely supplementary to and is not intended to curtail or supplant the existing programs and projects of the Commission carried on by private organizations under license from the AEC. The purpose of the accelerated program is to close up the gaps in the current power reactor development program.

I have not endeavored to explain the bill in detail. I am sure that will be done as the debate on the bill continues. I have only tried to outline to you a few of the convictions I have concerning the problem and some ideas I believe to be important in making this decision. The authorization we are requesting in this bill today will not, in my opinion, in any way get the Government into the public-power business. The atomic power industry is still in the same categories I have heretofore described, and this bill simply provides the basic research tools which I am sure will definitely benefit private enterprise and humanity, not only in this country but throughout the world.

Only one prototype demonstration reactor is scheduled for completion in this country between 1957 and 1960. In England and in Soviet Russia a great number of atomic plants will be in operation by this date. This bill does not—and I want to drive this point home forcibly—this bill does not put the Government in the power business. No power will be sold by the Government under this bill. All the power will be used for operations at the sites, and the role of the Government in sponsoring these developmental and demonstration plants has not the remotest threat of socialization of the power industry. Rather, it provides a basis for proving out safe and economical powerplants so that the private-power industry can select designs which have been proven satisfactory in due course and use them in their regular system of power operations. This bill contemplates purely an experimental and demonstration program.

In conclusion, I want to emphasize my belief that unless the legislative and executive branches of the Government act on this bill during the current session, we will lose years of time in getting started on this enterprise which is so vitally necessary both for our domestic needs as well as our international prestige. As an observer at the international conference on the peaceful uses of atomic energy in Geneva last summer, I had an opportunity to observe the developments of other nations in the field of atomic power, and I feel that we will not be able to fill this time lag by action which comes too little and too late.

Mr. Speaker, there is not a Member of this body more capable of explaining the bill than the gentleman from New York [Mr. COLE]. He has given you some of the atomic background necessary for you to understand it. I am not going to attempt to explain in detail some of the questions that have been brought up—caused, I believe, by confusion on the part of some of the Members. I do feel, though, today that we are facing again what we have faced here many times in the last 20 years. Most of these things like atomic energy, radar, and so forth, are born sometimes I think in sin, because most of them have had their birth during wars. That is historic in practically all of our recent great inventions. It is incumbent upon man to take whatever comes out of the scientist's mind and to develop it by the expenditure of large sums of money primarily spent by the Government and to use it for the benefit of humanity.

The committee that brings this bill to you has always had very little area of disagreement. The House has accepted our recommendations on the basis of the best information we could get to you. Much of it is so scientific it is very, very difficult to arrive at conclusions and to act upon them. We are face-to-face today with just such a situation. The area of disagreement here I do not believe is so large and so insurmountable that this Congress cannot accept its responsibility in its effort to solve this problem.

In 1954, as has been so well stated by the gentleman from New York, we adopted a start in putting this matter in the stream of human welfare for the benefit of mankind. It is a difficult job. We have learned many, many things since we adopted that act. Private industry has had a chance to come in and really sit down and talk to people. Heretofore they have had very little knowledge of what a reactor was, except in the case of those who have been connected with the building of them and such great concerns as General Electric, Westinghouse, and the big contractors.

Mr. Speaker, I do not feel that we are bringing in here a public power program. Every Member of this House is fully aware of my position on that. We are only trying, in my opinion, to provide the basic research tools. Then private industry can come in, look at them, go back home and build one which they can do under present law. That is how simple this measure is. I would not support it if I felt we were embarking on a public power program. I know that private enterprise is going to be here when all of us are gone.

The committee's decision, as the gentleman from New York [Mr. COLE] has stated, is not in too much disagreement. Some committee members did abstain from voting on this measure. This program that we have embarked on under the 1954 act, the so-called 13 reactor's act, is nothing more than a proposal. Of course, the measure that is before you is another proposal. In my opinion, it is an addition. We have to accept the words of the great scientists. There is no man in the world who can speak with more authority than Dr. Zinn on reactors. I have handled the reactor subcommittee since 1946. We have developed without any question the finest reactors that have been produced in the world so far. We are face to face with the proposition of entering this field on a larger scale, trying to stay at least in a competitive position with other countries. Those Members who went to Geneva last year and saw the situation were impressed with what the people all over the world were trying to do and the effort they were putting in atomic energy. We know that today England has entered this field in a big way. As to the situation Russia is in, no one can say definitely, but we have good evidence she is going all out.

I do not want to be in the position as long as I am a Member of this body of not bringing measures to the House that will keep us in the forefront in this field of science. That is my reason for supporting this measure.

The other details involved we can discuss. Any questions that may arise in

the minds of Members of the House I believe can be answered satisfactorily so that they can make up their minds and decide on the merits of the measure.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. DURHAM. I yield to the gentleman from Ohio.

Mr. VORYS. The gentleman says this is not embarking upon a new program. I want to point out that under section 242 (c) this legislation provides for embarking on a new program of international cooperation and assistance directed, not by the President of the United States but by the Atomic Energy Commission. Now, can the gentleman tell us why, in view of the fact that within the past week this Congress has provided for an international atomic research program of $5,750,000, for international cooperation, it is proposed here that this completely novel idea should be introduced and having the Atomic Energy Commission enter the field of international cooperation and assistance and, of course, negotiation?

Mr. DURHAM. Of course, the gentleman has raised a very good question. The thing, though, that has been my impression all the way through this, releasing this energy and developing our weapons, is trying to keep this whole program in the hands of the Atomic Energy Commission. Now, the same thing extends in regard to the Army, the Navy, and the Air Force. They all want reactors. The first thing you know, every department of the Government will come in here and request reactors. What I have in mind is this, and the question arose as to what could be done about this. I think I raised it in the committee. In trying to solve this problem I do not see where it would be so difficult for the President to simply direct the Atomic Energy Commission to do something if he cares to. He has all the authority. You people have handed him the mutual-aid funds. He can spend them like he wants to, and he can do this if he cares to, in my opinion, because it should be a cooperative thing between the State Department and the AEC. The only thing I think is that the State Department, in my opinion, does not have sufficient qualified experts and everything to work out all the details that the reactor program will require. I think it is sound and I think it can be worked out. I believe the gentleman will well agree with me that this program, if put into the right perspective by some agency of the Government who can handle things, can do a lot of good and spend the money a good deal more wisely than some that is being spent today, because I know of no other program that would be an incentive and certainly would be worthwhile in basic and fundamental research in those western European coutries that we are supporting with so much funds. We know today that Russia is building research reactors in every satellite behind the Iron Curtain. Now, that is a definite program, and I say that authentically.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. DURHAM. I yield to the gentleman from California.

Mr. HOLIFIELD. I would say to the gentleman from Ohio, if I may have his attention, this language was submitted to the Atomic Energy Commission and they approved of it.

Mr. VORYS. Oh, yes; but who is in charge?

Mr. HOLIFIELD. Wait just a minute. Let me tell you who is in charge of it now. At the present time this work in the international field, which is an implementation of the President's international atoms for peace plan, is vested in the ICA or the OEEC. Now, you know and I know that the Atomic Energy Commission knows more about this problem than they do, and the Atomic Energy Commission in international matters must be under the direction of the President just the same as the ICA or the OEEC.

Mr. VORYS. The gentleman's bill does not provide that. By this bill Congress directs the Commission to have the responsibility.

Mr. HOLIFIELD. The President has already directed the Commission to do this very thing, and the gentleman from Ohio would not say to me that the Atomic Energy Commission could operate in the international field without the President's approval.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. BRAY].

Mr. BRAY. Mr. Speaker, I am against this bill in its present form. I have supported and I intend to support all reasonable legislation for atomic experimentation and research, but this legislation plainly goes beyond the field of research. It is called a crash program. A crash program is necessary at times. For instance, when our supply of natural rubber was cut off at the beginning of World War II, it was necessary for us to start making synthetic rubber in great quantity. That crash program certainly was justified even though very expensive. But in this case, all this program pretends to do is to produce power from atomic energy.

As the Atomic Energy Commission has stated, this very program would deter, or might deter, research and experimentation in this field.

What then is the purpose of it? It is to produce power from atomic energy.

Is there any need at the present time for any new and revolutionary method for the production of power in America? We have enough coal in the United States today to produce all the power that we need for 1,000 years at a cost of less than one-third of the cost of the production of power from atomic energy. Yet now they are asking you to appropriate American taxpayers' money in the amount of $400 million in a crash program, to produce power from atomic energy. And the most optimistic opinion on the cost of the production of power through atomic energy is that it would cost three times as much as it would cost to produce an equal amount of power with coal. Some estimates are far greater.

There are fields where we need atomic energy, such as in the case of the atomic-powered submarine. I am in favor of research in the fields of new uses for atomic energy and the development of those uses where practicable.

It is possible that in the future we may develop the harnessing of atomic energy for the production of power in the United States to such an extent that its use for commercial purposes may be practical at least in some locations. However, at this time the use of atomic power for the commercial production of electric power, is certainly not feasible. Such a program would be useless and would cost the taxpayer hundreds of millions of dollars to subsidize this inefficient program to the detriment of both research and the American coal industry. There is no need for such a crash program, for we have ample supplies of coal to produce the necessary electrical power needed in this country for a 1,000 years.

In addition to that this coal is located in the majority of the States of the Union. To spend $400 million for such a crash program that is certainly not needed, would injure the American coal industry and would deter research. To do such would be inexcusable.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. BRAY. I yield.

Mr. MASON. This is a crash program when we have no crash to take care of.

Mr. BRAY. I think the gentleman from Illinois has expressed it very plainly.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. BRAY. I yield to the gentleman.

Mr. JENSEN. The facts are that there is no power shortage anywhere in America. Anyone can get all the electric power he wants except in 1 or 2 areas where they are not in a partnership program.

The SPEAKER. The time of the gentleman from Indiana has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Wyoming [Mr. THOMSON].

Mr. THOMSON of Wyoming. Mr. Speaker, I was recently advised by a creditable source that, within the State it is my privilege to represent, is one of the fastest developing and most promising uranium areas in the United States. Therefore, if I were to take a short range and shortsighted view, I suppose I might reasonably be expected to be for this bill. But I am very much opposed to it, and I should like to say why.

In the first place, I believe its passage would retard development and not foster it. You have to have fissionable material in order to produce this power. We tried to find that through the Government, but how did we actually get it? We got it through the individual prospectors, from American citizens, doing it in the American fashion. And that is the way we will get peacetime development, in my opinion. Government should provide assistance in the proper way.

The second point is that this is a bill which would make possible the complete destruction of private power in this country, as far as I can see it. It is like some insurance contracts. They give it to you in the big print and they take it away from you in the small print. In one section they limit where you can put

reactors and limit the disposition of the energy and, in another section, provide that reactors can be put any place in the United States and eliminate all restrictions on the disposition of the energy. In another section, provision is made to build them any place in the world. A 50,000-kilowatt reactor is not just a model in my book.

In the third place, this would stop private development of other types of power, because private companies would not know what they were dealing with. They would be scared off and those who would eliminate all private production of power would have accomplished their purpose.

In the fourth place, Congress has no business legislating in this field. I am from an area where activity in this field has been going on ever since I came back from World War II, over 10 years ago, yet I do not know enough about it to vote intelligently for this bill. I can not say whether or not we have sufficient source material, sufficient fissionable material, to be, not asking, but directing the Executive to go ahead with this program.

I ask you to think that over in your own minds and answer this question: Do I have sufficient information to take this decision away from the commission and the Executive, to assume the individual responsibility and to say, "This is the way we will use our limited fissionable resources so essential to our national security"?

I hope you will ponder that question during the course of this debate. If you do, I believe you will agree with me that the answer is "No" and will vote against this bill.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Speaker, I shall try to answer briefly in this time and more fully in the general debate some of the points that have been raised. The last gentleman who spoke talked about the development of uranium ores in the West. This has come about because the Atomic Energy Committee has sponsored legislation and funds to offer bonuses and to build roads in the West so that American prospectors could find this uranium. It is completely a matter of Government subsidy in that connection. The price that is fixed on it is a long-range price which is a high enough price to get these people to work in the technology. This is exactly what them do.

May I just briefly comment on some of the things which my friend, the gentleman from New York [Mr. COLE] said? He told you there was something like $400 million now being spent by private industry. You will find the table on page 8 of the report. I say in order to clear up this confusion you will notice that the words "prototype power reactor plants proposed" appear at the top of the table. There is not $400 million being spent at this time and we have no assurance that it will be spent. The only money that is being spent to amount to anything is at the Shippingport plant up near Pittsburgh, Pa., and this is being built at a total cost of around $90 million of Government money, and the B. t. u. heat units are being turned over to the Duquesne Power & Light Co. at conventional cost prices. So what you have in this field as far as actual expenditure is concerned is Government money that is being spent for the benefit of the advancement of the art and the technology. This at exactly what this bill plans to do.

This bill is not a public power bill and it is not a private power bill, although some amendments have been shown to me which would throw this controversy right into the debate. These reactors are to be built at Government sites. The electricity is not to be sold in the market. It is to be used by Government reactor plants. It is an intermittent power producer. It probably will not be a strong and even-flow power producer. These plants will have to be shut down, the fuel rods will have to be examined. It will be completely an experimental job. It will not be dependable power.

These reactors will be built with Government money just as the Shippingport plant is being built with Government money. It will be a subsidy to the art. It will be a subsidy to develop economical power when developed by the Government, just as at the Shippingport plant, all of the techniques will be turned over to the private power companies as well as the public power companies. So let us disabuse our minds that this is a public power bill.

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Texas.

Mr. THOMAS. I should like to support this bill along with the chairman of the Committee on Appropriations. As a matter of fact, we did support it in the Committee on Appropriations. But I should like to see two things done to this bill and, if they are done, I will certainly go along with you. I do not see any public power in here because industry cannot pay this experimental bill at this stage of the game.

Mr. HOLIFIELD. That is exactly right.

Mr. THOMAS. It will not be able to do it for another 10 or 15 years. Let us be frank about it.

Mr. HOLIFIELD. The gentleman probably is right.

Mr. THOMAS. The next point is manpower.

You ought to scatter those plants all over the country and make it crystal clear in this bill that the Government is going to pay the price and pay the bill, but let industry manage and operate it. Industry can do it much cheaper than the Government can.

Mr. HOLIFIELD. Private industry will construct them, and undoubtedly operate them, as they are operating the Government-owned reactor plants at this time.

Mr. THOMAS. Let us get out from under the present locations because you are going to train more manpower in different places if you do. We need to get people and put them at different places than where these locations are now.

Mr. HOLIFIELD. The reason for putting it on a Government site is that the Government needs the energy at those sites and owns the sites. It is a Government subsidized operation and it should be built at these sites to keep out the public power versus private power controversy.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from California.

Mr. SMITH of Virginia. Mr. Speaker, I yield 2 minutes to the gentleman from California.

Mr. PHILLIPS. Mr. Speaker, I thank the gentleman from Virginia for the additional 2 minutes. I listened to an argument for a week over a bill which I am constrained to believe has the same chance of getting through the other body as the celluloid cat had on its historic journey. That took a week. Here we have 3 hours of very limited debate upon a measure which can well affect the future safety and security of the United States. The curious thing about this bill is that, if you will read the hearings, especially the hearings which will follow from the 3 weeks' testimony before the Committee on Appropriations on the amount of money we are now talking about, you will find that the bills are adverse to the testimony. That is a curious situation.

Since my time is limited, I shall confine my statements at the moment to what I think is one of the great fallacies of the Congress. That is the belief that you can cure anything by appropriating money. It makes no difference whether we have an economic situation or a social situation or what it is—in this case we have an educational situation—but the belief is that all we have to do is to come in and say, "Well, let us give them more money than they asked for," and the problem is solved. That is the situation here. I confine myself to these simple statements:

First. There is no need for this bill because the Atomic Energy Commission has the authority at the present time, under the act, to do what it desired in the orderly program.

Second. The Atomic Energy Commission did not request this bill nor the additional money. Four of the five members of the Atomic Energy Commission are opposed to this bill, and only one of them, and I sometimes wonder if his consideration is scientific or political, is in favor of this crash program which you are asked to authorize here.

If you do vote for this bill, then you will be requiring the Atomic Energy Commission to spread its available scientists over a field larger than they can actually take care of successfully. Turn to page 362 of the Committee on Appropriations hearings and you will see Dr. Libby's statement on this very matter. He says:

> What I am afraid of and seriously worried about is that it will divert the—

He says "ones" and I translate "scientists"—

> it will divert the scientists now employed and knowledgeable in the field to less productive efforts. The real solution of the technical problem will not be obvious to most

people. It will be obvious to the technical men in the field. These men have work to do on the real technical problems to stay ahead of the world.

Admiral Radford, and I will ask permission to print this with my statement, also calls attention in testimony before the Appropriations Committee to the danger of spreading our scientists too thin:

We have this question in some research and development fields as to whether or not we might be spending too much. I have come to the conclusion that we are spending probably all the money in research and development that we can spend to advantage. We have reached a stage where the limitation in that field is probably a matter of competent scientific personnel available for that work.

We can give a contract to a company for a research program and usually they will take it. Then, we see ads in the paper where they try to hire trained men away from some other company which is producing on some other defense research program. There is this shortage. If we were to materially increase our effort on this line, I think we would cause trouble.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I yield to my friend from Pennsylvania.

Mr. VAN ZANDT. The gentleman is a member of the House Committee on Appropriations; is he not?

Mr. PHILLIPS. Yes, I am.

Mr. VAN ZANDT. I am disturbed about the language contained in the minority report. I want to read from it:

One member of the AEC was given almost unlimited opportunity to present his views and to insert quotations and material in the record.

By contrast, Chairman Strauss, and the two other Commissioners present, were treated with unwarranted disrespect, and at times with abuse when they attempted to present facts. The three Commissioners were hindered in the presentation of their testimony, or were prevented from giving complete answers, or were denied the privilege of inserting pertinent information in the record.

Is that a fact?

Mr. PHILLIPS. It is a fact. I hold in my hand the testimony which was not put in the record.

The SPEAKER. The time of the gentleman from California [Mr. PHILLIPS] has expired.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and on a division (demanded by Mr. RABAUT), there were—ayes 124, noes 60.

So the resolution was agreed to.

Mr. DURHAM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 12061) providing for a civilian atomic power acceleration program.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 12061, with Mr. HARRIS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from North Carolina [Mr. DURHAM] will be recognized for 1 hour, and the gentleman from New York [Mr. COLE] will be recognized for 1 hour.

The gentleman from North Carolina [Mr. DURHAM] is recognized.

Mr. DURHAM. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, the gentleman from New York [Mr. COLE] has explained the bill, but for fear some who are present were not here at the time, I will briefly go over the main provisions of the bill.

The bill provides for an authorization of $400 million for the purpose of accelerating the power reactor program. The purpose is to build large-scale power reactors at atomic energy sites. These are full-size reactors, which are necessary, according to all scientists—and there is no difference on this matter—to learn the techniques of engineering and the skills which are necessary, and solve the problems which are necessary to build full-scale power reactors.

It also provides for the building of small reactors, test type reactors of advance design. The Atomic Energy Commission at the present time is building small type reactors. This simply says that the program shall be accelerated and that they shall build additional small test type reactors and these reactors according to the report and also an amendment will be offered which will tie these small reactors down to the atomic energy sites also.

The third thing is that it directs the Commission to cooperate in the atoms-for-peace plan, the international atoms-for-peace plan which the President has advocated by offering assistance to foreign governments who have been approved and cleared, in the design, the construction, and the operation of power reactors and related matters.

The fourth thing is that it provides for the establishment of related supporting facilities: To construct, own, and operate related facilities.

What are these related facilities? These related facilities are the facilities which manufacture the fuel rods and the slugs that go into the reactors, and also after a period of operation when those slugs become contaminated they have to be taken out of the reactor and dissolved chemically, and the part which we can use, which is the bomb materials, taken out of it and the other waste material parts have to be stored in a safe place.

That is all there is to that.

That is what the bill does. There is no public or private power question in it. If we had to have these sites all over the country, then immediately you would have had the problem of who shall we sell electricity to? You would have had the fight between the cooperatives, the municipally owned powerplants, and the private utilities as to who would get the power. There is no fight of that kind in this bill at this time. The Government owns the energy; it can use it. And remember, this energy will be provided on an intermittent basis. We will run these reactors at the different fluxes, different highs, and different stresses, if you want to call it that. Then we will stop the machine, take out the slugs to look at them to see what has happened. We will look at the graphite and the other moderating elements that are in the reactors to see what has happened to them under operation. In other words, it is an experimental and research operation completely; it is not a production, commercial type of operation.

If we find that these plants operate without trouble, naturally, that amount of electricity which they produce will be turned into the channels of Government use at these plants; and, remember, these plants use between 6 and 10 percent of all the energy generated in the United States today; they are tremendous users of electricity.

Now the question occurs: Do we need these large plants? The Atomic Energy Commission is in full harmony with the fact that we must build large plants in order to learn how to build large plants and in order to learn how to produce electricity economically. That is why we are building the plant at Shippingport.

Mr. SHORT. Mr. Chairman, would the gentleman be so kind as to yield?

Mr. HOLIFIELD. I will be glad to yield to my colleague.

Mr. SHORT. I know the gentleman is a close student of this subject and has spent much time and labor on it. Can he give us an approximate comparative cost on the production of electricity by atomic energy and the production of electricity by conventional methods?

Mr. HOLIFIELD. This is a matter of different estimates by different scientists, but to my knowledge the cost of electricity in small atomic reactor plants runs around 50 or 60 mills per kilowatt as against 4 to 7 mills for conventional power.

Mr. SHORT. That is quite a difference.

Mr. HOLIFIELD. It is a tremendous difference. I want to say this to my friends from the coal regions: You do not need to be alarmed about this being in competition with coal. In my opinion, it will be many years before we reduce this to a cost where it will be competitive with coal. The energy needs of our Nation are rising so fast at the present time it is estimated we will need 5 times the energy which we now have by 1975—20 years from now. So I think that a false conception has been planted deliberately in the minds of the Members from the coal regions to get them to oppose this bill. If I thought it would be competitive within a reasonable length of time I would say so. I want to be very fair and say that some of the scientists feel they can, if they are allowed to build a series of these reactors, bring this down to around 10 or 12 mills. I do not know whether they can or not. I want to comment on the importance of that, if we can do that, in just a minute from an international standpoint.

Mr. SHORT. We all know a new industry or a new machine costs much more in the beginning.

Mr. HOLIFIELD. That is right.

Mr. SHORT. Until you get into mass production. The gentleman is not free to tell us the location of these plants, is he?

Mr. HOLIFIELD. Oh, yes. The bill requires that these plants be located at atomic-energy sites.

Mr. SHORT. Where?

Mr. HOLIFIELD. At Oak Ridge, at Hanford, at Portsmouth, at Paducah. There are several places where the atomic production facilities exist. I do not know whether 1 will be built or 3 or 4 and I do not know on what schedule they will be built. But the Atomic Energy Commission is directed to proceed expeditiously in building these plants at atomic-energy production sites.

Mr. SHORT. Of course, the Government already has millions of dollars invested in these sites?

Mr. HOLIFIELD. The gentleman is right.

Mr. SHORT. Like any new venture, the original cost is naturally high.

Mr. HOLIFIELD. That is right. May I say to the gentleman that the reason why it is necessary for the Government to accelerate this program is due to the historical processes. The gentleman knows that the diesel engine was developed by the Navy, the gentleman knows that the appropriations to build wind tunnels and testing apparatus for airplanes, made possible the planes which are now flown by our commerial airlines. The gentleman knows that it was the experimental funds spent during World War II that produced radar and perfected it, and also it was Government experimentation that produced the TV. The gentleman knows that practically every great industry that has been brought in existence has been brought into existence through governmental assistance, governmental subsidy, if you please.

What we are proposing today is saying that we want to appropriate $400 million. To do what? To bring into existence new sources of energy, economical atomic energy. That is all. If the Government does it, it will do so expeditiously, because only the Government can go into an enterprise which is nonprofitable. The Shippingport plant is nonprofitable. We are going to spend $32 million on that reactor. We are going to spend another $45 million on research and development. For what purpose? To make available to every power utility in the United States the technique and the knowledge which we develop there. That is all there is to it. That is all there is to this program. We want to accelerate that program and in place of building one plant at Shippingport we want to build a series of plants.

Something has been said about the Government helping. The Government in the case of the Shippingport plant is receiving $5 million help on a $90 million operation. The Westinghouse people relinquished their fee of $500,000. That is counted as contribution from private industry. If you count the $5½ million contribution under the plan, the Government is still doing 95 percent of the job from a financial standpoint.

Mr. SHORT. Mr. Chairman, will the gentleman yield? I do not want to trespass too much on the gentleman's time.

Mr. HOLIFIELD. The gentleman has asked some very pertinent questions.

Mr. SHORT. I think most of our great industries in this country have really been built by private enterprise.

Mr. HOLIFIELD. That is right.

Mr. SHORT. In time of war, I can understand why the Government would give subsidies and all, but now if we are in a relative stage of peace, I do not see why the Government should pour out these hundreds of millions of dollars.

Mr. HOLIFIELD. I will address myself to that point.

Mr. SHORT. I am sure the gentleman can.

Mr. DURHAM. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from North Carolina.

Mr. DURHAM. I think we should look at these things not so much as a subsidy, because tremendous amounts of money were spent in this country in the field of metallurgy, in the basic research field, in the steel industry and in the automotive industry. That is historic, and this is nothing more or less than basic research, too. I do not look at it so much as a subsidy, because I think we have a responsibility with these things facing us to take this position.

Mr. SHORT. I am very happy that the gentleman from California and the gentleman from North Carolina brought that out.

Mr. HOLIFIELD. This is actually an investment in the future of America. We label it subsidies, but this is actually an investment in the future of America.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Texas.

Mr. DIES. Will the gentleman explain that feature of the bill which applies to foreign construction?

Mr. HOLIFIELD. I was going to address myself to that point.

Now, there is a section in the bill which says, and I will read it to you:

> In order effectively to carry out the Atoms for Peace plan of the United States, the Commission shall have responsibility for the conduct of a vigorous program of international cooperation and assistance in the design, construction, and operation of power reactors and related matters. The planning and execution of such a program shall be undertaken as rapidly as practicable.

This is going on at the present time through the ICA. Now, I have no pride in the word "Commission" there. The Commission will have to do it, if it is done, by qualified people. If they want to put "President" there, it is all right with me. I would say that the President has that responsibility under his oft repeated statement, and I would say that the Commission would not proceed in any foreign country without consultation with the State Department and the President. So, if the gentleman from Ohio is concerned and they want to put the word "President" in there in place of "Commission," I would have no objection.

Mr. DIES. Does that mean we will build these reactors abroad?

Mr. HOLIFIELD. It means we might do it if it was in the national interest.

Let me address myself to this point. We are faced today with a challenge as to whether we will secure and maintain world leadership in the bringing into existence of this new great source of energy. Why are we faced with that? Because the Russians, we know, are already operating nuclear powerplants. We know that they are planning others. We know that they are right at this time building a 25-million volt cyclotron or betatron, as it is called, and our biggest in this country is 6 million electrical volt size. This is not conjecture; we know they have. We have had people visit this plant, and we know they are educating their scientists at a rate faster than we are. We know they are going into this field. What does it mean if they win this race for leadership in the erection of atomic powerplants? It means that they can go into—well, I have a list here of over 50 nations that need power. They can go in and make their commercial arrangements, and you know that will give them the open door to infiltrate their political ideologies, whereas if we are in a position to go into these nations and make arrangements with them to help them to produce this energy, when we get it on an economic standpoint, then we are in the position of leadership in the free world. And, I want to say that we are not today fighting a battle with atom bombs. We are fighting a battle today for the minds and the men of those have-not nations. This is the one point where we can actually go out and spend billions for peace and for the benefit of the people of those countries as well as for our own national security and the strengthening of the combined free nations of the world.

Mr. DIES. Mr. Chairman, would the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. DIES. What troubles me, with the very little information I have on the subject, is the fact that a letter was read from the Atomic Energy Commission stating that they are willing and anxious to proceed as rapidly as possible, and that they are summoning or inviting to Washington a group of outstanding scientists, and recommend that greater progress be made than is now being made.

Mr. HOLIFIELD. Mr. Chairman, may I address myself to that point? The whole problem in the minds of the members of the committee is, are they doing it as fast as they should do it? I hold in my hand from this morning's Times a story to the effect that Britain sees atom power gains from revisions of plant design, and it goes on to say that it will have between three and four million kilowatts by 1965; and that new designs of their plant are expected to cut the cost in half, according to these reports. They are building these big powerplants. We on the committee have visited them at

Harwell and Colder Hall in England. They are building these plants right at this time and are developing experience in engineering and technology which we cannot get unless we also build plants.

Mr. COLE. Mr. Chairman, would the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. COLE. I want to inquire of the gentleman if he will not agree that the reactors authorized by this bill may not be constructed in any foreign country?

Mr. HOLIFIELD. Oh, that is possible. That is up to the President and the Atomic Energy Commission, to build the small reactors where they should be built, but we are going to give them cooperation and assistance in design or in any other way. We have some 50 international agreements now to do that very thing. This merely reaffirms and directs that they do it as rapidly as possible if it is in the national interest.

Mr. COLE. The point is that this bill does not authorize the construction of a reactor abroad by the Atomic Energy Commission.

Mr. HOLIFIELD. If the gentleman will read section c on page 4, and explain in his own time what the word "construction" means, I shall accept his explanation.

Mr. COLE. At any rate, is it the gentleman's view that it is intended that this bill authorize the construction of a demonstration reactor by the Commission abroad?

Mr. HOLIFIELD. Yes, a small research type, possibly. But we have that authority now.

Mr. COLE. Let me say that that is contrary to my understanding of this bill.

Mr. HOLIFIELD. I may be wrong on that, and I shall be glad to discuss the matter at some length with the gentleman.

Mr. DURHAM. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. DURHAM. I think the gentleman from New York [Mr. COLE] is correct, because, if the gentleman will read subsection "c" it says assistance in construction.

Mr. HOLIFIELD. That is the way I understand it. I did not mean to say that we were going over there and do this. I was referring to cooperation and assistance.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. FLOOD. And by assistance they mean mutual-aid assistance with American dollars.

Mr. HOLIFIELD. They are doing that today through the OEEC and the ICA.

Mr. FLOOD. But the fact remains that American money is to be used to build these reactors in foreign countries under that program.

Mr. DIES. Mr. Chairman, will the gentleman yield further?

Mr. HOLIFIELD. I yield.

Mr. DIES. Am I correct in assuming that this bill is simply a declaration by Congress to the Commission that we want the Commission to move more rapidly?

Mr. HOLIFIELD. That is right.

Mr. DIES. There is no way to make them do it. I do not see how the passage of this bill would make them do it.

Mr. HOLIFIELD. I think the language authorizes and directs them to proceed with the building of large reactors. They have not done this. There is only one reactor, as I said, being built and the testimony before our committee from various scientists was that there were additional types of reactors which should be explored, that we should not stand still and not explore these other methods while other nations are exploring them and getting ahead of us in the technology; because no scientist today can tell you, until we build these large reactors, which one of the reactors will be the answer to our problem of producing power economically.

Mr. COLE. Mr. Chairman, would the gentleman yield further?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. COLE. If I may pursue with the gentleman the discussion of where these reactors might be located, in order to clarify what I think is a misunderstanding.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. COLE. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. HOLIFIELD. I thank the gentleman.

Mr. COLE. By reason of the fact that the bill requires that all the reactors covered in the bill must be built at some Commission facility. So that it can be said only in a negative way that they will not be built abroad.

Mr. HOLIFIELD. I could offer an amendment or the gentleman could offer an amendment—and if he does I will accept it—providing that it could be built only at atomic energy sites, so we will dispel this confusion. I think the gentleman realizes that the reason he has considered the amendment is that he has some doubt about the meaning of the language. Is that not true?

Mr. COLE. That is correct.

Mr. HOLIFIELD. But not the meaning in the minds of the members of the committee.

Mr. COLE. I do not know about the intent of the members of the committee, but I want to say specifically that these reactors will not be built in any foreign country.

Mr. HOLIFIELD. That is all right with me. If the gentleman wants to put that kind of inhibition upon his own administration, I will have no objection to it.

Mr. COLE. I am doing it when I say they must be built as Government facilities in this country.

Mr. HOLIFIELD. That is perfectly agreeable to me.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Texas.

Mr. DIES. Does the gentleman also contemplate an amendment that after so many years this will be turned over to private industry?

Mr. COLE. I have such an amendment.

Mr. HOLIFIELD. I will say this on that point, that in turning these plants over to private industry you will not be doing private industry a favor, because these are not going to be economic plants. By the time these plants are operated 10 or 15 years no private industry will buy them. Therefore, the question as far as I am concerned is moot. I would be perfectly willing to accept that amendment because I have confidence that by the time we get through the experimental period of operating these plants and achieve the operational history of these plants, other plants which will be built by private industry, I hope, from the techniques learned in building these plants, will be so much more efficient that there will be no use in running these plants because they will be run at a loss from the day they start to the day they stop, in my opinion; but a monetary loss, not a scientific and technological loss, and this is the thing that I am really interested in in maintaining the leadership of the free world in this area.

Mr. COLE. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, I am sorry this very important question does not elicit the interest of more Members because it is really quite a vital subject, as was indicated earlier today. I will have to say that I participated in the redrafting of this legislation including certain amendments that are contained in the present bill as distinguished from the original concept that was introduced, and I shall be very happy to support it. I may support it anyway, because it is in the nature of a declaration of intention, a declaration of intention on behalf of the people of the United States to go ahead with the development of this new source of energy as rapidly as may be possible or feasible. I would like to show the Members a chart which was handed to us by the Atomic Energy Commission sometime ago. It is a chart of the future needs of the United States for electric energy. This chart was referred to a few moments ago in the course of the discussion here. The point at which we are right now is shown on this chart at this point—it indicates that we have now about 150 million to 175 million kilowatts of generating capacity. By approximately 1965, we will be up to 200 million kilowatt-hours of generating capacity in this country. That is estimated to be the installed capacity of all of our power generating systems. In another 20 years, it is estimated that we shall be up to the point of 600 million kilowatts of generating capacity in this country. That is something in the neighborhood of five times the present generating capacity that we will have to expand to in the next 24 years. Five times—understand that—that is not peanuts and "it ain't hay" as the boys say. In the meantime we are faced with a possible shortage of petroleum reserves in this country and a rapidly mounting

demand upon those reserves. Fortunately, up to this time we have been able to meet the demands that the people have for petroleum by new methods of exploration, and very diligent exploration, not only in our own country but up into the wastes of Canada and into the mountainous areas and jungles of South America and all over the world. I would like to point out to you the reserves that we are now able to call upon abroad, to wit, in the Arabian peninsula, may not always be available to us. There are large reserves of petroleum there. But, I do not think we had better rely on them as a source of petroleum. This country has come to rely on petroleum as no other country in the world. I do not recall just at present the exact figure, but the demand is something like 5 million barrels a day. There is also a large demand for coal in this country. But, I think we are going to have to husband our resources in the petroleum field because, although we have been very fortunate in finding petroleum, we can come to the time when it will not be so easily found. The reserves of petroleum, at the present rate of use and according to the best estimates of the future, are good for something like 10 to 12 years. We keep finding new petroleum reserves as we use them so we have been able to keep ahead of our demands by about 10 or 12 years right along. I do not think we had better trust to that, but we had better be looking for some new sources of energy and try to retain the petroleum for the use of our automobiles, trucks, diesel locomotives, and airplanes. We have developed hydropower in this country until we find that you are coming to the limits—that is, the usable limits of that resource, and that is because most of the hydropower which is closely available to industry and the people is already under development or has been developed. With this tremendous demand ever increasing, your committee, the Joint Committee on Atomic Energy, has been studying for some years the conversion of nuclear energy into electrical energy, I may say in the research and development subcommittee, of which I have been a member since the formation of the Joint Committee, and which the gentleman from Illinois [Mr. PRICE] is now the chairman, we have been studying these possibilities. A few years ago it was deemed to be impractical but visionaries said that some day we would have it developed. That was just a few years ago, only a matter of 5 or 6 years. We have come now to see the possibilities of developing large scale economic sources of usable power from atomic fuel.

Nobody has yet built the reactor which would produce economically competitive power. At Shippingport, Pa., we have a reactor under construction, very largely with Government funds, from which we are selling the heat energy to the Duquesne Light & Power Co. at 8 mills per kilowatt. That is approximately 2½ times what electricity costs in my part of the country at the bus bar. But perhaps that reactor, after a period of operation, will prove to be economically feasible. We do not know. At the same time we do know that a country which is attempting to capture the minds of the people, and I mean Russia, is striving as best it can to develop a means of supplying economical electrical energy from nuclear sources. If they produce a usable powerplant—and I mean by that not merely an experimental one or something that they are putting on for demonstration purposes, but a usable plant which runs from 100,000 to 500,000 kilowatt capacity, because the larger you build them within reason the more efficient they are—if they succeed before we do, they will offer undeveloped countries their advice and counsel, their aid in construction and design, and thereby have an opening to their minds and hearts, which we will not be able to compete with unless we also have such reactor development.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. DIES. The gentleman is making a very enlightening statement and I dislike to interrupt him, but from what I have heard in this discussion it appears to me that about the only purpose this bill could serve would be a declaration of intention. I do not see how the bill could be mandatory. The Commission is not required to proceed any faster than is feasible to do so. The question of feasibility is for the Commission to determine.

Mr. HINSHAW. Under the Atomic Energy Act of 1954, which we passed, as the gentleman will remember, there is a requirement that facilities built by the Government and for the Government would have to be authorized by legislation. The reactors provided for in the pending measure are to be built by and for the Government and require authorizing legislation. To build them by private industry does not require legislative authorization. Am I understood?

Mr. DIES. Yes. But all they need do is to go before the Appropriations Committee and ask for an authorization.

Mr. HINSHAW. No, indeed. The Appropriations Committee does not authorize projects. Under its powers in the House, the Appropriations Committee may recommend an appropriation which has been authorized by the Congress.

Mr. DIES. But did they not recently ask for $400 million?

Mr. HINSHAW. Not yet. That bill follows this one, as I understand. It is intended to follow the enactment of this bill in the House.

Mr. THOMSON of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. THOMSON of Wyoming. This bill is not an authorization bill either, is it?

Mr. HINSHAW. Yes. It is also in the nature of a direction, because some people were a little more enthusiastic about telling somebody to do something than some of us on the committee were; we would rather authorize them to do it than direct them to do it. A simple amendment to be offered by the gentleman from New York [Mr. COLE] will change that.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Connecticut.

Mr. MORANO. If this bill is passed then the Appropriations Committee will have authority to appropriate.

Mr. HINSHAW. Yes.

Mr. MORANO. Under the legislation they can refuse to appropriate if they want to.

Mr. HINSHAW. That is correct; they can if the House wishes to go along with the Appropriations Committee in the matter; they can do so.

Mr. MORANO. Mr. Chairman, will the gentleman yield further?

Mr. HINSHAW. I yield.

Mr. MORANO. Has the Appropriations Committee taken any action premature to the passage of this bill with respect to the appropriation?

Mr. HINSHAW. I do not think under the circumstances that the action is premature. They are ready to bring a bill to the floor of the House which will follow this bill, as I understand.

Mr. MORANO. Did I not see on the Consent Calendar or somewhere scheduled for action the appropriation of funds in this matter?

Mr. HINSHAW. Yes, you did; that is correct.

Mr. MORANO. Then do I understand that the Appropriations Committee has reported out that measure?

Mr. HINSHAW. It has been reported to the floor of the House just as this bill is reported to the floor, only this bill, of course, takes precedence as it is the authorizing legislation.

Mr. MORANO. Then it would be correct to say that if we pass this bill we are already half through the appropriation bill so far as House action is concerned.

Mr. HINSHAW. I would think that something like that might be in order. It will be up to the Appropriations Committee as to how much money they will appropriate for this year.

Mr. MORANO. The Appropriations Committee has already reported the bill out, as I understand.

Mr. HINSHAW. I am not going to get into that phase of the matter. The Appropriations Committee will have control of that when the time comes. I am telling the gentleman why this bill should be passed and why all four members of the minority side of the committee voted to report the bill out for discussion on the floor and why all of the House Members on the majority side did likewise.

Mr. MORANO. I thank the gentleman. I am not trying to divert him.

Mr. HINSHAW. The gentleman understands there is great interest in this subject.

Mr. MORANO. I am not trying to divert the gentleman from his explanation of the bill; I was just trying to get the picture insofar as the appropriation is concerned.

Mr. HINSHAW. I do not really know all the facts in respect to that. The gentleman can find that out probably by asking a member of the Appropriations Committee.

Mr. MORANO. I presume the members of the Appropriations Committee can probably tell us.

Mr. HINSHAW. They probably can.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield for a couple of questions?

Mr. HINSHAW. I yield to the gentleman from California.

Mr. PHILLIPS. These are questions that may clarify this matter.

First, the gentleman will agree that the action of the reactor does not produce any tangible thing like power or light; it is a heating unit.

Mr. HINSHAW. Exactly.

Mr. PHILLIPS. The gentleman has explained that. It may be put under any equipment today if heat is required to operate the equipment.

Mr. HINSHAW. That is correct.

Mr. PHILLIPS. Secondly, is it not a fact that from the very beginning of the program we have depended not upon scientists in our own employ.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HINSHAW. May I have additional time?

Mr. COLE. I yield the gentleman 3 additional minutes.

Mr. HINSHAW. Then I cannot permit the gentleman from California to continue his discourse on this subject because I have some points I want to make.

Mr. PHILLIPS. I thought maybe the gentleman would say that we did not depend upon our own scientists; we depend upon the scientists of industry and have from the very beginning, Dow Chemical, Westinghouse, and so forth.

Mr. HINSHAW. That is quite true. Ever since the beginning of this program, the scientists in industry have been trained at Government expense in the operation of these facilities, and everyone who could possibly take that training as an employee or an officer of a corporation or a public power outfit has been invited to go and study in the program to gain knowledge. We find that there are surprisingly large areas that still require a great deal of study and a great deal of research.

I would like to point out that in this present program where private industry is attempting to go ahead with the development of atomic energy facilities for the production of electric power at Shippingport the AEC will furnish almost the entire cost of the reactor, a matter of $37,750,000 for capital outlay. I think that the Duquesne Light Co. contributes $5 million and Westinghouse Corp. contributes $500,000. That is, the net estimated cost to the Government of that reactor at Shippingport, Pa., is $32,250,000. For the Yankee Atomic Electric Co. program the AEC has agreed to finance up to $4 million of research and development with the funds to be expended by the Yankee Atomic Electric Co. in their own research facilities, there will be $1 million of research and development to be done in the AEC facilities. There is expected to be no charge for the fuel rods, or the uranium that goes into them as I understand it. They will be loaned to the Yankee Atomic Electric Co. They will however be required to pay for the reprocessing of the spent fuel elements.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from California.

Mr. HOLIFIELD. The gentleman said that the cost of the Shippingport plant was around $32 million net. That is the capital plant investment, but it does not include the $45 million for research and development?

Mr. HINSHAW. Oh, no, it does not.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from California.

Mr. PHILLIPS. It does not also include the amount that the utility is putting into its own plant?

Mr. HINSHAW. No, but they can use that part with any other source of energy as well. All they have to do is to disconnect the steam plant. They can hook it up to an ordinary fuel boiler and use the generating equipment in that way. The atomic energy function has cost the Government net up to the present time $32½ million. The reason why these things do not go forward in the private enterprise field, so to speak, at a faster rate is because the thing is entirely in the development stage today.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. DURHAM. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. HINSHAW. Mr. Chairman, let me give some figures which will surprise you. There are 365 days in the year, 24 hours in a day, which make 8,760 hours a year. If you run a 100,000-kilowatt powerplant at capacity for a year, you will find that you can save $876,000 by reducing the cost per kilowatt-hour by 1 mill. For each mill of the cost per kilowatt-hour that can be saved you save $876,000. But if you start out with a machine, an atomic-energy reactor, that produces electricity at 10 mills, we will say, it would cost $8,760,000; and if 5 years from now you get a reactor that develops power for 7 mills, then, of course, you save 3 times $876,000 or $2,400,000 per year, approximately. That is the reason why these things are not going to live long. They are purely experimental. They are intended to be prototypes. They cannot be sold ultimately to the private power interests or to any other kind of interest because they are experimental. When they get down to the final grind of bringing costs down, down, and down to where they cannot get any further, then you will find private and public power outfits stepping out and building these things quite profusely all over the United States. Until that time comes you will not see it.

Mr. DURHAM. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. Mr. Chairman, I want to compliment the gentleman from California [Mr. HINSHAW] for his very fine contribution to this debate in which he went pretty much to the nub of the problem we are facing. He answered very convincingly a statement which was made during debate on the rule to the effect that this Nation has no power shortage. While the gentleman from California [Mr. HINSHAW] projected his thinking on the subject to a future date and did it very convincingly, I think he will also agree with me that we have a power shortage in this country today. That has been testified to before many committees of this Congress by the proper agencies of the Government which deal with the problem, including the Federal Power Commission, and others.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Iowa.

Mr. JENSEN. I wonder if the gentleman will designate the areas in which we have a power shortage?

Mr. PRICE. I might say any city in the country. Does the gentleman from Iowa realize many of the large cities within the last year at times have almost gone to the point of rationing power?

Mr. JENSEN. Is it not a fact that every factory, business, industry, or private home that has asked for electric power has received it everywhere in this Nation?

Mr. PRICE. Of course, but the gentleman should think of the degree of power. The gentleman knows that in some areas, in some of the largest metropolitan areas of this country, you hardly have enough power at certain times of the day to operate an electric shaver.

Mr. JENSEN. Please name such areas.

Mr. PRICE. Well, I could take you to a few of them. I would say right in this area.

Mr. JENSEN. Just cite one, any place where the partnership program is in effect, as recommended by President Eisenhower.

Mr. PRICE. I would say over in Virginia the power is not as powerful as it is in some other parts of the country. The gentleman from California recognizes that and knows that to be a fact. I would say every city in the country faces that situation at times, and the gentleman also knows that when industry attempts to locate a new plant in this country it has to do a very thorough job of searching to find the necessary power, and in many instances make arrangements for additional powerplants to be built.

Mr. PHILLIPS. Do you know any time in the history of this country when there was such an excess of power?

Mr. PRICE. Of course, I am not arguing with the gentleman.

Mr. PHILLIPS. That is the test.

Mr. PRICE. I say the shortage does exist, and I say it will grow, as the gentleman from California [Mr. HINSHAW] very expertly outlined, and will continue to grow. I am not advocating this bill to take care of that immediate shortage, but only thinking of the future, and I think we would be negligent as members of this committee if we did not think of the future and we did not bring this problem before the Congress so that we could adopt a national policy on it.

Mr. PHILLIPS. When does the gentleman think this power will be available for ordinary use at a competitive rate?

Mr. PRICE. Of course, I do not know, but I will say if we do not do something soon, it will never be available, and I think it is about time to make a start

in order to make it available as quickly as possible. Now, when it will be available I do not know, but if we are inactive it will never be available.

Mr. PHILLIPS. You are proposing in this bill to build a lot of plants. Do you know that?

Mr. PRICE. Of course we know. If the gentleman had been paying attention—and I think he was, because I know the gentleman well—previous speakers have given a very thorough explanation of what we propose to do in this bill. If I had the time to do it, I certainly would make further detailed explanations, but if I answer questions based strictly on power, I will never get to the point of my own remarks.

The gentleman from Virginia [Mr. SMITH] also in the debate on the bill made some reference to a dispute between Members of Congress, between statesmen, as he was so kind to refer to us, and scientists. Such a dispute does not exist. This legislation was worked out after consultation and advice with the leading scientists of this country. While it may be true that a majority of the members of the Atomic Energy Commission do not give their support to this particular bill, they recognize that such a program as this may be necessary, and they say they stand ready to go through with it.

I am sorry I do not have time to elaborate on this, but I would just like to make reference to the fact that this is not the first time that the Joint Committee has found itself in dispute with the Commission. I can recall the H-bomb program incident, when a majority of the Commission and a majority of the members of the General Advisory Commission were opposed to the position of the Atomic Energy Commission. Yet, the years have proved that the Joint Committee was right, and if it had not been for the pressure and for the work of this committee, we could today be far behind Russia in the H-bomb and the thermonuclear program. That is one instance. We were not in dispute with the scientists; we took our advice from the scientists, just as we are doing here today. The scientists, many of them, within the Atomic Energy Commission, in the laboratories of the Commission, on the staff of the Commission, we feel, are more in support of our position than in support of the Commission itself.

Mr. HINSHAW. Mr. Chairman, I yield 7 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Chairman, as a member of the Joint Congressional Committee on Atomic Energy, I voted to report this bill to the House of Representatives for consideration, and, when doing so, announced that my vote was with reservations because I did not like some of the provisions of the bill.

Since the committee reported the bill I have spent many hours further digesting the hearings and studying the bill, with the result that I find myself opposed to the legislation in its present form.

Mr. Chairman, one of the stated purposes of the Atomic Energy Act of 1954 was to "encourage widespread participation in the development and utilization of atomic energy for peaceful purposes."

For the first time industry and free enterprise were given the opportunity to build and operate power reactors.

Construction and operation by private industry of production facilities through the free-enterprise system is the traditional American way and a philosophy we are trying to sell to the rest of the world.

It was this philosophy that led to the enactment of the Atomic Energy Act of 1954.

At that time it was recognized that it was essential to develop atomic energy not only for use within the United States but also for the purpose of competing with Russia and the other nations of the world.

Now, with less than 2 years' experience under the act, we have compelling evidence that great strides have been made and several additional atomic powerplants will be soon under construction.

In view of this, there is no basis on which to reverse the policy of the Atomic Energy Act of 1954 and have the Government instead of industry build large-scale power reactors.

Such a complete departure from the American way should be adopted only because there is a clearly established and highly critical need.

There has certainly been no showing that such need exists.

The report of the special McKinney panel, established by the joint committee under the chairmanship of Senator ANDERSON, made an extensive review of the whole situation.

The report of this panel, made earlier this year, confirmed that the basic policy of the Atomic Energy Act of 1954 should be continued.

Specifically, the McKinney panel reported that—

> Private enterprise should carry a substantial part of this research and development program, including especially the construction of full-scale demonstration plants.

What I have just read is a general conclusion of the McKinney panel, but now let me read what Mr. McKinney had to say when he appeared before the joint committee during the hearings on this bill:

> If I am any judge of public opinion, the Nation is confident that this distinguished committee will not cause the building of a lot of atomic powerplants, just for us to look at, brag about, and subsidize.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from California.

Mr. PHILLIPS. In our hearings this name "McKinney," and the McKinney committee came up frequently and there was a difference of opinion as to what it was. Would the gentleman tell us what the committee was and who appointed it.

Mr. VAN ZANDT. The panel was appointed by the chairman of the Joint Congressional Committee on Atomic Energy, the Senator from New Mexico, Mr. CLINTON ANDERSON. The panel is composed of Mr. Robert McKinney, chairman; Ernest R. Breech, George R. Brown, Sutherland C. Dows, John R. Dunning, Frank M. Folsom, T. Keith Glennan, Samuel B. Morris, and Walter P. Reuther.

The panel sat for many months and submitted their report to the joint committee in January of this year. Now let us read what Mr. McKinney had to say when he appeared before the joint committee during the course of the hearings on this bill:

> The Nation is confident that this committee will keep the scientific, engineering, and technical problem of harnessing the atom separate from unrelated political controversies.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Illinois.

Mr. PRICE. What the McKinney panel actually recommended was that if the AEC proposed a reactor that private industry was not interested in developing—if industry did not feel that it could do the job for financial reasons or did not want to do it, and the Commission believed this was a promising reactor, then the Government could and should do the job. That is all this bill provides. This is to take promising reactors that hold some promise for the development of power, and if private industry has not selected them in their private development program then the Government will follow the recommendation of the McKinney panel and do it itself.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from California.

Mr. PHILLIPS. Reference has been made this morning by one of the speakers to the General Advisory Committee. Will the gentleman say what that is, or who it is?

Mr. VAN ZANDT. This committee was established by the Atomic Energy Act of 1946—section 2 (b)—and is continued by section 26 of the Atomic Energy Act of 1954. The nine civilian members are appointed by the President to advise the Commission on scientific and technical matters relating to materials, production, and research and development. Under the Atomic Energy Act, the committee shall meet at least four times in every calendar year.

The committee is composed of nine civilian members. I may say that a man who is probably one of the outstanding physicists in the world today, Dr. Rabi, is the chairman of that committee. The full membership of the committee is as follows:

Dr. I. I. Rabi, chairman; professor of physics, Columbia University, New York, N. Y.

Dr. Jesse W. Beams, professor of physics, University of Virginia, Charlottesville, Va.

Dr. J. B. Fisk, executive vice president, Bell Telephone Laboratories, Murray Hill, N. Y.

Dr. Warren C. Johnson, dean of physical sciences, University of Chicago, Chicago, Ill.

Dr. Edwin M. McMillan, professor of physics, UCRL, Berkeley, Calif.

Eger M. Murphree, president, ESSO Research and Engineering Co., New York, N. Y.

Dr. J. C. Warner, president, Carnegie Institute of Technology, Pittsburgh, Pa.

Walter G. Whitman, head, department of chemical engineering, Massachusetts Institute of Technology, Cambridge, Mass.

Dr. Eugene P. Wigner, professor of physics, Princeton University, Princeton, N. J.

Dr. Richard W. Dodson, secretary; chairman, department of chemistry, Brookhaven National Laboratory, Upton, Long Island, N. Y.

Mr. PHILLIPS. If the gentleman will yield further, does the gentleman know if the committee are for or against this legislation?

Mr. VAN ZANDT. As I recall the statement of Dr. Rabi, he was opposed to the intent of the bill.

Mr. PRICE. If the gentleman will yield, even if that were true, this would not be the first time the Committee of Congress was correct in going against the advice of the General Advisory Committee. The gentleman also knows the story of the H-bomb.

Mr. VAN ZANDT. Mr. Chairman, we are hearing a lot about the United States losing the world atomic power race. In my opinion, the United States leads in the development of economical nuclear power. The country which first produces and continues to produce economical nuclear power reactors for worldwide markets will become the leading nation in the peaceful use of atomic energy.

I should like to support that statement by reading a statement attributed to Mr. James A. Lane, Director, Reactor Experimental Engineering Division, Oak Ridge National Laboratory. He said recently:

> On this basis the United States program with an estimated 900 megawatts of nuclear plant capacity by 1960 compares unfavorably with the 2,000–2,500-megawatt capacities projected for the U. S. S. R. and the 1,200 megawatt capacity projected for the United Kingdom; however, on the basis of numbers of reactors already built or projected by 1960, the United States not only leads these two countries, but these two plus all others.

The box score reads as follows:

	1955		1960	
	United States	Other countries	United States	Other countries
Research and test reactors	22	15	[1] 54	[1] 50
Power reactors and power prototypes	7	1	37	31
Total	29	16	91	81

[1] Estimated.

Mr. PRICE. If the gentleman will yield further, I know the gentleman does not want to leave any misinformation, but this is a very important bill and I think we ought to stick to the facts. The gentleman will recall we were very careful in our examination of the Commission witnesses before the committee while we were studying this legislation. The gentleman knows that the top figure we could get from the Commission on the amount of kilowatts of potential generating capacity we would have by the same target dates as the Russians and the British was around 750,000 kilowatts. The gentleman knows that.

Mr. VAN ZANDT. Well, that was an estimate.

Mr. PRICE. That was the closest possible figure given to us by the Commission itself. And some of the reactors involved in reaching that total are in the industrial development program, and if the program is to continue further legislation will be needed from the Congress. For instance, if we do not get the indemnity bill passed before we adjourn, we may not get a kilowatt out of that program.

Mr. VAN ZANDT. The gentleman is right. In the committee, we did get those figures, but I am quoting Mr. James A. Lane, Director, Reactor Experimental Engineering Division, Oak Ridge National Laboratories:

> Our diversified reactor construction program is aimed at a better understanding of the technical problems standing in the way of low cost nuclear power, rather than an attempt to win the race for nuclear kilowatts.
>
> It is adequate evidence of the tremendous interest of the American people in nuclear power and the result of the combined efforts of the Atomic Energy Commission and industry.

Mr. Chairman, the significance of the number of reactors we have built in the United States is that knowledge in any field is the result of progressive development so that each reactor built contributes to the total knowledge which is used to build the next reactor.

Thus, our quantitative record does have real significance.

It does not matter that a particular reactor has been dismantled.

The real point is that it was built. The construction of each reactor contributes to sum of our reactor technology and the development of economical nuclear power depends, to a large extent, on an advanced nuclear reactor technology.

II. INDUSTRY IS MAKING SATISFACTORY PROGRESS TOWARD DEVELOPMENT OF ECONOMICAL NUCLEAR POWER

Industry is developing every reactor concept which, in the opinion of AEC, holds promise for economical nuclear power.

Chairman Strauss said that thus far "industry has not failed to undertake" construction of reactors the Commission felt should be built.

Certainly, the Commission being the sole possessor of all reactor data, has been and still is in better position than any person, or group of persons, to determine whether additional types of reactors should be constructed at this time.

The Chairman added that if industry should fail in this respect, the Commission would take the necessary steps to build such reactors itself.

At the present time nine different types of reactors are being proposed for construction by industry.

Over 100 investor-owned utility companies hold access permits issued by AEC which permit them to have access to restricted data in connection with their work in the nuclear field.

Forty-four such utilities are participating in the planning and building of nuclear powerplants.

In addition, some 700 other companies, among them utility suppliers, also hold access permits.

Investor-owned utility companies will spend, and are spending, more than $300 million to install over 1,100,000 kilowatts of nuclear power capacity by 1962. Untold millions more are being spent by utility suppliers and others.

It has been contended in the hearings that this is not enough, that more should be spent for unspecified purposes.

More money will be spent by industry as soon as there is reason to spend more.

There is no point in spending money which will not advance our nuclear power technology.

Industry has sold 3 research reactors and 1 power reactor abroad. No other foreign government or industry is known to have made any such sales.

Industry has made this record of accomplishment in less than 2 years.

This has been accomplished despite the delays encountered in connection with implementing the act and the delays necessary in devising a sound and flexible system for reactor development.

It took 13 months of negotiations with AEC before a construction permit was issued to Consolidated Edison for the construction of its privately financed reactor.

It has been contended at the hearings that industry has fallen down on the job because no nuclear powerplants are actually being constructed other than the Shippingport project.

But it must be remembered that even conventional projects require a great deal of planning and design work before equipment fabrication and construction begin.

Many months are consumed in research, design, engineering, programing, and training personnel.

When the special problems inherent in the atomic energy field are added to the usual problems, it becomes obvious that it is a mark of real progress that atomic powerplants entirely financed by industry will be placed in construction within 2 years of passage of the Atomic Energy Act of 1954 on August 30, 1954.

This is the case for the 236,000-kilowatt atomic plant of Consolidated Edison and the 180,000-kilowatt atomic plant of nuclear power group.

Industry has the strongest incentive to do a good job.

Proponents of this bill have suggested that the electric utility industry is tied to the concept of profit and, as such, is neither free nor willing to undertake development work which is unprofitable.

The plain answer to this is that the industry is not so shortsighted.

The industry is aware that if it does not do the job it will be done by others, specifically by the Government.

This represents a compelling incentive to carry out effective programs for the development and construction of economical nuclear power.

All that industry asks in this situation is the opportunity to develop and construct all promising reactor types.

It is the industry's position that any doubts as to the reactor program should be resolved by proper evaluation. The opinion has been expressed by Dr. Zinn that there are other types of reactors which have possibilities but are not being developed.

Industry's position is that there should not be any doubt about the matter and all doubt should be removed.

By formal action the Edison Electric Institute has recommended that a national evaluation group of top qualified people be set up to provide a continuing means for the scientific, engineering, and economic evaluation of power reactor types and designs and selection of those reactor types and designs which merit development and construction and to facilitate the development of any new concepts or designs.

It is to be hoped that people like Dr. Zinn will be willing to serve on the national evaluation group so that all the different viewpoints will be represented.

Thus, the determination of what additional types of reactors should be developed will be taken out of politics and settled on the basis of the total available knowledge and experience.

III. THERE ARE DEFINITE ADVANTAGES IN HAVING INDUSTRY RATHER THAN GOVERNMENT CONSTRUCT AND OPERATE FULL-SCALE POWER REACTORS

Accurate cost determinations can best be obtained by industry.

Reliable cost data will only result from construction and operation of power reactors by industry.

Such cost data is essential if American industry is to compete in the foreign reactor markets.

Costs for Government construction and operation would not provide a proper yardstick.

Government costs do not include, for example, Federal income taxes.

Nor are proper allowances made for State or local taxes.

The Tennessee Valley Authority pays no interest to the United States Treasury on appropriations representing capital involved so there is no cost of money.

It was testified that taxes and cost of money together take an average of 37 cents of each dollar or revenue of investor-owned electric utilities.

Federal projects, therefore, cannot provide the "yardstick" measurement of construction and operating costs for nuclear powerplants envisioned by proponents of this bill.

Incentives for cost reduction in the nuclear power field exist only for industry.

Any reactor can be made economical only by reducing costs and, as Chairman Strauss pointed out, the incentive that industry has to reduce costs is not present in Government construction and operation.

This incentive has been largely responsible for our past industrial progress and, if we are to lead the way with economical reactors, it will only be by taking full advantage of this basic economic motive which has been so successful in reducing costs in other fields.

IV. GOVERNMENT CONSTRUCTION OF NUCLEAR POWER REACTORS UNDER THIS BILL WOULD HINDER RATHER THAN ACCELERATE OUR PROGRESS

Government construction of reactors will not yield any advantages over construction by industry.

Shortage of manpower, technological development, pilot-plant testing and materials and hazards of evaluation are identical in both cases.

Under these circumstances, nothing is gained by Government construction of nuclear powerplants as long as industry continues to undertake the construction of all reactor types that warrant development.

Since advancement of the art rather than merely additional kilowatts of nuclear capacity is the goal, Government construction at this time would be of no advantage and, in fact, would result in some definite disadvantages.

Government construction under this bill would divert scarce manpower and critical materials to the detriment of the industry program.

Throughout the hearings it has been reiterated that there is a very limited supply of competent scientific personnel, most of whom are now fully occupied in the nuclear program.

The hearings will show that Chairman Strauss; Messrs. McCune, of General Electric; Cisler, of Detroit Edison Co.; and Oakes, of Pennsylvania Power & Light Co., all agreed that shortage of brain power is a critical problem.

Clearly the diversion of experienced brainpower to Government construction would take away from industry qualified people who could not be replaced.

There are other ways in which passage of this bill would impede rather than advance our nuclear power program.

Enactment of this bill would bring into the field of nuclear power all the controversial and discriminatory features of tax avoidance, preference and continuing subsidy, that have marked Federal power operations.

Enactment of this bill would unnecessarily burden the AEC with a host of problems such as the design and construction of plants, their location, the sale and distribution of power and problems of personnel, administration and logistics.

As Commissioner Libby pointed out it is unlikely that this can be done without interfering with other reactor efforts, military, and civilian.

Creation of these atomic TVAs would be very, very expensive. Furthermore, as several industry witnesses pointed out, all that would be accomplished would be a further extension of subsidized Federal power into the atomic power field.

Mr. Chairman, I said these atomic TVAs would be very expensive and they are, when one learns of the real cost of this bill.

You will note, this bill authorizes the sum of $400 million to cover its cost, but when I asked the Atomic Energy Committee to furnish me the real cost, let me read what they told me:

In addition to the $400 million first cost of H. R. 12061, a development cost of perhaps $100 million, and a 20-year operating cost of perhaps $800 million there should also be allowed some interest charges on the debt represented by the $400 million first cost, perhaps another $100 million in a 20-year period. Thus, the total cost of H. R. 12061 is not the $400 million figure carried in the authorizing bill but is more nearly $1,400,000,000 to which we are committing ourselves for the next 20-year period.

If additional money is to be spent by the Government, there are other ways in which the American taxpayer will receive more for his tax dollar than by Government construction of unnecessary nuclear power reactors.

One way would be to encourage the training of more brainpower to remove a serious bottleneck which is likely to continue to be a hindrance to the whole program for years to come.

Another alternate to this bill, which should provide more international good will than the mere increase in our nuclear kilowatt hour output by domestic construction of uneconomical plants, would be a wider dissemination abroad of some of the atomic developments in the field of agriculture and medicine.

In that way the peoples of other countries would receive immediate tangible proof of our desire to make a better life for them.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. VAN ZANDT] has expired.

Mr. COLE. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. FENTON].

Mr. FENTON. Mr. Chairman, as a Representative of an area of the country that for continued prosperity is utterly dependent on a coal economy, I must raise my voice in protest at the proposal contained in H. R. 12061. This, as you know, is the proposal which would subsidize the entry of the Federal Government into the business of producing electric power from the atom.

It has been less than 25 years since the Federal Government started to put the American coal industry out of business by building vast Federal dams to produce millions of kilowatts of electric power which might otherwise have been produced by hundreds of millions of tons of coal. During this same period America's coal miners needed a market for their product—just as every other industry did. They needed as much help as any farmer certainly and yet they stood by and watched their Government sell them down the river in order to bring that great experiment known as TVA into being.

To add to the irony of this picture, the taxes of these same coal miners helped build the very power dams that eliminated the need for millions of tons of coal each year. This was a little like paying for your own funeral, for that is exactly what their Government had decreed they must do. Now these same miners are again being asked to pay their share of taxes so that Government can get into another business guaranteeed to destroy even more of the market for coal. They are being asked to support a federally subsidized atomic power program which, under the provisions of this bill alone and without any further legislation, could surpass all previous Govern-

ment efforts in the hydroelectric power field.

The bill contains a great many dangerous provisions. One of these is the large-scale accelerated power reactor program proposed in section 242a. And I say this, fully realizing that these power reactors will be located at major AEC production facilities and the power from them will be used by the Commission in connection with the operation of such facilities. This can only have an adverse effect on the coal industry to the extent that atomic electric power from these plants will replace power which is now being produced by conventional fuel-burning plants.

Another and perhaps greater and more far-reaching danger lies in the innocent-looking provisions of section 242, paragraph (b) of this proposed bill—the advanced design and development program. Under this section of the bill there would be no limit as to location of reactors, no limit as to number of reactors built, and the stated limit of 50,000 kilowatts on their size means simply that each one could be as big as an average conventional fuel electric generator. Moreover, there is absolutely nothing in this bill to prohibit combining several of these 50,000 kilowatt reactors—the so-called small ones—to form a complete generating system with a total combined capacity way up in the hundreds of thousands of kilowatts, and costing the taxpayers millions upon millions of dollars.

In other words, this section of the bill is nothing more or less than a congressionally authorized blank check for the building of reactors by AEC where it wants to build them and when it wants to build them and then to market the power produced. The size of this power program would, in fact, be limited only by the funds whcih future Congresses might be high-pressured into appropriating.

But there are still further dangers in this legislation. They are found under section 242, paragraphs (c) and (d), and I read:

c. Foreign atomic power assistance:

In order effectively to carry out the atoms-for-peace plan of the United States, the Commission shall have responsibility for the conduct of a vigorous program of international cooperation and assistance in the design, construction, and operation of power reactors and related matters. The planning and execution of such a program shall be undertaken as rapidly as practicable.

d. Supporting facilities:

* * * The Commission is authorized to construct, own, and operate supporting facilities necessary in connection with projects initiated under subsection a, b, and c of this section.

Now, I do not object to—in fact I favor—the fullest cooperation on the part of the United States with the other friendly nations of the world in the peaceful development of the atom. But I do object and most strenuously to an agency of this Government building, owning and operating nuclear facilities in foreign countries. I am perfectly willing that we extend the friendly hand of cooperation and lend appropriate and judicious aid to other countries, but I do not think that the AEC or any other agency of this Government should be directed to promote such a very dangerous program.

It seems plain to me that the uneconomic acceleration of nuclear power production here in the United States and coupled with, in my judgment, the unwarranted and questionable stimulation of foreign nuclear projects, will have disastrous effects on the domestic and foreign markets for American coal.

No one in his right mind would advocate that the march of human progress be held back just to satisfy the desires of a single group of people. I am not now advocating that the clock of progress be stopped, or even slowed down. But I am protesting that it is morally wrong and ethically unfair for any government which represents all of the people, as our American democracy does, to get into any business which would deliberately hurt or destroy the livelihood of any of its people. Forcing the AEC into the electric power business on a commercial basis and, in the light of the present development of nuclear technology, a basis that is economically unsound, as proposed in this bill, would seriously hurt coal miners and all the people in every coal producing community, not only in my State but in every other coal-producing area of the Nation.

This is not to say that the Government does not have a legitimate role in atomic power development. It has. But that role is in the field of pure research on the atom and in proposing reactor design worthy of further large-scale development. Producing electricity "in industrial or commercial quantities," to quote the words of this bill, is not a proper Federal Government role.

Coal miners are used to tough battles. They have been and are willing to tackle the competition of oil and gas, and yes, the atom. All they ask now—all they have ever asked in the past—is that the competition come naturally, through the normal operation of our competitive, free enterprise economy and not as the result of subsidy of their competitors by their own Government and in part at their own expense. The coal miners and the other good people of the coal regions of this country are hard-working, upright citizens, and deserve honest, fair, and equitable treatment at the hands of their Government.

For these reasons—and for the overriding reason that America and American industry is already moving rapidly and surely toward the goal of an economic and practical atomic power—I cannot find it in my heart to support the provisions of H. R. 12061. I urge each of you here to search his conscience carefully—ask yourself whether the true aim of this proposal is atomic progress or whether it is, as I believe it to be, a pure and simple act of subsidy proposed for no other purpose than to get the Federal Government into the atomic electric power business and in so doing inflict serious economic damage to the vital coal-producing segment of our American economy.

Mr. DURHAM. Mr. Chairman, I yield to the gentleman from Texas [Mr. KILDAY].

Mr. KILDAY. Mr. Chairman, I am in favor of this bill. However, if I thought it did some of the things I heard mentioned here in connection with the presentation of the rule, I doubt very much if I would favor the bill. I believe it to be true that we all realize that research and development must be carried on in many lines and particularly in a new line such as this where the cost is so tremendously high. The gentleman from California [Mr. HINSHAW] a moment ago pointed out in a very clear manner the fact that it is not now possible to produce nuclear electric power competitively at this time. Nor will it be until such time as research and development has reached the point where nuclear power can be produced at lesser prices. I feel it is essential that the United States not only be ahead of other nations in the production of atomic power, but that it stay ahead of other nations in that regard. For that reason, it is of primary importance that we continue on a program of research and development even though it be at Government expense. It is nothing new for the Government to stand the cost of research and development in a new undertaking where new scientific developments such as this are involved. It has happened in many instances in the past. In many instances in the past, the armed services have had to bear the cost of research and development that has finally inured to the benefit of private industry. This is in no wise a bill to embark the Government on a public-power program. The bill is quite short. It is written in very understandable English. I hope the membership will read the bill because it points out those things that are of primary importance. It lays particular stress upon the fact that these are large-scale prototype power reactor demonstration facilities designed to demonstrate the practical value of utilization facilities for the generation of electric energy in industrial or commercial quantities.

I do not know how you could express in clearer English the fact that this is a research and development program when you talk of prototypes for the demonstration of the practicality of this type of generation of power.

Then I call attention to subsection (3) in the same section of the bill:

(3) The power reactor demonstration facilities authorized by this subsection shall be constructed at sites of major production facilities operated by or on behalf of the Commission, and the electric energy generated shall be used by the Commission in connection with the operation of such production facility.

So that necessarily under the bill there will not be any power produced that will be available to be sold as public power or competing with any other type of power that may be generated. It is going to be produced at facilities of the Commission and consumed in those facilities.

The gentleman from Illinois in asking a question of the gentleman from Pennsylvania called attention to the fact that unless the indemnity bill was passed at this session of Congress there would be little likelihood of the production of any power of this type.

The indemnity proposal is but one of the conditions which industry must settle before it engages in the production of nuclear power. They all add up to the fact that if the United States is to proceed rapidly to produce nuclear power some provision such as this bill must be made.

I, therefore, support this bill and hope it will be adopted.

The CHAIRMAN. The time of the gentleman from Texas [Mr. KILDAY] has expired.

Mr. COLE. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. JAMES] such time as he may desire.

Mr. JAMES. Mr. Chairman, we now have before us H. R. 12061, a bill designed to accelerate the civilian reactor program in this country according to the Joint Committee on Atomic Energy.

This is a praiseworthy intention. However, by removing every incentive which any electric company—public or private—may have had to engage in building nuclear reactors, this proposed legislation would, in fact, accelerate a slow down in the development of atomic electric power in America.

This much is obvious to anyone who stops to consider the implications of the proposed bill.

In the first place, the bill authorizes and directs the Atomic Energy Commission to build an unspecified number of large-scale prototype power reactor demonstration facilities. These may even be duplicates of reactors already planned or being built by private and public electric utilities; there is nothing in the bill to prevent such duplication. The only requirement is that the reactors built by the Commission under this program show promise of making a contribution to the advance of the art and technology of large-scale production of atomic power.

The bill also provides that these large-scale reactors be built at sites of major production facilities of the Commission, and specifies that the electricity generated shall be used by the Commission. This loose wording allows plenty of leeway for administrative decisions as to which sites are major. As a result, these reactors could conceivably be built at any or all the large number of AEC testing, laboratory, or production sites throughout the country. Under such conditions, this alleged "safeguard" is no safeguard at all.

To make matters worse, under the advanced design and development program called for in the bill, the AEC is directed to build an unspecified number of prototype power reactors utilizing reactor designs which involve significant and promising advances in reactor technology. Since these may be designed with capacities up to 50,000 kilowatts, compared to the 30,000 to 60,000 kilowatt capacity of the average modern commercial generator, the experimental nature of these so-called prototype reactors is open to serious question.

Significantly, the Commission may build as many of these plants as it desires—and it may build them anywhere in the country. In this respect, the bill at least, is honest by not pretending to offer either numerical or site limitations.

The net effect of directing AEC, against its will, to "take over" both the large-scale and the "experimental" reactor-building program will be to take away any incentive which the electric utility industry has had to participate in the further development of atomic power in America. Faced with the provisions of this legislation why should any private electric company—any rural cooperative—any municipal power system—bother to invest its own time and money in building nuclear power reactors? If AEC is going to be forced by this legislation to do the job anyway, why not let AEC have all the headaches? Why not, instead, wait until AEC works out the "best" reactor designs before getting involved in atomic power production?

Under such circumstances, it is hard to understand how they can say, with a perfectly straight face, that—

> This bill will broaden the base of private industrial participation in the atomic power program.

Clearly, this bill will do no such thing. Under its provisions the Atomic Energy Commission will be set up in business as yet another Federal producer of electricity in competition with the electric industry—and at a cost of $400 million of taxpayers money, as a starting appropriation. And by effectively discouraging further participation of the electric industry in atomic power development, its passage will inevitably pave the way for a complete Federal power "takeover" in the field of atomic electric power.

Mr. COLE. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Chairman, I would like first to address my remarks to the gentleman from Texas [Mr. KILDAY], calling to his attention the statement of the author of this bill, Senator GORE. Senator GORE has not denied a statement which appeared in the Washington Evening Star of July 18, 1956, saying that he regards his position for Government construction of atomic powerplants as one of the keystones of a 4-point public power program he expects the Democrats to spell out in their platform in the party's Chicago convention.

I feel certain, in view of the statement which the gentleman has made, that this is not part of a public power program and that he would certainly be interested in the views of the author of the bill.

First I would like to state to the members of this committee that I want to make myself as clear as possible that I have absolutely no objection to any research program which the Atomic Energy Commission would attempt. But this is not a research program; this bill calls for large-scale reactors, and the basis for it is contained in the statement of Senator GORE when he appeared before the joint committee stating that the United States could not lose the kilowatt race with Russia that Russia has gotten us into. He has not changed his position.

The members of the committee who carried the ball for the Atomic Energy Commission have been saying that they made some changes in the bill, but they have not changed the primary purpose, that it is a race for kilowatts alone.

The important thing to remember is that, in all of the prototypes which we now have or know anything about, there is absolutely no new method which will produce a kilowatt of electricity. Research may develop it, but none of the large prototype plants that are to be built will develop one new type of kilowatt power. I think that is very important, for even the lone member of the Atomic Energy Commission who has stated that he is in favor of this bill, Mr. Murray, said that that is true.

Mr. Chairman, early this year the distinguished gentleman from West Virginia [Mr. BAILEY] placed in the RECORD an article which I had written for Public Utilities Fortnightly magazine. The subject of my article was atomic energy and the danger in permitting the Federal Government to obtain a foothold in the business of producing electricity from A-power.

I stated specifically that we in Congress will appropriate whatever funds are necessary and offer whatever other encouragement we are able in the furtherance of developing the atomic weapons necessary for the defense of our country. I warned, however, against permitting the Atomic Energy Commission or any other Federal agency to usurp the privilege and responsibility of private industry in developing a program for producing electrical energy from nuclear materials.

My objections to the AEC's program for setting up a string of atomic power stations around the country were based primarily on the premise that the Federal Government does not belong in private business and that we cannot afford to become involved in any more spurious blueprints produced on socialistic drawingboards. I also explained that the Government cannot afford to invest in any type of expensive program for which there is absolutely no need. The cost of producing electricity from the atom will be from 5 to 10 times more than the cost of generating exactly the same current in steam plants which use conventional fuels.

I know that members of this Committee will be very much interested in the testimony of Admiral Rickover when he appeared before the House Appropriations Committee. He then stated that it would be 10 and maybe 25 years before there could be any hope of producing electrical energy from atomic power on a competitive basis.

That disparity may very likely be reduced through the contributions of our dedicated scientists and engineers, but as it now stands there is no comparison—costwise—in power generated by the atom and that which comes from coal, gas, oil, and water plants.

I entered in my article figures from the Bureau of Mines and the United States Geological Survey showing that there are enough coal reserves in the United States to supply our energy requirements for centuries. At that time I refrained from a detailed report on another objection to proposals for hurrying into a full-scale reactor program. In other words, I did not emphasize the

health aspects attendant to a nationwide reactor system.

The gentleman from West Virginia, in introducing the article into the RECORD, touched briefly on the problems inherent in the disposal of radioactive waste. He discussed the tragic consequences that might accompany an accident in an atomic electric powerplant, and he appealed to advocates of the reactor program to temper their enthusiasm until more information on the effects of radiation on human beings becomes available.

I would also call the attention of the Members of the Committee to the remarks of the distinguished gentleman from California [Mr. HOLIFIELD] in his minority report on the Price bill which I think you will find very, very interesting on this subject:

Atomic power reactors are in the experimental stage. The history of experimental reactor operations is very limited. Government-owned reactors have been operated under the urgency of nuclear weapon production for national protection. Unknown risks have therefore been assumed by the Government.

Reactors have been located in sparsely settled areas—away from great centers of population. The Government assumed all responsibility for operation of reactors and location of reactors. Public liability for a blowup, meltdown, or leakage of reactors was and is a Government responsibility today in Government facilities.

Neither the AEC nor the private insurance companies have been able to compute on the basis of recorded reactor operation a mathematical formula or table of probable risk for possible reactor blowups, meltdowns, or leakages which might poison surrounding areas with lethal radioactivity.

While there has been accidental leakage as a result of partial melting of uranium fuel rods there has not been any significant contamination of nearby areas. Such recorded events have occurrred to small experimental type reactors of a size many times smaller than the large power reactors now being designed for the power demonstration programs of the utility groups.

Larger reactors necessarily involve the risk of large accidents and larger areas of contamination.

These larger power reactors are being located or planned to be located near large centers of population.

* * * * *

Why do the hardheaded insurance companies decline to place full coverage public liability policies on atomic reactors?

This is a very simple explanation:

(1) They have not been able to assess the percentage of risk involved in atomic-reactor operation. They have access to the best engineers, scientists, physicists, and even UNIVAC, but too many intangibles are involved in this new and unknown risk to enable them to operate on a known table of probable risk.

(2) They do know that if a large power reactor runs wild and a major meltdown occurs, the total loss of life, injury to survivors, and property damage would involve dollar claims of such a magnitude that any private insurance company or group of such companies would be forced into bankruptcy.

AEC Commissioner Libby's testimony based on his scientific background of radiation knowledge and access to all available data can be found in the hearings. He uses the following example of probable contamination based on accidental release of 1 percent of the fission products from a small 2,500 electrical kilowatt reactor: "* * * in an area of 1 to 5 square miles, crops would probably be unfit for use; within this same area perhaps one-half square mile would have to be temporarily evacuated; perhaps 50 to 100 acres would be unusable for about 2 years without thorough decontamination; and, in addition, of course, there might be a few acres near the site which would be more heavily contaminated. For higher power reactors, these figures would be increased nearly proportionally. Of course, larger releases than 1 percent could conceivably occur, though the probability or possibility of any release depends strongly on the reactor design and the type of containment.

"These estimates are merely orders of magnitude and would be influenced by local conditions of terrain, wind patterns, and nature of the surfaces. Personnel contamination might also occur within these areas, with the result that immediate decontamination would be necessary to prevent injury from the beta radiations.

"Once the area has been contaminated, the intensity of radiation will decrease by two mechanisms: (1) by normal radioactive decay, and (2) by weathering and possible incorporation into the topsoil. Gamma dosage rates at several feet above the ground will decrease to the maximum permissible whole body dosage of 300 mr/week in about 5 years for an initial contamination of 5 millicurie per square foot of surface area; in about 2 years for an initial contamination of 2 millicurie per square foot area; and in about 1 year for the 0.5 millicurie per square foot area. The specific times required will be dependent upon the weathering and upon the time of irradiation of fuel elements.

"Rainfall during the escape of fission products would change these estimates since the rate of local deposition would be increased and the areas immediately surrounding the plant would be subjected to much higher contamination levels. This, of course, would increase the probability of severe damage close in but would decrease the damage farther out, with a reduction of the total area involved.

"Contamination of bodies of water could occur both by direct fallout and by secondary leaching of the materials from the land into the streams. Direct fallout could render bodies of water reasonably close to the reactor unfit for use until the material was carried away. However, leaching into the stream is slow enough to cause little trouble although monitoring downstream is advisable.

"Let us consider the possibility of a radioactive cloud of fission products passing over a stream during a rainfall. Severe contamination could result depending upon the rate of rainfall and the streamflow characteristics. Of more concern, in at least some cases, is the possibility of the escape of reactor coolant containing a significant quantity of fission products. Such a mishap could result in a fairly large volume of contaminated water, depending again upon the flow characteristics of the stream. This could cause severe downstream contamination of water-treating plants or other equipment.

"Worst possible damage estimates: In estimating the maximum possible cost of a major reactor failure, one can assume the very unlikely total release of all the fission products instead of the possible 1 percent discussed above.

"If one assumes (a) that property contaminated to the point where it would be unusable for more than 2 years (i. e., above 2 millicurie per square foot would have to be retired from productive use and the owner compensated for the loss of his land at full market value, (b) that property contaminated to the point where it would be unusable for 2 years or less would require reimbursement to the extent of about 10 percent of the market value, and (c) that the first year's crops on slightly contaminated land would not be offered for sale and the owner would be reimbursed therefor, but not for subsequent crops on the same land, then using certain figures from the Census Bureau for the value of urban and rural land and crop together with the assumptions just given, we estimate a range of worst possible property damage as follows:

"(a) for a 10,000 thermal kilowatt reactor, from $5 to $24 million;

"(b) for a 100,000 thermal kilowatt reactor, from $50 to $200 million.

"Larger reactors would involve the possibility of larger amounts of damage. This, I want to emphasize, is based on the worst possible case—explosive rupture of the core of the reactor and complete release of all the accumulated fission products after 100 days of operation at full power."

This estimate of radiation damage, I emphasize, is based on a small 2,500 electrical kilowatt capacity plant. As a comparison the Potomac Electric Power Co. plant located about 2½ miles from the Capitol is rated at 270,000 electrical kilowatt capacity. (This plant serves only a part of Washington, D. C.)

Multiply Dr. Libby's estimated damage of a small plant by the size of a large plant such as Pepco and then multiply that factor by a 25 or 50 percent release of contamination instead of a 1 percent release and you can realize why the private insurance companies cannot afford to gamble their assets against an unknown but potential hazard which almost defies the imagination.

An aye vote on S. 4112 and H. R. 12050 means you are willing to take the gamble, not just with dollar liability but with hundreds of thousands of human lives in every urban center, where these atomic reactors will be placed and where they may blow up, melt down, or leak deadly gas, liquids, or finely divided particles into the nearby cities.

An aye vote means that you are helping to place these potential hazards near your people and add to their peacetime nuclear hazard. The potential increased radiation hazard of sabotage or enemy bombing in case of war is a potential danger which is ignored, although it could be a terrible added factor of radioactive contamination in case of war.

Multiple building of atomic power reactors which are highly uneconomic at this period of their development presents many other hazards not only to people living near the reactors but possibly to those hundreds of miles away.

A few examples: Accidents which might occur in transporting the used fuel elements from the reactor site to the reprocessing plant hundreds of miles distant from most large cities.

Disposal of deadly radioactive waste both liquid and solid.

Gaseous emissions from reactor ventilating stacks (in event of core melting) which winds may carry many miles.

CONCLUSION

I am not against progress in the reactor building art. I believe that it is premature in the present state of the art to take blind risks with human lives before we acquire more knowledge and operating experience in this new and potentially dangerous art.

I believe that the quickest and safest way to progress is to build reactors at present Government-owned isolated sites, under strict supervision of experienced technicians, under strict safety precautions, under Government supervision and where direct Government responsibility is exercised. Such a program would obviate the necessity for this type of legislation.

I would have no real objection to private industry participating at Government-owned sites during this critical experimental stage of the art.

CHET HOLIFIELD.

Mr. Chairman, my colleague's remarks and my article appeared in the CONGRESSIONAL RECORD of January 19, 1956.

Meanwhile considerable testimony has been taken by the Joint Committee on Atomic Energy and a veritable flood of news stories has appeared in regard to this business of exposing the human race to atomic radiation.

On June 29 the Joint Committee on Atomic Energy reported out S. 4146, a bill to provide for a civilian atomic power acceleration program. I appreciate the serious study given to the commercial phase of atomic energy by the joint committee. I realize that Members have been under intense pressure throughout their hearings and deliberations because of the effect of America's progress in this field on world attitude. I respectfully submit, however, that there is no need at this time for adopting the bill which has emerged and is now before the House. I am joined by a number of other Members of the House who share my suspicions that S. 4146 may contain provisions which could prove inimical to the public welfare. Some of these Members have expressed a dislike for the measure in its entirety. Others have specific objections to present to the House. In any case, we are all convinced that S. 4146 is at least premature and that it should not be approved at this session. We think it requires far more study and that a great deal more information of a scientific nature must be forthcoming before we embark on any such program.

Mr. Chairman, I think that statement is more than emphasized by the letter which the distinguished gentleman from New York [Mr. COLE] read from the Chairman of the Atomic Energy Commission. As I recall, he stated that on last Friday, Admiral Strauss, Chairman of the Atomic Energy Commission, met with the leading atomic scientists of the world to determine if there is anything the Atomic Energy Commission is not now doing or if there is anything that has been overlooked that they should be doing. That committee of distinguished scientists is now studying the atomic-energy program. In view of that fact, until they make a report to this House, we should not consider this bill.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Illinois.

Mr. PRICE. I might say that letter came after the Senate had acted on this bill and after the committee took the action which it did. The legislation has done some good then.

Mr. SAYLOR. I notice in reading the hearings that the distinguished gentleman from Illinois [Mr. PRICE] was in constant attendance at the hearings and was very much interested, that he asked many, many questions, and while I cannot agree with some of the questions he asked I was rather surprised that I could agree with most of the answers that were given to his questions.

Among the provisions of S. 4146 is the stipulation which would authorize the Atomic Energy Commission to spend up to $400 million for an unspecified number of reactors to be built at AEC installations to produce power for AEC consumption. To the uninitiated, this provision may appear to be innocuous enough in a period when multi-billion-dollar appropriations are the rule rather than the exception. I contend that the United States cannot afford to make such an investment in what appears to be an unnecessary project and that the proposal is unfair to the American citizens who produce coal and other fuels now used in the generation of electricity. Further, I question whether Congress would be morally justified in setting up a program which might possibly lead to the degeneration of the physical and mental capacities of human beings.

Mr. Chairman, let me recite one verse from an immortal contribution by Alfred Noyes Tennyson. Last year marked the 100th anniversary of this literary effort and it seems remarkably applicable today:

> "Forward the light brigade!"
> Was there a man dismay'd?
> Not tho' the soldier knew
> Someone had blunder'd:
> Theirs not to make reply,
> Theirs not to reason why,
> Theirs but to do and die.
> Into the valley of Death
> Rode the six hundred.

S. 4146 and H. R. 12061, as well, call for an original appropriation of $400 million to erect a series of facilities which some of the world's leading scientists are convinced could produce lethal effects on the human race.

Mr. Chairman, I urge that Congress refuse to send the 400 into what might prove to be valleys of death for our citizenry. Let us first reason why. In so doing, we shall unquestionably discover that such a program is unnecessary—particularly at this time. I fear that the stimulus for the whole proposal has come from an isolated bloc of fanatical bureaucrats. I beg my fellow Members of Congress to stop them now before it is too late. It is illogical, it is absurd, it is dangerous to permit America to be exposed to this ambitious device of the atomic light and power brigade.

Mr. DURHAM. Mr. Chairman, I yield 4 minutes to the gentleman from Texas [Mr. THOMAS].

Mr. THOMAS. Mr. Chairman, as I stated this morning, the Appropriations Committee has already approved this idea, contingent upon the passage of the legislative authorization. In the Appropriations Committee meeting I supported this legislation on the theory that private industry was going to dominate this proposal, and not the Government, and I also understood that these reactors would be dispersed. But, on reading the bill—I think it is section 3 (a) of paragraph 242—I find that that is not in the bill. I hope the bill is amended to the extent that dispersal is made crystal clear. The Government, of course, will put up the money, because private industry cannot make a dime out of this proposition for 10 or 15 years, and you could not expect them to pay the bill. But give to industry the right to operate and call the signals.

Your second big headache in this proposition, other than financing, is manpower. The way you are going to get manpower is to disperse these things. You are not going to gain anything by putting them in the regular production plants, in your 5 big ones. It is going to cost you money to hook them up there, and the first 5 years the amount of power you are going to produce is not going to be very much, anyway. But dispersal has its advantages, and one of its big assets is going to different sections of the country from what you are operating in now, and you will get more manpower and you will train more manpower.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from California.

Mr. HOLIFIELD. I will say to the gentleman that any of these reactors that will be built will be built by private enterprise just as all of the reactors that we have ever built have been built by private enterprise.

Mr. THOMAS. And we gave the money.

Mr. HOLIFIELD. We gave the money; the gentleman is right. Then I would say further on the dispersal problem, they will be dispersed all over this country. They will be widely dispersed, as far as Oak Ridge, Tenn., is from Hanford, and by dispersing them and placing them in those positions, you are accomplishing another thing which is very important. You are putting them at isolated places where we already have a great need for electricity and which will inure to the safety of the people in the surrounding area.

Mr. THOMAS. I will say to my friend from California that safety is a real factor, but the public is going to have to operate and live with these things. The public never in this world will be able to put these things on 250,000 acre tracts like we have at the 5 big production plants. You know that. Industry is going to have to learn to live with it and operate it. Let us give them a little experience; get them off this Government-owned land and in different parts of the country. It is going to inure to the benefit of people. Do not make any mistake about that. You are going to train more manpower in different locations than you will be able to train in these present locations.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Connecticut.

Mr. MORANO. It was my recollection that the gentleman from California a few days ago was opposed to dispersal, and I cannot understand.

Mr. THOMAS. By "dispersal" he means we will put it on existing plants where we have 250,000 or 300,000 acres in one block.

I do hope that we will put first things first. Let us develop this program at home here and forget about this foreign giveaway for a while.

Mr. COLE. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. PHILLIPS].

Mr. PHILLIPS. Mr. Chairman, it seems to me, as this discussion develops, which I think is a very healthy thing, that we are gradually coming to an understanding of the fact that this bill in its present form is not necessary, and if it is to be passed at all it should be passed with certain amendments. I myself pro-

pose, if no one else does so, to offer an amendment later in the day, when the bill is being read under the 5-minute rule, which will clarify, in very simple language, whether this is or is not a public-power program.

Our friends on the joint committee assure us that it is not a public-power program, yet the man whose name appears upon the bill as the author assures us that it is a public-power program. I propose to offer an amendment which, simply put, would be that none of these atomic-energy installations, these reactors that are proposed in the bill shall be built anywhere in an area served by a utility, either public power or private power utility, which is negotiating or has negotiated with the United States Government for the building of one of these reactors.

Certainly, if this is not a public-power program, we do not want to go into any area and compete with any one of the utilities, public or private, any one of the industries which has committed itself to the great amount of money to which they have committed themselves in the development of this program.

Mr. DONOVAN. Mr. Chairman, would the gentleman yield?

Mr. PHILLIPS. I yield to the gentleman from New York.

Mr. DONOVAN. Speaking of the public power program, would the gentleman say that the language on page 4 under the heading "Foreign Atomic Power Assistance" would suggest that there might be a little of a world power program involved here, too?

Mr. PHILLIPS. Mr. Chairman, I am extremely glad to have that question from the able gentleman in whose district is located the building of the United Nations. If anyone should know, he should be the one. The gentleman from Ohio [Mr. VORYS] called attention this morning to the fact that there was in this bill a proposal to build reactors all over the world. It was promptly denied by some members of the joint committee. And, yet, if you will look on page 2 and on page 4 it is spelled out that this Commission shall have the responsibility of conducting a vigorous program for international cooperation. And farther down—please do not overlook lines 16, 17, and 18, on page 4, where it says:

> The Commission is authorized to construct, own, and operate supporting facilities—

That means not only the reactors, but the transmission lines or whatever else is necessary—

> necessary in connection with projects initiated under subsections a, b, and c of this section.

And subsection c is the foreign authorization.

Mr. DONOVAN. In other words, under this bill, as written, they could build reactors any place in the world.

Mr. PHILLIPS. I say to the gentleman from New York that it is not only possible, but it was originally intended, because if you will read the original bills and the original hearings, the number of reactors to be built abroad was specified.

I should like to say to my friend from Illinois rather briefly that I still cannot quite understand his position concerning an excess or deficit of power. The last figures I have, which are the most recent, from the Federal Power Commission, show this.

Mr. PRICE. Mr. Chairman, would the gentleman yield?

Mr. PHILLIPS. Briefly.

Mr. PRICE. I wanted to make a comment with reference to the paragraph to which the gentleman referred on foreign atomic power assistance. I well recall the discussion we had within the committee on that, and one of the most difficult things that we encountered was how to write that particular paragraph to show that this was only a continuation of the responsibility in the foreign power program and not make it appear as though this program did not already exist.

Mr. PHILLIPS. Let us admit that the committee tried very hard to sweep it under the rug, but did not get it all under.

Mr. PRICE. The point is that the program already exists.

Mr. HOLIFIELD. It is in existence now.

Mr. PHILLIPS. All right; but I do not want to give any more money, I will say to my friend from California, to build these all over the world until we know exactly what kind of reactors we can build anywhere. Nobody knows this better than my friend from California and my friend from Illinois.

Mr. DURHAM. Mr. Chairman, would the gentleman yield at that point?

Mr. PHILLIPS. I yield.

Mr. DURHAM. This is a very important part of the bill. Of course, the whole world was electrified when the President made his announcement in regard to what we were going to do from the standpoint of international cooperation.

Mr. PHILLIPS. I think electrified is a very appropriate word to use here.

Mr. DURHAM. The world took him at his word and it put a lot of confidence in the world that we were going to try to use those for peaceful purposes instead of for weapons; is not that correct?

Mr. PHILLIPS. That is fine.

Mr. DURHAM. What we are trying to do here is this. Here are all the funds that we are spending in Europe; it would be well to use some of it for these basic research reactors. He can direct and he can spend that money any way he wants to. I think it is much better than building some dam over there which is going to be obsolete. The committee was trying to implement the program for the President. I think it has a fine objective.

Mr. PHILLIPS. If the gentleman is speaking of obsolescence, I do not know anything we could build abroad that would be obsolete more quickly than reactors of five different types on which we have not yet carried out full experimentation in our own country. What I am trying to say to the gentleman from Illinois is that he said we were short of power. The last notes I have are that we had an actual registered capacity of 102,520,000 kilowatts and a total potential capacity of 107,800,000 kilowatts, as of January 1, 1955. We were using 88,700,000 kilowatts, or some 19,100,000 kilowatts less than the total potential capacity. I do not know why my friend should expect a power company, either public or private, to go into any area and put up a $10-million power plant before they know they have customers in that area to use it. I do not know of any case where there has been a demand for power that has not been met. Maybe it was not met before the industry got there.

Mr. PRICE. Of course you would not expect them to.

Mr. PHILLIPS. That is correct. The gentleman and I agree as usual.

Now let me go to this question: I think we understand the foreign power situation. It is in the bill. No matter what the committee intended authority is given in the bill to "construct, own, and operate," which I think is not to be overlooked.

First, we are asked to put into this bill an authorization for $400 million additional money. That is an authorization. The Budget Bureau did not ask for it, the President did not ask for it, and 4 of the 5 members of the Atomic Energy Commission are opposed to it. I do not know a single reputable scientist, and I say this with no hesitation, who is in favor of this bill as it is before us today.

The gentleman from Connecticut said that the Appropriations Committee has already brought out this amount of money. The gentleman is right. He called it premature. I agree with him. We had no authority to bring it out whatever, and it was brought out by about as narrow a vote as you can get in the committee at the present time.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. PHILLIPS. I yield to the gentleman from Connecticut.

Mr. MORANO. Is it not true that the ranking member of the committee himself admitted that the bill is imperfect and he said he was going to offer 3 or 4 amendments himself in an attempt to try to perfect it?

Mr. PHILLIPS. That would not be the first time chairmen have found that amendments are needed. The gentleman is very courageous and honest in saying that he is going to offer amendments to perfect the bill.

Mr. MORANO. I agree with the gentleman as he refers to the gentleman from New York [Mr. COLE], that he is a very able and honest man, a man of integrity.

Mr. PHILLIPS. On that we all agree.

Mr. DURHAM. Mr. Chairman, will the gentleman yield?

Mr. PHILLIPS. I yield to the gentleman from North Carolina.

Mr. DURHAM. In regard to the question of who is for the bill and who is against the bill and why we are doing this, may I say that on February 1, 1950, the Congress overruled the Commission and backed the committee, and we developed the hydrogen weapon. Thank God we did, or today it would be hanging over our heads in Russia, and we all know it. As I see this thing, it is a somewhat similar situation today. We are

facing the time when we must do something or we fall behind. This is not a public-power argument at all, as I see it.

Mr. PHILLIPS. Let us stop right there and discuss that. If the gentleman wants me to vote for a resolution giving medals to the Joint Atomic Committee for having done that, I would be glad to do it, because I think it was a splendid action, and very farsighted.

Mr. DURHAM. I would vote for medals for the gentleman's committee also, and would be glad to do it, because he joined us at that time. What we are trying to do is convince this body today to go along with this bill.

Mr. PHILLIPS. Let me say this. I want all of us to be consistent. I do not want the committee to come in and say we did a splendid thing, with which I agree, with regard to the hydrogen bomb, with which the present Chairman of the Commission was in agreement, and he was the only one I recall on the committee——

Mr. PRICE. There were two on the committee—there was Gordon Dean also.

Mr. PHILLIPS. And then come in today when the same Chairman of the Commission is opposed to this bill, and say he is all wrong today—I like to be consistent and say he is right pretty much of the time, which I think he is.

Mr. DURHAM. I am pointing out the situation why we have to do this.

Mr. PRICE. Would the gentleman make the statement that he would support him when he is right and oppose him when he is wrong?

Mr. PHILLIPS. Right. I am for him today. I think he is right. I think the Congress should not pass this bill because I believe it to be unnecessary and undesirable.

Mr. DURHAM. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Chairman, I have been strongly an advocate of fissionable material for national defense. I have supported every request that the President made in connection with his budget request and beyond where this type of power potential can be used for the national safety and the national security. I am not opposed to progress and under certain circumstances this program. But here I find a handful of Members and a $500 million bill. I do not think that will disturb anybody here very much.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield.

Mr. HOLIFIELD. Is it not true that a few members of the armed services come in advocating a $33 billion bill?

Mr. FLOOD. Yes, yes; I know—I am on the Appropriations Committee not the legislative committee. I understand that, I will say to my friend from California.

Let me say this. Here is a question which no one has paid any attention to today. Let me tell you as the representatives of the American people the National Academy of Science has no idea what may happen to the health of the people of this Nation or of the world, if you engage in a widespread prolific unknown program of the creation of atomic and fissionable power. Nobody knows.

Mr. Chairman, you have no idea and no one is in a position to say what are the ramifications and potentialities and evils and dangers of this bill. I want the bill put over until such time as the scientists of health can say to the people of this Nation, "This is a safe program. You can go ahead with it and there will be no danger to this generation or future generations."

Now that is not the case according to the National Academy of Science and the press and all media of communication have been filled with that. They speak of the Russians again—this Russian bugaboo. The Russians do not know any more about this than we do, and they do not know anything more about anything else than we do. I am sick and tired of talking about Russians 15 feet high. In my coalfields, they grow just as big and just as tough as they do in Poznan or Vladivostok. This Russian talk does not excite me in the slightest because all the information we have about the reactor in Russia shows a commercial cost vis-a-vis, the cost for ordinary kilowatt-hour to be a fantastic and prohibitive comparison and that the Russians themselves are the first to admit, and to admit to all of our people who visited that reactor plant. We are not opposed in principle to the experiment of potential power, but let me tell you, Mr. Chairman, 58 percent of the electrical power today is produced from coal. If you take my bill to create a national academy of scientists for $100 million over 15 or 20 years, the experimental life of these reactors, you will produce, under the auspices of this Government, all the scientists, all the technicians that this Nation can possibly want, progressively year after year after year. This is a crash program. As my friend said an hour ago, you are trying to crash something and you have nothing to crash. Where are you going? What is all the hurry? We will be back here in a few months. This can be held up until the National Academy of Scientists, the medical profession, and technicians on biology tell us that the people of this Nation, and for generations to come, will not be damaged by this casual dissemination of power from fissionable action.

Finally, no one today has assured this committee that there is sufficient raw material, that there is uranium in sufficient quantities in places in the United States to permit this fantastic, widespread, half-billion-dollar program to be executed.

You have talked about power. You have talked about end results, electricity. But nobody has made it clear where the uranium is and if there is a sufficient amount.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. FLOOD] has expired.

Mr. DURHAM. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. EVINS].

Mr. EVINS. Mr. Chairman, on yesterday we witnessed on this floor the wool industry of this country defeat a very important bill. I am not saying that the coal industry and the private power interests are defeating this bill, but we are witnessing events on this floor today of their manifest interest in opposition to this bill.

I have sat on the Committee on Appropriations that has heard all of the testimony of the fund needs for the AEC and I have studied the committee hearing of the Joint House-Senate Committee on Atomic Energy. The impression I have gained is definitely that America is falling behind; that we are lagging in this vital matter of atomic energy production. We have been in this business for about 15 years, and we have not progressed very far—certainly not fast enough in this area.

Two years ago this Congress passed legislation urging and inviting private industry to participate in this program. We have thus given private industry free range to go forward, and they have not gone forward with great speed. There have been delaying tactics and postponements. The coal people do not want it. The private power people do not want it. So they have delayed and stalled at every turn. The gentleman from Pennsylvania [Mr. FLOOD], who has just preceded me, says, "Postpone action on this again until next session." That is typical of the entire tactics of the opposition in connection with this legislation.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. EVINS. If the gentleman will get me some more time, I will gladly yield.

Mr. HALLECK. The gentleman knows I do not have any time.

Mr. EVINS. Private industry is now participating in a joint Government-industry program but they are asking Congress to pass legislation to indemnify them against loss from fallout, from risk hazards, and from other dangers and difficulties. The Securities and Exchange Commission has promulgated a rule which says, in effect: "We will give cooperating industry exemption from the Utility Holding Company Act," but they have declined to request such exemption from the SEC. They insist on the passage of legislation, which is another means of stalling and delaying. They are asking for certain patent right concessions and tax exemptions. Industry is also asking for indemnity insurance in the insurance field against losses. So there are many delaying tactics in this Nation's effort to get on with the job of putting or keeping America ahead in atomic development.

Mr. Chairman, in the atomic age in which we live, I am sure that we must all agree that America must go forward with the development of atomic energy—not only for national defense purposes but also for the peaceful application of atomic energy—for peaceful purposes.

Certainly there are those who disagree on the question of the rate of our progress. Some would have us proceed slowly—gradually—or at a snail's pace. Others have advocated that America launch a mammoth crash program of building and developing atomic reactors. The term "crash" program has been frequently referred to—this program is not a crash program.

What the committee has recommended is, in reality, a program of mod-

eration for America, as I view it, in atomic energy progress.

The authorization here recommended, it is true, exceeds that recommended by the Atomic Energy Commission—it is considerably less than what others advocated.

The appropriation represents neither a program of little or slow progress nor is it a crash program but rather a program which will, as has been indicated, keep America ahead—if in fact we are ahead—or put America in the lead in atomic development.

I am sure everyone wants to insure that our country obtains the lead and keeps the lead and succeeds in this vital field—so vital to our safety and security.

As a member of the Public Works Appropriations Subcommittee that has heard important testimony on this issue, I want to say that I am convinced that our country is proceeding too slowly in this matter of learning all about the art of atomic energy and unharnessing the potentialities of the atom.

We are no doubt making some progress but are we satisfied with the progress we are making? This is the question. Frankly, I am not satisfied with the progress which we, as a nation, are making. I am concerned with the reports, yes, evidence that England and Soviet Russia are going forward at a more rapid pace than the Government of our own country.

Concerning the numerous remarks made in the press recently regarding the Atomic Energy Commission, and particularly Chairman Strauss, I want to say that it is my feeling that all members of this Commission are great Americans. I do not impugn the patriotism of any member of the Commission or the Commission or its staff. I respect Admiral Strauss, Chairman of the Commission, who has a record of distinct and significant public service, but I reserve the right to disagree with him in some of the conclusions which he has made and is making with respect to our atomic progress.

It is apparent from testimony, both before our Committee on Appropriations and the Joint Committee on Atomic Energy of the House and Senate, that the Chairman of the Atomic Energy Commission feels that the full effort in the development of atomic energy should be turned over to a few private industrial concerns—leaving them to proceed at will and without Government participation.

I disagree with this position. The majority of the members of our subcommittee and the majority of the full Committee on Appropriations has disagreed with this position. Also the Joint Committee on Atomic Energy, as we know, has disagreed with Admiral Strauss' position, as have members of the Commission itself, and others.

I specifically asked Admiral Rickover, whom we all recognize as an outstanding authority in this field—as we know Admiral Rickover supervised and developed the Navy's atomic-powered *Nautilus* submarine and is presently assigned to duties in connection with the reactor development project at Shippingport, Pa.—I repeat I specifically asked Admiral Rickover if he felt that atomic development should be left to private development or whether the Federal Government should exclusively participate in this field. Admiral Rickover emphatically stated that it was his opinion that both industry and Government should participate.

This is exactly what is provided for in the present recommended program. Industry will continue with the reactor project which they are planning and are presently constructing. The Government, through the AEC, will proceed to build three large and two small reactors, for which funds are here provided; and through this latter program industry will generally benefit by gaining the knowledge developed. Yes; industry will benefit enormously, and this program should certainly put America ahead and in the lead.

Mr. Chairman, I should like to point out why I am convinced that industry is proceeding too slowly—that industry is not proceeding fast enough in the reactor-development program.

We all know that more than 2 years ago the Congress passed legislation urging and inviting and permitting industry to participate in atomic development. More than 2 years have passed since that time, and industry has not built a single atomic reactor. Only one reactor is under construction—the reactor at Shippingport, Pa.—and the Government is paying more than 90 percent of the cost of this project. The Atomic Energy Act of 1954 declared, as a matter of national policy, that civilian nuclear powerplants should be built by private enterprise. Yet here we are, almost 2 years later, and private industry has not commenced the construction of a single large-scale nuclear powerplant.

As indicated, the Shippingport project was authorized prior to the 1954 Atomic Energy Act, and this project is financed almost exclusively by Government funds. This fact alone is obvious that private industry is not doing the job—is not moving forward as rapidly as the needs and security of our country demand.

Industry cannot be blamed for its exercise of cautiousness. The investment of building atomic reactors is huge and the risk is great. Private industry must safeguard their stockholders' money, and they cannot plunge headlong into a project which may not prove feasible or profitable, or when completed may prove entirely obsolete because of newer development in the field. It is obvious to me and to almost everyone who has studied the problem that industry is cautious, proceedingly slowly; they must of necessity do so to protect their stockholders' investment. This is a field in which investment to private industry is widely speculative. There is little chance for the realization of profits from investment in atomic reactors in the foreseeable future.

Moreover, industry has proposed a multiplicity of conditions precedent to their moving forward in this field. To mention a few of these, industry, as we know, is asking for the enactment of legislation by Congress which would exempt the utilities from the provisions of the Public Utility Holding Company Act. Although the Securities and Exchange Commission has promulgated a rule and has a means whereby an exemption for utilities can readily be obtained in this area, nevertheless, the private utilities are insisting upon the passage of legislation to exempt them from the provisions of the Utility Holding Company Act prior to their proceeding. This represents delaying tactics and a slow-down in the program.

In addition, industry in requesting special concessions is demanding accelerated tax amortization grants, concessions with respect to patent rights, Government subsidization of research, the right to shift development costs to consumers, and the enactment of a Federal indemnity insurance program to indemnify industry participating in the program from losses resulting from fall-out, explosion and other hazards. As we know, legislation to accomplish this latter purpose has been recommended. Also legislation to exempt the participating utilities from the provisions of the Holding Company Act likewise have been introduced. However, valuable time is being lost while these and other problems are being considered.

Because of these special concessions being requested, plus the necessity to protect their stockholders' investments, the private industry is dragging their feet while atomic reactor development in other countries is proceeding.

As we all know, England is forging ahead and England's Calder Hall power reactor plant is to be placed in operation in October. Testimony was recently received that the Japanese Government has purchased their atomic reactor equipment from England instead of the United States because they were of the opinion that England was more advanced in the art than America. We know that Russia is forging ahead but the full extent of her progress to us is unknown. We do know that Russia has announced that a commercial scale atomic power plant will be put into operation this year. France expects to have its first large reactor plant running in 1957. If the United States continues in its present pace, these nations will soon outstrip us in this process in which we have led the world.

Mr. Chairman, we should pass this legislation and direct the Atomic Energy Commission to get on with the job, thus preventing the United States from lagging behind England, Soviet Russia, and other nations in atomic reactor development.

Mr. Chairman, another reason why this bill should be passed is that our military defense program will be strengthened and bolstered. Although the military use of the atom and the civilian use of atomic energy are in name separate, the two programs are not and cannot be entirely isolated. They go hand in glove together. For example, the reactor which is now operating the submarine *Nautilus* is not too much different from the reactor which is planned to produce electric energy on a commercial basis.

Government participation in the program will support and improve the research and obtain vital knowledge and information for industry and civilian use. Atomic weapons will be produced as peaceful applications of atomic energy are developed.

The issue confronting our country, Mr. Chairman, is not an issue of private power versus public power, but it is an issue of America's supremacy versus Russian might. As has been pointed out earlier in debate—and certainly I think this point is worthy of being repeated—Mr. F. K. McCune, vice president of General Electric Co., and who has intimate knowledge of this program, testified on this subject on May 24 of this year. He said, in substance, that our country made a fateful decision in enacting the 1954 Atomic Energy Act, which has put the United States 3 years behind Russia and Great Britain. This, Mr. Chairman, is an official of an outstanding private utility testifying. This bill is not in opposition to private industry. This bill will assist private industry while also helping to put America in the lead. The testimony is undisputed before both our Appropriations Committee and the Joint Committee on Atomic Energy that Russia and Great Britain are going to have atomic electric power sooner than this country. If we continue a policy of dragging our feet, other nations will inevitably turn to Great Britain as the supplier of atomic powerplants. Such a development would be contrary to the best interests of this Nation.

The only way to discover the art, to learn the knowledge, and to obtain the facts is to build reactors, to go into the business and build the plants. The Government must assume this risk. Commissioner Murray told the committee that we and the rest of the world are so new and young in this vital field that we must build a whole generation of atomic powerplants before we know what we are doing. Private industry, with its obligations to stockholders to be met, is understandably not in position to take such risks which the Government must undertake. The evidence of our committee overwhelmingly forecloses any suggestion that the time is ripe for private industry to take up the whole task alone.

Mr. Chairman, I for one am convinced that the best interests of our Nation demand that the present industry-Government program be continued, but I also believe that a directly financed and administered Federal-Government-sponsored program is a necessity.

Unless both of these approaches are vigorously pursued, America has not demonstrated her full capacity in this vital and important field. It is imperative that we keep abreast and surpass the Soviet Union in this field of atomic development, and I strongly urge the approval of the pending bill, which will mean that our Nation will advance, be made stronger and more secure.

Mr. DURHAM. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. BOLAND].

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield.

Mr. HOLIFIELD. The statement was made that no reputable scientist had recommended this program. I can give the gentleman the names of several who have, first, Dr. Weinberg, then Dr. Henry Smythe, and Dr. Walter Renz, who was the father of all the reactors in the United States.

Mr. BOLAND. I thank the gentleman.

Mr. Chairman, I come here as a member of the Public Works Subcommittee of the Committee on Appropriations, the committee that heard the testimony relative to the AEC's budget requests for 1957.

The only issue is whether or not the demonstration reactor program is moving ahead as rapidly as it should.

As a member of the Public Works Subcommittee I listened to the testimony of the representatives of the Atomic Energy Commission in connection with this program.

The question of whether private enterprise has been moving ahead as rapidly as it should has been raised and arguments have been made to the effect that these reactors should be developed by the Federal Government if we are to make the necessary and essential progress in this field. It would be a different story if there were no obstacles in the way of development by private enterprise, but there happen to be a number of adverse elements such as the question of cost, the question of capital outlay, the question of insurance, the question of the obligation of private companies to their stockholders Certainly private companies are not going to engage in the expenditure of tremendous amounts of money in the field of the production of electric energy when the cost is so high as not to be competitive with present methods or when the matter of earning dividends on the investment is so uncertain.

I have no hesitancy in saying here—and I got this from the testimony that was offered to the Committee on Public Works of the Appropriations Committee—I think we are in the lead. I believe the United States is ahead of Russia, England or any other country in the world insofar as the development of atomic energy is concerned. This also applies to our know-how. There is no doubt about that in my mind.

The question is, Are we progressing rapidly enough? I do not believe that we are. The distance in the lead between the United States, Russia, and England is narrowing. It is narrowing because they are concentrating a lot more at this time on developing electrical energy through atomic power than we are.

There were statements offered here while we were discussing the rule with reference to the change of position of one of the members of the Atomic Energy Commission. That member was Mr. Murray, one of the members of the AEC. The gentleman from California suggested that Mr. Murray of the AEC had changed his position in relation to this bill. The hearings and the testimony on the second supplemental bill of 1957 indicate that he never changed his position. I refer you to page 331 of the supplemental appropriation bill hearings. On that particular page Mr. Murray quotes a speech he made in September of 1954 to the International Convention of United Steelworkers at Atlantic City. He said at that time:

> Because the economics of nuclear power are so uncertain, it is unrealistic to except private industry to undertake on a purely risk basis anything like the effort that the world atomic problem demands. If our goal is electric power from the atom at an early date, the Government must continue to play the major role for the immediate years ahead. Only in this way can we assure that this potential giant industry will arrive soon enough to be of any assistance in the attainment of peace.

Commissioner Murray has repeated the above in similar words on many occasions.

On page 333 of the hearings, Chairman Strauss indicates that, as he puts it, "lack of unanimity has developed"—in the Commission—"since the 18th of January" of this year. And on that same page at the bottom is printed minutes from one of the Commission's meetings wherein Commissioner Murray in a colloquy between a member of the staff and him is quoted as follows:

> I am a little bit concerned about getting out some kind of figure that might be misleading. We would say in this country we intend to install X number of kilowatts by 1960 or 1961, by doing that I think you would be forced to build them with Government funds as of today. I don't think that is the attitude of the administration and surely I do not feel that we should be doing that.

Mr. Chairman, the above quotation of the Commissioner is taken to mean and interpreted by the Chairman of the Commission and Members of Congress to imply that Mr. Murray had changed his position. A further reading of the hearings disclose that this is just not so. For he—Mr. Murray—explains the words quoted above. And he does so clearly and concisely when he states on the bottom of page 333 of the hearings of the second supplemental appropriation bill that "by 'doing that' I meant making this public statement and thereby misleading the public. That is what I was referring to. The question under discussion then was the release of a public statement. I said that if we put it out the way it was then proposed we would be misleading the public because it was not national policy."

Mr. Chairman, the minority report on the appropriations bill carries the statement that one member of the Atomic Energy Commission was given almost unlimited opportunity to present his views and to insert quotations and material in the record. The member referred to is Commissioner Murray. A reading of the hearings, the questions propounded and the responses do not bear this out. Clearly, every member of the Commission had ample opportunity to present his views. The transcript shows beyond question that the Chairman of the Commission bore the brunt of the questioning and that his wordy responses reflected in detail his views and opinions.

Mr. Chairman, I stated in the hearings that the Commission and the staff of the AEC were doing a good job. No-

body questions their magnificent performance in the weapons, material and research and development fields. The only question, as I stated at the outset, is the advance in the power reactor demonstration program. In the face of the transcendant importance of reaching conclusions in the program of developing electrical power through atomic energy, I am convinced that our Nation should move ahead with greater rapidity. I do not believe this can be done by leaving to private and public utilities the main responsibility of producing power with large-scale reactors. Understandably, private and public bodies must move with caution. There is but one way left for this country to meet this important problem head on. The Federal Government must augument the present program with one of its own. This can be done through the proposal that is now before us.

Mr. COLE. Mr. Chairman, I yield 4 minutes to the gentleman from Wyoming [Mr. THOMSON].

Mr. THOMSON of Wyoming. Mr. Chairman, I take this opportunity to expand a bit and back up with facts my very brief remarks opposing this bill made at the time we were considering the rule. Before doing that, may I say that I do not want in any way to detract from the work that the gentlemen of the committee have done in furthering our atomic energy program. I think that they are to be commended for that work. Certainly they are sincere in their efforts, and I believe that the present program, with their help, is working effectively.

I further want it clearly understood right from the beginning that I am in favor of research and experimentation in this field. I believe it is within this zone of action that the Government should operate. I believe such is necessary and I believe that we should provide adequate funds therefor, both as concerns our national security and improving our way of life through peacetime use of atomic energy. However, I respectfully differ with those who believe that this bill is in keeping with that program, or the philosophy of the Atomic Energy Act of 1954, and I differ with those who contend that the program proposed in this bill will best accomplish our purpose. I respectfully submit to you that this bill does not provide for an experimentation or research program, and I will undertake to show that.

There has been considerable discussion about amendments to be offered to this bill. For the time being at least we must consider the bill in its present form, and I will first direct my remarks to that.

In the first place, this bill assumes that Congress will take from the Commission and from the Executive the determination of how our limited supply of fissionable materials will be used. This is not an authorization bill. It is mandatory and amounts to a command. I respectfully refer you to page 3 of the bill dealing with the large reactor. The Commission is, quote, "authorized and directed to proceed with the construction under contract, as soon as practicable." Next, look at page 4 dealing with the so-called small reactors. Again I quote, "as soon as practicable, consistent with the development of appropriate designs, the Commission is authorized and directed to proceed with the construction." Even with regard to the paragraph that permits reactors to be built any place in the world, the provision is, "such a program shall be undertaken as rapidly as practicable." It is not permissive, it is mandatory.

Gentlemen, I say to you that we as individual Members of Congress, particularly those of us not on the committee, do not have the necessary background of information and the understanding to assume this terrific responsibility. We should not undertake to dictate to the Executive with regard to this program that is so vital, so critical and so essential to the security of our Nation and the preservation of our way of life. This reason alone should command us to vote against this bill which has been opposed by the people responsible for guiding our security program and the defenses of our Nation.

If an amendment is offered to delete this mandatory language, then, as I understand it, the bill becomes unnecessary because authority already exists to do those things contemplated by the bill in a proper manner.

Even if the bill is so amended it would still not be a bill which should command our support. I previously mentioned the importance of the uranium industry to the State which it is my privilege to represent. Naturally, we want development of that industry which gives so much promise for the future of our State, and the well-being of our citizens. It is because I do want that development to take place rapidly and on a most economic basis that I do oppose it being done by the Government rather than by private industry. Private industry in my considered opinion will bring this about for us quicker and more economically. You recall that we just considered a road program. I can think of no better example to call to our attention at this time than to point out to you that private industry developed the American automobile. The Government undertook to provide the roads. I ask you which carried the responsibility. No one can deny that the development of the roads did not keep up with the development of the automobile. We are now considering peacetime uses of atomic energy because we have the fissionable material. That fissionable material was not provided by the Government. We have it for the security and well-being of our country because of private enterprise—searching for and developing it on individual initiative. This has been a fine program because the Government's role has been as set by the policy of this Congress, since the beginning, a role of technical assistance and encouragement of private industry to go ahead. Private enterprise has risen to the occasion. In spite of the initial Government activity, by 1952 private drilling, if we use that as a criteria, exceeded Government drilling. In that year private enterprise was responsible for 1,686,000 feet of drilling. The Government drilling amounted to 1,136,900 feet. In the first half of 1956, private industry drilled 4,500,000 feet, or at the rate of 9 million feet per year—Government drilling amounted to only 38,400 feet during the 6-month period.

The Government has lent technical assistance and common laboratory facilities for developing milling processes, but to a large extent this work has been carried on by private industry.

The Government has operated only one mill at Monticello, Utah. Private industry, with private capital, has provided 11 mills, and 10 more are in the completed contract stage. The uranium industry, which has provided us with our national security has been developed by private enterprise with only Government assistance in the technical fields through research and experiment, and virtually no asistance in the way of financing and providing facilities. That record of development speaks for itself and commends to us that we should not depart from it. Can anyone cite to me one place where Government has done better in a business field than private enterprise. Energy provided through atomic development will come within the public utility field, and Government in the exercise of its proper function can regulate the cost to the public. Because this bill, in my opinion, will retard the development of this most important industry, not only as far as my State is concerned but in bringing the benefits of it to the Nation as a whole, we should not pass this bill and change our entire concept of development in this field.

This bill should further be defeated, even though amended, because it provides a vehicle and grants powers whereby private industry could be driven from our entire electrical power field. It could result in the liquidation of private power in the United States if the authority granted by the bill was improperly used. I am in favor of the Government assisting in the production of power in the proper field as proven by my votes in this body. Nevertheless, not for 1 minute do I believe that we should eliminate private industry. I concur generally with the policies announced by the President as the proper field for individual, Government, and partnership as to this. I say that the authorizations granted by this bill in improper hands could be used to destroy private power. I am confident that this is not the purpose of the committee but let us look at the facts.

Just so much fissionable material is available for this purpose. I know not how much, but under this legislation, the Government could command the entire amount available and force private industry from the field. Over and beyond that, just as it would tend to spread scientific know-how too thin to accomplish anything worth while, it would also tend to spread the supply of fissionable material so thin as to prevent best results.

What about these 50,000 kilowatt small experimental reactors. This is not a model plant. To prove that I point out to you that Folsom Dam in Central Valley, Calif., produces 54,000 kilowatts. Does that sound like an experiment? Flatiron, on the Big Thompson project in Colorado is 71,500 kilowatts. Keswick is 75,000 kilowatts.

You have all heard of the Fort Peck Dam in North Dakota—it is only 85,000 kilowatts. These little 50,000 kilowatts reactors are the ones that can, under the provisions of the bill be placed any place in the United States, and there is no control on the sale of the energy produced therefrom. We all know that there are some people in this country who consider it of first importance to their program of socialization that they should drive private enterprise from the field of producing power. Assume that a person or persons who believed that have control of this program under the powers that we would be granting. What an easy thing it would be for them to carry out their objectives.

I further point out to you that not only is this program nationwide, but that there is no limitation on where they will be built. As a matter of fact, reactors are authorized to be built in any place in the world, and as I have previously pointed out, the language goes further and requires that such be done.

There is no limitation or controls on the disposition of the energy from the 50,000 kilowatt reactors, just as I have previously quoted from the bill.

A point has been made that we must not lose the kilowatt race. I agree. Yet consider for a moment the effect of this bill. If private enterprise is frozen from the atomic development field, as I have previously pointed out would tend to be the effect of this bill, the secondary effect would be that we would discourage the development of electric energy by conventional means such as steam generation. Private enterprise would be frozen out of the information field. Not having information as to what was going on and how far away a realization of the program might be on an economic basis, they would naturally be reluctant to make large investments in conventional plants. This would be to the detriment of every district represented in this body and furthermore would be to the detriment of our Nation and its security. The kilowatt race is on now—not 10 years from now. This bill, instead of helping us to win the kilowatt race, would have exactly the opposite effect.

I believe that we have a sound atomic-energy program. Even more strongly I am convinced that our principles for development, developed by this body, are sound. We should not depart therefrom by enactment of this bill. Prime Minister Churchill once said:

> I have not become the King's first Minister in order to preside over the liquidation of the British Empire.

I did not seek a seat in this Congress to preside over the liquidation of our free-enterprise system. I am convinced that by far the majority of our Members, many of whom serve at great personal sacrifice, are of the same mind. I believe that through our free-enterprise system we can best preserve our way of life and insure our continued progress in the raising of the standard of living of the people of this country. I urge that we defeat this bill; put our faith in free enterprise, which has proven not only to us but to the entire world that it justifies that faith. Government should be restricted to assistance in research, and development, and experimentation in a proper way. I urge that this bill be defeated.

Mr. COLE. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. WOLVERTON].

Mr. WOLVERTON. Mr. Chairman, the subject matter of the bill now before us, H. R. 12061, to provide a civilian atomic power acceleration program, constitutes one of the most important programs that has been brought before the House at this session of Congress.

Standing as we do today in the present, and, looking backward, and then forward, who would dare to prophecy with any degree of assurance as to what the future of atomic energy will be. Already we are aware that it has a military use of tremendous possibilities, and, as we gain new knowledge of its usefulness and adaptability in varied industrial activities, we likewise realize that its usefulness in promoting the welfare of our people by peaceful means is without limitation.

As the discovery of this new source of energy came upon us during a war period, it was natural that its development would be studied, and the knowledge thus gained utilized in the war effort. Thus, it found expression in some of the most deadly of weapons and bombs. Its power for destruction was made manifest in the use that was made of the atom bomb in Japan in the closing days of World War II. In fact, it was generally conceded with bringing Japan to its knees, and bringing their defeat and the consequent ending of the war much earlier than would otherwise have been the case.

Prior to its use in Japan, the discovery and utilization of this new-found, powerful, destructive force was kept as a secret by our Nation. After its use, the atom bomb became a source of study by the scientists of all the larger nations. This was true regardless of their location. They were to be found on both sides of the Iron Curtain. Consequently, today, the knowledge that has been gained and the progress that has been made in increasing its deadly usefulness has become appalling. It has progressed far beyond the original atom bombs, powerful though they were when first used a few years ago. Today, we learn of bombs 1,000 times more powerful than those that were dropped on the city of Hiroshima in Japan. The question now is, What nation has the most powerful type of bomb and who has the most of these destructive agencies of death? It is freely predicted that in another war these agencies of death, if used even in limited numbers, could mean the complete destruction of any nation and even the entire civilization of the world.

It needs no words of mine to emphasize the necessity of our own Nation keeping abreast or ahead of this mad rush of the nations. This bill provides a program by which our scientists can keep in the forefront, and, we trust, ahead of other nations less peaceably inclined than ourselves. We know that the desire of America is for peace. Weapons such as the atom bombs can be instruments for peace. However, we cannot be sure but that some nations might utilize their destructive power for death and desolation. Consequently, we must, for our own protection and the peace of the world, be so far advanced in this new form of energy that an acknowledged leadership will deter any other nation or nations less peaceful than ourselves from utilizing this new agency of death.

But, the purpose of this legislation goes far beyond seeking a force that would kill or destroy. That may be necessary under present conditions if we are to be safe and secure, but to me the most promising and praiseworthy result that can be the result of this legislation is the opportunity it affords to provide new improvements in the way of life, making possible advancements that will add to the comfort and joy of our people and promote their welfare. Already there have been results that give promise of greater and better things to come in this particular. I look forward to the discoveries that will come as a result of the present search for uses that will prolong life instead of bringing death and destruction. There is much to give us assurance that the day is not far distant when we will have the beneficent results that are bound up in this newly discovered force of nature. And, it is my hope that such a day is not far distant.

In the conduct of our search there is room for both governmental and private activity. The greatest good can be accomplished by cooperation between the two. The provisions of this bill make possible such cooperation. It would be a mistake to confine it to one or the other. The results of future research in this field are limitless. Each new discovery leads to another. Thus, the march of progress goes on at a pace that at times is beyond our comprehension. The important thing for us to consider is how best to utilize these new forces for the common good.

It is my intention to vote for this bill in the belief that its provisions can and will be used by the Atomic Energy Commission wisely and with due regard to the respective rights of Government and private industry, and, thereby produce results that will promote the welfare of our people.

Mr. COLE. Mr. Chairman, I yield the remainder of the time to the gentleman from Kentucky [Mr. SILER].

Mr. SILER. Mr. Chairman, as I read the purpose of this bill it is to encourage atomic-power development and to achieve atomic-power development and to construct atomic reactors. It strikes me that we already have all three of these objectives either accomplished now or in the process of accomplishment through private industry.

According to the latest report of the Atomic Energy Commission in my hands there were more than 30 private industries already engaged in atomic-power development; among these were the Ford Motor Co., the Westinghouse Electric Co., and General Electric Co., and all of them doing a satisfactory job. At the beginning of 1955 we saw the launching of the world's first atomic submarine.

Since that time this submarine has gone around the world twice without refueling and has been in operation for more than a year and a half. This was accomplished by private enterprise, a collaboration between General Dynamics Corp. and Westinghouse Electric Corp.

I notice in that report of the Atomic Energy Commission already mentioned the Commission had spent a total of $141 million for the fiscal year ending June 30, 1955, and I notice that a total of more than $13 billion had already been appropriated for atomic development through recent years and that there remained $2.8 billion yet unexpended and ready to be spent in furtherance of this same program.

Two of the great publications of America at opposite ends of our economy have come out against this bill in its entirety. One is Barron's Financial Weekly which referred to it in its issue of July 2, 1956, as something which was costly and mischievous and would foist a program of public power upon the American people. Also the United Mine Workers Journal in its issue of July 15, 1956, referred to this as something definitely harmful to the coal industry and closed the article by calling it sheer nonsense.

I agree with the thinking of both of these great publications, one of them calling it costly and mischievous and the other referring to it as nonsense.

I do hope, in the interest of preserving free enterprise in this great country of ours that this bill will be defeated because in my opinion it is an additional step—and we have taken far too many of them in the past—toward a complete socialization of American business enterprise.

Mr. DURHAM. Mr. Chairman, I might say to the gentleman from Kentucky [Mr. SILER] that the *Nautilus* was built by Government funds with private enterprise, just as would be the case with any one of these reactors to be built under this measure.

Mr. Chairman, we have about completed the debate and I do not care to prolong it. I think the main arguments against the bill have been made. One is, of course, that the AEC did not ask for this, and requested no funds this year. I think we can all take comfort in the fact that we have directed agencies downtown at certain times to do certain things. That has been done by our committee.

Another question that was raised here against the bill is the fact that the present program is adequate and that this is not necessary. I tried to answer that by pointing out the fact that the reactor program at the present time is nothing more than a proposed program. They certainly have asked for additional funds. The President requested that a few weeks ago and it is before this committee. I hope we can pass it at this session of Congress.

Another objection raised to it is in regard to the scarcity of manpower. If we look back over the military operations, we have poured great sums of money into research by your Government and especially for the armed services. This year, as I recall it, for the three services, the amount was over $1¼ billion.

That does not scare me because of the fact we have always found sufficient scientific personnel. It has always been scarce. I think it is a healthy thing that it remains scarce, not that I mean we should not at all times make all efforts to continue to increase it, which we are. The committee has held extensive hearings on that and has made some recommendations to the Congress.

Here the argument is that to locate these in the AEC production sites would eliminate any radiation hazard. That is not an objection, but I think that is one of the reasons why we are locating these reactors at the plants. We suggested to the Commission in the bill.

I think if you look back over the record we have made since 1943—and I recall the first reactor in the old Chicago Stadium—up until 1954 there were 607,000 reactor hours and 18 million man hours in reactor plants in this country, and so far there have been only 3 minor accidents.

Further, we have been living under the rays of the sun since the beginning of the creation of mankind. They are nothing more than a matter of radiation, and we have survived that. Man has worked out means by which he can be protected, and I have full confidence that we will do the same thing in regard to the hazards of these reactors.

Before this Congress is finished, and I have discussed this with the ranking minority member on the Republican side, I intend to effectually document this matter of fallout and radiation and send it to every Member of this body to be helpful. We are trying to assess and get all the facts we can, so that some of this misinformation that is being strewn around this country, keeping people in a turmoil, will be corrected, I feel confident we can operate these reactors as safely in the future as we have in the past.

Mr. HENDERSON. Mr. Chairman, I find the thought of this legislation to provide $400 million for atomic produced power to be extremely distasteful. In fact, this idea to get the Government into the atomic power business is another socialistic device. Where do we get the idea that the Government needs to enter into this type of business? Any arguments in support of it by pointing to other precedents are neither convincing nor valid. The precedents of the Government in business are themselves objectionable and socialistic.

The day may be coming, but it has not yet come, when private industry will not have either the resources or initiative to develop in keeping with the progress of science. I hope the day will never come. Even though today's taxes, today's red-tape, and confusing controls make the industrial climate less favorable than it should be, competitive private enterprise can develop atomic power better and faster than a socialistic and a bureaucratic program.

Mr. Chairman, this is an amazing country and an amazing Congress. I have come to realize it more and more since I have been a Member of this House. Each day some of my colleagues advocate more government activity, more departures into uncharted fields. Once we take the step, we have committed ourselves unalterably to another step in making government bigger.

Mr. Chairman, most of the taxpayers I know want less government, one that is not so expensive, so burdensome, so anxious to control our every activity.

Let us suppose for a moment, and then I will deny the supposition after it has served its purpose, but let us suppose that it is a worthwhile socialistic venture. Is it one that our taxpayers want us to spend $400 million for? We all want a lot of worthwhile things in our private lives, but we must exercise judgment, procuring those things we need most, within limits of our purse strings. I am confident that the people in Ohio have a lot of personal needs which they cannot afford and they have increasing difficulty deciding upon needs they can do without. Let us help them out just a little. Let the Congress forget about spending this $400 million of their money for this project. Let private enterprise spend its own money, and let the people have the promise of a tax reduction brought about by a policy of keeping Government out of new socialistic programs.

Finally, let me suggest that this program would work directly against the economy of my district for another reason. Southeastern Ohio has abundance of coal suitable for generating electric power. I do not want to see a program which would deprive the coal industry of this market.

It has been clearly demonstrated in the Ohio Valley that steam generated electric power based upon our great coal resources can be produced economically by private industry. I believe we should proceed in an orderly fashion toward technological developments leading to atomic generated electric power. It should certainly be done within our system of free enterprise. Stampeding up a socialist blind alley is not healthy progress and I urge that this measure be defeated.

The CHAIRMAN. All time has expired.

The Clerk will read the bill for amendment.

Mr. COLE. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and twenty-four Members are present, a quorum.

Mr. COLE. Mr. Chairman, I move that the Committee do now rise, and on that I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Messrs. COLE and HOLIFIELD.

The Committee divided; and the tellers reported that there were—ayes 5, noes 9.

So the motion was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the Atomic Power Acceleration Amendment of 1956.

SEC. 2. The Atomic Energy Act of 1954, as amended, is amended by redesignating chapter 19 as chapter 20, and inserting a new chapter 19 reading as follows:

"CHAPTER 19. ACCELERATED ATOMIC POWER PROGRAM

"SEC. 241. Purpose and policy:

"a. It is the purpose of the United States and of this chapter:

"(1) To encourage the continued development of atomic power technology and the advancement of the art through practical experience in the development and operation of prototype atomic powerplants;

"(2) To achieve economic atomic power as rapidly as practicable;

"(3) To advance the spirit of the International Atomic Energy Agency and the Atoms for Peace plan.

"b. (1) In order to carry out the purposes of this chapter, it is hereby declared to be the policy of the United States to accelerate the civilian atomic power program and maintain leadership in atomic power technology by the construction of additional demonstration prototype reactors for domestic use and foreign applications at the maximum possible rate consistent with the status of the development of the art;

"(2) The accelerated program authorized by this chapter shall be carried out under the provisions of section 31, and shall be supplementary to other reactor development programs and projects authorized under this act, including sections 31 and 104.

"SEC. 242. In order to implement the policy established in section 241, the Commission is authorized and directed as follows:

"a. Accelerated Power Reactor Program:

"(1) The Commission is hereby authorized and directed to proceed with the construction under contract, as soon as practicable, of large-scale prototype power reactor demonstration facilities designed to demonstrate the practical value of utilization facilities for the generation of electric energy in industrial or commercial quantities.

"(2) The selection of design for such reactor facilities shall be made on the basis of a determination that development, construction and operation of a facility so designed offers promise of making a contribution to the advance of the art and technology of the large-scale production of atomic power in the form of electricity in commercial or industrial quantities.

"(3) The power reactor demonstration facilities authorized by this subsection shall be constructed at sites of major production facilities operated by or on behalf of the Commission, and the electric energy generated shall be used by the Commission in connection with the operation of such production facility.

"b. Advanced Design and Development Program:

"(1) The Commission shall proceed with the development of reactor designs which involve, in concept and approach, significant and promising advances in reactor technology.

"(2) As soon as practicable, consistent with the development of appropriate designs, the Commission is authorized and directed to proceed with the construction under contract of prototype power reactors utilizing such advanced concepts, such reactors to be capable of producing not to exceed 50,000 kilowatts of electricity.

"c. Foreign Atomic Power Assistance:

"In order effectively to carry out the Atoms for Peace plan of the United States, the Commission shall have responsibility for the conduct of a vigorous program of international cooperation and assistance in the design, construction and operation of power reactors and related matters. The planning and execution of such a program shall be undertaken as rapidly as practicable.

"d. Supporting facilities:

"The Commission is authorized to construct, own, and operate supporting facilities necessary in connection with projects initiatd under subsections a, b, and c of this section.

"e. Quarterly report:

"The Commission shall report to the Joint Committee on Atomic Energy quarterly beginning January 1, 1957, on the progress under the acceleration program."

Mr. COLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE: On page 2, line 25, and on page 3, line 1, strike out the words "and directed."

Mr. COLE. Mr. Chairman, I yield to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, I am just serving notice to the House that there will be no extensions of time and no transfers of time on this bill.

Mr. COLE. Mr. Chairman, as the reading of this amendment indicates, the effect of it is to eliminate from the bill two words "and directed" so that if the amendment is adopted it will result in a straight authorization for the Commission to do the work which is embodied in the bill and to carry out the program of accelerating the reactor demonstrations.

I do not recall a single instance where by law we have directed the Commission to engage in any particular broad program. It is true that the Commission has occasionally embarked upon programs as the result of recommendations of the joint committee, but never has the Congress by law directed the Commission to embark upon a general program such as is covered by this bill. To be sure there are many instances where the law directs the Commission to give consideration to specific factors or directs certain courses of action in procedural matters but never has the Congress directed the Commission to embark upon a given broad scale program.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. COLE. I yield.

Mr. HALLECK. I am happy that the gentleman has offered this amendment. I think it is in the best traditions of legislation of this sort that those words "and directed" be taken out. In addition, as the gentleman so ably pointed out in his presentation in the opening of the debate on the rule, the Chairman of the Atomic Energy Commission has indicated that already he has had gathered here in Washington a group of scientists who are to advise as to whether or not there are any deficiencies in this program. He has said that they will act on that advice. As far as I am concerned, it seems to me that is proper. There should be some discretion in the Commission. Otherwise we might be in the position of having directed and forced them to do something that would not be in the public interest and could result in a waste of money.

Mr. COLE. Mr. Chairman, this amendment is along the line of the thought expressed by the gentleman from Virginia [Mr. SMITH] during the consideration of the rule, wherein Mr. SMITH said he was disturbed and distressed over this bill. I do not want to misquote him, but to paraphrase his expression, he said that he hesitated to put Congress in the place of telling the Commission what it should do in contravention of the advice and judgment of the scientists. For my own part, I am ready to leave it up to the Commission, because I am confident the Commission will rely on the best judgment of the scientists, just as it has in the past. I am sure that each member of the Commission would be the first to admit that the Commissioners themselves are not in a position to determine what should be or what should not be done in the reactor demonstration program without prior consultation, and reliance upon the recommendations of the scientists.

As the gentleman from Indiana [Mr. HALLECK] has indicated, the Chairman of the Commission has empaneled these outstanding scientists, and I defy anybody to say that there is a single name contained in that list who is not an outstanding scientist in the field of atomic reactors. They are in the course of looking over the Commission's program. The Chairman has indicated that he will call the Commission together forthwith to consider the recommendations of this panel, and depending on the recommendations of the panel, it may be necessary for the Commission to have authority for funds to carry out the recommendations, in the event the panel recommends that additional reactors be brought underway.

So the effect of the amendment is to authorize an acceleration of the reactor demonstration program on a broad front but it does not put Congress in the position of telling the scientists or the Commission what they should do in this highly technical field, a field which is of so great importance to our national security and our national leadership in world affairs.

Mr. HOLIFIELD. Mr. Chairman, I rise in opposition to the amendment.

Mr. HOLIFIELD. Mr. Chairman, I must object to this amendment. I am not quite sure why it is being offered unless it is to pass a pious bill here in which we authorize something which the Commission does not want to do and which they will not do if they are only authorized to do.

The words "authorized and directed" are not strange or new words. There are six instances in the 1954 act passed by the 83d Congress in which the Commission was "authorized and directed" either "directed" or "authorized and directed"; and you will find them in section 31 (a) where twice research assistants were "directed"; in section 32 where they were "directed" to certain research for public and private bodies. In section 41 (b) they were "directed" to the production of certain nuclear material; and again in section 53 (f) as to the distribution of certain nuclear material; and again as to the acquisition of source of material; and again in 104 (c) to the regulation of licenses in section 104. So there are six instances in which the Commission was "directed" or "authorized and directed" to do certain things in the 1954 act.

There are 21 instances, and I will not burden you by the reference to the sec-

tions, but I will put them in the RECORD under a consent request, in which the Commission "shall" do something, in which they were told that they "shall" do something.

And then there were seven instances in which the Commission was told that they "shall not" do something. I shall also put those references in the RECORD.

Then there are two instances in which the Commission was told that they "must" do something.

So there are 36 instances under the 1954 act in which the Atomic Energy Commission was either "directed" or "authorized and directed" or told that they "must" or that they "shall" do something.

So I ask, Why this sensitivity all of a sudden on the part of the gentleman at the head of the Atomic Energy Commission? Mr. Strauss appeared before our committee and he said:

> We are willing to do some of these things, but we do not want to be directed to. It is as if you directed your valet to bring you a suit of clothes.

And you can find that colloquy in the hearings.

I say that the Congress of the United States is the legislative power and if we say that an agency of the Government shall do something or must do something or is directed to do something, then we are expressing our firm determination that they shall.

There has been enough of this tender sensibility on the part of Admiral Strauss. This gentleman wanted the words put in the act that he should be the principal officer. He has an inflated sense of ego, and he does not want the Congress to tell him to do anything; he wants them to tell him that he may do something, or if he wants to, he may do something, but he wants to impose his will on the program in the place of the will of Congress.

If Congress passes the bill, the Congress either means that he shall do something or shall not do something. If you want to weaken the bill, if you want to do nothing, or if you do not want to get on with the reactor technology, if you want to have England and Russia get ahead of us in the development of reactor techniques so they can go into the foreign nations of the world and establish commercial relations and psychological and political relations, then vote for the amendment offered by the gentleman from New York and your bill becomes permissive, not directive.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Connecticut.

Mr. MORANO. I want to take exception to the remarks of the gentleman about Admiral Strauss.

Mr. HOLIFIELD. The gentleman is entitled to take exception, but I know Admiral Strauss better than the gentleman does. I have spent many hours listening to him.

Mr. MORANO. I think the admiral is trying to get language in this bill to make it more perfect so that he can administer it properly and in the interest of the country.

Mr. HOLIFIELD. If this is the admiral's language, and I do not know, it is language that will allow him a loophole to keep from going ahead and building the large scale reactors that are being built by England, that are being built by Russia, where they are getting ahead with their technological development and we are behind.

Mr. MORANO. I again take exception to the gentleman's words. Chairman Strauss is an excellent public servant dedicated to his country's best interests. The Commission under his leadership has done an admirable job.

Mr. HOLIFIELD. The gentleman is entitled to take an exception, and he is entitled to praise the Chairman of the AEC if he desires.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. PRICE. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. PRICE. Mr. Chairman, this amendment could not by any stretch of the imagination be considered as a perfecting amendment. The language which it seeks to strike out certainly is not unique language. As a matter of fact, it is customary language in the majority of legislation adopted by the Congress dealing with authorization power to Government departments.

The bill, H. R. 12061, which we are considering directs itself to section 31 of the Atomic Energy Act of 1954. That section starts out as follows:

> The Commission is directed to exercise its powers in such manner as to insure the continued conduct of research and development activity in the fields specified below.

Then it goes on to enumerate them. It says:

> The Commission is directed—

I have not the time to go through completely the 1954 act, but section after section, paragraph after paragraph, line after line states:

> The Commission is authorized and directed.

The gentleman from New York was coauthor of that act. It is not peculiar to atomic energy legislation either. Since June 1 of this year the Congress has passed numerous acts authorizing and directing Government departments and agencies. Here are a few of them:

Public Law 572, in which the Secretary of the Interior is authorized and directed to transfer certain lands.

Public Law 577, in which the Administrator of Veterans' Affairs is authorized and directed to convey certain lands.

Public Law 579, in which the Administrator of Veterans' Affairs is authorized to deed certain lands.

Certainly that is a particular action.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Indiana.

Mr. HALLECK. Certainly, the direction to deed a piece of land is entirely different from the broad grant of authority that is involved here in this bill.

Mr. PRICE. Of course it is, and if that were the only example, the gentleman's point would be well taken. But, I am enumerating numerous bills. Almost any bill that we pass that has anything to do with legislation for the departments, regardless of the significance of the legislation, authorizes and directs the various secretaries. We authorize and direct the Secretary of Defense, for instance and there is nothing unique about this language.

Mr. Chairman, I hope the amendment offered by the gentleman from New York will be defeated.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Connecticut.

Mr. MORANO. Will the gentleman agree, if this language is deleted from the bill, that the objective of the bill will not be destroyed?

Mr. PRICE. I most heartily disagree with the gentleman. The reason we have this bill is because the Commission has not moved.

The issue of public or private power has been falsely raised. Our committee worked night and day to make certain that issue was not involved. We think we have succeeded. The question here is whether the Congress is going to do something about the development of atomic power. We have, by previous legislation, authorized the Commission to do something. We feel the Commission should supplement its present program. Let us spell out our policy more clearly; let Congress direct the Commission; let Congress make this a national policy. It is not unusual for Congress to state the policy of this country. Commissions are not authorized to set policy. As a matter of fact, Congress determines our policy. Let us assume our responsibility here. Let us direct that this be a national policy.

Mr. MORANO. Well, if this amendment is carried, does the gentleman mean to say that the bill is not worth anything any more?

Mr. PRICE. I would say in that case we would be just where we were before we came in here; that the Commission was authorized but did not do anything.

Mr. MORANO. The Chairman of the Commission has written a letter saying that he would.

Mr. PRICE. He wrote that letter after the Senate acted on this very bill. I would have more confidence if the House would follow the Senate action.

Mr. HINSHAW. Mr. Chairman, I move to strike out the last word.

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from New York.

Mr. COLE. Mr. Chairman, the question has been raised about the date of the letter which was sent to me by the Chairman of the Commission. It is true the letter is dated, I think, July 19, and therefore was written after the action on this bill was taken by the other body. But, the fact of the matter is that this group of scientists had been impaneled by the Chairman of the Commission prior to action taken by the Senate. When I heard a report that there was such a group of experts giving consideration to the Commission's reactor program, I phoned down to the Commission to make

inquiry of the facts, and the Chairman responded by that letter dated July 19. So this idea of a panel was not subsequent to action taken by the other body on this bill.

Mr. HINSHAW. Mr. Chairman, I just want to point out that in legislative matters, where we direct someone to transfer a piece of real estate or do a certain thing of some kind or another, it is generally a procedural matter, and, of course, does not require an appropriation. But where we are authorizing people in the Government to do things, like building a battleship or a cruiser or doing something else of that nature, we have to authorize them to do it, certainly, subject to the appropriative power. Now, you cannot direct an officer of the Government to do something that he does not have the money to do with, and that is plain and very simple. Therefore a direction should not be in this bill.

Mr. PHILLIPS. Mr. Chairman, I move to strike out the last word. I am in support of the amendment.

Mr. Chairman, I do not think the question before us is whether we have ever put this kind of language in a bill or not. It is obvious that we have. The question is whether we should put it in this bill. I hope to submit a reason I think it is conclusive why it should be adopted. We are short of topflight scientists. Now, we do not make scientists by appropriating money. There comes high school, college, there comes special training, experience, and with it must be mixed very often an admixture of genius. That is where we need help the most.

In the hearings before the Committee on Appropriations—when that bill comes before the House, Members will have the hearings—you will find at the beginning of the hearings a statement by the chairman of the Committee on Appropriations that we are sadly in need of scientists. You will find at the very end of the hearings a statement by Dr. Libby, of the Atomic Energy Commission, that he is seriously concerned about this bill because he feels that the scientists will be taken from more important jobs and spread thinly over a field which is too large for the present supply. And in the middle of the hearings you will find a quotation from Admiral Radford, given at another time, in which he says that we are short on research and speaks of the danger of spreading our scientists too thinly.

That being the case, the worst thing we could do would be to say to the Atomic Energy Commission, "You must put into effect this crash program, you must spread what little supply we have over the entire United States and abroad, and you must do this." Let us say, as the gentleman from New York [Mr. COLE] suggests, let us give them the authority to decide what is best for the United States.

I do not want this Congress to be drawn by emotion into action upon a bill in the belief that they are competing of necessity and through urgency with Russia, when there is no evidence to prove that that is urgently necessary at the moment, and when Russia would be the nation that would take the greatest pleasure from the fact that we had spread ourselves so thinly that we were not able to carry on the present considered program supported by 4 of the 5 members of the Atomic Energy Commission.

Mr. Chairman, if I have any time remaining, I should like to yield to the gentleman from Pennsylvania [Mr. VAN ZANDT] to read in more detail what Dr. Rabi actually said about this crash program, to which he referred in his earlier remarks.

Mr. VAN ZANDT. Dr. Rabi had this to say when he appeared before the Joint Committee:

I would like to add a remark to what Dr. Wigner said. It seems to me very dangerous to go out and buy prestige. In fact, if the Russians want to buy prestige that way, I am all for them.

That is prestige. If they can put away a lot of material in noneconomic kinds of reactors and a lot of effort, it accomplishes a lot of the purposes of what we would like to see them do. If they can get them engaged in a lot of useless activity, that is just fine. These things will not fool anybody actually when it comes down to producing power for themselves. They will make a sensation for a day or two in the headlines, but when it comes to bedrock, when country X wants to buy a reactor, they will be interested more in what that does and how economical it is to run and what its reliability is, and so on. If we just built a reactor for prestige without being very certain of the fundamental engineering and its properties, and one of those things failed, we would have an awful black eye. We could not keep it quiet. Whereas, if they had a big reactor fail, we might not learn about it for years and years later. Everything we do is really out in the open.

* * * I am a little surprised at what Dr. Zinn has just said. All of my views about reactors come from him. He has not mentioned that to me before.

The GAC visited the Argonne a few months ago and we found that it was just a wonderful laboratory, and beautifully run, and the research program and the development program all articulated very nicely. They had a full load.

Before that we were down at Oak Ridge and you know they are making some very important reactors there. They had a very full load. There is a reactor coming out of Brookhaven. The other places we have which are capable of doing good work—they are pretty solidly filled, and people of reactor experience are in very great demand, and so I do not see where Dr. Zinn was going to do this. Could you add this to the Argonne?

Mr. DURHAM. Mr. Chairman, I think we are making a great big mountain out of a molehill in regard to this word "direct." If I thought this were directed in any way as criticism of an individual I would be the first one to oppose it. I think Congress necessarily has to lay down some type of policy when they want something done. We have done it many, many times in the Committee on Armed Services as has been pointed out. This matter was discussed at a meeting of the committee quite fully. It was the general understanding that we wanted something positive in this legislation so that they would immediately go ahead.

In regard to the question of manpower on which my good friend from California [Mr. PHILLIPS], has spoken twice this afternoon, I believe you can get as many different opinions on this matter as any other matter that is facing the country at the present time. I think the best evidence we have that the program can be done—and we have this in the hearings—is that 40 or more commercial contractors wrote and said that they could take on any one of these jobs immediately with the personnel that they had. One big contractor from whom we have a letter said he could take on probably a half dozen of them. He did it once in the history of building these reactors, and I have no doubt that he can do it. So I do not think that the scare about the scarcity of personnel is too important. When we make up our minds to do something we get it done.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. COLE].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. COLE. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. COLE and Mr. DURHAM.

The Committee divided; and the tellers reported that there were—ayes 133, noes 105.

So the amendment was agreed to.

Mr. COLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE: On page 3, line 19, at the end of subparagraph (3) strike out the word "facility" and insert the word "facilities."

Mr. COLE. Mr. Chairman, this is merely a perfecting amendment.

Mr. DURHAM. Mr. Chairman, we have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. COLE].

The amendment was agreed to.

Mr. COLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE: On page 4, line 2, strike out "and directed."

Mr. COLE. Mr. Chairman, this amendment does exactly the same thing with respect to the intermediate reactors that the amendment just adopted did with respect to large type reactors. It strikes out the words in the bill directing the Commission to engage in this program, but nevertheless authorizing the Commission to do so.

Mr. DURHAM. Mr. Chairman, will the gentleman yield?

Mr. COLE. I yield.

Mr. DURHAM. In view of the action of the committee on the other amendment, we have no objection to the pending amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. COLE].

The amendment was agreed to.

Mr. COLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE: On page 4, line 3, strike out the word "reactors" and insert "reactor demonstration facilities"; and in line 4 change the word "reactors" to the word "facilities."

Mr. COLE. Mr. Chairman, here again this amendment is simply by way of clarification and to make uniform the expressions used in the bill with respect to the fact that these reactors are to be power demonstration reactor facilities.

Mr. DURHAM. Mr. Chairman, we have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. COLE].

The amendment was agreed to.

Mr. COLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE: On page 4, line 7, insert a new subparagraph to read as follows:

"(3) The power reactor demonstration facilities authorized by this subsection shall be constructed at sites of installations operated by the Commission (or on behalf of the Commission) and the electric energy generated shall be used by the Commission in connection with the operation of such installations."

Mr. COLE. Mr. Chairman, in the bill with respect to the large reactors, there is a specific limitation that these reactors shall be built at major installations of the Commission and that the electric energy generated shall be used by the Commission.

This amendment is simply to make the same limitation apply with respect to the intermediate installations.

Mr. HOLIFIELD. Mr. Chairman, we are in accord with that amendment.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. COLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE: On page 4, line 7, insert a new subsection, as follows:

"c. The Commission shall not proceed with the construction of the power reactor demonstration facilities authorized by subsection (a) or subsection (b) unless and until the Commission has issued appropriate public invitation for proposals by privately owned, cooperatively owned, or publicly owned groups to undertake such projects individually, or in cooperation with the Commission, and the Commission has determined that such projects do not have a reasonable expectancy of being constructed under such proposals with sufficient dispatch to meet the purposes of this chapter provided, however, that such invitation shall not entail a delay of more than 6 months for each proposal or project."

Mr. HOLIFIELD. Mr. Chairman, I have a substitute amendment at the desk.

The CHAIRMAN. That will come after the gentleman from New York is recognized to discuss his amendment.

Mr. COLE. Mr. Chairman, as I endeavored to explain earlier in the debate today, the Commission is authorized to carry on programs, which will permit the participation of private capital under authority of section 31 of the present atomic law. If the Members will turn to page 2, line 16, they will read:

The accelerated program authorized by this chapter shall be carried out under the provisions of section 31.

Now, if that were the only expression with respect to participation of private funds, I think it is clear that there could be non-Federal participation in connection with these projects if the Commission would care to do so, or if the Commission could find any private capital that is available and wants to participate in some fashion.

My attention has been called, however, to an expression in the report accompanying this bill, which I am told could be construed by some as limiting the authority of the Commission under this act in such fashion as to require that private or non-Federal funds could not be allowed to participate in any project. Therefore, in order to clarify the situation, and to make perfectly certain that if there are any private concerns, cooperatives, or municipalities that see prospects in a particular type of reactor that might be promulgated under this program, they might go to the Commission and say, "We want to share this with you for a variety of reasons and are ready to spend our own money on the venture."

It is conceivable that there might be persons and corporations who would want to participate. Admittedly they would be doing so at a loss financially, but that financial loss would be compensated by giving to those people or those concerns or cooperatives some experience, some feeling, some knowledge in reactor construction and operation.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. COLE. I yield.

Mr. DIES. Does the gentleman anticipate that any private interest or cooperative will undertake this experimental work?

Mr. COLE. I conceive of course that they will.

Mr. DIES. You just want to issue an invitation.

Mr. COLE. We want to issue an invitation to allow them to come in if they want to, but there is a provision that such invitation for private participation cannot be allowed to suspend or delay this program. If the Commission anticipates that it will extend the program or project or delay it over a period of 6 months, the Commission is required not to invite outside participation. This is not intended to impair the program, but to provide that the cooperation between the Government and private capital or cooperatives can still continue in the future just as it has in the past.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. COLE. I yield.

Mr. VAN ZANDT. Will this not eliminate some of the fear that free enterprise, which has already invested millions of dollars in this, may have in connection with this bill?

Mr. COLE. I will say in reply to the gentleman I would think it would go a very long way toward removing the apprehension which on the whole does exist in the minds of many corporations, many organizations, many cooperatives who want to share and participate in the atomic development program.

The CHAIRMAN. The gentleman from California offers a substitute amendment.

Mr. HOLIFIELD. Mr. Chairman, I withhold my substitute and rise to speak against the amendment offered by the gentleman from New York.

The CHAIRMAN. The gentleman from California is recognized.

Mr. HOLIFIELD. Mr. Chairman, the amendment which has just been offered does not change the situation under which the Commission and private industry can act at this time under the reactor development program. The Shippingport plant is being built under this kind of arrangement.

The reason we seek to establish a different type of program is because we feel that the present program has not brought about the results that we want. We have only one large-scale reactor being worked on, and that is being worked on under existing law under the formula of private enterprise participation with the Government furnishing most of the money. As was said during general debate, the Government is furnishing approximately $90 million in research and construction development costs for the Shippingport reactor, and the Duquesne Light & Power Co. is furnishing $5 million.

This sort of program, if I understand the situation right, and I believe I do, is merely a weak version. They are doing something in this bill that is already being done under existing law as a matter of fact.

What is the purpose of this amendment? The purpose of this amendment if it is adopted will be delay. This will give the Atomic Energy Commission authorization to issue the public invitation for proposals. They have been doing that for the last 2½ years and they have not had any takers except in the one instance.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. Yes; I will be glad to yield to the gentleman from New York.

Mr. TABER. We have been holding hearings on that thing.

Mr. HOLIFIELD. Yes.

Mr. TABER. And there is not only that Westinghouse job, but also the Government is putting up $37 million and Westinghouse and the others have put up $10 million. Then there is the Yankee Atomic Electric setup in Massachusetts.

Mr. HOLIFIELD. I am aware of that but those are proposed reactors. All except Shippingport are proposed. They are not reactors in being.

Mr. TABER. Then there is the Detroit Edison which has broken ground for their plant.

Mr. HOLIFIELD. They are still talking about that. They are doing that under existing law, and this will not interfere. The gentleman by his statement confirms my point.

Mr. PRICE. Has ground been broken for any of these plants?

Mr. HOLIFIELD. No; there is no ground broken; they are talking about it. They are proposed plants. As a matter of fact, the Detroit Edison plant has been turned down because of the lack of compliance with safety factors.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. COLMER. As I understand this whole proposition on the merits, the joint committee is for this bill; the Atomic Energy Commission is against it. They both have their experts. What I want to know is how I, an ordinary layman, just an ordinary Member of the House who does not know anything about it, how am I going to decide which way to vote?

Mr. HOLIFIELD. I would advise the gentleman to follow the majority of the committee. They, I think, have always been right on this subject. Let me call the attention of the gentleman to three different instances in which the Atomic Energy Committee pushed the Atomic Energy Commission into worthwhile endeavors: The construction of the H-bomb. We went against the wishes of the Atomic Energy Commission and the 15-man scientific board and achieved our purpose just 9 months before the Soviets. We went into the program of developing additional raw material in the Colorado Plateau against their desire and we developed additional material. In the case of the submarine and the airplane we have pushed the Commission into these fields and we have pushed the Defense Department into the development of tactical weapons.

The committee has done all this and the committee has been right in every instance. I ask that the amendment be voted down.

Mr. PRICE. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, I oppose the amendment offered by the gentleman from New York because it defeats the purpose of the bill. It has been argued that this bill is unnecessary and that the Atomic Energy Commission would do the job called for anyhow. This is not the whole picture.

It is true that AEC is authorized to construct prototypes under section 31 of the Atomic Energy Act, but the AEC must have authorization for appropriations to construct these reactors. Moreover, AEC does not want to construct these reactors, and particularly on an accelerated schedule. AEC has not requested any appropriation authorization for these reactors this year.

So what we are proposing is for Congress to set up a policy on accelerating this program, directing AEC to carry out this policy by building these reactors, and authorizing $400 million to carry out the program.

The Atomic Energy Commissioners, with the notable exception of Commissioner Murray, has opposed the bill throughout its consideration. We have reason to believe, however, that the staff of the Commission and its laboratories and industrial installations are not opposed to this bill. In any event we know that once passed AEC in good faith will carry it out.

The scarcity of scientific and technical manpower has also been raised as a reason for not enacting this bill. I happen to know something about this subject, since I have been chairman of the Research and Development Subcommittee of the Joint Committee which held extensive hearings on the shortage of scientific manpower this spring. Yesterday we issued an interim report on this subject.

In my opinion, far from hurting our manpower situation, this bill will ultimately help it. For it should increase and broaden the industrial base in the atomic power field, by bringing in additional contractors and training up engineers and scientists from less essential fields. In this regard I subscribe fully to the statement of AEC Commissioner Murray:

> It is, of course, easy to conjure up reasons for not undertaking such a program as I propose. There is always the appealing alternate of convening committees and task forces to formulate arguments for inaction. One such argument is that it would result in an unjustifiable drain on the Nation's limited supply of scientific and engineering manpower. I do not subscribe to this argument. Far from decreasing the numbers of those trained in reactor technology a program of building reactors should act to increase them. There is no way of training competent reactor engineers that is comparable to designing and building reactors. A predominant effect of a large and assured program of reactor construction would be an increase in the numbers of those attracted to the reactor engineering field.

The location of the prototype projects at AEC production and testing sites will help the manpower situation considerably.

(a) It will permit the upgrading of technical and service personnel at the site.

(b) It will be conducive to collaboration by existing laboratory personnel at the site, and permit the utilization of existing laboratory and service facilities—all of which tend to conserve manpower.

Because of AEC's insistence on not going into prototype development and construction it is losing many qualified engineers and technicians to other fields of endeavor who are interested in the prototype of experience. The enactment of H. R. 12061 will reverse this trend and stop this drain of manpower.

In conclusion let me say to those who raise all the problems and doubts concerning this program, the same sort of doubts have been raised against every program that the joint committee has sponsored. If the doubts had been heeded there may have been no H-bomb and no Savannah River and Portsmouth projects.

I say we have all had a chance to consider this problem out in the open instead of behind closed doors. Now I urgently recommend that we get some action and pass this bill without amendments such as the one offered by the gentleman from New York.

Mr. VAN ZANDT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, during the course of the hearings on this bill the committee reached an agreement that the intent of the language offered by the gentleman from New York [Mr. COLE] in his amendment would be written into the committee report. May I ask the gentleman from New York if that is his understanding?

Mr. COLE. It is my understanding there would be an expression in the report which would indicate this program would not place in jeopardy or impair the existing program.

Mr. VAN ZANDT. Therefore, I contend that the amendment is in line with the thinking of many members of the Joint Committee on Atomic Energy and I ask for its approval.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. COLE].

The question was taken; and on a division (demanded by Mr. HOLIFIELD) there were—yeas 121, noes 86.

Mr. DURHAM. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. DURHAM and Mr. HINSHAW.

The Committee again divided; and the tellers reported that there were—ayes 148, noes 101.

So the amendment was agreed to.

Mr. CANNON. Mr. Chairman, the most amazing chapter in the history of world civilization is the progress of Russia, a primitive people, from hand labor to modern scientific mass production. A medieval nation, within the incredible space of two decades, Russia is today challenging the economic leadership of the United States in volume and quantity of industrial production.

Mr. Dulles, of CIA, when he returned from Moscow recently said Russia, in his opinion, was the second greatest productive nation in the world.

The head of the British Iron and Steel Board, returning from a tour of Russia a short time ago, said that in terms of output per worker, Soviet steel plants are more efficient than three-quarters of the steel plants in Britain.

A top technical supervisor in the Ford Motor Co.'s automatic transmission plant while on a visit to Russia was so impressed with the Soviet machine tools that he pronounced a Russian ball-bearing production line to be ahead of anything of the kind he had seen in the United States.

It is a question as to whether even now Russia is not already ahead of us in mechanical development and production. And if not, there is general agreement among American scientists and technicians that Russia is rapidly closing the gap. And Admiral Rickover, who built the atomic-powered *Nautilus*, said emphatically that in rate of progress the Soviets are already ahead of us.

Yet in the face of this formidable challenge to America's economic premiership we are marking time in the development of commercial atomic energy, the indispensable factor in peace and war through the next century.

Atomic energy is the key to international and intercontinental policy. The United States has taken time by the forelock and concluded agreements in the development of atomic energy with more than 50 nations. Just this month Russia announced a plan to coordinate economic energy research with Europe and Asiatic nations and the United States. And last week the French National Assembly authorized its Government to join negotiations on a treaty to establish col-

laboration in economic energy research. Nothing could be more significant and yet we are stalemated. Outside the Shippingport reactor which is being built with $90 million Federal funds we are at a complete standstill.

It is conceded that the nation which first perfects a commercial reactor and gets it on the market will dominate world production. The fossil fuels are being priced out of the market in many countries. Western Europe alone is estimated to offer a $12 billion market for reactors and nuclear material.

But if through our negligence Russia solves the problem first, it automatically takes over and immediately becomes the world's greatest economic power. All nations in order to purchase reactors must first enter into a bilateral agreement before being admitted to the advantages of the new technology. And this situation is already developing with the advances made by England. Chairman Matsutaro Shoriki of the Japanese Commission visited here in the United States and was shown designs and briefed on our prospects and prices on proposed reactors. He then visited England and after his return to Japan and consultation with Japanese officials and scientists left tentative orders with England instead of the United States.

And still we are at a standstill.

Notwithstanding the list of contractors read here and published at every opportunity, giving the names of purported firms which are to build reactors, not a shovel of dirt has been turned. That list does not mean a thing because in all propositions the contractors have placed restrictions and limitations and conditions which make it practically impossible to pin them down to a date on which they will start construction. They demand tax-exemption concessions. They specify exemptions from the operations of the Public Utility Holding Act and a dozen other preliminary requirements which postpone indefinitely any binding agreement. Much has been made of the widely advertised reactor to be built in Michigan by Detroit Edison. And Chairman Strauss has announced he would attend the ceremonies on August 8 marking the beginning of construction. And yet it develops that the Reactor Safeguarding Committee has banned construction because of the dangers involved.

In the meantime England will start delivery of power this fall and Russia is building giant reactors in every satellite.

Emphasis has been placed on the opposition of a majority of the members of the Atomic Energy Commission to this program. Let me give you an instance of the attitude of a majority of the members of the Commission. During the hearings I read editorials from the St. Louis Post-Dispatch and the Christian Science Monitor, of Boston, calling attention to the collapse of the Atomic Energy Commission's program. I asked the Commissioners individually what justification there was for the concern expressed by the newspapers. Dr. Libby, who has been frequently quoted here this afternoon, said "I wouldn't say that the fears are groundless." I then asked Commissioner Vance and he said he shared Dr. Libby's views—that he would not say that the fears were groundless. I then turned to Commissioner Murray and he expressed the same views. Mr. Strauss did not contradict any of the three. That accounted for all the Commissioners present as Commissioner von Neumann was too ill to attend.

We cannot criticize the contractors for failing to enter into a binding contract to erect these reactors. They simply cannot risk their stockholders' money in such an extended term investment. Admiral Rickover told us it would be years before commercial power could be developed at competitive rates. He said 10 years was the absolute minimum and as a matter of fact it would probably be anywhere from 15 to 25 years. And in the meantime some shortcut could be devised which would render the entire investment valueless. What firm could put its stockholders' money in that kind of an investment?

Furthermore recent developments have featured the dangers attending development of atomic energy. Reactors might explode. Piles have been melted down. Radioactive fallout could devastate adjacent areas. And the risk involved was so prodigious that no insurance company could underwrite it.

In short, the program which the Atomic Energy Commission is proposing to put into effect is impracticable and impossible. Only the Government can finance the program. And that is what this bill does. It subsidizes the private utilities. It builds the reactors and turns them over to the private enterprise. What is wrong with that?

And in the meantime Russia is coming like a house afire and England will start production at the Calder Hall plant in October and is already drumming up trade in the Orient. It is high time we got something started here in the United States and took some steps to protect American prestige and made some contribution to national defense and the peace of the world.

Mr. Chairman, this issue is neither partisan nor political. We are following President Eisenhower. The President has repeatedly urged acceleration of the atomic-energy program. More than a year ago he said:

> The United States pledges its determination to devote its entire heart and mind to furthering the peaceful uses of the atom.

And just last Sunday in a worldwide broadcast at Panama City he said:

> Atomic energy should be used to provide powerplants and to fight disease.

We can all follow the President on that program. And that is exactly what this bill seeks to implement.

In a broader sense Henry Cabot Lodge, Jr., our Ambassador to the United Nations, warns:

> We cannot afford to let much more time go by.

Mr. Chairman, we have been told so often in wartime, "Let us get on with the war." Today, let us get along with the peace. Let us pass this bill and start building.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. CANNON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. MASON. Mr. Chairman, I make the point of order that that motion has to be in writing.

The CHAIRMAN. The Clerk will report the motion.

The Clerk read as follows:

> Mr. CANNON moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Missouri is recognized for 5 minutes on his motion.

Mr. HOFFMAN of Michigan. Mr. Chairman, I rise in opposition to the motion.

Mr. CANNON of Missouri. Mr. Chairman, I withdraw the motion.

Mr. HOFFMAN of Michigan. Oh, no. I object.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes in opposition to the motion.

Mr. HOFFMAN of Michigan. Mr. Chairman, ever since I came here, whenever I had any spare time I have been reading the Rules of the House and the precedents, principally Cannon's Precedents. I learned, or at least I thought I did, that in order to be eligible to offer a motion to strike the enacting clause as did the gentleman from Missouri [Mr. CANNON] one must be opposed to the bill. Of course the same rule would apply to the gentleman from Michigan, if he were speaking in opposition to the motion to strike the enacting clause. But, following the precedent established just now, and with apologies I am for the bill, and I hope the House does strike the enacting clause, if that is what the House wishes to do. I beg the pardon of the Chairman, the Speaker, the Parliamentarian and of each Member of the House for proceeding out of order, which I am doing.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. HALLECK. I am a little surprised at the action of the gentleman from Missouri [Mr. CANNON] in offering this motion.

Mr. HOFFMAN of Michigan. Oh, no.

Mr. HALLECK. I might suggest, if the gentleman will permit, and this is in all seriousness, that upon the adoption of the rule, while there was great controversy about that even, many on this side who were in opposition to this bill voted for the rule because we thought we could at least begin consideration of the measure. There was no contest made about the rule, but as far as I am concerned, it does seem apparent to me that the committee bill as reported by the committee just is not going to be passed by the House today, or any other time. Substantial amendments have already been adopted. I have no doubt from what I have observed and heard so far that other amendments will be adopted.

Mr. HOFFMAN of Michigan. Pardon me just a moment. Then you suggest that we follow the advice of the gentleman from Missouri [Mr. CANNON] and strike the enacting clause?

Mr. HALLECK. I think we ought to support him because, as I say in all seriousness, it is very apparent that the committee bill is not going to be adopted. It has already been amended. It will be further amended if we continue consideration of it, and I honestly believe that under all the circumstances apparent here it would be much better to let this measure go over to the beginning of the next Congress, which after all is just a few months away. In that statement may I say that I do not subscribe to the thoughts that have been expressed, that the Atomic Energy Commission has not done a good job, because I think they have. The development of atomic energy for peaceful purposes is a great step. I want them to have that right, subject only to the essential program, which is our weapons program, as the situation exists in the world.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I have the floor. I do not yield.

There is one statement made by the assistant leader [Mr. HALLECK] with which I cannot on this occasion agree. He said he was surprised at the position taken by the gentleman from Missouri. I do not know why. I have heard the gentleman from Missouri [Mr. CANNON] a half dozen times make a speech for economy and against appropriations bills which were pending, and time and time again I have seen him as chairman of the Committee on Appropriations come before the House and support, by his speeches—and eloquent he is—and then when the roll was called heard him vote for those very measures which at the time he had just described as being wasteful and improvident.

Mr. HALLECK. As we all know, the gentleman from Missouri is one of the outstanding authorities on the Rules of the House of Representatives.

Mr. HOFFMAN of Michigan. And the most frequent violator of them.

Mr. HALLECK. I could not possibly believe that he would offer such a motion as he has presently offered except that he meant it, so I think we ought to give him the chance to win on his motion.

Mr. HOFFMAN of Michigan. I think we ought to vote with him on this occasion unless he votes in opposition to his talk, as—knowing as I do—I expect he will.

The CHAIRMAN. The question is on the motion offered by the gentleman from Missouri.

Mr. HALLECK. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. COLE and Mr. DURHAM.

The Committee divided; and the tellers reported that there were—ayes 155, noes 135.

So the motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HARRIS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 12061) providing for a civilian atomic-power-acceleration program, had directed him to report the bill back to the House with the recommendation that the enacting clause be stricken out.

The SPEAKER. The question is on the recommendation of the Committee of the Whole House on the State of the Union that the enacting clause be stricken out.

Mr. DURHAM. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 195, nays 199, not voting 38, as follows:

[Roll No. 116]

YEAS—195

Adair	Flynt	Morgan
Alger	Ford	Morrison
Allen, Calif.	Frelinghuysen	Mumma
Allen, Ill.	Gavin	Nicholson
Andersen, H. Carl	Gentry	Norblad
	George	Osmers
Andresen, August H.	Gray	Ostertag
	Gross	Patterson
Arends	Gubser	Pelly
Auchincloss	Gwinn	Perkins
Avery	Hale	Phillips
Ayres	Halleck	Pillion
Baldwin	Hand	Poff
Bates	Harden	Radwan
Baumhart	Harrison, Nebr.	Ray
Beamer	Harvey	Reece, Tenn.
Becker	Henderson	Reed, N. Y.
Belcher	Heselton	Rees, Kans.
Bentley	Hess	Rhodes, Ariz.
Berry	Hiestand	Riehlman
Betts	Hill	Robsion, Ky.
Bolton, Frances P.	Hillings	Rogers, Colo.
	Hoeven	Sadlak
Bolton, Oliver P.	Hoffman, Mich.	St. George
	Holt	Saylor
Bosch	Hope	Schenck
Bow	Hosmer	Scherer
Bray	Hyde	Schwengel
Brown, Ohio	Jackson	Scott
Broyhill	James	Scrivner
Budge	Jenkins	Sheehan
Burnside	Jennings	Short
Bush	Jensen	Siler
Byrd	Johansen	Simpson, Ill.
Byrnes, Wis.	Johnson, Calif.	Simpson, Pa.
Carrigg	Jonas	Smith, Kans.
Cederberg	Jones, N. C.	Smith, Wis.
Chase	Judd	Springer
Chenoweth	Kearney	Staggers
Chiperfield	Kearns	Taber
Church	Keating	Talle
Clark	Kee	Taylor
Coon	Kilburn	Teague, Calif.
Corbett	King, Pa.	Thompson, Mich.
Coudert	Knox	
Cramer	Krueger	Thomson, Wyo.
Cretella	Laird	Tumulty
Crumpacker	Latham	Utt
Cunningham	LeCompte	Van Pelt
Curtis, Mass.	Lipscomb	Van Zandt
Curtis, Mo.	Lovre	Velde
Dague	McConnell	Vorys
Davis, Ga.	McCulloch	Vursell
Dawson, Utah	McDonough	Wainwright
Denton	McGregor	Walter
Derounian	McIntire	Weaver
Devereux	McVey	Wharton
Dixon	Mack, Wash.	Widnall
Dolliver	Mailliard	Wigglesworth
Dondero	Martin	Williams, N. Y.
Donovan	Mason	Wilson, Calif.
Ellsworth	Meader	Wilson, Ind.
Fallon	Merrow	Withrow
Fenton	Miller, Md.	Wolcott
Fino	Miller, N. Y.	Young
Fjare	Minshall	Younger
Flood	Morano	

NAYS—199

Abbitt	Aspinall	Boland
Abernethy	Baker	Bolling
Addonizio	Barden	Bonner
Albert	Barrett	Bowler
Alexander	Bass, N. H.	Boykin
Andrews	Bennett, Fla.	Boyle
Anfuso	Bennett, Mich.	Brown, Ga.
Ashley	Blitch	Buckley
Ashmore	Boggs	Burdick
Byrne, Pa.	Healey	Passman
Canfield	Herlong	Pfost
Cannon	Hinshaw	Philbin
Carlyle	Holifield	Poage
Celler	Holland	Polk
Chelf	Holmes	Price
Christopher	Holtzman	Prouty
Chudoff	Horan	Quigley
Cole	Huddleston	Rabaut
Colmer	Hull	Rains
Cooley	Ikard	Reuss
Cooper	Jarman	Rhodes, Pa.
Davidson	Johnson, Wis.	Richards
Davis, Tenn.	Jones, Ala.	Riley
Dawson, Ill.	Jones, Mo.	Rivers
Deane	Karsten	Roberts
Delaney	Kean	Robeson, Va.
Dempsey	Kelly, N. Y.	Rodino
Dies	Keogh	Rogers, Fla.
Diggs	Kilday	Rogers, Mass.
Dingell	Kilgore	Rogers, Tex.
Dodd	King, Calif.	Rooney
Dollinger	Kirwan	Roosevelt
Donohue	Klein	Rutherford
Dorn, N. Y.	Kluczynski	Seely-Brown
Dorn, S. C.	Knutson	Selden
Doyle	Landrum	Sheppard
Durham	Lanham	Shuford
Edmondson	Lankford	Sikes
Elliott	Lesinski	Sisk
Engle	McCarthy	Smith, Miss.
Evins	McCormack	Smith, Va.
Fascell	McDowell	Spence
Feighan	McMillan	Steed
Fisher	Macdonald	Sullivan
Fogarty	Machrowicz	Teague, Tex.
Forand	Mack, Ill.	Thomas
Forrester	Madden	Thompson, N. J.
Fountain	Magnuson	Thompson, Tex.
Frazier	Mahon	Tollefson
Friedel	Marshall	Trimble
Fulton	Matthews	Tuck
Garmatz	Metcalf	Udall
Gary	Miller, Calif.	Vanik
Gathings	Miller, Nebr.	Watts
Grant	Mills	Westland
Green, Oreg.	Moss	Wier
Green, Pa.	Moulder	Williams, Miss.
Gregory	Multer	Williams, N. J.
Griffiths	Murray, Ill.	Willis
Hagen	Murray, Tenn.	Winstead
Haley	Natcher	Wolverton
Hardy	Norrell	Wright
Harris	O'Brien, Ill.	Yates
Harrison, Va.	O'Brien, N. Y.	Zablocki
Hays, Ark.	O'Hara, Ill.	Zelenko
Hays, Ohio	O'Konski	
Hayworth	O'Neill	

NOT VOTING—38

Bailey	Eberharter	Pilcher
Bass, Tenn.	Fernandez	Powell
Bell	Gamble	Preston
Blatnik	Gordon	Priest
Brooks, La.	Hébert	Scudder
Brooks, Tex.	Hoffman, Ill.	Shelley
Brownson	Kelley, Pa.	Sieminski
Burleson	Lane	Thompson, La.
Carnahan	Long	Thornberry
Chatham	Mollohan	Vinson
Clevenger	Nelson	Whitten
Davis, Wis.	O'Hara, Minn.	Wickersham
Dowdy	Patman	

So the recommendation of the Committee of the Whole House on the State of the Union that the enacting clause be stricken out was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Scudder for, with Mr. Hébert against.

Mr. Hoffman of Illinois for, with Mr. Thompson of Louisiana against.

Mr. Nelson for, with Mr. Vinson against.

Mr. Gamble for, with Mr. Gordon against.

Mr. Bailey for, with Mr. Preston against.

Mr. Kelley of Pennsylvania for, with Mr. Carnahan against.

Mr. Mollohan for, with Mr. Powell against.

Until further notice:

Mr. Bell with Mr. O'Hara of Minnesota.

Mr. Burleson with Mr. Clevenger.

Mr. Patman with Mr. Brownson.

Mr. Whitten with Mr. Davis of Tennessee.

The result of the vote was announced as above recorded.

The Committee resumed its sitting.

Mr. COLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE: On page 4, line 12, strike out the word "reactors" and insert the words "reactor demonstration facilities."

Mr. HOLIFIELD. Mr. Chairman, we will accept that amendment.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. COLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE: On page 4, line 14, after the words "as rapidly as practicable" insert "the Commission shall not construct, own, or operate any reactor demonstration facility in any foreign nation."

Mr. COLE. Mr. Chairman, there appears to be some apparent ambiguity with respect to whether any of the reactors might be built in any foreign nation. The purpose of this amendment which I have offered is to make perfectly clear that none of the reactors constructed under this program will be built in any foreign country.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. COLE. I yield.

Mr. HOLIFIELD. Does that apply to this bill or does that preclude the Commission from building any type of research reactor under authorizations heretofore granted in previous legislation, such as the one in Switzerland?

Mr. COLE. This amendment would apply only to this bill.

Mr. HOLIFIELD. Would the gentleman accept an amendment to his amendment which would spell that out clearly?

Mr. COLE. If the gentleman feels that is necessary. I have no objection.

Mr. HOLIFIELD. Will the gentleman read the language of his amendment again?

Mr. COLE (reading):

The Commission shall not construct, own, or operate any reactor demonstration facility in any foreign nation.

Mr. HOLIFIELD. Would the gentleman accept an amendment "such as is authorized under this bill"?

Mr. COLE. I certainly would, because that was the intention of the amendment.

Mr. HOLIFIELD. I thought it was. I think that is agreeable to me.

Mr. COLE. Mr. Chairman, I ask unanimous consent that the words "as authorized by this chapter" may be added to the amendment which I have sent to the desk.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. COLE: On page 4, line 14, after the words "rapidly as practicable", insert "the Commission shall not construct, own, or operate any reactor demonstration facility located in any foreign nation as authorized by this chapter."

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. COLE. I yield.

Mr. TABER. Should not the language be a little different in order to cover what the gentleman has in mind?

Mr. COLE. I realize the language is not perfect. I also realize that if this bill is adopted it must go to conference. I anticipate that the exact wording can be worked out in conference which would specifically indicate that none of the reactors authorized in this bill will be built in any foreign nation.

Mr. DURHAM. Mr. Chairman, we have no objection to the amendment.

The CHAIRMAN. Without objection the amendment is agreed to.

There was no objection.

Mr. COLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE: On page 4, line 19, strike out all of subparagraph (e).

Mr. COLE. Mr. Chairman, the members of the committee will notice that the part of the bill which I seek to strike out is that part which requires the Commission to make quarterly reports on the particular reactor program as authorized in the bill.

I do that for this reason: The present law and the atomic energy law from the very beginning has required that the Atomic Energy Commission keep the Joint Committee "currently and fully informed" with respect to all phases of the atomic energy program. The Commission has fulfilled that statutory requirement in a most commendable fashion from the very first. I think it is a mistake for the Congress to single out a particular phase of the Commission's program for intermittent or periodic reporting. I would prefer that the Joint Committee be kept currently informed and, therefore, that the Congress be kept informed currently with respect to this program as well as to the other programs of the Commission.

I do not believe this accelerated program is of such transcendent importance that it should be singled out for special treatment with respect to reporting by the Commission.

This is not a serious or substantive amendment, but I did feel that it should be considered by the House.

Mr. DURHAM. Mr. Chairman, although this language was written in by the full committee, as the gentleman from New York has already stated, there is a provision in the original act which states that the committee must be fully informed of all actions taken by the Commission.

I accept the amendment with the understanding that when we go to conference we will improve the language.

I have no objection to the amendment.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield?

Mr. DURHAM. I yield.

Mr. PHILLIPS. If the gentleman from New York will look at lines 16, 17, and 18, I presume his statement would be that the amendment he has just offered covers those lines as well as the preceding lines to which the amendment is attached.

Mr. COLE. This amendment applies to subparagraph (e) relating to quarterly reports.

Mr. WHILLIPS. I was speaking of the preceding amendment. I did not realize that we had passed it. I think the preceding amendment does cover lines 16, 17, and 18.

Mr. COLE. My amendment did not affect lines 16, 17, and 18.

Mr. PHILLIPS. Then under those circumstances the gentleman means that the amendment does not prevent the Commission from authorizing, owning, and operating supporting facilities if they are abroad, which I think is in conflict with the gentleman's amendment. I refer to subsection (d) as related to the gentleman's amendment.

Mr. COLE. That is an amendment adopted earlier. The pending amendment does not affect subsection (d) to which the gentleman from California has directed his remarks.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this bill, entitled "Civilian Atomic Power Acceleration Program," is more than a party matter. The New York Times says:

Democrats and Republicans prepare for a showdown on Federal reactors.

I am inclined to think that the Knoxville News-Sentinel contains a more accurate description in their analysis of the "atom-reactor plan viewed as proof of peace aims." Now, in these two approaches we have the total essence of the problem pending here on the floor of the House.

Shall we direct and instruct the Atomic Energy Commission, as provided in the bill voted without opposition by the Joint Committee on Atomic Energy, to construct large-scale prototype reactors under contract at AEC production sites and smaller prototype reactors between 10 and 20 kilowatts to test technological breakthrough on new reactor designs?

If we are to carry forward the world leadership which the United States has had in this field to win the minds and hearts of men, we cannot, we must not, fall behind in the peaceful development of atomic energy.

Only the United States has used this new power as a military weapon. Only the United States can claim superiority in possessing a whole family of atomic weapons. Only the United States has seemed to give primary emphasis to the military applications of this new science. We cannot afford to fall behind other nations in the peaceful applications of atomic power. This means that economic considerations exclusively based upon immediate and quick substantial profits cannot provide the motivation and the driving force which is needed to maintain superiority and leadership in this scientific field. We cannot afford to fall behind for our world leadership needs. We cannot afford to fall behind because of the urgency of our domestic requirements.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. COLE].

The amendment was agreed to.

Mr. VORYS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VORYS: On page 4, lines 9 and 10, after "United States", strike out "the Commission shall have responsibility for the conduct of" and insert "the President is authorized to conduct."

Mr. VORYS. Mr. Chairman, this amendment puts the President in charge of our foreign policy instead of the Atomic Energy Commission, as provided in the bill before us. This amendment puts the bill in line with legislation which the House recently passed—Mutual Security Act, section 12, where we authorized "to be appropriated to the President," $5,950,000 for a foreign research reactor project. We have not only authorized but appropriated $5,975,000 for it.

I wish you would take a look at the way this bill reads:

This Commission shall have responsibility for the conduct of a vigorous program of international cooperation and assistance. The planning and execution of such a program shall be undertaken as rapidly as practicable.

There you are. Responsibility for planning and execution of this international program is given not to the President but to the Atomic Energy Commission. Under our Constitution and traditions the President conducts such foreign affairs.

Mr. DURHAM. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from North Carolina.

Mr. DURHAM. I have no objection to the amendment.

Mr. VORYS. Mr. Chairman, I appreciate the gentleman's approval, but I wonder, seeing this bill was drafted this way, why it took this amendment to correct it. Then I want to say one more word. Even with this amendment in you still have a new kind of foreign-aid program with reference to atomic energy that you have never had before. With this amendment in it is under the President, as it should be, if you want such a program. But I suggest that you think about this foreign-aid angle if you are going to have this legislation. Of course, I am opposed to this entire bill.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from Illinois.

Mr. PRICE. You may have a new program. But the President himself proposed this atoms for peace program.

Mr. VORYS. The President proposed the program I have outlined which is contained in section 12 of the Mutual Security Act of 1956.

Mr. PRICE. No. It is the atoms for peace program.

Mr. VORYS. I am answering the gentleman's question. I will give it to the gentleman out of the book. This is from section 12 of the Mutual Security Act of 1956:

There is hereby authorized to be appropriated to the President not to exceed $5,950,000 for use by the President for research reactor projects undertaken or authorized by foreign governments * * * concerning the peaceful uses of atomic energy.

This was the program the President requested of Congress. We already have all the program we need or can afford at this time.

Mr. Chairman, I hope my amendment will be agreed to.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from Illinois.

Mr. YATES. As I read the amendment, it precludes the building of reactors in foreign lands.

Mr. VORYS. No, it does not preclude it at all. It precludes the ownership of such reactors by the Atomic Energy Commission.

Mr. PRICE. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I personally agree with the reason for the gentleman's amendment. I think it should have been offered, and I am glad that the House indicates that it will support it. But, I would like to make the record clear. This paragraph supports the President's atoms for peace program which he enunciated December 8, 1953, at the United Nations. So, it is a program promulgated by the President himself.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. VORYS].

The amendment was agreed to.

The Clerk read as follows:

SEC. 3. Chapter 19 of the Atomic Energy Act of 1954, as amended, is redesignated as chapter 20 and sections 241 and 251 of this act are redesignated respectively as sections 251 and 252, making appropriate amendment to the Table of Contents.

SEC. 4. Public Law 506, 84th Congress, 2d session, as amended, is amended as follows:

(a) By striking the figure "$319,595,000" in section 101 thereof and inserting the figure "$719,595,000."

(b) By adding at the end of section 101 (c) thereof a new subsection reading:

"11. Project 57-c-11, Civilian Atomic Power Acceleration Program—$400,000,000."

Mr. COLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE:

On page 5, lines 6 and 7, strike out the figure "$719,595,000" and insert the figure "$369,595,000."

On line 11, strike out "$400,000,000" and insert the figure $50,000,000."

Mr. COLE. Mr. Chairman, the effect of this amendment is to reduce the authorization for the appropriation of funds to carry out this program from $400 million to $50 million. No matter how enthusiastic or anxious any of us may be for this accelerated program to get underway, we must admit that it is inconceivable and impossible to spend $400 million in the next fiscal year. The thought of doing that is just absurd, and if we were to spend that amount of money in the next year it would mean complete disruption and dismemberment of our present weapons and reactor programs. The sum of $50 million which the amendment authorizes is ample to take care of this program for the coming fiscal year. If the bill is adopted and projects are initiated by the Commission requiring funds beyond the $50 million, the Congress will be back in session in January and we can give them such additional authority as the circumstances may justify at that time.

Mr. HOLIFIELD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is the final act, I suppose. By the vote of the Republican Party on my left here, within four votes they came near striking out the enacting clause recently and killing the bill completely. This reduction from $400 million to $50 million puts the amount below the price of one full-scale reactor. This is an authorization bill. We are spending $90 million on the Shippingport reactor, for research, and development and construction. This, in my opinion, is a very revealing amendment. It reveals the fact that my friend, the gentleman from New York [Mr. COLE], and his companions on his side of the aisle are not willing to accelerate the peacetime application of atomic energy for the development of atomic power. That is it in a nutshell. No one expects the Commission to spend $400 million, and it is true we will be back here in January, but this kind of an argument could have been made for every appropriation bill or every authorization that we passed this year. We know that it is impossible for them to spend in the next 6 months the amount we have authorized and the amount we have appropriated. But in order to establish a program plans have to be made, invitations have to be issued as provided by the gentleman from New York's own amendments that he has attached to this bill, commitments have to be made by Government agencies to those private companies who wish to participate. Also, commitments have to be made to equipment-manufacturing people. Commitments have to be made in the field of raw materials and the fabrication of materials and devices to go into these reactors. They cannot be made unless you have the money to back them up. The committee, I hope, will vote this down.

The bill already has been placed on a permissive basis instead of a directive basis and now it is proposed to take away even the money to proceed on a permissive basis.

Who can say that within the next 6 months before Congress reconvenes there will not be an announcement by either Britain or the Soviet Union that, "We are ready now to do business with an economic power reactor"? Who can say that? I cannot say it. No scientist can say it.

I recall the time when we went into the hydrogen bomb project. The Commission said "No." The 15-man Scientific Advisory Council said "No." Our committee insisted that they go into it. Nineteen months after they were directed to go into it the Atomic Energy Commission exploded the first hydrogen device which released energy in millions of tons of TNT equivalent power. Nine months later the Soviet union exploded a hydrogen device.

There were some joking words said about giving medals to the committee. The committee is not requesting medals. We could have had a resolution in here such as we had a day or two ago. But we are deeply cognizant of our respon-

sibility in this field because the peace of the world depends upon the balance of power being so much on our side both militarily and in the contest for the minds of men that we can lead the free world and keep the free world on our side.

If the Members who are crippling this bill with unworkable amendments wish to take this responsibility, of course, they can do so. As for me I shall vote against the amendment. I shall vote on the side of caution and preparedness in these critical days when Democracy is on trial.

Mr. HINSHAW. Mr. Chairman, reluctantly I rise in opposition to the amendment. This total authorization of $400 million in this bill is to be expended probably over a number of years. I think that the Committee on Appropriations has made a very large mistake in trying to bring it all out in one bill, a bill which will be brought up following this. The amount that can be expended in any one year is a relatively small part of this total. On the other hand, this program which we have brought from the Joint Committee on Atomic Energy has been reduced already from about $1,250 million to $400 million. This is calculated to provide for 3 large-scale prototype power reactors, each of a different type, and maybe one or two intermediate type reactors and some other small projects. I am in favor of leaving the amount as it is or else you may as well defeat the bill.

Mr. PHILLIPS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think it is important to bring this very briefly to the attention of the Members. In the report issued by the committee, of which the gentleman from California [Mr. HOLIFIELD] is a member, on page 13 this language appears:

> In this regard, $400 million is authorized for appropriation to finance this program over a 5-year period.

Obviously we do not need to authorize or appropriate the entire amount of money at once, and the Congress will return to Washington next January.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. PHILLIPS. Very willingly.

Mr. HOLIFIELD. The gentleman is correct, that is in the report, but the gentleman knows, undoubtedly, being on the Appropriations Committee, that the Atomic Energy Commission works on a 5-year schedule. It would take some 3½ years to build any one large-scale reactor—that is the estimate—as they do operate on these large construction facilities on the basis of a 5-year budgetary program. That is the reason it was placed in the bill, to coincide with their plan of operation.

Mr. PHILLIPS. Of course the gentleman knows that nothing in the bill specifies any time, which is neither for nor against what we are talking about.

Mr. HOLIFIELD. That is in the appropriation bill, or it can be very easily.

Mr. PHILLIPS. The gentleman also knows that it is the opinion of the greater number of the members of the Commission that they will not be able to get this under way in the time before the Congress is back in session.

Mr. HOLIFIELD. In Public Law 261, the Atomic Energy Act, there is a provision that all appropriations are available on a 4-year basis.

Mr. DURHAM. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I hope the Committee will not vote for this amendment. I hate to oppose an amendment offered by my good friend, but I believe in sound planning of a program. I think we could probably be accused of still sticking to our military program if at this time we do not at least authorize the appropriation of this money. The $50 million in here of course would hardly be enough to initiate the program. The amendment offered by the gentleman from New York [Mr. COLE] does cut it down to that amount.

I hope the Committee will vote down the amendment.

Mr. RABAUT. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I understand this $400 million is to be used for four purposes:

First, design and construction of three large-scale reactors of 100,000 kilowatts or more, at an approximately cost of $75 million to $90 million each; $270 million.

Second, design and construction of two small-scale reactors, at 10,000 to 20,000 kilowatts at $25 million each; $50 million.

Third, assistance on five small-scale foreign power reactors in the range of 40 percent of the cost; $40 million.

Fourth, supporting facilities, such as fuel fabrication and processing, $40 million.

That is how the $400 million program was arrived at.

Now you are going to allow $50 million for it. Do you want to come back each year and try to figure it out all over again, or do you want to establish a permanent program?

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield?

Mr. RABAUT. I yield.

Mr. PHILLIPS. Will the gentleman give the source of his figures? That was not submitted to the Committee on Appropriations.

Mr. RABAUT. These were figures considered in the Joint Committee on Atomic Energy as presenting a balanced reactor program.

Mr. PHILLIPS. They are not in the RECORD; are they?

Mr. RABAUT. I do not know whether they are in the RECORD or not, but that is the source of these figures.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, this bill has been perfected in a very fine atmosphere. Amendments have been accepted by members of the Joint Committee on both sides. But, this amendment would have a very fatal effect on the bill, and it may be of the greatest importance to our country. I would call the attention of the membership to the fact that there are three other bills on the calendar, all of which are related in a general way and and important way to this bill. There is a bill amending the Atomic Energy Act known as the indemnity bill which, of course, is of vital concern to private interests—what we call the big fellows—in this particular field. There is a bill providing an increased authorization of appropriations. That is a minor bill. As I said, the bill amending the Atomic Energy Act is a very important one—that is the indemnity bill. Then there is another bill amending the Securities and Exchange Commission Act, which is, of course, of great importance.

But, Mr. Chairman, I hope this amendment will be defeated and that the bill will be passed so that we can proceed with the consideration of the other bills which have to do with the broad picture with reference to these matters and which will put the whole picture before us before this session is over.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. COLE].

The amendment was rejected.

Mr. COLE. Mr. Chairman, in view of the fact that the committee earlier adopted a new subsection to section 2 of the bill, I ask unanimous consent that the subsections presently in the bill designated as (c) and (d) be redesignated as (d) and (e).

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. COLE. Mr. Chairman, I offer an amendment, and pending the reading of the amendment, I ask unanimous consent that the gentleman from Ohio [Mr. HENDERSON] may have permission to insert his remarks in the RECORD following the conclusion of the general debate.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New York [Mr. COLE].

The Clerk read as follows:

> Amendment offered by Mr. COLE: On page 5, line 11, insert a new section:
>
> "SEC. 5. The provisions of this chapter shall not operate to seriously or substantially impair, impede, suspend, or interfere with (1) the nuclear-weapons production program or (2) the reactor-demonstration projects which the Commission or any licensee thereof has under construction or projected for construction."

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. COLE. I yield.

Mr. PHILLIPS. Mr. Chairman, I do not wish to be blocked from offering an amendment at the end of line 11. The gentleman's amendment would properly follow the one I have at the Clerk's desk. Would I be permitted to offer my amendment to precede the amendment presently offered by the gentleman?

Mr. COLE. Mr. Chairman, under the circumstances, I withdraw my amendment for the time being.

Mr. HOLIFIELD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOLIFIELD. Mr. Chairman, has the gentleman from New York withdrawn the amendment he has just offered temporarily?

The CHAIRMAN. That is correct.

Mr. PHILLIPS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PHILLIPS: On page 5, line 11, strike out the final period, insert a semicolon and the following: "*Provided further*, That no money authorized in this bill may be spent in any area served by a utility, public or private, which is licensed or is negotiating for a license or a contract to build or operate a reactor, when such negotiations contemplate that the construction and/or operation shall be a joint venture in management or financing between the utility and the Atomic Energy Commission, or an independent venture of the utility."

Mr. PHILLIPS. Mr. Chairman, we have been assured and reassured during this debate that this is not an argument between public and private power. This amendment I have offered determines that. It says that if a private utility or a public utility is arranging for a license or contract, that under those circumstances the Atomic Energy Commission shall not enter into competition with the private or public utility and put up a competing plant with the money authorized in this bill. That is all there is to this amendment.

STATEMENT BY AEC CHAIRMAN STRAUSS

I will take this opportunity, however, Mr. Chairman, to conclude a discussion with the gentleman from Pennsylvania [Mr. VAN ZANDT] earlier in the day. He asked if it were true that the Chairman of the Atomic Energy Commission, Mr. Strauss, had been treated with disrespect, and particularly if Mr. Strauss had been denied the privilege of submitting a statement regarding his position, and the position of the majority of the Commission, regarding the legislation we are now discussing. I replied that I held the statement in my hand. It is referred to in the minority report on the second supplemental appropriation bill. The Chairman was asked for his statement, and then when he submitted it, the statement was not put in the printed hearings. Under the unanimous consent given me today, I now submit the statement in full, for inclusion at this point in the RECORD.

STATEMENT OF CHAIRMAN LEWIS L. STRAUSS

I appreciate the opportunity to be with you this morning to discuss the Commission's civilian reactor program and possible means of accelerating it. Various matters affecting the progress of the civilian power-reactor program have, of course, been discussed with your committee at different times during the course of this year, and particularly in connection with our report pursuant to section 202 of the Atomic Energy Act. At the request of the committee we are presenting detailed reviews of the present state of the Commission's programs, both domestic and foreign, in the power-reactor field, and of the state of the programs of other countries to the extent we know it. We shall also present specific comments on the bills introduced by Senator GORE and Congressman HOLIFIELD, to require the Commission to construct six full-scale nuclear-power facilities. Prior to the presentation of these matters, however, I should like to discuss with you in broad terms the Commission's policy as to both the overall objectives of the United States in the field of civilian reactor development and the proper role of the Commission in furtherance of those objectives.

OVERALL POLICY OBJECTIVES

The Atomic Energy Act declares it to be the policy of the United States that "the development, use, and control of atomic energy shall be directed so as to promote world peace, improve the general welfare, increase the standard of living, and strengthen free competition in private enterprise." In compliance with that objective the Commission has been proceeding on a broad front to develop all promising uses of atomic energy of which we have knowledge. The achievement of economical nuclear power will represent a technological breakthrough of very great importance, and we believe that breakthrough is certain to come. Accordingly, the Commission is acting on the principle that the development of economical nuclear power, both in the United States and abroad, is a program of prime national importance and urgency. I am sure there is no disagreement among anyone here with respect to that.

The question then is not one of objectives but of method. What is the best way to achieve economically competitive nuclear power, both at home and abroad? You will note that I emphasize the phrase "economically competitive nuclear power." We have proved that generation of nuclear power is technically feasible. Proof of our technical ability to generate substantial quantities of electric energy from nuclear power sources has been publicly shown by the successful operation of the submarine *Nautilus*. It will be furnished again in dramatic form by the Shippingport Pressurized Water Reactor which will begin producing from 60,000 to 100,000 kilowatts of electric energy next year. Incidentally, this, to the best of our knowledge, will be the first reactor of comparable size ever put into operation for the primary purpose of generating electric power. We have no doubt that the Shippingport reactor will work, and that other civilian and military reactors of various concepts can be built and will work.

The question is, however, at what cost? And it is because the primary problem in the United States is cost and no longer one of feasibility, that the Commission is actively engaged in exploring a large number of diverse reactor concepts. That exploration is proceeding primarily by the conduct of reactor experiments and associated research and development designed to develop necessary data with respect to the specific practicality, efficiency, and costs of a variety of systems. We fully appreciate the importance of building full-scale reactors. Indeed there is a point at which only a full-scale reactor can provide the cost information and the engineering improvements that are necessary to achieve significantly lower costs. But we believe that our present state of knowledge of some reactor concepts is short of the point where construction of full-scale reactors at this time is either necessary or advantageous.

In brief, our present goal is more scientific knowledge, not simply more kilowatts. While we advance on a broad front and with the vigor to achieve that knowledge, we believe we should continue to proceed toward that goal in an orderly and flexible manner. This, in our view, means coordinating and timing both experimental and full-scale plants with the status of the particular areas of technology they are designed to explore and the nature of the information we can expect to get from them. We believe that the enforced adoption of arbitrary goals of kilowatt capacity or numbers of full-scale reactors for an early date, such as 1960, is unwise because it would divert scarce technical skills from activities which promise greater results in subsequent years.

THE KILOWATT RACE

Concern has been expressed that we are losing a kilowatt race because other countries have announced plans for constructing reactors which might result in their having, within a few years, more kilowatts of nuclear capacity than we do. The mere number of kilowatts of capacity to be in existence by 1960 is not, in our view, very meaningful. There may be a number of reasons why a nation might decide to construct nuclear powerplants before they have been proven to be economically competitive according to United States standards. Such a nation may have power needs which cannot be satisfied by conventional means. Or it may have conventional power costs of such levels that even high-cost nuclear power looks attractive. Or a nation may have decided to embark upon a program of dual purpose reactors in which the allocation of costs between plutonium and power production is a matter of internal accounting adjustable either way since both their nuclear weapons program and their power program are government monopolies. Or it may feel that kilowatt propaganda justifies the excessive costs involved. These reasons are not valid in this country.

If there were some logical reason for doing so, the United States could unquestionably build millions of kilowatts of nuclear generating capacity by 1960—but it would not be economically competitive power. We do not consider the fact that some other countries have announced plans to build a specific kilowatt capacity a persuasive reason for us to start a crash program to outmatch them. We believe that our program should continue in its present direction and that we should not risk its source by shifting ground in order to compete with announcements of other nations.

I hope I will not be misunderstood. It is important that we maintain world leadership in the development of nuclear power. However, this ought to be genuine leadership based on sound scientific progress and technological development. We are confident that our present program now enjoys such a position of leadership. We are constantly reviewing the power reactor programs of other countries and so far as we have been able to discover we are not behind any country. We have an expanding and aggressive reactor development program which we are convinced will develop the best possible technology and enable us to maintain our position of leadership.

Technological leadership is, of course, difficult to measure and the assertions I have made as to the state of our research and development program rest in part on the informed judgments of experts. However, there are some objective yardsticks of our country's present position. One was the Geneva Conference on the Peaceful Uses of the Atom. Some of the members of your committee attended that conference and at its conclusion complimented us upon our showing. While we were honestly impressed with the fine work that several other countries have done in the field of atomic energy, it was, I think, apparent to all observers that the magnitude and quality of our effort and our achievement was far and away the most outstanding. A more recent indication exists in the fact that private American industry has sold three research reactors and one power reactor to foreign governments. So far as we are aware, no other foreign government or industry has made any such sales.

THE ROLE OF THE COMMISSION

Not only do we feel that there is no real virtue in having the Government merely construct kilowatts of generating capacity, we are also anxious to avoid Commission construction of large-scale plants if the desired knowledge can be obtained by other reasonable means.

In its report on the bills which became the Atomic Energy Act of 1954, your committee made the following statement:

"We do not believe that the efforts of free enterprise, using its own resources and moneys, are by themselves adequate to achieve the speediest possible attack on the goal of peacetime power. Neither do we believe that maximum progress toward this objective will be afforded by an effort relying exclusively on governmental research and development, using the public's moneys. We believe, rather, that teamwork between Government and industry—teamwork of the type encouraged by these amendments—is the key to optimum progress, efficiency, and economy in this area of atomic endeavor. In other words, our legislative proposals aim at encouraging flourishing research and development programs under both Government and private auspices."

We believe that the philosophy expressed in this statement was sound when it was adopted and that it is still sound. We believe that the attack on the difficult developmental problems which we face can proceed most effectively through the combined efforts of government and industry. To make the most efficient use of those efforts, however, requires some analysis of the special capabilities of each. In general, we believe that the emphasis of governmental research and developmental work should be on the earlier stages of design, feasibility, and experiment, whereas the emphasis of private industrial effort should be on construction of prototypes and their operation. We believe this for several reasons.

First, the kind of information which we are trying to get out of the construction of prototype plants can better be obtained if these plants are constructed and operated by private or cooperative businesses. One of the major purposes in constructing a prototype is to obtain reliable cost data and to explore all possible avenues for cost savings in an actual large-scale construction effort. This can best be accomplished where there are normal industrial and commercial incentives; in other words, where industry takes the primary technical and financial responsibility. While some governmental assistance will be appropriate, as in the power demonstration reactor program, we have sought to make that assistance available in a form which will not impair the technical responsibility, nor dilute the normal incentives of business. We do not believe that vital cost reductions will be as quickly achieved under Government cost contracts. We think such cost reductions can be most expeditiously achieved under arrangements where the burden of any excess costs and the benefit of any savings will be reflected in the profit and loss account of American business.

Another type of information that we expect from a prototype plant is operating experience. This too we believe can best be obtained when the plant is operated by an existing utility organization—publicly, cooperatively, or privately owned—and when the reactor energy is used as an integral part of such a utility system. In this way the operation of the prototype will most nearly duplicate the operating conditions to which commercial plants will be subjected.

A second reason for the Commission's preference that industry construct prototypes concerns the kind of effort which must go into the construction of a full-scale plant. The construction of six large reactors such as the Gore and Holifield bills contemplate would be a job approaching the magnitude of the Commission's Savannah River project—though more difficult because of geographic scattering. The Savannah River project, as you will recall, involved five reactors, together with related feed materials, processing and servicing facilities, all of which would have to be provided if the Commission were now to build 6 prototype power reactors. The Commission is, as you know, historically capable of taking on huge construction efforts; it has done so successfully on a number of occasions in the past. However, the point you should not overlook is that, in the construction of these proposed plants, a major portion of the effort would be devoted necessarily to ordinary procurement and administrative problems involving concrete, bricks, and mortar, standard electrical machinery and hardware, rather than to nuclear technology. From the point of view of limited numbers of highly qualified people available to us, this would not be a sound employment of skills.

A final reason why we are reluctant to build full-scale prototypes is that such prototypes will serve their purpose only if they generate and distribute substantial quantities of electric energy. Once the Government has built a successful 100-megawatt plant, it will have 100 megawatts of electricity to dispose of, not merely for the period of time during which the plant is serving a primary research and developmental function, but during its entire life. The disposition of such quantities of electricity would present the Commission with a host of administrative problems which in our view could prove a significant distraction from our primary responsibilities as laid down by law. While these problems might be reduced in magnitude by specific provisions relieving the Commission from any responsibility for the distribution of energy, they could scarcely be wholly eliminated.

PRESENT STATUS OF THE UNITED STATES POWER REACTOR PROGRAM

Probably the real issue is whether or not the Commission's program is proceeding rapidly enough toward the goal of economic nuclear power. If the Commission believed that it was not, and that construction, at public expense, of large numbers of kilowatts of general capacity was the best way to advance that goal, we would recommend an appropriate program for the construction of prototype power plants, notwithstanding our reluctance to be in the business of building and operating full-scale nuclear power generating facilities.

I am not inclined to be content with our record of accomplishment. I would like to see more being done and more rapidly. But there exists a mistaken impression that because ground is not now being broken on a large number of full-scale prototype plants, the reactor program of this country in consequence is static. Nothing could be further from the truth and your committee, of course, knows this both from our testimony and from the evidence of your own visits to our laboratories. The account of the state of our power reactor program which we shall present later today will show this in detail and bring it down to date.

As I have said, we do not regard kilowatts as the measure of accomplishment. But even in kilowatts, our progress is substantial. We believe, based on present announced plans, that we will have some 800,000 kilowatts of nuclear generating capacity in existence in this country by the very early 1960's. Additional plants may soon be announced which would considerably increase this figure. In view of the low cost of conventional power generation in this country, it would be reasonable to expect that the United States would be one of the last countries in which nuclear power would be used as a major source of electric generation. Nevertheless, the construction of this large nuclear capacity, in the face of the intense competition which it must meet from very efficient low-cost conventional energy, is, I submit, a reliable indication of the healthy state of our nuclear technology. Additionally, United States industry—using United States technology—is more than holding its own in competition with other nations for contracts for research and power reactors around the world.

MEANS OF ACCELERATING THE COMMISSION'S PROGRAM

In sum, we have a civilian power program that is presently accomplishing far more than we had reason to expect in 1954. We have a flexible program in which the decisions can be made promptly for each reactor concept as to when and how to proceed from feasibility study, to more extensive research and development, to experiments, to prototype and then to commercial plants. It would be a serious mistake to destroy that flexibility by adopting arbitrary goals of kilowatts of capacity or numbers of full-scale reactor plants without carefully weighing the contribution or the handicap which such arbitrary goals would make or impose toward our ultimate goal of achieving competitive economic nuclear power. I believe that any steps which we take to accelerate our progress should be in the context of complete flexibility. I also believe that we should avoid charging the Commission with the responsibility for substantially proven construction, and for the generation and sale of electricity—unless it is clear that our goal of acquiring additional scientific knowledge to insure our technological leadership cannot otherwise be achieved.

In closing I would like to suggest some things that we can appropriately do with your assistance to push our program forward.

First, I would note that the law presently authorizes us to build and operate nuclear powerplants for research and development purposes. We are prepared to exercise that authority, and to request authorization and appropriations for such plants, whenever it appears to us that we have developed a reactor concept sufficiently to make it timely for the construction of a prototype, and when, after appropriate public invitations for proposals for joint AEC-industry projects, it ever appears that industry is not prepared to undertake such construction. Thus far industry has not failed to meet each situation. However, should a promising new reactor concept be ignored or rejected by industry while I am Chairman, I would recommend that the Commission build a prototype nuclear powerplant to prove out the new reactor concept.

Second, we believe that in certain areas further steps should be taken to encourage industry construction of reactors. The most important of these is in the field of insurance protection, on which we presented our views to the committee last week. We urgently recommend that Congress act on this subject at this session. We also think that legislative action should be taken to facilitate Public Utility Holding Company Act exemptions of limited duration. Our views on this have been expressed in hearings before a special subcommittee of the Senate Committee on Interstate and Foreign Commerce.

Third, we believe that vigorous action will be necessary to relieve the shortage of technically trained manpower. We have discussed this problem with your subcommittee of which Congressman PRICE is chairman and have indicated the general nature of legislation which we think would be desirable and helpful. Furthermore, the Commission should be able to pay its technical and professional staff members salaries that are commensurate with their responsibilities and more nearly competitive with salaries now being offered by private industry.

We hope that perhaps some members of your committee will have other ideas as to what we could be doing to accelerate our program. We will welcome any suggestions which you may have, consistent with those principles which we think are basic and which I have tried to outline. As I have said, I believe we are all in agreement as to our ultimate objective—to keep our country

in the lead of the development of scientific knowledge which will enable us to make the atom an economic as well as a beneficent force for human welfare, here at home and abroad.

Mr. HOLIFIELD. Mr. Chairman, I rise in opposition to the amendment. I ask unanimous consent that the amendment again be read.

The CHAIRMAN. Is there objection?

There being no objection, the Clerk again reported the amendment offered by the gentleman from California [Mr. PHILLIPS].

Mr. HOLIFIELD. Mr. Chairman, I listened attentively to the reading of the amendment. As far as I can understand, the amendment is a very complicated amendment. It is not as simple as it might seem.

The complete purpose of the bill has been to build large-scale reactors at atomic energy sites. There is provision already in the bill for private companies to participate in the building of those reactors. That has been established by acceptance of the amendment offered by the gentleman from New York [Mr. COLE]. What mischievous effect, what the effect of stopping even building a reactor at the atomic energy site because some person might come in and say, "I want to build a reactor in the general neighborhood," I do not know. This is not the proper way to legislate. A complicated amendment like this should be given full consideration and its import fully understood before it is voted upon. I ask the House to vote against the amendment.

Mr. KILDAY. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. KILDAY. Did the gentleman understand that the amendment as offered covers the area in which the utility is engaged? The word "engaged" is not defined, whether it constitutes a simple application by any utility that it be permitted to do so, whether it would place within the power of any utility in the United States to choose any area it might decide upon. Is that not the effect of this amendment?

Mr. HOLIFIELD. That is the effect of the amendment as I understand it.

Mr. KILDAY. The "area" is not defined. "Negotiation" is not defined. So that it could be possible that any utility could make an application and thereby prevent this program being carried out.

Mr. HOLIFIELD. On page 12 of the report we have the following language:

> Reactor designs which do not duplicate specific designs for large-scale reactors for which construction permits have been issued to private, cooperative, or publicly owned groups—

Which I think would give the protection the gentleman seeks, without blocking the program.

Mr. PHILLIPS. Well, I do not think so. I think the gentleman from Texas [Mr. KILDAY] is in error, because it says "which the utility serves." We have already adopted one amendment with the understanding that it will be taken to conference and minor details ironed out. I agree that this is a little late to introduce the whole bill into a session which is so complicated.

I believe the questions which the gentleman raised can easily be dealt with in conference. I think this is a straight issue as to whether or not we are to permit the United States Government to go into an area already served by a utility which is perfectly willing to put up its own money or in partnership raise the money to build an atomic reactor, to permit the Government to go in competition with that utility.

Mr. HOLIFIELD. If the gentleman will let me use a little of my own time before my time runs out I would say that all of the atomic facilities that I know anything about are being served by private facilities as well as their own facilities.

Mr. PHILLIPS. But they are not negotiating for reactors.

Mr. HOLIFIELD. No. This would open the door, it would seem to me—let us just use a private facility for illustration, the EEI, for instance, is serving the Oak Ridge facility. The EEI could file an application to say, "We want to build one of these reactors on atomic-energy property because we are now serving you," and they might not be in good faith, they might hold up and delay the building of this reactor for an unknown length of time.

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. COLE. I am inclined toward the viewpoint expressed by the gentleman from California [Mr. HOLIFIELD]. This proposed amendment is not necessary. However, I want to make certain that situations such as the gentleman from California [Mr. PHILLIPS] has in mind are protected. I therefore urge the gentleman from California [Mr. HOLIFIELD], to accept the amendment, take it to conference, and let us have an opportunity to work it out.

Mr. HOLIFIELD. I have been agreeable today and accepted many of the gentleman's amendments, but this is one amendment I cannot accept.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. PHILLIPS].

The question was taken; and on a division (demanded by Mr. PHILLIPS) there were—ayes 118, noes 123.

So the amendment was rejected.

Mr. COLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. COLE: On page 5, line 11, insert a new section:
>
> "SEC. 5. The provisions of this chapter shall not operate to seriously or substantially impair, impede, suspend or interfere with (1) the nuclear weapons production program or (2) the reactor demonstration projects which the Commission or any licensee thereof has under construction or projected for construction."

Mr. COLE. Mr. Chairman, I will briefly explain the purpose and the effect of the amendment that I have offered. I doubt if there is any Member of the Congress who wants this program to interfere with our weapons production program and I doubt whether any applicant for an experimental station or research in reactor projects that are now under way or now in progress will want this accelerated program to interfere with that situation. This amendment is only to make certain that this accelerated program contained in the pending bill will not result in seriously or substantially affecting the current weapons or reactor program.

Mr. DURHAM. Mr. Chairman, will the gentleman yield?

Mr. COLE. I yield to the gentleman from North Carolina.

Mr. DURHAM. Does the gentleman think it is necessary to have the committee place this language in the bill? On page 11 of the report it is stated:

> It should be understood that this program is entirely supplementary to, and is in no way intended to curtail, the existing programs and projects of the Commission.

The amendment not only covers projects mentioned in the committee report but it includes all projects and I do not see the necessity for it, although I do not oppose such language.

Mr. COLE. The gentleman from North Carolina is quite right, the report gives expression to the thought which this amendment specifies and my purpose is to write into the law the thought expressed in the committee report.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. DURHAM. I yield to the gentleman from Indiana.

Mr. HALLECK. I cannot see any reason why the amendment should not be written into the language of this act. As a matter of fact, there has been much unwarranted criticism of the Commission in respect to this program. As a matter of fact, it is quite obvious, as this debate has proceeded here, there are certain undertones which are becoming apparent to everybody. We talk about an accelerated program. For my part I do not want anybody pushed into an acceleration where the end result might be the weakening of the defenses of our country.

Mr. HOLIFIELD. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York.

Mr. Chairman, the language that was written in the report, if my memory serves me right, was written in at the request of the gentleman from New York [Mr. COLE]. It is one thing to write language into a report showing policy and it is another to write language into a statute. In my opinion, all that the Atomic Energy Commission would need to do would be to declare that in their administrative judgment this will impede or impair their programs if they had the statute there and they could exercise their administrative judgment. We would have nothing to say about that. All we can say is: "You are using poor judgment" particularly when they had the statute to back them up.

May I point out another fact which is of minor importance but at the same time it shows the danger of writing these programs on the floor of the House. The gentleman has written into his amendment the term "nuclear weapon" if I heard the Clerk read correctly. There is no such definition in the act as "nuclear weapon". Other words are used and they are spelled out in the definitions because of the importance of

these words in various sections of the Atomic Energy Act. I would say that the purpose of the amendment would be gained by the language in the report and that it would be dangerous to adopt language quickly written on the floor by using improper terms in order to obtain this result.

Mr. Chairman, I ask that the amendment be defeated.

Mr. DINGELL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. Mr. Chairman, we of Detroit are concerned about the calloused disregard which seems to be prevalent in some areas of high policy in this town regarding the safety of the 7 million residents of metropolitan Detroit.

Those of us in the Congress, and I know those in the State government, cannot and do not wish to leave the question of safety of our constituents to an agency which is neither candid nor apparently concerned with the health of this or future generations, as is evidenced by their refusal to reveal the facts behind the Monroe plant projected by the Detroit Edison Co.

Mr. Chairman, I have included as part of my remarks three news items indicating how serious the safety problems are regarding the Monroe plant. The first, from the Detroit Times of Friday, July 13, is headed "Monroe A-Plant Called Hazard." The second, from the Wall Street Journal of July 20, headed "Safety Doubts May Delay Detroit Reactor AEC Indicates." The third, from the Toledo (Ohio) Blade of July 16, is headed "Monroe A-Plant Threatened by Design Problems."

And finally, Mr. Chairman, I am concerned about the fact that the AEC has refused to reveal the basis of the reactor safeguard decision which seems to have been widely circulated among utility experts by Mr. Cisler, president of Detroit Edison, himself. All I know is that there are copies of the report around, though Mr. K. E. Fields, general manager of the AEC, said in a wire to Governor Williams:

> The Commission considers that it would be inappropriate to disclose the contents of internal documents.

Why the governor of a State can be denied access to a report which is made available to the president of a utility company within the State I do not understand. In any event I hope the Appropriations Committee of this House will see to it that the Federal funds to be allocated to this plant are withheld until all safety problems have been resolved for the protection of the public.

[From the Detroit Times of July 13, 1956]

MONROE A-PLAN CALLED HAZARD—CISLER'S CONNECTION ASSAILED

WASHINGTON, July 13. (Associated Press)—Senator ANDERSON, Democrat, of New Mexico said today the Atomic Enery Commission's reactor safeguard committee had put an "unsafe" label on a private combine's plan for an atomic power plant at Monroe, Mich.

Groundbreaking for the plant is scheduled for August 8. Anderson told a reporter he had been trying without success to get AEC to make public its safety committee's report. Anderson said he might release the report himself.

He said he also might take the matter up with Governor Williams. The governor, he said, has certain "responsibilities" in the situation.

"CONFLICT OF INTEREST"

ANDERSON, chairman of the Senate-House joint committee on atomic energy, has questioned whether there might be a "conflict of interest" between Walker Cisler's duties as head of the combine and as the Government's "official power consultant" abroad.

Cisler is president of the Detroit Edison Co. and head of the Power Reactor Development Co., which was formed by 44 utility and manufacturing companies to build a 100,000-kilowatt, fast-breeder nuclear reactor at Monroe.

Cisler also is chief power consultant to the International Cooperation Administration and represents ICA, AEC, and the State Department in the Organization for European Economic Cooperation. One of his jobs is to inform the Government about atomic progress abroad.

TESTIMONY REVEALED

The joint committee has released testimony taken at a closed hearing June 28 during which ANDERSON asked AEC Chairman Lewis L. Strauss:

"Do you think there is any possibility of what is called a conflict of interest by having Mr. Cisler, who is in the power business in the United States and is vitally interested in whether or not that power develops abroad, be the official power consultant to ICA?"

Strauss replied he knew "too little about the situation" to comment. He said he had not known that Cisler held the ICA post.

[From the Wall Street Journal of July 20, 1956]

SAFETY DOUBTS MAY DELAY DETROIT REACTOR, OFFICIAL INDICATES—MURRAY PREDICTS BIG ATOMIC PROJECT WON'T OPERATE UNTIL AFTER 1960

WASHINGTON.—Atomic Energy Commission member Thomas E. Murray predicted safety questions will delay completion of a proposed atomic reactor near Detroit past the 1960 target date.

Mr. Murray disclosed details of an AEC advisory committee's reservations about the plant's safety before a House Appropriations subcommittee June 29. A record of the hearing was released yesterday.

Chairman ANDERSON, Democrat, of New Mexico, of the Joint Congressional Atomic Energy Committee had raised serious questions about the plant, which is planned by Power Reactor Development Co., a group of firms headed by Detroit Edison Co. Mr. ANDERSON and Michigan Gov. G. Mennen Williams have been pressing the AEC to release the report.

In his testimony to the appropriations group, Mr. Murray said the advisory committee had written the commission: "Even though there are no facts or calculations available to the committee that clearly indicate that the proposed reactor is not safe for this site, the committee believes that there is insufficient information at this time to give assurance that the PRDC reactor can be operated at this site without public hazard."

The reactor would be a fast-breeding type which would produce fissionable material as well as heat to run an electric generator. It would be located at Monroe, Mich., and would supply some 150,000 kilowatts of electricity.

Mr. Murray said the report "indicates the uncertainty, at least in my mind, of getting any such fast breeder reactor at an early date." At another point in the hearings, he declared, "I am as sure as I am sitting here that you will not get the Detroit Edison reactor in operation by 1960."

AEC Chairman Strauss, however, told the Congressman the commission has not yet made up its mind about the Detroit Edison project.

In other testimony before the appropriations group, Mr. Strauss disclosed that a turbojet aircraft engine was successfully powered by heat from an experimental reactor last January. The test took place at the AEC's Arco, Idaho testing station. Mr. Strauss told the committee "more ambitious tests will follow" and that the commission is following "a number of independent approaches" in developing a nuclear powerplant for airplanes "to improve the prospects for early success."

[From the Toledo (Ohio) Blade of July 16, 1956]

MONROE A-PLANT THREATENED BY DESIGN PROBLEMS—SAFETY FACTOR HINTED IN TECHNICAL BARRIER; LONG DELAY INDICATED FOR PROJECT SCHEDULED TO START IN FALL

(By George Zielke)

WASHINGTON, July 16.—Difficulties over the atomic reactor scheduled to be built on a site beside Lake Erie near Monroe, Mich., indicate at least a considerable delay—if the project finally is built there. Ground-breaking ceremonies had been planned for this fall, with completion by late 1959 or early 1960.

But Senator CLINTON P. ANDERSON, Democrat of New Mexico, chairman of the Joint Senate-House Atomic Energy Committee and Thomas E. Murray, member of the Atomic Energy Commission, have expressed grave doubts over the $40 million Monroe project—backed by a group of private companies, including Toledo Edison, and headed by Detroit Edison.

Senator ANDERSON placed a statement in the CONGRESSIONAL RECORD, in connection with a Senate bill for $400 million Federal reactor-building program, that said:

"One of the reactors at least is in serious technical difficulties. This is the breeder reactor being sponsored by the Detroit Edison group (the Power Reactor Development Co.).

"Although this reactor is scheduled for completion in 1960, it is understood that serious design problems have been encountered with respect to the safety aspects of the reactor which will have to await experience with a smaller-scale pilot plant or prototype which has not yet been constructed.

"It would appear extremely difficult for the Detroit Edison reactor to be built before 1962 or 1963 if the Commission heeds the advice of its reactor safety experts."

SAFETY FACTOR HINTED

The Atomic Energy Commission's information office said AEC had received a report on the project from its reactor safety committee, but declined to comment on it or on reports that Commissioner Murray—in secret testimony not yet released by the House Appropriations Committee—had said that there was grave doubt that the plant at Monroe as presently designed could work satisfactorily and safely at that site.

Mr. Murray told the Joint Atomic Energy Committee, in a statement added to the record of public hearings last month:

"The fast breeder reactor area has been staked out by Detroit Edison and its associates. In addition to the many technical obstacles involved in this project, there are other difficulties cited as barriers to progress.

"Unless the problems relating to third-party liability insurance and exemptions from the Public Utility Company Holding Act are solved in a manner satisfactory to the Detroit Edison group, the project is not likely to get beyond the initial stages."

MAY NOT EVEN WORK

Walker L. Cisler, president of Detroit Edison and of Power Reactor Development Co., told the Joint Committee that the project was developmental and that when we get it built, it may not even work, but we believe this is a very remote possibility.

He said competent authorities had agreed that the design for the breeder reactor is fundamentally sound and that the reactor should work as intended if proper attention is given to the detailed design."

Mr. Cisler also discussed the safety factor:

"We are completing experiments pertaining to the reaction between sodium and water should they be accidentally mixed and the action which results when sodium escapes into the atmosphere.

"These are but two of the many important safety considerations. We have recently completed for test purposes the installation for a prototype steam generator, or boiler, such as we intend to use in the plant.

"An important part of the * * * program is a full-scale test facility, which comprises actual major components. These components * * * will be tested under simulated full-load operating conditions, but without the presence of radio-active materials * * *

"The full cost of the (testing) job * * * is expected to exceed $6 million. After testing, it is expected that these components, if acceptable, will be used in the reactor itself."

The project as approved by AEC calls for a power capacity of 100,000 kilowatts. But Mr. Cisler told the joint committee last May that a 150,000-kilowatt steam turbine-generator had been ordered for a plant adjoining the atomic unit to be operated by Detroit Edison on steam purchased from the atomic plant.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. COLE].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. COLE. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. DURHAM and Mr. COLE.

The Committee again divided; and the tellers reported that there were—ayes 152, noes 120.

So the amendment was agreed to.

Mr. COLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE: On page 5, line 11, add a new section.

"SEC. 6. The reactor demonstration facilities authorized by this chapter shall be sold by the Commission to the highest responsible bidder after such facilities have been in operation for a period of 5 years."

Mr. COLE. Mr. Chairman, this is the last amendment which I have to offer for consideration by the Committee of the Whole. The effect of the amendment is to remove with as much finality as expressions in law can specify the thought that this bill is not designed as nor is it intended to be a public power bill or a bill to put the Atomic Energy Commission into business of generating electricity.

The purpose of the bill is to authorize the Commission to participate with private funds if available, and if not available, then exclusively with public funds, the Commission to embark upon a program of reactor demonstration to establish the economic feasibility of generating electricity by using atomic energy.

The amendment that is pending would direct the Commission to sell any of these reactors after 5 years of operation. As a practical matter, as indicated in my discussion with the gentleman from Indiana earlier in the debate, I doubt very much if anybody would want to expend any money to buy these reactors because they unquestionably will be obsolete. However, it is conceivable that they might be worth something, and to make certain that the Commission is taken out of the business of generating electricity after the reactor has been built and its function has been demonstrated, this amendment would require that the reactor be sold.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. COLE. I yield to the gentleman from Indiana.

Mr. HALLECK. I commend the gentleman on offering this amendment. As he has pointed out, we discussed the matter when we were in general debate on this measure. The proponents of this measure are very emphatic in the statement that this is not a public-power measure, that it is simply designed to develop new types of reactors for the generation of power. Certainly if that is true there could be no valid objection so far as we can see to the adoption of this amendment because it would follow the pattern, for instance, that was had in respect to the synthetic rubber plants, when those plants were turned back to private operation.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. COLE. I yield to the gentleman from Illinois.

Mr. PRICE. Of course the synthetic rubber plants and the atomic reactors are entirely different, particularly these types of reactors. Would this include the sale of the real estate on which the reactor is located?

Mr. COLE. It specifies the sale of the reactors.

Mr. PRICE. These would be constructed at Government installations at Oak Ridge and Hanford. Would that mean we are going to sell property at Oak Ridge and Hanford to the highest bidder?

Mr. COLE. If this amendment is adopted, it would be up to the Commission to sell the facility.

Mr. PRICE. My recollection of this type of project is that the title to the fuel rods used in these reactors would be vested in the Government. What would the gentleman do about that?

Mr. COLE. I think the amendment is rather clear about that.

Mr. PRICE. The amendment is very unclear. The gentleman just says, "Sell the reactor."

Mr. COLE. I refuse to yield further.

The purpose of the amendment is rather definite and clear. The amendment is very short and concise. I think it is well understood by everybody.

I do want to express myself in a closing word with respect to this bill in its entirety. The Committee of the Whole has worked its judgment on the bill. I think the amendments which have been adopted by the Committee of the Whole have improved the bill immensely. It is my hope that when this bill returns from the conference it will be in a fashion not dissimilar to the condition in which it is adopted by the House. Therefore, I urge that all the Members of the House support the bill in its present form as modified by committee action.

Mr. DURHAM. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, just a few minutes ago we got ourselves out from under the word "direct." We took that out of the bill. Now we are putting it back in the bill if we adopt this amendment by directing the Commission to do something else.

When it came to selling something like the rubber plants that were mentioned by the gentleman from Indiana [Mr. HALLECK], the Members here considered legislation in an orderly way and set up an orderly procedure to dispose of them. I feel and have always felt it was the proper way to dispose of Government property for which we have no further use.

I cannot conceive of anybody even thinking of buying a reactor on Government land. We have taken all of the precautions possible to entirely remove the danger of competition to private interests. Congress still has control of every dime of the appropriation for this agency and can cut it off any time it wants to. So we should not be scared about this public and private power question because we have thrown all the safeguards around this bill that I think it needs.

I certainly hope the Committee will vote down the amendment.

Mr. HINSHAW. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, again I have to rise reluctantly to oppose the amendment because I am sure that my friend, the gentleman from New York, realizes that this would require the sale of contaminated fissionable material which would be a very highly dangerous thing to have in the hands of anybody. The proper wording, if he wants to do that, is to say that the reactors should be dismantled in 5 years and destroyed and disposed of because after all is said and done, he does not want to sell the fissionable material to the highest bidder, I am sure, even though it might be contaminated.

Mr. HOLIFIELD. Mr. Chairman, it has been a long day and we are all tired. I realize that and sometimes when we get toward the end of the day, we get impatient and we do things that are not wise. I have a great respect for the gentleman from New York [Mr. COLE]. I have worked with him for 10 long years on this Atomic Energy Committee, and I would be the last one to say that his motives were not right. But, certainly, I think I can say he is in a mistaken position in this instance because the building of these reactors will take probably 3 or 4 years. The gentleman from New York knows just as well as I know and every member of the committee knows that 5 years is not the normal life of a reactor for experimental purposes. The gentleman knows it will take longer than 5 years to really get the benefit out of a reactor which may cost $50 million, $60

million or $100 million and that the Atomic Energy Commission should have time enough to use that reactor as long as they want to use it. Now here is another point. These reactors are going to be built on Government property where there are already reactors. You will have the peculiar situation of one reactor being owned by the Government, which has been there maybe 10 or 12 years and another reactor which will be there for 5 years owned by an outside person coming in and buying it.

Mr. Chairman, I want to make still another point. The reactors can be changed from the accent on power to the accent on the production of plutonium. The reactors we have now are accented toward the production of plutonium. That is war material. That is the material we make the bombs with and the atomic weapons. These reactors will not only be a tremendous peacetime experimental project, but they will stand there as a reserve in time of danger to this Nation. They can be converted to increase the supply of fissionable material, which we need for our weapons. Surely, the gentleman is not serious when he offers this amendment and to show that I am willing to consider the point, and that I have no desire that these atomic energy reactors be used for other than governmental purposes, I am going to offer an amendment at this time to strike out the word "five" and insert the word "fifteen." I believe there would not be a scientist in America who would not say that, if we are to get the benefit from an experimental research out of this development, we have to have at least 15 years.

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. COLE. At least, I am happy to find the gentleman is really being generous and magnanimous and I would be very happy to accept his amendment.

Mr. HOLIFIELD. I thank the gentleman and I would say I believe the gentleman knows in his heart that this is a sensible amendment and I now send it to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOLIFIELD to the amendment offered by Mr. COLE: Strike out the word "five" and insert the word "fifteen."

Mr. HALLECK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as was stated a few moments ago, we have proceeded with the consideration of this measure. There was a motion to strike the enacting clause and that carried in the committee. When we came back into the House on a rollcall vote that motion was defeated 195 to 199. To my mind that is clear evidence that the membership of the House at this time is most uncertain about this bill. I think it is uncertain as to whether there is any necessity for the bill at all; uncertain as to whether or not the charges that have been made against the Commission for alleged failure in respect to proceeding as rapidly as they should are well founded. There are many who believe that the Commission has been doing a good job; that the empaneling of the scientists some short time ago to further check on the whole program is a sound move, and demonstrates the desire of the Commission to carry forward the development of atomic energy for peaceful purposes, so long as the activity is reasonable and so long as it does not interfere with the most essential part of the whole program, which is the matter of our national defense and security.

So, Mr. Chairman, while these amendments have been adopted, reference has been made a number of times to this measure going to conference, with the hope that matters could be adjusted. My concern there is that in the closing days of the session, if this matter does go to conference, very likely when it comes back from conference it will represent a bill unacceptable to a clear majority of the membership of this House. So it is my understanding that a straight motion to recommit will be made. I hope that motion prevails and that this matter may go over until the opening of the next Congress. In the meantime nothing fatal will happen so far as the development of atomic energy is concerned, and we may in more calm deliberation consider this matter.

I hope the motion to recommit prevails, and, if not, I trust the bill will be defeated.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we are confronted with a rather peculiar situation. We have a bill before us that is recommended by the administration, by President Eisenhower, and we have the former majority leader, one of the leaders of the Republican Party, now urging its defeat.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. HALLECK. This bill as it came from the joint committee is not acceptable to the administration.

Mr. McCORMACK. Does the gentleman say that the President would veto this bill?

Mr. HALLECK. I have never said that on the floor. I said it was not acceptable to the administration, for they do not view it in conformity with what the administration thinks ought to be done at this time.

Mr. McCORMACK. It seems rather strange that the gentleman undertakes to speak for the administration. When he undertakes to speak for the administration, I assume he is speaking for President Eisenhower. I would never be so presumptuous, when there was a Democratic President and when I was leader, to speak for the administration without going to the telephone and calling him up and getting his views and knowing that when I came back to the floor I expressed his views. I would not rely upon inference, I would not rely upon speculation, I would not assume to speak without knowing that what I said was absolutely correct.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. HOLIFIELD. This committee has worked many months on this type of legislation and the other two bills that are coming up on the program shortly.

Mr. McCORMACK. The gentleman is correct.

Mr. HOLIFIELD. We have labored on this now for 6 or 7 hours in the committee; we have accepted many amendments in order to make this bill more palatable. Some amendments have been pushed onto the committee against our will.

Mr. McCORMACK. And its purpose is honestly to carry out the President's desire of atoms for peace.

Mr. HOLIFIELD. That was the intent of the bill, to carry out the Atoms-for-Peace program by doing several different things; and we believe that it does.

Mr. McCORMACK. May I say I do not want, Mr. Chairman, to take the responsibility of defeating this bill.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. PRICE. I might point out that the preamble of the bill states very clearly that one of the purposes of the bill is "to advance the spirit of the International Atomic Energy Agency," about which we have read so much in the paper and which has been advanced recently by the President.

I would like to read what the President said in his speech of December 8, 1953, to the United Nations:

To the making of these fateful decisions, the United States pledges before you—and therefore before the world—its determination to help solve the fearful atomic dilemma—to devote its entire heart and mind to find the way by which the miraculous inventiveness of man shall not be dedicated to his death, but consecrated to his life.

That is the purpose of this legislation.

Mr. McCORMACK. We have the situation of a bill before the Committee of the Whole, and it will be before the House, that carries out the President's recommendations. We have the situation of a troubled world. We have the situation of this bill's being a very important one, particularly in enabling the United States, our beloved country, to compete in the race that is going on between the Soviet Union and ourselves. It seems to me that those who vote against this bill are assuming a responsibility that carries with it a dangerous calculated risk.

I do hope my Republican friends will support their President, the leader of their party, our President, and pass this bill and send it to conference.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California to the amendment offered by the gentleman from New York.

The amendment was agreed to.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from New York as amended.

Mr. COLE. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers, Mr. COLE and Mr. HOLIFIELD.

The Committee divided; and the tellers reported that there were—ayes 150, noes 120.

So the amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HARRIS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 12061) providing for a civilian atomic power acceleration program, pursuant to House Resolution 611, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. VAN ZANDT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. VAN ZANDT. I am, Mr. Speaker, in its present form.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. VAN ZANDT moves to recommit to the Joint Committee on Atomic Energy.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. HOLIFIELD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 203, nays 191, not voting 38, as follows:

[Roll No. 117]

YEAS—203

Abbitt	Church	Harden
Adair	Clark	Harrison, Nebr.
Alger	Coon	Harvey
Allen, Calif.	Corbett	Henderson
Allen, Ill.	Coudert	Heselton
Andersen, H. Carl	Cramer	Hess
	Cretella	Hiestand
Andresen, August H.	Crumpacker	Hill
	Cunningham	Hillings
Arends	Curtis, Mass.	Hoeven
Auchincloss	Curtis, Mo.	Hoffman, Mich.
Avery	Dague	Holt
Ayres	Davis, Ga.	Hope
Baldwin	Dawson, Utah	Hosmer
Bates	Denton	Hyde
Baumhart	Derounian	Jackson
Beamer	Devereux	James
Becker	Dixon	Jenkins
Belcher	Dolliver	Jennings
Bentley	Dondero	Jensen
Berry	Donovan	Johansen
Betts	Dorn, N. Y.	Johnson, Calif.
Bolton, Frances P.	Ellsworth	Jonas
	Fallon	Jones, N. C.
Bolton, Oliver P.	Fenton	Judd
	Fino	Kearney
Bosch	Flare	Kearns
Bow	Flood	Keating
Bray	Flynt	Kee
Brown, Ohio	Ford	Kilburn
Brownson	Frelinghuysen	King, Pa.
Broyhill	Gary	Knox
Budge	Gavin	Krueger
Burnside	Gentry	Laird
Bush	George	Latham
Byrd	Gray	LeCompte
Byrnes, Wis.	Gross	Lipscomb
Carrigg	Gubser	Lovre
Cederberg	Gwinn	McConnell
Chase	Hale	McCulloch
Chenoweth	Halleck	McDonough
Chiperfield	Hand	McGregor
McIntire	Ray	Taber
McMillan	Reece, Tenn.	Talle
McVey	Reed, N. Y.	Taylor
Mack, Wash.	Rees, Kans.	Teague, Calif.
Mailliard	Rhodes, Ariz.	Thompson, Mich.
Martin	Riehlman	
Mason	Robeson, Va.	Thomson, Wyo.
Meader	Robsion, Ky.	Tuck
Merrow	Rogers, Colo.	Tumulty
Miller, Md.	Sadlak	Utt
Miller, N. Y.	St. George	Van Pelt
Minshall	Saylor	Van Zandt
Morano	Schenck	Vorys
Morgan	Scherer	Vursell
Mumma	Schwengel	Walter
Natcher	Scott	Weaver
Nicholson	Scrivner	Wharton
Norblad	Seely-Brown	Widnall
Osmers	Sheehan	Wigglesworth
Ostertag	Short	Williams, N. Y.
Patterson	Siler	Wilson, Calif.
Pelly	Simpson, Ill.	Wilson, Ind.
Perkins	Simpson, Pa.	Withrow
Phillips	Smith, Kans.	Wolcott
Pillion	Smith, Va.	Young
Poff	Smith, Wis.	Younger
Prouty	Springer	
Radwan	Staggers	

NAYS—191

Abernethy	Fulton	Multer
Addonizio	Garmatz	Murray, Ill.
Albert	Gathings	Murray, Tenn.
Alexander	Grant	Norrell
Andrews	Green, Oreg.	O'Brien, Ill.
Anfuso	Green, Pa.	O'Brien, N. Y.
Ashley	Gregory	O'Hara, Ill.
Ashmore	Griffiths	O'Konski
Aspinall	Hagen	O'Neill
Baker	Haley	Passman
Barden	Hardy	Pfost
Barrett	Harris	Philbin
Bennett, Fla.	Harrison, Va.	Poage
Bennett, Mich.	Hays, Ark.	Polk
Blatnik	Hays, Ohio	Price
Blitch	Hayworth	Quigley
Boggs	Healey	Rabaut
Boland	Herlong	Rains
Bolling	Hinshaw	Reuss
Bonner	Holifield	Rhodes, Pa.
Boykin	Holland	Richards
Boyle	Holmes	Riley
Brown, Ga.	Holtzman	Rivers
Buckley	Horan	Roberts
Burdick	Huddleston	Rodino
Byrne, Pa.	Hull	Rogers, Fla.
Canfield	Ikard	Rogers, Mass.
Cannon	Jarman	Rogers, Tex.
Carlyle	Johnson, Wis.	Rooney
Celler	Jones, Ala.	Roosevelt
Chelf	Jones, Mo.	Rutherford
Christopher	Karsten	Selden
Chudoff	Kean	Shelley
Cole	Kelly, N. Y.	Sheppard
Colmer	Keogh	Shuford
Cooley	Kilday	Sieminski
Cooper	Kilgore	Sikes
Davidson	King, Calif.	Sisk
Davis, Tenn.	Kirwan	Smith, Miss.
Deane	Klein	Spence
Delaney	Kluczynski	Steed
Dempsey	Knutson	Sullivan
Dies	Landrum	Teague, Tex.
Diggs	Lanham	Thomas
Dingell	Lankford	Thompson, N. J.
Dodd	Lesinski	Thompson, Tex.
Dollinger	McCarthy	Tollefson
Donohue	McCormack	Trimble
Dorn, S. C.	McDowell	Udall
Doyle	Macdonald	Vanik
Durham	Machrowicz	Wainwright
Edmondson	Mack, Ill.	Watts
Elliott	Madden	Westland
Engle	Magnuson	Wier
Evins	Mahon	Williams, Miss.
Fascell	Marshall	Williams, N. J.
Feighan	Matthews	Willis
Fisher	Metcalf	Winstead
Fogarty	Miller, Calif.	Wolverton
Forand	Miller, Nebr.	Wright
Forrester	Mills	Yates
Fountain	Mollohan	Zablocki
Frazier	Moss	Zelenko
Friedel	Moulder	

NOT VOTING—38

Bailey	Chatham	Hébert
Bass, N. H.	Clevenger	Hoffman, Ill.
Bass, Tenn.	Davis, Wis.	Kelley, Pa.
Bell	Dawson, Ill.	Lane
Bowler	Dowdy	Long
Brooks, La.	Eberharter	Morrison
Brooks, Tex.	Fernandez	Nelson
Burleson	Gamble	O'Hara, Minn.
Carnahan	Gordon	Patman
Pilcher	Scudder	Vinson
Powell	Thompson, La.	Whitten
Preston	Thornberry	Wickersham
Priest	Velde	

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Scudder for, with Mr. Hébert against.

Mr. Hoffman of Illinois for, with Mr. Thompson of Louisiana against.

Mr. Nelson for, with Mr. Vinson against.

Mr. Gamble for, with Mr. Preston against.

Mr. Bailey for, with Mr. Whitten against.

Mr. Kelley of Pennsylvania for, with Mr. Pilcher against.

Mr. Velde for, with Mr. Bell against.

Until further notice:

Mr. Patman with Mr. Clevenger.

Mr. Brooks of Louisiana with Mr. O'Hara of Minnesota.

Mr. Burleson with Mr. Bass of New Hampshire.

Mr. Dowdy with Mr. Lavis of Wisconsin.

Mr. RHODES of Arizona and Mr. KEARNEY changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

Mr. MARTIN. Mr. Speaker, I move that the vote be reconsidered and that that motion be laid on the table.

The motion was agreed to.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Rules Committee may have until midnight tonight to file certain rules.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

SECOND SUPPLEMENTAL APPROPRIATION BILL, 1957

Mr. CANNON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 12350) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate continue for 20 minutes, the time to be equally divided and controlled by the gentleman from New York [Mr. TABER] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 12350, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. TABER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, there is one item in the bill, the last one in the paragraph beginning on page 4, line 3, where the last proviso should go out on a point of order. And, I am expecting that will be made. That is the item relating to the atomic reactors.

At this point I am going to insert in the RECORD a table showing the picture of the atomic reactor programs that the Atomic Energy Commission has been trying to develop, and I hope that the membership will be able to see from that just what the situation is.

The table referred to is as follows:

TABLE 11.—*Summary of large prototype power reactor plants proposed, part 1 (power demonstration reactor program projects and others)*

Company	Westinghouse [1] and Duquesne Light Co.	Yankee Atomic Electric Co.	Consolidated Edison Co.	Commonwealth Edison and others	Consumers Public Power District	Power Reactor Dev. Co. (Del. Ed. et al.)	Westinghouse and Pennsylvania Power & Light
Location	Shippingport, Pa.	Rowe, Mass.	Indian Point, N. Y.	Dresden, Ill.	Hellum, Nebr.	Monroe, Mich.	PP & L service area
Type of reactor	Pressurized water (PWR).	Pressurized water.	Pressurized water.	Boiling water.	Sodium-graphite.	Fast breeder.	Homogeneous
Thermal power	236,000 kw.	480,000 kw.	500,000 kw.	682,000 kw.	250,000 kw.	300,000 kw.	N. A.
Gross generating capacity.	100,000 kw.	134,000 kw.	250,000 kw.[2]	180,000 kw.	75,000 kw.	100,000 kw.	150,000 kw
Amount of fuel	12 T natural U and 52 kg about 90% U-235.	28,800 kg. 2.5%.	275 kg U and 8,100 kg Th. About 90% for U.	68,000 kg. 1.1%.	24,600 kg. 1.8%.	2,100 kg. 27%.	N. A. N. A.
Moderator	H_2O	H_2O	H_2O	H_2O	Graphite.	None.	N. A.
Coolant	H_2O	H_2O	H_2O	H_2O	Sodium.	Sodium.	Fuel Solution
Reactor temp.[3]	540° F.	535° F.	500° F.	480° F.	925° F.	800° F.	N. A.
Reactor pressure	2,000 psig.	2,000 psig.	1,500 psig.	600 psig.	3 psig.	100 to 200 psig.	N. A.
Steam conditions	585 p. s. i. g. saturated.	600 p. s. i. a. saturated.	420 p. s. i. a. saturated.	600 p. s. i. a. 480° F.	800 p. s. i. g. 825° F.	600 p. s. i. a. 720° F.	600 p. s. i. a.
Estimated cost of reactor.[4]	$37,750,000.	$18,500,000.	N. A.	$34,200,000.	$13,500,000.	$36,000,000.	N. A.
Estimated cost of turbo-generator plant	$10,000,000.	$16,000,000.	N. A.	$10,800,000.	$10,800,000.	$9,000,000.	N. A.
Total estimated plant cost.	$47,750,000.	$34,500,000.	$55,000,000.	$45,000,000.	$24,300,000.	$45,000,000.	N. A.
Cost for kilowatts	$370.	$246.	$230.	$250.	$320.	$450.	N. A.
Estimated completion date.	1957.	1959–60.	1960.	1960.	1959.	1960.	1962.

[1] This reactor is being built by the AEC; Westinghouse and Duquesne are prime contractors to the AEC.
[2] Includes 110,000 kilowatts of conventional superheating capacity.
[3] Average temperature of coolant in reactor.
[4] Not including research and development, fabrication of fuel elements for first charge, or nuclear materials. Fuel element fabrication and nuclear materials are included in fuel costs.
N. A. Not available.

The CHAIRMAN. If there is no further request for time, the Clerk will read.

Mr. CANNON. Mr. Chairman, I ask unanimous consent that the bill be considered as read and now be open to points of order and amendments to any part of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Chairman, I make a point of order against title I and also the item for the Bureau of Reclamation on page 7.

The CHAIRMAN. Is the gentleman making a point of order against the entire title I?

Mr. CANNON. Title I and the material indicated as well as on page 7.

The CHAIRMAN. Let us pass on one point of order at a time, please. Does anybody wish to be heard on the point of order made by the gentleman from Missouri [Mr. CANNON] against title I?

Mr. JUDD. On what basis is the point of order made?

Mr. CANNON. Not authorized by law and is legislation on an appropriation bill.

Mr. JUDD. A lot of it is authorized by law.

Mr. TABER. Mr. Chairman, the items in title I, with the exception of the several provisos, are entirely within the statute and are authorized. I thought I had an understanding that the only item to go out was the $400 million item, but as long as the point of order is made on that, I will offer an amendment to cover everything except that last proviso after the point of order is disposed of.

Mr. CANNON. Mr. Chairman, title I, in its entirety, is subject to a point of order. Part of the paragraph being subject to a point of order, the entire paragraph is subject to a point of order.

Title I is subject to a point of order on the ground that it is legislation on an appropriation bill.

The CHAIRMAN. The Chair is prepared to rule. The gentleman from Missouri makes the point of order against title I of the pending bill on the ground that it is legislation on an appropriation bill or contains appropriations not authorized by law. The Chair has gone through title I and has observed that every paragraph in it either contains legislation on an appropriation bill, which is in violation of the rules of the House, or contains appropriations which are not authorized by law, which is also in violation of the rules of the House.

The Chair sustains the point of order.

Mr. CANNON. Mr. Chairman, I desire to make a further point of order against the language appearing on page 7, beginning with line 5 "Bureau of Reclamation" down to the bottom of the page and including the remainder of the bill.

The CHAIRMAN. Does the gentleman from Missouri desire to be heard on his point of order?

Mr. CANNON. Mr. Chairman, it is legislation on an appropriation bill.

Mr. PHILLIPS. Mr. Chairman, I should like to be heard on the point of order.

The CHAIRMAN. If the gentleman from Missouri does not desire to be heard further on his point of order, the Chair will hear the gentleman from California.

Mr. PHILLIPS. Mr. Chairman, in order to be sure that I understand what the gentleman from Missouri has in mind, do I understand that he now makes the point of order against title II in its entirety or merely beginning on page 7, line 5 down through line 14?

The CHAIRMAN. The point of order, as the Chair understands it, is against the language appearing on page 7, beginning in line 5 "Bureau of Reclamation" and continuing for the remainder of the bill.

Mr. PHILLIPS. Mr. Chairman, then I desire to be heard upon the point of order.

The CHAIRMAN. The Chair is now endeavoring to hear the gentleman.

Mr. PHILLIPS. Mr. Chairman, in my opinion, this is not subject to a point of order, as it covers a project which has been approved by legislation. It appears in this bill, as a matter of information for the Chairman, only because at the time the regular bill came through the matter of contracts had not been settled between the people involved in the district and the Government. That matter has been settled. That is why this is here. Therefore this is not subject to a point of order, as it has already been authorized.

Mr. CANNON. It provides for the negotiation of contracts to be entered into in a particular and specified way.

Mr. PHILLIPS. Then I desire to be heard further, Mr. Chairman, before the Chairman rules in reply to the gentleman from Missouri, that his point of order lies against the proviso only and not against lines 7 and 8.

The CHAIRMAN. The Chair is ready to rule.

The gentleman from Missouri has made a point of order against the language appearing in the bill on page 7, beginning in line 5, on the ground that it contains legislation on an appropriation bill.

The Chair has examined the language covered in the point of order and invites attention to the fact that there appears in line 8 the words "to remain available until expended," which constitutes legislation on an appropriation bill.

The Chair therefore sustains the point of order.

Does the gentleman from Missouri desire to make any further point of order?

Mr. CANNON. Not at this time.

The CHAIRMAN. Does any other Member desire to make any further point of order? If not, the Chair will now receive amendments.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 2, line 3, insert the following:

"TITLE I

tomic Energy Commission

"Operating Expenses

"For necessary operating expenses of the Commission in carrying out the purposes of the Atomic Energy Act of 1954, including the employment of aliens; rental in or near the District of Columbia only if no suitable Government-owned space is available in such area as determined by the General Services Administration; services authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a); purchase of equipment; purchase, maintenance, and operation of aircraft; publication and dissemination of atomic information; purchase, repair, and cleaning of uniforms; purchase of newspapers and periodicals (not to exceed $5,000); official entertainment expenses (not to exceed $15,000); not to exceed $3,500,000 for expenses of travel, including expenses of attendance at meetings of organizations concerned with the function or activity for which this appropriation is made; reimbursement of the General Services Administration for security guard services; not to exceed $44,150,000 for personal services; purchase (not to exceed 306 for replacement only) and hire of passenger motor vehicles; $1,780,400,000, together with the unexpended balances, as of June 30, 1956, of prior year appropriations made available under this head to the Atomic Energy Commission, and, in addition, any moneys (except sums received from disposal of property under the Atomic Energy Community Act of 1955 (42 U. S. C. 2301)) received by the Commission."

Mr. CANNON. Mr. Chairman, I raise a point of order against the amendment.

Included in the gentleman's amendment is the following provision: "rental in or near the District of Columbia only if no suitable Government-owned space is available in such area as determined by the General Services Administration."

That is an affirmative direction, and is therefore subject to a point of order.

Also in line 23 on page 2, the following language is subject to a point of order: "together with the unexpended balances, as of June 30, 1956, of prior year appropriations made available under this head to the Atomic Energy Commission."

The CHAIRMAN. Does the gentleman from New York desire to be heard on the point of order?

Mr. TABER. Mr. Chairman, there is nothing to prevent unexpended balances from being reappropriated. There is nothing in the nature of additional duties required so far as I can see in that particular paragraph.

Mr. Chairman, I ask unanimous consent to strike out the words in the amendment I offered "only if no suitable Government-owned space is available in such area as determined by the General Services Administration" and at the end of the amendment to strike out the words "together with the unexpended balances as of June 30, 1956 of prior year appropriations made available under this head to the Atomic Energy Commission."

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. TABER].

Mr. CANNON. Mr. Chairman, the amendment would still be subject to a point of order. May I refer to the language on page 3, line 1, "in addition, any moneys (except sums received from disposal of property under the Atomic Energy Community Act of 1955 (42 U. S. C. 2301)) received by the Commission, notwithstanding the provisions of section 3617 of the Revised Statutes (31 U. S. C. 484)."

It would not be necessary to include the last phrase, if it were not subject to a point of order.

Mr. TABER. Mr. Chairman, I ask unanimous consent to include that language in my unanimous-consent request that certain language be deleted from the amendment which I have offered.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. CANNON. Mr. Chairman, it is difficult to tell at this point just what the gentleman from New York is proposing, and I suggest the gentleman send to the Clerk's desk a written version of the amendment he proposes to offer.

The CHAIRMAN. Does the gentleman from Missouri object to the request of the gentleman from New York?

Mr. CANNON. Mr. Chairman, we would like to have the amendment read from the desk.

Mr. SHEPPARD. Mr. Chairman, I object until the amendment is written and submitted to us in proper form.

Mr. BURDICK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BURDICK. Mr. Chairman, so far as I can determine, all of this bill has been knocked out. What is left in the bill?

The CHAIRMAN. The gentleman from New York is now attempting to offer an amendment.

Mr. BURDICK. Is the gentleman bringing in some new material because the rest of it is all out?

The CHAIRMAN. He may restore some of it.

Mr. HAYS of Ohio. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HAYS of Ohio. Mr. Chairman, is it possible for the gentleman to offer an amendment to a section that has been stricken out?

The CHAIRMAN. The gentleman may offer an amendment to reinsert language which is not subject to a point of order, if, of course, the amendment is drafted so as to avoid a point of order.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 2, line 3, insert:

"TITLE I

"Atomic Energy Commission

"Operating Expenses

"For necessary operating expenses of the Commission in carrying out the purposes of the Atomic Energy Act of 1954, including the employment of aliens; rental in or near the District of Columbia; services authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a); purchase of equipment; purchase, maintenance, and operation of aircraft; publication and dissemination of atomic information; purchase, repair, and cleaning of uniforms; purchase of newspapers and periodicals (not to exceed $5,000); official entertainment expenses (not to exceed $15,000); not to exceed $3,500,000 for expenses of travel, including expenses of attendance at meetings of organizations concerned with the function or activity for which this appropriation is made; reimbursement of the General Services Administration for security guard services; not to exceed $44,150,000 for personal services; purchase (not to exceed three hundred and six for replacement only) and hire of passenger motor vehicles; $1,780,400,000."

Mr. CANNON. Mr. Chairman, I make a point of order against the amendment on the ground that the language on page 2, line 6, "Employment of aliens" is not in the basic act, and therefore constitutes legislation on an appropriation bill.

Mr. TABER. Mr. Chairman, I ask unanimous consent to modify my amendment by striking out the phrase "Employment of aliens."

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. TABER: Page 2, line 3, insert:

"TITLE I

"Atomic Energy Commission

"Operating Expenses

"For necessary operating expenses of the Commission in carrying out the purposes of the Atomic Energy Act of 1954, rental in or near the District of Columbia; services authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); purchase of equipment; purchase, maintenance, and operation of aircraft; publication and dissemination of atomic information; purchase, repair, and cleaning of uniforms; purchase of newspapers and periodicals (not to exceed $5,000); official entertainment expenses (not to exceed $15,000); not to exceed $3,500,000 for expenses of travel, including expenses of attendance at meetings of organizations concerned with the function or activity for which this appropriation is made; reimbursement of the General Services Administration for security guard services; not to exceed $44,150,000 for personal services; purchase (not to exceed 306 for replacement only) and hire of passenger motor vehicles; $1,780,400,000."

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. CANNON. I would like to call attention to the fact that this includes an additional $40,000,000 that is not necessary now that the $400 million has been

eliminated. The amount indicated by the gentleman provides $40,000,000 that is unnecessary.

Mr. TABER. If the gentleman desires to offer an amendment eliminating that, it is all right with me.

Mr. CANNON. If the gentleman wants to give us $40,000,000 above the amount required I am willing to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: Following the last amendment insert:

"Plant Acquisition and Construction

"For expenses of the Commission in connection with the purchase and construction of plant and other expenses incidental thereto necessary in carrying out the purposes of the Atomic Energy Act of 1954, including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and hire of passenger motor vehicles; $158,300,000."

Mr. HOFFMAN of Michigan. Mr. Chairman, I make a point of order against the amendment.

Mr. CANNON. Mr. Chairman, we accept the amendment.

The CHAIRMAN. The gentleman from Michigan is making a point of order against the amendment. The gentleman will state his point of order.

Mr. HOFFMAN of Michigan. The point of order is this: It is apparent now what they propose to do is to strike out all of this bill, then substitute by amendment another bill. My point is the Committee cannot consider a bill until it has been before a committee and reported out. There has been no committee action.

The CHAIRMAN. The Committee of the Whole House on the State of the Union is now considering a bill reported by the Appropriations Committee. The Chair therefore overrules the point of order.

The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The amendment was agreed to.

Mr. PHILLIPS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PHILLIPS: On page 7, line 5, insert:

"Bureau of Reclamation

"Construction and Rehabilitation

"For an additional amount for 'Construction and rehabilitation', $2,500,000."

Mr. CANNON. Mr. Chairman, we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. PHILLIPS].

The amendment was agreed to.

Mr. PHILLIPS. Mr. Chairman, I move to strike out the last word, and yield to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Chairman, I would like to know what we are trying to do. Are we to strike out this bill and write a new one? What are you trying to get the Committee to do?

Mr. PHILLIPS. These amendments are being offered to return much of the bill to which there was no objection. We are following this procedure and then in the other body some of the minor details involving provisos may be written back into the bill.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield further?

Mr. PHILLIPS. I think the gentleman from Michigan is thoroughly in favor of what we are trying to do.

Mr. HOFFMAN of Michigan. I am glad to have the gentleman make up my mind for me. It saves me a lot of worry and uncertainty. Are you not attempting to return language to the bill which has been stricken previously by amendment?

Mr. PHILLIPS. Not by amendment, by a point of order where an entire page was stricken and where two lines or so were not subject to the point of order. We are returning to the language of the bill.

Mr. HOFFMAN of Michigan. You are bringing in a new bill?

Mr. PHILLIPS. We are returning the language which was in the bill word for word which was not subject to a point of order. It is a technical distinction, and I am sure the gentleman will understand.

Mr. HOFFMAN of Michigan. It sure is technical as far as I am concerned.

Mr. CANNON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 12350) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. CANNON. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. CANNON. Mr. Speaker, I ask unanimous consent that all Members who have spoken on the bill may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from committee:

JULY 24, 1956.

Hon. SAM RAYBURN,
Speaker, House of Representatives,
The Capitol, Washington, D. C.

DEAR MR. SPEAKER: Please accept my resignation as a member of the Post Office and Civil Service Committee of the House of Representatives.

Sincerely,

GEORGE M. RHODES.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

ELECTION TO COMMITTEE

Mr. COOPER. Mr. Speaker, I present a privileged resolution (H. Res. 627) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That GEORGE M. RHODES of Pennsylvania be, and he is hereby, elected a member of the standing committee of the House of Representatives on Interstate and Foreign Commerce.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REPORT OF BOARD OF VISITORS TO THE UNITED STATES MERCHANT MARINE ACADEMY

Mr. KEOGH. Mr. Speaker, I have a report of the Board of Visitors to the United States Merchant Marine Academy for 1956, and I ask unanimous consent that it may be printed at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

REPORT OF THE BOARD OF VISITORS TO THE UNITED STATES MERCHANT MARINE ACADEMY, 1956, KINGS POINT, N. Y., MAY 11, 1956

The PRESIDENT OF THE SENATE.
The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

GENTLEMEN: As a result of meetings held at the United States Merchant Marine Academy, Kings Point, N. Y., the members of the 1956 Board of Visitors, hereinafter noted, specifically recommend:

1. That a supplemental appropriation in the amount of approximately $860,000 be approved to permit the Academy to achieve a satisfactory level of operations on a permanent basis and embark upon a major repair and replacement program.

2. That steps be taken to restore the previous Naval Reserve status of midshipman to the students at Kings Point.

3. That the annual budget for Kings Point be established at a level to permit an entering class of 400.

4. That in view of the new permanent status of the United States Merchant Marine Academy the rehabilitation of the engineering and nautical science laboratories commence at the earliest possible moment.

5. That funds be approved to permit courses of instruction in nuclear engineering to be offered at the earliest practical moment.

6. That funds be provided for the construction of a separate and adequate library building.

7. That the Congress appropriate sufficient funds to complete the chapel fund drive in accord with the language of Public Law 485, 80th Congress, approved April 17, 1948, and as recommended by previous Boards of Visitors.

Pursuant to Public Law 301, 78th Congress, approved May 11, 1944, the following Senators and Members of the House of Representatives were designated to constitute the 1956 Board of Visitors to the United States Merchant Marine Academy:

By the President of the Senate; Senator CLIFFORD P. CASE, Republican, of New Jersey.

By the chairman, Senate Committee on Interstate and Foreign Commerce: Senator SAM J. ERVIN, JR., Democrat, of North Carolina; Senator FREDERICK G. PAYNE, Republican, of Maine.

By the Speaker of the House of Representatives: Congressman FRANK J. BECKER, Republican, of New York; Congressman EUGENE J. KEOGH, Democrat, of New York.

By the chairman, House Committee on Merchant Marine and Fisheries: Congressman JOHN J. ALLEN, JR., Republican, of California; Congressman IRWIN D. DAVIDSON, Democrat, of New York; Congressman JOHN C. KLUCZYNSKI, Democrat, of Illinois.

Ex-officio members: Senator WARREN G. MAGNUSON, Democrat, of Washington, chairman, Senate Committee on Interstate and Foreign Commerce; Congressman HERBERT C. BONNER, Democrat, of North Carolina, chairman, House Committee on Merchant Marine and Fisheries.

The meetings of the 13th Congressional Board of Visitors to the United States Merchant Marine Academy were held on Friday, May 11, 1956.

The following members of the Board were present: Senator FREDERICK G. PAYNE, of Maine; Congressman JOHN J. ALLEN, JR., of California; Congressman IRWIN D. DAVIDSON, of New York; Congressman EUGENE J. KEOGH, of New York; and Congressman JOHN C. KLUCZYNSKI, of Illinois. Congressman JAMES T. PATTERSON, of Connecticut, attended the meetings at the invitation of the Board, and was of great assistance in its deliberations, being a member of the Armed Services Committee and the Joint Atomic Energy Committee.

The Board convened at Wiley Hall, Kings Point, at 10 a. m., May 11, 1956. The Board elected Senator PAYNE to serve as permanent chairman and confirmed the appointments of Comdr. Clifford William Sandberg and Lt. (jg) John A. Walsh and Ens. John Kiszenik as secretary and assistant secretaries, respectively.

During the first meeting the Superintendent, Adm. Gordon McLintock, and his staff discussed the present status of the Academy and provided such information as the Board requested. At the conclusion of the first meeting the Board was invited to lunch with the regiment by Regimental Comdr. Lee A. Farber, of Utah. Senator PAYNE addressed the regiment on behalf of the Board.

After lunch the Board members met with cadet midshipmen from their districts and States. These discussions were followed by the second meeting of the Board and the executive session. At the conclusion of the executive session the Board toured the grounds and facilities. Following the tour of the grounds, Senator PAYNE served as reviewing officer for the regimental parade on Tomb Memorial Field.

GENERAL COMMENTS

Part I. Needs to achieve a satisfactory permanent condition for Kings Point

The Board recognizes the fact that the Academy has certain basic needs which must be fulfilled if it is to achieve a satisfactory permanent status. The signing of Public Law 415 by the President on February 20, 1956, established the United States Merchant Marine Academy as a permanent Federal service academy. The Board wishes to emphasize that with the signing of this bill the status of the Academy underwent an appreciable change in status and responsibilities. The Board noted that Public Law 415 requires that the Government assume uniform and textbook expenses to a degree greater than existed prior to the passage of Public Law 415. The additional funds needed amount to approximately $244,400. The Government also must assume certain new travel expenses for cadet midshipmen traveling under orders. These expenses are of a recurrent nature and the Board presumes that the necessary funds will be appropriated for these purposes.

In its new status as a permanent Federal service Academy the Board recognizes that certain nonrecurrent needs are proper and necessary. As pointed out by the Superintendent the question of major repairs at the Academy has long been a critical one. This nonrecurrent expense is approximately $291,080 over the $33,900 earmarked in the budget for this purpose. The Board is in sympathy with this request and urges that this amount be appropriated to permit a start to clear up the backlog of major repairs and institute a program of equipment replacement.

In order to achieve a satisfactory permanent status for the Academy the Board urges that all present vacancies, which will require $46,000, should be filled and the Academy complement be brought up to full strength as soon as possible.

The Board noted with interest the dean's advice that in order for the academic departments to operate adequately during fiscal 1957 an additional $125,000 is required for additional personnel services, library improvements, preparation for instituting a nuclear engineering program, and to defray the costs of a long-range planning survey. The request for these funds in the Board's opinion seems a proper one and accordingly the Board sanctions this request for additional funds.

The Board noted that steps have been taken to request funds for operational improvements such as the reorganization of the property accounting and administrative services, the installation of an automatic system to facilitate record keeping, aptitude estimates, conduct grades, and equipment and supply inventories. The funds requested amount to approximately $150,000.

These requests for supplemental funds total approximately $860,000 of which some $247,400 represents new expenses stemming from Public Law 415; $211,000 represents recurring expenditures stemming from additional personnel required to carry on the mission of the Academy; and approximately $401,080 which is a nonrecurring expenditure for necessary major repairs, replacements, operational improvements, etc.

In order to further the achievement of a satisfactory permanent condition the Board recommends that immediate steps be taken to bring the engineering and nautical science laboratories to a more up-to-date condition by providing the necessary funds for the installation of the requisite engineering and electronic equipment. The Board notes with satisfaction that many requested items for these laboratories are available from other Government sources and that the primary needs of the Academy are for funds to pay the cost of installation. The Board urges that the development of the nuclear engineering program be given a higher priority and that funds be provided to permit the offering of this course at the earliest moment.

The Board was pleased to learn that the effect of permanent status has been salutory with respect to the number of applications for admission received for the Class of 1960 which enters the Academy in August 1956. The greater number of applications received is undoubtedly the result of the removal of the uncertainty which has existed so long concerning existence of the Academy. It would seem that an entering class of 400 students would represent a more logical size for an entering class based upon the needs of the industry, as supported by the recent investigation of maritime training conducted by the special Subcommittee on Maritime Training of the Senate Committee on Interstate and Foreign Commerce and the important reserve of competent officers represented by the graduates of this Academy.

The Board was impressed with the magnitude of the funds already raised for the construction of the chapel. This private subscription is in the order of $325,000 and plans are well under way to renew the fund-raising drive in view of the newly achieved permanency of the Academy. It is now estimated that a minimum total of $600,000 will be necessary to build the Merchant Marine Memorial Chapel. The Board learned with interest that funds in the amount of approximately $175,000 are held in escrow by the Maritime Administration as a result of certain profits from ship's service activities during World War II. The Board strongly urges that means be found to release these funds and transfer them to the chapel fund.

The Board believes that the library is unsatisfactory from the point of view of the space available for this activity. It is clear that a library building is necessary for the library to develop in accordance with the needs of the Academy and recognized college library standards and to this end the Board recommends that early steps be taken to provide the necessary library facilities. The Board renews its previous request that the library be constituted a designated depository of Government publications.

Part II. Needs to improve condition and status of students and graduates

The Board learned with concern that the Naval Reserve status of the students at Kings Point was changed from that of midshipman, United States Naval Reserve, to that of officer candidate, United States Naval Reserve. The significant difference appears to rest with the fact that under the new classification the graduate of Kings Point is liable to be drafted as a private in the Army or an apprentice seaman in the Navy. In view of the commission received by each graduate of Kings Point as ensign, United States Naval Reserve, this strikes the Board as a situation where a deplorable and expensive waste of highly skilled manpower is involved. The Board wishes to stress the fact that the graduate of Kings Point is a competent Naval Reserve officer whose major study at the Academy is to qualify him as a superior merchant marine deck or engineer officer. This is quite different from the standard NROTC graduate whose major field of activity is seldom associated with maritime affairs and probably never is directed toward making him a deck or engineer officer aboard ship.

In addition, the interdependence of the Navy and the merchant marine is well understood; the merchant marine is regarded by all as the fourth arm of national defense. In view of the unique situation facing the graduate of Kings Point and the State maritime colleges the Board strongly urges that

the midshipmen status of the students of these institutions be restored at the earliest moment in such a way that the interests of individual and the Government are protected. The Board recognizes that the graduates of these institutions have certain service obligations; the Board requests that the final resolution of these problems associated with the change in the Naval Reserve status be accomplished in such a manner as to encourage and foster the desire of the graduates for assignment aboard American vessels, both merchant and naval.

The Board commends the Maritime Administration for its program of education and training at its academy, the United States Merchant Marine Academy; and specifically commends the Superintendent, Rear Adm. Gordon McLintock, and his staff for the efficient manner in which the program is being carried forward.

The Board offers its sincere thanks to its secretaries, Comdr. Clifford W. Sandberg, Lt. (jg.) John A. Walsh, and Ens. John Kiszenik for their assistance.

Approved:

FREDERICK G. PAYNE.
JOHN J. ALLEN.
IRWIN D. DAVIDSON.
EUGENE J. KEOGH.
JOHN C. KLUCZYNSKI.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. MOSS. Mr. Speaker, on behalf of the Committee on Post Office and Civil Service, I ask unanimous consent to file a supplemental report on the bill H. R. 8353.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

THE GOOD EARTH: OUR FARMERS CONSERVE IT

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, this morning at the United States Department of Agriculture I ran across some revealing statistics which should cause this Congress and every citizen of our land to hold the American farmer in high esteem and credit him with being a resourceful and farsighted individual, highly important to our national well-being.

Agriculture Department figures show, Mr. Speaker, that more than 10 million acres of good farm and timberland have been forced forever out of production during the past 10 years—absorbed by growing cities, new highways, water reservoirs, and many other projects and growths required by an expanding national population.

This loss of a million acres of productive land per year will continue indefinitely, United States Department of Agriculture statisticians believe. Add to this the fact that our population is growing at the rate of 3 million a year, and we see that by 1966—10 years from now—we will be feeding 30 million more people with food from 10 million fewer acres.

That, Mr. Speaker, should not only spell the finish of our agricultural surplus problems, but it quite possibly will bring us face to face with problems of scarcity.

This 10-year prospect brings me to a point I want to emphasize: That American farmers who have the stewardship of our God-given earth are today proving themselves most worthy of the trust they have assumed.

Throughout the country our farmers have entered wholeheartedly into efforts to enrich and conserve their land. Thanks to the wizardry of scientists, we have developed soil-building properties which a decade ago were unknown. Farmers have worked enthusiastically and tirelessly in cooperation. The same is true of animal husbandry—in this area the progress has been phenomenal.

Mr. Speaker, I view our soil-conservation movement not as a lofty idealist but as a practical man who has been up and down the road our farmers have traveled. It is a life to which I some day hope to return. I know now that my happiest days came in my boyhood when I used to scamper, barefooted, through Hoosier pastures on an early dewy morning.

Seriously, I fear that many of my colleagues today, as well as a great number of people throughout the land, now regard our agricultural productiveness as too much of a good thing. I hope that such thinking is sparse. I know we are entering upon a period when the good earth of America will prove our national salvation, our bulwark.

We will be glad we have the land, glad for having saved it, nurtured it, and strengthened it. Too, we will be grateful to and proud of the farmers who today are building their lands for the demands of tomorrow.

In the 16 years I have been a Member of this Congress I am proud of my record of sponsorship of or cooperation in all moves intended to build American soil, whether it be in Indiana or elsewhere. Such guardianship shall continue to be my rule.

I am proud to have been an active supporter of our agricultural conservation program.

I well remember that, in 1953, the funds for ACP were faced by a formidable move to reduce them by many millions of dollars. As a member of the House Appropriations Committee, I was able to forestall that reduction by changing the position of 3 or 4 members of the committee. The fund was left intact by just 1 vote.

I cannot but wonder how much more our soils would be depleted today if I had not taken the position I did on that crucial day.

Mr. Speaker, I know just about every inch of my congressional district. I also know many thousands of the farmers there. I have watched the effects of the soil conservation program in that district, including the use of agricultural limestone. As I travel about that countryside I see acre upon acre of green and luscious pastures of alfalfa and other legumes where, only a few years ago, there was a stark nakedness of barren land.

These legumes, these soil-building and soil-conserving efforts were made possible through the conservation program, which shares with farmers on a 50–50 basis the cost of carrying out many conservation measures, including the application of minerals to the soil, such as limestone.

The soil technicians and scientists of my State—at Purdue University and elsewhere—say that farmers should be using about 4.5 million tons of agricultural limestone annually. In 1954, the last year for which figures are available, 1,813,402 tons were used—only 40 percent of the annual requirement. The most that Indiana farmers have used was 3,055,444 tons in 1947. This means that we are short 1.5 million tons of the soil-building limestone we should be using.

The use of this mineral is important to everyone. To the farmer it means bigger and better crops with lower costs of production. To the consumer it means foods richer in calcium and other minerals bringing better health. The program also helps farmers with many other conservation programs such as terracing, building of farm ponds for fire protection, irrigation and recreation, tree planting, seeding and fertilization of soil-conserving crops.

As a 16-year Congressman, Mr. Speaker, I have consistently supported appropriations for the Extension Service, Rural Electrification and telephone systems which have brought modern labor-saving equipment to farms and homes.

I see the time rapidly approaching when the American farmer is coming into his own. He will be honored and respected for his vital role in building a firm and invincible foundation for his country. His foresight will be widely hailed. Personally, I feel an humble pride for having done all I can to help him in these efforts. I shall continue to do so.

I am glad that officials of the Department of Agriculture have changed their attitude about our soil conservation programs and are pushing ahead to conserve the potency and productivity of our dwindling acres. The need for this is so great that an increase in appropriations, to the $500 million provided in the basic agricultural legislation pertaining to ACP, may be found desirable, rather than the $250 million presently prevailing.

By all means, Mr. Speaker, we must leave no stone unturned to build and maintain our great national heritage—the good earth.

THE ASWAN HIGH DAM

Mr. FLYNT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FLYNT. Mr. Speaker, in the past few days we have witnessed the exposure of what is perhaps the most elaborate and most extensive extortion scheme in the entire history of nations.

I refer to the plan between Egypt and Russia to blackmail this country into financing the Aswan high dam which was scheduled to cost over $1¼ billion. I have continuously opposed American participation in this project and some similar projects. It never did make sense to me for this country to build a dam in Egypt for a dictator who is closely connected with Russia and who is actively fomenting strife in the Middle East and in North Africa.

The project was made doubly foolish by the fact that most of the 2 million acres of arable land which would be reclaimed by this dam would be used for the production of cotton. American participation in building the Aswan high dam would put us in the position of telling our American cotton farmers to cut American production, and American income and the American standard of living, while at the same time financing in whole or in part increased production abroad, which production would further glut the world cotton market.

Despite all the common sense arguments against this project, the State Department, in December 1955, announced plans to participate in the financing of this project. Let me point out one thing here. Once we committed ourselves to this thing, the brunt of costs would have fallen on the taxpayers of this country.

When I and others opposed the State Department's action, we were told that we must build the dam or the Soviet Union would build it as a part of their "great new economic offensive." I have heard and read about this Soviet economic offensive, but I have yet to see any evidence of Russia giving away anything, except trouble. If anyone here has any evidence of a Soviet give-away program, I would like to see it.

Well, General Nasser decided that our "giveaway" was not enough, so he decided to play both ends against the middle, in order to obtain more American dollars from the American taxpayer. In this extortion attempt, I believe he had the full cooperation and encouragement of the Kremlin, where the idea probably originated. There is nothing the Kremlin had rather see than for this country to weaken—or even destroy—itself by giving away our economic strength.

I remember reading in June 1956 that Russian Foreign Minister Shepilov was in Egypt talking with General Nasser. Following the conference between these two gentlemen, the press reported that Russia had made an offer to finance the entire cost of the project. No denial of this was forthcoming from either Shepilov or Nasser. The giveaway experts in this country began howling that we had better give away more or Russia was going to build the dam. Several days later, after giving the news that Russia would build the dam time to sink in, the Egyptian Government announced a willingness to resume negotiations with the West, and they assured us that they had not yet accepted the Russian offer.

This Russian offer has continuously been held over our heads in an effort to obtain more giveaway from the American taxpayers ever since the State Department announced plans to help build the dam.

In a way we were challenged to play Russian roulette. We accepted the challenge and found that the Russian gun was not loaded at all. The commendable action of our State Department in withdrawing from the project called the Russians' hand and proved their bluff. Foreign Minister Shepilov, in a statement dated July 22, 1956, is reported to have stated that Russia was not considering any offers to help construct the dam. The action of the United States Department of State has in effect stated to them to "put up or shut up."

There is a possibility that the necessity of saving face in the world may require a genuine offer of assistance from Russia. In my opinion this might not be bad. The transfer of this much economic strength from the Soviet Union is certain not to be favorable with the people of Russia and the Russian satellite nations who are already very dissatisfied with their standard of living.

There is expected to be a shortage of wheat in Russia and the satellite nations this winter. The people of these nations certainly will not understand why their governments give away their resources to Egypt while they go hungry. I and many others in this country cannot understand why we do it, even though most of our citizens are well-fed and clothed.

So the great blackmail scheme has been exposed for just exactly what it was and is. It failed miserably, because for once during the 3½ years under Mr. Dulles the United States State Department subscribed to the principle that Americans have always been, are now, and will continue to be ready, willing, and able to help any nation which genuinely wants and needs our assistance, but shall not give one cent for tribute, blackmail, or extortion.

ELIMINATION OF CERTAIN PRACTICES IN THE MARKETING OF GASOLINE AND OTHER PETROLEUM PRODUCTS

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include the text of a bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, as of yesterday I have introduced a bill, H. R. 12369, the purpose of which is to eliminate certain evil practices in the marketing of gasoline and other petroleum products. These practices have caused destructive and unfair methods of competition to the near ruination of one of the most important segments of small business in our American economy. I shall, if reelected, reintroduce the bill at the opening of the next session and, in the meantime, shall send copies of it to the Members of the Judiciary Committee to which the bill has been referred and to other Members of the Congress who may be interested in its provisions.

The need for this legislation is clearly brought out in the hearings held by Subcommittee No. 5 of the House Select Committee on Small Business. There is ample precedent for such proposed action in other important industries such as has already been taken for divorcement in the motion picture industry, the liquor industry and others. I shall welcome all suggestions for improvements and perfection of the bill which may be forwarded to me during the period before the opening of the new Congress.

The exact language of the bill is included immediately following:

H. R. 12369

A bill to eliminate certain practices in the marketing of gasoline and other petroleum products which tend to cause destructive and unfair methods of competition

Be it enacted, etc., That as used in this act—

(1) The term "antitrust laws" has the meaning assigned to it by the first section of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (15 U. S. C., sec. 12);

(2) The term "person" means an individual, corporation, partnership, association, joint stock company, business trust, or any organized group whether or not incorporated;

(3) The term "producer" means a person engaged in the business of importing, producing, refining, or transporting gasoline or other petroleum products;

(4) The term "affiliate" means any person who controls, is controlled by, or is under common control with, a producer; and

(5) The term "retail gasoline station" means real property used primarily as a place where retail sales of gasoline or petroleum products are made to the ultimate consumer.

SEC. 2. The Congress finds that certain practices exist in the marketing of gasoline and other petroleum products which tend to cause destructive and unfair methods of competition, thereby adversely affecting interstate and foreign commerce. Among these practices are the following:

(1) A producer often owns and operates retail gasoline stations which are engaged in direct competition with retail gasoline stations operated by other persons to whom the producer sells gasoline and other petroleum products at wholesale for resale at retail. Because of their ability to operate retail gasoline stations at less than cost by subsidizing their retail operation from profits made in other activities, such producers are able to dominate the retail market for gasoline and other petroleum products and thereby to control retail prices for gasoline and retail dealer profit margins.

(2) Producers often own or control retail gasoline stations selling gasoline and other petroleum products, and lease such gasoline stations to other persons on a short-term basis. Through their power to arbitrarily cancel such leases, such producers are able to prevail upon the persons leasing such gasoline stations to accept the profit margins set by the producer, to conduct their businesses as directed by the producer, and to sell only the tires, batteries, automobile accessories, and other products chosen by the producer.

It is therefore the purpose of this act to remove the impediments to the free flow of gasoline and other petroleum products, and of tires, batteries, and automobile accessories, in commerce, which impediments arise from the dominance and control of the retail market by producers, and to restore true, unfettered, and unsubsidized competition in gasoline and other petroleum products,

through prohibiting the practices which have led to such impediments.

SEC. 3. (a) No producer or affiliate who sells gasoline or petroleum products at wholesale for ultimate resale at retail shall—

(1) Sell gasoline or petroleum products at retail;

(2) Own, operate, or lease to or from any person a retail gasoline station after January 1, 1960; or

(3) Act directly or indirectly as agent for, or receive any commission, compensation, or payment because of the sale of any product, of any manufacturer or distributor of automobile or truck tires, automobile or truck batteries, or automobile accessories.

(b) Nothing in this section or in the antitrust laws shall be construed to prohibit a producer or affiliate not engaged in selling gasoline or petroleum products at wholesale for ultimate resale at retail from selling gasoline or petroleum products at retail.

COMMITTEE ON WAYS AND MEANS

Mr. COOPER. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight tonight to file reports on H. R. 10923 and H. R. 12114.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

BEQUESTS TO CHARITY

Mr. COOPER. Mr. Speaker, by direction of the Committee on Ways and Means, I ask unanimous consent for the immediate consideration of the bill (H. R. 11834) to allow a charitable deduction for certain bequests, which has been unanimously reported favorably by the committee.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. GROSS. Mr. Speaker, reserving the right to object, is this another tax-exemption bill?

Mr. COOPER. Mr. Speaker, I yield to the gentleman from New York [Mr. REED].

Mr. REED of New York. No; the sole beneficiary of this proposed legislation will be charity.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 2055 (b) of the Internal Revenue Code of 1954 (estate tax deduction for transfers for public, charitable, and religious uses) is amended by inserting "(1) General rule:" before "Property" at the beginning thereof and by adding at the end thereof the following new paragraph:

"(2) Special rule for certain bequests subject to power of appointment: For the purposes of this section, in the case of a bequest in trust by a decedent who died after August 16, 1954, if the surviving spouse of the decedent is entitled for life to all of the net income from the trust and such surviving spouse has a power of appointment over the corpus of such trust exercisable by will in favor of, among others, organizations described in subsection (a) (2), such bequest in trust, reduced by the value of the life estate, shall, to the extent such power is exercised in favor of such organizations, be deemed a transfer to such organizations by the decedent if—

"(A) no part of the corpus of such trust is distributed to a beneficiary during the life of the surviving spouse;

"(B) such surviving spouse was over 80 years of age at the date of the decedent's death;

"(C) such surviving spouse by affidavit executed within 1 year after the death of the decedent specifies the organizations described in subsection (a) (2) in favor of which he intends to exercise the power of appointment and indicates the amount or proportion each such organization is to receive; and

"(D) the power of appointment is exercised in favor of such organizations and in the amounts or proportions specified in the affidavit required under subparagraph (C)."

The affidavit referred to in subparagraph (C) shall be attached to the estate tax return of the decedent and shall constitute a sufficient basis for the allowance of the deduction under this paragraph in the first instance subject to a later disallowance of the deduction if the conditions herein specified are not complied with.

SEC. 2. Section 6503 of the Internal Revenue Code of 1954 (suspension of running of period of limitations) is amended by redesignating subsection (e) (cross references) as subsection (f) and inserting the following new subsection:

"(e) Certain powers of appointment: The running of the period of limitations for assessment or collection of any tax imposed by chapter 11 shall be suspended in respect of the estate of a decedent claiming a deduction under section 2055 (b) (2) until 30 days after the expiration of the period for assessment or collection of the tax imposed by chapter 11 on the estate of the surviving spouse."

With the following committee amendments:

Page 1, line 10, strike the word "the."

Page 2, line 1, strike out everything up to and including "August 16, 1954."

Page 3, line 2, strike "(C)", and insert "(C)."

Page 3, strike out lines 3 through 8.

Page 3, line 9 insert "The affidavit referred to in subparagraph (C) shall be attached to the estate tax return of the decedent and shall constitute a sufficient basis for the allowance of the deduction under this paragraph in the first instance subject to a later disallowance of the deduction if the conditions herein specified are not complied with."

Page 4, at the end of line 2 insert a new section as follows:

"SEC. 3. The amendments made by this act shall apply in the case of decedents dying after August 16, 1954."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, H. R. 11834 amends the section of the Internal Revenue Code of 1954 that allows a deduction for bequests to charity. Under present law, the estate of a decedent is allowed a deduction for the amount that passes to charity under a bequest. This is true whether the bequest is directly to charity or whether the bequest goes to charity after a legatee disclaims his right to receive the bequest. For example, if a trust were set up giving a testamentary power of appointment to the spouse of the decedent and the will named a charitable organization as the taker in default if the power was not exercised, the property subject to the power of appointment would go to charity upon the death of the donee of the power if he promptly disclaimed the power. On the other hand, if a charitable organization had not been named as a taker in default, it would have been impossible for the donee to allow the property to go to charity by disclaiming the power.

Under this bill, if the donee of the power in a case like this was over 80 at the time of the death of the decedent, he would be allowed within 1 year to name the charities in whose favor he intends to exercise his power of appointment. Then, if he exercises the power as he stated he would in the affidavit, the estate of the decedent will receive a deduction for the portion of the bequest that passes to charity in this manner. Since the tax liability of the decedent cannot be definitely determined until the death of the surviving spouse, the provision is limited to cases where the surviving spouse is over 80, so that the liability of the first estate will not be left undetermined for an excessive period.

This bill was unanimously reported by the Committee on Ways and Means.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, I am glad to join my distinguished chairman in urging passage of H. R. 11834. This bill was introduced by my good friend from New York and colleague on the Committee on Ways and Means, the gentleman from New York [Mr. KEOGH] and an identical bill was introduced by myself.

H. R. 11834 prevents a very harsh and inequitable result from occurring under the present estate tax law. The sole beneficiary of this legislation will be charity

The bill was unanimously reported by the Committee on Ways and Means, and I urge its adoption by the House.

USE OF CORPORATION PROPERTY BY A SHAREHOLDER

Mr. COOPER. Mr. Speaker, by direction of the Committee on Ways and Means, I ask unanimous consent for the immediate consideration of the bill (H. R. 11747) to amend section 223 of the Revenue Act of 1950 so that it will apply to taxable years ending in 1954 to which the Internal Revenue Code of 1939 applies, which was unanimously reported by the committee.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 223 of the Revenue Act of 1950 (relating to use of corporation property by a shareholder) is amended by striking out "and before January 1, 1954," and inserting in lieu thereof "to which the Internal Revenue Code of 1939 applies."

SEC. 2. No interest shall be allowed or paid on any overpayment resulting from the amendment made by the first section of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, H. R. 11747 modifies the provisions of section 502 (f) of the Internal Revenue Code of 1939 to provide that personal holding company income is not to include rents received during taxable years ending after December 31, 1953, to which the Internal Revenue Code of 1939 applies, if the rents are for the use of property belonging to a corporation where the lessee uses the property in the operation of a bona fide commercial, industrial, or mining enterprise.

As will be recalled, treatment identical to that allowed under this bill was provided for years ending before January 1, 1954, by the Revenue Act of 1950 and by Public Law 370, 84th Congress. Somewhat similar treatment is provided for years beginning after December 31, 1953, and ending after August 16, 1954, by the Internal Revenue Code of 1954.

Prior to the enactment of Public Law 370 there existed the anomalous situation whereby the rental of property by a company to its principal stockholders was permitted in certain cases with respect to the years 1946 through 1949 and for 1954 and subsequent years, and was not subjected to the penalties of being dominated by a personal holding company income, but was classified as personal holding company income for the years 1950 through 1953. It was the intention of Public Law 370 to completely remove this anomaly but by an oversight the rule provided by the Revenue Act of 1950 was not by Public Law 370 made applicable to those years ending after December 31, 1953, which are not covered by the 1954 code. For example, Public Law 370 did not extend to fiscal years beginning in 1953 and ending in 1954.

The provisions of H. R. 11747 cover the gap in existing law and provide a consistent rule for rents derived from the use of property owned by a corporation and used by the lessee in the operation of a bona fide commercial, industrial, or mining enterprise.

H. R. 11747 was ordered unanimously reported by the Committee on Ways and Means.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, H. R. 11747 simply provides that personal holding company income under section 502 (f) of the Internal Revenue Code of 1939 does not include rent received during taxable years ending after December 31, 1953, with respect to which the 1939 code is applicable. The amendment is to be applicable only if the rents are for the use of property belonging to a corporation where the lessee uses the property in the operation of a bona fide commercial, industrial, or mining enterprise. In reality, Mr. Speaker, this bill simply fills what I believe was an unintentional gap in existing law. The bill was introduced by my distinguished friend from North Carolina [Mr. JONAS]. I know of no objection to this legislation.

This bill was reported unanimously by the Committee on Ways and Means.

PHONOGRAPH RECORDS

Mr. COOPER. Mr. Speaker, by direction of the Committeee on Ways and Means, I ask unanimous consent for the immediate consideration of the bill (H. R. 8905) to amend section 4141 of the Internal Revenue Code of 1954 for the purpose of repealing the manufacturers excise tax on children's phonograph records retailing for 25 cents or less, which was unanimously reported by the committee.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) section 4141 of the Internal Revenue Code of 1954 is amended by adding after the words "Phonograph records," the words "except records retailing for 25 cents or less." (b) The amendment made by this act shall be effective only with respect to phonograph records sold on or after the first day of the first month which begins more than 10 days after the date of the enactment of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That section 4141 of the Internal Revenue Code of 1954 is amended—

"(1) by inserting immediately after 'Phonograph records' the following: ', except records to sell at retail for 25 cents or less' and

"(2) by adding at the end thereof the following new sentence: 'In determining the retail price of a phonograph record, for purposes of this section regard shall be had to the ordinary retail price of such record in its principal market.'

"SEC. 2. The amendments made by this act shall be effective only with respect to phonograph records sold by the manufacturer, producer, or importer thereof on or after the first day of the first month which begins more than 10 days after the date of enactment of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, section 4141 of the Internal Revenue Code of 1954 imposes a 10 percent excise tax on the sale of radio and television sets, phonographs, and records. H. R. 8905 amends section 4141 to remove from the items subject to tax, records which sell at retail for 25 cents or less. Records selling at retail for 25 cents or less are primarily designed for children. As it will be recalled, both the Revenue Act of 1941 and 1951 granted relief from the Federal excise tax on sporting goods to specific sizes or types of articles subject to the sporting goods' tax which are predominantly used by children. Hence, the treatment provided in H. R. 8905 for phonograph records retailing for 25 cents or less is consistent with previous congressional action in restricting the scope of the Federal excise taxes so as to make them applicable to articles used predominantly by children.

It will be noted that the bill provides that in determining the retail price of a phonograph record that due regard shall be given to the ordinary retail price of the record in its principal market.

This bill was ordered reported unanimously by the Committee on Ways and Means.

DUTY-FREE ENTRY OF CERTAIN MOSAICS

Mr. COOPER. Mr. Speaker, by direction of the Committee on Ways and Means, I ask unanimous consent for the immediate consideration of the bill (H. R. 11035) to provide for the duty-free entry of mosaics designed for the use of any corporation or association organized and operated exclusively for religious purposes, which was unanimously reported favorably by the committee.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That paragraph 1774 of the Tariff Act of 1930, as amended (U. S. C. 1952 edition, title 19, section 1201, paragraph 1774) is further amended to read as follows: "Altars, pulpits, communion tables, baptismal fonts, shrines, or parts of any of the foregoing, mosaics and statuary (except casts of plaster of paris, or of compositions of paper or papier-mache), imported in good faith for the use of, either by order of or for presentation (without charge) to, any corporation or association organized and operated exclusively for religious purposes."

This act shall apply to all entries which have not been liquidated at the time of enactment hereof.

With the following committee amendments:

Page 1, line 6, after "shrines", insert "mosaics,".

Page 1, line 7, strike out "mosaics."

Page 2, strike out lines 3 and 4, and insert:

"This act shall apply to articles entered, or withdrawn from warehouse, for consumption on or after the date of enactment of this act, and to mosaics covered by entries or withdrawals which have not been liquidated or the liquidation of which has not become final on such date of enactment."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, at the present time, paragraph 1774 of the Tariff Act of 1930, as amended, provides for the duty-free entry of altars, pulpits, communion tables, baptismal fonts, shrines, or parts of any of the foregoing, and statuary, when imported in good faith for the use of, either by order of, or for presentation—without charge—to, any corporation or association organized and operated exclusively for religious purposes.

However, under present law, works in mosaic are not exempt from duty, when imported for use by religious institutions.

The purpose of H. R. 11035 is to provide for the duty-free entry of works in mosaic, or parts thereof. The bill includes not only works in mosaic such as are used in churches for the decoration of ceilings, walls, or floors, but also parts of mosaic works.

The departmental reports received by the committee on H. R. 11035 were favorable.

Your committee is unanimous in urging favorable action on H. R. 11035.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, I am glad to join in urging favorable consideration of H. R. 11035 which simply provides for the duty-free entry of mosaics designed for the use of any corporation or association organized and operated for religious purposes.

STAINED GLASS

Mr. COOPER. Mr. Speaker, by direction of the Committee on Ways and Means, I ask unanimous consent for the immediate consideration of the bill (H. R. 10957) to provide for the free entry of certain stained glass or prefabricated panels of stained glass imported for use in the construction of a new sanctuary and auxiliary buildings for the First Presbyterian Church of Stamford, Conn., which was unanimously reported by the committee.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby directed to admit free of duty any stained glass or any prefabricated panels consisting of stained glass set in reinforced concrete with fastening devices which may be imported within the 12-month period commencing on the date of enactment of this act for use in the construction of a new sanctuary and auxiliary buildings for the First Presbyterian Church of Stamford, Conn.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, under paragraph 1810 of the Tariff Act of 1930, as amended, there is provision for the free entry of works of art, including stained or painted window glass or stained or painted glass windows which are works of art when imported to be used in houses of worship, valued at $15 or more per square foot. The Tariff Commission advises that currently most stained glass used for churches is valued at over $15 per square foot and therefore is admitted free of duty under paragraph 1910.

The bill, H. R. 10957, directs the Secretary of the Treasury to admit free of duty any stained glass or any prefabricated panels consisting of stained glass set in reinforced concrete with fastening devices which may be imported, within the time specified, for use in the construction of a new sanctuary and auxiliary buildings for the First Presbyterian Church of Stamford, Conn. The bill provides for a period of 12 months from date of enactment within which such glass or panels may be admitted free of duty.

The Ways and Means Committee is unanimous in recommending enactment of H. R. 10957.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, H. R. 10957 merely provides for the entry free of duty of certain stained glass or prefabricated panels of stained glass imported for use in the First Presbyterian Church of Stamford, Conn. The bill is sponsored by my good friend and distinguished Representative from Connecticut [Mr. MORANO].

I am glad to join in urging its passage by the House. It was unanimously approved by the Committee on Ways and Means.

CONTRIBUTIONS TO MEDICAL RESEARCH ORGANIZATIONS

Mr. COOPER. Mr. Speaker, by direction of the Committee on Ways and Means, I ask unanimous consent for the immediate consideration of the bill (H. R. 12152) to amend the Internal Revenue Code of 1954 to provide for the allowance, as deductions, of contributions to medical research organizations, which was unanimously reported by the committee.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 170 (b) (1) (A) (iii) of the Internal Revenue Code of 1954 (68A Stat. 58) is amended by inserting after "a hospital" the words "or medical research organization directly engaged in the continuous active conduct of medical research in conjunction with a hospital and such contributions are spent by such organization for such purpose, beginning with the calendar year in which such contributions are made and extending over a period of not more than 4 consecutive years."

With the following committee amendment:

Strike out all after the enacting clause and insert: "That section 170 (b) (1) (A) (iii) of the Internal Revenue Code of 1954 (relating to charitable contributions and gifts) is amended by inserting immediately after 'section 503 (b) (5),' the following: 'or to a medical research organization (referred to in section 503 (b) (5)) directly engaged in the continuous active conduct of medical research in conjunction with a hospital if during the calendar year in which the contribution is made such organization is committed to spend such contributions for such research before January 1 of the fifth calendar year which begins after the date such contribution is made.'

"SEC. 2. The amendment made by this act shall apply only with respect to taxable years beginning after December 31, 1955."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, under present law, the maximum limitation on the deduction for charitable contributions by individuals is 20 percent, but an additional 10 percent is allowed in the case of contributions to schools, churches, and hospitals. H. R. 12152 will amend the Internal Revenue Code of 1954 to provide that contributions to a medical research organization which is directly engaged in the continuous active conduct of medical research in conjunction with a hospital will be treated the same as contributions directly to a hospital. However, contributions will qualify under this new provision only if the medical research organization is committed to spend the contribution for the active conduct of medical research in conjunction with a hospital before the

end of the fourth calendar year that begins after the contribution is made.

The amendment will apply with respect to taxable years beginning after December 31, 1955.

This legislation was unanimously approved by the Committee on Ways and Means.

Mr. REED. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, H. R. 12152 was introduced by my good friend and distinguished colleague on the Committee on Ways and Means, Mr. CURTIS of Missouri. It simply provides that contributions to a medical-research organization which is directly engaged in the continuous active conduct of medical research in conjunction with a hospital will be treated in the same manner as if the contributions had been made directly to a hospital.

It will be recalled that the Internal Revenue Code of 1954, which I sponsored in the last Congress, provided an additional 10-percent deduction with regard to contributions to schools, churches, and hospitals. The pending bill simply provides a logical extension of this humane principle. I urge its adoption by the House.

VETERANS' LEGISLATION

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rise again to earnestly beg that the House do not adjourn until we pass our veterans' legislation. We passed a quite discriminatory bill on servicemen's benefits and we should even things out and pass a small pension bill and an increased compensation bill.

HOUR OF MEETING TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow.

Mr. HOFFMAN of Michigan. Mr. Speaker, reserving the right to object, in view of the fact the Chudoff comittee is meeting tomorrow morning and has been meeting every morning, I object.

The SPEAKER. Would the gentleman from Michigan object to the House meeting at 11 o'clock tomorrow morning?

Mr. HOFFMAN of Michigan. Mr. Speaker, the Chudoff committee meeting runs from 10 o'clock in the morning until 12 o'clock. If the leadership can get the gentleman from Pennsylvania [Mr. CHUDOFF] to let up on these meetings, it will be all right, otherwise I have to object—I am just forced to object.

The SPEAKER. Does the gentleman from Pennsylvania [Mr. CHUDOFF] desire to be heard?

Mr. CHUDOFF. Mr. Speaker, we are conducting very important hearings. The rules of the House provide that we may meet while the House is in session. Of course, I do not want to interfere with the orderly procedure and the work of the Congress. I know it is planned to adjourn and in view of that fact, the Chudoff committee will meet at 1 o'clock tomorrow rather than at 10 o'clock in the morning.

Mr. HOFFMAN of Michigan. Mr. Speaker, that does not help any if we have to be there at 1 o'clock.

The SPEAKER. That would not interfere with the House meeting at 10 o'clock.

Mr. HOFFMAN of Michigan. If the gentleman would ask the committee to meet tomorrow night at 7 o'clock that would be all right with me.

Mr. ALBERT. Mr. Speaker, would the gentleman from Michigan object to the House meeting at 11 o'clock tomorrow morning?

Mr. HOFFMAN of Michigan. Yes, Mr. Speaker; I am forced to object because the gentleman from Pennsylvania [Mr. CHUDOFF] insists on holding these hearings and they are dumping reports on us at the rate of about two a week and they are reports of hearings that closed last March and a year ago, and it is just impossible for us to prepare answers.

The SPEAKER. Objection is heard.

Mr. CHUDOFF. I simply want to say, Mr. Speaker, that if the House wants to meet early I am perfectly willing to postpone the hearings until 1 o'clock. After the House goes into session we can meet anyway, for we have permission to meet during the sessions of the House.

The SPEAKER. The House cannot meet at 10 o'clock, however, unless the gentleman from Pennsylvania satisfies the gentleman from Michigan.

The Chair does not understand why the gentleman could not meet on the adjournment of the House tomorrow. It would be a great accommodation, because 2 hours at this time of the year means a lot.

Mr. CHUDOFF. Mr. Speaker, we will meet tomorrow, then, when the House adjourns, or 7 p. m., whichever is earlier.

Mr. ALBERT. Mr. Speaker, I renew my request that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow.

Mr. HOFFMAN of Michigan. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I make the further request that when the House adjourns tomorrow it adjourn to meet at 10 o'clock on Thursday.

Mr. HOFFMAN of Michigan. Mr. Speaker, reserving the right to object——

Mr. GROSS. Mr. Speaker, I object. Get it for tomorrow. Let us find out what is going on.

The SPEAKER. Objection is heard.

Mr. HESELTON. Mr. Speaker, I ask unanimous consent that I may extend in the body of the RECORD the remarks I intended to make under my special order and include a tabulation.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

WHEN WILL THE NATIONAL EMERGENCY TERMINATE?

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Ohio [Mr. VANIK] is recognized for 10 minutes.

Mr. VANIK. Mr. Speaker, I want to take this opportunity to call the attention of this Congress to the fact that our country has been operating under a state of emergency ever since the present administration was installed on January 20, 1953. The emergency was declared at the time of the Communist invasion of Korea—June 25, 1950. That war is supposed to be over. At least some people are claiming credit for it.

If the administration does not know how to turn off the emergency, perhaps they ought to study the history preceding this administration when a declaration of emergency was used only for emergency purposes. Otherwise the American people will not know how to respond when a critical emergency exists. Of the 1,282 days of this administration, there have been 1,282 days of national emergency. They tell us these are the days of relaxation, business as usual, normalcy and recovery. How do they reconcile these statements with the existence of this national emergency which the present administration has not terminated?

The people of the United States must be set straight on the continuance of the national emergency. They ought to be advised as to what extraordinary conditions exist today, what reason is there for the continuation of these emergency powers? Is the national security threatened? If so, by whom?

What must the rest of the world think about the United States of America today operating under a state of emergency? There is no state of emergency in France, in Belgium, in the Netherlands, Norway, Sweden, Spain, West Germany, Austria, Switzerland, and throughout the nations of the British Commonwealth. Canada terminated the state of emergency on May 31, 1954.

There is not a state of national emergency in Australia, New Zealand or the Union of South Africa. In Pakistan there is a declared state of emergency which arises from a constitutional crisis. In the Near East there is no state of emergency except that which exists in the State of Israel. What is there about the emergency powers which this administration requires in order to get along?

Mr. MURRAY of Illinois. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from Illinois.

Mr. MURRAY of Illinois. What are these emergency powers and how far do they carry into our legislation?

Mr. VANIK. I cannot specifically answer that question because under the declaration of a national emergency, the President's powers extend widescale throughout the whole body of administrative law. It would take a long time to recite the great area of law and the administration of public affairs which is affected by an emergency declaration of the President.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from Iowa.

Mr. GROSS. Is there a national emergency in these foreign countries for which we have appropriated billions of dollars? I have been voting against that for a long time. I do not know whether the gentleman has been voting against that proposition or not. If there is not a national emergency in those countries why are we pouring money over there?

Mr. VANIK. We are supporting our friends in this world in order to preserve the security of our country, in order to avoid a condition that might necessitate a state of emergency.

Mr. GROSS. There must be a state of emergency in those countries if we continue to pour money over there for them. We are asked to support them to the extent of $4 billion this year.

Mr. VANIK. Does the gentleman think today there is a reason for a state of emergency in this country?

Mr. GROSS. I voted against those programs. I suspect I have voted against more of these domestic carryover emergencies and powers than the gentleman has.

Mr. VANIK. I believe the gentleman has. But is there a state of emergency today? Is there any reason for continuation of the President's powers in this respect?

Mr. GROSS. I agree with the gentleman that many of them ought to be eliminated.

Mr. MURRAY of Illinois. The gentleman from Iowa referred to our foreign aid program and its application to this emergency. How about our domestic programs? How much of our domestic program is predicated on emergency powers?

Mr. VANIK. I believe that, under the Defense Production Act and under a great many other acts, the President's powers are widely extended with the use of these emergency powers, and I think conditions in America do not warrant it.

Mr. Speaker, I believe that the Executive must administer the affairs of this country without relying upon these emergency powers. I think that a state of emergency, when declared so by the President, is a privilege which the Chief Executive must use with restraint. It must be used when there is a threat to the national security and must be continued only so long as such threat to the national security continues. I certainly hope this administration, some time before it expires, will terminate this state of emergency.

Mr. DORN of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from South Carolina.

Mr. DORN of South Carolina. The gentleman is right. There are a lot of crimes against people committed in the name of national emergencies. There are a lot of dictatorial powers that are foisted on the people in the name of an emergency.

Mr. VANIK. The gentleman is exactly right. The laws are lifted, the statutes are suspended, in effect, by reason of a Presidential declaration of an emergency.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from Michigan.

Mr. DINGELL. I understood that at the time the present administration came in it was with the idea of eliminating some of these vast powers of a bureaucratic Government, according to the compaign speeches of Mr. Eisenhower that I read.

Mr. VANIK. That was claimed, but we find nothing has been eliminated. This administration, on the contrary, has had to rely upon all of these emergency powers in order to carry on the work-a-day functions of Government.

Mr. DINGELL. It appears to me we are going too far, that we are relying on emergency powers to do what is ordinarily necessary to be done for the housekeeping of the Government.

Mr. VANIK. The gentleman is absolutely right.

Mr. Speaker, it certainly is my hope that before this Congress adjourns something can be done to call a halt to the national emergency which this administration seems to be unable to terminate.

HOW THE SPOILS SYSTEM HAS RUINED THE FISH AND WILDLIFE SERVICE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. REUSS] is recognized for 60 minutes.

Mr. REUSS. Mr. Speaker, prior to 1953 there was no finer career service in our Government than the Fish and Wildlife Service of the Department of the Interior. Its officers and employees from top to bottom had civil service status. Its ranks naturally included both Republicans and Democrats, but they were selected and promoted on the basis of devotion to conservation, not devotion to a political party.

The performance of the Fish and Wildlife Service during all the years from its establishment in 1940 to 1953 reflected this devotion to conservation principles. During these years the Service enlarged the wildlife refuges, and resisted attempts of the oil and gas interests to invade them. It fearlessly enforced the Federal regulations designed to preserve our dwindling waterfowl. And it went about its job with an efficiency and a spirit that was a joy to behold.

The 15 million licensed hunters, and the 5 million citizens who enjoy recreation in the national wildlife refuges, had reason to feel that their interests were being protected. As taxpayers, and as sportsmen who bought the 2 million Federal $2 duck stamps every year, they had reason to feel that their money was well spent.

THE 1952 PLEDGE

President Eisenhower was elected on a Republican 1952 national platform which pledged:

> We favor a personnel program for the Federal career service comparable to the best practices of progressive private employers. Federal employees shall be selected under a strengthened and extended merit system. Civil servants of ability and integrity shall receive proper recognition, with merit the sole test for promotion.

But no sooner had he taken the oath of office in 1953 than he proceeded to introduce the spoils system into the Fish and Wildlife Service, as into many other agencies. From 1940 to 1953, the top echelon of the Fish and Wildlife Service consisted of 18 positions of the grades of GS–13 or higher—roughly speaking $10,000 a year and up—all of them civil service:

One director, GS–17, career.

Two assistant directors, GS–15, career.

Two assistants to director, GS–13, career.

Six regional directors, GS–14, career.

Seven assistants to regional directors, GS–13, career.

Total, 18.

The total annual salary cost for these positions—assuming the highest paid bracket for each grade—was $209,920.

DOUBLING THE COST

Shortly after taking office, the present administration changed the top six positions in the Fish and Wildlife Service from the career service to political appointments. In addition, it more than doubled the positions at GS–13 and above, from 18 to 38, with the cost to the taxpayer increased from $209,920 to $435,090, an increase of $225,170, as follows:

One Director, GS–17, political appointment.

One Associate Director, GS–16, political appointment.

Two Assistant Directors, GS–15, political appointment.

Two Assistants to Director, GS–15, political appointment.

Two Assistants to Director, GS–13 and GS–14, career.

Five Regional Directors, GS–14, career.

Nineteen Assistant Regional Directors, GS–13, career.

One Fisheries Administrator, GS–14, career.

One Wildlife Administrator, GS–14, career.

Four Assistant Administrators, GS–13, career.

Total, 38.

Albert L. Day, the long-time career Director of the Fish and Wildlife Service, was removed, and a political appointee put in his place, as was done in the other positions placed under the spoils system. When the smoke of battle had cleared, the six top positions had been put under spoils and the Service's top echelon had been more than doubled in numbers and salary costs.

REPUBLICANS ARE DISGUSTED TOO

It should hardly be necessary, in 1956, to point out that the Civil Service principle is a valid one. Fish and Wildlife Service employees, acting under policies laid down by Congress and by the Secretary, Under Secretary, and Assistant Secretary of Interior, should be civil servants, because their allegiance should be to conservation, not to the Democratic or Republican Parties.

It is not merely Democrats, Mr. Speaker, who are disgusted with the ending of the Fish and Wildlife Service as a career service. Dr. Ira N. Gabrielson, himself a former Director of the Fish and Wildlife Service, a life-long Republican and brother of former Republican National Chairman Guy Gabrielson, recently said:

I worked under Roosevelt and Truman for 20 years, but this [Republican] crowd has done more in 3 years to make me a Democrat than anything the Democrats ever did.

Dr. Gabrielson, in his capacity as president of the Wildlife Management Institute, told the North American Wildlife Conference at New Orleans on March 5, 1956:

I want to reiterate that the actions of the Department of the Interior in destroying the non-political status of the Fish and Wildlife Service and making it as political as all the worst State conservation departments is a long step backward.

And here is a letter I have recently received from a disgusted Republican and former conservation commissioner of Wisconsin, Dr. J. Arthur Riegel, of St. Croix Falls, Wis.:

JUNE 25, 1956.

Representative HENRY REUSS,
House of Representatives,
Washington, D. C.

DEAR SIR: The conservationists in this area and throughout the Nation have been greatly alarmed at the increasing threat to the administration of our basic natural resources, particularly under our present Republican regime. A great deal of relief was felt by the well-informed conservation agencies of the Nation when Secretary of Interior McKay resigned. Following this an Executive order to disintegrate the activities of the Fish and Wildlife Service to the end that it more readily be controlled by the commercial fishing interests of the Nation, constitutes a critical and dangerous threat to the effective and honest management of our numerous vast resources of our country. While the Fish and Wildlife Service has been recently dominated by political motives and leadership, particularly since Lyle Day was replaced as Administrator, a further step in the distintegration of this extremely important Government agency is being accomplished by taking out from under their control the administration of our fisheries resources. If this policy continues among us, many of us who are Republicans, in spite of our loyalty to the party, will feel compelled to repudiate it because of our devotion to the cause of conservation.

Sincerely yours,

J. A. RIEGEL, M. D.,
Past Conservation Commissioner of Wisconsin.

The introduction of the spoils system since 1953 is the principal cause of the Fish and Wildlife Service's utter failure to protect the wildlife refuges and wildlife itself.

MISMANAGEMENT OF REFUGES

The Service's mismanagement of the wildlife refuges is well summed up in the unanimous bipartisan report of the House Merchant Marine and Fisheries Committee on March 22, 1956. The report condemns the Fish and Wildlife Service and the Department of the Interior for issuing 60 oil leases in the wildlife refuges—plus 214 leases on other lands administered by the Fish and Wildlife Service—during the 2½-year period from August 1953, to December 1955, despite the existence of a stop order during this period prohibiting any leases whatever. These 60 oil leases contrast with the 6 oil leases issued in the entire 20-year period prior to 1953. As the unanimous report found, "such increased activity in the issuance of leases—can only result in serious damage to the wildlife refuge system in this country." Barnet Nover, Washington correspondent for the Denver Post, summed up the report on April 15, 1956, as follows:

When a committee of Congress made up of 17 Democrats and 12 Republicans issues in an election year a unanimous report charging a department of the Government with having been derelict in its duty in an important field of its operations, the American people have reason to sit up and take notice.

The evil effects of the political spoils system are also demonstrated in the story of duck-baiting, which has been told in detail in this House before, the last time last week—CONGRESSIONAL RECORD, July 11, 1956, pages 12387–12391. During and previous to the administration of the Fish and Wildlife Service by Director Albert Day, the Federal ban on luring ducks to the guns by grain or other bait was rigorously enforced, over the protests of various duck-hunting clubs in California and elsewhere who wanted the right to shoot ducks with bait placed as close as 200 yards to the guns. Civil servant Albert Day would not trim on his enforcement policy. But the spoils system took care of him. He was removed in August 1953, his job was taken off the civil service and classified as a political appointment, and in his place was appointed the present Director, John L. Farley, of California. The information that Mr. Farley was the candidate of California duck-hunting clubs is contained in an article written by former Republican Under Secretary of the Interior Ralph A. Tudor, of California, who was a party to the removal of Mr. Day:

Even before I left for the Capital to take on the new job, my friends in the banking business were telling me that I must do something about the Fish and Wildlife Service. Complaints about Fish and Wildlife continued to reach me at my desk in Washington, and 90 percent of them were from bankers. This puzzled me at first, for it would seem more logical for unhappy bankers to be writing the Secretary of the Treasury. It turned out, however, that apparently every banker on the west coast is a duck hunter. Fish and Wildlife has a rough job, for among its many duties it must tell people when and how long they can hunt and how many ducks they can take—and evidently it is impossible to satisfy a duck hunter.

I turned the tables on the complainants in this instance by making them talent scouts. My reply to them was that the best way to start improving the Fish and Wildlife Service was to get the man available to head it—and had they any suggestions? The upshot was that they had, and that is how John L. Farley, ardent fisherman, former schoolteacher, businessman, and onetime executive officer of the California Fish and Game Department, came to head the Fish and Wildlife Service. (Saturday Evening Post, Nov. 27, 1954.)

THE LOSTETTER REPORT

With the firing of the civil servants and the hiring of the political appointees, the California duck-hunting clubs were given the green light, and have been merrily shooting ducks over bait from 200 yards to one-half mile from the guns ever since, without a single arrest for offenses involving these distances in the last three seasons. Director Farley and the Department of the Interior have attempted to excuse this winking at violations of the Federal anti-duck-baiting regulation on the ground that it is necessary to let the California duck-hunting clubs use bait in order to save California farmers from crop depredations by ducks. This absurd contention was exploded by the March 1955 report of Fish and Wildlife Service biologist Clinton H. Lostetter—a career civil servant whose job the administration has not yet gotten around to classifying as a political patronage job, so as to permit the firing of Mr. Lostetter. The Lostetter report, suppressed for many months by the Service, concluded that the California situation "was a deceptive maneuver of some of the duck clubs, through administrative channels, to get legalized baiting for their clubs." And President Harley Knox of the California Fish and Game Commission recently acknowledged that "the feeding allowed in California is in fact baiting ducks to guns, contrary to Federal regulations." Certainly the enactment of Public Law 654, approved July 3, 1956, which authorizes the use by the Department of the Interior of surplus grain for luring ducks away from farmers' fields, without exposing the ducks to being shot at, removes any excuse—if any ever existed—for the Fish and Wildlife Service's continued winking at duck-baiting violations.

WHAT THE SPOILS SYSTEM MEANS

The spoils system has meant not only that the Fish and Wildlife Service has made a 180-degree turn and is now working against conservation rather than for conservation. It has also undermined the morale of the service, causing many fine career civil servants to leave, and those who have stayed, to lose heart.

Moreover, the firing of the civil servants, and the bringing in of the political spoilsmen, has made the Fish and Wildlife Service the artful dodger among governmental agencies. To try to nail them down on anything is next to impossible. Thus the Committee on Merchant Marine and Fisheries, in investigating oil leases in the wildlife refuges, found that oral testimony regarding these leases was hopelessly conflicting and confusing both as to the number of leases involved and as to the location.

Successive stories of the number of leases ranged from 52 leases, to 89 leases, to 82 leases, and finally to 590 leases. The Service's attempt to suppress the revealing Lostetter report on duck baiting was another shabby example of governmental evasion.

The Nation's conservationists call upon President Eisenhower to restore the civil service in the Fish and Wildlife Service. Not until the spoils system ends can we hope for honest and conscientious administration of our wildlife resources.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I am glad to yield.

Mr. GROSS. Is the gentleman trying to absolve Albert Day from any part in duck-baiting on Chesapeake Bay? Is he saying he had no part in that shooting episode?

Mr. REUSS. I am not saying anything of the kind. I have not talked about any baiting on Chesapeake Bay. However, as long as the gentleman raises the question, let me say that in June 1955, the assertion was made from the floor that Mr. Day had been involved in duck-baiting on the Chesapeake Eastern Shore. I then investigated the matter and asked the committee which had done the investigating for its files and records. As a result of the investigation which I made it is quite clear to me that Mr. Albert Day was in no way involved in any duck-baiting on the Eastern Shore of Maryland, the western shore of Maryland, or anywhere else; and that the attempts to implicate him in duck-baiting episodes over there were the effort of disgruntled employees of the Fish and Wildlife Service; and that finally, if there had been the slightest element of truth to these charges it would have been proper and necessary, and indeed the duty of Secretary of Interior McKay, to commence criminal proceedings against Albert Day for his duck-baiting. That was never done. So that I think the record speaks quite highly of the performance of Mr. Day in this particular.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. REUSS. I am glad to yield.

Mr. GROSS. I happen to have been a member of the investigating subcommittee. I happen to have heard the testimany that was taken under oath. I happen to have a file of the summary of those proceedings. Does the gentleman tell me that Mr. Day had nothing to do with the transportation of shrubbery from the Patuxent Wildlife Refuge to his home here in Washington, using shrubbery taken from that wildlife refuge to landscape his home here?

Mr REUSS. I know nothing whatever of any charges concerning the transportation of shrubbery by Mr. Day or by anybody else from Patuxent. But let me say that if Mr. Day did transport shrubbery and if for any reason that was in violation of any Federal law or regulation, then I think that it is outrageous that the Department of the Interior and the Department of Justice of this administration have not seen fit to prosecute Mr. Day to the full extent of the law; and since they have not, I conclude that he is as guiltless of this charge as of the alleged duck-baiting charge.

Let me furthermore invite the gentleman from Iowa to spread on the RECORD of this body the proceedings of the committee to which he refers, because as far as I can tell those were star chamber proceedings, without their findings being revealed at all. Let us take the veil of secrecy off that and, if it shows any criminal behavior by Mr. Day or by anyone else, let us then ask Attorney General Brownell why it is that he has not commenced prosecution for it.

Mr. GROSS. I will be most happy to sit down with the gentleman and show him the information I have. I think I can convince the gentleman that Mr. Day was not as lily-white as he is tried to be pictured here on the floor this evening.

Mr. REUSS. My purpose is not to discuss here this evening the character of Mr. Day, although I cannot sit quietly by and hear it traduced. My purpose is to call the public's attention to the attitude of this administration in taking the Fish and Wildlife Service out of the civil service, where it has been since its inception, and instituting the spoils system. I want to point out the distressing results of that. I will agree with the gentleman from Iowa that the practice of duck-baiting is an unsportsmanlike and disgusting practice. I share his indignation at it. I hope he will join me in my indignation not at any one individual but at the whole top Fish and Wildlife Service political echelon for permitting the practice of duck-baiting to go on in many sections of the country.

Mr. GROSS. Yes. I was one of those who went to the Secretary of the Interior, Mr. McKay, and tried to get this gentleman eliminated long ago. We were successful, I may say to the gentleman.

Mr. REUSS. Has the gentleman been to Mr. McKay's successor trying to secure the elimination of Mr. Day's successor, or is he selective in his indignation about duck-baiting?

Mr. GROSS. No; because this happened a couple or 3 years ago.

Mr. REUSS. The winking at duck-baiting has now been going on for 3 years under Mr. Day's successor. Has he done anything about that?

Mr. GROSS. I do not know that any official of the Fish and Wildlife Service has been caught shooting ducks over baited blinds since that time.

What I am trying to say is that Mr. Day did not go out because of the spoils system; he went out because of what I consider to be his misdeeds as Director of the Fish and Wildlife Service.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Michigan.

Mr. DINGELL. I believe I can throw some light on this subject. I believe that Secretary McKay was once asked by Mr. Day as to why he was relieved from his office in the Fish and Wildlife Service. In response to Mr. Day's question, "Was it fins or feathers that got me?" Secretary McKay said, "Albert, I believe it was a mixture of fins and feathers that got you." I think the reason the allusion was made originally was as to whether it was the commercial fishing interests or the large sportsmen's clubs on the west coast which wanted to bait ducks that was responsible. The conclusion was reached that it was a mixture of those two groups which had gotten Mr. Day. That was the reason Mr. Day was discharged, and not the reason the gentleman from Iowa had alluded to so far.

Mr. PILLION. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from New York.

Mr. PILLION. I wonder if the gentleman from Michigan had occasion to read a report submitted by the Subcommittee on Administration of the Interior Committee which contained probably a summation of the reasons why Mr. Day was retired from the Interior Department? It contained a long list of malfeasances in office and misfeasances in office and bordered upon criminality. If the gentleman will take the occasion to read that report which was submitted to the Department of the Interior, I am sure he will know that it is not a case of fins and feathers, but a very serious situation that exists in the Department of the Interior and in the Fish and Wildlife Service of this country.

Mr. REUSS. I should like to say to the gentleman that so far as I know that report, to which the gentleman refers, is still a secret report. It is still a secret report even though it is some years since its issuance—at least 2 years; is that not correct?

Mr. PILLION. Yes; the testimony taken before the committee was taken in executive session in order to protect and keep from notoriety the gentlemen who were not called before that committee, and that included Mr. Day. However, all of the facts contained and the testimony given before that subcommittee was under oath and the summation and the condensation of the facts are contained in the report by that subcommittee to the Secretary of the Interior, which is not a secret report.

Mr. REUSS. If I may say so, the kind of protection which Mr. Day got from the secrecy of that report is the kind of protection I would not wish on my worst enemy. It seems to me the facts are that all of this allegedly incriminating testimony is and has been kept secret. And neither the press nor Congressmen nor any member of the public nor, indeed, Mr. Day has access to it. Yet, it is used here on the floor of the House under privilege as a method of making insinuations about the character of Mr. Day. I think that is a misuse of congressional privilege.

Mr. PILLION. Would the gentleman also recommend the abolition of the grand jury and the secrecy of the testimony taken there?

Mr. REUSS. I certainly do not. But the House Committee on the Interior and Insular Affairs in hearing this testimony was not acting as a grand jury. It was acting as an investigatory committee and, I think, it would be a most useful thing if the committee made public these hearings of several years ago so that Mr. Day would not constantly be

in the position of having to answer charges he knows not of.

Mr. MURRAY of Illinois. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield.

Mr. MURRAY of Illinois. Is it not a fact that under our constitutional concepts, when a grand jury hears testimony or the testimony is secret, the grand jury has to return an indictment wherein the man knows with what crime he is charged or else the grand jury has to return a "no bill" which indicates there is not sufficient evidence. Is it not a fact that where the malfeasance or nonfeasances or misfeasances constitute a crime, it is the obligation of the committee to report that crime to the Attorney General and then it is the Attorney General's obligation to prosecute that crime and, if there is no prosecution, it is an indication that the man is innocent?

Mr. REUSS. I thank the gentleman from Illinois, who has had great experience in the administration of criminal justice, for his observation. I agree with the observations entirely and, I think, they adequately dispose of these attacks on Albert Day, which are made on the basis of this secret report.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Michigan.

Mr. DINGELL. I would like to say this to my colleague from New York, and as he knows, I have a great deal of personal respect for him. I think my colleague's remarks indicate that Mr. Day had no opportunity to be present while this testimony was taken and has since been offered no opportunity to rebut testimony. The whole proceeding seems to be a case of where the man against whom the charges were made was not given proper consideration nor even the opportunity of being heard.

Mr. REUSS. In effect the proceedings against Albert Day have been dismissed by failure of the prosecution, if I may call it that, to come up with one shred of evidence, even hearsay, or rumor, or anything of the sort.

These charges have been made before under the privilege of the House and I say to the gentlemen who make them, let them repeat these charges off the floor where if criminality is not well supported, they may make themselves subject to slander or libel proceedings. If that is done, then this matter can be properly adjudicated.

Mr. PILLION. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield.

Mr. PILLION. I wonder if I could just explain, if I may, the workings of our Government. First of all, a congressional committee is not the place to hold a hearing to determine the fitness or the unfitness of an employee. That hearing properly belongs within the department.

The Subcommittee on Administration was trying Mr. Day. The Subcommittee on Administration was doing its duty in supervising the overall administration of the Interior Department. We have a duty to perform, and that duty was not that of trying Mr. Day on a charge of unfitness for office.

The question involved was whether or not Mr. Day was properly performing his functions.

The gentleman from Illinois made an allusion here, and I would like to say that we did exactly what the gentleman suggested should have been done, which is that of submitting charges based upon a grand jury investigation, if you want to call it that, to the proper officials in the Interior Department. Those officials were asked to present those facts and those charges to Mr. Day, and I am sure they were so presented, and that Mr. Day was fully acquainted with the charges based upon sworn testimony taken before the subcommittee.

While we are talking about the defense of Mr. Day, do the gentlemen here know that prior to any action on the part of the Interior subcommittee that Mr. Day had made up a magazine type of publication of about 20 pages attacking people in his department which was secretly sent around to the various officials in the regional offices of the country, most of which was untrue, and matters that the gentlemen involved and accused had no chance to rebut whatever? And that Mr. Day took the head of his legal department because he put in a complaint against Mr. Day about participating in shooting ducks over baited grounds, and for that reason the head of the legal department was given an office in which he had no stenographer, no desk, no materials with which to work, taken away from his duties as the head of the legal department? And that gentleman sat there for 3 years without doing a bit of work at the instructions of Mr. Day, and at a great loss to the taxpayers of this country?

Does the gentleman know those things?

Mr. REUSS. No; I do not know that; but I do know that in releasing testimony, which was apparently secret and in executive session, of a committee of this House, testimony which apparently had to do with something about moving shrubs or duck baiting on the Eastern Shore—I suggest to the gentleman that the rules of this House about the revelation of secret testimony are being violated in spirit if not in letter.

Mr. PILLION. If the gentleman will yield, I say again if there were any violations I am sure the gentleman must take the responsibility upon himself, because it is not the first time the gentleman has spoken on the floor of the House on this subject.

Unfortunately, I was not present the last time or the previous time the gentleman spoke on the situation. I wish I had been. I just happened to come in and I heard the subject matter being discussed and I want to set the record straight.

Mr. REUSS. In my remarks about Albert Day, all I said was that he was a civil servant who was removed and a political appointee appointed in his place. I said nothing about shrubs, or duck bait on the Eastern Shore. That was all volunteered by the gentleman from Iowa. I suggest that both the gentleman from Iowa and the gentleman from New York should examine whether or not reference to secret proceedings may not be in violation of the House rule which was adopted in March 1955, to protect people from having their good names and reputations traduced by statements made in executive proceedings.

Let me say, furthermore, that this matter can readily be disposed of within 5 minutes after the conclusion of our remarks by the gentleman from New York and the gentleman from Iowa accompanying me to the hallway opposite the Speaker's office, where the privilege of congressional immunity no longer obtains, and in the presence of the press, which I shall be delighted to convene, let them repeat any charges of criminality on the part of Albert Day. That will show if they have the courage of their convictions. Then we can get a square judicial determination of whether Albert Day is indeed a lawbreaker.

Mr. MURRAY of Illinois. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Illinois.

Mr. MURRAY of Illinois. I do not know this Mr. Day at all or any of the circumstances surrounding this case. The gentleman from New York made the statement that the gentleman was guilty of nonfeasance or misfeasance. Nonfeasance or misfeasance is a criminal act. The gentleman from New York stated there were long hearings and that the long hearings were given under proper authorization. If there were no criminal proceedings brought in connection with those charges, then based on our constitutional concepts, we have got to consider this man innocent of nonfeasance or misfeasance. It is a great wrong to make such unsubstantiated charges.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Michigan.

Mr. DINGELL. I think there is a very simple answer to what the gentleman from New York has pointed out. First, it is very clear from what the gentleman from New York and the gentleman from Iowa have said that Mr. Day was offered no opportunity to appear before the committee and rebut these statements which allegedly were made against him. Second, Mr. Day was expelled from this job of his and he was replaced by a political hack. Third, since that time and in spite of these charges of huge misfeasance or malfeasance, not one thing has been done to bring Mr. Day to justice if these charges which our colleagues make are true.

Mr. REUSS. As I was saying, there is a very simple manner of disposing of this whole thing 5 minutes after the House adjourns, and I shall keep vigil in the hall outside to see whether the two gentlemen wish to repeat off the floor the charges of criminality made on the floor.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. REUSS. I yield.

Mr. GROSS. Well, now, let me say to the gentleman that everything that I have said here this evening were not my

words but as they appeared in the newspapers here in the District of Columbia.

Mr. REUSS. Then, the gentleman has nothing to fear by accepting my invitation, and I will await his appearance and his statement with great interest.

Mr. GROSS. I do not know whether I am going to waste any time in the hall with you tonight, but I will be delighted to see you tomorrow in the hall when we have a little time when the House is in the Committee of the Whole.

Mr. REUSS. I will convene the press for 5 minutes after this presentation so that the gentleman from Iowa, in full possession of all the charges which he has made here now, can make them where, of course, he will not be under the protection of congressional immunity.

Mr. PILLION. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield.

Mr. PILLION. I will be very happy to meet the gentleman anywhere at all.

Mr. REUSS. Fine.

Mr. PILLION. But I will not engage in any publicity contest with the gentleman, nor am I going to go all out for the purpose of attempting to recount the days of testimony that we took in that subcommittee. I do not propose to do that and permit the gentleman to get away with a publicity stunt. However, if the gentleman wants to meet me on any other basis, I will be very happy to meet the gentleman anywhere.

Mr. REUSS. I will be very happy, but I will only wait 5 minutes.

Mr. PILLION. I do not want the gentleman to engage in a publicity stunt.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Speaker, I have been extremely interested in the remarks by our distinguished colleague from the State of Wisconsin [Mr. REUSS], and I will say to the House that it is my firm conviction that he is one of our most able Members and one of the outstanding conservationists in this body.

Mr. Speaker, there is some misunderstanding on what recent criticism of conservation policies of the administration actually means.

I will not devote myself to discussion of the Al Sarena mining case. As the membership will recall, in that case the Agriculture Department did some very peculiar things, including overruling the Forest Service's denial of a patent to the Al Sarena interests and using a firm of assayers who had never before done any examination of ore as a basis for granting the mining patent. This was done after an adverse finding by a regular Agriculture Department assayer. It is also interesting to note that not one spoonful of ore has been mined in this example of McKay's folly, but many thousand board-feet of valuable timber, once public property, has been used for the exclusive benefit of certain speculators.

Mr. Speaker, this was a raid on the Treasury and a blatant and successful attempt to convert the property of all the people to the benefit of a select few.

I will not discuss the D'Ewart grazing bill, which was sponsored by the administration and aimed at turning millions of acres of the public domain over to a few private exploiters, to the injury of all our people. Nor will I mention the unsavory "stumpage bill" which was pushed by the administration and the Republican Party, which would have permitted trading of valuable Federal timberlands for stump lands.

Nor will I discuss the foul-smelling Dixon-Yates giveaway mess, which the administration now announces to the world was based on conflict of interest on the part of one Adolph Wenzel, who represented both the First Boston Corporation, which did the financing, and the United States Government as a special consultant, facts which we Democrats long knew and reported to the people, despite the vigorous denials of the administration. It appears now that the conflict of interest was not limited to one man but belonged to the whole administration. These are cold hard facts, they are well documented and are admitted by the Federal Government.

Nor will I speak of the Federal partnership power policy. God save me from such a partnership. The effect of that policy is to give the profitmaking portion of the facilities, like the generators and turbines to the private power monopolies and to give the unprofitable portion of the facility, the fish ladders, the dam sites and, of course, the submerged lands created by the impoundment to the Federal Government.

But rather, I want to discuss an equally unsatisfactory phase of the record of Giveaway Douglas McKay, that is the policy of granting leases for oil exploration in wildlife refuges.

Now, Mr. Speaker, wildlife refuges are set up to preserve wildlife and not for oil exploration. The two are incompatible. Oil exploration, drilling, and wildlife do not mix any more than do oil and water. To prove this point, analyze the reports of almost incalculable harm done to wildlife by oil wells blowing wild, or burning, or the destruction of wildlife, wild fowl and fish by oil pollution and oil scum.

The small staff of wildlife biologists in the Fish and Wildlife Service was turned into a group of oilfield geologists and managers, a complete perversion of their function. That brought the conservation functions of that Service to a massive confusion. The great disorder within the Interior Department as a result of the wild haphazard leasing program conducted under the misguided Mr. McKay has set the refuge program back further than anything in history.

That this situation has been unsavory has been proven by the fact that a report of my committee, the House Merchant Marine and Fisheries Committee, unanimously condemned these practices, Democrats and Republicans participating to a man in the report condemning the record of the Department of Interior under this field.

What is this record?

First. That during the period of a so-called stop order leasing went on unabated. I refer to the recent report of our House Merchant Marine and Fisheries Committee at page 6, where it appears:

> This suspension order remained in effect without revocation or modification until the issuance of new regulations on December 2, 1955. In the meantime, however, and notwithstanding the suspension order, according to a listing supplied to the committee, 52 leases were issued in the Railroad Valley refuge in Nevada 2, in the Hailstone Basin refuge in Montana, 1 in Locomotive Springs refuge in Utah, and 3 in the East Fork refuge in Wyoming. Oral testimony regarding these leases was hopelessly conflicting and confusing, both as to the number of leases involved and as to their location.
>
> The first listing of leases issued during the period of suspension order seem to have been prepared in the Bureau of Land Management without any assistance from or coordination with the Fish and Wildlife Service. Mr. Arthur A. Riemer, Chief, Branch of Lands, Fish and Wildlife Service, although the principal subordinate official in the Service responsible for consideration of real-estate transactions, had not seen the listing until after it was presented to the committee. His count of leases involved in the Railroad Valley refuge differed from that shown on the list presented by Mr. Wesley D'Ewart, Acting Assistant Secretary of the Interior.

Second. That this leasing was conducted without knowledge of the Fish and Wildlife Service. It appears in the report at page 6 that—

> Mr. Riemer also testified that he had no knowledge whatever of the six other leases issued after August 31, 1953, and did not learn of them until the day of the committee's hearing. A subsequent witness, Mr. Donald J. Chaney, Acting Assistant Solicitor, also testified that there were six leases issued during the period, in addition to the 53 or 54 in Railroad Valley. However, he omitted reference to 2 that had been mentioned by Mr. Riemer in Wyoming, and added 2 others located in Texas. Mr. Chaney stated that 4 of the 6 had been issued by the Bureau of Land Management in error because they did not consider or did not discover that the lands were under Fish and Wildlife Service administration. No explanation could be offered as to why representatives of the Fish and Wildlife Service supervising or working in these refuges failed to report the activities incident to oil and gas survey work within the areas covered by the 4, 6, or 8 leases on which the Bureau of Land Management had failed to consult the Service.
>
> As to the Railroad Valley refuge, the suspension order was apparently completely ignored. It was developed that on September 11, 1953, less than 2 weeks after issuance of the order, correspondence between the Department of the Interior and the attorney for the lease applicants contained active discussion of the pending applications, without reference to the order.

The fact of the matter is that testimony on all phases of the leasing was hopelessly confusing and conflicting as to method, manner, time and number. Only one thing is clear. This whole operation was confusion compounded. Regarding this I refer to the conclusions at the end of the report, which I insert herein at length:

> 1. The record of the hearings is a picture of extreme administrative confusion. There has been absolutely no effective liaison and coordination between several of the bureaus in the Department of the Interior, between the Washington office and the field of the Fish and Wildlife Service, or even between the various branches within the Fish and Wildlife Service.
>
> 2. Notwithstanding that only 11 leases had been issued on wildlife refuge lands over the

years since the original Mineral Leasing Act of 1920, and notwithstanding the fact that a stop order was issued in August 1953, directing the suspension of action on all oil and gas leases then pending, 60 leases were granted between the issuance of the suspension order and the issuance of new regulations on December 2, 1955. In addition, during this same period some 214 leases were granted on other lands administered by the Fish and Wildlife Service, as against 281 leases on such lands issued prior to August 31, 1953. Such increased activity in the issuance of leases by the Secretary of the Interior, or by those under his immediate supervision, can only result in serious damage to the wildlife refuge system in this country. The fact that this activity took place while a suspension order was in effect for the ostensible purpose of revising the regulations to provide greater protection to wildlife lands only aggravates the situation.

3. It is incredible that the Fish and Wildlife Service had no knowledge of the stepped-up tempo of leasing by the Bureau of Land Management, when almost 500 leases were granted in one area. The necessary activities in connection with location and exploration certainly should have been sufficient to prompt a report by the field employees to the Director of the Service. And the failure on the part of the Washington office to keep informed as to activities in the field points up the necessity for changes either in personnel or organization.

4. The Fish and Wildlife Service is also to be criticized for its failure to establish a uniform procedure for handling those leases about which it was informed. In the case of the Railroad Valley leases, the regional office handled the details, while in the Lacassine leases similar transactions were handled almost exclusively through the Washington office, with no information about them in the regional office.

5. The new regulations fall far short of providing the degree of protection to the refuges which the activities of recent years prove to be necessary. Superficially these regulations appear to give a veto power to the Fish and Wildlife Service. However, under applicable laws, oil and gas leasing in wildlife lands is a matter solely within the discretion of the Secretary of the Interior. Consequently, the veto power exists only so long as, and to the extent that the Secretary permits the regulations to control.

6. The hearings clearly demonstrated the necessity for some legislative check on the authority to make disposals which might lessen the value of wildlife refuges for conservation purposes. The committee found itself somewhat uncertain as to the manner in which the requisite control should be exercised. The bills under consideration seemed to contemplate the enactment of special legislation for each disposal of any interest in a wildlife refuge. This procedure, it seemed, would be impractical for a number of reasons. Hence, it was decided to try, for an experimental period of time, an arrangement between the Secretary of the Interior and the committee under which each proposed alienation or relinquishment of any interest the Fish and Wildlife Service has in lands under its jurisdiction, would be submitted to the committee, and the committee would have 60 days to indicate its approval or disapproval of the action contemplated. If this arrangement does not work satisfactorily, the committee intends to reconsider the problem, as well as alternative solutions thereto, including the enactment of appropriate legislation.

A number of important items of testimony appear in the hearings.

Dr. Ira Gabrielson, speaking of the way the administration has mismanaged our priceless conservation program, said at page 113 of the hearings:

I worked under Roosevelt and Truman for 20 years and this crowd has done more in 3 years to make me a Democrat than anything that the Democrats ever did.

Now Dr. Gabrielson, a former head of the Fish and Wildlife Service, is a stanch Republican, whose brother rose to high office in that party, and a fine conservationist. This is no doing of the Democratic Party nor is it such where he says at page 120 of the committee hearing, commenting on the administration's patronage grab in the Fish and Wildlife Service:

Mr. GABRIELSON. I made some comments about changing the top positions in the service from career positions to schedule C positions.

Mr. DINGELL. This schedule C position is what?

Mr. GABRIELSON. It is setting it up as a political appointment.

Mr. DINGELL. You mean to say they converted the top positions in the Wildlife Service into a political grab bag; is that right, Doctor?

Mr. GABRIELSON. That is what in essence they did. They changed the designation of those positions from career appointments to political appointments.

The record is clear that funds from the duck stamps sold to sportsmen have been used to purchase refuges for wildlife which are being turned over to the oil companies for exploitation and oil drilling. That to my mind is a perversion of the purpose of duck stamps and a real breach of the sportsmen's trust. For example, while negotiating for the purchase of land by duck stamp funds Secretary McKay was at the same time completing negotiations for oil leasing in those same tracts of land.

Mr. UTT. Mr. Speaker, in view of the fact that the hour is late and everything being said here has nothing to do with the business of the House, I wonder if the gentleman from Michigan and the gentleman from Wisconsin would not be willing to insert the balance of their remarks in the RECORD so that the working crew can go home. I may suggest in asking that that I will suggest that a quorum is not present unless this request is acceded to.

Mr. DINGELL. Let me say to my colleague that if he will let me read just a little bit more, I will ask unanimous consent to revise and extend my remarks.

Mr. UTT. I was overruled on the point of order, on which I think I was correct, and I shall stand on the request that the gentlemen insert the balance of their remarks in the RECORD.

Mr. REUSS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan be permitted to revise and extend his remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. DINGELL. By reason of the objection of the gentleman from California, I will insert the rest of my remarks.

The mismanagement of these vital resources was so flagrant that officials of the Fish and Wildlife Service admitted in the hearing they were not consulted as to leasing. They often did not even know of the granting of leases until they saw the drilling rig either going up, drilling, or pumping oil.

The situation is such that the dear God alone knows how many leases were granted. Certainly the testimony shows that no one in the Department of Interior did. It appears that no one in the Department knew what the situation was and all gave widely conflicting figures. No clear policy was ever fixed as to who could or should grant these leases. It appears in the hearings that almost all branches of the Department in Washington and in the field granted leases with a wild abandon and in complete disregard of the Fish and Wildlife Service and the functions of the refuge program.

It is interesting to note that the Secretary violated, or ignored his own stop order some 54 times. This order was issued by Mr. McKay to stop leasing pending new regulations on the subject of oil and gas leases. It had the effect of giving very substantial preferences to certain favored leasees over the rest of the public and over others who had applications pending for leases.

While some wildlife refuge areas were set aside as inviolate refuges it shows at page 170 of the hearings that these were set aside as involate from leasing, and other exploitation not for their wildlife value but because they were geologically barren. I quote from the testimony of Mr. Arthur A. Reimer, Chief, Branch of Lands, Fish and Wildlife Service, at page 170:

Mr. DINGELL. Actually it would appear that this Okefenokee area is a geologically barren area as for minerals. Isn't that a fact?

Mr. REIMER. It would appear so, so far.

Mr. DINGELL. Subject to this later evidence which you are going to give us as to mineralization in these areas, it would appear that actually the areas which are preserved as inviolate are actually areas which are barren of mineral resources. Is that not a fact?

Mr. REIMER. As far as we know.

The conclusion from this is that we must maintain unimpaired our vigilance to protect our fast-dwindling resources from the spoilers who would destroy this priceless asset. It is clear that Mr. McKay did not protect our priceless resources.

In conclusion, I submit these figures. Some five-hundred-and-ninety-odd leases were granted in Federal wildlife refuges in three-odd years of Republican administration. This figure is not exact because of conflict in administration testimony. At least 193 were issued after an order was promulgated by Mr. McKay supposedly halting this practice. The chief of the branch of lands of the Fish and Wildlife Service knew of only 15 of all this vast number of leases. From 1922 to August 31, 1953, over 30 years preceding this only 25 leases were issued on refuge lands.

This is a part of the conservation record of the present administration. It is all found in a report signed by Democrats and Republicans alike. I hope the people will scrutinize this affair closely.

CONFERENCE REPORTS ON H. R. 8750 AND S. 3903

Mr. MURRAY of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr.

COOLEY] may have until midnight tonight to file conference reports on the bills H. R. 8750 and S. 3903.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

H. R. 8902

The SPEAKER pro tempore. Under previous order of the House the gentleman from Massachusetts [Mr. HESELTON] is recognized for 20 minutes.

Mr. HESELTON. Mr. Speaker, it has been argued that passage of this bill is essential to the adequate financing of the purchase of modern aircraft equipment by the smaller trunklines and the local service carriers.

In that connection, the following five instances will be of interest to Members who must pass upon the wisdom of this legislative proposal:

TWO SMALL TRUNKLINES

Continental in 1955–56 borrowed $4,400,000, repayment to start 2 years later and run for 6 years. Also issued $4,125,000 of convertible debentures.

Northeast in 1956 borrowed $1,670,000, repayment to start 2 years later and run for 5 years.

THREE LOCAL SERVICE CARRIERS

Allegheny in 1955 borrowed $1,575,000, repayment in 5 years.

Mohawk in 1955 borrowed $2 million, repayment of $400,000 in 2 years and the rest in 5 years. It also sold $360,000 worth of common stock.

Southwest in 1956 borrowed $650,000, repayment in 4 years.

In this connection, it is interesting to note that a news story from London late this afternoon states that Capital Airlines has agreed to buy 14 Dehaviland Comet jet passenger planes at a total cost of $53 million and that this airline has also purchased 15 more Vickers Viscount turbojet planes at a cost of $15,400,000.

In terms of the excellent increasing business of airlines, it is pertinent to note that on July 20, according to the Civil Aeronautics Administration, 8 United States cities reported boarding a million or more passengers in 1955. There were only 5 such cities in 1954. Also, nationally, the passenger increase went from 31,657,852 in 1954 to 37,226,432 in 1955, an increase of 17.59 percent.

Since there were two typographical errors in the printing of the amendment in the RECORD, July 18, page 13420, which was recommended by the Bureau of the Budget and which I intend to offer, I include here a corrected copy, as follows:

Amendment offered by Mr. HESELTON, page 2, line 11: Strike out all of lines 11 through 22, inclusive, and insert in place thereof the following:

"(2) In determining all other revenue of the air carrier, the Board shall not take into account the net gains (after any losses and expenses resulting from the disposition of flight equipment) derived from the disposition of any flight equipment of such carrier, if (A) such carrier notifies the Board in writing that it intends to reinvest in other flight equipment the proceeds derived from such disposition, (B) such proceeds, less all applicable taxes, are placed by such carrier in a funded reinvestment reserve immediately upon the receipt thereof, and (C) within a reasonable period to be determined and fixed by the Board, such proceeds are actually reinvested in other flight equipment by such carrier.

"(3) Hereafter in determining that portion of the carrier's mail rate which is payable by the Board (which portion is hereinafter referred to as 'subsidy') the Board shall compute such carrier's depreciation expense and return on investment after first deducting the net gains not taken into account in determining all other revenue of such carrier from the original cost to such carrier of the flight equipment in which such net gains have been reinvested.

"(4) In the event the Board determines that the carrier no longer requires subsidy, there shall be deducted from all subsidy to be paid to such carrier after the effective date of this amendment, or there shall be otherwise recovered from such carrier, an amount equal to the total net gains not taken into account in determining all other revenue of such carrier minus the total amounts by which such carrier's depreciation expense has been reduced on account of and solely by the application of paragraph (3) above. Such amount shall be determined as of the date the carrier no longer requires subsidy."

I have been handed a column written by Ray Tucker, which is printed in the Richmond (Va.) Times Dispatch of today. This is distributed in other parts of the country by the McClure Newspaper Syndicate.

I have eliminated all references to the other body in the column in compliance with the rule of comity. Anyone interested in the complete column can examine it in the Library of Congress files.

As so edited, it follows:

EXCESSIVE AIRLINES SUBSIDIES

(By Ray Tucker)

WASHINGTON.—American taxpayers would be nicked for many millions of dollars under a * * * proposal to hand hidden subsidies to a few great and profitable commercial airlines. Only a threatened Presidential veto may kill what Comptroller General Joseph Campbell calls an unwarranted burden upon the taxpayers.

Under existing law, the airlines are guaranteed an 8-percent return on their investment. If profits fall below that figure, Uncle Sam makes up the difference. The present law also provides that, if the lines sell planes or other equipment, the money from the sale must be listed as income. The amount received reduces the subsidy paid from the Treasury.

The proposed amendment would relieve the firms from including money from these sales as income. They would simply put it in their pockets, with the result that the Federal subsidies would have to be increased by many millions of dollars. They now total about $46 million a year.

The scheme has been condemned in formal opinions by the Comptroller General, the Budget Bureau, the Civil Aeronautics Board, and the Commerce Department. Even Commerce Secretary Sinclair Weeks, who is extremely partial to the giant airlines, did not approve it.

* * * It has been reported favorably by the House Interstate and Foreign Commerce Committee. The measure was approved by the House Rules Committee at a special meeting, with the lobbyists confident of success at the current session. Their only fear is White House disapproval, which is also the taxpayers' only hope of release, according to opponents of the measure.

Under one estimate submitted to * * * Committees, the future cost to the taxpayers would be $101,000,000. Of this amount, a single firm—Pan American World Airways—would drag down $51,000,000. Only about $12 million would be distributed among more than 30 small feeder lines, although it is their inclusion in the plan which rounded up so many * * * votes. The members thought they were helping local industries.

CAB Chairman James Durfee has submitted a more conservative estimate of the cost. Based on actual sales of equipment, he says that, if the hidden subsidy scheme had been in effect for the last 5 years, it would have meant an additional $22 million to the airlines. That figure will run far higher in the immediate future, for the changeover to jets will release a large amount of planes and other equipment for sale.

Chairman Durfee's figures destroy the contention that small, regional feeder lines would derive great benefit from the "giveaway." Of the $22 million, a total of $21,498,000 would go to four great lines as follows: Pan American, $17,288,000; Braniff, $1,515,000; Delta, $1,400,000; Trans World $1,295,000. The local firms would split only $502,000.

* * * it was noted that no other industry or individual enjoys the financial or bookkeeping favors which * * * House bill 8902 would confer on a few great and lucrative airlines. If a farmer sells a tractor, he must figure the payment he receives in his profit-and-loss accounting. Nor is he guaranteed an 8 percent return.

I have not been able at this time to verify all the figures used by Mr. Tucker but I call attention to the fact that the amounts listed as that which would have been paid to Pan American, Braniff, Delta and Trans-World—International—had this proposal been law in the last 5 calendar years, will be found in the tabulation prepared by the Department of Commerce, which I included in the minority report and restated in the RECORD, July 18, page 13419.

I have no knowledge as to whether the lobbyists mentioned by Mr. Tucker have been or are "confident of success at the current session." I do know of the intensive and sustained efforts Pan American has made to urge passage of this bill by the House in these dying days of this session.

Nor have I any knowledge as to whether any lobbyists have any one fear as to the outcome, as Mr. Tucker states.

But, if they are not concerned about the House action, I hope and believe they will be in for a definite, even though rude, awakening, if it is possible to advise the Members of the House, before the proposal reaches a final vote, of the strong and sound opposition which has been expressed by the Comptroller General, the Bureau of the Budget and Vice Chairman Joseph P. Adams of the Civil Aeronautics Board.

While I have attempted to make this opposition clear in the minority report and through recent special orders, I shall also try to summarize it during whatever brief time I can obtain, if and when this bill reaches the House floor for consideration.

And I shall try to use every legislative means available to insure that those of my colleagues who wish to disapprove of this proposal can do so.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. O'HARA of Illinois for 20 minutes on Thursday.

Mr. VANIK, for 10 minutes on Thursday.

Mrs. ROGERS of Massachusetts, for 5 minutes tomorrow.

Mr. PHILLIPS, for 5 minutes tomorrow.

Mr. PHILLIPS, for 15 minutes on Thursday, July 26, 1956.

Mr. HESELTON, for 20 minutes tomorrow.

Mr. MURRAY of Illinois, for 10 minutes on Thursday, July 26, 1956.

Mr. RIVERS, to transfer the special order of 1 hour granted him for today to tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. PHILLIPS to revise and extend his remarks made on the atomic energy bill and to include extraneous matter.

Mr. DINGELL and also his remarks made in Committee of the Whole and to include newspaper articles and editorials.

Mr. ENGLE and to include extraneous matter.

Mr. HAYS of Arkansas and to include extraneous matter.

Mr. WESTLAND.

Mr. CRETELLA and to include extraneous matter.

Mr. BURDICK.

Mr. CURTIS of Missouri.

Mr. RODINO.

Mr. JUDD and to include extraneous matter.

Mr. VURSELL and to include extraneous matter.

Mr. KEARNEY (at the request of Mr. UTT).

Mr. HOEVEN (at the request of Mr. UTT).

Mr. ROONEY (at the request of Mr. ALBERT) and include a radio interview given by the majority leader, the gentleman from Massachusetts [Mr. McCORMACK].

Mr. EBERHARTER (at the request of Mr. ALBERT) and include extraneous matter.

Mr. FORRESTER and to include extraneous matter.

Mr. COOLEY (at the request of Mr. MURRAY of Illinois) and to include extraneous matter.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED

Bills and joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1355. An act for the relief of William Luke Phalen; to the Committee on the Judiciary.

S. 1494. An act to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.; to the Committee on Agriculture.

S. 1636. An act to establish an Advisory and Research Committee on Humane Slaughter of Livestock and Poultry; to the Committee on Agriculture.

S. 1669. An act for the relief of Dr. Milan Gavrilovic; to the Committee on the Judiciary.

S. 1783. An act for the relief of Mary Palanuk; to the Committee on the Judiciary.

S. 2129. An act for the relief of Patrick K. Y. Yip; to the Committee on the Judiciary.

S. 2354. An act for the relief of Jean Goedicke; to the Committee on the Judiciary.

S. 2590. An act for the relief of John J. Griffin; to the Committee on the Judiciary.

S. 2627. An act for the relief of Hermengildo V. Santos; to the Committee on the Judiciary.

S. 2647. An act for the relief of Martha A. McDermott Stothard; to the Committee on the Judiciary.

S. 2709. An act to provide for standby authority for priorities in transportation by merchant vessels in the interest of national defense, and for other purposes; to the Committee on Merchant Marine and Fisheries.

S. 2786. An act for the relief of Yi Nyong Suk; to the Committee on the Judiciary.

S. 2915. An act for the relief of Peter Panos; to the Committee on the Judiciary.

S. 3230. An act for the relief of John R. Hill; to the Committee on the Judiciary.

S. 3414. An act to provide for the advancement of Capt. Edward J. Steichen, United States Naval Reserve (retired), to the grade of rear admiral on the Naval Reserve retired list; to the Committee on Armed Services.

S. 3416. An act relative to employment for certain adult Indians on or near Indian reservations; to the Committee on Interior and Insular Affairs.

S. 3438. An act for the relief of Joanne Lea (Buffington) Lybarger; to the Committee on the Judiciary.

S. 3445. An act to provide for the construction, equipment, and furnishing of a building for the United States Court of Claims, and for other purposes; to the Committee on Public Works.

S. 3459. An act for the relief of Mary Barme and her two minor children, Steran Barme and Dinah Barme; to the Committee on the Judiciary.

S. 3476. An act for the relief of Ljerka Zagar; to the Committee on the Judiciary.

S. 3533. An act for the relief of Mr. and Mrs. David Liu; to the Committee on the Judiciary.

S. 3597. For the relief of Duk Chang Cho; to the Committee on the Judiciary.

S. 3725. An act to provide for increases in the annuities of annuitants under the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Post Office and Civil Service.

S. 3736. An act for the relief of Joan F. Roby; to the Committee on the Judiciary.

S. 3737. An act for the relief of Lina Gertrude Mattingly and her minor children, Ellen Anna, Vincent, and Deannia Maria; to the Committee on the Judiciary.

S. 3751. An act for the relief of Berta Cabrera Vigil Prohlich; to the Committee on the Judiciary.

S. 3783. An act to direct the Secretary of the Navy or his designee to convey a 2,477.43-acre tract of land, avigation, and sewer easements, in Tarrant and Wise Counties, Tex., situated about 20 miles northwest of the city of Fort Worth, Tex., to the State of Texas; to the Committee on Armed Services.

S. 3787. An act relating to the management of the Red Lake Indian Forest and sawmill; to the Committee on Interior and Insular Affairs.

S. 3809. An act to provide for the establishment of a new fish hatchery at Cedar Bluff Reservoir, Kans.; to the Committee on Merchant Marine and Fisheries.

S. 3827. An act to authorize the construction of a shellfish research laboratory and experiment station in the Chesapeake Bay area; to the Committee on Merchant Marine and Fisheries.

S. 3908. An act for the relief of Peter Jocher Webb; to the Committee on the Judiciary.

S. 3955. An act to authorize exploratory research by the Secretary of the Interior in connection with methods of control or extermination of sea nettles and jellyfish in marine waters of the United States; to the Committee on Merchant Marine and Fisheries.

S. 4012. An act to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada acting for the State of Nevada; to the Committee on Interior and Insular Affairs.

S. 4044. An act to exempt from taxation certain property of the National Association of Colored Women's Clubs, Inc., in the District of Columbia; to the Committee on the District of Columbia.

S. 4059. An act providing for price reporting and research with respect to forest products; to the Committee on Agriculture.

S. 4075. An act to provide for the appointment of certain officers in the grade of rear admiral in the Retired Reserve to the grade of vice admiral in the Retired Reserve; to the Committee on Armed Services.

S. J. Res. 177. Joint resolution to authorize the Secretary of Commerce to sell certain war-built vessels; to the Committee on Merchant Marine and Fisheries.

S. J. Res. 197. Joint resolution authorizing the President to proclaim the period from October 22, 1956, to October 27, 1956, as National Transportation Week; to the Committee on the Judiciary.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 256. An act to amend the Bankruptcy Act with respect to the priority of debts owed by a bankrupt to workmen, servants, clerks, and certain salesmen;

H. R. 604. An act to provide port of entry and related facilities on the Alaska Highway at the Alaska-Canadian border in the Territory of Alaska, and for other purposes;

H. R. 1639. An act for the relief of Laura Olivera Miranda;

H. R. 1739. An act for the relief of William J. Bohner;

H. R. 1952. An act for the relief of Clarence Christensen;

H. R. 1971. An act for the relief of Leila Park;

H. R. 2225. An act for the relief of Joseph Santo;

H. R. 2712. An act for the relief of Emanuel Mathes;

H. R. 3561. An act to further amend the act of January 2, 1942, entitled "An act to provide for the prompt settlement of claims for damages occasioned by Army, Navy, and Marine Corps forces in foreign countries";

H. R. 4127. An act to exempt courses leading to standard college degrees offered by nonprofit educational institutions of higher learning from the provisions of section 227 of the Veterans' Readjustment Assistance Act of 1952 prohibiting the enrollment of eligible veterans under that act when such

courses have been in operation for less than 2 years;

H. R. 4152. An act for the relief of Maria Pintos and her daughter, Eugenia Pintos;

H. R. 4635. An act to authorize the Secretary of the Interior to transfer to Robert T. C. Rasmussen, the right, title, and interest of the United States, in foreign countries, in and to certain inventions.

H. R. 4899. An act for the relief of Helmut Klestadt;

H. R. 5417. An act to amend section 1721, title 18, United States Code, relating to the sale or pledge of postage stamps;

H. R. 5486. An act to authorize the sale of certain land in Alaska to Gilbert Henkens, Jr., star route, mile 17½, Anchorage, Alaska;

H. R. 6081. An act for the relief of Patricia May Stevens;

H. R. 6247. An act to amend subdivision a of section 66—unclaimed moneys—of the Bankruptcy Act, as amended, and to repeal subdivision b of section 66 of the Bankruptcy Act, as amended;

H. R. 6403. An act to amend title 18, entitled "Crimes and Criminal Procedure," of the United States Code, to provide a criminal sanction for the embezzlement or theft of the property of Indian tribal organizations;

H. R. 7121. An act to validate payments of mileage made to United States Army and Air Force personnel pursuant to permanent change of station orders authorizing travel by commercial aircraft, and for other purposes;

H. R. 7552. An act to amend sections 220 and 221 (d) of the Hawaiian Homes Commission Act, 1920;

H. R. 7887. An act to authorize the commissioner of public lands to sell public lands under certain circumstances without public auction;

H. R. 7891. An act to authorize and direct the exchanges and sales of public lands within or adjacent to the district of Puna, county of Hawaii, T. H., for the relief of persons whose lands were destroyed by volcanic activity;

H. R. 7893. An act to amend section 73 (i) of the Hawaiian Organic Act;

H. R. 8226. An act to amend section 1 of the act of March 4, 1915, as amended (48 U. S. C., sec. 353);

H. R. 8265. An act relating to the use of storage space in the Buford Reservoir for the purpose of providing Gwinnett County, Ga., a regulated water supply;

H. R. 8617. An act to validate certain payments made to members and former members of the naval service;

H. R. 8940. An act relating to the use of storage space in the Hulah Reservoir to provide water for the city of Bartlesville, Okla.;

H. R. 8971. An act for the relief of Hamazasp Psakian, Mrs. Varsenick Psakian, and Nune Nona Psakian;

H. R. 9029. An act for the relief of John L. Hughes;

H. R. 9260. An act to amend title III of the Servicemen's Readjustment Act of 1944, as amended, and for other purposes;

H. R. 9265. An act to amend the Hawaiian Organic Act, as amended, relating to the audit of government (Territorial and county) accounts;

H. R. 9913. An act to authorize the Secretary of the Interior to negotiate and execute a contract with the Riverside Irrigation District, Limited, of Idaho, relating to the rehabilitation of the district's works, and other matters;

H. R. 9947. An act for the relief of the estate of William Edward Wine;

H. R. 10068. An act for the relief of Rupert Waiti;

H. R. 10111. An act to amend sections 657 and 1006 of title 18 of the United States Code in order to include certain savings and loan associations within its provisions;

H. R. 10679. An act granting the consent of Congress to the establishment by the States of Mississippi and Arkansas of a bi-State commission to investigate the possibilities of constructing a railroad bridge across the Mississippi River;

H. R. 10946. An act to provide for the disposition of surplus personal property to the Territorial Government of Alaska until December 31, 1958;

H. R. 10983. An act for the relief of P. R. Cox;

H. R. 11024. An act to amend the act entitled "An act relating to the compensation of commissioners for the Territory of Alaska," approved March 15, 1948 (62 Stat. 80) as amended by the act of July 12, 1952 (66 Stat. 592, 48 U. S. C. 116a;

H. R. 11254. An act to amend section 104, title 4, United States Code;

H. R. 11653. An act to increase the fees of witnesses in the United States courts and before United States commissioners, and for other purposes;

H. R. 11706. An act for the relief of Kim Chung Hi;

H. R. 11861. An act to amend the act entitled "An act authorizing Federal participation in the cost of protecting the shores of publicly owned property," approved August 13, 1946; and

H. J. Res. 642. Joint resolution to authorize and direct the Secretary of Agriculture to quitclaim certain property in Coahoma County, Miss., to the Home Demonstration Club of Rena Lara, Miss., Inc.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 5265. An act to exempt certain additional foreign travel from the tax on the transportation of persons;

H. R. 6376. An act to confer upon Alaska autonomy in the field of mental health, transfer from the Federal Government to the Territory the fiscal and functional responsibility for the hospitalization of commited mental patients, and for other purposes;

H. R. 6595. An act to amend certain provisions of law relating to the estate tax.

H. R. 9038. An act to amend title 28 of the United States Code to provide that the Commonwealth of Puerto Rico shall be treated as a State for purposes of district court jurisdiction based on diversity of citizenship;

H. R. 9593. An act to simplify accounting, facilitate the payment of obligations, and for other purposes;

H. R. 11947. An act to extend and amend the Renegotiation Act of 1951;

H. R. 12034. An act to authorize the Secretary of the Interior to execute a contract with the Tule Lake Irrigation District, Calif., and for other purposes; and

H. J. Res. 664. Joint resolution to amend the joint resolution providing for membership and participation by the United States in the American International Institute for the Protection of Childhood and authorizing an appropriation therefor.

ADJOURNMENT

Mr. MURRAY of Illinois. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 55 minutes p. m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 25, 1956, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2076. A letter from the Chairman, Joint Committee on Internal Revenue Taxation, transmitting a report by the Joint Committee on Internal Revenue Taxation, dated July 12, 1956, covering refunds and credits of Internal-revenue taxes for the fiscal year ended June 30, 1955, pursuant to section 6405 of the Internal Revenue Code of 1954 (H. Doc. No. 460); to the Committee on Ways and Means and ordered to be printed.

2077. A letter from the Director, Legislative Liaison, Department of the Air Force, transmitting a report of the number of officers assigned or detailed to permanent duty in the executive element of the Air Force at the seat of government, pursuant to section 201 (c) of the Air Force Organization Act of 1951, Public Law 150, 82d Congress; to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MOSS: Committee on Post Office and Civil Service. Part 2, supplemental report on H. R. 8353. A bill to further the economic and efficient operation of the business of the Post Office Department by the expansion of the existing research and development program of such department and the establishment of a postal service automatic equipment program, and for other purposes; without amendment (Rept. No. 2837). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRIEDEL: Committee on House Administration. House Resolution 607. Resolution providing for the expenses of conducting the studies and investigations authorized by House Resolution 331 and House Resolution 606, 84th Congress; without amendment (Rept. No. 2888). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 615. Resolution authorizing the Sergeant at Arms of the House of Representatives to insure the funds of his office; with amendment (Rept. No. 2889). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Joint Resolution 689. Joint resolution to provide for the preparation of a history of momentous scenes in the Congress since the Civil War; with amendment (Rept. No. 2890). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. Senate Concurrent Resolution 79. Concurrent resolution to print additional copies of Senate document 117, entitled "A Handbook for Americans;" without amendment (Rept. No. 2891). Ordered to be printed.

Mr. DAWSON of Illinois: Committee on Government Operations. Twenty-first intermediate report on distribution cost of surplus commodities donated to schools and institutions in Illinois; without amendment (Rept. No. 2893). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. Twenty-second intermediate report on employment and utilization of experts and consultants; without amendment (Rept. No. 2894). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Select Committee on Small Business. Report of the Select Committee on Small Business on Air Pollution Problems; without amendment (Rept. No. 2895). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOPER: Committee on Ways and Means. H. R. 9969. A bill to amend the Internal Revenue Code of 1954 with respect to the readjustment of tax in the case of certain amounts received for breach of contract; with amendment (Rept. No. 2896). Referred to the Committee of the Whole House on the State of the Union.

Mr. MADDEN: Committee on Rules. House Resolution 624. Resolution for consideration of S. 256, an act to eliminate cumulative voting of shares of stock in the election of directors of national banking associations unless provided for in the articles of association; without amendment (Rept. No. 2897). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 625. Resolution for consideration of S. 3338, an act relating to rates charged to public bodies and cooperatives for electric power generated at Federal projects; without amendment (Rept. No. 2898). Referred to the House Calendar.

Mr. TRIMBLE: Committee on Rules. House resolution 626. Resolution for consideration of H. R. 9319, a bill to amend subsection (b) of section 3 of the Securities Act of 1933, to provide that responsible officers or other persons shall be liable in damages on account of untrue statements or material omissions in statements or documents filed under such subsection as a condition of exemption; without amendment (Rept. No. 2899). Referred to the House Calendar.

Mr. DAVIS of Tennessee: Committee on Public Works. H. R. 12006. A bill to provide for the reconveyance of certain lands in the Benbrook Reservoir project, Texas, to former owners of such lands where such lands are not required for public purposes, including public recreational use; without amendment (Rept. No. 2900). Referred to the Committee on the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. H. R. 12093. A bill to provide for adjustments in the lands or interests therein acquired for certain reservoir projects located in the State of Texas, by the reconveyance of certain lands or interests therein to the former owners thereof; without amendment (Rept. No. 2901). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee of conference. H. R. 8750. A bill to amend the Watershed Protection and Flood Prevention Act, (Rept. No. 2902). Ordered to be printed.

Mr. COOLEY: Committee of conference. S. 3903. An act to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, so as to increase the amount authorized to be appropriated for purposes of title I of the act, and for other purposes (Rept. No. 2903). Ordered to be printed.

Mr. BAKER: Committee on Ways and Means. H. R. 10923. A bill to clarify the Internal Revenue Codes of 1939 and 1954 with respect to the allowance of percentage depletion in the case of sand and gravel extracted from navigable waters; with amendment (Rept. No. 2904). Referred to the Committee of the Whole House on the State of the Union.

Mr. SADLAK: Committee on Ways and Means. H. R. 12114. A bill to amend the Internal Revenue Code of 1954 to provide for refund or credit of internal revenue taxes paid or determined and customs duties paid on distilled spirits, wines, beer, tobacco products, and cigarette papers and tubes lost, rendered unmarketable, or condemned by authorized officials as a result of a major disaster; to provide for refund of internal revenue tax paid on beer lost or rendered unmarketable as result of floods in 1951; and to provide for refund or credit of taxes paid on distilled spirits and wines of Puerto Rican manufacture lost or rendered unmarketable or condemned by health authorities as result of hurricanes of 1954; with amendment (Rept. No. 2905). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. S. 2834. An act for the relief of Yue Yin Wong (also known as William Yueyin Wong); without amendment (Rept. No. 2892). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. VAN PELT:

H. R. 12384. A bill to amend the Tariff Act by including tanning material extracts on the duty free list; to the Committee on Ways and Means.

By Mr. BOGGS:

H. R. 12385. A bill to amend the Internal Revenue Code of 1954, as amended, by provision of a deduction for expenditures for reconversion of structures in a slum clearance program or rehabilitation project; to the Committee on Ways and Means.

H. R. 12386. A bill to amend the Internal Revenue Code of 1954, as amended, to provide a deduction for demolition expenses in slum clearance programs; to the Committee on Ways and Means.

By Mr. FALLON:

H. R. 12387. A bill to amend the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1911, and for other purposes," approved May 18, 1910; to the Committee on the District of Columbia.

By Mr. MACDONALD:

H. R. 12388. A bill to amend the Internal Revenue Code of 1954 to provide that no interest shall be charged on delinquent taxes, and where failure to pay income or gift taxes is due only to negligence no penalty shall be assessed; to the Committee on Ways and Means.

By Mr. MULTER:

H. R. 12389. A bill to amend the Securities Exchange Act of 1934 to require officers and directors of any issuer of registered securities to periodically report the extent to which, and the purposes for which, their holdings of such securities are pledged, hypothecated, or loaned; to the Committe on Interstate and Foreign Commerce.

By Mr. SPENCE:

H. R. 12390. A bill to provide for the striking of medals in commemoration of the 100th anniversary of the birth of the late educator Booker T. Washington; to the Committee on Banking and Currency.

By Mr. SISK:

H. R. 12391. A bill to correct inequities arising in the enrollment of the Indians of California; to the Committee on Interior and Insular Affairs.

By Mr. GUBSER:

H. R. 12392. A bill to authorize the construction of a Federal post office and office building in San Jose, Calif.; to the Committee on Public Works.

By Mr. O'BRIEN of New York:

H. J. Res. 697. Joint resolution creating a Joint Committee of the Senate and House of Representatives, composed of three members of the Senate Committee on Interior and Insular Affairs and three members of the House Committee on Interior and Insular Affairs, to evaluate the readiness of the various Territories of the United States for self-government, and for other purposes; to the Committee on Rules.

Mr. MILLER of Maryland:

H. J. Res. 698. Joint resolution to authorize the Secretary of Commerce to sell certain war-built ships; to the Committee on Merchant Marine and Fisheries.

By Mr. TEAGUE of Texas:

H. Res. 623. Resolution authorizing the printing of additional copies of the résumé of bills reported by the Veterans' Affairs Committee during the 84th Congress; to the Committee on House Administration.

By Mr. BARTLETT:

H. Res. 628. Resolution to authorize the Committee on Interior and Insular Affairs to investigate and study the administration and operations of the Morningside Hospital, Inc., Portland, Oreg., to determine whether such hospital is adequately performing its contractual obligations to the United States; to the Committee on Rules.

By Mr. ENGLE:

H. Res. 629. Resolution to provide additional funds for the expenses of the investigations authorized by House Resolution 30; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mrs. CHURCH:

H. R. 12393. A bill to exempt from taxation certain property of the National Association of Colored Women's Clubs, Inc., in the District of Columbia; to the Committee on the District of Columbia.

By Mr. FRELINGHUYSEN:

H. R. 12394. A bill for the relief of Bernhard Gebauer; to the Committee on the Judiciary.

H. R. 12395. A bill for the relief of Magdalena Tukiendorf; to the Committee on the Judiciary.

By Mr. HAYS of Ohio:

H. R. 12396. A bill to authorize the Honorable BARRATT O'HARA to accept and wear the award of the Medal for Distinguished Military Service in white tendered by the President of the Republic of Cuba, Maj. Gen. Fulgencio Batista y Zaldivar; to the Committee on Foreign Affairs.

By Mr. LESINSKI:

H. R. 12397. A bill for the relief of Francis C. Wu; to the Committee on the Judiciary.

By Mr. McMILLAN:

H. R. 12398. A bill to amend the act of July 2, 1956, entitled "An act to exempt from taxation certain property of the Columbia Historical Society in the District of Columbia"; to the Committee on the District of Columbia.

By Mr. PHILLIPS:

H. R. 12399. A bill to amend the act of July 2, 1956, entitled "An act to exempt from taxation certain property of the Columbia Historical Society in the District of Columbia"; to the Committee on the District of Columbia.

By Mr. SIMPSON of Illinois:

H. R. 12400. A bill to amend the act of July 2, 1956, entitled "An act to exempt from taxation certain property of the Columbia Historical Society in the District of Columbia"; to the Committee on the District of Columbia.

By Mr. TEAGUE of California:

H. R. 12401. A bill for the relief of Mrs. Maria Esther Reyes de Cabral; to the Committee on the Judiciary.

By Mr. TUMULTY:

H. R. 12402. A bill for the relief of Norma Coupland; to the Committee on the Judiciary.

H. R. 12403. A bill for the relief of Jen Hwa Lee; to the Committee on the Judiciary.

Mr. ZELENKO:

H. R. 12404. A bill for the relief of Giulia Bogino, Lidia Bogino, and Giorgio Bogino; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1202. By Mrs. KEE: Petition of Frank N. Parker, of Nimitz, W. Va., and 45 other veterans of Summers County, W. Va., and their friends, urging immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

1203. By the SPEAKER: Petition of the secretary-treasurer, Brotherhood of Railway and Steamship Clerks, St. Paul, Minn., urging enactment of H. R. 9065 and S. 3616, relating to the Railroad Retirement Act; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

The Italian-American World War Veterans of the U. S., Inc.

EXTENSION OF REMARKS
OF
HON. PETER W. RODINO, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 1956

Mr. RODINO. Mr. Speaker, under leave to extend my remarks in the RECORD I wish to include the following address delivered by me at the annual convention of the Department of New Jersey, Italian-American World War Veterans of the U. S., Inc., at the Hotel Robert Treat, Newark, N. J., July 22, 1956:

Mr. State Commander, fellow veterans, no movement within our American society is closer to my heart than the organizations of veterans of American wars of which the Italian-American World War Veterans of the United States is an active and moving force. I have dedicated my life to the proposition that the hyphen can and should be a uniting, not a dividing, force in American life; and that immigrants, second generation Americans, descendants of colonial Americans, and our only natives, the American Indians, have an equal privilege and duty to provide pieces in the shining kaleidoscopic pattern of American culture. To Jewish groups and Negro groups, to Polish-American, German-American, and Irish-American patriotic associations and the rest, I give my hearty and enthusiastic support, so long as the organizations and their members, whatever their racial and ancestral character, put America in first place, supreme and unquestioned. But to your group, I give not only my enthusiasm for the general idea of bringing the old culture to make its contribution to the new, but the warm personal feeling of identification. I am myself proud to be an American of Italian ancestry, and it warms my heart to know that the Italian-American World War Veterans of the United States now have a department in my own State of New Jersey.

I believe, too, most heartily, in the uniting of veterans, not only in one, but in many organizations. Each veterans' organization has its contribution to make to the country, its maintenance in peace and its defense in war; and each veterans' organization, in my experience, has its own particular flavor and character, and its own particular contribution to make to the happiness and welfare of the individual members. I find no conflict of loyalties, but a useful interaction and coordination in my own membership in such varied veterans' organizations as the Fellowship of United States-British Comrades, the Veterans of Foreign Wars, the American Veterans of World War II, the American Legion, and the Military Order of World Wars.

To a group of this sort, I know I need not speak, either statistically or instance by instance, of contributions Italians and Italian-Americans have made to the building of the United States, and to its defense in war. The facts summarized in Albert Q. Maisel's splendid article, The Italians Among Us, in the Reader's Digest of January 1955, and in similar articles from time to time, need not be rehearsed here. You know, and I know, that in music and painting, in sculpture and poetry, in science and religion, whether of modern times or ancient, whether of the new world or the old, no list of the great would be complete without its Italian names. But our greatness is not only in those summits, those mountain peaks of achievement that shine out before the world as Palestrina and Verdi, De Vinci and Raphael, Michelangelo and Donatello, Dante and Petrarch, Galileo and Volta, St. Francis of Assisi, and St. Ambrose, of Milan. Our greatness is in the way each one of us tackles his job, however small or obscure it may be. We are proud to count among our Italian-Americans the streetcleaners and the plumbers, the roadmenders and ditchdiggers, the operators of cranes and bulldozers, the makers of shoes, the growers and sellers of vegetables, the workers with the products of the earth, that are the solid foundation of this and every country. When I walk along a city street, I like to think that the Italian-American hosierymakers, of Paterson, may have made the socks, and the Italian-American shoemakers, of Brockton, Mass., the shoes, on which I walk, and that the labor of uncounted Italian-Americans, and other Americans, has gone into the paving, and the ditching, and the pipes and wires and conduits, under my feet. I like to remember, too, that it is by the undaunted courage and devotion of Italian-Americans and other Americans, that we have held and still hold this free soil of America, with all the gifts of God and products of the industry and ingenuity of man that make us the envy and the hope of the world.

May the blood of Italy, in the veins of American veterans, still pulse through New Jersey, and through America, in joy, in generous service, in fervent devotion to God and country.

Report of Subcommittee on Foreign Economic Policy

EXTENSION OF REMARKS
OF
HON. THOMAS B. CURTIS
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 1956

Mr. CURTIS of Missouri. Mr. Speaker, on Wednesday, July 18, 1956, the Joint Economic Committee met to consider a report by one of its subcommittees, the Subcommittee on Foreign Economic Policy. This report was entitled "Defense Essentiality and Foreign Economic Policy, Case Study of Watch Industry and Precision Skills." A quorum was not present, but was agreed in accordance with the committee's rules to obtain concurrence by telephoning the committee members to transmit the subcommittee report for printing and publication. It was specifically understood that there was basic disagreement in the minds of some of the members of the full committee on the "conclusions and recommendations" contained in the subcommittee report and that approval for transmittal was not to be construed as an adoption by the full committee of the subcommittee's report. Furthermore, time was to be permitted members who wished to file supplemental or dissenting views to be incorporated in the printed report. Through a misunderstanding the report was printed without some of the additional views. It was agreed however not to send out the subcommittee report until the supplemental views were printed and that both the report and these views would be sent out together.

Regrettably the press has reported the subcommittee report as being the report of the full committee. This is not true.

I am now inserting into the CONGRESSIONAL RECORD, the views of Senator GOLDWATER, Representative WOLCOTT, and myself, members of the full committee on this report. These views are to be printed and distributed with the subcommittee report. Above all, it should be cleared up beyond any doubt that the subcommittee report was neither considered nor adopted by the full committee.

ADDITIONAL COMMENTS BY SENATOR BARRY GOLDWATER, ARIZONA, AND REPRESENTATIVE THOMAS B. CURTIS, MISSOURI, ON REPORT OF THE SUBCOMMITTEE ON FOREIGN ECONOMIC POLICY OF THE JOINT ECONOMIC COMMITTEE ENTITLED "DEFENSE ESSENTIALITY AND FOREIGN ECONOMIC POLICY—CASE STUDY OF WATCH INDUSTRY AND PRECISION SKILLS"

Certain of the conclusions and recommendations in the report are subject to the following criticism: 1. They go beyond the study of the subcommittee. 2. They are contrary to the arguments and observations contained in the body of the report. 3. They are inconsistent with each other. On other conclusions and recommendations, though within the scope of the study and having a basis set forth in the report, in our judgment, the better logic points to different conclusions.

With this preamble the following observations are made:

1. Comment: It is agreed that "a community of economically healthy nations devoted to living in harmony and tied by mutually beneficial trade is not the least factor of our national security." But in light of the subject matter of the report, it should

be affirmatively stated, and it is not, that the greatest factor of national security depends upon the economic health of the United States.

2. Comment: It is axiomatic that mobilization thinking must go far beyond outmoded ideas of continental defense, but how far must mobilization thinking go beyond up-to-date ideas of continental defense?

4. Comment: The entire testimony about the possible types of future wars which the subcommittee itself found in its studies contradicts conclusion No. 4. The real conclusion is that it is not safe to make any firm assumption as to which type of war we might have to fight. Certainly, it is highly probable that we will fight a war where there will be time to convert our industry from war to peace. The time lag probably will have to be improved over the period of years, the subcommittee assumes.

5. Comment: The subcommittee made no study which justifies such a statement that "Thermonuclear war would destroy civilization and mankind everywhere." Certainly there is a school of thought which advances this idea, but there are many other schools of thought which take sharp issue with this bit of human conceit.

Comment: It is hard to understand how the conclusion is reached that "economic support of this effort implies current production and stockpiling of material needed rather than massive conversion of industry." Of course, through the use of the adjective "massive," the statement is not so easily refutable. However, the very burden of the study is the question of how much industrial conversion might be feasibly planned for the various types of potential wars. The use of the adjective "massive" in a positive statement on another matter takes away the very point at issue and under discussion.

12. Comment: This subcommittee made no study of tariffs versus other methods of trade regulation and is hardly in a position to comment upon the feasibility of one method of regulating trade over another without such a study.

13. Comment: Just what does the term "likeminded nations" refer to? Likeminded on judgments of economic-political philosophy?

WATCHES

2. Comment: This is directly contrary to what evidence the subcommittee adduced about possible wars in the future. One of the most likely of all wars is nonthermoneuclear where Russia moves over the face of Western Europe with its land armies. Such a movement would amount to a war in which Switzerland is cut off from us and our factories would still be intact. The decision as to whether a peripheral war is to become thermonuclear is largely one that the United States will make. In Korea, we decided against it. In Indochina, we decided against it. In the taking over of Czechoslovakia, not only did we decide against it, we decided to do nothing. In Greece we decided against it. Now on what basis does the subcommittee make such an assumption in recommendation 2 on watches?

3. Comment: If conclusion 2 is unsupported, conclusion 3 falls also.

5. Comment: It is hard to understand the data from whence it is concluded that trade restrictions will not preserve the domestic industry. The entire reason for the position of the Swiss importers is that they want the business; the position of the domestic producer is that they want the business. The trade restriction as presently drawn gives the business to the domestic producer. It isn't a question of "preservation" as such as much as it is a question of "growth" with the growing economy.

The argument that trade restriction is a burden on other industries and consumers can be applied to any restriction on anything. The question at hand is, Is the thing restricted against sufficiently detrimental to the part that it in effect is detrimental to the whole?

7. Comment: This conception is amoral and inconsistent with the previous conclusions of the subcommittee. In conclusion 13 the subcommittee argues for the need of the United States to stay committed to a policy of intervention in world affairs. "This requires our consistent application of principles designed to encourage economic growth and progress throughout all like-minded nations of the world; a timorous and inconsistent policy with principle sacrificed to temporary expedience will weaken true national security," the subcommittee states.

The United States has antitrust laws to restrict against trusts, cartels, and many other attempts of persons to gain monopolistic control over economic powers. We do that in the firm belief that not to do so will discourage economic growth and progress. Now, either we believe this is true or we do not. Either we believe that minimum wage laws and laws against sweat shops do encourage economic growth and progress and that permitting the opposite will discourage it, or we do not. We either believe that our health regulations that we impose on our domestic producers are in the interest of the health of our consumers and of our society or we do not.

This doctrine advanced by the subcommittee in this recommendation that "we have no valid reason for dictating the form of internal business organization in a foreign country" can only come logically from a belief that these restrictions we place on our own domestic producers are just window dressing—voter appeal stuff—matters that have no relation to reality. Certainly, if the members of the subcommittee and the staff who prepared this report believed in the economic merit of antitrust laws, minimum-wage laws, health laws, and all the other restrictions we place upon our domestic manufacturers, they would see that the only way we can help spread economic growth and progress in foreign countries is through an insistence upon paying attention to these standards.

Now do we have to go as far as the subcommittee does in its recommendation No. 13 in the extent of United States intervention abroad in this matter. The subject matter at hand concerns a question of foreign countries wanting to sell their goods in the United States domestic market. We surely have the right to impose a little intervention here to say to the foreign producer, we have certain economic regulations imposed upon our domestic manufacturer which we felt are necessary to maintain this great domestic market we have built and to protect our consumers and we expect you to pay some attention to them too if you want to gain the benefits of trading in it.

In essence, the presentation of the subcommittee is the same argument that used to be used domestically in favor of sweatshops * * * the consumer gets the benefit in price. Well, we have concluded in this country that, though the consumer may get an immediate benefit in price from sweatshop labor, in the long run neither the consumer nor any one else derives benefit from exploitation of other men's labors.

For over 10 years now we have been following the mixed up philosophy, the same that is herein advanced by the subcommittee in its recommendations and conclusions, in our foreign policy. It has not done well in stemming communism in the world either ideologically in the hearts of men or physically in the broad lands of the world. The reasons why this foreign policy has not succeeded should be obvious by now. We have not been promoting the political and economic philosophy which made this country what it is, the philosophy of high wages, good working conditions, fair-trade practices, rules against economic monopoly (including the worst kind of economic monopoly, that controlled by the political government). Those who have been charged with setting up and administering our foreign policy from their actions, seem to have no concept of what the virtues of private enterprise are. They have taken this great society in the United States for granted and then have gone abroad and condoned and indeed, encouraged the very economic practices which we had to fight against over a period of many years in this country in order to have the system that we do have.

If we are indeed to promote economic growth and progress abroad, we had better start paying attention to the things that produced the economic growth and progress in this Nation. The laws of economics and sociology are just as true abroad as they are at home.

The Moral Obligation of the United States To Support the Workers of Poznan in the Struggle Against Communist Tyranny

EXTENSION OF REMARKS
OF
HON. ALBERT W. CRETELLA
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 24, 1956

Mr. CRETELLA. Mr. Speaker, in 1918 there was a revolt in Poznan, Poland. It was against the German occupation, and occurred at the same time Ignace Paderewski returned from America after World War I.

This was the only victorious uprising in Polish history, and afterward the main square in Poznan was renamed Freedom Square. This symbol of liberty is cherished by the people of Poznan.

On June 28, 1956, it was no surprise that the Poznan workers marched on historic Freedom Square, now the headquarters of the Polish Communist Party and their security police, to demand bread and freedom. Their pleas were answered with bullets. The result was the loss of 38 lives and 270 wounded, many of whom were innocent women and children.

The latest barrage of prcpaganda from the Communists tells us that the June revolt was inspired and incited by "foreign agents" directed by our own Secretary of State, Mr. John Foster Dulles. But the facts are clear. It was hunger, unrest, subjugation, and the other plagues of Kremlin dictatorship which were the real inciters of the uprising. For this was a revolt sparked internally by the proletarian workers of Poznan whom the Communists are forever claiming they represent. It is ironic then that these were the same proletarians who took to the streets to voice their demands and whose lives were taken by these Communist butchers known otherwise as their self-styled protectors. The Polish Government's talk of outside imperialist agents as the cause of the revolt is nothing but the big-lie technique, designed to justify its brutal actions.

We, as free Americans, and others of the free world have the moral obligation to speak out in the name of decency and

humanity against the terrible Poznan killings.

Besides accusing Mr. Dulles of inflamatory speeches to incite the Poznan riot, Pravda and other Soviet organs have charged that the revolt was financed by the United States with funds appropriated by Congress. We all know this not to be the case but if it were true the expense of helping those to throw off the yoke of Communist tyranny would be more than morally justified.

It is apparent that Russia is beginning to face the frightening realization she is losing her stranglehold on the captive satellite countries behind the Iron Curtain. Since the downgrading of Stalin by Bulganin and Khrushchev, Communist leaders outside the captive countries have raised doubts about the motives of the Kremlin, all of which have contributed to the Soviet sense of insecurity.

The Poznan upsurge has its distinctions in this regard. It is the first major uprising in the satellites since the debasement of Stalin. The brave and courageous citizens of Poznan have served notice on the Kremlin that they vigorously protest the denial of their rightful share of freedom, regardless of the Stalin downgrading. The Russian overtones of relaxing their systems of state police control have counted for nothing with the Polish people. A lesser degree of tyranny and subjugation makes the courageous Poles no more likely to accept their existence in the vaccuous Communist world.

The Polish nation was the first to fall under the planning of mad Hitler and plundering of the Nazi army. This Nation knows well, the results of force, brutality, and murder upon its innocents. The nightmare of Katyn Forest is burned into their memories. The Russian domination with which Poland contends now, is just as detestable and abhorent to them as the Nazi pillagers, for both stand as a cruel and cunning barrier to a people who fight and are beaten and fight again and pray for freedom and the return of their legitimate government and culture.

The Communists in their highly propagandized efforts to flaunt their kindness and amnesty to the rest of the world have actually made a mockery out of humanity. The workers of Poznan are underpaid and underfed for their forced labors in behalf of the Russian and Chinese military preparations. The former Prime Minister of Free Poland, Mr. Stanislau Mikolajczyk, has stated that out of the 100,000 political prisoners and 300,000 persons in forced labor camps, a mere 26,000 were released under the so-called recent amnesty.

The manipulation of taxes by the Communists in Poznan has kept the people barely existing. A result of the June 28 riot has caused the government to initiate a supposed "tax reform" measure to refund taxes to certain workers. It is no wonder that one of the reasons for the uprising was the fantastic prices where shoes cost one-half to one-third of a month's wages, a pound of butter one-half day's wages, a suit of utility clothes a month's wages. It has been said that workers of the Communist countries can partially free themselves when they can control the methods of collection of state revenues. By the voicing of their grievances through violence the Poznan workers have realized a "tax reform" and although such a measure is a long way from freedom itself it was the indication of a Communist concession and an admission of wrongdoing.

Rights which our workers in the United States regard as elementary are still forbidden in the Communist workers "paradise."

The Poznan workers have learned there is no new smile on the Soviet face. The "new" atmosphere in Poland for the most part is a cruel hoax. The evidence is the scores of dead and wounded who on June 28 thought they could safely air their grievances.

Only temporarily has the unrest in Poznan been drowned in blood. Even now this tragedy is not complete. Latest bulletins indicate that 323 persons will face trial for armed insurrection the maximum penalty of which is death.

It should be obvious to the Russians and their satellite puppets by this time that revolts and uprisings behind the Iron Curtain will continue just so long as strength and the will for freedom God has bequeathed to us all exists in the hearts and the minds of the Poles and other captive peoples.

It is my strong belief that our Government has the obligation to express clear and forthright objection to the Communist tyranny in Poland.

The Government Printing Office Keeps Congress and the World Informed

EXTENSION OF REMARKS
OF
HON. BROOKS HAYS
OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 1956

Mr. HAYS of Arkansas. Mr. Speaker, when I walked into the Government Printing Office at midnight recently to return some copy for the CONGRESSIONAL RECORD, I watched the faithful workers pursuing their nightly tasks. I know that I speak for all the Members when I say that we deeply appreciate this great service. It is unfortunate, however, that we do not always fully recognize the effort that goes into providing us with the RECORD at our morning coffee. The significance of things done for us without scrutiny is often overlooked. Now that this Congress is drawing to a close, I think it is appropriate to express our thanks for a job well done.

I have just learned that this job was not done so well some years ago. I discovered that it was not until 1860 that Congress authorized the establishment of an official printing office to produce printing and binding for the Senate and House of Representatives, the executive and judicial departments, and the Court of Claims. Prior to that time, the Congress employed the contract system of printing and much corruption and graft were involved in the contract negotiations. After several congressional investigations, the Government decided to undertake its own printing and purchased a private printing plant for $135,000 to do the job. From this small plant has developed the Government Printing Office—the largest printing plant in the world.

Resolution in Opposition to Admission of Red China Into the U. N.

EXTENSION OF REMARKS
OF
HON. WALTER H. JUDD
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 1956

Mr. JUDD. Mr. Speaker, the Conference on Peace and Freedom Through Liberation held its annual meeting in the House caucus room on July 2 last. This organization has for several years been working through various means to encourage the people behind the Iron Curtain of Communist tyranny, in their efforts to regain their freedom.

It was my privilege to present to the conference a resolution opposing the admission of Communist China to membership in the United Nations. The conference unanimously adopted the resolution and asked that it be made available to all Members of the Congress and that it be given wide distribution among freedom-loving peoples everywhere. Under leave to extend my remarks I include the resolution:

RESOLUTION IN OPPOSITION TO ADMISSION OF RED CHINA INTO THE UNITED NATIONS

Recognizing that the Red regime in China gained power by subversion and aggression against the government and people of the Republic of China; that it rules by force and terror; that it has carried on a program of mass murder, by which the lives of millions of peace-loving Chinese citizens have been sacrificed; that it seeks to eliminate from Chinese life those things traditionally sacred to the Chinese people, namely, spiritual values, individual liberty, and the love of family and home;

Recognizing that this Communist regime, puppet of the Soviet Union, backed the aggression which launched the Korean war in June 1950; took up arms against the people and government of the Republic of Korea and their United Nations defenders, resulting in the killing of hundreds of thousands of American, Korean, and allied personnel, with millions more casualties among the wounded and homeless, for which acts of international banditry this same Red regime in China was branded an aggressor by the United Nations;

Recognizing further that this Red regime in China still holds as prisoners in its bloody hands the people and area of North Korea, and still holds, in violation of its specific pledges and all standards of international law and decency numbers of American citizens and those of other free nations; and that this Red regime is still an aggressor before the United Nations and before the bar of public opinion of all freedom-loving peoples of the world;

And recognizing further that this same aggressor regime in Red China for years has been, and still is, seeking admission to membership in the United Nations, without having in any way so altered its behavior as to

demonstrate itself qualified and eligible under the provisions of the United Nations charter:

Therefore, we who believe in liberty, justice, and international morality pledge to oppose by all political, diplomatic, economic, and other ethical means in our power the admission to membership in the United Nations of the Red regime in China. We pledge to bring to bear upon our representatives in the executive branch, the Congress, and the United Nations, our opinion that such admission of Red China would be in violation of every principle upon which the United Nations was founded and for which it should stand; would in effect greatly increase the prestige and the political capabilities of the Communist bloc in that organization and throughout the world; and would discredit that organization and greatly diminish its potentialities as an instrument of peace, justice, and international security.

Defense Essentiality and Foreign Economic Policy

EXTENSION OF REMARKS
OF
HON. HERMAN P. EBERHARTER
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 24, 1956

Mr. EBERHARTER. Mr. Speaker, in the pressure of work and time that attends the rush to adjournment of the Congress, it is not possible always to pause and take cognizance of the reports filed by our various committees on studies that they have undertaken. For this reason, I should like to call attention to the distinguished and excellent report on Defense Essentiality and Foreign Economic Policy just issued by the Joint Economic Committee. This report was printed as a Senate document and, therefore, may escape the attention of Members of this House. Yet the subcommittee was composed of Members from both the House and the Senate and, indeed, the chairman of the subcommittee that issued the report is the young, dynamic, and very able Congressman from Missouri, RICHARD BOLLING.

This unanimous report on Defense Essentiality and Foreign Economic Policy was the product of a careful study of the broad issue of defense essentiality as the rationale for restricting imports. In addition, as a case study, the committee took a long look at our import policy with respect to Swiss watches. A major conclusion of the subcommittee is:

Protection of the watch industry by trade restrictions in the name of defense is unwarranted because first, it will not be effective in preserving the domestic industry, and second, it represents an undue burden on other industries as well as consumers. The burden on other industries and on the trade of the free world will detract from national security.

I have consistently felt that the 1954 increase of 50 percent in Swiss watch tariffs was unwarranted and prejudicial to our national interest. Now that a review of the effects of that decision is about to be completed and its findings submitted to the President, this document on Defense Essentiality and Foreign Economic Policy assumes an even greater importance. The responsible officials in the administration could do no better than to give the Bolling subcommittee report the closest study. I urge, too, that my colleagues in the Congress acquaint themselves with the conclusions of this highly significant report. There is much to be learned from it.

Harold Stassen

EXTENSION OF REMARKS
OF
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OF NORTH DAKOTA
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You would think that Stassen was the great Grecian oracle of American politics. But when we examine Stassen's background and take into consideration the fact that he speaks from a very subordinate position in the Republican Party, his statement will not do any convincing except to convince the people that Stassen is all washed up politically. I doubt very much whether Stassen was the real author of the move. It might be that the enemies of NIXON were looking around to find someone weak enough politically—where he could not be hurt—to send up this trial balloon and see what the reaction was. The reaction was instantaneous and indicated clearly that Republicans, generally, resented this so-called unofficial intrusion.

If the administration knew of this blast and O. K.'d it, it can now deny that this was their trial balloon and Mr. Stassen may be dismissed for speaking out of turn. If he is retained, it will be presumptive proof that the administration was not altogether innocent.

There are many figures in the administration who are not sold on NIXON. When the parity for farm prices was being scuttled by Benson, NIXON took a stand for the farmers and this nettled quite a number of the Cabinet. You will remember that the Cabinet was called together and O. K.'d the Benson plan right in the face of the recommendations being made by NIXON. I would not be a bit surprised but what this Stassen outburst was premeditated on the part of those in the Cabinet who feel they cannot rely on or handle NIXON.

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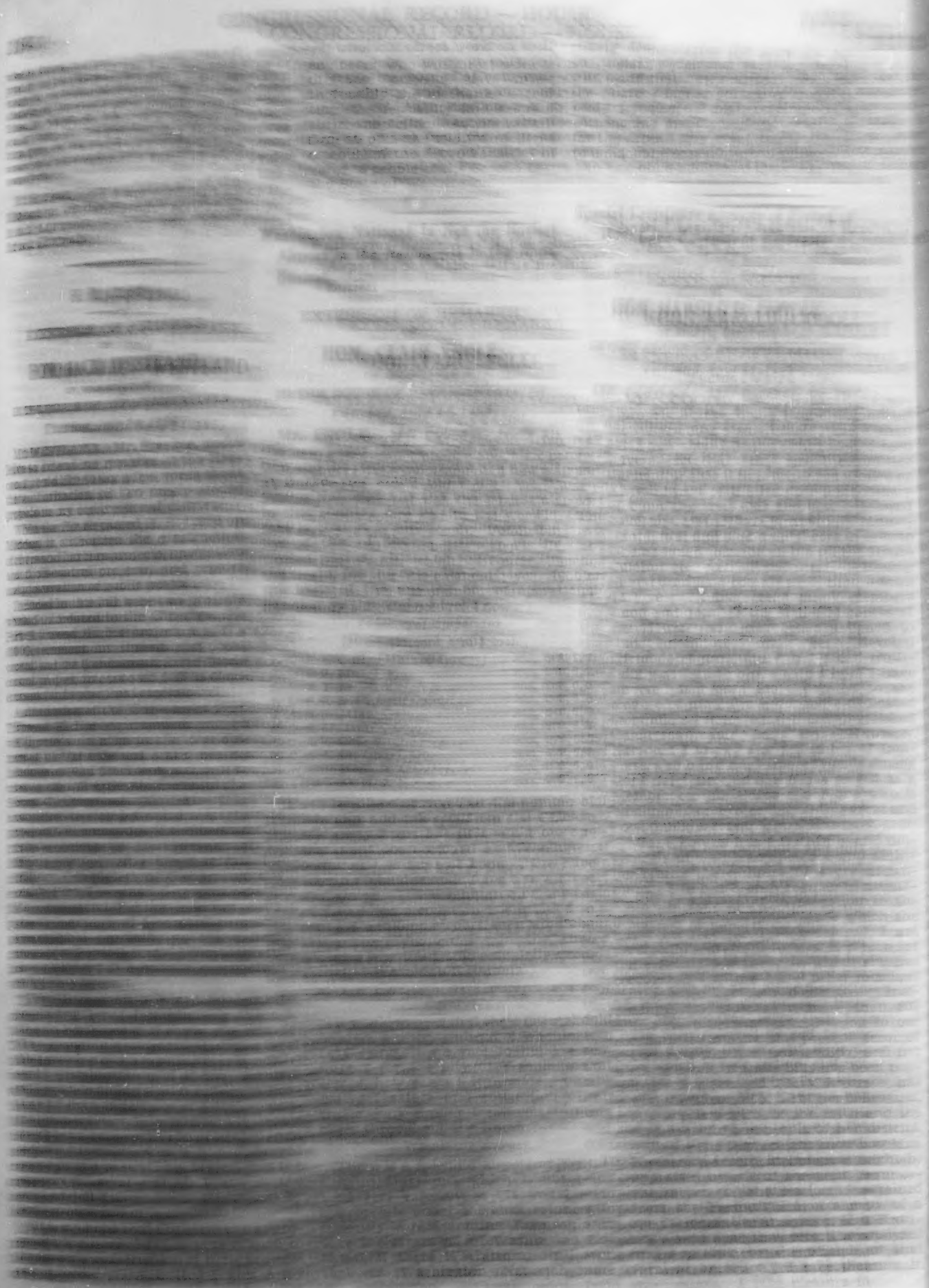

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value is almost as great in the cold page of print as in the House itself. Dr. Braskamp enjoys in notable degree the respect and affection of the entire membership of the House, to whom he is a counsellor, friend, and brother. In publishing this volume of his prayers, we feel we are rendering a public service and commend them to good people everywhere.

Mr. Speaker, I am confident all of the Members of the House concur with you in this expression of your high esteem for our Chaplain.

H. R. 12080

EXTENSION OF REMARKS
OF
HON. JACK WESTLAND
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 24, 1956

Mr. WESTLAND. Mr. Speaker, under leave to extend my remarks in the RECORD, I would like to say a few words about the authorization of two much-needed projects in my congressional district.

When the House passed H. R. 12080 on Monday, it authorized the construction of rivers and harbors projects, navigation and flood-control projects, and repairs and preservation of public works.

Included in this bill were two projects which I introduced to the Congress, the Port Townsend Harbor project, a $387,000 Government investment plus local capital, and the Sammamish River flood-control project, to cost $825,000 in Government funds plus local capital.

Authorization of the long-sought Port Townsend Harbor improvement project will provide a stimulus to the development of the fisheries and other marine industries of Port Townsend, a town located on the Olympic Peninsula in the Second Congressional District. This constructive step toward a start on this project will encourage the investment of private enterprise in development of fishing supply and other terminal facilities. Completion of the project will enable Port Townsend to participate in the commercial fishing industry to a greater extent, and to capitalize on its geographical proximity to the fishing grounds of Puget Sound. Local interests have pledged full economic cooperation with this project.

The Sammamish River flood-control project will be of inestimable value to the area northeast of the city of Seattle. The expanding residential districts of this growing city are pushing ever northward. Stabilization of the river runoff will provide building sites for diversification of light industries and for residential construction. In addition, valuable truck farm acreage will be protected from periodic flooding which has destroyed crops in the past. This project has the support of several small towns in the area and full financial participation by local groups has been assured.

It is my hope that Congress can appropriate the needed funds next session so the orderly construction of these projects can proceed. The United States Army engineers, who will direct work on both of these projects, have investigated thoroughly the mechanics of construction, the feasibility and desirability of their completion. Authorization was a firm step in the right direction toward establishment of two facilities of great value to people of the Second District in the State of Washington.

Washington National Is Not the Busiest Airport in the Nation—It Is the Ninth Busiest

EXTENSION OF REMARKS
OF
HON. CLAIR ENGLE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 24, 1956

Mr. ENGLE. Mr. Speaker, from all the newspaper clamor about air congestion and the requirement of a new airport at Burke, you would think that Washington National was the busiest airport in this country and in the world. The fact is that it is ninth. Following is a list of the 10 busiest airports in the United States, which, of course, means the world, for the calendar year 1955 on the basis of the number of operations handled by the control tower:

Total operations
[Itinerant and local]

1.	Chicago, Ill. (Midway)	381,737
2.	Miami, Fla	276,729
3.	New York, N. Y	266,058
4.	Los Angeles, Calif	263,516
5.	Atlanta, Ga	246,709
6.	Denver, Colo	239,861
7.	Charleston, S. C	229,557
8.	Cleveland, Ohio	226,768
9.	Washington, D. C	225,914
10.	Teterboro, N. J	221,637

It will be observed that the number of landings and takeoffs from the Chicago Midway Airport is half again more operations than occurred at Washington National. As far as I know, there have been no loud demands for a new airport at Chicago. If Washington on the basis of its alleged congestion is entitled to a new $75 million airport, then what about the other eight cities in the United States where the traffic actually exceeds that at Washington National?

DOES NOT CHICAGO HAVE PRIORITY FOR NEW AIRPORT?

It would appear that these cities should be given a priority ahead of Washington, D. C., and, if we vote to build a new airport for the city of Washington at Burke, how can we legitimately on the basis of safety and congestion of air traffic deny similar treatment to other cities throughout the Nation?

FRIENDSHIP AIRPORT

There is a splendid airport at Friendship in Maryland, which is not being used very extensively. It would seem appropriate under the circumstances to seriously consider using Friendship to take the strain off of Washington National, if there is a strain, until such time as Washington National more clearly demonstrates the need for an additional new airport when compared with other airports throughout the country where a higher volume of traffic is being handled, if not easily, at least without any great complaint or clamor for the expenditure of millions of dollars to build additional airport facilities.

Special Legislative Analysis of Record of Hon. Coya Knutson, of Minnesota

EXTENSION OF REMARKS
OF
HON. HAROLD D. COOLEY
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 24, 1956

Mr. COOLEY. Mr. Speaker, by appropriate action, the House Committee on Agriculture was created more than 125 years ago. Many distinguished men have served on that great committee during the time that it has functioned as a vital part of the legislative machinery of our Congress. Our able and beloved colleague, Mrs. COYA KNUTSON, of Minnesota, is the first and only woman ever to be assigned to membership on the House Committee on Agriculture. Having served on that committee for more than 22 years, I have seen many members come and go. Most of the Members of the House who have been assigned to that committee have been devoted friends of agriculture, but I can truthfully say that no one with whom I have served has been more devoted to the cause of agriculture nor more dedicated to public service than the distinguished Congresswoman, Mrs. COYA KNUTSON. Nor do I know of any Member of Congress who has made more friends during the brief time that she has served as a Member of this House nor one who is held in higher esteem than this great and good public servant, Mrs. KNUTSON.

Mrs. KNUTSON has faithfully and diligently and with competence and ability performed the duties of every assignment. She has been regular in attendance and constant in attention to the many matters of importance which she has been required to consider. I am personally grateful to Mrs. KNUTSON for the splendid manner in which she has cooperated with me and other members in the work of our committee. Incidentally, Mr. Speaker, more than 800 bills have been referred by you to our committee during the present term of Congress which is now ending, and not a single one of these bills has been neglected nor ignored. Mrs. KNUTSON has won the affection of all of her colleagues, and she is worthy of the faith and the confidence of the people of her district.

To the end that I might know how Mrs. KNUTSON's record in Congress might be appraised by one of the great farm organizations of the Nation, I obtained from the Farmers' Union a copy of a special legislative analysis of Mrs. KNUTSON's record as that record is analyzed and appraised by the officials of that farm organization. I take pleasure in

submitting for the RECORD this special legislative analysis which also contains other comments and commendations, together with statements made on several occasions by Mrs. KNUTSON, which indicate that she is a true and devoted public servant—a Member of Congress who has a record of which she may justly be proud:

SPECIAL LEGISLATIVE ANALYSIS MEMORANDUM, CONGRESSIONAL RECORD AND REPORT ON CONGRESSWOMAN COYA KNUTSON

In furtherance of our program of keeping you informed of the voting record and legislative contributions of Members of Congress, we are including here the record of Mrs. COYA KNUTSON, Congresswoman from the Ninth District of Minnesota, which comprises the northwest tier of counties in Minnesota.

Mrs. KNUTSON's record in favor of family farmers is one of the best in the 84th Congress. Her record speaks for itself. She has done an outstanding job in not only representing the farmers of her area but all the family farmers of the Nation.

In addition to Mrs. KNUTSON's voting record on certain key bills, excerpts from some of her speeches and remarks taken from newspaper articles written about her are included in this analysis.

Mrs. KNUTSON is 42 years of age. She is a farm girl from North Dakota who migrated across the line to Minnesota at an early age. Farm wife, schoolteacher, State legislator—that's COYA as she is called by her friends. Now it's Congresswoman—Mrs. KNUTSON has voted for and initiated many bills in the 84th Congress in behalf of the family farmers of this Nation.

Voting Record—Congressional Record of Representative Coya Knutson, Democral-Farmer-Labor, of Oklee, Minn., Ninth District of Minnesota, elected to 84th Cong., Nov. 2, 1954

	For	Against
1. To remove peanuts from list of basic crops (H. R. 12)		X
2. 90 percent farm price supports (H. R. 12)	X	
3. Social security amendments improving certain good features (H. R. 7225)	X	
4. Raise minimum wages	X	
5. Exempt natural gas companies from public utility regulation (H. R. 6645)		X
6. Public works appropriations, raising funds for Atomic Energy Commission, TVA, Interior Department, Federal power projects (H. R. 6766)	X	
7. Housing Act of 1955 (S. 2126) renewing farm housing loan program	X	
8. Small Business Committee funds—to continue its investigations of monopolies (H. R. 299)	X	
9. To override President's veto of farm bill of 1956 (H. R. 12)	X	
10. Agricultural Act of 1956 (soil bank)	X	

ATTITUDE TOWARD FARM LEGISLATION

Here is what Drew Pearson had to say in his column in January 1955:

"Mrs. COYA KNUTSON, freshman Congresswoman from Minnesota, hardly had time to get settled in Washington when she received this note from her 15-year-old son, Terry, a student at Oklee High School: 'Hurry up and do something, Mom. Folks back here sure are relying on you.'"

The reporter said: "Mrs. KNUTSON's 275,000 constituents can relax. The lady from Minnesota began talking about the downward trend of farm prices the moment she hit town and doesn't intend to stop until she has everybody from President Eisenhower down to and including Capitol page boys alerted to the situation. 'If you knew the prices my dairy and grain farmers are getting in the present market you'd be shocked,' she says. 'I campaigned almost entirely on that issue and I'm going to continue campaigning here in Washington.' Before getting into politics, Mrs. KNUTSON farmed and taught school. During the last campaign a farm-labor leader introduced her as follows: 'Many an early morning I have seen Coya on the south forty running a tractor or climbing a barbed wire fence. What's more, she did it like a lady.'"

The following is taken from a report of the Subcommittee on Family Farms of which Mrs. KNUTSON is a member:

"The system of family farming in America rejected the feudal systems of older nations and established the free enterprise economic foundation on which this Nation has flourished. America cannot now afford to allow the substitution of a hired hand industrial type of agriculture for the independent farm family on the land. The Nation's policies must be shaped to perpetuate the family as the dominant operating unit in agriculture.

"Our agricultural policies must be such that the Nation's farmers and their families share in the blessings of free enterprise on a parity with all other elements of our national life.

"The farm program must begin with the family farm; that the program should not aid the factory in the field type of farming for, except in a few specialized operations, there are no values for the Nation in substituting a hired labor agriculture for the independent family farm; that specific emphasis must be placed upon the development of our smaller farms into adequate units with resources sufficient for economic production and that the rights of tenants as well as those of landowning farmers must be protected. Steps must be taken to protect the income of family farms at full parity returns on their production, with the benefits of such income and price protection limited to the output level of the family type farm. Therefore appropriate steps should be taken immediately toward the drafting and enactment of a family farm program for agriculture."

[From the Willmar (Minn.) Tribune]

COYA CHAMPIONING FAMILY SIZED FARM

Representative COYA KNUTSON, Democrat, (Minnesota) told the closing dinner of the Minnesota Federation of Business and Professional Women's Clubs Saturday night the family type farm is the country's most important agricultural unit.

"Farm products must be supported at parity," she told the group, "in order to keep the small farm solvent. If we can't maintain it as a reasonably profitable kind of life, we will start an economic and social prairie fire such as we have never had."

[From the Tyler (Minn.) Courier Times]

REPRESENTATIVE COYA KNUTSON, OF MINNESOTA CAMPAIGNS FOR HER FELLOW FARMERS

There is a determined female farmer in Congress. Fortunately, COYA KNUTSON doesn't look as grimly determined as she is about helping farmers "make a decent living." * * * "Her strength is that of five men," said one admiring Minnesota voter referring to the four men she walloped in the Democratic primary and the Republican (the incumbent with 12 years service) at the polls. * * * "From the minute the results of the election were in Mrs. KNUTSON turned to her next determination; to get assigned to the House Agriculture Committee. That's a neat political trick as every Member from a farm district is waiting in line. Her Republican predecessor never made it. She did. * * * One thing that helped Mrs. KNUTSON get the assignment was her campaign favoring full price supports for farmers. (She is the first woman to serve on this committee.)

[From the St. Paul (Minn.) Pioneer Press]

MRS. KNUTSON TO FIGHT FOR PROPS

Representative COYA KNUTSON, Democrat, Farmer-Labor, Oklee, the first woman elected to Congress from Minnesota, said Monday her legislative work will be aimed at giving farmers high price supports and the Red River Valley improved flood control. * * * "The farmers elected me, so my chief concern will be their interests," Mrs. KNUTSON told the Pioneer Press.

[From the Kansas City Star]

FARM INCOME AN ISSUE

Mrs. COYA KNUTSON, a fledgling in politics who last year pried a Republican from his 12 years tenure as Representative from the rural Minnesota congressional district, thinks the issue on which she waged her campaign will elect a lot more Democrats in 1956. That issue is outlined as the welfare of the farming segment of the American economy.

Mrs. KNUTSON, who was in Kansas City today for a 7-State conference of Democratic women at the Hotel President was voluble on the subject she said was closest to her heart. "If the farmers don't have buying power," Mrs. KNUTSON said, "our small communities will dry up in a big hurry. Why, in my State alone, in one section, an auctioneer had 200 farms to auction lined up for this fall. Of course, they are not all foreclosures, by any means, but it is a big turnover for a section. The thing is alarming. I am an advocate," Mrs. KNUTSON continued, "of the save the family type of farm, where the farmers may have sufficient income to raise his children in the midst of his acres."

[From the Newport (Va.) News]

MINNESOTAN IS FARMER'S ADVOCATE ON CAPITOL HILL

After delivering a speech in Minnesota several months ago, former President Harry Truman was greeted by Representative COYA KNUTSON, Democrat, of Minnesota. "I am very happy that you stressed so much the subject of the farm family," she exclaimed. "COYA, you should be happy," cracked Truman, "I took most of it from your farm speech." President Truman wasn't kidding. And he isn't the only politician who recognized the astounding talents of COYA KNUTSON, a farm gal who can dazzle city and country folk alike. Among her colleagues in both parties she has come to be considered one of the outstanding spokesmen for 90 percent parity and the preservation of the family-type farm.

[From the Lutheran of October 1955]

THE CONGRESSWOMAN FROM MINNESOTA

Mrs. COYA KNUTSON, raised on a middle western farm, thinks national problems should be solved according to principles of the Christian faith.

Zion Lutheran Church at Oklee, Minn., had to give up an organist, choir director, and Sunday school teacher, all in one, when Mrs. COYA KNUTSON went to Washington as the first Congresswoman from her State.

As a farmer's daughter, who represents a farm district, and the only woman ever to serve on the House Agriculture Committee,

Mrs. KNUTSON is working hard for a farm program that will distribute America's surplus food to low income people in the United States and abroad.

The farm problem, she feels, is one of poor distribution. It does not make sense for farmers to suffer low incomes because of bountiful supplies of crops, for which people in the rest of the world are hungering. "No piecemeal solution will work here," she said. "It is an overall, long range, planned program, that will come the nearest to preserving our rural way of life."

MR. KNUTSON'S ACTIVITY ON LEGISLATION OF INTEREST TO FARMERS UNION

Besides the very fine overall work carried on by Mrs KNUTSON to bring this Nation's attention to the problems of the family type farmers, the several issues specifically in which she has been in the forefront of the fight:

HOLLAND AMENDMENT

Passed by the House in 1954, this amendment required that a farmer, in order to qualify for price support on any one commodity he raised, would have to comply with acreage allotments and marketing quotas for all commodities raised on his farm and included in the price-support program. This was known as "cross compliance."

Mrs. KNUTSON introduced a bill, H. R. 3781, to repeal the Holland amendment and the bill was passed by Congress.

SUGAR LEGISLATION

A bill to amend and extend the Sugar Act of 1948 with the same system of payments already in effect but allocating to the mainland producers a larger share of the domestic consumption increase, H. R. 5408, was introduced by Mrs. KNUTSON. This legislation, as passed, will aid the sugar beet producers of her district as well as those of other areas. Mrs. KNUTSON was selected by the House of Representatives as one of the floor managers for the conference committee on this important legislation.

FARM CREDIT

Congresswoman KNUTSON has worked very hard and very effectively in securing liberalizing amendments to present farm-credit legislation. She introduced H. R. 3874 in 1955 and H. R. 11032 in 1956. In the House-passed bill several of the features she sponsored were included, which is further evidence of the diligence Mrs. KNUTSON employs in working for the interest of the family-type farmers. Of particular importance at this time is the expanded authority provided in the new legislation for refinancing of existing indebtedness.

SCHOOL LUNCH—DAIRY

Mrs. KNUTSON introduced H. R. 7762 to amend the School-Lunch Act so as to authorize assistance to the States in furnishing two half pints of milk a day to school children. The farm in which the legislation passed the House did not provide for all the good features of her bill; however, the appropriation for this program, in which she had a leading part, was increased from $50 million to $75 million a year.

FAMILY FARM PROGRAM FOR AGRICULTURE

On July 16, 1956, the Subcommittee on Family Farms, of which Congresswoman KNUTSON is a member, is holding hearings on Government policy relating to family-type farming. Mrs. KNUTSON introduced H. R. 3780 which would state explicitly the long-standing national policy to preserve family-type farming as the basis of American agriculture.

The subcommittee held grassroots hearings around the country in the fall of 1955. The report of the subcommittee contained the following recommendations:

1. Support at full parity the production of average family farmers who agree to cooperate in the allotment and soil-conservation program. It would not be restricted to the so-called basic crops.

2. Immediate restoration of 90 percent supports on crops subject to acreage allotments in 1956.

3. Minimum production allotments to provide opportunity for all farm families to make a fair living.

4. Expanded and liberalized credit facilities under Farmers Home Administration.

5. Expanded research and marketing services.

6. Widest possible dispersal in location of industries, both Government and private, in order to provide greater opportunity for employment by part-time farmers.

7. More liberal programs for soil conservation practices on small farmers, and prompt payments.

8. A program to provide trained leadership in community organization in low farm-income areas.

This was an important advance in congressional thinking on the family-farm program.

CONSERVATION ACREAGE RESERVE

Congresswoman KNUTSON introduced H. R. 8369 in January 1956, to establish a conservation acreage reserve. This bill, if it had passed, would have provided for a sounder and more effective conservation and income program than the patchwork soil-bank program which was finally passed as the best Congress could get past the Presidential veto. Mrs. KNUTSON and many other Congressmen, were supporting this type of conservation program long before the Department of Agriculture changed its position from opposition to support.

OTHER

In other matters such as legislation dealing with education, health, Indian affairs, public power, flood control, REA, the position of Congresswoman KNUTSON has always been on the side favorable to family farmers, city workers, and small-business men. She has opposed the giveaway programs of water power sites, illegal power contracts, our forests, rangelands, and parks. She has supported appropriations to provide for adequate defense programs and foreign economic and technical assistance in the difficult times we face.

BILLS INTRODUCED BY CONGRESSWOMAN COYA KNUTSEN, NINTH DISTRICT OF MINNESOTA

AGRICULTURE

H. R. 3780, February 8, 1955: A bill to state explicitly the long-standing national policy to preserve and strengthen the family-farm American agriculture.

H. R. 3781, February 8, 1955: A bill to repeal section 348 of the Agricultural Act of 1938. (Repeal of Holland amendment). (Passed.)

H. R. 3782, February 8, 1955. A bill to amend the Agricultural Act of 1949 (100 percent parity bill).

H. R. 3783, February 8, 1955: A bill to continue through December 31, 1957, the existing method of computing parity prices for basic agricultural commodities.

H. R. 3784, February 8, 1955: A bill to amend the act of August 28, 1937, to provide additional credit facilities for farm enlargement and development and to assist beginning farmers to become farm owners. (Beginning farmers credit.) (Passed.)

H. R. 3785, February 8, 1955: A bill to provide for a stockpiling an adequate national safety reserve of food and fiber.

H. R. 5408, March 31, 1955: A bill to amend and extend the Sugar Act of 1948 as amended. (Passed.)

H. R. 6203, May 12, 1955: Passed July 2, 1956, a bill to amend section 406 of Federal Seed Act.

H. R. 7762, July 30, 1955: A bill to amend the National School Lunch Act so as to authorize assistance to the States in furnishing two half-pints of milk a day to school children. (Passed with additional funds only.)

H. R. 8369 (same as H. R. 6052 of 1955), January 12, 1956: A bill to establish a conservation acreage reserve, to promote conservation improvement of agricultural soil and water resources in relation to watershed development, to stabilize farmers' income to adjust total agricultural production to consumer and export needs, to maintain an abundant and even flow of farm commodities in interstate commerce.

H. R. 11032, May 7, 1956: A bill to strengthen the Nation by providing auxiliary credit resources required to preserve the family-size farm, providing additional credit for farm enlargement and development, refinancing of existing indebtedness, expansion, and simplification of farm ownership and operations credit programs by amendment of the Bankhead-Jones Farm Tenant Act, and extension and simplification of emergency and disaster farm credit by amendment of the Acts of April 6, 1949, and of August 31, 1954.

EDUCATION

H. R. 5510, April 13, 1955: A bill to establish the Federal Agency for Handicapped.

H. R. 11414, May 23, 1956: A bill to provide a program of Federal student loans to assist students to pursue programs of higher education.

INDIANS

H. R. 5478, April 4, 1955: Passed under her name. A bill to authorize a $100 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation.

H. R. 8370, January 12, 1956: A bill to promote the welfare of the American Indian citizens of Minnesota and to facilitate the orderly termination of Federal supervision and control over Indians and Indian property in that State. (Same bill as H. R. 7386 for July 14, 1955, with Red Lake Tribe left out.)

H. R. 11033, May 7, 1956: A bill relating to the management of the Red Lake Indian Forest and sawmill.

H. R. 6104, May 9, 1955: A bill to declare that the United States holds certain lands in trust for the Minnesota Chippewa Tribe (White Earth Indian Reservation).

MISCELLANEOUS

H. R. 4630, March 3, 1955: Passed under her name. A bill to extend the time for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.

H. R. 6265, May 16, 1955: A bill to authorize the coinage of 50-cent pieces to commemorate the centennial of the admission of the State of Minnesota into the Union.

H. R. 10127, March 21, 1956: A bill to amend the Federal Aid Highway Act of 1944 to provide for an addition to the National System of Interstate Highways. (Through Michigan, Wisconsin, Minnesota, North Dakota, Montana, and Idaho, and ending in Everett, Wash.) This would be highway No. 2 in our district.

H. R. 10128, March 21, 1956: A bill to amend the Railroad Retirement Act of 1937 to provide increases in benefits. Committee on Interstate and Foreign Commerce.

This memorandum indicates the untiring and continuing efforts of another one of our fine Representatives in Congress. Mrs. KNUTSON'S record speaks for itself just as it effectively speaks out in support of family farmers and all fair-minded citizens throughout the United States.

The Dominican Republic

EXTENSION OF REMARKS
OF
HON. B. W. (PAT) KEARNEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 24, 1956

Mr. KEARNEY. Mr. Speaker, it is expected that this year larger numbers of United States citizens than ever in history will discover for themselves the charm and beauty of the Dominican Republic, that small country to the south of us which was our loyal ally in war and has proved a cooperative and undemanding friend in peace.

I would like to take this opportunity to applaud the courage and resourcefulness of our neighbors in the Dominican Republic. Few nations in the world have put the past 26 years to such phenomenal use. Today visitors may observe how Ciudad Trujillo, the capital city, combines the clean lines of modern architecture in its public edifices with the Spanish style of its beautiful old buildings, many of which have no earlier counterparts in the Western Hemisphere. But they will see no traces of the desolation which swept this small nation in the year 1930, and without some knowledge of the problems our good neighbors confronted and solved, we have no measure of the vastness of their achievements.

In 1930 a tropical hurricane laid waste to the country only 2 weeks after Gen. Rafael Leonidas Trujillo took office. In addition to the burden of a country which had neither a central sewerage system nor a satisfactory water distribution, he was faced with responsibility for a population which appeared destined to fall prey to plague, physical starvation, and even greater deprivation of the spirit—hopelessness and ignorance. At that time, for the ordinary citizen, educational opportunities were almost entirely nonexistent.

In 1956—the Dominican Republic through Government-sponsored programs has cleared land for agriculture, established huge irrigation projects, and puts a large percentage of national agricultural resources to gainful use. From a bare subsistence level Dominican enterprise now feeds its people well and exports large quantities of many foods.

Industry is organized in an attempt to use domestic materials in products for local consumption; foreign and public debt has been eliminated and the currency of the country is on a par with the dollar.

Advances in the economic life and agriculture of the Republic have been matched by similar advances in the fields of education, government and culture. Compulsory education is in effect. Modern hospitals are now staffed with professional people, many of them educated entirely in Dominican schools—such as for example the University of Santo Domingo, a university which has a rich tradition dating to the year 1538.

Housing projects flourish as does a magnificent palace of fine arts. Dominican citizens have a social security system. Of particular interest to me, as a member of the House Un-American Activities Committee, is the fact that in 1947 the Dominican Republic outlawed the Communist Party. Recognizing communism to be the greatest problem confronting the free world, the Dominicans share our concern over the Red menace and have maintained a policy of continuing vigilance.

The soundness of the program of reforms initiated and carried through under the tireless resourcefulness of Generalissimo Trujillo may be measured qualitatively in the soundness of his country's economy. Looking back over the history of the past 26 years in the Dominican Republic we sense a quality at work which might be called a sort of starch in the moral fiber of a nation. It is this quality which helped our forefathers turn a wilderness into the United States of America, and which has in turn helped the small Republic to our south turn from the brink of national disaster to build a new way of life.

Mexican Independence

EXTENSION OF REMARKS
OF
HON. JOHN D. DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 24, 1956

Mr. DINGELL. Mr. Speaker, on September 16 in Mexico, from the luxuriant tropical coastline to the snow-capped mountain peaks, church bells will peal and firecrackers illuminate the skies. Shouts of "Viva Mexico! Viva la independencia!" will ring out in city and village as the Mexican people commemorate their independence day with a mixture of solemnity and joy.

In the 18th and early 19th century, Spain had tried to suppress in its Mexican colony the revolutionary principles of the rights of man. But all the force and terror mustered by the Spanish Crown could not hold back the ideas of liberty and equality. Brave men secretly continued to circulate books by the French philosophers and news of the experiment in self-government going on north of the border in the former British colonies. On September 16, 1810, Miguel Hidalgo, the parish priest in the small town of Dolores, launched a movement for independence that was to spread throughout this whole rich Spanish possession. Padre Hidalgo, a white-haired, green-eyed, scholarly priest, called to the people to revolt against their oppressors and himself led them on their march to the capital.

Several months later, Hidalgo was captured and executed by a firing squad. But the determination to resist tyranny which he had kindled in the hearts of his fellow Mexicans burned on brightly after his death. And although 11 years passed before Mexico finally gained its independence, it is Hidalgo who bears the title of "father of independence" and September 16 the day which all Mexico sanctifies.

Today Mexico stands among the forefront of the democracies. It is one of our stanchest allies in the defense of freedom and human dignity. Each year we watch with pleasure as our sister republic grows economically more prosperous and politically more stable, and increasingly able to defend the human rights and freedoms we both cherish. It is only fitting that we in the United States join with our neighbors in Mexico in paying tribute to the brave leaders of Mexican independence. In so doing, may we rededicate our own efforts to the service of the great principles for which our heroes, north and south of the Rio Grande, gave battle.

Gangster Slayings

EXTENSION OF REMARKS
OF
HON. E. L. FORRESTER
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 24, 1956

Mr. FORRESTER. Mr. Speaker, the Washington Daily News of Saturday, July 21, 1956, contained on its front page the following news item:

CHICAGO FINDS THIRD GANG VICTIM

CHICAGO, July 21.—The body of a hoodlum, Thomas Kaskas, 36, bearing knife and bullet wounds, and showing signs of torture, was found on the West Side today. It was Chicago's third gang slaying in recent days.

Authorities said Kaskas apparently had been tortured for days before he was killed. The body clad only in undershorts, was found in an alley. His wrists and ankles were trussed and his mouth sealed with adhesive tape.

In two short paragraphs, the newspaper article disposes of a barbarous and diabolical murder as could be committed. It is significant that there is no demand that the FBI move in or that the military be sent to Chicago. I have patiently waited to see if any pressure organizations would become interested, on the theory that Kaskas had been denied his civil rights, but it seems that no pressure group is interested. I certainly would not contend that Kaskas was killed because of his religion, for I feel certain that his assassins know nothing whatsoever about the Christian religion. Nevertheless, the right to live is a very precious civil right. Undoubtedly his killing was the result of a conspiracy continuing over many days, over which period the man was tortured. Then too, it is highly probable that this killing and the other killings referred to as having occurred "in recent days" involved State governmental action. We all know that gangster slayings are as much a part of Chicago as the Wrigley Building or Comiskey Park, dating back beyond the days of Al Capone and his gang and successors. Anyone knows that this could not have existed over the years without the assistance of persons connected with enforcement of the law in the city of Chicago. That the gangsters have been protected by some officials in that city has been contended many times over the

years, and certainly with substance. As a matter of fact, an article from Springfield, Ill., states that Orville E. Hodge, State auditor, was probably connected with southern Illinois' racketeers and gamblers in extensive business deals as well as personal relationships, and probably Hodge embezzled $800,000 to repay gangster associates.

Every now and then a murder is committed in the South while murders in Chicago are daily occurrences, and are murders utterly without provocation and the result of abandoned and malignant hearts, coolly planned and executed. It is strange that thousands have not paraded the streets in Chicago about these killings, as they did in the Till case in Mississippi. In the Till case, according to the newspapers, young Till's father was hung for rape overseas, of white women. True, that was not chargeable to young Till. Yet one must consider the atmosphere young Till was reared in. If these gangster murderers are ever apprehended and convicted, which everyone seriously doubts, it is doubtful that they will be men decorated for valor on the battlefields as were the alleged killers of young Till, and it is doubtful that these gangsters have any impulses of patriotism whatsoever. According to the newspapers and magazines, young Till forcibly embraced the wife of one of our World War II heroes, made her an indecent proposal, and added insult by saying, "I have had white women before in Chicago." Whether Till told the truth about certain white women in Chicago will be left for Chicagoans to decide. Evidently young Till was boasting over what he had been permitted to do in Chicago. If the men charged with killing young Till actually did so, there was certainly great provocation, while the gangsters cannot claim that they killed in defense of the honor of a good woman, or because they were outraged by any violation of decency.

I am not advocating sending the FBI or the military into Chicago. Illinois is a sovereign State, and I respect it as such. Murder is certainly a crime to be handled by a State instead of the Federal Government. I simply make this record in order to show that hypocrisy is so prevalent in the field of civil rights. I wonder if the people will not sometime agree to leave the Southern States alone. It is very disillusioning to have people in States who are far more guilty to be advocating even the destruction of the Constitution in order to pass punitive legislation against a certain section of this country.

Forthcoming Retirement of George W. Combs of the Baltimore Sunpapers

EXTENSION OF REMARKS

OF

HON. J. GLENN BEALL

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Tuesday, July 24, 1956

Mr. BEALL. Mr. President, I ask unanimous consent to have printed in the RECORD a statement I have prepared concerning the forthcoming retirement of George W. Combs, of the Baltimore Sunpapers.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

REMARKS ON FORTHCOMING RETIREMENT OF GEORGE W. COMBS, OF THE BALTIMORE SUNPAPERS, BY SENATOR J. GLENN BEALL, OF MARYLAND

It is with mixed emotions that I make the first public announcement of a matter which is of interest to all of us.

First there is sadness, because a good friend will soon sever his long and close connection with this body to go into well-earned retirement.

However, there is also a certain sense of satisfaction at this time—the satisfaction we all receive from seeing a job well done.

The job in this case has been the trying task of reporting accurately on the complex matters which confront our Congress.

If ever a man has deserved a sincere "well done" for having accomplished that job to perfection, it is George W. Combs—"Colonel Combs"—of the Baltimore Sunpapers.

It distressed me to learn that Colonel Combs will retire next month after 48 years of outstanding service with the Sunpapers, but instead of thinking today of what we will lose when he leaves, let us consider the more pleasant side of the situation—what we have gained as a direct result of his career.

Basically, the good that has resulted from the service of Colonel Combs has been most important in three areas.

The foremost contribution of this veteran newspaperman, of course, has been his day-by-day work.

As a result of his consistently excellent reporting, millions of newspaper readers have received factual and understandable information on the most complicated issues of our time, and his byline has become synonymous with accuracy.

Second, Colonel Combs has achieved a goal which is sought by every man who is dedicated to a specific endeavor.

He has lived with his profession and he has loved it, and he has left it a better profession because of the association.

When the principles of our treasured freedom of the press are questioned, it is men like Colonel Combs who represent the very strongest argument in support of the integrity of the fourth estate.

He has followed the highest traditions of his occupation and his career should be a guide to those who would seek true success in the field.

There is also another realm in which Colonel Combs has left his mark in a special way.

Right here in the Congress, we members have a deep, although usually silent, affection for the members of the press who understand our problems and help us to understand theirs.

I need only to say that Colonel Combs has been one of our closest and truest friends.

To attempt to mention all of the highlights of Colonel Combs' career would obviously be rather ridiculous unless a man had a completely unlimited amount of time.

I would, however, like to mention a few of the events connected with the colonel's career.

Before I begin, though, it might be well to mention that the title which he bears was bestowed on him by the Governor of his native State, Kentucky.

It has since become as much of a trademark for him as his quick chuckle and bow tie.

Colonel Combs started his association with the Sunpapers on August 21, 1908, and his forthcoming retirement will become effective on the 48th anniversary of that day.

Looking back to that first day, Colonel Combs can recall that he had been hired to work in the Washington office of the Sunpapers as a clerk to take advertisements, arrange for subscriptions and sell papers over the counter for a penny apiece.

His first contact with a big news story came about 3 weeks later, when he witnessed the first airplane crash in which a member of the Armed Forces was killed.

Another staff member of the Sunpapers covered the event, however, and it was not until about 16 years later that Colonel Combs was transferred from business to newsgathering activities.

In the meantime, he had established contact with Washington's political life, and had even been appointed to jobs at two presidential inaugurations.

The first was in 1909, when President Taft took office.

Colonel Combs was supposed to accompany the Chief Executive as a mounted aide but, according to the colonel, "There was so much slushy snow on the streets that I didn't mount and I didn't aid."

President Wilson was more fortunate in obtaining the services of Colonel Combs.

Having been appointed an active member of the Public Order Committee for the Wilson ceremonies, Colonel Combs found the inauguration-day weather to his liking and served as "a sort of one-day policeman."

Much closer contacts were formed by Colonel Combs, with other Presidents; and Mr. Coolidge, Mr. Franklin Delano Roosevelt, and Mr. Truman were all on first-name terms with him.

Mr. Roosevelt frequently asked the colonel about upcoming parties at the National Press Club, and Mr. Truman went out of his way to greet his Sunpapers friend at public events.

Another official who was a close friend of Colonel Combs and who still maintains occasional correspondence with him is James Farley.

In the crowded Washington newspaper field, Colonel Combs frequently got good stories first because of his many friendships and his untiring persistence.

It was Colonel Combs, for instance, who let the Nation know that the prohibition director was going to resign, and it was Colonel Combs who broke the story about Franklin Roosevelt's "get acquainted" invitations to his new Congress.

That latter story, incidentally, grew out of one of the colonel's trips to my office, which was in the House of Representatives at that time.

Spotting a letter from the White House on my desk, Colonel Combs began to ask questions, and as usual, got his story.

Colonel Combs, as I have indicated, has been more than just a good newspaperman.

He has dedicated himself to his profession, and his interest has shown itself in numerous ways, including his long service as an officer of the National Press Club.

For approximately 18 years he has served on the club's board of directors.

He has been elected treasurer each year for the past 14 years, and, although he will retire from the Sunpapers next month, he intends to serve out his present term of office with the Press Club.

I could speak for many hours about our friend, but I am sure that his colleagues, as well as those of us here on the floor, realize the work that lies ahead of all of us before we adjourn.

Therefore, in behalf of all of us who have known and respected Colonel Combs as a friend and as a reporter, let me say simply that we thank him for what he has done, and that we will miss him.

Report on Farm Legislation

EXTENSION OF REMARKS
OF

HON. CHARLES W. VURSELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 1956

Mr. VURSELL. Mr. Speaker, today, as this session of the Congress draws to a close, I would like to briefly discuss the agricultural situation as we find it.

I am happy to say that conditions are much better than they were a year ago, and I want to point out some of the efforts we have made, and some of the things we have accomplished which have helped agriculture. While the farmer has not reached the point where he can enjoy his full share of the present prosperity of this country, his lot is better; his prices are higher, and his future is brighter.

There are many of us here who had the courage to pass legislation that would help remove the cause which was depressing the farmers' market. We who helped to remove this cause, rather than resort to political expediency, have already proven that we are the real friends of agriculture, and the farmers.

Speaking for myself, and the majority of the Members of the Congress who had the courage to take the criticism, and, yet, try to remove the cause and help the patient, so to speak, we will continue to follow these sound policies until the farmer reaches full prosperity, and the opportunities to continue that prosperity will be kept open for the years ahead.

We knew the cause was the mountain of surpluses that had been piling up over the last few years which was depressing the farmers' market. We knew that one of the causes was that during the last war we had lost nearly all of our export business.

THIS IS WHAT WE DID

Mr. Speaker for the first time in our history, we passed new laws that would help us increase our exports to foreign countries. Public Law 480 of the 83d Congress was one of them. Under title I of that act, farm surpluses are being sold to friendly foreign countries for foreign currencies, and under title III, farm surpluses are being bartered, or exchanged, for strategic materials.

These two programs have given a market boost to our total agricultural exports, and it is estimated that during the current year they will constitute about 20 percent of the export total of about $3¼ billion.

Through the combined efforts of commercial trade and Government, exports have been increased during the last 3 years. In fiscal year 1954 our exports were increased 7 percent; in fiscal year 1955 they were 4 percent higher than in 1954; in fiscal year 1956 they were 9 percent higher.

As a matter of fact, on a quantity basis, if you exclude cotton, farm exports this year are expected to be the highest of any year for the past 30 years.

In the face of this fact, yet, you will hear some people say, "What has the administration done to help the lot of the farmer?" This accomplishment could not have been effected had it not been for passing this new law, and other laws, that had never been thought of by any administration in the past.

HERE ARE SOME OF THE HIGHLIGHTS

Mr. Speaker, our exports are up 20 percent from last year. Corn and other feed grain exports up 84 percent—an all-time high record.

Soybean exports up 30 percent—a new record.

Soybean and cottonseed oil exports up 52 percent—another record.

Lard exports up 31 percent—the largest in the last 4 years. This is one of several reasons hog prices have increased from a low of $11 to $18 per hundredweight.

Record exports of beans and vegetable oils have been a keen factor in the high farm prices for soybeans, with a soybean crop of 372 million bushels last year, which yielded the farmers almost $1 billion. Soybeans were selling as high as $3.15, but I realize that recently soybeans have dropped from the high, largely because the acreage has been greatly increased for the 1956 crop, and that fear of a surplus, and nothing else, has lowered the price of soybeans; however, our great increase in export markets will likely remove enough of the production to maintain prices that will bring the farmers a reasonable profit.

REMOVING GOVERNMENT SURPLUSES

A truly remarkable job has been done in disposing of surplus dairy products. At the peak, in 1954, the Commodity Credit Corporation held 467 million pounds of butter, 436 million pounds of cheese, and 566 million pounds of nonfat dry milk solids. In mid-June there was no butter in stock, cheese holdings were down to 193 million pounds, and nonfat dry milk solids down to 147 million pounds. These disposals were achieved despite higher milk production and without impairing farm income. On the contrary, from 1954 to 1955, dairy farmers' cash receipts increased by $100 million at the same time that milk production went up 1.4 billion pounds. And the improved situation continues in 1956.

During the last 3 years we have disposed of $6 billion of farm commodities held by the Commodity Credit Corporation and owned by the Government.

What brought about this marked shift in the dairy situation? For one thing, the dairy industry itself has taken a renewed interest in educational and sales promotion efforts.

SCHOOL LUNCH PROGRAM

Another stimulus to consumption has come from the expanded school milk program. This school year more than 60,000 schools are taking advantage of this program and participating children will consume well over one billion half-pints of milk.

Acting on the recommendation of the President, Congress has extended the program for 2 years and increased the authorized funds to $75 million per year.

And speaking of schoolchildren, the National School Lunch Program continues to expand. This year over 10 million children in 56,000 schools are participating in the program. The schools are purchasing more than $350 million worth of food this year—in addition to the surplus foods donated to them by the United States Department of Agriculture.

SOIL BANK

The soil bank is another major step in coping with the surplus problem. It is a frontal attack on the accumulated surpluses coupled with an effort to safeguard our soil and water resources for future generations, and to improve farm income.

I need not tell you, for you already know, of the delay for months in the soil bank program in the Senate, and the monstrosity of the bill that finally came to the House of Representatives, and then, there was further delay in the House before it was sent to the President for his signature.

President Eisenhower saved the day for the farmers when he courageously vetoed the worst farm bill that has been passed in the Congress in the 14 years I have been here.

Had he not vetoed this bill, it would have shut the door to permanent recovery for the farmers of America. He not only vetoed the bill, but he demanded that the Congress give him a bill that was worthy of the farmers of America, and that would help open the door for a progressive future for the farmers of America. Grudgingly, but finally, those who tried to load the farm bill with bad amendments were defeated and worn down to where we got a soil bank bill that went a long way toward the very type of a bill that the President asked for, and a soil bank bill of which the greatest number of his provisions harmonized with the type of bill that the Farm Bureau Federation had suggested.

Had it not been for the shameful delay, the farmers could have had millions of dollars of benefit this year that has been denied them by those who tried to delay, and scuttle, the efforts of the President and those of us who wanted to bring real relief, and a better future to the farmers of America.

Mr. Speaker, now I want to pay a compliment, which I believe is deserving, to the Committee on Appropriations for Agriculture. This committee, as you know, consisting of 7 members, held hearings for about 2 months in order to give Secretary Benson, and the heads of the various departments of the Agriculture Department an opportunity to come before us and report on the progress they were making, and to explain to us how much they needed for each department for the coming year, and to what use these funds would be put. After exhaustive hearings, this committee of 7 wrote the bill which carried just for the regular activities of the Department $783,061,708. This did not take into account over a billion dollars for the Commodtiy Credit Corporation, and other services.

Mr. Speaker, I deem it a great honor to have had the opportunity to serve as a member of this committee. It has been a rich experience affording me an opportunity to learn more about the

basic industry, agriculture, upon which foundation the economy and power of this great Nation has been built, and upon which it rests.

Mr. Speaker, it has also given me an opportunity to be helpful to the farm segment of our economy, in which I have long been interested, which has been developed by the farmers of America to a height of production that surpasses any nation in world history. Having personally been interested in agriculture, having been a member of the Farm Bureau for 40 years, the work on this committee and the opportunity to be helpful to agriculture has been a great satisfaction to me.

FALSE CRITICISM

Mr. Speaker, since there are always those in political campaigns who seek to misrepresent, and who criticize Members of Congress who have really tried to do something to help agriculture, it becomes necessary at times to face such critics who deliberately misrepresent, and falsify the record of a Congressman, in order to gain a political advantage for themselves, I repeat, it becomes necessary to confront them with the truth. The truth is always powerful enough to destroy fiction, and the misrepresentation of facts.

Mr. Speaker, I raise this question because there is an effort being made in my district at this time to mislead the farmers, and to misrepresent my record here, which has always been, as the Members of this Congress know, in the interest of the farmers. Efforts of that kind, I believe the Members of this Congress will bear me out, are generally made by someone who has never done anything himself for the farmers. That is the situation in the case I have in mind.

To prove the falsity of such charges, I would like to point out that our committee, the entire membership of the Appropriations Committee, of this House sought to help the farmers by increasing appropriations for Soil Conservation, for Research and Extension Service, for the extension of REA Light and Power, by liberalizing farm credit through Farmers' Home Administration, and increasing appropriations for many departments of agriculture.

Now, to confront those who would misrepresent my record, with the devastating truth, I want to quote a few paragraphs of my remarks made on May 15, 1956, which can be found in the CONGRESSIONAL RECORD, on page 8099 when our committee presented to the Members of the House the appropriations bill for agriculture for the coming year: This is what I said:

Mr. Chairman, our committee, in its exhaustive hearings, conscious of the fact that the farmers are not fully sharing in the prosperity of the Nation, has sought to help them where we justifiably could in certain sections of the bill.

The bill before us carries an appropriation of $783,061,708 for regular activities of the Department. It provides for loan authorizations for REA and Farmers' Home Administration of $359,300,000 both in title I of the bill.

We allowed the full budget request of $145,300,000 for REA, and in addition provided for a contingency fund of $43,700,000 which can be drawn on by cooperatives if they need more money by justifying same before the Bureau of the Budget.

For the rural telephone program we approved the budget amount, and, in addition, provided for a contingency of $50,500,000—which can also be drawn on by justifying such additional request before the Bureau of the Budget. REA is always doing a good job, and the committee wants to give it full cooperation.

SOIL CONSERVATION

In 1955 our committee increased appropriations for soil conservation from $75 million to $81 million, and for the coming year, we increased the amount from $81 million to $97 million—an increase of $16 million over last year. In addition, we authorized for the coming year, to pay farmers for soil conservation program practices $250 million; yet, there are those who for personal political gain are spreading the false statement that "VURSELL is opposed to soil conservation."

Mr. Speaker, of course the Members of this House, with whom I have served many years, know that story is false. In addition, nearly all the farmers in my district know of my constant support of legislation in their interest. I once complained to one of my farmer friends about those unfair attempts to deceive the voters. His answer was the old axiom you have doubtless heard many times, "give a calf enough rope and he will hang himself." Well, maybe he is right.

Hon. John W. McCormack and Reporters' Roundup

EXTENSION OF REMARKS

OF

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 1956

Mr. ROONEY. Mr. Speaker, on Monday, July 23, 1956, the distinguished gentleman from Massachusetts, the majority leader of the House, Hon. JOHN W. MCCORMACK, appeared as the guest on the radio program known as Reporters' Roundup.

Congressman MCCORMACK, chairman of the platform committee for the coming Democratic National Convention, was questioned by well-known members of the Washington press corps, Mr. Jim Lucas, staff writer for Scripps-Howard newspapers, and Mrs. Doris Fleeson, syndicated columnist for United Features. The moderator was Robert F. Hurleigh, Mutual commentator and director of Washington operations.

Under permission heretofore granted me by unanimous consent of the House, I am including herewith the complete transcript of this broadcast of Reporters' Roundup:

Mr. FISKE. Reporters' Roundup, where bylines make headlines. In a moment hear the Honorable JOHN W. MCCORMACK, Democratic United States Congressman of Massachusetts and House majority leader of the 84th Congress, answer questions fired at him by a panel of veteran reporters.

Mr. HURLEIGH. Congressman, what are the accomplishments of the Democratic-controlled 84th Congress?

Mr. LUCAS. Will the Democrats be able to hold the House and the Senate in the next elections?

Mrs. FLEESON. What are the Democratic chances of beating President Eisenhower for the White House?

Mr. HURLEIGH. The Democratic-controlled 84th Congress is in high gear in an effort to adjourn. Democratic leaders say they are armed with facts about a lack of Republican support in Congress for some major programs, such as foreign aid. Members of the 84th Congress realize that the record made in Congress will be a major test for both Democrats and Republicans for control of the Senate and House in the forthcoming elections. Our guest is the majority leader of the United States House of Representatives, Congressman JOHN W. MCCORMACK, Democrat, of Massachusetts' 12th District. The Democrats named Congressman MCCORMACK recently to head the platform committee at the Democratic National Convention. Congressman MCCORMACK was born in South Boston. He was elected to represent his district in 1928; named majority leader in 1940. Congressman MCCORMACK has held the majority leader post in each Congress since, except the 80th and 83d, in which he served as Democratic whip. And now our guest is ready.

Mr. FISKE. Reporters' Roundup, which comes to you transcribed from the House Radio Gallery in the Nation's Capital, is presented by Mutual and Facts Forum as part of Facts Forum's effort to stimulate interest in current issues. Facts Forum, nationwide adult educational organization, is devoted to encouraging a desire in all Americans to listen, read, and think more about public affairs. Facts Forum has faith that if the American people will inform themselves from sources of their own choosing they will make wise decisions. May the opinions you will now hear expressed by our guest prompt you to further thought. Our guest is the Honorable JOHN W. MCCORMACK, Democratic United States Congressman of Massachusetts' 12th District and House majority leader of the 84th Congress. Congressman MCCORMACK is prepared to meet the challenging questions of this panel of well-known and able reporters: Mr. Jim Lucas, staff writer of Scripps-Howard newspapers, and Mrs. Doris Fleeson, columnist of United Features Syndicate. Your moderator, Robert F. Hurleigh, Mutual commentator and director of Washington operations.

Mr. HURLEIGH. And now, Mr. Lucas, let's have the first question for Congressman MCCORMACK.

Mr. LUCAS. Congressman MCCORMACK, you are to be the chairman of the platform committee in Chicago. I wonder if you think you will be able to write a civil-rights plank that will satisfy both the North and the South and still say anything?

Mr. MCCORMACK. Well, I was chairman, if you will remember, Mr. Lucas, in 1944. I was chairman of the platform committee in 1952 when the same situation existed probably in more acute form and as I project my mind into the coming platform meetings and considerations and the results and in relation to civil rights, I feel very confident that a plank will be drafted and adopted that will be satisfactory and maintain unity in the Democratic Party.

Mr. LUCAS. What specifically would that plank include?

Mr. MCCORMACK. Well, of course, as chairman of the committee, I am not going to express myself on that prior to the committee meeting and the considerations because

I want to go into the committee in the position where I can accomplish the greatest amount of results.

Mr. LUCAS. Do you feel that the situation is more acute in the past—has been more acute in the past—that it is today?

Mr. MCCORMACK. From the evidence I have, I would say, Yes.

Mrs. FLEESON. Congressman, aren't you going to have to mention that Supreme Court decision banning segregation in the platform this year?

Mr. MCCORMACK. That's one of the questions that will be considered, Mrs. Fleeson, and prior to the committee meeting I am not going to express any opinions because as chairman of the committee I feel that I would not place myself in the proper position if I were to do so.

Mrs. FLEESON. Well, I hope you won't stick with that because I would like to ask another question about a formal piece of legislation if you can express yourself. How are you going to explain in the Democratic platform that the Democratic Congress failed to pass a bill for Federal aid in the construction of badly needed school buildings?

Mr. MCCORMACK. Well, that is very—that is easily explainable. We have a very narrow body—there is a—the democratic majority is such that if we had 15 more Democrats, progressive Democrats, why in my opinion the result would be different. But let us look at the record, Mrs. Fleeson. The Republicans have responsibility also. I think you will admit that. Certainly the public will and on the rollcall of the passage of the bill there were 75 Republicans voted for the bill—119 against the bill. There were 119 Democrats who voted for the bill and 105 against the bill. I wish there were less of those 105 Democrats and I wish there were less than the 119 Republicans. In other words the Republican Members of the House by a large majority voted against the bill and they have their responsibility as a party and as individual Members.

Mr. LUCAS. Mr. MCCORMACK, on the basis of your record in Congress, do you think the Democrats will be able to hold the House and the Senate in the next election?

Mr. MCCORMACK. I am hopeful. In 1952 when President Eisenhower won by over 6½ million votes, there were 221 Republican Members elected to the House—213 Democrats and 1 Independent. In other words, the Republicans barely squeezed through so far as the House was concerned. Strange thing is that with that tremendous plurality that President Eisenhower received in 1952, the popular vote for Members of the House throughout the country was about the same, if anything the Democrats had a little more popular vote than the Republicans. And we have that unusual phenomenon where the people voted for Eisenhower in 1952, but apparently they didn't want to leave the leadership and the policies of the Democratic Party because they realized that we were for their best interest. Based upon the Eisenhower vote in 1952, if that had reflected itself against the Democratic Party as such, we would not have had more than 165 Democrats instead of 213 elected. Now we had that and in 1954 we gained the House and we made rapid gains in governorships and in local elections in the several States of the Union and I have a feeling of confidence that the people in their wisdom will reelect a Democratic House and Senate this fall.

Mr. LUCAS. Presumably General Eisenhower will be at the head of the Republican ticket again this year. Will that make——

Mr. MCCORMACK. Indications point that way now.

Mr. LUCAS. Will that make more difficult your task of retaining control of the two Houses of Congress?

Mr. MCCORMACK. Why, of course, the factors—there are many factors between now and November. Of course, President Eisenhower is not as strong now as he was in 1952 by any means. Furthermore, there are other factors involved. We have certain big business control of Government, you have the discrimination against small and independent business, you have the—the disregard of the farmers, the forgotten people. You have the tie-up with big special interests in connection with the public resources, we are on the defensive throughout the world on foreign affairs, there are many factors and the American people are sensitive and, of course, in the minds of every person, they realize that in voting for President, they do and are considering it—they have got to consider the national interest of our country which is paramount and they should. Because it is not a question of electing a man because of popularity to the Presidency of the United States. That's the most responsible position in the world. And the very fate of our country could be involved in having a man in there where we would be assured of permanent policy and leadership during his administration.

Mrs. FLEESON. Isn't it a fact, Congressman, that the President is interested himself in improving the caliber of the candidates in the Republican party this fall? They've had stronger candidates certainly in the Senate in many States than they've had in previous years.

Mr. MCCORMACK. Well, that's a question of fact, Mrs. Fleeson. I notice, of course, if you have in mind Kentucky, why that would be an illustration.

Mrs. FLEESON. And the State of Washington.

Mr. MCCORMACK. That would be an illustration. I am not so sure about the other candidates because you are in the unusual position where most of the Republican candidates like Ike, using that slogan for election purposes, but after they are elected their record shows the great majority don't vote for the matters he recommends.

Mrs. FLEESON. Let me switch to your party. Speaking of liking Ike—do you like your colleague, Senator KENNEDY, of Massachusetts, for the vice presidential nomination? On the Democratic ticket?

Mr. MCCORMACK. Why, of course, the vice presidential nomination—you don't run for that, you're selected. You know that as well as I do. The—whoever you nominate for President—he has the big voice in selecting the second place. You are not going to, you're not going to—if Governor Stevenson is nominated, I would assume and I hope that Senator KENNEDY would be given very serious consideration by him. So far as Senator KENNEDY and I are concerned, we have a friendly relationship. Certainly I have evidenced it to him on so many occasions that there ought to be a friendly state of mind on his part toward me and particularly I have a friendly state of mind toward him.

Mrs. FLEESON. Congressman, it is felt that the nomination of KENNEDY for Vice President or that of Mayor Wagner, of New York, who are Catholics would strengthen the Democrats in the big cities of the United States. Do you think that they need strengthening with the Catholic vote of the big cities of the United States?

Mr. MCCORMACK. Well, I don't; I don't recognize anything as a Catholic vote any more than a Baptist vote or a Presbyterian vote or an Episcopalian vote—I am an American. I am a communicant of the Catholic Church; I love my religion. And I want the world to know it. And I respect all other religions. I am serving here as an American citizen and in a sense I deplore the use of a Catholic vote as such, same as I would a colored vote as such. I think our fine Americans of the colored race vote as Americans.

Mr. LUCAS. Along that line, Congressman——

Mr. MCCORMACK. Same as I deplore such a characterization of a Baptist vote or a Presbyterian vote. Now, in direct answer to your question, I think the time has arrived in America when one who is outstanding, a man who has impressed himself upon the American people and who is a communicant of the Catholic Church would not be denied election because of that fact. I think the people of the South would vote for a good man, a good American, who is a Catholic, and certainly the North would. And I think this year in particular that if a good American with outstanding service who is honorable and trustworthy and commands the respect of the American people is selected—on the Democratic ticket or on the Republican ticket—but we will confine ourselves to the Democratic ticket because that is the immediate subject of discussion of your question—if one is selected, I think it would be a decided asset to the Democratic Party. But he shouldn't be selected because he is a Catholic, just the same as they might select a man who comes from an agricultural area, the party might, because they want to have the influence upon the agricultural vote. It's always an important incidental and secondary consideration and that is where it belongs and that is where it should be but as a secondary consideration this year, I am frank in stating that I think that if the Democratic Party were to select a good outstanding man who is a communicant of the Catholic Church for President he would be elected—I don't think the American people would vote against a man because of his religion. A few here and there. The 1928 fight cannot be revived in 1956 in my opinion.

Mr. LUCAS. Along that line, Mr. Congressman, a southern member of Congress the other day accused the nonsoutherners of socially segregating the three Negro members of Congress. Do you have any comment on that?

Mr. MCCORMACK. What do you mean? I don't know, that's the first I ever heard of this.

Mr. LUCAS. Mr. ABERNETHY of Mississippi.

Mr. MCCORMACK. I am stunned——

Mrs. FLEESON. Congressman ABERNETHY made the charge, sir.

Mr. MCCORMACK. Oh well, the—I imagine that was under emotional strain. I cannot undertake to interpret the mind of someone else. I can interpret my own mind.

Mrs. FLEESON. Well, can you say whether they do or do not segregate?

Mr. MCCORMACK. Oh, no—farthest thing in the world, Mrs. Fleeson and Mr. Lucas. The accident of birth means nothing to me. God didn't consult me when I was born and why should I have anything, feelings, against any person because of the accident of birth. And God isn't going to judge me or anyone else on the color of our skin. When we die we go up and Peter judges—and go to the Gates of Heaven——

Mrs. FLEESON. Congressman, that isn't the question, sir. Congressman ABERNETHY charged specifically that the colored Members of the House were not socially received in the homes of their colleagues and that the northerners were guilty of hypocrisy in this regard.

Mr. MCCORMACK. What do you mean, socially received?

Mr. LUCAS. Visit in their apartments, in their homes——

Mrs. FLEESON. Dine with them——

Mr. LUCAS. Dine with them in the House restaurant was a specific point that he made.

Mr. MCCORMACK. Well, I have seen a Member of Congress of the colored race eating in the House restaurant——

Mrs. FLEESON. With white colleagues?

Mr. MCCORMACK. A lot of people—the question of social—take Congressman DAWSON,

Who is a finer American than Congressman DAWSON? He would be welcomed anywhere. He is chairman of the House Administration Committee, Government Operations Committee, the first representative, American, of the colored race ever to be chairman of a committee in the entire history of the country. And I serve on that committee, and I serve on that committee because I am proud to serve under BILL DAWSON. I didn't serve on Ways and Means Committee that I was a member of when I was first elected leader in 1940—I resigned from Ways and Means Committee. But I was a Member of the House, of the Government Operations Committee during the 80th Republican Congress and I was reelected leader in the 81st Congress, but I stayed on the committee, I not only stayed on it but I stepped aside. I was his senior—I could have been chairman of the committee, but I stepped aside so that—and he became chairman and then I served on the committee to show how proud I was not only to step aside for this great American Congressman DAWSON, but to serve under him as my chairman.

Mr. LUCAS. Mr. MCCORMACK, the Massachusetts delegation to Chicago, I believe, is pledged to you.

Mr. MCCORMACK. Yes. Well, it's a write-in vote now; that is, I got the majority of the write-in votes. Now, the extent to which they are pledged to me, that is a question of fact. I have read in the newspapers that they are going to cast their first ballot for me if I want it. I'm putting in "if I want it" in there.

Mrs. FLEESON. Do you want it?

Mr. MCCORMACK. I may, because it would be a good part of my obituary.

Mrs. FLEESON. We're not looking forward to that.

Mr. LUCAS. No; not at all.

Mr. MCCORMACK. Well, I think you can read my mind and see the—how serious, how much I think I will ever get the nomination—but it's a very nice compliment. I appreciate the action of the people in writing my name in. I didn't seek it. I wasn't a candidate. Friends of mine proposed it without my knowledge, and then it blossomed up in 2 or 3 days. So many good friends of mine and I couldn't publicly repudiate them, their efforts, their sincerity, and I said you go ahead and conduct it yourself. And we know what the results were—I got the write-in vote. If you want to ask any further questions on that subject, it is perfectly all right with me——

Mr. LUCAS. Well, where will it go after casting this courtesy or complimentary——

Mr. MCCORMACK. I imagine the majority will probably go to Governor Stevenson and where the others go I couldn't tell you now.

Mrs. FLEESON. Who is your favorite candidate for the Democratic nomination, Congressman?

Mr. MCCORMACK. I'm not for anybody yet. I am not, and certainly I never develop a state of mind where I am against anybody. I would like to see the candidate selected who will be the strongest man. And when you select a candidate you have also got to consider the candidates in the State for governor and United States Senator, and the candidates for Congress and close districts. If we select or nominate a weak man, a man who isn't strong in close districts, we might lose 10 or 15 close districts that we otherwise would win.

Mrs. FLEESON. Are there any weak Democrats?

Mr. MCCORMACK. What? Well, there are some stronger than others.

Mr. LUCAS. And who would you rate the strongest then?

Mr. MCCORMACK. Why, that's, that is a difficult question. I would say that on the voter level I would say that Senator SYMINGTON would be strong. I would say that Governor Harriman would be strong. I would say that Senator KEFAUVER would be strong on the voter level. And I'd put Governor Stevenson in the next place.

Mr. LUCAS. Do you think that Senator SYMINGTON could take it in a national campaign?

Mr. MCCORMACK. Well, I am a great admirer of STUART SYMINGTON but he is not an active candidate. I'm not talking candidates now—I am for anyone who is nominated and I will go out enthusiastically and support him and I think we've got a great opportunity for a Democratic victory this year. I am not one of those defeatists.

Mrs. FLEESON. Do you think President Eisenhower's health will be an issue in the campaign?

Mr. MCCORMACK. It's bound to be in the minds of the people. The very fact that you asked the question shows that it is in your mind. And you know I have a lot of confidence in these American families, when husband and wife sit together and they chat as Mrs. McCormack and I do, we discuss things seriously. So do the other husbands and wives and their children. And it's bound to be in their minds, because the very national interest of our country is involved—the office of President is the most important in the world. It's a full-time job, particularly in an emergency like we have today where the fate of the free world and our own country might be involved. You have got to have continuous, permanent, firm leadership and the question confronting the American people is not "do I like some individual"—but "what is for the national interest of our country?"—having in mind the world condition and circumstances and the physical condition of candidates. So, the answer to your question is, and nobody argues it, it's an issue in the minds of the American people in my opinion. Because, speaking as an American, I can't escape it. Much as I wish it didn't exist and I just can't escape it and every other American is bound to have the same thoughts along that line.

Mr. LUCAS. How much do you think Vice President NIXON will strengthen the Republican ticket?

Mr. MCCORMACK. NIXON? He will weaken the ticket?

Mrs. FLEESON. Why?

Mr. MCCORMACK. Well, Vice President NIXON—I am expressing an opinion based upon my extensive associations with people and listening to what they say, he is very unpopular.

Mrs. FLEESON. With whom, besides Democrats?

Mr. MCCORMACK. Oh, well now. I am not confining myself to Democrats. I have met any number of Republicans who have told me for example that if he were the candidate for President, they'd vote for a Democrat. Now, that feeling reflects itself further, because I am satisfied that the great majority of the American people feel that he is not capable or qualified to fill the office of President if that situation should arise, which we all hope and pray will not, if President Eisenhower is reelected and I am not conceding his reelection.

Mr. HURLEIGH. Mr. MCCORMACK, if the health of President Eisenhower will be an issue, and if many people perhaps entertain doubts about his longevity and Mr. NIXON is a weak candidate for the Vice Presidency, would you then suggest that the Republican ticket is weak for 1956?

Mr. MCCORMACK. Well, now, that would not necessarily follow. The fact that Mr. NIXON will be the vice presidential candidate I think will cause the people to give additional thought to the health of the President and the results of his election.

Mr. LUCAS. Mr. MCCORMACK, what States which went for Eisenhower in the last election do you think are likely to go Democratic this year?

Mr. MCCORMACK. I think we have the Solid South in line with the possibility there may be one State in the South, but I don't even think in that case.

Mrs. FLEESON. Florida?

Mr. MCCORMACK. Yes. Still I don't think in that case. I would think we have a good chance of carrying some of the farm States that we didn't carry in 1952.

Mr. LUCAS. New York?

Mr. MCCORMACK. I think we have a good chance of carrying Massachusetts and New York, Pennsylvania. Now, I may not mention some States and they will think that I think that they won't be carried. I don't want any listener to get that impression. But I think, I felt even before the unfortunate heart attack of the President, before his later operation, that with the issues we had and with the record of the present administration that we had, that even with Eisenhower a candidate for reelection that he didn't have much better than a 50–50 chance of winning.

Mrs. FLEESON. The Democrats say that they are dead broke. That they have no money, and that——

Mr. MCCORMACK. Well, we've always been——

Mrs. FLEESON. The Republicans have a large treasury. Don't you think that will handicap your party?

Mr. MCCORMACK. Yes, money—money is a powerful influence, but we Democrats have always been more or less broke and there is nothing new to that and all I can suggest is that we Democrats have certainly saved business, big and little, and I've once and awhile said to one of my friends who's in big business, who is a Republican, that for every $5 you contribute to the Republican Party out of an act of gratitude and appreciation, why don't you contribute $1 to the Democratic Party?

Mr. HURLEIGH. I'm sorry, Congressman, but I am going to have to cut in here. Our board of judges has selected the prize-winning questions submitted by our listeners for this broadcast. In a moment, Congressman MCCORMACK is going to answer these questions. Stand by for the names of the winners.

Mr. FISKE. There's more fun in your morning when you stay tuned to Mutual. The weather is always bright and sunny when you're on the Mutual line for programs that brighten a gay day, or lighten a gray day. It's the easy way to make time fly by before you know it, while household chores become a pleasure when you enjoy yourself and listen while you work. You'll find there are several easy to listen to news digests, 5 minutes of up-to-the-minute headlines to keep you informed on what's happening in the world. Mornings on Mutual mean all the happy good times of quiz programs, with their excitement and thrills, the suspense as contestants reach for big prizes and the warm glow that comes from hearing of another's good fortune. Make your morning pleasure Mutual with programs that let you keep right on with everyday tasks, hear them all every weekday over most of these stations. Remember, Mutual is your network for news.

Mr. HURLEIGH. And now, Congressman MCCORMACK, here are those prize-winning questions from our listeners.

Mr. FISKE. From Mrs. Spiro C. Minolas, of Cambridge, Mass.

Mr. HURLEIGH. Congressman MCCORMACK, from your own State, why in your opinion has the United States lost ground during the past few years in the East-West conflict and what can the new Congress do to help regain the initiative?

Mr. MCCORMACK. That's a very pertinent question. The last few years we have lost

ground because of the uncertain and confused leadership that we have in Washington from President Eisenhower down. For example, last July at the Geneva meeting, he said that—he admitted publicly, stated publicly that the Communists were sincere in their desire for peace. Of course they are—for a Communist peace, but that's not our peace. That's the worst mistake he could have made. We see the fraternization that's going on. That's bad. That affects millions of persons behind the Iron Curtain who hate their Communist oppressors. We are on the defensive throughout the entire world. We have the illustration of neutralism. The President says one thing, he clarifies it the next day which is bad. Vice President NIXON says something different. Secretary Dulles goes to the extreme and then he tries to say that the President and he agrees when everybody knows he said the opposite of the President. All of that shows uncertain leadership. The leaders of other countries are doubting our sincerity—of other countries friendly to us, so there are many things I could say on that. But we are on the defensive throughout the world and it is because of a lack of firm leadership and the Democratic Party, the Democratic leadership will bring back the policy of peace and strength. We've got to have firmness in our international relations with other countries so they will respect us and we are losing respect throughout the world.

Mr. FISKE. From Robert P. McCloghery, of San Francisco, Calif.

Mr. HURLEIGH. Congressman MCCORMACK, should we cut our Armed Forces overseas, return them to the United States and depend on greater Air Force and guided missiles?

Mr. MCCORMACK. That's a very hard question for a layman to answer. It's a very good question. However, as one charged with responsibility I feel that we should not take any calculated risks on the side of weakness. If we are going to err, it's better to err on the side of strength than on the side of weakness and before we reduce our foot soldiers, our land soldiers, our military leaders and those responsible for the preservation of our Government had better be careful that they are right.

Mr. FISKE. From Donald E. Fortson, of North Little Rock, Ark.

Mr. HURLEIGH. Congressman MCCORMACK, what single piece of legislation passed by the 84th Congress do you regard as the most significant?

Mr. MCCORMACK. Well, there are several. There is the Interstate Highway System, the 41,000-mile system, which is of vital importance to our people. There are the appropriations made for defense, I think the upping of $900 million by the Democrats in both Houses of the Congress—initiated in the Senate and concurred in by the House—for the buildup of our Air Force is of vital importance. The big job for us today is to preserve our country and we have got to have the leadership that will establish policies that are for the national interest of our country and the best interest of our people—and it can't be bullying but it's got to be firm leadership. Other nations are watching us closely and when they see uncertainty on the part of our top leadership they then commence to doubt. And it can't be a day-to-day or a week-to-week foreign policy. Now when President Truman was in, the world knew he first made his own decisions and second when he made his decisions he meant them. They don't feel the same way about the present administration.

Mr. HURLEIGH. I want to thank United States Congressman JOHN W. MCCORMACK, Democrat, of Massachusetts, and House majority leader, for being our guest on Reporters' Roundup, which came to you transcribed from the House Radio Gallery in your Nation's Capital. My thanks, too, to the reporters on our panel—Mr. Jim Lucas, staff writer of Scripps Howard newspapers, and Mrs. Doris Fleeson, syndicated columnist of United Features.